

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

9:00 a.m., WEDNESDAY, JANUARY 21, 1998

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

I. Call to Order: The meeting was called to order by Chairman Jeffery W. Smith at 9:00 a.m.

II. Roll Call:

PRESENT: Jeffery W. Smith, Chairman
Eugene Pandula, Vice Chairman
Lindley M. F. Hoffman, Secretary
Arthur Silverman, Member
Elizabeth Shields, Member (arrived 9:01 a.m., after roll call)
Harrison M. Robertson Jr., Member
Sari M. Wilkey, Member
Leighton Rosenthal, Alternate Member
Nikita Zukov, Alternate Member
Ann Lilja, Alternate Member
John C. Randolph, Town Attorney
Robert L. Moore, Director of Planning Zoning & Building
Timothy M. Frank, Planner/Projects Coordinator

ABSENT: None

RECORDING SECRETARY: Cynthia M. Delp

III. Approval of the Minutes of the November 19, 1997 Meeting

MOTION BY MR. SILVERMAN FOR APPROVAL OF THE MINUTES AS RE-DISTRIBUTED.

MOTION SECONDED BY MRS. WILKEY.

MOTION CARRIED UNANIMOUSLY.

Approval of the Minutes of the December 17, 1997 Meeting

MOTION BY MR. PANDULA FOR APPROVAL OF THE MINUTES AS MAILED.

MOTION SECONDED BY MR. SILVERMAN.

MOTION CARRIED UNANIMOUSLY.

IV. Administration of the Oath to all persons who wish to testify:

Mrs. Delp administered the oath to all those present who wished to testify today.

Post Office Box 2029 • 360 South County Road • Palm Beach, Florida 33480 • (561) 838-5430

V. Public Hearings:

A. Application for Certificate of Appropriateness #1-98
Landscaping

Owner: Florida Department of Transportation

Applicant: Preservation Foundation of Palm Beach

Address: Royal Park Bridge Approach

Architect: Wheelock, Sanchez & Maddux

Project Description: Request approval to re-landscape the east approach to the Royal Park Bridge, and other associated changes as presented

Prior to discussion relative to this matter, Mr. Smith asked Mr. Randolph whether he should declare a Conflict of Interest as he is a Trustee of the Preservation Foundation. After discussion, Mr. Randolph determined that there was no conflict as Mr. Smith, in his position as Trustee, had no input in the decision making process regarding this project as that privilege is reserved for the Preservation Foundation's Executive Committee.

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared.

Mrs. Polly Earl, Director of the Preservation Foundation, presented this application to improve the very significant bridge approach to the Royal Park Bridge. She distributed a colored image of the proposed landscape design, and stated that the Garden Club, as well as the Town Council are in favor of this project which will provide a more elegant and stately entrance and egress to the Town. The existing vegetation will be replaced with 6 Canary Island date palms which will be installed at 14' of clear trunk height. Three of the palms will be placed on each side of the approach. It was noted that the project will be fully funded by the Preservation Foundation. Work is anticipated to begin and be completed very quickly.

MOTION BY MS. SHIELDS FOR APPROVAL OF THE PROJECT AS SUBMITTED.

MOTION SECONDED BY MRS. WILKEY.

MOTION CARRIED UNANIMOUSLY.

B. Application for Certificate of Appropriateness #2-98
Miscellaneous Changes

Owner/Applicant: Ms. Kathy Hammer and Mr. Arthur Seelbinder

Address: 210 El Brillo Way

Architect: SKA Architect & Planner Inc.

Project Description: Request approval for changes as follows:

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

Main House & Guest House as presented by Mrs. Jacqueline Albarran de Mendoza, SKA Architects

General Notes: All approved french doors to have bottom panel to match original

Main House: Remove existing exterior wood stairs & awning

Replace 2 windows with semi-circular stair tower with exposed stairs

Revision to windows and doors at west atrium elevation

- Lowering sills on existing four second floor windows

- Re-adjust position of two small windows on 1st floor

- Replace existing solid wood door with pair of french doors to match doors above

- Relocate existing door -1st floor level

Guest House: Remove wood stairs as they are no longer necessary

Remove existing awning & wood shed

Replace existing aluminum enclosure with a wood pergola with columns to match in detail to the main house

Reverse approved window & french doors at southwest corner

MOTION BY MS. SHIELDS APPROVING THE CHANGES TO THE MAIN HOUSE & GUEST HOUSE.

MOTION SECONDED BY MR. PANDULA.

MOTION CARRIED UNANIMOUSLY.

Site Plan as presented by Mario Nievera, Landscape Architect

Site Plan: New Site Walls: Existing site wall at rear garden is set back from property line by 5' to 8'. In an attempt to regain some of this land, the wall will be penetrated at various points, in 3' wide cuts. to create hidden gardens behind.

Pool: 40' long x 14' wide at widest point, bench & fountain included

Patios: All paving is precast concrete w/keystone finish

Driveway: Close one of driveway openings & landscape area, driveway material to be salvaged brick with "Old Chicago" border

Landscaping: Existing large trees on site will be retained

Wood or Chain-link fencing to be installed between the properties. (Designed to disappear in the landscaping.

① MOTION BY MR. PANDULA APPROVING THE CHANGES TO THE SITE PLAN AND LANDSCAPING.

MOTION SECONDED BY MS. SHIELDS.

MOTION CARRIED UNANIMOUSLY.

C. Application for Certificate of Appropriateness No. 3-98

Addition

Owner/Applicant: Mr. and Mrs. Ronald Royal

Address: 277 Pendleton Avenue

Architect: SKA Architect & Planner

Project Description: Request approval of bath and closet addition (approx. 100 sq. ft.) added under existing roof with windows and wall to match existing. Addition is on the second floor at the rear of the house (north elevation)

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION.: Mr. Robertson and Mrs. Wilkey stated that they had visited the property.

Mr. Pat Seagraves presented this request. He stated that this house has gone without a proper master bath to date. The addition would fulfill that need providing a master bath with a double closet area. Exteriorly, new windows will match existing windows.

MOTION BY MRS. WILKEY TO APPROVE THE PROJECT AS PRESENTED.

① MOTION SECONDED BY MR. SILVERMAN.

MOTION CARRIED UNANIMOUSLY.

D. Application for Certificate of Appropriateness No. 4-98

Addition

Owner/Applicant: Mr. Alan Curtis

Address: 720 South Ocean Boulevard

Architect: Curtis & Ginsberg Architects, Ms. Roberta Darby Curtis

Project Description: Request approval of addition at second floor at rear of house over an existing terrace, extending 25' west from the existing west wall of the house, and 26' 6" feet from north to south. The addition is located at the center of the rear facade.

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: Mr. Robertson stated he had visited the property, and Mrs. Wilkey said she was familiar with the property.

Ms. Roberta Darby Curtis, Architect, presented this project for the addition of a child's room and playroom. The addition extends out from the existing second floor over an existing terrace where there is currently a canopy. The extension picks up the columns on the existing loggia and create an arched open area at the existing terrace. The existing coquina steps will be adjusted to allow for the structure.

MOTION BY MS. SHIELDS FOR APPROVAL AS SUBMITTED.

MOTION SECONDED BY MRS. WILKEY.

MOTION CARRIED UNANIMOUSLY.

VI. Designation Hearings:

Please note that the following Designation Hearings are transcribed partially verbatim and partially in paraphrase. Verbatim portions are noted by the speaker's name at the left margin.

Item 1: 710 South Ocean Boulevard

Owner: Brookshore Ltd.

(Deferred from the December meeting.)

Mr. Timothy Frank stated that the Town had received a letter from the owner of the property, Mr. Franklin Frank, wherein he requests a deferral to the February meeting. Staff had had a meeting with Mr. Frank, giving staff an opportunity to show Mr. Frank the evidence concerning his house which Mr. Frank attempted to refute at the December meeting. Staff's position has not changed, but staff did revise one element of the Designation Report, the location map, by updating the map to a more current version of the property. Mr. Frank is requesting the deferral to allow him some additional time to study the Town's research.

Mrs. Jane Day of Research Atlantica, Staff Preservation Consultants, stated that she, Mr. Moore, and Mr. Timothy Frank had a good meeting with the property owner. The only item Mr. Franklin Frank was correct about (at the December meeting) was that the location map was incorrect as the property stands today. She provided a corrected map to the members subsequent to completing further research and visiting the Property Appraiser's Office. Research showed that certain portions of the original parcel had been sold off, thus the change in the map. She stated that Mr. F. Frank asserted that the home had been designed by Addison Mizner, but their research found no direct evidence to support that claim. In fact, the Designation Report indicates that a previous owner, Mrs. Alfred Kaye, designed it, as supported by the information Research Atlantica found. Mr. F. Frank stated that he had seen other evidence relative to the Mizner issue, but he did not have that information available at the time of their meeting. Staff recommended allowing Mr. Frank the courtesy of a one month extension to produce this evidence. Mrs. Day noted that the records at the Town of Palm Beach, as well as those of the Historical Society, do not show

1 this as a Mizner project. Mr. T. Frank added that Mizner's own office records do not list 710 South Ocean Boulevard as one of his commissions. The contractor who built the house, however, was Mizner's principal contractor, and Lester Geisler, Mizner's principal draftsman, may have had some involvement with the drawings for the house apart from Mizner's office. It was noted that the house is currently marketed as a Mizner and has been marketed as a Mizner in the past by Sotheby's. Mr. Moore stated that Mr. F. Frank will be attempting to locate a title search from Sotheby's wherein he believes the association with Mizner is shown.

Mr. Robertson had some reservations about allowing a one month deferral of the item, but Mr. Moore explained that there is no disadvantage to tabling this item to the February meeting to allow the owner additional time to produce additional evidence.

MOTION BY MR. ROBERTSON TO DEFER CONSIDERATION OF THE LANDMARK DESIGNATION OF 710 SOUTH OCEAN BOULEVARD TO THE FEBRUARY MEETING.

MOTION SECONDED BY MS. SHIELDS.
MOTION CARRIED UNANIMOUSLY.

Item 2: 209 Seaspray Avenue
Owner: Mrs. Polly A. Earl Et Al

Mr. Frank stated that proof of publication and proper legal service have been achieved with respect to this hearing. Mrs. Delp administered the oath to Mrs. Polly Earl, Property Owner, and Mr. Robert Moore. Mr. Frank stated that this property meets the following criteria for landmark designation:

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

1 MRS. JANE DAY: Good morning. 209 Seaspray Avenue is a good example of a house that was designed and built by City Builders Realty. Before I go any further, I'd also like to state it's a Mediterranean Revival style house because that's what you will, in the future if it does get landmarked, will rule on. It's an example of this style that was done in the Boomtime Era of the 1920's. It's got a tile roof. It is constructed of hollow clay tiles and wood frame covered with stucco which is very typical of the style. It's asymmetrical in its fenestration. The main focus on the main facade of the house is the front door entry with the canopy over it and the three windows above. As you can see, on the west elevation there are three windows that go up. That's the stairway that goes up to the second floor. They are staggered which is also typical of the Mediterranean Revival style. Again, the front door entry. And to the east of the property is an addition that was done by Marion Sims Wyeth in 1965 that surrounds the pool and really is a very nice addition to the house because it gives it a kind of cloistered pool patio area and you enter this area from doors from the inside of the interior living space. However, the reason that this house is important and the reason that we bring it forward for landmarking is its connection with Oscar Jose and City Realty Company. Oscar Jose and his family first came to Palm Beach in 1914. They rented a house on Lake Trail, and he was really one of the first people who was far-sighted enough to see the potential in Palm Beach for other than the large mansions, beach front properties that were being built in those very early years. He bought a lot of properties south of the Breakers and the Royal Poinciana Hotel. Originally there were 820 lots in what he called Poinciana Park. Now, because those lots were only 25 feet wide, many people purchased two or three lots and put those together so they could have a larger piece of property. But the other thing that was really very innovative about Oscar Jose, and he came from Indianapolis where he was also a successful developer. He packaged Poinciana Park

in really very modern 20th century terms as a real estate development, and he targeted not just the very wealthy socialites who were vacationing in Palm Beach, but other middle class people who might either want to lease or buy a full time residence here. He had an office in West Palm Beach and he offered transportation across the lake for people to see the properties. He developed brochures that reiterated to the people that there would be schools, a private school and a public school, so bring your families. So, he really had a lot to do with making Palm Beach a family resort. If you bought one of these properties, there was a beach club that you belonged to. He offered financing. He also offered everything from transportation from the train to your property to year round maintenance if you weren't going to be here. This was a far thinking gentleman. It's interesting to me because if you do all of South Florida history, there are two other folks from Indianapolis who had a major impact on South Florida...Joseph Young who developed Hollywood, Carl Fisher who developed Miami Beach...these gentlemen all came with this Midwestern idea of "this is for us, but it's a family kind of place." And this house exemplifies that because it's one of the original ones that was shown in Jose's brochure where he promoted Poinciana Park. At the present time, there are only 29 of the original houses left. This is one of them. I think that's a good reason that we should landmark the property. Also the additions by Marion Sims Wyeth. We all know that Wyeth was one of the great architects of Palm Beach. He is extremely important, and therefore, I recommend that we designate this house on criteria (a), that it exemplifies the broad developmental structure of the Town of Palm Beach and criteria (d) for its association with Oscar Jose and City Realty Company and with Marion Sims Wyeth and the addition that he did to the property in 1965. Are there any questions about the report?

It was noted, for the record, that the property owner is in favor of the landmarking.

MOTION BY MR. PANDULA THAT THE DESIGNATION REPORT BE MADE A PART OF THE RECORD.
MOTION SECONDED BY MS. SHIELDS.
MOTION CARRIED UNANIMOUSLY.

MRS. POLLY EARL: Just three little, maybe very tiny corrections...To the best of my knowledge, the house is hollow tile rather than just wood frame under the walls. The Jose family, I think, came here in 1912 rather than 1914, and actually this subdivision, Poinciana Park, the first part of it...it stretches over Seabreeze, Seaspray, and Seaview, those streets in the Town today. And the first section of it was, I believe, filed in either 1914 or 1916, and I think another one in 1918, and a final one probably in the early 20's, so actually some of the building that went on in this area was before the 20's. So, other than the Royal Park Subdivision down south of the Royal Palm Bridge, this is probably the second or third really organized, coherent effort to give shape to the future Town of Palm Beach, and it did give a shape to the future Town of Palm Beach because those streets remain today, and the type of homes, and the spacing of the homes and the look of the area remains pretty much what it was envisioned as being. And I think it's very important for us to recognize, as we develop more and more about the history of the Town, not only the roles played by the magnificent architects of palaces, but the roles played by these very early people who were coming in and designing significantly large tracts of property, and we've heard a lot from the Town Council lately about developers maxing out houses on property and that sort of thing, and I think we need to make a distinction between the kind of entrepreneur, really a creative entrepreneur who comes in and tries to shape a community, and one that may just sort of pass through Town to make a profit on just a few lots. But I think that with the development in Royal Park which, of course, included the Dimmicks and some other people who were very much involved with the Town, and with this development, and with streets like Pendleton, the Arnold Company, you see how the creative entrepreneur is also helping to shape the face of Palm Beach. And then the only other thing I wanted to add...I, of course, believe that one should lead with one's strongest suit, I guess, but I'm a little bit confused, because your narrative in the report recognizes that at one point, this home was owned by Anita Loos, who, of course, was the authoress of Gentlemen Prefer Blondes, a very smart Hollywood figure during the 20s, very much involved with Wilson Mizner while she was here, other times involved with...it will come to me, but another great pacemaker of the period. But the designation doesn't recognize any association with a famous person. I'm told that that's a policy not to pursue that criteria for designation, and I really would just, aside from this particular

designation, I'd like to ask the Commission about that because it's there in your criteria for you to use and has been used in the past. Sometimes Town Council hasn't proved particularly receptive to it. Other times it hasn't seemed to be a problem. I'm just wondering what the Commission's policy on that is, particularly since the report itself recognizes that association. Thank you.

MR. ROBERT MOORE: I'll address that. And Mrs. Earl, I've already addressed that with her previously. The Town Council has set that policy and advised that staff be very careful regarding the famous personages that we associate with historic designation reports, and that is a policy that they have given the staff and the staff is following that policy. As you know, the Town Council is the ultimate authority. If the Council wishes to change that policy that is fine. We do use a reference book, and Mrs. Day will address that, as a standard that if that person is listed in the reference book, then, of course, we will list that person as a historic person. Quite frankly, I did happen to know who this person was from another source other than Mrs. Earl, but in a random sampling of certain other people, no one seems to know who this person was. I think I understand Mrs. Earl's concern that as far as she's concerned, that's a very famous person to have owned the house, however, it's not on the standard that we use currently for this. Mrs. Day can address the standard that we use, and hopefully that will give you the answer.

MRS. DAY: We have the Dictionary of 20th Century Biography that gives short, little encapsulated biographical sketches of close to 6,000 people that the editors of this dictionary thought were important, not only from the United States, but worldwide, and I use that just as a reference if someone is in there. Interestingly enough, Wilson Mizner is included, but Addison is not.

MR. ROBERTSON: Well, there are 29 of these houses that remain? Is that the number that remain?

MRS. DAY: Correct. They are not all landmarked, and I don't know exactly how many are.

MR. ROBERTSON: Well, that leads to my, I mean, do we have some policy, as far as you're concerned, Mrs. Day, with reference to these 29, is this just the first, or is this going to be illustrative?

MRS. DAY: Well, I think that a lot of the other ones have been included on lists that I've received from Landmarks Commissioners to look at for future designation, and I think that that's important to do that. This was an extremely important period in the development of the Town of Palm Beach. It changed the face of Palm Beach, and as Mrs. Earl said, it was really one of the very first cohesive developments in the Town, and we should look at the other examples that are left. We are very lucky that Mrs. Earl is volunteering her property for this. It's important because it's in the Mediterranean Revival style, and it's also one of the properties that was listed on that very first promotional brochure so that we've got an historic photo that we can compare it to now, and I think it's always important when you've got that kind of resource documentation to look at those original ones first. I think that it would be good to landmark this house.

MOTION BY MR. ROBERTSON TO RECOMMEND THAT THE PROPERTY AT 209 SEASPRAY 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. WILKEY.
MOTION CARRIED UNANIMOUSLY.

VII. Other Business:

- A. Distribution of designation reports for February Designation hearings:
137 Root Trail and 320 Brazilian Avenue

B. Discussion regarding lists of properties suggested for designation from each commissioner

Mrs. Day stated that she has received lists of properties from four of the LPC members. In review of those lists, five of the properties have already been landmarked. Six properties appear on more than one of the lists, and these will be reviewed first. She asked the other members to submit lists of any properties which they feel are significant to staff.

C. Comments by Mrs. Polly Earl

Mrs. Earl stated that the Florida Trust for Historic Preservation is sponsoring a Design Review Workshop in West Palm Beach, Friday, January 30, 1998 from 1p.m. to 5p.m. covering the value of an ordinance, enforcing an ordinance, and design review guidelines. There is a nominal registration fee for the workshop. Mrs. Earl encouraged the members to attend.

VIII. Adjournment:

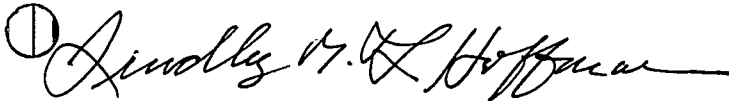
MOTION BY MR. PANDULA TO ADJOURN THE MEETING AT 10:01 A.M.

MOTION SECONDED BY MR. ROBERTSON.

MOTION CARRIED UNANIMOUSLY.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, February 18, 1998, in the Town Council Chambers, 2nd Floor, Town Hall, 360 South County Road, Palm Beach, Florida.

Respectfully submitted,



Lindley M. F. Hoffman, Secretary
LANDMARKS PRESERVATION COMMISSION

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TOWN OF PALM BEACH

ATTENDANCE RECORD (1998)

MEMBERS	1/ 98	2/ 98	3/ 98	4/ 98	5/ 98	6/ 98	7/ 98	8/ 98	9/ 98	10/ 98	11/ 98	12/ 98
Jeffery W. Smith	P											
Eugene Pandula	P											
Arthur Silverman	P											
Lindley Hoffman	P											
Harrison Robertson	P											
Elizabeth Shields	P											
Sari M. Wilkey	P											

ALTERNATES	1/ 98	2/ 98	3/ 98	4/ 98	5/ 98	6/ 98	7/ 98	8/ 98	9/ 98	10/ 98	11/ 98	12/ 98
Leighton Rosenthal	P											
Nikita Zukov	P											
Ann Lilja	P											

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

TOWN OF PALM BEACH

RECORD OF VOTING CONFLICTS (1998)

MEMBERS	1/ 98	2/ 98	3/ 98	4/ 98	5/ 98	6/ 98	7/ 98	8/ 98	9/ 98	10/ 98	11/ 98	12/ 98
Jeffery W. Smith												
Eugene Pandula												
Arthur Silverman												
Lindley Hoffman												
Harrison Robertson												
Elizabeth Shields												
Sari M. Wilkey												

ALTERNATES	1/ 98	2/ 98	3/ 98	4/ 98	5/ 98	6/ 98	7/ 98	8/ 98	9/ 98	10/ 98	11/ 98	12/ 98
Leighton Rosenthal												
Nikita Zukov												
Ann Lilja												

LEGEND: V = One Voting Conflict during a meeting
 V2 = Two Voting Conflicts during a meeting
 V3 = Three Voting Conflicts during a meeting
 And so on...

VPD = Voting Conflict Previously Declared

category to be used when a
 has been declared at a
 meeting, and the changes
 viewed are part of an ongoing
 project. ONLY COUNT ORIG
 CONFLICT FOR ONGOING PROJECT
 C. RANDOLPH, TOWN ATTORNEY

MASTER