

TOWN OF PALM BEACH

ARCHITECTURAL COMMISSION

TOWN HALL
COUNCIL CHAMBERS-SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

DECEMBER 16, 2022

9:00 AM

Welcome!

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

I. **CALL TO ORDER**

II. **ROLL CALL**

Jeffrey W. Smith, Chairman
Richard F. Sammons, Vice Chairman
John David Corey, Member
Maisie Grace, Member
Betsy Shiverick, Member
Kenn Karakul, Member
Thomas Kirchhoff, Member
Elizabeth Connaughton, Alternate Member
Dan Floersheimer, Alternate Member
Joshua L. Martin, Alternate Member

III. **PLEDGE OF ALLEGIANCE**

IV. **APPROVAL OF MINUTES**

V. APPROVAL OF THE AGENDA

VI. ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY

VII. COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3 MINUTE LIMIT PLEASE)

VIII. PROJECT REVIEW

A. CONSENT AGENDA OF MINOR PROJECTS

ARC-22-238 1480 N OCEAN BLVD. The applicant, Jason Kalisman, has filed an application requesting Architectural Commission review and approval for site alterations including a new driveway curb cut, new pool, and new landscape and hardscape to an existing two-story residence.

B. MAJOR PROJECTS-OLD BUSINESS

ARC-22-234 (ZON-22-151) 760 N OCEAN BLVD—PALM BEACH COUNTRY CLUB (COMBO) The applicant, Palm Beach Country Club, Inc. (Robert Schlager, President), has filed an application requesting Architectural Commission review and approval for the replacement of windows and doors along all façades and the construction of a second floor covered 3,500 SF terrace addition and new balconies along the rear (west) façade of an existing two-story country club and golf course and installation of a rooftop skylights including a variance from the height regulations. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval. (contd. from 11/18/22)

ARC-22-094 249 MONTEREY RD. The applicant, Michael Peacock, has filed an application requesting Architectural Commission review and approval for the demolition of an existing single-family residence and the construction of a new single-family residence with related hardscape and landscape improvements. (contd. from 07/27/22, 09/27/22, 10/26/22)

ARC-22-216 (ZON-22-140) 248 COLONIAL LN (COMBO) The applicant, 306 Livingston Street Holdings I, LLC (Matthew Mirones), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence including variances (1) to not provide required garage enclosure for two vehicles, (2 and 3) and locate a generator in a setback which is higher than allowed and not adequately screened, in the R-B zoning district. This is a combination project that shall also be reviewed by Town Council as it pertains to the Special Exception w Site Plan Review and Variance relief for approval. (contd. from 10/26/22)

This item is deferred to the February 22, 2023, meeting at the request of the applicant.

ARC-22-022 (ZON-22-021) 160 SEAVIEW AVE (COMBO) The applicant, Coral Beach Corporation (Angela Feldman, President) (160 Seaview Ave)

and Seaview Holdings, Inc. (David Feldman, Director) (170 Seaview Ave), has filed an application requesting Architectural Commission review and approval of the construction of a new two-story guest house including variances from setback and point of measurement requirements on a unified site of 160 and 170 Seaview Avenue. Town Council will review the variance portion of the application. (contd. from 06/27,22 08/24/22, 11/18/22)

This item is deferred to the January 25, 2023, meeting at the request of the applicant.

C. MAJOR PROJECTS-NEW BUSINESS

ARC-22-215 260 NIGHTINGALE TRL. The applicant, 260 Nightingale, LLC, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence.

This item is deferred to the January 25, 2023, meeting at the request of the applicant.

ARC-22-243 (ZON-23-014) 302 SEABREEZE AVE (COMBO) The applicant, Sean Rooney, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with related landscape and hardscape improvements, requiring Site Plan Review due to deficient lot width and area, and a variance to provide one garage parking space in lieu of the two required. This is a combination project that shall also be reviewed by Town Council as it pertains to the Site Plan Review.

This item is deferred to the January 25, 2023, meeting at the request of the applicant.

ARC-22-231 (ZON-23-013) 7 LA COSTA WAY (COMBO) The applicant, La Costa Way Trust (Cooper Andrew TR), has filed an application requesting Architectural Commission review and approval for exterior modifications to an existing nonconforming one-story residence including new windows and doors, new rooftop equipment with screening, new rooftop terrace and new hardscape and landscape, requiring variances for lot coverage, landscape open space, and setbacks. This is a combination project that shall also be reviewed by town council as it pertains to zoning relief/approval.

ARC-22-187 (ZON-22-129) 441 AUSTRALIAN AVE (COMBO) The applicant, John and Ginny Collett, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with related landscape and hardscape improvements, with variances required on a lot deficient in lot width and lot area in the R-C zoning district and including variance from landscape open space requirements. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

ARC-22-247 965 N OCEAN BLVD. The applicant, 965 N OCEAN BLVD LLC (Matthew Sellick), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence over 10,000 SF with basement, landscape, hardscape, pool and spa.

D. **MINOR PROJECTS - OLD BUSINESS**

ARC-22-227 640 ISLAND DR. The applicant, 640 Land Trust, has filed an application to the Architectural Commission for review and approval for a second-story addition over an existing one-story garage attached to an existing two-story residence. (contd. from 11/18/22)

This item is deferred to the January 25, 2023, meeting at the request of the applicant.

ARC-22-225 (ZON-22-147) 201 EL VEDADO RD (COMBO) The applicants, Perri and Robert Bishop, have filed an application requesting Architectural Commission review and approval for the installation of two vehicular driveway gates, including a variance from the backup/cueing distance requirement. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval. (contd. from 11/18/22)

This item is deferred to the January 25, 2023, meeting at the request of the applicant.

ARC-22-097 142 PERUVIAN AVE. The applicant, Susan & Robert Taylor, has filed an application requesting Architectural Commission review and approval for the replacement of two pedestrian courtyard gates on a two-story condominium building. (contd. from 08/24/22, 09/27/22, 10/26/22, 11/18/22)

This item is deferred to the January 25, 2023, meeting at the request of the applicant.

E. **MINOR PROJECTS-NEW BUSINESS**

ARC-22-241 (ZON-23-002) 624 ISLAND DR (COMBO) The applicant, Holly Ann Bartlett, as Trustee of the 1220 South Ocean Boulevard Trust dated May 23, 2013, has filed an application requesting Architectural Commission review and approval for the construction of a new skylight atrium enclosing an existing open-air interior courtyard to an existing two-story residence. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

ARC-22-242 (ZON-23-003) 1030 S OCEAN BLVD (COMBO) The applicant, Martin L. Edelman as Trustee of the 1030 South Ocean Trust dated March 24, 2022, has filed an application requesting Architectural Commission review and approval for the installation of a two new vehicular

driveway gates including a variance to reduce the required vehicular backup queue on a street. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

ARC-22-212 (ZON-23-012) 246 EVERGLADE AVE (COMBO) The applicant, 246 Everglade LLC, has filed an application requesting Architectural Commission review and approval for the modification to an existing driveway, entry steps, pool and decking area, equipment area, entry path, site wall, and a new front entry vehicular gate, including variances for (1) reduced landscape open space (2) for reduced air conditioning equipment setbacks and (3) for reduced pool equipment setbacks. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

IX. UNSCHEDULED ITEMS

- A. **Public**
- B. **Staff**
- C. **Commission**

X. ADJOURNMENT

Note 1: If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

Note 2: Disabled persons who need an accommodation in order to participate in this Commission 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 five (5) working days before this meeting.

TOWN OF PALM BEACH

Architectural Commission on: December 16, 2022

Section of Agenda

CONSENT AGENDA OF MINOR PROJECTS

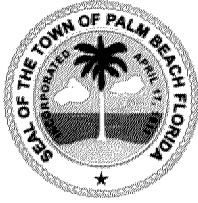
Agenda Title

ARC-22-238 1480 N OCEAN BLVD. The applicant, Jason Kalisman, has filed an application requesting Architectural Commission review and approval for site alterations including a new driveway curb cut, new pool, and new landscape and hardscape to an existing two-story residence.

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) 838-5431 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Architectural Commission (ARCOM)

TO: ARCOM Chairperson and Members

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

SUBJECT: ARC-22-238 1480 N OCEAN BLVD

MEETING: DECEMBER 16, 2022

ARC-22-238 1480 N OCEAN BLVD. The applicant, Jason Kalisman, has filed an application requesting Architectural Commission review and approval for site alterations including a new driveway curb cut, new pool, and new landscape and hardscape to an existing two-story residence.

Applicant: Jason Kalisman
Professional: Environment Design Group (Dustin Mizell)

THE PROJECT:

The applicant has submitted plans, entitled "Private Residence 1480 N Ocean Boulevard", as prepared by **Environment Design Group**, dated October 27, 2022.

The following is the scope of work:

- Addition of new curb cut, demolition of existing pool and installation of new pool and associated deck.

Site Data			
Zoning District	R-B	Lot Size (SF)	13,013 SF
Future Land Use	SINGLE FAMILY	Landscape Open Space (LOS)	Required: 45% (5,855 SF) Existing: 44.1% (5,734SF) Proposed: 46.9% (6,106 SF)
Front Yard Open Space	Required: 40% Existing: 55% Proposed: 40.9%	Perimeter Open Space	Required: 50% Existing: 86.4% Proposed: 83.3%
Surrounding Properties / Zoning			
North	2006 Two-story residence/ R-B		
South	1953 Two-story residence/ R-B		
East	2005 Two-story residence/ R-B		
West	1985 One-story residence/ R-B		

STAFF ANALYSIS

This application is presented to the Commission to consider whether all of the criteria in Sec. 18-205 have been met. A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the following sections of the Town zoning code.

This minor application is for the installation of a new curb cut along Manana Lane and other site improvements in order to afford better maneuverability for vehicles accessing the onsite garage which itself is situated along that portion of the site and facing Manana Lane. The proposed improvements to the site, does not include any architectural changes. The applicant has proffered compliance with the overall open space requirements of the R-B zoning district (45%).

WRB/JGM

Land Planning
Landscape Architecture
Landscape Management

Private Residence
1480 Via Manana
Palm Beach, Florida 33480

LETTER OF INTENT

Current zoning for the project is R -B - Low Density Residential.

Our current proposal, for improvements to the site, does not include any architectural changes.

The proposed work only pertains to the hardscape changes.

The proposed changes include:

- Addition of curb cut
- Demolition of existing pool
- Addition of new pool and associated deck
- Removal of driveway area
- Relocation of existing hedge material out of site triangles

If there are any questions regarding this project, please feel free to reach out to our office.

Dustin Mizell, *President*

Environment Design Group
139 N. County Road
Suite 20
Palm Beach, Florida 33480
561.832.4600

TOWN OF PALM BEACH

Architectural Commission on: December 16, 2022

Section of Agenda

Major Projects - Old Business

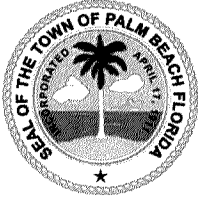
Agenda Title

ARC-22-234 (ZON-22-151) 760 N OCEAN BLVD—PALM BEACH COUNTRY CLUB (COMBO) The applicant, Palm Beach Country Club, Inc. (Robert Schlager, President), has filed an application requesting Architectural Commission review and approval for the replacement of windows and doors along all façades and the construction of a second floor covered 3,500 SF terrace addition and new balconies along the rear (west) façade of an existing two-story country club and golf course and installation of a rooftop skylights including a variance from the height regulations. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval. (contd. from 11/18/22)

Presenter

ATTACHMENTS:

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



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PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Architectural Commission (ARCOM)

TO: ARCOM Chairperson and Members

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

SUBJECT: ARC-22-234 (ZON-22-151) 760 N OCEAN BLVD—PALM BEACH
COUNTRY CLUB (COMBO)

MEETING: DECEMBER 16, 2022

ARC-22-234 (ZON-22-151) 760 N OCEAN BLVD—PALM BEACH COUNTRY CLUB (COMBO). The applicant, Palm Beach Country Club, Inc. (Robert Schlager, President), has filed an application requesting Architectural Commission review and approval for the replacement of windows and doors along all façades and the construction of a second floor covered 3,500 SF terrace addition and new balconies along the rear (west) façade of an existing two-story country club and golf course and installation of a rooftop skylights including a variance from the height regulations. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Applicant: Palm Beach Country Club, Inc. (Robert Schlager, President)
Professional: Tom Youchak, P.E.
Representative: Maura Ziska, Esq.

The project was originally presented at the November 18, 2022 ARCOM meeting. A motion to approve the replacement of the windows and doors was approved 6-1, with the condition that the applicant returning for a restudy of the south terrace, railings, elevator and skylight to the December 16, 2022, meeting.

THE PROJECT:

The applicant has submitted revised plans, entitled "Palm Beach Country Club Window/Door Restoration & Terrace Expansion Project at Clubhouse", as prepared by **Tom Youchak, P.E.**, dated December 05, 2022.

The following is the scope of work:

- Terrace: Expansion of the existing terrace west by an additional 2,373 square feet and enclosing same with a roof and impact sliding glass doors for a total terrace space of 5,123 square feet. The footprint of the clubhouse will be expanded by 3,455 square feet. The fitness center and golf pro shop office beneath the terrace will be increased jointly by 750 square feet on the first floor. The total expansion of this particular aspect of the project is 4,205 square feet. Further, an accessible elevator is included for access to the terrace, which is currently located at the southwest corner of the terrace.

- **Skylight:** Installation of one skylight no taller than 8'- 3" (not visible) above the flat roof for the second-floor living room area. The skylight is approximately thirty feet x 30 feet totaling nine hundred square feet in size, and hidden from view by the existing 8'-6" high roof mansard roof structure.
- **Windows:** Replacement of seventy-two windows throughout the clubhouse with impact-resistant glass and installing four (4) new impact windows.
- **Doors:** Replace twelve (12) existing doors with new impact-resistant doors as well as one (1) automated entry door system on the North Ocean Blvd entrance and one (1) rear automated exit door system on the west side of the clubhouse facing the putting green all unseen from public view. In addition, one new door will replace an existing window in both the men's lounge and pro shop on the first floor not seen from public view.
- **Sliding Doors:** Replacement of eight (8) windows with new impact-resistant sliding glass doors on the west face of the clubhouse facing the golf course and one storefront at the West Gallery with impact-resistant sliding glass doors at the rear exit.
- **Balconies West Side of Clubhouse:** Install approximately 1,935 square feet of balconies on the second floor facing the golf course to permit fresh air to the mixed and men's grill and club lounge via the new sliding glass door and a proper safety egress to and from the sliding doors to be installed. In addition, a continuous frameless glass railing along this balcony and newly expanded terrace, where the existing aluminum railing will be replaced.
- **Summary of Added Area.** The total area of the clubhouse facing the golf course will be expanded as follows:
 - First Floor Fitness Center and Pro-Shop/Caddy Area: 750 SF
 - Second Floor Terrace Area: 3,455 SF
 - Second Floor Balconies: 1,935 SF
 - Total Area Added: 6,140 SF

Site Data			
Zoning District	R-A	Lot Size (SF)	80.01 Acres (3,659,475 SF)
Future Land Use	PRIVATE GROUP USE	Number of Members	Existing: 330 Proposed: No Change
Lot Coverage	Permitted: 25% (914,868 SF) Existing: 2.1% (77,267 SF) Proposed: 2.2% (83,407 SF)	Number of Parking Spaces	Existing: 136 Proposed: No Change
Max. Building Height	Allowed: 25' Existing: 27.5' Proposed: No Change	Max. Overall Building Height	Allowed: 30' Existing: 37.5' Proposed: 37.5' (new skylight to match) VARIANCE REQUESTED
Surrounding Properties / Zoning			
North	Thirteen (13) Single-Family Residences / R-B		
South	Seven (7) Single-Family Residences, Private Social Club & Facilities (Beach Club) / R-B		
East	Atlantic Ocean		
West	Lake Worth Lagoon		

STAFF ANALYSIS

This application is presented to the Commission to consider whether all of the criteria in Sec. 18-205 have been met. 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:

- **VARIANCE 1:** Sec. 134-846(a): A variance for a skylight 8 ft. 3 in. above the top of flat roof in lieu of the 3 ft height exception allowed.

The Palm Beach Country Club has been in operation since the nineteen-teens. There have been various updates and renovations to club since that time, requiring review and approval from both ARCOM and Town Council. The current scope of work includes the expansion of the west terrace by an additional 2,373 SF and enclosing with a roof and impact sliding glass doors for a total terrace space of 5,123 SF. The footprint of the clubhouse will increase by 3,455 SF. Below the terrace, the fitness center and golf pro shop office will expand by 750 SF. A handicap accessible elevator is proposed at the southwest corner of the terrace.

As a part of the building renovations, the applicant is proposing a new 30 ft x 30 ft glass skylight above the club living room. This 900 SF skylight will not be visible from outside of the building and will be screened by the existing parapet/mansard roof, however, it will exceed the 3 ft maximum projection allowed for skylight; as such a variance is required for its installation. The applicant is proposing to replace seventy-two (72) existing windows with impact rated units, and is proposing the installation of four (4) new impact rated windows. Twelve (12) existing doors will be replaced with impact rated units. The entry door from North Ocean Blvd will be replaced with an automatic entry system as well as a rear exit door facing the putting green. All are not visible from public view. A new door will replace an existing window in the men's lounge and pro shop on the first floor. Eight (8) windows will be replaced with new impact rated sliding glass doors on the west side of the clubhouse, and one storefront at the West Gallery with impact rated sliding doors at the rear exit. Approximately 1,935 sq ft of balconies will be installed on the second floor of the west-side of the club house facing the golf course. The balconies will be accessed by the new sliding glass door. The balcony will be contained by a frameless glass railing which will extend to the newly expanded terrace, replacing the existing aluminum railing. There is no increase in membership, or alterations to number of parking spaced proposed.

Town Council Request

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

- **SPECIAL EXCEPTION WITH SITE PLAN REVIEW:** Sec. 134-840: Special exception with site plan review to allow additions and modifications to an existing special exception use (Palm Beach Country Club) in the R-A Zoning District

The Palm Beach Country Club is a private social club located in the R-A Large Estate Zoning District. As such, the use is a special exception. Modifications to the club and site require review by Town council as a special exception with site plan review. The club is proposing a small expansion as part of an overall renovation to the clubhouse. The diagram below illustrates that size of the expansion in comparison to the existing clubhouse and the overall 80 Acre site is seemingly de minimis.

The following diagram is taken from ARC-22-234 (ZON-22-151) Palm Beach Country Club

presentation drawings:

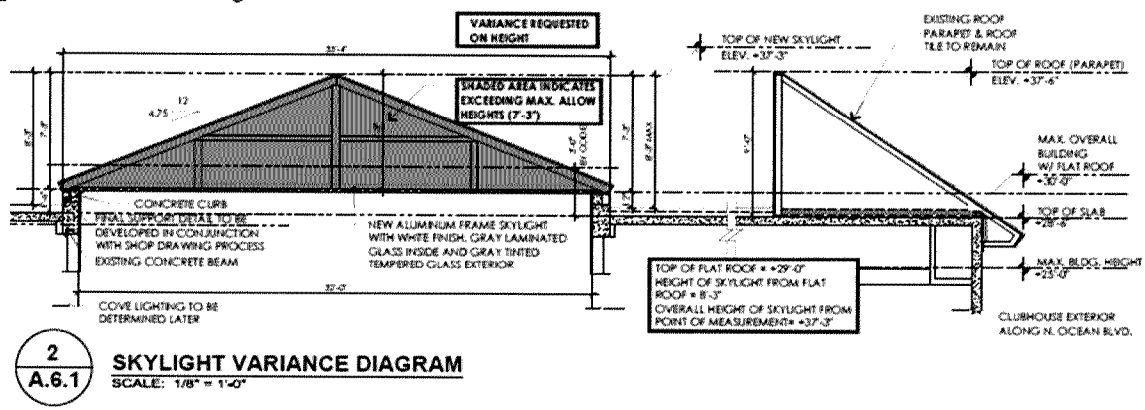


- **VARIANCE 1:** Sec. 134-846(a): A variance for a skylight 8 ft. 3 in. above the top of flat roof in lieu of the 3 ft height exception allowed.

Code section	Allowed	Proposed	Variance
Sec. 134-846(a)	3ft max. projection	8.3 ft projection	5.3 ft

As part of the renovations to the existing structure, a new large 30 ft x 30 ft skylight is being proposed over the living room of the club. The zoning code allows for a height exception for skylights, which are not to exceed 3' above the allowed building height. The applicant is proposing to install a skylight which is 8.3 ft above the building height, a variance of 5.3 ft. The height of the skylight will match and not exceed the existing overall building height of 37.5 ft.

The following diagram is taken from ARC-22-234 (ZON-22-151) Palm Beach Country Club presentation drawings:



In all, the exterior changes are an overall improvement and will be minimally seen from the rights-of-way. The thirty feet x 30 feet skylight will be hidden from view by the existing 8'-6" high roof mansard roof structure.

Conclusion

Approval of the project will require two separate motions to be made by the Commission: (1) for the overall design of the project in accordance with the aforementioned criteria, subject to any imposed conditions, and (2) that the implementation of the proposed variances will/will not cause negative architectural impact to the subject property

WRB:JGM:BMF

TOM YOUCHAK
B.ARCH. ENGR. AIA, PE, CGC

December 16, 2022
Hand-Delivered

Town of Palm Beach
Building Planning and Zoning Department
360 S. County Road
Palm Beach, FL 33480

Project Address: 760 North Ocean Blvd, Palm Beach, FL

File No: ARC-22-234_760 N. OCEAN BLVD_PLANS_FINAL SUBMITTAL_12-16-2022.pdf
ZON-22-151_760 N. OCEAN BLVD_PLANS_FINAL SUBMITTAL_12-16-2022.pdf

Reference: LETTER OF INTENT RESUBMITTAL

Ladies and Gentlemen:

We are pleased to submit this update on behalf of the Palm Beach Country Club (The Club); the enclosed updated revised drawings and a digital copy of the same are on a CD for our project located at 760 North Ocean Blvd, Palm Beach, FL as deferred by the Architectural Commission for further study on November 18, 2022. The proposed work to the existing 2-story 57,326 square foot clubhouse building situated on eighty-four acres spanning from the Atlantic Ocean to the Intracoastal waterway, more commonly known as Lake Worth, includes the following:

1. Terrace: Expansion of the existing terrace west by an additional 2,373 square feet and enclosing same with a roof and impact sliding glass doors for a total terrace space of 5,123 square feet. The footprint of the clubhouse will be expanded by 3,455 square feet. The fitness center and golf pro shop office beneath the terrace will be increased jointly by 750 square feet on the first floor. The total expansion of this particular aspect of the project is 4,205 square feet. Further, an accessible elevator is included for access to the terrace, which is currently located at the southwest corner of the terrace.
2. Skylight: Installation of one skylight no taller than 8'- 3" (not visible) above the flat roof for the second-floor living room area. The skylight is approximately thirty feet x 30 feet totaling nine hundred square feet in size, and hidden from view by the existing 8'-6" high roof mansard roof structure.
3. Windows: Replacement of seventy-two windows throughout the clubhouse with impact-resistant glass and installing four (4) new impact windows.
4. Doors: Replace twelve (12) existing doors with new impact-resistant doors as well as one (1) automated entry door system on the North Ocean Blvd entrance and one (1) rear automated exit door system on the west side of the clubhouse facing the putting green all unseen from public view. In addition, one new door will replace an existing window in both the men's lounge and pro shop on the first floor not seen from public view.

5. Sliding Doors: Replacement of eight (8) windows with new impact-resistant sliding glass doors on the west face of the clubhouse facing the golf course and one storefront at the West Gallery with impact-resistant sliding glass doors at the rear exit.
6. Balconies West Side of Clubhouse: Install approximately 1,935 square feet of balconies on the second floor facing the golf course to permit fresh air to the mixed and men's grill and club lounge via the new sliding glass door and a proper safety egress to and from the sliding doors to be installed. In addition, a continuous frameless glass railing along this balcony and newly expanded terrace, where the existing aluminum railing will be replaced.
7. Summary of Added Area. The total area of the clubhouse facing the golf course will be expanded as follows:

First Floor Fitness Center and Pro-Shop/Caddy Area:	750 SF.
Second Floor Terrace Area:	3,455 SF.
Second Floor Balconies:	<u>1,935 SF.</u>
Total Area Added:	6,140 SF.

Please note the following as it relates to this application:

- A. Landmarks Preservation is not applicable. See Section 54-122 and/or Section 54-161.
- B. Architectural Review Criteria. See Section 18-205 and/or Section 18-206.
 - a. We consider the above-referenced project to be consistent with the existing architecture with symmetrical, balanced elevations and details that subscribe to the architectural principles within the Town of Palm Beach.
 1. We consider the plan for the proposed modifications to the existing building to conform to good taste and traditional design principles and contribute to the town's image as a place of beauty, spaciousness, balance, taste, fitness, charm, and high quality.
 2. The proposed clubhouse expansion plan indicates how the structures are protected against external and internal noise, vibrations, and other factors that may make the environment less desirable.
 3. The exterior materials and detailing proposed are consistent with the quality and character of the surrounding structures.
 4. The proposed composition and massing of the work are consistent with other structures in the surrounding area.
 5. The proposed modifications are not excessively like any other structure existing for which a permit has been issued or to any different design included in the same permit application within two hundred feet of the proposed site concerning one or more of the following features outlined in Section 18-205.
 6. The proposed modifications are not excessively dissimilar to any other structure existing for which a permit has been issued or to any different design included in the same permit application within two hundred feet of the proposed site concerning one or more of the following features outlined in Section 18-205 (5). The proposed covered porch is a single-story and

incorporates light detailing that is subservient to the style and massing of the principal structure.

7. The proposed modifications incorporate detailing like the existing structure and are consistent with the surrounding buildings.
 8. The proposed modifications conform with the standards of the Town of Palm Beach Zoning Code.
- b. The proposed modifications do not impact the surrounding unique site characteristics and are more consistent with adjacent properties, e.g., The Beach Club.

C. Special Exception by Section 134-229.

The Club is a notable exception to uses permitted in the R-A Zoning District. The existing clubhouse building was constructed in 1987 under the 1986 South Florida Building Code and replaced the existing wood-framed structure in the southeasterly corner of the parking lot. The proposed modifications to the Club will not adversely impact the public or neighborhood as the changes are minor and will improve the amenities of the Club. The proposed alterations to the Club will not affect the value of other properties in the neighborhood. The proposed modifications to the Club will be compatible with the area as the Palm Beach Country Club has existed since 1917, when Donald Ross designed this world-renowned golf course. The proposed changes to the Club will comply with all other yards, open spaces, and any special requirements in Article VI. The proposed modifications to the Club will comply with the comprehensive plan, if applicable. The proposed changes to the Club will not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties in the district. The changes are minor and are proposed to improve all the above. Adequate ingress, egress, and parking are provided on the Club property along North Ocean Blvd and will remain unchanged. The proposed work will be compatible with the neighborhood and an improvement to what exists today concerning the protection of the structure with impact structural glass. The Club is town-serving, as evidenced by over 50% of the members being “townspersons.” The proposed modifications to the Club will not place a more significant burden on Town services as the changes are minor and do not intensify the use of the club. Finally, these modifications have been caused by Covid and the desire for outdoor seating preferences, fresh air, and the need to upgrade this oceanfront property with impact windows and doors that are deteriorated and corroded beyond their life cycle. The club was last renovated in 1997; only the interiors were updated, the swimming pool removed, and the terrace egress was constructed.

D. Site Plan Review Approval by Section 134-329.

The property owner is the Palm Beach Country Club, Inc., which will control the Club’s renovation through its Board of Governors. The proposed modifications to the site plan will not intensify the use of what exists today and will not hurt the neighborhood. Ingress and egress to the property and the project work will be via North Ocean Blvd with no changes. Refuse collection will remain the same. The location and use of the off-street parking will not change. The site plan and the existing landscape at the Clubhouse and golf course perimeter provides for buffers and screening from neighboring properties, where practicable. The utility hookups will remain or be improved to meet the current Town of Palm Beach requirements. The site plan proposes an expansion of an existing terrace at the SW

corner of the clubhouse and does not increase nor negatively impact the neighborhood. The modifications to the site plan should not impose any other standards on the project. The proposed changes to the Club are in keeping with the architecture of the Club and will be an enhancement. The proposed modifications to the Club will not have a negative visual impact on the surrounding neighborhood. The club intends to begin construction work in April 2023 and conclude construction by November 2023, when the club reopens for the 23-24 season. Accordingly, the club request permission for extended work hours from 7 am to 7 pm Monday through Saturday to timely execute construction without inconveniencing the membership. Further, since no residential structures are within 1,600 ft, there will be no detrimental impacts, e.g., noise, dust, etc., to any of the surrounding residents.

E. Variance by Section 134-201.

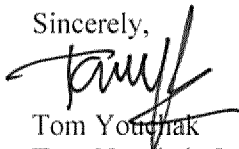
The Variance being requested is relative to Sec. 134-846(a): Variance for a skylight 8.25 ft above the flat roof in lieu of the 3 ft height exception allowed.

The criteria for granting the variance are listed below:

1. The property is located in the R-A Zoning District and is an existing special exception use (private club) in a residential neighborhood. This creates a hardship in designing any additions to a club while having to use residential requirements.
2. The applicant was not the cause of the property's special conditions, as the Club's size and configuration existed before today's zoning code.
3. The granting of the variance will not confer on the applicant a special privilege that is denied to the neighboring properties. The proposed skylight is screened by the parapet roof and will not be visible from any surrounding properties.
4. The hardship, which runs with the land, is that the property is non-conforming to today and applying residential standards and rules to a private country club on a massive piece of property is a hardship.
5. The variance requested is the minimum necessary to make reasonable use of the land, considering the modest addition of a skylight that is not visible.

Thank you for your time in advance. If you have any questions, do not hesitate to contact me.

Sincerely,



Tom Youchak
Tom Youchak, Inc.
B.Arch. Engr.
AIA, PE, CGC

cc Maura Ziska, Esq
Robert A Schlager, CPM
President of the Palm Beach Country Club

TOWN OF PALM BEACH

Architectural Commission on: December 16, 2022

Section of Agenda

Major Projects - Old Business

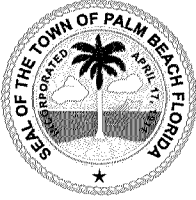
Agenda Title

ARC-22-094 249 MONTEREY RD. The applicant, Michael Peacock, has filed an application requesting Architectural Commission review and approval for the demolition of an existing single-family residence and the construction of a new single-family residence with related hardscape and landscape improvements. (contd. from 07/27/22, 09/27/22, 10/26/22)

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**



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: Architectural Commission (ARCOM)

TO: ARCOM Chairperson and Members

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

SUBJECT: ARC-22-094 249 MONTEREY RD

MEETING: DECEMBER 16, 2022

ARC-22-094 249 MONTEREY RD. The applicant, Michael Peacock, has filed an application requesting Architectural Commission review and approval for the demolition of an existing single-family residence and the construction of a new single-family residence with related hardscape and landscape improvements.

Applicant: Michael E. Peacock
Professional: Rick Gonzalez, AIA, REG Architects | Dustin Mizell, MLA RLA,
Environment Design Group

HISTORY:

The two-story single-family residence existing on the site was designed by Maurice Fatio and constructed in 1938. The current project was initially reviewed and deferred at the July 2022 ARCOM meeting. At the October 26, 2022 ARCOM meeting, a new design was featured which partially replicates the existing Fatio residence. The item was deferred for modifications to the December meeting.

THE PROJECT:

The applicant has submitted revised plans, entitled "Peacock Residence", as prepared by **REG Architects.**, dated November 30, 2022.

The following is the scope of work:

- Construction of a new two-story single-family residence and landscape and hardscape improvements

Site Data			
Zoning District	R-B Low Density Res.	Lot Size (SF)	11,000 SF
C-O-R	4.13 ft NAVD	Flood Zone	AE 6
Finished Floor Elevation	7 ft NAVD	Max Fill	1.44 ft
Project			
	Required/Allowed	Existing	Proposed

Lot Coverage	30%	20%	23%
CCR	43,890 CF (3.99)	27,060 CF (2.46)	43,610 CF (3.96)
Building Height	22'	18'-4"	19'
Overall Height	30'	24'	23'-3"
Landscape Open Space (LOS)	45%	49.24%	45.15%

Surrounding Properties / Zoning	
North	Single-Family Residence / R-B
South	Single-Family Residence / R-B
East	Single-Family Residence / R-B
West	Single-Family Residence / R-B

STAFF ANALYSIS

This application is presented to the Commission to consider whether all of the criteria in Sec. 18-205 have been met.

The proposed new single-family residence has been completely redesigned since the July 2022 ARCOM meeting. The project architect has selected to incorporate design elements from the existing 1938 Fatio residence into the new design, specifically on the east portion of the front façade. These elements include the use of projecting bay windows, divided lite double hung windows, a projecting second story balcony, a painted brick ground floor, and a similar entry door with decorative side lites. The shape, massing, and height of the proposed residence also draws inspiration from the existing structure, and the applicant has included an overlay on the proposed site plan illustrating the existing residence's footprint – provided on Sheet 31. Modifications to the design since the October meeting include fenestration alterations to all elevations as evident on Sheets 36-39.

WRB:JGM:JRH

TOWN OF PALM BEACH

Architectural Commission on: December 16, 2022

Section of Agenda

Major Projects - Old Business

Agenda Title

ARC-22-216 (ZON-22-140) 248 COLONIAL LN (COMBO) The applicant, 306 Livingston Street Holdings I, LLC (Matthew Mirones), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence including variances (1) to not provide required garage enclosure for two vehicles, (2 and 3) and locate a generator in a setback which is higher than allowed and not adequately screened, in the R-B zoning district. This is a combination project that shall also be reviewed by Town Council as it pertains to the Special Exception w Site Plan Review and Variance relief for approval. (contd. from 10/26/22)

This item is deferred to the February 22, 2023, meeting at the request of the applicant.

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Architectural Commission on: December 16, 2022

Section of Agenda

Major Projects - Old Business

Agenda Title

ARC-22-022 (ZON-22-021) 160 SEAVIEW AVE (COMBO) The applicant, Coral Beach Corporation (Angela Feldman, President) (160 Seaview Ave) and Seaview Holdings, Inc. (David Feldman, Director) (170 Seaview Ave), has filed an application requesting Architectural Commission review and approval of the construction of a new two-story guest house including variances from setback and point of measurement requirements on a unified site of 160 and 170 Seaview Avenue. Town Council will review the variance portion of the application. (contd. from 06/27,22 08/24/22, 11/18/22)

This item is deferred to the January 25, 2023, meeting at the request of the applicant.

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Architectural Commission on: December 16, 2022

Section of Agenda

Major Projects - New Business

Agenda Title

ARC-22-215 260 NIGHTINGALE TRL. The applicant, 260 Nightingale, LLC, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence.

This item is deferred to the January 25, 2023, meeting at the request of the applicant.

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Architectural Commission on: December 16, 2022

Section of Agenda

Major Projects - New Business

Agenda Title

ARC-22-243 (ZON-23-014) 302 SEABREEZE AVE (COMBO) The applicant, Sean Rooney, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with related landscape and hardscape improvements, requiring Site Plan Review due to deficient lot width and area, and a variance to provide one garage parking space in lieu of the two required. This is a combination project that shall also be reviewed by Town Council as it pertains to the Site Plan Review.

This item is deferred to the January 25, 2023, meeting at the request of the applicant.

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Architectural Commission on: December 16, 2022

Section of Agenda

Major Projects - New Business

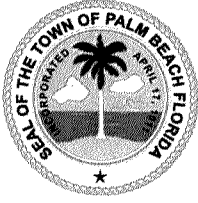
Agenda Title

ARC-22-231 (ZON-23-013) 7 LA COSTA WAY (COMBO) The applicant, La Costa Way Trust (Cooper Andrew TR), has filed an application requesting Architectural Commission review and approval for exterior modifications to an existing nonconforming one-story residence including new windows and doors, new rooftop equipment with screening, new rooftop terrace and new hardscape and landscape, requiring variances for lot coverage, landscape open space, and setbacks. This is a combination project that shall also be reviewed by town council as it pertains to zoning relief/approval.

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**



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Planning, Zoning & Building Department
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PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Architectural Commission (ARCOM)

TO: ARCOM Chairperson and Members

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

SUBJECT: ARC-22-231 (ZON-23-013) 7 LA COSTA WAY (COMBO)

MEETING: DECEMBER 16, 2022

ARC-22-231 (ZON-23-013) 7 LA COSTA WAY (COMBO). The applicant, La Costa Way Trust (Cooper Andrew TR), has filed an application requesting Architectural Commission review and approval for exterior modifications to an existing nonconforming one-story residence including new windows and doors, new rooftop equipment with screening, new rooftop terrace and new hardscape and landscape, requiring variances for lot coverage, landscape open space, and setbacks. This is a combination project that shall also be reviewed by town council as it pertains to zoning relief/approval.

Applicant: La Costa Way Trust (Andrew Cooper TR)
Professional: Smith and Moore Architects (Daniel Kahan)

THE PROJECT:

The applicant has submitted plans, entitled "7 La Costa Way, Palm Beach, Florida", as prepared by **Smith and Moore Architects, Inc.**, dated November 4, 2022.

The following is the scope of work:

- Replacement of all existing doors and windows.
- Relocation of mechanical equipment to the existing flat roof with associated screening.
- New roof access stair.
- New roof terrace with associated screening.
- Updates to landscape, hardscape, and swimming pool.

Site Data			
Zoning District	R-B	Lot Size (SF)	35,959 SF
Future Land Use	SINGLE FAMILY	Native Planting	Complies

Lot Coverage	Permitted: 25% (8,990 SF) Existing: 35% (12,672 SF) Proposed: N/C <i>Variance requested for rooftop terrace</i>	2nd Story Street Rear-Yard Setback	Required: 35' Existing: N/A Proposed: 9.8' <i>Variance requested for rooftop terrace.</i>
Landscape Open Space (LOS)	Required: 50% (17,979.5 SF) Existing: 33.5% (12,027 SF) Proposed: 36.5% (13,117 SF) <i>Variance requested to establish nonconformity.</i>	Front Yard Open Space	Required: 40% (2,117.6 SF) Existing: 54.5% (2,862 SF) Proposed: 57.8% (3,062 SF) <i>Complies</i>
Surrounding Properties / Zoning			
North	1981 One-story residence/ R-B		
South	1996 One-story residence & 1993 One-story residence / R-B		
East	1993 One-story residence/ R-B		
West	2015 Two-story residence/ R-B		

STAFF ANALYSIS

This application is presented to the Commission to consider whether all of the criteria in Sec. 18-205 have been met. 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:

- **VARIANCE 1: Sec. 134-1577(a) & Sec. 134-893(b)(1)d. & Sec. 134-793(a)(5):** *A variance for a 2nd story street (north) rear-yard setback of 9.8 ft in lieu of the 35 ft street rear-yard setback required, to provide a new second floor roof terrace.*
- **VARIANCE 2: Sec. 134-893(b)(1)e. & Sec. 134-843(12)a.:** *A variance to provide an overall landscaped open space of 36% in lieu of 35% existing and the 50% landscaped open space required for a 35,000+ sq ft lot in the R-B Zoning District, when doing a complete renovation of the hardscape and landscape on site.*
- **VARIANCE 3: Sec. 134-893(b)(1)e. & Sec. 134-843(11)b.:** *A variance for a two-story lot coverage of 35% in lieu of the 25% two-story lot coverage maximum allowed for a two-story structure on a 35,000+ sq. ft. lot in the R-B Zoning District, to provide a second floor roof terrace.*

The original design by Denis La Berge for a new one-story residence was approved in 1995, with a variance granted by the town council for a driveway vehicular gate setback. When the home was originally approved, it was compliant with the lot, yard and area regulations of the R-B zoning district. In 1997, changes were made to the zoning regulations (Ord. 01-97) of the lot, yard and area regulations of the R-B zoning district which affected properties over 20,000 sq. ft. Subsequently, the zoning change caused this property to become nonconforming to lot coverage and landscape open space requirements. While the applicant is improving the existing nonconforming landscape open space percentages, they need to establish a variance for the deficiency because more than half of the landscape and hardscape area of the site is being removed and renovated as a part of this application.

The existing residence is a single-story structure. The scope of work includes the addition of rooftop access stairs, and the applicant seeks to activate the roof-top area by converting portions of it to a rooftop deck with screening. The definition of “story” in the Town Zoning Code Sec. 134-2 identifies “accessible roof decks not used exclusively for mechanical equipment” as a story. Therefore, the structure must now conform to zoning regulations for a two-story structure, even though the massing of the structure maintains the semblance of a one-story structure. Adding the rooftop terrace triggers the need for a variance for 2nd story street (north) rear-yard setback and also triggers the need for a variance to exceed the allowed 2 story lot coverage. Note that the footprint of the building is not increasing and that a covered second story is not being proposed.

Variance Request

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

- **VARIANCE 1: Sec. 134-1577(a) & Sec. 134-893(b)(1)d. & Sec. 134-793(a)(5):** *A variance for a 2nd story street (north) rear-yard setback of 9.8 ft in lieu of the 35 ft street rear-yard setback required, to provide a new second floor roof terrace.*
- **VARIANCE 2: Sec. 134-893(b)(1)e. & Sec. 134-843(12)a.:** *A variance to provide an overall landscaped open space of 36% in lieu of 35% existing and the 50% landscaped open space required for a 35,000+ sq ft lot in the R-B Zoning District, when doing a complete renovation of the hardscape and landscape on site.*
- **VARIANCE 3: Sec. 134-893(b)(1)e. & Sec. 134-843(11)b.:** *A variance for a two-story lot coverage of 35% in lieu of the 25% two-story lot coverage maximum allowed for a two-story structure on a 35,000+ sq. ft. lot in the R-B Zoning District, to provide a second floor roof terrace.*

Code section	Required/Allowed	Proposed	Variance
<i>Sec. 134-893(b)(1)d. (Sec. 134-793(a)(5))</i>	<i>35 ft 2nd story rear street-yard setback</i>	<i>9.8 ft</i>	<i>25.2 ft</i>
<i>Sec. 134-893(b)(1)e. (Sec. 134-843(12)a.)</i>	<i>50 % Landscape Open Space (17,979 Sq. Ft.)</i>	<i>36.5% (13,117 Sq. Ft.)</i>	<i>4,862 Sq. Ft.</i>
<i>Sec. 134-893(b)(1)e. (Sec. 134-843(11)b.)</i>	<i>25%</i>	<i>35%</i>	<i>10%</i>

Approval of the project will require two separate motions to be made by the Commission: (1) for the overall design of the project in accordance with the aforementioned criteria, subject to any imposed conditions, and (2) that the implementation of the proposed variances will/will not cause negative architectural impact to the subject property.

WRB:JGM:BMF

TOWN OF PALM BEACH

Architectural Commission on: December 16, 2022

Section of Agenda

Major Projects - New Business

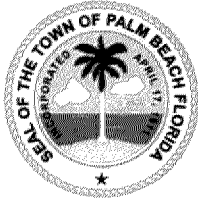
Agenda Title

ARC-22-187 (ZON-22-129) 441 AUSTRALIAN AVE (COMBO) The applicant, John and Ginny Collett, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with related landscape and hardscape improvements, with variances required on a lot deficient in lot width and lot area in the R-C zoning district and including variance from landscape open space requirements. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Presenter

ATTACHMENTS:

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



TOWN OF PALM BEACH
Planning, Zoning & Building Department
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Palm Beach, FL 33480
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PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Architectural Commission (ARCOM)

TO: ARCOM Chairperson and Members

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

SUBJECT: ARC-22-187 (ZON-22-129) 441 AUSTRALIAN AVE (COMBO)

MEETING: DECEMBER 16, 2022

ARC-22-187 (ZON-22-129) 441 AUSTRALIAN AVE (COMBO). The applicant, John and Ginny Collett, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with related landscape and hardscape improvements, with variances required on a lot deficient in lot width and lot area in the R-C zoning district and including variance from landscape open space requirements. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Applicant: John and Ginny Collett
Professional: McAlpine Tankersley Architecture, PC

THE PROJECT:

The applicant has submitted plans, entitled "A Proposed New Home for 441 Australian Ave", as prepared by **McAlpine Tankersley Architecture, PC** dated October 24, 2022.

The following is the scope of work:

- Construction of a new two-story residence requiring variances.

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

- **VARIANCE 1:** Sec. 134-948(1)a. & Sec. 134-446(b): A variance to develop a residence on a lot with a lot area of 7,000 sq ft where 10,000 sq ft minimum is required in the R-C Zoning District.
- **VARIANCE 2:** Sec. 134-948(2)a. & Sec. 134-446(b): A variance to develop a single-family residence on a lot with a width of 50 ft where 75 ft in width minimum is required in the R-C Zoning District.
- **VARIANCE 3:** Sec. 134-948(11)e.: A variance for a front yard landscaped open space of 38.8% in lieu of the 40% minimum required.

Site Data			
Zoning District	R-C	Lot Size	7,000 SF Required 10,000 SF <i>Variance required</i>
Future Land Use	MULTI FAMILY	Lot Width	50' Required 75' <i>Variance required</i>
Overall Height	Permitted: 26'-6" Proposed: 23'-6"	Lot Coverage	Permitted: 30% (2,100 SF) Existing: 18.5% (1,305 SF) Proposed 29.9% (2,099 SF)
Crown of Road (COR)	1.77' NAVD	Finished Floor Elevation	7.25' NAVD (main) 6.5' NAVD (front cabana)
Max Fill	2.74 7.25 - 1.77 = 5.48 / 2	Site Elevations	Existing: 2' NAVD rear, sides Proposed: 4' NAVD rear, sides
Landscape Open Space	Required: 40% (3,150 SF) Proposed: 45% (3,178 SF)	FEMA Zone	AE 6
Perimeter Open Space	Required: 50% (1,700 SF) Proposed: 81% (2,782 SF)	Front Yard Open Space	Required: 45% (500 SF) Proposed: 38.8% (485 SF) <i>Variance required</i>
Surrounding Properties			
North	1999 Two-story residence		
South	1951 Two-story residence		
East	1974 13-Unit Three-story Condominium— <i>The Australian of Palm Beach</i>		
West	2017 Two-story residence		

STAFF ANALYSIS

This application is presented to the Commission to consider whether all of the criteria in Sec. 18-205 have been met. A review of the project indicates that the application, as proposed, appears to be inconsistent with the abovementioned sections of the Town zoning code.

The subject property is a mid-block parcel zoned R-C. The proposal includes the construction of a new main house and entry cabana—both structures are proposed to be two-stories, with the rear structure—the primary structure—at a higher height. The primary residence is entered through the smaller scaled entry cabana and into an elevated central courtyard. The lot area is 7,000, which is substandard in size for the R-C zoning district that requires 10,000 SF of lot area (variance #1) for development of the site with a single-family residence; additionally, the lot is deficient in lot width (variance #2). The development patterning of the immediate area consists of several multifamily buildings of varying age and architectural styles, heights and densities. Further, there are tow-story single family residences, both older and newer, along the block. Notably, the development of the newer single-family residences are all two-story in height on relatively similar lot sizes to the subject property. In this regard, the granting of the variances as they pertain to the dimensional aspects of the lot—area and width—are not inconsistent with the surrounding area or out of character with the immediate vicinity.

As it pertains to variance #3, to reduce the required amount of front yard open space, some of the green space is lost to the design decision to occupy a motorcourt that is accessed by a single

driveway along the entirety of front yard. This is 'driven' by the programmatic desire to create a large courtyard between the two, two-story structures. The variance request could be further reduced by pushing back parking further into site and reducing the central courtyard between the two buildings and while the proposed drive is located on the property to allow for the existing number of on-street parking spaces to be maintained, the green space can be increased by 15 SF. Staff recommends the design be revised to comply with the front yard open space requirement.

Stylistically, according to the applicant's letter of intent, the new construction builds inspiration from classic Palm Beach Modern and Art Deco structures, as well as materially from wooden bungalows. And the while the design is compatible with scale of the surrounding properties, it does contain many unique architectural features of interest that cannot be found in the immediate area including the materiality of the rough hewn wood cladding painted white, the large ocular windows, the exposed side loaded stair along front structure, the metal clad "eyebrow" along front façade, amongst others.

Of note is the unique sitework, or lack thereof, of the design as it sited on the subject property. Typically, new construction is coupled by sitewide improvements in which the architect proposes elevating the majority of the site with extra 'fill' to increase the overall height or grade of the site in order to address seamlessly transition into required higher finished ground floor elevations. This is often referred to as 'the house on the hill'. An alternate solution is to limit the overall yard elevations and place the structure on a higher building foundation. This solution elevates the structure at the proper and required elevation and designs steps, ramps, tiers, and terraces within the site in order to provide access into the new higher structure. Due to the low-lying nature of this portion of Australian Avenue, the highest crown of road is 1.77' NAVD, the proposed residence at 7.25' NAVD seems extraordinarily high. This is attempted to broken u visually by the front two-story cabana structure which is smaller in width than the principal structure and lower in height.

Approval of the project will require two separate motions to be made by the Commission: (1) for the overall design of the project in accordance with the aforementioned criteria, subject to any imposed conditions, and (2) that the implementation of the proposed variances will/will not cause negative architectural impact to the subject property.

WRB/JGM

McALPINE

November 04, 2022

441 Australian Avenue
Palm Beach, Florida
ARC 22-187
ZON 22-129
Re: Letter of Intent

To whom it may concern:

This letter is to introduce the proposed new construction of main house and entry cabana at the property of 441 Australian Avenue. The design of the new single family residence is intended to fit within the existing neighborhood in its scale, massing, materials, style, and coloration. The property is entered through the cottage-scaled cabana porch and into a central courtyard – only then is the two story main house presented. The massing of cabana and main house are similar to the existing neighboring two story residence and smaller than the multi-family buildings that flank the two single family residences. Combined, the proposed new residence provides 4 bedrooms and 4.5 baths within a height and mass compatible with the varied residential structures in this neighborhood. Proposed landscape planting is layered to maintain the streetscape edge and to also soften and obscure landscape walls, steps, and handrails, providing a lush green environment around the white buildings. Stylistically, the new construction builds from classic Palm Beach Modern and Art Deco structures, embracing the thin canopies, parapets, and round windows frequently found in these styles and grounding the structures in the community while enhancing a stylistically diverse streetscape. Materially, the sawn wooden siding provides a light texture drawn from Palm Beach wooden bungalows, meant to soften the strong lines of the rectangular massing. The proposed lush and layered landscape planting works to ground the structures within a tropical, modern aesthetic.

The new structures will be of highest quality construction method and materials, utilizing concrete block exterior walls, exterior rain screens, and interior furring to meet structural codes and minimize sound transfer. HVAC units will be installed at main floor level and screened. Existing utilities and future power transformer locations can be maintained with the proposed site plan. The proposed drive will allow for on-property turning for a safer, forward facing auto street access while maintaining the existing number of street parking spaces immediately in front of and adjacent to the property. The main house is accessible through the entry cabana and from the exterior on both sides of the entry cabana. Gates between the motorcourt and courtyard are included for safety and ease of maintenance. Utilities can be accessed at the side yards of the cabana without entering the main house courtyard. Planting along a new, low perimeter retaining wall maintains appropriate site drainage, screens the proposed structures from neighbors and blends the new landscape with existing neighboring landscape planting.

The proposed new construction is to be built on an existing property of 50'x140' (7000 square foot area) dimension which has been the site of an existing single story residence since 1956 or earlier. The property dimensions cause it to be considered non-conforming due to the required R-C zoning 75' lot width. Therefore, a variance is requested, referencing Sec. 134-948(2)a and Sec. 134-446(b). The property dimensions also cause it to be considered non-conforming due to the required R-C zoning 10,000 square foot area. Therefore, a second variance is requested, referencing Sec. 134-948(1)a and Sec. 134-

351 PEACHTREE HILLS AVE NE
SUITE 325
ATLANTA GA 30305
404 501 9200

501 CLOVERDALE RD
SUITE 201
MONTGOMERY AL 36106
334 262 8315

124 12TH AVENUE SOUTH
SUITE 310
NASHVILLE TN 37203
615 259 1222

1133 BROADWAY
SUITE 1416
NEW YORK NY 10010
212 414 1272

McALPINE

446(b). The proposed structures maintain the setbacks required within the zoning district and meet the maximum lot coverage requirements, despite the smaller than required lot.

The minimum amount of paving is used for the proposed drive and parking which will allow for forward facing auto access to the street – this coverage is less than the existing coverage. The orientation also allows for safer auto and pedestrian circulation, as opposed to the current requirement to back out of the single existing drive onto the street. The drive and parking are screened from the street by layers of planting at the front and side property lines, including a six foot hedge. The proposed drive is located on the property to allow for the existing number of on-street parking spaces to be maintained.

The proposed buildings and landscape will enhance the existing property and neighborhood with a lovely and well-crafted small home and also provide for the current needs of the property owner.

Thank you for your time and attention to this project.

Sincerely,

Lida Sease
Studio Head – Atlanta
McAlpine Tankersley Architecture, PC

351 PEACHTREE HILLS AVE NE
SUITE 325
ATLANTA GA 30305
404 501 9200

501 CLOVERDALE RD
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TOWN OF PALM BEACH

Architectural Commission on: December 16, 2022

Section of Agenda

Major Projects - New Business

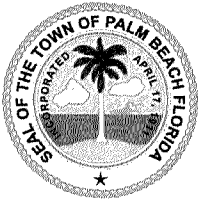
Agenda Title

ARC-22-247 965 N OCEAN BLVD. The applicant, 965 N OCEAN BLVD LLC (Matthew Sellick), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence over 10,000 SF with basement, landscape, hardscape, pool and spa.

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) 838-5431 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Architectural Commission (ARCOM)

TO: ARCOM Chairperson and Members

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

SUBJECT: ARC-22-247 965 N OCEAN BLVD.

MEETING: DECEMBER 16, 2022

ARC-22-247 965 N OCEAN BLVD. The applicant, 965 N OCEAN BLVD LLC (Matthew Sellick), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence over 10,000 SF with basement, landscape, hardscape, pool and spa.

Applicant: Matthew Sellick
Professional: Dailey Janssen (Roger Janssen) | Nievera Williams (Mario Nievera)

HISTORY:

A previous application for the construction of a new 18,448 SF residence was proposed for this site at the July 27, 2022, ARCOM meeting and was unanimously denied.

THE PROJECT:

The applicant has submitted plans, entitled "965 NORTH OCEAN BOULEVARD", as prepared by **Dailey Janssen Architects**, dated November 4, 2022.

The following is the scope of work:

- Construction of a new 16,310 SF two-story single-family residence with a basement and sitewide landscape and hardscape improvements.

Site Data			
Zoning District	R-A Estate Residential	Lot Size	Required: 20,000 SF Proposed: 54,375 SF
Future Land Use	SINGLE FAMILY	Lot Width	Required: 125' Proposed: 150'
Overall Height	Permitted: 35' Proposed: 31'-10"	Lot Coverage	Permitted: 25% (13,593 SF) Proposed 15.4% (8,404 SF)
Crown of Road (COR)	3.4' NAVD	Finished Floor Elevation	16'-1" NAVD

Landscape Open Space	Required: 50% (27,187 SF) Proposed: 61.5% (33,426 SF)	FEMA Zone	X
Native Plantings	> 35%	Front Yard Open Space	Required: 45% (2,671 SF) Proposed: 76% (4,207 SF)
Surrounding Properties			
North	977 N Ocean Blvd, Single Family Residence		
South	947 N Ocean Blvd, Single Family Residence		
East	Atlantic Ocean		
West	960 N Ocean Blvd, Single Family Residence		

STAFF ANALYSIS

This application is presented to the Commission to consider whether all of the criteria in Sec. 18-205 have been met. A preliminary review of the project indicates that the application, as proposed, is consistent with the Town of Palm Beach zoning code.

The application requests the construction of a new 16,310 SF two-story single-family residence with a basement in the R-A Estate zoning district. The primary two-story component of the residence is proposed to be sited on the bluff, westward of the Coastal Construction Control Line (CCCL) with a finish floor elevation of 16'-1" and an overall height of 31'-10". The proposed residence is designed in a tropical British Colonial style and features asymmetric plan, cedar shake hip roofs, smooth stucco and channeled limestone facades, casement windows, and balconies with chamfered columns and Chippendale style railings.

The design of the residence features a large basement, containing additional living space, storage space, and rooms for generators and assorted mechanical equipment. A sunken equipment yard housing two cooling towers is proposed within the buildable envelope outside of required yard setbacks in the north yard, with sections provided on Sheets A-2.06 and A-2.13.

The site plan features a terraced front yard with layered fencing, walls, and hedgerows, two gated vehicular entryways and a central motor court. Landscaping and site design have been provided by Neivera Williams, and is provided on Sheets Lo – OS3 of the plan sets.

WRB:JGM:JRH



DAILEY JANSSEN ARCHITECTS, P.A.

ROGER PATTON JANSSEN, A.I.A.

965 North Ocean Boulevard
Palm Beach, Florida 33480

Date: October 24, 2022

DAILEY JANSSEN ARCHITECTS

LETTER OF INTENT RELATED TO NEW CONSTRUCTION AT 965 NORTH OCEAN BOULEVARD, PALM BEACH

We are pleased to submit the accompanying drawings for review of our project at 965 North Ocean Boulevard. The site is currently vacant. Our project is for a new two-story residence with basement, landscape, hardscape, pool and spa.

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

Not applicable

B) ARCOM 18-205

We request a hearing before the Architectural Commission. The proposed project includes the construction of a new two-story residence with basement, landscape, hardscape, pool and spa. The proposed area of the project is 16,310 square feet; including 4,772 square feet of enclosed basement/ground level, 7,068 square feet of enclosed second level, and 4,470 square feet of enclosed third level. The proposed style is British Colonial Tropical.

C) ARCOM 18-206

Not applicable

D) SPECIAL EXCEPTION 134-229

Not applicable

E) SITE PLAN REVIEW 134-329

Not applicable

A) VARIANCES 134-201

Not applicable

B) OTHER

Not applicable

TOWN OF PALM BEACH

Architectural Commission on: December 16, 2022

Section of Agenda

Minor Projects - Old Business

Agenda Title

ARC-22-227 640 ISLAND DR. The applicant, 640 Land Trust, has filed an application to the Architectural Commission for review and approval for a second-story addition over an existing one-story garage attached to an existing two-story residence. (contd. from 11/18/22)

This item is deferred to the January 25, 2023, meeting at the request of the applicant.

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Architectural Commission on: December 16, 2022

Section of Agenda

Minor Projects - Old Business

Agenda Title

ARC-22-225 (ZON-22-147) 201 EL VEDADO RD (COMBO) The applicants, Perri and Robert Bishop, have filed an application requesting Architectural Commission review and approval for the installation of two vehicular driveway gates, including a variance from the backup/cueing distance requirement. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval. (contd. from 11/18/22)

This item is deferred to the January 25, 2023, meeting at the request of the applicant.

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Architectural Commission on: December 16, 2022

Section of Agenda

Minor Projects - Old Business

Agenda Title

ARC-22-097 142 PERUVIAN AVE. The applicant, Susan & Robert Taylor, has filed an application requesting Architectural Commission review and approval for the replacement of two pedestrian courtyard gates on a two-story condominium building. (contd. from 08/24/22, 09/27/22, 10/26/22, 11/18/22)

This item is deferred to the January 25, 2023, meeting at the request of the applicant.

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Architectural Commission on: December 16, 2022

Section of Agenda

Minor Projects - New Business

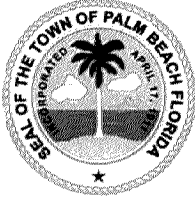
Agenda Title

ARC-22-241 (ZON-23-002) 624 ISLAND DR (COMBO) The applicant, Holly Ann Bartlett, as Trustee of the 1220 South Ocean Boulevard Trust dated May 23, 2013, has filed an application requesting Architectural Commission review and approval for the construction of a new skylight atrium enclosing an existing open-air interior courtyard to an existing two-story residence. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Presenter

ATTACHMENTS:

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



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Palm Beach, FL 33480
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PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Architectural Commission (ARCOM)

TO: ARCOM Chairperson and Members

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

SUBJECT: ARC-22-241 (ZON-23-002) 624 ISLAND DR (COMBO)

MEETING: DECEMBER 16, 2022

ARC-22-241 (ZON-23-002) 624 ISLAND DR (COMBO). The applicant, Holly Ann Bartlett, as Trustee of the 1220 South Ocean Boulevard Trust dated May 23, 2013, has filed an application requesting Architectural Commission review and approval for the construction of a new skylight atrium enclosing an existing open-air interior courtyard to an existing two-story residence. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Applicant: Holly Ann Bartlett
Professional: Smith and Moore Architects Inc.

HISTORY:

A new two-story residence designed by Smith and Moore was reviewed and approved by ARCOM at the July 2018 meeting, pursuant to ARC File # B-071-2018.

THE PROJECT:

The applicant has submitted plans, entitled "624 Island Drive", as prepared by **Smith and Moore Architects Inc.**, dated October 24, 2022.

The following is the scope of work:

- Construction of a rooftop atrium skylight for an existing two-story residence with an open-air courtyard, including variances for lot coverage, and cubic content ratio (CCR).

Site Data			
Zoning District	R-B	Lot Size (SF)	20,929 SF
Future Land Use	SINGLE FAMILY	Year Built	2021
Lot Coverage	Permitted: 25% (5,232 SF) Existing: 24.99% (5,228 SF) Proposed: 26.3% (5,508 SF) <i>Variance Requested</i>	Cubic Content Ratio (CCR)	Permitted: 3.89 Existing: 3.85 CCR Proposed: 4.14 CCR <i>Variance Requested</i>
Surrounding Properties / Zoning			

North	1954 One-story residence / R-B
South	2016 Two-story residence / R-B
East	Intracoastal Waterway
West	1966 Two-story residence / R-B

STAFF ANALYSIS

This application is presented to the Commission to consider whether all of the criteria in Sec. 18-205 have been met. 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:

- **Variance 1:** Section 134-893(a)(i)(e) and 134-843(a) (ii). Variance to exceed lot coverage for a two-story building of 26.3% in lieu of 24.99% existing and 25% maximum permitted.
- **Variance 2:** Section 134-893(13). Variance to exceed cubic content ratio (CCR) of 4.14 vs 3.85 existing and 3.89 maximum permitted.

The application is for the installation of a new 280 SF glass skylight measuring 20' x 14' that will enclose an existing open-air courtyard. Due to the size of the lot, greater than 20,000SF in the R-B zoning district, the lot coverage is limited to 25%. The original design was proposed and built at 24.9%, or 5,228 SF of air-conditioned space. Reviewed in 2018, the two-story residence was designed at the maximum lot coverage and the existing open air courtyard was exempt from the lot coverage calculations. Approval of the double height skylight would also increase the CCR by a considerable amount as the "room" that would be added to the CCR would have a 21'-5" ceiling. There is no denying that the proposal is not visible from any right-of-way, and generally imperceivable except to those courtyard users, the variance request would grant this property other zoning permissions than other properties to exceed thresholds of both regulations. And while it certainly may be argued that the proposal has zero visual negative impact to neighboring properties, it may create a precedent for construction over the codified limitations in the immediate area. No demonstrated hardship has been provided by the applicant, as such, staff cannot support the variance request.

Approval of the project will require two separate motions to be made by the Commission: (1) for the overall design of the project in accordance with the aforementioned criteria, subject to any imposed conditions, and (2) that the implementation of the proposed variances will/will not cause negative architectural impact to the subject property.

WRB/JGM

SMITH AND MOORE ARCHITECTS, INC.

Harold Smith • Jonathan Moore • Peter Papadopoulos • Daniel Kahan
Florida AAC No. 001285



Re: 624 Island Drive
Palm Beach, FL 33480

October 3, 2022

LETTER OF INTENT
SKYLIGHT COURTYARD ENCLOSURE
AT 624 ISLAND DRIVE
ARC-22-241 ZON-23-002

Please find for review the attached drawings for our project at 624 Island Drive in the R-B Zoning District of Palm Beach. The site has an existing two-story main residence with an interior courtyard, a one-story detached cabana accessory structure in the rear yard, a rear yard pool, a driveway with parking court in the front yard, and a service drive in the north side yard. Our project proposal is to add a 280 sq. ft. skylight to enclose the existing courtyard. Please note the following:

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

Not applicable – This property is not landmarked.

B) ARCOM 18-205

We are submitting a proposal that we consider tastefully designed, which will not interfere with the existing harmonious and balanced elevations, and will not be visible from any direction at eye level.

1. The addition of the vehicular gates 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.
2. Not Applicable.
3. The proposed skylight enclosure design and appearance is not of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance value.
4. The proposed enclosure is in harmony with the proposed developments on land in the general area and with the comprehensive plan for the town.
5. The proposed enclosure 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. This proposal does not have apparently visible identical front or side elevations.
 - b. We do not have other significant identical features of design such as, but not limited to, material roof line and height of other design elements.

1500 South Olive Avenue • West Palm Beach, Florida 33401
Telephone (561) 835-1888 • Fax (561) 832-7015
www.smithmoorearchitects.com
Florida AAC No. 001285

SMITH AND MOORE ARCHITECTS, INC.

6. The proposed enclosure is not excessively dissimilar in relation to any other structures existing or within 200 feet of the proposed site in respect to one or more of the following features:
 - a. Height of addition.
 - b. Other significant design features including, but not limited to, materials or quality of architectural design.
 - c. Architectural compatibility.
 - d. Arrangements of 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 the 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 a neighboring property.
7. The proposed addition or accessory structure is subservient in style and massing to the principal or main structure.
 - a. The proposed massing and details will be congruent with but subservient to those of the principal existing structure.
 - b. The details and proportions will also be in keeping with the main structure but scaled to the proportions of the accessory structure.
8. The proposed enclosure 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).
 - a. There is no change to the outward appearance of the existing residence.
9. The proposed enclosure is generally in conformity with the standards of this code and other applicable ordinances with the exception of the required cubic content and the lot coverage requirements of the code. The enclosure meets all other dimensional requirements of the code.
10. The project's location and design adequately protect unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways and similar features. The proposed enclosure does not negatively impact any existing natural features.

C) ARCOM 18-206

Not applicable.

D) SITE PLAN REVIEW 134-329

Not applicable.

E) SPECIAL EXCEPTION 134-229

Not applicable.

F) VARIANCES

ARC-22-241 and ZON-23-002 is a request for the enclosing of an open courtyard with a 280 sq. ft. skylight at 624 Island Drive. The required plans and zoning history are submitted with this Application.

SMITH AND MOORE ARCHITECTS, INC.

Sections 134-201. Applicant is requesting two variances as follows:

1. Section 134-893(b)(1)(e) and 134-843(a)(11). Variance to permit lot coverage for a two-story building of 26.3% in lieu of 24.99% existing and 25% maximum permitted.
2. Section 134-893(13). Variance to permit cubic content ratio of 4.14 vs 3.85 existing and 3.89 maximum permitted.

The hardship that runs with the property is that the applicant is a new owner of the property, and the house and courtyard were built recently by a prior owner. To be able to use the courtyard, the new owner needs protection from the heat and natural elements. No new floor space is proposed to be constructed.

Granting of the variances will not be contrary to the public's interest because no negative impact to the neighbors will result.

The courtyard is existing, and no changes are visible to, or impactful on, any neighbors. This is a technical variance, which will allow the new owner to enjoy the courtyard space without any visible changes or additions to the home or property.

See Site History attached hereto as Exhibit "A."

Criteria for Site Plan Review – N/A

Criteria for Special Exceptions – N/A

Criteria for Authorizing a Variance (Applicable to both variance requests # 1 and 2)

Both variance requests are addressed collectively because they both involve additional area of improvements to be counted against maximums due to the request to cover the existing courtyard with a 280 sq. ft. skylight. The rationale and justifications apply equally to both Section 134-893(b)(1)(e) and Section 134-893(a)(11), which apply to lot coverage, and Section 134-893(13), which applies to the cubic content ratio.

1. List the special conditions and circumstances peculiar to the land, structure or building which are not applicable to other lands, structures or buildings in the same zoning district. The hardship and special conditions applicable to this property are that the building was constructed by a different owner that wanted the additional uncovered space. This area is

SMITH AND MOORE ARCHITECTS, INC.

not visible to neighbors in its existing conditions and won't be visible when covered as proposed.

2. Indicate how the special conditions and circumstances do not result from the actions of the Applicant.

The special conditions existed upon construction of the home by the prior owner. The applicant simply wants to cover the courtyard with a skylight to protect the area from the natural elements.

3. Demonstrate that the granting of the variance will not confer on the Applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district.

No special privileges will be conferred on the Applicant if the variances are granted because the same amount of total space in the home will exist. The change will not be apparent from the street, and the covered space will still be open to natural light despite being converted to air conditioned space.

4. Demonstrate how literal interpretation of this ordinance would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the Applicant.

The applicant is not asking to add square footage to the home but rather to cover it with a skylight to better enjoy the space.

5. Demonstrate that the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

The requested relief is the minimum necessary for the requested use because she is not adding any space to the home. She is just covering it with a skylight to allow her to enjoy and use the space in the summer and during inclement weather and protect it from the elements.

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 must be demonstrated 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:
 - i. Be granted only for the continuation of the same hotel or residential use; and,
 - ii. 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.

N/A

SMITH AND MOORE ARCHITECTS, INC.

7. Show how the granting 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.

The granting of these variances is in harmony with the intent and purpose of the Zoning Code because the requested renovation in no way impacts any neighbors and is simply intended to allow the new owner to use the space during the summer and in inclement weather and to protect it from the elements.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. Smith', with a stylized, flowing script.

Harold J. Smith
Principal Architect

SMITH AND MOORE ARCHITECTS, INC.

EXHIBIT "A" **Site History**

None, except that the existing home and courtyard were approved by ARCOM per ARC B-071-2018.

TOWN OF PALM BEACH

Architectural Commission on: December 16, 2022

Section of Agenda

Minor Projects - New Business

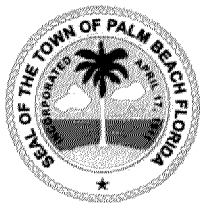
Agenda Title

ARC-22-242 (ZON-23-003) 1030 S OCEAN BLVD (COMBO) The applicant, Martin L. Edelman as Trustee of the 1030 South Ocean Trust dated March 24, 2022, has filed an application requesting Architectural Commission review and approval for the installation of a two new vehicular driveway gates including a variance to reduce the required vehicular backup queue on a street. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Presenter

ATTACHMENTS:

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



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: Architectural Commission (ARCOM)

TO: ARCOM Chairperson and Members

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

SUBJECT: ARC-22-242 (ZON-23-003) 1030 N OCEAN BLVD (COMBO)

MEETING: DECEMBER 16, 2022

ARC-22-242 (ZON-23-003) 1030 S OCEAN BLVD (COMBO). The applicant, Martin L. Edelman as Trustee of the 1030 South Ocean Trust dated March 24, 2022, has filed an application requesting Architectural Commission review and approval for the installation of a two new vehicular driveway gates including a variance to reduce the required vehicular backup queue on a street. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Applicant: Martin L. Edelman as Trustee of the 1030 South Ocean Trust
Professional: SMITH AND MOORE ARCHITECTS, INC.
Representative: Maura Ziska, Esq.

THE PROJECT:

The applicant has submitted plans, entitled "1030 SOUTH OCEAN BOULEVARD.", as prepared by **SMITH AND MOORE ARCHITECTS, INC.** dated October 24, 2022.

The following is the scope of work:

- Installation of driveway gates including a variance to reduce the required vehicular backup queue.

The following Special Exception with Site Plan Review and Variances are required to complete the project:

- **VARIANCE:** Sec. 134-1668: A variance to provide a 10'-2" proposed vehicular backup queue from the street pavement in lieu of the 18-foot minimum required.

Site Data			
Zoning District	R-B	Lot Size (SF)	28,301 SF
Surrounding Properties / Zoning			
North	2020 Two-story residence / R-B		
South	1952 Two-story residence / R-B		
East	1970 Two-story residence / R-B		

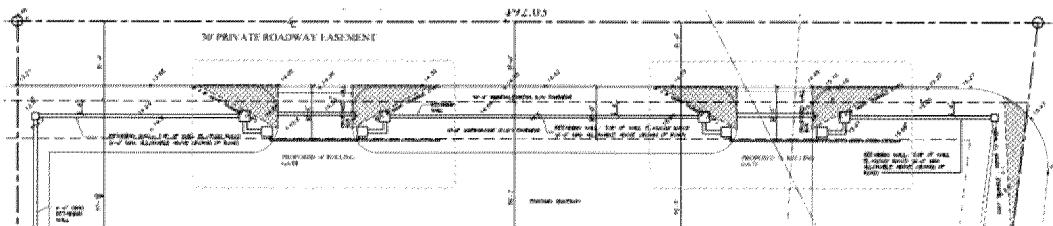
West	1952 Two-story residence / R-B
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STAFF ANALYSIS

This application is presented to the Commission to consider whether all of the criteria in Sec. 18-205 have been met. 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:

- **VARIANCE:** Sec. 134-1668: A variance to provide a 10'-2" proposed vehicular backup queue from the street pavement in lieu of the 18'-0" minimum required.

The project consists of the installation of two rolling gates, each 16'-0" wide, along Via Palma which is a right-of-way that terminates westerly at the waters of the Lake Worth Lagoon; however, a small road, Eljan Lane, provides north and south egress so technically this portion of the is neither a dead-end street or cul-de-sac. As such the request must be reviewed as a variance not as a Special Exception. The height of the gate is zoning compliant.



Both of the existing two curb-cuts are already approved as part of the original site plan, as is the existing front wall. The height of the gates and new piers are zoning compliant.

Approval of the project will require two separate motions to be made by the Commission: (1) for the overall design of the project in accordance with the aforementioned criteria, subject to any imposed conditions, and (2) that the implementation of the proposed variances will/will not cause negative architectural impact to the subject property.

WRB:JGM

SMITH AND MOORE ARCHITECTS, INC.

Harold Smith • Jonathan Moore • Peter Papadopoulos • Daniel Kahan
Florida AAC No. 001285



Re: 1030 South Ocean Boulevard
Palm Beach, FL 33480

September 13, 2022

LETTER OF INTENT
ADDITION OF TWO DRIVEWAY GATES
AT 1030 SOUTH OCEAN BOULEVARD
ARC-22-242 ZON-23-003

Please find for review the attached drawings for our project at 1030 South Ocean Boulevard in the R-A Zoning District Palm Beach. The site has an existing two-story main residence, a one-story cabana accessory structure attached to the main residence by a pergola in the rear yard, a rear yard pool, and a circular driveway in the front yard. Our project proposal is to add two vehicular driveway gates and gateposts behind the plane of the existing front site wall and gateposts. Please note the following:

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

Not applicable – This property is not landmarked.

B) ARCOM 18-205

We are submitting a proposal that we consider tastefully designed, with harmonious and balanced elevations, providing texture, privacy with visibility. The gates are designed implementing appropriate materials and details consistent with the existing Classical Modern Style residence.

1. The addition of the vehicular gates 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.
2. Not Applicable.
3. The proposed gate design and appearance is not of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance value.
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.
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. This proposal does not have apparently visible identical front or side elevations.
 - b. We do not have other significant identical features of design such as, but not limited to, material roof line and height of other design elements.
6. The proposed vehicular gates are not excessively dissimilar in relation to any other structures existing or within 200 feet of the proposed site in respect to one or more of the following features:

1500 South Olive Avenue • West Palm Beach, Florida 33401
Telephone (561) 835-1888 • Fax (561) 832-7015
www.smithmoorearchitects.com
Florida AAC No. 001285

SMITH AND MOORE ARCHITECTS, INC.

- a. Height of gates.
 - b. Other significant design features including, but not limited to, materials or quality of architectural design.
 - c. Architectural compatibility.
 - d. Arrangements of 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 the 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 a neighboring property.
7. The proposed addition or accessory structure is subservient in style and massing to the principal or main structure.
 - a. The proposed massing and details will be congruent with but subservient to those of the principal existing structure.
 - b. The details and proportions will also be in keeping with the main structure but scaled to the proportions of the accessory structure.
8. The proposed gates are 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).
 - a. There are other existing driveway gates along Via Palma and South Ocean Boulevard.
9. The proposed gates are in conformity with the standards of this code and other applicable ordinances with the exception of the required street setback requirement. The gates meet all other dimensional requirements of the code.
10. The projects' location and design adequately protect unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways and similar features. The proposed gates do not negatively impact any existing natural features.

C) ARCOM 18-206

Not applicable.

D) SITE PLAN REVIEW 134-329

Not applicable.

E) SPECIAL EXCEPTION 134-229

Section 134-1668. – Gateposts and gates located in front, street side and rear street yard areas.

A request for a special exception to add two sliding gates on Via Palma, which is a dead end street. The proposed gates would be 10'2" from the street pavement in lieu of the 18 foot minimum required.

1. Pursuant to Section 134-1668 of the Code, driveway gates closer than 18 feet from the street pavement are permitted if the property is located on a dead end, with Special Exception approval by the Town Council

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2. The driveway gates are proposed to be operated so as to not adversely affect public health, safety, welfare or morals. Since the property is on a dead end street used mostly by the residents of the street, the use of the gate will not create an unsafe condition as there will not be any traffic build up from cars travelling past the property.
3. The proposed driveway gates will not adversely affect the value of other properties in the neighborhood as it is not relevant to the neighboring property values.
4. The proposed driveway gates will be compatible with the neighborhood as many other property owners in the neighborhood have similar gates with non-conforming setbacks.
5. The proposed driveway gates will comply with all other yard, other open space and any special requirements set forth in Article VI of the Zoning Code.
6. The proposed driveway gates will comply with the comprehensive plan, if applicable.
7. The proposed driveway gates will not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district.
8. N/A
9. N/A
10. N/A
11. N/A
12. N/A
13. N/A
14. The proposed driveway gates will not place a greater burden on police or fire protection services since the property is on a dead end street and is not heavily travelled and the use of the gates will not create an unsafe traffic condition as they are setback a significant distance from the street.

F) OTHER

Site History: In September of 2019 Variance Number Z-18-00100 for point of measurement and building height plane was granted by the Town Council.

Sincerely,



Harold J. Smith
Principal Architect

1500 South Olive Avenue • West Palm Beach, Florida 33401
Telephone (561) 835-1888 • Fax (561) 832-7015
www.smithmoorearchitects.com

TOWN OF PALM BEACH

Architectural Commission on: December 16, 2022

Section of Agenda

Minor Projects - New Business

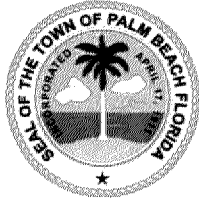
Agenda Title

ARC-22-212 (ZON-23-012) 246 EVERGLADE AVE (COMBO) The applicant, 246 Everglade LLC, has filed an application requesting Architectural Commission review and approval for the modification to an existing driveway, entry steps, pool and decking area, equipment area, entry path, site wall, and a new front entry vehicular gate, including variances for (1) reduced landscape open space (2) for reduced air conditioning equipment setbacks and (3) for reduced pool equipment setbacks. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

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) 838-5431 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Architectural Commission (ARCOM)

TO: ARCOM Chairperson and Members

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

SUBJECT: ARC-22-212 (ZON-23-012) 246 EVERGLADE AVE.

MEETING: DECEMBER 16, 2022

ARC-22-212 (ZON-23-012) 246 EVERGLADE AVE (COMBO). The applicant, 246 Everglade LLC, has filed an application requesting Architectural Commission review and approval for the modification to an existing driveway, entry steps, pool and decking area, equipment area, entry path, site wall, and a new front entry vehicular gate, including variances for (1) reduced landscape open space (2) for reduced air conditioning equipment setbacks and (3) for reduced pool equipment setbacks. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Applicant: 246 Everglade LLC
Professional: Environment Design Group (Dustin Mizell)

THE PROJECT:

The applicant has submitted plans, entitled "Private Residence 246 Everglade Avenue Palm Beach", as prepared by **Environment Design Group**, dated November 7, 2022.

The following is the scope of work:

- Modification of entry path, entry steps, pool, and pool deck (retroactive)
- Modification of equipment area and entry path (retroactive)
- Increase heights of previously permitted site walls (retroactive)
- Installation of a front entry vehicular gate (retroactive)
- Relocation of existing AC condensing unit out of setback installed without approval
- Modification of existing driveway configuration installed without approval

Site Data			
Zoning District	R-C Medium Density Residential	Lot Size (SF)	5,963 SF
Landscape Open Space (LOS)	Required: 35% (2,078 SF) Existing: 24.65% (1,470 SF) Proposed: 28.8% (1,720 SF) <i>Variance Requested</i>	Front Yard Open Space	Required: 35% (441.9 SF) Existing: 48.55% (613 SF) Proposed: 55.1% (696 SF)

Surrounding Properties	
North	255 Everglade Ave / Duplex
South	249 Seminole Ave / Duplex
East	242 Everglade Ave. / Adjoining Duplex
West	250 Everglade Ave. / Duplex

STAFF ANALYSIS

This application is presented to the Commission to consider whether all of the criteria in Sec. 18-205 have been met. 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:

- **Variance 1:** *Sec. 134-948(11)*: Variance for landscape open space of 28.8% in lieu of the required 35%.
- ~~**Variance 2:** *Sec. 134-1728(a)(1)*: Variance to install air conditioning equipment at 1' in lieu of the 5'-0" minimum setback required.~~
- **Variance 3:** *Sec. 134-1728(c)*: Variance to install pool equipment at 1' in lieu of the 5'-0" minimum setback required.

The subject property at 246 Everglade Avenue is the western half of a duplex constructed in 1997. The original approved site plan for the property, the current plan, and the proposed modifications are provided on Sheet L3.1 of the submitted miniset. Recently, most site features, including the driveway, site walls, pathways, pool, mechanical equipment locations, and pool deck were modified without ARCOM review or building permits. Additionally, the applicant is requesting approval of new front vehicular gates.

This application seeks to receive ARCOM approval for the work completed without permits, as well as to modify some unpermitted site features to eliminate the need for variances. Below please find an analysis of the requested variances.

Code section	Required	Proposed	Variance
<i>Sec. 134-948(11) Landscape Open Space</i>	35% (2,078 SF)	28.8% (1,720 SF)	6.2% (358 SF)

Per the record plans, at the time of its construction, the property complied with the minimum Landscape Open Space requirements. Work completed without permits include the enlargement of the pool deck (with artificial turf joints) and driveway, which decreases the Landscape Open Space calculations to 28.8% in lieu of the required 35%. The applicant is currently requesting to eliminate two portions of the driveway to arrive at the 28.8% calculation (See Sheet L2.4). Currently, the property has an unpermitted Landscape Open Space calculation of 24.65%.

Code section	Required	Proposed	Variance
<i>Sec. 134-1728(a)(1) Condensing Unit Setback</i>	5'-0"	1'-0"	4'-0"

As evident on Sheet L2.4, an air conditioning condensing unit was installed 1'-0" off the west property line without permits. The applicant is selecting to move the condensing unit outside of the 5'-0" required setback, which eliminates the need for a variance. An existing site wall provides adequate screening from the neighboring property.

Code section	Required	Proposed	Variance
<i>Sec. 134-1728(c)</i> <i>Pool Equipment Setback</i>	5'-0"	1'-0"	4'-0"

Lastly, new pool equipment has been installed 1'-0" off the west property line whereas 5'-0" is required. The pool equipment is housed in a previously unapproved site wall extension that creates an equipment enclosure. A built-in planter atop the enclosure fully screens the mechanical equipment, as depicted in the photographs and drawings provided on Sheet L3.0.

Due to extensive work without ARCOM approval or building permits, the applicants are seeking to retroactively receive approval for all aspects of the modified site plan and exterior design, including the modifications to the entry steps, driveway, installation of the driveway vehicular gates, and alterations to the entry path, equipment yards, equipment locations, human gates, site walls, and the enlargement of the pool deck (with artificial turf joints) and installation of a new pool.

WRB:JGM:JRH



Land Planning
Landscape Architecture
Landscape Management

Private Residence
246 Everglade Avenue
Palm Beach, Florida 33480

ARCOM # ARC-22-212

LETTER OF INTENT

The residence of 246 Everglade Avenue is existing

Current zoning for the project is R - C - Medium Density Residential.
Our current proposal, for improvements to the site, does not include any architectural changes.
Existing Landscaping has not been affected

The site is currently in violation of the Town of Palm Beach Open Space Requirements.

SCOPE OF WORK – completed without permits

- Modified pool and deck
- Modified equipment area and entry path
- Modified driveway and entry steps
- Increased height of previously permitted site wall (does not exceed 7' above neighboring property)
- Addition of front entry vehicular gate.

PROPOSED SCOPE OF WORK – to bring all non-conforming aspects into compliance.

- Reduction of driveway area to comply with Town of Palm Beach landscape open space requirements.

VARIANCE REQUESTS

- Landscape Open space 28.8% in lieu of the required 35%

Variance Justification

- Conditions of the site at the time of purchase were worse than proposed.

If there are any questions regarding this project, please feel free to reach out to our office.

Dustin Mizell, *President*

Environment Design Group
139 N. County Road
Suite 20 A
Palm Beach, Florida 33480
561.832.4600