

TOWN OF PALM BEACH

Building and Zoning Department

MINUTES

LANDMARKS PRESERVATION COMMISSION
9:00 a.m., FRIDAY, JANUARY 19, 1990

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

I. Call to Order: The meeting was called to order by
Chairman Eigelberger at 9:07 a.m.

II. Roll Call:

PRESENT: Robert T. Eigelberger, Chairman
James V. Sullivan, Vice Chairman
Jesse D. Newman, Secretary
Donald W. Curl, Ph.D, Member
Elise P. Mackintosh, Member
Sally Gingras, Member
Jane Volk, Member
Anne Perry, Alternate Member
William S. Gubelmann, Alternate Member
Pam McNierney, Attorney for the Town
Robert L. Moore, Director of Planning, Zoning
& Building
Timothy M. Frank, Planner/Projects Coordinator

RECORDING SECRETARY: Cynthia M. Delp

Let the record show that Mrs. Mackintosh and Mrs. Gingras
arrived at 9:09 a.m.

Let the record show that Mr. Gubelmann left the meeting at
10:08 a.m. and returned at 10:55 a.m.

Let the record show that Mrs. Perry arrived at 10:57 a.m.

Let the record show that Mr. Gubelmann declared his voting
conflict with respect to discussion of the Society of the Four
Arts. (Voting Conflict Form is on file with the Minutes.)

III. Approval of the Minutes of the December 15, 1989 Meeting:

Mr. Sullivan distributed copies of addenda to the December 15,
1989 Minutes which reference indiscernible wording within his
comments. Please find a copy of same attached to these
Minutes.

MOTION TO APPROVE THE MINUTES WITH ADDENDA BY MR. SULLIVAN.

MOTION SECONDED BY MR. NEWMAN.

MOTION CARRIED UNANIMOUSLY.

IV. Public Hearings:

A. Application for Certificate of Appropriateness No. 28-89,
Lighting Plan

Applicant: Society of the Four Arts
Owner: Society of the Four Arts
Address: Four Arts Plaza
Architect: Edward D. Stone Jr. & Associates
Project Description: Request approval for new lighting
plan to coordinate with previously
submitted landscape plan

(Please note that this item was deferred from the
September, October, and November 1989 Meetings)

Ms. Susan Lounsbury of Edward D. Stone Jr. & Associates
stated that they had requested repeated deferrals of this
item as a slight revision in the site plan had been made
and needed to have Town Council approval before the
contingent lighting plan came before the Landmarks
Commission. In the development of the lighting plan,
three criteria were taken into account:

- 1) Increase the existing lighting.
- 2) Maintain or increase illumination of bike trail.
- 3) Avoid any disruption or overspill to neighbors.

With regard to illumination of the bike trail, the
existing post lights will be re-used, but will be replaced
with a new standard, the Buckingham standard, which is a
little smaller in proportion, and new. It will be
painted black and will have a traditional globe fixture.

In order that the site will not appear as a commercial
parking lot, post lights will be kept to a minimum.
Other lighting will be in the form of accent uplights to
understate the lighting as a whole, and merely define
parking areas from walkways. On the north lot, all of the
lighting is to be installed south of the property line to
prevent overspill into neighboring properties.

Ms. Lounsbury stated that the original conception for the
site plan included rows of royal palms extending to the
lake, relocation of the Noguchi sculpture closer to the
lake which has been successfully accomplished, and locate
an additional sculpture in the center court where the
fountain is. The item which has changed is that the bike
trail was running south through the site, through the
middle of the vehicular circulation path. This has been
re-configured via a change in the parking in the south lot
so that the bike path users are totally separated from the
parking area by a landscape median.

MOTION TO APPROVE THE LIGHTING PLAN AS PRESENTED.

MOTION SECONDED BY MR. NEWMAN.

MOTION CARRIED UNANIMOUSLY.

Mrs. Mackintosh expressed concern over the restricted traffic flow out of the Four Arts property when the Four Arts is holding events. Apparently, this traffic flow has been mandated by the Town, and any requested changes to same will need to be discussed with the Department of Public Works and/or the Police Department.

B. Application for Certificate of Appropriateness No. 48-89, Gate and gateposts, and demolition and reconstruction of east facade

Applicant: Mr. and Mrs. Gerald Tsai
Owner: Mr. and Mrs. Gerald Tsai
Address: 702 North County Road
Architect: John Gosman

Project Description: Request approval of two marble gateposts with an aluminum gate between them, and demolition and reconstruction of east facade.

(Please note that action on the gateposts was deferred to this meeting.)

Mr. Gosman, Architect, had last month presented a formal design for the gateposts. As the Commission did not view this design as being in keeping with the architecture of the house, he redesigned the posts in a much simpler design. Materials of choice will be white marble for the posts with black granite caps.

MOTION TO APPROVE BY DR. CURL.

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

C. Application for Certificate of Appropriateness No. 1-90, Signage, Awning, Enclosure, Landscape Plan, & Telephone Booth

Applicant: Bustani Limited
Owner: Bustani Limited
Address: 350 South County Road
Architect: Josh Bennet/H. Gilbert & Assoc. Inc.
Project Description: Request approval for club signage, awning, cooling tower enclosure, landscape plan, and telephone booth.
Harry Gilbert presented the project to include the

following:

- 1) Enclosure for the existing rooftop cooling tower at the southwest corner of the building.
- 2) Construct a telephone booth at the southeast corner of the structure.
- 3) New awning at the restaurant door on Australian Avenue.
- 4) Landscape plan.
- 5) Identification signage to the east of the awning.

Tower Enclosure

The enclosure facades contain wood painted louvers in arched openings to allow for necessary air circulation. A barrel tile roof will top the enclosure.

Telephone Booth

As a telephone booth had existed to the south of the building for many years in the past, a new telephone booth was desired by the owner, but the design of same was to be in keeping with the architecture of the building. The design includes a 12" stucco column which rises to cypress beams and a barrel tile roof. The telephone box enclosure houses three (3) telephones. The coloring of the "booth" will match the colors of the Preservation Foundation.

MOTION BY MR. SULLIVAN TO APPROVE THE ENCLOSURE AND THE TELEPHONE BOOTH.

MOTION DIED FOR LACK OF A SECOND.

Signage

The sign for the north side of the building will read "Safari and Polo Club". The sign will be black granite with polished brass three inch lettering. The total area of the sign is 20"x20".

Awning

The awning will likewise be on the north facade of the building at the main entry, and will be a barrel arched awning with a flat facade. The awning will be a buff color with a chocolate (#17) border.

Landscape Plan

North elevation: Re-use existing two Christmas Palms and two cocoa Palms; add two additional Cocoa Palms

East elevation: Includes four Royal Palms and three Christmas Palms, and one additional Royal Palm at the phone booth.

South elevation: Includes three Royal Palms and five Christmas Palms

South property line: Includes four foot high ficus hedge along property line between parking area and the Preservation Park.

Mr. Moore commented that the trees on the east elevation would be planted in the public right-of-way, and the Town as well as the State of Florida have jurisdiction over this particular right-of-way. The landscape request for the east elevation can only be considered a "wish list" at this point, on the part of the applicant, and cannot be voted upon by the Commission today. It is further a decision for the Mayor and Town Council as to whether the right-of-way may be planted.

Mrs. Volk made mention of the fact that as this property would be part of the Town Hall Square Historic District, and the landscaping of a district, as a whole, should be considered, it would be inappropriate for the Commission to take action on the east elevation landscaping at this time.

Dr. Curl questioned why the ficus hedge, between the parking area and the Preservation Park, cannot continue along the entire south property line. Mr. Gilbert responded that the wall of the Preservation Foundation already encroaches onto the Bustani property, and additional hedge in that location would hamper the parking facilities. Mr. Moore questioned whether the Preservation Foundation's planting of some sort of vining material directly against the wall would be suitable to Mr. Gilbert's client. Mr. Gilbert could foresee no problem with this.

MOTION BY MR. NEWMAN TO APPROVE THE AWNING, COOLING TOWER ENCLOSURE, TELEPHONE BOOTH, SIGNAGE, AND LANDSCAPE PLAN NOT TO INCLUDE THE EAST ELEVATION LANDSCAPING, AND WITH THE PROVISIO THAT THE FICUS HEDGE BE AT A HEIGHT OF SIX (6) FEET RATHER THAN FOUR (4) FEET.

MOTION SECONDED BY MR. SULLIVAN.

MOTION CARRIED UNANIMOUSLY.

D. Application for Certificate of Appropriateness No. 2-90, Awnings

Applicant: Mr. and Mrs. Richard Schlesinger

Owner: Mr. and Mrs. Richard Schlesinger

Address: 801 South County Road

Contractor: Artcraft Awning

Project Description: Request approval to add eight (8) decorative fabric awnings to three

sides of the house.

Mr. Jack Hughes came before the Commission and described locations for the awnings as follows:

- 1) Over the existing carport.
- 2) Above the doors at the master bedroom and over bedroom window.
- 3) Over the terrace at the living room.
- 4) At the service door on the south elevation
- 5) At the main entrance on the west elevation - a cantilevered awning
- 6) At the second floor, awnings at two balconies.

The awnings will be solid white with black trim to match the existing awning already on the site.

MOTION BY MR. SULLIVAN TO APPROVE THE AWNINGS AS SUBMITTED.

MOTION SECONDED BY MR. NEWMAN.

MOTION UNANIMOUSLY.

E. 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.

Mr. John Gosman gave some history regarding this project. Last March, the Grubmans asked him to design a pool pavilion, bedroom and bath for Mrs. Grubman's elderly parents. Since the time he started the plans and the present, the house has been placed under consideration for landmarking. He discussed this house and the potential revisions with Mrs. Volk, who suggested that the south facade of the house would be quite severely impacted by the proposed addition to the southwest corner of the house. So, an alternative site, the northwest corner, was considered, which virtually places the addition in the rear yard. This alternative design provides for a detached structure, while the original design attached at the library. The detachment of the structure would necessitate the installation of steps down from the added structure to the main house. It would also require that a

variance be granted due to setback requirements from Queens Lane. Realizing that he would have to obtain this variance approval, Mr. Gosman stated that he had not fully designed the addition at either location until he had gathered some sort of idea as to how the Landmarks Preservation Commission would view the addition in one location or the other.

Mr. Frank commented that the Landmarks Preservation Commission, in this instance, should not state a preference of location for the proposed addition, for an LPC statement of preference for the alternative northwest location would be inappropriate in light of the fact that the Town Council has not yet seen these plans.

Dr. Curl commented that the Commission should have the right to tell an applicant whether they feel a proposal would be in fact, a mistake, for a particular house, and that, as a Commission, we would prefer, perhaps, some other design, which might not conform to the code.

Mr. Moore assured Dr. Curl that his suggestion is certainly within the jurisdiction of the Commission, but that such a preference cannot be established before the Town Council has been made aware of the project, and has considered any necessary departures from the zoning code. The Town Council should not be placed in the uncomfortable position of an applicant coming to them stating that the Landmarks Commission prefers this, and thereby force the Council to either agree or disagree with the LPC stated preference. If you (Landmarks Commission), as a body, choose to act on this request, please know that Staff would not support this action. Mr. Moore stated that Mr. Gosman has placed Staff and the Commission in a difficult position.

Mr. Gosman then requested that the Commission just comment about the appropriateness of the addition in the original location. He described the addition as using the same motifs as are used in the main house. The only difference between the addition and the main house is that the grade is higher at the main house. The addition projects twenty-six (26') from the library wing of the main house.

Mr. Sullivan commented that the proposed addition in the southwest location, the front of the house, is not compatible with the house as to balance and proportion, and damages the sense of privacy of the home.

Mr. Eigelberger suggested that a new location should be sought and that Mr. Gosman may want to consider a U-shaped courtyard around the pool with a tie to the garages and cabana.

MOTION BY MR. SULLIVAN TO DEFER COA #3-90 TO THE FEBRUARY MEETING.

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

Please note that this motion was made with the understanding that Town Council approvals would be sought prior to this item returning to the Commission again. Therefore, due to filing deadlines, the Commission fully realized that they may need to defer this item again so that this could be accomplished.

F. Application for Certificate of Appropriateness No. 4-90, Partial demolition and restoration

Applicant: Rori Corp. and Lowry M. Bell

Owner: Rori Corp.

Address: 240 Banyan Road

Project Description: Request approval to restore part of the main house and demolish the balance of the main house and all other buildings on the property.

Mr. Lowry Bell came before the Commission and stated that as per last month's meeting where the Commission's opinion was that only the north wing of this structure was worthy of saving, the request was now before the Commission to demolish the balance of the main house and all other buildings on the property, and to restore the north wing.

Mr. Moore clarified Mr. Bell's request as a request to conditionally approve a demolition permit application in the event that the Council decides to landmark the entire property. It would be irrelevant if the Town Council accepts the LPC recommendation for only a partial designation. Additionally, he is asking to restore the north wing.

MOTION BY MR. SULLIVAN THAT THE COMMISSION MAKE A CONDITIONAL APPROVAL TO RESTORE THAT PORTION OF THE MAIN HOUSE, THE NORTH WING, AND THAT THE BALANCE OF THE MAIN HOUSE AND ALL OTHER BUILDINGS ON THE PROPERTY BE DEMOLISHED.

MOTION SECONDED BY MRS. MACKINTOSH.

MOTION CARRIED UNANIMOUSLY.

G. Application for Certificate of Appropriateness No. 5-90, Spa and Deck

Applicant: Mr. and Mrs. H.P. Hoffstot

Owner: Mr. and Mrs. H.P. Hoffstot

Address: 822 South County Road

Contractor: Wet World, Inc.

Project Description: Request approval to install hydrotherapy spa in rear yard north of rear concrete patio and west of bedroom.

Mr. David Hoerber of Wet World came before the Commission to present the spa. He stated that it was not visible to the street all, that the spa equipment will be hidden by landscaping, and that it would include a spanish buff deck and tile on the spa.

MOTION BY MR. SULLIVAN TO APPROVE AS SUBMITTED.

MOTION SECONDED BY MRS. MACKINTOSH.

MOTION CARRIED UNANIMOUSLY.

V. Designation Hearings:

PLEASE NOTE THAT ITEMS 1 - 6 WERE DEFERRED FROM THE DECEMBER, 1989 MEETING.

Item 1: 341 Peruvian Avenue

OWNER: Yoh, Harold L. & Catherine O.

LEGAL: ROYAL PARK ADDITION, LOTS 46 TO 52 INC.
BLOCK 11

(PLEASE NOTE THAT STAFF REQUESTS REMOVAL OF THIS ITEM FROM THE AGENDA.)

Mr. Eigelberger: I believe this item is being deferred.

Mr. Moore: No.

Mr. Sullivan: MR. CHAIRMAN, I WOULD LIKE TO MOVE THAT THE COMMISSION WOULD ACCEPT STAFF'S RECOMMENDATION THAT THIS BE REMOVED FROM DESIGNATION CONSIDERATION AT THIS TIME.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

Item 2: 5 Middle Road

OWNER: Thomas, Wilmer J. Jr.

LEGAL: SINGER ADDITION, LTS 35, 37, 38 & 39

Mr. Eigelberger: Has that owner been given proper notice?

Mr. Frank: Yes, it is right here.

Mr. Eigelberger: I forget this whole procedure. We had a format didn't we?

Ms. McNierney: The Clerk has to swear in the Staff and then the property owners.

Mr. Moore: Anyone testifying. Correct?

Ms. McNierney: Yes

Mr. Eigelberger: Can we swear in those that are about to say something about 5 Middle Road.

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. Moore: Now, the Staff will go ahead and make its presentation. For the benefit of the audience, on these designation hearings, Mr. Thomas, hold on one second and I'll do this for you. The Staff will make its presentation and at that point in time, questions from the persons who are representing the property would be entertained and the questions of the property owner or its representatives could question the Staff and/or its experts and the Commission may ask questions at any time it wishes. The applicant or property owner would not have a right to cross examine the Commission members at all during the procedure. And upon that, once that has taken place, then you would vote on the Staff recommendation.

Mr. Eigelberger: O.K. So everyone been sworn in. May we hear the report?

Mr. Moore: So, first, Mr. Thomas, Mr. Frank will speak, then Mr. Sved who is our consultant, and then you will have an opportunity to speak and possibly cross examine, unless you want to save all of that.

Mr. Thomas: I think I can save everyone a lot of time. It's not a major thing. I am well-known to Mr. Zimmerman, Mr. Moore, and Mr. Frank because I live on the corner of Middle Road and Gulfstream. There is a lot across the street which is constantly coming up for a permit to park on it, and Robert Wood, who is my next door neighbor, and I have repeatedly been opposing this. I have no problem with you landmarking my house. I think that I have done a job restoring my house, and if Marion Wyeth were alive, he would probably think it was better than what was there. I have no problem with that at all. As a

matter of fact, I wish you would landmark more houses, and I wish you would even amortize non-conforming uses so that in fifteen years, they wouldn't be here, but I don't write the statutes. The point I'm getting at is very simple. I would like to go on record as saying that if the zoning on Gulfstream is changed for any reason whatsoever, I would like this Committee to agree not to oppose my requesting that the landmark designation be removed, so that then I can get a better use for my property. I have four buildable lots. I can get a better use for my property than I have now, in the event that the neighborhood deteriorates as a result of re-zoning. That's all I'm asking.

Mr. Moore: May I speak to that?

Mr. Eigelberger: Sure. Absolutely.

Mr. Moore: We would still want to have Mr. Frank and Mr. Sved make their presentation, and I think what Mr. Thomas is saying is that he is going to submit, even after the presentation, his property for voluntary landmarking with a condition, and that condition would be that if the R-B zoning that he's referring to, which is single family zoning, is changed to a lesser restrictive zone, that the Landmarks Commission would enter into an agreement or the Town enter into an agreement that would state that you would not oppose the removal of the house so that he could recover from his potential losses in a deteriorating neighborhood. I think that that type of agreement is certainly alright for you to pass on as a recommendation to the Mayor and Town Council. Mr. Thomas is aware, from a conversation that I have had with him, that you are a recommending body and that the final disposition of this matter would be with the Mayor and Town Council. So, therefore, if you wish to entertain that in your consideration of the Staff presentation and entertain his request, certainly Staff would have no objection to you passing along the recommendation that would include his wishes.

Mr. Eigelberger: O.K.

Mr. Thomas: Mr. Moore, you've stated my position better than I have, and I appreciate it.

Mr. Eigelberger: So, let's go ahead and hear the report.

Mr. Frank: Thank you, Mr. Chairman. 5 Middle Road is a large English Renaissance house at the corner of Gulfstream and Middle Roads and it was designed by the firm of Wyeth and King. There is a report in front of you which has all of the details concerning the architectural and historical information on the subject property. I generally read into the record so there is actual verbiage in the Minutes of the criteria for designation that Staff, through their analysis, believes that this

particular property meets in order for it to be designated. Then I'll pass it on to our consultant. Staff believes that it meets criteria ...

(c) Embodies distinguishing characteristics of one or more architectural types, or contains specimens inherently valuable for the study of 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.

(To review the justifications for these criteria, please refer to the attached section of the Designation Report.)

We have included a biography of Marion Sims Wyeth, and essentially at this point, for those details, I would like to turn it over to Mr. Jim Sved, our consultant.

Mr. Sved: The building at 5 Middle Road is an excellent, excellent building by Marion Wyeth and his associate. The building, its footprint on the land, its massing and its overall integrity are of the English Renaissance type, however, its details and its ornamentation is much more closely related to what we call here that British Colonial. Again, the most notable detail on the building, and you have a picture of it on the front of your designation report, is the Palladian style or Venetian style, depending on who you listen to, entrance. It is an excellent building, and has been very well upkeep and renovated by its owner, and is very much worthy of landmark consideration.

Mr. Eigelberger: Thank you. Does anyone have any questions for our consultant? Would anyone like to speak in reference to this building? Alright. Do I hear a motion?

Mr. Sullivan: MR. CHAIRMAN, I WOULD LIKE TO MOVE THAT THE DESIGNATION REPORT BE MADE A PART OF THE RECORD.

MOTION SECONDED BY DR. CURL, "BUT I WOULD JUST LIKE TO ADD ONE THING. I FEEL, AND I WANTED TO SEE TIM EARLIER, BUT I NEVER GOT TO, BUT I FEEL THAT THE BIOGRAPHY AS WRITTEN OF MARION SIMS WYETH DOES HIM A DISSERVICE. HE WAS ONE OF THE BEST TRAINED ARCHITECTS EVER TO WORK IN PALM BEACH. HE'S A GRADUATE OF THE ECOLE DES BEAUX ARTS WHICH IS NOT MENTIONED IN THE BIOGRAPHY. HIS PARTNER WAS FREDERIC RHINELANDER KING, SOMETIMES CALLED BY HIS FRIENDS, FREDDIE, BUT NEVER FRED KING. THERE ARE SOME PROBLEMS. SO I HAVE A NEW BIOGRAPHY THAT I WOULD LIKE TO SUBSTITUTE IF NO ONE MINDS."

Mr. Eigelberger: That would be great. Should we make that part

of the official record?

Dr. Curl: I would like to.

Mr. Eigelberger: Yes, I think so.

Dr. Curl: And also the other Wyeth biographies included today.

Mr. Frank: Very well.

Mr. Eigelberger: Do I hear another motion? So, we voted on the report being part of the official record?

Mr. Moore: No. I think you've had a motion and a second.

Mr. Eigelberger: So I think we have to recall the motion, and perhaps you want to include this addition.

Mr. Sullivan: PURSUANT TO THE CONTRIBUTION OF DR. CURL, I WOULD LIKE TO REMAKE MY MOTION AND MOVE THAT THE DESIGNATION REPORT, ALONG WITH THE REVISED MARION SIMS WYETH BIOGRAPHY BE MADE A PART OF THE RECORD.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: MR. CHAIRMAN, I WOULD NOW LIKE TO MAKE THE MOTION THAT 5 MIDDLE ROAD BE RECOMMENDED TO THE TOWN COUNCIL FOR DESIGNATION AS A LANDMARK OF THE TOWN OF PALM BEACH, AND THAT THE CRITERIA, AS PRESENTED, ALSO BE MADE PART OF THE RECORD.

Mr. Eigelberger: And what about the agreement...

Mr. Moore: The Owner's request for an agreement on re-zoning.

AND THAT THIS RECOMMENDATION IS CONDITIONED ON AN AGREEMENT NOT TO OPPOSE DE-LANDMARKING IF THE R-B ZONING WERE TO BE CHANGED AT ANY TIME IN THE FUTURE TO A LESS STRINGENT ZONE.

Mr. Thomas: That's not just on my property, I'm talking about Gulfstream, because the lot in question is across the street. I don't own it. And that's my problem. I want you to understand that.

Mr. Eigelberger: Is that zoned R-B now?

Mr. Thomas: It's single family dwelling now, but every six months since I bought the house, it's come up, and I'm getting tired of paying someone \$ 9,000.00 to come in and fight it. And that's what Robert Wood and I have been doing consistently. Mr.

Zimmerman knows better than I what we've gone through because he's been extremely helpful.

Mr. Moore: I would suggest that your recommendation be exactly what you have just made. The subject property in question that Mr. Thomas is referring to has been dealt with by the Mayor and Town Council in their Zoning Commission deliberations with their report. The first reading of the ordinance is Monday at 5:01 p.m. and Mr. Thomas's concerns, I think, have been taken care of by the Zoning Commission and the Mayor and Town Council. The property across the street is irrelevant at this point.

Mr. Thomas: I would like to say this about that, as Nixon said. It has been taken care of at the moment, however, any succeeding Town Council can change the zoning and the whole thing can come up again, and then, I am stuck with the problem I have. Now, if your zoning and Landmarks was like Connecticut, which I have had a lot of experience in, they are inter-related. Here they are not, and there is not anything that anyone can do about it because a statute is a statute. But, I don't want you to be deluded into thinking that what Mr. Zimmerman says is changing, present change, is going to be of any benefit to me if three, four, five, ten years from now we have a Commission or Council that changes the zoning. Then I'm stuck. And Robert Wood, my neighbor, who looks at this lot, is also stuck.

Mrs. Volk: May I say something, Mr. Eigelberger. I am completely sympathetic with Mr. Thomas. Living in a landmark building, as I do, I feel sometimes, and it's the center of Town, I feel very threatened. And I think if we make this a strong recommendation, it might point out to the Town Council that it is totally important to keep up the Zoning Codes as they are, and there is a lack of continuity in the knowledge of the Council from year to year, what has taken place in the past. I don't know what the solution to that is, but it does happen, and perhaps, we can be of help in an effort to maintain zoning codes.

Mr. Thomas: I appreciate that very much because I've only been here for four years now, but there has been a cryptic upgrading of the commercialization of the Town which I think everyone is aware of, and I've got Marion Sims Wyeth's original plans, and I went to a lot of trouble to get them, and there are a lot of sketches that he didn't use because Mr. Cutahy apparently had a lot of ideas. I have twenty pages of these things. I even got the roof remade that was on there that was not in stock. They wanted to give me barrel tile. I said the house does not deserve a barrel tile roof. So, I had Palm Beach tile remake the roof, and I don't have to tell you how much that cost me. They had the (indiscernible), but they didn't have the roof.

Mr. Moore: Mr. Eigelberger can tell you how much that costs.

Mr. Thomas: I went to an enormous amount of trouble to make this thing just what you want it to be, and that is a landmark, but on the other hand, I don't think I should be burdened by that in the future if the Council allows, not you, but if the Council allows Gulfstream to deteriorate. That's my point.

Mr. Eigelberger: So, can we just say, Gulfstream remain an R-B district?

Mr. Moore: Well, not all of Gulfstream Road is in the R-B district.

Mr. Thomas: There is one non-conforming use on Gulfstream, but if that one non-conforming use is in any way increased by, that's my problem. My problem goes beyond the part of the ordinance they are thinking about changing, because they can always change it back. That's it in a nutshell.

Mr. Moore: And so can this Commission and that's what I wanted to point out. Mr. Thomas is an attorney, and there is no question that he's a good one too, but the problem is from the Staff standpoint, and I want to put this into the record, that the Staff would recommend what Mr. Thomas has asked for regarding his property, the zoning on his property. What's at stake here today is his property, and what relates to his property, surrounding conditions, neighborhood conditions that may or may not affect his property in the future. You are not landmarking a district or recommending landmarking a district, you are landmarking a piece of property, and I would certainly, from a Staff standpoint, try to advise you that making a recommendation that would involve other zoning on other properties within an area might be an area because of one isolated incident that has been addressed very strongly by the Mayor and Town Council to alleviate the concerns from Mr. Thomas, and as you've mentioned, Mr. Wood. I think that think that would be an overkill in defeating the purpose of perhaps making an agreement that would be beneficial to the property owner and beneficial to the Town in your recommendation to the Council. Nothing precludes you from doing exactly what he's asked, and I want that to be clear, however I will tell you that we would not recommend, and will so, at the Council meeting, not recommend involving other property with a landmark property in making agreements that would bind not only Mr. Thomas's successor, but would also bind the Town in any way whatsoever.

Mr. Sullivan: I know what you're saying, Bob, but I think that in this instance, I am also going to come down on the side of the property owner because I am very, very sympathetic with not simply, as a matter of fact, not even his situation, but the entire issue of spot zoning. I think that is what concerns Mr. Thomas in this instance. And what he's asking is really very

little. All he is saying is if the Town changes Gulfstream Road to a lower form of zoning, then put him back the way he was before this Commission voted to landmark. That's all he's asking. And I think first of all, he's being very magnanimous in his donation, and I am totally sympathetic, and that's how I'm going to word my motion, unless someone else can dissuade me otherwise.

Mr. Moore: We are not trying to dissuade you. I just want to inform you.

Mr. Sullivan: And I appreciate that. I know where you are coming from, and you're right. Representing the Town, you don't want property owners to be able to hold zoning hostage by ancillary considerations.

Mr. Moore: Correct.

Mr. Sullivan: And I agree with that also. I don't think that Mr. Thomas is doing that here. All he's saying is if the Town changes Gulfstream Road in the future, then put me back where I was before the Landmark Commission landmarked.

Mr. Moore: I would also suggest that if you're going to go with that motion, that you include Middle Road as well as Gulfstream Road because there is always a possibility that that zone might be changed too, and, of course, he fronts on both. So, if you're doing that, I would be consistent and state both.

Mr. Newman: Mr. Chairman, can I have a legal opinion on setting a precedent with this kind of arrangement.

Ms. McNierney: Well, they will have the opportunity to bring it up every time, so it is something you will be confronted with. As to whether they are allowed to or not, (indiscernible)

Mr. Eigelberger: Do we have a motion on the floor?

Mr. Sullivan: I'm going to make the motion again just so that it's on the tape, so Cindy can pick it up...

MOTION BY MR. SULLIVAN THAT 5 MIDDLE ROAD BE RECOMMENDED TO TOWN COUNCIL FOR DESIGNATION AS A LANDMARK OF THE TOWN OF PALM BEACH CONDITIONED UPON AN AGREEMENT THAT THERE WILL BE NO OPPOSITION TO DE-LANDMARKING THIS PROPERTY IF, IN THE FUTURE, THE ZONING ON GULFSTREAM AND MIDDLE ROADS BE CHANGED TO A LOWER LEVEL.

Mr. Moore: To a less restrictive use, if I might...

Mr. Sullivan: ALRIGHT.

Mr. Thomas: Excuse me. I hate to be demanding, but would you

say "and/or" as opposed to "and" because Gulfstream "and" Middle Road would mean that I was excluded and Middle Road was not included in the downgrading, and I want an "and/or" in there.

Mr. Sullivan: CONSIDER IT "AND/OR" MIDDLE ROAD AND GULFSTREAM ROAD, AND THAT THE CRITERIA AS PRESENTED BE A PART OF THE RECORD.

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

Mr. Thomas: I would like to invite any of you who wish to see what I did to come over to see it, because I'm quite proud of it, and I'm delighted that you landmarked it.

Mr. Eigelberger: I think you should probably come on the Commission soon.

Mr. Thomas: Thank you very much for your indulgence.

Mr. Sullivan: Thank you, Mr. Thomas.

Dr. Curl: Can I just say one more thing to Mr. Wilmer.

Mr. Moore: Thomas. Everyone gets it backwards.

Dr. Curl: Tim and I definitely have seen the house. I agree with you entirely. We were there for the Foundation's tour last spring and it was just wonderful.

Mr. Thomas: Well, I've done more since you were there, but I'd like you all to come see it because I'm very proud of it, and it's something I've always wanted to do because it reminds me exactly of the house I grew up in in Vicksburg, Mississippi that my great grandfather built that was not destroyed in the Civil War.

Mr. Sullivan: We'll take you up on that, Mr. Thomas.

ITEM 3: 130 Barton Avenue
OWNER: Charles J. Gallant
LEGAL: PRIMA VERA ESTS/OCEAN SEC/LTS 29 TO 31
INC.

(PLEASE NOTE THAT THE OWNER HAS REQUESTED THAT THIS ITEM BE DEFERRED TO THE FEBRUARY MEETING.)

Mr. Eigelberger: Do I hear a motion to that affect?

MOTION BY MR. SULLIVAN THAT THE LANDMARK CONSIDERATION FOR 130

BARTON AVENUE BE DEFERRED TO THE FEBRUARY MEETING WITH THE PROVISIO THAT THE OWNER RECOGNIZES THAT HE IS WAIVING HIS STATUTORY RIGHT REQUIRING THE COMMISSION TO ACT WITHIN THIRTY DAYS.

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

ITEM 4: 241 Seaview Avenue

OWNER: Palm Beach Private School

LEGAL: POINCIANA PARK 3RD ADDITION, LTS 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750 & 752

Mr. Eigelberger: Has the owner been given notice?

Mr. Frank: Yes, sir.

Mr. Eigelberger: Would you swear in those wishing to testify.

Mrs. Delp swore in those wishing to testify regarding this matter with the same verbiage as was earlier stated.

Mr. Eigelberger: May we hear the report from Staff.

Mr. Frank: The subject property we all know is the Palm Beach Day School. I would like to say before we get into this, and Mr. Sved will amplify this, there are a variety of designs on the site. The history, originally it is a premier Art Moderne structure, and there were subsequent changes in the 50's. There is a total outline of architectural information and historical. The Staff has reviewed it. We also understand that the school, themselves, want to make some statements later on, and I want to read into the record the Statements of Significance and the criteria which we think it meets. Staff believes that it meets criteria ...

(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.

(To review the justifications for those criteria, please refer to the attached section of the Designation Report.)

And we will include the new Marion Sims Wyeth biography as well as the other information which will all become a part of the record. I'd like to pass it on to Jim Sved for his commentary.

Mr. Newman: For the record, after the words Palm Beach Private, it should say A/K/A Palm Beach Day School.

Mr. Frank: Very well. Do you have that, Cindy?

Mrs. Delp nodded in affirmation.

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

Mr. Sved: Palm Beach Day School is an excellent, excellent example of the Art Moderne style, especially here for Palm Beach. What we have here is Marion Sims Wyeth working outside of his traditional styles of architecture, nevertheless, doing a fantastic job. This building is very, very well balanced. It evokes both horizontal and vertical aspects. It is a very long building, relatively low to the ground, however, there are quite a number of vertical aspects which balance the building out. In the 1950's, as Mr. Frank said, there were some additions to the building. While they are not consistent with the Moderne style, they are probably more modern in stylistic consideration. They are very well balanced and symmetrical on either side of the original street facade. The most interesting aspect of this property is the doorway, the entranceway, which has decorative relief and the type of signage chosen is very evocative of the style. I'd like to point out the birds on top of the entablature which are very evocative of the Viennese Successionist movement which proceeded the Art Moderne. It's a very nice building and it's very worthy of landmark consideration.

Mr. Eigelberger: Would anyone else like to speak in reference to this building?

Mr. John Thompson: I am John Thompson, Head Master at Palm Beach Day School and I'm not even sure that legally A/K/A is accurate. I think that legally we are the Day School.

Mr. Newman: The legal description states Palm Beach Private.

Mr. Thompson: Is it still "Private"? Either way. We're honored at the designation (indiscernible). We couldn't agree more in the principle of the whole concept of landmarking. In fact, we are somewhat pleased that we have a distinctive nature in architecture. I want to make sure that everyone understands what we're talking about. The criteria under which we have qualify, if we agree, is the facade of our very oldest building. My understanding is that the designation for landmarking includes all of our campus buildings which are attached to that

facade through subsequent contracting and construction through the years. Nine years ago, when the new building was added which wrapped our oldest building, I think it's important for you to understand that the Board and the architects, in their wisdom, did not change the facade. I'm not sure they understood all of the subtleties of the architecture, but they certainly did not want to change it, neither do the present ones want to change it. We do want to point out, however, that the school and its functions, ever-changing, in the two years I've been at the school, we've initiated a lot of conversation at the Board of Governors level in a long range plan which we're trying to consider our immediate and long range future as institution of this Town, and inevitably, with that comes the reconsideration of buildings. I don't know whether it will surprise you that a number of the Board of Governors and the Board of Trustees have anxiety about just what kind of impact landmarking is going to have so that it's going to be restrictive of our ability in the future to use facilities differently and possibly even change them. The architecture of the rest of the campus is not particularly consistent with the facade we are talking about here. At the risk of sounding like we are opposed to landmarking, which we are not, we are concerned, however, for where our plans may evolve in the next year or so. A number of the Board of Governors have serious concerns about where the landmarking process is going to go, and we'd like to be able to see a little more history of that. They are nervous because of some recent bad or perhaps misleading or inaccurate press about one indiscernible). They are also, they have long memories, and if you can remember about eight or nine years ago, when we had a previous difficulty getting permission to add the wrap-around, which is basically our science facility. So there is some history there that needs some re-education, and frankly, they are slow to re-educate, and we need some time to do that. (Indiscernible-tape change), or held in abeyance for a while till we've had more chance to talk with Mr. Frank and others about the pros and cons of having part of our facility landmarked and part of it not. I'm hearing the argument that we're better off landmarking everything, even though only part of our building meets your criteria. We need more time to think that through. I need more time to study that with three or four key Board members who are initially opposed to landmarking in principle. What I'd like to request and ask you to consider is at least a six month or possibly even year long delay on landmarking. In the meantime, the school and I, either verbally here or in writing from the Board of Trustees, will give you a letter of intent that we have absolutely no interest in changing the facade. (Indiscernible) in the meantime, without coming to the Commission, because, in essence, we think that's the spirit of the Ordinance.

Mr. Newman: The words that if we agree to the facade for the time being bothers me and I can understand because the school is

definitely growing, and there might be more buildings being put on the property that will not include the facade, I would go along till the school came up with something more permanent and more definite, and that way we will give them some more time.

Ms. McNierney: Also while it's being considered for landmarking, they can't make any changes.

Mr. Eigelberger: This is a typical sort of request, quite honestly. When you have a Board as large as the one for the Day School, I should think your meetings probably go on as long as ours do today. So I don't think that's an illogical request.

Mr. Sullivan: I think that I would like to note it for the record, though, that we are making this unusually long deferral consideration because of the unique requirements that you have, vis a vis, a very large Board of Directors, as opposed to a normal residence.

Mr. Thomas: The key for us, in our present planning process, we expect to be finished by the end of our school year, but we won't be able to do much with that until the following fall which means that six months may not even be realistic.

Mr. Sullivan: I would like to ask Tim or Staff a question, and that is six months from now, we are not going to be able to landmark, so we have to make it what - nine months, ten months?

Mr. Frank: I would recommend deferral to the start of the next designation season, which is, November, I believe. Plus that, I think we should clarify two things here. First of all, this is a very minor, but the A/K/A Palm Beach Day School matter, we take our legal descriptions from the tax roll, and it's actually carried as Palm Beach Private School on the tax rolls, and so officially, a corporation name or whatever, non-profit or whatever, may very well be the Palm Beach Day School, but our description comes from the actual tax generated, from a computer, so let's use A/K/A. I believe that will cover us in both cases.

Mr. Newman: Anyone walking down the street might be confused if they were looking for the Private School.

Mr. Thomas: That is what is still says? They haven't even changed that yet.

Mr. Frank: The other detail is that in the case of a deferral, and I think Mr. Thompson and the School Board should be aware of this, that in accordance with Ordinance #2-84, if they had any major changes proposed, or any minor changes, and changes that are covered under the Ordinance proposed, they would still be under the jurisdiction of the Landmarks Commission until the

designation has been decided. In other words, for those in the audience who might not understand, once the building is nominated for designation, let's say the very next day somebody wants to make a change to the building, they would still have to come in front of this board for their Certificates of Appropriateness for those changes, and that goes on throughout the process, even if its deferred, until the issue is finally settled.

Mr. Eigelberger: O.K. So, do we have a motion?

MOTION BY MR. SULLIVAN THAT THE LANDMARK CONSIDERATION OF PALM BEACH PRIVATE SCHOOL A/K/A PALM BEACH DAY SCHOOL BE DEFERRED TO THE FIRST DESIGNATION MEETING OF THE NEXT YEAR, SPECIFICALLY, NOVEMBER OF 1990 WITH THE PROVISIO THAT THE OWNER RECOGNIZES THAT HE HAS WAIVED HIS STATUTORY RIGHTS REQUIRING THE COMMISSION TO ACT WITHIN THIRTY DAYS.

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

Mr. Newman: Do you have any future plans for parking relief?

Mr. Thompson: If you can solve that for us, you can send the child of your choice free of charge.

Mr. Eigelberger: Can you send your wife?

Mr. Newman: I'm out there every day at eight o'clock.

Mr. Eigelberger: It's a zoo.

Mr. Thompson: I always wondered why the faculty arrives so early in the morning, in fact, they get there between 6:30 and 7:00 a.m. and sit and wait in the parking lot. It's a mess. We are working on trying to figure that out. (Indiscernible)

Mr. Eigelberger: Well, thank you very much.

ITEM 5: 61 Middle Road

OWNER: I. C. Hemmings

LEGAL: SINGER ADDITION, LTS 24 TO 26 INC.

Mr. Eigelberger: Has the owner been given notice?

Mr. Frank: Yes, sir.

Mr. Eigelberger: Could you swear in those about to testify, please.

Mrs. Delp swore in those wishing to testify regarding this

matter with the same verbiage as was earlier stated.

Mr. Eigelberger: O.K. May we hear the Report?

Mr. Frank: Thank you Mr. Chairman. 61 Middle Road. This is another Marion Sims Wyeth residence. This particular one, he designed for himself, and it's Spanish in style and it has a center courtyard. Under criteria for designation, Staff believes that it meets criteria ...

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

(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.

(To review the justifications for these criteria, please refer to the attached section of the Designation Report.)

The new Marion Sims Wyeth biography will be used in this case.

Mr. Eigelberger: May we hear from the consultant?

Mr. Sved: The house at 61 Middle Road is a Spanish style house. What makes it so much a Spanish style house is #1 - it is an inward looking house. It doesn't look outward toward the street. Rather, it looks inward onto itself and onto the cloister. What it offers to Middle Road is a fortress-like street facade devoid of almost all ornamentation. Just about all the ornamentation on the front of this building lies in the decorative doorway and in one small decorative window. You'll recall that last month we heard a building that Mr. Volk had designed for himself and I said at that time that houses that architects design for themselves are often the most cohesive designs that they do, inasmuch as they are not encumbered by the whims or desires of their clients. I believe that this is another case similar to that one. It is a very nice house, and is very much worthy of landmark consideration.

Mr. Eigelberger: Would anyone else like to testify?

Mr. Gus Broberg: Good morning, ladies and gentlemen. I am here. My name is Broberg, and I'm an attorney for Mr. I.C. Hemmings, the owner of the property. As you recall, the last time I was here, I asked for a continuation due to the fact that

Mr. Hemmings was out of the country. Today, unfortunately, he is in Houston, but in the light of your granting a continuation last time, I would like to make a few remarks, and possibly, we can come to some mutual understanding and agreement as to what should be done with this lovely house. The house was constructed in 1924, and in 1939, the then owner, transformed the garage on the south side of the property into a library, and at that time built a separate free-standing garage on the north side of the property. During the successive ownerships, the upstairs porch which was open at the time, has been closed in with various types of windows. There has now been built a loggia on the east side which has now been closed in with screening and windowed again. The driveways and walkways have all been changed throughout the years, and the only thing that really remains as it was on Mr. Wyeth's original drawings, is the facade, the western facade of the building, which is a beautiful thing to behold if you have not seen it to date. I talked with Mr. Hemmings on the phone the night before last, and he indicated that he would be most willing to have the west facade of the building, the unchanged part of the building designated, and if that could be worked out, possibly we could postpone this and I could get together with Mr. Frank in some way and come to some mutual agreement. He did ask me to convey that to you.

Mr. Eigelberger: Any questions? How does the Commission feel?
Mr. Sullivan?

Mr. Sullivan: Personally speaking, I think that the property stands in very, very good condition as a whole, and I'm not inclined to condition a designation recommendation, specifically, simply on a facade designation. I think the whole property should be designated. That courtyard is really, really superb.

Mr. Eigelberger: Do I hear a motion?

Mr. Sullivan: AT THIS POINT I WOULD LIKE SIMPLY TO MOVE THAT WE MAKE THE DESIGNATION REPORT A PART OF THE RECORD.

MOTION SECONDED BY MRS. MACKINTOSH.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: LET ME GO AHEAD AND MOVE THAT 61 MIDDLE ROAD BE RECOMMENDED TO TOWN COUNCIL FOR DESIGNATION AS A LANDMARK OF THE TOWN OF PALM BEACH, WITH THE CRITERIA, AS PRESENTED, MADE A PART OF THE RECORD.

MOTION SECONDED BY DR. CURL.

MOTION CARRIED UNANIMOUSLY.

ITEM 6: 142 North County Road

OWNER: Thomas V. Daily Diocese of Palm Beach

LEGAL: SUNRISE AVE ADD 2, LTS 23 TO 26 INC.

(PLEASE NOTE THAT THE OWNER REQUESTS THAT THIS ITEM BE DEFERRED TO THE FEBRUARY MEETING.)

Mr. Eigelberger: Do I hear a motion?

Mr. Sullivan: I would like to ask Staff a question first. This is the second time that the Diocese has asked for a deferral. What is the reason for that?

Mr. Frank: Basically, I've had ... they haven't given me a direct reason other than they've made it clear that they are continuing to evaluate discussions that they've had with Staff. Their attorneys have been in my office on at least three separate occasions, asking in detail what are the advantages and disadvantages of being landmarked in the Town of Palm Beach. I believe that I gave them a pretty fair representation. I compared it to the fact that if they are not landmarked, they would be under the jurisdiction of the Architectural Commission for exterior facade changes, and since their property basically fronts the right-of-way on three sides, most of the structures on their property would still be under regulation. They have not indicated that they are opposed to landmarking. They have just asked for more time to evaluate whether or not they would like to voluntarily designate or not. We don't know at this point. It's just a simple request for deferral.

Mr. Sullivan: I know that the Bishop, himself, is highly familiar with the concept of landmarking, especially as (indiscernible). On that basis, I think we should be (indiscernible) with my motion that there will be at least one (indiscernible) here who would argue that they not be deferred another month. And on that basis,

MOTION BY MR. SULLIVAN THAT LANDMARK CONSIDERATION FOR 142 NORTH COUNTY ROAD BE DEFERRED WITH THE PROVISIO THAT THE OWNER RECOGNIZES THAT HE HAS WAIVED HIS STATUTORY RIGHTS REQUIRING THE COMMISSION TO ACT WITHIN THIRTY DAYS.

MOTION SECONDED BY DR. CURL.

MOTION CARRIED UNANIMOUSLY.

Ms. McNierney: Before we go any further, I would just like to comment on one thing. Now there are two alternate Commissioners here, and when discussing or voting on landmark designations, they are not to participate in the discussions or the voting. (Indiscernible)

ITEM 7: 1768 South Ocean Boulevard

OWNER: John O. Jr. and Robin R. Pickett

LEGAL: 11-44-43, S 250 FT OF N 1911 FT OF GOV LT 1

Mr. Eigelberger: May those who are going to testify please be sworn in.

Mrs. Delp swore in those wishing to testify regarding this matter with the same verbiage as was earlier stated.

Mr. Eigelberger: May we hear the report. Oh, has the owner been given notice?

Mr. Frank: Yes, sir.

Mr. Eigelberger: Can we hear the report please.

Mr. Frank: 1768 South Ocean Boulevard. This is a very large ocean to lake estate, and it's a rambling one story design along South Ocean Boulevard and it extends down to a second story along the Lake Worth frontage. Under Criteria for Designation in your report, Staff believes that it meets criteria ...

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

(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.

(To review the justifications for these criteria, please refer to the attached section of the Designation Report.)

In this case, it is Maurice Fatio, and the biography has been included. Mr. Sved.

Mr. Sved: The building at 1768 South Ocean Boulevard was designed by Maurice Fatio for E.F. Hutton after he was divorced or left, I don't know the details, Marjorie Merriweather Post and moved out of Mar-a-Lago. It is commonly known as "The Four Winds", this property. It was designed by Mr. Fatio in the Bermuda style which shows a lot more restraint at the time it was constructed than most buildings in Palm Beach that it preceded, rather, than preceded it. It is devoid of most ornamentation, and it's a rather simple, large sprawling

property. The complex massing and the varied roofline of this property give this building its design. It is, as Mr. Frank said, a one story structure which stretches out to a two story structure, or has two floors rather, on the lake side. It is an ocean to lake property and it's a very worthy building of landmark consideration inasmuch as Mr. Fatio, working after the land bust and in a much more restrained style.

Mr. Eigelberger: Thank you. Would anyone else like to speak?

Mr. Gus Broberg: Ladies and gentlemen, I am here on behalf of Mr. and Mrs. John Pickett, who have asked me to submit their house to you voluntarily for a landmark.

Mr. Eigelberger: Thank you very much. Do I hear a motion?

MOTION BY MR. SULLIVAN THAT 1768 SOUTH OCEAN BOULEVARD 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.

Mr. Eigelberger: May I hear another motion please? We didn't make the report a part of the record. Well, we've had a motion and its been seconded. We didn't vote did we?

Mr. Sullivan: No.

Mr. Eigelberger: O.K. Let's shelve that motion and take another motion.

MOTION BY MR. SULLIVAN THAT THE DESIGNATION REPORT BE A PART OF THE RECORD.

MOTION SECONDED BY MR. NEWMAN.

MOTION CARRIED UNANIMOUSLY.

Mr. Eigelberger: And now, the motion that's been shelved. We have a motion and a second. All those in favor.

MOTION CARRIED UNANIMOUSLY.

Mr. Eigelberger: Now, we've only got six left. Do you want to take a break now for ten minutes, or do you want to keep going? A five minute break.

A break was called at 11:04 a.m., and the meeting re-convened at 11:13 a.m.

Item 8: 152 Wells Road

OWNER: Winston & Helen Guest c/o Bessemer TR
LEGAL: REPL OF PORTION OF ADAMS ADD W 100 FT OF LT
E/BEING LT 33 OF ADAMS ADD IN PB7P68

Mr. Eigelberger: Have the owners been given proper notice?

Mr. Frank: Yes, sir.

Mr. Eigelberger: May we swear in those about to testify.

Mrs. Delp swore in those wishing to testify regarding this matter with the same verbiage as earlier stated.

Mr. Eigelberger: May we hear the report, please.

Mr. Frank: Thank you, Mr. Chairman. 152 Wells Road. It has an interesting design history, which I would like Mr. Sved to get into, and it was originally built as a modest Mediterranean Revival house and had several major additions thereafter. Under our Statement of Significance and Criteria for Designation, Staff believes that it meets the following criteria ...

(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.

(To review the justifications for these criteria, please refer to the attached section of the Designation Report.)

We will add the Addison Mizner biography, and the Maurice Fatio biography to this report. Mr. Sved.

Mr. Sved: The building at 152 Wells Road is a very curious structure inasmuch as it was designed originally by E.B. Walton as a speculation house. It was relatively small, as many of the speculation houses here are, however, it had no sordid history and no particular person attached to it as most of the houses that we've been hearing today did. The most curious thing about this property is that both Addison Mizner and Maurice Fatio did major, major additions to this structure, however, they both chose to keep the original small street block, the original block intact, and they put their additions behind the building. The asymmetrical facade features almost a tower-like junction on the left side and a very well balanced format on the left of that facade. Inasmuch as Mr. Fatio and Mr. Mizner both worked on this building, and considering that it is a very nice example of a speculation house in Palm Beach, it is very worthy of

landmark consideration.

Mr. Eigelberger: Would anyone else like to testify in reference to this building?

Mr. David Baker: I'm David Baker with the law firm of Alley, Maass, Rogers and Lindsay. I represent Mr. and Mrs. Guest. Mr. and Mrs. Guest are agreeable to the designation of 152 Wells Road as a landmark with one exception. There is building completely shielded from the road which is a garage/garage apartment and additional quarters. It is separated from the main building by an alleyway, although there is a wall of attachment to the main building which extends from the south part of the building and extends from the loggia to the west. That building has been added the...above the garage, the second floor of the garage which is a guest room, has been extended out over the garage doors and is supported by two posts. I believe they are metal posts. The extension, and obviously, the posts are not representative of the architectural style of either of the architects mentioned, and it's merely an addition which is not integrated into the rest of the structure, and therefore, separates that structure, the rear structure, from the remainder of the house.

Mr. Eigelberger: Can you just...there is a small footprint of the house on the...

Mr. Baker: If you hold that sketch so that the north arrow is pointed away from you; if you look at the very south line of the property, the bottom line of the property, it is the two buildings offset. One is completely offset, and the other is slightly offset from the structure which is the large north-south structure. Between the rather large north-south structure and the smaller two offset structures, there is an alleyway.

Mr. Sullivan: And you call that a garage/garage apartment?

Mr. Baker: Correct. And the building attached to it was originally designated, I believe, servants' quarters.

Mrs. Mackintosh: How far is it away from the main house?

Mr. Baker: It's a matter of feet.

Mr. Moore: That is correct. Domestic staff accommodations.

Mr. Eigelberger: I don't think we have a problem with that other than the fact that if they would want to make any changes, which anyone can make a change to a landmark building, I mean this is a misconception to begin with. We would be probably more sympathetic to the changes that you want to make than anyone else. And the simplicity of the thing, to landmark the

whole building, and anything that doesn't belong with the building or doesn't look right, or whatever, if they want to make a change in the next year, or in five years or ten years, I should think that this Board would be the easiest one to come to to make that change, along with the fact that what you're talking about is not even visible from the street.

Mr. Baker: I think that's our point, Mr. Eigelberger, that the structures are not visible from the street. While the Landmark Commission as presently constituted is certainly a very understanding body, we don't know what it will be when we come back to make changes, if there are any changes, and frankly, to be honest, the owners do have some thoughts of replacing jalousie windows which don't really fit into the scheme.

Mr. Eigelberger: They have taken care of the house, and when you pass the house, it is very beautifully maintained, so I'm certain that ... it would be very difficult to carve out a little hunk of it.

Mr. Baker: I think it's clearly separable from the rest of the house because it's actually a physical separation of the alleyway and the loggia extension and the domestic accommodations and the garage and garage apartment.

Mr. Eigelberger: You see, it would be very complex. If they want to do anything to that part of that building, and you're saying it would be excluded from landmarking, it would have to go to the Architectural Review Board.

Mr. Baker: Oh, I don't believe so because it's not visible from the street.

Mr. Moore: Let's define alley. I'm having a hard time understanding when you're saying "alley". What alley are you referring to? He's talking about an open walkway from the main building. It's not an alley, from a public right-of-way standpoint, it's an open walkway between the two buildings.

Mr. Newman: David, do they plan to do anything with that structure?

Mr. Baker: They don't have any current plans, except they have discussed replacing those jalousie windows around the structure.

Mr. Newman: If you agree to a, as you say, voluntary on the entire house, but those two pieces could come back up here, we could designate them for agenda in six months (indiscernible).

Mr. Baker: Well, I don't really know. I think, again, what I'd rather see, since these structures aren't visible from the street and aren't a material addition to the house. There are

parts of the house which are, at least I believe, architecturally significant are the main structure, itself, the addition, the loggia and the pool area by, I believe, Mr. Geisler under the direction of Mr. Mizner, 1929, and the side modifications, principally to the loggia and the main structure which were done by Mr. Fatio in 1940.

Dr. Curl: When you start talking about this, it would seem to me, I've seen these on plan, (indiscernible). They are not seen. They are not (indiscernible). It would seem to me that this is the type of thing that when there is a voluntary designation, that we could more than easily (indiscernible).

Mr. Eigelberger: O.K. Well, that's a ... I think we understand what you're talking about, so do I hear a motion?

Mr. Sullivan: I WOULD FIRST LIKE TO MAKE A MOTION TO MAKE THE DESIGNATION REPORT A PART OF THE RECORD.

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

MOTION THAT 152 WELLS ROAD, SPECIFICALLY, THE MAIN HOUSE AND THE PROPERTY, BUT EXCEPTING THE NONCONTIGUOUS GARAGE AND GARAGE APARTMENT OVER IT 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 MR. NEWMAN.

MOTION CARRIED UNANIMOUSLY.

ITEM 9: 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. Eigelberger: Has the owner been given proper notice?

Mr. Frank: Yes, but we'd like to defer to the attorney on this matter.

Ms. McNierney: Mr. Chairman, the attorney for the Fishers has sent a letter to the Town, and they would like to voluntarily designate their property upon certain assurances and conditions, and some of these assurances, the Commission could not guarantee. So, I spoke with him on the phone at the beginning of the meeting. He said he'd like to defer (indiscernible).

Mr. Sullivan: I would agree that there are half-a-dozen

different, conditions, requirements, etc., some of them which are preposterous, and others, which you have said, are out of our control, and it probably would be a good idea to give thirty days to sort this all out, and in that regard...

MOTION THAT LANDMARK CONSIDERATION OF 700 NORTH LAKE WAY BE DEFERRED TO THE FEBRUARY MEETING WITH THE PROVISIO THAT THE OWNER REALIZES THAT HE IS WAIVING HIS STATUTORY RIGHTS REQUIRING THE COMMISSION TO ACT WITHIN THIRTY DAYS.

MOTION SECONDED BY DR. CURL.

MOTION CARRIED UNANIMOUSLY.

ITEM 10: 1860 South Ocean Boulevard

OWNER: W.H. & Miren A. Dupont

LEGAL: 11-44-43, S 400 FT OF N 3211 FT OF SEC
BEING PT OF GOV LT 2

Mr. Eigelberger: Has the owner been given notice?

Mr. Frank: Yes, sir.

Mr. Eigelberger: Will you swear in those who are going to testify?

Mrs. Delp swore in those wishing to testify regarding this matter with the same verbiage as was earlier stated.

Mr. Eigelberger: May we hear the report please.

Mr. Frank: 1860 South Ocean Boulevard. This is a brick house at 1860. It is organized into symmetrical pavilions with brick quoining at the corners. Under Significance and Criteria for Designation, Staff believes that 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; 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.

(To review the justifications for these criteria, please refer to the attached section of the Designation Report.)

In this case, a biography of Maurice Fatio has been enclosed.
Mr. Sved.

Mr. Sved: The building at 1860 South Ocean Boulevard is perhaps the earliest example of what we call now the Neo-classical style in Palm Beach, and certainly, the earliest version of this style by the architectural firm of Treanor and Fatio. Stylistic details included in this building...it is a low, very symmetrical structure. There is a central block with side wings. The side wings are virtually square with pyramidal roofs...quite interesting. This building, unlike most buildings in Town, has a full entablature in the central portion, and it sort of mixes several stylistic details under one roof, so to speak. Under the pediment of the central section and below this full entablature, the building has engaged columns and a loggia, which is unusual for a temple front. The full entablature is of the Doric type with triglyphs and metopes all there and properly put together. The building has this palladian window motif that we spoke of earlier on an earlier structure, and it is very worthy of landmark consideration. It is a brick building, I might add. There are not too many brick buildings done by Maurice Fatio in this part of Town.

Mr. Eigelberger: Thank you. Would anyone else like to speak in reference to this building? Do I hear a motion?

Mr. Sullivan: I just have a comment that not only is the main building, itself, very well done, but the guest house on the north boundary of the property is very charming...very well done.

MOTION BY MR. SULLIVAN TO MAKE THE DESIGNATION REPORT A PART OF THE RECORD.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: MR. CHAIRMAN, I'D LIKE TO MAKE A MOTION THAT 1860 SOUTH OCEAN BOULEVARD, KNOWN AS OCEAN GATES, BE RECOMMENDED TO THE TOWN COUNCIL FOR DESIGNATION AS A LANDMARK OF THE TOWN OF PALM BEACH, AND THAT THE CRITERIA, AS PRESENTED, BE A PART OF THE RECORD.

MOTION SECONDED BY MRS. MACKINTOSH.

MOTION CARRIED UNANIMOUSLY.

Mr. Gubelmann: Have the owners (indiscernible)?

Mr. Frank: No.

Mr. Eigelberger: They have been given notice?

ITEM 11: 174 Via Del lago

OWNER: Beatrice Tollman c/o Rose & Boxer

LEGAL: 35-43-43, W 456.15 FT OF S 335 FT OF
N 549.58 FT OF GOV LT 2 IN DB583P223

Mr. Eigelberger: Have they been given proper notice?

Mr. Frank: Yes.

Mr. Eigelberger: Will you swear in those about to testify please?

Mrs. Delp swore in those wishing to testify regarding this matter with the same verbiage as was earlier stated.

Mr. Eigelberger: May we hear the report?

Mr. Frank: Thank you, Mr. Chairman. 174 Via Del Lago. This property is a large lakefront estate and wraps around the motorcourt featuring an historic tree. Massive piers frame the entrance to the yard where the east facade of the residence faces onto the motorcourt. Under Criteria for Designation, Staff believes that 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; 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.

We will include the new Marion Sims Wyeth biography. Mr. Sved.

(To review the justifications for these criteria, please refer to the attached section of the Designation Report.)

Mr. Sved: The building at 174 Via Del Lago is a very nice Colonial Revival design and is indicative of the New Orleans style of architecture based on its decorative ironwork on the front porch. The most notable Colonial Revival detail on this building which is top-notch architecture is the front door with its fan lite and its side lites, and inside the side lites and outside the parameters of the door, itself, are very nice Ionic

columns and in-antis. And for those of you who are not sure what that means, they are set flush with the main wall, however, they are not engaged columns. This building was built by Wyeth and King. Like so many other buildings we are seeing today, they are working outside of their normal style of architecture. However, they do a very excellent job of evoking the New Orleans style of architecture. It is a very nice Colonial building, and is very worthy of landmark consideration.

Mr. Eigelberger: Would anyone else like to testify regarding this building? Do I hear a motion?

MOTION BY MR. SULLIVAN TO MAKE THE DESIGNATION REPORT A PART OF THE RECORD.

MOTION SECONDED BY MR. NEWMAN.

MOTION CARRIED UNANIMOUSLY.

Mr. Sullivan: Mr. Chairman, this is a favorite house of mine. I just live two streets over from it. (Indiscernible)

MOTION BY MR. SULLIVAN THAT 174 VIA DEL LAGO BE REPRESENTED TO THE TOWN COUNCIL AS A LANDMARK OF THE TOWN OF PALM BEACH, AND THAT THE CRITERIA, AS PRESENTED, BE MADE PART OF THE RECORD.

MOTION SECONDED BY MR. NEWMAN.

MOTION CARRIED UNANIMOUSLY.

ITEM 12: 115 Via La Selva

OWNER: Barry N. Wish

LEGAL: 35-43-43, W 125 FT OF E 331 FT OF S 150
FT OF N 641.52 FT OF GOV LT 1 W OF
OCEAN BLVD

Mr. Eigelberger: Has the owner been given proper notice?

Mr. Frank: Yes, sir.

Mr. Eigelberger: Will you swear in those about to testify please.

Mrs. Delp swore in those wishing to testify regarding this matter with the same verbiage as was earlier stated.

Mr. Eigelberger: May we hear the report?

Mr. Frank: Thank you, Mr. Chairman. 115 Via La Selva. It is a very striking facade. Mediterranean Revival design, and it is an asymmetrically massed residence entirely composed of symmetrical elements. Criterion for Designation...Staff

believes that 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; 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.

(To review the justifications for these criteria, please refer to the attached section of the Designation Report.)

We have attached a biography of Maurice Fatio. Mr. Sved.

Mr. Sved: The structure at 115 Via La Selva is an excellent Maurice Fatio Mediterranean design. What is strikingly different about this property, one thing is that the tower is right in the center of this property, which is very unusual. It's right under the front door, and you don't find very many of those in Palm Beach. Another striking difference about this building as compared to other Maurice Fatio designs is that while the core blocks of the buildings are markedly different from each other and varied rooflines, and varied in size and mass. They are all nevertheless tied together by the heavy rusticated quoining at the corners of each piece. If you'll flip over to your location map, you'll notice that this is the only house that fronts on Via La Selva. It is a very engaging design, and is very worthy of landmark consideration.

Mr. Eigelberger: Would anyone else like to speak regarding this property? May I hear a motion.

MOTION BY MR. SULLIVAN TO MAKE THE DESIGNATION REPORT A PART OF THE RECORD.

MOTION SECONDED BY MR. NEWMAN.

MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. SULLIVAN THAT 115 VIA LA SELVA 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 PART OF THE RECORD.

MOTION SECONDED BY MR. NEWMAN.

MOTION CARRIED UNANIMOUSLY.

Item 13: 105 Clarendon Avenue

OWNER: Palmtech Holdings Inc. TR c/o Rapap
Enterprises

LEGAL: VITA SERENA, LTS 1 & 20/LESS STREET

(PLEASE NOTE THAT THE OWNER HAS REQUESTED THAT THIS ITEM BE
DEFERRED TO THE FEBRUARY MEETING.)

Mr. Sullivan: MR. CHAIRMAN, IN LIGHT OF THAT, I WOULD LIKE TO
MOVE THAT LANDMARK CONSIDERATION OF 105 CLARENDON AVENUE BE
DEFERRED TO THE FEBRUARY MEETING WITH THE PROVISIO THAT THE OWNER
RECOGNIZES THAT HE IS WAIVING HIS STATUTORY RIGHTS REQUIRING THE
COMMISSION TO ACT WITHIN THIRTY DAYS.

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

ITEM 14: 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

(PLEASE NOTE THAT THE OWNER HAS REQUESTED THAT THIS ITEM BE
DEFERRED TO THE FEBRUARY MEETING.)

MOTION BY MR. SULLIVAN THAT THE LANDMARK CONSIDERATION OF 124
VIA BETHESDA BE DEFERRED TO THE FEBRUARY MEETING WITH THE
PROVISIO THAT THE OWNER RECOGNIZES THAT HE IS WAIVING HIS
STATUTORY RIGHTS REQUIRING THE COMMISSION TO ACT WITHIN THIRTY
DAYS.

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

ITEM 15: 172 South Ocean Boulevard

OWNER: E. Burke Ross Jr.

LEGAL: PRIMA VERA ESTS/OCEAN SEC/LT 5 & N
64.21 FT OF LT 6

(PLEASE NOTE THAT THE OWNER HAS REQUESTED THAT THIS ITEM BE
DEFERRED TO THE APRIL MEETING.)

MOTION BY MR. SULLIVAN THAT THE LANDMARK CONSIDERATION FOR
172 SOUTH OCEAN BOULEVARD BE DEFERRED TO THE APRIL MEETING WITH
THE PROVISIO THAT THE OWNER RECOGNIZES THAT HE IS WAIVING HIS
STATUTORY RIGHTS REQUIRING THE COMMISSION TO ACT WITHIN THIRTY
DAYS.

Mr. Eigelberger: Why would it be so long? April?

Mr. Frank: Essentially, the applicant ... I've been contacted by the attorney, and the owner of the house is out of the country on an extended period of time and won't be back or available till that date.

MOTION SECONDED BY MR. NEWMAN.

MOTION CARRIED UNANIMOUSLY.

ITEM 16: 158 South Ocean Boulevard

OWNER: William C. Davis III

LEGAL: PRIMA VERA ESTS/OCEAN SEC/LT 4

Mr. Eigelberger: Has the owner been given proper notice?

Mr. Frank: Yes, sir.

Mr. Eigelberger: May we swear in those wishing to testify regarding this property.

Mrs. Delp swore in those wishing to testify regarding this matter with the same verbiage as was earlier stated.

Mr. Eigelberger: May we hear the report.

Mr. Frank: 158 South Ocean Boulevard. Under Criteria for Designation, 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; 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.

(To review the justifications for these criteria, please refer to the attached section of the Designation Report.)

The Howard Major biography is included. Mr. Sved.

Mr. Sved: 158 South Ocean Boulevard is a very interesting building. It began its life sometime around 1925, but perhaps, even much earlier than that. It is a large sprawling Colonial cottage wood frame building. Sometime later, in the early 30's,

Howard Major came along and stuccoed the thing up and he British Colonialized the structure, adding a loggia and several stylized details that are found in the British West Indies. I was informed only this morning by Mrs. Volk that her husband also did some work at this building. His involvement - the extent of what he did, at this time, is unknown. The building, on the ocean facade, is very much a British Colonial design, however, if you look at the building from the side, a lot of the old cottage - and I believe there are some pictures, parts of the old cottage are still visible and are very much a part of the original fabric still there. This building is a very nice hybrid of two designs by two or more architects and is very worthy of landmark consideration.

Mr. Eigelberger: Would anyone else like to testify?

Mr. Davis: My name is William Davis. I'm the owner of that building. I don't know everyone here. I have met Mr. Newman before, but I don't think I've met anyone else on this committee. I've worked very hard to restore that house that I felt had been neglected for at least twenty years when I bought it. That didn't necessarily get me a bargain on it, but it was a harrowing experience to remodel it. I tried to cut away everything that was diseased, rotten or ruined, and then restore it as best as I could realizing that there were mixed architectural things there. It is now a 90's type home. It is not, in my opinion, the way it looked when I bought it. Across the front, for example, were slats that were used to protect the building from storms. So, if you didn't want to look at the ocean, you could close these slats which covered the whole 44' front facade of the thing. Many of those were rotten and had forty or fifty coats of paint on them. So they were all removed. There were some, I don't know what to call it, maybe "Brooklyn Renaissance" additions to the house too, where there were bricks stacked up and mortared in place to again protect the house from the ocean. All that was removed, and the columns that were in there were infested by three different kinds of termites. All that was cut out and we shored up the house. I ended up firing the general contractor for three reasons. He had a cavalier attitude toward the truth, a penchant for the approximate, and he just let cost run away. So, I ended up doing it all myself, and we then took a look at the yard - removed the entire yard. We had fifty and sixty year old Australian pines that just ran over the property. I don't know if you remember what it looked like. You couldn't make a left or right without endangering your health because of these pine trees. The roots seemed to cover the whole front yard. We couldn't get a bulldozer big enough to move them out, so, we ground them down, and where possible, we dug footings and put a wall in. We used only the best materials, and the house still needs probably another \$ 200,000 of work right at this moment. I know it needs a new roof. We took the wooden shutters off

because they were rotten, and I have to replace those. There are fifty minor things that need to be done and some of the things are just a result of the recent freeze. A lot of the plantings that went in are dead because of the freeze and I hope some of them come back, but I know others won't. So, really as I stand here as the owner of the property, I really don't know what kinds of people I'm around other than Mr. Newman. I'm frightened to some degree that it will become a historic landmark because the real estate people have all informed me that no one wants to buy a house that's a historic landmark, and it depreciates the value. It seems to be a contradiction in the way the statute and ordinance is written, which it says is to preserve the value of the property. And I read in the Shiny Sheet all these horrible lawsuits about people who have historic landmark properties and want to sell them, and they get into all these contests, and the only people who benefit are the lawyers involved. I would just like to continue working on and restoring a beautiful property. I agree and I'm flattered that you all are interested in it, but frightened, as a homeowner, that if I ever wanted to sell it, I wouldn't be able to or that somehow, if I wanted to paint the top railing on the second floor gray to match the soot that comes in off the ocean, I wouldn't get permission for four or five months, and it would drive me crazy. So, at this point, I would ask your advice on what I should do.

Mr. Sullivan: Well, the first thing is that you should maintain your sense of humor. It's charming. All I can tell you, Mr. Davis, is that first of all, everyone on the Commission is very, very familiar with the restoration work you have done. We think it is wonderful. We are totally in awe of your courage and your ability and good taste. (Indiscernible) give you my personal assurance that anytime you come before here, and basically, in this Town, you have to come before somebody to go on with anything. Consistent with the good taste you have shown, you're going to get an overwhelmingly sympathetic view.

Mr. Eigelberger: Thank you, Mr. Sullivan. I think the main difference between what you're thinking about, is basically, any building, any facade in this Town, has to go before Landmarks. Typically, Landmark Commissioners are a little different than the Architectural Review Board in that, we're ... like I do restoration and as well, most of us here have owned houses or are learned on the historic aspects of architecture. Whereas, the Architectural Review Board ... they're learned in their own way, where it could be a modern house or whatever. We are just concerned with the buildings that are landmarked in the Town, and so that's how we try to help the people who won those buildings in preserving them. Everything else has to go before ARCOM. It's that simple. A new building, a new Bob Gottfried house would have to go before ARCOM, whereas, an old existing structure, whether it be being restored or being added onto or

enlarged or a garage being added, which often happens. I had a meeting with Martha Gottfried the other day. Everyone is so afraid of a landmark building. I pointed out to her - Villa Flora. In Villa Flora, where we added a dining room; we added on a garage; we added on walls; we changed the swimming pool, and all these changes that happened to Villa Flora. So it's not that you can't change the building. I guess, common sense very often dictates what has to happen to a building in order to make it livable. As you said, it's now a 90's house. It's just that anything that would happen that's just normal repair and maintenance would simply go to Tim, and you wouldn't need to come before to, as you say, change the color of the railing. You wouldn't come before us for that. What is it - less than \$ 2,000 - is that the - for changes less than \$ 2,000, it's not going to cost you \$ 1,000 to paint a railing. Anything like that would go before Tim, and Tim happens to be the Director of the Landmarks Commission and the Director of the Architectural Review Board at the same time. So everything in Town goes before Tim. So, it's just simply a matter after that if it's judged an important change to the building, whether it has to go before ARCOM or Landmarks. That's simply all it is. So, I really don't know where the business - I think that Real Estate Board has done one of these things that the Landmark Commission is a bad commission, etc. etc. But, I mean, I think very often that particular inference you're probably talking about in the Shiny Sheet where the building was torn down. Did you see that building?

Mr. Davis: Well, I didn't see the building. I saw pictures in the Shiny Sheet.

Mr. Eigelberger: Well, it was a wonderful old house. It shouldn't have been torn down. That's simply all we're trying to preserve. It's that sort of heritage in Town.

Mr. Davis: I don't think this one will ever be torn down.

Mr. Eigelberger: No. You've done a wonderful job.

Mrs. Mackintosh: May I add a point. Landmarking a house always seems to add value to it. People who have landmarked houses, it's just a plus; it's not a deficit at all. I don't know how we're going to get that through (indiscernible). I think they're wrong every time they say that. People have sold their houses for more because they were landmarked. We have proof of that.

Mr. Moore: I'd like to speak to some of your concerns too, as Director of Planning, Zoning & Building. In your reference to the real estate, which is exactly what Mrs. Mackintosh is referring to, the only major difference between the Architectural Commission and the Landmarks Commission can

actually be picked up in the name - it's "preservation". Realtors have a difficult time selling a home that is slated for demolition if the property is landmarked and the concept is to demolish the house and start afresh and build a new home or subdivide the property if large enough for subdivision. Therefore, it is in the Realtor's best interest to tell prospective sellers of their property that it's a bad thing to be landmarked for the simple reason that it's very difficult to demolish a home that's been judged by all of the criteria that we do through and the Town goes through to preserve it's history. Therein lies the difference between the two, and therein lies the financial incentive for a real estate office to tell an owner that it is onerous to become landmarked. If you have no intention of selling your home, as far as the possibility of demolishing, to building a brand new home, or if you have no intention of selling your home with the possibility of subdivision or the property, then all of what you've heard here is more beneficial in your particular case, with your interests, to have your home governed by the Landmarks Preservation Commission rather than the Architectural Commission. I hope I've answered and allayed some of your fears in that area. I also might add that that \$ 2,000 is in the Ordinance, however, Staff has always been lenient to the point where we recognize that went in in about 1982 or 1983. We've had some inflation since then. So, depending on the scope of the project, we've always been, on the 50-50 issues, we've always been a little more lenient on what can be done administratively rather than what has to come here for a Certificate of Appropriateness. I hope I've answered some of those questions for you.

Mr. Newman: Mr. Davis, I'd like to make a comment. In view of the fact that you did mention my name, we have met. I personally want to compliment you on how magnificently you've done the house. I think if you didn't buy the house, I would question whether it would even be coming before us. I frankly feel very strongly, and this Commission knows how I feel in many areas, about the property owner's feelings. This is my last comment on this Commission. I've been here six years and this is my last meeting, who along with Bob, will be leaving. I just want to reiterate, I will vote the way you want it. If it was a run down house, and the word, "preservation", was disregarded, I would say I would vote that this has to be preserved, but you're keeping it in pristine condition and probably always will, and I feel that a man who has indicated publicly how he feels about his property, and will keep it that way, deserves the right to make that decision. If you vote for designation, I'll vote with you. If you vote against, we'll probably be outvoted, but I want you to know that I respect what you've done and your feeling about your property. And good luck to you.

Mr. Eigelberger: So, do you have any further questions you'd

like to ask?

Mr. Davis: Well, if it looks like I'm going to get outvoted, maybe I should go ahead and defer to the April meeting. It says that the property owner wishes to defer to the April meeting, but I don't know how they got that information. I was out of Town. Maybe the Clerk just entered that as a matter of course, but I made no such request.

Commission: That's another one. That's not you.

Mr. Davis: That's not me? I don't get a chance to defer to the April meeting? I guess the final thing I'd like to say is a fear of the entanglement in some bureaucratic process. You know, I'm a businessman, and I've seen this small company grow and prosper and as it grew and prospered, I saw the red tape increase. So, to get a common sense change sometimes in the business work, you have to deal with the morass of red tape and pettiness. It's always an irritation to do that. One of the fears that I had sitting here is that somehow, we would be opening up Pandora's Box of red tape that would keep me from making common sense changes or for some reason, maybe as Mrs. Mackintosh says, we have to publicize the good work that is done in this committee and downplay in the press, perhaps, the image that's projected, that this is a group of people who are somehow involved in red tape, and are really not a worthwhile purpose. I think somehow there has to be an effort, if I'm going to get voted down, to re-establish this organization as a positive influence in Palm Beach that will, in effect, enhance the property values to make the whole island look better. So, I think that if I'm going to get voted down, I'd just like to say that I think Mrs. Mackintosh is right that you need to do something in that area, and Mr. Newman and I, I guess, if we're going to get outvoted, I would just like to say, I don't want to be, only because I fear the red tape and the adverse publicity that historic preservation has gotten.

Mr. Newman: I will qualify what you've just said. There is very little red tape, and they really think a lot. It will be easier for you here than it would be at the ARCOM.

Mr. Frank: With regard to the bureaucracy involved, I would just like to make a statement without getting into my lecture that I give my college students on the difference between reality and perception, just by stating that the reality of the application procedure, the bureaucracy that you go through to get before this Commission, and incidentally, I want to point out if it wasn't clear before, most of the changes in the exterior of the building will be exposed to one commission or the other. If you're landmarked, you will not have to go in front of the Architectural Commission. So, it's just that the jurisdiction changes from one commission to the other. And I

will say, in terms of bureaucracy, both commissions meet on a monthly basis. They both use almost identical forms to be filled out. They are very simplistic - address, name of the owner, a brief sentence on what you want to do. You get on the agenda, and the approval process occurs in one month, and if you need variances or those types of activities, those are usually turned around with the combined bureaucracy of this Commission and the variance routine, in a series less than two months. I've worked for other municipalities, and I've never seen them move projects this quickly through the bureaucratic process as they do here. The reality of Landmarks is that the bureaucracy is not more involved than it is when you are not.

Mr. Sullivan: I think, Mr. Davis, first of all, we would like to thank you for coming before us. A lot of times, we don't have the valuable input from owners, and it's always nice to know how they feel. In your particular case, you've put it so charmingly that it was sort of an added benefit. And with that, I'm going to

MOTION BY MR. SULLIVAN THAT WE MAKE THE DESIGNATION REPORT A PART OF THE RECORD.

MOTION SECONDED BY DR. CURL.

MOTION CARRIED UNANIMOUSLY.

And promising you, Mr. Davis, that we'll look forward to seeing you back here on any major change you are going to do, I'm going to go ahead and move ...

MOTION BY MR. SULLIVAN THAT 156 SOUTH OCEAN BOULEVARD, I'M SORRY, 158 SOUTH OCEAN BOULEVARD, 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. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

Mr. Newman: Mr. Davis, are you satisfied?

Mr. Davis: I don't know yet, with all the education I've gotten.

Mr. Newman: I voted with the majority because I think you are leaning that way.

Mr. Eigelberger: (Indiscernible) and less attention to the probable.

Mrs. Mackintosh: I sort of feel that if everything else goes wrong, he can always go on the stage and be the most wonderful comedian ... a whole new career.

Mr. Eigelberger: What was your business?

Mr. Davis: Still is. I work for Xerox.

Let the record show that in response to Mr. Davis's last statement, Mrs. Mackintosh made a humorous comment which, in turn, prompted other humorous comments from the Commission.

Mr. Newman: Let's hope your next appearance will be duplicated.

VI. Other Business

A. 1800 South Ocean Boulevard

Mr. Frank applauded Mr. Lawrence's efforts in expediting the construction changes at this site. Today, Mr. Lawrence, came before the Commission to bring forward a change recommended by Mr. Holzheimer, the Interior Designer, to change the columns on the exterior of the building. Previously, the LPC had ruled that the columns should be removed and the facade restored to its original condition. Mr. Holzheimer, however, would like them to be retained. He had done some research and found a Mizner drawing showing columns on the structure. This drawing had been brought to Mr. Frank by Mr. Lawrence. After review, Mr. Frank recommended that the columns be removed as the columns on the drawing, and the columns suggested by Mr. Holzheimer implemented differing concepts. Mr. Frank, however, felt that the Commission should have the opportunity to view Mr. Holzheimer's request. After review, the Commission again ruled that the columns be removed as was previously approved.

B. New Listing of Properties for Designation

A listing of some sixty plus (60+) properties suggested for the next designation season, as compiled by Mr. Sved and Mr. Egan, was distributed to the Commission for review and prioritization.

C. Terms of Office

Mr. Frank noted that the terms of Mr. Eigelberger and Mr. Newman expire as of the February Town Council meeting. Therefore, this is their last meeting. Mr. Moore thanked them on behalf of Staff for their long service, effort and volunteer work.

D. Slate of Officers

Mr. Frank distributed copies of a letter from the Chair nominating the following and read same into the record:

Chairman - James V. Sullivan
Vice Chairman - Donald W. Curl, Ph.D
Secretary - Elise P. Mackintosh

MOTION BY MR. NEWMAN THAT THE NOMINATIONS BE CLOSED.

MOTION SECONDED BY MRS. VOLK.

MOTION CARRIED UNANIMOUSLY.

MOTION BY MRS. VOLK TO ACCEPT THE NOMINATIONS

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

Mr. Newman, as his last act as Secretary, cast a unanimous ballot for the officers.

It was mentioned that new Commissioners will need to be instated by the Town Council. Ms. Jaqueline Albarran has been suggested for the commission.

D. Mr. Jeff Smith

Mr. Smith came before the Commission to present proposed changes to two projects which are currently under construction. He came seeking conceptual approval, as neither item had been advertised.

Mr. Moore interrupted Mr. Smith's presentation to strongly caution the Commission that the Town Attorney has ruled that this is not the proper procedure, and that such an impromptu presentation should only be reviewed by the Commission in cases of extreme emergency. Mr. Moore stated that although the Commission has every right to hear Mr. Smith today, as they do any member of the Public, hearing these matters today could be considered a circumvention of the Ordinance, which could bring the LPC and ARCOM Ordinances under challenge in court. Mr. Moore further stated that Mr. Smith, as Chairman of the Architectural Commission, is aptly aware of implications of this sort of review.

Mr. Smith, in his own defense, replied that while these projects have been under construction, certain minor unanticipated problems resulted which were not approved by the Landmarks Commission, and to have to wait to be

advertised and then heard, would result in a burdensome loss of construction time.

The Commission, though heeding Mr. Moore's caution, elected to hear Mr. Smith as follows:

102 Jungle Road: Change in french doors from singular to pairs.

Mr. Frank noted that he had already seen this, and had given Staff approval for this change, as it was deemed minor in nature, and Staff approval of such changes is provided for in the Ordinance.

790 South County Road - The Carriage House

Mr. Smith noted that there is a lawsuit in progress regarding this property between Mr. Pheeney, the Owner, and Mr. Schlesinger, the neighbor at 801 South County Road. In review of the lawsuit, Mr. Pheeney won a lawsuit for view easement going through his property. Mr. Schlesinger has the right to appeal that ruling which could tie up the project for over a year.

Mr. Moore again warned the Commission about hearing this matter because potentially, this could involve the Town in a lawsuit as no legal advertisement has been made to notify neighboring property owners.

Mr. Smith then requested that he be allowed to present the changes, not seeking conceptual approval, but just to know whether the Commission would have a problem with them.

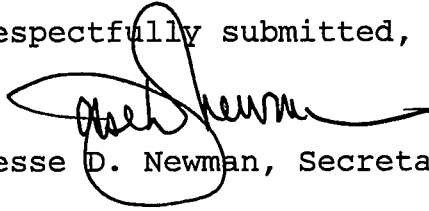
The changes are to move the garage three feet to the south, and to flatten the roof on the portion of the new construction on the north side of the property. In light of the previously mentioned lawsuit and Mr. Schlesinger's right of appeal, Mr. Pheeney, in an effort to move the project forward, is offering these changes to establish a compromise and thereby, cease litigation. Mr. Schlesinger is aware of this proposal and that the proper documents are being prepared for both parties' signatures denoting their mutual agreement for the changes. The purpose in Mr. Smith's coming today was to determine the LPC's opinion of these changes first, for if the LPC opinion was that they would not approve such changes, Mr. Pheeney's efforts, and those of his legal counsel would be in vain.

After a cursory review, the Commission found no problem with the changes as presented. This item will be advertised for the February meeting.

VII. Adjournment

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jesse D. Newman", written over a circular stamp or seal.

Jesse D. Newman, Secretary

cmd

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

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: Town of Palm Beach	
CITY Palm Beach	COUNTY	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

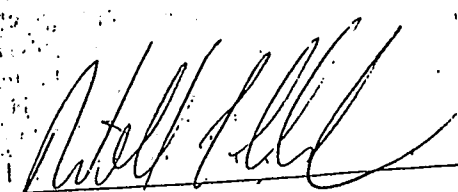
I, William S. Gubelmann, hereby disclose that on January 19, 1990:

(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.

Date Filed January 19, 1990

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.

5 MIDDLE ROAD

there is less concern with design composition, this portion of the house makes an entirely acceptable street facade. The quoining seen on the west facade is continued on the north, repeated again at the southern edge of the pantry beyond the dining room. The kitchen, laundry, and second floor staff rooms are located in a two story section with a gambrel roof. The house is terminated at the east border of the lot by a four car garage with arched openings and keystones. A porch on the second floor is topped with a steep pitch hipped roof that reflects back to the main portion of the house.

IV. Historical Information

5 Middle Road was built for Joseph Cudahy in 1937. Successive owners have included R.L. Wilson and Maynard Smith.

V. Statement of Significance and Criteria for Designation

Statement of Significance

5 Middle Road is a first rate example of English Renaissance in Palm Beach. It is one of many historic houses on Middle Road. Designed by Wyeth & King, the house presents a well proportioned facade incorporating fine decorative detailing. It is a valuable asset to the community and 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 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."

5 Middle Road is a fine example of the English Renaissance style of architecture that was popular in Palm Beach throughout the 1930's. The entrance portico is a fine example of the Palladian motif, although slender Doric columns support an Ionic entablature. The massing of the house is a subtle yet engaging composition of verticals and horizontals formed by the interaction of the recessed hipped roof entrance block and the two lower hipped roof sections reaching out to the street.

(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.

241 SEAVIEW AVENUE

its design, the rarity of the style here in Palm Beach, and the tremendous educational role of Palm Beach Private School has served in Palm Beach. This building 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 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."

The Palm Beach Private School is the finest example of the Art Moderne style found in Palm Beach. The building employs a fantastic entrance decorated with fluting, "modern" lettering, angular eagle sculptures and decorative wrought iron gates. The metal panels used between the windows have equally beautiful, clean designs etched into them.

Unlike many "Moderne" buildings, the Palm Beach Private School is quite symmetrical. The windows serve the dual purpose of admitting light and air as well as creating an effective solid-void, giant column composition:

(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 MARION SIMS WYETH BIOGRAPHY, AS ATTACHED.

V. Statement of Significance and Criteria for Designation

Statement of Significance

61 Middle Road lies on the east side of Middle Road. It is a prominent estate residence in an area with many similar surrounding structures. The courtyard entrance Spanish style design is a variation on the most prominent style in the area.

The building was designed by Marion Sims Wyeth of the firm Wyeth and King as his own residence. It has true features of the Spanish style and is worthy of the protection and special consideration it would be afforded if designated a Town Landmark.

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."

Designed by Marion Sims Wyeth, it presents a virtually blank street facade, reserving the ornament for those who pass through the entrance into its outdoor cloister. Other houses designed by Wyeth that incorporated courtyard entrances were "La Salona" at 172 South Ocean Boulevard and the Rectory at Bethesda by the Sea, 165 Barton Avenue.

(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."

61 Middle Road is one of the few Mediterranean Revival houses to

try to approximate the style of a Spanish courtyard house. 61 Middle Road is an inward looking design in the European tradition and thus presents a relatively plain facade to the street. Marion Sims Wyeth is to be congratulated for this design, and for avoiding the temptation to make the facade of his house more grand. The highly unusual doorway with its decorative stonework and moulding is evocative of the city houses in Spain.

61 Middle Road was designed by Marion Sims Wyeth as his own residence. It is often very helpful to look at the houses architects built for themselves when trying to judge their careers, for it is in these houses that they are able to fully express their architectural vision without satisfying the whimsical tastes of their clients. The restrained design seen at 61 Middle Road reflects the architect's rejection of outward looking Mediterranean Revival designs produces by other architects such as Addison Mizner, and affirms his own desire to reproduce as faithfully as possible a historical style.

(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 MARION SIMS WYETH BIOGRAPHY, AS ATTACHED.

1768 SOUTH OCEAN BOULEVARD

Mr. Hutton lived at 1768 South Ocean Boulevard until 1964 when J. Patrick Lannan bought the house. Mr. Lannan had a very large collection of modern art and sculpture which he displayed throughout his house and grounds. He converted the servant's quarters into a gallery and later added onto the house to create a private "museum".

V. Statement of Significance and Criteria for Designation

Statement of Significance

The ocean to lake estate designed by Treanor & Fatio at 1768 South Ocean Boulevard is a prominent and striking residence in a neighborhood of spectacular houses. The Bermuda style house rises one story above the road, its understated design an excellent example of the post-Depression restraint in Palm Beach architecture.

South Ocean Boulevard, from 1500 south to 1960 south, contains examples of every important style in the architectural history of Palm Beach. 1768 South Ocean Boulevard is an indispensable example of Maurice Fatio's 1930s Bermuda style architecture. This house is worthy of the protection and special consideration it would be afforded if Designated a Town Landmark.

VI. Criteria for Designation

Section 16-38A 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."

During the Depression, construction of houses in Palm Beach, as in the rest of the United States, came to a dramatic halt. When the nation began to rebound, architects like Maurice Fatio looked for new alternatives to the overblown excesses of the

Mediterranean style, which had come to symbolize the financial irresponsibility that plagued the social circle's pre-Depression era.

(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."

1768 South Ocean Boulevard, along with its neighbors, 1860 and 1960 South Ocean Boulevard, heralded a new direction in Palm Beach architecture as America emerged from the Depression in the late 1930's. Their understated designs were successful because of their clean, simple lines and pleasing proportions rather than the grandeur that had characterized the Mediterranean Revival designs of the roaring 1920s. 1768 South Ocean Boulevard employs subtle detailing throughout its stucco facade, which injects interest into its sober, restrained facade.

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

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

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

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

Fatio's association with Florida can be traced to his time with Lindeberg, when he received the commission for eight small

houses in New Smyrna, Florida. In October, 1923, Treanor and Fatio were asked to be the architects for the Olympia Beach development, now Jupiter Island. The following year Fatio opened an office in Palm Beach.

Fatio's many commissions for houses and commercial buildings in Palm Beach were based on his reputation in New York as well as his charm, good looks, and European manners. During his career in Florida, Fatio designed in many diverse styles. Mediterranean Revival, more specifically, Italianate houses incorporating tower blocks, were designed for William McAneeny (195 Via Del Mar), the Coopers (801 South County Road), Mortimer Schiff (920 South Ocean Boulevard), and Daniel McCarthy (550 South Ocean Boulevard). More horizontal, symmetrical and formal Florentine houses were designed for Otto Kahn (690 North County Road) and Joseph Widener (1500 South Ocean Boulevard). In the mid-30's Fatio began designing in the Georgian and British Colonial styles. Large commissions for Albert Worswick (1860 South Ocean Boulevard), E.F. Hutton (1768 South Ocean Boulevard), and Wolcott Blair (1960 South Ocean Boulevard) with their simple materials and uncluttered lines reflected the sober economic climate and set the pace for the smaller Colonial and Regency commissions that followed them.

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

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

In 1940, Maurice Fatio designed a bedroom suite for Mr. Spingold. A third story was added to Geisler's 1929 additions. Fatio used varied hip rooflines to decrease the impression of the overall mass. He duplicated the second floor balconies to harmonize with Geisler's original and employed his trademark sill course to soften the severe verticality of the design. Fatio used a moulded cornice which is a variation on the cornice employed by Geisler in the 1929 addition.

IV. Historical Information

Villa Oisseau was built for Frances Spingold. The Spingolds made the many additions to the house. Current owners are Winston and Helen Guest.

V. Statement of Significance and Criteria for Designation

Statement of Significance

Villa Oisseau is located on the south side of the Ocean block of Wells Road. It is a prominent estate residence with many similar surrounding structures. The Mediterranean Revival style is a grand presentation of the most prominent style in the area.

Villa Oisseau was originally designed by E.B. Walton. It has undergone additions by Lester Geisler of the firm Addison Mizner, and Maurice Fatio of the firm Addison Mizner, and Maurice Fatio of the firm Treanor & Fatio. These two architects improved on the Walton's first rate design, making the house a valuable asset to the community. 152 Wells Road 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.

(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."

Villa Oisseau at 152 Wells Road is a first rate Mediterranean Revival design. E.B. Walton created a simple, balanced asymmetrical facade which incorporates unusual decorative elements such as the Baroque entrance and elaborate stucco window mouldings without sacrificing its harmonious feelings.

152 Wells Road is a house in which each successive architect was respectful of the work which preceded him. Geisler left Walton's facade virtually untouched. When Fatio added the third floor to Geisler's loggia and bedroom, he did not touch any of Geisler's work, but instead duplicated the wrought iron balconies he had used. This has resulted in a design which preserves the identity of each individual designer while presenting harmonious facades.

(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 ADDISON MIZNER BIOGRAPHY, AS ATTACHED.
PLEASE SEE MAURICE FATIO BIOGRAPHY, AS ATTACHED.

1860 SOUTH OCEAN BOULEVARD

proportioned façade drawing attention because of its simplicity and clean lines.

South Ocean Boulevard, from 1500 south to 1960 south, contains examples of every important style in the architectural history of Palm Beach. 1860 South Ocean Boulevard is an indispensable example of Maurice Fatio's 1930's Georgian architecture. This house is worthy of the protection and special consideration it would be afforded if Designated a Town Landmark.

VI. Criteria for Designation

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During the Depression, construction of houses in Palm Beach, as in the rest of the United States, came to a dramatic halt. When the nation began to rebound, architects like Maurice Fatio looked for new alternatives to the overblown excesses of the Mediterranean style, which had come to symbolize the financial irresponsibility that plagued the social circle's pre-Depression era.

The new style Fatio and other Palm Beach architects embraced had clean, simple lines that were a sober reflection of the new economic realities in the United States. The rambling, one-story designs hugged the ground, keeping both a literal and a figurative low profile. Houses like 1860 South Ocean Boulevard helped set the tone for other similar post-Depression designs.

(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."

1860 South Ocean Boulevard is one of a trio of houses designed by Fatio in 1937. All located in the same stretch of South Ocean Boulevard, at numbers 1768, 1860, and 1960, these rambling ocean to lake estates were a new direction in architecture for Palm Beach. The houses rose one story above South Ocean Boulevard, extending down to a second story along the lake.

1860 South Ocean Boulevard and its cousins incorporated new ideas in planning as well as ornamentation. An understated simplicity replaced the grandeur that had typified the large Mizner-style houses before the Depression. At 1860 South Ocean Boulevard the architect, Maurice Fatio, focused his efforts on the uncluttered massing and the minimally applied, yet first rate, decorative elements.

The central temple front, full classical cornice, and elaborate portal were all constructed out of wood and complemented the brick quoining at the corners and the flattened arches with keystones seen above the side windows.

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

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

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

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

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

Fatio's many commissions for houses and commercial buildings in Palm Beach were based on his reputation in New York as well as his charm, good looks, and European manners. During his career in Florida, Fatio designed in many diverse styles. Mediterranean Revival, more specifically, Italianate houses incorporating tower blocks, were designed for William McAneeny (195 Via Del Mar), the Coopers (801 South County Road), Mortimer Schiff (920 South Ocean Boulevard), and Daniel McCarthy (550 South Ocean Boulevard). More horizontal, symmetrical and formal Florentine houses were designed for Otto Kahn (690 North County Road) and Joseph Widener (1500 South Ocean Boulevard). In the mid-30's Fatio began designing in the Georgian and British Colonial styles. Large commissions for Albert Worswick (1860 South Ocean Boulevard), E.F. Hutton (1768 South Ocean Boulevard), and Wolcott Blair (1960 South Ocean Boulevard) with their simple materials and uncluttered lines reflected the sober economic climate and set the pace for the smaller Colonial and Regency commissions that followed them.

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

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

adjacent to Lake Worth. The house is a prominent estate with many similar surrounding structures. The Colonial Revival design with Louisiana overtones is of the highest order.

174 Via Del Lago was designed by the architectural firm Wyeth & King. It is one of the finest Colonial Revival estates in Palm Beach. This house is worthy of the protection and special consideration it would be afforded if Designated a Town Landmark.

VI. Criteria for Designation

Section 16-38A 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:

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174 Via Del Lago was built at the height of the Depression when many people couldn't afford to feed their families, let alone build new houses. Its \$125,000 construction cost serves to reflect the enormous wealth and immunity to general economic realities that existed in Palm Beach.

The New Orleans inspired Colonial Revival design of 174 Via Del Lago reflects the change in architectural tastes that occurred in Palm Beach during the Depression. The Mediterranean Revival styles were rejected as too ostentations for the sober economic climate of the 1930's.

As a result, architects increasingly turned to designs with clean lines and simple materials. The Colonial Revival, British Colonial, and Bahamian styles flourished in the 1930's. 174 Via Del Lago is one of the finest and most luxurious examples of

11
this style.

(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."

174 Via Del Lago is one of the finest examples of the Colonial Revival, specifically New Orleans style of architecture to be found in Palm Beach. This is a large lakefront estate of the highest quality. It is beautifully integrated into its lush site and incorporates an historic tree into the center of the motor court.

The proportions of the house together with the high quality of its details serve to make 174 Via Del Lago a specimen of Colonial Revival architecture inherently valuable for study.

11 The plan of 174 Via Del Lago fully utilizes its large site, wrapping the perimeter of the property to create, together with a large fence, a very sheltered motor court. The house is majestic and grand, but through the use of a number of setbacks in the facade, does not overwhelm the eye.

The second story porch over the entrance is the primary decorative element of the facade. The wrought iron used in its balustrade, posts and brackets is intricately worked into the same design seen in the porch railing on the first floor.

The entrance is exquisitely detailed. The use of columns, the full cornice, the decorated sidelights and fanlight, and the full panel door are of the highest quality.

(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

11

115 VIA LA SELVA

variation of the style of its opulent neighbors, 195 Via Del Mar (Casa Della Porta) and 801 South County Road.

115 Via La Selva was designed by Maurice Fatio, of the firm Treanor & Fatio, and is a valuable asset to Palm Beach. It is truly a fine design and 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 justification for designation.

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

The active social and cultural life, which has characterized Palm Beach's wealthy Residents for decades, found its expression in the large and exotic Mediterranean Revival houses constructed throughout the island in the 1920's and 30's. 115 Via La Selva's restrained stucco facade, articulated by stucco quoins at the entrance and corners, is an early example of the move away from the excessive ornament which characterized the Mediterranean Revival designs in the early 1920's. Following the onset of the Depression, the opulent Mediterranean Revival architecture was discarded in favor of the simpler British Colonial and Bermudan styles which more accurately reflected the sober economic climate of the nation. 115 Via La Selva stands as an important precursor of this shift in architectural tastes.

(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."

In the 1920's, Maurice Fatio built many Mediterranean Revival

houses that incorporated asymmetrical massing and three story tower blocks. As 1930 approached, Fatio increasingly turned to a simpler Florentine design style. 115 Via La Selva is extremely restrained in its detailing. Fatio dispensed with quarry keystone in favor of uniform stucco cladding and ornament. The heavily rusticated quoining and entrance are the house's only decorative elements, and recall Florence, an unusual variation on the Mediterranean Revival for Palm Beach.

The asymmetrical massing incorporating symmetrical units into a complex yet harmonious design shows Fatio's skill at utilizing setbacks in the facade. The beautiful street facade of this house more than holds its own against its more lavish neighbors. Without Fatio's design at 115 Via La Selya, this street would become little more than a service drive for the surrounding houses.

(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.

158 SOUTH OCEAN BOULEVARD

side entrance to the house is centered under the gabled projection on Clarke Avenue. An arched entrance is topped with a single keystone. This entrance is set with a pediment atop smooth pilasters.

A moulded cornice extends along the roofline. Three shuttered windows have simple sills. A wing is terminated in a pavilion with a raised pyramidal roof. A porthole window with the same teardrop design is visible across the interior courtyard. The door to the pool area is recessed within an elaborate frame rising on piers with moulded capitals. The fanlight over the door contains the same teardrop pattern used throughout the house.

IV. Historical Information

158 South Ocean Boulevard was renovated by Howard Major for James Kennedy in 1931 at a cost of \$35,000.

V. Statement of Significance and Criteria for Designation

Statement of Significance

158 South Ocean Boulevard lies on the north side of Clarke Avenue adjacent to the Ocean. It is a prominent example of the British Colonial style of architecture in an area that exemplifies the eclectic nature of Palm Beach architecture.

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."

The British Colonial style of architecture was popular in Palm

Beach in the 1930's as an alternative to the Mediterranean Revival mansions popularized by Addison Mizner, Maurice Fatio, John Volk, and others. The new homes had clear, easily understood lines and utilized simple materials: wood, stucco, and plaster.

Howard Major was the first architect in Palm Beach to see the possibilities of the British Colonial and Bermuda style of architecture. Major Alley, built in 1926 along Peruvian Avenue, can be seen as the local precedent for the new style in Palm Beach.

158 South Ocean Boulevard was not built by Howard Major. Like other houses on the island, however, 158 South Ocean Boulevard underwent major alterations in the early thirties, which left it with Howard Major's unmistakable architectural mark.

(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."

158 South Ocean Boulevard is a first rate example of a thirties renovation of an existing Palm Beach residence. The transformation of the house to the British Colonial style is successful and complete. The architect, Howard Major, introduced a stocky two-story loggia and five-bay porch to what was most likely a simple frame cottage. The British Colonial detailing on the east facade includes the elaborate entrance incorporating a dramatic fanlight as well as the sloped chimney with triangular hood. Along the south facade Major successfully integrated new wings, incorporating a new central courtyard into the design.

(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 MAJOR BIOGRAPHY, AS ATTACHED