



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-21-006 (ARC-21-040) 164 SEASPRAY AVE (COMBO)

MEETING: June 15, 2022

ZON-21-006 (ARC-21-040) 164 SEASPRAY AVENUE (COMBO). The applicant, Hayati Banastey, has filed an application requesting Town Council review and approval for a Special Exception Request with Site Plan Review for the construction of new two story residence on 2 platted lots deficient in lot width and lot area, including the following variances (1) a variance to reduce the required side (east) yard setback to 10 ft in lieu of 15 feet required for 2 story structure; (2) a variance to reduce the required side (west) yard setback to 10 ft in lieu of 12.5 feet required for the 1 story portion; (3) a variance to reduce the required side (west) yard setback to 10 feet in lieu of 15 feet required for the 2 story portion.

ARCOM NOTICE

ARC-21-040 (ZON-21-006) 164 SEASPRAY AVENUE (COMBO)- SPECIAL EXCEPTION W SITE PLAN REVIEW. The applicant, Hayati Banastey, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story home 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. 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.

Applicant: Hayati Banastey
Professional: Patrick Segraves/SKA Architect+Planner
Representative: Maura Ziska

HISTORY:

At the September 29, 2021 ARCOM meeting, an application was approved for the demolition of the existing structure, pursuant to ARC-21-006. At the October 27, 2021 ARCOM meeting, the item was discussed and continued to the November 19, 2021 meeting, with direction given to address comments of the Commission, emphasizing a strong restudy of the design which lacked character, charm, and compatibility with area.

At the November 15, 2021 ARCOM meeting, the project was deferred to the December 17, 2021 meeting at the request of the applicant. At the December 17, 2021 ARCOM meeting, this project was deferred to the January 26, 2022 meeting at the request of the applicant. At the January 26,

2022 ARCOM meeting, this project was deferred to the February 23, 2022 meeting at the request of the applicant.

At the February 23, 2022 meeting the project was reviewed and deferred to the March 23, 2022 meeting to address comments and direction of the commission - again emphasizing a restudy of the fenestration and to incorporate more charm to complement the existing street scape. At the March 23, 2022 meeting, the modifications were presented and a motion deny the project based on Section 18-205 (a) 1 and 4 of the Town Code was made, but the motion failed 3-4. The item was again deferred for one month to continue to refine the design based on direction of the Commission. Variances, as originally requested and noticed, are no longer needed as part of this application.

PROJECT DATA:

Zoning District: R-B

Lot Size: 6,125 SF (50x122.5)

Proposed Height: 19'

Permitted Height: 22'

Proposed Lot Coverage: 1,581 SF (25.82%)

Permitted Lot Coverage: 1,838 SF (30%)

Total Square Footage: 2,892 SF

COR Grade: 8.74' NAVD

Base Flood Elevation: 10' NAVD

First Floor Elevation: 10.5' NAVD

SURROUNDING PROPERTIES:

North: Two-story 1924 residence

South: Two-story multiple tenant retail

East: Two-story 1925 residence

West: Two-story 2014 residence

THE PROJECT:

The applicant has submitted plans, entitled "HAYATI BANASTEY 164 Seaspray Ave", as prepared by **SKA Architect+Planner**, dated May 18, 2022.

The following is the scope of work for the Project:

- The construction of a new two-story residence approximately 2,892 SF of interior space on a nonconforming lot.

The following Special Exceptions, Site Plan review and/or Variances required to complete the project, and shall be reviewed by Town Council:

- Special exception and site plan review for construction of new two-story residence on 2 platted lots deficient in lot width and lot area.
- ~~Variance 1: a variance to reduce the required east side yard setback to 10 ft in lieu of 15 feet for the two-story portion.~~ **Variance no longer needed, withdrawn by the applicant.**
- ~~Variance 2; a variance to reduce the required west side yard setback to 10 ft in lieu of 12.5 feet required for the 1-story portion.~~ **Variance no longer needed, withdrawn by the applicant.**
- ~~Variance 3: a variance to reduce the required west side yard setback to 10 feet in lieu of 15 feet required for the 2-story portion.~~ **Variance no longer needed, withdrawn by the applicant.**

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

A preliminary review of the project indicates that the proposed **single family use** is **consistent** with the **single family** designation of the Future Land Use Map of the Comprehensive Plan.

Since the applicant's original submittal in November of 2021, the design team has been working on finding a design solution that meets the client's programmatic desires while creating a residential piece of architecture that responds to the unique character of the Sea streets. The approach was to incorporate new construction that serves to protect and enhance the '*unique, residential character of Seaview Avenue, Seasparry Avenue and Seabreeze Avenue (Sea Streets)*' as outlined in Section 134-893.

- 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:

- Variances, as originally requested and noticed, are no longer needed as part of this application.

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The subject property is within the Poinciana Park 2nd Subdivision which was historically platted in March of 1919 with lots containing 25' in width (see graphic). And this patterning is evidenced in the built environment of today. The existing structure to be demolished was built in 1925 and along the same geometric configuration of the lot today.