



# TOWN OF PALM BEACH

Town Manager's Office

TENTATIVE-  
SUBJECT TO  
REVISION

## TOWN COUNCIL MEETING

TOWN HALL  
COUNCIL CHAMBERS-SECOND FLOOR  
360 SOUTH COUNTY ROAD

## AGENDA

WEDNESDAY, JULY 10, 2013

9:30 A.M.

**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 for communications from citizens will be offered immediately after the lunch break.)**

VI. APPROVAL OF AGENDA

VII. DEVELOPMENT REVIEWS

A. Time Extensions

None

B. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

None

2. New Business

a. **SITE PLAN REVIEW #8-2013** The application of Mark Goldman, Manager, Robmar Realty II, LLC; relative to property commonly known as **225 West Indies Drive**; described as Lot 17, BRAMS ADDITION, being a Replat of a Part of Lots 2, 3, 4, and 5, Indian Mound Tract, according to the map or plat thereof as recorded in Plat Book 26, Page 190 of the Public Records of Palm Beach County, Florida; located in the R-B Zoning District. The applicant is requesting Site Plan Review to allow the construction of a 5,306 square foot one-story single family residence on a non-conforming platted lot which is 99 feet in width in lieu of the 100 foot minimum required in the R-B Zoning District. [Attorney: Maura Ziska]

b. **SPECIAL EXCEPTION #7-2013 WITH SITE PLAN REVIEW AND VARIANCE (REVISED)** The application of 2842 S Ocean LLC, Edward Leevan, Manager; relative to property commonly known as **2842 South Ocean Blvd**; described as lengthy legal description on file; located in the R-D (2)/Beach Area Zoning Districts. (The application is being revised to add the underlined language in the description of request in Paragraph II.B.) Special Exception is being requested to modify the hotel which is a special exception use by a site plan modification for internal floor plan changes to the basement level of the hotel. Previously a 3,700 square foot spa and 1,141 square foot salon was approved in 2008 as a shell. The hotel is now requesting to build out the spa and salon with a modification as to the exact location of the spa/salon (square footage remains the same). 977 square feet on the north side of the spa is proposed to be used for storage. A further modification is to relocate conference/meeting rooms from the basement to the first

floor into space that was previously spa and salon and outdoor seating area. A further request is to approve work/changes already completed at the hotel that did not get the required approval by the Town Council. These are as follows: modification in the basement housekeeping area that consist of the removal of interior walls in the laundry room, create a doorway and add an additional exhaust to the south laundry room exterior grounds that is proposed to be screened by a wing wall and landscaping which will meet the noise decibel requirement in the Code; enclosure of an outdoor seating area on the northwest side of the hotel with glass walls and doors; addition of a 144 square foot gazebo to the north side of the hotel. Variances are also requested as follows: A variance to eliminate 42 required off-street parking spaces at the front of the hotel for a six day period from October 16, 2013 to October 21, 2013 for a 13,200 square foot tent to accommodate a conference meeting; a variance to allow an existing 144 square foot gazebo on the north side of the hotel to remain that will result in a lot coverage of 29.2% in lieu of the 28.1% existing and 22% maximum allowed; a variance to allow an existing 144 square foot gazebo on the north side of the hotel to remain that will result in a landscaped open space of 24.2% in lieu of the 24.4% existing and the 35% minimum required. [Attorney: Maura Ziska]

- c. **SPECIAL EXCEPTION #12-2013** The application of John Ceriale; relative to property commonly known as **230 South Ocean Blvd.**; described as Lot numbered 826, Poinciana Park Third Addition, Plat Book 8, Page 72; located in the BA Zoning District. The applicant is requesting Special Exception approval to construct a 350 square foot cabana on the subject property. The property will meet ocean vista requirements and will provide the necessary Unity of Title Agreement. [Agent: Jose Gonzalez]
- d. **SPECIAL EXCEPTION #13-2013** The application of Buccan; relative to property commonly known as **350 South County Road.**; described as Lots 11 through 17, Block 7, of REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA according to the Plat thereof recorded in Plat Book 4, Page 1, of the Public Records of Palm Beach County, Florida; located in the C-TS Zoning District. The applicant is requesting a modification to the previously approved Special Exception

use for the restaurant Buccan to allow the following services: Curbside pick-up of take-out orders (allow restaurant employee to take order out to the customers car temporarily parked at the valet stand); cater private parties off-site; delivery; use “Imoto at Buccan” in the advertising materials. [Attorney: Maura Ziska]

- e. **MODIFIED VARIANCE #19-2013** The application of John and Hinda Snyder; relative to property commonly known as **130 Cocanut Row**; described as lengthy legal description on file; located in the R-B Zoning District. The applicant is requesting approval for variances to construct a 350 square foot two-story addition (one-story with a roof terrace balcony) to expand the family room on the west side of the residence with a 8 foot north side yard setback in lieu of the 15 foot minimum required; and, to construct a 164 square foot second story addition to add a guest bedroom on the south side of the existing residence that will have a 5 foot south side yard setback in lieu of the 15 foot minimum required in the R-B Zoning District. [Attorney: Maura Ziska]
- f. **MODIFIED VARIANCE #23-2013** The application of Robert S. Cuillo; relative to property commonly known as **1260 North Lake Way**; described as lengthy legal description on file; located in the R-B Zoning District. The applicant is requesting approval for a variance to construct an addition on to the existing garage and add a second floor over the garage which requires the following variances: a north side yard setback of 12.6 feet in lieu of the 15 foot minimum required; an increase of the maximum lot coverage to 36.5% in lieu of the 30% maximum allowed from the 34.9% existing, an increase in the maximum existing cubic content ratio from 3.82 to 4.21 in lieu of the 3.9 maximum allowed. [Attorney: Joel P. Koeppel]  
*Deferred from the June 12, 2013, Town Council Meeting*  
[ARCOM Recommendation: Implementation of the proposed variances will not cause negative architectural impacts to the subject property. Carried 7-0]
- g. **VARIANCE #24-2013** The application of Paul Simonson, 550 South Ocean Blvd., LLC; relative to property commonly known as **550 South Ocean Blvd.**; described as lengthy legal description on file; located in the R-A Zoning District. The applicant is requesting a variance to construct a 1,398 square foot two-story guest house/garage addition that would have a 14.8 foot front

yard setback in lieu of the 35 foot minimum required. [Attorney: Maura Ziska]

[Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impacts to the subject property with the proviso that the addition be setback 3 additional feet. Carried 6-1]

- h. **VARIANCE #25-2013** The application of Archdiocese of Palm Beach County, Bishop Gerald Barbarito, Diocese of Palm Beach; relative to property commonly known as **142 North County Road**; described as lengthy legal description on file; located in the C-TS Zoning District. The applicant is requesting a variance to replace the existing “St. Edwards” church sign with a new sign that will be 13.5 square feet in lieu of the 6 foot maximum square footage allowed for an institutional sign. [Attorney: Maura Ziska]
- i. **VARIANCE #26-2013** The application of Gary L. and Terri L. Schottenstein; relative to property commonly known as **270 El Bravo Way**; described as Lot 14 and the West 76.72 feet of Lot 1 of SUPPLEMENTARY PLAT OF EL BRAVO PARK, according to the Plat thereof as recorded in the Plat Book 9, page 9, Public Records of Palm Beach County, Florida; located in the R-A Zoning District. The applicant is proposing to construct a new 15,011 square foot, two-story residence that will require the following variances: (1) to allow a point of measurement of 8 feet National Geodetical Vertical Datum mean seal level (NGVD) for height in lieu of the 7.5 foot NGVD maximum allowed for lots abutting low streets; (2) for building height plane setback of 35 feet in lieu of the 42 foot minimum required for the architectural features above the parapet roof and one-story garage; and (3) to allow a parapet on a pitched roof house with an overall height of 35 feet in lieu of the 30 foot maximum allowed when using parapets. [Attorney: Maura Ziska]  
*Request for Deferral to the August 14, 2013, Town Council Meeting Per Letter Dated June 27, 2013, from Maura A. Ziska.*
- j. **VARIANCE #27-2013** The application of Virginia Dominicus LLC; relative to property commonly known as **230 South County Road, Suite D**; described as Lots 754, 756, 758, 760 and 764, LESS the Easterly 15 feet of Lot

764, POINCIANA PARD 3<sup>rd</sup> ADDITION, according to the Plat thereof as recorded in Plat Book 8, Page 72, of the Public Records of Palm Beach County, Florida; located in the C-TS Zoning District. The applicant is requesting a variance to allow a 1,170 square foot interior design firm (Virginia Dominicus LLC) to open on the second floor of a building in the C-TS Zoning district without the required two additional parking spaces that are required under the principle of equivalency for converting a use from residential (requiring two parking spaces) to office (requiring four parking spaces based on 1/250 square feet). [Attorney: Maura Ziska]

- k. **VARIANCE #28-2013** The application of Jeffrey and Lee Alderton; relative to property commonly known as **2283 Ibis Isle Road**; described as Lot 25, IBIS ISLE, according to the Plat thereof as recorded in Plat Book 24, Page 84, Public Records of Palm Beach County, Florida; located in the R-B Zoning District. The applicant is proposing to build a swimming pool on the west side of his property requiring a variance to allow for a 10 foot setback in lieu of the 15 foot minimum required in the R-B Zoning District. [Attorney: John L. McDonald]

C. Other

- 1. Declaration of Use Agreement Relative to a 16 Slip T-Shaped Dock at the Oasis Condominium, 3120 South Ocean Boulevard. [John Page, Director of Planning, Zoning, and Building]

VIII. ANY OTHER MATTERS

IX. ADJOURNMENT

## PLEASE TAKE NOTE:

- 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.
- The progress of this meeting may be monitored by visiting the Town's website ([www.townofpalmbeach.com](http://www.townofpalmbeach.com)) and selecting "Your Government" and then selecting "Audio (Live and Archived)." 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.
- 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.
- 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.
- 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.
- 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 CITIZENS:** Any citizen is entitled to be heard concerning any 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.