



TOWN OF PALM BEACH

Town Clerk's Office

SUMMARY OF THE ACTIONS TAKEN AT THE REGULAR TOWN COUNCIL MEETING HELD ON WEDNESDAY, FEBRUARY 10, 2016

I. CALL TO ORDER AND ROLL CALL

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. RECOGNITIONS

IV. COMMENTS OF MAYOR GAIL L. CONIGLIO

ACTION: NONE

V. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

ACTION: NONE

VI. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

ACTION: NONE

VII. APPROVAL OF AGENDA

**ACTION: THE FOLLOWING ITEMS WERE DEFERRED TO THE MARCH 9,
2016, TOWN COUNCIL MEETING:**

- **IX.B.1.a., SITE PLAN REVIEW #8-2015 WITH VARIANCE**
- **IX.B.1.b., MODIFIED SPECIAL EXCEPTION #27-2015 WITH SITE PLAN REVIEW AND VARIANCES**
- **IX.B.1.c., SPECIAL EXCEPTION #33-2015 WITH SITE PLAN REVIEW AND VARIANCES**

ACTION: APPROVED, AS AMENDED ABOVE

VIII. RESOLUTIONS

- A. RESOLUTION NO. 26-2016 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 all or Portions of Property Known as 100 North County, 118 North County, and 207 Royal Poinciana Way, Meet 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.

John S. Page, Director of Planning, Zoning and Building

ACTION: APPROVED

IX. DEVELOPMENT REVIEWS

A. Time Extensions and Waivers

1. Request for Six Month Time Extension, Variance No. 31-2014, 230 Park Avenue
John S. Page, Director of Planning, Zoning and Building

ACTION: A NINE MONTH TIME EXTENSION WAS APPROVED

B. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

- a. SITE PLAN REVIEW #8-2015 WITH VARIANCE The application of 201 Debra Lane, LLC (Juan M. Naveja Diebold, Manager); relative to property commonly known as 201 Debra Ln., described as lengthy legal description on file; located in the R-B Zoning Districts. The Applicant seeks Site Plan approval to construct a 3,814 square foot two story home on a platted lot that is 98.55 feet deep in lieu of the 100 foot minimum required and 91.61 foot wide in lieu of the 100 foot minimum required. A variance is requested to permit installation of a pool in the street side yard with a setback of 6.25 feet in lieu of the 15 foot minimum required. [Attorney: M. Timothy Hanlon] [Architectural Commission Recommendation: Deferred the project to the February 24, 2016 meeting. Carried 7-0]

Deferred from the December 9, 2015, and January 13, 2016, Town Council Meetings

Request for Deferral to the March 9, 2016, Town Council Meeting Per Letter Dated January 29, 2016, from M. Timothy Hanlon.

John S. Page, Director of Planning, Zoning & Building

ACTION: DEFERRED TO THE MARCH 9, 2016, MEETING

- b. MODIFIED SPECIAL EXCEPTION #27-2015 WITH SITE PLAN REVIEW AND VARIANCES The application of Il Sogno, LLC; relative to property commonly known as 1520 S. Ocean Blvd., described as lengthy legal description on file; located in the R-A/B-A Zoning Districts. Consideration of proposed Construction Management Agreement related to the conditional approval of a portion of the subject application. [Attorney: Francis X. J. Lynch] Request for Deferral to the March 9, 2016, Town Council Meeting Per Letter Dated January 29, 2016, from Francis X.J. Lynch.

John S. Page, Director of Planning, Zoning & Building

ACTION: DEFERRED TO THE MARCH 9, 2016, MEETING

- c. SPECIAL EXCEPTION #33-2015 WITH SITE PLAN REVIEW AND VARIANCES The application of Robert and Denise Benedickson;

relative to property commonly known as 222 Seaspray Ave., described as lengthy legal description on file; located in the R-B Zoning District. The Applicant is requesting a Special Exception with Site Plan Review approval to demolish an existing 2,444 square foot residence with a 800 square foot garage and build it back in the same location with a proposed total square footage of 3,802 on a non-conforming platted lot which is 50 feet in width in lieu of the 100 foot minimum required and 6,125 square feet in area in lieu of the 10,000 minimum required in the R-B Zoning District. The following variances are being requested: to allow a west side yard setback of 11.33 feet in lieu of the 12.5 foot minimum required in the R-B Zoning District for a one story section of the house; to allow a west side yard setback of 8.33 feet in lieu of the 12.5 foot minimum required for the proposed covered entry for the front door; to allow an east side yard setback of 9.67 feet in lieu of the 15 foot minimum required for the proposed second story of the house; and to allow a lot coverage to be 31% in lieu of the 30% maximum allowed; to allow a cubic content ratio to be 6.11 in lieu of the 4.38 maximum allowed. [Attorney: Maura Ziska, Esq.] [Architectural Commission Recommendation: Deferred the project to the January 27th meeting. Carried 7-0]

Request for Deferral to the March 9, 2016, Town Council Meeting Per Letter Dated January 22, 2016, from Maura A. Ziska.

John S. Page, Director of Planning, Zoning & Building

ACTION: DEFERRED TO THE MARCH 9, 2016, MEETING

2. New Business

- a. SPECIAL EXCEPTION #04-2016 WITH SITE PLAN REVIEW The application of Denis P. Coleman and Annabelle G. Coleman; relative to property commonly known as 608 Island Dr., described as lengthy legal description on file; located in the R-B Zoning District. The Applicant is requesting a Special Exception with Site Plan Review to allow the construction of a 7,815 sq. ft. two-story single family residence on a portion of a platted lot which is 95 feet in width in lieu of the 100 foot minimum required in the R-B Zoning District. [Attorney: Maura Ziska, Esq.]

John S. Page, Director of Planning, Zoning & Building

ACTION: DEFERRED TO THE MARCH 9, 2016, TOWN COUNCIL MEETING IN ORDER TO REFER THE ITEM TO THE ARCHITECTURAL COMMISSION FOR THEIR REVIEW

X. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 31-2015 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 134, Zoning; Article I, In General; Section 134-2,

Definitions And Rules Of Construction, So As To Amend The Definitions Of *Sign Institutional, Sign Menu And Sign Official Traffic*; Further Amending Chapter 134, At Article XI, Signs, So As To Amend And Restate Article XI In Its Entirety As Set Forth In Exhibit “A” Attached Hereto; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

John S. Page, Director of Planning, Zoning and Building

ACTION: ADOPTED

XI. ANY OTHER MATTERS

A. Planning and Zoning Commission Record and Report: Proposed Modifications and Changes to Chapter 134, Zoning

John S. Page, Director of Planning, Zoning and Building

- Study Item #1: Eliminate the requirement for Council approval of new homes on nonconforming lots unless there are variances required

ACTION: DIRECTED STAFF TO PREPARE AN AMENDMENT REQUIRING SUCH ITEMS TO OBTAIN ARCHITECTURAL COMMISSION APPROVAL PRIOR TO COMING BEFORE THE TOWN COUNCIL

- Study Item #2: Provide more coverage for solar panels on roofs if panels cannot be seen

ACTION: APPROVED THE COMMISSION’S RECOMMENDATIONS

- Study Item #3: Clarify that “masonry” walls are required around generators in required setbacks and review generator “siting” requirements

ACTION: APPROVED THE COMMISSION’S RECOMMENDATIONS

- Study Item #4: Modify the nonconforming building/structure provisions, and related code sections, to clarify that vacant property cannot be divided from abutting land in the same ownership when a property split would create or increase nonconformities to a building or structure

ACTION: APPROVED THE COMMISSION’S RECOMMENDATIONS

- Study Item #5: Modify the 50% cubic footage demolition provision to include clarifying language that demolition which cumulatively exceeds 50% has to meet all Code provisions

ACTION: APPROVED THE COMMISSION’S RECOMMENDATIONS

- Study Item #6: Review sign lighting requirements to specify when lighting may be allowed and when prohibited, including necessary approval process

ACTION: APPROVED THE COMMISSION’S RECOMMENDATIONS

- Study Item #7: Review varying side yard setback requirements on smaller lots (especially in mid-town and R-C District neighborhoods) for consistency and appropriateness

ACTION: REFERRED BACK TO THE COMMISSION FOR FURTHER REVIEW, INCLUDING CONSIDERATION OF THE PRESERVATION FOUNDATION'S REPORT AND THE TOWN COUNCIL'S COMMENTS ON THIS ITEM

- Study Item #11: Review swimming pool setbacks to determine if changes should be recommended

ACTION: APPROVED THE COMMISSION'S RECOMMENDATIONS

- Study Item #12: Review possible changes that would allow parapets as architectural features on homes with pitched roofs, and related building height calculations

ACTION: APPROVED THE COMMISSION'S RECOMMENDATIONS

ACTION: CONSIDERATION OF REMOVING ONSTREET PARKING FEES FROM THE TOWN CODE AND ALLOWING THEM TO BE ADOPTED BY RESOLUTION WAS ADDED TO THE COMMISSION'S STUDY ITEM LIST

- B. Receive and consider the Receiver's Initial Report, prepared by Palm House Court-appointed Receiver Cary Glickstein for the Circuit Court of the 15th Judicial Circuit, in and for Palm Beach County, Florida.

John S. Page, Director of Planning, Zoning and Building

ACTION: NONE

XII. ADJOURNMENT