

TOWN OF PALM BEACH

Building and Zoning Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

9:00 a.m., FRIDAY, APRIL 20, 1990

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

- I. Call to Order: The meeting was called to order at 9:05 a.m. by Chairman James V. Sullivan.
- II. Roll Call:

PRESENT: James V. Sullivan, Chairman
Donald W. Curl, Vice Chairman
Jane Volk, Member
Sally Gingras, Member
Anne G. (Perry) Metzger, Member
William S. Gubelmann, Member
Jacqueline Albarran de Mendoza, Alternate Member
Arthur Silverman, Alternate Member
John C. Randolph, Town Attorney
Robert L. Moore, Director of Planning, Zoning & Building
Timothy M. Frank, Planner/Projects Coordinator

ABSENT: Elise P. Mackintosh, Secretary
Peter Halmos, Alternate Member

RECORDING SECRETARY: Cynthia M. Delp

Let the record show that a court reporter was present for the Designation Hearings for 255 South County Road and 1095 North Ocean Boulevard.

Let the record show that Mr. Sullivan designated Mrs. Albarran de Mendoza to vote in place of Mrs. Mackintosh.

- III. Approval of the Minutes of the March 16, 1990 Meeting:

MOTION BY MRS. VOLK TO APPROVE THE MINUTES AS MAILED.

MOTION SECONDED BY DR. CURL.

MOTION CARRIED UNANIMOUSLY.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

E. Application for Certificate of Appropriateness No. 18-90,
Facade modification

Applicant: 337 Worth Associates Ltd.

Owner: 337 Worth Associates Ltd.

Address: 339 Worth Avenue

Architect: The Lawrence Group

Project Description: Request approval for modification of
previously approved restoration of
original facade and new store front.

Mr. Gene Lawrence, Architect, came before the Commission describing the above changes to the street facade of this portion of Via Mizner, that space which was formerly occupied by David's. The proposal includes new glass storefronts with typical storefront doors (no more than 4 doors); replace the concrete sidewalk with a keystone walk; restore all of the stonework by pressure cleaning and re-glazing; and restore the ceilings. Stonework showing signs of distress will be replaced with materials which will be in keeping with the surrounding stonework. "This", Mr. Lawrence said, "is a pure restoration."

MOTION BY MR. GUBELMANN TO APPROVE THE PROJECT AS
SUBMITTED.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

V. Designation Hearings:

(Please note that Items #1-37 had been deferred from previous hearings.)

Mr. Sullivan: At this point, Ladies and Gentlemen, the regular portion of our monthly meeting is ended, and we are now going into the Designation Hearings. In every instance, the items that we are going to be discussing this morning have been deferred from prior meetings, some as long ago as November of '89. It is normal throughout this process to verify with Mr. Frank that notice of service has been received by the applicant. I'm going to dispense with that this morning because in every case, given that it was a deferral, it has already been confirmed that notice has been served.

ITEM 1: 700 North Lake Way

OWNER: Robert C. & Joyce C. Fisher

LEGAL: 10-43-43, N 200 FT OF TH PT OF SUB G OF
GOV LT 3 LYG S OF MARK RAFALSKY TR & W
OF LAKE WAY

Mr. Sullivan: Item #1 is 700 North Lake Way. It's the property of Mr. and Mrs. Fisher. At this time, I would like to ask any representatives from the Town who intend to testify on this matter please rise for swearing in, as well as any representative of the property owner, anyone who intends to make any comments on this item. Mrs. Delp, will you swear them in please.

Mrs. Delp: Do you swear or affirm that the testimony which you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Sullivan: Could you identify yourself for the record please?

Mr. Parson: My name is Steve Parson with the law firm of Honigman, Miller, Schwartz, & Cohn.

Mr. Sullivan: Thank you very much.

(Let the record show that Timothy Frank, Robert Moore, and James Edward Sved also stood and were sworn)

Mr. Sullivan: Mr. Frank, could we hear the Staff recommendations?

Mr. Frank: Thank you, Mr. Sullivan. 700 North Lake Way is a large British Colonial style house situated on a large piece of property along Lake Worth. Staff believes that under Criteria for Designation, this particular property meets criterion ...

(a) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town; and

(c) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship; and

(d) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

This particular property, before I ask Mr. Sved to give you the details on it, I'd like to mention that we have met with representatives from the owner, and I believe that Mr. Parson might want to add to this. Because of the largeness of the parcel and because the owners were concerned about potential future development of the site, they came to us suggesting a particular description of the property that would include the structures that we feel are worthy of landmarking. We have received a copy of that sealed survey and the legal description

from them, and Staff believes that this includes all of the pertinent structures that the Commission is interested in. In addition, I'd like to read into the record a letter from Mr. Steven Parson that was just recently received just confirming this. It is to the Landmark Commission, Attention myself, and it says "Dear Mr. Frank, In accordance with our telephone conversation yesterday, I enclose herewith two original sealed boundary surveys of the two-story residence and surrounding land owned by Mr. and Mrs. Fisher at 700 North Lake Way. Please limit the property to be landmarked to the legal description reflected on the enclosed boundary surveys and include the two conditions previously agreed to by Skip Randolph as a part of the landmark designation of Mr. and Mrs. Fisher's residence at 700 North Lake Way. Please call me as soon as possible if you have any questions or concerns."

Mr. Sullivan: Mr. Parson, your letter is being made a matter of record as are the surveys and attachments that you included with that.

Mr. Frank: And for the record, I'd like to read in the two conditions that are suggested. Condition #1: The Landmarks Preservation Commission acknowledges that the land and improvements legally described and reflected on the sketch incorporated as a part of the landmark designation for 700 North Lake Way represents all of the property currently being subjected to Landmark status (hereinafter referred to as the "Landmarked Property"). The land owned by Mr. and Mrs. Fisher which lies adjacent to the Landmarked Property is not intended to be included within the landmark designation of 700 North Lake Way, and the Landmarks Preservation Commission will not object to or interfere with a subdivision of all or a part of the lands adjacent to the Landmarked Property provided the subdivision is done in accordance with applicable Town ordinances. Condition 2: In the event that more than fifty (50%) percent of the improvements on the Landmarked Property are destroyed by fire or acts of God, the Landmark status will terminate and the owners of the Landmarked Property would be under no obligation to restore the improvements to its prior exterior appearance." Staff has no problem with these comments.

Mr. Sullivan: Thank you, Mr. Frank. Mr. Sved, could we have the expert witness report?

Mr. Sved: Thank you, Mr. Sullivan. Good morning everyone. I'd like to welcome our two new members that are sitting on the Landmark Commission this morning. As Mr. Frank already stated, the property at 700 North Lake Way was designed in 1938 by the architectural firm of Treanor and Fatio. As you can see on our first set of slides, this is the entrance to this property. The building at 700 North Lake Way is an unusual and creative use of the British Colonial style of architecture. What the architect has done in this case is simply vary the detailing throughout the design injecting some complexity and more character into a

characteristically strange style. As we find more often with Mr. Fatio's buildings than anyone else's, this is an all brick construction and features quoining, you can see on the left slide at all corners of the building. You can also see in that left slide a nice bit of dentil moulding surrounding part of the structure. This building is a U-shaped plan with a private courtyard. This facade...we were unable to get a good photograph of...it is a traditionally symmetrical five bay design, entering the structure through a small pavilion with a pyramidal roof, and the building, this building is located off center on a very large, I think almost a six acre site. If you will refer to your Designation Reports, you will notice that a portion of this property... it looks like almost half of what is considered the property at 700 North Lake Way was grafted from the original Otto Kahn Estate, and corresponds to the Graham Eckes School property across the street from it. This building is beautifully upkept and the walls, as I said, which are made out of brick and are whitewashed and correspondingly so, have a white tile roof on them. It is a beautiful building and is very worthy of landmark consideration.

Mr. Sullivan: Thank you, Mr. Sved. Mr. Parson, would you care to make any comments at this time?

Mr. Parson: None at this time.

MOTION BY DR. CURL THAT THE DESIGNATION REPORT BE MADE A PART OF THE RECORD.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: If there are any comments from anyone; if there is any testimony that would like to be entered into the record concerning this property, this would be the appropriate time to do so.

MOTION BY DR. CURL THAT 700, AND I WANT TO GET THIS RIGHT, NORTH LAKE WAY BE RECOMMENDED TO TOWN COUNCIL FOR DESIGNATION AS A LANDMARK OF THE TOWN OF PALM BEACH, AND THAT THE CRITERIA, AS PRESENTED, BE MADE A PART OF THE RECORD.

MOTION SECONDED BY MRS. VOLK.

Mr. Sullivan: Any comments? Mrs. Perry.

Mrs. Perry: Mr. Frank, if we designate this house as is, and let's say in the future somebody would like to develop this... this is, as I gather, what the present owners are concerned with, then does the back driveway off of Hi-Mount constitute enough of an access to the house, because don't you have to have 100 feet on a public road. Then the only way to get to this house would be in the back driveway. Is that correct?

Mr. Frank: I believe you're correct. The question is a code related question, and there is a certain required access that is needed to property, should subdivision take place. There would have to be a dedicated street, or whatever, to the parcel that is left, and then that would be the public right-of-way.

Mrs. Volk: That was not the original entrance to the house, anyhow, because when Mr. and Mrs. Fisher bought that house, they bought the property south and created that driveway.

Mrs. Perry: Oh, they did. So, that's how they got into the house.

Mrs. Volk: Not originally that wasn't how you got in. They created that. They made it a different approach. They added a... they made it a larger estate in every way, so what we are landmarking is really the original estate. I remember it.

Mrs. Perry: Well, I'm confused. Are you saying that when the house was built, the only way to get to it was from Hi-Mount? There wasn't an access off of North Lake, because I went to it way before the Fishers bought it.

Mrs. Volk: There was an access off North Lake Way. Yes, but it was not through that driveway that you go through now.

Mrs. Perry: How then did you get...

Mrs. Volk: I would have to collect myself, but that's been created lately. I couldn't draw you a map right now, but I remember extremely well.

Mr. Frank: Mr. Chairman...

Mrs. Perry: But I still don't understand. If this were all developed, they'd have to make a road somewhere in this piece of property because the back entrance isn't enough.

Mr. Sullivan: Excuse me. That all comes under Code, and fortunately, we don't have to worry about that. Another Commission will handle that.

Mrs. Perry: O.K.

Mr. Sullivan: Mr. Frank.

Mr. Frank: I just had a question. Does the motion include the conditions?

Mr. Sullivan: Oh, yes.

Mr. Frank: O.K. For the record.

Mr. Sullivan: Yes, because it's included in your report. It's made a part of the record, and in every respect, it is a part of the motion, and is so noted to the recording secretary as such, herewith and forthwith. Any other comments? Hearing none, all those in favor? So moved.

MOTION CARRIED UNANIMOUSLY.

ITEM 2: 172 South Ocean Boulevard
OWNER: Mr. E. Burke Ross Jr.
LEGAL: PRIMA VERA ESTS/OCEAN SEC/LT 5 &
N 64.21 FT OF LT 6

Mr. Sullivan: The second item is the property at 172 South Ocean Boulevard. It is owned by Mr. E. Burke Ross. If there is any representative here who intends to speak on this particular application, if he would stand and be sworn. Could you identify yourself, sir?

Mr. Marshman: Yes, sir. My name is Homer Marshman, and I'm representing Mr. Ross. Gene Beems is also here.

Mr. Sullivan: Could I have that name again please?

Mr. Marshman: Gene Beems is also here. He is heading up the construction project.

Mr. Sullivan: Is Mr. Beems going to make any comments?

Mr. Marshman: Yes, Mr. Beems will probably be making the majority of the comments. I'm really here ...

Mr. Sullivan: Then if both of you will stand and be sworn.
Mrs. Delp.

Mrs. Delp swore in those wishing to testify on this item using the same verbiage as was earlier stated. (Let the record show that Homer Marshman, Gene Beems, Robert Moore, Timothy Frank, and James Edward Sved stood for the oath.)

Mr. Sullivan: Let the record show that Mr. Moore was also standing, and that Mr. Frank, and Mr. Sved, having been sworn will remain so under oath for the rest of the day, at least for the rest of the meeting. I didn't want to stretch the oath. Mr. Frank, could you make your recommendations?

Mr. Frank: Thank you. The name of the property is "La Salona". It is a large oceanfront estate at 172 South Ocean Boulevard. It was designed by Marion Sims Wyeth in 1926. Under Criteria for Designation, Staff believes it meets criterion ...

(a) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town; and

(c) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship; and

(d) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

In this case, it is Marion Sims Wyeth. Wyeth and Fatio biographies have been added to this Designation Report. Mr. Sved.

Mr. Sved: Thank you very much. The building at 172 South Ocean Boulevard is also known as "La Salona", and I hope you don't confuse that with "El Solano" which you just put blue windows in the bathroom. "La Salona" was built in 1926, and I should make one quick correction to the Designation Report. The Designation Report reflects that it was designed by the firm of Wyeth, King & Johnson, when in fact, the proper name of the firm in 1926 was only Wyeth & King. In any case, what Mr. Wyeth and Mr. King designed was an asymmetrical Mediterranean Revival structure. You can see it here on our slides. The entrance, which we see on the first slide on the left, is located on Clarke Avenue rather than along the ocean, and the slide on the right reflects the oceanfront facade. The ocean elevation is designed asymmetrically and is massed in that Mizner tradition that we've seen in so many other houses this year through the designation season. What Mr. Mizner did, and what Mr. Wyeth and also what Mr. Fatio did occasionally, was to design a building to look as if it had been built over the years, and that is why there are several different roof heights, and projections and set backs in these buildings. Mr. Wyeth remains true, in this design, to the Mediterranean traditions of architecture, and what he incorporates, and you can see this best in the right slide and maybe a little better in the next set, or perhaps not, he uses a wood cornice with exposed rafter ends, which interestingly you can't see on these slides, but when Mr. Fatio comes in, in 1929, he adds a one story addition to this property, and everything that Mr. Wyeth had done in wood, Mr. Fatio copies in cast stone and coquina, which is one of the reasons you can...as you can readily notice...you might be able to see a little bit of it on the left hand, on the left portion of the right slide, where Mr. Fatio has taken a cornice that was originally done in wood, and copied it in stone. There are two rather unique elements in this house which I would like to bring to your attention. One is a cast stone balcony off of the master suite. You can see it on the right side, which offers the, which offers magnificent ocean views from the master bedroom. The second interesting feature is a colonnaded courtyard which serves as the major transition between formal and informal living on the first floor. This is an excellent house, and I am quite surprised that it was never designated earlier.

Mr. Sullivan: Thank you, Mr. Sved. Mr. Marshman. Oh, I'm sorry.

MOTION BY DR. CURL THAT THE DESIGNATION REPORT BE MADE A PART OF THE RECORD.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

Mr. Marshman: I just wanted to say on behalf of Mr. Ross, he is very excited about the prospect of designation. He is very willing and excited to work with the Commission. We brought along, of course, Mr. Beems, who can certainly show you every nook and cranny of the property. Any questions you may have, he'd be glad to answer them, and he's just thrilled to work with you. And I think that even before the project was designated, and Tim, you correct me if I'm wrong, but didn't the plans have to be run by you or somebody in your department to make sure that they would comply with the basic parameters of the Landmark Designation.

Mr. Frank: Yes, sir. That's correct.

Mr. Marshman: So, we're just very excited to be a part of it, and if you have any questions, you can certainly direct them.

Mr. Sullivan: Thank you very much, Mr. Marshman, and I hope that you'll take the Commission's gratitude back to Mr. Ross. Mr. Beems, did you want to make any comments.

Mr. Beems: Well, I just wanted to mention...I believe you know that we've been working on this project already for about ten months or better.

Mr. Sullivan: I was going to say the better part of a year.

Mr. Beems: And, in case you wanted to know what we were doing to make sure that we haven't changed anything, I've got photographs, and I've got prints. It depends what time you want to spend on it.

Mr. Sullivan: You're very kind. I think that all of us, as we go by it almost daily, have been kind of giving it a visual once over, and we are very pleased that someone is taken this care of it.

Mr. Beems: I'd like to show you just one thing so you would know, and I have a photograph. It's the one area...we've tried very hard to make sure that everything we were doing stays with the existing architecture of the house. If you'll notice, on the roof...we put a roof on there, and if you'll notice on the roof, what we've done...the tile on the top part, the top core

is all hand-made tile, and the bottom part which you don't see, is a machine-made tile. On an old building like this, if you use a machine-made tile, on the part that you see, it never looks right. So, we went to a lot of expense, and we had to get this tile out of South America just to maintain the original architecture of the building. And we're doing the same when we're replacing the windows...the windows...we used all the same profile and all the same stickle strip. We're not changing the windows. We do have some other projects that I'll have to come before the Board next month when we decide what we'll be doing with them.

Mr. Sullivan: Let me assure you it will be a pleasure to discuss them with you. Thank you very much.

MOTION BY DR. CURL THAT 172 SOUTH OCEAN BOULEVARD BE RECOMMENDED TO TOWN COUNCIL FOR DESIGNATION AS A LANDMARK OF THE TOWN OF PALM BEACH, AND THAT THE CRITERIA, AS PRESENTED, BE MADE A PART OF THE RECORD.

MOTION SECONDED BY MRS. GINGRAS.

Mr. Sullivan: Any comments on the designation?

Mr. Gubelmann: The only comment I can make is that all of our proposed designations would agree with the same enthusiasm as this gentlemen.

Mr. Sullivan: I think we all second that. Any additional comments?

MOTION CARRIED UNANIMOUSLY.

ITEM 3: 255 South County Road

OWNER: First National Bank in Palm Beach
LEGAL: PL OF EAST PLAZA LT 1 & LT 12; REV PL
OF COLUMBUS COLONADE LTS 1 TO 3 INC; &
LOT 22 BLK B ROYAL PARK ADD

Mr. Sullivan: The next item is the property at 255 South County Road, First National Bank in Palm Beach. This has been deferred and I guess that if it's alright with Staff, I'll make the comments here, inasmuch as I've been engaged over the past six weeks with Mr. Walker and his representatives, and we are moving forward to a conclusion which will be mutually agreeable to all parties, but there are a number of items that are unresolved and additional people who must be dealt with, and I'm going to ask the Commission's forbearance, and a request to defer any further consideration of this item until the Commission's November meeting.

MOTION BY MR. GUBELMANN THAT LANDMARKING CONSIDERATION OF 255 SOUTH COUNTY ROAD BE DEFERRED TO THE NOVEMBER MEETING, WITH THE PROVISIO THAT THE OWNER RECOGNIZES HE IS WAIVING HIS RIGHT BY

ORDINANCE REQUIRING THE COMMISSION TO ACT WITHIN 30 DAYS.

MOTION SECONDED BY DR. CURL.

Mr. Sullivan: Any comments, questions, or discussion on the motion to defer?

Mr. Gubelmann: One comment I would like to make. I believe that First National Bank in Palm Beach is no longer called the First National Bank. It's called the First National in Palm Beach, a division of Southeast Bank. We might correct our records.

Mr. Sullivan: You are exactly correct. Any further comments?

MOTION CARRIED UNANIMOUSLY.

ITEM 4: 1095 North Ocean Boulevard

OWNER: Mrs. Rose F. Kennedy

LEGAL: 2/3-43-43, S 200 FT OF N 440 FT OF GOV
LT 1 SEC 2 & PAR W OF & ADJ THERETO
BEING S 176 FT OF GOV LT 3 & N 24 FT OF
GOV LT 4 IN SEC 3 E OF OCEAN BLVD

Mr. Sullivan: The next item is 1095 North Ocean Boulevard, the property owned by Mrs. Rose Kennedy. If there are any representatives who are here and care to speak at this point, will they please rise and identify themselves please. Could you identify yourselves please? Ms. Betsy Burden.

Ms. Burden: I'm an attorney from Gunster, Yoakley.

Mr. Shopsin: William C. Shopsin, AIA.

Mr. Sullivan: William C. Could you spell your last name?

Mr. Shopsin: S-H-O-P-S-I-N.

Mr. Sullivan: S-H-O-P-S-I-N, AIA. Thank you very much.

Mrs. Delp swore in Ms. Burden and Mr. Shopsin using the same verbiage as was earlier stated.

Mr. Sullivan: Mr. Frank.

Mr. Frank: Thank you. The property located at 1095 North Ocean Boulevard is a large Mediterranean Revival mansion best known as the "Winter White House" for President John F. Kennedy. Under Criteria for Designation, Staff believes that it meets criteria...

(a) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town; and

(b) Is identified with historic personages or with important events in national, state or local history.

The architects, as we noted before, are Addison Mizner and Maurice Fatio, and I'd like Mr. Sved to continue the presentation.

Mr. Sved: Thank you. The property at 1095 North Ocean Boulevard was designed, as Mr. Frank said, around 1925 by Addison Mizner. What we see in front of us here on the slide is wildly different from that which Mr. Mizner designed, and which was originally known as "La Guerida". This property was originally built for Rodman Wanamaker...

Dr. Curl: Rodman.

Mr. Sved: Rodman Wanamaker II, and as such is reflective of the department stores that the Wanamaker family ran, still run, up in Philadelphia. The only other owner, to date, of this property has been Mr. and Mrs. Joseph P. Kennedy. While I understand that this is already part of the record, I'd like to read in front of you all today a passage from the Designation Report, and it begins: "The house was originally built in 1925 for Rodman Wanamaker, owner of Philadelphia's famed Wanamaker Department Stores. Mizner placed a markedly Italian vernacular emphasis on his trademark Mediterranean Revival style. Thus, the building is reminiscent of the simple, unadorned stucco structures that dot the Italian landscape, yet it does not, except for its sheer size and site, exemplify the ornate detail of craftsmanship that graces similar estates in Palm Beach." When this was written, it was intended to heighten the awareness, the interest, and the simple beauty of the, how shall I put it, of the simple, the common, or more commonly known as the vernacular Italian architecture which is all across the Mediterranean and which is...was never really considered as an important piece of architecture by today's standards. It was widely used as precedent by the early Renaissance architects, however, it seems to have lost something along the way. Only recently, I'd say within the last five or six years, has there been considerable interest in the history of architecture, and in architectural study and research in these original Mediterranean houses. These slides, I might add, were done, were taken many years ago. We weren't able to procure new slides to give you any new insight into the house. The study of architectural history is very much like the study of archaeology inasmuch as the archaeologist finds bits and pieces along the way, and as such, eventually, he takes all of his artifacts and formulates a new theorem on the history and background of his study. In architectural history, this works very much the same way. What happens there is that the type of architecture may be known or may be in the forefront or may be something very popular, however, it doesn't really warrant study until it suffers (indiscernible), and someone finally puts the

pieces together. This is the case with these simple vernacular buildings. Elements of simple vernacular Italian architecture which we see here are very simple unadorned stucco walls. On the left, is a fine example of what I'm going to talk about next which is rather than have an ornate cornice or a surround to the windows, they simply punctured into the facade interrupting the stucco. The use of barrel tile ... we now consider a very beautiful roofing material, however, it was just about the only thing and very common in the original vernacular structures. I'd also like to make note of a passage in the original 1979 Designation Report of this property. They called this property "a Spanish Colonial Revival house" which it really is not. The original facade is a Mizner structure. It may have been that concurrent with the Spanish Colonial design, however, what was finally completed, and especially after the additions of Mr. Fatio, this is no longer reflected. I can't stress again the importance of this structure as a historical landmark, not related to its architectural design. This building is, the Wanamakers notwithstanding, most closely associated with the Kennedy family, and we all know the success and the admiration of this family. This house, based on the Designation Report...the Designation Report reflects that this house is to be considered under criteria of historical significance rather than that of architectural merit. I'd like to remind you that this does not mean that this is poor architecture or design, however, the most outstanding bit of information about the structure is not with which it's associated. Thank you.

Mr. Sullivan: Thank you Mr. Sved. At this point, it would be appropriate to have a motion to accept the Designation Report. Is there a motion to accept the Designation Report? Hearing none, is there any motion on this property, and this designation? Is there any motion at all that anyone would like to make on this Commission for this particular property? Hearing none, there is no action.

ITEM 5: 300 El Brillo Way

OWNER: R. D. Huntington

LEGAL: RESUB OF LOTS 30 & 31 EL BRAVO PARK
LTS A, B & C

Mr. Sullivan: Item #5 is 300 El Brillo Way. The owner of the property is Mr. R.D. Huntington. I believe, Mr. Frank, that there has been a request for a deferral. Could you advise us on that?

Mr. Frank: Originally, there was a request for a deferral to this month's meeting, and yesterday, I met Mr. Gus Broberg, who requested a further deferral of this item. Essentially, other than the verbal request, we have no recent requests in writing, nor do we have any objections to the house being designated.

Mr. Sullivan: Could you give us some advise as to the progress that we're making? Are we involved in negotiations?

Mr. Frank: Essentially, I guess you could say yes. We are involved in negotiations, because Mr. Broberg explains that the owner of the house is an elderly gentleman who is in failing health, and essentially, it is not appropriate at this time to discuss this with the gentleman. Apparently, the heirs in the family, and the other persons who are effectively involved in this have no objection to landmarking. There seems to be a great deal of favor, however, they feel that the present owner is incapacitated at this time, and I understand the request from Mr. Broberg, it's for deferral for that reason.

Mr. Sullivan: Thank you very much. A motion for deferral is probably in order.

MOTION BY MR. GUBELMANN THAT LANDMARKING CONSIDERATION OF 300 EL BRILLO WAY BE DEFERRED TO THE NOVEMBER MEETING, WITH THE PROVISIO THAT THE OWNER RECOGNIZES HE IS WAIVING HIS RIGHT BY ORDINANCE REQUIRING THE COMMISSION TO ACT WITHIN 30 DAYS.

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: At this point, I think that we should probably take a short recess for ten minutes. We will re-convene at 10:40 a.m., and the subject matter will be the Town Hall Historic District.

Let the record show that the meeting re-convened at 10:45 a.m.

(Please note that Items #6-37 represent properties included in the Town Hall Square Historic District)

Item 6: 346-354 South County Road
OWNER: Bustani Building Ltd.
LEGAL: ROYAL PARK ADD, LTS 11 TO 17 INC BLK 7

ITEM 7: 356 South County Road
OWNER: Preservation Foundation of Palm Beach Inc.
LEGAL: ROYAL PARK ADD, LTS 18 TO 20 INC BLK 7

ITEM 8: Lot-Corner of Australian Avenue & South County Road
OWNER: Town of Palm Beach
LEGAL: ROYAL PARK ADD, LTS 1,2,3,4 & N 100 FT OF
W 25 FT OF LT 52 BLK 8

ITEM 9: 359 South County Road
OWNER: Shirley Saleeby
LEGAL: ROYAL PARK ADD, LT 5 BLK 8

ITEM 10: 361-363 South County Road
OWNER: M. L. Brummel
LEGAL: ROYAL PARK ADD, LTS 6 & 7 BLK 8

- ITEM 11: 365 South County Road
OWNER: G. J. Hannon
LEGAL: ROYAL PARK ADD, LTS 8 TO 10 INC BLK 8
- ITEM 12: 375-381 South County Road
OWNER: Three Seventy Five South County Assoc.
LEGAL: ROYAL PARK ADD, LTS 1 TO 4 INC (LESS RD R/W) BLK 9
- ITEM 13: 381 South County Road
OWNER: Three Seventy Five South County Assoc.
LEGAL: ROYAL PARK ADD, W 22 FT OF LT 66 & LTS 67 TO 69 INC BLK 9
- ITEM 14: 374-378 South County Road
OWNER: Rector Wardens & Vestry of Church of Bethesda-By-the-Sea
LEGAL: ROYAL PARK ADD, LTS 24 TO 27 INC BLK 10
- ITEM 15: 380 South County Road
OWNER: Dean Vegosen TR c/o Coral Springs Commercial Ctr.
LEGAL: ROYAL PARK ADD, LTS 28 TO 31 INC BLK 10
- ITEM 16: 400 South County Road
OWNER: Worth Avenue Associates Ltd. c/o The Goodman Company
LEGAL: ROYAL PARK ADD, LTS 22 TO 27 INC BLK 15
- ITEM 17: 201 Worth Avenue
OWNER: IFP (Nevada) Inc. c/o Grosvenor International Atlantic
LEGAL: ROYAL PARK ADD, LTS 28 TO 33 INC BLK 15
- ITEM 18: 401 South County Road
OWNER: H-A Assoc. c/o Love Mgmt. Corp.
LEGAL: ROYAL PARK ADD, LTS 1 TO 8 INC BLK 16
- ITEM 19: 411-417 South County Road
OWNER: H-A Assoc. c/o Love Mgmt. Corp.
LEGAL: ROYAL PARK ADD, LTS 60 TO 62 INC & LTS 63 TO 69 INC (LESS GALLERY PLACE CONDO) BLK 16
- ITEM 20: 360 South County Road
OWNER: Town of Palm Beach
LEGAL: ROYAL PARK ADD, UNNUMBERED PARCEL IN SOUTH COUNTY RD LYG BET BLKS 7 & 8
- ITEM 21: 360 South County Road-Memorial Fountain
OWNER: Town of Palm Beach
LEGAL: ROYAL PARK ADD, UNNUMBERED PARCEL IN SOUTH COUNTY RD LYG BET BLKS G & H OF ROYAL PARK ADD, AS IN PB4P1

ITEM 22: 304-308 South County Road

OWNER: Smith & Yetter Inc.

LEGAL: ROYAL PARK ADD, W 7 FT OF S 112.5 FT OF LT 7, N 67.5 FT OF LT 7, W 7 FT OF S 55.88 FT OF LT 35 & S 75 FT OF LT 36/LESS E 16.7 FT OF N 19.12 FT/IN DB747P564 BLK E

ITEM 23: 310-316 South County Road

OWNER: Thirty-Sixty South Ocean Inc.

LEGAL: ROYAL PARK ADD, S 112.5 FT OF LT 7/LESS W 7 FT/BLK E

ITEM 24: 288-294 South County Road

OWNER: Thomas Campaniello c/o Campaniello Imports Ltd.

LEGAL: ROYAL PARK ADD, N 125 FT OF LT 35 & E 13 FT OF N 125 FT OF LT 36 BLK E

ITEM 25: 296-302 South County Road

OWNER: Milton Feldman

LEGAL: ROYAL PARK ADD, S 75 FT OF LT 35/LESS E 5 FT & W 7 FT OF S 55.88 FT/ & E 16.7 FT OF N 19.12 FT OF S 75 FT OF LT 36 IN DB747P387 BLK E

ITEM 26: 305 South County Road

OWNER: City Federal Savings

LEGAL: ROYAL PARK ADD, N 112.5 FT OF LT 8 BLK F

ITEM 27: 311-315 South County Road

OWNER: Margrit Bessenroth

LEGAL: ROYAL PARK ADD, S 67.5 FT OF LT 8 BLK F

ITEM 28: 293 South County Road

OWNER: Home Fed Sav & Loan Assn of PB c/o City Fed-T. Stolting

LEGAL: ROYAL PARK ADD, LT 34, BLK F

ITEM 29: 340 South County Road

OWNER: BP Oil Inc.

LEGAL: ROYAL PARK ADD, E 129.2 FT OF LTS 1 TO 3 INC & LTS 4 & 5 BLK G

ITEM 30: 336 South County Road

OWNER: Lillian M. Rousseau

LEGAL: ROYAL PARK ADD, LTS 28 & 29 BLK G

ITEM 31: 332 South County Road

OWNER: Eleonore F. Roddy

LEGAL: ROYAL PARK ADD, LTS 30 & 31 BLK G

- ITEM 32: 204 Brazilian Avenue
OWNER: Brazilian Realty Co. Ltd.
LEGAL: ROYAL PARK ADD, LT 32 BLK G
- ITEM 33: 331 South County Road
OWNER: Mero Susnar
LEGAL: ROYAL PARK ADD, LTS 29 TO 32 INC & NLY 9.95
FT OF LT 33 BLK H
- ITEM 34: 333 South County Road
OWNER: Mero Susnar
LEGAL: ROYAL PARK ADD, SLY 15.05 FT OF LT 33, LT
34 & NLY 5.6 FT OF LT 35 BLK H
- ITEM 35: 345 South County Road
OWNER: Town of Palm Beach
LEGAL: ROYAL PARK ADD, S 15.6 FT OF LT 35 & LTS 36
TO 40 INC BLK H
- ITEM 36: 175 Worth Avenue-Gallery Place Condo
OWNERS: Wally Findlay Galleries International -
Unit A&B
H-A Assoc. c/o Love Management - Unit C
LEGAL: GALLERY PLACE CONDO DECL FILED 10-1-79,
50-43-43-26-14
- ITEM 37: 215 Brazilian Avenue - Plaza Hotel
OWNER: Bank of Palm Beach & Trust Co Tr
LEGAL: ROYAL PARK ADD, LOT 5 & LOT 6 (LESS E 15
FT) BLK E

Mr. Sullivan: The meeting will now be called to order. Alright, ladies and gentlemen, the next item on the agenda is listed as a large number of properties, 30 or 31 in total, collectively referred to as Town Hall Square Historic District. Mr. Frank, given that all the property owners have received notice by virtue of the fact that this is a deferral, could we have your report.

Mr. Frank: Thank you. Do you want to swear in the witnesses?

Mr. Sullivan: Oh, yes. That's a good point. This is a little unusual. We don't have multiple designees very often, so in an effort to do a little bit of order, I'm going to ask if all the people who intend to speak on the District designation proposal would rise at this time. I'm going to go from my left to my right and ask you to identify yourself. The gentlemen in the rear.

Mr. Ciklin: My name is Alan Ciklin. I'm a lawyer and I'm representing BP Oil, the Gulf Station.

Mr. Sullivan: Thank you. Mr. Ciklin representing BP Oil.

Mr. Chopin: Yes, my name is Frank Chopin, and I represent the Preservation Foundation.

Mr. Sullivan: Frank Chopin, representing the Preservation Foundation. Thank you.

Mr. Miller: My name is Robert Miller, and I represent the South County Road Royal Palm Way Association, and I also represent the owner of the Palm Way Building.

Mr. Sullivan: Thank you, Mr. Miller, representing the owner of the Palm Way Building and the South County Road Palm Way Association.

Ms. Fuller: My name is Elisa Fuller. I represent Thirty-Sixty South Ocean, the owner of the 310-316 property, and also Worth Associates Limited, the owner of 400 South County.

Mr. Sullivan: Thank you, Miss Fuller. If you all would, oh, yes, sir.

Mr. Griffin: I am Carl Griffin, and I represent Smith & Yetter Corporation.

Mr. Sullivan: Excuse me, you're representing...

Mr. Griffin: Smith & Yetter Corporation.

Mr. Sullivan: Yes, thank you very much.

Mr. Randolph: For the record and for the future, attorneys are not required under the law to be sworn in. It's those who are going to testify to the facts. I don't know if that means that attorneys don't lie or what.

Mr. Moore: A very self-serving statement.

Mr. Randolph: You can do whatever you want.

Mr. Sullivan: May I tell you I would love to see them raise their hands.

Mr. Gubelmann: Even though it's a bit redundant.

Mr. Sullivan: For the record also, Ms. Roddy has just arrived, and I believe that she will also probably want to say something in testimony. If I could have all of the non-attorneys and any attorney who is forthright enough to swear, please stand up and the secretary will take the oath.

Mrs. Delp swore in Mr. Chopin, Mr. Miller, Ms. Fuller, Mr. Griffin, and Ms. Roddy using the same verbiage as was earlier stated. Let the record show the Mr. Ciklin declined to stand and be sworn.

Mr. Sullivan: Thank you all very much. Alright, Mr. Frank, now can we hear your report?

Mr. Frank: Thank you, Mr. Chairman. I believe we all at least recognize what we believe is in the Town Hall Square District, and there is an accompanying Designation Report and a map. I think before I get into Criteria for Designation and those things that we like to hear time and time again, I'd like to point out that the listed items, that is the properties that are involved in this district, has one incorrect item; and that is, if you'll refer to Item #37, which is 215 Brazilian Avenue, Plaza Hotel. This particular property is not included in the map, nor is it included in the legal description which we are advancing for possible designation, and although it has been advertised, originally that area was studied. We are not recommending that it be included in the District, so if you would please scratch Item #37. Under Criteria for Designation, we believe that the Town Hall Square meets the following criteria...

(a) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county, or town; and

(c) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship; and

(d) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age;

and also, new, we don't hear this one very often. We believe it also meets criterion...

(e) Constitutes a unique area of architecture, landscaping and planning.

Mr. Sved, could you comment further please?

Mr. Sullivan: Jim, before you do, thank you, Tim. I'd like to just note for the record, we should recognize that Item #37 identified as 215 Brazilian Avenue is not included in the District consideration any longer.

Mr. Sved: Thank you very much. A lot of stuff to talk about in this District, and I hope you're all ready for a really nice slide show. First things first, there was an article that appeared in the Palm Beach Post yesterday, and by my count, the numbers were a little bit off, and I'd like to correct those. The article read, "Of the 32 properties, four are landmarks, two properties are considered potential landmarks, and the

remaining 26 properties are considered non-conforming structures that would be included in the Historical District, but do not meet criteria for landmark status. In reality, and this is according to the Designation Report itself, there are twelve properties which are conforming and eligible for local designation. There are seven properties conforming and not eligible for local designation on their own merit, and there are only nine non-conforming structures within the entire district. The second thing I'd like to do is make two, I think it's four actually, minor changes or corrections to the Designation Report. These all have to do with the site files in the back of the report. On the 5th page of the site files; this is 310-316 South County Road. I spent some time with the attorney for this one, and first things first, despite the archival evidence that we have in the Town of Palm Beach Building Department records and archives, physical evidence dictates that all three structures were constructed between 1946 and 1951, and that the 1929 structures which were originally constructed by Henry S. Harvey, who was the architect of the building we are standing in right now, were probably demolished rather than incorporated into those original buildings. The attorney also asked me to reflect the fact that the Vivien's store and Hamburger Heaven are in one structure which wraps around the corner of Brazilian Avenue. That building was indeed built in 1951. And finally, on this page, the third architect is listed as Ray P. Lockman. That should read Ray Plockelman...P-L-O-C-K-E-L-M-A-N. On the ninth page of the site files, there is the large building a block south of here. A very nice building. The architect is listed as John Gosman.

Mr. Sullivan: What is the address?

Mr. Sved: Oh, it's 375-381 South County Road. John Gosman is listed as the architect. His office is in this building, but he is not the architect of the structure. Mr. Lawrence, who is smiling at me over there, is actually the architect of this building, a very nice building I might add too. On Page 17 of the Site Files, this is the Church Mouse Building, 374-378 South County Road. According to Mrs. Volk's records of her late husband, he was, in fact, the architect, the original architect, of the structure.

Mrs. Volk: It was Charles Trevail, the builder's (indiscernible), and my husband signed it for Charles Trevail.

Mr. Sved: Thank you very much, Mrs. Volk. And finally, we have one more....

Mr. Frank: On this page, too, I believe the street address should be corrected to be 374-378, not 278.

Mr. Sved: Thank you, Mr. Frank. Page 21 of the Site Files, 331-333 South County Road, the Scotti Liquor and Post Office Building with Club L on the corner. We have some conflicting

information information on this. The Town records reflect that Mr. Seelman was the architect in 1950. Mrs. Volk's records of her husband reflect that in 1953, her husband, indeed, was the architect of the structures. I haven't been able to go back and verify Mrs. Volk's request, but I wouldn't be surprised if her records are correct. She, I believe, has the drawings and the plans and everything.

Mrs. Volk: Done for James Scotti in 1953. Commission Number and all. I have all the drawings.

Mr. Sved: I'm sure that Mrs. Volk's records are correct. O.K. I'd like to explain the sequence, as we have such a large number of slides here, real quickly. First, I will talk a little bit about the original Town Hall Plaza which was reflected in the 1930 Garden Club of Palm Beach Plan, and incorporates both Town Hall and Memorial Fountain and the grassy area to the south. I'll then talk about the blocks to the north of the Town Hall, the original plaza, and finally, I'll talk about the buildings south of the original plaza, going down toward Worth Avenue. The Town Hall Square District originally arose as an idea around 1930 with the Garden Club of Palm Beach Plan for the Town of Palm Beach. At that time, they had already been pre-existing the Town Hall, which was in two parts and was eventually put into one large building, and in 1929, the Memorial Fountain, by Addison Mizner, was added. What the Garden Club proposed was a central focus for the Town of Palm Beach incorporating these two elements and surrounding them with significant and beautiful structures. You're all familiar with the overwhelming renovation that has gone on with this building, and the beautification of the Town of Palm Beach Town Hall, in the last few years. I've got some slides here, but (tape change) Just to the north of the Palm Beach Town Hall is the Memorial Fountain which was renovated in 1973, but is hopefully to undergo some renovation in the next couple of years. We'd like to see it return to its original beauty and function. It was designed in 1929 at the request of the Town of Palm Beach with services donated by Addison Mizner, and it was originally presented to be a memorial to the founding fathers of Palm Beach. It has subsequently become a memorial for war veterans and local people who have served in the armed forces. The fountain, itself, is based on this large reflecting pool and at the head of the pool is this beautiful cast stone fountain. However, it is the adjoining structures which really make the District. The pictures you see here are the relatively new Town of Palm Beach Police Station which is done in a relatively modern, yet nevertheless Mediterranean Revival style and appeal. This is correspondingly right around the area of the fountain. Also on this block is the Scotti Liquor Building which was designed by Mr. Volk and incorporates relatively low and unobtrusive designs for this area which gives credence to the fountain still being the main focal point of the area. On the other side of the fountain, we have a national landmark. That is the Old Daily News Building which is now used as offices. It is not only a

national landmark, but a local landmark as well. Next door to the Old Daily News Building is the Roddy Building designed by Maurice Fatio. The Roddy Building was designed during Fatio's modern period and is a beautiful Art Deco structure, one of his two most beautiful, the other being the Reef which was designed on the ocean. It is rather unique in design for this area...I think as much as most of the buildings in this district are in the Mediterranean Revival style. However, this is certainly an excellent example of this style by the architect. Non-contributing buildings on the block include the Palm Beach Gulf Station and this, on the left you see a building which is owned by Florida National Bank. These buildings, the building on the left has been renovated extensively as you can see. These are considered non-contributing or non-conforming buildings, yet they are integral to the overall feel of the District. Surrounding Town Hall we have another local landmark. This one is very much eligible for national designation. This is the Buckley Building, which is just to our right here. Actually, I'm going to go back for a second. The Buckley Building incorporates one of the only, or just about the only entrance we know of still from the 1929 Garden Club Plan which is this covered walkway which provided shade and a place to get out of the sunshine, yet still do your shopping and have an enjoyable time on the streets of Palm Beach. The original plan called for the entire area to be surrounded with buildings like this, however, they never got completed. Other buildings on that side of the street, on the right is the building known as Via Rosa which was built in the 1940's, and on the left, you'd never know it by what is standing there now, but underneath all that stucco and all those tiles is a wood frame building from the early 1920's. On the other side of Town Hall, and you can see these right out the window, on the right is the Bustani Building which had undergone considerable renovation in the past year or year-and-a-half. On the left is the Earl E.T. Smith Park by the Preservation Foundation. Inside the park, and I think we all remember when this used to be a gas station. It's a very nicely done park, and inside the park is a renovated structure which is now housing the Preservation Foundation offices. The north part of the District is one that I consider to have integral and most significance to this District. This area at the corner of South County Road and Royal Palm Way is the major entrance into the Town Hall Square Historic District, and as such, should be protected just as much as the other beautiful structures. The building you see here is the Palm Way Building designed by Addison Mizner in 1924. It corresponds to a building across Royal Palm Way to the north which was also designed by Mizner which is already a local historic monument. During the 1950's especially and early into the 60's, this was a very popular place for shopping for the local Residents, especially during the season, when they just couldn't get on the Avenue, on Worth Avenue. There were just too many people there. They did most of their shopping and daily needs in this district here. As you can see, these buildings have been designed and renovated over the years. Certainly, facades have been put up

and have been taken down, yet the character of this pedestrian district remains the same. On the other side of this street is another large bank, City Federal Savings. I don't think very many people know that there's this very nice walk on the side of it. And down the street from that is a long strip of relatively modern stores. This brick structure, which was designed by John Volk as an addition to the large Tudor building. The large Tudor building was built in 1925, and was a very popular style of the era. To the south of the Town Hall building are several non-contributing, we can also call them non-conforming buildings. The one on the left is the Church Mouse by John Volk, and the building on the right is...I think it's the Great Western Bank structure built approximately five years ago. South of that building is 400 South County Road by the architectural firm of Wyeth, King & Johnson. At the end of that block is the Armour Building which wraps around to the corner of Worth Avenue. The Armour Building is, in fact, several historic buildings put together with one contiguous skin which was built approximately 1950-1955. On the other side of this street, we have Mr. Lawrence's very nice Mediterranean structure which houses John Gosman's offices, Martha Gottfried's office, and Charles Schwab and Pastry Heaven. And working our way down the street are several buildings by, also by Wyeth, King & Johnson. The Merrill Lynch Building, Florida National Bank Building, and on the corner the building which is listed as Gem. I believe it's Jewelmaster. This is part of the Wally Findlay Galleries composition which wraps around the corner of the street. I have spoken with Mr. Michael Zimny about the Florida Main Street Program. There is a possibility of incorporating a Main Street Historic Program into this area. What this would do is promote beautification and growth and economic revitalization to an area. It is not only a national program, but a program that the State offers money for. If accepted as a Florida Main Street City, the Town of Palm Beach, and specifically, this Historic District would be given a \$ 10,000 start up fee for this local beautification committee. Additionally, they would be afforded three years of onsite technical assistance provided by the State. This would include renovations, restorations, beautification, historic paint colors, etc. This is all, if accepted as a Florida Main Street, and I should stress that this is, before making the application; it's something very different from this Historic District, but it's something that works in conjunction with it, and Florida Main Street cities, or Florida Main Street programs I should say, are only afforded to Historic Districts. To wrap up and sum up this Historic District, I believe that it is very pertinent that this District run from Worth Avenue all the way to Royal Palm Way inasmuch as the Historic District needs an entrance and an exit. Most people drive up Royal Palm Way, make a right turn onto South County Road, and they come through all four blocks of the Town Hall Square District before they turn onto Worth Avenue. I think this area is a beautiful area, and it has been fine-tuned by many architects over the years, but yet still retains its pedestrian feel and its original function. It is very worthy of

District designation, and that's about all I have on this.
Thank you.

Mr. Sullivan: Thank you, Mr. Sved. Yes, Dr. Curl would like to make a couple of additions.

Dr. Curl: I feel I need to do this because one of them is my fault, and I wish that I had noticed this before. The Palm Way Building probably isn't Addison Mizner. In going through the inventory of plans that the Historical Society recently received, I saw where I made my mistake. They were inventoried and inventoried as the Palm Way Building, and I had never seen it, and just assumed it was Mizner's building. It turns out that what was really meant was the so-called Singer building on Royal Palm Way, and that's what the plans were for. I suspect it's a Harvey and Clarke, and that's very definitely a Harvey and Clarke just to the north of it. (Indiscernible) The other thing is the so-called (indiscernible) Building, the Tudor building at the end of the plaza, is a Clarke Lawrence building, the same man who did the North Fire Station so very much in tune with Palm Beach at this time.

Mr. Sullivan: Thank you, Dr. Curl. At this point, with all of the corrections that have been indicated, noted, and made a part of the Designation Report, an acceptance of the Designation Report would be in order.

MOTION BY DR. CURL THAT THE DESIGNATION REPORT BE MADE A PART OF THE RECORD.

MOTION SECONDED BY MR. GUBELMANN.

Mr. Sullivan: Any comments on the acceptance of the Designation Report itself? Hearing none...

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: At this point, we typically open up the floor for any comments from any and all people who would like to make statements relative to this designation. If I could, I'd like to take this opportunity to make a short statement of my own. Over the last four to six weeks, I have spoken to certainly the majority of the property owners or their representatives, and I think that just about everyone who is here today, at one time or another, has heard my voice, either at the other end of the telephone line or in person; and a number of them have also received letters from me on this matter. The content of what I wanted to say was to establish the dichotomy, if you will, within a Historical District between those buildings which are considered in the pantheon of preservation as contributing, and those buildings which are considered non-contributing. A loose definition of a contributing building in a historic district is one which on its own, can stand alone and would probably merit designation as a local landmark. And a non-contributory

building is just about anything else. The practical impact of that difference is important for non-contributing property owners and their representatives to understand. In Palm Beach, as probably everybody is aware, virtually any change up to and including demolition of any property in this Town has to go before one of two Commissions, either the Architectural Commission or the Landmarks Commission. If this Historic District Designation is approved by Town Council, the supervision, if you will, for any changes would shift from the Architectural Commission to the Landmark Commission for all buildings. But, for any non-contributory building, an application for any kind of a change that would be, that would have to be made anyway, would come before this Commission, but this Commission would view it under the same essential criteria as the Architectural Commission does. That's a very long way of saying that for non-contributory buildings, the practical impact of this designation is of little to no difference or importance at all. I think I had promised a couple of people that I would read that into the record, and so, I have done so. I do have some people who want to correct my non-legal verbiage, and I would therefore recognize our legal counsel.

Mr. Randolph: Generally, in Landmark Districts, indeed, non-contributing buildings and contributing buildings are recognized as being separate and being treated separately. I would like to point out, however, that there is nothing in our Ordinance that makes such a distinction. I think, perhaps, if this Commission wants to make it a part of the record that non-contributing buildings will be treated separately from contributing buildings, perhaps make that statement. However, the Ordinance, itself, specifically defines the way all buildings within that Historic District shall be treated, and I'd like to read that definition of a Historic District which means, "A Historic District means an area identified by the Commission which contains one or more landmarks or landmark sites as well as those abutting sites which the Commission determines should fall under the provisions of this section to assure that their appearance and development is harmonious with such landmarks and landmark sites." I don't know that I'm saying anything really different than what the Chairman said because when the Architectural Commission makes a determination in regard to buildings, one of the main criteria that it determines is whether or not the architectural style is harmonious with the neighborhood. So the record is clear that we have to follow the definition that is in the Code, and that would mean that anything which is considered a non-contributing building within a landmark district would be considered by this Commission, and the criteria which would be applied would be whether or not their appearance and development is harmonious with the district. So, I don't know that that's that much different than what you said, but I wanted to make clear that that's the way the Ordinance addresses it.

Mr. Sullivan: It's pretty much what I said, but it always sounds better when it comes from you. O.K. Did you want to say

anything, Tim?

Mr. Frank: No.

Mr. Sullivan: At this point now, we will open it up to any and all comments. Your name, sir?

Mr. Chopin: I'm Frank Chopin. I'm a Trustee of the Preservation Foundation. We're often confused with this body. We always get the bad press that comes from you folks, and you get all of our good publicity. We blame you for everything that happens that's bad, and take all of the credit for the good things that you do.

Mr. Sullivan: Let Mr. Chopin be aware of the fact that we consider ourselves blessed by the lack of distinction between our two groups.

Mr. Chopin: Yes, we take some of the heat, but that's very nice of you, Mr. Sullivan. This is an unusual sort of thing because in this instance, we're a property owner. We're not here appearing as an interested civic organization, charitable organization. We actually own the Earl E.T. Smith Park as well as a facade easement on the Old Daily News Building. It's interesting to hear your comments, and to hear the distinction between contributing and non-contributing buildings. We think that is an entirely appropriate distinction, and we think it's unfortunate, however, that the Ordinance doesn't make that distinction. It's a project that the Preservation Foundation intends to undertake to ask the Town and ultimately the State to clarify the Landmarks Ordinance to make the distinction between contributing and non-contributing, and thereby make it easier for future bodies, as this body will be differently constituted in the future, to make that distinction when considering applications like you have before you. But that's not the law now. The fact that you put it on the record will be helpful in the future, but it's not binding and I don't believe, and I'm not going to instruct you because Skip will do a better job instructing you in the law than I will. I don't believe that you can really bind those that come after you. As a consequence, until we have an opportunity to take this matter before the Town and to the State for certification, the Preservation Foundation believes that it is a good idea to scale back the scope of the Historic District; to cause its north and south boundaries to be the south side of Brazilian Avenue and the north side of Chilean, and then to treat buildings that are outside of that scope on their own merit, and there are unquestionably buildings there that would qualify for landmarking on their own. We do this for a number of reasons. The obvious one is that there are concerns expressed by property owners outside of the district, and we believe that district, that we would probably say be equal to a ward by scaling back. That's a sort of negative approach to this whole (indiscernible). The positive approach is that we believe that

the concentration of buildings and the concentration of flavor of what is intended to be accomplished can be achieved by a historic district which is smaller in scope, which does go from Brazilian to Chilean, the south side of Brazilian to the north side of Chilean, and therefore, what we would suggest is to make the landmarking more palatable, and to achieve what we really all very much want to achieve, as I think you know. We would suggest that it be scaled back. Thank you.

Mr. Sullivan: Thank you, Mr. Chopin. Mr. Miller.

Mr. Miller: Mr. Chairman, Ladies and Gentlemen, my name is Robert Miller. I'm a Realtor with offices on Royal Palm Way, but I'm speaking to you now as the President of the South County Road Royal Palm Way Association, essentially taking in the entire proposed Historic District. We had a very fine presentation by Mr. Sullivan and Mr. Frank at our Association meeting earlier this month, and Mr. Chopin just reiterated some of the concerns that were expressed, and I'm speaking now, in general, in terms of the concerns of the Association, both property owners and business people in the area as far as the proposed District is concerned. There has been a lot of wonderful talk about restoring the pedestrian atmosphere, but the pedestrian has got to park his car someplace to get out and walk. He's not going to walk from...in all probability, he won't even walk from what parking is available on Worth Avenue. In fact, a consistent complaint of the small businesses along that particular stretch is the fact that a lot of business is lost because people can't find a place to park in what the prospective customer considers to be a reasonable walking distance, which, as you know, usually means double parking right in front. The limitation of the size of the area, while I think the point of view is well taken from the point of view of the property owners, would do little insofar as the parking is concerned, because...I've counted them. There are 77 parking spaces between Royal Palm Way and Worth Avenue on South County Road, and of these, only 56 are what one would consider customer parking, in other words, it's a one hour use. The others are either a half-hour, fifteen minutes, or reserved for the Town, or are loading spots, and the bulk of those are in the two blocks between Brazilian and Chilean. As you know, north of, rather, south of Chilean, there is no parking in the southbound lane. The second area in which there is a great deal of concern, both from the property owners as well as the tenant, is the fact that unquestionably, any landmark designation in a commercial district, as opposed to a residential district, has a direct impact which is that it cannot help but raise rents; it cannot help but interfere with the ability of the property owner to respond quickly to any sort of a situation which would allow them to achieve the highest and best use of his property, and here I'm thinking primarily of the possibility of demolition to accommodate the use of a more economically beneficial use of the property. To put it simply, to maintain a 1910 "Model T" in pristine condition probably exceeds the cost of maintaining a

brand new Rolls Royce these days. That is, in essence, what one runs into when you do landmark a property. Secondly, we are dealing with land values not in the \$ 25 to \$ 50 range as you find in residential properties, we're dealing with land at values, which according to some of the most recent purchases, are in the \$ 75 to \$ 100 per square foot range. So, it's quite a difference, and anything that has an impact on the owner's cost, either the cost of retaining inefficient use of the property, or the ability to respond quickly to a changed condition, has a definite economic effect and this should be considered. I'd like to give you a couple of examples to get back to the market. The building right over here, (pointed toward 365 South County Road) according to recent press releases, is going to be restored, and it's going to be a sixteen room hotel and 8,000 square feet of retail shops. Well, it's been virtually empty now for quite some time, and yet, there are no spare parking places on the street. This thing has no significant off-street parking. The current Code requirement for that building would be 50 spaces, plus a truck loading zone. Now, where are those 50 cars and the truck going to park? It's just a simple thing, but it's an effect, on the rest of the properties, of landmarking. Similarly, over here, the Town just extended for a year the 10,000 square foot "grandfather" on the space that was the former Brinkley's space. That 10,000 square feet had its parking. Now, 10,000 square feet of commercial space, again, requires 40 square feet of...40 parking, 40 off-street parking places, plus a truck loading zone under current zoning. Where is that going to come from when a tenant moves in there? You see, these are things that affect commercial property unintentionally. I am certainly wholeheartedly in favor of the idea of landmarking. I myself, at one time, owned a townhouse in Society Hill in Philadelphia, so, I'm quite familiar with the concept, and of course, that's a delightful area. Of course, it has certain urban problems, but other than that, architecturally it's beautiful. The last thing I would like to just mention is I think we keep, we refer to the Garden Club Study. I'm reading here directly from it: "In many ways, the selection of the Town Hall site is unfortunate." I think we can all agree with that. Part of the problem, unquestionably, is the fact that, that A1A in Florida is the equivalent of 101 in California. It's the scenic route. It's the one that everybody takes. Much of the traffic on that road is strictly drive-thru traffic. It is not destination oriented to the location which could be served only by having someplace where vehicles could pull off and park. The second thing that has happened over the years and again, if we were to look at the original Garden Club proposal, that we have lost the extra width for on-street planting for trees along the side of the road that are shown in the Garden Club Study. As long as this remains State Road A1A, I think it's very doubtful (indiscernible). So, for the point of view of essentially all the property owners in the area, we like the idea of retaining what is good, but think very, very carefully about all of the ramifications of what can be done and what is being done in the designation of an area

where there is not a great deal of architectural unity. I think the kindest word that might be given to this stretch might be "eclectic", and incidentally, in the big dictionary, one of the synonyms for eclectic is hodge-podge. The, but there are certain structures, definitely, that should be retained, but don't do anything that would eliminate the amelioration of a lot of the deficiencies that are currently built in with the existing buildings that are here. Thank you.

Mr. Sullivan: Thank you, Mr. Miller. Yes, Mr....

Mr. Griffin: Griffin.

Mr. Sullivan: Griffin. Yes.

Mr. Griffin: I appreciate what you said about reading into the record. My concern is more about demolition and the District, itself, not the landmark (indiscernible). Mine is south of that on the same side of the street, and my concern is demolition because I cannot conform to that particular thing. And I notice that in the Ordinance, in two places, they mention the economics of the Ordinance, and that is "(c) Stabilize and improve property values" and "(f) Strengthen the economy of the Town." You know, if you're diametrically opposed to the concurrency with the Ordinance as it now stands for buildings that don't have the proper parking and landscaping and not conforming basically to the Building Code, and the purpose of this Ordinance is to preserve, and basically, when you conserve, then you don't improve upon the other nonconformities which exist; and I feel I'm kind of caught between the two because I'm not landmarked, and I'm going to be preserved, and consequently, I can't come into conformity. What I would like to see is somewhere, if you want to read something into the record, to say that in conjunction with the demolition, which you said non-conforming basically didn't pose a problem because you had the same criteria, but you know in all of your criteria about setting up a historic zone, there is no mention made of anything about the economic aspect of it. It all has to do with the historical, and the cultural and everything else, and nothing economic is said. It is mentioned a couple of times in the Ordinance, per se. Now, I would appreciate if you would read something into the record to the affect that in conjunction with the demolition, that if you could alleviate some of the non-conformity of the under-zoning and recognize that so that...if I come for demolition, for example of what I'm getting at, and someone came to me with an adjacent piece of property which is non-conforming, if we could improve the property, say, demolish it and re-construct it entirely in conformity with your architectural style which would be any Mediterranean like the Town Hall or the Police Station was. At the same token, it would require the demolition, and then that demolition could make that property conform to the landscaping ordinance and also to the parking Ordinance, and I would like to see that as part of the...I wish it had been more specific in the enabling

legislation when you did the Ordinance, but it's not, so consequently, the only other place for it to get in would be with this body here, and I'd like to see that if I could.

Mr. Sullivan: Mr. Griffin, before you go away, you've left me very, very befuddled, and as usual, our legal counsel perceives it instantly, and would like to make a couple of statements because you've really left me dizzy.

Mr. Randolph: I don't know if I'm going to address the concerns you have, Mr. Chairman, but my concern is that we cannot really read anything into the record that will change the provisions of the Ordinance. We are bound by the Ordinance as it is today, and whoever is in the District, unless there is a change in the Ordinance, is going to be, have to be guided by the Ordinance as it exists. To address the concern, however, there is nothing in the Ordinance which would preclude, for instance, a, subject to the criteria that are set forth in the Ordinance, which would preclude a building from, that is non-contributing for instance, from being demolished if what is replaced is harmonious with the District. So, although...

Mr. Sullivan: I'd have to agree with you completely. What left me very puzzled is that this is precisely what both Mr. Frank and I have personally told Mr. Griffin when we first met with him about three weeks ago, and we keep hearing this over and over again. That's why I don't understand why we're not getting through. We're saying the same thing.

Mr. Frank: If I might add, the topics of economics and other aspects of what's going on in terms of concurrency in the Town Codes and so forth that have brought in to here. Essentially, I think we should understand that the whole economic situation has been looked into in a thing that is called the Comprehensive Plan of the Town of Palm Beach, and under this plan are several layers. One of them might be the zoning. Other layers certainly would be Landmarks and Architectural Review and so forth. Basically, I believe that the economics has been looked into. Certain structures are non-conforming and there are legal ways of dealing with that, but I should also point out that when the Comprehensive Plan was put together, the existing land use as it exists and as it did exist, when Comprehensive Planning was participated in back in the 30's and 40's and so forth, that was all taken into account. They knew that there was an economic problem here, and they also knew that there were some historic buildings and so forth, and some of them were allowed to continue. I fail to see where the Landmark Ordinance or any action by this Commission should really be dragged into the economic issues which we all know that we have, and will eventually follow in the Comprehensive Plan and will be alleviated in the future. I don't believe that the Landmarking process or the creation of a District really play into this.

Mr. Sullivan: As a matter of fact, I'm glad you said that, Tim,

because that's maybe the best way of saying what I had in my mind trying to respond not only to Mr. Griffin's comments, but certainly to Mr. Miller's also previously. There are many problems that you probably do have in your, in this specific District, especially as it is a commercial District, but landmarking or the creation of a Historic District is not what is causing these problems. They've existed for years. Moreover, Historic Designation, should it be approved, is in no way going to impact negatively on those problems. It's certainly not going to make them any worse. Many of the concerns, and I guess I wanted to get into this afterwards, but I guess I'll pop in now. Things like parking, you can't blame a landmark district designation for the parking problem, and I don't see, scratch my head as I can, I don't see how establishing this as a Historic District is either going to help solve or in any way correct or make worse the parking problem. Given that it is a fact of life that you've got land out there that is so valuable that all of you and the other property owners chose to build the densest form of commercial structures that you could, and parking was the last thing that got thought of.

Mr. Griffin: Mr. Sullivan, I don't mean to be disrespectful, but I would say if that's true exactly as you said, the District, itself, is superfluous. It's the landmarking that you've concentrated on, and I wasn't here advocating that it be necessarily mandatory that this be a park, or this. I was only saying that in the purpose of the thing, in no place is it expressed...it's expressed in the Ordinance, but it's not expressed in the creation of Historic Districts that any consideration whatsoever will be given to that. I'm not saying that it's mandatory and that everyone has to be there. I'm just saying there should be some consideration in conjunction with a district, and in conjunction with my non-conforming property. That's all I have.

Mr. Sullivan: Thank you. Very good. Mr. Ciklin.

Mr. Ciklin: Again, my name is Alan Ciklin. I represent BP Oil, the owners of the Gulf Station. I was originally hoping to be able to stand up and say, well, this doesn't do anything to the Gulf Station, and therefore, I have no problem, but I guess I'm not really hearing that, and quite honestly, in reading the Ordinance, I have unfortunately come to the conclusion that it hampers the Gulf Station's ability to renovate and rebuild. Quite honestly and obviously, I guess, is to sort of say what everybody knows. The Gulf Station is not a historic building. It meets none of the criteria within the Ordinance, and if it's renovated or demolished, it can't meet any of your criteria. Given the signage, it's tough to envision that a Gulf sign or a BP Oil sign would be compatible with the Historic District. It's just not, because it's not historical. Unfortunately, Mr. Randolph said what I thought was the fact, but not what I wanted to hear; and that is reading into the record the fact that the

only criteria that the Gulf Station would have to comply with if they renovate or demolish and rebuild would be the same Architectural Commission criteria. That does not do the trick. The fact of the matter is, I'm afraid, if the Gulf Station renovates or if the Gulf Station demolishes and rebuilds, the criteria that's set forth in your Ordinance, although I suspect although that because it's non-contributing, you don't want it to apply, or don't think it should apply, but I'm afraid that it does apply. And if it applies, and if we renovate or demolish and I come to you and try to convince you that the Gulf Station has the same rhythm, is one of the words in here, as the rest of the District, and that we're compatible with the rest of the historic buildings and that the Gulf or BP signage is compatible with the Historic District, you're going to say to me, "Hey, Bub, are you kidding? This is a Gulf Station and what you're doing is not compatible". And I'm afraid that you're going to tell me at the time, which may be three or four or five years from now when maybe some of you aren't here, the Ordinance says what the Ordinance says, and you're a Gulf Station and you're not compatible, and you'd better be, and then Gulf can't do what they want to do. So, I would hope that maybe what would happen rather than include something like a Gulf Station in the District, which I really think diminishes from your intent, people say, "Gee, a Historic District. That's great, but what do you have a Gulf Station in there for?" It would seem that perhaps an amendment to your Ordinance dealing with contributing and non-contributing, in putting it in words and regulations rather than into the record, would satisfy this owner and perhaps some others. It might take language that would say just that, "A non-contributing building within a Historic District meets criteria just like any other building within the Town. It does not have to necessarily meet the historic criteria." If you had that in the Ordinance, and I could read it, I would be perfectly satisfied. I'm afraid, as Mr. Randolph said, that no matter what you put in the record, the Ordinance is the Ordinance, and that's the rules you're governed by. It makes me very nervous, and you can imagine if it makes me nervous, it's going to make my client real nervous. So, if you can amend the Ordinance to say that, we have no problem. The way it is now, I think we have to have a problem. Mr. Sullivan: Mr. Ciklin, thank you. Are you aware that when, if your, and you did mention it to me on the phone, your client plans a renovation, are you aware that if there is no Historic District, that he will be going before the Architectural Commission?

Mr. Ciklin: Yes.

Mr. Sullivan: Are you aware that in their criteria, they look at things like compatibility, harmoniousness, etc.?

Mr. Ciklin: Yes.

Mr. Sullivan: Frankly, I don't see the difference even though you apparently do.

Mr. Ciklin: I think there is. Harmoniousness and compatibility...I mean you can be harmonious and compatible without being identical. In this Ordinance, although that one little definition talks about being harmonious and compatible, also says very clearly, if you renovate or you demolish, you need to come before the Landmark Commission. They will review you under the following criteria, and it doesn't just say you have to be harmonious and you have to be compatible. It says that you have to deal with historical types of things, and compatibility with historical things, and we're not. So, I read the Ordinance, and I think, "I can't do this. I can't accomplish what this Ordinance says in advance", and that's what scares me. And Mr. Sullivan, I hear what you say, and that's what I want to believe, and I think that's fine, and if it were fine, we have no problem, but I'm afraid that the Ordinance doesn't, at least in my opinion, doesn't say what you say and what I want to listen to you say. That's our problem.

Mr. Sullivan: Skip, maybe you can help us out.

Mr. Randolph: Yea, I guess it's just interpretation that we're discussing, and I think the intent of those criteria is to make sure that a non-contributing building, if renovated, is harmonious with the other historic buildings in the District, and the fact, the Architectural Commission has, to this same building, done the same thing. Years ago, when they wanted to put a blue roof on, the Architectural Commission denied the blue roof, and said you will put a Spanish barrel tile roof on because that is harmonious with the area. When, recently, the Gulf Station changed to BP, and BP wanted to use their logo colors, they were denied by the Architectural Commission from using those because they weren't compatible with the area. I envision that that would be the same type of thing that the Landmarks Commission would look at in the future in determining whether any renovations are compatible with the Historic District. So, I guess it's just a matter of interpretation.

Mr. Sullivan: Thank you, Mr. Randolph. Mr. Moore.

Mr. Moore: I find it difficult, quite honestly, Mr. Ciklin, representing a huge corporate entity such as BP Oil, that has stations all over the known world at this time, could come to us, as a Town, and especially in the case of such a unique Town, and state that he is afraid that his employer would have to be bound by some special circumstances. It's one thing for small property owners to have these fears, and it's another thing for such corporate giants such as BP Oil to have representatives come here and state that, in an effort to try and dissuade you from either creating a Landmark District, or if they can, in fact, persuade you to change the Ordinance. It's almost inconceivable that BP Oil would wish, for its own corporate image, to put the same type of station that they have at the corner of Summit Boulevard and Congress Avenue in the Town of

Palm Beach. I mean even at the most remote thought that BP Oil would want that type of standardization, is beyond my comprehension, especially when they must provide, and do provide services, I'm quite sure, in some of the other well known communities in this country and around the world. I think that BP Oil and any large corporate entity must understand, as McDonald's has, which is a substantial firm, that when they build in certain areas, they cannot have the standard logos and standard architecture that may distinguish them generically in a very common method, a common way. This Historic District is proposed to be created as a Historic District because of its uniqueness. BP Oil may have been around in 1929 when the Garden Club first came up with its plan or may not have been. However, that's what we're trying to protect, and indeed, if they do plan renovations, I would think it would be the greatest corporate good neighbor policy that they could come up with, would be to try to conform to the neighborhood that those renovations are going into to show their corporate concern for the community that they are making money in. Those are my comments.

Mr. Sullivan: Thank you, Mr. Moore. It does seem as though there are additional dimensions on this question that maybe your (Indiscernible).

Mr. Ciklin: Mr. Chairman.

Mr. Sullivan: I think I'd like to call on Mr. Frank.

Mr. Frank: I just wanted to add to Mr. Moore's commentary on this too. I think that it can be pointed out for the record, because I did detect some of the discussion that Mr. Ciklin came across with, and I think it should be clarified that the use of this parcel is not governed by the Landmark Commission. It is governed by the Zoning Ordinance, and in addition to that, the fact of whether or not he can have a sign or not have a sign is also governed by the Zoning Ordinance, and I think that the record should indicate also the cooperation that the Town has demonstrated through the fact that a variance was granted for the signage that is there now. Actually, the signage that BP Oil has exceeds what our Code allows through the variance procedure, and so I would like to point out that the willingness of the Town in working with Gulf Oil, and now BP, stands on the record.

Mr. Sullivan: Mr. Ciklin.

Mr. Ciklin: Mr. Chairman, just to comment. I apologize if my remarks were taken as BP not wanting to be a good citizen or cooperative, or wanting to do a western Palm Beach County type of architectural treatment for something in the Town of Palm Beach. That's not what I was saying, and I apologize if that was misconstrued. What I was trying to say, and I guess not very well, is that the criteria set forth in the Historic

Designation Ordinance didn't seem to be one that applied to the service station, and I hear what everybody says about contributing and non-contributing. With all due respect, I can't find those words in this Ordinance, and that's what I was trying to tell you. Everybody keeps saying, "You're non-contributing, and therefore, don't worry". There's nothing in here about that. So again, BP, Gulf wants to be a good neighbor. I can promise you they will be. They'll cooperate. They'll be compatible, but my point is not that, and I'm sorry it was misconstrued that way, just that this Ordinance didn't seem to apply to some of the things that a service station does. In addition, some of the words you're telling me about, or people are telling me about aren't even in the Ordinance, and that makes me nervous from a legal standpoint.

Mr. Sullivan: Thank you, Mr. Ciklin.

Mr. Ciklin: Thank you.

Mr. Sullivan: Ms. Fuller, did you want to be recognized?

Ms. Fuller: Yes. My name is Elisa Fuller. I'm with Steel, Hector, Davis, Burns and Middleton, and I'm here representing two different property owners, and I'll discuss them having similar concerns, but also some individual concerns. First, I represent Thirty-Sixty South Ocean which owns the property located at 310-316 which is the property that runs from the Classic Book Store through Vivien's. My first comment that I'd like to make is Mr. Sved made some changes in the Designation Report as to when those buildings were constructed, particularly Hamburger Heaven and Vivien's, but the Designation Report still indicates that a building was constructed in 1929, when our review of the plans shows that the Classic Book Shop and the patio store were actually constructed about 1946 and '47, and those 1929 plans don't coincide at all with what's in the building there. We'd just like that correction. We concur with Mr. Chopin's suggestion that the Historic District should be narrowed to exclude the area that's not surrounding the Town Hall. Our property is designated non-conforming, and certainly doesn't contribute anything to a Historic District, and in fact, I noted when Mr. Sved did his slide show, he didn't even mention anything about this property. So, we would if that property would be completely eliminated from the District. If not, I do share Mr. Ciklin's concerns and Mr. Chopin's concerns that reading the Ordinance, there is no distinction made between conforming and non-conforming or contributing and non-contributing. My client's concern would be if someone was looking to purchase her property, that buyer's attorney would determine the property's in a Historic District, read the Code, and find no distinction made between whether there should be new requirements on this property, or whether it's only governed by the normal Code requirements. So, we would be much more comfortable if the Town Council amended the Code to make that distinction. I also represent Worth Avenue Associates which

owns the property located at 400 South County Road. That property is designated as conforming in the Designation Report, and we would request that it be changed to non-conforming. There is nothing special about that property. I think some of you aren't even sure which it is. It's a very non-descript building. I believe it was designated conforming because it was designed by Wyeth & King, but it's certainly not a notable work. That client wouldn't have an objection to the district, but they do not want to be designated as conforming. They do have plans in the future to demolish and rebuild on that property, and they wouldn't want to be bound by any sort of landmark restrictions.

Mr. Sullivan: We all like that building very much. Thank you, very much, Ms. Fuller. Mr. Frank, did you want to say something about Ms. Fuller's earlier comments about 310-316?

Mr. Frank: No.

Mr. Sullivan: Are there any other comments? Ms. Roddy.

Ms. Roddy: I would like to speak. Good morning. Mr. Chairman, Ladies and Gentlemen, my name is Eleonore Roddy, and we own the Coronet Apartments. It is supposed to be designated as a landmark, and it's supposed to be a work of, a design of Mr. Maurice Fatio. I also believe that this building is not one of Mr. Fatio's beautiful designs, as he's noted for many of them. On the other hand, I am opposed to have our building designated as a landmark for economic reasons. I believe that in the years to come, we will have to change and be flexible, and having our building designated a landmark will limit us greatly. Mainly, my concern is for the economic situation. So, I would like have our building excluded from being landmarked. Even so, the idea of having a landmark district from Royal Palm Way to Worth Avenue sounds very attractive, but speaking for our family, I would like to ask to be excluded, for our building to be excluded. Thank you very much.

Mr. Sullivan: Ms. Roddy, I think I have to be very honest with you as I was when we met three weeks ago. Speaking for all of us if I'm not being too presumptuous, we feel that your building, which is the Art Deco in which Fatio was particularly fine, is one which should be which is of very special consideration to a number of the Commissioners here. There would be no exceptions in this District. Of that, I can speak with (indiscernible) of thought.

Ms. Roddy: I would like to enhance (indiscernible) of buildings proposed, but I believe in the future also, as it was stated before by different speakers, that we might have to demolish for some reason or other, and I think that might be impossible for us. I would be very (indiscernible) in having our building landmarked.

Mr. Sullivan: I can assure you that this Commission will work

with you enthusiastically and cooperatively in any attempt you would make to further enhance (indiscernible).

Mr. Roddy: I like your (indiscernible), Mr. Chairman, Mr. Sullivan, but as I have said before, it's important that I should be assured (indiscernible).

Mr. Sullivan: Yes, you're right. We do.

Mr. Miller: I would like to...

Mr. Sullivan: Bob Miller.

Mr. Miller: Thank you, Mr. Chairman. I am speaking now specifically on the Palm Way Building on the southwest corner of Royal Palm Way and South County Road. I appreciate Dr. Curl's confirming my own research, that there was a Palm Way Apartments, which is now known as the Embassy Apartments, which I think is where part of the confusion occurred. There was one other little item that I'd like to point out which could result in some confusion when we're considering the era during which most of the landmarked structures came under. I spent quite a bit of time over at the Historical Society and the library over on Summit; and it's very interesting that from 1922 through 1936, what we're calling South County Road was listed in the City Directory and on the maps in the 20's as Palm Beach Avenue, and Mr. Mizner, himself, lived on Palm Beach Avenue, according to the Directory, until he finished his complex on Worth Avenue and moved there. He moved to the ocean for one of them. But, I'm speaking specifically here on behalf of the Palm Way Building which is of an architectural style, certainly, which is reminiscent of the period, and it was one of the first blatantly commercial structures, one might say, south of County Road. As you watch the progress of Town, of the Town in the Directory, that say all of the stores, like Saks Fifth Avenue was just between the Royal Poinciana...the Breakers wasn't really a landmark back then, but the stores slowly moved down, and eventually on to Worth Avenue. Probably, the only two names of tenants that one would recognize in the twenty years that I dug through were the building, at one time the Great Atlantic and Pacific Tea Company for about two years, and Western Union had an office there off and on for a period of time.

Mr. Sullivan: Bob, excuse me. You've lost me. I'm trying to...

Mr. Miller: What I'm trying to say is Mr. Campaniello, by a separate letter directed to Mr. Frank, has indicated that he does not wish the specific building landmarked, and I just merely wanted to confirm that it would appear that some of the data that may have been used in determining that it was to be a landmark may not be factual, and Dr. Curl has confirmed that the Mizner connection may not exist.

Mr. Sullivan: Thank you. Any other comments from the public? Alright. Comments from the Commissioners? Mr. Gubelmann.

Mr. Gubelmann: I would like to make one comment to Mr. Ciklin of the the British Petroleum Corporation, BP Oil Company, and that is over the years and don't ask me for specific names of specific gasoline corporations, I've gone through many Historic Districts from Williamsburg, Virginia to places like East Hampton, New York and up in Newport, Rhode Island where they have brought gasoline stations because the world needs gasoline stations into Historic Districts, whether they've been there before, and they've been accommodated within Historic Districts quite satisfactorily, again, not by using sort of the logos and appearance one would find in western Palm Beach County, but by conforming to the local architecture. Since there's only one fuel station within this area, I see great...unnecessary to advertise with great signage that this is a Gulf Oil Station or BP station as opposed to some other oil company because there's not one nearby you're trying to take business away from. If you want gasoline, there's only one place in Town to get it, at this end of Town. So, I really think that any suggestions that were made by either the Architectural Review Commission or the Landmarks Commission as to what BP Oil Company should or shouldn't do with that station would be appropriate that it conform to the surrounding architecture. Thank you.

Mr. Sullivan: Thank you. Ms. Perry, would you care to say anything.

Ms. Perry: No.

Mr. Sullivan: Mrs. Gingras.

Mrs. Gingras: I think the only thing I would like to say is that I feel strongly that both the north and south ends of this District should be included, primarily because of a sense of scale that has been established, and I think it's important to continue that.

Mr. Sullivan: Thank you. Mrs. Volk.

Mrs. Volk: I think it's becoming increasingly clear with the court rulings and the attitude of the courts that it's a...Historic Preservation Ordinances advance the State's interests. It's a legitimate interest that the State has, and unfortunately, there is nothing in any of the laws that can guarantee that people will get the maximum value out of their property. There is nothing in any law at any time that guarantees that.

Mr. Sullivan: Thank you, Mrs. Volk. Dr. Curl.

Dr. Curl: Well, I'm a little upset with the Preservation Foundation to at the last minute suggest changes in boundaries.

It would seem to me that the courtesy would have been perhaps a little earlier than this meeting. I'm also a little dumbfounded since when this all started, it was really the Preservation Foundation that was saying...if you sit here, where we're sitting, you see Worth Avenue. It's all part of the same District without any question whatsoever. Moreover, I think almost everybody understands that in a Historic District, there are bound to be buildings that are not old buildings, that are not as we're now saying, I can't think of the term now, "contributing", and if the Ordinance doesn't necessarily say contributing or non-contributing, the point is that when you get right down to it, what we're trying to say is, all buildings within this District are part of the District, and what happens to these buildings makes a real difference as far as the other buildings, which we'll call the contributing buildings in the District; and consequently, if you don't protect all, you're not protecting anything. And then just one more point...that the Preservation Foundation, and I'm sure most of you received it, asked Mr. Maxwell, the former Appraisal, Appraiser to do a study on what landmarking did as far as value of buildings. The point was that landmarking seems to have had a very good affect when it comes to the value of buildings, and in no case did it have an affect in the opposite direction.

Mr. Sullivan: Well said. Thank you very, very much. Any other comments from Staff? Any additional comments from the public? Hearing none, then I'm going to ask if there's any Commission who feels it appropriate at this time to make any motion on this matter? (To Dr. Curl) You're doing very well so far.

Dr. Curl: Well, is it a matter of actually, in the motion, talking about the Town Hall District, or is it a matter of actually specifically mentioning each of the properties?

Mr. Sullivan: It's just the District.

MOTION BY DR. CURL THAT THE TOWN HALL DISTRICT BE RECOMMENDED TO TOWN COUNCIL FOR DESIGNATION AS A LANDMARK OF THE TOWN OF PALM BEACH, AND THAT THE CRITERIA, AS PRESENTED, BE MADE A PART OF THE RECORD.

MOTION SECONDED BY MRS. VOLK.

Mr. Sullivan: Made by Dr. Curl. Seconded by Mrs. Volk. I should check with legal counsel, for a better adequately phrased motion. Are you happy with that? It is O.K. Very good.

Mr. Frank: Mr. Chairman, perhaps just for the record, we should add that this includes Items# 6 through 36, and excludes Item #37.

Mr. Sullivan: Mrs. Delp, if you would so make that amendment on

both the maker and the seconder. Are there any additional comments or statements on the motion? Hearing none, we'll call a roll call on this.

Mrs. Delp: Dr. Curl: Yes
Mrs. Volk: Yes
Mr. Gubelmann: Yes
Ms. Perry: Yes
Mrs. Gingras: Yes
Mrs. Albarran de Mendoza: Yes
Mr. Sullivan: Yes

Mr. Sullivan: THE MOTION IS PASSED UNANIMOUSLY. (AS AMENDED)
Thank you very much, Ladies and Gentlemen. At this point, I'm going to ask the Commissioners' forbearance. We have two additional items and they're very short, and the Other Business section. Rather than breaking for lunch, if we move forward, I think we can possibly adjourn before 1:00 p.m. Is everybody agreeable?

VI. Undesignation Hearings

Mr. Sullivan: Under Section VI. of the meeting...This is an Undesignation Hearing which will be conducted in the same form as a Designation Hearing.

Item 1: 822 South County Road
OWNER: Barbara D. Hoffstot
LEGAL: 35-43-43, S 100 FT OF N 791.52 FT OF
GOV LT 1 W OF CO RD, PORTIONS THEREOF
TO BE UNDESIGNATED

Mr. Sullivan: The first item is the property at 822 South County Road, owned by Barbara Hoffstot. I'll first call on Mr. Frank. Has notice of legal service been received?

Mr. Frank: Yes, Mr. Chairman.

Mr. Sullivan: I believe that Mr. Chopin is probably representing Mrs. Hoffstot, and if that's the case, then everybody who's going to be speaking on this matter has already been sworn, and of course, he is also an "all-truth-telling lawyer".

Mr. Chopin: I took the oath. I want you to know.

Mr. Sullivan: I noticed that. I am doubly reassured. At this point, then, we'll call upon Town Staff for their recommendations.

Mr. Frank: Thank you. The Designation Report is in front of you, and I think I'll refer to Section V. which will summarize what it is we're talking about. That is the request of the applicant, and I think I'll just read it into the record for

those who are here in the audience who might want to be briefed on this.

"As stated in the enclosed letter from the applicant's counsel, the applicant wishes to re-establish the terms of the "voluntary" landmarking of her property, dated January 9, 1985. Please refer to counsel's map, as enclosed."

"The applicant wishes to clarify her position so as to, "clearly reflect that only part of her property has been landmarked". The requested removal of partial designation status will require affirmation by the Town Council, should the Landmarks Preservation Commission choose to grant the request."

"In accordance with Ordinance 2-84, the Landmarks Preservation Commission should cite one or more of the following to support their action on the request to, effectively, undesignate portions of the property in question:

1. The historic or architectural significance of the parcel(s) in question, if any.
2. The importance of the parcel(s) to the aesthetics of the district, if any.
3. The special character and aesthetic interests, if any, that the parcel(s) add to the district.
4. Any irreplaceable structures, archaeological discoveries, or specimen foliage unique to the location.
5. The future utilization of said parcel(s)."

I guess to summarize what we have here is we have a parcel which clearly the records indicate that the entire parcel of land was designated. That is reflected both in the Minutes when the parcel was designated, and in the legal descriptions and everything that were submitted by this voluntary designation. The applicant, essentially, argues that it was not her understanding that the entire parcel of property which she owns was designated at that time, in spite of what the record indicates. Staff has looked at the request. The request is not unlike many other requests that we have where a certain portion of a property has been delineated, such as 700 North County, as we'll recall from today's meeting, and that specific delineation of the property has been brought forward to this Commission for designation, if you will, of a partial landmark on the site. Following the criteria that I just followed, just to summarize, we don't believe that there are any significant appurtenances on the property that the applicant wishes to exclude. Therefore, Staff recommends approval of this request through the undesignation of portions of the property.

Mr. Sullivan: Thank you, Mr. Frank. Mr. Sved, do you have any comments?

Mr. Sved: I concur fully with Mr. Frank's evaluation.

Mr. Sullivan: Thank you. Mr. Chopin.

Mr. Chopin: I think I should shut up, but you all know Barbara Hoffstot well enough to know she wouldn't shut up. Just in the last few years of watching the process, it's a much more sophisticated process than when Barbara sat on this Committee, and you know, what she wanted to do is designate her house, all of her house. She sat when the Breakers was designated, and she watched them draw, you know, lines around the property and that sort of thing, and frankly, she thought that she was in the same position. As a lawyer, I wouldn't have told her she did a very good job of representing herself, but that's what she intended, and she is, as you know, the biggest supporter in Town of what this Commission does, and I think what we're asking is just to clarify what she thought she had voluntarily asked to be designated.

MOTION BY DR. CURL THAT THE DESIGNATION REPORT BE MADE A PART OF THE RECORD.

Mr. Sullivan: Is that the "Undesignation Report"?

Dr. Curl: YES, THE UNDESIGNATION REPORT.

MOTION SECONDED BY MR. GUBELMANN.

Mr. Sullivan: Are there any comments on the acceptance of the Undesignation Report?

Mrs. Gingras: I'm sorry, but I'm real confused as to which portion of the property is going to be undesignated.

Mr. Sullivan: O.K. If we can, Sally, let's just take the property and cut it in half, north-south, and I think that Barbara is indicating that she did not intend to landmark the east portion or the east half of the property. The house, itself, sits on the west part of the property, and that's the part that she intended to landmark.

Mr. Chopin: There is a map, and I think that Tim probably has it.

Mr. Moore: It's all the property except the house.

Mr. Chopin: Basically, we're drawing, what we're saying is that the entire house be landmarked.

Mr. Sullivan: Well, and it also includes the motorcourt.

Mr. Chopin: Yes, I'm sorry.

Mr. Sullivan: And I think therefore that my original statement that it's approximately half is correct.

Mr. Frank: There's a line drawn around the parcel or around the house which includes the house and the motorcourt. It doesn't include very much more.

Mr. Moore: Well, I'll have to ask that question. We're not sure. I think it's 820. Is the correct address 820 or 822?

Mr. Chopin: I think it's 820.

Mr. Moore: I do too.

Ms. Perry: 820. So, this...Oh, O.K. This is the...

Mr. Sullivan: Show me where the lake is.

Mrs. Gingras: Well, I'm not sure.

(Indiscernible-Commissioners speaking concurrently.)

Mrs. Volk: And this part is so that if she wanted to build a tool shed or something, she wouldn't have to come before us.

(Indiscernible-Commissioners speaking concurrently.)

Mr. Moore: Excuse me, 822 is the correct address.

(Indiscernible-Commissioners speaking concurrently.)

Mr. Sullivan: O.K. we have a little difficulty identifying this. You didn't draw this map, did you Frank?

Mr. Chopin: No, I did not. And I didn't bring my file. I thought it was 820, but Barbara's book says it's 822, but I still think it's 820, and I apologize for not being able to verify that.

Mr. Moore: The legal description is correct.

Mr. Chopin: The legal description is correct.

Ms. Perry: Could you clarify that so everybody understands what is being undesignated?

Mr. Sullivan: O.K. I'll try, and Frank, you can correct me if I don't get it right. We are looking at approximately the west half of the property would remain a landmark. That includes specifically everything from the lake bulkhead, the house, and the river rock motorcourt.

Mr. Moore: I think we'd better go ahead and clarify that because that is not correct. Go ahead, Mr. Frank or Sved,

whichever one wants to tell them.

Mr. Frank: Actually, we had asked Mr. Chopin for the description as he understood it. The map that is in front of you, I believe includes little other than the structure and the motorcourt.

Mr. Moore: All other property except the structure and the motorcourt is requested to be removed.

Mr. Sullivan: What about the property, then, west of the structure?

Mr. Frank: That would be under the jurisdiction of the Architectural Commission.

Mr. Moore: West of the structure, there is no jurisdiction.

Mr. Frank: Oh, O.K. There's no Lake Trail. I was thinking of the property east of the structure.

Mr. Chopin: The only thing you have west of the property is the lake.

Mr. Sullivan: But you do have lawn.

Mr. Chopin: You have some lawn, and what she's asking is...

Mr. Sullivan: And she's leaving that.

Mr. Chopin: She's leaving...the lawn is not for the landmark. No. She would include the lawn.

Mr. Moore: That's the request?

Mr. Chopin: That's the request.

Mr. Sullivan: So, in other words, she's asking for something like a hole in the donut?

Mr. Moore: That's correct. That's a very good analogy.

Mr. Chopin: Let me say that first of all, the property is not large enough under current zoning to build any additional structures on it. So, it is certainly not Barbara's intention to develop the property. What she is trying to do is get back where she thought she was in the first instance, and you may recall, she really started focusing on what she had done as opposed to what she thought she had done, when she wanted to put a spa in or a whirlpool several months back, and the property to the west, or behind the house, if you will, is not visible from the road, and under ARCOM, she wouldn't have been required to have any kind of approval in order to put that in. She has no problem with the fact that she came here, and she got exactly

the kind of treatment that more people ought to realize that they get when they come to Landmarks.

Mr. Sullivan: I believe her request lasted approximately three minutes.

Mr. Chopin: Yea. So there's no real problem with that. We happen to think that, snuffing gears to the Preservation Foundation, that not enough people really understand what it means to go to Landmarks. They ought to go to ARCOM once and a while, and they'd have a better appreciation.

Mr. Sullivan: You're right.

Mr. Chopin: It's an educational process that one Town Councilman chose to chastise us for suggesting that there needs to be some education, but to go back to my hat as a private attorney representing Barbara in this case, what she came to realize is that what she thought she had done was ask that her house structure be designated. She found out that, in fact, she didn't do as good a job as she thought she had done when she did it, and she's asking the Town to get back to what she wanted. There's no underlying motives, no ulterior purposes, no design to do anything other than that she's had a running controversy or battle maybe with Tim about whether she has to have permission to change some of the rocks or floral designs, and that sort of thing. You know, passing that, this whole exercise is very academic in that she wants to designate her house because she thinks it's a landmark structure, and exclude the remaining property, and the motorcourt in the front of the house.

Ms. Perry: Exclude the motorcourt or include the motorcourt?

Mr. Chopin: Include the motorcourt.

Ms. Perry: In the designation?

Mr. Chopin: In the designation. Yes.

Ms. Perry: O.K. So, you have the street, you have a motorcourt, and a house. All of that is designated. All she wants to undesignate is the land between the house and the lake. Is that correct?

Mr. Sullivan: No. If you will view her property as a square donut, and in the middle of the square donut, you have a house, and a motorcourt, and she wants to leave that designated only. All the grass around it, everything else would become non-designated if this were to be approved.

Mr. Moore: (indicating areas of the property to Ms. Perry) Only the house, so you're going to have this undesignated, this undesignated, this undesignated, and this undesignated. Only the house and the motorcourt will be designated.

Ms. Perry: I see. Could somebody put a house there if they wanted to?

Mr. Moore: No. There is no possible way to redevelop that property.

Ms. Perry: Not her. I'm not talking about her.

Mr. Moore: No one.

Mr. Chopin: Nobody can build a house there.

Mr. Gubelmann: So, all the unimproved land, she wants to have undesignated.

Mr. Moore: That's correct. And improved meaning the main structure and motorcourt. And Mr. Chopin has said it correctly. I've had numerous discussions with Mrs. Hoffstot. This is a matter of academics with Mrs. Hoffstot rather than in principle in her beliefs of what she did designate, against what was actually designated, and she is asking for clarification of that matter by way of removal of all the land surrounding the house and the motorcourt because that's what she felt she designated at the time, although that was not correct. She was not represented by an attorney, and it was a "voluntary" designation at the time, and she really didn't understand what was the process at that time.

Mrs. Volk: One thing that bothers me, however, the setting of an historic house is, in itself, of importance too, Mr. Chopin. And with Mrs. Hoffstot, there's no question of sensitivity and devotion. It just might be (indiscernible) a question in my mind.

Ms. Perry: I don't understand the point of it.

Mr. Chopin: But Barbara Hoffstot wants to do it the same way she thought she did it in the first place.

Ms. Perry: That's the point.

Mr. Moore: That's the academic point.

Mr. Chopin: And I could put it maybe a little bit more tactfully, but the truth is that Barbara was in the forefront of landmarking,

Mr. Sullivan: And still is.

Mr. Chopin: And still is, and is the proponent for it. She comes from a legal family. Her, I guess it was her grandfather or father, who was...

Mr. Sullivan: Her father was a Chief Justice.

Mr. Chopin: Her father was a Chief Justice of the Pennsylvania Supreme Court. Barbara is not a lawyer, however. So, what she thought she did...her husband's a lawyer, a retired partner of one of the best firms in the county...she thought she was doing something. She didn't quite get it done right. She didn't hire the services of any attorney, much less a good attorney, and she then found out she didn't get done what she wanted to get done, and she wants to clarify it. We're not asking, you know, undesignation is the only way to go to be honest with you, but the fact of the matter is how Barbara views this is that she is clarifying what she always intended when she voluntarily submitted this property for designation in the first place. She relates the story of the Breakers and now the lines were drawn around the property, and that sort of thing, and so that's her mental image of what she was attempting to achieve when she came here and designated her property, and yet, it didn't happen that way. And again, it's not always...it's not entirely Barbara's fault, to be honest with you, because in fact, the process is more sophisticated, and the understanding is more sophisticated today than it used to be, especially at the time she did that. That's what she wanted. It's purely a matter of principle and academics. It's not going to change anything about the way this property is regulated or the way in which it effectively can be developed, and that's what it really comes to, doing what she thought she had done in the first place.

Mr. Moore: Mr. Chairman, one more thing, and I don't want to appear to be an advocate for this application, so much as to explain the application. The Bolton property is also in her mind as that's what she was doing. The Bolton property is, as most of you will remember, was carved out, the main house and pool, and that also is in her mind that she was doing that. She has related that to me, and I told her, unfortunately, that's not what occurred, when she voluntarily signed up the papers, brought them in, and went through the process. So, unfortunately, I don't even believe she was here the day her property was landmarked. I don't even believe that she was present. So, she thought she had done something, as Mr. Chopin has correctly told you, which she actually did not do. So, it is a matter of (indiscernible), but unfortunately, we have to go through this process.

Mr. Sullivan: I think we all understand that. Everybody knows how committed Barbara is to preservation in every and all respects. Could you just, as an attorney, I have one concern important to my thinking. Would you just comment on it, and that's precedent.

Mr. Chopin: I think you have established more precedent with the next item on the agenda than you are with this one, but I'll let Gene Lawrence fight that battle rather than I. It seems to me that if there's any precedent to be established,

(indiscernible) got to that conclusion, and that is that you folks are not perceived as you just heard by everybody as being, you know, as understanding, and progressive, and as caring as we think you really are. The precedent that you will establish is that here's a lady that has cared about preservation more than most people or for longer than most people have been alive, and she screwed something up, she just didn't do it right, and she's come back and she said to you, "Help me fix it". "Help me do what I intended to do in the first place." So, if there's any precedent, all you're really doing is saying, "Yea, that's all you intended. We understand. We know you're an honest person and fine. That's great with us. You're not going to change anything about the way the property is developed or the way the property is controlled or what happens to the property." You really set the precedent of being understanding to the fact that she didn't do it right in the first place.

Mr. Sullivan: Thank you. That's a good response. Are there any other comments?

Mr. Moore: Yea. One more to reiterate on the precedent, and Mr. Sullivan, that was an excellent point, and I applaud you for bringing it forward. This property is not subdividable in any way, shape or form, and I want the record to clearly reflect that. So, this is not a case of any hidden agenda to subdivide or redevelop the property, and I'd like it corrected please.

Mr. Sullivan: I think that's a good point to add on the record, (indiscernible) O.K. Any other comments? Yes, Mrs. Perry.

Ms. Perry: I think that I understand what Mr. Chopin in saying, but I think to relate it to the Bolton property is misleading because the Bolton property is huge, and even the one that we talked about this morning, 700 North Lake Way, is also, because of its size, is subdividable, and I think that you are mixing apples and oranges here because this house is not subdividable, and O.K., maybe you're not establishing a precedent. This makes me nervous. If it can't be subdivided anyway, why do it?

Mr. Sullivan: I think you've heard the attorney. It's strictly a matter of principle. That's all.

Ms. Perry: Yes, I understand.

Mr. Chopin: The fact is that it's not as clear, and if it was a better reason, I could tell you perhaps that the record is, perhaps, not as clear as it has been presented as to whether she did or did not present it, what she had in mind in the first place. I don't think it's necessary, frankly, to get into building that kind of record because we really do think that what we're asking is reasonable and it's consistent, and the reference to Bolton is not a reference to the size of the property as much as to Barbara's limited experience, if you will, in terms of how things are done and what she envisioned

was being done when she asked voluntarily. And let me make just one other point, if I can, had you been here and Barbara walked in here and said, "I'd like to designate my property, and this is what I'd like to have designated, is there any doubt that any one of you would have voted against the designation the way Barbara asked you to in the first place. And that's all she's saying..." That's what I intended to ask you to do." It would have been a unanimous vote. So, we're really just clarifying what she did at that time. There's nothing more to what she's asking than that.

Ms. Perry: I'm not concerned about Mrs. Hoffstot, and you know, probably this is a non-issue. I'm concerned about somebody ten years from now who takes the same set of facts and does something different with them. That's all I'm concerned about.

Mr. Chopin: Well...

Mr. Moore: First of all, it would have to, excuse me, Mr. Chopin. First of all, to make them the same set of facts it would have had to have been a building, in my opinion, that was brought under the same circumstances, which in this case was a voluntary designation. You know the Ordinance doesn't distinguish. You would have...to create the same scenario, if you will, it would have had to have been one that was brought to us on a voluntary basis. So, that would be distinguishable against, in my opinion, someone that perhaps did not go through that same process of bringing it to the Commission as a private citizen. You could make some distinction there. Mr. Randolph may not agree legally, but I think there is some distinction.

Mr. Chopin: You know the experience with the Anthony property, which we resisted, and lost to a 3-2 vote (indiscernible) at the Town Council level. The Town Council can undesignate a property. We think it's unfortunate to undesignate a property, any property, but the fact of the matter is that you don't view, Barbara doesn't view that she's here asking you to undesignate her property. What she's asking you to do, in her mind, is clarify and confirm, if you will, what it was that she intended at all times to be designated and under the (indiscernible) of the property. She views this as a matter of principle, constitutional privilege and principle, if you listen to Barbara. I'm not making that argument, but she feels strongly that it is, in fact, a matter of principle that that's what she intended to have done.

Mr. Sullivan: Then, based on your representation, counselor, I would suggest that your client is as good a constitutional lawyer as she is a title lawyer.

Mr. Chopin: Oh, she's a tough lady, and it's probably a good thing she's not here today.

Mr. Sullivan: You better believe it. we're all glad. Any other comments?

Dr. Curl: Yea, I mean I believe I'd do as much for Barbara as anyone in the room, but I just find this incomprehensible. We do not do this. We have not designated just buildings and entrance courts in the past. We are designating buildings that are in a setting. yes, there have been a few specific instances for various reasons, but this is completely changing everything we've been doing here for ten years. It is just not the way the Ordinance is worded. Am I completely off? I mean...I think if Barbara wants to do it, Barbara should have it, I suppose, but it is completely different than anything we have ever done. I can't believe that in 1979-80, Barbara Hoffstot thought she was only designating the facade of that building. She is much too intelligent for that. She is much too involved, and I might even go one step further, and there was opposition to designation of her house, at the time, by members of the Commission, and the reason for it was purely and simply that it wasn't old enough. "You have a house designated in Pittsburgh. You don't need one in Palm Beach." And she fought for it.

Mr. Chopin: She did, Doctor, but I must say one thing. You shouldn't have any doubt at all in your minds that when Barbara tells you that in 1979, this is what she thought, that's what she thought. That you need to understand.

Dr. Curl: What she thinks she thought.

Mr. Chopin: Well, maybe that's even true, but I mean if it becomes a question of her integrity, then the joking has to stop...

Dr. Curl: I'm not questioning her integrity.

Mr. Chopin: I just want to make that clear because Barbara believed that's what she had done.

(Tape Change)

Mr. Sullivan: ...Barbara's state of mind. These questions of what has been a tradition or not a tradition are not just a practice. These questions are the way we operate as a Commission, what we are here for, and what we do as a Commission. I think that's the point that he was questioning. Would anyone else like to say something?

Mr. Gubelmann: Are we not, perhaps, setting a dangerous precedent by unlandmarking the property, as Dr. Curl was saying. I have no problem with it, but aren't we leaving ourselves wide open for a lot of, sort of, people who are trying to take advantage of this?

Mr. Sullivan: I think before anybody else does, I'll take a

crack at it because I think you may have something. Both Mr. Chopin and Bob Moore, especially, have been very careful to carve out for us the basis on which this would not be precedent making, and in fact and technically, they are probably correct. Unfortunately, we also live in a world of perceptions; and there are a lot of people out there who are aware of it, and are watching it, and are aware also that Mrs. Hoffstot is a former Commissioner, and a probably a friend of many of us. By the way, I say at the outset that I consider myself a good friend of hers. People are aware of this, and depending on our vote, there are those people, who are less charitable, nonetheless, there are those people who will view this as not only a precedent, but also one that probably would not have been granted to some other people, and it concerns me very much. Are there any other comments?

Dr. Curl: Well, let me say that I can accept dividing the property in half as we have mentioned, north and south, and say only the western section should be landmarked, but that would then include the area of land (indiscernible). I think that's what we've always done in the past.

Mr. Gubelmann: That would make it a cleaner thing. Would she be agreeable to that?

Mr. Sullivan: I'd be very surprised.

Mr. Chopin: It's obviously a better solution than us having to take this forward, frankly. That's my legal judgement, and my judgement as someone that's concerned, like Barbara is, about the whole process. But, I think the issue with Barbara is not as much the landmarking of the entire property as much as it is the fact that this is what she had in mind, or what she thought she had in mind. I mean the fact of the matter is, is that if you did what you did, what you just suggested, you would achieve (indiscernible) reasonable standards or solutions, because the only thing that would be included practically would be the western, the lawn behind the house, if you will. There's no Trail, and it's only visible from the lake and that sort of thing. By the way, Barbara has been told, however, by the National Institute, if you will, that it is not customary to landmark property that is not visible from a public thoroughfare, and she's quoted that to me on more than one occasion. If you've talked to her, I'm sure you've heard the same words. So, it's not a bad solution, but again, I don't think it's any kind of precedent at all. I really don't think it's any kind of precedent that you should be concerned about because all she's asking to do is to clarify, and position or not, my emphasis is that had she presented the proposal in the way in which she did it, it would have been acceptable at the time whether the house were old enough or not. But, I can't speak for Barbara. I don't think that she would be willing to accept that because I think she's here on a matter of principle, not on a matter of any concern with the landmarking itself.

Mr. Gubelmann: Mr. Chairman, one more question. We have in the past, have we not, designated a property's facade only?

Mr. Sullivan: Yes, we have.

Mr. Gubelmann: Would that not accomplish the same objective to re-designate only the facade of her building?

Mr. Chopin: That's true. In fact, we're offering more.

Mr. Sullivan: That's basically what, that's essentially what she's doing.

Mr. Moore: They're actually offering...they're actually offering more with the motorcourt, but since you have designated...

Mr. Sullivan: We could live with that easily.

Mrs. Volk: It is my feeling that disregarding precedent and the rest, that we have established, on the Commission I believe, a feeling of working with the property owners as we go along, and having an understanding and a spirit of cooperation. I know just this winter, we did just designate the facade of an old ocean house, remember; and this is including the entire house and I think that we deal with each property individually and giving it greatest concern and working along in a careful way, and it is my opinion that we should go along with what Mrs. Hoffstot requests, and just designate her property and the motorcourt as she requests. Move along. We could be here all day worrying about Mrs. Hoffstot.

Mr. Sullivan: Would someone care to make a motion?

Mrs. Volk: I'LL MAKE THAT MOTION WHATEVER WAY IT GOES. I'VE KIND OF FORGOTTEN.

Mr. Gubelmann: Facade and motorcourt only.

Mrs. Volk: FACADE AND MOTORCOURT, AND ...
(LET THE RECORD INDICATE THAT THE INTENT OF THE MOTION, ALTHOUGH NOT STATED AS SUCH WAS THAT ONLY THE FACADE AND MOTORCOURT BE DESIGNATED AND LANDMARKS, EXCLUDING ALL OTHER SURROUNDING PROPERTY, WHICH WOULD NOT BE LANDMARKED.)

Mr. Frank: As described on the map?

Mrs. Volk: AS DESCRIBED, RIGHT.

Mr. Gubelmann: We have to recommend to the Town Council (indiscernible).

Mr. Sullivan: So, the motion has been made. Is that clear,

Mrs. Delp?

Mrs. Delp: Yes.

Mr. Sullivan: Is there a second to that motion?

Mr. Gubelmann: Who made the motion?

Mrs. Volk: I did.

Mr. Gubelmann: I'LL SECOND IT.

Mr. Sullivan: Thank you. Mr. Gubelmann has seconded it. Are there any comments now on this motion? Is it clearly understood? All those in favor? Opposed? We'll take a roll call, Mrs. Delp.

Mrs. Delp: Mrs. Volk: Yes
Mr. Gubelmann: Yes
Dr. Curl: No
Mrs. Gingras: No
Mrs. Perry-Metzger: No
Mrs. Albarran de Mendoza: No
and Mr. Sullivan: Abstain

Mr. Sullivan: MOTION FAILS ON A VOTE OF 2-4, 4 AGAINST THE RECOMMENDATION TO THE COUNCIL OF UNDESIGNATION.

Mr. Randolph: Mr. Chairman, if you have a financial conflict of interest, you'll have to file a form for that. Otherwise, you cannot abstain.

Mr. Sullivan: O.K. IN THAT CASE, THEN I WILL VOTE FOR THE RECOMMENDATION OF THE UNDESIGNATION. SO, IT FAILS ON A VOTE OF 3-4, 4 AGAINST. The next item on the agenda...

Dr. Curl: Well, before we go on, just to see what happens...

MOTION BY DR. CURL THAT WE UNDESIGNATE THE EASTERN HALF OF THE PROPERTY AT EITHER 820 OR 822 SOUTH COUNTY ROAD, AND THIS TO RECOMMEND TO THE TOWN COUNCIL.

Mr. Moore: Do you mean the western half, Doctor? I'm sorry to interrupt you, but...

Mr. Sullivan: No, he's correct.

Mr. Gubelmann: We will de-designate the eastern half.

Mr. Sullivan: That's correct.

Dr. Curl: Yes.

Mr. Moore: Oh, O.K.

Mr. Sullivan: There is a motion made by Dr. Curl to de-designate the eastern half of the Hoffstot property.

Mr. Gubelmann: I'LL SECOND THAT.

Mr. Sullivan: That's seconded by Mr. Gubelmann. Are there any comments or discussion on this motion? This is basically taking half the property, Mrs. Volk, the eastern half of the property, and undesignating it.

Mr. Gubelmann: The unimproved land. We're de-designating the land.

Mr. Sullivan: Can you all see this?

Ms. Perry: Are we undesignating the house?

Mr. Sullivan: No, we're not. The house is here. The house is on the western portion.

Ms. Perry: Oh, the house is on the lake.

Mr. Gubelmann: The house is on the lake.

Mr. Sullivan: Yes, it's on the lake. All of that is vacant land.

Mr. Gubelmann: So, again, it's not enough to separate (indiscernible)

Ms. Perry: Oh, I see.

Mr. Sullivan: Does everybody understand the motion now? Cindy, are you O.K. with this?

Mrs. Delp: Yes.

Mr. Sullivan: O.K. Hearing no comments, all those in favor. We'd better go with a roll call.

Mrs. Delp: Dr. Curl: Yes
Mr. Gubelmann: Yes
Mrs. Volk: Yes
Mrs. Perry: Yes
Mrs. Gingras: Yes
Mrs. Albarran de Mendoza: Yes
Mr. Sullivan: Yes

Mr. Sullivan: MOTION PASSES UNANIMOUSLY.

ITEM 2: 1800 South Ocean Boulevard
OWNER: R.M. Jr. & Mary M. Montgomery
LEGAL: 11-44-43, S 296 FT OF N 2207 FT OF
GOV LT 1

Mr. Sullivan: The next item on the agenda is 1800 South Ocean Boulevard. The owner is Mr. and Mrs. Robert Montgomery. And is there any representative who is going to speak to this undesignation?

Mr. Gene Lawrence: I can answer any questions, but I don't intent to propose anything.

Mr. Sullivan: Well, did you want to speak on this Gene?

Mr. Lawrence: Not unless there's a question.

Mr. Sullivan: Probably not then, and members of the Town Staff are sworn. Has legal notice been served?

Mr. Frank: Yes, Mr. Chairman. It has.

Mr. Sullivan: Would you care to give your report then?

Mr. Frank: Thank you. Staff found that the property known as 1800 South Ocean Boulevard and/or Sin Cuidado no longer meets the criteria under which it was designated a landmark of the Town of Palm Beach in 1979. That's in Item VII. of the Undesignation Report. I'd like to carry on. First of all, I think we should articulate, as we did in the earlier one, Item VI. The Request of the Applicant, and I'll read that into the record: "In its December, 1989 meeting, the Landmarks Preservation Commission of the Town of Palm Beach requested that the Staff prepare an Undesignation Report for the property known as 1800 South Ocean Boulevard."

"The action was put forth by the Commission as a result of additional renovations and alterations initiated by the current owner of the property. Commission member, Dr. Donald W. Curl, a noted expert on the architecture of Addison Mizner, contended that the structure standing at 1800 South Ocean Boulevard is no longer representational of Mr. Mizner's original design for that site. The requested removal of the designation status will require affirmation by the Town Council, should the Landmarks Preservation Commission choose to grant the request."

"In accordance with Ordinance #2-84, the Landmarks Preservation Commission should consider the following criteria for the removal of Landmark status from this property:

1. The historic or architectural significance of the structure.
2. The importance of the structure to the aesthetics of the district.
3. The special character and aesthetic interest that the structure adds to the district.

4. The difficulty or impossibility or reproducing such a structure by virtue of its design, texture, material, detail, or uniqueness of location.

5. The future utilization of the site."

"The Commission should cite one or more of the above criteria to support their action on the request for the removal of this property's landmark status."

Getting back to what I started earlier, under Item VII. Analysis of the Request, "The Staff has found that the property known as 1800 South Ocean Boulevard and/or "Sin Cuidado" no longer meets the criteria under which it was designated a Landmark of the Town of Palm Beach in 1979."

"In the past two years, "Sin Cuidado" has undergone over 100 approved changes to its overall appearance. Additionally, some 35-50 unapproved changes to the appearance of this structure have been completed. As a result of these changes, Staff concurs with Dr. Curl's statement that the present structure no longer embodies the original architectural design for this structure."

"Based upon the evidence of the changes made to this structure, as provided by the Town of Palm Beach Planning, Zoning, and Building Department, the structure at 1800 South Ocean Boulevard no longer meets criterion (c) or criterion (d), as set forth in Ordinance 2-84."

"Additionally, criterion (a) and criterion (b) were not mentioned in the 1979 Designation Report, nor was any other information found to support their inclusion as criteria for the designation of 1800 South Ocean Boulevard."

"Staff believes, therefore, that the structure at 1800 South Ocean Boulevard no longer meets any of the four criteria as set forth in Ordinance #2-84."

"Recommendation of Staff Based on the numerous changes and alterations to the structure, and as the result of evidence provided by the Town of Palm Beach Planning, Zoning and Building Department, and Dr. Donald W. Curl, the Staff believes that the structure at 1800 South Ocean Boulevard no longer meets the criteria for designation as a Landmark of the Town of Palm Beach, as set forth in Ordinance #2-84. Staff recommends the removal of landmark status from this structure as requested by the Landmarks Preservation Commission."

Mr. Staff, could you...Mr. Sved, could you show us, could you show us the evidence.

Mr. Sved: Thank you, Mr. Frank, Mr. Staff. I brought a couple comparative slides to show you of this property. Here we're

looking at the ocean facade, and you can see on the left, on the left half of the left slide you can see, and I know it's a little bit dark, and it's hard to see, you can see where an entire entrance has been made to this property on the ocean side, where on the right, there was a relatively unobtrusive doorway originally. Additionally, in the left slide, in the right half of the left slide, you see up in here you see some window changes made somewhat in accordance with what was on other portions of the property. However, as you can see on the right hand slide, they were never intended to be there. Oh, there's Barbara Hoffstot, apparently working on her book. Hi, Barbara! As you can see, the main focus of this house has been turned around from more of an outward, more of an originally inward appearance with its interior motorcourt on the west facade of the building to what is now an ornate entrance on the east side of the structure which was never intended by all accounts by Mizner's original design. In this photograph on the right, you can see the guest house and on the left its relationship to the structure as it stands now. They really don't blend together anymore, and I would venture to guess that Dr. Curl might say that the guest house is more compatible with Mizner's design than the original house is, at this point.

Dr. Curl: If you want me to.

Mr. Sved: In the photograph on the right, you can see how the current scheme is trying to incorporate the new ornateness of the building into the, which with that gate, into the original fabric of the structure. I believe this is the last slide, and I'll concur with everything Mr. Frank has said and with what Dr. Curl has stated at the beginning of last year and early this year. This building is no longer representational of the Addison Mizner structure that it once was, and therefore, I believe that it should be removed from landmark status in the Town of Palm Beach.

Mr. Sullivan: Thank you, Mr. Sved. Is there a motion to accept the De-Designation or Un-Designation Report?

MOTION BY DR. CURL THAT THE DE-DESIGNATION REPORT OR UN-DESIGNATION REPORT BE MADE A PART OF THE RECORD.

MOTION SECONDED BY MRS. GINGRAS.

Mr. Sullivan: Are there any comments on the motion? Mr. Gubelmann.

Mr. Gubelmann: I have a question. I've only been on this Commission for a year, and it seems to me that every time somebody wants to do something to a landmarked house, they have to come before this Commission, and this house of Mr. Montgomery's has been landmarked for quite a considerable period of time, I believe. How have we let this house get developed in such a way that it no longer conforms to what we consider

landmark status.

Dr. Curl: That's exactly the point.

Mr. Sullivan: This is, if you want me to handle that one, I'll try, but...

Mr. Gubelmann: It's an open-ended question. I don't know, but basically, I concur with Dr. Curl that perhaps it has been changed and is no longer appropriate. Should we not have overseen these changes so it didn't get that way.

Mr. Sullivan: Absolutely. The fault here, of course, started with a series of requests, some of which were appropriate, others of which were not, and as a Commission, we dropped our responsibilities. Our responsibility was to have said, "No", and we didn't. Then to exacerbate the difficulty, is you had a property owner who went ahead on his own and incorporated fifty non-approved changes without our knowing about it, and was finally red-tagged a total of 50-54 times, something of this nature. He then came back a posteriori basis for approval of the non-approved changes, and once again, by this time, we approved some of the non-approved items, which shouldn't have been. There's a lot of fault in this particular home to be passed around to just about everyone, everyone involved, but this Commission cannot escape probably bearing the greater amount of the responsibility for letting it go, for it is, in my opinion, on of the, certainly, the ten most important properties in Town.

Mr. Gubelmann: Hopefully, we should have learned a lesson.

Mr. Sullivan: Dr. Curl, do you have any comments?

Dr. Curl: Well, I mean the comment that the thing was brought up again with John Gosman, and I can never say the name...I'm sorry, Tsai, yes. We approve things piecemeal. I'm not saying that what is standing at 1800 South Ocean Boulevard isn't an attractive, well put together house at this time. I'm just saying that it has nothing to do with what we, as a Commission, believe we are doing, and the reason for it was basically that Mr. Lawrence came in and asked to changed the entrance. Once you changed the entrance, it was decided that this this one tall hanging gallery on the front was no longer appropriate. It was too southwestern or something. So, then you came in for that. This continued, one thing after another... the new circular driveway, the new steps that come out, you know, it was one thing after another, sometimes together. But I'm certainly not blaming Mr. Lawrence for this either because he didn't come in and ask for just one thing maliciously. That was what, at the time, was being considered, and then something else was considered. And then we got windows, french doors, that were completely different from any other window on the whole facade. Well, I won't go on. I mean, it is tragic.

Mr. Gubelmann: I can hear the gist of what you're saying.

Mrs. Volk: It went over a period of years too.

Mr. Sullivan: That's right. It is exactly because of this building that you've heard me now insisting with these architects that we get an overview first, and that they go into the process of comprehensive planning.

Mr. Gubelmann: I can see the potential for this happening with that other one.

Mr. Sullivan: You're absolutely right. Yea. You're absolutely right. I'm concerned about that now also, myself. That's too important, but if there's one thing that we should be able to do now is learn from our mistakes, and as a Commission, every one of us, and most of you will be on here a lot longer than Don and I will be. Don't ever let this happen again. It's a shame. Insist on comprehensive planning, and don't be afraid to say, "No".

Dr. Curl: May I also say that when I suggested this process to Tim, it was as a joke, but I think it's the right thing to do.

Mr. Sullivan: Any other comments? Hearing none, it would be appropriate if someone would care to make a motion.

Dr. Curl: I hate to do it again. I hate to be the one to it, period, but...I'LL MOVE THAT 1800 SOUTH OCEAN BOULEVARD BE RECOMMENDED TO TOWN COUNCIL FOR DE-DESIGNATION OR UNDESIGNATION AS A LANDMARK OF THE TOWN OF PALM BEACH, AND THAT THE CRITERIA, AS PRESENTED, BE MADE A PART OF THE RECORD.

Mr. Sullivan: Thank you. Motion by Dr. Curl. Is there a second?

MOTION SECONDED BY MRS. GINGRAS.

Mr. Sullivan: Seconded by Mrs. Gingras. Are there any comments on the motion? All those in favor to de-designate. Opposed.

MOTION CARRIED UNANIMOUSLY.

(To review the justifications for the designation criteria on the aforementioned properties, please see the attached documentation from the Designation Reports.)

VII. Other Business

A. Preservation Celebration

Mr. Frank reminded the Commission about the Preservation Celebration on Friday, May 18, 1990 at the Memorial Fountain

and Plaza from 4:00 to 6:00 p.m., and encouraged the Commissioners to attend.

B. Resume Request

Mr. Frank requested that the Commissioners provide him with updated resumes, more correctly, curriculum vitae, as the Town is required to provide this information to the State in order to satisfy their requirement for a well-rounded Commission, i.e., the Certified Local Government program. These should be submitted to Mr. Frank by May 15, 1990.

C. Town Council Ratification Meeting

Mr. Frank reminded the Commission about the next Town Council Designation Ratification Meeting to be held Monday, June 11, 1990 at 9:30 a.m. All Commissioners were encouraged to attend this meeting. This sentiment was echoed by Mr. Sullivan.

VIII. Adjournment

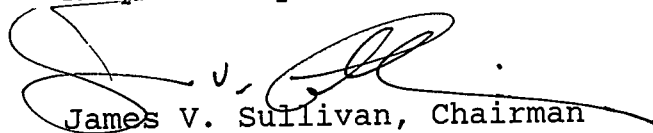
MOTION TO ADJOURN BY MRS. VOLK.

MOTION SECONDED BY MRS. GINGRAS.

MEETING ADJOURNED AT 12:59 P.M.

The next meeting of the Landmarks Preservation Commission will be held on Friday, May 18, 1990 at 9:00 a.m. in the TOWN COUNCIL CHAMBERS, TOWN HALL, 360 SOUTH COUNTY ROAD, PALM BEACH.

Respectfully submitted,


James V. Sullivan, Chairman

cmd

700 North Lake Way

find detailing. By virtue of its excellent design incorporating an unusual plan as well as its extraordinary property and setting, 700 North Lake Way is worthy of the protection and special consideration it would be afforded if Designated a Town Landmark.

VI. Criteria for Designation

Section 16-38A of the Town of Palm Beach Landmarks Preservation Ordinance #2-84 outlines the criteria for designation of a landmark or landmark site and suggests that at least one criterion must be met to justify the designation. Listed below are criteria which relate to this property and justification for designation:

(a) "Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town."

700 North Lake Way reflects the cultural, economic, and social history of Palm Beach. It is one of the very few truly awe-inspiring estates constructed after the Depression. Fatio's British Colonial design incorporates the architectural style of the day into an exceptional site unparalleled in Palm Beach.

The resulting house reflects the glamorous and luxurious style of living upon which Palm Beach's reputation was built. The walls of ficus hedges, which shield the house from the street, help the owners to keep a low profile and enjoy their property.

(c) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship."

700 North Lake Way is an outstanding example of the British Colonial style constructed on a truly grand scale. 700 North Lake Way is a British Colonial design ideally suited for study. Its large size, creative plan incorporating an unusual entrance pavilion, and impressive detailing, (seen in the windows, cornice, roofline, etc. show it to be a house of exceptional merit.

(d) "Is representative of the notable works of one or more master builders, designers or architects whose individual ability has been recognized to have influenced their age."

Maurice Fatio was one of the Palm Beach's top architects in the 20's, 30's. and early 1940's. Treanor & Fatio was one of the largest architectural firms in Palm Beach and Fatio's distinctive designs can be seen throughout the island.

Fatio was born in 1897 in Geneva, Switzerland. He studied architecture under Karl Moser at the Zurich Polytechnical. After graduation in 1920, Fatio came to America and apprenticed with Harrie T. Lindeberg, a prominent New York architect of Norman and English style country houses.

In 1921, Fatio formed a partnership with William A. Treanor, another architect in Lindeberg's firm. They quickly achieved a great deal of success, constructing numerous houses, primarily Colonial, on Long Island as well as buildings in Manhattan, including Beekman Tower on the East River.

Fatio's association with Florida can be traced to his time with Lindeberg, when he received the commission for eight small houses in New Smyrna, Florida. In October, 1923, Treanor and Fatio were asked to be the architects for the Olympia Beach development, now Jupiter Island. The following year Fatio opened an office in Palm Beach.

Fatio's many commissions for houses and commercial buildings in Palm Beach were based on his reputation in New York as well as his charm, good looks, and European manners. During his career in Florida, Fatio designed in many diverse styles. Mediterranean Revival, more specifically, Italianate houses incorporating tower blocks, were designed for William McAneeny (195 Via Del Mar), the Coopers (801 South County Road), Mortimer Schiff (920 South Ocean Boulevard), and Daniel McCarthy (550 South Ocean Boulevard). More horizontal, symmetrical and formal Florentine houses were designed for Otto Kahn (690 North County Road) and Joseph Widener (1500 South Ocean Boulevard). In the mid-30's Fatio began designing in the Georgian and British Colonial styles. Large commissions for Albert Worswick (1860

South Ocean Boulevard), E.F. Hutton (1768 South Ocean Boulevard), and Wolcott Blair (1960 South Ocean Boulevard) with their simple materials and uncluttered lines reflected the sober economic climate and set the pace for the smaller Colonial and Regency commissions that followed them.

During this time, Fatio also worked in the modern style, producing the modern masterpiece "The Reef", built for Mrs. Barclay Douglas (Jo Hartford). Other modern houses were designed for Messmore Kendall, aviation pioneer Grover Loening, and Prince and Princess Zalstem-Zalesky (Evangeline Johnson Merrill).

World War II brought a halt to construction in Palm Beach. Although Fatio was already beginning to suffer from cancer, in June, 1943, he entered the Office of Strategic Services. He died of cancer later that same year, on December 2, 1943.

172 South Ocean Boulevard

V. Statement of Significance and Criteria for Designation

Statement of Significance

"La Salona" is located on the west side of South Ocean Boulevard where it intersects with Clarke Avenue. This is a large oceanfront estate with many equally prominent surrounding residences. The fine quality of its Mediterranean Revival detailing greatly contributes to the atmosphere of both South Ocean Boulevard and Clarke Avenue.

La Salona was designed by Marion Sims Wyeth of the firm Wyeth and King. Major additions were designed by Maurice Fatio of the firm Treanor & Fatio. It is a prime example of the Palm Beach Mediterranean style by two of its greatest practitioners. This house is fully worthy of the protection and special consideration it would be afforded if Designated a Town Landmark.

VI. Criteria for Designation

Section 16-38A of the Town of Palm Beach Landmarks Preservation Ordinance #2-84 outlines the criteria for designation of a landmark or landmark site and suggests that at least one criterion must be met to justify the designation. Listed below are criteria which relate to this property and justification for designation:

(a) "Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town."

172 South Ocean Boulevard reflects the cultural, economic, and social history of Palm Beach. It was built by Wiley R. Reynolds in 1926 and 1929, with original construction permits totaling \$181,750. These grand Mediterranean Revival mansions were primarily created for entertaining, and their ocean views stand today as a reminder of the past grandeur of Palm Beach, a vacationland for the wealthy.

(c) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a

period, style, method of construction or use of indigenous materials or craftsmanship."

"La Salona" is a first rate example of the Mediterranean Revival style designed by two of the most important architects in Palm Beach during the 1920's. Wyeth and Fatio designed a house which completely utilizes its large lot size through the extensive use of courtyards and cloisters. The Spanish Baroque entrance along Clarke Avenue, its double doors and wrought iron transom giving onto the open center courtyard, act as an anchor for the side street which houses many fine Wyeth designs. Along the ocean the master bedroom balcony, with its wrought iron balustrades and uprights as well as the extensive use of stone detailing--both smooth and indigenous quarry key stone creates a complex and unusual facade visible from both the road and the public beach.

"La Salona" is recognized in the Historic Building Survey of Palm Beach, 1981. The survey indicates this house is a building of significance which could meet the criteria for listing on the National Register.

(d) "Is representative of the notable works of one or more master builders, designers or architects whose individual ability has been recognized to have influenced their age."

PLEASE SEE WYETH AND FATIO BIOGRAPHIES, AS ATTACHED.

The Town Hall Square Historic District

Criteria for Designation

Section 16-38 (b) of the Town of Palm Beach Landmarks Preservation Ordinance #2-84 outlines the criteria for creation of Historic Districts, and suggests that at least one criterion must be met to justify the designation. Listed below are criteria which relate to this historic district, and the justification for designation of same.

(a) "Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county, or town."

The proposed Town Hall Square Historic District has been the commercial and governmental center of Palm Beach since Town Hall was built in 1926. The Police Department, Fire Department, and the local government have all occupied this historic building, and today are still clustered in this immediate area. The stores and offices which extend from Royal Palm Way to Worth Avenue serve the daily needs of Palm Beach residents today, much the way they did sixty years ago. The intimate, human scale and proportions of the buildings in this area make the proposed Town Hall Square Historic District an excellent pedestrian thoroughfare.

(c) "Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship."

Many of the buildings in proposed Town Hall Square Historic District are designed in the Mediterranean Revival style. Palm Beach Town Hall, the Old Daily News Building, and the Buckley Building are all Mediterranean Revival structures which are already landmarks of the Town of Palm Beach. The Palm Way Building at the corner of Royal Palm Way and South County Road is eligible for individual landmark status.

315 South County Road is a fine example of Tudor style architecture built in 1928. The unusual Moderne building at 332 South County Road was designed by Treanor and Fatio in 1938. Both of these buildings are also eligible for individual local designation.

(d) "Is representative of the notable work of a master building, designer, or architect whose individual ability has been recognized or who influenced his age."

The proposed Town Hall Square Historic District was designed by many of Palm Beach's finest architects. The noted New York

architectural firm of Harvey & Clarke designed the Town Hall. Treanor & Fatio designed 332 and 336 South County Road. Addison Mizner designed the Palm Way Building in 1924.

PLEASE SEE THE ATTACHED BIOGRAPHIES.

(e) "Constitutes a unique area of architecture, landscape and planning."

The proposed Town Hall Square Historic District is a unique area of urban planning in Palm Beach. The Town Hall is the centerpiece of this commercial area. This distinguished Mediterranean Revival building occupies its own island in the center of County Road. The Memorial Fountain, which extends north from the building, creates a dramatic focal point when approaching from Royal Palm Way. The architectural styles of the many shops and offices in this district are varied, but the buildings are united by their intimate scale, and by virtue of their being first rate examples of their respective styles.

Many aspects of the proposed Town Hall Square Historic District conform to those set forth in the monumental 1930 work, Plan of Palm Beach, by the Garden Club of Palm Beach.