



TOWN OF PALM BEACH

Planning, Zoning & Building Department

SUMMARY OF THE ACTIONS TAKEN AT THE DEVELOPMENT REVIEW TOWN COUNCIL MEETING HELD ON WEDNESDAY, AUGUST 14, 2019

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. PRESENTATIONS
 - A. PRESENTATION ON THE PALM BEACH HOTEL MASTER PLAN
 1. RICK GONZALEZ, REG ARCHITECTS
ACTION: NONE
- IV. COMMENTS OF MAYOR GAIL L. CONIGLIO
- V. COMMENTS OF TOWN COUNCIL MEMBERS AND DIRECTOR OF PLANNING, ZONING AND BUILDING
- VI. COMMUNICATION FROM CITIZENS
- VII. APPROVAL OF AGENDA
ACTION: APPROVED
- VIII. PUBLIC HEARINGS
- IX. DEVELOPMENT REVIEW
 - A. Appeals
 1. Appeal - 1236 S. Ocean Blvd., Tow Away Signs
ACTION: DENIED
 2. Appeal - 1236 S. Ocean Blvd., Hitting Wall
ACTION: DENIED
 - B. Variances, Special Exceptions and Site Plan Reviews
 1. Old Business

- a. **Z-19-00174 VARIANCE(S)** Zoning District: R-C Medium Density Residential The application of Zachary Potter, applicant, relative to property located at 254 N COUNTY RD, legal description on file, is described below. Request for a variance to allow a swimming pool on the north side of the property that will require the following variances to be requested: 1) a 10.33 foot front/street side yard setback along North County Road in lieu of the 15 foot minimum required; 2) a 2.5 foot north/side yard setback in lieu of the 10 foot minimum required; 3) a 3.5 foot west/rear yard setback in lieu of the 10 foot minimum required; and 4) a new six (6) foot wall along North County Road that will be setback 18 inches from the property line in lieu of the 3 foot minimum required. [Applicant's Representative: Maura Ziska Esq]

ACTION: APPROVED WITH CONDITION RELATED TO UTILITY EASEMENT

- b. **Z-19-00202 VARIANCE(S)** Zoning District: R-C Medium Density Residential The application of Justin and Meira Besikof, Applicant, relative to property located at 307 CHILEAN AVE, SUITE: SITE, legal description on file, is described below. A request to construct a new 3,937.50 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 6,250 sq. ft. in lieu of the 10,000 sq. ft. minimum required 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. The Architectural Review Commission approved the proposed project as presented. Carried 5-2.]

ACTION: APPROVED WITH CONDITION RELATED TO UTILITY EASEMENT

2. New Business

- a. **Z-19-00206 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of Kim S. Fennebresque, Applicant, relative to property located at 225 BARTON AVE, legal description on file, is described below. A request for a variance to construct an 85.5 square foot second story addition for a master bedroom to the front of the residence which will require the following variances: 1. A front yard setback of 24.79 feet in lieu of the 30 feet allowed for the second floor in the R-B Zoning District; and 2. A cubic content ratio (CCR) of 4.31 in lieu of the 4.24 existing and the 3.99 maximum allowed in the R-B Zoning District. [Applicant's Representative: Maura Ziska Esq]

ACTION: APPROVED WITH CONDITION RELATED TO UTILITY EASEMENT

- b. **Z-19-00207 SPECIAL EXCEPTION WITH SITE PLAN REVIEW** Zoning District: R-A Estate Residential The application of Palm Beach County Club, Inc. (Ronald Passaggio, Manager), Applicant, relative to property located at 760 N OCEAN BLVD SUITE: MAINTENANCE BLDG, legal description on file, is described below. A request for Special Exception Approval with Site Plan Review to allow construction of an additional 312 square feet onto the existing fertilizer building in the service yard for the golf course of the Club. [Applicant's Representative: Maura Ziska Esq]
ACTION: APPROVED
- c. **Z-19-00208 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of James L. and Sara B. McCann, Applicant, relative to property located at 217 BAHAMALN, legal description on file, is described below.
Request for a variance to allow a swimming pool with a rear yard setback of 6'2" in lieu of the 10-foot minimum setback required. [Applicant's Representative: Maura Ziska Esq]
ACTION: APPROVED WITH CONDITION RELATED TO UTILITY EASEMENT
- d. **Z-19-00209 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of Mr. and Mrs. David L. Porges, Applicant, relative to property located at 650 ISLAND DR, legal description on file, is described below.
A request for a variance to construct a sunroom on the northeast corner of the property with a cubic content ratio of 4.11 in lieu of the 3.94 existing and the 3.94 maximum allowed in the R-B Zoning District. [Applicant's Representative: Maura Ziska Esq]
ACTION: APPROVED WITH CONDITION RELATED TO UTILITY EASEMENT
- e. **Z-19-00210 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of David Saunders, Applicant, relative to property located at 1098 N LAKE WAY, legal description on file, is described below. A variance request to allow a new boatlift to be located 18 feet from the south riparian property line in lieu of the 25 feet required per section 62-75 of the Town Code. [Applicant's Representative: Maura Ziska Esq]
ACTION: APPROVED WITH CONDITION RELATED TO UTILITY EASEMENT
- f. **Z-19-00211 SPECIAL EXCEPTION WITH SITE PLAN REVIEW** Zoning District: C-PC Planned Center The application of 305 Concepts Palm Beach, LLC d/b/a Coyo Taco, Applicant, relative to property located at 340 ROYAL POINCIANA WAYSUITE: M337, legal description on file, is described below. On March 15, 2017, the Town Council approved Special Exception #5-2017, which authorized Coyo Taco to operate a restaurant containing more than 3000 S.F. in the C-PC zoning district at Suites #337A and M 333 of the Royal Poinciana Plaza.

The approval was conditioned upon execution of a Declaration of Use Agreement, which did not permit Coyo Taco to have a disc jockey. This application seeks to amend the existing Declaration of Use Agreement to allow the restaurant to have a DJ on Tuesday, Friday and Saturday nights, in addition to special events. The hours requested for the DJ are 8:00pm to 12:00pm on Tuesday nights and 8:00pm to 1:00am on Friday and Saturday nights and for special events. The DJ will be confined to the interior of Coyo Taco. No physical changes to the previous approval are requested. The Declaration of Use Agreement also required Coyo Taco to return to the Town Council to demonstrate compliance with the Town Serving requirement. Coyo Taco has collected data confirming that the Town Serving requirement is met. This information will be presented to the Town Council during the public hearing on this application. [Applicant's Representative: James M. Crowley Esq]

ACTION: DEFERRED TO NOVEMBER 13, 2019 MEETING

- g. **Z-19-00215 VARIANCE(S)** Zoning District: R-B Low Density Residential
The application of 456 South Ocean LLC, a Florida limited liability company (c/o Maura Ziska), applicant, relative to property located at 101 GULFSTREAM RD, legal description on file, is described below. The applicant is requesting a revision to the previously approved plan to replace an unattached open trellis structure with an enclosed glass pavilion with a copper roof. The following variances are being requested: 1. a cubic content ratio of 4.19 in lieu of the 3.96 maximum allowed in the R-B Zoning District; and 2. a height of 16.25 feet in lieu of the 15-foot maximum allowed in the R-B Zoning District. [Applicant's Representative: Maura Ziska Esq]

ACTION: APPROVED

3. Other

- a. Permit Extension, 425 Chilean Avenue

ACTION: APPROVED

X. ORDINANCES

A. Second Reading

- 1. **ORDINANCE NO. 26-2019** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 2, Administration, Town Code Of Ordinances, At Article V, Code Enforcement, Division 3, Procedure, Section 2-439, Citation Fine Schedule And Table, To Include New Sections 106-49, 106-50, 106-161, And 106-162; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

ACTION: APPROVED AND ADOPTED

B. First Reading

1. **ORDINANCENO.33-2019** An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, amending the Town Code of Ordinances at Chapter 18, Buildings and Building Regulations, Article III, Architectural Review, Division 3, Procedure and Requirements, Section 18-201, Preliminary Sketch; Site Plan; Final Plan by adding Subsection (e), Construction Staging and Truck Logistics Plan; Providing for Severability; Providing for the Repeal of Ordinances in Conflict; Providing for Codification; and Providing an Effective Date.

ACTION: APPROVED

2. **ORDINANCENO.34-2019** An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, amending the Town Code of Ordinances at Chapter 54, Historical Preservation, Article III, Certificate of Appropriateness, Division 2, Procedures and Effect, by addition Section 54-100, Construction Staging and Truck Logistics Plan; Providing for Severability; Providing for the repeal of Ordinances in Conflict; Providing for Codification; and Providing and Effective Date.

ACTION: NONE – THIS ORDINANCE WAS INTEGRATED INTO ORDINANCE NO. 33-2019

XI. ANY OTHER MATTERS - TIME CERTAIN 5:00 P.M.

A. Discussion on Demolitions

ACTION: STAFF GIVEN APPROVAL TO WORK WITH COMMISSIONS REGARDING DEMOLITIONS AND ELEVATION GRADE CHANGES

B. Code Reform - Proposed Scope and Schedule

ACTION: DEFERRED TO PLANNING AND ZONING COMMISSION AND RETURN TO TOWN COUNCIL WHEN APPROPRIATE

XII. ADJOURNMENT