



July 21, 2021

VIA EMAIL

Michael Small, Esq.
Chair
ARCOM
360 South County Road
Palm Beach, FL 33480

**Re: ARCOM Application No. A-051-2021 – The Breakers Driving Range Awning
(the “Application”)**

Dear Mr. Small:

I am writing to provide additional information regarding the above referenced Application, which was deferred by ARCOM at its June 24, 2021 meeting. While it is our contention that the awning that was presented during the June 24, 2021 meeting satisfies all of the criteria for issuance of a building permit under Chapter 18 of the Town Code, The Breakers has agreed to provide a canvas addition at the side of the trusses to cover the aluminum framing, as depicted on the attached rendering, to improve the visual aesthetic of the awning. See Exhibit “1,” attached hereto. We are hopeful that this additional canvas will assuage the concerns of ARCOM members that were expressed at the June 24, 2021 meeting.

At the same time, it is important to provide context for the request being made pursuant to the Application because the Town Council has reviewed and approved the existing awning structure at The Breakers driving range, which is virtually identical to the awning proposed in the Application. At the time the original awning was proposed, even minor structural additions were reviewed as a special exception modification to The Breakers Planned Unit Development (“PUD”), because the hotel and golf course uses were special exception uses under the PUD.¹

¹ The Town Council subsequently approved Ordinance 1-2020, which authorized the hotel and golf course uses as permitted uses, and eliminated the need for Town Council review of minor modifications such as the proposed awning. The intent of Ordinance 1-2020 was to provide flexibility to The Breakers for capital improvement projects, such as the Application, that have no impact on neighboring properties or Town facilities.

Thus, on September 12, 2018, we presented Zoning Case Number Z-018-00126 to the Town Council, seeking approval to construct the existing awning at The Breakers driving range. This is the awning The Breakers is proposing to extend pursuant to the current Application. A copy of the presentation for Zoning Case Number Z-018-00126 is attached as Exhibit "2".

The Town Council unanimously approved The Breakers' application for Zoning Case Number Z-018-00216, and, based on the Council's input and approval of the special exception and site plan, Town Staff issued an administrative ARCOM approval for the awning. In reliance upon these development order approvals, The Breakers incurred significant expenses for the design and construction of the existing awning, which is extremely popular with members and guests that use the driving range. Based upon this positive feedback and the prior Town Council approval, and in order to provide additional shade at the driving range, The Breakers determined that the existing awning should be extended.

When reviewing the criteria for a building permit under Section 18-205 of the Town Code, ARCOM should base its decision upon compatibility and visual harmony with the existing awning structure that was reviewed and approved by the Town Council pursuant to Zoning Case Number Z-18-00126. ARCOM should recognize that this is a utilitarian structure that is intended to provide shade and comfort for members and guests using the driving range, and that the awning proposed in the Application is merely an extension of the awning that was reviewed and approved by the Town Council and Town staff in 2018. The structure is not visible from any public rights-of-way and will not have any negative impact on surrounding properties or the Town as a place of beauty, spaciousness, balance, taste, fitness, charm and high quality. Rejecting the awning proposed in the Application would have the unintended consequence of requiring a structure that is excessively dissimilar with the existing awning, for which a permit has been issued, in contravention of Section 18-205(a)(6) of the Town Code.

The extension of the previously approved awning thus meets both the criteria for issuance of a building permit set forth in Section 18-205 of the Town Code and the intent of the Town Council's adoption of Ordinance 1-2020, which was to allow The Breakers the flexibility it needs to pursue capital projects in a timely fashion in order to continue meeting the lofty expectations of its members and guests. We request that ARCOM approve the Application so that The Breakers can begin construction of the awning as soon as possible.

Michael Small, Esq.

July 21, 2021

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Thank you for your consideration of this additional information, and please let me know if you have any questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read 'JMC', is positioned above the typed name.

James M. Crowley, Esq.
Shareholder

JMC

cc: ARCOM members
Wayne Bergman
James Murphy
Laura Groves van Onna
Paul Castro
Kelly Churney
Bradley Falco
Paul Leone
Alex Gilmurray
Hugh Perry, Esq.



The Breakers Palm Beach, Inc.

Golf Course Awnings

Z-18-00126

September 12, 2018



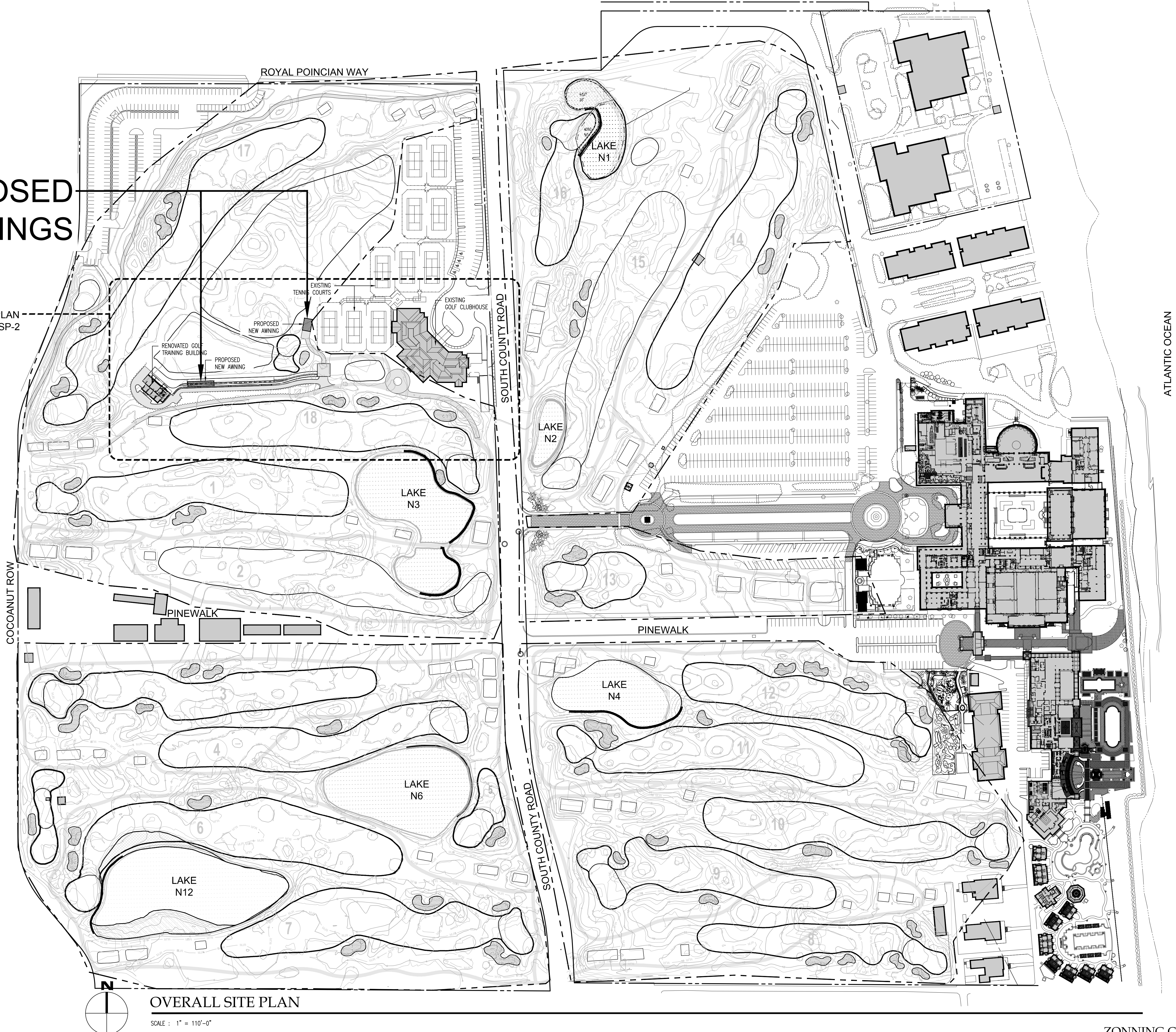
GUNSTER

FLORIDA'S LAW FIRM FOR BUSINESS

Drawing Name: F:\Breakers - Master PUD Document\01_DRAWINGS\CA0\P+L PROJECT NAME\Sheets\00-000-SP-0 OVERALL SITE PLAN.dwg, Last Modified: Jul 19, 2018 - 12:44pm, Plotted on: Jul 19, 2018 - 12:52pm by jruca

PROPOSED NEW AWNINGS

SEE ENLARGED PLAN
SP-2



PEACOCK + LEWIS
Architects and Planners, LLC
1295 U.S. Highway One
Suite 200
North Palm Beach, FL 33408

Member AIA Established 1961
License No. AAC 000020

T. 561.626.9704
F. 561.626.9719



THE
BREAKERS

PROPOSED
NEW
AWNINGS

PALM BEACH,
FLORIDA

THRESHOLD BUILDING

TO THE BEST OF MY KNOWLEDGE, THIS SET OF PLANS AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES AND THE APPLICABLE FIRE-SAFETY STANDARDS AS DETERMINED BY THE LOCAL AUTHORITY IN ACCORDANCE WITH FBC 19C.3.6.44 AND CHAPTER 633, FLORIDA STATUTES.

Seal :

AOR: STEVEN L. POLLJO
License: AR0014281

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Sheet Title :
OVERALL SITE PLAN

Revisions :		
#	Date	Rev. Description

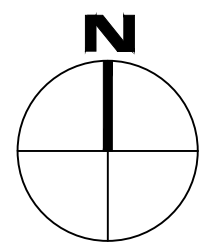
Comm. :	Date :
18-035	2018.07.20
Drawn :	Checked :
P+L	SLP

Sheet No.

SP-0

Of:

Drawing Name: F:\Breakers - Master PUD Document\01_DRAWINGS\CAD\PL-1 PROJECT NAME\Sheets\00-000-SP-2 ENLARGED SITE PLAN - BOTH PROPOSED AWNINGS.dwg, Last Modified: Jul 19, 2018 - 3:25pm, Plotted on: Jul 19, 2018 - 3:26pm by jruco



ENLARGED SITE PLAN - BOTH PROPOSED AWNINGS

SCALE : 1" = 30'-0"



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F. 561.626.9719



THE
BREAKERS

PROPOSED
NEW
AWNINGS

PALM BEACH,
FLORIDA

THRESHOLD BUILDING

TO THE BEST OF MY KNOWLEDGE, THIS SET OF PLANS AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES AND THE APPLICABLE FIRE SAFETY STANDARDS AS DETERMINED BY THE LOCAL AUTHORITY IN ACCORDANCE WITH FBC 193.644 AND CHAPTER 633, FLORIDA STATUTES.

Seal :

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Sheet Title :

ENLARGED SITE
PLAN - BOTH
PROPOSED
AWNINGS

Revisions :

#	Date	Rev.	Description

Comm. : 18-035

Date : 2018.07.20

Drawn : P+L

Checked : SLP

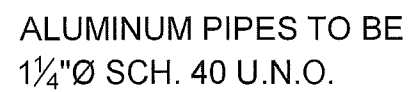
Sheet No.

SP-2


Of:

ZONNING CASE # Z-18-00126

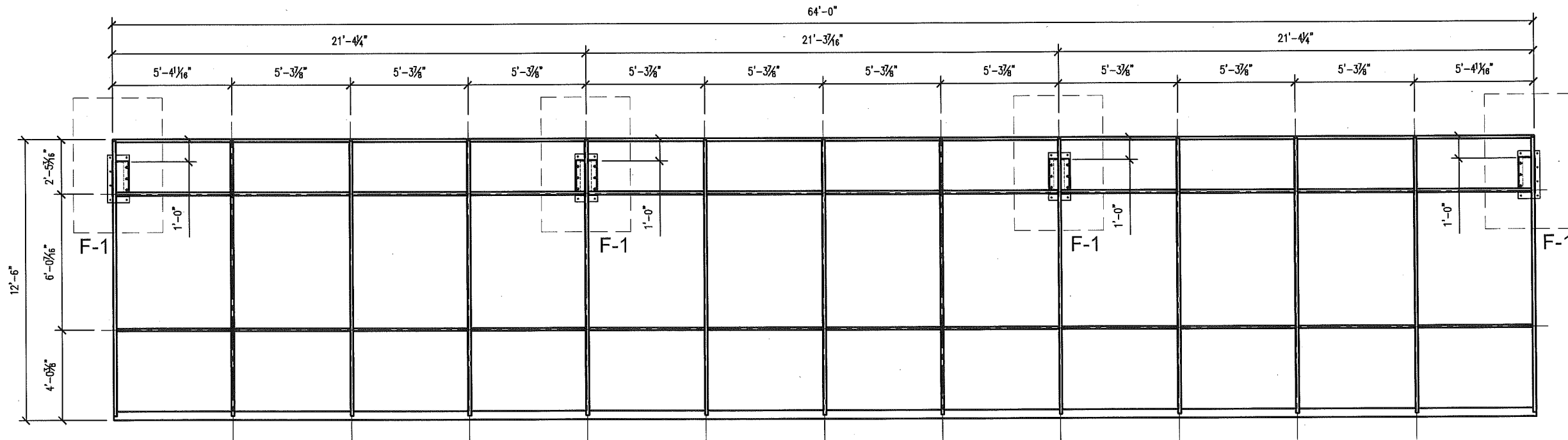
ALL PIPES SHALL BE 1¼"Ø SCH. 40
ALUM. UNLESS, OTHERWISE SPECIFIED.



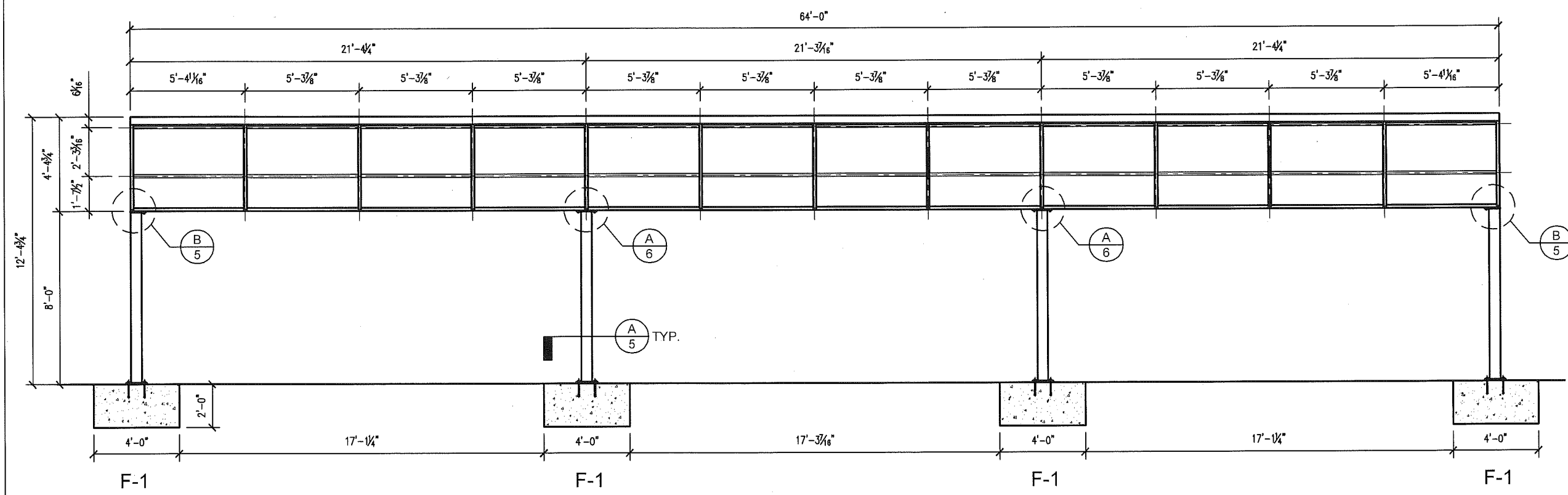
ISOMETRIC FRONT VIEW
SCALE: N.T.S.

<u>W.O. No.</u>	
<u>PROJECT</u>	The Breakers Golf Course Canopy
<u>LOCATION</u>	One South County Road
<u>CITY</u>	Palm Beach, Florida
<u>PROJECT MANAGER</u>	B. Garvey
<u>DRAFTED BY</u>	Jose A. Milian
<u>DATE</u>	June 22, 2018
<u>REV. DATE & NO.</u>	
<u>REV. DATE & NO.</u>	
<u>REV. DATE & NO.</u>	
<u>REV. DATE & NO.</u>	
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<u>SHEET</u>	2 of 6

Z-18-00126



PLAN VIEW
SCALE: $\frac{3}{16}" = 1'-0"$

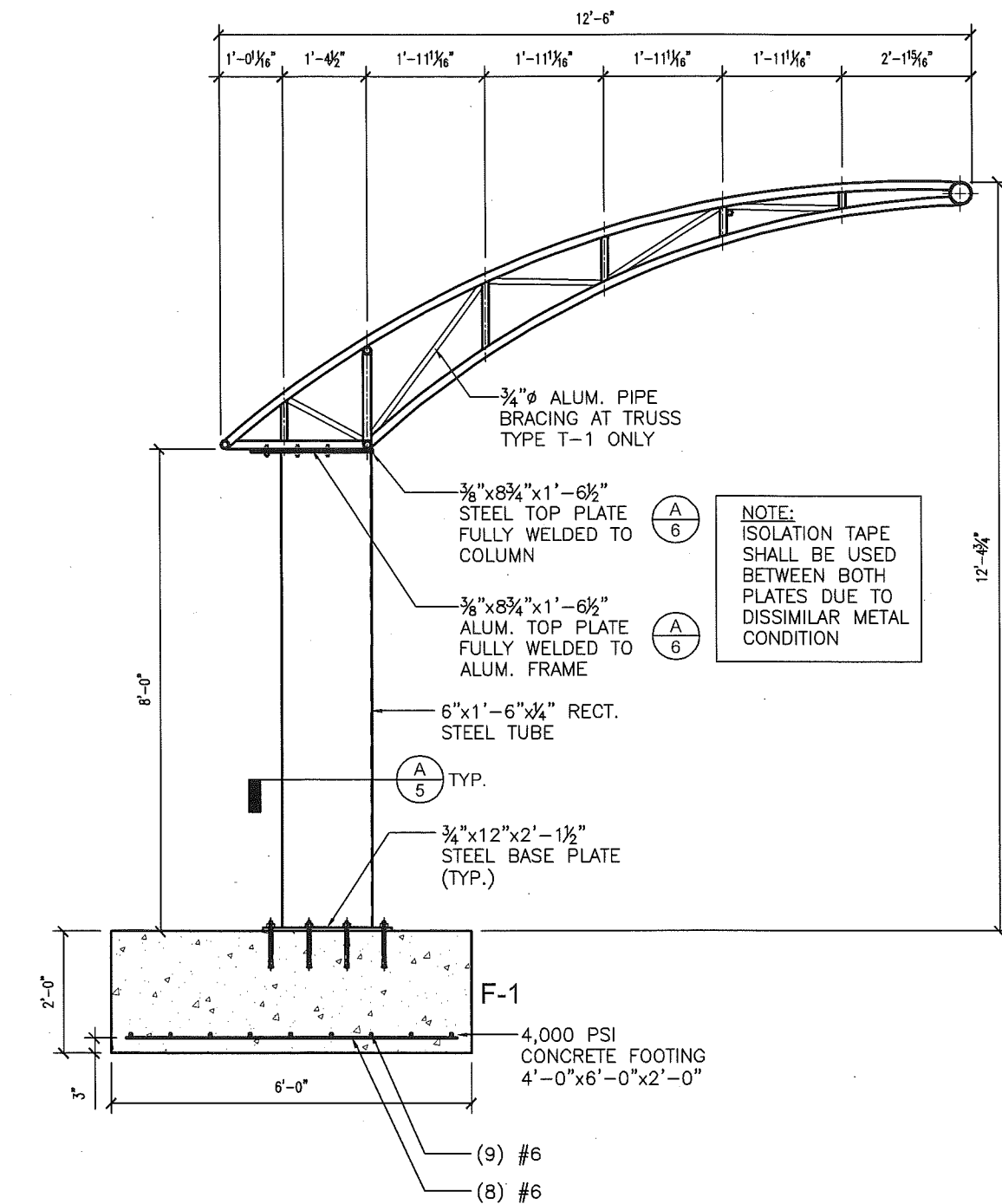


FRONT VIEW
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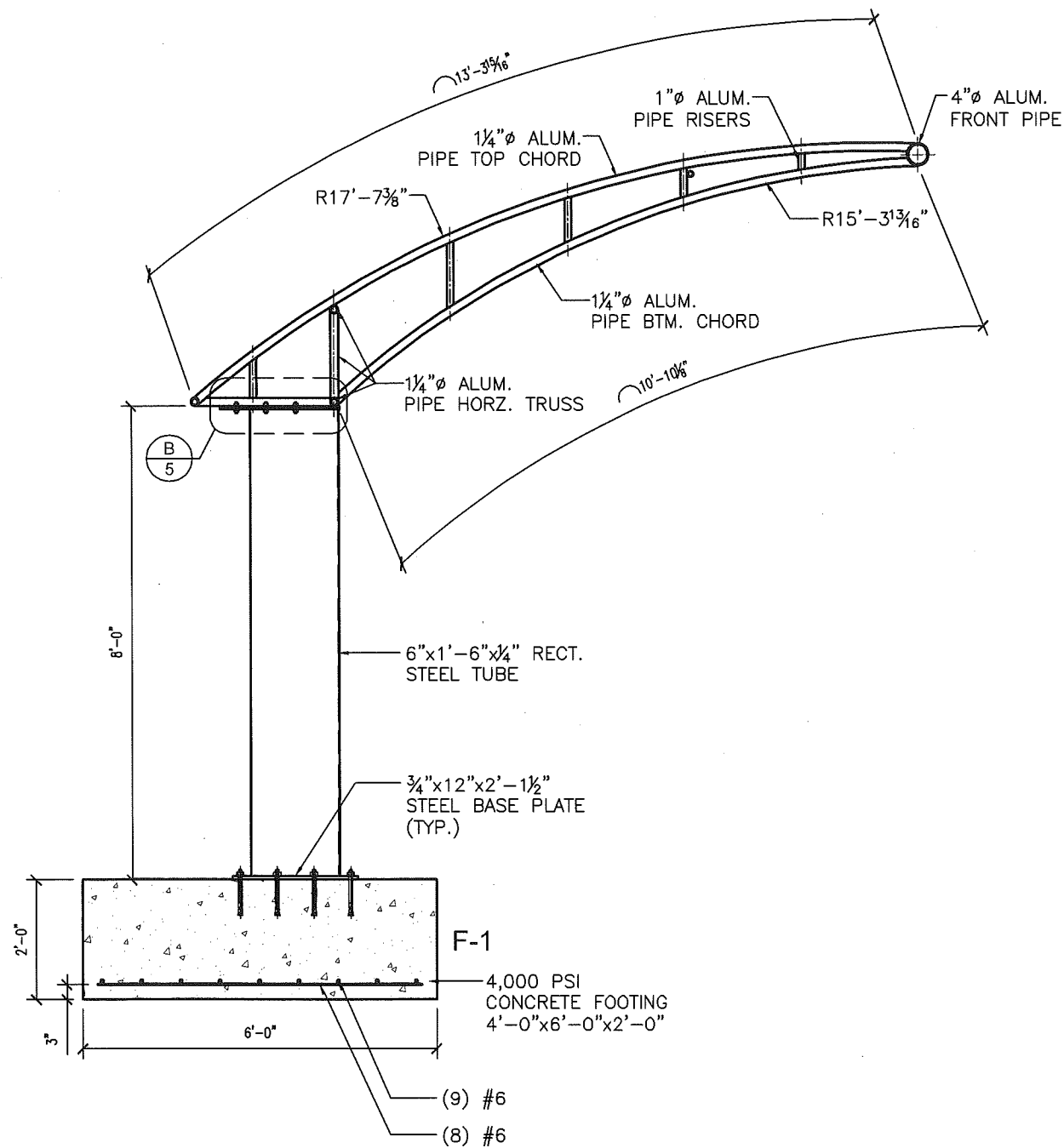
ALUMINUM PIPES TO BE
1 1/4" Ø SCH. 40 U.N.O.

W.O. No.	
PROJECT	The Breakers Golf Course Canopy
LOCATION	One South County Road
CITY	Palm Beach, Florida
PROJECT MANAGER	B. Garvey
DRAFTED BY	Jose A. Milian
DATE	June 22, 2018
REV. DATE & NO.	
REV. DATE & NO.	
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REV. DATE & NO.	
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SHEET	3 of 6


Z-18-00126



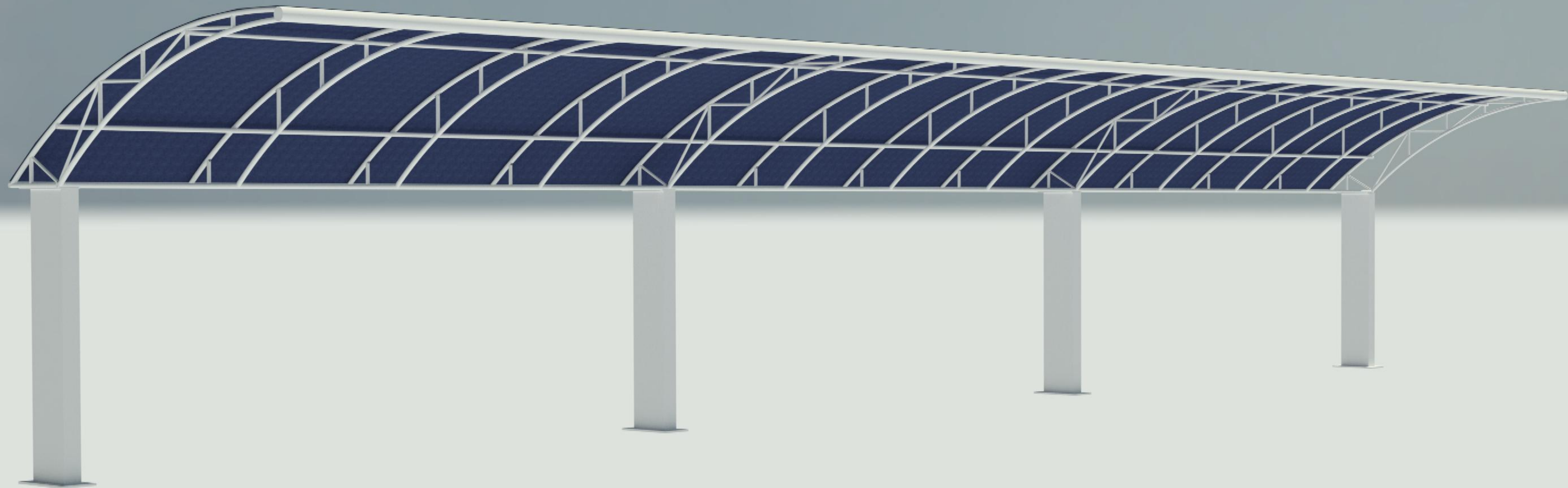
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SCALE: 3/8" = 1'-0"

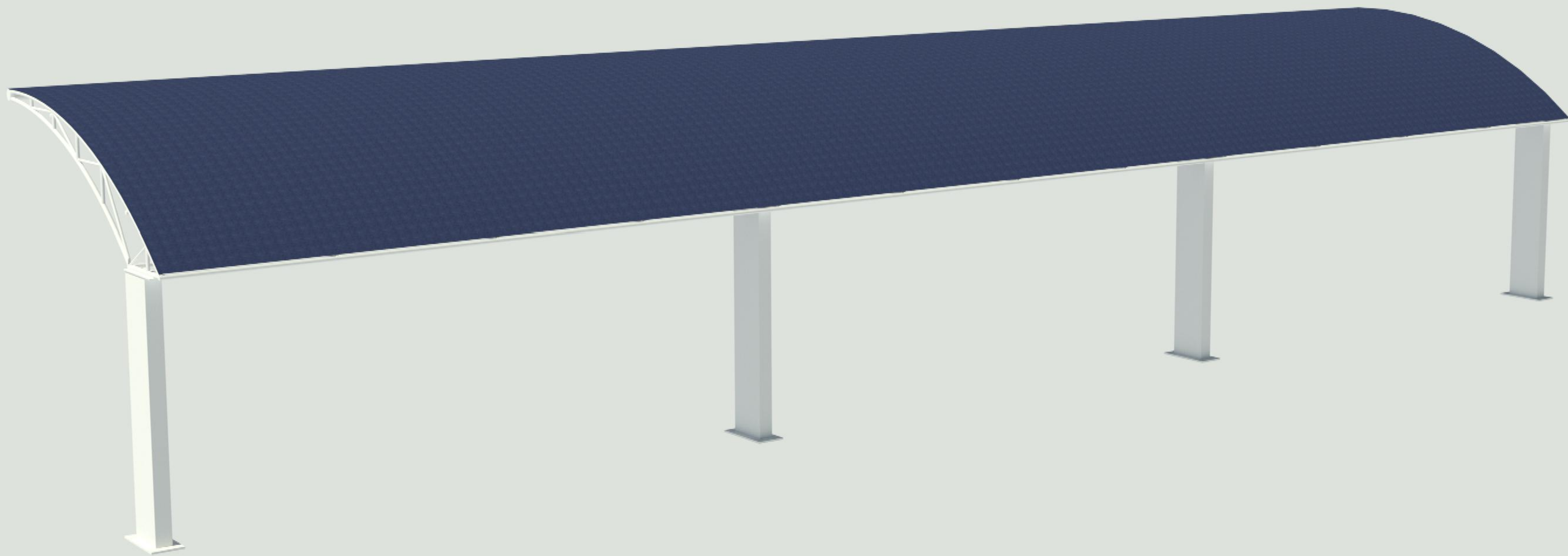


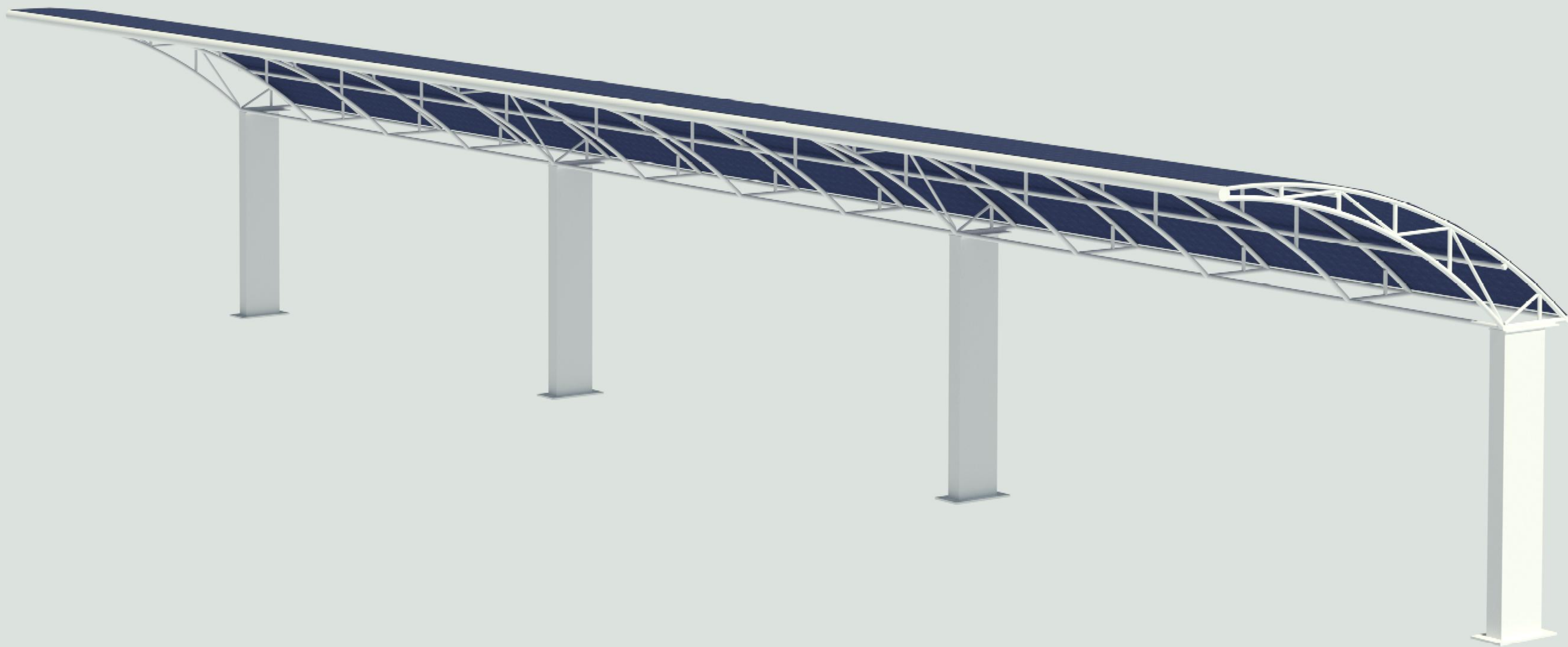
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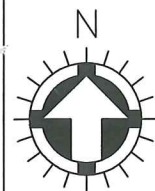
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PROJECT	The Breakers Golf Course Canopy
LOCATION	One South County Road
CITY	Palm Beach, Florida
PROJECT MANAGER	B. Garvey
DRAFTED BY	Jose A. Milian
DATE	June 22, 2018
REV. DATE & NO.	
REV. DATE & NO.	
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REV. DATE & NO.	
MIAMI AWNING COMPANY 3905 N.W. 31 AVENUE MIAMI, FLORIDA 33142 305/576-2029 FAX: 305/576-0514 http://www.miamiawning.com E-mail: sales@miamiawning.com	<div>  </div> <div> <p>© 2017 MIAMI BEACH AWNING COMPANY D.B.A. MIAMI AWNING COMPANY THOMAS AWNINGS C.C. # 0000012781</p> </div>
SHEET	4 of 6

Z-18-00126










ROYAL POINCIANA WAY

SOUTH COUNTY ROAD

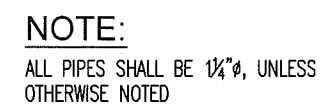
LAKE
N2


20' x 30' free
standing canopy
for maintenance
area

A LOCATION PLAN
SCALE: 1" = 100'-0"

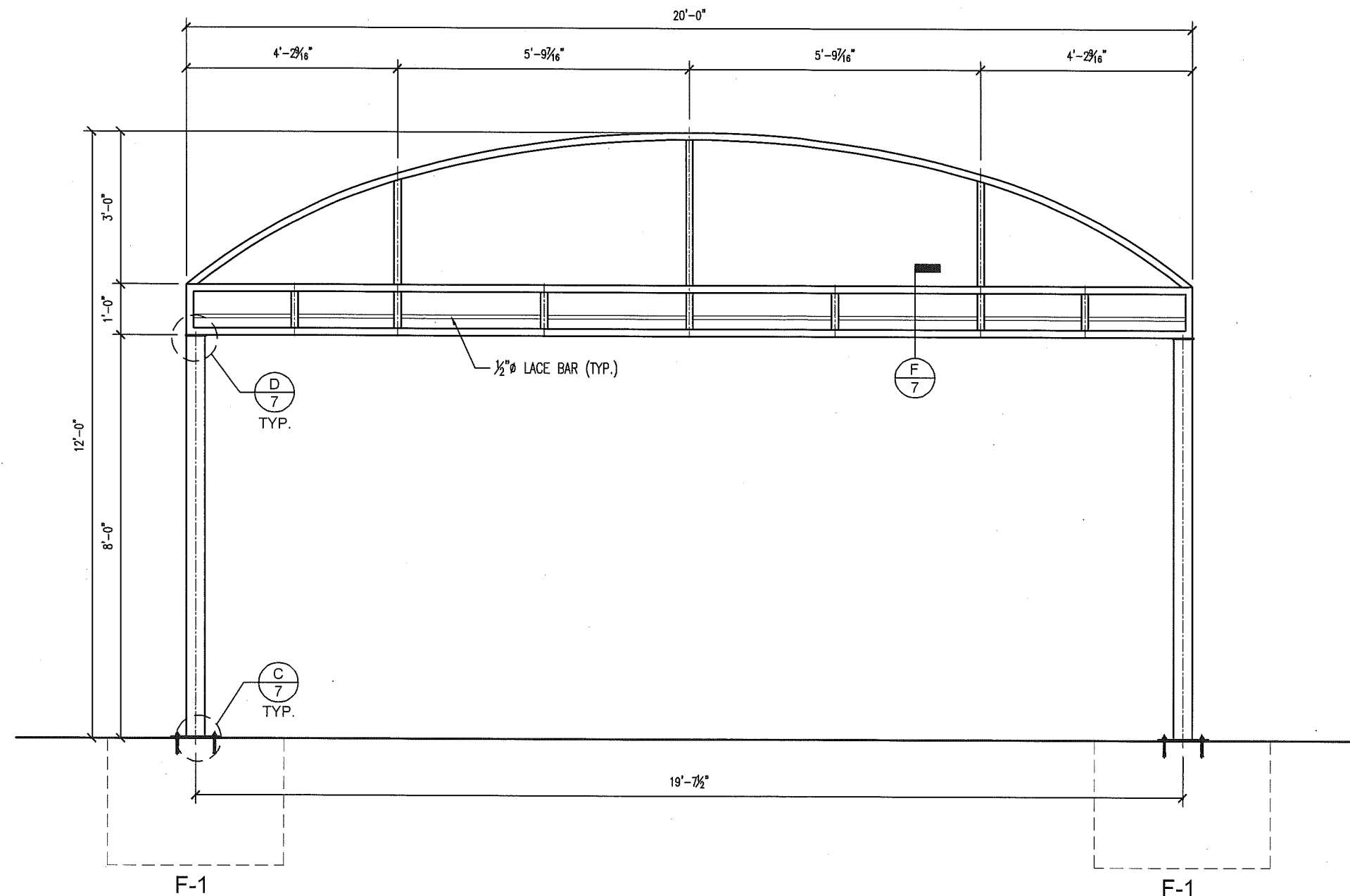
W.O. No.	WO #
PROJECT	Breakers Maintenance Canopy
LOCATION	1 S County Road
CITY	Palm Beach, Florida 33480
PROJECT MANAGER	B. Garvey
DRAFTED BY	Jose A. Milian
DATE	July 13, 2018
REV. DATE & NO.	
REV. DATE & NO.	
REV. DATE & NO.	
REV. DATE & NO.	
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SHEET	1 of 7

2-18-001210



W.O. No.	WO #
PROJECT	Breakers Maintenance Canopy
LOCATION	1 S County Road
CITY	Palm Beach, Florida 33480
PROJECT MANAGER	B. Garvey
DRAFTED BY	Jose A. Milian
DATE	July 13, 2018
REV. DATE & NO.	
REV. DATE & NO.	
REV. DATE & NO.	
REV. DATE & NO.	
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SHEET	2 of 7

2-18-00124



A
-
SIDE VIEW
SCALE: $\frac{3}{8}" = 1'-0"$

NOTE:

ALL PIPES SHALL BE $\frac{1}{4}"$, UNLESS OTHERWISE NOTED

W.O. No.	WO #
PROJECT	Breakers Maintenance Canopy
LOCATION	1 S County Road
CITY	Palm Beach, Florida 33480
PROJECT MANAGER	B. Garvey
DRAFTED BY	Jose A. Millian
DATE	July 13, 2018
REV. DATE & NO.	
REV. DATE & NO.	
REV. DATE & NO.	
REV. DATE & NO.	
<div> <div> <div>MIAMI AWNING COMPANY</div> <div>3905 N.W. 31 AVENUE</div> <div>MIAMI, FLORIDA 33142</div> <div>305/576-2029 FAX:305/576-0514</div> <div>http://www.miamiawning.com</div> <div>E-mail: sales@miamiawning.com</div> </div> <div> <div>miamiawning</div> <div> </div> </div> <div> <div>© 2017 MIAMI BEACH AWNING COMPANY</div> <div>D.B.A. MIAMI AWNING COMPANY</div> <div>THOMAS AWNINGS</div> <div>C.C.# 0000012781</div> </div> </div>	
SHEET	5 of 7

Z-18-00124

