



TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

WEDNESDAY, JANUARY 15, 2003 AT 9:00 A.M.

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

I **Call to Order:** Chairman Eugene Pandula called the meeting to order at 9:01 a.m.

II **Roll Call:**

PRESENT: Eugene Pandula, Chairman
Elizabeth Dowdle, Vice Chairman
Ann Blades, Secretary
Sari Wilkey, Member
Ann Vanneck, Member
Jack Pyms, Member
Judy Hoffman, Member
Wendy Victor, Alternate Member
Patrick Segraves, Alternate Member
Mario Nievera, Alternate Member
John C. Randolph, Town Attorney
Robert L. Moore, Director of Planning, Zoning & Building
Timothy M. Frank, Planning Administrator
Jane Day, Staff Preservation Consultant

ABSENT: None

RECORDING SECRETARY: Cynthia M. Delp

III **Approval of the Minutes of the December 18, 2003 meeting:**
MOTION BY MR. PYMS FOR APPROVAL OF THE MINUTES.
MOTION SECONDED BY MRS. DOWDLE.
MOTION CARRIED UNANIMOUSLY.

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

V **Public Hearings:**

- A. Application for Certificate of Appropriateness #24-2002, (deferred from Oct. & Nov.)
Changes to residence, landscape, hardscape and replacement of pool and deck
Owner/Applicant: Edward J. Kelly
Address: 19 Golf Road
Architect: Lee Kvarnberg
Project Description: Request approval of the following:
1. New swimming pool and deck
 2. Restoration of hardscape
 3. Restoration of garage door to its original location on the east facade
 4. Fill in the garage door on the north facade
 5. Restoration of drive to original east location with curb cut being restored to its original location on County Road and circular drive at Golf Road
 6. New roof (textured flat tile)
 7. New windows and exterior doors to match existing style.
 8. Modification of two windowsill heights to conform to interior layout
 9. Double hung window at first floor laundry to have sill raised 12" to allow for washer/dryer and second floor hall connecting master bedroom and study to have window sill lowered to match other windows on that elevation.
 10. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS

Please note that the architect is requesting another deferral of this project to the February meeting.

Project approvals to date for CoA#24-2002

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

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

At the December meeting, there was only a motion for deferral to the January meeting.

MOTION BY MRS. DOWDLE FOR DEFERRAL TO THE FEBRUARY MEETING, WITH THE PROVISIO THAT IF THERE ARE ANY FURTHER DEFERRALS, THE ITEM SHOULD BE RE-ADVERTISED.

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

B. Application for Certificate of Appropriateness #29-2002,

Hardscape

Owner/Applicant: Mr. Robert Miller

Address: 105 Clarendon Avenue

Architect: Originally Newlands Design Group, then the property owner took over
Project Description: Request approval to replace stone drive with Chicago brick and replace entry from drive to interior of house, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: None declared

At the December meeting, there was a motion for deferral to the January meeting as there was no one in attendance to present the project.

Mr. Miller's Project Manager, Roger, presented this request for only the resurfacing of the existing driveway with Chicago Brick in a herringbone pattern. He explained that this had previously been approved by the LPC, but that approval had expired. There is no change in the size or shape of the driveway.

MOTION BY MRS. WILKEY FOR APPROVAL OF THE DRIVEWAY RESURFACE PROJECT ONLY.

MOTION SECONDED BY MRS. VANNECK.

MOTION CARRIED UNANIMOUSLY.

C. Application for Certificate of Appropriateness #1-2003,

Driveway gates

Owner/Applicant: Mr. Michael Price

Address: 452 Worth Avenue

Architect: Brower Architectural Associates Inc.

Project Description: Request approval of replacement of existing driveway gates with new gates, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS.

Please note that the architect has requested deferral of this project to the February meeting.

MOTION BY MRS. VANNECK FOR DEFERRAL TO THE FEBRUARY MEETING.

MOTION SECONDED BY MRS. BLADES.

MOTION CARRIED UNANIMOUSLY.

VI Other Business

- A. Informal Review: 1200 South Ocean Boulevard
Proposed relocation of the landmarked house to another portion of the site

EXPARTE COMMUNICATION: Mrs. Victor stated she has been to the site several times. Mrs. Wilkey had visited the site a while ago. Mr. Pandula has been to the site, and has spoken to Mr. Bridges, Mr. Marsh, Mr. Brindell, and another attorney. Mr. Pym stated that he reviewed the site last year.

On behalf of the applicant, Digby Bridges and Jim Carmo from Bridges Marsh & Carmo, and Jorge Sanchez, Landscape Architect, provided the informal presentation heard today. Mr. Bridges explained that the owner originally was pursuing demolition of the landmarked structure as he had been ill-advised. Since that time, the owner has elected to preserve the landmark. Some years ago, another owner of the parcel had obtained approval to subdivide the lot, but that subdivision never took place. The current owner is likewise not interested in subdividing the parcel. Mr. Bridges presented two design options together with models for each: (Members were invited to leave their seats to get a closer view of the models.)

1. Scheme 1: Keep the landmarked structure in its current location and add on to it creating a larger main house; and add a new separate guest house on the west side of the property;
- OR
2. Scheme 2: Move the landmarked structure to the west portion of the site, as a separate guest house structure kept intact in its present design and configuration, and then build a new main house on the oceanfront side of the parcel.

Mr. Bridges noted that the applicant is currently seeking a variance from the Town Council for side setback in conjunction with the option of moving the landmark to the west. The ocean facade of the landmark is deteriorating due to the salt exposure and will need attention regardless of its ultimate location.

Mr. Bridges described the existing landmarked structure as an early Mizner work. He found very little documentation relative to the building. He noted that the pantry and garage are not Mizner additions and should be removed. The elevator will be removed as well. Historical/architectural value is attributed by its association with Mizner, of course, and with its association with Robert Ballinger, former owner, who was one of the forefathers of the current LPC.

Mr. Bridges discussed Scheme 1 which proposes a significant addition (50%) to the landmark. The interior will be quite changed to make it liveable as part of the main house. Scheme 1 is not, however, the preference of the owner. In fact, the only advantage to Scheme 1, according to the design team, is that the landmark structure will remain in its existing position. The disadvantages of Scheme 1 are the following: that new construction will surround and attach to a Mizner; that the elevations will be very different; and, that there would be increased impact on the Bath and Tennis Club as a neighbor.

Scheme 2 is the preferred design concept of the owner and architect as they feel that it preserves the existing landmark intact as a "little gem"; that the landmark will be visible from A1A; that the landmark will see a longer life moved away from the salt air; that the interior will remain

① intact, except for necessary repairs to the east facade; that moving the structure will be better for the neighbor, the Bath and Tennis Club; and in general, that this is a fantastic opportunity for true preservation of a Mizner in its original state. Mr. Bridges commented that the owners would allow school children to tour the relocated Mizner as an educational tool. The LPC offered some negative commentary relative to the mass of the new house shown in Scheme 2. Mr. Bridges and Mr. Sanchez replied that the new house model is merely a concept and will be changed to suit the LPC.

Jorge Sanchez, Landscape Architect with Sanchez and Maddux, stated that he has spent much of his adult life dedicated to preservation, and ideally, it would be great if nothing changed, but that is not realistic. He felt that it would be much better to preserve the Mizner in its entirety rather than add on to it, as it would be difficult to find the Mizner amid an attached mass of new construction. He echoed many of the same points of interest of Scheme 2 as were discussed by Mr. Bridges earlier. As for the landscape plan itself, the property's entrance will lead into a tunnel of seagrapes offering a "mystery of shade and light". The ground level does rise which is an asset to the design. An oval will be created in the center which will be lined with palms. The sides of the property will be buffered with landscaping. The ocean side lawn will be left open with the exception of a few palms. It was noted that there would be 200 feet between the new house and the relocated Mizner in Scheme 2.

Mrs. Victor commented that there is another option...that being to leave the Mizner where it is and build the new house to the west. Mr. Sanchez felt that this would be too much to ask of the owners. Mr. Moore commented that the entire site is landmarked in this case, and the owner should have known that he was buying a piece of property which is fully landmarked - site and structure.

① Mrs. Vanneck thought it would be embarrassing to site the Mizner down at the road as shown in Scheme 2, as Mizner had placed the house in the optimum position. As such, she stated she would find it very difficult to consider Scheme 2. Mrs. Victor felt it was unacceptable to move the Mizner. Mr. Segraves urged the architects to tie together the architecture of the new house and the relocated Mizner, if that option is chosen.

Jane Day, Staff Preservation Consultant, offered her comments. If the house is on the National Register or is locally designated, and it is moved, the state wants the house oriented to the same cardinal points on the compass as it was originally. Upon Ms. Day's inquiry, David Ferro of SHPO felt it would be acceptable to move the house, if that is the last resort. In this project, there is also a philosophical difference between the restoration option (Scheme 2) and the rehabilitation option (Scheme 1). This is not a tax abatement project, so changes to the interior will not be reviewed by the LPC. Mrs. Day noted that there are 56 Mizners in town, both residential and commercial, and 22% of the town's landmarks are Mizners. Speaking impartially, Ms. Day stated that there is rarely an opportunity to have a true restoration; that Mizner designed the house to catch ocean breezes; that the view, as one negotiates the driveway leading up to the house, is magnificent; and that there is an opportunity here to work with this team to achieve the best solution.

① Mrs. Polly Earl, Director of the Preservation Foundation, urged the LPC to go back to the basics of the LPC ordinance, which has always provided for owners to adapt and change homes to meet modern needs. Some of her commentary follows: that this architectural firm is well acquainted

with correctly dealing with restoration problems; that this property has been landmarked since the beginning of the landmark program, and as such, the owners should have been fully aware that they were purchasing a landmarked structure and site. She questioned the appropriateness of moving or "divorcing" this landmark from its position on the site, and suggested that more thought could be given to more appropriate additions to the landmark building, if left in place.

Mr. Pandula stated that this building is what it is, and has been landmarked for many years. He urged the design team to consider the site as a whole, and the siting of the landmark structure within the site. This is probably the longest driveway and largest expanse of grass in town. He encouraged the design team to find a better design for Scheme 1, as he felt the site loses its character if the Mizner is moved.

Mr. Moore summarized that Mr. Bridges is looking for feedback in his efforts today. A variance would be required for the move as proposed in Scheme 2, although he noted that staff would not support that variance. He advised the applicant to present a design which does not "lose" the landmark in the midst of the additions. The LPC has always worked with owners to adapt homes for modern living.

The LPC thanked Mr. Bridges for his excellent presentation.

Mrs. Hoffman brought up the yellow and white structures visible on the beach property at Mar-a-Lago. Mr. Moore stated that they are portable cabanas and staff is working with Mar-a-Lago relative to relocating them. Mrs. Vanneck commented that the lights at the Mar-a-Lago beach club are too bright. Mr. Moore responded that the lights are required, but the wattage must be adjusted. The landscaping will return to the LPC for final approval.

Mrs. Victor requested an update on the Brazilian Court. Mr. Moore responded that our Chief Building Inspector, Steve Carew, will meet with Mr. Frank to review the construction there. Mr. Frank stated that after reviewing the drawings and visiting the site, it appears that the changes effected are in keeping with the LPC approvals given. It was noted that the Brazilian Court abandoned the tax abatement which was running on that property.

Mrs. Dowdle asked for an update on the Munn house. Mr. Frank stated that staff has taken procedural steps to get the house secured, but no applications have been submitted to move the project forward.

Relative to the new middle bridge, Mr. Frank stated that the LPC had been involved in the color of the bridge. Mr. Frank had been invited to the site to review paint samples at the east end of the bridge. He felt the colors were a perfect match to the cast stone.



Ann Burns

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**TOWN OF PALM BEACH
LANDMARKS PRESERVATION COMMISSION**

ATTENDANCE RECORD 2003

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

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

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

**TOWN OF PALM BEACH
LANDMARKS PRESERVATION COMMISSION**

RECORD OF VOTING CONFLICTS 2003

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

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

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

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