



MINUTES
LANDMARKS PRESERVATION COMMISSION
IN THE TOWN COUNCIL CHAMBERS
2ND FLOOR, TOWN HALL
360 SOUTH COUNTY ROAD, PALM BEACH, FL

WEDNESDAY, MAY 16, 2012, 9:30 a.m.

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be “abbreviated” in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town’s website at www.townofpalmbeach.com or may obtain an audio recording (CD) of the meeting by contacting Cynthia M. Delp, Secretary to the Landmarks Preservation Commission at (561) 227-6408. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

I. CALL TO ORDER:(9:30:22 a.m.)

Chairman Cooney called the meeting to order at 9:30 a.m.

II. ROLL CALL:(9:31:10 a.m.)

Edward Austin Cooney, Chairman	PRESENT
William P. Feldkamp, Vice Chairman	PRESENT
Dudley L. Moore, Jr., Member	ABSENT (excused)
Jacqueline Albarran, Member	PRESENT
William J. Strawbridge Jr., Member	PRESENT
Leslie Diver, Member	PRESENT
Elizabeth S. Murphy, Member	PRESENT (arrived at Administration of Oath)
Jorge Sanchez, Alternate Member	ABSENT (unexcused)
Elizabeth Marshall, Alternate Member	PRESENT
Anne Fairfax, Alternate Member	PRESENT

Let the record show that Ms. Marshall was a voting member due to the absences of Messrs. Moore and Sanchez. For Items III and IV, Ms. Fairfax was also voting since Ms. Murphy had not yet arrived.

Staff members present: John S. Page, Director of Planning, Zoning and Building, John Lindgren, Planning Administrator, Dr. Jane S. Day, Ph.D., Staff Historic Preservation Consultant, Paul Castro, Zoning Administrator (for part of meeting) and Cynthia Delp, Secretary to the Landmarks Preservation Commission.

III. APPROVAL OF THE MINUTES OF THE APRIL 18, 2012 MEETING:
MOTION BY MR. FELDKAMP FOR APPROVAL OF THE MINUTES.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.

IV. **APPROVAL OF THE AGENDA:(9:31:53 a.m.)**

MOTION BY MR. FELDKAMP FOR APPROVAL OF THE AGENDA.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

V. **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY:**

Mrs. Delp administered the oath at this time and as needed throughout the meeting.

VI. **COMMENTS FROM THE PUBLIC AND COMMISSION MEMBERS: (Please limit comments to 3 minutes): (9:32:22 a.m.)**

Mr. Strawbridge offered comments relative to the Royal Poinciana Way Committee meeting to be held later today and encouraged other LPC members to attend that meeting since landmarking of the area had been considered at one time. He also read from an article in the newspaper relative to preservation, and related it to recent designation hearings. He suggested that the LPC take another look at the list of properties which are considered "potentially eligible for landmark designation." Chairman Cooney agreed that it would be beneficial to review the list, and asked that it be placed on the agenda for next month.

VII. **PUBLIC HEARINGS:(9:36:07 a.m.)**

A. Application for Certificate of Appropriateness #005-2012

Rehabilitation, Addition, Demolition, Landscape/Hardscape

Owner/Applicant: Virginia L. Mortara

Address: 319 El Vedado Road

Architect: Smith and Moore Architects, Inc.

Project Description: Request approval for rehabilitation, addition to historic structure, interior and exterior demolition, and landscape/hardscape, which is further described as: Entry portico and stair addition; rear stair addition; door and window replacement; garage door replacement; shutter replacement; electronic shutter removal; roof replacement; painting of building exterior; replacement of exterior wood details; landscape and hardscape modifications; and interior alterations. Other associated changes as presented. *Please be advised that this is a tax abatement project.*

After hearing this project at the April meeting, there was a motion to defer the project, and to please go in this direction that you have just done with the sketches, with some of the comments, and still have a meeting with a couple of the commissioners before you present; and that the landscaping return, including a detail of the fountain and simplified landscaping on either side; removing the gates because Town Council approval is required; and re-study of the turning radius; and to accept all of the other architectural elements as presented, both inside and outside, with the exception of the door and final landscape.

Call for disclosure of ex parte communication: Disclosures by Mr. Cooney and Ms. Fairfax

ARCHITECTURAL PRESENTATION BY: Harold Smith, Smith and Moore Architects, Inc.

LANDSCAPE PRESENTATION BY: Don Skowron

Mr. Smith presented a revised design (winding stair to landing and front door) to reduce the impact of the new entry stair on the driveway, thereby helping the situation with the turning radius. He also presented an alternate design which was projected on the Elmo. Mr. Skowron presented revised plans including a simplified front landscaping plan; an improved turning radius, a revised paving pattern, removal of the fountain water wall in favor of more landscape, and other landscape/hardscape changes as presented. The revisions result in an additional 289 sq. ft. of green space.

**MOTION BY MR. FELDKAMP FOR APPROVAL OF APPLICATION 005-2012 AT 319 EL VEDADO , MOTION FOR APPROVAL AS PRESENTED, WITH THE LOWER FRONT ENTRANCE FACE FLATTENED AS OPPOSED TO CURVED.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.**

B. [Application for Certificate of Appropriateness #007 -2012](#)

Landscape, Hardscape, Generator

LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)

Owner/Applicant: The Society of the Four Arts, Inc.

Address: 1, 2 ,3, and 4 Four Arts Plaza and 240 Cocoanut Row

Architect: Glidden Spina and Partners, Keith Spina

Project Description: Proposing to install (2) columns at the east end of driveway from Cocoanut Row that are 13'-8" high (10' high to top of column plus a light fixture that is 3'-8" high). The location of these columns was shown on the previous Town Council/Landmark Submittal. The height exceeds 8', which requires a variance. The columns exactly match other existing columns along the Society of the Four Arts boundary. 2. Proposing to install a 300kw generator in lieu of the originally approved 80kw generator. Any generator of 100kw or higher requires a variance. The enclosure that the generator sits in was previously submitted and approved. The generator will sit in a level 2 acoustic enclosure in order to meet the Town of Palm Beach noise ordinance.

At the April meeting, there was a motion that implementation of the proposed variance(s) will not cause negative architectural impacts to the subject landmarked property. Mr. Page verified that the Town Council approved the variances for this project.

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: Danny Brown, GS& P Architects

OTHERS WHO TESTIFIED: Barbara Davidson, neighbor at 413 Seaview, and Paul Castro, Zoning Administrator

This matter had been reviewed informally at the April meeting, so Mr. Brown provided a brief overview of the project.

Barbara Davidson testified relative to her concern regarding the generator noise. Mr. Brown responded that the generator is fully enclosed, and exhaustive research has been done to mitigate the generator noise appropriately. Mr. Castro testified that staff has gone to great lengths to work with the applicant to make sure that the generator meets the Town's noise ordinance prior to and after installation.

MOTION BY MR. FELDKAMP FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.

C. [Application for Certificate of Appropriateness #006 - 2012](#)

Patio enclosure, wall and gate

Owner/Applicant: John F. Haley Jr. and Elizabeth A. Hughes

Address: 151 Grace Trail, #3

Architect: The Pandula Architects Inc.

Project Description: Request approval for patio enclosure-wall & gate which is further described as: The owners of Unit 3 propose to enclose the Unit 3 courtyard on the east side of the building. The courtyard is already partially walled, but is open to the east. The wall enclosure will be consistent with existing courtyard enclosures for Units 4, 5 and 6. Height, construction, and finish will mirror the walls of Bienestar and the courtyard enclosures of other units. A pecky cypress gate will provide access. Other associated changes as presented.

Call for disclosure of ex parte communication: Disclosure by Mrs. Albarran

ARCHITECTURAL PRESENTATION BY: Eugene Pandula, The Pandula Architects

ATTORNEY PRESENT: James Crowley, Gunster Yoakley

Attorney Crowley testified that no variances are required for the project. The purpose of the enclosure is to screen the patio from the pool and common area at the condominium. The enclosure is consistent with enclosures at other condo units at this address; it is not visible from any streets; and it has been approved by the condo association. Mr. Pandula testified to additional details relative to the proposed enclosure.

MOTION BY MRS. ALBARRAN FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.

D. [Application for Certificate of Appropriateness #008 - 2012](#)

Addition

Owner/Applicant: Timothy Rooney

Address: 160 Wells Road

Architect: Smith Architectural Group

Project Description: Request approval for addition to historic structure which is further described as: The existing 430 sq. ft. porte cochere wing will be demolished and replaced with a new 780 sq. ft. porte cochere. 245 sq. ft. will be added to the rear of the house for a new kitchen and staff service areas and an expanded master bedroom and bathroom suite above. The existing covered portion of the second floor terrace above the front door will be enclosed, and the existing central chimney will be modified to resemble the original cupola. Other associated changes as presented. *Please be advised that this is a tax abatement project.*

Call for disclosure of ex parte communication: Disclosure by Mrs. Albarran

ARCHITECTURAL PRESENTATION BY: Jeffery W. Smith and Bill Boyle, Smith Architectural Group

Mr. Smith explained that the owners of 160 Wells Road have contemplated these renovations for quite some time and have now elected to proceed. The proposed porte cochere removal and replacement with a larger porte cochere will allow for an expanded master bedroom suite on the second floor. He presented the project in accordance with the submitted plans and as described above.

Dr. Day testified that the project meets the Secretary of the Interior's Standards, and qualifies for tax abatement. Her only concern was for the lacy quality of the proposed railings. The commission was very enthusiastic about the proposed changes, with the railings revised.

MOTION BY MR. FELDKAMP FOR APPROVAL AS PRESENTED, WITH A SLIGHT MODIFICATION AND SIMPLIFICATION OF THE BALCONY RAIL AS SHOWN ON DRAWING A350.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

E. [Certificate of Appropriateness #009 - 2012](#)

Revisions to Addition, Landscape/hardscape project

Owner/Applicant: Lynn Foster

Address: 424 Brazilian Avenue

Architect: SKA Architect + Planner

Project Description; Request approval for minor revisions to previously approved project to include raising front wall to 6 ft. on east and west side of front courtyard, new copper gutter on north facade, new coquina hardscape for dining courtyard and front courtyard, new iron and wood front door.

Call for disclosure of ex parte communication: Disclosures by several members

Please be advised that any motion for approval of this project must be made "pending proper advertising".

Mr. Segraves presented the project in accordance with the submitted plans and as described above. He explained that the front wall will be raised from 4 ft. to 6 ft.; and, existing paving material will be replaced by Florida coquina in several places on site.

MOTION BY MR. FELDKAMP FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

Let the record show that there was a short recess at 10:40 a.m.

VIII. OTHER BUSINESS: (10:39:31 a.m.)

A. Informal Review: CoA#010 - 2012, 201 El Bravo Way

LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)

Request approval for addition to historic structure which is further described as: New one story pavilion addition. *Variances requested for side yard setback and lot coverage.*

Call for disclosure of ex parte communication: Disclosures by several members

ARCHITECTURAL PRESENTATION BY: Thomas M. Kirchhoff, Kirchhoff Architects

LANDSCAPE PRESENTATION BY: Keith Williams, Nievera Williams

ATTORNEY PRESENT: Maura Ziska

OTHERS WHO TESTIFIED: George Summers, 215 El Bravo, neighbor, and Paul Castro, Zoning Administrator

Mr. Kirchhoff testified that his clients have already gone to great lengths to restore this property. This project will create an outdoor covered space. He and Mr. Williams presented the project in accordance with the submitted plans and as described above. Ms. Ziska explained the variances required for the project, and Mr. Castro offered his comments relative to them.

Dr. Day testified that the original Volk open loggia for this house is now enclosed space, and it was her opinion that the addition seems to be “shoe horned into a rather narrow lot”; the pavilion faces the kitchen...bothersome...plan flawed, and this is the estate section of Town; the courtyard is already so small and the (proposed) structure is so large and faces the kitchen; architecturally, it does not help the house; this is detrimental to the landmark; it does not fit on the site; axes seem off; connection to house is awkward; and, simplicity of pavilion appreciated, but still very jammed into small space.

George Summers, the neighbor at 215 El Bravo, objected to the pavilion due to its mass and scale from his perspective, the west side; stated that this pavilion destroys the symmetry of the Volk houses on this street; and, offered an alternate design suggestion to the applicant. Mr. Summers stressed the importance of El Bravo Way, and suggested that there be a landmarked district from County Road to Travers Way.

MOTION BY MR. STRAWBRIDGE THAT IMPLEMENTATION OF THE PROPOSED VARIANCE WILL CAUSE NEGATIVE ARCHITECTURAL IMPACTS TO THE SUBJECT LANDMARKED PROPERTY.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

B. Project Update: 456 Worth Avenue, CoA#038-2011

Dr. Day testified that during construction, under LPC approvals, it was found that the structural condition of this property is much worse than originally thought. There is a problem with the foundation and exterior walls, except for the turret. A series of photos were shown to illustrate the existing condition. Two engineer’s reports are forthcoming. If the deteriorated walls need to be

removed, the project will change from a rehabilitation to a reconstruction, but the landmarked status will remain unaffected.

Attorney Maura Ziska reported that one engineer's report has come through. She noted that the applicant will need a variance to demolish more than 50% of the cubic footage, and that issue will be reviewed at the June LPC and Town Council meeting. The desire is to move forward as quickly as possible due to the approaching hurricane season.

At this point, the normal agenda order was interrupted to set a date for the June LPC meeting. (The June LPC meeting had been previously scheduled for Wednesday, June 20, 2012, but due to scheduling changes of Town Council meetings, that date is no longer available.) After discussion, it was determined that the June LPC meeting will be held on Wednesday, June 13, 2012 at 10:30 a.m.

Robert Moore, 420 Santa Fe Road, present on behalf of the property owners, stated that the applicant felt it was very important to bring these problems to the LPC at the earliest date possible. He thanked staff for their assistance in this matter.

C. [Staff Report: 330 Island Road - status of wall between properties \[John Lindgren, Planning Administrator\]](#)

The status of the wall had been called into question at the last meeting. Mr. Lindgren stated that he has reviewed the audio records of the meeting(s) where this issue was discussed. He stated that the wall was approved at 7 ft. in height, from the seawall line to the front setback line, which is 35 ft. from the front property line. Currently, the wall exists as it was approved except for a 5 ft. section as it approaches that seawall. The structural integrity of the seawall is under review and that is why the last 5 ft. of the wall is incomplete at this time. Eugene Pandula, project architect, testified that the construction complies with the LPC approval, except for the last 5 ft. as described, and that will be completed when the condition of the seawall is determined. In the front yard, the wall will not continue beyond the setback line. Abutting landscape from both properties will occur in that area.

D. [Re-schedule June and November LPC meetings \[John S. Page, Director of Planning, Zoning & Building\]](#)

After discussion, it was determined that the November LPC meeting will be held on Wednesday, November 14, 2012 at 9:30 a.m.

IX. [COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND PLANNING ZONING & BUILDING DEPARTMENT DIRECTOR: \(11:34:02 a.m.\)](#)

Chairman Cooney reminded the members of today's first meeting of the Royal Poinciana Way Committee at 3:00 p.m.

Mr. Page informed the members that Mr. Randolph will hold an orientation session for all board/commission members. Attendance is not mandatory, but encouraged. The session will be held on Wednesday, May 30, 2012 at 2:00 or 3:00 p.m.

There was a short discussion relative to efforts being done to replace Dr. Day in light of her impending retirement.

X. **ADJOURNMENT:**

MOTION BY MR. FELDKAMP TO ADJOURN THE MEETING AT 11:47 A.M.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

Edward Austin Cooney, Chairman

LANDMARKS PRESERVATION COMMISSION

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