

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

9:00 a.m., WEDNESDAY, SEPTEMBER 20, 1995

AT THE TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

- I. Call to Order: The meeting was called to order at 9:00 a.m. by Chairman Jeffery W. Smith.

II. Roll Call:

PRESENT: Jeffery W. Smith, Chairman
Eugene Pandula, Secretary
Anne G. Metzger, Member
Jacqueline Albarran de Mendoza, Member
Arthur Silverman, Member
Joanna Frost-Golino, Member
Jane R. Grace, Alternate Member
Elizabeth Shields, Alternate Member
Anne Sory Keresey, Alternate Member
Robert L. Moore, Director of Planning, Zoning &
Building
Timothy M. Frank, Planner/Projects Coordinator

ABSENT: William S. Gubelmann, Member

RECORDING SECRETARY: Cynthia M. Delp

Let the record show that Mrs. Grace will be voting in Mr. Gubelmann's place today. Also, Ms. Shields participated in the voting when Conflicts of Interest were declared.

- A. Classification of September absence of Mr. Gubelmann
(Will be out of the country until the October meeting)

Let the record show that Mr. Smith had previously excused Mr. Gubelmann's absence.

III. Approval of the Minutes of the August 16, 1995 Meeting:

MOTION BY MR. SILVERMAN TO APPROVE THE MINUTES AS MAILED.
MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.
MOTION CARRIED UNANIMOUSLY.

IV. Public Hearings:

- A. Application for Certificate of Appropriateness #27-95,
Owner/Applicant: JWK Properties, Inc. c/o Mr. A. Paul
Prosperi

Address: 91 Middle Road

Architect: Bridges, Marsh & Carmo, Mr. James Carmo

Project Description: Request approval of the following:

- (1) Sandblast and paint exterior
- (2) Replace double hung casement windows (not original) with side hung casement wood windows
- (3) Restore windows on west side of living room which were closed in earlier alterations
- (4) Remove storefront doors and windows on west side of loggia (Wyeth addition)
- (5) Repair roof and replace with barrel tile roof similar to existing
- (6) Remove existing main entry drive
- (8) Open new pedestrian gates in garden walls
- (9) Miscellaneous related work
- (10) Addition of beach stairs

Approval action taken at the July meeting: Items 1-6, and
8-10 approved.

- (7) Install gates at new "T cul-de-sac" entry, enlarge parking court, repave drive, install stairs and balustrade from parking court to entry level and rework service drive to become main entry
- (11) Revision of existing landscaping

Deferral action taken at the July meeting: Item 7-Gates deferred for further study. Item 11-Landscape plan approved with the proviso that the fountain and/or water element return to the Commission for review.

Deferred at August meeting: Items 7 and 11

Attorney Paul Prosperi, Mr. Craig Hollenquist of Bridges, Marsh & Carmo, and Mr. Steve Smith from Down to Earth Landscaping presented this request.

Item 7-Gates at new cul de sac entry: These will occur on the south end of the cul de sac east of the roadway. Black gates with a wave motif will be situated between acid washed cast stone piers. The gates for 88 Middle Road, it was noted, are different than these, with a palm tree motif. The LPC agreed that it was appropriate that they be different even though it is possible that they could be viewed simultaneously.

MOTION BY MRS. ALBARRAN DE MENDOZA FOR APPROVAL AS
SUBMITTED.

MOTION SECONDED BY MR. PANDULA.

MOTION CARRIED UNANIMOUSLY.

Stair change at motorcourt: Double loaded stair changed to single loaded stair. Material will be coquina keystone

Fountain: Photo shown of proposed ornate Venetian mid-century fountain with an overall height of 8.5" and an 18" high base.

MOTION BY MRS. FROST-GOLINO FOR APPROVAL OF THE STEPS AND FOUNTAIN AS PRESENTED.

MOTION SECONDED BY MR. SILVERMAN.

MOTION CARRIED UNANIMOUSLY.

B. Application for Certificate of Appropriateness No. 42-95, Miscellaneous changes

Owner/Applicant: JWK Properties Inc.

Address: 91 Middle Road

Architect: Bridges, Marsh & Carmo

Project Description: Request approval for those items of rehabilitation and restoration (beyond those included in CoA# 27-95, above), and demolition of the westernmost free standing two story garage, revision to previously approved new motorcourt and parking area, and other associated changes as presented

Mr. Prosperi stated that if the proposed demolition is granted, a revision to the landscape plan is then requested.

The free standing two story garage building in question is not landmarked, though on the landmarked site. Mr. Frank stated that when the property was landmarked, demolition of the out buildings was anticipated. The accompanying landscape change, then, is to remove the garage, increase the parking area, switch the entry point of the driveway to enable the separation of service vehicles from resident/guest vehicles. Two large ficus trees will be removed and replanted and two others will be added.

Also, a small cypress gate will be cut into the east wall of the pool enclosure, and will be painted to match the wall color. This will provide access to the pool, without going through the loggia. The LPC also reviewed a new ornamental pedestrian gate (5' double gate) between the 88 and 91 Middle Road properties.

MOTION BY MRS. FROST-GOLINO FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MR. SILVERMAN.

MOTION CARRIED UNANIMOUSLY.

C. Application for Certificate of Appropriateness No. 29-95, Paving

Owner/Applicant: Peninsula Corporation

Address: 230 South County Road

Contractor: T & P Enterprises Inc.

Project Description: Request approval to install paver entrance & walkways from the city sidewalk to the building, and other associated changes as presented

(Deferred from the August meeting)

MOTION BY MRS. FROST-GOLINO FOR DEFERRAL TO THE END OF THE AGENDA AS NO ONE WAS PRESENT ON BEHALF OF THE APPLICANT.

MOTION SECONDED BY MR. SILVERMAN.

MOTION CARRIED UNANIMOUSLY.

Let the record show that this matter was not re-called at the end of the meeting. It will be carried on next month's agenda for final action.

D. Application for Certificate of Appropriateness No. 30-95,
Exterior renovations and new pergola

Owner/Applicant: Mr. James Bridgeman

Address: 232 Phipps Plaza

Designer: Mr. Larry Ward

Project Description: Request approval of exterior renovations to the east, north and west elevations to include a new pergola in the courtyard, and other associated changes as presented

(Approval given at the August meeting, with the proviso that the following be revised for further review.)

1. The new entry porch shall match the building as to architectural details
2. Decorative grills will be used over the plate glass windows on the north elevation
3. A revised detail of the niche, in a Mediterranean style, be re-presented
4. The surrounds of the existing rectangular windows will not be elliptical arches, but the profile of the existing Gothic arch be used, and applied to the rectangular windows in a rectangular format.
5. Presentation of color sample for building.

Designer Larry Ward returned to the LPC subsequent to the aforementioned comments from last month's meeting:

Re: (1) Above: All arch details and finishes on the wood will be the same as are on the covered entryway. Wood will be pecky cypress, and roofing will be barrel tile roof.

Re: (2) Above: Bronze finish anodized aluminum decorative grills will be used, matching the window frames

LPC Comment: Needs to be more simplified. Bronze aluminum not appropriate; should be wrought iron or aluminum painted black. Grills too short - do not fit properly. Recommend deferral for further study.

Re: (3) Above: Used Art Deco details

Re: (4) Above: Used Art Deco details

LPC Comment: Art Deco not appropriate. Should have used Mediterranean detailing as was requested.

Re: (5) Above: Color sample - Light creamy yellow (similar to Bank of Boston building)

LPC Comment: Color acceptable

Mr. Ward made reference to changes at another niche. The LPC requested further study relative to this niche detailing.

MOTION BY MRS. ALBARRAN DE MENDOZA FOR APPROVAL OF ITEMS 1 & 5, WITH A DEFERRAL OF ITEMS 2 THROUGH 4, AND AN ADDITIONAL NICHE FOR FURTHER STUDY.

MOTION SECONDED BY MR. PANDULA.

MOTION CARRIED UNANIMOUSLY.

E. Application for Certificate of Appropriateness No. 33-95, Miscellaneous changes

Owner/Applicant: The Mar-a-Lago Club

Address: 1100 South Ocean Boulevard

Architect: REG Architects, Mr. Rick Gonzalez

Project Description: Approval of the following...

- (1) Changes related to the restoration and renovation of the western wing of the former staff quarters
- (2) Details related to the alteration of the garage and former staff areas, to include border tile selection, outdoor whirlpool trim and other related issues
- (3) Establishment of tents for service and security
- (4) Other associated changes as presented

Mr. Wes Blackman and Mr. Rick Gonzalez were present on behalf of the applicant. Mr. Blackman passed a sample of the proposed tiles for the risers going into the jacuzzi and for use on the approved Moorish fountain. The LPC did not approve of this "standard" type tile, and instructed Mr. Blackman to search for a more appropriate hand-painted Moorish tile.

On the whirlpool at the upper deck, the steps will be teak to match the deck. The LPC questioned the use of teak for this location, stating that it will deteriorate quickly. Tile was suggested as an alternative for the deck. The commission had serious concerns over the size and style of the deck whirlpool. Mr. Smith stated that it was designed for interior use and for only one person. It was suggested that the whirlpools be made custom, not like the normal residential type units. The applicant's representatives stated that the deck presents a weight problem, so material choices must be considered carefully. No agreement was reached relative to any of the above, therefore Mr. Blackman stated they will "go back to the drawing board."

Proposed tents: A tent was requested for the front driveway

for security and valet to control traffic. This tent would only be in place when needed. Two additional tents were requested, one at the beach and one at the pool. These two tents would be used to store towels, beach and pool amenities, canned beverages, and pre-wrapped foods. All three tents will be in plain white fabric. Mr. Blackman stated that they plan to analyze the effects of the tents, and will give consideration to some more permanent type structures after the season.

Mr. Smith stated that a tent should never be in place on the front driveway, and that the caretaker's house or some other means should be considered to provide security/valet services. Mrs. Frost-Golino stated that the tent next to the pool, if needed, should be a smaller custom tent, something with more design and flair.

As to the beach tent, Mr. Moore explained that the beach area is not landmarked and that the use of any beach tent requires Town Council approval as it was not included in the original plan put before the Council. He instructed the LPC that they could not hear this particular item today.

Mr. Blackman asked permission to put the pool tent in place for a two month period. The LPC granted this request.

Mr. Blackman was about to discuss changes to the former staff area, but since insufficient plans had been submitted to the Town for these changes, he was advised to suspend discussion of this matter until next month.

MOTION BY MR. PANDULA TO APPROVE A TEMPORARY TENT AT THE POOL FOR A TWO MONTH PERIOD, WITH A NEW DESIGN OF SAME TO RETURN TO THE LPC FOR REVIEW; DENIAL OF A TENT IN THE FRONT YARD/DRIVEWAY AREA; AND A DEFERRAL OF ALL OTHER MATTERS, INCLUDING BUT NOT LIMITED TO THE BORDER TILES, THE WHIRLPOOL DETAILS, AND THE DECKING AROUND THE WHIRLPOOLS.

MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.

MOTION CARRIED UNANIMOUSLY.

F. Application for Certificate of Appropriateness No. 34-95,
Door modification

Owner/Applicant: 38 East Corporation

Address: 1300 South Ocean Boulevard

Architect: Mr. Mark Ferguson

Project Description: Request approval to modify doors and door surrounds at the entry foyer at the east patio, and other associated changes as presented

Mr. Smith had previously declared a conflict with respect to this project as a whole, and as such, passed the gavel.

Attorney Robert Deziel presented this request on behalf of the applicant. In the owner's attempt to distinguish this particular east door, a bronze elliptical arch, a new entablature with a two foot return, urns to sit upon the entablature, and a new column have been added. The LPC commented that the urns were inappropriate; the entablature could be made smaller; the doors should be done in wood rather than bronze, so that they match the wooden doors above; the second floor doors, first floor doors, and the surrounds appear as one unit now. Mr. Deziel stated that having wooden doors on the second floor with bronze doors on the first floor is a common element at this house.

MOTION BY MRS. FROST-GOLINO TO APPROVE THE DESIGN, MINUS THE URNS, WITH THE PROVISIO THAT THE DOORS BE DONE IN WOOD RATHER THAN BRONZE.

MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.

MOTION WITHDRAWN BY MRS. FROST-GOLINO.

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Mr. Deziel, in an attempt to provide more information regarding this elevation to the LPC, asked for deferral to later in the meeting.

MOTION BY MRS. FROST-GOLINO FOR DEFERRAL TO THE END OF THE AGENDA.

MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.

MOTION CARRIED UNANIMOUSLY.

Later in the meeting, this matter was re-opened for discussion. Mr. Deziel passed a survey showing locations of other bronze doors on the house, and with three on the affected facade. During the break, Mr. Deziel consulted with his client to arrive at a revised proposal with no urns and no return on the entablature, and simpler pilasters to replace the columns, in essence, a flatter design.

MOTION BY MRS. GRACE FOR APPROVAL AS REVISED WITH BRONZE DOORS.

MOTION SECONDED BY MR. SILVERMAN.

MOTION WITHDRAWN BY MRS. GRACE, AS SHE DID NOT INTEND TO VOTE FOR THIS MOTION.

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MOTION BY MRS. FROST-GOLINO FOR APPROVAL OF THE SECOND RENDERING (AS REVISED), WITH THE STRONG SUGGESTION THAT THE OWNER CONSIDER DOING THE DOORS IN WOOD RATHER THAN BRONZE.

MOTION SECONDED BY MR. SILVERMAN.

ROLL CALL VOTE:	MRS. FROST-GOLINO	YES
	MR. SILVERMAN	YES
	MRS. METZGER	NO
	MRS. ALBARRAN DE MENDOZA	YES
	MRS. GRACE	NO
	MS. SHIELDS	YES
	MR. PANDULA	YES

MOTION CARRIED 5-2-0

G. Application for Certificate of Appropriateness No. 35-95,
Miscellaneous changes

Owner: Mr. Mero Susnar

Applicant: Connoisseur Antiques

Address: 333 South County Road

Project Description: Request approval of the following:

- (1) Remove existing single pane glass/aluminum storefront and replace with new divided lite windows/french doors-wood frame (painted) clear beveled glass
- (2) New awnings
- (3) New signage
- (4) Other associated changes as presented

Architect Robert Bell stated the existing storefront is eight feet high with louvers above. It will be revised as stated above in (1), however the framing will be done in white aluminum rather than wood. Signage will occur in 9" gold letters. Awnings will be done in the same color as existing, light beige, but are proposed in different position to provide better awning coverage. The LPC questioned the use of white aluminum rather than green, as is used at the neighboring tenant space, but this tenant wants to distinguish his space by using white.

MOTION BY MR. PANDULA FOR APPROVAL OF THE PROJECT AS PRESENTED, WITH THE PROVISIO THAT THE AWNING POSITION REMAINS RECESSED AS EXISTS CURRENTLY.

MOTION SECONDED BY MR. SILVERMAN.

MOTION CARRIED UNANIMOUSLY.

H. Application for Certificate of Appropriateness No. 36-95,
Awnings

Owner/Applicant: The Society of the Four Arts

Address: Four Arts Plaza

Architect: Mr. Howarth L. Lewis Jr.

Project Description: Request approval for two awnings on the north side of the building to cover the doorways and book drop, and other associated changes as presented

The color of the awnings, placed as described above, will match the building color, creamy off-white.

MOTION BY MR. SILVERMAN FOR APPROVAL AS SUBMITTED, WITH THE PROVISIO THAT THE AWNING AT THE BOOKDROP BE EXTENDED ONE MORE FOOT TOWARD THE CORNER OF THE BUILDING SO THAT THE AWNING IS BETTER BALANCED/CENTERED.

MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.

MOTION CARRIED UNANIMOUSLY.

I. Application for Certificate of Appropriateness No. 37-95, Signage

Owner: Via Mizner Associates Ltd. by Via Mizner of Worth Avenue Inc.

Applicant: Zazou

Address: 337 Worth Avenue

Project Description: Approval of white window lettering on two windows on Worth Avenue, two side windows in Via Mizner, & one rear door, and other associated changes as presented

Mr. Steve Rowe presented this request for signage to read as follows:

Worth Avenue, Via Mizner & Courtyard windows: ZAZOU on the first line and "for your home" on the second line. Letter sizes range from 1" to 3".

Door lettering: Same as above, with "NAPLES PALM BEACH" on the third line

MOTION BY MR. PANDULA FOR APPROVAL AS SUBMITTED.

MOTION SECONDED BY MRS. FROST-GOLINO.

MOTION CARRIED UNANIMOUSLY.

Let the record show that a short break was taken from 10:34 a.m. to 10:44 a.m. When the meeting reconvened, Mr. Deziel returned for further discussion of Item F.

J. Application for Certificate of Appropriateness No. 38-95, Miscellaneous changes

Owner/Applicant: Via Mizner Associated Limited Partnership

Address: Via Mizner

Project Description: Request approval of the following:

- (1) Additional signage: Terra cotta and white glazed sign consisting of 5 tiles reading "Via Mizner" to be placed on the south face of bridge linking Villa Mizner to 42 Via Mizner (replaces existing black sign)
- (2) Additional signage: Terra cotta and white glazed sign measuring 16" x 11" to be placed...
 - (a) On easternmost column of west arcade on Worth Avenue (replaces existing black/white sign)
 - (b) On north wall of Piccolo Mondo between two existing windows
- (3) Door change: At 333 Worth Avenue, replace existing door/side lites with a pair of mullioned french doors to match other doors at this tenant space

- (4) Window change: At 8 Via Mizner, remove existing bathroom window and install door and step

Mr. Ian Kean, owner of Via Mizner presented these requests. After discussion relative to Items (1) and (2), it was clear that the LPC was not in favor of these sign changes. As such, Mr. Kean withdrew these two items from the agenda. Regarding Item (3), the tenant sells large pieces of furniture, and therefore, requires a larger opening which the french doors will provide. They will be painted dark blue to match the facade. With respect to Item (4), in an effort to provide a public bathroom, accessible from the courtyard, for the Via, a window and section of wall will be removed at 8 Via Mizner, and a door and step will be installed for access into the restroom. The door will be solid brown with a small window.

MOTION BY MR. PANDULA FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MRS. METZGER.

MOTION CARRIED UNANIMOUSLY.

K. Application for Certificate of Appropriateness No. 39-95, Signage

Owner: Mr. Mero Susnar

Applicant: Cafe L'Europe

Address: 331 S. County Road

Project Description: Request approval of removal of existing natural mahogany letters from the Esplanade and reinstall at new location, and other associated changes as presented

Mr. Steve Rowe presented this signage request for the new location of Cafe L'Europe. The signage is proposed in script natural mahogany lettering. It was suggested that the lettering would be preferred in green, gold or black rather than natural mahogany.

MOTION BY MRS. ALBARRAN DE MENDOZA FOR APPROVAL OF THE SIGNAGE WITH THE PROVISIO THAT THE LETTERING BE GLOSSY DARK GREEN, BLACK OR GOLD.

MOTION SECONDED BY MRS. METZGER.

Mr. Frank interjected that signage lighting had been placed on the building by a previous tenant without LPC approval. The Commission was in favor of the lighting as it exists.

MOTION AMENDED BY MAKER, AND ACCEPTED BY SECONDER TO INCLUDE APPROVAL OF THE EXISTING LIGHTING.

MOTION CARRIED UNANIMOUSLY.

L. Application for Certificate of Appropriateness No. 40-95,
Address plaque

Owner/Applicant: Mr. Robert C. Kanuth

Address: 1 Via Mizner

Project Description: Request approval of decorative address plaque and other associated changes as presented

Mrs. Gay Kanuth presented a sunburst design address plaque, one with a face in the center, and one with palm trees/waves in the center. These iron plaques will be 7" in diameter, and will be placed in the circle within the stonework of the door surround.

MOTION BY MR. PANDULA FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MRS. GRACE.

MOTION CARRIED UNANIMOUSLY.

M. Application for Certificate of Appropriateness No. 41-95,
Miscellaneous changes

Owner: Mr. Thomas Campaniello

Applicant: Mr. Sam Rosenberg

Address: 202 Phipps Plaza

Project Description: Request approval of the following:
Rear of building

- (1) Install domed awning to disguise new a/c compressor; Compressor to be suspended in the middle arch's transom recess
- (2) Uncover previous planter openings at base of columns to plant greenery

Front of building

- (1) Remove non-original short wall blocking view of utilities box from inside. Replace with "containerized" garden.

*LET THE RECORD SHOW THAT THE PROPERTY OWNER OBJECTS TO THIS PROJECT AT THE PRESENT TIME.

MOTION BY MRS. METZGER FOR REMOVAL FROM THE AGENDA.

MOTION SECONDED BY MR. PANDULA.

MOTION CARRIED UNANIMOUSLY.

N. Application for Certificate of Appropriateness No. 43-95,
Miscellaneous changes

Owner/Application: Mr. and Mrs. Lowell Paxson

Address: 780 South Ocean Boulevard

Architect: Smith Architectural Group

Project Description: Request approval of the following:

- (1) Remove existing stairs at southeast site wall and replace with new ramp. (lawnmower ramp)
- (2) New spa on beach cabana patio deck.
- (3) Relocate, redesign and motorize metal gates on property wall located on South County Road, and other misc. gates
- (4) New driveway surface, and other existing gravel areas
- (5) Relocate beach stairs closer to cabana patio deck

- (6) Revision to previously approved site wall
- (7) Other associated changes as presented

* PLEASE NOTE THAT MR. SMITH HAS A CONFLICT OF INTEREST WITH REGARD TO THIS MATTER.

As such, Mr. Smith passed the gavel to Mr. Pandula. (Voting Conflict on file for this continuing project)

At last month's meeting, this project was heard informally. A change had been proposed to replace the existing gravel paved areas with interlocking concrete pavers. The LPC asked that other materials be investigated. As a result, Mr. Angelo Davila of Smith Architectural Group today proposed a request for St. Louis mottled brick pavers placed in a herringbone pattern. The brick will cover all areas which were previously gravel.

The driveway, itself, will be widened to 16' along its entire length, with the exception of 14' at the gate.

A meridian will be removed, allowing the garage to function better, and make the entire area more accessible.

Three existing gates on South Ocean Boulevard will be re-designed to a more elaborate style, while retaining the existing piers and lanterns. All three gates will be 14' wide and 5' tall.

A new spa will be placed on the cabana deck, but the border tile for the spa will be brought back for approval at a later date. The beach stairs will be moved closer to the cabana for access to same. The LPC raised a concern as to whether the addition of the spa would require that a fence with self-closing gate be installed at the cabana. This will be investigated.

An existing 36' site wall on South County Road, which was originally approved as a solid wall, will now be changed to balustrade with a wider gate. The balustrade will match other balustrade on the property.

The lawnmower ramp, originally requested is now deleted.

MOTION BY MRS. FROST-GOLINO FOR APPROVAL OF THE PROJECT AS PRESENTED, WITH THE PROVISIO THAT SPA DETAILS, INCLUDING BUT NOT LIMITED TO TILES, ARE RETURNED TO THE LPC FOR APPROVAL, AND WITH THE STIPULATION THAT THE SPA APPROVAL IS MADE CONDITIONALLY ASSUMING THAT NO SITE WALL, FENCING OR GATE CHANGES ARE REQUIRED.

MOTION SECONDED BY MS. SHIELDS.

MOTION CARRIED UNANIMOUSLY.

O. Application for Certificate of Appropriateness No. 44-95,
Portable Classroom

Owner/Applicant: Board of Public Instruction
School Board of Palm Beach County

Address: 240 Cocoanut Row

Project Description: Request approval to place one portable classroom on the school site, and other associated changes as presented

Mr. Harry Fix, of the School Board's Planning and Real Estate Department, returned to the LPC after last month's informal review and approval for placement of the portable classroom for a period of one school year, subject to specific conditions, and subject to proper legal advertisement for today's meeting. Mr. Fix explained that since the last meeting, the School Board has determined that it would not be cost efficient to place the portable on the site for just a period of one year. Instead, the data processing office within the school will be relocated, allowing sufficient space for the Clinic, as required for certification of the school. Mr. Frank recommended that formal approval of the matter should still be obtained, in the event that the interior relocation plan cannot, for some reason, be done.

MOTION BY MR. PANDULA FOR FORMAL APPROVAL OF THE MOTION MADE LAST MONTH: "TO PLACE A PORTABLE CLASSROOM AT THE SCHOOL FOR A PERIOD OF ONE SCHOOL YEAR, AND TO RETURN TO THE LPC WITHIN 3 TO 6 MONTHS, WITH A LONG RANGE PLAN FOR THE SCHOOL, AND NO LATER THAN JUNE OF 1996, AND THAT THE STRUCTURE BE ANCHORED TO MEET HURRICANE REQUIREMENTS.

MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.

MOTION CARRIED UNANIMOUSLY.

THE MOTION WAS CLARIFIED, FOR MR. FIX, THAT THE PORTABLE MUST BE OFF THE PROPERTY BY THE TIME SCHOOL OPENS NEXT YEAR.

P. Application for Certificate of Appropriateness No. 45-95,
Re-vegetation

Owner/Applicant: Florida Dept. of Transportation

Address: Southern Boulevard Bridge Scenic Vista

Project Description: Request approval of re-vegetation at the end of the bridge, and other associated changes as presented

Mr. James Bowser, Town Engineer, presented the plan for re-vegetation to occur at the east side of the drawbridge and on the west side of the fixed bridge. Approximately one dozen trees, Washingtonian palms, will be planted.

Mr. Moore noted that the Town landmarked the approaches to the bridges several years ago. Changes were made recently to the Southern Boulevard Bridge, and Mr. Moore stated, for

the record, that the State did not opt to present the design of the repaired bridge to the LPC for review. For the record, the LPC had some concerns relative to the changes which were made. He also noted, for the record, that the DOT is not obligated to come to the LPC for approval, though they have done so in the past as a courtesy.

MOTION BY MR. PANDULA FOR APPROVAL OF THE TWELVE PALMS AS PRESENTED.

MOTION SECONDED BY MRS. FROST-GOLINO.

MOTION CARRIED UNANIMOUSLY.

V. Other Business:

- A. 222 Phipps Plaza-Informal Review Mr. Gary Ross, property owner, requested approval for exterior color change to a very pale creamy yellow, Benjamin Moore #296. The roof, shutters and trim are all done in white. He also announced plans to stain the front cypress doors. Mr. Ross stated that he has corrected the roof so that it is mitered. This had been discussed at a previous meeting. No negative feedback was heard from the LPC. The matter will be heard formally next month.

- B. Informal Review: 120 El Brillo Way Request approval of hurricane shutters

Mr. Pete Shahan, of Folding Shutter, presented a request for aluminum rolling shutters with a box to be applied to the east and back sides of this house. As he had no drawing of the elevation, and no picture of the windows affected, the LPC asked him to return next month with more information or with a request for removable panels.

Mr. Smith made a comment regarding the numbers on hurricane panels which are often too large and thus, very visible. He inquired as to whether the Town Council would consider changing the Code, to control the size of the numbers on the panels. Mr. Moore will look into this.

- C. 95/96 Designation Season - Mrs. Jane Day

Mrs. Day, Staff Preservation Consultant, prepared a report entitled "Recommendations for the 1995/1996 Designation Season" listing several properties, which are proposed as properties which may be placed "under consideration" for designation as a landmark structure.

Three properties remain "under consideration" from a previous season. These are: 318 Arabian Road, 1565 North Ocean Way, and the Wells Road Scenic Vista. Studies relative to these properties will be completed during this 95/96 Designation Season.

Properties proposed to be placed "Under Consideration" are:

640 South Ocean Boulevard
142 Seabreeze Avenue
17 Golfview
16 Golfview
184 Sunset Avenue
249 Brazilian Avenue
255 Clarke Avenue
130 Brazilian Avenue
134 Seabreeze Avenue
153 Clarke Avenue
150 Clarke Avenue
341 Peruvian Avenue
840 South Ocean Boulevard

Discussion took place relative to the whole of Golf (Golfview) Road becoming an historic district. The LPC was in favor of studying this area for districting.

MOTION BY MRS. ALBARRAN DE MENDOZA TO PLACE THE PROPERTIES INCLUDED IN THE AFOREMENTIONED REPORT BY MRS. DAY "UNDER CONSIDERATION" FOR LANDMARK DESIGNATION, AND TO PLACE ALL OF THE PROPERTIES ON GOLF (GOLFVIEW) ROAD "UNDER CONSIDERATION" AS WELL.

MOTION SECONDED BY MRS. METZGER.

MOTION CARRIED UNANIMOUSLY.

Mr. Smith stated, in his opinion, that the Golf (Golfview) Road properties, 341 Peruvian Avenue, and 640 South Ocean Boulevard should be made a priority.

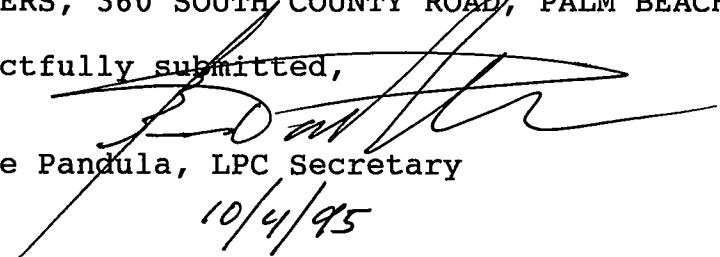
- D. Ordinance 12-95, Re: Attendance and Voting Conflicts
Mr. Smith reviewed this new ordinance with the Commission members, pinpointing new language and requirements. Each member had received a copy of the ordinance which had been mailed by the Town Manager's Office.

VI. Adjournment:

MOTION TO ADJOURN BY MRS. METZGER AT 12:30 P.M.
MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.
MOTION CARRIED UNANIMOUSLY.

The next meeting of the Landmarks Preservation Commission will be heard on WEDNESDAY, OCTOBER 18, 1995 at 9:00 a.m., in the TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH.

Respectfully submitted,


Eugene Pandula, LPC Secretary

cmd

10/4/95

TOWN OF PALM BEACH

ATTENDANCE RECORD (1995)

With New Members

MEMBERS	1/95	2/95	3/95	4/95	5/95	6/95	7/95	8/95	9/95	10/95	11/95	12/95
Jeffery Smith			P	P	P	P	P	P	P			
Wm. Gubelmann	P	P	AU	P	P	AE	AE	E	E			
Eugene Pandula			P	P	P	P	P	P	P			
Anne G. Metzger	P	P	P	P	P	P	P	E	P			
J. Albarran de Mendoza	P	P	P	P	P	P	P	P	P			
Arthur Silverman	P	P	P	P	P	E	E	P	P			
Joanna Frost-Golino			P	E	P	AE	AE	E	P			

ALTERNATES	1/95	2/95	3/95	4/95	5/95	6/95	7/95	8/95	9/95	10/95	11/95	12/95
Jane R. Grace	P	P	P	P	P	AE	AE	E	P			
Elizabeth Shields	U	E	P	U	P	P	P	P	P			
Anne Keresey	P	P	P	P	P	AE	P	E	P			

LEGEND: P = Present

E = Excused Absence

U = Unexcused Absence

A = Absence Pending Classification as "Excused" or "Unexcused"

TOWN OF PALM BEACH

RECORD OF VOTING CONFLICTS (1995)

With New Members

MEMBERS	1/95	2/95	3/95	4/95	5/95	6/95	7/95	8/95	9/95	10/95	11/95	12/95
Jeffery Smith			V2	VPD2 & V	VPD1	V			VPD2			
Wm. Gubelmann	V											
Eugene Pandula				V	VPD1							
Anne G. Metzger												
J. Albarran de Mendoza	VPD1				V	VPD1						
Arthur Silverman												
Joanna Frost-Golino												
ALTERNATES	1/	2/	3/95	4/95	5/95	6/95	7/95	8/95	9/95	10/95	11/95	12/95
Jane R. Grace												
Elizabeth Shields												
Anne Keresey												

LEGEND: V = One Voting Conflict during a meeting
 V2 = Two Voting Conflicts during a meeting
 V3 = Three Voting Conflicts during a meeting
 And so on...

VPD = Voting Conflict Previously Declared
 (This category to be used when a conflict has been declared at a previous meeting, and the changes being reviewed are part of an ongoing renovation project. ONLY COUNT ORIGINAL DECLARED CONFLICT FOR ONGOING PROJECTS PER JOHN C. RANDOLPH, TOWN ATTORNEY)

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

LAST NAME—FIRST NAME—MIDDLE NAME <u>SMITH, JEFFERY W.</u>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <u>LAND MARKS</u>	
ADDRESS <u>241 SANFORD AVENUE</u>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
CITY <u>PAUM BEACH</u> COUNTY <u>P.B.</u>		NAME OF POLITICAL SUBDIVISION: <u>Town of Palm Beach</u>	
DATE ON WHICH VOTE OCCURRED <u>9/20/95</u>		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

MINUTES

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 equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes. The requirements of this law are mandatory; although the use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

Your responsibilities under the law when faced with 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 the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

A person holding elective county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

In either case, you should 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:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but must disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether made by the officer or at his direction.

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

You should 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.

- A copy of the form should be provided immediately to the other members of the agency.
- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

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

- You should disclose orally the nature of your conflict in the measure before participating;
- You should 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 should incorporate the form in the minutes.

DISCLOSURE OF STATE OFFICER'S INTEREST

I, JEFFERY W. SMITH, hereby disclose that on 9/20, 19 95:

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

☐ inured to my special private gain; or

☒ inured to the special gain of LOWELL PAXSON, by whom I am retained.

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

Regarding CoA#43-95 for 780 South Ocean Boulevard
This Voting Conflict was previously declared by Mr. Smith.

Date Filed

9/20/95

Signature

[Signature]

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), 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 \$5,000.

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

LAST NAME—FIRST NAME—MIDDLE NAME SMITH, JEFFERY		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE LANDMARKS Preservation Commission	
ADDRESS 241 SANFORD AVE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY ☐ TOWN	
CITY PALM BEACH	COUNTY P.B.	NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
DATE ON WHICH VOTE OCCURRED 9/20/95		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

MINUTES

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 equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes. The requirements of this law are mandatory; although the use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

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INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

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In either case, you should 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:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but must disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether made by the officer or at his direction.

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- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

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

- You should disclose orally the nature of your conflict in the measure before participating.
- You should 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 should incorporate the form in the minutes.

DISCLOSURE OF STATE OFFICER'S INTEREST

I, JEFFERY W. SMITH, hereby disclose that on 9/20, 19 95:

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

☐ inured to my special private gain; or

☒ inured to the special gain of RONALD PERELMAN, by whom I am retained.

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

Regarding CoA# 34-95 for 1300 South Ocean Boulevard.
This Voting Conflict was previously declared by Mr. Smith

9/20/95
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), 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 \$5,000.