



TOWN OF PALM BEACH

Planning, Zoning & Building Department

SUMMARY OF THE ACTIONS TAKEN AT THE DEVELOPMENT REVIEW TOWN COUNCIL MEETING HELD ON WEDNESDAY, JANUARY 9, 2019

- 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 AND DIRECTOR OF PLANNING, ZONING AND BUILDING
- V. COMMUNICATIONS FROM CITIZENS
- VI. APPROVAL OF AGENDA

ACTION: THE FOLLOWING CHANGES WERE MADE TO THE AGENDA:

ITEM VII.B.1.b., Z-18-00134 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES DEFERRED TO MARCH 19, 2019

ITEM VII.B.1.c., Z-18-00138 SPECIAL EXCEPTION WITH SITE PLAN REVIEW DEFERRED TO FEBRUARY 13, 2019

ITEM VII.B.2.d., Z-18-00160 VARIANCES DEFERRED TO FEBRUARY 13, 2019

ITEM VII.B.2.f., Z-18-00161 SITE PLAN REVIEW DEFER TO FEBRUARY 13, 2019

VII. DEVELOPMENT REVIEWS

A. Time Extensions and Waivers

- 1. Extension of Time Schedule for Completion of Construction per Town Code
Chapter 18, Section 18-237
608 Island Drive

ACTION: APPROVED

- 2. Construction Hours Request: Acqua Café, 2875 South Ocean Boulevard

ACTION: APPROVED

B. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

a. Z-18-00108 SPECIAL EXCEPTION WITH VARIANCE(S) Zoning District: C-TS Town Serving Commercial The application of Palm Beach Hotel Condominium Association, Inc., Applicant, relative to property located at 235 SUNRISE AVE SUITE: CM 23, legal description on file, is described below. A request for a variance and a special exception to expand a non conforming use ("hotel") to incorporate a 3,200 square foot space on the ground floor to be used as a gym which is an accessory use to the condominium hotel. [Applicant's Representative: Maura Ziska Esq] If approved, consideration of proposed Declaration of Use Agreement.

ACTION: DEFERRED TO THE APRIL 10, 2019 MEETING FOR VERIFICATION OF FIRE DOOR SAFETY COMPLIANCE AND NOTIFICATION TO RESIDENTS OF THE BUILDING.

b. Z-18-00134 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S) Zoning District: R-A Estate Residential The application of Charles Holzer, Applicant, relative to property located at 977 S OCEAN BLVD, legal description on file, is described below. 1) Special Exception with Site Plan Review to allow the construction of a 9,685 square foot two-story, single family residence on a non-conforming lot that is 77 feet in depth in lieu of the 150 foot minimum required in the R-A Zoning District and 13,662 square feet in area in lieu of the 20,000 square foot minimum area required in the R-A Zoning District. 2) A request for a variance to allow the proposed swimming pool to have a 5 foot rear yard setback in lieu of the 10 foot minimum required and a 30 foot front yard setback in lieu of the 35 foot minimum required in the R-A Zoning District. 3) A request for a variance to allow a building height plane setback to be 35 feet in lieu of the 50 foot minimum setback required. [Applicant's Representative: Maura Ziska] [The Architectural Review Commission deferred this project to the December 14, 2018 meeting at the request of the attorney. Carried 7-0.] Request for Deferral to the March 13, 2019 Town Council Meeting per Letter Dated December 20, 2018 from Maura Ziska

ACTION: DEFERRED TO THE MARCH 19, 2019 MEETING

c. Z-18-00138 SPECIAL EXCEPTION WITH SITE PLAN REVIEW Zoning District: R-B Low Density Residential The application of Palm Beach Day Academy, Inc., Applicant, relative to property located at 241 SEAVIEW AVE SUITE: SITE, legal description on file, is described below. 1. Request for Special Exception with Site Plan Review approval to create 30 paved parking spaces on the west lawn to be used by Palm Beach Day Academy faculty, families and guests to the school. 2. Request to modify the existing Declaration of Use Agreement (a copy of the Agreement is on file at the Town of Palm Beach Building Department). [Applicant's Representative: Maura Ziska Esq] [The Landmarks Preservation Commission Recommendation: Implementation of the proposed special exception with site plan review and variance will not cause negative architectural impact to the subject landmark property. Carried 4-1. The Landmarks Preservation Commission deferred the project to the January 16, 2018 meeting at the request of staff. Carried 7-0.]

ACTION: DEFERRED TO THE FEBRUARY 13, 2019 MEETING

d. Z-18-00146 SPECIAL EXCEPTION WITH SITE PLAN REVIEW Zoning District: R-A Estate Residential The application of Harvey E. Oyer, III, Esq. on behalf of Mar-a-Lago Club, Inc., Applicant, relative to property located at 1100 S OCEAN BLVD, legal description on file, is described below. 1. The Applicant seeks approval of a Special Exception with Site Plan Review to add an accessory dock to the property in the approximate location of the prior historic dock. The dock is to be located at the northwest corner of the site and projects 40 feet from the existing seawall into the Lake Worth Lagoon. [Applicant's Representative: Harvey E Oyer III Esq] [The Landmarks Preservation Commission Recommendation: Implementation of the proposed special exception with site plan review will not cause negative architectural impact to the subject landmark property. Carried 7-0.]

ACTION: DEFERRED TO THE FEBRUARY 13, 2019 MEETING WITH CONDITION TO COME BACK WITH DECLARATION OF USE AGREEMENT

e. Z-18-00149 SPECIAL EXCEPTION WITH SITE PLAN REVIEW Zoning District: C-TS Town-Serving Commercial The application of Carriage House and JHD Associates, LLC, Applicant, relative to property located at 264 S COUNTY RD SUITE: BLDG 1, legal description on file, is described below. A request for a special exception with site plan review approval to allow a private club "Carriage House" to operate at 264 and 270 South County Road in the C-TS Zoning District. The Club will have a membership cap of 248 members based on the principal of equivalency for parking requirements. Lunch seating will be limited to 67 seats, which is the same number of seats 264 Grill restaurant had when owned by Peter Pullitzer in the 1970s. The Club is proposing the following hours of operation: Sunday through Wednesday 11:00 a.m. to 12:00 midnight; Thursday through Saturday 11:00 a.m. to 2:00 a.m. A request for a special exception to provide 68 night-time (after 6pm) supplemental off-site shared parking spaces at 230/240 Royal Palm Way to be used by employees and/or the valet operation for the Carriage House. Z-18-00149 SPECIAL EXCEPTION WITH SITE PLAN REVIEW Zoning District: C-TS Town-Serving Commercial The application of Carriage House and JHD Associates, LLC, Applicant, relative to property located at 264 S COUNTY RD SUITE: BLDG 1, legal description on file, is described below. [Applicant's Representative: Maura Ziska Esq]

TIME CERTAIN 1:30 P.M.

ACTION: DEFERRED TO THE FEBRUARY 13, 2019 MEETING WITH CONDITION TO WORK WITH THE NEIGHBORS AND COME BACK WITH DECLARATION OF USE AGREEMENT

2. New Business

a. Z-18-00155 VARIANCE(S) Zoning District: C-OPI Office, Professional and Institutional The application of Primary Properties, Inc., Applicant, relative to property located at 231 ROYAL PALM WAY SUITE: BLDG 1, legal description on file, is described below. 134-172; 134-201; 134-2437: Request for a variance to allow a business identification sign described as "The Suites at 231" on a building that does not have any ground floor tenants. Presently, the Code does not allow for business identification signs on buildings that do not have ground floor tenants. [Applicant's Representative: Tim Hanlon Esq]

ACTION: APPROVED WITH CONDITION RELATING TO UTILITY EASEMENT

b. Z-18-00156 VARIANCE(S) Zoning District: R-A Estate Residential The application of Chuck and Amanda Schumacher, Applicant, relative to property located at 874 S COUNTY RD, legal description on file, is described below. The Applicant is proposing to install a 60 KW generator to the west of their residence and within a street side yard ("Vita Serena") that will require the following variances: 1. A variance to place the generator in the street side yard setback along Vita Serena with a setback of 8.75 feet in lieu of the 35 foot minimum required. 2. A variance to allow the proposed generator to result in a landscaped open space of 44.9% in lieu of the 45.3% existing and the 50% minimum required in the R-A Zoning District. [Applicant's Representative: Maura Ziska Esq] [Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject property. The Architectural Review Commission approved the project as presented. 7-0.]

ACTION: APPROVED WITH CONDITION REALTING TO UTILITY EASEMENT

c. Z-18-00157 VARIANCE(S) Zoning District: R-B Low Density Residential The application of Michael F. Neidorff, Applicant, relative to property located at 302 VIA LINDA, legal description on file, is described below. The Applicant is requesting the following variances to raise the height of the ceiling and parapet in 2 areas of the one story residence: 1) Request to raise the parapet by 2 feet and the ceiling by 2.34 feet at the garage to accommodate a car lift so that three cars can be parked in the existing two-car garage. The garage has an existing non-conforming side yard setback of 5 feet in lieu of 12.5 feet required. The variance is to raise the height in the existing setback. 2) Request to raise the parapet over the main house to be 5.33 feet in lieu of the 4 feet existing and the 3 foot maximum allowed in the R-B Zoning District for a parapet roof height. 3) Request to allow the landscape open space to decrease from the previously permitted 39.9% to 35.7% in lieu of the 45% minimum landscaped open space required. The existing landscape open space is 32.5%. [Applicant's Representative: Maura Ziska Esq] [Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject property. The Architectural Review Commission approved the project as presented with a condition relating to the architecture. 7-0.]

ACTION: APPROVED WITH CONDITION REALTING TO UTILITY EASEMENT

d. Z-18-00158 VARIANCE(S) Zoning District: R-B Low Density Residential The application of Palm Beach Dunbar, LLC, a New York limited liability company (John Randolph, Manager), Applicant, relative to property located at 171 DUNBAR RD, legal description on file, is described below. The Applicant is requesting a variance to add a 388 square foot addition for an additional garage bay to have a two-car garage in lieu of the one-car garage existing. This will result in an angle of vision of 123 degrees in lieu of the 114 degrees existing and 108 degrees maximum allowed in the R-B Zoning District. [Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission deferred the project for one month to the January 23, 2019 meeting. Carried 4-3.] Request for Deferral to the February 13, 2019 Town Council Meeting per Letter Dated December 17, 2018 from Maura Ziska.

ACTION: DEFERRED TO THE FEBRUARY 13, 2019 MEETING

e. Z-18-00160 VARIANCE(S) Zoning District: R-C Medium Density Residential The application of Bryan and Christina Cressey, Applicant, relative to property located at 2315 S OCEAN BLVD, legal description on file, is described below. A variance request to allow the placement of a 60KW generator located within the street side yard setback along Old South Ocean Boulevard with a setback of 7.4 feet in lieu of the 25 foot minimum required in the R-C Zoning District. [Applicant's Representative: Maura Ziska Esq]

ACTION: APPROVED

f. Z-18-00161 SITE PLAN REVIEW Zoning District: R-A Estate Residential The application of 1404NORTHLAKE LLC (Maura Ziska, Manager), Applicant, relative to property located at 1404 N LAKE WAY, legal description on file, is described below. Special Exception with Site Plan Review to allow the construction of a 9,263 square foot two-story, single family residence on a non-conforming lot that is 110 feet in width in lieu of the 125 foot minimum required and 19,563 square feet in area in lieu of the 20,000 square foot minimum required in the R-A Zoning District. [Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission deferred the project for one month to the January 23, 2019 meeting. Carried 7-0.] Request for Deferral to the February 13, 2019 Town Council Meeting per Letter Dated December 17, 2018 from Maura Ziska.

ACTION: DEFERRED TO THE FEBRUARY 13, 2019 MEETING

3. Other

a. ARCOM/LPC Combination Project Discussion

ACTION: APPROVED FOR A SIX MONTH TRIAL PERIOD

VIII. ANY OTHER MATTERS