TOWN OF PALM BEACH

Office of the Town Clerk

REGULAR MINUTES OF THE TOWN COUNCIL MEETING HELD ON WEDNESDAY, JUNE 13, 2012

I. CALL TO ORDER AND ROLL CALL

The Regular Town Council meeting was called to order on Wednesday, June 13, 2012, at 9:30 a.m. in the Town Council Chambers. On roll call, all of the elected officials were found to be present, with the exception of Council President Rosow and Council Member Pucillo.

II. INVOCATION AND PLEDGE OF ALLEGIANCE – None

III. COMMENTS OF MAYOR GAIL L. CONIGLIO – None

IV. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER – None

V. COMMUNICATIONS FROM CITIZENS – None

VI. APPROVAL OF AGENDA

Council President Pro Tem Wildrick requested a deferral of the entire Agenda to be considered one week from today, Wednesday, June 20, 2012, beginning at 9:30 a.m., in the Town Council Chambers.

Motion was made by Council Member Diamond, and seconded by Council Member Kleid, to approve deferral of the entire Agenda to June 20, 2012, beginning at 9:30 a.m., in the Town Council Chambers. On call for a vote, the motion carried 3-0, with Council President Rosow and Council Member Pucillo absent.

VII. DEVELOPMENT REVIEWS

A. Appeals – None

B. Time Extensions & Waivers – None

C. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business – None

2. New Business

a. SPECIAL EXCEPTION #6-2012 The application of Rabbi Zalman Levitin, President, The Chabad House Northern Palm Beach Island; relative to property commonly known as **361 South County Road**, Via Rosa; Royal Park Addition Lots 6 & 7, Block 8; located in the C-TS Zoning District. The applicant requests a special exception to allow a 1,962 square feet synagogue containing 40 seats and normal accessory uses such as religious study groups and a child day care facility.
[Attorney: Brian M. Seymour] - ***Deferred to June 20, 2012.***

b. VARIANCE #18-2012 The application of Hibiscus Avenue LLC; relative to property commonly known as **358 Hibiscus Avenue**; described as The South 55 feet of Lots 25, 26, 27, and 28, Block 6, Revised Map of Royal Park Addition to Palm Beach, Florida, according to the Plat thereof, on file in the office of the Clerk of the Circuit Court in and for Palm Beach County, recorded in Plat Book 4, Page 1; located in the R-C Zoning District. The applicant requests a variance to allow the rear yard setback for a swimming pool to be 5 feet in lieu of the 10 foot minimum required. [Attorney: Maura A. Ziska] - ***Deferred to June 20, 2012.***

c. VARIANCE #19-2012 The application of Terry J. Levine and Beth Levine; relative to property commonly known as **2250 Ibis Isle Road**; described as Lot 30, IBIS ISLE, according to the Plat thereof, as recorded in Plat Book 24, Page 84, of the Public Records of Palm Beach County, Florida; located in the R-B Zoning District. The applicant requests variances to allow construction of a two car garage addition with a 9.2 foot north side yard setback in lieu of the 12.5 foot minimum required and to allow construction of a garage addition that will have an angle of vision of 120 degrees in lieu of the 108 degrees maximum allowed in the R-B Zoning District. [Attorney: Maura A. Ziska]
Request for Withdrawal Per Letter Dated May 31, 2012, From Maura A. Ziska. - *Deferred to June 20, 2012.*

d. VARIANCE #20-2012 The application of Peter T. Grauer and Laurie M. Grauer; relative to property commonly known as **201 El Bravo Way**; described as Lot 7, plus the East 6.14 feet of Lot 8, Supplementary Plat of El Bravo Park, according to the Plat thereof, as recorded in Plat Book 9, Page 9, Public Records of Palm Beach County, Florida; located in the R-A Zoning District. The applicant is requesting to construct a 384 square foot loggia addition to the

west side of their house. Variances are requested to allow a side yard setback of 7 feet in lieu of the 15 foot minimum setback required and lot coverage of 30% in lieu of the 28% existing and the 25% maximum allowed in the R-A Zoning District. [Attorney: Maura A. Ziska]
[Landmarks Commission Recommendation: Implementation of the proposed variance will cause negative architectural impacts to the subject landmark property. Carried 7-0.]
Request for Deferral to the August 15, 2012, Town Council Meeting Per Undated Letter Received May 8, 2012, From Maura A. Ziska. - ***Deferred to June 20, 2012.***

e. VARIANCE #21-2012 The application of Mary M. Ourisman; relative to property commonly known as **300 Regents Park Road**; described as Lot 2, REGENTS PARK, according to the Plat thereof, as recorded in Plat Book 25, Page 215, of the Public Records of Palm Beach County, Florida; located in the R-AA Zoning District. The applicant is proposing additions to the existing non-conforming house. Variances requested are: 1. Addition of a 962 square foot loggia on the west side of the residence that will have a 6.16 foot north rear yard setback in lieu of the 15 foot minimum setback required; 6.16 foot south front yard setback in lieu of the 35 foot minimum setback required; a building height plane south setback of 6.16 feet in lieu of the 42 foot minimum required for chimney and the 24.25 minimum required for the top of loggia parapet. 2. Addition of two pool pavilions that are each 160 square feet in area with a 10 foot north rear setback in lieu of the 15 foot minimum setback required; 10.3 foot south side yard setback in the lieu of the 30 foot minimum setback required. 3. Addition of a front entry pediment with a south front yard setback/building height plane setback of 9.66 feet in lieu of the 40.58 foot minimum required and 32.5 feet existing. 4. Addition of balustrade on the south side of the roof with a front yard setback/building height plane setback of 11.33 feet in lieu of the 34.25 foot minimum required and 29.1 feet existing. 5. Allow the proposed additions with a landscaped open space of 48% in lieu of the 47% existing and 55% minimum required, and, 6. Allow the proposed additions with a lot coverage of 32% in lieu of the 26% existing and the 25% maximum allowed in the R-AA Zoning District. [Attorney: Maura A. Ziska]
[ARCOM Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 7-0.] - ***Deferred to June 20, 2012.***

f. VARIANCE #22-2012 The application of 456 WA, LLC (Larry Keller, Manager); relative to property commonly known as **456**

Worth Avenue; described as lengthy legal description on file; located in the R-B Zoning District. The applicant is requesting a variance to demolish and rebuild the perimeter walls of a landmarked two story residence which will result in the demolition of more than 50% of the cubic footage of the residence which is not allowed. [Attorney: Maura A. Ziska]
[Landmarks Commission Recommendation: Pending June 13, 2012 meeting.] - ***Deferred to June 20, 2012.***

g. SITE PLAN REVIEW #5-2012 WITH SPECIAL EXCEPTION AND VARIANCES The application John O. Pickett and Robin R. Pickett; relative to property commonly known as **425 Worth Avenue, PH-A**; described as lengthy legal description on file; located in the R-D(2) Zoning District. The applicant requests a site plan review modification and special exception with variances to allow a 188 square foot awning extension to the west side of the existing awning and a 25 square foot addition to the north side of the unit on the penthouse level of a seven story building. Variances are requested to allow the awning extension and addition at a height of 63.25 feet in lieu of the 60 feet maximum allowed; the awning extension and addition on the existing seventh floor penthouse of a seven story building in lieu of the five story building maximum allowed; the awning extension with a front yard setback of 21.9 feet in lieu of the 126 foot minimum required for a multi-family building; the awning extension to have a west side yard setback of 37.7 feet in lieu of the 65 foot minimum required for a multi-family building; the proposed addition to have a west side yard setback of 78.7 feet in lieu of the 65 foot minimum required for a multi-family building; the proposed addition a north side yard setback of 34.7 feet in lieu of the 126 foot minimum required for a multi-family building in the R-D(2) Zoning District. [Attorney: Maura A. Ziska]
[ARCOM Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 7-0.] - ***Deferred to June 20, 2012.***

h. SPECIAL EXCEPTION #5-2012 WITH SITE PLAN REVIEW The application of Noreen S. Dreyer, Esq. for JP Morgan Chase Bank, NA; relative to property commonly known as **411 South County Road**; lengthy legal description on file; located in the C-TS/C-WA Zoning Districts. The applicant requests a special exception to allow a new bank tenant in the C-TS Zoning District to occupy an existing bank building with greater than 3,000 square feet of gross leasable area, with an ATM in the same location, which requires a finding that the bank is town-serving. The existing and proposed gross leasable area is 9,431 square feet.

There will be no material changes to the building or site plan except for interior changes as shown on the proposed floor plans and a change in the color of the awnings from red to blue. A special exception is requested to utilize the existing drive-in service facility consisting of two drive-through lanes and one by-pass lane as a result of a change in tenant utilizing the existing drive-in service facility for the same use in the C-WA Zoning District. [Attorney: Noreen S. Dreyer] - ***Deferred to June 20, 2012.***

D. Other

1. Consideration of Terms and Conditions of the Proposed Declaration of Use Agreement for Pizza Al Fresco, Special Exception No. 4-2012 With Variances. - ***Deferred to June 20, 2012.***

VIII. ANY OTHER MATTERS – None

IX. ADJOURNMENT

There being no further business, the June 13, 2012, regular Town Council meeting was adjourned at 9:32 a.m.

APPROVED:

Robert N. Wildrick
Town Council President Pro Tem

ATTEST:

Susan A. Owens, MMC
Town Clerk

7/11/12
Date