



TOWN OF PALM BEACH

PLANNING, ZONING, & BUILDING DEPARTMENT

TOWN COUNCIL MEETING DEVELOPMENT REVIEW

TOWN HALL
COUNCIL CHAMBERS - SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

MAY 11, 2022

9:30 AM

Welcome

For information regarding procedures for public participation at Town Council Meetings, please refer to the end of this agenda.

I. CALL TO ORDER AND ROLL CALL

Danielle H. Moore, Mayor
Margaret A. Zeidman, President
Bobbie Lindsay, President Pro Tem
Julie Araskog
Ted Cooney
Lew Crampton

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. COMMENTS OF MAYOR DANIELLE H. MOORE

IV. COMMENTS OF TOWN COUNCIL MEMBERS

V. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

VI. APPROVAL OF AGENDA

VII. PRESENTATIONS

- A. Introduction of Code Review Planning Firms, Zone Co. and Corradino Group Pg. 10

TIME CERTAIN: 2:00 PM

- B. Moratoriums and Zoning in Progress Pg. 11
John C. Randolph, Town Attorney

VIII. RESOLUTIONS

- A. RESOLUTION NO 064-2022 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As 345 Pendleton Lane Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach. Pg. 12
- B. RESOLUTION NO 065-2022 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As 200 Algoma Rd Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach. Pg. 35
- C. RESOLUTION NO 066-2022 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As 215 Mediterranean Rd Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach. Pg. 60

IX. DEVELOPMENT REVIEWS

A. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

- a. **ZON-21-006 (ARC-21-040) 164 SEASPRAY AVENUE (COMBO) SPECIAL EXCEPTION REQUEST WITH SITE PLAN REVIEW AND VARIANCES** The applicant, Hayati Banastey, has filed an application requesting Town Council review and approval for a Special Exception Request with Site Plan Review for the construction of new two story residence on 2 platted lots deficient in lot width and lot area, including the following variances (1) a variance to reduce the required side (east) yard setback to 10 ft in lieu of 15 feet required for 2 story structure; (2) a variance to reduce the required side (west) yard setback to 10 ft in lieu of 12.5 feet required for the 1 story portion; (3) a variance to reduce the required side (west) yard setback to 10 feet in lieu of 15 feet required for the 2 story portion. [The Architectural Review Commission deferred the project to the May 25, 2022 meeting. Carried 7-0.] **Staff Recommends a Deferral to the June 15, 2022 Meeting** Pg. 85
- b. **ZON-22-017 (ARC-22-032) 1237 N LAKE WAY (COMBO) - VARIANCES & SITE PLAN REVIEW** The applicant, Frank H. Pearl and Geryl T. Pearl, has filed an application requesting Town Council review of and approval of Site Plan Review for the construction of a new two-story residence on a lot with less width than required in the RB district, and including variances (1) to allow a two-story accessory structure on a lot less than 20,000SF in lot area, and (2) to exceed the point of measurement. ARCOM will perform design review of the application. [The Architectural Review Commission deferred the project to the May 25, 2022 Meeting. Carried 7-0.] **Staff Recommends a Deferral to the June 15, 2022 Meeting** Pg. 104
- c. **ZON-22-029 (HSB-22-002) 854 S COUNTY RD (COMBO) - VARIANCES**. The applicant, Todd Glaser, has filed an application requesting Town Council review and approval for variance (1) to retain the existing nonconforming side (north) setback to accommodate substantial additions to a historically significant building. The Landmarks Preservation Commission will perform design review of the application. [Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject historically significant property. Carried 7-0.] [The Landmarks Preservation Commission approved the project as presented. Carried 7-0.] Pg. 110
- d. **ZON-22-032 (HSB-22-003) 594 NORTH COUNTY RD (COMBO) - VARIANCES** The applicant, George and Sandra Marucci, has filed an application requesting Town Council review and approval for variances to reduce both side yard setback requirements for one-story additions to a historically significant building and for a variance from Chapter 50 for the required floor elevation for the new ground floor addition on a historically significant building to construct a ground floor addition with a Pg. 117

finished floor of 6.49' NAVD in lieu of the required 7' NAVD. [The Landmarks Preservation Commission deferred the project indefinitely. Carried 7-0.] **Staff Recommends a Withdrawal of the Project Per Email From Harold Smith, Architect**

- e. **ZON-22-033 (ARC-22-001) 108 EL MIRASOL (COMBO) - VARIANCES** The applicant, ANK Palm Beach LLC (Anand “Andy” Khubani, Managing Member), has filed an application requesting Town Council review and approval for a variance to allow a basement in a North side-yard setback for basement vehicular access in relation to the construction of a new single family residence. The Architectural Commission will perform design review of the application. [The Architectural Review Commission deferred the project to the May 25, 2022 meeting. Carried 7-0.] **Staff Recommends a Deferral to the June 15, 2022 Meeting** Pg. 120
- f. **ZON-22-037 (ARC-22-040) 60-70 BLOSSOM WAY (COMBO) – SITE PLAN REVIEW** The applicant, Blossom Way Holdings LLC and Providencia Partners LLC (Maura Ziska, Authorized Representative), has filed an application requesting Town Council Site Plan Review as required for the installation of a generator with an output capacity over 100kW, in conjunction with the construction of a new single family residence. ARCOM will perform design review of the application. [The Architectural Review Commission deferred the project to the May 25, 2022 meeting. Carried 7-0.] **Staff Recommends a Deferral to the June 15, 2022 Meeting** Pg. 125
- g. **ZON-22-038 (ARC-22-058) 220 BRAZILIAN AVE (COMBO) - VARIANCES** The applicant, 1220 PB LLC (Guy Rabideau), has filed an application requesting Town Council review and approval for variances (1-2) to install AC equipment within both (east and west) side yards of a duplex building not fully screened by a 7' high wall and (3-4) to install an emergency generator in the side (west) yard setback exceeding maximum height allowed and not completely screened by a 7' high wall. The Architectural Commission will perform design review of the application. [Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 6-0.] [The Architectural Review Commission approved the project with conditions. Carried 5-1.] Pg. 130

2. New Business

- a. **ZON-22-015 (ARC-22-015) 755 N COUNTY RD (COMBO) – SPECIAL EXCEPTION W/ SITE PLAN REVIEW AND VARIANCES** The applicant, Beach Club Inc. (David Shaw, General Manager) has filed an application requesting Town Council review for Special Exception with Site Plan Review and Variance (1) to exceed the maximum allowable lot coverage and Pg. 157

(2) to exceed the maximum allowable cubic content ratio (CCR), in order to expand the existing Beach Club facility. The Architectural Commission will perform design review of the application. [Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 7-0.] [The Architectural Review Commission approved the project as presented. Carried 7-0.]

- b. **ZON-22-043 482 ISLAND DR - VARIANCES** The applicant, 482 Island Drive Trust (William Atterbury III Trustee), has filed an application requesting Town Council review and approval for Variances (1) to exceed the maximum projection for a marginal dock and (2) to exceed the maximum allowable width of 30% for docks.

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- c. **ZON-22-044 (ARC-22-054) 333 SUNSET AVE (COMBO) – SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES** The applicant, Royal Poinciana South LLC (Arthur Pergament) has filed an application requesting Town Council review and approval for Special Exception with Site Plan Review and Variances (1) to exceed the maximum lot coverage, (2 & 3) to reduce required setbacks, (4) to expand an existing nonconforming 7 story building, (5 & 6) to allow pool equipment where not permitted, (7) to exceed the maximum building height and (8) to exceed the maximum allowable amount of equipment in a front yard. The Architectural Commission will perform design review of the application. [The Architectural Review Commission deferred the project to the May 25, 2022 meeting. Carried 7-0.] **Staff Recommends a Deferral to the June 15, 2022 Meeting**

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- d. **ZON-22-045 (HSB-22-008) 426 SEAPRAY AVE (COMBO) – VARIANCES** The applicant, 426 Seaspray Avenue Trust (Maura Ziska, TR) has filed an application requesting Town Council approval for Variances (1) to exceed the maximum cubic content ratio (CCR), (2) to exceed the maximum lot coverage, and (3) from Chapter 50 for the required floor elevation for the new ground floor addition on a historically significant building to construct a ground floor addition with a finished floor of 2.27' NAVD and 4.06' NAVD in lieu of the required 7' NAVD, in conjunction with renovations and a two-story additions to an existing nonconforming historically significant building. The Landmarks Preservation Commission will perform design review of the application. [The Landmarks Preservation Commission deferred the project to the May 18, 2022 meeting. Carried 7-0.] **Staff Recommends a Deferral to the June 15, 2022 Meeting**

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- e. **ZON-22-051 223 SUNSET AVE—SPECIAL EXCEPTION W/ SITE PLAN REVIEW AND VARIANCES** The applicant, 233 Sunset Holdings LLC (Peter May), has filed an application

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requesting Town Council review and approval for Special Exception w/ Site Plan Review for the interior renovation of an existing second floor office space in an existing two-story building resulting in an increase of approximately 950 SF of Gross Leasable Area (GLA) and a Variance (1) to provide 0 of the 4 parking spaces required due to the increase of general office space.

- f. **ZON-22-055 (HSB-22-005) 1161 N LAKE WAY (COMBO) - VARIANCES** The applicant, Maria Fanjul Ryan, has filed an application requesting Town Council review and approval for a Variance (1) from Chapter 50 for the required floor elevation for the new ground floor addition on a historically significant building to construct a ground floor addition with a finished floor of 3.82' and 5.74' NAVD in lieu of the required 7' NAVD. The Landmarks Preservation Commission will review the variance portion of the application. [Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject historically significant property. Carried 7-0.] [The Landmarks Preservation Commission approved the project as presented. Carried 7-0.]
- g. **ZON-22-057 (ARC-22-084) 147 SEABREEZE AVE (COMBO) - VARIANCES** The applicant, MEHWD147 LLC (Elanor Acquavella Dejoux), has filed an application requesting Town Council review and approval for Variances (1) to exceed the maximum lot coverage allowed and (2) to exceed the maximum Cubic Content Ratio (CCR) allowed, in conjunction with a 16 SF first floor addition, and (3) to expand an existing nonconforming 3rd floor roof deck area. The Architectural Commission will perform design review of the application. [Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 6-0.] [The Architectural Review Commission approved the project as presented. Carried 6-0.]
- h. **ZON-22-058 (HSB-22-007) 145 CLARENDON AVE (COMBO) - VARIANCES** The applicant, 144 Clarendon LLC (Christopher Uzpen, Manager), has filed an application requesting Town Council review and approval for Variances for (1 and 2) to reduce both of the side (east and west) yard setback requirements and (3) from Chapter 50 for the required floor elevation for the new ground floor addition on a historically significant building to construct a ground floor addition with a finished floor of 6.31' NAVD in lieu of the required 7' NAVD, in conjunction with renovations and additions to an existing nonconforming one-story Historically Significant Building. The Landmarks Preservation Commission will perform design review of the application. [Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject historically significant property. Carried 7-0.] [The Landmarks Preservation

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Commission approved the project as presented. Carried 7-0.]

- i. **ZON-22-059 (ARC-22-086) 2219 IBIS ISLE RD (COMBO) - SITE PLAN REVIEW** The applicant, GLOBAL ONE INVESTMENT GROUP LLC (Alfredo Borges), has filed an application requesting Town Council review and approval for Site Plan Review to allow the construction of a residence on a non-conforming platted lot which is 90 feet in width in lieu of the 100 foot minimum width required in the R-B Zoning District. The Architectural Commission will perform design review of the application. [The Architectural Review Commission deferred the project to the May 25, 2022 meeting. Carried 7-0.] **Staff Recommends a Deferral to the June 15, 2022 Meeting** Pg. 258
- j. **ZON-22-060 (COA-22-017) 1820 S OCEAN BLVD (COMBO) - SPECIAL EXCEPTION W/ SITE PLAN REVIEW AND VARIANCES** The applicant, White Birch Farm Inc. (Peter Brant), has filed an application requesting Town Council review and approval for Special Exception w/ Site Plan Review for the construction of a beach cabana in the BA zoning district including Variances (1) to reduce the required side (west) setback and (2) to reduce the required ocean bulkhead line setback. The Landmarks Preservation Commission will perform design review of the application. [Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject landmarked property. Carried 7-0.] [The Landmarks Preservation Commission approved the project with conditions relating to the architecture. Carried 7-0.] Pg. 259

X. ORDINANCES

A. First Reading

1. Proposed Ordinance to Amend Chapter 18 of the Town Code to Modify the Language regarding Floodplain Management, to incorporate new FEMA and FL DEM requirements, and to acknowledge the Town's current CRS classification. Pg. 302

ORDINANCE NO. 009-2022 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 18, Buildings And Building Regulations, Specifically At Article I, In General, Section 18-1, Datum Plane Adopted; And At Article IV, Florida Building Code, Division 2, Florida Building Code Technical Amendments For Flooding, Section 18-244, Amendments; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

2. Proposed Ordinance to Amend Chapter 50 of the Town Code to Modify the Language regarding Floodplain Management, to incorporate new FEMA and FL DEM requirements, and to Pg. 309

acknowledge the Town's current CRS classification.

ORDINANCE NO. 010-2022 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 50, Floods, By Amending Article III, Definitions And Article IV, Flood Resistant Development, To Provide For Accessory Structures In Flood Hazard Areas And To Specify Elevation Of Manufactured Homes In Flood Hazard Areas; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

XI. ANY OTHER MATTERS

XII. ADJOURNMENT

PLEASE TAKE NOTE:

- Note 1:** Please submit written comments/materials to council@townofpalmbeach.com or in person to the Town Clerk's Office, located at Town Hall, 360 South County Road. No written materials received after 3:30 p.m. on the Wednesday immediately prior to a monthly Town Council meeting will be included in the back-up binders distributed to the Mayor and Town Council in preparation for that meeting. Written materials received after 3:30 p.m. on Wednesday will be separately distributed to the Mayor and Town Council; however, depending upon the length of the materials, the time of submittal, and other circumstances, the Mayor and Town Council may not be able to read and consider such late submittals prior to acting upon the policy matter(s) which they address.
- Note 2:** The progress of this meeting may be monitored by visiting the Town's website (townofpalmbeach.com) and clicking on "Meeting Audio" in the left column. If you have questions regarding that feature, please contact the Office of Information Technology (561) 227-6315. The audio recording of the meeting will appear within 24 hours after the conclusion of the meeting.
- Note 3:** If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings. For such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
- Note 4:** Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.
- Note 5:** Items listed on the Consent Agenda will be approved by one motion of the Town Council, unless the Mayor or an individual Council Member

requests that any item(s) be moved to the Regular Agenda and individually considered.

Note 6: All back-up material for the items listed on the agenda are posted to the Town's website and emailed to all Stay Informed subscribers on the Friday before the Town Council meeting. To access the back-up materials and/or subscribe to the Stay Informed list, please visit the Town's website (townofpalmbeach.com).

PROCEDURES FOR PUBLIC PARTICIPATION

Citizens desiring to address the Town Council should proceed toward the public microphones when the applicable agenda item is being considered to enable the Town Council President to acknowledge you.

PUBLIC HEARINGS: Any citizen is entitled to be heard on an official agenda item under the section entitled "Public Hearings," subject to the three minute limitation.

COMMUNICATIONS FROM CITIZENS: Any citizen is entitled to be heard concerning any matter under the section entitled "Communications from Citizens," subject to the three minute limitation. The public also has the opportunity to speak to any item listed on the agenda, including the consent agenda, at the time the agenda item comes up for discussion.

OTHER AGENDA ITEMS: Any citizen is entitled to be heard on any official agenda item when the Town Council calls for public comments, subject to the three minute limitation.

Town Council Meetings are public business meetings and, as such, the Town Council retains the right to limit discussion on any issue.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Presentations

Agenda Title

Introduction of Code Review Planning Firms, Zone Co. and Corradino Group

TIME CERTAIN: 2:00 PM

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Presentations

Agenda Title

Moratoriums and Zoning in Progress

Presenter

John C. Randolph, Town Attorney

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda Resolutions

Agenda Title

RESOLUTION NO 064-2022 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As 345 Pendleton Lane Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach.

Presenter

ATTACHMENTS:

- ▣ **Resolution No. 064-2022**
- ▣ **Designation Report for 345 Pendleton Lane**
- ▣ **Excerpt from the April 20, 2022 Landmarks Preservation Commission Meeting Minutes**
- ▣ **Landmark Designation Procedure**

RESOLUTION NO. 064-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, RATIFYING AND CONFIRMING THE DETERMINATION OF THE LANDMARKS PRESERVATION COMMISSION THAT THE PROPERTY KNOWN AS 345 PENDLETON LANE MEETS THE CRITERIA SET FORTH IN ORDINANCE NO. 2-84, ALSO KNOWN AS CHAPTER 54, ARTICLE IV OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH; AND DESIGNATING SAID PROPERTY AS A TOWN OF PALM BEACH LANDMARK PURSUANT TO ORDINANCE NO. 2-84, ALSO KNOWN AS CHAPTER 54, ARTICLE IV OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH.

WHEREAS, pursuant to the provisions of Ordinance No. 2-84, (Chapter 54, Article IV, Code of Ordinances of the Town of Palm Beach) the Landmarks Preservation Commission of the Town of Palm Beach held a public hearing and recommended to the Town Council that certain landmarked property described herein be designated as a landmark as described in said Ordinance and Code; and

WHEREAS, after due notice to the property owner(s) affected, a public hearing was held at which all parties interested were given an opportunity to be heard and express their views and opinions with respect to the property and its designation as a landmark; and

WHEREAS, the Town Council does hereby find and determine that the property described herein meets the criteria required by the Ordinance to designate a landmark, and shall be designated as a landmark.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The foregoing recitals are hereby ratified and confirmed.

Section 2. The recommendation and determination of the Landmarks Preservation Commission as to the property hereinafter described in Section 3 of this Resolution, being

designated as a landmark is hereby ratified, approved and confirmed.

Section 3. The landmark herein amended, pursuant to the provisions of Ordinance No. 2-84, and the provisions of the Town Code described herein, is known as **345 Pendleton Lane** and the property to be landmarked is legally described as follows:

COCOANUT GROVE W 90 FEET OF LOT 6

Section 4. The Town Clerk is hereby ordered to furnish the property owner of the landmarked property a copy of this Resolution.

Section 5. Within thirty (30) days from the date of adoption of this Resolution, the Landmarks Preservation Commission shall cause to be filed in the Office of the Recorder of Deeds in and for Palm Beach County, Florida, a certificate that the above-described property comprises a landmark, as described above and as defined in and subject to the provisions of Ordinance No. 2-84 and the Code of Ordinances of the Town of Palm Beach, Florida

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 11th day of May, 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Town Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member

345 Pendleton Lane



DESIGNATION REPORT

April 20, 2022

Landmark Preservation Commission

Palm Beach, Florida

DESIGNATION REPORT

345 Pendleton Lane

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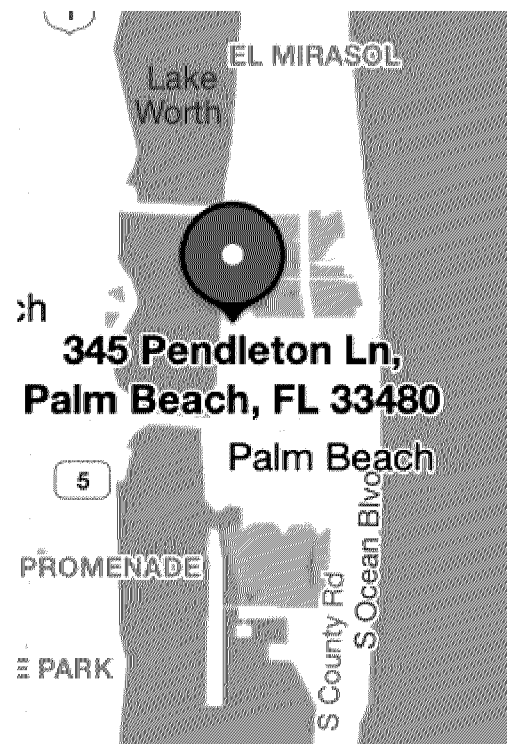
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Report produced by Murphy Stillings, LLC

I. General Information

Location:	345 Pendleton Avenue Palm Beach, Florida
Date of Construction:	1940
Original Owner:	Milton Alvah Fuller
Architect:	John L. Volk
Builder/Contractor:	Arnold Construction Company
Current Owner:	Ridgely & Leta Austin Foster
Present Use:	Single Family Residence
Present Zoning	R-B
PBC Tax Folio Number:	50-43-43-22-02-000-0061
Current Legal Description:	Cocoanut Grove W 90 Feet of Lot 6

II. Location Map



III. Architectural Information

The residence at 345 Pendleton Lane was designed in the Georgian Revival style by distinguished Palm Beach architect John L. Volk and constructed by noted builders Arnold Construction Company in 1940. It is located on the north side of Pendleton Lane west of Cocoanut Row and adjacent on the east to the property at 4 South Lake Trail.



345 Pendleton Avenue is a very good example of John L. Volk's interpretation of the Georgian Revival style of architecture. The Georgian Revival style, a sub-type of the Colonial Revival style, has the classic symmetrical Colonial shape and is one of the long-lived architectural styles in the United States. Originating in the 18th century, the Georgian style dominated the English colonies and then beginning in the late 19th century there was a return to period style designs with the Georgian Revival style popular throughout the country until the mid-twentieth century. Based on Georgian and Adam prototypes from the northeastern states, variations on the style were popular in the Caribbean and were adapted in revival form in South Florida during the 1930s through the 1950s. Stylistic features include symmetry in building mass as well as window and door fenestration, accentuated front entries

typically with classical details, a cornice with dentils or other details, quoins, and multi-light sash and bay windows often flanked by shutters.



The dwelling at 345 Pendleton Avenue features the Georgian Revival form and a number of the style's elements. Constructed of brick covered with smooth stucco, the three-bay wide symmetrical dwelling consists of a front façade with equal fenestration of six-over-six double hung sash windows on the second story and longer six-over-nine double-hung sash windows on the first story, all flanked by louvered shutters. In keeping with the Georgian Revival style, the focal point of the main façade is the center entry. This decorative entry features a distinctive screen door with slanted wood elements in front of the wood paneled door which is topped by a charming transom. Above this door is a classical triangular pediment and to the sides are molded door surrounds and pilasters with arched brackets and a floral detail at their base.¹ The dwelling's low hipped roof is covered with flat cement tiles, has a simple molded cornice below and a chimney with an arched top and banding on the east elevation. Classical quoins on the buildings east and west corners complete

¹ John Volk's Job 330 for this residence has an exclusive detailed drawing of the front entry transom and also a detailed drawing of the entire front entryway.

the Georgian Revival design.² An original two-story attached garage apartment is located at the northwest section of the dwelling and there is a white picket gate at the entry to the front terrace which features a brick walkway flanked by delightful lily ponds.



Entrance



Garage

During the dwelling's eighty-two-year history, the house has had some additions and alterations. In 1960, a porch and bay window were added to the rear of the house and a carport was added in front of the garage, all designed by architect Belford Shoumate. Also in 1960, central air conditioning was added and in 1981 a swimming pool was constructed. Despite these modest additions and alterations, the original historic architectural integrity of the dwelling remains intact.

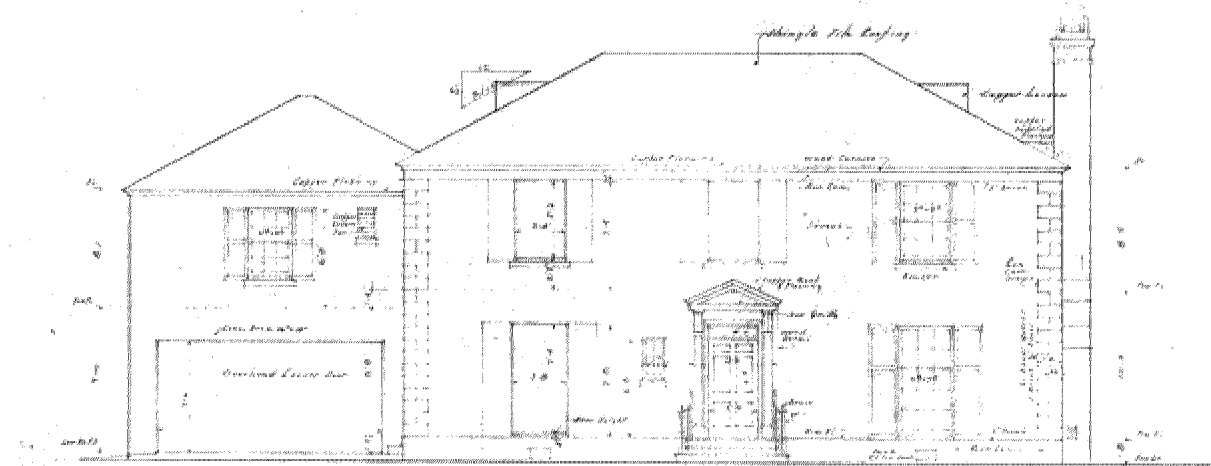
IV. Historical Information

Pendleton Lane is named for Major Edward Gray Pendleton (1843-1920) and his wife Emily Barton Pendleton who were among the early winter settlers of Palm Beach. Prior to 1905, Major Pendleton purchased "a strip of ocean to lake property located between the hotel company (Breakers) cottages and the Clarke estate" from

² The interior of the dwelling is a traditional John Volk design with an entry foyer leading to a spiral staircase and comprising a separate living room, dining room, library, kitchen, butler's pantry, powder room bath and loggia on the first floor with bedrooms and additional bathrooms on the second floor. Ellen Fuller Kaufmann, daughter of Milton and Ellen Fuller, provided a fun remembrance about the history of the dwelling; "One personal feature was that we had a cedar closet in my brother's bedroom. It was in the middle of the upstairs bedroom arrangement. My mother marked our heights as we grew on the wall of the cedar closet. When the house was sold in 1966 to the Collier family, the tradition of marking the heights of the children was continued. I believe Mrs. Foster, the current owner did this as well." This is special as the 82-year-old house has only had three owners who kept up a tradition.

Cornelius Vanderbilt Barton, grandnephew of Commodore Cornelius Vanderbilt. Barton had built “the two little cottages” on the Lake Trail that were then “slightly altered” by Major Pendleton and his wife Emily Pendleton after they purchased the property. The Pendleton’s lived in the cottage called “Reverie” at 5 South Lake Trail.³ The private road that ran from the two cottages to the ocean was referred to by 1908 as Pendleton’s Trail. Major Pendleton, a Civil War veteran, died in his Palm Beach house Reverie in 1920. Mrs. Pendleton continued to own and live at Reverie on the property that stretched from Lake Worth to Cocoanut Row until 1937 when she sold it to Arnold Construction Company where they planned the Cocoanut Grove subdivision where 345 Pendleton Lane is located.⁴

Pendleton Lane, like neighboring Pendleton Avenue, Barton Avenue, Clarke Avenue, and the Sea Streets is a sought-after mid-town Palm Beach neighborhood. Development of the lane began in the late-1930s during the late Depression and New Deal era when Arnold Construction Company formed Palm Beach Modern Homes and hired the best Palm Beach architects to design a series of houses along Pendleton Avenue and Pendleton Lane, with John Volk designing all of the houses along Pendleton Lane.⁵ The houses reflected the architectural changes occurring in Palm Beach during the 1930s and 1940s with mostly Georgian Revival, Colonial Revival and Monterey style dwellings built along the lane rather than the Mediterranean Revival style so popular during Palm Beach’s 1920s land and housing boom.



South Façade by John Volk, Volk Archives
 Courtesy of the Preservation Foundation of Palm Beach

³ Pendleton 2005 Preservation Foundation of Palm Beach “Annual Walking Tour” Brochure. February 1, 2005.

⁴ “Arnolds Purchase Pendleton Estate.” Palm Beach Post, April 11, 1937.

⁵ This also included the dwellings at 4 and 5 North Lake Trail at the end of Pendleton Lane.

The original owner of 345 Pendleton Lane, Milton A. Fuller, commissioned John Volk and Arnold Construction Company to design the house in 1940. Milton A. Fuller moved to Palm Beach for the winter seasons in the early 1920s where he had a controlling interest in Greenleaf & Crosby jewelry stores in the Royal Poinciana and Breakers hotels. After the 1929 financial crash, he left the hotels and opened his own shop at 236 Worth Avenue and re-named the store Milton A. Fuller, Inc. Milton Fuller also had a New York jewelry shop and he was affiliated for many years with Greenleaf & Crosby, as was his father before him.⁶ In Palm Beach Milton Fuller was a civic leader as a trustee of the Royal Poinciana Chapel and president of the Worth Avenue Merchants' Association.⁷ Milton's wife, Ellen Cooper Fulton, was active in the Garden Club of Palm Beach, and served on the boards of the Rehabilitation Center for Children and Adults and the Palm Beach Day School.⁸ During World War II, she joined with many other Palm Beach women to make bandages and supplies to be sent to American soldiers serving the country overseas.

Milton Fuller passed away in 1965 and within a year the house was purchased by Richard Collier, grandson of the pioneer south Florida developer Barron G. Collier who accumulated and later developed over a million acres of southwest Florida land and was the namesake of Collier County, Florida created in 1923.⁹ Beginning in 1970 and while living at 345 Pendleton Lane, Richard Collier partnered with Harry Gonzalez to form Land Logistics Company that offered consulting and development services in real estate throughout the United States and the Caribbean.

After owning the dwelling for ten years, Richard Collier sold the property to the current owners Ridgely and Leta Austin Foster in 1975. Ridgely Foster is a Palm Beach Realtor with longtime strong ties to Palm Beach. His wife, Leta Austin Foster, is an acclaimed interior designer who has been a town resident for over 50 years and also has an iconic shop and interior design business in a via off Worth Avenue. Among her many professional honors, Leta Austin Foster received an Addison Mizner Medal from the Florida chapter of the Institute of Classical

⁶ Damon Greenleaf and J.H Crosby were partners in a tourist-oriented jewelry store established in Jacksonville, Florida in 1867 that also sold flamingo plumes, seashells, alligator heads, live birds, and small animals. They later branched out to shops in St. Augustine, Palm Beach, and Miami. Milton A. Fuller owned and operated the stores in the Palm Beach hotel until moving the store to 236 Worth Avenue after the 1929 stock market crash and renaming it Milton A. Fuller, Inc. After Milton Fuller's retirement in 1956, the Palm Beach store was purchased by Scott Jenson and the store was named J. Scott Jenson, Inc. In 1977, Paul Henry bought the store, and it became Greenleaf & Crosby again. Today the store is owned by Win Betteridge and his wife and named Greenleaf & Crosby by W. Betteridge.

⁷ Milton A. Fuller retired in 1956 and passed away at the age of 70 at his home on Pendleton Lane in 1965.

⁸ The Palm Beach Day School is now the Palm Beach Day Academy.

⁹ Barron G. Collier's Consolidated Street Railway Advertising Company led the market in mass transit advertising and by the 1920s his multiple business interests included shipping, motor freight, hotels and spas, utilities, and newspapers. When he passed away in 1939 at the age of 66 he was Florida's largest landowner.

Architecture & Art and an honorary doctorate from the New York School of Interior Design to recognize her contributions to the design field. The interior design of 345 Pendleton Lane has benefitted from Leta's design background, exposure to great shopping across the world and a fine collection of family heirlooms. The Foster's affection for their house and the Pendleton Lane neighborhood is clear in a 1993 Palm Beach Life article where Leta describes how she fell in love with the street and her charming house. The Fosters have been excellent stewards of the dwelling and their desire to landmark their house shows the affinity for both their attractive neighborhood and lovely classic house, as well as their expressed desire to promote the preservation of historic houses in order to retain the charm of Palm Beach.

V. Architects Biography

John L. Volk

John Volk has been called the last of the "original" Palm Beach architects. He was one of an elite group of early 1920s architects that included Addison Mizner, Maurice Fatio, and Marion Sims Wyeth who developed the architectural style of the island that came to be known as the "Palm Beach Style".

Volk was born in Graz, Austria in 1901. He came to the United States with his parents at the age of nine and grew up in New York. He attended Columbia University School of Architecture and L'Ecole des Beaux Arts. Volk opened his office in Palm Beach in 1925. Volk designed more than 1000 houses, theaters, clubs, shops, and other buildings and lived in Palm Beach from 1925 to his death in 1984. He designed homes for some of the wealthiest and most powerful people in America over his 58-year career in Palm Beach including Colonel Robert McCormack, William Paley, George Vanderbilt, Nicholas DuPont, Henry Ford II, Herbert Pulitzer, Matthew Mellon, George Storer, Horace Dodge II, and John S. Phipps. Included in the designs of John Volk are some of the most prominent commercial and private club buildings in the Palm Beach area including the First National Bank, the Royal Poinciana Plaza and Playhouse, the center section of the Town Hall, the Beach Club, Good Samaritan Hospital, and several shops on Worth Avenue including the Everglades Colonnade. He also extensively modified and rebuilt the Bath and Tennis Club after a major hurricane.

Numerous other buildings are the result of Mr. Volk's labor, and it must be noted that no particular style can be exclusively associated with Mr. Volk. Unlike other talented architects who developed or refined specific styles, John Volk understood

and perfected many varying architectural styles from Mediterranean Revival to Contemporary Design.

VI. Statement of Significance

345 Pendleton Lane is significant as a very good example of the Georgian Revival style of architecture as interpreted by prominent Palm Beach architect John Volk. The size, scale and design of the dwelling adds to the cohesive architectural character of the charming and distinctive Pendleton Lane neighborhood. In addition, the dwelling has had three notable owners who have all been excellent stewards of the property.

VII. Criteria For Designation

Section 54-161 of the Town of Palm Beach Landmarks Preservation Ordinance outlines the criteria for designation of a landmark or landmark site and suggests that at least one criterion must be met to justify the designation. Listed below are criteria that relate to this property and justification for designation:

(1) “Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.”

345 Pendleton Avenue reflects the broad economic and social history of the Town of Palm Beach as it was built in the late Depression/New Deal era when many were enthused about new development in Palm Beach. The end of the 1920s Boom Time Era in Palm Beach had signaled a change in development and construction of residences with many owners seeking mid-size residences but still with stylish architectural designs. In addition, although the dwellings along Pendleton Lane vary in style, their size, scale, and settings are compatible resulting in a harmonious neighborhood.

(3) “Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship.”

The house at 345 Pendleton Lane is a very good example of the Georgian Revival style of architecture. The symmetrical front façade with the focus on the classical front entry with a splendid transom topped with a triangular pediment, original wood double-hung sash windows, quoins at the dwelling’s corners, a low-pitched hipped

roof with a simple molded cornice below and a chimney with an arched top and banding complete the notable Georgian Revival design.

(4) “Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.”

345 Pendleton Lane is a very good representation of the design work of the architect John L. Volk. John Volk has been recognized as one of the most important architects to practice in the Town of Palm Beach. Volk understood and perfected many varying architectural styles from Mediterranean Revival to contemporary designs and this house is a very good example of his interpretation of the Georgian Revival style. It is also important to note that John Volk designed all of the dwellings along Pendleton Lane in various architectural styles though in similar size and scale that blended to create a cohesive, charming, and coveted neighborhood.¹⁰

¹⁰ The John Volk designed dwelling at 5 Lake Way at the end of Pendleton Lane was demolished and a new much larger house was constructed on the property in 2004. Despite the change, this house is at the end of the cul-de-sac and set back far from the lane so the houses along the lane maintain a cohesive neighborhood.

VIII. Selected Bibliography

Curl, Donald W. Palm Beach County: An Illustrated History. Northridge, California: Windsor Publications, Inc., 1987.

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Historical Society of Palm Beach County. PBC History Online.

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McAlester, Virginia Savage. A Field Guide to American Houses: The Definitive Guide to Identifying and Understanding America's Domestic Architecture. Alfred K. Knopf Publisher, 2015.

Palm Beach Daily News and Palm Beach Post. Archived Articles 1940 – 2022.

Preservation Foundation of Palm Beach. 345 Pendleton Avenue File

Preservation Foundation of Palm Beach. Pendleton: 2005 Annual Walking Tour Brochure.

Scott, Donna Parish. "Chateau Lane," Palm Beach Life. October 1993.

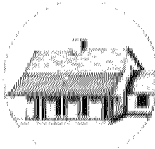
Town of Palm Beach. Building Permits and Microfiche Records 1940– 2022.

West Palm Beach City Directories, including Town of Palm Beach Directory: 1940 -1975.

IX. Florida Master Site File Form

Page 1

☐ Original
☒ Update



HISTORICAL STRUCTURE FORM
FLORIDA MASTER SITE FILE
Version 5.0 3/19

Shaded fields represent the minimum acceptable level of documentation.
Consult the Guide to Historical Structure Forms for detailed instructions.

Clear Form Values

Site# **PB04309**
Field Date 12-10-2019
Form Date 9-16-2020
Recorder # MAS

Site Name(s) (address if none) 345 Pendleton LN Multiple Listing (DHR only) _____

Survey Project Name Palm Beach Historical Site Survey Survey # (DHR only) _____

National Register Category (please check one) ☒ building ☐ structure ☐ district ☐ site ☐ object

Ownership: ☐ private-profit ☐ private-nonprofit ☒ private-individual ☐ private-nonspecific ☐ city ☐ county ☐ state ☐ federal ☐ Native American ☐ foreign ☐ unknown

LOCATION & MAPPING Clear Location Values

Address: 345 Pendleton Lane

Cross Streets (nearest / between) _____

USGS 7.5 Map Name PALM BEACH USGS Date 1986 Plat or Other Map _____

City / Town (within 3 miles) Palm Beach In City Limits? ☒ yes ☐ no ☐ unknown County Palm Beach

Township 43E Range 43E Section 22 1/4 section: ☐ NW ☐ SW ☐ SE ☐ NE Irregular name: _____

Tax Parcel # 50434322020000061 Landgrant _____

Subdivision Name COCONUT GROVE Block 000 Lot 0061

UTM Coordinates: Zone ☐ 16 ☐ 17 Easting ☐ ☐ ☐ ☐ ☐ ☐ Northing ☐ ☐ ☐ ☐ ☐ ☐

Other Coordinates: X: _____ Y: _____ Coordinate System & Datum _____

Name of Public Tract (e.g., park) _____

HISTORY Clear History Values

Construction Year: 1940 ☐ approximately ☐ year listed or earlier ☐ year listed or later

Original Use Private Residence (House/Cottage/Ca From (year): 1940 To (year): 2020

Current Use Private Residence (House/Cottage/Ca From (year): 1940 To (year): 2020

Other Use _____ From (year): _____ To (year): _____

Moves: ☐ yes ☒ no ☐ unknown Date: _____ Original address: _____

Alterations: ☐ yes ☐ no ☒ unknown Date: _____ Nature maybe siding

Additions: ☒ yes ☐ no ☐ unknown Date: _____ Nature side garage

Architect (last name first): _____ Builder (last name first): _____

Ownership History (especially original owner, dates, profession, etc.)
POSTER RIDGELY M TRUST L

Is the Resource Affected by a Local Preservation Ordinance? ☐ yes ☒ no ☐ unknown Describe _____

DESCRIPTION Clear Description Values

Style Colonial Revival Exterior Plan Rectangular Number of Stories 2

Exterior Fabric(s) 1. Stucco 2. _____ 3. _____

Roof Type(s) 1. Hip 2. _____ 3. _____

Roof Material(s) 1. Concrete tile 2. _____ 3. _____

Roof secondary strucs. (dormer etc.) 1. _____ 2. _____

Windows (types, materials, etc.)
wood 6/6, operable shutters, shallow stucco sills

Distinguishing Architectural Features (exterior or interior ornaments)
symmetric facade, hip roof w/o overhang, entry surround, quoining, chimney cap

Ancillary Features / Outbuildings (record outbuildings, major landscape features; use continuation sheet if needed.)
picket fence, brick walk, pebble drive, gate

DHR USE ONLY **OFFICIAL EVALUATION** **DHR USE ONLY**

NR List Date	SHPO - Appears to meet criteria for NR listing: ☐ yes ☐ no ☐ insufficient info	Date	Init.
☐ Owner Objection	KEEPER - Determined eligible: ☐ yes ☐ no Clear Check Boxes	Date	
	NR Criteria for Evaluation: ☐ a ☐ b ☐ c ☐ d (see National Register Bulletin 15, p. 2)	Date	

HISTORICAL STRUCTURE FORM

Site # **PB04309**

DESCRIPTION (continued)

Clear Description Values

Chimney: No. 1 Chimney Material(s): 1. Stucco 2. _____
 Structural System(s): 1. Masonry - General 2. _____ 3. _____
 Foundation Type(s): 1. Continuous 2. _____
 Foundation Material(s): 1. Concrete, Generic 2. _____

Note: you may use the last box in each field to type in an answer that does not appear in the list provided

Main Entrance (stylistic details)

multi panel, obscured by decorative screen door, transom w metal, centered on facade

Porch Descriptions (types, locations, roof types, etc.)

partial recess, large wood surround w pediment, brick & masonry steps

Condition (overall resource condition): ☐ excellent ☒ good ☐ fair ☐ deteriorated ☐ ruinous

Narrative Description of Resource

This 1940 Georgian Revival style building is in good condition.

Archaeological Remains

☐ Check if Archaeological Form Completed

RESEARCH METHODS (select all that apply)

- | | | | |
|--|---|---|--|
| ☒ FMSF record search (sites/surveys) | ☐ library research | ☐ building permits | ☒ Sanborn maps |
| ☐ FL State Archives/photo collection | ☐ city directory | ☐ occupant/owner interview | ☒ plat maps |
| ☒ property appraiser / tax records | ☐ newspaper files | ☐ neighbor interview | ☐ Public Lands Survey (DEP) |
| ☒ cultural resource survey (CRAS) | ☐ historic photos | ☐ interior inspection | ☐ HABS/HAER record search |
| ☒ other methods (describe) <u>Town Staff</u> | | | |

Bibliographic References (give FMSF manuscript # if relevant, use continuation sheet if needed)

OPINION OF RESOURCE SIGNIFICANCE

Clear Significance Values

- Appears to meet the criteria for National Register listing individually? ☐ yes ☒ no ☐ insufficient information
 Appears to meet the criteria for National Register listing as part of a district? ☒ yes ☐ no ☐ insufficient information

Explanation of Evaluation (required, whether significant or not; use separate sheet if needed)

This structure does not appear to meet criteria for individual listing, but it does meet district criteria based on its architectural features and association within the Town of Palm Beach.

Area(s) of Historical Significance (see National Register Bulletin 15, p. 8 for categories: e.g. "architecture", "ethnic heritage", "community planning & development", etc.)

1. Community planning & development 3. _____ 5. _____
 2. _____ 4. _____ 6. _____

DOCUMENTATION

Clear Documentation Values

Accessible Documentation Not Filed with the Site File -- including field notes, analysis notes, photos, plans and other important documents

- 1) Document type _____ Maintaining organization _____
 Document description _____ File or accession #s _____
 2) Document type _____ Maintaining organization _____
 Document description _____ File or accession #s _____

RECORDER INFORMATION

Recorder Name Patricia Davenport-Jacobs Affiliation Environmental Services, Inc.
 Recorder Contact Information 7220 Financial Way, Suite 100, Jacksonville, FL 32256/9044702200/pdavenport@
 (address / phone / fax / e-mail)

Required Attachments

- ① USGS 7.5' MAP WITH STRUCTURE LOCATION CLEARLY INDICATED
 - ② LARGE SCALE STREET, PLAT OR PARCEL MAP (available from most property appraiser web sites)
 - ③ PHOTO OF MAIN FACADE, DIGITAL IMAGE FILE
- When submitting an image, it must be included in digital AND hard copy format (plain paper grayscale acceptable).
 Digital image must be at least 1600 x 1200 pixels, 24-bit color, jpeg or tiff.

ITEM 3: **345 Pendleton Lane**

Owner: Ridgely M. Foster Trust and Leta A. Foster Trust

Call for disclosure of ex parte communication: Disclosure by Ms. Metzger.

Ms. Patterson asked for confirmation on proof of publication. Ms. Churney provided confirmation.

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history for this Georgian Revival style home. Ms. Murphy pointed out the design features of this building. Ms. Murphy testified that the building met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town; and,

Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction or use of indigenous materials or craftsmanship; and

Sec. 54-161 (4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

Ms. Coleman inquired about the number of John Volk houses that were designated on Pendleton Avenue. Ms. Murphy stated there was one designated.

Motion made by Mr. Segraves and seconded by Ms. Metzger to make the designation report for 345 Pendleton Lane part of the record. Motion carried unanimously, 7-0.

Mr. Segraves described how a historic district was proposed for Pendleton Lane about 20-25 years ago but did not pass.

A discussion ensued about the street and one of the homes that had been demolished.

Ms. Patterson called for public comment on the designation. No one indicated a desire to speak.

Motion made by Ms. Damgard and seconded by Ms. Metzger recommend 345 Pendleton Lane to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3 and 4 in Section 54-161. Motion carried unanimously, 7-0.

Palm Beach, Florida, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 54 - HISTORICAL PRESERVATION >> ARTICLE IV. - DESIGNATION PROCEDURE >>

ARTICLE IV. - DESIGNATION PROCEDURE

Sec. 54-161. - Criteria for landmarks and landmark sites.

Sec. 54-162. - Creation of historic districts.

Sec. 54-163. - Commission powers with respect to landmarks, landmark sites and historic districts.

Sec. 54-164. - Landmark, landmark site and historic district designation and undesignation procedures.

Sec. 54-165. - Voluntary restrictive covenants.

Secs. 54-166—54-195. - Reserved.

Sec. 54-161. - Criteria for landmarks and landmark sites.

A landmark or landmark site shall meet at least one of the following criteria:

- (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.
- (2) Is identified with historic personages or with important events in national, state or local history.
- (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship.
- (4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

(Code 1982, § 16-38)

Sec. 54-162. - Creation of historic districts.

- (a) *Authorized.* For preservation purposes, the commission shall identify geographically defined areas within the town to be designated as historic districts and shall cite the guideline criteria upon which such designation shall be made. An historic district may be designated for any geographic area of particular historic, architectural or cultural significance to the town that:
 - (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.
 - (2) Is identified with historic personages or with important events in national, state or local history.
 - (3) Embodies distinguishing characteristics of one or more architectural types, or contains specimens inherently valuable for the study of a period, style or methods of construction or use of indigenous materials or craftsmanship.
 - (4) Is representative of the notable works of one or more master builders, designers or architects whose individual ability has been recognized to have influenced their age.
 - (5) Constitutes a unique area of architecture, landscaping and planning.
- (b) *Petition for special historic district category.* Following the designation of each landmark or landmark site, the commission may petition the town council for the categorizing of such

property as special district H. Following the designation of each historic district, the commission may petition the town council for the categorizing of each property in such district to special district HD.

(Code 1982, §§ 16-38.1, 16-39)

Sec. 54-163. - Commission powers with respect to landmarks, landmark sites and historic districts.

The commission has the power to:

- (1) Designate a building, together with its accessory buildings and its lot of record, or a vacant site or a district as historic and worthy of preservation as a landmark, landmark site or historic district, as the case may be, within the jurisdiction of the commission, provided such designation is ratified by the town council.
- (2) Recommend appropriate legislation for the preservation of any building, site or district which it has so designated.
- (3) Make application for public and private funds when appropriate and available for the purposes set forth in this article subject to the approval of the town council.
- (4) Review applications proposing erection, alteration, restoration or moving of any building it has so designated or any building located in a district it has so designated, and to issue or deny certificates of appropriateness accordingly.
- (5) Review applications for demolition permits proposing demolition of all or part of any landmark or any building located in an historic district, and to issue certificates of appropriateness or to deny them for one year.
- (6) Cooperate with the owner of a landmark or a property located in an historic district throughout the year following a refusal to issue a certificate of appropriateness pursuant to an application for a demolition permit, and to seek alternative economic uses for such landmark or property.
- (7) Review its denial of a certificate of appropriateness for demolition of such landmark or property annually, during a public hearing at which time the owner of the affected landmark or property shall be afforded an opportunity to appear with counsel and to present testimony.
- (8) Prohibit the issuance of building, exterior remodeling or demolition permits affecting any property under consideration for landmark designation without a certificate of appropriateness, this prohibition to remain in effect for the length of time required by the commission and the town council for final action on the proposed designation. The commission shall accomplish such prohibition by furnishing the building official a list of all property under consideration for landmark designation.

(Code 1982, § 16-42)

Sec. 54-164. - Landmark, landmark site and historic district designation and undesignation procedures.

- (a) The following procedure shall be adhered to by the commission in designating any building, building site or district that is worthy of preservation:
 - (1) The commission shall consider for landmark designation any property proposed by the owner of record or by a member of the commission.
 - (2)

Notice of a proposed designation shall be sent by certified mail to the owner of record of property proposed for designation as a landmark or landmark site and to each owner of record of property in a district proposed for designation as an historic district, describing the property proposed and announcing a public hearing by the commission to consider such a designation to be held not less than 30 days after the mailing of such notice.

- (3) The commission shall also cause notice of each such proposed designation to be posted at least 30 days prior to the public hearing on the bulletin board in the lobby of the town hall, and in addition the commission shall cause such notice to be published in a newspaper having general circulation in the town.
 - (4) The commission may retain or solicit expert testimony regarding the historic and architectural importance of the buildings and districts under consideration for designation.
 - (5) The commission may present testimony or documentary evidence of its own to establish a record regarding the historic and architectural importance of the proposed landmark, landmark site or historic district.
 - (6) The commission shall afford the owner of each affected property reasonable opportunity to present testimony or documentary evidence regarding the historic and architectural importance of such property.
 - (7) The owner of each affected property shall be afforded a right of representation by counsel and reasonable opportunity to cross examine witnesses presented by the commission.
 - (8) Any interested party may present testimony or documentary evidence regarding the designation of a proposed landmark, landmark site or historic district at the public hearing and may submit to the commission documentary evidence within three days after the hearing.
 - (9) Within not more than 30 days after a public hearing, the commission shall render a final decision regarding the proposed designation and give written notice of its decision to each owner of property affected by the designation, setting forth the reasons for the decision.
 - (10) The commission shall maintain a record of testimony and documentary evidence submitted to it for consideration of the designation of a proposed or previously designated landmark, landmark site or historic district.
 - (11) In accordance with section 54-163(1), the town council shall, within 90 days of the commission's final decision, hold a public hearing to consider ratification of the determination of the commission prior to the designation of a property as a landmark or landmark site or of a district as an historic district becoming effective. Absent ratification by the town council, the commission's determination shall be ineffective.
 - (12) Within 30 days of the date on which the town council ratifies the commission's designation of a landmark, landmark site or historic district, the commission shall cause to be filed in the office of the county recorder of deeds a certificate of notification that such property is designated a landmark or landmark site or is located within a district designated an historic district; and the certificate of notification shall be maintained on the public record until such time as such designation may be withdrawn by the commission and the town council.
- (b) Designation and undesignation hearings before the commission shall be held only during the months of November, December, January, February, March and April.
- (c)

Designation of a landmark, landmark site or a historic district may be withdrawn by following the same procedure as listed above.

(Code 1982, § 16-43)

Sec. 54-165. - Voluntary restrictive covenants.

The owner of any landmark or landmark site may, at any time following the designation of his property, enter into a restrictive covenant on the property after negotiation with the commission. The commission may assist the owner in preparing such a covenant in the interest of preserving the landmark or the landmark site. The owner shall record such covenant in the office of the county recorder of deeds and shall notify the town clerk, building official and town council and may notify the office of the county property appraiser of such covenant and the conditions thereof.

(Code 1982, § 16-48)

Secs. 54-166—54-195. - Reserved.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO 065-2022 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As 200 Algoma Rd Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach.

Presenter

ATTACHMENTS:

- ▣ **Resolution No. 065-2022**
- ▣ **Designation Report for 200 Algoma Road**
- ▣ **Excerpt from the April 20, 2022 Landmarks Preservation Commission Meeting Minutes**
- ▣ **Landmark Designation Procedure**

RESOLUTION NO. 065-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, RATIFYING AND CONFIRMING THE DETERMINATION OF THE LANDMARKS PRESERVATION COMMISSION THAT THE PROPERTY KNOWN AS 200 ALGOMA RD MEETS THE CRITERIA SET FORTH IN ORDINANCE NO. 2-84, ALSO KNOWN AS CHAPTER 54, ARTICLE IV OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH; AND DESIGNATING SAID PROPERTY AS A TOWN OF PALM BEACH LANDMARK PURSUANT TO ORDINANCE NO. 2-84, ALSO KNOWN AS CHAPTER 54, ARTICLE IV OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH.

WHEREAS, pursuant to the provisions of Ordinance No. 2-84, (Chapter 54, Article IV, Code of Ordinances of the Town of Palm Beach) the Landmarks Preservation Commission of the Town of Palm Beach held a public hearing and recommended to the Town Council that certain landmarked property described herein be designated as a landmark as described in said Ordinance and Code; and

WHEREAS, after due notice to the property owner(s) affected, a public hearing was held at which all parties interested were given an opportunity to be heard and express their views and opinions with respect to the property and its designation as a landmark; and

WHEREAS, the Town Council does hereby find and determine that the property described herein meets the criteria required by the Ordinance to designate a landmark, and shall be designated as a landmark.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The foregoing recitals are hereby ratified and confirmed.

Section 2. The recommendation and determination of the Landmarks Preservation Commission as to the property hereinafter described in Section 3 of this Resolution, being

designated as a landmark is hereby ratified, approved and confirmed.

Section 3. The landmark herein amended, pursuant to the provisions of Ordinance No. 2-84, and the provisions of the Town Code described herein, is known as **200 Algoma Rd** and the property to be landmarked is legally described as follows:

**35-43-43, W 198.46 FT OF ELY 719.98 FT OF NLY 167.49 FT OF S 1935.25 FT
OF GOV LT 2 W OF OCEAN BLVD IN DB1010P97**

Section 4. The Town Clerk is hereby ordered to furnish the property owner of the landmarked property a copy of this Resolution.

Section 5. Within thirty (30) days from the date of adoption of this Resolution, the Landmarks Preservation Commission shall cause to be filed in the Office of the Recorder of Deeds in and for Palm Beach County, Florida, a certificate that the above-described property comprises a landmark, as described above and as defined in and subject to the provisions of Ordinance No. 2-84 and the Code of Ordinances of the Town of Palm Beach, Florida

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 11th day of May, 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Town Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member

200 Algoma Road



DESIGNATION REPORT

April 20, 2022

Landmark Preservation Commission

Palm Beach, Florida

DESIGNATION REPORT

200 Algoma Road

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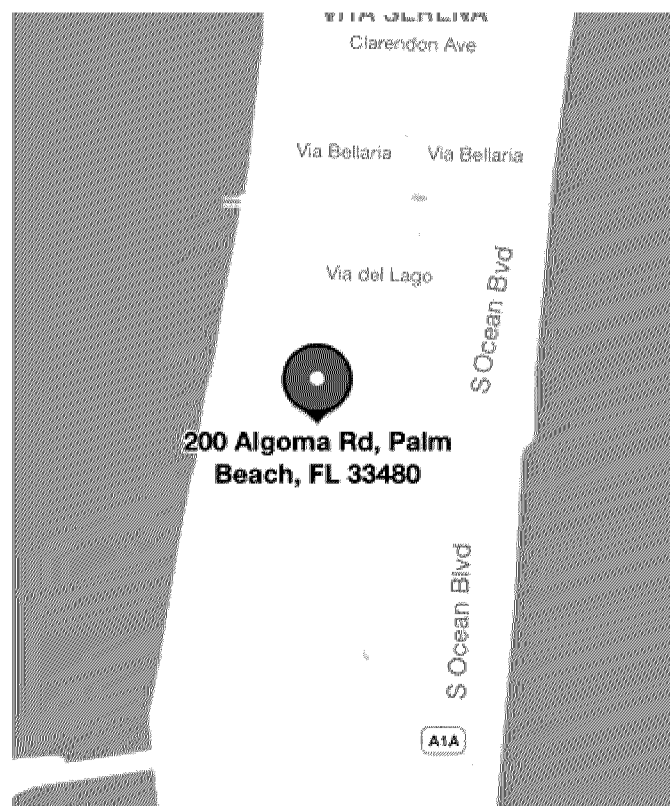
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Report produced by Murphy Stillings, LLC

I. General Information

Location:	200 Algoma Road Palm Beach, Florida
Date of Construction:	1969 - 1970
First Owner:	Bradford A. Whittemore
Architect:	Wyeth, King and Johnson
Builder/Contractor:	Charles R. Wilson Construction Company
Current Owner:	Silene, LLC
Present Use:	Residence
Present Zoning:	R-A
PBC Tax Folio Number:	50-43-43-35-00-002-0330
Current Legal Description:	35-43-43, W 198.46 FT OF ELY 719.98 FT OF NLY 167.49 FT OF S 1935.25 FT OF GOV LT 2 W OF OCEAN BLVD IN DB1010P97

II. Location Map



III. Architectural Information

The Palm Beach architectural firm Wyeth, King and Johnson designed 200 Algoma Road in 1969 in the French Provincial Ranch style of architecture with the construction performed by Charles R. Wilson Construction Company.¹ The dwelling sits on the south side of Algoma Road between the Atlantic Ocean and Lake Worth in Palm Beach's esteemed Estate Section.



A Styled Ranch is set apart from a common Ranch by the presence of a more complete and unified set of stylistic details that spell out a distinct style, such as French, Spanish, Tudor, Colonial or Neoclassical. Styled Ranch houses were built intermittently during the Ranch-house era (1935–1975), but they became increasingly more common by 1970 as buyers had begun to tire of simple Ranch houses and sought a different look. The easiest way to achieve a different look was to continue building the familiar Ranch while adding strong stylistic details to the exterior. Called ‘French

¹ Palm Beach Building Permit #67561 dated November 6, 1961.

Provincial” and “formal” in pattern books, French Ranches were mostly popular during the late 1960s through the 1980s. French Ranches are primarily symmetrical with side wings extending forward or set back from the main façade. In French Provincial examples, generally at least one portion of the house is topped by a high-pitched hipped roof, one or more segmental arches are present on doors, windows or dormers, and windows are usually tall, sometimes full height. In addition, the front entry is typically prominent and features a paneled front door and tall narrow shutters frequently enhance windows and/or entries.²

200 Algoma Road is a distinguished house that features many French Provincial stylistic elements. The symmetrical dwelling is a masonry structure covered with stucco and has side wings extending forward. Both the center three-bay section and the one-bay wings are topped with character-defining steeply pitched roofs covered with cement tile and separated from the one-story base by a prominent cornice. The center section includes the front entry with a projecting rounded surround and a recessed divided-light entry door with a decorative transom above.³ The distinctive projecting wings feature full-height nine-over-nine double-hung sash windows with arched louvered dormers above and flanked by full-height louvered shutters topped with steeply pitched pyramid hipped roofs.

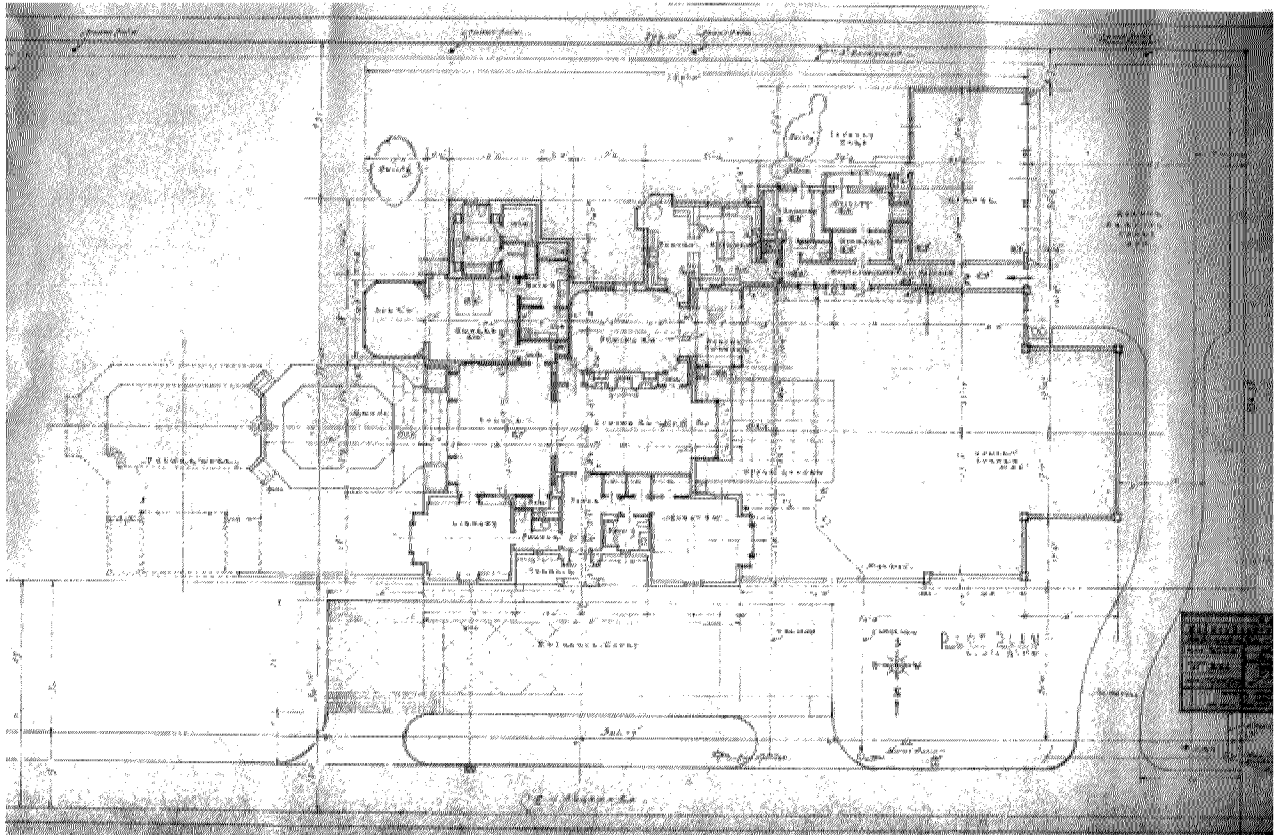


Historic Photo, Date Unknown
Courtesy of the Preservation Foundation of Palm Beach

² Virginia Savage McAlester. A Field Guide to American Houses: The Definitive Guide to Identifying and Understanding America's Domestic Architecture. Alfred K. Knopf Publisher, 2013. Pages 694-704.

³ The original drawings show decorative metal screens flanking the entrance in the center block as well as decorative metal panels at the base of the nine-over-nine double-hung sash windows in the wings, but landscaping hides these elements, and they may no longer exist.

The original Wyeth, King and Johnson drawings indicate that the dwelling extends south into the deep lot with a one-story central portion covered with a flat roof with attached rear projecting wings on the east and west with tall, pitched roofs matching those on the front façade. These wings on the south elevation appear to have large bay windows and are connected by a simple one-story porch with a dormer window above. In the rear, the house is connected to the two-story garage apartment through an elongated wing that includes the laundry, utility, and storage area.⁴ Although this elongated wing and attached garage apartment cannot be seen from the street, it helps to substantiate the dwelling's classification as a Stylized Ranch.



Site Plan, by Wyeth, King and Johnson

The property also includes a swimming pool, terrace, garden, fountains, and cabana in the rear as well as a circular driveway and five large, sculpted trees along the front of the property. As noted previously, all of these features combine to create an attractive and distinctive stylized French Provincial dwelling in Palm Beach's premier Estate Section.

⁴ The drawings indicate that the second floor of the garage was initially intended as a servants' quarters with two bathrooms and a living room.

Palm Beach building permits reveal that there were some additions and alterations to the dwelling at 200 Algoma Road. In 1973, a porch was added to the west elevation of the main house and a porch was enclosed on the garage apartment. The flat part of the roof was resurfaced several times, shutters were replaced, garage doors were replaced to match the existing and there were a number of interior alterations and renovations. These exterior additions and alterations were done in keeping with the original style and scale of the dwelling and thus 200 Algoma Road retains its notable historic architectural significance and integrity.

IV. Historical Information

200 Algoma Road was constructed in 1969-1970 during Palm Beach's Contemporary Period (1960-1979) in the Kahn-Glidden Tract. In 1936, the Phipps family's Palm Beach Company established two new land tracts one on each side of the Donahue's estate, Cielito Lindo. The Kahn-Glidden Tract, which included Algoma Road, was located to the north of Cielito Lindo, and the Bingham-Copp Tract was located to the south between Cielito Lindo and Mar-a-Lago.⁵

The first owner, Bradford A. Whittemore and his wife Marjorie Welsh Whittemore, commissioned the prestigious Palm Beach architectural firm Wyeth, King and Johnson to design this residence in 1969 with the original cost listed at \$235,000. Over the years, Wyeth, King and Johnson designed buildings ranging from Mediterranean Revival to classical Georgian, French, and Colonial Revival styles, with this house being one of their accomplished French designs.

A February 29, 1976, Palm Beach Post article featured this house at 200 Algoma Road and stated that the Whittemore's "carried out the French Provincial manor house décor and had the house surrounded by a walled-in garden including many unusual trees and flowers." Marjorie Whittemore was an accomplished gardener, and her property was noted for its impressive landscaping.

Bradford A. Whittemore was a longtime winter resident of Palm Beach and a member of a distinguished Massachusetts family. He graduated from Harvard in 1931 and was a writer, historian, and genealogist. In addition, he was a member of the Society of Cincinnati, the Society of Mayflower Descendants and served as governor of the Society of Colonial Wars in Florida and as a member of the Board of Directors of the Society of the Four Arts in Palm Beach. Marjorie Welsh Whittemore was the

⁵ One of the first residents of Algoma Road was Maurice Fatio and his wife Eleanor, and it has been noted that Fatio named Algoma Road after Algoma Boulevard in Eleanor's hometown of Oshkosh, Wisconsin.

daughter of William Garfield Welsh, a prominent Massachusetts businessman who was also a longtime homeowner in Palm Beach where he was a member of the town's prestigious clubs.⁶ In Palm Beach, Marjorie served as president of the Garden Club and on the Board of Trustees of the Society of the Four Arts. Her daughter and Bradford's stepdaughter, Jean Hurst, married David V. Reese, the son of Palm Beach Mayor and Mrs. Claude D. Reese in 1967.⁷

Bradford and Marjorie Whittemore lived at 200 Algoma Road for fifteen years before selling the property to Hyman H. Rabin, a longtime resident and Heart Ball benefactor, in 1985. Five years later Mr. Rabin sold the property to Hollis and Betsy Baker. Hollis M. Baker was the grandson of Siebe Baker who founded the world-renowned Baker Furniture company in 1890. Hollis M. Baker became president of the company in 1961 and after twenty-five successful years at the helm he sold the Baker Furniture to the Kohler Company. While living at 200 Algoma Road, Hollis M. Baker served as a vice president of the Society of the Four Arts. Following the Baker's ownership, there were several owners before the property was purchased in 2016 by the current owners, Silene, LLC, who are based in Sioux Falls, South Dakota.

V. Architects Biographies

Marion Sims Wyeth

Marion Sims Wyeth was as one of Palm Beach's foremost architects in a career that spanned over fifty years. Wyeth was noted for his "quiet, subdued and rational" interpretations of both the Spanish and Italian styles. With Addison Mizner, Maurice Fatio, Joseph Urban and John Volk, he is credited with creating the "Palm Beach Style".

Wyeth was born in 1889 in New York, a son of Florence Nightingale Sims and Dr. John Allan Wyeth. Dr. Wyeth was a Civil War poet, surgical pioneer, and founder of New York's Polyclinic Hospital, the first postgraduate medical school in the United States. Marion's grandfather, Dr. James Marion Sims, founded New York's Women's Hospital, the first woman's hospital in history. Marion Sims Wyeth began his architectural studies at Princeton University and completed his classic training at the École des Beaux-Arts in Paris in 1914. At the time, the École was considered the one of the finest schools in the world. It was a style of education based on studying the classics, mostly Roman architecture. Wyeth was one of few Americans studying there who was actually awarded a diploma. After completing school, Wyeth served as

⁶ Bradford and Marjorie Whittemore were also members of the Town's prominent clubs, namely the Everglades and Bath & Tennis clubs.

⁷ Jean Coralyn Hurst and David Vail Reese were married in June of 1967.

secretary to the U.S. Ambassador in Rome. Upon his return to New York, Wyeth became associated with the architectural offices of Bertram Grosvenor Goodhue and later with Carrere and Hastings, the firm that designed Whitehall for Henry Flagler.

Arriving in Palm Beach at the age of 30, Wyeth met with immediate success. From 1920, Wyeth shared a New York office with Frederic Rhineland King, a friend from his student days in Paris, until 1934 when they formalized the relationship with the Wyeth and King partnership. William Royster Johnson joined Wyeth's Palm Beach office as a draftsman in 1924. In 1944 he became a partner and the firm name changed to Wyeth, King and Johnson. Over the years, the firm designed buildings ranging from Mediterranean Revival to classical Georgian, French, and Colonial styles.

The socially popular Wyeth was a prolific craftsman and more than 100 of his designs have graced the Island, including eight built on El Brillo Way. Some of his well-known Palm Beach designs include Qui Si Sana, Casa Juanita, Hogarcito, Casa de Los Arcos, Vita Serena, Southwood, and the Bethesda by the Sea rectory. His largest and most impressive project was Cielito Lindo, a 45,000-square-foot Spanish Moorish-Revival-style mansion built for James Donohue and Jessie Woolworth Donohue in 1927. In 1946-1947, it was sold to developers, who split the property and created five houses. And while Joseph Urban is credited with Mar-a-Lago, Wyeth's association with the project was essential for its original design and completion. Wyeth also had an impressive list of prominent works outside of Palm Beach as he was licensed to practice in New York, New Jersey, Massachusetts, Illinois and Pennsylvania. Some of these include Good Samaritan Hospital and the Norton Gallery of Art in West Palm Beach, the Governor's Mansion in Tallahassee, and Doris Duke's Shangri La in Honolulu.

Wyeth served as a trustee of the Society of the Four Arts (1936-1969) and as its president (1956-1961). He became the first Palm Beach architect to be elected a fellow of the American Institute of Architecture in 1954 and received the Test of Time Award from its Palm Beach Chapter in 1981. Marion Sims Wyeth passed away in 1982 at the age of 93.⁸

Frederic Rhineland King

Frederic Rhineland King was born in New York City on April 13, 1887. He was educated at St. George's School in Newport, Rhode Island and received a cum laude AB degree from Harvard in 1908. He studied architecture at Columbia University

⁸ Since this biography was written, the book [From Palm Beach to Shangri La: The Architecture of Marion Sims Wyeth](#) was written by Jane Day and published in 2021 and can be referred to for additional biographical information.

from 1908 to 1911, and at the École des Beaux Artes in Paris from 1911 to 1914, where he befriended Marion Sims Wyeth. King worked as a draftsman and designer for McKim, Mead & White in New York City from 1914 to 1917. He worked for Marion Sims Wyeth in Wyeth's New York office from 1920 – 1934. King applied for Florida Architectural licensure on March 24, 1933 and was granted Certificate #AR0000977 on June 17, 1933. In 1934, the Wyeth & King partnership was formed, with King running the New York office at 18 East 48th Street and Wyeth running the Palm Beach office. Frederic King rarely came to Palm Beach, except on vacation. Quite social and civic-minded, Frederic fulfilled his side of the partnership by designing significant church and institutional buildings in the New York area, while “feeding” client contacts to the Palm Beach office for their clients' winter home mansion designs. Frederic King was very active in the American Institute of Architects in the New York area and was named a Fellow (FAIA) for his design excellence. Frederic King was Edith Wharton's cousin and the executor of her American estate. He passed away in March of 1972.

William Royster Johnson

William Royster Johnson was born in Raleigh, North Carolina on August 18, 1901. He attended Hampden-Sidney College and studied architecture at the University of Virginia. He came to Palm Beach in 1925 to work as a draftsman for Marion Sims Wyeth. On January 13, 1944, he successfully sat for the Florida State Board's architectural licensure examination and was awarded license #AR0001402. Johnson remained with Wyeth for 57 years, becoming a full partner with Wyeth & King in 1944, and the firm name was changed to Wyeth, King & Johnson. Although a relatively small organization, the Wyeth firm became one of the most prestigious in Florida due largely to Wyeth's contacts and design popularity. However, Bill Johnson's drafting expertise, management of the firm's drafting production and his eye for scale and proportion greatly helped with the firm's success. Johnson was active in the Town of Palm Beach civic and cultural activities, serving as a charter member of Architectural Review Commission (ARCOM) in the early 1970s.

VI. Statement of Significance

200 Algoma Road is significant as a distinguished Stylized French Provincial Ranch house designed by the renowned Palm Beach architectural firm Wyeth, King and Johnson in Palm Beach's Estate Section. The distinctiveness of its architectural design in Palm Beach adds to the significance of the dwelling.

VII. Criteria for Designation

Section 54-161 of the Town of Palm Beach Landmarks Preservation Ordinance outlines the criteria for designation of a landmark or landmark site and suggests that at least one criterion must be met to justify the designation. Listed below are criteria, which relate to this property and justification for designation:

(1) “Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.”

200 Algoma Road reflects the broad cultural, economic, and social history of the Town of Palm Beach. Distinguished Palm Beach residents Bradford and Marjorie Whittemore commissioned the foremost architectural firm Wyeth, King & Johnson to design a contemporary yet classical French Provincial style residence, a style that was not prevalent in Palm Beach. Both Bradford and Marjorie Whittemore had spent many winter seasons in Palm Beach prior to commissioning this dwelling and were members and officers at a number of prestigious cultural and social organizations. At the time of its construction in 1969-1970, it was considered a high-priced dwelling on a premier inland lot in Palm Beach’s esteemed Estate Section.

(3) “Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship.”

200 Algoma Road is a very good example of the French Provincial Ranch style of architecture. French Provincial stylistic elements of the dwelling include the symmetrical design with side wings extending forward and both the center three-bay section and the one-bay wings topped with character-defining steeply pitched roofs. The projecting wings feature distinctive full-height nine-over-nine double-hung sash windows with arched louvered dormers above and flanked by full-height louvered shutters. The stylized French Provincial Ranch design by the notable architectural firm Wyeth, King and Johnson is not common in Palm Beach and is valuable for study.

(4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

200 Algoma Road is a notable representation of the design work of the distinguished architectural firm Wyeth, King & Johnson. All three partners were classically trained

architects who were adept at designing structures in many different styles, including varying interpretations of French architecture. Wyeth and King met studying architecture at the Ecole des Beaux Artes in Paris, where they would have been immersed in French architecture.⁹ This design is also a good representation of the firm's work during Palm Beach's contemporary period involving a contemporary design.

⁹ Although the Ecole des Beaux programs focused on classical arts and architecture from Ancient Greek and Roman culture, living in France would have immersed the architects to French architecture.

VIII. Selected Bibliography

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Day, Jane S. From Palm Beach to Shangri La: The Architecture of Marion Sims Wyeth. New York, NY: Rizzoli International Publications, Inc., 2021.

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McAlester, Virginia Savage. A Field Guide to American Houses: The Definitive Guide to Identifying and Understanding America's Domestic Architecture. Alfred K. Knopf Publisher, 2013.

Palm Beach Daily News and Palm Beach Post. Archived Articles 1965 – 2022.

Preservation Foundation of Palm Beach. 200 Algoma Road File

Town of Palm Beach. Building Permits and Microfiche Records 1969– 2022.

IX. Florida Master Site File Form

Page 1

☒ Original
☐ Update



HISTORICAL STRUCTURE FORM FLORIDA MASTER SITE FILE Version 5.0 3/19

Shaded Fields represent the minimum acceptable level of documentation.
Consult the Guide to Historical Structure Forms for detailed instructions.

Site# **PB19293**
Field Date 11-20-2019
Form Date 9-29-2020
Recorder # MSG

Site Name(s) (address if none) 200 Algoma Rd Multiple Listing (DHR only) _____
Survey Project Name Palm Beach Historical Site Survey Survey # (DHR only) _____
National Register Category (please check one) ☒ building ☐ structure ☐ district ☐ site ☐ object
Ownership: ☐ private-profit ☐ private-nonprofit ☒ private-individual ☐ private-non-specific ☐ city ☐ county ☐ state ☐ federal ☐ Native American ☐ foreign ☐ unknown

LOCATION & MAPPING

Street Number 200 Direction _____ Street Name Algoma Street Type Road Suffix Direction _____
Cross Streets (nearest / between) _____
USGS 7.5 Map Name PALM BEACH USGS Date 2061 Plat or Other Map _____
City / Town (within 3 miles) Palm Beach In City Limits? ☒ yes ☐ no ☐ unknown County Palm Beach
Township 43E Range 43E Section 35 1/4 section: ☐ NW ☐ SW ☐ SE ☐ NE Irregular-name: _____
Tax Parcel # 50434335000028330 Landgrant _____
Subdivision Name _____ Block 002 Lot 0330
UTM Coordinates: Zone ☐ 16 ☐ 17 Easting Northing
Other Coordinates: X: _____ Y: _____ Coordinate System & Datum _____
Name of Public Tract (e.g., park) _____

HISTORY

Construction Year: 1970 ☐ approximately ☐ year listed or earlier ☐ year listed or later
Original Use Private Residence (House/Cottage/Ca From (year): 1970 To (year): 2020
Current Use Private Residence (House/Cottage/Ca From (year): 1970 To (year): 2020
Other Use _____ From (year): _____ To (year): _____
Moves: ☐ yes ☒ no ☐ unknown Date: _____ Original address _____
Alterations: ☒ yes ☐ no ☐ unknown Date: _____ Nature windows
Additions: ☐ yes ☐ no ☒ unknown Date: _____ Nature _____
Architect (last name first): _____ Builder (last name first): _____
Ownership History (especially original owner, dates, profession, etc.)
SILBNE LLC

Is the Resource Affected by a Local Preservation Ordinance? ☐ yes ☒ no ☐ unknown Describe _____

DESCRIPTION

Style Ranch Exterior Plan Irregular Number of Stories 1
Exterior Fabric(s) 1. Stucco 2. _____ 3. _____
Roof Type(s) 1. Mansard 2. Hip 3. hip
Roof Material(s) 1. Tile unspecified 2. _____ 3. _____
Roof secondary strucs. (dormers etc.) 1. Eyebrow dormer 2. _____
Windows (types, materials, etc.)
replacement 9/9 sash, large with shutters
Distinguishing Architectural Features (exterior or interior ornaments)
recessed entry bay, eyebrow dormers on high pitched hip, minimal overhang, stylized French Ranch
Ancillary Features / Outbuildings (record outbuildings, major landscape features; use continuation sheet if needed.)
semi circular paver drive, mature vegetation, privacy hedge

DHR USE ONLY		OFFICIAL EVALUATION		DHR USE ONLY	
NR List Date	SHPO - Appears to meet criteria for NR listing: ☐ yes ☐ no ☐ insufficient info	Date	Init.		
☐ Owner Objection	KEEPER - Determined eligible: ☐ yes ☐ no	Date			
	NR Criteria for Evaluation: ☐ a ☐ b ☐ c ☐ d (see National Register Bulletin 15, p. 2)				

HR6248P0316, effective 05/2016
Rule 1A-46.001, F.A.C.

Florida Master Site File / Div. of Historical Resources / R. A. Gray Bldg / 500 S. Bronough St., Tallahassee, FL 32309-0250
Phone 904.245.5440 / Fax 904.245.5439 / E-mail: SiteFile@doh.myflorida.com

DESCRIPTION (continued)

Clear Description Values

Chimney: No. 0 Chimney Material(s): 1. _____ 2. _____Structural System(s): 1. Masonry - General 2. _____ 3. _____Foundation Type(s): 1. Continuous 2. _____Foundation Material(s): 1. Concrete, Generic 2. _____

Please use the text box in each field to type in an answer that does not appear in the list provided.

Main Entrance (stylistic details)

centered on symmetric facade with recessed replacement multi light door with transom

Porch Descriptions (types, locations, roof types, etc.)

small projecting porch on engaged masonry piers

Condition (overall resource condition): ☐ excellent ☒ good ☐ fair ☐ deteriorated ☐ ruinous

Narrative Description of Resource

This 1970 stylized French Ranch style building is in good condition.

Archaeological Remains _____ ☐ Check if Archaeological Form Completed

RESEARCH METHODS (select all that apply)

☒ FMSF record search (sites/surveys)☐ library research☐ building permits☒ Sanborn maps☐ FL State Archives/photo collection☐ city directory☐ occupant/owner interview☒ plat maps☒ property appraiser / tax records☐ newspaper files☐ neighbor interview☐ Public Lands Survey (DLP)☒ cultural resource survey (CRAS)☐ historic photos☐ interior inspection☐ HABS/HAER record search☒ other methods (describe) Town Staff

Bibliographic References (give FMSF manuscript # if relevant, use continuation sheet if needed)

OPINION OF RESOURCE SIGNIFICANCE

Clear Significance Values

Appears to meet the criteria for National Register listing individually?

☐ yes☐ no☒ insufficient information

Appears to meet the criteria for National Register listing as part of a district?

☒ yes☐ no☐ insufficient information

Explanation of Evaluation (required, whether significant or not; use separate sheet if needed)

This building may meet criteria for individual listing, but more research regarding any alterations would be needed to determine individual eligibility. It does meet district criteria based on its features and association within the Town.

Area(s) of Historical Significance (see National Register Bulletin 15, p. 8 for categories: e.g. "architecture", "ethnic heritage", "community planning & development", etc.)

1. Community planning & development 3. _____ 5. _____2. Architecture 4. _____ 6. _____

DOCUMENTATION

Clear Documentation Values

Accessible Documentation Not Filed with the Site File - including field notes, analysis notes, photos, plans and other important documents

1) Document type _____ Maintaining organization _____

Document description _____ File or accession #s _____

2) Document type _____ Maintaining organization _____

Document description _____ File or accession #s _____

RECORDER INFORMATION

Recorder Name Patricia Davenport-Jacobs Affiliation Environmental Services, Inc.Recorder Contact Information 7220 Financial Way, Suite 100, Jacksonville, FL 32256/9044702200/pdavenport@

(address / phone / fax / e-mail)

Required Attachments

① USGS 7.5' MAP WITH STRUCTURE LOCATION CLEARLY INDICATED

② LARGE SCALE STREET, PLAT OR PARCEL MAP (available from most property appraiser web sites)

③ PHOTO OF MAIN FACADE, DIGITAL IMAGE FILE

When submitting an image, it must be included in digital AND hard copy format (plain paper grayscale acceptable).

Digital image must be at least 1600 x 1200 pixels, 24-bit color, jpeg or tiff.

ITEM 5: **200 Algoma Road**
Owner: Silene, LLC

Ms. Patterson asked for confirmation on proof of publication. Ms. Churney provided confirmation.

Call for disclosure of ex parte communication: There were no disclosures at this time.

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history for this French Provincial Ranch style home. Ms. Murphy pointed out the design features of this building. Ms. Murphy testified that the building met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town; and,
Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction or use of indigenous materials or craftsmanship; and
Sec. 54-161 (4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

Ms. Metzger inquired about the pictures in the report. Ms. Murphy responded.

Ms. Damgard inquired about the owners. Ms. Murphy responded.

Motion made by Mr. Segraves and seconded by Ms. Coleman to make the designation report for 200 Algoma Road part of the record. Motion carried unanimously, 7-0.

Ms. Metzger inquired about the notice process. Ms. Murphy and Patterson responded. A short discussion ensued. Ms. Pardue reviewed staff's approach on notifying the homeowner for potential landmark designation. Town Attorney Randolph weighed in on the notice procedure.

Ms. Herzig inquired about the historic picture of the home. Ms. Murphy responded. Ms. Herzig inquired about the existing roofing material. Ms. Murphy responded.

Ms. Coleman inquired if the Commissioners should contact the homeowners whose homes are under consideration for landmark status. Town Attorney Randolph cautioned about establishing a policy for contacting the homeowner.

Ms. Moran thought the home was lovely and supported the designation.

Ms. Damgard inquired how to handle the situation if a homeowner informs them that they did not receive the report. Town Attorney Randolph recommended that the Commissioners contact staff and allow staff follow up with the homeowner.

A discussion ensued on the notice process.

Ms. Patterson called for public comment on the designation. No one indicated a desire to speak.

Motion made by Ms. Damgard and seconded by Mr. Segraves recommend 200 Algoma Road to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3 and 4 in Section 54-161. Motion carried unanimously, 7-0.

Palm Beach, Florida, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 54 - HISTORICAL PRESERVATION >> ARTICLE IV. - DESIGNATION PROCEDURE >>

ARTICLE IV. - DESIGNATION PROCEDURE

Sec. 54-161. - Criteria for landmarks and landmark sites.

Sec. 54-162. - Creation of historic districts.

Sec. 54-163. - Commission powers with respect to landmarks, landmark sites and historic districts.

Sec. 54-164. - Landmark, landmark site and historic district designation and undesignation procedures.

Sec. 54-165. - Voluntary restrictive covenants.

Secs. 54-166—54-195. - Reserved.

Sec. 54-161. - Criteria for landmarks and landmark sites.

A landmark or landmark site shall meet at least one of the following criteria:

- (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.
- (2) Is identified with historic personages or with important events in national, state or local history.
- (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship.
- (4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

(Code 1982, § 16-38)

Sec. 54-162. - Creation of historic districts.

- (a) *Authorized.* For preservation purposes, the commission shall identify geographically defined areas within the town to be designated as historic districts and shall cite the guideline criteria upon which such designation shall be made. An historic district may be designated for any geographic area of particular historic, architectural or cultural significance to the town that:
 - (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.
 - (2) Is identified with historic personages or with important events in national, state or local history.
 - (3) Embodies distinguishing characteristics of one or more architectural types, or contains specimens inherently valuable for the study of a period, style or methods of construction or use of indigenous materials or craftsmanship.
 - (4) Is representative of the notable works of one or more master builders, designers or architects whose individual ability has been recognized to have influenced their age.
 - (5) Constitutes a unique area of architecture, landscaping and planning.
- (b) *Petition for special historic district category.* Following the designation of each landmark or landmark site, the commission may petition the town council for the categorizing of such

property as special district H. Following the designation of each historic district, the commission may petition the town council for the categorizing of each property in such district to special district HD.

(Code 1982, §§ 16-38.1, 16-39)

Sec. 54-163. - Commission powers with respect to landmarks, landmark sites and historic districts.

The commission has the power to:

- (1) Designate a building, together with its accessory buildings and its lot of record, or a vacant site or a district as historic and worthy of preservation as a landmark, landmark site or historic district, as the case may be, within the jurisdiction of the commission, provided such designation is ratified by the town council.
- (2) Recommend appropriate legislation for the preservation of any building, site or district which it has so designated.
- (3) Make application for public and private funds when appropriate and available for the purposes set forth in this article subject to the approval of the town council.
- (4) Review applications proposing erection, alteration, restoration or moving of any building it has so designated or any building located in a district it has so designated, and to issue or deny certificates of appropriateness accordingly.
- (5) Review applications for demolition permits proposing demolition of all or part of any landmark or any building located in an historic district, and to issue certificates of appropriateness or to deny them for one year.
- (6) Cooperate with the owner of a landmark or a property located in an historic district throughout the year following a refusal to issue a certificate of appropriateness pursuant to an application for a demolition permit, and to seek alternative economic uses for such landmark or property.
- (7) Review its denial of a certificate of appropriateness for demolition of such landmark or property annually, during a public hearing at which time the owner of the affected landmark or property shall be afforded an opportunity to appear with counsel and to present testimony.
- (8) Prohibit the issuance of building, exterior remodeling or demolition permits affecting any property under consideration for landmark designation without a certificate of appropriateness, this prohibition to remain in effect for the length of time required by the commission and the town council for final action on the proposed designation. The commission shall accomplish such prohibition by furnishing the building official a list of all property under consideration for landmark designation.

(Code 1982, § 16-42)

Sec. 54-164. - Landmark, landmark site and historic district designation and undesignation procedures.

- (a) The following procedure shall be adhered to by the commission in designating any building, building site or district that is worthy of preservation:
 - (1) The commission shall consider for landmark designation any property proposed by the owner of record or by a member of the commission.
 - (2)

Notice of a proposed designation shall be sent by certified mail to the owner of record of property proposed for designation as a landmark or landmark site and to each owner of record of property in a district proposed for designation as an historic district, describing the property proposed and announcing a public hearing by the commission to consider such a designation to be held not less than 30 days after the mailing of such notice.

- (3) The commission shall also cause notice of each such proposed designation to be posted at least 30 days prior to the public hearing on the bulletin board in the lobby of the town hall, and in addition the commission shall cause such notice to be published in a newspaper having general circulation in the town.
 - (4) The commission may retain or solicit expert testimony regarding the historic and architectural importance of the buildings and districts under consideration for designation.
 - (5) The commission may present testimony or documentary evidence of its own to establish a record regarding the historic and architectural importance of the proposed landmark, landmark site or historic district.
 - (6) The commission shall afford the owner of each affected property reasonable opportunity to present testimony or documentary evidence regarding the historic and architectural importance of such property.
 - (7) The owner of each affected property shall be afforded a right of representation by counsel and reasonable opportunity to cross examine witnesses presented by the commission.
 - (8) Any interested party may present testimony or documentary evidence regarding the designation of a proposed landmark, landmark site or historic district at the public hearing and may submit to the commission documentary evidence within three days after the hearing.
 - (9) Within not more than 30 days after a public hearing, the commission shall render a final decision regarding the proposed designation and give written notice of its decision to each owner of property affected by the designation, setting forth the reasons for the decision.
 - (10) The commission shall maintain a record of testimony and documentary evidence submitted to it for consideration of the designation of a proposed or previously designated landmark, landmark site or historic district.
 - (11) In accordance with section 54-163(1), the town council shall, within 90 days of the commission's final decision, hold a public hearing to consider ratification of the determination of the commission prior to the designation of a property as a landmark or landmark site or of a district as an historic district becoming effective. Absent ratification by the town council, the commission's determination shall be ineffective.
 - (12) Within 30 days of the date on which the town council ratifies the commission's designation of a landmark, landmark site or historic district, the commission shall cause to be filed in the office of the county recorder of deeds a certificate of notification that such property is designated a landmark or landmark site or is located within a district designated an historic district; and the certificate of notification shall be maintained on the public record until such time as such designation may be withdrawn by the commission and the town council.
- (b) Designation and undesignation hearings before the commission shall be held only during the months of November, December, January, February, March and April.
- (c)

Designation of a landmark, landmark site or a historic district may be withdrawn by following the same procedure as listed above.

(Code 1982, § 16-43)

Sec. 54-165. - Voluntary restrictive covenants.

The owner of any landmark or landmark site may, at any time following the designation of his property, enter into a restrictive covenant on the property after negotiation with the commission. The commission may assist the owner in preparing such a covenant in the interest of preserving the landmark or the landmark site. The owner shall record such covenant in the office of the county recorder of deeds and shall notify the town clerk, building official and town council and may notify the office of the county property appraiser of such covenant and the conditions thereof.

(Code 1982, § 16-48)

Secs. 54-166—54-195. - Reserved.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO 066-2022 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As 215 Mediterranean Rd Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach.

Presenter

ATTACHMENTS:

- ▣ **Resolution No. 066-2021**
- ▣ **Designation Report for 215 Mediterranean Road**
- ▣ **Excerpt from the April 20, 2022 Landmarks Preservation Commission Meeting Minutes**
- ▣ **Landmark Designation Procedure**

RESOLUTION NO. 066-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, RATIFYING AND CONFIRMING THE DETERMINATION OF THE LANDMARKS PRESERVATION COMMISSION THAT THE PROPERTY KNOWN AS 215 MEDITERRANEAN RD MEETS THE CRITERIA SET FORTH IN ORDINANCE NO. 2-84, ALSO KNOWN AS CHAPTER 54, ARTICLE IV OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH; AND DESIGNATING SAID PROPERTY AS A TOWN OF PALM BEACH LANDMARK PURSUANT TO ORDINANCE NO. 2-84, ALSO KNOWN AS CHAPTER 54, ARTICLE IV OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH.

WHEREAS, pursuant to the provisions of Ordinance No. 2-84, (Chapter 54, Article IV, Code of Ordinances of the Town of Palm Beach) the Landmarks Preservation Commission of the Town of Palm Beach held a public hearing and recommended to the Town Council that certain landmarked property described herein be designated as a landmark as described in said Ordinance and Code; and

WHEREAS, after due notice to the property owner(s) affected, a public hearing was held at which all parties interested were given an opportunity to be heard and express their views and opinions with respect to the property and its designation as a landmark; and

WHEREAS, the Town Council does hereby find and determine that the property described herein meets the criteria required by the Ordinance to designate a landmark, and shall be designated as a landmark.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The foregoing recitals are hereby ratified and confirmed.

Section 2. The recommendation and determination of the Landmarks Preservation Commission as to the property hereinafter described in Section 3 of this Resolution, being

designated as a landmark is hereby ratified, approved and confirmed.

Section 3. The landmark herein amended, pursuant to the provisions of Ordinance No. 2-84, and the provisions of the Town Code described herein, is known as **215 Mediterranean Rd** and the property to be landmarked is legally described as follows:

Lot 102 of Boca Ratone Company's Inlet Subdivision, according to the Plat thereof as recorded in Plat Book 12, Page 15, Public Records of Palm Beach County, Florida.

Section 4. The Town Clerk is hereby ordered to furnish the property owner of the landmarked property a copy of this Resolution.

Section 5. Within thirty (30) days from the date of adoption of this Resolution, the Landmarks Preservation Commission shall cause to be filed in the Office of the Recorder of Deeds in and for Palm Beach County, Florida, a certificate that the above-described property comprises a landmark, as described above and as defined in and subject to the provisions of Ordinance No. 2-84 and the Code of Ordinances of the Town of Palm Beach, Florida

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 11th day of May, 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Town Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member

215 Mediterranean Road



DESIGNATION REPORT

April 20, 2022

Landmark Preservation Commission

Palm Beach, Florida

DESIGNATION REPORT

215 Mediterranean Road

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Report produced by Murphy Stillings, LLC

I. General Information

Location:	215 Mediterranean Road Palm Beach, Florida
Date of Construction:	1950
First Owner:	Russell Conwell Downes
Architect:	Emily and Harold Obst
Present Owner:	Tatiana Van Zandt
Present Use:	Residential
Present Zoning:	RB
Palm Beach County Tax Folio Number:	50-43-42-34-02-000-1020
Current Legal Description:	Lot 102 of Boca Ratone Company's Inlet Subdivision, according to the Plat thereof as recorded in Plat Book 12, Page 15, Public Records of Palm Beach County, Florida.

II. Location Map

215 Mediterranean Road



III. Architectural Information

The residence at 215 Mediterranean Road, located on the north side of Mediterranean Road between North Ocean Boulevard and North Lake Way, was designed in the Mid-Century Modern style by Emily and Harold Obst, longtime prominent Palm Beach architects. The Obst's were commissioned to design the single-family residence in the far north end of Palm Beach for Russell Conwell Downes and Maybelle Downes in 1950.¹



South Façade, Looking Northeast

215 Mediterranean Road is a very good example of the Mid-Century Modern style of architecture. Mid-century Modern architecture designed during the Post-World War II Era was a by-product of post-war optimism and the nation's dedication to building a new future. With the desire to forget the pains of the Great Depression and World War II, architects and designers were breaking away from the period styles that had been popular before the war and were adapting various modernist movements to create new designs. This new architecture often used modern materials and building techniques and was defined by clean lines, simple shapes, and unornamented facades. It was a further development of Frank Lloyd Wright's principles of organic architecture combined with many elements reflected in the International and Bauhaus movements. Mid-Century Modern residential architecture generally features geometric forms and asymmetrical compositions, low-pitched gable or flat roofs with overhanging eaves, facades surfaced with smooth stucco or wood siding with minimal ornamentation.

¹ Town of Palm Beach Building permit #17050 dated May 24, 1950.

215 Mediterranean Road is a one-story residence with asymmetrical massing and fenestration. The house was constructed of wood framing and is surfaced with horizontal wood siding and slump brick accents. The home has a strong sense of horizontality, which is a characteristic of Mid-Century Modern architecture. The horizontality of the home is highlighted by the home's multiple flat roofs with wide overhanging eaves that overlap each other, horizontal wood siding and brick features. Brick is used in several areas of the home including the lower portion of the eastern section of the main façade, the columns of the carport and the chimney. The brick is in a stacked pattern which emphasizes the home's horizontality.

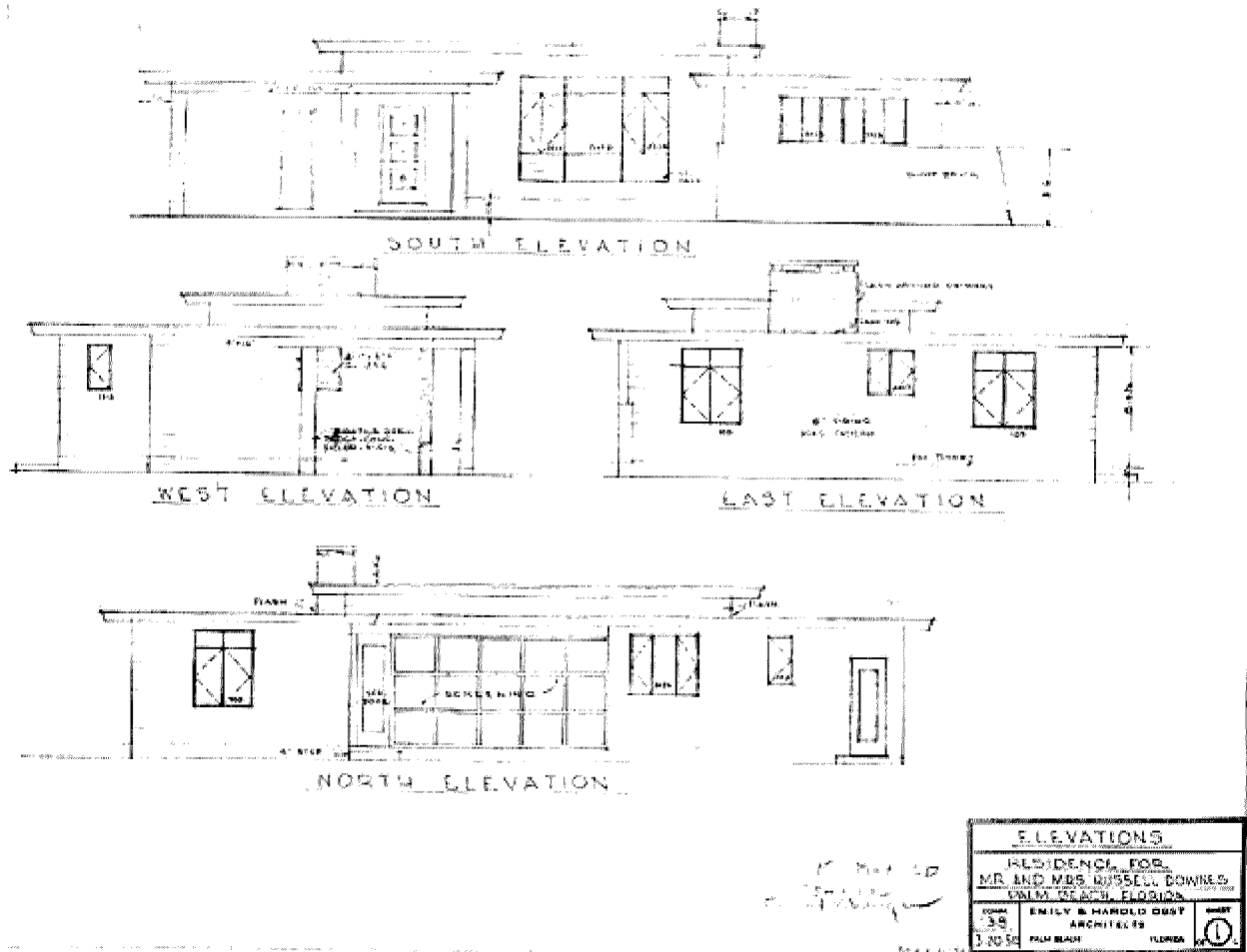
The main façade of the residence faces south toward Mediterranean Road and features three sections, each with a flat roof with wide overhanging eaves. The center section is slightly recessed and taller than those to the east and west. The roof line of the western section, which includes a carport supported with brick columns, extends in front of a portion of the center section creating a sheltered entrance porch which is screened. To the east of the entrance porch, within the center section, is a bay window. The eastern section features slump brick in a stacked pattern below a set of three single light casement windows. A wide central brick chimney, located at the junction of the center and eastern sections of the home, is topped by flat concrete chimney cap. A circular driveway is located off Mediterranean Road and mature vegetation borders the property.



South Façade, Looking Northwest

A review of the Town's building permits indicates that there have been only minimal exterior alterations to the residence since it was constructed which

included roof repairs, window changes and a reduction in the depth of the carport due to enclosing the northern portion of it.² The residence at 215 Mediterranean Road maintains its architectural and historical significance and the integrity of Emily and Harold Obst's 1950 modern design.



Elevation Drawings by Emily and Harold Obst, 1950

IV. Historical Information

The residence at 215 Mediterranean Road is located at the far north end of the island of Palm Beach in the Boca Ratone Company's Inlet Subdivision. The Inlet Subdivision was platted in 1925 during the Town's first building boom, the 1920's Boom Time Era. The subdivision included Mediterranean Road, Caribbean Road, Arabian Road, and Indian Road and extended from the Ocean to the east side of

² Town of Palm Beach Building Permits records from 1950-2021. The bay window on the main façade is not shown on the original drawings but no permits were issued for the construction of this window. A drawing on file with the Town from 1993 shows the bay window as existing, but its date of construction is unknown.

North Lake Way.³ The Boca Ratone Company was one of the Phipps' family development companies and the plat was signed by H.C. Bartholomew as vice-president of the company. While the Inlet Subdivision was platted in 1925 and lots were advertised, the only residence constructed in the subdivision during the 1920's was for H.C. Bartholomew.⁴ It wasn't until the second half of the 1930s that the area began to see more residences constructed and not until the post-World War II period that the Inlet Subdivision's full residential potential was realized.

The Second World War and its aftermath brought significant changes to Palm Beach. During the War the Army stationed tens of thousands of troops in and around Palm Beach County. The undeveloped northern tip of Palm Beach, just northeast of the Inlet Subdivision, was used as a camp by the U.S. Army Rangers to host approximately 200 service members who were there for rest and relaxation.⁵ The halt to nonessential construction during World War II meant there was very little new construction in town during the war years. However, following the end of the war Florida had explosive economic and demographic growth.

During the post-World War II Era, the country began to recover and move to a peacetime economy. The lifting of wartime restrictions and an increasing supply of materials accelerated Florida's post-war economy with new construction, and this became the second big building boom in Palm Beach.⁶ Thousands of soldiers who came to Florida during the war decided to return to live afterwards. In addition, as in previous years, retirees were moving to Florida for the climate, but the number increased as air-conditioning began to be used in residences during the 1950s. The homes being constructed during the post-World War II Era were generally more modest in scale than those of the 1920's Boom Time Era and the residential development in Palm Beach extended northward, producing a surge in single-family residential development on the north end of the island. The residence at 215 Mediterranean Road is representative of the significant growth in the far north end of Palm Beach during this period and of the development of the Inlet Subdivision.

As development in Palm Beach increased during the post-World War II period, the architectural styles of structures were also changing, with a shift away from the

³ In 1936 the Boca Ratone Company platted the Lake Front Addition to the Boca Ratone Company's Inlet Subdivision which included the land to the west of the original Inlet Subdivision to Lake Worth.

⁴ 1510 North Ocean Boulevard was built in 1925 at the corner of North Ocean Boulevard and Mediterranean Road for H.C. Bartholomew by his brother Gene Bartholomew.

⁵ Environmental Services, Inc. Town of Palm Beach Historic Site Survey, 2020.

⁶ Augustus Mayhew. Palm Beach: A Greater Grandeur.

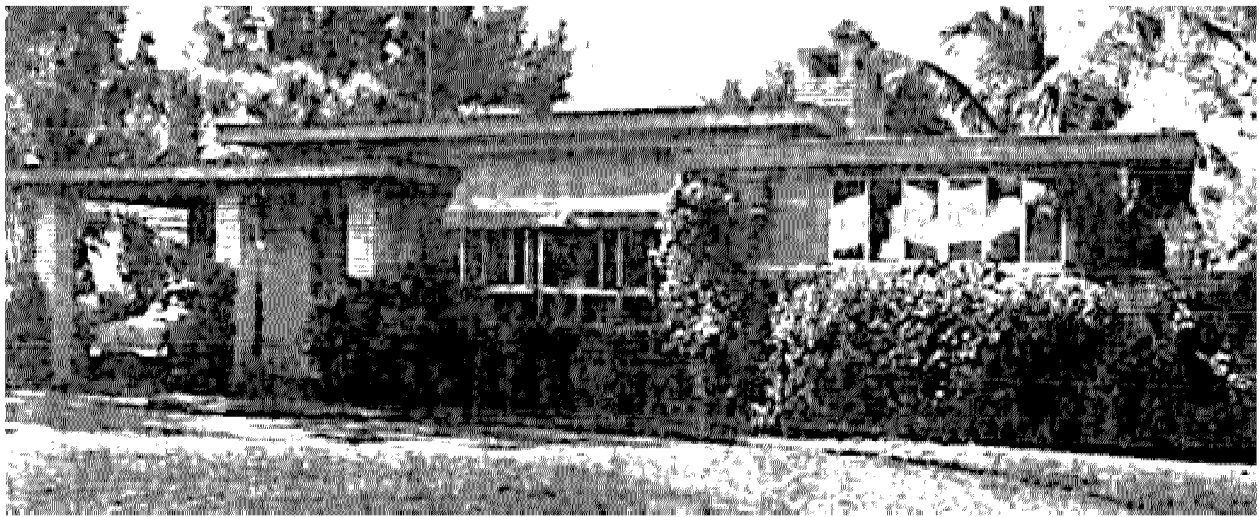
period styles of the 1920's and 1930's to new modern styles. During the post-World War II period, modern architectural styles were popular for residential and commercial architecture throughout the United States, and Palm Beach was no exception. The residence at 215 Mediterranean Road is significant as an example of the modern architectural movement during the post-World War II era in Palm Beach.

The Mid-Century Modern residence at 215 Mediterranean Road was designed by prominent Palm Beach modern architects Emily and Harold Obst. The Obst's met at Columbia University where they received their Master of Architecture degrees.⁷ They married in 1943 and moved to the Palm Beach area in 1946 when Harold received a job with architect Byron Simonson to prepare drawings for the Colony Hotel. In 1948, both Emily and Harold received their architectural licenses and founded their own firm, Emily and Harold Obst, Architects. Over the forty years they were in practice the Obst's, who were known for their Modern designs, designed many public buildings, commercial buildings, and residences, including several Mid-Century Modern style residences in Palm Beach. During the 1950's and 60's, they were one of the few married architectural teams in the southeastern United States and Emily was one of the only female architects in the Palm Beach area.⁸

Emily and Harold Obst were commissioned to design the residence at 215 Mediterranean Road in 1950 for Russell Conwell Downes and Maybelle Downes. The Downes' were originally from New York. Russell Downes was the founder of the Salon of Music on Worth Avenue which operated from the late 1930's to the early 1950's and specialized in custom built radio-phonograph systems. In 1951, he became the manager of the Morgan Music Company's Steinway-Hammond Organ Showroom in West Palm Beach. Maybelle Downes had worked in field of commercial art and was active in the Palm Beach arts community. Prior to building the residence on Mediterranean, the Downes lived on Seaspray Avenue. The *Palm Beach Post-Times* featured the residence at 215 Mediterranean Road in an August 17, 1958, article titled "Modern Art Predominates in this Home". The article described the Downes' modern style residence and featured photographs of its modern architectural design, interior design details, and artwork created by their daughter, Marilyn Downes Bennett.

⁷ Harold Obst received a Master of Architecture degree in 1941 and Emily received a Master of Architecture degree in 1944 both from Columbia University.

⁸ Palm Beach Daily News, Memorial Service – Emily V. Obst, November 28, 2015, and Palm Beach Post, "Obst Team Equals Twenty Years of Fine Architecture", April 21, 1968.



Historic Photographs of 215 Mediterranean Road
From the Palm Beach Post-Times, August 17, 1958

Russell Downes passed away in 1973, and Maybelle Downes continued to own the property until 1981 when she transferred it to her children, Russell C. Downes, Jr. and Marilyn Downes Bennett. The home was in the Downes' family for thirty-six years until it was sold in 1986 to Richard R. Limehouse, who owned the residence for almost twenty years. In 2005, Tatiana Van Zandt purchased the property and has been a very good steward of the residence.

A March 6, 2011, article by Augustus Mayhew in the *Palm Beach Daily News* titled "Unforgettable Palm Beach: Modernist buildings among town's most endangered cultural resources" he speaks of the modern movement during the post-World War II period and the loss of many of these structures since the 1980s. In it he states,

"For more than three decades, Modernism prevailed as Palm Beach's post-World War II paradigm of style...Considering the town's more welcome appreciation for contextual new construction and spec builder's passion for the curb appeal of colossal French-styled chateaus and high-volume Palladian-modeled villas, several hundred of the town's residential mid-century houses have been demolished, leaving its Modernist architectural tradition fragmented, and thus more predominantly evident among its commercial and condominium buildings... Palm Beach's Modernist buildings are among the town's most endangered and devalued cultural resources."

The residence at 215 Mediterranean Road is representative of the modern style residences built during the post-World War II period in Palm Beach, many of which have been lost to new construction.

V. Architect Biography

Emily and Harold Obst

Harold Anthony Obst, known as Hal, was born in Brooklyn, New York, in 1917. He received a Bachelor of Arts degree from Columbia College before attending Columbia University for his Master of Architecture degree which he received in 1941. While pursuing his master's degree, he met his wife and future partner in architecture, Emily Turk and they married in 1943. Emily Virginia Turk was born in Norfolk, Virginia in 1918. She received a Bachelor of Arts degree from Barnard College and then attended Columbia University and received a Master of Architecture degree in 1944.

Harold served as an officer in the U.S. Navy during World War II on a minesweeper in the South Pacific and was Executive Officer of the USS Prowess. After his naval service he returned to New York and was a designer and draftsman for the architectural firm of Webster and Edelbaum from 1945-1946. After Emily graduated, she worked for the Navy's Bureau of Yards and Docks and the architectural firm of Kahn and Jacobs in New York. In 1946, the Obst's moved to the Palm Beach area when Harold was selected for a position with architect Byron Simonson of Simonson and Holley to prepare drawings for the Colony Hotel. In 1948, both Emily and Harold received their architectural licenses and founded the architectural firm, Emily and Harold Obst, Architects, in Palm Beach. Later the name of the firm changed to Obst Associates, Architects and Planners.

The Obst's architectural firm prospered in the Palm Beach area and was known for their modern designs. During the forty years they were in practice the Obst's designed many public buildings, commercial buildings, and residences - including several Mid-Century Modern style residences in the north end of Palm Beach. During the 1950's and 60's, they were one of the few married architectural teams in the southeastern United States and Emily was one of the only female architects in the Palm Beach area.⁹ In a 1984 article in the *Palm Beach Post*, she noted that when she started it was difficult as a woman to become a member of the Palm Beach chapter of the American Institute of Architects. She later was elected

⁹ Palm Beach Daily News, Memorial Service – Emily V. Obst, November 28, 2015, and Palm Beach Post, “Obst Team Equals Twenty Years of Fine Architecture”, April 21, 1968.

president of the chapter in 1976.¹⁰ Emily Obst's modern architectural style was discussed in a letter she wrote to Bud Harvey which he published in his column "Stuff and Nonsense" in the *Palm Beach Post* on August 9, 1946. In the letter she discussed her thoughts on modern architecture versus revival styles and period architecture. She wrote,

"Most of our architects under 45 years of age attended modern architectural schools where they have been taught by masters in the field of contemporary design. (I know-for in the four years that I spent in architectural school, not one project designed by any student which bore the slightest taste of eclecticism or "copy-book" architecture, was given a passing grade by the faculty jury!). Our architects have learned that Function should determine Form, and not nostalgic whim of a client for the glory that was Greece or the grandeur that was Rome."

Both Emily and Harold were very active in community affairs. Emily served as the president of the Palm Beach Chapter of the American Institute of Architects (AIA), a director of the Florida-Caribbean Association of the AIA, a member and chair of the Lake Clarke Shores Planning Board, a member and chair of the Palm Beach County Land Use Advisory Board, a gubernatorial appointed member of the Board of Architects of the Florida Division of Hotels and Restaurants, a member and chair of the Episcopal Diocese of South Florida Commission on Architecture, a member and president of the American Lung Association of Southeast Florida, a member and executive committee member of the Board of the Florida Lung Association, chair of the WHRS television and radio station Citizens Advisory Board (now WXEL), and a juror of the National Council of Architectural Registration Boards. Emily received the Hillard T. Smith Medal and commendation by the AIA for community service.¹¹

Harold remained in the Naval Reserve and was recalled to active duty during the Korean War. He served as Executive Officer of the destroyer USS Melvin which was deployed in the Mediterranean and North Atlantic. He then transferred to the Civil Engineering Corps and was the Commanding Officer of a local Seebee unit. He was an active member, president and director of the Navy League, Palm Beach Council, a member of the West Palm Beach Junior Chamber of Commerce and chair of Capital Improvements of the senior chamber, member and president of the Historical Society of Palm Beach County, member of the Palm Beach Chapter of

¹⁰ Palm Beach Post, "Business Women Say Times Changing for the Better", March 7, 1984.

¹¹ Emily V. Obst Obituary, Palm Beach Post, April 26, 2015.

the AIA and president and director of the AIA Florida-Caribbean Region, and a member of the Rotary Club of the Palm Beaches.¹²

Harold and Emily joined their practice with architect Jeffrey Smith in 1985 with Smith becoming president and the firm was renamed Smith-Obst. The Obst's retired shortly afterward. Harold Obst passed away in November 2007 and Emily Obst passed away in April 2015.

VI. Statement of Significance

215 Mediterranean Road is significant as a very good example of the Mid-Century Modern style of architecture in Palm Beach's far north end. Designed by the architectural firm of Emily and Harold Obst who were known for their modern designs and built during the post-World War II building boom, the residence is also representative of the changing architectural trends and development history of Palm Beach.

VII. Criteria For Designation

Section 54-161 of the Town of Palm Beach Landmarks Preservation Ordinance outlines the criteria for designation of a landmark or landmark site and suggests that at least one criterion must be met to justify the designation. Listed below are the criteria which relate to this property and justification for designation:

(1) "Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town."

The residence located at 215 Mediterranean Road was constructed in 1950 during the post-World War II era which was the second large building boom in Palm Beach. Palm Beach's north end including the Boca Ratone Company's Inlet Subdivision received a surge in single-family residential development. 215 Mediterranean Road was part of this significant growth at the far north end of the island. In addition, the residence is a very good example of the modern architectural trend that became popular during the post-World War II period.

¹² Harold Anthony Obst Obituary, Palm Beach Post, November 11, 2007.

- (3) “Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship.”**

215 Mediterranean Road is a very good example of the Mid-Century Modern style of architecture. Mid-century Modern architecture was a by-product of the post-World War II optimism and the nation’s dedication to building a new future. With the desire to forget the pains of the Great Depression and World War II, architects and designers were breaking away from the past. This new architecture was defined by clean lines, simple shapes, and unornamented facades. Mid-Century Modern features of this house include its asymmetrical compositions, horizontality, overlapping flat roofs with wide overhangs, use of natural materials and minimal ornamentation.

- (4) “Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or has influenced his age.”**

The residence at 215 Mediterranean Road is a very good representation of the notable work of architects Emily and Harold Obst. Over the forty years they were in practice, the Obst’s designed more than a thousand public buildings, commercial buildings, and residences, including several Mid-Century Modern style residences in the north end of Palm Beach. During the post-World War II Era, the Obst’s were one of the few married architectural teams in the southeastern United States and Emily Obst was one of the only female architects to practice in Palm Beach.

VIII. Selected Bibliography

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IX. Florida Master Site File Form

Page 1

☒ Original
☐ Update



HISTORICAL STRUCTURE FORM FLORIDA MASTER SITE FILE Version 5.0 3/19

Shaded Fields represent the minimum acceptable level of documentation.
Consult the Guide to Historical Structure Forms for detailed instructions.

Clear Form Values

Site# **PB18674**
Field Date **11-7-2019**
Form Date **8-1-2020**
Recorder # **MAD**

Site Name(s) (address if none) **215 Mediterranean Road** Multiple Listing (DHR only) _____
Survey Project Name **Palm Beach Historical Site Survey** Survey # (DHR only) _____
National Register Category (please check one) ☒ building ☐ structure ☐ district ☐ site ☐ object
Ownership: ☐ private-profit ☐ private-nonprofit ☒ private-individual ☐ private-nonspecific ☐ city ☐ county ☐ state ☐ federal ☐ Native American ☐ foreign ☐ unknown

LOCATION & MAPPING

Clear Location Values

Street Number **215** Direction _____ Street Name **Mediterranean** Street Type **Road** Suffix Direction _____
Address: **215 Mediterranean Road**
Cross Streets (nearest / between) _____
USGS 7.5 Map Name **RIVIERA BEACH** USGS Date **1987** Plat or Other Map _____
City / Town (within 3 miles) **Palm Beach** In City Limits? ☒ yes ☐ no ☐ unknown County **Palm Beach**
Township **42E** Range **43E** Section **34** 1/4 section: ☐ NW ☐ SW ☐ SE ☐ NE Irregular-name: _____
Tax Parcel # **50434234020001020** Landgrant: _____
Subdivision Name **BOCA RATON INLET SUB** Block **800** Lot **1020**
UTM Coordinates: Zone ☐ 16 ☒ 17 Easting **17** Northing **17**
Other Coordinates: X: _____ Y: _____ Coordinate System & Datum _____
Name of Public Tract (e.g., park) _____

HISTORY

Clear History Values

Construction Year: **1950** ☐ approximately ☐ year listed or earlier ☐ year listed or later
Original Use **Private Residence (House/Cottage/Ca** From (year): **1950** To (year): **2020**
Current Use **Private Residence (House/Cottage/Ca** From (year): **1950** To (year): **2020**
Other Use _____ From (year): _____ To (year): _____
Moves: ☐ yes ☒ no ☐ unknown Date: _____ Original address _____
Alterations: ☒ yes ☐ no ☐ unknown Date: _____ Nature **windows**
Additions: ☐ yes ☐ no ☒ unknown Date: _____ Nature _____
Architect (last name first): _____ Builder (last name first): _____
Ownership History (especially original owner, dates, profession, etc.)
VAN ZANDT TATIANA

Is the Resource Affected by a Local Preservation Ordinance? ☐ yes ☒ no ☐ unknown Describe _____

DESCRIPTION

Clear Description Values

Style **Mid-Century Modern** Exterior Plan **Rectangular** Number of Stories **1**
Exterior Fabric(s) 1. **Wood siding** 2. _____ 3. _____
Roof Type(s) 1. **Flat** 2. _____ 3. _____
Roof Material(s) 1. **Built-up** 2. _____ 3. _____
Roof secondary strucs. (dormers etc.) 1. _____ 2. _____
Windows (types, materials, etc.)
single pane casement in bay window, grouped single pane casement
Distinguishing Architectural Features (exterior or interior ornaments)
horizontal wood siding, semi detached carport, asymmetric flat roof lines, low broad brick chimney
Ancillary Features / Outbuildings (record outbuildings, major landscape features; use continuation sheet if needed.)
mature vegetation, semi circular pebbled drive

DHR USE ONLY

OFFICIAL EVALUATION

DHR USE ONLY

NR List Date	SHPO - Appears to meet criteria for NR listing: ☐ yes ☐ no ☐ insufficient info	Date _____	Init _____
☐ Owner Objection	KEEPER - Determined eligible: ☐ yes ☐ no	Date _____	
	NR Criteria for Evaluation: ☐ a ☐ b ☐ c ☐ d (see National Register Bulletin 15, p. 2)		

HISTORICAL STRUCTURE FORM

Site # PB18674

DESCRIPTION (continued)

Clear Description Values

Chimney: No. 1 Chimney Material(s): 1. Brick 2. _____ 3. _____
 Structural System(s): 1. Wood frame 2. _____ 3. _____
 Foundation Type(s): 1. Slab 2. _____
 Foundation Material(s): 1. Poured Concrete Footing 2. _____

Note: you may use the last box in each field to type in an answer that does not appear in the list provided

Main Entrance (stylistic details)

off center multi panel door under main roof shelter

Porch Descriptions (types, locations, roof types, etc.)

off center screen enclosed porch, attached to carport shelter, brick supports,

Condition (overall resource condition): ☐ excellent ☒ good ☐ fair ☐ deteriorated ☐ ruinous

Narrative Description of Resource

This 1950 Mid-Century Modern building is in good condition.

Archaeological Remains _____ ☐ Check if Archaeological Form Completed

RESEARCH METHODS (select all that apply)

- | | | | |
|--|---|---|--|
| ☒ FMSF record search (sites/surveys) | ☐ library research | ☐ building permits | ☒ Sanborn maps |
| ☐ FL State Archives/photo collection | ☐ city directory | ☐ occupant/owner interview | ☒ plat maps |
| ☒ property appraiser / tax records | ☐ newspaper files | ☐ neighbor interview | ☐ Public Lands Survey (DEP) |
| ☒ cultural resource survey (CRAS) | ☒ historic photos | ☐ interior inspection | ☐ HABS/HAER record search |
| ☒ other methods (describe) <u>City Staff</u> | | | |

Bibliographic References (give FMSF manuscript # if relevant, use continuation sheet if needed)

OPINION OF RESOURCE SIGNIFICANCE

Clear Significance Values

Appears to meet the criteria for National Register listing individually? ☐ yes ☐ no ☒ insufficient information
 Appears to meet the criteria for National Register listing as part of a district? ☒ yes ☐ no ☐ insufficient information

Explanation of Evaluation (required, whether significant or not; use separate sheet if needed)

This building may meet criteria for individual listing, but more research regarding changes would be needed to determine individual eligibility. It does meet criteria based on its architectural features and association within the Town of Palm Beach.

Area(s) of Historical Significance (see *National Register Bulletin 15*, p. 8 for categories: e.g. "architecture", "ethnic heritage", "community planning & development", etc.)

1. Community planning & development 3. _____ 5. _____
 2. Local 4. _____ 6. _____

DOCUMENTATION

Clear Documentation Values

Accessible Documentation Not Filed with the Site File - including field notes, analysis notes, photos, plans and other important documents

1) Document type _____ Maintaining organization _____
 Document description _____ File or accession #'s _____
 2) Document type _____ Maintaining organization _____
 Document description _____ File or accession #'s _____

RECORDER INFORMATION

Recorder Name Patricia Davenport-Jacobs Affiliation Environmental Services, Inc.
 Recorder Contact Information 7220 Financial Way, Suite 100, Jacksonville, FL 32256/9044702200/pdavenport@
 (address / phone / fax / e-mail)

Required Attachments

- ❶ USGS 7.5' MAP WITH STRUCTURE LOCATION CLEARLY INDICATED
 - ❷ LARGE SCALE STREET, PLAT OR PARCEL MAP (available from most property appraiser web sites)
 - ❸ PHOTO OF MAIN FACADE, DIGITAL IMAGE FILE
- When submitting an image, it must be included in digital AND hard copy format (plain paper grayscale acceptable). Digital image must be at least 1600 x 1200 pixels, 24-bit color, jpeg or tiff.

ITEM 7: **215 Mediterranean Road**

Owner: Tatiana Van Zandt

Call for disclosure of ex parte communication: Disclosure by Ms. Patterson.

Ms. Patterson asked for confirmation on proof of publication. Ms. Churney provided confirmation.

Emily Stillings, MurphyStillings, LLC, testified to the architecture and history for this Mid-Century Modern style home. Ms. Stillings pointed out the design features of this building. Ms. Stillings testified that the building met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town; and,

Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction or use of indigenous materials or craftsmanship; and

Sec. 54-161 (4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

Motion made by Mr. Segraves and seconded by Ms. Coleman to make the designation report for 215 Mediterranean Road part of the record. Motion carried unanimously, 7-0.

Ms. Patterson called for public comment on the designation. No one indicated a desire to speak.

Motion made by Ms. Damgard and seconded by Ms. Coleman recommend 215 Mediterranean Road to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3 and 4 in Section 54-161. Motion carried unanimously, 7-0.

Palm Beach, Florida, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 54 - HISTORICAL PRESERVATION >> ARTICLE IV. - DESIGNATION PROCEDURE >>

ARTICLE IV. - DESIGNATION PROCEDURE

Sec. 54-161. - Criteria for landmarks and landmark sites.

Sec. 54-162. - Creation of historic districts.

Sec. 54-163. - Commission powers with respect to landmarks, landmark sites and historic districts.

Sec. 54-164. - Landmark, landmark site and historic district designation and undesignation procedures.

Sec. 54-165. - Voluntary restrictive covenants.

Secs. 54-166—54-195. - Reserved.

Sec. 54-161. - Criteria for landmarks and landmark sites.

A landmark or landmark site shall meet at least one of the following criteria:

- (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.
- (2) Is identified with historic personages or with important events in national, state or local history.
- (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship.
- (4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

(Code 1982, § 16-38)

Sec. 54-162. - Creation of historic districts.

- (a) *Authorized.* For preservation purposes, the commission shall identify geographically defined areas within the town to be designated as historic districts and shall cite the guideline criteria upon which such designation shall be made. An historic district may be designated for any geographic area of particular historic, architectural or cultural significance to the town that:
 - (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.
 - (2) Is identified with historic personages or with important events in national, state or local history.
 - (3) Embodies distinguishing characteristics of one or more architectural types, or contains specimens inherently valuable for the study of a period, style or methods of construction or use of indigenous materials or craftsmanship.
 - (4) Is representative of the notable works of one or more master builders, designers or architects whose individual ability has been recognized to have influenced their age.
 - (5) Constitutes a unique area of architecture, landscaping and planning.
- (b) *Petition for special historic district category.* Following the designation of each landmark or landmark site, the commission may petition the town council for the categorizing of such

property as special district H. Following the designation of each historic district, the commission may petition the town council for the categorizing of each property in such district to special district HD.

(Code 1982, §§ 16-38.1, 16-39)

Sec. 54-163. - Commission powers with respect to landmarks, landmark sites and historic districts.

The commission has the power to:

- (1) Designate a building, together with its accessory buildings and its lot of record, or a vacant site or a district as historic and worthy of preservation as a landmark, landmark site or historic district, as the case may be, within the jurisdiction of the commission, provided such designation is ratified by the town council.
- (2) Recommend appropriate legislation for the preservation of any building, site or district which it has so designated.
- (3) Make application for public and private funds when appropriate and available for the purposes set forth in this article subject to the approval of the town council.
- (4) Review applications proposing erection, alteration, restoration or moving of any building it has so designated or any building located in a district it has so designated, and to issue or deny certificates of appropriateness accordingly.
- (5) Review applications for demolition permits proposing demolition of all or part of any landmark or any building located in an historic district, and to issue certificates of appropriateness or to deny them for one year.
- (6) Cooperate with the owner of a landmark or a property located in an historic district throughout the year following a refusal to issue a certificate of appropriateness pursuant to an application for a demolition permit, and to seek alternative economic uses for such landmark or property.
- (7) Review its denial of a certificate of appropriateness for demolition of such landmark or property annually, during a public hearing at which time the owner of the affected landmark or property shall be afforded an opportunity to appear with counsel and to present testimony.
- (8) Prohibit the issuance of building, exterior remodeling or demolition permits affecting any property under consideration for landmark designation without a certificate of appropriateness, this prohibition to remain in effect for the length of time required by the commission and the town council for final action on the proposed designation. The commission shall accomplish such prohibition by furnishing the building official a list of all property under consideration for landmark designation.

(Code 1982, § 16-42)

Sec. 54-164. - Landmark, landmark site and historic district designation and undesignation procedures.

- (a) The following procedure shall be adhered to by the commission in designating any building, building site or district that is worthy of preservation:
 - (1) The commission shall consider for landmark designation any property proposed by the owner of record or by a member of the commission.
 - (2)

Notice of a proposed designation shall be sent by certified mail to the owner of record of property proposed for designation as a landmark or landmark site and to each owner of record of property in a district proposed for designation as an historic district, describing the property proposed and announcing a public hearing by the commission to consider such a designation to be held not less than 30 days after the mailing of such notice.

- (3) The commission shall also cause notice of each such proposed designation to be posted at least 30 days prior to the public hearing on the bulletin board in the lobby of the town hall, and in addition the commission shall cause such notice to be published in a newspaper having general circulation in the town.
 - (4) The commission may retain or solicit expert testimony regarding the historic and architectural importance of the buildings and districts under consideration for designation.
 - (5) The commission may present testimony or documentary evidence of its own to establish a record regarding the historic and architectural importance of the proposed landmark, landmark site or historic district.
 - (6) The commission shall afford the owner of each affected property reasonable opportunity to present testimony or documentary evidence regarding the historic and architectural importance of such property.
 - (7) The owner of each affected property shall be afforded a right of representation by counsel and reasonable opportunity to cross examine witnesses presented by the commission.
 - (8) Any interested party may present testimony or documentary evidence regarding the designation of a proposed landmark, landmark site or historic district at the public hearing and may submit to the commission documentary evidence within three days after the hearing.
 - (9) Within not more than 30 days after a public hearing, the commission shall render a final decision regarding the proposed designation and give written notice of its decision to each owner of property affected by the designation, setting forth the reasons for the decision.
 - (10) The commission shall maintain a record of testimony and documentary evidence submitted to it for consideration of the designation of a proposed or previously designated landmark, landmark site or historic district.
 - (11) In accordance with section 54-163(1), the town council shall, within 90 days of the commission's final decision, hold a public hearing to consider ratification of the determination of the commission prior to the designation of a property as a landmark or landmark site or of a district as an historic district becoming effective. Absent ratification by the town council, the commission's determination shall be ineffective.
 - (12) Within 30 days of the date on which the town council ratifies the commission's designation of a landmark, landmark site or historic district, the commission shall cause to be filed in the office of the county recorder of deeds a certificate of notification that such property is designated a landmark or landmark site or is located within a district designated an historic district; and the certificate of notification shall be maintained on the public record until such time as such designation may be withdrawn by the commission and the town council.
- (b) Designation and undesignation hearings before the commission shall be held only during the months of November, December, January, February, March and April.
- (c)

Designation of a landmark, landmark site or a historic district may be withdrawn by following the same procedure as listed above.

(Code 1982, § 16-43)

Sec. 54-165. - Voluntary restrictive covenants.

The owner of any landmark or landmark site may, at any time following the designation of his property, enter into a restrictive covenant on the property after negotiation with the commission. The commission may assist the owner in preparing such a covenant in the interest of preserving the landmark or the landmark site. The owner shall record such covenant in the office of the county recorder of deeds and shall notify the town clerk, building official and town council and may notify the office of the county property appraiser of such covenant and the conditions thereof.

(Code 1982, § 16-48)

Secs. 54-166—54-195. - Reserved.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-21-006 (ARC-21-040) 164 SEASPRAY AVENUE (COMBO) SPECIAL EXCEPTION REQUEST WITH SITE PLAN REVIEW AND VARIANCES The applicant, Hayati Banastey, has filed an application requesting Town Council review and approval for a Special Exception Request with Site Plan Review for the construction of new two story residence on 2 platted lots deficient in lot width and lot area, including the following variances (1) a variance to reduce the required side (east) yard setback to 10 ft in lieu of 15 feet required for 2 story structure; (2) a variance to reduce the required side (west) yard setback to 10 ft in lieu of 12.5 feet required for the 1 story portion; (3) a variance to reduce the required side (west) yard setback to 10 feet in lieu of 15 feet required for the 2 story portion. [The Architectural Review Commission deferred the project to the May 25, 2022 meeting. Carried 7-0.] **Staff Recommends a Deferral to the June 15, 2022 Meeting**

Presenter

ATTACHMENTS:

- ▣ **Letter Dated October 8, 2021 from Thomas E. Swift, III**
- ▣ **Email Dated October 13, 2021 from Mario Mercurio**
- ▣ **Email Dated October 28, 2021 from Mario Mercurio**
- ▣ **Email Dated November 19, 2021 from Gigi Tylander**
- ▣ **Email Dated December 13, 2021 from Mario Mercurio**
- ▣ **Letter Dated February 15, 2022 from Michelle Malone Fries**
- ▣ **Email Dated February 22, 2022 from Pat Hertzberg**
- ▣ **Email Dated December 15, 2021 from Anne Pepper**
- ▣ **Letter Dated February 18, 2022 from Zachary Shipley**
- ▣ **Email Dated February 22, 2022 from David Williams**
- ▣ **Email Dated March 22, 2022 from Mario Mercurio**



October 8, 2021

Town of Palm Beach
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480

**RE: Architectural Commission Review & Public Hearing
164 Seaspray Avenue
ARC-21-040 (ZON-21-006)**

To Whom It May Concern:

In regards to the above referenced matter and pending Town Council Meeting for variance approval scheduled November 10, 2021, please accept this letter as my written statement.

As the owner of 158 Seaspray Ave., directly next door to said property on the East side, I am against the ten (10) foot East side setback in regards to the pending plans submitted. A fifteen (15) foot setback would be acceptable on the East side.

A handwritten signature in cursive script that reads "Thomas E. Swift, III".

Thomas E. Swift, III
158 Seaspray Ave.
Palm Beach, FL 33480
214-890-0900

From: [mario mercurio](#)
To: [Kelly Churney](#)
Subject: 164 Seaspray Ave. ARC-21-040 (ZON-21-006)
Date: Wednesday, October 13, 2021 9:23:32 AM

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Good morning Ms. Churney,

After receiving a notice from the town regarding a variance for ARC-21-006 please see our response below.

If you could forward our concerns to the Architecture Commission as well as the Town Council Development Review board it would be most appreciated.

My wife and I will be in attendance for the 10/27 and 11/10 public meetings.

Thank you,

Mario & Susan Mercurio
168 Seaspray avenue, Palm Beach

To: All Members of the Architectural Commission:

To: All members of the Town Council Development Review board:

We are writing to voice our concerns regarding the proposed demolition and reconstruction of 164 Seaspray directly to the east of our property at 168 Seaspray. Having been through this process very recently, we fully understand the difficulties in working with such a narrow lot. Without seeing proposed plans for the home, but merely a request for a variance to reduce setbacks by 5 ft. on both the east and west property lines, we have reservations about allowing this variance. Privacy and light are the biggest issues.

As we read the Notice, it appears that there will be a portion of the home that will be a single story. Is that in the rear of the home or the front? A two-story structure 5 ft. closer for the entire depth allowable would be a significant impact to the light for our property. If the house steps down to one story in the back, it would give some relief to this issue. No proposed plans were sent to us with the Notice, and none could be found online. We would like to have an opportunity to comment on the proposed plans before they are put before the Commission for approval.

As prior owners of an 1870's antique home, we do have a strong appreciation for preserving historic homes and, in this case, preserving the look and feel of the Sea Streets. During our design process, we were facing difficult decisions regarding the house we demolished. We would have preferred to have had the option to build a new house and garage/guest house on the original footprints, which was not allowed at that time. We feel the Commission should not always push to maintain structures that may not have much integrity left, but rather encourage owners to build a design that replaces the footprint and feel of what was there before or compliments the overall feel. The smaller homes on small lots contribute to the charm of the Sea Streets and we believe it is important to preserve their overall feel.

Sincerely,
Mario and Susan Mercurio
168 Seaspray Avenue

From: [mario mercurio](#)
To: [Kelly Churney](#)
Subject: 164 Seaspray
Date: Thursday, October 28, 2021 10:31:10 AM

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Good morning, Kelly,

Thanks for the time yesterday and your guidance on how to address ARCOM. I was a bit emotional yesterday and wanted to make sure my comments were on the record and forwarded to both commissions. If you could forward my comments, it would be greatly appreciative.

Thank you,

Mario & Susan Mercurio

To: Architecture commission

To: Town Council

My name is Mario
Mercurio and I live at 168
Seaspray directly to the
west of the subject project.
As I noted in my recent
letter to the commission,
having been through this
process very recently I am

very sympathetic to the difficulties involved with working on a small lot.

For this particular situation, I feel there are two different issues to be thinking about.

1. What is the overall feel of the Sea Streets that we are trying to protect.
2. What are my concerns with the specific set of

plans before the
committee today.

On the first issue, if we are
trying to protect the charm
of the older, smaller
homes on the Sea Streets,
then I think the most
leeway should be in
granting variances limited
to remodeling existing
homes or, where
renovation becomes overly

burdensome, allowing homeowners the option to rebuild new on existing footprints. Once you start granting variances beyond that, it seems that you lose control of the purpose. We should try to set the easiest path for those who are most protecting the original feel of the streets.

Regarding the proposed

***building and landscape
plans here are my
concerns:***

1. The position of the house closer to my property than the original home will impact privacy, light and airflow for the plant material.
2. Can we ensure the loggia structure will never be able to be converted to add a second story deck?

3. Can we find an alternative to the coconut palm trees called for on the rear side yard lines as they could potentially drop coconuts presenting a hazard.

4. Could the intensity of the landscape layering in the tight 10ft space impact the viability of our established hedge plantings?

In summary, when building my home I played by the rules, I didn't like it, but I made it happen without any variances and as I stated in my letter if I had the approval to rebuild on the existing footprint I would have done so. I'm very much against approval for this variance ..

Thank you for your time.

From: Gigi Tylander
To: Town Clerks Staff
Subject: Today's ARCOM
Date: Friday, November 19, 2021 9:39:26 AM

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity. *****

I have lived in the Sea Streets for 42 years. My husband Bill and I reside at 225 South Count Road which is on the corner of Seaspray and County .

As you consider a new home for 164 Seaspray please be mindful of the neighbors on either side . These lots are small and everyone wants some privacy. The original configuration of driveway house, driveway house worked. Over building on these lots will change the look and feel of the Sea Streets.

I know each of you look at these projects as if they were being built next to your own houses and that's what makes Palm Beach special.

Gigi Tylander
Gtylander@gmail.com
561-762-6983

From: [mario mercurio](#)
To: [Kelly Churney](#)
Cc: [Sue Mercurio](#); [Gigi Tylander](#); [Jay Serzan](#)
Subject: 164 Seaspray Ave.
Date: Monday, December 13, 2021 7:40:53 AM

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Good morning, Kelly,

Would be so kind to forward this letter to both the Architectural Commission and Town Council:

Thank you for sending the revised plans for 164 Seaspray. Our comments regarding the project remain unchanged. It is our belief that variances should be reserved for those projects that have made the decision to either renovate/restore an existing structure or are planning to build back on an existing footprint. The goal is to maintain the charm of the sea sheets, not to allow variances that will change the look and feel of these streets.

Resident Ann Pepper said it best in the recent William Kelly article: 'at odds' with the reality of town life. She observed "The plan is focused on protecting aesthetics, architecture and the preservation of a certain type of lifestyle that I don't think any of you disagree with. But the underpinnings of this vision have not been carried out and continues to be weakened by too many zoning variances and a failure to enforce the plan's principles". We could not agree more and are disappointed to see the updated plans did not reflect many changes.

In addition, as mentioned at the previous hearing, we are concerned with the use of coconut palms along the east/west and even south property lines given the tightness of the properties and potential for coconuts falling on neighboring properties.

Unfortunately, we are out of town for the next hearing and will be unable to attend in person.

Thank you,

Mario & Susan Mercurio
168 Seaspray Ave.

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

February 15, 2022

RE: 164 Seaspray Avenue #ARC-21-040 #ZON-21-006
Submitted by SKA Architect + Planner, Patrick W. Segraves, Architect

To All ARCOM Members and Town Council Members,

My family and I live a few doors down from 164 Seaspray at 146 Seaspray Ave. We have reviewed the plans for the new home planned for that lot and we are in support of it. We think that it will be a charming and fitting addition to the street in keeping with the character of the neighborhood and homes around it.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle Malone Fries". The signature is fluid and cursive, with a large initial "M" and "F".

Michelle Malone Fries
On behalf of Michelle Malone Fries & Michael T. Fries
Residents of 146 Seaspray Avenue

From: Pat Hertzberg
To: David Rivera
Cc: Kelly Churney
Subject: ARC-21-040(ZON)-21-0060) 164 Seaspray Avenue
Date: Tuesday, February 22, 2022 4:13:04 PM

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Dear Mr. Rivera,

We are writing in regard to the ARCOM committee meeting to be held tomorrow, 2/23/22, to review a proposed plan for 164 Seaspray Avenue.

My husband and I live at 129 Seaspray in a house that is of the same vintage as the one demolished at 164 Seaspray.

We cherish the character of our homes on Seaspray and fervently hope that any rebuilds will reflect the charm and unique look of the Sea Streets.

We agree with our other neighbors that the street side of the proposed plan for 164 Seaspray is not in keeping with the historic look of the street. We agree that a porch reflecting the original architecture would likely help soften the "boxy" and "unimaginative" look of this home. It would be reminiscent of the original home and would be more in character with the look of our street. A well done porch would give the new home a charm that is missing in the current plan.

We thank you for considering our letter and for your good work in helping to preserve the beauty of Palm Beach.

Please add this letter to those that will be viewed by ARCOM and the Town Council tomorrow.

Respectfully yours,

Pat and Mike Hertzberg

From: Anne Pepper
To: Kelly Churney
Subject: Please circulate to ARCOM members
Date: Wednesday, December 15, 2021 3:39:11 PM

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Dear Commissioners,

Once again a project is coming before you at 164 Seaspray Ave. The owners chose to tear down a house knowing full well that the code, when a demolition occurs, requires full compliance with the applicable set backs and zoning ordinances. Variances to encroach on a neighbor in this specific neighborhood have no basis in hardship. The non-conformities which existed prior to demolition could have remained, but no longer. The mandate to ARCOM and the specificity of the ARCOM ordinances are written to uphold the Comprehensive Plan's vision for the town. Hence the scale, style and relationship to the existing built environment cannot be 'too similar nor too dissimilar.' When the structures push to the limits of the code, the risk to the ARCOM mandate is great. Town Attorney Skip Randolph, stated last month to the Council, that the zoning code does NOT ENTITLE an applicant to the maximum building that the code permits. ARCOM's legitimate charge takes precedent and can deny applications that are out of scale, incompatible with the architecture of the neighborhood and in fact degrade the historic character of a neighborhood EVEN IF the proposal is within the limits of the code. In the case of 164 Seaspray, there is no justification for a structure that doesn't meet the code since their choice was to tear down a 1920's house that fit perfectly in the character of this neighborhood. No project after demolition should be permitted to come before ARCOM and seek variances. These are generally sought to make a larger structure than is appropriate for the neighborhood should not be entertained. The size factor is ARCOM's purview and its obligation is to uphold its guiding principle -'not too dissimilar' --that usually means too big, too tall, too encroaching on the neighbors.

ARCOM prior to this demolition spoke to these applicants and indicated clearly that variances for a post-demolition project especially in historic neighborhoods such as the Sea Streets would not be favorably looked up. Please adhere to your mandate from the Comp Plan to preserve and enhance the character, the architectural assets and the quality of life that appropriate scaled architecture brings to Palm Beach.

Thank you,
Anne Pepper
333 Seaspray Ave

Z • K • S

February 18, 2022

Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

Re: 267 Dunbar Road #B-068-2021 and Z-21-00371
SKA Architect+ Planner, Patrick W. Segraves, Architect

ARCOM Members & Town Council Members:

I live at 228 Seaspray Avenue and am a neighbor to 164 Seaspray Avenue.

I have reviewed the recently revised plans from Patrick Segraves for a proposed home at 164 Seaspray, and we think it will be an elegant addition to our street.

Please consider granting approval for this project.

Very truly yours,

A handwritten signature in black ink, appearing to read "Zachary Shipley". The signature is fluid and cursive, with the first name "Zachary" and last name "Shipley" clearly distinguishable.

Zachary Shipley

From: [David Williams](#)
To: [David Rivera](#)
Cc: [Kelly Churney](#)
Subject: ARC-21-040 (ZON-21-006) 164 Seaspray Avenue
Date: Tuesday, February 22, 2022 11:15:34 AM

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Dear Mr. Rivera,

We write with respect to the ARCOM committee meeting scheduled for February 23, 2022 to review a proposed plan for 164 Seaspray Avenue.

We are Palm Beach residents and live across the street at 145 Seaspray Avenue. We chose to live on Seaspray Avenue because we have always loved the unique Palm Beach charm of the "Sea Streets." It is vital to protect and preserve this irreplaceable charm.

Our disappointment with the proposed plan: We believe the proposed plan at 164 Seaspray is jarringly inconsistent with the traditional beauty of the Sea Streets (and our block in particular). The proposed plan is unimaginative and unauthentic, *especially on its most important north side facing Seaspray Avenue*. The facade facing Seaspray Avenue is little more than a modernistic "box" (see photo below) that bears no relation to the traditional charm of the homes on Seaspray's ocean block. It would be a poor replacement for the 100-year old home recently demolished on this lot.

A simple, historically authentic suggestion: The aesthetics of the proposed house would be improved *enormously* if the north (street-facing) elevation were revised to restore the original 100-year old, one-story front porch. The original porch is clearly visible in the aerial photographs of the "existing building photographs" (see below) on page 10 of 62 of the proposed plans (see photos below). If you wish, we would be happy to share some additional photographs of Seaspray Avenue (obtained from the Palm Beach Historical Society) that show the original porch at 164 Seaspray.

The original porch provided useful coastal living space and gave the house charm and real Palm Beach character. The porch can be easily, inexpensively restored and has the obvious merit of historical authenticity.

Thank you for your consideration and your commitment to preserving the beauty of Palm Beach. We ask that you kindly circulate this note to the Architectural Commission (ARCOM) and Town Council.

Respectfully yours,

David and Kelly Williams

Aerial Photos of Original Front Porch:

From: [mario mercurio](#)
To: [Kelly Churney](#)
Subject: 164 Seaspray
Date: Tuesday, March 22, 2022 9:54:33 AM

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Good morning Kelly,

Would you be so kind to pass this note along to the Architectual Commission as well as Town Council:

We are writing to again express our concern regarding the request for variances for 164 Seaspray directly to the east of our property. In keeping with towns desire to maintain the charm and unique feel of the "Sea Streets", we feel very strongly that no variances should be granted to new construction requests unless they are to rebuild on the original footprint of the home that was demolished. The current proposal is seeking an entirely new footprint requiring variances and should not be considered for approval.

Sincerely,

Mario & Susan Merurio
168 Seaspray Avenue.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Development Review - Old Business

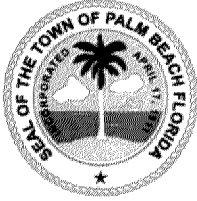
Agenda Title

ZON-22-017 (ARC-22-032) 1237 N LAKE WAY (COMBO) - VARIANCES & SITE PLAN REVIEW The applicant, Frank H. Pearl and Geryl T. Pearl, has filed an application requesting Town Council review of and approval of Site Plan Review for the construction of a new two-story residence on a lot with less width than required in the RB district, and including variances (1) to allow a two-story accessory structure on a lot less than 20,000SF in lot area, and (2) to exceed the point of measurement. ARCOM will perform design review of the application. [The Architectural Review Commission deferred the project to the May 25, 2022 Meeting. Carried 7-0.] **Staff Recommends a Deferral to the June 15, 2022 Meeting**

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5430 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

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

SUBJECT: ZON-22-017 (ARC-22-032) 1237 N LAKE WAY (COMBO)

MEETING: March 09, 2022

ZON-22-017 (ARC-22-032) 1237 N LAKE WAY (COMBO) — VARIANCES & SITEPLAN REVIEW. The applicant, Frank H. Pearl and Geryl T. Pearl, has filed an application requesting Town Council review of and approval of Site Plan Review for the construction of a new two-story residence on a lot with less width than required in the RB district, and including variances (1) to allow a two-story accessory structure on a lot less than 20,000SF in lot area, and (2) to exceed the point of measurement. ARCOM will perform design review of the application.

ARCOM NOTICE:

ARC-22-032 (ZON-22-017) 1237 N LAKE WAY (COMBO). The applicant, Frank H. Pearl and Geryl T. Pearl, has filed an application requesting Architectural Commission review and approval for construction of a new 5800 SF two story residence and two story accessory structure in the Modern/Classical style of architecture including variances for a two-story accessory structure to replace an existing two-story residence to be demolished. The variance portion of the application will be reviewed by Town Council.

Applicant: Frank H. Pearl and Geryl T. Pearl
Professional: SKA Architect + Planner
Representative: Maura Ziska

HISTORY:

At the February 23, 2022 ARCOM an application will be heard for the construction of a new 5800 SF two story residence and two story accessory structure in the Modern/Classical style of architecture including variances including variances.

THE PROJECT:

The applicant has submitted plans, entitled "Pearl Residence 1237 N LAKE WAY", as prepared by **SKA Architect + Planner**, dated 12/27/21.

The following is the scope of work for the Project:

- The demolition of the existing two-story subject residence, accessory structure, including foundation, and hardscape.

- The construction of a new 5800 SF two story residence and two story accessory structure in the Modern/Classical style of architecture.

The following Special Exceptions, Site Plan review and/or Variances required to complete the project, and shall be reviewed by Town Council:

- SITE PLAN REVIEW: Section 134-893: Site Plan Review to allow the construction of a new two-story residence on a lot that is 70' wide in lieu of the 100' minimum width required in the R-B Zoning District.
- VARIANCE 1: Section 134-891 to allow a two-story accessory structure on a lot less than 20,000SF in lot area. Existing 19,966.50 SF where 20,000 SF is required.
- VARIANCE 2: Section 134-2 to allow the point of measurement to be 8.5' NAVD in lieu of the 7' NAVD required.

Site Data			
Zoning District	R-B Low Density Res.	Lot Size (SF)	13,450 SF
Future Land Use	SINGLE-FAMILY	Total Building Size (SF)	6,000 SF
C-O-R	3.42'	Flood Zone	ZONE X and ZONE AE 6
Finished Floor Elevation	8.75' NAVD	Max Fill	2.665'
Year of Construction	1936	Architect	C Sheldon Tucker
Condition	Good	Existing Floor Elevation	8.35' NAVD
Project			
	Required/Allowed	Existing	Proposed
Lot Coverage	30% (4,035 SF)	18.5% (2,490 SF)	22.5% (3,030 SF)
Building Height	22'	23.5'	21'
Overall Building Height	30'	N/A	23.67'
Point of Measure	7'		
Landscape Open Space	45%	45%	45%
Front Yard Open Space	40%	21%	50%
Native Plant Species %	35%	N/A	75.7%
Cubic Content Ratio (CCR)	3.66	N/A	3.66

*If value is not applicable, N/A

*If value is not changing, N/C

Surrounding Properties / Zoning	
North	Two-story 1960 single-family residence
South	Two-story 1960 single-family residence
East	One-story 1952 single-family residence
West	Lake Worth Lagoon

SITE PLAN REVIEW CRITERIA SEC. 134-329

Before any site plan shall be approved, approved with changes, or denied, the town council shall make a finding that the approval of the site plan will or will not adversely affect the public interest and certify that the specific zoning requirements governing the individual use have or have not been met and that, further, satisfactory provision and an arrangement has or has not been made concerning the following matters, where applicable:

- (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.

VARIANCES CRITERIA SEC. 134-201

The town council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the town council must and shall find the following:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.
- (2) The special conditions and circumstances do not result from the actions of the applicant.
- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.
- (4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.
- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.
- (6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:
 - a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
 - b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
 1. Be granted only for the continuation of the same hotel or residential use; and
 2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.
- (7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare. In granting any variance, the town council may prescribe appropriate conditions and safeguards in conformity with this chapter. Upon granting a variance the town council may require the landowner to provide a declaration of use agreement which shall be recorded in the public records to ensure continuing compliance with town council imposed conditions of such grants. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

A preliminary review of the project indicates that the proposed **single family use** is **consistent** with the **Single-Family** designation of the Future Land Use Map of the Comprehensive Plan.

COMPLIANCE WITH ZONING CODE:

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the Town code:

The applicant is requesting the following variance(s):

- SITE PLAN REVIEW: Section 134-893: Site Plan Review to allow the construction of a new two-story residence on a lot that is 70' wide in lieu of the 100' minimum width required in the R-B Zoning District.
- VARIANCE 1: Section 134-891 to allow a two-story accessory structure on a lot less than 20,000 SF in lot area. Variance to allow a two story accessory structure with an overall height of 22 feet on a lot under 20,000 SF where only a one story 15 foot tall building would be allowed.
- VARIANCE 2: Section 134-2 to allow the point of measurement to be 8.5' NAVD in lieu of the 7' NAVD required.

STAFF ANALYSIS:

The subject property is a rectilinear site along Lake Worth Lagoon. The site is nonconforming in terms of lot width (70' where 100' is required), and does have a change of grade and topography, the site's elevation is 3.42' NAVD along North Lake Way and rises to about 7.18' NAVD at the Lake Trail. The site is currently improved with a one-story garage and guesthouse at the eastern portion of the site and a two-story principal structure configured more towards the western portion of the site. The new construction consisting of two independent two-story structures will mostly mimic this siting.

This application is presented to the Council to consider whether all of the criteria in Sec. 134 -201 and Sec. 134-329 have been met. As previously mentioned, the subject property is a platted lot (lot 12) containing 13,450 SF of lot area with a 70' foot width. Due to the lot width deficiency, the application is before the Council for Site Plan Review.

Additionally, the applicant is seeking relief from two zoning requirements: (1) to allow two, two-story structures on sites less than 20,000 SF of lot area. The subject property is over 6,000SF in area deficient in this regard. Where the existing site conditions have a one-story accessory structure at the front of the property subservient to the two-story principal structure, the applicant is seeking a two-story accessory structure. The structure shall be located at the minimum (30') front setback to North Lake Way, sited at both minimum (15') side setback distances. The principal structure is setback 25' to the Lake Trail. The two structures are separated by 61' of open garden, hardscape and pool space. This siting may lead to the appearance of acerbated massing from the Lake Trail. The contextual plan does indicate the principal residence is sited further west than other neighboring properties.

The minimum FEMA elevation requirement for the first habitable floor to be is 7' NAVD, where the applicant is proposing both structures to be at 8.75 NAVD while still complying with the Town's maximum fill amount for required yards. If the Town Council permits the two-story accessory structure (variance #1), the structure appears to be similar in height to others along North Lake Way.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Development Review - Old Business

Agenda Title

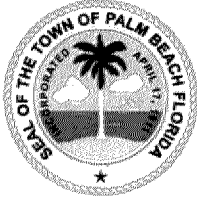
ZON-22-029 (HSB-22-002) 854 S COUNTY RD (COMBO) - VARIANCES.

The applicant, Todd Glaser, has filed an application requesting Town Council review and approval for variance (1) to retain the existing nonconforming side (north) setback to accommodate substantial additions to a historically significant building. The Landmarks Preservation Commission will perform design review of the application. [Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject historically significant property. Carried 7-0.] [The Landmarks Preservation Commission approved the project as presented. Carried 7-0.]

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**
- ▣ **LPC Development Order**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5430 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

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



SUBJECT: ZON-22-029 (HSB-22-002) 854 S COUNTY RD (COMBO)

MEETING: May 11, 2022

ZON-22-029 (HSB-22-002) 854 S COUNTY RD (COMBO)—VARIANCES. The applicant, Todd Glaser, has filed an application requesting Town Council review and approval for variance (1) to retain the existing nonconforming side (north) setback to accommodate substantial additions to a historically significant building. The Landmarks Preservation Commission will perform design review of the application.

LPC NOTICE:

HSB-22-002 (ZON-22-029) 854 S COUNTY RD (COMBO). The applicant, Todd Glaser, has filed an application requesting Landmarks Preservation Commission review and approval for the construction of a substantial two-story addition to replace a portion of a historically significant building including a variance from the setback requirements. The variance portion of the application shall be reviewed by Town Council.

Applicant: Todd Glaser
Professional: Dailey Jannsen Architects
Representative: Maura Ziska

HISTORY:

The subject property was designated 'historically significant' in August of 2021. The property is located in the Estate Conservation District. The British Colonial style dwelling was designed by architect Howard Major in 1936.

At the March 16, 2022 LPC meeting, an application was presented and continued for one month at the direction of the Commission. At the April 20, 2022 LPC approved (7-0) for the construction of a substantial two-story addition to replace a portion of a historically significant building including a variance from the setback requirements, pursuant to HSB-22-002. The Commission additionally recommended favorably on the variance associated with project (7-0).

THE PROJECT:

The applicant has submitted plans, entitled "Proposed Additions and Renovations 854 S COUNTY ROAD", as prepared by **Dailey Jannsen Architects** dated 03/30/22.

The following is the scope of work for the Project:

- Renovation and additions including demolition of portions (2,788 SF) of a two-story single story historically significant building (8,313 SF to remain) to accommodate substantial two-story additions totaling 11,763 SF, for a total of 25,983 SF.

The following is a list of the proposed changes since 03/16/22:

- Pool house moved to the east of existing pool.
- Pool bath structure removed.
- Site walls reworked to create an entry to site.
- Existing front entry screened to direct arrivals to new motor court and front entry.
- Driveway entry revised and gravel parking revised. Driveway material altered to stone and grass to soften the hardscape and create more garden-like approach.
- The existing floor of the main residence to be retained and be raised to meet minimum BFE + freeboard, 7'-0".
- Other changes as depicted on the plans.

The following Special Exceptions with Site Plan Review is required to complete the project:

- Section 134-843(8): a variance for a north side yard setback to remain at 5.1 feet in lieu of the 30-foot minimum setback required in the R-A Zoning District when demolishing more than 50% of the south elevation.

Site Data			
Zoning District	R-A	Lot Size (SF)	87,200 SF
Future Land Use	SINGLE-FAMILY	Total Building Size (SF)	25,983 SF
C-O-R	6.74'	Flood Zone	AE 6
Exist Fin. Floor Elevation	6.97'	Prop. Fin. Floor Elevation	7' NAVD
Year of Construction:	1936	Architect:	Howard Major
Project			
	Required/Allowed	Existing	Proposed
Lot Coverage	25% (24,708 SF)	9.15% (7,985 SF)	13.75% (11,973 SF)
Building Height	25'	19'-6"	19'6"
Overall Building Height	35'	32'	29'-6"
Front Yard Open Space 40% OF FRONT YARD:	3,159 50%	6,050 SF 86%	6,028 SF 85.7%
Landscape Open Space	50% (43,600SF)	63.5% (55,356 SF)	53% (46,444 SF)
Native Plant Species %	35%	19.4%	35%

*If value is not applicable, N/A

*If value is not changing, N/C

Surrounding Properties / Zoning

North	Two-story 2019 residence Two-story 1925 residence
South	One-story 2020 residence Two-story 1942 residence Two-story 1950 residence
East	Two-story 1926 residence
West	Lake Worth Lagoon

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

A preliminary review of the project indicates that the proposed **single family use** is **consistent** with the **Single-Family** designation of the Future Land Use Map of the Comprehensive Plan.

COMPLIANCE WITH ZONING CODE:

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the Town code, the applicant is requesting the following variance(s):

- Section 134-843(8): a variance for a north side yard setback to remain at 5.1 feet in lieu of the 30 foot minimum setback required in the R-A Zoning District when demolishing more than 50% of the south elevation.

STAFF ANALYSIS

The site currently has a historically significant two-story residence (17,008 SF), pool, hardscape and landscape. The attached proposal requests to demolish a one-story portion of the existing residence (2,788 SF), replace the existing windows and doors with new impact products and to construct an addition, pool, landscaping and hardscape in the same style as the existing house. As the scope of work involves demolition of more than 50% of the south elevation of the house, a variance is needed for the retention of the north side yard setback even though it is an existing nonconforming condition. Staff is supportive of the application for the additions due to the retention and renovation of an older architecturally significant building.



Date: March 30, 2022

HSB-22-002 / ZON-22-029**LETTER OF INTENT RELATED TO ALTERATIONS AND ADDITIONS TO 854 S
COUNTY RD, PALM BEACH**

We are pleased to submit a development review application for renovations and additions at 854 S County Rd, Palm Beach, Florida. The site currently has a historically significant two-story residence (17,008 Total SF), pool, hardscape and landscape. The attached proposal requests to demolish a one-story portion of the existing residence (2,788 SF), replace the existing windows and doors with new impact and to construct an addition, pool, landscaping and hardscape in the same style as the existing house.

A) LANDMARKS PRESERVATION COMMISSION 54-122 & 54-161

This home has been designated as Historically Significant and thus will be heard before Landmarks Preservation Commission.

The additions and alterations to the property are listed below:

1. Removal of 2,788 SF (A/C) of the existing one-story portion of residence including the bar, recreation room, WIC, bath and play room. 8,313 SF (A/C) to remain for Main Residence.
2. The existing portion of residence to remain will become the Guest house for the new addition connected by a pair of double doors and shared wall.
3. Replace the existing windows and doors with new painted mahogany. (Palm City Millwork or approved equal)
4. Replace existing awing fabric. Same pattern in tan and white
5. Renovation of existing landscaping and hardscape.
6. Addition of 11,763 SF of residence in the same style as the existing residence. The new additions will comprise of a new entry and main residence, 4-car garage, pool house, ~~pool cabana/bath~~ and relevant assisting spaces.
7. Existing Total 17,008 SF (Living, garages, non-living). Existing building coverage 9.15%.
8. New Total 25,549 SF (Living, Garages, non-living). New building coverage 13.39%

B) ARCOM 18-205 - Not applicable**C) ARCOM 18-206 - Not applicable****D) SPECIAL EXCEPTION 134-229- Not applicable****E) VARIANCES-**

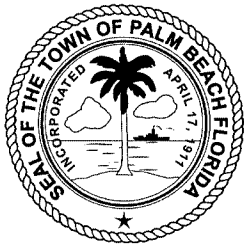
Our project proposal is for the new construction of an addition to an existing Historically

Significant Building. The Development requires the following variance:

Section 134-843(8): a variance for a north side yard setback to remain at 5.1 feet in lieu of the 30 foot minimum setback required in the R-A Zoning District when demolishing more than 50% of the south elevation. See below criteria in support of the variance request:

- 1. The property is located in the R-A Zoning District which requires a 30 foot side yard setback for any lots in excess of 60,000 square feet. Since the residence was constructed prior to the code requirement, the existing residence is within the side yard setback which is a special condition of the property.**
- 2. The applicant was not the cause of the special conditions of their property or residence, as the characteristics of the residence and land have been in existence since the house was designed and built in 1936.**
- 3. The granting of the variance will not confer on the applicant a special privilege. There are other properties in the neighborhood with non-conforming setbacks for buildings as many of the residences were constructed prior to today's setback requirements.**
- 4. The hardship, which runs with the land, is that the property is non-conforming to today's code as it was built in 1936 and the existing residence is within the side yard setback, thus any substantial renovation or additions to the residence would require a variance.**
- 5. The variance requested is the minimum necessary to make reasonable use of the land in order to renovate and construction an addition to a historic home.**
- 6. Granting the variance will not be injurious to the neighborhood as the addition will complement the existing historic home.**

F) OTHER- Not applicable



TOWN OF PALM BEACH

Planning, Zoning & Building Department

DEVELOPMENT ORDER (LPC)

File: HSB-21-022 (ZON-21-029)
Property: 854 South County Road (Historically Significant Building)
Meeting Date: April 20, 2022

The Landmarks Preservation Commission (LPC) approved the renovation of and modifications to a historically significant building (7-0) as part of this Development Order with the following conditions: None.

Additionally, the Commission found that implementation of the proposed variances would not cause negative architectural impact to the subject property (7-0).

Provided, the applicant build substantially in accordance with the approved plans, as prepared and submitted by **Dailey Janssen Architects** on March 30, 2022, and as approved by the LPC, as determined by staff., and as approved by the LPC, as determined by staff.

Approval of this application by the LPC does not relieve the owner and/or applicant from obtaining additional Town approvals as may be required, such as Town Council approval and the necessary building permits. A building permit for the work authorized under this approval must be obtained within one year 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 Commission and modified in accordance with the conditions of approval that must be satisfied prior to permit issuance, as set forth in this Development Order. A copy of all pages of the Development Order shall be scanned into the plans submitted for building permit and shall be located immediately after the front cover page of the permit plans.

Upon the issuance of a final Certificate of Occupancy or Certificate of Completion, as applicable, the project approved herein shall be maintained in accordance with the plans approved by the Commission, and shall be subject to all conditions of approval herein, unless otherwise modified by the Commission. Failure to maintain shall result in the issuance of a Code Compliance citation, and continued failure to comply may result in revocation of the Certificate of Occupancy, Completion and Business Tax Receipt.

This Development Order shall serve as the written approval of the LPC in accordance with Section 54-94.

Sincerely,

Wayne Bergman, Director of Planning, Zoning and Building, on behalf of
LANDMARKS PRESERVATION COMMISSION

cc: James G. Murphy, Assistant Director of Planning, Zoning and Building
Sarah C. Pardue, Design & Preservation Planner
Jordan Hodges, Design & Preservation Planner



TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-22-032 (HSB-22-003) 594 NORTH COUNTY RD (COMBO) -

VARIANCES The applicant, George and Sandra Marucci, has filed an application requesting Town Council review and approval for variances to reduce both side yard setback requirements for one-story additions to a historically significant building and for a variance from Chapter 50 for the required floor elevation for the new ground floor addition on a historically significant building to construct a ground floor addition with a finished floor of 6.49' NAVD in lieu of the required 7' NAVD. [The Landmarks Preservation Commission deferred the project indefinitely. Carried 7-0.] **Staff Recommends a Withdrawal of the Project Per Email From Harold Smith, Architect**

Presenter

ATTACHMENTS:

- ▢ **Email Dated May 4, 2022 from Harold Smith**

From: Harold Smith <Harold@smithmoorearchitects.com>
Sent: Wednesday, May 04, 2022 11:37 AM
To: Sarah Pardue <spardue@TownOfPalmBeach.com>
Subject: RE: HSB - 22- 003 / ZON - 22- 032 594 N. County Road

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Please do.

Thank you,

Harold Smith

SMITH AND MOORE ARCHITECTS, INC.
1500 South Olive Avenue,
West Palm Beach, FL 33401

t: 561.835.1888, ext: 109
f: 561.832.7015
www.smithmoorearchitects.com

From: Sarah Pardue <spardue@TownOfPalmBeach.com>
Sent: Wednesday, May 04, 2022 10:53 AM
To: Harold Smith <Harold@smithmoorearchitects.com>
Subject: FW: HSB - 22- 003 / ZON - 22- 032 594 N. County Road

Good Morning,

We are finalizing the Town Council agenda. Can you advise if the client would prefer to formally “withdrawal” the application so we can remove it?

Sarah C. Pardue

Design | Preservation Planner

Town of Palm Beach

Planning, Zoning & Building

360 S. County Road

Palm Beach, FL 33480

Phone: 561-227-6405

www.townofpalmbeach.com

From: Harold Smith <Harold@smithmoorearchitects.com>

Sent: Tuesday, April 05, 2022 12:18 PM

To: James Murphy <jmurphy@TownOfPalmBeach.com>

Cc: Kelly Churney <KChurney@TownofPalmBeach.com>; Emily Lyn <elyn@TownOfPalmBeach.com>; Sarah Pardue <spardue@TownOfPalmBeach.com>; Bradley Falco <bfalco@TownOfPalmBeach.com>; Jordan Hodges <jhodges@TownOfPalmBeach.com>; George E Marucci Jr <gmaruccijr@gmail.com>; David Klein <dklein@rabideauklein.com>

Subject: RE: HSB - 22- 003 / ZON - 22- 032 594 N. County Road

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Thank you, James. I'll let my client know.

Best,

Harold Smith

SMITH AND MOORE ARCHITECTS, INC.

1500 South Olive Avenue,

West Palm Beach, FL 33401

t: 561.835.1888, ext: 109

f: 561.832.7015

www.smithmoorearchitects.com

From: James Murphy <jmurphy@TownOfPalmBeach.com>

Sent: Tuesday, April 05, 2022 11:43 AM

To: Harold Smith <Harold@smithmoorearchitects.com>

Cc: Kelly Churney <KChurney@TownofPalmBeach.com>; Emily Lyn <elyn@TownOfPalmBeach.com>; Sarah Pardue <spardue@TownOfPalmBeach.com>; Bradley Falco <bfalco@TownOfPalmBeach.com>; Jordan Hodges <jhodges@TownOfPalmBeach.com>; George E Marucci Jr <gmaruccijr@gmail.com>; David Klein <dklein@rabideauklein.com>

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-22-033 (ARC-22-001) 108 EL MIRASOL (COMBO) -

VARIANCES The applicant, ANK Palm Beach LLC (Anand “Andy” Khubani, Managing Member), has filed an application requesting Town Council review and approval for a variance to allow a basement in a North side-yard setback for basement vehicular access in relation to the construction of a new single family residence. The Architectural Commission will perform design review of the application. [The Architectural Review Commission deferred the project to the May 25, 2022 meeting. Carried 7-0.] **Staff Recommends a Deferral to the June 15, 2022 Meeting**

Presenter

ATTACHMENTS:

- ▢ **Email Dated January 19, 2022 from David Feldberg**
- ▢ **Letter Dated January 20, 2022 from Jamie & Robert Caulfield**
- ▢ **Letter Dated January 21, 2022 from Lee & Harvey Poppel**

From: ellen.fisher@teknion.com <ellen.fisher@teknion.com> **On Behalf Of** David Feldberg
Sent: Wednesday, January 19, 2022 10:51 AM
To: James Murphy <jmurphy@TownOfPalmBeach.com>; Sarah Pardue
<spardue@TownOfPalmBeach.com>; Wayne Bergman <wbergman@TownOfPalmBeach.com>
Cc: Palm beach architects Peter Papadopoulos <Peter@smithmoorearchitects.com>; Elyssa Feldberg
<elyssafeldberg@gmail.com>
Subject: 108 El Mirasol: ARCOM

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

We the owners of 101 El Mirasol have had our architect review the submitted design for the new residence at 108 El Mirasol, together with us. After careful evaluation we have no objection to what is being proposed and we welcome the Khubani's as our neighbor.

Best regards,

David Feldberg
President & CEO

Telephone: 416.661.3370, ext. 2150
david.feldberg@teknion.com

At Teknion we have always known the nature of work changes and flexibility is key. Our own balance between home and office has changed dramatically lately. One thing that hasn't changed is our dedication to our clients, and our ability to serve you.

teknion.com



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Mr. & Mrs. Robert Caulfield
117 El Mirasol, Palm Beach

January, 20, 2021

Dear ARCOM Commission Members,

We were contacted by Smith Moore Architects and were given the courtesy opportunity to review the proposed plan for the property located at 108 El Mirasol, Palm Beach. At this point we have no objection to its current massing and programming.

We had the pleasure to present our home for approval to this board a year ago and trust its judgement on this application. We'll soon to be new residents of 117 El Mirasol, and welcome the new addition at 108.

Respectfully,

Jamie & Robert Caulfield
201-926-8988

*Lee & Harvey L. Poppel
110 El Mirasol
Palm Beach, FL 33480*

January 21, 2022

To: Town Of Palm Beach ARCOM

Subject: 108 El Mirasol (ARC -22- 001 (ZON-22- 033) 108 EL MIRASOL (COMBO))
ARCOM Application Agenda Item New Business Major Projects #5
To Be Heard January 26, 2022

We reside at 110 El Mirasol, a property upon which we built our house roughly 15 years ago. Our property is directly west of and abuts the subject property at 108 El Mirasol.

We have thoroughly examined the 108 El Mirasol submission and we have discussed it with the applicants, the Khubani's, and with Josh Pertnoy a representative of their builder. These discussions have focused mainly on the following topics:

- Potential for vibration damage to the integrity of our structure from the excavation of the large basement garage.
- Protection of our property from debris, sand and exhaust fumes during construction
- Protection of our landscaping from excessive shading caused by the screening used to contain sand and debris
- Landscaping on the south side which will enable us to have a partial ocean view from our master-bedroom suite—the applicants have assured us of further discussions toward that objective with their landscape architect well in advance of the landscape installation

Based on the above examinations and discussions, we endorse this application.

Sincerely,

Lee & Harvey L. Poppel

Lee & Harvey L. Poppel

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Development Review - Old Business

Agenda Title

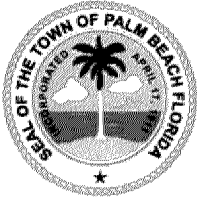
ZON-22-037 (ARC-22-040) 60-70 BLOSSOM WAY (COMBO) – SITE

PLAN REVIEW The applicant, Blossom Way Holdings LLC and Providencia Partners LLC (Maura Ziska, Authorized Representative), has filed an application requesting Town Council Site Plan Review as required for the installation of a generator with an output capacity over 100kW, in conjunction with the construction of a new single family residence. ARCOM will perform design review of the application. [The Architectural Review Commission deferred the project to the May 25, 2022 meeting. Carried 7-0.] **Staff Recommends a Deferral to the June 15, 2022 Meeting**

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5430 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

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

SUBJECT: ARC-22-040 (ZON-22-037) 60-70 BLOSSOM WAY (COMBO)

MEETING: March 09, 2022

ZON-22-037 (ARC-22-040) 60-70 BLOSSOM WAY (COMBO) – SITE PLAN REVIEW. The applicant, Blossom Way Holdings LLC and Providencia Partners LLC (Maura Ziska, Authorized Representative), has filed an application requesting Town Council Site Plan Review as required for the installation of a generator with an output capacity over 100kW, in conjunction with the construction of a new single family residence. ARCOM will perform design review of the application.

ARCOM NOTICE:

ARC-22-040 (ZON-22-037) 60-70 BLOSSOM WAY (COMBO). The applicant, Blossom Way Holdings LLC and Providencia Partners LLC (Maura Ziska, Authorized Representative), has filed an application requesting Architectural Commission review and approval for construction of a combined 50,000+ SF two-story main house and two-story guest house with associated hardscape, landscape and site improvements. Town Council will perform Site Plan Review for the installation of a generator.

Applicant: Blossom Way Holdings LLC and Providencia Partners LLC
Professional: Olson Kundig
Representative: Maura Ziska

HISTORY:

The subject property was part of an application (Z-20-00318) for a replat, reviewed and approved by Town Council.

At the February 23, 2022 ARCOM meeting, an application was approved (7-0) for the construction of a combined 50,000+ SF two-story main house and two-story guest house with associated hardscape, landscape and site improvements, pursuant to ARC-22-040.

THE PROJECT:

The applicant has submitted plans, entitled "Private Residence 60 Blossom Way", as prepared by **Olson Kundig**, dated 01/07/22.

The following is the scope of work for the Project:

- The construction of a new two story residence containing approximately 50,000 SF of living area designed in the modern contemporary style of architecture on the unified development site of 10 Blossom Way, 70 Blossom Way, 60 Blossom Way, and a portion of 1265 South Ocean Boulevard. The proposal on the newly formed property is to construct a new two-story main house and new two-story guest house at the eastern end of the property. Associated gardens, pools, and site improvements are also being proposed.
- The installation of the 450 KW generator to service the main residence.

The following Special Exceptions, Site Plan review and/or Variances required to complete the project, and shall be reviewed by Town Council:

- **SITE PLAN REVIEW:** Section 134-1729(2)c.: Site Plan Review required for a generator with an output capacity of greater than 100 kW.

Site Data			
Zoning District	R-AA Large Estate	Lot Size (SF)	319,293 SF (7.33 acres)
Future Land Use	SINGLE-FAMILY	Total Building Size (SF)	51,295 SQ FT
C-O-R	12.1'A	Flood Zone	ZONE X and ZONE VE
Finished Floor Elevation	21.5' NAVD	Max Fill	N/A
Basement Elevation	7' and 8' NAVD		
Project			
	Required/Allowed	Existing	Proposed
Lot Coverage	25% (79,800 SF)	N/A	12.4% (39,735 SF)
Building Height	30'	N/A	29'-11"
Overall Building Height	35'	N/A	34'-9"
Point of Measure	21.5'	N/A	21.5'
Landscape Open Space	45% (143,682 SF)	N/A	72.4% (231,340 SF)
Front Yard Open Space	45% (6,592 SF)	N/A	81.08% (11,878 SF)
Native Plant Species %	35%	N/A	36.4% (68,305 SF)
Cubic Content Ratio (CCR)	N/A	N/A	N/A

*If value is not applicable, N/A

*If value is not changing, N/C

Surrounding Properties / Zoning	
North	Two-story 1998 single-family residence
South	Two-story 1995 single-family residence
East	Atlantic Ocean
West	Two-story 2014 single-family residence

SITE PLAN REVIEW CRITERIA SEC. 134-329

Before any site plan shall be approved, approved with changes, or denied, the town council shall make a finding that the approval of the site plan will or will not adversely affect the public interest and certify that the specific zoning requirements governing the individual use have or have not been met and that, further, satisfactory provision and an arrangement has or has not been made concerning the following matters, where applicable:

- (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.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

A preliminary review of the project indicates that the proposed **single family use** is **consistent** with the **Single-Family** designation of the Future Land Use Map of the Comprehensive Plan.

COMPLIANCE WITH ZONING CODE:

A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the Town code:

The applicant is requesting the following approval by Town Council:

- **SITE PLAN REVIEW:** Section 134-1479(2)c. – If the generator exceeds an output capacity of 100 KW or the combined output capacity of multiple generators exceeds 120 kW, said generator(s) shall be subject to **site plan review** as defined in sections 134-326—134-330. If any individual generator output capacity exceeds 100 KW it shall be housed in an enclosed building with landscaping as approved by the Architectural Commission or Landmarks Preservation Commission, whichever is applicable.

STAFF ANALYSIS

The applicant is proposing one 450 kW generator to service the main 50,000 SF residence. The proposed generator will be located within an enclosed building, as required, and located in the northern portion of the site in an area identified as ‘north service area’ and fully complies with all applicable zoning requirements. The Code requires those generators that exceeds 120 kW are subject to site plan review by Town Council. Staff has no concerns with the proposal.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Development Review - Old Business

Agenda Title

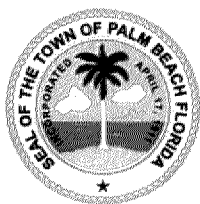
ZON-22-038 (ARC-22-058) 220 BRAZILIAN AVE (COMBO) -

VARIANCES The applicant, I220 PB LLC (Guy Rabideau), has filed an application requesting Town Council review and approval for variances (1-2) to install AC equipment within both (east and west) side yards of a duplex building not fully screened by a 7' high wall and (3-4) to install an emergency generator in the side (west) yard setback exceeding maximum height allowed and not completely screened by a 7' high wall. The Architectural Commission will perform design review of the application. [Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 6-0.] [The Architectural Review Commission approved the project with conditions. Carried 5-1.]

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**
- ▣ **Plans 1**
- ▣ **Plans 2**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5430 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

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

SUBJECT: ZON-22-038 (ARC-22-058) 220 BRAZILIAN AVE (COMBO)

MEETING: May 11, 2022

ZON-22-038 (ARC-22-058) 220 BRAZILIAN AVE (COMBO)—VARIANCES. The applicant, 1220 PB LLC (Guy Rabideau), has filed an application requesting Town Council review and approval for variances (1-2) to install AC equipment within both (east and west) side yards of a duplex building not fully screened by a 7' high wall and (3-4) to install an emergency generator in the side (west) yard setback exceeding maximum height allowed and not completely screened by a 7' high wall. The Architectural Commission will perform design review of the application.

ARCOM NOTICE:

ARC-22-058 (ZON-22-038) 220 BRAZILIAN AVE (COMBO). The applicant, 220 PB LLC (Guy Rabideau), has filed an application requesting Architectural Commission review and approval for the installation of generators and AC equipment within both side yards (east and west) for a duplex site. The variance portion of the application will be reviewed by Town Council.

Applicant: 220 PB, LLC (Richard Kurtz, manager)
Professional: Patrick O'Connell / Patrick Ryan O'Connell Architect, LLC
Representative: David E. Klein, Esq.

HISTORY:

In 2020, ARCOM approved the design of a new 2-story duplex residence with hardscape, landscape and pools (B-063-2019).

April 20, 2021, a staff level application was approved for slab and hardscape expansion of both side yard mechanical areas, A-21-01594.

At the March 23, 2022, the item was presented, discussed and was deferred for one month to allow the professional to restudy the project in order to minimize the impact of the equipment on the neighboring properties. Since the original submittal, four (4) variances were originally requested, two are no longer needed.

At the April 13, 2022 Town Council meeting, the item was deferred for one month.

ARCOM an application will be heard for the installation of generators and AC equipment within both side yards (east and west) for a duplex site.

THE PROJECT:

The applicant has submitted plans, entitled "Private Residence: 420 Brazilian", as prepared by **Patrick Ryan O'Connell Architect, LLC**, dated 04/07/2022.

The following is the scope of work for the Project:

- The installation of A/C equipment in the east and west side yards which are not completely screened by a concrete wall, requiring variances. These have been relocated towards the rear of each of the duplex units.
- The installation of a generators for both duplex units which have been relocated outside of the required side yard.

The following Special Exceptions, Site Plan review and/or Variances are required to complete the project, and shall be reviewed by Town Council:

- **VARIANCE 1:** Section 134-1728(a)(4): Request for a variance to allow installation of air conditioning equipment in the east side yard and south rear setback which is not completely screened by a concrete wall.
- **VARIANCE 2:** Section 134-1728(a)(4): Request for a variance to allow installation of air conditioning equipment in the west side yard setback and south rear setback which is not completely screened by a concrete wall.
- ~~**VARIANCE 3:** Section 134-1729(1)e.: Request for a variances to allow installation of a generator with a maximum of height of 7 ft., 1 in. above neighboring grade in lieu of the 7' maximum allowed. ***VARIANCE NO LONGER NEEDED***~~
- ~~**VARIANCE 4:** Section 134-1729(1)d.: Request for a variance to allow installation of generator in the West side yard setback which is not completely screened by a 7 foot high concrete wall. ***VARIANCE NO LONGER NEEDED***~~

Site Data			
Zoning District	R-C Medium Density Res.	Lot Size (sq ft)	17,120 SF
Future Land Use	SINGLE-FAMILY	Total Building Size (sq ft)	4,548 SF
C-O-R	4.5' NAVD	Flood Zone	AE 6
Finished Floor Elevation	7.19' NAVD	Max Fill	N/A
Project			
	Required/Allowed	Existing	Proposed
Lot Coverage	30% + 3%	N/A	29.9% (5,130 SF) + 2.47% (424 SF)
Landscape Open Space (LOS)	40%	N/A	40.78% (6,982 SF)
Native Plant Species %	35%	N/A	28.65% (1,962 SF) <i>(Approved prior to current regulations)</i>
Cubic Content Ratio (CCR)	N/A	N/A	N/A

*If value is not applicable, N/A

*If value is not changing, N/C

Surrounding Properties / Zoning	
North	Two-story townhomes, the Palazzo Villas
South	Surface parking lot, Town owned parking area
East	Two-story 1925 retail multi-occupancy building
West	Three-story 1968 condominium, Villa Del Sur

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

A preliminary review of the project indicates that the proposed **single family use** is **consistent** with the **Single-Family** designation of the Future Land Use Map of the Comprehensive Plan.

COMPLIANCE WITH ZONING CODE:

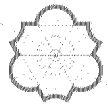
A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the Town code, the applicant is requesting the following variance(s), the applicant is seeking four variances:

- VARIANCE 1: Section 134-1728(a)(4): Request for a variance to allow installation of air conditioning equipment in the east side yard and south rear setback which is not completely screened by a concrete wall.
- VARIANCE 2: Section 134-1728(a)(4): Request for a variance to allow installation of air conditioning equipment in the west side yard setback and south rear setback which is not completely screened by a concrete wall.
- ~~VARIANCE 3~~: Section 134-1729(1)c.: ~~Request for a variances to allow installation of a generator with a maximum of height of 7 ft., 1 in. above neighboring grade in lieu of the 7' maximum allowed.~~ **VARIANCE NO LONGER NEEDED**
- ~~VARIANCE 4~~: Section 134-1729(1)d.: ~~Request for a variance to allow installation of generator in the West side yard setback which is not completely screened by a 7 foot high concrete wall.~~ **VARIANCE NO LONGER NEEDED**

STAFF ANALYSIS

This application is presented to the Commission to consider whether all of the criteria in Sec. 18-205 have been met. Since the March 23, 2022, ARCOM meeting, the architect has studied alternative locations for all of the mechanical equipment for both units within the duplex.

In 2020, ARCOM approved the design of a new 2-story duplex residence with hardscape, landscape and pools (B-063-2019). In this scheme, the mechanical equipment areas for each of the duplex units was shown to be within both of the side yards. Due to FEMA regulations, all of the new proposed equipment (generators and AC equipment's) must be raised above grade to meet minimum flood elevation requirements. Staff is finding instances like this becoming more and more of challenge in fulfilling the screening requirement under the code's prescriptive regulations—that measure some of these elements from the neighboring grade elevations. As such the height of the perimeter wall cannot exceed 7 feet, which is measured from the grade of neighboring properties, which prohibits the applicant's 7-foot perimeter wall from completely screening the air conditioning equipment. The neighboring property to the south is a Town-owned parking lot. The landscape plan consists of previously approved 12' bamboo and 14'-16' high eagleston holly trees which should visually screen the equipment not in the corners of each unit's property.



VIA HAND DELIVERED COPIES & DIGITAL FILING

RECEIVED

By DSR at 1:17 pm, Apr 07, 2022

April 7, 2022

Town of Palm Beach Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480

Re: Letter of Intent ARC-22-058 (ZON-22-038) 220 BRAZILIAN AVE – Minor ARCOM/Variance TPC)

To Whom it May Concern:

The applicant respectfully submits a formal request for an ARCOM minor project modification and Town of Palm Beach Council variance request with the accompanying drawings and information for the property at 220 Brazilian Avenue, Palm Beach, Florida.

A. LANDMARK PRESERVATION COMMISSION

Not applicable; this property is not landmarked.

B. ARCOM

Construction for a new two-family residence located at 220 Brazilian Avenue has been previously approved by ARCOM, passed zoning review, issued a building permit, and is currently under construction nearing completion.

On the East and West property lines, the property has two equipment yards housing a generator and A/C condensing unit in each.

The existing adjacent grade and 7'-0" max wall height requirement have forced the project to reduce the site wall height at these locations below what is necessary to screen the equipment thoroughly on all three sides; the proposed equipment is located in a rear setback.

Please see the accompanying drawings for equipment yard plans and sections illustrating this condition. The applicant is seeking an ARCOM minor project modification.

C. SPECIAL EXCEPTION

Not applicable.

D. SITE PLAN REVIEW

Not applicable.

E. VARIANCE

Section 134-1728(a)(4): Request for a variance to allow installation of air conditioning equipment in the South rear yard setback which is not completely screened by a concrete wall.

Section 134-201: Findings prior to authorization.

1. The special condition and circumstances peculiar to the land is that the code requires that the equipment be installed at 7.0 NAVD, and the existing grade of the neighboring properties and the existing property is such that the 7-foot perimeter wall is unable to screen the equipment completely.
2. The special conditions and circumstances are not the result of the applicant as the grade of the neighboring properties existed prior to the applicant acquiring the property.
3. Granting of the variances requested will not confer any special privilege that is denied to the neighboring properties as the neighboring properties are not configured such that the equipment is required to be located within the setbacks.
4. The hardship, which runs with the land, is that the code requires the air conditioning equipment to be installed at 7.0 NAVD, and the height of the perimeter wall cannot exceed 7 feet, which is measured from the grade of neighboring properties, which prohibits the applicant's 7-foot perimeter wall from completely screening the air conditioning equipment.
5. The variances requested are the minimum necessary to make reasonable use of the land in order to install the equipment on the property and not incur the need for additional variances.
6. The granting of the variances will not be injurious to the neighborhood, as the equipment will be shielded from the view of the neighboring properties by landscaping.

We respectfully request your consideration of this application to the Town of Palm Beach. If you have any questions or comments, don't hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. R. O'Connell', with a stylized, cursive script.

Patrick Ryan O'Connell, AIA
Patrick Ryan O'Connell Architect, LLC.
Lic. #: AA26003685

TWO FAMILY RESIDENCE AT:
220 BRAZILIAN AVENUE

PALM BEACH, FL 33480
TOWN OF PALM BEACH, FLORIDA

ARC: 22-058 ZON: 22-038

"FINAL SUBMITTAL"

FIRST SUBMITTAL DATE: 01-03-2022
FINAL SUBMITTAL DATE: 01-24-2022
ARCOM MEETING DATE: 03-23-2022 (DEFERRAL)
FINAL SUBMITTAL DATE: 3-31-2022
ARCOM MEETING DATE: 04-27-2022
TOWN COUNCIL MEETING DATE: 05-11-2022

RECEIVED
By DSR at 1:17 pm, Apr 07, 2022

INDEX OF DRAWINGS

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2. SITE LOCATION AERIAL	10B. EQUIPMENT SECTIONS (EAST YARD)
3. SITE LOCATION/VICINITY MAP	11. VARIANCE DIAGRAM
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STREETSCAPE ELEVATION	
4. PHOTOGRAPHS OF NEIGHBORING PROPERTIES	GENERATOR SPECIFICATIONS
5. PHOTOGRAPHS OF NEIGHBORING PROPERTIES	A/C CONDENSER SPECIFICATIONS
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9A. CURRENTLY PROPOSED GENERATOR - WEST	SURVEY
9B. CURRENTLY PROPOSED GENERATOR - EAST	
9C. CURRENTLY PROPOSED A/C EQUIP. - EAST AND WEST	

CIVIL ENGINEER:	GEOTECHNICAL ENGINEER:	LANDSCAPE ARCHITECT:	SURVEYOR:
GRUBER CONSULTING ENGINEERS, INC. 2475 MERCER AVE, SUITE 305 WEST PALM BEACH, FL 33401 561-312-2041	NUTTING ENGINEERS OF FLORIDA INC. 1310 MEPTUNE DRIVE BOYNTON BEACH, FL 33426 561-736-4900	ENVIRONMENT DESIGN GROUP 139 NORTH COUNTY ROAD, SUITE 20-B PALM BEACH, FL 33480 561-832-4600	WALLACE SURVEYING CORP. 5553 VILLAGE BOULEVARD WEST PALM BEACH, FL 33407 561-640-4551

PERMIT # 22-04023

TWO-FAMILY RESIDENCE FOR:

220 PB, LLC.

220 BRAZILIAN AVENUE
PALM BEACH, FLORIDA 33408

PATRICK RYAN O'CONNELL
ARCHITECT, LLC.

400 ROYAL PALM WAY, SUITE 206
PALM BEACH FL 33480
FL LIC #: AA26003685
tel (561)-331-2048 WWW.PROARCHITECT.COM



Project #: 19-020
Drawn by: PRO
Date(s):
28 DEC 2021 - PRELIM REVIEW SET
01 JAN 2022 - FINAL SUBMITTAL
27 JAN 2022 - FINAL SUBMITTAL
REVISIONS

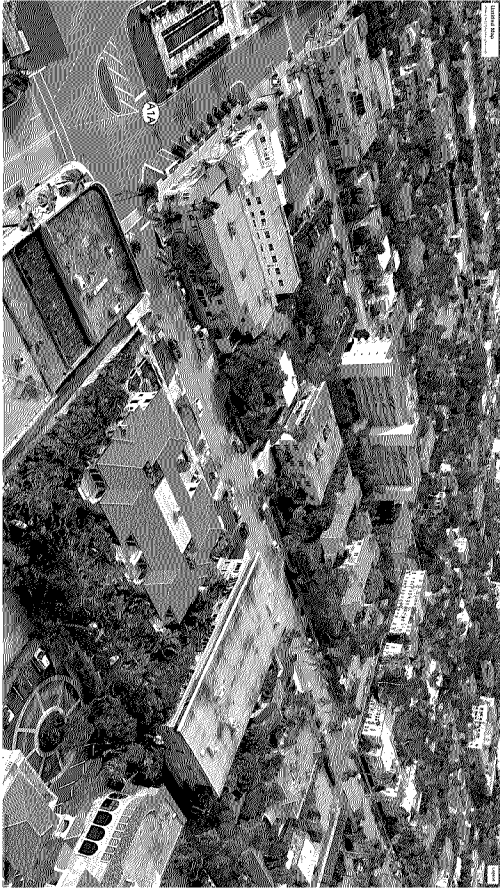
ARCOM # 22-058
ZON # 22-038

DATE: 01-24-2022
BY: PRO
REVISIONS



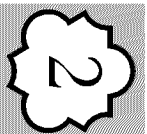


1 AERIAL VIEW LOOKING NORTHWEST



2 AERIAL VIEW LOOKING SOUTHWEST

PERMIT # 22-04023



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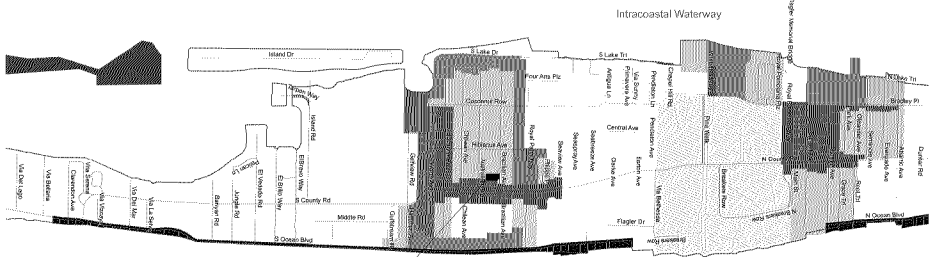
ARCOM # 22-058
ZON # 22-058

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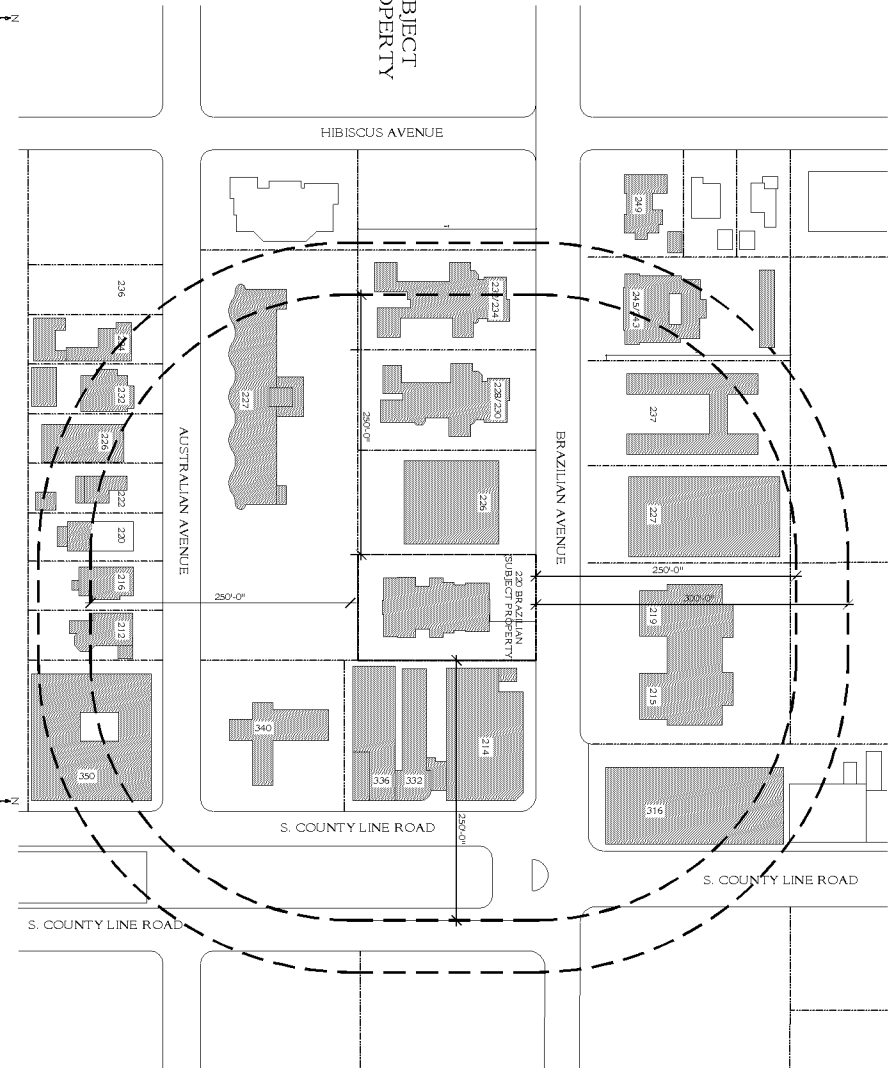
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O'CONNELL
ARCHITECT



2 LOCATION MAP
N.T.S.



3 SITE VICINITY PLAN
N.T.S.

206/208 BRAZILIAN

220 BRAZILIAN
(SUBJECT PROPERTY)

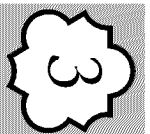
226 BRAZILIAN

228/230 BRAZILIAN

1 BRAZILIAN AVE. LOOKING SOUTH
SCALE: 1" = 1'-0"

4 SITE VICINITY DATA

PROPERTY ADDRESS	LOT SIZE	LOT COVERAGE
220 BRAZILIAN (SUBJECT PROPERTY)	17,120 SF	5,060 SF (29.5%)
215/219 BRAZILIAN	33,300 SF	11,637 SF (35%)
226 BRAZILIAN	17,120 SF	7,280 SF (42.5%)
228/230 BRAZILIAN	16,469.4 SF	5,670 SF (34.4%)
232/234 BRAZILIAN	16,469.4 SF	5,785 SF (35%)
237 BRAZILIAN	18,000 SF	6,251 SF (34.7%)
243/245 BRAZILIAN	18,000 SF	5,452 (30%)
249 BRAZILIAN	8,000 SF	2,564 (32%)



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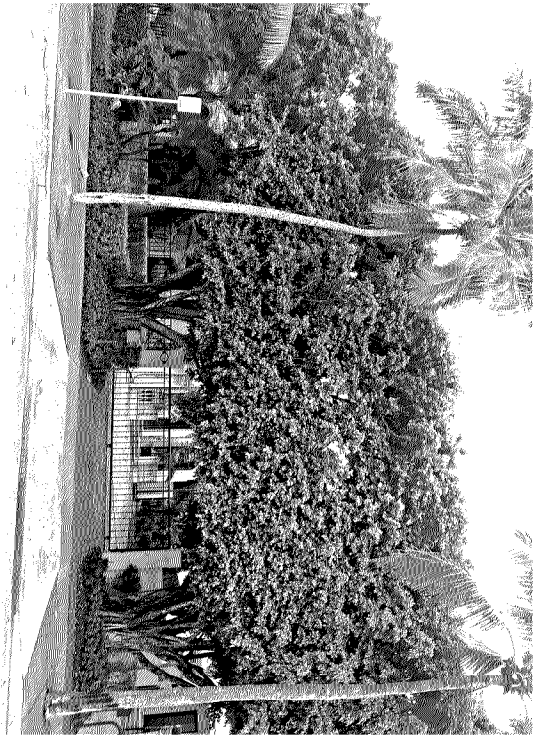
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234 BRAZILIAN AVENUE



230 BRAZILIAN AVENUE



228 BRAZILIAN AVENUE



226 BRAZILIAN AVENUE

PHOTOGRAPHS OF NEIGHBORING RESIDENCES

PERMIT # 22-0-003

PATRICK RYAN O'CONNELL
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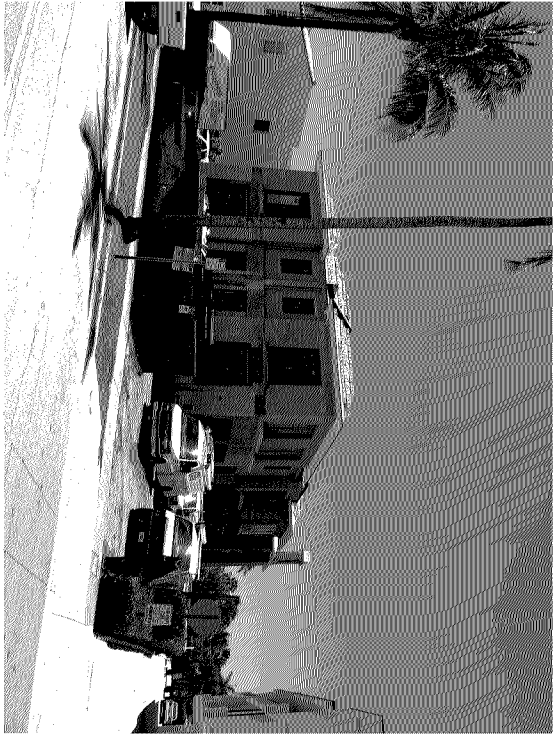
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PALM BEACH, FLORIDA 33408

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REVISIONS:

ARCOM # 22-038
ZON # 22-038

DATE: 12/28/2021
DRAWN BY: PATRICK RYAN O'CONNELL
CHECKED BY: PATRICK RYAN O'CONNELL
PROJECT: 220 PB, LLC
220 BRAZILIAN AVENUE, PALM BEACH, FL 33408
SCALE: 1/8" = 1'-0"

4



220 BRAZILIAN AVENUE
(SUBJECT PROPERTY)



326 SOUTH COUNTY ROAD



214 BRAZILIAN AVENUE



316 SOUTH COUNTY ROAD

PHOTOGRAPHS OF NEIGHBORING RESIDENCES

PERMIT # 22-04023

PATRICK RYAN
O'CONNELL
ARCHITECT

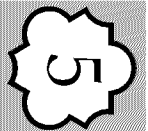
PATRICK RYAN O'CONNELL
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220 BRAZILIAN AVENUE
PALM BEACH, FLORIDA 33408

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215 BRAZILIAN AVENUE



217 BRAZILIAN AVENUE



219 BRAZILIAN AVENUE



221 BRAZILIAN AVENUE

PHOTOGRAPHS OF NEIGHBORING RESIDENCES

PERMIT # B23-54023

PATRICK RYAN O'CONNELL
ARCHITECT

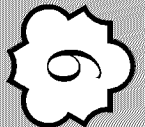
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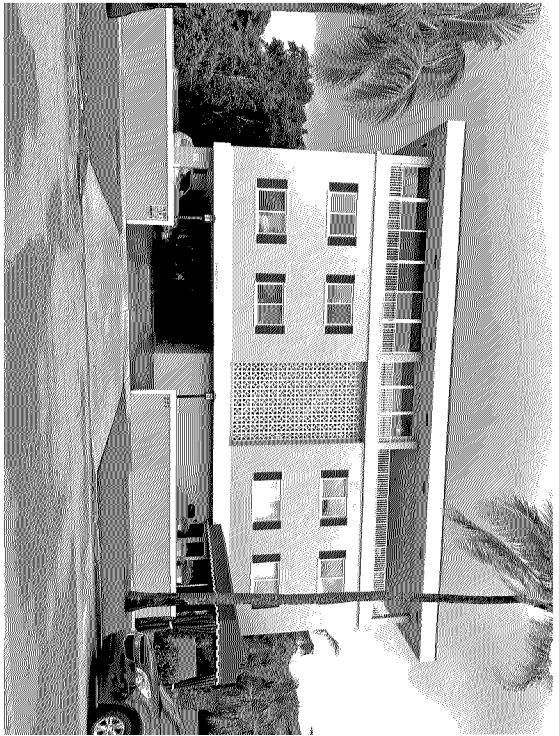
TWO-FAMILY RESIDENCE FOR:
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220 BRAZILIAN AVENUE
PALM BEACH, FLORIDA 33408

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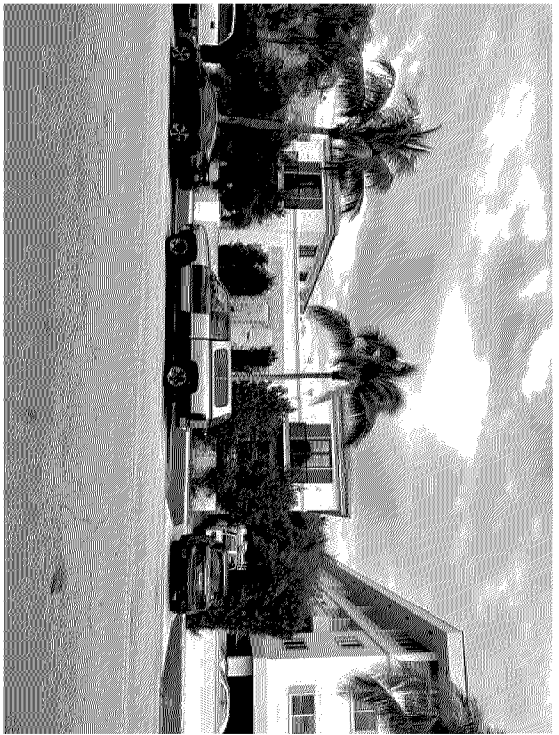
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ZON # 22-038

DATE: 12/13/2022
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CHECKED BY: PATRICK RYAN O'CONNELL
PROJECT: 220 PB, LLC.
SHEET: 1 OF 1





227 BRAZILIAN AVENUE



237 BRAZILIAN AVENUE



245 BRAZILIAN AVENUE



249 BRAZILIAN AVENUE

PHOTOGRAPHS OF NEIGHBORING RESIDENCES

PERMIT # 22-0-008

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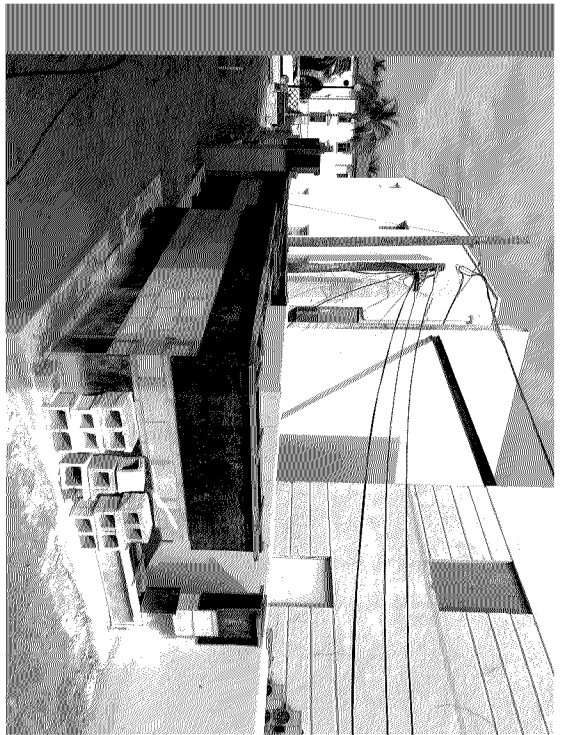
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ZON # 22-0-008

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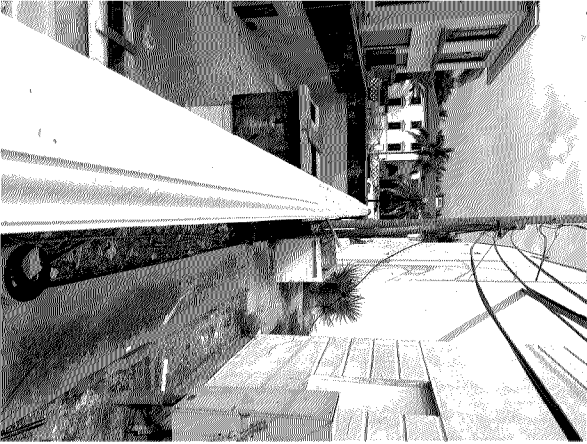
7



LOOKING SOUTH



LOOKING NORTH-NORTHEAST



LOOKING NORTH



LOOKING NORTH

PHOTOGRAPHS OF EXISTING EAST EQUIPMENT YARD (SUBJECT PROPERTY)

PERMIT # 22-0-023



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--

PROJECT # 19-020 DRAWN BY PRO DATE(S) 28 DEC 2021 - PRELIM REVIEW SET 03 JAN 2022 - FINAL SUBMITTAL 24 JAN 2022 - FINAL SUBMITTAL 03 FEB 2022 - FINAL SUBMITTAL 03 FEB 2022 - FINAL SUBMITTAL
--

APPROVED BY DATE PROJECT # 19-020 DRAWN BY PRO DATE(S) 28 DEC 2021 - PRELIM REVIEW SET 03 JAN 2022 - FINAL SUBMITTAL 24 JAN 2022 - FINAL SUBMITTAL 03 FEB 2022 - FINAL SUBMITTAL 03 FEB 2022 - FINAL SUBMITTAL

TWO-FAMILY RESIDENCE FOR: <u>220 PB, LLC.</u> 220 BRAZILIAN AVENUE PALM BEACH, FLORIDA 33408

PATRICK RYAN O'CONNELL ARCHITECT, LLC. 400 ROYAL PALM WAY, SUITE 206 PALM BEACH, FL 33480 FL LIC # AA26003685 tel (561) 331-2048 www.proarchitect.com
--

PATRICK RYAN O'CONNELL ARCHITECT
--



LOOKING SOUTH-SOUTHWEST



LOOKING SOUTH



LOOKING NORTH-NORTHEAST



LOOKING NORTH-NORTHWEST

PHOTOGRAPHS OF EXISTING WEST EQUIPMENT YARD (SUBJECT PROPERTY)

PERMIT # 22-0-023



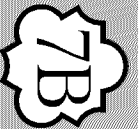
**PATRICK RYAN O'CONNELL
ARCHITECT, LLC.**
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**TWO-FAMILY RESIDENCE FOR:
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220 BRAZILIAN AVENUE
PALM BEACH, FLORIDA 33408

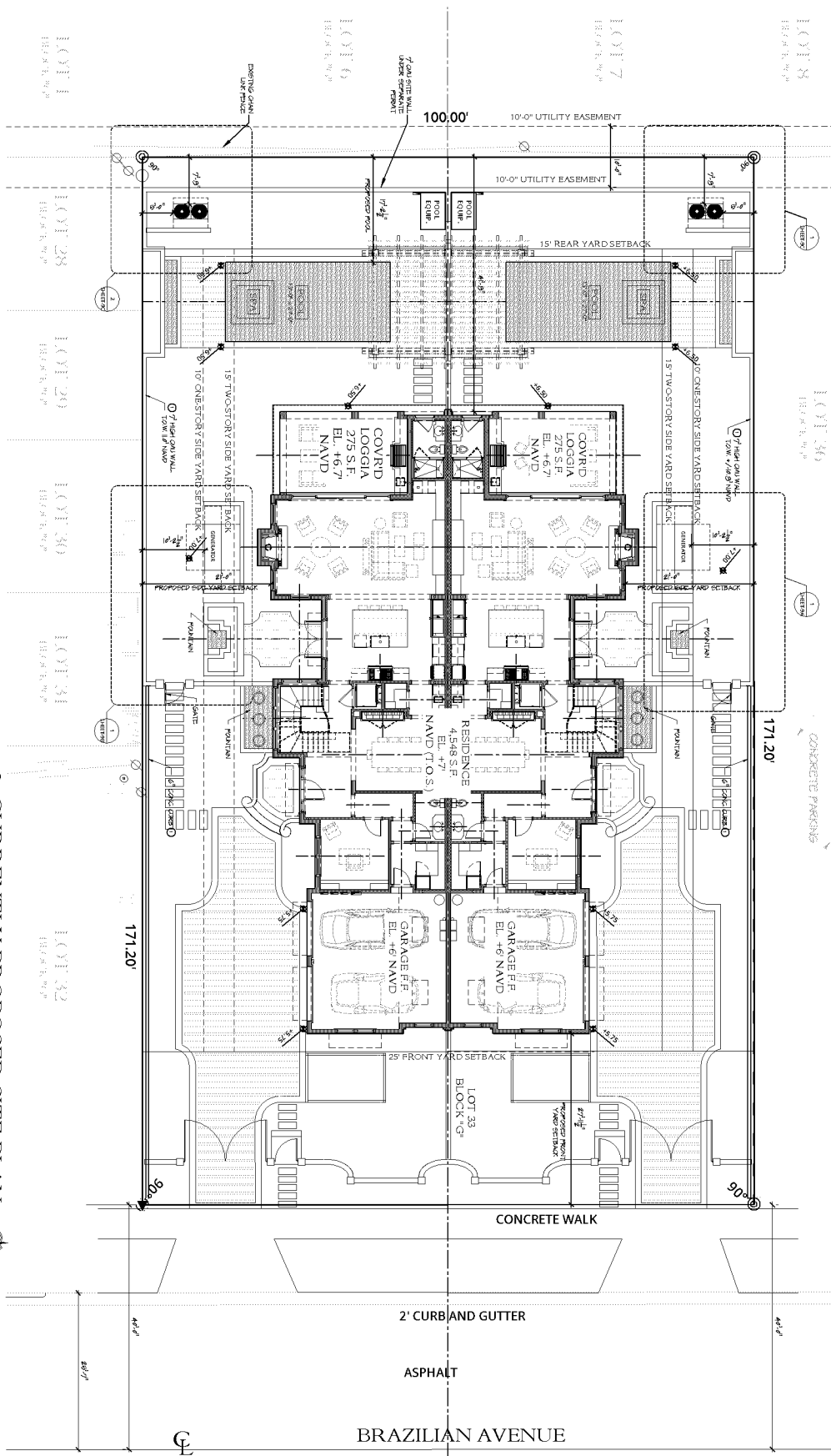
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24 JAN 2022 - FINAL SUBMITTAL
03 FEB 2022 - FINAL SUBMITTAL
REVISIONS:

ARCOM # 22-058
ZON # 22-058

140L
DRAWN BY: PATRICK RYAN O'CONNELL
DATE: 03 JAN 2022
PROJECT: 220 PB, LLC
SHEET: 140L OF 140L



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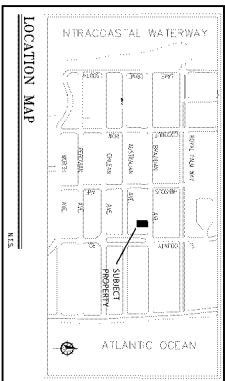
1 CURRENTLY PROPOSED SITE PLAN

SCALE: 1/8"=1'-0"



ZONING TABULATION		
ZONING ITEM	REQUIRED/ALLOWED	PROPOSED
LOT AREA	6,565 S.F. MIN. (TWO PARCELS)	7,732 S.F.
LOT DEPTH	40' MIN.	77.83'
LOT COVERAGE MAXIMUM	60% (5,919 S.F. MAX.)	64% (5,393 S.F.)
FRONT YARD SETBACK	30' MIN.	37'-0"
SIDE YARD SETBACK	10' MIN. (TWO STORY)	10' MIN. (TWO STORY)
REAR YARD SETBACK	15' MIN.	15' MIN.
MAXIMUM BUILDING HEIGHT	35' MIN.	35' MIN.
MAXIMUM OVERALL HEIGHT	35' MIN.	35' MIN.
LANDSCAPED OPEN SPACE	40% (2,625 S.F.)	40% (2,625 S.F.)
FRONT YARD LANDSCAPED	40% (2,625 S.F.)	40% (2,625 S.F.)
PAVING COVERAGE	50% (3,282 S.F.)	50% (3,282 S.F.)

BUILDING DATA	
STORY	ONE AND A HALF
GROUND FLOOR AC	4,548 S.F.
UPPER FLOOR AC	4,548 S.F.
SCULPTURE FLOOR AC	4,548 S.F.
FRONT PORCH AC	4,548 S.F.
REAR PORCH AC	4,548 S.F.
TOTAL AC	13,644 S.F.
TOTAL NON-AC	13,644 S.F.
TOTAL AC NON-AC/FLOORING	13,644 S.F.



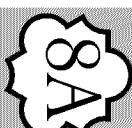
1 NOTE: SITE PLAN AND ELEVATION UNDER SEPARATE PERMITS

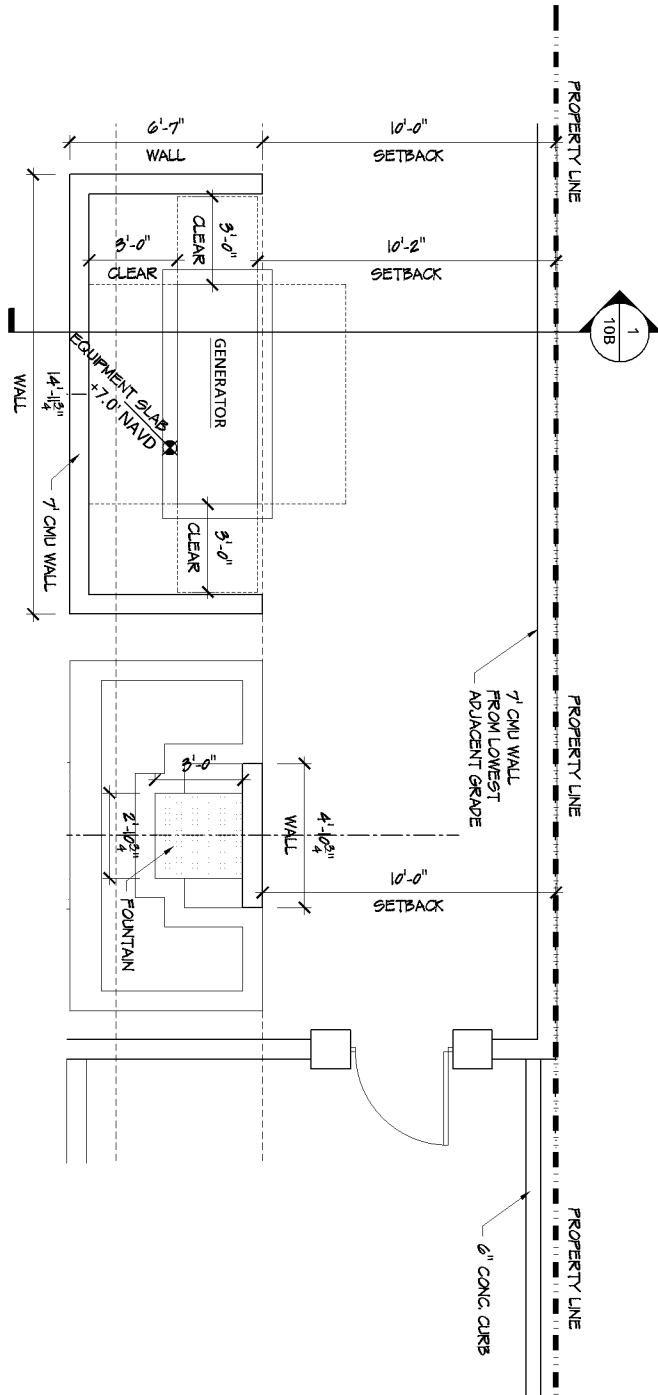
PERMIT # 2024-002

TWO-FAMILY RESIDENCE FOR:
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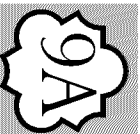
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ARCHITECT





1 CURRENTLY PROPOSED GENERATOR LOCATION
PLAN - WEST PROPERTY LINE
SCALE: 1/2"=1'-0"

PERMIT # B23-54023



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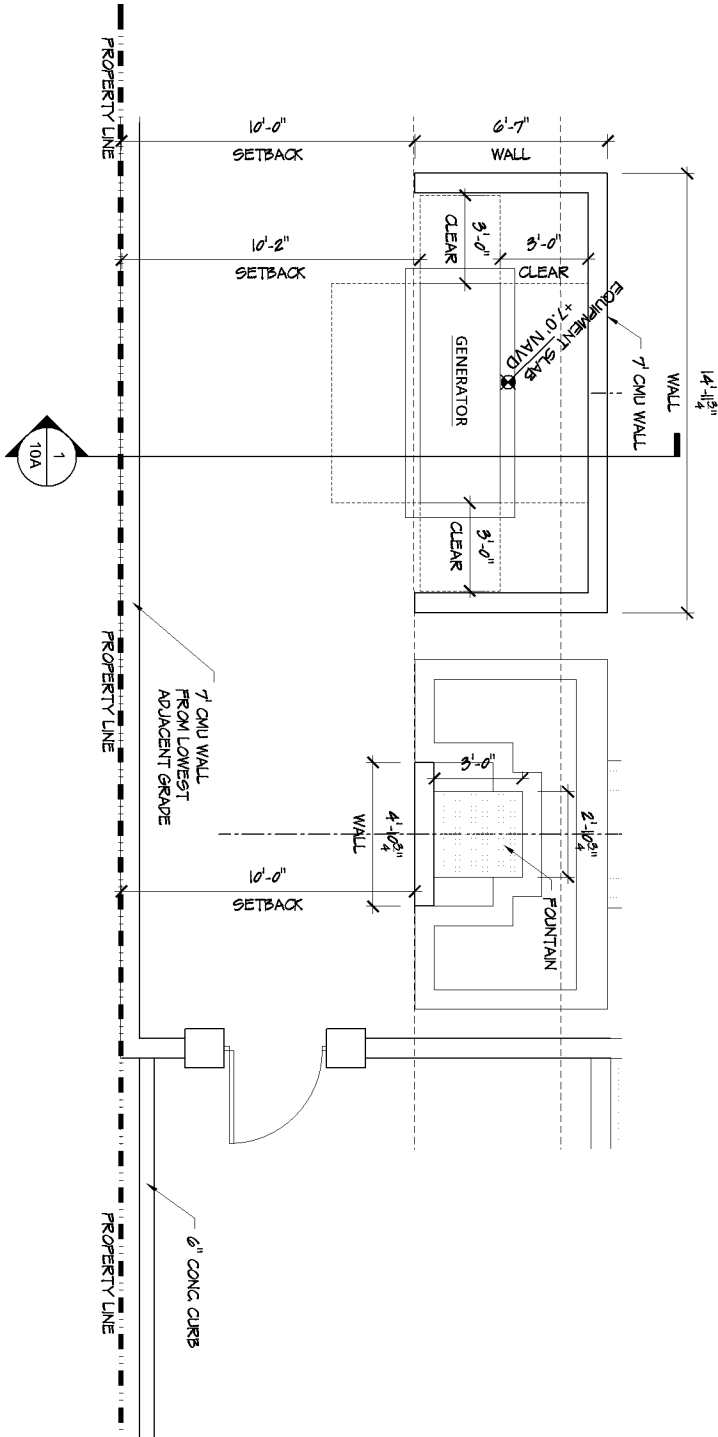
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ZON # 22-058

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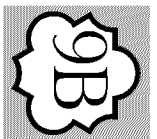
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PATRICK RYAN
O'CONNELL
ARCHITECT



1 CURRENTLY PROPOSED GENERATOR LOCATION
 PLAN - EAST PROPERTY LINE
 SCALE: 1/2"=1'-0"

SHEET # B23-54023



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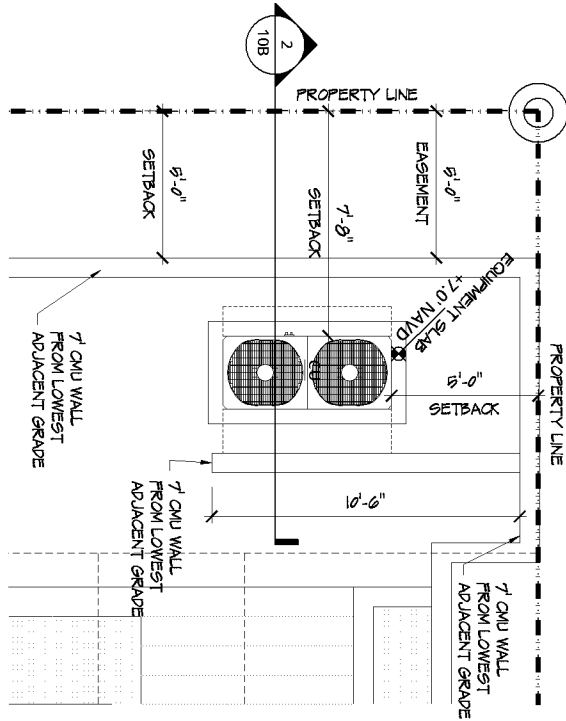
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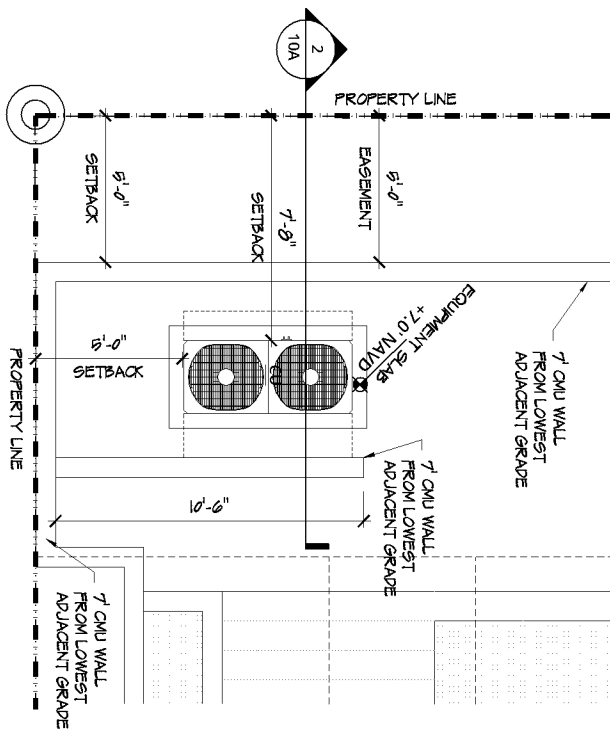
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1 CURRENT PROPOSED A/C EQUIPMENT LOCATION
PLAN - SOUTHWEST PROPERTY LINE
SCALE: 1/2"=1'-0"



2 CURRENT PROPOSED A/C EQUIPMENT LOCATION
PLAN - SOUTHEAST PROPERTY LINE
SCALE: 1/2"=1'-0"

REMARK # B23-04023



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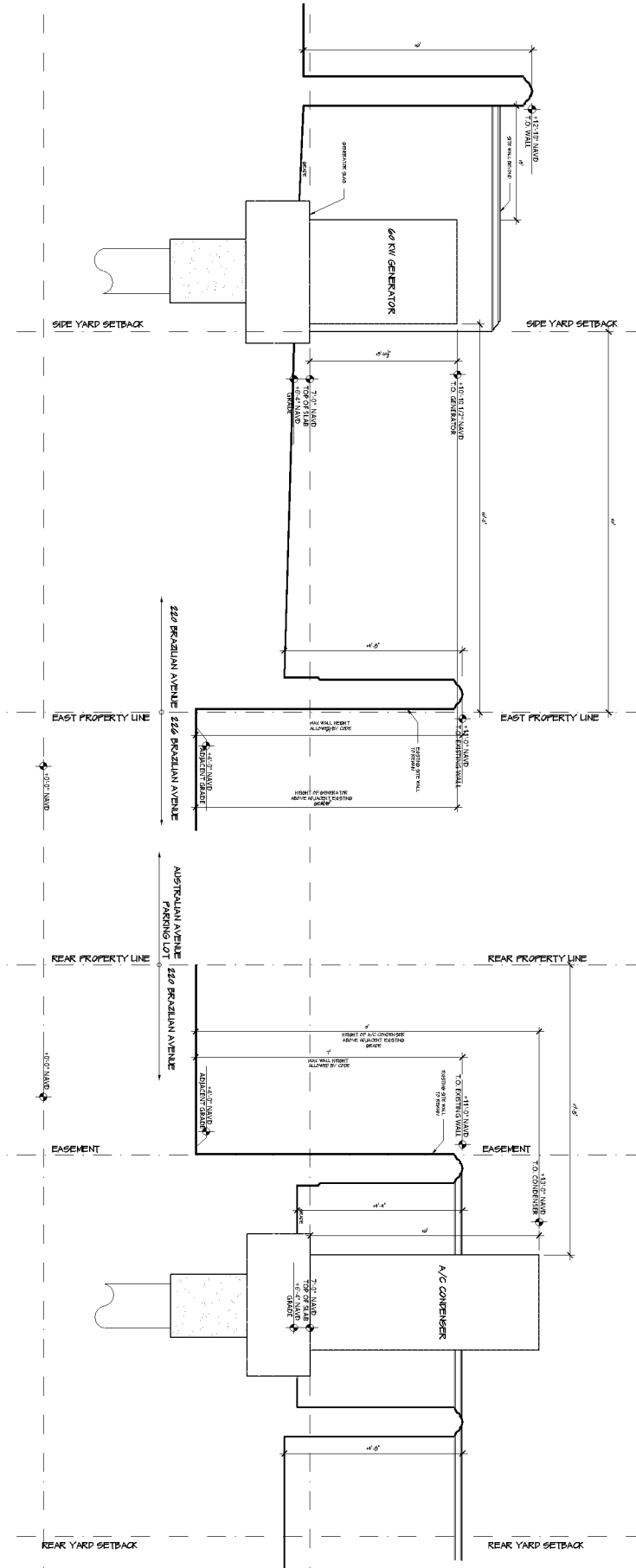
PATRICK RYAN
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ARCHITECT

SECTION AT GENERATOR WEST PROPERTY LINE

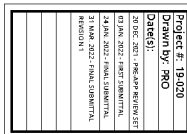
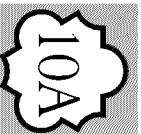
SCALE: 3/8"=1'-0"

SECTION AT A/C CONDENSER WEST PROPERTY LINE

SCALE: 3/8"=1'-0"

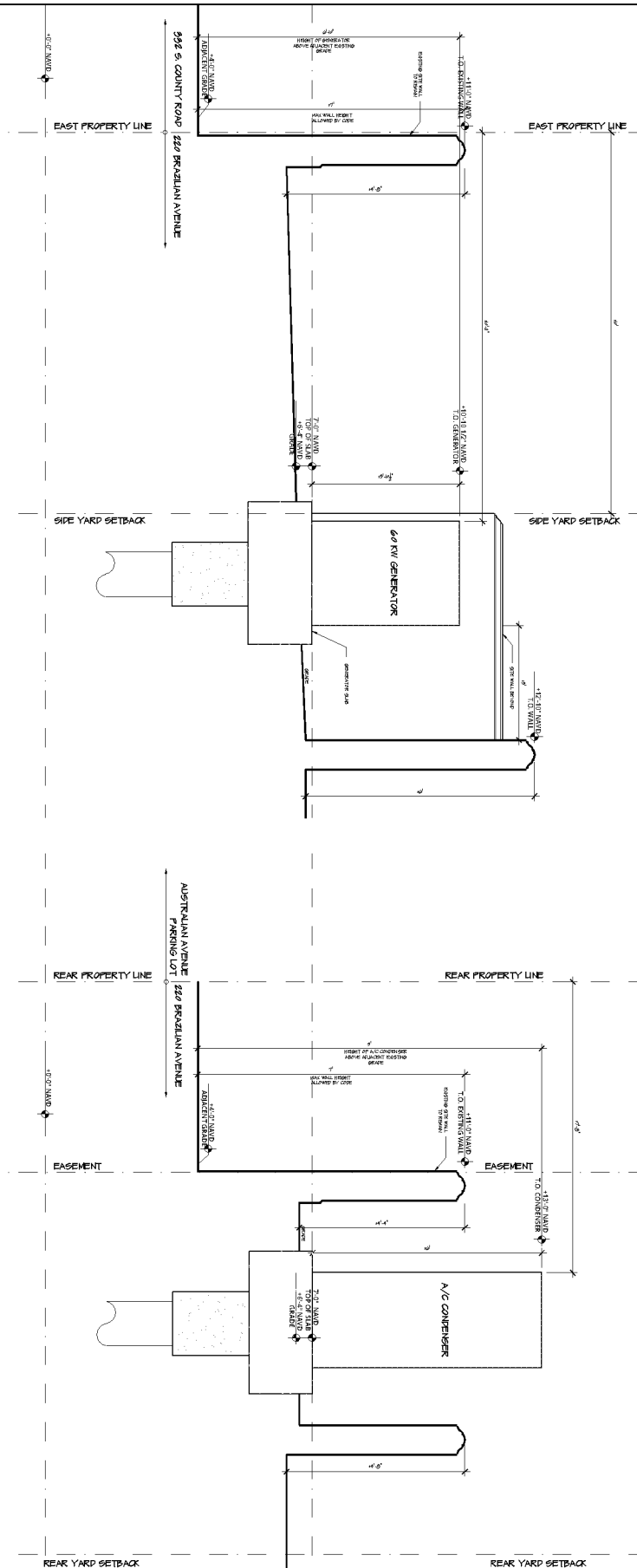


PERMIT # 2023-0023

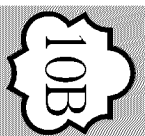


SCALE: $\frac{1}{2}"=1'-0"$

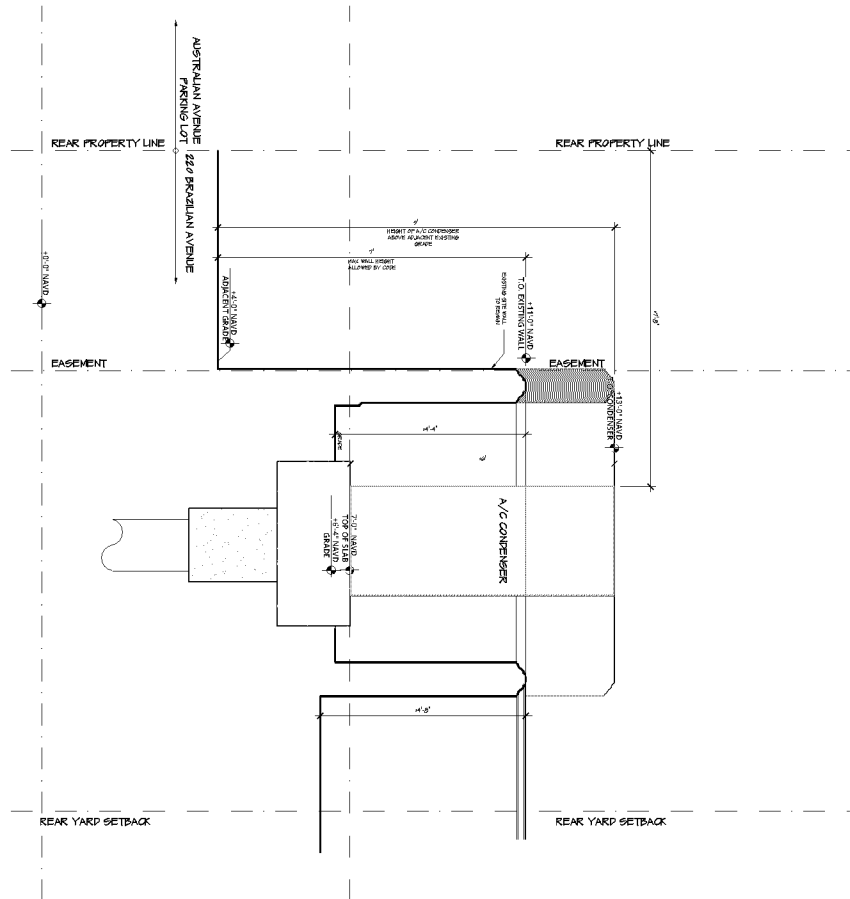
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PERMIT #: B2D-8402



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1 VARIANCE DIAGRAM
EAST AND WEST PROPERTY LINE SIMILAR SCALE: 1/8"=1'-0"

AREA IN RED INDICATES THE ADDITIONAL WALL HEIGHT REQUIRED IN ORDER TO CONFORM WITH THE EQUIPMENT SCREENING REQUIREMENTS. THE TOP OF THE SITE WALL SHOWN IN RED WOULD BE 13.0' NAVD, WHICH IS 2'-0" HIGHER THAN THE 7'-0" MAXIMUM WALL HEIGHT ALLOWED BY CODE

PERMIT # 22-04023

PATRICK RYAN O'CONNELL
ARCHITECT

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Date(s):
28 DEC 2021 - PRELIM REVIEW SET
01 JAN 2022 - FINAL SUBMITTAL
24 JAN 2022 - FINAL SUBMITTAL
REVISION 1

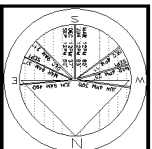
ARCOM # 22-058
ZON # 22-058

PATRICK RYAN O'CONNELL
ARCHITECT
400 ROYAL PALM WAY, SUITE 206
PALM BEACH, FL 33480
FL LIC #: AA26003655
tel (561)-331-2048 WWW.PROARCHITECT.COM

11

Private Residence 220 Brazilian Ave Town of Palm Beach

F L O O R P L A N



JOB NUMBER: 17040100 LA
 DRAWN BY: JON KOSKOFF
 DATE: 04/01/2012

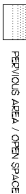
SHEET 1.0

100' S.F.

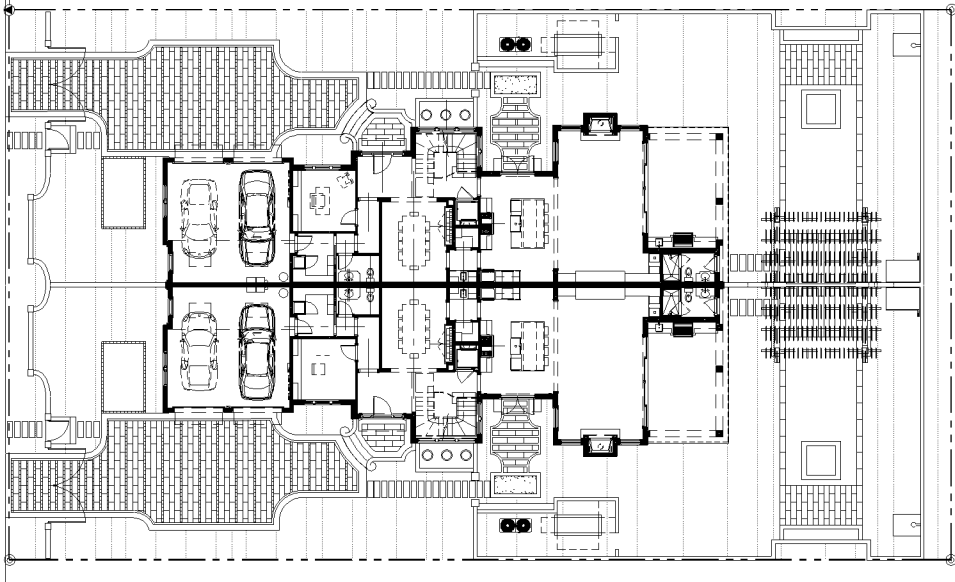
DATE: 04/01/2012

ZONING TABULATION			
ZONING ITEM	REQUIRED/ALLOWED	PREVIOUSLY APPROVED	CURRENTLY PROPOSED
ZONING DISTRICT	13.333 SF MIN. (TWO FAMILY)	17,150 SF	17,200 SF
LOT AREA	750 MIN.	100,000	100,000
LOT DEPTH	300 MIN. MAX.	171.00'	171.00'
LOT COVERAGE (MAX.)	30% (24,375 S.F.)	29.05% (24,375 S.F.)	29.05% (24,375 S.F.)
LOT COVERAGE (MIN.)	3% PERIOD (703 S.F. MIN)	2.42% (2,042 S.F.)	2.42% (2,042 S.F.)
FRONT YARD SETBACK	25'-0"	20'-4"	20'-4"
SIDE YARD SETBACK	10'-0" AT ONE STORY 15'-0" AT TWO STORY	21'-0" FROM EAST & 21'-0" FROM WEST &	21'-0" FROM EAST & 21'-0" FROM WEST &
REAR YARD SETBACK	15'-0"	41'-8" AT MAIN HOUSE 15'-0" AT PORCH/A	41'-8" AT MAIN HOUSE 15'-0" AT PORCH/A
MAXIMUM BUILDING HEIGHT	25'-0"	23'-0"	23'-0"
MAXIMUM OVERALL HEIGHT	26'-8" - FLAT ROOF 31'-6" - NON-FLAT ROOF	31'-2"	31'-2"
LANDSCAPED OPEN SPACE	40% (6,848 S.F.)	40.28% (6,882 S.F.)	40.56% (6,938 S.F.)
FRONT YARD LANDSCAPED	40% (3 S.F.)	56.09% (1,402.28 S.F.)	56.09% (1,402.28 S.F.)
MINUTE COVERAGE	25% (1,712 S.F.)	28.65% (1,962 S.F.)	28.65% (1,962 S.F.)

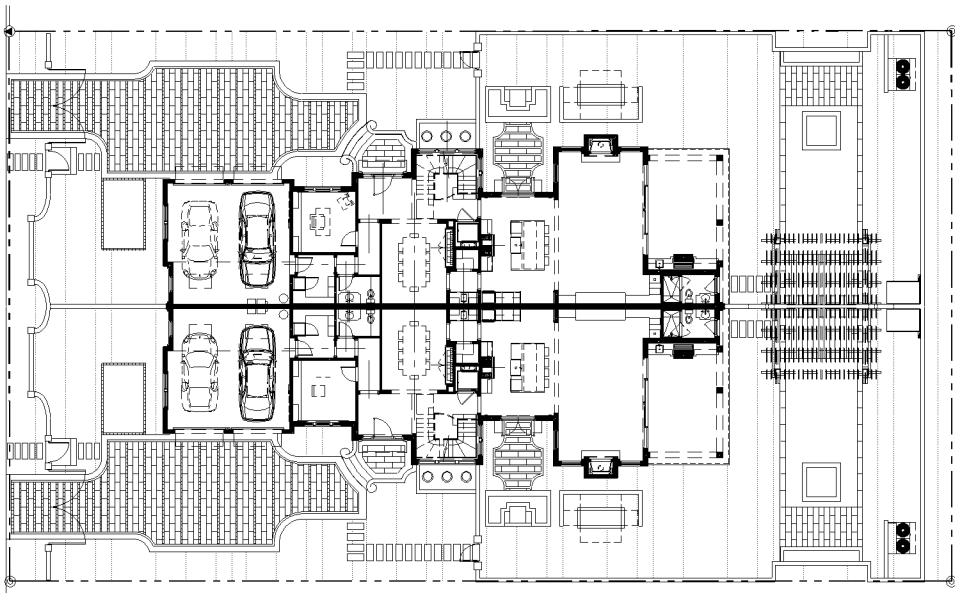
Legend



NOTE:
 ONLY PROPOSED MODIFICATIONS ARE
 SHOWN TO THE EXISTING PLANES
 REGARDING THE LANDSCAPING



Previously Approved Site Plan

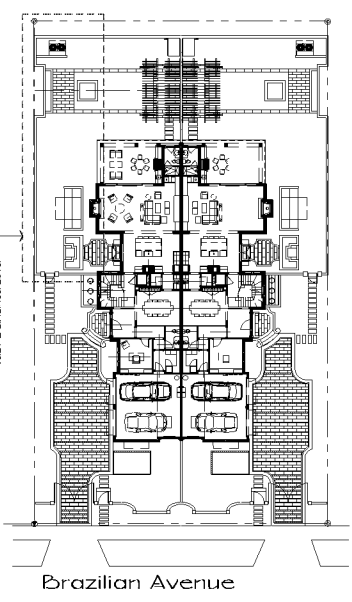


Currently Proposed Site Plan

ARC# 22-058
 ZON# 22-038

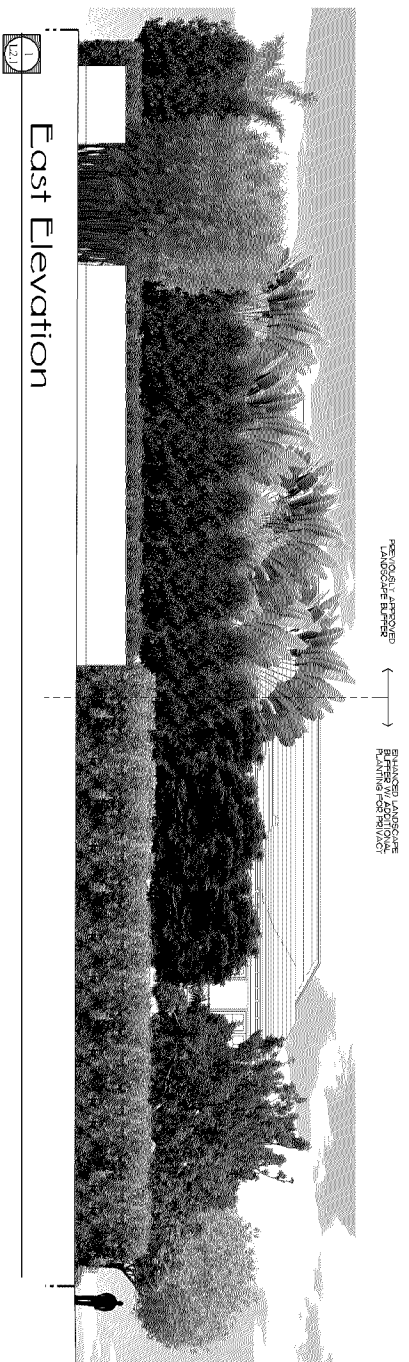
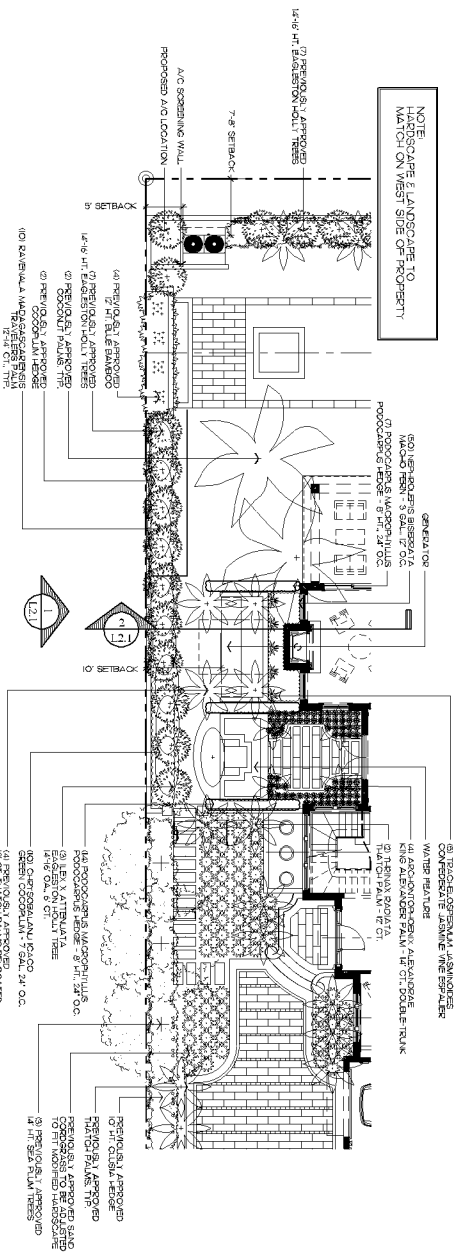
West Equipment Area
 SCALE IN FEET 0' 10' 20' 30'

2022
 2022
 1-800-425-4770
 277-7700



Site Plan
SCALE: 1" = 20'

East Equipment Area - Landscape Plan



East Elevation

Additional Planting

Trees	SYMBOL/KEY	PLANT NAME	QTY.	DESCRIPTION	NATIVE
2022		LEU X ATTINUTIA	4	8' H. 12" DIA. 6' CT	YES
2022		LEU X ATTINUTIA	3	14' H. 12" DIA. 6' CT	YES
2022		LEU X ATTINUTIA	10	17' H. 12" DIA. 6' CT	YES
2022		LEU X ATTINUTIA	2	17' CT	YES

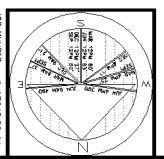
Shrubs	SYMBOL/KEY	PLANT NAME	QTY.	DESCRIPTION	NATIVE
2022		LEU X ATTINUTIA	10	7' DIA. 24" O.C.	YES
2022		LEU X ATTINUTIA	30	3' DIA. 12" O.C.	YES
2022		LEU X ATTINUTIA	2	8' H. 24" O.C.	YES
2022		LEU X ATTINUTIA	5	10' WALL	YES

East Equipment Area
SCALE IN FEET 0' 10' 20' 30'

ARC# 22-058
ZON# 22-038

SHEET L21

Private Residence
220 Brazilian Ave
Town of Palm Beach



ENVIRONMENTAL
CIVIL
100 S.W. 10th Ave, Suite 100
Palm Beach, FL 33480
Tel: 561-833-1111
Fax: 561-833-1112
www.environmentalcivil.com

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Development Review - New Business

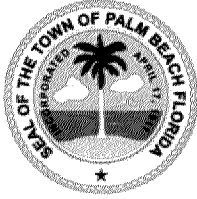
Agenda Title

ZON-22-015 (ARC-22-015) 755 N COUNTY RD (COMBO) – SPECIAL EXCEPTION W/ SITE PLAN REVIEW AND VARIANCES The applicant, Beach Club Inc. (David Shaw, General Manager) has filed an application requesting Town Council review for Special Exception with Site Plan Review and Variance (1) to exceed the maximum allowable lot coverage and (2) to exceed the maximum allowable cubic content ratio (CCR), in order to expand the existing Beach Club facility. The Architectural Commission will perform design review of the application. [Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 7-0.] [The Architectural Review Commission approved the project as presented. Carried 7-0.]

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5430 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

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

SUBJECT: ZON-22-015 (ARC-22-015) 755 N COUNTY RD (COMBO)

MEETING: MAY 11, 2022

ZON-22-015 (ARC-22-015) 755 N COUNTY RD (COMBO) – SPECIAL EXCEPTION W/ SITE PLAN REVIEW AND VARIANCES. The applicant, Beach Club Inc. (David Shaw, General Manager) has filed an application requesting Town Council review for Special Exception with Site Plan Review and Variance (1) to exceed the maximum allowable lot coverage and (2) to exceed the maximum allowable cubic content ratio (CCR), in order to expand the existing Beach Club facility. The Architectural Commission will perform design review of the application.

ARCOM NOTICE:

ARC-22-015 (ZON-22-015) 755 N COUNTY RD (COMBO). The applicant, Beach Club Inc. (David Shaw, General Manager) has filed an application requesting Architectural Commission review and approval for minor renovations and an expansion to the existing Beach Club facility including variances from lot coverage and cubic content ratio (CCR). Town Council will review the Special Exception with Site Plan Review and Variance portion of the applications.

Applicant: Beach Club Inc. (David Shaw, General Manager)
Professional: Peacock & Lewis Architects and Planners, LLC
Representative: Maura Ziska, Esq.

HISTORY:

On April 27, 2022, an application was presented to ARCOM, pursuant to ARC-22-015 (ZON-22-015) 755 N COUNTY RD (COMBO)

THE PROJECT:

The applicant has submitted plans, entitled "Upper Level Terrace Addition", as prepared by **Peacock & Lewis**, dated February 28, 2022.

The following is the scope of work for the complete demolition to an existing two-story residence:

- Expansion of the main level kitchen (434 SF).
 - Expansion of the upper-level terrace (425 SF).
 - Addition of awning cover on expanded terrace, to match existing on site.
- The following Special Exception with Site Plan Review and Variances are required to complete the project:

- **SPECIAL EXCEPTION W/ SITE PLAN REVIEW:** Sec. 134-890: For alterations and additions to an existing special exception use in the R-B Zoning District.
- **VARIANCE 1:** Sec. 134-893(11): A variance to exceed the maximum allowable lot coverage to permit 31% in lieu of 30% Existing and 25% maximum allowed.
- **VARIANCE 2:** Section 134-893(13): To exceed the maximum allowable CCR to allow a CCR of 7.25 in lieu of the 7.19 existing and 3.5 maximum allowed.

Site Data			
Zoning District	R-B	Lot Size (sq ft)	134,260 SF
Future Land Use	Private Group Use	Total Building Size (sq ft)	55,696 SF
C-O-R	5.18' NAVD	Flood Zone	AE 6, X, VE 12
Finished Floor Elevation	11.32' NAVD	Max Fill	N/A
Project			
	Required/Allowed	Existing	Proposed
Lot Coverage	25%	30%	31%
Landscape Open Space (LOS)	45%	9.9%	N/C
Cubic Content Ratio (CCR)	3.5	7.19	725

*If value is not applicable, N/A

*If value is not changing, N/C

Surrounding Properties / Zoning	
North	Palm Beach Country Club
South	1952 2-story single-family residence
East	Atlantic Ocean
West	Beach Club (Tennis Courts)

STAFF ANALYSIS

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the Town zoning code:

1. **VARIANCE 1:** Sec. 134-893(11): A variance to exceed the maximum allowable lot coverage to permit 31% in lieu of 30% Existing and 25% maximum allowed.
2. **VARIANCE 2:** Section 134-893(13): To exceed the maximum allowable CCR to allow a CCR of 7.25 in lieu of the 7.19 existing and 3.5 maximum allowed.
3. **SPECIAL EXCEPTION W/ SITE PLAN REVIEW:** Sec. 134-890: For alterations and additions to an existing special exception use in the R-B Zoning District.

In the RB zoning district, a private social, swimming, golf, tennis and yacht clubs, and houses of worship in existence prior to January 1, 1996, must obtain a Special Exception approval by Town Council. The proposed modifications require Town Council to review and approve the minor renovations and expansion of the facility.

As it pertains to Variance #1 to exceed the maximum allowable lot coverage to permit 31% in lieu

of 30% existing and 25% maximum allowed, staff has no objections. The lot coverage limitation installed in the residential zoning district was a construct to control the footprint size of a residential structure sits on a site. Predating current zoning standards and regulations, the existing private beach club facility was constructed in 1941 and sits on a oceanfront lot that contains 134,260 SF or 5.7 acres of lot area. The project consists of an interior kitchen renovation and expansion of 434 SF and upper-level terrace expansion above the kitchen of 425 SF. The kitchen expansion is made possible by taking over 2 cabanas and a portion of the covered walkway in front. The upper-level terrace expansion is made possible by removing the existing awning over the club's exterior buffet to expand the slab and terrace. The new terrace will receive an awning cover to match others on site. The size of the awning cover over the terrace is approximately 1,349 SF. It is staff's opinion that that the lot coverage limitation should not apply to the beach facility and is supportive of the variance request.

As it pertains to Variance #2, to exceed the maximum allowable CCR to allow a CCR of 7.25 in lieu of the 7.19 existing and 3.5 maximum allowed, staff has no objections. Again, the facility was constructed prior to the adoption of Cubic Content Ration (CCR) which is the Town's questionable method of controlling the size of residential structures in the RB zoning district. It is staff's opinion that that the CCR limitation should not apply to the beach facility and is supportive of the variance request.



February 28, 2022

PEACOCK + LEWIS

Architects and Planners, LLC
Lic. # AAC 000020

1295 US Highway One
Suite 200
North Palm Beach, FL 33408

T: 561.626.9704
F: 561.626.9719

1610 Trade Center Way
Suite #5
Naples, FL 33408

T: 239.631.2332
F: 239.300.6402

Architecture

Planning

Interior Design

Programming

Graphic Design

Project Delivery

Member AIA

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

RE: **Project: 755 N. County Road**
ARCOM Case Number: ARC-22-015
Zoning Case Number: ZON-22-015
Peacock + Lewis Project No. 19-030

We are pleased to submit the accompanying drawings for final submittal review of our project at 755 N. County Road. The proposed work to the existing 3-story 72,191 s.f. building includes:

A wholesale interior kitchen renovation & kitchen expansion of 434 s.f. and an expansion to the upper level terrace, directly above the kitchen expansion, of 425 s.f. The kitchen expansion is made possible by taking over two existing cabanas and the portion of covered walkway in front of these. (As this area is currently existing covered area, this should not increase the impervious area calculations.) The upper level terrace expansion is made possible by removing the existing awning over the club's exterior temporary buffet area and replacing that with a structural slab – effectively expanding the existing upper terrace. The newly expanded terrace will also receive an awning cover (to match existing elsewhere on property). The area of new awning cover on the second floor is approximately 1349 s.f.

Please note the following as it relates to this application:

- A. Landmarks Preservation in accordance with Section 54-122 and/or section 54-161.
 - a. Not applicable
- B. Architectural Review in accordance with Section 18-025 and/or Section 18-206.
 - a. We consider the proposed project to be consistent with the existing architecture as it is a small, correctly proportioned expansion which replicates architectural elements and materials (columns, piers, railings, and canvas awnings) used on the existing building.
 - i. We consider that the proposed project is in conformity with good taste and design and in general contributes to the image of the town as a place of beauty, spaciousness, balance, taste, fitness, charm and high quality.
 - ii. The plan for the proposed building or structure indicates the manner in which the structures are reasonably protected against external and internal noise, vibrations, and other factors that may tend to make the environment less desirable. The proposed canvas awning will protect the members from sun, rain, and wind as well as helping to absorb sound, making the upper level terrace a more pleasant space.
 - iii. The proposed building or structure is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value. As

stated, the exterior design will emulate the existing building components both in detail and quality.

- iv. The proposed building or structure is in harmony with the proposed developments on land in the general area, with the comprehensive plan for the town, and with any precise plans adopted pursuant to the comprehensive plan.
- v. The proposed building or structure is not excessively similar to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features of exterior design and appearance:
 - 1. Apparently visibly identical front or side elevations (This project will not even be visible from other properties or from any roadways.)
 - 2. Substantially identical size and arrangement of either doors, windows, porticos or other openings or breaks in the elevation facing the street, including reverse arrangement; (This project will not even be visible from other properties or from any roadways.)
 - 3. Other significant identical features of design such as, but not limited to, material, roof line and height of other design elements. (This project will not even be visible from other properties or from any roadways. This project's "roof line" does not exceed the existing roof line.)
- vi. The proposed building or structure is not excessively dissimilar in relation to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features:
 - 1. Height of building or height of roof.
(This project's "roof line" does not exceed the existing roof line.)
 - 2. Other significant design features including, but not limited to, materials or quality of architectural design.
(The quality of the materials and the architectural design will be compatible with those of the existing building and this project is not visible from other properties or from any roadways.)
 - 3. Architectural compatibility.
(The project will be architecturally compatible with the existing building and this project is not visible from other properties or from any roadways.)
 - 4. Arrangement of the components of the structure.
(The proposed project emulates the components of the existing structure.)
 - 5. Appearance of mass from the street or from any perspective visible to the public or adjoining property owners.
(This project is not visible from other properties or from any roadways.)

6. Diversity of design that is complimentary with size and massing of adjacent properties.
(As this is an addition to the building, the design is an extension of the existing building – which is appropriate.)
7. Design features that will avoid the appearance of mass through improper proportions.
(We consider the project to be in proportion to the existing building.)
8. Design elements that protect the privacy of neighboring property.
(The shape of the Beach Club's building naturally protects the privacy of the adjacent neighbors. The Beach Club's building creates an inward facing "courtyard" and this project does is part of the inward facing courtyard diagram.)
- vii. We consider that the proposed addition or accessory structure is subservient in style and massing to the principal or main structure.
- viii. We consider that the proposed building or structure is appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as viewed from any public or private way (except alleys).
- ix. We consider that the proposed development is in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.
- x. We consider that the project's location and design adequately protects unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways, and similar features.

C. Special exception in accordance with Section 134-229 for this project.

- a. The Private Club use is a permitted special exception use as set forth in article VI of this chapter.
- b. We consider that the use is so designed, located and proposed to be operated that the public health, safety, welfare and morals will be protected.
- c. We consider that the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.
- d. We consider that the use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.
- e. The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.
(A Variance is being requested for the lot coverage.)
- f. We consider that the use will comply with all elements of the comprehensive plan.
- g. The use does not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district.
- h. 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.

(The project does not change the existing ingress/egress to the property.)

- i. 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.

(There are no signs as part of this project and lighting that will be part of this project is internal to the property and does not face any roadways.)

- j. We consider that the location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.
- k. 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.

(The project does not change the property's refuse and service areas.)

- l. 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.

(The property is a private club.)

- m. 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.

(The existing landscaping is not being affected/changed. We have included the previously approved landscape plan as a reference.)

- n. We consider that 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.

D. Site Plan Review Approval in accordance with Section 134-329.

- a. The Beach Club Inc., owns the land.
- b. Ingress and egress to the property and the proposed structure is unaffected by the proposed project.
- c. All parking will be on site.

- d. The proposed project is on the internal facing courtyard side of the Beach Club's property; as such, the proposed project does not affect the external harmony and compatibility with uses outside the property boundaries.
 - e. Drainage will remain the same – with a minor expansion of the existing system. Refer to stormwater plan.
 - f. Utilities will remain the same or be improved if required.
 - g. Not applicable.
 - h. Not applicable.
 - i. The proposed project does not affect the existing overall height of the existing structure.
 - j. Visibility along the public road will not be impacted as the proposed project is on the internal facing courtyard side of the Beach Club's property.
- E. Variance in accordance with Section 134-201. Variance being requested is for the lot coverage percentage of 31 % (30.32%) in lieu of the 30% existing and the maximum 25% allowable.
- a. The club is a special exception use allowed within the R-B Zoning District. The previous requirement for lot coverage was 30% (as approved on SE-2-2015) and the proposed project is for 30.32% lot coverage. However; since then, the Town has updated their requirement.
 - b. The applicant was not the cause of the Town's updated requirement.
 - c. The granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.
 - d. The hardship is that the property is non-conforming to today's code and it would not be feasible to meet the code with an addition if the current code was mandated.
 - e. The variance granted is the minimum variance to make reasonable use of the land considering the modest expansion that this project proposes. It should be noted, that this project is so modest that inclusion of it only brings the lot coverage up to 30.32% (less than 1%).

Sincerely,
Peacock + Lewis Architects and Planners, LLC



Isaac Campos, NCARB, AIA
Architect

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Development Review - New Business

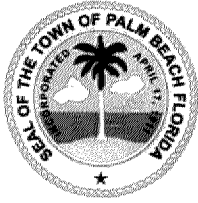
Agenda Title

ZON-22-043 482 ISLAND DR - VARIANCES The applicant, 482 Island Drive Trust (William Atterbury III Trustee), has filed an application requesting Town Council review and approval for Variances (1) to exceed the maximum projection for a marginal dock and (2) to exceed the maximum allowable width of 30% for docks.

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**
- ▣ **Plans**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5430 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

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

SUBJECT: ZON-22-043 482 ISLAND DR

MEETING: May 11, 2022

ZON-22-043 482 ISLAND DR—VARIANCES. The applicant, 482 Island Drive Trust (William Atterbury III Trustee), has filed an application requesting Town Council review and approval for Variances (1) to exceed the maximum projection for a marginal dock and (2) to exceed the maximum allowable width of 30% for docks.

Applicant: 482 Island Drive Trust (William Atterbury III Trustee)
Professional: Matthew D. Butler PE
Representative: Maura Ziska

THE PROJECT:

The applicant has resubmitted plans, entitled "Single Family Dock", as prepared by Matthew D. Butler PE dated 02/25/22.

The following is the scope of work for the Project:

- Installation of two, decked boat lifts (950 SF and 684 SF)
- Installation of a proposed 6'-0" wide, 86'-0" long, marginal dock.

The following Special Exceptions, Site Plan review and/or Variances required to complete the project, and shall be reviewed by Town Council:

- a. Section 62-74(2): A variance request to allow 2 decked boat lifts (950 SF and 684 SF) parallel to the proposed marginal dock that will extend 26' west of the bulkhead line in lieu of the 6' maximum allowed.
- b. Section 62-74(2): A variance request to allow the 2 decked boat lifts to be wider than 10' in total and exceed 30% of the width of the property. The proposed 2 decked boat lifts are approximately 86' wide and 46% of the width of the property.

PROJECT DATA:

Zoning District: R-B
Future Land Use: SINGLE-FAMILY
Lot Area: 24,796 SF

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

A preliminary review of the project indicates that the proposed **single family use** is **consistent** with the **single family** designation of the Future Land Use Map of the Comprehensive Plan.

STAFF ANALYSIS:

The subject property is the northernmost western parcel on Everglades Island. Two platform decked boat lift are proposed along the western edge of the parcel, totaling approximately 1,634 SF. Additionally, a 6'-0" wide marginal dock is proposed to extend 86'-0" in width adjacent to the seawall. The Code restricts the width of the marginal dock to 30% of the width of the parcel, which in this instance would be 30% of 185' or 55'. The proposed 2 decked boat lifts run parallel to the proposed marginal dock approximately 86'-0" wide, or 46% of the width of the property and with a total water projection of 26'-0" westward.

The variances being requested are per Section 62-74(2) and are as follows: (i)A variance request to add 2 decked boat lifts (950 SF and 684 SF) parallel to the proposed marginal dock that will extend 26 feet west of the bulkhead line in lieu of the 6 foot maximum allowed; and (ii)A variance request to allow the 2 decked boat lifts to be wider than 10 feet in total and exceed 30% of the width of the property. The proposed 2 decked boat lifts are approximately 86 feet wide and 46% of the width of the property. Since the proposed boat lifts is 19' west of the pierhead line, the variance is requested from Town of Palm Beach Code Sec. 62-74. Since the proposed marginal dock marine projection 6' west of the pierhead line per Town Code, the extension requires a variance from Sec. 62-74.

KOCHMAN & ZISKA PLC

Ronald S. Kochman*
Maura A. Ziska
Alexander D. Kochman

Amy D. Bahl
*Also admitted in New York

Esperanté
222 Lakeview Avenue, Suite 1500
West Palm Beach, Florida 33401

Telephone: (561) 802-8960
Facsimile: (561) 802-8995

LETTER OF INTENT RELATED TO THE PLATFORM DECKED BOAT LIFT AT 482 ISLAND DRIVE

We are pleased to submit the accompanying drawings for two decked boat lift additions at 482 Island Drive. Please note the following:

A) LANDMARKS PRESERVATION COMMISSION 54-122 & 54-161

Not applicable - This property is not landmarked

B) ARCOM 18-205

Not applicable

B) ARCOM 18-206

Not applicable

C) SPECIAL EXCEPTION 134-229

Not applicable

D) SITE PLAN REVIEW 134-329

Not applicable

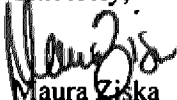
E) VARIANCES 134-201

The applicant has filed an application requesting Town Council to review and approve two platform decked boat lifts totaling approximately 1,634 square feet. The variances being requested are per Section 62-74(2) and are as follows: (i) A variance request to add 2 decked boat lifts (950 SF and 684 SF) parallel to the proposed marginal dock that will extend 26 feet west of the bulkhead line in lieu of the 6 foot maximum allowed; and (ii) A variance request to allow the 2 decked boat lifts to be wider than 10 feet in total and exceed 30% of the width of the property. The proposed 2 decked boat lifts are approximately 86 feet wide and 46% of the width of the property. The following criteria is in support of the variance request:

1. The special conditions and circumstances peculiar to this land which are not applicable to other lands in the same zoning district is that the Town's Bulkhead line and U.S. Pierhead Line run simultaneously with the bulkhead/seawall on Everglades Island, which only allows marginal docks to be six (6) feet wide.
2. The special conditions and circumstances related to the variances do not result from the actions of the Applicant because they had no control over the location of the pierhead/bulkhead line.
3. The granting of the variances will not confer on the applicant a special privilege because other property owners on Everglades Island have similar boat lifts and have been granted similar variances.
4. The hardship, which runs with the land, is that it would be impossible to have a boat lift within the allowable six (6) feet from the seawall so a variance would be justified for this property on Everglades Island.
5. The variances requested are the minimum necessary to make reasonable use of the land considering the need to go farther out into the water for the boat lifts. It would be impossible to build a lift within the 6 feet allowed by the Code.
6. The granting of the variances will be in harmony with the general intent of the ordinance and not be injurious to the neighborhood. Many of the other neighbors on Everglades Island have similar boat lifts.

F) OTHER

Sincerely,

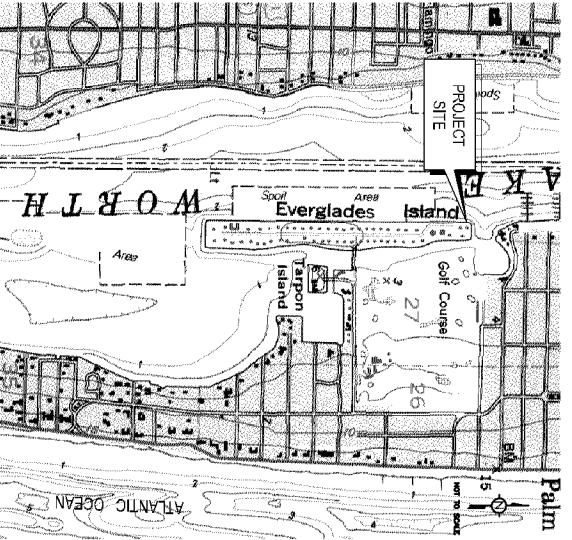
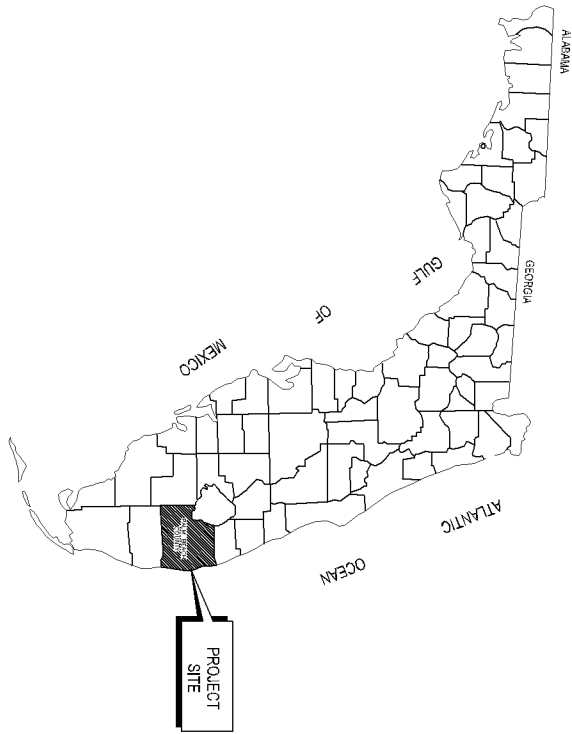

Maura Ziska

RECEIVED
By DSR at 12:13 pm, Mar 11, 2022

SINGLE-FAMILY DOCK
LAKE WORTH
482 ISLAND DRIVE
TOWN OF PALM BEACH
PALM BEACH COUNTY, FLORIDA
FOR:

482 ISLAND DRIVE TRUST

FEBRUARY 22, 2022



ZON-22-043

- NOTES:
- 1. EXISTING LOCATIONS ARE APPROXIMATE BASED ON SURVEY BY WALLACE SURVEYING CORP., REV. 12/10/21.
 - 2. 2021 AERIAL PHOTOGRAPH FROM PALM BEACH COUNTY.
- EXHIBIT SUBMITTED FOR TOWN OF PALM BEACH REVIEW, NOT INTENDED FOR CONSTRUCTION.

INDEX TO DRAWINGS	
SHEET	TITLE
1	VICINITY MAP AND COVER SHEET
2	LOCATION MAP
3	PLAN VIEW
4	AERIAL PLAN VIEW

VICINITY MAP AND COVER SHEET



ISENINGER & STUBBS
ENGINEERING, INC.
CONSULTING ENGINEERS & ARCHITECTS
P.O. BOX 47092 - WORTH PALM BEACH, FL 33407-0902
REGISTRATION NUMBER: 0114
EXPIRATION DATE: 12/31/2023

TOWN OF PALM BEACH, PALM BEACH COUNTY, FL

OWNER: 482 ISLAND DRIVE TRUST

482 ISLAND DRIVE
LAKE WORTH

LICENSE NO. 74039

FEBRUARY 22, 2022

MATTHEW D. BUTLER, P.E.

DATE	2/22	DRAWN	MOB	CHECK	TOR	SHEET	1
ENG. NO.	21236E1					OF	4

COMPUTER FILE NO. 21236E



ZON-22-043

NOTES:

1. PROPERTY LINES ARE APPROXIMATE.
2. 2021 AERIAL PHOTOGRAPH FROM PALM BEACH COUNTY.

EXHIBIT SUBMITTED FOR TOWN OF PALM BEACH REVIEW.
NOT INTENDED FOR CONSTRUCTION.
Last Modified: 5-11-2022

MATTHEW D. BUTLER, P.E.

LICENSE NO. 74039
FEBRUARY 22, 2022

LOCATION MAP



**ISENINGER & STUBBS
ENGINEERING, INC.**

COASTAL • ENVIRONMENTAL • MARINE

REGISTRATION NUMBER: 3114

P.O. BOX 14702 • NORTH PALM BEACH, FL 33408 • (561) 881-0003

**SINGLE-FAMILY DOCK
LAKE WORTH
482 ISLAND DRIVE**

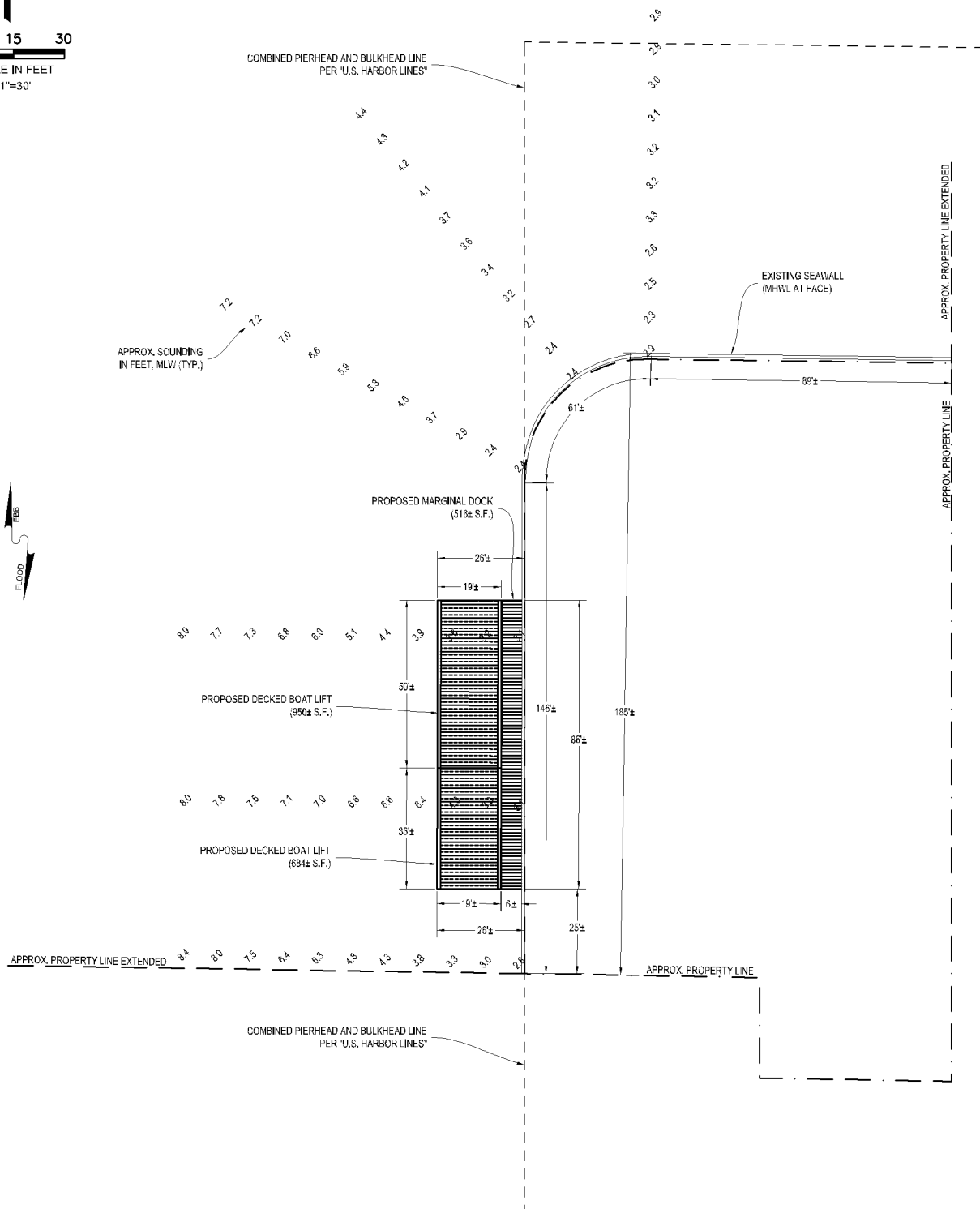
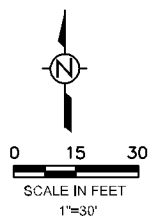
TOWN OF PALM BEACH, PALM BEACH COUNTY, FL
OWNER: 482 ISLAND DRIVE TRUST

DATE	DRAWN	MDB	CHKD	TCR	APPRVD	MDB
12/21	21236B2					
DWG NO.	21236B2					
COMPUTER FILE NO.	21236B1					

174 of 316
SHEET OF 4

2

REV 1 2/22 UPDATED TITLE BLOCK



ZON-22-043

NOTES:

- DATUM IS MLW. MLW = -2.3± NAVD FROM LABINS DATABASE.
- EXISTING LOCATIONS ARE APPROXIMATE BASED ON SURVEY BY WALLACE SURVEYING CORP., REV. 12/10/21.
- SOUNDINGS BY ISIMINGER & STUBBS ENGINEERING, INC. FIELD WORK PERFORMED 6/21/21. SOUNDINGS REDUCED TO MLW BASED ON PREDICTED TIDES ONLY.

EXHIBIT SUBMITTED FOR TOWN OF PALM BEACH REVIEW.
NOT INTENDED FOR CONSTRUCTION

1 - 21236A2 - 11-2022

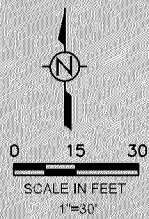
MATTHEW D. BUTLER, P.E.

LICENSE NO. 74039
FEBRUARY 22, 2022

PLAN VIEW

 ISIMINGER & STUBBS ENGINEERING, INC. COASTAL • ENVIRONMENTAL • MARINE REGISTRATION NUMBER: 3114 P.O. BOX 14702 • NORTH PALM BEACH, FL 33408 • (561) 881-0003							
SINGLE-FAMILY DOCK LAKE WORTH 482 ISLAND DRIVE TOWN OF PALM BEACH, PALM BEACH COUNTY, FL OWNER: 482 ISLAND DRIVE TRUST							
DATE	12/21	DRAWN	MDB	CHKD	TCR	APPRVD	MDB
DWG NO.	21236A3						
COMPUTER FILE NO.	21236A2						
						SHEET	3
						OF	4

REV	2	2/22	UPDATED TITLE BLOCK
REV	1	1/22	ADDED PROPERTY WIDTH DIMENSION



ZON-22-043

NOTES:

1. EXISTING LOCATIONS ARE APPROXIMATE BASED ON SURVEY BY WALLACE SURVEYING CORP., REV. 12/10/21.
2. 2021 AERIAL PHOTOGRAPH FROM PALM BEACH COUNTY.

EXHIBIT SUBMITTED FOR TOWN OF PALM BEACH REVIEW.

NOT PREPARED FOR CONSULTATION
 1. Project Name: New Agenda Backup 3-11-2022

MATTHEW D. BUTLER, P.E.

LICENSE NO. 74039
 FEBRUARY 22, 2022

AERIAL PLAN VIEW



**TSIENINGER & STUBBS
 ENGINEERING, INC.**

COASTAL • ENVIRONMENTAL • MARINE
 REGISTRATION NUMBER: 8114
 P.O. BOX 14702 • NORTH PALM BEACH, FL 33408 • (561) 881-0003

SINGLE-FAMILY DOCK
LAKE WORTH
482 ISLAND DRIVE
TOWN OF PALM BEACH, PALM BEACH COUNTY, FL
OWNER: 482 ISLAND DRIVE TRUST

DATE	12/21	DRAWN	MDB	CHKD	TCR	APPRVD	MDB
DWG NO.	21236C4						
COMPUTER FILE NO.	21236C4						

SHEET
 OF 4

4

REV 1 2/22 UPDATED TITLE BLOCK/ADDED BOATS

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Development Review - New Business

Agenda Title

ZON-22-044 (ARC-22-054) 333 SUNSET AVE (COMBO) – SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES

The applicant, Royal Poinciana South LLC (Arthur Pergament) has filed an application requesting Town Council review and approval for Special Exception with Site Plan Review and Variances (1) to exceed the maximum lot coverage, (2 & 3) to reduce required setbacks, (4) to expand an existing nonconforming 7 story building, (5 & 6) to allow pool equipment where not permitted, (7) to exceed the maximum building height and (8) to exceed the maximum allowable amount of equipment in a front yard. The Architectural Commission will perform design review of the application. [The Architectural Review Commission deferred the project to the May 25, 2022 meeting. Carried 7-0.] **Staff Recommends a Deferral to the June 15, 2022 Meeting**

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Development Review - New Business

Agenda Title

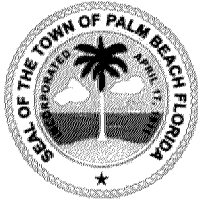
ZON-22-045 (HSB-22-008) 426 SEAPRAY AVE (COMBO) – VARIANCES

The applicant, 426 Seaspray Avenue Trust (Maura Ziska, TR) has filed an application requesting Town Council approval for Variances (1) to exceed the maximum cubic content ratio (CCR), (2) to exceed the maximum lot coverage, and (3) from Chapter 50 for the required floor elevation for the new ground floor addition on a historically significant building to construct a ground floor addition with a finished floor of 2.27' NAVD and 4.06' NAVD in lieu of the required 7' NAVD, in conjunction with renovations and a two-story additions to an existing nonconforming historically significant building. The Landmarks Preservation Commission will perform design review of the application. [The Landmarks Preservation Commission deferred the project to the May 18, 2022 meeting. Carried 7-0.] **Staff Recommends a Deferral to the June 15, 2022 Meeting**

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5430 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

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

SUBJECT: ZON-22-045 (HSB-22-008) 426 SEAPRAY AVE (COMBO)

MEETING: May 11, 2022

ZON-22-045 (HSB-22-008) 426 SEAPRAY AVE (COMBO)–VARIANCES. The applicant, 426 Seaspray Avenue Trust (Maura Ziska, TR) has filed an application requesting Town Council approval for Variances (1) to exceed the maximum cubic content ratio (CCR), (2) to exceed the maximum lot coverage, and (3) from Chapter 50 for the required floor elevation for the new ground floor addition on a historically significant building to construct a ground floor addition with a finished floor of 2.27' NAVD and 4.06' NAVD in lieu of the required 7' NAVD, in conjunction with renovations and a two-story additions to an existing nonconforming historically significant building. The Landmarks Preservation Commission will perform design review of the application.

LPC NOTICE:

HSB-22-008 (ZON-22-045) 426 SEAPRAY AVE (COMBO). The applicant, 426 Seaspray Avenue Trust (Maura Ziska, TR) has filed an application requesting Landmarks Preservation Commission review and approval for renovations and additions to an existing nonconforming historically significant building, including variances from lot coverage, Cubic Content Ratio (CCR), and Floodplain requirements. Town Council will review the variance portion of the application.

Applicant: 426 Seaspray Avenue Trust (Maura Ziska, TR)
Professional: Francisco Sanchez FGS Design LLC
Representative: Maura Ziska

HISTORY:

The subject property was designated 'historically significant' in June of 2022. The property is located within the Mid-Town Conservation District. The Mediterranean Revival style dwelling was designed by architect Eickler-Girard Inc. in 1925.

On April 20, 2022 an application was presented to Landmarks Preservation Commission, pursuant to HSB-22-008 (ZON-22-045) 426 SEAPRAY AVE (COMBO).

THE PROJECT:

The applicant has submitted plans, entitled "426 Seaspray Avenue", as prepared by **Francisco Sanchez FGS Design LLC** dated 02/28/22.

The following is the scope of work for the Project:

- Complete interior renovation of the semi-detached guest building, including new fenestration on the south (alley) and west (pool) elevations.
- Renovation of and expansion to the breakfast room mass, from one to two stories to connect the bedroom programs and expand their functionality and egress.
- Replacement windows and doors to match exiting .
- Demolish non-original “carport”.

The following Variance(s) is required to complete the project:

- **VARIANCE 1:** Sec. 134-893(b)(13): A variance to exceed the maximum Cubic Content Ratio (CCR) to allow 5.44 in lieu of the 5.09 existing and 4.02 maximum allowed, for a new 2 story addition.
- **VARIANCE 2:** Sec. 134-893(b)(11): A variance to exceed the maximum allowable lot coverage to allow 33.6% in lieu of the 34.2% existing and 30% maximum allowed, for a 2 story addition after the demolition of a carport.
- **VARIANCE 3:** Sec. 50-114: A floodplain variance for the repair, improvement or rehabilitation of a historic building. 2.27’ NAVD in lieu of the required 7’. Section 50-114 – Historic Buildings A variance is authorized for the improvements to and rehabilitation of this historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Buildings, Chapter 12 Historic Buildings, as the proposed improvements will not preclude the building’s continued designation as a Historic building to construct a ground floor addition wing with a finished floor of 2.27’ NAVD and 4.06’ NAVD in lieu of the required 7’ NAVD.

Site Data			
Zoning District	R-B	Lot Size (SF)	9,800 SF
Future Land Use	SINGLE-FAMILY	Total Building Size (SF)	4,963 SF
C-O-R	2’	Flood Zone	AE 6
Exist Fin. Floor Elevation	2.27’ and 4.06	Prop. Fin. Floor Elevation	2.27’ and 4.06’
Year of Construction:	1925	Architect:	Eickler-Girard Inc.
Project			
	Required/Allowed	Existing	Proposed
Lot Coverage	30% (2,940 SF)	34.2% (3,271 SF)	33.6 % (3,171 SF) <i>Variance requested</i>
Cubic Content Ratio (CCR)	4.02	5.09	5.44 <i>Variance requested</i>
Building Height	22’	20’-4”	N/C
Overall Building Height	25’ flat 30’ slope	22’-8”	N/C
Front Yard Open Space 40% OF FRONT YARD:	960 40%	1,176 SF 58%	N/C

Landscape Open Space	45% (4,410 SF)	29.1% (2,857 SF)	N/C
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*If value is not applicable, N/A

*If value is not changing, N/C

Surrounding Properties / Zoning	
North	One-story residence
South	One-story residence
East	Two-story residence
West	Two-story residence

STAFF ANALYSIS:

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the Town zoning code:

1. **VARIANCE 1:** Sec. 134-893(b)(13): A variance to exceed the maximum Cubic Content Ratio (CCR) to allow 5.44 in lieu of the 5.09 existing and 4.02 maximum allowed, for a new 2 story addition.
2. **VARIANCE 2:** Sec. 134-893(b)(11): A variance to exceed the maximum allowable lot coverage to allow 33.6% in lieu of the 34.2% existing and 30% maximum allowed, for a 2 story addition after the demolition of a carport.
3. **VARIANCE 3:** Section 50-114 – Historic Buildings A variance is authorized for the improvements to and rehabilitation of this historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Buildings, Chapter 12 Historic Buildings, as the proposed improvements will not preclude the building's continued designation as a Historic building, to construct a ground floor addition wing with a finished floor of 2.27' NAVD and 4.06' NAVD in lieu of the required 7' NAVD.

The scope of work includes a proposed redesign of the breakfast room mass that increases it from a single-story element to a two-story element, which attaches the pool house to the primary residence via a second-floor connection. Although currently nonconforming in lot coverage and CCR, the overall lot coverage on the site will be slightly decreased by the proposed improvements due to the removal of the existing covered carport.

In order to keep the replacement structure closely resembling the appearance of the original, the finished floor of the new structure is proposed to match the existing floor height, which is below the current required base flood elevation. As such, a flood plain variance is necessary for construction at 2.27' NAVD and 4.06' NAVD, in lieu of the 7' NAVD current minimum. The floodplain variances will be reviewed and approved by Town Council. Additionally, if needed, the Town Council may extend the floor plain variance to the main structure.

Staff is supportive of the application for the minor additions due to the retention and continued utilization of an older architecturally significant building. The existing property is non-conforming in lot size, lot coverage, and CCR.



FGS DESIGN, LLC.
ARCHITECTURE ~ INTERIORS

426 Seaspray Avenue

Proposed Renovation

Letter of Intent

Date:

February 7, 2022

PROJECT:

426 Seaspray Avenue.

Palm Beach, FL 33480

ARCOM #: 22-057

Hearing: LPC 20 April 2022

The proposed Scope of Work for the above property is outlined as follows:

1. Complete interior renovation of the semi-detached guest building, including re-fenestration on South (alley) and West(pool) elevations.
2. Renovation and expansion of breakfast room mass, from one to two stories, in the effort to connect the bedroom programs and expand their functionality and egress.
3. All new and replacement windows and doors as part of 1) and 2) will match the existing main house painted wood double hung windows and french doors.
4. Demolish non-original "carport"

The house is original to the Poinciana Park subdivision development and was built in 1925. The existing courtyard and fountain within are shown to be original to designs of John Volk, dating from drawings from 1928. The addition of the carport is at this time from an unclear date, but it does not match the original house in detail or construction.

The proposed design for the above Scope intends to provide for a more functional use of a historically and aesthetically significant property. To that end, the style, material, and scale of the addition will allow for a supplementary and cohesive vision. The removal of the concrete carport addition will allow for the original design intent to be more clearly expressed from the street. As such, the proposed design maintains the aesthetic and historical integrity and quality of the house, property, and neighborhood.

The footprint of the addition and demolition occurs over existing hardscape and is minimal. No changes to existing landscaping, planting, or hardscaping at large is proposed at this time.

The existing property, as acquired by the current owners, is non-conforming in lot size, lot coverage, and CCR. The current structure and plans thereof present a hardship to the current and potential future owners with awkward egress conditions and minimal functional bedrooms for a house and lot this size, with no option for addition. While the design requires an increase in CCR, it improves the lot coverage. The proposed design addresses both with a small addition that allows for a second stair and bedroom suites amenable to modern living. This will also appeal to any future owners wanting to maximize function on this property, discouraging the option of total demolition and re-building.

381 PARK AVENUE SOUTH, STE. 915, NEW YORK, NY 10016
249 ROYAL PALM WAY, STE 303, PALM BEACH, FL 33480
E: INFO@FGS-A.COM T: 561-228-1465 WWW.FGS-A.COM



FGS DESIGN, LLC.
ARCHITECTURE ~ INTERIORS

First Submission Notes

Pending Checklist Items for Final Submission:

1. Item F8: Will submit for final submittal. Relationship at west loggia pool condition, which closely replicates existing conditions; No new shell work proposed at or near setbacks
2. Item F9: Will submit for final submittal. No change in existing material or color proposed at this time, all new to match existing
3. Item F11: No landscape or hardscape changes are being proposed at this time.
4. Item F12: No Landscape or hardscape changes are being proposed at this time. Additions to building footprint occurs over existing “non-permeable” surfaces or massing
5. Item F23: Will submit for final submittal. Contractor input pending.
6. Variance Documentation will be prepared for final submittal; all will rely heavily on architectural documents.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Development Review - New Business

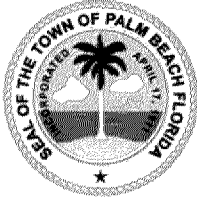
Agenda Title

ZON-22-051 223 SUNSET AVE—SPECIAL EXCEPTION W/ SITE PLAN REVIEW AND VARIANCES The applicant, 233 Sunset Holdings LLC (Peter May), has filed an application requesting Town Council review and approval for Special Exception w/ Site Plan Review for the interior renovation of an existing second floor office space in an existing two-story building resulting in an increase of approximately 950 SF of Gross Leasable Area (GLA) and a Variance (1) to provide 0 of the 4 parking spaces required due to the increase of general office space.

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**
- ▣ **Plans 1a**
- ▣ **Plans 1b**
- ▣ **Plans 1c**
- ▣ **Plans 2**
- ▣ **Plans 3**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5430 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

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

SUBJECT: ZON-22-051 223 SUNSET AVE

MEETING: May 11, 2022

ZON-22-051 223 SUNSET AVE—SPECIAL EXCEPTION W/ SITE PLAN REVIEW AND VARIANCES. The applicant, 233 Sunset Holdings LLC (Peter May), has filed an application requesting Town Council review and approval for Special Exception w/ Site Plan Review for the interior renovation of an existing second floor office space in an existing two-story building resulting in an increase of approximately 947 SF of Gross Leasable Area (GLA) and a Variance (1) to provide 0 of the 4 parking spaces required due to the increase of general office space.

Applicant: 233 Sunset Holdings LLC (Peter May),
Professional: Madison Worth Architects DPC
Representative: Maura Ziska

HISTORY:

- Special Exception 13-90 with Variance was granted to allow a social club over 2000 SF and variance to not provide the required 54 parking spaces and only provide 14 parking spaces. Condition of approval is to not have evening events.
- Special Exception 26-96 was granted to allow a travel agency over 2000 SF.
- Special Exception 3-99 was granted to allow a management company over 2000 SF.
- Special Exception 7-2000 was granted to allow a 1500 SF management company on the first floor.
- Special Exception 1-2003 was granted to allow a travel agency over 2000 SF.
- Special Exception 2-2004 was granted to allow an investment advisory firm over 2000 SF.
- Special Exception 10-2005 was granted to allow an accounting firm over 2000 SF.
- Variance 41-2014 was granted to allow a real estate office on the first floor with 1925 SF.

- Z-19-00184 with Special Exception and Site Plan Review and Variance was granted to expand building from 13,689 SF to 15,602 SF by eliminating space in the parking garage and convert first floor to restaurant comprising of 2,856 SF with 106 seats of which 30 are outside and hours of 11:30 am to 10:30 pm. Special Exception is granted for shared parking. Variance granted for a 7,207 SF office on the first floor without providing 5 parking spaces.

PROJECT DATA:

Zoning District: C-TS
Future Land Use: Commercial
Existing Parking Basement Spaces: 47
Existing GLA Office Space: 8,354
Proposed GLA Office Space: 9,301

SURROUNDING PROPERTIES:

North: Two-story office
South: Two-story mixed-use *Via Flagler*
East: One-story synagogue
West: Publix supermarket

THE PROJECT:

The applicant has submitted plans, entitled "223 Sunset Holdings LLC 2nd Floor Renovation", as prepared by **Madison Worth Architects DPC** dated 03/17/22.

The following is the scope of work for the Project:

- Interior remodel of second floor office and common space of existing two-story building for a result of approximately 9,300SF GLS of office space, or increase of approximately 947 SF.

The following Special Exceptions, Site Plan review and/or Variances required to complete the project, and shall be reviewed by Town Council:

- Special Exception, Sec 134-1109(a)(11). Permitted uses which are greater than 3,000 square feet gross leasable area. A request is to operate approximately 9,300SF private equity office on second floor in C-TS District.
- Special Exception, Sec 134-1109 (b). An owner or tenant of a property, located within the C-TS district, which property has received approval of a special exception after March 31, 1980, shall be required to obtain approval by the town council under the provisions of section 134-229 prior to being granted a new business tax receipt. This subsection shall not apply to renewal of an existing business tax receipt.
- **VARIANCE 1:** Section 134-2176: to provide zero (0) on-site parking spaces in lieu of the four (4) parking spaces that would be required due to the increase of approximately 947 SF of general office space. 1/250

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

A preliminary review of the project indicates that the proposed **office use** is **consistent** with the **Commercial** designation of the Future Land Use Map of the Comprehensive Plan.

STAFF ANALYSIS

The subject property is currently improved with an existing two-story building, occupied with a ground floor restaurant and second floor general office spaces. Parking is currently provided on-site in a garage located below the structure. The proposed design combines the five separate second floor office spaces into one singular office. The existing second floor square footage equals approximately 9,911 total square feet: comprised of office space containing 8,354 square feet of office space, with common hallways and restrooms comprising the other 1,557 square feet. The proposed redevelopment will include reducing 2nd floor common space and increasing office use

by 946 SF resulting in a 2nd floor single tenant office space of approximately 9,300SF

As it pertains to the Variance request, it is a result of the removal of common space (hallway and restrooms that will now be included in the overall tenant space), the gross leasable area ("GLA") on the second floor will be increasing by approximately 947 SF square feet, which triggers a requirement for four additional parking spaces. The fact remains that the property was constructed as second floor office space and parked as such. There is no new square footage, nor new floor area being added to the structure.

Re:
223 Sunset Avenue
Second Floor
Palm Beach, Florida 33480

April 21, 2022

LETTER OF INTENT
RELATED TO THE RENOVATION OF AN OFFICE SPACE
ON THE SECOND FLOOR OF 223 SUNSET AVENUE

We are pleased to submit this project to the Town of Palm Beach Town Council. Madison Worth Architecture, DPC has been retained by the owner of the property at 223 Sunset Avenue to develop the plans and architectural design of the renovation of the second-floor office space; the proposed design combines five separate office spaces into one singular office. The existing second floor square footage equals approximately 9,911 total square feet. The space is currently comprised of five (5) tenant spaces totaling approximately 8,354 square feet of office space, with common hallways and restrooms comprising the other 1,557 square feet.

As a result of the removal of common space (hallway and restrooms that will now be included in the overall tenant space), the gross leasable area ("GLA") on the second floor will be increasing by 947 square feet (new office space will be 9,301 SF), which triggers a requirement for four additional parking spaces (pursuant to Article 9.2 of Section 134-2176 of the Town of Palm Beach Zoning Code).

Despite the increase in overall GLA of the proposed plan (by the elimination of the multitenant corridor), the overall occupancy will be slightly reduced, and as such, there will be no additional stress to the existing parking on site. There will be one tenant on the second floor: Trian Fund Management, which is a multi-billion dollar investment management firm headquartered in New York City. Trian has approximately 50 employees and the proposed office at 223 Sunset will be a satellite office for the seasonal principals/employees. Trian Founding Partners are Nelson Peltz, Ed Garden and Peter May.

This project is being submitted to the Town Council to request approval for a Special Exception (134-229) and a Variance (134-201).

Additionally, please find attached a document titled "Parking Variance Justification" dated February 3, 2022 prepared by Kimley Horn and Associates, Inc.

A) SPECIAL EXCEPTION 134-229

Sec 134-1109(a)(11) Permitted uses which are greater than 3,000 square feet gross leasable area. A request is to operate a +/- 9000 SF investment management firm on second floor in C-TS District.

Sec 134-1109 (b) An owner or tenant of a property, located within the C-TS district, which property has received approval of a special exception after March 31, 1980, shall be required to obtain approval by the town council under the provisions of section 134-229

prior to being granted a new business tax receipt. This subsection shall not apply to renewal of an existing business tax receipt.

- a. The office use and renovation is a permitted special exception use in the C-TS Zoning District and requires approval if the use is over 3,000 SF. There have been multiple office tenants in this building since it was constructed in 1984.
- b. The office use and renovation will not affect public health, safety, welfare and morals are not at risk.
- c. The office use will not cause substantial injury to the value of other property in the neighborhood.
- d. The use is compatible with adjoining development and will comply with all required building codes. There have been multiple offices in this building and neighborhood.
- e. The project meets all applicable requirements listed in Section 134-229 of the Town of Palm Beach Zoning Code including Article VI.
- f. The proposed investment management firm will comply with the comprehensive plan if applicable.
- g. The proposed office will not result in adverse impacts on adjoining properties.
- h. There is adequate egress ingress and parking on Sunset Avenue and in the underground parking garage.
- i. Any signage to be proposed will meet the code.
- j. Utility service remains the same or will be upgraded if required.
- k. Refuse and service areas remain the same.
- l. The proposed investment management firm will be town serving as the principals are Palm Beach residents and the office does not have customers or clients that visit the business. The office is not open to the public. It is anticipated hours will be 8am-6pm Monday through Friday with a maximum of 15 employees during season, 6 employees off-season.
- m. There are not historic trees on the property.
- n. The proposed office should not place a greater burden on the Town services as it is actually a reduction in the intensity of use of the building going from 5 tenants on the second floor to one.

B) SITE PLAN REVIEW 134-329

- a. N/A

C) VARIANCES 134-201

Section 134-2176: to provide zero (0) on-site parking spaces in lieu of the four (4) parking spaces that would be required due to the increase of approximately 947 SF of general office space.

- a. The existing building has 47 underground parking spaces that is more than necessary for the existing tenants and proposed investment management firm. Although the code would require 4 additional parking spaces by converting common area to office space, in reality there is not a parking problem.
- b. The applicant was not the cause of the purported parking deficiency as they just purchased the building.
- c. Granting the variance for the parking spaces will not confer on the applicant a special privilege as parking regulations are not adhered to and non-conforming in the Town.
- d. The hardship for not adding the 4 parking spaces is that there is not onsite space available to add any parking.
- e. The grant of a variance for four additional parking spaces will be in harmony with the general intent of the district, and will not be detrimental to the public welfare.

D) Other – Zoning History

Special Exception 13-90 with Variance was granted to allow a social club over 2000 SF and variance to not provide the required 54 parking spaces and only provide 14 parking spaces. Condition of approval is to not have evening events.

Special Exception 26-96 was granted to allow a travel agency over 2000 SF.

Special Exception 3-99 was granted to allow a management company over 2000 SF.

Special Exception 7-2000 was granted to allow a 1500 SF management company on the first floor.

Special Exception 1-2003 was granted to allow a travel agency over 2000 SF.

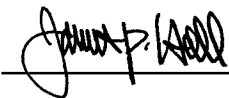
Special Exception 2-2004 was granted to allow an investment advisory firm over 2000 SF.

Special Exception 10-2005 was granted to allow an accounting firm over 2000 SF.

Variance 41-2014 was granted to allow a real estate office on the first floor with 1925 SF.

Z-19-00184 with Special Exception and Site Plan Review and Variance was granted to expand building from 13,689 SF to 15,602 SF by eliminating space in the parking garage and convert first floor to restaurant comprising of 2,856 SF with 106 seats of which 30 are outside and hours of 11:30 am to 10:30 pm. Special Exception is granted for shared parking. Variance granted for a 7,207 SF office on the first floor without providing 5 parking spaces.

James Hall
Madison Worth Architecture, DPC



223 SUNSET HOLDINGS, LLC
2ND FLOOR INTERIOR RENOVATION
223 SUNSET AVE.

GENERAL NOTES

[illegible][illegible][illegible]

BE PLACED REMOVED FROM DAMAGE THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR DAMAGE TO THE STRUCTURE SHALL BE REMOVED BY THE CONTRACTOR AT THE TIME PROCEEDS, THE SITE SHALL BE LEFT BROOM CLEAN AT THE COMPLETION OF DEMOLITION.

4. NO STRUCTURAL ELEMENTS SHALL BE REMOVED UNLESS THE CONTRACTOR HAS FIRST OBTAINED A PERMIT FROM THE TOWN ENGINEER, SHOWN OR NEW STRUCTURAL ELEMENTS ARE REQUIRED TO PROTECT THE STABILITY AND INTEGRITY OF THE EXISTING STRUCTURE.

5. THE CONTRACTOR SHALL PROVIDE ERECT AND MAINTAIN ALL TEMPORARY BRACING AND CULERS, AND ALL TEMPORARY SHORING AND REINFORCING AS REQUIRED BY DEPARTMENT OF BUILDINGS RULES AND REGULATIONS.

6. THE CONTRACTOR SHALL PROVIDE ABSOLUTE WATER-TIGHT PROTECTION TO ALL OPENINGS IN ANY WALL OR ROOF THAT BE PROTECTED FROM ALL FORMS OF WEATHER OR WATER PENETRATION.

7. ALL NECESSARY CERTIFICATES OF INSURANCE WITH THE EXISTENCE OF BUILDING'S ALL REQUIRED CERTIFICATES SHALL BE SUBMITTED TO THE TOWN ENGINEER BY ANY CITY AGENCY IN ORDER TO DO THE WORK HEREIN DESCRIBED.

8. EXISTING FLOORING TO BE REMOVED.

9. EXISTING RECESSED LIGHT FIXTURES TO BE REMOVED.

10. EXISTING INTERIOR DOORS SHALL BE REMOVED.

11. ROOF SPECIFIC DRAINAGE NOTES LISTED IN PLAN.

12. CHANGES TO EXISTING WALLS STUDIES NOTED CHANGES NOTED IN PLAN.

13. A LICENSED ELECTRICAL SHALL BE DESIGNER, LOCK OUT AND DISCONNECT ANY ELECTRICAL SOURCES FOR SYSTEMS INVOLVED IN THE DEMOLITION PROJECTS SCHEDULED FOR REMOVAL SHALL BE REMOVED BY A LICENSED PLUMBER, ALL CONNECTIONS SHALL BE PROPERLY CAPED OR TERMINATED.

14. ALL CONTROL CABLES SHALL PERFORM ALL OPERATIONS OF THE EXISTING SYSTEMS.

15. ALL MATERIALS AND DEBRIS SHALL BE REMOVED BY THE CONTRACTOR BY THE WORK, ALL WORK SHALL BE DONE CAREFULLY AND VENTILATION IN A STEADYMAN MANNER.

14. ALL STRUTS, SURFACES AND EQUIPMENT TO REMAIN SHALL BE FULLY PROTECTED FROM DAMAGE. THE CONTRACTORS SHALL ASSURE ALL RESPONDED SURFACES FROM DAMAGE DURING THE REMOVAL OF THE CONDUIT/CABLES ON THE STEEL DECK. THE REMOVAL OF THE CONDUIT/CABLES AT THE JOINTS SHALL BE DONE IN A MANNER THAT DOES NOT INTERFERE WITH THE PROCEEDS. THE SITE SHALL BE LEFT ROOM CLEAN AT THE COMPLETION OF DEMOLITION.

1. ALL RECESSED LIGHTING TO BE REPLACED
2. ALL SURFACE MOUNTED CEILING AND WALL FIXTURES TO BE EXAMINED AND REPLACED IF REQUIRED.
3. ALL ELECTRICAL WORK SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE REQUIREMENTS OF THE MUNICIPALITY.
4. ELECTRICIAN SHALL ARRANGE AND OBTAIN INSPECTIONS AND REQUIRED SIGN-OFFS.

1. ALL PLUMBING AND GAS PIPING WORK SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE REQUIREMENTS OF THE MUNICIPALITY.
2. PLUMBING CONTRACTOR SHALL ARRANGE AND OBTAIN INSPECTIONS AND REQUIRED SIGN-OFFS.

NOTE: THE ZONING DATA LISTED ABOVE WAS PREPARED USING INFORMATION RECEIVED FROM WALLACE SURVEYING.

A-0.01	COVER SHEET, GENERAL NOTES/PAVING LIST, ZONING DATA
A-0.02	VICINITY LOCATION MAP WITH PAVING
A-0.03	EXISTING BUILDING AND STREETS/AIR IMAGES
A-0.04	EXISTING BUILDING AND STREETS/AIR IMAGES
A-0.05	TRUCK LOGISTICS PLAN
EX-0.00	EXISTING SITE PLAN
EX-0.01	PARKING GARAGE EXISTING CONDITIONS PLAN
EX-0.02	SECOND FLOOR EXISTING CONDITIONS & DEMO
A-1.02	PROPOSED SECOND FLOOR PLAN
A-2.00	EXISTING EXTERIOR ELEVATIONS
A-2.01	PROPOSED EXTERIOR ELEVATIONS
A-3.00	PROPOSED LANDSCAPE GRASSES
A-3.01	PROPOSED LANDSCAPE GRASSES
5-0.00	SURVEY DRAWING

ZONING DATA



223 SUNSET HOLDINGS, LLC
 2ND FLOOR
 223 SUNSET AVENUE
 PALM BEACH, FLORIDA 33480

COVER SHEET
 GENERAL NOTES
 ZONING INFORMATION

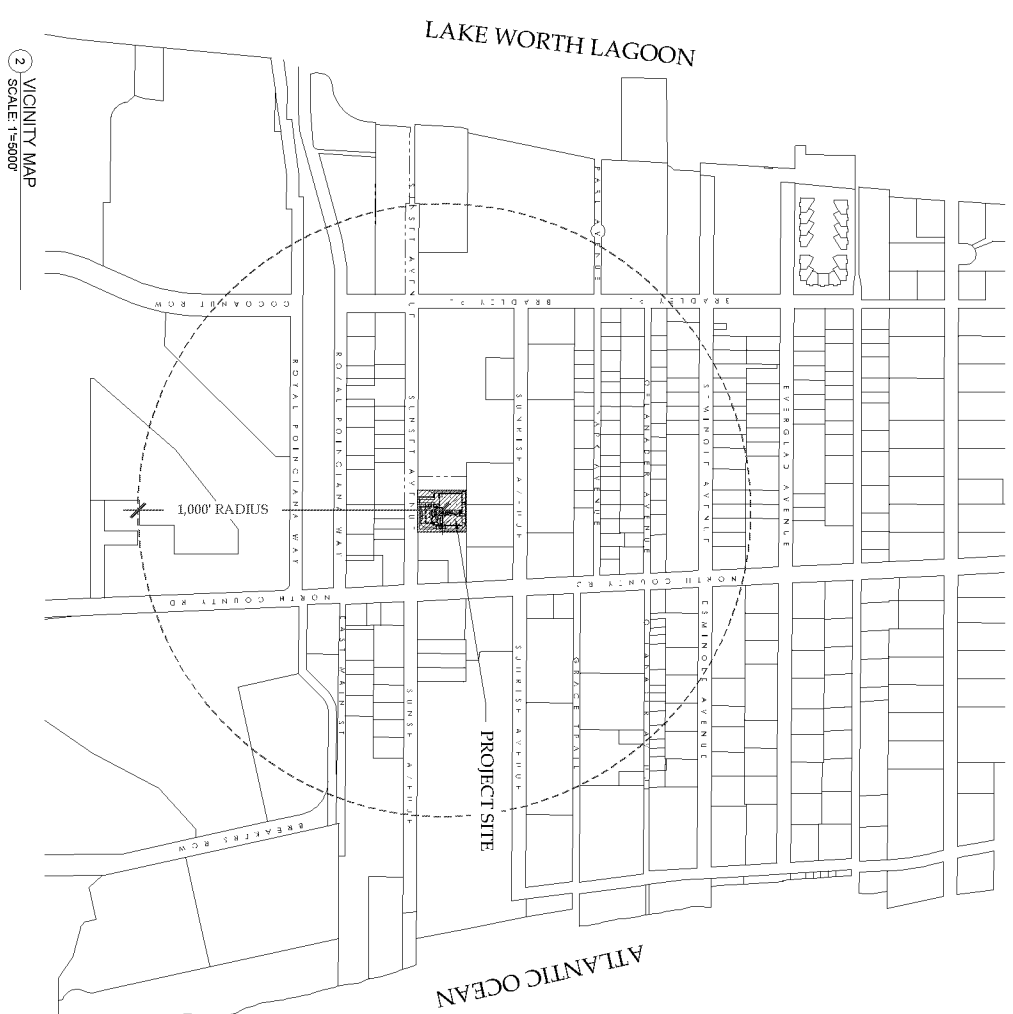
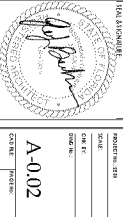
PROJECT NO. 223
 SHEET
 CITY OF
 ZONING NO.

A-0.01

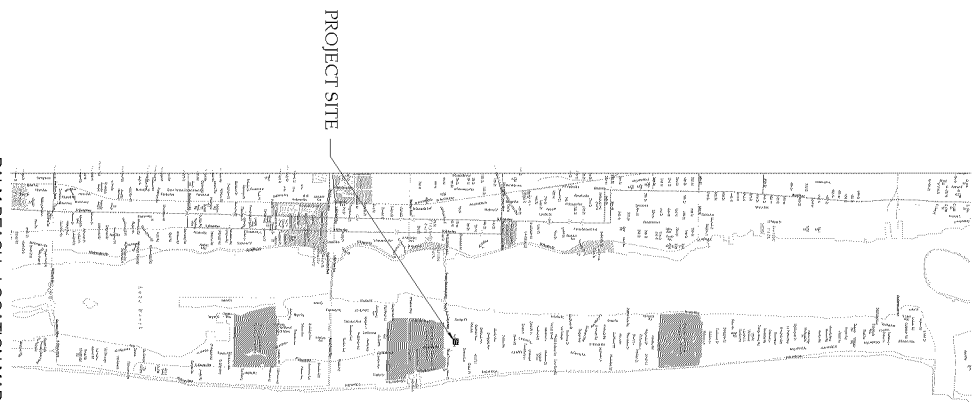
NO.	ISSUE DESCRIPTION	DATE
3	DIC FINAL SUBMITTAL	02/28/2022
2	ICDH DIC FIRST SUBMITTAL	02/07/2022
1	ICDH DIC PRE-AP SUBMISSION	01/24/2022

PROJECT
223 SUNSET HOLDINGS, LLC
2ND FLOOR
223 SUNSET AVENUE
PALM BEACH, FLORIDA 33480

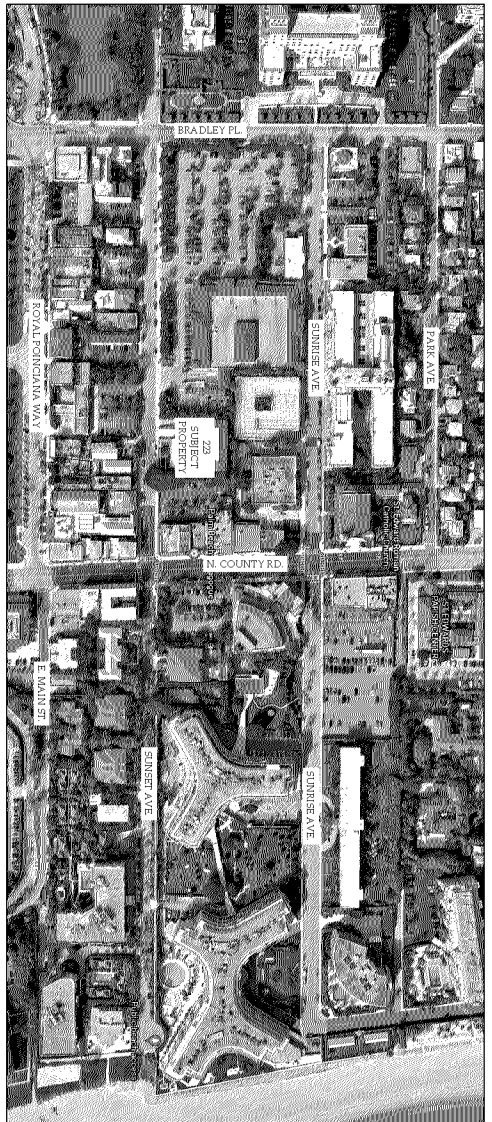
VICINITY LOCATION MAPS



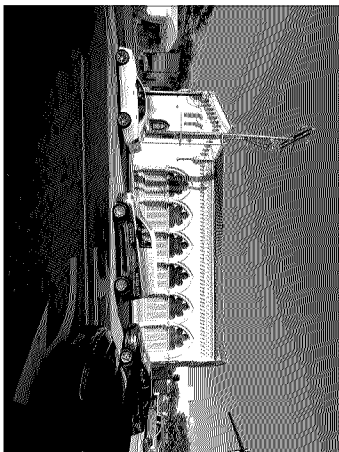
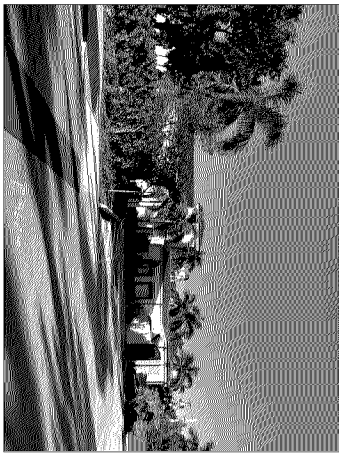
2 VICINITY MAP
SCALE: 1"=5000'



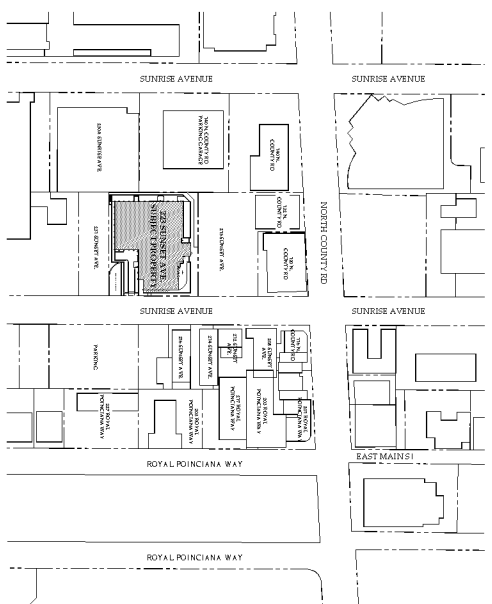
1 PALM BEACH - LOCATION MAP
NTS



1 CONTEXTUAL SITE IMAGE
SCALE: N.T.S.



3 STREETSCAPE IMAGES
SCALE: N.T.S.



2 CONTEXTUAL SITE PLAN
SCALE: N.T.S.

3	ONE DAY SUMMIT	02/28/2022
2	TWO DAY FIRST SUMMIT	02/01/2022
1	FOUR DAY PRE-AP SUMMIT	01/24/2022
NO	ISSUE DISCUSSION	DATE

PROJECT
223 SUNSET HOLDINGS, LLC
2ND FLOOR
223 SUNSET AVENUE
PALM BEACH, FLORIDA 33480

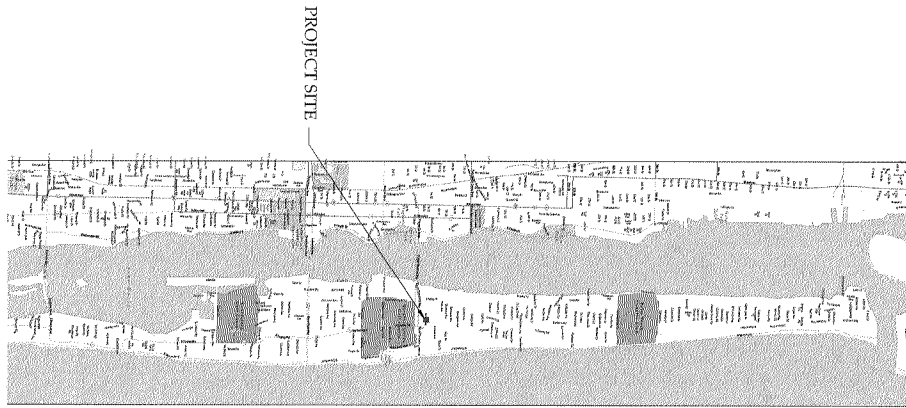
SHEET TITLE:

CONTEXTUAL SITE PLAN & IMAGES

		J.P. BAKER, PE.
		PROJECT NO.: 818
		SCALE:
		CIVIL E.C.
		DWG. NO.:
A-0.03		
C&S FILE:	INSTRUMENTED:	

**MADISON WORTH
ARCHITECTURE, DPC**
465 Madison Avenue, Suite 200, New York, NY 10022 • T: 212 355 5261
125 North Avenue, Suite 105, Palm Beach, FL 33480 • F: 561 833 2882

① PALM BEACH - LOCATION MAP
NTS



② VICINITY MAP
SCALE 1"=5000'



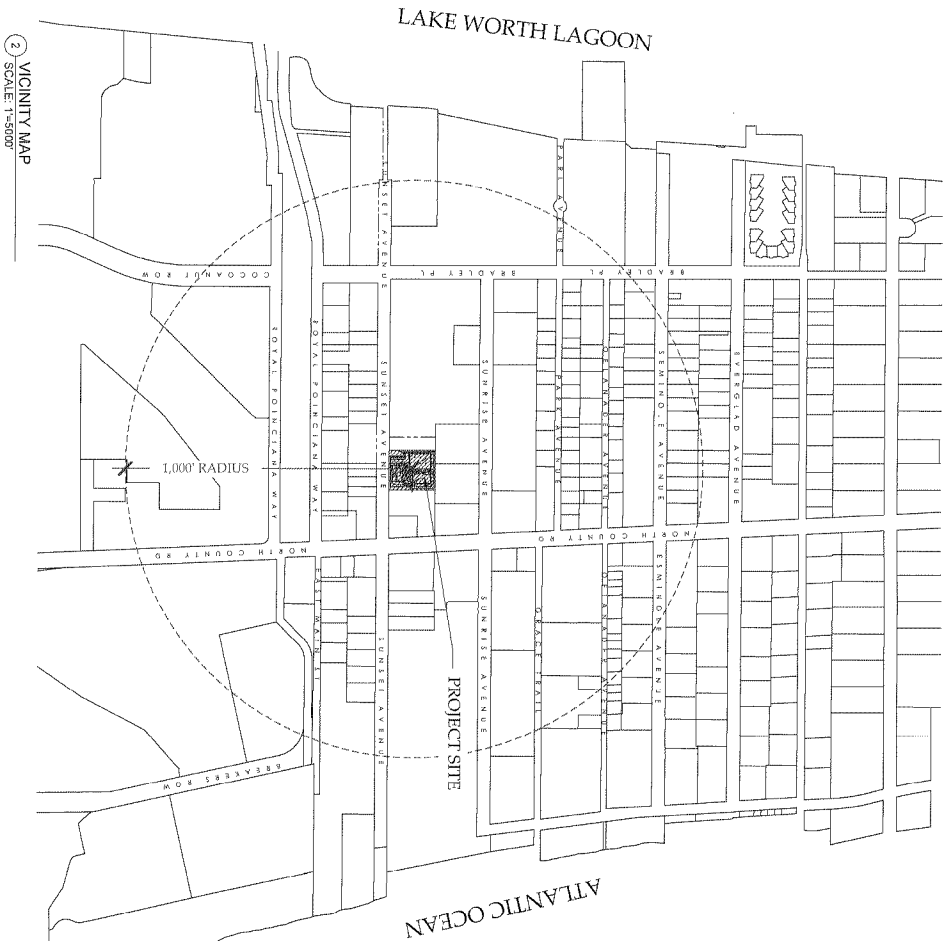
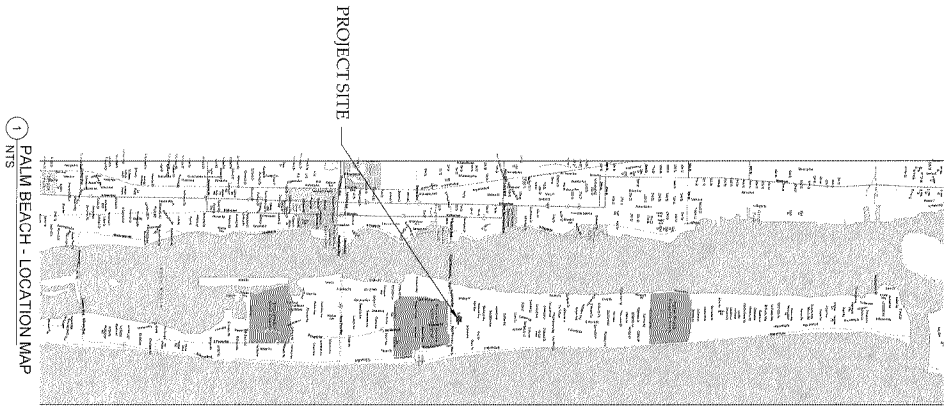
A-0.02

VICINITY LOCATION MAPS

223 SUNSET HOLDINGS, LLC
2ND FLOOR
223 SUNSET AVENUE
PALM BEACH, FLORIDA 33480

NO. 1	DATE	DESCRIPTION	BY	CHECKED
1	05/11/2022	PREPARED	ADP	
2	05/11/2022	REVIEWED	ADP	
3	05/11/2022	APPROVED	ADP	

MADISON WORTH
ARCHITECTURE, DPC
223 SUNSET AVENUE, 2ND FLOOR
PALM BEACH, FLORIDA 33480
TEL: 561.833.1111
WWW.MADISONWORTHARCHITECTURE.COM



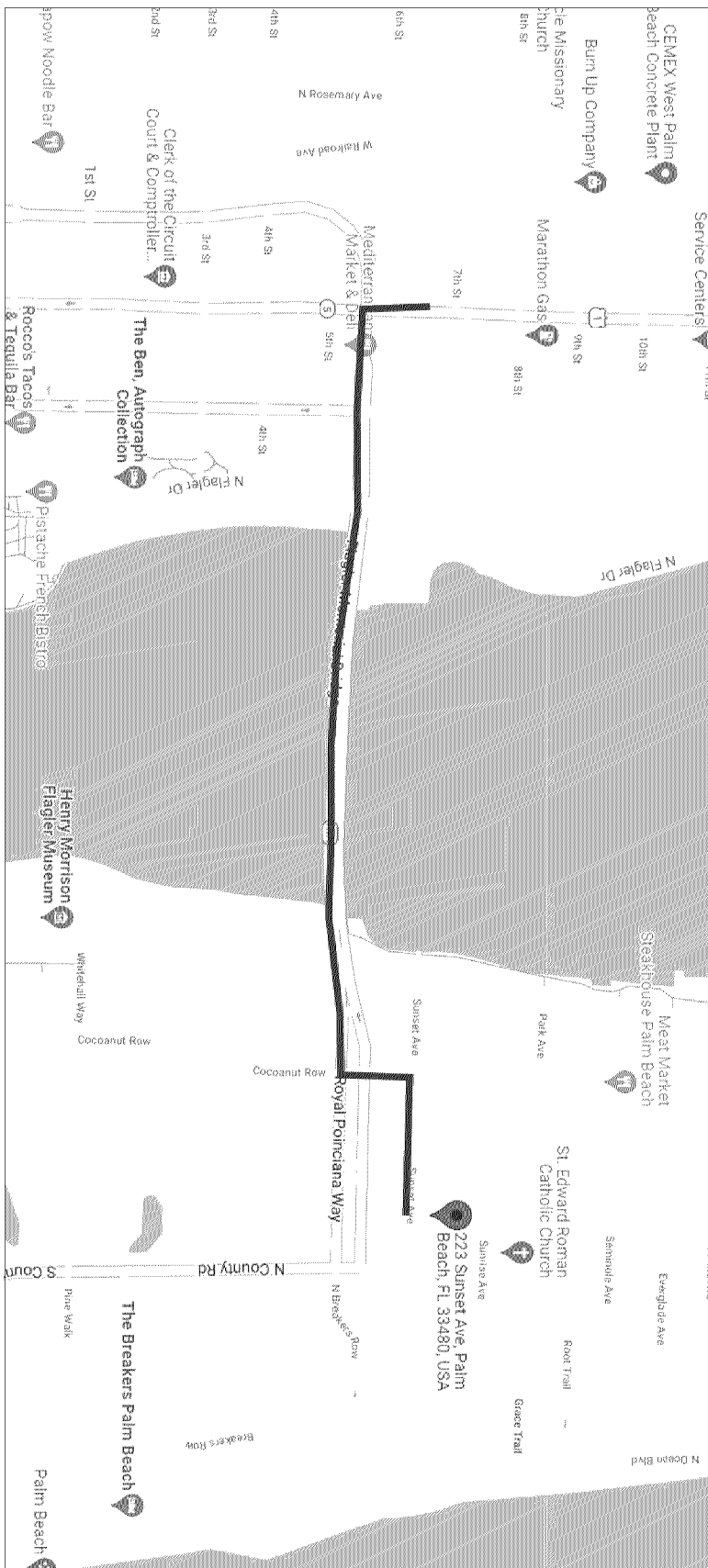
DATE: 5-11-2022
SCALE: A-0.02

VICINITY LOCATION MAPS

223 SUNSET HOLDINGS, LLC
223 SUNSET AVENUE
PALMBEACH, FLORIDA 33463

NO.	DATE	DESCRIPTION
1	5-11-2022	PRELIMINARY
2	5-11-2022	REVISED
3	5-11-2022	REVISED
4	5-11-2022	REVISED
5	5-11-2022	REVISED
6	5-11-2022	REVISED
7	5-11-2022	REVISED
8	5-11-2022	REVISED
9	5-11-2022	REVISED
10	5-11-2022	REVISED

MADISON WORTH
ARCHITECTURE, DPC
4000 N. W. 11th Avenue, Suite 200, Fort Lauderdale, FL 33309
TEL: 954.574.1111 FAX: 954.574.1112
WWW.MADISONWORTHARCHITECTURE.COM

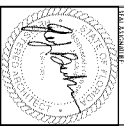


1 TRUCK LOGISTICS PLAN
 SCALE: 1" = 100'

NO.	REVISION	DATE
1	ISSUE FOR PERMIT	01/24/2023
2	ISSUE FOR PERMIT	02/28/2023
3	ISSUE FOR PERMIT	03/28/2023

PROJECT:
 223 SUNSET HOLDINGS, LLC
 2ND FLOOR
 223 SUNSET AVENUE
 PALM BEACH, FLORIDA 33480

TRUCK LOGISTICS PLAN



SCALE:
 A-0.05



 1
SITE PLAN
SCALE: 1/8" = 1'-0"

 1
SITE PLAN
SCALE: 1/8" = 1'-0"

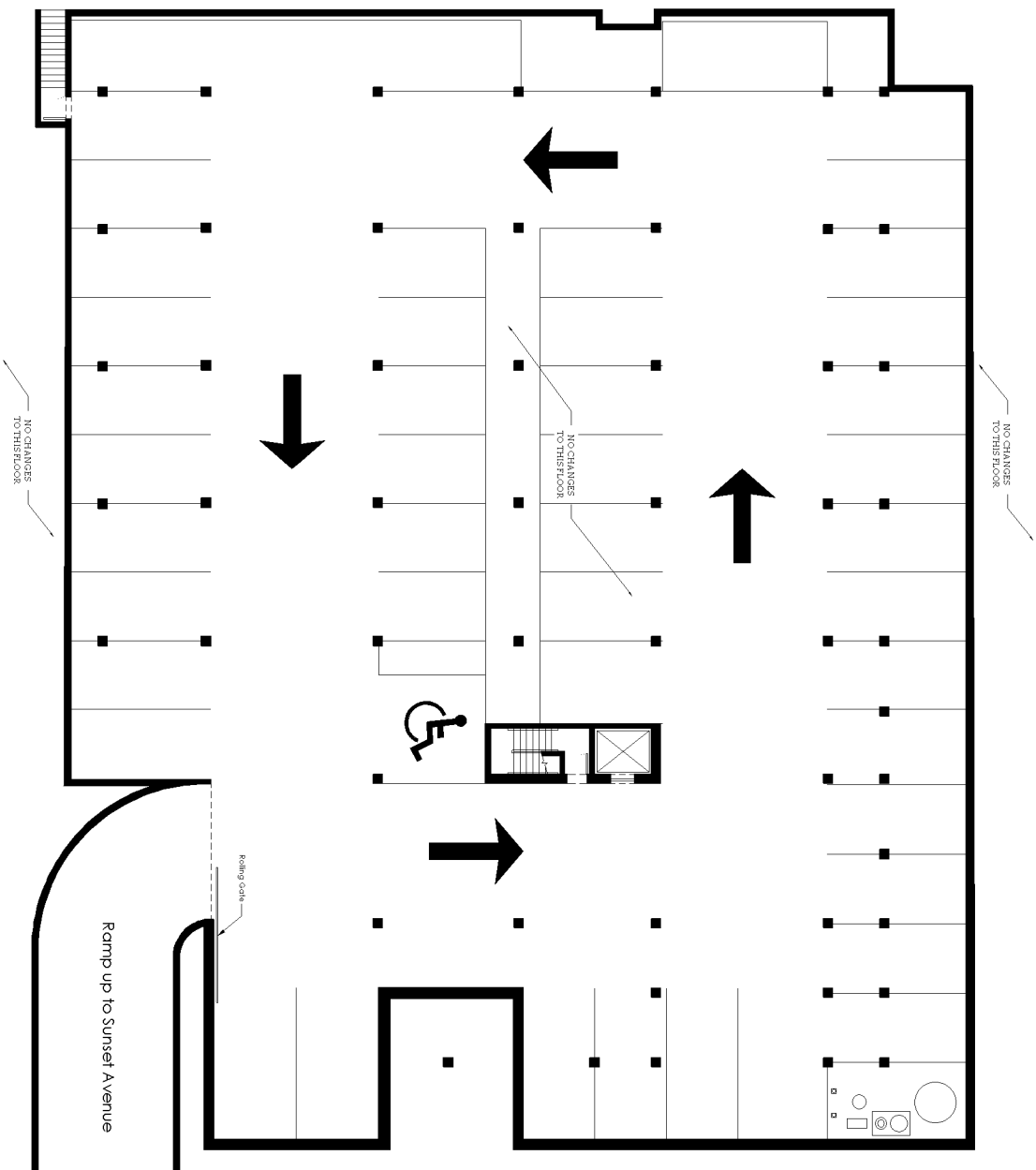
**MADISON WORTH
ARCHITECTURE, P.C.**
443 Madison Avenue, Suite 200, New York, NY 10022 • P: 212.355.3351
125 North Avenue, Suite 100, Palm Beach, FL 33480 • Tel: 561.833.2582

2223 SUNSET HOLDINGS, LLC
2ND FLOOR
2223 SUNSET AVENUE
PALM BEACH, FLORIDA 33480

EXISTING
SITE PLAN

EX-0.00

EX-0.00



EXISTING PARKING: TOTAL SPACES = 47

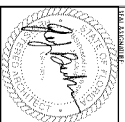
1 PARKING GARAGE FLOOR PLAN - EXISTING CONDITIONS
 1/8" = 1'-0"

GENERAL NOTE:
 NO CHANGES TO FIRST FLOOR PLAN AS A PART OF THIS APPLICATION.

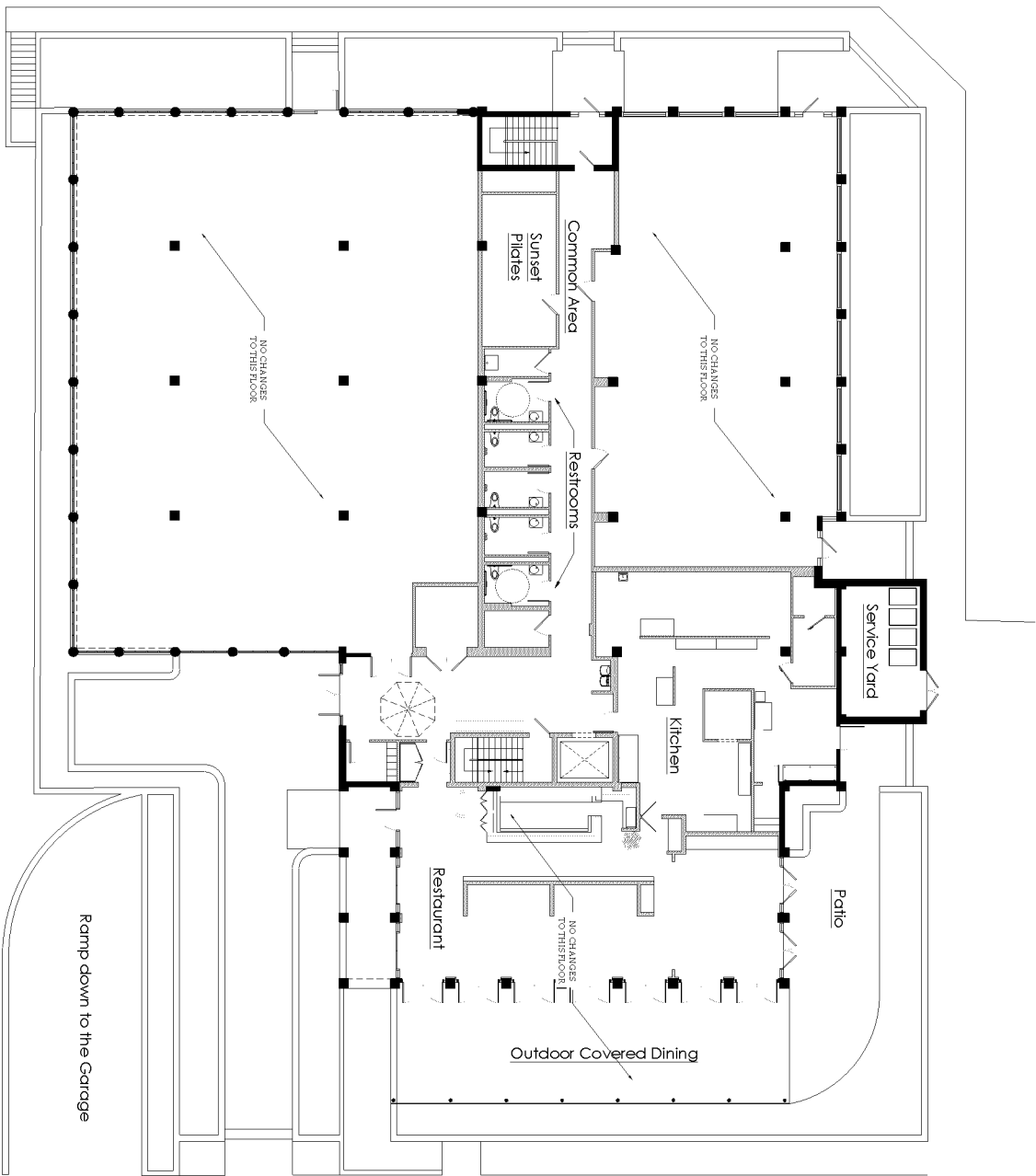
NO.	REVISION	DATE
1	ISSUE DESCRIPTION	DATE
2	NO.	DATE
3	NO.	DATE
4	NO.	DATE
5	NO.	DATE
6	NO.	DATE
7	NO.	DATE
8	NO.	DATE
9	NO.	DATE
10	NO.	DATE

PROJECT:
 223 SUNSET HOLDINGS, LLC
 2ND FLOOR
 223 SUNSET AVENUE
 PALM BEACH, FLORIDA 33480

SHEET TITLE:
 PARKING GARAGE
 EXISTING CONDITIONS
 FLOOR PLAN



SCALE:
 EX-1.00



S u n s e t A v e n u e

1 FIRST FLOOR PLAN - - EXISTING CONDITIONS
 1/8" = 1'-0"
 GENERAL NOTE:
 NO CHANGES TO FIRST FLOOR PLAN AS A PART OF THIS APPLICATION.

MADISON WORTH
ARCHITECTURE, DPC
 405 Madison Avenue, Suite 200, New York, NY 10017 - Tel: 212.693.6400
 125 York Avenue, Suite 900, Palm Beach, FL 33480 - Tel: 561.733.2543

PROJECT:
 223 SUNSET HOLDINGS, LLC
 2ND FLOOR
 223 SUNSET AVENUE
 PALM BEACH, FLORIDA 33480

SHEET TITLE:
 FIRST FLOOR
 EXISTING CONDITIONS
 FLOOR PLAN

DAVID A. WILLIAMS
 PROFESSIONAL ENGINEER
 STATE OF FLORIDA
 NO. 12222
 EXPIRATION DATE 12/31/2023

PROJECT NO.: 223

SCALE: AS SHOWN

DRAWN BY: [Signature]

CHECKED BY: [Signature]

DATE: 8/12/2023

EX-1.01

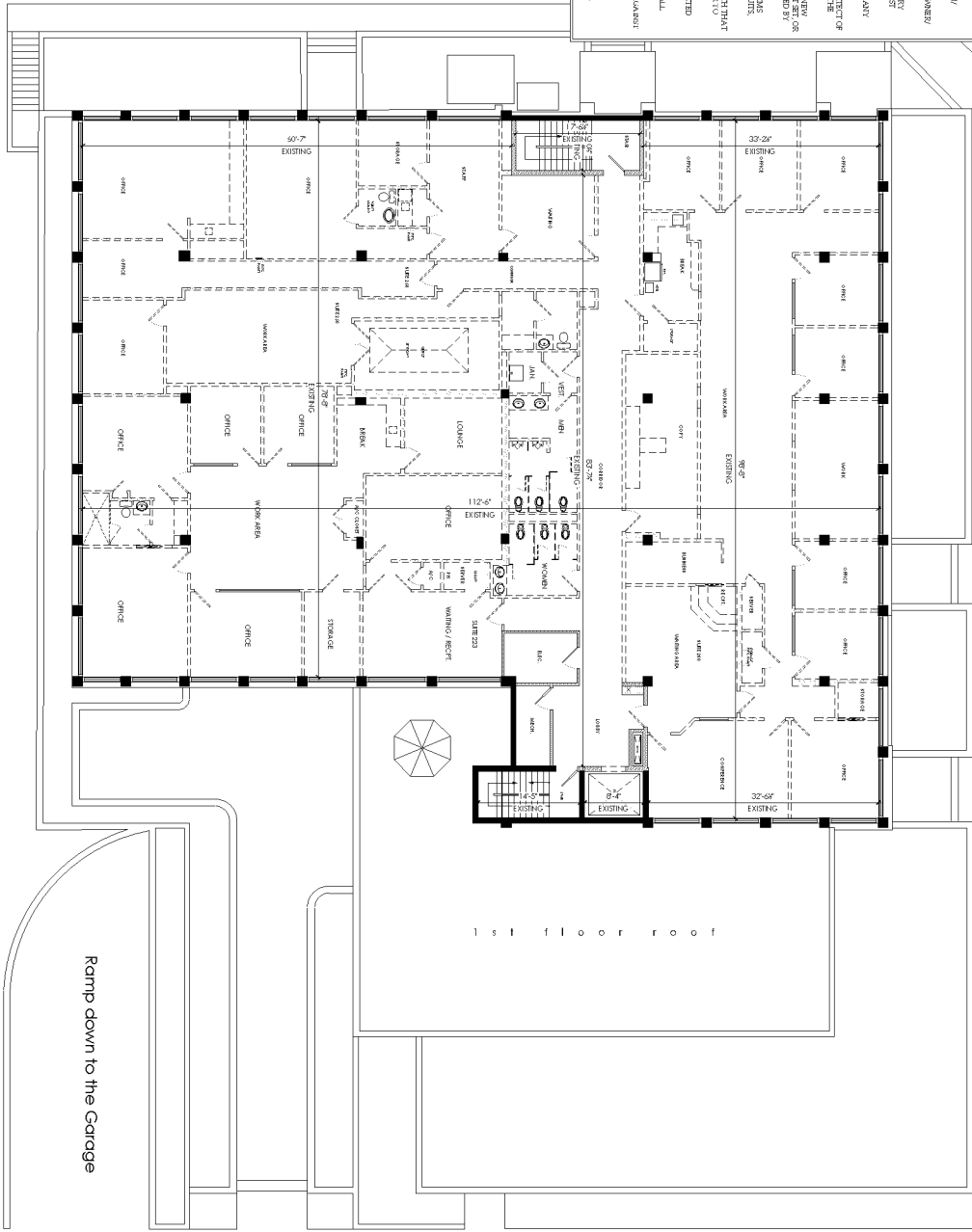
DEMOLITION NOTES

1. EXISTING NON-TYPED SIGNAGE ON EXTERIOR WALLS TO BE REMOVED.
2. EXISTING INTERIOR FLOORING TO BE REMOVED.
3. EXISTING INTERIOR DOORS TO BE REMOVED.
4. EXISTING CEMENT TO BE REMOVED.
5. REMOVE ALL EXISTING EXTERIOR MASONRY WALLS & FLOOR FINISH ON TOP OF ALL EXISTING WATER LINES AND ELECTRICAL.
6. EXISTING CEILING GIRDERS & ELECTRICAL TO BE REMOVED.
7. EXISTING FLOORING TO BE REMOVED.
8. EXISTING EXTERIOR WALLS TO BE REMOVED.
9. EXISTING EXTERIOR WALLS TO BE REMOVED.
10. EXISTING EXTERIOR WALLS TO BE REMOVED.
11. EXISTING EXTERIOR WALLS TO BE REMOVED.
12. EXISTING EXTERIOR WALLS TO BE REMOVED.
13. EXISTING EXTERIOR WALLS TO BE REMOVED.
14. EXISTING EXTERIOR WALLS TO BE REMOVED.
15. EXISTING EXTERIOR WALLS TO BE REMOVED.
16. EXISTING EXTERIOR WALLS TO BE REMOVED.
17. EXISTING EXTERIOR WALLS TO BE REMOVED.
18. EXISTING EXTERIOR WALLS TO BE REMOVED.
19. EXISTING EXTERIOR WALLS TO BE REMOVED.
20. EXISTING EXTERIOR WALLS TO BE REMOVED.

WALL LEGEND

EXISTING EXTERIOR WALL	EXISTING INTERIOR WALL	EXISTING EXTERIOR WALL	EXISTING EXTERIOR WALL

1/8" = 1'-0"

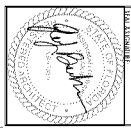


S u n s e t A v e n u e

MADISON WORTH
ARCHITECTURE, DPC
123 North Avenue, Suite 100, Palm Beach, FL 33480
TEL: 561.234.5678

223 SUNSET HOLDINGS, LLC
2ND FLOOR
223 SUNSET AVENUE
PALM BEACH, FLORIDA 33480

SECOND FLOOR PLAN
EXISTING CONDITIONS & DEMO



EX-1.02

DATE: 01/24/2023

BY: [Signature]

PROJECT: 223 SUNSET HOLDINGS, LLC

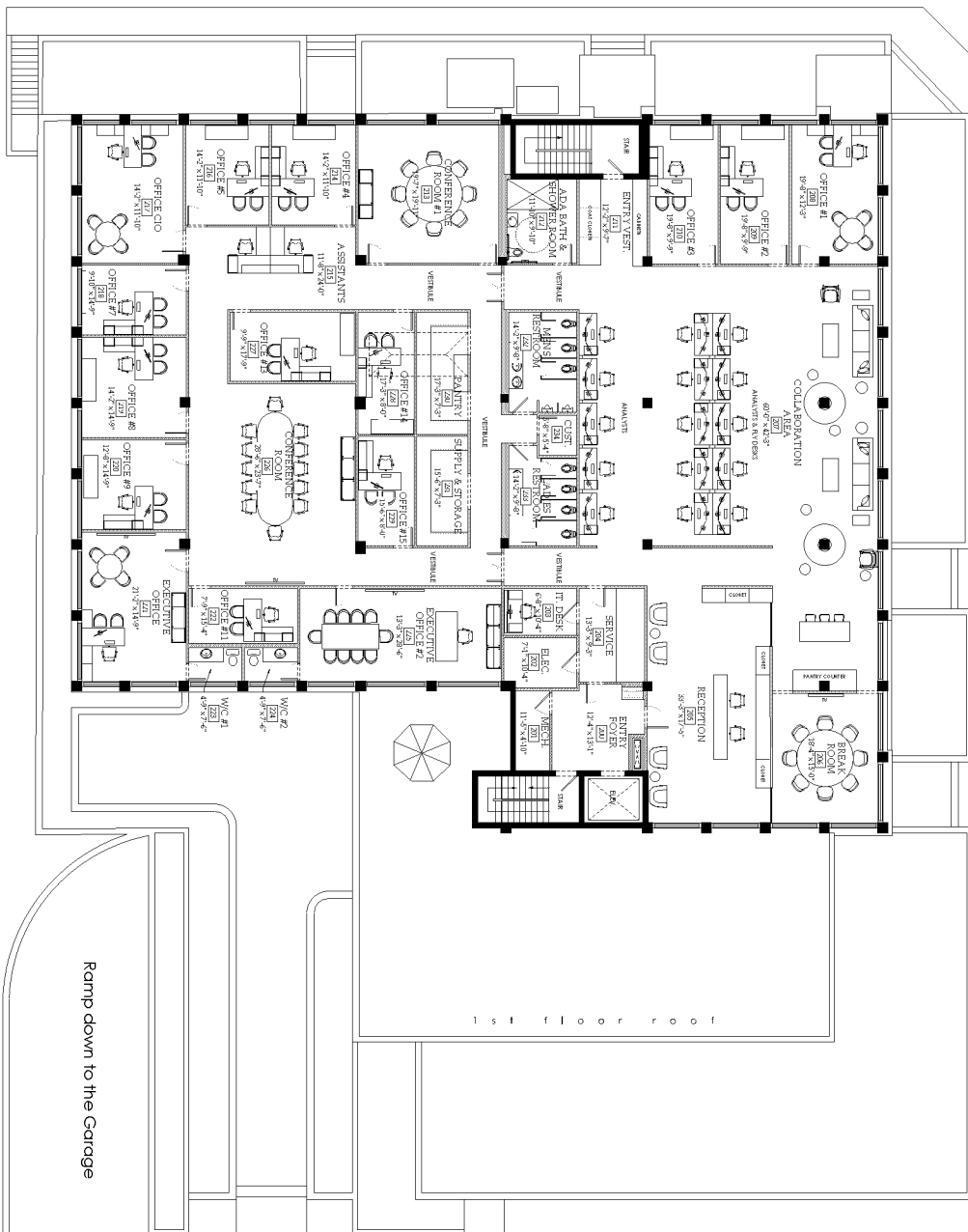
NEW CONSTRUCTION LEGEND

EXISTING WALL OR MATERIAL REMAINING

NEW 210D WALL TO REMAIN

223 SUNSET - 2ND FLOOR SQ. FOOTAGE:

2ND FLOOR - TOTAL SQ. FOOTAGE = 9,911 SF



SECOND FLOOR NOTED PLAN - PROPOSED

S u n s e t A v e n u e

MADISON WORTH
ARCHITECTURE, DPC
400 Madison Avenue, Suite 200, New York, NY 10017
125 York Avenue, Suite 200, Palm Beach, FL 33480

NO.	ISSUE DESCRIPTION	DATE
1	ISSUE DESCRIPTION	DATE
2	ISSUE DESCRIPTION	DATE
3	ISSUE DESCRIPTION	DATE
4	ISSUE DESCRIPTION	DATE
5	ISSUE DESCRIPTION	DATE
6	ISSUE DESCRIPTION	DATE
7	ISSUE DESCRIPTION	DATE
8	ISSUE DESCRIPTION	DATE
9	ISSUE DESCRIPTION	DATE
10	ISSUE DESCRIPTION	DATE

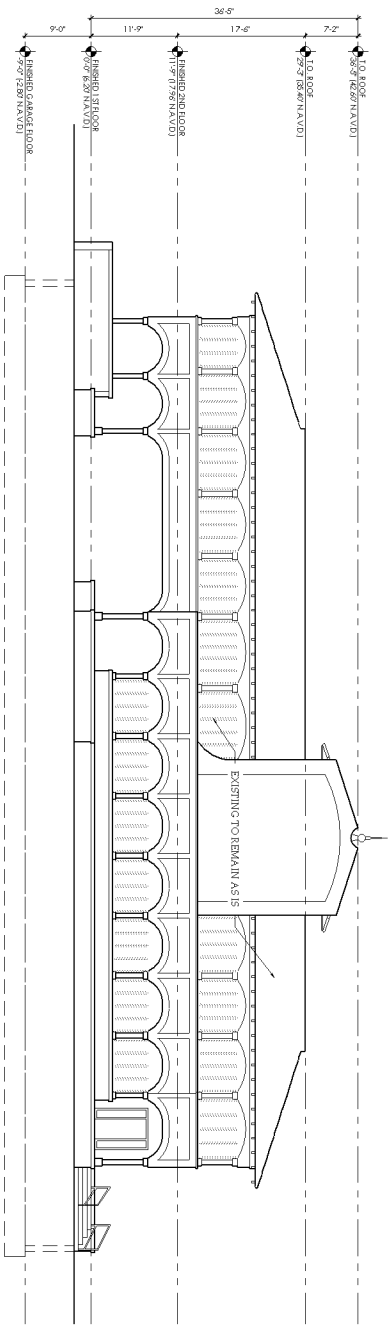
223 SUNSET HOLDINGS, LLC
2ND FLOOR
223 SUNSET AVENUE
PALM BEACH, FLORIDA 33480

SECOND FLOOR PLAN

PROJECT NO. 223
SCALE: 1/8" = 1'-0"
DATE: 01/24/2023
DRAWN BY: [Signature]
CHECKED BY: [Signature]
DATE: 01/24/2023

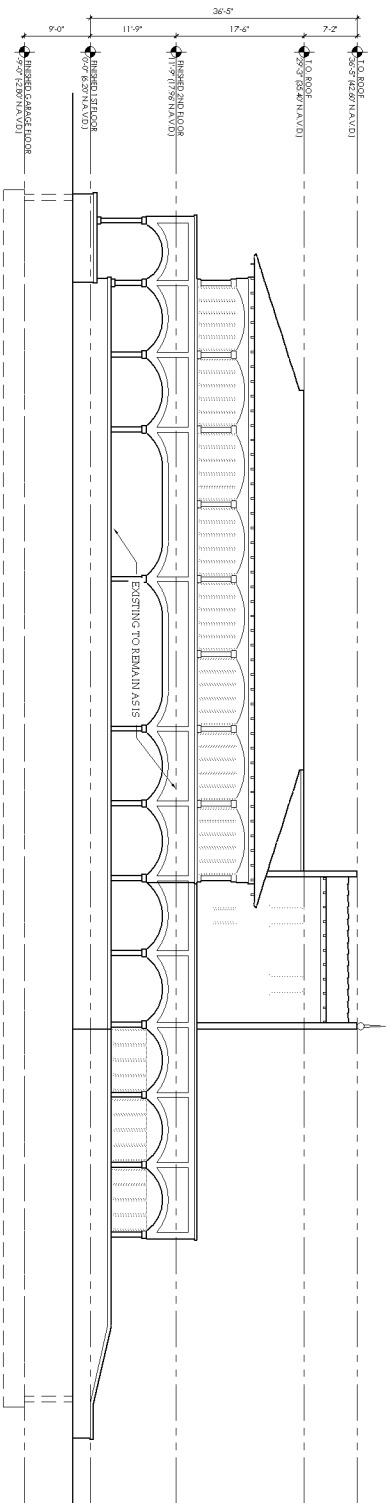


100 of 210



1 EXISTING SOUTH ELEVATION
1/8" = 1'-0"

GENERAL NOTE:
NO CHANGES TO EXTERIOR ELEVATIONS AS A PART OF THIS APPLICATION.
EXISTING EXTERIOR ELEVATION DRAWINGS, DIMENSIONS, AND FINISHED FLOOR ELEVATIONS INFORMATION IS BASED ON DRAWINGS
PREPARED BY THE STEEL PARTNERSHIP ARCHITECTS + PLANNER
DATED: AUGUST 15TH, 1982
AS PROVIDED BY THE TOWN OF PALM BEACH, FL.



2 EXISTING WEST ELEVATION
1/8" = 1'-0"

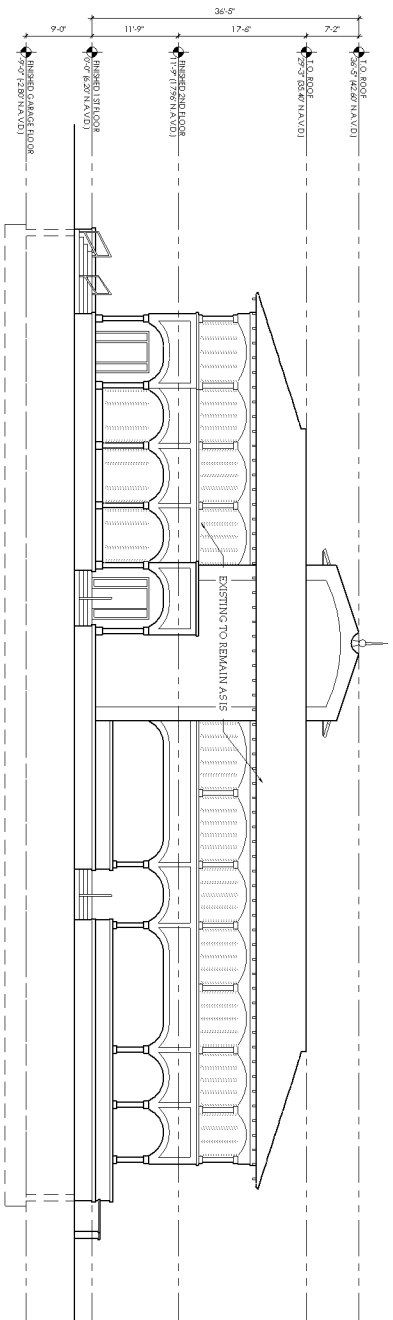
MADISON WORTH
ARCHITECTURE, DPC
405 Madison Avenue, Suite 200, Miami Beach, FL 33139
125 North Avenue, Suite 200, Palm Beach, FL 33480
Tel: 305.763.2543

NO.	DATE	DESCRIPTION	DATE
1	02/28/2022	ISSUE FOR PERMITS	02/28/2022
2	02/28/2022	ISSUE FOR PERMITS	02/28/2022
3	02/28/2022	ISSUE FOR PERMITS	02/28/2022

223 SUNSET HOLDINGS, LLC
223 SUNSET AVENUE
PALM BEACH, FLORIDA 33480

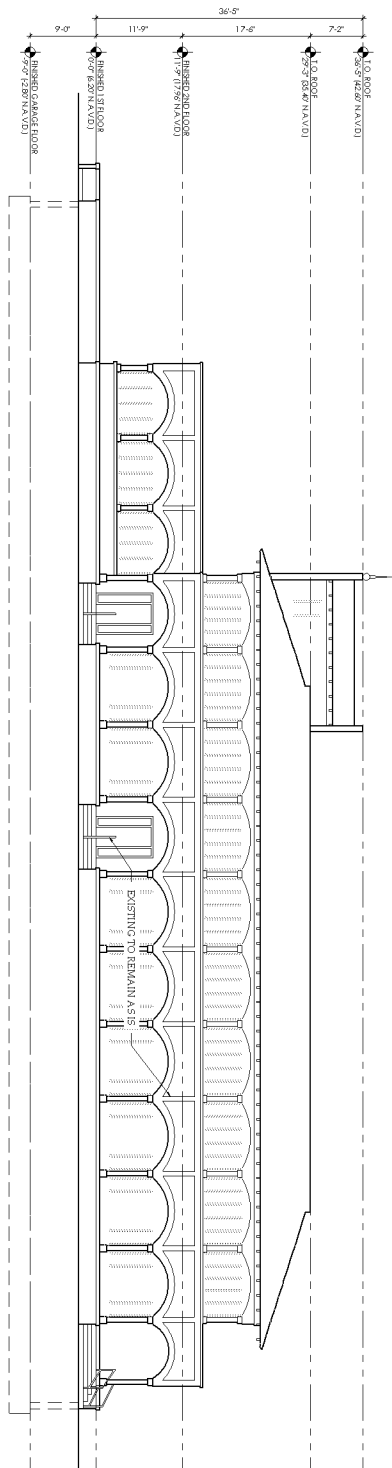
EXISTING ELEVATIONS





1 EXISTING NORTH ELEVATION
1/8" = 1'-0"

GENERAL NOTE:
NO CHANGES TO EXTERIOR ELEVATIONS AS A PART OF THIS APPLICATION
EXISTING EXTERIOR ELEVATION DRAWINGS, DIMENSIONS, AND FINISHED FLOOR ELEVATIONS INFORMATION IS BASED ON DRAWINGS
PREPARED BY THE STEEL PARTNERSHIP ARCHITECTS + PLANNER
DATED: AUGUST 15TH, 1982
AS PROVIDED BY THE TOWN OF PALM BEACH, FL



2 EXISTING EAST ELEVATION
1/8" = 1'-0"

MADISON WORTH
ARCHITECTURE, DPC
405 Madison Avenue, Suite 200, Palm Beach, FL 33480 - Tel: 561.833.2541
125 South Keweenaw, Suite 100, Palm Beach, FL 33480 - Tel: 561.313.2543

3	DATE FINAL SUBMITTAL	02/28/2023
1	DATE FOR REVIEW SUBMITTAL	01/24/2023
NO.	ISSUE DESCRIPTION	DATE

PROJECT:
223 SUNSET HOLDINGS, LLC
2ND FLOOR
223 SUNSET AVENUE
PALM BEACH, FLORIDA 33480

EXISTING ELEVATIONS



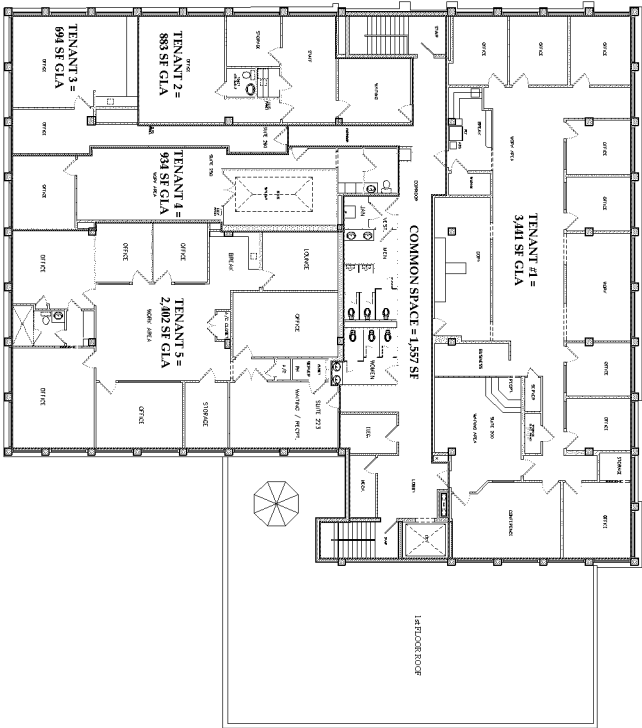
A-201

PROJECT NO. 223

SCALE: 1/8" = 1'-0"

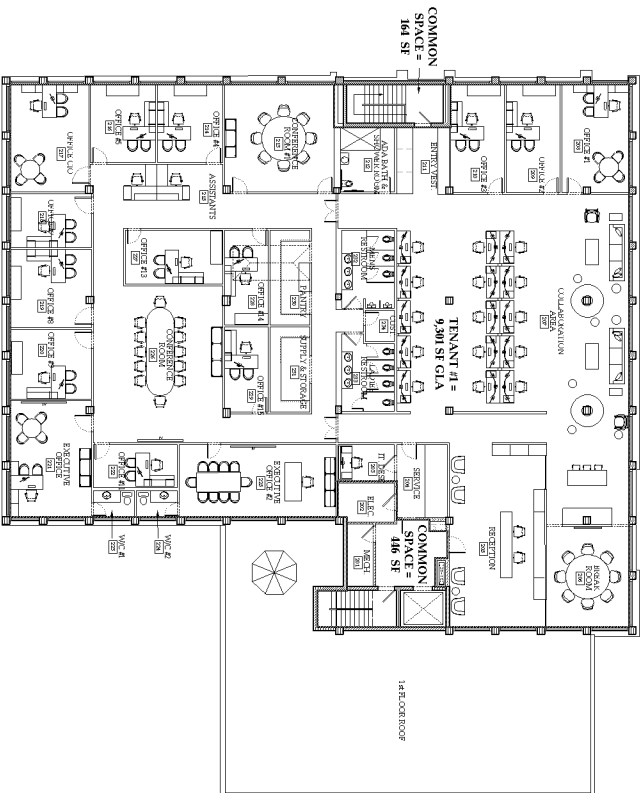
DRAWN BY: [Signature]

CHECKED BY: [Signature]



1 EXISTING PLAN - GLA CALCULATION
SCALE: 3/32" = 1'-0"

EXISTING 2 ND FLOOR GROSS LEASABLE AREA ("GLA")	
EXISTING COMMON SPACE	1,557 SF
EXISTING GLA	8,283 SF
TOTAL SF OF SPACE	9,840 SF

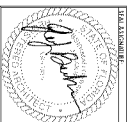


2 PROPOSED PLAN - GLA CALCULATION
SCALE: 3/32" = 1'-0"

PROPOSED 2 ND FLOOR GROSS LEASABLE AREA ("GLA")	
PROPOSED COMMON SPACE	610 SF
PROPOSED GLA	9,207 SF
TOTAL SF OF SPACE	9,817 SF
DIFFERENCE IN GLA FROM EXISTING LAYOUT	
	-423 SF OF GLA

PROJECT:
223 SUNSET HOLDINGS, LLC
2ND FLOOR
223 SUNSET AVENUE
PALM BEACH, FLORIDA 33480

GROSS LEASABLE AREA
DIAGRAMS



PROJECT NO. 223
SCALE: 3/32" = 1'-0"
DATE: 11/14/2023
A-3.000
DRAWN BY: [Name]
CHECKED BY: [Name]

3	DOC FINAL SUBMITTAL	02/28/2022
2	RDH DOC HIST SUBMITTAL	02/07/2022
1	RDH DOC PRE-AP SUBMISSION	01/24/2022
NO	ISSUE DESCRIPTION	DATE

223 SUNSET HOLDINGS, LLC
2ND FLOOR
223 SUNSET AVENUE
PALM BEACH, FLORIDA 33480

OCCUPANT LOAD DIAGRAMS



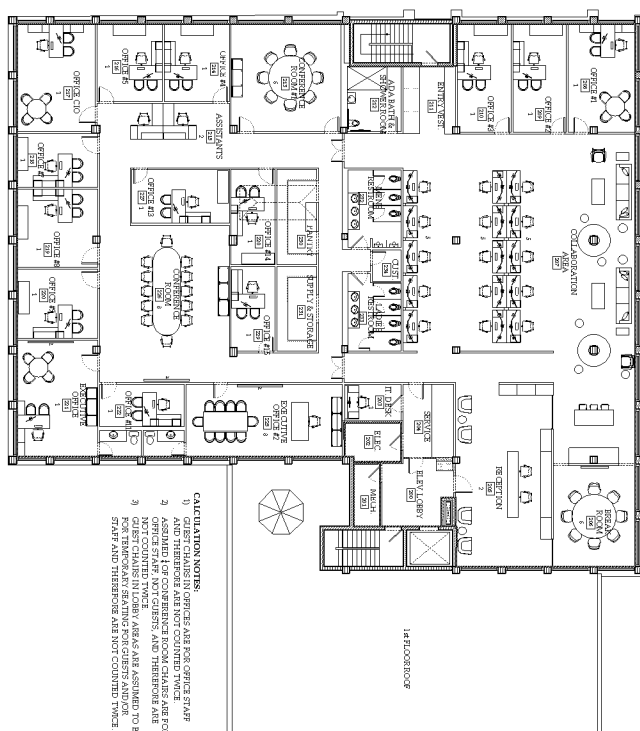
A-3.01



EXISTING PLAN - OCCUPANCY CALCULATION
SCALE: 3/32" = 1'-0"

EXISTING 2 nd FLOOR OCCUPANT LOAD	
EXISTING MARCH OFFICE OCCUPANCY (TABLE 4)	201 SF @ 500 SF PER OCCUPANT = 1 OCCUPANT
EXISTING BUSINESS OCCUPANCY (TABLE 4)	3,377 SF @ 170 SF PER OCCUPANT = 19
TOTAL SF OF SPACE	64 OCCUPANTS TOTAL

TABULAR OCCUPANT LOAD IS BASED UPON OCCUPANT LOAD FACTORS SHOWN IN TABLE 1004.5 OF THE 2020 FLORIDA BUILDING CODE



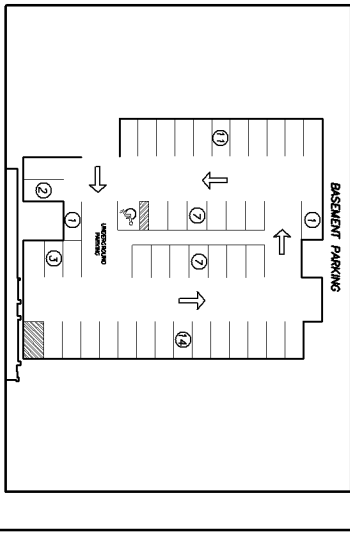
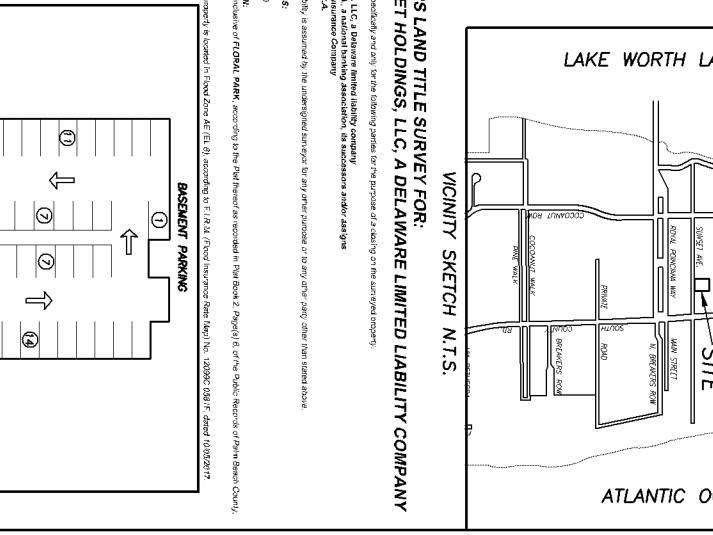
PROPOSED PLAN - OCCUPANCY CALCULATION
SCALE: 3/32" = 1'-0"

PROPOSED 2 nd FLOOR OCCUPANT LOAD	
EXISTING ARCHIT. FLOOR OCCUPANT (TALLABLE)	1,048 ± 200 ± 75 PER OCCUPANT = 1 OCCUPANT
EXISTING BUSINESS OCCUPANT (DESIGN)	62 OCCUPANTS
TOTAL # OF SPACE	63 OCCUPANTS TOTAL
1 LESS OCCUPANT THAN EXISTING OCCUPANT LOAD	

TABLETAR OCCUPANT LOAD IS BASED UPON OCCUPANT LOAD FACTORS SHOWN IN TABLE 1004.5 OF THE 2020 FLORIDA BUILDING CODE

CALCULATION NOTES:

- 1) GUEST CHAIRS IN OFFICES ARE FOR OFFICE STAFF AND THEREFORE ARE NOT COUNTED TWICE.
- 2) ASSIGNED LOF CONFERENCE ROOM CHAIRS ARE FOR OFFICE STAFF, NOT GUESTS, AND THEREFORE ARE NOT COUNTED TWICE.
- 3) GUEST CHAIRS IN LOBBY AREAS ARE ASSUMED TO BE FOR TEMPORARY SEATING FOR GUESTS AND/OR STAFF AND THEREFORE ARE NOT COUNTED TWICE.

[illegible][illegible][illegible][illegible]

Development Review: Approved 5-11-2022.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Development Review - New Business

Agenda Title

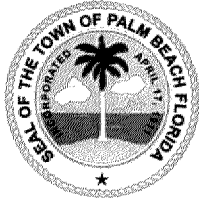
ZON-22-055 (HSB-22-005) 1161 N LAKE WAY (COMBO) - VARIANCES

The applicant, Maria Fanjul Ryan, has filed an application requesting Town Council review and approval for a Variance (1) from Chapter 50 for the required floor elevation for the new ground floor addition on a historically significant building to construct a ground floor addition with a finished floor of 3.82' and 5.74' NAVD in lieu of the required 7' NAVD. The Landmarks Preservation Commission will review the variance portion of the application. [Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject historically significant property. Carried 7-0.] [The Landmarks Preservation Commission approved the project as presented. Carried 7-0.]

Presenter

ATTACHMENTS:

- ▢ **PZB Staff Memorandum**
- ▢ **Letter of Intent**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5430 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

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

SUBJECT: ZON-22-055 (HSB-22-005) 1161 N LAKE WAY (COMBO)

MEETING: May 11, 2022

ZON-22-055 (HSB-22-005) 1161 N LAKE WAY (COMBO) – VARIANCES. The applicant, Maria Fanjul Ryan, has filed an application requesting Town Council review and approval for a Variance (1) from Chapter 50 for the required floor elevation for the new ground floor addition on a historically significant building to construct a ground floor addition with a finished floor of 3.82' and 5.74' NAVD in lieu of the required 7' NAVD. The Landmarks Preservation Commission will review the variance portion of the application.

LPC NOTICE:

HSB-22-005 (ZON-22-055) 1161 N LAKE WAY (COMBO). The applicant, Maria Fanjul Ryan, has filed an application requesting Landmarks Preservation Commission review and approval for the demolition of portions of a 2-story historically significant building and the construction of a 2-story addition within the approximate footprint of the demolished portion, including variances from Floodplain requirements. Town Council will review the variance portion of the application.

Applicant: Maria Fanjul Ryan
Professional: SKA Architects, Jacqueline Albarran, Architect P.A.
Representative: Maura Ziska

HISTORY:

The subject property was designated 'historically significant' in October of 2021. The property is located within the North Beach Conservation District. The Georgian Revival style dwelling was designed by architects Wyeth and King in 1936.

On April 20, 2022 an application was presented to Landmarks Preservation Commission, pursuant to HSB-22-005 (ZON-22-055) 1161 N LAKE WAY (COMBO).

THE PROJECT:

The applicant has submitted plans, entitled "Fanjul Residence", as prepared by **SKA Architects** dated 03/11/22.

The following is the scope of work for the Project:

- Demolition and replacement of an existing two-story garage with a similar two-story structure in the similar footprint configuration.
- Site work at the front of the property including the elimination of an existing curb cut, a reconfigured Chattahoochee driveway and new landscaping.

The following Variance is required to complete the project:

- Section 50-114 – Historic Buildings A variance of Chapter 50, Floods, is authorized for the improvements to and rehabilitation of this historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Buildings, Chapter 12 Historic Buildings, as the proposed improvements will not preclude the building's continued designation as a Historic building to construct a ground floor addition with a finished floor of 3.82' NAVD and 5.74' NAVD in lieu of the required 7' NAVD.

Site Data			
Zoning District	R-B	Lot Size (SF)	36,082 SF
Future Land Use	SINGLE-FAMILY	Total Building Size (SF)	9,160 SF
C-O-R	2.95'	Flood Zone	AE 6 and X
Exist Fin. Floor Elevation	6.88' and varies	Prop. Fin. Floor Elevation	3.82' and 5.74'
Year of Construction:	1936	Architect:	Wyeth and King
Project			
	Required/Allowed	Existing	Proposed
Lot Coverage	30% (10,825 SF)	15.3% (5,516 SF)	15% (5,483 SF)
Building Height	22'	15.81'	16.98'
Overall Building Height	30'	23.21''	24.65'
Front Yard Open Space 45% OF FRONT YARD:	2,724 45%	4,509 SF 74.5%	4,397 SF 72.6%
Landscape Open Space	45% (16,237 SF)	67.6% (24,393 SF)	66% (23,799 SF)
Native Plant Species %	N/A	N/A	N/A

*If value is not applicable, N/A

*If value is not changing, N/C

Surrounding Properties / Zoning	
North	Two-story residence
South	One-story residence
East	One-story residence
West	Lake Worth Lagoon

STAFF ANALYSIS

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the Town zoning code:

- Section 50-114 – Historic Buildings A variance of Chapter 50, Floods, is authorized for the improvements to and rehabilitation of this historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Buildings, Chapter 12 Historic Buildings, as the proposed improvements will not preclude the building's continued designation as a Historic building, to construct a ground floor addition with a finished floor of 3.82' NAVD and 5.74' NAVD in lieu of the required 7' NAVD.

The scope of work includes the demolition and reconstruction of the structurally deteriorated two-story garage element (approximately 2,100 SF) of the historically significant building. An existing non-original one-story carport that connects the garage wing to the main house will also be redesigned.

Although well under the code limitations, the overall lot coverage on the site will be slightly decreased with the footprint of the 1,180 SF ground floor addition. In order to keep the replacement structure closely resembling the appearance of the original, the finished floor of the new structure will match that of the main structure, which is below current requirements. As such, a flood plain variance to construct the garage at 3.82' NAVD and 5.74' NAVD, in lieu of the required 7' NAVD minimum is needed. The flood plain variance will be reviewed and approved by Town Council. Additionally, if needed, the Town Council can extend the floor plain variance to the main structure.

Staff is supportive of the application for the minor additions due to the retention and continued use of an older architecturally significant building.



SKA
Architect + Planner

Re:

HSB-22-005 ZON-22-055
1161 N Lake Way
Palm Beach, FL 33480

February 7, 2022

We are pleased to submit the first submittal of the accompanying drawings for our project at 1161 N Lake Way in Palm Beach. We are requesting the following:

We are proposing to replace an existing structurally deteriorated 2-story garage apartment with a similar structure. The new garage apartment will be set back 10 feet further from the street than the existing one. An existing one-story carport that connects the garage wing to the main house will also be rebuilt. The finishes, windows, doors and roof will match the main house. A curb cut at the existing garage will be eliminated and landscaping added to visually screen that area.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Albarran'.

Jacqueline Albarran, Architect P.A.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Development Review - New Business

Agenda Title

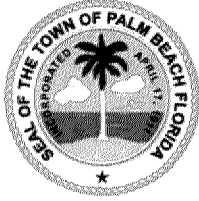
ZON-22-057 (ARC-22-084) 147 SEABREEZE AVE (COMBO) -

VARIANCES The applicant, MEHWD147 LLC (Elanor Acquavella Dejoux), has filed an application requesting Town Council review and approval for Variances (1) to exceed the maximum lot coverage allowed and (2) to exceed the maximum Cubic Content Ratio (CCR) allowed, in conjunction with a 16 SF first floor addition, and (3) to expand an existing nonconforming 3rd floor roof deck area. The Architectural Commission will perform design review of the application. [Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 6-0.] [The Architectural Review Commission approved the project as presented. Carried 6-0.]

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**
- ▣ **Plans 1**
- ▣ **Plans 2**
- ▣ **Plans 3**
- ▣ **Plans 4**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
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PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

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

SUBJECT: ZON-22-057 (ARC-22-084) 147 SEABREEZE AVE (COMBO)

MEETING: May 11, 2022

ZON-22-057 (ARC-22-084) 147 SEABREEZE AVE (COMBO) – VARIANCES. The applicant, MEHWD147 LLC (Elanor Acquavella Dejoux), has filed an application requesting Town Council review and approval for Variances (1) to exceed the maximum lot coverage allowed and (2) to exceed the maximum Cubic Content Ratio (CCR) allowed, in conjunction with a 16 SF first floor addition, and (3) to expand an existing nonconforming 3rd floor roof deck area. The Architectural Commission will perform design review of the application.

ARCOM NOTICE:

ARC-22-084 (ZON-22-057) 147 SEABREEZE AVE (COMBO). The applicant, MEHWD147 LLC (Elanor Acquavella Dejoux), has filed an application requesting Architectural Commission review and approval for a 16 SF first story addition, including variances from lot coverage and cubic content ratio (CCR), and the addition of railing to an existing nonconforming 3rd floor roof deck. Town Council will review the variance portion of the application.

Applicant: MEHWD147 LLC (Elanor Acquavella Dejoux)
Professional: Kirchoff & Associates / Nievera Williams Design
Representative: Maura Ziska, Esq.

HISTORY:

The existing residence was constructed 1925, with updates and renovations since then. A new guest house was constructed in 2006.

On April 27, 2022 an application was presented to ARCOM, pursuant to ARC-22-084 (ZON-22-057) 147 SEABREEZE AVE (COMBO).

THE PROJECT:

The applicant has submitted plans, entitled "The Dejoux Residence", as prepared by **Kirchoff & Associates**, dated March 11, 2022.

The following is the scope of work for the renovations and addition to the existing 3-story residence:

- Single story addition to rework existing stair.

- Addition of railing around the existing 3rd floor roof deck.
- Site wall and hardscape changes.
- Expand terrace at family room.

The following variances are required to complete the project:

- Section 134-893(b)(11): A variance to allow a lot coverage of 33.8% in lieu of the 33.5% existing and the 30% maximum allowed in the R-B Zoning District.
- Section 134-893(b)(13): A variance to allow a Cubic Content Ratio (CCR) of 5.28 in lieu of the 5.27 existing and the 4.08 maximum allowed.
- Section 134-893(b)(10)b: A variance to add railing to an existing roof deck area, thereby expanding the existing nonconforming 3rd story where 3 stories are not permitted.

Site Data			
Zoning District	R-B	Lot Size (sq ft)	9188 sq ft
Future Land Use	Residential	Total Building Size (sq ft)	3384 sq ft
C-O-R	11.71' NAVD	Flood Zone	X
Finished Floor Elevation	12.90' NAVD	Max Fill	N/C
Project			
	Required/Allowed	Existing	Proposed
Lot Coverage	30%	33.5%	33.8%
Building Height	14' / 22'	30'	N/C
Overall Building Height	30'	30'	N/C
Point of Measure	13.21' NAVD	13.21' NAVD	N/C
Landscape Open Space (LOS)	45%	34.2%	34.84%
Native Plant Species %	35%	N/A	Complies
Cubic Content Ratio (CCR)	4.08	5.27	5.28

*If value is not applicable, N/A

*If value is not changing, N/C

Surrounding Properties / Zoning	
North	1926 Two-story Single-Family Residence
South	1925 Two-story Single-Family Residence
East	1925 Two-story Single-Family Residence
West	1924 Two-story Single-Family Residence

STAFF ANALYSIS

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the Town zoning code:

1. VARIANCE 1: 134-893(b)(11): A variance to allow a lot coverage of 33.8% in lieu of the 33.5% existing and the 30% maximum allowed in the R-B Zoning District

2. VARIANCE 2: 134-893(b)(13): A variance to allow a Cubic Content Ratio (CCR) of 5.28 in lieu of the 5.27 existing and the 4.08 maximum allowed .
3. VARIANCE 3: 134-893(b)(10)b: A variance to add railing to an existing roof deck area, thereby expanding the existing nonconforming 3rd story where 3 stories are not permitted.

The applicant is proposing a 17 SF one story addition to the rear northeast corner of the main residence to rework the existing stair. The addition requires variances for lot coverage and Cubic Content Ratio (CCR). The proposed 17 SF addition will not be visible from a right-of-way and have zero impact to the mass, size or volume of the building, regardless of the two variance requests for such due to the location of the ground floor addition.

The applicant is also proposing new railing on the existing non-conforming 3rd floor roof deck, triggering a variance request to expand the 3rd floor where 3 floors are prohibited. Drawings of the residence from the 1930's depict railing in the proposed location. Since the railings have been removed, a variance to expand the nonconforming third floor is required. Staff is supportive of the application as presented.



KIRCHHOFF & ASSOCIATES
ARCHITECTS

Re: 147 Seabreeze Avenue
Palm Beach, FL 33480

February 28, 2022

LETTER OF INTENT
RENOVATION & ADDITION TO EXISTING
THREE-STORY RESIDENCE
AT 147 SEABREEZE AVENUE
ARC-22-084/ZON-22-057

To Whom it May Concern:

Please find for review the attached drawings for our project at 147 Seabreeze Avenue in the R-B Zoning District Palm Beach. The site has an existing three-story residence. Please note the following:

147 Seabreeze Avenue is an existing three-story residence with a detached Garage/Guest house accessed from the Alley behind.

Earliest documents located and received from the Town are labeled "Additions and Alterations to Residence; Sea Breeze Ave" by Lawrence Funke, Architect; dated 10/22/(19) 22.

The existing Property is non-conforming Lot Area,

- 9,188 square feet in lieu of 10,000 s/f required.
- Lot Width, 75 feet in lieu of 100 feet required.

The existing structures are non-conforming as follows:

1. Existing Main Residence is three Stories
2. There is an existing third floor deck above a second floor bedroom
3. Existing Lot Coverage
4. Existing Cubic Content
5. Existing Landscape Open Space
6. Existing Front Yard setback
7. Existing Side Yard Setbacks
8. Existing Rear Yard Setback

1907 COMMERCE LANE, SUITE 106 JUPITER, FLORIDA 33458
TEL 561 575 9994 KIRCHHOFFARCHITECTS.COM

We are hereby requesting a minimal, 17 square foot one story Addition to the North-East corner (rear) of the Main Residence, conforming to the required setbacks to rework the existing stair. The proposed addition will require variances with respect to Lot Coverage and Cubic Content

Scope of Work Proposed:

- 1) Provide a railing for safety and code compliance for an existing third story deck. Requires a Variance for a Third Floor Deck
- 2) Replace all existing windows and doors with impact rated units. Units replaced to match existing with exception of French doors above entry on front are proposed to be replaced with windows w/windows and window on first floor on East side from living room proposed to be replaced with French doors.
- 3) All new Air Conditioning system.
- 4) Site wall on East side extended to front wall of house to enclose side yard adjacent to the Living Room.
- 5) Extend depth of Front Terrace 4 foot to the South.

A) LANDMARKS PRESERVATION COMMISSION 54-122 & 54-161

Not applicable – This property is not landmarked.

B) ARCOM 18-205

1. The plan for this proposed renovation and addition is in conformity with good taste and design and in general contributes to the image of the town and neighborhood as a place of beauty, spaciousness, balance, charm and high quality. This is a de minimis addition to an existing residence.
2. The plan for the proposed building or structure is reasonably protected against external and internal noise and other factors that would tend to make the environment less desirable.
3. The proposed building exterior design and appearance is not of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance value. All materials to match existing.
4. The proposed residence is in harmony with the proposed developments on land in the general area and with the comprehensive plan for the town. The home has existed on this property for at least 100 years.
5. The proposed residence is not excessively similar to any other structure existing or within 200 feet of the proposed site in respect to one or more of the following features of the exterior design and appearance:

- a. Apparently visibly identical front or side elevations;
 - b. Substantially identical size and arrangement of either doors, windows, porticos or other openings or breaks in the elevation facing the street, including reverse arrangement; or
 - c. Other significant identical features of design such as, but not limited to, material, roof line and height of other design elements.
6. The proposed building or structure is not excessively dissimilar in relation to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features:
 - a. Height of building or height of roof.
 - b. Other significant design features including, but not limit to, materials or quality of architectural design.
 - c. Architectural compatibility.
 - d. Arrangement of the components of the structure.
 - e. Appearance of mass from the street or from any perspective visible to the public or adjoining property owners.
 - f. Diversity of design that is complimentary with size and massing of adjacent properties.
 - g. Design features that will avoid the appearance of mass through improper proportions.
 - h. Design elements that protect the privacy of neighboring property.
7. The proposed addition or accessory structure is subservient in style and massing to the principal or main structure. The addition is a one story shed, roof not visible from the street.
8. The proposed building or structure is appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as reviewed from any public or private way (except alleys).
9. The proposed development is in conformity with the standards of the Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved. All non-conformities as to set backs, lot coverage, cubic content are existing. The addition requires the variances requested.

10. The project's location and design adequately protects unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways, and similar features.

C) ARCOM 18-206

Not applicable – renovations and additions requested only.

D) SITE PLAN REVIEW 134-329

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. My client owns the property and lives there seasonally.
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. No changes to site access.
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. Homeowners
5. Proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the property boundaries. The site wall on the East property line is proposed to be extended to the front wall (South) of the home. All other walls and butters are existing to remain.
6. Manner of drainage on the property, with particular reference to the effect of provisions for drainage on the 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 used projected. All utilities existing to remain.
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. N/A
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. House and Guest House/ Garage existing on the property.

E) VARIANCES

Variance 1: Sec. 134-893(b)(11): A variance to allow a lot coverage of 33.8% in lieu of the 33.5% existing and the 30% maximum allowed in the R-B Zoning District.

Variance 2: Sec. 134-893(b)(13): A variance to allow a Cubic Content Ratio of 5.28 in lieu of the 5.27 existing and the 4.08 maximum allowed.

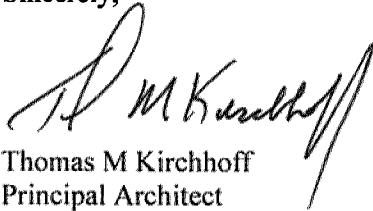
Variance 3: Sec. 134-893(b)(10)b: A variance to add railing to an existing roof deck area, thereby expanding the existing nonconforming 3rd story where 3 stories is not permitted.

1. The property is located in the R-B Zoning District and is 75' x 122.5' in size for a total of 9,188 SF. The plan is to add a 16 SF addition to the rear.
2. The applicant was not the cause of the special conditions of the property or residence. The insufficient width and deficient area was created when the property was originally platted.
3. The granting of the variances will not confer on the applicant a special privilege that is denied to the neighboring properties. Most neighboring properties are subject to the same constraints.
4. The hardship, which runs with the land, is that the property is nonconforming in size and depth, in that a minimum of 10,000 square feet for lot areas is required in the R- B Zoning District and only 9,188 exists, and a minimum of 100 feet for lot width is required in the R-B Zoning District and only 75 feet exists.
5. The variances requested are the minimum necessary to make reasonable use of the land considering the proposed addition is modest, only 16 sq. ft.
6. The granting of the variances will not be injurious to the neighborhood as the addition is in the rear and not visible from anywhere.

F) OTHER

Site History - None

Sincerely,

A handwritten signature in black ink, appearing to read 'T M Kirchhoff', written over the printed name and title.

Thomas M Kirchhoff
Principal Architect

SITE ZONING HISTORY

No Zoning-related request records for 147 Seabreeze Avenue are found in Town Council minutes search.

By DSR at 10:24 am, Mar 11, 2022

THE DEJOUX RESIDENCE

SINGLE STORY ADDITION TO N CORNER OF MAIN HOUSE TO REWORK EXISTING STAIR

RESEARCH AND TESTING, TOOLS, AND KNOWLEDGE WITHIN PRACTICE-BASED UNITS
 RECOGNITION OF THE PRACTICE SETTING
 UNDERSTANDING OF THE SETTING'S CORE VALUES
 INFLUENCING COMMITMENT AND BUILDING
 NEW ACQUISITION OF KNOWLEDGE
 NEW LEARNING FROM THE PRACTICE SETTING
 SETTING-WIDE AND PRACTICE-BASED CHANGES
 RESEARCH AND TESTING ON ACQUISITION OF KNOWLEDGE

STRUCTURAL ENGINEER

CARMO ENZINER INC.,
228 EAST OCEAN AVE. SUITE
LANI'ANA, HONOLULU 96813
(501) 586-1111 FAX: (501) 586-5003

MCI/ETC/THURRING ENGINEER
CARDINAL ENGINEERING ASSOCIATES, INC.
575 NW MERCANTILE BL. #106
PORT ST. LUCIE, FL 34986
(860) 746-6343

NEVERA WILLIAMS
625 N. FLACATR DR/NT SUITE 502
WEST PALM BEACH, FL 33401
(360) 659-2820

277

[illegible]

ARC - 22 - 084
ZON - 22 - 057

SHEET:
A0.1



KIRCHHOFF & ASSOCIATES

TC Development Review Agenda Backup 5-11-2022

THOMAS M. KIRCHHOFF
FL REG. NO. AR0014635

1907 COMMERCIAL LANE SUITE 106
JUPITER, FLORIDA 33458-561, 575, 9994

RENOVATION FOR:

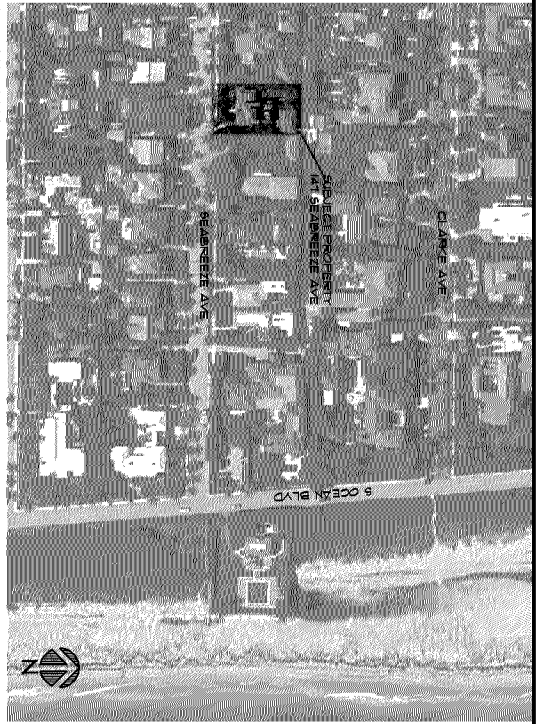
147 SEABREEZE AVE.

147 SEABREEZE AVE.
PALM BEACH, FLORIDAARCOM PRE-APP SLT:
1/24/22

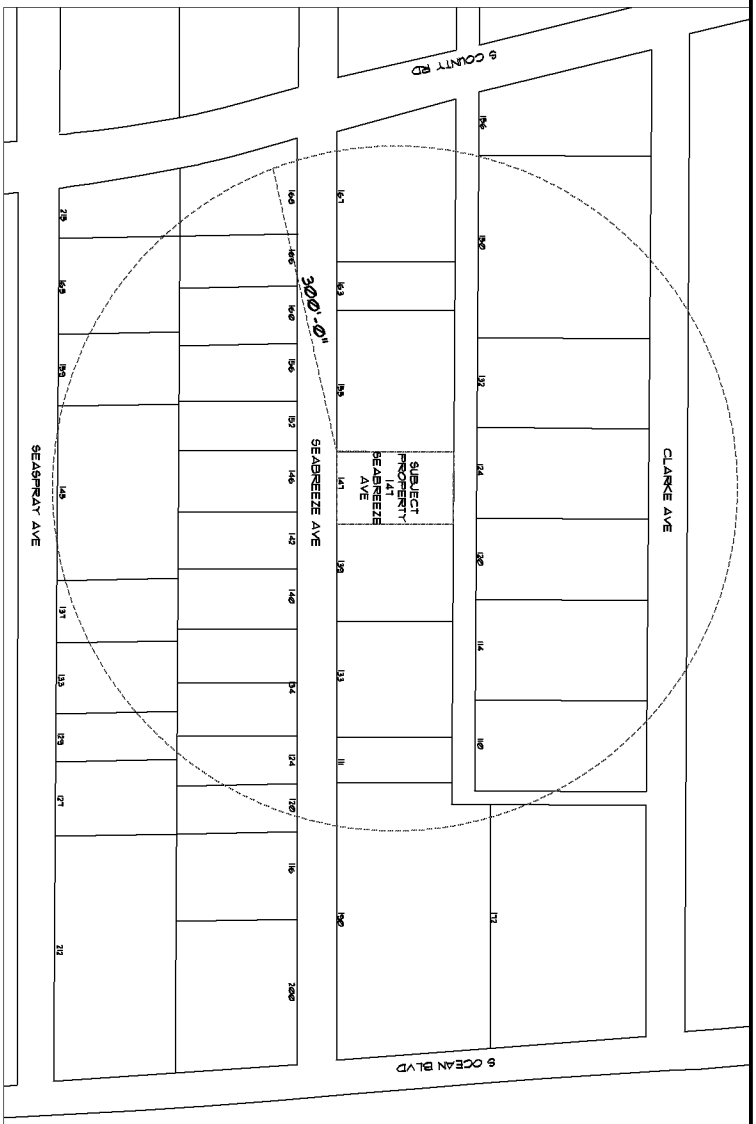
FIRST SUBMITTAL 2/7/22

FINAL SUBMITTAL 2/28/22
219 of 316

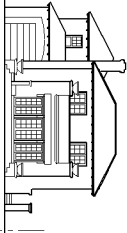
LOCATION MAP



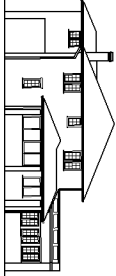
1 VICINITY SITE PLAN
1/8" = 1'-0"



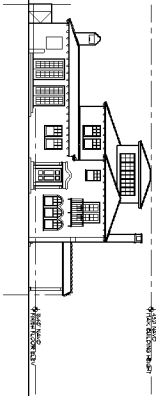
163 SEABREEZE AVE.



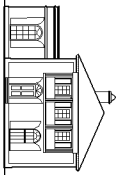
155 SEABREEZE AVE.



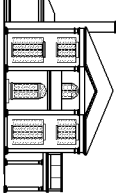
147 SEABREEZE AVE.
SUBJECT PROPERTY



139 SEABREEZE AVE.



133 SEABREEZE AVE.



1 STREETSCAPE ELEVATION
1/8" = 1'-0"

ARC - 22 - 084
ZON - 22 - 057

SHEET:

A0.2

3/29/21

KIRCHHOFF & ASSOCIATES
ARCHITECTS

TC Developer Present Review Agenda Backup 5-11-2022

THOMAS M. KIRCHHOFF
FL REG. NO. AR0001635

1907 COMMERCIAL SUITE 106
JUPITER, FLORIDA 33458-5611 575-9994

RENOVATION FOR:

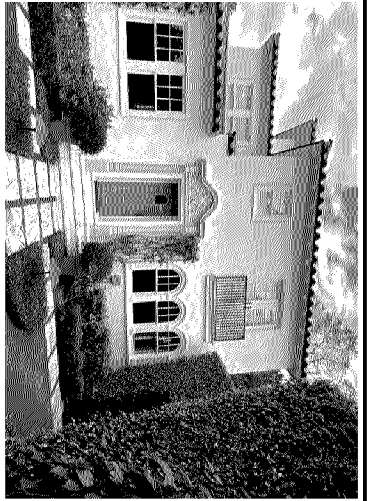
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147 SEABREEZE AVE.
PALM BEACH, FLORIDA

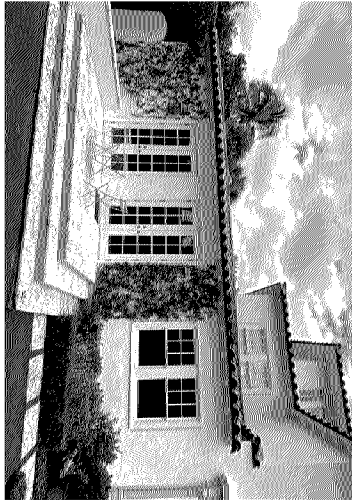
ARCOM PRE-APP SET:
1/24/22

FIRST SUBMITTAL: 2/7/22

FINAL SUBMITTAL: 2/28/22
221 of 316



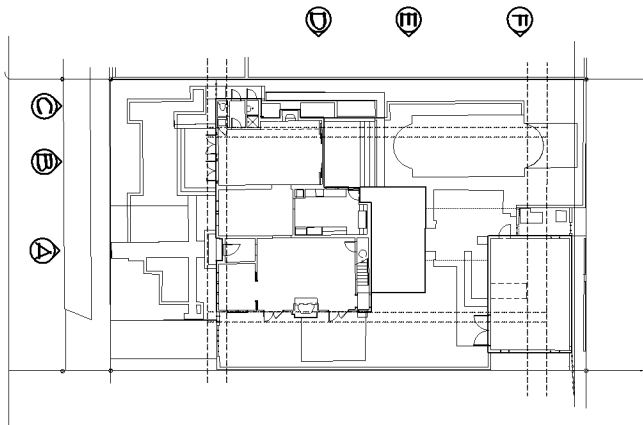
Ⓐ ENTRY FACADE



Ⓑ ENTRY FACADE

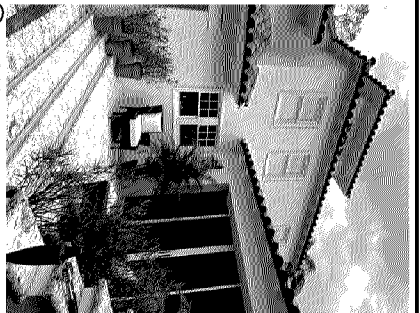


Ⓒ SOUTH PERSPECTIVE

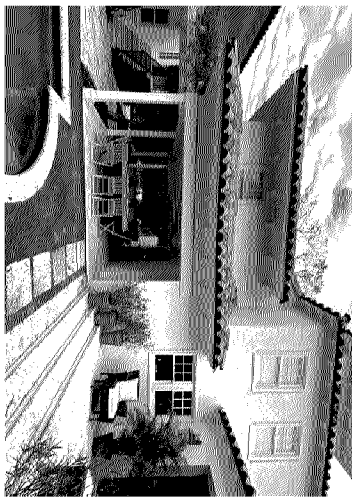


1 KEY SITE PLAN
1/8" = 1'-0"

147 SEABREEZE AVE



Ⓓ PATIO



Ⓔ PATIO & POOL



Ⓕ POOL & GUEST HOUSE

ARC - 22-084
ZON - 22-057

SHEET:
P.L.1

4-24-22



KIRCHOFF & ASSOCIATES
ARCHITECTS

TG Development Review Agenda Backup 5-11-2022

THOMAS M. KIRCHOFF
FL. REG. NO. AR0014635

1907 COMMERCIAL AVE SUITE 106
JUNTER, FLORIDA 33453-561-575-9994

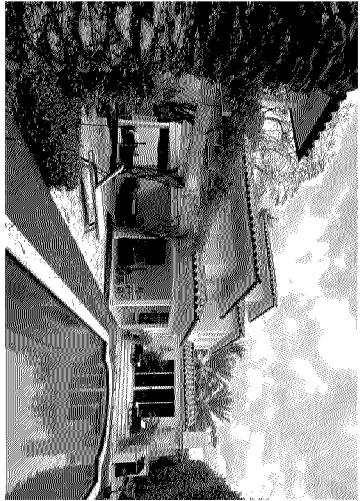
RENOVATION FOR:
147 SEABREEZE AVE.

147 SEABREEZE AVE.
PALM BEACH, FLORIDA

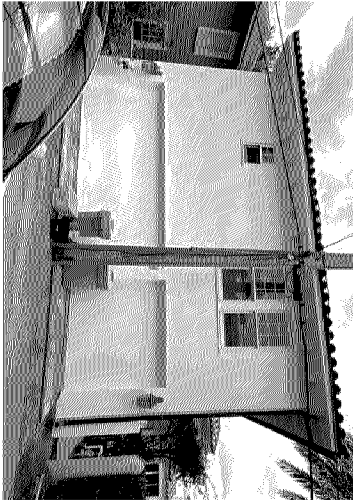
ARCOM PRE-APP SET:
1/24/22

FIRST SUBMITTAL 2/7/22

FINAL SUBMITTAL 2/28/22
222 of 316



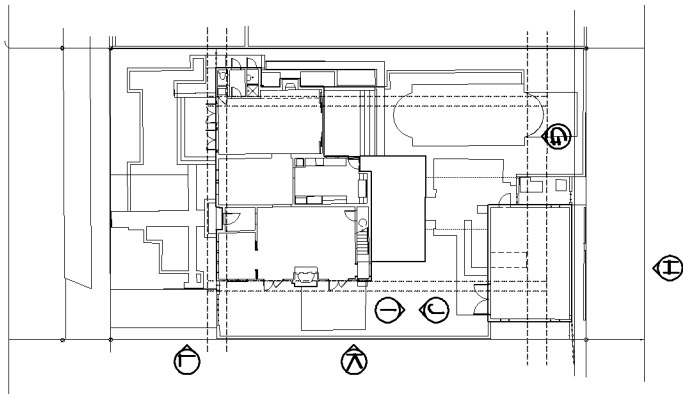
③ VIEW TO MAIN HOUSE



④ GARAGE

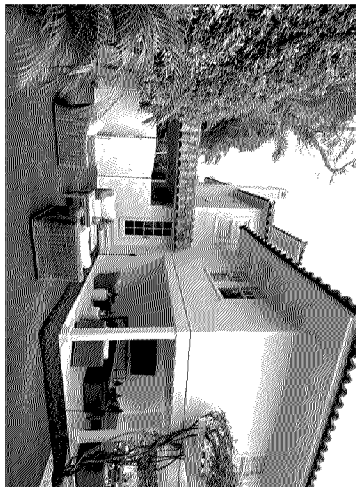


① GUEST HOUSE

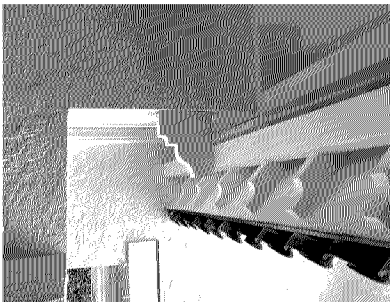


① **KEY SITE PLAN**
1/24/22 - 1'-0"

147 SEABREEZE AVE



⑦ LANDSCAPE



⑧ ROOF DETAIL



⑨ GATE

ARC - 22-084
ZON - 22-057

SHEET:
PI.2

TG Development Review Agenda Backup 5-11-2022



KIRCHOFF & ASSOCIATES
ARCHITECTS

THOMAS M. KIRCHHOFF
FL. REG. NO. AR0014635

1907 COMMERCIAL ONE SUITE 106
JUNTER, FLORIDA 33453-561-575-9991

RENOVATION FOR:
147 SEABREEZE AVE.

147 SEABREEZE AVE.
PALM BEACH, FLORIDA

ARCOM PRE-APP SET:
1/24/22

FIRST SUBMITTAL 2/7/22

FINAL SUBMITTAL 2/28/22
223 of 316



163 SEABREEZE

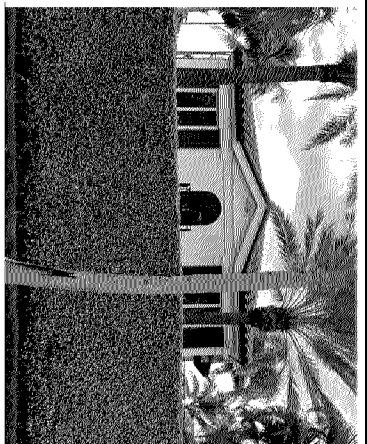
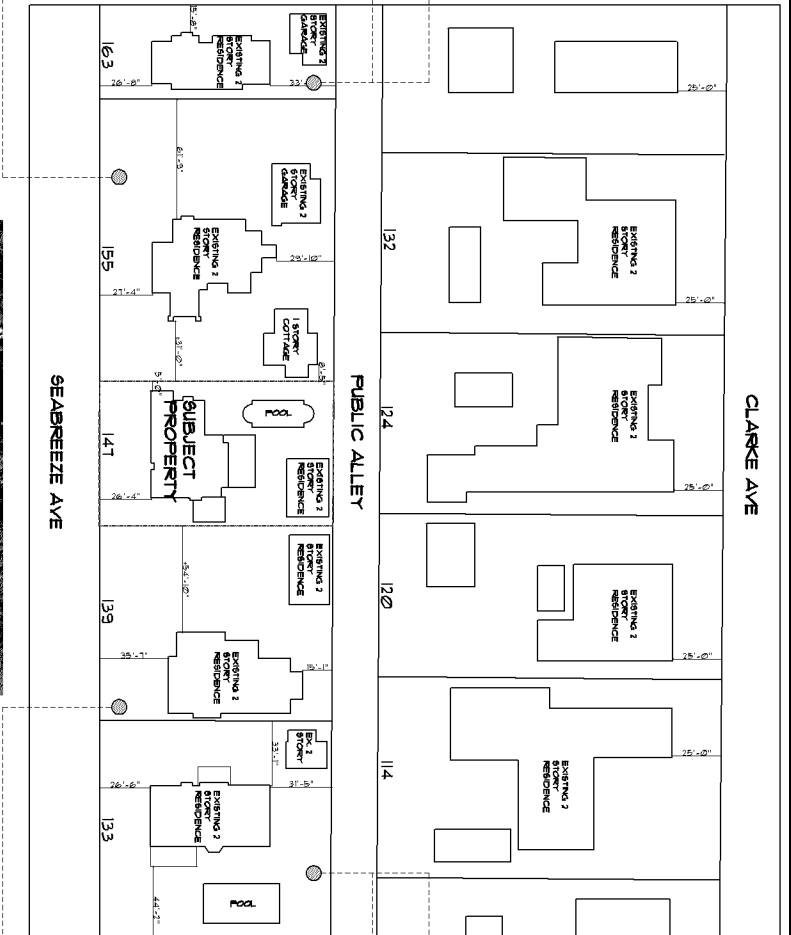


155 SEABREEZE



155 SEABREEZE

1 KEY SITE ADJACENCY PLAN



133 SEABREEZE



133 SEABREEZE



139 SEABREEZE

ARC - 22 - 084
ZCN - 22 - 057



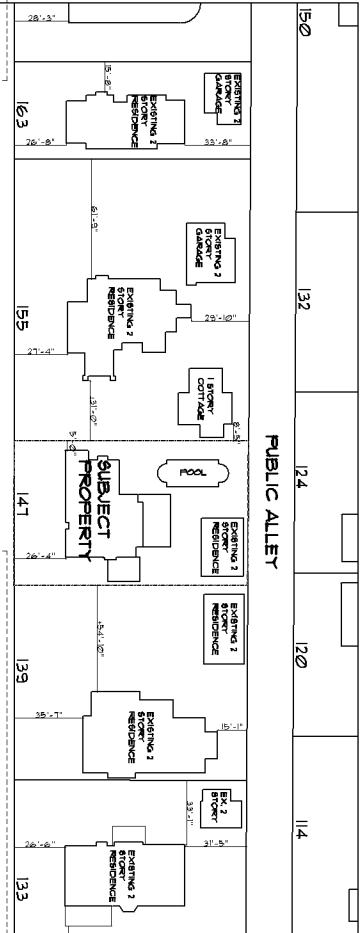
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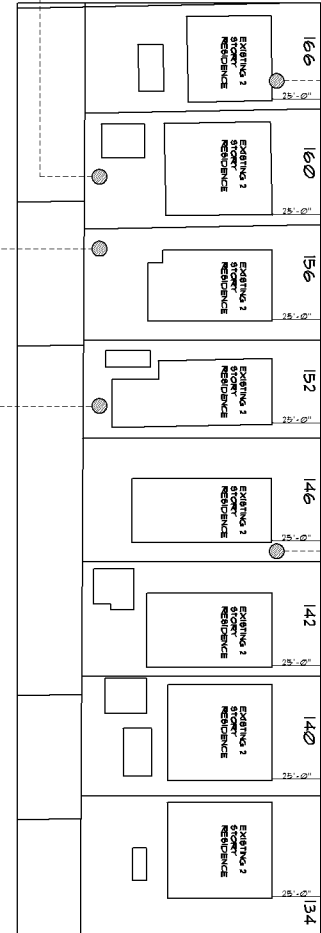
146 SEABREEZE



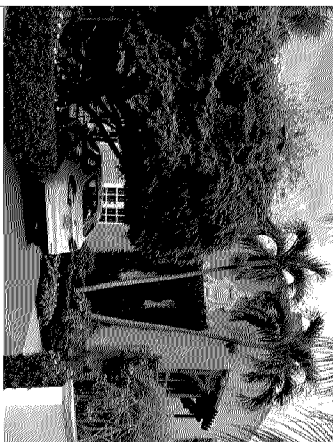
140 SEABREEZE



SEABREEZE AVE



146 SEABREEZE



152 SEABREEZE

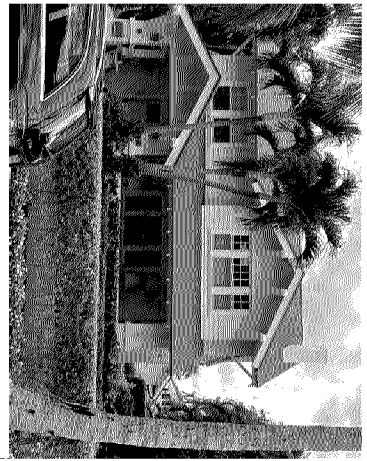


156 SEABREEZE

1 KEY SITE ADJACENCY PLAN



ARC - 22-084
ZCN - 22-057



142 SEABREEZE

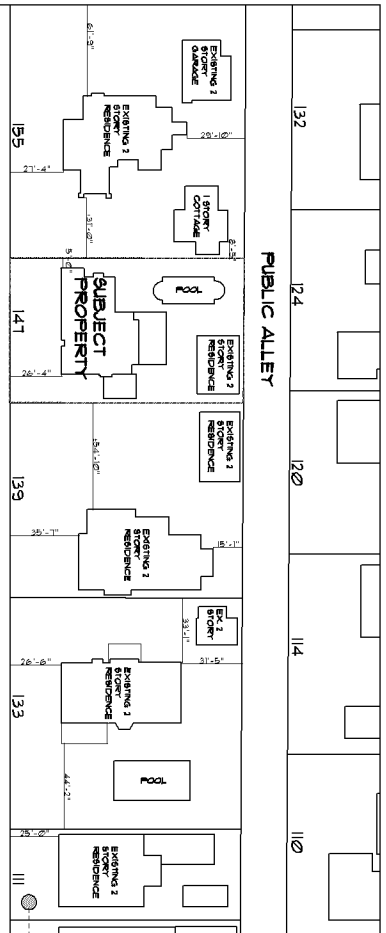


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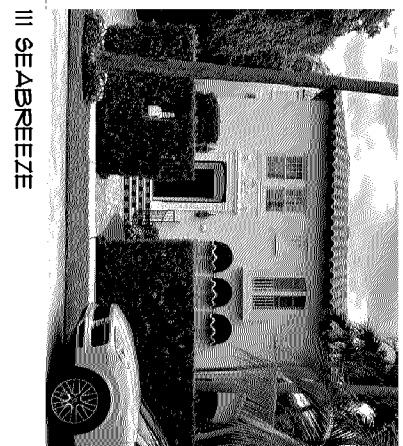
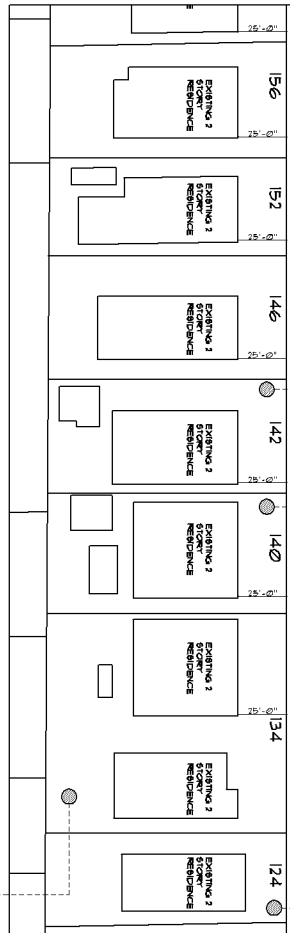


134 SEABREEZE

1 KEY SITE ADJACENCY PLAN



SEABREEZE AVE



111 SEABREEZE



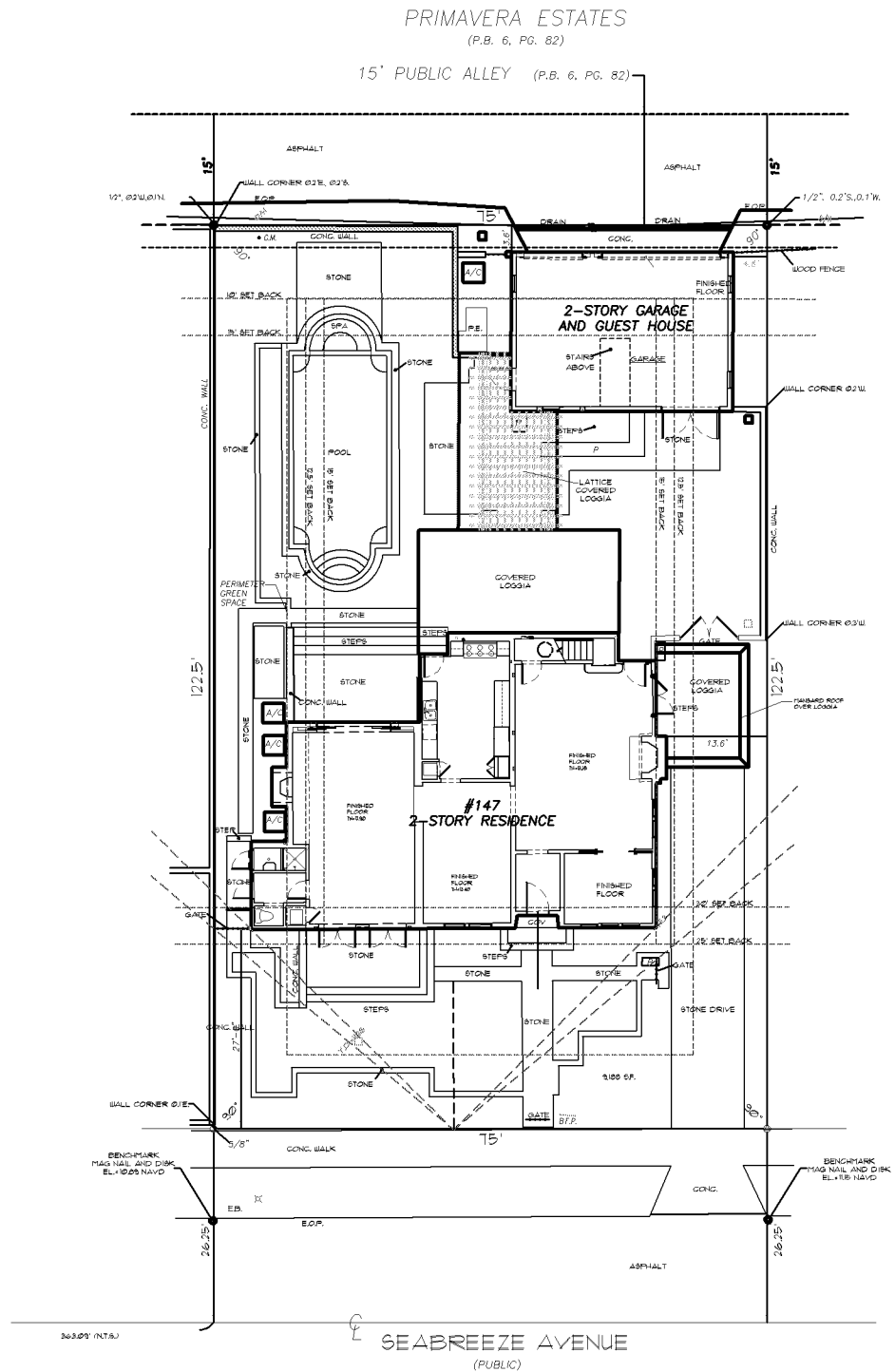
124 SEABREEZE



134 SEABREEZE

ARC - 22 - 084
ZCN - 22 - 057

1
EXISTING SITE PLAN



ARC-22-084
ZON-22-057

SHEET:
A1.0



KIRCHHOFF & ASSOCIATES
ARCHITECTS

TC Development Review Agenda Backup 5-11-2022

THOMAS KIRCHHOFF
FL REG. NO. AR004635

1907 COMMERCIAL LANE SUITE 106
JUPITER, FLORIDA 33458 Tel. 575-9994

RENOVATION FOR:

147 SEABREEZE AVE.

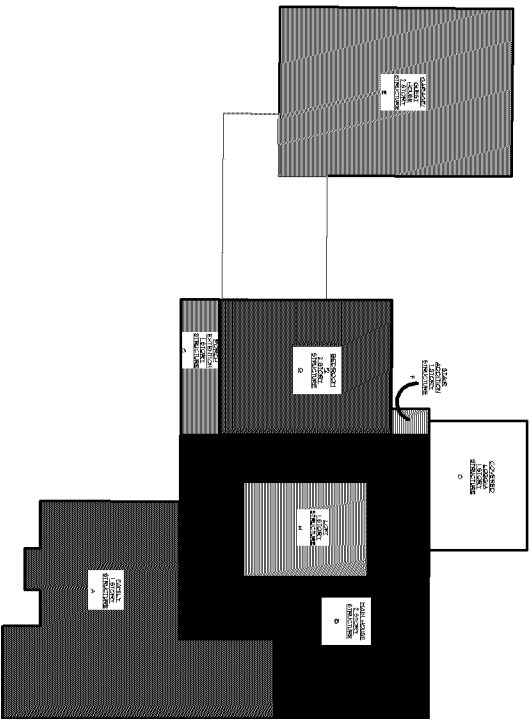
147 SEABREEZE AVE.
PALM BEACH, FLORIDA

ARCOM PRE-APP SET:
1/24/22

FIRST SUBMITTAL 2/7/22

FINAL SUBMITTAL 2/28/22
227 of 316

LOCATION	AREA	HEIGHT	CUBIC CONTENT
A FAMILY ONE STORY	696.42 X	9.33 =	6,497.60
B MAIN HOUSE TWO STORY	850.92 X	18.50 =	15,742.21
C COVERED PORCH EXTENTION	87.71 X	10.00 =	877.10
D PORTE COCHERE	209.02 X	8.57 =	1,812.20
E GARAGE / GUEST HOUSE	650.44 X	16.58 =	10,784.20
F STAIR ADDITION	166.71 X	8.95 =	1,492.20
G BEDROOM #2	385.29 X	16.85 =	6,484.43
H LOFT	197.02 X	27.58 =	5,435.81
CUBIC CONTENT TOTAL			47,180.84
MAX CUBIC CONTENT			
REMAINING CUBIC CONTENT			



LANDSCAPE : SEE LANDSCAPE ARCHITECT DRAWINGS

Town of Palm Beach **Planning and Zoning Board** 500 E. Ocean Blvd. West Palm Beach, FL 33412

Zoning Application

Property Address: **17500 S.W. 10th Avenue, Apt. 101**

Tract Number: **R-1 LOW DENSITY / R-100 DOWNTOWN**

#	Building Type	Single Family	Existing	Proposed
1				
2				
3	1st Sd. (4.0)	10,000	9,180	N/C
4	1st Single	100'	122.5'	N/C
5	1st	100'	75'	N/C
6	Garage (2nd Sd. and 2nd Single)	2,705 - 30%	3,073 - 33.5%	3,006 (33.5%)
7	Interior Storage (2nd Sd. and 2nd Single)	4,708 - 57.65%	4,173	4,892
8	Interior Storage (2nd Sd. and 2nd Single)	5,118 - 63.8%	5,118 - 63.8%	5,252 - 65.2%
9	* Approx. 2nd Street (R-100)	25' (10.4') (25')	27' (22')	N/C
10	* Side	12.5'	23' (20.5')	N/C
11	* Side (approx. 2nd Street) (R-100)	15'	4.5' (3.5') (15')	N/C
12	Range of 2nd Street (R-100)	10' (11.4') (10')	8.5'	N/C
13	Range of 2nd Street (R-100)	100' (48')	82.5'	N/C
14	Range of 2nd Street (R-100)	14' (11.4') (10')	30'	N/C
15	Range of 2nd Street (R-100)	30'	30'	N/C
16	Range of 2nd Street (R-100)	11.31'	N/C	N/C
17	Range of 2nd Street (R-100)	12.5'	N/C	N/C
18	Range of 2nd Street (R-100)	13.31'	N/C	N/C
19	Range of 2nd Street (R-100)	X		
20	Range of 2nd Street (R-100)	4.8%	34.2%	35.1% - 3232.4
21	Range of 2nd Street (R-100)	2,250 (59%)	1,820 (47%)	1,978 (47%)
22	Range of 2nd Street (R-100)	800 B. F. (44%)	1525 - (35%)	1330 - (29%)
23	Range of 2nd Street (R-100)			
24	Range of 2nd Street (R-100)			
25	Range of 2nd Street (R-100)			
26	Range of 2nd Street (R-100)			
27	Range of 2nd Street (R-100)			
28	Range of 2nd Street (R-100)			
29	Range of 2nd Street (R-100)			
30	Range of 2nd Street (R-100)			
31	Range of 2nd Street (R-100)			
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95	Range of 2nd Street (R-100)			
96	Range of 2nd Street (R-100)			
97	Range of 2nd Street (R-100)			
98	Range of 2nd Street (R-100)			
99	Range of 2nd Street (R-100)			
100	Range of 2nd Street (R-100)			

1st and 2nd Streets, 10th Ave

1st and 2nd Streets, 10th Ave

1st and 2nd Streets, 10th Ave

1st and 2nd Streets, 10th Ave

1st and 2nd Streets, 10th Ave

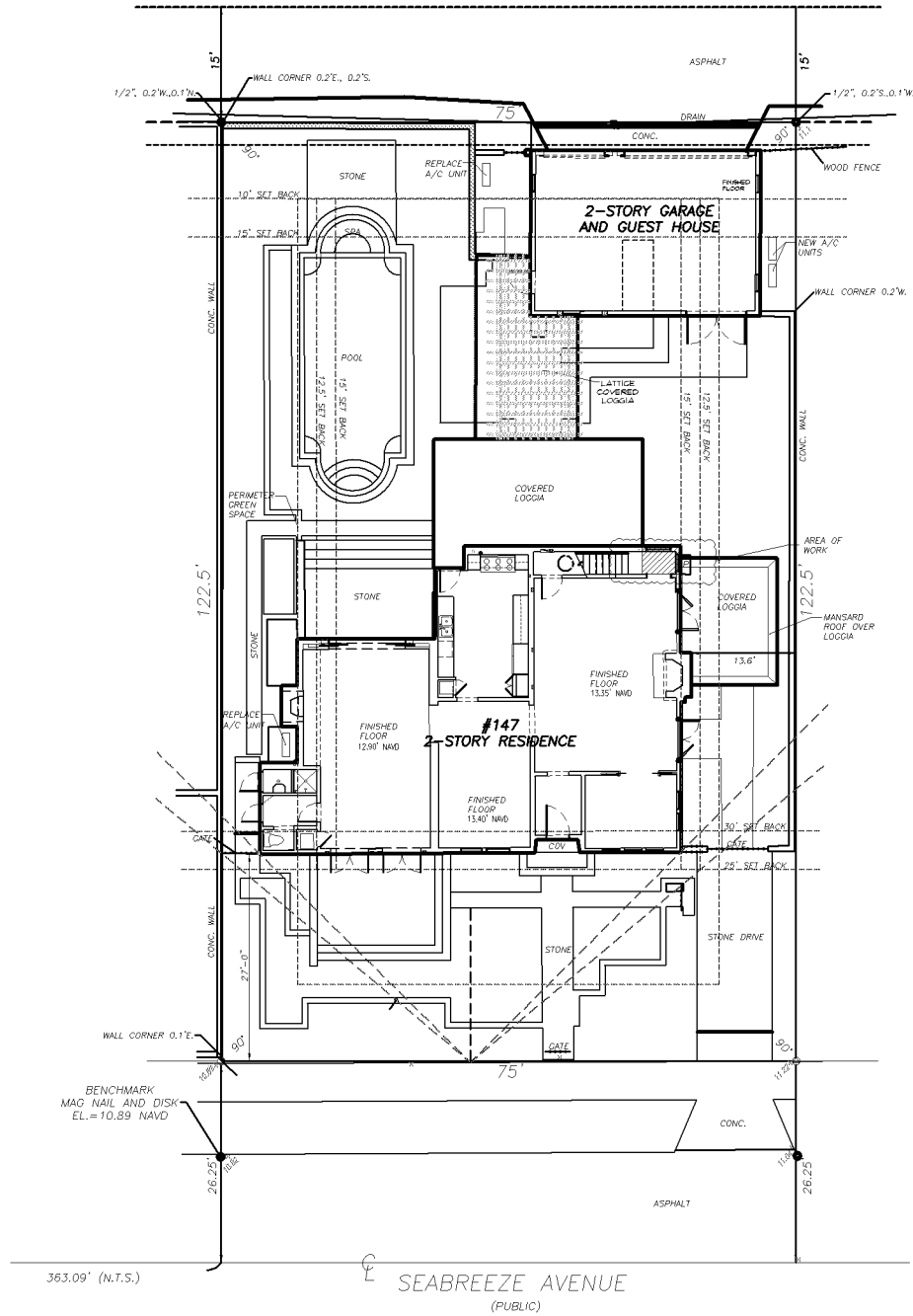
1st and 2nd Streets, 10th Ave

1st and 2nd Streets, 10th Ave

1st and 2nd Streets, 10th Ave

1st and 2nd Streets, 10th Ave

1st and 2nd Streets, 10th Ave



ARC-22-084
ZON-22-057

SHEET:
ALL



KIRCHHOFF & ASSOCIATES
ARCHITECTS

TC Development Review Agenda Backup 5-11-2022

THOMAS KIRCHHOFF
FL REG. NO. AR004635

1907 COMMERCIAL LANE SUITE 106
JUPITER, FLORIDA 33458 Tel. 575-9994

RENOVATION FOR:

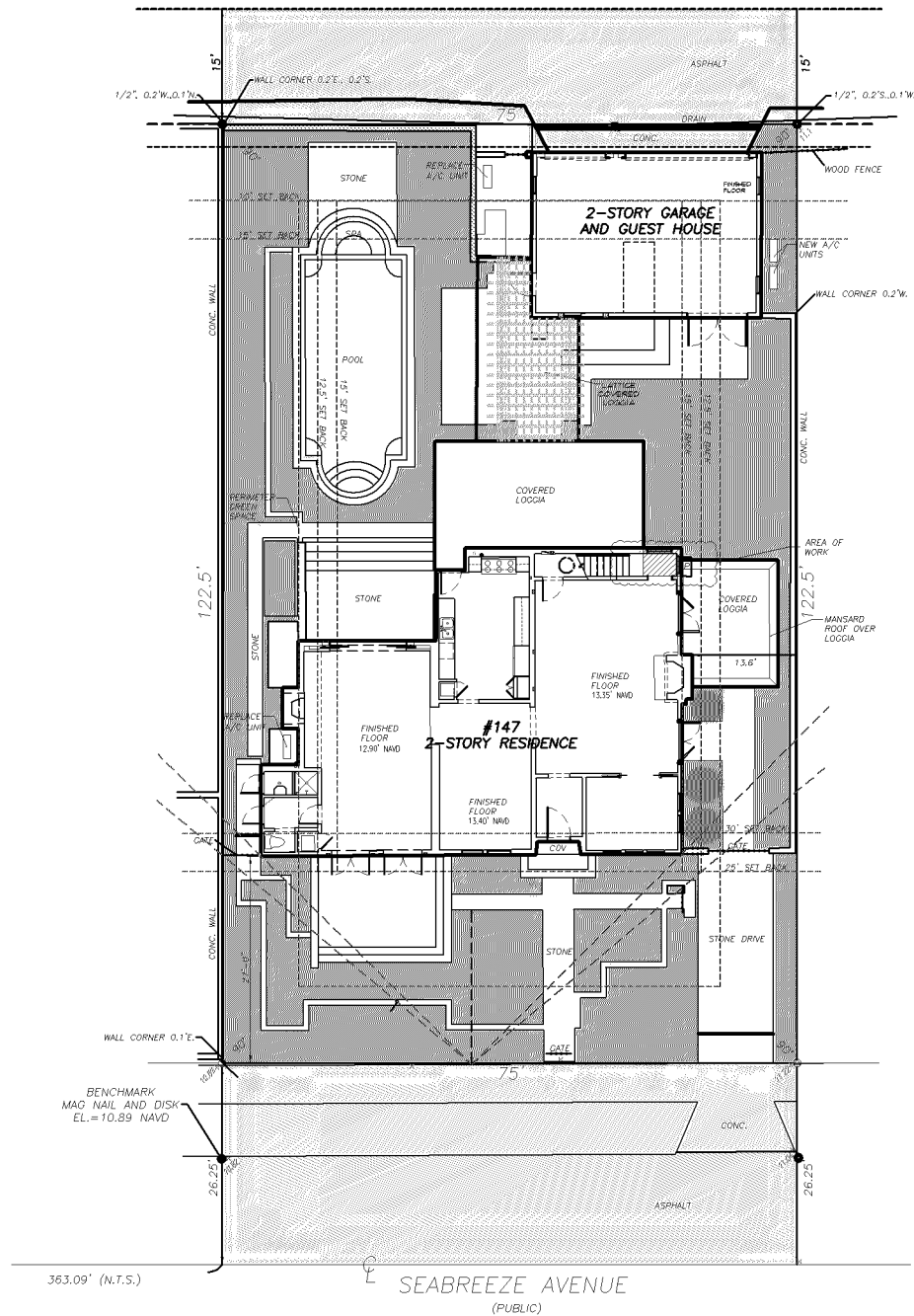
147 SEABREEZE AVE.

147 SEABREEZE AVE.
PALM BEACH, FLORIDA

ARCOM PRE-APP SET:
1/24/22

FIRST SUBMITTAL 2/7/22

FINAL SUBMITTAL 2/28/22
229 of 316

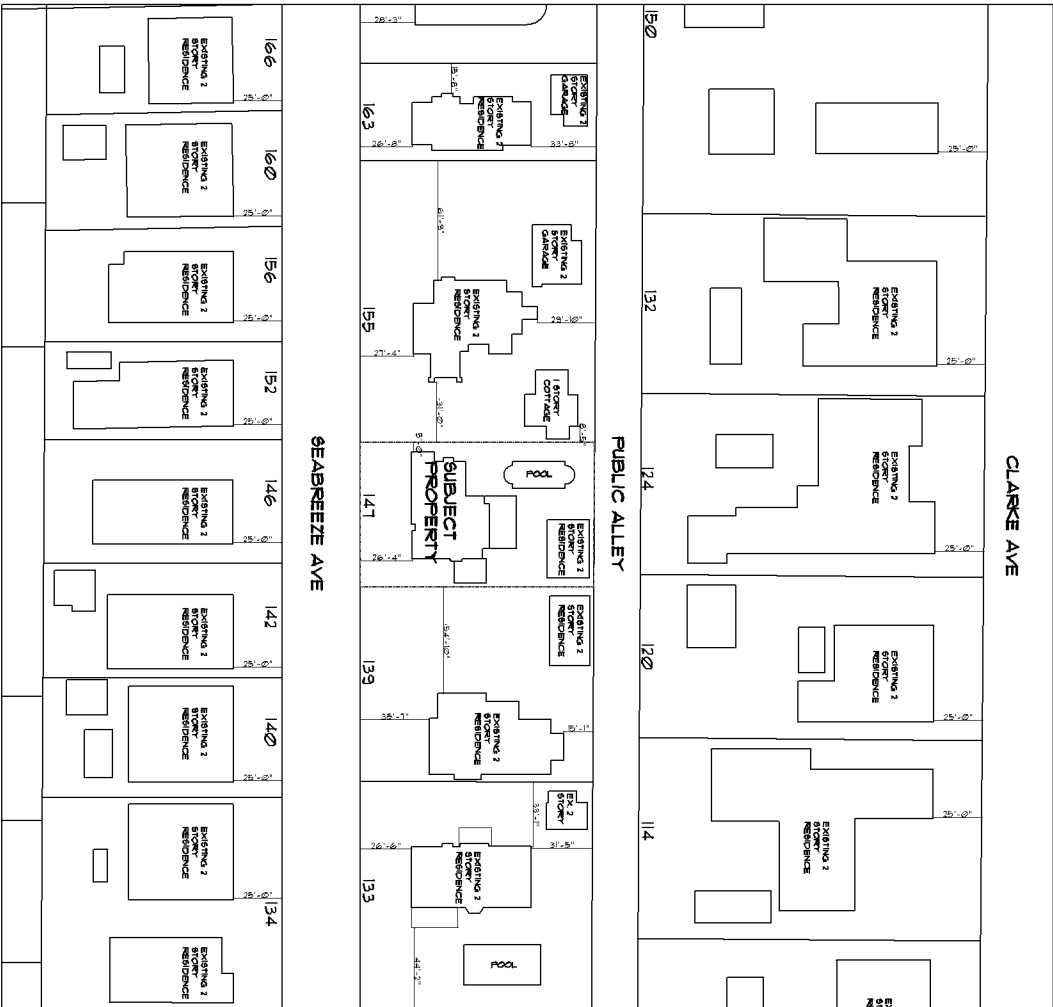




147 SEABREEZE AVE. AERIAL VIEW



147 SEABREEZE AVE. EXISTING FRONT ELEVATION



1 ADJACENT PROPERTIES SITE PLAN

108' x 10'

ARC-22-084
ZON-22-057



ARC - 22 - 084
ZON - 22 - 057

SHEET:
A2.1



KIRCHHOFF & ASSOCIATES
ARCHITECTS
ent Review Agenda Backup 5-11-2022

TC Development Review Agenda Backup 5-11-2022

THOMAS M. KIRCHHOFF
FL REG. NO. AR0014635

1907 COMMERCIAL LANE, SUITE 106
JUPITER, FLORIDA 33458-561, 575, 9994

RENOVATION FOR:

147 SEABREEZE AVE.

147 SEABREEZE AVE.
PALM BEACH, FLORIDA

AR COM PRF-APP SET:
1/24/22

FIRST SUBMITTAL: 2/7/22

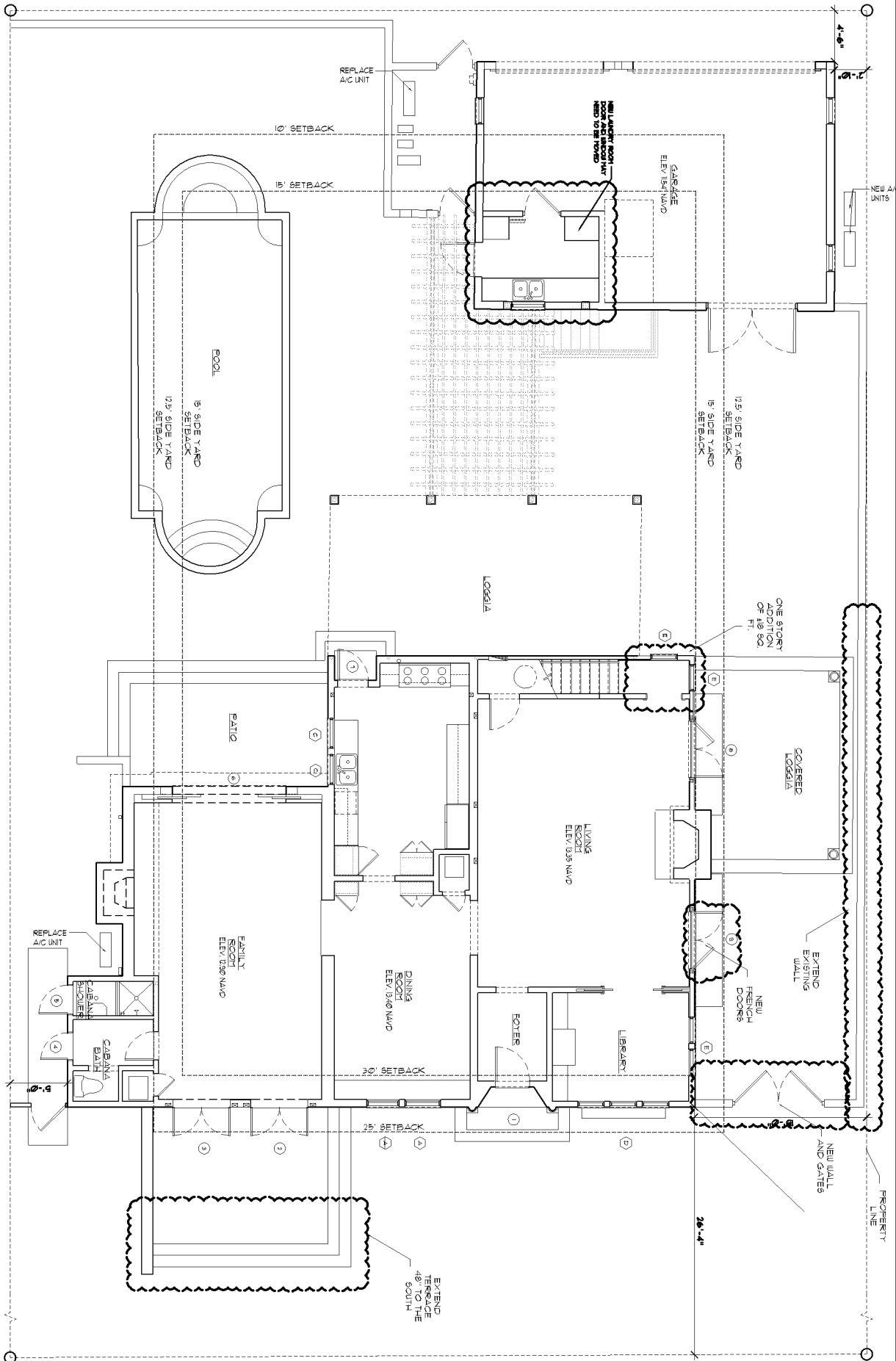
FINAL SUBMITTAL 2/28/22
232 of 316

1 **PROPOSED 1st FLOOR PLAN**



ARC - 22 - 084
ZON - 22 - 057

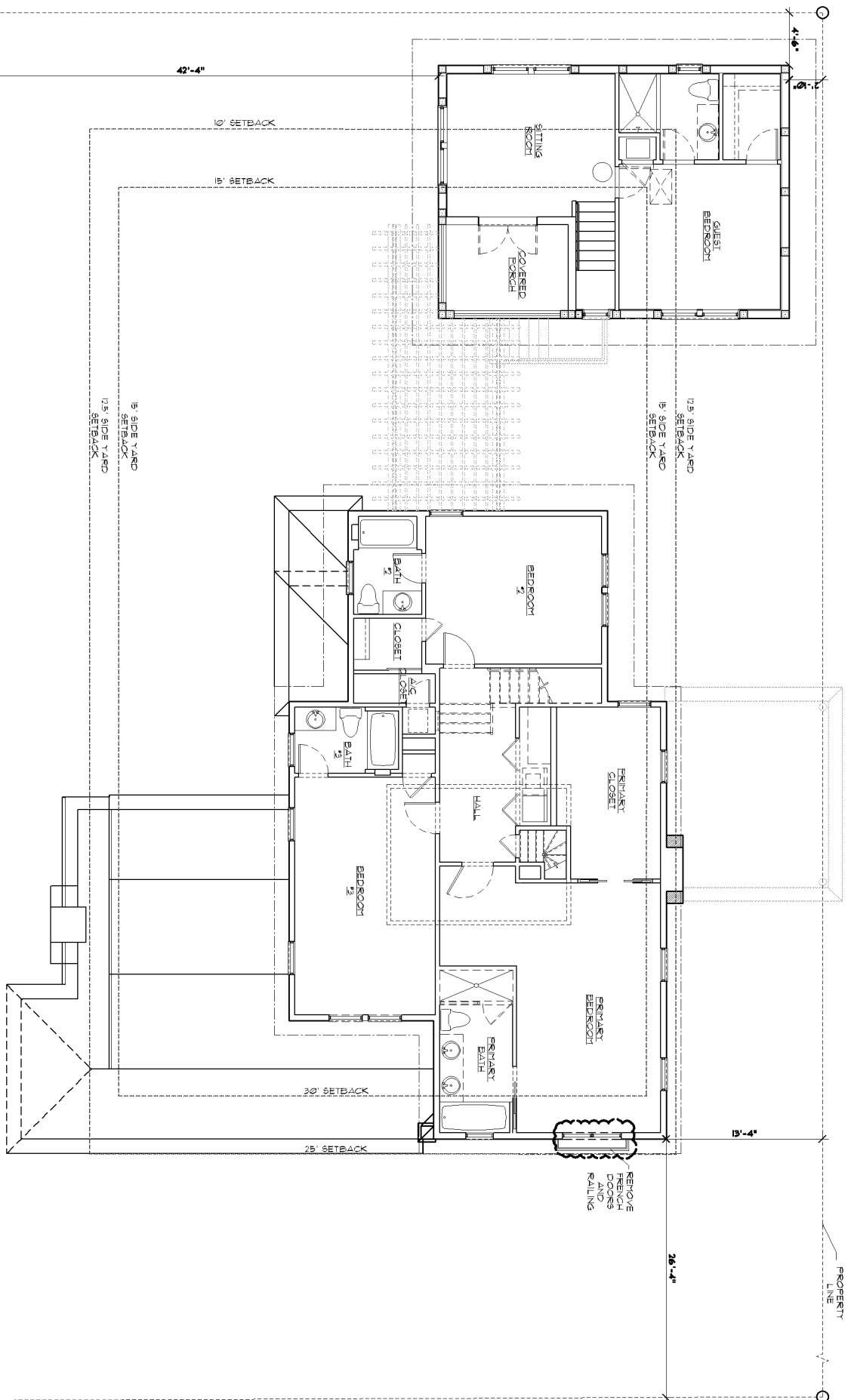
SHEET: A2.1A 15 CT 3	KIRCHOFF & ASSOCIATES ARCHITECTS TC Development Review Agenda Backup 5-11-2022	THOMAS M. KIRCHHOFF FL. REG. NO. AR0016635 1907 COMMERCIAL LANE SUITE 106 JUPITER, FLORIDA 33458-504 575-9994	RENOVATION FOR: 147 SEABREEZE AVE. 117 SEABREEZE AVE. PALM BEACH, FLORIDA	AR.COM PRE-APP SET: 1/24/22 FIRST SUBMITTAL 2/7/22 FINAL SUBMITTAL 2/28/22 233 of 316
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1 EXISTING 2nd FLOOR PLAN



ARC - 22 - 084
ZON - 22 - 057



SHEET:

A2.2

16-7-23



KIRCHHOFF & ASSOCIATES
ARCHITECTS

TG Development Review Agenda Backup 5-11-2022

THOMAS M. KIRCHHOFF
FL REG. NO. AR0016635

1907 COMMERCIAL LANE SUITE 106
JUPITER, FLORIDA 33458-5615-753-9994

RENOVATION FOR:

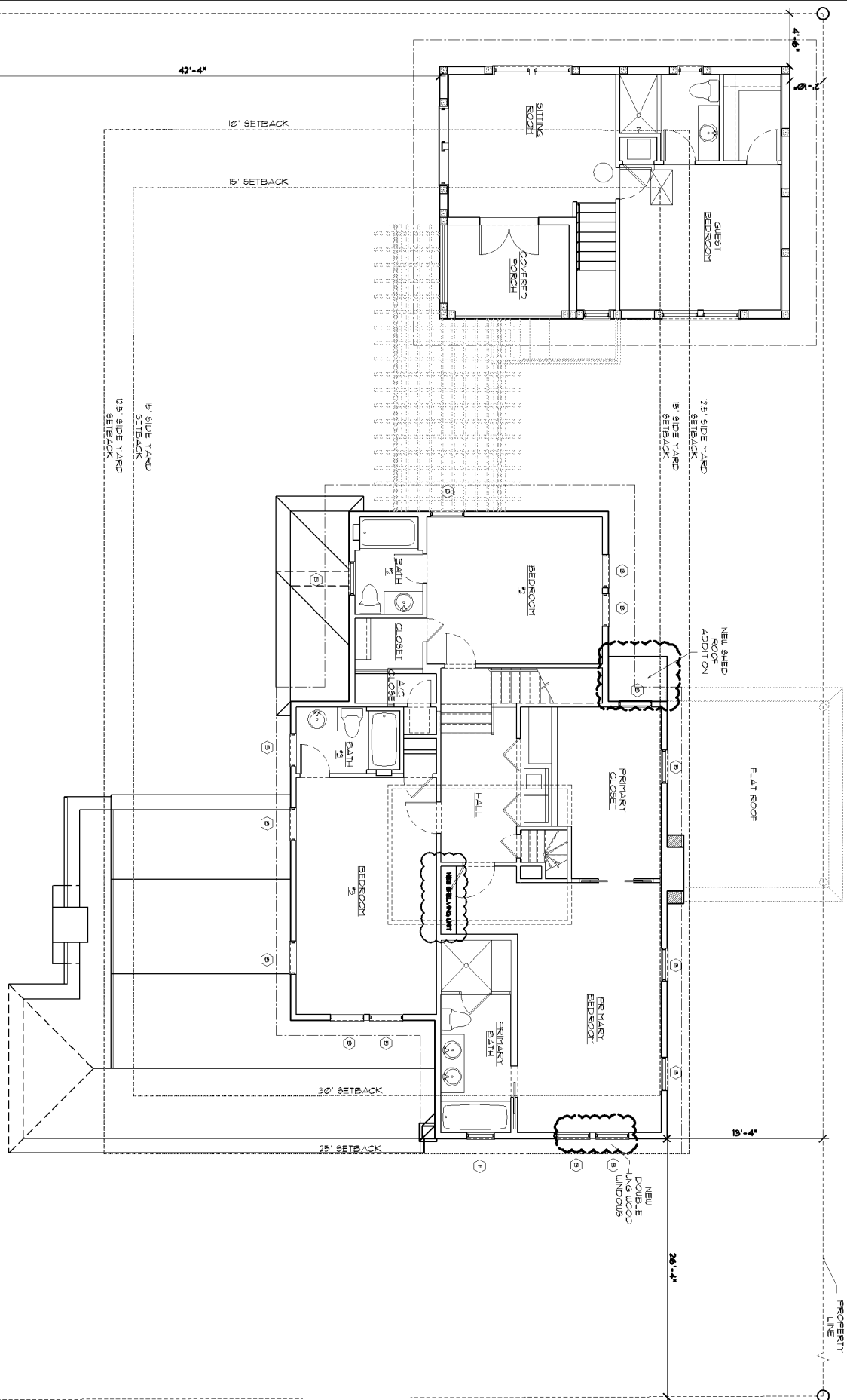
147 SEABREEZE AVE.

147 SEABREEZE AVE.
PALM BEACH, FLORIDA

ARCOM PRE-APP SET:
1/24/22

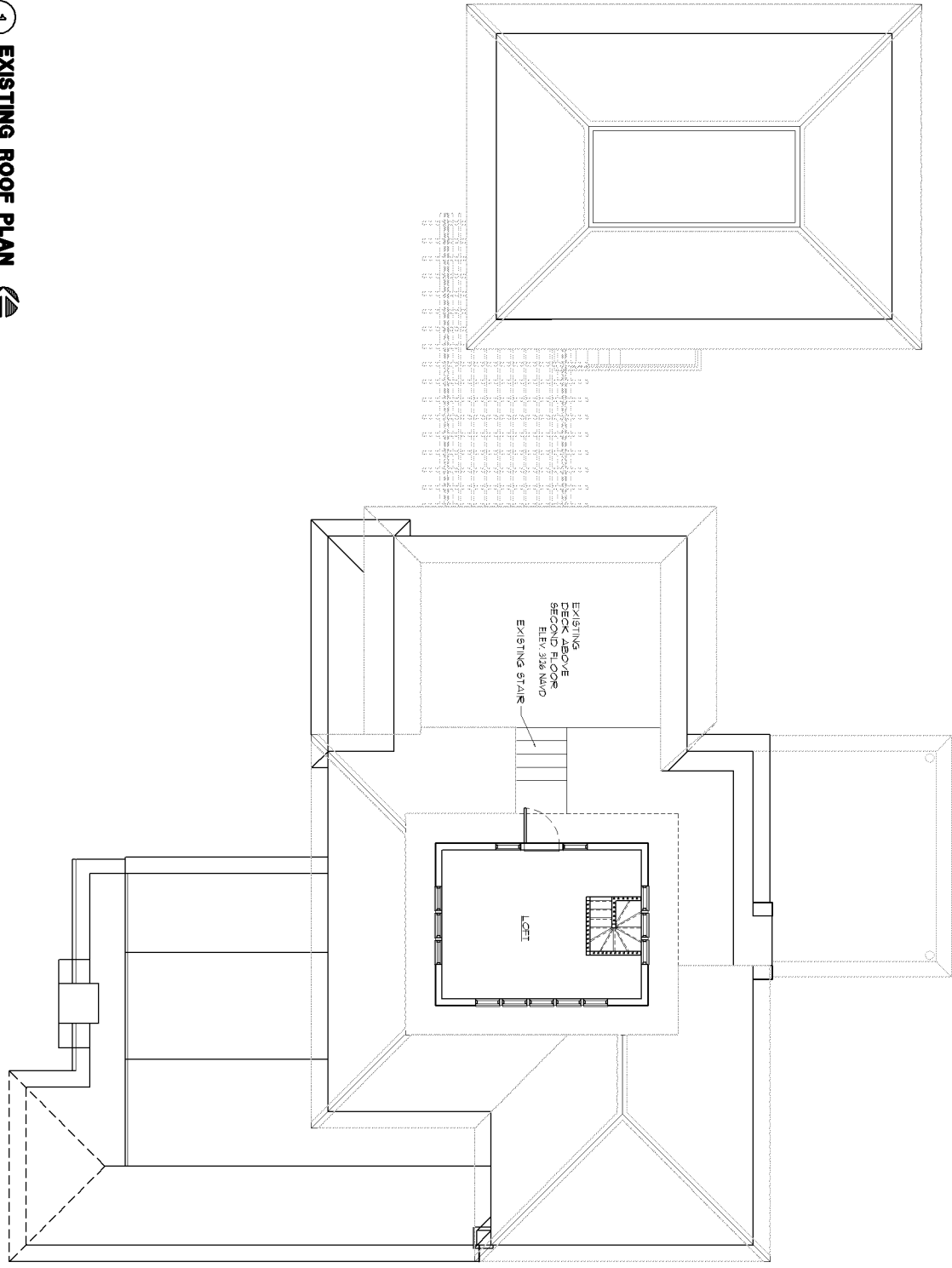
FIRST SUBMITTAL 2/7/22

FINAL SUBMITTAL 2/28/22
234 of 316



1
1/8" = 1'-0"

EXISTING ROOF PLAN



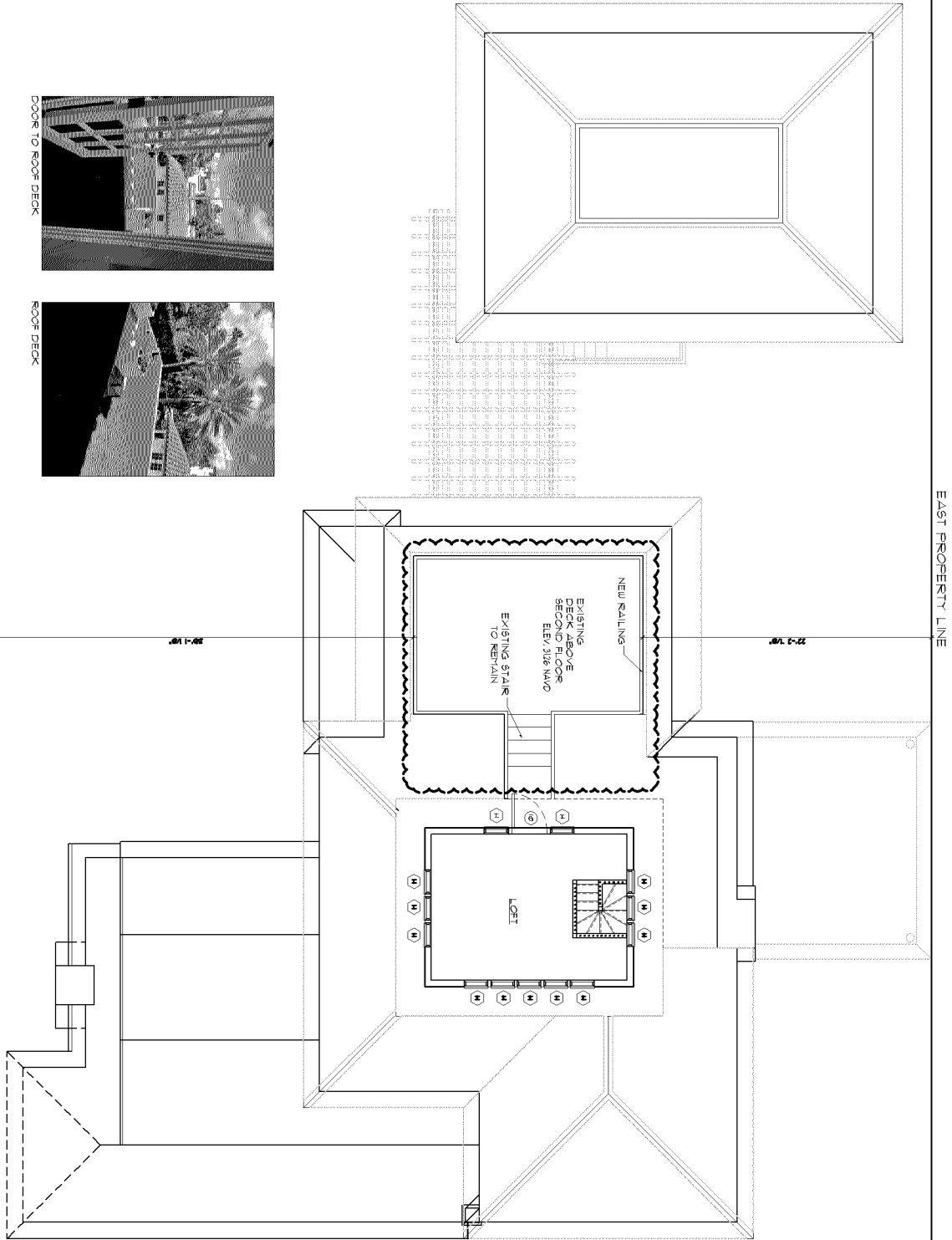
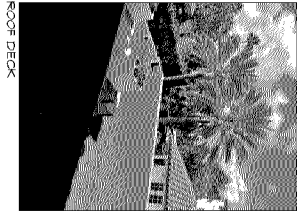
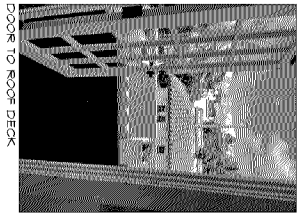
ARC - 22 - 084
ZON - 22 - 057

SHEET: A2.3 18 OF 24	 KIRCHHOFF & ASSOCIATES ARCHITECTS 1907 COMMERCIAL AVENUE SUITE 106 JUPITER, FLORIDA 33458-5615 575-5999	RENOVATION FOR: 147 SEABREEZE AVE. 147 SEABREEZE AVE. PALM BEACH, FLORIDA	AR COM PRE-APP SET: 1/24/22 FIRST SUBMITTAL: 2/7/22 FINAL SUBMITTAL: 2/28/22 236 of 316
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1 **PROPOSED ROOF PLAN**
1/8" = 1'-0"



EAST PROPERTY LINE



ARC - 22 - 084
ZON - 22 - 057

SHEET:

A2.3A

9/27/21



KIRCHHOFF & ASSOCIATES
ARCHITECTS

TC Development Review Agenda Backup 5-11-2022

THOMAS M. KIRCHHOFF
FL REG. NO. AR0016645

1907 COMMERCIAL AVE SUITE 106
JUPITER, FLORIDA 33458 561.575.9994

RENOVATION FOR:

147 SEABREEZE AVE.

117 SEABREEZE AVE.
PALM BEACH, FLORIDA

AR COM PRE-APP SET:
1/24/22

FIRST SUBMITTAL 2/7/22

FINAL SUBMITTAL 2/28/22
237 of 316

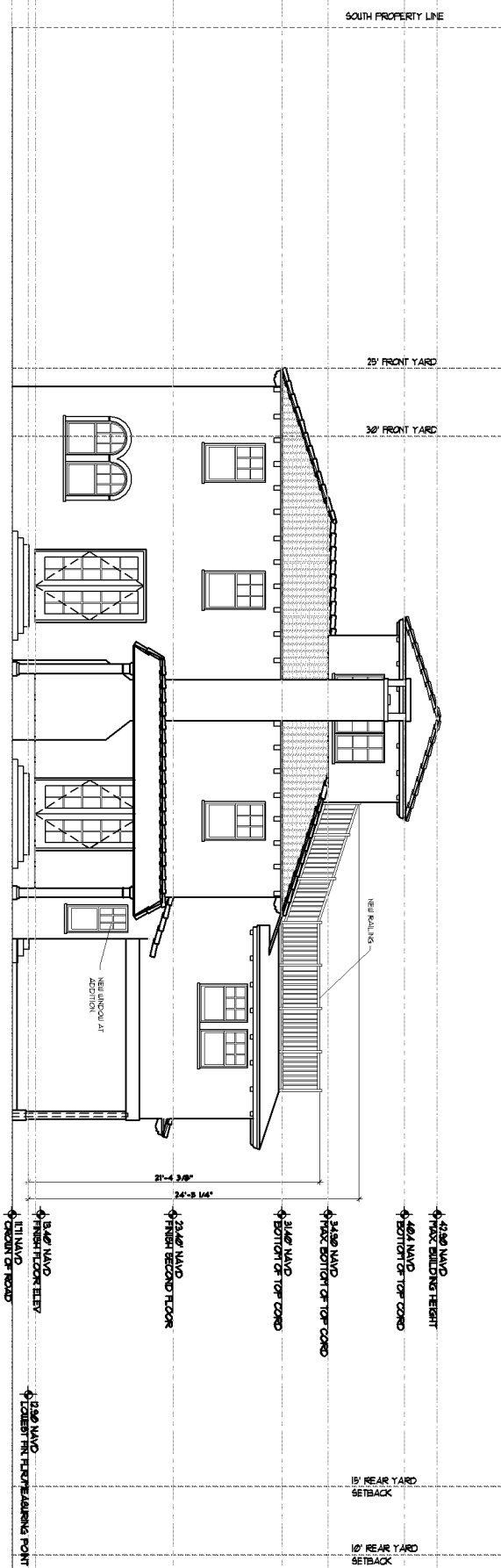
148-F-0



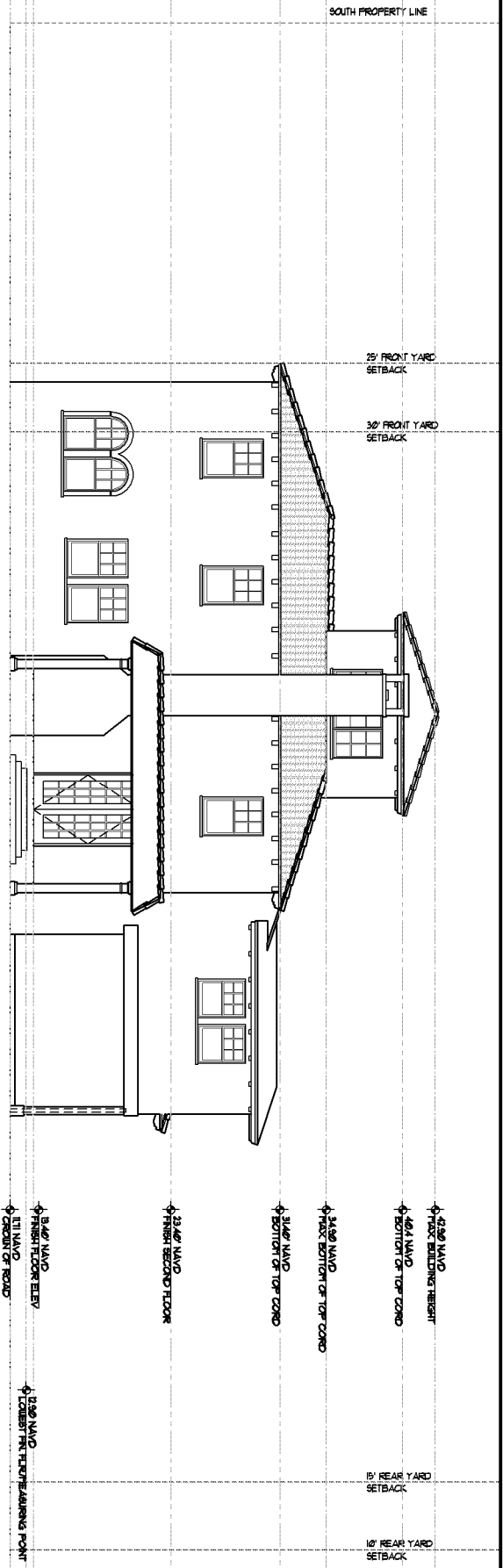
1487-0



2
1/8"=1'-0"
PROPOSED EAST ELEVATION

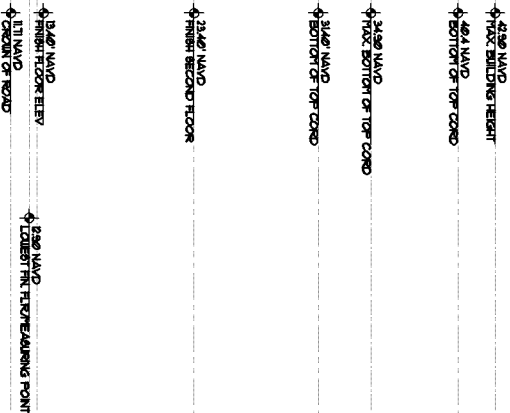


1
1/8"=1'-0"
EXISTING EAST ELEVATION

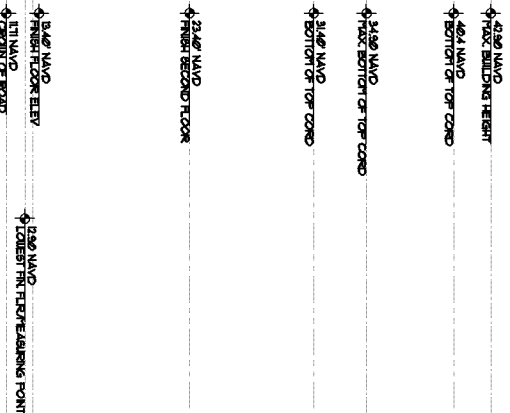


ARC - 22 - 084
ZON - 22 - 057

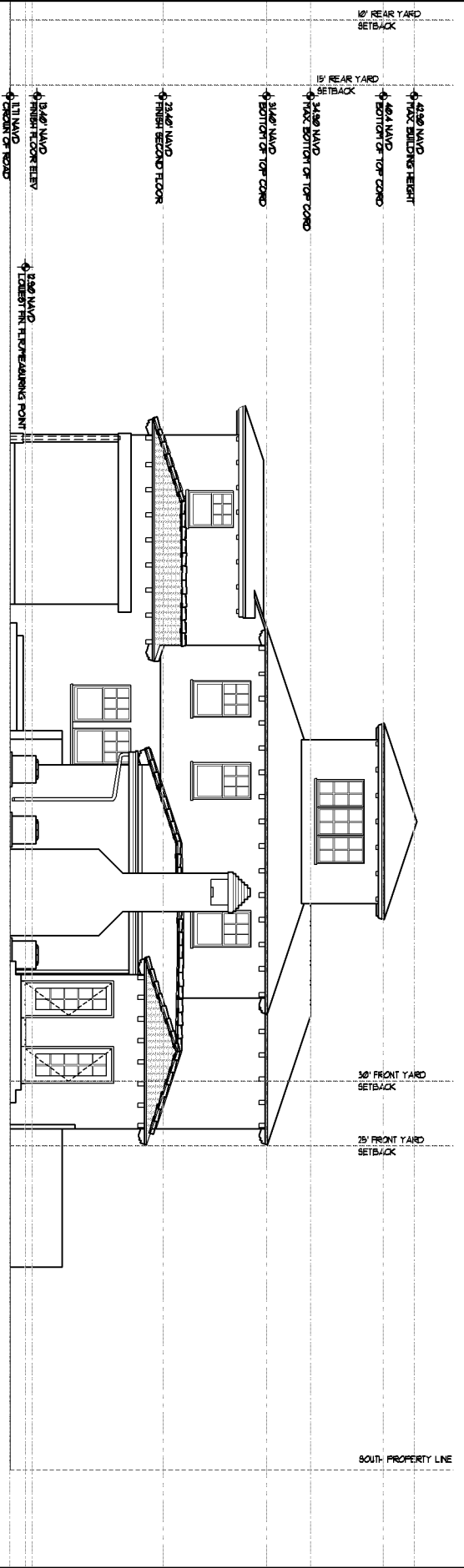
1/8"-F-0



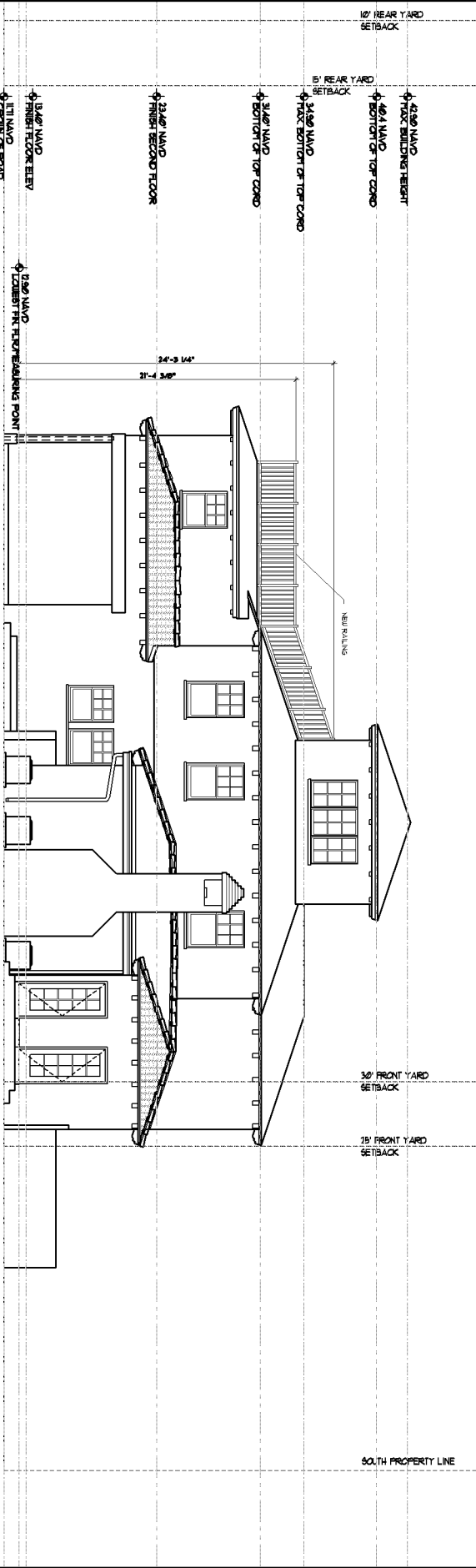
1/8"-1-0



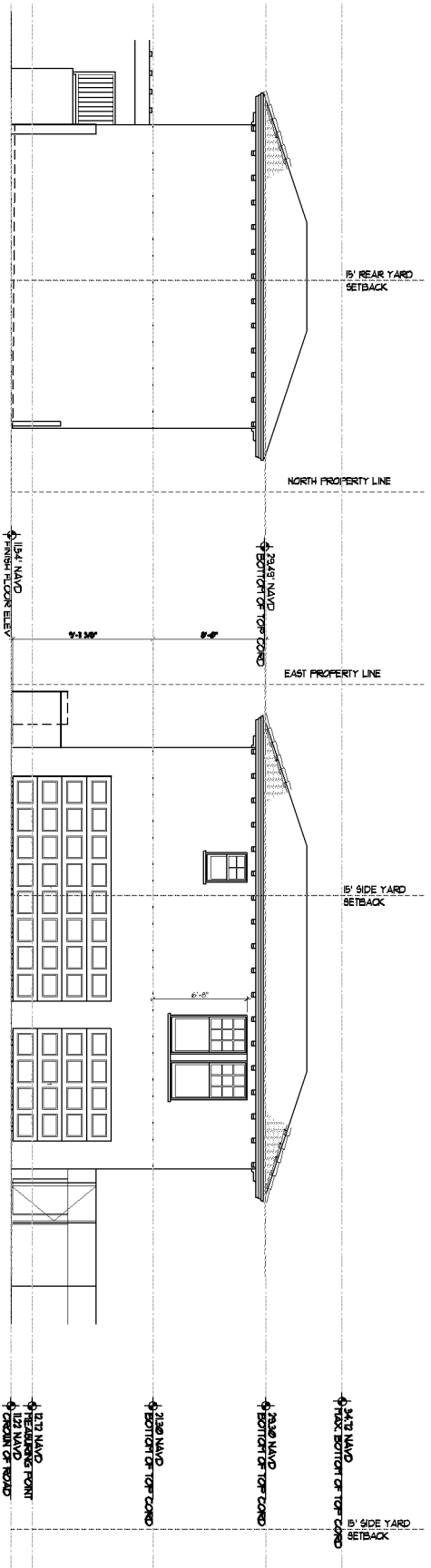
1
EXISTING WEST ELEVATION
1/8"=1'-0"



2
PROPOSED WEST ELEVATION
1/8"=1'-0"

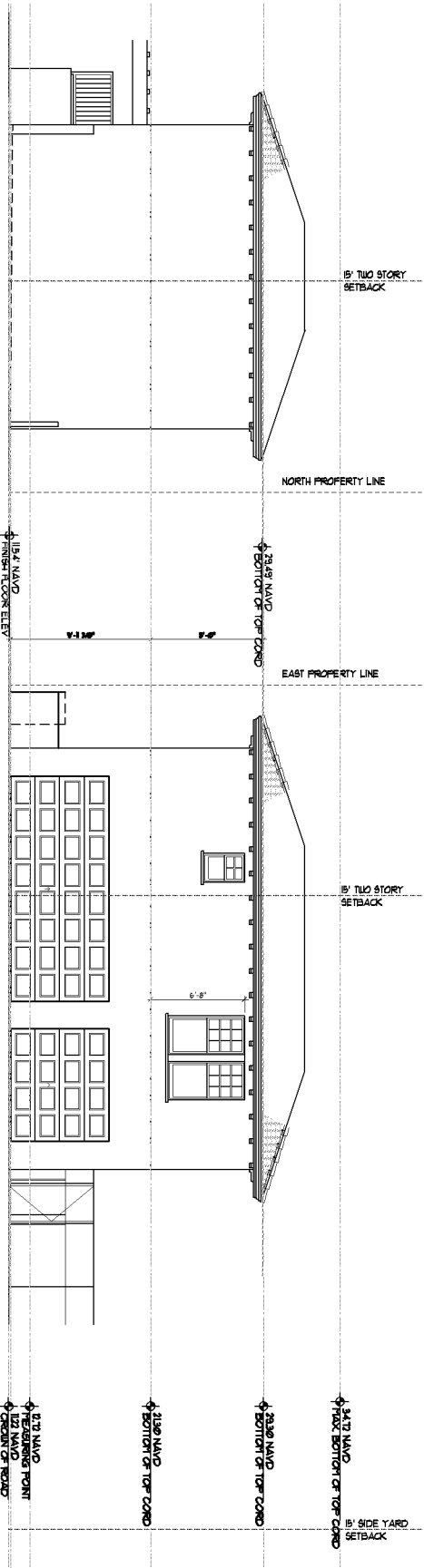


ARC - 22 - 084
ZON - 22 - 057



1 Existing East Elevation
1/8" = 1'-0"
Garage/Guest Building

2 Existing North Elevation
1/8" = 1'-0"
Garage/Guest Building



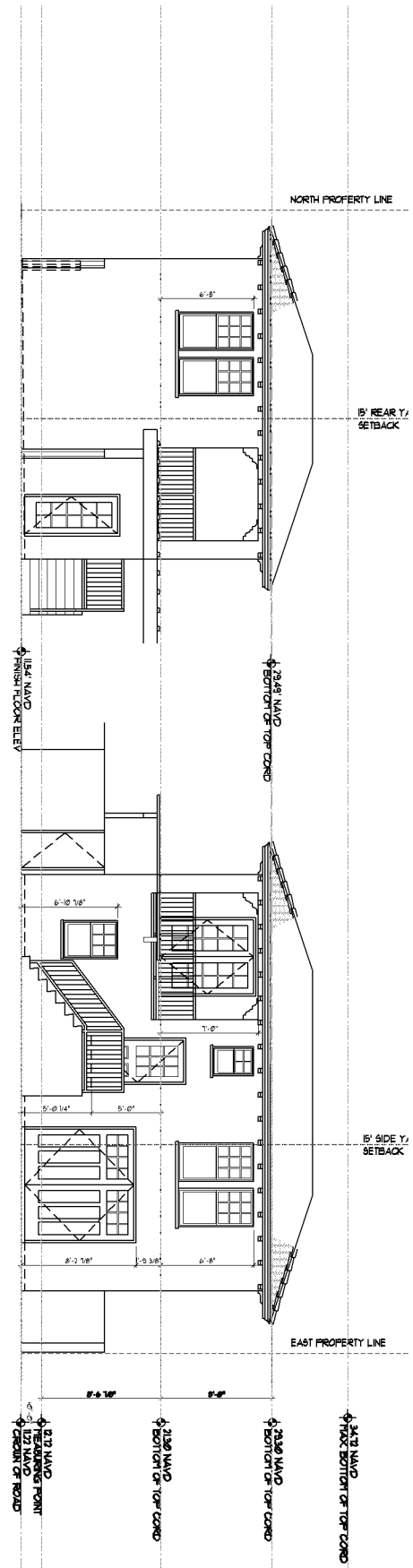
3 Proposed East Elevation
1/8" = 1'-0"
Garage/Guest Building

4 Proposed North Elevation
1/8" = 1'-0"
Garage/Guest Building

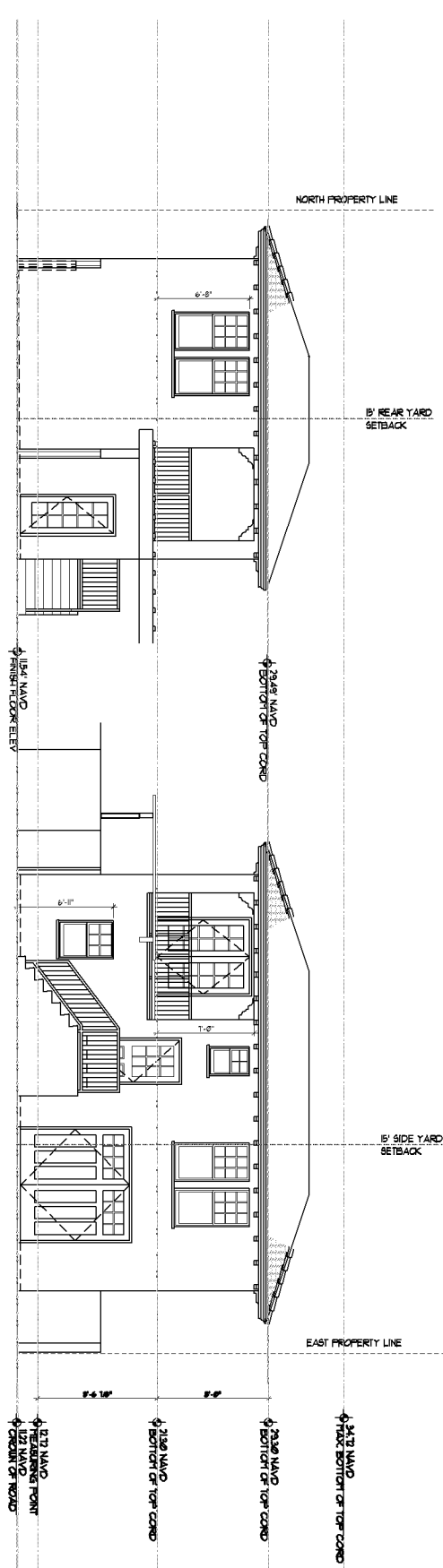
ARC - 22 - 084
ZON - 22 - 057

SHEET: A3.5 24 OF 34	 KIRCHOFF & ASSOCIATES ARCHITECTS TC Development Review Agenda Backup 5-11-2022	THOMAS M. KIRCHHOFF FL. REG. NO. AR0001635 1907 COMMERCIAL LANE SUITE 105 JUPITER, FLORIDA 33458-561-575-9994	RENOVATION FOR: 147 SEABREEZE AVE. 147 SEABREEZE AVE. PALM BEACH, FLORIDA	AR.COM PRE-APP SET: 1/24/22 FIRST SUBMITTAL 2/7/22 FINAL SUBMITTAL 2/28/22 242 of 316
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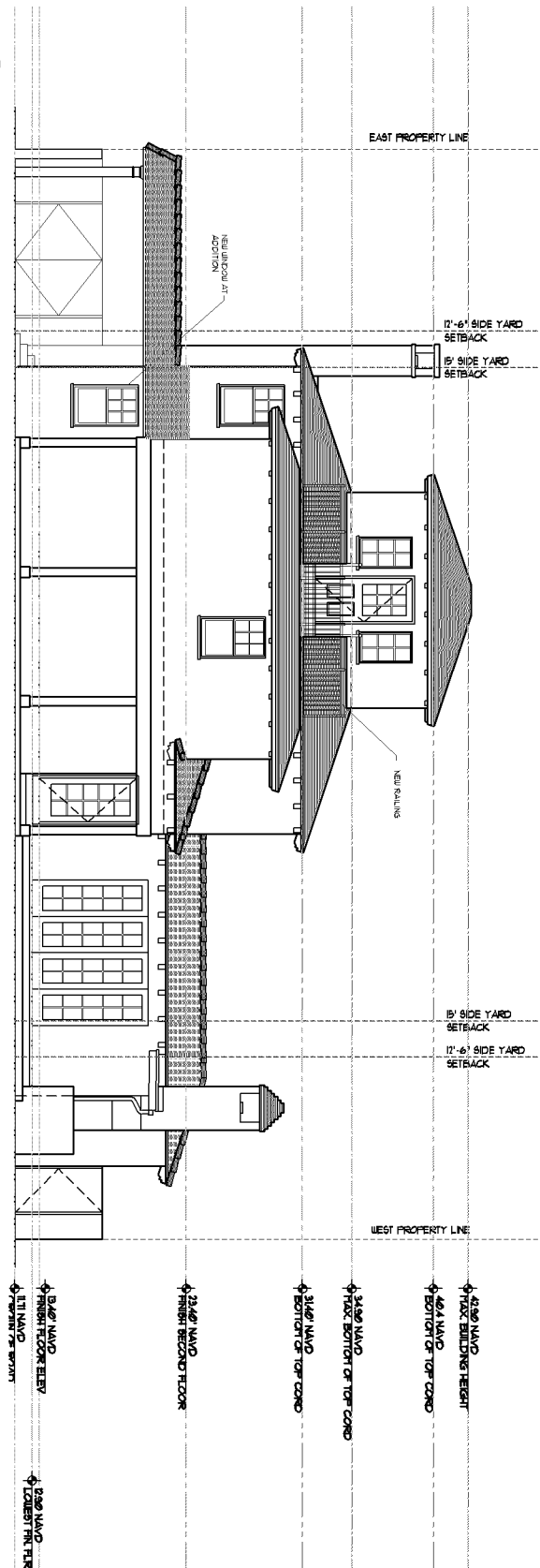
Existing South Elevation
1/8" = 1'-0" Garage/Guest Building



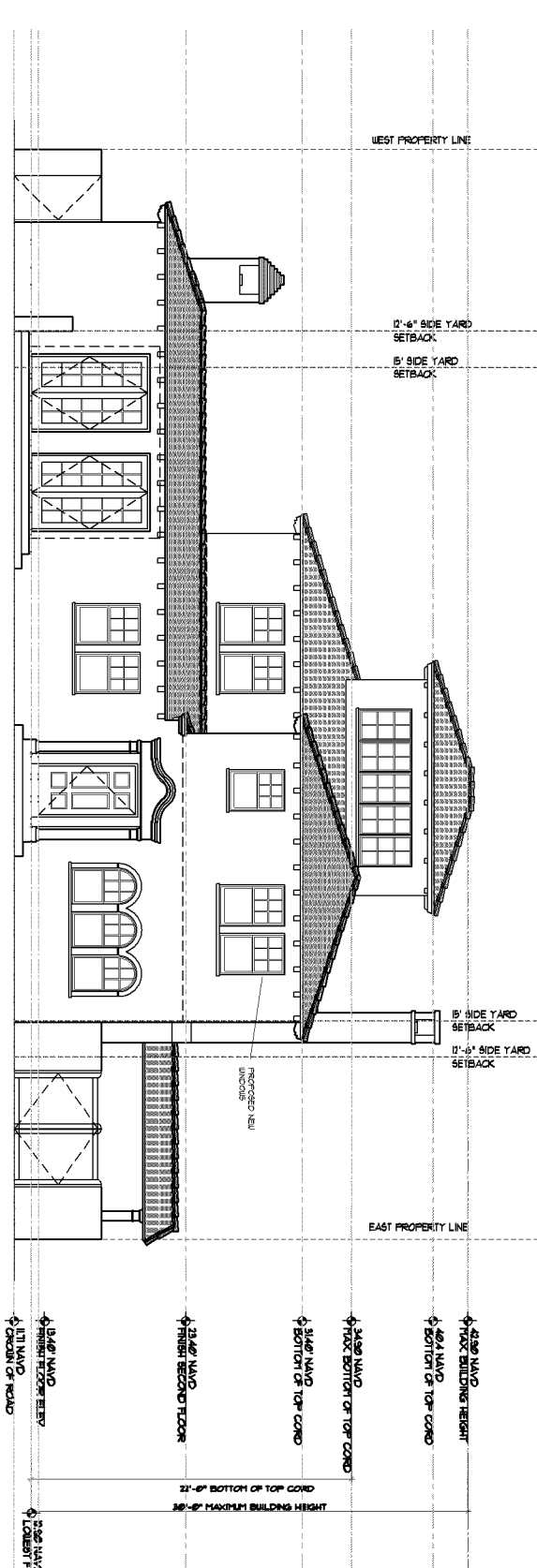
4 **Proposed South Elevation**
1/8" = 1'-0"
Garage/Guest Building



1
1/8"=1'-0"
PROPOSED NORTH ELEVATION

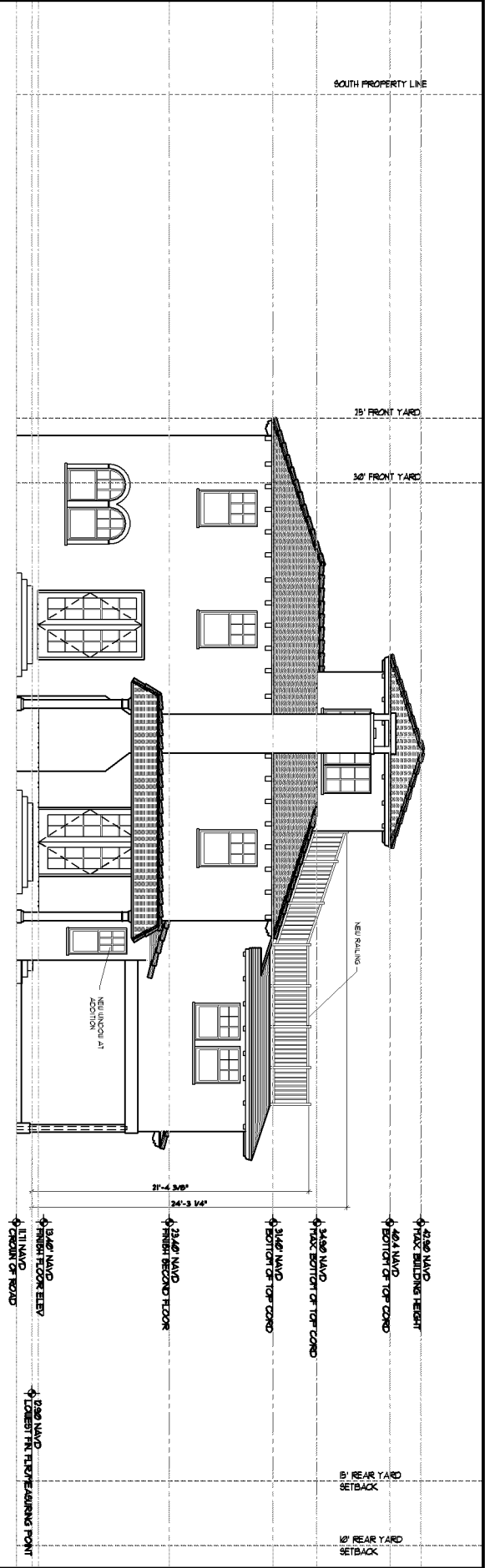


2
1/8"=1'-0"
PROPOSED SOUTH ELEVATION

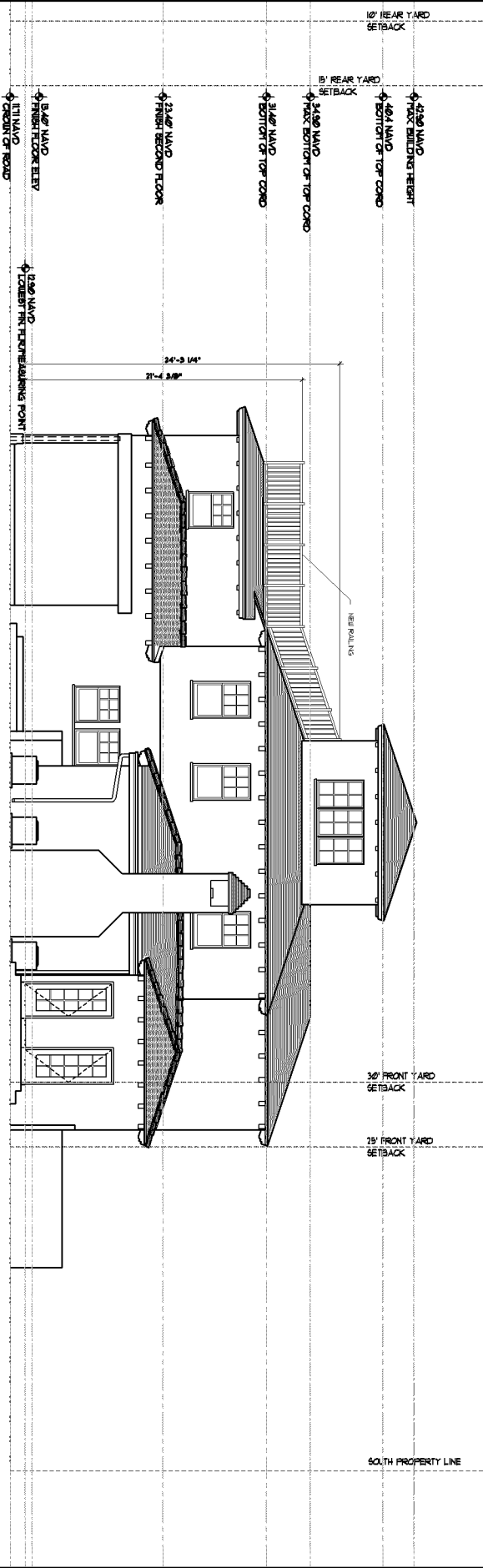


ARC - 22 - 084
ZON - 22 - 057

1
PROPOSED EAST ELEVATION
1/8"=1'-0"



2
PROPOSED WEST ELEVATION
1/8"=1'-0"

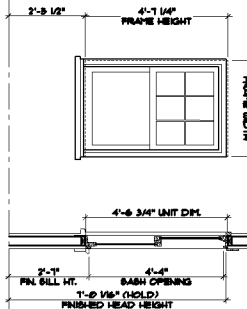


[illegible]

5'-0 3/4"
2'-0 3/4"
2-10' JAMES
OPENING

SCALE: 1/2" = 1'-0"

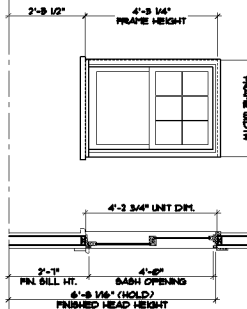
TYPE: DOUBLE HUNG
Egress: NO
Material: Mahogany



2-1/2" DIA.
UNIT DIA.
2-1/2" LATE
OPENING

SCALE: 1/2" = 1'-0"

TYPE: DOUBLE HUNG
Egress: Yes
Material: Mahogany



2'-10 3/8" UNIT DEPTH

2'-1 5/8" JAMBS OPENINGS

2'-0" CLEARANCE

SCALE: 1/2" = 1'-0"

TYPE: DOUBLE HUNG
Egress: No
Material: Mahogany

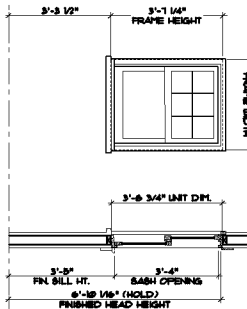
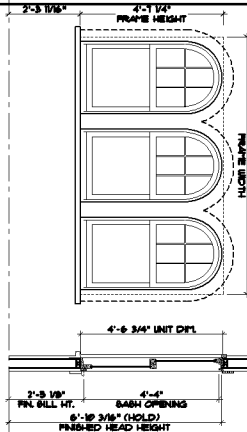


Figure 1 shows the elevation view of a three-span continuous beam bridge. The bridge consists of three spans, each with a length of 24'-10 1/2". The total length of the bridge is 74'-9". The bridge is supported by three piers. The spans are labeled "24'-10 1/2" UNIT DFL." and "24'-10 1/2" CRD BRG.". The piers are labeled "PIER".

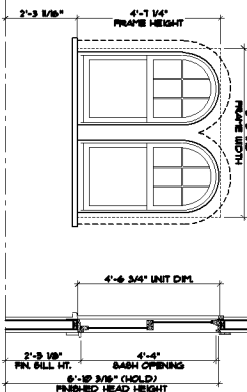
SCALE: 1/2" = 1'-0"

TYPE: SINGLE HUNG
Egress: NO
Material: Mahogany



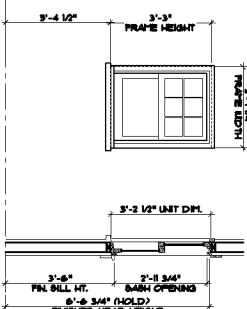
SCALE: 1/2" = 1'-0"

TYPE: DOUBLE HUNG
Egress: No
Material: Mahogany



SCALE: 1/2" = 1'-0"

TYPE: DOUBLE HUNG
Egress: No
Material: Mahogany



2'-4" x 4'-0"
UNIT DIM

2'-4" x 4'-0"
OPENING

SCALE: 1/2" = 1'-0"

TYPE: DOUBLE HUNG
Egress: No
Material: Mahogany

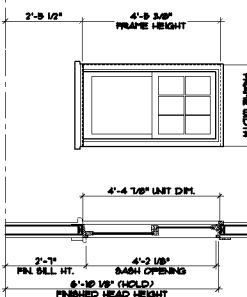
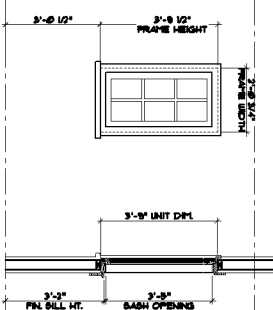


Diagram illustrating a 3'-0" x 4'-0" unit panel with a 1'-0" x 4'-0" opening.

SCALE: 1/2" = 1'-0"

TYPE: DOUBLE HUNG
Egress: No
Material: Mahogany



ARC - 22 - 084
ZON - 22 - 057

SHLLE:
A6.

29 OF 34



KIRCHHOFF & ASSOCIATES
ARCHITECTS

TC Development Review Agenda Backup 5-11-2022

THOMAS M. KIRCHHOFF
H. REG. NO. AR 001635

1907 COMMERCIAL AVE. SUITE 106
JUPITER, FLORIDA 33458 561.575.9994

RENOVATION FOR:

147 SEABREEZE AVE.

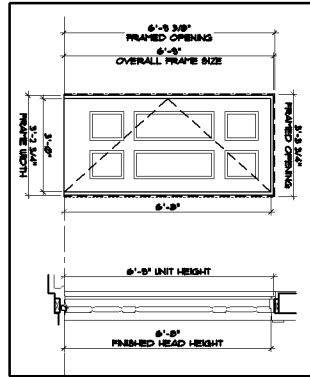
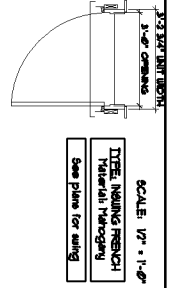
1475 S. ABRIEZZI AVE.
PALM BEACH, FLORIDA

ARCOM PRE-APP SET:
1/24/22

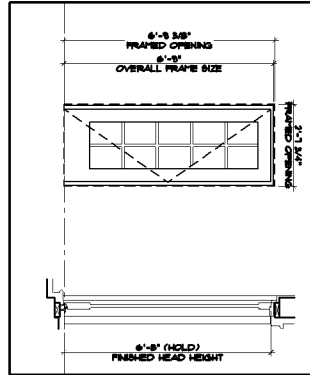
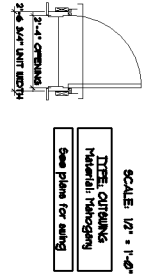
FIRST SUBMITTAL: 2/7/22

FINAL SUBMITTAL 2/28/22
247 of 316

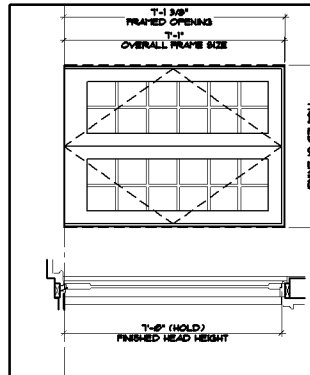
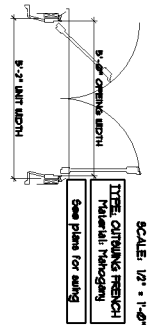
DOOR 1



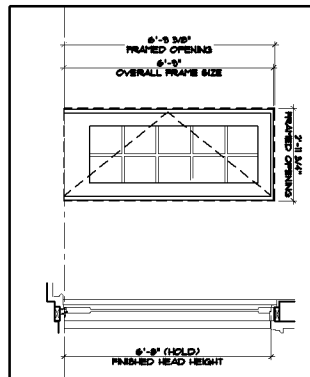
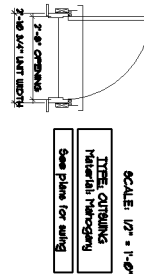
DOOR 4,5,7



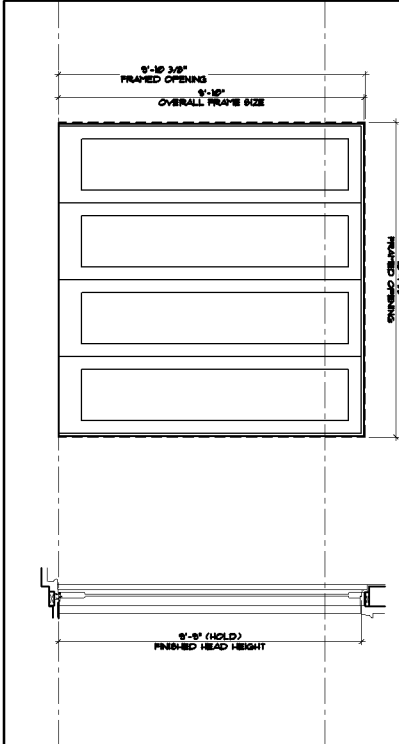
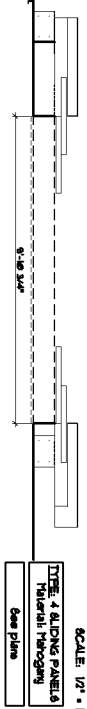
DOOR 2,3,8,9



DOOR 10



DOOR 6



ARC - 22 - 084
ZON - 22 - 057

SHEET:

A6.2



KIRCHHOFF & ASSOCIATES
ARCHITECTS

THOMAS M. KIRCHHOFF
FL REG. NO. AR0004635

1007 COMMERCIAL LANE, SUITE 105
JUPITER, FLORIDA 33458-3611, 575-9994

RENOVATION FOR:
147 SEABREEZE AVE.

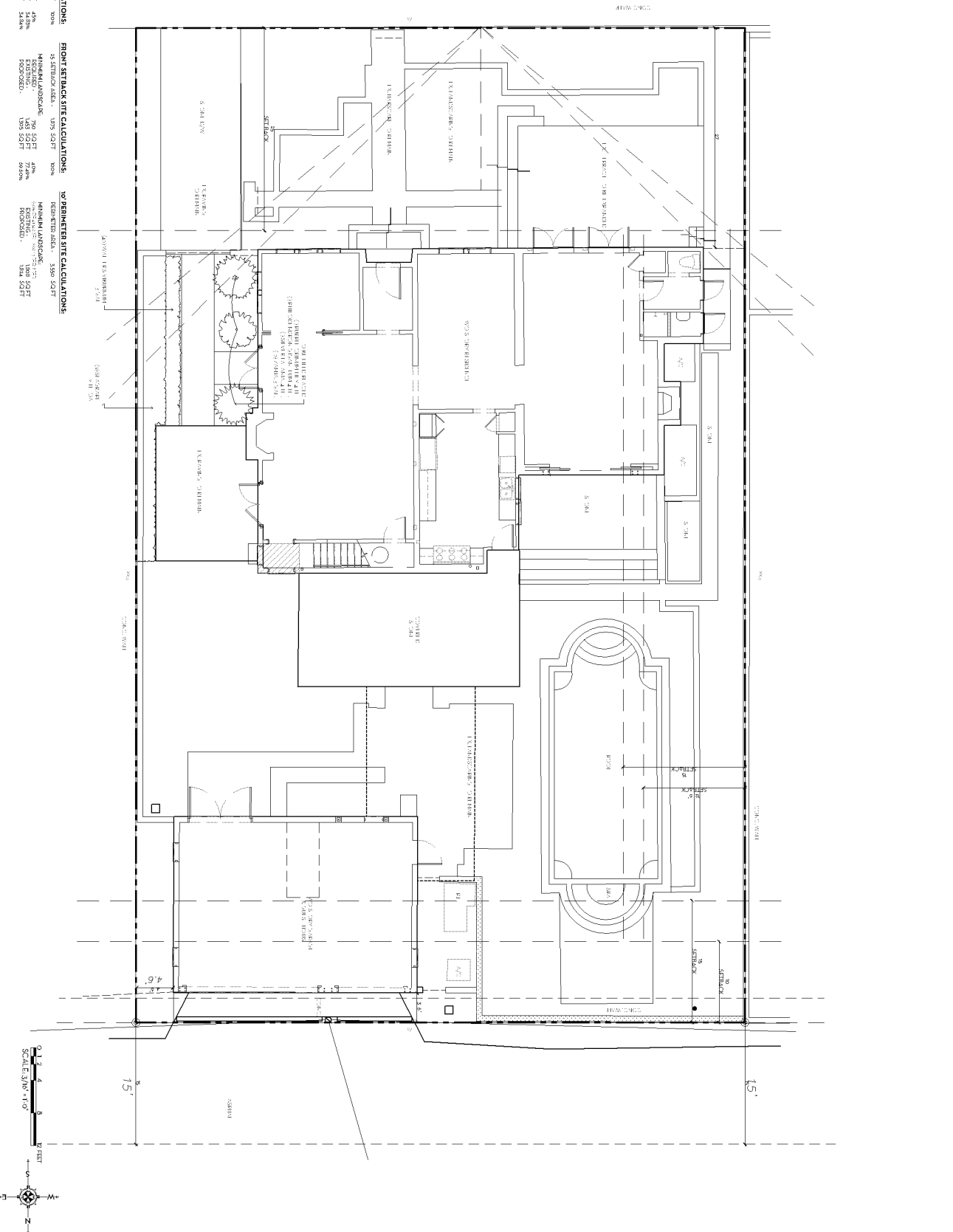
117 SEABREEZE AVE.
PALM BEACH, FLORIDA

ARCOM PRE-APPROVAL SET:
1/24/22

FIRST SUBMITTAL: 2/7/22

FINAL SUBMITTAL: 2/28/22

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OVERALL R SITE CALCULATIONS:
SITE AREA: 488 SQ FT
MINIMUM LANDSCAPE: 488 SQ FT
EXISTING: 488 SQ FT
PROPOSED: 488 SQ FT

FRONT SETBACK SITE CALCULATIONS:
FRONT SETBACK AREA: 175 SQ FT
MINIMUM LANDSCAPE: 175 SQ FT
EXISTING: 175 SQ FT
PROPOSED: 175 SQ FT

10' PERIMETER SITE CALCULATIONS:
PERIMETER AREA: 3389 SQ FT
MINIMUM LANDSCAPE: 3389 SQ FT
EXISTING: 3389 SQ FT
PROPOSED: 3389 SQ FT

MARCO E. NIEVERA
State of Florida
Landscape Architect
Registration No.
0600060

LANDSCAPE PLAN
147 SEABREEZE AVENUE
PALM BEACH, FLORIDA

07 FEBRUARY 2022: FIRST SUBMITTAL

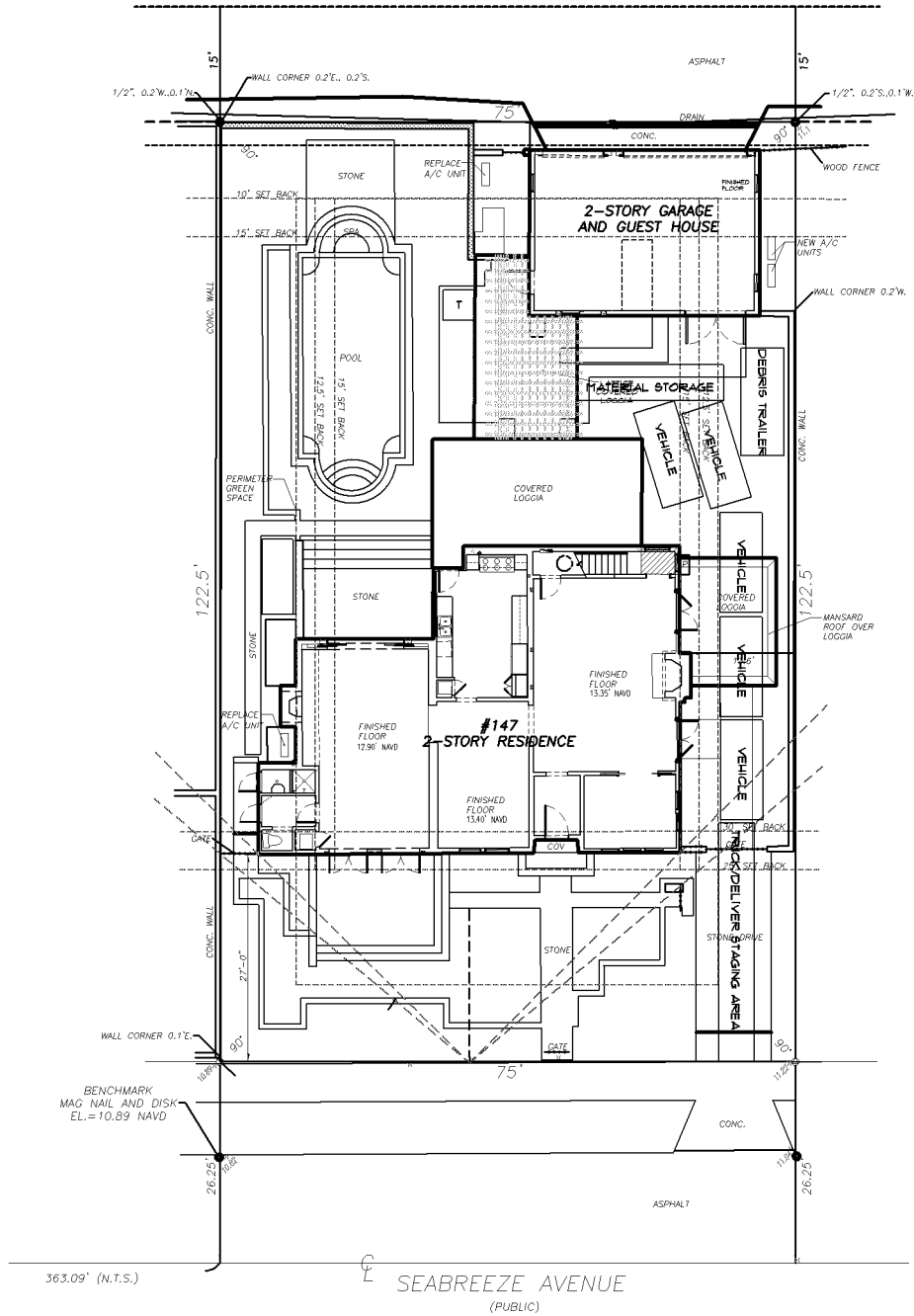
SCALE: 1/8" = 1'-0"

NIEVERA WILLIAMS
DESIGN

223 Sunset Avenue
Suite 100
Palm Beach, Florida 33480
P: 561-659-2820
F: 561-659-2113
NIEVERAWILLIAMS.COM

L1
SHEET 01 OF 04





ARC - 22-084
ZON - 22-057

SHEET:

A1.2A



KIRCHHOFF & ASSOCIATES
ARCHITECTS

TC Development Review Agenda Backup 5-11-2022

THOMAS KIRCHHOFF
FL REG. NO. AR004635

1907 COMMERCIAL LANE SUITE 106
JUPITER, FLORIDA 33458 Tel. 575-9994

RENOVATION FOR:

147 SEABREEZE AVE.

147 SEABREEZE AVE.
PALM BEACH, FLORIDA

ARCOM PRE-APP SET:
1/24/22

FIRST SUBMITTAL 2/7/22

FINAL SUBMITTAL 2/28/22
251 of 316



MAP ACCEESSED FROM GOOGLE MAPS

SCHEDULE OF CONSTRUCTION WITH MAJOR BENCHMARKS	
WINDOW AND DOOR FABRICATION	4/1/22 - 6/11/22
STRUCTURAL ADDITION	6/1/22 - 8/12/22
WINDOW AND DOOR REMOVAL/REPLACEMENT	6/15/22 - 9/16/22
INTERIOR DEMOLITION	8/15/22 - 9/9/22
FRAMING AND TRADE ROUGH-IN	9/15/22 - 10/7/22
DRYWALL / PLASTER	10/10/22 - 10/24/22
FLOORING INSTALLATION	10/25/22 - 11/9/22
CABINETRY	11/10/22 - 11/30/22
STONEWORK / TILEWORK	11/28/22 - 12/16/22
TRADE TRIM-OUT	12/1/22 - 12/23/22
FINISHES	10/25/22 - 12/30/22

NOTE - SITE HAS EXISTING DRIVEWAY AND HANDICAPING WHICH WILL ACCOMMODATE DELIVERIES AVOIDING UNOCCUPYING STREETSIDE

ESTIMATED NUMBER OF LARGER DELIVERY VEHICLES	
STRUCTURAL ADDITION	7 DELIVERIES
ROOFING	2 DELIVERIES
WINDOWS AND DOORS	4 DELIVERIES
FRAMING AND WALLBOARD	3 DELIVERIES
DEMOLITION / TRIM-OUT	8 DELIVERIES
CABINETRY	2 DELIVERIES
TOTAL LARGER DELIVERY VEHICLES	26 ESTIMATED

ESTIMATED STANDARD WORKMAN'S VEHICLES	
VISITING SITE OVER 9 MONTH DURATION	1,170 ESTIMATED

1. THE BEST ROUTE IS INDICATED FROM I-95 TO PALM BEACH LAKES BLVD TO US 1 HWY SOUTH, TO N GARDVILLE BLVD EAST, AND THEN OVER FLAGLER MEMORIAL BRIDGE, PROCEED TO NORTH COUNTY ROAD AND TURN SOUTH, FOLLOW UNTIL YOU REACH SEABREEZE AVE, AND TURN LEFT (EAST), THE SITE IS 4TH PROPERTY ON THE LEFT (NORTH SIDE)

GENERAL NOTES

CONCEPTUAL TRUCK PARAMETERS

- 4'- 10' MAX TRUCK SIZE
- 3 DUMPSTER EXCHANGES

1 CONCEPTUAL TRUCK INGRESS/EGRESS ROUTE DATA

AR.C - 22 - 084
ZON - 22 - 057

SHEET:
A1.2

4/26/24



KIRCHHOFF & ASSOCIATES
ARCHITECTS

To: Development Review Agenda Backup 5-11-2022

THOMAS KIRCHHOFF
P.L.L.C., NO. AR.0016635

1907 COMMERCIAL EAST SUITE 105
JUPITER, FLORIDA 33458-5611 561.575.9991

RENOVATION FOR:
147 SEABREEZE AVE.

147 SEABREEZE AVE.
PALM BEACH, FLORIDA

AR.COM PRE-APPROVAL SET:
1/24/22

FIRST SUBMITTAL: 2/7/22

FINAL SUBMITTAL: 2/28/22
252 of 316

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Development Review - New Business

Agenda Title

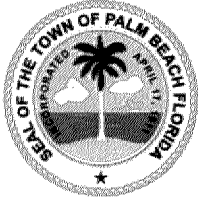
ZON-22-058 (HSB-22-007) 145 CLARENDON AVE (COMBO) -

VARIANCES The applicant, 144 Clarendon LLC (Christopher Uzpen, Manager), has filed an application requesting Town Council review and approval for Variances for (1 and 2) to reduce both of the side (east and west) yard setback requirements and (3) from Chapter 50 for the required floor elevation for the new ground floor addition on a historically significant building to construct a ground floor addition with a finished floor of 6.31' NAVD in lieu of the required 7' NAVD, in conjunction with renovations and additions to an existing nonconforming one-story Historically Significant Building. The Landmarks Preservation Commission will perform design review of the application. [Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject historically significant property. Carried 7-0.] [The Landmarks Preservation Commission approved the project as presented. Carried 7-0.]

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5430 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

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

SUBJECT: ZON-22-058 (HSB-22-007) 145 CLARENDON AVE (COMBO)

MEETING: May 11, 2022

ZON-22-058 (HSB-22-007) 145 CLARENDON AVE (COMBO) – VARIANCES. The applicant, 144 Clarendon LLC (Christopher Uzpen, Manager), has filed an application requesting Town Council review and approval for Variances for (1 and 2) to reduce both of the side (east and west) yard setback requirements and (3) from Chapter 50 for the required floor elevation for the new ground floor addition on a historically significant building to construct a ground floor addition with a finished floor of 6.31' NAVD in lieu of the required 7' NAVD, in conjunction with renovations and additions to an existing nonconforming one-story Historically Significant Building. The Landmarks Preservation Commission will perform design review of the application.

LPC NOTICE:

HSB-22-007 (ZON-22-058) 145 CLARENDON AVE (COMBO). The applicant, 145 Clarendon LLC (Christopher Uzpen, Manager), has filed an application requesting Landmarks Preservation Commission review and approval for additions and renovations to an existing one-story single family Historically Significant Building, including variances for setback requirements and Floodplain requirements. Town Council will review the variance portion of the application.

Applicant: 145 Clarendon LLC (Christopher Uzpen, Manager),
Professional: SKA Architects, Jacqueline Albarran, Architect P.A.
Representative: Maura Ziska

HISTORY:

The subject property was designated 'historically significant' in June of 2021. The property is located within the Estate Conservation District. The British Colonial style dwelling was designed by architects Wyeth, King, and Johnson in 1951.

On April 20, 2022 an application was presented to Landmarks Preservation Commission, pursuant to HSB-22-007 (ZON-22-058) 145 CLARENDON AVE (COMBO).

THE PROJECT:

The applicant has submitted plans, entitled "Wheat Residence", as prepared by **SKA Architects** dated 03/11/22.

The following is the scope of work for the Project:

- Extension of the master bedroom wing to create symmetry with the existing east wing. A bay window will be added to match the original one that was removed.
- Replacement of the low flat roof non-original garage with a low hip roof.
- Restoring the loggia to its original size and symmetry by removing a walk-in closet added to the west side. The non-original glass doors in the loggia will be replaced with sliding glass doors to match the look of the existing living room doors.
- Adding of a covered terrace, with pairs of small columns, to reflect the look of the original open loggia.

The following Variance(s) are required to complete the project:

- Section 50-114 – Historic Buildings A variance of Chapter 50, Floods, is authorized for the improvements to and rehabilitation of this historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Buildings, Chapter 12 Historic Buildings, as the proposed improvements will not preclude the building's continued designation as a Historic building to construct a ground floor addition with a finished floor of 6.31' NAVD and existing garage wing with a finished floor of 5.37' NAVD in lieu of the required 7' NAVD.
- VARIANCE 2: Sec. 134-843(a)(8): A variance to continue a nonconforming (west) side yard setback at 12.7' where 15' is required, to allow a 209 SF addition to the existing structure.
- VARIANCE 3: Sec. 134-843(a)(8): A variance to reduce the east side yard setback at 9.8' where 15' is required for the existing nonconforming setback.

Site Data			
Zoning District	R-A	Lot Size (SF)	23,906 SF
Future Land Use	SINGLE-FAMILY	Total Building Size (SF)	5,847 SF
C-O-R	3.83'	Flood Zone	AE 6 and X
Exist Fin. Floor Elevation	6.31' and 5.37'	Prop. Fin. Floor Elevation	6.31' and 5.37'
Year of Construction:	1951	Architect:	Wyeth, King and Johnson
Project			
	Required/Allowed	Existing	Proposed
Lot Coverage	40% (9,562 SF)	22% (5,273 SF)	25% (5,847 SF)
Building Height	14'	9'-6"	9'-6"
Overall Building Height	22'	18'-6"	18'-6"
Front Yard Open Space 45% OF FRONT YARD:	1,575 45%	2,642 SF 74.5%	N/C
Landscape Open Space	50% (11,953 SF)	53% (12,655 SF)	51% (12,207 SF)

*If value is not applicable, N/A

*If value is not changing, N/C

Surrounding Properties / Zoning	
North	Two-story residence
South	Two-story residence
East	Two-story residence
West	Lake Worth Lagoon

STAFF ANALYSIS

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the Town zoning code:

1. Section 50-114 – Historic Buildings A variance of Chapter 50, Floods, is authorized for the improvements to and rehabilitation of this historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Buildings, Chapter 12 Historic Buildings, as the proposed improvements will not preclude the building's continued designation as a Historic building. to construct a ground floor addition with a finished floor of 6.31' NAVD and existing garage wing with a finished floor of 5.37' NAVD in lieu of the required 7' NAVD.
2. VARIANCE 2: Sec. 134-843(a)(8): A variance to continue a nonconforming (west) side yard setback at 12.7' where 15' is required, to allow a 209 SF addition to the existing structure.
3. VARIANCE 3: Sec. 134-843(a)(8): A variance to reduce the east side yard setback at 9.8' where 15' is required for the existing nonconforming setback.

The scope of work includes significant improvements to an existing historically significant single-story residence. The following three variances are being requested: (1) a flood plain variance to construct a 209 SF addition with a finished floor elevation of 6.31' NAVD to match the FFE of the existing residence, and for an existing garage at 5.37' NAVD which is receiving a new low hip roof, both in lieu of the required 7.0', (2) a setback variance for the 209 SF addition in order to align with the existing structure which has a side yard setback of 12.7' in lieu of the 15' required in the RA District, and (3) to reduce the east side yard setback at 9.8' where 15' is required for the existing nonconforming setback by adding a new low hip roof to replace an existing flat roof, increasing the non-conforming setback vertically.

Staff is supportive of the application for the minor additions due to the retention and continued use of an older architecturally significant building.



SKA
Architect + Planner

Re:

HSB-22-007 ZON-22-058
145 Clarendon Avenue
Palm Beach, FL 33480

February 7, 2022

We are pleased to submit the first submittal of the accompanying drawings for our project at 145 Clarendon Avenue in Palm Beach. We are requesting the following:

We are proposing to make the following alternations to the existing one-story residence to correct issues with past remodels:

- Extension of the master bedroom wing to create symmetry with the existing east wing. A bow window will be added to match the original one that was removed.
- Replacement of the low flat roof in the staff area and non-original garage with a low hip roof.
- Restoring the loggia to its original size and symmetry by removing a walk-in closet added to the west side. The non-original glass doors in the loggia will be replaced with sliding glass doors to match the look of the existing living room doors.
- Adding of a covered terrace, with pairs of small columns, to reflect the look of the original open loggia.
- Minor alteration to the patio between the existing pool and new covered terrace.
- Replacement of existing windows and exterior doors with wood impact units to match.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Albarran'.

Jacqueline Albarran, Architect P.A.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Development Review - New Business

Agenda Title

ZON-22-059 (ARC-22-086) 2219 IBIS ISLE RD (COMBO) - SITE PLAN

REVIEW The applicant, GLOBAL ONE INVESTMENT GROUP LLC (Alfredo Borges), has filed an application requesting Town Council review and approval for Site Plan Review to allow the construction of a residence on a non-conforming platted lot which is 90 feet in width in lieu of the 100 foot minimum width required in the R-B Zoning District. The Architectural Commission will perform design review of the application. [The Architectural Review Commission deferred the project to the May 25, 2022 meeting. Carried 7-0.] **Staff**

Recommends a Deferral to the June 15, 2022 Meeting

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Development Review - New Business

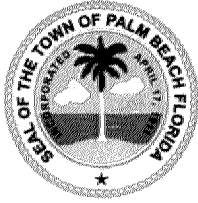
Agenda Title

ZON-22-060 (COA-22-017) 1820 S OCEAN BLVD (COMBO) - SPECIAL EXCEPTION W/ SITE PLAN REVIEW AND VARIANCES The applicant, White Birch Farm Inc. (Peter Brant), has filed an application requesting Town Council review and approval for Special Exception w/ Site Plan Review for the construction of a beach cabana in the BA zoning district including Variances (1) to reduce the required side (west) setback and (2) to reduce the required ocean bulkhead line setback. The Landmarks Preservation Commission will perform design review of the application. [Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject landmarked property. Carried 7-0.] [The Landmarks Preservation Commission approved the project with conditions relating to the architecture. Carried 7-0.]

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**
- ▣ **Plans 1**
- ▣ **Plans 2**
- ▣ **Plans 3**
- ▣ **Plans 4**
- ▣ **Supplemental Renderings**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5430 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

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

SUBJECT: ZON-22-060 (COA-22-017) 1820 S OCEAN BLVD (COMBO)

MEETING: May 11, 2022

ZON-22-060 (COA-22-017) 1820 S OCEAN BLVD (COMBO) —SPECIAL EXCEPTION W/ SITE PLAN REVIEW AND VARIANCES. The applicant, White Birch Farm Inc. (Peter Brant), has filed an application requesting Town Council review and approval for Special Exception w/ Site Plan Review for the construction of a beach cabana in the BA zoning district including Variances (1) to reduce the required side (west) setback and (2) to reduce the required ocean bulkhead line setback. The Landmarks Preservation Commission will perform design review of the application.

LPC NOTICE:

COA-22-017 (ZON-22-060) 1820 S OCEAN BLVD (COMBO). The applicant, White Birch Farm Inc. (Peter Brant), has filed an application requesting a Certificate of Appropriateness approval for exterior modifications to an existing two-story Landmarked guest house and the construction of a new beach cabana in the BA zoning district including setback variances. Town Council will review the Special Exception and Variance portion of the application.

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

HISTORY:

- January 2022 – Staff-level application approved (L-21-00393) to reconstruct three chimneys (in-kind) on the primary structure due to structural decay.

On April 20, 2022 an application was presented to Landmarks Preservation Commission, pursuant to COA-22-017 (ZON-22-060) 1820 S OCEAN BLVD (COMBO).

THE PROJECT:

The applicant has submitted plans, entitled " White Birch Farm Inc. 1820 South Ocean Boulevard", as prepared by **SKA Architect and Planner**, dated 03/22/22

The following is the scope of work for the complete demolition to an existing two-story residence:

- Modifications to the existing west balcony on the guest house.

- Construction of a new 250 SF cabana.

The following Special Exception, Site Plan Review and/or Variances are required to complete the project:

- Section 134-840; Section 134-14 72: Request for a Special Exception with Site Plan Review to allow construction of a 250 SF beach cabana in the R-A/B-A Zoning District.
- VARIANCE 1: Section 134-1474: To allow the beach cabana to have a west setback of 6 feet from the property line in lieu of the 10 foot minimum required.
- VARIANCE 2: Section 134-1702: To allow beach cabana to have a setback of 33.17 feet from the designated ocean bulkhead line established in Chapter 62 in lieu of the 150 foot minimum required.

Site Data			
Zoning District	R-AA Large Estate Residential	Lot Size (SF)	140,876+28,582 SF
Future Land Use	Single family	Flood Zone	AE 6', X
C-O-R	14.73' NAVD	Designated Landmark	4/17/80
Year of Construction:	1924	Architect:	Addison Mizner

*If value is not applicable, N/A

*If value is not changing, N/C

Surrounding Properties / Zoning	
North	Vacant Single-family Large Estate Residence
South	2014 Two-story single-family Large Estate Residence
East	Atlantic Ocean
West	Lake Worth Lagoon

STAFF ANALYSIS

The proposal includes modifications to the existing detached guesthouse and the construction of a new beach cabana. The application proposes to remove the existing second floor balcony on the west façade of the guesthouse. The existing balcony is supported by a series of columns extending to a ground floor patio. Per the plans and documentation provided, the application proposes to reconstruct a new shallow (30'-0" X 6'-2") cantilevered balcony in the same location, supported by triangular brackets.

Additionally, a new cabana will be constructed on the oceanfront parcel requiring two variances and a Special Exception with Site Plan Review. The proposed cabana utilizes similar detailing found on the primary and guest structures, including a wood shingle roof, exposed cypress rafter tails, and exposed half-timbering. The required Code relief for the construction of the cabana is as follows:

- Section 134-840; Section 134-1472: Request for a Special Exception with Site Plan Review to allow construction of a 250 SF beach cabana in the R-A/B-A Zoning District.
- VARIANCE 1: Section 134-1474: To allow the beach cabana to have a west setback of 6

- feet from the property line in lieu of the 10 foot minimum required.
- VARIANCE 2: Section 134-1702: To allow beach cabana to have a setback of 33.17 feet from the designated ocean bulkhead line established in Chapter 62 in lieu of the 150 foot minimum required.

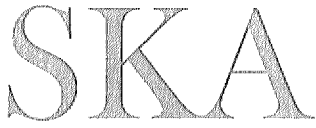
In the BA zoning district, a beachfront cabana is a Special Exception Request with Site Plan Review to allow construction of a 250 SF beach cabana in the R-A/B-A Zoning District. While the beachfront parcel contains approximately 29,000 SF of lot area and a street frontage of approximately 334' linear feet, the actual developable land area is limited as the shoreline revetment that runs parallel to the ocean greatly infringes on the land limiting it to roughly 14' deep at the southern end—leaving little room for the cabana.

As it pertains to Variance #1 to allow the beach cabana to have a west setback of 6 feet from the property line in lieu of the 10 foot minimum required, staff has no objections. The 10' x 25' wide cabana has been sited towards the northern portion of the site, roughly 30' from the north side property line. Due to the limited land area, the closest edge of the cabana is 6' from the west front property line. There are similar oceanfront cabanas in the immediate area located further to the south at 1906 and 1900 South Ocean Boulevard.

As it pertains to Variance #2 to allow beach cabana to have a setback of 33.17 feet from the designated ocean bulkhead line established in Chapter 62 in lieu of the 150 foot minimum required, staff has no objections. Similar variances, specifically 5 in 2021 have been granted in the past and is not uncommon when the revetment serves in lieu of the proper designated ocean bulkhead line.

Finally, the following comments remain for the applicant to be aware of:

1. FDOT Permission for new stairs over revetment required.
2. Existing tunnel will need to be evaluated per FDOT criteria.
3. A Stormwater management system designed to treat the initial stormwater runoff for the site will need to be developed (Ref. Sec. 30-114 – Drainage and Sec. 86 – Article III Stormwater Management).



ARCHITECT + PLANNER

Re:
1820 South Ocean Blvd
Palm Beach, Florida 33480
Date:
February 4, 2022

SKA Architect+Planner - LETTER OF INTENT
RELATED TO THE MODIFICATION OF AN EXISTING GUEST HOUSE AND
NEW CONSTRUCTION OF A CABANA AT
1820 S OCEAN BLVD

We are pleased to submit the accompanying drawings for the modification of an existing guest house and the new construction a cabana at 1820 S Ocean Blvd. Please note the following:

A) LANDMARKS PRESERVATION COMMISSION 54-122 & 54-161

Modification to a rear balcony on an existing guesthouse; the ground level is a screened loggia which will be modified to a cantilevered balcony similar to other architectural features of the property. A new 250 sq.ft. beach cabana is also being proposed.

B) ARCOM 18-205 N/A

B) ARCOM 18-206 N/A

C) SPECIAL EXCEPTION 134-229

Section 134-840; Section 134-1472: Request for a Special Exception with Site Plan Review to allow construction of a 250 SF beach cabana in the R-A/B-A Zoning District. The following Criteria for Special Exception is set forth below:

A beach cabana is a special exception use permitted in the R-A/B-A Zoning District.

The proposed beach cabana will not adversely impact the public or neighborhood as it is consistent with other beach cabanas along South Ocean Boulevard and smaller in size then what is allowed by Code.

The proposed beach cabana will have a positive impact on the value of other properties in the neighborhood as it creating an amenity for the homeowner.

The proposed beach cabana will be compatible with the neighborhood as other houses and neighborhood associations have similar cabanas on South Ocean Boulevard in this area of Town.

The proposed beach cabana will comply with all other yard, other open space and any special requirements set forth in Article VI.

The proposed beach cabana will comply with the comprehensive plan, if applicable.

The proposed beach cabana will not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district as it is smaller then what is allowed under the Code and meets all of the applicable zoning requirements except the west setback and meets the ocean vista requirement.

Adequate ingress, egress and parking will be provided on applicant's property across the street.

Any utilities that are provided to the cabana will be in compliance with the building code.

The proposed beach cabana should not place a greater burden on police or fire protection services as there are other cabanas along South Ocean Boulevard in this area and the use will be by the applicant's family and guests only.

D) SITE PLAN REVIEW 134-329

The following Criteria for Site Plan Review is set forth below:

The owners of the property is Irwin Ackerman and is the person in control of the property. A cabana is a permitted special exception use in the R-B/B-A Zoning District.

The proposed beach cabana is smaller than the allowable beach cabana in that 200 square feet is allowed and 186 square feet is proposed.

Ingress, egress, utilities and refuse collection will be via North Ocean Boulevard, which is capable of handling traffic and other such uses in a residential neighborhood.

The proposed site plan and landscape plan meets the ocean vista requirement.

The utility hook ups, if any, will meet the current Town of Palm Beach requirements.

The proposed beach cabana will not be overly intrusive on the street and neighborhood as it is much smaller in size and scale then most cabanas along North Ocean Boulevard.

E) VARIANCES 134-201

VARIANCE 1: Section 134-1474: To allow the beach cabana to have a West setback of 6 feet from the property line in lieu of the 10 foot minimum required.

VARIANCE 2: Section 134-1702: To allow beach cabana to have a setback of 33.17 feet from the designated ocean bulkhead line established in Chapter 62 in lieu of the 150 foot minimum required.

Variance Criteria:

The special circumstances that are peculiar to the land are that the beach parcel although owned to the mean high water line, can only be used from the location of the Town's bulkhead line. It would not be feasible to meet the 10 foot west setback as required by the Code as it would result in a narrow cabana and if required to meet the 150 foot setback from the Town's bulkhead line, a cabana would not be allowed at all.

The applicant was not the cause of the special conditions of the property, as the beach parcel size and location of the Town's Bulkhead Line existed prior to the applicant owning the property.

The granting of the variances will not confer on the applicant a special privilege. Many properties are in the R-A/B-A Zoning District and elsewhere along the ocean have similar beach cabanas that are setback closer then ten feet to the west property line.

The hardship, which runs with the land, is that the depth of the beach parcel according to fee simple ownership is to the mean high water line, however, there is only not enough distance to the Town's Bulkhead line, which does not give enough room to design a cabana and meet the 10 foot setback from the west property line. Meeting the code required setback of 10 feet from the street would only allow for a narrow cabana.

The variances requested for the cabana is minimal considering the ocean vista will remain and other cabanas in this area also have minimal setbacks to the street.

The variances requested for the cabana are reasonable considering the location of the other cabanas on the street being closer then the 10 foot setback and the additional buffer of approximately 5 feet between South Ocean Boulevard to the proposed cabana.

F) OTHER

Sincerely,



Daniel Clavijo

SHEET INDEX

- 1 COVER
- 2 SURVEY
- 3 ZONING LEGEND
- 4 VICINITY LOCATION MAP
- 5 CONTEXTUAL SITE PLAN + STREETSCAPE
- 6 SURROUNDING PROPERTIES PHOTOS
- 7 SUBJECT PROPERTY PHOTOS
- 8 SUBJECT PROPERTY PHOTOS
- 9 SUBJECT PROPERTY PHOTOS
- 10 SUBJECT PROPERTY PHOTOS
- 11 SUBJECT PROPERTY PHOTOS
- 12 SUBJECT PROPERTY PHOTOS
- 13 PREVIOUSLY APPROVED RENDERINGS
- 14 PREVIOUSLY APPROVED RENDERINGS
- 15 PREVIOUSLY APPROVED RENDERINGS
- 16 PREVIOUSLY APPROVED RENDERINGS
- 17 PREVIOUSLY APPROVED RENDERINGS
- 18 SUBJECT PROPERTY BEACH PHOTOS
- 19 SUBJECT PROPERTY BEACH PHOTOS
- 20 SUBJECT PROPERTY BEACH PHOTOS
- 21 NEIGHBORING PROPERTIES BEACH PHOTOS + CABANAS
- 22 EXISTING SITE PLAN
- 23 PROPOSED SITE PLAN
- 24 ENLARGED PROPOSED CABANA SITE PLAN
- 25 PROPOSED CABANA PLANS
- 26 SITE SECTION, BUILDING SECTION, OCEAN VISTA
- 27 VARIANCE DIAGRAM, SCREENING PLAN
- 28 GUEST HOUSE PLANS
- 29 EXISTING ELEVATIONS
- 30 EXISTING & PROPOSED ELEVATIONS
- 31 EXISTING & PROPOSED ELEVATIONS
- 32 TRUCK PLAN
- 33 APPROVED LANDSCAPE
- 34 APPROVED LANDSCAPE

SKA Architect + Planner
 249 Peruvian Avenue, Suite F-2
 Palm Beach, Florida 33480
 (561) 655-1116 office
 (561) 832-7828 facsimile
www.skaarchitect.com

WHITE BIRCH FARM, INC
 1820 SOUTH OCEAN BOULEVARD
 PALM BEACH, FLORIDA 33480
 CABANA ADDITION

LANDMARKS

COA-22-017
 APRIL 20, 2022

TOWN COUNCIL
 ZON-22-060
 MAY 11, 2022

FINAL SUBMITTAL
 2-28-22

RECEIVED
 By eflynn at 8:59 am, Mar 22, 2022

SKA ARCHITECT + PLANNER
 PATRICK W. SEGRAVES, A.I.A.
 DANIEL A. CLAVIJO, ASSOCIATE A.I.A.

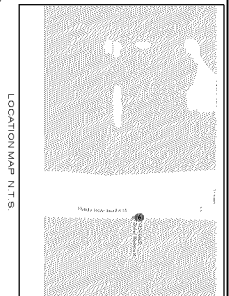
JOSEPH DIRAND ARCHITECTURE
 MADISON COX ASSOCIATES - LANDSCAPE

MODIFICATION TO A REAR BALCONY ON AN EXISTING GUESTHOUSE: THE GROUND LEVEL IS A SCREENED LOGGIA WHICH WILL BE MODIFIED TO A CANTILEVERED BALCONY SIMILAR TO OTHER ARCHITECTURAL FEATURES OF THE PROPERTY. A NEW 250 SQ.FT. BEACH CABANA IS ALSO PROPOSED.

A. SECTION 134-840: SECTION 134-1472 : REQUEST A SPECIAL EXCEPTION WITH SITE PLAN REVIEW TO ALLOW CONSTRUCTION OF A 250 SQUARE FOOT BEACH CABANA IN THE R-A/B-A ZONING DISTRICT

B. VARIANCE 1: SECTION 134-1474: TO ALLOW THE BEACH CABANA TO HAVE A WEST SETBACK OF 6 FEET FROM THE PROPERTY LINE IN LIEU OF THE 10 FOOT MINIMUM REQUIRED.

C. VARIANCE 2: SECTION 134-1702: TO ALLOW BEACH CABANA TO HAVE A SETBACK OF 33.17 FEET FROM THE DESIGNATED OCEAN BULKHEAD LINE ESTABLISHED IN CHAPTER 62 IN LIEU OF THE 150 FOOT MINIMUM REQUIRED.

NORTH

REVISIONS:	
07/22/02.0	Added Trees
08/01/02.0	Added the Signs
01/08/02	add item: Bulbwood Tree

REV.	1200648
08 NOV. 2008	1200665
EF:	1200665
	1200665

REV.	1200648
08 NOV. 2008	1200665
EF:	1200665
	1200665



Town of Palm Beach

Planning Zoning and Building
360 S County Rd
Palm Beach, FL 33480
www.townofpalmbeach.com

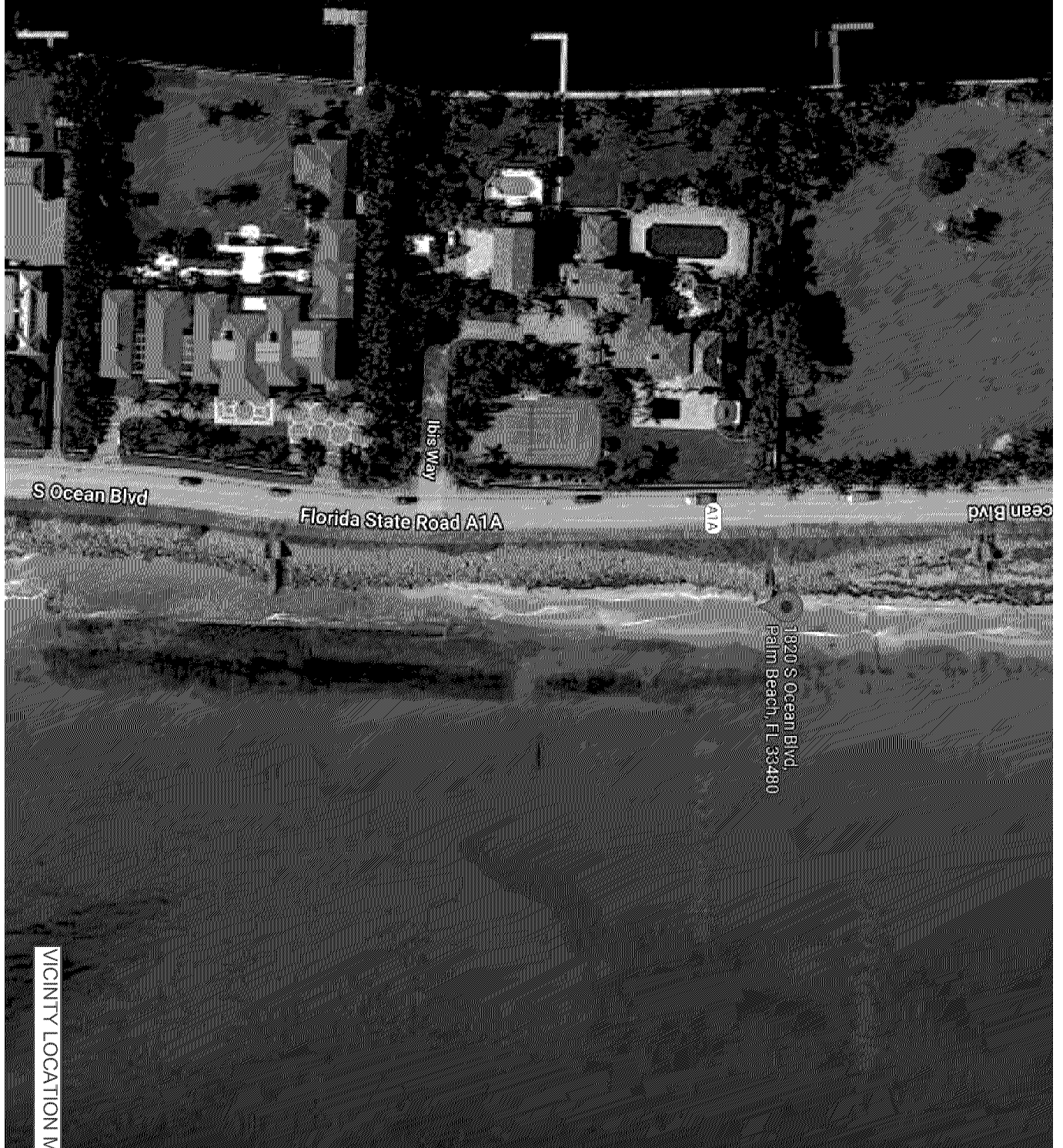
Line #	Zoning Legend			
1	Property Address:	1820 S. OCEAN BLVD		
2	Zoning District:	R-AA LARGE ESTATE RESIDENTIAL		
3	Structure Type:	TWO STORY SINGLE FAMILY HOME - ONE STORY CABANA		
4		Required/Allowed	Existing	Proposed
5	Lot Size (sq ft)	60,000 SQ.FT.	140,876 + 28,582 SQ.FT.	140,876 + 28,582 SQ.FT.
6	Lot Depth	150.00'	334.00'	334.00'
7	Lot Width	150.00'	336.96' / 96.0'	336.96' / 96.0'
8	Lot Coverage (Sq Ft and %)	25% Maximum	9,284.50 SQ.FT.(6.6%)	9,284.50 SQ.FT.(6.6%) / 250.00 SQ.FT.(0.87%)
9	*Front Yard Setback (Ft.)	35.00'	86.4'	86.4' / 6.0'
10	* Side Yard Setback (1st Story) (Ft.)	30.00'	2.0' S	2.0' S / 30.00' (cabana)
11	* Side Yard Setback (2nd Story) (Ft.)	30.00'	52.4' N	52.4' N
12	*Rear Yard Setback (Ft.)	15.00'	114.60'	114.60'
13	Angle of Vision (Deg.)	NA	NA	NA
14	Building Height (Ft.)	N/A	N/A	N/A
15	Overall Building Height (Ft.)	30.00'	25.3'	25.3'
16	Crown of Road (COR) (NAVD)	NA	14.73'	14.73'
17	Max. Amount of Fill Added to Site (Ft.)	NA	NA	NA
18	Finished Floor Elev. (FFE)(NAVD)	7.00' Minimum	23.10'	23.10' / 16.50'
19	Zero Datum for point of meas. (NAVD)	7.00' Minimum	7.00'	7.00'
20	FEMA Flood Zone Designation	NA	X, AE, VE	X, AE, VE
21	Base Flood Elevation (BFE)(NAVD)		7.00'	7.00'
22	Landscape Open Space (LOS) (Sq Ft and %)	45%	85,592 SQ.FT.(60.75%)	85,592 SQ.FT.(60.75%)
23	Perimeter LOS (Sq Ft and %)	NA		
24	Front Yard LOS (Sq Ft and %)	NA		
25	**Native Plant Species %	XX%	50%	50%

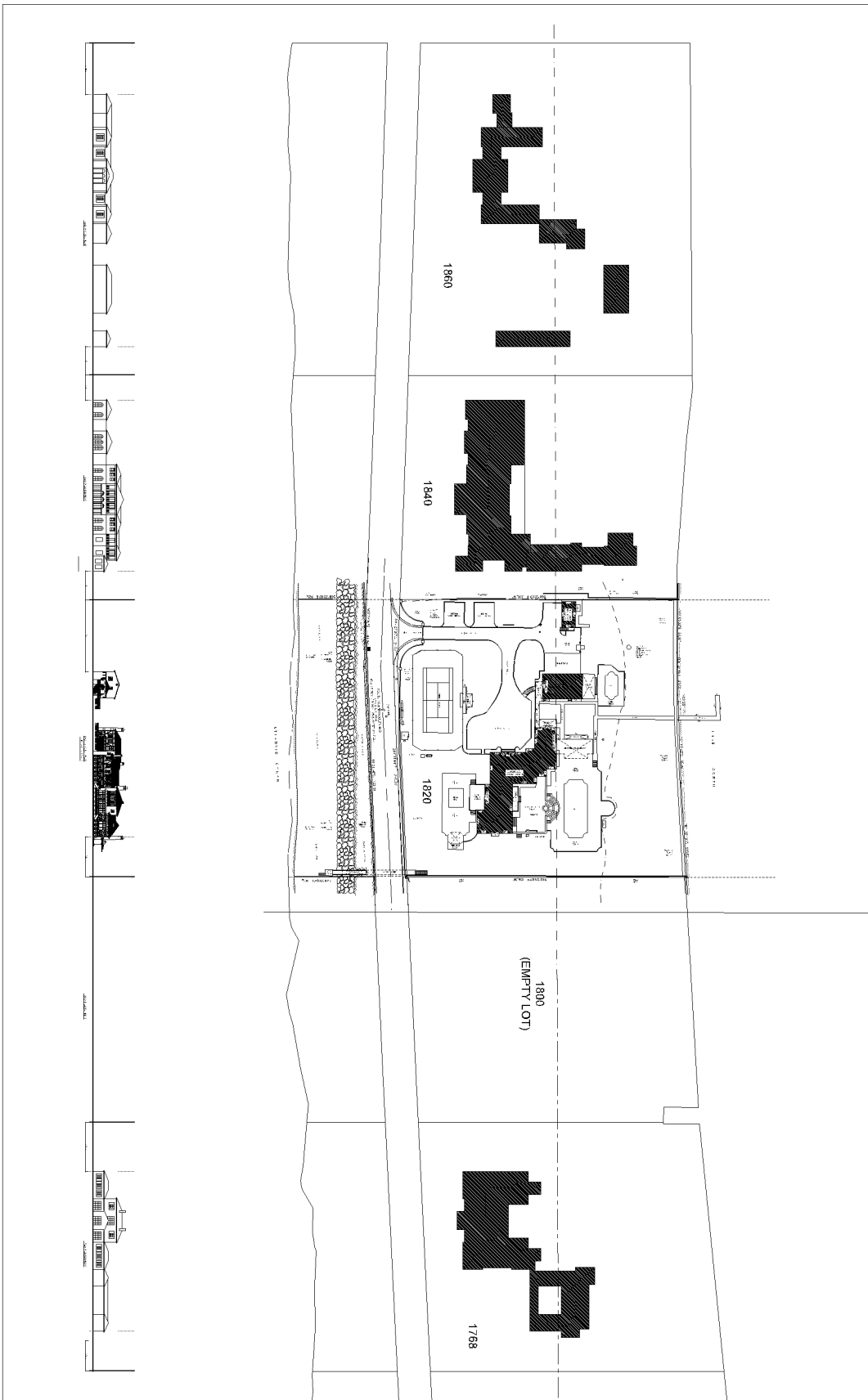
* Indicate each yard area with cardinal direction (N,S,E,W)

If value is not applicable, enter N/A

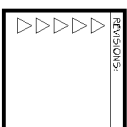
** Provide Native plant species calculation per category as required by Ord. 24-2021 on separate table

If value is not changing, enter N/C

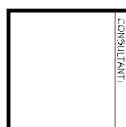




REVISIONS	SHEET NUMBER
	5
DATE: 02-20-22 DATE: 02-22-17 JOB #: 20N-22-060	

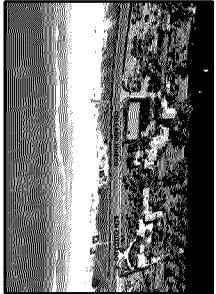


PROPOSED RENOVATION FOR:
 WHITE BIRCH FARM, INC
 1820 SOUTH OCEAN BOULEVARD
 PALM BEACH, FLORIDA 33480

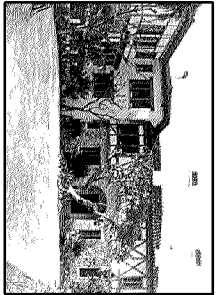


SKA
 SKA ARCHITECT + PLANNER
 OFFICE 561-655-1116 FAX 561-832-7828
 240 PERMAN AVE. SUITE-2, PALM BEACH, FL 33480

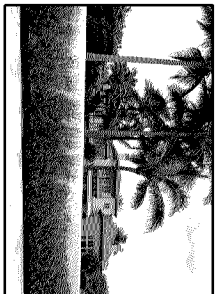
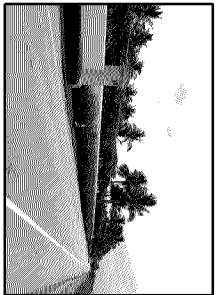




HISTORIC IMAGES



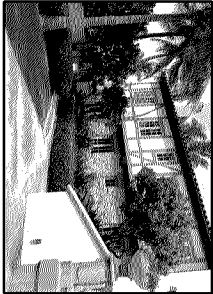
VIEWS ALONG S. OCEAN BLVD



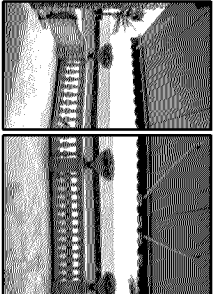
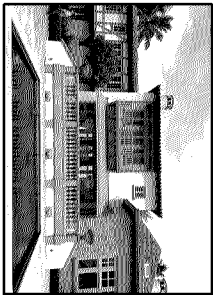
ENTRY SERVICE & DRIVE



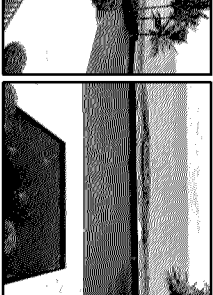
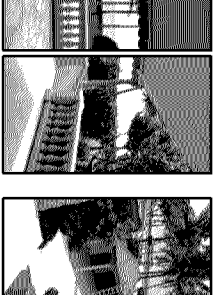
ENTRY COURT



EAST TERRACE



VIEWS OF EAST TERRACE

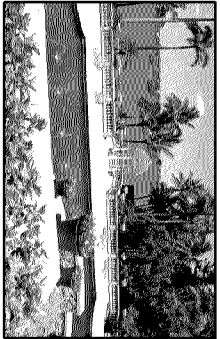


NOT FOR CONSTRUCTION - LPC REVIEW PALM BEACH L.P.C. 06.17.2021

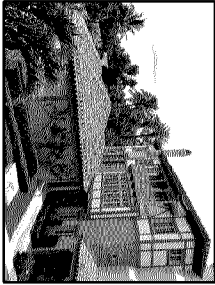
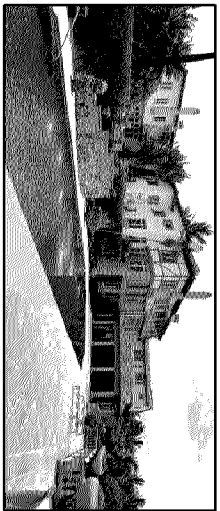
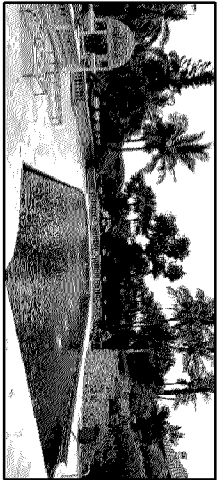
1820 S. Ocean Blvd Palm Beach, FL LPC: COA 0371021	
APPLICANT: L&L	DATE: 06/17/2021
PROJECT: 1820 S. Ocean Blvd	DATE: 06/17/2021
DESIGNER: L&L	DATE: 06/17/2021
REVIEWER: L&L	DATE: 06/17/2021
APPROVED: L&L	DATE: 06/17/2021
REVISIONS:	
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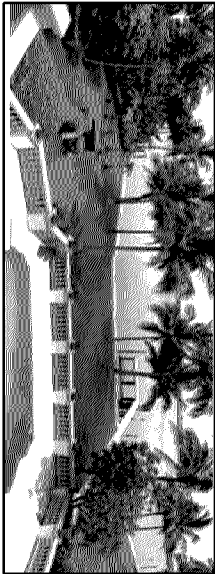
WEST TERRACE



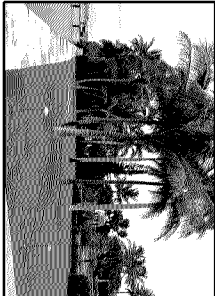
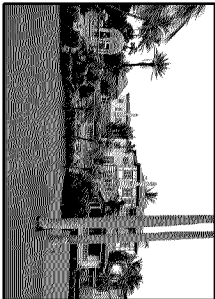
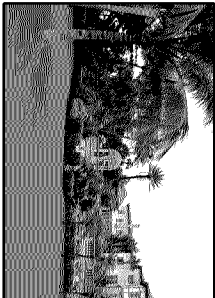
POOL TERRACE



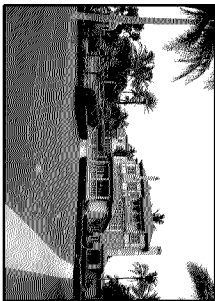
ROSE GARDEN



GUEST HOUSE TERRACE



WEST VIEWS



NOT FOR CONSTRUCTION - LPC REVIEW PALM BEACH L.P.C 06/17/2021

1820 S. Ocean Blvd
Palm Beach, FL
LPC COA-497-20/21

1,245.51 SF, 42'
1.900 sq. ft. per 10,000
sq. ft. of building area
per 10,000 sq. ft. of lot area

EXISTING CONDITION IMAGE

DATE

06/06/21

BY

606701

LO 01

COLLADO HUECO
1820 SOUTH OCEAN BOULEVARD, PALM BEACH



LEGEND

NOTES

COORDINATION NOTE:
Structure and building services systems, including mechanical, electrical, plumbing, and fire protection, shall be coordinated with the owner and the architect for building details.

SCALE NOTE:

Do not include from drawings, all structural, architectural, mechanical, electrical, plumbing, and fire protection details. All dimensions shall be checked on the drawings and shall be indicated on the drawings. All dimensions shall be indicated on the drawings and shall be indicated on the drawings.

DISCLAIMER: Designer of the building

1. All inlets are open to the design.
2. Drawings are provided for design of all.
3. The Contractor shall be responsible for all.
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DESIGNER		PROJECT NAME	
JOSEPH GILMAN ARCHITECTURE	COL-GUEST HOUSE-02	DESIGNER	PROJECT NAME
ARCHITECT	COL-GUEST HOUSE-02	DESIGNER	PROJECT NAME
ARCHITECT	COL-GUEST HOUSE-02	DESIGNER	PROJECT NAME

COLLADO HUECO
1820 SOUTH OCEAN BOULEVARD, PALM BEACH



FINISHES SCHEDULE

- 210115 FIRST ISSUE

LEGEND	NOTES
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LEGEND	NOTES
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CO-ORDINATION NOTE:
Facade envelope details shown
indicatively only for coordination.
Structure and building services shown
indicatively, please refer to appropriate
Consultant's information for further details.

SCALE NOTE:
Do not scale from drawings.
To be read in conjunction with all relevant
Architect, Services and Structural
Engineers drawings.
All dimensions to be checked on site.
All structural items to be checked on site.

DISCLAIMER: Drawings of the Interior Designer

¹. All interests are specific to the design scheme reviewed and approved by the architect.

2. Drawings are provided for design intent only. To the fullest extent permitted by law, any document prepared by the Interior Designer, shall remain the property of the Interior Designer, who retains all rights, including, without limitation, the copyrights and other intellectual property rights.

3. The Contractor shall be architect of record and/or fabricator shall have sole responsibility for construction means, methods, techniques, sequences, procedures for coordinating all portions of the work to produce the intent of the drawings.

4. The Interior Designer relies on the contractor and/or architect of record and/or fabricator which shall ensure that all services of external materials and/or manufactured elevations provided by them to the Interior Designer comply with all applicable local laws, rules, regulations, codes, permits, judgments, orders, and decrees.

5. Interior Designer counts are indicative only. The fabricator shall specify exact quantities.

7. The Interior Designer provides only design advisory service and is not responsible for the logistics of implementation.

8. The Interior Designer does not represent that this disclaimer is complete nor does he make any representation or warranty about the fitness for any particular purpose

of the documents.

It is a small, 150-page book, \$22.50. It is available from the publisher, The American Institute of Architects, 1735 M Street, N.W., Washington, D.C. 20036. It is available from the publisher, The American Institute of Architects, 1735 M Street, N.W., Washington, D.C. 20036.

JOSEPH DIRAND ARCHITECTURE
1000 15th Street, N.W., Washington, D.C. 20005

October 5/11 1992

FILE NO.	COLLADO HERCOTO
TYPE	DEVELOPMENT DESIGN
STANDARD NAME	ESTRERO COMMERCIAL ZONE



- 20000 FIRST FLOOR
- REV. 2-2020 COMMENTS



LEGEND

NOTES

COORDINATION NOTE:
Provide a complete and detailed list of all structural and building system components, including but not limited to, foundation, framing, and roof system, for review and coordination with the structural engineer.

SCALE NOTE:

Do not include from drawings of structural and building system components, including but not limited to, foundation, framing, and roof system, for review and coordination with the structural engineer.

DISCLAIMER: Drawings of the building

1. All inclusions are specific to the design of the building and are not to be used for any other purpose.

2. Drawings are provided for design intent only. The final design is subject to the design team's review and approval.

3. The Contractor shall provide a record of all materials and methods used in the construction of the building.

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CO-ORDINATION NOTE:
Facade envelope details shown
indicatively only for co-ordination.
Structure and building services shown
indicatively, please refer to appropriate
Consultant's information for further details.

NOTES

Do not scale from drawings.
To be used in conjunction with all relevant
Architect, Services and Structural
Engineers' drawings.
All dimensions to be checked on site.
All information based on indicative
drawings and subject to full review post

DISC NUMBER - Drawings of the Interior Designer

1. All answers are specific to the design team.
2. Changing the process by design team is not a good idea. The design team is not responsible for the design. The design team is responsible for the design. The design team is responsible for the design.
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JOSEPH DREHAR, ARCHITECTURE 10100 E. 10TH AVE., SUITE 100 DENVER, CO 80231-1000	
FIRM NAME COLLEAD INCORP	
FIRM TYPE DEVELOPMENT DESIGN	
ADDRESS 1000	
DATE 10/1/00	TOTAL 1000
PROJECT 1000	PROJECT 1000
PROJECT NAME 1000	

- 2/10/2018 FIRST ISSUE
- REV. 2/10/2018 CORRECTED



LEGEND

NOTES

COORDINATION NOTE:
1. All dimensions are given in meters.
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SCALE NOTE:

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DISCLAIMER: Drawings of the building

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DESIGNER'S NAME AND CONTACT INFORMATION	
DESIGNER'S NAME	COL-BL07-100.3
DESIGNER'S ADDRESS	DESIGNER'S ADDRESS
DESIGNER'S PHONE	DESIGNER'S PHONE
DESIGNER'S EMAIL	DESIGNER'S EMAIL

- 210023: FIRST ISSUE



NOTES

Facade envelope details shown
indicatively only for coordination.
Structure and building services shown
indicatively, please refer to appropriate
Consultant's information for further details.

SCALE NOTE:
Do not tickle from drawings.
To be read in conjunction with all relevant
Architect, Services and Structural
Engineers drawings.
All dimensions to be checked on site.
All information based on indicative
drawings and subject to full review post
receipt of full dimensional survey.

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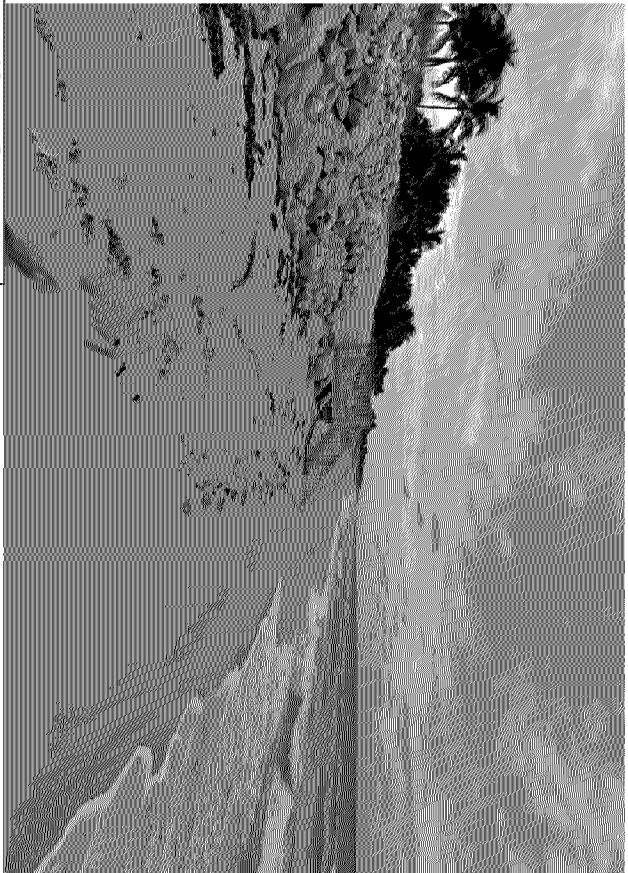
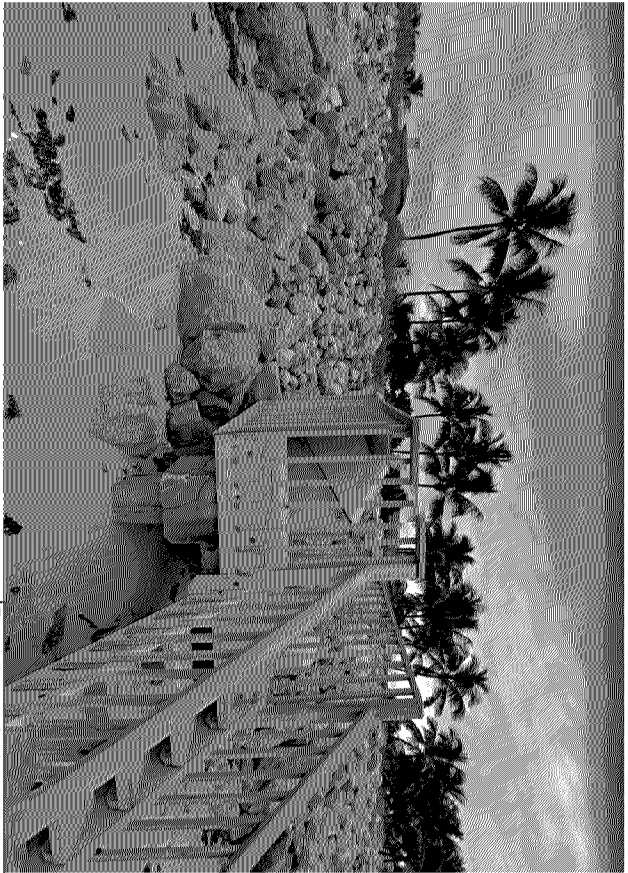


Ocean views from Subject Property and street for proposed cabana location.



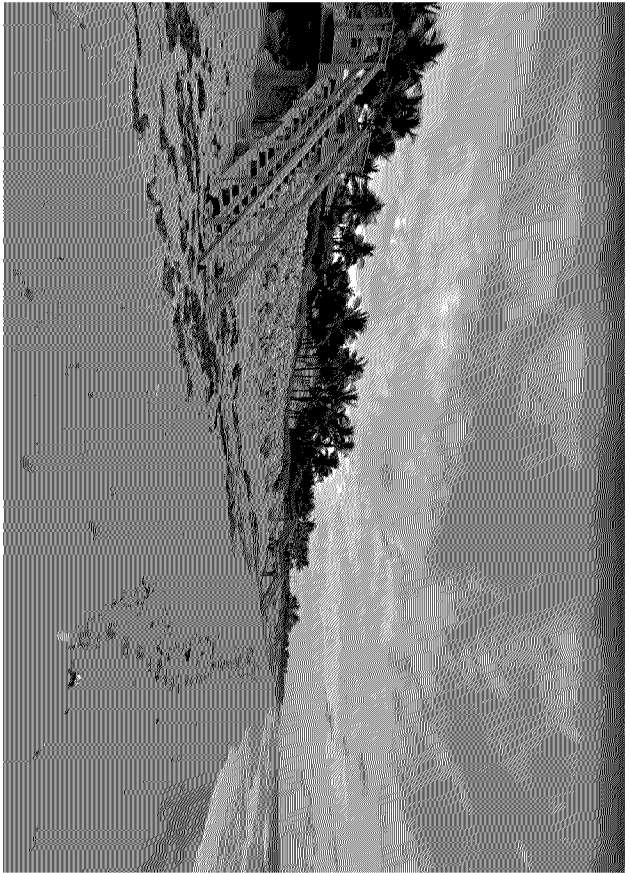


Existing beach revetment and tunnel of Subject Property



Existing beach side stairs and tunnel of Subject Property

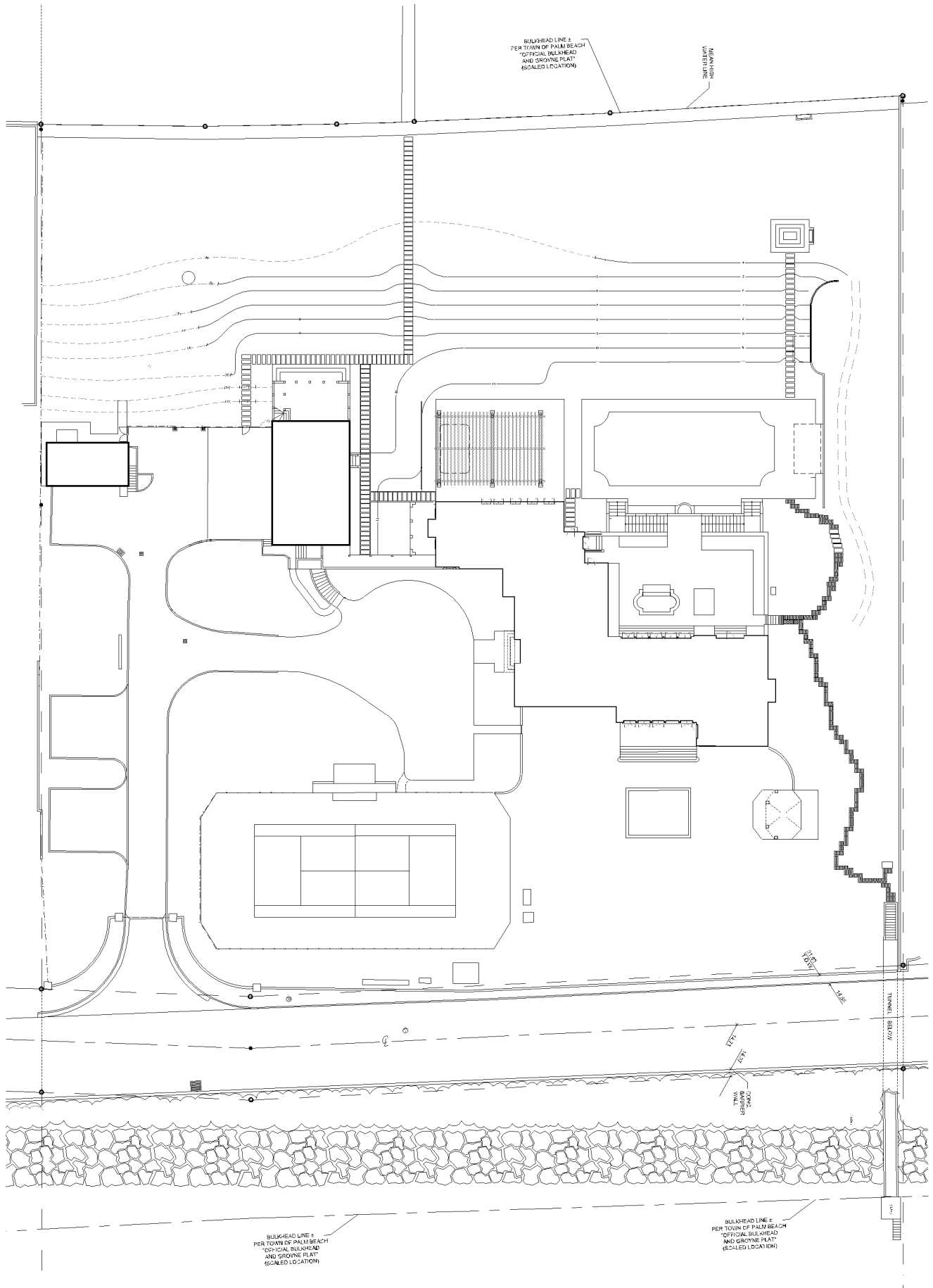




Beach side stairs to north of property



Neighboring Beach
Cabana
1900 + 1906 S Ocean Blvd

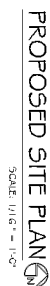


EXISTING SITE PLAN

SCALE 1/4" = 1'-0"

SHEET NUMBER
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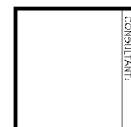
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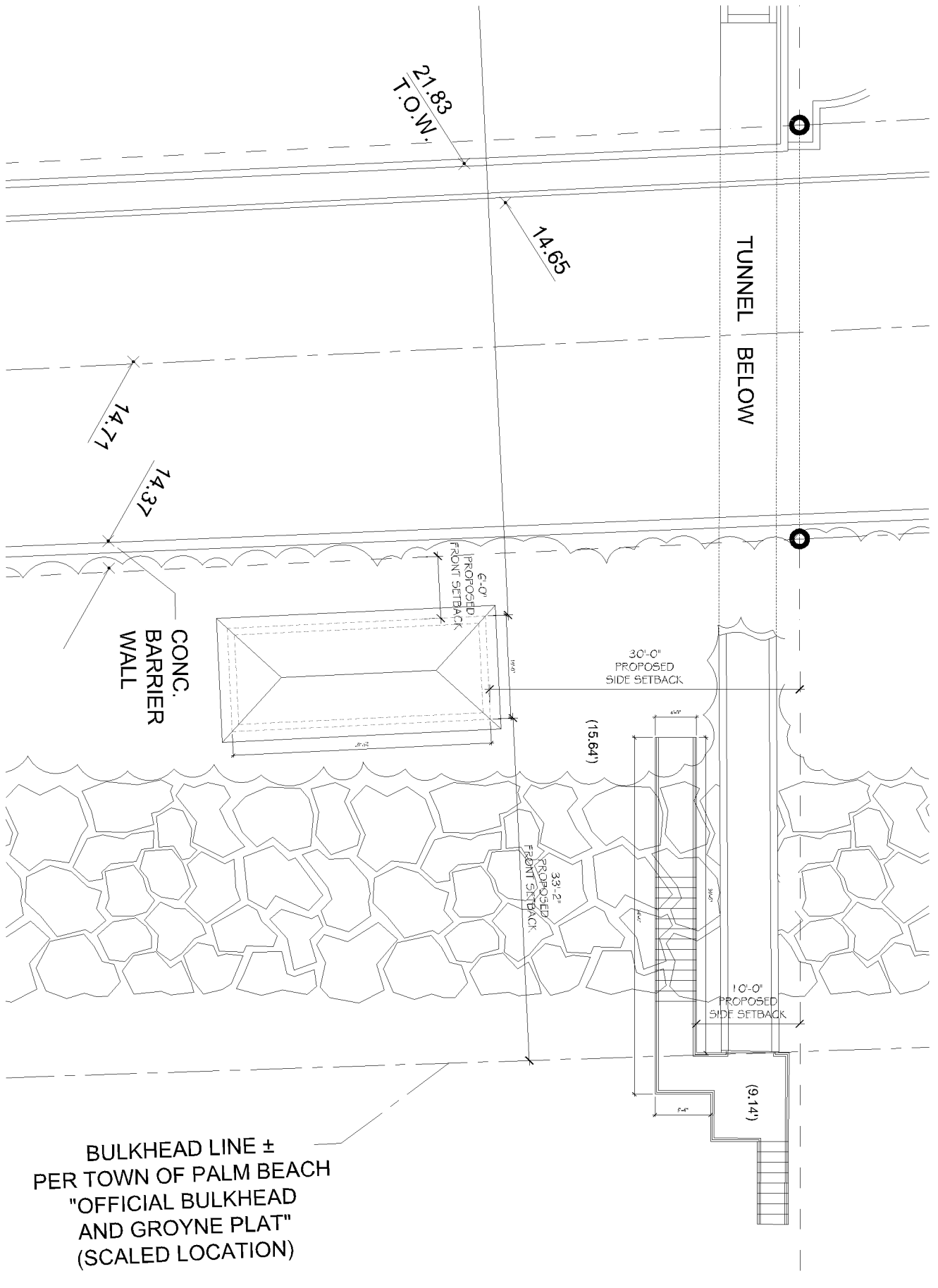
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PROPOSED RENOVATION FOR:
WHITE BIRCH FARM, INC
1820 SOUTH OCEAN BOULEVARD
PALM BEACH, FLORIDA 33480



SKA
SKA ARCHITECT + PLANNER
OFFICE 561-635-1116 FAX 561-832-7828
240 PERSIMMON AVE, SUITE 2 PALM BEACH, FL 33460



BULKHEAD LINE ±
PER TOWN OF PALM BEACH
"OFFICIAL BULKHEAD
AND GROYPE PLAT"
(SCALED LOCATION)

ENLARGED PROPOSED SITE PLAN

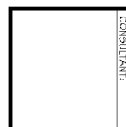
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DATE	COA-22-017
DATE	20N-22-060

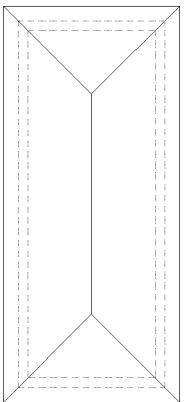
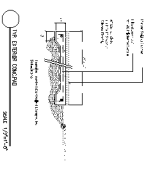
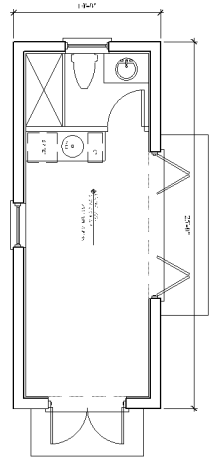
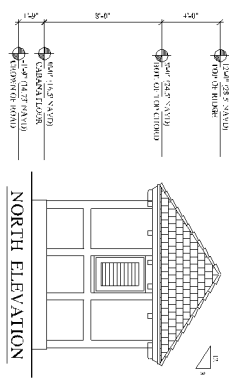
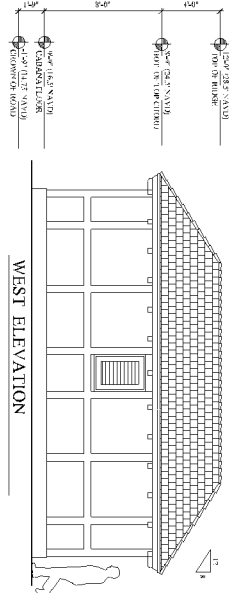
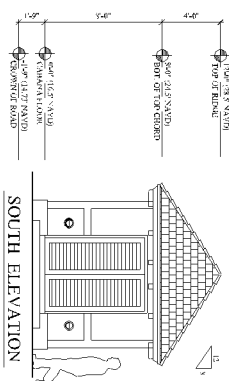
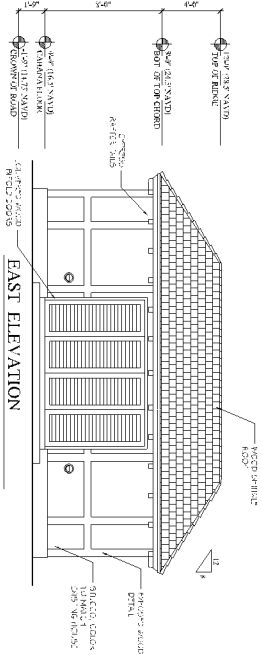
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PROPOSED RENOVATION FOR:
WHITE BIRCH FARM, INC
1820 SOUTH OCEAN BOULEVARD
PALM BEACH, FLORIDA 33480



SKA
SKA ARCHITECT + PLANNER
OFFICE 561-655-1116 FAX 561-892-7828
246 PERMAN AVE. SUITE 2, PALM BEACH, FL 33480



SKA

SKA ARCHITECT + PLANNER
 OFFICE 561-655-1116 FAX 561-802-7828
 240 PERMAN AVE. SUITE 202 PALM BEACH, FL 33480

CONSULTANT

PROPOSED RENOVATION FOR:
 WHITE BIRCH FARM, INC
 1820 SOUTH OCEAN BOULEVARD
 PALM BEACH, FLORIDA 33480

A.A. #001345
 A.R. #101151

A.A. #001345
 A.R. #101151

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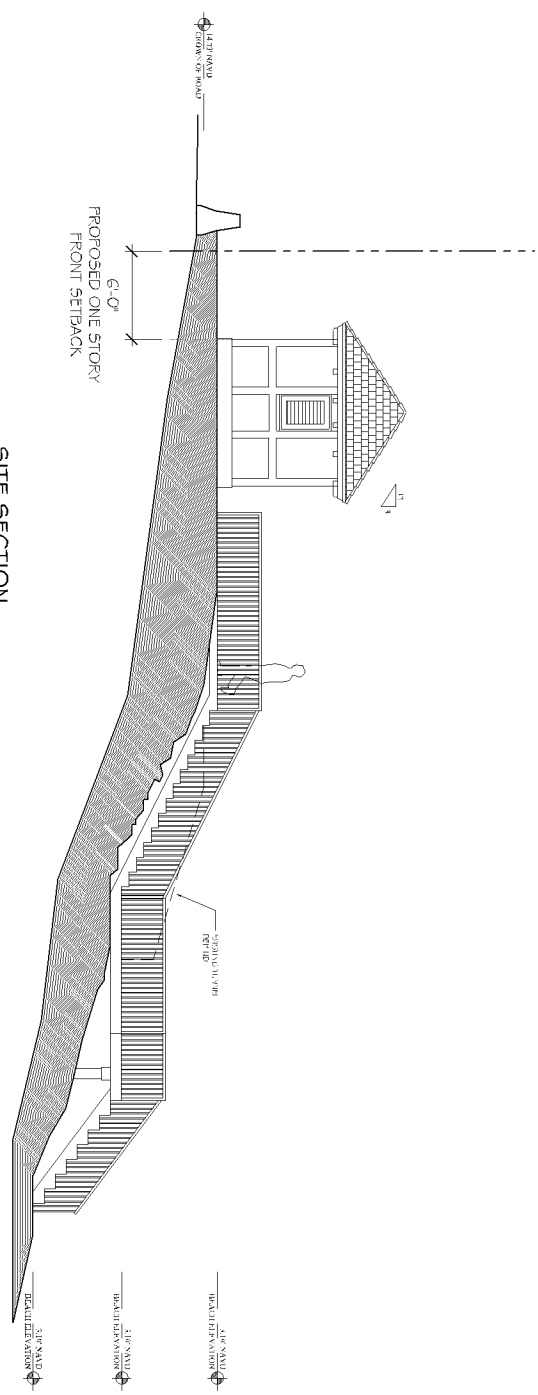
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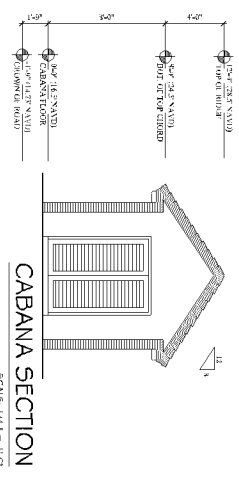
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 DATE COA-22-017
 JOB # ZON-22-060

PROPOSED CABANA PLANS

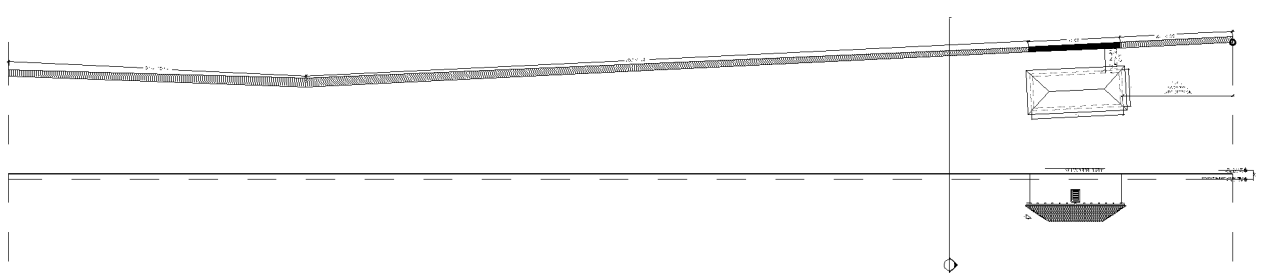
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SITE SECTION
SCALE: 1/4" = 1'-0"



CABANA SECTION
SCALE: 1/4" = 1'-0"



OCEAN VISTA PLAN
SCALE: 1/4" = 1'-0"

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SKA ARCHITECT + PLANNER
OFFICE 561-655-1116 FAX 561-832-7828
280 PERMAN AVE. SUITE 202 PALM BEACH, FL 33480

CONSULTANT

PROPOSED RENOVATION FOR:
WHITE BIRCH FARM, INC
1820 SOUTH OCEAN BOULEVARD
PALM BEACH, FLORIDA 33480

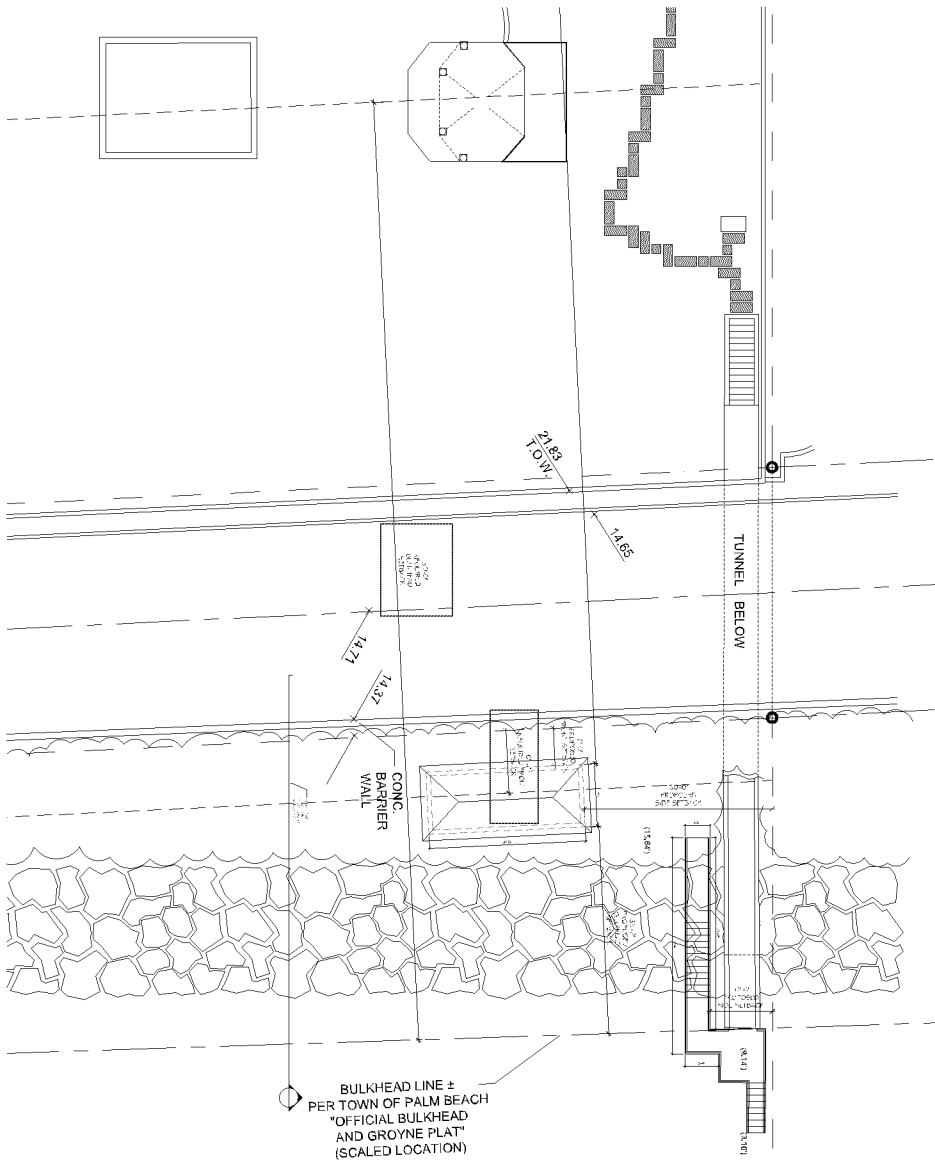
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REVISIONS

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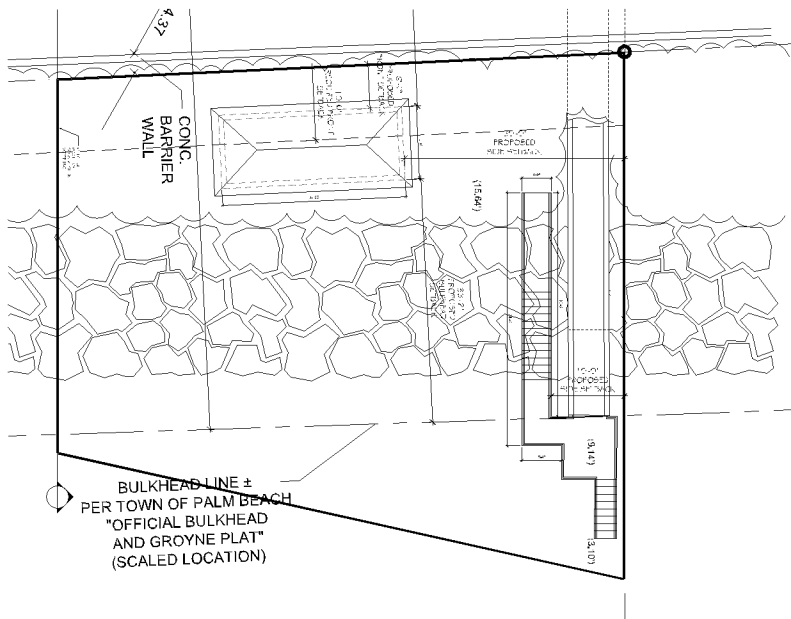
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SCALE: 02-20-22
DATE: COA-22-017
JOB # 20N-22-060



VARIANCE DIAGRAM

SCALE: NTS



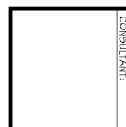
CONSTRUCTION SCREENING + STAGING PLAN

SCALE: 1/4" = 1'-0"

REVISIONS	27
SHEET NUMBER	27
DATE: 02-20-22	
DATE: COA-22-017	
DATE: ZON-22-060	



PROPOSED RENOVATION FOR:
 WHITE BIRCH FARM, INC
 1820 SOUTH OCEAN BOULEVARD
 PALM BEACH, FLORIDA 33480



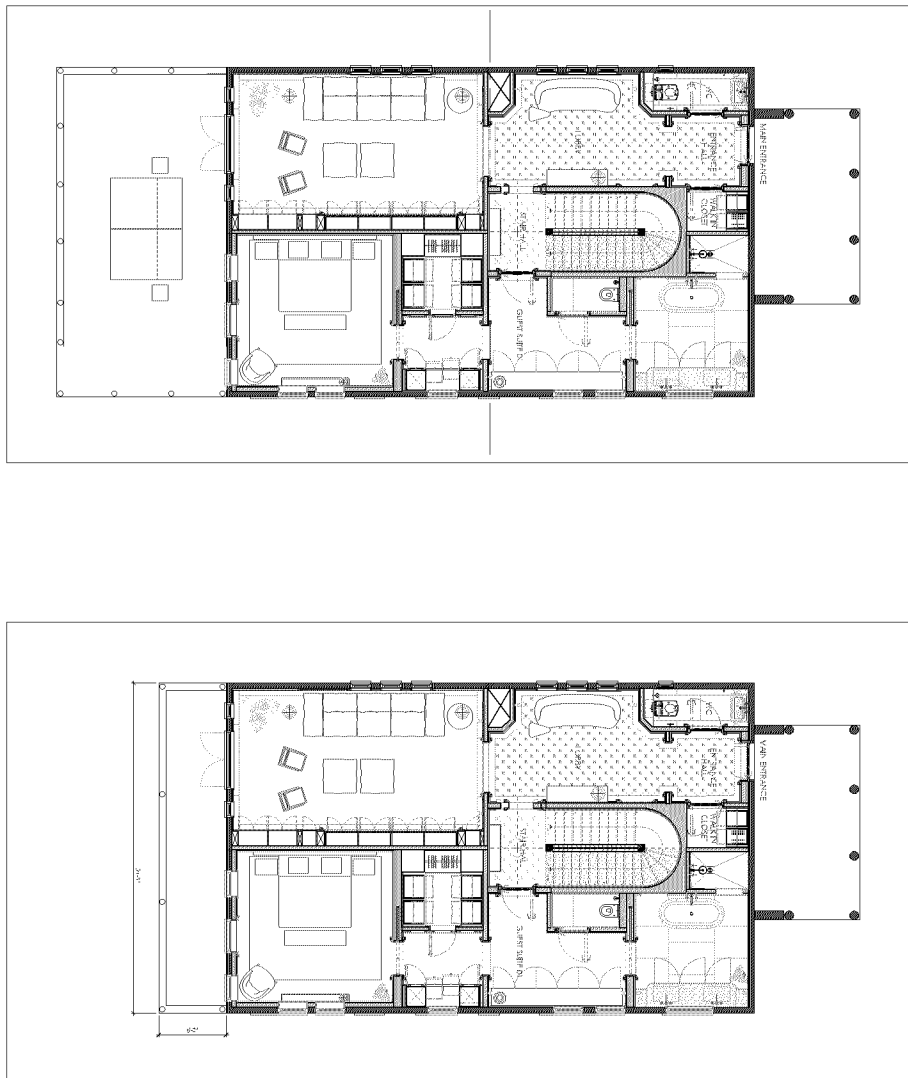
SKA
 SKA ARCHITECT + PLANNER
 OFFICE 561-655-1116 FAX 561-892-7828
 286 PERMAN AVE. SUITE 2 PALM BEACH, FL 33480

COORDINATION NOTE:
1. Refer to the attached "2024-2025" schedule for the most current information.
2. All work shall be in accordance with the latest edition of the International Building Code (IBC) and the International Residential Code (IRC).
3. All work shall be in accordance with the latest edition of the International Building Code (IBC) and the International Residential Code (IRC).

SCALE NOTES:

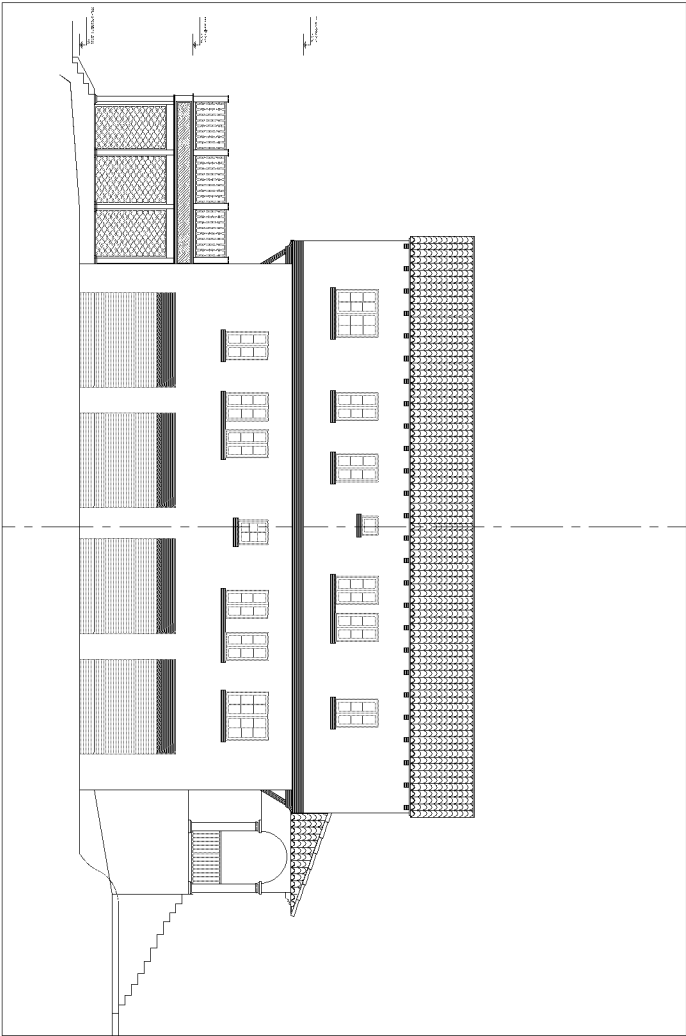
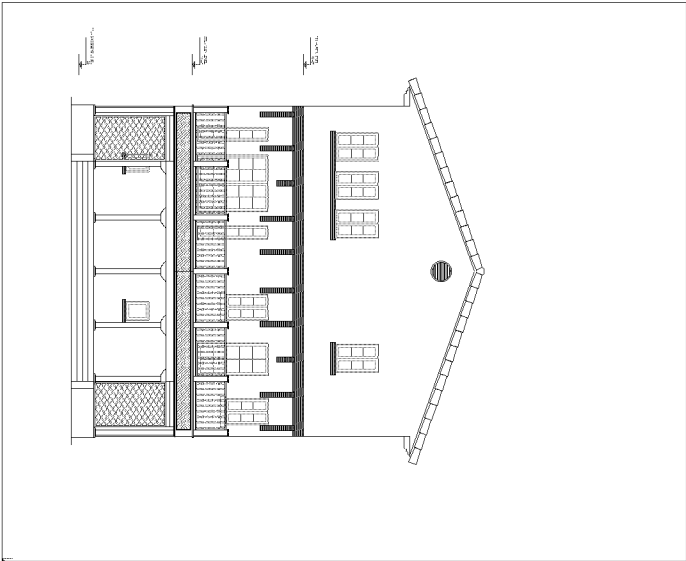
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EXISTING & PROPOSED FLOOR PLANS

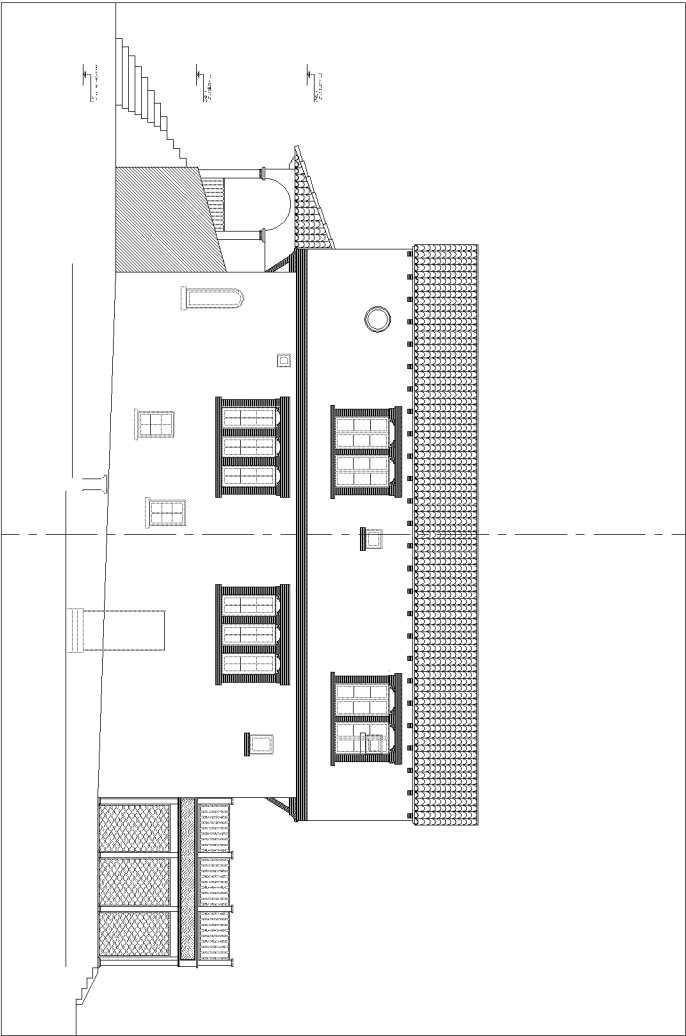
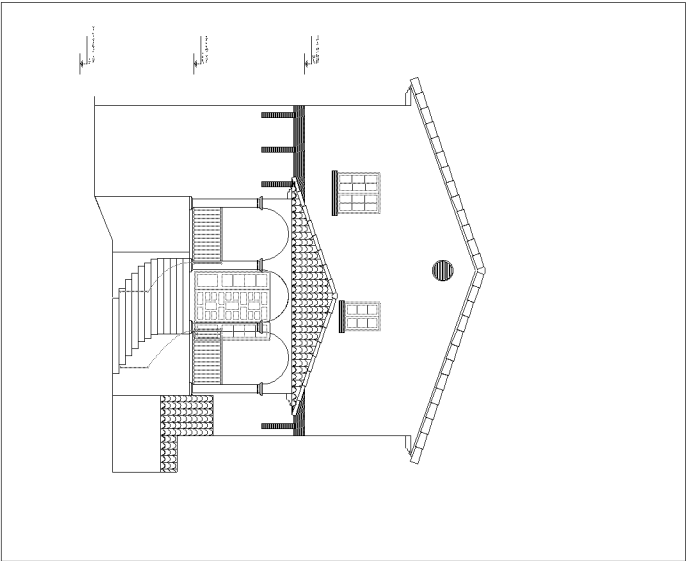


EXISTING MAIN LEVEL PLAN

PROPOSED MAIN LEVEL PLAN



DRAWING CODE	
ARCH NAME	
FINISHES SCHEDULE	
LIST OF REVISIONS / COMMENTS	
DATE	
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LEGEND	

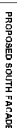
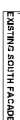




EXISTING SOUTH FACADE



PROPOSED SOUTH FACADE



EXISTING & PROPOSED ELEVATIONS

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NOTE: THIS IS A PRELIMINARY PLAN. SKID ARCHITECT-PLANNERS IS NEITHER LIABLE NOR RESPONSIBLE FOR BUILDING CONSTRUCTION MEANS AND METHODS. CONTRACTOR (PARTY RESPONSIBLE FOR SUCH DECISIONS) HAS NOT YET BEEN SELECTED.

MAX SIZE TRUCK ESTIMATED - 40 FT

MAX NUMBER OF TRUCK TRIPS ESTIMATED - 250 (DEMOLITION CONCRETE, BLOCK, WINDOWS, DOORS, TRUSSES, ROOF SHEATHING, AC UNITS, CABINETS, FLOOR TILE, PAVERS, LANDSCAPE



SKA
SKA ARCHITECT + PLANNER
OFFICE 561-655-1116 FAX 561-832-7828
249 PERMAN AVE. SUITE F-2 PALM BEACH FL 33480

PROPOSED RENOVATION FOR:
WHITE BIRCH FARM, INC
1820 SOUTH OCEAN BOULEVARD
PALM BEACH, FLORIDA 33480

A.A. #001345
A.R. #10.161

REVISIONS:
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COA-054-2020
JOB #:

TRUCK LOGISTICS PLAN

SCALE: 3/32" = 1'-0"

TC Development Review Agenda Backup 5-11-2022

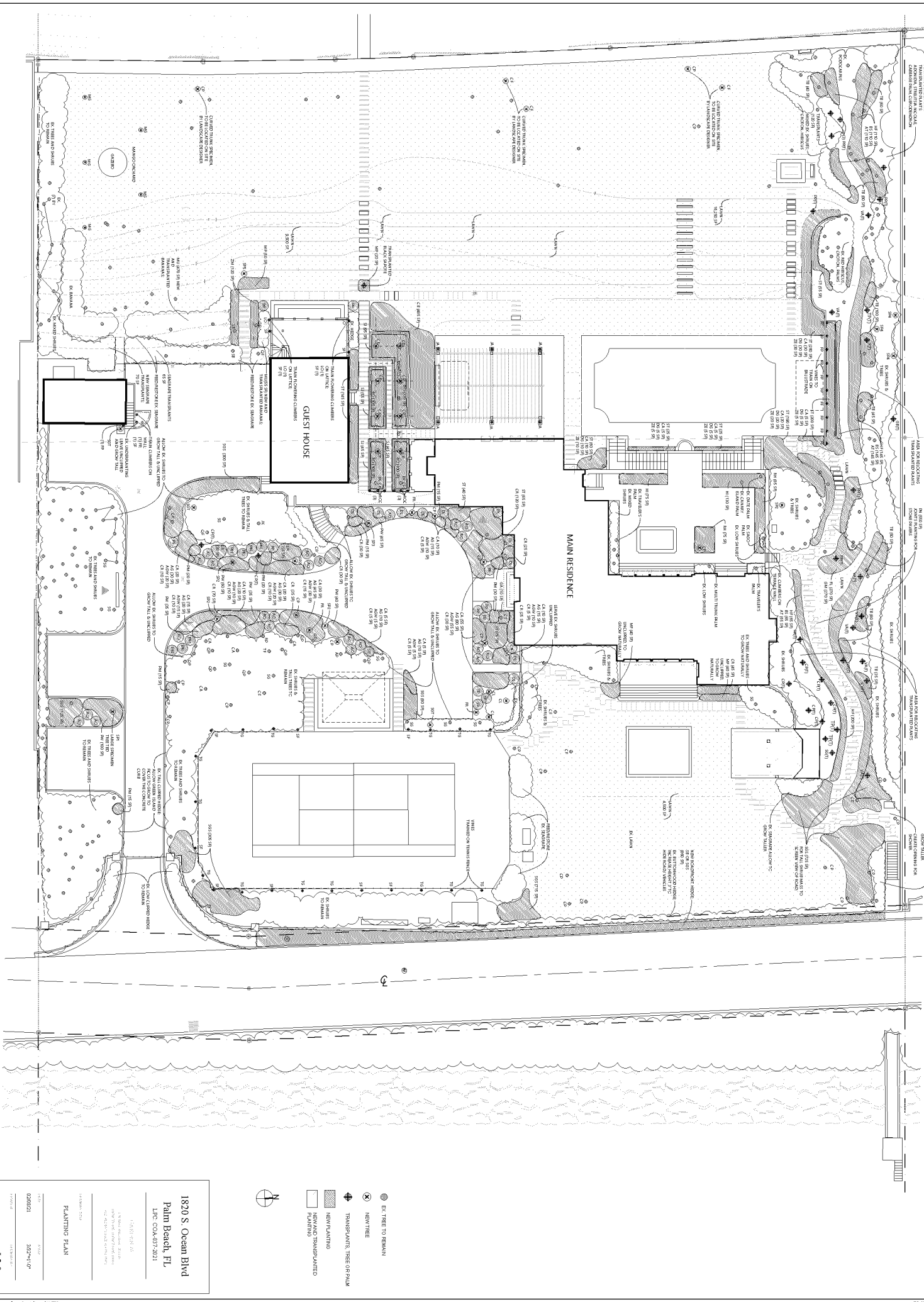
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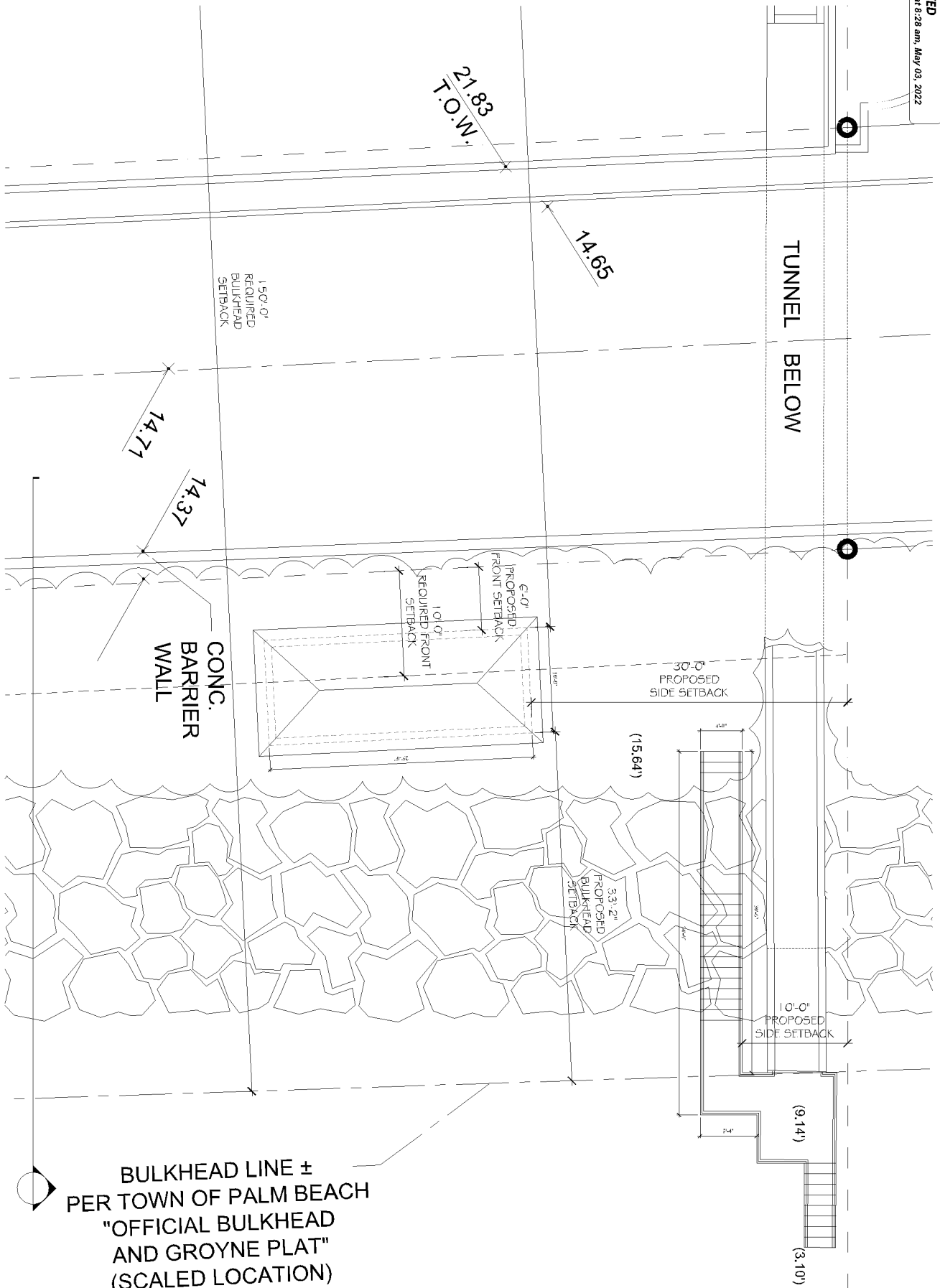
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Palm Beach, FL
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PLANTING PLAN
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ENLARGED PROPOSED SITE PLAN

SHEET NUMBER	24
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DATE	COA-22-017
DATE	20N-22-060

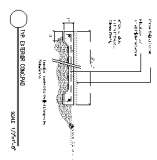
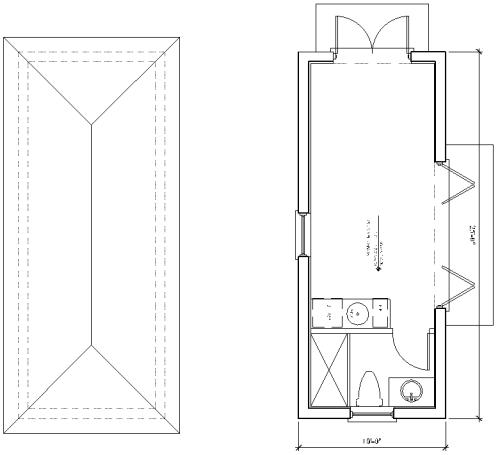
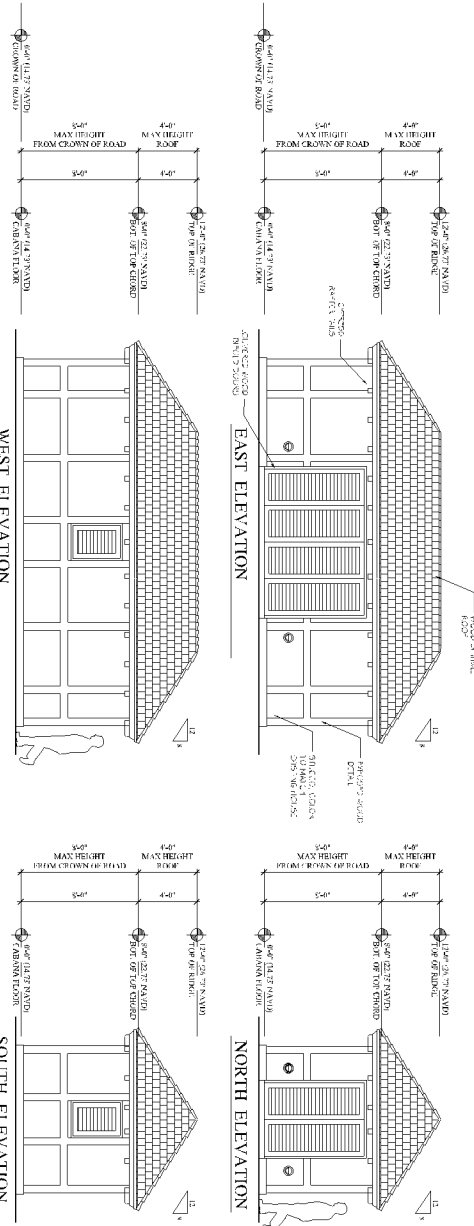
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A.A. #001345	A.R. #101191
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PROPOSED RENOVATION FOR: WHITE BIRCH FARM, INC 1820 SOUTH OCEAN BOULEVARD PALM BEACH, FLORIDA 33480
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CONSULTANT

SKA
SKA ARCHITECT + PLANNER OFFICE 561-655-1116 FAX 561-832-7828 240 PERMAN AVE. SUITE 200 PALM BEACH, FL 33480



PROPOSED CABANA PLANS

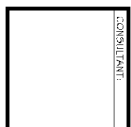
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SHEET NUMBER
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SCALE 02-20-22
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JOB # ZON-22-060

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PROPOSED RENOVATION FOR:
 WHITE BIRCH FARM, INC
 1820 SOUTH OCEAN BOULEVARD
 PALM BEACH, FLORIDA 33480



SKA
 SKA ARCHITECT + PLANNER
 OFFICE 561-655-1116 FAX 561-832-7828
 240 PERMAN AVE. SUITE-2 PALM BEACH, FL 33480

[illegible][illegible]

Technical drawing of a road cross-section. The drawing shows a road with a dashed center line. On the left side of the road, there is a drainage ditch. On the right side, there is a building. The drawing includes dimensions for the road width, ditch depth, and building footprint.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Ordinances - First Reading

Agenda Title

Proposed Ordinance to Amend Chapter 18 of the Town Code to Modify the Language regarding Floodplain Management, to incorporate new FEMA and FL DEM requirements, and to acknowledge the Town's current CRS classification.

ORDINANCE NO. 009-2022 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 18, Buildings And Building Regulations, Specifically At Article I, In General, Section 18-1, Datum Plane Adopted; And At Article IV, Florida Building Code, Division 2, Florida Building Code Technical Amendments For Flooding, Section 18-244, Amendments; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Presenter

ATTACHMENTS:

- ▣ **Memorandum Dated May 2, 2022 from Wayne Bergman, Director of Planning, Zoning and Building**
- ▣ **Ordinance No. 009-2022**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 11, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning & Building

Re: Ordinances 009-2022 and 010-2022, Amending Chapters 18 and 50 of the Town Code of Ordinances, Changes Relating to Floodplain Management

Date: May 2, 2022

STAFF RECOMMENDATION

Staff recommends that the Town Council approve Ordinances 009-2022, Chapter 18, and 010-2022, Chapter 50. The changes to these two Chapters are driven by new FEMA policy, updates to the Florida Building Code and changes made to the Community Rating System (CRS) program.

GENERAL INFORMATION

The Town adopted its version of the Florida model floodplain management ordinance in 2017. Since that time, the Florida Building Code has been updated and changes are required to the Town's floodplain management program. FEMA introduced Policy #104-008-03 regarding the regulation of accessory buildings located within a special flood hazard area. The Town in 2020 was awarded a Class 6 rating in its administration of the Community Rating System (CRS), an ISO measure of the activities and enforcement of FEMA regulations with regards to flood prevention. This improved rating also requires changes to the code. All of these recent changes trigger the need to amend certain Town regulations.

The State of Florida, Department of Emergency Management (FDEM), has been in contact with PZB over the past month to help create new Town code to implement all of the changes referenced above. The changes result in one ordinance to update Chapter 18, Buildings and Building Regulations, and one ordinance to update Chapter 50, Floods. These changes can be viewed as changes to the Florida model floodplain ordinance that was adopted in 2017. Collectively, these two ordinances and their embedded changes will "update" the Town floodplain management and flood prevention strategies.

Ordinance 009-2022 shifts NGVD to NAVD, a change triggered by FEMA. Also, the Town's technical amendments to the Florida Building Code are deleted, as the new Florida Building Codes contains updated provisions.

Ordinance 010-2022 reflect the actual changes to the model floodplain ordinance of 2017. There are several deletions and amendments to definitions, and a new section relating to accessory buildings. Finally, there are elevation and foundation regulation changes mandated by the CRS program.

TOWN ATTORNEY / CONSULTANT REVIEW

The Town Attorney has reviewed the proposed Ordinance for legal form and sufficiency. Both ordinances were reviewed by Lyn Collins with FDEM and by both the Town and State CRS consultants (Lori Lehr and Rebecca Quinn). The ordinances are ready to move forward on First Reading.

Attachments

Proposed Ordinances 009-2022 (Chapter 18) and 010-2022 (Chapter 50)

ORDINANCE NO. 009-2022

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, SPECIFICALLY AT ARTICLE I, IN GENERAL, SECTION 18-1, DATUM PLANE ADOPTED; AND AT ARTICLE IV, FLORIDA BUILDING CODE, DIVISION 2, FLORIDA BUILDING CODE TECHNICAL AMENDMENTS FOR FLOODING, SECTION 18-244, AMENDMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 – Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Town of Palm Beach, Florida participates in the National Flood Insurance Program and participates in the NFIP's Community Rating System, a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum program requirements and achieved a CRS rating of Class 6 community, making citizens who purchase NFIP flood insurance policies eligible for premium discounts; and

WHEREAS, the official datum plane referenced on FEMA Flood Insurance Rate Maps (FIRM) is the North American Vertical Datum (NAVD); and

WHEREAS, the current version of the Florida Building Code, Residential (Seventh Edition, 2020), now contains specific code requirements for building and structure elevations and enclosed areas and walls constructed below design flood elevations; and

WHEREAS, the Town Council of the Town of Palm Beach has determined it appropriate to repeal previously adopted local technical amendments to the Florida Building Code, Residential.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1. Chapter 18, Buildings and Building Regulations, the Town Code of Ordinances, is hereby amended at Article I, Section 18-1, as follows:

"Sec. 18-1. Datum plane adopted.

The official datum plane to be used in the town is hereby declared to be the North American Vertical Datum (NAVD). ~~National Geodetic Vertical Datum (NGVD)~~. The secondary datum plane to be used in the town is hereby declared to be the National Geodetic Vertical Datum (NGVD). ~~North American~~

Vertical Datum (NAVD). Reference to NAVD should be included with a local conversion table when NGVD is provided on documents for town review."

Section 2. Chapter 18, Buildings and Building Regulations, the Town Code of Ordinances, is hereby amended at Article IV, Florida Building Code, Division 2, Florida Building Code Technical Amendments for Flooding, Section 18-244, as follows:

"Sec. 18-244. Amendments.

The following sections of the Florida Building Code—Residential are hereby amended as follows:

R322.2.1 Elevation requirements.

- 1. ~~Buildings and structures in flood hazard areas not designated as Coastal A Zones shall have the lowest floors elevated to or above the base flood elevation plus six inches or the design flood elevation, whichever is higher.~~*
- 2. ~~Buildings and structures in flood hazard areas designated as Coastal A Zones shall have the lowest floors elevated to or above the base flood elevation plus one foot (305 mm), or to the design flood elevation, whichever is higher.~~*
- 3. ~~In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated at least as high above the highest adjacent grade as the depth number specified in feet on the FIRM plus six inches, or at least 2.5 feet if a depth number is not specified.~~*
- 4. ~~Basement floors that are below grade on all sides shall be elevated to or above the base flood elevation plus six inches or the design flood elevation, whichever is higher.~~*

Exception: Enclosed areas below the design flood elevation, including basements whose floors are not below grade on all sides, shall meet the requirements of Section R322.2.2.

R322.2.2 Enclosed areas below design flood elevation. Enclosed areas, including crawl spaces, that are below the design flood elevation shall:

- 1. ~~Be used solely for parking of vehicles, building access or storage. The interior portion of such enclosed areas shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators, unless a partition is required by the fire code. The limitation on partitions does not apply to load bearing walls interior to perimeter wall (crawl space) foundations. Access to enclosed areas shall be the minimum necessary to allow for the parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the building (stairway or elevator).~~*
- 2. ~~Be provided with flood openings that meet the following criteria:~~*
 - 2.1. ~~There shall be a minimum of two openings on different sides of each enclosed area; if a building has more than one enclosed area below the design flood elevation, each area shall have openings on exterior walls.~~*
 - 2.2. ~~The total net area of all openings shall be at least one square inch (645 mm²) for each square foot (0.093 m²) of enclosed area, or the openings shall be designed and the construction documents shall include a statement by a registered design professional that the design of the openings will provide for equalization of hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwaters as specified in Section 22.6.2.2 of ASCE 24.~~*
 - 2.3. ~~The bottom of each opening shall be one foot (305 mm) or less above the adjacent ground level.~~*
 - 2.4. ~~Openings shall be not less than three inches (76 mm) in any direction in the plane of the wall.~~*
 - 2.5. ~~Any louvers, screens or other opening covers shall allow the automatic flow of floodwaters into and out of the enclosed area.~~*

~~2.6. Openings installed in doors and windows, that meet requirements 2.1 through 2.5, are acceptable; however, doors and windows without installed openings do not meet the requirements of this section.~~

~~R322.3.2 Elevation requirements.~~

- ~~1. All buildings and structures erected within coastal high hazard areas shall be elevated so that the lowest portion of all structural members supporting the lowest floor, with the exception of piling, pile caps, columns, grade beams and bracing, is elevated to or above the base flood elevation plus six inches or the design flood elevation, whichever is higher.~~
- ~~2. Basement floors that are below grade on all sides are prohibited.~~
- ~~3. The use of fill for structural support is prohibited.~~
- ~~4. Minor grading, and the placement of minor quantities of fill, shall be permitted for landscaping and for drainage purposes under and around buildings and for support of parking slabs, pool decks, patios and walkways.~~

~~Exception: Walls and partitions enclosing areas below the design flood elevation shall meet the requirements of Sections R322.3.4 and R322.3.5.~~

~~R322.3.4 Walls below design flood elevation. Walls are permitted below the elevated floor, provided that such walls are not part of the structural support of the building or structure and:~~

- ~~1. Electrical, mechanical, and plumbing system components are not to be mounted on or penetrate through walls that are designed to break away under flood loads; and~~
- ~~2. Are constructed with insect screening or open lattice; or~~
- ~~3. Are designed to break away or collapse without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system. Such walls, framing and connections shall have a design safe loading resistance of not less than ten (470 Pa) and no more than 20 pounds per square foot (958 Pa); or~~
- ~~4. Where wind loading values of this code exceed 20 pounds per square foot (958 Pa), the construction documents shall include documentation prepared and sealed by a registered design professional that:~~
 - ~~4.1. The walls below the design flood elevation have been designed to collapse from a water load less than that which would occur during the design flood.~~
 - ~~4.2. The elevated portion of the building and supporting foundation system have been designed to withstand the effects of wind and flood loads acting simultaneously on all building components (structural and nonstructural). Water loading values used shall be those associated with the design flood. Wind loading values used shall be those required by this code.~~

~~R322.3.5 Enclosed areas below the design flood elevation. Enclosed areas below the design flood elevation shall be used solely for parking of vehicles, building access or storage. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators, unless a partition is required by the Fire Code. Access to enclosed areas shall be the minimum necessary to allow for the parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the building (stairway or elevator)."~~

Section 3. Severability. If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 4. Repeal of Ordinances in Conflict. All other ordinances of the Town of Palm Beach, Florida, or parts thereof, which conflict with this or any part of this Ordinance are hereby repealed.

Section 5. Codification. This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach, Florida.

Section 6. Effective Date. This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 11th day of May, 2022, and for second and final reading on this 15th day of June, 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Town Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting Development Review on: May 11, 2022

Section of Agenda

Ordinances - First Reading

Agenda Title

Proposed Ordinance to Amend Chapter 50 of the Town Code to Modify the Language regarding Floodplain Management, to incorporate new FEMA and FL DEM requirements, and to acknowledge the Town's current CRS classification.

ORDINANCE NO. 010-2022 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 50, Floods, By Amending Article III, Definitions And Article IV, Flood Resistant Development, To Provide For Accessory Structures In Flood Hazard Areas And To Specify Elevation Of Manufactured Homes In Flood Hazard Areas; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Presenter

ATTACHMENTS:

- ▣ **Memorandum Dated May 2, 2022 from Wayne Bergman, Director of Planning, Zoning and Building**
- ▣ **Ordinance No. 010-2022**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 11, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning & Building

Re: Ordinances 009-2022 and 010-2022, Amending Chapters 18 and 50 of the Town Code of Ordinances, Changes Relating to Floodplain Management

Date: May 2, 2022

STAFF RECOMMENDATION

Staff recommends that the Town Council approve Ordinances 009-2022, Chapter 18, and 010-2022, Chapter 50. The changes to these two Chapters are driven by new FEMA policy, updates to the Florida Building Code and changes made to the Community Rating System (CRS) program.

GENERAL INFORMATION

The Town adopted its version of the Florida model floodplain management ordinance in 2017. Since that time, the Florida Building Code has been updated and changes are required to the Town's floodplain management program. FEMA introduced Policy #104-008-03 regarding the regulation of accessory buildings located within a special flood hazard area. The Town in 2020 was awarded a Class 6 rating in its administration of the Community Rating System (CRS), an ISO measure of the activities and enforcement of FEMA regulations with regards to flood prevention. This improved rating also requires changes to the code. All of these recent changes trigger the need to amend certain Town regulations.

The State of Florida, Department of Emergency Management (FDEM), has been in contact with PZB over the past month to help create new Town code to implement all of the changes referenced above. The changes result in one ordinance to update Chapter 18, Buildings and Building Regulations, and one ordinance to update Chapter 50, Floods. These changes can be viewed as changes to the Florida model floodplain ordinance that was adopted in 2017. Collectively, these two ordinances and their embedded changes will "update" the Town floodplain management and flood prevention strategies.

Ordinance 009-2022 shifts NGVD to NAVD, a change triggered by FEMA. Also, the Town's technical amendments to the Florida Building Code are deleted, as the new Florida Building Codes contains updated provisions.

Ordinance 010-2022 reflect the actual changes to the model floodplain ordinance of 2017. There are several deletions and amendments to definitions, and a new section relating to accessory buildings. Finally, there are elevation and foundation regulation changes mandated by the CRS program.

TOWN ATTORNEY / CONSULTANT REVIEW

The Town Attorney has reviewed the proposed Ordinance for legal form and sufficiency. Both ordinances were reviewed by Lyn Collins with FDEM and by both the Town and State CRS consultants (Lori Lehr and Rebecca Quinn). The ordinances are ready to move forward on First Reading.

Attachments

Proposed Ordinances 009-2022 (Chapter 18) and 010-2022 (Chapter 50)

ORDINANCE NO. 010-2022

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 50, FLOODS, BY AMENDING ARTICLE III, DEFINITIONS AND ARTICLE IV, FLOOD RESISTANT DEVELOPMENT, TO PROVIDE FOR ACCESSORY STRUCTURES IN FLOOD HAZARD AREAS AND TO SPECIFY ELEVATION OF MANUFACTURED HOMES IN FLOOD HAZARD AREAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 – Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Town of Palm Beach, Florida participates in the National Flood Insurance Program and participates in the NFIP's Community Rating System, a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum program requirements and achieved a CRS rating of Class 6 community, making citizens who purchase NFIP flood insurance policies eligible for premium discounts; and

WHEREAS, in 2020 the NFIP Community Rating System established certain minimum prerequisites for communities to qualify for or maintain class ratings of Class 8 or better; and

WHEREAS, to satisfy the prerequisite and for the Town of Palm Beach, Florida to maintain the current CRS rating, all manufactured homes installed or replaced in special flood hazard areas must be elevated to or above at least the base flood elevation plus one foot, which necessitates modification of the existing requirements; and

WHEREAS, the Federal Emergency Management Agency released FEMA Policy #104-008-03 Floodplain Management Requirements for Agricultural Structures and Accessory Structures; and

WHEREAS, the Town of Palm Beach, Florida has determined it appropriate to adopt regulations that are consistent with the FEMA Policy to allow issuance of permits for non-elevated wet floodproofed accessory structures that are not larger than the sizes specified in the FEMA Policy; and

WHEREAS, the Town of Palm Beach, Florida determined that it is in the public interest to amend the floodplain management regulations to better protect manufactured homes and to continue participating in the Community Rating System at the current class rating.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1. The Town Code of Ordinances at Chapter 50, Floods, is hereby amended at Article III, Definitions, Division 2, Definitions, Section 50-137.5, Definitions, specific to the definitions of Accessory Structure, Existing Manufactured Home Park or Subdivision, Expansion to an Existing Manufactured Home Park or Subdivision, Letter of Map Change (LOMC), Market Value and New Manufactured Home Park or Subdivision, as follows:

Sec. 50-137.5 Definitions.

“Accessory structure. A structure on the same parcel of property as a principal structure and the use of which is limited to parking and storage incidental to the use of the principal structure.

~~*Existing manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before May 15, 1978.*~~

~~*Expansion to an existing manufactured home park or subdivision. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).*~~

Letter of Map Change (LOMC). An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or flood insurance study. Letters of Map Change include:

(1) Letter of Map Amendment (LOMA). An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

(2) Letter of Map Revision (LOMR). A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

(3) Letter of Map Revision Based on Fill (LOMR-F). A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

(4) Conditional Letter of Map Revision (CLOMR). A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or flood insurance study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

~~Market value. The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this chapter, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value is the may be established by a qualified independent appraiser, actual cash value (in-kind replacement cost depreciated for age, wear and tear, neglect, and quality of construction) determined by a qualified independent appraiser, or tax assessment value adjusted to approximate market value by a factor provided by the property appraiser.~~

~~New manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after May 15, 1978."~~

Section 2. The Town Code of Ordinances at Chapter 50, Floods, is hereby amended at Article IV, Flood Resistant Development, Division 1, Buildings and Structures, by adding Section 50-140, as follows:

"Sec. 50-140. Non-elevated accessory structures. Accessory structures are permitted below elevations required by the Florida Building Code provided the accessory structures are used only for parking or storage and:

- (1) If located in special flood hazard areas (Zone A/AE) other than coastal high hazard areas, are one-story and not larger than 600 sq. ft. and have flood openings in accordance with Section R322.2 of the Florida Building Code, Residential.
- (2) If located in coastal high hazard areas (Zone V/VE), are not located below elevated buildings and are not larger than 100 sq. ft.
- (3) Are anchored to resist flotation, collapse or lateral movement resulting from flood loads.
- (4) Have flood damage-resistant materials used below the base flood elevation plus one (1) foot.
- (5) Have mechanical, plumbing and electrical systems, including plumbing fixtures, elevated to or above the base flood elevation plus one (1) foot."

Section 3. The Town Code of Ordinances at Chapter 50, Floods, is hereby amended at Article IV, Flood Resistant Development, Division 4, Manufactured Homes, by amending Sections 50-172, Foundations, and 50-174, Elevation; by deleting Sections 50-175, General Elevation Requirement and 50-176, Elevation Requirements for Certain Existing Manufactured Home Parks and Subdivisions; and by renumbering Sections 50-177, Enclosures, and 50-178, Utility Equipment, as follows:

"Sec. 50-172. Foundations.

All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that:

- (1) In flood hazard areas (Zone A) other than coastal high hazard areas, are designed in accordance with the foundation requirements of the Florida Building Code, Residential Section R322.2 and this chapter. Foundations for manufactured homes subject to section

~~50-176 of this chapter are permitted to be reinforced piers or other foundation elements of at least equivalent strength.~~

- (2) In coastal high hazard areas (Zone V), are designed in accordance with the foundation requirements of the Florida Building Code, Residential Section R322.3 and this chapter.

Sec. 50-174. Elevation.

All manufactured homes that are placed, replaced, or substantially improved in flood hazard areas shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (Zone A) or Section R322.3 (Zone V and Coastal A Zone). Manufactured homes that are placed, replaced, or substantially improved shall comply with section 50-175 or 50-176 of this chapter, as applicable.

Sec. 50-175. General elevation requirement.

Unless subject to the requirements of section 50-176 of this chapter, all manufactured homes that are placed, replaced, or substantially improved on sites located:

- (a) Outside of a manufactured home park or subdivision;*
- (b) In a new manufactured home park or subdivision;*
- (c) In an expansion to an existing manufactured home park or subdivision; or*
- (d) In an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (Zone A) or Section R322.3 (Zone V).*

Sec. 50-176. Elevation requirement for certain existing manufactured home parks and subdivisions.

Manufactured homes that are not subject to section 50-175 of this chapter, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:

- (1) Bottom of the frame of the manufactured home is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (Zone A) or Section R322.3 (Zone V); or*
- (2) Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 42 inches in height above grade.*

Sec. 50-175. Sec. 50-177. Enclosures.

Enclosed areas below elevated manufactured homes shall comply with the requirements of the Florida Building Code, Residential Section R322.2 or R322.3 for such enclosed areas, as applicable to the flood hazard area.

(Ord. No. 16-2017, § 2, 8-9-17)

Sec. 50-176. Sec. 50-178. Utility equipment.

Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the

requirements of the Florida Building Code, Residential Section R322, as applicable to the flood hazard area.”

Section 4. Severability. If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 5. Repeal of Ordinances in Conflict. All other ordinances of the Town of Palm Beach, Florida, or parts thereof, which conflict with this or any part of this Ordinance are hereby repealed.

Section 6. Codification. This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach, Florida.

Section 7. Effective Date. This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 11th day of May, 2022, and for second and final reading on this 15th day of June, 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Town Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member