



TOWN OF PALM BEACH

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

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. APPROVAL OF AGENDA
ACTION: AGENDA APPROVED AS AMENDED
- IV. COMMENTS OF MAYOR DANIELLE H. MOORE
- V. COMMENTS OF TOWN COUNCIL MEMBERS
- VI. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE
- VII. NEW BUSINESS
 - A. Review of a Stop Work Order Due to the Three-Strike Rule at 346 Seaspray Avenue
ACTION: STOP WORK ORDER SHALL BE LIFTED CONTINGENT ON THE PAYMENT OF ALL OUTSTANDING FINES.
 - B. Review of a Stop Work Order Due to the Three-Strike Rule at 726 Hi-Mount Road
ACTION: STOP WORK ORDER SHALL BE LIFTED CONTINGENT ON THE PAYMENT OF ALL OUTSTANDING FINES.
- VIII. PRESENTATIONS
 - A. Presentation on CCR and FAR
ACTION: NONE

- B. Consider New and Updated PZB Brochures for Prospective Home Buyers, Architects, Realtors and Contractors

Julie Araskog, Town Council Member

ACTION: DEFERRED TO MARCH 9, 2022

IX. RESOLUTIONS

- A. RESOLUTION NO. 016-2022 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 250 Algoma Road 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. 017-2022 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 266 Atlantic Ave 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. **Variances, Special Exceptions, and Site Plan Reviews**

1. **Old Business**

- a. **Z-20-00318** Consideration of an Application of Blossom Way Holdings, LLC, to Replat Lots 1-6; Relocate the 8 foot wide Pedestrian Beach Access Easement to the North Side of Proposed Lot 6; Eliminate; the Limited Access Easement (LAE) along the East Side of South Ocean Boulevard; Abandon the Private Road Known as Blossom Way, in the Replat of the Blossom Estate; and Create a Pedestrian Beach Access Easement Across the North Property Line of Property Currently Known as 60 Blossom Way

TIME CERTAIN: 11:00 AM

ACTION: APPROVED

- 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 February 23, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the March 9, 2022 Meeting.

ACTION: DEFERRED TO MARCH 9, 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 deferred the project to the February 23, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the March 9, 2022 Meeting

ACTION: DEFERRED TO MARCH 9, 2022

- 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 deferred the project to the February 23, 2022 meeting. Carried 6-1.] Staff Recommends a Deferral to the March 9, 2022 Meeting

ACTION: DEFERRED TO MARCH 9, 2022

- 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 February 16, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the March 9, 2022 Meeting.

ACTION: DEFERRED TO MARCH 9, 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.]

ACTION: DEFERRED TO MARCH 9, 2022

- g. **ZON-22-006 (ARC-21-095) 432 SEABREEZE AVE (COMBO) - VARIANCES** The applicant Bijon Memar, has filed an application requesting Town Council review and approval for modifications and an addition to the existing residence, requiring variances for lot coverage and retention of existing nonconforming side yard and rear yard setbacks. [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 architectural portion of the project 7-0. The Commission deferred the February 23, 2022 meeting. Carried 5-2.]
ACTION: APPROVED WITH CONDITION RELATING TO UTILITY EASEMENT

2. New 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 deferred the project to the February 23, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the March 9, 2022 Meeting
ACTION: DEFERRED TO MARCH 9, 2022
- b. **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. Deferral Request to the March 9, 2022 Meeting per Letter from Maura Ziska, Esq.
ACTION: DEFERRED TO MARCH 9, 2022
- c. **ZON-22-012 (ARC-22-008) 420 BRAZILIAN AVE (COMBO) - VARIANCES** The applicant, Ronald Gross, has filed an application requesting Town Council review and approval of variances to place a generator in the front yard setback of an existing residence, to

allow a generator screening height to exceed the maximum height allowed in the front yard setback, to reduce the required front setback and to further decrease nonconforming landscape open space area. 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 6-1.] [The Architectural Review Commission approved the project as presented. Carried 7-0.]

ACTION: APPROVED WITH CONDITION RELATING TO UTILITY EASEMENT

- d. **ZON-22-013 (ARC-22-009) 215 SEABREEZE AVE (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 February 23, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the March 9, 2022 Meeting
ACTION: DEFERRED TO MARCH 9, 2022

- e. **ZON-22-014 227 ROYAL POINCIANA WAY - VARIANCES AND SPECIAL EXCEPTION** The applicant, PNC Bank (Barry Criss, Officer), has filed an application requesting Town Council review and approval for a Special Exception and Variance to locate an additional PNC Bank financial services office within 1500 feet of another PNC Bank.
ACTION: APPROVED

- f. **ZON-22-016 (ARC-22-036) 60 COCOANUT ROW (COMBO) - SPECIAL EXCEPTION, SITE PLAN REVIEW AND VARIANCES** The applicant, Royal Poinciana Chapel, Inc. (Cater Randolph, Board President)), has filed an application requesting Town Council review and approval for a Special Exception, Site Plan Review and Variances for a generator over 100 kW and the required building enclosure including a variance request to reduce the reduced side-yard setback. 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 5-0.] [The Architectural Review Commission approved the project as presented. Carried 5-0]
ACTION: APPROVED WITH CONDITION RELATING TO UTILITY EASEMENT

- g. **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 deferred the project to the February 23, 2022 meeting. Carried 6-0.] Staff Recommends a Deferral to the March 9, 2022 Meeting

ACTION: DEFERRED TO MARCH 9, 2022

- h. **ZON-22-020 (COA 22-004) 8 SOUTH LAKE TRAIL (COMBO) - SPECIAL EXCEPTION** The applicant, The Lakeside Trust dated November 19, 2020 (Patrick Emans, Trustee), has filed an application requesting Town Council review and approval for a Special Exception Request approval for driveway gates on a dead end street which do not provide the required vehicle stacking area between pavement and gate. The Landmarks Preservation Commission will perform the design review portion of the application. [The Landmarks Preservation Commission approved the project as presented. Carried 7-0.]
ACTION: APPROVED WITH CONDITION RELATING TO UTILITY EASEMENT
- i. **ZON-22-030 (ARC-22-014) 143 SEMINOLE AVE (COMBO) – SPECIAL EXCEPTION W/ SITE PLAN REVIEW & VARIANCES** The applicant, Lisa Pevaroff Cohn, has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review and Variances related to the renovation and addition to an existing non-conforming residence on a lot deficient in area for the zoning district. 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 as presented. Carried 7-0]
ACTION: APPROVED WITH CONDITION RELATING TO UTILITY EASEMENT
- j. **ZON-22-033 (ARC-22-001) 108 EL MIRASOL (COMBO) - VARIANCES** The applicant, ANK Palm Beach LLC (Anand “Andy” Khubani, Managing Member), has filed an application requesting Town Council review and approval for a variance to allow a basement in a North side-yard setback for basement vehicular access in relation to the construction of a new single family residence. 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
- k. **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 deferred the project to the February 23, 2022 meeting. Carried 7- 0.] Deferral Request to the March 9, 2022 Meeting per Letter from David E. Klein, Esq.

ACTION: DEFERRED TO MARCH 9, 2022

XI. UPDATES

1. Update on the Building Recertification Program

ACTION: CONSENSUS OF THE COUNCIL IS TO MONITOR THE STATE LEGISLATION ON THIS MATTER

XII. ANY OTHER MATTERS

1. ARCOM's Jurisdiction

ACTION: TOWN ATTORNEY RANDOLPH TO PROVIDE TRAINING ON MANY TOPICS, INCLUDING SUNSHINE LAW AND PUBLIC RECORDS ONCE NEW MEMBERS ARE APPOINTED. STAFF WILL SUMMARIZE THE REASONS FOR DEFERRAL FOR EACH PROJECT DURING STAFF COMMENTS AT UPCOMING MEETINGS.

2. Review of a Stop Work Order Due to the Three-Strike Rule at 1500 N. Ocean Blvd.

ACTION: STOP WORK ORDER SHALL BE LIFTED CONTINGENT ON THE PAYMENT OF ALL OUTSTANDING FINES.

XIII. ADJOURNMENT