



TOWN OF PALM BEACH

PLANNING, ZONING, & BUILDING DEPARTMENT

TOWN COUNCIL MEETING DEVELOPMENT REVIEW

TOWN HALL
COUNCIL CHAMBERS - SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

FEBRUARY 12, 2025

9:30 AM

Welcome

For information regarding procedures for public participation at Town Council Meetings, please refer to the end of this agenda.

I. CALL TO ORDER AND ROLL CALL

Danielle H. Moore, Mayor
Bobbie D. Lindsay, President
Lew Crampton, President Pro Tem
Julie Araskog
Ted Cooney
Bridget Moran

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. COMMENTS OF MAYOR DANIELLE H. MOORE

IV. COMMENTS OF TOWN COUNCIL MEMBERS

V. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

VI. APPROVAL OF AGENDA

VII. CONSENT AGENDA

- A. **ZON-24-0086 (ARC-24-0137) 500 S COUNTY RD (COMBO) — SPECIAL EXCEPTION AND SITE PLAN.** The applicant, THE EVERGLADES CLUB INC, has filed an application requesting Town Council review and approval for special exception and site plan review for the construction of a new concession stand and the maintenance and upgrade of the golf course. The Architectural Commission shall perform design review of the application.

VIII. ITEMS PULLED FROM CONSENT AGENDA, IF NEEDED

IX. PRESENTATIONS

- A. Presentation by Palm Beach Supervisor of Elections Wendy Sartory Link on Standalone Elections

X. REGULAR BUSINESS

- A. Code Review Staff Update
[This matter was deferred from the January 15, 2025, Town Council meeting.]
- B. Further Discussion Regarding Construction that Deviates from Approved Permit Plans
[This matter was deferred from the January 15, 2025, Town Council meeting.]
- C. Staff Update Regarding Downtown West Palm Beach Development Projects
- D. Discussion Regarding a Possible Prohibition on Additional Public or Private Schools in Palm Beach
- E. Update on Zoning in Progress on Restaurants and Clubs including a Prioritized Timetable of P&Z Commission Recommendations

XI. RESOLUTIONS

- A. **RESOLUTION NO. 005-2025:** A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As **1250 North Ocean Boulevard** Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach. ***[The property owner is opposed to this designation. The Landmarks Preservation Commission voted 7-0 for***

Landmarking.] [This matter was deferred from the January 15, 2025, Town Council meeting.] [The applicant has requested to be deferred to the March 5, 2025, Town Council meeting.]

- B. RESOLUTION NO. 008-2025:** A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As **325 South Lake Drive** Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach. ***[The property owners are supportive of this designation. The Landmarks Preservation Commission voted 7-0 for Landmarking.]***
- C. RESOLUTION NO. 014-2025:** A Resolution of the Town Council Of The Town of Palm Beach, Palm Beach County, Florida, Ratifying and Confirming the Determination of the Landmarks Preservation Commission that the Property Known as **163 Seminole Ave.** Meets the Criteria Set Forth in Ordinance No. 2-84, Also Known as Chapter 54, Article IV of The Code of Ordinances of the Town of Palm Beach; and Designating said Property as a Town of Palm Beach Landmark Pursuant to Ordinance No. 2-84, Also Known as Chapter 54, Article IV of The Code of Ordinances of the Town of Palm Beach. (PALM BEACH COUNTY LISTS THE PROPERTY AS 165 SEMINOLE AVENUE) Owner: Dale Coudert, 2012 Steven H. Rose Trust. ***[The property owner is supportive of this designation. The Landmarks Preservation Commission voted 7-0 for Landmarking.]***
- D. RESOLUTION NO. 015-2025:** A Resolution of the Town Council Of The Town of Palm Beach, Palm Beach County, Florida, Ratifying and Confirming the Determination of the Landmarks Preservation Commission that the Property Known as **225 S County Rd.** Meets the Criteria Set Forth in Ordinance No. 2-84, Also Known as Chapter 54, Article IV of The Code of Ordinances of the Town of Palm Beach; and Designating said Property as a Town of Palm Beach Landmark Pursuant to Ordinance No. 2-84, Also Known as Chapter 54, Article IV of The Code of Ordinances of the Town of Palm Beach. (PALM BEACH COUNTY LISTS THE PROPERTY AS 225 S County Road) Owner: Sphinx Properties, LLC. ***[The property owner is supportive of this designation. The Landmarks Preservation Commission voted 7-0 for Landmarking.]***
- E. RESOLUTION NO. 018-2025:** A Resolution of the Town Council Of The Town of Palm Beach, Palm Beach County, Florida, Ratifying and Confirming the Determination of the Landmarks Preservation Commission that the Property Known as **216 Monterey Rd.** Meets the Criteria Set Forth in Ordinance No. 2-84, Also Known as Chapter 54, Article IV of The Code of Ordinances of the Town of Palm Beach; and Designating said Property as a Town of Palm Beach Landmark Pursuant to Ordinance No. 2-84, Also Known as Chapter 54, Article IV of The Code of Ordinances of the Town of Palm Beach. (PALM BEACH COUNTY LISTS THE PROPERTY AS

216 Monterey Rd.) Owner: Henry Jamison IV & Leslie Jamison. ***[The property owner is opposing this designation. The Landmarks Preservation Commission voted 7-0 for Landmarking.]***

XII. DEVELOPMENT REVIEWS

A. Appeals

1. Appeal of the Architectural Commission's Approval of a Pedestrian Gate at **203 S. Lake Trail** (ARC-24-0027) at their December 20, 2024, Meeting. ***[This matter was deferred from the January 15, 2025, Town Council meeting.]***

B. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

- a. **ZON-24-0043 (COA-24-0018) 100, 101, 102, AND 103 FOUR ARTS PLZ—THE SOCIETY OF THE FOUR ARTS (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE** The applicant, Society of the Four Arts Inc, has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for a Special Exception with Site Plan Review, and one (1) variance for the reduction of on-site parking requirement for the substantial improvements to the Four Arts campus site including 1) demolition exceeding 50%, and the construction of a new one-and two-story additions and renovations to the existing two-story theater building (O'Keefe), 2) demolition exceeding 50%, and the construction of a new three-story addition, and renovations to the existing three-story administrative building (Rovensky), 3) demolition of the existing shade structure and construction of a new pavilion, 4) a Master Signage Plan, and 5) landscape and hardscape modifications. The application proposes the abandonment and realignment of a portion of the existing Lake Trail. The Landmarks Preservation Commission will perform the design review. ***[Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.][The Landmarks Commission approved the project. Carried 5-2.]***

2:00PM TIME CERTAIN

- b. **ZON-24-0044 (ARC-24-0085) 315 CHAPEL HILL RD (COMBO)—SPECIAL EXCEPTION(S) AND VARIANCE** The applicant, Ocean Breezes 2 LLC (Frances Lynch, Attorney), has filed an application requesting Town Council review and approval for two (2) special exceptions (1) for the redevelopment of an existing nonconforming parcel of land in the R-A zoning district and (2) to provide reduced vehicular queuing back-up distance for vehicular gates installed on a cul-de-sac street. Additionally, one

(1) variance to exceed the maximum required building height plane setback area for the construction of the new two-story residence is also being requested. The Architectural Commission shall perform design review of the application. *[Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.]**[The Architectural Review Commission approved the project with conditions to return to the February 26, Architectural Commission meeting. Carried 7-0.]*

- c. **ZON-24-0035 (HSB-24-0005) 854 SOUTH COUNTY RD (COMBO)—VARIANCE** The applicant, Dustin Mizell with Environmental Design Group on behalf of owner Andrew Unanue, has filed an application requesting review and approval for one (1) variance to permit a second guest house with bedrooms and bathrooms on site. The Landmarks Preservation Commission will perform the design review for the proposed structure on site modifications. ***[This project shall be deferred to the March 12, 2025, Town Council meeting pending Landmark Commission design review.]***
- d. **ZON-24-0063 (ARC-24-0106) 260 COLONIAL LN (COMBO) – SPECIAL EXCEPTION W/ SITE PLAN REVIEW**. The applicants, Thomas & Meredith Hunt, have filed an application requesting Town Council review and approval of a Special Exception with Site Plan Review to permit the redevelopment of an existing nonconforming parcel of land in the R-B zoning district which is deficient in lot depth and lot area. The Architectural Commission shall perform design review of the application. ***[This project shall be deferred to the March 12, 2025, Town Council meeting pending Architectural Commission design review.]***

2. New Business

- a. **ZON-24-0072 (ARC-24-0119) 136 REEF RD (COMBO) — VARIANCE**. The applicants, John and Bonnie Stepan, have filed an application requesting Town Council review and approval for one (1) variance for a reduced side yard setback for the construction of a new rear terrace. The Architectural Commission (ARCOM) shall perform design review of the application. *[Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.]**[The Architectural Review Commission approved the project. Carried 7-0.]*
- b. **ZON-24-0074 (ARC-24-0133) 410 SEABREEZE AVE (COMBO)—VARIANCES** The applicant, Deborah Glass, has filed an application requesting Town Council review and approval

for two (2) variances for a second story addition to (1) exceed maximum lot coverage permitted and (2) exceed maximum CCR permitted. The Architectural Commission shall perform design review of the application. *[Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.][The Architectural Review Commission approved the project. Carried 7-0.]*

- c. **ZON-24-0076 (ARC-24-0134) 369 LAKE DR PH-A (COMBO) —SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES.** The applicant, Hunter Trust, has filed an application requesting Town Council review and approval for Special Exception with Site Plan Review and three (3) Variances for (1) to exceed maximum building height, (2) to expand the nonconforming 6th floor, and (3) to reduce the existing nonconforming front /side street (west) yard setback, in conjunction with the construction of an approximately +/- 335 SF addition to an existing 6th floor penthouse unit in the R-D(2) zoning district. The Architectural Commission shall perform design review of the application. *[Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.][The Architectural Review Commission approved the project. Carried 7-0.]*
- d. **ZON-24-0077 (COA-24-0028) 284 MONTEREY RD (COMBO) —VARIANCE.** The applicant, Dustin Mizell with Environmental Design Group on behalf of the owner DHC MONTEREY LLC, has filed an application requesting Town Council review and approval for one (1) variance to reduce the street side yard setback to allow the installation of mechanical equipment for the Landmarked property. The Landmarks Preservation Commission shall perform design review of the application. *[Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.][The Landmarks Commission approved the project. Carried 7-0.]*
- e. **ZON-24-0078 (COA-24-0030) 448 N LAKE WAY (COMBO)—VARIANCES.** The applicants, The Leonard Harlan Rev. Trust u/a/d 8/8/2018 and the The Fleur Harlan Rev. Trust u/a/d 8/8/2018, have filed an application requesting Town Council review and approval for two (2) variances to reduce the side (south) yard setback requirement on the first and second floor for an existing two-story landmarked structure. The Landmarks Preservation Commission shall perform design review of the application. *[Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject*

property. Carried 7-0.][The Landmarks Commission approved the project. Carried 7-0.]

- f. **ZON-24-0085 250 BRADLEY PL—VARIANCES** The applicant, Ross Flax (Maura Ziska, Representative), has filed an application requesting Town Council review and approval of two (2) variances to construct a boat lift that 1) exceeds the permitted maximum projection from land 2) provides a deficient north riparian side setback, for boat slip #12 at Lake Towers Condominium.
- g. **ZON-24-0090 (ARC-24-0139) 401 WORTH AVE (COMBO)—VARIANCES** The applicant, 401 Worth Avenue Building Inc. Condominium Association, has filed an application requesting Town Council review and approval for two (2) Variances to 1) reduce the required street side yard and 2) reduce the rear yard setback from minimum requirements to install a new 100KW generator with screen wall and landscaping in the required side yard of an existing of multi-family building in the RC district. The Architectural Commission shall perform design review of the application.
- h. **ZON-24-0079 (ARC-24-0141) 1 S COUNTY RD—THE BREAKERS FAMILY ENTERTAINMENT CENTER (COMBO) – SPECIAL EXCEPTION WITH SITE PLAN REVIEW**. The applicant, The Breakers Palm Beach, Inc. (Alex Gilmurray), has filed an application requesting Town Council review and approval for modifications to an existing special exception and permitted uses in an existing hotel Planned Unit Development (PUD) (The Breakers Palm Beach) as it relates to the construction of a new three-story structure with basement that will connect with an overhead enclosed pedestrian bridge to the existing two-story building (Beach Club) to replace an existing two-story building with related site improvements. The application requires the approval of a separate resolution to modify the PUD and the Architectural Commission shall review the application for design. *[The PUD Amendment was not transmitted by the Planning & Zoning Commission on Feb. 4, 2025, and will be considered at the March 6, 2025, Planning & Zoning Commission meeting.]*
3:30PM TIME CERTAIN
- i. **ZON-24-0087 (COA-24-0032) 1 S COUNTY RD – THE BREAKERS (COMBO) —SITE PLAN REVIEW AND VARIANCE**. The applicant, Breakers Palm Beach Inc., has filed an application requesting Town Council review and approval for Site Plan Review for the construction of a new parking structure consisting of one level of subterranean parking and one at-grade surface-level parking area to replace an existing surface parking lot, including one (1) variance to allow tandem parking spaces

associated with a new parking structure facility and surface parking lot. Additional improvements include support buildings, realignments of North Breakers Row, golf course changes, as well as landscape and hardscape modifications. These improvements are generally located where there is an existing surface parking lot and a golf course within the designated Landmarked vista from the original hotel building to South County Road. The application requires the approval of a separate resolution to modify the PUD and the Landmarks Preservation Commission shall review the application for design. *[The PUD Amendment was not transmitted by the Planning & Zoning Commission on Feb. 4, 2025, and will be considered at the March 6, 2025, Planning & Zoning Commission meeting.]*

3:30PM TIME CERTAIN

- j. **ZON-24-0089 (ARC-24-0116) 1 S COUNTY RD (BREAKERS BEACH CLUB) COMBO — SPECIAL EXCEPTION AND SITE PLAN REVIEW.** The applicant, Breakers Palm Beach Inc. (Alex Gilmurray), has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for modifications to an existing food and beverage operations (Beach Club restaurant). The Architectural Commission shall perform design review of the application. *[The PUD Amendment was not transmitted by the Planning & Zoning Commission on Feb. 4, 2025, and will be considered at the March 6, 2025, Planning & Zoning Commission meeting.]*

3:30PM TIME CERTAIN

- k. **ZON-24-0066 (ARC-24-0108) 1519 N OCEAN WAY (COMBO) – SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES.** The applicant, 1519 N Ocean Way #1 LLC & 1519 N Ocean Way #2 LLC (Maura Ziska, Attorney), has filed an application requesting Town Council review and approval for a special exception with site plan review for redevelopment of an existing parcel which is nonconforming to minimum lot width requirements in the R-A zoning district. Additionally, three variances are requested to (1) exceed maximum building height and (2) to exceed maximum overall building height for the portions of the structure located west of the CCCL and (3) to permit improvements (steps) within the 50' ocean bulkhead setback area. The Architectural Commission shall review the application as it pertains to zoning relief/approval. ***[This project shall be deferred to the March 12, 2025, Town Council meeting pending Architectural Commission design review.]***

- l. **ZON-24-0092 (ARC-24-0114) 1010 N LAKE WAY (COMBO)— VARIANCES.** The applicant, 1010 North Lake Trust LLC, has filed an application requesting Town Council review and approval for five (5) variances to exceed maximum lot coverage, encroach into side setbacks and construct a lower equipment screening wall that required, as part of an application for elevation, shifting and

renovation of a two-story house, addition of a loggia, new pool, hardscape. The Architectural Commission shall perform design review of the application. ***[This project shall be deferred to the March 12, 2025, Town Council meeting pending Architectural Commission design review.]***

- m. **ZON-24-0093 (ARC-24-0128) 203 VIA VIZCAYA (COMBO)—SPECIAL EXCEPTION & VARIANCE.** The applicant, PAUL Z. OKEAN (Trustee, under Trust Agreement dated 5/21/91 as the Paul Z. Okean Revocable Living Trust), has filed an application requesting Town Council approval for a special exception for redevelopment of a nonconforming parcel and one (1) variance for deficient landscape open space as it relates to development of a new residence. The Architectural Commission shall perform design review of the application. ***[This project shall be deferred to the March 12, 2025, Town Council meeting pending Architectural Commission design review.]***

C. Time Extensions and Waivers

1. Requesting a Waiver of Town Code Section 18-237, For Building Permit Extension at **441 Seaview Ave.** ***[This matter was deferred from the January 15, 2025, Town Council meeting.]***
2. Requesting a Waiver of Town Code Section 18-237, For Building Permit Extension at **363 Coconut Row.**
3. Requesting a Waiver of Town Code Section 18-237, For Building Permit Extension at **1015 S. Ocean Blvd.**
4. Three Strike - Stop Work Order - **286 Orange Grove**
5. Three Strike - Stop Work Order - **210 Eden Rd.**

XIII. ORDINANCES

A. Second Reading

1. Proposed Ordinance to Adopt the Amended Town Comprehensive Plan

ORDINANCE NO. 015-2024: An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Of Palm Beach's Comprehensive Plan By Amending The Data & Analysis, As Well As The Goals, Objectives, And Policies Within The Plan Based On The Town's Recent Evaluation And Appraisal Of The Comprehensive Plan; Providing For Incorporation Of Recitals; Providing For Severability; Providing For Repeal Of Ordinances In Conflict Herewithin; Providing For Codification; Providing An Effective Date. ***[This matter was deferred from the January 15, 2025, Town Council meeting.]***

XIV. ANY OTHER MATTERS

XV. ADJOURNMENT

Procedures for Public Participation:

Note 1: **Live Stream audio:** To watch/listen live, visit the 'Public Meetings' webpage on the Town's website at www.townofpalmbeach.com and select the "View Event" or "Click Here to Listen" button.

Note 2: Any citizen is entitled to be heard concerning any matter under the sections entitled 'Communications from Citizens' and 'Public Hearings', subject to the three-minute limitation. The public also can speak to any item listed on the agenda, including the consent agenda, at the time the agenda item comes up for discussion. Citizens desiring to address the Town Council should proceed toward the public microphones when the applicable agenda item is being considered to enable the Town Council President to acknowledge you. In-person or virtual Public Comment is limited to three minutes and must be preceded by your name and address for the record. As a public business meeting, the Town Council President retains the right to limit discussion on any issue.

Alternative public comment is also welcome for Town Council Meetings via four methods:

1. To make a virtual public comment, please register for the Microsoft Teams meeting. This link will be available prior to the meeting on the Public Meeting page or on the Town's calendar of events, which both can be found at townofpalmbeach.com.
2. Written public comment submittals should be sent to publiccomment@townofpalmbeach.com.
3. Direct written entry into the public meeting record through the eComment portal on the Public Meetings webpage.
4. Mail or in-person submittal of written document to the Town Clerk's Office at Town Hall no later than the Friday prior to the meeting.

Note 3: **Appeals:** If a person decides to appeal any decision made with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made for such purposes, which shall include the testimony and evidence upon which the appeal is to be based.

Note 4: Disabled persons needing accommodations to participate in this meeting are requested to call the Clerk's Office at (561) 838-5416 at least one day prior to the meeting.