



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Combination Memorandum: Town Council and Architectural Commission

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

SUBJECT: ZON-24-039 (ARC-24-033) 1464 N OCEAN BLVD (COMBO)

MEETING: APRIL 24, 2024, ARCOM
MAY 15, 2024, TC

ARC-24-033 (ZON-24-039) 1464 N OCEAN BLVD (COMBO). The applicant, Manuel & Evan Castelo, has filed an application requesting Architectural Commission review and approval for modification to perimeter site walls and installation of artificial turf, requiring a variance for landscape open space. Town Council shall review the application as it pertains to zoning relief/approval.

ZON-24-039 (ARC-24-033) 1464 N OCEAN BLVD (COMBO)—VARIANCE. The applicant, Manuel & Evan Castelo, has filed an application requesting Town Council review and approval for one (1) variance to reduce landscape open space below minimum requirements with the installation of artificial turf material. The Architectural Commission shall perform design review of the application.

Applicant: Manuel & Evan Castelo
Design Professional: Environment Design Group (Dustin Mizell)
Legal Representative: John Eubanks

HISTORY:

Construction of a new, two-story, single-family residence was approved at the February 24, 2021 ARCOM meeting. Town Council approved site plan review for redevelopment of the nonconforming parcel. The certificate of occupancy for the new structure was issued in June 2023. After the issuance of the certificate of occupancy, artificial turf was installed without the benefit of any permits/approvals and code enforcement case CE 23-1758 was opened.

This application was originally presented at the April 2024 ARCOM hearing. The portion of the project as it related to modifications to the north site wall was approved, with elements related to the landscape open space variance to return to the commission for review. At the May 29, 2024 ARCOM meeting, the Commission approved (6-1) the design of the project. Additionally, the Commission approved (6-1) that the implementation of the proposed variances would not negatively affect the architecture.

THE PROJECT:

The applicant has submitted plans, entitled "Private Residence 1464 N OCEAN BLVD", as prepared by **Environment Design Group**, date stamped by the Town, May 06, 2024.

The application is proposing the following scope of work at the property:

- Additional artificial turf and planting areas.
- Reduction of north site wall height.

The following Variances are required for completion of the project as presented:

- **VARIANCE 1: Sec. 134-893(b)(12)a.:** A variance to provide a landscape open space of 40.17% in lieu of the 46.77% approved and the 45% minimum required.

Site Data			
Zoning District	R-B	Future Land Use	SINGLE-FAMILY
Lot Size	9768.92 sq ft	Overall Landscape Open Space	Prev. Approved: 46.77% Previously Prop'd: 40.17% (3,925 SF) Currently Prop'd: 40.69% (3975 SF) Required: 45% Variance Requested
Perimeter Landscape Open Space	Prev. Approved: 66.26% Previously Prop'd: 54.77% Currently Prop'd: 57.2% Required: 50%	Front Yard Landscape Open Space	Prev. Approved: 51.3% Previously Prop'd: 51.3% Currently Prop'd: 51.3% Required: 40%
Surrounding Properties / Zoning			
North	1470 N Ocean Blvd Residence / R-B		
South	201 Onondaga Ave Residence / R-B		
East	1465 N Ocean Blvd (Vacant) & 1473 N Ocean Blvd (Residence) / R-B		
West	1465 Laurie Ln Residence / R-B		

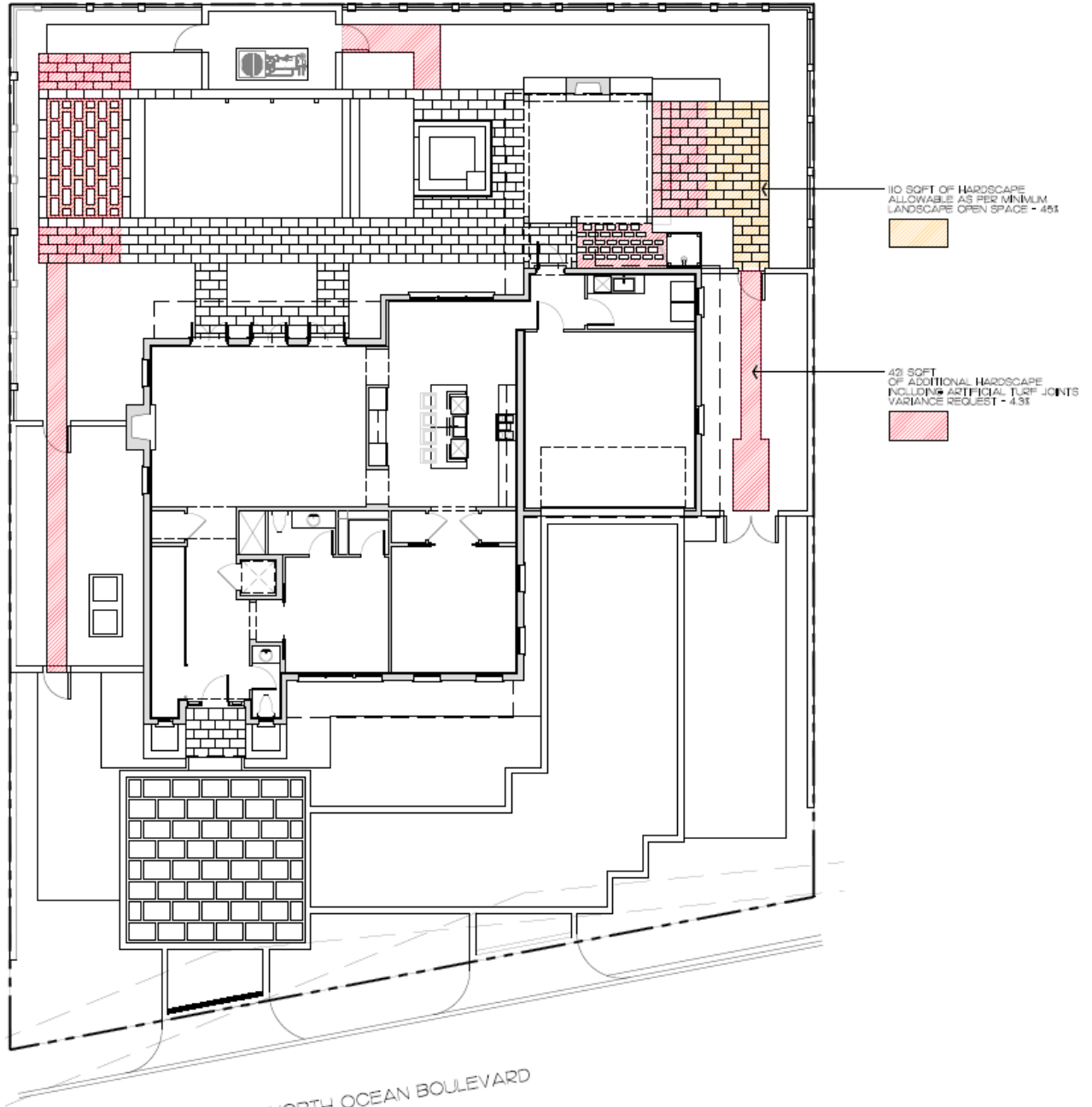
STAFF ANALYSIS

The application seeks an after-the-fact approval of the installation of artificial turf as part of the landscape plan of a recently completed new single-family residence. The application as proposed is not compliant with the Town zoning code, and a variance is required to achieve the scope of work specific to the amount of overall landscape open space. For reference, artificial turf does not count towards the overall “green space” of a site, and it treated the same as hardscape for zoning calculations, regardless of the permeability of the product. There is an active code enforcement case (CE 23-1758) related to the application. The applicant received approval by ARCOM to lower the height of the north site wall by 24 inches (not related to a code enforcement case) at the April 2024 hearing.

At the February 2023 ARCOM meeting, the commission approved the construction of a new residence without variances. Town Council granted only site plan review approval for development of the nonconforming parcel. Sometime after the issuance of the certificate of occupancy, approved lawn area at the side and rear of the property, as well as paver joint areas in the rear yard, were replaced with artificial turf without the benefit of ARCOM review or building permits, as required by code. The removal of organic lawn caused the landscape open space to be reduced below minimum area required. Artificial turf is not considered towards landscape open space minimums

and is calculated has hardscape area.

A code enforcement case was opened, and the applicant is seeking to retroactively obtain approval for the incorporation of artificial turf material and the noncompliant reduction in landscape open space. The applicant has resubmitted plans in response to comments of the commission. The artificial turf previously proposed has been largely eliminated with the exception of paver joint areas. Lawn area previously proposed as artificial turf has been revised to now feature an expanded deck area. The variance request has been reduced by 50 SF from last month's proposal, but the site is still noncompliant as it pertains to the overall open space of the site.



Code Section	Required Landscape Open Space	Proposed Landscape Open Space	Variance
VARIANCE 1 Sec. 134-893(b)(12)a	45% (4,396 SF)	40.69% (3,925 sf)	4.31% (421 SF)

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 one (1) separate motion to be made by the Town Council:

- (1) for final determination of approval or denial of the variances 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 Section 134-201(a), items 1 through 7 have been met.

WRB: JGM: BMF