

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

9:00 a.m., WEDNESDAY, MAY 20, 1998

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, Vice Chairman
Lindley M. F. Hoffman, Secretary
Arthur Silverman, Member
Elizabeth Shields, Member
Sari M. Wilkey, Member
Leighton Rosenthal, Alternate Member
Nikita Zukov, Alternate Member
Ann Lilja, Alternate Member
Scott Hawkins, Presiding Town Attorney
Robert L. Moore, Director of Planning, Zoning & Building
Timothy M. Frank, Planner/Projects Coordinator

ABSENT: Jacqueline Albarran de Mendoza, Member (excused as she had made travel arrangements prior to her appointment to the LPC)

RECORDING SECRETARY: Cynthia M. Delp

Let the record show that a court reporter, Jane Pastore, was present to transcribe matters relative to Item C., 205 Royal Palm Way.

III. Approval of the Minutes of the April 15, 1998 Meeting

Please note that the following correspondence was received from Mr. Harrison M. Robertson Jr., former member of the Landmarks Preservation Commission, upon his receipt of the April Minutes:

"The minutes of the meeting of the Commission on April 15, 1998 are not correct in referring to me as a "member" and in stating that I had "offered" to resign from the Commission. By my letter of April 8, 1998 to the Town Council, I thereby resigned effective immediately, so I was no longer a member of the Commission as of that date."

Please note that Mr. Robertson was listed as an absent member in the April minutes, with a note describing his absence, i.e., "Let the record show that Mr. Smith read a letter into the record from Mr. Harrison M. Robertson Jr., wherein Mr. Robertson offered his resignation from the Landmarks Preservation Commission."

Correction to the April minutes: "Let the record show that Mr. Smith read a letter, dated April 8, 1998, into the record from Harrison M. Robertson Jr., wherein Mr. Robertson resigned effective immediately from the

Landmarks Preservation Commission."

MOTION BY MR. SILVERMAN FOR APPROVAL OF THE MINUTES AS REVISED.
MOTION SECONDED BY MR. ROSENTHAL.
MOTION CARRIED UNANIMOUSLY.

IV. Administration of the Oath to all persons who wish to testify: Mrs. Delp administered the oath to all those who wished to testify today.

V. Public Hearings:

A. Application for Certificate of Appropriateness No. 11-98, (deferred from April 15, 1998)

Landscape/Hardscape

Owner/Applicant: Mr. Thomas Wheeler

Address: 260 North Ocean Boulevard

Architect: Newlands Design Group Inc., Landscape Architect

Smith & Moore Architects

Project Description: Request approval of landscape/hardscape for pool patio area to include pool relocation, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: Mr. Smith and Mr. Pandula stated that they had met with Mr. John Moore relative to this matter.

Mr. Ray Wall of Newlands Design Group and Architect John Moore returned to the LPC in response to the concerns raised at last month's meeting. Regarding the landscape wall along the north side of the property (serving as a backdrop to the pool), it was stated that the existing wall was designed and built in 1986, and the pool and pool cabana were built in 1982 and 1986 respectively. Therefore, none of these elements were original to the site. At last month's meeting, a design was presented for the wall. Since that time, the wall design has been revised to show less detail, a more simplified design. The wall height was lowered by 8" to 10". At the existing pool cabana, a similar plan change was done. The columns have been kept in the same location. The roofline remains the same. Sliding glass doors have been changed to french doors. The new design pushes out the east wall of the cabana thus offering more interior space to the cabana. Mr. Smith stated that when looking south toward the north landscape/pool wall, the wall protrudes on each end into the existing structures there. He and Mr. Pandula recommended that the wall be shortened by 8" to 12" on each end so as not to infringe on the existing structures.

Mr. Wall discussed the existing and proposed site plans, with the relocated pool land paving/landscape areas. He showed samples of the cast stone paving material for the deck areas, and the caps and the pool caps. Mr. Wall showed a rendering of the mosaic which will be inlaid centrally in the paving near the main house. As to the landscape, the area around the pool will be very heavily landscaped with cocoanut palms, seagrape trees, etc. The landscape plan is very symmetrical in design. Four large palms will be planted around the sundial which is placed in the paving near the cabana. Most plant materials will be very salt tolerant.

There is a fountain on the interior side of the landscape/pool wall, as shown on the presented colored rendering. The fountain wall relief features Michelangelo's Florentine Man Wall Relief on a tiled backdrop with cast stone surround in the shape of one of the windows of the house. This central element on the landscape/pool wall, with its three bubblers, is flanked by landscaping and two large jardinieres on either side. Mr. Wall showed a sample of the cream colored marbled pool tiles which will be used at the splash line only. The remainder of the pool will be marbled in a dark color.

MOTION BY MR. PANDULA TO APPROVE THE PROJECT, AS PRESENTED, WITH THE FOLLOWING CONDITIONS: THAT THE LANDSCAPE/POOL NORTH WALL BE SHORTENED AT BOTH ENDS SO THAT IT JUST TOUCHES THE CORNERS OF THE EXISTING BUILDINGS, AND TO REVISE THE CENTER DOORS OF THE CABANA SO THE STONE COLUMNS LINE UP WITH THE FRENCH DOORS.

MOTION SECONDED BY MS. SHIELDS.
MOTION CARRIED UNANIMOUSLY.

B. Application for Certificate of Appropriateness #22-98,
Miscellaneous changes

Owner/Applicant: Mr. Robert Fessler

Address: 920 South Ocean Boulevard

Architect: Smith and Moore Architects

Project Description: Request approval of the following:

1. Convert existing staff quarters at north courtyard wing into an open loggia with bar area and new fountain
2. Remove three windows at north elevation-staff quarters
3. Re-design north courtyard wall
4. Remove two small windows on west courtyard elevation and add one larger window, a pair of french doors and a single french door
5. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: Mr. Smith stated that he had met with Mr. John Moore regarding this project.

Mr. Moore stated that most of the proposed changes occur in the staff quarters on the north side of the property. He showed existing and proposed elevations of the affected courtyard area, and proceeded to review the proposed changes as listed above. Mr. Smith's only negative comment was that no chimney was shown on the plans in relation to the new fireplace located in the new open loggia. Other commissioners agreed that the chimney should be added, but they did not make it a condition of approval.

MOTION BY MR. PANDULA FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.

C. Application for Certificate of Appropriateness #18-98, (deferred from April 15, 1998)
Covered walkway, demolition, Fountain, Courtyard, Property Wall

Owner: E.W. Cook Trustee and Chalet Restaurants Inc.

Applicant: Chase Manhattan Private Banking, N.A.

Address: 205 Royal Palm Way, incorporating 221 Royal Palm Way

Architect: The Lawrence Group

Project Description: Request approval of the following:

1. Construct a covered walkway between existing buildings at 205 and 221 Royal Palm Way
2. Demolish a portion of the first floor at 221 Royal Palm Way and change exterior of building to Mediterranean style.
3. Construct new fountain and exterior court
4. Construct new north boundary wall
5. Signage
6. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

① Mr. Eugene Lawrence and Mr. Richard Leja of the Lawrence Group returned to the LPC in response to concerns raised at the previous meeting. The LPC had asked the architect to move the walkway back, to change the shape of the arch and pediment, and to provide a detail of the gate. He presented a revised streetscape, reshaping the main entrance arch and the gable. Mr. Lawrence stated that they had studied moving the walkway back three parking spaces. Both the bank, (the tenant), and the owners, (the Cooks), are not in favor of moving the walkway back. They request that the walkway be left forward as was presented originally, as they feel it does not significantly affect the landmarked structure.

Mr. Smith asked to see drawings showing the study of the walkway moved back. Mr. Lawrence stated that he does not have any. Mr. Smith responded that to leave the walkway forward creates a "strip mall mentality" on Royal Palm Way, and that the proposal to move the walkway back is the perfect solution for this site. He criticized Mr. Lawrence for not returning to the LPC today with drawings showing the walkway moved back, and stated that the Cooks have lost another month as a result of it. He stated he was disappointed in today's presentation, and clearly stated that he was strongly against the applicant's request.

Mr. Zukov agreed with Mr. Smith, and recommended that the applicant do whatever interior changes are required to facilitate moving the walkway back. Ms. Shields likewise agreed with Mr. Smith, also feeling that the design, as proposed, reads as a strip commercial center on one of the Town's most important thoroughfares. Ms. Lilja commented that she has a major problem with this design being adjacent to the road, and so large in scale. She stated that the design reminded her of a Boca strip mall, and asked the applicant to reconsider the move.

① Mr. Pandula presented an alternative asking whether the walkway can be moved back one parking space (10 ft.) from the sidewalk instead of three parking spaces. This would effectively shorten the length of the walkway. Mr. Lawrence asked if that would be an acceptable alternative, to which Mr. Smith replied that the LPC would have to "see" this alternative drawn in plan form in order to make that determination. Mr. Smith reminded Mr. Lawrence of the suggestion last month to place the plaza/courtyard along the street with the walkway behind it.

Mr. Lawrence called upon Mr. Luis Martinez, Operations Manager of the bank, to offer his comments, and Mrs. Delp administered the oath to him. Mr. Martinez stated, on behalf of his employer, the tenant, that moving the walkway back creates interior problems, and impedes their desire to maximize windows and space for the employees. Mr. Martinez stated that the bank wishes to display their extensive art collection inside the main entrance on Royal Palm Way, so this location for the main entrance is very important to them. Mr. Smith responded that the LPC has a job to do also, and that is to protect the architectural integrity of the Town.

Mr. Pandula suggested that last three easternmost arches (approx. 24') be deleted from the design, together with moving the walkway back one parking space. This would cut down the length of the arcade. He also suggested changing the look of the connecting walkway so it appears less of an architectural feature and more of a landscape feature. He suggested making the connector look like a pergola, while still having a roof, a translucent type roof. The walkway could then be planted heavily with bougainvillea. Mr. Lawrence felt the architectural elements, as proposed, could likewise be covered with bougainvillea.

Mr. Smith stated that the bank's objective is to make the bank's presence large on the street. He commented that the LPC should not attempt to cover a "mistake" with bougainvillea. Ms. Lilja stated that the alternative concepts discussed today are too nebulous to grasp without a drawing.

① Mr. Lawrence commented that he only sees two available options in light of the comments made...that the LPC either defer the project or deny the project recognizing the applicant will appeal. Mr. Moore commented that according

to Mr. Randolph, deferrals and denials can both be appealed to the Town Council.

Mr. Wade Byrd, of 225 El Pueblo, was sworn. He stated that Mr. Cook had asked him to come speak today as Mr. Cook could not be here. Mr. Cook did not, according to Mr. Byrd, take the LPC's suggestions lightly, and spent hours considering moving the walkway back. He asked the LPC not to chastise the owner for not following instructions, as that would be unfair and unwarranted. At this point Mr. Smith interrupted and said that the architect appeared today without drawings showing the walkway moved back. Mr. Byrd maintained that the walkway simply does not work moved back. Mr. Cook is a landmark owner and is very familiar with landmark preservation and landmark issues. He stated that to refer to this design as a "strip mall" is a misnomer. The Cooks have great credibility with this commission, and Mr. Cook took the LPC's suggestions to heart. Mr. Byrd said that Mr. Cook would consider building the walkway one parking space back. Mr. Smith said there was no drawing today to illustrate how such a change would appear.

Mr. Hoffman commented that a compromise has been offered, and may be a solution. Other suggestions have been made as well, i.e., the pergola concept. The LPC does need to see the various options drawn, however.

MOTION BY MR. HOFFMAN TO DEFER THE PROJECT WITH THE COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION IN MIND SO THAT THE PROJECT CAN BE BROUGHT BACK WITH THOSE COMMENTS ADDRESSED.

MOTION SECONDED BY MS. SHIELDS.
MOTION CARRIED UNANIMOUSLY.

D. Application for Certificate of Appropriateness #19-98.

Miscellaneous changes

Owner/Applicant: Ms. Polly Earl

Address: 209 Seaspray Avenue

Architect: The Pandula Architects

Project Description: Request approval of the following:

1. Replace jalousie windows above the main entry
2. Re-install original decorative metal balcony/planter above main entry
3. Replace jalousie windows at ground floor sitting room at southeast corner of building
4. Re-finish existing steps at main entry
5. Re-configure automobile driveway to circular with new site wall and walkway to residence
6. Revise south wall of garage
7. Revise living room jalousie windows to original french door and balcony configuration
8. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

Let the record show that Mr. Pandula declared a Conflict of Interest with respect to this project as he is the architect of record.

Mr. Pandula commenced with the presentation stating that the project consists of a series of minor changes to the exterior facades and one site plan change with respect to altering the driveway. There is now a straight driveway proceeding to the back of the house and a single straight sidewalk leading to the front door. The proposed driveway change creates a circular driveway and a brick sidewalk which will now curve up to the front door. The new driveway will be done in the same material, paver bricks in a basketweave pattern. The exterior modifications to the residence are limited to the east and south elevations of the main house and the front facade of the garage. Mr.

Pandula proceeded to review each of the changes as listed above. The wooden members at the front door will be changed from a white painted finish to a natural wood finish or a natural wood stain. The louvered jalousie windows above the door will be changed to a tilt-turn window system in the three part configuration which was original to the house. An aluminum window box detail will be added to this window, another original detail. The front steps, currently painted concrete, will be replaced in the existing configuration with a cast stone finish and tile insets at the risers. The awning windows to the side of the door will be replaced by the original french doors and a false balcony. At the sitting room location, aluminum awning windows will be replaced with supported barrel tile hip overhangs above. True barrel tile will cover the entire roof. At the garage, the existing garage doors will be replaced with new bifold accordion doors, and aluminum awning windows will be replaced, and a false balcony will be added with awnings above. Site piers with decorative tiled caps and a pedestrian gate will be added to the site. The exterior paint color will be changed from white to beige with Wedgewood blue trim. Mr. Pandula stated he will return to the LPC later with a landscape plan. Mr. Smith suggested that if tile is to be used on the gate piers, it might also be used in the infl. of the window beside the front door.

MOTION BY MS. SHIELDS FOR APPROVAL OF THE PROJECT AS SUBMITTED.
MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

Mr. Pandula also stated, for the record, that his client intends to apply for tax abatement.

- E. Application for Certificate of Appropriateness #20-98.
Miscellaneous changes
Owner/Applicant: Ms. Gayle Peterson
Address: 137 Root Trail
Architect: The Pandula Architects
Project Description: Request approval of the following:
1. Replace ground floor windows at existing openings
 2. Re-construct front porch
 3. Re-configure off -street parking space/terrace area
 4. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

Mr. Pandula declared a Conflict of Interest with respect to this matter as he is the architect of record. Mr. Pandula stated that Mr. Peterson is in a wheelchair, thus the new design attempts to accommodate his condition. Structural upgrades will be performed on the porch and the east facade to deal with termites and dry rot, etc. There will be no aesthetic changes in those areas, but columns will be reheated, new decks put in place, floors leveled, etc. Currently, there is a sidewalk going straight up to the front door and there are various steps to be traveled in order to gain entry to the home. This proposal would delete the front walkway, making the main entrance on the side of the structure. The existing parking space would be replaced with brick pavers and cast stone border. Proceeding north from the parking space, the grade will slope up for handicap access into a new main entrance. Further north, an existing wood deck will be replaced with a brick and cast stone terrace. On the rear south facade, an existing door will be replaced with a new window. On the east elevation, an existing row of jalousie windows will be replaced with new windows to match the original and a pair of french doors will be installed.

MOTION BY MR. SILVERMAN FOR APPROVAL AS SUBMITTED.
MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

F. Application for Certificate of Appropriateness #21-98,
Addition

Owner/Applicant: Mr. Charles Holmes

Address: 328 El Venado Road

Architect: Smith Architectural Group

Project Description: Request approval of a second story infill addition, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

Mr. Smith declared a Conflict of Interest with regard to this item as his firm represents the applicant. He passed the gavel to Mr. Pandula. Mr. Don Kino of Smith Architectural Group presented this request for an addition. Now the area of the addition exists as a one story portion of the house which is flanked by a two story residence and a two story staff quarters. This project will infill the one story portion creating another two story element. The roofline of this new two story portion has been stepped down 18" from the roof line of the existing residence, but is higher than that of the staff quarters. Matching windows will be added to the new addition facades. Mr. Moore noted, for the record, that the applicant was successful in obtaining a variance from the Town Council for the addition. There was additional discussion relative to the various roof heights.

MOTION BY MR. HOFFMAN FOR APPROVAL WITH THE STIPULATION THAT THE ROOF OF THE LINK BE BROUGHT DOWN TO AN APPROPRIATE HEIGHT AS DETERMINED BY THE ARCHITECT.

MOTION SECONDED BY MR. SILVERMAN.

MOTION CARRIED UNANIMOUSLY.

VI. Other Business:

A. Discussion relative to placing properties "under consideration" for the 98/99 Designation Season

Mrs. Day distributed a list of properties suggested for possible landmark designation in the 1998/1999 designation season. This list was compiled from the lists which were submitted to Mrs. Day by the LPC members, and an average ranking of the structures was established based upon the number of commissioners who found the property significant. Mrs. Day stated that there are 227 landmarked structures in the Town. Two structures are currently "under consideration" and will be reviewed next designation season.

With the assistance of digital photography, Mrs. Day reviewed each of the properties on the list as follows: (Please note that a ranking of 1.0 is the highest ranking). During review of these structures, Mr. Smith asked Mrs. Day to comment as to whether the structure is threatened or not, so the members could take this into consideration. Mr. Moore commented that although the members may consider whether a structure is threatened, this should not be a criterion of Mrs. Day in her research as an expert.

Rank of 1.0	163 Seminole Avenue, Trainer and Fatio Architects, Mediterranean Revival style, 1923
Rank of 1.2	120 Everglades Avenue, Architect Unknown, 1910
Rank of 2.0	250 Sanford Avenue, Wyeth & King Architects, Monterey style, 1940
Rank of 1.4	Wall: Casa Bendita, Mizner, 1921
Rank of 1.6	241 Tangier Avenue, Howard Major, 1936, Monterey style
Rank of 2.0	315 Tangier Avenue, John Volk, 1939
Rank of 2.4	320 Tangier Avenue, Howard Chilton, 1942

Rank of 1.0 745 Hi-Mount Road, Howard Major, 1939, Bermuda style
 Rank of 1.5 726 Hi-Mount Road, Trainer & Fatio, 1930s, Neo-classical
 Rank of 2.4 215 Garden Road, Trainer & Fatio, Monterey style, 1936
 Rank of 1.6 284 Monterey Road, Wyeth & King, Bermuda
 Rank of 2.8 222 Mockingbird, Minimal traditional, 1946
 Rank of 2.6 242 Kenlyn Road, Volk
 Rank of 2.0 1270 N. Ocean Blvd., Belford Shoumate, Bermuda
 Rank of 2.0 170 Seagate Road, Volk, Cottage style, 1945
 Rank of 2.4 1231 N. Lake Way
 Rank of 1.2 110 Clarke Avenue, unknown builder, from 1920s Boomtimes
 Rank of 1.2 212 Seaspray Avenue, Gustav Maass/Volk, 1927
 Rank of 1.0 140 Seaspray Avenue, E. B. Walton, Mediterranean Revival, 1928
 Rank of 1.2 141 Brazilian, unknown architect w/Volk additions, 1920
 Rank of 2.0 325 Chilean Avenue, Mizner, 1925 *Mr. Smith asked that rating be upgraded as he felt this was threatened
 Rank of 2.0 150 Chilean Avenue, Charles Snyder, Moorish, 1929
 Rank of 1.6 130 Banyan Road, unknown architect, half-timbered, 1924
 Rank of 1.6 143 Clarendon Avenue, Trainer & Fatio, Mediterranean Revival, 1930
 Rank of 1.6 80 Middle Road, unknown architect, Corwin-builder, Mediterranean Revival
 Rank of 1.8 535 S. County Road, Monterey style

Not ranked 216 Emerald Lane *Per letter from owner, "under consideration" status requested. However, the property is already undergoing renovations. The Commissioners had noted that review of this property should wait until the renovations are completed.

On Root Trail, several owners have come forward, 173 Root Trail (the original telegraph office for the Town), 153 Root Trail, and 155 Root Trail, requesting to be placed "under consideration" for landmarking. The Root Trail structures are all turn of the century properties, and represent the early development of Palm Beach.

Ms. T. J. Fisher, property owner of 173 Root Trail, addressed the commission stating that her property was built in 1912, and it is believed to be the original telegraph station for the Town, as corroborated by a plaque found during construction. She felt her property represents an important slice in Palm Beach history. She is in the process of an extensive restoration of the home.

Mr. Eugene Fagan, owner of 153 and 155 Root Trail, stated that these structures should be landmarked by virtue of their age alone as they are turn of the century structures. He stated that ten of the original Root Trail structures are still standing, and are a valuable collection of Palm Beach's architectural past.

Mrs. Day does not want to consider Root Trail as a district at this time because several of the properties have been extremely altered, and the structures on this street are much less cohesive.

Pendleton Avenue - Mrs. Day stated that she has been contacted by three different property owners asking to be placed "under consideration" for landmarking. Currently, 216 Pendleton Avenue is "under consideration" for landmarking, and two other properties are already designated there. She commented that this is a very cohesive street. All of the structures were built in the 1930s. Arnold Construction is well represented on the street, along with some of the best architects in the Town of Palm Beach... Volk, Maass, Trainer & Fatio, Wyeth & King. She proposed that Pendleton Avenue be considered as an historic district because of its cohesive qualities in architecture and time period.

There are 10 properties on the lakefront block , and 23 properties from Lake Way to County Road.
Mrs. Day stated that well over 90% of the Pendleton structures are contributing to the district.

Mrs. Day suggested that, for the upcoming designation season, a study be made of all the properties on this list which are ranked above 2.0 (remembering that a rank of 1.0 is higher than 2.0, and so on), the three Root Trail properties, and Pendleton Avenue as an historic district.

Mr. Moore reminded the LPC that their job is to look at properties if they believe the properties are worthy of study. The Planning, Zoning & Building Department has budgeted more funds for landmark designations in the upcoming budget year. He recommended that the consultant move forward with the study of Pendleton Avenue as an historic district since so many of the structures are contributing. Whether the Town Council ratifies the LPC's recommendations or not should not be the concern of the LPC. Also, there has been some discussion as to whether owners are simply seeking the tax abatement in seeking landmarking. Mr. Moore stated that in the past, owners proposed for landmarking have asked what benefits they receive from landmarking. Now that the tax abatements are available to property owners doing certain renovations to landmarked structures, and relief from certain provisions of the codes may likewise be available, the fact that these benefits now exist is not an issue when considering whether a property is worthy of landmark designation.

Mr. Smith stated that he will now cast a vote of 1.0 for 325 Chilean Avenue, and suggests that 170 Seagate Road be prioritized higher as well.

MOTION BY MR. PANDULA TO PLACE "UNDER CONSIDERATION" ALL THOSE PROPERTIES ON THE LIST PRESENTED TODAY WHICH ARE RANKED HIGHER THAN A 2.0, AS WELL AS 325 CHILEAN AVENUE, 170 SEAGATE ROAD, 173 ROOT TRAIL, 153 ROOT TRAIL, 155 ROOT TRAIL, AND PENDLETON AVENUE AS AN HISTORIC DISTRICT.

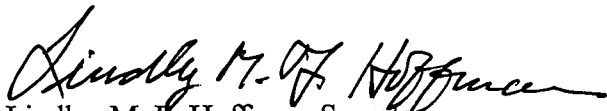
MOTION SECONDED BY MS. SHIELDS.
MOTION CARRIED UNANIMOUSLY.

VII. Adjournment:

The meeting for adjourned at 11:05 a.m. upon a motion sponsored by Mr. Silverman.

The next meeting of the Landmarks Preservation Commission will be held on **Wednesday, June 17, 1998** in the Town Council Chambers, 2nd Floor, Town Hall, 360 South County Road, Palm Beach, Florida.

Respectfully submitted,



Lindley M. F. Hoffman, Secretary
LANDMARKS PRESERVATION COMMISSION

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Note: Tax roll shows 155 Root Trail 2 Bldgs. - (P.O. assigned 153 to 2nd bldg) No 155 is LPC'd structure

TOWN OF PALM BEACH

ATTENDANCE RECORD (1998)

MEMBERS	1/ 98	2/ 98	3/ 98	4/ 98	5/ 98	6/ 98	7/ 98	8/ 98	9/ 98	10/ 98	11/ 98	12/ 98
Jeffery W. Smith	P	P	P	P	P							
Eugene Pandula	P	P	P	P	P							
Lindley Hoffman	P	P	P	P	P							
Arthur Silverman	P	P	P	E	P							
Elizabeth Shields	P	P	P	P	P							
Sari M. Wilkey	P	P	P	P	P							
Jacqueline Albarran de Mendoza	n/a	n/a	n/a	n/a	E							

ALTERNATES	1/ 98	2/ 98	3/ 98	4/ 98	5/ 98	6/ 98	7/ 98	8/ 98	9/ 98	10/ 98	11/ 98	12/ 98
Leighton Rosenthal	P	P	P	E	P							
Nikita Zukov	P	P	P	P	P							
Ann Lilja	P	P	P	P	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 (1998)

MEMBERS	1/ 98	2/ 98	3/ 98	4/ 98	5/ 98	6/ 98	7/ 98	8/ 98	9/ 98	10/ 98	11/ 98	12/ 98
Jeffery W. Smith				V1	V1							
Eugene Pandula					V2							
Lindley Hoffman												
Arthur Silverman												
Elizabeth Shields												
Sari M. Wilkey												
Jacqueline Albarran												
de Mendoza												
ALTERNATES	1/ 98	2/ 98	3/ 98	4/ 98	5/ 98	6/ 98	7/ 98	8/ 98	9/ 98	10/ 98	11/ 98	12/ 98
Leighton Rosenthal												
Nikita Zukov												
Ann Lilja												

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 PANDULA, EUGENE		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE LANDMARKS PRESERVATION COMMISSION	
MAILING ADDRESS 201 SEAVIEW AVENUE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY PALM BEACH	CITY COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 20 MAY 1998		NAME OF POLITICAL SUBDIVISION:	
		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 present 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:

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- 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.

#19-98

- 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, GENE PANDOLIA, hereby disclose that on 20 May, 1998:

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

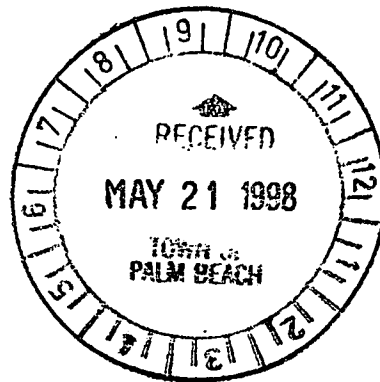
☐ inured to my special private gain; or

☒ inured to the special gain of Mrs POLLY EARL, by whom I am retained.

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

ARCHITECT FOR MINOR RENOVATIONS TO
EXISTING RESIDENCE

Regarding CoA#19-87, 209 Seaspray Avenue, heard 5/20/98.



Date Filed

5/20/98

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 <i>PANDULA, EUGENE</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>LANDMARKS PRESERVATION COMMISSION</i>	
MAILING ADDRESS <i>201 SEAVIEW AVE</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: :: CITY :: COUNTY ☒ OTHER LOCAL AGENCY	
CITY <i>PALM BEACH</i>	COUNTY <i>PALM BEACH</i>	NAME OF POLITICAL SUBDIVISION:	
DATE ON WHICH VOTE OCCURRED <i>20 MAY 1998</i>		MY POSITION IS: :: ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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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

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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.

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#20-98

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

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DISCLOSURE OF STATE OFFICER'S INTEREST

I, GRACE PANIOLA, hereby disclose that on 20 MAY, 19 98:

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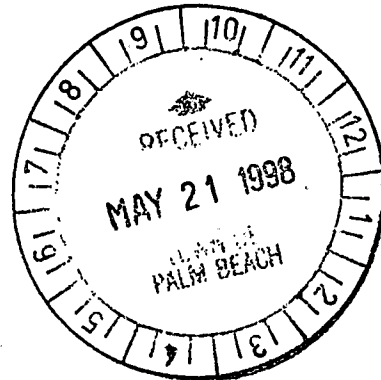
☐ inured to my special private gain; or

☒ inured to the special gain of M/M PETERSEN, by whom I am retained.

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

ARCHITECT FOR MINOR RENOVATIONS TO
EXISTING RESIDENCE

Regarding CoA#20-98, 137 Root Trail, heard 5/20/98.



Date Filed

5/20/98

Signature

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>SMITH, JEFFERY W</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Landmarks</i>	
MAILING ADDRESS <i>241 Sanford AVE</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: :: CITY :: COUNTY :: OTHER LOCAL AGENCY	
CITY <i>P.B.</i>	COUNTY <i>PB</i>	NAME OF POLITICAL SUBDIVISION: <i>T of PB</i>	
DATE ON WHICH VOTE OCCURRED <i>3/20/98</i>		MY POSITION IS: :: ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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21-98

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

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- 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 May 20, 19 98:

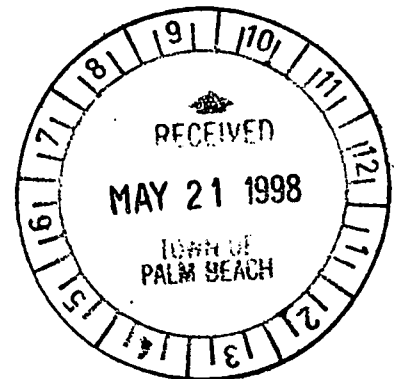
(a) A measure came or will come before my agency which (check one)

☐ insured to my special private gain; or

☒ insured to the special gain of Charles Holmes, 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#21-98 heard on May 20, 1998.
328 El Vedado Road



Date Filed

5/20/98

Signature

A handwritten signature in dark ink, appearing to be "JEFFERY W-SMITH", written over a horizontal line.

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.

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CITY <i>P.B.</i>	COUNTY <i>PB</i>	NAME OF POLITICAL SUBDIVISION: <i>T of PB</i>	
DATE ON WHICH VOTE OCCURRED <i>3/20/98</i>		MY POSITION IS: :: ELECTIVE ☒ APPOINTIVE ☐ <i>Minutes</i>	

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21-98

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DISCLOSURE OF STATE OFFICER'S INTEREST

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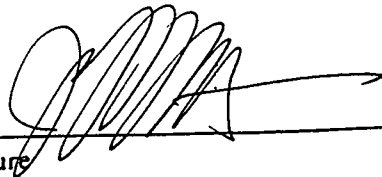
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Regarding CoA#21-98 heard on May 20, 1998.
328 El Vedado Road

Date Filed

5/20/98

Signature



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

LAST NAME—FIRST NAME—MIDDLE NAME PANDULA, EUGENE		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE LANDMARKS PRESERVATION COMMISSION	
MAILING ADDRESS 201 SEAVIEW AVENUE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY PALM BEACH	CITY COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 20 MAY 1998		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: ELECTIVE ☒ APPOINTIVE	

Minutes

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Date Filed

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Signature

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MAILING ADDRESS <i>201 SEAVIEW AVE</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: : CITY : COUNTY ☒ OTHER LOCAL AGENCY	
CITY <i>PALM BEACH</i>	COUNTY <i>PALM BEACH</i>	NAME OF POLITICAL SUBDIVISION:	
DATE ON WHICH VOTE OCCURRED <i>20 MAY 1998</i>		MY POSITION IS: : ELECTIVE : ☒ APPOINTIVE	

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I, GEORGE PANKALA, hereby disclose that on 20 MAY, 19 98:

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☐ inured to my special private gain; or

☒ inured to the special gain of M/M PETERSEN, by whom I am retained

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ARCHITECT FOR MINOR RENOVATIONS TO
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Date Filed

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Signature

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VI. Other Business: (continued)

B. Discussion relative to placing properties "under consideration" for the 98/99 Designation Season

Mrs. Day stated that previously she had asked the members to submit lists of properties proposed for possible designation. She stated that some of the members had already submitted their lists. She will collate the lists and prepare a presentation for next month's meeting. Mr. Smith also asked the members to look at the properties at the north corner of Seaview and Ocean Boulevard, and the south corner of Seabreeze and Ocean Boulevard.

C. Renovations as they relate to the tax abatement for historic properties - 448 North Lake Way

Mrs. Day stated that she has been contacted by the owners of 448 North Lake Way. In advance of planned renovations to this property, the owners wanted it stated, for the record, that they would like the changes reviewed with respect to the tax abatement.

VII. Adjournment:

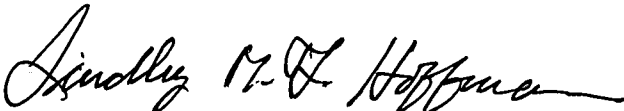
MOTION BY MS. SHIELDS TO ADJOURN AT 11:43 A.M.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, May 20, 1998, in the Town Council Chambers, 2nd Floor, Town Hall, 360 South County Road, Palm Beach, Florida.

Respectfully submitted,



Lindley M. F. Hoffman, Secretary
LANDMARKS PRESERVATION COMMISSION

cmd

IV. Administration of the Oath to all persons who wish to testify: Mrs. Delp administered the oath to all those present who wished to testify today.

V. Public Hearings:

A. Application for Certificate of Appropriateness #10-98,

Landscape/Hardscape

Owner/applicant: Mr. Herbert Pheeneey

Address: 201 El Bravo Way

Architect: Mario Nievera, Landscape Architect

Project Description: Request approval of landscape and hardscape to include precast and brick driveway, coquina walks and terraces, brick terraces, garden walks and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared.

Mr. Mario Nievera of Mario Nievera Design Incorporated presented this application. The driveway on the south side of the property will be done in 2 x 2 precast pavers with brick joints in a diagonal pattern, with lawn on each side of the driveway openings. The planting in front will be low and colorful. Plantings will be balanced around the front door. At the rear west side of the property there is an existing coquina terrace and balustrade with dense planting along the west property line. This planting will be maintained along with the existing large banyan tree. The coquina terrace will be extended to serve the new pool. Coquina will also be placed in front of an existing tiled fountain.

In general, much of the existing vegetation is being preserved, with some new plantings added to the site. On the east side, there is a hedge to screen the new addition to the house. A privacy terrace in brick was created at the master bedroom/library. All along the east side at the addition, there will be heavy screening to reduce noise at the master bedroom. A walled in privacy garden with small terrace will be created outside the master bath. A rear service garden or kitchen garden will have a small brick area as well. At the far north part of the property, a secret garden will be created with paving and shade plantings. Along El Bravo Way, there is an existing hedge in the middle which will be kept, and the intention is to have a 6' high hedge. A curved wall with 12" ficus planters in front separates the service drive from the rest of the property. A fountain at the master bedroom, shown on the plans, is not ready for discussion today, and will have to return to the LPC for review.

MOTION FOR APPROVAL OF THE PROJECT AS PRESENTED BY MS. SHIELDS.

MOTION SECONDED BY MR. PANDULA.

MOTION CARRIED UNANIMOUSLY.

B. Application for Certificate of Appropriateness No. 11-98,

Landscape/Hardscape

Owner/Applicant: Mr. Thomas Wheeler

Address: 260 North Ocean Boulevard

Architect: Newlands Design Group Inc., Landscape Architect
Smith & Moore Architects

Project Description: Request approval of landscape/hardscape for pool patio area to include pool relocation, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

Mr. Ray Wall of Newlands Design Group presented the existing site plan and photos of the existing site. Most of

the changes proposed concern the inner courtyard. Mr. Smith commented that the site plan presented today does not represent the existing condition at the site, as it is much more formal than as shown on the site plan. The proposal includes creating a vista from the main house straight through to the pool cabana. This would require moving the pool from this line of sight to the north side of the property. Within the vista to the cabana there will be a mosaic as one descends the steps from the house loggia. Also within the vista, but closer to the pool cabana, there will be a central sundial flanked to the north and south by mosaics, and one palm at each of the corners surrounding the mosaic/sundial/planting grouping. Paving material will be a cast stone surface with coquina on the treads of the steps and the tops of the walls. Mr. Wall stated that the proposed design gives an Italianate view from the house to the cabana. He reviewed the landscape plan as well. The entire proposal seeks to open up the east-west views, add planting to the rear of the property, and create a view from the cabana to the house. Mr. Smith stated that he understands the reasoning for moving the pool, respecting the view to the cabana. He did not like the design of the pool as he felt it was too modern and foreign to this site.

Mr. Smith noted that columns indicating a covered walkway were shown on the plans immediately to the south of the main courtyard and adjacent to it. Mr. Wall stated that although a covered walkway was once contemplated, it has been abandoned. Mr. Wall indicated that the owner was working on changes to the cabana entry. Mr. Smith quickly pointed out that the LPC must review these changes first, and suggested that Mr. Moore send an inspector out to see what is going on at this site. Discussion began regarding the pool and a planned waterfall feature at the north wall. Mr. Moore stated that the north wall, to allow for the pool, is actually being moved 20' to the north, leaving a 35' setback. Mr. Wall stated that the wall will be Italianate in style with bands of tile and false windows on the pool side of the wall. Mr. Wall and Mr. John Moore, Architect, stated that staff approval had been given for the new north wall. Mr. Smith stated that the wall is not appropriate for staff approval as it competes with the house. He called the wall "too stagefront," and stated that the old wall was more in keeping with the site. Furthermore, the proposed waterfall integrates with the wall, and needs to be reviewed as well.

MOTION BY MR. ZUKOV THAT THE NORTH WALL AT THE POOL BE SUBMITTED TO THE LPC FOR REVIEW, THEREBY OVERTURNING THE STAFF APPROVAL.

MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

Mr. Pandula offered his comments. He felt the site plan was fine, the paving perhaps should be restudied with respect to the use of real stone and cast stone, restudy the center area as it is very formal, the pool wall details should be simplified, the pool should be simplified to a simple lap pool, and details, in general, should be simplified.

MOTION BY MR. HOFFMAN TO DEFER THE POOL WALL OR NORTH WALL TO THE MAY MEETING.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.

Regarding the stated work done at the cabana/guest house entrance, Mr. John Moore stated that this work was also given staff approval by Mr. Frank. Mr. Smith felt that the LPC should review these changes as well.

MOTION BY MR. HOFFMAN TO OVERTURN THE STAFF APPROVAL GIVEN FOR THE CABANA/GUEST HOUSE, AND RETURN THESE CHANGES TO THE LPC FOR REVIEW.

MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.

MOTION BY MS. LILJA TO DEFER THE ENTIRE PROJECT TO THE MAY MEETING.

MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.*

Mr. Pandula requested that the applicant return with the fountain design and tiles, etc. for a complete presentation.

*It was determined by the LPC, and sanctioned by Mr. Randolph that the applicant does not have to file a new application for Certificate of Appropriateness in order to bring forward the pool wall, the waterfall, the changes to the cabana/guest house, and other associated changes as mentioned during the course of today's meeting.

- C. Application for Certificate of Appropriateness #12-98,
Garden wall, gate and bar-b-que
Owner/Applicant: Mr. and Mrs. James Clark
Address: 25 Middle Road
Architect: SKA Architect & Planner
Project Description: Request approval of stucco garden wall, gate and bar-b-que structure, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: Mr. Smith met with Mrs. Albarran de Mendoza relative to this project.

Mr. Smith stated that this project was brought to his attention for possible staff approval, however, he felt it should be reviewed by the LPC. Architect Jacqueline Albarran de Mendoza presented this project explaining that this property already has many garden walls. This proposal places a new straight section of garden wall, with gate, running from the northwest corner of the house to the north property line. This new wall replicates the wall on the opposite side of the house, and serves to screen the new bar-b-que area from the street. The gate within the wall is wooden with a cut out filled with wrought iron work. Behind the wall, in the non-landmarked area (Note: Only the west facade and front yard of this property are landmarked), a bar-b-que structure with covered gazebo will be constructed to match the house in detail.

MOTION BY MR. ZUKOV FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

- D. Application for Certificate of Appropriateness # 13-98,
Pool Deck and Material
Owner/Applicant: Mr. and Mrs. Stuart Subotnick
Address: 702 North County Road
Architect: Ralph Cantin
Project Description: Request approval of pool deck pattern and material, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

Mr. Trent Steele, Attorney for the Subotnicks, gave a brief opening statement. Mrs. Delp administered the oath to Mr. Ralph Cantin, Architect, and Mr. John Lang, Landscape Architect.

Mr. Cantin explained that the pool deck paving will be done in Bush-hammered Jerusalem limestone, with sealer, in a running bond pattern, and he displayed a sample of the material.

MOTION BY MR. PANDULA FOR APPROVAL OF THE PRESENTED PAVING MATERIAL AND PATTERN.

MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.

E. Application for Certificate of Appropriateness # 14-98.

Landscape

Owner/Applicant: Mr. and Mrs. Stuart Subotnick

Address: 702 North County Road

Architect: Ralph Cantin

Project Description: Request approval for revisions to previously approved landscape plan, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: Mr. Hoffman, Ms. Lilja, Ms. Shields, Mr. Zukov, and Mrs. Wilkey stated that they had visited the site.

Mr. John Lang, Landscape Architect, stated that on this site there was a deviation from the previously approved plan, mostly as to location rather than concept. The original design was not salt tolerant, especially on the north side of the property where the loss of plantings was the greatest. When plants were lost, they were removed and substituted, but not according to the previously approved landscape plan. These unapproved changes resulted in the project being "red-tagged." Mr. Lang has documented what was done, what is there and what is different. The rear of the property was to have cocoanuts, sea oats, ground cover, etc. To date only the cocoanuts have been planted, and Mr. Lang recommended that this condition be maintained for a very simple and beautiful look. On the north side of the property, the plan did not use salt tolerant material, so many of the plants perished. In that area, there was a mix of ficus benjamina and cocoanuts. The cocoanuts are planted in greater numbers than shown on the plans, and the benjamina was "burned up," and moved out to the front. Mr. Lang felt that the hedge should be replaced in this area, but in a more salt tolerant material. The courtyard is quite different from the original plan. There are hurricane palms and Chinese fan palms in the courtyard, and the zoysia steps that go down. He felt it was nice looking, a bit crowded, not according to the previously approved plans, but acceptable. He commented that there are some blatant errors up underneath the house that need to be addressed, i.e., cocoanuts in the area of the front door and the loggia. Along the driveway, the plan's concept was maintained, but again, the plant materials were changed.

In summary, Mr. Lang stated that the concept of the original plan was followed, but not the particulars of the plan, in that plant materials were changed. He said that the concept of the plan was valid, but the plant selections were not. Mr. Lang wants to change the northern buffer to a material that is more salt tolerant, and wants to leave the rear of the property simple and beautiful, with cocoanuts and grass. Mr. Lang noted that there are approximately 1000 trees on the site. Mr. Smith stated that the owner should be applauded for re-greening the site.

MOTION BY MR. ZUKOV APPROVING THE **REVISED** LANDSCAPE PLAN.

Revisions to the original plan are as follows: Change ficus trees to neronia, calophyllum, or clusia along the service drive, omit the two cocoanuts at the front door, omit the two cocoanuts under the loggia, and delete the sea oats in the rear of the property.

MOTION SECONDED BY MR. PANDULA.

MOTION CARRIED UNANIMOUSLY.

F. Application for Certificate of Appropriateness #15-98.

Pool and Deck

Owner/Applicant: Mr. and Mrs. Alan Ciklin

Address: 260 Pendleton Avenue

Architect: Smith & Moore Architects Inc.

Project Description: Request approval of swimming pool and deck and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: None declared

Architect Harold Smith presented this request to add a 12' x 20' pool with additional 4' radii at both ends. The pool will be situated 13' from the rear property line, and will be centered on the former porch space which is being enclosed. Pool equipment will be located at the west end of the property behind the garage and will be concealed from the neighbor's view. The deck will be done in imitation keystone in a buff finish. There will be no coping. Mr. Smith noted that landscape approval will return to the LPC at a later date.

MOTION BY MS. SHIELDS FOR APPROVAL OF THE PROJECT AS PRESENTED.

MOTION SECONDED BY MRS. WILKEY.

MOTION CARRIED UNANIMOUSLY.

G. Application for Certificate of Appropriateness #16-98.

Additions, pool, tennis court, demolition, miscellaneous changes

Mr. Smith declared a Conflict of Interest with respect to this project as he is the architect, and he passed the gavel to Mr. Pandula. (Voting Conflict form on file.)

Owner/Applicant: Mr. and Mrs. Dudley Moore

Address: 220 El Bravo Way

Architect: Smith Architectural Group

Project Description: Request approval of the following:

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

Mr. Don Kino of Smith Architectural Group presented the project and proceeded with the review of the agenda items one by one. He explained that this is a Volk house, and showed photos of the existing house.

1. Infill addition to southwest portion of residence to include two car garage & guest rooms above. (Received a variance from the Town Council) This is a new two story addition to the service side of the house. The new garage doors for the two new bays will match the existing two garage doors. Above the new garage doors are three windows to serve the guest bedrooms. Adjacent to the new garage bays is a new entrance to the kitchen/service area with new windows and balconies above, also serving the new guest rooms. Also on this facade is a new french door and two new windows serving the breakfast room/kitchen.

MOTION BY MR. HOFFMAN FOR APPROVAL OF ITEM #1 AS SUBMITTED.

MOTION SECONDED BY MRS. WILKEY.

MOTION CARRIED UNANIMOUSLY.

2. Infill existing porch south of existing master bedroom

Above the existing loggia, there was a patio area with an awning. The proposal infills this area creating an extension of the master bedroom.

MOTION BY MS. SHIELDS FOR APPROVAL OF ITEM #2.

MOTION SECONDED BY MS. LILJA.

MOTION CARRIED UNANIMOUSLY.

3. Changes to fenestration resulting from interior changes

No changes to the north elevation fenestration are planned, other than replacing existing fenestration to match the original intent. New french doors will be added on the east elevation, and some windows may be moved. All of the old windows in the house will be replaced to the appropriate original style.

MOTION BY MR. HOFFMAN FOR APPROVAL OF FENESTRATION CHANGES.

MOTION SECONDED BY MS. SHEILDS.

MOTION CARRIED UNANIMOUSLY.

4. New pool and patio; 5. New tennis court 6. New crescent motor court & service drive

7. Relocation of existing pool cabana 8. New landscape plan

Mr. Kino stated that approval is being sought for the location of the pool/patio only. Details will return to the LPC via another application. He mentioned that an existing pool cabana will be relocated on axis with the pool to serve as a pool cabana and tennis pavilion. A new gazebo/slat house will be situated on cross axis with the pool to replace the dilapidated slat house which is located elsewhere on the site. A new tennis court will be added to the east of the relocated pool cabana/tennis pavilion, and details will follow. A new crescent drive and motorcourt will come into the property off El Bravo Way, with details to follow.

MOTION BY MR. HOFFMAN FOR CONCEPTUAL APPROVAL OF ITEMS #4, #5, #6, #7 & #8 AS TO LOCATION ONLY, WITH DETAILS AND MATERIALS TO RETURN TO THE LPC FOR REVIEW.

MOTION SECONDED BY MRS. WILKEY.

MOTION CARRIED UNANIMOUSLY.

9. Demolition of existing pool, service court, slat house and upper walkway

MOTION BY MRS. WILKEY FOR APPROVAL OF ITEM #9 AS PRESENTED.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

10. Associated changes as presented

On the east elevation, there are two existing windows which will be changed adding two Juliet balconies with railings matching existing in detail. Also, a decorative tile element is proposed beneath the tower element. Mr. Kino did not have details on the tile element at this time.

MOTION BY MR. ZUKOV APPROVING THE JULIET BALCONIES ON THE WINDOWS. THE TILE ELEMENT WILL RETURN TO THE LPC AT A FUTURE DATE FOR APPROVAL.

MOTION SECONDED BY MRS. WILKEY.

MOTION CARRIED UNANIMOUSLY.

H. Application for Certificate of Appropriateness #18-98.
Covered walkway, demolition, Fountain, Courtyard, Property Wall
Owner: E.W. Cook Trustee and Chalet Restaurants Inc.
Applicant: Chase Manhattan Private Banking, N.A.
Address: 205 Royal Palm Way, incorporating 221 Royal Palm Way
Architect: The Lawrence Group

Project Description: Request approval of the following:

1. Construct a covered walkway between existing buildings at 205 and 221 Royal Palm Way
2. Demolish a portion of the first floor at 221 Royal Palm Way and change exterior of building to Mediterranean style.
3. Construct new fountain and exterior court
4. Construct new north boundary wall
5. Signage
6. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

Architects Eugene Lawrence and Richard Leja presented this project. Mr. Lawrence explained that this project has already been before the Town Council for approval of site plan, special exception, and variances. He showed photos of the surrounding properties and the existing site plan. He proceeded with the review of the elevations for this project which joins the Nandos Building to the existing landmark building at 205 Royal Palm Way via a covered walkway. Site parking and the landscape plan was reviewed as well. The plan includes demolition of part of the rear portion of the Nandos building.

Mr. Smith offered his strong objection to the walkway between the two buildings, as he felt it was inappropriate. Visually, he felt the eye needs relief between the two buildings rather than this long connecting walk. He stated that the landmark building has been changed over the years, and quite often has undergone inappropriate changes. With regard to the Nandos building, he felt that the worst of the poor changes done to the 205 Royal Palm building were repeated in the new design for the Nandos building. Also on the Nandos building, casement windows should have been used rather than double hung windows; the roof "hats" on the various towers are too large; and the use of gables is inappropriate.

Mr. Lawrence stated that changing the windows to casements is fine, but they need the covered walkway. Mr. Smith responded that he would rather see the Nandos building demolished and a new historically accurate addition be added to the landmark building, if the bank needs more space, than have this long connecting walkway. He said the walkway looks "totally added on," and does not look historic.

Mr. Moore stated, for the record, that this project did come before the Town Council under a Special Exception with some variances and site plan review. The issue of the covered walkway was approved by the Town Council, so Mr. Moore commented that the LPC was not in a position to say that a covered walkway is unacceptable. He asked the LPC to work with the walkway to try to improve the design, if they wish. Mr. Smith responded that if a covered walkway must be approved, it should be moved to the back of the property and "landscaped out." This opinion was supported by the LPC as a whole. Mr. Smith commented that to move the walkway back would be a much more "Town serving" approach.

Mr. Lawrence stated, upon inquiry from the LPC, that the walkway is for use by employees, not customers. The LPC felt that was all the more reason to move it back from the frontage. Mr. Lawrence thought that moving the walkway would cause some operational problems for the bank and would require changes to the parking plan, of course. Mr. Smith stated that interior changes and revisions to the parking plan can be done to accommodate moving

the walkway back. Mr. Lawrence commented that there are time constraints with regard to this project, and changing the design at this time was not contemplated. He will have to speak to his clients. In an effort to move forward, the LPC opted to discuss how the Nandos building could be improved so the applicant could move forward with this portion of the project, which resulted in the following motion:

MOTION BY MR. HOFFMAN FOR APPROVAL OF ITEM #2 OF THIS APPLICATION, WITH THE FOLLOWING MODIFICATIONS:

1. That the pediment be changed to reflect the gable end that is on the existing landmarked building.
2. Reduce the overhang of all the tower elements so they are no more than 12".
3. Change the windows to casement windows and eliminate the 4" recesses at the top of the windows.
4. On the west facade, change the pipe columns on the interior walkway to heavier masonry type columns.
5. Resubmit the gate at a later date.

ALONG WITH A DEFERRAL OF ITEMS #1, #3, #4, #5, & #6 TO RETURN AT A LATER DATE.

MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

VI. Other Business:

A. Discussion relative to placing 216 Pendleton Avenue "under consideration" for landmark designation

Mr. Moore commented that Mr. Dickey had contacted our office by phone regarding wanting to place his home "under consideration" for landmark designation. Inadvertently, this matter was not, to date, brought to the LPC by staff. Mr. Dickey had not placed his request in writing, but made a verbal request. Nevertheless, Mr. Dickey would like this matter handled today, as the following item concerns his roof replacement. If the property is not placed "under consideration," the matter of the roof will not be heard by the LPC. Because the property had not been placed "under consideration" prior to this date, Mr. Dickey had already gone to ARCOM seeking his proposed roof, and was referred to the LPC in light of the pending matters. ARCOM did not particularly like the roof replacement material that Mr. Dickey and his contractor had chosen. The first issue to consider, though, is whether the property should be placed "under consideration."

Mrs. Jane Day passed a photo of the house to the members to see if anyone wished to sponsor the house for placement "under consideration." She stated that she had asked the members to look at the property during last month's meeting. It is a Monterey style home, designed in 1936/37 by Gustav Maass. There are other houses on the street of a similar style which have been landmarked. She felt it was appropriate to consider this house for landmarking during the upcoming season.

MOTION BY MR. HOFFMAN TO PLACE 216 PENDLETON AVENUE "UNDER CONSIDERATION" FOR LANDMARK DESIGNATION.

MR. SMITH PASSED THE GAVEL TO MR. PANDULA AND SECONDED THE MOTION.
MOTION CARRIED 5-2-0, AS PER THE FOLLOWING ROLL CALL VOTE:

MR. HOFFMAN:	YES	MS. LILJA:	NO
MR. SMITH:	YES	MR. PANDULA:	YES
MS. SHIELDS:	YES		
MRS. WILKEY:	YES		
MR. ZUKOV:	NO		

V. Public Hearings (Continued)

I. Application for Certificate of Appropriateness #17-98,
Roof Replacement

Owner/Applicant: Mr. Paul B. Dickey Jr.

Address: 216 Pendleton Avenue

Architect: James. E. Ashley

Project Description: Request approval to replace existing cement shingle roof with new laminated grey fiberglass shingle roof, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: None declared

Mr. Dickey, Property Owner, Mr. Brad Aldridge, Roofing Contractor, and Mr. James Ashley, Architect, presented this request. Mr. Aldridge explained that cement shingles (the former roof material), which were designed to look like wood shakes, are no longer made. It was noted that the Architectural Commission asked the owner to go with a cement tile roof. They looked upon the fiberglass shingle roof as a downgrade. The applicant requested approval of a Presidential Celotex material manufactured to mimic wood shingles. The applicant noted that the home was built in 1936 with wood shakes on the roof, and this was later changed to the cement shingles to mimic wood shakes.

Mr. Smith agreed with ARCOM's opinion that fiberglass shingles are a downgrade. He preferred a cement tile roof or Ludowici raked tiles. Mr. Dickey stated he was looking for an economical solution to his roofing problem, and commented that his roof is hardly visible. He noted that fiberglass shingles are used on many buildings in Town, and on many houses on his street. However, most of the fiberglass shingle roofs on Pendleton Avenue are of a lesser quality than the 40 year shingles he plans to use. He called attention to fiberglass shingles being used on the Royal Poinciana Chapel, the Breakers Golf Cottage and Duck's Nest, but Mr. Smith stated that both of these structures have a much different architectural style than the Dickey house.

Mr. Ashley was concerned about the weight of a cement tile roof on this house in light of potential settling problems. Mr. Smith stated that this is a structural problem and is not at issue here today.

MOTION BY MR. ZUKOV APPROVING THE REQUESTED FIBERGLASS SHINGLES.

.....
MOTION DIED FOR LACK OF A SECOND.

Mr. Dickey stated that he had been told two years ago that all of Pendleton Avenue was going to be landmarked. That would mean that all the other houses on the street with asphalt shingles would be landmarked, and now the LPC is trying to deny him the same type of roof.

Mr. Smith passed the gavel. He asked the owner to choose whether he wanted to remove the property from "under consideration" status and return to ARCOM, or face a denial from the LPC of the use of fiberglass shingles.

MOTION BY MR. SMITH TO DENY THE FIBERGLASS SHINGLES.

MOTION SECONDED BY MS. LILJA.

MOTION CARRIED 6-1-0, WITH MR. ZUKOV CASTING THE NEGATIVE VOTE.

MOTION BY MR. SMITH TO PERMIT CEMENT TILES TO REPLACE THE EXISTING ROOF MATERIAL.
MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.