



TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

9:00 a.m., WEDNESDAY, JUNE 15, 1994

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

I. Call to Order: The meeting was called to order by Chairman Lillian Jane Volk at 9:05 a.m.

II. Roll Call:

PRESENT: Lillian Jane Volk, Chairman
Elise P. Mackintosh, Vice Chairman
Sally Gingras, Secretary
Anne G. Metzger, Member
Jacqueline Albarran de Mendoza, Member
Elizabeth Shields, Alternate Member
John C. Randolph, Town Attorney
Robert L. Moore, Director of Planning, Zoning &
Building
Timothy M. Frank, Planner/Projects Coordinator

ABSENT: William S. Gubelmann, Member
Arthur Silverman, Member
Jane R. Grace, Alternate Member
Anne S. Keresey, Alternate Member

RECORDING SECRETARY: Cynthia M. Delp

Let the record show that Mrs. Volk excused the absences of Mr. Gubelmann and Mrs. Grace. She likewise excused the absence of Mr. Silverman for medical reasons. The absence of Mrs. Keresey is unexcused.

III. Approval of the Minutes of the May 18, 1994 Meeting:

Please note the following correction to the May Minutes:
Mrs. Albarran de Mendoza arrived at 9:08 a.m., rather than 9:18 a.m. as stated in the Minutes.

MOTION BY MRS. GINGRAS TO APPROVE THE MINUTES AS AMENDED.
MOTION SECONDED BY MRS. METZGER.
MOTION CARRIED UNANIMOUSLY.

IV. Public Hearings:

A. Application for Certificate of Appropriateness No. 16-94, Site lighting

Owner/Applicant: Mr. Donald J. Trump

Address: 1100 South Ocean Boulevard

Project Description: Request approval of replacement of lighting fixtures at various site locations as follows: (19) fixtures along Lake Worth wall, (10) fixtures in the courtyard, and (4) fixtures at the eastern end of the northern service drive; approval of railings, stair rails, and guardrails, and other associated changes as presented

(Please note this matter was deferred from the May meeting.)

Mr. Wes Blackman, Project Manager, thanked the Commissioners who visited Mar-a-Lago since the last meeting. To reiterate, lights are requested at the following locations: (4) black fixtures at the main entrance, (10) black fixtures in the courtyard, (19) white fixtures on the lake wall, and (8) black fixtures on the tower. Mr. Blackman brought a sample of the previous courtyard fixture. He pointed out that these were hazardous hanging fixtures with an exposed bulb; the fixtures easily deteriorated; and they were not bright enough to provide security. New fixtures are already in place in the courtyard. Regarding the lake wall lights, Mr. Blackman checked with Mr. Jim Griffin, former caretaker, who stated that there were lights on the lake wall originally. Those lights were removed in 1985 by Mrs. Trump, and were replaced with urns. Currently, the urns have been removed and replaced with the new fixtures for security lakeside. Regarding the tower, electric boxes were discovered in the tower, and new lights have been placed there. All of the new lights are cast aluminum and stainless steel construction, and are found at other sites in Palm Beach.

Mrs. Volk commented that the installation of these lights was performed without adherence to the proper procedure for approval by the LPC. She called the fixtures inappropriate. She felt they detract from the historic character of the building, and lighting is very important to the historic character. She also said that the tower lighting is absolutely unacceptable, and the entire matter is an unfortunate situation, especially in light of the extreme care which is being given to the rest of the property, and the changes planned for same. Mrs. Albarran de Mendoza stated that the new fixtures are beautiful in themselves, but are not appropriate to this house as they are Georgian fixtures. She felt that attempts should be made to fabricate UL approved fixtures appropriate to the structure.

Mrs. Volk stated that there are still some old lights in the upper loggia area. She suggested that Mr. Blackman study the old fixtures still on site, and find out what is needed to preserve them. The loggia lights, in particular, are very unique, and would be difficult to reproduce. Mr. Blackman agreed that identifying and restoring existing

worthy fixtures on site was important, but acknowledged that it would take some time. Ms. Shields agreed that more research be done, and that the applicant should return to the Commission by the end of the restoration. Mrs. Volk and Mrs. Metzger advocated the total removal of the tower lights.

Mr. Paul Rampell, Esquire, requested a motion for deferral of the lighting matter, as it is the applicant's intent to meet the requirements of the LPC in every respect.

MOTION BY MRS. ALBARRAN DE MENDOZA TO DEFER THE LIGHTING ISSUE TO THE JULY MEETING.

MOTION SECONDED BY MRS. METZGER.

MOTION CARRIED UNANIMOUSLY.

Railings, Stair Rails, and Guard rails

Ms. Tamara Peacock, of Peacock/Corrales Architects, presented slides and a bound document outlining the various requests relative to railings, stair rails & guard rails. These changes are necessary because of the change of occupancy from a single family residence to a private club or assembly occupancy. "A total of 26 specific areas exist where railings are either needed or require modification." These have been grouped into seven different areas. The following is taken from Mr. Blackman's June 15, 1994 correspondence, and it describes the requested changes:

1. Kitchen and former staff wing, consisting of wooden railings (spindle work).

Treatment: Extend railings to a height of 42" so that the existing design is repeated and uninterrupted. Add railings of the same design where needed. The material used will be the same as the existing railings.

2. Area north of the pavilion, south of the pool.

Treatment: Add three (3) railings (one on both sides and one in the center of the stair) made of cast aluminum. The railings would be finished in a gold tone that match other railings in the general vicinity.

3. Situations where the railing must be extended 18" beyond the edge of the highest and lowest step.

Treatment: Fabricate the top rail so that the design and finish of the existing railing is maintained. Supporting posts of identical design and finish would be added as required.

4. Main entrance.

Treatment: Request an exception from the Building Board of Adjustment for the placement of a center rail. Place two rails on each side of the stairs in the same design as the predominant railing design found throughout the estate. The finish would be black to match the iron work present on the main entrance.

5. Area around the parrot pool.

Treatment: Request an exception from the Building Board of Adjustment for the placement of a guardrail around the "Parrot Pool". Place a second railing of the same finish and design as the existing railing for each stair surrounding the "Parrot Pool". Method of attachment to either the wall or stair surface to be determined by artist, architect, owner representative and Landmarks Preservation Commission staff.

6. Area of the terrace and childrens' wing.

Treatment: Add a cast aluminum railing along the top of the terrace wall to a height of 42". Add a rail on each side of stair between the terrace and childrens' wing. Both the stair and guardrail finish will be black and designed to match the predominant style of railing found throughout the estate.

7. Second level cloister.

Treatment: Add a series of railings along the second level cloister knee wall so that the finish height equals 42". Design will be as depicted in the accompanying booklet. Finish to be black and material to be cast aluminum. Final details of the design to be determined by artist, architect owner representative and Landmarks Preservation Commission staff.

Mrs. Gingras commented regarding the curved railing at the second level cloister. She felt that the curved design would be fine for the semi-circular section of the wall, but should not be used along the entire second level cloister. Ms. Peacock stated that they will give this particular area further study for variation of the railing, and the details will be reviewed by staff.

MOTION BY MRS. MACKINTOSH TO APPROVE THE REQUESTED CHANGES AS SHOWN IN THE SUBMITTED DOCUMENT, Railing Code Compliance, WITH THE PROVISIO THAT A COMMITTEE COMPRISING STAFF, THE ARCHITECT, AND MR. BLACKMAN WILL VERIFY THAT THE CHANGES PERFORMED WILL MATCH THE GUIDELINES SET FORTH THE DOCUMENT, INCLUDING THE SUGGESTION REGARDING THE SECOND LEVEL CLOISTER REFERENCED ABOVE.

MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.

MOTION CARRIED UNANIMOUSLY.

Let the record show that aesthetically speaking, the LPC supported the two referenced requests for relief from requirements of the code. The applicant will take these requests to the Building Board of Adjustments and Appeals for review.

B. Application for Certificate of Appropriateness No. 20-94, Addition and Miscellaneous Changes

Owner/Applicant: Mr. Louis D. Root Jr.

Address: 61 Middle Road

Architect: John M. Kelly, III

Project Description: Request approval of the following:

1. One story extension to the west street side of the existing garage (13'8" x 22')
2. Decorative wood screen for concealing equipment at northwest corner of the addition
3. Landscape materials between the garage doors
4. Other associated changes as presented.

The applicant was represented by Mr. Charlie Branch, Branch Construction, General Contractor, and Mr. John Kelly, Architect. Mr. Branch explained that the existing garage only provides room for two vehicles. The proposed addition will allow parking for two additional vehicles, the family's

other cars. The existing garage doors are the old style doors with glass panels, and are not appropriate to the landmark. The proposed one story addition would have the same barrel tile gable end roof as found elsewhere on the property. The existing lighting will be relocated, moved down further on the facade. The new garage doors, though identical in size, will be rounded, blending with other rounded elements on the house. Regarding landscaping, the owner would like to install a podocarpus between the garage doors. A decorative wood lattice screen will be installed at the north end of the garage facade to conceal air conditioning units and garbage storage.

MOTION BY MRS. GINGRAS TO APPROVE THE PLANS AS PRESENTED.
MOTION SECONDED BY MRS. METZGER.
MOTION CARRIED UNANIMOUSLY.

C. Application for Certificate of Appropriateness No. 21-94,
Lot split, demolition, renovation, new construction

Owners: Mrs. Cathleen McFarlane

Mr. Stephen Myers

Address: 458 Worth Avenue

Architect: Smith Architectural Group

Project Description: Request approval of the following:

1. Lot split (458 Worth Avenue)
2. Demolition of west portion of existing structure (458 Worth Avenue)
3. Build new guest house on west portion of property (to serve 460 Worth Avenue)
4. Renovate remainder of existing structure into new guest house (to serve 456 Worth Avenue)
5. Other associated changes as presented.

Mr. Jeffery W. Smith, Architect, and Mr. Robert Deziel, Esquire appeared representing the two contract purchasers of 458 Worth Avenue, Mrs. Cathleen McFarlane and Mr. Stephen Myers. 458 Worth Avenue is currently owned by the estate of Susan Whitmore. Mr. Moore stated that this matter was before the Town Council at yesterday's regular meeting. The Town Council opted to defer action on the variance requests (For Mrs. McFarlane-related to "0" setback, consistent with what she has now; and for Mr. Myers-related to lot coverage, the percentage of which will actually decrease with the acquisition of part of 458 Worth Avenue), and referred the matter to the LPC for their review and comment. Mr. Deziel stated that they are only seeking approval of the lot split portion of the application today. He reviewed a site plan of the properties involved, showing the proposed division of the 458 Worth Avenue property, and briefly summarized the resulting McFarlane renovation portion, and the Myers demolition and construction portion.

Relative to the demolition request, the LPC asked whether the 458 Worth Avenue arch would remain. Mr. Smith stated that it would be demolished as the lot split would occur

there, and it would be replaced with green space. Mr. Smith reviewed the history of this area of Worth Avenue. Today, there are five houses at the end of Worth Avenue. Historically, there were two, Casa de Leoni at 450 Worth Avenue, and one other, actually composed of the remaining four houses, as the Warburton Estate. 452 and 456 Worth Avenue were the main house. So, Mrs. McFarlane purchased one-half of the main house. 458 and 460 Worth Avenue were the staff quarters and the garages. Mr. Smith stated that the majority of the Myers portion of 458 Worth Avenue, which is proposed for demolition, is not historic. The stairs, the Worth Avenue wall, and the landscaping will be retained however. The project will result in a reduction of density.

456 and 458 Worth Avenue are both landmarked, whereas 460 Worth Avenue is not a landmark. After the lot split, both the McFarlane portion and the Myers portion will remain landmarked even though Mr. Myers existing property is not landmarked.

Mr. Deziel stated that this property, 458 Worth Avenue, has been on the market for over a year. There has been very little interest in retaining the house, as is, as the house is significantly below the flood level. It is non-conforming on both sides as to setbacks, to lot coverage and to mass. It is a very difficult property to work with. Mr. Deziel stated that this proposal saves some of the landmarked structure, and builds a new structure under the jurisdiction of the LPC, and lowers density.

Some Commissioners felt that attempts to save the archway should be made. Mr. Smith responded that the concept of the arch doesn't even work anymore, for if one drives through it, there is nowhere to go, except to back out again. Mr. Deziel stated that if they were to retain the arch, and split it between the two property owners, two additional variances would need to be secured relative to "0" setback. Mr. Deziel and Mr. Smith referred to this as a very difficult situation, with the proposal having to please the seller, the purchasers, the LPC and the Town Council.

Mr. Moore stated that the LPC is not to be put in the position of worrying whether the applicant is successful in securing variances. They must first decide if the partial demolition is appropriate, and then decide upon the re-use of the land thereafter.

Ms. Shields inquired as to the criteria established for granting such a demolition request. Mr. Randolph responded by reading from the Hardship Ordinance, Criteria 1-7. Mr. Frank recommended that Mrs. Day be called upon to perform an independent evaluation of this specific situation, based upon the criteria just read, to see if demolition is warranted, to assess the archway question, to research the history of the property, to evaluate the existing structure,

etc. Mrs. Volk was in favor of requesting Mrs. Day's evaluation of same before the LPC takes any action.

Mr. Deziel asked the LPC if they could come to the site on an individual basis to view the property. Instead this matter was deferred to the end of the meeting, at which time the meeting would adjourn to 458 Worth Avenue.

D. Application for Certificate of Appropriateness No. 22-94,
Tiles, colors, signage

Owner: Via Mizner Associates Limited Partnership by
Via Mizner of Worth Avenue Inc.

Applicant: Casa Casa, Tenant

Address: 333 Worth Avenue

Project Description: Request approval of the following:

1. Replace existing black stone & marble entrance way with Mexican terracotta tile & inserts.
2. Repaint existing green colored storefront windows & door blue to match blue in tile insert
3. Repaint existing white building facade to match existing stone color in archway
4. Identification signage: two sets of cut out letters in gold/black; and "CASA CASA" in 4" square tiles on west wall.
5. Other associated changes as presented.

Mr. Steve Rowe of Phil Rowe Signs represented the applicant, Casa, Casa, 333 Worth Avenue. Regarding Item #1 (above), the Commission felt that the terracotta tiles with inserts would be just as bad a solution as the existing paving in front of the store. After discussion, the LPC favored merely continuing the sidewalk up to the door eliminating any additional paving material. Regarding #2 (above), the LPC was reluctant to approve the color blue, without actually seeing a paint sample first. Regarding #3, (above), the LPC was quite pleased with this change. Regarding #4, (above) please see the following motion:

MOTION BY MRS. ALBARRAN DE MENDOZA TO APPROVE REMOVAL OF EXISTING PAVING IN FRONT OF SHOP AND REPLACE WITH CONTINUATION OF TYPICAL SIDEWALK MATERIAL; APPROVAL TO RE-PAINT WINDOW TRIM, CHANGING COLOR FROM DARK GREEN TO DARK BLUE (DARKNESS OF BLUE TO BE APPROVED BY STAFF AND MRS. ALBARRAN DE MENDOZA); APPROVAL TO CHANGE FACADE FROM WHITE TO STONE COLOR; AND SIGNAGE APPROVAL AS FOLLOWS: "CASA CASA" IN SCRIPT, IN AN APPROVED BLUE, ON THE WORTH AVENUE AND EAST FACADE: TWO SETS OF GOLD LETTERS WITH DARK BLUE TRIM ON THE WINDOWS; AND WHITE TILES WITH BLUE LETTERS READING "CASA CASA" ON THE WEST FACADE.

MOTION SECONDED BY MRS. METZGER.
MOTION CARRIED UNANIMOUSLY.

E. Application for Certificate of Appropriateness No. 23-94,
Enclose patio

Owner/Applicant: E.R. Bradley's

Address: 280 Sunset Avenue

Project Description: Request approval to enclose the existing patio with a permanent glass enclosure, and other associated changes as presented.

The applicant wishes to enclose the patio in an attempt to alleviate noise complaints from neighbors. Mr. Jeffery W. Smith, Architect, stated that the Town Council had granted a variance for this project, with the condition that the enclosure doors be closed by 10 p.m.

The existing patio knee wall will be removed. The new enclosure will have a barrel tile roof, white french doors, white cypress columns, outlookers, and capitals.

MOTION BY MS. SHIELDS TO APPROVE THE PATIO ENCLOSURE AS PRESENTED.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

F. Application for Certificate of Appropriateness No. 24-94,
Modifications to approved plans

Owner/Applicant: 38 East Corporation

Address: 1300 South Ocean Boulevard

Architect: Ferguson Murray & Shamamian

Project Description: Request approval of modifications to previously approved plans for general restoration, and site improvements, and other associated changes as presented.

Mr. Jeffery W. Smith requested a deferral of this matter to next month. The owner plans to scale back the project a bit, and Mr. Smith will present the phasing of the project at next month's meeting.

MOTION BY MRS. ALBARRAN DE MENDOZA TO DEFER THIS MATTER TO THE JULY MEETING.

MOTION SECONDED BY MRS. METZGER.

MOTION CARRIED UNANIMOUSLY.

V. Other Business:

A. Informal Review: 256 Worth Avenue
Robert Bell, Architect

Removal of existing ceiling globe lighting; blank off with brass or wood plates; installation of 8 coach lights on wall brackets on side walls of via, two lights at courtyard wiring to be recessed in wall and stuccoed over

Mr. Bell explained that the existing ceiling fixtures have exposed clear bulbs and are contemporary in design. They are situated on the ceiling recessed in layered wood trim. The proposal would leave the wood trim intact, with a brass or wood cover plate blanking off the fixture location. A total of eight (8) dark bronze finish coach lights will be hung in the via, and (2) will be hung in the back wall of the courtyard.

Mrs. Volk commented that placing lights on the walls is not historic in nature. She called the proposed new fixtures "huge". She felt that the existing fixtures should be adapted or changed. Mrs. Gingras likewise stated that there is no precedent for large wall mounted lights in the vias. The Commission asked Mr. Bell to return to the Commission next month, subsequent to proper legal advertisement, with adapted or new ceiling mounted fixtures, as an aesthetically preferable and less expensive option.

- B. Informal Review: 139 North County Road #5
Signcraft

New identification signage for "Pastels" on windows.

Ms. Robin Intoppa of Signcraft presented a rendering of the proposed signage for three windows. Letters will be in white vinyl applied directly to the windows, to read "Pastel", "Palm Beach", "Infants and Childrens Clothing". The Commission gave no negative feedback. The matter will be legally advertised for next month's meeting.

- C. Informal Review: 1565 North Ocean Way
Michael J. Johnson

Addition of small second story observation/viewing room; add new window at north elevation of cloister; remove existing shed canvas awning and replace with hip-shaped awning at southwest corner of residence (N.W. corner of pool deck); remove glass garden room structure at south elevation and replace with (2) windows and (1) door with continuation of tile roof above (includes enclosing small porch at west end); replace existing bay windows with new at east elevation; add wood trellis at west side of guest house.

Mr. Frank noted that this structure is currently "under consideration" for landmark designation. Staff had previously received a letter from the owner objecting to the designation, but that letter did not state the owner's desire to make changes to the house. It merely stated the objection. Mr. Frank and Mrs. Day, in consideration of the owner's stated objection, recognized the need to do further study on this house before proceeding with a designation hearing, and elected to postpone this matter to the next designation season, leaving the property in "under

consideration" status. Recently, however, this request for renovation came to light, and staff looked at the matter again to make a recommendation as to whether the "under consideration" status should remain. Mrs. Day and Mr. Frank visited the property. They found evidence to support retaining the "under consideration" status, and also some evidence to the contrary. Since they found no convincing evidence either way, staff felt that the "under consideration" status should remain, with the understanding that further research would be conducted during next year's designation season. The applicant was then advised to bring this request for renovation to the LPC for review.

Mr. Michael Johnson, Associate Architect, represented Ivan Bereznicki Associates Inc., the primary architects, relative to this project. The major change requested is the second story tower addition to be used as an observation tower. The materials for this addition would match the materials used on the house...a white-washed brick, wood columns, and a clay tile roof. Mr. Frank commented that this addition is a very modest addition in comparison to what current codes would allow to be built on the site.

Mrs. Albarran de Mendoza was somewhat concerned about the windows, particularly the asymmetrical windows on the north elevation.

Mr. Johnson stated that this house was built in the 40's, and since that time several additions have been constructed. Mrs. Day stated that the original plans, drawn by Marion Syms Wyeth, of Wyeth, King and Johnson, were dated around the 30's. Due to the additions, the structure is not as it was originally, and as such, needs further study in preparation for a designation hearing. The main part of the front facade is its main design feature.

Mr. Johnson continued his review of the above-stated project. The LPC offered positive feedback on the proposed changes, and this matter will be heard formally at the next meeting.

Letter from Mr. Jesse Newman, Palm Beach Chamber of Commerce

In consideration of next year's designation season, Mrs. Day read a letter dated December 13, 1993 from Mr. Newman to Mr. Frank relative to the landmark designation of the Kennedy house, 1095 North Ocean Boulevard, wherein Mr. Newman suggests landmarking "the famous door and the coquina wall on either side of the door." Mrs. Day stated that the Kennedy property study will be re-opened next year, relative to Mr. Newman's suggestion. In addition, this entire file will be researched and updated as required.

Mr. Moore stated that in 1980, the LPC unanimously recommended this property for designation as a landmark. The Town Council, however, unanimously disapproved the LPC recommendation. He further stated that he disagrees with another statement in Mr. Newman's

letter..."Needless to say, a landmark designation of the house would certainly be a handicap to effectuate the sale". Mr. Moore responded to that statement by saying that the property has not sold, and it is not landmarked.

Mrs. Day encouraged members of the LPC to submit any properties they would like to be studied during the summer months in preparation for the next designation season. Mr. Jeffery Smith, in the audience, suggested that the palm trees running down Sanford Avenue be landmarked as they were part of the old Sanford Estate. Mr. Smith was instructed to put this request in writing for Staff review.

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Mrs. Volk commented regarding a recent editorial in the Palm Beach Daily News which stated that the Landmarks Preservation Commission was "asleep at the switch" regarding landmarking in the Town. Needless to say, Mrs. Volk took exception to this opinion, and advised that the author should do his homework.

VI. Adjournment to 458 Worth Avenue

At 11:24 a.m., the Commission adjourned to 458 Worth Avenue as previously planned.

VII. Site Visit - 458 Worth Avenue

The meeting re-convened on site at 11:34 a.m. with the same members in attendance. The group began their tour of the property going underneath the archway in question to the lakeside patio area. While there, the group viewed the lake elevation of the house, and Mr. Smith made references to the portions of the structure which are not original. From there, the group entered the house, climbed the stairs to the second floor, came down again, and regrouped along the lake. Mr. Smith distinguished between the portion of the structure to be retained, and that which would be demolished. The Commission asked whether the fountain in the patio would remain. Mr. Smith explained that it would, but it would have to be raised up to the level of the upper patio. The steps that lead down into the water would remain.

Mrs. Day, in her independent assessment of this matter, stated that she will review the original plans of the house, and distinguish between the original structure and the additions. She will attempt to resolve the question relative to the arch, and will also embellish the file as necessary. The original

estate was built in 1922, and it was designated on all four criteria. Mrs. Day stated that in the file regarding the estate, it states that these buildings should be considered as a whole unit, so she will attempt to determine that portion of the structure that was original to the estate.

MOTION BY MRS. ALBARRAN DE MENDOZA TO DEFER THIS MATTER TO THE JULY MEETING, WITH THE PROVISIO THAT THE APPLICANT'S REPRESENTATIVES ASSIST MRS. DAY IN HER EFFORTS TOWARD AN INDEPENDENT ASSESSMENT OF THIS MATTER.

MOTION SECONDED BY MRS. METZGER.

MOTION CARRIED UNANIMOUSLY.

VIII. Adjournment

The meeting adjourned at 12:05 p.m. in response to a motion by Mrs. Mackintosh.

The next meeting of the Landmarks Preservation Commission will be heard on WEDNESDAY, JULY 20, 1994 at 9:00 a.m., in the TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH.

Respectfully submitted,

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Sally Gingras, Secretary

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