



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

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

SUBJECT: ZON-24-061 757 ISLAND DR

MEETING: MAY 15, 2024

ZON-24-061 757 ISLAND DR – VARIANCE(S). The applicant, 757 Island Drive LLC (Maura Ziska, Manager), has filed an application requesting Town Council review and approval for installation of a marine structure(s) requiring five (5) variances to (1) exceed maximum marginal marine dock width permitted, (2) to exceed maximum projection west of the U.S. Pierhead Line for a marginal dock, (3) to exceed maximum projection west of the US Pierhead Line for a boatlift, (4) to exceed maximum projection west of the US Pierhead Line for installation of fender piles, and (5) to exceed maximum projection west of the US Pierhead Line for installation of mooring piles.

Applicant: 757 Island Dr LLC (Maura Ziska, Manager)
Professional: Isiminger & Stubbs Engineering, Inc. (Matthew Butler, P.E.)
Representative: Maura Ziska

HISTORY:

A new two-story residence was approved (5-2) at the May 25, 2022 ARCOM hearing. The building permit was issued in October of 2023.

THE PROJECT:

The applicant has submitted plans, entitled "Single-Family Dock and Boat Lift", as prepared by **Isiminger & Stubbs Engineering, Inc.**, dated April 08, 2024.

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

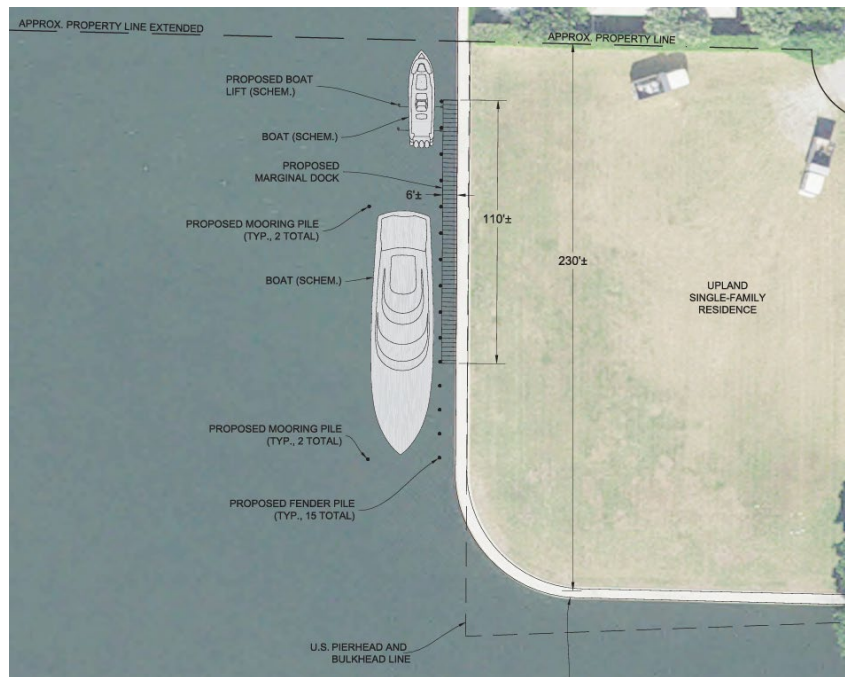
- **VARIANCE 1: Sec. 62-74(2)a. & Sec. 62-74(h)1.:** A variance for a marginal dock width of 48% (110') of the property (231') in lieu of the 30% (69') maximum permitted.
- **VARIANCE 2: Sec. 62-74(2)b. & Sec. 62-74(h)2.:** A variance for a marine structure (marginal dock) to project 11' west of the US Pierhead Line, in lieu of the 6' maximum projection permitted.
- **VARIANCE 3: Sec. 62-74(2)i. & Sec. 62-74(h)9.:** A variance for a marine structure (boatlift) to project 30' west of the US Pierhead Line, in lieu of the 25' maximum projection permitted on Everglades Island.
- ~~**VARIANCE 4: Sec. 62-74(2) & Sec. 62-74(h):** A variance for a marine structure (fifteen fender piles) to project 12' west of the US Pierhead Line, in lieu of the 6' maximum projection permitted.~~

- Variance no longer required with passage of Ordinance 009-2024.
- **VARIANCE 5: Sec. 62-74(2) & Sec. 62-74(h):** A variance for a marine structure (two mooring piles) to project 41' west of the US Pierhead Line, in lieu of the 6' maximum projection permitted.

Site Data			
Zoning District	R-B	Future Land Use	SINGLE-FAMILY
Surrounding Properties / Zoning			
North	751 Island Dr Residence / R-B Zoning		
South	Lake Worth Lagoon		
East	760 Island Dr Residence / R-B Zoning		
West	Lake Worth Lagoon		

STAFF ANALYSIS

The applicant is proposing to install a new dock and marine structures on a parcel of land on the west side of Everglade Island. The application, as proposed, is inconsistent with the aforementioned sections of Town Code. Originally, 5 variances were requested by the applicant, however, with the recent passage of ordinance 009-2024, the need for a variance was eliminated and the amount of relief required for other variances were reduced.



Variance 1 pertains to the width of the proposed marginal dock. The code allows a marginal dock to span a maximum width of 30% of the subject parcel. The applicant is proposing a marginal dock which spans 49%, or 110 ft, of the 230 ft wide parcel, an exceedance of 41 ft.

As it pertains to Variance number 2, the applicant is proposing for the marginal dock to project 11 feet beyond the U.S. Pierhead line, where a 6' projection is the maximum permitted.

Variance 3 relates to the proposed boat lift. Ord. 009-2024 was written to permit more ability for residents of Everglades Island to install marine vessel storage devices, up to 25 ft off of the Bulkhead/Mean High Water Line. The code previously only allowed up to 6 feet. While the ordinance did not eliminate the need for the variance, the request is substantially less than it would have been, at **30** feet in lieu of the 25 ft permitted.

Variance number 4 was ELIMINATED with the passage of Ordinance 009-2024, due to the allowance of mooring piles within 25 ft of the Bulkhead / MHWL on Everglades Island.

Variance number 5 also relates to mooring piles, however, two are proposed at 41 ft west of the U.S Pierhead / Bulkhead line, in lieu of the 25' maximum projection permitted on Everglade Island. Again, the ordinance was written to permit devices for boat storage within 25' of the Bulkhead Line/MHWL, in lieu of the 6' maximum previously permitted. This doesn't eliminate the need for a variance in this instance, however, it does reduce the amount of relief that would have otherwise been required.

WRB:BMF