



**TOWN OF PALM BEACH
PLANNING, ZONING AND BUILDING
DEPARTMENT**

**MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION
MEETING HELD ON WEDNESDAY, NOVEMBER 20, 2024.**

Please be advised that in keeping with a directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting after the fact may access the audio of that item via the Town's website at www.townofpalmbeach.com.

I. CALL TO ORDER

Chair Patterson called the meeting to order at 9:30 a.m.

II. ROLL CALL

Sue Patterson, Chair	PRESENT
Brittain Damgard, Vice Chair	PRESENT
Jacqueline Albarran, Member	PRESENT
Anne Fairfax, Member	PRESENT
Julie Herzig Desnick, Member	PRESENT
Alexander Hufty Griswold, Member	PRESENT
Alexander Ives, Member	PRESENT
Anne Metzger, Alternate Member	PRESENT
Catherine Brooker, Alternate Member	PRESENT
Kim Coleman, Alternate Member	ABSENT - Excused

Staff Members present were:

Friederike Mittner, Design and Preservation Manager
Abraham Fogel, Design and Preservation Planner
Pat Gayle-Gordon, Deputy Town Clerk
Assistant Town Attorney Lainey Francisco

III. PLEDGE OF ALLEGIANCE

Chair Patterson led the Pledge of Allegiance.

IV. APPROVAL OF MINUTES

- A. Minutes of the Landmarks Preservation Commission Meeting of October 24, 2024

A motion was made by Ms. Damgard and seconded by Ms. Albarran to approve the minutes of the October 24, 2024, meeting as presented. The motion was carried unanimously, 7-0.

V. APPROVAL OF THE AGENDA

Ms. Mittner requested the following changes to the agenda: COA-24-0023 Phipps Plaza moved from 6. to 2. under New Business, a time certain of 3:15 p.m. added to X. Designation Hearings, Designation Hearing number 4, 2850 South Ocean Boulevard to be heard first under the same category, and HSB-24-005 854 South County Road would be deferred to December 18, 2024.

A motion was made by Mr. Ives and seconded by Ms. Damgard to approve the amended agenda. The motion was carried unanimously, 7-0.

VI. ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY

Ms. Churney swore in all those intending to speak and continued to do so throughout the meeting, as necessary.

VII. COMMENTS FROM THE LANDMARKS PRESERVATION COMMISSION MEMBERS

No one indicated a desire to speak at this time.

VIII. COMMENTS OF THE PLANNING, ZONING AND BUILDING STAFF

A. Administrative Review Monthly Update

Ms. Mittner stated that the staff had reviewed ten administrative applications within the last month.

IX. COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3 MINUTE LIMIT PLEASE)

There were no comments at this time.

X. PROJECT REVIEW

A. CERTIFICATES OF APPROPRIATENESS - OLD BUSINESS

NONE

B. CERTIFICATES OF APPROPRIATENESS - NEW BUSINESS

1. **COA-24-0016 (ZON-24-0048) 102 JUNGLE RD (COMBO)** The applicant, Ethanhill, LLC, has filed an application requesting a Certificate of Appropriateness for the review and approval of a beach access gate requiring a variance to exceed the maximum height for the landmarked property. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

Mr. Fogel provided staff comments for this project.

Several members disclosed ex-parte communications.

Patrick O'Connell of Patrick Ryan O'Connell Architect presented the architectural plans for the project. Mr. O'Connell also presented option three as an alternative gate design.

Ms. Patterson called for public comment. No one indicated a desire to speak.

Ms. Damgard favored options one or three.

Ms. Brooker thought all were acceptable, but she wondered if the gate would be much of a deterrent.

Mr. Ives agreed with the other comments and favored option one, as it was a simpler design.

Ms. Fairfax thought all were acceptable but preferred option three. She was not in favor of the details of option two.

Ms. Albarran agreed with Ms. Fairfax but preferred option one. However, she wished the handle on option one was smaller.

Mr. Griswold asked for the owner's preference, which Mr. O'Connell indicated he did not have a preference.

Ms. Patterson preferred option three and thought it was beautiful.

Mr. Ives made a motion, seconded by Ms. Fairfax, to approve the project as presented with the gate and design option number three. The motion was carried unanimously, 7-0.

A motion was made by Mr. Ives and seconded by Ms. Damgard that the implementation of the proposed variance will not cause a negative architectural impact on the subject landmarked property. The motion was carried unanimously, 7-0.

2. **COA-24-0023 218 PHIPPS PLAZA** The applicant, Patrick O'Connell, has filed an application requesting a Certificate of Appropriateness for the review and approval of new brick inlays on the rear façade of the Landmarked structure.

Mr. Fogel provided staff comments for this project.

Several members disclosed ex-parte communications.

Patrick O'Connell of Patrick Ryan O'Connell Architects presented the architectural plans for the project. Mr. O'Connell presented an alternate design for the upper doors on the west elevation, which eliminated the quoins and showed the brick next to the doors.

Ms. Patterson called for public comment.

Aimee Sunny, The Preservation Foundation of Palm Beach, initially had concerns about the brick but found out that section of the home was an addition from the 1990s. She provided a suggestion for the

commissioners to consider when making their decision.

Ms. Damgard did not have significant concerns since it was on the rear of the home.

Ms. Albarran liked the changes and favored the alternate design shown.

Ms. Damgard suggested that the owner replace the bricks on the terrace with those proposed.

A motion was made by Ms. Damgard and seconded by Ms. Albarran to approve the project with the alternate design shown for the upper doors on the west elevation, as well as a suggestion that the owner replace the terrace bricks. The motion carried unanimously, 7-0.

3. **COA-24-0018 (ZON-24-0043) 100, 101, 102, and 103 FOUR ARTS PLZ - THE SOCIETY OF THE FOUR ARTS (COMBO)** The applicant, Society of the Four Arts Inc, has filed an application requesting a Certificate of Appropriateness for review and approval of: 1) demolition exceeding 50%, and the construction of a new one- and two-story additions and renovations to the existing two-story theater building (O’Keefe), 2) demolition exceeding 50%, and the construction of a new three-story addition, and renovations to the existing three-story administrative building (Rovensky), 3) demolition exceeding 50% of the existing shade structure and construction of a new pavilion, 4) a Master Signage Plan, and 5) landscape and hardscape modifications, requiring a Special Exception with Site Plan Review, and one (1) variance for the reduction of on-site parking requirement for the landmarked property. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

TIMECERAIN 10:00 AM

Ms. Mittner provided staff comments for this project. James Murphy, Assistant Director of Planning, Zoning, and Building, stated that the staff had been working with the applicants and discussed the changes they had made over the past several months.

Several members disclosed ex-parte communications.

Attorney Harvey Oyer, on behalf of the applicant, provided an overview of the requests for the proposed project. Nate Rogers of Beyer, Blinder, Belle, and Planners presented the architectural plans for the project.

Ms. Patterson called for public comment.

Public comment in support:

Patrick Henry, 630 Crest Road

Phillip Rylands, President and CEO of the Four Arts

Christine Alyward, 100 Casa Bendita (President of Garden Club)

Public comment with concerns:

Anne Pepper, 333 Seaspray Avenue

Aimee Sunny, The Preservation Foundation of Palm Beach

Town Attorney Lainey Francisco pointed out the sections of the code that would be applicable when considering the project.

Attorney Oyer asked whether the Landmarks Preservation Commission would vote on the variances. Mr. Murphy stated that the Town Council wants the commission to weigh in on them.

Ms. Herzig-Desnick thought the proposal was a nice project. She pointed out that the important entrance on the south façade was left intact.

Ms. Patterson recommended discussing each building separately, starting with the O’Keefe Building.

Ms. Fairfax thought the design of the south façade had been handled nicely. She supported the changes.

Ms. Damgard agreed with Ms. Sunny’s assessment of the building. She had an issue with the south side, except for the entrance, which was being covered by new construction. She questioned the materials and wondered if they were consistent with preservation. She also questioned the size proposed for the addition and the number of arcades.

Ms. Albarran did not favor the bulk on the roof; she thought it could be hidden in the design. She felt the arcade needed some interruption since it was very long.

Mr. Griswold thought if the proposal were a new building, he would favor the architecture. However, since it was a historic building, he felt the commission’s role was to protect the existing structure. He thought the scale was too large but also thought there was a middle ground that could be achieved.

Mr. Ives thought the landscaping was fantastic, but added scale was an issue with the design.

Ms. Herzig-Desnick pointed out that the building’s use had changed over the years and thought accommodation should be made for the new uses. She felt the arcade added interest to the street, where none existed. She also thought the vocabulary was appropriate for Mizner.

Ms. Damgard expressed concern about the large amount of demolition

shown on the plans.

Ms. Patterson agreed and thought the project was large and out of control. She asked Ms. Sunny how the applicant could make changes while retaining the Landmarked status.

Ms. Sunny pointed out the code that the commission should examine when reviewing the plans. She also provided recommendations on the architectural and design elements to assist the commission in making recommendations to the applicant.

Ms. Albarran asked to see all the proposed drawings on one page so that the commissioners could see all the changes simultaneously.

Mr. Rogers discussed the height of the O'Keefe building and thought it was similar to the existing height of the auditorium designed by Volk. He stated he would look at lowering the height so it would not compete with the tower. He further discussed extending the building.

Ms. Albarran asked about the roof on the south side. Mr. Rogers responded.

Ms. Fairfax appreciated the addition on the east side and thought it was subordinate; she felt it made the Mizner portions more prominent. She recommended dropping the roofline on the east side to provide some differentiation. She thought the arcades were acceptable but thought they could be broken up.

Mr. Rogers summarized the commissioners' recommendations on the O'Keefe building, and the commission then moved on to the Rovensky building.

Ms. Patterson thought the addition should be subservient to the existing building.

Ms. Albarran addressed some issues with the fenestration and thought the roof should be lower and lighter. Mr. Rogers discussed the building's setbacks and thought no one would perceive the different roof eaves.

Ms. Fairfax thought the addition was substantial and that its impact could be reduced. She recommended reducing the scale of the entrance and suggesting it be constructed subservient to the existing building. She also thought the boardroom was too large. She liked the pavilion on the corner but thought it should be reduced in scale. Ms. Patterson agreed with all of Ms. Fairfax's comments.

Mr. Ives agreed with Ms. Fairfax. He felt that parts of the Rovensky

building's design were very heavy. He also thought many design elements were jumbled and appeared heavy and civic.

Ms. Herzig-Desnick agreed with the previous comments, especially about the building being subservient to the existing building. She questioned the vocabulary and recommended looking at the King Library for precedence.

Ms. Damgard agreed with the other comments. She thought the proposed design overwhelmed and detracted from the landmarked building.

Ms. Patterson suggested lighter windows. She asked about the atrium. Mr. Rogers responded.

Mr. Rogers summarized the recommendations from the commissioners on the Rovensky building.

A motion was made by Ms. Damgard and seconded by Ms. Fairfax to defer the project to the January 22, 2025, meeting, with directions for the applicant to consider the recommendations of the commissioners based on sections 54-122 a, b and c. The motion was carried unanimously, 7-0.

4. **COA-24-0019 345 BRAZILIAN AVE.** The property owners, Randi and Rob Valerious, have filed an application requesting a Certificate of Appropriateness for the review and approval of partial window and door replacement, new front porch flooring, exterior alterations to the accessory structure, and hardscape and landscape modifications for the Landmarked structure.

Ms. Mittner provided staff comments for this project.

Several members disclosed ex-parte communications.

Yianni Varnava of Varnava Design Studio presented the architectural plans for the project, and Steve West of Parker Yannette Design Group presented the landscape and hardscape plans for the site.

Ms. Patterson called for public comment.

Aimee Sunny of The Preservation Foundation of Palm Beach noted that the proposed changes were to most areas where changes had already occurred. She noted the change to two windows on the side of the bungalow was different and questioned whether the change was appropriate.

Ms. Brooker agreed that many of the changes could not be seen. She also thought that the changes were small and improved the design.

Ms. Fairfax commended the professionals and thought the plans were clear and easy to read. She favored the project and thought it should be approved as presented.

Mr. Ives agreed with Ms. Fairfax. He thought the changes were good, and the home's historic integrity remained intact.

Ms. Damgard thought there were few original cottages in the town and was glad to see this one being retained. Ms. Albarran agreed.

A motion was made by Ms. Damgard and seconded by Mr. Ives to approve the project as presented. The motion was carried unanimously, 7-0.

Clerk's note: A lunch break was taken at 12:21 p.m. and resumed at 1:01 p.m.

5. **COA-24-0020 150 S OCEAN BLVD.** The applicant, Thomas M. Kirchhoff, has filed an application requesting a Certificate of Appropriateness for the review and approval of partial door replacement for the Landmarked structure.

Mr. Fogel provided staff comments for this project.

Mr. Ives, Ms. Brooker, and Ms. Damgard disclosed ex-parte communications.

Timo Hoefs of Kirchhoff & Associates Architects presented the architectural plans for the project.

Ms. Patterson asked about the doors and if there were windows behind them. Mr. Hoefs responded. Ms. Patterson asked about the use of the doors and the proposed material. Mr. Hoefs responded. Ms. Patterson asked about the removal of the grills over the doors. Mr. Hoefs stated he had not seen the grills on the doors since he had been on the property.

Ms. Patterson called for public comment.

Aimee Sunny, The Preservation Foundation of Palm Beach, wondered if the new glass doors could replicate the historic door with a similar muntin pattern.

Ms. Fairfax wondered if the grills could be replaced.

Tom Kirchhoff, the project architect, indicated he had worked on the project since 2005 and had never seen the grills over the doors. He indicated he could speak with the owners about replicating the grills.

Mr. Ives thought the proposal was minor and supported the request.

Ms. Albarran thought the request was minor. She supported the request.

A motion was made by Ms. Damgard and seconded by Mr. Ives to approve the project as presented. The motion was carried unanimously, 7-0.

5. **COA-24-0022 (ZON-24-0055) 120-132 N COUNTY RD—PALM BEACH SYNAGOGUE (COMBO)** The applicant, Palm Beach Orthodox Synagogue INC (Rabbi Moshe Scheiner), has filed an application requesting a Certificate of Appropriateness for review and approval of demolition exceeding 50%, construction of new one- and two-story additions, renovations to the existing two-story building, and landscape & hardscape modifications including a new surface parking lot, requiring three (3) Special Exceptions with Site Plan Review, and nine (9) variances to reduce the minimum required front yard setback and the pedestrian walkway, reduce the minimum required overall landscape open space and front yard open space, increase the maximum permitted building length, reduce the on-site parking requirement, elimination of the on-site berths (loading spaces), increase the maximum permitted gross building area, reduce the minimum required side yard setback, and reduce in the minimum required rear yard setback for the landmarked property. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

TIME CERTAIN 1:00PM

Ms. Mittner provided staff comments for this project.

Several members disclosed ex-parte communications.

Attorney Harvey Oyer, on behalf of the applicant, provided an overview of the requests for the proposed project. Kyle Fant of Bartholomew + Partners presented the architectural plans for the project. Mr. Fant discussed the proposed reductions the applicant has made after the recommendation from the Town Council. He answered questions from the Commissioners on the reductions. Mr. Oyer reviewed the requested zoning relief needed for the proposal.

Ms. Patterson called for public comment.

Attorney John Eubanks, representing the owners of surrounding condominiums, presented his clients' objections to the proposed project, which he stated was out of scale and did not meet the town's comprehensive plan.

The following people spoke in favor of the project:

Cathy Hershcopf, 2773 S. Ocean Blvd.

Harris Fried, 250 Seminole Avenue

Martin Klein, 1060 N. Ocean Blvd.

The following people spoke in opposition to the project:

Anne Pepper, 333 Seaspray Avenue

Anita Seltzer, 44 Cocoanut Row

Aimee Sunny of the Preservation Foundation of Palm Beach commented on the landmarked building and recommended reducing its size in specific areas.

Mr. Oyer reiterated that the Town Council asked the commission to examine the architecture to see if the proposal could be reduced. He discussed those who spoke for and against the project and added that the proposal aligned with the comprehensive plan.

Town Attorney Lainey Francisco pointed out the sections of the code that would be applicable when considering the project.

Ms. Damgard complimented the architect in replicating the existing architecture. She thought it would look nice on the street.

Mr. Ives also complimented Mr. Fant's details and architecture in the presentation. Mr. Ives expressed concern about the increase in scale and square footage. Mr. Ives pointed out the northeast corner and recommended changing that section.

Ms. Brooker liked the design and thought the new building would enhance the neighborhood. She thought reducing the area over the parking lot would be beneficial. She asked about the purchase of the additional property and whether the continuous length of the building had created the need for the requested variances. Mr. Murphy explained the renovation of the additional property. Ms. Brooker asked if the number of members would be capped in the Declaration of Use Agreement. Mr. Oyer stated that the number of children would be capped.

Ms. Herzig-Desnick asked about the courtyard and how it would be used. Mr. Fant provided an explanation. Ms. Herzig-Desnick also asked about the drop-off for school. Mr. Oyer responded and indicated that the Declaration of Use Agreement would be amended to address this issue.

Ms. Albarran agreed with Mr. Ives and thought the architecture was respectful and compatible with the existing. She recommended considering a reduction in square footage.

Ms. Fairfax asked if the project was seeking a tax abatement. Mr. Oyer indicated they were not seeking a tax abatement.

Ms. Patterson thought the design was elegant and beautiful.

Ms. Fairfax asked about the reduction and did not believe it would impact the street. She did not believe any more reductions were needed. Mr. Murphy discussed the reduction in the square footage and its effect on other variances.

Ms. Albarran agreed and stated that the arguments were more about the traffic and not about architecture. She liked the way the perimeter had already been recessed. Ms. Fairfax agreed and said she did not think the applicant should be encouraged to reduce that section further.

Mr. Griswold congratulated the architect; he thought the plan was very thoughtful.

A motion was made by Mr. Ives and seconded by Mr. Griswold to defer the project for restudy to the meeting on December 18, 2024, based on the criteria in code section 54-122 (a)(1) and (b), to consider the commissioners' comments, especially regarding scale and potential reduction in size, but otherwise, the Commission warmly received the project. The motion was carried unanimously, 7-0.

7. **COA-24-0024 177 CLARENDON AVE.** The applicants, James and Garland Alban, have filed an application requesting a Certificate of Appropriateness for the review and approval of exterior alterations, including the addition of pergolas, a bay window, exterior lighting, enclosure of a garage bay, removal of select windows, and hardscape modifications for the Landmarked structure.

Mr. Fogel provided staff comments for this project.

Several members disclosed ex-parte communications.

Cliff Duch of Cronk Duch Architecture presented the architectural plans for the project.

Ms. Patterson called for public comment.

Aimee Sunny, The Preservation Foundation of Palm Beach, suggested the door and window on the east elevation should remain as they are. She also recommended looking at the color of the proposed light fixtures.

Ms. Albarran suggested an additional muntin on the French Doors on the elevation looking east.

Ms. Fairfax did not believe any changes were out of place and recommended approval. She recommended using a copper light fixture.

A motion was made by Ms. Fairfax and seconded by Mr. Ives to approve the project as presented with the condition that one additional horizontal muntin be added to the French Doors on the elevation looking east. The motion was carried unanimously, 7-0.

C. CERTIFICATES OF APPROPRIATENESS - OLD BUSINESS

1. **HSB-24-0008 10 TARPON ISLE** The applicant, Jacqueline Bayliss, on behalf of Fernando Wong Outdoor Living Design, has filed an application requesting the review and approval of landscape and hardscape modifications to the property containing a Historically Significant Structure (HSB).

Mr. Fogel provided staff comments for this project.

Mses. Brooker, Albarran, and Mr. Ives disclosed ex-parte communications.

Jacqueline Bayliss of Fernando Wong Outdoor Living Design presented the landscape and hardscape plans for the site.

Ms. Patterson called for public comment. No one indicated a desire to speak.

Ms. Damgard was sad that Mr. Griswold, a vested neighbor, was not present to provide comments.

Fernando Wong of Fernando Wong Outdoor Living Design stated that they studied the fence in white and black, and they still believe the black fence would be less visible.

Ms. Bayliss stated that Mr. Griswold's concern was to reduce the visibility of the fence.

Ms. Damgard wondered if both fence colors would be strange. Mr. Wong and Ms. Bayliss advocated for both colors.

Mr. Ives asked about the tennis court material. Mr. Wong responded by stating that there were no changes to this material.

A motion was made by Ms. Damgard and seconded by Ms. Fairfax to approve the project as presented, with the condition that the fence be changed to white. The motion was carried 6-1, with Ms. Herzig-Desnick dissenting.

2. **HSB-24-0005 (ZON-24-0035) 854 SOUTH COUNTY ROAD (COMBO)** The applicant, Dustin Mizell, with Environmental Design Group on behalf of owner Andrew Unanue, has filed an application requesting review and approval of a guest house, gazebo, driveway, as well as hardscape and landscape modifications, including a variance to allow an additional guest house. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Clerk's note: This project was deferred to the meeting on December 18, 2024, at the Approval of the Agenda, Item V.

D. HISTORICALLY SIGNIFICANT BUILDINGS - NEW BUSINESS

1. **HSB-24-0006 210 EL DORADO LN - FLOODPLAIN VARIANCE** The applicant, Gilbert Meister Jr., has filed an application requesting the review and approval of window and door replacement, sunroom renovation, and

landscaping and hardscape modifications including a new circular driveway, requiring a variance from the floodplain requirement from Chapter 50, Floods, to maintain the existing building at a finished floor elevation below current FEMA requirement.

Ms. Mittner provided staff comments for this project.

Several members disclosed ex-parte communications.

Patrick Segraves of SKA Architect + Planner presented the architectural plans for the project, and Dustin Mizell of Environment Design Group presented the landscape and hardscape plans for the site.

Ms. Patterson called for public comment.

Aimee Sunny of The Preservation Foundation of Palm Beach stated that she supported option one for the windows because it was in keeping with the ranch-style house.

Mr. Segraves discussed the choices for windows that he proposed.

Ms. Damgard stated that in option one, all the windows were the same; with the casement windows, they looked different.

Ms. Albarran stated that the awning windows could not be impact windows, but encasement windows that resembled awning windows could be used. She pointed out that on the west elevation, the left window on option three felt more like an awning window. Mr. Segraves thought he could replicate the window since it looked like an awning window.

Ms. Patterson asked if the shutters could be made to look like they were the appropriate size.

Mr. Ives agreed with Ms. Albarran. While it was a ranch house, he thought there was a bit of leeway. He thought option three looked better, and he also thought the landscape plan was complementary.

A motion was made by Mr. Ives and was seconded by Ms. Albarran to approve the project as presented, with option 3 being the choice throughout, and adjustment to the west elevation to make the two small windows match the shutters. The motion was carried unanimously, 7-0.

Clerk's note: A short break was taken at 3:25 p.m. and resumed at 3:32 p.m.

XI. DESIGNATION HEARINGS

1. ITEM 1: 201 WORTH AVE

OWNER: Lendan, Inc.

Clerk's note: This item was deferred to the meeting on February 19, 2025, at Item V. Approval of the Agenda.

2. ITEM 4: 2850 SOUTH OCEAN BOULEVARD (PALM WORTH CONDOMINIUM)

OWNER: Multiple Owners (See Designation Report for Complete List of Owners)

Several members disclosed ex-parte communications. Ms. Fairfax declared a conflict of interest for this item and left the dais during the discussion.

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history of the Mid-Century Modern style buildings. Ms. Murphy pointed out the design features of the buildings. Ms. Murphy testified that the buildings met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic, or social history of the nation, state, county, or town; and,

Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction, or use of Indigenous materials or craftsmanship,

Sect. 54-161 (4) Is representative of the notable work of a master builder, designer, or architect whose individual ability has been recognized or who influenced his age.

Ms. Patterson asked for confirmation on proof of publication. Ms. Mittner provided confirmation.

A motion was made by Mr. Ives and was seconded by Ms. Albarran to make the designation report for 2850 S. Ocean Blvd. part of the record. The motion was carried unanimously, 7-0.

Ms. Patterson called for public comment.

Lynn Sullivan, 2850 S. Ocean Blvd., expressed concern about the restriction of changing existing windows. She spoke about the recently changed balconies. She wanted to delay the process to allow her association to understand the pros and cons of landmarking.

Ms. Murphy stated that the association asked them to place the buildings under consideration for landmarking.

Ms. Mittner discussed window replacement and explained the change would not be prohibited.

Aimee Sunny, The Preservation Foundation of Palm Beach, thought this was a great example of a Mid-Century structure and agreed with the criteria stated by MurphyStillings and believed the structure met the criteria.

Town Attorney Lainey Francisco pointed out the sections of the code that would be applicable when considering the project.

Ms. Albarran thought the building was special.

A motion was made by Ms. Albarran and was seconded by Ms. Damgard to recommend 2850 S. Ocean Blvd. to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3, and 4 in Section 54-161 and with the acknowledgment that the owners of the buildings support the designation. The motion was carried unanimously, 7-0.

3. ITEM 2: 376 SOUTH COUNTY ROAD

OWNER: Church of Bethesda By The Sea

Several members disclosed ex-parte communications.

Emily Stillings, MurphyStillings, LLC, testified to the architecture and history of the Georgian Revival style building. Ms. Stillings pointed out the design features of the building. Ms. Stillings testified that the buildings met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic, or social history of the nation, state, county, or town; and,

Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction, or use of Indigenous materials or craftsmanship,

Sect. 54-161 (4) Is representative of the notable work of a master builder, designer, or architect whose individual ability has been recognized or who influenced his age.

Ms. Patterson asked for confirmation on proof of publication. Ms. Mittner provided confirmation.

A motion was made by Mr. Ives and was seconded by Ms. Albarran to make the designation report for 376 S. County Rd. part of the record. The motion was carried unanimously, 7-0.

Ms. Patterson called for public comment.

Attorney Jamie Gavigan, representing Bethesda-by-the-Sea and the owner of the Church Mouse, opposed the designation on behalf of his client and discussed the reason for the opposition.

Beth Cole, 1193 N Lake Way, objected to the designation.

John Brim, treasurer of Bethesda-by-the-Sea, objected to the designation.

Jim Bertles, 226 Eden Road, objected to the designation.

Anne Pepper, 333 Seaspray Avenue, supported the designation.

Susan Beebe, Associate Rector of Bethesda-by-the-Sea, objected to the designation.

Aimee Sunny, The Preservation Foundation of Palm Beach, thought this was a quincentennial John Volk property and agreed with the criteria stated by MurphyStillings; it reflected the changes in the architecture at the period and believed the structure met the criteria.

Ms. Metzger confirmed that changes could be made to the building.

Ms. Patterson thought the church should embrace the designation, which she considered a philanthropic gesture for the Town of Palm Beach.

Ms. Fairfax did not believe the building was exceptional and wondered if it was worthy of designation. She did not favor designation and did not believe the building was under threat.

Ms. Damgard thought there were benefits to landmarking homes and buildings. She thought the commission would work with any owner in renovations. She thought the building was important in the Town and should be landmarked.

Mr. Ives stated that the building would not be inhibited if it were landmarked and that it should not be landmarked because of the business in it. He was not supportive of landmarking based on the criteria and did not believe the building was exemplary of John Volk's work. He was not in favor of the designation.

Ms. Herzig-Desnick favored the designation and agreed with Ms. Sunny's recommendation that it was a good example of John Volk's work.

Ms. Albarran agreed that it met the three criteria listed and agreed with Ms. Sunny's assessment. She supported the designation.

Mr. Gavigan stated that Bethesda wanted to maintain flexibility. He asked if a motion were made if it could include approval of a second story. Town Attorney Lainey Francisco stated that it could not be included in the approval, but that option was always open to applicants.

A motion was made by Ms. Damgard and was seconded by Ms. Albarran to recommend 376 S. County Rd. to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3, and 4 in Section 54-161 and with the acknowledgment that the owners of the buildings opposed the designation. The motion was carried 5-2, with Ms. Fairfax and Mr. Ives dissenting.

Clerk's note: Mr. Griswold left the meeting at 4:39 p.m., and Ms. Metzger voted in absence until the end of the meeting.

4. ITEM 3: 1250 N OCEAN BLVD.

Owner: Marsha C Beeson

Mses. Brooker, Metzger, and Mr. Ives disclosed ex-parte communications.

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history of the Mediterranean Revival style residence. Ms. Murphy pointed out the design features of the residence. Ms. Murphy testified that the buildings met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic, or social history of the nation, state, county, or town; and,

Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction, or use of Indigenous materials or craftsmanship,

Sect. 54-161 (4) Is representative of the notable work of a master builder, designer, or architect whose individual ability has been recognized or who influenced his age.

A motion was made by Mr. Ives and was seconded by Ms. Albarran to make the designation report for 1250 N. Ocean Blvd. part of the record. The motion was carried unanimously, 7-0.

Ms. Patterson asked for confirmation on proof of publication. Ms.

Mittner provided confirmation.

Ms. Patterson called for public comment.

Attorney James Green, representing the owner, stated Mr. John Beeson, the owner, would explain why it was not worthy of designation.

The owner, John Beeson, discussed the faux material on the home's exterior and added that behind that material was rot.

Wes Blackman, CWB Associates, half of Mr. Beeson, historic preservation planner, stated that work is ongoing regarding water penetration into the building. He stated the reasons he did not believe this structure should be landmarked.

Ms. Murphy indicated that when researching the property, the work explained had not been permitted through the town. Seeing the pictures of the property, she still believed the home was worthy of designation.

Mr. Green stated that the owner sent a letter with photographs to the Town indicating the home's condition.

Aimee Sunny, The Preservation Foundation of Palm Beach, felt this request for a landmark was tricky. She found the history in the designation report very interesting but did not have personal knowledge of the structure.

Despite its disrepair, Ms. Patterson thought the home was worthy of the landmark designation.

Ms. Fairfax questioned when the home was initiated for designation. Ms. Murphy stated that the report was written almost four years ago. Ms. Fairfax did not believe she had enough information on which to base her decision.

Ms. Murphy thought the house would be more visible if the landscaping were removed.

Ms. Fairfax questioned how the house got to the Landmarks Preservation Commission since it could not be seen from the road due to the landscaping. Ms. Murphy said the house was discovered when historical research was being done.

Mr. Ives thought the home met the criteria outlined in the designation report and supported the property's landmarking.

Ms. Herzig-Desnick thought the home should be repaired if designated, and some guidelines should be provided to the homeowner. She thought the home was worthy of designation.

A motion was made by Mr. Ives and was seconded by Ms. Fairfax to recommend 1250 N. Ocean Blvd. to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3, and 4 in Section 54-161 and with the acknowledgment that the owners of the residence opposed the designation. The motion was carried unanimously, 7-0.

XII. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)

Ms. Churney stated that Jacqueline Albarran had declared a conflict of interest for 10 Tarpon Isle at the October 16, 2024, meeting and correctly filled out the forms required by the State.

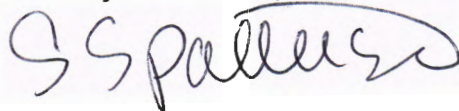
XIII. NEXT MEETING DATE: Wednesday, December 18, 2024

XIV. ADJOURNMENT

A motion was made by Ms. Damgard and seconded by Ms. Albarran to adjourn the meeting at 6:32 p.m. The motion was carried unanimously, 7-0.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, December 18, 2024, at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Sue Patterson", with a large, sweeping flourish at the end.

Sue Patterson, Chair
LANDMARKS PRESERVATION COMMISSION

kmc

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Fairfax, Anne		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Landmarks Preservation Commission	
MAILING ADDRESS 455 Worth Avenue, #303		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED November 20, 2024		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Ane Fairfax, hereby disclose that on November 20, 20 24 :

(a) A measure came or will come before my agency which (check one or more)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____ ;
- ☐ inured to the special gain or loss of my relative, _____ ;
- ☐ inured to the special gain or loss of _____, by
whom I am retained; or
- ☐ inured to the special gain or loss of _____, which
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

owner of a unit in Building
Designation Hearing

2850 South Ocean Boulevard (Palm Worth Condominium)
Owner: Multiple Owners

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

11/20/24

Signature

Ane Fairfax

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.