

Re:

164 Seaspray Avenue

Palm Beach, Florida 33480

Date:

September 7, 2021

**SKA Architect+Planner - LETTER OF INTENT**

**RELATED TO THE CONSTRUCTION ON A NEW HOUSE ON THE NON-  
CONFORMING LOT AT 164 SEASPRAY AVENUE**

We are pleased to submit the accompanying drawings for a pre-application review of a new two-story home, approximately 2,891.5 sq.ft., designed in the classical style and related site improvements, including variances for side yard setbacks as they pertain to the new residence on a nonconforming lot at 164 Seaspray Avenue. The variance portion of the application shall be reviewed by Town Council. The application will require special exception and site plan reviewed by Town Council. This property was previously viewed at the September ARCOM meeting for approval of demolition of an existing house (Case# ARC-21-006). Please note the following:

**A) LANDMARKS PRESERVATION COMMISSION 54-122 & 54-161**

Not applicable - This property is not landmarked

**B) ARCOM 18-205**

New Construction of approximately 2,891.5 sq.ft. two-story, classical style home. House requires variances. Final hardscape and landscape to be included.

**B) ARCOM 18-206**

N/A

**C) SPECIAL EXCEPTION 134-229**

1. This proposed use, a single family residence, is a permitted use in the R-B Zoning District with special exception approval for a non-conforming lot that is two platted lot.
2. The design, location and operation of the proposed residence will not adversely affect public health, safety, welfare or morals.
3. The proposed single family residence will not cause substantial injury to the value of other properties in the neighborhood as there are other residences in this residential district.

4. The proposed single family residence will be compatible with the neighborhood as it is permitted.
5. The proposed single family residence will comply with all requirements set forth in Article VI of the Zoning Code, if applicable.
6. The proposed single family residence will comply with the comprehensive plan, if applicable.
7. The proposed single family residence will not result in substantial economic, noise, glare, or odor impacts on adjoining properties there was a residence previously in this location.
8. Current ingress and egress, parking, loading areas, automotive and pedestrian safety and convenience and traffic flow will not be impacted and will be via Seaspray Avenue.
9. There are no signs being proposed.
10. Utility service will remain unchanged, thus there will no negative impact on health and safety.
11. Refuse and service areas will remain unchanged, thus there will no negative impact on automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.
12. N/A – Town Serving
13. N-A – No historic/specimen trees
14. The proposed single family residence will not place a greater burden on police or fire protection services as there is a residence on the subject property.

#### **D) SITE PLAN REVIEW 134-329**

1. The owner of the property is Hayati Banastey and he is in control of the property. A single family residence is a permitted use in the R-B Zoning District.
2. The proposal single family residence is the least intense example of development and will not have a negative impact on the neighborhood, which is a residential neighborhood.
3. Ingress, egress, utilities and refuse collection will be via Seaspray Avenue, which is capable of handling traffic and other such uses in a residential neighborhood.
4. N/A
5. The proposed site plan and landscape plan provides for buffers and screening from neighboring properties.
6. The proposed drainage plan meets the Town of Palm Beach's drainage requirements.
7. The utility hook ups will remain or be improved to meet the current Town of Palm Beach requirements.
8. The recreation facilities are private and will be screened from the neighboring properties by landscaping.
9. N/A
10. N/A
11. The proposed two story residence will not be overly intrusive on the street and neighborhood.

#### **E) VARIANCES 134-201**

1. The property is located in the R-B Zoning District and is 50' x 122.5' in size for a total of 6,125 square feet. The plan is to build a new two story single family residence.
2. The applicant was not the cause of the special conditions of the property or residence. The insufficient width and deficient area was created when the property was originally platted.
3. The granting of the variances will not confer on the applicant a special privilege that is denied to the neighboring properties. Most neighboring properties are subject to the same constraints.

4. The hardship, which runs with the land, is that the property is nonconforming in size and depth, in that a minimum of 10,000 square feet for lot areas is required in the R-B Zoning District and only 6,125 exists, and a minimum of 100 feet for lot width is required in the R-B Zoning District and only 50 feet exists.
5. The variances requested are the minimum necessary to make reasonable use of the land considering the nonconforming width and area. The proposed residence is modest, only 2,800 gross sq. ft.
6. The granting of the variances will not be injurious to the neighborhood. A new single family will be beneficial to the neighborhood.

**F) OTHER**

Sincerely,



Daniel Clavijo