



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, JUNE 15, 2011

9:30 AM

For information regarding procedures for monitoring or participating in 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. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 14-11 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 134, Zoning, At Section 134-2 To Create Definitions Of Business Directory Sign and Menu Sign; At Section 134-2435 By Creating A Provision To Permit Business Directory Signs At The Entrances To A Via Or Esplanade; Section 134-2446 By Creating Said Section To Provide A Provision To Allow A Menu Sign At The Entrance Of A Restaurant Or Merchant Retail Take-Out Food Establishment; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing For An Effective Date.
[John Page, Director of Planning, Zoning, and Building]

B. First Reading

None

VIII. DEVELOPMENT REVIEWS

A. Appeals

None

B. Time Extensions & Waivers

1. Request for Waiver of Section 42-199, Hours of Construction Work, at 135 Bradley Place (Publix Supermarket) Per Letter Dated May 23, 2011, from Martin C. Gierlach.

C. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

None

2. New Business

- a. **SITE PLAN REVIEW #8-2011 WITH SPECIAL EXCEPTION AND VARIANCES** The application of

250 RPW LLC (Anthony Cordasco); relative to property commonly known as **250 Royal Palm Way**; described as lengthy legal description on file; located in the C-OPI Zoning District. The applicant is requesting a Site Plan Review to (1) modify the exterior of the existing office building by increasing the height of the parapet; and (2) modify the configuration of the spaces in the existing parking garage which will reduce the total number of parking spaces to accommodate two handicap parking spaces and allow an accessible entry into the building from the parking garage where one currently does not exist. Cornices and architectural features will be added to enhance the façade of the building. Landscaping will be added to the sidewalks on the south and west side of the building. The Special Exception request is to allow the parapet to be increased on the third story. The following variances are requested in conjunction with the proposed renovation: to allow the addition of a parapet onto the roof of a nonconforming building which increases the overall height in the required front, street side yard (west), and side yard (east) setbacks; to allow the overall height to be raised to 48.5 feet at the entry parapet and 45.5 feet at the building parapet in lieu of the 40 foot maximum allowed in the C-OPI Zoning District; to allow the number of parking spaces in the garage to be reduced from 75 spaces to 72 spaces proposed in lieu of the 84 required based on the gross leasable square footage of the building (which remains unchanged); to allow a building identification sign above the roof level of the building which is not allowed by Code. The height of the proposed sign will be 44.3 feet. In addition, to allow a variance for a 2 foot wide in-ground landscape strip along the walkways abutting the north and west facades of the building in lieu of potted plants or removable planters which would be required by Code. [Attorney: Maura Ziska]
[ARCOM Recommendation: Approval of the variances will not cause negative architectural impacts. Carried 7-0.]

- b. **SPECIAL EXCEPTION #13-2011 WITH SITE PLAN REVIEW** The application of Karen Egger; relative to property commonly known as **216 Colonial Lane**; described as lengthy legal description on file; located in the R-B Zoning District. The applicant is requesting a Special Exception with Site Plan Review to allow the construction of 2,890 square foot, two-story single family residence on a non-conforming unplatted lot which is 75 feet in width in

lieu of the 100 foot minimum; 82 feet in depth in lieu of the 100 foot minimum required; and 6,150 square feet in area in lieu of the 10,000 square foot minimum required in the R-B Zoning District. [Attorney: Maura Ziska]

c. **SPECIAL EXCEPTION #14-2011 WITH VARIANCES**

The application of Palm Beach Country Club, Inc.; relative to property commonly known as **760 North Ocean Boulevard**; described as lengthy legal description on file; located in the R-A Zoning District. The applicant is requesting a Special Exception with Site Plan Review modification to demolish the existing caretaker's house on the west side of the Club golf course and build a new caretaker's house in the same proximity. The proposed house will be 5,581 square feet. The following variances are being requested: to allow a front yard setback/building height plane setback for the new caretaker's house to be 19.5 feet in lieu of the 49.5 foot minimum required and to allow an angle of vision to be 136.86 degrees in lieu of the 120 degrees maximum allowed. [Attorney: Maura Ziska]
Request for Deferral to the July 13, 2011, Meeting Per Letter Dated May 26, 2011, from Maura A. Ziska.

d. **SPECIAL EXCEPTION #15-2011 WITH VARIANCE**

The application of Palm Beach Day Academy, Inc.; relative to property commonly known as **241 Seaview Avenue**; described as lengthy legal description on file; located in the R-B Zoning District. The applicant is requesting a Special Exception approval to modify the interior of the school to remove classrooms that were temporarily constructed in the old auditorium and convert that space back to a complete auditorium with 299 fixed seats. The intent is to relocate theater type performances from the gymnasium (where they are currently held) to the newly renovated auditorium. The goal would be to have theater-type performances in the new auditorium and athletic events or larger events in the gymnasium. It is not the intention of the school to have two major events in both facilities at the same time. A variance is requested to provide zero parking spaces in lieu of the 75 additional off-street parking spaces required for the conversion of the old auditorium/classroom area back into an auditorium. [Attorney: Maura Ziska]

- (1) Request for Waiver of Section 42-199, Hours of Construction Work, at 241 Seaview Avenue (Palm

Beach Day Academy) Per Letter Dated June 1, 2011, from Maura A. Ziska.

- e. **VARIANCE #9-2011** The application of John Cerialle.; relative to property commonly known as **230 South Ocean Blvd.**; described as Lot 528, Poinciana Park, Second Addition, Plat Book 6, Page 86; located in the R-B Zoning District. Variances requested are: to add onto an existing first floor porch and balcony on the southwest corner of the house. The request is to increase lot coverage 135 square feet, from 28.7 to 29.4 percent in lieu of the 25 percent maximum allowed and to construct an addition to the first floor porch and second floor balcony with a street side yard setback of 20.16 feet in lieu of the 30 foot minimum required. [Attorney: Jose A. Gonzalez]
[ARCOM Recommendation: Eliminate the portion of the proposed corner loggia addition on the street side yard setback. Approval of the lot coverage variance for the remainder of the proposed addition will not cause negative architectural impact. Carried 7-0.]
- f. **VARIANCE #10-2011** The application of M. McDermott, Trustee for the David M. McDermott Revocable Trust u/a/d 1/3/2006; relative to property commonly known as **252 Seaspray Avenue**; described as Lots 409, 413 and 415, POINCIANA PARK 2nd addition, according to the plat thereof recorded in Plat Book 6, Page 86, of the Public Records of Palm Beach County, Florida; located in the R-B Zoning District. The applicant is requesting a Variance to construct a second story addition that would enclose the balcony and would result in a 4.67 foot setback in lieu of the 15 foot minimum setback required in the R-B Zoning District. [Attorney: Maura A. Ziska]

D. Other

None

IX. ANY OTHER MATTERS

X. 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) and selecting "Your Government" and then selecting "Live Meeting Audio." 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 under "Agendas, Minutes, and Audio."
- 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.

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.