

March 11, 2024

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

Re: LOI for 1 S County Rd – Mediterranean Courtyard  
Zoning Case #: ZON-24-054 / Certificate of Appropriateness #: COA-24-013

We are pleased to submit the accompanying documents and drawings in connection with our combination application for Certificate of Appropriateness, Development Review and Site Plan, and Special Exception Approval (the "Application") for the Mediterranean Courtyard within the Breakers Hotel property at 1 South County Road, Palm Beach, FL (the "Property").

### **Design Narrative**

This application addresses the restoration and rehabilitation of the internal, landscaped courtyard of The Breakers Palm Beach located on County Road. Historically known as the "Mediterranean Court," the site is an open-air, fully-uncovered outdoor space bounded on all four sides by the exterior architectural facades of the buildings' surrounding wings. The proposal excludes changes to the historic interior spaces of the extant hotel spaces flanking the courtyard, save for necessary utility connections below grade and limited window restoration and replacement scopes (described below). Notably, the project area is in no way visible from the public way at County Road to the west, nor would it be visible from any vantage point surrounding the landmark structure from the resort grounds. Lastly, the proposed modifications do not affect the parameters within approved Breakers Planned Unit Development (PUD), and therefore, a PUD amendment is not required.

### **Project Objectives**

The applicant seeks to undertake the work illustrated to achieve several critical goals, including:

1. To repair, restore, or replicate unsafe or failing materials and finishes and thereby meet overarching preservation objectives to protect the landmark property for future generations;

2. To address life safety building code deficiencies and other liabilities, including introducing - for the first time since its opening in 1926 - an accessible route so that all users can experience and enjoy the primary courtyard space;
3. To enhance the natural environment of the landscape elements through increased use of native plant material better suited to the local habitat, which will support more vigorous growth and a more robust tree canopy, thus creating a temperate and more comfortable public space supporting longer seasonal use; and
4. To better accommodate visitor activities already occurring within the court and within adjacent lobby spaces, through the use of small-scale incremental architectural interventions designed to enhance operational efficiencies in the delivery of these experiences.

### Scope of Work

Notably, the proposal represents comparatively *de minimis* interventions discretely set within the context of the hotel's Italian Renaissance Revival architectural composition. For comparison, the hotel itself is a nine-story mixed use building, currently encompassing 661,592 SF of interior conditioned space, all formed in a double-H shaped footprint with vast wings spreading in all directions. Within this monumental framework several small (conditioned and unconditioned) additions are conceived - not as buildings *per se* but rather as garden-like structures with light imprints.

The scope of work includes a conservatory addition (1,763 SF) with glazed walls, large, glazed sliding doors and a glazed roof at the west end of the court and adjacent to the hotel's lobby and occupying the location of the existing lobby's exterior terrace. Conservatory glazing would meet or exceed all Florida standards for coastal applications. The resulting protective nature of the conservatory enclosure provides the rare opportunity to fully repair and restore the lobby's original arched wood windows and doors, to match the original architect's details and specifications - unencumbered by window rating requirements. Together, these two sets of openings - the lobby's original doors and sashes and the conservatory's outer sliding doors - will result in a direct visual and physical connection between inside and out - from garden to lobby - in a way consistent with Palm Beach's Mediterranean Revival style architecture and with the design intent of the building's original architects, Schultze & Weaver.

The Conservatory interior includes two (2) proposed bards for drink service and barista service along with seating and potted palms. The Courtyard area adjacent to the Conservatory includes additional seating amid planted areas.

Also included are two unconditioned, covered pavilions (625 SF each) composed of openwork trellises with glazed pergola roofs, one each centered - and held-off from - the colonnades lining the North and South Loggias. Replacement French doors and windows are proposed at the North and South Loggias. These doors and windows would meet or

exceed all Florida standards for coastal applications. The operation and layout of these doors and windows will match the historic 1926 design intent.

Lastly, two small support structures are planned at the northeast and southeast corners of the court (62 SF each) simply finished with lattice-covered stucco walls and hidden by native tropical plantings. These house a support and storage space (at the north), and a service elevator to the basement (at the south).

### Preservation Objectives

The Application also proposes to repair, restore or replicate certain original architectural features to a state consistent with Schultze & Weaver's original vision to support the building's status as an iconic Palm Beach landmark. The monumental stair, balustrade, and fountain at the east end of the Court and the sunken area (including stairs, balustrades, and fountain) at the center of the Court are to be repaired and refurbished to address damaged and degraded materials and fountain-related systems with no change in the general configuration. The terrace and stairs at the west side of the Court will be reconfigured to match the original detailing while adding bronze handrails to meet code requirements. The stairs from the Court to the adjacent North and South Loggias will be similarly reconfigured. All proposed HVAC equipment in the conditioned elements described above will be tied into the Hotel's existing chilled water systems with no visible mechanical equipment to be installed within the Court.

### **Site History**

The Breakers Hotel was designed by the noted luxury hotel architects Leanard B. Schultze and S. Fullerton Weaver of the New York City-based firm Schultze & Weaver. This iteration of The Breakers – the third hotel on the site after the two previous hotels burned down in 1903 and 1925 –was hailed as "...without doubt one of the most magnificent and successful examples of a palatial winter resort hotel". (The Architectural Forum, May 1927, page 456). Completion of The Breakers followed two other notable hotels in Florida by Schultze & Weaver: The Nautilus Hotel (Miami Beach, 1924), and The Miami Biltmore Hotel (Coral Gables, 1926) and preceded the firm's Sherry-Netherland Hotel (1927), Hotel Pierre (1929), and Waldorf-Astoria Hotel (1931) in New York City.

Based on a contemporary newspaper report, the new hotel opened "with a dinner followed by a dance in the Grande Loggia" on December 29, 1926, as a "nine-story structure surmounted with two large cupolas", it originally had "550 guest rooms, all with baths" along with "accommodations for 400 servants" with an exterior modeled after Villa Medici in Rome and a frescoed, barrel-vaulted main lobby furnished in the Genoese style. (New York Times, December 30, 1926).

### Changes Over Time

In the decades since its opening, The Breakers has undergone multiple additions, renovations, and repairs to maintain its place “among the most luxurious hotels in America” (from “In Pursuit of Pleasure: Schultze & Weaver and The American Hotel” catalog text for 2005-2006 exhibit at The Wolfsonian – FIU, in Miami Beach). Major additions and renovations to the Hotel building have included The Circle dining room (1928), 150 additional guestrooms and restaurant spaces at the East Wings (1968), and the Ponce de Leon Ballroom (1999). The Breakers has also undertaken major building upgrades including the installation of air conditioning systems that allowed The Breakers to convert from seasonal to year-round use starting in 1971 and a series of window projects to replace deteriorated windows with hurricane code-compliant aluminum / insulated glass windows with related stucco façade repairs, including a recently-completed project to replace the large arched window units at the Mediterranean Ballroom that face the east side of the Court.

#### 1. Criteria for Development Order Approval

##### A. Landmarks Preservation in accordance with Section 54-122 (New Construction).

- (a) The following aspects of new construction shall be visually compatible with the buildings and environment with which the new construction is visually related:
  - (1) The height, the gross volume, and the proportion between width and height of the façade;
  - (2) The proportions and relationships between doors and windows;
  - (3) The rhythm of solids to voids created by openings in the façade;
  - (4) The material used in the façade;
  - (5) The texture inherent in the façade;
  - (6) The colors, pattern and trim used in the façade; and
  - (7) The design of the roof.
- (b) Existing rhythm created by existing building masses and space between them should be preserved.
- (c) The landscape plan should be sensitive to the individual building and its occupants and needs and should be visually compatible with the buildings and environment with which it is visually related.
- (d) A new street façade should blend directionally with other buildings with which it is visually related; which is to say, when adjacent buildings have a dominant horizontal or vertical expression, that expression should be carried over in the new façade.

- (e) Architectural details should be incorporated as necessary to relate the new with the old and to preserve and enhance the inherent architectural characteristics of the area.

B. Landmarks Preservation in accordance with Section 54-123 (Exterior Alterations).

- (a) The criteria set forth in section 54-122, if applicable, shall be considered in passing upon an application for exterior alterations; provided that the commission may consider the original design of the building and the buildings visually related to it and disregard alterations subsequently made thereto.
- (b) Exterior alterations shall not affect the architectural quality or historical character of the building.

The Project will be visually compatible with existing buildings and the environment of The Breakers as set forth below. The proposed modifications only physically alter the existing hotel building in small area within the Mediterranean Courtyard, which is an atrium space within the hotel that is not within the Town designated landmarked vista from the west elevation of the original hotel building to South County Road. Furthermore, the modifications proposed are consistent with the gross volume, width & height of the façades of the hotel building. Also, as part of the project, very much needed repairs of the hardscape within the Mediterranean Courtyard will be done, and when necessary, replacements of material in kind will be done when repair is simply not feasible. The project includes additional and refreshed landscaping, much of which is native vegetation, and is appropriately scaled for the Property and the hotel building, and will not affect the architectural quality or historic character of the historic hotel.

C. Site Plan Review Approval in accordance with Section 134-329. Site Plan Review is required for new building(s) or for changes in permitted use in Section 134-1107, which involve more than 2,000 square feet of building floor area in the C-TS zoning district, per Section 134-1112 of the Town of Palm Beach Code of Ordinances.

- (1) Sufficiency of statements on ownership and control of the subject property and sufficiency of conditions of ownership or control, use and permanent maintenance of common open space, common facilities, or common lands to ensure preservation of such lands and facilities for their intended purpose and to ensure that such common facilities will not become a future liability for the town.

- (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.
- (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.
- (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.
- (5) Proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the property boundaries.
- (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.
- (7) Utilities, with reference to hook-in locations and availability and capacity for the uses projected.
- (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 properties and uses within the property, and relationship to communitywide open spaces and recreation facilities.
- (9) Such other standards as may be imposed by this chapter for the particular use or activity involved.
- (10) Height of commercial structures with reference to adjoining buildings, the effect on uniformity in height, and the general principle of retaining the low profile scale of commercial architecture.
- (11) Visible size and bulk. The proposed development should be so arranged that it minimizes the visible bulk of the structures to drivers and pedestrians on abutting roadways, the point of reference being the centerline of the abutting roadways, with the intent being to maintain visual impact of multistory buildings at the same relative level of intensity as a single-story building at the minimum required setback.

The Breakers has had permanent maintenance control over the entire property for a century, and will continue to maintain the Property to the standard that has made it a

world class resort hotel and iconic landmark, and no portion of the Property will become a future liability for the Town of Palm Beach. The scope of the Project is limited to the Mediterranean Courtyard area, and no other changes to the existing hotel building or other structures are proposed. There is no change in the intensity of use at the Property. The Project will therefore be in harmony and compatible with the existing uses at the Property and with adjacent uses. Existing ingress and egress, parking, stormwater, and utilities will remain unchanged. Given the vast size of the Property and the very specific scope and location of the Project, it is not anticipated that the Project will affect anyone outside of the Property.

D. Special Exception in accordance with Section 134-229:

I. Criteria:

- (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.
- (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.
- (6) The use will comply with all elements of the comprehensive plan.
- (7) The use will 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 off-street 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.
- (10) Location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.
- (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) In all districts except the C-OPI district, and also with the exception of hotel, motel and timeshare uses, the proposed special exception use will not attract the principal portion of its customers/clients from off-island locations. The applicant shall submit evidence satisfactory to the town council that not less than 50 percent of the customers of the proposed use will be town persons. Evidence submitted in support of this contention shall include credible data or information suitable for review by the town to determine the credibility and the appropriateness of the applicant's conclusion. The submittal shall include a description of the types of information used and the methodology employed to arrive at the conclusion. Information used shall include, but shall not be limited to, lists of customer/client addresses or certification thereof by an independent certified public accountant approved by the town, market studies prepared by independent professional firms, or data from similar operations under the control of the applicant. The town may in the future require the applicant to demonstrate to the satisfaction of the town council that the special exception use is continuing to be 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.
- (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.

II. Special Exceptions Requested:

Special Exception #1:

Request for Special Exception and Site Plan Review for the construction of a new service bar in the R-D(2) zoning district, per Section 134-1055(7) of the Town of Palm Beach Code of Ordinances for the addition of a bar within the existing Mediterranean Courtyard area.

Special Exception #2:

Request for Special Exception for outdoor café seating in the R-D(2) zoning district, per Section 134-1055(16) of the Town of Palm Beach Code of Ordinances for up to 104 outdoor seats as detailed on sheets A-30 and A-31, prepared by Hart Howerton, and dated 3/11/24.

III. Justification for Special Exceptions Requested:

Though the zoning for the Property is PUD, this zoning district does not address permitted and special exception uses; therefore, the applicable code to use to address uses is the R-D(2) zoning district, which permits Hotel use as a special exception use, as well as accessory hotel uses and outdoor café seating.

The Special Exception for the small service station bar within the proposed conservatory is permitted within the PUD zoning district, and will allow for the drink service to occur for those seated within the conservatory (up to 24 seats proposed), and to the proposed outdoor café seating area (up to 104 seats proposed). The service station bar will allow for more efficient service being provided to the hotel guests seated in the conservatory and outdoor café seating areas. No seats are proposed at the bar, and only hotel staff will obtain drinks at the service station bar in order to fill drink orders from those seated in the conservatory and in the outdoor café seating area. Providing bar service in several locations of the hotel is standard practice for a hotel of this size, and has become expected at hotels with the reputation for superior service, such as the Breakers Hotel. The small, proposed service station bar will not adversely affect the health and general welfare of the public, nor will it adversely affect the movement of people within the hotel. The service station bar will simply be used as part of the food and drink service provided to hotel guests, which by definition makes this use "Town Serving." Because the service station bar is internalized within the hotel, it will not impact surrounding properties, which are a great distance from the hotel.

The Special Exception for outdoor café seating being requested is permitted within the PUD zoning district, and the location of the use within the existing building will ensure that they are appropriately located as to protect surrounding properties from any adverse impacts. The proposed outdoor seating use will have absolutely no impact on surrounding properties because its location and being complete surrounded by the hotel building. The proposed outdoor café seating is limited to hotel guests.

Attached is the site history for the Breakers Hotel property. We thank you for your consideration of our Submittal Package.

Sincerely,



James M. Crowley

**BREAKERS SITE HISTORY**

Please provide a detailed history of all zoning-related requests applicable to this property processed on or after January 1, 1970, in chronological order, including but not limited to variances, special exceptions, site plan reviews, and existing agreements.

<b>DATE</b>	<b>NATURE OF REQUEST/ACTIVITY</b>	<b>PETITION NUMBER AND DESCRIPTION</b>	<b>COMMENT/NOTES</b>
3/25/1970	Town of Palm Beach adopts new Zoning Code. First reference to "PUD". Adopted amended zoning map by reference; Breakers shown as PUD	Ordinance 3-70	Ordinance later declared unconstitutional by Florida Supreme Court.
9/10/1970	Detailed list of existing improvements on Breakers Hotel property submitted to Town of Palm Beach.		Information provided by Town to aid in conversion to dwelling units under new Zoning Ordinance.
9/17/1970	Town's consultant refines dwelling unit conversion for Breakers property proposed PUD.		Conversion totals 346 equivalent dwelling units.
10/30/1970	The Breakers "Proposed Plan Unit Development" submitted to Town of Palm Beach by Flagler System, Inc.		Initial PUD document totals 39 pages including several appendices and a number of drawings. Request is for PUD-A designation. Included phasing schedule with 10 proposed phases.
3/31/1971	Resolution passed by Town Council giving tentative approval for Planned Unit Development as submitted by Flagler System, Inc. on October 30, 1970 'in accordance with Ordinance 3-70'	<b>Resolution 6-71</b>  <b>ORIGINAL PUD APPROVAL</b>	Approval contains a number of conditions of approval, including detailed phasing schedule. Approval also included density reduction, stipulated structural locations and open space protection, building height reduction and road improvements.
9/1971-3/1972	Time extensions approved for the finalization of Resolution 6-71		Additional time needed to finalize details
6/23/1971	Request for temporary supervised recreational program on Breakers Hotel complex property.		Refers to Tract 2. Temporary approval granted through June 1, 1972.
3/22/1972	Revised PUD master plan submitted to Town.	<b>Resolution 12-71</b>	Revision reflects reduced dwelling unit densities in various phases, relocation and revised "lateral spread" of structures in Phases 1, 2, and 10, reduced building heights in certain areas, and designation of various phases as circled numbers on

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			Master Plan. Included revised Condition #3 re open space preservation. <b>NEVER ADOPTED</b>
4/25/1972	Resolution amending Resolution 6-71 for tentative approval for Planned Unit Development.	<b>Resolution 9-72</b> amends Res. 6-71	Revised density reductions but not schedule. Open space protection. Building heights Subterranean crossing
5/16/1972	Town notifies Flagler System that they have "identified the formerly zoned 'business district' and have transferred that information to a copy of the revised Master Plan for the Planned Unit Development".		None
10/9/1972	Approval of additional temporary tennis courts adjacent to those in existence.		None
3/5/1973	Town notifies Flagler System that they are exempt from building moratorium.		Applies to Tract 2 (=1970 Phase 1)
10/24/1973	Notification to Flagler System from Town that "revised 'Appendix C', dated April 11, 1972, is acceptable in lieu of the same Appendix previously submitted and approved with the proviso that the number of parking spaces indicated on the revised 'Appendix C' appears to be inadequate in light of the Ordinance parking requirements."		Applies to Tract 2. Reduces dwelling units from 128 to 100 and net density from 30 DU's per acre to 23 DU's per acre; decreases parking spaces from 273 to 211.
March 1974	Town adopts new Zoning Ordinance (Ordinance 2-74) in March. Florida Supreme Court voids previous Zoning Ordinance which was Ordinance 3-70.		Supplemental Agreement notes that Flagler System has submitted an application for final approval for the residential portion of Phase 1 of the PUD.
6/10/1974	Building permit issued to demolish four of the Breakers' cottages	Permit # 505-74	
6/28/1974	Application filed for final approval of Phase 1 (Residential) of PUD	Previously granted tentative approval under resolution #6-71, as amended by resolution # 9-72	No public hearing required for this approval
9/10/1974	Declaration of Restrictions addresses open space protection in PUD.	ORB 2380; Page 1986-1989	Restricts open space use (golf course) for 30 years from

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			9/10/74. Open space totals 91.3 acres exclusive of roadways.
9/10/1974	Supplemental Agreement		Ratifies and affirms agreements reached and embodied in Application for Tentative Approval of Planned Unit Development Zoning, as amended by revised Appendices "B" and "C" dated 4/11/72, and as further amended by Resolutions #6-71 and 9-72, and confirmed by Ordinance #2-74
9/10/1974	Resolution of Town Council amending Resolution 6-71 and Resolution 9-72 and authorizing the execution of an agreement between Flagler System and the Town.	<b>Resolution 13-74</b> Amends 6-71 and 9-72  Clarification as to governing resolutions; ratified resolutions 6-71 and 9-72	This Resolution specifically references the previously described "Supplemental Agreement" which essentially vested the project after the voiding of the previous Ordinance 3-70 and the adoption of the Town's new Zoning Ordinance 2-74. The concern had been that previous PUD approvals may be invalid since they were based upon a Zoning Ordinance which was later found to be unconstitutional.
9/10/1974	Ratification Agreement		Apparently approved by Town Council. Ratifies prior resolutions in light of the determination by the Florida Supreme Court that Zoning Ordinance #3-70 was unconstitutional
9/10/1974	Variance to construct additional tennis courts adjacent to and west of existing tennis courts.	Variance 27-74	Approved by Town Council.
10/2/1974	Variance of from the setback provisions of F.S. 161.052 for construction of a seawall, beach access stairs, and condominium building	File 74-75-V-26	Approved by State of Florida, DNR
10/8/1974	Petitioner appears before Town Council requesting approval of modification of Phase 1 Residential		Request approved by Town Council.

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	Plan. Request was to move residential building so that it has a 20 foot front yard setback from Breakers Row rather than a 25 foot setback.		
11/19/1974	Flagler System requests amendment for hotel parking for Phase 1.		Parking arrangements proposed would provide a total of 656 spaces for hotel support in conjunction with development of Phase 1 apartments.
12/19/1974	Building permit for the construction of 4-building 88-unit apartment complex	Permit # 1254-74	Included underground parking for 194 cars
1/6/1975	Declaration of Restrictions recorded	ORB 2380 Pg 1986	Land platted as "open space" must remain in that use for 30 years
1/9/1975	Proposal for commercial building in Phase 1 at southeast corner of intersection of Coconut Row and Royal Poinciana Way.		None
2/7/1975	Approval by Building Official of plan for 88 unit apartment building on Tract 2 of Plat 1 subject to 2 conditions.	Building Permit 1254-74	Refers to Tract 2.
4/25/1975	Application for final approval of PUD plan for Phase 1 commercial.	Resolution 6-71 as amended by Resolution 9-72 which granted tentative approval	<p>Application contained the following:  Schematic drawings for Phase 1 commercial.  Boundary and open space plat for entire Breakers property delineating areas for Phase 1 through 10 and also indicating that open space has not been included with application since the plat was filed with the application for final approval of Phase 1 residential.  Covenants guaranteeing retention of open space have not been included. This application is for final approval of Phase 1 residential.  Plat of Parcel 4, Phase 1 (commercial).</p>

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			Should also be noted that request for final PUD approval for Phase 1 commercial included variance requests to increase parking for 416 spaces to 466 spaces. Request also "modifies the configuration of the north/south roadway serving the new residences".
6/10/1975	Request for final approval of Planned Unit Development Phase 1 commercial which is a CA zoned tract located on Tract 11 of Plat 1.		This references Tract 2. Approval includes only 62,600 square feet of covered floor area plus at-grade automobile parking.
6/10/1975	Town Council considered variance application which approved planned revision for roadway and parking facility.	Variance 23-75	Approved by Town Council.
6/10/1975	Town Council considered request for final approval of Phase 1 Commercial		Approved by Town Council, for 62,200 SF plus an at-grade parking lot facility
7/15/1975	Request for coastal construction permit from State of Florida DNR for rock rubble "T" head on existing groin	File BBS-75-6	Approved by DNR
1/13/1976	Request for modification of PUD Agreement to locate a replacement toilet facility building between the existing 11 <sup>th</sup> and 12 <sup>th</sup> fairways.		Approved by Town Council.
6/11/1976	Application for a variance to install awnings inside existing concrete framework over 16 penthouse terraces for Breakers Row apartments, 1 North Breakers Row (Tract 2 of Breakers Row Plat 1).	Variance 32-76	Approved by Town Council.
12/14/1976	Request for extension of time to commence construction of Phase 1 commercial approval which was granted on 6/10/75 for an additional 18 months.		Tract 2. Approved by Town Council for 18-month extension.
9/20/1977	Plans and specifications filed for Phase 2 residential.		None.
11/8/1977	Final approval of request for Phase 2 residential.		Request approved by Town Council subject to a number of

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			conditions including: <ul style="list-style-type: none"> <li>• Extension of Royal Poinciana way</li> <li>• Any future development of Tract 7 Plat 1 will show reduction of 10 or more dwelling units</li> </ul>
12/13/1977	Variance request to increase site coverage of existing apartment buildings by installation of awnings.	Variance 57-77	Denied by Town Council.
6/13/1978	New request for time extension for commencement of construction of Phase 1 commercial.		Approved by Town Council; new deadline for commencement of construction December 10, 1979.
5/8/1979	Modification of PUD approval for the following items:  Extend deadline for Phase 2, Tract 1 from May 8, 1979 to November 8, 1980.  Extend deadline for filing for final approval of Phase 3 from October 25, 1979 to April 25, 1981.  Extend deadline for implementing Town Council approval of Phase 1 "CA" from December 10, 1979 to December 10, 1981.		Item #1 applies to Phase 2, Tract 1.  Item #2 applies to Phase 3, Tract 4.  Item #3 applies to Phase 1 "CA" Tract 2.
5/8/1979	Request for special exception and zoning variance for property known as 45 Coconut Row to move Old Guard Society of Palm Beach Golfers, Private Club from main Breakers Hotel to building known as 45 Coconut Row; also request a variance to provide a portion of required parking across the street at Royal Poinciana Chapel.	Special Exception 11-79 with variance	Approved by Town Council subject to the provision of at least 20 parking spaces on site
7/10/1979	Permission to modify PUD to permit the construction of 2 additional		Approved by Town Council.

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	tennis courts immediately north of and adjacent to existing tennis courts in Tract 10, Plat 1.		
10/31/1980	Application filed with Town to revise the entire remaining phases of the PUD		As of October 1980, approval allowed 471 new dwelling units which, when added to the equivalent conversion of commercial space and hotel uses, to a total of 954 dwelling units as defined under ordinance #9-72. Only 89 units constructed to date. 6.3 acre commercial site approved on NW corner of property.
11/11/1980	Time extension to commence Phase 2, Tract 1		Extended by Town Council from November 8, 1980 to April 25, 1981
3/13/1981	Extension of License Agreement re trash transfer facility		Extended to April 14, 1983
3/18/1981	Preliminary conceptual approval by Town Council of application filed 10/31/80		Included abandonment of commercial approval at NW corner of property, to be replaced by no more than 150 density units
7/14/1981	Tentative approval for "comprehensive modification of the Planned Unit Development Agreement previously referenced"; including agreement for partial Landmarking of Breakers Hotel; carried forward Condition 3 of Resolution 9-72, 1980 modification approved statement of planning criteria and appendices and adopted open space Condition 3 of Resolution 9-72	<b>Resolution 10-81</b> amends 6-71, 9-72, and 13-74	Included conditions relating to: <ul style="list-style-type: none"> <li>• Revised open space plat</li> <li>• Condition 3 of Res. 9-72 is specifically still in 'full force and effect...'</li> <li>• Provision of utility easements and facilities, including certain traffic improvements</li> <li>• Compliance with Town codes including fire codes</li> <li>• Prohibition against time sharing</li> </ul> <p>Attachments included <b>Appendix "H" which is a schedule of future development*</b>. Adopted <b>Red Book &amp; Appendices</b></p>
1981	Agreement (unsigned) between		Agreement references an

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	Town of Palm Beach and Flagler System, Inc., relating to the resolution of Landmarking of Breakers Hotel.		Exhibit "A" which fully describes the portion of the hotel that is subject to Landmarking.
9/15/1981	Request for special exception for auto rental facility at hotel.	Special Exception 10-81	Approved by Town Council. Limited to 15 rental cars. Must be operated by hotel employees, and cars must be rented only to hotel guests
1/5/1982	Amended list of drawings and exhibits for the Breakers Planned Unit Development filed with Town.		The document contains extensive lists of drawings, including many revised in 1981. Also included are several other exhibits, including a 57-page bound booklet entitled, <i>Modification of Planned Unit Development Agreement, 1980 Modification.</i>
2/23/1982	Letter to Town from Flagler System indicating that Resolution 10-81 as passed by Town Council on July 14, 1981 "is satisfactory and the conditions set forth therein are acceptable".		Flagler System attorneys contend that modification to the Breakers PUD (Resolution 10-81) became effective on February 25, 1982 when Flagler notified the Town that the conditions of Resolution 10-81 were satisfactory and acceptable.
3/26/1982	Letter to Town Attorney from Landmark Preservation Commission.		References Landmark status of hotel as being tied to final adoption of Resolution 10-81.
8/9/1983	Amended Declaration of Restrictions supersedes Breakers Row Plat 1; required by Condition #1 of Resolution No. 10-81	Exhibit "C"	Supersedes Declaration Of Restrictions filed September 10, 1974; relates to use of open space
9/8/1983	Agreement ratifying Resolution No. 10-81		Also accepts conditions in Resolution No. 10-81 and accepts the landmark designation of a portion of the property
9/8/1983	Landmark Designation Agreement	Exhibit "B"	Included legal description of "sight easement" and façade of hotel. Legal description goes all the way to the Atlantic Ocean
9/9/1983	Flagler System requests final approval/site plan review for the portion of Breakers PUD known as		Proposed plans include reduction in number of condominium units from 78 to

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	"Priority 3" under provisions of Section 7.35 of Town Zoning Ordinance. Agreement with Town to be bound by Res. 10-81		48, reduction in number of PD equivalent dwelling units from 79.7 to 52.1, and decreases in other property development criteria. <b>Makes September 9, 1983 first day of timetables under Res. 10-81*</b>
9/13/1983	Final approval including site plan for Priority #3, northeast corner, known as Two Breakers Row		Approved by Town Council
10/11/1983	Resolution of Town Council ratifying landmarking of hotel	Resolution 34-83	Resolution notes that a parking structure will be constructed within the sight easement
10/12/1983	Amended Declaration of Restrictions	ORB 4073 Pg 0814	Supersedes Declaration of Restrictions recorded January 6, 1975. The portion of the property designated as "open space" in the replat shall be used only as golf course, park or other open space use "as shall be determined in the sole discretion of Declarant" for a period of 30 years commencing 3/18/81 or as long as property is zoned PUD
10/17/1983	Certificate of Notification of Designation of Certain properties as Landmarks		Ratifies landmarking per Resolution 34-83
12/1/1983	Breakers Row Plat #1 – Replat	P.B. 46 Pg. 188	Describes entire PUD
1/10/1984	Special exception authorizing relocation of Sea Gull Cottage from Breakers Hotel property to Royal Poinciana Chapel property.	Special Exception 1-84	Approved by Town Council.
4/11/1984	Certificate of Appropriateness for receiving dock and receiving courtyard areas	C of A 4-84	Approved by Landmarks Preservation Commission
1/10/1985	Certificate of Appropriateness for rehabilitation and additions to Breakers Hotel	C of A 2-85	Approved by Landmarks Preservation Commission
6/18/1986	Agreement to extend Priority 2 (Lanai Suites) from September 9, 1989 to September 9, 1998.	PB 4949 Pg 1163	Amends 9/8/83 Agreement
3/30/1989	Extension of License Agreement for trash transfer facility		Extended to April 14, 1991

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Fall 1989	Breakers PUD Amendment Request filed		
1/22/1990	Request for adjustment to several aspects of PUD.	<b>Resolution 17-90</b> amends 6-71, 9-72, 13-74, and 10-81  ORB 6413 Pg 735	Approval included coffee shop, tennis court lighting, additional retail space, tennis shop, retention of golf course through 2019, lease of Pine Walk transfer station through December 31, 1997, renegotiable transfer of development units, road improvements, drainage improvements.
3/30/1990	Agreement implementing Resolution 17-90	ORB 6413 Pg 732	Accepts the conditions in Resolution No. 17-90
Fall 1991	Breakers PUD Amendment Request filed		Request to amend Resolution 17-90 to provide more time for its implementation, and to amend Resolution 10-81 to provide for rephrasing the project
2/11/1992	Request for approval for changes to several developments within PUD.	<b>Resolution 6-92</b> Amends 6-71, 9-72, 13-74, 10-81 and 17-90	Extended Pine Walk transfer lease to December 31, 2012, renegotiate transfer and road drainage issues prior to 1996-1997 zoning season hearings; internal drainage; revised priority development schedule. As part of the approval, Breakers was required to address three issues: 1) storm drainage; 2) possible elimination of commercial at NWC; and 3) give Town perpetual rights to waste transfer facility. <b>Included PUD Schedule of Development, Appendix "H" to Exhibit 11 of Resolution # 10-81.</b>
2/19/1992	Agreement ratifying Resolution 6-92	ORB 7235 Pg 536	Accepts the conditions in Resolution No. 6-92
11/25/1995	Certificate of Occupancy for renovations to 63 rooms in south wing and elevators	COA # 65-95	
2/29/1996	Letter from Jim Brindell, signed by Bob Moore re coffee shop/retail		Clarifies Modifications 1 and 3; attached Exhibit "A" shows total of 10,307 SF existing and proposed ground level retail & food and beverage uses, main

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			hotel south wing as of 11/1/96
6/18/1996	?		Resolution No. 10-01 references a revision to the 'binding agreement' on this date but none was found in Gunster records
9/10/1996	Letter from Jim Brindell, signed by Bob Moore re Centennial Dining Room		Acknowledges that 48 dining room seats and 250 SF of kitchen space may be temporarily relocated from Florentine Dining Room to Centennial Dining Room in Old Guard Building
9/13/1996	Application filed for PUD Amendment		Extend certain time periods to re-negotiate several important matters with Town, and to establish timing for drainage improvements
3/2/1997	Request to modify PUD	<b>Resolution 1-97</b> amends Res. 17-90	Modifications to coffee shop, tennis court lighting, additional retail space, new tennis facility, maintenance of golf course as green space through 2019, lease of Pine Walk Transfer Station, requirements for renegotiation, and postponement of road and parking improvements. <b>Also amended Appendix "H" to Exhibit #11 of Resolution 10-81, re PUD schedule.</b>
? 1997	Agreement ratifying Resolution No. 1-97		Should be one but none found in Gunster records
8/25/1997	Letter from Jim Brindell, signed by Bob Moore, re addition of 22 seats to Centennial Dining Room		
9/5/1997	Application filed to amend Breakers PUD		Request to renovate the Beach Club facilities, enlarge the Starlight Ballroom, and modify certain PUD conditions
2/9/1998	Request to modify PUD	<b>Resolution 1-98</b> amends 1-97	Modification to lease of Pine Walk Transfer Station, requirements for renegotiation, postponement of certain road and parking improvements, demolition and reconstruction

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			of Starlight Ballroom Addition and Beach Club, requirement for additional off-street parking spaces, and on-site parking and traffic circulation management. Per Modification #9, 11,621 SF of accessory hotel space retained for possible later use.
2/9/1998	Site Plan Application to construct a new approximately 20,000 square foot Beach Club and approximate 15,000 square foot Starlight Ballroom and 8,000 square feet of pre-function area. Condition approval was also for approximately 13,500 square feet of storage in kitchen area and associated parking (including a 250 space temporary parking lot located on the northwest corner of the PUD).	Site Plan Review 1-98	4 conditions of approval were included, mostly related to traffic and circulation matters.
3/11/1998	Agreement between Town of Palm Beach and The Breakers Palm Beach, Inc.	ORB 10309; Page 740-744	The essence of the agreement is that "The Breakers hereby accepts the conditions set forth in the Town's Resolution 1-98".
7/19/1999	Certificate of Occupancy for Starlight Ballroom addition and new Beach Club	COA # 55-99	
2/7/2000	Amend PUD to redesign golf course and include a golf and tennis clubhouse west of South County Road	<b>Resolution 3-00</b> amends 1-98	Modification to conditions re maintenance of golf course as green space through 2025, lease of Pine Walk Transfer Station, requirements for renegotiation, and golf and tennis clubhouse with related facilities. Also amended commencement dates for remaining development to be consistent at December 31, 2025
1/11/2000	Site Plan Review with Special Exception request to redesign golf course and tennis court layout and construct a three-level 40,549 square foot golf and tennis clubhouse.	Site Plan Review 1-2000 w/Special Exception	Approval was granted for new golf and tennis complex and included several conditions of approval.
3/22/2000	ARCOM review of new golf & tennis clubhouse	B9-00	approved
4/12/2000	Agreement ratifying Resolution 3-00		Accepts the conditions in Resolution No. 3-00

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6/5/2000	Letter from Jim Brindell, signed by Bob Moore re adjustments to golf course layout		
9/27/2000	ARCOM review of golf course border landscaping west of South County Road	B52-00	Approved
2/5/2001	Amend PUD to allow opportunity to request redistribution of residential units from west side of County Road to other locations within the PUD	<b>Resolution 10-01</b> amends 3-00  ORB 12541 Pg 98	Modification to condition re requirement for renegotiation; applicant may relocate up to 149 dwelling units from Priority Areas 1, 7, 8, and 9 to areas west of County Road and/or within Priority Area 1 subject to PUD Master Plan amendment. May apply for same no later than the <b>2023-2024</b> zoning season.
4/19/2001	Agreement ratifying Resolution 10-01	ORB 12541 Pg 94	Accepts the conditions in Resolution No. 10-01
12/10/2001	Certificate of Occupancy for south ocean tower alteration for hotel	COA # 90-01	
1/8/2002	Authorizing ad valorem tax exemptions for work at the hotel (south tower)	Resolution 6-02	Contained faulty legal description
2/13/2002	Certificate of Occupancy for renovation of Dallas Rooms, 1 <sup>st</sup> and 2 <sup>nd</sup> floors	COA # 84-99	
6/11/2002	Site Plan Review with Special Exception to relocate 55 parking spaces from front driveway, reconfigure front driveway/parking landscape area, relocate balustrades at hotel entrance in order to add additional valet lanes, construct security gatehouse on main driveway, construct approximately 338 square foot service quarter adjacent to the Circle Dining Room; add porte cochere and covered walkways to the south entrance of the hotel and relocate 21 parking spaces from new porte cochere to existing parking area west of Beach Club. Also Special Exception to expand hotel with above improvements.	Site Plan Review 5-2002 w/Special Exception	Approved by Town Council.

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6/11/2002	Amends Resolution 6-02 so as to amend the legal description of the property referenced therein	Resolution 40-02	Amends legal description in the tax exemption covenant to include only the hotel building where the work was done
2/20/2003	Certificate of Completion for renovations to North Ocean Tower		
2/20/2003	Certificate of Completion for renovations to Ocean front meeting rooms, corridors, and mezzanine mechanical room		
2/20/2003	Certificate of Approval and Occupancy for two new 1-story accessory buildings (gatehouse and bathrooms)	COA # 10-03	
4/16/2003	Certificate of Appropriateness for renovation of Venetian Ballroom	C of A #10-2003	Approved with a number of conditions
9/9/2003	Special Exception to construct a 1-story 697 SF golf instruction and storage building on the driving range, as well as a paved employee walkway along the north side of the hotel	Special Exception #20-2003	Approved by Town Council.
2/15/2005	Modification to PUD Master Plan to redesign the Beach Club Cabanas and related facilities.	<b>Resolution No. 4-05</b> amends 3-00*  *note- WHEREAS clause should have included Res. 10-01 but did not	Deletes previous Modification #4 re new tennis facility, to be replaced by Modification #10; <b>erroneously carries forward language from Modification #7 of Resolution 3-00 instead of revised #7 from Resolution 10-01</b> ; minor modifications to Modification #10 re golf and tennis clubhouse and related facilities; adds Modification #12 re new cabanas and related facilities

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2/15/2005	Site Plan Review, Special Exception, and Variance request for approval of the new cabana project	Special Exception 6-2005 with Site Plan Review and Variance	Variance (for seawall height) withdrawn. Conditions of approval re required fire hydrant and construction traffic restrictions
5/10/2005	Modified lighting plan reviewed by Florida Fish and Wildlife Conservation Commission for cabana project	PB-804	Approved with several conditions
8/12/2005	Building permit for awning for valet parkers	P #8078272	
August 2006	Approval for golf clubhouse awnings		
11/14/2006	Special Exception with Site Plan Review to renovate the old golf clubhouse including a lounge for spa and beach club employees, create new offices on the second floor, and awnings on the new club house and for valet parkers	Special Exception 9-2006 with Site Plan Review	No conditions of approval
7/14/2010	Revised Modification #7.a. to restore the language from Resolution 10-01 re relocation of units to the portions of the PUD west of County Road	<b>Resolution #70-10</b> Amends Res. 4-05	Application to be filed no later than <b>2024</b>
10/27/2010	ARCOM review of request to demolish old golf clubhouse building and associated parking lot, AKA the Old Guard Building, 45 Coconut Row	B-051-2010	Approved by ARCOM; to be replaced by sod and landscaping; later ratified by Town Council
9/11/2012	Town Council review of request to demolish and rebuild two of the five existing maintenance buildings on the west Pine Walk	Site Plan Review #9-2012 with Special Exception	Approved by Town Council; ARCOM approved administratively
5/15/2013	Town Council review of requested improvements to pool areas on southeast portion of hotel property	Special Exception #8-2013 with Site Plan Review	Approved by Town Council. Included gazebo bar, kiddie pool, jacuzzis, and pavement
June 2013	State of Florida Department of Business and Professional Regulation extension of hotel's alcohol license to include gazebo bar		Approved
8/24/2013	ARCOM review of proposed new railings, awning	A-028-2013	Railing not approved; awning approved
9/25/2013	Administrative Site Plan Review of Flagler Steakhouse awning expansion		Approved by staff
12/11/2013	Modify hotel amenity by expanding the existing playground	Special Exception #20-2013 with Site	Approved by Town Council

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		Plan Review	
2/12/2014	Amend Resolution 70-10 by adding 4,559 square feet of accessory hotel space to the Beach Club for construction of a fitness center. PUD amendment.	<b>Resolution No. 11-2014</b>	Changes to Modification #9 re the Beach Club, adding 4,559 gross square feet/4,190 net (A/C) square feet to construct a new fitness center on the second level of the existing Beach Club building on the Ocean Terrace. The previous 11,621 square feet of accessory hotel space is reduced by 4,190 to leave approximately 7,341 square feet for future use by further amendment to the PUD.
2/12/2014	Special exception and site plan review to construct a new beach access ramp and to replace the 1,588 square foot pavilion on the second level of the Beach Club building with a 4,559 square foot (gross) 4,190 square foot (net, A/C) structure for a new fitness center, and associated elevator.	Special Exception #1-2014 with Site Plan Review	The beach ramp replaces a similar structure which was destroyed by a hurricane. The existing spa functions on the first floor of the Beach Club will be expanded into the previous fitness center space.
3/26/2014	Agreement finalized between Town of Palm Beach and The Breakers documenting acceptance of Resolution 11-2014.		Agreement required by Town's PUD ordinance
12/10/14	Special Exception with Site Plan Review to add awning to pergola east of spa; variance to demolish and reconstruct existing entry fountain	Special Exception #27-2014 with Variance	Approved by Town Council
12/17/14	LPC approval for awning and fountain	COA-053-2014 and 057-2014	
2/11/15	Request approval of: <ul style="list-style-type: none"> <li>• Four awnings totaling 1,714 s.f. in golf maintenance area at west end of Pine Walk</li> <li>• Renovations to east side of spa building to enclose 614 s.f. of additional space, and redesign of courtyard</li> <li>• Vehicle gate just east of crosswalk near south porte-cochere</li> </ul>	Special Exception #1-2015	Approved by Town Council, subject to the requirement that the vehicle gate be opened for overflow parking during large events.

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9/9/15	Request approval of: <ul style="list-style-type: none"> <li>• Flagler Club Terrace awning structure</li> <li>• Demolish smoke-stack and expand engine room, including 600 KW generator</li> <li>• Add 720 s.f. cooling tower</li> <li>• Add three access control gates on Ponce Promenade</li> </ul>	Special Exception #24-2015 with Site Plan Review	Combo project included Landmarks (LPC) review. Approved by Town Council.
9/16/15	LPC approval of aspects of S.E. #24-2015 under their jurisdiction	COA 2015-034	
11/12/15	Request approval of: <ul style="list-style-type: none"> <li>• Ponce loading dock expansion, including new awning</li> <li>• Service elevator in southeast corner of Mediterranean Courtyard</li> <li>• 900 KW generator in place of 600 KW generator in engine room expansion</li> <li>• Two service pavilions on front croquet lawn west of hotel</li> </ul>	Special Exception #31-2015 with Site Plan Review	Approved by Town Council except for service pavilions on west lawn, which were deferred. That part of request was later withdrawn due to LPC objections.
3/9/16	Request approval to demolish building #4 at the maintenance complex on Pine Walk (2,726 square feet) and replace it with or 3,581 square foot building.	Special Exception #5-2016	Approved by Town Council
4/27/16	Request ARCOM approval to repair the chimneys at Spray Cottage	A-016-2016	Approved by ARCOM
5/11/16	Request approval to amend Resolution No. 11-2014 (PUD-A) by extending the commencement of development date for 251 dwelling units, extending the date by which 149 dwelling units may be relocated, extending the date upon which the golf course must remain open space, and extending the date of the lease of the Pine Walk Transfer Station.	<b>Resolution No. 60-2016</b>	All dates extended to December 31, 2049 or December 31, 2050.

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3/15/17	Request Special Exception with Site Plan Review approval to add a 3,000 gallon emergency generator fuel tank just north of the service court, and two service pavilions on the 'croquet' lawn southwest of the main hotel entrance.	Special Exception No. 04-2017 with Site Plan Review, and COA No. 08-2017	Approved by Town Council, including official recognition by Council of ongoing use of the lawn area for outdoor functions
5/10/17	Request Special Exception with Site Plan Review approval to construct a new 404 s.f. retail shop (Mary Lily's) in the Palm Court, and to expand the existing seafood restaurants from 4,330 s.f. to 6,111 s.f. and from 140 seats to 177 seats.	Special Exception #12-2017 with Site Plan Review	Approved by Town Council
12/13/17	Request Special Exception with Site Plan Review to expand seating capacity at Seafood Bar restaurant by an additional 53 seats in 6,111 s.f. restaurant, for a total of 230 seats.	Z-17-00044	Approved by Town Council

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1/10/18	Request Special Exception with Site Plan Review to make changes and improvements to The Breakers golf course. Also enlarge golf training facility from 697 s.f. to 2,366 s.f., and replacement of existing free-standing bathroom building of 250 s.f. with a new bathroom building of 267 s.f.	Z-17-00055	Approved by Town Council
6/13/18	Request for extended work hours for golf course project		Approved by Town Council
9/12/18	Request Site Plan Review and Special Exception to add awnings in the renovated golf course	Z-18-00126	Approved by Town Council
9/21/18	Request Landmarks Presentation Commission approval for revised ramp on south side of south lawn pavilion building	COA-040-2018	Approved by Landmark Preservation Commission
10/18/18	Request Administrative Site Plan approval for changes to ramp of south lawn pavilion		Approved and stamped by Town of Palm Beach
05/15/19	Request for site plan review with special exception approval to construct a new security guardhouse and gates, to re-align Breakers Row, and to add a landscaped island on the south side of the proposed guardhouse at North Breakers Row.	Z-19-00187	Approved by Town Council
02/12/20	Request for zoning text amendment to add hotel and golf course as permitted uses in PUD-A zoning district and to allow for staff approval of site plans consisting of less than 2,500 square feet	Ordinance 1-2020	Approved by Town Council
08/11/21	Request for extension of existing golf course awning, which was denied by ARCOM on July 28, 2021, but approved on appeal by Town Council on August 11, 2021.	A-051-2021	Appeal granted by Town Council