TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES
LANDMARKS PRESERVATION COMMISSION
WEDNESDAY, APRIL 20, 2005 AT 9:00 A.M.
AT THE TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

I **Call to Order:** Chairman Pandula called the meeting to order at 9:00 a.m.

II **Roll Call:**

PRESENT:
Eugene Pandula, Chairman
Judy Hoffman, Vice Chairman
Wendy Victor, Secretary
Ann Blades, Member
Patrick Segraves, Member (arrived at 9:05 a.m.)
William Lee Hanley Jr., Member
Robert T. Eigelberger, Member
Eileen L. Bresnan, Alternate Member
Gail Coniglio, Alternate Member
Hazel Rubin, Alternate Member
Sterling Clarke, for the Town Attorney
Robert L. Moore, Director of Planning, Zoning & Building
Timothy M. Frank, Planning Administrator
Jane Day, Staff Preservation Consultant

ABSENT: None

RECORDING SECRETARY: Cynthia M. Delp

III **Approval of the Minutes of the March 16, 2005 Meeting**:

MOTION BY MRS. BLADES FOR APPROVAL.
MOTION SECONDED BY MRS. VICTOR.
MOTION CARRIED UNANIMOUSLY.

IV **Administration of the Oath to all persons who wish to testify:** By Mrs. Delp

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V **Public Hearings:**

A. Application for Certificate of Appropriateness #4-2005, (Assoc. w/Var.#17-2005)
Addition of Emergency Generator
Owner/Applicant: Mr. and Mrs. Avram Glazer
Address: 5 Middle Road
Architect: Thomas M. Kirchhoff, AIA, P.A.
Project Description: Request approval for addition of emergency generator, which is further described as: Applicant is seeking a variance to the street side yard setback requirement to install an emergency power generator. Variance requested is 26 feet. Required setback is 35 feet. Proposed setback is 9 feet. Proposed generator will be completely enclosed behind a block wall. Other associated changes as presented.

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION:
Mr. Hanley met with the architect and landscape architect.
Mr. Eigelberger has been to the site.
Mrs. Bresnan has been to the site.
Mrs. Blades has been to the site and has met with the architect.

Mr. Pandula turned the presentation over to staff noting that the associated variance had been denied by the Town Council. Mr. Frank stated that the LPC had heard this presentation last month, for placing the generator on the north side of the property, and the LPC had no objection to the variance being granted. The Town Council did not grant the variance, based on the fact that the situation did not meet the criteria for granting a variance. Since that time, the plans have been revised to relocate the generator at the south end of the property. In this location, it meets the code, and the applicant will completely screen it. Mr. Frank stated that normally this could have been a staff approval, but since it was advertised and on the agenda, LPC approval is requested. Staff recommends approval as it is far away from the landmark building and it will be totally screened.

MOTION BY MR. EIGELBERGER FOR APPROVAL.

Mrs. Blades asked whether the neighbor (to the south) has been informed about this. Mr. Frank responded that the neighbor is aware of the location change, and is not happy about it, but understands that the generator is in a location which meets the code. Mr. Frank stated that even though the LPC preferred the original location on the north side of the property, as a planner, he stated that the north location did not meet the code, and did not meet the threshold for variance, and therefore should not have been granted. Mr. Pandula stated that the plans show the generator located in the far southeast corner within the front and side yard setbacks, which is technically legal. Mrs. Victor noted that the fountain equipment is also located beside the proposed south generator location. Mr. Pandula added that in addition to the landscape screening, there will be a 6 ft. 10" high wall between the generator and the property to the south.

MOTION SECONDED BY MRS. VICTOR.
MOTION CARRIED 6-1, WITH MRS. BLADES OPPOSING.

B. Application for Certificate of Appropriateness #5-2005, Restoration, Addition, Garage Doors
Owner/Applicant: David and Elizabeth Wetherell
Address: 222 El Brillo Way
Architect: Brower Architectural Associates Inc.
Project Description: Request approval for restoration, addition to historic structure, and garage doors, which is further described as: This is a one and two story addition to an existing recently landmarked house. The additions attach to the existing garage and guest apartment. The project consists of a sitting room on the second floor for the existing guest rooms and an exercise room on the ground floor. At the east end there is another two-story element with a cabana on the ground level and the owner's office above. A one story open loggia will connect the two, two-story structures. The restoration work consists of the completion of the work contemplated, but not completed three years ago including: adding windowsills and/or brackets to windows at various locations (specifically on the north side of the garage; on the south side of the garage; on the south side of the dining room; on the east side of the house both on the first and second floor; on the west of the house both front and second floor. Additionally, add brackets to the balcony on the north and south elevation.) Also, widen the garage doors from 8' to 9'. Other associated changes as presented.

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION.
Mr. Hanley met with the architect and visited the site.
Mr. Segraves met with the architect.
Mr. Eigelberger met with the architect and visited the site.
Mrs. Hoffman met with the architect.
Mrs. Victor met with the architect and visited the site.
Mrs. Blades met with the architect in his office and at the site.
Mr. Pandula met with the architect.

Let the record show that Chairman Pandula asked anyone who had not previously been sworn to be sworn at this time. Mrs. Delp administered the oath.

Ken Brower, Architect, of Brower Architectural Associates, presented this request together with Jorge Sanchez of Sanchez and Maddux, Landscape Architects. Mr. Brower withdrew the request for the window sill and brackets, as these are already on the building as a result of a previous approval. This new homeowner would like to create a cabana, study, entertainment loggia and sitting room/exercise room, and in fact, purchased the home with the expectation of expanding the home.

Mr. Brower explained that this Mediterranean Revival home was built in 1928 by E.B. Walton Sr., with drawings signed and sealed by Maurice Fatio. The house has experienced several alterations over the years, the most recent of which in 2003-2004. At the February LPC meeting, this project was reviewed informally with plans showing a 2,742 sq. ft. addition. As a result of comments made at the meeting and subsequently, the size of the addition has been reduced to 2,442 sq. ft. Mr. Brower felt the project, as presented today, is a viable solution which fulfills the

client's objectives. He noted that the addition will not be seen from the street and will be screened well with landscape. Other aspects of the project include deleting the request for the window sills and brackets, as stated earlier; continuing the barrel tile across the back of the roof; and, widening the garage doors, replacing the single cypress header with a double member cypress header. In summary, Mr. Brower stated that landmark properties continue to grow over time, and change must be accepted.

Mr. Brower introduced Jorge Sanchez to discuss the landscape and hardscape in relation to the proposed addition. Mr. Sanchez described an expanse of green between the main house and the addition. A terrace off the addition would face the new reflecting/lap pool. Cocoanut palms are planned at the end of the pool. The pool will be telescopic in shape with a sculpture at the other end. Flame vine will be planted on the one story portion of the new loggia. Behind the loggia, a tropical jungle will be planted together with building a small terrace. Two large Seagrapes flank the motorcourt driveway entrance to obscure views to the new addition, and provide some privacy for the owners.

Mr. Pandula noted that the driveway was formerly circular. Mr. Sanchez responded that the driveway change made the driveway more functional, and created more green space. Mr. Frank stated that the changes to the driveway and front of the property had been previously approved by the LPC, with some minor modifications which were staff approved later.

Mr. Sanchez reviewed the plant material on a preliminary basis, and noted that he will return to the LPC with a full landscape/hardscape plan.

Mr. Frank clarified that the previous LPC approval and staff approval for landscape/hardscape were mostly on the street side of the property. The landscape/hardscape described for areas behind the house is new and subject to review. Relative to the architecture, staff feels that while the design of the addition is good, the addition would be better located elsewhere on the property. In the location, as presented, the addition interferes with the landmark structure itself. The cabana, which is a minor structure on the site, is articulated with elements which inappropriately emphasize a prominence on the site. Mr. Frank stated that the addition will be visible from the street, and cannot be hidden by landscaping. Staff feels this project should be "returned or deferred for study with a scheme that more or less celebrates the original architecture a little bit more closely." He stated that staff also believes that landmarks can grow, but this growth is not in sync with the growth pattern which was previously established.

Mrs. Day agreed with Mr. Frank's comments. The good aspect of the project is that the additions are all coming off the garage, thus not impacting the main structure. On the other hand, however, the scale of the new second story portion of the new wing is much larger than the original building. She had suggested to the architect that perhaps the one and two story portions of the addition be swapped or otherwise re-worked. Mrs. Day felt the addition should be re-worked so that the largest part of the addition is tucked behind the house. She had no problem with widening the garage doors, or adding the barrel tile to the roof.

Mr. Eigelberger was not in favor of the project as presented, and as such, suggested changes to the site plan, resulting in eliminating the loggia, sliding the cabana over, and creating a U-shaped

courtyard, with the pool centered on it. Mr. Pandula agreed that the site plan should be revised, since the addition, as designed, becomes larger as it moves further away from the main house. He commented that the new buildings have lost the charm, details and articulation that make the difference, and suggested that the addition be lowered in height. Mr. Segraves remarked that the addition looks like such a big piece in the back of the house. He also agreed that the site plan could be re-worked. Mr. Hanley commented likewise; that the scale of the end piece of the addition is too big and overwhelming in size.

MOTION BY MRS. HOFFMAN TO DEFER THIS PROJECT TO THE MAY MEETING FOR FURTHER STUDY.

MOTION SECONDED BY MRS. VICTOR.
MOTION CARRIED UNANIMOUSLY.

C. Application for Certificate of Appropriateness #6-2005, Landscape/Hardscape, Lanterns
Owner/Applicant: Mr. Stephen Schwarzman
Address: 1768 South Ocean Boulevard
Architect: Ferguson & Shamamian Architects, LLP
Project Description: Request approval for landscape/hardscape, and wall and ceiling mounted lanterns, which is further described as: Bronze lanterns are proposed to be mounted at all entry locations and within outdoor porches. The lanterns in the forecourt are to be lit with gas. All others will be electric. Proposed hardscape design, hardscape materials, planting plans and lighting. Other associated changes as presented.

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION
Mrs. Victor has been on the site.
Mr. Eigelberger been to the office.
Mrs. Blades has been to the office.
Mrs. Bresnan met with the landscape architect.
Mrs. Hoffman met with the landscape architect.
Mr. Segraves met with the landscape architect and the attorney
Mr. Pandula met with the landscape architect at his office and with Ms. Ziska.
Mr. Hoffman met with the landscape architect.

Attorney Maura Ziska stated she was representing the Schwarzmans, and noted that representatives from Ferguson & Shamamian Architects, LLP, and the landscape lighting consultant were also present. She turned the presentation over to Mario Nievera, Landscape Designer. He noted that the gravel in the motorcourt will be replaced with coquina coral stone and grass joints on a concrete base. There is a line of Seagrapes on the north property line to screen the service drive, and additional landscape separates the service drive from the motorcourt. The east lawn shows random placement of cocoanut palms and lawn. The existing terrace on the east ocean lawn has been reduced in size. A gravel cart path leads to the service gate and beach stairs. There is a new reflecting pool and spa within the south garden. The property's rolling lawns and gardens remain, as do large existing trees. The existing west pool

will be enlarged by about five feet on each end, and a new spa will be added. The proposed pool deck will be smaller than the existing deck. The pool terrace will be done in coral, and a new wall fountain will be placed on the retaining wall at the lower portion of the pool. Six Date Palms, on the pool terrace, will frame the center line of the house. The tennis court remains as is. Mr. Nievera showed colored renderings of the site.

As for landscape lighting, low voltage MR16 fixtures, 2" in diameter, with bronze housing will be used for uplighting and downlighting. Light fixtures required for egress will also be attached to the structure. A hanging lantern will be placed at the front door, and elsewhere.

Mr. Nievera showed a sample of the coral stone, the tiles (dark blue/grey) for the south pool, the tiles (plain white or pink, which read as blue in the water) for the west pool, and a sample of interlocking pavers for the service drive.

Mr. Frank commented that when the original approvals were given for Four Winds, the LPC was told that the wonderful landscaping would be saved. He felt that this proposal represents a departure from the original site plan contemplated at the time of those approvals. He questioned the need for the south pool, as he felt it detracts from the original architecture. Also, some Mediterranean Revival details are being tacked onto this British house. Mr. Frank felt "the architect has done a poor job celebrating the architecture of the original master, Maurice Fatio." Staff feels that this scheme detracts from the original scheme of the house, and that this should be deferred for further study to better complement the original architecture.

Mrs. Day distributed an aerial taken at the time the house was designed by Fatio for E.F. Hutton. It clearly showed vast expanses of open space. Mrs. Day had no objection to the west pool, but did not recall the south pool in the plans from last March. She felt the south pool adds more hardscape to the site than was originally there. The LPC wanted to preserve the green space on this site. Originally, there was no patio on the east facade. She felt the Mediterranean Revival light fixtures presented need to be abandoned for British Colonial fixtures, and that the fountain element being proposed is also inappropriately a Mediterranean Revival element.

Mrs. Blades asked whether the original coquina from the back terrace will be preserved and/or re-used in the new plan. Mr. Nievera responded that it was saved, but it was so full of holes and crevices, and was in all different sizes and pieces, that they would prefer to use new coquina. The old coquina also presents safety concerns. Mrs. Hoffman stated that the holes and crevices are the beauty of old coquina. Mrs. Day reminded the LPC that this is a reconstruction project, and as such, the original pieces of the property that were tagged and saved should be re-used in the new plan.

Mrs. Victor commented that she had supported the plan for the second story last year in an effort to save the green space at the site. She felt Mr. Nievera's plan loses the spirit of the old house, and is complicated, as opposed to the simplicity of the former site. She asked for deferral with re-study. Mrs. Hoffman stated that she had met with the owner of the property a year ago. In this meeting, the owner stressed saving the green space, but this plan does not accomplish that. It is much too formal. Mr. Nievera responded that this project reduces the hardscape on site, but the building is larger, so it is a trade off.

Mr. Pandula commented that this is not a square footage issue. The issue is the spirit, the feel, and the concept. Mr. Segraves agreed that the landscape/hardscape is too regimented. He had no problem with the pool on the south side. Mr. Nievera noted that the size of the south pool is 10'x28'.

Mr. Eigelberger commented that he did not like the Seagrape in the corner. He felt the front entrance was too formal with the terrace, and should be just a lawn with random cocoanuts. He thought the changes to the rear pool and terrace were warranted, and thought the south pool was fine. Mr. Eigelberger suggested that the front be made less formal; stated that he liked the paving; and, stated that he felt the lawn looked like the same rambling lawn it was before. Mrs. Blades thought the plan was lovely.

Mr. Nievera remarked that he had done the landscape for the Picketts (previous owners), and he was very familiar with maintaining the lawn expanses and rolling landscape, although it may not appear that way on the new plans.

MOTION BY MR. EIGELBERGER TO APPROVE THE PROJECT, AS PRESENTED, BUT TO DEFER THE FRONT LAWN AND TERRACE, AND THE LANTERNS, AND TO RE-STUDY THE DESIGN OF THE WALL FOUNTAIN AT THE POOL.

MOTION SECONDED BY MRS. BLADES.

Mr. Frank stated that staff is on the record as recommending deferral, without any approval. Mr. Moore asked the LPC to deal with the issue of the original coquina and stipulate their instructions relative to it. Mr. Eigelberger commented that the bottom of the old coquina will be perfect, so it can be re-used. Mr. Frank stated that staff recommends deferral and recommends that the applicant returns with a plan to re-set the old coquina. Mr. Nievera responded that if the old coquina is usable, it could be used on the upper main terrace or at the pool terrace. Mr. Eigelberger stated that he or any of the other commissioners could go to the site to look at the old coquina to see if it could be re-used.

MOTION AMENDED TO INCLUDE STUDYING THE RE-USE OF THE ORIGINAL COQUINA IF POSSIBLE.

Mr. Pandula commented that he would like to see the success of the architecture at this site, before amending the project on a piecemeal basis. Mrs. Victor felt the proposal was too complicated and should be re-studied. Mrs. Hoffman recommended deferral together with waiting until the house is further along before decisions are made relative to landscaping.

Ms. Ziska felt that the motion was clear, noting the four areas of concern, and objected to holding up the project for a month. She stated that obtaining this and other approvals to come will allow the job to move forward. Various members spoke against an approval at this time feeling it was premature. Mrs. Victor commented that the LPC has been rushed before with respect to Four Winds, and a deferral would be best. Since other members called the issue "too complicated" to make a decision today, Mrs. Blades remarked that the applicant needs guidance on how to proceed, and felt it was not fair to take the house problems out on the landscaping. Mr.

Eigelberger felt his motion was very clear and concise, noting four areas of concern.

Mr. Moore agreed with Mrs. Blades that the LPC must be fair to the applicant by divorcing this review from the original experience. On the other hand, he felt that the LPC was saying that they want to see the final product before they vote. "I think that you have a right, in this particular case, and I certainly am going to speak for the Town now to say that we have invested in this project too, and we would like to have you have a full view of what you're going to be asked to approve, and what the affect of this will have on this site so we do not get into another "us against them" scenario where we are at odds with the applicant or at odds with other special interest groups within the town. Having said that, I think it is appropriate for you to defer this matter until they bring you in a finished plan of what they want. You've already begun to indicate to them what bothers you. I think individually... Mrs. Blades is quite right...I think you should tell, right now, Mario Nievera, the Ferguson architects in the back, and Ms. Ziska exactly what bothers you, and don't hold anything back so they can address it when they come back next month. That would be the staff's recommendation. We've been trying to say that in different ways up here, but now I'm going to be very forceful and suggest to you that the Town would really like to see you look at this as one package and then make your approvals."

Mr. Pandula agreed with Mr. Eigelberger's motion, but would also add the south pool to the areas subject to deferral. He did have some reservations about giving an approval today in light of the fact that the applicant, per Ms. Ziska, will be returning to the LPC in the next few months for additional approvals, which might invalidate the LPC's thinking today. Ms. Ziska explained that they will be returning with items such as the gates and the north retaining wall, but the landscaping is essentially complete. Mrs. Victor stated that she had noticed a lot of stacked dirt on the south side of the house, and questioned whether the ground level would be raised or returned to the original grade of the property. Mr. Nievera responded that they are supposed to return it to the original grade. Mrs. Victor asked for a sharp eye to be kept on the project, stating that she had little confidence that things would be returned to where they were before.

MRS. BLADES WITHDREW HER SECOND, NOW FAVORING A DEFERRAL.

MOTION FAILED FOR LACK OF A SECOND.

MOTION BY MRS. HOFFMAN FOR DEFERRAL TO THE MAY MEETING, AS STAFF HAS RECOMMENDED.

Just after Mrs. Hoffman's motion, Ms. Ziska asked if the LPC could approve the location of the west and south pools. Several members had expressed concern about the south pool, wanting the job to be more complete before amending the site with the introduction of the south pool. Staff recommended against approvals for the pool locations. Mr. Frank remarked that the LPC should not now be rushed to making approvals at this point, since the landscape/hardscape could have been brought to the LPC months ago.

MOTION SECONDED BY MRS. VICTOR.
MOTION CARRIED 6-1, WITH MR. EIGELBERGER OPPOSING.

Ms. Ziska asked if the motion included the re-study of the items which were noted in Mr. Eigelberger's previous motion. Mrs. Hoffman responded affirmatively, and included the south pool as well. Therefore, the motion for deferral was amended to include the following:

TOGETHER WITH A RE-STUDY OF THE FRONT LAWN AND TERRACE, THE LANTERNS, THE DESIGN OF THE WALL FOUNTAIN AT THE POOL, THE POSSIBILITY OF RE-USING THE OLD COQUINA, AND THE SOUTH POOL.

At this point, 10:45 a.m., there was a short recess. The meeting reconvened at 11:00 a.m.

VI **Other Business**:

A. Informal Review: 1102 North Ocean Boulevard
(In association with Variance #19-2005)
For Restoration, Addition, and Landscape/Hardscape which is further described below:

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION
Mr. Pandula met with the architect.
Mrs. Blades met with the architect at his office.
Mr. Hanley met with the architect.
Mr. Segraves met with the architect.
Mrs. Hoffman met with the architect.
Mrs. Victor met with the architect.

Architects Jeffery Smith and Don Kino presented this request on an informal basis in conjunction with the variance request which will be heard at the May Town Council meeting. Mr. Frank reminded the members that the Town Council wants the LPC to render an opinion as to how the variance affects the landmark. Mr. Smith stated that 1102 North Ocean Boulevard was landmarked in 1989. It is a John Volk 1935 design on a 57,000 square foot lot surrounded by four streets. As such, with the four street surround, it would be difficult to add on to the building, without variances, even if the house was not landmarked. Mr. Smith explained that several years ago, the LPC had approved a lot split application which involved removing the guest house. The applicant, at that time, did not proceed with effecting the lot split. The property had been on the market for four years, and is not in good condition. The new owner wants to restore and add on to the home. The footprint of the building as it exists in 4,187 square feet. The proposal would add 440 square feet to the footprint, for a new total of approximately 4,600 square feet on the first floor. The existing third floor (3,257 sq. ft. over the garage) space would be increased to 4,451 sq. ft. , which requires a variance. The second story addition over the one story library on the south side of the house requires no variance.

Mr. Smith passed several aerial photos of the house. He proceeded with the presentation, using the agenda items, as listed.

On the Colonial Lane "Entrance Facade"
The applicant proposes to add a second story addition to the existing west "Library"wing

to balance the five-part main facade. This addition will consist of a new guest bedroom, bath and closet.
Mr. Smith noted that the home was built in 1935, but in 1936, Volk made several changes to the house, i.e., extended the library, enclosed the loggia, and added stairs to the terrace. Mr. Smith read a passage from Mr. Volk's book referring to this house, " The elegant arrangement forms the central portion of a five part main facade capped by a hip roof." "Symmetry is key to the beauty of the facade." Mr. Smith commented that the existing one story library element does not accomplish Volk's intent for symmetry. The proposed addition would provide the symmetry that the house lacks. He noted that the Estee Lauder residence, the same style architecture, has two-story elements all along the front facade.

The applicant proposes to construct a new bow window at the west end of the "Library" wing.

The applicant proposes to add "heavy lintel moldings" over the existing six/nine shuttered windows to match the windows at the center "Greek Temple" front entrance. This detailing was referred to in the Landmark Preservation Commission Designation Report dated Nov. 17, 1989.

<u>On the North Ocean Boulevard Facade</u>
The applicant proposes to restore the Master Bedroom Loggia back to the original John Volk design. This requires removal of the current window infill and replacement of the columns and wood picket railing. This loggia will not be as deep as the original Volk loggia, 9 feet as opposed to 12-15 feet.

The applicant proposes to remove five (5) of the six/nine shuttered windows and replace with hurricane impact rated french doors leading to a new terrace. The applicant proposes to add "heavy lintel moldings" over these french doors to match the windows at the center "Greek Temple" front entrance. This detailing was referred to in the Landmark Preservation Commission Designation Report dated Nov. 17, 1989. The grade at the east lawn will be leveled to alleviate the "bowl" effect that currently exists. There will also be a new terrace with ballustrade on the east lawn, centered on the pediment.

The applicant proposes to infill the existing basement laundry room entrance/clothes drying yard "pit" (where there are currently eight air conditioning condensing units located) with a new foundation to support a new open Loggia and Roof Terrace (195 sq. ft.) and a two-story addition consisting of 245 sq. ft. to provide a much needed Family Room on the first floor and a Guest Room on the second floor. Mr. Smith explained that this addition is subordinate to the main structure as it sits back 9 ft. from the main facade. A variance is needed at this location for setback.

<u>On the Queens Lane Facade</u>
The applicant proposes to add 315 sq. ft. to continue the existing third floor condition. This addition will provide a modest staff apartment in the same location as the original John Volk floor plan design.

On the West, Courtyard Facade

The applicant proposes to provide new window fenestration to accommodate the new third floor extension and to provide symmetry in the facade. The entrance door to the garage shall be raised one half flight of stairs to join with a back staircase leading to the main floor of the residence.

The applicant proposes to restore the original second floor Sleeping Porch by removing the current window infill, restoring the columns and providing a new wood picket railing. Behind this railing the applicant proposes to provide a series of french doors in place of the existing infill windows.

General Site Improvements

The existing west courtyard, pool and tennis court will all remain in their original locations. The tennis court will be resurfaced and a new retaining wall with perimeter chain link fencing will be provided. The pool shape has been slenderized and lengthened to complement the gentle massing of the main house. The courtyard paving has been modified to be symmetrical.

The entire site shall be completely re-landscaped and shall have new motorcourt paving and low site walls as designed by Mario Nievera Design Incorporated.

The entrance and exit gates and perimeter wall between shall be reconstructed to match the original John Volk design.

All windows and french doors shall be replaced in kind with hurricane impact rated windows and french doors.

At this point, Mr. Smith introduced Mario Nievera to informally present the landscape/hardscape for the project. Mr. Nievera explained that two large Seagrapes, flanking the entrance gates, were damaged by the hurricanes. These will be replaced, and additional trees will be added to the drive court for more shade. Dense tropical planting will occur along Colonial, Ocean Way and part of Queens Lane. There will be open lawn on the east side with random cocoanut palms, and large Seagrapes to block out the neighboring residence and focus the view toward the ocean. The pool is being slenderized while the terrace is increased in size. Four large ficus trees will be added to the courtyard for shade. Fill will be added on the east side of the house to alleviate the "bowl" effect.

Mr. Smith stated that while this is not on the agenda, the proposal would include decreasing the size of the pool house by 665 square feet from the existing 1,848 square feet. The reduced size, according to Mr. Smith, would bring the pool house in scale with the main house.

Mr. Smith, in summary, requested the favorable vote of the LPC, so that when they go to the Town Council, the variances will be approved. He regarded the proposal as modest changes which will allow for the preservation of the house. Mr. Smith commented that this is a difficult site, and a difficult home for the proposal of additions. The home is only one room wide everywhere, with poor circulation. **Mr. Smith stated that he would like to proceed with this**

project as a tax abatement project at this time.

Mrs. Victor brought up the subject of the lot split, asking if the client would be willing to retire it. Mr. Moore responded that he was not sure whether the lot split was ever recorded. Mr. Smith stated that, in any case, the client does not intend to move forward with a lot split.

Mr. Frank commented that this home is not in good condition, and needs the care that this owner is apparently willing to give. He complimented Mr. Smith on modifications which are respectful to the original architect. The only negative comment, per Mr. Frank, is that the project requires a variance. He felt that the proposal will create an additional mass that will be very apparent from the Queens Lane facade, and stated that perhaps there is an alternative location somewhere else on the site for the additional square footage. Overall, Mr. Frank's comments were favorable.

Mrs. Day reminded Mr. Smith that the plans need to show existing and proposed elevations on the same page of the plans. She stated that she was opposed to the second story addition over the library wing as it changes the whole scale of the property by maxing out the front facade. Mrs. Day thought that when the home was built in the 30's, it may have been deliberately built with this one story element in deference to the smaller adjacent homes on Colonial Lane. She also felt that this addition negatively impacts the main facade of the house, and suggested that if the lot is large enough to have accommodated a lot split, the needed additional square footage could be placed elsewhere on the site. She had mixed feelings about the windows being changed to french doors on the east facade.

Mr. Smith, as a historic architect, disagreed with Mrs. Day stating that there is no reason not to add the second story wing over the library. He also gave no credence to Mrs. Day's point about the addition being one-story due to adjacent homes on Colonial Lane.

Mr. Pandula reminded the LPC that the purpose of this discussion is to render an opinion on the variance. Mr. Moore clarified that the LPC is being asked about the Queens Lane side of the 315 sq. ft. addition, over the garage. This space is viewed as a third story by the town. Mr. Pandula clarified that the LPC's opinion must deal with the architecture, not typical variance criteria.

Mr. Pandula thought the addition was good as it was articulated differently than the main house. He commented that it could, nonetheless, be improved if Mr. Smith was able to break the roof line so the addition is expressed as a less important element. Mr. Smith responded that it is pushed back to some degree, but thought that the roof could be lowered a bit. Mr. Smith did not feel it was possible to place the extra square footage elsewhere on the site.

Mr. Eigelberger stated that he was having trouble understanding why the second floor addition was necessary when it was already non-conforming, and this is a requested architectural change to a landmark. He acknowledged that he is in favor of all of the rest of the project, but was concerned about this new mass so close to Queens Lane. He questioned why, on this large parcel, it was not possible to locate the needed square footage elsewhere. Mr. Smith stated that a total of just 841 square feet is being added in this area. He felt that the minimum variance is being requested, and that the addition requested represents a very small addition that will save a landmark and preserve it for the next 50 years.

After some discussion about possibly using some available square footage in the pool cabana, Mr. Moore interjected that the LPC is not considering a trade off of square footage. This is an expansion of a third story which is the subject of the variance. The LPC must review the architecture of the addition and the Town Council will review the variance under the hardship criteria. He disagreed with Mr. Smith that this was the only way to save this landmarked house, and that staff quarters could not be placed elsewhere on the property.

Mrs. Victor expressed concern that the west facade of the house was becoming more important than it used to be with increased exposure to Queens Lane. Mr. Segraves felt the proposal actually improved the fenestration on the west side. As a neighbor to this property, Mrs. Coniglio stated that she had met with Mr. Smith. She was very happy that the lot split was not effected and that this new owner has no plans to move forward in that direction. She is quite concerned about the landscaping, and noted that the house will be very large.

Mr. Pandula commented that the architecture of the addition (which is the subject of the variance) is fine, but it would be improved by adjusting the roof line. Mr. Hanley agreed with Mr. Pandula, stating that the addition was necessary for modern living. Mr. Segraves and Mrs. Blades agreed that the additions were very respectful of the original architect.

MOTION BY MR. HANLEY THAT THE GRANTING OF THE VARIANCE DOES NOT CAUSE A PROBLEM WITH THE HISTORIC NATURE OF THE LANDMARK.

MOTION SECONDED BY MR. SEGRAVES.
MOTION CARRIED, 4-3, WITH MRS. HOFFMAN, MRS. VICTOR, AND MR. EIGELBERGER VOTING AGAINST THE MOTION.

Mr. Smith noted that Mr. Eigelberger had commented that the addition was too big. Mr. Eigelberger responded that it is not too big for the house, but it is "way too big to be so close to the road." He felt there must be a better alternative than massing the building next to Queens Lane. He told Mr. Smith that a model would have helped in his presentation, and that the plans for the entire site have not yet been fully presented.

VI OTHER BUSINESS (continued)

Comments by Mrs. Victor

Mrs. Victor noted her appreciation to Mrs. Delp for earlier distribution of the LPC agenda which allows more time for the members to visit the various sites.

Mrs. Victor asked that a copy of Mr. McDonald's recent speech wherein he expressed his support for the landmark program be distributed to the LPC members.

Mrs. Victor brought in a copy of the *Florida Preservationist* including information that the Town Hall has been added to the National Register.

Mrs. Victor noted that several members will attend the Florida Trust conference.

Mrs. Victor asked the LPC to consider authorizing a seminar to be brought to the Town, by the National Preservation Institute, relative to Historic Property Management and Design Issues.

Comments by Mrs. Day

Mrs. Day stated that the Florida Trust for Historic Preservation meeting will be held in Coral Gables this year from May 19th to May 21st. She had made copies of the application and schedule of workshops for the members. She stated that this is an opportunity for the members to meet and speak with other Florida commission members facing the same types of problems and issues. There are many workshops and tours available for selection.

Comments by Mr. Pandula

Mr. Pandula added that one of the workshops concerns the importance of building codes on historic preservation. He felt this would be an important one to attend.

Mr. Pandula noted that at last month's meeting, the LPC had discussed having a workshop after today's meeting regarding recommendations made as a result of the Four Winds issue. This workshop will not occur today, but will be scheduled in the afternoon of the May meeting.

Mr. Pandula noted that *Architectural Record* magazine, in the last month or two, featured four or five historic preservation projects. He recommended this issue to the members. The examples shown are examples of people thinking "out of the box", and are examples of what the rest of the world is doing.

Mr. Pandula welcomed Mrs. Rubin to service on the Landmarks Preservation Commission.

Mr. Pandula stated that he has a series of slides and photos of the 421 Peruvian Avenue project, and will bring them to the LPC so the members can see what is involved in the construction process relative to this landmark.

Additional Comments

Mrs. Bresnan asked staff if there is money in the budget for the members to attend the preservation meetings. Mr. Moore responded that there is money available, and asked the members to see Mr. Frank relative to this matter.

Mr. Eigelberger asked about the status of the LPC brochure which had been discussed several meetings ago. Mrs. Day responded that she has been unable to work on it because she has been working on a report for the Town Council relative to livability of landmarks, and also has been working on a grant application for the Town Hall renovations. Mr. Moore noted that Mrs. Day's report will be given to the Town Council at the May 10, 2005 meeting, and may be of interest to the LPC members.

V **Adjournment**:

MOTION BY MR. EIGELBERGER TO ADJOURN AT 12:00 P.M.
MOTION SECONDED BY MR. HANLEY.
MOTION CARRIED UNANIMOUSLY.

The next meeting of the Landmarks Preservation Commission will be held on **WEDNESDAY, MAY 18, 2005** at 9:00 a.m. in the Town Council Chambers, Town Hall, 360 South County Road, Palm Beach, Florida.

Respectfully submitted,

Wendy Victor, Secretary

Wendy Victor, Secretary
LANDMARKS PRESERVATION COMMISSION

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TOWN OF PALM BEACH **ATTENDANCE RECORD 2005**
LANDMARKS PRESERVATION COMMISSION

MEMBERS	1/05	2/05	3/05	4/05	5/05	6/05	7/05	8/05	9/05	10/05	11//05	12/05
Eugene Pandula	_P__	_P_	_P_	_P__	____	____	____	____	____	____	____	____
Ann Vanneck	_P___	P_	(n/a-terms expired)									
Ann Blades	_P__	_P_	_P__	P__	____	____	____	____	____	____	____	____
Jack Pyms	_P__	_P_	_E__	(Resigned 3/29/05)								
Judy Hoffman	_P__	_U_	_P__	_P__	____	____	____	____	____	____	____	____
Patrick Segraves	_P__	_P_	_P__	_P__	____	____	____	____	____	____	____	____
Wendy Victor	_P__	_P_	_P__	_P__	____	____	____	____	____	____	____	____
William Lee Hanley Jr.	_P__	_P_	_P__	_P__	____	____	____	____	____	____	____	____
Robert Eigelberger				_P__	____	____	____	___	____	____	____	____

ALTERNATE MEMBERS	1/05	2/05	3/05	4/05	5/54	6/05	7/05	8/05	9/05	10/05	11/05	12/05
Robert T. Eigelberger	_P__	_P_	_P__	(Promoted to regular member)								
Eileen L. (Morris) Bresnan	_P__	_P_	_P__	__P__	____	____	____	____	____	____	____	____
Gail L. Coniglio	_n/a_	_n/a_	_P__	_P___	____	____	____	____	____	____	____	____
Hazel Rubin	_n/a_	_n/a_	_n/a_	__P_	____	____	____	____	____	____	____	____

LEGEND: P=Present. E=Excused, U=Unexcused,A=Absence Pending Classification as "excused" or "unexcused"

TOWN OF PALM BEACH **RECORD OF VOTING CONFLICTS 2005**
LANDMARKS PRESERVATION COMMISSION

MEMBERS	1/05	2/05	3/05	4/05	5/05	6/05	7/05	8/05	9/05	10/05	11/05	12/05
Eugene Pandula	___	VPD1	___	___	___	___	___	___	___	___	___	___
Ann Vanneck	___	___	(n/a- terms expired)									
Ann Blades	___	___	___	___	___	___	___	___	___	___	___	___
Jack Pyms	___	___	(Resigned 3/29/05)									
Judy Hoffman	___	___	___	___	___	___	___	___	___	___	___	___
Patrick Segraves	___	___	___	___	___	___	___	___	___	___	___	___
Wendy Victor	___	___	___	___	___	___	___	___	___	___	___	___
William Lee Hanley Jr.	___	___	___	___	___	___	___	___	___	___	___	___
Robert T. Eigelberger				___	___	___	___	___	___	___	___	___

ALTERNATE MEMBERS	1/05	2/05	3/05	4/05	5/54	6/05	7/05	8/05	9/05	10/05	11/05	12/05
Robert T. Eigelberger	___	___	___	(promoted to regular member)								
Eileen L. (Morris) Bresnan	___	___	___	___	___	___	___	___	___	___	___	___
Gail L. Coniglio	___	___	___	___	___	___	___	___	___	___	___	___
Hazel Rubin	___	___	___	___	___	___	___	___	___	___	___	___

LEGEND:

- V = One Voting Conflict during a meeting
- V2 = Two Voting Conflicts during a meeting
- V3 = Three Voting Conflicts during a meeting
- 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 project. ONLY COUNT ORIGINALDECLARED CONFLICT PER JCR, TOWN ATTORNEY