



# 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: March 15, 2023

At the MARCH 15, 2023 Development Review meeting, the Town Council, after hearing all testimony, approved (4-1) the following Variances (#3, #4, & #5), in accordance with Sec. 134-201:

2. 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.
  - o *This variance was approved at the February 2023 Town Council Development Review hearing.*
3. 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.
4. 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.
5. 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. All rooftop mechanical equipment shall be visually screened on all sides.
2. All rooftop mechanical screening shall be reviewed and approved by the Landmarks Preservation Commission.

The following Variance (#1) was DEFERRED to the April 4, 2023 meeting:

1. A variance to modify a nonconforming hotel use 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.

The following Special Exception(s) and Site Plan Review components were DEFERRED to the April 4, 2023 meeting:

1. Special Exception with Site Plan Review to allow continued use as a hotel, restaurant, nightclub, and swimming pool.
2. Special Exception for restaurant use (renovation).
3. Special Exception for outdoor café seating.

Provided, the applicant build substantially in accordance with the approved plans, "The Vineta Hotel 363 Cocconut Row", as prepared by Spina Orourke + Partners, dated December 12, 2022 as approved by Town Council, as determined by staff.

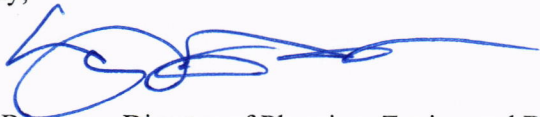


Approval of this application by the Town Council does not relieve the owner and/or applicant from obtaining additional Town approvals as may be required, such as design review approvals and the necessary building permits. A building permit for the work authorized under this approval must be obtained 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 21 day of March, 2023.

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

