



TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

9:00 a.m., WEDNESDAY, AUGUST 21, 1996

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

I. Call to Order: The meeting was called to order by Chairman Jeffery W. Smith at 9:05 a.m.

II. Roll Call:

PRESENT: Jeffery W. Smith, Chairman
Joanna Frost-Golino, Vice Chairman
Eugene Pandula, Secretary
Jacqueline Albarran de Mendoza, Member
Harrison M. Robertson Jr., Member
Lindley M.F. Hoffman, Member
Elizabeth Shields, Alternate Member
Sari M. Wilkey, Alternate Member
Robert L. Moore, Director of Planning, Zoning & Building
Timothy M. Frank, Planner/Projects Coordinator
John C. Randolph, Town Attorney

ABSENT: Arthur Silverman, Member
Jane R. Grace, Alternate Member

RECORDING SECRETARY: Cynthia M. Delp

Let the record show that the absence of Mr. Silverman was excused due to illness. The absence of Mrs. Grace is unexcused.

III. Approval of the Minutes of the July 17, 1996 Meeting:

MOTION BY MR. ROBERTSON FOR APPROVAL OF THE MINUTES AS MAILED.
MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.
MOTION CARRIED UNANIMOUSLY.

IV. Public Hearings:

- A. Application for Certificate of Appropriateness No. 25-96.
Miscellaneous changes
Owner/Applicant: Paramount Partners
Address: 139 North County Road
Architect: David R. Miller AIA
Project Description: Request approval of the following:
1. Cast stone at grade level planters
 2. Cast stone at main entry
 3. Exterior door replacement - courtyard
 4. Railing replacement
 5. Deck/roof-reroof and cast stone installation
 6. Planter replacement at roof deck
 7. Courtyard common area furnishings
 8. Other associated changes as presented

THE ARCHITECT HAS REQUESTED DEFERRAL TO THE SEPTEMBER MEETING.

Please note that Mrs. Albarran de Mendoza has previously declared a Conflict of Interest with respect to this matter. This matter was deferred from the May meeting with the following motion: MOTION BY MRS. FROST-GOLINO APPROVING THE PROJECT AS PRESENTED, EXCEPTING THE METAL RAILING DETAILS WHICH ARE TO BE BROUGHT BACK TO THE LPC FOR REVIEW (DRAWING AND MOCK UP), AND EXCEPTING THE CAST STONE AT THE MAIN ENTRY OF THE AUDITORIUM UNTIL SUCH TIME AS THE ANTICIPATED SIGNAGE IS READY FOR REVIEW.

MOTION AT THE JUNE MEETING FOR DEFERRAL TO THE JULY MEETING.

MOTION AT THE JULY MEETING FOR DEFERRAL TO THE AUGUST MEETING.

MOTION BY MR. HOFFMAN FOR DEFERRAL TO THE SEPTEMBER MEETING.
MOTION SECONDED BY MRS. FROST-GOLINO.
MOTION CARRIED UNANIMOUSLY.

- B. Application for Certificate of Appropriateness #29-96.
Miscellaneous changes
Owner/Applicant: Via Parigi Properties c/o The Everglades Club
Address: 347 Worth Avenue
Architect: Brower Architectural Associates
Project Description: Request approval of the following:
1. Add barrel tile roof over existing third floor balcony, with wood columns and wrought aluminum railing
 2. Add balcony on second floor with french doors and new round top windows
 3. Other associated changes as presented

THE ARCHITECT HAS REQUESTED DEFERRAL TO THE SEPTEMBER MEETING.

MOTION MADE AT THE JUNE MEETING: TO APPROVE THE REQUEST AS PRESENTED WITH THE PROVISIO THAT THE PETITIONER COME BACK AND SHOW THE DETAILS OF THE SECTION OF THE ROOF SUCH THAT IT WORKS AS SPECIFIED, STARTING AT THE EXISTING EAVE LINE AND GOING NO LOWER THAN 3 AND 12 PITCH BECAUSE IF NOT, BARREL TILE WOULD NOT WORK; AND THAT THE DETAILS BE PRESENTED ALONG WITH THE DETAILS OF THE RAILINGS AND THE COLUMNS AND THE COLOR CHIP OF THE BUILDING

MOTION MADE AT THE JULY MEETING FOR DEFERRAL TO THE AUGUST MEETING..

MOTION BY MR. HOFFMAN FOR DEFERRAL TO THE SEPTEMBER MEETING.
MOTION SECONDED BY MRS. FROST-GOLINO.
MOTION CARRIED UNANIMOUSLY.

- C. Application for Certificate of Appropriateness #37-96
Modification to parapet wall details-tennis cabana
Owner/Applicant: The Mar-a-Lago Club
Address: 1100 South Ocean Boulevard
Architect: REG Architects
Project Description: Request approval of modification of design detail on north and south patio parapet wall of tennis cabana, and other associated changes as presented

MR. WES BLACKMAN HAS REQUESTED REMOVAL OF THIS ITEM FROM THE AGENDA.

MOTION AT THE JULY MEETING FOR DEFERRAL TO THE AUGUST MEETING..

MOTION BY MR. HOFFMAN FOR REMOVAL FROM THE AGENDA.

MOTION SECONDED BY MRS. FROST-GOLINO.

MOTION CARRIED UNANIMOUSLY.

- D. Application for Certificate of Appropriateness #39-96
Landscape/hardscape plan to include fountain(s)
Owner/Applicant: Mr. and Mrs. Lowell Paxson
Address: 780 South Ocean Boulevard
Architect: Thomas Lucido & Associates, Landscape Architects/Land Planners
Project Description: Request approval of master landscape/hardscape plan as follows
1. General landscape improvements to include retention of mature trees and palms, and the relocation of two clusters of mature seagraves on the east side of the residence
 2. Installation of a new cast stone tiered fountain set in a shallow pool surrounded by a formal parterre garden.
 3. Outdoor terraces proposed for the east and south side of the existing solarium
 4. Cast stone fountain urn proposed for the center of the large fountain basin located on the west terrace overlooking the pool area
 5. Other associated changes as presented

Mr. Smith declared a Conflict of Interest with respect to this matter as the Paxsons had been previous clients. He passed the gavel to Mrs. Frost-Golino.

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: NO EXPARTE COMMUNICATIONS DECLARED

Ms. Meg Whitmer, Landscape Architect, of Thomas Lucido and Associates, presented this project. It was the Paxsons' request that certain elements be included in the landscape/hardscape plan, i.e., a tiered fountain which was purchased in Europe, and four statues representing the four seasons. It was likewise requested that views to the ocean, now currently blocked by seagraves, be opened up. The over-riding idea was to create a garden evoking the Mizner style. Ms. Whitmer indicated that she researched Mizner's design concepts, and proceeded to discuss same. In early photos of this Mizner house, she stated, landscape/hardscape consisted mainly of simple landscaping and terraces. She stated further that Mizner saw landscaping as an extension of the interior.

The plan includes a parterre garden located in the front yard, with its central element being an 11.5' tiered cast stone fountain. The fountain will be flanked to the NE/NW/SE/SW by four reflecting pools (pools at grade). The Paxsons' four seasons statues (8' tall) will be located in the four reflecting pools. Moorish troughs stem from the central fountain running N/S/E/W to circular pools. The north and south pools include bronze statues of lions. The shape of the parterre garden is the quatrefoil which is found in other locations at the site. Eighteen inch tall hedges will run around and within the parterre garden, along with some seasonal flowers. As to water action, a small amount of water will flow from the tiers of the fountain down into the reflecting pools, which are still water regulated by a pump system. The circular pools on the east and west ends, receiving the water from the Moorish troughs, will bubble lightly. The other two circular pools (with the lion statues) will be still water. The reflecting pools will have a coping that is 2' tall. Pathways will be done in pea gravel. Along the shoulder-high wall at A1A, large foliage textured salt tolerant material will be planted to screen the wall from the house. From the road, she stated, one would see the top of the tiered fountain as well as the heads of the statues.

Mrs. Frost-Golino asked Ms. Whitmer if, in her research, she found another instance of such a garden in Palm Beach at a Mizner house. Ms. Whitmer stated she found no other garden such located in the front of the house. Mrs. Frost-Golino

commented that she was bothered by this, and questioned whether Mizner had a formal front garden anywhere. Members questioned what would be seen by passersby, either over the wall or through the site gates. Ms. Whitmer stated one would get a quick glimpse of the garden through the site gates, and the tops of the fountain and statues over the wall. Mr. Pandula felt the over the wall view would present unrelated vertical elements. It was later suggested that this view could be mitigated with landscaping.

There are existing seagrapes in the front yard, which are being studied for possible relocation or removal, depending upon their condition. Ms. Whitmer stated they are not symmetrically placed, but it was noted by a commissioner that the house is not symmetrical either.

Mrs. Albarran de Mendoza commented that the garden is so massive, it feels like the approach to a museum or public building, rather than a residence, and the garden is further impacting as it is located in the front yard. She suggested perhaps less water elements and more landscaping. Ms. Whitmer replied that the client wants water rather than landscaping, and that the hardscape is in proportion with the sculpture elements desired by the client. Other commission members were in agreement with Mrs. Albarran de Mendoza, calling the garden "a huge formal element," "crowded," and "overpowering." Mrs. Frost-Golino suggested that they look at breaking it up into smaller gardens and spreading out the water elements, making it more informal, and helping the view. She reiterated such a garden is seen nowhere else in Palm Beach. Mrs. Albarran de Mendoza suggested just the fountain and two troughs. Mr. Hoffman commented that the design stands out much more strongly in plan, and suggested that it be shown in prospective view, as it would be seen from the road.

Moving on to other elements of the plan, the existing seagrapes on the sides of the house will remain. Large palms will be added in the front of the house and cluster palms will be added on the corners of the house. The seagrapes in the front yard, if healthy, will be relocated to the periphery of the property.

Also at the front of the house, the plan includes creating a solarium terrace off the solarium. Now, when one steps off the last tiled step at the solarium, one steps onto grass. The terrace will be in a quatrefoil shape, will be open air, and will be tiled in the same pattern as the interior solarium space. A balustrade, to match other front elevation balustrade, will form the perimeter of the quatrefoil. Mrs. Frost-Golino questioned the need for the balustrade, as she did not want the balustrade to hide the beautiful elements in this location. Ms. Whitmer stated that there is a 30" drop off in grade at the end of the terrace. It was discussed that the grade differential could be mitigated, and the balustrade would be better replaced with landscaping.

A small private garden will be created off the south side of the solarium, where now one steps out onto grass. A Remington sculpture will be placed here in what Ms. Whitmer referred to as a true "sculpture garden." The terrace here will be done in keystone with benches on either end. This 28' long x 15' deep garden will be heavily landscaped and hidden from the road. A small herb garden and raised terrace will occur outside the kitchen. In the rear of the house, color will be added in perennial beds, flowering trees, and annual beds. Existing rear landscaping will be augmented, trimmed, and improved in an effort to simplify it. Two specimen palms will be installed at the upper terrace.

On the east side of A1A, at the beach cabana, 15-20 palms will be planted along with large textured salt tolerant plantings. Efforts will be made to make the spa area private.

Mrs. Frost-Golino noted that the plans should return to the LPC with landscaping details noted. i.e., existing vs. new, plant species noted, clear trunk heights noted, etc.

MOTION BY MRS. ALBARRAN DE MENDOZA TO DEFER THE PROJECT TO THE SEPTEMBER MEETING ON THE BASIS OF THE CONCERNS DISCUSSED.

MOTION SECONDED BY MR. HOFFMAN WITH THE STIPULATION THAT MS. WHITMER BE GIVEN SOME GUIDANCE AS TO WHAT IS BEING REQUESTED BY THE COMMISSION.

MRS. ALBARRAN DE MENDOZA STATED, IN CLARIFICATION, THAT THE FRONT FOUNTAIN/GARDEN BE RE-STUDIED, THAT THE BALUSTRADE AT THE SOLARIUM BE RE-STUDIED, AND THAT MORE DETAILS BE GIVEN ON THE PLANS AS TO SPECIFIC LANDSCAPE SPECIES, NEW VS. EXISTING, CLEAR TRUNK HEIGHT, ETC. SHE COMMENTED FURTHER THAT THE FOUR AREAS OF WATER WITH THE STATUES ARE TOO MUCH, WHILE THE CENTER FOUNTAIN AND THE NORTH/SOUTH TROUGHS ARE ACCEPTABLE. SHE SUGGESTED THAT THE QUATREFOIL SHAPE BE DONE IN LANDSCAPING RATHER THAN HARDSCAPE.

During discussion, Mrs. Wilkey commented that north/south proportion of the front parterre garden are fine, but not the

east/west proportion. Ms. Shields stated that she wants to understand what is seen from the public right-of-way, as she feels that from the street, passersby would see a series of disjointed elements. She also felt the scale of the front parterre garden is overwhelming, and she advocated more landscaping, and less water. Mrs. Albarran de Mendoza felt that when Ms. Whitmer does the elevation as seen from the road, she may see the need for landscaping to tie the vertical elements together. The Commission requested a full elevation, done at eye level, so one can determine what will be seen above the wall.

MOTION CARRIED UNANIMOUSLY.

E. Application for Certificate of Appropriateness #40-96
 Covered breezeway

Owner/Applicant: Dr. and Mrs. Raymond Tronzo

Address: 255 Clarke Avenue

Architect: Popper & Associates, Inc.

Project Description: Request approval for the addition of a covered breezeway to connect the garage with the main house as follows: Covered breezeway will be 7'10" wide x 12'4" long and will be located in an area that is currently a concrete courtyard with walls on three sides and a stair and gate on the fourth. Breezeway will be done in Spanish-Mediterranean style with the use of arches, stucco, and horizontal moldings to create an entablature and accent medallions; and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: None of the members disclosed exparte communication.

Mr. Tom Lanahan of Popper & Associates presented this request. He reviewed the site plan to locate the breezeway, which is placed in an area that is currently concrete. This home was built in the '20s without a covered connection between the house and garage. The breezeway will be formed by constructing one new wall, a roof structure, two arches, and two medallions at the top of the wall, and a planter at the bottom. The new wall is slightly lower than the existing garage wall, and slightly higher than the rec room wall on the other side.

MOTION BY MR. ROBERTSON FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MS. SHIELDS.

MOTION CARRIED UNANIMOUSLY.

F. Application for Certificate of Appropriateness #41-96
 Roof replacement

Owner/Applicant: Mr. H. P. McIntosh

Address: 124 Via Bethesda

Contractor: Carpenter's Roofing

Project Description: Request approval to replace the existing red flat clay tile roof on the main house with new red flat cement tile roofing, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: None of the members disclosed exparte communication.

Mr. Joe Hart of Carpenter Roofing proposed this re-roof project for a portion of the 3/12 pitch roof on the two story residence at 124 Via Bethesda. The new cement tiles will be in as dark a red as possible, and will have a broomswept rough texture similar to the rough texture of the existing clay tiles. Mr. Hart stated that due to the low slope of the roof, little more than the edge of the roof is visible.

Mr. Smith commented that although he is normally opposed to such a material change, the proposed cement tile is very close to the original material, and due to the slope of the roof, the change should not be visible.

MOTION BY MRS. FROST-GOLINO TO APPROVE THE ROOF REPLACEMENT AS PRESENTED.

MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.

MOTION CARRIED UNANIMOUSLY.

VI. Other Business:

A. Discussion relative to Sanford Avenue vista placed "under consideration" for designation

Mrs. Albarran de Mendoza stated that since the last meeting, when this item was discussed, and as a result of the news coverage of the meeting, one of the Sanford Avenue residents contacted her with excitement regarding this proposed designation.

MOTION BY MRS. FROST-GOLINO TO NOTIFY THE PROPERTY OWNERS THAT THE SANFORD AVENUE VISTA WAS PLACED "UNDER CONSIDERATION" FOR DESIGNATION.

**MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.
MOTION CARRIED UNANIMOUSLY.**

VII. Adjournment:

**MOTION BY MR. ROBERTSON TO ADJOURN AT 10:30 A.M.
MOTION SECONDED BY MS. SHIELDS.
MOTION CARRIED UNANIMOUSLY.**

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, September 18, 1996 at 9:00 a.m. in the Town Council Chambers, second floor, Town Hall, 360 South County Road, Palm Beach, Florida.

Respectfully submitted,


Eugene Pandula, Secretary
LANDMARKS PRESERVATION COMMISSION

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TOWN OF PALM BEACH

RECORD OF VOTING CONFLICTS (1996)
With new members

MEMBERS	1/96	2/96	3/96	4/96	5/96	6/96	7/96	8/96	9/96	10/96	11/96	12/96
		VPD1										
Jeffery W. Smith	V3	V2	VPD4	VPD3	VPD4	VPD1	VPD1	VPD1				
Joanna Frost-Golino												
Eugene Pandula	V1	VPD1	VPD1	VPD1	VPD1							
J. Albarran de Mendoza		V1	VPD1		V1	VPD1	VPD1					
Arthur Silverman												
Lindley Hoffman												
Harrison Robertson												

ALTERNATES	1/96	2/96	3/96	4/96	5/96	6/96	7/96	8/96	9/96	10/96	11/96	12/96
Jane R. Grace		V1										
Elizabeth Shields												
Sari M. Wilkey												

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 PROJECT PER JOHN C. RANDOLPH, TOWN ATTORNEY)

TOWN OF PALM BEACH

ATTENDANCE RECORD (19 96)
With New Members

MEMBERS	1/ 96	2/ 96	3/ 96	4/ 96	5/ 96	6/ 96	7/ 96	8/ 96	9/ 96	10/ 96	11/ 96	12/ 96
Jeffery W. Smith	P	P	P	P	P	P	P	P				
Joanna Frost-Golino	P	P	P	P	P	E	A	P				
Eugène Pandula	P	P	P	P	P	P	P	P				
J. Albarran de Mendoza	P	P	P	P	P	P	P	P				
Arthur Silverman	P	P	P	P	P	P	P	E				
Lindley Hoffman	n/a	n/a	P	P	P	P	P	P				
Harrison Robertson	n/a	n/a	P	U	P	P	P	P				

ALTERNATES	1/ 96	2/ 96	3/ 96	4/ 96	5/ 96	6/ 96	7/ 96	8/ 96	9/ 96	10/ 96	11/ 96	12/ 96
Jane R. Grace	E	P	P	P	P	P	U	U				
Elizabeth Shields	U	P	P	P	P	P	P	P				
Sari M. Wilkey	n/a	n/a	P	P	P	P	P	P				

LEGEND: P = Present
 E = Excused Absence
 U = Unexcused Absence
 A = Absence Pending Classification as "Excused" or "Unexcused"

FORM 8B MEMORANDUM OF YOUR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME SMITH, JEFFERY		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE LANDMARK PRESERVATION COMMISSION	
HOME ADDRESS 241 SANFORD AVE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
CITY PALM BEACH	COUNTY PALM BEACH	NAME OF POLITICAL SUBDIVISION: TOWN OF PALM BEACH	
DATE ON WHICH VOTE OCCURRED 8/21/96		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:

- ☒ 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 8/21/, 19 96:

(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 MR & MRS LOWELL PAXSON, by whom I ^{WAS} ~~am~~ retained.

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

8/21/96

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.