

Agenda Item # R - 1

**Village of Royal Palm Beach
Village Council
Agenda Item Summary**

Agenda Item:

PUBLIC HEARING TO CONSIDER LANDSCAPE WAIVER APPLICATION NO. 24-037 (LW) AND APPROVAL OF ORDER LW-24-02, AN APPLICATION BY SOLID STATE DESIGN CONSULTANTS, ON BEHALF OF KENNIT OF PALM BEACH INC., FOR CONSIDERATION OF A LANDSCAPE WAIVER FROM SEC. 15-133(B)(1) TO ALLOW FOR A 4-FOOT WIDE PERPENDICULAR DIVIDER STRIP WHERE VILLAGE CODE REQUIRES A 5-FEET, FOR A PROPERTY LOCATED AT 11328 OKEECHOBEE BOULEVARD; BY AGENT: CHAD MACKEY.

Issue:

The Applicant, Solid State Design Consultants, on behalf of Kennit of Palm Beach Inc., is requesting a Landscape Waiver to allow for a 4-foot wide Perpendicular Divider Strip where Village Code requires 5-foot wide when two rows of parking stalls face each other. The reduction in the width of the Perpendicular Divider Strip is to accommodate a 5-foot wide sidewalk which provides an access way from the handicap parking stalls to a crosswalk. The property is located at 11328 Okeechobee Boulevard.

For a brief description of the Waiver and location, please see below. Also below is the Applicant's justification and Staff's recommendation for the waiver requested.

Waiver Request:

Sec. 15-133(b)(1): to allow for a 4-foot width landscape area within a perpendicular divider island, where Village Code requires 5-feet, a waiver to reduce the required width by one foot. The landscape area will contain all required landscape materials. Please refer to **Attachment A** for an illustration showing the location of the affected landscape island.

The Applicant Contends: "Sidewalk pathway allows for 2' overhang from ADA parking space. Installation of a 4' wide sidewalk and 6" curb leaves 6' on west side of new path of travel for a 4' island greenspace and 2' overhang per code requirements. This modification necessitates the corresponding landscape waiver".

Staff Recommendation: Staff is recommending Approval of the requested Landscape Waiver and generally concurs with the Applicant's assessment. Staff believes that this is the minimum waiver necessary to allow reasonable use of the provided ADA parking.

Initiator:	Village Manager	Agenda Date	Village Council
P&Z Director	Approval	11/21/24	Action

The Planning and Zoning Commission considered Application No. 24-037 on October 22, 2024 and recommended Approval by a vote of 5-0.

Recommended Action:

Staff is recommending Approval of Application No. 24-037 (LW) and Order LW-24-02.

Initiator:	Village Manager	Agenda Date	Village Council
P&Z Director	Approval	11/21/24	Action

**ORDER OF THE VILLAGE COUNCIL
VILLAGE OF ROYAL PALM BEACH
Chapter 15. Landscape Waiver**

CASE NO. LW-24-02

**IN RE: Application No. 24-037(LW) – Willow Plaza Landscape @
11328 Okeechobee Boulevard**

Legal Description:

Attached as Exhibit “A”

ORDER APPROVING APPLICATION

This cause came to be heard upon the above application and the Royal Palm Beach Village Council having considered the evidence presented by the applicant and other interested persons at a hearing called and properly noticed on November 21, 2024, and the Royal Palm Beach Village Council being otherwise advised.

THEREUPON, the Village Council of the Village of Royal Palm Beach finds as follows:

1. The property which is the subject of said application is classified and zoned within the Neighborhood Commercial (CN) District by the Zoning Code of the Village of Royal Palm Beach and the zoning map made a part thereof by reference.
2. The applicant is seeking a landscape waiver from the Village of Royal Palm Beach Code of Ordinances at Sec. 15-133 (b) (1) to allow for a perpendicular divider strip with a width of four (4) feet where Village Code requires five (5) feet in order to accommodate a 5-foot wide sidewalk which provides an access way from the handicap parking stalls.

3. Under the provisions of Sec. 15-37 of the Village Code of Ordinances, the Village Council has the right, power and authority to act upon the application herein made.
4. In accordance with the requirement of Section 15-37 to specify the duration of the waiver, the Village Council holds that this grant of Landscape Waiver shall continue as long as the Project exists on this site.
5. **IT IS THEREUPON CONSIDERED, ORDERED AND ADJUDGED** by the Royal Palm Beach Village Council as follows:
The application in connection with **Landscape Waiver Order, LW-24-02**, with reference to the Willow Plaza Landscape project in the Village of Royal Palm Beach, Florida is hereby **Approved** in accordance with the Village Code of Ordinances for the following reasons:

The applicant meets the landscape objectives as allowed by Section 15-37 of the Village Code of Ordinances.

Done and ordered this 21st day of November, 2024.

Mayor Jeff Hmara
Village of Royal Palm Beach

Attest:

Diane DiSanto, Village Clerk

**Exhibit A
Legal Description
Willow Plaza Landscape @ 11328 Okeechobee Boulevard
Application No. 24-037 (LW)
LW-24-02**

LEGAL DESCRIPTION:

Lots 3, 4 and 5, Block "L", THE WILLOWS, according to the Plat thereof as recorded in Plat Book 29, Pages 102 through 106, inclusive, of the Public Records of Palm Beach County, Florida.