

TOWN OF PALM BEACH

Building and Zoning Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

9:00 a.m., WEDNESDAY, JULY 15, 1992

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

- I. Call to Order: The meeting was called to order at 9:03 a.m. by Chairman Volk.

II. Roll Call:

PRESENT: Lillian Jane Volk, Chairman
Sally Gingras, Secretary
Anne G. Metzger, Member
Jacqueline Albarran de Mendoza, Member
Leslie Divoll, Member
Arthur Silverman, Alternate Member
John C. Randolph, Town Attorney
Timothy M. Frank, Planner/Projects Coordinator

ABSENT: Elise P. Mackintosh, Vice Chairman
William S. Gubelmann, Member
Wilmer J. Thomas Jr., Alternate Member
Jane R. Grace, Alternate Member

RECORDING SECRETARY: Cynthia M. Delp

Let the record show that Mrs. Metzger arrived at 9:07 a.m.

Let the record show that Mr. Randolph arrived at 9:28 a.m.

III. Approval of the Minutes of the June 17, 1992 Meeting:

MOTION BY MR. SILVERMAN TO APPROVE THE MINUTES AS MAILED.

MOTION SECONDED BY MRS. DIVOLL.

MOTION CARRIED UNANIMOUSLY.

IV. Public Hearings:

- A. Application for Certificate of Appropriateness No. 36-92, New french doors
Owner/Applicant: Via Mizner Associates Limited Partnership
Address: 75 Via Mizner
Project Description: Request approval to install french doors and a metal ornamental railing and/or safety barrier on the northeast wall of 75 Via Mizner.

(This matter was reviewed informally at the June 17, 1992 meeting, and was the subject of a site visit to the

property, however, no action was taken by the Commission.)

Mr. Kirk Henckels presented a revised drawing of the proposed french doors, adding a barrel tile roof with pecky cypress supports, pecky cypress surrounding trim, and a balcony projection of approximately six inches. The french doors, as revised, will match the windows of the north facade. Each door will have ten lites. The existing bougainvillea on the affected wall will be trained around the new door.

MOTION BY MRS. ALBARRAN DE MENDOZA TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

(Let the record show that Mrs. Metzger did not vote on this matter as she was just arriving.)

B. Application for Certificate of Appropriateness No. 37-92, New dining loggia

Owner/Applicant: Mrs. Cathleen McFarlane

Address: 456 Worth Avenue

Architect: Smith Architectural Group

Project Description: Request approval for the addition of an open air dining loggia

(This matter was reviewed informally at the June 17, 1992 meeting, and received approval at that time, pending proper legal advertisement.)

Mr. Jeff Smith, Smith Architectural Group, gave a brief overview of this request for a 10' x 20' dining loggia with four columns, occurring under an existing balcony.

MOTION BY MRS. GINGRAS TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.

MOTION CARRIED UNANIMOUSLY.

C. Application for Certificate of Appropriateness No. 38-92, Exterior color change

Owner/Applicant: Mr. and Mrs. Sebastian Kent

Address: 140 Seabreeze Avenue

Architect: John A. Cunningham

Project Description: Request approval for exterior color change

Mr. John Cunningham, Architect, appeared to present this request for color change, which follows a six month ongoing restoration of the structure to exactly match the original structure. Mr. Cunningham presented a photo board showing

other Palm Beach homes which have chosen a similar color. The existing color of the house is light peach, but the color has faded due to salt exposure. The proposed new color is light pink with white trim. Mr. Cunningham noted that he plans to return to the Commission in the future to present plans for additions to the structure.

MOTION BY MRS. DIVOLL TO APPROVE THE COLOR CHANGE AS PRESENTED.

MOTION SECONDED BY MR. SILVERMAN.

MOTION CARRIED UNANIMOUSLY.

D. Application for Certificate of Appropriateness No. 39-92, Awnings & Cabana renovation

Owner/Applicant: Mr. and Mrs. Peter Tigges

Address: 800 South County Road

Architect: Michael J. Johnson

Project Description: Request approval for new bullnose awnings and add three arched openings and decorative wall treatment to north facade of cabana.

Mrs. Albarran de Mendoza declared a conflict with respect to this matter as her firm was previously involved with this project. (Voting Conflict form on file.)

Mrs. Volk pointed out that the cabana, itself, is not an original structure on the landmarked site. Mr. Michael Johnson, Architect, presented this request to place white bullnose awnings with a venetian blue accent stripe in existing arched stucco recesses on the east, west and south elevations of the structure, in locations as noted on the plans. The awnings are requested to shade the major dwelling areas of the residence from the intense sun. Originally, the house had squared awnings in these locations, but these awnings obscured important architectural features. The bullnose awnings, however, provide the necessary shade without hiding the architectural detail.

Regarding the cabana, built in 1973, the proposal attempts to develop it with the same design elements as are found in the house. To replace the one large opening which exists, three arches will be created between inset columns. On either side of the arches, on the existing stucco plane, a lion's head on a keystone surround will be applied to give some relief to an otherwise flat facade. Changes are only contemplated for the north facade of the cabana. The south facade is directly adjacent to vegetation.

MOTION BY MRS. DIVOLL TO APPROVE THE AWNINGS AND CABANA CHANGES.

MOTION SECONDED BY MR. SILVERMAN.

MOTION CARRIED UNANIMOUSLY.

E. Application for Certificate of Appropriateness No. 40-92,
Miscellaneous rehabilitation and restoration

Owner/Applicant: The Society of the Four Arts

Address: 439 Royal Palm Way

Architect: Lewis and Associates

Project Description: Request approval for general exterior rehabilitation, entrance canopy modification, changes in fenestration, changes and/or restoration of ornamental details and exterior painting.

Mr. John Schuler addressed the Commission as Chairman of the Renovation Committee for the Embassy Apartments, which has been purchased by the Society of the Four Arts. He introduced Mr. Robert Safrin, Director of the Society of the Four Arts, and Mr. Hap Lewis of Lewis & Associates, Architect.

Mr. Lewis showed a site plan of the Embassy Apartments and the surrounding structures, stating that the "Embassy" will now become a part of the Four Arts Complex. He explained that most of the renovations will occur on the interior of the building, and went on to briefly review those interior changes. On the first floor, one will find an executive office suite, two large meeting rooms, accounting, a new elevator, and monumental stairs. On the second floor, presently apartments and an open courtyard, a new childrens' library and gallery, moving the children out of the present library building. The open courtyard will be enclosed with skylights, which will not be seen from the exterior. On the third floor, there will be an apartment for the Executive Director, a new Board Room, two private dining rooms, a catering kitchen, and offices for the Garden Club. (The Garden Club presently has offices in the 4 Arts Library.)

Regarding the exterior changes, the north elevation will remain basically the same except for the closing of some of the windows. On the east and south elevations, only restoration work will be done, i.e., removal of thru-the-wall air conditioning units and rolladen shutters. The front entrance canopy is presently in deteriorated condition. It will be replaced with a wrought iron and glass canopy, to offer a lighter, more open appearance and to highlight the other wrought iron details of the building. The present color of the building is white. This will be changed to match the Four Arts color, to further integrate this building into the Four Arts complex. Small doors which lead to the basement will be closed. Any new openings will be centered on existing openings and will match the existing windows. On the west elevation, they will close one small window and remove a chimney. A re-roofing activity will be undertaken to match the existing Spanish tiles.

Mr. Schuler added that this undertaking will increase the size of the Childrens' Library by 2.5 times, and by moving the children out of the existing Library Building, the adult library space will also be greatly increased. This will prove to be a tremendous asset to the Society of the Four Arts and the Town of Palm Beach. Completion of the project

is anticipated by April, 1993.

In response to Mrs. Divoll's questions about the window changes, Mr. Lewis stated that all of the existing windows will be re-worked and tested to make sure they are operable, and all new windows will be manufactured to exactly match existing windows.

MOTION BY MRS. DIVOLL TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

F. Application for Certificate of Appropriateness No. 41-92, Additions and pool pavilion

Owner/Applicant: Ms. Anita Tremain

Address: 241 El Vedado Road

Architect: The Pandula Architects, Inc.

Project Description: Request approval for ground floor addition for enlargement of existing kitchen, second floor addition for new bedroom suite, and new pool pavilion

Mrs. Volk noted that this property is presently "under consideration" for landmarking and is scheduled for hearing in November.

Mr. Gene Pandula, Architect, stated that this structure is a 1936 John Volk design in the Neo-classical style. The additions proposed today, he felt, do not impact the main body of the house as most of the additions occur in the rear.

A one story ground floor addition (13'x33') will enlarge the existing kitchen and provides a small informal dining room. This addition will match the existing facade as to height and details, but the addition elevation will be simpler than the elevation at the front door to make the front door most prominent on that facade.

On the west elevation, two small kitchen windows will occur behind aluminum trellis/grillage. These windows are small, being only as large as the interior design permits. Because their size is inappropriate for the facade, the aluminum trellis/grillage will be installed over them, in a size which is in correct proportion to other openings on the facade.

A second floor addition (approx. 1000 sq. ft.) creates a new master bedroom suite, providing additional closet and bathroom space. A pool pavilion (16'x20') will be constructed on the south side of the pool. The pool pavilion is rectangular in shape, employing the same proportions, dimensions, and window/door elements as the nearby loggia of the main house.

Mrs. Divoll commented that the garage door on the west elevation is too plain and ordinary looking, in comparison

to the rest of the residence, and she inquired as to whether it could be changed as part of the project. Mr. Pandula stated that he would bring this to the attention of his client.

MOTION BY MRS. GINGRAS TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MRS. DIVOLL.

MOTION CARRIED UNANIMOUSLY.

V. Other Business

A. Color Selections for Via Parigi

The following is Mrs. Leslie Divoll's report regarding color selection for Via Mizner. - part of CoA #27-92

On June 23, 1992 Leslie Divoll, representing the Landmarks Commission, John Callahan of the Everglades Club, Timothy Frank of the Town of Palm Beach and Ken Brower of Smith Architectural Group, met to finalize the color selections for Via Parigi and other related buildings.

At the previous Landmarks Commission meeting, Mr. Brower presented colors which when the commission reconvened at Via Parigi were thought to require some modifications. These modifications are as follows:

1. On Peruvian Avenue at the entrance to Via Parigi, the presented color was a "mustard" color. This color was changed to a "light gray blue"; Benjamin Moore color number 830 (This may be modified slightly when applied).
2. The northern part of the Surovek building, shown as yellow (319) is now to be repainted as is, a brown color with dark ground floor trim.
3. The Davidson building, shown as peach (129) is now yellow (319).
4. The southern part of the Surovek building is to be peach (129).

All other colors are as shown on the original submittal.

She added that there had been some concern expressed that the green used in the courtyard was too strong a color. When that color was applied to the wall, however, it proved to be a good color which was "not too strong", and highlighted many of the courtyard tiles.

Mrs. Divoll presented a site plan of Via Parigi showing the selected building and trim colors, which will remain on file.

MOTION BY MR. SILVERMAN TO ACCEPT THE REPORT AND THE CHOSEN COLORS.

MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.

MOTION CARRIED UNANIMOUSLY.

(THIS REPORT ACCEPTANCE CONSTITUTES AN ADDITIONAL APPROVAL RELATING TO CERTIFICATE OF APPROPRIATENESS NO. 27-92.)

- B. Informal review: 18 Via Mizner
Requested by: Via Mizner Associates Limited Partnership

Request approval to replace the existing deteriorated yellow/orange awnings and white/yellow scallop awning with new green and white striped awnings.

Applicant requests approval subject to proper legal advertisement.

Mr. Kirk Henckels stated that in the last storm, a few awnings were lost. Mrs. Volk stated that the proposed green and white striped awnings were typical of the 20's. Mr. Henckels reported that the left courtyard of Via Mizner is in solid green awnings, while the right courtyard is a combination of yellow/white striped and/or solid awnings. The awnings to be changed occur between the courtyards, and green and white stripes have been chosen for these creamy white buildings.

The Commission was reluctant to give any approval without hearing a formal presentation, seeing appropriate photos of the via, and an overall site plan as well. No action was taken at this time. The item will be advertised for the August meeting.

- C. Discussion regarding exterior lights for Town Hall

Mr. Frank, for informational purposes, presented one of the deteriorated exterior Town Hall lights which had been taken down from the building. The fixture, itself, has pointed Gothic elements, which are found nowhere else on the building. Technically, these fixtures could be restored aesthetically speaking, but they would still not be acceptable because they are not Underwriter's Laboratory (UL) approved for exterior use. A suitable fixture would be a fixture which is UL approved in its entirety. Mr. Frank stated he has been in search of such fixtures and has found very few which meet Town requirements. He showed a photo of one acceptable fixture which is a simple copper fixture, without Gothic influences. He provided this information as a status report, and will make further inquiries to locate additional fixture options, and will provide the Commission with the exact locations on the building, where the fixtures need to be replaced.

- D. Discussion regarding Landmarks Ordinance: Hardship provisions

After this subject was brought up for discussion at last month's meeting, copies of the Orlando Landmarks Ordinance with respect to hardship were distributed to the Commission. Mrs. Volk requested Mr. Randolph's comments before the Commission began discussion. He stated that he had an

opportunity to review the Orlando Ordinance, which he felt expands on our Ordinance a great deal. He felt that the Orlando Ordinance provides an additional opportunity for granting demolition, which is not available in our Ordinance. The Orlando Ordinance contains criteria for demolition which are very similar to our criteria. However, the Orlando Ordinance expands on ours, and says, in addition, that even though a person has not met the criteria that are set forth in the Ordinance, he is entitled to demolition if he can show a hardship. Therefore, the Orlando Ordinance would not serve to clarify our Ordinance, but instead, would expand it. Mr. Randolph did not believe that such an additional demolition opportunity was what the Commission had in mind. He had thought the LPC merely wanted to clarify what a hardship was. The Commission concurred with his assessment. He commented that the Town might want to consider requiring an owner to show hardship IN ADDITION to meeting the demolition criteria, contrary to the Orlando Ordinance, though he could not comment, at this time, on the legality of such a requirement. Mr. Randolph stated that the LPC should determine whether they wish to recommend to the Town Council that the Ordinance be amended to include further criteria with respect to hardship for granting demolition.

Mrs. Divoll commented that Orlando added these hardship provisions because their ordinance had been challenged for lack of same. Mr. Randolph suggested that Orlando be contacted to attempt to ascertain the result of placing the hardship provisions in effect. Staff might also contact other cities which have hardship provisions in place to determine their effectiveness.

Mr. Randolph commented that there is no provision in our ordinance for economic hardship. An owner must meet the criteria set forth in the Ordinance if demolition is contemplated. It was pointed out, however, that economic hardship was discussed at length during the hearing for demolition of 6 South Lake Trail.

Mr. Randolph commented that if demolitions are being permitted because Ordinances are being challenged for lack of hardship provisions, then the Town should definitely add some sort of hardship provision.

Mr. Frank stated that at the state level, Tallahassee regards the Town of Palm Beach Landmarks Ordinance as exemplary of a good ordinance...as a leader among ordinances. He felt this opinion should be kept in mind when contemplating changing the ordinance.

Mrs. Volk requested Staff to contact Orlando and other communities to see if their ordinances have been challenged, and then move on from there.

Mr. Frank stated that the Color Committee will probably have another meeting sometime before next month.

Staff will work on obtaining copies of the Secretary of the Interior's Standards for distribution to the Commission. Mrs. Divoll inquired as to the time frame required to alter the LPC Ordinance so that the Secretary of the Interior's Standards could be included. Mr. Randolph stated that the Landmarks Ordinance falls under the Zoning Commission, which hears matters during the months of November through April. Mr. Frank stated that he could place this on the Zoning Commission agenda as a study item.

Mr. Frank reported that 100 landmark plaques have been ordered. Staff will send a letter to each landmark owner indicating that the plaques will be available at no charge to the property owner.

VI. Adjournment

MOTION BY MRS METZGER TO ADJOURN AT 10:36 A.M.

MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.

MOTION CARRIED UNANIMOUSLY.

The next meeting of the Landmarks Preservation Commission will be heard on WEDNESDAY, AUGUST 19, 1992 at 9:00 a.m. in the TOWN COUNCIL CHAMBERS, TOWN HALL, 360 SOUTH COUNTY ROAD, PALM BEACH.

Respectfully submitted,



Sally Gingras, Secretary

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Minutes

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

LAST NAME—FIRST NAME—MIDDLE NAME ALBARRAN de PIENDOZA, JACQUELINE		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Landmarks Preservation Commission	
MAILING ADDRESS 209 PHIPPS PLAZA PALM BEACH		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
CITY PALM BEACH FL. 33480		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
DATE ON WHICH VOTE OCCURRED 7/15/92		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 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, JACQUELINE ALBARRAN A. MENDOZA hereby disclose that on 7/15, 1992:

(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 _____, by whom I am retained.

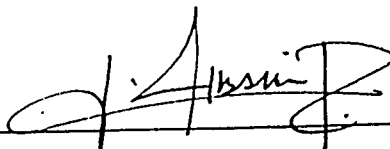
(b) The measure before my agency and the nature of my interest in the measure is as follows:

MY FIRM WAS PREVIOUSLY INVOLVED WITH
THIS PROJECT.

Date Filed

7/15/92

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.