



TOWN OF PALM BEACH

PLANNING, ZONING, & BUILDING DEPARTMENT

TOWN COUNCIL MEETING DEVELOPMENT REVIEW

TOWN HALL
COUNCIL CHAMBERS - SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

DECEMBER 11, 2024

9:30 AM

Welcome

For information regarding procedures for public participation at Town Council Meetings, please refer to the end of this agenda.

I. CALL TO ORDER AND ROLL CALL

Danielle H. Moore, Mayor
Bobbie D. Lindsay, President
Lew Crampton, President Pro Tem
Julie Araskog
Ted Cooney
Bridget Moran

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

VII. REGULAR BUSINESS

- A. Discussion Regarding Construction That Deviates From the Approved Permit Plans
- B. Discussion Regarding Staff Lead on Code Review & Reform

VIII. RESOLUTIONS

- A. RESOLUTION NO. 172-2024: 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 **376 S County Rd.** 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 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. ***[The property owner is opposed to this designation. The Landmarks Preservation Commission voted 5-2 for Landmarking.]***

TIME CERTAIN 10:00 A.M.

IX. DEVELOPMENT REVIEWS

A. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

- a. **ZON-24-0010 (ARC-24-0023) 515 NORTH LAKE WAY (COMBO) - SPECIAL EXCEPTION AND VARIANCE** The applicant, JORDAN GRETCHEN S TRUST (Maura Ziska, Authorized Representative), has filed an application requesting Town Council review and approval for a special exception review to develop the existing nonconforming lot, and one variance 1) to exceed the permitted angle of vision for the construction of a new one-story single-family residence with final hardscape and landscape. The Architectural Commission (ARCOM) shall perform design review of the application. ***[This project shall be deferred to the January 15, Town Council meeting, pending Architectural Commission design review.]***
- b. **ZON-24-0028 (ARC-24-0032) 272 VIA MARILA (COMBO) - VARIANCE** The applicant, Melissa Wight, has filed an application requesting Town Council review and approval of (1) variance to reduce the minimum driveway area in front of the proposed vehicular gate for insufficient vehicular stacking. The Architectural Commission (ARCOM) shall perform design review of the application. ***[Architectural Review Commission denied this***

project. Carried 4-3.] [This project was sent back to ARCOM for further design review. This project will be deferred to the January 15, 2025, Town Council Meeting.]

- c. **ZON-24-0035 (HSB-24-0005) 854 SOUTH COUNTY RD (COMBO)—VARIANCE** The applicant, Dustin Mizell with Environmental Design Group on behalf of owner Andrew Unanue, has filed an application requesting review and approval for one (1) variance to permit a second guest house with bedrooms and bathrooms on site. The Landmarks Preservation Commission will perform the design review for the proposed structure on site modifications. *[This project shall be deferred to the January 15, 2025, Town Council meeting pending Landmark Commission design review.]*
- d. **ZON-24-0043 (COA-24-0018) 100, 101, 102, AND 103 FOUR ARTS PLZ—THE SOCIETY OF THE FOUR ARTS (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE** The applicant, Society of the Four Arts Inc, has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for a Special Exception with Site Plan Review, and one (1) variance for the reduction of on-site parking requirement for the substantial improvements to the Four Arts campus site including 1) demolition exceeding 50%, and the construction of a new one- and two-story additions and renovations to the existing two-story theater building (O'Keefe), 2) demolition exceeding 50%, and the construction of a new three-story addition, and renovations to the existing three-story administrative building (Rovensky), 3) demolition of the existing shade structure and construction of a new pavilion, 4) a Master Signage Plan, and 5) landscape and hardscape modifications. The application proposes the abandonment and realignment of a portion of the existing Lake Trail. The Landmarks Preservation Commission will perform the design review. *[This project shall be deferred to the February 12, 2025, Town Council meeting, pending Landmarks design review.]*
- e. **ZON-24-0055 (COA-24-0022) 120-132 N COUNTY RD—PALM BEACH SYNAGOGUE (COMBO)—SPECIAL EXCEPTIONS WITH SITE PLAN REVIEW AND VARIANCES** The applicant, Palm Beach Orthodox Synagogue INC (Rabbi Moshe Scheiner), has filed an application requesting Town Council review and approval for three (3) Special Exceptions for 1) Churches, synagogues or other houses of worship, 2) two-stories in the C-TS zoning district and 3) square footage greater than 3,000 SF in the C-TS district with Site Plan Review requiring nine (9) variances due to demolition exceeding 50%, renovations, and building additions, for 1) reduction in the minimum required front yard setback and pedestrian walkway, 2) reduction in the minimum required overall landscape open space,

3) reduction in the minimum front yard landscape open space, 4) increase in the maximum permitted building length , 5) reduction to the on-site parking requirement, 6) elimination of the minimum required number of berths (off-street loading spaces), 7) increase of the maximum permitted gross building area, 8) reduction in the minimum required side yard setback, and 9) reduction in the minimum required rear yard setback for the landmarked property, for the construction of new one- and two-story additions to the two-story landmarked structure. The Landmarks Preservation Commission will perform the design review. ***[This project shall be deferred to the January 15, 2025, Town Council meeting, pending Landmarks design review.]***

2. New Business

- a. **ZON-24-0042 (ARC-24-0080) 141 ATLANTIC AVE (COMBO) —VARIANCE** The applicants, Sloane Family Trust (Brasseur & Drobot Architects, P.A.), have filed an application requesting Town Council review and approval for one (1) variance for a one-story addition of primary structure to encroach into the required east side yard setback. The Architectural Commission (ARCOM) shall perform design review of the application. ***[This project shall be deferred to the January 15, Town Council meeting, pending Architectural Commission design review.]***
- b. **ZON-24-0044 (ARC-24-0085) 315 CHAPEL HILL RD (COMBO)—SPECIAL EXCEPTION(S) AND VARIANCE** The applicant, Ocean Breezes 2 LLC (Frances Lynch, Attorney), has filed an application requesting Town Council review and approval for two (2) special exceptions (1) for the redevelopment of an existing nonconforming parcel of land in the R-A zoning district and (2) to provide reduced vehicular queuing back-up distance for vehicular gates installed on a cul-de-sac street. Additionally, one (1) variance to exceed the maximum required building height plane setback area for the construction of the new two-story residence is also being requested. The Architectural Commission shall perform design review of the application. ***[This project shall be deferred to the January 15, Town Council meeting, pending Architectural Commission design review.]***
- c. **ZON-24-0048 (COA-24-0016) 102 JUNGLE RD (COMBO)—VARIANCE** The applicant, Ethanhill, LLC, has filed an application requesting Town Council review and approval of one (1) variance to exceed the maximum allowable height for a beach access gate for the landmarked property. The Landmarks Preservation Commission shall perform design review of the application. ***[Landmarks Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impacts to the subject property. Carried 7-0.][The Landmarks Commission approved this project, option number 3. Carried 7-***

0.]

- d. **ZON-24-0054 (ARC-24-0088) 310 PLANTATION RD (COMBO)—VARIANCES** The applicant, John Burns III (Environment Design Group) has filed an application requesting Town Council review and approval of three (3) variances including (1) a variance to exceed the maximum lot fill allowed, (2) to exceed the maximum allowed wall height and (3) to exceed the maximum allowed generator height. The Architectural Commission (ARCOM) shall perform design review of the application. *[Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impacts to the subject property. Carried 7-0.] [The Architectural Review Commission approved this project with conditions. Carried 7-0.]*
- e. **ZON-24-0057 (ARC-24-0097) 334 CHILEAN AVE (COMBO)—VARIANCE** The applicants, Overflow Pad Too LLC (Environment Design Group), have filed an application requesting Town Council review and approval for one (1) variance to exceed the maximum allowable height for a wall. The Architectural Commission (ARCOM) shall perform design review of the application. ***[This project shall be deferred to the January 15, Town Council meeting, pending Architectural Commission design review.]***

B. Time Extensions and Waivers

1. Zoning In Progress "ZIP" Waiver: Breakers, 1 South County Rd.

X. ORDINANCES

A. Second Reading

1. Proposed ordinance amending code sections related to medical marijuana and related treatment centers and dispensaries.

ORDINANCE NO. 034-2024 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, At Article I, In General By Amending Section 134-2, Definitions And Rules Of Construction, To Add A Definition Of "Marijuana"; At Article VI, District Regulations, By Repealing Subsection 134-1109(A)(20) To Remove The Reference To Medical Marijuana Treatment Centers And Dispensaries As Special Exception Uses In The C-TS Town Serving Commercial District If Not Prohibited; At Article VIII, Supplementary District Regulations, At Division 17. Medical Marijuana Treatment Centers And Medical Marijuana Dispensaries To Amend The Title Of Division 17 To Reference Marijuana Generally And Outdoor Events; To Amend Section 134-2113, Prohibition To Detail The Uses Prohibited; And To Repeal Section 134-2114, Development Standards; Providing For Severability; Providing For The Repeal Of

Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

XI. ANY OTHER MATTERS

XII. ADJOURNMENT

Procedures for Public Participation:

Note 1: **Live Stream audio:** To watch/listen live, visit the 'Public Meetings' webpage on the Town's website at www.townofpalmbeach.com and select the "View Event" or "Click Here to Listen" button.

Note 2: Any citizen is entitled to be heard concerning any matter under the sections entitled 'Communications from Citizens' and 'Public Hearings', subject to the three-minute limitation. The public also can speak to any item listed on the agenda, including the consent agenda, at the time the agenda item comes up for discussion. Citizens desiring to address the Town Council should proceed toward the public microphones when the applicable agenda item is being considered to enable the Town Council President to acknowledge you. In-person or virtual Public Comment is limited to three minutes and must be preceded by your name and address for the record. As a public business meeting, the Town Council President retains the right to limit discussion on any issue.

Alternative public comment is also welcome for Town Council Meetings via four methods:

1. To make a virtual public comment, please register for the Microsoft Teams meeting. This link will be available prior to the meeting on the Public Meeting page or on the Town's calendar of events, which both can be found at townofpalmbeach.com.
2. Written public comment submittals should be sent to publiccomment@townofpalmbeach.com.
3. Direct written entry into the public meeting record through the eComment portal on the Public Meetings webpage.
4. Mail or in-person submittal of written document to the Town Clerk's Office at Town Hall no later than the Friday prior to the meeting.

Note 3: **Appeals:** If a person decides to appeal any decision made with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made for such purposes, which shall include the testimony and evidence upon which the appeal is to be based.

Note 4: Disabled persons needing accommodations to participate in this meeting are requested to call the Clerk's Office at (561) 838-5416 at least one day prior to the meeting.