

# TOWN OF PALM BEACH

Information for Town Council Meeting on: November 13, 2020

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To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning & Building

Re: Waiver of Town Code Section 42-199, For Extended Working Hours at 150 Worth Avenue  
– The Esplanade – Mansard Roof Repair

Date: October 27, 2020

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## **STAFF RECOMMENDATION**

Staff recommends that the Town Council consider a request for a time extension for the emergency repairs to the damaged mansard roof at the Esplanade. Knowing that this is a life safety matter, staff approved the start of this project, with the condition that the owner make this formal request to the Town Council. If approved, staff recommends that it be conditioned upon the October 27, 2020 letter (attached) from Yvonne Jones, Property Manager for The Esplanade, which describes the request and the expected duration of the project. Also included is an October 22, 2020 letter from ONM&J, an engineering firm hired by the Esplanade owner to assist in the project. This letter details the roof damage and needed repair.

Staff has notified the applicant that granting of extended working hours is the sole discretion of the Town Council.

## **GENERAL INFORMATION**

The applicant is requesting another extension of the work times and days to continue and complete emergency repairs to the mansard roof system along the north elevation of the building. They are expecting the work to be completed by November 30, 2020.

Ordinance 03-2018, passed by the Town Council on Second Reading on February 13, 2018, modified the construction working hours in the Town as follows:

*Sec. 42-199. - Hours for construction work.*

- (b) Limited. Beginning on the Monday preceding Thanksgiving, and during the months of December, January, February, March, and April of each year, construction work not otherwise prohibited by section 42-198 or other work resulting in noise tending to disturb the people in the vicinity thereof shall not begin until the hour of 8:00 a.m., and shall cease at the hour of 5:00 p.m., except Saturday, Sunday, and legal holidays, when all construction work is prohibited. In no event shall heavy equipment or other*

construction-related noise be permitted before 9:00 a.m. At all other times such work may commence at 8:00 a.m. and cease at the hour of 6:00 p.m., except Saturdays, Sundays and legal holidays, including the Friday immediately after Thanksgiving, when all construction work is restricted or prohibited. Construction work is permissible on Saturdays from May through the Monday preceding Thanksgiving, but subject to the following restrictions: work shall not begin until the hour of 9:00 a.m. and shall cease at the hour of 5:00 p.m.; all work must be quiet in nature during which all of the noise and machinery prohibitions identified in section 42-198 are applicable; material deliveries are prohibited in all cases unless the Building Official waives such restriction due to compelling circumstances; concrete pours and concrete sawing is prohibited unless the Building Official waives such restriction due to compelling circumstances; and the razing of buildings is prohibited, with the exception of non-mechanized debris clean-up. The permitted hours for construction work in the C-WA zoning district shall be from 8:00 a.m. until 8:00 p.m. during the months commencing May 1 and ending on October 31, except Sundays and legal holidays, when all construction work is prohibited.

(c) Exceptions.

(5) The town council, in its discretion, for the benefit of the health, safety and welfare of the residents of the town may, by resolution, temporarily amend the hours for construction work referenced herein.

The applicant was asked to notify surrounding property owners of the request and of the date of this meeting, as required.

Staff recommends the Town Council consider extending the work through November 30, 2020 for this project.

Attachments: October 27, 2020 letter from Yvonne Jones  
October 22, 2020 letter from John Dawson, P.E., ONM&J, Inc.

WRB

cc: Yvonne A. Jones, CPM, CCIM, Property Manager for The Esplanade

**Wilson 150 Worth LLC**  
**c/o O'Connor Property Management LLC**  
**240 Royal Palm Way, 2<sup>nd</sup> Floor**  
**Palm Beach, FL 33480**

October 27, 2020

**VIA EMAIL**

Mr. Wayne Bergmann. MCP, LEED-AP  
Assistant Director  
Town of Palm Beach  
Planning, Zoning, Building  
360 S. County Road  
Palm Beach, FL 33480

**RE: Request for Extension to Complete EMERGENCY Mansard Roof Repair  
The Esplanade at 150 Worth Avenue, Palm Beach**

Dear Wayne,

Please accept this letter as our request to be granted permission to appear in front of Town Council during their regularly scheduled planning and zoning meeting to be held on Friday, November 13<sup>th</sup>. The purpose is for ownership to seek approval to properly finish the emergency mansard roof repair that has been noted by our structural engineer as a life-safety hazard condition requiring immediate attention. A copy of this letter is enclosed for your reference.

At this time, our engineer and construction teams are designing the repair and plan to start as soon as possible but will not be complete by the October 31 deadline. Once started, they expect the repair to take no more than 3 weeks. Therefore, we are requesting a short-term extension until November 30, 2020 so we may complete the entire project. Kindly allow us this time to properly complete the necessary, emergency mansard repairs above Saks Fifth Avenue's Worth Avenue entrance. It would not be right to leave this work unattended knowing the life/safety concern it poses.

Pursuant to section 42-199 of the Code of Ordinances, an exception to continue work may be granted at the discretion of Town Council. Please consider our request and let me know if we can be added to the agenda and/or if there is additional information you need before doing so.

Thank you in advance for your help.

Sincerely,

*Yvonne A. Jones*

Yvonne A. Jones, CPM, CCIM  
Property Manager for the Esplanade, 150 Worth Avenue

cc: Bud Barton  
Ed Menter  
John Dawson  
Bob Waskiewicz



October 22, 2020

Wilson 150 Worth LLC  
c/o O'Connor Property Management LLC  
240 Royal Palm Way, Suite 200  
Palm Beach, FL 33480

**RE: Esplanade Worth Avenue  
150 Worth Avenue  
Palm Beach, Florida  
Project No. 577.003.01**

**Subject: CLAY TILE MANSARD ROOF FRAMING**

We performed a site visit on October 7, 2020 to review the condition of the North elevation condition of the wood framing at the clay tile mansard roof along a large section of the North building elevation.

The following was observed:

1. Accessed two (2) observation ports in the mansard roof soffit to view the condition of the wood framing system. (Exhibit 1)
2. Observation in the Easterly accessed port revealed the wood 2"x4" wood frames to be in satisfactory condition. Noted was a slight detachment (+/- 2" - 4") of the frame from the building parapet wall in various spots (Exhibits 2-4)
3. Observation at the Westerly observation port revealed similar conditions found at the Easterly port. (Exhibits 2 - 4 similar)
4. The condition of mansard roof at the Easterly and Westerly +/- 10 - 15 ft. was noted to be in poor condition.
5. The condition of the mansard roof at the West end (N.W. Corner) requires evaluation.

**Conclusion:**

1. The Easterly and Westerly 10 - 15 ft. end section of the mansard roof cladding and framing must be removed/replaced without delay.
2. The mansard clay tile roof cladding and wood framing system on the North elevation are in satisfactory condition, albeit the slight areas of detachment noted must be further investigated and corrected to provide expeditiously as feasible a secure - snug attachment to the building parapet wall.

Please feel free to contact this office should you have any problems concerning this matter.

**O'DONNELL, NACCARATO, MIGNOGNA & JACKSON, INC.**



John N. Dawson, BSCE  
Senior Engineer