

**ARCHITECTURAL REVIEW BOARD MINUTES**  
**REGULAR MEETING – AUGUST 3, 2011**

The regular meeting of the Bal Harbour Village Architectural Review Board was held on Wednesday, August 3, 2011, in the Bal Harbour Village Hall Council Chambers (655 – 96<sup>th</sup> Street, Bal Harbour, Florida).

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

Giorgio Balli  
Paul Buzinec  
Christopher Cawley

Also present:

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

Absent:

James Silvers

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

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

**3. APPROVAL OF MINUTES:** *A motion was offered by Mr. Balli and seconded by Mr. Cawley to approve the minutes from the July 6, 2011 Regular Meeting. The motion carried (3-0).*

**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.

**9701 COLLINS AVENUE, LLC – 9701, 9703, AND 9705**

**COLLINS AVENUE:** The Applicant requested approval for three illuminated signs (a pedestrian sign, a driveway entry sign, and a sculpture with directional site signs) and a flagpole arrangement located at the entry point to the St. Regis/Condominium project. Section 15-2 of the Village Code requires that the signs be approved by the Village Council, since they are not in strict conformity with the Code. It is appropriate for the Board to provide a recommendation to the Council for its consideration, rather than providing the customary Certificate of Appropriateness. The approved PD Site Plan did not provide for a sculpture or hotel site signage component.

Mr. Nieda reviewed his report and noted that the sculpture and signage package was discreetly and elegantly designed and did not contravene with the approved site plan, while promoting life safety with clear signage and directions for Fire and EMS services.

The Board discussed the sculpture.

**Carter McDowell, Attorney - Bilzin Sumberg**, requested a recommended approval by the Board.

**Bill Eager, EGS2 and Sieger Suarez Architectural Partnership**, addressed the Board and explained the project. He displayed a sample board of the materials.

Mr. Buzinec spoke in favor of the sculpture and questioned if it would stand up to wind loads, etc. Mr. Eager advised that it would. Mr. Nieda questioned if the sculpture moved. Mr. Eager noted that it did not move and that it was fixed.

Mr. Buzinec suggested that the lettering on the signs to the right be larger to be more visible. Mr. Eager would like the leeway to make the lettering larger if needed, but believed that the amber and the lighting would allow the lettering to be seen better at the scale presented. Mr. Nieda confirmed that the lettering was back lit at night. Mr. Balli spoke in favor of the signs.

Mr. Balli discussed the possibility to place the American flag higher than the other flags. Mr. Eager explained that if it was higher then it would need to be placed in the center. He explained that it was an aesthetic decision to keep the flags clean by placing them all at the same height. Mr. Balli spoke in favor of the center flag being higher, with the American flag on it. He didn't have any objection, but was not too keen of the sculpture, since he thought it was too dark. He noted that it was art.

Mr. Cawley spoke in favor of the signs and the sculpture.

Mr. Eager reported that the numbers at the bottom of the signs may be lit, based on the fire code and access. He noted that they would be halo-lit the same as the top portion, to stand out at night.

Mr. Balli discussed the landscaping at the bottom of the signs. Mr. Eager explained that there would be a little bit of gravel, but that they may do a slight edge (an inch), so that the signs would not be damaged by maintenance. He discussed the use of a huge Bougainvillea behind the signs. He explained the concept to keep the sod as a carpet.

**A motion was offered by Mr. Balli and seconded by Mr. Cawley to recommend approval by the Village Council. The motion carried (3-0).**

### **MOISES AND ELIANA GILINSKI – 287 BAL CROSS DRIVE:**

The Applicant requested approval for a 1,487 square foot (216 square foot first floor kitchen and 1,271 square foot second floor addition for two new bedrooms and a master bedroom suite) first and second floor air-conditioned addition and 1,318 square foot carport to an existing residence. Mr. Nieda reviewed his report and recommended a Continuance, to allow for resolution of the 50% rule, lot coverage, building massing, and a right-of-way planting agreement.

Mr. Nieda clarified that a maintenance agreement for planting in the right-of-way would not be with the Village as was indicated in his report, since the Village did not own that.

Mr. Buzinec requested pictures of the existing home and suggested that something be done with the front, to make it more attractive.

**Kenneth Hubbs, Architect – JAM Associates Architects & Engineers**, explained that due to 50% rule they didn't want to do too much.

**Yankee Andrusier, Owner's Representative**, explained the project.

Mr. Balli and Mr. Buzinec discussed some structural issues with the beams.

**Mr. Castillo, Structural Engineer**, addressed the Board.

Mr. Hubbs distributed items.

Mr. Balli spoke against the design and didn't think that the addition was appealing. He recommended that it be reviewed and the space be divided. Mr. Buzinec agreed and suggested the placement of a couple of columns under the bay window. Mr. Balli noted that the addition needed to be more in harmony with the rest of the house.

Mr. Nieda discussed the windows. Mr. Andruiser noted that the new windows would match the old windows.

Mr. Nieda reported that the construction estimate was submitted and showed that the project was at 35%.

Mr. Castillo agreed that he would prefer to have more columns.

Mr. Hubbs explained that the driveway was painted concrete.

Mr. Nieda requested calculations for the lot coverage. Mr. Hubbs noted that it was provided in the paperwork distributed at the meeting.

Mr. Nieda explained that the Village no longer maintained sections within the gated area, so it would not be responsible for maintaining the trees in the right-of-way.

**A motion was offered by Mr. Balli and seconded by Mr. Cawley to approve a Continuance. The motion carried (3-0).**

## **PAUL MICHAEL AND WENDY ANNE HAMBURGER – 118**

**CAMDEN DRIVE:** The Applicant requested approval for a new two story residence, with an existing residence to be demolished. Mr. Nieda reviewed his report and recommended a Continuance to address the following issues: additional setback required on the second floor, pool items (placement, pool deck and safeguards), mechanical equipment encroachment on the side yard setbacks, spiral staircase encroachment on the rear yard setback, planting scheme (more plant material and coordination with the drawings as well as clarifications to the disposition plan).

**Kenneth Hubbs, Architect – JAM Associates Architects & Engineers**, addressed the Board.

Mr. Cawley discussed the difficulty in understanding the concept for the overall landscape design and scheme. He questioned the existing landscaping.

**Yankie Andrusier, Owner's Representative**, explained the existing landscaping. He reported that the circular driveway was demolished.

Mr. Hubbs distributed new landscape plans. Mr. Cawley reviewed the new landscape plans and suggested that something basic (groundcover or something that would tie it together) be added. He requested the following items on the landscape plan: denote the existing and integrate some landscaping with the pool area.

Mr. Hubbs reported that the driveway would be concrete pavers.

Mr. Buzinec discussed the need to address the water that would run off onto the neighboring property. Mr. Nieda discussed drainage issues and the need to retain the water, with a retention wall or something else.

Mr. Buzinec and Mr. Balli discussed the louver hiding the garage. Mr. Balli discussed the difficulty to use the garage, due to the placement of the louver. Mr. Nieda reported that the louvers were used to obscure the garage, in compliance with the Code.

The Applicant was directed to address the following: mechanical equipment, move second floor, pool deck, clarify paving or sod driveway, access issue with retention (water runoff), garage aesthetic comments, detail the second floor balcony to make it consistent with the rest of the house, landscaping issues, and a roof plan.

*A motion was offered by Mr. Balli and seconded by Mr. Cawley to approve a Continuance. The motion carried (3-0).*

**5. PUBLIC HEARING ON THE PROPOSED AMENDMENT TO CHAPTER 5.5 "APPEARANCE CODE":** The following Ordinance was read, by title, by Mrs. Horvath:

**AN ORDINANCE OF BAL HARBOUR VILLAGE, FLORIDA, AMENDING CHAPTER 5.5 "APPEARANCE CODE," ARTICLE II "APPEARANCE PLAN," SECTION 5.5-5 "CRITERIA FOR APPEARANCE" OF THE VILLAGE CODE OF ORDINANCES PROVIDING FOR ROOF FINISHES CONSISTENT WITH BUILDING ARCHITECTURE AND ALLOWING FLAT ROOFS ON SINGLE FAMILY STRUCTURES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Nieda reported that the Ordinance had been approved on first reading by the Village Council. Mrs. Horvath explained that the Board needed to review the Ordinance and provide a recommendation to the Village Council, before it was considered for second reading. Ms. Lundgren explained the Ordinance.

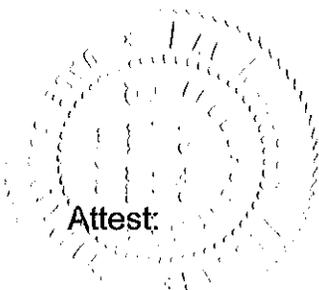
*A motion was offered by Mr. Cawley and seconded by Mr. Balli to recommend approval by the Village Council.*

Mr. Buzinec opened the public hearing. There being no comments, Mr. Buzinec closed the public hearing.

The motion carried (3-0).

**6. OTHER BUSINESS:** Mr. Cawley distributed and reviewed suggested criteria (Preliminary Draft Presented for Review and Discussion August 3, 2011 ARB Meeting) to the Board for Architectural Review Board Applications. The criteria will be reviewed by the Board and discussed at the next meeting. Mr. Nieda requested that the criteria include a drainage runoff plan.

**7. ADJOURN:** There being no further business, a motion was offered by Mr. Cawley and seconded by Mr. Balli to adjourn. The motion carried (3-0), and the meeting adjourned at 12:42 p.m.



Attest:

  
Ellisa L. Horvath, MMC, Village Clerk

  
James Silvers, Chairman