

September 02, 2022

Town of Palm Beach
360 S. County Road
Palm Beach, FL 33480

Project: 264 & 270 South County Road, Palm Beach, FL
Zoning Case Number: ZON-22-109

Due to extenuating circumstances and the global pandemic, dining outdoors has been deemed to be safer and more desirable by many patrons at restaurants and clubs. Although the Club has a Declaration of Use restriction to not ask for any modifications within 2 years of opening, the Club is asking for special consideration due to the pandemic to allow a limited amount of outdoor seats, as a global pandemic was never contemplated when the Declaration of Use was agreed upon and the world has changed as such.

We are pleased to submit the accompanying drawings for our project at 264 & 270 S County Rd, Palm Beach, FL. The scope of this application includes a request to allow 62 exterior seats in a private courtyard not visible from any public way. There are no proposed modifications to currently approved seat count or the exterior of the structure in this application.

Please note the following as it relates to this application:

- A. Landmarks Preservation in accordance with Section 54-122 and/or Section 54-161.
 - a. Not Applicable.
- B. Architectural Review in accordance with Section 18-205 and/or Section 18/206.
 - a. Not Applicable.
- C. SPECIAL EXCEPTION SECTIONS 134-227/134-1109(3) and (4) and 134-2106(b)
 - a. Special exception and outdoor café permit application review are required for this proposal to provide outdoor café seating totaling 62 seats in accordance with Ordinance No.16-2021.
 - 1. The use is a permitted special exception use as set forth in article VI of this chapter.
 - 2. The use is so designed, located and proposed to be operated that the public health, safety, welfare and morals will be protected. Pedestrian walkway will not be impeded.
 - 3. The use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.
 - 4. The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.
 - 5. The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved. The use will meet requirements of Sec.134-2106.
 - 6. The use will comply with all elements of the comprehensive plan.
 - 7. The use not result in substantial economic; noise, glare, or odor impacts on adjoining properties and properties generally in the district.
 - 8. Adequate ingress and egress to property and proposed structures thereon and offstreet parking and loading areas will be provided where required, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - 9. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and economic impact shall be compatible and in harmony with properties in the district. No additional signage or lighting is proposed.

10. Location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety. Utility services are existing.
11. Refuse and service areas for the use shall not adversely affect automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.
12. Carriage House is town serving.
13. If historic/specimen trees are located on the subject property, the location of said historic/specimen trees shall be identified on a signed and sealed survey. In addition, adequate landscaping, screening and barricade protection of historic/specimen trees shall be demonstrated to be provided as required in this chapter. N/A
14. The proposed use will not place a greater burden than would be caused by a permitted use on municipal police services due to increased traffic or on fire protection services due to the existence of or increased potential for fire/safety code violations.

D. SITE PLAN REVIEW SECTION 134-329

1. The Owner of the property is Carriage House Properties Partners LLC (Josh Levy, Manager);
2. Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon; provided, however, that nothing in this subsection shall be construed as granting the town council the authority to reduce residential densities below that permitted by the use regulations in article VI of this chapter. The intensity of use remains unchanged.
3. Ingress and egress to the property and the proposed structure thereof, with particular reference to automotive and pedestrian safety; separation of automotive traffic; traffic flow and control; provision of services and servicing of utilities and refuse collection; and access in case of fire, catastrophe or emergency. Ingress and egress remain unchanged.
4. Location and relationship of off-street parking and off-street loading facilities to thoroughfares and internal traffic patterns within the property, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping. Off-street loading and internal traffic patterns will remain unchanged.
5. Proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the property boundaries. Outdoor courtyard dining is surrounded by buildings and walls and not visible to any public space.
6. Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the consequences of such drainage on overall town capacities. Property drainage system is not affected by this proposal.
7. Utilities, with reference to hook-in locations and availability and capacity for the uses projected. Utilities are existing.
8. Recreation facilities and open spaces, with attention to the size, location and development of the areas as to adequacy, effect on privacy of adjacent and nearby

E. Variance (s) in accordance with Section 134-201.

- a. None

F. Other

- b. None

Very truly yours,



KEITH M. SPINA
CEO