



TOWN OF PALM BEACH
Planning, Zoning & Building Department
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PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Architectural Commission (ARCOM)

TO: ARCOM Chairperson and Members

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

SUBJECT: ARC-22-231 (ZON-23-013) 7 LA COSTA WAY (COMBO)

MEETING: February 22, 2023

ARC-22-231 (ZON-23-013) 7 LA COSTA WAY (COMBO). The applicant, La Costa Way Trust (Cooper Andrew TR), has filed an application requesting Architectural Commission review and approval for exterior modifications to an existing nonconforming one-story residence including new windows and doors, new rooftop equipment with screening, new rooftop terrace and new hardscape and landscape, requiring variances for lot coverage, landscape open space, and setbacks. This is a combination project that shall also be reviewed by town council as it pertains to zoning relief/approval.

Applicant: La Costa Way Trust (Andrew Cooper TR)
Professional: Smith and Moore Architects (Daniel Kahan)

HISTORY:

The application was last reviewed at the January 2023 ARCOM meeting. The commission approved the project as presented, with the condition that the applicant restudy the proposed vehicular gates and for modifications to the landscape plans, specifically regarding the tree plantings along N Lake Way and La Costa Way.

THE PROJECT:

The applicant has submitted plans, entitled "7 La Costa Way, Palm Beach, Florida", as prepared by **Smith and Moore Architects, Inc**, dated February 6, 2022.

The following is the scope of work:

- ~~Replacement of all existing doors and windows.~~
- ~~Relocation of mechanical equipment to the existing flat roof with associated screening.~~
- ~~New roof access stair.~~
- ~~New roof terrace with associated screening.~~
- Updates to landscape, hardscape, and swimming pool.

Site Data			
Zoning District	R-B	Lot Size (SF)	35,959 SF

Future Land Use	SINGLE FAMILY	Native Planting	Complies
Lot Coverage	Permitted: 25% (8,990 SF) Existing: 35% (12,672 SF) Proposed: N/C <i>Variance requested for rooftop terrace</i>	2 nd Story Street Rear-Yard Setback	Required: 35' Existing: N/A Proposed: 9.8' <i>Variance requested for rooftop terrace.</i>
Landscape Open Space (LOS)	Required: 50% (17,979.5 SF) Existing: 33.5% (12,027 SF) Proposed: 36.5% (13,117 SF) <i>Variance requested to establish nonconformity.</i>	Front Yard Open Space	Required: 40% (2,117.6 SF) Existing: 54.5% (2,862 SF) Proposed: 57.8% (3,062 SF) <i>Complies</i>
Surrounding Properties / Zoning			
North	1981 One-story residence/ R-B		
South	1996 One-story residence & 1993 One-story residence / R-B		
East	1993 One-story residence/ R-B		
West	2015 Two-story residence/ R-B		

STAFF ANALYSIS

This application is presented to the Commission to consider whether all of the criteria in Sec. 18-205 have been met. 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:

- ~~***VARIANCE 1: Sec. 134-1577(a) & Sec. 134-893(b)(1)d. & Sec. 134-793(a)(5): A variance for a 2nd-story street (north) rear yard setback of 9.8 ft in lieu of the 35 ft street rear yard setback required, to provide a new second floor roof terrace.***~~
- ***VARIANCE 2: Sec. 134-893(b)(1)e. & Sec. 134-843(12)a.: A variance to provide an overall landscaped open space of 36% in lieu of 35% existing and the 50% landscaped open space required for a 35,000+ sq ft lot in the R-B Zoning District, when doing a complete renovation of the hardscape and landscape on site.***
- ~~***VARIANCE 3: Sec. 134-893(b)(1)e. & Sec. 134-843(11)b.: A variance for a two-story lot coverage of 35% in lieu of the 25% two-story lot coverage maximum allowed for a two-story structure on a 35,000+ sq. ft. lot in the R-B Zoning District, to provide a second floor roof terrace.***~~

The original design by Denis La Berge for a new one-story residence was approved in 1995, with a variance granted by the town council for a driveway vehicular gate setback. When the home was originally approved, it was compliant with the lot, yard and area regulations of the R-B zoning district. In 1997, changes were made to the zoning regulations (Ord. 01-97) of the lot, yard and area regulations of the R-B zoning district which affected properties over 20,000 sq. ft. Subsequently, the zoning change caused this property to become nonconforming to lot coverage and landscape open space requirements. While the applicant is improving the existing nonconforming landscape open space percentages, they need to establish a variance for the deficiency because more than half

of the landscape and hardscape area of the site is being removed and renovated as a part of this application.

The Architectural Commission approved the project as presented at the January hearing, with instructions for the applicant to restudy the design of the vehicular gates, and for further study of the landscape plan to incorporate a Gumbo Limbo tree and enhance the landscaping along the N Lake Way corridor. The applicant has decided to forgo any changes to the vehicular gate and will retain the vehicle gates as they currently exist. Along North Lake Way, behind the property hedge, the applicant proposes Gumbo Limbo trees, Live Oak trees, and Foxtail palms. New Gumbo Limbo trees are also proposed on the north side of the residence between the existing house and North Lake Way.

Variance Request

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. 134-1577(a) & Sec. 134-893(b)(1)d. & Sec. 134-793(a)(5):** A variance for a 2nd story street (north) rear yard setback of 9.8 ft in lieu of the 35 ft street rear yard setback required, to provide a new second floor roof terrace.~~
- **VARIANCE 2: Sec. 134-893(b)(1)e. & Sec. 134-843(12)a.:** A variance to provide an overall landscaped open space of 36% in lieu of 35% existing and the 50% landscaped open space required for a 35,000+ sq ft lot in the R-B Zoning District, when doing a complete renovation of the hardscape and landscape on site.
- ~~**VARIANCE 3: Sec. 134-893(b)(1)e. & Sec. 134-843(11)b.:** A variance for a two-story lot coverage of 35% in lieu of the 25% two-story lot coverage maximum allowed for a two-story structure on a 35,000+ sq. ft. lot in the R-B Zoning District, to provide a second floor roof terrace.~~

Code section	Required/Allowed	Proposed	Variance
Sec. 134-893(b)(1)d. (Sec. 134-793(a)(5))	35 ft 2nd story rear street yard setback	9.8 ft	25.2 ft
Sec. 134-893(b)(1)e. (Sec. 134-843(12)a.)	50 % Landscape Open Space (17,979 Sq. Ft.)	36.5% (13,117 Sq. Ft.)	4,862 Sq. Ft.
Sec. 134-893(b)(1)e. (Sec. 134-843(11)b.)	25%	35%	10%

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