



TOWN OF PALM BEACH

Town Clerk's Office

SUMMARY OF ACTIONS TAKEN AT THE TOWN COUNCIL MEETING HELD ON WEDNESDAY, JULY 10, 2013

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. COMMENTS OF MAYOR GAIL L. CONIGLIO
- IV. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER
- V. COMMUNICATIONS FROM CITIZENS- 3 MINUTE LIMIT PLEASE
- VI. APPROVAL OF AGENDA

ACTION: DEFERRED ITEM NO. VII.B.2.i., VARIANCE #26-2013, TO THE AUGUST 14, 2013, TOWN COUNCIL MEETING.

ACTION: APPROVED, AS AMENDED ABOVE.

VII. DEVELOPMENT REVIEWS

- A. Time Extensions – None
- B. Variances, Special Exceptions, and Site Plan Reviews
 - 1. Old Business – None
 - 2. New Business

- a. SITE PLAN REVIEW #8-2013 The application of Mark Goldman, Manager, Robmar Realty II, LLC; relative to property commonly known as **225 West Indies Drive**; described as Lot 17, BRAMS ADDITION, being a Replat of a Part of Lots 2, 3, 4, and 5, Indian Mound Tract, according to the map or plat thereof as recorded in Plat Book 26, Page 190 of the Public Records of Palm Beach County, Florida; located in the R-B Zoning District. The applicant is requesting Site Plan Review to allow the construction of a 5,306 square foot one-story single family residence on a non-conforming platted lot which is 99 feet in width in lieu of the 100

foot minimum required in the R-B Zoning District. [Attorney: Maura Ziska]

ACTION: APPROVED

- b. SPECIAL EXCEPTION #7-2013 WITH SITE PLAN REVIEW AND VARIANCE (REVISED) The application of 2842 S Ocean LLC, Edward Leevan, Manager; relative to property commonly known as **2842 South Ocean Blvd**; described as lengthy legal description on file; located in the R-D (2)/Beach Area Zoning Districts. (The application is being revised to add the underlined language in the description of request in Paragraph II.B.) Special Exception is being requested to modify the hotel which is a special exception use by a site plan modification for internal floor plan changes to the basement level of the hotel. Previously a 3,700 square foot spa and 1,141 square foot salon was approved in 2008 as a shell. The hotel is now requesting to build out the spa and salon with a modification as to the exact location of the spa/salon (square footage remains the same). 977 square feet on the north side of the spa is proposed to be used for storage. A further modification is to relocate conference/meeting rooms from the basement to the first floor into space that was previously spa and salon and outdoor seating area. A further request is to approve work/changes already completed at the hotel that did not get the required approval by the Town Council. These are as follows: modification in the basement housekeeping area that consist of the removal of interior walls in the laundry room, create a doorway and add an additional exhaust to the south laundry room exterior grounds that is proposed to be screened by a wing wall and landscaping which will meet the noise decibel requirement in the Code; enclosure of an outdoor seating area on the northwest side of the hotel with glass walls and doors; addition of a 144 square foot gazebo to the north side of the hotel. Variances are also requested as follows: A variance to eliminate 42 required off-street parking spaces at the front of the hotel for a six day period from October 16, 2013 to October 21, 2013 for a 13,200 square foot tent to accommodate a conference meeting; a variance to allow an existing 144 square foot gazebo on the north side of the hotel to remain that will result in a lot coverage of 29.2% in lieu of the 28.1% existing and 22% maximum allowed; a variance to allow an existing 144 square foot gazebo on the north side of the hotel to remain that will result in a landscaped open space of 24.2% in lieu of the 24.4% existing and the 35% minimum required. [Attorney: Maura Ziska]

ACTION: APPLICANT WITHDREW THE REQUEST FOR TEMPORARY VARIANCE FOR OFF-STREET PARKING

FOR A CONFERENCE MEETING.

ACTION: APPROVED THOSE SPECIAL EXCEPTIONS RELATED TO MODIFICATION OF THE BASEMENT HOUSEKEEPING AREA FOR REMOVAL OF THE INTERIOR WALLS AND THE LAUNDRY ROOM, THE CREATION OF A DOORWAY, THE ENCLOSURE OF AN OUTDOOR SEATING AREA IN THE NORTHWEST SIDE OF THE HOTEL W/ GLASS DOORS, AND THE ADDITION OF THE 144 SQ FT GAZEBO TO THE NORTH SIDE OF THE HOTEL.

ACTION: DEFERRED TO THE AUGUST 14, 2013, TOWN COUNCIL MEETING THE SPECIAL EXCEPTION RELATED TO AN ADDITIONAL EXHAUST TO THE SOUTH LAUNDRY ROOM EXTERIOR GROUNDS TO GIVE THE APPLICANT AN OPPORTUNITY TO CURE THE MATTERS RAISED IN A WAY THAT MIGHT BE MORE COMPATIBLE OR ACCEPTABLE TO THE NEIGHBORS.

ACTION: APPROVED THE VARIANCES RELATED TO THE ADDITION OF THE 144 SQ FT GAZEBO TO THE NORTH SIDE OF THE HOTEL.

ACTION: DEFERRED TO THE AUGUST 14, 2013, TOWN COUNCIL MEETING THE RELOCATION OF THE SPA TO THE BASEMENT AND THE MEETING CONFERENCE AREA TO WHERE THE EXISTING SPA AND ENCLOSED AREA EXISTS.

- c. SPECIAL EXCEPTION #12-2013 The application of John Ceriale; relative to property commonly known as **230 South Ocean Blvd.**; described as Lot numbered 826, Poinciana Park Third Addition, Plat Book 8, Page 72; located in the BA Zoning District. The applicant is requesting Special Exception approval to construct a 350 square foot cabana on the subject property. The property will meet ocean vista requirements and will provide the necessary Unity of Title Agreement. [Agent: Jose Gonzalez]

ACTION: APPROVED

- d. SPECIAL EXCEPTION #13-2013 The application of Buccan; relative to property commonly known as **350 South County Road.**; described as Lots 11 through 17, Block 7, of REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA according to the Plat thereof recorded in Plat Book 4, Page 1, of the Public Records of Palm Beach County, Florida; located in the C-TS Zoning District. The applicant is requesting a modification to the previously approved Special Exception use for

the restaurant Buccan to allow the following services: Curbside pick-up of take-out orders (allow restaurant employee to take order out to the customers car temporarily parked at the valet stand); cater private parties off-site; delivery; use “Imoto at Buccan” in the advertising materials. [Attorney: Maura Ziska]

ACTION: APPROVED THE SPECIAL EXCEPTION USES FOR OFF-SITE CATERING, DELIVERY, AND THE USE OF “IMOTO AT BUCCAN” IN THEIR ADVERTISING MATERIALS, SUBJECT TO THE CONDITION THAT THE APPLICANT COME BACK BEFORE THE TOWN COUNCIL AT THE APRIL 9, 2014, TOWN COUNCIL MEETING, OR SOONER IF THERE ARE COMPLAINTS, FOR A REVIEW OF THEIR OPERATIONS.

ACTION: DENIED THE SPECIAL EXCEPTION REQUEST FOR CURBSIDE PICK-UP.

- e. MODIFIED VARIANCE #19-2013 The application of John and Hinda Snyder; relative to property commonly known as **130 Cocoanut Row**; described as lengthy legal description on file; located in the R-B Zoning District. The applicant is requesting approval for variances to construct a 350 square foot two-story addition (one-story with a roof terrace balcony) to expand the family room on the west side of the residence with a 8 foot north side yard setback in lieu of the 15 foot minimum required; and, to construct a 164 square foot second story addition to add a guest bedroom on the south side of the existing residence that will have a 5 foot south side yard setback in lieu of the 15 foot minimum required in the R-B Zoning District. [Attorney: Maura Ziska]

ACTION: APPROVED, SUBJECT TO THE CONDITION THAT A DEED RESTRICTION ACCEPTABLE TO THE TOWN BE RECORDED FOR THE MAINTENANCE OF THE HEDGES AT THE EXISTING HEIGHT ON THE NORTH AND WEST SIDES OF THE PROPERTY.

- f. MODIFIED VARIANCE #23-2013 The application of Robert S. Cuillo; relative to property commonly known as **1260 North Lake Way**; described as lengthy legal description on file; located in the R-B Zoning District. The applicant is requesting approval for a variance to construct an addition on to the existing garage and add a second floor over the garage which requires the following variances: a north side yard setback of 12.6 feet in lieu of the 15 foot minimum required; an increase of the maximum lot coverage to 36.5% in lieu of the 30% maximum allowed from the 34.9% existing, an increase in the maximum existing cubic content ratio from 3.82 to 4.21 in lieu of the 3.9 maximum allowed. [Attorney: Joel P. Koeppe]

Deferred from the June 12, 2013, Town Council Meeting

[ARCOM Recommendation: Implementation of the proposed variances will not cause negative architectural impacts to the subject property. Carried 7-0]

ACTION: APPROVED

- g. VARIANCE #24-2013 The application of Paul Simonson, 550 South Ocean Blvd., LLC; relative to property commonly known as **550 South Ocean Blvd.**; described as lengthy legal description on file; located in the R-A Zoning District. The applicant is requesting a variance to construct a 1,398 square foot two-story guest house/garage addition that would have a 14.8 foot front yard setback in lieu of the 35 foot minimum required. [Attorney: Maura Ziska]
[Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impacts to the subject property with the proviso that the addition be setback 3 additional feet. Carried 6-1]

ACTION: APPROVED, WITH A 17.8' FRONT YARD SETBACK

- h. VARIANCE #25-2013 The application of Archdiocese of Palm Beach County, Bishop Gerald Barbarito, Diocese of Palm Beach; relative to property commonly known as **142 North County Road**; described as lengthy legal description on file; located in the C-TS Zoning District. The applicant is requesting a variance to replace the existing "St. Edwards" church sign with a new sign that will be 13.5 square feet in lieu of the 6 foot maximum square footage allowed for an institutional sign. [Attorney: Maura Ziska]

ACTION: APPROVED

- i. VARIANCE #26-2013 The application of Gary L. and Terri L. Schottenstein; relative to property commonly known as **270 El Bravo Way**; described as Lot 14 and the West 76.72 feet of Lot 1 of SUPPLEMENTARY PLAT OF EL BRAVO PARK, according to the Plat thereof as recorded in the Plat Book 9, page 9, Public Records of Palm Beach County, Florida; located in the R-A Zoning District. The applicant is proposing to construct a new 15,011 square foot, two-story residence that will require the following variances: (1) to allow a point of measurement of 8 feet National Geodetical Vertical Datum mean seal level (NGVD) for height in lieu of the 7.5 foot NGVD maximum allowed for lots abutting low streets; (2) for building height plane setback of 35 feet in lieu of the 42 foot minimum required for the architectural features above the parapet roof and one-story garage; and (3) to allow a parapet on a pitched roof house with an overall height of

35 feet in lieu of the 30 foot maximum allowed when using parapets. [Attorney: Maura Ziska]

Request for Deferral to the August 14, 2013, Town Council Meeting Per Letter Dated June 27, 2013, from Maura A. Ziska.

ACTION: DEFERRED TO THE AUGUST 14, 2013, TOWN COUNCIL MEETING

- j. VARIANCE #27-2013 The application of Virginia Dominicis LLC; relative to property commonly known as **230 South County Road, Suite D**; described as Lots 754, 756, 758, 760 and 764, LESS the Easterly 15 feet of Lot 764, POINCIANA PARD 3rd ADDITION, according to the Plat thereof as recorded in Plat Book 8, Page 72, of the Public Records of Palm Beach County, Florida; located in the C-TS Zoning District. The applicant is requesting a variance to allow a 1,170 square foot interior design firm (Virginia Dominicis LLC) to open on the second floor of a building in the C-TS Zoning district without the required two additional parking spaces that are required under the principle of equivalency for converting a use from residential (requiring two parking spaces) to office (requiring four parking spaces based on 1/250 square feet). [Attorney: Maura Ziska]

ACTION: APPROVED, SUBJECT TO THE CONDITION THAT THE BUSINESS NATURE (INTERIOR DESIGN) REMAIN THE SAME.

- k. VARIANCE #28-2013 The application of Jeffrey and Lee Alderton; relative to property commonly known as **2283 Ibis Isle Road**; described as Lot 25, IBIS ISLE, according to the Plat thereof as recorded in Plat Book 24, Page 84, Public Records of Palm Beach County, Florida; located in the R-B Zoning District. The applicant is proposing to build a swimming pool on the west side of his property requiring a variance to allow for a 10 foot setback in lieu of the 15 foot minimum required in the R-B Zoning District. [Attorney: John L. McDonald]

ACTION: APPROVED

C. Other

1. Declaration of Use Agreement Relative to a 16 Slip T-Shaped Dock at the Oasis Condominium, 3120 South Ocean Boulevard. [John Page, Director of Planning, Zoning, and Building]

ACTION: APPROVED

VIII. ANY OTHER MATTERS

IX. ADJOURNMENT