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Please reply to Fort Lauderdale

December 2, 2020

Queenester Nieves
Town Clerk
Town of Palm Beach
360 S. County Road
Palm Beach, FL. 33480

Via E-Mail

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

Re: Request for Continuance, Extension of Time, and
Confirmation of Hearing Schedule
Simmons Appeal of October 28, 2020 ARCOM Decision
The Palm House Hotel
160 Royal Palm Way,
Palm Beach, Florida 33480

Dear Mr. Nieves and Mr. Bergman:

As you may recall, this Firm Represents Virginia C. Simmons, individually and as Trustee of the Virginia C. Simmons Revocable Trust U/A/D May 4, 2018, the owner of single-family residential property having a street address of 133 Brazilian Avenue, Palm Beach, Florida.

In accordance with Mr. Bergman's E-mail to me of November 10, 2020, our client's Appeal of the October 28, 2020 Town Architectural Commission ("ARCOM") Meeting is presently scheduled for the Town Commission's consideration at its Meeting of December 9, 2020. I write to advise the Town that my client has been engaged in productive settlement discussions with the Applicant which are not yet fully completed, however, these settlement discussions have resulted in some revisions to the Site Plan and some additional variance and special exception requests that will need to be presented to ARCOM at its Meeting of December 18, 2020. As you may recall, the Applicant was scheduled to return to ARCOM on December 18, 2020 for a supplemental Landscape Plans review.

The Applicant has advised that after Mr. Bergman's E-Mail to me of November 10, 2020, the Applicant requested the Town to schedule its Site Plan, Variances, and Special Exception for consideration by the Town Commission on January 13, 2021 (with the desire that the Project in its entirety would be reviewed by ARCOM prior to any Town Commission Review). Thus, the Applicant is of the view that its Site Plan, Variances, and Special Exceptions will not be heard by the Town Commission on December 9, 2020 as was previously the schedule.

Correspondence to Mr. Nieves
Town of Palm Beach Town Clerk
Re: The Palm House Hotel
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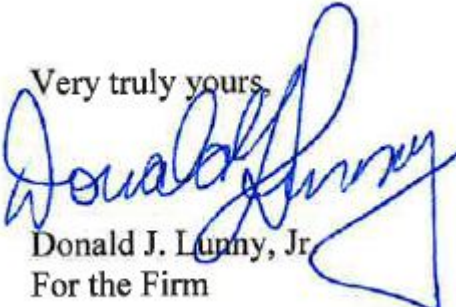
In order to have an efficient hearing schedule for The Palm House Hotel Project, and in order to allow the productive settlement effort to continue, my client is requesting an extension of time for the hearing on its Appeal of the ARCOM Meeting of October 28, 2020 and its objections to the Variances and Special Exceptions needed for the Project to whatever is the date the Town Commission considers the Project Site Plan, Special Exceptions, and Variances. It is everyone's understanding that this date is presently scheduled for January 13, 2021. In accordance with Sec. 18-177, this will advise that the Applicant has consented to this continuance and extension of time for my client's Appeal of the ARCOM decision. I have sent Maura Ziska, Esq. a copy of this letter by E-mail below.

It is my understanding that Mr. Eubanks will be submitting to you both a similar letter requesting a continuance or extension for his client's Appeal of the October 28, 2020 ARCOM Decision (also previously scheduled for December 9, 2020 as per Mr. Bergman's November 10, 2020 E-Mail).

I would respectfully request that the Town confirm for Maura Ziska, Esq., John Eubanks, Esq., and me that the hearing schedule has been changed as has been requested.

If Settlement can be achieved, the Appeal will be withdrawn, my client will be able to indicate to the Town her support for most aspects of the Project *as revised*, and will be able to indicate to the Town her lack of objection to the remaining aspects of the Project *as revised*.

Thank you both for your consideration of this important matter.

Very truly yours,

Donald J. Lunny, Jr.
For the Firm

cc. Maura Ziska, Esq. Counsel for the Applicant
John Eubanks, Esq.
John "Skip" Randolph, Esq. Town Attorney