

To all members of ARCOM

For the meeting of March 23/2022

This letter is in response to a notice from the town of Palm Beach that substantial changes and a variance is being requested by the owner of 250 Sandpiper Drive in Palm Beach.

We live directly to the east of this property at 248 Sandpiper Drive, Palm Beach and have done so since March of 2002. We lived in the existing property for a few years and then built a completely new home on the site. We went through all of the requirements of building a new home in Palm Beach including appearing before Arcom for approval.

One of the most important items in our understanding of what we could build, was that in the Dodge Estates in which this property is located and most particularly Sandpiper Drive, Arcom and the Town Council over and over again agreed with the regulation that it was to only contain single story homes. There have been several attempts to build new homes with either full two story or partial two story homes on the street in recent years and all have been rebuffed by Arcom and or Town Council. It is also significant to note that 249 Sandpiper directly across the street from both us at 248 and the proponent at 250 was designated an HSB on January 19, 2020 by the Landmarks Preservation Commission, as a perfect example of a single story Bermuda style home.

In the last several years the following homes are either new build or have had major works done, none of which were permitted to be two story homes although several tried. 248, 240, 224, 216, 208, 209, 217, 257, 265, 273 and now 250 Sandpiper.

It is clear to see if one drives up or down the street that this is the last of the relatively wide streets with only single story homes on it, in the north end of Palm Beach and it is particularly beautiful because of this regulation.

In the presentation prepared by the owners architects, there are several pages of photographs of two story homes mixed in with a few single story homes. None of the two story homes are on Sandpiper Drive

250 Sandpiper which was built commencing 1988 as a single story home with an attic space above the garage. There are several examples of this on the street but they are all single story homes with an attic space above the garage. It is obvious that this was the case when the home was built by the original owners who sadly passed away in the past couple of years, because the set back on the east side of the house where the garage is located is 12.5 feet from the lot line. The proponents architect and designers state on so many occasions in their application and accompanying letter that this is a two story home but it is not true. In fact they say it themselves by requesting a variance to the property to remove the bay window so that the main house without the window is 15 feet.

Before going into other details of our objection, I would like Arcom to reinforce their previous precedents regarding two story homes on Sandpiper Drive and reject both the application for a second floor of living space and the variance requested, without wasting further time and expense.

The proponent is requesting to totally remodel this home with extensive works to both the inside and outside of the home as well as major hard landscaping for a sum of approximately \$450,000 which is approximately half of the assessed value of the home in 2021. I understand from Mr. Bradley Falco of the Town of Palm Beach who has been helpful in explaining the situation to us, that it is possible to have an expert declare the home is worth much more than the assessed value but since it is public information what the home was purchased for and we know the land value of all similar lots on sandpiper drive, this is not going to increase by very much. We find it very hard to believe that all of the work proposed could possibly be done with such a small expenditure.

As the neighbour directly affected by all works on the east side, these are our observations. They are proposing to add windows to the storage space above the garage and create two bedrooms and bathrooms in that area. Since the bathroom on the east side will have no window we assume there will be ventilation exhaust in that area. They are suggesting that they will build a solid wall at a to be determined height along the entire length of the east side of the property and with clever landscaping which looks to include a type of tree that is going to require a lot of maintenance in terms of trimming create a tree lined avenue to block the site of these new windows from our property. As has almost always been the case in Palm Beach properties that we have known over the years, when there is a large hedge no matter whose property it actually sits on separating two properties, it is common courtesy that each owner looks after their own side, be it trimming, dealing with white fly etc. In this case and unlike the prior owners of this home at 250 Sandpiper the current owner has just let their side of the hedge die and in fact have purposely cut it back on their side so that it effectively makes the entire hedge useless for the purposes of separating and screening the property.(we attach two photos) If by any chance this application is permitted to proceed the proponents must be required to install a full wall of at least 7 feet and a full hedge reaching up to 18 feet in order to block the newly created bedroom windows from our property and in particular one of our main bedrooms. They must pay for the full maintenance of this, to keep it in a first class state and we would suggest it be installed and completed to the towns satisfaction before any other construction commences. We have no objection whatsoever to their desire to upgrade and update the home but mitigating disturbance both visual and sound wise, should be a major consideration. To add insult to injury , the proponents are proposing moving two large air conditioning units which are presently located on the west side of the house and move them so that they sit directly under the proposed new windows of their newly created two story home. As you know with new regulations in Palm Beach these units can no longer sit on the ground but must be raised, we believe to a minimum of 5 feet above the ground. Obviously there is going to be non stop noise emanating from these two units which service the entire house located very close to our home and in fact one of our two main bedroom areas. This is plain wrong and will only cause issues between two neighbours.

To sum up,

1/ no to a two story home on Sandpiper Drive

2/ no to a variance to create a second floor with bedrooms and bathrooms

3/ no to moving two main air conditioning units to the east side of the property so close to our bedrooms and home

4/no to the destruction of our hedge to be replaced by a large question mark? It is suggested that this will block all views of the home at 250 Sandpiper from our home at 248 sandpiper but they must at least prove it to Arcom and ourselves in fact.

William and Maureen Shenkman

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