



**TOWN OF PALM BEACH**  
Planning, Zoning & Building Department  
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PLANNING, ZONING, & BUILDING DEPARTMENT  
PZ&B Staff Memorandum: Landmarks Preservation Commission

FROM: Wayne Bergman, MCP, LEED-AP *WRB*  
Director PZ&B

SUBJECT: COA-22-017 (ZON-22-060) 1820 S OCEAN BLVD – EXTENSION OF TIME

MEETING: MAY 22, 2024

**COA-22-017 (ZON-22-060) 1820 S OCEAN BLVD – EXTENSION OF TIME.** The applicant, White Birch Farm Inc. (Peter Brant), has filed an application requesting a Certificate of Appropriateness review and approval for a One (1) year Extension of Time for a previously issued COA for exterior modifications to an existing two-story Landmarked guest house and the construction of a new beach cabana in the BA zoning district (ORIGINALLY APPROVED AT THE APRIL 20, 2022, LPC MEETING AND PREVIOUSLY RECEIVED A ONE YEAR EXTENSION OF TIME AT THE JUNE 21, 2023 LPC MEETING).

Applicant: White Birch Farm Inc. (Peter Brant)  
Representative: Maura Ziska, Esq.  
Design Professional: SKA Architect and Planner

**HISTORY/REQUEST:**

The application was approved by the Landmarks Preservation Commission at the April 20, 2022, meeting, pursuant to COA-22-017. The Special Exception with Site Plan Review and the Variances were approved by Town Council at the May 11, 2022 meeting, pursuant to ZON-22-060.

The subject extension of time request only pertains to the Certificate of Appropriateness (COA-22-017). The approved plans as prepared by SKA Architect and Planner are dated March 22, 2022.

The following is the scope of work for the original application:

- Modifications to the existing west balcony on the guest house.
- Construction of a new 250 SF beach cabana.

At the JUNE 23, 2023 LPC MEETING, a one-year extension of time was granted thereby extending the timeframe of the approved Development Order:

- Approval Date: APRIL 20, 2022
- Expiration Date: APRIL 20, 2023
- Proposed Expiration Date: APRIL 20, 2024

If approved by LPC, the additional one-year extension of time would extend the timeframe of the approved Development Order:

- Extended Approval Date: APRIL 20, 2024
- Proposed Expiration Date: APRIL 20, 2025

**STAFF ANALYSIS**

This application for a second request of a one-year extension of time which may be granted by the Commission for just cause, pursuant to Sec. Sec. 54-94. According to the applicant, this is a request for an extension of the previously approved design of a new 250 SF beach cabana at 1820 S Ocean Blvd. The delay in permitting has been due to construction cost analysis and sourcing of materials as the focus was placed on completing the principal structure. Staff has no objection to this request for an extension of time and recommends approval to ensure that the permitting process commences.

At the time of this applicant’s submittal to the Town, the code did not expressly limit the amount of time extensions an applicant can request.

*A time extension from any of the requirements in subsection may be granted or denied by the architectural commission for just cause. Said time extension request...*

It is very common within other municipalities to limit the time lengthening allowance for a development project to one (1), one-year time extension for good cause. This limited timeframe for completion allows surrounding properties a reasonable time expectancy of when a project may be realized and constructed. Additionally, zoning codes or rules or changes to the ordinance may occur, which could perpetuate a design that is no longer relevant to the code. The lengthening process is typically even further compounded and extended at the permit level. As such, the Planning, Zoning and Building Department drafted an ordinance amendment that limited development approvals by the LPC or ARCOM to limit the number of time extensions to one for future applications. The ordinance was approved at first reading by Town Council at the April 10, 2024 meeting. The second reading is scheduled for the May 15, 2024 meeting. If passed, the regulations would go into effect immediately. This application was submitted prior to this.

WRB: JGM: FHM: ALF