



# TOWN OF PALM BEACH

## PLANNING, ZONING AND BUILDING DEPARTMENT

### MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, MARCH 26, 2024

Please be advised that in keeping with a directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting once it has concluded may access the audio of that item via the Town's website at [www.townofpalmbeach.com](http://www.townofpalmbeach.com).

#### I. CALL TO ORDER

Chair Smith called the meeting to order at 9:00 a.m.

#### II. ROLL CALL

Jeffrey W. Smith, Chairman	PRESENT
Richard F. Sammons, Vice Chairman	PRESENT
Betsy Shiverick, Member	PRESENT
Kenn Karakul, Member	ABSENT (Excused)
Elizabeth Connaughton, Member	PRESENT
Katherine "KT" Catlin	PRESENT
Claudia Visconti, Member	PRESENT
Dan Floersheimer, Alternate Member	PRESENT (Left at 1:10 p.m.)
David Phoenix, Alternate Member	PRESENT

Staff Members present were:

Friederike Mittner, Design and Preservation Manager  
Sarah Pardue, Design & Preservation Planner  
Bradley Falco, Design & Preservation Planner  
Kelly Churney, Acting Town Clerk  
Town Attorney Joanne O'Connor

#### III. PLEDGE OF ALLEGIANCE

Chair Smith led the Pledge of Allegiance.

#### IV. ELECTION OF CHAIR

Mr. Sammons nominated Jeffrey Smith for Chair. Ms. Catlin seconded the nomination. There were no other nominations at this time.

**A motion was made by Ms. Shiverick and seconded by Ms. Catlin to accept Jeffrey Smith as Chair of the Architectural Commission. The motion was carried unanimously, 7-0.**

#### V. ELECTION OF VICE-CHAIR

Ms. Connaughton nominated Richard Sammons for Vice Chair. Mr. Smith seconded the nomination. There were no other nominations at this time.

**A motion was made by Ms. Catlin and seconded by Ms. Shiverick to accept Richard Sammons as Vice Chair of the Architectural Commission. The motion was carried unanimously, 7-0.**

VI. **APPROVAL OF MINUTES**

Minutes of the Architectural Review Commission Meeting of February 28, 2024

**A motion was made by Ms. Shiverick and seconded by Ms. Catlin to approve the minutes of the February 28, 2024, meeting as presented. The motion was carried unanimously, 7-0.**

VII. **APPROVAL OF THE AGENDA**

Ms. Pardue noted one modification to the agenda: the applicant's request to defer ARC-24-007, 222 Worth Avenue, to the meeting on April 24, 2024.

**A motion was made by Ms. Shiverick and seconded by Ms. Catlin to approve the agenda as amended. The motion was carried unanimously, 7-0.**

VIII. **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY**

Ms. Churney administered the oath and continued to do so throughout the meeting, as necessary.

IX. **COMMENTS FROM THE ARCHITECTURAL REVIEW COMMISSION MEMBERS**

Ms. Catlin requested that Clusia, in lieu of Ficus, be added to the approved materials for landscape material. Ms. Catlin explained that it was another step in the approval process that could save time and money for residents. Ms. Shiverick was not a fan of Clusia but wondered what other members thought. Mr. Sammons thought it would be fine if the native calculations were met. Ms. Visconti said currently, the town allowed for the removal of a Ficus hedge, replaced by a native material. She did not think the community was aware of the rule. She thought that if Clusia and Podocarpus were allowed, there were other non-native plants that should be included. She was supportive of adding more plants. Ms. Mittner stated that staff would coordinate with Public Works, and she referenced the plants that were approved as replacements for Ficus.

Ms. Pardue announced the new permitting system, called EPL, that would be online beginning next week.

X. **COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3 MINUTE LIMIT PLEASE)**

Mr. Grzebien, 300 S. Ocean Blvd., stated that at the last meeting, Mr. Corey mentioned the project at 300 S. Ocean Blvd., which was under Code Enforcement, and that it was possible that the Architectural Commission (ARCOM) may be looking at the project after the Planning and Zoning Commission. Ms. Mittner stated that the staff was aware of his concerns. She added that an application had been submitted, and staff would be reviewing the item.

XI. **PROJECT REVIEW**

A. **CONSENT AGENDA**

1. **ARC-22-027 (ZON-22-034) 127 EL BRAVO WAY – EXTENSION OF TIME**  
An application has been filed requesting an Architectural Commission

review and approval for a One (1) year Extension of Time for a previously issued Architectural Commission Approval for the construction of a new two-story residence. (THE ITEM WAS APPROVED AT THE FEBRUARY 23, 2022, ARCOM MEETING AND PREVIOUSLY RECEIVED A ONE-YEAR EXTENSION OF TIME AT THE MARCH 29, 2023, MEETING).

2. **ARC-23-051 310 POLMER PARK RD – EXTENSION OF TIME** The applicant, Jennifer O’Scannlain, has filed an application requesting an Extension of Time for a previously issued Architectural Commission approval for window, door, and garage door replacement to impact resistant, the redesign of a rear garden to include a new spa, paving, breakfast terrace, outdoor bar area, generator rotation, and new landscaping. (ORIGINALLY APPROVED AT THE APRIL 26, 2023, MEETING)
3. **ARC-24-014 340 SEAVIEW AVE** The applicant, the Town of Palm Beach, has filed an application requesting Architectural Commission approval for the installation of an operable aluminum trellis on an existing porch terrace.

*Clerk’s note: This item was pulled from consent and discussed immediately.*

4. **ARC-23-142 318 SEASPRAY AVE.** The applicants, Robert and Elizabeth Russell, have filed an application requesting Architectural Commission review and approval for the design of a new two-story single-family residence with sitewide landscape and hardscape improvements.

*Clerk’s note: This item was pulled from consent and discussed immediately.*

5. **ARC-24-024 223 ORANGE GROVE RD.** The applicant, Kameron Glasgow with Nievera Williams on behalf of the owner Reid Boren, has filed an application requesting Architectural Commission review and approval for a revision to a previously approved ARCOM project including window frame color, front door, balcony details, roof pitch, and landscape and hardscape modifications.

6. **ARC-24-025 143 REEF RD.** The applicant, Kameron Glasgow with Nievera Williams on behalf of the owner John Criddle, has filed an application requesting Architectural Commission review and approval for a revision to a previously approved ARCOM project for new site-wide landscape plant materials, hardscape materials, changes to the pool and outdoor shower configuration, and a new outdoor fireplace.

**A motion was made by Mr. Sammons and seconded by Ms. Catlin to approve the consent agenda, as amended, which did not include ARC-24-014, 340 Seaview Avenue, and ARC-23-142, 318 Seaspray Avenue in the approval. The motion was carried unanimously, 7-0.**

*Clerk’s note: The following consent item was pulled from consent and heard immediately.*

3. **ARC-24-014 340 SEAVIEW AVE** The applicant, the Town of Palm Beach, has filed an application requesting Architectural Commission approval for the installation of an operable aluminum trellis on an existing porch terrace.

Ms. Mittner provided staff comments on the project.

Ex-parte communications were disclosed by several members.

The architectural presentation was made by Nelo Freijomel with Spina O'Rourke Architects.

Ms. Connaughton asked Mr. Freijomel if he was able to lower the height of the trellis. Mr. Freijomel responded.

Ms. Shiverick asked if the material of the awning matched the other awning on the building. Mr. Freijomel responded. Ms. Shiverick acknowledged the addition of the Bougainvillea.

Mr. Sammons asked about the proposed rafter tails. Mr. Freijomel responded. Mr. Sammons provided an alternate suggestion for the rafter tails to allow the Bougainvillea to grow. A short discussion on the design ensued to allow the Bougainvillea to grow.

**A motion was made by Ms. Shiverick and seconded by Mr. Floersheimer to approve the project with the modifications to the rafter tails suggested by Mr. Sammons. The motion was carried unanimously, 7-0.**

4. **ARC-23-142 318 SEASPRAY AVE.** The applicants, Robert and Elizabeth Russell, have filed an application requesting Architectural Commission review and approval for the design of a new two-story single-family residence with sitewide landscape and hardscape improvements.

Ms. Mittner provided staff comments on the project.

Ex-parte communications were disclosed by Ms. Catlin.

Dinyar Wadia, Wadia Associates, asked if he should review all the architectural changes to the design.

Ms. Connaughton stated she pulled the item from consent to discuss the front entryway and the pergola. She stated she preferred the simplicity of the previous entry design.

Mr. Sammons thought the changes were good but still over-scaled. He recommended thinning the columns around the front entry and the stone on the front façade. Mr. Wadia responded and explained where his inspiration came from for the front entry design. Mr. Sammons thought the details of the surrounding stone needed further study.

**A motion was made by Mr. Sammons and seconded by Ms. Connaughton to approve the project as presented, with the direction to reduce the stone surrounding the front door and for the design to return to the staff for approval in coordination with the Chair. The motion was carried unanimously, 7-0.**

## **B. MAJOR PROJECTS - OLDBUSINESS**

1. **ARC-23-075 389 S LAKE DR.** The applicant, Cooperative Apartments of Three Eighty-Nine Corporation, has filed an application requesting Architectural Commission review and approval for the permanent removal of the decorative concrete brise soleil architectural feature of an existing six-story residential building, and other exterior building modifications including window opening enhancements and the addition of a new decorative metal grilles and associated improvements.

Ms. Mittner provided staff comments on the project.

Ex-parte communications were disclosed by several members.

The architectural presentation was made by David Miller with David Miller & Associates. Jamie Gavigan, the attorney for the applicants, discussed the approval from all the owners of the proposed plans.

Mr. Floersheimer thought the changes were going in the right direction. He expressed concern for the yellow bands and thought they looked inconsistent with the building. He wondered if the yellow paint could continue to the ground on wall type 3 to mimic wall type 2.

Ms. Catlin liked the openness with the removal of the screens. However, she missed the detail and look that the screen provided to the exterior. She wondered if some detail be added.

Ms. Connaughton wondered if the applicant had tried textured stucco. Mr. Miller responded and discussed the challenges with that suggestion. Mr. Miller stated he may be able to add some additional texture between the windows. Ms. Connaughton thought the brise soleil was better architecturally but understood the concerns of the residents.

Ms. Shiverick agreed that additional texture would respect the look of the brise soleil. She thought the panels were too plain, as proposed, and provided a suggestion for adornment.

Mr. Sammons recommended the addition of shallow flutes, which would add vertical detail and would not be expensive.

Mr. Phoenix agreed with Ms. Shiverick and Mr. Sammons.

Mr. Smith was bothered by the yellow panels and the lack of cohesiveness on those panels. He recommended the removal of the yellow paint. He thought if the building were all white, it might be more cohesive. He said perhaps too much texture had been lost. He suggested that it may be added back in by using a simple stamped block.

Mr. Smith called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, supported the brise soleil block in the Howard Chilton design. She suggested that the original brise soleil block design be added to the proposal as a nod to the original design.

Carey O'Donnell, 389 S. Lake Drive, President of the Apartment Building Board, stated they had worked hard to produce decorative, textured designs that would achieve something like what the Chilton Concrete Block brought to the building aesthetically. She said the design, as proposed, achieved verticality but thought it was missing some of the decorations. She noted that replacement of the brise soleil was always the intention. She said there was no way to preserve the brise soleil and was thankful that the ARCOM agreed on finding another way to achieve the decorative design.

Mr. Miller showed the Commission alternate designs of detail added to the building. He answered questions from the Commission on the alternate designs. The Commission discussed the alternate designs.

**A motion was made by Mr. Sammons and seconded by Ms. Catlin to defer the project to the meeting on April 24, 2024, to restudy the detailing. The motion was carried unanimously, 7-0.**

2. **ARC-23-166 1150 N OCEAN WAY** The applicant, 1150 N Ocean Way LLC (Michael Burns, Authorized Member), has filed an application requesting Architectural Commission review and approval for the design of a new two-story single-family residence with sitewide landscape and hardscape improvements.

Ms. Mittner provided staff comments on the project.

Ex-parte communications were disclosed by several members.

Clemens Schaub, with Clemens Bruns Schaub Architect & Associates, made the architectural presentation. Jeffrey Haviland, with The Associates Studio LLC, made the landscape and hardscape presentation.

Mr. Sammons thought the modifications improved the design. He felt that the proposed plantings made overlooking the neighbors a non-issue. He suggested raising the living room section.

Mr. Smith wondered if the professional liked the design better; he was in favor of the design. Mr. Schaub responded.

Ms. Connaughton agreed with Messrs. Smith and Sammons and thought the changes were a huge improvement. She understood the concerns of the neighbors with the balconettes, but she thought it was a charming element. She recommended introducing shade trees on the edges of the property.

Ms. Shiverick struggled with this design because she thought it was too large for the site and the neighborhood.

Mr. Floersheimer thought the change in the windows helped the design. He agreed with Ms. Shiverick and thought the design was too large for the neighborhood. He wondered if having one three-car garage combined with one entrance to the property would provide more green space for the family. He also wondered if the garages could be set under the second story to reduce the length of the home. Mr. Floersheimer asked about the elevation of the property versus

the height of the road compared to the courtyards. He asked if that could be done with landscaping instead of concrete walls. Mr. Schaub responded.

Ms. Catlin liked the home's design but struggled with the proposal because of the smaller homes in the neighborhood. She worried that the house was too large for the lot.

Ms. Connaughton noted that the applicants were held to a two-story lot coverage, and this was primarily a one-story house. She appreciated that the scale had been reduced and that the entire home was not entirely two stories. She also feared the home would feel too large on the lot; however, she was glad the two-story elements were reorientated to mitigate the large feel.

Mr. Smith called for public comment.

JB Murray, 200 La Puerta Way, indicated that the design had improved with the Commissioners' comments. He thought the design was less impeding on his property with the changes. He wondered if the applicant could center the second story on the wings to help with his privacy. He also requested the elimination of the Juliette balconies on the second floor that overlooked his home.

Mary Carlino, 210 La Puerta Way, appreciated the changes that had been made. However, she was still concerned about the small setbacks of the home from her property as well as the balconies that would overlook her home.

Michael Burns, the owner, discussed the intent and reason for the design of his home.

**Motion by Mr. Sammons to approve the project with the conditions to move the balcony out of the north setback by two feet or to shorten the width of the home from north to south by two feet so that the balcony is removed from the north setback and the addition of hinged blinds on the north side.**

Mr. Floersheimer asked if one of the driveways could be removed. A short discussion ensued. Ms. Connaughton asked for the motion to be amended with the addition of a shade tree.

**The motion was amended by Mr. Sammons and seconded by Ms. Connaughton to approve the project, with the conditions to move the balcony out of the north setback by two feet or to shorten the width of the home from north to south by two feet so that the balcony is removed from the north setback, the addition of hinged blinds on the north side, and the addition of one shade tree. The motion was carried 4-3, with Mses. Shiverick, Catlin, and Mr. Floersheimer dissenting.**

3. **ARC-24-007 (ZON-24-017) 222 WORTH AVE (COMBO)** The applicants, Louis Vuitton America, has filed an application requesting Architectural Commission review and approval for exterior façade alterations, including a new ground floor storefront system, awnings, and new signage. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

*Clerk's note: This item was deferred to April 24, 2024, at Item VII., Approval*

*of the Agenda.*

4. **ARC-24-015 (ZON-24-025) 153 AUSTRALIAN AVE (COMBO)** The applicant, Rabbi Zalman Levitin, has filed an application requesting Architectural Commission review and approval for construction of a new, two-story single-family residence with final hardscape, landscape, and swimming pool, with a variance required to forgo required garage parking. Town Council shall review the application as it pertains to zoning relief/approval.

Mr. Falco provided staff comments on the project.

Ex-parte communications were disclosed by several members.

Roger Janssen of Dailey Janssen Architects made the architectural presentation, and Todd MacLean of Todd MacLean Outdoors made the landscape and hardscape presentation.

Mr. Smith called for public comment. No one indicated a desire to speak.

Mr. Floersheimer asked about the finished floor height and confirmed that no fill would be brought in for the proposal. Mr. Janssen also confirmed that no fill would be added. Mr. Floersheimer asked about dormers as he did not believe they added to the architecture.

Mr. Sammons thought the home was still boxy. He suggested lowering the roof over bedroom 5 and restudying the proportions. He questioned the height of the home. He also suggested reducing the height and mass of the roof.

Ms. Catlin thought the home was simple and modest. She was not in favor of the dormers.

Ms. Shiverick liked the addition of the landscaping. She thought the home was simple. She was not in favor of the dormers.

Ms. Connaughton agreed with the other comments. She provided comments about the roof design as proposed.

**A motion was made by Mr. Floersheimer to approve the project with the condition to remove the proposed dormers.** After a discussion on the motion, Mr. Floersheimer withdrew his motion.

**A motion was made by Ms. Shiverick and seconded by Ms. Catlin to defer the project to the meeting on April 24, 2024, with the consideration of the comments from the Commissioners. The motion was carried unanimously, 7-0.**

*Clerk's note: The Commission took a short break at 11:00 a.m. and resumed at 11:10 a.m.*

5. **ARC-24-009 260 MIRAFLORES DR.** The applicant, KEAN Development of Palm Beach, Inc. (Giorgio Citarella, Agent), has filed an application requesting Architectural Commission review and approval for construction

of a new two-story single-family residence with final hardscape, landscape, swimming pool and spa.

Mr. Falco provided staff comments on the project.

Ex-parte communications were disclosed by Ms. Catlin and Mr. Floersheimer.

Dustin Mizell with Environment Design Group made the landscape and hardscape presentation. Patrick Collins, Kean Designs Ltd., made the architectural presentation. He was accompanied by Joseph Discente, the project architect.

Mr. Smith called for public comment. No one indicated a desire to speak.

Mr. Sammons asked if the height had been reduced, to which Mr. Discente stated it had not been reduced. Mr. Sammons was not in favor of the fake rafter tails and suggested using real rafter tails. He also asked about the flat section of the roof, which he believed was problematic. Mr. Sammons commented that the width of the home was too large. He thought the home was over-scaled compared to the garage doors. Mr. Collins responded.

Ms. Catlin thought that while the skin of the home had changed, the house still appeared too large.

Ms. Visconti asked for the addition of a hedge and the removal of the grass inserts from the driveway apron. She thought there was a lot of grass on the rear of the home. She asked about the removal of the mullions on the rear glass and the material for the front entry columns. Mr. Collins responded that the portico columns would be painted cypress.

Ms. Connaughton thought the changes were moving in the right direction. She thought the eave detail needed proper rafter tails. She thought the home appeared very large for the neighborhood, and she thought the roof was problematic. She expressed concern about the fenestration on the rear of the home and suggested a restudy. She also suggested removing the pediment from the rear of the home.

Mr. Floersheimer asked about the casement windows proposed. Mr. Discente responded. Mr. Floersheimer asked about the fenestration on the west elevation. Mr. Discente responded.

Mr. Smith questioned the overhang on the front entry; he thought it was too large.

**A motion was made by Ms. Catlin and seconded by Ms. Visconti to defer the project to the meeting on April 24, 2024, to address the comments from the Commissioners. The motion was carried unanimously, 7-0.**

6. **ARC-24-008 (ZON-24-047) 264 DUNBAR RD (COMBO)** The applicant, 264 Dunbar LLC (Lee Fensterstock, Manager), has filed an application requesting Architectural Commission review and approval for construction of a new two-story single-family residence with final hardscape, landscape, and swimming pool, with a variance to exceed to equipment screening wall

height. The Town Council shall review the application as it pertains to zoning relief/approval.

Mr. Falco provided staff comments on the project.

Ex-parte communications were disclosed by several members.

Michael Perry of MP Design & Architecture made the architectural presentation, and Chris Simon of Nievera Williams Design made the landscape and hardscape presentation.

Mr. Smith called for public comment. No one indicated a desire to speak.

Ms. Shiverick asked if the house had been moved to the east, to which Mr. Perry responded that the house had been moved back to the south, which was two and a half feet. He said there was a slight increase in lot coverage. She preferred the previous front entrance and thought it had more character.

Mr. Sammons thought the previous front entrance's detailing was the issue. He said the proportions on the front elevation seemed like they had not been studied. He recommended adding surrounds on the windows and downspouts. He asked if the string course could be plain without molding.

Ms. Connaughton agreed with Mr. Sammons. She felt that the middle bay should be wider than the side bays. She said the windows on the side bays did not line up with the plan. Ms. Connaughton did not think the broken pediment worked; She also questioned the parapet over the pedimented area. She asked the staff about the curb cut. Mr. Falco responded that Public Works was maintaining their stance.

Mr. Floersheimer asked to see an interior rendering of the courtyard. He thought the balconies needed simplification. Mr. Perry agreed that when the string course changed, it would also simplify the details on the balconies.

Ms. Connaughton wondered if there was enough landscape open space to do all the paving in the first courtyard with potted plants. She also questioned whether there was enough light in that area for grass. Mr. Simon said it would be challenging, but they would make it work.

Ms. Visconti recommended a shade-tolerant ground covering rather than grass for the courtyard area as she felt the grass would need to be replaced every year.

**A motion was made by Ms. Catlin and seconded by Ms. Visconti to defer the project to the meeting on April 24, 2024, with the consideration of the Commissioner's comments. The motion was carried unanimously, 7-0.**

### C. MAJOR PROJECTS - NEW BUSINESS

1. ARC-24-040 (ZON-24-046) 227 ANGLER AVE (COMBO) The applicant, Byron, and Mary Thomas, has filed an application requesting Architectural Commission review and approval for construction of a new pergola structure and outdoor fireplace with two variances 1) exceeding allowable

lot coverage a 2) exceeding allowable cubic content ratio. The Town Council shall review the application as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments on the project.

Ex-parte communications were disclosed by several members.

Maura Ziska, the attorney for the owner, explained the reason for the project, explained the variances and advocated for a positive recommendation to the Town Council. The architectural presentation was made by Tom Kirchhoff with Thomas Kirchhoff Architects.

Mr. Sammons wondered if the roof could be simplified to remove some of the potential water issues. Mr. Kirchhoff responded.

Mr. Floersheimer wondered if the outlookers were removed and some gutters added along with some downspouts if that would fix the issue. Mr. Kirchhoff responded. He asked if the artificial turf could be replaced with real grass. Mr. Kirchhoff said that it was a loggia space.

Ms. Connaughton thought the project was problematic and felt the existing structure was very charming. She wondered if a roof could be added to it. Mr. Kirchhoff discussed why a roof could not be put on the existing structure.

Ms. Catlin discussed her perception of how the town's zoning rules allowed loggias to be constructed but did not count toward the calculations. She did not feel the property owner should be penalized for trying to work within a potentially failing process. Mr. Kirchhoff discussed previous pergolas that he had designed with canvas awnings. However, he did not feel a canvas awning would work in this area.

Mr. Sammons asked the staff if awnings, fixed with legs, counted as square footage. Ms. Pardue responded. Mr. Sammons did not believe adding a roof to the existing structure was impossible. Mr. Kirchhoff stated he could use a metal roof.

Ms. Connaughton thought the existing pergola felt lighter.

Ms. Shiverick wondered if the goal was to make the room watertight. Mr. Kirchhoff responded.

Ms. Catlin wondered if gutter systems could be added to the existing structure with a metal roof. Mr. Kirchhoff discussed the changes that would need to take place with a metal roof.

Mr. Smith wondered if the roof's shape and the pergola's lightness could be retained in a new design.

Mr. Floersheimer felt the owner was creating a room rather than a pergola.

Byron Thomas, the owner, discussed the water issues with the existing pergola. Mr. Kirchhoff further discussed the remediation that the contractor had tried before he was hired.

**A motion was made by Ms. Visconti and seconded by Ms. Connaughton to defer the project to the meeting on April 24, 2024, to consider the comments from the Commissioners. The motion was carried unanimously, 7-0.**

2. **ARC-24-038 (ZON-24-045) 207 PENDLETON AVE (COMBO)** The applicant, Maura Ziska (Attorney) in conjunction with Thomas M. Kirchhoff (Architect), has filed an application requesting Architectural Commission review and approval for the demolition of the existing front entry porch and removal of the front door to be replaced with the construction of a new front entry porch and installation of a new front door, replacement of all fixed shutters with new operable shutters, and removal of the existing driveway and installation of a new paver driveway with grass joints. The Town Council shall review the application as it pertains to zoning relief/approval.

Ms. Mittner provided staff comments on the project.

Ex-parte communications were disclosed by several members.

The architectural presentation was made by Tom Kirchhoff with Thomas Kirchhoff Architects.

Mr. Smith called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, brought historic drawings of the front design. As a Volk property, the Foundation was the steward of Volk's extensive architectural collection of more than 26,000 drawings. Due to the change being made to the front façade, a drawing of what the property looked like originally was provided.

Ms. Shiverick wondered if a larger entrance could be achieved while retaining the lacy iron arches. She suggested removing the 9-inch chamfered columns and replacing them with iron arches. Mr. Kirchhoff stated he could use the iron arches.

Mr. Floersheimer was concerned about the scale of the front door as proposed. He noted there was currently a hurricane-proof door. He did not understand the hardship causing the request for an additional 23 square feet for the portico. Mr. Kirchhoff discussed the need for the request.

Ms. Connaughton thought the newly designed portico was out of scale with the historic home. She wondered if the paneling on the front door was appropriate for the home's architectural style.

Ms. Visconti thought Ms. Shiverick's compromise was a good one. She understood the concern of the homeowner.

Ms. Catlin agreed with Mses. Visconti and Shiverick's comments.

Ms. Sammons thought the ironwork was integral to the Regency aspect of the design. He thought the eave detail mimicked the main home, and he thought the design could be improved.

Mr. Phoenix agreed with the comments. He did not mind the size, and he appreciated the original photographs.

Ms. Shiverick asked about the location of the proposed lanterns. Mr. Kirchhoff responded.

**A motion was made by Mr. Sammons and seconded by Ms. Connaughton to defer the project to the meeting on April 24, 2024, to consider the comments from the Commissioners. The motion was carried unanimously, 7-0.**

3. **ARC-24-031 (ZON-24-044) 1181 N LAKE WAY (COMBO)** The applicant, Sage Andrew G C III Trust (Gregg Sage, Trustee), has filed an application requesting Architectural Commission review and approval for the construction of a new, two-story single-family residence with final hardscape, landscape, and swimming pool on an existing nonconforming parcel. The Town Council shall review the application as it pertains to zoning relief/approval.

Mr. Falco provided staff comments on the project.

Ex-parte communications were disclosed by several members.

Architect Graham Goldsmith provided an overview of the project. Adam Davis with J. Graham Goldsmith Architects made the architectural presentation. Richard Rutledge with Innocenti & Webel made the landscape and hardscape presentation.

Ms. Shiverick agreed that the existing home needed work. However, she loved the mature, existing landscaping. She also thought the existing Banyan tree was fabulous. She thought the front door needed to be less formal. She did not feel that the pediment over the front door belonged. The fascia board over the two dormered windows in the front seemed too thick. Ms. Shiverick thought the railings would look nicer if they were wood. She thought the window trim in dark green should change to a white color to brighten the design. She liked the rear elevation but suggested reducing the depth of the bedroom terrace balconies.

Ms. Visconti noted the design was heavy, with stone in the rear yard. She said there were softer ways to work on the “H” shape. She suggested working on the rear terrace in a “T” shape with some scalloped edges to soften it. She suggested terminating the terraces, making them one space with some stepping stones before transitioning to the utilitarian path on the side of the house. She thought there needed to be more than just two palms. Ms. Visconti asked if any details were available on the spa. She thought it should be flush because if raised, it could create a barrier.

Ms. Connaughton could not support the removal of the Banyan tree. She asked about relocating the tree, but Mr. Rutledge discussed the footprint of the root

structure and added the lot was not large enough to create functional parking spaces. He also touched on the required site triangles. She asked about relocating to the rear, and Mr. Rutledge thought it would overtake the entire backyard since the lot was small. He noted that the lot was nonconforming. Ms. Connaughton noted that she agreed with Ms. Shiverick's comments. She thought the front-loading garages were unfortunate.

Mr. Smith thought the removal of the Banyan tree would change the neighborhood. He thought the site needed to be redesigned to preserve the tree. He thought seeing the garage doors would be insignificant to the loss of the tree.

Ms. Catlin agreed with the other comments on the Banyan tree. She thought the house was a handsome style. However, she thought more details should be changed to wood material.

Mr. Floersheimer questioned two large decks on the front of the home and suggested changing the roof style over those elements. He questioned some of the uses of the square footage and wondered if the home was too squeezed in on the lot compared to the neighboring homes.

Mr. Phoenix suggested a design that would allow the Banyan tree to be preserved. He noted that on the existing survey, the curb cut could be reworked, and the workshop space could be used as a garage. He concurred with Ms. Shiverick's comments. Mr. Phoenix questioned the gate before the front door; he did not understand its purpose. He also thought the doors were too contemporary. He questioned the shape of the doors facing the lake and the style of railings.

Mr. Sammons complimented the floor-to-floor height. However, he commented on some of the details, especially the fascia. He thought the front elements would need to be compressed. He recommended changing the dormer roofs to a shed roof style. Mr. Sammons questioned the quality of Anderson windows. He agreed that the Banyan tree should remain.

Mr. Smith called for public comment. No one indicated a desire to speak.

**A motion was made by Mr. Sammons and was seconded by Mr. Floersheimer to defer the project to the meeting on April 24, 2024, to consider the comments from the Commissioners. The motion was carried unanimously, 7-0.**

*Clerk's note: The Commission took a lunch break at 1:10 p.m. and resumed at 2:13 p.m. Mr. Floersheimer did not return to the meeting.*

4. **ARC-24-037 146 AUSTRALIAN AVE.** The applicant, Elizabeth J Hubbell Rev Trust, has filed an application requesting Architectural Commission review and approval for exterior modifications to an existing residence, hardscape, and pool improvements with the installation of a generator.

Ms. Mittner provided staff comments on the project.

Ex-parte communications were disclosed by several members.

M. Mark Marsh with Bridges Marsh & Associates made the architectural presentation. The landscape and hardscape presentation was made by Dustin Mizell with Environment Design Group Design.

Mr. Smith called for public comment. No one indicated a desire to speak.

Mr. Sammons thought most of the proposal was nice, although he liked the previous Spanish style. He suggested returning to a tiled roof and changing the front window. He wondered if more of the original character could be retained. He suggested using an elliptical arch like the porte cochere on the rear elevation.

Ms. Connaughton agreed with Mr. Sammons's comments. She thought the direction was nice but wondered if some details were too refined. She agreed with keeping the parapets on the front of the home. She also thought that removing the columns and refining the cornice around the front pieces would help the architecture and make the home more cohesive.

Mr. Phoenix wondered if the east and west elevations lacked detail. He questioned the proposed colors and noted that there was not a lot of landscaping between the houses.

Mr. Visconti questioned the Alexander palms in the front; she recommended native palms and suggested Thatched palms.

Ms. Shiverick wondered if the change was too abrupt; she recommended moving back toward the Spanish style. She asked about the accessory structure in the rear, and Mr. Marsh said it would be treated similarly. Ms. Shiverick asked about the stairs, and she mentioned that the stucco was a bit rough. Mr. Marsh responded.

Ms. Catlin thought the existing house was fun and whimsical. She thought the new design was too busy and needed some simplification.

Mr. Marsh spoke about the existing home and the owners' direction for the home.

**A motion was made by Mr. Sammons and was seconded by Ms. Connaughton to defer the project to the meeting on April 24, 2024, to consider the comments from the Commissioners. The motion was carried unanimously, 7-0.**

#### **D. MINOR PROJECTS - OLD BUSINESS**

1. **ARC-24-012 212 WORTH AVE.** The applicant, Mauro Brothers on behalf of 212 Worth Avenue LLC, has filed an application requesting Architectural Commission review and approval for a minor project for the replacement of existing storefronts and windows with an aluminum product.

Ms. Mittner provided staff comments on the project.

Ex-parte communications were disclosed by Ms. Catlin.

The architectural presentation was made by Tony Mauro with Mauro Brothers and Tony Morales with Plus Design.

Ms. Shiverick asked if the windows had been ordered. Mr. Mauro confirmed that the windows had been ordered. She asked if the windows on order could be clad in wood, including muntins, in wood. Mr. Morales confirmed that it could be added.

Ms. Connaughton thought the windows should be replaced in kind and should be painted mahogany windows, especially since the replacement was on Worth Avenue.

Mr. Mauro advocated for the proposed windows and discussed their conversations with staff before appearing in front of the Commission. Ms. Pardue clarified the process that the project had followed with the staff.

Mr. Phoenix clarified which windows would be replaced. He asked if the doors would be replaced, and Mr. Mauro said yes, with aluminum doors.

Ms. Catlin thought that the proposed windows clad in wood would be acceptable.

Ms. Visconti asked if the Commission could see a sample of the proposed windows. Mr. Mauro said that he could return with a sample. Ms. Shiverick thought the windows looked too thick.

Mr. Sammons thought the windows could be repaired. Mr. Mauro responded.

**A motion was made by Ms. Shiverick and seconded by Ms. Catlin to approve the project on the condition that the five front-facing windows be restored/repared, and the remaining windows could be replaced with an aluminum window. The motion was carried unanimously, 7-0.**

2. **ARC-24-006 249 SEABREEZE AVE.** The applicant, Joseph & Elizabeth Berger, has filed an application requesting Architectural Commission review and approval for new vehicular and pedestrian gates and modifications to previously approved landscape and hardscape, including driveway reductions and change in perimeter site walls as well as modifications to the previously approved design of the front door and balcony railings.

Ms. Pardue provided staff comments on the project.

Ex-parte communications were disclosed by several members.

Attorney Jamie Crowley, the owner's attorney, responded to the neighbors' issues. Dustin Mizell with Environment Design Group made the landscape and hardscape presentation. Chad Gruber, Gruber Consulting Engineers, discussed the drainage proposed for the site. Joe Berger, the owner, discussed his desire to have a wall in the backyard.

Mr. Smith called for public comment. No one indicated a desire to speak.

Emily Clifford, 301 Seabreeze Avenue, rebutted comments made during the presentation. She stated that the 7-foot site wall had yet to be constructed. She urged the Commission to refer the full case to Code Enforcement for noncompletion of work outlined on an approved plan. She stated that 29 months had been sufficient time to ask for revisions.

Mr. Crowley stated that Code Enforcement had been reviewing all the changes. He said the applicant had been working diligently on the drainage. The application for ARCOM was a three-month process for the permit to be submitted to correct the drainage. In the meantime, a temporary drainage solution was installed.

Ms. Catlin asked if the drainage curb could be raised higher. Mr. Gruber stated that a higher curb was not necessary for drainage. Ms. Catlin did not ask for it in terms of drainage. Mr. Crowley stated it could be raised but was not sure from a construction perspective. He said he would investigate it, and he felt that the applicant was compromising by moving the fence back onto their property and giving up some of their yard by installing the requested landscaping hedge.

Ms. Visconti thought constructability would be the question. She said regardless of the size of the wall, it became invasive to create a footer for a large wall. She said the privacy of the wall was another issue. She thought the neighbors were trying to accommodate privacy with the Calophyllum hedge, which was very dense and created a level of privacy. Ms. Visconti asked for the Ficus to be removed. She said the Calophyllum should be continued to the front, and anything planted on that property line should be continued to benefit the Cliffords.

Ms. Shiverick asked about the driveway gate. Mr. Crowley stated that the Commission denied the gate at the last meeting. Ms. Shiverick stated the neighbors wanted a seven-foot hedge and drainage in the alley. Mr. Crowley said the applicant was not required to have a wall, and they were meeting the code requirements for drainage.

When the home was approved, Mr. Smith asked Ms. Pardue if it was approved with the wall. Ms. Pardue said an approved landscape set with the seven-foot masonry wall was part of the current open permit on the property. She said the only way to close that permit would be for the applicant to submit a revision omitting the wall. She said there were approved plans with the town that included the wall. Mr. Crowley said it was staff approval after the construction of the house.

Mr. Smith wanted to know if the original permit for the house included the wall, and Ms. Pardue affirmed. Mr. Smith asked about neighbor consent when changes were made to plans. Ms. Pardue said the current regulations showed that any staff-level application that affected parameters and adjacent neighbors had to receive neighbor consent to proceed. Otherwise, it was automatically pushed to ARCOM. Mr. Smith said that where the curb was shown, there would not be any difference between the curb and a wall. None of the parties were currently happy, and Mr. Smith did not think the solution was merely a fence. He thought it was a huge mistake by the applicant to place the fence 3 feet in because that created a false property line. He thought the wall should be installed. Mr. Smith

stated that the neighbors had relied on the original plan. Mr. Crowley held firm that the wall was not required by code, and it would be problematic to build the wall due to the location of the guest house. The house was nonconforming; it was old and very close to where holes would be dug. He said there was no guarantee that the neighbor would agree to what was needed to construct the wall.

Mr. Berger stated that digging a deep 5' x 5' footer next to the two-story guest house would put the foundation at risk. He said the changes between what was submitted to ARCOM and what had been installed have been minimal.

Ms. Visconti asked where the seven-foot wall approval came from. Mr. Berger said they wanted a wall, but it could not be feasibly constructed. He said the interior of the house was renovated. Ms. Pardue clarified the 2021 application for exterior changes and hardscape modifications. She explained that the Code Enforcement case did not pertain to the hedge or the wall.

Mr. Smith said that if the property owner wanted to construct a wall, a symmetrical footing could be used, which equated to sixteen inches. He said the edge of the footer would be on the property line, and the wall would be inward of the property line approximately four inches. He said it would just need to be filled and reinforced at the bottom. Mr. Berger said an offer had been made to the Cliffords to share the cost of a wall. He said that could still be considered.

**A motion was made by Mr. Sammons and seconded by Mr. Smith to approve the project as presented, including the extension of the Calophyllum and the drainage curb on the property. The motion failed by a vote of 4-3, with Mses. Shiverick, Connaughton, Catlin, and Mr. Phoenix dissenting.**

**A motion was made by Ms. Catlin and seconded by Ms. Shiverick to approve the project, with the condition of a 7-foot wall with a normal footer, not an offset footer, and the footing to be completely within the property owner's property line.**

Mr. Crowley asked if the project could be deferred to allow a discussion about the drainage plan.

**Ms. Catlin withdrew her motion.**

*Clerk's note: The Commission took a short break at 3:50 p.m. to allow the engineers to speak about the drainage issues. The meeting resumed at 3:51 p.m.*

**A motion was made by Ms. Catlin and seconded by Mr. Phoenix to defer the project to the meeting on April 24, 2024, with the consideration of the comments from the Commissioners. The motion was carried unanimously, 7-0.**

#### **E. MINOR PROJECTS-NEWBUSINESS**

1. **ARC-24-032 200 EL VEDADO RD.** The applicant, Bartholemew + Partners (Kyle Bartholemew Fant, Architect), has filed an application requesting Architectural Commission review and approval for the construction

of an addition, new driveway material, new covered grill area, new site wall & gate, garage doors and site wall modifications. *(This project has been deferred to April 24, 2024, Architectural Review Commission.)*

***Clerk's note: This item was deferred to April 24, 2024, at Item VII., Approval of the Agenda.***

XII. **Unscheduled Items**

A. **Public**

No comments were heard at this time.

B. **Staff**

No comments were heard at this time.

C. **Commission**

Ms. Catlin thought a notice needed to be sent to inform residents that they needed to check whether a permit was required for replacement items, such as hedges. There was a brief discussion about disseminating information about permit requirements notice to town residents.

XIII. **NEXT MEETING DATE:** Wednesday, April 24, 2024

XIV. **ADJOURNMENT**

**A motion was made by Ms. Catlin and seconded by Mr. Sammons to adjourn the meeting at 3:59 p.m. The motion was carried unanimously, 7-0.**

The next meeting will be held on Wednesday, April 24, 2024, at 9:00 a.m. in the Town Council Chambers, 2<sup>nd</sup> floor, Town Hall, 360 S. County Road.

Respectfully Submitted,

Jeffrey W. Smith, Chairman  
ARCHITECTURAL COMMISSION

kmc