



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

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

SUBJECT: ZON-24-0006 (ARC-24-0011) 1741 S OCEAN BLVD (COMBO)

MEETING: AUGUST 28, 2024, ARCOM
SEPTEMBER 11, 2024, TC

ZON-24-0006 (ARC-24-0011) 1741 S OCEAN BLVD (COMBO)—VARIANCES. The applicant, Maura Ziska (attorney) in conjunction with SKA Architect + Planner, has filed an application requesting Town Council review and approval for four (4) variances to (1) increase the maximum allowable lot coverage, (2) to allow existing non-conforming front yard setback to remain, (3) to allow existing side yard setback to remain, and (4) to allow landscape open space to increase from existing but still not meet minimum requirement as it relates to the existing structure and site improvements being modified. The Architectural Commission (ARCOM) shall perform design review of the application.

ARC-24-0011 (ZON-24-0006) 1741 S OCEAN BLVD (COMBO). The applicant, Maura Ziska (attorney) in conjunction with SKA Architect + Planner, has filed an application requesting Architectural Commission review and approval for partial second floor demolition, construction of an expanded second floor on a single-family residence including variances from setbacks, open space requirements and lot coverage. Additional components of request include a new covered terrace area, interior renovation, and replacement of the swimming pool with a smaller version. This is a combination project that shall be reviewed by Town Council as it pertains to zoning relief/approval.

Applicants: Maura Ziska, legal counsel
Architecture: SKA Architect + Planner
Landscape: SMI Landscape Architecture

HISTORY:

This lot currently contains an existing two-story approximately 5,266 SF residence, built in 1980 in the Palm Beach Regency style. The item was presented at the 06-26-24 ARCOM meeting and deferred for one month (7-0) for restudy of window details and proportions.

At the August 28, 2024, ARCOM meeting, the Commission approved (7-0) the partial second floor demolition, construction of an expanded second floor on a single-family residence, window & door modifications, new terrace & pergola and associated site work. Conditions were to: 1. Enlarge the loggia columns, 2. raise the circular windows on front façade, 3. add muntins to first floor windows and 4. remove shutters on rear second floor. Additionally, the Commission approved (7-0) that the implementation of the proposed variances would not negatively affect the architecture.

THE PROJECT:

The applicant has submitted plans, entitled "WORTH AVENUE VENTURES LLC 1741 SOUTH OCEAN BLVD" as prepared by **SKA**, uploaded August 5, 2024, and identified as final submittal for ARCOM hearing 8-28-24.

The following scope of work is proposed:

- Remove approximately 636 SF of second floor.
- Whole house rehabilitation and addition of 2,511 SF second floor.
- Addition of covered terrace and pergola.
- Replace existing pool with smaller pool, new hardscape, and landscape.

Since the last hearing the applicant has made window and door modifications, added some shutters, and redesigned the garage doors. On the front façade the enlarged transom arch and circular windows flanking the front door are also proposed changes from the last iteration.

The following is required to complete the project:

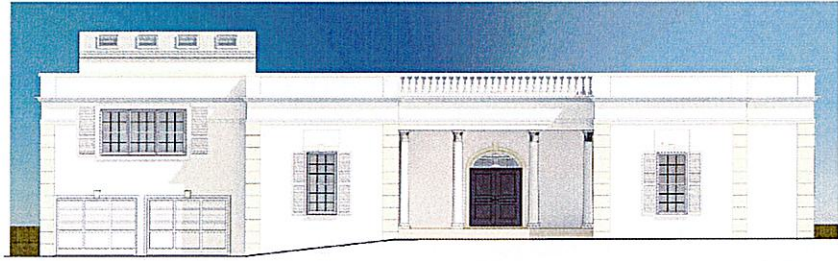
- **Variance 1:** Section 134-843(11): to allow lot coverage of 25.34% in lieu of the 24.76% existing and the 25% maximum allowed in the R-A Zoning District.
- **Variance 2:** Section 134-843(5): to allow an existing front yard setback of 30.2 feet to remain after demolition of more than 50% of the structure in lieu of the 35-foot minimum required in the R-A Zoning District.
- **Variance 3:** Section 134-843(8): to allow an existing side yard setback of 14.3 feet to remain after demolition of more than 50% of the structure in lieu of the 15-foot minimum required in the R-A Zoning District.
- **Variance 4:** Section 134-843(12): to allow a landscaped open space 45.77% in lieu of the 39.44% existing and the 50% minimum required in the R-A Zoning District.

Site Data			
Zoning District	R-A	Future Land Use	SINGLE-FAMILY
Lot Size	21,268 SF	Crown of Road	14.53' NAVD
Lot Depth	166'	Lot Width	125'
Lot Coverage	Permitted: 25% (5,317 SF) Proposed: 25.34% (5,389 SF) <i>Variance Requested</i>	Enclosed Square Footage	Existing: 6,323 SF Proposed: 8,544 SF
Building Height	Permitted: 25' – 0" Proposed: 25' – 0"	Overall Building Height	Permitted: 30' Proposed: 28.17'
Finished Floor Elevation	Proposed: 17.2' NAVD	FEMA Flood Zone	ZONE AE & X
Maximum Fill	N/A	Zero Datum	16.03' NAVD
Overall Landscape Open Space	Required: 50% Proposed: 45.77%	Front Yard Landscape Open Space	Required: 45% Proposed: 45%
Surrounding Properties / Zoning			
North	1739 S Ocean Blvd Residence / R-A		
South	1744 S Ocean Blvd Residence / R-A		
East	1742 S Ocean Blvd Residence / R-A		
West	Intracoastal waterway		

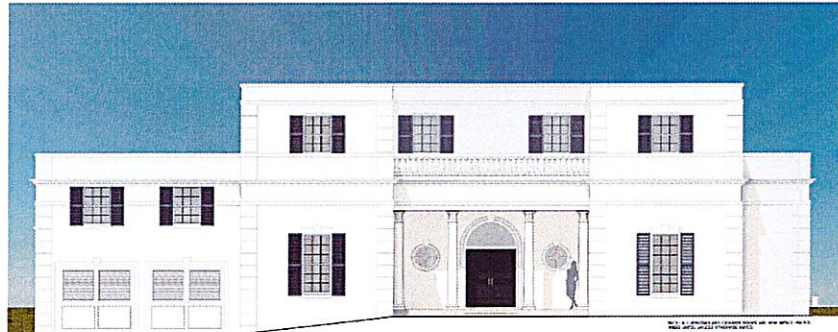
STAFF ANALYSIS

The applicant is proposing modifications and additions to this existing Palm Beach Regency style single family residence. The property is located along the intracoastal waterway at the west terminus of Via Agape. The new addition centers the second floor and is in keeping with the existing architectural style. Window and door modifications will result in more classical proportions and the rear yard will see a reduction in pool size from 50' x 22' to 32' x 15'. The

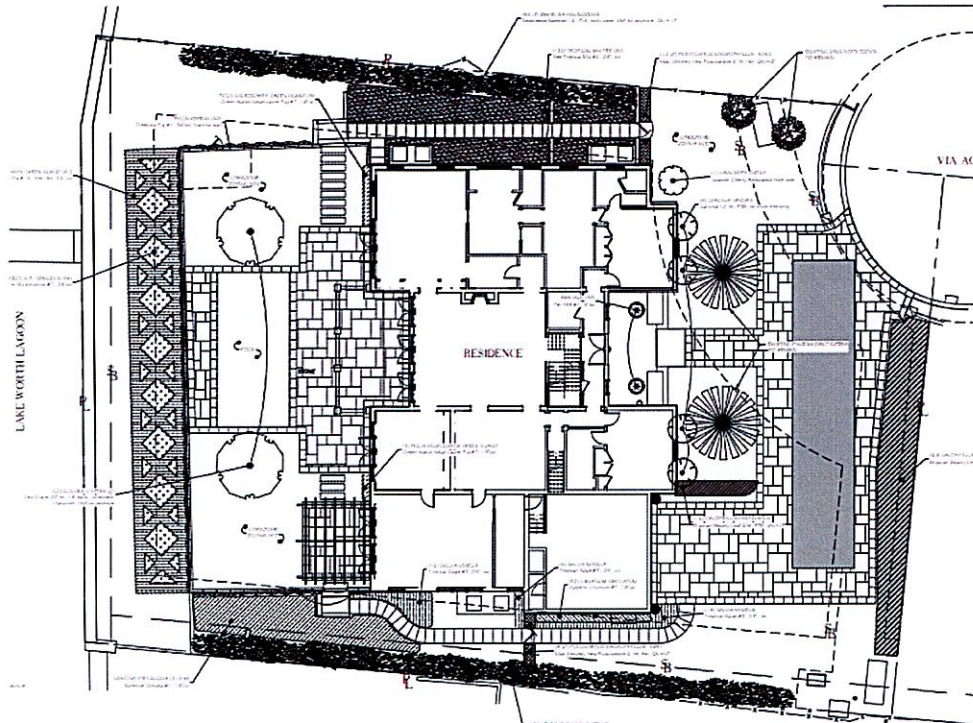
applicant has provided a window & door precedent study. Finishes are consistent with the existing house including smooth stucco and multi-lite wood windows.



EXISTING EAST ELEVATION



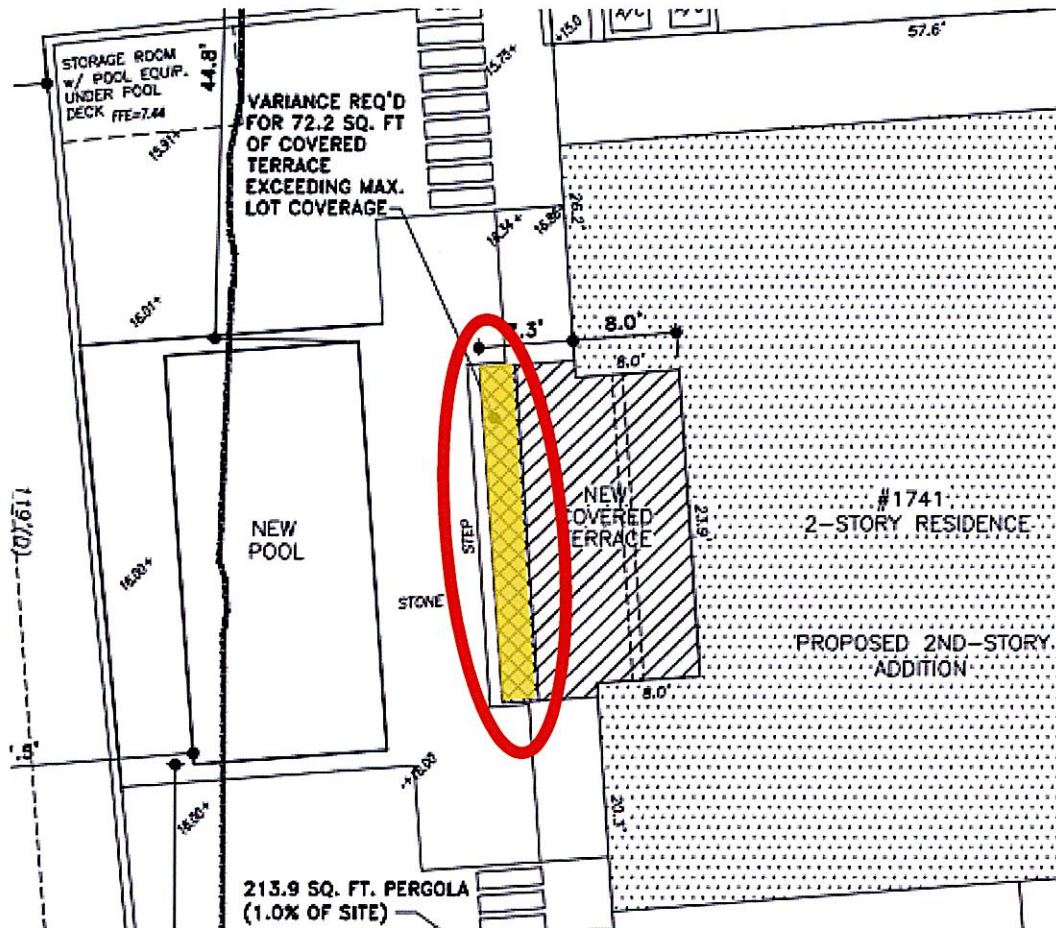
PROPOSED EAST ELEVATION



A preliminary review of the project indicates that the application, as proposed, is inconsistent with the Town zoning code and requires four (4) variances, most of them related to legal non-conforming conditions that will remain after 50% or more of the existing structure is impacted through this project. Some situations such as the landscaped open space are improving by approximately 6% yet are still shy of the required 50% currently in the code.

Variance #1 is being requested for the new terrace at the rear of the property to exceed the lot

coverage by approximately 72 SF, or .34%.



Code Section	Required	Proposed	Variance
Variance 1: Section 134-843(11)	25% lot coverage max	25.34% lot coverage	.34%
Code Section	Required	Proposed	Variance
Variance 2: Section 134-843(5):	35' front yard setback	30.2' front yard setback Existing	4.8'
Code Section	Required	Proposed	Variance
Variance 3: Section 134-843(8):	15' side yard setback	14.3' side yard setback Existing	.7'
Code Section	Required	Proposed	Variance
Variance 4: Section 134-843(12):	50% landscaped open space	45.77% -proposed 39.44% -existing	4.23%

Variances 2-4 are to retain existing conditions that need to be vested due to the demolition of more than 50% of the area. These were all found to not negatively impact the architecture at the August ARCOM hearing.

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 four (4) variances by the Town Council, and that the variances **shall** or **shall not** be granted that all the criteria applicable to this application as set forth in [Sec. 134-201\(a\)](#), items 1 through 7 have been met.

WRB: JGM: FHM