



**TOWN OF PALM BEACH**  
Planning, Zoning & Building Department  
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**PLANNING, ZONING, & BUILDING DEPARTMENT**  
**PZ&B Staff Memorandum: Town Council Development Review**

TO: Mayor and Town Council

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

SUBJECT: ZON-22-045 (HSB-22-008) 426 SEAPRAY AVE (COMBO)

MEETING: May 11, 2022

**ZON-22-045 (HSB-22-008) 426 SEAPRAY AVE (COMBO)–VARIANCES.** The applicant, 426 Seaspray Avenue Trust (Maura Ziska, TR) has filed an application requesting Town Council approval for Variances (1) to exceed the maximum cubic content ratio (CCR), (2) to exceed the maximum lot coverage, and (3) from Chapter 50 for the required floor elevation for the new ground floor addition on a historically significant building to construct a ground floor addition with a finished floor of 2.27' NAVD and 4.06' NAVD in lieu of the required 7' NAVD, in conjunction with renovations and a two-story additions to an existing nonconforming historically significant building. The Landmarks Preservation Commission will perform design review of the application.

**LPC NOTICE:**

**HSB-22-008 (ZON-22-045) 426 SEAPRAY AVE (COMBO).** The applicant, 426 Seaspray Avenue Trust (Maura Ziska, TR) has filed an application requesting Landmarks Preservation Commission review and approval for renovations and additions to an existing nonconforming historically significant building, including variances from lot coverage, Cubic Content Ratio (CCR), and Floodplain requirements. Town Council will review the variance portion of the application.

Applicant: 426 Seaspray Avenue Trust (Maura Ziska, TR)  
Professional: Francisco Sanchez FGS Design LLC  
Representative: Maura Ziska

**HISTORY:**

The subject property was designated 'historically significant' in June of 2022. The property is located within the Mid-Town Conservation District. The Mediterranean Revival style dwelling was designed by architect Eickler-Girard Inc. in 1925.

On April 20, 2022 an application was presented to Landmarks Preservation Commission, pursuant to HSB-22-008 (ZON-22-045) 426 SEAPRAY AVE (COMBO).

**THE PROJECT:**

The applicant has submitted plans, entitled "426 Seaspray Avenue", as prepared by **Francisco Sanchez FGS Design LLC** dated 02/28/22.

The following is the scope of work for the Project:

- Complete interior renovation of the semi-detached guest building, including new fenestration on the south (alley) and west (pool) elevations.
- Renovation of and expansion to the breakfast room mass, from one to two stories to connect the bedroom programs and expand their functionality and egress.
- Replacement windows and doors to match exiting .
- Demolish non-original “carport”.

The following Variance(s) is required to complete the project:

- **VARIANCE 1:** Sec. 134-893(b)(13): A variance to exceed the maximum Cubic Content Ratio (CCR) to allow 5.44 in lieu of the 5.09 existing and 4.02 maximum allowed, for a new 2 story addition.
- **VARIANCE 2:** Sec. 134-893(b)(11): A variance to exceed the maximum allowable lot coverage to allow 33.6% in lieu of the 34.2% existing and 30% maximum allowed, for a 2 story addition after the demolition of a carport.
- **VARIANCE 3:** Sec. 50-114: A floodplain variance for the repair, improvement or rehabilitation of a historic building. 2.27’ NAVD in lieu of the required 7’. Section 50-114 – Historic Buildings A variance is authorized for the improvements to and rehabilitation of this historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Buildings, Chapter 12 Historic Buildings, as the proposed improvements will not preclude the building’s continued designation as a Historic building to construct a ground floor addition wing with a finished floor of 2.27’ NAVD and 4.06’ NAVD in lieu of the required 7’ NAVD.

Site Data			
Zoning District	R-B	Lot Size (SF)	9,800 SF
Future Land Use	SINGLE-FAMILY	Total Building Size (SF)	4,963 SF
C-O-R	2’	Flood Zone	AE 6
Exist Fin. Floor Elevation	2.27’ and 4.06	Prop. Fin. Floor Elevation	2.27’ and 4.06’
Year of Construction:	1925	Architect:	Eickler-Girard Inc.
Project			
	Required/Allowed	Existing	Proposed
Lot Coverage	30% (2,940 SF)	34.2% (3,271 SF)	33.6 % (3,171 SF) <i>Variance requested</i>
Cubic Content Ratio (CCR)	4.02	5.09	5.44 <i>Variance requested</i>
Building Height	22’	20’-4”	N/C
Overall Building Height	25’ flat   30’ slope	22’-8”	N/C
Front Yard Open Space 40% OF FRONT YARD:	960   40%	1,176 SF   58%	N/C



<b>Landscape Open Space</b>	45% (4,410 SF)	29.1% (2,857 SF)	N/C
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\*If value is not applicable, N/A

\*If value is not changing, N/C

<b>Surrounding Properties / Zoning</b>	
North	One-story residence
South	One-story residence
East	Two-story residence
West	Two-story residence

**STAFF ANALYSIS:**

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the Town zoning code:

1. **VARIANCE 1:** Sec. 134-893(b)(13): A variance to exceed the maximum Cubic Content Ratio (CCR) to allow 5.44 in lieu of the 5.09 existing and 4.02 maximum allowed, for a new 2 story addition.
2. **VARIANCE 2:** Sec. 134-893(b)(11): A variance to exceed the maximum allowable lot coverage to allow 33.6% in lieu of the 34.2% existing and 30% maximum allowed, for a 2 story addition after the demolition of a carport.
3. **VARIANCE 3:** Section 50-114 – Historic Buildings A variance is authorized for the improvements to and rehabilitation of this historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Buildings, Chapter 12 Historic Buildings, as the proposed improvements will not preclude the building's continued designation as a Historic building, to construct a ground floor addition wing with a finished floor of 2.27' NAVD and 4.06' NAVD in lieu of the required 7' NAVD.

The scope of work includes a proposed redesign of the breakfast room mass that increases it from a single-story element to a two-story element, which attaches the pool house to the primary residence via a second-floor connection. Although currently nonconforming in lot coverage and CCR, the overall lot coverage on the site will be slightly decreased by the proposed improvements due to the removal of the existing covered carport.

In order to keep the replacement structure closely resembling the appearance of the original, the finished floor of the new structure is proposed to match the existing floor height, which is below the current required base flood elevation. As such, a flood plain variance is necessary for construction at 2.27' NAVD and 4.06' NAVD, in lieu of the 7' NAVD current minimum. The floodplain variances will be reviewed and approved by Town Council. Additionally, if needed, the Town Council may extend the floor plain variance to the main structure.

Staff is supportive of the application for the minor additions due to the retention and continued utilization of an older architecturally significant building. The existing property is non-conforming in lot size, lot coverage, and CCR.