

PLANNING AND ZONING BOARD

WORKSHOP (District "B")

January 27, 2021

6:30 pm

247 Edwards Lane / Palm Beach Shores, FL 33404

Janet Kortenhaus, Chair

Jerald Cohn, Vice Chair

Tim Blash, Member

Tracy Larcher, Member

Kevin Banks, Member

Jason Prince, Alternate

Nina Lammert, Alternate

Mitty Barnard, Attorney

Josh Nichols, Zoning Official

Rob Rennebaum, Engineer

Laura Brown, Building Dept. Supervisor

Evyonne Browning, Town Clerk

PLEASE NOTE:

PUBLIC PARTICIPATION MAY OCCUR REMOTELY

Meeting link:

<https://townofpalmbeachshores.my.webex.com/townofpalmbeachshores.my/j.php?MTID=m54e0722a0a395216cd315d9b3fec8aab>

Meeting number: 132 812 4396

Password: 0127

Join by phone

+1-408-418-9388

Access code: 132 812 4396

1. CALL TO ORDER

a. Roll call

2. APPROVAL OF MEETING AGENDA (Additions, substitutions, deletions)

3. PRESENTATIONS

a. District "B" properties (*Josh Nichols, Zoning Official*)

4. PUBLIC COMMENT

5. ADJOURNMENT

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Planning & Zoning Board with respect to any matter considered at this meeting or hearing, such interested person will need a record of the proceedings, and for such purpose may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. The meeting/hearing will be continued from day to day, time to time, place to place, as may be found necessary during the aforesaid meeting. IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), THIS DOCUMENT CAN BE MADE AVAILABLE IN AN ALTERNATE FORMAT (LARGE PRINT) UPON REQUEST AND SPECIAL ACCOMODATIONS CAN BE PROVIDED UPON REQUEST WITH THREE (3) DAYS ADVANCE NOTICE. FOR HEARING ASSISTANCE: If any person wishes to use a hearing device, please contact the Town Clerk.

SECTION VI. - DISTRICT B REGULATIONS^[4]

Footnotes:

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Cross reference— Satellite dish antenna regulations and requirements for this district, § 14-312; restrictions on location and type of sign, § 58-51; temporary signs permitted in certain zoning districts, § 58-53.

Pf. 6.1. - Permitted and special exception uses.

(a) *Permitted uses.* Permitted uses in District B shall be only the following:

- (1) Any use permitted in District A.
- (2) Multiple-family dwellings and two-family or duplex dwellings.
- (3) Accessory buildings and uses, including private garages when located on the same building site.
- (4) Group home facilities as defined in Section II must be confined to a single lot of record existing as of May 17, 1999; and must be separated from any lot located in Zoning District "A" by a minimum of three hundred fifty (350) feet and from any other lot on which another such facility is located by a minimum of five hundred (500) feet. Distance requirements shall be measured from property line to property line along the public streets.

(b) *Special exception uses.* Parking lots connected with a hotel located adjacent thereto or immediately across the street therefrom may be allowed as an off site accessory use by special exception only. Application for this special exception Use may be allowed only if no property adjacent thereto is being utilized as a single-family detached dwelling unit. All standards as set forth in Section XV. Pf. 15.7. must be met.

(c) *[Boarding houses and/or rooming houses.]* Boarding houses and/or rooming houses, as defined at Pf. 2.7. are prohibited as a use in this zoning district.

(Ord. No. O-07-99; Ord. No. O-05-99, § 1, 6-7-99; Ord. No. O-9-06, § 4, 3-19-07; Ord. No. O-2-11, § 1, 9-19-11)

Pf. 6.2. - Building height.

- a. The maximum height of any building in this district that does not utilize underground/depressed parking pursuant to Pf. 12.6 to contain all required parking for residents of the structure shall be twenty-nine (29) feet and the top of the beam shall not exceed twenty-four (24) feet measured from the grade elevation.
- b. The maximum height of any building in this district that utilizes underground/depressed parking pursuant to Pf. 12.6 to contain all required parking for residents of the structure shall be thirty (30) feet and the top of the beam shall not exceed twenty-five (25) feet measured from the grade elevation.
- c. No building shall have more than two (2) stories.
- d. The maximum height of any accessory building in this district shall be fifteen (15) feet.

- e. No roof structures shall be permitted above the applicable height limit except as set forth herein. Working chimneys shall be allowed to exceed the maximum permitted height, but shall not be greater in height than required for compliance with any other applicable code.
- f. The minimum roof pitch shall be 4/12 and maximum roof pitch shall be 12/12. All structures with a flat roof shall also contain a visible roof pitch along the roof perimeter in order to conceal the flat roof.

(Ord. No. 218, § 1, 12-9-85; Ord. No. O-1-05, § 4, 6-20-05; Ord. No. O-4-07, § 2, 3-19-07)

Pf. 6.3. - Building site area.

The minimum building site area shall be one (1) platted lot. The maximum building site area shall be two (2) adjoining platted lots as set out on the plat of Palm Beach Shores, as amended.

(Ord. No. O-07-01, § 2, 9-17-01)

Pf. 6.4. - Maximum lot coverage; lot coverage calculation.

- (a) *Lot coverage.* The maximum percentage of coverage of a lot by buildings as set forth in Pf. 2.13., including all accessory buildings and garages that are not underground or depressed shall be forty (40) percent for one (1) story buildings and thirty-six (36) percent for two (2) story buildings. However, any two-story building that utilizes underground/depressed parking pursuant to Pf. 12.6, or a combination of underground/depressed parking pursuant to Pf. 12.6 and surface level enclosed private garage parking, to contain all required parking for residents of the structure, and that contains dwelling units with a minimum floor area of one thousand seven hundred (1,700) square feet, may increase its maximum percentage of coverage of a lot by buildings to forty-five (45) percent.
- (b) *District specific calculation requirements.* A maximum square footage equal to seven (7) percent of the floor area total per dwelling unit may be utilized as uncovered cantilevered balconies above the first floor, or as uninhabitable architectural features on any floor projecting beyond the exterior face of exterior walls or supporting columns without being included in the calculation for lot coverage, up to a maximum dwelling unit size of two thousand (2,000) square feet.

(Ord. No. O-1-05, § 4, 6-20-05; Ord. No. O-5-10, § 1, 6-21-10)

Pf. 6.5. - Dwelling unit density.

Maximum dwelling unit density shall not be greater than twenty-one (21) units per acre. In the calculation of number of dwelling units permitted on a specific lot, determination shall be made by dividing the total square footage of the lot by a factor of 2074.28. A remaining fraction of one-half or greater shall entitle the developer to one additional dwelling unit, but there shall be no additional entitlement for a remaining fraction of less than one-half.

Pf. 6.6. - Front yard.

There shall be a front yard not less than fifteen (15) feet in depth. No building or part of a building hereinafter erected or structurally altered shall project beyond the front building line except architectural features as set forth at Pf. 6.8.1 and eaves, which may project two (2) feet beyond this line. Parking on the adjacent street is strictly prohibited as set forth in section 70-52 of the Town Code. Additionally, parking in the adjacent ten (10) foot strip of Town property shall be prohibited as set forth in Pf. 6.9 below.

(Ord. No. O-1-05, § 4, 6-20-05; Ord. No. O-5-10, § 1, 6-21-10)

Pf. 6.7. - Rear yard.

There shall be a rear yard not less than fifteen (15) feet in depth. No building or any part of a building shall project beyond the rear building line, except architectural features as set forth at Pf. 6.8.1 and eaves, which may project two (2) feet beyond the rear building line.

(Ord. No. O-1-05, § 4, 6-20-05)

Pf. 6.8. - Side yard.

- (a) On both sides of every building site there shall be a side yard having a minimum width of ten (10) feet, except on corner lots where the side yard along the outer side lot lines shall have a minimum width of fifteen (15) feet. Width of the side yards shall be measured at right angles to the side lines. No building or part of a building shall project beyond the side building lines except architectural features as set forth at Pf. 6.8.1 and eaves, which may project a maximum of two (2) feet beyond this line.
- (b) Any two story building that utilizes underground/depressed parking pursuant to Pf. 12.6, or a combination of underground/depressed parking pursuant to Pf. 12.6 and surface level enclosed private garage parking, to contain all required parking for residents of the structure, and that contains dwelling units with a minimum floor area of one thousand seven hundred (1,700) square feet, may reduce the side yard setback abutting either Lake Avenue or Ocean Avenue by a maximum of five (5) feet when a licensed engineer has certified in writing that such setback reduction is needed to accommodate vehicle access from the front of the property into a rear entry depressed parking level. The engineer's report shall address the use of the depressed parking level, the access to same from the rear of the building and the necessity of adequate turning radii for vehicle ingress from and egress to the front of the property. Parking on the adjacent street (Lake Avenue or Ocean Avenue) is strictly prohibited as set forth in section 70-52 of the Town Code. Additionally, parking in the ten-foot strip of Town property adjacent to Lake Avenue or Ocean Avenue shall be prohibited as set forth in Pf. 6.9 below.

(Ord. No. O-1-05, § 4, 6-20-05; Ord. No. O-5-10, § 1, 6-21-10)

Pf. 6.9. - Town property.

- (a) The ten-foot strip of Town property on both sides of the streets may be used by the owner of the abutting property with the same restrictions as to use for front yards in this district; provided, however, that no fences, walls, or other structures above or below ground may be placed in this ten-foot strip of Town property. Pavement for driveways and parking area approaches (including driveway pavers subject to the requirements of subsection (c) below) may be placed in this ten-foot strip, which may also be used for temporary parking but may not be counted as a part of the required minimum off-street parking area. If, in the future, this ten-foot strip shall be needed by the Town for any purpose, any improvement placed in this area may be removed by the Town without liability to the Town.
- (b) Except as hereinafter permitted, parking in this ten-foot strip is prohibited, unless within the permitted driveway and parking area approach located in this ten-foot strip as permitted in subsection (a), above.
- (c) Lots that have, as of the adoption of the ordinance from which this section is derived, a parking area adjacent to the street within this ten-foot strip may continue to use said parking area, subject to the provisions of this section. However, no double parking shall be permitted thereon (see also section 70-32(4) of this Code), and no alteration of any such parking areas shall be permitted, except that such parking areas may be improved by replacing existing asphalt or concrete with driveway pavers, or otherwise as required by law or ordinance. To install pavers within the ten-foot Town strip, a limited agreement for construction in road right-of-way must be executed by both the property owner and the Town and recorded in the public records. Such agreement shall be executed and recorded prior to building permit issuance.

- (d) The parking areas to which subsection (c) above applies, shall terminate and such parking areas shall be removed and replaced with approved pavement for driveways and parking area approaches, and landscaping pursuant to chapter 78, vegetation, at the lot owner's expense, in accordance with the occurrences set forth at Pf. 5.98.d.l. through 4. for any property whose principal building is a single family structure; and upon the construction of a new principal (meaning non-accessory) building or upon a change in use for all other properties.
- (e) In order to provide all current lot owners, and any other parties who have or may acquire an interest in property in District "B" with proper notice of these regulations, the Town shall provide each current lot owner in District "B", as listed in the Tax Collector's Office for tax notices, with written notice of same, and shall record a copy of this ordinance in the Public Records of Palm Beach County, Florida.

(Ord. No. O-1-05, § 4, 6-20-05; Ord. No. O-11-18, § 1, 12-17-18)

Pf. 6.11. - Easement use.

Any improvement in the area placed in the area of the utility easement shall be so arranged that it permits unhindered access to utility installations in this area. Such improvements in the area may, if necessary for repair, maintenance and service of utility installations, be removed by the utility company without any liability to said company.

Pf. 6.12. - Off-street parking.

Multiple-family residences shall have a minimum of one and one-quarter ($1\frac{1}{4}$) off-street parking spaces for each hotel and motel room, one bedroom or efficiency apartment. One and one-half ($1\frac{1}{2}$) parking spaces for two-bedroom apartments and one-half ($\frac{1}{2}$) space for each additional bedroom. Off-street parking spaces shall be paved and marked with a minimum size of nine by twenty (9×20) feet, and so arranged that any vehicle may be parked and removed without moving any other vehicle. Parking area and arrangement of spaces shall be shown on the original building plans submitted to the Planning and Zoning Board. The ten-foot strip of Town property may be paved for driveways and parking area approaches and used for temporary parking, but may not be counted as a part of the required minimum off-street parking area.

No parking is permitted in any yard area except in approved parking spaces, and except as allowed by the Town Code at chapter 70, traffic and vehicles.

(Ord. No. 201, § 1, 8-8-83; Ord. No. O-06-03, § 2, 10-20-03)

Cross reference— Offstreet parking lot layout, § 70-101 et seq.



**SCHMIDT
NICHOLS**

LANDSCAPE ARCHITECTURE
AND URBAN PLANNING

1551 N. Flagler Dr, Ste 102
West Palm Beach, FL 33401
Phone: 561.684.6141
Email: info@snlandplan.com
Website: www.snlandplan.com
License No: LC26000232

Palm Beach Shores

Palm Beach Shores, Florida

Date:	11/30/20
Scale:	1" = 50'-0"
Design By:	JN
Drawn By:	AH
Checked By:	JN
File No.	XXX
Job No.	XXX

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Site
Plan



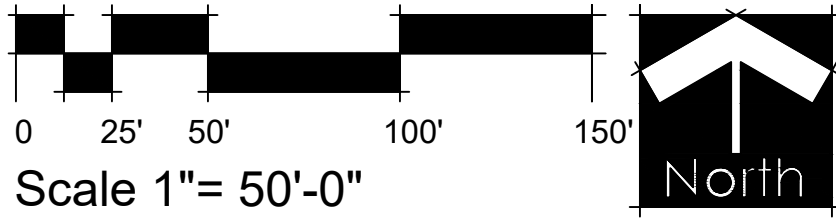
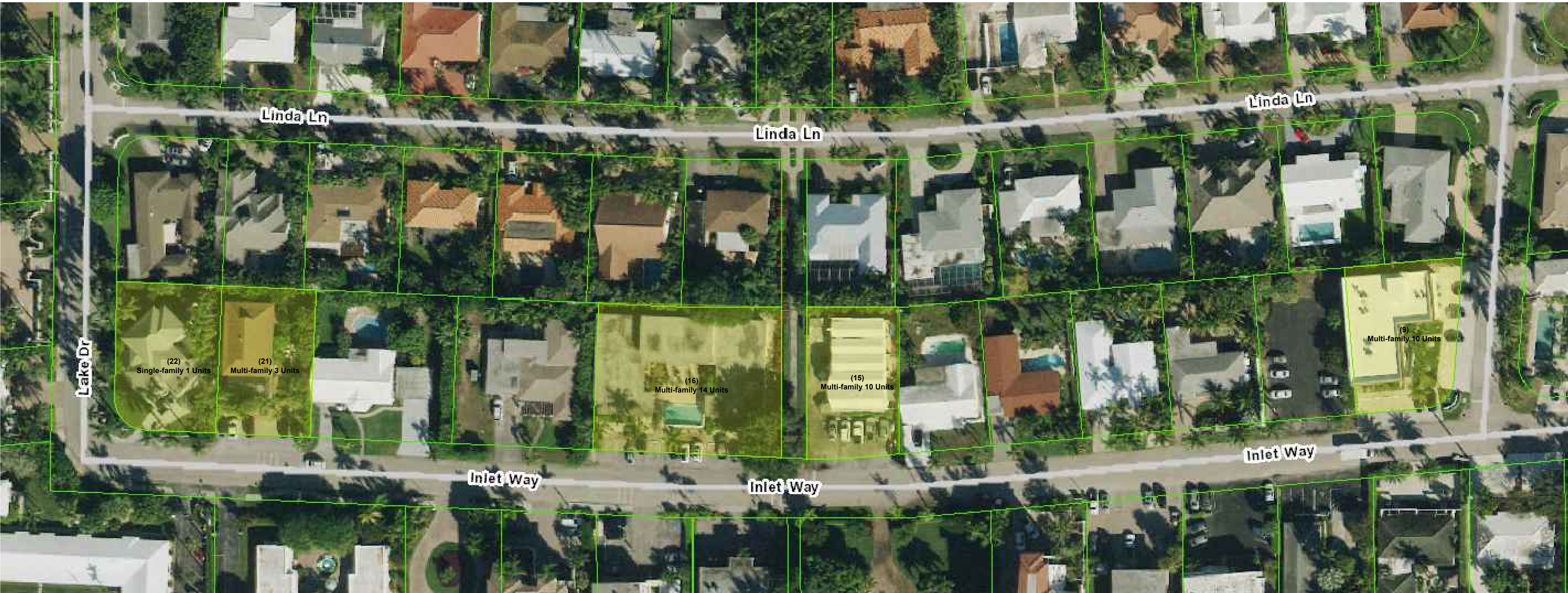
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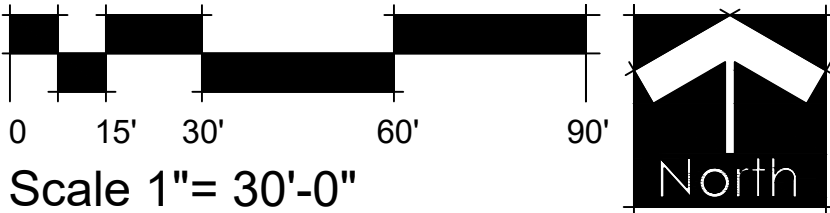
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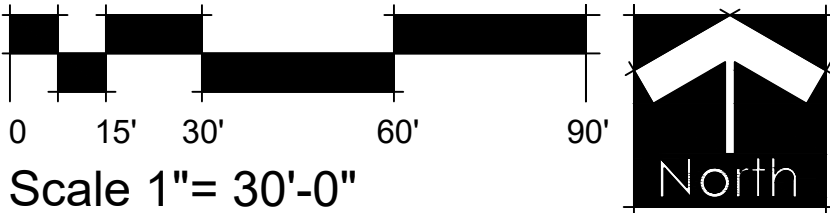
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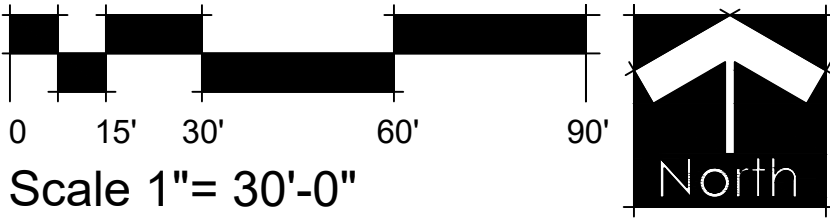
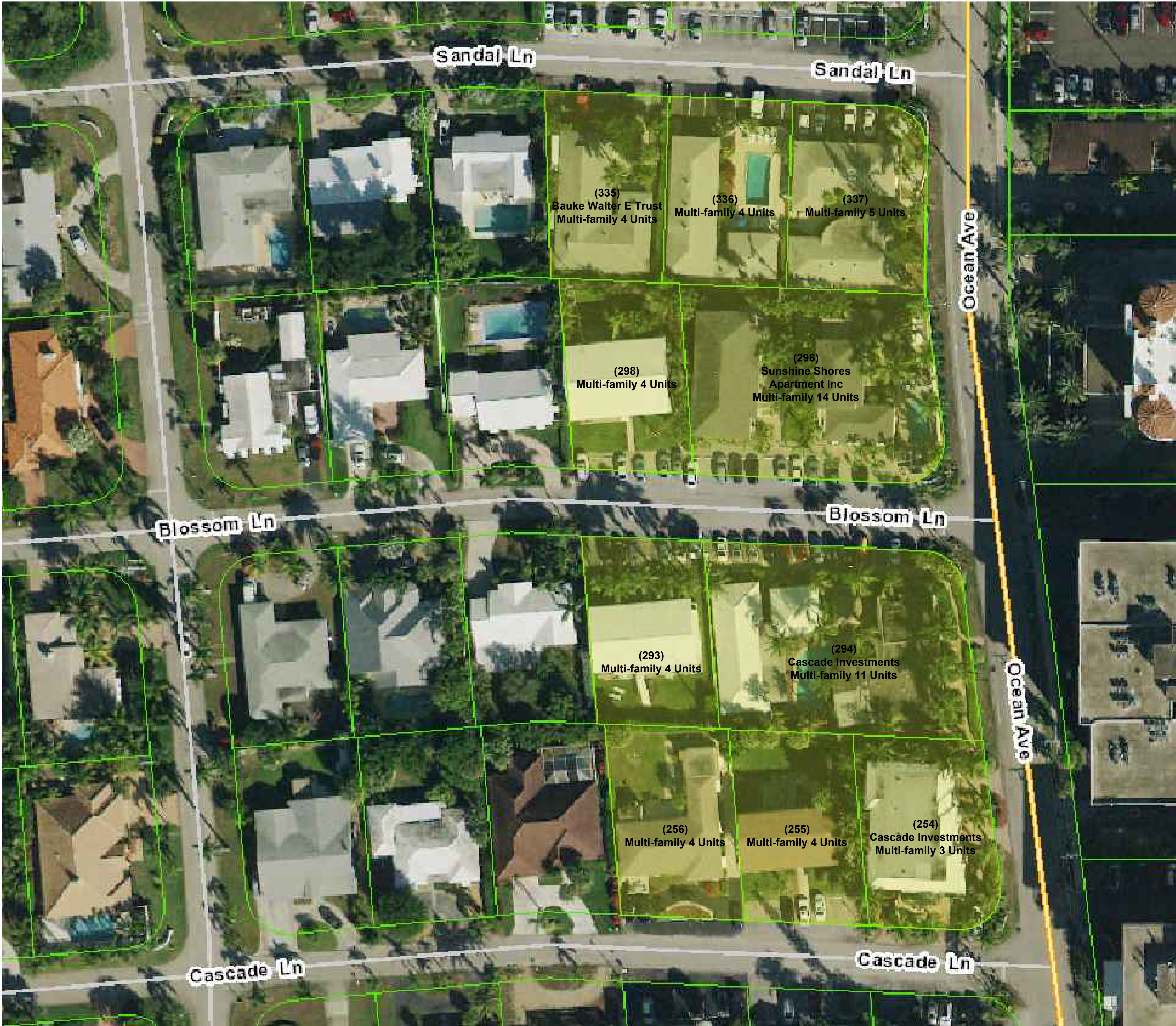
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