



## TOWN OF PALM BEACH

Planning, Zoning & Building Department  
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### PLANNING, ZONING, & BUILDING DEPARTMENT

#### PZ&B Staff Memorandum: Architectural Commission (ARCOM)

FROM: Wayne Bergman, MCP, LEED-AP *WJB*  
Director PZ&B

SUBJECT: ARC-22-201 132 N COUNTY RD —EXTENSION OF TIME

MEETING: MAY 29, 2024

**ARC-22-201 132 N COUNTY RD—EXTENSION OF TIME.** The applicant, Palm Beach Orthodox Synagogue INC (Rabbi Moshe Scheiner), has filed an application requesting a One (1) year Extension of Time for a previously issued Architectural Commission approval for the demolition of an existing two-story commercial building, parking lot and related site improvements. (ITEM ORIGINALLY APPROVED AT THE SEPTEMBER 27, 2022 ARCOM AND PREVIOUSLY RECEIVED A ONE YEAR EXTENSION OF TIME AT THE OCTOBER 25, 2023 MEETING)

Applicant: Palm Beach Orthodox Synagogue INC (Rabbi Moshe Scheiner)  
Professional: Dailey Janssen Architects, P.A.

#### **HISTORY:**

The application was approved by the Architectural Commission at the September 27, 2022 ARCOM meeting, pursuant to ARC-22-201, for the demolition of an existing two-story commercial building, parking lot and related site improvements. The approval was conditioned that the applicant shall maintain the existing façade along N County Rd until a new building is proposed and approved.

At the OCTOBER 25, 2023 ARCOM MEETING, a one-year extension of time was granted thereby extending the timeframe of the approved Development Order:

- Approval Date: SEPTEMBER 27, 2022
- Expiration Date: SEPTEMBER 27, 2023
- Proposed Expiration Date: SEPTEMBER 27, 2024

If approved by ARCOM, the additional one-year extension of time would extend the timeframe of the approved Development Order:

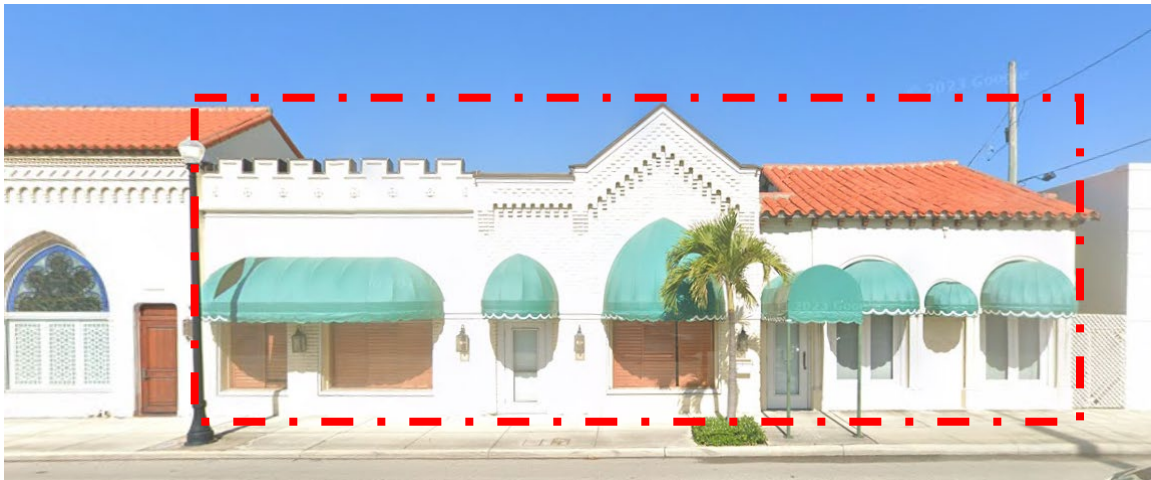
- Extended Approval Date: SEPTEMBER 27, 2024
- Proposed Expiration Date: SEPTEMBER 27, 2025

#### **STAFF ANALYSIS**

This application for a second request of a one-year extension of time which may be granted by the Commission for just cause, pursuant to Sec. 18-203. It must be noted that the applicant had already received approval for a one year extension of time at the October 15, 2023 meeting for a project approved midyear of 2022. At the time of this applicant's submittal to the Town, the code did not expressly limit the amount of time extensions an applicant can request.

*A time extension from any of the requirements in subsection may be granted or denied by the architectural commission for just cause. Said time extension request...*

It is very common within other municipalities to limit the time lengthening allowance for a development project to one (1), one-year time extension for good cause. This limited timeframe for completion allows surrounding properties a reasonable time expectancy of when a project may be realized and constructed. Additionally, zoning codes or rules or changes to the ordinance may occur, which could perpetuate a design that is no longer relevant to the code. The lengthening process is typically even further compounded and extended at the permit level. As such, the Planning, Zoning and Building department drafted an ordinance amendment that limited development approvals by the LPC or ARCOM to limit the number of time extensions to one for future applications. The ordinance was approved at first reading by Town Council at the April 10, 2024 meeting. The second reading is scheduled for the May 15, 2024 meeting. If passed, the regulations would go into effect immediately. This application was submitted prior to this.



***Area of buildings approved under demolition application ARC-22-201 (128-130 and 132 N County Rd)***

While staff has yet to review a resubmitted proposal for the new construction, the initial design concept did not include the retention of any of the façade elements being retained; still staff does remain hopeful that a solution to retain the buildings (or at least the façade) will be explored and realized and that is incorporated into a future proposal. These buildings are landmark worthy in their own right and clearly the façades have character defining elements in both Medieval (128-130) and Mediterranean Revival (132) design styles by noted architect Bruce Kitchell dating back to 1935 and 1929 respectively.

According to the applicant's letter of intent submitted for the prior extension of time, "...demolition and building were not able to commence this past year due to a delay in the design and approval of the new structure." According to the current letter of intent dated April 02, 2024, "Demolition has not yet commenced due to the delay in the design and approval process of the new structure". Staff would note still no new application for the replacement structure has been submitted, just as was the case in October of 2023. To date, many additional extensions of time have typically been granted in order to ensure that the permitting process commences. In this instance however, no building permit has even been applied for—nor any concept reviewed.