

ARCHITECTURAL REVIEW BOARD MINUTES
REGULAR MEETING – APRIL 6, 2011

The regular meeting of the Bal Harbour Village Architectural Review Board was held on Wednesday, April 6, 2011, in the Bal Harbour Village Hall Council Chambers (655 – 96th Street, Bal Harbour, Florida).

1. CALL TO ORDER/ROLL CALL: The meeting was called to order at 11:14 a.m. by Giorgio Balli, Acting Chairman. The following were present:

James Silvers¹
Giorgio Balli
Christopher Cawley
Jaime Schapiro

Also present:

Daniel Nieda, Building Official
Ellisa L. Horvath, MMC, Village Clerk
Johanna M. Lundgren, Village Attorney

Absent:

Paul Buzinec

As a quorum was determined to be present, the meeting commenced.

2. PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by the Board.

Mr. Silvers arrived at took over as Chairman.

3. APPROVAL OF MINUTES: *A motion was offered by Mr. Cawley and seconded by Mr. Schapiro to approve the minutes from the December 1, 2010 Regular Meeting. The motion carried (4-0).*

4. HEARINGS: Ms. Lundgren explained the procedures for the quasi-judicial process. No disclosures were made by the Board. Those planning to speak at the hearings were sworn in by Mrs. Horvath.

ERIKA WASERSTEIN – 56 CAMDEN DRIVE: The Applicant requested approval for a black aluminum rolling gate, for a single family residence currently under construction. Original approval was given for a picket-type aluminum gate, which the owner has requested be revised. Mr. Nieda reviewed his report and recommended a Final Certificate of Appropriateness.

Mr. Nieda distributed a photo of the revised gate.

¹ Mr. Silvers arrived prior to Approval of the Minutes.

Richard Waserstein, Attorney for and Father of Erika Waserstein - Owner, addressed the Board and explained the project.²

Mr. Nieda explained that the gate needed to be revised, to comply with the drawing that was submitted. He explained that the picture did not represent the approval that was being sought. Mr. Balli questioned if the perimeter wall had a base solid wall. Mr. Nieda advised that it did. Mr. Balli noted that the elevation was not shown correctly. Mr. Nieda agreed and clarified that there would be a total of six openings on the gate. Mr. Waserstein would prefer one open medallion on each side. Mr. Schapiro noted that three openings on each side were better for the design, because otherwise it was very heavy on the top. He noted that once the holes were there the design would look better. Mr. Waserstein agreed to provide the three openings on each side.

Mr. Balli explained that the plans needed to be corrected, in order for the Applicant to receive the final approval. Mr. Nieda reported that the Applicant needed to come back with an approved plan for the permit and could submit them at that time.

Mr. Cawley agreed that the three openings on the top would be better and show more of the front elevation.

A motion was offered by Mr. Cawley and seconded by Mr. Balli to approve a Final Certificate of Appropriateness, subject to the following condition: the design of the gate panels should have three openings at the top per panel and the revised elevation should be submitted to the Building Official. The motion carried (4-0).

MARTA WASERSTEIN AND TRACI WASERSTEIN - 143

BALFOUR DRIVE: The Applicant requested approval for a 775 square foot ground floor addition, to an existing residence. Mr. Nieda reviewed his report and recommended a Continuance, based on comments provided regarding the site plan and proposed addition.

Lorna Jaquiss, General Contractor, 4925 Collins Avenue, explained that they may be at 30%, but are not at 50%, of the value of the home, using the building value. Mr. Nieda requested that documentation showing that be provided.

Mr. Silvers suggested that the issues in Mr. Nieda's report be reviewed and addressed.

A motion was offered by Mr. Balli and seconded by Mr. Cawley to approve a Continuance. The motion carried (4-0).

FLAMINGO WAY ENTERPRISES, LLC - 200 BAL BAY

DRIVE: The Applicant requested approval for six non-illuminated "no trespassing" signs located at the entry points to the circular Yacht Club Marina Basin. Mr. Nieda

² The Applicant needed to submit documentation showing authorization for Richard Waserstein to present the project.

reviewed his report and explained that the Board needed to limit its ruling on the aesthetic merits of the proposed signage and forward a recommendation to the Council for its consideration, as part of a sign variance.

Joseph Imbesi, Owner of the Yacht Basin - President of Flamingo Way Enterprises, discussed the problem with residents not picking up after their dogs, as well as people playing on the sea wall creating a liability. He discussed the need to protect himself under his Attorney's advice. He explained that although four signs were posted within the Village Code size, the problem had continued and he was requesting larger signs. Mr. Silvers questioned if Mr. Imbesi thought that larger signs would be effective. Mr. Imbesi advised that he did. He explained that the area wasn't fenced in and he didn't want it to be fenced in. Mr. Silvers questioned how the signs would be enforced. Mr. Imbesi explained that there was a Dockmaster on site and the Police were also authorized to take action. He added that if people stayed off the seawall and picked up after their dogs, then the signs wouldn't be needed.

Dina Cellini, 211 Bal Cross Drive, understood Mr. Imbesi's position, but explained that the homes in that area were limited to a size of 66 square inches for signs. She thought that the size of the signs requested were too large and that Mr. Imbesi could convey his position without such large signs. She thought that the 66 square inch signs were getting the point across, although people may not adhere to them. She urged the Board to approve something a lot smaller.

Mr. Imbesi explained that there were six existing signs, since 1995, stating that only authorized vehicles would be allowed. He clarified that those signs would be replaced with the proposed signs. He reported that only one complaint had been received out of the entire Village and Ms. Cellini lived three blocks away.

Mr. Cawley requested clarification on the existing signs. Mr. Nieda explained that the Council approved no trespassing 66 square-inch signs. Mr. Imbesi explained that the other signs that had been there for twelve years were 15 inches by 23 inches, stated that no unauthorized vehicles were allowed, and were white with red lettering. He advised that they were located at every entrance to the Yacht Basin. He explained that the poles would remain and the proposed signs (16.5 inches by 26 inches) would replace the existing ones.

Mr. Cawley felt that, based on aesthetics, the proposed signs were attractive for their use. Mr. Silvers clarified that Mr. Imbesi was replacing two signs (a larger no unauthorized vehicles sign and a smaller no trespassing sign) for the proposed one (larger no trespassing sign).

Dina Cellini, 211 Bal Cross Drive, clarified that no Council approval was received for the larger no unauthorized vehicles signs. She added that the smaller 66 square inch (no trespassing) signs were approved by the Council. She explained that she was not the only one who spoke against the proposed signs at the prior Council meeting. She discussed the need to consider the entire community and whether or not the signs were necessary. She agreed that it was a nicely shaped sign, but suggested that it be twelve inches shorter.

Mr. Balli agreed with Mr. Cawley. He didn't find anything wrong with the sign. He discussed the fact that the signs would be replacing a sign similar in size that had been there for twelve years, perhaps without permission, but was irrelevant in the Board looking at the aesthetics. He added that nobody had objected to the existing larger white signs for twelve years, so he didn't see any problem in approving the Application.

Mr. Schapiro questioned the height from the ground to the top of the sign. Mr. Nieda reported that it was 42 inches. Mr. Schapiro suggested that the height be lowered, to protect the view. Mr. Balli spoke against doing so, as he thought that would make it more difficult to read them. He questioned the height of the existing larger white signs. Mr. Imbesi advised that it was between 42 inches and five feet. He agreed to lower the signs, if that was the Board's recommendation. The Board agreed that the green color was nice.

A motion was offered by Mr. Balli and seconded by Mr. Cawley to recommend that the plans be approved as submitted. The motion carried (4-0).

5. OTHER BUSINESS:

Mr. Schapiro questioned if the Village Code stipulated who needed to design and submit signed plans to the Village. He explained that the plans for 143 Balfour Drive were signed by a Professional Civil Engineer. Mr. Nieda reported that there wasn't anything in the Village Code, but explained that the Department of Professional Regulation had said that the State Statute allowed engineers to prepare plans for single family homes. He noted that if the Board wanted to consider an ordinance requiring plans for the Board to be submitted by a Registered Architect then that could be looked into. Ms. Lundgren explained that if that was the Board's consideration, then she would have to research the State statutes, to see if the Village had the authority to do that. Mr. Nieda thought that Coral Gables had adopted something.

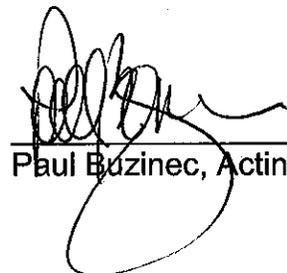
It was the consensus of the Board for the Village Attorney to look into providing requirements for the plans to be submitted by an Architect (for building plans) and a Landscape Architect (for landscaping).

6. ADJOURN: There being no further business, *a motion was offered by Mr. Schapiro and seconded by Mr. Silvers to adjourn. The motion carried (4-0), and the meeting adjourned at 12:07 p.m.*



Attest.


Ellisa L. Horvath, MMC, Village Clerk


Paul Buzinec, Acting Chairman