

# TOWN OF PALM BEACH

Information for Town Council Meeting on: May 12, 2021

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To: Mayor and Town Council

From: Wayne Bergman, Planning, Zoning & Building Director

Re: Reconsideration of the Approval for Café L'Europe, Z-20-00295, Special Exception with Site Plan Review, 331 South County Road

Date: April 26, 2021

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## **STAFF RECOMMENDATION**

Staff recommends that the Town Council consider the outdoor seating for Café L'Europe.

## **GENERAL INFORMATION**

The Town Council, at its November 13, 2020 meeting, conditionally approved a Special Exception with Site Plan Review application (Z-20-00295) to relocate 20 seats from the inside 175 seats of Cafe L'Europe to the outside sidewalk for dinner. In addition, the Council approved 11 new arched top awnings and a new fabric to the existing awning. The new awnings project 3 feet off the face of the building and the bottom of the awning is 9 feet above the existing sidewalk. The existing entrance awning projects approximately 10 feet over the existing sidewalk. As part of the conditional approval, the seating was allowed to have 4.75 feet of clear sidewalk along South County Road in lieu of the 10-foot minimum required and 7.75 feet of clear sidewalk along Brazilian Avenue in lieu of the 10-foot minimum required. The condition of approval for the seating was that the seating on the Brazilian Avenue side of the sidewalk is required to end all table service by 10:00 p.m. and the applicant is required to come back to the Town Council for reconsideration at its May Town Council meeting or immediately after any viable complaint is determined by the Town.

To date, there has been no viable complaints regarding the outdoor seating. Code Enforcement received one called in compliant for Café L'Europe on February 18, 2021, for the location not being ADA compliant. It was unfounded and the restaurant was in compliance. A neighbor on Brazilian Avenue has brought a lawsuit challenging the merits of the hardship related to the sidewalk clearances for the outdoor seating. This is ongoing at this time.

If you have any questions about this issue please contact Paul Castro, Zoning Manager, at 227-6406.

cc: Kirk Blouin, Town Manager  
Jay Boodheshwar, Deputy Town Manager  
James Murphy, Asst. Director, Planning, Zoning & Building

Paul Castro, Zoning Manager  
Carla Marcote, Code Enforcement  
John Randolph, Town Attorney  
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