

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 10, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning & Building

Re: Waiver of Town Code Section 42-199, For Building Permit Extensions at 236 & 238 Phipps Plaza

Date: July 25, 2022

STAFF RECOMMENDATION

Staff recommends that the Town Council consider the request from contractor Scott A. Butler of Butler Construction regarding a time extension in which to complete the renovations of the existing buildings at 236 & 238 Phipps Plaza and extend the permit durations until June 30, 2023.

GENERAL INFORMATION

The two properties are owned by 236 Phipps Plaza Properties Partners, LLC & Phipps Plaza Properties Partners, LLC (238 Phipps Plaza). Work on these projects began on October 18, 2019. The original permit for 236 Phipps Plaza was valid for 24 months and expired on October 18, 2021. The original permit for 238 Phipps Plaza was valid for 16 months and expired on February 18, 2021. These are private provider projects, and unfortunately the Town was not aware of the permit expirations. Even a change of contractor last August did not alert staff to the expiration of one of the permits.

Mr. Butler is requesting additional time to complete the project. The primary reason for the time extensions relate to material deliveries and concrete work. The request is to extend both master permits through June 30, 2023.

Staff supports the request, based upon the details provided by the applicant.

Attachments: Email Message from Scott A. Butler, received on July 22, 2022
Permit Summaries for the Properties
Property Appraiser Details for Both Properties

Wayne Bergman

From: Scott butler <sbutler@butlerconstructionusa.com>
Sent: Friday, July 22, 2022 11:57 AM
To: Wayne Bergman
Cc: Scott butler
Subject: Permit Extension Request B-19-81597 and B-19-81598

Importance: High

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Mr. Bergman,

I came in today to update the product approvals for the exterior windows and doors and Melissa indicated that our permits were expired.

I would like to extend the permits listed below for 236 and 238 Phipps Plaza. They were initially applied for by Hedrick Brothers in 2019, and evidently expired on 2/8/2021. I applied for and was issued a change of contractor in August of 2021 and started construction in September. I wasn't aware that they had expired before we even began.

I apologize for the oversight, but would it be possible for an extension, thru June 2023. We currently plan to be done in April, but with material deliveries and the concrete issues, it has been slow going.

B-19-81598_236 Phipps Plaza
B-19-81597_238 Phipps Plaza

Please let me know if you have any questions or require any additional information.

Scott A. Butler
Vice-President
4807 Georgia Avenue
West Palm Beach, FL 33405
561.832.9700 PH
561.832.5992 FAX



Master Permit	Permit number	Permit type name	Permit description	Permit Address	Permit Suite	Customer Last Name	Application c	Issue date	Expiration date	Approval
B-19-81597	U-22-10006	U-USE OF/WORK IN ROW	*****PRIVATE PROVIDER***** USE OF- DUMP TRUCK LOADING, MATERIAL DELIVERY/HANDLING CONCRETE POUR, PUMP SET UP, ALL WILL BE DURING WORKING HOURS ONLY AND AREA CLEANED UP AT END OF THE D	236 PHIPPS PLZ		BCC RESIDENTIAL LLC	5/16/2022	5/17/2022	8/15/2022	issued
B-19-81597	U-22-09749	U-USE OF/WORK IN ROW	*****PRIVATE PROVIDER***** USE OF- DUMP TRUCK LOADING, MATERIAL DELIVERY/ HANDLING, CONCRETE POUR/PUMP SET UP. ALL WILL BE DURING WORKING HOURS ONLY AND AREA CLEANED UP AT END OF THE D	236 PHIPPS PLZ		BCC RESIDENTIAL LLC	4/18/2022	4/27/2022	7/26/2022	issued
B-19-81597	U-22-09536	U-USE OF/WORK IN ROW	*****PRIVATE PROVIDER***** USE OF- DUMP TRUCK LOADING, MATERIAL DELIVERY/ HANDLING, CONCRETE POUR/PUMP SET UP, ALL WILL BE DURING WORKING HOURS ONLY AND AREA CLEANED UP AT END OF THE D	236 PHIPPS PLZ		BCC RESIDENTIAL LLC	3/17/2022	3/20/2022	6/18/2022	issued
B-19-81597	U-22-09260	U-USE OF/WORK IN ROW	*****PRIVATE PROVIDER***** DUMP TRUCK LOADING, MATERIAL DELIVERY / HANDLING CONCRETE POUR / PUMP SET UP - ALL WILL BE DURING WORKING HOURS ONLY AND AREA CLEANED UP AT END OF THE DAY	236 PHIPPS PLZ		BCC RESIDENTIAL LLC	1/21/2022	1/27/2022	4/27/2022	issued
	B-21-92435	B-COMMERCIAL ALTERATION	REMOVE DAMAGED HANDRAIL AND REPLACE W/NEW. WE WILL BE DOING THE SAME SPEC'S.	236 PHIPPS PLZ		BLUE COAST ALUMINUM I NC	12/13/2021	12/15/2021	7/20/2022	final
B-19-81597	U-21-08875	U-USE OF/WORK IN ROW	ROW DUMP TRUCK LOADING, MATERIALS DELIVERY/HANDLING CONCRETE POUR/ PUMP SET UP.	236 PHIPPS PLZ		BCC RESIDENTIAL LLC	11/15/2021	11/23/2021	2/21/2022	issued
B-19-81597	F-21-03584	F-FIRE RESCUE STANDARD	*****PRIVATE PROVIDER***** FIRE HYDRANT FLOW TEST	236 PHIPPS PLZ		SOUTHERN FIRE PROTECTI ON OF P	10/15/2021	10/18/2021	10/13/2022	final
B-19-81597	U-21-08385	U-USE OF/WORK IN ROW	*****PRIVATE PROVIDER***** ROW DUMP TRUCK LOADING, MATERIAL DELIVERY/HANDLING CONCRETE PO UR/PUMP SET UP.	236 PHIPPS PLZ		BCC RESIDENTIAL LLC	9/27/2021	9/28/2021	12/27/2021	issued
B-19-81597	B-21-90497	R-CHANGE OF CONTRACTOR/QUALIFIER	*****PRIVATE PROVIDER***** CHANGE OF CONTRACTOR	236 PHIPPS PLZ		BCC RESIDENTIAL LLC	8/2/2021	8/2/2021	8/2/2021	final
B-19-81597	B-21-87670	R-PERMIT UPDATE-CHG OF PLANS & VA LUE/CORRECTION	*****PRIVATE PROVIDER***** PERMIT UPDATE CHANGE IN PLANS AND VALUE FOR INTERIOR AND EXTERIOR RENOVATION	236 PHIPPS PLZ		HEDRICK BROTHERS CONS T CO INC	2/26/2021	4/8/2021	10/5/2021	final
	Z-20-00309	Z-DEVELOPMENT REVIEW PERMIT	Section 134-942(4): Request for a modification to the existing multi-family site plan (4 units) to allow applican t to undertake a renovation of a 3 story nonconforming landmarked residence located in the R-C Zoning Distri ct in Phipps Plaza. Modifications include: Removal of existing 70 SF non-conforming bike storage shed; Remov al of existing exterior stair leading from second floor to third floor; New balconies (3) with corbel and railing d etails to match existing exterior stair; New infill and enclosure of existing 38 SF second floor covered porch; Ne w infill and enclosure of exiting 134 SF third floor covered porch (variance requested); New spa in existing gro und level courtyard ; New spa equipment (1) in housing at ground level (variance requested); New 6' tall ac units (3) at ground lev el (variance requested) ; New elevator within existing building footprint; Revised interior floor plans. The variances being requested are as follows: 1) Section 134-948(8): To allow the enclosure of a porch on the existing nonconforming third floor of a three s tory building in lieu of the two-story building maximum allowed in the R-C Zoning District. 2) 134-1728(0): to allow the three (3) air-conditioning units in a required rear setback to be 6 feet in height in lieu of the 4 foot maximum allowed. 3) 134-1728(a): to allow three (3) air-conditioning units in a required setback where only maximum of two are allowed. 4) 134-1728(a): to allow the west two (2) air-conditioning units to be 9 inches and 3 feet, respectively, from th e rear property line in lieu of the 5 foot minimum required. 5) 134-1728(a): to allow the east air-conditioning unit and pool equipment to be 1 inch from the east side pro perty line in lieu of the 5 foot minimum required. 6) 134-1728(a): to allow the east air-conditioning unit and pool equipment to be 9 inches and 3 feet from the rear property line, respectively, in lieu of the 5 foot minimum required. 7) 134-1729: to allow the proposed spa pump and filter equipment to be 9 inches from the rear property line in lieu of the five foot minimum setback required.	236 PHIPPS PLZ		KOCHMAN AND ZISKA	11/13/2020		11/8/2021	pending
	B-19-81597	B-RESIDENTIAL ALTERATION	*****PRIVATE PROVIDER***** SELECTIVE INTERIOR AND EXTERIOR DEMOLITION	236 PHIPPS PLZ		HEDRICK BROTHERS CONS T CO INC	9/30/2019	10/8/2019	10/22/2022	issued
	B-13-31289	E-ELECTRICAL COM STANDARD	PUT UP NEW LANTERNS PER PLAN	236 PHIPPS PLZ		ELI'S ELECTRIC CORP	4/10/2013	4/16/2013	10/13/2013	final

Count: 13

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Master Permit	Permit number	Permit type name	Permit description	Permit Address	Permit Suite	Customer Last Name	Application c	Issue date	Expiration date	Approval
B-19-81598	U-22-09953	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CCONSTRUCTION PARKING	238 PHIPPS PLZ		BCC RESIDENTIAL LLC	5/10/2022	5/13/2022	5/13/2022	issued
B-19-81598	U-22-09954	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CCONSTRUCTION PARKING	238 PHIPPS PLZ		BCC RESIDENTIAL LLC	5/10/2022	5/13/2022	5/13/2022	issued
B-19-81598	U-22-09955	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CCONSTRUCTION PARKING	238 PHIPPS PLZ		BCC RESIDENTIAL LLC	5/10/2022	5/13/2022	5/13/2022	issued
	U-22-09449	U-EXCAVATION IN ROW	EXCAVATE IN ROW	238 PHIPPS PLZ		WM D ADEIMY JR INC	2/23/2022	2/24/2022	8/28/2022	issued
B-19-81598	U-22-09350	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER*****CONSTRUCTION PARKING	238 PHIPPS PLZ		BCC RESIDENTIAL LLC	2/8/2022	2/10/2022	2/10/2022	issued
B-19-81598	U-22-09351	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER*****CONSTRUCTION PARKING	238 PHIPPS PLZ		BCC RESIDENTIAL LLC	2/8/2022	2/10/2022	2/10/2022	issued
B-19-81598	U-22-09352	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER*****CONSTRUCTION PARKING	238 PHIPPS PLZ		BCC RESIDENTIAL LLC	2/8/2022	2/10/2022	2/10/2022	issued
B-19-81598	U-21-08879	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING	238 PHIPPS PLZ		BCC RESIDENTIAL LLC	11/15/2021	11/23/2021	11/23/2021	final
B-19-81598	U-21-08880	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING	238 PHIPPS PLZ		BCC RESIDENTIAL LLC	11/15/2021	11/23/2021	11/23/2021	final
B-19-81598	U-21-08881	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING	238 PHIPPS PLZ		BCC RESIDENTIAL LLC	11/15/2021	11/23/2021	11/23/2021	final
B-19-81598	U-21-07960	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER*****CONSTRUCTION PARKING	238 PHIPPS PLZ		BCC RESIDENTIAL LLC	8/4/2021	8/17/2021	8/17/2021	final
B-19-81598	U-21-07961	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER*****CONSTRUCTION PARKING	238 PHIPPS PLZ		BCC RESIDENTIAL LLC	8/4/2021	8/17/2021	8/17/2021	final
B-19-81598	U-21-07962	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER*****CONSTRUCTION PARKING	238 PHIPPS PLZ		BCC RESIDENTIAL LLC	8/4/2021	8/17/2021	8/17/2021	final
B-19-81598	B-21-90498	R-CHANGE OF CONTRACTOR/QUALIFIER	*****PRIVATE PROVIDER***** CHANGE OF CONTRACTOR	238 PHIPPS PLZ		BCC RESIDENTIAL LLC	8/2/2021	8/2/2021	8/2/2021	final
B-19-81598	B-21-87669	R-PERMIT UPDATE-CHG OF PLANS & VALUE/CORRECTION	*****PRIVATE PROVIDER***** PERMIT UPDATE CHANGE IN PLANS AND VALUE FOR INTERIOR AND EXTERIOR RENOVATION	238 PHIPPS PLZ		HEDRICK BROTHERS CONS T CO INC	2/26/2021	4/8/2021	10/5/2021	final
	B-19-81598	B-RESIDENTIAL ALTERATION	*****PRIVATE PROVIDER***** SELECTIVE INTERIOR AND EXTERIOR DEMOLITION OWNER LISTED AS PHIPPS PLAZA PROPERTIES PARTNERS LLC	238 PHIPPS PLZ		HEDRICK BROTHERS CONS T CO INC	9/30/2019	10/8/2019	10/22/2022	issued
	B-11-16990	P-REPLACEMENT	REPLACE EXISTING 3/4" BACKFLOW DEVICE	238 PHIPPS PLZ		GENERAL HOME SOLUTIONS INC	5/16/2011	5/17/2011	11/13/2011	final
	X-08-37348	X-LEGACY PERMIT	RE-ROOF WITH (2) PIECE BARRELL TILE.MATCH EXISTING MATERIAL TILE.	238 PHIPPS PLZ		INACTIVE	9/17/2008	9/17/2008	10/2/2008	final
	X-07-27062	X-LEGACY PERMIT	HARDWIRE NEW WATER HEATER	238 PHIPPS PLZ		LIFESTYLES ELECTRICAL SERVICES	1/4/2007	1/4/2007	10/2/2008	final
	X-06-26938	X-LEGACY PERMIT	REPLACE EXISTING ELECTRIC WATER HEATER IN ATTIC	238 PHIPPS PLZ		GENERAL HOME SOLUTIONS INC	12/20/2006	12/20/2006	10/2/2008	final
	X-05-13839	X-LEGACY PERMIT	EMERGENCY REPLACEMENT OF METER CAN	238 PHIPPS PLZ		MALONE ELECTRICAL SOLUTIONS LLC	1/19/2005	1/19/2005	10/2/2008	final

Count: 21

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Property Detail

Location Address 236 PHIPPS PLZ
Municipality PALM BEACH
Parcel Control Number 50-43-43-22-10-000-0102
Subdivision PHIPPS PLAZA IN
Official Records Book 33289 Page 1285
Sale Date JAN-2022
Legal Description PL OF PHIPPS PLAZA WLY 50.86 FT OF LT J

Owner Information**Owners**

236 PHIPPS PLAZA PROPERTIES PARTNERS LLC

Mailing address

230 ROYAL PALM WAY STE 411
PALM BEACH FL 33480 4340

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
JAN-2022	\$1,547,600	33289 / 01285	WARRANTY DEED	236 PHIPPS PLAZA PROPERTIES PARTNERS LLC
SEP-2017	\$3,000,000	29395 / 01310	WARRANTY DEED	PHIPPS PLAZA PROPERTIES PARTNERS LLC
SEP-2003	\$10	16190 / 01155	WARRANTY DEED	CINQUE PARTNERS LTD
OCT-1992	\$500,000	07446 / 01049	WARRANTY DEED	
JAN-1992	\$100	07077 / 01873	CERT OF TITLE	
MAY-1986	\$950,000	04881 / 01264	WARRANTY DEED	
DEC-1985	\$100	04765 / 00381	QUIT CLAIM	
JAN-1979	\$276,000	03180 / 01566		

Exemption Information

No Exemption information available

Property Information

Number of Units 4
*Total Square Feet 5176
Acres 0.0674
Use Code 0800 - MULTIFAMILY < 5 UNITS
Zoning R-C - Medium Density Residential (50-PALM BEACH)

Appraisals

Tax Year	2021	2020	2019
Improvement Value	\$631,729	\$604,552	\$604,552
Land Value	\$1,907,100	\$2,100,000	\$1,900,000
Total Market Value	\$2,538,829	\$2,704,552	\$2,504,552

*All values are as of January 1st each year***Assessed and Taxable Values**

Tax Year	2021	2020	2019
Assessed Value	\$2,538,829	\$2,704,552	\$2,504,552
Exemption Amount	\$0	\$0	\$0
Taxable Value	\$2,538,829	\$2,704,552	\$2,504,552

Taxes

Tax Year	2021	2020	2019
Ad Valorem	\$41,193	\$44,609	\$42,020
Non Ad Valorem	\$2,013	\$1,996	\$2,012
Total tax	\$43,206	\$46,605	\$44,032

Dorothy Jacks, CFA, AAS PALM BEACH COUNTY PROPERTY APPRAISER www.pbcgov.org/PAPA

Property Detail

Location Address 238 PHIPPS PLZ
Municipality PALM BEACH
Parcel Control Number 50-43-43-22-10-000-0101
Subdivision PHIPPS PLAZA IN
Official Records Book 29227 Page 1316
Sale Date JUN-2017
Legal Description PL OF PHIPPS PLAZA LT J /LESS WLY 50.86 FT/

Owner Information**Owners**

PHIPPS PLAZA PROPERTIES PARTNERS LLC

Mailing address

230 ROYAL PALM WAY
PALM BEACH FL 33480 4303

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
JUN-2017	\$1,950,000	29227 / 01316	WARRANTY DEED	PHIPPS PLAZA PROPERTIES PARTNERS LLC
AUG-2016	\$1,400,000	28554 / 01069	REP DEED	MAASS ROBB R &
AUG-2016	\$10	28554 / 01071	WARRANTY DEED	
JAN-1992	\$350,000	07090 / 00731	WARRANTY DEED	DE SOUSA ANNETTE
MAY-1989	\$355,000	06053 / 00724	WARRANTY DEED	

Exemption Information

No Exemption information available

Property Information

Number of Units 1
*Total Square Feet 2020
Acres 0.0395
Use Code 0100 - SINGLE FAMILY
Zoning R-C - Medium Density Residential (50-PALM BEACH)

Appraisals

Tax Year	2021	2020	2019
Improvement Value	\$344,803	\$377,972	\$345,574
Land Value	\$1,649,000	\$1,155,000	\$1,045,000
Total Market Value	\$1,993,803	\$1,532,972	\$1,390,574

*All values are as of January 1st each year***Assessed and Taxable Values**

Tax Year	2021	2020	2019
Assessed Value	\$1,682,594	\$1,529,631	\$1,390,574
Exemption Amount	\$0	\$0	\$0
Taxable Value	\$1,682,594	\$1,529,631	\$1,390,574

Taxes

Tax Year	2021	2020	2019
Ad Valorem	\$29,440	\$25,253	\$23,330
Non Ad Valorem	\$680	\$669	\$670
Total tax	\$30,120	\$25,922	\$24,000

Dorothy Jacks, CFA, AAS PALM BEACH COUNTY PROPERTY APPRAISER www.pbcgov.org/PAPA