



# TOWN OF PALM BEACH

Planning, Zoning & Building Department

## TOWN COUNCIL DEVELOPMENT ORDER

File: ZON-23-019 (COA-23-002)  
Property: 363 COCOANUT ROW—THE VINETA HOTEL  
Meeting Date: FEBRUARY 15, 2023

At the FEBRUARY 15, 2023, Development Review meeting, the Town Council, reviewed application ZON-23-019 (COA-23-002) 363 COCOANUT ROW—THE VINETA HOTEL, and after hearing all testimony, **approved (5-0)** the following in accordance with Section 134-201 of the Town's zoning code:

- **VARIANCE 2:** Sec. 134-948(8)d: A variance to exceed the maximum allowable height for new rooftop construction specifically to replace an elevator and stair bulkhead on the rooftop of a nonconforming four-story building with a height of 47.6 ft in lieu of the 23.5 ft maximum building height allowed.

Additionally, the Town Council authorized work to commence on the façade renovations and alterations to the primary and secondary street facing façades and all of the other elevations of the building, provided that the applicant enter a hold harmless agreement, approved as to form by the Town Attorney, that confirms its agreement and relieve the Town from any responsibility or liability for any legal action or damage, cost or expense (including attorney's fee) resulting from the cancellation of the permit or the issuance of any new permit, resulting from the balance of the project not being approved.

The following items **were not** approved at this meeting and were deferred to the March 15, 2023 Town Council Development Review meeting for further review:

- **SPECIAL EXCEPTION with SITE PLAN REVIEW:** Sections 134-201, 134-226, 134-227 Site Plan Review and Approval with Special Exception Request and Variances to alter a nonconforming use as a hotel, restaurant, nightclub, and swimming pool.
- **SPECIAL EXCEPTION:** Sec. 134-2106: Special Exception for outdoor café seating.
- **VARIANCE 1:** Sec. 134-201(a)(6): A variance to continue a nonconforming hotel use. A variance to permit the expansion of the restaurant, nightclub and pool area uses with 197 combined seats. Originally, 113 seats were permitted for the dining room use. Additional seats do not require parking as a result of credit for the elimination of 16 hotel rooms.
- **VARIANCE 3:** Sec. 134-948(8)d: A variance to exceed the maximum allowable height for new rooftop construction specifically a rooftop trellis on a nonconforming third floor of a nonconforming four-story building with a height of 33'0" in lieu of 23'6" maximum height and 26'6" maximum building height permitted.
- **VARIANCE 4:** Sec. 134-1607(1): A variance to exceed the maximum allowable height for the installation of rooftop air conditioning units (five) at a height of 108" (9') above the maximum height permitted in lieu of the 48" (4') maximum height allowed.
- **VARIANCE 5:** Sec. 134-1607(1): A variance to exceed the maximum allowable height for a roof top commercial kitchen exhaust scrubber at a height of 84" (7') above the maximum height permitted in lieu of the 36" (3') maximum height allowed.



The following condition(s) to be included as part of this Development Order:

1. That the applicant submit a Hold Harmless agreement in conjunction with the permit associated with improvements under this approval.

Provided, the applicant build substantially in accordance with the approved plans, entitled "The Vineta Hotel 363 Coconut Row", as prepared by **Spina Orouke + Partners**, dated December 12, 2023, and as approved by Town Council, as determined by staff.

Approval of this application by the Town Council does not relieve the owner and/or applicant from obtaining additional Town approvals as may be required, such as design review approvals and the necessary building permits. A building permit for the work authorized under this approval must be obtained within three years from the date of approval or said approval will expire. When requesting a building permit, the plans submitted to the Town for permit are required to be consistent with the plans approved by the Town Council and modified in accordance with the conditions of approval that must be satisfied prior to permit issuance, as set forth in this Development Order.

This Development Order shall serve as the written finding of the Town Council.

Dated this 17th day of February, 20 23.

Sincerely,



Wayne Bergman, Director of Planning, Zoning and Building, on behalf of  
TOWN COUNCIL

cc: James G. Murphy, Assistant Director of Planning, Zoning and Building  
Bradley Falco, Planner II  
Jennifer Hofmeister-Drew, AICP, Planner III  
Zf

