



TOWN OF PALM BEACH

Planning, Zoning & Building Department

SUMMARY OF ACTIONS TAKEN AT THE DEVELOPMENT REVIEW TOWN COUNCIL MEETING HELD ON WEDNESDAY, MARCH 11, 2020

- 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
- V. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE
- VI. APPROVAL OF AGENDA

ACTION: APPROVED AS AMENDED

VII. ORDINANCES AND RESOLUTIONS

- 1A. **Ordinance No. 07-2020** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 66 Of The Town Code Of Ordinances Related To Natural Resource Protection At Article IV, Vegetation, Division 5, Regulations, Section 66-311, Prohibited Plants, So As To Prohibit, In Addition To Ficus Benjamina, Ficus Nitida; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Jay Boodheshwar, Deputy Town Manager

ACTION: APPROVED

- A. **Resolution No. 09-2020** 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."

ACTION: APPROVED

- B. **Resolution No. 10-2020** A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As 215 El Bravo Way Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach.

ACTION: APPROVED

- C. **Resolution No. 11-2020** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting Revised Fees Related to the Planning, Zoning & Building Department

ACTION: APPROVED

VIII. DEVELOPMENT REVIEWS

A. 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] Request For Deferral To The April 15, 2020 Meeting Per Letter From James M. Crowley.

ACTION: DEFERRED TO THE APRIL 15, 2020 MEETING

2. New Business

- a. **Z-19-00238 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of Mr. & Mrs. Kenneth Endelson, Applicant, relative to property located at **137 DUNBAR RD**, legal description on file, is described below. Section 134-2(b) - A request to build a 7,873 square foot (under air) two (2) story single family home with a variance to allow the point of measurement for calculating the maximum cubic content ratio (CCR) to be at 12.7' NAVD in lieu of 11.7' NAVD required by code. [Applicant's Representative: Francis X. J. Lynch] [Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject property. Carried 7-0.] [The Architectural Review Commission approved the project as presented. Carried 6-1]

ACTION: APPROVED WITH CONDITION RELATED TO UTILITY EASEMENT

- b. **Z-20-00239 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of Ellen G. Breed, Applicant, relative to property located at **315 SEABREEZE AVE**, legal description on file, is described below. Renovation of existing two-story guest house and second-story addition with the following variance requests: (1) 134-893(7): Request for a variance to allow a rear yard setback of 5 feet in lieu of the minimum 15-foot setback required in order to enclose the second floor existing balcony. (2) 134-893(9): Request for a variance to allow a west side yard second story setback of 2.2 feet in lieu of the 15-foot minimum setback required In order to enclose the second story balcony. (3) 134-893(13): Request for a variance to allow a cubic content ratio (CCR) of 5.94 in lieu of the 4.37 CCR allowed and 5.65 CCR existing. (4) 134-891(b)(1): Request for a variance to allow a second story addition on a nonconforming two-story accessory building/guest house with a proposed building height of 18.5 feet to the top of the roof in lieu of the one-story, 15 foot maximum allowed on a lot that Is under 20,000 square feet. [Applicant's Representative: Maura Ziska Esq]

ACTION: APPROVED WITH CONDITION RELATED TO UTILITY EASEMENT

- c. **Z-20-00240 SPECIAL EXCEPTION WITH SITE PLAN REVIEW** Zoning District: R-A Estate Residential The application of Everglades Club, Inc. (Applicant), relative to property located at **500 S COUNTY RD**, legal description on file, is described below. Section 134-840(5): A request for special exception with site plan review to allow the modification of the existing Golf Cart Storage Area which includes replacing the existing 2,671.62 square foot metal golf cart roof with a 4,321.26 square foot metal golf cart roof with storage to cover the entire cart storage area and also includes the removal of an existing gate and infilling the opening with masonry construction to match existing. [Applicant's Representative: Maura Ziska Esq]

ACTION: APPROVED

- d. **Z- 20-00241 VARIANCE(S)** Zoning District: R-A Estate Residential The application of Francesco Galesi, as Trustee of the Francesco Galesi Revocable Trust, Applicant, relative to property located at **19 GOLFVIEW RD**, legal description on file, is described below. Applicant requests a variance to permit installation of a 60kw generator with a street side yard setback of 8.4 feet in lieu of 35 foot minimum required. [Applicant's Representative: Tim Hanlon Esq] [Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject landmarked property. Carried 7-0] [The Landmarks Preservation Commission approved the project as

presented. Carried 7-0.]

ACTION: APPROVED WITH CONDITION RELATED TO UTILITY EASEMENT

- e. **Z- 20-00242 VARIANCE(S)** Zoning District: C-TS Town-Serving Commercial The application of Sotheby's International Realty, Inc., Applicant, relative to property located at **317 PERUVIAN AVE, SUITE: 101**, legal description on file, is described below. Sec. 134-1109(18) - A variance to allow a 300 sq. ft. office use (real estate brokerage office) on the first floor where not permitted in this situation as the applicant does not meet the criteria allowing office use on the first floor in the C-TS zoning district. [Applicant's Representative: Peter Broberg Esq]

ACTION: APPROVED WITH CONDITION RELATED TO UTILITY EASEMENT

IX. ANY OTHER MATTERS

- A. Bradley Park Hotel, 280 Sunset Avenue - Courtyard Opening

ACTION: STAFF DIRECTED TO DENY ANY OUTDOOR SEATING PRIOR TO OBTAINING A CERTIFICATE OF OCCUPANCY

- B. Discussion on the Makeup of ARCOM Commission Architects and ARCOM/LPC Staff Approvals

ACTION: STAFF DIRECTED TO MAKE NO CHANGE TO THE ORDINANCE REGARDING ARCOM COMMISSION MEMBERS, TO BRING FORWARD AN ORDINANCE LIMITING THE TERM OF THE LANDMARKS PRESERVATION COMMISSION NON-RESIDENT EXPERT TO THE SAME TERM LIMITS AS A REGULAR MEMBER, TO ADD DISCUSSION REGARDING NUMBER OF MEMBERS ON A COMMISSION ON APRIL 15, 2020 AGENDA

- C. Review of Eleven Code Reform Topics

ACTION: STAFF DIRECTED TO MOVE FORWARD WITH A RFP TO FIND A CONSULTANT TO ASSIST WITH CODE REFORM ISSUES, TO BEGIN WORKING ON THE FEMA ISSUE AND TO RETURN TO THE TOWN COUNCIL WITH MONTHLY UPDATES.

X. ADJOURNMENT