

September 23, 2021

Steven & Heather Wolf
225 Monterey Road
Palm Beach, FL 33480

Sent via electronic mail to swolf@westcapre.com and KChurney@TownofPalmBeach.com

Re: Letter to ARCOM for ARC-21-017 + Z-21-00385 223 Monterey Road

Dear Mr. & Mrs. Wolf,

Thank you for your letter and comments concerning the proposed new 2-story residence at 223 Monterey Road. It is my understanding that Mr. Stephen Cohen provided you with an abridged copy of our presentation file, and we are hoping we can address your concerns expressed in your letter to the ARCOM members.

To start with your first item, you feel that the house is out of character from a height and massing perspective. Let me first point out that even though we are on a non-conforming lot like yours, we meet all the required R-B zoning items and are not asking for any variances. The total width of the proposed 2-story house is 62'-4" wide, and the 2-story massing totals only 40'-8" in width on a 90'-0" wide lot. Where your home at 225 (property immediately to our west) has a total 2-story massing of 70'-0" wide on a 90'-0" lot, overall much wider than our proposal. Then 221 (property immediately to our east) has a total 2-story massing at 41'-0" wide, and the 1-story massing is 73'-0" wide on a 90'-0" wide lot, this is still wider than our proposal but you will find similar 2-story massing. Therefore, I would conclude that our proposed massing relating to the overall width is not "non-conforming" and as noted we are not as wide as either immediate neighboring property.

Second, you mentioned that we will be the tallest house on the street which is not the case, as the house two properties to our east (at 1086 N Ocean) is taller than our proposed 2-story residence. Please keep in mind that we are proposed at 27'-6" tall which is 2'-6" lower than the allowable 30'-0" overall height, and feel that this fits within the neighborhood characteristics.

Third, you suggested to the board they should strongly consider our property with 20'-0" building setbacks at each side yard, where we have the same size lot as you but you only have 10'-0" side yard setbacks with your 2-story massing. Per today's standards this makes your property non-confirming, and the same for 221 Monterey who also has non-confirming side setbacks. Please note that R-B zoning permits 12'-6" side setbacks for 1-story and 15'-0" side setbacks for 2-story buildings. We meet these standards and have not placed any 1-story massing along the West side yard, keeping our proposed 2-story massing setback at 15'-1" from our shared property line.

Fourth, you have expressed your concerns over your existing site wall that seems to be

now leaning over the property line, and does not look to be structurally sound. It appears your Ficus hedge has busted through the wall leaving several large cracks through the entire depth of the concrete wall. We have taken many photos of its existing condition and share your concern. With that being said, we have asked our structural engineer to go out and evaluate the wall and provide a report. Once we receive, we would be happy to review this with you and reevaluate as required. Also, our site plan does clearly note all of the proposed site walls and drainage curbs, in order to maintain our water run-off and provide screening of equipment as required per R-B zoning. In addition, we were required to provide elevations to the Town specifying this information in detail.

Fifth, you mention the benefits of your +/- 20'-0" H Ficus hedge along the shared property line that has *adequately screened the 2nd floor master deck and master bathroom at your house*. And you find that this is mutually beneficial but the town may not agree as ficus benjamina has been somewhat problematic in the Town. We would of course need to verify the specific ficus you have but please note per division 4 Design Requirements, Section 6, Sec. 66-311:“(d) prohibition of *ficus benjamina*. Due to extreme susceptibility of the invasive white fly pest and the consequent enforcement issues to require owners to treat or remove infested ficus benjamina, no new plantings of ficus benjamina shall be allowed. The planting of appropriate native vegetation in a hedge or hedgerow is encouraged.” We are required to provide adequate LA buffers to meet all R-B zoning, and have mindfully proposed some palms at this side to help screen the 2nd floor windows. To be clear, we have no intentions nor are we permitted to remove any landscaping on your property, and if anything is damaged it is our responsibility to replace.

Sixth, you mentioned our (2) condensing units along our west side yard and that you feel that we need sound attenuating panels to further dampen the noise. Please note that the c.u. are required to have a 5'-0" set back at each side yard, and we have located the (2) you mentioned at roughly 11'-0" from the property line. We have also proposed a CMU 3-winged site wall as tall as said equipment to meet the zoning codes. Please note, the newer higher SEER condensing units required by the Florida Building Code have many benefits, as the higher the SEER rating is they get progressively less noisy.

We look forward to being your neighbor, and hope that we can meet to discuss your existing site wall as soon as we receive the engineering report, as it is our intention to come to a solution that best fits everyone. Thank you, we appreciate your time and input.

Sincerely,

Molly Mitchell

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