



TOWN OF PALM BEACH

PLANNING, ZONING, & BUILDING DEPARTMENT

TOWN COUNCIL MEETING DEVELOPMENT REVIEW

AGENDA

Meeting to be Held Electronically

Click here to participate:

<https://zoom.us/j/95438996076>

JANUARY 13, 2021

9:45 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

Gail L. Coniglio, Mayor
Margaret A. Zeidman, President
Bobbie Lindsay, President Pro Tem
Julie Araskog
Lew Crampton
Danielle H. Moore

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. COMMENTS OF MAYOR GAIL L. CONIGLIO

IV. COMMENTS OF TOWN COUNCIL MEMBERS

V. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

VI. APPROVAL OF AGENDA

VII. DEVELOPMENT REVIEWS

A. Appeals

1. ARCOM Appeals of B-063-2020 160 Royal Palm Way
Request For Deferral to the February 10, 2021 Meeting per Letters from Donald Lunny and John Eubanks.

B. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

- a. **Z-19-00232 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: C-WA Worth Avenue The application of 125 Worth Partners, LLC, Applicant, relative to property located at **125 WORTH AVE**, legal description on file, is described below. The applicant requests Site Plan Review modification approval for revitalization, renovation and expansion of the 45 year-old nonconforming commercial building located at 125 Worth Avenue in the C-WA zoning district. The building will be completely renovated architecturally using design themes found in the Worth Avenue Design Guidelines. In addition, a two story addition is being proposed on the east end of the property. To make this project financially feasible, the owners are requesting to demolish and rebuild the existing fourth story and expand its footprint to add four residential units. In addition to the Site Plan Review proposed modifications, the applicant is requesting the following Special Exceptions and Variances required to complete the project: 1. Per Section 134-1163(8)b., a special exception for a two-story and fourth story addition. The existing building is four stories but it is being expanded. 2. Per Section 134-2182(b), a special exception for on-site shared parking, subject to a professional shared parking analysis. 3. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the height from 53' in lieu of the 49'2" existing and the 25' maximum allowed by code. 4. Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the overall building height to 63'4" in lieu of the 53'8" existing and the 35' maximum allowed by current code. 5. Per Section 134-419, variance to allow an expansion of an existing nonconforming building by increasing the existing air conditioned floor area of the fourth story to 13,212.9 square feet from 3,448.75 square feet existing. An open fourth story trellis of 5,433 square feet is also proposed in this application and included in the calculation of lot coverage, below. There is an existing exterior fourth floor covered area of

approximately 3,290 Square feet in addition to the existing air conditioned floor area on the fourth story of the building. 6. Per Section 134-1163(5), variance to allow a minimum front yard setback of 1'1" for portions of the building in lieu of the 5' existing and the 5' minimum required on the private property. The sidewalk is required to be a minimum of 10' wide and this proposal is a minimum of 8'2" in the area where the sidewalk is only 1'1" wide on private property. 7. Per Section 134-1163(9)b., variance for lot coverage of 71% on the first floor in lieu of the 57% existing and the 35% maximum allowable. 8. Per Section 134-1163(9)b., variance for lot coverage of 71% on the second floor in lieu of the 57% existing and the 35% maximum allowed for second story. 9. Per Section 134-1163(9)b., variance for lot coverage of 54% on the fourth floor in lieu of the 20% existing and the 35% maximum allowable by code. 10. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the existing building length at the east end of the building from 201'8" to 246' in lieu of the 150' permitted as of right in the C-WA zoning district. [Applicant's Representative: James M. Crowley Esq] [The Architectural Review Commission deferred this project to their February 24, 2021 Meeting. Carried 6-1.] **Request For Deferral to the March 10, 2021 Meeting Per Letter from James M. Crowley.**

- b. **Z-20-00289 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: C-B Commercial The application of LR Palm House LLC (Ian Livingstone, Executive Chairman), Applicant, relative to property located at **160 ROYAL PALM WAY**, legal description on file, is described below. Section 134-1304 (5): Request to modify Site Plan Review # 1-2016 with Special Exception to change the approved use from condo-hotel to hotel; modify the previously approved site plan; and amend the conditions of approval in the Declaration of Use Agreement, as identified in the proposed Third Amendment to the Declaration of Use which is Exhibit "F") of this application. The proposed site modifications being requested as follows: Section 134-1304(5): The existing Palm House hotel is located at 160 Royal Palm Way, Palm Beach, Florida. It is currently vacant and construction is partially completed. The structure is three stories with a partially enclosed basement containing parking and back-of-house functions. The hotel is 84,495 gross square feet in total. There is an East and West guest wing, and these wings are connected by a central core containing the Main Entrance and other partially completed public functions. A separate conference and events "Function Room" and partial pool deck was also constructed at the south east portion of the property. Section 134-227. 326 & 329 1729(2) (c): (Site Plan Review) The new owner/applicant is proposing new work for the hotel which includes the following site plan modifications: 1) Completion and conversion of guest rooms for

a total of 79 keys. Two new presidential suites will be constructed within the building core, each with private outdoor balconies. 2) Completion of the lower level for back-of-house, administrative and housekeeping functions for the hotel. The interior modifications for the lower level includes renovation of partially completed areas including kitchen, food storage, housekeeping, staff areas and hotel administrative offices. The owner is requesting an additional 148 SF to provide a new service stair from the lower level to support the Pool Area. Additional areas for renovation include spaces for MEP Infrastructure such as electrical, hot water, and elevator systems. The proposed modifications remove all Hotel Guest program areas from the lower level. The lower level renovation includes restoration of parking area for 60 parking spaces including three accessible parking spaces. Two parking spaces which includes on Van Accessible parking space is located behind the existing function room. All parking will be Valet only per the Declaration of Use Amendment Three. Total on-site parking provided is 62 spaces. 3) A new pool deck will be constructed adjacent to the existing Function Room, with various amenities that include chaise lounges and outdoor seating, shade umbrellas, toilets, a towel/concierge stand, open-air bar with enclosed pantry behind, water features, lush native plantings, and Event Lawn to be used as a pre-function space, or for small wedding and/or overflow sun bathing; 4) The first level lobby and public spaces will be completed to include fine dining and lobby bar, with 88 indoor seats as well as 36 outdoor seating facing the new pool deck. The second floor dining that was previously approved has been eliminated to make room for the reconfigured hotel suites which include the new presidential suites; 5) The Function Room construction will be completed and the seating plan in the Function Room is being revised to add 50 more seats for a total of 200 seats (the total overall number of seats throughout the hotel that was previously approved is being reduced from 336 to 324); 6) A small 556 square foot banquet prep kitchen is proposed to be constructed adjacent to and on the east side of the existing Function Room. 7) Replace a 250 RW generator in the basement with the same size that exists today. - Other exterior Improvements will include new third floor railings, re-painting, new exterior floor finishes, trellises and a covered walkway leading to the existing Function Room. Fenestration requiring replacement will be replaced with similar windows and doors. Addition of a small 61 square foot pool service building; enclosing the 679 square foot function room pre-function space on the west side of the Function Room; addition of 588 square foot restroom for Function Room, addition of 556 square foot prep kitchen for Function Room and addition of 148 square foot stairwell to access Function Room prep kitchen. The following is a list of the proposed special exceptions and variances being requested for the hotel project: 1) Section 134-226 & 229: A

special exception request to modify the approved special exception by converting from a condominium hotel to hotel use and make the site modifications and change to the conditions of approval as identified in this application. 2) Section 134-1305: A special exception request to allow 36 seats for outdoor dining on the first floor on the north side of the pool deck; and 3) Section 134-1308(9): A variance for lot coverage to be 63.8% in lieu of the 62.8% existing and the 50% maximum allowed in the C-B Zoning District; 4) Section 134-1308(8): A variance for the addition of railings and solid wall on the east facade of the hotel above the second floor where only a two story building is allowed in the C-B Zoning District; 5) Section 134-1308(8): A variance for the addition of railings and solid wall on the east facade of the hotel with a height of 31.83 feet in lieu of the 25 foot maximum allowed; 6) Section 134-1669: A variance for the height of the wall enclosing the dumpster located at the southeast corner of the property to be 13.25 feet tall in lieu of the 7 foot maximum height allowed from the neighbor's grade; 7) Section 134-1308(8): A variance for the two story open air addition on the south side of the hotel for a hotel suite balcony on the second floor and covered dining on the first floor with a height of 33.58 feet in lieu of the 25 foot maximum allowed in the C-B Zoning District; 8) Section 134-1308(8): A variance for the two story open air addition on the south side of the hotel for a hotel suite balcony on the second floor and covered dining on the first floor with an overall height of 42 feet in lieu of the 35 foot maximum allowed in the C-B Zoning District; 9) Section 134-1669: A variance for the height of the wall along the rear property line to be 8.5 feet in lieu of the 7 foot maximum allowed from the neighbor's grade; 10) Section 134-1669: A variance for the height of the wall enclosing the existing chiller at the south west corner of the property to be 12 feet tall in lieu of the 7 foot maximum allowed from the neighbor's grade; 11) Section 134-1308(7): A variance for a rear yard setback for the chiller to be 2.25 feet in lieu of the 10 foot minimum required in the C-B Zoning District; 12) Section 134-1308(6): A variance for a west side yard setback for the chiller to be 5.8 feet in lieu of the 10 foot minimum required in the C-B Zoning District.

[Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 7-0.] [The Architectural Review Commission approved the project as presented with a condition relating to the service gate, the doors in the banquet kitchen and that the windows and railings will return to the January 27, 2021 meeting. Carried 6-1.]

- c. **Z-20-00293 SITE PLAN REVIEW WITH VARIANCE(S)**
 Zoning District: R-C Medium Density Residential The application of Elaine Hirsch, Applicant, relative to property located at **130 SUNRISE AVE, SUITE: PH 1**, legal description on file, is

described below. A site plan modification with variances to allow a 365 square foot fixed awning over the terrace on the seventh floor of a seven story condominium building. The following variances are being requested: 1. Section 134-948(8): To allow the awning at a height of 61.5 feet in lieu of the 23 1/2 foot maximum height allowed in the R-C Zoning District. Section 134-948(8): To allow the awning at an overall height of 63.66 feet in lieu of the 26 1/2 foot maximum height allowed in the R-C Zoning District. Section 134-948(8): To allow the awning on the existing seventh floor penthouse of a seven story building in lieu of the two story building maximum allowed in the R-C Zoning District. Section 134-948(6): To allow a west side yard setback of 50.1 feet in lieu of the 61.5 foot minimum required. Section 134-948(7): To allow a rear street yard setback of 106.5 feet in lieu of the 123.16 foot minimum required. [Applicant's Representative: Maura Ziska Esq] **Request For Deferral to the February 10, 2021 Meeting per Letter from Maura Ziska.**

- d. **Z-20-00300 SPECIAL EXCEPTION** Zoning District: C-TS Town-Serving Commercial The application of Flagler Holdings North Carolina Inc, Applicant, relative to property located at **223 ROYAL POINCIANA WAY & 227 ROYAL POINCIANA WAY SUITE A**, legal description on file, is described below. Pursuant to Section 134 2373 (13) of the Town Code, the applicant is requesting special exception approval to allow an internally illuminated, backlit business identification sign for Main Street by The Breakers, a new retail facility to be located at 223 Royal Poinciana Way. The applicant is also requesting an additional special exception to allow the same type of internally illuminated, backlit business identification sign for Shan, a retail clothing store to be located at 227 Royal Poinciana Way, Suite A. Both of these buildings are located at Via Flagler (221 Royal Poinciana Way) in the C TS zoning district, and the signs will be consistent with the backlit business identification sign that was approved by ARCOM and the Town Council for Henry's. Other than the special exception for an illuminated sign, no other special exceptions or variances are requested or required. [Applicant's Representative: James M. Crowley, Esq] [The Architectural Review Commission approved the project with the condition that the Shan signage is reduced to the same size and scale as the Main Street signage with no illumination. Carried 6-1.]

2. New Business

- a. **Z-20-00299 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: R A Estate Residential The application of 1015 SOUTH OCEAN LLC (MAURA ZISKA, MANAGER), applicant, relative to property located at **1015 S OCEAN BLVD**, legal description on file, is

described below. 1) Section 134 840: Special Exception with Site Plan Review to allow the construction of an 11,031 square foot two story residence on a non conforming lot that is 97.97 feet in depth in lieu of the 150 foot minimum required In the R A Zoning District. 2) Section 134 843(a)(5): A request for a variance to allow a front setback of 16 feet 7.5 inches in lieu of the 35 foot minimum required in the R A Zoning District. 3) Section 134 843(a)(9): A request for a variance to allow a rear setback of 2 feet 7 inches in lieu of the 15 foot minimum required in the R A Zoning District. 4) Section 134 843(a)(6)b: A request for a variance to allow an Angle of Vision of 133.74 degrees in lieu of the 120 degrees maximum allowed in the R A Zoning District. 5) Section 134 843(a)(7): A request for a variance to have a building height plane setback ranging as close to the front property line as 16.8 feet (one story element) to 29.25 feet (two story element) in lieu of the minimum 35 foot (one story element) to 47.6 foot (two-story element) minimum required by Code in the R-A Zoning District. [Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission deferred the project to the January 27, 2021 meeting. Carried 7-0.] **Request For Deferral to the February 10, 2021 Meeting Per Letter Dated January 5, 2021 from Maura Ziska.**

- b. **Z-20-00305 SITE PLAN REVIEW** Zoning District R-B Low Density Residential The application of JAY HORGAN, applicant, relative to property located at **310 CLARKE AVE**, legal description on file, is described below. Section 134 893: Site Plan Review to allow the construction of a 7,256 square foot two story, single family residence on a non conforming platted lot which is 85.08 feet in width in lieu of the 100 foot minimum width required in the R B Zoning District. [Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission approved the project as presented with a condition relating to the windows. Carried 7-0.]
- c. **Z-20-00306 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of EDITH F. SCHAEFFER TRUST (EDITH F. SCHAEFFER, TRUSTEE), applicant, relative to property located at **1118 N LAKE WAY**, legal description on file, is described below. Section 134 417: The applicant is proposing to construct a 3, 153 square foot, second floor addition onto an existing one story home which will result in a demolition in excess of 50% of its cubic volume. The following variances are being requested: 1) Section 134 843(7): a 9.9 foot south side yard setback in lieu of the 15 foot minimum required In the R B Zoning District; 2) Section 134 843(7): a 10.29 foot north side yard setback in lieu of the 15 foot minimum required in the R B Zoning District. 3) Section 134 895(1): A chimney on the south side of the house with a height of 27.27 feet in lieu of the 19.5 foot maximum allowed. [Applicant's Representative: Maura Ziska Esq]

[Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 6-1.] [The Architectural Review Commission approved the project as presented with a condition related to the truck logistics plan. Carried 7-0.]

- d. **Z-20-00307 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: R-B Low Density Residential The application of JOHN MENDELL & MARA RAPHAEL, applicant, relative to property located at **250 QUEENS LN**, legal description on file, is described below. 1) Section 134 229; Section 134 329 and Section 134 893(b): Special Exception with Site Plan Review to allow the renovation of an existing one story residence by demolishing more than 50% cubic on a lot with a width of 77 feet in lieu of the 100 foot minimum required; a depth of 94 feet in lieu of the 100 foot minimum required; and an area of 7,238 square feet in lieu of the 10,000 square foot minimum required in the R B Zoning District. Additionally, the applicant is proposing to construct a 409 square foot one story master bedroom addition and add a cabana and swimming pool. The following variances are being requested: 2) Section 134 893(7): to allow a west side yard setback for the addition and to allow the house to remain non conforming with both having a setback of 5.3 feet in lieu of the 12.5 foot minimum required. 3) Section 134 893(12): to allow the non conforming landscape open space to remain at 28.5% in lieu of the 45% minimum required. 4) Section 134 1757: to allow a swimming pool with a 5.2 foot rear yard setback in lieu of the 10 foot minimum required. 5) Section 134 2179: To eliminate the requirement for the two car garage that is required for a demolition of more than 50% cubic footage of a house on a lot over 75 feet wide. [Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission deferred the project to their January 27, 2021 meeting. Carried 5-2.] **Request for Deferral to the February 10, 2021 Meeting Per Letter from Maura Ziska.**
- e. **Z-20-00308 VARIANCE(S)** Zoning District: R-C Medium Density Residential The application of SAMUEL LEHRMAN REVOCABLE TRUST U/A/D/ JUNE 19, 2008 (SAMUEL LEHRMAN, TRUSTEE), applicant, relative to property located at **355 HIBISCUS AVE**, legal description on file, is described below. 1) Section 134 1729(1): A request for a variance to allow a 38 KW generator to be placed in the street side yard setback (Australian Avenue) at 5.6 feet in lieu of the 25 foot minimum required on a corner lot. 2) Section 134 1667: A request for a variance for the required wing wall for the generator located in the street side yard setback with a height of 8.58 feet above the crown of the road (on Australian Avenue) in lieu of the 6 foot

maximum allowed. 3) Section 134 1667: A request for a variance for the required wing wall for the generator located in the rear yard setback at a height of 8.46 feet above the neighboring property owner's grade to the east in lieu of the 6 foot maximum allowed. [Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission deferred this project to their January 27, 2021 meeting. Carried 7-0.] **Request for Deferral to the February 10, 2021 Meeting per Letter from Maura Ziska.**

- f. **Z-20-00309 SITE PLAN REVIEW WITH VARIANCE(S)** Zoning District: R-C Medium Density Residential The application of PHIPPS PLAZA PROPERTIES PARTNERS LLC (JOSHUA LEVY, MANAGER), applicant, relative to property located at **236 PHIPPS PLZ**, legal description on file, is described below. Section 134 942(4): Request for a modification to the existing multi family site plan (4 units) to allow applicant to undertake a renovation of a 3 story nonconforming landmarked multi-family building located in the R C Zoning District in Phipps Plaza. Modifications include: removal of existing 70 SF non conforming bike storage shed; removal of existing exterior stair leading from second floor to third floor; new balconies (3) with corbel and railing details to match existing exterior stair; new infill and enclosure of existing 38 SF second floor covered porch; new infill and enclosure of exiting 134 SF third floor covered porch (variance requested); new spa in existing ground level courtyard ; new spa equipment (1) in housing at ground level (variance requested); new 6' tall ac units (3) at ground level (variance requested); new elevator within existing building footprint; revised interior floor plans. The variances being requested are as follows: 1) Section 134 948(8): To allow the enclosure of a porch on the existing nonconforming third floor of a three story building in lieu of the two story building maximum allowed in the R C Zoning District. 2) 134 1728(a): to allow the three (3) air conditioning units in a required rear setback to be 6 feet in height in lieu of the 4 foot maximum allowed. 3) 134 1728(a): to allow three (3) air conditioning units in a required setback where only maximum of two are allowed. 4) 134 1728(a): to allow the west two (2) air conditioning units to be 9 inches and 3 feet, respectively, from the rear property line in lieu of the 5 foot minimum required. 5) 134 1728(a): to allow the east air conditioning unit and pool equipment to be 1 inch from the east side property line in lieu of the 5 foot minimum required. 6) 134 1728(a): to allow the east air conditioning unit and pool equipment to be 9 inches and 3 feet from the rear property line, respectively, in lieu of the 5 foot minimum required. 7) 134 1729: to allow the proposed spa pump and filter equipment to be 9 inches from the rear property line in lieu of the five foot minimum setback required. 8) 134 1729: to allow the proposed spa pump and filter equipment to be 1 inch from the east property line in lieu of the

five foot minimum setback required. [Applicant's Representative: Maura Ziska Esq] [Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject landmarked property. Carried 7-0.] [The Landmarks Preservation Commission approved the project as presented with a condition related to the windows. Carried 7-0.]

- g. **Z-20-00310 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: R-A Estate Residential The application of 310 MEDITERRANEAN RD LLC (JOHN SHAW, MANAGER), applicant, relative to property located at **310 MEDITERRANEAN RD**, legal description on file, is described below. Sections 134-229, 134 329, and 134 843(b): Special Exception and Site Plan Review to allow the renovation of a two story, single family house, including raising the existing house to 7.0 ft NAVD and demolishing more than 50% of the house by cubic square footage, on a non conforming lot, comprised of a portion of platted lots, which is 113.5 feet in depth in lieu of the 150 foot depth required in the R A Zoning District. In connection with the renovation, the following variances are being requested: 1) Section 134 843(a)(5): Request for redevelopment of a single family home with a front yard setback of 26.0 feet in lieu of the 35 foot minimum required. 2) Section 134 1757: Request for installation of a swimming pool with a rear setback of 4.0 feet in lieu of the 10 foot minimum requirement. 3) Section 134 843(a)(7): Request for redevelopment of the house with a building height plane setback ranging from 26.0 to 32.35 feet in lieu of the range of 30.5 to 43.0 feet minimum required. [Applicant's Representative: David E. Klein Esq] [The Architectural Review Commission deferred the project to their January 27, 2021 meeting. Carried 7-0.] **Request For Deferral to February 10, 2021 per Letter from David Klein.**

- h. **Z-20-00311 SPECIAL EXCEPTION WITH VARIANCE(S)** Zoning District: C-TS Town Serving Commercial The application of Bricktop's Palm Beach, applicant, relative to property located at **375 S COUNTY RD**, legal description on file, is described below. Section 134 1109 (14): Modification to previously approved Special Exception with Site Plan Review is being requested for Bricktop's restaurant to add 40 outdoor seats for lunch and dinner in the north courtyard adjacent to the existing restaurant. The additional seating will increase the seating from 150 indoor and patio seats to 190 seats. The current approval allows 52 seats of the 150 seats to be outside on the south patio. Section 134 2176: a variance is being requested to provide zero (0) on site parking spaces in lieu of the 13 parking spaces that are required for the additional 40

outdoor seats. [Applicant's Representative: Maura Ziska Esq]

- i. **Z-20-00318 REPLAT** Zoning District: R-AA Large Estate Residential The application of BLOSSOM WAY HOLDINGS LLC (GERALD A. BEESON, MANAGER), applicant, relative to property located at **1265 S OCEAN BLVD**, legal description on file, is described below. An application to replat lots 1 through 6 and lot 10 of the Blossom Estate Subdivision, 60 Blossom Way, and 1290 S Ocean Blvd into 2 (two) buildable lots. The proposed replat will abandon in total the Blossom Way right-of-way; abandon the current beach access and dedicate a new 8-ft wide beach access along the north side of the proposed replat; terminate the Limited Access Easement along the east side of S Ocean Blvd which provides access to all of the Blossom Estate platted properties via Blossom Way; and incorporate 60 Blossom Way and 1290 S Ocean Blvd properties into the new Lots 1 and 2 of Blossom Estate subdivision. [Applicant's Representative: Maura Ziska Esq]

- j. **Z-20-00323 VARIANCE(S)** Zoning District: R-A Estate Residential The application of DESRUISSEAU LAND TRUST U/A/D12/6/19 (ANN DESRUISSEAU AND WILLIAM W. ATTERBURY, CO-TRUSTEES), applicant, relative to property located at **800 S COUNTY RD**, legal description on file, is described below. The applicant is requesting to demolish and rebuild (replicate) the existing landmarked residence in generally the same location. The project includes raising the finished floor elevation of all of the new and existing structures to 9.0 feet NAVD. The new two-story residence is proposed to be 19,812.69 square feet, with a 3,398 square foot guest wing (previously referred to as the boat house) located at the northwest corner of the property. The plan also requests approval to relocate an existing 225 square foot cabana and relocation of the 145 square foot 2-story generator building. The following variances are being requested: 1) Section 134-843(8): a north side yard setback ranging from 5.29 feet to 5.75 feet for the new reconstructed guest wing (previously referred to as the boat house) in lieu of the 30 foot minimum required; 2) Section 134-843(9): a rear yard setback of 0 feet in lieu of the 15 foot minimum required for the new reconstructed guest wing; 3) Section 134-843(9): a rear yard setback of 0 feet in lieu of the 15 foot minimum required for the new reconstructed main house; 4) Section 134-843(8): a north side yard setback ranging from 21.13 to 21.67 feet for the 2-story generator building in lieu of the 30 foot minimum required; 5) Section 134-843(10): a height in the main residence and guest house to be 26.56 in lieu of the 25 foot maximum allowed; 6) Section 134-843(8): a south side yard setback for the main house addition with a range from 10.79 feet to 15.1 feet In lieu of the 30 foot minimum required. The previously granted variances in Z-20-

00261 for the accessory buildings and structures not associated with the main house, guest wing and generator building remain unchanged and in effect. [Applicant's Representative: Maura Ziska Esq] **Staff requests a deferral to the February 10, 2021 meeting as the project is first required to be considered by the Landmarks Preservation Commission on January 20, 2021.**

C. Time Extensions and Waivers

1. Time Extension Request for 264-270 S. County Road

VIII. ORDINANCES

A. Second Reading

1. ORDINANCE 11-2020 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 Infrastructure Element, As Well As The 10-Year Water Supply Facility Work Plan; Providing For Incorporation Of Recitals; Providing For Severability; Providing For Repeal Of Ordinances In Conflict Hereof; Providing For Codification; Providing An Effective Date.

A. First Reading

1. ORDINANCE 01-2021 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 134, Zoning, As Follows: At Article I, In General, Section 134-2, Amending The Definition Of Supplemental Parking To Allow Supplemental Off-Site Shared Parking In Underground Garages Without The Requirement Of First Meeting All On-Site Required Parking; At Article VI, District Regulations, Sections 134-1107, 134-1157 And 134-1207, Permitted Uses, In The C-TS, C-WA And C-OPI Commercial Zoning District To Allow Supplemental Off-Site Shared Parking In An Underground Parking Garage As A Permitted Use Provided That Said Parking Does Not Exceed 50 Percent Of The Parking Inventory In An Underground Garage And Providing A Sunset Provision For Said Use In Those Districts On March 13, 2024, Unless Extended Or Modified By The Town Council; At Article VI, District Regulations, Sections 134-1109, 134-1159 And 134-1209, Special Exception Uses To Cross Reference The Supplemental Parking Regulations In Sections 134-2177 And 134-2182, At Article IX, Off-Street Parking And Loading; Section 134-2177 Location Of Parking Spaces, And Section 134-2182, Location Of Parking Spaces, By Allowing Off-Site Supplemental Parking In An Underground Parking Garage As A Permitted Use In The C-TS, C-WA And C-OPI Zoning Districts And Sunset The Provisions In This Ordinance On March 13, 2024, Unless Extended Or Modified By The Town Council; Providing For Severability; Providing For Repeal Of Ordinances In Conflict;

IX. ANY OTHER MATTERS

A. Discussion on Construction Screening

X. ADJOURNMENT

PLEASE TAKE NOTE:

Note 1: Please submit written comments/materials to council@townofpalmbeach.com or in person to the Town Clerk's Office, located at Town Hall, 360 South County Road. No written materials received after 3:30 p.m. on the Wednesday immediately prior to a monthly Town Council meeting will be included in the back-up binders distributed to the Mayor and Town Council in preparation for that meeting. Written materials received after 3:30 p.m. on Wednesday will be separately distributed to the Mayor and Town Council; however, depending upon the length of the materials, the time of submittal, and other circumstances, the Mayor and Town Council may not be able to read and consider such late submittals prior to acting upon the policy matter(s) which they address.

Note 2: The progress of this meeting may be monitored by visiting the Town's website (townofpalmbeach.com) and clicking on "Meeting Audio" in the left column. If you have questions regarding that feature, please contact the Office of Information Technology (561) 227-6315. The audio recording of the meeting will appear within 24 hours after the conclusion of the meeting.

Note 3: If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings. For such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Note 4: Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.

Note 5: Items listed on the Consent Agenda will be approved by one motion of the Town Council, unless the Mayor or an individual Council Member requests that any item(s) be moved to the Regular Agenda and individually considered.

Note 6: All back-up material for the items listed on the agenda are posted to the Town's website and emailed to all Stay Informed subscribers on the Friday before the Town Council meeting. To access the back-up materials and/or subscribe to the Stay Informed list, please visit the Town's website (townofpalmbeach.com).

PROCEDURES FOR PUBLIC PARTICIPATION

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.

PUBLIC HEARINGS: Any citizen is entitled to be heard on an official agenda item under the section entitled "Public Hearings," subject to the three minute limitation.

COMMUNICATIONS FROM CITIZENS: Any citizen is entitled to be heard concerning any matter under the section entitled "Communications from Citizens," subject to the three minute limitation. The public also has the opportunity to speak to any item listed on the agenda, including the consent agenda, at the time the agenda item comes up for discussion.

OTHER AGENDA ITEMS: Any citizen is entitled to be heard on any official agenda item when the Town Council calls for public comments, subject to the three minute limitation.

Town Council Meetings are public business meetings and, as such, the Town Council retains the right to limit discussion on any issue.