



TENTATIVE:

# TOWN OF PALM BEACH

Town Manager's Office

## TOWN COUNCIL MEETING DEVELOPMENT REVIEW

TOWN HALL  
COUNCIL CHAMBERS-SECOND FLOOR  
360 SOUTH COUNTY ROAD

### AGENDA

APRIL 15, 2015

9:45 AM

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  
Michael J. Pucillo, President  
Richard M. Kleid, President Pro Tem  
Danielle H. Moore  
Penelope D. Townsend  
Robert N. Wildrick

#### 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

#### VI. APPROVAL OF AGENDA

#### VII. DEVELOPMENT REVIEWS

##### A. Time Extensions and Waivers

1. Request for One Year Time Extension, Special Exception No. 7-2014 with Site Plan Review and Variance  
8 Golfview Road

*John S. Page, Director of Planning, Zoning and Building*

## **B. Variances, Special Exceptions, and Site Plan Reviews**

### **1. New Business**

- a. **SPECIAL EXCEPTION #10-2015 WITH SITE PLAN REVIEW AND VARIANCE** The application of Eric Stein, Manager; relative to property commonly known as **285 Colonial Lane**, described as Lot 35 and the East 50 feet of Lot 36, El Encanto Plat No. 2, according to the plat thereof, recorded in Plat Book 13, Page 14, of the Public Records of Palm Beach County, Florida; located in the R-B Zoning District. The Applicant is requesting Special Exception with Site Plan Review approval to continue demolition and reconstruction of a one story house into a two story house which has exceeded the maximum demolition of more than 50% by cubic footage. The Special Exception with Site Plan Review is required because the house is located on a portion of platted lots that are 84 feet in depth in lieu of the 100 foot minimum required. The request is to allow more demolition of the south first floor wall and roof trusses (which are in disrepair due to termite damage) to accommodate the second floor dormer windows which were previously approved. The following variance is being requested to build back the garage in the same location with a second floor addition: to allow an angle of vision for the house to be 122 degrees (to match existing garage prior to demolition) in lieu of the 116 degree maximum allowed for a lot with a width of 150 feet. [Attorney: Maura Ziska, Esq.]

*John S. Page, Director of Planning, Zoning and Building*

- b. **SPECIAL EXCEPTION #11-2015 WITH VARIANCE** The application of Bricktop's Palm Beach (Joe Ledbetter, Owner); relative to properties commonly known as **375 South County Road and 330 Peruvian Avenue**, described as lengthy legal descriptions on file; located in the C-TS Zoning District. The Applicant is requesting Special Exception to modify a previously approved special exception and condition of approval to allow for the off-site required parking of twenty two (22) vehicles to be located at 330 Peruvian Avenue in lieu of the Apollo Parking lot which will require the following variance request: Request for a variance to allow the off-site required parking lot to be 1,185 feet as measured along the nearest public or permanent private pedestrian walkway in lieu of the 500 maximum distance. [Attorney: Maura Ziska, Esq.]

(ii) BrickTop's Restaurant Operations: Six Month Review, Special Exception #21-2012, 375 South County Road  
*Deferred from the June 11, 2014, September 10, 2014, October 15, 2014, December 10, 2014, and January 14, 2015, Town Council Meetings*

*John S. Page, Director of Planning, Zoning and Building*

- c. **VARIANCE #8-2015** The application of William H. Sned, III, Manager of 240 Atlantic Ave LLC; relative to property commonly known as **240 Atlantic Avenue**, described as Lots 21 and 22, ORANGE GROVE PARK, according to the Plat thereof, as recorded in Plat Book 5, Page 97, of the Public Records of Palm Beach County, Florida; located in the R-C Zoning District. The Applicant is requesting variances to allow construction of a new 3,140 square foot two story residence on a lot with a width of 50 feet in lieu of the 75 foot minimum required and a lot area of 5,000 sq. ft. in lieu of the 10,000 sq. ft. minimum required in the R-C Zoning District; to allow lot coverage to be 32.8% in lieu of the 30% maximum allowed; and, to allow a swimming pool to have a 6.87 foot rear yard setback in lieu of the 10 foot minimum required. [Attorney: Maura Ziska, Esq.]

*John S. Page, Director of Planning, Zoning and Building*

- d. **VARIANCE #9-2015** The application of Meat Market; relative to property commonly known as **191 Bradley Place**, described as Lot 19, Block 4, OCEAN PARK H.W. ROBBINS ADDITION TO PALM BEACH, FLORIDA, according to the Plat thereof, as recorded in Plat Book 6, Page 78, of the Public Records of Palm Beach County, Florida; located in the C-TS Zoning District. The Applicant is requesting a variance to allow the air conditioning equipment on the rooftop of the existing restaurant "Meat Market" to have a sound-screening wall to be 7 feet tall in lieu of the 5 foot maximum allowed. [Attorney: Maura Ziska, Esq.]

*John S. Page, Director of Planning, Zoning and Building*

## **VIII. ORDINANCES**

### **A. Second Reading**

1. **ORDINANCE NO. 5-2015** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 134 Of The Town Code Of Ordinances Titled Zoning At Article XI, Signs, Division 2, Residential Districts, Section 134-2409, Temporary Political Signs Pertaining To Specific Elections, At Subparagraph (2) Relating To Maximum Number Of Signs, At Subparagraph (6) Relating To The Time Limit For Placement Of Signs, And At Subparagraph (7) Relating To Illegally Placed Signs; Amending Chapter 134, Article XI, Signs, Divisions 3, Commercial Districts, Section 134-2444, Titled Temporary Signs Pertaining To Time Limits; Amending Section 134-2446 Titled Temporary Political Signs Pertaining To Specific Election At Subparagraph (2) Relating To Maximum Number Of Signs, At Subparagraph (6) Relating To The Time Limit For Placement Of Signs, And At Subparagraph (7) Relating To Illegally Placed Signs; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For

Codification; Providing An Effective Date.

*John C. Randolph, Town Attorney*

## **B. First Reading**

1. **ORDINANCE NO. 13-2015** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 134, Zoning; Article VI, District Regulations, Section 134-1107(a) To Allow Public Parks As A Permitted Use In The C-TS Commercial Zoning District; Section 134-1109(a) To Allow Private Parks As A Special Exception Use In The C-TS Commercial Zoning District; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

*John S. Page, Director of Planning, Zoning and Building*

## **IX. ANY OTHER MATTERS**

## **X. ADJOURNMENT**

### **PLEASE TAKE NOTE:**

**Note 1:** 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.

**Note 2:** The progress of this meeting may be monitored by visiting the Town's website ([townofpalmbeach.com](http://townofpalmbeach.com)) and clicking on "Meeting Audio" in the left column. 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.

**Note 3:** 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.

**Note 4:** 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.

**Note 5:** 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.

### **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.