

**VILLAGE OF NORTH PALM BEACH
ZONING BOARD OF ADJUSTMENT & APPEALS
REGULAR MEETING MINUTES
THURSDAY, FEBRUARY 2, 2017**

Present: Ted Bukowski, Vice Chairman
Lane Henderson, Member
Stephen Harber, 1st Alternate
Curt Sanchez, 2nd Alternate

Denise Malone, MPA, AICP, Community Development Director
Erin Sita, Village Planner
Len Rubin, Village Attorney

Not Present: Roy Chapin, Chairman
Dianne Reeves, Member
Louis Daniello, Member

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CALL TO ORDER

Vice Chair Bukowski called the meeting to order at 6:00 P.M.

ROLL CALL

All members of the Zoning Board of Adjustment & Appeals were present except Mr. Chapin, Mrs. Reeves and Mr. Daniello. In the absence of the Chairman, the Vice Chairman will chair the meeting. Mr. Harber and Mr. Sanchez will be voting.

ELECTION OF OFFICERS

Due to the lack of members present, the Election of Officers will be postponed until the next meeting.

APPROVAL OF MINUTES

The Minutes of the November 30, 2016 meeting were approved as written.

The Village Attorney, Len Rubin, swore in all persons testifying and present at the meeting.

Vice Chairman Bukowski stated the Legal Notice was published in the Palm Beach Post on January 25, 2017 and is available for review.

PETITION NO. 2016-0424

An application submitted by 713 US 1 North Palm Beach LLC, (Hogsnapper's Restaurant), property owner, requesting a variance from Section 45-36(Q)(3)(i) of the Village Code of Ordinances (outdoor seating), which requires that: (1) permanent or temporary structures (awnings and roofs) shall not encroach into the required building setback areas; and (2) tables, chairs, umbrellas, fencing, screening and dividing materials shall not be located closer than two-thirds of the required front setback. The applicant is seeking approval for a forty-five foot (45') encroachment into the required seventy foot (70') front setback for: (1) the erection of an open tiki hut (no encroachment permitted by

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Code); and (2) the placement of tables, chairs, umbrellas, fencing and screening materials (23'4" encroachment is permitted by Code).

The property is located at 713 U.S. Highway One within the C-A Commercial Zoning District.

Mrs. Sita briefly explained the nature of the variance requested for the Board. The applicant is requesting a forty-five foot (45') encroachment into their seventy foot (70') setback, and build a tiki hut with no additional outdoor seating for service, just chairs for waiting. The previous Minutes, included in each packet, the discussion of the maximum parking situation is included. Staff is recommending two (2) conditions of approval; 1) They need to go before the Planning Commission for amended Site Plan and Landscape Plan approval, as the construction of the tiki hut will impact their approved landscape plan and they will also be adding impervious service in front of the building under the proposed tiki hut; and 2) and that no additional restaurant seating for service will be allowed, as that will increase their parking requirements.

Mr. Mark Crompton, Community Sciences, was present to represent the project.

Mr. Crompton briefed the Board on the requested Variance. He stated that the applicant is seeking approval for a forty-five (45') foot encroachment for the installation of an open tiki hut for the placement of tables, chairs, umbrellas. He advised that it is an open air tiki hut which has no walls or sides, but is not the type typically built by Native American builders, but rather an engineered structure which conforms to the Florida Building Code. He further stated that prior to a variance being sought, the structure did go through the building permit process and was approved. It would be where customers can comfortably wait an hour and a half for a table. No service would be available under the tiki hut.

The Board discussed with Staff the previous variance granted to Mondo's, the Village's Comp Plan, and that Landscape and Site Plans will need to go before the Planning Commission for approval.

There were no letters submitted to the Board.

Vice Chairman Bukowski calls for discussion by proponents or objectors to the project.

There were no objectors to the project.

Motion: Mr. Harber moved to approve the variance with the conditions recommended by Staff and that there be no seats and tables for food and beverage service. Mr. Sanchez seconded the motion, which passed unanimously.

ADJOURNMENT

With there being no further business to come before the Board, the meeting adjourned at 6:37 P.M.

Minutes Typed by Jane Lerner