



Our File Number: 53286-00001  
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May 6, 2024

Town of Palm Beach  
360 S. County Road  
Palm Beach, FL 33480

Re: LOI for 249 Seabreeze Ave - ARCOM Number: ARC-24-006

**INITIAL REQUEST HEARD AT THE 2/28/24 ARCOM MEETING:**

We are pleased to submit the accompanying documents and drawings in connection with our application for Development Review by the Architectural Commission for landscape and hardscape changes for an existing home located at 249 Seabreeze Avenue, Palm Beach, FL (the "Property"). As part of this application, we are proposing a new driveway that will include the removal of one of the two existing curb-cuts. A new vehicular gate is proposed for the remaining curb-cut, which will meet the code requirement of providing at least 18 feet of stacking from the gate to the edge of the street. New pedestrian gates are also proposed, as well as some minor modifications to the existing hardscape and landscape, including changing the previously staff-approved, but unbuilt seven (7)-foot masonry wall to a six (6) to 18-inch retaining wall with a four (4)-foot black vinyl chain link fence on top of the retaining wall that will be screened with landscaping. We are also proposing to keep the Areca Palm hedge along the northern half of the western property line in lieu of the previously staff-approved Calophyllum hedge that was approved to replace a damaged ficus hedge. Finally, as part of this application, we will be providing an update to the Architectural Commission regarding the design of a metal and glass front door, and the second-floor front balcony railing design, which were altered slightly from the original design presented and approved by the Architectural Commission (the "Project"). On a separate note, the window muntins for the home were damaged during the interior remodeling of the home and were removed. The owner was notified that these muntins would need to be replaced, or ARCOM approval for their removal would need to be secured. The owner has since replaced the window muntins, which match the previously existing muntins.

Please note the following as it relates to this application:

- A. Architectural Commission review in accordance with Section 18-205.
  - (a) The architectural commission may approve, approve with conditions, or disapprove the issuance of a building permit in any matter subject to its jurisdiction only after consideration of whether the following criteria are complied with:

- (1) The plan for the proposed building or structure is in conformity with good taste and design and in general contributes to the image of the town as a place of beauty, spaciousness, balance, taste, fitness, charm, and high quality.
- (2) The plan for the proposed building or structure indicates the manner in which the structures are reasonably protected against external and internal noise, vibrations, and other factors that may tend to make the environment less desirable.
- (3) The proposed building or structure is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value.
- (4) The proposed building or structure is in harmony with the proposed developments on land in the general area, with the comprehensive plan for the town, and with any precise plans adopted pursuant to the comprehensive plan.
- (5) The proposed building or structure is not excessively similar to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features of exterior design and appearance:
  - a. Apparently visibly identical front or side elevations;
  - b. Substantially identical size and arrangement of either doors, windows, porticos or other openings or breaks in the elevation facing the street, including reverse arrangement; or
  - c. Other significant identical features of design such as, but not limited to, material, roof line and height of other design elements.
- (6) The proposed building or structure is not excessively dissimilar in relation to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features:
  - a. Height of building or height of roof.
  - b. Other significant design features including, but not limited to, materials or quality of architectural design.
  - c. Architectural compatibility.
  - d. Arrangement of the components of the structure.
  - e. Appearance of mass from the street or from any perspective visible to the public or adjoining property owners.
  - f. Diversity of design that is complimentary with size and massing of adjacent properties.
  - g. Design features that will avoid the appearance of mass through improper proportions.
  - h. Design elements that protect the privacy of neighboring property.
- (7) The proposed addition or accessory structure is subservient in style and massing to the principal or main structure.
- (8) The proposed building or structure is appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant

design features such as material or quality or architectural design as viewed from any public or private way (except alleys).

- (9) The proposed development is in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.
  - (10) The project's location and design adequately protects unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways, and similar features.
- (b) If the above criteria are met, the application shall be approved. Conditions may be applied when the proposed building or structure does not comply with the above criteria and shall be such as to bring such building or structure into conformity. If an application is disapproved, the architectural commission shall detail in its findings the criterion or criteria that are not met. The action taken by the architectural commission shall be reduced to writing, and a copy thereof shall be made available to the applicant upon request.
  - (c) A decision or order of the commission or the planning, zoning and building department director or his/her designee shall not become effective until the expiration of ten working days after the date upon which a ruling of the commission or the planning, zoning and building department director or his/her designee has been made.

The Project proposes landscape and hardscape modifications that are minor in nature, but include the use of quality materials that complement the existing home and adjacent neighborhood. The proposed landscape and hardscape modifications are not too similar, nor are they too dissimilar to the existing neighborhood homes. The proposed landscape materials soften the appearance of the overall property, which allows for the home to better blend into the Property and the neighborhood. Furthermore, the removal of one of the two curb cuts is proposed, as well as a reduction in hardscape, which will be replaced by additional landscape area. Finally, included in this application are details for the front metal and glass door and front second floor balcony railing, which were very slightly altered in design from the original approval, but are in the same size, material and color as previously approved. We feel that these minor alterations and upgrades to the site are in keeping with the high standards of the Town, and look forward to its approval.

#### **MODIFICATIONS SINCE INITIAL REVIEW BY ARCOM ON 2/28/24:**

The project was partially approved at the February 28, 2024 ARCOM meeting, and the approval included the proposed the landscape plan, the modification to the driveway and elimination of one curb cut, and the exfiltration system. However, the requested driveway gate and front pedestrian gate at the street were not approved, nor was the proposed balcony railing or front door. These unapproved items have been completely removed from the revised request.

The maintaining of the Areca hedge along the west side of the property, and the previously proposed drainage curb with chain link fence on top (that was changed to a solid 4-foot high metal fence) are no longer proposed. In its place, a 12-foot high Calophyllum hedge (matching the material along the north side of the property) is proposed along the west side of the property line from the northwest corner of the Property to the side yard pedestrian gate so that the neighbor to the west will only see the proposed hedge. Inward to the proposed large hedge will be the

drainage curb/retaining wall to maintain the stormwater on the property. The drainage curb/retaining wall will jog back to the property line at the point it reaches the side yard pedestrian gate, which is within the front yard setback. Inward of the drainage curb/retaining wall from the northwest corner to the side yard pedestrian gate will be a decorative metal picket fence; however, both the fence and the drainage curb/retaining wall from the northwest corner of the property to the side yard pedestrian gate will be obscured from the western neighbor's view by the proposed 12-foot high Calophyllum hedge. We believe this design will ensure that the stormwater will be maintained on the Property, and provide both the neighbor and Property owner the privacy they wish to have in their backyards in the most aesthetically pleasing way possible.

**MODIFICATIONS SINCE REVIEW BY ARCOM ON 3/27/24:**

The project was deferred at the March 27, 2024 ARCOM meeting for restudy. White louvered metal pedestrian gates with a faux wood finish are now proposed. A decorative four (4)-foot black picket fence on top of the six (6) to 18-inch retaining wall is proposed on the north and west sides, adjacent to the west and north property lines. A 12-foot high Calophyllum hedge is also proposed that runs the length of the western property line to the front property line, and along the north property line, from the northwest corner of the property to the western edge of the garage driveway on the alley.

Sincerely,

A handwritten signature in blue ink, appearing to read 'JCS', is centered below the word 'Sincerely,'.

James M. Crowley