

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

9:00 a.m., WEDNESDAY, MAY 18, 1994

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

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

II. Roll Call:

PRESENT: Lillian Jane Volk, Chairman
Elise P. Mackintosh, Vice Chairman
Sally Gingras, Secretary
William S. Gubelmann, Member
Jacqueline Albarran de Mendoza, Member (9:18 a.m.)
Arthur Silverman, Member
Jane R. Grace, Alternate Member
Anne S. Keresey, Alternate Member
John C. Randolph, Town Attorney
Robert L. Moore, Director of Planning, Zoning & Bldg.
Timothy M. Frank, Planner/Projects Coordinator
Jane S. Day, Staff Preservation Consultant

ABSENT: Anne G. Metzger, Member
Elizabeth Shields, Alternate Member

RECORDING SECRETARY: Cynthia M. Delp

Let the record show that Mrs. Metzger was ill today, and therefore is excused. Ms. Shields' employment took her out of state today. Therefore her absence is excused.

III. Approval of the Minutes of the April 20, 1994 Meeting:

MOTION BY MR. SILVERMAN TO APPROVE THE MINUTES AS MAILED.
MOTION SECONDED BY MRS. GINGRAS.
MOTION CARRIED UNANIMOUSLY.

Approval of the Minutes of the May 4, 1994 Special Meeting:

MOTION BY MR. GUBELMANN TO APPROVE THE MINUTES AS MAILED.
MOTION SECONDED BY MR. SILVERMAN.
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; railings, stair rails and guardrails; and other associated changes as presented

The following persons were present on behalf of the applicant: Mr. Wes Blackman, Project Manager, Ms. Tamara Peacock, Preservation Architect, and Ms. Sherry Katz, Designer with Ms. Peacock's firm.

Mr. Blackman stated that the site lighting was changed as a result of a December 9, 1993 permit, and the new lights have been in place for six months. This installation, however, was done without LPC approval. Mr. Blackman acknowledged that this error had, in fact, occurred, but that the lights were necessary for security reasons. Mrs. Volk reminded him that the LPC's procedures cannot be ignored. Mr. Blackman invited members of the Commission to contact him for individual site visits so they might gain a working familiarity with the property.

Courtyard area: The courtyard is located at the end of the service drive (north entrance). The lights that were there previously were not original to the site. They were iron globular lights with a singular exposed bulb. Mr. Blackman called these fixtures hazardous as they were not UL rated. Also, they hung from a chain supported by a bracket and could prove hazardous in windy conditions. Security for the site is also a concern. The newly installed lights have improved same. There are 10 new fixtures in the courtyard and 4 new fixtures at the entrance, and all are in the location of the previous fixtures.

Lake Wall: The lights that were previously there were quite deteriorated and in need of replacement. The urns that occurred on the wall since Mrs. Trump placed them there in 1985 have been removed, and a total of nineteen (19) white light fixtures have been placed in the previous urn locations. Lights on the wall are necessary to define the west end of the property and for security.

Tower: Mr. Blackman stated they discovered a series of eight (8) electrical boxes at the tower indicating that there were lights there at one time. Eight fixtures have been placed there to accentuate the tower, one of the most important features of the house. Mrs. Volk commented that the existence of lights on the tower was not original to the house, but came into being when airplanes became a factor.

The new fixtures are UL approved cast aluminum and stainless

steel construction. They were made in Italy and are of a standard classic European design. Mr. Blackman stated that he has had no negative feedback regarding the lights. Mrs. Volk, however, stated that she has heard much negative feedback regarding same. Mrs. Volk requested that the Commission see an example of the removed fixtures or a photo of same, and absent of those, she requested that the matter be deferred. Mr. Blackman stated he would accommodate this request at next month's meeting, and invited the Commission to contact him at 833-2466 to schedule an appointment to view the property.

MOTION BY MRS. GRACE TO DEFER THE LIGHTING REQUEST TO THE JUNE MEETING.

MOTION SECONDED BY MR. SILVERMAN.

MOTION CARRIED UNANIMOUSLY.

Let the record show that Mrs. Albarran de Mendoza arrived at this point, 9:18 a.m.

As Ms. Peacock and Ms. Katz had not yet arrived, the railings, stair rails and guardrails matter was postponed to later in the agenda.

B. Application for Certificate of Appropriateness No. 17-94, Awning

Owner/Applicant: Morse Geriatric Center for Nearly New Thrift Shop

Address: 242 South County Road

Contractor: Robert L. Simpson

Project Description: Request approval for green standard awning over front window, and other associated changes as presented.

Ms. Simpson, from the awning contractor's office, corrected the request stated above. The application erroneously requested one large awning, when in fact, three individual awnings, placed inside the architectural reveals of two windows and one door, are actually requested. The awnings will be made in the dark green color as per the submitted sample.

MOTION BY MR. SILVERMAN TO APPROVE THE AWNINGS AS PRESENTED.
MOTION SECONDED BY MRS. GINGRAS.
MOTION CARRIED UNANIMOUSLY.

C. Application for Certificate of Appropriateness No. 18-94, West terrace landscape & tiling

Owner/Applicant: Mrs. Merrilyn Reynolds

Address: 252 El Bravo Way

Project Description: Request approval of landscape and tiling of west terrace and other associated changes as presented.

Mrs. Albarran de Mendoza re-stated her previously declared conflict with respect to this matter. (Voting Conflict form on file)

Mrs. Merrilyn Reynolds presented her request as stated above. She passed a tile sample to be used in the terrace, a light pink tile in an ornate shape. Referring to the landscape plan, Mrs. Reynolds noted the following changes from the plan...the ficus hedge shown will be replaced with traveler palms and a canary date palm will be placed in the courtyard.

MOTION BY MRS. GRACE TO APPROVE THE REQUEST AS PRESENTED.
MOTION SECONDED BY MR. SILVERMAN.
MOTION CARRIED UNANIMOUSLY.

Mrs. Reynolds thanked the LPC for its cooperation this year in the renovation of this home, and invited the Commissioners to the site to view the result of their efforts.

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

Owner/Applicant: Mr. Donald J. Trump

Address: 1100 South Ocean Boulevard

Project Description: Request approval of railings, stair rails and guardrails; and other associated changes as presented

Mr. Blackman stated that 100 separate railing locations, both interior and exterior, have been analyzed for code compliance in the course of preparing Mar-a-Lago for its private club use. There are 26 specific areas where railings are either needed or require modification pursuant to current code requirements. The goal with respect to railings, stair rails and guardrails is to maintain the existing style and finish, and/or duplicate the finish of surrounding ironwork where no railing exists, and to be as unobtrusive as possible where there is no iron work to follow. The material of all new non-wood railings will be cast aluminum. Ms. Peacock reviewed the seven different areas where either new installations or modifications are required.

Kitchen & former service quarter wing: This area is in the back of the house in the Spanish court area, a service courtyard. Here the wooden guardrails are too low to satisfy the Life Safety Code. They are painted cypress and are in very good condition, however. So, the proposal would add a 6"-9" piece to the top of the existing railing to satisfy the height requirement. The added piece will be made of the same wood and spindles, an addition in kind. The LPC stated their preference for an "in kind" addition rather than an addition which was obviously new.

Area north of pavilion and south of the pool: Here a new black railing, similar to the existing railings at the pool, will be installed where none exists now.

Mr. Gubelmann commented that although he recognizes the importance of meeting current code requirements, he would hope that certain areas of the site might be grandfathered in to protect the architectural character of the particular area of the site.

Situations where railings must be extended 18" beyond the edge of the lowest step: Mr. Blackman stated that there are many instances like this found on the site. In these cases, the existing railings will either be extended, or they will be totally removed and replaced with new railings to meet code requirements.

At main entrance under porte cochere: No railings exist here now. The proposed railings will be black iron grillwork to match the black grillwork on the door. The design of the grillwork mimics the design found elsewhere on the property. A total of three railings would be installed here...two side railings and one middle railing. The LPC stated their preference for just the two side railings, with the elimination of the middle railing, and advocated that the applicant be permitted an exemption from the code requirement in this instance to preserve architectural integrity.

Around the parrot pool: No railing exists here now for this bi-level fountain. Code requires a 42" railing to prohibit persons from falling from the patio level to the lower level, but in this case, a guardrail would be too intrusive and would block the view of the carved parrots, the fountain, the intracoastal, basically all the beauty of this area. In fact, if the railing is installed, persons seated on the patio would only be able to see the railing, detracting from the whole design intention of that patio. The applicant would like an exemption from the requirements of the code in this particular case. Such an exemption would have to be granted by the Building Board of Adjustments and Appeals.

Also, at the stair that envelops the parrot pool on its north and south sides, there is only a stair rail on one side. Code requires that there be a railing on the other side of the stairs as well. The new railing will mirror the existing railing in design and finish.

Around the terrace at the east facade, south of the living room area: There is a stair going down around the terrace and one going into the main house. Black railings will be added on top of the existing low wall to satisfy railing height requirements.

Second level cloister: There is a 28" high wall there now, but the code requirement is 42". They have suggested a subtle "S" shape grillwork with a consistent rail running all the way around the cloister. Mr. Blackman stated that this is also a sensitive area, and perhaps relief from the code might be sought here as well. Mr. Gubelmann recommended that in cases such as this, where walls already exist, that variances be granted for relief from the code to allow the existing condition.

Mr. Blackman summarized that there are three areas for which variances will be sought. Failing obtaining same variances, they will return to the LPC for design approval of the required railings.

Mr. Moore commented that Mar-a-Lago is being converted from residential use to commercial assembly for the club use. The Building Code grants authority to the Building Official to waive certain requirements of the code for landmarked structures, but this is generally with respect to structural components, and would not be extended to health, welfare and safety items like railings, etc. If the items being addressed are for the disabled or refer to ADA requirements, then the appeal is heard by the State Board of Building Codes and Standards, and not by The Town's Building Board of Adjustments and Appeals. Ms. Peacock stated that none of these items are ADA issues, but instead refer to the Life Safety Code. They do intend to return to the Commission in the future with a handicap route.

Ms. Peacock made this presentation using a booklet addressing each of the problem areas, which included sketches for the solutions. Mrs. Volk asked Ms. Peacock to reassemble the book using the suggestions and criticisms of the LPC before an approval is made.

MOTION BY MR. SILVERMAN TO DEFER THE RAILINGS, STAIR RAILS AND GUARDRAILS TO THE JUNE MEETING.

MOTION SECONDED BY MR. SILVERMAN.

MOTION CARRIED UNANIMOUSLY.

D. Application for Certificate of Appropriateness No. 19-94, Restoration and site improvements

Owner/Applicant: 38 East Corporation

Address: 1300 South Ocean Boulevard

Architect: Ferguson Murray & Shamamian

Project Description: Request approval of the following:

1. General restoration of exterior facades
2. New garages
3. New staff quarters
4. New pools
5. New cabanas
6. New guest house

7. New loggias
8. New pavilion
9. New pergola
10. New motorcourt
11. Reconfigure driveway
12. Window work
13. Roof work
14. Exterior changes required for mechanical systems
15. Landscape modifications
16. Other associated changes as presented

Persons presenting on behalf of the applicant were Mr. Mark Ferguson, Architect, Mr. Jeffery Smith, Architect, Mr. Robert Deziel, Attorney, and Mr. Harry Rosenblum, owner's representative.

This presentation came subsequent to the May 4, 1994 special meeting, informal presentation and site visit to Casa Apava. Mr. Robert Deziel thanked the LPC for all of their extra efforts already expended toward this project. The goal of the project is to return the property back to its original grandeur and return the lost amenities to the site. Mr. Ferguson presented a booklet summarizing the history of the site, including original photos, 1987 photos, and 1994 aerial photos, a color palette, and plans for the site. Mr. Ferguson stated that the major challenge of this project is coping with the truncated nature of the estate. Much was lost in the subdivision of the property. The proposal would restore lost elements and preserve the existing landscape, the east lawn, the palm vista to the lake and the integration of the architecture with the landscape. The proposal shows the public rooms falling north of the bridge, the accessory buildings falling south of the bridge, cloistered outdoor living areas at the north and south ends of the property, and provision for sufficient privacy from the adjacent neighbors. With all of the additions, approximately 10,000 square feet will be added to the site, including outdoor covered areas. On the north end of the property, there will be a patio and enclosed cloister, a pool surrounded by a 6' garden wall, and a pool cabana. Also, a projection room and powder room will form a library addition. On the south end of the property, the existing parking paving will be removed and the garden-like atmosphere will be restored. The staff wing of the house will be converted to guest accommodations with three bedrooms on the second floor, and a sitting area on the first floor. The kitchen will be retained, as is, and the bridge room will be used for family dining. The paving under the bridge will be converted to a garden. A new four bedroom guest wing for children is planned. This new guest wing will be linked to the converted guest wing via an open air loggia with an open air pergola on one side. A pool will occur in the middle of this space. A new parking area and three car garage with staff apartment on the second floor will be constructed. The new driveway will lead from

South Ocean Boulevard through the jungle and up to the center of the house to the loggia, the new entrance into the house. A gazebo will be tucked into the edge of the planting on the ocean side. A tennis pavilion will be added to the existing tennis court. A path will lead from the pool pavilion through the garden to the tennis court. A small mechanical building will be tucked into the jungle as well at the far corner of the site. A cooling tower is required.

Mr. Ferguson reviewed the elevations, comparing the existing structure to the new design. Pursuant to the LPC's request of May 4, 1994, the presentation drawings with overlays clearly distinguished between existing and new construction.

Mrs. Mackintosh suggested that the applicant consider installing an elevator in the house. Mr. Smith stated they will look into that possibility. Mrs. Volk was most pleased with the planned additions and renovations, as the proposal represents significant additions to a property, with applied sensitivity toward for the original landmarked structure. This project is an example of how landmarked houses can experience a large degree of growth and change, and that such changes are permitted by the Landmarks Preservation Commission provided that the changes are done carefully and sensitively. The LPC thanked the applicant's representatives for their beautiful presentation.

Mrs. Volk mentioned the tax deferment option which may be available to the applicant. She stipulated that if the owner intends to apply for such deferment, the renovations must be done in strict adherence to the Secretary of the Interior's Standards. Mr. Smith responded that the owner is aware of this option, but is yet undecided as to whether to pursue it.

MOTION BY MRS. GINGRAS TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MRS. MACKINTOSH.
MOTION CARRIED UNANIMOUSLY.

V. Other Business:

- A. 102 Jungle Road: Revision to previously approved pool coping and deck

Mr. Ken Brower returned to the LPC for changes to the previous approval to the pool and deck at 102 Jungle Road for Mrs. Ivana Trump. First, the client would like brick placed around the perimeter border of the deck...brick to match the brick on the existing south lanai. Secondly, Mr. Brower stated that his client is asking the LPC to reconsider the cobalt blue coping which had been requested last month, but was denied. Mrs. Trump wants the cobalt blue because she feels it will clearly define the edge of the pool for the safety of her children and elderly mother, and she feels it

will beautifully accentuate the edge of the pool. The pool design and coloration has been modeled after the pool of the Raleigh Hotel in Miami. Further, she feels that this pool area is a very private place for her, totally hidden from public view, and as such, should be considered as interior space.

Discussion ensued as to possible alternatives for the foot-wide cobalt blue coping. Mr. Brower remarked that Mrs. Trump was quite firm in her desire of the coping as presented, and she would pursue this matter further if necessary. It was pointed out this courtyard area was formerly a cast stone patio, and that over the years, this house has been changed in concept. It was suggested that the same brick that is being used at the deck perimeter be likewise used to define the pool. It was alternately suggested that the width of the blue coping be reduced to a smaller size than one foot. Mr. Moore cautioned the Commission to be sure to offer clear alternatives to Mr. Brower so he can relay same to his client.

MOTION BY MRS. GINGRAS TO APPROVE EITHER OF THE FOLLOWING TWO ALTERNATIVES FOR THE POOL COPING: 1) BRICK COPING (THE LPC PREFERENCE) TO MATCH THE BRICK AROUND THE DECK PERIMETER OR 2) 6" MAXIMUM WIDTH IN COBALT BLUE COPING.

MOTION SECONDED BY MR. GUBELMANN.

MOTION CARRIED 6-1-0, WITH MRS. ALBARRAN DE MENDOZA CASTING THE NEGATIVE VOTE AS SHE FELT THAT THE MATERIALS LISTED IN THE MOTION FOR APPROVAL WERE NOT IN KEEPING WITH THE HISTORICAL ARCHITECTURE OF THE PATIO.

B. Preservation Celebration

Mrs. Jane Day reported that there would be a panel discussion tomorrow at the Preservation Foundation at 1:00 p.m. entitled, "Preservation Palm Beach Style" as part of the Florida Trust for Historic Preservation Conference. At 8:00 p.m., at the Society of the Four Arts, the Trust would hold its awards presentation, where the Town of Palm Beach would be honored with the Trust's Award for Historic Preservation. This would mark the first time this award has been given to a municipality. Then, on Friday, the Town's Preservation Celebration will be held at Phipps Plaza. Mrs. Day remarked that the Town has an outstanding record with regard to their preservation efforts and guidance offered to landmark owners.

Mr. Moore stated that the LPC did an outstanding job in the review of the renovation of Casa Apava. He hoped that this case would serve as a model for other landmarked owners to illustrate that all landmark properties and their owners can experience the same advantages with the LPC.

VI. Adjournment

THE MEETING WAS ADJOURNED AT 10:52 A.M. PURSUANT TO A MOTION BY MRS. GRACE.

The next meeting of the Landmarks Preservation Commission will be heard on WEDNESDAY, JUNE 15, 1994 at 9:00 a.m., in the TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH.

Respectfully submitted,



Sally Gingras
Secretary

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

LAST NAME—FIRST NAME—MIDDLE NAME Barran de Mendoza, Jacqueline		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Landmarks Preservation Commission	
MAILING ADDRESS 204 Phipps Plaza		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY ☐ Town ☐	
CITY Palm Beach, FL	COUNTY Palm Beach	NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
DATE ON WHICH VOTE OCCURRED May 18, 1994		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

MINUTES

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes. The requirements of this law are mandatory; although the use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

Your responsibilities under the law when faced with a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

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

In either case, you should disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

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

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

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

You should complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.

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

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

- You should disclose orally the nature of your conflict in the measure before participating.
- You should complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

DISCLOSURE OF STATE OFFICER'S INTEREST

I, Jacqueline Albarran, hereby disclose that on May 18, 1994:

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

☐ inured to my special private gain; or

☐ inured to the special gain of _____, by whom I am retained.

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

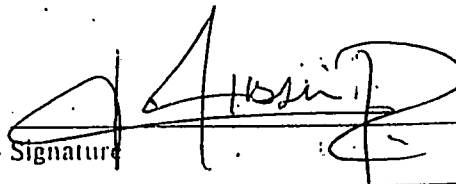
I am the architect of record for Mrs. Marilyn Reynolds (Certificate of Appropriateness #18-94)

(Please note that Mrs. Albarran de Mendoza previously stated her conflict with respect to this matter at the October, 1993 LPC Meeting. This is a continuing renovation project.)

Date Filed

5/18/94

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.