

# Landmark Manual



Ray Gindroz, *Jungle Road*, 1993, Palm Beach, FL.



Jane S. Day

Town of Palm Beach, Florida  
Landmarks Preservation Commission  
And  
The Preservation Foundation of Palm Beach  
2009

# Effects of Landmarking

## Landmarking Does:

- Preserve important buildings in the community
- Preserve property values by discouraging redevelopment and increases in density
- Stabilize and improve property values based on appraisal information
- Require Landmarks Commission review of exterior alterations and new construction
- Require **exterior only** review
- Substitute Landmarks Commission review for Architectural Commission review
- Offer restoration and rehabilitation information to property owners
- Allow normal maintenance without review by the Landmarks Commission
- Provide a mechanism for quick administrative approval, usually for minor changes (\$2,000 or less) such as security lighting, driveways, etc.
- Encourage historic research and community pride
- Preserve the historic and cultural integrity of Palm Beach

## Landmarking Does NOT:

- Change any existing zoning
- Prohibit redevelopment
- Lead to declines in property value
- Usurp individual rights because all construction goes to either the Landmarks or Architectural Commission
- Affect **interior** changes
- Create an extra municipal hurdle for the Landmark's owner
- Require restoration
- Restrict normal maintenance
- Prevent modernizing a building
- Require a building to be open to the public or to have a historic sign
- Lead to a listing on a tourism map

# Acknowledgements

The Town of Palm Beach would like to thank the following for their gracious help in the publication and production of the Landmark Manual:

## **The Preservation Foundation of Palm Beach**

The Preservation Foundation of Palm Beach is a private, non-profit membership organization dedicated to the preservation of the historic, architectural, and cultural heritage of Palm Beach, Florida. Through advocacy initiatives, educational programs, architectural resources, and cultural events, the Foundation's goal is to encourage the community to learn about and save the historic buildings that truly make Palm Beach special.

## **Anthony K. Baker Internship Program**

The Preservation Foundation of Palm Beach is proud to offer a six week summer internship program for undergraduate and graduate students of architecture. The internship program is in honor of the late Anthony K. Baker, a dedicated advocate of historic preservation, history and architecture throughout the United States.

For the internship's inaugural summer, the interns Amie Edmiston and Peter Miller, working in association with Jane Day, successfully completed this updated version of the Landmark Manual for Palm Beach. Their efforts and research were instrumental in making this updated version possible. The Preservation Foundation is excited for the program to continue and develop in years to come and looks forward to the opportunities the future holds in which the program will strive to benefit both the Town and its residents.

## **University of Miami School of Architecture**

Students from the University of Miami's School of Architecture Spring 2008 Historic Preservation studio were an essential element in many of the documentation drawings included in the updated manual and their diligence should be recognized and thanked. Their persistence and critical eyes have left Palm Beach with a compendium of computer drafted drawings of significant buildings of various styles as well as descriptive maps of the island.

# Table of Contents

i.	<b>Introduction</b> .....	4
ii.	<b>Palm Beach and National Registers of Historic Places</b> .....	9
iii.	<b>Timeline of Important Dates in the History of the Town of Palm Beach</b> .....	10
iv.	<b>Palm Beach: Architectural History</b> .....	12
v.	<b>Architectural Styles</b> .....	15
	Frame Vernacular .....	16
	Shingle.....	17
	Neo-Classical Revival .....	18
	Bungalow.....	19
	Mediterranean Revival.....	20
	Monterey .....	21
	British Colonial .....	22
	Mission Revival .....	23
	Georgian Revival .....	24
	Art Deco.....	25
	Moorish Revival .....	26
	Tudor .....	27
	Regency .....	28
	International .....	29
	Ranch .....	30
	Late Twentieth Century .....	31
vi.	<b>Secretary of the Interior’s Standards for Rehabilitation</b> .....	32
	Standards for Preservation .....	33
	Standards for Rehabilitation .....	33
	Standards for Restoration .....	34
	Standards for Reconstruction .....	35
vii.	<b>Rehabilitation and Maintenance</b> .....	36
	General Considerations .....	36
	Roofing.....	36
	Chimneys.....	36
	Exterior Wall Materials .....	37
	Windows & Doors .....	37
	Foundations .....	38
	Renovations & Additions .....	38
	New Construction .....	38
viii.	<b>Appendix</b> .....	39
	Landmarks Preservation Ordinance .....	40
	Tax Abatement Program.....	51
	Tax Exemption Application.....	52
	Landmarks Commission Property Application .....	54
	Guidelines for Presenting Projects.....	61
	Landmarks Commissioner Application.....	62
	<b>Bibliography</b> .....	65

# Introduction

Although the first families to move to today's Palm Beach arrived in 1876, real expansion and growth did not take place on the island until 1894 when Henry Morrison Flagler completed the Royal Poinciana Hotel (Figure 1). At that time the overwhelming popularity of this grand hotel, situated along the new "American Riviera," prompted aristocrats to travel south and construct palatial winter residences that were equal in grandeur to the summer residences they had created in Newport, Rhode Island.



Figure 1. McDonald & McGuire, *The Royal Poinciana Hotel*, 1894. Palm Beach, Florida.

Palm Beach, like the rest of South Florida, reached the pinnacle of what has come to be called the "Boom Times" in the mid-1920s when opulent living and expansive, sprawling mansions became the norm. This booming economy, however, came to an abrupt halt in 1926 when the Florida banks failed. Two devastating hurricanes, the collapse of the Florida real estate market, and the stock market crash of 1929 all contributed to the down turn. This period of economic instability also had an impact on the built environment of the island. Architectural endeavors became smaller and took a more restrained approach in both style and scale. Howard Major's Major Alley (Figure 2) is a good example. This trend continued into the 1930s.

The building slowdown in Palm Beach lasted until after World War II when once again the island became the most desirable winter resort on the east coast. During the 1940s, Palm Beach hosted a myriad of millionaires and movie stars. The local population also increased when service men and women, who had trained in the area during the War, decided to call Florida home. The advent of the affordable air conditioner in the 1950s vastly escalated the growth of professional, residential, civic and commercial areas in Palm Beach. Coupled with the island's status as a seasonal resort, this new technology ushered in a diverse array of new building types and styles. Today, Palm Beach contains a rich heritage of extraordinary architectural resources that span over one hundred years of development (Figure 3).



Figure 2. Howard Major, *Major Alley*, 1925. Palm Beach, Florida.



Figure 3. Addison Mizner, *The Everglades Club*, 1920s. Palm Beach, Florida.



Figure 4. Addison Mizner, *El Mirasol*, 1919. Palm Beach, FL.



Figure 5. Maurice Fatio, *El Mirasol* arch, 1930. Palm Beach, FL.

Since the 1970s the Town's zoning ordinances have controlled usage, density, height, setbacks, parking, landscaping and new construction. It did not, however, prevent the trend toward demolition and subsequent subdivision of the grand Palm Beach estates that began to occur in the late 1960s. The Stotesbury estate, *El Mirasol*, was Addison Mizner's first grand residential project on the ocean (Figure 4). Today the mansion is gone and the lot has been subdivided. All that remains of a once glorified past is an arch, now believed to be the design of Maurice Fatio (Figure 5).

To combat the loss of the Town's historic resources, the Town Council adopted a Landmarks Preservation Ordinance in 1979. The purpose of this ordinance was to study and protect Palm Beach's most significant architectural achievements, ensuring that the heritage of Palm Beach would not be lost. The Landmarks Preservation Ordinance directs the appointment by the Town Council of a Landmarks Preservation Commission (LPC) to identify significant structures, subject them to a set of

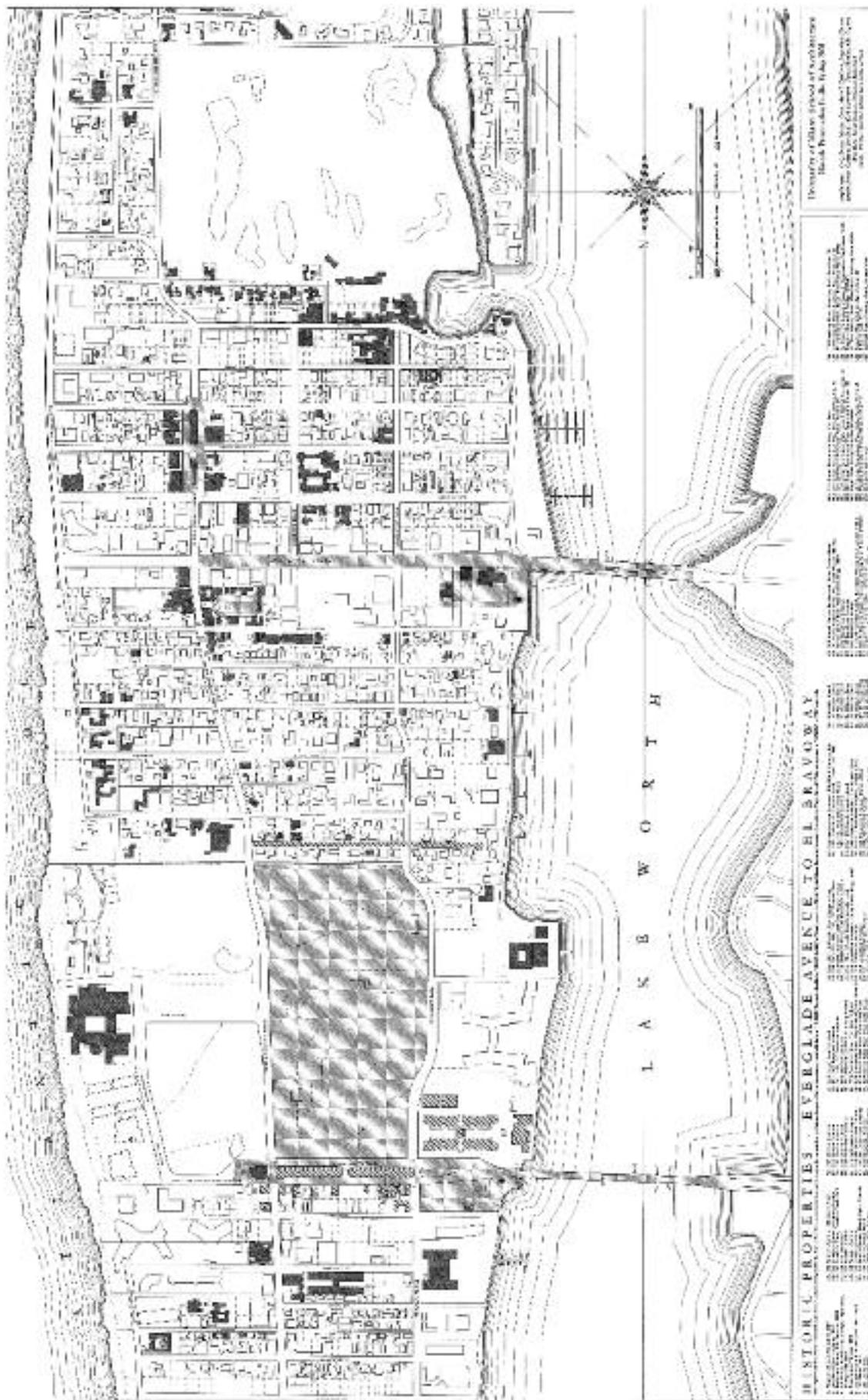


Figure 6. *El Bravo Way*, original date ca. 1930s with addition 1990s.

objective criteria, and designate the most worthy as Historic Landmarks of the Town of Palm Beach. Not all old structures are worthy of landmark status. A building must have an important historical association; it must be an outstanding example of architectural design, or it must be a significant work of a notable architect or master craftsman (the four criteria can be found in the Palm Beach Code, Chapter 54, Historic Preservation, Sec. 54-162).

The Landmark Preservation Commission is comprised of seven members, six of whom must be Town residents, who are appointed by the Town Council. If the Commissioners determine that a building is worthy of study, the property will be proposed for designation, it will be studied by staff, and later discussed at a subsequent public hearing. At this public hearing, the Commission will vote on whether or not to recommend to the Town Council that the building be designated a landmark of the Town of Palm Beach. The Landmarks Commission's recommendation must be ratified by the Town Council in order to be effectuated.

The Commission has a similar process for determining historic districts or historically scenic areas. A historic district is intended to protect an area highly concentrated with significant structures. However, not all buildings within the boundaries of the district need necessarily fulfill the criteria for individual designation.



University of Miami Architecture Studio, *Historic Properties: Everglades Avenue to El Bravo Way*. Spring 2008.

What does landmark designation really mean? First, landmark designation does not prohibit an owner from altering his or her structure. It simply provides a method by which proposals for change can be reviewed to determine their appropriateness as related to the architectural integrity of the structure. Second, landmark designation does not prevent additions or the removal of non-conforming previous alterations to the structure. In fact, most landmarks have been substantially altered over time, allowing for family growth and individual needs. Many of these alterations were sensitive to the historic fabric of the structure, and have become significant in their own right (Figure 6). Therefore, additions and alterations to a landmarked property are not forbidden. Third, landmark designation protects properties from deterioration caused by neglect. Section 54-3 of the Landmarks Preservation Ordinance of the Town of Palm Beach states that:

“If the Commission determines that a landmark is in the course of deterioration by neglect, it shall notify the owner of record of such preliminary finding stating the reason therefore and shall give the owner of record thirty (30) days from the date of notice in which to commence work rectifying the evidences of neglect cited by the Commission.” (Palm Beach Code, Chapter 54, Historic Preservation, Sec. 54-3)

The property owner in question is given notice first by certified mail and second by posted notification upon the landmarked property in question. Failure of an owner to make repairs within thirty days provides the Commission with just cause to notify the owner to appear before the Commission at the next public hearing. At the hearing, both the Commission and the property owner have the opportunity to present their arguments.

Subsequently, if it is determined that the property owner is still in violation, the Town can bring charges against the property owner for violating the ordinance and order that repairs be made with the assistance of Town appropriated funds. The Town also reserves the right to place a lien on the property until the repair costs are recovered.

Finally, a landmarked property may not be demolished, except when approval has been granted by the Landmark Preservation Commission and ratified by the Town Council. Approved demolition of a landmarked building has occurred only on a limited basis since the Landmarks Preservation Ordinance was enacted. Many new residents of Palm Beach fail to realize that all buildings in the Town are under the jurisdiction of either the Architectural Commission (ARCOM) or the Landmarks Preservation Commission.

The Architectural Commission is composed of a panel of residents, some of whom are licensed architects. The Landmarks Preservation Commission is also composed of a panel of residents, however, the Town Council carefully selects those individuals who possess “a special knowledge of and a known interest in landmarks preservation.” (Palm Beach Code, Chapter 54, Historic Preservation, Section 54-36). Several of its members are architects, historians, or individuals familiar with these disciplines. As a result, Landmarks Commission members are helpful in ensuring that work undertaken on a historic structure is visually and structurally compatible with the original fabric.

The process of working with the Landmarks Preservation Commission is not intended to be adversarial. The commission recognizes that old houses often need new air conditioners, windows, roofs, additional bathrooms and bedrooms, redesigned patios and courtyards, in order to function as contemporary residences. All of these types of changes, and many others, have been approved for landmarked buildings in Palm Beach. If the owner wishes to make exterior changes to a landmarked structure, a request for a Certificate of Appropriateness must be filed with the Town’s Department of Planning, Zoning and Building. Owners may save significant time and money by asking their architects and builders to be sensitive to the original fabric of the structure, before appearing in front of the Landmarks Preservation Commission for a Certificate of Appropriateness.

This book is intended to provide a readable layman’s guide to landmark property ownership in the Town of Palm Beach. The sections that follow on Palm Beach history, local architectural styles, and rehabilitation and maintenance, are offered to assist in the planning of the restoration and/or rehabilitation of landmarked structures.

The suggestions presented here are an attempt to acquaint owners with the general philosophy and principles of historic preservation and renovation. As these suggestions are not a part of the formal Landmarks Preservation Ordinance, they have no legal standing. The restoration and renovation of any landmarked structure is a unique event. Each application must be handled in context, and the Landmarks Commission evaluates each application on its own merit. These guidelines do, however, represent a broad range of suggestions from local preservation experts, architects, and builders, as well as other professionals and local citizens. Please find these guidelines to be a useful starting point for any future involvement with the historic architecture of Palm Beach.

# Palm Beach Register of Historic Places

In 1979 the Town of Palm Beach enacted the Landmarks Preservation Ordinance in order to protect historic properties throughout the island. Although formatted after national standards using similar criteria for evaluation (see Palm Beach Code Sec. 54-162), the Town's ordinance differs mainly from the National Register of Historic Places in that the consent of the property owner is not needed to deem the site or building as a local landmark. However, as with national policy, local tax programs are available to aid in the restoration of a landmarked property (for more information see the Appendix section on the Tax Abatement program).



Addison Mizner, Via Mizner, ca. 1920s  
Landmarked by the Town of Palm Beach

# National Register of Historic Places

The National Register for Historic Places was created when the National Historic Preservation Act was signed into law on October 15, 1966. The act's intentions were clear; to provide and encourage protection of national archaeological and historical sites. It was through this act that state preservation offices were created as well as the National Historic Landmarks and National Register of Historic Places. Today Palm Beach has ten properties listed on the National Register for Historic Places.



The Breakers, 1926  
Listed on National Register for Historic Places August 8, 1973  
Architect: Schultze & Weaver

In order to submit a property for registration one must first understand the criteria for listing. The National Register explains the age, integrity and significance of a building or site should be significant enough to deem the nomination as worthy. If the National criteria are met, one then begins the application process at their State Historic Preservation Office (SHPO). The state as well as the National Register Review Board review nominations and if considered eligible properties are then recommended to the National Park Service in Washington, D.C. Once at this level, the Keeper of the National Register of Historic Places makes a final decision within 45 days of the submittal.

As a recognized national landmark property owners are entitled to both federal and state tax credits and federal grants. National Register does not restrict the owner on the use, treatment, transfer or disposition of private property nor does it imply public possession of land or public access. Similarly, the owner has the legal right to reject the registration.

# Timeline

<b>Pre-1500</b>	Indian occupation of the area comprising present day Palm Beach County. The Native Americans are believed to be Jaega or Ais.	<b>1878</b>	The brig <i>Providencia</i> wrecks off Palm Beach with twenty thousand coconuts.  The Lake Worth Post Office is established.
<b>1513</b>	Ponce de Leon reaches Florida and claims the land for Spain.	<b>1880</b>	Elisha N. “Cap” Dimick adds eight rooms to his private home and opens it to winter visitors as The Cocanut Grove House.
<b>1696</b>	Jonathan Dickinson’s shipwreck and subsequent account of the Indians along the east coast of Florida.	<b>1881</b>	Edmund and John Brelsford arrive from Xenia, Ohio and buy land from Frank Dimick who moves to North Carolina.
<b>1763</b>	Great Britain takes control of Florida.	<b>1884</b>	Brelsford brothers establish a general store.
<b>1784</b>	The Second Spanish Era begins.	<b>1885</b>	“Barefoot Mailman” begins to travel the beach.
<b>1814-1819</b>	First Seminole War.	<b>1886</b>	Denver businessman, Robert R. McCormick, buys land from Albert Geer for \$10,000 and builds McCormick Cottage (now Seagull Cottage).  The first public school in Dade County is built. (Now located in Phipps Park)
<b>1821</b>	President James Monroe signs the Adams-Otis Treaty ceding Florida to the United States.	<b>1887</b>	A post office is established at Brelsford’s store. The original name, “Palm City” cannot be used, so the name “Palm Beach” is adopted.
<b>1836-1842</b>	Second Seminole War.	<b>1889</b>	Bethesda-By-The-Sea, an Episcopal Church is founded by the Rev. Joseph N. Mulford.
<b>1842</b>	Under the Armed Occupation Act, three settlers claim land within the present bounds of the Town of Palm Beach: James H. Russell, John S. Hutchinson, and William W. Loring.	<b>1892</b>	Charles J. Clarke arrives from Pittsburgh aboard his yacht and buys Dimick’s hotel and twenty acres from Lake to Ocean for \$49,000.
<b>1845</b>	Florida becomes the 27th State in the Union.	<b>1893</b>	The area’s first newspaper, <i>The Tropical Sun</i> , moves from Titusville to Juno, to West Palm Beach.
<b>1855-1858</b>	Third Seminole War.		
<b>1860</b>	The Jupiter Lighthouse, the oldest standing structure in Palm Beach County, is completed.		
<b>1861</b>	Florida secedes from the Union during the Civil War.		
<b>1872</b>	H.D. Pierce becomes assistant keeper at the Jupiter Lighthouse.		
<b>1876</b>	The Dimick, Geer, and Brown families settle in what is today Palm Beach and buy land for \$1.00 an acre.		

## Important dates in the history of the Town of Palm Beach, Florida

- |             |   |             |   |
|-------------|---|-------------|---|
| <b>1894</b> | <p>The East Coast Canal is completed from Jacksonville to Miami.</p> <p>Henry Flagler’s Florida East Coast Railroad is extended to Palm Beach</p> <p>The Royal Poinciana Hotel opens with 540 rooms.</p> <p>The Palm Beach Inn is built, later to be called the Breakers.</p> | <b>1926</b> | <p>The Breakers Hotel complex is rebuilt.</p> <p>The closing of Palm Beach Bank and Trust starts a run on area banks. Eleven Palm Beach County banks fail.</p>                |
| <b>1901</b> | <p>Henry Morrison Flagler builds “Whitehall” as a wedding gift to his wife, Mary Lily Kenan. The architects were Carrere &amp; Hastings. It was listed in the National Register of Historic Places in 1972.</p>   | <b>1928</b> | <p>A September hurricane brings storm tides of 11.2 feet and causes \$11 million in damage.</p> <p>J. Wadsworth Travers publishes <i>History of Beautiful Palm Beach</i>.</p> |
| <b>1903</b> | <p>The Breakers burns.</p>  | <b>1929</b> | <p>Memorial Fountain is designed by Addison Mizner.</p>   |
| <b>1906</b> | <p><i>Palm Beach Life</i> magazine is published for the first time.</p>   | <b>1930</b> | <p>The Garden Club of Palm Beach publishes <i>The Plan of Palm Beach</i>.</p>   |
| <b>1907</b> | <p><i>Palm Beach Daily News</i> begins publication. Federal Highway is opened.</p>  | <b>1938</b> | <p>The Flagler Memorial Bridge is built.</p>  |
| <b>1909</b> | <p>Palm Beach County is established.</p>  | <b>1941</b> | <p>Morrison Field officially becomes an Army post.</p>  |
| <b>1911</b> | <p>The Town of Palm Beach is incorporated with E.N. Dimick as the first Mayor.</p> <p>The first vehicular bridge is built at the site of the Royal Park Bridge.</p>   | <b>1942</b> | <p>The Breakers Hotel becomes Ream General Hospital.</p>  |
| <b>1916</b> | <p>The Ocean Road A-1-A is black topped and opened.</p>   | <b>1949</b> | <p>A hurricane hits the Town in August with winds of 130 miles per hours and damage of over \$4 million.</p>  |
| <b>1919</b> | <p>First <i>Sanborn Fire Insurance Map</i> is published for the Town.</p> <p>The Everglades Club, designed by Addison Mizner in the Mediterranean Revival style, opens.</p>   | <b>1950</b> | <p>The Southern Boulevard Bridge is built.</p>  |
| <b>1925</b> | <p>The Breakers Hotel burns.</p> <p>Town Hall is designed by the architectural firm of Harvey &amp; Clarke with later additions by John L. Volk.</p>  | <b>1974</b> | <p>Barbara Hoffstot publishes <i>Landmark Architecture of Palm Beach</i>.</p>   |
|             |   | <b>1977</b> | <p>The Florida East Coast Railroad is reduced to a single track.</p>  |
|             |   | <b>1979</b> | <p>The Landmarks Preservation Commission is created by Town Ordinance.</p>  |
|             |   | <b>1980</b> | <p>The Preservation Foundation of Palm Beach, Inc. is organized.</p>  |

# Palm Beach: Architectural History

Palm Beach was one of several small communities on the shores of Lake Worth when Henry Morrison Flagler first visited South Florida in the early 1890s. Flagler had just received permission to extend his Florida East Coast Railroad all the way to Miami and became so enamored with the tropical setting of Palm Beach that he purchased the oldest house in town, plus several surrounding acres. Built in 1886 by Robert McCormick, the house, which was later called Sea Gull Cottage (Figure 1), had only one rival on the eastern shores of Lake Worth, the “gingerbread” house known as Duck’s Nest constructed in 1891 on Long Island, New York, and floated to Florida by barge.



Figure 1. *Seagull Cottage*, 1886. Palm Beach, FL.

Early in the summer of 1893, Flagler ordered McGuire and MacDonald, builders of his Ponce de Leon Hotel in St. Augustine, to construct a grand hotel along the banks of Lake Worth. Completed in 1894, the Royal Poinciana Hotel changed Palm Beach from a small, agrarian community to a tourist destination (Figure 2). The social life of the early community of Palm Beach centered around Sunday services at Old Bethesda-By-The-Sea Church, which was originally accessible only by water. Other gatherings were held at the larger homes such as Duck’s Nest, McCormick (Sea Gull) Cottage, and at the Vicarage (1897).

As Palm Beach gradually became the center of more winter social activity, extravagant seasonal residences emerged throughout the area. Nevertheless, the hotels remained the center of society. To the east of the Royal Poinciana Hotel, next to the ocean, Flagler erected the Palm Beach Inn in 1895. Believed to be the first Florida resort directly on the beach, the popular Palm Beach Inn was quickly renamed The Breakers by one of Flagler’s cousins.

Cultural life and entertainment revolved around the musicals, the tea dances and the balls held at the hotels during the brief “high season” from New Year’s to just after Washington’s birthday. For those with a penchant for gambling, Colonel E. R. Bradley opened his Beach Club in 1898 (Figure 3). Bradley’s casino, the first to admit women, was the longest operating illegal gambling establishment in the country. Membership was limited to non-Florida residents. Remnants of Colonel Bradley and his legendary “club” can be found in the area now known as Bradley Park.



Figure 2. The Dining Room, *Royal Poinciana Hotel*, 1894. Palm Beach, FL



Figure 3. *Bradley Beach Club*, 1898. Palm Beach, FL.



Figure 4. Carrere & Hastings. *Whitehall*, 1902. Palm Beach, FL.



Figure 5. Early Twentieth Century Bungalow. Palm Beach, FL.

Henry Flagler was never one to be outdone by the society around him. In 1902, as a wedding gift for his third wife, Mary Lily Keenan, Flagler commissioned Carrere & Hastings, architects of the Ponce de Leon Hotel in St. Augustine, to design the palatial estate, *Whitehall* (Figure 4). At a cost in excess of \$3 million, *Whitehall* was one of the finest Beaux-Arts mansions south of Washington. Known in the best circles as, “the Taj Mahal of the United States,” *Whitehall* was easily one of the largest residences in the area. Since 1963, *Whitehall* has served the island community as a museum, focusing on Henry Morrison Flagler and the Flagler family, complete with period furnishings and historical archives.

It was not until 1911 that Palm Beach formally incorporated as a town. In that year, on the porch of Louis Clarke’s *Lake Trail* residence, “Cap” E. N. Dimick and others wrote, signed,



Figure 6. Addison Mizner, *The Everglades Club*, 1918. Palm Beach, FL.

and adopted the Town Charter. In 1912, by action of the Florida Legislature, Palm Beach was officially recognized as an independent town. In this period, and despite the opulence of *Whitehall*, wooden shingle and Bungalow style houses were the preferred architecture in Palm Beach until about 1918 (Figure 5).

This early period of wood frame architecture ended in Palm Beach with the arrival of Paris Singer, and his friend, Addison Mizner. Singer, the sewing machine heir, became acquainted with Mizner, an antiques dealer and architect, in the social circles of New York City. Close friends, Singer invited Mizner to spend the winter season with him in Palm Beach. Once Mizner arrived in Palm Beach he never left.

Trained in the office of Willis Polk in San Francisco, Mizner became a popular designer of residences for the affluent in Long Island before traveling south with his companion. Adored by the wives of the aristocracy for his good taste, Mizner forever changed the face of Palm Beach architecture with his Mediterranean Revival design for the *Everglades Club* (Figure 6) on the preexisting site of Joe’s Alligator Farm.

Beginning with a palatial residence for the *Stotesbury’s* in 1919, Mizner enjoyed a widely successful practice. His office turned out dozens of Mediterranean Revival designs before 1930. Equally as important as his Florida architectural practice was Mizner’s manufacturing plant, *Mizner Industries*. There, Mizner created cast and carved stone details, “faux” antique furniture, roof tiles, and other ornaments for his buildings and for those of the other local architects.



Figure 7. Maurice Fatio, *The Reef*, 1937. Palm Beach, FL.

Other architects also mastered the Mediterranean Revival style. Clark Lawrence designed the North Fire Station in 1927, and Harvey and Clarke designed the Palm Beach Town Hall in 1925, adding fuel to Mizner's Spanish-Mediterranean movement. John L. Volk, Marion Sims Wyeth, and Maurice Fatio all started their early careers in Palm Beach working in the Mediterranean Revival style.

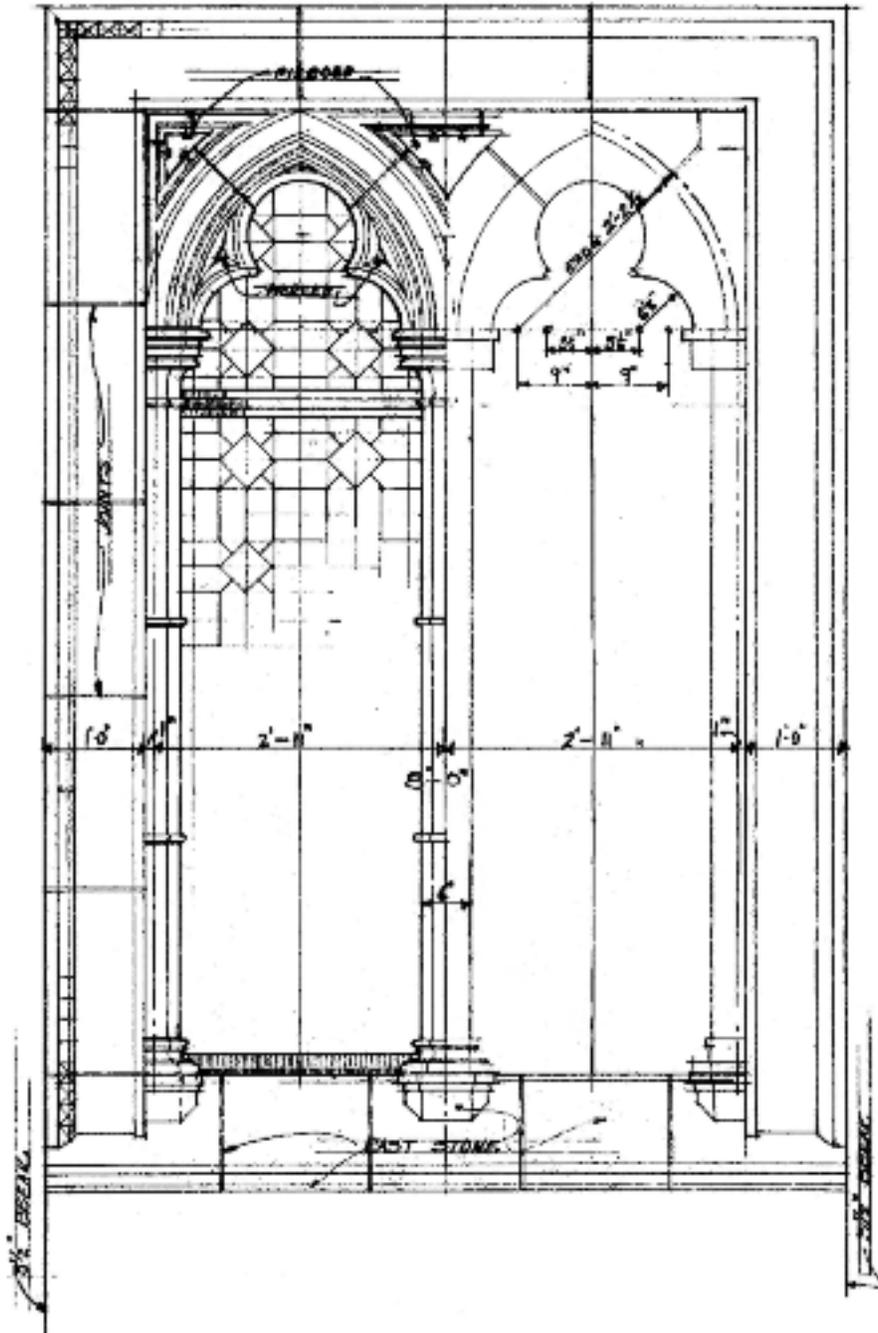
After the land bust and the Stock Market Crash of 1929, other, less elaborate types of architecture were explored by the local architects. John Volk designed many Palm Beach structures in the Bermuda, Colonial Revival, and Neo-Classical styles. Wyeth, with and without his partners, Frederick Rineland King and William Johnson, created intimate, fanciful, Spanish courtyard structures, as well as several British Colonial designs, a style brought to this area by architect Howard Major.

One of the most diverse of these architects was Maurice Fatio, Florida partner in the New York firm of Treanor and Fatio. The European trained Fatio was accomplished in Italian Renaissance, Mediterranean Revival, and Streamline Moderne architecture. He designed memorable modern structures such as the Roddy Building and *The Reef*, which won a gold medal at the International Exposition in Paris in 1937 (Figure 7).

From 1927 on, these architects' designs were subject to review by a Town appointed commission known as the Arts Review Council. As ratified by the Town Council, the Arts Review Council, the precursor to the Architectural Commission and the Landmarks Preservation Commission, examined both new architecture and significant rehabilitation to existing buildings to ensure the beauty and the harmony of Palm Beach. Early members of the Art Jury included Addison Mizner, Maurice Fatio, Marion Sims Wyeth, Halpin Smith, and Charles Perrochet.

The legacy of Palm Beach's architectural history remains visible today thanks to the survival of many significant buildings. Unfortunately, Palm Beach, despite attempts of concerned individuals and town residents, has lost some treasured monuments of its past. To ensure the protection of historic and notable structures today and into the future, the Landmarks Preservation Commission and local organizations like the Preservation Foundation have rallied to promote and encourage preservation throughout the island. Furthermore, it has been through local legislation and the efforts of individuals and organizations that Palm Beach's famed past has been enabled to remain vibrant and accessible to the generation of today.

# Architectural Styles



Marion Sims Wyeth, Window Design, ca. 1920s, Palm Beach, FL.

# Frame Vernacular



## Architectural Details

**Eaves:** Large overhanging eaves protect the Frame Vernacular building from the sun.

**Local Materials:** Frame Vernacular buildings tend to be rectangular balloon-frame construction made from locally sourced materials such as local woods and stone.

**Ornamentation:** Ornamentation is sparse, and can include shingles, cornerboards, porch columns, brackets, rafter tails, vents in gable ends and oolitic limestone.

**Windows:** Wood double-hung sash windows are commonly used in Frame Vernacular.

## Description

Frame vernacular buildings represent the most typical method of construction used by South Florida's early pioneers. This form of architecture does not adhere to a particular school of design and utilizes locally available materials and traditions to create purely functional and utilitarian dwellings. Preexisting areas of Frame Vernacular houses in Palm Beach have, for the most part, been destroyed to make way for other more academic styles. One example of Frame Vernacular is the Little Red School House, the oldest one room schoolhouse in southeast Florida, owned and maintained by the Preservation Foundation of Palm Beach.

# Shingle



## Architectural Details

**Dormer Window:** A vertical window in a projection built out from a sloping roof.

**Gabled Roof:** A roof sloping downwards on the two sides of a central ridge to form a triangle at each end.

**Gabled Window:** Positioned below a gable, a gabled window generally consists of a semicircular or triangular form.

**One Story Porch:** Forming a covered approach or vestibule to a doorway, in the Shingle Style, porches are typically one story in height.

**Shingle Siding:** Thin pieces of wood laid in overlapping rows on the exterior of a building. Shingles can take on a variety of shapes and forms to create more complex decorative facades.

## Description

Most Shingle style houses were built between 1880 and 1910. Characterized by inventive asymmetrical massing of forms, this style was the preferred type of architecture for the early seasonal residences of Palm Beach. Features of this style include Gambrel roofs, facades clad entirely of wood shingles, porches, varied roof lines and an overall sense of horizontality and mass. Excellent examples of this style are the Breakers' cottages, Sea Gull Cottage and the Old Bethesda-By-The-Sea.

# Neo-Classical Revival



## Architectural Details

**Attic Story:** The Attic Story sits above the main entablature of the building. Its front wall may be blank, as in the great panel above the cornice of a triumphal arch, or is the space behind is habitable, may be pierced by windows.

**Colossal Portico:** A grand entrance to a building, the “colossal” portico is of larger proportion than a single porch.

**Parapet:** A parapet is a low wall along the edge of a roof. Originally a protective device, it is often used to conceal roof slope and appurtenances.

**Roman Doric Columns:** The Greek Doric order is characterized by the absence of a base, whereas Roman Doric nearly always has a base. Both Greek and Roman Doric have a tapering shaft with shallow concave flutes (usually 20) and distinct forms of capital and entablature.

**Unenriched Entablature:** An unenriched entablature is expressed without a decorative or ornamental detail. The entablature the superstructure carried by columns and divided hierarchically, top to bottom, into cornice, frieze and architrave is an important ornamental device in a classical building.

## Description

Neo-Classicism refers to the enthusiastic revival, in the late eighteenth and early nineteenth century, of the classical tradition in architecture, sculpture, painting and the decorative arts. A successor to the Rococo period of the second half of the eighteenth century, the movement was inspired by the nineteenth century revival of historic styles. Associated with the rise of the Enlightenment, Neo-Classicism also was fueled by the discoveries of ancient sites such as Pompeii and Herculaneum outside Naples, Italy during the second half of the eighteenth century.

# Bungalow



## Architectural Details

**Dormers:** A projecting structure built out from a sloping roof, usually housing a vertical window or ventilating louver.

**Exterior Chimney:** Chimney construction is visible on the exterior of the building.

**Gabled Roof:** A low pitched roof sloping downward in two parts from a central ridge to form a gable at each end.

**Porches:** A large open porch, either full or partial width, usually roofed and partly enclosed by a railing, often extending across the front or side of the house.

**Porch Piers:** A masonry foundation supports the porch roof.

**Tapered Porch Posts:** Vertical roof supports taper inwards.

## Description

The term *Bungalow* originated in Bengal in eastern India, where thatched roofs and overhanging eaves were called “bangalas.” This building typology provided shade and shelter from the tropical sun and monsoon wind and rains. In the eighteenth century, British colonial rulers adopted this type of architecture and anglicized the name. As adopted in the United States, the bungalow is typically one to one-and-a-half stories tall, with a low sloping roof line, a dominant front-gabled roof, a wide sheltering overhang and a wide porch anchored by broad tapering pillars with masonry bases. The Bungalow style was revived at the turn of the twentieth century through the Arts and Crafts Movement which promoted the pre-industrial ideas of craftsmanship, simplicity and honest expression of materials.

# Mediterranean Revival



## Architectural Details

**Asymmetrical Façade:** Mediterranean Revival buildings often achieve harmony through irregular massing of dissimilar parts into a balanced composition.

**Balconet:** The combination of railing and door or window openings, as in a balcony, but without the latter's floor space.

**Balcony:** A platform extending outward from a wall in Mediterranean Revival examples, edged by cast and ornamental stone, or occasionally, ironwork, onto which a door, or sometimes a window opens.

**Clay Barrel Tile Roof:** A roof system covered by tapered, semi-cylindrical clay tiles, laid convex side-up to overlap flanking similar tiles laid concave side-up.

**Pointed Arches:** Openings in which arches are elliptical or pointed, derived from the openings of Gothic buildings, especially Venetian examples.

**Semicircular Arches:** Masonry construction in which semicircular units span an opening

## Description

The Mediterranean Revival style of architecture was inspired by European structures that were built around the basin of the Mediterranean Sea. Themes were borrowed from Spanish, Italian, North African and Moorish examples. Often highly ornate stone or stucco carvings surround windows, cornices and parapets. Windows and doors can be straight or arched and at times ironwork is used to further accentuate these elements. In addition, clay barrel tiles and arcaded porches are typical features. This style was popular in both Florida and California in the 1920s adapting well to the climate of both states. Addison Mizner first popularized this style in Palm Beach with his design for the Everglades Club on Worth Avenue.

# Monterey



## Architectural Details

**Balcony:** The main identifying feature of the Monterey Style is a second floor, cantilevered, open-air balcony covered by the principal roof.

**Railings:** Styled in either wood or iron, balcony railings give Monterey houses a sense of individuality and help differentiate between one variation of the style and another.

## Description

The Monterey Style is an eclectic style of architecture that was popular throughout the United States from 1925 to 1955. Adapted from the Spanish Colonial architecture of Northern California, Monterey adds English, Colonial and Creole French design details to the prototype. The most distinguishing characteristic of this style is the second-story balcony which is usually cantilevered and covered by the principal roof. Balcony railings are typically styled in iron or wood; roofs are low pitched or gabled and covered with shingles—variants sometimes feature tiles—and exterior walls are constructed in stucco, brick, or wood. There are several examples of this style of architecture on Pendleton Lane.

# British Colonial



## Architectural Details

**Arched Openings:** Arches are found over entry doors and garden gateways. Window openings however are rectangular.

**Chimneys:** British Colonial buildings feature traditional open fireplaces, many with waist-high hearths. Thick chimneys give a sense of grace and strength to the house.

**Flat Cement Tiles:** Originally, roofs were covered with coral-limestone roof slates cut 1" by 10" by 14" and were laid horizontally in parallel rows along wooden laths, cemented down and white-washed upon completion.

**Shuttered Openings:** Wood shutters are utilized for storm protection.

**Steeply Pitched Roof:** A roof pitch of 6:12 or a 45 degree slope is typical.

## Description

British Colonial architecture, also known as the Bermuda style, was inspired by the traditions of the English colonists' architectural heritage. It was adjusted to the character of the local building materials. Ornamental details were kept to a minimum in response to the softness of Bermuda's Aeolian limestone. West Indian influences include long cool verandas and small porches with upper balconies. In Palm Beach, the British Colonial house is a simplified version of the Colonial Revival style, characterized by steeply pitched roofs of flat cement tiles replacing the traditional limestone slates. Other features include pedimented, dormers, quoins and hip roofs. This style of architecture was popularized in Palm Beach by Howard Major and John L. Volk.

# Mission Revival



## Architectural Details

**Bell Tower:** The most identifying feature of the Mission Revival style is the prominent bell tower.

**Eaves:** Wide projecting eaves are perfectly suited for tropical climates to protect Mission Style houses from the sun.

**Roofs:** Mission Revival buildings have low-pitched clay tiled roofs. Some sections have flat roofs with parapets.

## Description

The Mission Revival style is a subtype of the Spanish Colonial Revival style, inspired by eighteenth century Spanish Mission churches. The style became popular in the United States when it was used as the California Building at the Columbian Exposition in Chicago in 1893, and its use was widespread by 1915. In Florida, the style reached its peak in popularity during the 1920s. The Mission style is noted for its simplicity. The roofs are traditionally flat, with interest given to an occasional secondary roof feature such as a dormer or sloping porch. Sometimes there is a bell tower. Exterior walls are generally block or wood frame which is covered with smooth or rough cast stucco. Arched openings are common. Windows are either double hung sash or casement. Porches are a prominent feature. Scuppers are also frequently found below the roof line.

# Georgian Revival



## Architectural Details

**Copper Bay or Porch Roof:** Copper roof above a bay or porch.

**Cornice:** The uppermost member of a classical entablature, consisting of a cymatium, corona and bed molding.

**Fluted Column:** A column consisting of a series of long, rounded parallel grooves, as on a shaft of a classical column.

**Hipped Roof:** A roof having sloping ends and sides meeting at an inclined projecting angle.

**Pedimented Entry:** A wide, low pitched gable surrounding a colonnade or a major division of a façade.

**Quoins:** An exterior angle of a masonry wall, or one of the stones or bricks framing such an angle, usually differentiated from adjoining surfaces by material, texture, color, size or a projection.

**Transom Light:** A window above the transom of a doorway.

## Description:

The Georgian style refers to a style based on forms following the classical principles of design developed by Andrea Palladio during the Italian Renaissance. Popularized in England during the eighteenth century, Georgian architecture is characterized by a formal arrangement of parts employing a symmetrical composition enriched with classical detail. The façade is often emphasized by a pedimented projecting pavilion with colossal pilasters or columns and a Palladian or Venetian window. Variations of this style were popular throughout the Caribbean and were adapted in the revival form in Palm Beach.

# Art Deco



## Architectural Details

**Decorative Band:** A decorative molding used to hide joints at the point in which two surfaces meet. In Art Deco architecture, these often take the form of highly stylized flora and fauna.

**Metal Windows:** Large-span windows typical of this era were made possible through metal framing.

**Parapet Trim:** In art Deco architecture, decorative trims are applied to the flat exterior surfaces of parapet walls.

## Description

The twentieth century's first popular style to break from tradition, Art Deco architecture is characterized by linear, hard edges and angular composition, often with a vertical emphasis. The stuccoed facades of Art Deco buildings often are arranged in a series of set-backs emphasizing the geometric form. Strips of windows with decorated spandrels add to the vertical feeling of the composition. Hard-edged low relief ornamentation is found around door and window openings and applied decoration takes the form of geometric patterns and stylized motifs in bas-relief.

# Moorish Revival



## Architectural Details

**Decoration:** Moorish Revival buildings are generally highly decorated with intricate mosaics, tiles, stonework and screening. Often the ornamentation will take the form sinewy organic stonework or even Arabic writing, a characteristic common in the Muslim world where representation of the human body is immoral.

**Horseshoe Arches:** Horseshoe or Moorish arches are taller than Roman arches and widen slightly before rounding off.

**Minarets:** Minaret, literally lighthouse in Arabic, is a feature of Islamic architecture. Minarets are usually tall and slender tower-like forms, which can be attached to a mosque or are freestanding.

## Description

Drawing inspiration from North Africa, Spain, Portugal, Turkey and the Middle East, Moorish Revival is one of the most exotic architectural styles adopted by Palm Beach architects during the 1920s. Beginning first in the mid-nineteenth century in the wake of the Romanticist fascination with all things oriental, this style was in essence revived in Palm Beach and throughout America during the first half of the twentieth century. Moorish Revival buildings sometimes have highly decorated symmetrical facades adorned with complex mosaic, tile and stonework designs. Minarets, domes and finials adorn rooflines. The most striking feature is often the Moorish arch, an adaptation of the Roman arch, but with a taller proportion widening slightly before rounding off at the top.

# Tudor



## Architectural Details

**Chimneys:** Elaborately detailed heavy chimneys are a common feature of Tudor Style houses.

**Half-Timbering:** The most identifying feature of the Tudor Style, expresses exposed timber framing, in-filled with stucco.

**Roofs:** Tudor roofs are generally high-pitched and gabled. Dormers are common.

## Description

Also referred to as the Medieval style, the Tudor style is based on the houses of Elizabethan England. The style is typified by high pitched, gabled roof lines, elaborate chimneys, leaded glass windows and most importantly, half-timbering: a term describing the exposed timber framing of the structure which is in-filled with stucco. Examples are rare in Palm Beach.

# Regency



## Architectural Details

**Arch Windows:** An opening or frame, which may be either load-bearing or decorative, with a profile based on the segment based on a circle or a series of segments.

**Classical Moldings:** Abstract ornament of continuous section used both decoratively and monumentally to enrich a surface or disguise a joint. Moldings can be applied to a flat or curved surfaces, and they are integral to many architectural features including arches, piers and bases.

**Keystone:** Vital central, wedge-shaped stone *vousoir* in an arch.

**Pediment:** Triangular area over the portico of a building formed from a gable by the addition of the horizontal cornice at a level with the eaves. By extension, it also designates a triangular or rounded decorative area framed by cornices, which may crown facades without porticos or individual façade elements such as doors, windows or niches.

**Symmetry:** Term used since the 17th-century to describe the reflecting correspondence of points in a plane, or parts of a body with respect to a common axis. In this case, symmetry is expressed in the façade of the building, in which the elements are mirrored on the north and south ends.

## Description

Regency decorative arts and architecture were produced in England during the rule of George IV, from his time as Prince of Wales, the Prince Regent in 1811 until his death as George IV in 1830. Although it was a style primarily utilized for interiors in the late eighteenth century, it was important in its architectural form. Regent Street in London, England, planned by John Nash, is a significant landmark showcasing Regency style at its height. In Palm Beach, the Royal Poinciana Plaza is an important landmark.

# International



## Architectural Details

**Abstracted Ornamentation:** While forerunners of the International Style had abstracted ornament derived from classical examples, emphasizing a base, middle and top, in mature International Style buildings many of those elements were eliminated, others were unified and abstracted, to present simple and flat scale-less wall planes.

**Asymmetrical Plan:** An asymmetric plan, uncommon in the history of architecture, is emphasized in the International Style through its decentralized axis and open floor plan. This represented a departure from the Beaux Arts bilateral symmetry and axially composed orientation of rooms.

**Flat Roof:** A horizontal roof either with no slope or a slope great enough, to allow for water drainage. Its pitch usually measuring less than 10 degrees.

**Metal Casement Windows:** Casement windows open along the vertical side and are operated with a crank to open out. The earliest casement windows in steel replaced wood and therefore permitted larger openings with thinner profile frames and mullions.

**Smooth Stucco Surface:** Stucco, “a mixture of Portland cement, lime and sand, which are combined with water to give it its crisp appearance,” is used on the exterior to lend the structure a smooth finish.

## Description

The International Style was first applied to architecture of the Modern movement in 1932, a result of the first architectural exhibition at New York’s Museum of Modern Art curated by Henry Russell Hitchcock and Philip Johnson. The term was enshrined in the title of the accompanying book and catalogue, *The International Style: Architecture Since 1922*. Buildings selected for the exhibition, with some notable exceptions, had certain formal characteristics in common, including mostly rectilinear elements, with undecorated facades and asymmetrical compositions. Since the photographs of the exhibit were published in black and white, subsequent emulators of the style designed in this monotone palette.

# Ranch



## Architectural Details

**Large Overhanging Eaves:** Perfectly suited for tropical climates, large overhanging eaves shelter the house from the sun.

**Large Windows:** Ranch Style houses frequently have large “picture” windows, often decorated with shutters, to bring in natural light.

**Profile:** Rectangular, L-shaped, or U-shaped in design, this style is noted for its long, close-to-the-ground profile.

**Roof:** Ranch style homes have cross-gabled, side-gabled or hip roofs with long, low rooflines.

**Single Story:** Ranch Style houses are one story tall, generally with an attached garage.

## Description

A uniquely American domestic architectural style, the Ranch home gained popularity in the 1940s to become the dominant style of architecture throughout the country during the 1950s and 1960s. Its popularity was undoubtedly related to a move away from the box-like houses of the Minimal Traditional style to a house with a more flexible plan. Ranch style houses are generally long, one-story houses with low gable roofs and deep eaves. A rectangular, L, U, or splayed plan is common in Ranch style houses. They often have shallow front porches, sometimes running the length of the house. A garage or carport at one end is a common feature and decoration is sparse, rarely consisting of more than shutters and open-work metal posts. Clapboard or stucco are common exterior treatments, although a brick exterior is occasionally used.

# Late Twentieth Century



## Architectural Details

**Asymmetric Plan:** Denying a central axis, late twentieth century architecture continues to follow in the footsteps of preceding modern movements. This attraction to asymmetry is also echoed in the façades, which also tend to be asymmetrical.

**Expansive Window Planes:** As a result of increased technology, architects are able to incorporate larger expanses of glass in their designs allowing for brightly lit interior spaces as well as impressive views onto the exterior landscape.

**Flat Roof:** A feature introduced during the modern movement of the early twentieth century especially by Le Corbusier who included flat roofs as one of his Five Points of Architecture, they continue to be a defining trait of late twentieth century architecture.

## Description

Architecture of the late twentieth century has many different forms. It includes, but is not limited to Mid-Century Modernism, Postmodernism, Deconstructivism and other major movements of the latter half of the twentieth century. Although not a common Palm Beach style, fine examples of this period do exist on the island. Following in the tradition of renowned architects such as Le Corbusier and Mies van der Rohe, these houses are identified by their sleek profile, stark white facades and rectilinearity. In addition, advances in technology enabled architects working in these styles to create more complex forms and utilize an array of new materials.

# Secretary of the Interior's Standards for Rehabilitation

**ROOTED IN OVER 120 YEARS OF PRESERVATION ETHICS** in both Europe and America, *The Secretary of the Interior's Standards for the Treatment of Historic Properties* are common sense principles in non-technical language. They were developed to help protect our nation's irreplaceable cultural resources by promoting consistent preservation practices. The Standards may be applied to all properties listed in the National Register of Historic Places: buildings, sites, structures, objects, and districts. It should be understood that the Standards are a series of concepts about maintaining, repairing and replacing historic materials, as well as designing new additions or making alterations; as such, they cannot, in and of themselves, be used to make essential decisions about which features of a historic property should be saved and which might be changed. But once an appropriate treatment is selected, the Standards provide philosophical consistency to the work.

## The Secretary of the Interior's Standards for the Treatment of Historic Properties, 1995

**Four Treatment Approaches.** There are Standards for four distinct, but interrelated, approaches to the treatment of historic properties—preservation, rehabilitation, restoration, and reconstruction.

**Preservation** focuses on the maintenance and repair of existing historic materials and retention of a property's form as it has evolved over time. (Protection and Stabilization have now been consolidated under this treatment.)

**Rehabilitation** acknowledges the need to alter or add to a historic property to meet continuing or changing uses while retaining the property's historic character.

**Restoration** depicts a property at a particular period of time in its history, while removing evidence of other periods.

**Reconstruction** re-creates vanished or non-surviving portions of a property for interpretive purposes.

**Choosing an Appropriate Treatment.** Choosing an appropriate treatment for a historic building or landscape, whether preservation, rehabilitation, restoration, or reconstruction is critical. This choice always depends on a variety of factors, including its historical significance, physical condition, proposed use, and intended interpretation.

The questions that follow pertain specifically to **historic buildings**, but the process of decision-making would be similar for other property types:

**Relative importance in history.** Is the building a nationally significant resource—a rare survivor or the work of a master architect or craftsman? Did an important event take place in it? National Historic Landmarks, designated for their “exceptional significance in American history,” or many buildings individually listed in the National Register often warrant *Preservation* or *Restoration*. Buildings that contribute to the significance of a historic district but are not individually listed in the National Register more frequently undergo *Rehabilitation* for a compatible new use.

**Physical condition.** What is the existing condition—or degree of material integrity—of the building prior to work? Has the original form survived largely intact or has it been altered over time? Are the alterations an important part of the building's history? *Preservation* may be appropriate if distinctive materials, features, and spaces are essentially intact and convey the building's historical significance. If the building requires more extensive repair and replacement, or if alterations or additions are necessary for a new use, then *Rehabilitation* is probably the most appropriate treatment. These key questions play major roles in determining what treatment is selected.

**Proposed use.** An essential, practical question to ask is: Will the building be used as it was historically or will it be given a new use? Many historic buildings can be adapted for new uses without seriously damaging their historic character; special-use properties such as grain silos, forts, ice houses, or windmills may be extremely difficult to adapt to new uses without major intervention and a resulting loss of historic character and even integrity.

**Mandated code requirements.** Regardless of the treatment, code requirements will need to be taken into consideration. But if hastily or poorly designed, code-required work may jeopardize a building's materials as well as its historic character. Thus, if a building needs to be seismically upgraded, modifications to the historic appearance should be minimal. Abatement of lead paint and asbestos within historic buildings requires particular care if important historic finishes are not to be adversely affected. Finally, alterations and new construction needed to meet accessibility requirements under the Americans with Disabilities Act of 1990 should be designed to minimize material loss and visual change to a historic building.

## Standards for Preservation

**PRESERVATION IS DEFINED** *as the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.*

- A property will be used as it was historically, or be given a new use that maximizes the retention of distinctive materials, features, spaces, and spatial relationships. Where a treatment and use have not been identified, a property will be protected and, if necessary, stabilized until additional work may be undertaken.
- The historic character of a property will be retained and preserved. The replacement of intact or repairable historic materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
- Each property will be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate, and conserve existing historic materials and features will be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.

- Changes to a property that have acquired historic significance in their own right will be retained and preserved.
- Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
- The existing condition of historic features will be evaluated to determine the appropriate level of intervention needed. Where the severity of deterioration requires repair or limited replacement of a distinctive feature, the new material will match the old in composition, design, color, and texture.
- Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
- Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

**PRESERVATION AS A TREATMENT.** *When the property's distinctive materials, features, and spaces are essentially intact and thus convey the historic significance without extensive repair or replacement; when depiction at a particular period of time is not appropriate; and when a continuing or new use does not require additions or extensive alterations, Preservation may be considered as a treatment.*

## Standards for Rehabilitation

**REHABILITATION IS DEFINED AS** the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

- A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
- The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

- Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
- Changes to a property that have acquired historic significance in their own right will be retained and preserved.
- Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
- Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
- Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
- Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
- New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

**REHABILITATION AS A TREATMENT.** *When repair and replacement of deteriorated features are necessary; when alterations or additions to the property are planned for a new or continued use; and when its depiction at a particular period of time is not appropriate, Rehabilitation may be considered as a treatment.*

## Standards for Restoration

**RESTORATION IS DEFINED AS** *the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.*

- A property will be used as it was historically or be given a new use which reflects the property's restoration period.
- Materials and features from the restoration period will be retained and preserved. The removal of materials or alteration of features, spaces, and spatial relationships that characterize the period will not be undertaken.
- Each property will be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate and conserve materials and features from the restoration period will be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.
- Materials, features, spaces, and finishes that characterize other historical periods will be documented prior to their alteration or removal.
- Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the restoration period will be preserved.
- Deteriorated features from the restoration period will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials.
- Replacement of missing features from the restoration period will be substantiated by documentary and physical evidence. A false sense of history will not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically.
- Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

- Archeological resources affected by a project will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
- Designs that were never executed historically will not be constructed.

**RESTORATION AS A TREATMENT.** *When the property's design, architectural, or historical significance during a particular period of time outweighs the potential loss of extant materials, features, spaces, and finishes that characterize other historical periods; when there is substantial physical and documentary evidence for the work; and when contemporary alterations and additions are not planned, Restoration may be considered as a treatment. Prior to undertaking work, a particular period of time, i.e., the restoration period, should be selected and justified, and a documentation plan for Restoration developed.*

## Standards for Reconstruction

**RECONSTRUCTION IS DEFINED AS** *the act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.*

- Reconstruction will be used to depict vanished or non-surviving portions of a property when documentary and physical evidence is available to permit accurate reconstruction with minimal conjecture, and such reconstruction is essential to the public understanding of the property.
- Reconstruction of a landscape, building, structure, or object in its historic location will be preceded by a thorough archeological investigation to identify and evaluate those features and artifacts which are essential to an accurate reconstruction. If such resources must be disturbed, mitigation measures will be undertaken.
- Reconstruction will include measures to preserve any remaining historic materials, features, and spatial relationships.
- Reconstruction will be based on the accurate duplication of historic features and elements substantiated by documentary or physical evidence rather than on conjectural designs or the availability of different features from other historic properties. A reconstructed property will re-create the appearance of the

non-surviving historic property in materials, design, color, and texture.

- A reconstruction will be clearly identified as a contemporary re-creation.
- Designs that were never executed historically will not be constructed.

**RECONSTRUCTION AS A TREATMENT.** *When a contemporary depiction is required to understand and interpret a property's historic value (including the re-creation of missing components in a historic district or site ); when no other property with the same associative value has survived; and when sufficient historical documentation exists to ensure an accurate reproduction, Reconstruction may be considered as a treatment.*

### When the Standards are Regulatory

The Secretary of the Interior is responsible for establishing professional standards and providing advice on the preservation and protection of all cultural resources listed in or eligible for the National Register of Historic Places.

**The Secretary of the Interior's Standards for the Treatment of Historic Properties**, apply to all proposed development grant-in-aid projects assisted through the National Historic Preservation Fund, and are intended to be applied to a wide variety of resource types, including buildings, sites, structures, objects, and districts. These Standards, revised in 1992, were codified as 36 CFR Part 68 in the July 12, 1995 *Federal Register* (Vol. 60, No. 133). They replace the 1978 and 1983 versions of 36 CFR 68 entitled "The Secretary of the Interior's Standards for Historic Preservation Projects."

**The Secretary of the Interior's Standards for the Treatment of Historic Properties** may be used by anyone planning and undertaking work on historic properties, even if grant-in-aid funds are not being sought. *Please note that another regulation, 36 CFR 67, focuses on "certified historic structures" as defined by the IRS Code of 1986. The "Standards for Rehabilitation" cited in 36 CFR 67 should always be used when property owners are seeking certification for Federal tax benefits.*

# Rehabilitation & Maintenance

## General Considerations

What follows is a guideline to the most frequent rehabilitation and maintenance problems encountered in historic Palm Beach homes and commercial buildings. It is hoped that this will be helpful to current residents and prospective owners of Palm Beach's landmark architecture.

Due to the diversity of building types in Palm Beach, not all local structures fall under the loose guidelines set forth in this section. Sensitivity to the overall design of a structure, its proportions, its sense of scale, and its relationship to the neighborhood will enhance any renovation or addition. Mixing architectural styles and/or elements from different periods or architectural history is, in most cases, inappropriate. An updated variant of the structure's original architectural style, when designed properly, will add a contemporary feel without detracting from its traditional appearance.

When replacing historic elements, use products that match the original in size, shape, and material. When replacing materials not original to the historic fabric of the structure, try to find materials that would have been used during the time of initial construction. This will make for a more uniform and a more attractive building. Whenever possible, replace original building materials with elements similar in texture, size and color, to ensure the continuity or fluidity of the overall design. True historic replications of windows, roof tiles, stucco, doors, and other details are often comparable in price and installation to prefabricated materials. Remember, if a structure is a landmark, it is probably over 50 years old, so the durability of original materials is documented by the materials themselves. Keep in mind that all exterior renovations, restorations, adaptations and additions are subject to approval by the Town of Palm Beach Landmarks Preservation Commission.

## Roofing

Provide proper site drainage to assure that water does not splash against the building, or create puddles that splash mud and soils against the structure. Annual inspections of roofing and roof drainage systems are recommended. If a structure has gutters, keep them clean and free of debris. A licensed local contractor can install gutter screens that will inhibit debris from accumulating, or birds from nesting. Gutter screens can also be purchased at local home supply shops, for owner installation. If a building has a flat, built up roof, run-off tracks must be kept free of debris. Never make temporary or makeshift repairs to built-up roofs. This will encourage water and debris to accumulate elsewhere, damaging the roof even more. Inexpensive patch kits are available from local hardware stores and home shops, or from your licensed roofing contractor.

If a structure has a barrel tile, a shingle, or a concrete roof but no gutter system, more frequent inspections of the roof are recommended to insure proper drainage. Barrel clay tiles tend to accumulate leaves and other debris in their grooves, the same grooves intended for water run-off.

If you must replace a historic roofing system, rebuild with a roof of the same shape, the same pitch, the same materials, and the same covering. If the historic roof was previously destroyed and replaced with a modern system, return to a roofing system that is sensitive to the overall design of the structure. Barrel clay tiles may look nice, but are usually considered to be inappropriate for a Bungalow, Colonial Revival, or an International style structure.

## Chimneys

While the majority of Palm Beach structures do not have chimneys, those that do require special consideration. If an historic chimney is not lined, it is **imperative** that it be lined. A lined chimney will help protect the structure and its inhabitants from

unnecessary fire risk. A number of new processes now allow for this to be done without major demolition or reconstruction. If the chimney is brick or masonry, inspect it for water damage, mortar loss, or spalling. Any of these damages can be repaired by a competent mason without replacing the entire chimney. If a chimney has been destroyed or previously replaced, do not replace it with a simple, unlined, concrete block system. Replace it with quality materials sensitive to the overall design and texture of the structure.

## Exterior Wall Materials

If the original exterior wall materials of the structure no longer exist, refer to the “Architectural Styles” section of this manual for examples of appropriate materials and methods of construction.

Never sandblast the exterior of your structure. Sandblasting accelerates deterioration and the erosion of all materials. Water pressure cleaning systems, and like processes, are safer and more efficient. When repointing the mortar on an historic masonry building, always use mortar of like color and texture. Never re-point with a mortar containing a high portland cement content, as this may result in irreparable damage to the surrounding masonry.

Exterior wall materials should effectively reproduce the texture and appearance of materials existing or documented. Original masonry exteriors should be retained and repaired, replaced only when irreparably damaged. New stucco can be difficult to match to the original in color and in texture, and filled-in windows and doors often show their outlines over time.

Acceptable materials for the exterior of local structures include quarried stone, cast, stone, stucco, brick and wood siding. Avoid imitation brick or stone veneer, bare cinder block, aluminum, and other synthetic sidings. Retain or replace glass curtain walls and storefronts only in Modern, International, Art Deco, Post Modern, and similarly styled buildings.

Since Palm Beach is a coastal town, the constant infusion of salt into the pores of concrete and stucco facades can cause deterioration of the wall material. The saltwater enters these pores and crystallizes, expanding the size of the microscopic pores of the building, causing it to spall, or “blow off” chunks of concrete and stucco. Unless the deterioration affects the iron reinforcement bars in the concrete wall, this spalling is easily patched and repaired. If the reinforcement bars are rusted, a structural engineer can determine if the structural framework of an historic building has been damaged.

Attempt to discover the historic paint colors and finish used on the structure’s exterior and, when necessary, repaint with historically accurate colors. Excellent historic paint colors are available from your local paint suppliers. Classical architectural details such as columns, cornices, entablatures, arcades and pediments or other decorative entryways should be sensitive to the historic fabric and style of the structure. If replacing such historical details becomes necessary, or if renovation plans call for adding them to the structure, remember that a particular building should be of *only one* classical order: Tuscan, Doric, Ionic, Corinthian or Composite.

## Windows & Doors

Windows and doors can make a major difference in the appearance of a building. Avoid replacing historic windows and doors for other than structural reasons. Many local craftsmen can repair, strip, or replace elements of historic windows and doors, making them not only beautiful, but functional and operable again as well. These craftsmen can also replace glass and weather-stripping in existing windows and doors, increasing their thermal performance, without replacement of the entire unit. Remember, a structure needs to breathe properly.

If it becomes necessary to replace historic windows and doors, try to do so with historically correct replicas. Most historic buildings in Palm Beach were constructed with wood frame

windows and wood doors. While large cypress and other historic timbers may no longer be available, replacement with other types of wood will match most historic houses better than aluminum, steel, plate glass, or synthetic materials.

When replacing windows and doors previously altered or changed on your building, employ materials sensitive to the overall design of the structure. Aluminum or steel canopy (crank-out) windows were added to many Mediterranean Revival structures in Palm Beach during the 1940s and the 1950s. These are good examples of windows no longer appropriate in the overall design of the structure.

When adding windows that previously did not exist in the structure, or were otherwise “bricked up.” Replace them with windows of similar size, shape design. Always make sure that these new windows adhere to, and so not interfere with, the rhythm of the façade. The same holds true for doors and other openings.

## Foundations

Because most of Palm Beach’s land was reclaimed from swamps, foundation footing problems in historic buildings may not be directly related to the structural foundation. Historic buildings that lean or have unlevel floors may be the result of excessive settling. This can often be repaired with structural hydraulic jacks or other similar systems.

Problems specific to the structural foundation of a building can often be recognized by the visual effects of spalling, cracking, deflection, or failure. Repair and stabilize weakened structural members and systems. Supplement existing structural systems where damaged or inadequate.

## Renovations & Additions

Renovations and additions are also subject to approval from the Town of Palm Beach Landmarks Preservation Commission. This applies only to exterior changes made to the landmarked property. Alterations made to the interior of a structure, such as the renovation or the addition to kitchens and bathrooms, do not require Landmarks Preservation Commission approval unless a byproduct of such alterations is an added or displaced window or door, or the addition or subtraction of square footage to the overall structure.

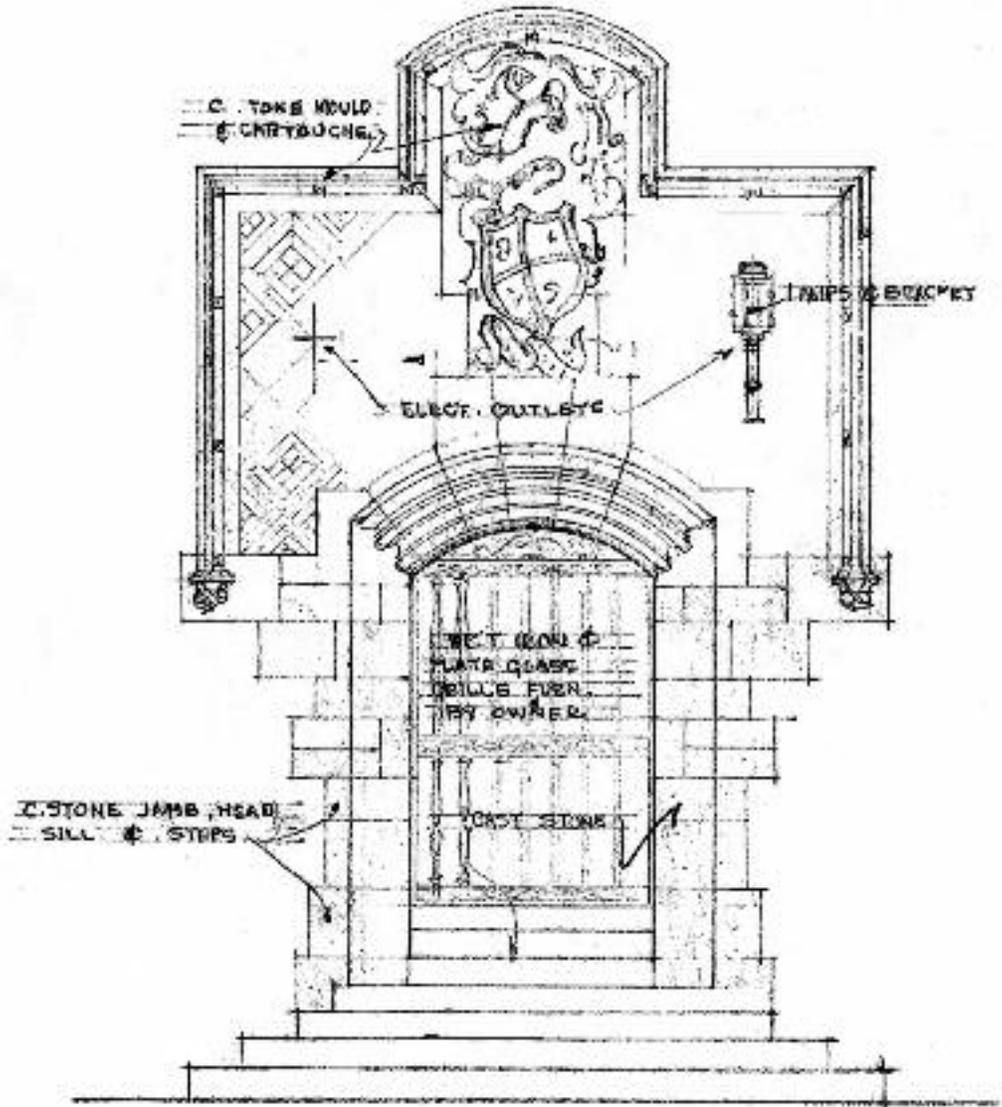
Under the guidelines of the Landmarks Preservation Commission, additions to a structure are permitted, subject to approval. The Town’s zoning regulations govern the amount of lot coverage and setbacks permitted for both new and historic structures. Some additions may require a variance issued by the Town Council. If the intention is to add square footage to an historic building, overall conformity to the original design is necessary. This is not to say that an addition must look exactly like the existing structure, but rather that it should be compatible.

## New Construction

All new construction and any exterior renovations in Palm Beach are subject to the regulations of the Town of Palm Beach Architectural Commission, except for designated historic landmarks which are governed by the Landmarks Preservation Commission. New construction, while not restricted to any particular architectural style, should conform to the prevailing architectural design of the neighborhood, the block, or the district.

Similarly, new structures should not exceed the average vertical or horizontal rhythm of the area. New additions to existing, especially historic, structures should conform to the architectural style, the massing and the rhythm of the existing structure.

# Appendix



Marion Sims Wyeth, Door detail, ca. 1920s.

# Landmarks Preservation Ordinance

## Chapter 54 HISTORICAL PRESERVATION\*

\***Cross references:** Buildings and building regulations, ch. 18; consistency and concurrency management system, ch. 30; environment, ch. 42; marine structures, ch. 62; natural resource protection, ch. 66; planning, ch. 86; public improvements, ch. 90; streets, sidewalks and other public places, ch. 106; subdivisions, ch. 110; utilities, ch. 122; vegetation, ch. 126; preservation of historic and specimen trees, § 126-56 et seq.; zoning, ch. 134.

### Article I. In General

- Sec. 54-1. Purpose and intent.
- Sec. 54-2. Definitions.
- Sec. 54-3. Deterioration by neglect.
- Sec. 54-4. Enforcement.
- Secs. 54-5—54-35. Reserved.

### Article II. Landmarks Preservation Commission

- Sec. 54-36. Created; appointment; qualifications; terms; compensation; filling vacancies; reappointment.
- Sec. 54-37. Alternate members.
- Sec. 54-38. Removal provisions; absences; conflicts of interest.
- Sec. 54-39. Officers, rules of procedure for commission.
- Sec. 54-40. Commission enforcement powers.
- Sec. 54-41. Appeals and review.
- Secs. 54-42—54-70. Reserved.

### Article III. Certificate of Appropriateness

#### Division 1. Generally

- Sec. 54-71. Required.
- Secs. 54-72—54-90. Reserved.

#### Division 2. Procedures and Effect

- Sec. 54-91. Design guidelines.
- Sec. 54-92. Preliminary conference.
- Sec. 54-93. Public hearing; notice.
- Sec. 54-94. Commission action.
- Sec. 54-95. Certificate required for exterior changes.
- Sec. 54-96. Emergency demolition or repairs.
- Sec. 54-97. Variances authorized.
- Sec. 54-98. Stop work order authorized.
- Secs. 54-99—54-120. Reserved.

#### Division 3. Criteria for Issuance

- Sec. 54-121. Generally.
- Sec. 54-122. New construction.
- Sec. 54-123. Exterior alterations.
- Sec. 54-124. Signs.
- Sec. 54-125. Demolition.
- Sec. 54-126. Reconstruction of a nonconforming use building.
- Secs. 54-127—54-160. Reserved.

### Article IV. Designation Procedure

- Sec. 54-161. Criteria for landmarks and landmark sites.
- Sec. 54-162. Creation of historic districts.
- Sec. 54-163. Commission powers with respect to landmarks, landmark sites and historic districts.
- Sec. 54-164. Landmark, landmark site and historic district designation and undesignation procedures.
- Sec. 54-165. Voluntary restrictive covenants.
- Secs. 54-166—54-195. Reserved.

### Article V. Tax Exemptions

- Sec. 54-196. Scope of tax exemptions.
- Sec. 54-197. Duration of tax exemptions.
- Sec. 54-198. Eligible properties and improvements.
- Sec. 54-199. Applications.
- Sec. 54-200. Required covenant.
- Sec. 54-201. Review by commission.
- Sec. 54-202. Approval by the town council.

## ARTICLE I. IN GENERAL

### Sec. 54-1. Purpose and intent.

It is declared to be a matter of public policy that the protection, enhancement and perpetuation of properties of special, notable, aesthetic or architectural character or historic interest or value is a public purpose and necessity and is required in the interest of health, prosperity, safety and general welfare of the people residing within and without the town. The purpose of this chapter is to:

- (1) Effect and accomplish the protection, enhancement and perpetuation of such properties and of districts that represent or reflect elements of the town's cultural, social, economic, political and architectural history.
  - (2) Safeguard the town's historic and cultural heritage, as embodied and reflected in such landmarks and historic districts.
  - (3) Stabilize and improve property values.
  - (4) Foster civic pride in the beauty and notable accomplishments of the past.
  - (5) Protect and enhance the town's attractions to residents and visitors.
  - (6) Strengthen the economy of the town.
  - (7) Promote the use of historic districts and landmarks for the education, pleasure and welfare of the residents of and visitors to the town.
- (Code 1982, § 16-33)

### Sec. 54-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Alteration* means any change because of construction, repair, maintenance or otherwise to a building located within an historic district or designated as a landmark or landmark site.

*Applicant* means the record owner of the site and/or buildings located thereon, the owner's authorized agent, or a person holding a bona fide contract to purchase same who makes application for a certificate of appropriateness under this chapter joined by the owner of record.

*Building* means a building or other structure built for the shelter or enclosure of persons, animals or chattels, including fences, signs, paving and boundary walls, and any part of any such building or structure when subdivided by division walls or party walls extending to or above the roof and without openings in such separate walls. The term "building" shall be construed as if followed by the words "or any part thereof."

*Certificate of appropriateness* means a document evidencing approval of the commission for work proposed by an applicant.

*Commission or landmarks commission* means the landmarks preservation commission created under this chapter.

*Construction* means the erection of an on-site improvement to a landmark or to a building or any parcel of ground located within an historic district or on a landmark site, whether the site is presently improved or unimproved, or hereafter becomes unimproved by demolition, demolition by neglect or as a result of destruction of an improvement located thereon by fire, windstorm or other casualty, or otherwise (such a parcel of ground being herein referred to as a "site").

*Demolition* means the complete or constructive removal of a building or any portion thereof on any site.

*Demolition by neglect* means neglect in the maintenance of any building, resulting in any one or more of the following:

- (1) The deterioration of a building to the extent that it creates or permits a hazardous or unsafe condition as determined by the building official.
- (2) The deterioration, as determined by the building official, of a building characterized by one or more of the following:
  - a. Those buildings which have parts thereof that are so attached that they may fall and injure persons or property.
  - b. Deteriorated or inadequate foundation.
  - c. Defective or deteriorated floor supports or floor supports insufficient to carry imposed loads with safety.
  - d. Members of walls or other vertical supports that split, lean, list or buckle due to defective material or deterioration.
  - e. Members of walls or other vertical supports that are insufficient to carry imposed loads with safety.
  - f. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration.
  - g. Members of ceilings, roofs, ceiling and roof supports or other horizontal members that are insufficient to carry imposed loads with safety.
  - h. Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration.
  - i. Any fault, defect or condition in the building that renders the same structurally unsafe or not properly watertight.
  - j. Unsafe electrical and/or mechanical conditions.
- (3) Action by the town council, the fire-rescue chief or the building official based upon the safety or physical condition of any building.

*Earthworks* means any subsurface remains of historical, archaeological or architectural importance or any unusual ground formations of archaeological significance.

*Exterior* means all outside surfaces of a building.

*Historic district* means an area identified by the commission that contains one or more landmarks or landmark sites as well as those abutting sites the commission determines should fall under the provisions of this chapter to assure that their appearance and development is harmonious with such landmarks and landmark sites.

*Landmark* and *landmark site* means an unimproved parcel of ground, including, without limitation, earthworks (landmark site) or a parcel of ground with improvements (landmark), wheresoever located in the town of particular historic, architectural or cultural significance, which landmark or landmark site meets the criteria set forth in section 54-161.

*Minor exterior change* means an exterior change the cost of which does not exceed \$2,000.00 as determined by the building official and is determined by the landmarks project coordinator to not materially affect the exterior of the structure.

*Ordinary repairs or maintenance* means work done to prevent deterioration of a building or to correct any deterioration or decay of or damage to a building or any part thereof by restoring the building as nearly as practicable to its condition prior to such deterioration, decay or damage.

*Owner of record* means as reflected on the current county tax roll. (Code 1982, § 16-34)

**Cross references:** Definitions generally, § 1-2.

### **Sec. 54-3. Deterioration by neglect.**

- (a) If the commission determines that a landmark is in the course of deteriorating by neglect, it shall notify the owner of record of such preliminary finding stating the reason therefore and shall give the owner of record 30 days from the date of notice in which to commence work rectifying the evidences of neglect cited by the commission. Such notice shall be accomplished in the following manner:
  - (1) By certified mailing to the last known address of the owner of record.
  - (2) If the procedure outlined in subsection (a)(1) of this section is not successful, then by attaching such notice to the landmark twice within a week.
- (b) Upon the owner of record's failing to commence work within 30 days of such notice, the commission shall notify the owner of record in the manner provided in subsection (a) of this section to appear at the next public hearing of the commission. The commission shall cause to be presented at that public hearing the reasons for the notice, and the owner of record shall have the right to present any rebuttal thereto. If thereafter the commission shall determine that the landmark is deteriorating by neglect, the commission shall inform the town council of its determination, whereupon the town council may bring charges against the owner of record for violation of this chapter; and the town council may

cause such landmark to be repaired at its expense at such time as funds are appropriated therefore, in which event the town may file an affidavit of the building official to such effect in the office of the county recorder of deeds, which shall operate to create, to the extent it may lawfully do so, a lien against the property for the funds so expended by the town.

(Code 1982, § 16-44)

### **Sec. 54-4. Enforcement.**

The code enforcement board shall enforce the provisions of this article and, upon conviction, the violator shall pay as provided in chapter 2, article V for each day the violation continues.

(Code 1982, § 16-47)

Secs. 54-5—54-35. Reserved.

## **ARTICLE II. LANDMARKS PRESERVATION COMMISSION\***

**\*Cross references:** Boards and commissions, § 2-306 et seq.

**Sec. 54-36. Created; appointment; qualifications; terms; compensation; filling vacancies; reappointment.**

- (a) A landmarks preservation commission is created consisting of seven members. At least two members, but not more than three members, of such commission shall be registered architects in the state. A majority of the members shall have, to the highest extent practicable, a special knowledge of and a known interest in landmarks preservation. Each member shall be a registered voter in the town, however, one member may be a non-resident of the town in the event it is determined by the town council that said individual has a special expertise in historic landmarks preservation. Each member other than the individual, if any, appointed by the town council as an expert, shall be a registered voter in the town. The members shall serve staggered terms of three years, and each will serve without compensation, except in the event of the appointment of an outside expert who will serve a term of only one year, but who may be reappointed by the town council on an annual basis. Each member shall serve without compensation. The town council shall appoint the members. If a vacancy shall occur otherwise than by the expiration of a term, it shall be filled by the town council for the unexpired term.
- (b) A member shall not be appointed for more than two consecutive three-year terms but shall be eligible for reappointment upon the lapse of nine months after the expiration of the member's second consecutive three-year term.

(Code 1982, § 16-35; Ord. No. 12-95, § 1(a), 9-12-95; Ord. No. 8-99, § 1, 11-9-99; Ord. No. 7-00, § 1, 6-13-00; Ord. No. 6-01, § 1, 4-10-01; Ord. No. 19-01, § 1, 10-9-01)

**Sec. 54-37. Alternate members.**

- (a) *Appointment.* The town council may, in its discretion, appoint three alternate members with similar qualifications who shall serve when called upon the chair of the commission in the absence of any regular members.
- (b) *Attendance requirements.* Alternate members are required to attend all meetings of the commission and are subject to the same attendance requirements, as regular members with the same provisions relating to excused absences being applicable.
- (c) *Voting.* Alternate members shall not vote on any matter unless they are sitting to fill the position of a regular member of the commission in the event of absence or in the event of a conflict of interest; however, alternate members may participate in the discussion of matters coming before the commission whether they are sitting as a voting member or not.
- (d) *Terms of office.* Although an alternate member may not serve more than two three-year terms as an alternate, an alternate member may be appointed to serve as a regular member of the commission and, in the event of such appointment, shall be entitled to serve two full three-years terms thereafter.

(Code 1982, § 16-35; Ord. No. 12-95, § 1(b), 9-12-95; Ord. No. 8-99, § 2, 11-9-99; Ord. No. 6-01, § 2, 4-10-01)

**Sec. 54-38. Removal provisions; absences; conflicts of interest.**

- (a) All members of the commission, including alternates, serve at the pleasure of the town council and may be removed from the commission with or without cause. Members of the commission shall be automatically removed for lack of attendance, which is defined as failure to attend more than two meetings in any one calendar year. Excused absences due to illness, a death in the family, religious holidays and requirements of legal process shall not constitute lack of attendance. In order for an absence to be excused, the member must notify the town manager's office by letter no later than noon on the Friday prior to a regularly scheduled meeting unless the absence is an emergency. Failure to notify the manager via letter will cause the absence to be unexcused. Excused absences shall be entered into the minutes at the next regularly scheduled meeting of the commission after the absence. A member may petition the town council, in the event of extenuating circumstances, to excuse an absence otherwise not automatically excused pursuant to the provisions of this article.
- (b) In the event of excessive conflicts of interest during any one calendar year, the commission member shall be subject to removal from the commission by the town council or, in the event of excessive conflicts of interest during any one term, a commission member may not be reappointed to a successive term. Excessive conflicts

of interest are defined as five or more conflicts of interest in any one calendar year.

- (c) If a member of the commission has a conflict of interest resulting from that member or the member's firm representing an applicant before the commission, it shall be the duty and obligation of the member having the conflict to comply with the following requirements:
  - (1) Notification of the conflict of interest shall be noted on the application form at the time of the submission of the application. The conflict will be identified on the commission agenda.
  - (2) The member having the conflict of interest shall not participate in the discussion and shall leave the chamber or the dais until the item is concluded.
  - (3) The member having the conflict shall not present the project to the commission, except in a case where the commission member is a sole practitioner who is unable to represent a client through an associate.

(Code 1982, § 16-35; Ord. No. 12-95, § 1(c), 9-12-95; Ord. No. 8-99, § 3, 11-9-99; Ord. No. 18-04, § 4, 10-1-04)

**Sec. 54-39. Officers, rules of procedure for commission.**

The commission shall elect a chair, a vice-chair and a secretary and may adopt rules for the conduct of its meetings. Four voting members of the commission shall constitute a quorum; however, the affirmative or negative vote of a majority of the entire membership of the commission shall be necessary for it to take action. In cases of emergency, if a quorum cannot be obtained, the chair, or vice-chair in his absence, and one other member of the commission may act to prevent an imminent or irreparable violation of the provisions of this chapter.

(Code 1982, § 16-36)

**Sec. 54-40. Commission enforcement powers.**

- (a) In the performance of their duties, members of the commission or their designees shall have the right to enter upon properties in the town at reasonable times and upon reasonable notice to the owners thereof.
- (b) Upon request of the commission, the building official shall aid the commission in making necessary inspections in connection with the enforcement of this chapter, shall furnish the commission with copies of reports of his inspections, and shall send notices to all persons who may be in violation of the provisions of this chapter to inform them of such violations.
- (c) Failure to comply with the provisions of this chapter shall constitute a violation hereof, and the violator shall be prosecuted under the provisions of chapter 2, article V of this Code.

(Code 1982, § 16-45)

**Sec. 54-41. Appeals and review.**

The applicant or any interested party may file an appeal to the town council on any ruling by the commission or the building official made pursuant to this chapter. An appeal shall be on forms provided by the town. The appeal shall be filed or made within ten days. Appeals shall set forth the alleged inconsistency or non-conformity with procedures or criteria set forth in this chapter. The town council shall decide an appeal within 45 days of the filing of such appeal unless an extension of time is consented to by the applicant, and such filing shall suspend any building permit issued pursuant to the ruling of the commission or building official until the town council has decided the appeal. The town council may review any decision of the commission or the building official, and their disposition of the matter shall be final. Appeals filed pursuant to this section shall be based on the record of the proceedings below and shall not be presented de novo. The time allotted for presentation of an appeal shall be determined by the town council president.

(Code 1982, § 16-46; Ord. No. 6-06, § 1, 7-11-06)

**ARTICLE III.  
CERTIFICATE OF APPROPRIATENESS**

**DIVISION 1. GENERALLY**

**Sec. 54-71. Required.**

- (a) No landmark nor any building or site planning feature, including but not limited to landscaping, garden walls, pools, fountains, etc., on a landmark site or within an historic district shall be erected, altered, restored, moved or demolished until after an application for a certificate of appropriateness as to exterior architectural features has been submitted to and approved by the commission. Similarly, if earthworks of historical or archaeological importance exist in an historic district, or on a landmark site, there shall be no excavating or moving of earth, rock or subsoil in or about such earthworks without a certificate of appropriateness. For the purpose of this article, “exterior architectural features” shall include but not be limited to the architectural style, scale, general design and general arrangement of the exterior of a building, including the kind and texture of the building material and type and style of roofs, windows, doors and signs. The style, scale, design, materials and location of advertising signs and bill posters on a landmark site or within an historic district, if located or plainly visible from out-of-doors, shall be under the control of the commission.
- (b) The commission shall not consider interior arrangement or use, except as this may affect a request for exterior changes.
- (c) Nothing in this article shall be construed to prevent ordinary maintenance or repairs that do not involve a

change of design or material or that do not affect the outward appearance of a building.

- (d) The commission shall exercise only those powers and duties granted by this article and those powers and duties that may be assigned to it at a later date by the town council.
- (e) For an exterior change project consistent with division 3 of this article, a determination may be made that this is a minor exterior change and the requirement of a certificate of appropriateness may be waived. Such determination shall be made by the landmarks project coordinator, with the concurrence of the chair or such other member of the commission as may be designated by the commission, who will so advise the building official, who may then issue a building permit.
- (f) An exterior change project determined by the landmarks project coordinator to be inappropriate, potentially controversial or precedent setting shall be submitted by the staff to the commission for review. No exterior change project with an estimated expenditure exceeding \$2,000.00 as determined by the building official shall fall within the definition of this minor project category.
- (g) Review of minor exterior change projects for which certificates of appropriateness have been waived will be reviewed quarterly by the commission.

(Code 1982, § 16-37)

Secs. 54-72—54-90. Reserved.

**DIVISION 2. PROCEDURES AND EFFECT**

**Sec. 54-91. Design guidelines.**

The commission shall prescribe the procedure for making application for a certificate of appropriateness and may develop design guidelines necessary to provide a framework for studying plans submitted.

(Code 1982, § 16-40(a))

**Sec. 54-92. Preliminary conference.**

The applicant for a certificate of appropriateness shall, upon request, have the right to a preliminary conference with a member of the commission or of the commission staff for the purpose of making any changes or adjustments to the application that might be more consistent with the commission’s standards.

(Code 1982, § 16-40(b))

**Sec. 54-93. Public hearing; notice.**

The commission shall hold a public hearing upon each application for a certificate of appropriateness affecting property under its control. Notice of the time and place of the hearing shall be provided as follows:

- (1) Publication in a newspaper having general circulation in the town at least 15 days before such hearing and by posting such notice on the bulletin board in the lobby of the town hall.
- (2) Mailing at least 15 days prior to the date of such public hearing to the applicant and property owners within a 250-foot radius of the subject property. Such list of property owners, together with a notification map, shall be provided by the applicant along with addressed and properly stamped envelopes and shall be certified by the applicant as being true and accurate.

(Code 1982, § 16-40(c); Ord. No. 15-08, § 1, 5-12-08)

**Sec. 54-94. Commission action.**

Within not more than 30 days after a hearing on an application for a certificate of appropriateness, the commission shall act upon it, either approving, denying or deferring action until the next meeting of the commission, giving consideration to the factors set forth in division 3 of this article. Evidence of approval of the application shall be by certificate of appropriateness issued by the commission, valid for a period not to exceed one year from date of issuance, and whatever its decision, a notice in writing shall be given to the applicant and the building official. The commission shall keep a record of its actions under this division.

(Code 1982, § 16-40(d))

**Sec. 54-95. Certificate required for exterior changes.**

- (a) No building permit for exterior changes shall be issued by the building official that affects a building or site in an historic district or a landmark or a landmark site or a property under consideration for landmark designation without a certificate of appropriateness, except for those changes specifically exempted under the provisions of section 54-71(e).
- (b) The commission shall have the right to make such recommendations for changes and modifications as it may deem necessary in order to enable the applicant to meet the requirements.

(Code 1982, § 16-40(e), (f))

**Sec. 54-96. Emergency demolition or repairs.**

Nothing contained in this division shall prevent the demolition or making of any temporary construction, reconstruction, or other repairs on a landmark, landmark site or a building in an historic district pursuant to the order of any governmental agency or a court of competent jurisdiction for the purpose of remedying emergency conditions determined to be dangerous to life, health or property, as determined by the building official, provided that in case of demolition prior notice of such action shall be given to the commission.

(Code 1982, § 16-40(g))

**Sec. 54-97. Variances authorized.**

Where by reason of topographical conditions or irregularly shaped lots, or because of unusual circumstances applicable solely to the particular applicant strict enforcement of the provisions of this article would result in serious undue hardship particularly affecting an applicant for a certificate of appropriateness, the commission, in passing upon his application, shall have the power to vary or modify adherence to this chapter provided always that its requirements ensure harmony with the general purposes of this chapter and will not adversely affect an historic district, landmark or landmark site. Guidelines for the application of this section may be developed by the commission.

(Code 1982, § 16-40(h))

**Sec. 54-98. Stop work order authorized.**

If work is being performed not in accordance with a certificate of appropriateness, the building official or his designated representative shall issue a stop work order, and all work shall cease. No person shall undertake any work on such project as long as such stop work order shall continue in effect.

(Code 1982, § 16-40(i))

Secs. 54-99—54-120. Reserved.

**DIVISION 3. CRITERIA FOR ISSUANCE**

**Sec. 54-121. Generally.**

In passing upon an application for a certificate of appropriateness, the commission shall consider the criteria in this division.

(Code 1982, § 16-41)

**Sec. 54-122. New construction.**

- (a) The following aspects of new construction shall be visually compatible with the buildings and environment with which the new construction is visually related:
  - (1) The height, the gross volume, and the proportion between width and height of the facade;
  - (2) The proportions and relationships between doors and windows;
  - (3) The rhythm of solids to voids created by openings in the facade;
  - (4) The materials used in the facade;
  - (5) The texture inherent in the facade;
  - (6) The colors, pattern and trim used in the facade; and
  - (7) The design of the roof.
- (b) Existing rhythm created by existing building masses and space between them should be preserved.
- (c) The landscape plan should be sensitive to the individual building and its occupants and needs and should be visually compatible with the buildings and environment with which it is visually related.
- (d) A new street facade should blend directionally with other buildings with which it is visually related; which

is to say, when adjacent buildings have a dominant horizontal or vertical expression, that expression should be carried over in the new facade.

- (e) Architectural details should be incorporated as necessary to relate the new with the old and to preserve and enhance the inherent architectural characteristics of the area.

(Code 1982, § 16-41(a))

#### **Sec. 54-123. Exterior alterations.**

- (a) The criteria set forth in section 54-122, if applicable, shall be considered in passing upon an application for exterior alterations; provided that the commission may consider the original design of the building and the buildings visually related to it and disregard alterations subsequently made thereto.
- (b) Exterior alterations shall not affect the architectural quality or historical character of the building.

(Code 1982, § 16-41(b))

#### **Sec. 54-124. Signs.**

For signs located or plainly visible from out-of-doors, the scale, design, materials, style and patterns should be compatible with the buildings and environment with which they are visually related.

(Code 1982, § 16-41(c))

#### **Sec. 54-125. Demolition.**

- (a) *Generally.* For demolition of a landmark or a building in an historic district, the following should be considered:

- (1) The historic or architectural significance of the building.
- (2) The importance of the building to the overall ensemble of buildings within the district and the importance of the building to the integrity of the historic district.
- (3) The special character and aesthetic interest the building adds to the district.
- (4) Whether the building is one of the last remaining examples of its kind in the neighborhood, historic district or city.
- (5) The difficulty or the impossibility of reproducing such a building because of its design, texture, material, detail, or uniqueness of location.
- (6) The future utilization of the site and the effect those plans for the site will have on the architectural, historical, archaeological, social, aesthetic or environmental character of the surrounding area and district.
- (7) Whether reasonable measures can be taken to save the building from further deterioration, collapse, arson, vandalism or neglect.

- (b) *Partial demolition.*

- (1) In the event of a request for a partial demolition, in addition to the above criteria, the commission shall consider the im-

part of the proposed demolition on the architectural and historical integrity of the remaining structure.

- (2) If a determination is made by the commission that a demolition permit will not be granted on the basis of those items specified in subsection (a) of this section, the applicant may within 30 days of notice of the decision of the commission apply for an exception of extreme economic hardship on the basis that the denial of the permit will result in the loss of all reasonable and beneficial use of or return from the property.

- (c) *Appeals on grounds of extreme economic hardship.* When a claim of extreme economic hardship is presented, the property owner/applicant must prove he cannot realize any reasonable and beneficial use of or return from the property. The finding of the commission shall be made by considering, and the property owner/applicant may submit to the commission, evidence establishing each of the following factors:

- (1) The current levels of economic return on the property as considered in relation to the following:
  - a. For all property:
    1. Real estate taxes for the previous four years and the assessed value of the land and improvements thereon according to the two most recent assessed valuations.
    2. The amount paid for the property and the date of purchase of the property or other means of acquisition of title, such as by gift or inheritance, and the party from whom purchased or otherwise acquired.
    3. The fair market value of the property immediately prior to its designation as a landmark and/or designation of the historic district and the fair market value of the property (in its protected status as a landmark or contributing structure within an historic district) at the time the application for certificate of appropriateness is filed.
    4. Remaining balance of any mortgage or other financing secured by the property and the annual debt service, if any, for the previous two years.
    5. All appraisals obtained within the previous two years by the property owner/applicant in connection with the purchase, financing or ownership of the property.
    6. Any state or federal income tax returns on or relating to the property for the past two years.
    7. Form of ownership or operation of the property, whether sole proprietorship, for-profit or nonprofit corporation, limited partnership, joint venture, or other.
  - b. For income producing property:
    1. Annual gross income from the property for the previous two years.
    2. Itemized operating and maintenance expenses for the previous two years, including proof that adequate and competent management procedures were followed.

3. Depreciation deduction and annual cash flow, if any, for the previous two years before and after debt service, if any, during the same period.
  4. Proof that efforts have been made by the owner to obtain a reasonable return on this investment based on previous service.
  5. Any other information, including the income tax bracket of the owner, applicant or principal investors in the property, considered necessary by the commission to a determination as to whether the property does yield or may yield a reasonable return to the owners.
- (2) The marketability of the property considered in relation to any listing of the property for sale or rent, price asked, and offers received, if any, within the previous two years, including testimony and relevant documents regarding:
    - a. Any real estate brokers or firms engaged to sell or lease the property.
    - b. Reasonableness of the price or rent sought by the applicant.
    - c. Any advertisements placed for the sale or rent of the property.
    - d. Any contracts for purchase submitted.
  - (3) The infeasibility of adaptive or alternative uses for the property that can earn a reasonable economic return for the property as considered in relation to the following:
    - a. A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation.
    - b. Estimate from a registered architect or professional engineer of the cost of construction, alteration, demolition or removal, and estimate of any additional cost that would be incurred to comply with the recommendation and decision of the commission concerning the appropriateness of proposed alterations.
    - c. Estimate from a qualified appraiser, with competent credentials, of the market value of the property in the current condition, after completion of the demolition, after completion of the proposed construction, and after renovation of the existing property for continued use.
    - d. In the case of a proposed demolition, the testimony of an architect, developer, real estate consultant, appraiser or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or use of existing structure on the property.
    - e. Financial proof of the ability to complete the replacement project, which may include but is not limited to a performance bond, a letter of credit, a trust for completion of improvements, or letter of commitment from a financial institution.
    - f. Any other information the applicant feels is relevant to show extreme economic hardship.
  - (4) The commission may require that an applicant furnish such additional information that is relevant to its determination of extreme economic hardship and may require that such additional information be furnished under oath. The commission may also furnish additional information as the commission or staff believes is relevant. In the event any of the required information is not reasonably available to the applicant and cannot be obtained by the applicant, the applicant shall file an affidavit specifying the information that cannot be obtained and shall describe the reasons why such information cannot be obtained.
  - (5) The commission shall not consider a self-imposed hardship as an extreme economic hardship. Should the applicant for demolition satisfy the commission that he will suffer an extreme economic hardship if a demolition permit is not recommended, such recommendation shall be made.
    - (d) *Demolition and construction permits; plans.* Following recommendation of demolition, the applicant must seek approval of replacement plans based on the standards set forth in this section, prior to receiving a demolition permit. Replacement plans for this purpose shall include but not be limited to project concept, preliminary elevations and site plans, and adequate working drawings. Once the commission has approved the permit for replacement construction, the demolition permit may be issued without further action. Permits for demolition and construction shall be issued simultaneously if the requirements set forth in this section are met and the property owner/applicant provides financial proof of his ability to complete the project. When the commission recommends approval of demolition of buildings of historic or architectural significance, permits shall not be issued until all plans for the site have received approval from all appropriate town departments.
    - (e) *Time period for applications.* Applications for demolition, which demolition involves more than 50 percent of the cubic footage of a landmarked structure, shall be heard by the commission only during the months of November, December, January, February, March and April.

(Code 1982, § 16-41(d))

**Sec. 54-126. Reconstruction of a nonconforming use building.**

The reconstruction of a building legally nonconforming as to use and destroyed by fire, storm or other act of God shall be governed by the provisions of the zoning ordinance, chapter 134 of this Code, except that the commission shall regulate the exterior design of such buildings in accordance with the criteria set forth in section 54-122.

(Code 1982, § 16-41(e))

Secs. 54-127—54-160. Reserved.

## ARTICLE IV. DESIGNATION PROCEDURE

### Sec. 54-161. Criteria for landmarks and landmark sites.

A landmark or landmark site shall meet at least one of the following criteria:

- (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.
- (2) Is identified with historic personages or with important events in national, state or local history.
- (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship.
- (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.

(Code 1982, § 16-38)

### Sec. 54-162. Creation of historic districts.

(a) *Authorized.* For preservation purposes, the commission shall identify geographically defined areas within the town to be designated as historic districts and shall cite the guideline criteria upon which such designation shall be made. An historic district may be designated for any geographic area of particular historic, architectural or cultural significance to the town that:

- (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.
- (2) Is identified with historic personages or with important events in national, state or local history.
- (3) Embodies distinguishing characteristics of one or more architectural types, or contains specimens inherently valuable for the study of a period, style or methods of construction or use of indigenous materials or craftsmanship.
- (4) Is representative of the notable works of one or more master builders, designers or architects whose individual ability has been recognized to have influenced their age.
- (5) Constitutes a unique area of architecture, landscaping and planning.

(b) *Petition for special historic district category.* Following the designation of each landmark or landmark site, the commission may petition the town council for the categorizing of such property as special district H. Following the designation of each historic district, the commission may petition the town council for the categorizing of each property in such district to special district HD.

(Code 1982, §§ 16-38.1, 16-39)

### Sec. 54-163. Commission powers with respect to landmarks, landmark sites and historic districts.

The commission has the power to:

- (1) Designate a building, together with its accessory buildings and its lot of record, or a vacant site or a district as historic and worthy of preservation as a landmark, landmark site or historic district, as the case may be, within the jurisdiction of the commission, provided such designation is ratified by the town council.
- (2) Recommend appropriate legislation for the preservation of any building, site or district which it has so designated.
- (3) Make application for public and private funds when appropriate and available for the purposes set forth in this article subject to the approval of the town council.
- (4) Review applications proposing erection, alteration, restoration or moving of any building it has so designated or any building located in a district it has so designated, and to issue or deny certificates of appropriateness accordingly.
- (5) Review applications for demolition permits proposing demolition of all or part of any landmark or any building located in an historic district, and to issue certificates of appropriateness or to deny them for one year.
- (6) Cooperate with the owner of a landmark or a property located in an historic district throughout the year following a refusal to issue a certificate of appropriateness pursuant to an application for a demolition permit, and to seek alternative economic uses for such landmark or property.
- (7) Review its denial of a certificate of appropriateness for demolition of such landmark or property annually, during a public hearing at which time the owner of the affected landmark or property shall be afforded an opportunity to appear with counsel and to present testimony.
- (8) Prohibit the issuance of building, exterior remodeling or demolition permits affecting any property under consideration for landmark designation without a certificate of appropriateness, this prohibition to remain in effect for the length of time required by the commission and the town council for final action on the proposed designation. The commission shall accomplish such prohibition by furnishing the building official a list of all property under consideration for landmark designation.

(Code 1982, § 16-42)

### Sec. 54-164. Landmark, landmark site and historic district designation and undesignation procedures.

- (a) The following procedure shall be adhered to by the commission in designating any building, building site or district that is worthy of preservation:
  - (1) The commission shall consider for landmark designation any property proposed by the owner of record or by a member of the commission.

- (2) Notice of a proposed designation shall be sent by certified mail to the owner of record of property proposed for designation as a landmark or landmark site and to each owner of record of property in a district proposed for designation as an historic district, describing the property proposed and announcing a public hearing by the commission to consider such a designation to be held not less than 30 days after the mailing of such notice.
- (3) The commission shall also cause notice of each such proposed designation to be posted at least 30 days prior to the public hearing on the bulletin board in the lobby of the town hall, and in addition the commission shall cause such notice to be published in a newspaper having general circulation in the town.
- (4) The commission may retain or solicit expert testimony regarding the historic and architectural importance of the buildings and districts under consideration for designation.
- (5) The commission may present testimony or documentary evidence of its own to establish a record regarding the historic and architectural importance of the proposed landmark, landmark site or historic district.
- (6) The commission shall afford the owner of each affected property reasonable opportunity to present testimony or documentary evidence regarding the historic and architectural importance of such property.
- (7) The owner of each affected property shall be afforded a right of representation by counsel and reasonable opportunity to cross examine witnesses presented by the commission.
- (8) Any interested party may present testimony or documentary evidence regarding the designation of a proposed landmark, landmark site or historic district at the public hearing and may submit to the commission documentary evidence within three days after the hearing.
- (9) Within not more than 30 days after a public hearing, the commission shall render a final decision regarding the proposed designation and give written notice of its decision to each owner of property affected by the designation, setting forth the reasons for the decision.
- (10) The commission shall maintain a record of testimony and documentary evidence submitted to it for consideration of the designation of a proposed or previously designated landmark, landmark site or historic district.
- (11) In accordance with section 54-163(1), the town council shall, within 90 days of the commission's final decision, hold a public hearing to consider ratification of the determination of the commission prior to the designation of a property as a landmark or landmark site or of a district as an historic district becoming effective. Absent ratification by the town council, the commission's determination shall be ineffective.
- (12) Within 30 days of the date on which the town council ratifies the commission's designation of a landmark, landmark site or historic district, the commission shall cause to be

filed in the office of the county recorder of deeds a certificate of notification that such property is designated a landmark or landmark site or is located within a district designated an historic district; and the certificate of notification shall be maintained on the public record until such time as such designation may be withdrawn by the commission and the town council.

- (b) Designation and undesignation hearings before the commission shall be held only during the months of November, December, January, February, March and April.
- (c) Designation of a landmark, landmark site or a historic district may be withdrawn by following the same procedure as listed above.

(Code 1982, § 16-43)

#### **Sec. 54-165. Voluntary restrictive covenants.**

The owner of any landmark or landmark site may, at any time following the designation of his property, enter into a restrictive covenant on the property after negotiation with the commission. The commission may assist the owner in preparing such a covenant in the interest of preserving the landmark or the landmark site. The owner shall record such covenant in the office of the county recorder of deeds and shall notify the town clerk, building official and town council and may notify the office of the county property appraiser of such covenant and the conditions thereof.

(Code 1982, § 16-48)

Secs. 54-166—54-195. Reserved.

## **ARTICLE V. TAX EXEMPTIONS\***

\***Cross references:** Taxation, ch. 114.

#### **Sec. 54-196. Scope of tax exemptions.**

A method is hereby created for the town council to allow tax exemptions for the restoration, renovation or rehabilitation of historic properties. The exemption shall apply to 100 percent of the assessed value of all improvements to historic properties that result from restoration, renovation or rehabilitation made on or after the effective date of this section. The exemption applies only to taxes levied by the town. The exemption does not apply to taxes levied for the payment of bonds or to taxes authorized by a vote of the electors pursuant to Fla. Const., art. VII, § 9(b) or § 12. The exemption does not apply to personal property.

(Code 1982, § 16-49(a))

#### **Sec. 54-197. Duration of tax exemptions.**

Any exemption granted under this article to a particular property shall remain in effect for ten years, as specified in the ordinance approving the exemption. The duration of ten years shall continue regardless of any change in the authority of the town to grant such exemptions or any changes in ownership of the property. In order to retain an exemption, however, the historic char-

acter of the property, and improvements which qualified the property for an exemption, must be maintained over the period for which the exemption was granted.

(Code 1982, § 16-49(b))

**Sec. 54-198. Eligible properties and improvements.**

(a) Property is qualified for an exemption under this section if:

- (1) At the time the exemption is granted, the property is:
  - a. Individually listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended;
  - b. A contributing property within a National Register listed district; or
  - c. Designated as historic property, or as a contributing property to an historic district, under the terms of this chapter; and
- (2) The commission has certified to the town council that the property for which an exemption is requested satisfies this subsection.
  - (b) In order for an improvement to historic property to qualify the property for an exemption, the improvement must be:
    - (1) Consistent with the secretary of the interior's standards for rehabilitation; and
    - (2) Determined by the commission to meet criteria established in rules adopted by the department of state.

(Code 1982, § 16-49(c))

**Sec. 54-199. Applications.**

Any person desiring ad valorem tax exemption for the improvement of historic property must, in the year the exemption is desired to take effect, file with the town council a written application on a form approved by the department of state. All applicable fees shall be paid at the time the application is submitted. The application must include the following information:

- (1) The name of the property owner and the location of the historic property.
- (2) A description of the improvements to real property for which an exemption is requested and the date of commencement of construction of such improvements.
- (3) Proof, to the satisfaction of the commission, that the property that is to be rehabilitated or renovated is historic property under this article.
- (4) Proof, to the satisfaction of the commission that the improvements to the property will be consistent with secretary of interior's standards for rehabilitation and will be made in accordance with the guidelines developed by the department of state.

(5) Other information identified in appropriate department of state regulations.

(Code 1982, § 16-49(d))

**Sec. 54-200. Required covenant.**

To qualify for an exemption, the property owner must enter into a covenant or agreement with the town for the term for which the exemption is granted. The form of the covenant or agreement must be established by the department of state and must require that the character of the property, and the qualifying improvements to the property, be maintained during the period the exemption is granted. The covenant or agreement shall be binding on the current property owner, transferees, and their heirs, successors, or assigns. Violation of the covenant or agreement results in the property owner's being subject to the payment of the differences between the total amount of taxes that would have been due in March in each of the previous years in which the covenant or agreement was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in F.S. § 212.12(3).

(Code 1982, § 16-49(e))

**Sec. 54-201. Review by commission.**

The commission or its successor is designated to review applications for exemptions. The commission must recommend that the town council grant or deny the exemption. Such reviews must be conducted in accordance with the rules adopted by the department of state. The recommendation and the reasons therefore must be provided to the applicant and to the town council before consideration of the application at an official meeting.

(Code 1982, § 16-49(f))

**Sec. 54-202. Approval by the town council.**

A majority vote of the town council shall be required to approve a written application for exemption. Such exemption shall take effect on the January 1 following substantial completion of the improvement. The town council shall include the following in the resolution or ordinance approving the written application for exemption:

- (1) The name of the owner and the address of the historic property for which the exemption is granted.
- (2) The period of time for which the exemption will remain in effect and the expiration date of the exemption.
- (3) A finding that the historic property meets the requirements of this article.

(Code 1982, § 16-49(g))

# Tax Abatement Program

## Town of Palm Beach: Planning, Zoning & Building Department

### Tax Abatement Checklist

The Town of Palm Beach and Palm Beach County have passed a Property Tax Abatement program that is available to local property owners for the restoration, renovation, or rehabilitation of their Landmarked properties. This benefit will abate tax increases on the improvements to the property for a ten year time period. The Abatement is conveyed through a Covenant that accompanies the Deed to the property, and may be transferred to future owners during the Abatement time period. The restorations must comply with the Secretary of the Interior's Standards and be approved through the Certificate of Appropriateness process as established by the Town of Palm Beach Landmarks Commission. The following procedures should be followed by interested property owners.

Questions can be answered by Jane S. Day, Landmarks Consultant at (561) 362-4473.

1. The Tax Abatement project must be publicly announced at a regularly scheduled Landmarks Commission Meeting before restoration begins.
2. To qualify, the property must be an approved Landmark of the Town of Palm Beach. A **Certificate of Landmark Status** is necessary for filing with the County Property Appraiser at the completion of the project.
3. **Part 1- Pre-Construction Application for Tax Abatement** (available at the Planning, Zoning & Building Department) must be filed and presented to staff before work begins.
4. **Certificates of Appropriateness** must be obtained from the Landmarks Commission for all work. Please note that unlike the regular Landmarks procedure, this includes interior as well as exterior changes. No work approved at a staff level qualifies for the Tax Abatement.
5. Prior to the issuance of the **Certificate of Occupancy, Part 2 - Request for Review of Completed Work** must be completed and submitted.
6. The Town Council of the Town of Palm Beach must pass a **Resolution** approving the property and restorations for the Tax Abatement. This occurs at the conclusion of the project and before paperwork is forwarded to Palm Beach County.
7. A completed project file must be delivered to the Palm Beach County Property Appraiser's Office the year when the Abatement is to begin. That file should include:
  - a. **Certificate of Landmarks Status**
  - b. **Part 1- Preconstruction Application**
  - c. Copies of all **Certificates of Appropriateness** for project
  - d. List of all changes that meet the Secretary of Interior's Standards as approved by the Town of Palm Beach
  - e. **Part 2- Request for Review of Completed Work**
  - f. Town of Palm Beach Covenant
  - g. Palm Beach County Covenant
  - h. **Resolution** from the Town Council certifying the project for the Tax Abatement
  - i. Photographs and maps of Subject Property
  - j. A duplicate project file must also be delivered to the Palm Beach County Planning, Zoning & Building Department. This file is to include all of the items listed above.

Please note that the responsibility for all Tax Abatement paperwork belongs to the property owner. Staff will schedule the hearing of the **Resolution** with the Town of Palm Beach Town Council, coordinate filing of the documents with Palm Beach County, and answer any procedural questions.

TOWN OF PALM BEACH, FLORIDA

Historic Preservation Property Tax Exemption Application

For a printable form please call the Town of Palm Beach at 561.838.5430 or visit our website at http://palmbeach.govoffice.com

PART 1 – PRECONSTRUCTION APPLICATION

A. GENERAL INFORMATION

1. Property Identification and location:

Property Identification number:

Legal Description:

Address of Property:

Town of Palm Beach, Florida

- ( ) Individually National Register listed
( ) In a National Register district
( ) Locally designated historic property or landmark
( ) In a locally designated district

Name of historic district:

2. Type of request:

- ( ) Exemption under 196.1977, F.S. (Standard exemption)
( ) Exemption under 196.1998, F.S. (Exemption for properties occupied by non-profit organizations or government agencies and regularly open to the public.)

3. Owner information:

Name of individual or organization owning the property:

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Daytime Telephone Number (\_\_\_\_\_) \_\_\_\_\_

4. Owner Attestation:

I hereby attest that the information I have provided is, to the best of my knowledge, correct, and that I own the property described above or that I am legally the authority in charge of the property. Further, by submission of this Application, I agree to allow access to the property by representative of the Historic Preservation Office, and appropriate representative of the Town of Palm Beach, for the purpose of verification of information provided in this Application. I also understand that, if the requested exemption is granted, I will be required to enter into a Covenant with the Town of Palm Beach granting the exemption in which I must agree to maintain the character of the property and the qualifying improvements for the term of the exemption.

Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Complete the following is signing for an organization or multiple owners:

\_\_\_\_\_ Title

\_\_\_\_\_ Organization Name

**B. EVALUATION OF PROPERTY**

1. Description of physical appearance:

Date of Construction \_\_\_\_\_

Date(s) of Alteration(s) \_\_\_\_\_

Has building been moved ( ) Yes ( ) No.

If so, when? \_\_\_\_\_

2. Statement of significance:

3. Photographs and maps: (Attach photographs and maps to application. Label all clearly with site name, location, view)

**C. DESCRIPTION OF IMPROVEMENTS** (to be completed by **all applicants**):

Include site work, new construction, alterations, etc.

**FEATURE 1**

Feature

Approx. date of feature

Describe existing feature and its condition:

Photo no. \_\_\_\_\_ Drawing no. \_\_\_\_\_

Describe work and impact on existing feature:

**FEATURE 2**

Feature

Approx. date of feature

Describe existing feature and its condition:

Photo no. \_\_\_\_\_ Drawing no. \_\_\_\_\_

Describe work and impact on existing feature:

**FEATURE 3**

Feature

Approx. date of feature

Describe existing feature and its condition:

Photo no. \_\_\_\_\_ Drawing no. \_\_\_\_\_

Describe work and impact on existing feature:

**FEATURE 4**

Feature

Approx. date of feature

Describe existing feature and its condition:

Photo no. \_\_\_\_\_ Drawing no. \_\_\_\_\_

Describe work and impact on existing feature:

**FEATURE 5**

Feature

Approx. date of feature

Describe existing feature and its condition:

Photo no. \_\_\_\_\_ Drawing no. \_\_\_\_\_

Describe work and impact on existing feature:

**FEATURE 6**

Feature

Approx. date of feature

Describe existing feature and its condition:

Photo no. \_\_\_\_\_ Drawing no. \_\_\_\_\_

Describe work and impact on existing feature:

**D. PROPERTY USE** (To be completed by **all applicants**):

Use(s) before improvement:

Proposed use(s) after improvement

**E. SPECIAL EXEMPTION** (Complete only if applying for exemption under s.196.1998, F.S. - property occupied by non-profit organization or government agency and regulars open to the public.)

1. Identify the government agency or non-profit organization that occupies the building:
2. How often does this organization or agency use the building?
3. Indicate the total usable area of the building in square feet.
4. How much does the organization or agency?
5. What percentage of the useable area does the organization or agency use?
6. Is the property open to the public? ( ) Yes ( ) No. If so, when?
7. Are there regular hours? ( ) Yes ( ) NO. If so, what are they?
8. Is the property also open by appointment? ( ) Yes ( ) No.
9. Is the property open **only** by appointment? ( ) Yes ( ) No.

# Landmarks Commission Property Application

TOWN OF PALM BEACH

LANDMARKS PRESERVATION COMMISSION

360 South County Road, Palm Beach, FL 33480

(561) 227-6414 for John Lindgren, Planning Administrator

(561) 227-6408 for Cindy Delp, Secretary for the Landmarks Preservation Commission

## APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

ADDRESS OF PROPERTY: \_\_\_\_\_

OWNER OF PROPERTY: \*\* \_\_\_\_\_

(Address) \_\_\_\_\_

(Address) \_\_\_\_\_

(Phone) \_\_\_\_\_

APPLICANT'S NAME: \*\* \_\_\_\_\_

(Address) \_\_\_\_\_

(Address) \_\_\_\_\_

(Phone) \_\_\_\_\_

ARCHITECT FOR PROJECT: \*\* \_\_\_\_\_

(Firm name) \_\_\_\_\_

(Architect's name) \_\_\_\_\_

(Architectural firm's address) \_\_\_\_\_

(Architectural firm's address) \_\_\_\_\_

(Phone Number) \_\_\_\_\_ (Fax Number) \_\_\_\_\_

Check this box if you are an LPC member, and this project will result in a Voting Conflict for you.



**NOTIFICATION TO SURROUNDING PROPERTIES  
OF APPLICATION  
FOR CERTIFICATE OF APPROPRIATENESS  
LANDMARKS PRESERVATION PROGRAM**

Notice is hereby provided to all property owners within 250' of the subject property listed below that a public hearing will be held by the Landmarks Preservation Commission on \_\_\_\_\_, 20\_\_\_\_\_, on or after **9:30 a.m.** to consider an application for a Certificate of Appropriateness for the following described real property. The meeting will be held **AT THE TOWN'S EMERGENCY OPERATIONS CENTER WHICH IS LOCATED ON THE 3RD FLOOR OF THE CENTRAL FIRE STATION AT 355 S. COUNTY ROAD, PALM BEACH.**

Subject property address: \_\_\_\_\_

Owner: \_\_\_\_\_

Applicant: \_\_\_\_\_

Request approval of: \_\_\_\_\_

All interested persons may appear and be heard at said public hearing and may likewise submit written statements prior to and at said public hearing. The application for Certificate of Appropriateness and exhibits, such as plans and other supporting documentation, are available for inspection at the Town's Planning, Zoning & Building Department, 360 S. County Road, south entrance, weekdays between the hours of 8:30 a.m. and 4:30 p.m.

If any person decides to appeal any decision made by the Landmarks Preservation Commission related to this matter, he/she will need to ensure that a verbatim record of the proceeding is made which record includes the testimony and evidence upon which the appeal is to be based.

If we can be of further assistance relative to this matter, please contact Timothy Frank, Planning Administrator at 227-6414 or Cindy Delp, Office Manager at 227-6408.

Sincerely,

John S. Page, Director of Planning, Zoning and Building

JSP/cmd

# NOTICE AFFIDAVIT

STATE OF FLORIDA

COUNTY OF PALM BEACH, TOWN OF PALM BEACH

BEFORE ME THIS DAY PERSONALLY APPEARED \_\_\_\_\_ WHO BEING DULY SWORN,  
DEPOSES AND SAYS THAT:

1. He/she is the owner, or the owner's authorized agent, of the real property legally described in the Application for Certificate of Appropriateness; and
2. The accompanying Property Owners List is, to the best of his/her knowledge, a complete and accurate list of all property owners' mailing addresses and property control numbers dated no more than 90 days prior to the Landmarks Preservation Commission hearing at which the subject application will be heard, and as recorded in the latest official tax rolls for the subject property and all other property within two hundred fifty (250) feet of the real property described in the Application for Certificate of Appropriateness, or all property within two hundred fifty (250) feet of all contiguous property owned wholly or in part by the owner of the real property described in the Application for Certificate of Appropriateness, if applicable; and
3. A copy of each page of the application plus supporting documentation is included in each envelope submitted for mailing, using the label provided by the Property Appraiser.

## FURTHER AFFIANT SAYETH NOT.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,  
by \_\_\_\_\_ who is personally known to me or who  
has produced \_\_\_\_\_ as identification and who did (did not) take an oath.

(type of identification) \_\_\_\_\_

(Signature of Person Taking Acknowledgment) Applicant's Signature \_\_\_\_\_

(Printed Name of Acknowledger) Applicant's Printed Name \_\_\_\_\_

(Title or Rank) Street Address \_\_\_\_\_

(Serial Number, if any) City, State, Zip Code \_\_\_\_\_

Telephone number \_\_\_\_\_

Revised 6/19/09-cmd

# CERTIFICATE OF APPROPRIATENESS

## FILING GUIDELINES

**FILING DEADLINE: 30 DAYS PRIOR TO THE MEETING DATE**  
(See exception below)

\*\*\***Please note** that if your project requires variance, special exception or site plan review approval by the Town Council, **and** the Zoning Administrator informs you that your project will be heard informally by the Landmarks Preservation Commission **prior** to receiving Town Council approval, the filing deadline listed above **DOES NOT APPLY**. IF SUCH IS THE CASE, THE FILING DEADLINE FOR THE LANDMARKS PRESERVATION COMMISSION IS THE SAME AS THE FILING DEADLINE FOR VARIANCE, SPECIAL EXCEPTION OR SITE PLAN REVIEW (*ON THE FRIDAY FOLLOWING THE 3RD TUESDAY OF THE MONTH*)

### **Exception Example:**

Date Town Council action to occur: Wednesday, August 12, 2009  
Town Council/LPC filing deadline Friday, June 19, 2009  
Informal LPC review date Thursday July 16, 2009  
Town Council Meeting date Wednesday August 12, 2009  
Formal LPC review date Tuesday August 18, 2009

\*\*\*\*\*

**LANDMARKS FILING FEE:  
\$ 500.00 FOR ALL PROJECTS  
(EFFECTIVE 10/4/2007)**

\*\*\*\*\*

Revised 6/19/09-cmd

# A COMPLETE LANDMARKS APPLICATION IS COMPOSED OF THE FOLLOWING:

- The **Application for Certificate of Appropriateness**
- A **check in the amount of \$500.00** payable to the Town of Palm Beach
- One (1) set of complete plans and any other required submission materials**
- A signed and notarized **Notice Affidavit**
- A **Tax Map** identifying the subject property, a 250 ft. radius around the property
- A **List of all property owners** within that 250 ft. radius, including the subject property owner. This list, along with address labels, must be obtained from the Palm Beach Property Appraiser's Office, Mapping Department, 301 North Olive Avenue, Fifth Floor, West Palm Beach. You will need a property identification number (known as a property control number or folio number) of the subject property to obtain the list. You should allow at least 10 days to receive this list from the Property Appraiser. This list should be dated no earlier than ninety (90) days prior to the date of the meeting at which the application will be heard.
- Stuffed and sealed envelopes with correct postage stamps applied** (not metered postage). Envelopes are to contain a copy of the Application for Certificate of Appropriateness and the Notification to Surrounding Properties of Application for Certificate of Appropriateness. Envelopes are to be prepared for all property owners whose names appear on the list of property owners within that 250 ft. radius. The return address on each envelope should read as follows: Town of Palm Beach, Planning Zoning & Building Department, 360 S. County Road, Palm Beach, Florida 33480. The subject address should appear on the face of the envelope (bottom left) as such: RE: (street address) - Landmarks Preservation Commission. Envelopes are to be submitted to the Town and the Town will actually mail them.
- Sample envelope** (unsealed) containing a copy of the Application for Certificate of Appropriateness and the Notification to Surrounding Properties of Application for Certificate of Appropriateness.
- 14 Sets of Reduced Plans** are to be brought to the meeting by the applicant and are to be distributed to each LPC member, staff, and the clerk.

Revised 6/19/09-cmd

## PLAN PARTICULARS

- PLANS ARE TO BE DRAWN IN BLACK LINE ONLY.
- 1/4" SCALE IS PREFERRED. 1/8" SCALE MAY BE PERMITTED IF THE PRESENTATION IS ADEQUATE AND SUFFICIENTLY DETAILED. 1/8" SCALE PLANS MAY NOT NECESSARILY BE APPROVED IF THEY ARE LACKING IN DETAIL.
- PLANS PRESENTED AT BOARD AND COMMISSION MEETINGS MUST BE "PRESENTATION QUALITY" DRAWINGS.
- PLANS MUST CLEARLY INDICATE THE AREAS OF THE HOUSE AND/OR PROPERTY WHICH ARE BEING CHANGED.
- PLANS MUST BE FULLY NOTATED AND DIMENSIONED TO ENABLE STAFF AND COMMISSION REVIEW.
- SITE CALCULATIONS MUST APPEAR ON THE SITE PLAN, WHICH IS PART OF THE REQUIRED SET OF PLANS.
- ANY MATERIALS THAT ARE TO BE REMOVED OR RELOCATED SHALL BE DELINEATED AND NOTED ON THE MATERIALS REMOVAL PLAN PAGE WHICH MUST BE INCLUDED IN THE PLAN SET.
- MATERIALS SHOULD BE NOTED ON THE PLANS.
- PLANS MUST BE SIGNED AND SEALED BY THE ARCHITECT.
- ELEVATION DRAWINGS MUST REFLECT THE EXISTING ELEVATION AND THE PROPOSED ELEVATION ON THE SAME PAGE, SO THAT ELEVATION CHANGES ARE EASILY DISCERNIBLE.
- MODEL REQUIRED FOR PROJECT OVER 10,000 SQUARE FEET
- REVISED PLANS:** If an applicant revises the plans, after making application for a Certificate of Appropriateness and prior to the hearing date, the applicant must submit one set of revised plans to the Town. **The last date available to submit revised plans is one week prior to the meeting date.** Revised plans should be submitted to Cindy Delp, Secretary for the Landmarks Preservation Commission.

**CAUTION: \*\*APPLICATIONS AND PLANS PROVIDING INCOMPLETE OR INCORRECT INFORMATION WILL BE DEFERRED TO THE FOLLOWING MONTH.\*\***

**DEFERRALS: \*\*PLEASE NOTE THAT AS OF THE JULY 18, 2007 LPC MEETING, IT WAS DECIDED THAT APPLICANTS NEED TO BE PRESENT AT THE LPC MEETING TO REQUEST A DEFERRAL; THAT THE FIRST DEFERRAL WOULD MOST LIKELY BE GRANTED; THAT A REQUEST FOR A SECOND DEFERRAL REQUIRES JUSTIFICATION; AND, THAT A THIRD DEFERRAL WILL LIKELY NOT BE GRANTED.**

## ***WHO CAN PRESENT?***

Revised 6/19/09-cmd

***THE LANDMARKS PRESERVATION COMMISSION REQUIRES THAT THE PERSON PRESENTING A PROJECT FOR REVIEW SHALL BE AN ARCHITECT LICENSED BY THE STATE OF FLORIDA, OR AN INDIVIDUAL WHO IS UNDER THE DIRECT SUPERVISION OF THE SIGNING/SEALING ARCHITECT, i.e., AN INDIVIDUAL WHO IS EMPLOYED OR COMPENSATED BY THAT ARCHITECT.***

# GUIDELINES FOR PRESENTING PROJECTS TO THE LANDMARKS PRESERVATION COMMISSION

1. All presentations must be completed in a formal and professional manner. Applicants must come prepared with **PRESENTATION QUALITY PLANS**, material samples, photographs, and any other presentation materials necessary for the Landmarks Preservation Commission to review the project. Insufficient presentations will result in a deferral of the project.
2. Presenters must use the hand held microphone and speak directly into it when addressing the Landmarks Preservation Commission.
3. Presenters must bring their plans mounted on display boards. These plans will be placed on camera and projected to the audience. Easels will be available to facilitate presentations. **Display boards should be prepared with heavy line drawings and colored to permit clear viewing by the public via the camera and screen.**
4. Necessary photographs may be mounted on boards, or distributed in booklet form, or distributed individually to the members of the Landmarks Preservation Commission.
5. The agenda for the Landmarks Preservation Commission is available at least one week in advance of the meeting date. Applicants may obtain a copy of the agenda from the Internet at [www.townofpalmbeach.com](http://www.townofpalmbeach.com), or at the Planning, Zoning & Building Department. Agendas are tentative and subject to change.
6. Following review, the Landmarks Preservation Commission may:
  - (a) Issue a Certificate of Appropriateness, or
  - (b) Defer the project to the next month for additional study or information, or
  - (c) Deny the project for specified reasons
7. Ordinary maintenance or repairs, (*meaning “work done to prevent deterioration of a building or to correct any deterioration, or decay of, or damage to a building or any part thereof by restoring the building as nearly as practicable to its condition prior to such deterioration, decay or damage, Section 54-2, Town of Palm Beach Code of Ordinances*) which do not involve a change of design or material, or affect the outward appearance of a building, DO NOT require a Certificate of Appropriateness. The requirement for a Certificate of Appropriateness may also be waived for a “minor exterior change” (*meaning “an exterior change the cost of which does not exceed \$2,000.00 as determined by the Building Official and is determined by the Landmarks Project Coordinator to not materially affect the exterior of the structure”*) in some cases, per Section 54-71 (e) of the Town of Palm Beach Code of Ordinances.
8. Applicants may refer to the Town of Palm Beach Code of Ordinances, Chapter 54 which speaks to the Landmarks Preservation Commission, Certificates of Appropriateness, Landmark Designations, and Tax Exemptions for landmarked properties.

Revised 6/19/09-cmd

# Landmarks Commission Commissioner Application

## TOWN OF PALM BEACH

For a printable form please call the Town of Palm Beach at 561.838.5430  
or visit our website at <http://palmbeach.govoffice.com>

### APPLICATION FOR SERVICE ON: LANDMARKS PRESERVATION COMMISSION

Please complete the application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480, via facsimile 561-838-5417, or via e-mail [clerk@townofpalmbeach.com](mailto:clerk@townofpalmbeach.com)) no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires that applicant has reviewed certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5416). Please feel free to attach any additional background information to this application form.

(Please be advised that members of the Landmarks Preservation Commission must file an annual financial disclosure form per State law.)

Name: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Home Telephone: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Work Telephone: \_\_\_\_\_

Length of Residency I am a registered voter of the Town of Palm Beach \_\_\_\_\_ (please initial)

Town of Palm Beach: \_\_\_\_\_ Year of registration \_\_\_\_\_

1. Why are you interested in serving on the Landmarks Preservation Commission?  
(Please explain and attach additional pages if necessary)
2. How many meetings of the Landmarks Preservation Commission have you attended in the last year?
3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.
4. Please indicate if there are any periods of time for which you will be unavailable for meetings.
5. Have you ever lived in or owned a landmarked home or property? Yes \_\_\_\_ No \_\_\_\_ (If so, where?)
6. If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain.

7. Are you a member of any of the following organizations? (Check all that apply)

- National Trust for Historic Preservation
- Preservation Foundation of Palm Beach
- Florida Trust for Historic Preservation
- North End Property Owner's Association
- Palm Beach County Historical Society
- Palm Beach Civic Association
- Citizens' Association of Palm Beach
- Other Preservation Organization: \_\_\_\_\_

8. Present occupation \_\_\_\_\_

No. of years \_\_\_\_\_

Employer \_\_\_\_\_

9. Past occupation(s) \_\_\_\_\_

No. of years \_\_\_\_\_

Employer(s) \_\_\_\_\_

10. Do you have a degree in, or have you taken courses in, any of the following fields of study:  
(Check all that apply)

- Architecture    History    Design    Landscape Architecture/Design
- Architectural History    Building Construction

11. Please provide details regarding your educational background:

12. Why do you feel that you are qualified to serve on the Town's Landmarks Preservation Commission  
(Attach additional page if necessary)

13. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name \_\_\_\_\_

Relationship \_\_\_\_\_

Address \_\_\_\_\_

Occupation \_\_\_\_\_

Employer \_\_\_\_\_

14. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations?

15. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.

I will resign from the \_\_\_\_\_ if I am appointed to the position I am seeking in this application. board/commission/committee.

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

\*\*Please note that Board/Commission applications will expire on September 30 of each year. New applications must be completed for each vacancy advertisement in order to be considered for appointment.

**LANDMARKS PRESERVATION COMMISSION**

(LPC) - The LPC safeguards the Town's historic and cultural resources through its landmarked structures and historic districts. This State of Florida Certified Commission reviews and approves structural and landscape modifications to Designated structures and properties. This Commission is comprised of seven regular and three alternate members, who are registered voters of the Town of Palm Beach and appointed by the Town Council, and who have, to the highest extent practicable, a special knowledge of and a known interest in landmarks preservation. One commissioner may be a non-registered voter who possesses specific knowledge or skills directly related to the preservation of historic structures or property.

The following information is required by Florida Statute 760.80.

**Please check one in each category.**

**RACE/GENDER**

- African American       Native American
- Asian American       Caucasian
- Hispanic American     Other
  
- Male                       Female

**PHYSICALLY DISABLED**

- Yes                       No

# Bibliography

## Books and Articles

Ash, Jennifer and Alex McLean. *Tropical Style, Private Palm Beach*. New York: Abbeville Press, 1992.

Bennett, Parson & Frost. *The Plan of Palm Beach*. Palm Beach, Florida: The Garden Club of Palm Beach, 1930.

Chandler, David Leon. *Henry Flagler The Astonishing Life and Times of the Visionary Robber Baron Who Founded Florida*. New York: Macmillan Publishing Company, 1986.

Curl, Donald W. *Mizner's Florida: American Resort Architecture*. Cambridge, Massachusetts: The MIT Press, 1987.

\_\_\_\_\_. *Palm Beach County: An Illustrated History*. Northridge, California: Windsor Publications, Inc., 1986.

\_\_\_\_\_. "Preservation in Palm Beach" manuscript given to Jane Day by author.

Fatio, Alexandra, Editor. *Maurice Fatio, Architect*. Stuart, Florida: Southeastern Printing, 1992.

*From Wilderness to Metropolis: The History and Architecture of Dade County (1825-1940)*. Second Edition. Metropolitan Dade County, Historic Preservation, Division, 1992.

*A Guide to Florida's Historic Architecture*. Gainesville, Florida: University of Florida Press, 1989.

Harris, Cyril M. *Dictionary of Architecture and Construction*. New York: McGraw-Hill, Inc., 1975.

Henshall, James A., M.D., *Camping and Cruising in Florida*. Cincinnati: Robert Clarke & Co., 1884.

*The Historic Highway Bridges of Florida*. Tallahassee, Florida: Florida Department of Transportation, Environmental Management Office, no date

Hoffmeister, John Edward. *Land from the Sea: The Geologic Story of South Florida*. Coral Gables, Florida: University of Miami Press, 1974.

Hoffstot, Barbara D. *Landmark Architecture of Palm Beach*, Revised Edition. Pittsburgh, Pennsylvania: Ober Park Associates, Inc., 1980.

Knott, James R. *Palm Beach Revisited*. James R. Knott, 1987.

\_\_\_\_\_. *The Mansion Builders*. James R. Knott, 1990.

McAlester, Virginia and Lee. *A Guide to American Houses*, New York: Alfred A. Knopf, Inc., 1984.

McIver, Stuart B. *Dreamers, Schemers, and Scalawags: The Florida Chronicles, Volume One*. Sarasota: Pineapple Press, Inc., 1994.

Oldfather, Susan. *Elisha Newton Dimick and His Influence on the Development of Palm Beach*. Boca Raton, Florida: Florida Atlantic University, 1989. Master's Thesis.

Tebeau, Charlton W. *A History of Florida*. Coral Gables: University of Miami Press, 1971.

Travers, J. Wadsworth. *History of Beautiful Palm Beach*. Palm Beach, Florida, 1929.

Tuckwood, Jan, and Eliot Kleinberg. *Pioneers in Paradise*. Marietta, Georgia: The Palm Beach Post, 1994.

Vickers, Raymond B. *Panic in Paradise*. Tuscaloosa, Alabama: The University of Alabama Press, 1994.

## Government Sources

State of Florida, Division of Historical Resources, Florida Master Site File Forms

Town of Palm Beach:  
Planning, Zoning & Building Department

## Private Collections

The Historical Society of Palm Beach County

The John L. Volk Foundation

Preservation Foundation of Palm Beach

## Maps

Sanborn Fire Insurance Maps. On file with the Historical Society of Palm Beach County.

Town of Palm Beach:  
Planning, Zoning & Building - Plat Maps