



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 *WB*
Director PZ&B

SUBJECT: ARC-23-145 (ZON-23-113) 123 CHILEAN AVE (COMBO)

MEETING: JANUARY 24, 2024 ARCOM
FEBRUARY 14, 2024 TC

ARC-23-145 (ZON-23-113) 123 CHILEAN AVE (COMBO). The applicant, Robert & Perri Bishop, has filed an application requesting Architectural Commission review and approval for construction of a new two-story single-family residence and one-story accessory cabana structure with final hardscape, landscape and swimming pool, requiring Special Exception approval to develop a nonconforming parcel and variances to reduce the required side setbacks and to exceed the maximum cubic content ratio (CCR) permitted. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

ZON-23-113 (ARC-23-145) 123 CHILEAN AVE (COMBO)—SPECIAL EXCEPTION AND VARIANCE(S). The applicant, Robert & Perri Bishop, has filed an application requesting Town Council review and approval for Special Exception to develop a parcel comprised of portions of platted lots which is deficient in minimum required lot width and lot area in the R-B district, and (3) Variances including (1 and 2) to reduce the required east and west side-yard setbacks and (3) to exceed the maximum permitted cubic content ratio (CCR) permitted, in conjunction with a new two-story single-family residence and one-story accessory cabana structure. The Architectural Commission shall perform a design review of the application.

Applicant: Robert & Perri Bishop
Professional: SKA Architect and Planner

PROJECT HISTORY:

The application was initially scheduled to be reviewed at the November 20, 2023, ARCOM meeting but was deferred to the December 15, 2023, meeting at the request of the applicant.

THE PROJECT:

The applicant has submitted plans, entitled "Bishop Residence" as prepared by **SKA Architect and Planner**, dated December 6, 2023.

The following scope of work is proposed:

- Construction of a new two-story single-family residence with detached one-story cabana
- Sitewide landscape and hardscape improvements

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

- **Special Exception** [Sec. 134-893\(c\)](#): A request to develop a parcel comprised of portions of platted lots which is deficient in minimum required lot width (100 foot required 50 foot provided) and lot area (10,000SF required, 6,520SF provided) in the R-B district.
- **Variance 1:** [Sec. 134-893\(7\)b](#): A variance to reduce the required east (10' in lieu of 15') side-yard setbacks.
- **Variance 2:** [Sec. 134-893\(7\)b](#): A variance to reduce the required west (10.5' in lieu of 15') side-yard setback.
- **Variance 2:** [Sec. 134-893\(b\)\(13\)](#): A variance to exceed the maximum permitted cubic content ratio (CCR) permitted, in conjunction with a new two-story single-family residence and one-story accessory cabana structure, 4.66 in lieu of 4.38.

The applicant has provided a Letter of Intent outlining ARCOM's decision-making criteria and responses for each criterion.

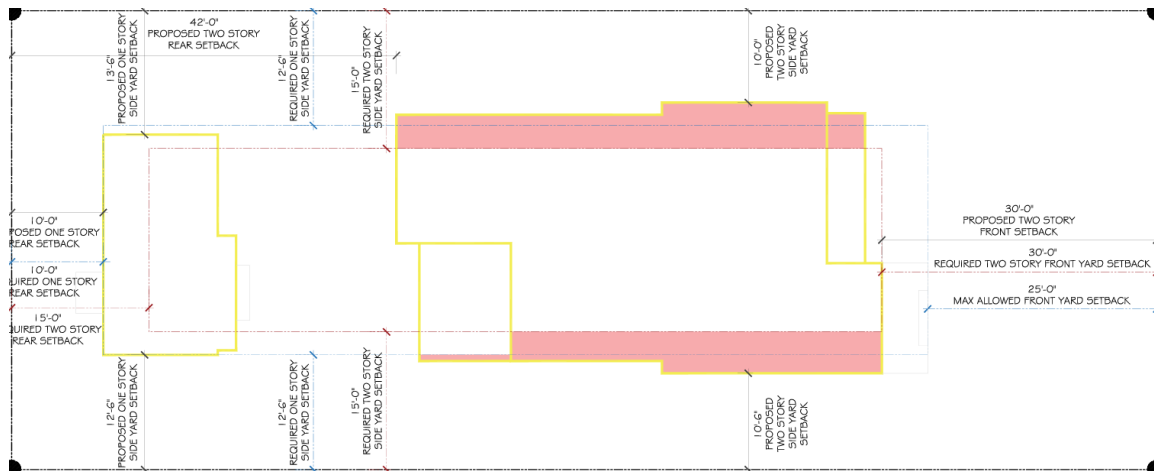
Site Data			
Zoning District	R-B	Future Land Use	SINGLE-FAMILY
Lot Size	Required: 10,000 SF Existing: 6,250 SF	Crown of Road	12.13' NAVD
Lot Depth	125'	Lot Width	50'
Lot Coverage	Permitted: 30%(1,875 SF) Proposed: 27%(1,710 SF)	Enclosed Square Footage	2,770 SF
Building Height	Permitted: 22' Proposed: 20.83'	Overall Building Height	Permitted: 30' Proposed: 25.08'
Finished Floor Elevation	Required: 14.5' NAVD Proposed: 14.5' NAVD	FEMA Flood Zone	X
Site Fill	Permitted: .75' Max. Proposed: .75'	Zero Datum	7' NAVD
Overall Landscape Open Space	Req'd: 45% (2,812.5 SF) Prop: 45.4% (2,834 SF)	Front Yard Landscape Open Space	Req'd: 40% (600 SF) Prop: 53.1% (796 SF)
Surrounding Properties / Zoning			
North	350 South Ocean Boulevard (Condo)/ R-D (2) Heavy Density Residential		
South	124 Chilean Avenue Residence / R-B		
East	360 South Ocean Boulevard (Condo)/ R-D (2) Heavy Density Residential		
West	125 Chilean Avenue Residence / R-B		

STAFF ANALYSIS

A preliminary review of the project indicates that the application, as proposed, is inconsistent with the Town zoning code and requires two (2) variances for the construction of the new single-family residence and cabana and one (1) Special Exception for the development of a substandard sized lot. The applicant is proposing the construction of a new two-story residence with detached one-story guest house cabana structure. The primary structure is a condensed stylized version of a Monterey house with a cantilevered balcony on the front elevation that faces south. The front entry is an

arched recessed almost full lite glass door with a front facing gable above. Windows are primarily 6/6 Hartman Mahogany sash windows depicted with white frames. Smooth stucco, shutters and wood detailing completed the finishes. The rear detached cabana which features a single room plus bathroom has side facing gables. Both structures are proposed to have a flat white concrete tile roof. There is a mix of one- and two-story single-family residences on the north side of this block, however, almost all single-family homes on the other side of the street are two story with very similar massing.

The application as presented requires 3 variances for construction, one for the west side yard setback, one for the east side yard setback, and one to exceed maximum cubic content. The lot is a substandard size for the district (special exception required) at only 50 ft in width. The applicant is proposing a 10' east side yard setback, and a 10.5' west side yard setback. The proposed cubic content ratio is 4.66 in lieu of the 4.38 maximum permitted, an excess of 1750 cubic feet. The diagram below highlights the portion of the proposed main structure which violates the setback requirements.

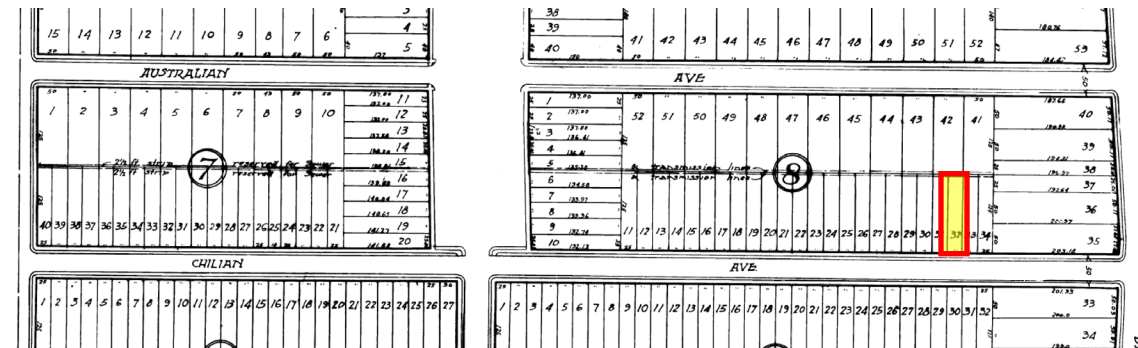


Code Section	Required	Proposed	Variance
Variance 1 Sec. 134-893(7)b:	Two-Story East Side-Yard Setback of 15'	Two-Story East Side-Yard Setback of 10'	5'
Variance 2 Sec.134-893(b)(13)	Two-Story West Side Yard Setback of 15'	Two-Story West Side-Yard Setback of 10.5'	4.5'

A **Special Exception** is also requested from the Town Council to permit the development of this lot due to its substandard size, yet it is contextually appropriate for the mix of development pattern on this street. A 100' lot width is required, with only 50' existing. And a lot area of 10,000 sq ft is required, with only 6,520 sq ft available. A lot depth of 100' is required, and this property does exceed this requirement with a 125' lot depth. Additionally, the site was previously improved with a single-family residence. A special exception is required to develop a parcel comprised of portions of platted lots. The property is assembled with the East 10 ft of Lot 10, all of Lot 32, and the West 15 of Lot 33 of the Plat of Royal Park Addition.



Current neighborhood conditions



Neighborhood Capture of Plat of Royal Park Addition

The Special Exception code section, provision, and amount is provided in the table below:

Code Section	Required	Existing	Exception
Special Exception <u>Sec. 134-893(c):</u>	Lot Width: 100 Ft. Lot Area: 10,000 Sq. Ft.	Lot Width: 50 Ft Lot Area: 6520 Sq Ft	Lot Width: 50' Deficient Lot Area: 3480 Sq. Ft. Deficient

CONCLUSION:

Approval of the project will require two (2) separate motions to be made by the Architectural Commission:

- (1) for the overall design of the project in accordance with [Sec. 18-205](#) criteria, subject to any imposed conditions, and
- (2) that the implementation of the proposed variances **will** or **will not** cause negative architectural impacts to the subject property.

Approval of the project will require two (2) separate motions to be made by the Town Council:

- (1) for final determination of approval or denial of the (2) variances by the Town Council, and that the variances **shall** or **shall not** be granted that all the criteria applicable to this application as set forth in [Sec. 134-201\(a\)](#), items 1 through 7 have been met, and
- (2) for final determination of approval or denial of the (1) Special Exception for development of an undersized parcel in that the approval of said application meets the criteria set forth in [Sec. 134-229](#) and finding that approval of the site plan will not adversely affect the public interest, that all zoning requirements governing the use have been met and that satisfactory provision and arrangement has been made.

WRB:JGM:FHM:BMF