

TOWN OF PALM BEACH

Minutes of the Town Council Meeting

Held on September 10, 2025

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 09:49 AM in the Town Council Chambers.

Members Present: Bridget Moran, Ted Cooney, Lewis Crampton, Bobbie Lindsay, Julie Araskog, and Danielle Moore

Staff Present: Wayne Bergman, James Murphy, Jennifer Hofmeister, and Kelly Churney

INVOCATION AND PLEDGE OF ALLEGIANCE

Town Clerk Churney led the invocation, and Council President Lindsay led the Pledge of Allegiance.

APPROVAL OF CONSENT AGENDA

1. **105-2025** A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Authorizing Ad Valorem Tax Exemptions For The Property Hereinafter Described And Stating That The Subject Property Meets The Criteria Set Forth In Chapter 54, Article V Of The Code Of Ordinances Of The Town Of Palm Beach, Relating To Landmarks Preservation And Titled "Tax Exemptions."

A motion was made by Council Member Araskog and seconded by Council Member Cooney to approve the consent agenda as presented. The motion was carried unanimously, 5-0.

APPROVAL OF AGENDA

Mr. Bergman announced two modifications to the agenda:

- Item 4. Appeal of ARCOM - ARC-25-0035, 940 N. Lake Way, was deferred to October 15, 2025
Item 28. Discussion on Senate Bill 180 was added to the agenda.

A motion was made by Council Member Cooney and seconded by Council Member Araskog to approve the amended agenda. The motion was carried unanimously, 5-0.

ADMINISTRATION OF THE OATH

Town Clerk Churney swore in all those intending to speak and continued to do so throughout the meeting, as necessary.

COMMENTS

2. MAYOR AND TOWN COUNCIL MEMBERS

Council Member Moran asked if the Town Council wanted to review the time allowed for building permits, noting that numerous extensions were consuming Council time. Mr. Bergman said permit durations were based on the square footage of new builds or renovations. Considering construction hours, seasons, and holidays, he suggested that it might be useful to compare with other communities. He noted the town's longest permit duration was 40 months and the shortest was 12 months. At the Council's direction, he offered to research the matter and report back.

There was a consensus to direct the staff to evaluate the length of building permits and to return to the Town Council at a later date with their findings.

Council Member Araskog suggested considering staff approvals, but felt the Town Council should decide which cases require public notification. She asked Mr. Bergman to propose a process allowing staff to approve extensions when appropriate.

Council President Pro Tem Crampton reported attending the Civic Association meeting, where members emphasized the importance of the Oko/Ambassador project as a catalyst for south-end redevelopment. He also expressed support for the Architectural Commission's (ARCOM) efforts to work with architects to enhance aesthetics in the area.

Council Member Araskog emphasized the importance of not rushing large projects such as Oko/Ambassador. It was also noted that staff and ARCOM had been working with the Oko/Ambassador project for approximately a year and a half.

Attorney O'Connor advised the Town Council not to comment on specific projects until they are before the council for discussion.

3. PUBLIC - 3 MINUTE LIMIT

Laura Levites, 1030 N. Lakeside Drive, stated she was a candidate for State House 87 and introduced herself to the Town Council. She said she would like to get to know the town council members and understand their needs.

PUBLIC HEARINGS

4. Appeal of ARCOM - ARC-25-0035 940 N LAKE WAY

****Note: This item was deferred to the meeting on October 15, 2025, at the approval of the agenda.***

GENERAL BUSINESS

5. Zoning Code Items - Quick Fixes #8-14

5.1 Quick Fix #8: Landmark Incentives

5.2 Quick Fix #9: Open Space - Canopy Trees & Perimeter Natives

5.3 Quick Fix #10: Awnings & Canopies

5.4 Quick Fix #11: RD-2 Front Setbacks

5.5 Quick Fix #12: Basements

5.6 Quick Fix #13: Fill

5.7 Quick Fix #14: Front / Rear Setbacks

Assistant Director James Murphy presented an overview of all the zoning code items that were being reviewed. These items included landmark incentives, open space, canopy trees, perimeter natives, awnings and canopies, RD-2 front setbacks, basements, fill, and front/rear setbacks.

Council Member Araskog asked if neighbors had raised concerns about landmarked structures being built closer to adjacent homes. Mr. Murphy explained that the code already allowed dimensional adjustments and that any landmark requests would be part of an application, subject to uniform development requirements and proper notice. She also expressed concern about fill allowances and flooding.

Council Member Moran asked the staff to prioritize the front and rear yard setbacks for a five-foot variance.

Mr. Murphy said staff could emphasize the Council's feedback on front setback adjustments and fill, noting that officials have no interest in revisiting the allowance of additional fill in required yards to property lines.

Council President Pro Tem Crampton said basements should be a priority, noting the need to address FEMA, Florida Building Code, and Town Code requirements.

Council President Lindsay agreed with her colleagues on the priorities.

Attorney Maura Ziska, 1500 N. Ocean Blvd., supported the changes and noted she had used the 5-foot front setback when building her home. She explained that it was historically added to the code because many new homes had limited backyard space.

Council Member Cooney asked to wait for staff to provide data on the number of homes that had used the five-foot flexibility compared to those that had not.

Mayor Moore noted that her backyard is tiny, and she would have gladly used that extra five feet. She urged staff to take a closer look at this.

Council Member Araskog said setback adjustment requests should be presented to the Town Council if they disrupted the streetscape.

Aimee Sunny, Preservation Foundation of Palm Beach, thanked the Town Council, other commissions, and town staff for addressing landmark incentives. She said the program was crucial to preserving the town's character and charm and that potential incentives would support restoration and protection of landmarked properties. She noted that incentives recognize landmarks as unique and that additional flexibility would enhance their protection. She added that the intent was not to freeze structures in time but to balance preservation with reasonable updates.

Council President Pro Tem Crampton thanked staff and the Planning and Zoning Commission for the monthly communication on the zoning code changes.

Council Member Araskog asked if the staff was reviewing castle-like features on homes, possibly related to height. Mr. Murphy said such features would be addressed through architectural design and articulation, which likely explained the limited use of these features. He noted that code-compliant does not equal beauty and harmony on a street.

There was a consensus of the Town Council to direct staff to draft an Ordinance for the RD-2 Front Setbacks, which will be presented on first reading at the October 15, 2025, meeting. The staff will continue to work on the other items with the Planning and Zoning Commission.

**Note: A short break was taken at 10:41 a.m. and the meeting resumed at 10:47 a.m.*

UNFINISHED BUSINESS

6. ZON-25-0038 (COA-25-0021) 360 SEASPRAY AVE (COMBO) - VARIANCES The applicant, Erik Broberg with SKA Architect + Planner, has filed an application requesting Town Council review and approval of five (5) variances to (1) reduce the front (north) yard setback, (2) reduce the side (east) yard setback, (3) exceed the maximum angle of vision permitted, (4) exceed the maximum lot coverage permitted, and (5) exceed the maximum cubic content ratio (CCR) permitted for a new detached aluminum carport for the landmarked property. The Landmarks Preservation Commission shall perform design review of the application. *[The Landmarks Preservation Commission denied this project. Carried 6-1.] The zoning requests related to this project will not move forward due to the denial.*

****Note: This item was removed from the agenda during the approval of the agenda.***

NEW BUSINESS

7. ZON-25-0045 (ARC-25-0044) 766 HI MOUNT RD (COMBO). The applicant, Christina Baker, owner (Maura Ziska and SKA Architects, representatives), has filed an application requesting Town Council review and approval of one (1) variance for a reduced side yard setback to reconstruct a glass enclosure on the west side of the cabana. The Architectural Commission shall perform design review of the application. *This project shall be deferred to the November 12, 2025, Town Council meeting, pending architectural review.*

****Note: This item was deferred to the meeting on November 12, 2025, at the approval of the agenda. Later in the meeting, there was a second motion to correct the deferral date to the November 13, 2025, meeting.***

8. ZON-25-0046 120-132 N COUNTY RD-PALM BEACH SYNAGOGUE—SPECIAL EXCEPTION WITH SITE PLAN REVIEW. The applicant, Palm Beach Orthodox Synagogue INC (Rabbi Moshe Scheiner), has filed an application requesting Town Council review and approval for a modification to the previously approved Special Exception for an existing synagogue located at 120 N County Road into an abutting existing building previously occupied by the Chez Jean Pierre restaurant at 132 N County Road. The application also consists of a modification to the existing Declaration of Use Agreement dated May 12, 2008.

Mr. Murphy provided staff comments on the project regarding special exceptions and site plan reviews.

Council Members Araskog, Cooney, Moran, Council President Pro Tem Crampton, Council President Lindsay, and Mayor Moore disclosed ex parte communications.

Attorney Harvey Oyer, representing the Palm Beach Synagogue, presented the proposed changes to the synagogue, including adding space.

Council Member Araskog asked about the kitchen's location in relation to the event space, the ventilation equipment, and the classrooms. Mr. Oyer said the area already has a commercial kitchen with infrastructure. They will carry everything over to the event space.

Council Member Cooney asked about the proposed first-floor plan with expanded overflow event space and how the social hall would be utilized. Mr. Oyer said it would serve as flex space. Council Member Cooney noted the hall was larger than the existing space and asked if it would be used for seating or larger events. He recalled that the prior approval referenced its current use. He said neighbors had concerns about larger events and that the Council preferred managed capacity. Mr. Oyer replied that this would be addressed in the Declaration of Use Agreement and confirmed that the sanctuary seating would not change.

Council Member Moran thought the item should be deferred. She noted that several topics previously discussed were not mentioned in the declaration of use.

Mayor Moore agreed with Council Member Moran. She stated that the original declaration of use indicated that the organization would need to return to the Town Council if any changes were made to it. She expressed concern about a lack of transparency regarding a comprehensive declaration of use.

Council President Pro Tem Crampton asked the staff if they believed all the special exception criteria had been met. Mr. Murphy stated that the staff does not weigh in on that and that the staff is not an agency that provides recommendations to the Town Council. Council President Pro Tem Crampton asked if the staff had initiated the request to look at the special exception. Mr. Bergman stated that when the staff was going through the 40,000 square foot new synagogue, the question was raised of why the special exception process was not followed when the synagogue acquired the restaurant. He added that Town Council members had asked why the

synagogue did not go through the special exception process for formal approval in its present form.

Council President Lindsay said the Town Council had spent significant time reviewing the Declaration of Use for the expanded project. Many issues that were missing in the original agreement were cleaned up in that agreement. She noted that many of those same issues are missing from the declaration of use that has been submitted. She supported deferral of the request.

Attorney John Eubanks, representing several surrounding condominium owners, stated his objections to the application and urged the Town Council to defer the item to the November meeting.

Council President Lindsay called for public comment.

Anita Seltzer, 44 Cocoanut Row, commented on the Palm Beach Synagogue requests. She noted some differences in the plan and what she believed those changes were. She also stated that there are currently non-compliance issues with the existing agreement. Ms. Seltzer felt that the Town Council was missing many details needed to adequately draft and approve a new binding agreement.

Attorney Oyer provided a rebuttal stating that no consideration had ever been given to a scenario in which the new project would not be constructed. He agreed with Council Member Moran that if a new project is never built, all safeguards in the fully negotiated January version of the declaration of use agreement should be included.

Council Member Araskog agreed with Mayor Moore about the declaration of use and mentioned some violations she had been informed of. She expressed concern about the overflow space.

A motion was made by Council Member Moran and seconded by Council Member Araskog to defer the item to the November 13, 2025, meeting. The motion was carried unanimously, 5-0.

At this time, Town Clerk Churney noted that the deferral date listed on the agenda for ZON-25-0045, 766 Hi Mount Road, should be the meeting on November 13, 2025. She asked for a motion to defer the item to that meeting.

A motion was made by Council Member Araskog and seconded by Council Member Cooney to defer ZON-25-0045, 766 Hi Mount Road, to the November 13, 2025, meeting. The motion was carried unanimously, 5-0.

9. ZON-25-0048 (ARC-25-0052) 235 WORTH AVE (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW. The applicant, Richemont North America, Inc, has filed an application requesting Town Council review and approval for a Special Exception with a Site Plan Review for a permitted retail use greater than 4,000 SF (4,650 requested) in the C-WA zoning district in order to combine three separate tenants into a single retail tenant space.

Council Members Araskog, Cooney, Moran, Council President Pro Tem Crampton, Council President Lindsay, and Mayor Moore disclosed ex parte communications.

Mr. Murphy provided staff comments on the project.

Council Member Moran asked if a portion of the roof was being removed, to which Mr. Murphy responded that approximately 400 square feet in the center of the roof would be removed to allow for natural light.

Attorney Jamie Crowley, representing Van Cleef and Arpels, provided an overview of the project and discussed the zoning requests. Keith Spina of Spina O'Rourke + Partners presented the architectural plans proposed for the space.

Council Member Araskog asked for the streetscape of the existing and proposed facade.

Mr. Crowley addressed the letter of objection by Steve Handelsman and advocated for the proposed project.

Council President Lindsay called for public comment. No one indicated a desire to speak.

Council Member Moran thought this project improved the space. However, she expressed concern about the direction of Worth Avenue becoming dominated by major stores. She did support the project.

Mayor Moore thought the space looked lovely and the retailer belonged on Worth Avenue. She supported the application.

Council Member Araskog expressed concern that the town was losing the smaller stores on Worth Avenue, especially in the mid-block areas.

Council President Lindsay discussed the changes she has seen on Worth Avenue, from restaurants to retail. She supported the application.

Council Member Cooney understood Council Member Moran's concerns and thought that retaining the smaller, more interesting stores may be related to economics and rent increases, which the Town Council could not control.

A motion was made by Council Member Cooney and seconded by Council President Pro Tem Crampton that Special Exception No. ZON-25-0048, 235 Worth Avenue shall be granted based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met. The motion was carried 5-0.

10. ZON-25-0050 (COA-25-0025) 70 ROYAL POINCIANA WAY (COMBO)—VARIANCES. The property owner, Sidney Spiegel, Trustee of Trust #31520371 (James M. Crowley, Authorized Representative), has filed an application requesting Town Council review and approval for three (3) variances associated with building identification signage for the Royal Poinciana Playhouse Glazer Hall, (1) to allow signage on facades not fronting

onto a street, (2) to exceed the maximum signage area and quantity, and (3) to allow signage to be installed on the parapet above the roof for the landmarked property. The Landmarks Preservation Commission shall perform design review of the application.

Council Members Cooney, Moran, Council President Lindsay, and Mayor Moore disclosed ex parte communications.

Mr. Murphy provided staff comments on the project.

Council Member Araskog inquired if there was similar signage in the town. Mr. Murphy said the signage's design was not out of character or excessively large. He also noted that it would not be illuminated. He said numerous signs throughout the town are similar in size and location.

Council Member Moran asked about the signage on the parapet, to which Mr. Murphy responded.

Attorney Jamie Crowley, representing the applicant, provided an overview of the project and discussed the zoning requests.

Mayor Moore supported the east-facing signage. However, she did have an issue with the signage facing the waterway, as it did not seem relevant to her. Mr. Crowley said people driving over the water will see the sign facing the waterway.

Council Member Cooney asked about the signage on the awning and wondered if it was allowed. Mr. Murphy responded that he thought it was approved as a replication of the historic photo by the chairperson of the Landmarks Commission. Council Member Cooney supported the east façade and the west-side signage, but noted that the signage to the north may not be noticed. Council Member Cooney asked that the brightness of the stair tread lights be checked. He also pointed out that the historic sign is uneven and should be addressed.

Council Member Araskog agreed with the Mayor because the Royal Poinciana Plaza should be eye-catching. She felt that Glazer Hall detracted from the plaza. She preferred the north and east signage, but not the west.

Council President Pro Tem Crampton agreed with Council Member Cooney.

Council Member Moran understood the request for all three signs. She liked the northern signage the least, but understood the request. She thought the size was appropriate.

Council President Lindsay agreed that the most important signage was on the east and west, especially given the number of vehicles traveling over the north bridge daily. She supported all three signs, depending on the opinion of the Landmarks Preservation Commission.

Council Member Araskog wondered if a script font similar to the Royal Poinciana Plaza signage would look better. Council Member Cooney thought the font's differentiation shows that it is something new.

Mr. Crowley withdrew the request and variance for the north signage at this time.

A motion was made by Council Member Cooney and seconded by Council Member Moran that

Variance No. ZON-25-0050 shall be granted and find, in support thereof, that all the criteria applicable to this application as set forth in Section 134-201 (a), items 1 through 7, have been met. The motion was carried 4-1, with Council Member Araskog dissenting.

**Note: The meeting was recessed for lunch at 12:30 p.m. and resumed at 1:16 p.m.*

11. ZON-25-0051 313 ½ WORTH AVE--BICE— SPECIAL EXCEPTION WITH SITE PLAN REVIEW. The applicant, BICE Restaurant, has filed an application requesting Town Council review and approval to modify an existing Special Exception to allow an expansion of an existing restaurant into an adjacent 315 SF retail space with no change or increase in seats in the C-TS zoning district. *This item has been withdrawn by the applicant.*

**Note: This item was withdrawn at the approval of the agenda.*

ORDINANCES

12. **9-2025** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 134, Zoning By Amending, Article VIII, Supplementary District Regulations, Division 3. – Height And Other Exceptions At Section 134-1607.-Permitted Exceptions; And Amending, Article VIII, Supplementary District Regulations, Division 6. – Structures, Subdivision II. – Accessory Buildings And Other Structures At Sections 134-1728.-Air Conditioning And Swimming Pool, And Fountain Equipment And 134-1729.-Generators To Update The Town's Mechanical Equipment Regulations; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Town Attorney Joanne O'Connor read the ordinance by title only.

Council President Lindsay called for public comment. No one indicated a desire to speak.

A motion was made by Council Member Cooney and seconded by Council President Pro Tem Crampton to approve Ordinance 9-2025 on first reading. The motion was carried unanimously, 4-0. (Council Member Araskog was not in the room during the vote)

13. **10-2025** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 134, Zoning, Article IV, Nonconformities, Division 4. – Land At Section 134-446; Article VI, District Regulations, Division 2. -RAA, Division 3.- R-A And Division 4.-R-B At Sections 134-793, 134-843 And 134-893, Respectively, To Simplify The Process For Development Of Single-Family Dwellings On Certain Nonconforming Lots; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Town Attorney Joanne O'Connor read the ordinance by title only. She reminded everyone that the Local Planning Agency recommended revisions to this ordinance.

Council President Lindsay called for public comment. No one indicated a desire to speak.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member Cooney to approve Ordinance 10-2025 as revised on first reading. The motion was carried

unanimously, 4-0. *(Council Member Araskog was not in the room during the vote)*

- 14. 11-2025** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 134, Zoning At Article I, -In General, By Amending Section 134-2 Definitions; At Article VI, District Regulations, Division 2.- R-AA Large Estate Residential District By Amending Section 134-793; At Article VI, District Regulations, Division 3.- R-A Estate Residential District By Amending Section 134-843; And At Article VI, District Regulations, Division 4.- R-B Low Density Residential District By Amending Section 134-893 To Define Building Angle Of Vision And To Remove The Building Angle Of Vision Requirement For One-Story Buildings And Buildings On Lots Fronting On Cul-De-Sacs In The R-AA, R-A And R-B Residential Districts; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date

Town Attorney Joanne O'Connor read the ordinance by title only. She reminded everyone that the Local Planning Agency recommended revisions to this ordinance.

Council President Lindsay called for public comment. No one indicated a desire to speak.

A motion was made by Council Member Cooney and seconded by Council Member Moran to approve Ordinance 11-2025 as revised on first reading. The motion was carried unanimously, 5-0.

- 15. 12-2025** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 134, Zoning, Article II, Administration, Division 4. – Special Exceptions, Variances, And Dimensional Waivers, Subdivision III. - Special Exceptions By Repealing Section 134-231.-Residential Use In C-TS, C-WA or C-OPI District; One-Family Use Above First Floor In C-TS, C-WA or C-PC District And By Renumbering Section 134-232.- Preferred Location Of Group Homes And Foster Care Facilities And Section 134-233.-Applicability Of Worth Avenue Design Guidelines In C-WA District And Adding A New Section 134-233-Reserved; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Town Attorney Joanne O'Connor read the ordinance by title only.

Council President Lindsay called for public comment. No one indicated a desire to speak.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member Araskog to approve Ordinance 12-2025 on first reading. The motion was carried unanimously, 5-0.

- 16. 13-2025** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Improving The Uniformity Of The Appeals Processes For Development Review Matters By Amending Chapter 18, Buildings And Building Regulations, Article III, Architectural Review, Division 2, Architectural Commission, Section 18-177, Appeals And Review; By Amending Chapter 54, Historical Preservation, Article II, Landmarks Preservation Commission, Section 54-41; And By Amending Chapter 134,

Zoning, Article II, Administration, Division 3, Appeals, Sections 134-141 Through 134-145 And Section 134-174; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Town Attorney Joanne O'Connor read the ordinance by title only. She reminded everyone that the Local Planning Agency recommended revisions to this ordinance.

Council President Lindsay called for public comment. No one indicated a desire to speak.

A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to approve Ordinance 13-2025 as revised on first reading. The motion was carried unanimously, 5-0.

17. **14-2025** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 18, Buildings And Building Regulations, Article III, - Architectural Review, At Section 18-203 Duration Of Approval; Time Extension; Denial Of Application; Determination; Clarification; Deferral; Amending Chapter 54, Historical Preservation, Article III - Certificate Of Appropriateness, Division 2-Procedures And Effect, At Section 54-94 - Duration Of Approval; Time Extension: Denial Of Application; Determination: Clarification; Deferral; And At Chapter 134- Zoning, Division 4-Special Exceptions, Variances, And Dimensional Waivers, Subdivision 1 - In General, At Section 134-173 - Deferral Request; Denial Of Application; Duration Of Approval; Time Extension; Clarification To Conform All Development Review Approval Timeframes At 24 Months From Date Of Rendered Development Order Or Written Decision; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Town Attorney Joanne O'Connor read the ordinance by title only.

Council President Lindsay called for public comment. No one indicated a desire to speak.

A motion was made by Council Member Cooney and seconded by Council President Pro Tem Crampton to approve Ordinance 14-2025 on first reading. The motion was carried unanimously, 5-0.

18. **15-2025** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 54, Historic Preservation, Article III, Certificate Of Appropriateness, Division 2, Procedures And Effect, At Section 54-93, Uniform Development Review Procedures, To Change The Notice Requirements For Certain Floodplain Variance Requests; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Town Attorney Joanne O'Connor read the ordinance by title only.

Council President Lindsay called for public comment. No one indicated a desire to speak.

Council Member Araskog asked about the notice requirements for certain flood plain requests. Mr. Bergman explained it would be any type of building application wherein the dollar value of the improvement exceeds fifty percent of the dollar value of the building. This ordinance does not include projects going before ARCOM and Landmarks.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member Cooney to approve Ordinance 15-2025 on first reading. The motion was carried unanimously, 5-0.

ANY OTHER BUSINESS

- 19. Requesting a Waiver of Town Code Section 18-37, For a Building Permit Extension at 249 Monterey Rd.**

Wayne Bergman, Director of the Planning, Zoning, and Building Department, described the building permit extension request and provided recommendations. He noted the objections by resident and neighbor David Kelso. Mr. Bergman stated he would be hard-pressed to support the request for 122 days.

Philip Modenos of General Contractor Services, Inc., explained the request for a waiver from Town Code Section 18-237 for a Building Permit extension. He stated that a 60-day extension should be sufficient.

Mayor Moore noted that much of the construction on Monterey had been completed, but it had been a considerable disruption to the neighbors. She stated that she could support 60 days, but if the work was not completed by then, she recommended stopping the work until May. She was disappointed that the project was not completed.

Council Member Araskog questioned the contractor's ability to complete the project in 60 days. She expressed concern that the construction would run through the holidays. Mr. Modenos responded and further explained the delays in the construction.

Council Member Cooney asked about the schedule for the tabby driveway installation. Mr. Modenos responded.

Council Member Moran suggested exploring another contractor for the tabby because the Town Council would be instituting a hard stop on construction.

A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to grant the waiver of Town Code Section 18-37 for 249 Monterey Road with the condition that construction shall stop on November 7, 2025, and if the work is not completed, construction may not resume until May 2026. The motion was carried unanimously, 5-0.

- 20. Requesting a Waiver of Town Code Section 18-24, For a Building Permit Extension and 42-199, Waiver of Construction Hours at 415 Hibiscus Ave**

Wayne Bergman, Director of the Planning, Zoning, and Building Department, described the requests for a building permit extension and waiver of construction hours and provided recommendations.

Josh Pertnoy of Shapiro Pertnoy explained the request for waivers from Section 18-237 and 42-199 of the Town Code. He said he would be good with an extension through December 15, 2025. He noted that the Apollo parking lot is being utilized for the workers.

Council Member Cooney asked about deliveries, and Mr. Pertnoy responded that everything would be accessible through the Apollo lot, directly upstairs to the construction site.

Council Member Moran urged the requester to use the extended time wisely.

Mr. Bergman asked Mr. Pertnoy to state the days and hours his team would be working if granted the extension. He said they would adhere to the Town Council's request and were willing to take off Saturdays.

Council Member Araskog confirmed that Tiffany's knew about the request for extension and had indicated no problem with it. Mr. Pertnoy affirmed. She also asked if there was a written commitment from the Apollo lot, and Mr. Pertnoy said yes.

A motion was made by Council Member Araskog and seconded by Council Member Moran to grant the waivers from Sections 18-24 and 42-199 of the Town Code at 415 Hibiscus Avenue with the conditions that there will be no Saturday work after November 1, 2025, and hours of work after November 1st will be 8 a.m. to 5 p.m. Monday through Friday, and Mr. Pertnoy will provide Director Bergman with an agreement outlining the parking spaces in the Apollo Lot. The motion was carried unanimously, 5-0.

A motion was made by Council Member Araskog and seconded by Council Member Moran to amend the previous motion by adding that construction work will stop by December 24, 2025. The motion was carried unanimously, 5-0.

21. Requesting a Waiver of Town Code Section 18-24, For a Building Permit Extension at 301 Plantation Rd.

Wayne Bergman, Director of the Planning, Zoning, and Building Department, described the building permit extension request and provided recommendations.

Richard Gervoe of Mark Timothy Homes explained the request for a waiver from Town Code Section 18-24 for a Building Permit extension.

Council Member Cooney asked what the design changes entailed. Mr. Gervoe said any changes were interior.

A motion was made by Council Member Araskog and seconded by Council Member Cooney to grant the waiver of Town Code Section 18-24 at 301 Plantation Road, for six months, with the condition that the Director of Planning, Zoning, and Building will address any neighbor complaints. The motion was carried unanimously, 5-0.

22. Requesting a Waiver of Town Code Section 18-24, For a Building Permit Extension at 320 Chilean Ave.

Wayne Bergman, Director of the Planning, Zoning, and Building Department, described the building permit extension request and provided recommendations.

Brian Chrzanowski of B&A Design Builders, Inc., explained the request for a waiver from Town Code Section 18-24 for a Building Permit extension. He noted that the interior project had never been started.

Mayor Moore noted there were some extenuating circumstances on this project.

Valentine Hernandez, 320 Chilean Avenue, stated that he was more concerned than the town council about the changes. He said the goal was to make the building look more beautiful, and due to the modifications, the project was practically being restarted.

A motion was made by Council Member Cooney and seconded by Council Member Araskog to grant the waiver of Town Code Section 18-24 at 320 Chilean Avenue. The motion was carried unanimously, 5-0.

23. Requesting a Waiver of Town Code Section 18-24, For a Building Permit Extension at 269 Jamaica Lane

Wayne Bergman, Director of the Planning, Zoning, and Building Department, described the building permit extension request and provided recommendations.

Rob Mangold of Mangold Contracting Inc. explained the request for a waiver from Town Code Section 18-24 for a Building Permit extension.

A motion was made by Council Member Cooney and seconded by Council President Pro Tem Crampton to grant the waiver of Town Code Section 18-24 at 269 Jamaica Lane. The motion was carried unanimously, 5-0.

24. Requesting a Waiver of Town Code Section 18-24, For a Building Permit Extension at 1200 S Ocean Blvd.

Wayne Bergman, Director of the Planning, Zoning, and Building Department, described the building permit extension request and provided recommendations.

Liam Sutherland, project manager, explained the request for a waiver from Town Code Section 18-24 for a Building Permit extension.

A motion was made by Council Member Cooney and seconded by Council Member Araskog to grant the waiver of Town Code Section 18-24 at 1200 S. Ocean Blvd as requested, with the condition that construction will not commence until May 1, 2026. The motion was carried unanimously, 5-0.

25. Requesting a Waiver of Town Code Section 18-24, For a Building Permit Extension at 625 Crest Rd.

Wayne Bergman, Director of the Planning, Zoning, and Building Department, described the building permit extension request and provided recommendations.

Jim Hoffman of SBP Homes explained the request for a waiver from Town Code Section 18-24 for a Building Permit extension.

A motion was made by Council Member Araskog and seconded by Council Member Moran to grant the waiver of Town Code Section 18-24 at 625 Crest Road until December 19, 2025. The motion was carried unanimously, 5-0.

- 26. Requesting a Waiver of Town Code Section 18-24, For a Building Permit Extension at 363 Coconut Row**

Wayne Bergman, Director of the Planning, Zoning, and Building Department, described the building permit extension request and provided recommendations.

On behalf of Mouw Associates, Inc., John Hart explained the request for a waiver from Town Code Section 18-24 for a Building Permit extension.

A motion was made by Council Member Moran and seconded by Council Member Araskog to grant the waiver of Town Code Section 18-24 at 363 Coconut Row until March 20, 2026, with the condition that the waterfall is removed by the Thanksgiving holiday. The motion was carried unanimously, 5-0.

- 27. Requesting a Waiver of Town Code Section 18-24, For a Building Permit Extension at 336 Australian Ave.**

Wayne Bergman, Director of the Planning, Zoning, and Building Department, described the building permit extension request and provided recommendations.

On behalf of Custom Castles, LLC, John Hart explained the request for a waiver from Town Code Section 18-24 for a Building Permit extension.

A motion was made by Council Member Araskog and seconded by Council Member Moran to grant the waiver of Town Code Section 18-24 at 336 Australian Avenue as requested. The motion was carried unanimously, 5-0.

ANY OTHER MATTERS

- 28. Discussion of Senate Bill 180**

Town Attorney Joanne O'Connor advised that a Fort Lauderdale law firm was preparing a lawsuit to challenge SB 180. The bill would prohibit the town and other local governments statewide from enacting ordinances that impose more restrictive or burdensome comprehensive plan amendments, land development regulations or procedures, or development orders on site plans, permits, or orders. The prohibition would apply retroactively from August 1, 2024, through October 1, 2027, regardless of whether the amendments or regulations were related to hurricanes or similar emergencies. She added that if another storm occurred within 100 miles during that period, the bill's restrictions would extend for an additional year. She felt that the complaint would be asking for temporary injunctive relief. She noted that approximately a dozen counties and cities have signed on to participate in the action.

Council Member Cooney said the bill was well-intended but encroaches on home rule. He noted his eagerness to entertain this low-dollar threshold with a group that has successfully made some

zoning fixes. He would not like to see the progress get stymied any further. His political acumen does not know if this is the right approach, or if using a lobbyist would be better. However, he supported participation in the action.

Council Member Araskog agreed with Council Member Cooney. She said it seems that cities are not being heard, and she felt it was time to take action, particularly since the town is in the middle of code reform.

Council Member Moran agreed with her colleagues, as did Council President Pro Tem Crampton.

There was a consensus to allow Town Attorney O'Connor to draft a resolution for consideration and approval on September 18, 2025.

Mayor Moore felt that the Town Council needed to move forward and participate with Fort Lauderdale and the other jurisdictions.

Council President Lindsay agreed with her colleagues and said the town's recent win over the state indicated that the Town of Palm Beach might reach some people at the state level.

ADJOURNMENT

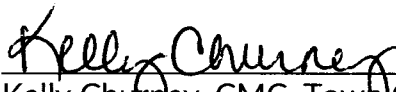
A motion was made by Council Member Araskog and seconded by Council Member Cooney to adjourn the meeting at 2:40 p.m. The motion was carried unanimously, 5-0.

APPROVED:



Bobbie D. Lindsay, Town Council President

APPROVED:



Kelly Churney, CMC, Town Clerk

Date: 10/11/25

