



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5430 • www.townofpalmbeach.com

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-22-103 (ARC-22-144) 164 SEMINOLE AVE (COMBO)

MEETING: SEPTEMBER 14, 2022

ZON-22-103 (ARC-22-144) 164 SEMINOLE AVE (COMBO)—VARIANCES. The applicant, JPBK PROPERTIES #2 LLC (James Held), has filed an application requesting Town Council review and approval for Variances (1) to exceed the maximum angle of vision and (2) to allow a generator on the roof a building for a new one-story single-family residence with related landscape and hardscape improvements. The Architectural Commission will perform design review of the application.

ARCOM NOTICE:

ARC-22-144 (ZON-22-103) 164 SEMINOLE AVE (COMBO). The applicant, JPBK PROPERTIES #2 LLC (James Held), has filed an application requesting Architectural Commission review and approval for the construction of a new one-story residence with hardscape and landscape improvements on a vacant parcel, requiring variances for angle of vision and generator location. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Applicant: JPBK PROPERTIES #2 LLC (James Held)
Professional: Smith and Moore Architects Inc
Representative: Maura Ziska, Esq.

THE PROJECT:

The applicant has submitted plans, entitled "164 SEMINOLE AVE", as prepared by **Smith and Moore Architects Inc.**, dated July 08, 2022.

The following is the scope of work:

- Construction of a new one-story residence hardscape, landscape, and pool on a vacant site.
- Installation of rooftop mechanical equipment including AC, generator and solar panels.

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

- **Variance 1:** Section 134-893(b)(6): A variance for an Angle of Vision of 116 degrees in lieu of the 108 degrees maximum allowed.

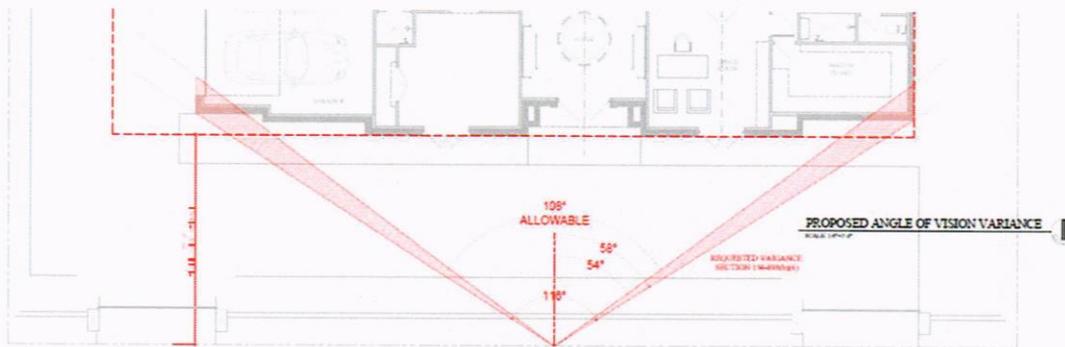
- **Variance 2:** Section 134-1729(1)(j): A variance to install a 60kW generator on the roof of a building where generators are prohibited.

Site Data			
Zoning District	R-B	Lot Size (SF)	14,100 SF
Future Land Use	SINGLE FAMILY	Total Building Size (SF)	5,325 SF
C-O-R	10.595' NAVD	Flood Zone	X
Lot Coverage	Existing: 40% Proposed: 36.72%	Cubic Content Ratio CCR	Permitted: 3.96 Proposed: 3.816
Landscape Open Space (LOS)	Required: 45% Proposed: 45%		
Surrounding Properties / Zoning			
North	1992 Two-story residence		
South	1925 Two-story residence		
East	1925 Two-story residence		
West	2005 Two-story residence		

STAFF ANALYSIS

This application is for the construction of a new one-story residence with hardscape and landscape improvements on a vacant parcel, requiring variances for angle of vision and generator location.

First, a variance for an angle of Vision of 116 degrees in lieu of the 108 degrees maximum allowed. The intent of the angle of vision regulation is to prevent horizontal mass at minimum setbacks. Currently there is no distinction for one- or two-story structures.



Second, to allow the generator equipment to be permitted on top of a roof. The proposed generator equipment is placed on top of the expansive flat roof—a natural and logical location. Service is accessed from a side loaded open stair. The roof area contains AC equipment, generator, solar panels, and mechanical cabinet enclosures. Staff has no objections to the request as the generator is well sited within the roof plan and is obscured behind screen walls; and internally staff is exploring a proposed elimination of the prohibition of rooftop generators as part of the mechanical equipment in required yards regulations currently being vetted in the Planning and Zoning Commission.