



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-23-041 (ARC-23-032) 176 SEMINOLE AVE (COMBO)

MEETING: APRIL 04, 2023

ZON-23-041 (ARC-23-032) 176 SEMINOLE AVE (COMBO)—VARIANCES. The applicant, William Paca Beatson, Jr. Trustee of the William Paca Beatson Revocable Trust dated January 8, 2021, has filed an application requesting Town Council review and approval for four (4) Variances required to convert an existing two-car garage into interior storage space and to construct a second-story addition over the rear garage with site and landscape alterations, including (1) to eliminate required garage parking spaces, (2) to construct a second floor addition with reduced rear setbacks, (3) to exceed the maximum allowable Cubic Content Ratio (CCR), and (4) to reduce the overall Landscape Open Space below the required minimum. The Architectural Commission will perform the design review component of the application.

ARCOM NOTICE:

ARC-23-032 (ZON-23-041) 176 SEMINOLE AVE (COMBO). The applicant, William Paca Beatson, Jr. Trustee of the William Paca Beatson Revocable Trust dated January 8, 2021, has filed an application requesting Architectural Commission review and approval for the conversion of a rear vehicular garage into storage space, for the construction of a second-floor addition over the existing single-story garage, and landscape and hardscape alterations requiring four variances to eliminate required garage parking, to construct a second floor addition with a reduced rear setback, to exceed the maximum allowable Cubic Content Ratio (CCR), and to reduce landscape open space below code requirements. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Applicant: William Paca Beatson, Jr. Trustee of the William Paca Beatson Revocable Trust
Professional: Smith and Moore Architects, Inc (Harold J. Smith)
Representative: Maura Ziska

HISTORY:

The existing two-story residence was built in 2005. The structure received Special Exception with Site Plan Review in 2003 due to the nonconforming width (89') of the R-B zoned parcel. Additionally, the design received variance approval for a swimming pool setback and a side yard setback for the two story portion of the residence, pursuant to SE-28-2003.

THE PROJECT:

The applicant has submitted plans, entitled "Second Submittal 176 Seminole Ave", as prepared by **Smith and Moore Architects, Inc** dated February 09, 2023.

The following is the scope of work for the project:

- Construction of a new 478 SF second floor addition above-story attached garage requiring a variance from setback requirements and to exceed Cubic Content Ratio (CCR).
- Conversion of existing garage into storage space requiring a variance and removal of driveway area to green space and garden area.

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

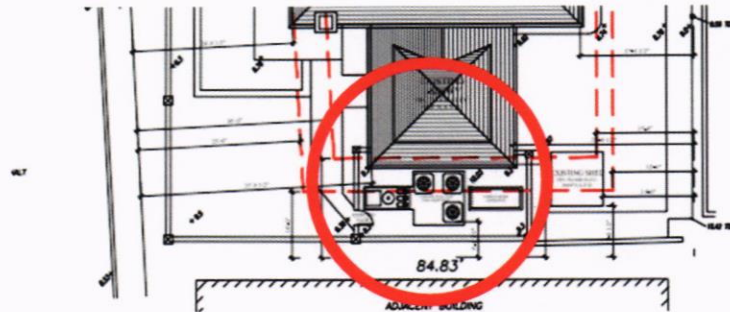
- **Variance 1:** Sec. 134-893(b)(9): A variance to allow the proposed addition with a rear yard setback of 14 feet in lieu of the 15-foot minimum required.
- **Variance 2:** Sec. 134-2179(b): A variance to have zero (0) garage parking spaces in lieu of the two (2) garage parking spaces required.
- **Variance 3:** Sec. 134-893(13): A variance for a Cubic Content Ratio (CCR) of 4.41 in lieu of the 4.0 maximum allowed and the 4.05 existing.
- **Variance 4:** 134-893(b)(12)(a): A variance for a Landscape Open Space (LOS) of 37.8% in lieu of the 45% minimum required.

Site Data			
Zoning District	R-B	Lot Size (SF)	10,197 SF
Future Land Use	SINGLE FAMILY	FEMA Zone	X
Total Building Size (SF)	3,474 SF + 712 SF non ac	Lot Coverage	Existing: 24.81% Proposed: 24.16% Permitted: 30%
Landscape Open Space (LOS)	Existing: 36% (3,647 SF) Proposed: 37.8% (3,847 SF) Required: 45% (4,585 SF) <i>Variance required*</i>	Cubic Content Ratio (CCR)	Existing: 4.05 Proposed: 4.41 Permitted: 4.0 <i>Variance required</i>
Crown of Road (COR)	8.74' NAVD (Seminole)	Finished Floor Elevation	8.93' NAVD (garage)
Surrounding Properties / Zoning			
North	1992 One-story Single-family residence / R-B		
South	1969 One-story Commercial / C-TS		
East	Vacant (pool) / R-B		
West	1974 Two-story synagogue Temple Emanuel / C-TS		

STAFF ANALYSIS

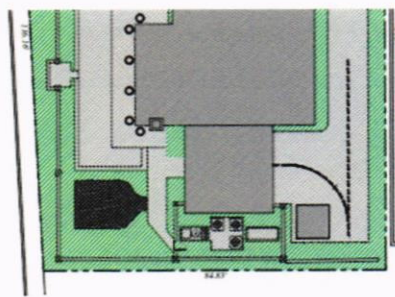
This application is presented to the Commission to consider whether all of the criteria in Sec. 18-205 have been met. A review of the project indicates that the application, as proposed, appears to be inconsistent with the abovementioned sections of the Town zoning code.

The proposal is for a construction of a 478 SF second story addition above an existing one-story garage requiring a variance from setback requirements and to exceed Cubic Content Ratio (CCR). Variance #1 seeks to establish to permit the reduction by 1'-0" of the required side (south) setback for the addition of the second floor. The existing setback is 14'-0" and for ease of construction that applicant is proposing to build coterminous to the one-story portion. One story structures setback have a requirement of 12'-6" that is increased to 15'-0" for two story portions.

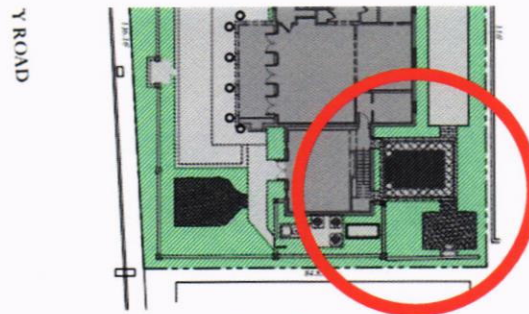


Staff is supportive of the request as the setback relief impacts only the southern property which is commercially zoned.

As it pertains to Variance #2, to forgo 2 required off-street parking spaces in an enclosed garage to convert it to storage space and vertical circulation, staff is supportive of the request. The garage is located in the southeastern portion of the site and accessed from Seminole Avenue in a long driveway approach.

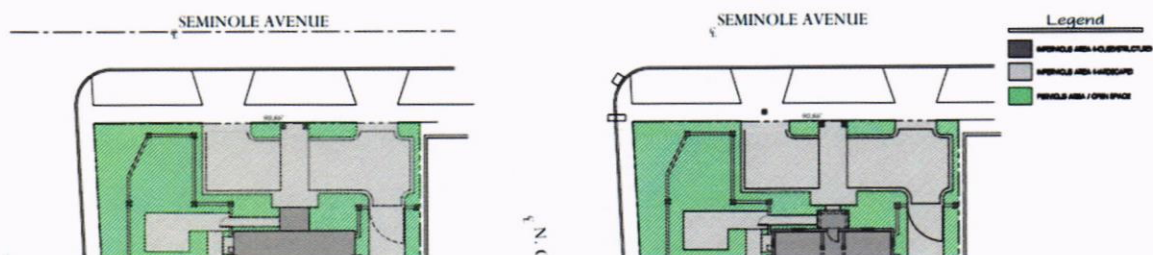


Existing Open Space Graphic



Proposed Open Space Graphic

The front motorcourt is designed with a circular driveway configuration which can accommodate the required on-site "storage" of two parked vehicles and the elimination of the expansive rear paved area and backup portion of the driveway improves the overall landscape open space of the site.



As it pertains to Variance #3, to exceed the maximum Cubic Content Ratio (CCR) of 4.41 in lieu of the 4.0 maximum allowed and the 4.05 existing, staff maintains that the approval will increase the overall mass of the building. Designed in 2003, the structure features a one story portion in the southern portion of the site. At times, one-story portions of houses can serve as transitional designs to sensitively address massing concerns to abutting properties; however, this garage portion abuts the discordant zoning commercial district C-TS which allows three stories in height under the special exception process. The garage is located 28'-6" setback from the eastern property line that

abuts a site improved with a pool and garden lawn. The structure is located 14'-0" setback from the southern property line and abuts a one-story commercial building. There certainly has been much discussion over the merit of CCR in reducing or controlling the massing of the property. The subject structure is currently over the allowable CCR (likely an oversight during permit review). In this instance, staff opines that the addition of the new second floor over the existing one-story portion would not overwhelm the overall massing of the property on site—as the main design features a square two-story mass more proximate to both streets at the corner site.

As it pertains to Variance #4, to reduce the required Landscape Open Space (LOS) of 37.8% in lieu of the 45% minimum required, staff is supportive of the request due to the circumstances of the zoning requirement. Per the record plans, at the time of its construction, the property complied with the minimum Landscape Open Space requirements—which in 2003 was 40%. This was increased in 45% in 2005, pursuant to Ord. 01-05. The applicant has made considerable efforts to bring the subject property to compliance. The existing condition is 36%, or 3,647 SF of green space. The applicant through the reduction of the rear garage access driveway increased this amount by 200 SF to 3,847 SF.

Approval of the subject project will require two (2) separate motions to be made by the Architectural Review Commission: (1) that the overall design of the project is in accordance with the criteria provided below, subject to any imposed conditions, and (2) that the implementation of the proposed variances will or will not cause negative architectural impact to the subject property.

Approval of the project will require one motions to be made by Town Council: (1) for the granting of the variances.

WRB:JGM