



**TOWN OF PALM BEACH**  
Planning, Zoning & Building Department  
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PLANNING, ZONING, & BUILDING DEPARTMENT  
PZ&B Staff Combination Memorandum: Architectural Commission and Town Council

FROM: Wayne Bergman, MCP, LEED-AP<sup>WB</sup>  
Director PZ&B

SUBJECT: ARC-23-064 (ZON-23-054) 1473 N OCEAN BLVD (COMBO)

MEETING: OCTOBER 25, 2023

**ARC-23-064 (ZON-23-054) 1473 N OCEAN BLVD (COMBO).** The applicants, William C. Powers & Marianne Elaine Elmasri, have filed an application requesting Architectural Commission review and approval for renovations and additions to an existing one-story residence, requiring setback variances. This is a combination project that shall be reviewed by Town Council as it pertains to zoning relief/approval.

**ZON-23-054 (ARC-23-064) 1473 N OCEAN BLVD (COMBO)—VARIANCES.** The applicants, William C. Powers & Marianne Elaine Elmasri, have filed an application requesting Town Council review and approval for (2) variances from (1-2) north and south side setback requirements. The Architectural Commission shall perform design review of the application.

Applicant: William C. Powers & Marianne Elaine Elmasri  
Professional: SKA Architect + Planner (Daniel Clavijo)  
CF3 Design Group  
Nievera Williams Design (Chris Simon)

**HISTORY:**

The application was originally scheduled to be heard at the June 2023 ARCOM hearing. At the applicant's request, the meeting has been deferred four times to the October 2023 ARCOM hearing. This is the first time being presented to the Commission for review.

**THE PROJECT:**

The applicant has submitted plans, entitled "Powers Residence" as prepared by **CF3 Design Group**, dated October 10, 2023.

The following is the scope of work:

- Renovations and one- and two-story additions to an existing one-story residence.
- Modifications to windows, doors, loggias, and balconies, and new hardscape, landscape.

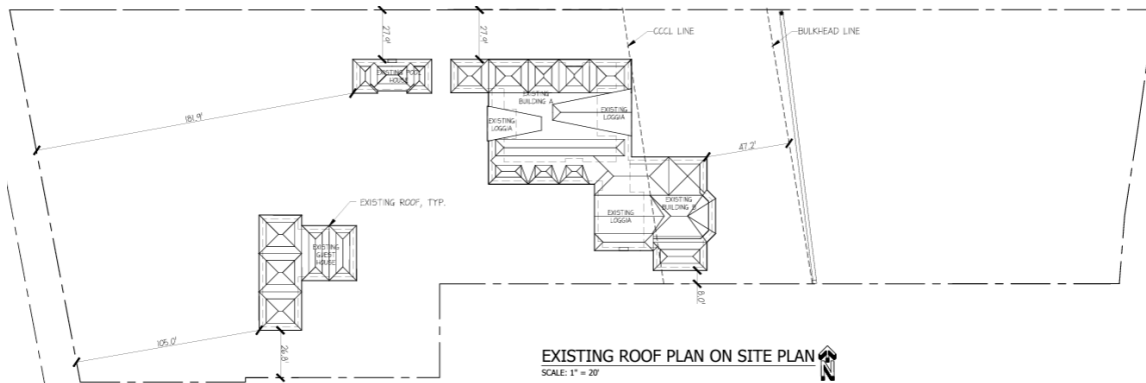
The following Special Exceptions, Site Plan review and/or Variances required to complete the project, and shall be reviewed by Town Council:

- **VARIANCE 1: Sec. 134-843(a)(8):** A variance for a north side-yard setback of 29.9' in lieu of the 30' required, for lots over 60,000 SF in the R-A Zoning District.
- **VARIANCE 2: Sec. 134-843(a)(8):** A variance for a south side-yard setback of 10' in lieu of the 30' required, for lots over 60,000 SF in the R-A Zoning District.

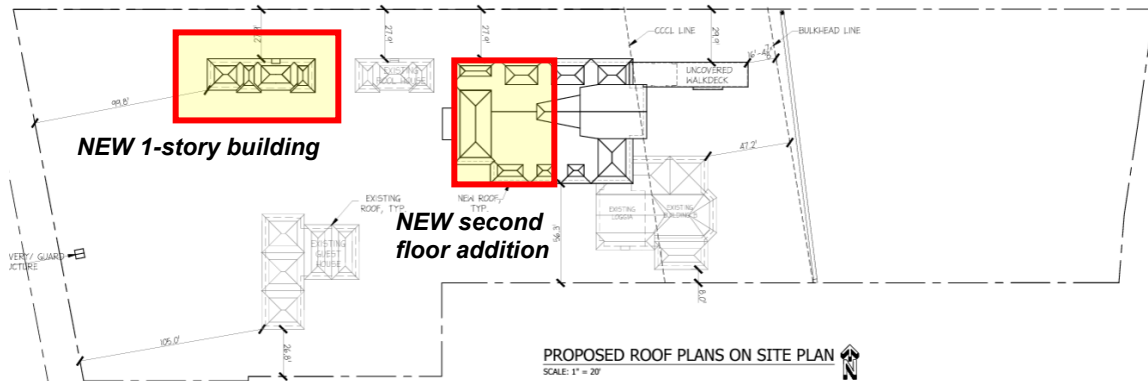
Site Data			
<b>Zoning District</b>	R-A R-B	<b>Future Land Use</b>	SINGLE-FAMILY
<b>Lot Size</b>	78,116 sq. ft.	<b>Crown of Road</b>	3.36' NAVD
<b>Lot Depth</b>	347.28 ft	<b>Lot Width</b>	214.26 ft
<b>Building Height</b>	Permitted: 25' Existing: 12' Proposed: 23.66'	<b>Overall Building Height</b>	Permitted: 35' Existing: 20.66' Proposed: 33.66'
<b>Finish Floor Elevation</b>	15.55' NAVD	<b>Zero Datum for Point of Measurement</b>	7' NAVD
<b>FEMA Flood Zone</b>	ZONE AE / ZONE X / ZONE VE	<b>Max Fill</b>	6.1'
<b>Lot Coverage</b>	Permitted: 25% Existing: 14.7% (11,431 SF) Proposed: 19.1% (14,934 SF)	<b>Enclosed SF</b>	Existing: 17,051 SF Proposed: 24,676 SF
<b>Landscape Open Space</b>	Required: 50% Existing: 59% (46,388 SF) Proposed: 50.6% (39,532 SF)	<b>Front Yard Open Space</b>	Required: 45% Existing: 78.3% (5,602 SF) Proposed: 75.3% (5,358 SF)
<b>North Side Yard Setback</b>	Required: 30' Proposed: 21.2' <i>Variance Required</i>	<b>South Side Yard Setback</b>	Required: 30' Proposed: 10' <i>Variance Required</i>
Surrounding Properties / Zoning			
<b>North</b>	1491 N Ocean Blvd   2-Story Residence / R-A Zoning		
<b>South</b>	1446 N Ocean Blvd   2-Story Residence / R-A Zoning		
<b>East</b>	Atlantic Ocean		
<b>West</b>	1470 N Ocean Blvd   1-Story Residence / R-B Zoning		

### STAFF ANALYSIS

A review of the project indicates that the application, as proposed, is inconsistent with the R-A zoning provisions provided within the Town zoning code, as enumerated above as it pertains to the side setbacks of the project.



The applicant is proposing one- and two-story additions totaling approximately 7,000 SF of enclosed areas onto the existing primary and accessory structure, and a new detached one-story building, on a large oceanfront parcel which is over 75,000 SF in area on a site that is dual-zoned R-A and R-B.



The existing building(s) contain nonconforming setbacks in the north side and south side. The applicant is proposing a second floor addition to the existing one-story (with basement level) primary structure, requiring a north side setback variance to construct the linear addition above. A new freestanding structure is also proposed within the required north side setback. The southeast guest house is proposed to remain as-is without new additions or modifications.

The main structure, centrally located on the site is proposed to have a second story addition over the existing main massing, and a one-story wing with uncovered 2<sup>nd</sup> story terrace proposed to expand easterly towards the ocean. Moving west along the northern setback line, an existing garage structure is proposed to remain, and new detached cabana building is proposed to the east, closest to North Ocean Boulevard. An accessory structure connected to the primary structure via a covered loggia is proposed to remain as-is but will require revesting of the nonconforming south side setback. Modifications to fenestration are proposed throughout.



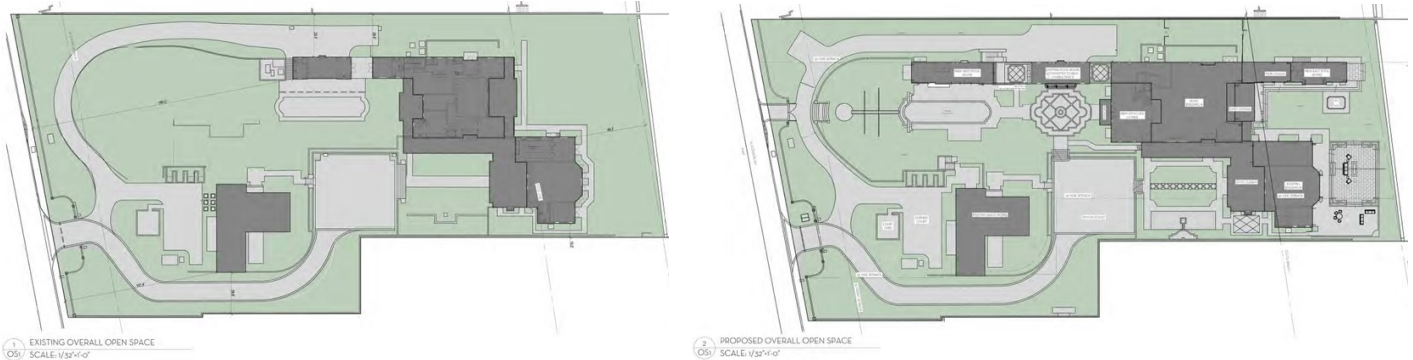
**Existing west façade of primary structure**



**Proposed west façade of primary structure**

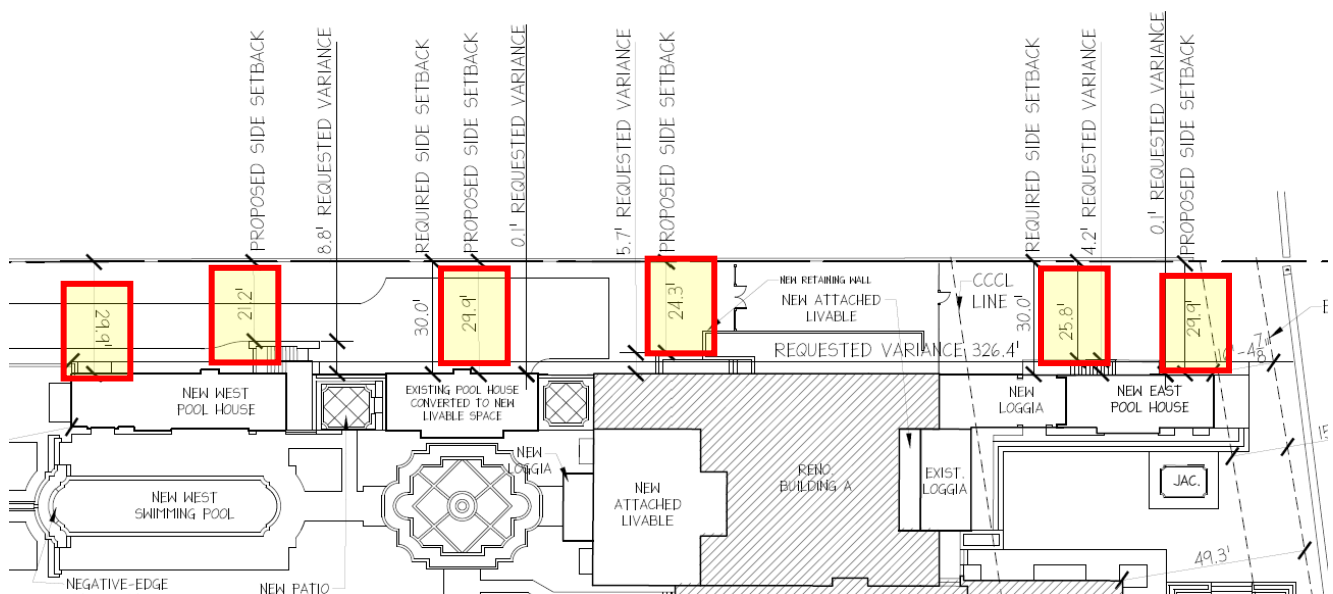
All new hardscape and landscaping are proposed for the site. A new curb cut and driveway gate are

proposed on the north side of the property. At the new detached cabana building, a new swimming pool is proposed with an infinity edge and catch basin on the west. The basin leads to a runnel cascading down two levels and terminates at a round in-ground fountain feature.

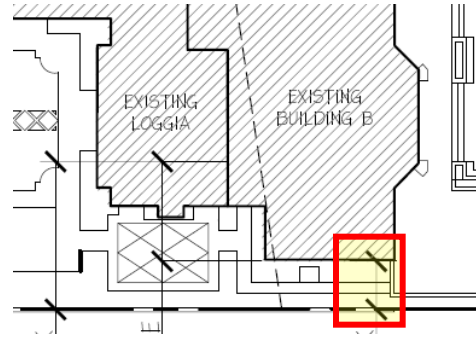


At the new east wing, a small spa is proposed on the south just down the steps of the new pool house. At the existing one-story structure on the south, a new expansive terrace is proposed on the east overlooking the ocean. At the main motor court, to the north, steps lead up to a large stone terrace with a center fountain, which leads to the main entrance of the structure. At the east of the motor court, steps lead up to a walkway leading to the loggia and one-story wing, flanked on the south by a water feature and garden.

As it pertains to **Variance 1**, the applicant is applying for a north side-yard setback of 21.2' in lieu of the 30' required. Since the applicant is proposing to remove the primary structure's roof to accommodate the new second floor addition, more than 50% of the structure is proposed to be demolished, all of the nonconforming setbacks must be retested. The north side setback requirement is 30'-0" and the proposed additions, as well as the existing nonconforming elements proposed to remain, have a varying amount of setback encroachment, ranging from 29.9' to 21.2' at its most extreme. At minimum, the new construction of the new detached structure and new second floor addition should comply with the setback regulations.



As it pertains to **Variance 2**, the applicant is seeking a south side-yard setback variance to permit a 10'-0" setback in lieu of the 30'-0" required. As mentioned above, the applicant must revest both setbacks as it pertains to the nonconforming side setbacks of the existing primary structure. The existing southern portion of the primary structure contains a nonconforming south side setback of 10'-0". No new additions are proposed to this portion of the residence.



It must be noted that there appears to be earthwork involved with the architectural interventions proposed at and within the north side yard. Staff has requested information regarding the amount and extent of the fill required in this area, but has not received sufficient diagrams on this matter. The architect has affirmed that the maximum amount of fill will not be exceeded, however, if this is not the case, additional variances will be required.

**CONCLUSION:**

This application is presented to the Architectural Commission to consider whether all of the criteria in Sec: 18-205 have been met. Approval of the project will require two (2) separate motions to be made by the Commission:

- (1) for the overall design of the project in accordance with the criteria, subject to any imposed conditions,
- (2) that the implementation of the **Variance will or will not** cause negative architectural impact to the subject property. The **Variance request** is scheduled for final review and approval by Town Council.

Approval of the project will require one separate motion to be made by the Town Council:

- (1) for final determination of approval or denial of the variances by the Town Council, and that the variance **shall or shall 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.