

PLANNING AND ZONING BOARD
Regular Meeting
October 26, 2022
6:30 pm
247 Edwards Lane / Palm Beach Shores, FL 33404

Jerald Cohn, Chairman * Tim Blash, Vice Chairman * Kevin Banks, Member* Tony Lembo, Member * Steven Smith, Member * Tom Martin, Alternate * Weston Gracida, Alternate *Mitty Barnard, Attorney*Josh Nichols, Zoning Official* Rob Rennebaum, Engineer* Jude Goudreau, Town Clerk

PUBLIC PARTICIPATION MAY OCCUR REMOTELY

<https://townofpalmbeachshores.my.webex.com/townofpalmbeachshores.my/j.php?MTID=m0104af99ae4ba1c7e167de730c780d1d> Meeting number: 2632 511 7264 Password: 1026

Join by phone +1-408-418-9388 United States Toll Access code: 2632 511 7264

1. CALL TO ORDER:

- a. Pledge of Allegiance
- b. Roll call

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

3. CONSENT AGENDA:

- Approval of the August 24, 2022, Planning and Zoning Board Meeting Minutes.
- Approval of the August 24, 2022, Local Planning Agency Meeting Minutes.
- Approval of the October 13, 2022, Planning and Zoning Board Meeting Minutes.

4. ACTION ITEMS:

- a. **SPM22-10/AAR-10**, Benjamin Sharfi 2002 Trust, Owner of 142 Lake Drive A, requests Site Plan Modification and Architectural and Aesthetic Review to combine two existing condominium units, add a new 186 sq. ft. single story addition to the existing dockmaster facility, replace existing covered entry and drop-off roof canopies and other modifications to existing railings and canopies on the property.
- b. **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%.
- c. **SPM22-11/AAR-11**, Kannega Glades LLC, Owner of 123 Ocean Avenue 101, requests Site Plan Modification and Architectural and Aesthetic Review to demolish the existing building and construct an 88,841 square foot, 6-story building with twenty-four (24) upscale residential units with associated depressed/underground parking, pool and pool deck, and associated landscaping on the property.

5. PUBLIC COMMENT:

6. DISCUSSION ITEMS:

7. 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 ensure 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.

**PLANNING AND ZONING BOARD sitting as
LOCAL PLANNING AGENCY (LPA)
MINUTES
August 24, 2022**

1. CALL TO ORDER

The meeting was called to order at 6:50 p.m., immediately following the Planning and Zoning Board meeting, by Chairman Jerald Cohn. The meeting was held in the Commission Chambers of Town Hall located at 247 Edwards Lane, Palm Beach Shores, FL 33404.

Town Clerk Jude Goudreau called the roll, and those present were Chairman Jerald Cohn, Kevin Banks, Tony Lembo. Also present were the Town Attorney Mitty Barnard, Zoning Official Josh Nichols, and Town Engineer Rob Rennebaum.

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

MOTION: Member Tony Lembo made a motion to approve the meeting agenda.

SECOND AND VOTE: Member Kevin Banks seconded the motion, which passed unanimously by those present.

3. MISCELLANEOUS BUISNESS:

a. ORDINANCE NO. O-4-22

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING CHAPTER 78. VEGETATION. AT ARTICLE III. LANDSCAPING., SECTION 78-77.1. – DESIGN GUIDELINES. TO REQUIRE ADDITIONAL LANDSCAPING TO BE PLACED AT FIFTEEN FOOT INTERVALS AGAINST LONGER EXPANSES OF BUILDING WALLS WITH LITTLE ARCHITECTURAL DETAIL AND NO REQUIRED PRIVACY SCREENING TREES TO BREAK UP THE WALLS FOR MULTI-STORY STRUCTURES IN ALL ZONING DISTRICTS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 78 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.

Town Attorney Barnard presented an overview of Ordinance No. O-4-22. Discussion ensued.

MOTION: Member Tony Lembo made a motion to approve Ordinance No. O-4-22 as drafted.

SECOND AND VOTE: Member Kevin Banks seconded the motion, which passed unanimously by those present.

4. PUBLIC COMMENT:

Kathy Arthur commented that it seems that the Town is adding code to an Ordinance that is not already enforced by Code Enforcement. Josh Nichols and Chairman Cohn both addressed Mrs. Arthur's comments. Donna Ward reiterated her July letter did not get to the Board until August (the letter was sent only to the Chairman). Mrs. Ward and Mrs. Arthur asked questions regarding the specific language on the types of trees and the heights of trees and voiced concerns. Chairman Cohn recommended that Mrs. Ward bring their concerns to a joint workshop.

5. ADJOURNMENT:

MOTION, SECOND AND VOTE: Member Tony Lembo moved to adjourn the meeting with Member Kevin Banks seconding the motion which passed unanimously. The meeting was adjourned at 7:17 p.m.

APPROVED this ____ day of _____, 2022.

ATTEST:

Jude Marie Goudreau, Town Clerk

Jerald Cohn, Chairman

(Seal)

**PLANNING AND ZONING BOARD
REGULAR MEETING
MINUTES
August 24, 2022**

1. CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Chairman Jerald Cohn. The meeting was held in the Commission Chambers of Town Hall located at 247 Edwards Lane, Palm Beach Shores, FL 33404.

Town Clerk Jude Goudreau called the roll, and those present were Chairman Jerald Cohn, Member Kevin Banks and Member Tony Lembo. Also present were the Town Attorney Mitty Barnard, Town Engineer Rob Rennebaum and Zoning Official Josh Nichols.

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

MOTION: Kevin Banks made a motion to approve the meeting agenda.

SECOND AND VOTE: Member Tony Lembo seconded the motion, which passed unanimously by those present.

3. CONSENT AGENDA:

Approval of the July 27, 2022, Planning and Zoning Board Meeting Minutes.

MOTION: Member Kevin Banks moved to approve the consent agenda as read.

SECOND AND VOTE: Member Tony Lembo seconded the motion, which passed unanimously by those present.

4. ACTION ITEMS:

- a. **SPR22-08/AAR22-08**, Paul Brown, Owner of 200 Linda Lane, requests Site Plan Review and Architectural & Aesthetic Review to remove 132 sq. ft. from the back corner of the house, add a small roof over the entry door and construct a pool with pool deck and associated pool equipment on the property.

MOTION: Member Tony Lembo made a motion to approve **SPR22-08/AAR22-08** with the following conditions:

1. Applicant shall revise application documents to reflect correct flat roof percentage to show reduction;
2. Applicant shall revise plans to depict setback to front entry at building permit application;
3. No discharge from pool dewatering will be permitted to leave the site unless directed by hose to an adjacent inlet. Contractor to insure no water from dewatering operations is allowed to stand on Town roads. Coordinate with Town Engineer regarding proposed discharge location.
4. Yard areas/site to be graded to ensure that no stormwater runoff flows to adjacent properties.
5. Engineer shall be responsible for insuring the drainage improvements are completed in substantial accordance with the approved plan.
6. Prior to C.O., Engineer to provide final signed and sealed certification that the drainage improvements and grading have been completed in substantial accordance with the approved plan.
7. Upon receipt of final Certification from Engineer, Town Engineer to visit site and insure conformance of Town requirements prior to issuance of final C.O

SECOND AND VOTE: Member Kevin Banks seconded the motion, which passed unanimously by those present

5. PUBLIC COMMENT: None

6. DISCUSSION ITEMS:

- a. Discussion of Holiday Meeting Schedule.

After a brief discussion, the Board decided to move the November meeting from November 23, 2022 (the day before Thanksgiving) to November 30, 2022 and the December meeting from December 28, 2022 to December 21, 2022. Member Kevin Banks made a motion to move the meetings as stated with Member Tony Lembo seconding the motion which passed unanimously by those present.

7. ADJOURNMENT:

MOTION, SECOND AND VOTE: Member Kevin Banks moved to adjourn the meeting with Tony Lembo seconding the motion, which passed unanimously. The meeting was adjourned at 6:50 p.m.

APPROVED this ____ day of _____, 2022.

ATTEST:

Jude Marie Goudreau, Town Clerk

(Seal)

Jerald Cohn, Chairman

**PLANNING AND ZONING BOARD
REGULAR MEETING
MINUTES
October 13, 2022**

1. CALL TO ORDER

The meeting was called to order at 5:30 p.m. by Chairman Jerald Cohn. The meeting was held in the Commission Chambers of Town Hall located at 247 Edwards Lane, Palm Beach Shores, FL 33404.

Town Clerk Jude Goudreau called the roll, and those present were Chairman Jerald Cohn, Vice Chairman Tim Blash, Member Steven Smith, Member Tony Lembo, and Alternate Member Weston Gracida. Also present were the Town Attorney Mitty Barnard and Zoning Official Josh Nichols.

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

MOTION: Member Steven Smith made a motion to approve the meeting agenda as amended striking Item #3 Consent Agenda.

SECOND AND VOTE: Vice Chairman Tim Blash seconded the motion, which passed unanimously by those present.

3. ACTION ITEMS:

- a. **SPR22-14/AAR22-14**, Captain's Walk Owner's Association, Inc., Owner of 220 Lake Drive, requests Site Plan Review and Architectural & Aesthetic Review to replace the existing seawall with a new 150 linear foot steel sheet seawall 18 inches waterward of the wet face of the existing seawall and pour a new concrete cap.

MOTION: Vice Chairman Tim Blash made a motion to approve the plans SPR22-14/AAR22-14 as submitted.

SECOND AND VOTE: Member Tony Lembo seconded the motion, which passed unanimously by those present.

- b. **SPR22-15/AAR22-15**, Maurice and Sandra Thomas, Owners of 327 Blossom Lane, request Site Plan Review and Architectural and Aesthetic Review to install a 12' x 15' polycarbonate patio cover connected to the rear of the structure and install synthetic turf in the rear yard.

MOTION: Vice Chairman Tim Blash made a motion to approve SPR22-15/AAR22-15 with the following condition:

1. Applicants shall replace Sheet S01 and any other application documents to reflect the correct material.

SECOND AND VOTE: Member Steven Smith seconded the motion, which passed unanimously by those present.

- c. **SPR22-12/AAR22-12**, 231 Inlet Way LLC, Owner of 231 Inlet Way, requests Site Plan Review and Architectural and Aesthetic Review to construct a new two-story single-family home with pool, pool deck and associated pool equipment, landscaping and emergency generator on the property.

MOTION: Vice Chairman Tim Blash made a motion to approve SPR22-12/AAR22-12 with the following conditions:

1. No discharge from pool dewatering will be permitted to leave the site unless directed by hose to an existing catch basin. Contractor to insure no water from dewatering operations is allowed to stand on Town Roads (Note: Public Works Department may have surplus fire hose for Contractor's use);
2. Yard areas/site to be graded to ensure that no stormwater runoff flows to adjacent properties;
3. Engineer shall be responsible for insuring the drainage improvements are completed in substantial accordance with the approved plan;
4. Prior to C.O., Engineer to provide final signed and sealed certification that the drainage improvements and grading have been completed in substantial accordance with the approved plan; and

5. Upon receipt of final Certification from Engineer, Town Engineer to visit site and insure conformance of Town requirements prior to issuance of final C.O.

SECOND AND VOTE: Member Steves Smith seconded the motion, which passed unanimously by those present

4. **PUBLIC COMMENT:** Mark Ward commented on the Town's Landscaping Ordinance.

5. **DISCUSSION ITEMS:**

- a. Discussion of off-street parking in the 10' Town Strip in District B (Jerald Cohn, Chairman)
After a brief discussion regarding PBSO enforcing parking, and Public Works painting the lines it was by consensus the Chairman will bring their recommendations to Town staff as necessary.

6. **ADJOURNMENT:**

MOTION, SECOND AND VOTE: Member Steven Smith moved to adjourn the meeting with Vice Chairman Tim Blash seconding the motion, which passed unanimously. The meeting was adjourned at 6:31 p.m.

APPROVED this ____ day of _____, 2022.

ATTEST:

Jude Marie Goudreau, Town Clerk

Jerald Cohn, Chairman

(Seal)