



TOWN OF PALM BEACH

PLANNING, ZONING, & BUILDING DEPARTMENT

TOWN COUNCIL MEETING DEVELOPMENT REVIEW

TOWN HALL
COUNCIL CHAMBERS - SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

OCTOBER 9, 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. Update/Clarification of HB 423 and its Impact on the Landmark Program
Friederike H. Mittner, Design & Preservation Manager
- B. Update of Draft 2024 Comprehensive Plan Including Changes from the September Town Council meeting
- C. Discussion Regarding Food and Beverage Establishments Seat Count
Julie Araskog, Council Member

VIII. DEVELOPMENT REVIEWS

A. Appeals

- 1. Appeal of the Landmarks Preservation Commission's Decision to Deny COA-24-0013, 70 Middle Road, at their August 21, 2024, Meeting.

B. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

- a. **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 shall be deferred to the November 13, 2024, Town Council meeting.]*
- b. **ZON-24-0015 (ARC-24-0030) 410 SEABREEZE AVE (COMBO)—VARIANCES** The applicant, Deborah Glass, has filed an application requesting Town Council review and approval of two (2) variances for (1) a second story side-yard setback encroachment and (2) a variance to further expand the existing nonconforming Cubic Content Ratio (CCR). The Architectural Commission (ARCOM) shall perform design review of the application. *[The Architectural Commission denied this project. Carried 7-0.] [This project shall be deferred to the November 13, 2024, Town Council meeting.]*
- c. **ZON-24-0023 (ARC-24-0029) 242 PARK AVE (COMBO)—VARIANCES** The applicant, Rhonda Nasser, has filed an application requesting Town Council review and approval of four (4) variances for (1) a reduced swimming pool side-yard setback, (2) a reduced pool pump and filter side yard setback, (3) a

reduced pool heater side yard setback, and (4) to forgo the requirement of a pool heater to be screened with a masonry wall. The Architectural Commission (ARCOM) shall perform design review of the application. *[Architectural Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impacts on the subject property. Carried 7-0.] [The Architectural Commission approved the project. Carried 7-0.]*

- d. **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 November 13, 2024, Town Council meeting pending Landmark Preservation Review.]***
- e. **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 November 13, 2024, Town Council meeting pending Architectural Review.]***
- f. **ZON-24-0034 (ARC-24-0027) 203 S LAKE TRL (COMBO)—SPECIAL EXCEPTION(S)** The applicants, Darlene & Gerald Jordan, have filed an application requesting Town Council review and approval for (2) Special exceptions as they pertain to the construction of a new residence including (1) special exception for the construction of a padel court and (1) special exception to provide reduced vehicle queueing space at the vehicular driveway gate on a cul-de-sac. The Architectural Commission (ARCOM) shall perform design review of the application. ***[This project shall be deferred to the November 13, 2024, Town Council meeting pending Architectural Review.]***

2. New Business

- a. **ZON-24-0037 (ARC-24-0073) 353 EL BRILLO WAY (COMBO) – VARIANCES** The applicants, Eduard De Guardiola & Melissa G. Bridgers, have filed an application requesting town council review and approval for (2) variances as they pertain to a closet

addition, including (1) a variance to encroach into the required front yard setback area and (2) a variance to exceed maximum lot coverage permitted. The Architectural Commission shall perform design review of the application. *[Architectural Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impacts on the subject property. Carried 4-3.] [The Architectural Commission approved the project with conditions. Carried 5-2.]*

- b. **ZON-24-0038 (ARC-24-0061) 222 SEASPRAY AVE (COMBO) – VARIANCE** The applicant, PBI Amalgamated Trust, has filed an application requesting Town Council review and approval for one (1) variance to permit a second story addition within the required two-story west side-yard setback. The Architectural Commission shall perform design review of the application. *[Architectural Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impacts on the subject property. Carried 7-0.] [The Architectural Commission approved this project. Carried 7-0.]*
- c. **ZON-24-0041 (COA-24-0014) 860 S OCEAN BLVD (COMBO) – VARIANCES** The applicant, John J. Cafaro Family Trust (John J. Cafaro, Trustee), has filed an application requesting Town Council review and approval of two (2) variances to 1) exceed the maximum allowable building height and 2) exceed the maximum allowable overall building height associated with new one-story additions to the existing residence. The Landmarks Preservation Commission shall perform design review of the application. *[The Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impacts on the subject property. Carried 7-0.] [The Landmark Preservation Commission approved this project. Carried 6-1.]*
- d. **ZON-24-0047 2875 S OCEAN BLVD SUITES 101 & 103 ACQUA CAFÉ—SPECIAL EXCEPTION WITH SITE PLAN REVIEW** The applicant, Acqua Express Café, has filed an application requesting Town Council review and approval for modifications to an existing Special Exception approval for a restaurant to add take-away restaurant service with no additional seating to an existing restaurant storage area in the C-TS zoning district.

C. Time Extensions, Waivers & Three Strike Matters

- 1. Request at 218 Worth Ave – Waiver of Town Code Section 42-199, for the Working Hours
- 2. Request at 339 Worth Ave – Waiver of Town Code Section 42-199, for the Working Hours
- 3. Request at 212 Australian Ave – Waiver of Town Code Section 18-

237, for Building Permit Extension

4. Request at 224 S. Ocean Blvd – Waiver of Town Code Section 18-237, for Building Permit Extension
5. Request at 70 Middle Rd. - Waiver of Town Code Section 18-237, For Building Permit Extension
6. Request at 1820 S. Ocean Blvd. - Waiver of Town Code Section 18-237, for Building Permit Extension
7. Request at 249 Seabreeze Ave. - Waiver of Town Code Section 18-237, For Building Permit Extension
8. 1540 S. Ocean Blvd - Three Strike & Stop Work Order
9. 241 Seaview Ave – Three Strike & Stop Work Order

IX. ORDINANCES

A. Second Reading

1. Ordinance 030-2024, Amending Chapter 50 of the Town Code of Ordinances, Changes Relating to Floodplain Management

ORDINANCE NO.030-2024: An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Of Palm Beach Code Of Ordinances To Update The Date Of The Flood Insurance Study And Flood Insurance Rate Maps; To Add A Definition Of Historic Structure; To Reformat A Previously Adopted Amendment To The Florida Building Code; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

X. ANY OTHER MATTERS

XI. 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.