

ARCHITECTURAL REVIEW BOARD MINUTES
REGULAR MEETING – MARCH 6, 2013

The regular meeting of the Bal Harbour Village Architectural Review Board was held on Wednesday, March 6, 2013, 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 11:05 a.m. by James Silvers, Chair. The following were present:

James Silvers
Giorgio Balli
Paul Buzinec
Christopher Cawley
Jorge D. Mantilla

Also present:

Councilman Martin Packer
Jay R. Smith, Interim Village Manager
Ellisa Horvath MMC Village Clerk
Raul Rodriguez, Building Official – CAP Government
Suramy Cabrera, Senior Structural Engineer –
CAP Government
Johanna M. Lundgren, Village Attorney

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

2. PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Mr. Cawley.

3. APPROVAL OF MINUTES: *A motion was offered by Mr. Buzinec and seconded by Mr. Cawley to approve the January 2, 2013 Regular Meeting Minutes. The motion carried (5-0).*

4. HEARINGS: Ms. Lundgren explained the procedures for the quasi-judicial process.

Mr. Silvers disclosed that he received a call from Jeff Bercow (Bercow, Radell & Fernandez, PA), regarding 284 Bal Bay Drive, but did not discuss the project and referred Mr. Bercow to meet with the Building Official, to review the comments.

No additional disclosures were made by the Board.

Those planning to speak at the hearings were sworn in by Mrs. Horvath.

JEAN MARC FAOUEN AND ISABLE C. VALLENILLA FAOUEN
– 237 BAL CROSS DRIVE: The Board considered an application for a new two story single family residence (5,536 square feet).

Raul Rodriguez, Building Official, reviewed his report and recommended that a Certificate of Appropriateness be granted, with the following comments: specify color for the railing frames and glazing, specify wall paint colors, and the chain link fence along the front yard side setback area may not be chain link fabric material.

Jose Sanchez, Architect - Praxis Architecture & Design, reviewed the plans. He presented the material samples and noted that simulated wood or stucco banks with plastic reveal to simulate wood would be used, based on the cost. He added that the walls would be white.

Mr. Buzinec discussed the driveway and motor court. Mr. Sanchez noted that a mid/dark gray paver would be used, to simulate cobblestone, similar to the roof.

Mr. Balli discussed the parking and garage and suggested that another location be used for storage of the a/c units, to shift the carport and enable more parking area. Mr. Sanchez agreed that the parking area was small, but explained that the owner was aware of it. He explained that the second portion could not move to the left, due to setback requirements and the second floor bedroom would have to cantilever (8 feet).

Mr. Balli didn't think that the presentation showed the final depiction of the home, which was essential for the Board to see (colors, materials, etc.).

Mr. Silvers thought that the materials were indecisive. Mr. Sanchez explained that the material could be presented at the time of construction documents and that selection would be based on cost. Mr. Silvers agreed with Mr. Balli that a rendering was needed, to show the expected finished job.

Mr. Buzinec questioned the horizontal louvers shown on the front elevation. Mr. Sanchez reported that the louvers would be bronze aluminum, with clear glass windows and bronze frames.

Mr. Mantilla requested clarification on the outriggers on the eaves. He questioned what the lines were on the east elevation. Mr. Sanchez explained that it was simulated wood.

Mr. Balli suggested that the fence be brought all the way to the house, instead of the chain link, which wasn't permitted (to where the gates were). Mr. Sanchez agreed to do so.

Mr. Buzinec noted that the surface beyond the pool would need a wall or screen, due to the step down. Mr. Sanchez noted that the rendering may not be realistic and agreed to comply with a wall or railing.

Mr. Balli discussed the need to present a final look and to show height, etc. for the landscaping and how it related to the rest of the lot.

Mr. Mantilla questioned the plans for the existing tree in the middle of the driveway, in the public right of way.

Juan Pacheco, Witkin Hults Design Group, reported that the black olive tree would be removed and replaced with three coconut palms. Mr. Mantilla didn't know if the replacement would be comparable to the large tree. Mr. Pacheco reported that they

would be providing more than what was required, with the numerous trees provided on the landscaping plans. Mr. Cawley discussed the need to comply with DERM requirements.

Mr. Mantilla discussed the confined entrance and noted that normally 22 feet was provided to back a car up and only 20 feet was provided. Mr. Sanchez discussed the need to access the driveway from the side. Mr. Mantilla noted that bollards would be needed against the house.

Mr. Silvers questioned if the black olive tree could be replanted. Mr. Cawley advised that it could not. Mr. Pacheco agreed that it wouldn't survive and added that there was no other way, since the driveway had to go there.

Mr. Mantilla discussed the hardscape along the side. Mr. Sanchez noted that stepping stones could be provided. Mr. Mantilla requested that the stones be defined.

The Board discussed the driveway requirements and incomplete plans. The Board voiced concern about the lack of space backing out of the garage. Mr. Balli provided some ideas for the driveway and tree. Mr. Sanchez wasn't sure if they could find a material that would count as 100% pervious that would look good. He will check the pervious area calculations and discuss it with the owners. He discussed using a combination of completely pervious material and pavers that are 50%.

Mr. Silvers requested that the house exterior materials be looked at again. He spoke against using simulated wood and concrete.

Mr. Cawley requested that the tree be discussed with the owner again, since it was so large and its removal would be cutting down canopy. Mr. Pacheco explained that the main reason for removing the tree was the driveway. Mr. Sanchez noted that they would look into it. Mr. Cawley suggested that the trunks for the coconut palms be increased to eight to ten feet (for a sixteen to eighteen foot tree), if they would be used to replace the black olive tree.

Mr. Mantilla discussed the decreased size of the garage. He suggested re-working the roof area over the closet. Mr. Silvers suggested reducing the front landing, to allow more room in the parking area. Mr. Mantilla suggested removing the storage area. Mr. Balli suggested finding another place for storage, to allow more room in the driveway. Mr. Sanchez will remove the storage and rearrange it. Mr. Mantilla requested that area be looked at again.

No comments were provided by the public.

A motion was offered by Mr. Mantilla and seconded by Mr. Buzinec to grant a Continuance. The motion carried (5-0).

252 BAL BAY DRIVE, LLC – 252 BAL BAY DRIVE: The Board considered an application for a new two-story single family residence (12,309 square feet), on a vacant lot, where the prior structure was demolished. The Application was previously reviewed by the Board at the January 2, 2013 meeting.

Raul Rodriguez, Building Official, reviewed his report and recommended that a Certificate of Appropriateness be granted.

Juan A. Calvo, Partner and Vice President – Oppenheim Architecture and Design, addressed the Board. He reviewed the green roof.

Mr. Mantilla requested a front elevation. He noted that the rear elevation didn't show the railing on the roof. Mr. Calvo explained that the front was very similar to the back. He noted a CMU wall on one side and existing one on the other side. Mr. Buzinec noted that was not shown on the front elevation. Mr. Calvo clarified that it was shown on the plans. Mr. Mantilla questioned the finish. Mr. Calvo thought that it was stucco.

Mr. Buzinec questioned the wine cellar. Mr. Calvo explained the proposal to have the wine enclosed in floor to ceiling glass, to be air conditioned.

Mr. Buzinec questioned the process to get from one deck to another. Mr. Calvo explained that steps were provided, but weren't easy to see on the plans. Mr. Silvers noted that they would be going beyond the setback for the pool, for the receptor. Mr. Mantilla agreed and noted that the pool would have to be reduced, or it would be in violation of the setback. He added that railings would be needed for the steps and walkarounds. Mr. Calvo noted that railings were not required for areas that were 30 inches or less. Mr. Rodriguez agreed. Mr. Calvo added that railings would be required at the steps.

Mr. Cawley questioned the ability to mow the grass on the side of the house, between the wall and the walkway. Mr. Calvo discussed the use of the lower level, to circulate around the house with equipment.

Mr. Buzinec questioned the swale on the side yards. Mr. Calvo explained that would be sloped in, with a rock base within the lower five feet.

Mr. Balli discussed the details needed for a simplistic house, such as how to get rid of water, the railings, etc. He didn't think that the renovations showed a realistic house. Mr. Calvo explained that the house was realistic on the elevations.

The Board discussed the window framing. Mr. Balli noted that the drawing showing the framing was incorrect. He thought that it was a nice project, but was missing a lot of the items that would affect the final look.

Mr. Buzinec reviewed the west/east elevation and noted that there was a glass railing that interacted with the louvers that wasn't shown on the elevation. Mr. Calvo explained that there was an angle on the floor and the railing was slightly inside.

Mr. Mantilla thought that more detail was needed for a modern house.

Mr. Calvo noted that he had addressed the prior life/safety and other issues discussed by the Board. He added that they had delivered what was required and met with the Building Official. He understood that the Board wanted more details.

Mr. Balli reviewed the lack of an elevation.

No comments were provided by the public.

A motion was offered by Mr. Buzinec and seconded by Mr. Balli to approve a Continuance.

Shlomi Alexander, Manager – 252 Bal Bay Drive LLC, noted that the Board's comments at the January meeting were addressed and the prior Building Official liked the rendering of the home. He requested the items that needed to be addressed, for architectural review.

A motion was offered by Mr. Buzinec and seconded by Mr. Balli to re-open the hearing. The motion carried (5-0).

Mr. Silvers explained that the elevations were not consistent, a color palate or sample materials was not provided, etc. He added that the Board wanted the project to be consistent and it wasn't. Mr. Balli added that even though the requirements may not include life/safety, they had to be complied with and those elements might affect the aesthetics of the building.

No comments were provided by the public.

The motion carried (5-0).

MARLEY PROPERTIES BAL HARBOUR, LLC- 284 BAL

BAY DRIVE: The Board considered an application for a new three story multi-unit building, with three dwelling units (unit # 1 with 18,195 square feet, unit #2 with 744 square feet, and unit #3 with 634 square feet) and a total square footage of 19,583. The current three story building, with 13 units, would be demolished.

Raul Rodriguez, Building Official, reviewed his report and recommended that a Final Certificate of Appropriateness be granted.

Ben Fernandez (Bercow, Radell & Fernandez, PA), Attorney representing the Property Owner and Contract Purchaser Mr. Fisher, urged the Board to follow the Building Official's recommendation to grant a Certificate of Appropriateness.

Kobi Karp, Architect, displayed renderings and reviewed the project.

Mr. Balli questioned if the glass was impact resistant. Mr. Karp advised that it was.

Mr. Balli requested information on the front wall. Mr. Karp displayed an image of the concrete wall with perforations. Mr. Balli questioned if a property line wall was provided. Mr. Karp reviewed the garden and green spaces, which created a front vegetation area. Mr. Mantilla requested information on the rolling gate. Mr. Karp discussed the rolling gates and pedestrian gates. He advised that the eaves of the overhang would be wood (possibly Cypress). Mr. Balli questioned if the louvers would be aluminum. Mr. Karp advised that they would be. Mr. Mantilla discussed the rendering with and without a screen. Mr. Karp noted that it was shown both ways.

Mr. Buzinec questioned if the project was a residence or apartment. Mr. Karp clarified that it was an apartment, with the intention to have family members live in the apartments.

Mr. Buzinec reviewed the handicap requirements.

The Board spoke in favor of the large squares.

Mr. Mantilla suggested that the wall be brought back on the sides, for privacy. Mr. Karp agreed to do so using picket and pilasters, with landscaping on either side.

Mr. Cawley reviewed the landscaping plans.

Juan Pacheco, Landscape Architect, reviewed the plans. Mr. Cawley discussed the lawn area, between the edge of the street and the wall, and questioned if any palms were located there. Mr. Pacheco advised that they would keep the character of the street. Mr. Cawley questioned if large grass joint pavers would be used. Mr. Pacheco advised that they would. Mr. Silvers suggested that rocks be used, if the grass didn't work. Mr. Pacheco discussed the use of the synthetic grass, if real grass didn't work.

Mr. Balli questioned if the barbecue pavilion was allowed in the setback. Mr. Rodriguez didn't think that any structure was allowed in the setback, but would look into it. Ms. Lundgren explained that any variance request, for a structure in the setback, would have to go to the Village Council.

Anamarie Kelly Stoppa, 77 Camden Drive, spoke against approval, since the project was a single family home and not a multi-family unit. She suggested that the property be rezoned, instead of skirting the issue. She discussed the noise that would be created from the gate, with residents entering and exiting the property.

Mr. Silvers questioned if the application complied with the zoning requirements. Ms. Lundgren explained that the project did meet the zoning requirements for RM-5.

Mr. Fernandez questioned when Ms. Stoppa purchased her property, because she didn't own 77 Camden Drive, Sussco did. He noted that 77 Camden Drive was not near the proposed project.

No additional comments were provided by the public.

A motion was offered by Mr. Buzinec and seconded by Mr. Balli to grant a Certificate of Appropriateness. The motion carried (5-0).

PAUL B AND KAREN CHAPLIN – 108 BAL BAY DRIVE: The Board considered an application for a new two story single-family residence (6,086.4 square feet), with the current structure to be demolished.

Raul Rodriguez, Building Official, reviewed his report and recommended that a Continuance be granted, with the following comments: non-compliance with zoning code requirements for R-1, palate/color board and sample materials are needed, swale areas and grading at the front and rear of the property need to be provided, a safety

fence or other code compliant safety barrier needs to be provided for the pool, pool equipment shown on A-2 is within the 10 foot setback and is not in compliance with setback requirements, and the spiral exterior staircase is not in compliance with setback requirements (it is approximately six feet from the property line).

Z.W. Jarosz, Architect, responded that the fire exit staircase was allowed to encroach into the setback and the pool equipment was relocated, per the new site plan.

Mr. Silvers suggested a secondary staircase, for the master bedroom to have access to the pool. Mr. Jarosz spoke against doing so, for security reasons. Mr. Mantilla noted that the spiral staircase may be a security problem, as well as providing only a small tread width. Mr. Jarosz explained the use of the spiral staircase, as a fire escape. Mr. Mantilla thought that the staircase may need to be larger, to meet egress requirements. Mr. Jarosz noted that wasn't a code requirement, since it was a convenience staircase. Mr. Silvers suggested that it be a more useable staircase. Mr. Mantilla suggested a six foot diameter. He noted that the staircase needed to meet the requirements of a fire escape, if it was in the setback. Mr. Jarosz will work that out with the Building Official. He will eliminate the staircase, if it cannot be in the setback.

Mr. Buzinec reviewed the roof plans and suggested that it be 3:12. Mr. Jarosz explained that the pitch would be barely visible from the street, if that was used.

Karen Chaplin, Owner, explained that she had been in a fire and wanted to have the stairs to escape. Mr. Balli discussed reducing the theater and putting the staircase there. Mr. Jarosz discussed a rope ladder. He requested that the project be approved and he would work out the staircase with the Building Official.

Mr. Cawley reviewed the landscaping plans.

Mr. Mantilla discussed privacy fencing. Mr. Jarosz noted that existing fencing was provided on the sides of the property. He displayed photos of the fences, which were hidden by landscaping.

No comments were provided by the public.

A motion was offered by Mr. Mantilla and seconded by Mr. Balli to grant a Certificate of Appropriateness, subject to the Architect working with the Building Official on the fire escape staircase. The motion carried (5-0).

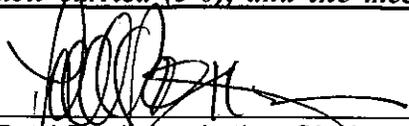
5. OTHER BUSINESS:

Mrs. Horvath announced that Mr. Balli would be resigning from the Board, effective April 1, 2013. Mr. Buzinec suggested checking to see if Jaime Schapiro could serve on the Board again.

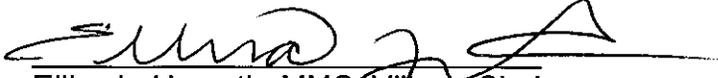
Mr. Balli discussed the need for an application to be 100% complete, before coming to the Board. He suggested maybe having a preliminary review process. Mr. Cawley agreed. Ms. Lundgren explained that the process would still take the same amount of time. The Board requested that the Building Official review the application, to make sure that the drawings and submittal were complete.

6. ADJOURN: There being no further business, a motion was offered by Mr. Buzinec and seconded by Mr. Balli to adjourn. The motion carried (5-0), and the meeting adjourned at 1:34 p.m.

Attest:



Paul Buzinec, Acting Chair



Ellisa L. Horvath, MMC, Village Clerk