



# TOWN OF PALM BEACH

Planning, Zoning & Building Department  
SUMMARY OF THE ACTIONS TAKEN AT THE DEVELOPMENT  
REVIEW TOWN COUNCIL MEETING HELD ON  
WEDNESDAY, SEPTEMBER 11, 2019

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. PRESENTATIONS
  - A. GOLD STAR FAMILIES PLAQUE  
**ACTION: APPROVED**
- 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 AS AMENDED**
- VIII. PUBLIC HEARINGS
- IX. DEVELOPMENT REVIEW
  - A. Appeals
    1. REHEARING OF APPEAL – 1236 S. Ocean Blvd., Hitting Wall  
**ACTION: DENIED**
    2. ADMINISTRATIVE APPEAL OF DETERMINATION AND DECISION BY THE DIRECTOR OF ZONING THAT THE PROPOSED “GUEST HOUSE AND PAVILION FOR THE MAIN HOUSE AT 1480 N OCEAN BLVD” LOCATED AT 1485 VIA MANANA IS A STAND ALONE RESIDENCE THAT DOES NOT REQUIRE A UNITY OF TITLE  
**ACTION: DENIED**

- B. Time Extensions and Waivers
1. Time Extension Request for Roof Waterproofing, Repair and Maintenance Work at The Esplanade, 150 Worth Avenue  
**ACTION: APPROVED WITH CONDITION THAT WORK SHALL BE COMPLETED BY DECEMBER 15, 2019 AND WILL STOP FOR ONE WEEK DURING THANKSGIVING, BEGINNING MONDAY, NOVEMBER 25, 2019.**
- C. Variances, Special Exceptions and Site Plan Reviews
1. New Business
    - a. **Z-19- 00212 VARIANCE(S)** Zoning District: R-A Estate Residential The application of R. Harrison McCarthy, Applicant, relative to property located at 520 S OCEAN BLVD, legal description on file, is described below. Section 134-843(a)(11) - Variance request to allow extension of the second floor balcony and converting a trellis covered loggia into an uncovered balcony, resulting in a lot coverage of 26.83% in lieu of the 25% maximum allowed in the R-A Zoning District. [Applicant's Representative: David E. Klein Esq]  
**ACTION: APPROVED WITH CONDITION RELATED TO UTILITY EASEMENT**
    - b. **Z-19- 00213 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of Armen A. Manoogian, Applicant, relative to property located at 224 S OCEAN BLVD, legal description on file, is described below. A request to add a two car one-story garage onto the North side of the house which requires the following variances: 1. Sec 134-1576 A street side yard setback of six feet in lieu of the eighteen foot minimum required 2. Sec 134-893 b (13) A Cubic Content Ratio of 6.13 in lieu of the 5.82 existing and the 3.94 maximum allowed. [Applicant's Representative: Jose Gonzalez, Architect] [Architectural Review Commission Recommendation: Implementation of the proposed variance will cause negative architectural impact to the subject property. Carried 7-0 The Architectural Review Commission deferred the project to the September 25, 2019 meeting. Carried 4-3]  
**ACTION: DEFERRED TO NOVEMBER 13, 2019**
    - c. **Z-19- 00214 SITE PLAN REVIEW** Zoning District: R-D(2) High Density Residential The application of 330 South Ocean, Inc. (Steve Miller, Manager), Applicant, relative to property located at 330 S OCEAN BLVD, legal description on file, is described below. The 330 South Ocean Condominium Association, Inc. is requesting site plan approval for a 550 KW generator with a 4,000 gallon underground fuel tank and the construction of a 458 square foot building to house the generator. The generator building is proposed to be located on the northwest side of the condominium property. A 211 square foot shed will be removed to make room for the building and landscaping. [Applicant's Representative: Maura Ziska Esq]

**ACTION: APPROVED WITH CONDITION RELATED TO UTILITY EASEMENT**

- d. **Z-19-00216 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of ILLKM PB, LLC, (Jeffrey Weiner, Member) Applicant, relative to property located at 655 ISLAND DR, legal description on file, is described below. A request for a variance to construct an open one-story pool loggia on the west side of the property that will result in a cubic content ratio ("CCR") of 4.74 in lieu of the 4.47 existing and the 3.92 maximum allowed in the R-B Zoning District. [Applicant's Representative: Maura Ziska Esq]

**ACTION: APPROVED**

- e. **Z-19-00217 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: B-A Beach Area The application of CKMJ Palm Beach LLC, Applicant, relative to property located at 1213 N OCEAN BLVD SUITE: BEACH CABANA, legal description on file, is described below. Request a special exception with site plan review to remove an existing pergola and add 79 square feet to the east of the existing 121 square foot beach cabana that will require a south side yard setback of 3.5 feet in lieu of the 10-foot minimum required. [Applicant's Representative: Maura Ziska Esq]

**ACTION: APPROVED WITH CONDITION RELATED TO UTILITY EASEMENT ON THE EAST OR WEST PROPERTY IF NECESSARY**

- f. **Z-19-00218 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of Christopher J. Lazzara and Jennifer Lazzara, Applicant, relative to property located at 272 QUEENS LN, legal description on file, is described below. The applicant is proposing to construct a 3,468 square foot two-story addition to the west of the current residence comprised of living space, new garage and loggia that would result in the following variance being requested: 1) an angle of vision of 120 degrees in lieu of the 78 degrees existing and the 116 degrees maximum 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 6-1. The Architectural Review Commission approved the architectural portion of the project. Carried 5-2]

**ACTION: APPROVED WITH CONDITION RELATED TO UTILITY EASEMENT**

- g. **Z-19-00219 VARIANCE(S)** Zoning District: C-TS Town-Serving Commercial The application of Wadia Associates (Dinyar Wadia, Principal), Applicant, relative to property located at 375 S COUNTY RD SUITE: 107, legal description on file, is described below. Request for a variance to allow an 829 square foot architectural office (Wadia Associates) in suite 107 (previously Pastry Heaven) which is on the first floor of the building where office use is only allowed on the second

floor in the C-TS Zoning District. [Applicant's Representative: Maura Ziska Esq]

**ACTION: APPROVED WITH THE CONDITION THAT THE VARIANCE IS ONLY APPLICABLE WITH THE APPLICANT**

- h. **Z-19-00220 VARIANCE(S)** Zoning District: C-TS Town-Serving Commercial The application of The Palm Group (Kevin Mulvaney, Principal), Applicant, relative to property located at 361 S COUNTY RD SUITE: J & K, legal description on file, is described below. Request for a variance to allow a 500 square foot office (The Palm Group- Luxury Realty & Estate Management) in suites J & K (previously a dry cleaner and antique store) which is on the first floor of the building where office use is only allowed on the second floor in the C-TS Zoning District. [Applicant's Representative: Maura Ziska Esq]

**ACTION: APPROVED WITH THE CONDITION THAT THE VARIANCE IS ONLY APPLICABLE WITH THE APPLICANT**

- i. **Z-19-00221 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: C-WA Worth Avenue The application of Le Bilboquet (Philippe Delgrange, Principal), Applicant, relative to property located at 247 WORTH AVE SUITE: SITE, legal description on file, is described below. 1) Sec. 134-1159 (a) (6), Sec. 134-329 and Sec. 134-229: A request for Special Exception with Site Plan Review approval to operate a 3,590 square foot, 109 seat restaurant ("Le Bilboquet") on both the 1st and 2nd floor in the rear of the Via located at 247 Worth Avenue. The proposed restaurant will feature upscale French cuisine. The proposed hours of operation are requested to be 11:00 a.m. to 12:00 a.m. midnight seven (7) days a week. A sample menu is on file with the Town's backup. 2) Sec. 134-1159 (a) (6), Sec. 134-2176 and Sec. 134-2001: A request for Special Exception with Site Plan Review approval to have 44 (of the 109 proposed seats) to be outside in the Via. 3) Sec. 134-2175, Sec. 134-329 and Sec. 134-229: A request for a variance to provide zero (0) on-site parking spaces in lieu of the required 29 parking spaces that would be required under the principle of equivalency for the 87 additional seats which are over the Inside capacity of the proposed restaurant. [Applicant's Representative: Maura Ziska Esq]

**ACTION: APPROVED WITH CONDITION RELATED TO COUNTY CONCURRENCY AND TO UTILITY EASEMENT**

2. Other

- a. Consideration of Esplanade - Outdoor Promotional Events

**ACTION: APPROVED WITH ADDITION THAT APPLICANT DOES NOT NEED TO RETURN TO THE TOWN COUNCIL FOR FUTURE EVENTS**

X. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 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 I, In General, Division III, Plans And Permits, By Adding Section 18-86, 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 AND ADOPTED**

XI. ANY OTHER MATTERS

A. Code Reform – Proposed Scope and Schedule

**ACTION: DEFERRED TO NOVEMBER 13, 2019**

B. Sea Streets Historic District Consideration – Path Forward

**ACTION: REQUEST TO LANDMARK PRESERVATION COMMISSION TO REMOVE “SEA STREETS” FROM CONSIDERATION AS A HISTORIC DISTRICT. APPROVED HISTORIC SYMPOSIUM TO MOVE FORWARD.**

C. 145 Seaspray Avenue – Opposition to being included in “Sea” Streets Historic District

**ACTION: 145 SEASPRAY AVENUE IS EXEMPT FROM LANDMARK DESIGNATION AND ANY HISTORIC DISTRICT**

XII. ADJOURNMENT