



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-22-093 (ARC-22-143) 1356 N OCEAN BLVD (COMBO)

MEETING: OCTOBER 12, 2022

ZON-22-093 (ARC-22-143) 1356 N OCEAN BLVD (COMBO) – SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES The applicant, Pippasbeachclub LLC (Gary and Kelly Pohrer), has filed an application requesting Town Council review and approval for a special exception with site plan review for the construction of a beach cabana in the R-B/B-A zoning district including variances (1) to exceed the maximum building height, (2) to reduce required west yard setback, (3) to reduce required ocean bulkhead setback, and (4) to exceed the maximum distance separation permitted between pool equipment and pool. The Architectural Commission will perform design review of the application.

ARC NOTICE:

ARC-22-143 (ZON-22-093) 1356 N OCEAN BLVD (COMBO). The applicant, Pippasbeachclub LLC (Gary and Kelly Pohrer), has filed an application requesting Architectural Commission review and approval for a new beach cabana structure, requiring special exception and site plan review, and variances for (1) height, (2 + 3) setbacks, and (4) pool equipment location. Town Council will review the special exception with site plan review and variances portion of the application.

Applicant: Pippasbeachclub LLC (Gary and Kelly Pohrer)
Professional: Smith and Moore Architects Inc. (Peter Papadopolous)
Representative: Maura Ziska

THE PROJECT:

The applicant has submitted plans, entitled "1356 N. Ocean Blvd.", as prepared by **Smith and Moore Architects Inc.** dated September 12, 2022.

The following is the scope of work:

- Construction of a new one-story beachfront cabana on a currently vacant lot in the R-B/B-A zoning district requiring variances.

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

- **SPECIAL EXCEPTION W/ SITE PLAN REVIEW:** Section 134-890(4) & Section 134-

1473(a)(1): A special exception with site plan review to allow the construction of a beach cabana in the R-B/B-A zoning district.

- ~~VARIANCE 1: Section 134-1474(a): A variance to allow a cabana height of 8.83 ft in lieu of the 8 ft max allowed and a cabana overall height of 13.37 ft in lieu of the 12 ft maximum allowed, when taking the point of measurement from the Crown of Road (13.46' NAVD) in lieu of lowest natural grade (12.51' NAVD). Variance withdrawn by the applicant.~~
- VARIANCE 2: Section 134-1476(b): A variance to provide a west yard setback of 3.5 ft in lieu of the 10 ft minimum required, for a beach cabana structure.
- VARIANCE 3: Section 134-1702: A variance to provide a setback of 4.92 ft in lieu of the 50 ft minimum required from the designated ocean bulkhead line established in Chapter 62, for a beach cabana structure.
- ~~VARIANCE 4: Section 134-1728(c): A variance to install pool equipment in a setback area which is 40 ft from the edge of water, in lieu of the 25 ft maximum separation distance allowed when installing equipment in a required yard area. Variance withdrawn by the applicant.~~

Site Data			
Zoning District	R-B/B-A	Lot Size (B-A)	1,665 SF
Future Land Use	SINGLE FAMILY	Total Cabana Size	200 SF
Crown of Road (COR)	13.46' NAVD	Site Grade (lowest)	12.51' NAVD
Finished Floor Elevation	13.46' NAVD	Height	Permitted 8' Proposed 8' <i>Variance required</i>
Surrounding Properties			
North	One-story cabana		
South	One-story cabana		
East	Atlantic Ocean		
West	Two-story primary residence		

STAFF ANALYSIS

The subject property is a vacant oceanfront parcel measuring 15' x 111'. The proposed improvements include a new 200 SF cabana, new plunge pool and associated landscape and hardscape improvements. There are one-story beachfront cabanas similarly sized to the north and south of the subject property. The applicant is requesting four variances associated with the proposal.

The original height variance presented at the July meeting is not longer required as the project design professional has redesigned to measure the cabana from the lowest natural grade in lieu of the highest crown of road, as required.

The second variance, which is still required, is to allow the cabana to be setback 3'-6" from the front property line where 10' is required. The cabana is setback 3'-6" from the front (west) property line, similar to the neighboring cabana to the north.

The third variance, which is still required, is to allow beach cabana to have a setback of 4.92 feet from the designated ocean bulkhead line established in Chapter 62 in lieu of the 50-foot minimum required, staff has no objections. Similar variances, specifically 5 in 2021, and 3 so far in 2022, have been granted in the past and is not uncommon when the revetment serves in lieu of the proper designated ocean bulkhead line.

The fourth variance request to locate pool equipment in a required yard that exceeds the 25' separation limitation from the pool water's edge has also been eliminated through a redesign of the site. The pool equipment is now located 20' from the water's edge on the south end of the property and is screened by a masonry site wall and vegetation.

The design of the cabana has been simplified as a result of comments at the July meeting, including the elimination of the parapet, the elimination of the pedimented entry surround fronting N Ocean Boulevard, and with the addition of a simplified hip roof with flat white concrete tiles and a more regularized and rhythmic fenestration pattern.