

## IX. DESIGNATION HEARINGS

### 8. 4 VIA VIZCAYA

Owner: Monnie B. Donnelly & Thorne B. Donnelly

Call for disclosure of ex parte communication: There were no disclosures at this time.

Emily Stillings, MurphyStillings, LLC, testified to the architecture and history for this Monterey Revival style home. Ms. Stillings pointed out the design features of this building. Ms. Stillings testified that the building met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town; and,

Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction or use of indigenous materials or craftsmanship;

Sec. 54-161 (4) Is representative of the notable work of a master builder, designer, or architect whose individual ability has been recognized or who influenced his age.

Ms. Patterson asked for confirmation on proof of publication. Ms. Churney provided confirmation.

**Motion made by Ms. Damgard and seconded by Ms. Moran to make the designation report for 4 Via Vizcaya part of the record. Motion carried unanimously, 7-0**

Ms. Patterson called for any public comment on the designation.

James Green, attorney for the Ms. Donnelly, cautioned the Commissioners to not landmark at home if it did not clearly meet the criteria in the Code. Mr. Green also suggested that the Commission should landmark a home against the homeowner's wishes unless the structure was clearly important. He did not believe the home met the criteria and provided arguments for the criteria. He advocated against landmarking the home.

Wes Blackman, Certified Urban Planner, discussed the flooding and air quality issues with the home during storms. He presented a video, which demonstrated the pump used in the home to mitigate water issues. He also presented photographs of the home, which showed a garage and other addition to the home.

Nancy Udell, attorney with James Green, interviewed their witness, Gary Cole, and asked him to present his credentials. Mr. Cole outlined his credentials. Ms. Udell asked Mr. Cole if he had reviewed the materials for 4 Via Vizcaya and if so, she asked if he believed the home met the criteria for landmark designation. He did not believe the home met the criteria. She asked Mr. Cole to describe a Certified Local Government (CLG). Mr. Cole responded and provided a description.

Ms. Udell asked Mr. Cole to address each criterion and why he believed it did not meet the criteria as stated by Ms. Stillings. Mr. Cole responded and outlined the reasons he did not believe criteria 1, 3 and 4 had been met.

Monnie B. Donnelly, homeowner, spoke against landmarking her home.

Aimee Sunny, Preservation Foundation of Palm Beach, noted that the home was being considered for local designation, not the national register. She argued that according to the National Park Service guidance, the home retained much of its original integrity and significance. She acknowledged the changes to the home and believed they did not detract from the integrity of the home. She thought it was an accurate representation of the Monterey style home, as shown in the Field Guide to American Architecture.

Ms. Patterson inquired if Ms. Sunny was concerned with the flooding issues that were presented by Mr. Blackman and the homeowner. Although she was sorry to hear about the flooding issues, Ms. Sunny discussed several different methods that could help to mitigate these issues.

Mr. Cole responded to Ms. Sunny's comments and argued that the local ordinance for landmark designation was based on the National Register's criterion.

Ms. Donnelly discussed the issues that she had taken to mitigate the flooding in her home.

Ms. Fairfax acknowledged the contentious hearing. She told the homeowner that the new legislation would allow the homeowner to demolish her home, even if landmarked. Ms. Fairfax thought the home was worth saving.

Mr. Segraves stated he was not in favor of landmarking the home. He thought the house was plain but acknowledged the additions were fine. He questioned if the home was in the Monterey style.

Ms. Moran thought the home was a nice and characteristic of a Monterey style home. She argued that Maurice Fatio would argue that this home was an important example in the Town.

Ms. Coleman thought the flooding had nothing to do with whether the home was worthy of landmark designation as she believed that was the topography of the land. She discussed the benefits of being a landmarked home and the benefits that would be afforded to the homeowner.

Ms. Damgard thought that the Landmark Commission aimed to assist homeowners' ability to renovate and modify their homes.

Ms. Albarran discussed how as a landmarked home, improvements over 50% of the value could be made to a home. Ms. Fairfax agreed and discussed the leeway that a landmarked home had when being modified.

Town Attorney Randolph stated that the Commission should deliberate on whether the home met the criteria outlined by the consultants.

**Motion made by Ms. Fairfax and seconded by Ms. Moran to recommend 4 Via Vizcaya to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3 and 4 in Section 54-161, and with the acknowledgement of the owners' objections. Motion carried 6-1, with Mr. Segraves dissenting.**