



# **TOWN OF PALM BEACH**

## **PLANNING, ZONING AND BUILDING DEPARTMENT**

### **MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, JANUARY 27, 2021**

Please be advised that in keeping with a recent 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, after the fact, may access the audio of that item via the Town's website at [www.townofpalmbeach.com](http://www.townofpalmbeach.com).

#### **I. CALL TO ORDER**

Mr. Small called the meeting to order at 8:59 a.m. All members participated via Zoom Webinar due to the COVID-19 situation.

#### **II. ROLL CALL**

Michael B. Small, Chairman	PRESENT
Robert N. Garrison, Vice Chairman	PRESENT
Alexander C. Ives, Member	PRESENT (arrived at (9:03 a.m.))
Maisie Grace, Member	PRESENT
John David Corey, Member	PRESENT
Betsy Shiverick, Member	PRESENT
Jeffrey Smith, Interim Member	PRESENT
Katherine Catlin, Alternate Member	PRESENT
Dan Floersheimer, Alternate Member	PRESENT
Edward A. Cooney, Alternate Member	PRESENT

Staff Members present were:

Wayne Bergman, Director of Planning, Zoning and Building  
James G. Murphy, Assistant Director of Planning, Zoning and Building  
Paul Castro, Zoning Manager  
Laura Groves van Onna, Historic Preservation Planner  
Kelly Churney, Secretary to the Architectural Review Commission  
John Randolph, Town Attorney

#### **III. PLEDGE OF ALLEGIANCE**

Chairman Small led the Pledge of Allegiance.

#### **IV. RULES OF ORDER AND PROCEDURE**

Mr. Small thanked the Town Council for allowing the Commission to meet virtually. He added that the meeting in February would be a virtual meeting.

Mr. Small welcomed James Murphy, the new Assistant Director of Planning, Zoning and Building.

Mr. Small offered support to Ted Cooney, who is running for a seat on the Town Council.

Mr. Small pointed out that the Town's new Recreation Center had been recognized for its excellence in architecture and design, receiving the Addison Mizner award by the Institute of Classical Architecture, Florida Chapter. He thanked his fellow Commissioners in their effort in contributing to the excellence of architecture and design.

Mr. Small reviewed the administrative procedures for the meeting.

Mr. Small stated that the topic of demolition would be on the February 10, 2021 Town Council agenda.

- V. **APPROVAL OF THE MINUTES FROM THE DECEMBER 18, 2020 MEETING**  
**Motion made by Mr. Garrison and seconded by Mr. Corey to approve the minutes from the December 18, 2020 meeting. Motion carried unanimously.**

VI. **APPROVAL OF THE AGENDA**

Mr. Small announced the following changes to the agenda:

*Deferral of B-069-2020, 301 Indian Road to the February 24, 2021 meeting*

*Deferral of A-048-2020, 230 Atlantic Avenue to the February 24, 2021 meeting*

*Deferral of A-005-2021, 221, 223, 225, 227, 229 Royal Poinciana Blvd. and 216 Sunset Avenue to the February 24, 2021 meeting*

**Motion made by Mr. Ives and seconded by Ms. Shiverick to approve the agenda as amended. Motion carried unanimously.**

Mr. Small asked to discuss the deferral of B-076-2020, 60/70 Blossom Way.

Mr. Bergman indicated the reason staff was requesting the deferral of B-076-2020, 60/70 Blossom way was due to an incomplete replat application and provided all of the details.

Ms. Ziska provided a rebuttal argument in favor of presenting the project. She requested a motion with a conditional approval, subject to receiving an approval for the replat.

Mr. Small called for public comment. There were no comments heard at this time.

Mr. Castro commented the issue at hand was very different from a unity of title agreement, which was argued by Ms. Ziska.

Each of the Commissioners had an opportunity to weigh in on whether to defer the project or to allow the presentation.

**Motion made by Mr. Ives and seconded by Ms. Shiverick to hear the presentation at the meeting.**

Mr. Corey inquired why the item was not heard at the January 2021 Town Council meeting. Mr. Bergman responded.

**Motion failed 2-5, with Messrs. Garrison, Corey, Smith, Small and Ms. Grace opposed.**

**Motion made by Mr. Corey and seconded Ms. Grace to defer the project B-076-2020, 60/70 Blossom Way, to the February 24, 2021 meeting. Motion carried 5-2, with Ms. Shiverick and Mr. Ives opposed.**

## VII. PROJECT REVIEW

### A. CONSENT AGENDA OF MINOR PROJECTS

#### 1. A-006-2021 Modifications

Address: 661 N. Lake Way

Applicant: Mr. and Mrs. Edwin Conway

Professional: Caroline Forrest/MHK Architecture and Planning

Project Description: Modifications to portions of front elevation. Removal of open arcade to reveal original Regency details. Replacement of existing windows and doors with new to match existing. Changes to select front windows and doors to match original façade. New generator.

#### 2. A-007-2021 Modifications

Address: 216 Angler Ave.

Applicant: Alexander and Amanda Coleman

Professional: Clemens Bruns Schaub

Project Description: The proposed project illustrates minor changes to ARCOM Application B-010-2019. The changes mainly include modifications to hardscape and landscape. Modifications were made to the design such that equipment pads were revised per the equipment needs of the project; the plunge pool was moved north from its location outside the master shower door; the spa was removed from the courtyard; and hardscape and landscape were both removed and added to the project while retaining the required landscape open space. Pedestrian gates have been added in concealed locations within the landscape, and a grass bocce ball court was designed for the north yard. See the following sheet-by-sheet narrative for specifics on all minor changes to the project since the previous original ARCOM Submission on 03/27/2019 and the Staff Approval Submission on 11/05/2019.

**\*This item was pulled from the consent agenda and is not included in the approval of the consent agenda.\***

3. A-011-2021 Modifications  
Address: 253 El Pueblo Way  
Applicant: 253 El Pueblo Way LLC (Peter Wittich)  
Professional: Fairfax and Sammons  
Project Description: Replacement of windows and doors in kind. Pergola in place of existing awning. 77 sq. ft. addition to the back of the house and corresponding deck extension. Paver replacement with Chicago brick.
4. A-001-2021 Modifications  
Address: 95 Middle Road  
Applicant: Adrian Tauro  
Professional: Jose Luis Gonzalez Perotti/Portuondo-Perotti Architects  
Project Description: Request approval of change in roof tile material from previously approved flat concrete tile to proposed flat slate tile; same color as previously approved. Request shutter color change to match house.
5. A-004-2021 Modifications  
Address: 135 Wells Rd.  
Applicant: Peal Trust (Allison Menkes TR)  
Professional: Fernando Wong Outdoor Living Design  
Project Description: Changes to previously approved landscape and pool.

**Motion made by Mr. Garrison and seconded by Ms. Grace to approve the consent agenda as amended, with the removal of A-007-2021, 216 Angler Avenue. Motion carried unanimously.**

**B. ITEMS PULLED FROM CONSENT AGENDA**

1. A-007-2021 Modifications  
Address: 216 Angler Ave.  
Applicant: Alexander and Amanda Coleman  
Professional: Clemens Bruns Schaub  
Project Description: The proposed project illustrates minor changes to ARCOM Application B-010-2019. The changes mainly include modifications to hardscape and landscape. Modifications were made to the design such that equipment pads were revised per the equipment needs of the project; the plunge pool was moved north from its location outside the master shower door; the spa was removed from the courtyard; and hardscape and landscape were both removed and added to the project while retaining the required landscape open space. Pedestrian gates have been added in concealed locations within the landscape, and a grass bocce ball court was designed for the north yard. See the following sheet-by-sheet narrative for specifics on all minor changes to the project since the previous original ARCOM Submission on 03/27/2019 and the Staff Approval Submission on 11/05/2019.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Schaub presented the architectural modifications proposed for the new residence.

Ms. Shiverick inquired about the corrugated sheet pile retaining wall, questioned the materials and look of the item. Mr. Schaub responded. Ms. Shiverick inquired how the wall would be screened. Neil Sickterman responded and discussed the materials to be used to screen the wall. Ms. Shiverick respectfully requested that the plant material completely screened the retaining wall.

Mr. Small called for public comment. There were no comments heard at this time.

Mr. Small called for staff comment. Mr. Bergman provided staff comments.

Ms. Grace inquired if the applicant had considered complying with the native plant requirements that were now in place. Mr. Sickterman responded.

**Motion made by Mr. Garrison and seconded by Ms. Shiverick that the project at 216 Angler Avenue has met the criteria for approval listed in Sec. 18-205 of the Town's Code of Ordinances and to approve the project as presented. Motion carried unanimously.**

**C. DEMOLITIONS AND TIME EXTENSIONS**

**1. B-074-2020 Demolition**

Address: 70 Blossom Way

Applicant: CPPB Holdings, LLC (Maura Ziska)

Professional: Daniel Kahan/Smith and Moore Architects, Inc.

Project Description: Demolition of existing residence, hardscape and pool.

Associated landscape demolition to be presented.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Kahan agreed to the easement.

Mr. Kahan presented the architectural plans proposed for the demolition of the existing residence.

Mr. Small called for public comment. There were no comments heard at this time.

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Corey inquired if some of the material could be saved. Mr. Kahan responded. Mr. Floersheimer stated that he had spoken to the chief of staff on the property, who discussed with him the material to be salvaged.

**Motion made by Mr. Garrison and seconded by Mr. Smith that the proposed demolition at 70 Blossom Way has met the conditions listed in Sec. 18-206 of the Town's code of ordinances and to approve the project as presented. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.**

2. B-075-2020 Demolition

Address: 10 Blossom Way

Applicant: Blossom Way Holdings, LLC (Maura Ziska)

Professional: Daniel Kahan/Smith and Moore Architects, Inc.

Project Description: Demolition of existing residence, hardscape and pool.

Associated landscape demolition to be presented.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Kahan agreed to the easement.

Mr. Kahan presented the architectural plans proposed for the demolition of the existing residence.

Mr. Small called for public comment. There were no comments heard at this time.

Mr. Small called for staff comment. Ms. Van Onna stated she had no comments on the item.

Mr. Corey was glad to see many of that many of the trees would be saved and reused in the new plan. Mr. Floersheimer agreed.

**Motion made by Mr. Garrison and seconded by Mr. Smith that the proposed demolition at 10 Blossom Way has met the conditions listed in Sec. 18-206 of the Town's code of ordinances and to approve the project as presented. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.**

**D. MAJOR PROJECTS – OLD BUSINESS**

1. B-063-2020 Modifications

**\*ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL  
EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)\* - DONE  
10/28**

Address: 160 Royal Palm Way

Applicant: LR Palm House LLC (Maura Ziska)

Professional: Michael Sean McLendon/Cooper Carry

Project Description: The existing Palm House hotel is located at 160 Royal Palm Way. It is currently vacant and construction is partially completed. The structure is three stories with a partially enclosed basement containing parking and back-of-house functions. The proposed new work for the hotel includes completion and conversion of guest rooms for a total of 79 keys. A new pool deck will be constructed adjacent to the existing Function Room. Other exterior improvements will include re-painting, new exterior floor finishes, trellises and a covered walkway leading to the existing Function Room. Fenestration requiring replacement will be replaced with similar windows and doors.

A motion carried at the September meeting to defer the project to the October 28, 2020 meeting in accordance with the comments of the Commissioners, which included concern for the gazebo-typed dome structure in the courtyard, the structure for existing the lobby on the interior south elevation, the curtains on the front of the structure, the crowding of elements in the courtyard, the trash location needed resolution, and improvements needed in the porte cochère element. A motion carried at the October meeting that implementation of the proposed variances will not cause negative architectural impact to the subject property. A second meeting carried to approve the project as presented with the caveat that the landscape, service gate and paint colors would return to the November 20, 2020 meeting in accordance with the comments from the Commissioners. A motion carried at the November meeting to defer the project to the December 18, 2020 meeting at the request of the attorney. A motion carried at the December meeting to approve the project as presented with the condition that the service gate is reduced from 7 feet to 6 feet in height, the doors in the banquet kitchen are changed from two doors to a single door and the colors for the doors, windows and railings will return to the Commission at the January 27, 2021 meeting.

Call for disclosure of ex parte communication: Disclosure by several members.  
*Please note: Ms. Catlin left the meeting at 9:53 a.m.*

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Ms. Ziska agreed to the easement.

Maura Ziska, attorney for the applicant, provided an overview of what the applicant would be presenting.

Mr. McLendon presented a handful of items on the property, specifically the items that needed zoning relief and a recommendation to the Town Council from the

Commission. Mr. McLendon also provided an update to the color of the windows, doors and railings.

Mr. Small called for public comment.

Donald Lunny, attorney representing Virginia Simmons at 133 Brazilian Avenue, stated that his client was supportive of all of the changes, and they were consistent with the discussions that they had with the design professionals.

John Eubanks, attorney representing Timothy and Gayle DeVries at 141 Brazilian Ave., stated that his client is supportive of all of the changes.

Mr. Small called for staff comment. Mr. Castro provided staff comments.

Ms. Ziska inquired if the Commission would allow staff to approve the gate if they found it acceptable.

Ms. Van Onna inquired if the double door at the service kitchen was changed to a single door. Mr. McLendon responded.

Mr. Small asked for clarification on what was being requested. Ms. Van Onna and Ziska responded.

Ms. Grace did not find the gate attractive and in keeping with Palm Beach. She requested a restudy of the gate.

Mr. Corey thought all of the changes that had been made were good changes, however he agreed with Ms. Grace and thought the gate was not very charming.

Ms. Shiverick expressed appreciation that the professionals took the time to explore the change in colors for the windows. She agreed with the previous comments on the gate and did not find the gate attractive.

Messrs. Floersheimer, Cooney and Small agreed with their fellow Commissions regarding the gate.

**Motion made by Mr. Corey and seconded by Mr. Smith that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried unanimously.**

**A second motion made by Mr. Corey and seconded by Mr. Smith that the project at 160 Royal Palm Way has met the criteria for approval listed in Sec. 18-205 of the Town's Code of Ordinances and to approve the project as presented with the condition that the vehicular gate would be restudied and would return to the February 24, 2021 meeting. Motion carried unanimously. This application was approved with the condition that prior to the issuance of**



**a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.**

Ms. Ziska asked if the Commission could give some feedback and direction for the gate. Several of the Commissioners responded.

2. B-073-2020 Demolition/New Construction

\*ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)\*

Address: 1015 S. Ocean Blvd.

Applicant: 1015 South Ocean Boulevard LLC (Maura Ziska)

Professional: Harold Smith/Smith and Moore Architects

Project Description: New two-story residence with pool, hardscape and landscape.

A motion carried at the December meeting to defer the project to the January 27, 2021 at staff's request.

ZONING INFORMATION: 1) Section 134-840: Special Exception with Site Plan Review to allow the construction of an 11,031 square foot two-story residence on a non-conforming lot that is 97.97 feet in depth in lieu of the 150 foot minimum required in the R-A Zoning District.

2) Section 134-843(a)(5): A request for a variance to allow the proposed residence to have a front setback of 16 feet 7.5 inches in lieu of the 35 foot minimum required in the R-A Zoning District.

3) Section 134-843(a)(9): A request for a variance to allow the proposed residence to have a rear setback of 2 feet 7 inches in lieu of the 15 foot minimum required in the R-A Zoning District.

4) Section 134-843(a)(6)b: A request for a variance to allow the proposed residence to have an Angle of Vision of 133.74 degrees in lieu of the 120 degrees maximum allowed in the R-A Zoning District.

5) Section 134-843(a)(7): A request for a variance to have a building height plane setback ranging as close to the front property line as 16.8 feet (one story element) to 29.25 feet (two-story element) in lieu of the minimum 35 foot (one story element) to 47.6 foot (two-story element) required by Code in the R-A Zoning District.

Call for disclosure of ex parte communication: Disclosure by several members.

Maura Ziska, attorney for the applicant, provided an overview of project, explained the zoning relief requested and advocated for a positive recommendation to the Town Council.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Ms. Ziska agreed to the easement.

Mr. Smith presented the architectural plans proposed for the new residence.

Steve West, Parker-Yannette Design Group, Inc., presented the landscape and hardscape plans proposed for the new residence.

Mr. Small called for public comment.

Frank Lynch, attorney for the owners of 1020 S. Ocean Blvd., expressed his clients' objections to the proposed new residence.

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Garrison thought the project fit nicely onto the site and the professionals did a great job with the design. Mr. Ives agreed.

Ms. Grace had mixed feelings on the project. While she thought the house was attractive and was in favor of the high quality materials, she expressed concern that the design was a bit monolithic on such a shallow lot. She expressed further concern for the loss of ocean views and inquired if there was any way to reduce the landscape to create a more open view to the ocean. She appreciated the size of the footprint, the low center section of the home and liked the courtyard design. She had some reservations about the number of contemporary homes in the area.

Mr. Corey expressed concern with four of the variances that were requested, which he believed was a result of a home that was too big for the lot. He did not believe the design was fitting for the location. He thought the design needed to be restudied and designed in a way that eliminated the need for the four requested variances. He thought the fenestration on the east façade was out of control. He recommended more blending of the natural resources that went along the dune.

Ms. Shiverick had some of the same concerns of Ms. Grace. She thought the south, second story was too high and thought it should be more in line with the north, two-story section. She believed the east façade fenestration needed some relief. She thought the concrete bars and the pocket doors needed to be eliminated. She pointed out that the neighbors supported the variances but she thought the variances, particularly the front setback, needed to be rethought.

Mr. Smith thought the design needed to be restudied due to the number of variances requested.

Mr. Floersheimer liked the style, design concept and use of materials. However, he had reservations of the number of variances along with the size, scale and mass of the project. Mr. Floersheimer offered a suggestion to move the narrow portion of the home to the narrow portion of the lot. He also suggested eliminating the beach loggia. He suggested reducing the height of the second story portions. He thought the height of some of the privacy walls seemed excessive.

Mr. Cooney thought the general approach of the courtyard setup and the architectural style was not dissimilar for the area. He was most concerned with the front yard setback and thought it was a large house for the lot size. He was not concerned with the fenestration on the east façade but favored a restudy to determine if some of the variances could be reduced or eliminated.

Mr. Small thought the home was too large for the size of the lot. He also thought some of the variances could be eliminated and/or reduced. He expressed concern for the ingress and egress of the home from S. Ocean Blvd.

**Motion made by Mr. Corey and seconded by Mr. Smith to defer the project for one month, to the February 24, 2021 meeting for a restudy of the project in accordance with the comments of the Commissioners. Motion carried 6-1, with Mr. Garrison opposed.**

*Please note: A short break was taken at 11:26 a.m. The meeting resumed at 11:36 a.m.*

3. B-081-2020 Additions/Modifications

\*ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION, SITE PLAN REVIEW AND VARIANCE(S)\*

Address: 250 Queens Lane

Applicant: John Mendel and Mara Raphael

Professional: Studio SR Architecture

Project Description: Alternations and additions to existing single story stucco and wood frame cottage. Modifications include mitered white concrete tile roof, rear yard expansion of family and pool rooms, addition of shutters, rafter tails and associated changes.

A motion carried at the December meeting to defer the project for one month to address the comments of the Commissioners, particularly with the muntins on the windows, reducing the number of variances and lack of trees in the landscape plan.

ZONING INFORMATION: 1) Section 134-229; Section 134-329 and Section 134-893(b): Special Exception with Site Plan Review to allow the renovation of an existing one story residence by demolishing more than 50% cubic on a lot with a width of 77 feet in lieu of the 100 foot minimum required, a depth of 94 feet in lieu of the 100 foot minimum required, and an area of 7,238 square feet in lieu of the 10,000 square foot minimum required in the R-B Zoning District. Additionally, the applicant is proposing to construct a 409 square foot one story master bedroom addition and add a cabana and swimming pool that will require the following variances to be requested:

2) Section 134-893(7): to allow a west side yard setback for the addition and to allow the house to remain non-conforming with both having a setback of 5.3 feet in lieu of the 12.5 foot minimum required in the R-B Zoning District. 3) Section 134-893(12): to allow the non-conforming landscape open space to remain at 28.5% in lieu of the 45% minimum required.

4) Section 134-1757: to allow a swimming pool with a 5.2 foot rear yard setback in lieu of the 10 foot minimum required. 5) Section 134-2179: To eliminate the requirement for the two car garage that is required for a demolition of more than 50% cubic footage of a house on a lot over 75 feet wide.

Call for disclosure of ex parte communication: Disclosure by several members.

*Please note: Ms. Catlin returned to the meeting at 11:40 a.m.*

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Saladrigas agreed to the easement.

Raphael Saladrigas, Studio SR Architecture, presented the architectural modifications proposed for the existing residence.

Keith Williams, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the existing residence.

Maura Ziska, attorney for the applicant, explained the zoning relief requested and advocated for a positive recommendation to the Town Council.

Mr. Small called for public comment. There were no comments heard at this time.

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Garrison thought the changes were good and that the professionals listened to the suggestions made by the Commissioners.

Ms. Grace was in favor of the landscape changes. She questioned the dark teak front door. She suggested using a light or white door on the front. She thought the lanterns around the pool looked too large. She inquired if the shutters proposed were operable. Mr. Saladrigas stated that the shutters were operable. Mr. Saladrigas stated that the owner's preference was the light stained door in a gray tone. Ms. Grace inquired if the grass was real. Mr. Williams stated that all grass material proposed was real.

Mr. Corey appreciated the changes by the professionals. Mr. Corey inquired about the Gumbo Limbo tree behind the pleached trees. Mr. Williams responded.

Ms. Shiverick thought the home would be a lovely addition to the street.

Ms. Catlin thought the landscaping was a bit stiff in relation to the design of the home.

Mr. Floersheimer agreed with Ms. Shiverick.

Mr. Cooney appreciated that the design professionals made the changes that were requested by the Commissioners. Mr. Small agreed.

**Motion made by Ms. Shiverick and seconded by Mr. Garrison that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried unanimously.**

**A second motion made by Mr. Garrison and seconded by Ms. Grace that the project at 250 Queens Lane has met the criteria for approval listed in Sec. 18-205 of the Town's Code of Ordinances and to approve the project as presented. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.**

4. B-083-2020 Demolition/New Construction

**\*ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION, SITE PLAN REVIEW AND VARIANCE(S)\***

Address: 310 Mediterranean Ave.

Applicant: 310 Mediterranean Rd, LLC (John Shaw, Manager)

Professional: Pat Segraves/SKA Architect + Planner

Project Description: Partial demolition and new construction of island style single family home. Additional 1,660 sq. ft. for a grand total of 9,980 sq. ft. Final landscape and hardscape included.

A motion carried at the December meeting to defer the project to the January 27, 2021 meeting to address the comments of the Commissioners, particularly relating to scale, massing and hardscape and how they related to the variances.

ZONING INFORMATION: Sections 134, 229, 134-329, and 134-843(b): Special Exception and Site Plan Review to allow the renovation of a two-story, single family house, including raising the existing house to 7.0 NAVD and demolishing more than 50% of the house by cubic square footage, on a non-conforming lot, comprised of a portion of platted lots, which is 113.5 feet in depth in lieu of the 150-foot depth required in the R-A Zoning District. In connection with the renovation, the following variances are being requested: 1. Section 134-843(a)(5): Request for redevelopment of a single-family home with a front yard setback of 26.0 feet in lieu of the 35-foot minimum required in R-A Zoning District. 2. Section 134-1757: Request for installation of a swimming pool with a rear setback of 4.0 feet in lieu of the 10-foot minimum requirement. 3. Section 134-843(a)(7): Request for redevelopment of the house with a building height plane setback ranging from 26.0 to 32.35 feet in lieu of the range of 30.5 to 43.0 feet minimum required in R-A Zoning District.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Segraves stated that the utilities had already been installed in the area.

Mr. Segraves reviewed all of the changes that had been made since the last presentation.

Daniel Clavijo, SKA Architect + Planner, presented a video of the proposed modifications.

Mr. Segraves presented the architectural modifications proposed for the existing residence.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications proposed for the existing residence.

David Klein, attorney for the owner, explained the zoning relief requested and advocated for a positive recommendation to the Town Council.

Mr. Small called for public comment. There were no comments heard at this time.

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Garrison thought the changes were good however, he questioned the change in roof color.

Mr. Ives appreciated the changes but still felt there was a lack of coherence between the three sections of the property. He felt that work still needed to be done to bring more cohesion. He also felt the scale of the design needed to be revisited.

Ms. Grace agreed somewhat with Mr. Ives. She still questioned the appearance of the front entry. She suggested mirroring the oval window on the opposite side on the front façade. She believed the shuttered windows on each side of the entry were too big. She recommended a further reduction of hardscape in the rear, around the pool.

Mr. Corey discussed the variances and inquired about the variance regarding the front setback. Messrs. Klein, Segraves and Clavijo responded. Mr. Corey asked for further explanation on each of the variances. A discussion ensued. Mr. Corey expressed concern for the landscaping on the rear of the home, particularly the location of the pool in relationship to the dock as it exacerbates the hardscape in the area.

Ms. Shiverick stated the center section of the home, particularly the front entrance, was problematic. She recommended removing the portico and using a smaller, covered entry. She suggested using a white roof opposed to the gray proposed. She also thought there was too much hardscape around the pool.

Mr. Smith was in favor of the entry and thought the home was improved. He stated he would support the home.

Ms. Catlin thought the changes were a tremendous improvement over the existing home. However, she expressed some concern with the rear of the home. She suggested changing the pool to mimic the curve of the lake.

Mr. Floersheimer agreed with Mr. Corey and Ms. Catlin. He believed the hardscape around the pool should be reduced.

Mr. Cooney agreed with the suggestion to use a lighter colored roof.

Mr. Small thought the front entrance was too low over the front door. He questioned the function of the door on the east elevation on the north end of the home. Mr. Segraves responded. Mr. Small suggested relocating the door as he believed it was a disruption on the façade. Mr. Small also believed the west façade looked too massive without any greenery. He also agreed with the suggestion to use a lighter colored roof.

Mr. Corey inquired about the method in raising the home. Mr. Castro responded and provided additional staff comments. A short discussion ensued.

**Motion made by Mr. Corey and seconded by Mr. Garrison to defer the project for one month, to the February 24, 2021 meeting, for a restudy in accordance with the comments of the Commissioners. Motion carried unanimously.**

*Please note: A lunch break was taken at 12:55 p.m. The meeting resumed at 1:30 p.m. At the time of roll call, Mses. Grace, Catlin and Mr. Corey were absent. Mr. Corey returned at 1:32 p.m.*

**E. MAJOR PROJECTS – NEW BUSINESS**

1. B-069-2020 New Construction

Address: 301 Indian Rd.

Applicant: 225 Trust White Oak LLC TR (Michael Merriman)

Professional: Roger Janssen/Dailey Janssen Architects

Project Description: Construction of a new two-story residence, hardscape and landscape.

***Please note: This project was deferred to the February 24, 2021 meeting at the Approval of the Agenda, Item VI.***

2. B-076-2020 New Construction

Address: 60/70 Blossom Way

Applicant: Providencia Partners, LLC (Maura Ziska)

Professional: Daniel Kahan/Smith and Moore Architects, Inc.

Project Description: New two-story residence. New Hardscape, landscape and pool.

***Please note: This project was deferred to the February 24, 2021 meeting after the Approval of the Agenda, Item VI.***

3. B-001-2021 Additions/Modifications

**\*ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SITE PLAN REVIEW\***

Address: 143 Reef Rd.

Applicant: John Criddle

Professional: Roger Janssen/Dailey Janssen Architects

Project Description: Revised landscape and hardscape. Civil management plan. Proposed addition of a master suite on the north side of the property. Proposed one car garage on west side of the property.

ZONING INFORMATION: The applicant is proposing to construct a new 484 square foot one story garage to the west of the existing residence. The following variances are being requested: 1. Section 134-893(7): The applicant is requesting a variance for a west side yard setback of 9 feet in lieu of the 12.5 foot minimum required for a one story building. 2. Section 134-893(6): The applicant is requesting a variance for an angle of vision of 103 degrees in lieu of the 100 degrees maximum allowed.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Janssen stated that the utilities had already been installed in the area.

Mr. Janssen presented the architectural modifications proposed for the existing residence.

Maura Ziska, attorney for the owner, explained the zoning relief requested and advocated for a positive recommendation to the Town Council.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications proposed for the existing residence.

Mr. Small called for public comment.

John Eubanks, attorney for Gayle Peterson at 151 Reef Road, expressed objections on behalf of his client.

Mr. Small inquired if plan B was an option for the owners. Mr. Janssen responded.

Mr. Small called for staff comment. Mr. Castro provided staff comments.

Mr. Garrison was in favor of granting the variance and thought it would be a better situation for the neighbor. He stated he would support a one and a half car garage. Mr. Eubanks responded.

Mr. Corey inquired if the Commission should be reviewing plan B. Mr. Janssen stated that the one and a half car garage was the request of the owner. He stated he could not support the variance since a one car garage would be appropriate.



Ms. Shiverick stated she would support the one and a half car garage. She agreed with Mr. Garrison that the generator and mechanical equipment would not be ideal next to the neighbor.

Mr. Smith stated he did not see the hardship and could not support the project.

Mr. Floersheimer thought that if the garage was pushed more to the north, it could eliminate one of the variances.

Mr. Cooney thought the plan to modernize the home rather than building a new home was a good plan. He thought the variance request was reasonable.

Mr. Small agreed with Mr. Cooney.

Frances Frisbie, owner, advocated for the plan that included a one and a half car garage.

Mr. Corey thought that Mr. Floersheimer made a good suggestion, which would reduce one variance.

**Motion made by Ms. Shiverick and seconded by Mr. Garrison that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried 4-3, with Messrs. Corey, Smith and Floersheimer opposed.**

**A second motion made by Mr. Garrison and seconded by Ms. Shiverick that the project at 143 Reed Rd. has met the criteria for approval listed in Sec. 18-205 of the Town's Code of Ordinances and to approve the project as presented. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.**

4. B-002-2021 Additions/Modifications

Address: 161 Via Palma

Applicant: Victoria Hunt

Professional: Harold Smith/Smith and Moore Architects, Inc.

Project Description: First floor loggia enclosure and second floor addition. Minor landscape alterations.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Smith stated that the utilities had already been installed in the area.

Mr. Smith presented the architectural modifications proposed for the existing residence.

Che Wei Kuo, Fernando Wong Outdoor Living Design, presented the landscape and hardscape modifications proposed for the existing residence.

Mr. Small called for public comment. There were no comments heard at this time.

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Garrison was in favor of the request.

Mr. Ives thought the addition was a bit bulky but supported the project.

Many of the Commissioners supported the addition.

Mr. Floersheimer thought the brackets under the Juliet balcony were too skinny but otherwise supported the project. Mr. Smith stated he would discuss the item with the owners.

**Motion made by Mr. Garrison and seconded by Mr. Corey that the project at 161 Via Palma has met the criteria for approval listed in Sec. 18-205 of the Town's Code of Ordinances and to approve the project as presented. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.**

5. B-004-2021 New Construction

\*ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SITE PLAN REVIEW\*

Address: 1464 N. Ocean Blvd.

Applicant: MJ and Evan Castelo

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: New construction of 4,140 sq. ft. two-story, single family, Monterey style home. Final landscape and hardscape to be included.

ZONING INFORMATION: Section 134-893: Site Plan Review to allow the construction of a 4,140 square foot two-story, single family residence on a non-conforming platted lot which is 9,770 in area in lieu of the 10,000 square foot minimum required in the R-B Zoning District and 90 feet in width in lieu of the 100 foot minimum width required In the R-B Zoning District.

Call for disclosure of ex parte communication: Disclosure by several members.

*Please note: Ms. Grace returned to the meeting at 2:18 p.m.*

Mr. Segraves presented the architectural plans proposed for the new residence.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape plans proposed for the new residence.

MJ Castelo, owner, spoke favorably about moving to Palm Beach.

Mr. Small called for public comment. There were no comments heard at this time.

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Garrison supported the project but questioned the two curb cuts on N. Ocean Blvd. Mr. Segraves responded.

Mr. Castro stated that the applicants should be coordinating with Public Works to discuss the curb cuts. A discussion ensued.

Mr. Small discussed the dangers in the area with vehicular and pedestrian traffic. Mr. Small stated he could not support two curb cuts.

Mr. Castro stated that he reviewed the project with Craig Hauschild, Public Works, who did not have an issue with the two curb cuts.

Mr. Ives was in favor of the home design and suggested a lighter color for the shutters.

Ms. Grace thought the project was nice and not overly large for the lot. She was in favor of the native plants proposed. She also suggested a different color for the shutters.

Mr. Corey inquired about the roof plan. Mr. Segraves showed and discussed the roof plan with the Commissioners. A discussion ensued about the roof plan. He suggested changing the windows on the front façade, first floor to four windows with shutters. Mr. Segraves discussed the reasons for the fenestration design. Mr. Corey thought all of the landscape materials should be highlighted. Mr. Mizell pointed out the sheet that showed the details of the materials proposed.

Ms. Shiverick thought the fenestration on the east façade should be restudied. She also suggested adding shutters on the east façade, second floor. She suggested reducing the three windows on the front façade to two windows with the addition of a Bahama shutter. She suggested using a wood window material. She thought one curb cut was sufficient for this home.

Mr. Smith was in favor of the project.

Mr. Floersheimer agreed with the other comments regarding the windows on the east façade. He suggested using a pastel color on the home. He was in favor of reducing one curb cut as well as reducing the hardscape in the front of the home.

Mr. Cooney was in favor of the project.

Mr. Small was supportive of the comments made regarding the windows on the east façade. He agreed that one curb cut was sufficient for this home.

Mr. Segraves responded and explained the window design.

**Motion made by Mr. Garrison and seconded by Mr. Corey to defer the project for one month, to the February 24, 2021 meeting, to restudy the two curb cuts, the front fenestration, and the colors of the home and to confirm the landscaping plan. Motion carried unanimously.**

6. B-006-2021 Demolition/New Construction

Address: 2291 Ibis Isle Rd. E.

Applicant: 2291 Ibis Isle LLC (Richard Fertig)

Professional: Bill Boyle/Boyle Architecture PLLC

Project Description: Demolition of an existing residence constructed in 1961.

Construction of new two-story, 4331 sq. ft. A/C residence in modern style with swimming pool, associated landscape and landscape lighting.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Boyle stated that the utilities had already been installed in the area.

Mr. Boyle presented the architectural plans proposed for the demolition of the existing residence.

Steve West, Parker-Yannette Design Group, Inc., presented the landscape and hardscape plans proposed for the demolition of the existing residence.

Mr. Small called for public comment. There were no comments heard at this time.

Mr. Small called for staff comment. Ms. Van Onna stated she had no comments.

**Motion made by Mr. Garrison and seconded by Ms. Shiverick that the proposed demolition at 2291 Ibis Isle Road E. has met the conditions listed in Sec. 18-206 of the Town's code of ordinances and to approve the project as presented. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant**

**shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.**

Mr. Boyle presented the architectural plans proposed for the new residence.

Mr. West presented the landscape and hardscape plans proposed for the new residence.

Mr. Small called for public comment.

Lawrence Kaplan, neighbor, expressed comments regarding the driveway design proposed, the proposed dense vegetation and lighting.

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Garrison thought the house was interesting and perfectly suited.

Mr. Ives thought the house design fit into the area. He thought the design was a bit static and was missing some flow and movement, particularly between the first and second floor exteriors. He suggested breaking up some of the elements. He encouraged the professional to find some more interesting material choices that were indigenous and local.

Ms. Grace thought the design was a bit monotonous and heavy. She did not feel the aluminum fins on the front were contributing to the design. She was in favor of the travertine proposed. She suggested using a nicer material for the driveway.

Mr. Corey was not in favor of the aluminum fins proposed. He suggested using a warmer material, such as wood for this detail. He thought the house could work in the location but thought it needed some warmth. He inquired about the area next to the balcony and master suite. Mr. Boyle responded.

Ms. Shiverick felt that Cypress would be a better material for the aluminum fins that were proposed. She felt a darker travertine would make the home feel warmer. She was in favor of the choice of plants and agreed with Ms. Grace that a different material should be used for the driveway.

Ms. Catlin agreed with many of Mr. Corey's comments. She expressed concern with some of the finishes proposed and thought it felt stark and cold. She wanted to see the home warmed up with some natural materials.

Mr. Floersheimer inquired about the windows proposed on the west elevation in the powder room. Mr. Boyle responded.

Mr. Cooney agreed with using more natural materials.

Mr. Small agreed with Mr. Corey and Ms. Shiverick.

**Motion made by Ms. Shiverick and seconded by Ms. Grace to defer the project for two month, to the March 24, 2021 meeting, to restudy the materials to be used for the home and driveway. Motion carried unanimously.**

7. B-007-2021 Demolition/New Construction

\*ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION, SITE PLAN REVIEW\*

Address: 1063 N. Ocean Blvd.

Applicant: 1063 N Ocean Blvd LLC (James M. Crowley, Attorney)

Professional: Thomas M. Kirchhoff/Kirchhoff & Associates Architects

Project Description: Demolition of existing residence, landscape, hardscape and pool. New two-story residence in the British Colonial style with landscape, hardscape and pool.

ZONING INFORMATION: The applicant is proposing a new 18,918 square foot, two-story house on a nonconforming lot in the R-A Zoning District. Special exception and site plan reviews are required pursuant to Section 134-843(b) of the Town Code because the project is being proposed on a non-platted lot with a minimum lot width of approximately 118.87' in lieu of the 125' minimum width required in the R-A Zoning District.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Kirchhoff agreed to the easement.

Mr. Kirchhoff presented the architectural plans proposed for the demolition of the existing residence.

Mario Nievera, Nievera Williams Design, presented the landscape and hardscape plans proposed for the demolition of the existing residence.

Mr. Small called for public comment. There were no comments heard at this time.

Mr. Small called for staff comment. Ms. Van Onna stated she had no comments.

**Motion made by Mr. Garrison and seconded by Mr. Ives that the proposed demolition at 1063 N. Ocean Blvd. has met the conditions listed in Sec. 18-206 of the Town's code of ordinances and to approve the project as presented. Motion carried unanimously.**

Mr. Kirchhoff presented the architectural plans proposed for the new residence.

Mr. Nievera presented the landscape and hardscape plans proposed for the new residence.

Mr. Small called for public comment.

Alan Ciklin, attorney on behalf of the owners at 1071 N. Ocean Blvd., expressed his clients' objections to the proposed home.

Mr. Small called for staff comment. Ms. Van Onna stated she had no comments.

Jamie Crowley, attorney for the applicant, responded to Mr. Ciklin's comments and advocated for the proposed design.

Mr. Garrison thought the proposed was well designed for the neighborhood and would be a nice addition.

Mr. Ives thought the proposed was in keeping with the area and agreed with Mr. Garrison.

Mr. Grace thought the home was in keeping with the area. She thought a slight reduction could be taken from the height but was supportive of the project.

Mr. Corey thought the home was a bit bulky and thought the height of the front portion of the home needed to be reduced. He suggested reconsidering the patio on the north side of the home. He thought the proposed home was a bit wide and tall. He suggested the garage appear more subservient or to be broken from the main home. He liked the pool in the courtyard. He suggested adding more plantings on the southeast corner. Overall, he thought the design was very nice.

Ms. Shiverick thought the design was beautiful and was in favor of the material choices. She was in favor of the side entrance on the home. She agreed that a slight reduction could be made to the roof height and the seawall. She was not in favor of the driveway material and suggested using brick.

Mr. Smith thought the proposed was a very nice design. He was in favor how Mr. Kirchhoff mitigated the height in the garage.

Ms. Catlin thought the home is beautifully designed. She thought the home had the necessary charm for the north end.

Mr. Floersheimer thought the home was beautifully designed and had nice materials. He expressed concern for the four bedrooms over the western façade and thought it may loom over the street. He also questioned the need to raise the seawall.

Mr. Cooney was in favor of the home and thought the materials were a nice choice.

Mr. Small agreed that the design was superb but had some concerns for the massing, scale and height. He questioned if the home could be moved a bit to the south. Mr. Kirchhoff responded and discussed the reasons that moving the home would be problematic. Mr. Small inquired about the two curb cuts. Mr. Kirchhoff stated that two curb cuts existed today and that they would like to keep both.

Ms. Grace inquired about the seawall being raised. Mr. Kirchhoff responded.

**Motion made by Ms. Shiverick and seconded by Mr. Garrison that the project at 1063 N. Ocean Blvd. has met the criteria for approval listed in Sec. 18-205 of the Town's Code of Ordinances and to approve the project as presented. Motion carried 5-2, with Messrs. Small and Corey opposed. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.**

**F. MINOR PROJECTS – OLD BUSINESS**

1. A-024-2020 Solar Panels

Address: 159 Seaspray Ave.

Applicant: Eric Leiner

Professional: Manuel Siques/Go Solar Power

Project Description: Solar PV System Roof Mount and Interconnection.

A motion carried at the August meeting to defer the project to the October 28, 2020 meeting due to lack of detailed plans and no notice to the neighbors. A motion carried at the October meeting to defer the project to the November 20, 2020 meeting as no presentation and mini-set were received. A motion carried at the December meeting to defer the project to the January 27, 2021 meeting due to presentation materials not submitted.

Call for disclosure of ex parte communication: Disclosure by several members.

Jackson McInerney, Go Solar Power, presented the solar panels proposed for the existing residence.

Mr. Small called for public comment.

Jackie Miller, attorney for the owner, advocated for the location of the proposed solar panels.

Mr. Small called for staff comment. Ms. Van Onna stated she had no comments.

Mr. Garrison supported the project.



Ms. Grace expressed concern that the panels could be seen from the neighbors.

Ms. Shiverick was not in favor of solar panels in general.

**Motion made by Mr. Corey and seconded by Mr. Smith that the project at 159 Seaspray Avenue has met the criteria for approval listed in Sec. 18-205 of the Town's Code of Ordinances and to approve the project as presented. Motion carried 5-2, with Mses. Shiverick and Grace opposed.**

2. A-040-2020 Awnings

\*ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SITE PLAN REVIEW AND VARIANCE(S)\*

Address: 130 Sunrise Ave., PH 1

Applicant: Elaine Hirsch

Professional: Jeffrey Brasseur/Brasseur & Drobot Architects

Project Description: Add a 30' x 12'-2" fixed awning to 7<sup>th</sup> floor, penthouse 1, Northwest side of 130 Sunrise Ave.

A motion carried at the October meeting to defer the project to the November 20, 2020 meeting at the request of the attorney. A motion carried at the November meeting to defer the project to the December 18, 2020 meeting at the request of the attorney. A motion carried at the December meeting to defer the project to the January 27, 2021 meeting due to presentation materials not submitted.

ZONING INFORMATION: A site plan modification with variances to allow a 365 square foot fixed awning over the terrace on the seventh floor of a seven story condominium building. The following variances are being requested: 1. Section 134-948(8): To allow the awning at a height of 61.5 feet in lieu of the 23 1/2 foot maximum height allowed in the R-C Zoning District. Section 134-948(8): To allow the awning at an overall height of 63.66 feet in lieu of the 26 1/2 foot maximum height allowed in the R-C Zoning District. Section 134-948(8): To allow the awning on the existing seventh floor penthouse of a seven story building in lieu of the two story building maximum allowed in the R-C Zoning District. Section 134-948(6): To allow a west side yard setback of 50.1 feet in lieu of the 61.5 foot minimum allowed. Section 134-948(7): To allow a rear street yard setback of 106.5 feet in lieu of the 123.16 foot minimum allowed.

Call for disclosure of ex parte communication: Disclosure by several members.

Maura Ziska, attorney for the owner, explained that they are waiting for approval for the condominium association.

**Motion made by Mr. Corey and seconded by Mr. Garrison to defer the project for one month, to the February 24, 2021 meeting. Motion carried 6-1, with Mr. Ives opposed.**

3. A-048-2020 Modifications

Address: 230 Atlantic Ave.

Applicant: Linda Saligman

Professional: Stephen A. Yeckes

Project Description: Interior and exterior remodel as deferred in the November ARCOM meeting. To present new front elevation, new waterfall and new front retaining wall.

Motion carried at the November meeting to defer the project to the December 18, 2020 meeting for a restudy in accordance with the comments from the Commissioners, which many questioned the proposed changes to the front façade. A motion carried at the December meeting to defer the project to the January 27, 2021 meeting to address the comments of the Commissioners, particularly relating to the recommendations on the landscape plan, lanterns, garage doors and front entrance design.

***Please note: This project was deferred to the February 24, 2021 meeting at the Approval of the Agenda, Item VI.***

4. A-072-2020 Generator

\*ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)\*

Address: 355 Hibiscus Ave.

Applicant: Samuel M. Lehrman

Professional: Gerard Beekman/Gramatan Corporation

Project Description: Addition of a new electric backup generator to an existing non-conforming corner lot property.

A motion carried at the December meeting to defer the project to the January 27, 2021 meeting at the request of staff.

ZONING INFORMATION: 1. Section 134-1729(1): A request for a variance to allow a 38 KW generator to be placed in the street side yard setback (Australian Avenue) at 5.6 feet in lieu of the 25 foot minimum required on a corner lot. 2) Section 134-1667: A request for a variance for the required wing wall for the generator located in the street side yard setback with a height of 8.58 feet above the crown of the road (on Australian Avenue) in lieu of the 6 feet allowed. 3) Section 134-1667: A request for a variance for the required wing wall for the generator located in the rear yard setback at a height of 8.46 feet above the neighboring property owner's grade to the east in lieu of the 6 feet allowed.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Beekman presented the architectural plans for the proposed generator.

Maura Ziska, attorney for the owner, explained the variances requested and advocated for a positive recommendation to the Town Council.

Mr. Small called for public comment. There were no comments heard at this time.

Mr. Small called for staff comment. Mr. Castro provided staff comments.

Ms. Grace inquired if the generator could be placed in the southern corner. Mr. Beekman responded.

Mr. Corey inquired for further explanation on the reason the generator could not be placed in the southern corner. Mr. Beekman responded. Mr. Corey also inquired about the ability to service the generator. Mr. Beekman responded.

Ms. Shiverick requested a condition be added to the motion that if the hedge dies, the owner would need to replace it with a hedge at an equal height.

Ms. Catlin inquired about the size of the generator. Mr. Beekman responded.

Mr. Floersheimer agreed with Mr. Corey's comment about accessing the generator. Mr. Beekman and James Hall responded.

**Motion made by Mr. Garrison and seconded by Mr. Ives that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried 5-2, with Mr. Corey and Ms. Grace opposed.**

**A second motion made by Mr. Garrison and seconded by Mr. Ives that the project at 355 Hibiscus Avenue has met the criteria for approval listed in Sec. 18-205 of the Town's Code of Ordinances and to approve the project as presented with the condition that if the hedge needs to be replaced, it would be replaced immediately with a hedge as tall as the wall screening the generator or as tall as the existing hedge. Motion carried 5-2, with Mr. Corey and Ms. Grace opposed.**

**G. MINOR PROJECTS – NEW BUSINESS**

1. A-003-2021 Awning

\*ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)\*

Address: 113 Atlantic Ave.

Applicant: Alexandra Murphy

Professional: Jeffrey Brasseur/Brasseur & Drobot Architects, PA

Project Description: Add a fixed awning to the west second story deck and the east second story deck between the garage and main residence.

ZONING INFORMATION: Section 134-893(b)(13): Request for a variance to allow the construction of a 210 square foot awning on the east side of the existing residence and a 644 square foot awning on the west side of the existing residence which will result in a cubic content ratio of 4.499 cubic feet in lieu of 3.998 existing and the 4.148 maximum allowed.

Call for disclosure of ex parte communication: Disclosure by several members.

Maura Ziska, attorney for the owner, explained the variances requested and advocated for a positive recommendation to the Town Council.

Mr. Brasseur presented the awnings proposed for the existing residence.

Mr. Small called for public comment. There were no comments heard at this time.

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Garrison supported the request but was not in favor of the black and white stripes.

Ms. Grace agreed with Mr. Garrison and suggested using a smaller stripe.

Mr. Corey supported the request but inquired how the awning was attached to the building. Mr. Brasseur responded.

Ms. Shiverick agreed with Mr. Corey and questioned the attachment and placement of the fixed awning. She suggested a retractable awning. Mr. Brasseur responded.

Mr. Smith was not in favor of the look of the awning, the way it was attached and the stripes.

Ms. Catlin was not in favor of the proposed awning and the stripe of the awning.

Mr. Floersheimer agreed that the black and white stripe was not appropriate and was in favor of Ms. Shiverick's suggestion of a retractable awning.

Mr. Cooney was not in favor of the way the awning was attached. He believed it could be designed to comply with the zoning code.

Mr. Small agreed with Messrs. Cooney and Smith. He believed it was out of character for the neighborhood.

Mr. Garrison inquired if a retractable awning would need to return to the Commission. Mr. Corey suggested a trellis.

**Motion made by Mr. Corey and seconded by Mr. Garrison to defer the project for one month, to the February 24, 2021 meeting. Motion carried unanimously.**

2. A-005-2021 Modifications

Address: 221, 223, 225, 227, 229 Royal Poinciana Blvd and 216 Sunset Ave.

Applicant: T3 Family Investments LLC (Cody Crowell, Manager)

Professional: Roger Janssen/Dailey Janssen Architects

Project Description: Proposed modifications to landscape and hardscape design along with adjustments to various building elevations.

*Please note: This project was deferred to the February 24, 2021 meeting at the Approval of the Agenda, Item VI.*

VIII. **UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)**

1. **Public**

There were no public comments at this time.

2. **Staff**

Mr. Bergman stated that Jeffrey Smith declared a conflict for a project at 1118 N. Lake Way at the December 18, 2020 meeting and had correctly completed the 8B form in accordance with State Law.

3. **Commission**

Mr. Small thought the virtual reality tours were better and encouraged them rather than the models that were presented.

Ms. Shiverick expressed concern for the lack of material samples that were normally seen during the in person meeting. Ms. Grace suggested that the professionals have the samples available during ex parte meeting.

Mr. Floersheimer questioned one of the signs installed at via Flagler. He also pointed out that it was Holocaust Remembrance Day.

IX. **ADJOURNMENT**

**Motion made by Mr. Ives and seconded by Mr. Corey to adjourn the meeting at 5:26 p.m. Motion carried unanimously.**

The next meeting will be held virtually on Wednesday, February 24, 2021 at 9:00 a.m. via the Zoom platform.

Respectfully Submitted,

Michael B. Small, Chairman  
ARCHITECTURAL COMMISSION

kmc