



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

FROM: Wayne Bergman, MCP, LEED-AP^{WB}
Director PZ&B

SUBJECT: ZON-24-028 (COA-24-007) 124 VIA BETHESDA (COMBO)

MEETING: FEBRUARY 21, 2024, LPC
MARCH 13, 2024, TC

COA-24-007 (ZON-24-028) 124 VIA BETHESDA (COMBO). The applicant, Smith Architectural Group, Inc. design professional and represented by Maura Ziska, Esq., has filed an application requesting a Certificate of Appropriateness for the review and approval of three (3) new vehicular gates. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

ZON-24-028 (COA-24-007) 124 VIA BETHESDA (COMBO)—VARIANCE. The applicant, Smith Architectural Group, Inc. design professional and represented by Maura Ziska, Esq., has filed an application requesting Town Council review and approval for one (1) variance to locate the gates closer to the street pavement than the code requirement of 18'-0" at the north side of the property. The Landmarks Preservation Commission shall provide design review of the application.

Applicant/Professional: Smith Architectural Group, Inc.
Representative: Maura Ziska, Esq.

HISTORY:

The residence was designed by the architect and author Howard Major and constructed in 1930. A symmetrical façade characterizes the structure which is finished with naturally rusticated Cuban coral, quoins define the corners, and a cornice is located below the roofline. The north façade features shuttered French doors and casement windows, visible from Via Bethesda. The property was landmarked in March 1990 via Resolution 34-90.

At the August 16, 1992, LPC meeting the commission approved hurricane shutters on the east and south facades under COA #24-91. At the August 21, 1996, LPC meeting the commission approved the replacement of the red flat clay tile roof on a portion of the main house with new red flat cement tiles with a broom-swept rough texture under COA #41-96.

Several minor modifications have been made since the initial construction including roof replacement in 2005, shutter installation in 2006, fenestration changes in 2007, and landscape modifications in 2023.

At the FEBRUARY 21, 2024 LPC, the Commission approved (7-0) the design of the gates. Additionally, a motion was made and approved (7-0) that the implementation of the proposed variances would not negatively affect the architecture.

THE PROJECT:

The applicant has submitted plans, entitled "Vehicular Gates at 124 Via Bethesda", as prepared by **Smith Architectural Group, Inc.** dated and stamped by the Town January 16, 2022.

The following is the scope of work for the Project:

- Addition of two (2) sliding vehicular gates at the property's north motor court.
- Addition of one (1) swinging vehicular gate, stone gateposts, and a stucco wall at the property's east driveway.
- Removal of a portion of the existing site wall to accommodate the passage of the northeast rolling gate.

The following variance(s) are required to achieve the scope of work.

- **VARIANCE #1 Section 134-1668:** Variance to reduce the required vehicular backup driveway space to install two (2) sliding vehicular gates with an approximately 9'-5" (east north gate) and 10'-3 1/2" (west north gate) setback from the edge of pavement of Via Bethesda in lieu of the 18'-0" minimum required.

Site Data			
Zoning District	R-B	Future Land Use	SINGLE FAMILY
Designation	03/09/90	Architect/Builder:	Howard Major
Lot Area	25,210 SF	Year of Construction	1930
Surrounding Properties / Zoning			
North	2 S COUNTY RD / Breaker's Golf Course w/ recessed gate from street / Breaker's PUD		
South & West	102 FLAGLER DR / Two-story residence w/ no gate / R-B		
East	115 FLAGLER DR / Two-story residence w/ recessed gate from street / R-B		

STAFF ANALYSIS

The application is seeking a Certificate of Appropriateness for the introduction of three (3) vehicular gates on a site that contains a landmarked property. The proposed design of the vehicular

gates at the property's north motor court maintains the existing historic site wall and post layout that is constructed of natural rusticated Cuban coral. The majority of the site walls and posts appear to retain their original configuration and design except for a portion of the site wall on the northwest corner of the property where additional height was added to the original site wall (depicted in the photo). Two (2) sets of identical black aluminum gates are proposed that incorporate designs from existing railings and gates at the

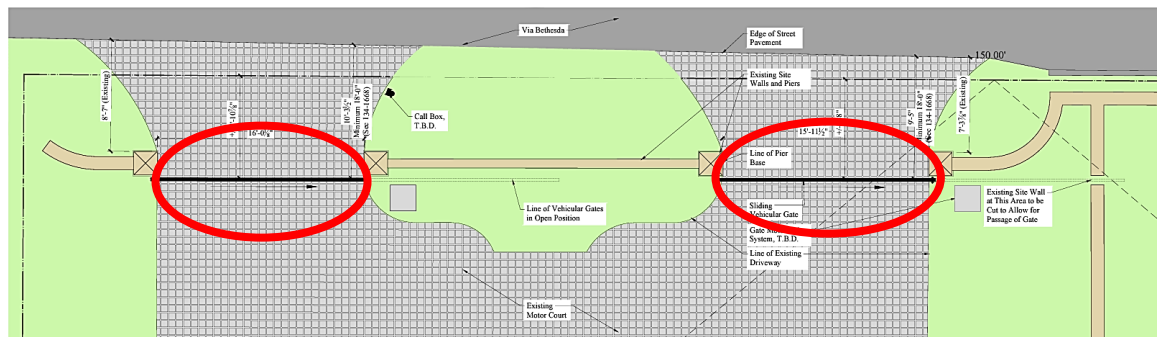


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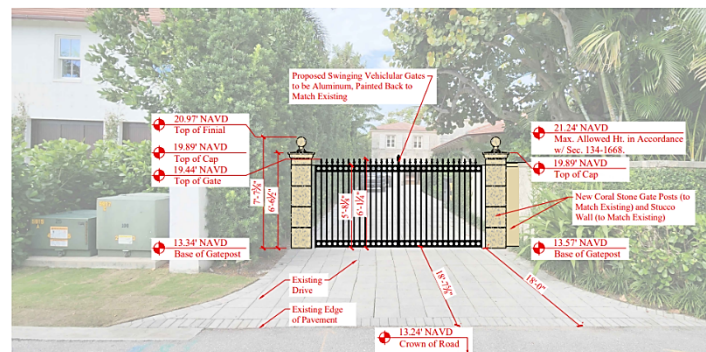
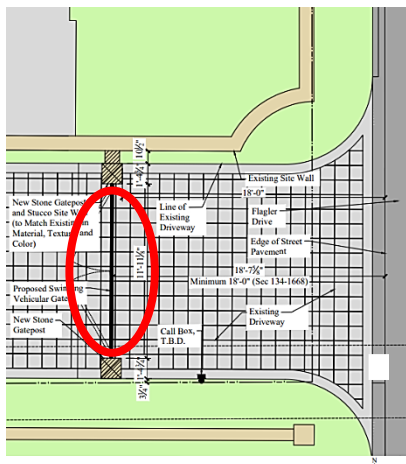
property. The new vehicular gate at the property's east driveway will include two (2) new gate posts and a stucco site wall that will attach to the existing site wall. The post design includes coral stone cladding in a configuration that references existing original posts at the property for pedestrian access.

This property was landmarked in 1990 due to its unique architecture and association with Howard Major. A preliminary review of the project, as proposed, appears to be inconsistent with the abovementioned sections of the Town zoning code as it pertains to the backup distance in conjunction with the new gates.

- The application is for the installation of two (2) sliding vehicular gates with a height of approximately 7'-8 $\frac{1}{4}$ " (at the property's north motor court):

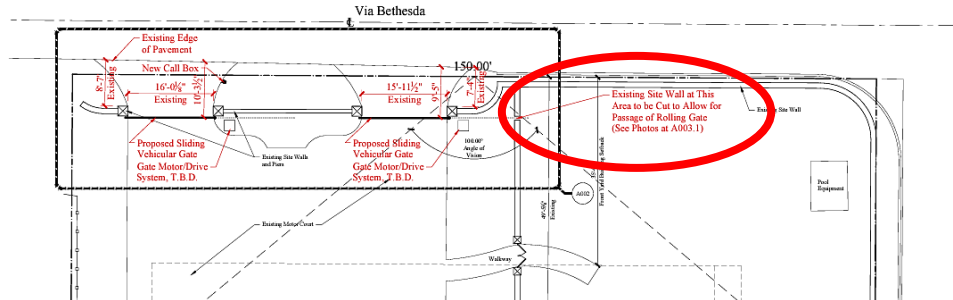


- The application also proposes the installation of one (1) pair of in-swinging vehicular gates at a maximum height of 6'-1 $\frac{1}{4}$ ", gateposts with a height of 7'-7 $\frac{3}{8}$ " (top of finial), and a stucco wall at the property's east driveway:



driveway space on the north side to install two (2) sliding vehicular gates with an approximately 9'-5" (east north gate) and 10'-3 1/2" (west north gate) setback from the edge of pavement of Via Bethesda in lieu of the 18'-0" minimum required for vehicle queuing depth between the driveway gate and edge of roadway.

- The scope of work includes the removal of a portion of the existing site wall to accommodate the passage of the northeast rolling gate. This modification will be concealed by the existing site wall and will not be visible from Via Bethesda and Flagler Drive:



Contextually, the property is located on the northeast corner of Via Bethesda and Flagler Drive. Both rights-of-way are narrow (20'-0" wide from curb edges). Gates are not an uncommon element within the immediate area as four (4) nearby properties currently have vehicular gates at their entrances. The proposed design of the gates is not incompatible with the home, as they are transparent, and the black aluminum vertical metal formed design matches portions of the metalwork of the balconies and existing gates:



CONCLUSION:

Approval of the project will require one (1) motion to be made by the Town Council:

- (1) for final determination of approval or denial of the variance 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 Sec. 134-201(a), items 1 through 7 have been met, subject to any proposed conditions.

WRB:JGM:FHM:ALF