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HAROLD S. MAASS (1923-2006)  
DOYLE ROGERS (1928-2016)  
ALAN LINDSAY (1928-2024)  
KAREN S. MARX (1964-1994)



October 3, 2024

Kelly Churney  
Acting Town Clerk  
Town of Palm Beach  
360 South County Road  
P.O. Box 2029  
Palm Beach, FL 33480

Re: Appeal of ARCOM Denial  
ARC-24-0032 and ZON-24-0028  
272 Via Marila

Dear Kelly:

This firm represents Melissa Wight, the owner of 272 Via Marila.

At the September 25, 2024 Architectural Commission ("ARCOM") meeting, ARCOM denied the above-referenced application by a 4-3 vote.

The owner and her landscape architect Dustin Mizell were very willing to address any and all architectural concerns and objections expressed by ARCOM members during the three presentations, but it appears that certain ARCOM members were and are simply predisposed or biased against gates and voted to deny the project despite the efforts of the owner to comply with any and all architectural concerns.

As you know, the Town zoning code permits the installation of gates in the residential districts (TOPB Zoning Code Section 34-1668).

The owner of 272 Via Marila is a documented long-term victim of a stalker. The stalker has even followed the owner from California to Palm Beach, so there is a clear and present danger (and hardship) and an urgent need to maximize security at 272 Via Marila. Every additional different feature is significant and necessary.

Over the course of the three ARCOM presentations, the owner and Mr. Mizell offered several revisions to address architectural concerns of individual ARCOM members. In fact, they

now propose to reduce the existing driveway opening from twenty feet to twelve feet in an effort to improve the aesthetics of the driveway entry and to minimize any impact of the proposed gate. This 40% reduction in size improves the aesthetics on the street.

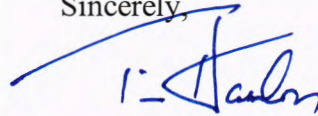
As you know, there are numerous other examples of gates in the Town, so a denial raises a significant concern when (1) numerous other gates exist in Town, (2) the Town zoning code permits the requested gate, (3) a clear and present danger/hardship exists with respect to the owner's health and well-being and the proposed gate unequivocally adds another layer of protection, (4) no neighbor objections exist, and (5) the owner has addressed all requested architectural comments/objections to the proposed plan including a 40% reduction in the driveway opening.

We hereby request that you review the ARCOM proceedings and reverse the decision by ARCOM. We respectfully request that you approve the application as presented in September and allow the owner to quickly install the gates to enhance her home security to assist her in protecting the owner from the documented intrusions into her peace and security.

We reserve the right to further supplement our requests prior to the hearing at which this appeal shall be heard.

Our firm check in the amount of \$2,000.00 is enclosed for the filing fee. If you have any questions or need additional information from me, please let me know.

Sincerely,



M. Timothy Hanlon