



**PLANNING AND ZONING COMMISSION  
MEETING MINUTES  
TUESDAY, MAY 15, 2018 9:30 a.m.**

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town's website at [www.townofpalmbeach.com](http://www.townofpalmbeach.com) or may obtain an audio recording of the meeting by contacting Kelly Churney, Secretary to the Planning & Zoning Commission at (561) 227-6408.

**I. CALL TO ORDER AND ROLL CALL**

Chair Klein called the meeting to order at 9:35 a.m.

|                                         |                    |
|-----------------------------------------|--------------------|
| Martin I. Klein, Chair                  | PRESENT            |
| Michael Ainslie, Vice Chair             | ABSENT (unexcused) |
| Alan S. Golboro, Member                 | PRESENT            |
| Kenneth Walker, Member                  | PRESENT            |
| Carol LeCates, Member                   | PRESENT            |
| Rick Pollock, Member                    | ABSENT (excused)   |
| Michael Spaziani, Member                | PRESENT            |
| Eric Christu, Alternate Member          | PRESENT            |
| Ronald Berk, Alternate Member           | PRESENT            |
| Marilyn Beuttenmuller, Alternate Member | PRESENT            |

*Please note: Messrs. Christu and Berk voted in the absence of Messrs. Ainslie and Pollock.*

Staff Members present were:

Paul Castro, Zoning Administrator and Acting Director of Planning, Zoning and Building  
John Randolph, Town Attorney  
Kelly Churney, Secretary to the Planning and Zoning Commission

**II. INVOCATION AND PLEDGE OF ALLEGIANCE**

Ms. Churney led the Commission with the Invocation and the Pledge of Allegiance.

**III. APPROVAL OF THE AGENDA**

Mr. Klein welcomed all in attendance. He congratulated Mr. Spaziani in his promotion to a regular member. He welcomed Marilyn Beuttenmuller to the Commission.

**Motion made by Mr. Spaziani and seconded by Mr. Walker to approve the agenda as presented. Motion carried with all in favor.**

**IV. APPROVAL OF APRIL 17, 2017 PLANNING AND ZONING COMMISSION MINUTES**

Mr. Klein stated that Anita Seltzer expressed concern about Commission members using personal communication devices at the dais during the meeting. Mr. Klein asked the members to be mindful of this concern.

**Motion made by Mr. Golboro and seconded by Mr. Spaziani to approve the minutes from the April 17, 2017 meeting. Motion carried with all in favor.**

**V. COMMUNICATIONS FROM CITIZENS – 3 MINUTE LIMIT PLEASE**

There were no comments heard at this time.

**VI. Reconsideration of proposed changes to the legal mailing notice requirement distance for development review applications (Variances, Special Exceptions, Site Plan Reviews and Planned Unit Developments) and consideration of minor changes related to the recommendation related to the time limit (expiration date) in the Zoning Code for development applications.**

Mr. Castro reviewed all of the changes he made to the zoning text amendments as a result of the discussion at the last meeting.

Ms. LeCates asked Mr. Castro to remind the Commission with the reason for the elimination of the notice for the PUDs. Mr. Castro provided the reasons he thought that the Commission believed the previously proposed language was not necessary. A short discussion ensued.

Mr. Walker thought a 300 foot distance was proper and sufficient. He thought a bigger notice was burdensome.

Mr. Castro remarked that the original Code language did not include a notice requirement. Mr. Castro added that he changed the proposed language to include a 300-foot notice.

Mr. Golboro thought an increase to a 750-foot notice was enormous. He agreed that a 300-foot notice was appropriate and thought that 300 feet should remain in the Code for all requests.

Mr. Spaziani thought a 750-foot notice would be better due to traffic concerns by citizens.

Town Attorney Randolph discussed the legal standing of citizens relating to the notice of a project.

Mr. Christu asked about the amount of complaints received by the Town. Mr. Castro discussed a recent project that received many complaints from citizens. A short discussion ensued between Messrs. Castro and Christu regarding past complaints and whether a change was necessary. Mr. Christu expressed his concern for unintended consequences that may occur, such as additional legal actions, should the notice increase.

Mr. Berk thought that if the Commission continued to debate the issues, the discussion should be deferred to allow for public notice. He added that he believed the discussion should be focused on whether the changes that the Commission directed, at the last meeting, were correctly executed.

Ms. Beuttenmuller asked about the recent project that initiated the complaints. Mr. Castro responded.

Mr. Klein discussed the recent project that spurred the debate on whether or not the current notice was sufficient. Mr. Castro stated that many of the residents provided input that the notice should be increased with a more defined explanation for intensification of use.

Ms. LeCates stated that two conditions had to be met before an increase of notice would be triggered.

Lauri Welteroth, 256 S. Ocean Blvd., stated she represented many neighbors interested in the Carriage House project. She expressed concern about not being in the area of the notice for the Carriage House but added that she would be affected by the project. She indicated that she was in favor of the increased notice and stated she believed the intent of the code was to protect the residents.

Mr. Klein reminded everyone that the discussion was not to be based on one particular project.

Anita Seltzer, 44 Cocoanut Row, discussed language in the Town's Comprehensive Plan that was relevant to the discussion. She provided her opinions and comments on the process for the notices. Mr. Castro addressed Ms. Seltzer's comments.

Mr. Golboro asked about the language relating to the proposed timeline for submitting applications. Mr. Castro responded.

Mr. Klein passed the gavel to Mr. Golboro.

**Motion made by Mr. Klein and seconded by Mr. Spaziani to approve the enhanced notice requirement to 750 feet. Motion carried 4-3 with Messrs. Golboro, Walker and Christu opposed.**

VII. COMMENTS FROM PLANNING AND ZONING COMMISSIONERS AND THE PLANNING, ZONING AND BUILDING DIRECTOR

Mr. Klein wished everyone a pleasant summer.

Ms. LeCates asked about the possibility of including a definition of "intensification of use" in the Code. Mr. Castro stated he included specific language in the hearing procedure relating to the applications. He added that he did not feel a need to define it in another location. Mr. Klein suggested adding this topic to the next meeting agenda.

Mr. Walker provided his opinion about the Carriage House application in the location of a previous restaurant. Mr. Klein cautioned the Commissioners about commenting on a specific project.

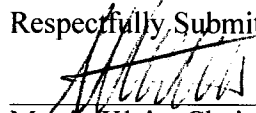
Ms. LeCates indicated that there were inconsistencies relating to entertainment establishments in the Code. She asked the Commission's permission to research this topic in the upcoming months. She stated she would present her findings to the Commission at a meeting in the fall. The Commission agreed.

Mr. Golboro offered his appreciation to the Town Council for allowing the Old Guard Club to return to the Town.

VIII. ADJOURNMENT

The meeting adjourned at 10:28 a.m. with the benefit of a motion.

Respectfully Submitted,

  
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Martin Klein, Chair  
Town of Palm Beach  
Planning & Zoning Commission