



TOWN OF PALM BEACH
Planning, Zoning & Building Department
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PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

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

SUBJECT: ZON-23-014 (ARC-22-243) 302 SEABREEZE AVE (COMBO)

MEETING: AUGUST 09, 2023

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 variances to provide one garage parking space in lieu of the two required and to install air conditioning condensing units and a generator in the rear yard setback without being completely screened from the adjacent property. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Applicant: Sean Rooney
Professional: Peter Papadopoulos | Smith & Moore Architects
John E. Lang | Lang Design Group

HISTORY

The parcel was developed with a single-story residence and a rear detached accessory structure ca. 1945. The current application for the construction of a new two-story residence was initially reviewed by ARCOM at the January 2023 meeting and was deferred for restudy.

The project returned to ARCOM at the May 2023 meeting and was deferred, but the Commission was generally complimentary of the changes made since January. ARCOM requested further refinements to the front porch's depth, configuration, and roofline, as well as modifications to the cabana roof, shutters, and overall detailing.

The project was initially proposed with three variances, but the project has been redesigned to eliminate Variance #3 by relocating the AC condensing units – See the Staff Analysis portion of this memo for further detail.

THE PROJECT:

The applicant has submitted plans, entitled "302 Seabreeze Ave., Palm Beach, Florida" as prepared by **Smith and Moore Architects, Inc.**, dated July 10, 2023.

The following scope of work is proposed:

- Construction of a new two-story single-family residence with site wide landscape and hardscape improvements on a non-conforming R-B zoned lot requiring Special Exception with Site Plan Review and Variances.

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

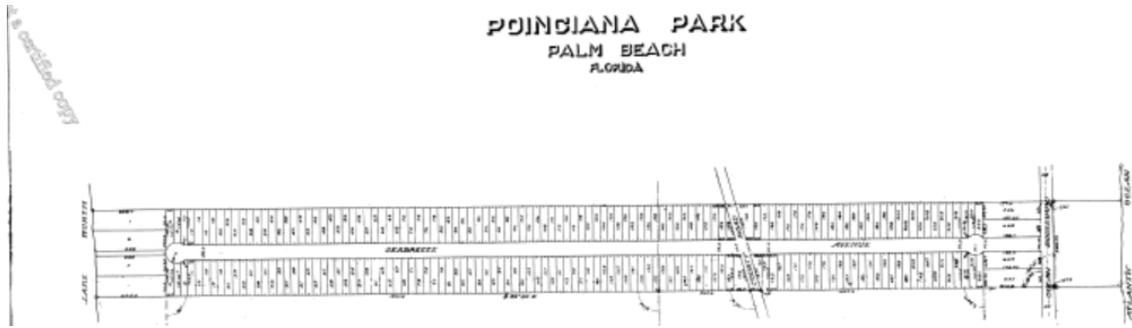
- **SITE PLAN REVIEW:** [Sec. 134-893\(c\)](#): Site Plan Review for development of a parcel, comprised of platted lots, which is deficient in lot width and lot area in the R-B Zoning District.
- **VARIANCE #1:** [Sec.134-2179\(b\)\(1\)](#): A variance to provide one (1) garage parking space in lieu of the two (2) required.
- **VARIANCE #2:** [Sec. 134-1729\(1\)\(d\)](#): A variance to install a generator within the rear yard setback without being completely screened by a masonry wall from the adjacent property.
- ~~**VARIANCE #3:** [Sec. 134-1728\(4\)](#): A variance to install air conditioning condensing units within the rear yard setback without being completely screened by a masonry wall from the adjacent property.~~

Site Data			
Zoning District	R-B	Lot Size (SF)	9,187 SF Required 10,000 SF <i>Special Exception with Site Plan Review</i>
Future Land Use	SINGLE FAMILY	Lot Width	75' Required 100' <i>Special Exception with Site Plan Review</i>
Lot Coverage	Proposed: 28.8% (2,646 SF) Permitted: 30% (3,000 SF)	Landscape Open Space	Required: 45% (4,130 SF) Proposed: 48% (4,4,768 SF)
Overall Building Height	Proposed: 29'-5" Permitted: 30'-0"	Garage Paring	Required: 2 Spaces Proposed: 1 Space <i>Variance Requested</i>
Cubic Content Ratio (CCR)	Proposed: 4.013 Permitted: 4.068	Total Enclosed SF	4,113 SF
Crown of Road	1.49' NAVD	Finished Floor Elevation	Required: 7' NAVD Proposed: 7.125" NAVD
Site Fill	Max. Allowed: 2.755'	Base Flood Elevation	AE 6
Surrounding Properties / Zoning			
North	301 Seabreeze Ave. / SFR / R-B		
South	225 Seaspray Ave/ SFR / R-B		
East	300 Seabreeze / SFR / R-B		
West	306 Seabreeze / SFR / R-B		

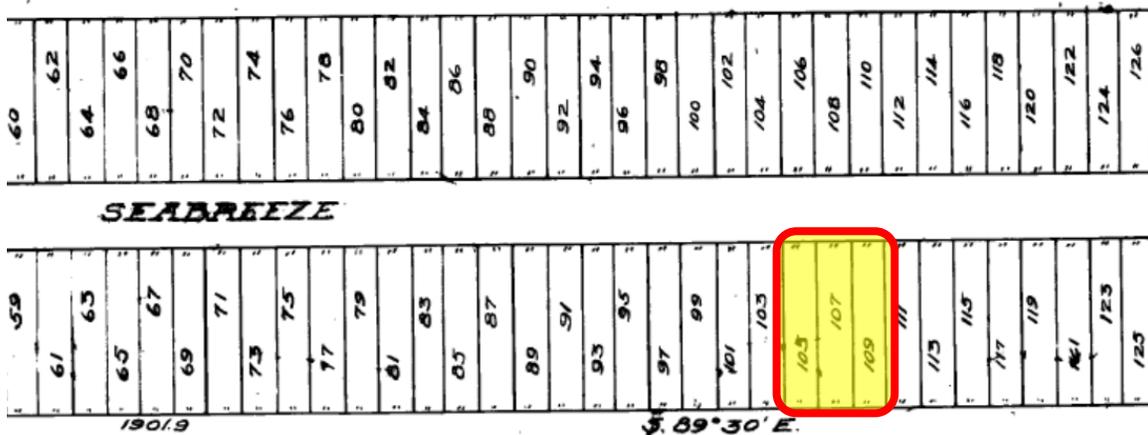
STAFF ANALYSIS

This application is presented to the Town Council to consider development on a non-conforming R-B zoned lot requiring Site Plan Review and Variances. A preliminary review of the project indicates that the application, as proposed, is inconsistent with the Town zoning code and requires two variances, (1) for garage parking and (1) for generator screening. The initial application presented at the January 2023 meeting also required a variance for AC condensing unit screening, which was eliminated in the May submittal.

The application proposes the construction of a single-family residence on a substandard size lot within the R-B Zoning District. Due to the lot's deficiencies in width and area, the application also requires Site Plan Review to be reviewed by Town Council. Site plan review is required due to the nonconforming **platted lot** width. The parcel is deficient in minimum width (75') and area (9,187 SF) for the R-B Zoning district (100' and 10,000SF, respectively) thus requires Site Plan Review and approval by Town Council.



The subject property contains its original geometric configuration and dimensions as it was originally platted in 1955 as Lot '105', '107', and '109' in the Poinciana Park subdivision. With the exception of the lake end and ocean end, the entire street was platted with lot widths of 25'.



The parcel has public frontage along Seabreeze Avenue. Proposed site design features include a central two-story mass with a sideloaded ribbon driveway, elevated yards with masonry retaining walls, and a front walkway connecting the entryway with Seabreeze Avenue. The site plan also features a rear pool and covered loggia, which connects the house to a rear single-bay garage and cabana.

The exterior design of the residence features masonry stucco walls with a symmetrical front façade and regularized fenestration. The residence is designed with a broken slope hip roof utilizing wood shingles, which was recommended at the January ARCOM meeting in lieu of the previously

proposed Ludowici clay shingles. Architectural details and color samples are provided on Sheets DT-1 and DT-2.

Due to the very low elevation of the parcel (1.49' NAVD at C-o-R), the site design utilizes 2.755' of fill, which is the maximum available by Code to elevate the yards surrounding the residence. The grade difference is visually demonstrated in the streetscape elevation provided on Sheet SV-3. The design team have also attempted to keep the front door of the property close to the grade of the yard by placing the entryway and foyer at 5.5' NAVD, below the FEMA finished floor elevation.

The Florida Building Code requires enclosed areas below base flood elevation be used only for access, parking, and storage. The foyer is limited as an access way and storage area and is equipped with a flood vent and flood resistant building materials. The project architect has worked closely with the Town's Floodplain Manager to accommodate this request.

Several modifications have been introduced in the July resubmittal in response to the May ARCOM meeting. The building has been narrowed in depth by 2'-0" by pushing the front façade south. This reduction in the building's footprint has also contributed to reductions in lot coverage, CCR, and overall habitable square footage, which are all below the maximums permitted by Code. The 2'-0" of depth removed from the enclosed body of the house was reallocated to the front porch, which is now measures a gracious 20'-8" X 7'. To add more detailing to the sides and rear of the residence, the design now incorporates "sleeping porches" on the second floor's southeast and southwest corners, which have the appearance of being enclosed over time.

As requested by ARCOM, the front porch roof was also redesigned to a hipped wood shingle roof in lieu of the previously proposed flat roof with perimeter pickets. Additionally, a broken slope roof has been added over the main body of the residence and the overhangs increased to 24". The roof configuration for the cabana/garage structure was also modified by eliminating the gable in lieu of a hipped roof.

The application requires ARCOM to make findings as to whether the following two (2) variances will/will not cause negative architectural impacts to the subject property:

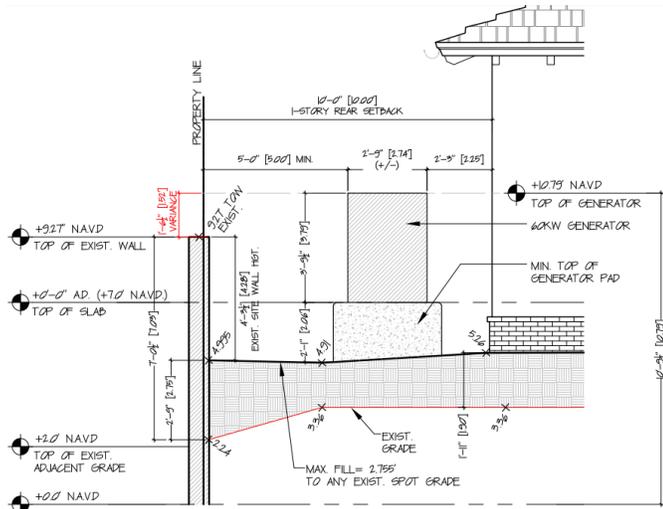
Code Section	Required	Proposed	Variance
Sec. 134-2179	2 Garage Parking Spaces	1 Garage Parking Space	1 Garage Parking Space

For a parcel of this area and frontage within the R-B Zoning District, a new single-family residence is required to maintain two off-street garage parking spaces. The applicant has elected to utilize a single car semi-detached garage to the rear of the property accessed by a side-loaded driveway. Staff generally supports variances to eliminate required garage parking when the scale and size of the home may not warrant a two-car garage. Additionally, the lot is substandard in size for the R-B Zoning District and the applicant is not requesting to building out the lot to maximum capacity.

Code Section	Required	Proposed	Variance
Sec. 134-1729(1)(d)	Generator to be completely screened from neighboring property with a masonry wall	Partially screened by existing masonry wall	1' -6 ½" Unscreened

The site plan for the property locates the mechanical equipment in the east (side) and south (rear) yards. The mechanical equipment within the east yard is located either outside of the required side yard setbacks or is screened with code compliant masonry walls. The rear equipment yard adjacent to the south wall of the garage contains a 60kW generator unit within a yard setback. The generator is required to be screened from adjacent properties with a masonry wall as high as the equipment.

A masonry site wall that is proposed to remain on the rear property line measures 7'-0 1/2" in height when measured from the neighboring grade, already exceeding the 7' maximum wall height allowed by Code. As mechanical equipment is required to be placed at 7' NAVD, the generator exceeds the height of the existing wall. Sheet SP-3 of the architectural plans provides a variance diagram depicting the request.



EXIST. REAR SITE WALL VARIANCE @ GENERATOR 2
 SCALE: 1/2" = 1'-0"

Code Section	Required	Proposed	Variance
Sec. 134-1728(4)	Condensing Units to be completely screened from neighboring property with a masonry wall	Partially screened by existing masonry wall	ACCU 1'-9" Unscreened Mini ACCU 1'-1" Unscreened

The AC condensing units that were previously proposed within the rear yard setback also required variances due to the screening wall height, but these units have been relocated in the May submittal and are now zoning compliant.

Conclusion

Approval of the project will require two separate motions to be made by the Town Council:

- (1) for the Site Plan Review request to permit the development of the existing nonconforming lot in the R-B zoning district which is 75' in width in lieu of the 100' required and 9,187 SF of lot area in lieu of the 10,000 SF required in accordance with the applicable criteria set forth in section 134-329, subject to any imposed conditions; and
- (2) that the variances (#1 and #2) **should or should not** be granted that all of the criteria applicable to this application as set forth in Section 134-201(a), items 1 through 7 have been met.