

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

TUESDAY, FEBRUARY 18, 2003 AT 9:00 A.M.

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

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

II **Roll Call:**

PRESENT: Eugene Pandula, Chairman
Elizabeth Dowdle, Vice Chairman
Ann Blades, Secretary
Sari Wilkey, Member
Ann Vanneck, Member
Jack Pyms, Member
Wendy Victor, Alternate Member
Patrick Segraves, Alternate Member
Mario Nievera, Alternate Member
John C. Randolph, Town Attorney (arrived at 9:08 a.m.)
Robert L. Moore, Dir. of Planning, Zoning & Bldg. (@ 9:45 a.m.)
Timothy M. Frank, Planning Administrator
Jane Day, Staff Preservation Consultant

ABSENT: Judy Hoffman, Member (Excused)

RECORDING SECRETARY: Cynthia M. Delp

III **Approval of the Minutes of the January 15, 2003 meeting:**
MOTION BY MRS. WILKEY FOR APPROVAL OF THE MINUTES.
MOTION SECONDED BY MRS. DOWDLE.
MOTION CARRIED UNANIMOUSLY.

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

V **Public Hearings:**

A. **Application for Certificate of Appropriateness #24-2002, (deferred from Oct., Nov., Dec., & Jan.) Changes to residence, landscape, hardscape and replacement of pool and deck**

Owner/Applicant: Edward J. Kelly

Address: 19 Golf Road

Architect: Lee Kvarnberg

Project Description: Request approval of the following:

1. New swimming pool and deck
2. Restoration of hardscape
3. Restoration of garage door to its original location on the east facade
4. Fill in the garage door on the north facade
5. Restoration of drive to original east location with curb cut being restored to its original location on County Road and circular drive at Golf Road
6. New roof (textured flat tile)
7. New windows and exterior doors to match existing style.
8. Modification of two windowsill heights to conform to interior layout
9. Double hung window at first floor laundry to have sill raised 12" to allow for washer/dryer and second floor hall connecting master bedroom and study to have window sill lowered to match other windows on that elevation.
10. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: None declared

Project approvals to date for CoA#24-2002

There was a motion at the October meeting for approval of the project as presented with the proviso that the applicant returns with the roof material and the landscape/hardscape, and with the proviso that the wood columns proposed between the french doors on the south elevation are eliminated.

At the November meeting, there was a motion for deferral to the December meeting to allow for the presentation of other roof tiles and paint samples relative to the color change on the house, and deferral of the landscape to the January meeting.

At the December meeting, there was only a motion for deferral to the January meeting. At the January meeting, there was only a motion for deferral to the February meeting, with the instruction to the architect that if any more deferrals are requested, the project will have to be re-advertised.

Mr. David Palmer, with Livingston Builders, and Mr. John Lang, Landscape Architect, presented the remaining elements of this project. Mr. Lang stated that the pool will be rebuilt, 15'x 40', up to current standards, with a precast deck. There is an existing brick walk in the front with a patio. That patio will be removed, and the brick will be recycled to the patio off the kitchen. The driveway (precast with old brick inlay samples shown), off South County Road, will be redone to match the original circular configuration. It was noted that the driveway has received both Public Works and DOT approval. The garage opening has been changed from Golf Road to South County Road. The existing property wall will be refurbished and changed to accommodate the new curb cuts. As for the landscape, several very nice trees on the property will be maintained, especially two banyan trees. Members of the LPC informed Mr. Lang that the banyans have been poorly and drastically pruned, to their possible detriment. Mr. Lang, having been out of the

country, was unaware of the change in the trees, and pledged that he would visit the site immediately after the meeting. He did admit that if the pruning was so poor, it could take them quite some time to rejuvenate. Seagrapes at the front east edge of the property will remain. The hedge along South County Road will be refurbished for privacy. A mango tree will be removed, along with other inappropriate or unhealthy trees. Mr. Lang reviewed the remainder of the landscape plan. The site is 58% green, and does have retention areas planned.

MOTION BY MRS. DOWDLE FOR APPROVAL OF THE LANDSCAPE AND HARDSCAPE WITH THE PROVISO THAT MR. LANG WILL HAVE TO RETURN TO THE LPC IF THE BANYANS ARE IN SUCH POOR CONDITION THAT THE PLAN WOULD HAVE TO BE CHANGED.

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

Mr. Palmer stated that the owner is requesting black shutters (to replace existing red shutters) and a black tiled roof. He brought a sample of the existing roof tiles and the proposed flat black tiles. Both tiles are basically the same size, but the colors are different. Mr. Palmer was not sure of the original roof material, but believed it was flat tile. The LPC did not like the flat black tiles presented.

Mrs. Day stated that she had researched the roof, and found that Fatio had drawn the roof with both flat and barrel tiles. Like Mr. Palmer, she believed that the original roof was flat. She recommended the re-use of flat tiles on the roof.

Mr. Pandula thought the black shutters were fine, but preferred that terracotta tiles be used on the roof, as they are more appropriate and will mold and turn dark anyway. He felt that the black tiles look more like slate and alter the character of the house. Mr. Palmer could not commit to the terracotta without the owner's approval, so he requested a deferral.

**MOTION BY MRS. VANNECK FOR DEFERRAL TO THE MARCH MEETING.
MOTION SECONDED BY MRS. BLADES.
MOTION CARRIED UNANIMOUSLY.**

MOTION AMENDED BY MRS. VANNECK FOR APPROVAL OF THE BLACK SHUTTERS, AND DEFERRAL OF THE ROOF TILES TO THE MARCH MEETING.

MOTION SECONDED BY MRS. BLADES.

Mr. Randolph offered a suggestion to save some time for the owner and applicant, resulting in the following amended motion:

MOTION FURTHER AMENDED BY MRS. VANNECK FOR APPROVAL OF THE BLACK SHUTTERS AND TERRACOTTA ROOF TILES, SUBJECT TO THE OWNER'S ACCEPTANCE OF THE TERRACOTTA.

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

- B. Application for Certificate of Appropriateness #1-2003,
Driveway gates (deferred from January 2003)
Owner/Applicant: Mr. Michael Price
Address: 452 Worth Avenue
Architect: Brower Architectural Associates Inc.
Project Description: Request approval of replacement of existing driveway gates
with new gates, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: None declared

Mr. Frank stated that the architect has requested deferral to the March meeting.

MOTION BY MRS. BLADES FOR DEFERRAL TO MARCH.

MOTION SECONDED BY MRS. VANNECK.

MOTION CARRIED UNANIMOUSLY.

- C. Application for Certificate of Appropriateness #11-2002 (deferred from June &
July, August, Sept. & Oct.) Gatehouse, landscape, hardscape, new porte cochere
Owner/Applicant: The Breakers Palm Beach Inc.
Address: 1 South County Road
Architect: Wimberly Allison Tong & Goo (WAT&G)
Peridian International Inc., Mr. Arthur Beggs
Project Description: Request approval of the following:
1. Front Driveway Improvements - Reconfigure the front driveway/ parking and
landscape area with landscaping and lighting improvements, and add a security
gatehouse on main driveway. The parking currently located on the main driveway
will be relocated to a service drive to the south.
 2. Balustrade Removal: Replicate balustrade at front entrance west of Porte
Cochere of the Hotel further west in order to add additional valet lanes to match
existing west of front lawn
 3. Ponce de Leon Porte Cochere - Add new porte cochere and covered walkways
to the south entrance of the Hotel connecting it to the Beach Club with
landscaping and lighting improvements.
 4. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared
(SEE PAGE 3 FOR APPROVALS TO DATE)

Application for Certificate of Appropriateness #11-2002 - Approvals to date

Motion at the June meeting: "that the applicant re-visit the design of the gatehouse to make it less massive,
approve the materials for the walkway, approval of the landscaping, approval of removal of the balustrade
that is between the three arches at the front door, that another balustrade not be added as was originally
contemplated, and that the porte cochere be re-visited (for its roof) even though the concept is good, and the
arch in the porte cochere is acceptable." The applicant was requested to return to the July meeting with
details relative to the south supplemental parking with the landscape islands.

At the July meeting, there was a motion for approval of the gatehouse design, presented as design option #2,
with some thought to be given to vining the gatehouse, and if needed, underplanting the hibiscus hedge at the
south parking area. Relative to the porte cochere, there was a motion for approval based upon the applicant
returning next month with glass samples, details regarding the clips, materials and color of the metal elements.

At the August meeting, there was a motion for approval of the color of the glass, and the color of the metal, and approving the clips for the trellis and canopy to be the same bronze color, and requiring that the shop drawings return to the LPC showing the profiles of the metal, and the size and position of the attachments to the building.

At the August meeting, there was a motion to approve the 36" tall Flagler bollard with a metal halide lamp, diffusing part of the light that is facing the gatehouse, and approval of the interior fixtures in a verde finish with metal halide lamps as well.

At the September meeting, there was a motion for deferral to the October meeting as shop drawings were not ready.

At the October meeting, there was a motion to approve the temporary awning through June 1, 2003. There was also an approval of the new restroom building required in conjunction with the gatehouse. There was a motion for deferral of the shop drawings for the glass system to the November meeting.

At the November meeting, there was a motion for approval of the glazing system at the trellis walk, as revised, and approval of the automatic window curtains along the trellis walk. There was also a motion for deferral of the glass canopy element to the February 2003 meeting.

Please note that the Breakers has requested that the remaining details of the glass canopy element be removed from the agenda as the "architects have not yet worked out the final details and components for the suspended glass canopy (butterfly wing) that would serve as an attachment to the hotel's south entrance." The Breakers will apply for a new Certificate of Appropriateness when plans are fully developed for same, or some other alternative.

Mr. Frank stated that removal from the agenda may be appropriate. Mr. Pandula, however, stated that the approvals given to date relative to the porte cochere were based on the glass canopy being part of the design, and as such, a deferral was suggested. Mr. Randolph commented that staff should immediately follow up with a letter explaining the reason for the deferral and relaying the importance of the glass canopy to the design.

MOTION BY MRS. WILKEY FOR DEFERRAL OF THE BUTTERFLY CANOPY TO THE MARCH MEETING.

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

- D. Application for Certificate of Appropriateness #26-2002, (deferred from Nov. & Dec.) Loading dock improvements
Owner/Applicant: Bath and Tennis Club
Address: 1170 South Ocean Boulevard
Architect: Brower Architectural Associates
Project Description: Request approval for improvements to loading dock area to include new hedge, pavers, wood gates, wood door, wrap fire escape with wood, aluminum railing, coach lights, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: None declared

Mr. Frank stated that he had spoken to the architect. A corrected drawing needs to be submitted to the Town, and as such, a deferral is requested.

**MOTION BY MRS. DOWDLE FOR DEFERRAL TO THE MARCH MEETING.
MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.**

E. Application for Certificate of Appropriateness #3-2003

Site Lighting

Owner/Applicant: The Society of the Four Arts

Address: Four Arts Plaza

Contractor: Luminary Effects Inc.

Project Description: Request approval to illuminate a banyan tree in the Northeast corner of the property with ten (10) up lights, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: None declared

When this item was called, no one was present for this hearing.

MOTION BY MRS. DOWDLE TO DEFER THIS TO THE END OF THE AGENDA.

MOTION SECONDED BY MRS. BLADES.

MOTION CARRIED UNANIMOUSLY.

The item was re-called just before Other Business.

Mr. Don Collier was sworn, as he was not present earlier. He stated that the canopy of the tree will be illuminated from the ground with approximately 1000 watts of white light, with no light glare due to shielding.

MOTION BY MRS. DOWDLE FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MRS. WILKEY.

MOTION CARRIED UNANIMOUSLY.

F. Application for Certificate of Appropriateness #5-2003

Miscellaneous new construction

Owner: Brazilian Court Inc.

Applicant; CSC Brazilian Court

Address: 301 Australian Avenue

Architect: The Lawrence Group

Project Description: Request approval of the following:

1. Remove existing two-story laundry/mechanical/office building adjacent to pool deck and construction three new two-story hotel suites
2. Construct new walk-in cooler structure, chef's office and hall at loading dock area
3. Construct outdoor storage room at loading dock area
4. Install new structural glass doors at Brazilian Avenue entrance to North courtyard.
5. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: Mr. Nievera stated he had met with the developer.

Mr. Richard Leja, with the Lawrence Group Architects, highlighted the major elements of the project as listed above. (The secretary notes that regarding the loading dock, Mr. Leja stated that

a dumpster enclosure will be constructed (differing from the application's Item #2) In addition to the three new two-story hotel suites, the Lanai Suites, there will be a modification to the swimming pool shape.

① At the loading dock area, the dumpster enclosure, facing south, will be open with a clay tile roof to match existing. The walk-in cooler addition and the chef's office will match the existing structures in height. The walk-in cooler will actually be built on top of the existing loading dock.

At the pool area, the three two story lanai units will be constructed, subsequent to the proposed demolition as listed above. (It was noted that the laundry will now be contracted out and done off site. Also, the offices being removed will be relocated into the Ohio House.) Elements from the north courtyard have been mimicked in the design of the lanai units. Mr. Leja noted that the existing oval pool will be changed to a longer and narrower modified version of a rectangular pool, which will still serve the entire Brazilian Court.

Mrs. Victor expressed a concern that the design of the new lanai units should not copy details of original sections of the Brazilian Court, but should be of a design which is compatible with the landmarked building. Mrs. Day commented that the Secretary of the Interior's Standards do recommend such differences in the design of original versus new. She added that when she and Mr. Pandula reviewed the submission, they noted some proportional design issues which should be addressed relative to the lanai units. It was questionable as to whether the balconies shown are usable. Mrs. Victor commented that form should follow function, and as such, the balconies should be usable. Mr. Leja responded that the balconies are purely an architectural detail, not designed for use.

① Mrs. Day noted that the building to be removed to allow for the lanai units was original to the Fatio plans, and was a service area. There was not always a pool in this area, however. She also noted that the Brazilian Court has agreed to abandon their tax abatement in order to undergo all of the changes which have previously been requested, and those being requested today. Mr. Pandula commented that the new pool layout is nice, but the elevation of the lanai units shows too many small pieces. Mr. Nievera noted that landscaping would help the design. There was some discussion as to the design not providing any weather protection for persons accessing the lanai units. Historically, the desire for open space at the Brazilian Court has outweighed the need for covered passage.

As for the glass doors at the Brazilian Avenue entrance, Mr. Leja stated that these are proposed for security reasons. The doors will follow the shape of the existing arches. Mrs. Victor expressed her opinion that the doors will inhibit air flow within the courtyard. Mr. Adam Schlesinger, representing the Brazilian Court Hotel, stated that the intent is to glass in the area, and create a desk for a concierge to "enhance the 5 star atmosphere" that is being created. The concierge space will offer convenience to the guests and security as well.

① At this point, Mr. Pandula asked Mr. Schlesinger what other changes are contemplated for this site. Mr. Pandula explained that the Brazilian Court has been before the LPC on several other occasions and has been receiving a series of piecemeal approvals. These approvals, which singularly are not detrimental, are a concern when considering the sum total of the changes effected to date. If the LPC had been presented with one comprehensive project, the integrity of the architecture at the Brazilian Court would be better preserved today. Mr. Schlesinger stated

that no additional changes, other than a future landscape plan and the changes being presented today, are contemplated in the future.

① Mrs. Victor re-stated her objection to the glass doors in the north courtyard, as air conditioning that space is against the spirit of the building. She stated a preference for simply wrought iron gates or doors. Mr. Lawrence stated that wrought iron and glass doors would be acceptable, but Mrs. Victor quickly clarified that there should be no glass at all.

Mr. Pandula commented that the changes in the service area are fine, but he felt it would be advisable to place doors on the dumpster enclosure since it will be closer to a public street than it is currently. As for the lanai units, he recommended re-study of the elevation to make it simpler. Lastly, he felt that the glass doors are not good for the building architecturally.

MOTION BY MRS. WILKEY TO APPROVE THE ADDITIONS AND CHANGES TO THE LOADING DOCK AND TO THE COOLER, WITH THE PROVISIO THAT SOME TYPE OF DOORS BE PLACED IN FRONT OF THE DUMPSTER, AND THAT THE APPLICANT SHALL RETURN WITH A DIFFERENT DESIGN FOR THE LANAI UNITS.

Mr. Frank interrupted saying that he has been informed by zoning that there are some air conditioning units shown which may be in violation of setback. Also, there is an ice machine outside. The LPC should be informed of these issues. He recommended that these items be included into a motion for deferral. Mrs. Victor stated that there are so many issues that need to be addressed that she would rather have them re-study the whole project, and not give any partial approvals at this time.

① **MOTION WITHDRAWN BY MRS. WILKEY.**

MOTION BY MRS. VANNECK FOR DEFERRAL OF THE PROJECT WITH THE REQUEST THAT THE APPLICANT RETURNS WITH THE LOCATION OR PERMISSION OF THE TOWN FOR THE NEW A/C UNITS, THE ICE MACHINE THAT SHOULD BE MOVED INDOORS, THE NEW LOADING DOCKS, THE NEW TWO STORY UNITS, AND AN ALTERNATE PLAN FOR ACCESS AND EGRESS TO THE NORTH.

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

It was mentioned that there may be a future pergola structure at the pool area which may require Town Council action. The LPC members, interested in a comprehensive plan, were interested in seeing these plans as soon as possible.

G. Application for Certificate of Appropriateness #6-2003

Landscape, lighting, architectural details

Owner/Applicant: The Mar-a-Lago Club

Address: 1100 South Ocean Boulevard

Architect: REG Architects

Project Description: Request approval of the following

1. As-built landscape plans
2. Lighting fixtures
3. Architectural details
4. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: None declared

Mr. Pandula noted that there were no plans submitted for the file prior to today's meeting.

Mr. Wes Blackman, Director of Projects, was present, as well as Mr. Rick Gonzalez from REG Architects, Mr. Steve Kvarnberg, Landscape Architect, and Attorney Ray Royce. Mr. Blackman began with the lighting. The lights in place now (low 17 watt fluorescent) were placed there for turtle lighting per their DEP approved lighting plan. Since their installation, the State has made a determination that turtle lighting is not needed at this particular site. So the existing fixtures, which the applicant and the LPC mutually agree are inappropriate, will be removed and replaced with fixtures which were previously approved for the main house. These warm incandescent fixtures are custom made and Mr. Blackman indicated that they are on site and ready for installation. Several members were concerned that replacing every existing turtle light with this type of fixture will provide too much light. Mr. Blackman stated that the National Electrical Code specifies the number of fixtures permitted. He asked for some latitude in hanging the fixtures on at least a portion of the site so the LPC could view them (on an individual basis) between today and the next meeting, as a test case. Mr. Frank commented that no firm approvals should be given today other than a deferral, as plans had not been submitted to the Town. He agreed that Mr. Blackman might be given the latitude to install some fixtures for the LPC to view. The LPC agreed, without a motion, that a test pattern could be done on the west elevation, only in areas where the code requires. It should be noted that the LPC asked to see a lighting plan upon Mr. Blackman's return.

As for the landscaping, Mr. Blackman stated that at a previous meeting, because of problems encountered during initial planting, he pledged to return to the LPC with an as-built landscape plan. At this point, they are still trying to determine what will survive so close in proximity to the ocean. On the west side of the west wall, there will be cocoanuts and silver buttonwood. As for the emergency vehicle turn lane, the applicant is waiting for permission from Public Works to finish the work, i.e., a curb, stabilization of the area for emergency vehicles, re-sodding and drainage. While landscape choices still have to be settled, the applicant is very happy with the hardscape, a white exposed aggregate. They were, in fact, able to reduce the amount of hardscape on site by removing some walkways along the ocean and behind the building. Mr. Blackman left plans showing the existing hardscape which will remain. The landscape has evolved to less plant material with a very open feel which preserves the ocean to lake view. Mr. Blackman referred to the landscape as "a work in progress," and stated that any major changes will have to be done after season.

Mr. Blackman addressed the yellow and white tents on the pool deck. These are portable and are not attached to the ground. The tents serve the function of a beach umbrella.

① Mrs. Vanneck and Mr. Nievera commented that the landscaping on the west side of the wall is quite inadequate. Mr. Nievera suggested it would be nicer to have the landscape east of the west wall undulate over the wall, so the buildings appear more nestled in. Some members also felt that the yellow and white tents are totally inappropriate as part of the view as one drives by the site. Mrs. Victor wondered whether they violate the National Trust's view easement. Mr. Moore responded that the tents are portable, and as such, are not prohibited. They can be moved elsewhere on the property, and the LPC asked for that movement to take place.

Coat of Arms

Mr. Blackman brought up the subject of the three coats of arms which occur at the beach cabanas. He referred to them as architectural features which establish a historical relationship with the main house. Since its construction, Mar-a-Lago has had four coats on arms on the tower, one on each side of the tower. Originally, the E. F. Hutton crest was applied; then the Davies family crest; and the Post family crest was found on the front of the former guest house. Mr. Blackman showed pictures of the interior of Mar-a-Lago (particularly the reception hall and the living room) showing the many coats of arms which are placed there. According to Mr. Blackman, they offer a sense of lineage, royalty, and heredity. Mr. Blackman showed photos of other town buildings which bear a coat of arms. A total of three coats of arms are requested for the beach cabanas.

① Mrs. Victor noted that in all the other coats of arms shown in Mr. Blackman's photos, none bear the name of a person, as opposed to those at Mar-a-Lago which read "TRUMP" at the bottom. She felt that this constitutes blatant advertising, and commercializes Mar-a-Lago.

Jane Day, Staff Preservation Consultant, agreed that there are many coats of arms in the town. These particular coats of arms, however, have not been approved by the Landmarks Preservation Commission, and are not on the approved plans for the cabanas. During a site visit, Mrs. Day noted that there is another coat of arms on the main house above the plate glass window. Thirdly, not only is the coat of arms being used to advertise the Mar-a-Lago Club in town, it is likewise being used to advertise Trump Park Avenue in New York. She passed copies of a New York Times advertisement illustrating same. As such, she felt the crest was more like a logo.

Mr. Frank stated that logos, once prohibited, are now permitted in commercial districts, but there is no mention of them in the Code in the R-AA Zoning District. Staff does not believe that this residential location is appropriate for logos. Even if it were, only one is permitted per street frontage of each building, and its size is limited to one square foot. These crests are too large to comply with the code. Mr. Frank read the definition of logo from the Town Code. Mr. Frank stated that he does not believe that these are architectural features. Instead, "they are individual logos to identify a specific organization or trade." He noted that there are no approved LPC drawings showing the coats of arms, and there is no permit for their installation. Staff feels the coats of arms should be brought to the LPC for approval, and they should follow the code.

① Attorney Ray Royce agreed that the coats of arms do need LPC approval. He did take issue with the concept that they are being called logos, as they are not signs, and are not covered by the sign code. These coats of arms do not specify the name of the establishment or the name the business,

as signs normally do. Even if they are regarded as signs, the Town Code does contain provisions for review of signs in Section 54-124. Given the number of coats of arms at Mar-a-Lago (68 in number), and the contention that they are compatible with Mar-a-Lago, Section 54-122 further provides for architectural details which tie new construction with old construction. Mr. Royce felt that these coats of arms comply with the provisions of the Code. Again, he agreed that they need to be approved and permitted. Mr. Blackman requested to return next month for review and formal approval of the coats of arms.

Mrs. Victor stated she is not opposed to a new coat of arms at Mar-a-Lago, but there should be no name on it. Also, it should be smaller than those shown. Mrs. Vanneck stated that Mar-a-Lago has the right to have 68 coats of arms, but the beach cabanas are additions without historical significance. She felt that the three signs visible from the road are blatant advertising. Mr. Pandula commented that the coats of arms are too large; that they should have more subdued finishes; and, that there should be no coat of arms on the main house facade. Mrs. Day stated that it is up to the LPC as to whether the beach cabanas should have coats of arms. Her main objection was to the coat of arms now located on the main structure, which is, of course, on the National Register of Historic Places, especially given the fact that the same coat of arms is being used in New York to sell real estate.

Mr. Frank recommended that the coats of arms should be submitted to Code Enforcement for construction without a permit. Mr. Royce summarized that he does not believe these are logos, that they are not governed by the sign code; but that they are covered under Chapter 54, Preservation, of the Code of Ordinances, without regard to zoning district. Mr. Randolph stated that the logo section of the code applies to the commercial districts of the town. The LPC must determine whether the coats of arms are appropriate using the LPC ordinance as a guide. Mr. Moore added that the beach property is not actually landmarked property. It is zoned R-A, as opposed to the R-AA zoning of the main structure. In this case the owner has agreed, prior to building the cabanas, to give review jurisdiction to the LPC rather than ARCOM.

Please note that no motion was made relative to this project until later in the meeting.

MOTION BY MRS. DOWDLE FOR DEFERRAL TO THE MARCH MEETING.

MOTION SECONDED BY MRS. WILKEY.

MOTION CARRIED UNANIMOUSLY.

H. Application for Certificate of Appropriateness #4-2003

Beach cabana, pool, spa, deck

Owner/Applicant: James H. Clark, Trustee of the James H. Clark and Nancy Rutter Clark Revocable Living Trust dated 11/5/99

Address: 1500 South Ocean Boulevard

Architect: Bridges, Marsh & Carmo Inc.

Project Description: Request approval of the following:

1. Demolition of existing beach cabana
2. Construction of new beach cabana (including 1789 square feet of enclosed cabana, 724 square feet of covered patio, and 187.6 square feet open trellis)
3. Swimming pool, spa, and deck
4. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: None declared

Attorney Tim Hanlon and Architect Mark Marsh were present on behalf of the owner. Mr. Hanlon gave a broad overview of the project as listed above. Mr. Marsh explained that the beach parcel is currently being used for temporary parking for the construction at the main house. DEP has previously permitted construction of a new seawall here. The beach parcel is over an acre of land and is restricted by Town setbacks on the North, South and West, and by DEP on the East. The beach parcel was the subject of an approved request for a zoning change, and a subsequent variance approval. The proposed design places the cabana 130 feet from the Glazer property to the North, and 80 feet from the property to the south. The design shows north and south cabana wings linked by a trellis, with a pool area in the center. Including the covered loggias and trellis, the design represents a total of 2,700 square feet, while there is just 1,700 of enclosed space. Mr. Marsh called the design very simple and open, with decks to the east and south. The beach parcel is connected to the main house via a tunnel at the south end of the property. Street service access is being requested at the north edge of the property, but that will require approvals from the Town, the DOT, and DEP.

As for the architecture, it will complement the Northern Italian influences of the main house, but will be simpler in design. The roof line is mostly a flat parapet with two tiled hip roof elements. Doors and windows will be done in wood with plaster embellishments, contrasting the bronze material and coquina embellishments used at the main residence. Coquina columns will be used at the cabana. Matching the main house, the stucco will be done in a biscuit color. The two loggias and the trellis area are open spaces, and the trellis includes a metal filagree element. The streetscape preserves a 50% view corridor to the ocean. By keeping the roof height basically flat and low, attempts were made to minimize the structure from view as one drives by. There will be no kitchen or cooking facilities at the cabana.

Mrs. Victor expressed concern over the size of the cabana, and hoped this would not set precedent for larger cabanas in town. Mrs. Vanneck was disturbed by the lack of symmetry in the design. Mr. Marsh replied that the cabana is more informal, and there was no intent for symmetry, except at the loggia area.

Let the record show that Mrs. Blades left the meeting at 11:25 a.m.

Mr. Pandula commented that the west wall of the cabana looks like a back wall of a building, and as such, needs articulation. Mr. Marsh replied that the focal element of the cabana is the trellis area and the north/south wings are designed to fade out. There will be a continuing hedge along the west boundary, primarily ficus and seagrape. The rest of the site's landscaping will consist of cocoanut palms, some lower plantings, lawn area and native beach plantings.

Mr. Pandula and Mr. Segraves suggested that the architect change the height of the flat roof to minimize those flat elements.

MOTION BY MR. PYMS FOR APPROVAL OF THE PROJECT AS PRESENTED WITH THE PROVISIO THAT THE HEIGHT OF THE WEST WALL OF THE CABANA STRUCTURE IS CHANGED.

MOTION SECONDED BY MRS. WILKEY.

As too many members were uncomfortable with this motion....

MOTION WITHDRAWN BY MR. PYMS.

MOTION BY MRS. DOWDLE FOR DEFERRAL TO THE MARCH MEETING.

MOTION SECONDED BY MRS. WILKEY.

MOTION CARRIED UNANIMOUSLY.

- I. Application for Certificate of Appropriateness #2-2003
Relocation of existing landmarked house and construction of new single family dwelling
Owner: First Allied Jacksonville Corporation
Applicant: Malcolm and Linda Glazer
Address: 1200 South Ocean Boulevard
Architect: Bridges, Marsh & Carmo
Project Description: Request approval of the following:
1. Relocate the main elements of the landmarked house westerly of the Coastal Construction Line (includes new foundation for increased stability)
 2. Demolish some existing ancillary structures/elements
 3. Paint the Mizner house with a color typical of the Mizner period
 4. Relocate the house on an elevated site and create a driveway turnabout with gravel
 5. Replicate the fountain which is currently located on the north property line wall, at the westerly end of that wall, to relate to the relocated house in the same way as at present
 6. Replicate the existing western garden area
 7. Establish a lawn on the east side of the relocated house to create an appropriate space to preserve the spacial integrity of the relocated house relative to the new house
 8. Create a new entrance to the property to provide a better opportunity for the public to see at least a portion of the relocated house from the street
 9. Design a new house to be reviewed by the Landmarks Preservation Commission to ensure compatibility with the landmarked structure
 10. Other associated changes as presented
- And*
11. ***Conceptual Review ONLY: To leave the landmarked house in its existing location, and to revitalize same, and to add to the existing landmarked house.***

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: Mr. Pandula stated that he had spoken with the architect, and Mrs. Victor declared that she had met with the architect.

Just after the exparte communication declaration, Mr. Pandula called for a short recess. The meeting recessed at 11:30 a.m. and reconvened at 11:40 a.m.

① Mr. and Mrs. Glazer, property owners, Attorney James Brindell, Digby Bridges, Architect, and Jorge Sanchez, Landscape Architect were present for this hearing. Mr. Brindell announced that they would like to discuss the conceptual review (not moving the landmarked house) first. He anticipated requesting a deferral of the project as advertised (the option to move the landmarked house).

Mr. Digby Bridges stated that the owners are now considering working with the existing landmarked structure in its existing location. This would require some demolition of inappropriate additions which have occurred over time. New additions will be constructed to the landmark on the north and west sides. The existing landmark comprises 11,000 square feet. After necessary partial demolition, the structure will be left with 8,000 square feet. Then, with the new additions, the resulting structure will have a total of 18,000 to 19,000 square feet. Mr. Bridges referred to the model to give an overview of this new proposal. He noted that at some time in the future, a separate guesthouse may be requested. He requested the "blessing" of the LPC which would indicate that this is the option that the LPC would like the owner to pursue, i.e., working with the existing landmark in its existing location. In several months, then, Mr. Bridges will return to the LPC with the final design for approval. He noted that the proposal may require some Town Council approvals, but they will not be adding anything to the landmark which is non-conforming.

① Mr. Pandula felt that this was the right approach philosophically, and offered "huge kudos" to the team for "turning the tide" relative to this project. He complimented the base layout of the model as a great start. Mrs. Victor commended the owners for their preservation efforts.

As the conceptual review was concluded, Mr. Brindell requested a deferral of the advertised project, i.e., moving the landmark to the west side of the property and constructing a separate new main house, to the May meeting. Although the LPC members favored removing this option from future consideration, Mr. Brindell maintained that they would like this option left on the table for further discussion. Mr. Moore explained that the Town Council has deferred the application for variance relative to the advertised project, requesting feedback from the LPC relative to the conceptual review. Mr. Brindell stated his intention to defer the Town Council variance request to the June meeting, and to defer this Certificate of Appropriateness application, as advertised, to the May meeting of the LPC.

Mr. Randolph summarized that the conceptual review as presented, and preferred by the LPC, requires no vote. Regarding the Application for Certificate of Appropriateness, however, the applicant is requesting deferral to keep this item on the table for future action.

MOTION BY MRS. WILKEY FOR DEFERRAL OF THE CERTIFICATE OF APPROPRIATENESS, AS ADVERTISED, TO THE MAY MEETING.

**MOTION SECONDED BY MR. PYMS.
MOTION CARRIED UNANIMOUSLY.**

J. Application for Certificate of Appropriateness #7-2003

Changes to rooftop AT&T equipment

Owner: Town of Palm Beach

Applicant: AT&T Wireless Services c/o Mas Tec North America Inc.

Address: 360 South County Road

Project Description: Request approval of the following:

1. Add one (1) new antenna to the equipment located on the north side of the roof, stealth within the existing parapet wall
2. Replace two (2) antennae located on the south side of the roof with antennae of similar size and shape, and painted to match the existing structure
3. Install two additional micro equipment cabinets placed on the wall in the middle landing of the rooftop
4. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

Ms. Kimberly Meckes of Mas Tec North America and Mr. Ken Ballew, Architect, presented this request. As a result of new technology requirements, the project serves to provide necessary updates to the existing rooftop AT&T Wireless equipment. The only items in the project which are visible from the street are the two antennae on the south side of the roof. These are currently visible also. The new boxes in this location will be 4.7" taller, but they will be mounted such that their top edges are no higher than the existing ones in this location.

MOTION BY MRS. VANNECK FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MRS. WILKEY.

MOTION CARRIED UNANIMOUSLY.

VI Other Business

Mrs. Victor expressed some concern that the LPC has not processed any landmark designations during this designation season, and wondered if that would impact budgetary approvals for the landmark program. Mr. Moore responded that the Town Council has given a clear message that owner consent is required, in fact, written owner consent, to proceed with landmark designation. Staff, as well as the LPC members, have been charged with encouraging owners to participate in the program. Mr. Moore stated that Mrs. Day has other responsibilities to the Town's preservation program, beyond landmark designations, and as such, the landmark budget should not be negatively impacted. Mrs. Day reiterated that at the July and August 2002 meetings, she asked the LPC members to speak with their friends and neighbors about possible landmark designation of their properties. She will be happy to speak with any property owner relative to the process. The written consent from the property owner is required, and buildings under 50 years of age should not be considered at this time.

Mr. Pandula referenced two recent newspaper articles which referred to our school board as a magnet school board, and because of that designation, school board property, even if historic, can be exempted from state preservation regulations normally required for historic structures. He wondered if this would apply to Palm Beach Public School, since this issue is not yet settled.

Mr. Randolph stated he will look into this.

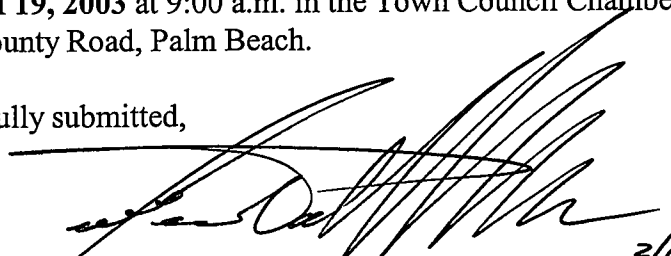
The Landmarks Preservation Commission bid a fond farewell to long time member Mrs. Beth Dowdle, and Mr. Mario Nievera, Alternate Member. Mrs. Dowdle's second term on the LPC is expiring, and as such, she is not eligible for re-appointment. Mr. Nievera, whose current term is also expiring, does not wish to seek reappointment.

VII Adjournment:

MOTION BY MRS. VICTOR TO ADJOURN THE MEETING AT 12:08 P.M.
MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

The next meeting of the Landmarks Preservation Commission will be held **WEDNESDAY, MARCH 19, 2003** at 9:00 a.m. in the Town Council Chambers, second floor, Town Hall, 360 South County Road, Palm Beach.

Respectfully submitted,


Eugene Pandula, Chairman
LANDMARKS PRESERVATION COMMISSION

3/10/03

cmd

**TOWN OF PALM BEACH
LANDMARKS PRESERVATION COMMISSION**

ATTENDANCE RECORD 2003

MEMBERS	1/03	2/03	3/03	4/03	5/03	6/03	7/03	8/03	9/03	10/03	11/03	12/03
Eugene Pandula	<u> P </u>	<u> P </u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Elizabeth Dowdle	<u> P </u>	<u> P </u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Sari M. Wilkey	<u> P </u>	<u> P </u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Ann Vanneck	<u> P </u>	<u> P </u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Ann Blades	<u> P </u>	<u> P </u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Jack Pyms	<u> P </u>	<u> P </u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Judy Hoffman	<u> P </u>	<u> E </u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

ALTERNATE MEMBERS	1/03	2/03	3/03	4/03	5/03	6/03	7/03	8/03	9/03	10/03	11/03	12/03
Wendy Victor	<u> P </u>	<u> P </u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Patrick Segraves	<u> P </u>	<u> P </u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Mario Nievera	<u> P </u>	<u> P </u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

LEGEND:

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

TON OF PALM BEACH

[illegible][illegible]

LEGEND:

V	=	One Voting Conflict during a meeting
V2	=	Two Voting Conflicts during a meeting
V3	=	Three Voting Conflicts during a meeting

VPD = Voting Conflict Previously Declared
(This category to be used when a conflict has
Been declared at a previous meeting, and the
Changes being reviewed are part of an ongoing
project. ONLY COUNT ORIGINALDECLARED
CONFLICT PER JCR, TOWN ATTORNEY)