



Mayor Alan Fiers
Vice Mayor Scott McCrannels

Commissioner Tracy Larcher
Commissioner Brian Tyler
Commissioner Mark Ward

Town Treasurer Darlene Hopper
Town Attorney Keith Davis
Town Clerk Jude M. Goudreau

PLEASE NOTE: THIS MEETING WILL ALSO BE CONDUCTED USING COMMUNICATION MEDIA TECHNOLOGY

Meeting link:

<https://townofpalmbeachshores.my.webex.com/townofpalmbeachshores/my/j.php?MTID=mb29a431353895df9a35fb4110c4a04fd> Meeting number: 2630 173 9338 Password: 0522

Join by phone: +1-408-418-9388 United States Toll Access code: 2630 173 9338

Regular Commission Meeting Agenda

1) CALL TO ORDER

- a) Pledge of Allegiance
- b) Roll Call

2) APPROVAL OF MEETING AGENDA

(Additions, substitutions, deletions)

3) APPROVAL OF CONSENT AGENDA

- a) Commission Meeting Minutes, April 24, 2023.
- b) Amended Commission Meeting Minutes March 27, 2023.
- c) Special Permit Application 23-03- Sailfish Marina, Boat Race, approximately 150 People. June 2- June 4, 2023. Fees Paid, Insurance verification pending.
- d) Special Permit Application 23-04- Sailfish Marina, Family Fun Day, approximately 300 people. August 12, 2023. Fees paid, insurance verification pending.
- e) Special Permit Application 23-05- Sailfish Marina, Fishing Tournament, approximately 300 people. June 23-24, 2023. Fees paid, insurance pending.

4) VARIANCES:

VAR23-02: 300 Linda Lane LLC, Owner of 300 Linda Lane, requests Variance Approval for a variance from Pf. 12.8(a) & (b) to allow for installation of an emergency generator forward of the mid-point of the principle structure where Town Code requires the generator to be located between the mid-point of the principle structure and rear lot line and a to allow a reduced setback of two (2) feet where Town Code requires five (5) feet.

5) VARIANCE EXTENSION:

Kannega Glades LLC Owner, 123 Ocean Ave. Request a 6-month extension on the following two Variances:

- a. VAR22-02: Kannega Glades LLC, Owner of 123 Ocean Avenue 101, requests Variance Review to allow for 1) a variance from Pf. 8.7 to allow for 29.4 foot front yard setback where Town Code requires 40 feet, a variance of 10.6 feet; 2) a variance from Pf. 8.9 to allow for 21.8 foot rear yard setback where Town Code requires 70 feet, a variance of 48.2 feet; 3) a variance

from Pf. 8.8 to allow for 15 foot side yard setbacks where Town Code requires 18 feet for each story over two stories, a variance of 3 feet; and 4) a variance from Pf. 8.5 to allow for 39.1% lot coverage where the maximum allowed by Code is 24% for a six-story building, a variance of 15.1%. VAR22-02 approved November 28, 2022

- b. VAR22-03: Kannega Glades LLC, Owner of 123 Ocean Avenue 101, requests Variance Review to allow for a variance from Pf. 8.3 to allow for the top of beam to be at 68 feet where Town Code limits the beam height to 63 feet measured from the grade elevation, a variance of 5 feet. VAR22-03 approved on November 28, 2022

6) AGREEMENTS:

Vote: Amendment to the Interlocal Cooperation Agreement with Palm Beach County for purposes of certain federal community development funds from the U.S. Department of Housing and Urban Development.

7) DEPARTMENT AND BOARD REPORTS:

Financial Report:

- April 2023

Staff Reports:

- Sheriff's Department
- Fire Department
- Public Works
- Town Clerk
- Planning and Zoning Chairman
- Town Attorney

8) COMMISSION REPORTS

Mayor Fiers

- Update on Water Main Project
- Road Project
- Community Center Kitchen Renovation
- Dredging Project

9) ORDINANCES:

Ordinance O-2-23 First Reading:

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING CHAPTER 14. BUILDINGS AND BUILDING REGULATIONS., SEC. 14-63. – PROCEDURE. TO REQUIRE THE INSTALLATION OF SYNTHETIC TURF TO BE REVIEWED BY THE PLANNING & ZONING BOARD AND CHAPTER 78. VEGETATION AT SECTION V. LANDSCAPING., SEC. 78-77.1. – DESIGN GUIDELINES. TO CREATE AN ENTIRELY NEW SUBSECTION TO PROHIBIT THE INSTALLATION OF ARTIFICIAL TURF FORWARD OF THE FRONT FAÇADE OF THE PRINCIPAL BUILDING OR ANY ACCESSORY STRUCTURE OR IN ANY LOCATION WITHIN OR VISIBLE FROM ANY PUBLIC RIGHT-OF-WAY ON ANY PROPERTY IN ANY ZONING DISTRICTS WITHIN THE TOWN; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

10) PROCLAMATIONS:

- A Proclamation Honoring the 90th Anniversary of Palm Beach State College

11) OTHER BUSINESS:

- EMS Contract

12) DISCUSSION ITEMS:

13) PUBLIC COMMENTS:

You must state your name for the record. Limit, 3 minutes per speaker, one time per topic.

14) ADJOURNMENT

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Town Commission 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.

Monday, April 24, 2023
7 PM



Town Hall Commission Chambers
247 Edwards Lane
Palm Beach Shores, FL 33404

Mayor Alan Fiers
Vice Mayor Scott McCranel

Commissioner Tracy Larcher
Commissioner Brian Tyler
Commissioner Brian Mark Ward

Keith Davis Town Attorney
Town Administrator Wendy Wells
Town Clerk Jude M. Goudreau

Regular Commission Meeting
Minutes

CALL TO ORDER

Mayor Fiers called the meeting to order at 7:00 PM. Those present were Mayor Alan Fiers, Vice Mayor Scott McCranel, Commissioner Tracy Larcher, Commissioner Brian Tyler, Commissioner Mark Ward, and Town Administrator Wendy Wells. Also in attendance were: PBSO Sgt. Steve Langevin, Fire Chief Trevor Steedman, Public Works Director Alan Welch, Town Attorney Keith Davis, and Town Accountant Darlene Hopper.

MOMENT OF APPRECIATION

Mayor Fiers presented the outgoing Town Administrator, Wendy Wells, with a plaque and 18 long-stem red roses for her 18 years of dedication and service to the Town. Mrs. Wells accepted the plaque and roses and thanked the Mayor and Staff.

APPROVAL OF MEETING AGENDA

Motion: Commissioner Tyler made a motion to approve the meeting agenda as amended to include approval of the signature cards under Other Business.

Second: Vice Mayor McCranel seconded the Motion.

Vote: Motion passed 5-0

APPROVAL OF CONSENT AGENDA

- a) Commission Meeting Minutes, March 27, 2023
- b) Reorganization Meeting Minutes, March 27, 2023
- c) Special Commission Meeting Minutes April 10, 2023
- d) Update Impact Fees

Discussion: Commissioner Larcher would like the minutes from the March 27, 2023, meeting amended to reflect under the Buccaneer Variance the statement "because of the age of the building, it's exempt from CRS requirements" and changed to reflect more accurately the Motion made by Commissioner Tyler. The Town Clerk will review the video and amend the minutes accordingly.

Motion: Commissioner Tyler made a motion to approve the Consent Agenda

Second: Vice Mayor McCranel seconded the Motion.

Vote: Motion passed 5-0

SPECIAL EXCEPTION REQUEST:

SE22-01, Mayan Towers Condominium 1, Inc., as Owner of 125 Ocean Avenue, and DISH Wireless, LLC, as Applicant, request Special Exception use approval to allow for a "telecommunications antenna" installed at a mount elevation of 91.5± feet on the rooftop of the existing condominium building.

Discussion: Attorney Davis made some explanatory comments to the Commission regarding the Commissioner's role in a quasi-judicial hearing versus Legislative decisions. Attorney Davis reminded the Commissioners only to make the decision based on the evidence provided and whether it meets the criteria outlined in the Town's Code PF 15.7 and not opinions or any materials handed out or communications regarding transmissions of frequencies or radio waves. Attorney Davis asked the Commission for any Ex Parte communications and swore in the applicants. Mayor Fiers said he has had many conversations with the Applicant and residents opposed to the project. Commissioners Ward, Larcher, and Tyler have had conversations with residents opposed to the project.

Dish Wireless LLC representatives N. Andrew Rotenstreich and Aaron Garnett presented the request to the Commissioners and reviewed each Town Code criterion. Mr. Rotenstreich answered the Commissioner's questions and responded to the public's comments.

There was a lengthy discussion regarding the project, and Commissioners Larcher and Ward commented and asked the applicant questions. Commissioner Larcher asked Attorney Davis about the 5% coverage rule and whether this item would have to go back to P&Z. Attorney Davis said it is not one of the conditions of approval before the Commission this evening. Commissioner Tyler asked if there was any additional correspondence from any other sources prior to the meeting, and commented on PF 15.7 (a), screening of the antenna.

Commissioner Ward made a motion to approve SE22-01. **Commissioner Tyler Seconded the Motion** with the condition that the Applicant finds a better way to screen the apparatus.

Mayor Fiers opened Public Comments: The Following residents each gave a 3-minute opinion opposing the Special Exception Request: Denise Quigley, Laura Mochi, John Pestrichelli, Meredith D'Andrea, Lorriane Gulgas, Chuck Gulgas, Thom Mason, Scott Medies<sp> Paul Setzer, (inaudible name, 107 Inlet, Doctor of Radiology,) Cylde Keck, Frank Diamond, Peter Allen <sp> Mike Jutt, Attorney Paula Marra (Atrium), Joyce Murphy (Webex) and Patricia Brosmer (Webex). Mayor Fiers commented that he feels that without the pending threat of a lawsuit over the Town's head, he would be against the project. He feels there are no options but to approve the request.

Mayor Fiers called for the question. Commissioner Ward said he feels the Town is being strongarmed into making this decision. Another discussion ensued regarding the State and Federal laws.

Additional Public Comment was allowed by Mayor Fiers: Paul Setzer, Donna Setzer, and Paula Marra were granted Mayor's approval to speak additionally. Attorney Rotenstreich responded to the Public Comments.

Commissioner Ward withdrew his Motion. Commissioner Tyler seconded the Motion to withdraw.

Motion: Commissioner Tracy Larcher made a motion to deny SE22-01, stating it fails to meet the criteria in PF 15.7 (e) The proposed use will make a substantial contribution to the neighborhood environment and will not infringe on the rights of properties in the vicinity of the excepted use.

Second: Vice Mayor McCranel's seconded the Motion. **Motion Denied 5-0.**

AGREEMENTS:

Agreement with Palm Beach County Fire Rescue- Maintenance Contract for Fire Apparatus

Discussion: Chief Steedman gave a brief overview of the Contract, which is for vehicle maintenance.

Motion: Commissioner Tyler made a motion to approve the Contract.

Second: Commissioner Larcher seconded the Motion. Motion passed 5-0.

Addendum to Agreement with Foliage - Lawn Maintenance Agreement

Discussion: Alan Welch gave a brief overview of the addendum to the agreement; it will be lowered by \$1,400.00 for the reduction of services, this will continue until the Inlet Park issues are resolved.

Motion: Commissioner Ward made a motion to approve the addendum.

Second: Commissioner Tyler seconded the Motion. Motion passed 4-1 with Commissioner Larcher opposed.

DEPARTMENT AND BOARD REPORTS

Financial Reports:

Discussion: Mayor Fiers introduced Darlene Hopper, the Town's new Accountant.

Mrs. Well presented the March Financial Report and answered the Commissioner's questions. Several commissioners thanked Mrs. Wells for her services and wished her well.

Motion: Commissioner Tyler made a motion to approve the March 2023 Financial Report.

Second: Commissioner Ward seconded the Motion.

Vote: Motion Passed 5-0.

Staff Reports:

Sheriff's Department: PBSO Sgt. Steve Langevin gave an overview of the monthly report and corrected a couple of discrepancies. Sgt. Langevin also updated the Commissioners on recent activities and arrests.

Fire Department: Chief Steedman gave an overview of his Monthly Report for March, not Jan-Feb, as printed, and provided the monthly EMS statistics and training hours. The Chief thanked Mrs. Wells for her assistance over the years.

Public Works: Director Welch updated the Commissioners and public on the AT&T project; all lines on the north half of the Town should be removed; once completed, FPL will remove poles. The AT&T event on April 12th was well attended. There will be another opportunity to connect in May. Mr. Welch provided an update on the Community Center Kitchen Remodel, Parks and Grounds, Lift Stations, and Buildings.

Town Clerk: No Report

Town Attorney: No Report

Planning and Zoning Chairman: Chairman Cohn was absent at the meeting but did notify by email that he has no report this month.

COMMISSION REPORTS:

Update on Water Main Project: Riviera Beach has voted to fund the entire project with an additional one million dollars. As soon as the contractor receives his funds, they will resume the project on Island Way and make their way south; they will begin connecting to the crossover and fire suppression lines. The Town will keep everyone posted on water disruptions.

EMS Contract: negotiations are continuing; Riviera Beach's first figure was \$850,000.00. Town Administrator Wendy Wells met with the Finance Director, who would not budge. Mayor Fiers met with Jonathan Evans today and said that they do not have any incremental expenses to provide services to the Town, so he feels the administrative fees should be deducted from the services. The Mayor also pointed out that we do not need a second truck to respond; we have EMTs/Medics on staff. The Mayor said

negotiations were reduced to approximately \$550,000.00 to \$650,000.00, and Mr. Evans will meet with his staff and come back with a final figure. Commissioner Larcher questioned secondary COPCN. The Mayor responded to the question.

RESOLUTION NO. R-5-23

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, PALM BEACH COUNTY, FLORIDA, AMENDING ITS OPERATING BUDGET FOR FISCAL YEAR 2022/2023 IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF BUDGET RESOLUTION NO. R-11-22; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Discussion: Wendy Wells presented the budget amendments and detailed explanations for each item. Mrs. Wells answered the Commissioners' questions.

Motion: Commissioner Tyler made a motion to approve the Consent Agenda

Second: Vice Mayor McCranels seconded the Motion.

Vote: Motion passed 5-0

RESOLUTION NO R-6-23

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, APPOINTING DARLENE HOPPER AS TOWN TREASURER PURSUANT TO SECTION 3.10, ARTICLE III OF THE TOWN CHARTER.

Discussion: Mayor Fiers stated that Mrs. Hopper will replace outgoing Treasurer Wendy Wells.

Motion: Commissioner Mark Ward made a motion to appoint Mrs. Hopper as Treasurer.

Second: Commissioner Tracy Larcher seconded the Motion. Motion passed 5-0.

OTHER BUSINESS:

Town Administrator Wendy Wells asked for a motion to have Commissioners sign the bank signature cards after the meeting.

Motion: Commissioner Tyler made a motion to allow all commissioners and certain staff members to sign bank signature cards.

Second: Commissioner Ward seconded the Motion. Motion passed 5-0.

PUBLIC COMMENTS:

Joan Bancroft Grody submitted signatures to the clerk to add to a petition she had previously submitted for the "No Change to Inlet Park petition."

ADJOURNMENT:

Motion: Commissioner Tyler made a motion to adjourn the meeting.

Second: Commissioner Ward seconded the Motion. Motion passed 5-0.

The meeting was adjourned at 10:14 PM.

Approved this day, 22nd Day of May 2023.

ATTEST:

Alan Fiers, Mayor

Jude M. Goudreau, Town Clerk

(Seal)

Monday, March 27, 2023
Immediately Following the Reorganization
Meeting



Town Hall Commission Chambers
247 Edwards Lane
Palm Beach Shores, FL 33404

Mayor Alan Fiers
Vice Mayor Scott McCranels

Commissioner Tracy Larcher
Commissioner Janet Kortenhaus
Commissioner Brian Tyler

Keith Davis Town Attorney
Town Administrator Wendy Wells
Town Clerk Jude M. Goudreau

Regular Commission Meeting
Minutes
Amended 04.25.2023

CALL TO ORDER

Mayor Fiers called the meeting to order at 7:40 P.M. Those present were Mayor Alan Fiers, Vice Mayor Scott McCranels, Commissioner Tracy Larcher, Commissioner Brian Tyler, Commissioner Mark Ward, and Town Administrator Wendy Wells. Also in attendance were: PBSO Sgt. Steve Langevin, Fire Chief Trevor Steedman, Public Works Director Alan Welch, and Town Attorney Keith Davis.

APPROVAL OF MEETING AGENDA

Motion: Commissioner Larcher made a motion to approve the meeting agenda.

Second: Commissioner Tyler seconded the Motion.

Vote: Motion passed 5-0

APPROVAL OF CONSENT AGENDA

- a) Commission Meeting Minutes, February 27, 2023
- b) Permit 23-02 – Walk for Victim's Right- Annual Event- Sponsor State Attorney's Office. Fees Paid Approximately 100 Participants, 8–11 A.M. on April 29, 2023

Motion: Commissioner Tyler made a motion to approve the Consent Agenda as amended to include a discussion item regarding mooring fields.

Second: Commissioner Ward seconded the Motion.

Vote: Motion passed 5-0

VARIANCES:

VAR23-01, Buccaneer Condominium Assoc., Owner of 142 Lake Drive, requests Variances from 1) Pf. 7.13 to allow for a roof pitch of 2/12 over units 1/2, 18/19, and three entryways where Town Code requires a minimum pitch of 4/12 and 2) Pf. 4.6 to allow for a grade elevation of 3.30 feet NAVD and a finished floor elevation of 3.58 feet NAVD for the Dockmaster's Office Addition, where Town Code requires 4.96 feet and 7.0 feet NAVD, respectively.

Attorney Keith Davis swore in the representatives Josh Miron, Stuart Grandfield, and (Chris Hamilton, who attended via Webex). Attorney Davis asked the Commissioners if there was any ex parte communication with the applicant, Mayor Fiers has spoken with the attorneys for the applicant, and the rest of the Commission has walked by, biked by, or driven by the property only. Attorney Davis reminded Commission of the Variance Codes according to P.F. 15.3. and that the applicant shall meet each criteria in the code before a variance can be approved.

Discussion: Attorney Josh Miron gave an overview of the project, the variances requested, and a brief history of the property, including the 18-slip dock. They are also hoping to renovate the dock in the near

future; they have applied for and received an FDEP permit. They are planning on finishing the refurbishment of the eighteen condo units within the next six months.

There was a lengthy discussion regarding the variance for the Buccaneer Condominium Association: Two separate variances were requested, one for relief from the required building elevation and one for relief from the required roof pitch, both for a 186 Square foot addition to the Dock Master office. **Motion:** Commissioner Larcher made a motion to deny the request for both variances. **Second:** Commissioner Mark Ward seconded the Motion. A 2-3 vote defeated the Motion. Oppose were Mayor Fiers, Vice Mayor McCranels, and Commissioner Tyler.

After further discussion and the applicant answering the Commissioner's questions, a second motion to approve, with certain conditions, was made. Commissioner Larcher asked Attorney Davis for clarification of the Variance Criteria. Attorney Davis read the criteria from PF 15.3

Motion: Commissioner Brian Tyler made a motion to approve with the following conditions: Floodproof panels are in place and are not injurious with the town's CRS Rating and Flood Table.

Mayor Fiers stated that the building is grandfathered in because of its age, from FEMA's Pre-FIRM Rules, and would have no impact on the CRS Rating.

Second: Vice Mayor Scott McCranels. **Motion Passed 3-2** with Commissioner Larcher and Commissioner Ward opposed.

ORDINANCES:

Second Reading: ORDINANCE NO. O-1-23

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING APPENDIX A. ZONING ORDINANCE. AT PF. 8.3. BUILDING HEIGHT., TO ELIMINATE THE TOP OF BEAM RESTRICTION FOR BUILDINGS IN ZONING DISTRICT D; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF APPENDIX A SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Discussion: Attorney Davis read by title only the Ordinance. This Ordinance deals with height measurement in District D: All buildings in this district have flat roofs measuring to the top beam, as currently required in the code. This Ordinance eliminated that measurement requirement. Under the change, the only height measure is the roof structure.

Motion: Commissioner Tyler made a motion to approve the second reading of the Ordinance.

Second: Vice Mayor McCranels seconded the Motion. **Motion passed 5-0.**

DEPARTMENT AND BOARD REPORTS

Financial Reports:

Town Administrator Wendy Wells presented the financial report for March 2023. Expenditures are 42% of the Budget, which is higher than last year because of the hurricane and waiting for reimbursement from FEMA. Revenue is at 80% of the Budget, which is primarily due to ad valorem taxes, the building department, and interest revenue, which has been seen for a long time. Mrs. Wells also provided an update on the Roads Project and Dredge Project Funds. Mrs. Wells answered the Commission's questions.

Public Comment: Robert Windfield questioned if there is a line item of expenses spent so far on Inlet Park and if there is a budget to further improve the park. Mrs. Wells and Mayor Fiers answered Mr. Windfield's questions. There are no plans to improve the park at this time.

Motion: Commissioner Tyler made a motion to approve the February 2023 Financial Report.

Second: Vice Mayor McCranels seconded the Motion.

Vote: Motion Passed 5-0.

Staff Reports:

Sheriff's Department: PBSO Sgt. Steve Langevin asked for Volunteers to hide 4,000 eggs for the Easter Egg Hunt on April 8. The new Body One Cameras have arrived; they will be installed in the cars in May, and then training will begin, so hopefully, by June, they will be up and fully operational. March calls for service include a fight at The Sailfish Marina; a deputy was spit on during the arrest and will now be tested for diseases for the next two years. Three boats were burglarized, which led to the chase of the suspect, and during the pursuit, another deputy suffered an injury to the knee and will be out of work for a while. They have DNA, fingerprints, and video surveillance of the suspect, and detectives are working on identifying the suspect. Sgt. Langevin said that the St. Patrick's Day parade was enjoyed by all, with only one incident where a Mo-ped may have been stolen; the owner is unsure. Commissioner Ward said he recently spent a day on the walkway and was blown away by the number of people who walked and questioned whether there should be signs saying no bikes allowed. Sgt. Langevin responded to his question.

Fire Department: The Chief thanked the St. Patrick's Day Parade Committee, Elizabeth Kuechenmeister, Sailfish Marina, Marriott Ocean Point, Nico at the Islander, and many other volunteers and staff members, the turnout was good, and the weather held out. Chief Steedman also mentioned that next year the parade will be held on March 16, 2024. Chief Steedman provided a recap of his written report along with rescue statistics. The Department had 165 hours of training this month that included formal drills that they do weekly. EMS transport contract is progressing; he and Wendy Wells, Town Administrator, have attended several negotiation meetings with the City of Riviera Beach. Chief Steedman responded to Commissioner Ward's question regarding EMS billing and transportation during a medical emergency. There was a brief discussion amongst the Commission regarding the EMS contract and services.

Public Works: Director Welch said that his Department is now fully staffed with the recent hiring of Oscar Almaguer as Tech II and Kowolics Parham Tech I. Director Welch also reiterated his monthly written report. One of the main focuses for the Public Works Department is receiving quotes for the second-floor remodel, quotes for the new roll-down shades, the new sound panels and acoustics, and twelve new 6-foot round tables, all for the Community Center. Mr. Welch also provided an update on Grounds & Parks, Streets, Lift Stations, and Town Buildings. He also gave a brief update on AT&T Project.

Town Clerk: No verbal report this month.

Town Attorney: No report this month.

Planning and Zoning Chairman: The P&Z Board met in February at their last regularly scheduled meeting, and there was a discussion regarding a new Ordinance for the use of artificial grass or turf in the Town. Chairman Cohn submitted a letter to the Commission which briefly gives the main points and would appreciate it if the Commissioners would read, discuss, and give back to the Board some direction on what might be acceptable to be adopted by the Town. Chairman Cohn also informed Commission that on a recent application, the Board recommended denial for a Variance at 142 Lake Drive.

COMMISSION REPORTS:

Mayor Fiers provided an update on the AT&T Project:

Plans are being drawn up to finish the removal of overhead AT&T lines in the north half of Town. Removal should be completed before the beginning of hurricane season. Conversion to the new fiber service in the south half of the Town is progressing at a slower rate because of the condo buildings.

The Watermain replacement project: The roads and all of the cutovers should be done by the end of this week if it doesn't rain. From then on, progress depends on the Riviera Council approving a \$750,000 change order which will cover the costs of the items omitted from the original plans and contract. This item will be taken up at the April 5 Riviera Beach Council meeting. We are in close contact with Riviera Beach Staff and leadership on this issue, and the Mayor plans on attending the meeting on April 5, 2023.

The Dredging Project: The Mayor reports that this is all good news; the Town is in the House Bill for \$100,000.00, and we the number one choice for our representative and the number one choice of the chair of the appropriations committee, so we are in good shape there. The Senate put the Town in the appropriation bill for \$500,000.00, and our lobbyist told Mayor Fiers not to worry about it, that the House Bill generally carried she we should get the full amount.

OTHER BUSINESS:

Mayor Fiers said that at the last workshop, they decided to change the expiration dates of the beach parking pass to December 31 of each year to accommodate our residents better. This year's parking pass will be from July 1, 2023, through December 31, 2024, for 18 months for the same rate of \$10.00 for residents and \$350.00 for non-residents.

Motion: Vice Mayor Scott McCranels made a motion to approve the parking passes.

Second: Commissioner Larcher seconded the Motion. Motion passed 5-0.

PROCLAMATION:

Wendy Wells Read a proclamation on behalf of Mayor Fiers naming March 31, 2023, as the Town's Arbor Day Celebration. He hopes that everyone can attend this year's celebration.

Motion: Commissioner Mark Ward made a motion to approve the Proclamation.

Second: Vice Mayor Scott McCranels seconded the Motion. Motion passed 5-0.

PUBLIC COMMENTS: The following residents voiced their concerns or opinion on Inlet Park; Paul and Marian Sivilotti, John Peterson, and Peggy Nagel. The Commission is not able to answer or discuss Inlet Park due to the ongoing litigation.

ADJOURNMENT:

Motion: Commissioner Tyler made a motion to adjourn the meeting.

Second: Vice Mayor McCranels seconded the Motion.

Vote: Motion passed 5-0. The meeting was adjourned at 9:57 P.M.

Approved this day, 22nd Day of May 2023.

ATTEST:

Alan Fiers, Mayor

Jude M. Goudreau, Town Clerk

(Seal)



DATE SUBMITTED 5/1/2013

PERMIT NO. 23-03

Town of Palm Beach Shores
APPLICATION FOR
SPECIAL EVENTS PERMIT
(Section 18-27 of Town Code)

Please check a box
below if you are a:

Police Officer ☐
Fire Fighter ☐
Teacher ☐

Type of event: Boat Race Location: Sailfish Marina

Sponsor: _____ Telephone: (561) 842-8449

Property owner's consent and acknowledgement of responsibility:

Signature: [Signature]

Date and Time: 6/2 - 6/4 Time it ends: 9pm

Number of participants: 150 p1

Proof of insurance attached? Yes _____ No _____

Copy of all required state and county permits if event will be held on or
utilize state and/or county-controlled property.

Please indicate any traffic, fire-rescue, utilities impact, and/or mitigation
plan:

WE CONSULTED WITH TREVOR STEEDMAN REGARDING
FIRE LANES AND FIRE SAFETY.

Permit fee \$50 X (Untimely application \$150 _____) Receipt # _____

APPROVED:

Fire Department: [Signature] Sheriff's Office: [Signature]

Number of off-duty officers required: _____

Date of Commission Review: 5/22/23 Approved: _____



DATE SUBMITTED 5/15/2023

PERMIT NO. 23-04

Town of Palm Beach Shores
APPLICATION FOR
SPECIAL EVENTS PERMIT
(Section 18-27 of Town Code)

Please check a box
below if you are a:

Police Officer ☐
Fire Fighter ☐
Teacher ☐

Type of event: Family Fun Day Location: Sailfish Manna

Sponsor: Sailfish Manna Telephone: (561) 842-8449

West Palm Beach Fishing Club
Property owner's consent and acknowledgement of responsibility:

Signature: [Signature]

Date and Time: 8/12/23 Time it ends: 8pm

Number of participants: 300

Proof of insurance attached? Yes ☐ No ☐

Copy of all required state and county permits if event will be held on or
utilize state and/or county-controlled property.

Please indicate any traffic, fire-rescue, utilities impact, and/or mitigation
plan:

Permit fee \$50 ☒ (Untimely application \$150 ☐) Receipt # _____

APPROVED:

Fire Department [Signature]

Sheriff's Office: [Signature]

Number of off-duty officers required: _____

Date of Commission Review: _____ Approved: _____



DATE SUBMITTED 5/15/2023

PERMIT NO. 23-05

Town of Palm Beach Shores
APPLICATION FOR
SPECIAL EVENTS PERMIT
(Section 18-27 of Town Code)

Please check a box
below if you are a:

Police Officer ☐
Fire Fighter ☐
Teacher ☐

Type of event: Fishing Tournament Location: Sealfish Marina Resort
Sponsor: B.J.G. Dog Fut Cent Telephone: (904) 842-8449

Property owner's consent and acknowledgement of responsibility:

Signature: [Signature]

Date and Time: 6/23 & 6/24 Time it ends: 9 pm

Number of participants: 300

Proof of insurance attached? Yes ☐ No ☐

Copy of all required state and county permits if event will be held on or
utilize state and/or county-controlled property.

Please indicate any traffic, fire-rescue, utilities impact, and/or mitigation
plan:

Permit fee \$50 ☒ (Untimely application \$150 ☐) Receipt # _____

APPROVED:

Fire Department: [Signature]

Sheriff's Office: [Signature]

Number of off-duty officers required: _____

Date of Commission Review: _____ Approved: _____



PROJECT NAME: 300 Linda Lane LLC

Reviewed By: _____

Date: _____

Fee Paid: _____

Town Receipt No: _____

SUBMITTAL CHECKLIST

All submittals must include ten (10) paper sets (folded & sorted into complete packet sets) and an electronic copy (on cd or thumb drive) of the following:

- ☒ Completed **Development Application** (complete all fields, use N/A when not applicable).
 - ☒ Architectural & Aesthetic Review Request (pg. 11, all submittals)
 - ☒ Variance Request (pg. 13, if applicable)
 - ☐ Special Exception Request (pg. 14, if applicable)
- ☒ **Boundary Survey** (Dated to within 6 months of application submission).
- ☒ **Signed and Sealed Schematics** depicting building on site, setbacks, grading, drainage and elevations, as well as the relationship of the site to the neighboring sites (e.g. Site Plan, Drainage and Grading Plan, Roof Plan, Landscape Plan, Elevations).
- ☐ **Tabular Data** showing compliance with all lot coverage, floor area, building height, grade and landscaping requirements.

SITE PLAN CHECKLIST

Please be sure to include the following on the Site Plan:

- ☐ Depict and label 10' Town Strip (front of property) and 5' utility easement (rear of property), and all other applicable easements.
- ☐ Depict and label all setbacks and Code required setback lines (front, rear, side, pool, etc.).
- ☐ Provide a tabular data table reflecting data from the tables on pgs. 7-8 of this development application.
- ☐ For renovations and/or additions, please shade proposed addition area(s) to differentiate from existing.
- ☒ Include all a/c equipment, pool equipment and emergency generators and label as proposed or existing.
- ☐ Ensure that beam height and top of roof are dimensioned on all elevation drawings submitted.
- ☐ Provide a construction schedule for the proposed project (including calendar dates).

LANDSCAPE PLAN CHECKLIST

Please be sure to include the following on the Landscape Plan:

- ☐ Depict and label the 10' Town Strip (front of property) and 5' utility easement (rear of property).
- ☐ Include and label both existing (to remain) and proposed landscaping on the subject property.
- ☐ Provide a species legend/key including the height of all landscaping to be provided at installation.
- ☐ Ensure that the requirements for 10' Town Strip and front yard trees are met.
- ☐ For multi-story construction, ensure that the requirements for privacy screening are met.
- ☐ Ensure screening is provided for all ground mounted mechanical equipment (e.g. a/c compressors, pool equipment, emergency generators).

NOTE: Checklists are not comprehensive. They are provided solely to remind Applicants to include items commonly omitted from plans submitted to the Town.



DEVELOPMENT APPLICATION

TOWN OF PALM BEACH SHORES
247 EDWARDS LANE
PALM BEACH SHORES, FL 33404
(561) 844-3457

OWNER/APPLICANT: **300 LL LLC**

PROJECT ADDRESS: **300 Linda Lane**

APPLICATION NO.: _____ SUBMITTAL DATE: **2-27-23**

TYPE OF APPROVAL(S) REQUESTED (Check box(es) ☒)

ADMINISTRATIVE APPEAL		SITE PLAN MODIFICATION (14-62)	X
ARCHITECTURAL AND AESTHETIC REVIEW (Pf. 14-86)		SITE PLAN REVIEW (14-62)	
COMPREHENSIVE PLAN AMENDMENT (Pf. 17.3(B))		SPECIAL EXCEPTION (Pf. 15.8)	
PLAT APPROVAL		VARIANCE (Pf. 15.4)	X
REZONING (Pf. 17.3(B))		ZONING TEXT AMENDMENT (Pf. 17.3(B))	

	PROPERTY OWNER(S)	APPLICANT (If different than Owner(s))
NAME:	300 LL LLC	N/A
ADDRESS:	1869 SHELLEY CT HIGHLAND PARK IL 60035	
PHONE:	847-347-3016	
EMAIL:	alevine3016@comcast.net	

	AGENT (If different than Owner(s))	CURRENT OCCUPANT (If different than Owner(s))
NAME:	N/A	N/A
ADDRESS:		
PHONE:		
EMAIL:		

	PLANNER	DEVELOPER
NAME:	N/A	N/A
ADDRESS:		
PHONE:		
EMAIL:		

	ARCHITECT	LANDSCAPE ARCHITECT
NAME:	N/A	N/A
ADDRESS:		
PHONE:		
EMAIL:		

	SURVEYOR	ATTORNEY
NAME:	NEXGEN Surveying, LLC.	
ADDRESS:	1547 Prosperity Farms Rd. West Palm Beach, FL 33403	
PHONE:	561-508-6272	
EMAIL:	info@nexgensurveying.com	

	ENGINEER (USE ADD'L. SHEET FOR MULTIPLE ENGINEERS)	
NAME:	N/A	N/A
ADDRESS:		
PHONE:		
EMAIL:		

OWNER ACKNOWLEDGMENT & CERTIFICATION

I (We) affirm and certify that I (We) understand and will comply with all provisions and regulations of the Town of Palm Beach Shores, Florida. I (We) understand that if this Application is approved by the Town, the aforementioned real property described herein will be considered, in every respect, to be a part of the Town of Palm Beach Shores and will be subjected to all applicable laws, regulations, taxes and police powers of the Town including the Comprehensive Plan and Zoning Ordinance. I (We) further certify that all statements and diagrams submitted herewith are true and accurate to the best of my (our) knowledge and belief. Further, I (We) understand that this Application and attachments become part of the Official Records of the Town of Palm Beach Shores, Florida and are not returnable. I (We) acknowledge that no permit will be issued before all fees associated with Application are paid.

1. Owner acknowledges and understands that the fee for site plan review, architectural/aesthetic review, variance, special exception, rezoning, etc. **may not cover all review costs**. A final statement of any outstanding costs (covering advertising costs, legal, architectural and other consultant costs) will be sent to the applicant upon completion of the review process. Owner accepts financial responsibility for all costs incurred as a result of this Application.
2. A construction schedule is required of all developers during the development process. The Planning and Zoning Board must approve your proposed construction schedule.
3. The Town requires payment of impact fees for floor area added during the development, re-development or renovation of a property. These impact fees will be used to pay for capital improvements relative to Fire Protection, Police Protection, Parks & Recreation and Public Buildings. Impact fees must be paid to the Town before a Certificate of Occupancy will be issued.
4. Roll-off dumpsters for construction/demolition debris and solid waste must be rented through the Town's contracted solid waste hauler, Waste Management.
5. Final as-built plans must be submitted to the Town in digital form, preferably in PDF format.

By signing below, I acknowledge that I have read and understand the five (5) items listed above.

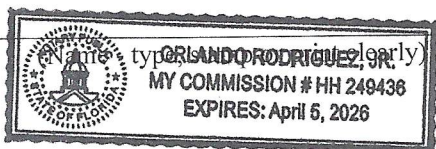
Anne Marie Levine
Signature of Owner

2/27/23
Date

Anne Marie Levine
Printed Name of Owner

STATE OF FLORIDA
PALM BEACH COUNTY:

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 27 day of Feb. 2023,
by Anne Marie Levine who is personally known to me or has produced _____ (type of identification) as identification.



Orlando Rodriguez Jr
(Signature)

NOTARY'S SEAL

AUTHORIZATION OF AGENT & ACKNOWLEDGEMENT OF FINANCIAL RESPONSIBILITY

Consent to an agent is required from the property owner(s) and contract purchaser, if applicable, if the property owner(s) or contract purchaser does not intend to attend all meetings and public hearings and submit it person all material pertaining to the Application. Consent to a firm shall be deemed consent for the entire firm, unless otherwise specified.

This form shall serve as consent for the agent identified below to prepare or have prepared all documents for the Application affecting property I (We) have an ownership interest in.

I (We) hereby designate and authorize the below-signed person to act as my (our) agent in regard to this Application and accept financial responsibility for any costs incurred by the agent as a result of this Application. Further, I (We) acknowledge that no permit will be issued before all fees associated with Application are paid.

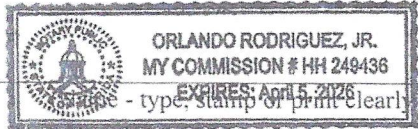
Anne Marie Levine
Signature of Owner or Trustee

2/27/23
Date

STATE OF FLORIDA
PALM BEACH COUNTY:

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 27 day of Feb. 20 23.

by Anne Marie Levine who is personally known to me or has produced _____ (type of identification) as identification.



Orlando Rodriguez, Jr.
(Signature)

NOTARY'S SEAL

Agent Information:

Michael Leslie
Printed Name of Agent

Michael Leslie
Signature of Agent

ML Electrical MD
Name of Firm LLC

4/6/23
Date

PROCEDURES AND TIMELINES

All development applications required to be submitted to the Planning and Zoning Board for review (Site Plan Review, Site Plan Modification, Architectural and Aesthetic Review, Special Exceptions and Variances) will be subject to the following procedures:

1. Development Review Committee ("DRC") review is regularly scheduled for the first Wednesday of each month at 2:00 pm. In order to be placed on the DRC agenda, a complete application must be submitted to the Town Clerk by the close of business on Monday of the week prior to the regularly scheduled DRC meeting. **Incomplete applications and late submittals will not be placed on a DRC agenda.**
2. If, as a result of the initial DRC review, it is determined by the DRC that a subsequent DRC meeting is necessary, the complete revised application must be submitted to the Town Clerk by the close of business on Monday of the week prior to the regularly scheduled DRC meeting. **Applications that fail to include all revisions required by the DRC, or that are submitted late will not be placed on a DRC agenda until they have been corrected and are timely.**
3. If, as a result of the initial DRC review, it is determined by the DRC that the project can proceed to the Planning and Zoning Board, a complete Planning and Zoning Board application must be submitted to the Town Clerk including all revisions noted by the DRC. A sufficiency review will be performed by the Town to confirm that all comments provided by the DRC have been addressed and a complete revised application submitted. Once all DRC comments have been adequately addressed and a complete revised application submitted, the submittal will be placed on the agenda for the next available Planning and Zoning Board, subject to legal advertising requirements. Planning and Zoning Board review is regularly scheduled for the fourth Wednesday of each month. **Applications that fail to include all revisions required by the DRC or that are incomplete will not be placed on a Planning and Zoning Board agenda.**

APPLICATION FEE INFORMATION

Administrative Appeal	\$250.00
Site Plan Review	\$350.00
✓ Site Plan Modification Review	\$350.00
✓ Variance Request	\$350.00
Special Exception Request	\$250.00
Telecom Site Plan Review or Modification	\$500.00
Plat Approval Request	\$600.00
Comprehensive Plan Amendment	\$750.00
Zoning Text Amendment / Rezoning	\$750.00
Sufficiency Review	Zoning Official (rate per hour)

NUMBER OF COPIES REQUIRED

Development Review Committee	Ten (10) paper sets (folded & sorted into complete packet sets), including one (1) sealed original with original signatures and nine (9) copies, three (3) of which are sealed by a licensed engineer, architect and/or surveyor, <u>and</u> an electronic copy of all documents (on cd or thumb drive).
Planning and Zoning Board	Ten (10) paper sets (folded & sorted into complete packet sets), including one (1) sealed original with original signatures and nine (9) copies, three (3) of which are sealed by a licensed engineer, architect and/or surveyor, <u>and</u> an electronic copy of all documents (on cd or thumb drive).
Local Planning Agency	Ten (10) copies (folded & sorted into complete packet sets).
Town Commission	Ten (10) paper sets (folded & sorted into complete packet sets), including one (1) sealed original with original signatures and nine (9) copies, three (3) of which are sealed by a licensed engineer, architect and/or surveyor (as applicable), <u>and</u> an electronic copy of all documents (on cd or thumb drive).

Applicant acknowledges and understands that the fee for Site Plan Review, Architectural/aesthetic Review, Variance, Special Exception, Rezoning, etc. *may not cover all review costs.* A final statement of any outstanding costs (covering advertising costs, legal, architectural, and other consultants) will be sent to the Applicant upon completion of the review process.

Tabular data showing compliance with all lot coverage, floor area, building height, grade and landscaping requirements must be provided on all submitted plans (Town Code § 14-62).

PROJECT NAME: Generator

PROJECT ADDRESS: 300 Linda Lane, Palm Beach Shores

PROJECT LEGAL DESCRIPTION: Generator

*** All boxes must be completed, use N/A where appropriate ***

GENERAL DATA	CODE REQUIREMENT	EXISTING	PROPOSED
COMPREHENSIVE PLAN DESIGNATION: (SF-5, MF-21, MF-30, MF-42, P, ROS)	None		
LAND USE: (Residential, Commercial, Recreational, Marina, Public, etc.)	None	Residential	
ZONING DISTRICT: (A, B, C, D, P, ROS, designated at Pf. 3.1, Zoning Ordinance)	None	A	A
FLOOD ZONE CATEGORY:	None	AE	AE
LOT COVERAGE, LANDSCAPING & PARKING	CODE REQUIREMENT	EXISTING	PROPOSED
TOTAL LOT SIZE: (sq. ft.)	None	8798 sq ft 0.20 acre	8798 sq ft 0.20 acre
TOTAL COVERAGE OF A LOT BY BUILDINGS: (Pf. 5.4, 6.4, 7.5 or 8.5, Zoning Ordinance)	N/A	N/A	N/A
TOTAL LANDSCAPE COVERAGE: (Pf. 5.4.3, Zoning Ordinance)	N/A	N/A	N/A
OFF-STREET PARKING: (Pf. 5.13, 6.12, 7.13 or 8.14, Zoning Ordinance)	N/A	N/A	N/A
SETBACKS	CODE REQUIREMENT	EXISTING	PROPOSED
FRONT YARD: (Pf. 5.5, 6.6, 7.7 or 8.7, Zoning Ordinance)	25 ft	25.8 ft	25.8 ft
REAR YARD: (Pf. 5.6, 6.7, 7.9 or 8.9, Zoning Ordinance) Generator	5.4 ft	N/A	N/A
SIDE YARD: (Pf. 5.7, 6.8, 7.8 or 8.8, Zoning Ordinance) Generator	5.8 ft	N/A	3 ft

property line from house
east side 7 ft.

property side of house
to fence 6 ft 8"

Generator size
48 inches long 25 inches wide
29 inches high

FLOOR AREA	CODE REQUIREMENT	EXISTING	PROPOSED
FIRST FLOOR AREA (sq. ft.):	None	N/A	N/A
SECOND FLOOR AREA (sq. ft.): (Pf. 5.4.2, Zoning Ordinance)	N/A	N/A	N/A
TOTAL FLOOR AREA (sq. ft.): (Pf. 2.23, Zoning Ordinance)	None	N/A	N/A
FLOOR AREA RATIO: (Pf. 5.4.2, Zoning Ordinance)	N/A	N/A	N/A
DWELLING UNIT DENSITY: (Pf. 6.5, 7.6 or 8.6, Zoning Ordinance)	N/A	N/A	N/A
IMPERVIOUS AREA	NET INCREASE	EXISTING	PROPOSED
BUILDING FIRST FLOOR AREA (sq. ft.):	N/A	N/A	N/A
OTHER IMPERVIOUS AREA (sq. ft.): (Decks, Patios, Walkways, Driveways, Pool Deck & Pool Surface Areas)	N/A	N/A	N/A
TOTAL IMPERVIOUS AREA (sq. ft.):	N/A	N/A	N/A
ELEVATIONS	CODE REQUIREMENT	EXISTING	PROPOSED
GRADE ELEVATION (NAVD): (Pf. 4.6, Zoning Code)	N/A	N/A	N/A
ESTABLISHED 1 ST FLOOR ELEVATION (NAVD): (Pf. 4.6, Zoning Code)	N/A	N/A	N/A
MEAN CROWN OF ROAD ELEVATION (NAVD):	None	N/A	N/A
BUILDING HEIGHT	CODE REQUIREMENT	EXISTING	PROPOSED
TOTAL BUILDING HEIGHT (NAVD): (Pf. 5.2, 6.2, 7.3 or 8.3, Zoning Ordinance)	N/A	N/A	N/A
TOP OF BEAM HEIGHT (NAVD): (Pf. 5.2, 6.2, 7.3 or 8.3, Zoning Ordinance)	N/A	N/A	N/A
ROOF PITCH: (Pf. 5.2, 6.2 or 7.3, Zoning Ordinance)	N/A	N/A	N/A
FLAT ROOF PERCENTAGE: (Pf. 5.2, Zoning Ordinance)	N/A	N/A	N/A

JUSTIFICATION STATEMENT

Provide a summary of the proposed project, describing in detail the construction, phasing and proposed development to occur as part of this application (attach additional sheets if needed):

explanation attached on next page

Note: Construction Schedule is due as part of site plan review and before building permit issuance. (Town Code §14-63). A signed and notarized contract (signed by owner) must be provided before building permit issuance. (Town Code §14-108).

Provide an estimate of construction costs:

Estimated cost of generator and installation \$10-13K

Describe the existing improvements located on the subject property (attach additional sheets if needed):

To be installed on the east side yard. This is a new construction single family home. There is a privacy and security fence which is aesthetically pleasing and provides a sound barrier. The east side location forward of the midpoint and outside the 5ft setback is necessary as the original building approval left no room in the rear of the property or window spacing. (photos attached)

Provide a project history for the subject property, including any prior development approvals filed within the last year in connection with the subject property. Please include the date of previous site plan approval by the Planning and Zoning Board for this property (attach additional sheets if needed):

This is a new built home by NRH homes completed in 2022. This approved build by Palm Beach Shores has left no other location of placement for the generator to meet all other current building codes. (photos attached)

Provide the justification, special reasons, or basis for the approval of this application. Explain why this application is consistent with good planning and zoning practice, will not be contrary to the Town's Comprehensive Development Plan, and will not be detrimental to the promotion of public appearance, comfort, convenience, general welfare, good order, health, morals, prosperity, and safety of the Town. Additionally, all standards set forth in the Town Code of Ordinances for Special Exceptions, Variances, Administrative Appeals, etc. must be addressed. (attach additional sheets if needed):

This generator will not be detrimental to any of PBS Comprehensive Development plan. There is currently a privacy fence providing protection and a sound barrier. This generator is necessary to protect future life safety equipment for 100% oxygen life support equipment and insure 100% electrical coverage from storms, hurricanes and power outages. (photos attached)

Provide any other pertinent information related to the subject property to support the proposed request.

There is currently a 6ft privacy fence surrounding the sides and back of the property for safety and noise reduction. There is no visual impact from the street or walkway. My property is adjacent to the town walking path and also has town bushes as a barrier. It will not be a burden to neighbors. (photos attached)

Justification statement for Levine Generator at 300 Linda Lane

Provide a summary of the proposed project, describing in detail the construction, phasing and proposed development to occur as a part of this application.

Install a generator at the east side of the property to provide and protect future life-safety support for a family member who will be moving to Florida and residing with me at 300 Linda Lane. 100% electrical support for oxygen is critical to her health and safety and must be provided for at all times. The need to protect from storms, hurricanes and power outages that will effect care.

The installation of the generator will be performed by Michael Leslie of ML Electrical MD LLC and will take 1-3 days due to weather or other delays. Installation includes the addition of a preformed and poured generator pad, the generator and all electrical and gas hook ups.

Addressed issue and objection raised at the Planning and Zoning Meeting

Issue and objection raised by Mr. Kevin Banks.

Mr. Banks asked if the two air conditioners could be moved to the east side of the house and the generator installed in their place.

Findings: With the assistance of Jude Goudreau, Town Clerk, she asked Mr. Buck Evan if there were any codes relating to the placement of the air conditioner near the existing east bedroom windows. Mr. Evans said that windows must have 30 inches clearance of the placement of the air conditioners. As indicated in the pictures below, I do not have the extra 30 inches, therefore I will need to have both variances as requested in the process.





- 85 inches.

DRAINAGE REQUIREMENTS

(For projects proposing additional on-site impervious area)

For proposed renovations/modifications to existing projects that result in LESS THAN a 50% increase in total site imperviousness, retain 1" of stormwater volume from the total additional impervious area.

For proposed new construction, or renovations/modifications to existing projects that result in a GREATER THAN a 50% increase in total site imperviousness, retain 1" of stormwater volume over the entire site.

Submit a Survey with topographic elevations and existing improvements.

A Drainage and Grading Plan and drainage calculations are required to be submitted with the application package for new construction projects and substantial modifications to existing projects. The Drainage Plan must show the following:

- a. Existing and proposed elevations.
- b. Location of sodded swales, sodded depressed retention areas, underground exfiltration trench and/or other proposed stormwater treatment/retention methods.
- c. Underground piping and inlets and other drainage system improvements proposed.
- d. Drainage calculations showing the retention of the volume of 1" of stormwater from addition impervious areas (or overall site).
- e. Show drainage improvements and underground piping, including water and sewer services, on the Landscape Plans to show no conflicts exist.
- f. Include note that no runoff may be directed to adjacent properties and all storm flows and runoff must be retained on-site prior to discharge into the adjacent roadway right-of-way following retention of required stormwater volume.
- g. Provide engineering details of gutter and downspout dry wells, if proposed.
- h. Provide engineering detail of exfiltration trench, if proposed.
- i. Provide engineering detail of sodded swales, if proposed.
- j. Provide engineering detail of depressed dry retention areas, if proposed.
- k. Provide Geotechnical Report or engineering assumptions/justification for coefficient of permeability (K Factor) for exfiltration trench design, if proposed.
- l. Engineering details/cross sections at property lines demonstrating no runoff will flow to adjacent properties may be required.

Project Engineer or Architect shall be responsible for insuring the drainage improvements are completed in substantial accordance with the approved plan.

Prior to C.O., Project Engineer or Architect to provide final signed and sealed certification that the drainage improvements and grading have been completed in substantial accordance with the approved plan.

Upon receipt of final Certification from Project Engineer or Architect, Town Engineer to visit site and ensure conformance of Town requirements prior to issuance of final C.O.

REQUEST FOR ARCHITECTURAL AND AESTHETIC REVIEW

Please be advised that pursuant to Sec. 14-86 and 14-87 of the Town Code of Ordinances, the Town Planning and Zoning Board uses the following criteria in order to complete its Architectural and Aesthetic Review. Each criteria must be addressed by the applicant prior to the application being processed.

1. Relationship of building to site: (Explain transition from streetscape; placement of parking and service areas; and compatibility of building height and scale with site):

The generator will be installed behind an existing 6ft privacy fence. The above areas of concern are not involved. Service areas are available on both sides of the home

2. Relationship of building and site to adjoining area(s): (Explain how structures and landscaping are consistent with established neighborhood character and will enhance the surrounding area. Include description of architectural style, as well as textures, materials and colors to be utilized):

This is a new built home in 2022 by NRIH homes. All landscaping, fencing and architectural styles were approved by The town of Palm Beach Shores. No alterations have been made.

3. Landscape and site treatment: (Explain how landscaping, exterior lighting and other site elements will be used to enhance architectural features, buffer the mass of buildings as appropriate, and enhance the privacy of the owner and neighbors. Describe the use of native species and xeriscaping as appropriate.):

The generator will be behind the installed 6ft privacy fence. Additionally, it is adjacent to the PBS walkway which has 7ft shrubs buffering the fence wall for aesthetics and noise

4. Building design: (Explain proposed building design and style, and how components such as roofs, windows, doors, eaves and parapets are balanced in proportion to each other; address harmoniousness of colors, visual interest and compatibility):

N/A

Please provide all documentation and/or samples necessary to address all architectural review criteria as applicable. Attach additional pages as necessary.

Photo attached at the end of this document with visuals from inside and outside the property

REQUEST FOR SITE PLAN MODIFICATION

1. Previously approved (Original) site plan information:

- a. Original Project Name: New home - Nicholas Heine
- b. Original Site Plan Application No.: Remit number 2021-146
- c. Original Site Plan Approval Date: June 18 2021
- d. List of all other relevant information on file with original application: _____
- _____
- _____

2. Requested Modification(s): Add a new 26KW Generator

Please provide all documentation necessary to describe the proposed modification and to explain the reason(s) for the proposed modification(s), including a survey, if applicable. Attach additional pages as necessary.



Building Division
247 Edwards Lane
Palm Beach Shores, FL 33404
(561) 844-3457

Request inspections at www.mygovernmentonline.org

Building Permit

PERMIT NO.

2021-146

DATE ISSUED:

Permit Type: New Single Family Residence (R)

Job Address: 300 Linda Lane, Palm Beach Shores, 33404

Parcel No: 54-43-42-27-04-000-0290

Lot / Block: 29/

Subdivision:

Building #:

Flood Zone: No

Valuation: \$400,000.00

Total Sq. Ft: 3721

Total Permit Fee:
\$8667.66

Description of Work: New 3,721 square foot single-family residence.

Cont: Nicholis Heine

Lic #:

Nicholis Heine
176 Lake Drive, #1202
Palm Beach Shores, FL 33404
(352) 267-2072

Owner: N/A

No Number Provided

WARNING TO OWNER:
YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR
PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO
OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE
RECORDING YOUR NOTICE OF COMMENCEMENT. A "NOTICE OF COMMENCEMENT"
MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST
INSPECTION.

Notice: All permits require an inspection and work must be inspected before covering. This permit will expire if no work is recorded within 180 days. In addition to requirements of this permit, there may be additional requirements applicable to this property which may be found in public records of this county. There may be additional permits required from other governmental entities such as water management districts, state or federal agencies including, but not limited to, the NPDES permit.

Issued by: Buck Evans, Building Official



Project Report

General Project Information

Project Title: Heine Residence
 Designed By: Karen Oliver
 Project Date: Friday, June 18, 2021
 Client Name: Mr. & Mrs. N. Heine
 Client Address: 300 Linda Lane
 Client City: Palm Beach Shores, Florida
 Company Name: KO Energy Design
 Company Representative: Karen Oliver
 Company Address: 1470 N Congress Ave, Suite 106A
 Company City: West Palm Beach, Florida 33409
 Company Phone: (561) 327-7272
 Company E-Mail Address: info@koenergydesign.com
 Company Website: www.koenergydesign.com
 Permit Number(s): jurisdiction number:

Design Data

Reference City: West Palm Beach, Florida
 Building Orientation: Front door faces North
 Daily Temperature Range: Medium
 Latitude: 26 Degrees
 Elevation: 15 ft.
 Altitude Factor: 0.999

	Outdoor <u>Dry Bulb</u>	Outdoor <u>Wet Bulb</u>	Outdoor <u>Rel.Hum</u>	Indoor <u>Rel.Hum</u>	Indoor <u>Dry Bulb</u>	Grains <u>Difference</u>
Winter:	45	42.23	n/a	n/a	70	n/a
Summer:	91	78	56%	50%	75	59

Check Figures

Total Building Supply CFM:	1,600	CFM Per Square ft.:	0.601
Square ft. of Room Area:	2,661	Square ft. Per Ton:	756
Volume (ft³):	31,549		

Building Loads

Total Heating Required Including Ventilation Air:	42,685 Btuh	42.685 MBH
Total Sensible Gain:	36,100 Btuh	85 %
Total Latent Gain:	6,138 Btuh	15 %
Total Cooling Required Including Ventilation Air:	42,238 Btuh	3.52 Tons (Based On Sensible + Latent)

Notes

Rhvac is an ACCA approved Manual J, D and S computer program.
 Calculations are performed per ACCA Manual J 8th Edition, Version 2, and ACCA Manual D.
 All computed results are estimates as building use and weather may vary.
 Be sure to select a unit that meets both sensible and latent loads according to the manufacturer's performance data at your design conditions.

Mills, Short & Associates

CIVIL | STRUCTURAL | SURVEYING | ENVIRONMENTAL

CERTIFICATION OF AUTHORIZATION 30698

February 24, 2022

The Town of Palm Beach Shores
Building Dept.
247 Edwards Lane
Palm Beach Shores, Florida 33404

RE: Project Name: Mr. & Mrs. N. Heine Residence
Site Address: 300 Linda Lane, Palm Beach Shores, FL 33404

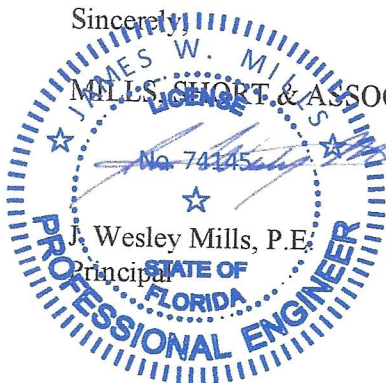
Dear Town of Palm Beach Shores Building Department:

Please find this letter as certification that the proposed improvements included in the approved grading plan, dated April 8, 2021, for the above referenced project have been completed in general conformance with the approved site plan drawings. My certification is based on the review of the as-built drawings prepared by Principal Meridian Surveying, Inc. dated, February 18, 2022.

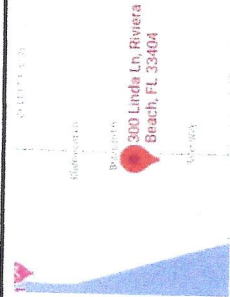
Should you have any questions or need any additional information, please do not hesitate to contact us.

Sincerely,

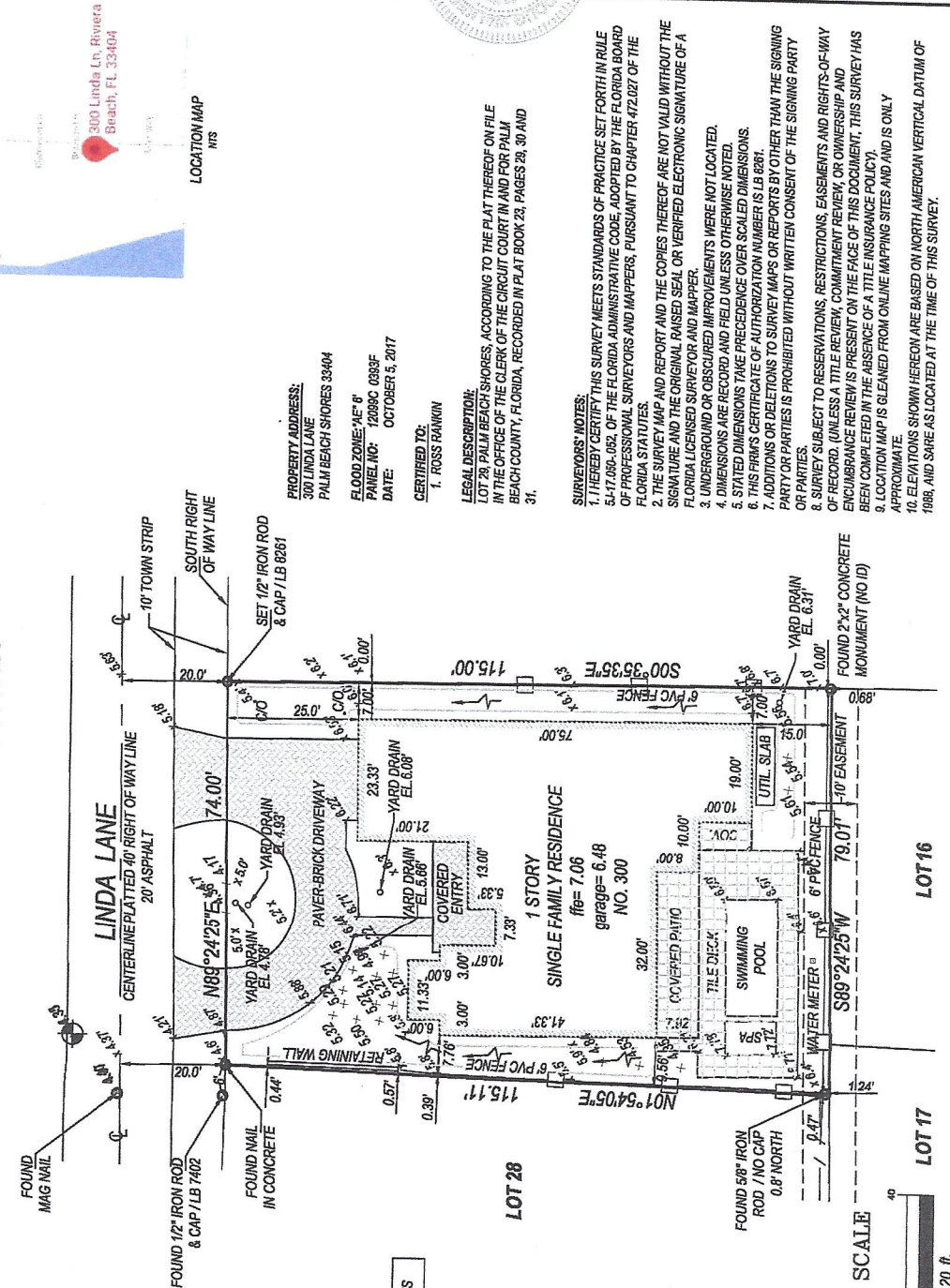
MILLS, SHORT & ASSOCIATES, LLC.



BOUNDARY SURVEY

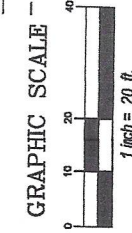


DATE: 02-18-22
DRAFT: 14
JOB: FINAL SURVEY



LOT AREA = 8798 sq ft - 0.20 ACRES

• SET NAIL & DISK
SITE BENCHMARK
ELEVATION = 4.58'



REQUEST FOR VARIANCE

The Applicant is requesting a variance from the Town Code Section(s) PF 12.8(a) to permit the following:

Install New 26 KW Generator We need a variance to move the generator forward of the midpoint and a variance from the 5ft setback. It is to be located next to the garage

Please be advised that a variance from the terms of the Zoning Code shall not be recommended by the Planning and Zoning Board, nor granted by the Town Commission, unless the Applicant is able to demonstrate the following:

1. Explain the special conditions and circumstances which exist that are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or building in the same zoning district:

need to be installed against house but do not meet the set back requirements or NEC requirements to be install with in 5 feet of a window

There is no room left by the builder to install the generator at the rear of the property and all windows will not allow the 5ft rule.

2. Explain how the special conditions and circumstances that exist do not result from the actions of the Applicant:

They Dont. The only location available is before the midpoint of the home at the garage. Only access to the electric panel inside the garage and gas line on east side of home.

3. Explain how the literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Code and would work unnecessary and undue hardship on the Applicant:

They would not be able to have a life safety device installed. As this is the only location available after the home was built. It is necessary for the placement to be above midpoint and less than the set back.

4. Explain how the variance requested is the minimum variance that will make possible a reasonable use of the land, building or structure:

It would allow for this life safety device to be installed. Within 6-18 months oxygen and potential other life safety equipment will need to be installed for a family member

5. Explain how the granting of the requested variance will not confer on the Applicant any special privilege that is denied by the Zoning Code to other lands, structures, or buildings in the same zoning district:

Its Just A generator. We are asking to be afforded the same rights and priviledges all other home owners and business here in PBS enjoy.

6. Explain how the grant of the requested variance will be in harmony with the general intent and purpose of the Zoning Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare:

It is located behind a fence. We are meeting the general intent and spirit of the code with the screening and safety of the fence and will not be viewed by the public.

The burden of meeting the standards as set forth above is upon the Applicant. Please provide all documentation necessary to prove your case, including a survey, if applicable. Attach additional pages as necessary.

LEGAL DESCRIPTION OF: 300 LINDA LN, PALM BEACH SHORES, FL, 33404

LOT 29, PALM BEACH SHORES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 29, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CERTIFIED TO:

RUSSELL E. LEVINE AND ANNE M. LEVINE, H/W
LAW OFFICE OF DANIEL P. WURTENBERGER, P.A.
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

FLOOD ZONE:

12099C0393F

ZONE: AE

ELEV: 06 FT

EFF: 10/05/2017

SURVEY NOTES:

- DRIVEWAY CROSSES THE BOUNDARY LINE ON NORTHERLY SIDE OF LOT AS SHOWN.
- FENCES LIE NEAR BOUNDARY LINES AS SHOWN, OWNERSHIP NOT DETERMINED.
- FENCES EXTEND THROUGH UTILITY AND DRAINAGE EASEMENT ALONG SOUTHERN BOUNDARY LINE AS SHOWN.
- FENCES CROSS THE BOUNDARY LINES ON EASTERLY AND SOUTHERLY SIDES OF LOT AS SHOWN.
- TILE POOL DECK EXTENDS THROUGH UTILITY AND DRAINAGE EASEMENT ALONG SOUTHERN BOUNDARY LINE AS SHOWN.

LEGEND

A/C	-AIR CONDITIONER
WM	-WATER METER
AL	-ARC LENGTH
(C)	-CALCULATED
(M)	-MEASURED
P.O.B.	-POINT OF BEGINNING
P.O.C.	-POINT OF COMMENCEMENT
&	-AND
P.B.	-PLAT BOOK
PG	-PAGE
U.E.	-UTILITY EASEMENT
D.E.	-DRAINAGE EASEMENT
P.U.E.	-PUBLIC UTILITY EASEMENT
L.A.E.	-LIMITED ACCESS EASEMENT
L.M.E.	-LAKE MAINTENANCE EASEMENT
O.H.E.	-OVERHEAD EASEMENT
R	-RADIUS
(R)	-RECORD
O.R.B.	-OFFICIAL RECORDS BOOK
Sq.Ft.	-SQUARE FEET
Ac.	-ACRES
DB	-DEED BOOK
(D)	-DEED
(P)	-PLAT
EOW	-EDGE OF WATER
TOB	-TOP OF BANK
OHL	-OVERHEAD LINE
C/O	-CLEAN OUT
ELEV	-ELEVATION
FF	-FINISHED FLOOR
LS	-LICENSED SURVEYOR
LB	-LICENSED BUSINESS
PSM	-PROFESSIONAL SURVEYOR & MAPPER
- x -	-FENCE
#	-NUMBER
±	-PLUS OR MINUS
□	-ASPHALT
□	-CONCRETE
□	-PAVER/BRICK
□	-WOOD
⊙	-LIGHT POLE
⊗	-WELL
⊕	-WATER VALVE
⊖	-CENTER LINE
⊙	-CATCH BASIN
⊕	-FIRE HYDRANT
⊖	-UTILITY POLE
⊙	-MANHOLE
⊖	-ELEVATION

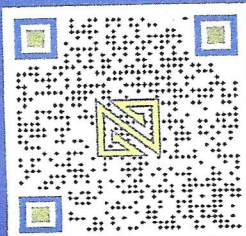
SOME ITEMS IN LEGEND MAY NOT
APPEAR ON DRAWING.

GENERAL NOTES:

- 1) THIS SURVEY IS BASED UPON RECORD INFORMATION BY CLIENT. NO SPECIFIC SEARCH OF THE PUBLIC RECORD HAS BEEN MADE BY THIS OFFICE UNLESS OTHERWISE NOTED.
- 2) IF THIS SURVEY HAS BEEN PREPARED FOR THE PURPOSES OF A MORTGAGE TRANSACTION, ITS SCOPE IS LIMITED TO THE DETERMINATION OF TITLE DEFICIENCIES. NO FUTURE CONSTRUCTION SHALL BE BASED UPON THIS SURVEY WITHOUT FIRST OBTAINING APPROVAL AND/OR UPDATES FROM NEXGEN SURVEYING, LLC. NEXGEN SURVEYING, LLC, ASSUMES NO RESPONSIBILITY FOR ERRORS RESULTING FROM FAILURE TO ADHERE TO THIS CLAUSE.
- 3) ANY FENCES SHOWN HEREON ARE ILLUSTRATIVE OF THEIR GENERAL POSITION ONLY. FENCE TIES SHOWN ARE TO GENERAL CENTERLINE OF FENCE. THIS OFFICE WILL NOT BE RESPONSIBLE FOR DAMAGES RESULTING SOLELY ON THEIR PHYSICAL RELATIONSHIP TO THE MONUMENTED BOUNDARY LINES.
- 4) GRAPHIC REPRESENTATIONS MAY HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE MEASURED RELATIONSHIPS - DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED POSITIONS.
- 5) UNDERGROUND IMPROVEMENTS HAVE NOT BEEN LOCATED EXCEPT AS SPECIFICALLY SHOWN.
- 6) ELEVATIONS ARE BASED UPON NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D. 1929) OR NORTH AMERICAN VERTICAL DATUM (N.A.V.D. 1988).
- 7) ALL BOUNDARY AND CONTROL DIMENSIONS SHOWN ARE FIELD MEASURED AND CORRESPOND TO RECORD INFORMATION UNLESS SPECIFICALLY NOTED OTHERWISE.
- 8) CORNERS SHOWN AS "SET" ARE 5/8" IRON RODS IDENTIFIED WITH A PLASTIC CAP MARKED LS (LICENSED SURVEYOR)

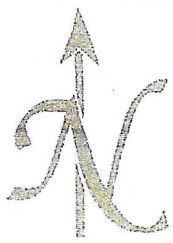
LB 8111

info@NexGenSurveying.com



561-508-6272

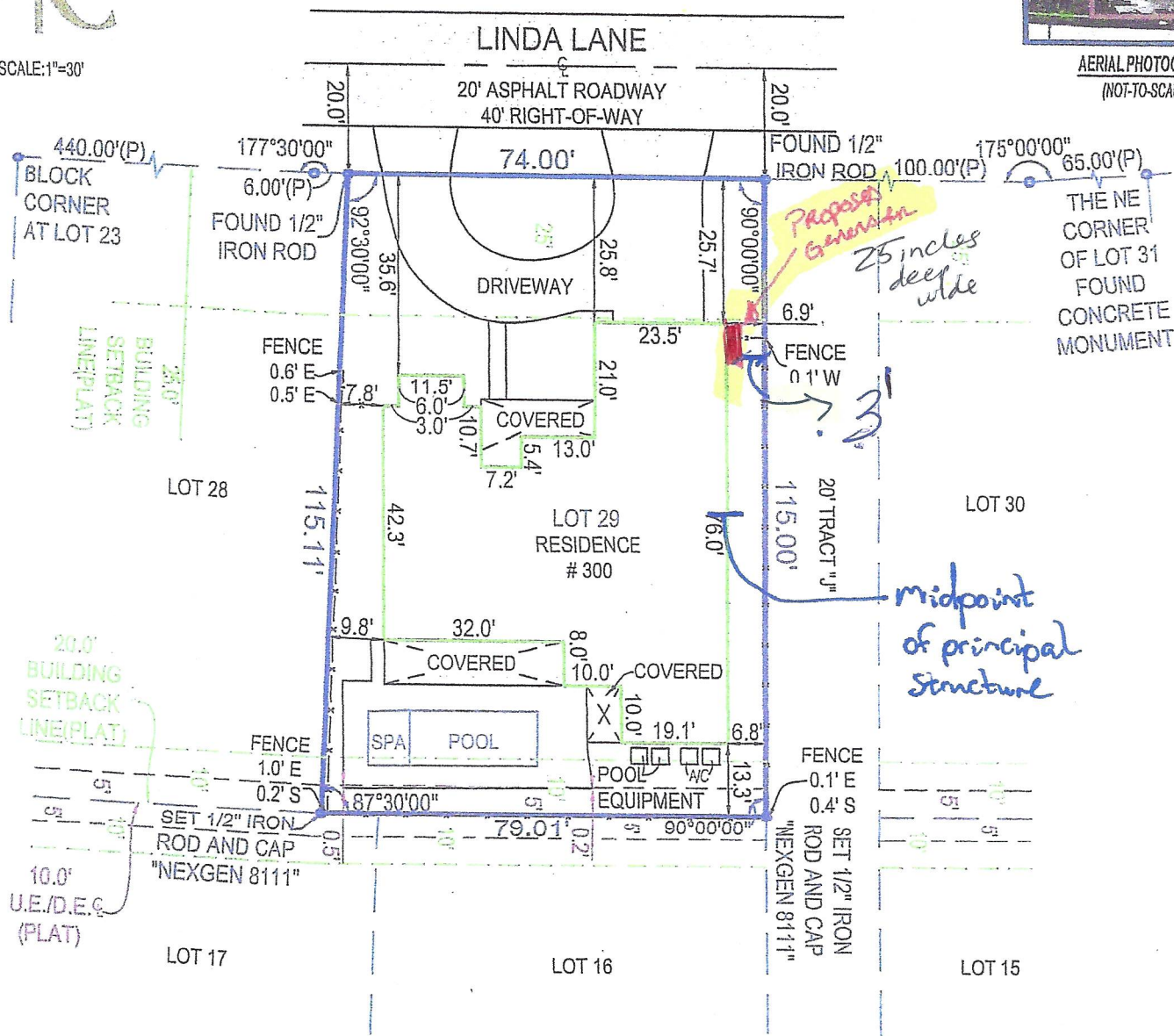
1421 Oglethorpe Rd
West Palm Beach
FL 33405



SCALE: 1"=30'



AERIAL PHOTOGRAPH
(NOT-TO-SCALE)



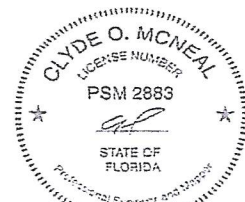
- ALL ANGLES AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED

SHEET 1 OF 2 (SKETCH OF SURVEY) - SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION, AND OTHER SURVEY RELATED DATA. SURVEY IS NOT COMPLETE WITHOUT ALL SHEETS

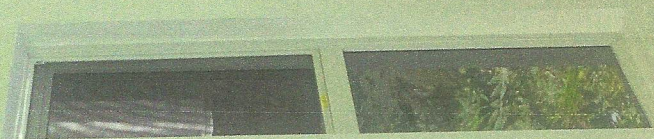
The survey map & report or the copies thereof are not valid without the digital signature and seal of a Florida licensed surveyor and mapper

Date of Field Work : 11-16-2022
 Drawn By: Oleg
 Order #: 200924
 Last Revision Date: None
 Boundary Survey prepared by: LB8111
 NexGen Surveying, LLC
 561-508-6272
 1547 Prosperity Farms Rd
 West Palm Beach, FL 33403

NEXGEN
 SURVEYING, LLC.



west side
does not meet
window code
for off gases



doesn't
meet
code for
windows

25 inches
wide

6.8 to fence

7ft to
property line



garage door
electric panel inside

25 inches wide

6.8 to fence

7 ft to property line

rear yard
no space for
generator

AC

Pool
equip
ment

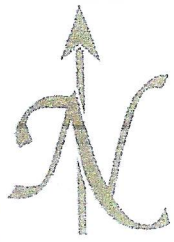




rear
yard

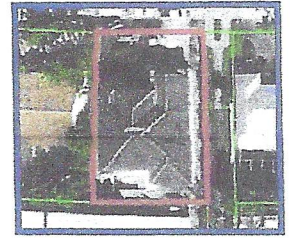
→ ac &
pool
equipment

300 LINDA LANE, PALM BEACH SHORES, FL. 33404

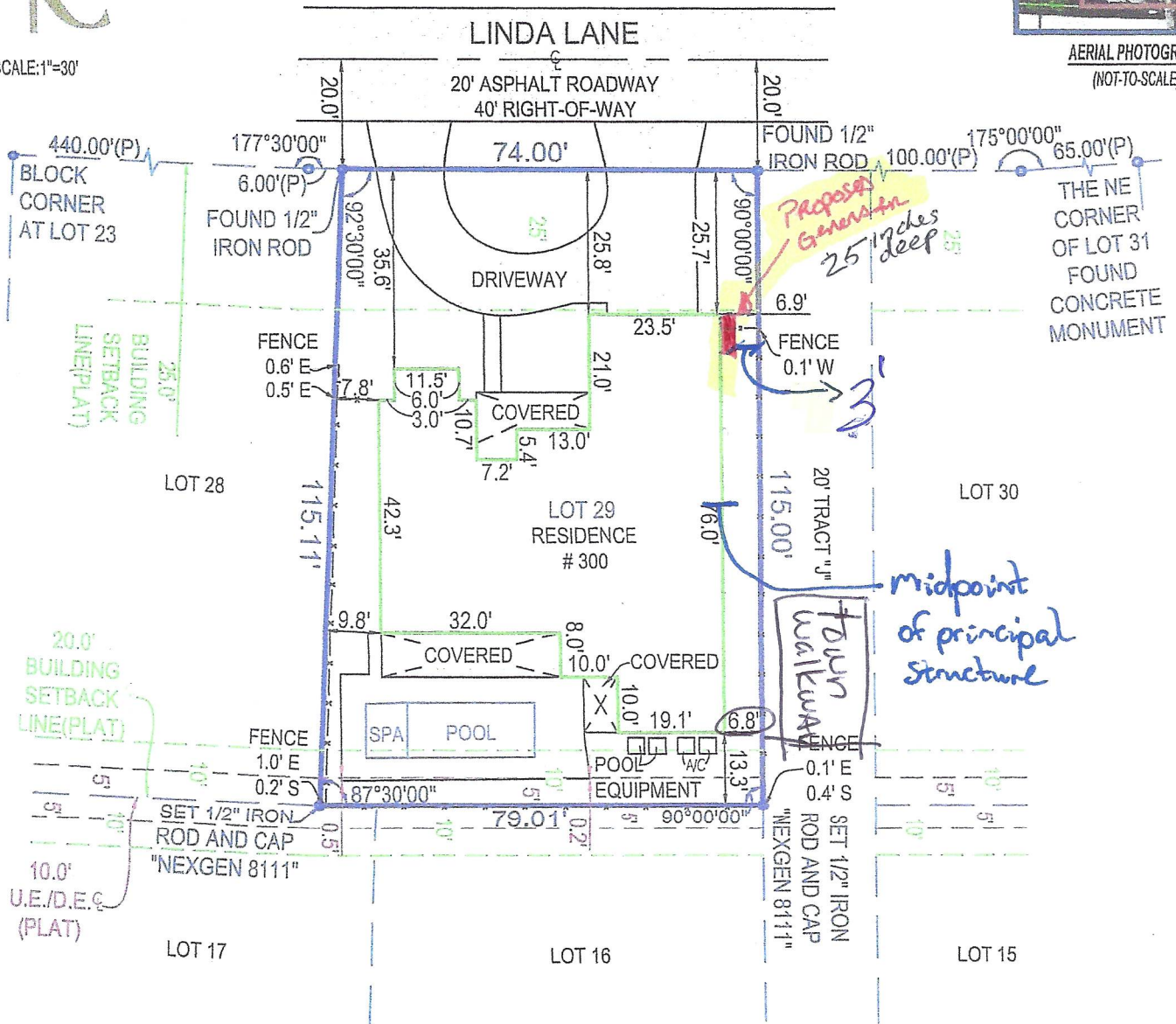


SCALE: 1"=30'

#2



AERIAL PHOTOGRAPH
(NOT-TO-SCALE)



- ALL ANGLES AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED


SHEET 1 OF 2 (SKETCH OF SURVEY) - SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION, AND OTHER SURVEY RELATED DATA. SURVEY IS NOT COMPLETE WITHOUT ALL SHEETS

The survey map & report or the copies thereof are not valid without the digital signature and seal of a Florida licensed surveyor and mapper

Date of Field Work : 11-16-2022
 Drawn By: Oleg
 Order #: 200924
 Last Revision Date: None
 Boundary Survey prepared by: LB8111
 NexGen Surveying, LLC
 561-508-6272
 1547 Prosperity Farms Rd
 West Palm Beach, FL 33403

NEXGEN
 SURVEYING, LLC.

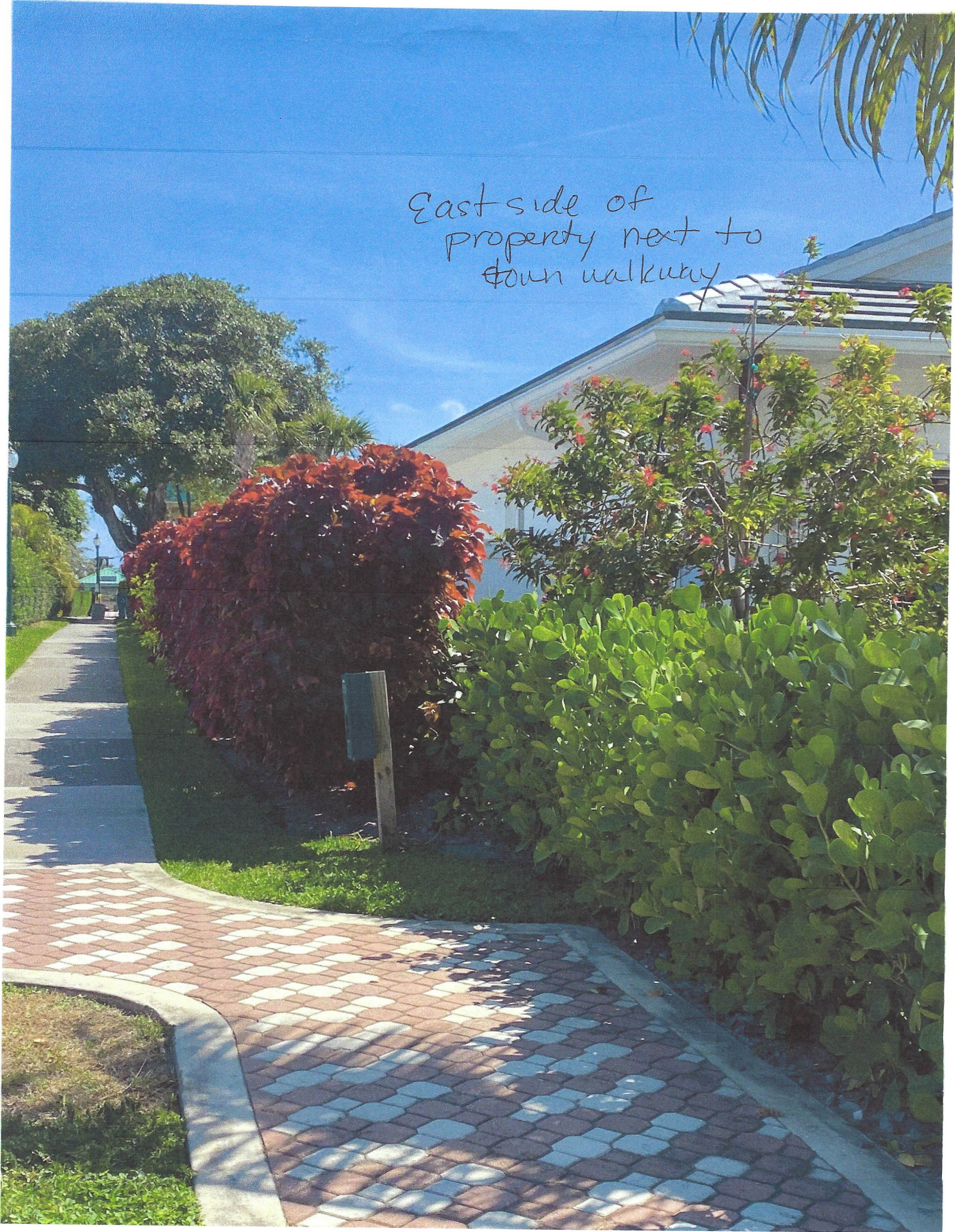




fence screen
and shrub barrier

generator
behind
gate

East side of
property next to
town walkway





Keith W. Davis, Esq.

*Florida Bar Board Certified Attorney in
City, County and Local Government Law*
Email: keith@davislawteam.com

VIA U.S. MAIL AND E-MAIL

May 1, 2023

Deepak Khosa
Kannega Glades LLC
3930 Coral Ridge Drive
Pompano Beach FL 33065
deepak@atlanticnowfl.com

Re: 123 Ocean Avenue 101, Palm Beach Shores

Dear Mr. Khosa:

I am General Counsel for the Town of Palm Beach Shores, Florida ("Town"). As you are aware, your development application for site plan modification, SPM 22-11/AAR 22-11, was approved on November 30, 2022 which notified you of the following:

If a building permit application (including construction cost estimate) is not received by the Town within six (6) months of the date of this Order, the site plan approval shall be null and void.

As of this date of this letter, the Town of Palm Beach Shores has not received a demolition permit application to demolish the existing vacant structure or a building permit application for the newly site planned building, and the approved development order for the site plan is set to expire May 30, 2023. As such, should you fail to follow the requirements outlined in the development order approved by the Town, **the Town will immediately initiate proceedings through the Town's code enforcement process to have a special magistrate order the condemning of this vacant and abandoned building which constitutes a nuisance and poses a hazard or danger to the health, safety and welfare of the Town residents in violation of Chapter 14, Article XIII of the Town's Code of Ordinances.**

Further, any and all costs incurred by the Town in abating the violations on this property, including all costs of demolition, **will give the Town the legal recourse to place a lien against the property.**

Should you continue to delay and disregard direction from the Town, the Town will utilize all available processes available under the law to ensure that the property is brought into compliance with the Town Code. **Please govern yourself accordingly.**

Sincerely,



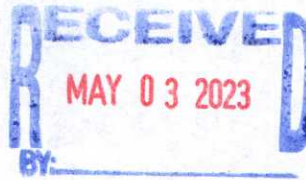
Keith W. Davis

cc: Alan Fiers, Mayor
Charles W. Edgar, Esq. via email (CEdgar@cherryedgarlaw.com)



CHERRY,
EDGAR &
SMITH, P.A.

ATTORNEYS AT LAW



8409 N. MILITARY TRAIL • SUITE 123
PALM BEACH GARDENS, FL 33410
P: (561) 471.7767
F: (561) 471.7974

WWW.CHERRYEDGARLAW.COM

May 3, 2023

Hon. Alan Fiers, Mayor
Town Commissioners
Town of Palm Beach Shores
247 Edwards Lane
Palm Beach Shores, FL 33404

Re: Pearl, a Condominium (f/k/a 123 Ocean Avenue)

Dear Mr. Mayor and Commissioners:

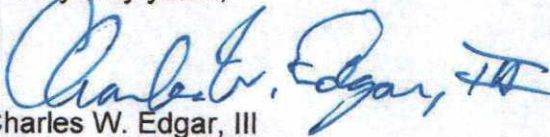
We represent Kannega Glades, LLC which, as you know, is the developer of the above-referenced condominium.

I have had extensive discussions with our client's principal, Mr. Deepak Khosa, and his development team regarding the progress being made toward the demolition of the former hotel on this site and, most recently, the May 1, 2023 letter to him from Town Attorney Keith W. Davis.

I can report to you that Mr. Khosa and his entire team are re-doubling efforts to move forward with demolition as expeditiously as is practicable. That being said, however, it appears that while progress is being, and will be, made, we anticipate the need to address this with you and the Town Commission at your meeting on Monday, May 22, 2023. For this reason, we respectfully request that this matter be placed on the agenda for that meeting at which time we can present the developer's good faith efforts to proceed with demolition and address the anticipated need for a time extension based upon demonstrable facts obtained from a demolition contractor who we intend to have under contract very soon.

We appreciate your kind attention to this matter and look forward to what we hope will be a favorable response.

Very truly yours,


Charles W. Edgar, III

CWE:jfo

cc: Deepak Khosa
Charles W. Millar, Jr.
Pearl Development Team
Keith W. Davis, Esq.

**ORDER OF THE TOWN COMMISSION
TOWN OF PALM BEACH SHORES**

CASE NO. **VAR 22-02**

IN RE: *Kannega Glades, LLC, as Owner*

VARIANCE REQUESTED:

Variances from 1) Pf. 8.7 to allow for 29.4 foot front yard setback where Town Code requires 40 feet, a variance of 10.6 feet; 2) Pf. 8.9 to allow for 21.8 foot rear yard setback where Town Code requires 70 feet, a variance of 48.2 feet; 3) Pf. 8.8 to allow for 15 foot side yard setbacks where Town Code requires 18 feet for each story over two stories, a variance of three (3) feet; and 4) Pf. 8.5 to allow for 39.1% lot coverage where the maximum allowed by Code is 24% for a six-story building, a variance of 15.1%.

SUBJECT PROPERTY LOCATION:

123 Ocean Avenue 101, Palm Beach Shores, Florida 33404

LEGAL DESCRIPTION:

PALM BEACH SHORES LTS 616 & 617

ORDER APPROVING VARIANCE APPLICATION

This cause came on to be heard upon the above application and the Town Commission of the Town of Palm Beach Shores, having considered the evidence presented by the Applicant and other interested persons at a hearing called and properly noticed and the Town Commission, having considered the recommendations of the Town Planning and Zoning Board and being otherwise duly advised,

THEREUPON, THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES FINDS AS FOLLOWS:

1. The property which is the subject of said application is located within Town Zoning District D in accordance with the Zoning Ordinance of the Town of Palm Beach Shores.
2. The Applicant seeks variances from 1) Pf. 8.7 to allow for 29.4 foot front yard setback where Town Code requires 40 feet, a variance of 10.6 feet; 2) Pf. 8.9 to allow for 21.8 foot rear yard setback where Town Code requires 70 feet, a variance of 48.2 feet; 3) Pf. 8.8 to allow for 15 foot side yard setbacks where Town Code requires 18 feet for each story over two stories, a variance of three (3) feet; and 4) Pf. 8.5 to allow for 39.1% lot coverage where the maximum allowed by Code is 24% for a six-story building, a variance of 15.1%.

3. The application and all supporting materials considered by the Town Commission at its November 28, 2022 hearing, upon which the variance application is based, are hereby incorporated into this Order as if fully set forth herein.

4. Under the provisions of Pf. 15.4 of the Town Zoning Ordinance, the Town Commission has the right, power and authority to act upon the application herein made.

IT IS THEREUPON CONSIDERED, ORDERED AND ADJUDGED BY THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AS FOLLOWS:


The application for variance request in Case Number VAR 22-02 with reference to the above-described property within the Town of Palm Beach Shores, Palm Beach County, Florida, to permit the following:

Variances from 1) Pf. 8.7 to allow for 29.4 foot front yard setback where Town Code requires 40 feet, a variance of 10.6 feet; 2) Pf. 8.9 to allow for 21.8 foot rear yard setback where Town Code requires 70 feet, a variance of 48.2 feet; 3) Pf. 8.8 to allow for 15 foot side yard setbacks where Town Code requires 18 feet for each story over two stories, a variance of three (3) feet; and 4) Pf. 8.5 to allow for 39.1% lot coverage where the maximum allowed by Code is 24% for a six-story building, a variance of 15.1%.

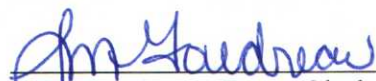
are hereby **APPROVED** since the Town Commission hereby finds that in accordance with the evidence and testimony produced at the hearing, that the Applicant meets all standards set forth at Pf. 15.3. of the Town Zoning Ordinance.

A construction permit must be obtained within six (6) months from the approval of this variance. A single renewable 6-month period to obtain construction permits may be allowed at the discretion of the Town Commission pursuant to Pf. 15.4 of the Town Zoning Ordinance.

DONE AND ORDERED THIS 28 DAY OF NOVEMBER, 2022.


Mayor Alan Fiers

ATTEST:


Jude Goudreau, Town Clerk



**ORDER OF THE TOWN COMMISSION
TOWN OF PALM BEACH SHORES**

CASE NO. VAR 22-03

IN RE: *Kannega Glades, LLC, as Owner*

VARIANCE REQUESTED:

A variance from Pf. 8.3 to allow for the top of beam to be at 68 feet where Town Code limits the beam height to 63 feet measured from the grade elevation, a variance of five (5) feet.

SUBJECT PROPERTY LOCATION:

123 Ocean Avenue 101, Palm Beach Shores, Florida 33404

LEGAL DESCRIPTION:

PALM BEACH SHORES LTS 616 & 617

ORDER APPROVING VARIANCE APPLICATION

This cause came on to be heard upon the above application and the Town Commission of the Town of Palm Beach Shores, having considered the evidence presented by the Applicant and other interested persons at a hearing called and properly noticed and the Town Commission, having considered the recommendations of the Town Planning and Zoning Board and being otherwise duly advised,

THEREUPON, THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES FINDS AS FOLLOWS:

1. The property which is the subject of said application is located within Town Zoning District D in accordance with the Zoning Ordinance of the Town of Palm Beach Shores.
2. The Applicant seeks a variance from Pf. 8.3 to allow for the top of beam to be at 68 feet where Town Code limits the beam height to 63 feet measured from the grade elevation, a variance of five (5) feet.
3. The application and all supporting materials considered by the Town Commission at its November 28, 2022 hearing, upon which the variance application is based, are hereby incorporated into this Order as if fully set forth herein.
4. Under the provisions of Pf. 15.4 of the Town Zoning Ordinance, the Town Commission has the right, power and authority to act upon the application herein made.

**IT IS THEREUPON CONSIDERED, ORDERED AND ADJUDGED BY THE
TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AS**

FOLLOWS:

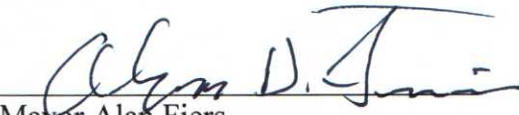
The application for variance request in Case Number VAR 22-03 with reference to the above-described property within the Town of Palm Beach Shores, Palm Beach County, Florida, to permit the following:

A variance from Pf. 8.3 to allow for the top of beam to be at 68 feet where Town Code limits the beam height to 63 feet measured from the grade elevation, a variance of five (5) feet.


is hereby **APPROVED** since the Town Commission hereby finds that in accordance with the evidence and testimony produced at the hearing, that the Applicant meets all standards set forth at Pf. 15.3. of the Town Zoning Ordinance.

A construction permit must be obtained within six (6) months from the approval of this variance. A single renewable 6-month period to obtain construction permits may be allowed at the discretion of the Town Commission pursuant to Pf. 15.4 of the Town Zoning Ordinance.

DONE AND ORDERED THIS 28 DAY OF NOVEMBER, 2022.


Mayor Alan Fiers

ATTEST:


Jude Goudreau, Town Clerk





**Department of
Housing & Economic
Development**

Strategic Planning Division

100 Australian Avenue - Suite 500

West Palm Beach, FL 33406

(561) 233-3600

www.pbcgov.com/hed

**Palm Beach County
Board of County
Commissioners**

Gregg K. Weiss, Mayor

Maria Sachs, Vice Mayor

Maria G. Marino

Michael A. Barnett

Marci Woodward

Sara Baxter

Mack Bernard

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*

April 20, 2023

Wendy Wells, Town Administrator
Town of Palm Beach Shores
247 Edwards Lane
Palm Beach Shores, FL 33404

RE: Urban County Qualification Process FYs 2024 - 2026

Dear Ms. Wells:

On August 19, 2014, the Board of County Commissioners (BCC) executed an interlocal cooperation agreement (R2014-1166) and amended August 25, 2020 (R2020-1219) with the Town of Palm Beach Shores as part of the Urban County Qualification Process for Federal Fiscal Years 2015-2017. Under this Agreement, the Town of Palm Beach Shores agreed to participate with the County in the creation of the Urban County Program jurisdiction for the receipt of federal community development funds from the U.S. Department of Housing and Urban Development (HUD).

The Agreement states, "*The agreement shall be automatically renewed at the end of the qualification period and at the end of each subsequent qualification period unless either party provides a written notice in which it elects to not participate in a new qualification period.*" The current three year qualifying period will expire on September 30, 2024 and will require your renewal to cover the October 1, 2024 to September 30, 2027 time period.

In order to continue participation in the Urban County Program and renew the Agreement, please execute the enclosed four (4) copies of the amendment to our interlocal cooperation agreement, and return them to HED no later than May 19, 2023. This is necessary because HUD has amended one of the clauses in the original agreement to promote adherence to regulations pertaining to non-discrimination in HUD programs or activities receiving Federal Financial Assistance.

In addition, please provide written confirmation of your continued participation in the Urban County Program utilizing the enclosed letter template. Please send your letter to the PBC Department of Housing and Economic Development, and also to HUD's Miami Field Office addressed as follows:

Lisa Johnson, Director
Community Planning & Development Division
U.S. Department of Housing and Urban Development
909 SE 1st Avenue, Room 500
Miami, FL 33131



Please contact Sheila Brown, Senior Planner, at (561) 233-3688 or sabrown@pbcgov.org, if you have any questions concerning this letter.

Sincerely,

A handwritten signature in blue ink that reads "Jonathan Brown". The signature is fluid and cursive, with the first name "Jonathan" and the last name "Brown" clearly legible.

Jonathan B. Brown, Director
Department of Housing and Economic Development

Enclosures

CC: Jude Goudreau, Town Clerk, Town of Palm Beach Shores
Sherry Howard, Deputy Director, PBC HED
Carlos Serrano, SPO Director, PBC HED

AMENDMENT 002 TO THE AGREEMENT WITH TOWN OF PALM BEACH SHORES

Amendment 002, effective as of _____, by and between **Palm Beach County** (County), and the **Town of Palm Beach Shores** (Municipality).

WITNESSETH:

WHEREAS, Palm Beach County entered into an Interlocal Cooperation Agreement (R2014-1166) (the "Agreement") with the Municipality on August 19, 2014, to formalize the Municipality's participation in the urban county qualification process for Federal Fiscal Years 2014, 2016, and 2017, and amended August 25, 2020 (R2020-1219) (the "Amendment"); and

WHEREAS, the Agreement is automatically renewed every three years at the end of the qualification period and is now due for renewal; and

WHEREAS, the Amendment provided for revised specific language as requested by the Department of Housing and Urban Development (HUD); and

WHEREAS, HUD has expressed in its most recent Instructions for Urban County Participation in Community Development Block Grant (CDBG) Program for FY 2024-2026 that all interlocal agreements should contain specific language; and

WHEREAS, the Agreements between Palm Beach County and the municipalities participating in the urban county program did not contain this specific language; and

WHEREAS, both parties desire to amend the Agreement, and Amended to comply with HUD's requirements.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, and various other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

The foregoing recitals are true and correct and incorporated herein by reference. Terms not defined herein shall have the same meaning as ascribed to them in the Agreement.

A. DELETE THE FOLLOWING CLAUSE 11:

The Municipality and the County shall take all actions necessary to assure compliance with the County's certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing. The Municipality and the County shall comply with Section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, Section 3 of the Housing and Urban Development Act of 1968, and other applicable laws. The County shall not fund any activities in, or in support of, the Municipality should the Municipality not affirmatively further fair housing within its jurisdiction or should the Municipality impede the County's actions to comply with the County's fair housing certification.

B. REPLACE DELETED CLAUSE WITH REVISED CLAUSE 11:

The Municipality and the County shall take all actions necessary to assure compliance with the County's certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, and the implementing regulations at 24 CFR part 1, the Fair Housing Act, and the implementing regulations at 24 CFR part 100, and affirmatively furthering fair housing. The Municipality and the County shall comply with Section 109 of Title I of the Housing and Community Development Act of 1974, and the implementing regulations at 24 CFR part 6, which incorporates Section 504 of the Rehabilitation Act of 1973, and the

implementing regulations at 24 CFR part 8, Title II of the Americans with Disabilities Act, and the implementing regulations at 28 CFR part 35, the Age Discrimination Act of 1975, and the implementing regulations at 24 CFR part 146, Section 3 of the Housing and Urban Development Act of 1968, and other applicable laws. The County shall not fund any activities in, or in support of, the Municipality should the Municipality not affirmatively further fair housing within its jurisdiction or should the Municipality impede the County's actions to comply with the County's fair housing certification. The Municipality agrees to sign the assurances and certifications in the HUD 424-B.

IN WITNESS HEREOF, the Municipality and the County have caused this Amendment 002 to be executed on the date first written above:

(MUNICIPAL SEAL BELOW)

**TOWN OF PALM BEACH SHORES, a
municipality duly organized and existing by
virtue of the laws of the State of Florida**

ATTEST:

By: _____
Alan Fiers, Mayor

By: _____
Jude Goudreau, Town Clerk

By: _____
Wendy Wells, Town Administrator

(COUNTY SEAL BELOW)

**PALM BEACH COUNTY, FLORIDA, a
Political Subdivision of the State of Florida**

BOARD OF COUNTY COMMISSIONERS

ATTEST: JOSEPH ABRUZZO,
Clerk of the Circuit Court & Comptroller

By: _____
Gregg K. Weiss, Mayor

By: _____
Deputy Clerk

Document No.: _____

Approved as to Form and
Legal Sufficiency

Approved as to Terms and Conditions
Dept. of Housing and Economic Sustainability

By: _____
Howard J. Falcon, III,
Chief Assistant County Attorney

By: _____
Sherry Howard
Deputy Director

May 22, 2023

Lisa Johnson, Director
Community Planning and Development Division
U.S. Department of Housing & Urban Development
909 SE 1st Avenue, Room 500
Miami, FL 33131

Jonathan B. Brown, Director
Housing & Economic Development
100 S. Australian Avenue, Suite 500
West Palm Beach, FL 33406

Re: Palm Beach County Urban County Qualification FYs 2024-2027
Participation by Town of Palm Beach Shores

Dear Ms. Johnson:

The purpose of this letter is to confirm the City/Town/Village agreement to continue to participate in Palm Beach County's Urban County Program for Fiscal Years 2024-2027

If you have questions, please contact the City/Town/Village at afiers@pbstownhall.org or by telephone 561-844-3457. You may also contact Sheila Brown, Senior Planner, Palm Beach County at (561) 233-3688 or sabrown@pbcgov.org.

Sincerely,

Alan Fiers, Mayor
Town of Palm Beach Shores

cc: Jill Smolen, CPD Representative, US HUD
Jonathan Brown, Director, PBC HED
Sherry Howard, Deputy Director, PBC HED
Carlos Serrano, SPO Director, PBC HED

TOWN OF PALM BEACH SHORES

MONTHLY FINANCIAL REPORT

Note: Budget Amount for FY2023 is presented WITHOUT the Roads Project (\$1.66M). This allows for a better comparison year to year. A separate report is presented for the Roads Project.

	CASH & INVESTMENTS		REVENUE			
			BUDGET	CURRENT	YEAR TO DATE	% OF BUDGET
9/30/2022	\$ 4,439,076		\$ 6,138,456	\$ 194,707	\$ 6,349,812	103%
10/31/2022	\$ 3,851,354		\$ 5,929,708	\$ 48,123	\$ 48,123	1%
11/30/2022	\$ 5,670,127		\$ 6,033,030	\$ 2,292,667	\$ 2,340,790	39%
12/31/2022	\$ 6,492,638		\$ 6,033,030	\$ 1,321,829	\$ 3,662,619	61%
1/31/2023	\$ 6,322,690		\$ 6,033,030	\$ 290,229	\$ 3,952,849	66%
2/28/2023	\$ 6,900,682		\$ 6,033,030	\$ 901,350	\$ 4,854,199	80%
3/31/2023	\$ 6,472,673		\$ 6,033,030	\$ 218,856	\$ 5,073,054	84%
4/30/2023	\$ 6,088,815		\$ 6,254,028	\$ 425,930	\$ 5,498,984	88%
4/30/2022	\$ 5,299,293		\$ 6,128,237	\$ 318,131	\$ 4,957,200	81%
5/31/2023						
6/30/2023						
7/31/2023						
8/31/2023						
9/30/2023						

	EXPENDITURES					
	BUDGET	DISBURSEMENTS	ACCRUALS	CURRENT EXP	YEAR TO DATE	% OF BUDGET
9/30/2022	\$ 6,138,456	\$ 327,456	\$ 111,343	\$ 438,799	\$ 5,788,214	94%
10/31/2022	\$ 5,929,708	\$ 717,313	\$ 34,653	\$ 751,966	\$ 751,966	13%
11/30/2022	\$ 6,033,030	\$ 471,841	\$ (9,659)	\$ 462,182	\$ 1,214,148	20%
12/31/2022	\$ 6,033,030	\$ 504,555	\$ (18,472)	\$ 486,083	\$ 1,700,231	28%
1/31/2023	\$ 6,033,030	\$ 460,814	\$ 19,977	\$ 480,791	\$ 2,181,022	36%
2/28/2023	\$ 6,033,030	\$ 330,125	\$ 41,272	\$ 371,397	\$ 2,552,419	42%
3/31/2023	\$ 6,033,030	\$ 647,223	\$ (148,090)	\$ 499,133	\$ 3,051,551	51%
4/30/2023	\$ 6,254,028	\$ 761,660	\$ (51,189)	\$ 710,471	\$ 3,762,022	60%
4/30/2022	\$ 6,128,237	\$ 536,195	\$ 99,928	\$ 636,123	\$ 3,327,121	54%
5/31/2023						
6/30/2023						
7/31/2023						
8/31/2023						
9/30/2023						

Budget Amendment #1 was approved at the November Commission meeting.

Budget Amendment #2 was approved at the April Commission meeting.

Town of Palm Beach Shores
Disbursements - April 2023

Check #	Type	Date	Vendor	Name	Amount
4470	C	4/6/2023	823	AT&T Mobility	\$ 34.99
4471	C	4/6/2023	1013	ATT	\$ 171.20
4472	C	4/6/2023	1013	ATT	\$ 69.55
4473	C	4/6/2023	1004	CAP Government	\$ 90.00
4474	C	4/6/2023	32	City of Riviera Beach	\$ 3,213.36
4475	C	4/6/2023	32	City of Riviera Beach	\$ 121,688.23
4476	C	4/6/2023	52	Comcast	\$ 44.95
4477	C	4/6/2023	107	Davis & Associates, P.A.	\$ 16,365.00
4478	C	4/6/2023	863	Diversified Building Department Management	\$ 8,335.00
4479	C	4/6/2023	746	Essential Net Solutions	\$ 1,573.45
4480	C	4/6/2023	722	Inlet Grove High School	\$ 600.00
4481	C	4/6/2023	484	Shred-It, c/o Stericycle, Inc.	\$ 125.06
4482	C	4/14/2023	1025	AT & T	\$ 265.74
4483	C	4/14/2023	48	Bug Stoppers	\$ 450.00
4484	C	4/14/2023	1027	Cheney Brothers Inc.	\$ 27,898.14
4485	C	4/14/2023	1027	Cheney Brothers Inc.	\$ 38,114.64
4486	C	4/14/2023	491	Dilo Fire Sprinkler, Inc.	\$ 294.51
4487	C	4/14/2023	80	FL Public Utilities	\$ 323.01
4488	C	4/14/2023	90	Hulett Environmental Services	\$ 123.00
4489	C	4/14/2023	659	Image Janitorial Services, Inc.	\$ 2,050.00
4490	C	4/14/2023	129	Judith Olephant	\$ 80.00
4491	C	4/14/2023	858	Palm Beach County Sheriff's Office	\$ 141,485.75
4492	C	4/14/2023	25	Palm Beach Shores Volunteer Fire Dept.	\$ 12,471.32
4493	C	4/14/2023	625	Revize LLC	\$ 1,900.00
4494	C	4/14/2023	516	Schmidt Nichols	\$ 2,498.75
4495	C	4/14/2023	115	Shoreline Pest Control	\$ 93.50
4496	C	4/14/2023	99	Torcivia, Donlon, Goddeau & Rubin, P.A.	\$ 202.86
4497	C	4/14/2023	100	Toshiba Business Solutions	\$ 220.92
4499	C	4/14/2023	101	Verizon Wireless	\$ 122.29
4500	C	4/14/2023	104	Waste Management	\$ 15,143.08
4501	C	4/14/2023	131	WEX BANK	\$ 571.47
4502	C	4/14/2023	110	Xpert elevator Services, Inc.	\$ 438.60
4503	C	4/21/2023	556	Armchem International	\$ 1,295.00
4504	C	4/21/2023	47	Board of County Commissioners	\$ 1,166.22
4505	C	4/21/2023	13	City Maintenance Supply	\$ 1,878.51
4506	C	4/21/2023	1028	Daniels SharpSmart Inc.	\$ 52.00
4507	C	4/21/2023	1009	Foliage Concepts of Florida Inc.	\$ 8,621.00
4508	C	4/21/2023	71	FL Power & Light	\$ 3,062.25
4509	C	4/21/2023	1029	Freedom Industrial Supply	\$ 1,762.07
4510	C	4/21/2023	987	LocalIQ	\$ 716.88
4511	C	4/21/2023	419	Optivor Technologies	\$ 150.00
4512	C	4/21/2023	196	Performance NAPA	\$ 111.89
4513	C	4/21/2023	982	Quadient Finance USA , Inc	\$ 200.00
4514	C	4/21/2023	821	Robert Villagomez	\$ 120.00
4515	C	4/21/2023	375	Simmons & White, Inc.	\$ 6,557.04
4516	C	4/21/2023	100	Toshiba Business Solutions	\$ 220.92
4517	C	4/21/2023	592	Trevor Steedman	\$ 148.82
4518	C	4/21/2023	348	United Lighting Sales Inc.	\$ 801.30
4519	C	4/21/2023	102	VFIS - Glatfelter Ins. Group	\$ 2,565.00
4520	C	4/21/2023	815	Zoom, Inc.	\$ 184.83
4498	C	4/14/2023	100	Toshiba Business Solutions	\$ 287.73
ADP, LLC	E	4/21/2023	697	ADP, LLC	\$ 237.10
FRS	E	4/6/2023	172	FRS	\$ 12,563.34
DOR	E	4/3/2023		DOR Sales Tax	\$ 54.60
PNC	E	4/30/2023		PNC Merchant Fee	\$ 723.07
FLA DBRP	e	4/20/2023		FLA DBPR FLA - Bld surcharge QE 3/31/23	\$ 2,227.06
ADP Taxes	E	4/7/2023		ADP Taxes	\$ 8,806.40
ADP Taxes	E	4/7/2023		ADP Taxes	\$ 8,758.36
ADP Wages	E	3/10/2023		ADP Wages	\$ 26,530.27
ADP Wages	E	3/24/2023		ADP Wages	\$ 26,872.35
SS re UU	E	4/3/2023		SouthState Payment UUS \$5.5million	\$ 227,266.68
SS re UU	E	4/3/2023		SouthState Payment UU \$500k	\$ 20,660.61
					\$ 761,659.67

Town of Palm Beach Shores
Budget Summary Report
April 2023

			<i>Apr Benchmark</i>	<i>58.3%</i>
	BUDGET	YTD	Favorable(Unfav)	%
REVENUE				
Revenue (without appr'd F/B)	\$ 5,964,539.00	\$ 5,498,984.33	\$ (465,554.67)	92.2%
Appropriated Fund Balance	1,949,489.00	-	(1,949,489.00)	0.0%
TOTAL REVENUE	\$ 7,914,028.00	\$ 5,498,984.33	\$ (2,415,043.67)	69.5%

EXPENDITURES BY DEPARTMENT	% of total		% of total			
Administration	\$ 432,208.00	5%	\$ 218,807.66	6%	\$ 213,400.34	50.6%
Legal	206,000.00	3%	76,188.15	2%	129,811.85	37.0%
Public Works	368,918.00	5%	207,353.13	6%	161,564.87	56.2%
Police	1,730,779.00	22%	1,147,021.05	30%	583,757.95	66.3%
Fire	736,608.00	9%	406,613.38	11%	329,994.62	55.2%
Building	294,337.00	4%	170,298.35	5%	124,038.65	57.9%
Emergency Disaster	120,498.00	2%	120,497.37	3%	0.63	0.0%
Solid Waste	241,525.00	3%	130,736.68	3%	110,788.32	54.1%
Legislative	30,213.00	0%	22,969.44	1%	7,243.56	76.0%
Streets/Storm Sewers	63,160.00	1%	39,364.09	1%	23,795.91	62.3%
Parks	180,029.00	2%	78,244.83	2%	101,784.17	43.5%
Beach	107,002.00	1%	56,158.93	1%	50,843.07	52.5%
Lift Stations/Sewer Service	42,525.00	1%	26,656.41	1%	15,868.59	62.7%
Contingencies	-	0%	-	0%	-	0.0%
Debt Service	495,855.00	6%	495,854.58	13%	0.42	100.0%
Emergency Medical Services	429,944.00	5%	210,296.18	6%	219,647.82	48.9%
Community Center	70,105.00	1%	44,761.24	1%	25,343.76	63.8%
Risk Management	116,000.00	1%	74,831.25	2%	41,168.75	64.5%
Capital	588,322.00	7%	172,175.07	5%	416,146.93	29.3%
Capital - Roads Project	1,660,000.00	21%	63,194.50	2%	1,596,805.50	3.8%
TOTAL EXPENDITURES	\$ 7,914,028.00		\$ 3,762,022.29		\$ 4,152,005.71	47.5%

CHANGE IN FUND BALANCE	-	1,736,962.04	1,736,962.04
-------------------------------	----------	---------------------	---------------------

Explanation of Variances:

Police - timing, PBSO is paid in advance and 1 of 2 debt service payments was made on the LPR cameras.

Building Dept - timing of land development costs, high in November.

Emergency Disaster - These are costs associated with Hurricane Nicole. We are working with FEMA to get reimbursed for these costs.

Legislative - due to the election costs

Lift Stations - repairs & maintenance to generator and equipment at the lift stations.

Debt Service - two of two payments made.

Community Center - new sound system, major AC repair

Risk Management - two of four payments made on the main policy.

Town of Palm Beach Shores
Revenue Detail
April 2023

						Apr Benchmark	58.3%
REVENUE	ORIGINAL BUDGET		YTD		Favorable(Unfav)		%
Revenue Per Budget Line	% of total		% of total				
Property Taxes (Ad Valorem)	\$ 4,501,700.00	77%	\$ 4,482,600.15	82%	\$ 19,099.85	99.6%	
Total Local Option Gas Taxes	41,226.00	1%	20,808.69	0%	20,417.31	50.5%	
Discretionary Sales Tax (PBC)	104,768.00	2%	61,331.51	1%	43,436.49	58.5%	
Utility Taxes (FPL - Electric, Water, Gas)	353,000.00	6%	188,292.56	3%	164,707.44	53.3%	
Communications Taxes - State	78,593.00	1%	37,119.15	1%	41,473.85	47.2%	
Licenses & Permits	198,500.00	3%	188,513.45	3%	9,986.55	95.0%	
Franchise Fees (FPL, WM)	220,600.00	4%	146,121.56	3%	74,478.44	0.0%	
Other Permit Fees (Inspec, Reinspec, S. Permits)	13,000.00	0%	8,269.16	0%	4,730.84	63.6%	
Grants - Resilient FL Grant (Vulnerability Stdy)	28,500.00	0%	-	0%	28,500.00	0.0%	
Shared Revenue - Local (1/2 Cent Sales Tax)	157,626.00	3%	93,232.88	2%	64,393.12	59.1%	
Shared Revenue Local (PBC Business Tax)	6,000.00	0%	2,226.31	0%	3,773.69	37.1%	
Services (Sewer Maint, Beach Permits, Land Dev)	135,526.00	2%	112,753.24	2%	22,772.76	83.2%	
Fines	4,000.00	0%	1,481.93	0%	2,518.07	37.0%	
Interest	11,000.00	0%	126,971.23	2%	(115,971.23)	1154.3%	
Sale of Surplus Equipment	-	0%	14,700.00	0%	(14,700.00)	0.0%	
Donations	-	0%	10,592.89	0%	(10,592.89)	0.0%	
Miscellaneous	10,000.00	0%	3,969.62	0%	6,030.38	39.7%	
TOTAL REVENUE	\$ 5,864,039.00		\$ 5,498,984.33		\$ 365,054.67	93.8%	

Explanation of Variances:

Property Taxes - received 6 of 9 payments, remaing 3 payment are traditional smaller in dollar value

- FY 2022 received 96.8% of Ad Valorem Taxes by end of period 7 , comparable

Licenses & Permits - higher activity volume

Services - utility bills are issued annually in April

Interest - rates are higher than budgeted for

Sale of Surplus Equipment - The Gator, PW Truck

Donations - St Patrick's Day, Volunteer Fire Dept fundraiser

Town of Palm Beach Shores
Capital Roads Project
FY2023

Description	Budget	As of 4/30/23
Streets Assessment Report	\$ 10,000	\$ -
Streets Engineering Survey	\$ 50,000	35,314
Milling/Repaving/Restriping/Curbs	\$ 1,600,000	\$ 27,881
Total	\$ 1,660,000	\$ 63,195

Note: current costs on the project are for the engineer's plans for grading and paving.

Town of Palm Beach Shores

Utility Tax

10% Effective 4/1/17

	Electric	Water	Gas	Total
	<i>FPL</i>	<i>Riviera Beach</i>	<i>FPU</i>	
Oct-22	20,596.15	7,984.92	2,922.70	31,503.77
Nov-22	19,150.30	8,855.06	3,309.70	31,315.06
Dec-22	20,670.10	7,541.59	3,363.58	31,575.27
Jan-23	16,627.96	8,611.41	4,206.95	29,446.32
Feb-23	20,086.85	7,938.88	6,384.53	34,410.26
Mar-23	20,475.78	7,946.01	1,619.57	30,041.36
Apr-23				
May-23				
Jun-23				
Jul-23				
Aug-23				
Sep-23				
YTD Total	117,607.14	48,877.87	21,807.03	188,292.04

<i>Budget FY2023</i>	<i>220,000.00</i>	<i>105,000.00</i>	<i>28,000.00</i>	<i>353,000.00</i>
% budget	53%	47%	78%	53%

Town of Palm Beach Shores
Discretionary Sales Tax PBC

Accumulated (unspent) Discretionary Sales Tax as of 9/30/17	\$ 49,955.01
Accumulated (unspent) Discretionary Sales Tax as of 9/30/18	\$ 119,434.60
Accumulated (unspent) Discretionary Sales Tax as of 9/30/19	\$ 207,613.87
Accumulated (unspent) Discretionary Sales Tax as of 9/30/20	\$ 291,486.47
Accumulated (unspent) Discretionary Sales Tax as of 9/30/21	\$ 387,432.10
Accumulated (unspent) Discretionary Sales Tax as of 9/30/22	\$ 507,824.92

Current Year Receipts:

Date of Receipt	Period	
11/28/2022	October 2022	\$ 8,317.76
12/23/2022	November 2022	\$ 8,669.80
1/27/2023	December 2022	\$ 9,001.22
2/3/2023	Quarterly adjustment 12/22	\$ 5,128.10
2/27/2023	January 2023	\$ 11,356.25
3/31/2023	February 2023	\$ 9,367.57
4/30/2023	March 2023	\$ 9,490.81

Total current year receipts	\$ 61,331.51
-----------------------------	--------------

Current Year Expenditures:

\$ -

Accumulated (unspent) Discretionary Sales Tax as of 4/30/23	\$ 569,156.43
--	----------------------

Town of Palm Beach Shores
Building Department

	Building Permits	Building Department	Net Building	Cumulative Net Bldg
10/31/2022	\$ 5,815	\$ 14,289	\$ (8,474)	\$ (8,474)
11/30/2022	\$ 24,749	\$ 35,108	\$ (10,360)	\$ (18,833)
12/31/2022	\$ 7,780	\$ 22,755	\$ (14,975)	\$ (33,808)
1/31/2023	\$ 57,999	\$ 29,304	\$ 28,695	\$ (5,113)
2/28/2023	\$ 20,804	\$ 20,502	\$ 302	\$ (4,811)
3/31/2023	\$ 19,180	\$ 25,207	\$ (6,026)	\$ (10,837)
4/30/2023	\$ 35,497	\$ 23,134	\$ 12,363	\$ 1,526
5/31/2023				
6/30/2023				
7/31/2023				
8/31/2023				
9/30/2023				
	\$ 171,825	\$ 170,299	\$ 1,526	

Other related revenues:

Bldg Permit State Surcharge	\$ 900
Fire Inspection Fees	\$ -
Reinspection Fees	\$ -
Code Enf Admin Cost Reimb	\$ -
Site Plan / Variance Fees	\$ 350
Land Development Costs	\$ 1,600
Town Code & Ordinance Fines	\$ -

Net Building	\$ 4,376
--------------	----------

Town of Palm Beach Shores
Underground Utilities
as of 4/30/23

*The projection for AT&T reflects no charge for Phase 2.
Also, the projection for Project Mgmt/Admin includes the
approved supplemental wages for the Public Works Director.*

	COST	TOTAL	Remaining	P R O J E C T E D	
	ESTIMATE	as of 4/30/23	Costs	Cost	Variance
Other Financing Sources:					
Loan Proceeds	\$ 6,000,000	\$ 6,000,000.00	\$ -	\$ 6,000,000.00	\$ -
Expenditures:					
Survey	\$ 38,000	\$ 65,762.50	\$ -	\$ 65,762.50	\$ (27,762.50)
Legal	\$ 4,000	\$ 3,150.00	\$ -	\$ 3,150.00	\$ 850.00
Project Mgmt/Admin	\$ 80,000	\$ 95,572.09	\$ -	\$ 95,572.09	\$ (15,572.09)
Construction - Viking	\$ 4,336,460	\$ 4,343,654.00	\$ -	\$ 4,343,654.00	\$ (7,194.00)
Construction - Comcast	\$ 250,000	\$ 528,340.73	\$ -	\$ 528,340.73	\$ (278,340.73)
Construction - AT&T	\$ 450,000	\$ 293,494.13	\$ 131,505.87	\$ 425,000.00	\$ 25,000.00
Construction - FPL	\$ 254,386	\$ 254,386.00	\$ -	\$ 254,386.00	\$ -
Landscape Restoration	\$ 16,300	\$ 9,584.51	\$ 6,715.49	\$ 16,300.00	\$ -
Loan Acquisition	\$ 23,000	\$ 22,508.00	\$ -	\$ 22,508.00	\$ 492.00
Contingency	\$ 547,854	\$ 8,785.76	\$ -	\$ 8,785.76	\$ 539,068.24
Total expenditures	\$ 6,000,000	\$ 5,625,237.72	\$ 138,221.36	\$ 5,763,459.08	\$ 236,540.92
Net Change in Fund Balance	\$ -	\$ 374,762.28	\$ (138,221.36)	\$ 236,540.92	\$ 236,540.92

Viking is complete and paid in full. Additional costs of \$3,450 and \$3,744 were for repairs to sewer lines damaged when conduit was installed.

AT&T Phase 1 is complete and paid in full.

AT&T Phase 2 is underway.

Contingency - repair damage to sewer line Inlet Way

Town of Palm Beach Shores
Dredging Project
as of 4/30/2023

	FY2022	FY2023	PROJECT TOTAL
		<i>as of 4/30/23</i>	<i>as of 4/30/23</i>
<u>Assets:</u>			
Cash	\$ -	\$ -	\$ -
Due from General Fund	\$ -	\$ 14,955	\$ 14,955
<u>Liabilities</u>			\$ -
Deferred Revenue - sale of dredged sand	\$ -	\$ 35,000	\$ 35,000
Fund Balance	\$ -	\$ (20,045)	\$ (20,045)
<u>Revenue:</u>			
Donations	\$ 15,000	\$ -	\$ 15,000
<u>Expenditures:</u>			
Professional Services	\$ 15,000	\$ 20,045	\$ 35,045
Revenue over expenditures	\$ -	\$ (20,045)	\$ (20,045)

PALM BEACH COUNTY SHERIFF'S OFFICE

RIC L. BRADSHAW, SHERIFF



May 2023 Commission report with stats from April 2023
Sergeant Steven Langevin
Commander District 20/Town of Palm Beach Shores

Arrests

Mental health assist

Miscellaneous:

In addition to making an arrest in the boat burglaries we were able to return may of the times the subject had stolen. The person arrested gave our deputy a full confession.

Also during April, I believe all had a great time at the annual Easter egg hunt, it was a collaborative effort by all and was well received. Our thanks once again to the Sailfish Marina for donating all the food and the Rotary and Seasideers for cooking and serving along with the POA.

A theft of a landscaper's leaf blower occurred but the landscaper was able to chase after and recover it.

Statistics follow



April - 2023 - Monthly Strategic Report

CAD Calls	Monthly Totals
Business / Residence Checks (Self-Initiated)	3464
Traffic Stops (Self-Initiated)	62
Calls for Service (Excluding 1050's & 1061's)	255
All CAD Calls - Total	3781

Data Source: CADS/Premier 1

*Omit Miscellaneous Calls

Note: P1 is a dynamic system. Meaning that #'s can change from what was previously reported in the event there is a location or call type re-classification/modification.

Summary: During the month, there were 3781 generated calls within the district. 93% of these calls were self-initiated.

Data below represents Traffic Activity conducted by D20 Deputies

Data Source: D20 Office Staff

Total Citations	Total Warnings	Parking Citations
5	59	4

Arrest and NTA Statistics

Arrest Data
Arrests & Notice to Appear (NTA) within District 20
Total Count - 1

Data Source: CrimeView Desktop

RPT #	SIGNAL	NEIGHBORHOOD	COMMON PLACE	LOCATION
23055066	1			1223 BEACH RD
202300379598	1061			APPROX LOC 103 BLOSSOM LN
*1061 ARR keystroke error no arrest				

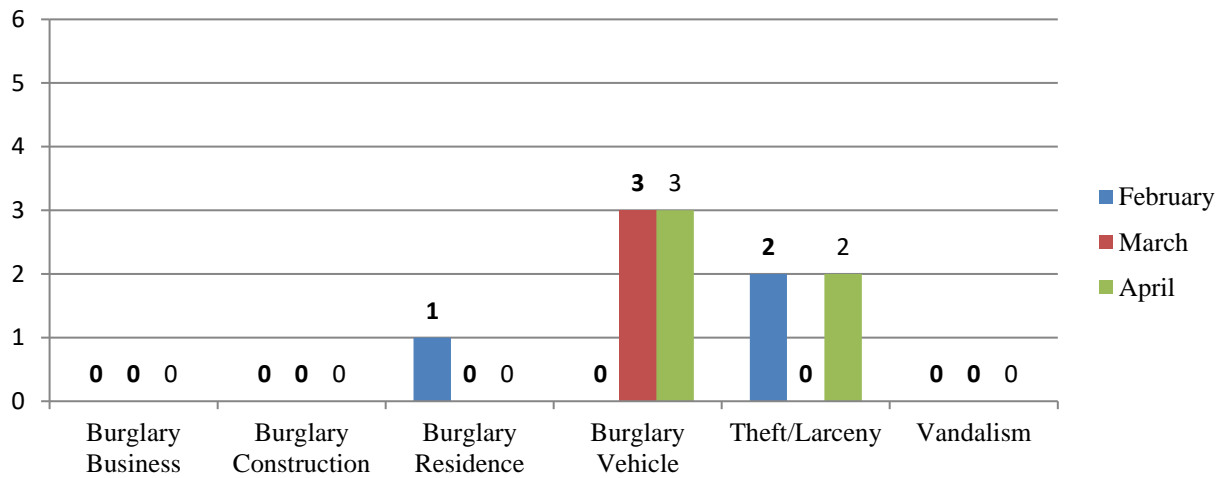
DATA ANALYSIS

The data included in this report is charted and graphed to illustrate and compare changes over a specific time period. These charts and graphs are utilized to assist in determining crime trends and to measure enforcement efforts. This data is utilized in conjunction with other analysis to develop directed patrol and various enforcement activities. The analysis included on these pages is presented as a brief highlight to explain the salient points of this report.

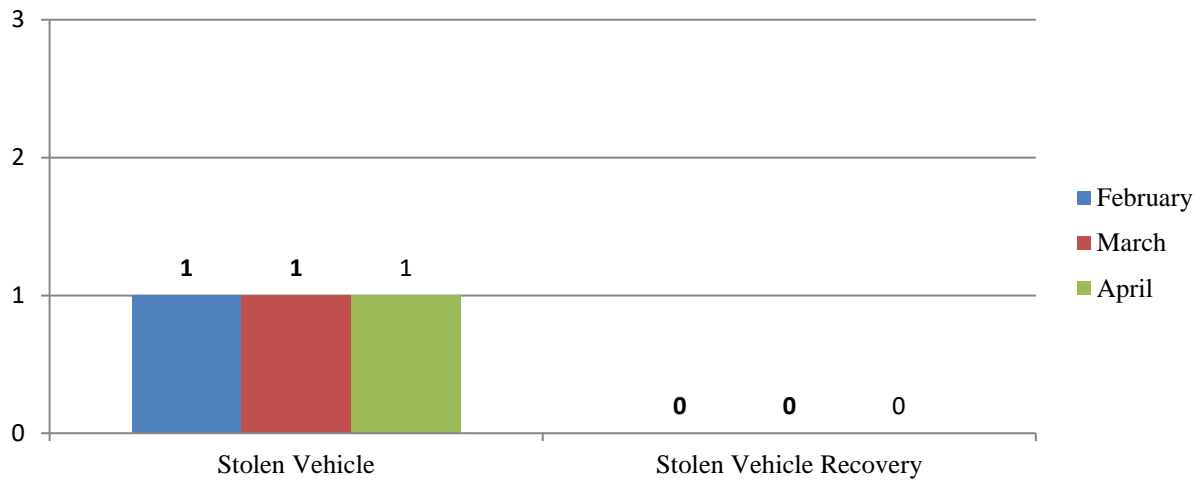
D20 Monthly Stats
Homicide, Robbery, Sexual Assault, Shooting, Stabbing
 Data Source: CADS/P1



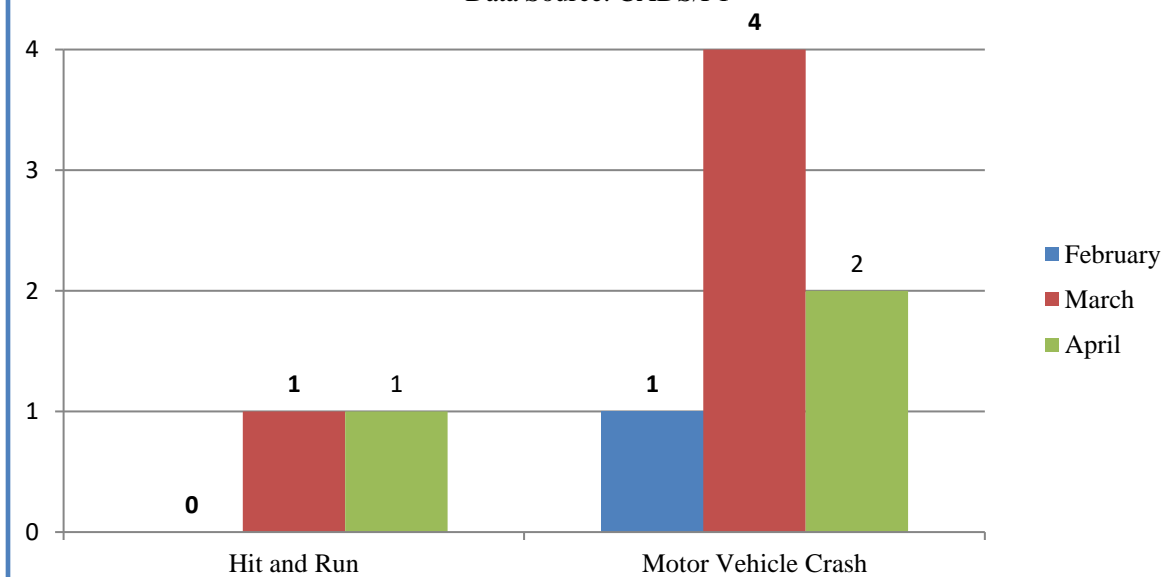
D20 Monthly Stats
Burglaries, Theft & Vandalism
 Data Source: CADS/P1



D20 Monthly Stats
Stolen Vehicles & Stolen Vehicle Recoveries
 Data Source: CADS/P1



D20 Monthly Stats
Hit and Run & Motor Vehicle Crash
 Data Source: CADS/P1



District 20 Map of Activity

Data: Source: CrimeView Dashboard



	BURGLARY - VEHICLE
	MOTOR VEHICLE THEFT
	THEFT - ALL OTHER

FIR MAP

4 Records Plotted in CrimeView Dashboard.



(7) Conducted per the FIR Track system.

Note: This # could change due to FIR's being inputted into system after search was conducted.



MONTHLY ACTIVITIES REPORT TO THE TOWN COMMISSION
TOWN OF PALM BEACH SHORES
DEPARTMENT OF EMERGENCY SERVICES
19 April 2023 – 17 May 2023

TO: Mayor Alan Fiers
Town Commissioners

FROM: Trevor L. Steedman, Fire Chief / Director of Emergency Services

DATE: 17 May 2023

OPERATIONS

FIRE DEPARTMENT

COMMUNITY RISK REDUCTION (CRR) INITIATIVES

- Fire / Life Safety Inspections and Fire Protection Systems Plans Review
 - Ongoing Plans Reviews and Inspection Services
 - Annual Fire Inspections are underway
- Hydrant Inspection Program (Monthly) – Performed by PBSFD
 - Hydrant at 71 Lake Drive is out of service
 - New hydrants being tested by PBSFD as they come on line.
- Certificate of Public Convenience & Necessity (COPCN)
 - County attorneys are researching modifications to enable our eligibility.
- *Community CPR & AED* – Coordinating with POA to present the opportunity in conjunction with POA meetings.
- *Courtesy Home Fire Safety Surveys* – (Implemented: November 2017)
- *Pulse Point* mobile application site – *Pulse Point* is a pre-arrival solution designed to support public safety agencies working to improve cardiac arrest survival rates through improved bystander performance.
- *Pre-Incident Planning* – On-going initiative to familiarize first responders with high-risk occupancies, unique hazards and special properties in Palm Beach Shores and plan accordingly for potential emergencies.



MONTHLY ACTIVITIES REPORT TO THE TOWN COMMISSION

TOWN OF PALM BEACH SHORES

DEPARTMENT OF EMERGENCY SERVICES

19 April 2023 – 17 May 2023

- *File of Life* Program – (Program initiated on 15 March 2017). Program materials funded through budgeted line item: *Community Risk Reduction - Prevention*. Kits are available during business hours at the Town Hall front office.
- *Fire Extinguisher Selection, Use and Maintenance*
 - Hands-on training and education opportunity presented to community members and our partners in the business community by PBSFD Firefighters. Coordinating with POA to present the opportunity in conjunction with POA meetings.
- *Code X-Ray Placard Program* – Identifies Unsafe/Unstable/Vacant buildings.
 - 123 Ocean Avenue – Sea Spray

STAFFING

- Career Staff. – No current full-time vacancies
- Volunteer Staff
 - Recruitment and Retention efforts remain a priority. The entry versus attrition rate (predominantly due to full-time employment opportunities with other area departments) remains constant. There are 46 volunteer members certified to State Minimum Standards on the “Active” rolls at the time of this report.

WORKFORCE & OFFICER LEADERSHIP DEVELOPMENT

- Training & Continuing Education programs
 - Officer Development & Command School – PBSFD Shift Commanders are attending scheduled sessions offered in West Palm Beach over the summer.

FLEET DEPLOYMENT & MAINTENANCE

- All apparatus in in service at the time of this report



MONTHLY ACTIVITIES REPORT TO THE TOWN COMMISSION
TOWN OF PALM BEACH SHORES
DEPARTMENT OF EMERGENCY SERVICES
19 April 2023 – 17 May 2023

INDUSTRY & PROFESSIONAL STANDARDS COMPLIANCE INITIATIVES

- Adopted *National Fire Service Professional Qualifications Board* standards or equivalent for Line, Staff and Command level Officers, Fire Apparatus Driver Operator (FADO) and Firefighters to include:
 - NFPA 1001 *Standard for Fire Fighter Professional Qualifications*
 - NFPA 1002 – P *Standard for Fire Apparatus Driver/Operator (FADO) Professional Qualifications.*
- PBSFD FADO program (implemented in September 2017).
- NFPA 1021: *Standard for Fire Officer Professional Qualifications*
 - Validate rank structure for integration into County NIMS/ICS model.
- NFPA 1720 *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations and Special Operations to the Public by Volunteer Fire Departments*

OCEAN RESCUE

GEAR & EQUIPMENT

- All Equipment is in service at the time of this report.

BEACH & WATER CONDITIONS

- Water quality for Phil Foster Park listed as “Good” with adjacent waters (Riviera Beach & Palm Beach listed as “Good” at the time of this report.

OFFICE OF EMERGENCY MANAGEMENT

Comprehensive Emergency Operations Plan (CEOP): - Ongoing

- Purpose and Scope: Update/Create CEOP for the Town of Palm Beach Shores
- Four areas of focus: Preparation, Response, Mitigation and Recovery
- Complies and aligns with 27P-6.0023, Florida Administrative Code, County Comprehensive Emergency Management Plans (CEMP) and County Emergency Management Programs
- Facilitate grant opportunities and streamline FEMA reimbursement efforts.



MONTHLY ACTIVITIES REPORT TO THE TOWN COMMISSION

TOWN OF PALM BEACH SHORES

DEPARTMENT OF EMERGENCY SERVICES

19 April 2023 – 17 May 2023

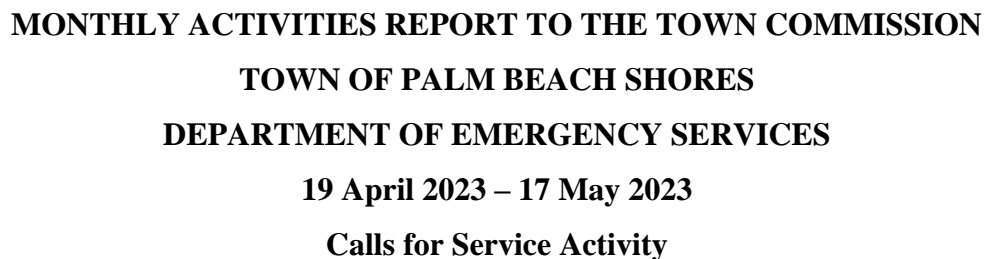
- Community Emergency Supply Program – Operational.

Continuity of Operations Plan (COOP): - Ongoing

- Purpose and Scope: The COOP enables organizations to continue their Essential Functions (EF's) across a wide spectrum of emergencies. This Plan applies to the functions, operations, and resources necessary to ensure the continuation of the Town's Essential Functions, in the event its normal operations at Town Hall or Town facilities are disrupted or threatened with disruption. This Plan applies to all Town personnel and contractors vital to daily operations. Palm Beach Shores staff must be familiar with Continuity policies and procedures and their respective Continuity roles and responsibilities. This Continuity Plan ensures the Town of Palm Beach Shores is capable of conducting its essential missions and functions under all threats and conditions, with or without warning, including natural and manmade disasters, technological emergencies, and military or terrorist attack-related incidents.
- Based on a vulnerability assessment which identifies capabilities, limitations, and potential threats.
- Identify and address any potential critical points of failure.

Incident Action Plans (IAP's): – As-Needed

- Purpose and Scope: Provides a recognized template to establish control objectives and communicate critical information during planned and unforeseen events and emergencies.
- Response strategies and operational goals for operational periods are regularly updated.



OCEAN RESCUE (April 2023)	Rescue Report	Rescues: 00	Assists: 00	Vessel Assists: 00
	Prevention & Education	Contacts: 393		
	Beach Usage	Guarded Area: 10,230	Total: 27, 025	Inlet: 23,137
	First Aid Provided	Occurrences (Minor): 37		

FORMAL TRAINING & DRILLS	DATE	TIME	LOCATION	TYPE			NATURE	STAFFING	NOTES
				FIRE	RESCUE	EMS			
	25 Apr 2023	18:30	90 Edwards		X	X	Patient Assessment	16	Hands-On
	01 May 2023	18:00	327 Bravado	X	X		Firefighting Ops.	15	Hands-On
	16 May 2023	18:00	Phil Foster		X	X	Water Awareness & Survival	16	Hands-On
	Formal Training Drills –03								
	Personnel Participation – 47								
	Personnel Training Hours – 141								



Public Works Department

Monthly Status Report

May 2023

Community Center:

1. The Project concerning the Kitchen Remodel on the 2nd floor is in the planning stages for the bid process. As built drawings are underway and will be provided for the bid packet. The Architecture Plans have been submitted to the Building Department for review.
2. Receiving quotes for new roll down shades on the 2nd floor.
3. Receiving quotes for new roll down shades on the 1st floor.
4. Receiving quotes for new sound panels and acoustics suggestions on the 2nd floor.
5. The 12 each 6-foot round plastic tables were purchased and delivered.
6. The projects listed is funded through the approved Donations and the general budget.

Grounds & Parks:

1. Scheduling to install concrete slabs under the Parkway benches due to safety concerns. The concrete slabs will replace the existing individual square pavers creating an uneven surface and trip hazards. There is a total of 37 concrete slabs to be installed. This project will be performed by the Public Works Staff.
2. Scheduling to pressure wash the Parkway sidewalk, bricks, and park benches.
3. Scheduling to convert all the Irrigation mechanical time clock controllers and zone valves to digital located along the Parkway. There is a total of 5 stations to be converted. This will improve water consumption and maintenance costs. The work will be completed by the Public Works Department staff.
4. Renovations required to the Parkway Fountain were completed on Tuesday, May 16, 2023, this included new plumbing, electrical, colored lights, stucco repairs, and Painting.
5. The Towns Brick Paver contractor installed the brick pavers on the Parkway located on Sandal Lane and Tacoma Lane due to the new fire hydrants being installed. The project was completed on Monday, May 1, 2023.
6. The projects listed are funded through the approved general budget.

Streets:

1. The Town hired a new qualified contractor Aquatik to Perform the Maintenance and Inspection and provide a CATV on Tuesday, **May 16, 2023**, on the Lake Drive and Bamboo Road Tidal Valve. The

integrity and operation of the Tidal Valve was according to factory specs. During Hurricane Nicole the valve was compromised and failed allowing salt water to overflow out of the streets storm grates and flooding the streets intersection of Lake Drive and Bamboo Road. The representative from Walpro Valves was onsite with his dive team to inspect the valve and to determine the possible failure of the mechanism. Waiting for SHENANDOAH, the contractor who installed the valve to schedule an inspection to move forward with a possible cause of the valve failing during Hurricane Nichole and present a solution. WALPRO Valve Manufacture and SHENANDOAH after having discussions to determine the failure of the Tidal Valve stated that the Valve and installation were according to factory specs and stated that some foreign object got stuck in the valve keeping it open and not allowing the valve to close properly. Waiting on the Towns Contractor Aquatik to produce the final report and additional inspection during High Tide for review and discussion.

2. Scheduling to repair the Sewer Manhole spacer ring to secure the Manhole Lid located on Linda Lane in the 300 block. The repairs are required due to Heavy Traffic and Road surface change. Waiting for contractors' availability. Scheduling for another contractor to perform the work.
3. The Street Light Located in the 200 block of Tacoma Lane was struct by a vehicle causing damage beyond repairs. The Street Light will require replacement. I am in contact With Electrical Contractor CR Dunn to locate a similar Street Light Pole for Installation. This is the second Street Light Pole requiring replacement in the 200 block of Tacoma Lane on the South side of the street due to vehicle damage. The proceedings to locate an electrical contractor to assist with locating the new street light poles and to install the poles has been a challenge. **An Electrical contractor (CR DUNN) was approved, and the purchase of the new Street Light Poles have been approved under a West Palm Beach Piggyback Contract. The work is scheduled for Wednesday, May 31, 2023.**
4. The projects listed is funded through the approved general budget.

Lift Stations:

1. Scheduling to reline the streets sewer manholes in various locations. Rescheduling upon the completion date of the Watermain Project.
2. Receiving quotes for new Flow Meters required update due to technology and equipment changes.
3. Replaced the floats and stainless-steel braiding in wet well.
4. Replaced batteries in the mission control panels and reprogramed inputs for emergency calls.
5. Removed the Lift station #02 Ocean Ave North Pump due to high pitch noise when in operation. Upon inspection it was determined that the stator seal housing failed and allowed water to penetrate the internal electrical components of the pump. The rebuild of the pump is estimated at \$ 18,000.00 and a new pump and installation is around \$28,000.00. Reviewing budget for discussion.
6. The projects listed are funded through the approved general budget.

Public Works Building, Police Building, Fire Department Annex Building, Beach Building:

1. Scheduling to install the new weathervane on the Town Hall Copula and paint the Copula roof. The project was completed on Monday, May 8, 2023.
2. Scheduling to clean the Town Hall roof tiles and Gazebo roof tiles as per code.
3. Scheduling to recoat the Town Hall Second-Floor modified roof for maintenance and increase extended material wear and protection.
4. The Town Hall tiled pitched roof was repaired on Thursday, April 27, 2023, due to roof leaks.
5. The projects listed are funded through the approved general budget.

Capital Projects For 2021-2022:

1. Community Center Replace 1st floor fireproof metal doors: **Completed** / **Public Works Repaired.**
2. Community Center Replace 2nd floor east balcony awning: **Completed** / **Contractor.**
3. Paint Exterior of Town Hall, Police, and Fire Bay: **Public Works performed the work. Town Hall is completed. Police and Fire Bay is completed.**
4. Town Hall new Fire Alarm monitoring system: **Receiving Estimates** / **Contractor.**
5. Inlet Park, Parkway, Beach, and town streets replace concrete trash cans: **Has been Delivered**
6. Inlet Park and Beach replace concrete benches: **Completed** / **Benches Installed.**
7. Streets New Storm grates and concrete aprons: **Completed** / **Public Works to perform the work. Storm Grates are installed.**
8. Lift station #01 Lake Drive replace wet well riser pipes and pump base plates: **Completed** / **Contractor.**

Training / Certificates:

1. Continuing Education in Florida Stormwater Erosion and Sedimentation Control. No cost to the Town.
2. OSHA'S Model Training Program for multiple certifications & continuing education credits. No cost to the Town.
3. Safety Meeting scheduled for Tuesday, May 9, 2023, Public Works Safety Officer (Public Works Director).
4. Continuing Training on Lift Stations Pumps, Valves, and control panels training performed by PSI Technologies and tabletop and PCS. No cost to the Town.
5. Continuing Training on Irrigation Design, spray patterns, and pump controllers. Tabletop and Landscaper Contract. No cost to the Town.
6. Continuing Training on Street Light repairs and safety protocols. No cost to the Town.
7. Continuing Training on DOT road work protocols. No cost to the Town.

Updates:

1. AT&T Project.
2. Watermain Project.
3. Hurricane Nichole Inlet Park Restoration FEMA Site Visits were Scheduled on Tuesday, March 7, 2023 and Friday, March 17, 2023. All documents have been submitted for review to finalize the projects. Waiting for final approved report from FEMA. A new account Manager was assigned.

Notes:

New Public Works Department Staff Members.

1. Mr. Oscar Almaguer Title Technician II.
2. Mr. Kowolics Parham Title Technician I.



Town Clerk's Monthly Status Report

May 2023

BUILDING DEPARTMENT STATISTICS:

April 2023: Total Permits issued: 22 Total Permit Fees Paid: \$ 35,464.68

REMINDER: Working without a permit will result in a stop work order and a charge of 4 times the permit fee. Unsure if you need a permit, call the Building Department, and we'll be glad to help you.

PUBLIC RECORD REQUESTS: The Clerk's office received 6 email public record requests for the month of April.

CODE ENFORCEMENT STATISTICS:

The following is a count of properties that had Code Enforcement violations from April 20, 2023 - May 16, 2023

Code Violation: Sec. 18-329. – Property Maintenance.

4 Closed. 2 Open. 127 Edwards Lane, 185 Lake Drive

Code Violation: Sec. 38-5. Trash Collection and Yard Debris Pickup

2 Closed 0 Open

Code Violation: Sec. 10-1 Keeping a nuisance (Dog barking)

1 Closed 0 Open

Code Violation: Sec. 14-106. Florida Building Code (Work without a permit)

2 Closed. 1 Open 300 Bravado Lane

Code Violation: Sec. 78-79 Landscaping Maintenance

0 Closed 2 Open 301 Cascade Lane, 118 Cascade Lane

Code Violation: Sec. 70-82. – Boat trailer in driveway/parking lot.

0 Closed. 1 Open. 301 Blossom Lane

Code Violation: Sec. 18-16. Business Tax Receipt/ Certificate of Use

0 Closed 2 Open 315 Tacoma Lane

Code Violation: Sec 70-75. Prohibited vehicle

1 Closed 0 Open.

Code Violation: Pf. 12.12 - Storage Units

1 Closed 0 Open

Total Amount of Cases created that are closed from 4/20/23 – 5/16/23: 11

Total Amount of Cases created that are still open from 4/20/23 – 5/16/23: 8

Total count of Cases 4/20/23 – 5/16/23: 19

Notice of Violation: 300 Bravado Lane Work without a permit.

Special Magistrate: 33 Ocean Ave Unit 606 (5/29/23) Work without a permit.

320 Inlet Way (6/29/23) Work without a permit 315 Cascade Lane (6/29/23) Property Maintenance

Jude M. Goudreau, CMC
Town Clerk

ORDINANCE NO. O-2-23

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING CHAPTER 14. BUILDINGS AND BUILDING REGULATIONS., SEC. 14-63. – PROCEDURE. TO REQUIRE THE INSTALLATION OF SYNTHETIC TURF TO BE REVIEWED BY THE PLANNING & ZONING BOARD AND CHAPTER 78. VEGETATION AT SECTION V. LANDSCAPING., SEC. 78-77.1. – DESIGN GUIDELINES. TO CREATE AN ENTIRELY NEW SUBSECTION TO PROHIBIT THE INSTALLATION OF ARTIFICIAL TURF FORWARD OF THE FRONT FAÇADE OF THE PRINCIPAL BUILDING OR ANY ACCESSORY STRUCTURE OR IN ANY LOCATION WITHIN OR VISIBLE FROM ANY PUBLIC RIGHT-OF-WAY ON ANY PROPERTY IN ANY ZONING DISTRICTS WITHIN THE TOWN; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, currently the Town Code defines “landscaping” to include nonliving durable material commonly used in landscaping which can include artificial turf; and

WHEREAS, in recent months, requests to install artificial turf on properties within the Town have increased significantly; and

WHEREAS, there are multiple grades of quality for artificial turf currently on the market with varying lifespans, compaction requirements and permeability rates; and

WHEREAS, the Town Commission believes the installation of artificial turf in the front yards without the ability to adequately address material quality, appearance and drainage may become problematic for the Town; and

WHEREAS, because of the potential impacts to appearance, quality and drainage, the Town Commission believe the installation of artificial turf requires the review of the Planning & Zoning Board prior to installation; and

WHEREAS, the installation of artificial turf in the Town’s 10-foot strip makes private improvements in the public right-of-way and access to the Town’s utilities beneath the 10-foot Town strip more difficult; and

WHEREAS, the Town Commission of the Town of Palm Beach Shores believes these amendments to the Town’s Code are in the best interest of the health, safety and welfare of the Town, its citizens, and all those doing business with the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, THAT:

Section 1: Chapter 14. Buildings and Building Regulations. of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended at Article 11. Administration., Sec. 14-62. – Procedure. to require the installation of synthetic turf to be reviewed by the Planning & Zoning Board; providing that Sec. 14-62. shall hereafter read as follows:

Sec. 14-62. - Procedure.

Site plans required.

(1) Site plan review and approval by the planning and zoning board is required for all new construction. In addition, site plan review and approval by the planning and zoning board shall be required for:

- a. The construction or installation of all fences, walls, gates or hedges located in front yards, which shall include, for corner lots situated along Lake Drive, Atlantic Avenue or Ocean Avenue, both the side of the property facing Lake Drive, Atlantic Avenue or Ocean Avenue, as well as the side of the property facing the applicable east-west street, in accordance with Pf. 9.2(d) of the town's zoning ordinance.
- b. Renovations of existing structures which change the footprint of the building or existing facade.
- c. The installation of new permanently installed (non-portable) emergency electrical generators, as well as modifications to existing emergency electrical generators which result in an increased net amount of impervious area on the property or decreased amount of buffering or screening around the emergency electrical generator. Relocation of an existing emergency electrical generator to a new location within the permissible yard area for emergency electrical generator placement, where there is no net increase in impervious area and no decrease in buffering and screening around the relocated emergency electrical generator is exempt from this requirement. Maintenance and

replacement activities that do not result in any net increase in impervious area and do not decrease the buffering and screening around the emergency electrical generator are likewise exempt from this requirement.

- d. The construction of new swimming pools, pool decks, and screened enclosures, and the installation of new pool equipment.
- e. The construction or installation of all slabs, concrete or otherwise, that increase the net amount of impervious area on the property.
- f. Modifications to existing swimming pools, pool decks and screened enclosures which result in a net increase to the amount of impervious area on the property or decreased amount of buffering or screening around the pool equipment. Relocation of existing pool equipment to a new location within the permissible yard area for pool equipment placement, where there is no net increase in impervious area and no decrease in buffering and screening around the relocated pool equipment is exempt from this requirement. Maintenance and replacement activities that do not result in any net increase in impervious area and do not decrease the buffering and screening around the pool equipment are likewise exempt from this requirement.
- g. Relocation of existing a/c equipment to a new location within the permissible yard area for a/c equipment placement are exempt from this requirement. Maintenance and replacement activities that do not result in any net increase in impervious area and do not decrease the buffering and screening around the a/c equipment are likewise exempt from this requirement.
- h. The installation of synthetic or artificial turf on any property within any Zoning District within the Town.

(2) For all construction requiring site plan review, the following shall be required:

- a. A completed site plan review application form; a boundary survey of the subject site prepared no more than six months from the date of the site plan review application; signed and sealed schematics depicting the

location of the building on the site, set backs, grading, drainage and elevations, as well as the relationship of the site to neighboring sites; tabular data showing compliance with all lot coverage, floor area, building height, grade and landscaping requirements.

- b. Ten sets of the above listed required documents prepared by a licensed engineer, architect and/or surveyor shall be submitted. The planning and zoning board shall first review the site plan; and, upon approval, the applicant shall submit the building plans to the town for review and approval of the building official prior to issuance of a building permit.

Section 2: Chapter 78. Vegetation. of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended at Section V. Landscaping., Sec. 78-77.1. – Design guidelines. to create an entirely new subsection to prohibit the installation of artificial turf forward of the front building of any building or in any location visible from any public right-of-way on any property in any Zoning Districts within the Town; providing that Sec. 78-77.1. shall hereafter read as follows:

Sec. 78-77.1. - Design guidelines.

- (a) Foundation plantings. Foundation plantings for all new construction are required on any side of a building that fronts on a street. Required foundation plantings should conceal the building foundation, should accentuate and beautify the front facade and should be a minimum of three feet in height at maturity.
- (b) Front yard trees. For all new development projects and new landscape plans, a minimum of three trees that comply with the requirements of article IV hereinbelow shall be required in the front yard. The minimum height of such required trees when planted shall be 75 percent of the beam height of the principal building. The minimum spread of such required trees when planted shall be 40 percent of the required tree height. In addition, three palm trees per platted lot shall be required to be planted in the ten-foot strip of town property a distance of four feet from the edge of pavement on all east-west roads in the town. Permitted palm tree species include Foxtail, Coconut, Queen, Triangle, Christmas, Date, Fishtail, Royal, Sago,

or any other species specifically approved by the planning and zoning board as part of its architectural and aesthetic review.

(c) Landscape buffering of equipment. For all new development projects, central air conditioning equipment, swimming pool equipment, emergency electrical generators, and outdoor trash containers located in accordance with the town's Zoning Ordinance and other applicable codes shall be sight screened with appropriate landscaping material.

(d) Privacy screens, applicability. In zoning districts A and B, all new development projects located on non-waterfront properties shall be subject to the privacy screen requirements set forth in paragraph (e) below. In zoning district B, the following shall also trigger the applicability of the privacy screen requirements set forth in paragraph (e) below:

(1) Any activity or activities upon the lot over time requiring a permit or permits from the town pertaining to improvements that cumulatively amount to expenditures of money in excess of \$50,000.00.

(2) Any change in use of the property.

(e) Privacy screens, requirements. Rear and side yard privacy screens are permitted, but not required with single story principal buildings. When the principal building is a two-story building, rear and side yard privacy screens are required. Such privacy screens should generally be of sufficient height and density to screen the line of sight from second story balconies and windows into neighboring properties, however, the minimum height of trees utilized for rear yard privacy screens when planted shall be no less than 75 percent of the roof height of the principal building. As part of the architectural and aesthetic review pursuant to section 14-86, the planning and zoning board shall ensure that these requirements are met and that the privacy of properties adjacent to two-story buildings is protected. No trees shall be permitted to grow into overhead utility lines.

(f) Artificial turf regulations.

1. All artificial turf installed within the Town shall meet the following criteria:

a) Be green in color and similar to that of living sod;

- b) Be of sufficient quality that is guaranteed by the manufacturer to have a life expectancy of no less than ten (10) years; and
- c) Be sufficiently permeable to ensure that percolation rates through the artificial turf are equal to or greater than that of living sod.
2. Artificial turf shall not be installed or placed forward of the front façade of the principal building or any accessory structure and shall not be visible from any public right-of-way on any property in any Zoning Districts within the town.
3. Artificial turf currently installed or approved through development order shall be allowed to remain while maintained in serviceable condition and of quality appearance. Property owners shall be advised that should the Town or any easement holder need access to areas covered with artificial turf in utility easements or within the 10' Town Strip, the removal, replacement and/or repair of such artificial turf is solely the responsibility of the property owner and shall not fall to the Town or other easement holder.

Section 3: Each and every other section and subsection of Chapter 14. Building and Building Regulations. and Chapter 78. Vegetation. shall remain in full force and effect as previously adopted.

Section 4: All ordinances or parts of ordinances in conflict be and the same are hereby repealed.

Section 5: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 6: Specific authority is hereby granted to codify this Ordinance.

Section 7: This Ordinance shall take effect immediately upon passage.

FIRST READING this ____ day of May 2023.

SECOND AND FINAL READING this ____ day of June 2023.

TOWN OF PALM BEACH SHORES

Alan Fiers, Mayor

ATTEST:

Jude Goudreau, Town Clerk

(Seal)

Approved as to form and legal sufficiency.

Keith Davis, Town Attorney

A Proclamation Honoring the 90th Anniversary of Palm Beach State College

1. WHEREAS, Palm Beach State College was founded in 1933 as Florida's first public two-year college and has continuously served the educational needs of Palm Beach County residents for 90 years, first as a junior college, then as a community college, and today as a state college; and
2. WHEREAS, Palm Beach State College, since opening its doors on November 14, 1933, as Palm Beach Junior College, has grown from 41 local students in three classrooms to 40,000 students from 151 countries and territories, studying on five campuses located in Boca Raton, Belle Glade, Lake Worth, Loxahatchee Groves, and Palm Beach Gardens, and online; and
3. WHEREAS, Palm Beach State College, established during the Great Depression when there was no institute of higher learning in Palm Beach County, is now an economic engine, pumping \$1.1 billion into the county's economy each year; and
4. WHEREAS Palm Beach Junior College merged with Roosevelt Junior College, in 1965, which was established in 1958 to serve African American students.
5. WHEREAS, Palm Beach State College has been integral to the remarkable growth and prosperity of Palm Beach County. Our graduates—community and business leaders for generations—have impacted every industry and continue to do so today; and
6. WHEREAS, Palm Beach State College, one of the top producers of associate degree graduates in the United States, also offers baccalaureate degrees, professional certificates, career training, and corporate and continuing education; and
7. WHEREAS, with more than 130 programs of study, Palm Beach State College is the county's leading educator of skilled professionals. Career programs span fields such as health care, computer science, business, biotechnology, creative arts, childcare, human services, teacher education, environmental science, landscape management, a wide variety of skilled trades, engineering, electrical power, and public safety; and
8. WHEREAS, Palm Beach State College's mission of providing accessible, student-centered teaching and learning experiences in academic, technical and lifelong learning to transform lives and strengthen our community is crucial to the vitality of The Town of Palm Beach Shores; and
9. WHEREAS The Town of Palm Beach Shores, Florida, commemorates the 90th Anniversary of Palm Beach State College with appreciation for its vital role as a provider of excellence in education and career training, and as a driver of economic mobility in partnership with our community, Palm Beach County and State of Florida.

Proclaimed this **22nd** day, of **May**, 2023.

Alan Fiers, Mayor

ATTEST:

Jude M. Goudreau, Town Clerk

(seal)

PALM BEACH SHORES
EMS ANNUAL TRUE-UP
For the Year Ending _____

Number of EMS Calls	<u>317</u>		
Base Rate Calls	310 @	\$2,871 =	\$890,010
Reduced Rate Calls	7 @	\$2,400 =	\$16,800
Second Unit Calls	27 @	\$775 =	<u>\$20,925</u>
Total Charges			\$927,735
Deduct:			
Quartely Base Billing		\$700,000	
Billing Amount Collected		<u>\$177,551</u>	<u>\$877,551</u>
Amount Due to the City of Riviera Beach			<u>\$50,184</u>