

TOWN COUNCIL MINUTES OF MEETING HELD AT 5:01 PM ON

FEBRUARY 7, 1994

I. CALL TO ORDER AND ROLL CALL: President Weinberg called the Special Town Council meeting to order at 5:01 PM on Feb. 7, 1994 in the Town Hall Council Chambers. On roll call, the following elected officials were found to be in attendance: Mayor Ilyinsky, President Weinberg, President Pro Tem Wiener, Councilwomen Douthit, Smith and Royal. Also attending were Town Manager Doney, Town Attorney Randolph, Assistant Town Manager Elwell, Town Clerk Peters, Mr. Moore and Mr. Zimmerman.

Roll Call

II. INVOCATION AND PLEDGE OF ALLEGIANCE: Invocation was given by Mrs. Peters. Pledge of Allegiance was led by President Pro Tem Wiener.

Invocation

III. APPROVAL OF AGENDA: Agenda was approved on motion of Mrs. Wiener, seconded by Mrs. Smith. On roll call, the motion carried unanimously.

Approval of Agenda

IV. PROOF OF PUBLICATION: Mrs. Peters stated the Proof of Publication has been received and will be filed with the record.

V. SECOND READING OF ZONING ORDINANCE NO. 1-94. Attorney Randolph read Ord. No. 1-94 by title:

Ord. 1-94

AN ORDINANCE OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE NO. 2-74, AS AMENDED, THE OFFICIAL ZONING ORDINANCE OF THE TOWN OF PALM BEACH; PROVIDING AMENDMENTS TO ARTICLE 2, SECTION 2.10 ENTITLED "DEFINITIONS", BY REVISING DEFINITION (11) "BUILDING HEIGHT OF"; TO PROVIDE AMENDMENTS TO ARTICLE 4 ENTITLED "DISTRICT REGULATIONS"; BY AMENDING SECTION 4.10 SCHEDULE A, "SCHEDULE OF LOT, YARD AND BULK REGULATIONS", BY INCREASING ALLOWABLE LOT COVERAGE FOR ONE STORY STRUCTURES IN THE R-B DISTRICT; BY INCREASING ALLOWABLE BUILDING HEIGHT IN THE R-AA DISTRICT; BY ADDING A NEW PROVISION ALLOWING SPLIT LEVEL SINGLE FAMILY AND TWO FAMILY STRUCTURES IN ALL RESIDENTIAL DISTRICTS; TO PROVIDE AMENDMENTS TO SECTION 4.10, SCHEDULE B, "SCHEDULE OF USE REGULATIONS", BY EXTENDING THE EXPIRATION DATE OF SPECIAL EXCEPTION USES L(1) AND L(2) RELATING TO SECOND AND THIRD FLOOR DWELLINGS IN THE C-WA DISTRICT; BY AMENDING PROVISION ALLOWING CHARITABLE EVENTS AS ACCESSORY USES IN ALL RESIDENTIAL DISTRICTS; TO PROVIDE AMENDMENTS TO ARTICLE 5 ENTITLED, "SUPPLEMENTARY LOT REGULATIONS", BY AMENDING SECTION 5.18, "LOT, GRADE TOPOGRAPHY AND DRAINAGE" BY REWRITING SECTION FOR CLARITY PURPOSES AND ESTABLISHING A MAXIMUM HEIGHT FOR FIRST FLOOR ELEVATION ABOVE STREET; BY AMENDING SECTION 5.50, "ACCESSORY BUILDINGS AND/OR STRUCTURES", PROVIDING THAT NONCONFORMING ACCESSORY STRUCTURES CAN BE RETAINED IN THE EVENT THE PRINCIPAL STRUCTURE IS DEMOLISHED OR SUBDIVIDED FROM THE ACCESSORY STRUCTURE; BY AMENDING SECTION 5.51, "MINIMUM YARD, LOT AND BULK REGULATIONS", RELATING TO ACCESSORY BUILDINGS BY ELIMINATING REFERENCE TO ATTACHED AND UNATTACHED ACCESSORY BUILDINGS AND TO ALLOW KITCHEN FACILITIES IN ACCESSORY BUILDINGS AS A SPECIAL EXCEPTION; TO PROVIDE AMENDMENTS TO ARTICLE 6 ENTITLED, "SUPPLEMENTARY USE REGULATIONS", BY AMENDING SECTION 6.21(C)(4) "OFF-STREET PARKING" BY AMENDING PARKING REQUIREMENTS FOR MEDICAL AND DENTAL OFFICES AND FURTHER AMENDED TO INCLUDE A NEW PARKING REQUIREMENT FOR NONPROFIT CULTURAL CENTERS; BY AMENDING SECTION 6.21 (F), "UTILIZATION OF YARDS" TO ALLOW PARKING FOR SINGLE FAMILY, TWO FAMILY AND TOWNHOUSE STRUCTURES IN ANY SETBACK OR YARD AREA; BY AMENDING SECTION 6.64, "PARKING IN RESIDENTIAL AREAS", BY INCREASING PARKING PERMIT FEE; TO PROVIDE AMENDMENTS TO ARTICLE 9 ENTITLED "ADMINISTRATION AND ENFORCEMENT"; BY AMENDING SECTION 9.40, "FILING FEES", BY INCREASING PUD, SPECIAL EXCEPTION, VARIANCE AND SITE PLAN REVIEW APPLICATION FILING FEES; BY AMENDING SECTION 9.60, "SITE PLAN REVIEW" BY ADDING PROVISION REQUIRING APPLICANT TO PAY COST OF EXTRAORDINARY TECHNICAL EXPERTISE; TO PROVIDE AMENDMENTS TO ARTICLE 10 ENTITLED "APPEALS AND VARIANCES", BY AMENDING SECTION 10.40, SPECIAL EXCEPTIONS AND VARIANCES BY ADDING PROVISIONS REQUIRING APPLICANTS TO PAY COST OF EXTRAORDINARY TECHNICAL EXPERTISE; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY FOR A VIOLATION HEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

Mr. Moore advised there has been added to the Ordinance on Page 8 language which was discussed at the last meeting on this Ordinance, which clarifies that the requirement for parking applies only to new construction, redevelopment or major remodeling involving more than 50% of the existing cubic content of the structure.

Mr. Weinberg called for public comments and there were none.

On motion of Mrs. Wiener, seconded by Mrs. Smith, Ordinance No. 1-94 was adopted on second reading. On roll call, the motion carried unanimously.

VI. ANY OTHER MATTERS: None.

VIII. ADJOURNMENT. Motion was made by Mrs. Wiener, seconded by Mrs. Royal that the meeting be adjourned. On roll call, the motion carried and the meeting adjourned at 5:09 PM.

Adjournment

Grace T. Peters
Town Clerk