



**TOWN OF PALM BEACH**  
Planning, Zoning & Building Department  
360 South County Road  
Palm Beach, FL 33480  
(561) 838-5431 • [www.townofpalmbeach.com](http://www.townofpalmbeach.com)

**PLANNING, ZONING, & BUILDING DEPARTMENT**  
**PZ&B Staff Memorandum: Town Council Development Review**

**TO:** Town of Palm Beach Mayor and Council

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

**SUBJECT:** ZON-22-071 (ARC-22-105) 124 COCOANUT ROW

**MEETING:** September 14, 2022

**ZON-22-071 (ARC-22-105) 124 COCOANUT ROW (COMBO)–VARIANCES.** The applicant, Nedim Soylemez and Rebecca Ann Soylemez, has filed an application requesting Town Council review for a variance (1) to exceed maximum cubic content ratio (CCR), (2) to exceed maximum building height, and (3) to exceed maximum overall building height, in conjunction with the construction of a new two-story residence. The Architectural Commission will perform design review of the application.

**ARC-22-105 (ZON-22-071) 124 COCOANUT ROW (COMBO)–VARIANCES.** The applicant, Nedim Soylemez and Rebecca Ann Soylemez, has filed an application requesting Town Council review for a variance (1) to exceed maximum cubic content ratio (CCR), (2) to exceed maximum building height, and (3) to exceed maximum overall building height, in conjunction with the construction of a new two-story residence. The Architectural Commission will perform design review of the application.

Applicant: Nedim Soylemez and Rebecca Ann Soylemez  
Professional: Workshop /APD  
Representative: Maura Ziska, Esq.

**HISTORY:**

The existing residence was constructed in 1989 by architects Ginocchio & Spina. The current proposal was initially reviewed by ARCOM at the May 25, 2022, regular meeting and deferred to the June 29, 2022, regular meeting. At the June meeting, the item was again deferred with Commissioners requesting restudy of the second-floor deck over the proposed garage, the molding compositions, window type, landscaping, and overall scale. At the July ARCOM meeting, the project was deferred with Commissioners requesting restudy of the window frame color, window types, and the architectural plan set reference materials. The subject application returned to the August ARCOM regular meeting with all items addressed and was unanimously approved, including the variances.

**THE PROJECT:**

The applicants have submitted plans, entitled "SCR Soylemez Residence", as prepared by **Workshop /APD** dated August 9, 2022.

The following is the scope of work:

- Complete demolition of the existing two-story residence.
- Construction of an approximate 7,600 square foot two-story single-family residence, pool with landscaping and hardscaping.

The following Variances are required to complete the project:

- VARIANCE 1: Section 134-893 (10)b. To exceed maximum building height by 0.5 feet where 22 feet is allowed when measured from required seven (7) feet North American Vertical Datum (NAVD).
- VARIANCE 2: Section 134-893(13): To exceed the maximum allowed cubic content ratio (CCR) by 8,476 cubic feet to allow 86,539 (4.3) cubic feet where 78,062.4 (3.9) cubic feet is allowed.
- ~~VARIANCE 3: Section 134-893(10)c: To exceed the maximum overall building height by 2 feet where 30 feet is allowed when measured from required seven (7) feet North American Vertical Datum (NAVD).~~ Variance no longer required.

Site Data			
Zoning District	R-B	Lot Size (SF)	20,016 SF
Future Land Use	SINGLE FAMILY	Total Building Size (SF)	7,600 SF
Cubic Content Ratio (CCR) Variance 1	3.9 allowed (78,000 cubic feet) <b>4.06 Variance requested (86,539 cubic feet)</b>	Point of Measure	7 feet NAVD 9 feet NAVD proposed
Crown of Road (COR)	3.1 feet NAVD	Flood Zone	AE 6 and X
Finished Floor Elevation	9 feet NAVD	Max Fill	2.95 feet
Project			
	Required/Allowed	Existing	Proposed
Lot Coverage	25% (5,004 SF)	N/A	23% (4,694 SF)
Building Height- Variance 2	22 feet	N/A	<b>22.5 feet Variance requested</b>
Overall Building Height – <del>Variance 3</del>	30 feet	N/A	<del>32 feet Variance requested</del> Variance Request Removed
Landscape Open Space (LOS)	50%	N/A	52%
Native Plant Species %	35%	N/A	Complies (35%)

Surrounding Properties / Zoning
---------------------------------

North	Two-story 1937 residence/R-B
R-B	Two-story 1928 residence/R-B
East	Two-story 2013 residence/R-B
West	Two-story 1998 residence/R-B

### **STAFF ANALYSIS**

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

- VARIANCE 1: Section 134-893 (10)b. To exceed maximum building height by 0.5 feet where 22 feet is allowed when measured from required seven (7) feet NAVD.
- VARIANCE 2: Section 134-893(13): To exceed the maximum allowed cubic content ratio (CCR) by 8,476 cubic feet to allow 86,539 (4.3) cubic feet where 78,062.4 (3.9) cubic feet is allowed.
- ~~VARIANCE 3: Section 134-893(10)c. To exceed the maximum overall building height by 2 feet where 30 feet is allowed when measured from required seven (7) feet NAVD.~~  
Variance no longer needed.

The subject application will involve the demolition of the existing home and the construction of a new 7,600 square foot two-story residence, with a new pool, and hardscape and landscape improvements. According to the applicant, the architecture of the proposed single-family home “was influenced by a classical style with local vernacular elements and the adaptation of modern simplicity”.

Situated on the coral ridge, the subject property is substantially higher than the crown of the road (COR), which results in a dramatic slope upward from the street. More specifically, the COR is at approximately three (3) NAVD. As to the requested variances, the FEMA required Base Flood Elevation (BFE) is six (6) feet plus one (1) foot or seven (7) feet. The proposed finished floor elevation (FFE) for the subject property is nine (9) NAVD to accommodate for the substantial natural slope of the property. The proposed FFE to nine (9) NAVD is two (2) feet above the FEMA requirement. Worth noting, the FFE of both abutting residences are both set higher than the BFE, at 10.33 feet NAVD and 10 feet NAVD.