



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

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

SUBJECT: ARC-23-123 (ZON-23-105) 1186 N OCEAN WAY

MEETING: FEBRUARY 28, 2024 ARCOM

**ARC-23-123 (ZON-23-105) 1186 N OCEAN WAY (COMBO)**. The applicant, Martha Lee Johnson 2012 Exempt Trust (Stan Johnson), has filed an application requesting Architectural Commission review and approval for the design of a new two-story residence with sitewide landscape and hardscape improvements, requiring setback and separation distance variances for the location of the pool equipment and a variance to exceed allowable chimney height. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

**ZON-23-105 (ARC-23-123) 1186 N OCEAN WAY (COMBO) – VARIANCES**. The applicant, Martha Lee Johnson 2012 Exempt Trust (Stan Johnson), has filed an application requesting Town Council review and approval for (3) Variances: (1) for reduced rear setbacks for the installation of a pool heater, (2) for increased separation distances between the pool and the pool equipment, and (3) to exceed allowable chimney height, in conjunction with the construction of a new two-story single-family residence. The Architectural Commission will perform the design review component of the application.

Applicant: Martha Lee Johnson 2012 Exempt Trust | Stan Johnson  
Professional: Jon Gregory Tankersly | McAlpine  
Mario Nievera | Nievera Williams Design

**HISTORY:**

The subject site is currently improved with a two-story residence constructed c.a. 1958. The parcel is a single platted lot of record (Lot 44) of the Mockingbird Tail Tract subdivision. The lot has dual frontage on North Ocean Way to the east and Nightingale Trail to the north and contains 18,754 SF of area.

The application was originally heard at the November 20, 2023 ARCOM meeting. Overall the program was well received by the commission with direction to return for restudy of some architectural details and landscape/hardscape areas. The project was deferred to the December 15, 2023 ARCOM meeting.

At the December 15, 2023 ARCOM meeting, the commission reviewed the revised plans. Concerns were raised regarding the style of the home and its relation to the neighborhood. The application was deferred for two months to the February 28, 2024 ARCOM meeting with instructions to restudy the massing of the structure and the architectural style.

**THE PROJECT:**

The applicant has submitted plans, entitled “A Proposed New Home for 1186 N. Ocean Way” as prepared by **McAlpine**, dated February 05, 2023.

The following scope of work is proposed:

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

Revised plans were submitted on December 5, 2023 which eliminate the need for variances being previously sought. Variance language was retained and struck-through below for reference.

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

- ~~Variance 1 [Sec. 134-1728\(e\)\(1\)](#) A variance to allow a swimming pool pump and filter within the rear yard setback at a distance of 27' ¼" from the pool water's edge in lieu of the 25' maximum distance permitted.~~
- ~~Variance 2 [Sec. 134-1728\(e\)\(2\)](#) A variance to allow a pool heater with a rear yard setback of 7' in lieu of the 10' required and at a distance of 27' ¼" from the pool water's edge in lieu of the 25' maximum distance permitted.~~
- ~~Variance 3 [Sec. 134-896\(a\)](#) A variance to construct a chimney at a height of 32.79' in lieu of the 30.8' maximum height permitted.~~

Site Data			
<b>Zoning District</b>	R-B Low Density Res.	<b>Future Land Use</b>	SINGLE-FAMILY
<b>Lot Size</b>	18,754 SF	<b>Crown of Road</b>	5.49' NAVD
<b>Lot Depth</b>	127.92'	<b>Lot Width</b>	139'
<b>Building Height</b>	Permitted: 22' Proposed: 20'-1 ½"	<b>Overall Building Height</b>	Permitted: 30' Proposed: 26'-11"
<b>Finished Floor Elevation</b>	7' NAVD	<b>Zero Datum</b>	7' NAVD
<b>FEMA Flood Zone</b>	ZONE AE 6	<b>Angle of Vision</b>	Permitted: 104° Proposed: 100°
<b>Lot Coverage</b>	Permitted: 30% (5,626 SF) Proposed: 29.3% (5,488 SF)	<b>Enclosed SF</b>	Proposed: 7,191 SF
<b>Cubic Content Ratio (CCR)</b>	Permitted: 3.91 (73,508 CF) Proposed: 3.70 (68,936 CF)	<b>Perimeter Land. Open Space</b>	Required: 50% Proposed: 78.9%
<b>Landscape Open Space</b>	Required: 45% Proposed: 46.3%	<b>Front Yard Landscape Open Space</b>	Required: 40% Proposed: 63.8%
Surrounding Properties / Zoning			
<b>North</b>	205 Nightingale Trail   Residence / R-B Zoning		
<b>South</b>	201 and 203 La Puerta Way   Residences / R-B Zoning		

<b>East</b>	1191 N. Ocean Way   Residence / R-B Zoning
<b>West</b>	212 Nightingale Trail   Residence / R-B Zoning

**STAFF ANALYSIS**

This application is presented to the Commission to consider whether all criteria in [Sec. 18-205](#) have been met. A review of the project indicates that the originally requested variances have been eliminated in the redesign, and the application as currently proposed, is consistent with the Town zoning code. The application requests the construction of a new two-story single-family residence with site-wide landscape and hardscape improvements.

The applicant has resubmitted plans in response to comments from the Architectural Commission. The architectural style has completely changed from the Cape Dutch style previously proposed to a Bahamian / West Indies style. All flat roofs and second floor terraces have been replaced with sloped roofs. The first floor and second floor living areas have been reduced with a subsequent reduction in cubic content. Overall, building height has been reduced. A garden courtyard between the house and motor court has been implemented. Painted flush tongue and groove horizontal boards were added at the central bay of house. Staff notes that the overhang projection at the east will count towards lot coverage after the first 24” of the projection, and the applicant’s lot coverage data may not reflect this.



***Previously proposed front elevation.***



***Currently proposed front elevation.***

**CONCLUSION:**

Approval of the project will require one motion 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