



**SKA**  
**Architect + Planner**

ARC-23-026 ZON-23-034  
171 El Pueblo Way  
Palm Beach, FL 33480

February 9, 2023

We are pleased to submit the first submittal of the accompanying drawings for our project at 171 El Pueblo Way in Palm Beach. We are proposing to replace the existing one-story structure on the site with a new partial two-story home. Upgrades will include a new pool and new landscaping throughout. The existing circular driveway will be removed and replaced with landscaping. A special exception with site plan review is required for the 9,960 square foot non-conforming lot with an 85 foot width. We are requesting a setback Variance for the pool and spa, the balcony over entry, and for the height of the wall to conceal the generator.

**Section 18-205**

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.
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 comprehensive plan for the town.
5. The proposed residence is not excessively similar to other structures 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 identical front or side elevations.
  - 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 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. N/A
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.
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.
10. The project's location and design adequately protect unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways and similar features.

### **SPECIAL EXCEPTION 134-229**

New two-story residence, new pool and new landscaping throughout.

1. Section 134-893(c) and 134-329: Special Exception with Site Plan Review to construct a new two-story residence on a non-conforming parcel comprised of portions of platted lots which is 85 ft wide in lieu of the 100 ft minimum required and 9,960 SF in area in lieu of the 10,000 SF minimum required.
2. This proposed use, a single-family residence, is a permitted use in the RB Zoning District with special exception approval for a non-conforming lot 15 feet short of the required lot width.
3. The design, location and operation of the proposed residence will not adversely affect public health, safety, welfare, or morals.
4. The proposed single-family residence will not cause substantial injury to the value of other properties in the neighborhood as there are other residences in this residential district.
5. The proposed single-family residence will be compatible with the neighborhood and purpose of the district as it is permitted.
6. The proposed single-family residence will comply with all requirements set forth in Article VI of the Zoning Code, if applicable.
7. The proposed single-family residence will comply with the comprehensive plan, if applicable.
8. The proposed single-family residence will not result in substantial economic, noise, glare, or odor impacts on properties within the district.
9. Current ingress and egress, parking, loading areas, automotive and pedestrian safety and convenience and traffic flow will not be impacted as a result of the proposed residence.
10. There are no signs being proposed.
11. Utility service will remain unchanged or be improved, thus there will be no negative impact on health and safety.
12. Refuse and service areas will remain unchanged, thus there will no negative impact on automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.
13. N/A – Town serving.
14. N-A – No historic/specimen trees
15. The proposed single-family residence will not place a greater burden on police or fire protection services as there is currently a residence on the subject property.

### **SITE PLAN REVIEW 134-329**

The owners of the property, Kevin Ryan and Carolyn Pressly-Ryan are in control of the property. A single-family residence is a permitted use in the RB Zoning District.

1. The proposed single-family residence is the least intense example of development and will not have a negative impact on the neighborhood, which is a residential neighborhood.
2. Ingress, egress, utilities and refuse collection will be via North Ocean Way, which is capable of handling traffic and other such uses in a residential neighborhood.
3. N/A
4. The proposed site plan and landscape plan provides for buffers and screening from neighboring properties.

5. The proposed drainage plan meets the Town of Palm Beach's drainage requirements.
6. The utility hook ups will remain or be improved to meet the current Town of Palm Beach requirements.
7. The recreation facilities are private and will be screened from the neighboring properties by landscaping.
8. N/A
9. N/A
10. The proposed two-story residence has been designed to coexist harmoniously with the surrounding structures. It will not present a hindrance on the street or neighborhood.

**Variance per Section 134-201:**

The variance requested are as follows:

- 1) Section 134-1757: A variance for a swimming pool with a north rear-yard setback of 5 ft in lieu of the 10 ft setback required.
- 2) Section 134-1729: A variance to allow a generator screening wall to exceed the maximum wall height by 11 inches, to allow for complete screening of the generator.
- 3) Section 134-1093(b)(5)b: A variance to allow a 2nd story supported entry feature balcony with a 23 ft setback in lieu of the 25-foot setback required.
  1. The special circumstances that are peculiar to the land is that this is a corner lot that is undersized and narrow in width, which makes it difficult to add a swimming pool and entry feature without the need for zoning relief and due to the street level being low and the need to screen the generator, a wall height variance is necessary and justified.
  2. The applicant was not the cause of the special conditions of the property as they just purchased the property.
  3. The granting of the variances will not confer on the applicant a special privilege. There are other situations that would justify a closer setback for proposed swimming pools and entry features on non-conforming lots and some properties have obtained variances from the minimum setbacks due to the property layout and hardships therein. There is also precedence for allowing a taller wall to screen a generator.
  4. The hardship, which runs with the land, is that the property is on a corner lot that is bounded by North Ocean Way and El Pueblo Way. Due to the size and shape of the land, there is no feasible location to place a pool except on the north side with zoning relief and no other way to screen the generator without a taller wall. The entry feature encroachment is minor and also due to the non-conforming aspects of the land.
  5. The variances requested for the swimming pool, entry feature and wall height are minor requests considering there will be a tall wall and landscaping to screen the swimming pool.
  6. The variances requested are reasonable considering there is no other feasible location on the property for the pool and the request for the wall height and entry feature is minor.

Sincerely,



Jacqueline Albarran, Architect P.A