



**TOWN OF PALM BEACH**  
Planning, Zoning & Building Department  
360 South County Road  
Palm Beach, FL 33480  
[www.townofpalmbeach.com](http://www.townofpalmbeach.com)

PLANNING, ZONING, & BUILDING DEPARTMENT  
PZ&B Staff Memorandum: Architectural Commission

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

SUBJECT: ARC-24-0101 259 PENDLETON AVE

MEETING: NOVEMBER 22, 2024 ARCOM

**ARC-24-0101 259 PENDLETON AVE.** The applicant, Mr. & Mrs. Iovino (MP Design & Architecture), has filed an application requesting Architectural Commission review and approval for installation of a backyard sculpture exceeding 12 feet in height.

Applicant: Mr. & Mrs. Iovino  
Architecture MP Design & Architecture

**HISTORY:**

The property at 259 Pendleton Ave is a relatively new home approved unanimously at the July 25, 2018 ARCOM meeting under B-078-2018. Construction completed in 2021.

In April 2024 the sculpture presented in this application, was placed in the front yard of the residence prompting a code enforcement case for violation of Section.134-1727:

*Any statue and/or sculpture exceeding six feet in height shall be an accessory structure and shall be constructed, erected or placed in compliance with all of the sections of this chapter applicable thereto. No statue and/or sculpture shall exceed 12 feet in height. Further, when such statue and/or sculpture exceeds six feet in height, the construction, erection or placement thereof shall require prior review and approval by the landmark commission if it is proposed to be located on landmarked property, otherwise by the architectural commission if visible from the street.*

Code enforcement case 23-1905 has been closed.

**THE PROJECT:**

The applicant has submitted plans, entitled "Proposed Sculpture at 259 Pendleton Ave" as prepared by **MP Design & Architecture**, dated October 7, 2024.

The following scope of work is proposed:

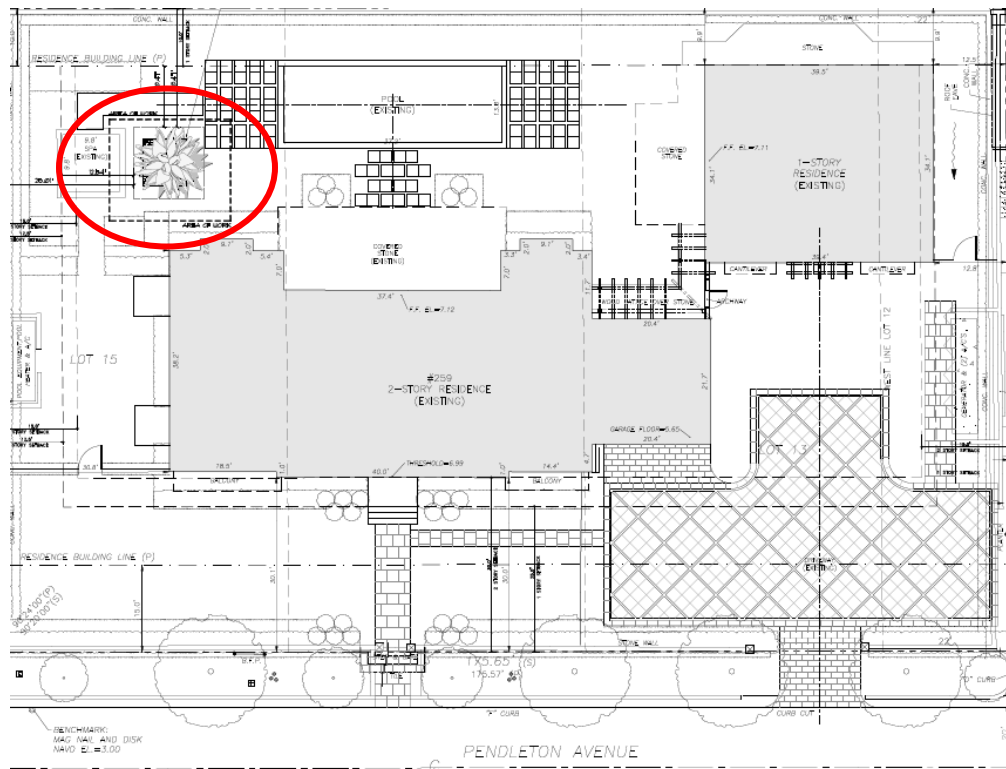
- Installation of an art sculpture in the rear yard.

Site Data			
Zoning District	R-B	Future Land Use	Single-Family
Lot Size	19,488 SF	Lot Coverage	5,086 SF (26.09%)
Lot Depth	100'	Lot Width	100'

<b>Enclosed Square Footage</b>	6,562 SF	<b>Overall Landscape Open Space</b>	Required: 45% Proposed: 49.34%
<b>Perimeter Landscape Open Space</b>	Required: 50% Existing: 50%	<b>Front Yard Landscape Open Space</b>	Required: 40% Proposed: 61%
<b>Surrounding Properties / Zoning</b>			
<b>North</b>	The Breakers Golf Course		
<b>South</b>	258 Pendleton Ave   Residence / R-B		
<b>East</b>	245 Pendleton Ave   Residence / R-B		
<b>West</b>	277 Pendleton Ave   Residence / R-B		

### STAFF ANALYSIS

The application is for the installation of outdoor sculpture. The sculpture was initially installed in the front yard of the residence prompting a code enforcement case for violation. Since then, the sculpture was removed and relocated to “within the building envelope”—outside of all required setbacks, allowing the associated code enforcement case to be closed. The proposed new location complies with Town Code; however, in accordance with Section 134-1727, it requires review and approval from ARCOM due to the sculpture’s height exceeding 12 feet. The sculpture’s total height, including the baseplate, is 12 feet 5.5 inches, with an underground concrete foundation pad of 3 feet that will remain hidden from view.





**CONCLUSION:**

Approval of the project will require one (1) motion 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.

WRB:JGM:SCP