



TOWN OF PALM BEACH

Town Manager's Office

TOWN COUNCIL MEETING DEVELOPMENT REVIEW

TOWN HALL
COUNCIL CHAMBERS-SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

DECEMBER 11, 2013

9:30 AM

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

Mayor Gail L. Coniglio
David A. Rosow, President
Robert N. Wildrick, President Pro Tem
William J. Diamond
Richard M. Kleid
Michael J. Pucillo

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

(Another opportunity will be offered immediately after the lunch break.)

VI. APPROVAL OF AGENDA

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

- 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

- 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

- 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

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

- 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

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

- 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

- 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

- 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

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

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

IX. ORDINANCES

X. ANY OTHER MATTERS

XI. ADJOURNMENT

PLEASE TAKE NOTE:

Note 1: No written materials received after 5:00 p.m. on the Thursday immediately prior to a monthly Town Council meeting will be included in the back-up binders distributed to the Mayor and Town Council in preparation for that meeting. Written materials received after 5:00 p.m. on Thursday will be separately distributed to the Mayor and Town Council; however, depending upon the length of the materials, the time of submittal, and other circumstances, the Mayor and Town Council may not be able to read and consider such late submittals prior to acting upon the policy matter(s) which they address.

Note 2: The progress of this meeting may be monitored by visiting the Town's website (townofpalmbeach.com) and clicking on "Meeting Audio" in the left column. If you have questions regarding that feature, please contact the Office of Information Systems (561) 227-6315. The audio recording of the meeting will appear within 24 hours after the conclusion of the meeting.

Note 3: If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings. For such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Note 4: Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.

Note 5: Items listed on the Consent Agenda will be approved by one motion of the Town Council, unless the Mayor or an individual Council Member requests that any item (s) be moved to the Regular Agenda and individually considered.

Note 6: A summary of the actions taken at Town Council meetings can be viewed on the Town's website after 5 p.m. on the Friday following the Town Council meeting.

PROCEDURES FOR PUBLIC PARTICIPATION

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.

PUBLIC HEARINGS:

Any citizen is entitled to be heard on an official agenda item under the section entitled "Public Hearings," subject to the three minute limitation.

COMMUNICATIONS FROM

Any citizen is entitled to be heard concerning any

CITIZENS:

matter under the section entitled "Communications from Citizens," subject to the three minute limitation. The public also has the opportunity to speak to any item listed on the agenda, including the consent agenda, at the time the agenda item comes up for discussion.

OTHER AGENDA ITEMS:

Any citizen is entitled to be heard on any official agenda item when the Town Council calls for public comments, subject to the three minute limitation.

Town Council Meetings are public business meetings and, as such, the Town Council retains the right to limit discussion on any issue.