



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: Town of Palm Beach Mayor and Council

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

SUBJECT: ZON-22-137 (HSB-22-014) 441 SEAVIEW AVE (COMBO)

MEETING: OCTOBER 12, 2022

HSB-22-014 (ZON-22-137) 441 SEAVIEW AVE (COMBO). The applicant, 441 Seaview LLC (Maura Ziska), has filed an application requesting Landmarks Preservation Commission review and approval for proposed additions and alterations to one-story Historically Significant Buildings requiring Site Plan Review and variances from setbacks, Cubic Content Ratio (CCR), landscape open space requirements, lot coverage, and floodplain requirements, resulting from the demolition of more than 50% of the building as part of a renovation. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Applicant: 441 Seaview LLC (Maura Ziska, TR)
Professional: Fairfax & Sammons Architects
Representative: Maura Ziska

HISTORY:

The subject property was designated 'historically significant' in April of 2022. The property is located within the Mid-Town Conservation District. The one-story Neo-Classical Revival style dwelling was constructed by builder Walter S. Richardson. in 1927.

THE PROJECT:

The applicant has submitted plans, entitled "441Seaspray Avenue", as prepared by **Fairfax & Sammons Architects** dated August 01, 2022.

The following is the scope of work for the Project:

- Partial demolition, a new connection addition between main house & cottage, and renovation of an existing historically significant one-story residence.

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

- **SITE PLAN REVIEW:** Sec 134-446. Site plan review for development on nonconforming platted lot in the R-B zoning district. Lot width of 35.04' in lieu of the 100' required.
- **Variance (1):** Sec. 134-893(b)(7)(a). A request for an east side yard setback of 2'-7" in lieu of the 12'-6" required.

- **Variance (2):** Sec. 134-893(b)(7)(a). A request for a west side yard setback of 1.3' in lieu of the 12'-6" required.
- **Variance (3):** Sec. 134-893(b)(9)(a). A request for a rear yard setback of 3.5' in lieu of the 10'-0" required.
- **Variance (4):** Sec.134-893(b)(5). A request for a front yard setback of 19'-8" in lieu of the 25' required.
- **Variance (5):** Sec.134-893(b)(13). A request for a CCR of 4.76 c.f. in lieu of the 4.0 c.f. required.
- **Variance (6):** Sec. 134-893(b)(11)(a). A request a lot coverage amount of 48.52% in lieu of the 40% maximum required.
- **Variance (7):** Sec. 134-893(b)(12)(b). A request for a Front Yard Landscape Open Space of 325 SF (29%) in lieu of the 447 SF (40%) required.
- **Variance (8):** Sec. 134-893(b)(12)(a). A request for an Overall Landscape Open Space of 1,012 SF (20.7%) in lieu of the 2,193 SF (45%) required.
- **Variance (9):** Sec. 134-893(b)(12)(a). A request for a Perimeter Landscape Open Space 811 SF (20%) in lieu of the 1,265 SF (50%) required.
- **Variance (10):** Sec. 66-285 (1): At least 35 percent of all new required landscaping, in the categories of trees, palms, shrubs, and a combined category of vines and ground cover plants, shall consist of native vegetation. from the native landscaping requirement.
- **Variance (11):** Chapter 50-114: Historic Buildings – A variance is authorized for the improvements to and rehabilitation of this historic building that is determined eligible for the exception of the flood resistant construction requirements of the Florida Building Code, Existing Buildings, Chapter 12 Historic Buildings, as the proposed improvements will not preclude the building's continued designation as a Historic building to maintain a ground floor with a finished floor of 4.89' NAVD in lieu of the required 7' NAVD.

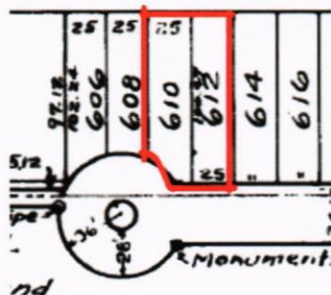
Site Data			
Zoning District	R-B	Lot Size (SF)	4,876 SF
Future Land Use	SINGLE-FAMILY	Total Building Size (SF)	2,366 SF
C-O-R	1.28'	Flood Zone	AE 6
Exist Fin. Floor Elevation	4.89' (main) and 3.34'	Prop. Fin. Floor Elevation	4.89' <i>Variance requested</i>
Year of Construction:	1927	Architect/Builder:	Walter S. Richardson
Project			
	Required/Allowed	Existing	Proposed
Lot Coverage	40% (1,950 SF)	48.54% (2,367 SF)	48.52 % (2,366SF) <i>Variance requested</i>
Cubic Content Ratio (CCR)	4.0 (19,508)	4.36 (21,295 cf)	4.76 (23,230 cf) <i>Variance requested</i>
Building Height	22'	13'-8"	14'-9"
Landscape Open Space	45% (2,193 SF)	18% (858 SF)	20% (1,010 SF) <i>Variance requested</i>

Front Yard Open Space 40% OF FRONT YARD:	40% (447 SF)	28.4% (315 SF)	28.4% (317 SF) <i>Variance requested</i>
Perimeter Open Space	50% (1,265 SF)	31% (793 SF)	31% (794 SF) <i>Variance requested</i>
Native Plant Species %	35%	N/A%	35%
Surrounding Properties / Zoning			
North	1926 Two-story residence / R-B		
South	Surface parking lot—Society of the Four Arts/ R-B		
East	1925 Two-story residence/ R-B		
West	1920 Two-story residence/ R-B		

STAFF ANALYSIS

The subject property is a 4,876 SF lot at the end of a Seaview Avenue which terminates in a cul-de-sac, many of the properties along the northern side of the street date back to the 1920—including the structure on site. The subject property was designated ‘historically significant’ in April of 2022. As such, it is yet another example of the ongoing success of the historically significant building program which aids to retain older building stock. The direct result is that the Town retains more older homes rehabilitated which preserves character and conserves neighborhoods. 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: site plan review and 11 requested variances.

The scope of work includes the partial demolition, a new connection addition between main house & cottage, and renovation of an existing historically significant one-story residence. The unique five-bay wide house currently features a main three-bay wide center section with recessed one-bay wings. The main section has a center entrance with double wood doors topped by a four-light transom flanked by twenty-four light fixed windows topped by rectangular panels. The recessed wings feature sixteen-light fixed windows with classical designs above. Staff is supportive of the application for the minor additions due to the retention and continued utilization of an older, one-story architecturally significant building. The existing property is non-conforming in lot size, setbacks, lot coverage, and CCR.



The subject property contains 50’ of width where 100’ is required, 82’ of lot depth where 100’ is required, and less than 5,000 SF of lot area where 10,000 SF is required under the R-B zoning district regulations. The property is lots 610 and 612 of the western block assemblage of the Poinciana Park 3rd Addition which was historically platted in February of 1922. Regardless, site plan review and approval is required by Town Council.

As it pertains to variances #1, #2, #3 and #4, to establish to the existing nonconforming setbacks of the original, retained structure. The applicant is seeking substantial improvements to an existing one-story historically significant 1927 structure which include a small connection addition in the rear of the property, replacement of windows and doors, reroofing, and new hardscape and landscape throughout the postage-stamp sized parcel. In certain areas of improvement, the applicant is proposed more than 50% of the cubic footage of the existing nonconforming residence on a non-conforming lot in the R-B Zoning District; this triggers the need

for all of the directional variances (all four of which are for the existing structure) as well as the need for the Special Exception with Site Plan Review on the nonconforming R-B zoned lot. Staff is supportive of the setback variances (#1, #2, #3 and #4) for the structure. Additionally, as it pertains to variance #5, to further exceed the nonconforming CCR by 0.4 would allow the applicant to maintain the existing footprint of the one-story built and rehabilitate and renovate the one-story structure ceiling height to allow for some more capacious areas. The increase of height from 13'-8" to 14'-9" results in the increased CCR. Similarly, as it pertains to variance #6, to permit the lot coverage at 48.52% where 40% is allowed. The applicant is improving the existing nonconforming addition and reducing the overall footprint. The lot coverage is reduced slightly by eliminating the portion of the footprint of the existing cottage and adding a new connection between the main house and the formerly detached cottage that is 1 SF smaller than the portion to be removed.

As it pertains to variances #7, #8, #9 and #10 the applicant is proposing substantial improvements to historically significant one-story residence sited on a sub-standard 4,876 SF lot. The improvements to the older structure will exceed both the 50% of the value improvements to the structure and 50% of the demolition of the rear façade, which triggers all of the building's nonconformances to be brought up to the today's zoning requirements—including the open space percentages. Due to the extremely small sized parcel and the existing setbacks resulting from the construction of the 1927 structure, there is, simply, not much room to work with—including and especially the existing 2.7' west side setback, 3.5' north rear setback and 1.3' west side setback. In all instances, overall landscape, perimeter open space, native count, and front yard open space are being improved through the applicant's interventions to the existing conditions. Staff is supportive of the landscaping variances (#7, #8, #9 and #10) in all instances.

Finally, as it pertains to variance #11, in order to keep the replacement structure closely resembling the appearance of the original, the finished floor of the new structure is proposed to match the existing floor height of the main residence, which is below the current required base flood elevation. As such, a flood plain variance is necessary for construction at 4.89' NAVD, in lieu of the 7' NAVD current minimum. Although with the amount of work proposed for the renovation and additions, it is advisable that the applicant consider elevating the one-story structure, it is not required; in fact, the floodplain waiver is only afforded to landmarked and historically significant buildings in the Town and is in fact one of the greatest benefits of the program for the older historic building stock.