

TO: Members of the Architectural Commission

RE: ARC-22-063 (ZON-22-046)  
1160 N Ocean Blvd, (Combo)  
New 500 SF beach cabana review

FROM: Tom and Jan Moloney  
Neighbors with shared property line  
1170 N Ocean Blvd

DATE: May 17, 2022

Chairman Smith and Commission Members,

We have carefully reviewed the architectural plans submitted with this application, reviewed plans with owner/neighbor Cythlen Maddock on-site and in her home, and subsequently reviewed plans on-site with her architect Connor Peede and her son, Jay Dewing and followed-up with Mr. Peede by phone.

Based upon our understanding of the intentions of twenty-year neighbor Mrs. Maddock and efforts by Mr. Peede and Mr. Dewing to fulfill those intentions, we request the Commission consider the following alterations to the site location of the beach cabana as submitted. It is our understanding that Mr. Peede will be proposing location adjustments consistent with these at your May 25<sup>th</sup> meeting, which we will be attending.

- 1. Please consider granting the Maddock's the ability to center the beach cabana at the mid-width of their 151' wide property.*

This is Mrs. Maddock's strong preference as conveyed to her architect, her son and again to me, neighbor Tom Moloney.

This is the location first discussed by architect and son on her behalf with Town staff. This location would 'provide an ocean vista equal to 50 percent of the lot width' (as specified in Chapter 134. Sec. 134-1474). This location would provide equal 37.75' vistas to the north of the location and 37.75' vistas to the south.

A central location on the width of the property would be consistent with the location existing for many cabanas along North Ocean Blvd.; most notably a property adjoining the Maddock's to the south at 1141 NOB.

This request has our full endorsement as adjoining neighbors. There is no stipulation in the Code of Ordinances that the 50 percent ocean vista must be 'continuous'. Nor in our twenty years of residency has there been a precedent for such a limitation. To do so would seem to greatly limit this and future owner's location choices without gaining ocean view footage.

2. *Alternatively, please consider granting the Maddock's the ability to locate their beach house further toward the mid-width of their property – by locating the northside of the cabana to the mid-point line, approximately 25' south of the location submitted with the application.*

This second-choice alternative would partially fulfill the intentions of Mrs. Maddock. It would give the front of the cabana wider views of the ocean and lawn to its north as well as still somewhat disproportionately to the south. This alternative would provide a continuous 75.6' ocean vista along the south-end of the width of the property.

This alternative has our endorsement as adjoining neighbors. Our caution is that it would seem to set an unfortunate new limiting precedent on location choice, by reinterpreting Sec. 134-1474 as 'requiring a continuous 50 percent vista'.

3. *In addition, please consider granting the Maddock's the ability to locate the beach cabana an additional 5' west, back from the east seawall, at 21' 3" rather than the 16' 3" in the application submission.*

This request would:

- a. Give the owners better visual and noise privacy from beachgoers walking, playing and lounging on the beach directly in front of their seawall and property;
- b. Align their cabana at 21' 3" on a sightline more parallel with the two neighboring cabanas located each at 25' from their front seawalls;
- c. Still keep the cabana at 10' 10" from the front property line (honoring the 10' setback requirement).

This request has our endorsement as adjoining neighbors. The 'front yard' sightline of 21' 3" will help preserve our ocean sightline, rather than block it with a 500 SF building placed forward of the adjoining beach cabanas at 16' 3".

These revised location requests have been developed through considerations with Mrs. Maddock, her son Jay Dewing and architect Connor Peede, and with careful consideration of the relevant sections of the Code of Ordinances.

Thank you very much for your considerations on all of our behalfs.

Thomas W. Moloney