



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 13, 2012

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. DEVELOPMENT REVIEWS

A. Appeals

None

B. Time Extensions & Waivers

None

C. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

None

2. New Business

- a. **SPECIAL EXCEPTION #6-2012** The application of Rabbi Zalman Levitin, President, The Chabad House Northern Palm Beach Island; relative to property commonly known as **361 South County Road**, Via Rosa; Royal Park Addition Lots 6 & 7, Block 8; located in the C-TS Zoning District. The applicant requests a special exception to allow a 1,962 square feet synagogue containing 40 seats and normal accessory uses such as religious study groups and a child day care facility. [Attorney: Brian M. Seymour]

- b. **VARIANCE #18-2012** The application of Hibiscus Avenue LLC; relative to property commonly known as **358 Hibiscus Avenue**; described as The South 55 feet of Lots 25, 26, 27, and 28, Block 6, Revised Map of Royal Park Addition to Palm Beach, Florida, according to the Plat thereof, on file in the office of the Clerk of the Circuit Court in and for Palm Beach County, recorded in Plat Book 4, Page 1; located in the R-C Zoning District. The applicant requests a variance to allow the rear yard setback for a swimming pool to be 5 feet in lieu of the 10 foot minimum required. [Attorney: Maura A. Ziska]

- c. **VARIANCE #19-2012** The application of Terry J. Levine and Beth Levine; relative to property commonly known as **2250 Ibis Isle Road**; described as Lot 30, IBIS ISLE, according to the Plat thereof, as recorded in Plat Book 24, Page 84, of the Public Records of Palm Beach County,

Florida; located in the R-B Zoning District. The applicant requests variances to allow construction of a two car garage addition with a 9.2 foot north side yard setback in lieu of the 12.5 foot minimum required and to allow construction of a garage addition that will have an angle of vision of 120 degrees in lieu of the 108 degrees maximum allowed in the R-B Zoning District. [Attorney: Maura A. Ziska]

Request for Withdrawal Per Letter Dated May 31, 2012, From Maura A. Ziska.

- d. **VARIANCE #20-2012** The application of Peter T. Grauer and Laurie M. Grauer; relative to property commonly known as **201 El Bravo Way**; described as Lot 7, plus the East 6.14 feet of Lot 8, Supplementary Plat of El Bravo Park, according to the Plat thereof, as recorded in Plat Book 9, Page 9, Public Records of Palm Beach County, Florida; located in the R-A Zoning District. The applicant is requesting to construct a 384 square foot loggia addition to the west side of their house. Variances are requested to allow a side yard setback of 7 feet in lieu of the 15 foot minimum setback required and lot coverage of 30% in lieu of the 28% existing and the 25% maximum allowed in the R-A Zoning District. [Attorney: Maura A. Ziska]
[Landmarks Commission Recommendation: Implementation of the proposed variance will cause negative architectural impacts to the subject landmark property. Carried 7-0.]
Request for Deferral to the August 15, 2012, Town Council Meeting Per Undated Letter Received May 8, 2012, From Maura A. Ziska.

- e. **VARIANCE #21-2012** The application of Mary M. Ourisman; relative to property commonly known as **300 Regents Park Road**; described as Lot 2, REGENTS PARK, according to the Plat thereof, as recorded in Plat Book 25, Page 215, of the Public Records of Palm Beach County, Florida; located in the R-AA Zoning District. The applicant is proposing additions to the existing non-conforming house. Variances requested are: 1. Addition of a 962 square foot loggia on the west side of the residence that will have a 6.16 foot north rear yard setback in lieu of the 15 foot minimum setback required; 6.16 foot south front yard setback in lieu of the 35 foot minimum setback required; a building height plane south setback of 6.16 feet in lieu of the 42 foot minimum required for chimney and the 24.25 minimum required for the top of loggia parapet. 2. Addition of two pool pavilions that are each 160 square feet in area with a 10 foot north rear setback in lieu of the

15 foot minimum setback required; 10.3 foot south side yard setback in the lieu of the 30 foot minimum setback required. 3. Addition of a front entry pediment with a south front yard setback/building height plane setback of 9.66 feet in lieu of the 40.58 foot minimum required and 32.5 feet existing. 4. Addition of balustrade on the south side of the roof with a front yard setback/building height plane setback of 11.33 feet in lieu of the 34.25 foot minimum required and 29.1 feet existing. 5. Allow the proposed additions with a landscaped open space of 48% in lieu of the 47% existing and 55% minimum required, and, 6. Allow the proposed additions with a lot coverage of 32% in lieu of the 26% existing and the 25% maximum allowed in the R-AA Zoning District. [Attorney: Maura A. Ziska]
[ARCOM Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 7-0.]

- f. **VARIANCE #22-2012** The application of 456 WA, LLC (Larry Keller, Manager); relative to property commonly known as **456 Worth Avenue**; described as lengthy legal description on file; located in the R-B Zoning District. The applicant is requesting a variance to demolish and rebuild the perimeter walls of a landmarked two story residence which will result in the demolition of more than 50% of the cubic footage of the residence which is not allowed. [Attorney: Maura A. Ziska]
[Landmarks Commission Recommendation: Pending June 13, 2012 meeting.]

- g. **SITE PLAN REVIEW #5-2012 WITH SPECIAL EXCEPTION AND VARIANCES** The application John O. Pickett and Robin R. Pickett; relative to property commonly known as **425 Worth Avenue, PH-A**; described as lengthy legal description on file; located in the R-D(2) Zoning District. The applicant requests a site plan review modification and special exception with variances to allow a 188 square foot awning extension to the west side of the existing awning and a 25 square foot addition to the north side of the unit on the penthouse level of a seven story building. Variances are requested to allow the awning extension and addition at a height of 63.25 feet in lieu of the 60 feet maximum allowed; the awning extension and addition on the existing seventh floor penthouse of a seven story building in lieu of the five story building maximum allowed; the awning extension with a front yard setback of 21.9 feet in lieu of the 126 foot minimum required for a

multi-family building; the awning extension to have a west side yard setback of 37.7 feet in lieu of the 65 foot minimum required for a multi-family building; the proposed addition to have a west side yard setback of 78.7 feet in lieu of the 65 foot minimum required for a multi-family building; the proposed addition a north side yard setback of 34.7 feet in lieu of the 126 foot minimum required for a multi-family building in the R-D(2) Zoning District. [Attorney: Maura A. Ziska]

[ARCOM Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 7-0.]

- h. **SPECIAL EXCEPTION #5-2012 WITH SITE PLAN REVIEW** The application of Noreen S. Dreyer, Esq. for JP Morgan Chase Bank, NA; relative to property commonly known as **411 South County Road**; lengthy legal description on file; located in the C-TS/C-WA Zoning Districts. The applicant requests a special exception to allow a new bank tenant in the C-TS Zoning District to occupy an existing bank building with greater than 3,000 square feet of gross leasable area, with an ATM in the same location, which requires a finding that the bank is town-serving. The existing and proposed gross leasable area is 9,431 square feet. There will be no material changes to the building or site plan except for interior changes as shown on the proposed floor plans and a change in the color of the awnings from red to blue. A special exception is requested to utilize the existing drive-in service facility consisting of two drive-through lanes and one by-pass lane as a result of a change in tenant utilizing the existing drive-in service facility for the same use in the C-WA Zoning District. [Attorney: Noreen S. Dreyer]

D. Other

1. Consideration of Terms and Conditions of the Proposed Declaration of Use Agreement for Pizza Al Fresco, Special Exception No. 4-2012 With Variances.

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) 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.