

Exhibit "D"  
Draft/Example

PLANNING, ZONING, & BUILDING DEPARTMENT  
PZB Staff Memorandum

TO: ARCOM Chairperson and Members

FROM: Wayne Bergman, AICP  
Planning Director

SUBJECT: B-007-02021 (Z-20-00317)  
1063 North Ocean Boulevard

DATE: January 5, 2021

**B-007-2021, 1063 NORTH OCEAN BOULEVARD: SPECIAL EXCEPTION WITH SITE PLAN REVIEW.** An application has been filed requesting Architectural Review on a major project for the construction of a new two-story residence on a non conforming lot in the R-A zoning district to replace an existing structure. This application requires review and approval by the Town Council for the special exception with site plan review (Z-20-00317).

Applicant: Sailfish Club of Florida Inc.  
Professional: Keith Spina/Spina O'Rourke + Partners  
Representative: Same

**LEGAL DESCRIPTION:**

2/3-43-43, S 118.59 FT OF N 900 FT OF GOV LT 1 SEC 2 & S 118.59 FT OF N 503 FT OF GOV LT 4 SEC 3 LYG W OF & ADJ THERETO E OF OCEAN BLVD, According to the Plat Thereof, as Recorded in Plat Book 31411, Page 1729 of the Public Records of Palm Beach County, Florida.

**HISTORY:**

December 2020 – Deferred to February 26, 2020 at request of applicant.  
February 2020 – Deferred to March 25, 2020 at request of attorney & (neighbors).  
March 2020 – Deferred to April 29, 2020 due to COVID-19  
April 2020 – Deferred to May 27, 2020 due to COVID-19  
May 2020 – Deferred to June 24, 2020 at request of attorney (neighbors request).  
June 2020 – Deferred to July 29, 2020 at request of attorney (neighbors request).  
July 2020 – Deferred to November 20, 2020 at request of attorney.  
November 2020 – Deferred to December 18, 2020 at recommendation of staff.  
December 2020 – Deferred to the February 24, 2021 meeting by Commission.

Please note: The attorney for the applicant is requesting a deferral to the March 24, 2021 meeting.

**PROJECT DATA:**

Zoning District:  
Future Land Use:  
Lot Size: SF  
Proposed Height:  
Permitted Height:  
Permitted Lot Coverage:

**SURROUNDING PROPERTIES:**

North: Two-story 1934 residence  
South: One-story 1964 residence  
East: Three-story 8-unit multifamily  
West: Public Parking

**THE PROJECT:**

The applicant has resubmitted plans entitled "Rooftop Cinema Club", as prepared by **Spina O'Rourke + Partners**, dated 11/09/2020.

The following Special Exceptions and Variances required to complete the project:

1. Per Section 134-1163(8)b., a special exception for a two-story and fourth-story addition. The existing building is four stories but it is being expanded.
2. Per Section 134-2182(b), a special exception for on-site shared parking, subject to a professional shared parking analysis.
3. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the height from 53 feet in lieu of the 49 feet 2 inches existing and the 25-foot maximum allowed by code.
4. Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the overall building height to 63 feet 4 inches in lieu of the 53 feet 8 inches existing and the 35-foot maximum allowed by current code.
5. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the existing air-conditioned floor area of the fourth story to 13,212.9 square-feet from 3,448.75 square-feet existing. An open fourth story trellis of 5,433 square-feet is also proposed in this application and included in the calculation of lot coverage, below. There is an existing exterior fourth floor covered area of approximately 3,290 square-feet in addition to the existing air-conditioned floor area on the fourth story of the building.

**STAFF ANALYSIS**

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the City Code:

- FAR drawings and calculations shall be provided and verified at the time of the building permit.
- Parking for the proposed café seats shall be provided. Application is showing 116 seats for café use and Section Sec. 130-33(a)(3)c., 1 space per 7 seats is required, or **16.57 seats**.
- Additional native plantings are required in the rear yard open space