



# **TOWN OF PALM BEACH**

PLANNING, ZONING, & BUILDING DEPARTMENT

## **TOWN COUNCIL MEETING DEVELOPMENT REVIEW**

**TOWN HALL  
COUNCIL CHAMBERS - SECOND FLOOR  
360 SOUTH COUNTY ROAD**

### **AGENDA**

**APRIL 14, 2021**

**9:30 AM**

## **Welcome**

**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**

Danielle H. Moore, Mayor  
Julie Araskog  
Edward Cooney  
Lew Crampton  
Bobbie Lindsay  
Margaret A. Zeidman

### **II. INVOCATION AND PLEDGE OF ALLEGIANCE**

### **III. COMMENTS OF MAYOR DANIELLE H. MOORE**

### **IV. COMMENTS OF TOWN COUNCIL MEMBERS**

### **V. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE**

### **VI. APPROVAL OF AGENDA**

## VII. RESOLUTIONS

- A. **RESOLUTION NO 034-2021** A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As 127 Kings Road Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach.
- B. **RESOLUTION NO 035-2021** A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As 137 Kings Road Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach.
- C. **RESOLUTION NO 040-2021** A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As 223 Colonial Lane Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach.

## VIII. DEVELOPMENT REVIEWS

### A. Appeals

- 1. ARCOM Appeals of B-063-2020 160 Royal Palm Way  
**Requested Deferral to the May 12, 2021 Meeting per Email from Donald Lunny and John Eubanks**
- 2. ARCOM APPEAL OF A-010-2021 1055 N OCEAN BLVD

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

#### 1. Old Business

- a. **Z-21-00337 SPECIAL EXCEPTION WITH SITE PLAN REVIEW** Zoning District: R-B Low Density Residential The application of TOWN OF PALM BEACH (Kirk Blouin, Town Manager), applicant, relative to property located at **320 S LAKE DR**, legal description on file, is described below. The Town of Palm Beach is requesting a special exception with site plan review to modify Lake Drive Park with hardscape/landscape improvements. The improvements include equipment landscape screening; new pervious pathways along the perimeter and middle sections of the park; reconfiguring the trash compactor area to facilitate access for servicing; reconfiguration of road access to parking lots to allow for gates and S Lake Drive cross walks; addition of pole mounted cameras and parking lot resurfacing. Also included in the proposed changes is the replacement and addition of benches; parking lot landscape screening; new landscaping beds in

various locations; new bike racks, dog water fountains; and a relocated flag pole. Site vistas that exist in the park will be maintained. [Applicant's Representative: Paul Brazil, Director of Public Works] [The Landmarks Preservation Commission acknowledged the special exception and site plan review required. Carried 7-0.]

**TIME CERTAIN: 10:00 AM**

- a.1 Budget Amendment for Costs Associated with Staffing for the Town Marina and Improvements to Lake Drive Park

**ORDINANCE NO. 11-2021** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Providing For An Amendment To The Town's Budgets Adopted For The Fiscal Year Commencing October 1, 2020, And Providing An Effective Date.

Jane Le Clainche, Director of Finance

- b. **Z-19-00232 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: C-WA Worth Avenue The application of 125 Worth Partners, LLC, Applicant, relative to property located at **125 WORTH AVE**, legal description on file, is described below. The applicant requests Site Plan Review modification approval for revitalization, renovation and expansion of the 45 year-old nonconforming commercial building located at 125 Worth Avenue in the C-WA zoning district. The building will be completely renovated architecturally using design themes found in the Worth Avenue Design Guidelines. In addition, a two story addition is being proposed on the east end of the property. To make this project financially feasible, the owners are requesting to demolish and rebuild the existing fourth story and expand its footprint to add four residential units. In addition to the Site Plan Review proposed modifications, the applicant is requesting the following Special Exceptions and Variances required to complete the project: 1. Per Section 134-1163(8)b., a special exception for a two-story and fourth story addition. The existing building is four stories but it is being expanded. 2. Per Section 134-2182(b), a special exception for on-site shared parking, subject to a professional shared parking analysis. 3. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the height from 53' in lieu of the 49'2" existing and the 25' maximum allowed by code. 4. Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the overall building height to 63'4" in lieu of the 53'8" existing and the 35' maximum allowed by current code. 5. Per Section 134-419, variance to allow an expansion of an existing nonconforming building by increasing the existing air conditioned floor area of the fourth story to 13,212.9 square feet from 3,448.75 square feet existing. An open fourth story trellis of 5,433 square feet is also proposed in this application and included in the calculation of lot coverage, below. There is an existing exterior fourth floor covered area of approximately 3,290 Square feet in addition to the existing air conditioned floor area on the fourth story of the building. 6. Per Section 134-1163(5), variance to allow a minimum front yard setback of 1'1" for portions of the building in lieu of the 5' existing and the 5' minimum required on the private property. The sidewalk is required to be a

minimum of 10' wide and this proposal is a minimum of 8'2" in the area where the sidewalk is only 1'1" wide on private property. 7. Per Section 134-1163(9)b., variance for lot coverage of 71% on the first floor in lieu of the 57% existing and the 35% maximum allowable. 8. Per Section 134-1163(9)b., variance for lot coverage of 71% on the second floor in lieu of the 57% existing and the 35% maximum allowed for second story. 9. Per Section 134-1163(9)b., variance for lot coverage of 54% on the fourth floor in lieu of the 20% existing and the 35% maximum allowable by code. 10. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the existing building length at the east end of the building from 201'8" to 246' in lieu of the 150' permitted as of right in the C-WA zoning district. [Applicant's Representative: James M. Crowley Esq] [The Architectural Review Commission deferred this project to their February 24, 2021 Meeting. Carried 6-1.] **Request For Deferral to the May 12, 2021 Meeting Per Letter from James M. Crowley.**

- c. **Z-20-00269 VARIANCES** Zoning District: R-B Low Density Residential The application of John Criddle and Franny Frisbie, Applicant, relative to property located at **143 REEF RD**, legal description on file, is described below. The applicant is proposing to construct a new 597 square foot one story garage to the west of the existing residence. The following variances are being requested: 1. Section 134-893(7): The applicant is requesting a variance for a west side yard setback of 5 feet in lieu of the 12.5 foot minimum required for a one story building. 2. Section 134-893(6): The applicant is requesting a variance for an angle of vision of 105 degrees in lieu of the 100 degrees maximum allowed. [Applicant's Representative: Maura Ziska Esq] [Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause architectural impact to the subject property. Carried 4-3.] [The Architectural Review Commission approved the project as presented. Carried 7-0.] **Request for Withdrawal Per Email Dated April 5, 2021 from Maura Ziska**
- d. **Z-20-00299 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: R A Estate Residential The application of 1015 SOUTH OCEAN LLC (MAURA ZISKA, MANAGER), applicant, relative to property located at **1015 S OCEAN BLVD**, legal description on file, is described below. 1) Section 134 840: Special Exception with Site Plan Review to allow the construction of an 11,031 square foot two story residence on a non conforming lot that is 97.97 feet in depth in lieu of the 150 foot minimum required In the R A Zoning District. 2) Section 134 843(a)(5): A request for a variance to allow a front setback of 16 feet 7.5 inches in lieu of the 35 foot minimum required in the R A Zoning District. 3) Section 134 843(a)(9): A request for a variance to allow a rear setback of 2 feet 7 inches in lieu of the 15 foot minimum required in the R A Zoning District. 4) Section 134 843(a)(6)b: A request for a variance to allow an Angle of Vision of 133.74 degrees in lieu of the 120 degrees maximum allowed in the R A Zoning District. 5) Section 134 843(a)(7): A request for a variance to have a building height plane setback ranging as close to the front property line as 16.8 feet (one story element) to 29.25 feet (two story element) in lieu

of the minimum 35 foot (one story element) to 47.6 foot (two-story element) minimum required by Code in the R-A Zoning District. [Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission deferred the project to the April 28, 2021 meeting. Carried 7-0.]

- e. **Z-20-00311 SPECIAL EXCEPTION WITH VARIANCE(S)** Zoning District: C-TS Town Serving Commercial The application of Bricktop's Palm Beach, applicant, relative to property located at **375 S COUNTY RD**, legal description on file, is described below. Section 134 1109 (14): Modification to previously approved Special Exception with Site Plan Review is being requested for Bricktop's restaurant to add 40 outdoor seats for lunch and dinner in the north courtyard adjacent to the existing restaurant. The additional seating will increase the seating from 150 indoor and patio seats to 190 seats. The current approval allows 52 seats of the 150 seats to be outside on the south patio. Section 134 2176: a variance is being requested to provide zero (0) on site parking spaces in lieu of the 13 parking spaces that are required for the additional 40 outdoor seats. [Applicant's Representative: Maura Ziska Esq]
  
- f. **Z-20-00313 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of MATTHEW AND ALEXANDRA MURPHY, applicant, relative to property located at **113 ATLANTIC AVE**, legal description on file, is described below. Section 134 893(b) (13): Request for a variance to allow the construction of a 210 square foot awning on the east side of the existing residence and a 644 square foot awning on the west side of the existing residence which will result in a cubic content ratio of 4.499 cubic feet in lieu of 3.998 existing and the 4.148 maximum allowed. [Applicant's Representative: Maura Ziska Esq] [Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject property. Carried 4-3.] [The Architectural Review Commission approved the project as presented. Carried 5-2.]
  
- g. **Z-20-00318 REPLAT** Zoning District: R-AA Large Estate Residential The application of BLOSSOM WAY HOLDINGS LLC (GERALD A. BEESON, MANAGER), applicant, relative to property located at **1265 S OCEAN BLVD**, legal description on file, is described below. An application to replat lots 1 through 6 and lot 10 of the Blossom Estate Subdivision, 60 Blossom Way, and 1290 S Ocean Blvd into 2 (two) buildable lots. The proposed replat will abandon in total the Blossom Way right-of-way; abandon the current beach access and dedicate a new 8-ft wide beach access along the north side of the proposed replat; terminate the Limited Access Easement along the east side of S Ocean Blvd which provides access to all of the Blossom Estate platted properties via Blossom Way; and incorporate 60 Blossom Way and 1290 S Ocean Blvd properties into the new Lots 1 and 2 of Blossom Estate subdivision. [Applicant's Representative: Maura Ziska Esq]

- h. **Z-21-00327 VARIANCE(S)** Zoning District: R C Medium Density Residential The application of JUSTIN B. BESIKOF, Applicant, relative to property located at **218 EVERGLADE AVE**, legal description on file, is described below. Section 134 948(1) & (2): A request for a variance to construct a new 3,700 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 5,902 sq. ft. in lieu of the 10,000 sq. ft. minimum required in the R C Zoning District. Section 134 948(6): Request for a variance to have an 8 foot east side yard setback in lieu of the 10 foot minimum required in the R C Zoning District. Section 134 1757: Request for a variance to construct a swimming pool (11' by 27') along the south of the property that would have a 7.5 foot rear yard setback in lieu of the 10 foot minimum setback required. Section 134 948(9): Request for a variance for lot coverage to be 34.92% in lieu of the 30% maximum allowed in the R-C Zoning District. [Applicant's Representative: Maura Ziska Esq] [Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject property. Carried 6-1.] [The Architectural Review Commission approved the project with conditions relating to the architecture. Carried 5-2.]

## 2. New Business

- a. **Z-21-00328 VARIANCE(S)** Zoning District: R-C Medium Density Residential The application of MELINDA BASS, applicant, relative to property located at **332 BRAZILIAN AVE**, legal description on file, is described below. 134-1669 and 134-1729. Applicant requests a variance to permit installation of a 60 kw generator with a height of 8.0' in lieu of 7' maximum permitted, as surrounded by a wall on three sides with a height that is 8' above the neighboring property owner's grade on the west side yard in lieu of 7' maximum permitted and 7.5' above the neighboring property owner's grade in the rear yard (south) in lieu of 7' maximum permitted. [Applicant's Representative: Tim Hanlon Esq]
- b. **Z-21-00329 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: R-A Estate Residential The application of 910 S OCEAN LLC (Tom Campbel), applicant, relative to property located at **910 S OCEAN BLVD**, legal description on file, is described below. 1. Section 134 843(b): Modification to a previously approved request for Site Plan approval to permit construction of a new 17,527 square foot, two story residence on a platted lot with a depth of 128.42 in lieu of the 150 foot minimum required In the R-A Zoning District. The proposed changes to the main house parcel are as follows: the addition of a cooling tower at southwest corner of the property; revision of the driveway and entries to reduce from three curb cuts to two curb cuts; elimination of the swimming pool on the east side of the house; addition of decorative balustrades at the roof level; revisions to floor plans and south façade due to plan changes; elimination of balcony on the west façade; minor adjustment to stonework and window/door configurations; and revision to metal railing design of balconies. Also proposed modifications to the basement enlarging the square footage by 994 square feet to house mechanical equipment. 2. Section 134 2: a variance to allow a point of measurement of 21.5 NAVD in lieu of the

18.34 NAVD maximum allowed for the building height plane calculation for the balustrade detail. 3. Section 134-1610(4) and 134-843(11): a variance to allow lot coverage to be 28.5% in lieu of the 25% maximum allowed when counting the basement walls that extend outside of the main building walls. 4. Section 134-790: Modification to a previously approved request for a special exception to permit construction of a new 500 square foot beach cabana east of South Ocean Boulevard. Modifications include new fenestration, columns, basement and raising finished floor elevation by 2 feet and to lower the site wall to meet the ocean vista requirement. [Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission deferred the project to their April 28, 2021 meeting. Carried 6-1.]

- c. **Z-21-00330 VARIANCE(S)** Zoning District: R-A Estate Residential & B-A Beach Area The application of EMIL & YVONNE SOLIMINE, applicants, relative to property located at **830 S OCEAN BLVD**, legal description on file, is described below. Section 134 843 (11): a variance request to allow the construction of a 1,780 square foot two story infill addition for a first floor living room area and two second floor bedrooms that will result in a lot coverage of 30.9 % in lieu of the 27.65% existing and the 25% maximum allowed. [Applicant's Representative: Maura Ziska Esq] [Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject property. Carried 7-0.] [The Architectural Review Commission approved the project as presented. Carried 7-0.]
  
- d. **Z-21-00331 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of JOAN GULLANS & GARRETT PLUCK, applicants, relative to property located at **167 SEAVIEW AVE**, legal description on file, is described below. The applicant is proposing to construct a 316 square foot two story addition to the rear of the residence for an elevator/mudroom addition that will require the following variances: 1. Section 134 893(7): a west side yard setback of 9.8 In lieu of the 15 foot minimum required In the R B Zoning District. 2. Section 134 893(13): a cubic content ratio ("CCR") of 5.05 in lieu of the 4.72 existing CCR and the 4.24 maximum CCR allowed in the R B Zoning District. [Applicant's Representative: Maura Ziska Esq] [Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject property. Carried 7-0.] [The Architectural Review Commission approved the project as presented. Carried 7-0.]
  
- e. **Z-21-00332 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of ULLA LLC (Steve Johnson), applicant, relative to property located at **1284 N LAKE WAY**, legal description on file, is described below. The applicant is requesting approval to construct a one story 324 square foot pool cabana that will require the following variances Section 134 843(7): a 9.75 south side yard setback in lieu of the 12.5 foot minimum required; and Section 134 1700: the 12 inch roof overhang on the west side of the proposed pool cabana to be

allowed to extend into the 25 foot setback from the Lake Trail where only structures less than 4 feet in height are allowed in that setback. [Applicant's Representative: Maura Ziska Esq] [Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject property. Carried 7-0.] [The Landmarks Preservation Commission approved the project as presented. Carried 7-0.]

- f. **Z-21-00333 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of 04TST101NIGHTINGALE LLC, applicant, relative to property located at **101 NIGHTINGALE TRL**, legal description on file, is described below. Section 134 893(13): The applicant is proposing to construct a 70 square foot one story bathroom addition and two Dutch gables that will be added to the courtyard elevations of the pool cabana and kitchen which will increase the cubic content ratio ("CCR") to 5.24 In lieu of the 5.01 existing CCR and the 3.9 maximum CCR allowed in the R B Zoning District. [Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission deferred the project to their April 28, 2021 meeting. Carried 7-0.]
- g. **Z-21-00334 SPECIAL EXCEPTION WITH VARIANCE(S)** Zoning District: C-TS Town Serving Commercial The application of FLAGLER HOLDINGS NORTH CAROLINA INC (Alex Gilmurray, its Vice President, Treasurer and Assistant Secretary), applicant, relative to property located at **223 ROYAL POINCIANA WAY**, legal description on file, is described below. Pursuant to Section 134 1111(b) of the Town Code, the applicant is requesting special exception approval to allow 8 extra outdoor patron seats at Main Street by The Breakers, a merchant retail operation located at 223 Royal Poinciana Way, in connection with a take out food business. The applicant is also requesting a variance because the total gross leasable area of the retail space is 2,776 square feet, which exceeds the 2,000 square foot maximum square footage allowed for a "takeout food business inside tenant space" to request extra outdoor patron seating pursuant to Section 134 1111(b)(1). [Applicant's Representative: James Crowley, Esq]
- h. **Z-21-00335 VARIANCE(S)** Zoning District: R-A Estate Residential The application of 1047 SOUTH OCEAN BLVD TRUST (Maura Ziska, Trustee), applicant, relative to property located at **1047 S OCEAN BLVD**, legal description on file, is described below. 1. Section 134 843(8): request a variance to add a 157 square foot second story addition on the north side of the house that will have a 5.25 foot side yard setback In lieu of the 15 foot minimum required. 2. Section 134 843(8): request a variance to add a 343 square foot second story addition on the south side of the house that will have a 6.41 foot side yard setback in lieu of the 15 foot minimum required. 3. Section 134 843(8): request a variance to demolish and rebuild existing staircase on the south side of the residence and maintain the 2.55 foot south side yard setback in lieu of the 15 foot minimum required. 4. Section 134

843(11): request a variance to demolish and rebuild existing staircase on the south side of the residence that will increase the lot coverage by 109 square feet to 44.78% in lieu of the 43.9% existing and the 25% maximum allowed. [Applicant's Representative: Maura Ziska Esq] [Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject property. Carried 7-0.] [The Landmarks Preservation Commission approved the project as presented. Carried 7-0.]

- i. **Z-21-00336 MODIFIED SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: C-TS Town Serving Commercial The application of CARRIAGE HOUSE PROPERTIES PARTNERS LLC, A DELAWARE LIMITED LIABILITY COMPANY, applicant, relative to property located at **264 S COUNTY RD & 270 S COUNTY RD**, legal description on file, is described below. Section 134 1109: A request for a special exception with site plan review modification approval to modify a previously approved Club's 264 South County Road property as follows: At 264 South County Road: Modify quantity and size of rooftop mechanical equipment; Modify height of mechanical equipment screen wall; Modify Landscape and Hardscape Design including Landscape Open Space. At 270 South County Road: Modify quantity and size of rooftop mechanical equipment; New mechanical equipment screen wall; Modify Landscape and Hardscape Design including Landscape Open Space; Modify to Front Door & Overhang Design; Modify Door/Window Operation on East Elevation for Emergency Egress; New Concealed Emergency Egress Gate On East Elevation; New Decorative Shutters on South Elevation; Modify quantity and location of windows on northwest corner of second floor. The following Variances are being requested: At 264 South County Road: 1) Section 134-1607(1): to allow (4) pieces of HVAC equipment at 51 inches in height in lieu of the 48" maximum allowed; 2) Section 134-1607(1): to allow the scrubber at 40 inches in height in lieu of the 36" maximum allowed. At 270 South County Road: Section 134-1607(1): to allow (5) pieces of HVAC equipment at 57 inches in height in lieu of the 48" maximum allowed. 3. Section 134-1113(6): To allow a parapet wall on the south side of the second story to screen proposed new mechanical equipment with a side yard setback of 2.11 feet in lieu of the 11 foot minimum required. [Applicant's Representative: Maura Ziska Esq] [The Landmarks Preservation Commission approved some of the architectural items but deferred the remainder of the project to their April 21, 2021 meeting. Carried 7-0.]

### **C. Time Extensions and Waivers**

1. Time Extension for Construction Hours at 1960 S. Ocean Blvd.

### **IX. Discussion of the current codes regarding the automatic removal of architects on both the Arcom and Landmarks Commissions due to the architects reaching the maximum number of conflicts of interest (five), per calendar year; and possible solutions, including Consideration of Draft Ordinances:**

1. Proposed Amendment to the Town Code to Exempt ARCOM Member Architects from Conflict of Interest Regulations

**ORDINANCE 09-2021** An Ordinance Of The Town Council Of The Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 18, Buildings and Building Regulations, Article III, Architectural Review, Division 1, Generally Section 18-170; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

2. Proposed Amendment to the Town Code to Exempt Landmarks Preservation Commission Member Architects from Conflict of Interest Regulations

**ORDINANCE 10-2021** An Ordinance Of The Town Council Of The Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 54, Historical Preservation, Article II, Landmarks Preservation Commission, Section 54-38(b); Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

## **X. ANY OTHER MATTERS**

- A. Application Process Changes
- B. Discussion on Non-Conforming Lot Change

## **XI. ADJOURNMENT**

### **PLEASE TAKE NOTE:**

**Note 1:** Please submit written comments/materials to [council@townofpalmbeach.com](mailto:council@townofpalmbeach.com) or in person to the Town Clerk's Office, located at Town Hall, 360 South County Road. No written materials received after 3:30 p.m. on the Wednesday 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 3:30 p.m. on Wednesday 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 Technology (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.

**Note 6:** All back-up material for the items listed on the agenda are posted to the Town's website and emailed to all Stay Informed subscribers on the Friday before the Town Council meeting. To access the back-up materials and/or subscribe to the Stay Informed list, please visit the Town's website ([townofpalmbeach.com](http://townofpalmbeach.com)).

### **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.