

**L'ERMITAGE**  
**PALM BEACH**

**VIA E-MAIL: [kchurney@townofpalmbeach.com](mailto:kchurney@townofpalmbeach.com)**

**AND REGULAR U.S. MAIL**

Ms. Kelly Churney  
Deputy Town Clerk  
Town of Palm Beach  
360 South County Road  
Palm Beach, Florida 33480

**Re: Meat Market Application for Permanent Outdoor Seating – ARC-21-084 (ZON-21-022) – 191 Bradley Place (Combo)**

Dear Ms. Churney:

The L'Ermitage Palm Beach Condominium, located at 200 Bradley Place, which is across the street and just to the South of the Meat Market restaurant, represents 29 owners. L'Ermitage Palm Beach Condominium Association, Inc. ("Association") is writing to voice its owners' objections and concerns about the Meat Market's application for permanent outdoor seating for 48 seats, and to respectfully request that the Town Council and the Architectural Commission deny the Meat Market's application, for the reasons stated below.

Initially, please note that the Meat Market is located in a residential district, and is primarily surrounded on all sides by residential properties, including the Parc Regent Condominium, notwithstanding the applicant's statements to the contrary in its application. For this reason, it is not appropriate for the Meat Market to have permanent outdoor seating. Unlike other restaurants in the Town of Palm Beach with outdoor seating, which are located in a commercially zoned district, the congestion, noise and odors generated by the outdoor seating at the Meat Market restaurant will create a disturbance to nearby residential owners and hinder the peaceful and quiet possession of such persons' properties, including all of the owners in the L'Ermitage Palm Beach Condominium. In fact, the Meat Market, on Thursday nights and sometime on the weekends, creates an almost nightclub like atmosphere, with all of the accompanying noise and nuisance created by such atmosphere, and to the extent that music is heard outside of such restaurant, results in a violation of Section 134-2106(8) of the Town Code, which prohibits music in outdoor seating areas.

Additionally, the use of the sidewalk adjacent to the Meat Market restaurant, for additional outdoor seating, is not consistent with the Town's Code. While the Meat Market's application shows the tables pushed right up against the building, and the chairs pushed up underneath the table, when there are actually customers sitting at such tables, the tables are moved away from the building (to allow a person to sit in a chair next to the building) and the chairs are pushed out from the table to allow customers to sit down, which results in the tables and chairs protruding out into the pedestrian sidewalk, leaving less than 5' of clearance between such furniture and the curb, and creating a physical and visual barrier that discourages pedestrians from using such sidewalk, which is a direct violation of Sections 134-2106(a)(6) and 134-2106(a)(7) of the Town Code. The outdoor seating also results in customers, waiters and other restaurant employees making constant use of such sidewalk, which creates a further impediment to the use of such sidewalk by pedestrians that live in the area. In essence, the Meat Market has colonized the sidewalk area outside of its restaurant for its own use, making such sidewalk an extension of the restaurant itself. This sometimes results in pedestrians having to use the street to walk past the restaurant, which is not safe.

Additionally, various Association staff members and residents have observed that the Meat Market leaves the tables and chairs outside even when the restaurant is not open, which violates Section 134-2106(a)(13) of the Town Code, which requires all outdoor café seating furniture to be stored within a building when the restaurant is closed. If the Meat Market is already violating the code with respect to its temporary outdoor seating, it should not be granted permanent approval for such outdoor seating. In fact, Section 134-2108(a) of the Town Code indicates that an outdoor café seating permit may be suspended or revoked by the Town if it is determined that the business is violating the requirements and/or conditions in Sections 134-2106 and 134-2107 of the Town Code or if it is determined by the Town that the outdoor seating is negatively impacting neighboring property owners. Consequently, since the Meat Market is currently violating the conditions for its outdoor seating, by failing to store the outdoor café seating furniture inside the restaurant when the restaurant is closed, and by failing to maintain at least 5' of clearance between the outdoor seating furniture and the curb, when customers are actually sitting at such outdoor tables, and by creating a visual and physical barrier that discourages the use of the sidewalk by pedestrians, the Association and its owners request that the Town and ARCOM not only deny the Meat Market's current application for permanent outdoor seating, but also that it revokes the Meat Market's current right/permit to have temporary outdoor seating.

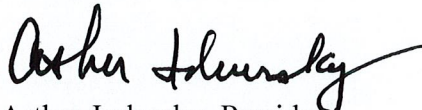
Given all of the negative impacts of the outdoor seating at the Meat Market restaurant, the Association and its owners can't help but ask what benefits are generated for the restaurant by the existence of such outdoor seating. The temporary outdoor seating was granted in light of the



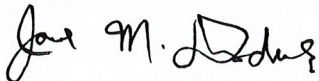
Covid-19 pandemic. While the pandemic continues, it has somewhat lessened in Florida and other parts of the Country. The outdoor seating is not permitted to expand the total seating capacity of the restaurant. Consequently, the existence of 48 outdoor seats results in the elimination of 48 indoor seats, and does not expand the total seating capacity of the Meat Market beyond 125 seats. Accordingly, there is little to no economic benefit generated for the restaurant by such outdoor seating. The Meat Market restaurant has successfully operated for years with only indoor seating. Given the predominantly residential characteristics of the surrounding properties, and the demonstrated negative impacts created to neighboring owners from the outdoor seating, the minimal benefits generated for the restaurant by such outdoor seating, and the current violations of the Town Code by the Meat Market restaurant and the ongoing violations of the Town Code that will be generated by the continued operation of such outdoor seating, the Association and its below unit owners respectfully request that the Town Council and ARCOM deny the Meat Market's application for permanent outdoor seating (and revoke its current permit for temporary outdoor seating). Indeed, Section 134-2108(a) of the Town Code demands such result.

The Association and its owners thank the Town Council and ARCOM for its consideration of their objections to the Meat Market's application for permanent outdoor seating, and looks forward to the denial of such application.

Very truly yours,



Arthur Indursky, President



Jack Dodick, Vice President



John Morris, Secretary-Treasurer-Secretary