



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, MAY 15, 2013

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

1. Appeal of Landmarks Preservation Commission's Decision Regarding COA#003-2013 (Bethesda-By-The-Sea Episcopal Church) by Peter S. Broberg, Esq.
[John Page, Director of Planning, Zoning and Building]
Deferred from the March 13, 2013, Town Council Meeting.
2. Appeal of Architectural Commission's Decision Regarding A-011-2013 (231 Kenlyn Road) by Robert Andrew Roddy.
[John Page, Director of Planning, Zoning and Building]

B. Time Extensions & Waivers

1. Request for Waiver of Section 42-199, Hours of Construction Work, at 1045 South Ocean Boulevard Per Letter Dated April 19, 2013, from Jeffrey D. Brasseur and Dan Borislow.

C. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

None

2. New Business

a. **SITE PLAN REVIEW #5-2013** The application of Peter W. May and Leni May; relative to property commonly known as **310 Atlantic Avenue #1**; described as lengthy legal description on file; located in the R-D (1) Zoning District. The applicant is requesting Site Plan modification approval for the installation of four awnings totaling 425.5 square feet on the ground floor and balcony of a dwelling unit on a multi-family property. The proposed awnings are as follows: a. First Floor North 15 feet x 8 feet 7 inches; b. First Floor Center 8 feet x 8 feet 7 inches; c. First Floor South 14 feet x 8 feet 7 inches; and, d. Second Floor South 18 feet x 6 feet. [Attorney: M. Timothy Hanlon]

b. **SITE PLAN REVIEW #6-2013** The application of 106 Hammon Avenue, LLC (John J. Cafaro, Member); relative to property commonly known as **106 Hammon Avenue**; described as The West 80 feet of Lot 1, Block 2, of VILLA MARINE, according to the Plat thereof, as recorded in Plat Book 2, Page 98, Public Records of Palm Beach County,

Florida; located in the R-C Zoning District. The applicant is requesting Site Plan modification to permit a renovation of the existing apartment building as follows: Reduce the number of residential units from 11 to 6; lower the floor level of the units on the first floor by 22 inches; eliminate the existing southern steps and landing on the east side of the building so that the door will be at ground level; eliminate the existing south door, steps and landing on the west side of the building; replace the existing window unit air conditioners with quieter, more efficient units to be placed on the roof behind the existing mechanical room to be shielded from the neighbors by new wing walls; minor exterior window changes to be submitted to Architectural Commission for approval. There will be no change to the height or overall height of the building.

[Attorney: M. Timothy Hanlon]

c. **SPECIAL EXCEPTION #8-2013 WITH SITE PLAN REVIEW**

The application of Alex Gilmurray, as Chief Financial Officer of Breakers Palm Beach, Inc.; relative to property commonly known as **1 South County Road**; described as lengthy legal description on file; located in the PUD-A Zoning District. The applicant is requesting approval for some physical improvements to the pool areas in the southeast portion of the hotel property. These improvements will include: the conversion of the previously-constructed pavilion on the beach bungalow area to a gazebo bar with 38 seats. No structural changes are being made to the pavilion. The proposed bar will serve hotel members and guests only; replacement of existing kiddie pool on the west side of the south pool deck with a landscape feature; replacement of concrete pavement with pavers set in sand and addition of new Jacuzzi on east side of south pool desk; enclosure of approximately 635 square feet (A/C space) on the east side of the spa and courtyard renovation including new paving in spa area; renovations in the spa lap pool area including enlargement of the existing jacuzzi and a new shade pergola structure immediate north of the lap pool.

[Attorney: James M Crowley]

d. **VARIANCE #18-2013** The application of Ramsey and Suzanne Frank; relative to property commonly known as **485 South County Road**; described as Lot 86, SINGER ADDITION TO THE TOWN OF PALM BEACH, according to the Plat thereof as recorded in Plat Book 8,

Page 81, Public Records of Palm Beach County, Florida; located in the R-B Zoning District. The applicant is requesting approval for a variance to construct a 385.5 square foot second story addition to expand the master bedroom with a proposed 10 foot side yard setback on the south of the house in lieu of the 15 foot minimum required. [Attorney: Maura A. Ziska]

- e. **VARIANCE #19-2013** The application of John and Hinda Snyder; relative to property commonly known as **130 Coconut Row**; described as Lengthy legal description on file; located in the R-B Zoning District. The applicant is requesting a variance to construct a 406 square foot one story addition to expand the family room on the north side of the existing residence with a proposed 6.68 foot street side yard setback in lieu of the 25 foot minimum required and a 164 square foot second story addition on the south side of the house with a 4.72 foot side yard setback in lieu of the 15 foot minimum required.

[Attorney: Maura A. Ziska]

Request for Deferral to the July 10, 2013, Town Council Meeting Per Letter Dated April 29, 2013, from Maura A. Ziska.

- f. **VARIANCE #20-2013** The application of Stephen and Muffie Murray; relative to property commonly known as **302 Caribbean Road**; described as East 77 feet of Lot 89 and all of Lots 90, 91, and 92, according to the Plat thereof as recorded in the Plat Book 18, Page 5, Public Records of Palm Beach County, Florida; located in the R-B Zoning District. The applicant is requesting a variance to construct a bay window addition onto the north side of the house that require the following variances: a front yard setback of 26.5 feet in lieu of the 35 foot minimum required for a lot that has a depth in excess of 150 feet in the R-B Zoning District; a bay window with a length of 12 feet in lieu of the 10 foot maximum allowed; a bay window that is 66% of the total dimension along the building wall from which it projects in lieu of the 25% maximum allowed. A request for a variance is also being requested to extend the existing garage to the south 31.66 feet and add a new second story above the garage which will total 1,195 square feet with a proposed street side yard setback of 33.24 feet in lieu of the 35 foot minimum required for a lot that has a width in excess of 125 feet. [Attorney: Maura A. Ziska]

[ARCOM Recommendation: The proposed variances will

not cause negative architectural impacts to the subject property. Carried 7-0]

D. Other

None

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 "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.

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.