

TOWN OF PALM BEACH

Building and Zoning Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

9:00 a.m., FRIDAY, FEBRUARY 16, 1990

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

I. Call to Order: The meeting was called to order by Chairman Sullivan at 9:04 a.m.

II. Roll Call:

PRESENT: James V. Sullivan, Chairman
Donald W. Curl, Ph. D, Vice Chairman
Elise P. Mackintosh, Secretary
Jane Volk, Member
Sally Gingras, Member
Anne Perry, Member
William S. Gubelmann, Member
John C. Randolph, Town Attorney
Robert L. Moore, Director of Planning, Zoning & Building
Timothy M. Frank, Planner/Projects Coordinator

RECORDING SECRETARY: Cynthia M. Delp

Mr. Sullivan welcomed Mrs. Perry and Mr. Gubelmann as full members of the Commission per the February 13, 1990 Town Council action.

Let the record show that Mrs. Mackintosh arrived at 9:36 a.m.

Let the record show that Mr. Gubelmann left the meeting at 9:30 a.m. and returned at 11:07 a.m.

Let the record show that Mr. Gubelmann declared his voting conflict with respect to the Designation Hearing for 124 Via Bethesda. (Voting Conflict Form is on file with the Minutes.)

III. Approval of the Minutes of the January 19, 1990 Meeting:

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

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

IV. Public Hearings:

A. Application for Certificate of Appropriateness No. 3-90,
One Story Addition with Basement

Applicant: Mr. and Mrs. John Grubman

Owner: Mr. and Mrs. John Grubman

Address: 1102 North Ocean Boulevard

Architect: John Gosman

Project Description: Request approval to construct a one story addition with basement to include a guest room with bath, and tennis pool pavilion room, all being consistent with the existing white brick veneer and red clay tile roof.

(Please note that this item was deferred from the January 19, 1990 meeting.)

Mr. Frank noted that the Commission had previously seen an overview of this project with two alternative site selections for the proposed addition. At that time, the Commission could not act because a variance was necessary. Since the January LPC meeting, Mr. Gosman, Architect for the project, has gone before the Town Council, and has successfully secured same variance with respect to setbacks to allow the detached addition to the north side of the pool.

Mr. Gosman brought his final presentation to the Commission showing the new location, as approved by the Town Council. He re-stated that he intends that the addition be a mirror image of the house with respect to materials and scale. It will include a basement for parking cars which will require some excavation and ramping down into the garage area.

The Commission thought that this plan represented a wonderful solution to the Grubman's needs.

MOTION BY DR. CURL TO APPROVE THE PLAN AS SUBMITTED.

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

B. Application for Certificate of Appropriateness No. 6-90,
Awning

Applicant: Mizner Gallery

Owner: 337 Worth Associates Limited

Address: 45 Via Mizner

Contractor: American Awning

Project Description: Request approval for one yellow door awning

Mr. Joe Mattei from American Awning Company came before the Commission and stated that the proposed awning will be located at the top of the stairs facing north, and can only be seen from the east exposure when one is in the courtyard. It will be a solid yellow awning to coordinate with other yellow and/or yellow and white striped awnings in the nearby area.

MOTION BY MRS. GINGRAS TO APPROVE AS SUBMITTED.

MOTION SECONDED BY MRS. PERRY.

MOTION CARRIED UNANIMOUSLY.

- C. Application for Certificate of Appropriateness No. 7-90, Relocate storage building, Tea House, and add tennis court
Applicant: Mr. Alan and Christine Curtis
Owner: Mr. Alan and Christine Curtis
Address: 720 South Ocean Boulevard
Architect: James F. Smith, Landscape Architect
Project Description: Request approval of relocation of storage building and "Tea House" and construction of Tennis Court.

Attorney Doyle Rogers and James Smith, Landscape Architect, presented the project. Mr. Rogers addressed the Commission stating that the new owners, Mr. and Mrs. Curtis, who have recently purchased the property, want to create a tennis court on the property. To facilitate this plan, they need to relocate a storage building and the "Tea House". Mr. Rogers stated that he had met with Mr. David Zimmerman, Assistant Building Official, to discuss this project. Mr. Zimmerman had assured Mr. Rogers that as long as the moving of the "Tea House" was authorized by the LPC, the proposed tennis court would meet the necessary setbacks. Mr. Rogers had also contacted members of the Commission on an individual basis to determine if there would be any opposition toward the tennis court. Hearing none, the Curtis's agreed to the purchase of the property, and are now seeking the necessary LPC approvals. The "Tea House" will be moved twenty-five (25') feet to the east, while the storage building will be moved to the east of the tennis court location nearly in line with the new "Tea House" location. A twelve (12') foot ficus hedge will border the property on the north, west, and south. The plan includes the elimination of some non-indigenous plantings and the replacement of same with indigenous plant material, and relocation of existing landscaping. The heavy landscaping around the "Tea House" and pool will shield this area from the tennis court. The driveway will be curved around the tennis court and as such, will be moved further south along the south boundary wall.

Mr. Gubelmann interjected that there had previously been a lawsuit between the Fafards, the former owners of this

property, and their neighbors to the west, the Hopes. Mr. Rogers informed the Commission that this lawsuit has been settled, and in fact, was settled before the closing.

MOTION BY DR. CURL TO APPROVE THE PLAN AS SUBMITTED.

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

- D. Application for Certificate of Appropriateness No. 8-90, Relocation of garage structure, and roof modifications
Applicant: Mr. Herbert Pheeney
Owner: Mr. Herbert Pheeney
Address: 790 South County Road
102 Jungle Road (advertised address)
Architect: Smith Architectural Group
Project Description: Request approval to relocate garage structure 3', more or less, to the south, and roof structural modifications

Mr. Frank noted that even though 102 Jungle Road, Mr. Pheeney's other property, had been advertised for this project description instead of 790 South County Road, the Commission could hear and act on the application for 790 South County Road today, pending legal advertisement for the next meeting to insure no opposition. Oddly enough, Mr. Smith, the architect for both properties, needed to present changes for 102 Jungle Road as well. As 102 Jungle Road was the property which was advertised, these changes could also be heard.

790 South County Road: (CoA #9-90) Previously, Mr. Smith had informed us that there was an ongoing lawsuit over a view easement between Mr. Pheeney and his neighbor, Mr. Schlesinger, at 801 South County Road. He reported today that the lawsuit has been settled pending today's LPC approval and the Town's granting of a building permit. The plan calls for the north wing to be moved three (3') to the south, and to use a flat roof on the area from the garage to the pool. Mr. Smith added that if the LPC approves the flat roof, they will have the flexibility to either use the flat roof or implement the original sloped roof plan, all upon settlement of the lawsuit.

MOTION BY MRS. GINGRAS TO APPROVE THE FLAT ROOF AS PRESENTED, BUT WITH THE SPECIAL NOTATION THAT THE COMMISSION WOULD PREFER A SLOPED ROOF, IF POSSIBLE, AND THIS APPROVAL SHALL BE SUBJECT TO FURTHER LEGAL ADVERTISEMENT.

MOTION SECONDED BY MR. GUBELMANN.

MOTION CARRIED UNANIMOUSLY.

102 Jungle Road: (CoA #8-90) Mr. Smith stated that the Pheeney's would like to replace the crest within the door ornamentation with a window from which the ocean can be seen. Also they request that the existing aluminum gates at the front door be replaced with wrought iron gates.

MOTION BY MR. GUBELMANN TO APPROVE THE WINDOW AND GATES AT THE FRONT DOOR AREA AS PRESENTED.

MOTION SECONDED BY DR. CURL.

MOTION CARRIED UNANIMOUSLY.

V. Designation Hearings:

(Please note that Items #1 - 8 had been deferred from previous hearings.)

Item 1: 79 Middle Road

OWNER: Geraldine T. Nesbitt TR

LEGAL: SINGER ADDITION, W 25 FT OF LT 9, LT 18/
LESS E 20 FT/ & LTS 19 & 20

Mr. Sullivan: Has notice or service been received?

Mr. Frank: Yes, sir.

Mr. Sullivan: Would all those who wish to testify on this designation stand and be sworn in.

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: Let the record note that it was Mr. Frank and Mr. Sved who were sworn.

Mr. Randolph: Also for the record, I think that since Mr. Frank and Mr. Sved will be testifying in regard to the remaining designations, I think that they need only be sworn in this one time and that swearing in will apply to all the other designations.

Mr. Sullivan: Thank you. At this point, then, Mr. Frank, may we have the Staff recommendations.

Mr. Frank: Yes, sir, Mr. Chairman. 79 Middle Road is a large Mediterranean Revival design which employs a central courtyard

plan. The three story tower at the northwest corner of the property provides the house with views of the ocean and lake and serves as the hinge around which the design of the house revolves. Under Criteria for Designation, Staff has found that 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 Maurice Fatio, and a biography has been enclosed in the Designation Report. I'd also like to report that we did receive a telephone call opposing the landmark early when this project was first put on the agenda. Since then we have received no further phone communication or any letters. I'd like to pass it on to Mr. Sved who will make the technical presentation.

Mr. Sved: Good morning. As Mr. Frank said, the building at 79 Middle Road was built in 1927 by the architectural firm of Treanor and Fatio. What is most striking about this Spanish version of the Mediterranean Revival design is that the three story tower is surrounded by not two story portions but rather the street facade is only one story tall. This makes the tower look remarkably larger than it really is. As a Spanish version of Mediterranean Revival, this building does have a cloister as did many of the houses on Middle Road. As a matter of fact, the 1981 Survey called this probably the best or possibly the best Mediterranean Revival house on the street. There are varied window designs on this building. They are square, some of them have pointed arches in the Gothic tradition, and there is a large expanse of both pecky cypress woodwork as well as ornate stonework. This is a very interesting building and is very much worthy of landmark designation based on these criteria. I can't stress again how more striking the three story tower looks as opposed to a one story main facade. If you look on your Designation Reports, on the first page of additional photographs, you'll see a shot of the building with the tower looking over it, and it is very much worthy of landmark designation.

Mr. Sullivan: Thank you, Mr. Sved. At this point, I'd like to ask for a motion relative to the Designation Report.

Dr. Curl: I'll move that 79 Middle Road be recommended to Town Council...

Mr. Sullivan: We first need a motion that the Designation Report be part of the record.

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

MOTION SECONDED BY MRS. VOLK.

Mr. Sullivan: Are there any other witnesses who would like to testify on this motion. Hearing none, I think that a motion would be in order.

Mr. Randolph: You need to call the roll on the first motion that has been seconded.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: If there are no other witnesses, I think that we are ready to call for a motion on the designation itself.

MOTION BY DR. CURL THAT 79 MIDDLE ROAD 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.

MOTION CARRIED UNANIMOUSLY.

Item 2: 801 South County Road

OWNER: Mr. Richard and Leslie Schlesinger

LEGAL: 35-43-43, W 25 FT OF E 206 FT OF S 50 FT
OF N 541 FT OF GOV LT 1 LYG W OF OCEAN
BLVD & S 150 FT OF N 491.52 FT OF GOV LT 1
LYG E OF CO RD

Mr. Sullivan: I believe that there is a request for deferral.

Mr. Frank: That's right. The attorney for this particular designation is Mr. Peter Broberg. He contacted me on the phone last night and essentially, he pointed out that his client was unaware of the project. We served through Certified Mail, 801 South County Road, and that particular notice was returned. However, under the 30 days, or in advance of the thirty days, actually, we also sent it to a Connecticut address, and we also delivered it to the attorney's office so that they could be noticed. Peter said that the...his client was out of Town, and he begged your indulgence and was asking for one more month on

this. Staff has no problem with this. In addition, it can be pointed out that 801 has received several Certificates of Appropriateness for changes that are ongoing on this project, so we see no problem with this request for deferral to March.

MOTION BY DR. CURL THAT LANDMARKING CONSIDERATION OF 801 SOUTH COUNTY ROAD BE DEFERRED TO THE MARCH MEETING, WITH THE PROVISIO THAT THE OWNER RECOGNIZES HE IS WAIVING HIS STATUTORY RIGHT REQUIRING THE COMMISSION TO ACT WITHIN 30 DAYS.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

Item 3: 255 Via Bellaria

OWNER: Mr. Jesse M. Jr. and Margaret C. Henley
LEGAL: 35-43-43, W 110 FT OF E 910 FT OF N 165
FT OF S 431 FT OF GOV LT 1 W OF OCEAN
BLVD

Mr. Sullivan: At this point, notice has been served, is that correct:

Mr. Frank: Yes, it has.

Mr. Sullivan: If there are any other witnesses other than Mr. Frank and Mr. Sved who wish to testify, please stand and be sworn.

Mrs. Delp swore in those wishing to testify using the same verbiage as was earlier stated.

Mr. Sullivan: Could you please identify yourselves for the record.

Mr. Pandula: I am Gene Pandula, an architect in the Town.

Mr. Sullivan: Gene Pandula, an architect in the Town.

Mr. Lickle: And Garrison Lickle, an attorney with Winthrop, Stimson.

Mr. Sullivan: Mr. Frank, can you give us the Staff recommendation.

Mr. Frank: Thank you. 255 Via Bellaria was constructed in 1935, and was designed by Marion Sims Wyeth. Its symmetrical massing and design. It's typical Palm Beach variant of French Neo-classicism. That's not correct?

Mr. Sved: It's not. I'll explain that.

Mr. Frank: We will get into the criteria for designation. Staff believes that it meets criterion ...

(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, and the biography has been attached. Mr. Sved.

Mr. Sved: The confusion with this house at 255 Via Bellaria lies in the Designation Report where the building was erringly printed as being called a variant of the French Neo-Classicism. This house is, in fact, a British Colonial design with several details on it which could almost be considered what we call Regency in Palm Beach. This building, as being built in 1935 by Marion Sims Wyeth, is one of the earliest British Colonial houses in Palm Beach. Its massing is very similar to the massing of the building, or the footprint, I should say, of those of the English Renaissance, meaning that it has a large symmetrical center block with very close and also symmetrical side wings with their own pyramidal roofs mimicking the hipped roof at the center. I'd like to remind the Commission and the public that we designated, and it was ratified by the Town Council, the building at 328 El Vedado Road a couple of months ago. It was designed by John Volk around the same time. This house is very similar in design and in its facade appearance. What makes this house such a nice example of this British Colonial style is its absolute symmetry...the hipped roofs with their flat tiles gave almost a step-back appearance, and again its massing which is similar to the English Renaissance. It is very worthy of landmark designation consideration.

Mr. Sullivan: Thank you, Mr. Sved. Mr. Pandula and Mr. Lickle, would either of you care to testify?

Mr. Lickle: My name is Garrison Lickle. I'm with the firm of Winthrop, Stimson. Mr. Henley is here today, one of the owners of the property, and Mr. Gene Pandula, who is an architect, is also here to testify. I think as Mr. Sved just pointed out, one of our main arguments here against designation of this property is that there is some confusion over whether this is a representative work in the Town if so designated. It has been described in the Town's report as a French Neo-Classic and/or Regency style house. He did attempt to clear that up, however, we are going to present testimony that it's got pieces of Italian work in it, British and French, and there seems to be a

bit of a mish-mash of that in that time and era. We would respectfully submit that this particular property is not highly visible from the road as a property that would be something that the Commission would want to preserve for people who might view this property. And, here to present some expert testimony is Mr. Pandula who has been twelve years as an architect. He graduated from the University of Florida and received his Masters in Architecture with a specialty in preservation. At the time that he went through this program, this was only one of four programs that were available in the United States. I believe that that would qualify him as an expert in the area of preservation. He further served on the National Park Service in Nantucket as a project architect regarding restoration of preserved properties. He also worked for seven years with the Gene Lawrence Group which I believe that all of you are familiar with, and Mr. Pandula is here to present some testimony to hopefully refute the report in regard to designation, and we respectfully request that the Commission turn down this designation.

Mr. Sullivan: Thank you, Mr. Lickle. Mr. Pandula, I imagine you probably enjoy being here rather than Nantucket, in the month of February.

Mr. Pandula: Yes, I do, however, my time in Nantucket were some of the happiest days of my life. I've been asked to speak to you this morning about the residence at 255 Via Bellaria in regard to its designation as a landmark in the Town. I'm not going to tell you that it's not a wonderful building. It is. It's an excellent building, but I don't believe that it stands head and shoulders above the balance of work in Town and should be designated as a landmark, and I also don't believe that it stands head and shoulders above the work of Mr. Wyeth, who, as you all know, has a wonderful reputation and a long and prosperous career here. The house was permitted in July of 1935, and as close as I can tell, it was built very accurately to the original drawings that were done by Wyeth and King with very few deviations from the plans, and it has remained in tact for all of these years with very few modifications. A swimming pool was added to the rear yard courtyard in 1969, designed by (indiscernible), and at that time, what was a rectangular courtyard had one edge eroded by an elliptical-shaped pool, not that it caused a detriment to the project (indiscernible). Further, in 1979, a pool cabana addition was constructed at the rear of the garage just to the north of the existing pool patio. So there have been a few minor modifications to the house. Essentially, it remains as it was. The only other building currently landmarked on Via Bellaria is 150 which was done in the 1920's by Addison Mizner and it is considered to be a Tuscan style villa, completely different...Excuse me?

Dr. Curl: Mizner didn't do anything on Via Bellaria.

Mr. Pandula: I got that from Mrs. Hoffstot's book, so, perhaps, it is in error. I know that 150 is designated. I apologize for that.

Dr. Curl: (Indiscernible)

Mr. Sullivan: (Indiscernible) as does almost every other building on Via Bellaria.

Mr. Pandula: I apologize for that...part of the information. Notwithstanding that it is completely different in style from 255 Via Bellaria. They are not close, and they are not visible. So, what I'm trying to say is there is not a visual theme that is established that the designation of both buildings would necessarily enhance. I think they both stand on their own. During the 1920's, and this kind of shoots the other part of my argument which was that Mizner and Wyeth were "neck and neck" for a monopoly on buildings in the Town. Nevertheless, at the time, it was Mr. Wyeth and Mr. Mizner who were essentially performing the vast majority of the work. In the 1930's, when this building was constructed, several others had come in Town including Mr. Fatio and Mr. Major, particularly. It was also in the 30's that Mr. Major was published in a national architectural magazine as criticizing the Spanish style in Town as not being indigenous, as being inappropriate to the climate, and as not representing American values. He proposed a Greek Classical style, or British Colonial or West Indies style of architecture as being more appropriate for Palm Beach. At that period of time, I think architects and their clients were free to study additional styles than Spanish, and at that time, Mr. Wyeth did what is considered a Louisiana style house on Via Del Lago and also several other Georgian houses. Part of my comments today was that this house is not Palm Beach Neo-Classical which has been corrected. In my opinion, by looking at the details, it's kind of a combination. There are some French elements. There are some British elements. There are even a few Italian villa elements to it. So, I say it's a hodge-podge in a sense. It's very well done. It's an excellent building, but nevertheless, an attempt to kind of have fun with the new freedom that architects here in Town had gotten at that point in time from the Mediterranean that had been done. I also say that notwithstanding Mr. Wyeth's wonderful reputation when you think of him, or Wyeth and King, or Wyeth, King and Johnson, you don't necessarily think of 255 Via Bellaria first. You would tend to think of his additions and renovations, perhaps, to the Bath and Tennis Club and his association on Mar-a-Lago to the three or four or five houses that he did on Golfview Road or the three, four, or five buildings that he did in Phipps Plaza. This is one of the buildings that is not necessarily representative of the things that he is best known for. Notwithstanding that, I've had an opportunity to look at the

existing site plan, (tape change) for example, the building lot that this building is on is non-conforming to current zoning codes in two ways...lot width and lot area. The existing structure, as it sits on the site is non-conforming...the front yard setback, the rear yard setback, one side yard setback, and I think the most important elevations I think that you would be considering would be the front yard and part of the west elevation which contains front doors, the main entrance of the residence which would come under ARCOM approval. Also, in terms of the zoning designation of this site, the maximum 25% of the site will have building coverage on it and you can correct my calculations, but the building is about twenty-three point something per-cent (23.+) or twenty-four per-cent (24%). So, there is virtually no space to build upon. The minimum requirement for landscaping is forty per-cent (40%). The lot now is about forty-one point something (41.+) or forty-two per-cent (42%), so again, even if there was footprint area available, there is very little onsite area available. So, in summary, I would say that a building that's a very nice building, but not necessarily a wonderful representation of any given style, not necessarily the embodiment of the best work by a very important architect, and given that current zoning requirements, building requirements, ARCOM, and Town Council for almost anything that would be visible from the street, would substantially protect the building as it is, and I'm not sure that a landmark designation, another layer of protection, if you will, is essential to the well-being of this property to be maintained in its existing environment and physical capacity.

Mr. Sullivan: Thank you, Mr. Pandula. You've given us a good amount to chew on. I'd like to ask the Commissioners for some comments.

Dr. Curl: I'd like to start. In the last few months, I've been reading Minutes and newspaper reports of the earlier designations, particularly beginning in 1979, and one of the things that I've noticed in these earlier designations, expert witnesses said just about anything, and this became a part of the record, and I think that if somebody is an expert witness, they should at least get their facts right. To begin with, to say that Howard Major and Fatio came in the 30's, well, this is absurd. Both of them were here by 1925, working by 1925. Howard Major did his Bermuda houses on Major Alley on Peruvian Avenue in 1925. He also wrote the article that was mentioned, the 1935 article, in 1925, and it was published at this time. I think that talking about a house as having some elements in many different styles is like saying that it's in Palm Beach. I can't think of a house in Palm Beach that doesn't have elements of different styles. And finally, and I'll end my (indiscernible) here, the last thing, that his house is already protected, every house in Palm Beach is already protected in one way or another. The Landmarks Commission asked the Staff to

prepare this designation report literally because it was felt, and it was by a vote of the Commission, that this was an extra special house, that it had something very valuable, that it was very much representative of the style of architecture of the 30's and that Marion Sims Wyeth was one of those principal architects. As a matter of fact, when I think of Marion Sims Wyeth, I do think of this style house, and I don't think of his Spanish things because I don't think they were nearly as good. I objected before, but it didn't seem to do any good, to the biography that was included about Marion Sims Wyeth, because one of the things that is not mentioned in this biography is that he is the only architect who practiced in Palm Beach in this period or any period later that I know of who was a graduate of the Ecole des Beaux Arts which is really the great architectural school of this era, and I think that should be included, but what I'm trying to get to is that landmark designation literally frees the owner, when you get right down to it, from some of these other designations that you would have to, some of these other, what do I want to call them, committees, commissions that the Town has already set up. And in fact, if landmark designation is given, the owner will not have to go to ARCOM for approval of these things, but will literally come here and be given a very sympathetic hearing, I think, because I think this group understands the historic architecture of this Town very, very well, and I'll just stop. I've gone on too long.

Mr. Sullivan: No, as a matter of fact, you're right on the point, Dr. Curl. Any other comments?

Mr. Pandula: Can I just follow up please? I don't believe that I said that the New York architects came to Town in the 1930's. I said that it was in the 1930's that Mizner and Wyeth were no longer rivaled in the world, but began to be rivals as the two major architects in the Town. I said the article was published in the 30's which is correct, which was the impetus, I believe, to begin the stylistic change. I didn't say the article was written in the 20's. It was published and became known. It was the impetus, at that time, to allow this thinking to occur. So, whether it was written in the 20's or not, there's no point in arguing. I just wanted to make sure that I did not intentionally mislead you, and I didn't say that these people appeared in the 30's, but they appeared in more stronger force verses Mizner and Wyeth.

Mrs. Mackintosh: May I? I feel that it is really very important, sorry I'm sitting the wrong place. It's very important to designate this house. It has many, many things. Being Wyeth's, naturally, we're all very aware of his value, but it has its rooflines; it has somehow a great dignity as Wyeth always gave his houses, and I think (indiscernible) and stood outside, naturally, to look at it. I think if they did more planting of it, it wouldn't look so severe, any maybe they'd

(indiscernible). I still think it's a beautiful house, and I do think it merits being designated. The fact that it doesn't have much area in which to expand, well, we didn't have the zoning laws we have now. It's not Wyeth's fault, or the house's fault. I think zoning is now much more, or it should be more severe. I don't feel that's a detriment against the house itself.
(Indiscernible)

Mr. Sullivan: Thank you, Mrs. Mackintosh.

Mr. Randolph: Mr. Chairman, I would just like to note something for the record. In addition to the Commission having the opportunity to ask questions of the property owner or their representative, the property owners who are here, because this is somewhat of a quasi-judicial process, have the opportunity to cross examine and question any of the Town's experts too. I wanted to note that for this application and for any others that are going to be heard today.

Mr. Sullivan: Thank you Mr. Randolph.

Dr. Curl: I just want to say one other thing. It was my suggestion, and I still believe this, that Via Bellaria should be made a historic district. I don't think there is one house on the street that is not worthy. The newest house on the street is really remodeling that John Volk did of what was the original house on the street.

Mr. Sullivan: I would have to agree with Dr. Curl on that point, and being somewhat familiar with Via Bellaria, as I am, is that there is not a single house on the street that does not merit landmarking in some way, but I'd like to address my specific comment to Mr. Pandula. In his very thoughtful, he nonetheless mentioned that one of the major reasons that he believed the house was not worthy of landmarking was because it had a number of styles in it. And he discussed what he perceived as the cause for this in a literary exercise which opened up new experiments of architectural reform in Town, and as an architect, he may tend to emphasize that. As a businessman, I tend to emphasize the economic aspects as they relate to major shifts in be they, demographics, architecture, etc., and it seems to me as though in Palm Beach, the hurricane, if you will, that blew in changes of architectural form was indeed the Depression, when after that major seismic event, there were not...there was certainly not as much money as there was prior to build the extravagant houses that sit at the head of Via Bellaria. In addition, architects and their clients recognize that the grand, and maybe overly grand, and costly structures that preceded 1929, were probably inappropriate and might even be interpreted as unnecessarily ostentatious were they to have been continued into the 30's when there were also people starving or standing in bread lines waiting for apples.

That, to me, is the reason why there were new architectural influences that were experimented with, and indeed, I agree with you, Mr. Pandula, Henley's house is one of them, but I tend to think that that is the very reason why his house is particularly valuable and worthy of landmark, is because it does represent, in your own words, one of the very modest architects in Palm Beach, experimenting with new forms, which he then carried through on this island and one that comes to mind that he built just shortly after Mr. Henley's is the Dreyfoos home on South Lake Trail, and it is very obvious to me that some of his experimentation in Mr. Henley's home is seen in the Dreyfoos home. So, it represents, if you will, part of the intellectual developmental process of an architect which is, and I hope you'll agree, a worthy reason to landmark a home.

Mr. Pandula: I would agree with that philosophically, but in reading the Draft Report that we had access to, when French Neo-Classical building traits were presented in a British Colonial building, I think there is apparently some confusion here, and I would submit that there is a distinction between confusion and experimentation. Perhaps it was actual experimentation and would read as such, rather than being confused of different styles. I think, perhaps, it wasn't experimentation that went along far enough to kind of stand on its own, if you will, in aesthetic terms.

Mr. Sullivan: Mr. Pandula, wouldn't you agree as an expert in the profession of architecture, that one man's confusion is another man's uncertainty, and that, as such, uncertainty is an integral part of the intellectual process?

Mr. Pandula: I think that is true in anything.

Mr. Sullivan: Thank you. Are there any other comments?

Mr. Moore: Just one, Mr. Chairman. Staff does recognize that there was some confusion on the style, and unfortunately, when the original survey was done by Walter Kidney from Pittsburgh, that information was picked up by our current Staff, but we used the same authority that Mr. Pandula erred with using earlier, and so, I think if errors are in order, I think we are one a piece, and we're moving forward from one a piece. Mrs. Hoffstot's book was the source of that original determination.

Mr. Frank: Mr. Chairman, I'd also like to point out that it seems as though the confusion was in French Neo-Classical and I can point to the record and Mr. Pandula's testimony. He did admit that there were French details in this design, and that may very well be the basis of the confusion in the original reports that we had read.

Mrs. Mackintosh: I get confused, in turn, in wondering why

people don't realize that it is an honor to have their house landmarked, and a protection. I don't see why they don't want to have that.

Mr. Sullivan: (Indiscernible) One of the things, if he's willing that I'd like to do, is walk down and visit my good neighbor, Mr. Henley, and maybe in a much more informal setting, I might be able to explain to him what landmarking is really all about, and I think that if he has a fear of landmarking, and that might be fundamental to the reasons for opposition, that possibly I might succeed in allaying totally that fear which I can assure you, good neighbor, is unfounded.

Mrs. Mackintosh: We're really not monsters.

Mr. Sullivan: Because of the uncertainty expressed in the Report, I've delayed asking for a motion vis-a-vis the Designation Report so that any corrections to it would have been incorporated by virtue of the verbal record, but I think now it is time for me to stop and see if the Commission might be prepared to stop and make such a motion.

Mr. Lickle: May I make one more comment?

Mr. Sullivan: Certainly.

Mr. Frank: While Mr. Lickle is coming up, I'd like to...Cindy is sort of giving me the Hi sign here, and she has the duty of unsorting all of this and putting it in the Minutes. Everyone please speak into the microphone, so that when she is doing that task, she can pick up all of the comments that are made. Thank you.

Mr. Lickle: I think all of your comments are most appropriate. I don't think anyone has any particular argument with the concept of landmarking with the duties that you all are charged with in trying to preserve the Town of Palm Beach. In executing your jobs of landmarking particular structures, I think that the point of the process why we are here today, is to simply challenge that process to make sure that the landmark designation process is something that is well thought out, and that to put another layer on government on top of the private sector is well thought out, and that these particular properties and 255 Via Bellaria, in particular, is the property that you are really looking to to be representative of category (c) and (d) as you have to play them out, and we have possibly a further request that if we are going to get a deferral until this is cleared up, maybe the opportunity to present to you some other properties that might be more worthy of that representative designation that would be more appropriate than 255 Via Bellaria instead of the Landmarks Commission taking a broader sweep in an attempt to try and capture all of the Marion Sims Wyeth

architectural designs or all of the designs that may be representative of a time, era, etc., because I think that all of the arguments we have heard today from the Landmarks Commission can simply be applied to many architects, to many designs here in Palm Beach, and probably an argument could come up with... even for a 1980's or 1990's architect, that it is going to be representative of something that's going to be twenty or thirty years down the road, and I would just ask you to consider that and the point of 255 Via Bellaria and why we're here today, I'll say that this may not be the most appropriate designation to capture for representation of Marion Sims Wyeth and that time. We respectfully request that possibly we might be able to present some testimony that there are other more appropriate structures, not only on Via Bellaria, but in the Town, that may accomplish this purpose.

Mr. Volk: We also do take into consideration the neighborhood, the area at hand, and Via Bellaria, as we've said, we feel is a significant area for historic and beautiful homes that we feel need to be preserved, not particularly the best of the major work of Marion Wyeth, but nevertheless, one of the very fine specimens of his work.

Mr. Lickle: I think we would all agree with you that it is a fine street, and as Mr. Pandula is pointing out, having done work before the Town Council, and we all know what zoning is here in Palm Beach. We live in probably one of the most protected environments in the country, and I believe that the current zoning process is protective of that house.

Dr. Curl: I think there may be just a little confusion in something you said when you said "add another layer", and of course, this is not another layer. It is a substitute layer. ARCOM already has control of any exterior changes, and it would just be transferred from ARCOM to Landmarks, so it's not another layer.

Mr. Sullivan: Dr. Curl makes a point which is fundamentally important, and so many people don't even understand it. We are not an additional level of administrative review, bureaucracy, or anything else, rather we are purely a substitute in place of ARCOM. There is nothing you can do to the exterior of your property that would not come before ARCOM.

Mr. Lickle: It's a substitute; I agree, but the definitional layers of obtaining an approval say from Landmark versus ARCOM may be different, in our opinion.

Dr. Curl: Have you ever been to the ARCOM meetings?

Mr. Lickle: Absolutely, and based on today, maybe not.

Mr. Sullivan: I think we might rest our case on that. We do appreciate though, you keeping us on our toes, and you are right. We should always be challenged up here. It is very healthy for us. One other point I would like to make, Mr. Henley, is that regardless of what we do here today, it doesn't stop here. All we do is we make recommendations, and these recommendations, then, are sent on to Town Council. So, if for some reason, you disagree with our recommendation, or if you haven't at some point, seen fit to change your mind, you do have another very strong level of recourse.

Mr. Frank: If I could just add to that too, if action is taken here that would, in a sense designate this property, and it went to the Town Council, additional information may be submitted to the Town Council at that time or if our Staff receives it within the next three days, it will actually be printed in the record that we send forward to the Town Council, and all the changes that we have discussed here today, and the presentation of Mr. Sved, will also be incorporated into that.

Mr. Sullivan: Do we hear a motion on the Designation Report itself?

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

MOTION SECONDED BY MRS. MACKINTOSH.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: Is there any additional discussion on the designation recommendation of 255 Via Bellaria? Is there a motion that any Commissioner would care to make on this?

MOTION BY DR. CURL THAT 255 VIA BELLARIA 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.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: Thank you very much Mr. Henley, Mr. Lickle, and Mr. Pandula.

Item 4: 130 Barton Avenue

OWNER: Charles J. Gallant

LEGAL: PRIMA VERA ESTS/OCEAN SEC/LTS 29 TO 31 INC.

Mr. Sullivan: Do you have evidence of legal service, Mr. Frank?

Mr. Frank: Yes, Mr. Chairman, there is.

Mr. Sullivan: If there is going to be any testimony from representatives of this property other than Staff, would they stand and be sworn in.

Mrs. Delp swore in those wishing to testify on this item using the same verbiage as was earlier stated.

Mr. Sullivan: Could you identify yourself for the record, sir.

Mr. Gallant: My name is Charles Gallant. I am the proprietor of the property at 130 Barton Avenue.

Mr. Sullivan: Thank you very much. Mr. Gallant, we are going to hear the Staff's recommendation first, and then ask you for testimony afterwards. You might be more comfortable seated, or you are perfectly welcome at the mike if you want to be there.

Mr. Gallant: Thank you.

Mr. Frank: Thank you, Mr. Chairman. This structure is a large, white stucco Beaux Arts structure and it's symmetrical with a three bay design. I'll let Mr. Sved get into more of the details, but under Criteria for Designation, Staff believes that 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 that's all we have for the record. Mr. Sved.

Mr. Sved: I think we are all very familiar with the building at 130 Barton Avenue which was designed approximately in 1925 by the architectural team of Hoppins & Koen. I have a note here from Dr. Curl from last month which corrects the spelling of their names. I'd like to enter that into the record. Colonel Francis V. Hoppins, H-O-P-P-I-N-S, and Terence A. Koen, K-O-E-N. The property at 130 Barton Avenue is, in fact, a Beaux Arts design, and possibly second only to Mr. Flagler's house, the Museum, is one of the finest Beaux Arts houses in Town. The notable architectural features of this house are its symmetrical design, its aedicular windows on the first floor which have their own little pediments to them. There is a Palladian window at the center of the building. I should also make mention of the rich cornice. There is a very low and relatively unobtrusive

looking top to this roof which contains not only some stucco, but in the center it's got a nice bit of Chinese Chippendale inlaid. On the roof of this house, and I'm not sure if its operable or not, but there is a Chinese Chippendale railing on the roof of this building, and...which is suggestive of what we all know as a "Widow's Walk" around the oceanfront properties which is a very nice design, monochromatic and should be so. It shows not only high design, but also some restraint in the design, and it's very worthy of landmark designation. As a matter of fact, I was told by someone, and I'm not sure who it was, that if this house was not designated and landmarked in Palm Beach, very few others should be as well. So, the consensus from the public is that this is a very worthy building.

Mr. Sullivan: Thank you, Mr. Sved. Mr. Gallant.

Mr. Gallant: Hearing that, I suppose it would be wise not to say anything. Of course, I am proud and happy about our house, and I'm not using this as an excuse for a platform to talk about it. Most of us who came to Palm Beach came because of what Palm Beach is and are interested in keeping it. I hope it will continue. I think a great many of us approve of your work. On the down side, of course, the minute you designate, it becomes a target. You think I'm kidding about a target. Not at all. In other instances, in a few instances where our house has received some publicity, we have also received a barrage of tin cans, actually had eggs thrown at the house by passing automobiles, and if any of you have noticed, our family name is checked out. We have refused newspaper interviews. We think it is a mistake to say anything that somebody picks up. It's a syndrome of some sort. It's like people who drive Rolls keep out of ghettos for justifiable reasons. That may not be a major, but again, on the down side, there is a personal (indiscernible). This particular house has not been on the market. We have received numerous requests from dealers to consider it, and we won't even talk to them. One insistent person had called, and he made us an offer of six million dollars (\$ 6,000,000) on this house. I told him it wasn't on the market. I've heard it debated about how good preservation is. Some people seem to think that, and I've never really heard any real argument that could be verified because you can't just trust the real estate people, with apologies to any of the real estate people here, and I'm not sure you can trust the owners, with apologies to myself. The individual who called, when this preservation thing came up, also went to another real estate company, and came back and altered his original proposal of six million dollars (\$ 6,000,000) to four million dollars (\$ 4,000,000). So, there we have a verifiable, actual, and it's only one individual (indiscernible), but from a personal standpoint, when my place becomes an estate, if that thing we are talking about is accurate, that house is going to depreciate by at least thirty per-cent (30%), and that becomes a

factor for me, and maybe, for that reason, if for no other, I'm on your side of the fence except for that. I oppose having it designated.

Mr. Sullivan: Thank you, Mr. Gallant. Are there any other comments of the public or representatives? Commissioners?

Mrs. Mackintosh: Well, again, this is the first time I've heard a reverse valuation of the house. Paul Ilyinsky...his house is landmarked, and he also doesn't want to sell it, but he somebody offered more. This is the first time I've heard anything in the opposite direction. I've said it's an honor, and people like to buy an honor sometimes. I don't find that hard to comprehend.

Dr. Curl: Well, I think we might just remember the former property appraisal, appraiser, sorry, for Palm Beach County, Mr. Maxwell, who gave testimony regarding the Anthony house. His testimony was considered expert, that it did not hurt the property, the value of the property.

Mr. Sullivan: Mr. Gallant, probably, and you're right. It's very, very difficult in this type of exercise to determine who is being factual and who is being objective. Probably, the best indication that I can give you of the way you might come down on this particular issue on the impact of landmarking on the value of your house, is to simply cite to you what has actually happened in this Town over the last eleven years that we've had landmarking, and it has been entirely consistent in every instance that houses with landmark designations have increased in value at least as much, and in most cases, more than those houses that have not. That has been very reassuring to me, as a person who owns a landmark home. I feel very confident in the designation.

Mr. Moore: Mr. Chairman, I can possibly shed some light on that statement that Mr. Gallant has given us, and probably answer his question logically, why a real estate firm would possibly have advised a potential person of that fact. Mr. Gallant's property sits on Lots 29, 30 & 31 of his subdivision. Those lots are minimum sized 100 ft. lots in the R-B Zoning District. If his property were to be demolished, a potential purchaser or developer would have the ability to create three houses on his particular piece of property. Therefore, in my uneducated real estate opinion, it would be my guess that this would be a possible reason that he was advised as a potential buyer that the property would be substantially less if considered for redevelopment. If it's considered as an estate, I think all of your statements have been born out by experts time and time again, that the Town has paid for and that others have paid for that landmarked property, as an estate, will go up in value substantially.

Mr. Sullivan: At this point, we need to consider the Designation Report.

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

MOTION SECONDED BY MRS. MACKINTOSH.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: Are there any other comments that anyone else would like to make? Points of discussion on 130 Barton Avenue?

Dr. Curl: I'll just repeat what Jim said earlier. I can't believe that the house hasn't been landmarked before. It is one of the most beautiful houses in Palm Beach. I think it is sort of interesting that Hoppins and Koen both actually worked under Carrara & Hastings, at one point, the architects of Whitehall.

Mr. Sullivan: Thank you, Dr. Curl. Does any Commissioner feel it appropriate at this time to make a motion?

MOTION BY DR. CURL THAT 130 BARTON AVENUE 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. PERRY.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: Thank you, Mr. Gallant.

ITEM 5: 142 North County Road
OWNER: Thomas V. Daily Diocese of Palm Beach
LEGAL: SUNRISE AVE ADD 2, LTS 23 TO 26 INC.

Mr. Sullivan: Has notice of legal service...I think we know it has. This is a deferred item.

Mr. Frank: Yes.

Mr. Sullivan: Yes. Any representatives other than Staff who intend to testify on this property, will they please stand and be sworn in. None? Mr. Frank.

Let the record show that no one stood.

Mr. Frank: Thank you, Mr. Chairman. The buildings of the St. Edward's Church Compound were designed and constructed in 1926. The well-known and well-respected architect, Mortimer

Dickenson Metcalf, designed the buildings from his New York office, offering his variation of the Mediterranean Revival to an already eclectic building style in Palm Beach. Under Criteria for Designation, Staff has found that this structure 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 we have included the biography of Mortimer Metcalf. I'd also like to point out that we have received a letter from James R. Brindell, who is the attorney representing St. Edward's Church, and he says in the letter addressed to me the following..."On behalf of St. Edward's Church, I would like to convey that the Church has decided to agree to the Landmarks Preservation Commission's landmark designation. We will therefore not be attending the meeting on February 16, 1990. Thank you very much for your cooperation in this matter. Sincerely, James R. Brindell." Mr. Sved.

Mr. Sved: Under the broad guise of Mediterranean Revival, the St. Edward's Church complex is more specifically associated with the Spanish missions that cropped up all around the American southwest, in Mexico, and South America from about 1550 up through the seventeenth or eighteenth century. This building is a very well thought out example of this type of architecture. If any of you, this is a little off the side, but if any of you saw the part of the "Today Show" yesterday, they showed the inner harbor at Cartagena, Columbia and in that inner harbor, which is almost exactly on the street facade like our St. Edward's Church, the only difference being that the building in Cartagena had a dome. Their building was built in 1525. There are several notable example of this type of building in the American southwest, most notably San Xavier Del Vac, which is considered one of the finest Spanish mission buildings in the world. Mr. Metcalf, here, employs rather more than one building design. While the front and back of this building do reflect the Spanish design, which incorporates an elaborate stone baroque detailing at the triple bay entrance doors and the asymmetrical towers. The side elevation of these buildings is more, and you can see that in your additional photographs, the side elevation of this building is more closely associated

with the Christopher Wren and/or James Gibbs type of church popular in England in the seventeenth century, that being a double story clerestory lighting system which allows a lot more light into the buildings than the traditional Spanish design would have. This is a phenomenal building and it's a one of a kind structure in Palm Beach, and is very worthy of landmark designation.

Mr. Sullivan: Thank you, Mr. Sved. I think based on the voluntary grant, we are also in debt to the Bishop. May we have a motion on the Designation Report.

MOTION BY DR. CURL TO MAKE THE DESIGNATION REPORT A PART OF THE RECORD.

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: Thank you. Given the voluntary nature, I think it would be appropriate now to consider a motion on designation.

MOTION BY DR. CURL THAT 142 NORTH COUNTY ROAD 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. PERRY.

MOTION CARRIED UNANIMOUSLY.

ITEM 6: 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: The next item is 700 North Lake Way. I believe it was deferred from January. I believe that there are still ongoing discussions between counsels. Is that right, Mr. Randolph?

Mr. Randolph: That is correct. Staff would like to request a deferral on this item.

Mr. Sullivan: Until what month would you advise that?

Mr. Frank: We would like a deferral to March, and essentially, this has been offered on a voluntary basis, but there was a letter that had a number of concerns of the applicant and conditions we need to work out.

Mr. Sullivan: How is that coming?

Mr. Randolph: I just talked to the attorney yesterday, and we have a meeting set up for the beginning of next week to discuss this.

Mr. Sullivan: That's great.

MOTION BY DR. CURL THAT LANDMARKING CONSIDERATION OF 700 NORTH LAKE WAY BE DEFERRED TO THE MARCH MEETING, WITH THE PROVISIO THAT THE OWNER RECOGNIZES HE IS WAIVING HIS STATUTORY RIGHT REQUIRING THE COMMISSION TO ACT WITHIN 30 DAYS.

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: Thank you. That will be heard in March.

ITEM 7: 105 Clarendon Avenue
OWNER: Palmtech Holdings Inc. TR c/o Rapap
Enterprises
LEGAL: VITA SERENA, LTS 1 & 20/LESS STREET

Mr. Sullivan: The next item is 105 Clarendon Avenue. The owner is Palmtech Holdings, Mr. and Mrs. George Petty. Has notice of legal service been given?

Mr. Frank: Yes, Mr. Chairman.

Mr. Sullivan: Are there any representatives, petitioners for 105 Clarendon who wish to be sworn in? If there are none, I'll call the Staff for the Designation Report.

Mr. Frank: Thank you, Mr. Chairman. Vita Serena, at 105 Clarendon, is a large Palladian style design and that means it has palladian details in it. By virtue of its corner location at South Ocean Boulevard and Clarendon Avenue, both the east and the south facades of the house are visible from the street. Under Criteria for Designation, Staff finds that 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, and the biography is attached.

Mr. Sullivan: Thank you. Mr. Sved.

Mr. Sved: What is meant by Palladian, and you'll notice that's in quotes in your Designation Report, for this structure, is that this building and most buildings that are considered Palladian are Italian Renaissance buildings that are closely associated with the architecture of Andrew Palladio. This building offers two facades to visible view, the east facade and the south facade, and these are very closely resembled to and possibly the closest examples we have here in Palm Beach, facades mimicking the Villa Capra, also known as the Villa Rotonda in Veneto region of Italy. That is widely considered the finest villa ever created. This building was built in 1926 by the architectural firm of Wyeth, King & Johnson, and it shows not only monochromatic design and monochromatic facades, but it also offers some restraint in that it is not overly ornate. There is an excellent use in this building of cast stone to replace the traditional park stone on traditional Italian buildings, and this building is on a large oceanfront lot which gives it a feel of an Italian villa and is very worthy of landmark designation.

Mr. Sullivan: Thank you Mr. Sved.

Dr. Curl: Could I just suggest one little thing? That Mrs. Matthews is that grand-daughter of Henry Flagler.

Mr. Sullivan: Dr. Curl is, of course, referring to one of the owners of this house, and it is a distinction. She is, in addition to her family, has had a major impact on the formation of this Town.

Dr. Curl: I am suggesting grand-daughter because it says daughter in the Designation Report. I would also, again, like to suggest a different biography.

Mr. Sullivan: Notwithstanding these reservations on the part of Dr. Curl, may we have a motion on the Designation Report itself?

MOTION BY MRS. MACKINTOSH TO MAKE THE DESIGNATION REPORT A PART OF THE RECORD.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: Are there any other witnesses who would like to testify on 105 Clarendon. Hearing none, I think it would be appropriate to hear a motion on the designation.

MOTION BY DR. CURL THAT 105 CLARENDON AVENUE 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.

MOTION CARRIED UNANIMOUSLY.

Mr. Frank: Mr. Chairman, I'd just like to bring up, in response to Dr. Curl's commentary, I think we can imagine the logistics of the massive printing that we go through for these Designation Reports and so forth, and as we've mentioned in an earlier meeting, we have revised the biography (tape change).

ITEM 8: 124 Via Bethesda

OWNER: Henry P. IV & Susan R. McIntosh

LEGAL: E.G. PENDLETON TR, E 1/2 OF LT 16 &
UNMBRD LT LYG E OF LT 16

Mr. Sullivan: Are they present at this time? Staff has made a request that if they are not present at this time, we will simply defer this until the end of the agenda. So, not seeing them, I'm simply going to move to the next item and we'll treat it after Item #20.

ITEM 9: 1095 North Ocean Boulevard

OWNER: 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

(PLEASE NOTE THAT THE APPLICANT REQUESTS DEFERRAL TO THE APRIL MEETING.)

Mr. Sullivan: Item #9 is 1095 North Ocean Boulevard which is, of course, known as the Kennedy residence, and in this instance, Staff is involved in ongoing discussions with the property owners, and as such, are requesting a deferral until the April meeting, and if that is agreeable to the Commissioners, I'll entertain a motion.

MOTION BY DR. CURL THAT LANDMARKING CONSIDERATION OF 1095 NORTH OCEAN BOULEVARD BE DEFERRED TO THE APRIL MEETING, WITH THE PROVISIO THAT THAT OWNER RECOGNIZES SHE IS WAIVING HER STATUTORY RIGHT REQUIRING THE COMMISSION TO ACT WITHIN 30 DAYS.

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

ITEM 10: 357 Seabreeze Avenue

OWNER: Louis J. Gartner Jr.

LEGAL: POINCIANA PARK, LTS 56 & 58

Mr. Sullivan: Has notice of legal service been received?

Mr. Frank: Yes, Mr. Chairman.

Mr. Sullivan: If there are any witnesses in addition to Staff who intend to testify on this property, would they please rise and be sworn in. Seeing none, Mr. Frank, may we hear the Designation Report.

Mr. Frank: Thank you, Mr. Chairman. This is a two-and-a-half story house at 357 Seabreeze Avenue, and it is relatively unchanged. It is a shingle style of design. Staff believes that this particular property 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 or construction or use of indigenous materials or craftsmanship.

Mr. Sved.

Mr. Sved: The highly visible building at 357 Seabreeze Avenue was built, as Mr. Frank said, circa 1900 or in that area by an unknown architect, and is what we are now calling a Queen Anne/Shingle style house in Palm Beach. The early settlers of Palm Beach did not know very much about what type of buildings were thought to be preferred for this area, and as such, when they arrived in this area, they constructed houses that were very similar to those which they owned and had constructed up north. In this period from about 1880 through 1900, the Queen Anne and Shingle styles were very popular in New England, in Newport, and in the coastal cities over the eastern United States. This building is an excellent example of this style of architecture. It's got what we consider a high, a relatively high, northern roof line, and you can see it in the cover photograph that the roofline goes in two directions and meets at the crossing. Presumably, up North, this allows the snow to fall off the roof and not come down on your house. The building is completely made of wood. It's a very open design. Under the porch and the canopy, which you can see in your photograph, it's

a completely screened area all the way around the house which supplies ventilation. You have to be reminded that there was no air conditioning at this time, and the people cooled their houses by natural breezes and wind. The breezes would actually come in through the screened porch of the house on the first floor and the hot air would blow out through the roof on the top in a natural process, something that we have lost in the last twenty or thirty years to architecture. This is an excellent design, and as Mr. Frank said, is virtually unchanged from the original, and it is very worthy of landmark designation. I might add that it is very refreshing to speak about a house that is not made out of stucco, for a change.

Mr. Sullivan: Thank you, Mr. Sved. Is there any consideration on the Commission's part for the Designation Report?

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: Are there any other comments? Any testimony? From the Public? I'll make a comment then. As the person who recommended this for inclusion, I spoke to the Owner and at the time, he spoke very, very proudly of this home. You are right, Mr. Sved. He also felt that it was unique in Palm Beach for the very reason that you mentioned, and also spoke very warmly of the preservation attempts on the part of the Town. I'm being a little presumptuous, but I don't think I'm too far off the mark if I interpret that as a voluntary designation. Given that, I think that we can entertain a motion.

MOTION BY DR. CURL THAT 357 SEABREEZE AVENUE BE RECOMMENDED TO THE 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.

MOTION CARRIED UNANIMOUSLY.

Item 11: 314 Australian Avenue

OWNER: M. & Biagina Pucillo

LEGAL: ROYAL PARK ADD, E 11 FT OF LT 20, LT 21
& W 10 FT OF LT 22 BLK 6

Mr. Sullivan: Has notice of the service been received?

Mr. Pucillo: Excuse me. My representative is not yet here. Can we move to the next, and then after.

Mr. Moore: Mr. Chairman, Mr. Pucillo is waiting for this nephew, Michael Pucillo, the attorney to arrive to represent him.

Mr. Sullivan: Would it be agreeable if we took it up at the end of the meeting, Mr. Pucillo?

Mr. Pucillo: No, I just called him. I don't know...

Mr. Moore: I think that's appropriate, Mr. Chairman. It's either now or at the end of the meeting. Mr. Pucillo, Michael Pucillo spoke with me earlier and asked for an approximate time. I told him by 10:30. Of course, I was a little bit off, but not in his favor. So, it would have been his obligation to be here at 10:30, so I suggest that if you're going to defer, you defer it to the end of the meeting.

Mr. Sullivan: That's what we'll do. We'll wait for any comments.

Mr. Pucillo: Thank you.

ITEM 12: 116 Seabreeze Avenue
OWNER: Fortunato N. & Linda S. Valenti
c/o Restaurant Associates
LEGAL: POINCIANA PARK, LTS 219, 221 & W 42 FT OF
LTS 223 & 224

Mr. Sullivan: We're going to go on then to 116 Seabreeze Avenue, and given that there is a letter from an attorney on this house, I guess we can presume that notice of legal service has been received as well.

Mr. Frank: Yes, Mr. Chairman.

Mr. Sullivan: Very good. 116 Seabreeze Avenue is the residence of Fortunato and Linda Valenti. Oh, are there any witnesses, owners or representatives of owners who would like to testify. If there are, would they stand and be sworn. Seeing none, Mr. Frank, may we hear the Designation Report.

Mr. Frank: Thank you, Mr. Chairman. This is a large two-and-a-half story Shingle design at 116 Seabreeze. It was originally an oceanfront house. Its symmetrical center hall design is obscured by an early, shingled addition at the south end of the property as well as the enclosed porch on the current street facade. Staff believes it 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.

Also, we have received a letter from an attorney regarding an opposed landmark designation at 116 Seabreeze Avenue. It's addressed to the Chairman and Commission members, Landmarks Preservation Commission, and states the following: "Dear Chairman and Commission Members: This firm is counsel for the property owners of the above-captioned property. Regarding the proposed designation of 116 Seabreeze Avenue as a landmark by the Town of Palm Beach Landmarks Preservation Commission, at the public hearing scheduled for Friday, February 16, 1990, we have been instructed by our clients to advise the Town of Palm Beach and the Landmarks Preservation Commission that we wish to preserve any and all rights and remedies available to us with respect to challenging the proposed designation. Accordingly, I respectfully request that this letter be entered into and made a part of the record of the public hearing of February 16, 1990, on the proposed landmark designation. Thank you for your consideration. Sincerely, Michael W. Connors, Boose, Casey, Ciklin, and others." Mr. Sved.

Mr. Sved: The structure at 116 Seabreeze Avenue, as Mr. Frank said, was originally an oceanfront property. It is a large building placed on the oceanfront, but now precludes it, and I think the only place you can see the ocean now from this structure is from one of the triple dormers up on the window, up on the third floor sticking out of the roof facing the ocean. This is a shingle style house. At first glance in the photograph and driving past it, it appears to be a wood clapboard house, but if you look more carefully, it becomes evident that the entire facade is made up of small, maybe 4" shingles, which are laid closely together to resemble clapboarding. The layers of paint over the thing have probably hidden some of the grooves, however, this is certainly a shingle style house. One of the elements that makes it so is that despite the fact that this is a three story, two-and-a-half story very tall building, most of the elements of this house suggest the horizontality of the structure, and that would be not only the lines of the wood, but the low and long porch which has been enclosed as well as the little overhang of the roofline which all suggest horizontality of this structure. I should reiterate again that this is the type of house that the wealthy early settlers of Palm Beach constructed down here, and these type of houses dotted the island, and were almost as prevalent, if not more popular, than Mediterranean houses at this time. It is an excellent building and worthy of landmark designation.

Mr. Sullivan: Thank you, Mr. Sved. At this point it would be

appropriate to entertain a motion on the Designation Report itself.

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: Are there any other witnesses who would like to testify? Are there any other comments that anyone would like to make?

Mrs. Mackintosh: I had quite a few people ask me why we want to designate these wooden houses, and I say, well, that's how Palm Beach started years and years ago. It was glamorous, but not the kind of glamour that we have now. It does represent the way that Palm Beach really started. I think it's very important that we have quite a few of these. It reminds me of history...it's part of history.

Mr. Sullivan: Yes, it's a very important part of our history, and if anyone attended Dr. Curl's lecture on Valentine's Day, under the auspices of the Preservation Foundation, they learned the integral part that these types of homes played in the architectural history of the Town, and which have disappeared from along South Lake Trail, and it is important for us to maintain and keep a few of them as gems indicating what the past had in Palm Beach. Given that, Mrs. Mackintosh, would you like to make a motion?

Mrs. Mackintosh: Yes, I'd love to make a motion.

MOTION BY MRS. MACKINTOSH THAT 116 SEABREEZE AVENUE 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.

MOTION CARRIED UNANIMOUSLY.

ITEM 13: 318 Australian Avenue
OWNER: Shannon G. Sadler
LEGAL: ROYAL PARK ADD, E 7 FT OF LT 18, LT 19 &
W 14 FT OF LT 20 BLK 6

Mr. Sullivan: There is a letter that has been received and is on file from Ms. Sadler, so again, I presume that notice of legal service has been received.

Mr. Frank: Yes, that's correct.

Mr. Sullivan: May we hear the Designation...oh, before we do that, if Ms. Sadler or if there is anyone present who would like to testify, would you please stand and be sworn in. Ms. Sadler is standing.

Mrs. Delp swore in Ms. Sadler using the same verbiage as was earlier stated.

Mr. Sullivan: Ms. Sadler, if you would like to be comfortable, I'm going to call first for the Designation Report.

Ms. Sadler: I'm comfortable right here.

Mr. Sullivan: O.K. Very good. Mr. Frank.

Mr. Frank: Thank you. This is a Bungalow style. It's similar in appearance to other houses on Australian Avenue, and it suggests that the houses were constructed around 1920 by the same builder. Under Criteria for Designation, Staff believes that 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.

Ms. Sadler has a letter, and if you like, I'll read that into the record or since she is here, perhaps she would just like to...all the Commissioners have your letter, and if you'd like I'll read it into the record or if you just want to give your commentary later.

Ms. Sadler: No need.

Mr. Frank: O.K. I'll ask Mr. Sved for his comments and then we can end with your comments.

Mr. Sved: 318 Australian Avenue, like its sister buildings at 314 and 310, are Craftsman style bungalows built approximately in 1920 most probably by the same builder/architect. 318 and 314, being the two better of the three structures. 310 has since been added to and has been modified including removal of some of its wood and replacing it with stucco. This building, in particular, 318, is an excellent example of the Craftsman style bungalow. The Craftsman style was spread throughout the United States through magazines and articles. Sears, Roebuck

and Company, as a matter of fact, sold a bungalow similar to this in their catalog. I believe the total cost was something around \$ 820.00, and they'd send you the materials and you'd put the building together yourself. The Craftsman style aspects of this property includes some very restrained, but nevertheless, intentionally ornate woodwork. The square extending rafter piers, the battered piers, battered meaning they are sort of tapered on all four sides. Even though these aren't made out of stone, like many of the traditional bungalows are, Craftsman style bungalows often did have wood battered piers on the porch area. This porch has been closed in. However, the porches were originally designed to create air flow, again, and you can see in your photographs on the cover of the Designation Report, that there is a bit of latticework in the roof above the bungalow's porch where the wind would have blown in and removed heat through the top of the house. This is very well designed, and as a Craftsman style bungalow, is an excellent representation.

Mr. Sullivan: Thank you, Mr. Sved. Ms. Sadler, I can't see you, but I know you're there.

Ms. Sadler: I'm here.

Mr. Sullivan: Very good. Good morning.

Ms. Sadler: Good morning, and it's nice to be here today. I would like to say the philosophically, I very much agree and support the Landmark Committee's efforts and I understand your goals. Objectively, I don't wish to be selfish. When a home is consistent with the four criteria, I, too, love Palm Beach, and I think that it should be awarded landmark status. Frankly and fairly, I don't think that my modest home has a distinctive impact on that philosophy. I'm familiar with your standards, and I really don't believe that it meets any of the first three and would like to discuss the fourth one. It's not particularly unique, particularly if they were made by Sears, I think you can agree that there are probably a few of those around. It is a frame house on a fifty (50') lot. Its ornate woodwork that was mentioned has been subject to termites many times over, and in the time that I have lived there, I have personally been battling the upkeep of a small frame house on a fifty (50') lot. I'm a single working mother of middle income, and I have a family to support. This house is my primary asset. I bought this home with the idea of having a safe place to raise my child that was near Palm Beach Day School, and when that is done, in all likelihood, since this is my primary investment, I will have to sell this house and move to something more modest. My child is 15, so I project doing that within the next three or four years. I do think that landmark status will ultimately improve the land value of homes, particularly the hollow tile homes, the larger, more stately homes, but in this case, I'm not sure that it really will have that sort of impact. Since I plan to, well,

not plan to, but must sell this house in the next few years when my daughter goes away to school. I do believe that it will, in that period of time, negatively impact the value of my home and my financial security, and that negative impact, I believe, far outweighs any benefit that this small Sears style home would have to the Town, and I would ask you to consider that as you consider landmarking it.

Mr. Sullivan: Thank you very much for your comments, Ms. Sadler. May I entertain a motion on the Designation Report, itself.

Mr. Sved: Mr. Chairman, would it be appropriate for me to speak again.

Mr. Sullivan: Of course.

Mr. Sved: I'd like to respond to a couple of things Mrs. Sadler has said. Number 1: This building certainly does meet the first criteria, criteria (a), on the Landmarks Commission Designation Report, inasmuch as in the early periods when the early settlers of Palm Beach came here, not as many of them were committed to Palm Beach as a winter residence as the people who were confident enough to build the large houses, and as such, many of them built these, many of the considerable residents of Palm Beach, constructed these smaller houses in the Bungalow style until they were more confident with Palm Beach as a place to call their own, to call their winter residence, full time. Additionally, as Bungalow style houses and Bungalow style buildings were constructed all over the United States, and they were created and sold by Sears, Roebuck and Company, many of them were not put together properly. You'd get the pieces and I'm sure more than once, there were some extra pieces left over when they put these houses together. Your house and the one next door to it are excellent examples of this style, and have all of the details and the elements that make it such. Thank you.

Mr. Sullivan: It is appropriate, at this point, to consider the designation itself.

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

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: Is there any additional testimony from the floor? Comments from Commissioners.

Mrs. Volk: I think Mrs. Shannon, Mrs. Sadler, you would find it

to the contrary about your modest house, what you feel is a modest house, that landmark designation would set it aside as a very special, desirable house. You know, if you view the other communities where landmarking has been going on for a longer period than it has here, in Nantucket and the other areas of the country where very small houses have been designated. And we, as Mr. Moore said earlier, have never seen a landmark designation remove value from a house. On the contrary, it has added value. I think where you might find the problem of devaluation, would be if you had a large lot that could possibly be subdivided, and then with landmark designation, tearing the house down would be a difficult thing, if not impossible. Since your house is on a small lot, and it's such a beautiful example, I would think it would be forever a very sought after piece of property. I know my landmark property has been, from my experience, my personal experience. That's another point of view.

Ms. Sadler: I understand that, Mrs. Volk, and I also point out that the house to the west of me, which is another Bungalow, has not been landmarked, and that many of the homes, the construction on our street, has gone to multi-family kinds of homes. So, I think that's something to consider. Also, I believe too that it would increase the value of the house certainly in time, in a dozen or more years. I don't have that kind of time, and it is my sole investment.

Mr. Moore: Just a point of clarification. I believe that the zoning on the property is "R-C", which is multi-family. The parcel, itself, is a small parcel that the home sits on. Redevelopment of that parcel, under today's zoning restrictions, and I do not see zoning becoming more liberal in the future. In fact, I predict that if anything, it will become more stringent which would preclude a multi-family unit on this particular piece of property, given the size, as well as properties that surround this piece of property. So, for the record, and for the owners comfort or information, the only type of unit that could be put on this piece of property in the future, would be another single family residence and perhaps, not at the same lot coverage that is currently there now, which square footage is of value within the Town for resale, and there is a good reason to consider keeping the home and keeping it in its current condition.

Mr. Sullivan: Did you want to comment, Mr. Frank?

Mr. Frank: Actually, it was the same that the square footage may be reduced.

Ms. Sadler: May I say one thing. I have no intention of changing this house in any way as long as I live there. I love it, and I personally hammered away on it for quite some time.

If I found in the next few years, once my child goes to college, that I would be financially able to keep the house and not put it on the market, I would expect that I would come back to you and say would you please reconsider putting this house on at this point. It's just the fact that a single working mother with one asset needs to keep as many options as she can. I can assure you that whatever the future holds, we do hope you'll be one of our neighbors.

Ms. Sadler: Thank you. I do too.

Mrs. Perry: Mr. Moore, can I ask you a question to clarify this? I'm confused. Are you saying that with the zoning the way it is, that even if the house were not designated and it were torn down, you don't think anybody could put a multi-family unit there anyway, and the new structure would probably, by zoning, be smaller than what is there now? Is that correct?

Mr. Moore: The question is in two parts. The answer to the first question, the first part of the question is that the property is not large enough to sustain more than one unit. So the answer is one unit is all the property may sustain. Secondly, although I haven't reviewed it and put the slide rule on and the scale on the property, the current size of the home that is there now, could be restricted to its size. In other words, it's as large as it possibly could be. I would have to take a closer look at that, so I don't want that to be a total factor in the consideration, but for sure, only one unit could go on that piece of property, even if packaged with surrounding properties which are also small properties, and would also sustain only one unit for each of those properties.

Ms. Sadler: Mr. Sullivan, I have not looked at...I have no document, drawings, architectural or otherwise, but I can tell you that if we're going to discuss this, perhaps, more work should be done because I am the owner of 316 and 318 Australian Avenue. There is a legal rental cottage behind the house which was not mentioned at all in this, and so, when we talk in terms of tearing something down and building something back up, perhaps both of us should become a little more informed of what the possibilities might be in that case, because 316 was not mentioned at all in the (indiscernible).

Mr. Moore: Right, and those properties would stand on their own, and we'll be glad to get with Ms. Sadler and explain the zoning restrictions to her at any point in time, but if a unit is removed that would not be sustainable by replacement of a new unit by lot coverage, then she has lost the grandfathered rights of that other unit, and therefore, it is not relevant to the redevelopment of any particular piece of property other than the fact that she may not put back the extra density if it is removed. I'd be glad to explain that to her in greater detail

at her convenience.

Ms. Sadler: I accept.

Mr. Sullivan: Is there any other testimony or comments?
Hearing none, then, a motion of some kind would be appropriate.

Dr. Curl: Yes, well, understanding this completely,

MOTION BY DR. CURL THAT 218 AUSTRALIAN AVENUE 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.

Mr. Frank: 318.

Mr. Sullivan: Didn't you mean 318, Doctor?

Dr. Curl: YES, I'M SORRY, 318.

LET THE RECORD CORRECT THE AFOREMADE MOTION TO REFLECT 318 AUSTRALIAN AVENUE INSTEAD OF 218, WHICH IS IN ERROR.

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: Thank you for your comments, Ms. Sadler.

ITEM 14: 345 Brazilian Avenue
OWNER: Merry E. Nethery
LEGAL: ROYAL PARK ADD, LTS 5 & 6 BLK 2

Mr. Sullivan: Has notice of legal service been received, Mr. Frank?

Mr. Frank: Yes, Mr. Chairman.

Mr. Sullivan: At that point, then, I don't see Ms. Nethery here, but if there is anyone who would like to testify on this item, would they rise and be sworn. Seeing none, we'll call for the Designation Report.

Mr. Frank: Thank you. This is another wood frame structure which has a sloping gable roof and is located at 345 Brazilian Avenue and it is an example of the Bungalow style. Under Criteria for Designation, Staff believes that 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.

Mr. Sved.

Mr. Sved: While considered a Bungalow, 345 Brazilian Avenue is more precisely a Shingle style cottage. If you'll notice in the photograph that the building does, in fact, show us the horizontality I spoke of earlier, it does offer a dormer window. The building is completely clad on all four sides with shingles, with wood shingles. Underneath the porch and correspondingly so, on the front face of the dormer, the shingles have been painted white, and the reason for this would have been that under this porch having white paint, as opposed to the dark colored wooden shingles, would promote a more cool atmosphere and the building would not absorb as much heat in this area. I'd like to remind you again that the porches at this time were considered almost outdoor houses...outdoor rooms as part of the house, and the families did a lot of their living on these porches. Other notable elements of this structure are the traditional brick chimney, and there aren't very many brick chimneys in Palm Beach. The porch does have the battered piers we've spoken of earlier which are indicative of the bungalow style, and about the only part of this building that is not indicative of a true shingle style cottage would be the roofing material, and that has been changed, apparently, in the past. This is a charming little house. It's got what I virtually consider the most charming little white picket fence in Palm Beach and is very worthy of landmark designation. This is probably the finest example of this style in Palm Beach.

Mr. Sullivan: Thank you, Mr. Sved. Are there any comments? Oh, before we do that we need to make a motion on the Designation Report itself.

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: Is there any testimony, and if not, any comments from the Commissioners? I'll make a comment then because I am very familiar with the house. I'm a friend of the Owner, and Mr. Sved used exactly the appropriate word. He said "charming". It is, and that's because it is a direct extension of the personality of the Owner who along with her husband, has done all of the major reconstruction job themselves, with their own

hands. They are to commended, and they are enthusiastic about the preservation and landmarking process. So, with that, I think a motion would be in order.

MOTION BY DR. CURL THAT 345 BRAZILIAN AVENUE 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.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: At this point, by popular demand, we are going to call for a ten minute recess, and we will be back at 11:25 a.m.

ITEM 11: 314 Australian Avenue
OWNER: M. & Biagina Pucillo
LEGAL: ROYAL PARK ADD, E 11 FT OF LT 20, LT 21
& W 10 FT OF LT 22 BLK 6

Mr. Sullivan: Ladies and gentlemen, we are going to reconvene our meeting, and at this time, Item 11, which is 314 Australian Avenue, owned by Mr. and Mrs. Pucillo, and at the time, you gave Mr. Pucillo a postponement until he was represented by his counsel, and we understand that that has now happened, and we are going to take up 314 Australian Avenue. I understand that legal service has been received, Mr. Frank.

Mr. Frank: That's correct.

Mr. Sullivan: Could we have the Designation Report.

Mr. Frank: This is a Bungalow style house, very similar to the property at 318 Australian which was presented earlier. We believe it was constructed around 1920 by the same builder. Staff believes that this property 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.

I'd like to call on Mr. Sved.

Mr. Sved: The Craftsman style bungalow, 314 Australian Avenue, is virtually identical to the one we just heard at 318. This one, as a matter of fact, may be a little bit better. This

structure, as Mr. Frank said, designed originally around 1920; this one was renovated mostly on the interior by Gustav Maass in 1947. This building, like 116 Seabreeze that we spoke about earlier, is a shingle exterior and the shingles are laid closely together to resemble white clapboarding. Almost everything else about this house is almost identical to 318, and I'd like to not repeat myself too often today, however, this building has more ornate woodwork. The rafter ends which are sort of bleached out on the photograph come out in a curl. They suggest almost a Chinese influence to the woodwork which is very unique for a Bungalow style house. This one is another excellent example of the Bungalow style, and is also worthy of landmark designation consideration.

Mr. Sullivan: Thank you, Mr. Sved. At this point, it would be appropriate to have a motion on the Designation Report itself.

MOTION BY DR. CURL THAT THE DESIGNATION REPORT BECOME PART OF THE RECORD.

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: At this point the Chair would like to recognize Mr. Michael Pucillo who is the attorney or counsel for the owner, Mr. Pucillo, his uncle and given that he is a member of the Bar, we can dispense with the oath.

Mr. Michael Pucillo: Dispense with the oath. Thank you, Mr. Chairman. Mr. Chairman and Members of the Council, we came today to oppose, frankly, the designation as a landmark, and I brought some pictures with me which I was going to ask to be made part of the record. I think, however, I can see from the prior proceedings today where the panel is going, and the Chairman and I had some discussions during the recess, and I think that perhaps, in the spirit of cooperation with this Commission, my client has decided to perhaps seek an adjournment for one month, to have this matter put off, and in the interim, I would like to meet with Mr. Frank and see if we can perhaps reach some sort of accommodation.

Mr. Sullivan: Thank you, Mr. Pucillo, and on that basis, we'll suspend any further discussion until the Commission or any given Commissioner might want to make a motion on that point.

MOTION BY DR. CURL THAT THE LANDMARKING CONSIDERATION OF 214 AUSTRALIAN AVENUE...

Mrs. Volk: 314.

DR. CURL: 314, I'M SORRY.

MR. PUCILLO: YOU CAN DESIGNATE 214.

DR. CURL: ...BE DEFERRED TO THE MARCH MEETING, WITH THE PROVISIO THAT THE OWNER RECOGNIZED HE IS WAIVING HIS STATUTORY RIGHT REQUIRING THE COMMISSION TO ACT WITHIN 30 DAYS.

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

ITEM 15: 255 South County Road
OWNER: First National Bank in Palm Beach
LEGAL: PL OF EAST PLAZA, LT 1, LTS 8 TO 12
INC & PLATTED PRIVATE ROADS & ALLEYS

(PLEASE NOTE THAT THE APPLICANT REQUESTS DEFERRAL TO THE MARCH MEETING.)

Mr. Sullivan: The next item for discussion is 255 South County Road, but there has been a request for a deferral here until March also. So, if any Commissioner is so minded...

Mr. Frank: This is their first request.

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

MOTION BY DR. CURL THAT THE LANDMARKING CONSIDERATION OF 255 SOUTH COUNTY ROAD BE DEFERRED TO THE MARCH MEETING, WITH THE PROVISIO THAT THE OWNER RECOGNIZED HE IS WAIVING HIS STATUTORY RIGHTS REQUIRING THE COMMISSION TO ACT WITHIN 30 DAYS.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

ITEM 16: 195 Via Del Mar
OWNER: Howard Gittis
LEGAL: 35-43-43, W 276.04 FT OF S 300 FT OF
N 941.52 FT OF GOV LT 1 E OF CO RD

Mr. Sullivan: Number 16 is 195 Via Del Mar. The owner is Mr. Howard Gittis. This is the home by Fatio commonly known as Casa Della Porta. Has notice of legal service been received?

Mr. Frank: Yes, Mr. Chairman.

Mr. Sullivan: Thank you. Are there any witnesses, other than Staff, who would like to testify. If so, please stand and be sworn. Seeing none, Mr. Frank, we'll move into the Designation Report.

Mr. Frank: 195 Via Del Mar. We'll let Mr. Sved get into the details of this very ornate Romanesque design. Staff feels it meets the following criteria for designation, criterion ...

(a) Exemplifies or reflects the board 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 also, it meets criterion ...

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

In this case, it's Maurice Fatio, and the updated biography will be included with the Designation Report.

Mr. Sullivan: Thank you, Mr. Frank. Mr. Sved.

Mr. Sved: Casa Della Porta was designed by the architectural firm of Treanor and Fatio in 1928, and as such, it's one of the last great, rambling Mediterranean Revival houses built on the oceanfront in Palm Beach. The front of this house, similar to the tower at 550 South Ocean Boulevard, that we heard for a couple of months, is covered in quarry key stone. In this case, however, the quarry key stone facade is not regular and there are varying sizes, widths and lengths of stone facing for this property. I'd like to call your attention particularly to the rather unique and full entablature with its alternating vertical and horizontal brick detailing. (Tape change) Its very reminiscent of a Norman French Cathedral. The columns and the capitals and the other details of the house can be considered as lifted from either the Byzantine or the Romanesque period. I can't say enough about this door. It's probably the most ornate doorway in the Town of Palm Beach, and the building, as such, should be considered for landmark consideration.

Mr. Sullivan: Thank you, Mr. Sved. Do we have a motion on the Designation Report?

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

MOTION SECONDED BY MRS. MACKINTOSH.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: Is there any testimony that anyone would like to make relative to 195 Via Del Mar? Are there any comments on the

part of the Commission?

Mrs. Mackintosh: I think it's one of the most beautiful houses in Palm Beach. I went through it years ago, and when they were working on it, I went through it again. It is very exciting, and we should all congratulate them on doing such a marvelous job...really very complete and very thorough. It's a great gift to Palm Beach.

Mr. Sullivan: Thank you, Mrs. Mackintosh. I think a motion might be in order.

MOTION BY DR. CURL THAT 195 VIA DEL MAR 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. MACKINTOSH.

MOTION CARRIED UNANIMOUSLY.

ITEM 17: 300 El Brillo Way

OWNER: R.D. Huntington

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

Mr. Sullivan: Number 17 is 300 El Brillo Way. I understand, before we get into the Designation Report, that there is a letter requesting deferral of this consideration until April. Is that right, Mr. Frank?

Mr. Frank: Yes, that's correct.

Mr. Sullivan: Does any Commissioner feel we should defer this until April?

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

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

ITEM 18: 403 Seabreeze Avenue

OWNER: James W. & Eunice A. Harwood

LEGAL: POINCIANA PARK, LTS 48 & 50

Mr. Sullivan: Has there been notice of legal service?

Mr. Frank: Yes, there has.

Mr. Sullivan: Thank you. If there is anyone in the audience who represents and would like to testify on this item, would you stand for the oath. Seeing none, Mr. Frank, may we have the Designation Report.

Mr. Frank: This structure is located at the corner of Seabreeze Avenue and Cocoanut Row and its a physical example of the Bungalow style. Staff believes that it meets the following criteria for designation...

(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.

Mr. Sved.

Mr. Sved: The Bungalow style house at 403 Seabreeze Avenue was designed somewhere around 1918, and it's another excellent, yet different, type of Bungalow house than we've seen today. This one is a lot larger than the ones we've spoken of at 318 and 314 Australian Avenue, and you can see from the photograph on the cover of the Designation Report, that the projection of this house is much larger than those we've spoken of earlier. This house has an extensive intentional use of exposed rafter ends and beams which are being used as decorative materials. This building is also, as some of the earlier ones were, shingle style, but they are closely tied together shingles to resemble wood clapboarding. This house has an open screened porch area, and I'm sure you're all familiar with the building. It's very well landscaped, and this building seems to be landscaped in the tradition that it would have been originally, inasmuch as the landscaping is protecting the house from the warm elements and the breezes, and the cool elements as well. Another notable feature of this house is the dormer window which extends from the gable and the oolite, which is a type of limestone, the oolite chimney which is up on the Cocoanut Row facade. This is an excellent house, and as I've said, it's a different type of Bungalow than the other ones we've considered earlier, and worthy of landmark designation consideration. I might add that this building sits directly across Cocoanut Row from the big rust colored one that we've spoken of earlier.

Mr. Sullivan: Thank you, Mr. Sved. At this point, a motion would be in order concerning the Designation Report.

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: Is there any testimony from anyone? Do I hear any comments from the Commission? I'll make a comment then. One of the things that I like so much about this house is the exterior texturing on the part of the woodwork. I counted four distinctly different types of shingles, whether they be squared, in some cases, half-moon circled on the bottom of (indiscernible) and an excellent use of field stone in the lower part of the building, etc. It is a uniquely textured building on the outside. Also, what I like about it is that it is in that old original part of Town where really the first dwellings in Palm Beach were, and that speaks again toward the importance of this house in its period. Having said that, does any Commissioner feel as though they would like to make a motion.

MOTION BY DR. CURL THAT 403 SEABREEZE AVENUE 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. PERRY.

MOTION CARRIED UNANIMOUSLY.

item 19: 135 El Vedado Road
OWNER: Michael Swerdlow
LEGAL: 26-43-43, W 200 FT OF E 470 FT OF N
175 FT OF S 1/2 OF GOV LT 2 W OF
OCEAN BLVD

Mr. Sullivan: I know he has received notice. Mr. Frank.

Mr. Frank: Yes, he has.

Mr. Sullivan: I don't see anyone, but if there should be any representative of Mr. Swerdlow that would care to testify on this, would they please stand and be recognized. Seeing none, may we have the Designation Report, Mr. Frank.

Mr. Frank: 135 El Vedado is a large, U-shaped Spanish Colonial Revival design organized around a central courtyard. Staff believes that it meets the following criteria for designation. Criterion ...

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

town, 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, the architect is Howard Major and the biography has been attached. Mr. Sved.

Mr. Sved: The structure at 135 El Vedado Road, as Mr. Frank said, was designed in 1929 by Howard Major. It's rather curious that Mr. Major would be working here in the Spanish design as he was not all that comfortable with Spanish and/or Mediterranean Revival as a style for Palm Beach architecture. Nevertheless, what he has put together here is a rather unique structure in that it is a large rambling type of a house in the tradition of the grand Mediterranean Revival style houses that we have all over Palm Beach. However, the details of this house are more closely related to the Spanish Colonial period, most notably the two story porch on the El Vedado Road facade of the building. I'd also like to point out the hipped roof of the structure which is very low. It's much lower than most roofs in this part of Palm Beach, and I'd also like to point your attention to the cornice of this building which is again a very unique cornice design which is almost representative of waves. It is a very interesting building and somewhat unique for Palm Beach and is worthy of landmark designation.

Mr. Sullivan: Thank you, Mr. Sved. Could we hear a motion on the Designation Report itself.

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

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: Are there any comments or is there any testimony on this piece of property?

Mrs. Mackintosh: Well, I went by there the other day, and I managed to speak to the property owner. I think they are doing...

Mr. Sullivan: Excuse me, that's 137 El Vedado. We're on 135.

Mrs. Mackintosh: Oh, I'm sorry. I didn't speak to anyone there. That house is right next door to this, and it's also, I think, a very beautiful looking house, and I think it would be good for us to be able to designate it.

Mr. Sullivan: Mrs. Mackintosh is entirely correct. In noting both 135 and 137, they are two of what I call the restoration success stories of Town and this important section of Town. In this particular case at 135 El Vedado, knowing the people involved, I suppose the restorative work that Mr. Swerdlow has done in (indiscernible) he is very proud of, and although initially not totally understanding the role in place of landmarking, is now happy to voluntarily bequeath his house to the Town, and I think we all owe him a debt of thanks.

Dr. Curl: I might just mention that the client for this, and I never pronounce it correctly, c-o-w-e-l-l. I think the original client in '29 was Thomas, it was his father, but his son now lives at 135 El Bravo which is the next generation in the same address on the street two streets away."

Mrs. Mackintosh: It's a beautiful house.

Mr. Sullivan: Given that, would any member of the Commission feel led to make a motion?

MOTION BY DR. CURL THAT 135 EL VEDADO ROAD 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.

MOTION CARRIED UNANIMOUSLY.

ITEM 20: 137 El Vedado Road

OWNER: Jacques & Francoise Cohen

LEGAL: 26-43-43, W 206.5 FT OF N 175 FT OF
S 1/2 OF GOV LT 2 E OF COUNTY RD/
LESS SIDEWALK/

Mr. Sullivan: Number 137 El Vedado. There has been some discussion with the owner. Mr. Frank, is there a possibility of a request for deferral on this, or should we move right into it.

Mr. Frank: I believe the owner would like a...we talked to her during the break, and she would like a deferral, and Staff would like a deferral as well because I should mention that earlier, sometime earlier, I don't know how long ago it was, there were some revisions made to this house that were approved by the Architectural Commission, and she would like some assurance from Staff as to how these approvals and so forth, because the design that she had in mind isn't complete, how that would intermesh with the Landmark Commission. In addition, she pointed out that although she was served legal notice, apparently, her son had signed for it and she was totally unaware of it. Apparently, he had done something to it where she was unaware of it until the

very last moment that this was up for designation. So. she is respectfully asking for a one month deferral so that she has a chance to talk with me so that we can carry forward the construction proposal that she has for the property.

MOTION BY DR. CURL THAT LANDMARKING CONSIDERATION OF 137 EL VEDADO ROAD BE DEFERRED TO THE MARCH MEETING, WITH THE PROVISIO THAT THE OWNER RECOGNIZED SHE IS WAIVING HER STATUTORY RIGHT REQUIRING THE COMMISSION TO ACT WITHIN 30 DAYS.

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

ITEM 8: 124 Via Bethesda

OWNER: Henry P. IV & Susan R. McIntosh

LEGAL: E.G. PENDLETON TR, E 1/2 OF LT 16 &
UNMBRD LT LYG E OF LT 16

Mr. Sullivan: Before everyone relaxes, Item Number 8 on your agenda which is 124 Via Bethesda. It is the property of Henry and Susan Mackintosh, and at the time, we were asked to move this to the end of the agenda if the owner was not present, and I'm now going to ask, is that owner present?

Mr. McIntosh: Yes.

Mr. Sullivan: Thank you, Mr. Mackintosh. On that basis, I assume that notice has been received of legal service.

Mr. Frank: Yes, Mr. Chairman.

Mr. Sullivan: Thank you. Shall we move to the Designation Report on Item Number 8, 124 Via Bethesda.

Mr. Frank: Thank you. This particular structure is symmetrical or has a symmetrical facade, and it has Cuban quarry stone and it's quite similar in appearance to the quarry stone used throughout Palm Beach. Rustification of the stone in this house also brings attention to its value. Under Criteria for Designation, Staff believes that 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's Howard Major and the biography has been attached. Mr. Sved.

Mr. Sved: The building at 124 Via Bethesda can only be described as a French Creole design. The large expanse of windows on the entry facade, and very refreshingly restrained and simple entrance facade. This building is very unique in those respects. It is also unique in its use of Cuban stone as opposed to the quarry keystone that is often found here in Palm Beach. The Cuban stone actually comes from the same geological settlement as the quarry key stone does, which is a long strip, mostly under the ocean. However, the part of the settlement that comes out on the Cuba side of the water seems to be a little bit darker and seems to have much more of a patina to it than the keystone we find on the Florida side. It's not very often that we find Cuban tile here used as as a facade material. This building is built in 1930 by Howard Major and there were some renovations that I understand were done in 1965. To the best of my knowledge, these renovations that were done in 1965 were more removal of walls than they were additions. I could be wrong, but that's what I've understood from the building records downstairs. This is an L-shaped design. The long stretch of the "L" facing Via Bethesda, and this facade has been unchanged from the beginning. This is a very interesting building...its very low roofline...it's a very flat roof which is very unique for this time period, and this building is very worthy of landmark consideration.

Mr. Sullivan: Thank you, Mr. Sved. Is there any testimony, or are there comments?

Mr. Gubelmann: I would like to go on record in excusing myself from any and all participation in discussion and voting on this matter. Mr. Mackintosh and I are fellow officers of the Society of the Four Arts.

Mr. Sullivan: So recognized, Mr. Gubelmann.

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: Is there anyone who would like to testify on this item? Oh, I made a strategic error initially, Mr. Mackintosh. I did not ask you to be sworn in. Would you be willing to be sworn in, sir?

Mr. McIntosh: Yes.

Mrs. Delp swore in Mr. Mackintosh using the same verbiage as was earlier stated.

Mr. McIntosh: I come before you not knowing whether I am for or against landmark status. I think I must state at the beginning that I think you all have done an absolutely lousy job of public relations. I have absolutely no idea as to what impact, if any, such designation would have on my rights to this property. I understand from reading the literature and the letter that Tim Frank sent me that the Town benefits from it. This makes another thing for tourists to look at when they come through. If that means more traffic on Via Bethesda, then I'm solidly against it. That road has now been reduced to one lane and it's still (indiscernible). Frankly, I have talked to lawyers. I have talked to realtors, and I have a veritable pot pourri of differing opinions. I'm told on one hand that if the property is in good physical condition, that landmark status can sometimes serve to enhance value, but on the other hand, if the property is not maintained to first class standards, landmark status can significantly depreciate the value. If there is a chance of my property values being lowered by landmark status without compensation and without due process, I am against it. Frankly, I don't know. I really feel very uneasy when politicians tell me, "Trust me", because then I know I'm being had. So, that's it. As you know from my record, I am an officer and a trustee of the Preservation Foundation. I'd like to think I'm an aware person about preservation. I certainly have a deep and abiding commitment to this community. My wife and I have never been happier in our ten years of living here in Palm Beach. We wish to make a contribution to the community, but we'd like to know what we're doing before we do it or have it done to us. Thank you.

Mr. Sullivan: Thank you, Mr. Mackintosh. I think that first of all, each and every one of us up here would like to beat our chest in a mea culpa, and say you are absolutely right. Over the years, for whatever the reason, we have done a lousy job of P.R. That is changing now, all (indiscernible) a little too late, but we're changing that.

Mr. McIntosh: It sometimes appears a lot of these proceedings are done by you to justify your own existence, rather than some higher purpose.

Mr. Sullivan: Well, O.K., that probably gets well into my second comment then because I was going to comment on a designation that you had made of us as politicians. I think I can speak for everyone up here when I can assure you that not one of us is a politician. We're all simply people who live

here, neighbors of yours, who are deeply committed a) to the Town, and b) to the concept of preservation.

Mr. McIntosh: I apologize if the word "politician" has an offensive connotation, however, nevertheless you are acting in a political capacity. Whether or not you were elected, I didn't specify.

Mr. Sullivan: We see ourselves as people who are very committed to the preservation process, and I suppose that there are many things that we do that may appear to look as though we are trying to justify an existence, but when and if you get to know us, as I hope you will get a chance, and we will get a chance to know you, I hope you will realize that none of us have an existence that any of us thinks needs justifying. I'll reserve any other comments I have until the after the other Commissioners make some supporting thoughts for you.

Mrs. Volk: May I say that the concept of landmarking was originally mandated from the Federal Government to all the states in the United States, and we have Florida enabling legislature that has been passed down to the various communities. It is not something that we just decided to do on our own, but it is really a kind of thing that is rolling throughout the United States to preserve the architecture that has made up the American fiber of life, and I know from wherever you came was probably an older community than this, but our history is sixty, or eighty, or ninety years old and we really, for us, it's really our history, and we are trying to preserve the representatives of the various types of architecture, any your charming house is one very beautiful one, and unusual, and if you accept designation and approve of it, you are keeping that Via Bethesda, helping to keep it look as it always has. That is what our effort is to do, and it isn't any particular person that is being singled out, but they are houses and a part of the fabric that makes up the community. I am in a landmark house, and most of the people who are on this Commission have landmark properties, so, we speak from personal experience as well as from the point of view of something that our Federal Government wishes to do in the community level.

Mr. McIntosh: I understand the groups of the authority for landmarking, but I was interested the other day to read that as distinguished a legislator as Senator Kennedy feels that the entire process is unconstitutional both on the Federal and State level. I must say that this is the only time I've come close to agreeing with any member of that family.

Mrs. Volk: I think that Senator Kennedy...we haven't contacted him personally. We have been working through Rose Kennedy, but I feel if he were personally made aware of the attitude of the community, that his attitude might change, and if you get

Preservation News, you will see that lately the Supreme Court of the state of New York stood on the side of the preservation of the landmarking of St. Bartholomew's Church. So, it really is ...the country and the various states are really standing behind the landmark ordinances as a method of keeping the old architecture. If you're a member of the Preservation Society, you know exactly what I'm speaking about.

Mr. Moore: Mr. Chairman, would it be appropriate to ask Mr. McIntosh if he would wish a 30 day deferral to perhaps discuss this matter with the Staff and/or members of the Preservation Foundation, of which he is an officer, to discuss some of the pluses and minuses...

Mr. McIntosh: My ear is bleeding with Mrs. Earl's... I just want to register my feelings about this entire process as a citizen of the Town of Palm Beach. I don't...I happen to agree wholeheartedly that 124 Via Bethesda is a very special structure. Because it is a special structure, that it suited my wife and myself, and that we fell in love with it instantaneously when we were looking at houses. The inside is equally as remarkable, if not more so, than the exterior. The floors are Carrera marble which originally came to the new world as ballasts in slaving ships. It was first made into tile to be used in a convent in Cuba, and later taken up, and used as the flooring in our house. The paneling in the living room is eighteenth century walnut from a French chateaux. All of these things make this a most unique and charming house. Many people in Town say it is absolutely their favorite house, and I certainly agree. It's one of the most beautiful houses in Town. To me, it's a landmark, but what I'm objecting to is the fact that like a child with spiders and snakes, if I don't understand it, it scares me. I want a warm and moist feeling about this process. I don't want to feel that something is being taken from me without consideration.

Mrs. Mackintosh: Mr. McIntosh, my name is Mackintosh, too, but we spell it differently.

Mr. McIntosh: You spell it the real way.

Mrs. Mackintosh: If you love that house as much as you should, if you do, I don't see why you don't want to protect it, and to me, I mean I was brought up here in a Landmark house, my mother's house. It's protection. If you love something, you protect it, and we do protect.

Mr. McIntosh: But against what am I protecting it? Against myself?

Mrs. Mackintosh: No, but somebody coming along and maybe building too close to you or maybe putting up an offensive

fence...

Mr. McIntosh: But nothing you do to my house can prevent that.

Mrs. Mackintosh: But also, of anybody wanting to, well, you're not going to want to tear it down, but if you don't have it some day, maybe someone else will want to tear it down, and that house should never be torn down.

Mr. McIntosh: But do I have the right to encumber my property so that when I sell it, somebody else can or cannot do something to it. I'm taking away their property rights.

Mrs. Mackintosh: I would think you wouldn't want to sell it to somebody who wouldn't love it. I've had a few homes that I've had to sell, and I waited for somebody who was really going to care for it, because I loved it that much. I've gone through that process.

Mr. McIntosh: I certainly wish to protect and preserve and maintain that house in as pristine condition as I am able, and yet, not too many months ago, in this very room, was a proposal to allow subdividing the house, the lot right next to me and allowing the building of a house on a 10,000 sq. ft. lot which certainly would have depreciated the neighborhood, and therefore, diminished the value of the houses on both sides, at the time, Mr. Wasserman's house, 168 Via Bethesda, and my home. That seems to me the sort of protection we require for that area. Certainly, if I landmark it, or acquiesce to the landmarking, and it appears that my wishes in the matter really don't make a whole lot of difference, but in acquiescing to the landmarking of that house, I'm doing nothing more than I would normally do to protect it at any rate because I'm certainly am not going to allow anything to happen to that house while I am an owner of it. I just don't know what right I have, as an individual, to take some legal step or acquiesce to some legal step that precludes someone else's property rights who might succeed me in owning that...

Mrs. Mackintosh: But if you love Palm Beach...

Mr. McIntosh: I adore Palm Beach, and I adore that house, and I intend to die in it, but then after that, somebody will own it, unless it's burned down.

Mr. Sullivan: I can assure you, Mr. McIntosh, and legal counsel can also assure you you do indeed have legal right to encumber your property in this manner for anyone who might come along and purchase it after you, and that is a full and complete legal right that you have.

Mr. McIntosh: Alright. I have the right then, but do I have

the moral right to do it? Do I have the moral right to take away somebody else's property value?

Mr. Sullivan: That's something that you're simply going to have to answer morally within yourself. Mrs. Perry.

Mrs. Perry: Mr. McIntosh, maybe you could answer a question for me. I'm confused about your big involvement with the Preservation Foundation, yet your reluctance to landmark your property.

Mr. McIntosh: It does seem a dichotomy, but I think if you look at the goals of the Preservation Foundation, its principle purpose is to preserve the way of life of Palm Beach, and I don't see an inconsistency. Again, I don't say that I am opposed to landmarking my own home. What I'm saying is that you all have done such a poor job of public relations that I don't know the impact of that. If I could make a more informed decision, the chances are that what I really feel about the house, and that is that it is a landmark and what you're trying to do are in agreement, but frankly, I don't know. I haven't been talked to. I haven't even, until Mr. Gubelmann gave me a copy of it, had the courtesy extended to me of seeing the Designation Report until I walked into this room today. I think that is a bad way to "run a railroad".

Mrs. Perry: And your involvement with the Preservation Foundation has never brought you into contact with this process through friends or anyone before?

Mr. McIntosh: Yes, I think that the Preservation Foundation is on record in feeling that you all have done a bad job with your P.R. and we are attempting at this point to write a manual to assist you with that task, but right now it hasn't been done, and the people to whom I speak say, "For God's sake, don't let them landmark your house. They're going to be taking away. They're going to diminish the value". Well, in my mind that doesn't really ring true, yet (indiscernible) chapter, I hear it over and over and over again. I was this morning just told that the property was on the market in excess of six million dollars as a landmark was unable to be sold for four million dollars. I have no idea what property was being talked about, but I have some belief that the man who told me believed it to be true, honestly believed it to be true.

Mrs. Perry: For every person like that, maybe, would you feel better if you were able to meet with property owners of houses in Palm Beach who have come forward and voluntarily designated their house. I mean maybe if you could hear the other side from property owners you'd feel better...more sure. I don't know if that's legal or not.

Mr. McIntosh: Third instincts never have impressed me. I mean look at the lemming.

Mrs. Perry: If you just said that you're unhappy with all you've been hearing on the negative side, isn't that a third instinct also? So it should be made more comfortable if you heard the positive side?

Mr. McIntosh: Well, I think that your charge as public servants in your capacity is to let people know not only what you're trying to do, but why you're trying to do it, and what impact it has on them. I do not have the intention of fighting you tooth and nail and taking this thing to the hay. If your recommendation to the Town Council is that the house be landmarked, so be it. I'm just coming here today, because this is a less formal forum than the Town Council, and trying to talk to you. I am not coming here to fight you.

Mr. Sullivan: I think, Mr. McIntosh, what I'd like to do at this point is to take your recommendation, and I believe that's really what you're doing, if I'm interpreting...I think that I'm interpreting you properly, is that you are not violently opposed to your property being landmarked, but rather you are letting us know that we have done things poorly, that we can improve greatly, and on that basis, I'm going to commit to you, personally, that we will improve, that our public relations will be expanded, and indeed, in the process of doing so, I am further requesting Mr. Frank to contact you and set up an appointment at your mutual conveniences so that he will fully and fairly go over the entire process and everything it means, implications, etc. to you, and beyond that I'm going to ask one Commissioner or any Commissioner up here to make a motion.

Mrs. Volk: May I just say (indiscernible), because I feel that you really have not read the reports of the landmark designation meetings that have been in the Shiny Sheet. I don't think you have read the bulletin of the Preservation Society, and if you have, you have read it differently than I. There have been a few people who have opposed designation, and most of them, many of them in the past few meetings have stood up and have been very proud to accept designation. I don't think that if you about the six million dollar and the four million dollar valuation, and you would have heard information to the contrary of the value of houses that have been landmarked which have steadily increased. The survey that's been done to that effect, Mr. McIntosh, I really do think if you would attend perhaps a few of these designation meetings and also the designation hearing of the Town Council, you would have a very different grasp of the whole situation.

Mr. Sullivan: Thank you, Mrs. Volk.

Mr. McIntosh: I think there's probably a lot of validity in that.

MOTION BY DR. CURL THAT 124 VIA BETHESDA 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. MACKINTOSH.

Mr. Moore: Mr. Chairman, under "Discussion", just one point, and I think that it's appropriate, although we had planned to raise this under "Any Other Matters", but for Mr. McIntosh, since he is a well respected member of the Preservation Foundation, there has been ongoing correspondence, telephone, face to face and written correspondence with Mr. Mashek and Mrs. Earl regarding the public relations effort with regard toward landmarking. I think I've counted three times where he has said we have done a lousy job, we being the Staff, and you being the Commission members in this field. I think it's important to know that the Town had asked cooperation from the Preservation Foundation in assisting in this educational public relations program. I can tell you that their verbal and written answers to it was that it was the responsibility of the Town, and not their responsibility. Now, that is an acceptance. The Town accepts that, and accepts that as a denial of assistance to the Town in this area. We plan to discuss under "Any Other Matters" the recommendation and get your, hopefully, approval by motion to contact ex-commissioners, ex-landmark commissioners and ask them to do a personal campaign on each and every property owner that is being notified that their property is going to be considered for designation. I would also point out that this year, the Preservation Foundation, at its insistence, at our budget hearings, we have doubled and almost tripled the amount of buildings that were being put forward for consideration. It was a Preservation Foundation announced goal and policy to increase the amount of buildings to be landmarked. If they have touched, through this process and your selection process, homes of persons that may not wish to be, we are trying our best to spread the information as well as possible given the constraints that we do have, budgetary and personnel-wise to try to alleviate some of these concerns. We would be more than happy to meet with Mr. McIntosh with his own organization at the same time to discuss these matters and to try to alleviate some of his fears. He's right. We have not done a good job in the P.R. end of it, and we're going to try to continue and to improve that, and I also must point out to him for the record, that his organization flatly turned down the Town in assisting in that area.

Mr. Sullivan: Thank you, Mr. Moore. We have a motion on the floor and did we have a second to that. Yes, we did...Mrs.

Mackintosh.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: Mr. McIntosh, again, thank you for all of your comments. I hope that we've been forthcoming with you. Staff will meet with you at your mutual conveniences, and beyond that, if you have any further questions, please contact me. I'm in the phone book. I'd be delighted to talk with you.

TO REVIEW THE JUSTIFICATIONS FOR THE DESIGNATION CRITERIA REGARDING THE AFOREMENTIONED DESIGNATION HEARINGS, PLEASE SEE THE ATTACHMENTS TO THESE MINUTES.

VI. Other Business

- A. Discussion of properties proposed for designation for the 1990-1991 designation season.

Mr. Frank requested that this topic be approached at the next meeting. Mr. Sullivan, however, urged the Commissioners to review the list, which had been distributed last month, in preparation for future prioritization of same.

- B. Selection of site for Preservation Celebration.

Mr. Frank solicited the assistance of the Commissioners in the selection of a site for the upcoming Preservation Celebration, usually held in May. Options may be presented at the next meeting or be phoned in to Mr. Frank in advance of the meeting.

- C. Summer Interns

Mr. Frank stated that the Town plans to hire two or three interns to work for the Town during the summer, and these interns will need housing for that time period. Mr. Frank asked the Commission to notify him of any voluntary housing. Mr. Sullivan stated that he had recently housed an intern, and it was a delightful experience.

- D. Memorial Fountain

It has been noticed that there is extreme deterioration in several of the cast figures and there are also areas in the fountain, pavers, and walkway which have been patched and re-patched. The fountain, as a whole, is in an advanced state of deterioration. Mr. Frank noted that this might be, with LPC authorization, a candidate for request for grant assistance from the State.

MOTION BY DR. CURL TO DIRECT STAFF TO SEEK GRANT ASSISTANCE FROM THE STATE FOR RESTORATION OF THE MEMORIAL FOUNTAIN.

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

E. Discussion of 135 Grace Trail

Mr. Sullivan brought this item forward for discussion. He referred to 135 Grace Trail as the O'Donnell property, which has been steadily deteriorating. Mr. Sullivan requested that Staff and the Code Enforcement Officers be instructed to see that the deterioration be stopped, and that the property be restored and brought up to code.

F. Discussion of 10 South Lake Trail

It had been noticed in previous meetings that some new red roof tiles were placed on this structure which were inappropriate in color and did not match the existing green roof tiles. Mr. Frank stated that the new owners had approached him. They assured him that they would take care of correcting the tile problem via painting the tiles or replacing them with new green tiles. They also indicated to him that they would be coming before the Commission for some changes in the future. Mr. Sullivan stated that it is his understanding that the new owner is well versed in restoration projects.

G. "Personal Approach" Method for Future Designations

In conjunction with his earlier statements with respect to public relations, Mr. Moore requested that the Commission consider and request via motion that Staff be directed to seek the assistance of former Landmark Preservation Commissioners to contact the owners of properties proposed for designation at the time they are notified of such designation consideration. Staff feels that it is essential that this property owner be contacted by a Town Resident for a "Resident to Resident" contact. Staff could be an integral part of the process either as part of the first contact or as a secondary contact. The purpose, of course, is to completely and fairly provide the pluses and minuses of landmarking to the property owner in an effort to dispel any rumors or myths which might contribute to unnecessary and/or unfounded fears about landmarking. This method would be extremely valuable to the Town, the Commission, and to the landmark process as a whole. Mr. Moore asked for the Commission's endorsement of this policy, and asked Mr. Sullivan and/or his designee to assist Staff in contacting the prior landmark Commissioners to be integral components in this plan.

The Commission felt that it would be a good idea to either provide a copy of the Designation Report to each property

owner whose property was suggested for designation, or at least to notify them via letter that one is available to them at the Building and Zoning Department.

Mr. Gubelmann commented that it would be best to send a present or former Commissioner who already has an established relationship with the property owner (whose property was under consideration) to truly offer a personal touch".

MOTION BY DR. CURL THAT THE CHAIRMAN MEETS WITH STAFF TO ASSEMBLE A CORPS OF FORMER COMMISSIONERS TO TRY TO WORK OUT BETTER RELATIONS WITH PROPERTY OWNERS WHO ARE PROPOSED FOR DESIGNATION.

MOTION SECONDED BY MRS. GINGRAS.

Mr. Randolph stated, for the record, that he would not want there to be any interpretation that this is any kind of committee being formed by you. The intent of the Ordinance is that Staff, when authorized by you, has the ability to use the services of individual former Commissioners in a public relations capacity.

MOTION CARRIED UNANIMOUSLY.

Mr. Moore hoped that this approach would eliminate about 50% of the opposition to landmarking which is currently exhibited.

H. Possible Meeting Date Change

There was some discussion as to a possible meeting date change from the existing 3rd Friday of the month. Mr. Moore reminded the Commission that the Retirement Board had changed their meeting date to accommodate the 3rd Friday of the month for the LPC meetings. He further stated that any date change should be held until after designation season.

VII. Adjournment

MOTION TO ADJOURN AT 12:35 P.M. BY MR. GUBELMANN.

The next meeting of the Landmarks Preservation Commission will be held on Friday, March 16, 1990 at 9:00 a.m. in the TOWN COUNCIL CHAMBERS, TOWN HALL, 360 SOUTH COUNTY ROAD, PALM BEACH.

Respectfully submitted,

Elise P. Mackintosh

Elise P. Mackintosh, Secretary

cmd

V. Statement of Significance and Criteria for Designation

Statement of Significance

79 Middle Road lies at the southeast corner of Middle Road and Via Marina. It is a prominent estate with many similar surrounding structures. The Mediterranean Revival design with unusual half timbering is of the highest quality and is an important part of the unique ambience of Middle Road.

Maurice Fatio, of the firm Treanor and Fatio, one of the leading Palm Beach architects of the 1920's and 1930's, designed 79 Middle Road. Its consistently high standards of design and fine planning make it an important asset to the community. This house is worthy of the protection and special consideration it would be afforded if designated a Town landmark.

Criteria for Designation

Section 16-38 (a) of the Town of Palm Beach Landmark 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."

Large Mediterranean Revival designs like 79 Middle Road reflect the grandeur of "Palm Beach living" in the days before the Depression. Maurice Fatio, along with a host of other local architects, excelled at creating houses suited to the unique demands of life in Palm Beach.

Fatio typically employed a "U" shaped plan in these extremely large Mediterranean Revival designs. The "U" plan contained the principle living rooms and was anchored by the three story stair tower. Oversized hallways were designed to accommodate extremely large parties. They had 17 foot ceilings and allowed easy access to the living room, the dining room and the outdoor loggias and the central patio.

The second ell was typically one-story and enclosed the courtyard. It was entirely devoted to the massive amounts of service areas needed for the grand living and entertaining that was conducted in these houses.

(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."

The design of 79 Middle Road is unusual for Palm Beach. Its massing is typical of the best Mediterranean Revival designs of the mid-1920's, however, the Medieval half-timbering seen on the north facade as well as the ogee-arched entrance on the west deviate from the typical Spanish and Italian influences.

The high quality seen throughout the house, but especially in details like the carved stone heads in the tower room cornice and the living room windows elevate this house above the crowd of mid-1920's designs. The incorporation of unusual design elements makes this house worthy of study in its own right.

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

PLEASE SEE MAURICE FATIO BIOGRAPHY, AS ATTACHED.

255 Via Bellaria

IV. Historical Information

255 Via Bellaria was built for Frank N. Horton in 1935. Successive owners have included Bonnert Gayle (1969), Dow Drucker (1974), and Jesse Henley (1979).

V. Statement of Significance and Criteria for Designation

Statement of Significance

255 Via Bellaria is a fine example of Palm Beach French Neo-Classical design. It was designed by Marion Sims Wyeth, one of Palm Beach's leading architects, and is located on a street of top quality designs. Wyeth's fine sense of scale together with his skillful handling of decorative elements indicate a thorough understanding of the style. This house is worthy of the protection and special consideration it would be afforded if designated a Town landmark.

VI. Criteria for Designation

Section 16-38 (a) 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.

(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."

255 Via Bellaria is a first rate example of the French Neo-Classicism that was popular in Palm Beach in the 1920's and 1930's. Its symmetrical design along two axes incorporates varied rooflines as well as recessed and projecting portions of the facade.

Decorative detail in the house is used quite effectively. The rustication and the stone of the entrance typify the French Neo-Classical ideal, as do the arched and shuttered french doors accented with keystones. The steep, symmetrical hipped roof and the quoining use to define the corners of the projecting blocks further identify this house as a French Neo-Classic design. The plan of 255 Via Bellaria is extremely clear from the facade. The stair hall, living room and library run along the south wing, with the dining room, kitchen, and garage along the west. After passing through the entry gates, a second set of piers and gates separates the public both visually and physically from the service areas of the house.

(d) "Is representative of 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 BIOGRAPHY, AS ATTACHED.

130 Barton Avenue

seen here, and in houses like Whitehall, is a grand presentation of the style of architecture that directly preceded the Mediterranean Revival in Palm Beach.

Southways was designed by the firm Hoppins and Koen of New York. It was common at this time for Palm Beachers to hire prominent Beaux-Arts firms from New York to design their vacation homes. This house is worthy of the protection and special consideration it would be afforded if designated a Town Landmark.

Criteria for Designation

Section 16-38 (a) 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 justifications for designation.

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

Southways, located at 130 Barton Avenue, represents the cultural, economic and social history of Palm Beach. Grand Beaux-Arts style mansions exemplify the stylistic preferences of late nineteenth century America. The appearance in Palm Beach of houses like Southways and Whitehall date to the period prior to the widespread acceptance of the Mediterranean Revival style of architecture. Although they may appear incongruous today, in the early 1900's, private houses in Palm Beach tended to be modest stick and shingle style cottages, with the exception of Whitehall, the Beaux Arts palace. These houses were the original setting for the grand living upon which Palm Beach's reputation is based.

(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."

Southways at 130 Barton Avenue embodies the distinguishing characteristics of the Beaux-Arts style architecture. The large, monochromatic stucco residence is organized into a very formal, symmetrical, five bay design. This house is very close to the Newport mansions in terms of its massing and decorative details. It is one of the few remaining residences of its kind in Palm Beach.

The decorative detailing seen at Southways is of the highest order and valuable for study of the Beaux-Arts period. The entrance is extremely dramatic. The low, ground level door is set between stocky Tuscan columns and opens into a two story entrance hall. The stairs wind around the room, the landing set at the large Palladian window overlooking Barton Avenue. The oeil-de-bœuf window lets additional light into the room. Detailing is just as dramatic outside. The arch seen in the Palladian window is articulated with a large sunburst pattern set in relief. Above it, the cartouche and festoons are light and delicate.

142 North County Road

style of architecture to those already existing in Palm Beach.

IV. Historical Information

The St. Edward's Church complex was designed and built in 1926 for the Roman Catholic Diocese. New York architect Mortimer Dickenson Metcalf designed the buildings, which were built by the A.T. Clark Construction Company. The building was built of wood frame, with scored stucco and cast stone ornamentation.

V. Statement of Significance

St. Edward's Church, one of a small number of religious buildings in Palm Beach, represents the Town's only example of an early American Spanish Colonial mission, and offers the interpretation of Mediterranean Revival architecture of one of the leading architects of the day, Mortimer Dickenson Metcalf.

VII. Criteria for Designation

Section 16-38 (a) of the Town of Palm Beach Landmarks Preservation Ordinance #2-84 outlines the criteria for designation of a landmark or a landmark site and suggests that at least one criterion must be met to justify the designation. Listed below are the 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."

St. Edward's Church represents the cultural, economic, and social history of Palm Beach. Its elaborate architectural detailing, large and prominent site, and the Diocese selection of a well-known New York architect rather than a local artisan, reflects the economic stature of the local diocese, and the cultural and social prominence that churches held in 1920's Palm Beach.

(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."

St. Edward's Church is Palm Beach's only example of a Spanish Colonial mission in the Baroque style. Originally, these missions spread throughout Mexico, California, and the American Southwest from the middle of the sixteenth century to the middle of the seventeenth century, and remain today in such landmarks as San Javier del Bac, and the Alamo.

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

PLEASE SEE METCALF BIOGRAPHY, AS ATTACHED.

105 CLARENDON AVENUE

low wall. Tall rusticated piers define the circular drive and frame views of the house.

IV. Historical Information

"Vita Serena" was built for E. Clarence Jones in 1926. The house is notable because it was occupied by Jean Flagler Matthews (beginning in the mid-1940's), daughter of Henry Flagler, for many years.

V. Statement of Significance and Criteria for Designation

Statement of Significance

"Vita Serena" is located at the east end of Clarendon Avenue facing the ocean. The house is a prominent estate residence visible from South Ocean Boulevard, a road filled with many grand structures. "Vita Serena" is an excellent example of "Palladian" for Palm Beach. By virtue of its unadorned, smooth stucco elevations, "Vita Serena" is reminiscent of Andrea Palladio's country villas in the Veneto region of northern Italy.

105 Clarendon was designed by Marion Sims Wyeth of the firm Wyeth, King, & Johnson and is a valuable asset to the community. It has true features of the "Palladian" style and 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."

"Vita Serena" was owned for many years by Jean Flagler Matthews, daughter of Henry Morrison Flagler, an original partner in Standard Oil, builder of the Florida East Coast Railroad, and developer of Palm Beach. "Vita Serena" is a grand estate of the "first family of Florida."

(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."

"Vita Serena" is a large, hipped-roof structure with symmetrical projecting pedimented facades on its south and east sides. "Vita Serena" attracts attention for the balance and simplicity of its design. The use of cast stone decorative details enhances this straightforward approach. Wyeth's design marks the beginning of the rejection of the excesses of twenties Mediterranean Revival designs and returns Palm Beach architecture to a restrained approach in plan and ornamentation.

(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 BIOGRAPHY, AS ATTACHED

124 Via Bethesda

IV. Historical Information

124 Via Bethesda was built in 1930 with building costs that totaled \$ 50,000. Although it is obviously a custom-designed house, the owner is listed on the permit as the "Via Bethesda Corporation". The owner in 1950 is listed as Mrs. Joseph Snyder. Joseph Snyder may have been the original owner. In 1965, Philip Hulitar changed the house, with \$ 20,000 in alterations designed by Allen Babcock. Andrew Fuller purchased the house in 1972. 124 Via Bethesda is currently owned by H.P. McIntosh.

V. Statement of Significance and Criteria for Designation

Statement of Significance

124 Via Bethesda lies at the east end of Via Bethesda adjacent to Flagler Avenue. It is a unique structure well scaled to its neighborhood. The style employed in this house is the only one of its kind in Palm Beach; nevertheless, through prominent use of cuban stone, 124 Via Bethesda coexists peacefully with its Mediterranean and British Colonial neighbors.

The building was designed by Howard major and is a valuable asset to the community. This house is worthy of individual study because of its unique, high quality design and is deserving of the protection and special consideration it would be afforded if designated a Town landmark.

Criteria for Designation

Section 16-38 (a) 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."

Toward the end of the 1920's, the Mediterranean Revival style of architecture gradually fell into disfavor in Palm Beach. Local architects were forced to experiment continually with new styles that would appear different from the Mediterranean Revival styles, yet maintain the standards of grandeur and opulence to which the wealthy classes of Palm Beach were accustomed.

Howard Major was among the first Palm Beach architects to experiment with styles other than Mediterranean in Palm Beach. His Bahama styled "Major Alley" was built in 1926, years before the other Palm Beach architects turned to the Bahamas as a source of architectural inspiration. 124 Via Bethesda is another experiment with new styles of architecture for the wealthy. The severe styling of the house is a departure from the more freely designed Spanish and Italian influenced houses, but maintains a relationship with them through the use of an imported stone cladding which closely resembles the quarry key stone often seen in Mediterranean Revival houses in Palm Beach.

(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."

124 Via Bethesda is perhaps the only building of its type in Palm Beach. Its unusual design combines an extremely formal French design reinterpreted by an American architect executed in an imported stone which is by nature rough and imperfect. The tension created by the juxtaposition of the rough stone and the fine elements of design has resulted in a house which blends with surrounding structures while asserting its individuality. Current architects in Palm Beach should be forced to study its example.

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

PLEASE SEE HOWARD MAJOR BIOGRAPHY, AS ATTACHED.

116 Seabreeze Avenue

Criteria for Designation

Section 16-38 (a) 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."

The Colonial Revival house at 116 Seabreeze Avenue was built during the earliest period of Palm Beach's architectural history. Originally an oceanfront house, 116 Seabreeze accurately reflects the style of living brought to Palm Beach from New England before the emergence of Addison Mizner and the Mediterranean Revival style. 116 Seabreeze's shingle siding, despite its "northern" appearance, allows the house to "breathe" in Palm Beach's tropical climate.

Houses of this era, and more particularly, of this size and style, are becoming increasingly rare in Palm Beach. They represent a bygone era and every effort should be made to insure their preservation.

(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."

116 Seabreeze Avenue is an example of the shingle style, a wholly American style, that grew out of the Queen Anne style at the end of the 19th Century. The major proponents of the shingle style were H.H. Richardson and the Architectural firm of McKin, Mead, and White.

Shingle style buildings are stylistically simpler than those of the Queen Anne, and take on a more horizontal appearance. Unlike the contrast in materials found in the Queen Anne style, shingle style structures were usually covered entirely with wood shingles. Any differentiation in building materials was usually recessed under the porch.

The simple facades of the shingle style often gave way to prominent and complex roofs, often gambrel (barn-like). While New England shingle style houses often sport a corner tower, they rarely appear here in Florida.

116 Seabreeze also shows the influence of the Bungalow style in porch design.

357 Seabreeze Avenue

III. & IV. Architectural and Historical Information

The two-and-a-half story house at 357 Seabreeze Avenue is a relatively unchanged Shingle Style design.

A steeply pitched, oversized gable roof covers the shingle frame, exposing rafters and brackets. At the gable ends, the awning frame members are clearly visible.

As is typical in shingle style houses, 357 Seabreeze Avenue employs an open plan. A low and broad screened porch which wraps around the south side of the house contrasts with the house's vertical emphasis.

The shingle style was brought to Palm Beach from New England, where the large vacation houses of Cape Code and Newport were often designed in this style. The shingle style was the predominant large house style in Palm Beach in the days before Addison Mizner and the Mediterranean Revival style.

V. Statement of Significance

357 Seabreeze Avenue is an excellent example of the Shingle Style of architecture in Palm Beach. This style, which represents the earliest period in Palm Beach's history, is rapidly approaching extinction. Excellent examples of the shingle style, like 357 Seabreeze Avenue, deserve the protection and special consideration they would be afforded if designated Town Landmarks.

VI. Criteria for Designation

Section 16-38 (a) 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."

In keeping with its origins as a resort town, many of the earliest cottages in Palm Beach were constructed in the Shingle Style. Since South Florida was predominantly a "frontier" during this period, the cottages were often built without the benefit of a master architect. For this reason, many of Palm Beach's early structures were not pure shingle style cottages, rather an amalgamation of Shingle Victorian and Queen Anne styles.

Rapidly rising real estate values have caused the demolition or alteration beyond recognition of many Shingle Style houses in Palm Beach. In order to prevent the continued destruction of Palm Beach's architectural legacy, the best examples of these Shingle Style houses must be preserved. 357 Seabreeze Avenue is one of the finest remaining examples of the Shingle Style and should be preserved.

(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."

The Shingle Style is a wholly American style that grew out of the popularity of Victorian and Queen Anne architecture at the end of the nineteenth century. Stylistically simpler and more horizontal than its Victorian and Queen Anne counterparts, buildings of the Shingle Style often gave way to prominent and complex roofs.

357 Seabreeze Avenue has true features of the Shingle Style. The oversized, cross-gabled roof rises dramatically above the shingle covered frame residence. The house's good proportion, open plan, and fine detailing make it a specimen of the Shingle Style suitable for study of period and craftsmanship. The relatively small number of Shingle Style houses remaining on the island makes it of utmost importance to preserve fine examples of the style like 357 Seabreeze Avenue.

VI. Criteria for Designation

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

Bungalow style houses are frequently found on the streets which were first developed in the teens and twenties. Although modest in comparison with the mansions for which Palm Beach is famous, these houses built by the earliest residents of the island have tremendous charm and employ high quality Craftsman details.

Despite their northern influence, the wood shingle siding (often changed to clapboard) and ventilated attics allow the bungalow to "breathe" in the tropical Florida climate. The front porches which appear on nearly every bungalow encouraged outdoor living in the days before air conditioning.

318 Australian Avenue has distinctive characteristics of the Bungalow style. Although the house has been modernized, it remains very close to its original appearance. 318 Australian Avenue offers a brief glimpse of Palm Beach's vanishing past.

(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."

The Bungalow style is a wholly American design type developed in California in the late nineteenth century. Originally conceived as a one-story version of the Queen Anne style, the Bungalow style incorporated Queen Anne, Stick, and Craftsman style influences in "a distinctively American synthesis."

Features of this style include a low pitched roof, twin double hung windows, and exteriors of weatherboard, decorative siding, and wood shingles. The entrance will always be found on a front porch, which is supported by battered, elephantine piers in the most authentic versions. While these piers are often heavily rusticated, simpler piers are often found in Bungalow variations.

318 Australian Avenue is a very pure example of the Bungalow style in Palm Beach. The battered, elephantine piers, front porch entrance, shingle and decorative siding, and gabled rooflines typify the Bungalow style and make 318 Australian Avenue an architectural specimen suitable for study.

VI. Criteria for Designation

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Despite their northern design influence, the wood shingle siding (often changed to clapboard) and ventilated attics allow the bungalow to "breathe" in the tropical Florida climate. The front porches which appear on nearly every bungalow encouraged outdoor living in the days before air conditioning.

345 Brazilian Avenue has many distinctive characteristics of the Bungalow style. The house is virtually unchanged from its original appearance and offers a look back in Palm Beach's architectural, social, and cultural history.

(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."

The Bungalow style is a wholly American design type developed in California in the late nineteenth century. Originally conceived as a one-story version of the Queen Anne style, the Bungalow style incorporated Queen Anne, Stick, and Craftsman style influences in "a distinctively American synthesis."

Features of this style include a low pitched roof, twin double hung windows, and exteriors of weatherboard, decorative siding, and wood shingles. The entrance will always be found on a front porch, which is supported by battered, elephantine piers in the most authentic versions. While these piers are often heavily rusticated, simpler piers are often found in Bungalow variations.

The battered piers, shallow-pitched gable roof, front porch, and wood shingle siding show 345 Brazilian Avenue to be a very pure Bungalow style house valuable for study in terms of period, style, method of construction, and craftsmanship.

195 Via Del Mar

Criteria for Designation

Section 16-38 (a) 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."

Large Mediterranean Revival houses have come to symbolize the cultural, economic, and social history of Palm Beach, Florida. These houses were designed by Palm Beach's most influential architects, including Addison Mizner, Maurice Fatio, Marion Sims Wyeth, Howard Major, and John Volk.

Built primarily in the second decade of the twentieth century for America's wealthiest families, the fanciful Mediterranean Revival designs reflected this prosperous economic period in American history. Following the stock market collapse of 1929 and the severe Depression which followed, these same houses were reinterpreted as symbols of the gross excesses indulged in by the American elite which foreshadowed the Depression. Mediterranean Revival houses like 137 El Vedado Road formed the foundation of Palm Beach's cultural, economic, and social history, serving today as cornerstones in Palm Beach.

(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."

An amalgamation of Spanish and Italian influences often set off by accents of Renaissance, Baroque or even Gothic details, the Mediterranean Revival style began simultaneously in Florida and California around 1908. Mediterranean Revival structures were built in Palm Beach during the first decade of the twentieth century, but it was Addison Mizner who so popularized the style for both residential and commercial structures that it is sometimes called the Mizner style.

Almost anything goes in Mediterranean Revival design, from Romanesque to Venetian, Byzantine to Moorish. Walls are usually covered with coquina or quarry keystone. Mediterranean Revival structures are almost always topped with a clay barrel tile roof.

The most popular style of architecture in Palm Beach, the Mediterranean Revival, can be found in a number of variations. The windows usually have some interesting details like round or pointed arches, wrought iron grilles, cast stone columns and decorations, and pecky cypress sills. A variety of balconies, towers, porches, and courtyards are also found.

Casa Della Porta is both an excellent example of the Romanesque style in Palm Beach as well as an excellent example of the use of quarry keystone. The house is further notable for its fine planning, complex massing, and its excellent integration with its site.

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

PLEASE SEE THE MAURICE FATIO BIOGRAPHY, AS ATTACHED.

135 El Vedado Road

VI. Criteria for Designation

Section 16-38 (a) 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."

Large houses have come to symbolize the cultural, economic, and social history of the Palm Beach, Florida. These houses were designed by Palm Beach's most influential architects, including Addison Mizner, Maurice Fatio, Marion Sims Wyeth, Howard Major, and John Volk.

Built primarily in the second decade of the twentieth century for America's wealthiest families, the fanciful Mediterranean Revival designs reflected this prosperous economic period in American history. Following the stock market collapse of 1929 and the severe Depression which followed, these same houses were reinterpreted as symbols of the gross excesses indulged by the American elite which foreshadowed the Depression. Mediterranean Revival houses like 135 El Vedado Road formed the foundation of Palm Beach's cultural, economic, and social history, serving today as cornerstones in Palm Beach.

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

PLEASE SEE THE HOWARD MAJOR BIOGRAPHY, AS ATTACHED.

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

LAST NAME—FIRST NAME—MIDDLE NAME William S. Gubelmann		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Landmarks Preservation Commission	
MAILING ADDRESS 235 S. county Road, Palm Beach, Fla.		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: CITY COUNTY ☒ OTHER LOCAL AGENCY Town of Palm Beach	
CITY Palm Beach		NAME OF POLITICAL SUBDIVISION:	
DATE ON WHICH VOTE OCCURRED		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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

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

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

☒ ELECTED OFFICERS:

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

In either case, you should disclose the conflict:

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

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

APPOINTED OFFICERS:

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

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

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

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

☒ A copy of the form should be provided immediately to the other members of the agency.

- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

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

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

DISCLOSURE OF STATE OFFICER'S INTEREST

I, William S. Gubelmann, hereby disclose that on February 16, 19 90;

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

☐ inured to my special private gain; or

☐ inured to the special gain of The Society of The Four Arts, by whom I am retained.

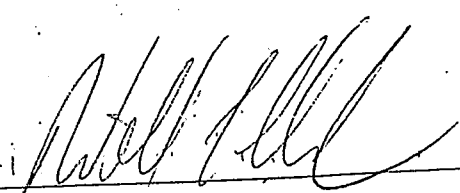
(b) The measure before my agency and the nature of my interest in the measure is as follows:

I am A duly elected officer of The Society of the Four Arts, and as Secretary of that organization, I have excused myself from all participation in discussion and voting on matters which have any bearing on the Society whatsoever.

The owner of 124 Via Bethesda, Mr. Mackintosh, and I are fellow officers at the Society of the Four Arts, and therefore I excuse myself from voting on this matter.

2/16/90

Date Filed

Signature 

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$5,000.