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December 22, 2022

Pat Gayle-Gordon, Acting Town Clerk
Town of Palm Beach
360 S. County Road
Palm Beach, FL 33480

RE: ARCOM Application ARC-22-241 (the "Application")
Property Address: 624 Island Drive, Palm Beach, FL 33480
Property Owner: Holly Ann Bartlett

Dear Madame Clerk:

Pursuant to Section 18-177 of the Town Code, this firm on behalf of Holly Ann Bartlett (the "Owner" and "Appellant") hereby appeals the denial of the above-referenced Application by the Town of Palm Beach Architectural Commission ("ARCOM") rendered on December 16, 2022. We hereby request that this Appeal be placed on the next available Town Council Agenda but within 45 days from the filing of this Appeal.

On December 16, 2022, architect Harold Smith presented the Application to ARCOM. As part of the Application, Mr. Smith incorporated the set of plans and the Application previously submitted to the Town (the "Submittal Package"), and we incorporate the Submittal Package and all evidence introduced by Owner's agents at the ARCOM hearing into this appeal. The Submittal Package shows the details of the Owner's request to place an opaque skylight on top of an existing open small 280 sq. feet courtyard (the "Requested Skylight").

During his presentation, Mr. Smith presented evidence and emphasized that the Requested Skylight would be a energy-efficient, noise reducing glass skylight that is completely invisible to all neighbors, all surrounding public rights-of-way and the Intracoastal Waterway.

The record shows that the only substantial competent evidence introduced at the meeting proves that the Requested Skylight is invisible from all elevations and as such has absolutely no

negative impact on neighbors. Arguably, ARCOM has no jurisdiction over the Requested Skylight because the evidence proved it is completely invisible to all surrounding owners and rights-of-way.

Mrs. Grace stated it well when she opined that the skylight opens up the downstairs and results in a better flow for the project. These statements are supported by the evidence presented at the meeting.

Mr. Martin objected to the Requested Skylight only because he has an "innate hatred" for skylights and objects because he is "anti-skylights" in general. He made no reference to the ARCOM criteria in Section 18-205 of the Code.

Mrs. Connaughton also noted that the Requested Skylight is invisible from the exterior of this home.

Ms. Shiverick also objected to skylights in general without citing to evidence related to the ARCOM criteria and made a motion to deny the Application because (1) the plan is not in conformity with good, taste and design, and (2) in general does not contribute to the Town in beauty, speciousness, balance, and high quality and (3) the Application is not in harmony with the development in the area or the comprehensive plan. Again, Mrs. Shiverick cited no evidence in support of her motion.

The record simply does not contain any evidence supporting the stated grounds for denial. In addition, ARCOM should not even have jurisdiction over this Application because the Requested Skylight is invisible from all rights-in-way and neighboring views. As such, the denial should be overturned and the Application approved.

We incorporate the record of the ARCOM meeting relative to the Application into the Appeal and reserve the right to supplement the Owner/Applicant's position prior to being heard at Town Council.

For the reasons stated above, we respectfully request that Town Council overturn and reverse the denial of the Application and instead approve the Application as permitted pursuant to Section 18-177 of the Town Code.

If you have any questions or need additional information from me, please let me know.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Timothy Hanlon", with a stylized flourish above the name.

M. Timothy Hanlon