

# SMITH AND MOORE ARCHITECTS, INC.

Harold Smith • Jonathan Moore • Peter Papadopoulos • Daniel Kahan



Re: 357 North lake Way,  
Palm Beach, FL 33480

August 01, 2022

## **LETTER OF INTENT (LOI)** **ARC-22-145 ZON-22-124**

### **PROPOSED RENOVATION TO A TWO-STORY HOUSE IN R-B DISTRICT**

Please find for review the attached drawings for our project at 357 North Lake Way in the R-B Zoning District of Palm Beach. The proposal is for a renovation to an existing 2-story residence, including second story additions and minor additions to the existing footprint. The proposal also includes: raising the existing non-conforming first floor slab to meet FEMA minimum; a new pool, hardscape, and landscape. Existing building area is 4,363sqft, proposed building area is 7,542sqft. We believe the proposal is in accordance with the following guidelines:

### **ARCHITECTURAL REVIEW IN ACCORDANCE WITH SECTION 18-205 AND 18-206:**

#### **Sec. 18-205. - Criteria for building permit.**

1. The plan for this proposed residence is in conformity with good taste and design and in general contributes to the image of the town and neighborhood as a place of beauty, spaciousness, balance, charm and high quality.
2. The plan for the proposed building or structure is reasonably protected against external and internal noise and other factors that would tend to make the environment less desirable.
  - a. The plans show that major entertaining spaces are centrally located on the site placing these spaces far as possible from neighboring properties.
  - b. The pool area is located at the rear of the residence.
  - c. The proposed generator and pool equipment are located in a walled enclosure on the North side of the house.
3. The proposed building exterior design and appearance is not of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance value.
4. The proposed residence is in harmony with the proposed developments on land in the general area and with the compressive plan for the town.
5. The proposed residence is not excessively similar to any other structure existing or within 200 feet of the proposed site in respect to one or more of the following features of the exterior design and appearance:
  - a. This proposal does not have apparently visible identical front or side elevations.

# SMITH AND MOORE ARCHITECTS, INC.

- b. This proposal does not have substantially identical size and arrangement of either doors, windows, porticos or other opening or breaks in the elevation facing the street, including reverse arrangement.
- c. We do not have other significant identical features of design such as, but not limited to, material roof line and height of other design elements.
- 6. The proposed residence is not excessively dissimilar in relation to any other structures existing or within 200 feet of the proposed site in respect to one or more of the following features:
  - a. Height of building or height of roof.
  - b. Other significant design features including, but not limited to, materials or quality of architectural design.
  - c. Architectural compatibility.
  - d. Arrangements of components of the structure.
  - e. Appearance of mass from the street or from any perspective visible to the public or adjoining property owners.
  - f. Diversity of design that is complimentary with the size and massing of adjacent properties.
  - g. Design features that will avoid the appearance of mass through improper proportions.
  - h. Design elements that protect the privacy of a neighboring property.
- 7. The proposed addition or accessory structure is subservient in style and massing to the principal or main structure. This is not applicable; however, the design keeps the garage wing subservient to the principal mass.
- 8. The proposed residence is appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as viewed from any public or private way (except alleys).
- 9. The proposed development is in conformity with the standards of this code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved. The proposed design meets the zoning code without requiring variances.
- 10. The projects 'location and design adequately protect unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways and similar features. The proposed residence does not negatively impact any existing natural features.

## **Sec. 18-206. - Criteria for demolition permit.**

A demolition permit shall be granted upon the following conditions being met:

- (1) The property is not designated a landmark and is not included on a list of properties within the planning, zoning and building department placed under consideration as a landmark structure.
- (2) Reserved.
- (3) That perimeter landscaping and other landscaping considered by the architectural commission to be worthy of saving be left in place and/or preserved in a manner satisfactory to the architectural commission.
- (4) If construction is not to begin within 30 days subsequent to demolition, the lot shall be completely sodded and irrigated so as to assure that the property will have a neat and clean landscaped appearance.

# SMITH AND MOORE ARCHITECTS, INC.

(5) An agreement is entered into between the property owner and the town wherein the property owner agrees, in writing, to the conditions for demolition established by the architectural commission and further agreeing that in the event of a violation of any of the conditions placed upon the granting of the demolition permit, the property owner shall pay to the town a fee of \$250.00 per violation per day. In the event the property owner refuses to pay any fine as required within 15 days after a notice of violation, the town may, at its expense, correct the violation and present a bill to the owner for the cost of correction. In the event the bill is not paid within 30 days of the date of the bill, the town may place a lien against the property for the costs incurred by the town. Further, no permit to construct shall be given until the fine or lien has been satisfied.

## **Sec. 134-201. - Criteria for Variances.**

**VARIANCE 1: Section 134-893(b)(5): A variance to permit a 2nd story South front-yard setback at 29 ft. 1 in. in lieu of the 30 ft. minimum required.**

**VARIANCE 2: Section 134-893(b)(8): A variance to permit a 1st story North rear-yard setback at 4ft. 5 in. in lieu of the 10 ft. minimum required.**

**VARIANCE 3: Section 134-2179(b): A variance to forgo 2 required off-street parking spaces in an enclosed garage.**

**VARIANCE 4: Section 134-1576(a): A variance to permit the West street side-yard setback at 26 ft. 2 in. in lieu of the 30 ft. minimum required.**

- 1 ) The property is located in the R-B Zoning District and the residence was constructed in 1951 and non-conforming to today's code as well as be situated on an irregular shaped corner lot.
- 2) The applicant was not the cause of the special conditions of the property or residence. The non-conformities and irregularities of the lot were existing prior to the applicant owning the property.
- 3) The granting of the variances will not confer on the applicant a special privilege that is denied to the neighboring properties. Most neighboring properties with older homes are subject to the same constraints.
- 4) The hardship , which runs with the land, is that the property is nonconforming in depth and the residence was built in 1951 and non-conforming to today's code. Further, the lot is irregular in shape and is on a corner which makes designing additions challenging.
- 5) The variances requested are the minimum necessary to make reasonable use of the land considering the nonconforming and irregular aspects of the lot and house. The proposed addition is to improve the site and livability of the property.
- 6) The granting of the variances will not be injurious to the neighborhood. A renovated single family residence will be beneficial to the neighborhood.

Sincerely,



Daniel Kahan  
Principal Architect