




**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-24-0061 (ARC-24-0103) 1247 S OCEAN BLVD

MEETING: DECEMBER 20, 2024 ARCOM  
JANUARY 15, 2024 TC

**ZON-24-0061 (ARC-24-0103) 1247 S OCEAN BLVD (COMBO) – SPECIAL EXCEPTION AND VARIANCE.** The applicant, Providencia Partners LLC (Maura Ziska, Authorized Signatory), has filed an application requesting Town Council review and approval for a special exception (1) to construct a pickleball court and a variance (1) to exceed maximum wall height permitted within the front yard setback, as part of a previously approved application for development of a residential estate. The Architectural Commission shall perform design review of the application.

**ARC-24-0103 (ZON-24-0061) 1247 S OCEAN BLVD (COMBO).** The applicant, Providencia Partners LLC (Maura Ziska, Authorized Signatory), has filed an application requesting Architectural Commission review and approval for modifications to a previously approved new residential estate which includes the incorporation of a pickleball court and modifications to front yard site walls which will require a variance to exceed maximum wall height permitted; with landscape and hardscape adjustments related to the scope of work. Town Council shall review the application as it pertains to zoning relief/approval.

Applicant: Providencia Partners LLC (Maura Ziska, Authorized Signatory)  
Architecture: Smith & Moore Architects (Daniel Kahan) / Olson Kundig  
Landscape: Stoev (Shilpa Stoev)  
Legal: Maura Ziska, Esq.

**HISTORY:**

- At the February 09, 2022 Town Council Development Review hearing, a motion was passed (5-0) for application Z-20-00318 (Blossom Estate Replat No. 2) to replat lots 1-6 of “The Replat of the Blossom Estate” including relocation of an 8 foot wide pedestrian beach access easement, the elimination of the limited access easement along South Ocean Boulevard, the abandonment of the private road known as Blossom Way, and the creation of a new pedestrian beach access easement across the north side of the easement.
- At the June 29, 2022 Architectural Commission hearing, a motion on application ARC-22-040 was passed (5-2) for construction of new main house and accessory structures with hardscape and landscape improvements on the northern parcel created with Replat 2 of the Blossom Estate.

- At the July 13, 2022 Town Council Development Review hearing, a motion was passed (5-0) on site plan review application ZON-22-037 for installation of a generator over 100kW for the approved new residence and accessory structures.
- At the July 26, 2023 Architectural Commission hearing, a motion was passed (7-0) on application ARC-23-070 for modifications to the previously approved new residential estate including expansion of garage parking area, relocation of utility building, new service entry and new service parking area.
- At the May 29, 2024 Architectural Commission hearing, a motion was passed (6-0) on application ARC-24-063 for modifications to the previously approved new residential estate including reconfiguration of utility and security building, relocation of pool bath and BBQ pavilion and modification to the design and location of caretaker's cottage with associated landscape and hardscape adjustments.
- At the December 20, 2024 ARCOM meeting, the Commission approved (7-0) the application. 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 "PRIVATE RESIDENCE 1247 SOUTH OCEAN BOULEVARD" as prepared by **Smith and Moore Architects (Olson Kundig)**, uploaded on December 04, 2024.

The following scope of work is proposed:

- Modifications to site features of a previously approved new residential estate including:
  - Increase height of street front site walls beyond the maximum height permitted, requiring a variance.
  - Incorporation of a new pickle-ball court to the site plan.

The following Special Exception, Site Plan Review, and/or Variance(s) are required to complete the project:

- **SPECIAL EXCEPTION 1 – Sec. 134-1759(e):** A special exception request for the installation of a pickleball court as part of a previously approved new estate residence.
- **VARIANCE 1 – Sec. 134-1667(a):** A variance for street fronting site wall heights ranging from 6.01 ft to 8.04 ft in lieu of the 6 ft maximum wall height permitted within the front yard setback area.

Site Data			
Zoning District	R-AA	Future Land Use	SINGLE-FAMILY
Lot Size	363,692 Sq. Ft.	Crown of Road	+6.65' NAVD – +6.92' NAVD
Landscape Open Space	Required: 45% (163,661 SF) Prev. Approved: 65% (236,367 SF) Proposed: 64.6% (234,957 SF)	Wall Height	Permitted: +6 ft Proposed: +6.01 ft – + 8.04 ft <i>Variance Requested</i>
Surrounding Properties / Zoning			
North	1236 S Ocean Blvd   Residence / R-B		

<b>South</b>	1265 S Ocean Blvd   Vacant Parcel / R-AA
<b>East</b>	Atlantic Ocean
<b>West</b>	1255 S Ocean Blvd   Residence / R-AA

### **STAFF ANALYSIS**

The applicant is proposing modifications to previously approved site walls and slight modifications to a previously approved site plan at a previously approved new ocean-front residential estate. A preliminary review of the project indicates that the application, as proposed, is inconsistent with the Town zoning code and requires one (1) variance and (1) special exception to achieve the application as proposed.

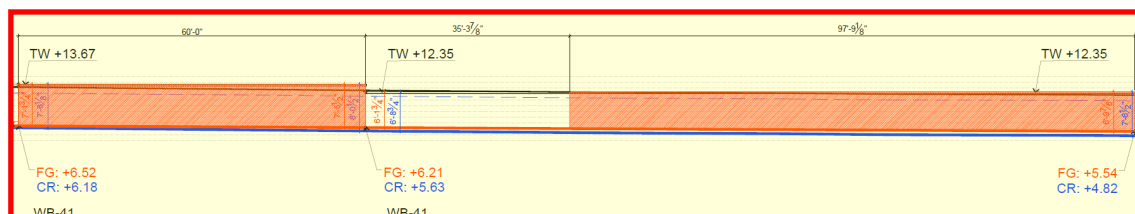


The application includes minor modifications to the previously approved redevelopment of the Blossom Estate subdivision, now 1247 S Ocean Blvd. The plan includes the modification of the height of the previously approved street fronting site walls requiring a variance by Town Council and the incorporation of a new pickleball sport court requiring special exception approval by Town Council. The Architectural Commission will review the application as it relates to the modified design of the site, and the commission will need to opine on the effect of the variance request (for the site wall) on the architecture.

As it pertains to Variance 1, a zoning compliant site wall was approved along the front of the property along South Ocean Boulevard. Adjustments are proposed to the height of the site wall which will exceed the maximum wall height permitted along a street frontage within the front yard setback. When a site wall is fronting a street within the front yard setback area, the height of the wall is measured from crown of road in front of the wall. Due to variation in the crown of road datum as it traverses the elevation grade along the front of the site, the height of the site wall will exceed the maximum wall height permitted (variance) at various points to achieve a uniform level appearance. The wall will be screened from view by dense and tall landscaping material and should minimally visible from the right of way, if at all. Staff notes that portions of the wall will be zoning compliant and not exceeding 6' in height. ARCOM shall opine on the effect of the variance as it relates to the architecture and site.



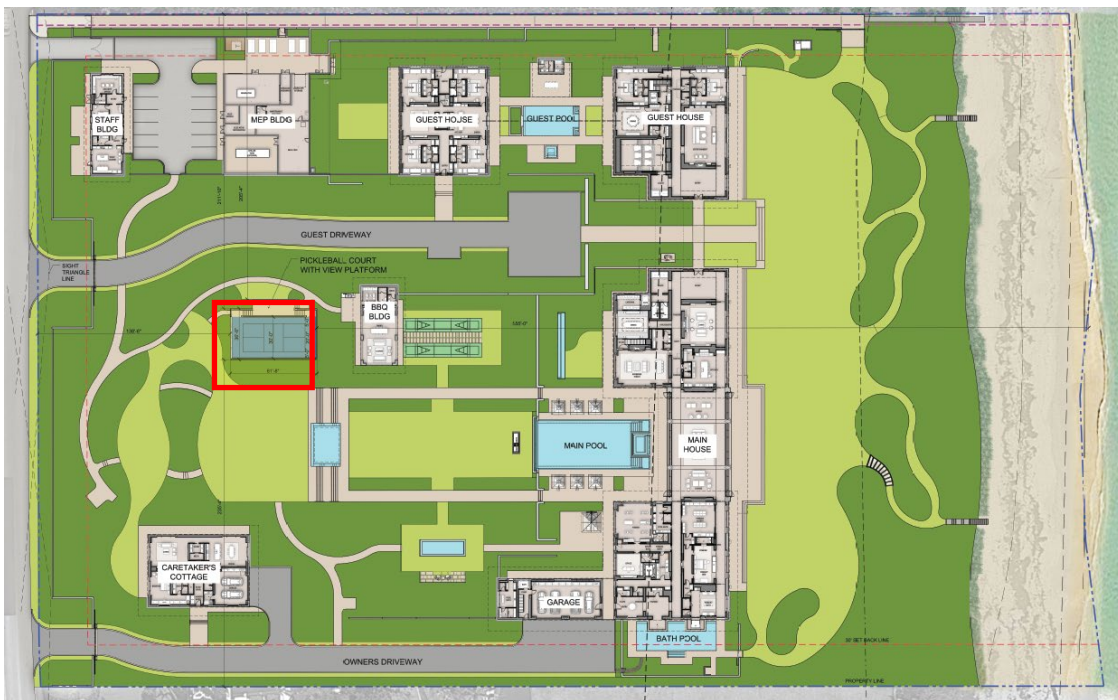
*Site wall diagram.*



*Enlarged area in conflict with zoning.*

Code Section	Permitted	Proposed	Variance
<u>VARIANCE 1:</u> Sec. 134-1667(a)	Six (6) foot maximum wall height, as measured from the crown of road across the front of the property.	6.01 ft to 8.04 ft proposed wall height along varying with crown of road change.	<b>+0.01 ft to +2.04 ft</b>

As it pertains to the proposed pickleball sport court, a special exception is required to be granted by town council to permit this accessory feature. The proposed pickleball court is internal to the site and located well beyond required setback areas. The proposed distance from the South Ocean Blvd right of way is 138.5ft, the distance from the north property line 211.5 ft, and the distance from the south property line 235 ft. The incorporation of the pickleball court has negligible effect on landscape open space calculations due to the size of the estate.



*Site indicating proposed location of pickleball court.*

### **CONCLUSION:**

Approval of the project will require one (1) separate motion(s) to be made by the Town Council:

- (1) 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.
- (2) for final determination of approval or denial fo the (1) special exception by the Town Council, and the special exception shall or shall not be granted and that all the criteria applicable to this application as set forth in [Sec. 134-229](#), items 1 through 14 have been met.