



TOWN OF PALM BEACH

Town Clerk's Office

SUMMARY OF ACTIONS TAKEN AT THE TOWN COUNCIL MEETING HELD ON WEDNESDAY, DECEMBER 11, 2013

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

**ACTION: ADDED A REQUEST FOR ATTORNEY/CLIENT SESSION UNDER
NEW BUSINESS AS ITEM NO. VIII.D.3.**

ACTION: APPROVED, AS AMENDED ABOVE

VII. PUBLIC HEARINGS

- A. RESOLUTION NO. 205-2013 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 322 Seaspray Avenue 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.

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

ACTION: APPROVED

- B. RESOLUTION NO. 206-2013 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 284 Monterey 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.

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

ACTION: APPROVED

- C. RESOLUTION NO. 207-2013 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 253 Oleander Avenue 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.

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

ACTION: APPROVED

- D. RESOLUTION NO. 208-2013 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 the North County Road Tree Canopy 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 District 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: DEFERRED TO THE JANUARY 15, 2014, COUNCIL MEETING

VIII. DEVELOPMENT REVIEWS

- A. Appeals
- B. Time Extensions and Waivers
- C. Variances, Special Exceptions, and Site Plan Reviews
 - 1. Old Business
 - a. SITE PLAN REVIEW #13-2013 The application of Sterling Palm Beach LLC and Sidney Spiegel; relative to property commonly known as 340 Royal Poinciana Way; described as Lengthy legal description on file; located in the C-PC Zoning District. The applicant is requesting Site Plan Modification to change eight areas of the existing parking lot striping to comply with the current ADA requirements. The proposal modifies eight areas of the parking lot to include required ADA parking spaces, access isles and ramps as provided for in the plan. The proposed changes do not reduce the amount of required parking but add an additional 4 parking spaces to the subject property.
[Attorney: John Little]

Deferred from the October 9, 2013, Town Council Meeting
John S. Page, Director of Planning, Zoning, and Building

ACTION: APPROVED THE ADA PARKING MODIFICATIONS ONLY

- b. VARIANCE #42-2013 The application of 310 Australian LLC, Jonathan Rapaport, Managing Member); relative to property commonly known as 310 Australian Avenue; described as The East 15 feet of Lot 22 and All of Lots 23 and 24, Block 6 of REVISED MAP OF ROYAL PARK ADDITION, according to the Plat thereof, as recorded in Plat Book 4, Page 1, of the Public Records of Palm Beach County, Florida; located in the R-C Zoning District. The applicant is requesting a variance to allow construction of a new 4,562 square foot two story residence on a lot with a width of 65 feet in lieu of the 75 foot minimum required and a lot area of 8,125 square feet in lieu of the 10,000 square feet minimum required in the R-C Zoning District; a variance to allow the proposed residence to have a rear yard setback of 10 feet in lieu of the 15 foot minimum required in the R-C Zoning District. [Attorney: Maura Ziska] Deferred from the November 13, 2013 Town Council Meeting
John S. Page, Director of Planning, Zoning and Building

ACTION: APPROVED

2. New Business

- a. SITE PLAN REVIEW #16-2013 The application of John Andrica; relative to property commonly known as 134 Seagate Road; described as Lot 9, NORTH SHORE ADDITION TO PALM BEACH, according to the Plat thereof on file in the office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded Plat Book 20, Page 62; located in the R-B Zoning District. The applicant is requesting a Site Plan Review to construct a new 4,300 square foot two story home on a nonconforming platted lot, which is 97.97 feet deep in lieu of the 100 feet minimum required. [Representative: Rick Gonzalez, AIA]
John S. Page, Director of Planning, Zoning and Building

ACTION: APPROVED

- b. SPECIAL EXCEPTION #20-2013 WITH SITE PLAN REVIEW
The application of The Breakers Palm Beach, Inc.; relative to property commonly known as 1 South County Road; described as All of that plat of Breakers Row Plat No. 1 Re-Plat, recorded in Plat Book 46, Pages 188 through 190, Public Records of Palm Beach County; located in the PUD-A Zoning District. The applicant is requesting modification of a hotel amenity which requires a special exception with site plan review approval. The request is to expand the existing 7,416 square foot playground by adding an additional 2,096 square feet, new equipment and a 1,470 square foot canopy to shade the area. In addition, the playground is proposed to be

lighted and the existing Astroturf to be replaced. The playground is located west of the Beach Club next to the Italian Restaurant. [Attorney: James M. Crowley, Esq.]

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

ACTION: APPROVED

- c. VARIANCE #43-2013 The application of David Dalenberg; relative to property commonly known as 414 Australian Avenue; described as Lots 38, 39 and 40, Block 5, REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, according to the Plat thereof, as recorded in Plat Book 4, Page 1, of the Public Records of Palm Beach County, Florida; located in the R-C Zoning District. The applicant is requesting a variance to replace an awning over a portion of an existing second floor terrace with a second floor addition over the existing first floor with an east side yard setback of 5.3 feet in lieu of the 10 feet minimum required. [Representative: Jose Gonzalez]

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

ACTION: APPROVED

- d. VARIANCE #44-2013 The application of Virginia E. Dadey; relative to property commonly known as 267 Atlantic Avenue; described as Lots 73 and 74 (less the South 5 feet thereof), ORANGE GROVE PARK, according to the Plat thereof as recorded in the Plat Book 5, Page 97, Public Records of Palm Beach County, Florida; located in the R-C Zoning District. The applicant is requesting a variance to construct a 235.46 square foot one story, one car garage addition and a swimming pool (8 ft x 26 ft) on the east side of the existing residence. The proposed addition and pool require the following variances: (1) an east side yard setback of 3 feet in lieu of the 10 foot minimum required; (2) a lot coverage of 36.47% in lieu of the 30% maximum allowed and the 31.76% existing; and, (3) a landscaped open space of 40.32% in lieu of the 45% minimum required and 47.66 existing. [Attorney: Maura Ziska] [Landmark Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impacts to the subject landmark property. Carried 7-0.]

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

ACTION: APPROVED

ACTION: COUNCIL MEMBER PUCILLO REQUESTED THAT THE COUNCIL REVIEW THE SETBACK REQUIREMENTS IN THIS AREA.

D. Other

1. Temple Emanu-El: One Year Review of Conditions of Approval for Special Exception No. 8-2012 with Variance, 224, 226 and 234 Seminole Avenue and

190 North County Road

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

ACTION: RATIFIED THE PREVIOUS CONDITIONS OF APPROVAL, RELATING TO THE GARDEN, AND REMOVED THE REQUIREMENT THAT THE TEMPLE COME BACK BEFORE THE TOWN COUNCIL IN A YEAR.

2. Proposed Declaration of Use Agreement for Sixt Rental Car, Special Exception No. 19-2013 with Variances, 340 Royal Poinciana Way

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

ACTION: APPROVED

The Following Item was Added to the Agenda:

3. Consideration of Scheduling an Attorney/Client Session Regarding the Case of Town of Palm Beach and David Rosow vs. Sterling Palm Beach, LLC and Palm Beach Newspapers, LLC d/b/a/ the Palm Beach Daily News a/k/a the Shiny Sheet, Case No. 502013CA013672XXXXMB AF, in the Fifteenth Judicial Circuit of Florida in and for Palm Beach County. This Matter is Scheduled to Begin at 8:30 a.m. on Thursday, December 12, 2013, in the Town Council Chambers, 360 South County Road, Palm Beach, Florida. Attorney/Client Session Attendees: Mayor Gail L. Coniglio; Town Council President David A. Rosow, Town Council President Pro Tem Robert N. Wildrick, and Town Council Members William J. Diamond, Richard M. Kleid, and Michael J. Pucillo; Town Manager Peter B. Elwell; Attorney John C. Randolph; and a Court Reporter from Ley & Marsaa Court Reporters, Inc.

ACTION: APPROVED

IX. ORDINANCES – None

X. ANY OTHER MATTERS

XI. ADJOURNMENT