



TOWN OF PALM BEACH

Summary of the Actions Taken at the Development Review Town Council Meeting Held on March 09, 2022

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. COMMENTS OF MAYOR DANIELLE H. MOORE
- IV. COMMENTS OF TOWN COUNCIL MEMBERS
- V. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE
- VI. APPROVAL OF AGENDA
ACTION: AGENDA APPROVED AS AMENDED
- VII. NEW BUSINESS
 1. Presentations by the Applicants and Appointments to the Landmarks Preservation Commission (Carried over from March 8, 2022 Town Council Meeting)
Pat Gayle-Gordon, Acting Town Clerk
ACTION: THREE (3) REGULAR MEMBERS APPOINTED: SUE PATTERSON, JACQUELINE ALBARRAN (NON-RESIDENT EXPERT IN HISTORIC PRESERVATION) AND BRIDGET MORAN; TWO (2) ALTERNATE MEMBERS APPOINTED: ANNE METZGER AND JULIE HERZIG DESINICK
- VIII. DISCUSSION ITEMS
 1. Consider New and Updated PZB Brochures for Prospective Home

Buyers, Architects, Realtors and Contractors

Julie Araskog, Town Council Member

ACTION: CONSENSUS OF TOWN COUNCIL TO ACCEPT BROCHURES

2. Outdoor Furniture Approval and ARCOM's Role in this Review

ACTION: CONSENSUS OF TOWN COUNCIL WAS STAFF WILL REVIEW OUTDOOR FURNITURE

3. Discussion on Landscaped Open Space

ACTION: NONE

IX. RESOLUTIONS

- A. RESOLUTION NO. 031-2022 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 4 Ocean Lane 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

- B. RESOLUTION NO. 032-2022 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 357 Crescent Drive 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

X. DEVELOPMENT REVIEWS

A. Appeals

1. ARCOM APPEAL OF B-065-2021 7 OCEAN LANE
ACTION: APPEAL GRANTED WITH THE DIRECTION THAT THE PROJECT IS REMANDED BACK TO ARCOM FOR FURTHER CONSIDERATION.
2. ARCOM APPEAL OF ARC-22-035 726 HI MOUNT ROAD
Request for Deferral to the April 13, 2022 Meeting Per Email From Craig Distel, Esq.
ACTION: DEFERRED TO APRIL 13, 2022
3. LPC APPEAL OF 340 ROYAL POINCIANA WAY
ACTION: DENIED

B. Time Extensions and Waivers

1. Time Extension for 1460 N Lake Way
ACTION: GRANTED; EXTENDING PERMIT 28 DAYS THROUGH APRIL 8, 2022.
2. Time Extension for 231 Southland Road
ACTION: GRANTED
3. Waiver of Peak Season Construction Hours for 244 Worth Avenue
ACTION: WITHDRAWN ON FLOOR BY ATTORNEY FOR APPLICANT.
4. Time Extension for 288 Sandpiper Drive
ACTION: GRANTED; EXTENDING PERMIT AN ADDITIONAL 16 WEEKS

C. **Variances, Special Exceptions, and Site Plan Reviews**

1. **Old Business**

- a. **ZON-21-002 (ARC-21-038) 218 ROYAL PALM WAY (COMBO) —SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES** The applicant, 218 Holdings LLC (Susan Hudson, Manager), has filed an application requesting Town Council review and approval for Special Exception Request with Site Plan Review and including variances (1) to reduce the front setback for the third floor addition (2) to reduce the side (east) setback for the third floor addition, (3) to reduce side (east) setback for the new exterior egress stairs, (4) to reduce side (east) setback for a new generator, (5) to reduce the required parking (4 additional spaces required) and (6) to exceed the maximum height of a generator and screening wall in a required yard, in order to expand a third story of an existing three-story building to accommodate two new residential uses. The Architectural Commission will perform design review of the application. [Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried 4-3.] [The Architectural Review Commission approved the project with several architectural details to return to the March 23, 2022 meeting. Carried 4-3.]
ACTION: APPROVED WITH CONDITION RELATING TO UTILITY EASEMENT

- b. **ZON-21-006 (ARC-21-040) 164 SEASPRAY AVENUE (COMBO) SPECIAL EXCEPTION REQUEST WITH SITE PLAN REVIEW AND VARIANCES** The applicant, Hayati Banastey, has filed an application requesting Town Council review and approval for a Special Exception Request with Site Plan Review for the construction of new two story residence on 2 platted lots deficient in lot width and lot area, including the following variances (1) a variance to reduce the required side (east) yard setback to 10 ft in lieu of 15 feet required for 2 story structure; (2) a variance to reduce the required side (west) yard setback to 10 ft in lieu of 12.5 feet required for the 1 story portion; (3) a variance to reduce the required side (west) yard setback to 10 feet in lieu of 15 feet required for the 2 story portion. [Architectural Review Commission deferred the

project to the March 23, 2022 meeting. Carried 6-1.] Staff Recommends a Deferral to the April 13, 2022 Meeting.

ACTION: DEFERRED TO APRIL 13, 2022

- c. **ZON-21-011 (ARC-21-050) 1090 SOUTH OCEAN BOULEVARD (COMBO) SPECIAL EXCEPTION REQUEST WITH SITE PLAN REVIEW** The applicant, 1090SOCEAN LLC (Brad McPherson), has filed an application requesting Town Council review and approval of a Special Exception Request with Site Plan Review to allow the construction of a new two-story residence on non-conforming portions of platted lots that is 135' in depth where 150' is required and 18,558 SF of lot areas where 20,000 SF is required in the R-A zoning district. [Architectural Review Commission approved the project with conditions relating to the architecture. Carried 7-0.]

ACTION: APPROVED

- d. **ZON-21-013 (ARC-21-044) 1800 SOUTH OCEAN BLVD (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW** The applicant, 1800 South Ocean LLC (Maura Ziska, Manager), has filed an application requesting Town Council review and approval for a Special Exception Request with Site Plan Review to install a padel court and generator over 100kW in power, in association with a new two-story residence. [Architectural Review Commission approved the project with conditions relating to the architecture. Carried 6-1.]

ACTION: APPROVED

- e. **ZON-21-018 (HSB-21-004) 245 BARTON AVE (COMBO) - VARIANCES** The applicant, Elizabeth Sorrel, has filed an application requesting Town Council review and approval for variances (1) to reduce the front (south) setback for a new entry addition, (2) to exceed the maximum allowable cubic content ratio 'CCR', and (3) to exceed the maximum allowable lot coverage, in order to construct a new 35 SF entry addition to a historically significant building. [The Landmarks Preservation Commission deferred the project to the March 16, 2022 meeting. Carried 7- 0 .] Staff Recommends a Deferral to the April 13, 2022 Meeting.

ACTION: DEFERRED TO APRIL 13, 2022

- f. **ZON-22-002 (ARC-21-093) 150 WORTH AVE, STE 234 (COMBO) - SPECIAL EXCEPTION WITH SITE PLAN REVIEW** The applicant, Cojimar Palm Beach (Joseph Hernandez and Charles Masson), has filed an application requesting Town Council review and approval for a Special Exception Request with Site Plan Review requesting outdoor seating (28 total seats) at the first (20 seats) level and second (8 seats) level of the two-story Esplanade retail building in

conjunction with a new restaurant (Cojimar) to occupy the second floor space of a prior restaurant. [Architectural Review Commission deferred the project to the February 23, 2022 meeting. Carried 6-1.] Requested Withdrawal per Email from Maura Ziska, Esq.

ACTION: WITHDRAWN

- g. **ZON-22-004 977 S OCEAN BLVD - VARIANCES** The applicant, 195 Pheston Associates Palm Beach LLC (Charles Holzer, Manager), has filed an application requesting Town Council review and approval for a variance to construct a new seawall 169'-7" in length directly adjacent but 2'-6" feet eastward of the existing seawall and partially east of the Town of Palm Beach's Bulkhead Line.
ACTION: APPROVED
- h. **ZON-22-013(ARC-22-009)215SEABREEZEAVE(COMBO) - VARIANCES** The applicant, Edward & Margot Mehm, has filed an application requesting Town Council review and approval for a variance to reduce the required side yard setback in order to construct a pergola in the required yard. The Architectural Commission will perform design review of the application. [Architectural Review Commission deferred the project to the March 23, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the April 13, 2022 Meeting.
ACTION: DEFERRED TO APRIL 13, 2022
- i. **ZON-22-019(ARC-22-033)200 OCEAN TERRACE (COMBO) - VARIANCES** The applicant, Mr. & Mrs. Timothy Davidson, has filed an application requesting Town Council review and approval for a variance to reduce the required street rear-yard setback for the construction of a new one-story guest house. The Architectural Commission will perform design review of the application. [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 with a condition relating to the landscaping. Carried 7-0.]
ACTION: APPROVED
- j. **ZON-22-034(ARC-22-027)127 EL BRAVO WAY (COMBO) — VARIANCES** The applicant, 127 El Bravo Trust (Guy Rabideau, Trustee), has filed an application requesting Town Council review and approval for a variance to exceed the maximum building height allowed in relation to new construction of single family residence. The Architectural Commission will perform design review of the application. [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 with a condition relating to the architecture. Carried 7-0.]

ACTION: APPROVED WITH CONDITION RELATING TO UTILITY EASEMENT

2. **New Business**

a. **ZON-21-003(ARC-21-039)380SOUTHCOUNTYROAD (COMBO)–SPECIAL EXCEPTIONW/SITE PLAN REVIEW & VARIANCES**

The applicant, 380 S County LLC (Phillip Norcross, Manager) has filed an application requesting Town Council review and approval for a Special Exception Request with Site Plan Review and including variances (1) to reduce the street side (south) setback for the proposed ground floor terrace addition, (2) to reduce required parking (by 36 number of spaces), and (3) to exceed the maximum height of rooftop mechanical equipment, (4) to forgo required off-street loading; in order to expand a lounge into a restaurant and increase second floor office use in an existing two-story building. The Architectural Commission will perform design review of the application. [Architectural Review Commission Recommendation: Implementation of the proposed variances will cause negative architectural impact to the subject property.

Motion carried 6-1.] [The Architectural Review Commission deferred the project to the March 23, 2022 meeting. Carried 7- 0.]

ACTION: DEFERRED TO APRIL 13, 2022

b. **ZON-22-017(ARC-22-032)1237NLAKE WAY(COMBO)- VARIANCES&SITEPLANREVIEW**

The applicant, Frank H. Pearl and Geryl T. Pearl, has filed an application requesting Town Council review of and approval of Site Plan Review for the construction of a new two-story residence on a lot with less width than required in the RB district, and including variances (1) to allow a two-story accessory structure on a lot less than 20,000SF in lot area, and (2) to exceed the point of measurement. ARCOM will perform design review of the application. [The Architectural Review Commission deferred the project to the April 27, 2022 Meeting. Carried 7-0.] Staff Recommends a Deferral to the May 11, 2022 Meeting.

ACTION: DEFERRED TO MAY 11, 2022

c. **ZON-22-018 (COA-22-003) 340 ROYAL POINCIANA WAY (COMBO) - VARIANCES AND SPECIAL EXCEPTION WITH SITE PLAN REVIEW**

The applicant, RPP Palm Beach Property LP (Samantha Perry David, President), has filed an application requesting Town Council review and approval for a Special Exception Request with Site Plan Review and including variances

(1) to reduce the required landscape open space, (2) and (3) to exceed the maximum building height for rooftop mechanical equipment and exhausts, (4) to exceed the

maximum overall building height for additions to a building, (5) to exceed the maximum length of a building, (6) a variance from Chapter 50 for the required floor elevation for the new ground floor additions on a landmarked building in order to renovate and expand with additions a landmarked playhouse structure, (7) to reduce the required drive aisle width, (8) to eliminate the required loading berth for new construction over 4,000 SF, (9) to eliminate 39 of the existing required parking spaces, and (10) and (11) to allow new parking spaces in the required side street setback and front setback, (12) to allow new and existing tandem parking, and (13) to exceed the maximum overall building height to retain the existing building when demolition of an elevation or roof for more than 50% occurs. Additionally, the applicant is requesting to amend the 1979 Development Agreement for the site. [Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject landmark property. Carried 7- 0.] [The Landmarks Preservation Commission approved the project as presented. Carried 7-0.]

ACTION: APPROVED WITH VARIANCE FIVE (5) WITHDRAWN BY APPLICANT AND WITH CONDITION THAT A NEW DECLARATION OF USE AGREEMENT REPLACE THE 1979 AGREEMENT WITH CONDITIONS OF APPROVAL AND RETURNS FOR REVIEW BY THE TOWN COUNCIL AT THE APRIL 13, 2022 MEETING.

- d. **ZON-22-024(ARC-22-028)1540SOCEANBLVD(COMBO) - SPECIAL EXCEPTION W/ SITE PLAN REVIEW & VARIANCES** The applicant, 1540SOcean LLC (Steven Kirsch, Managing Director), has filed an application requesting Town Council review and approval for Special Exception to modify an existing beach cabana structure and Special Exception with Site Plan Review and including variances for (1) and (2) to reduce required side setbacks for a new beach access tunnel, (3) to reduce the required ocean bulkhead line setback for a new beach access tunnel and (4) to exceed the maximum allowed lot coverage in relation to the construction of a new beach access tunnel. ARCOM will perform design review of the application. [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. Carried 5-2.]

ACTION: DEFERRED TO APRIL 13, 2022

- e. **ZON-22-025(ARC-22-037)247MIRAFLORES DR(COMBO) - VARIANCE(S)** The applicant, Laetitia Oppenheim, has filed an application requesting Town Council review of variances to allow the (1) height of a generator and (2) associated screening wall to exceed the maximum height allowed within

a required side-yard area. ARCOM will perform design review of the application. [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. Carried 7-0.]

ACTION: APPROVED WITH CONDITION RELATING TO UTILITY EASEMENT

- f. **ZON-22-027 (ARC-22-038) 225 INDIAN ROAD (COMBO) - VARIANCES** The applicant, White Oak, LLC, a Wyoming LLC, as Trustee for 225 Trust u/a/d 12/13/2019 (Dennis Walsh, Trust Officer), has filed an application requesting Town Council review of a variance for a loggia addition with staircase, to encroach into a required setback. ARCOM will perform design review of the application. [The Architectural Review Commission deferred the project to the March 23, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the April 13, 2022 Meeting.

ACTION: DEFERRED TO APRIL 13, 2022

- g. **ZON-22-032 (HSB-22-003) 594 NORTH COUNTY RD (COMBO) - VARIANCES** The applicant, George and Sandra Marucci, has filed an application requesting Town Council review and approval for variances to reduce both side yard setback requirements for one-story additions to a historically significant building and for a variance from Chapter 50 for the required floor elevation for the new ground floor addition on a historically significant building to construct a ground floor addition with a finished floor of 6.49' NAVD in lieu of the required 7' NAVD. [The Landmarks Preservation Commission deferred the project to the March 16, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the April 13, 2022 Meeting.

ACTION: DEFERRED TO APRIL 13, 2022

- h. **ZON-22-037 (ARC-22-040) 60-70 BLOSSOM WAY (COMBO) – SITE PLAN REVIEW** The applicant, Blossom Way Holdings LLC and Providencia Partners LLC (Maura Ziska, Authorized Representative), has filed an application requesting Town Council Site Plan Review as required for the installation of a generator with an output capacity over 100kW, in conjunction with the construction of a new single family residence. ARCOM will perform design review of the application. [The Architectural Review Commission deferred this project to the March 23, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the April 13, 2022 Meeting.

ACTION: DEFERRED TO APRIL 13, 2022

XI. ANY OTHER MATTERS

XII. ADJOURNMENT