



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 Memorandum: Town Council

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

SUBJECT: ZON-24-0059 755 N COUNTY RD-BEACH CLUB

MEETING: NOVEMBER 13, 2024

ZON-24-0059 755 N COUNTY RD—SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE. The applicant, The Beach Club Inc, has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for the installation of new tennis court light poles and a variance to exceed the maximum allowable height for tennis pole lighting to match existing tennis court lighting.

Applicant: The Beach Club Inc.
Representative: Marua Ziska, Esq.

HISTORY:

May 11, 2022 Town Council development review meeting, approved (5-0) lot coverage and Cubic Content Ratio (CCR) variances, pursuant to ZON-22-015.

May 10, 2023 Town Council development review meeting, approved for a Special Exception with Site Plan Review and Variance(s) to exceed the maximum allowable lot coverage and Cubic Content Ratio (CCR) in order to expand an outdoor covered pavilion, pursuant to ZON-23-048.

October 11, 2023, Town Council development review meeting, an application was reviewed and approved for a secondary means of beach access to match the existing beach access ramp along the bulkhead to the east of the property, pursuant to ZON-23-074.

THE PROJECT:

The applicant has submitted plans, entitled "The Beach Club: New Lighting East Tennis Courts", as assembled by **Kochman+ Ziska**, submitted and uploaded to the Town September 27, 2024.

The following is the scope of work:

- Installation of six new tennis court lighting to match existing tennis court lighting on existing unlit courts.

The following Special Exception with Site Plan Review and Variances are required to complete the project:

- **SPECIAL EXCEPTION W/ SITE PLAN REVIEW:** Sec. 134-1759(g): The town council may permit, as a special exception with site plan review, minimal state of the art night lighting from 9:00 a.m. to 9:00 p.m. for tennis, shuffleboard and racquetball courts, provided that the applicant shall demonstrate to the town council that the light and noise created by the tennis

court, shuffleboard or racquetball court will be adequately mitigated as it relates to adjacent residential structures and vehicular right-of-way.

- **VARIANCE 1:** Sec. 134-1731: A request for a variance to allow the proposed tennis court lighting poles to be 20'-0" tall in lieu of the 15'-0" maximum allowed for outdoor lighting equipment.

Site Data			
Zoning District	R-B	Lot Size (sq ft)	134,260 SF
Future Land Use	Private Group Use	Total Building Size (sq ft)	55,696 SF
Surrounding Properties / Zoning			
North	Palm Beach Country Club / R-B		
South	Beach Club (croquet field) / R-B 2019 2-story single-family residence / R-B		
East	Beach Club / R-B		
West	Palm Beach Country Club (Tennis Courts) / R-B		

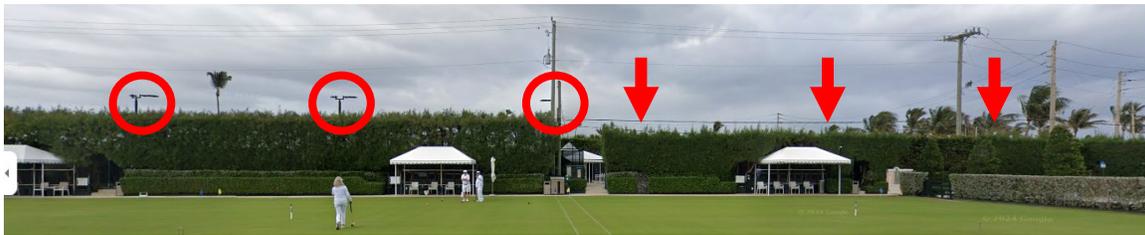
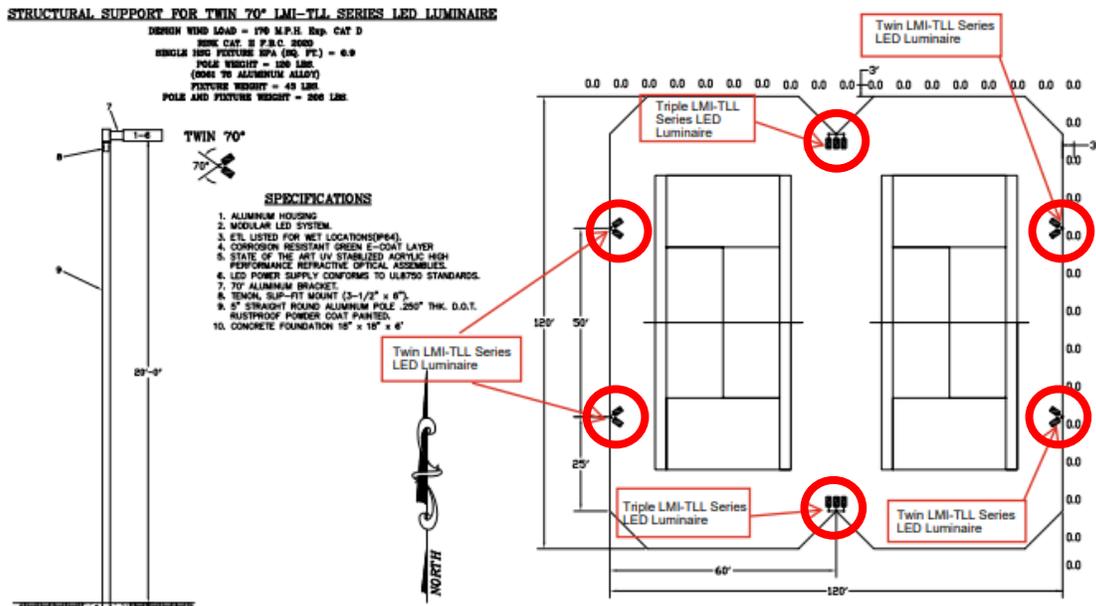
STAFF ANALYSIS

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the Town zoning code. The project consists of the installation of additionally tennis court lighting that exceeds the maximum height permitted for such lighting.



The subject site is 3.4 acre oceanfront site with a private club use in the R-B zoning district. The club has existed since the 1970s to provide recreational and social opportunities to members. The clubhouse is sited on the oceanfront site, and six tennis court facilities and a croquet field are located across the street to the west. A Special Exception With Site Plan Review is required for the installation of additional new lighting for the existing tennis facilities. No new courts are proposed.

The scope of work consists of the installation of six (6) new tennis light fixtures on new 20'-0" high poles at the existing, easternmost tennis courts. All lights will be on timers with the Winter Season hours being 5:00 pm — 9:00 pm and Summer/Off Season hours being 7:00 pm — 9:00 pm. The proposed new light poles exceed by 5'-0" as measured from the surface of the tennis courts, the maximum permitted height (variance #1). It must be noted that on May 18, 1999 the other three courts received a Special Exception approval for the installation of tennis court lighting and also a variance was granted to allow the light poles to be 21'-0" high, pursuant to SE #11-99.



View north facing across the croquet field depicting approximate location of new light poles

The proposed lights will match those existing ones. The light pole height variance is a commonly recurring variance typically granted, particularly when associated with commercial courts. To date, there have been zero (0) code complaints regarding the existing lighting poles.

CONCLUSION:

Approval of the project will require two separate (2) motions to be made by the Town Council:

- (1) Special Exception request for tennis court lighting and meets the criteria set forth in sections 134-229 and finding that approval of the Site Plan will not adversely affect the public interest, that all zoning requirements governing the use have been met and that satisfactory provision and arrangement has been made; and
- (2) for final determination of approval or denial of the (1) variance 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