



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: Landmarks Preservation Commission and Town Council

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

SUBJECT: ZON-24-0065 (COA-24-0025) 70 MIDDLE RD (COMBO)

MEETING: APRIL 16, 2025 LPC
MAY 14, 2025 TC

COA-24-0025 (ZON-24-0065) 70 MIDDLE RD (COMBO). The applicant, Jennifer Naegele, has filed an application requesting a Certificate of Appropriateness for the review and approval of the addition of a covered terrace, a laundry room addition, relocation and installation of new mechanical equipment, new site walls, landscape, and hardscape modifications, requiring a total of six (6) variances, three (3) variances previously considered by the Landmarks Preservation Commission to 1) increase the lot coverage for the laundry room addition, 2) increase the cubic content ratio ("CCR") for the laundry room and covered terrace additions, 3) reduce the side (north) yard setback for the laundry room and the covered terrace additions, and three (3) new variances, 1) increase the building height and the overall building height for the covered terrace addition and the rooftop steps, 2) reduce the street (south) side yard setback for pool and fountain equipment and increase the distance between the new fountain water's edge and the fountain equipment, and 3) increase the height of site walls associated with a mechanical equipment enclosure in the street (south) side yard setback for the Landmarked property. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

ZON-24-0065 (COA-24-0025) 70 MIDDLE RD (COMBO) - VARIANCES. The applicant, Jennifer Naegele, has filed an application requesting Town Council review and approval for a total of six (6) variances for the Landmarked property, three (3) variances previously considered by the Landmarks Preservation Commission to 1) increase the lot coverage for the laundry room addition, 2) increase the cubic content ratio ("CCR") for the laundry room and covered terrace additions, 3) reduce the side (north) yard setback for the laundry room and the covered terrace additions, and three (3) new variances, 1) increase the building height and the overall building height for the covered terrace addition and the rooftop steps, 2) reduce the street (south) side yard setback for pool and fountain equipment and increase the distance between the new fountain water's edge and the fountain equipment, and 3) increase the height of site walls associated with a mechanical equipment enclosure in the street (south) side yard setback for the Landmarked property. The overall scope of work includes the addition of a covered terrace, a laundry room addition, relocation and installation of new mechanical equipment, new rooftop steps, new site walls, landscape, and hardscape modifications. The Landmarks Preservation Commission will perform the design review.

Applicant: Jennifer Naegele
Professional: Jackie Albarran | SKA ARCHITECT + PLANNER

HISTORY:

The subject property was designed by Marion Sims Wyeth and constructed in 1924. The property was designated as a Landmark in 1985. As stated in the designation report *“Casa De Los Arcos, located at 70 Middle Road, is a fine example of the Mediterranean Revival style of architecture which was popularized during the 1920’s Florida Land Boom and is now equated with Palm Beach. The house was designed by one of Palm Beach’s most noted architects, Marion Sims Wyeth, and exhibits his grasp of the style of the day.”*

At the January 22, 2020, LPC meeting, COA-002-2020 was approved as presented with the exception of the site wall proposed on the east elevation which was withdrawn. LPC also determined that the implementation of the proposed variances would not cause negative architectural impact to the subject landmarked property.

- Summary of approved scope of work: Replace existing windows and doors with wood impact. Enclosure of existing cypress loggia and vaulted loggia with French doors to match existing. Small one-story extension for use as a laundry room. Addition of a small, covered terrace on an existing flat roof non-original structure. New pool, patios, walkways, and driveway improvement.
- Summary of variances (Z-19-00236):
 1. 134-1729: A variance to allow a 60 KW generator to be placed in the street side yard along Via Marina with a setback of 8.5 feet in lieu of the 25-foot minimum required.
 2. 134-893(11): A variance for lot coverage for the laundry room addition of 34.47% in lieu of the 33.07% existing and the 30% maximum allowed.
 3. 134- 893(13): A variance for a cubic content ratio ("CCR") for the laundry room and covered terrace of 8.85 in lieu of the 8.32 existing and the 3.95 maximum allowed.
 4. 134-893(7): A variance for a north side yard setback of 7.6 feet in lieu of the 12.5 feet minimum required for the laundry room addition.
 5. 134-893(7): A variance to convert the existing flat roof to a covered balcony with railing that will have a north side yard setback of 7.6 feet in lieu of the 15-foot minimum required.

The variances mentioned above were not approved by the Town Council, as the item was deferred until the applicant was ready to proceed.

The current application seeks three (3) of the previously considered variances and requests three (3) new variances associated with the added scope of work.

At the April 16, 2025, LPC meeting, the applicant requested a one-month deferral. The following changes to the scope of work will be introduced:

1. The existing cast concrete columns at the arched windows on the east and west sides of the living room will be temporarily removed for structural repairs and reinstalled.
2. On the east elevation, the balcony railing design has been updated to be similar to the original Wyeth design. The railing above the garage doors will have three medallions instead of four.

3. At the second-floor balcony on the east side of the courtyard, the pecky cypress balusters will retain the original spacing. This is the balcony that was enclosed and is being returned to an open balcony.

At the APRIL 16, 2025 LPC meeting, the Commission approved (7-0) the application with the exception of the roof ladder and the driveways material be confirmed. Additionally, the Commission motioned (7-0) that the implementation of the proposed variance will not negatively affect the architecture, with the exception of a portion of variance #4 as it pertains to the roof ladder/stair.

THE PROJECT:

The applicant has submitted plans, entitled “NAEGELE RESIDENCE”, as prepared by **SKA ARCHITECT + PLANNER**, received by the Town on March 31, 2025.

The following is the scope of work for the Project:

- Addition of a covered terrace
- Laundry room addition.
- Exterior Alterations.
- Relocation and installation of mechanical equipment.
- Site walls.
- Landscape and hardscape modifications.

The following six (6) variances are required to achieve the scope of work:

- Three (3) variances previously considered by the Landmarks Preservation Commission:
 - **VARIANCE #1:** A variance to increase the lot coverage for the laundry room addition to 34.07%, in lieu of the existing 33.47% and 30% maximum allowed.
 - **VARIANCE #2:** A variance to increase the cubic content ratio ("CCR") for the laundry room and covered terrace additions to 8.59, in lieu of the 8.44 existing and 3.95 maximum allowed.
 - **VARIANCE #3:** A variance to reduce the side (north) yard setback for the laundry room and the covered terrace additions to 7.6', in lieu of the 12.5' minimum required.
- Three (3) new variances:
 - **VARIANCE #4:** A variance to increase the building height of covered terrace addition to 27.4', in lieu of the 22' maximum allowed, and rooftop steps to 47.1', in lieu of the existing 46' existing overall building height and 30' maximum allowed.
 - **VARIANCE #5:** A variance to reduce the street (south) side yard setback for pool and fountain equipment to 15.6', in lieu of the 20' minimum required, and increase the distance between the new fountain water's edge and the fountain equipment to 54.5' in lieu of the 25' maximum allowed.
 - **VARIANCE #6:** A variance to increase the height of site walls associated with a mechanical equipment enclosure in the street (south) side yard setback to 6.9' in lieu of the 6' maximum allowed.

Site Data			
Zoning District	R-B	Lot Size (SF)	15,495 SF

Future Land Use	SINGLE-FAMILY	Enclosed Square Footage (Existing)	12,406 SF
Designation	1985	FEMA Flood Zone	X
Year of Construction	1924	Architect	Wyeth

Project			
	Required/Allowed	Existing	Proposed
Lot Coverage	30.00% (4,648.5 SF)	33.47% (5,187 SF)	34.07% (5,279 SF)
Building Height	22'	27.4'	29.6'
Overall Building Height	30'	46'	35.5'
Number of Stories	2	2	2
Cubic Content Ratio (CCR)	3.95	8.44	8.59

Surrounding Properties / Zoning	
North	66 Middle Road / R-B
South	80 Middle Road / R-B
East	101 Via Marina / R-A
West	195 Via Marina / R-B

STAFF ANALYSIS

The application is seeking a Certificate of Appropriateness for the addition of a covered terrace, laundry room addition, exterior alterations, relocation of existing pool equipment and installation of new fountain equipment, installation of a new foundation, revisions to the south equipment enclosure wall, revisions to the landscape and hardscape, and new site walls.

Additions

The previously approved COA included a covered terrace and laundry room addition on the north side of the property. These improvements required variances which did not proceed to Town Council for approval, as outlined in the History section of this memorandum.

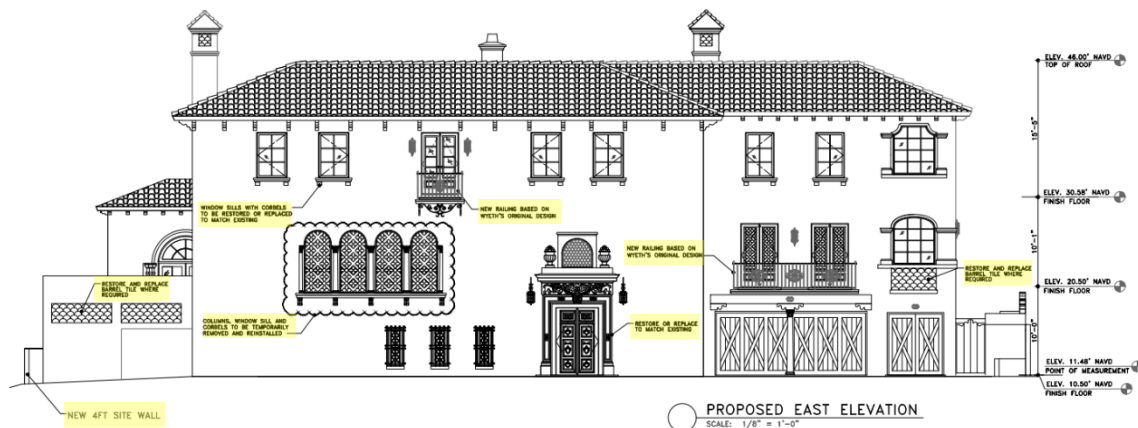
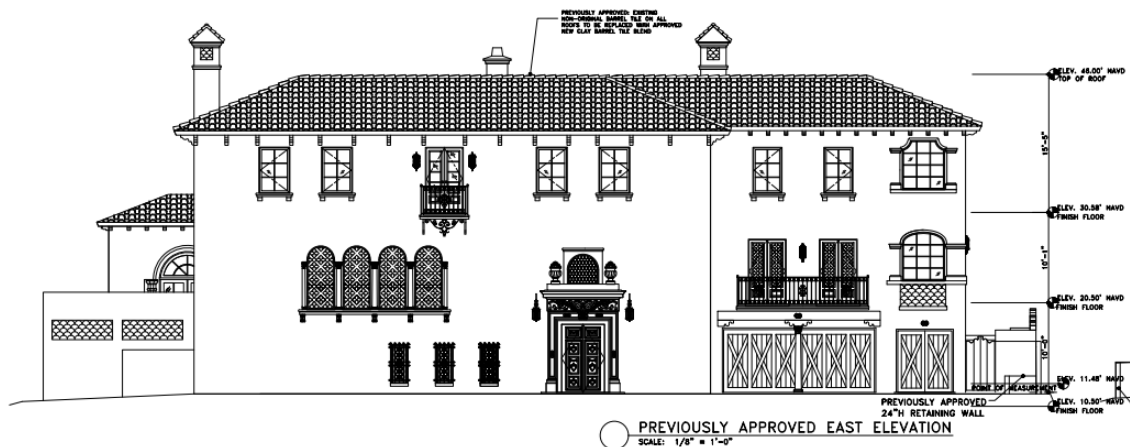
The covered terrace is proposed over an existing flat roof, and the laundry room addition extends the space approximately 7'-4 3/4" to the north. Both additions are designed with new clay barrel tiles roofs to match existing, as well as exterior finishes and detailing that are consistent with the landmarked property.



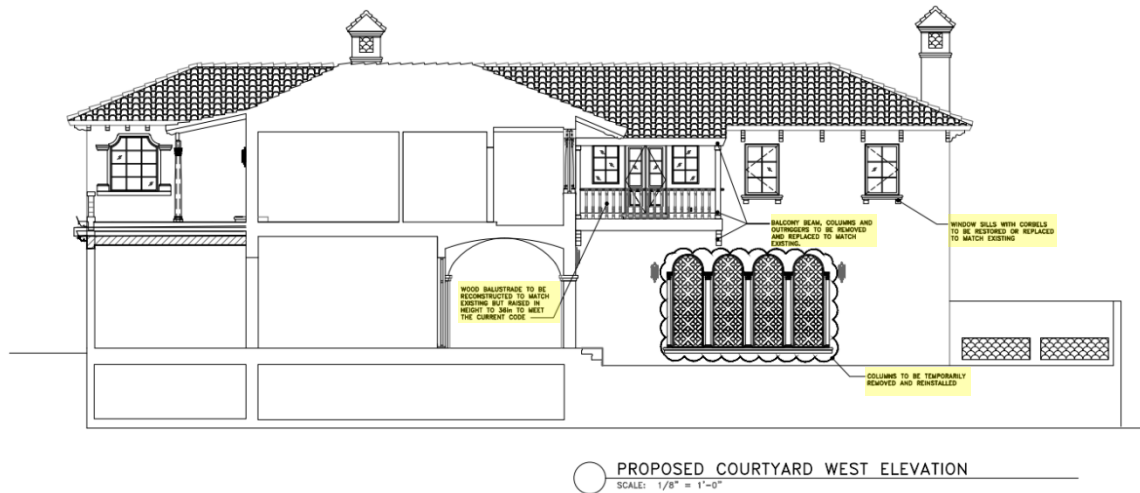


Exterior Alterations

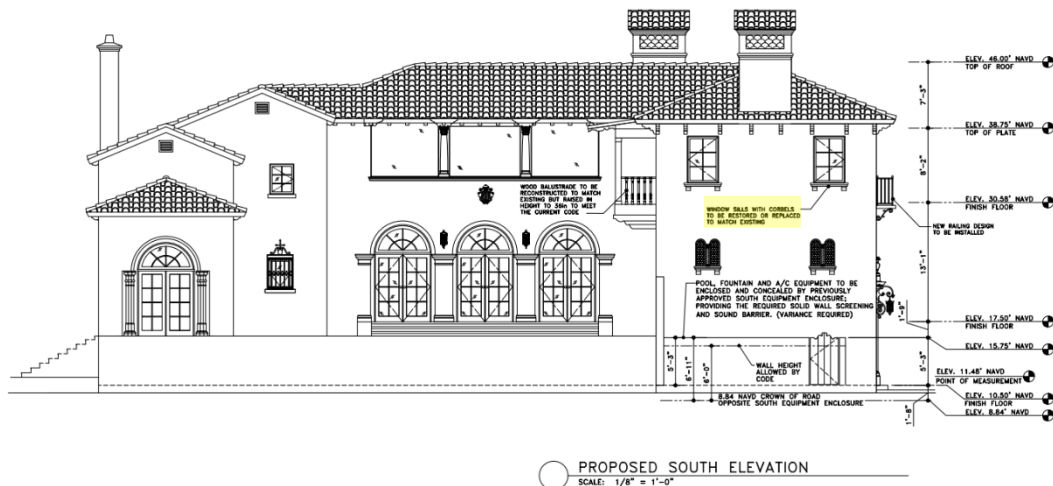
On the east elevation, the existing columns and window sills adjacent to arched stained-glass windows will be temporarily removed and reinstalled. The window sills and front door surround are also proposed to be restored or replaced to match existing. Impact glass has been previously approved to be installed in front of the stained glass, under an administratively reviewed application. Barrel tile detailing on the east elevation will be restored or replaced. Additionally, the balcony railings will be replaced to match Wyeth's original design.



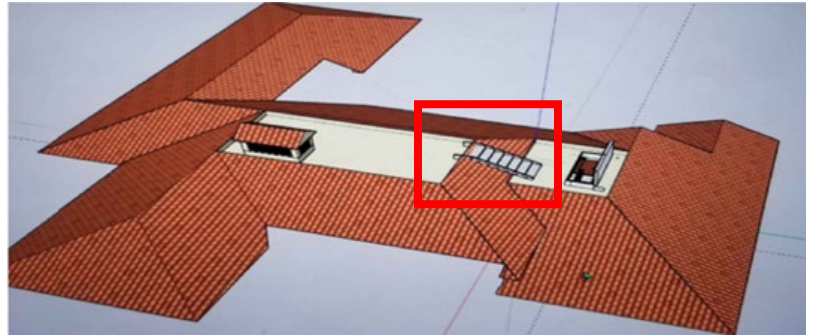
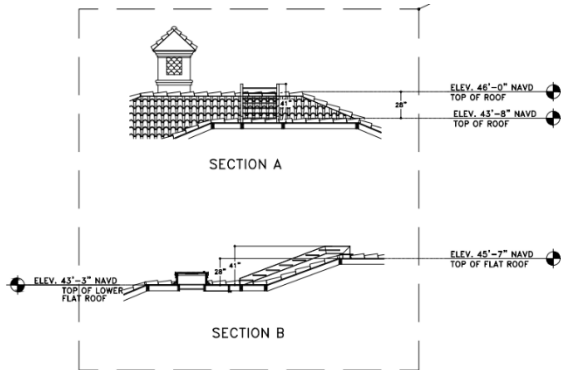
On the west courtyard section, the same treatment for the columns adjacent to the arched stained glass windows is proposed. The balcony balustrade, beam, column, and outriggers are proposed to be replaced to match existing. Additionally, window sills are proposed to be restored or replaced to match the existing.



On the south elevation, the window sills are proposed to be restored or replaced to match existing.



The scope of work includes new rooftop aluminum steps. According to the applicant, the steps are needed to ensure the safety of the maintenance crew. Since the height of the landmarked structure is non-conforming, the installation of the new steps requires a variance, which is further discussed in the variance analysis portion of this memorandum.



Site Changes

New 4-foot-high site walls are proposed along the east and south yards, fronting Middle Road and Via Marina. A new half-circle fountain is proposed within the front (east) yard, behind the new site wall. The south mechanical equipment enclosure walls will be raised to pool and fountain equipment. The location of the equipment and the height of the enclosure walls will require variance which are further discussed in variance analysis portion of this memorandum.



Hexagon terracotta tiles are proposed for the loggia landing and terrace, inspired by historic photographs.



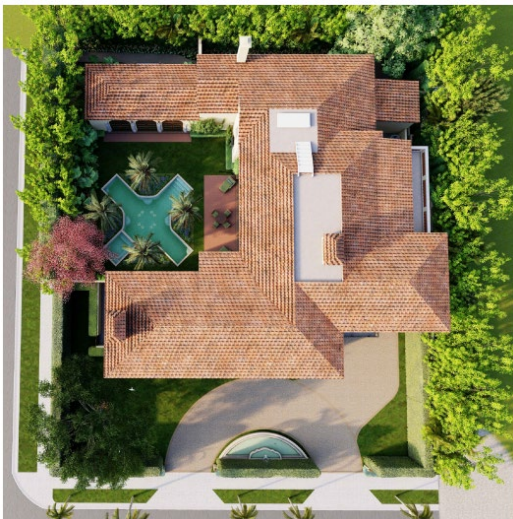
ORIGINAL VAULTED LOGGIA TERRACE EXTENDING INTO COURTYARD (AS PER MARION SIMS WYETH c.1924)



ORIGINAL VIEW SHOWING VAULTED LOGGIA WITH EXTENDED TERRACE (AS PER MARION SIMS WYETH c.1924)



New peaky cypress pedestrian gates are proposed on the north, south, and west yards of the property. Barrel tile will be restored and replaced where needed along the site walls. The landscape revisions introduce Satakentia palms, as wells as Lily of the Nile, Reen Buttonwood, and Silver Buttonwood shrubs. The changes mostly impact the front (east) yard and the courtyard.



Variances

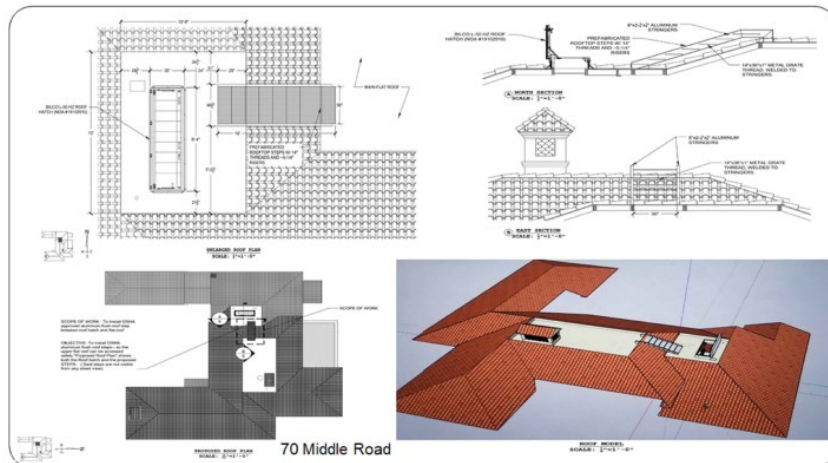
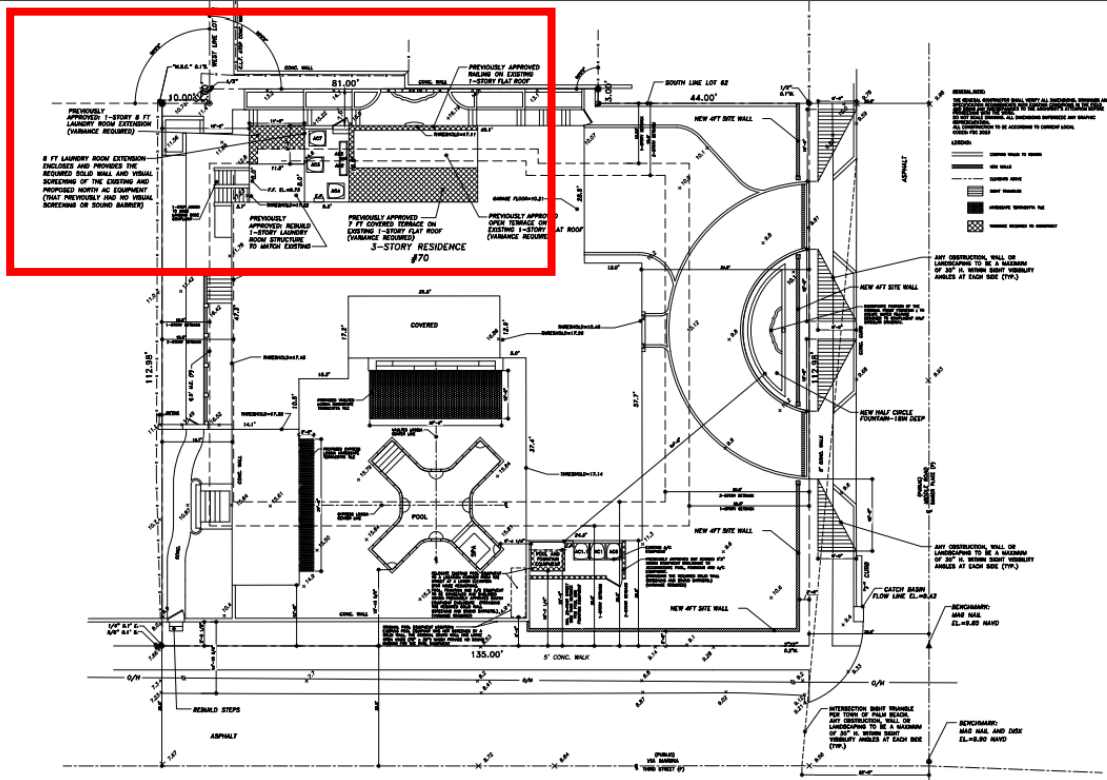
The current application seeks three (3) of the previously considered variances and requests three (3) new variances associated with the added scope of work, as summarized in the table:

Code Section	Required	Proposed	Variance
Variance #1: Sec. 134-893(b)(11)	30% Maximum	34.07%	4.07%
Variance #2: Sec. 134-893(b)(13)	3.95 Maximum	8.59	4.64
Variance #3: Sec. 134-893(b)(7)	12.5' Minimum	7.6'	7.6'
Variance #4: Sec. 134-893(b)(10)	22' Building Height maximum	27.4' Height of Covered Terrace	5.4'
	30' Overall Building Height Maximum	47.1' Height of Rooftop Steps	17.1'
Variance #5: Sec. 134-1728(c)(5)	20' Minimum Setback	15.6' Setback	4.4'
	25' Maximum Distance	54.5' Distance	29.5'
Variance #6: Sec. 134-1667(a)	6' Height Maximum	6.9' Height	0.9'

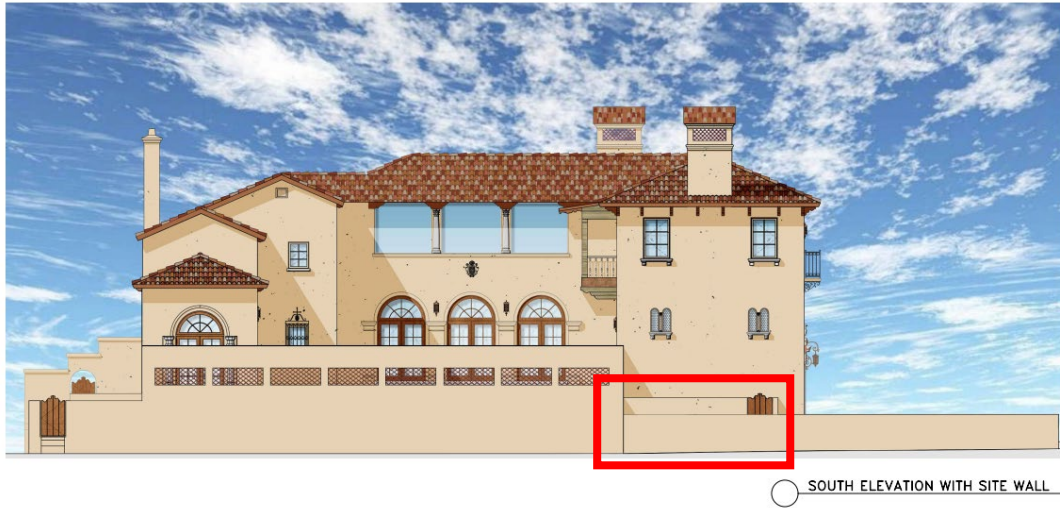
- **Variance #1** increases the lot coverage for the laundry room addition to 34.07%, exceeding the existing 33.47%, and the 30% maximum allowed.
- **Variance #2** increases the cubic content ratio (CCR) to 8.59 for the laundry room and covered terrace additions, compared to the existing 8.44 and the maximum permitted 3.95. **Variance #3** reduces the side (north) yard setback for the laundry room and covered terrace additions to 7.6', rather than the required minimum of 12.5'. A portion of the structure already projects to a 7.6' setback on the north side of the property.
- **Variance #4** increases the building height of the covered terrace addition to 27.4', surpassing the 22' maximum allowed, as well as increasing the rooftop steps to 47.1', exceeding both the existing overall building height of 46' and the 30' maximum permitted.



 NORTH ELEVATION



- **Variance #5** reduces the street (south) side yard setback for the pool and fountain equipment to 15.6', rather than the required 20', while also increasing the allowable distance between the new fountain's water edge and the fountain equipment to 54.5', beyond the 25' maximum permitted.
- **Variance #6** increases the height of site walls associated with a mechanical equipment enclosure in the street (south) side yard setback to 6.9', exceeding the allowed maximum of 6'



The applicant's justification for the requested variances is provided in the letter of intent and at the end of the plan set (after the survey sheet).

CONCLUSION:

The application is presented to the Commission to consider whether all the criteria in Sections 54-122 and 54-123 have been met. Approval of the project will require two (2) separate motions to be made by the Landmarks Preservation Commission:

- (1) for the overall design of the project in accordance with aforementioned criteria, subject to any imposed conditions, and
- (2) that the implementation of the proposed variances **shall or shall not** cause negative architectural impacts to the subject property.

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 variances by the Town Council, and that the variances **shall or shall not** be granted that all of the criteria applicable to this application as set forth in Sec. 134-201(a), items 1 through 7 have been met, subject to any proposed conditions.

WRB: JGM: FHM: ALF