



TOWN OF PALM BEACH

Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480

(561) 838-5431 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Combination Memorandum

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

SUBJECT: ARC-23-024 (ZON-23-033) 1540 S OCEAN BLVD AND 114 OCEAN VIEW RD (COMBO)
ZON-23-033 (ARC-23-024) 1540 S OCEAN BLVD AND 114 OCEAN VIEW RD (COMBO)

ARCOM MEETING: MARCH 29, 2023

TOWN COUNCIL MEETING: APRIL 12, 2023

ARC-23-024 (ZON-23-033) 1540 S. OCEAN BLVD AND 114 OCEAN VIEW RD (COMBO). The applicant, 1540 S Ocean LLC (Steven Kirsch, Managing Director) has filed an application requesting Architectural Commission review and approval to construct a new plunge pool, deck, and landscaping for an existing 136 square foot one (1) story cabana structure including variances at 1540 S Ocean Blvd and 114 Ocean View Road. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

ZON-23-033 (ARC-23-024) 1540 S. OCEAN BLVD AND 114 OCEAN VIEW RD (COMBO)—VARIANCES. The applicant, 1540 S Ocean LLC (Steven Kirsch, Managing Director) has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for the construction of a new plunge pool, deck, and landscaping for an existing 136 square foot beach cabana at 1540 S Ocean Blvd and 114 Ocean View Road and for a variance (1) to the minimum frontage and variance (2) to the established ocean bulkhead line setback. The Architectural Commission will perform design review of the application.

Applicant: 1540 S Ocean LLC (Steven Kirsch, Managing Director)
Professional: Dailey Janssen Architects, P.A.
Representative: Roger P. Janssen, AIA

The subject property consists of two parcels totaling 0.77 acres (0.66 Palm Beach acre) and is located on both 114 Ocean View and 1540 South Ocean Boulevard. The property owner will be required to combine the two (2) properties that both include beach parcels through a Unity of Title. The address assumed at completion will be 1540 South Ocean Boulevard. The properties have a Future Land Use designation of Single Family with compatible Zoning classifications of Estate Residential (R-A) and Beach Area (BA).



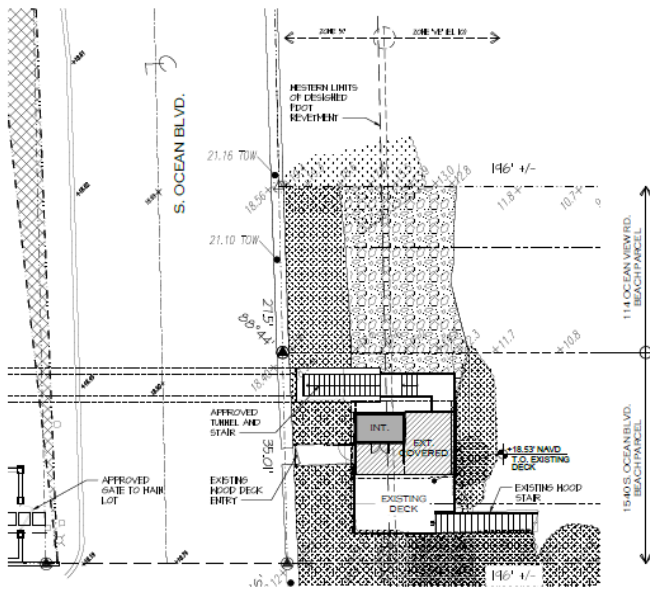
Subject Location

HISTORY:

The redevelopment of the subject properties began with the approval of the Site Plan with a Special Exception on a non-conforming platted lot to build a 10,284 SF, two-story residence at 1540 South Ocean Boulevard on July 21, 2021, by Town Council (Z-21-00358). On April 13, 2022, ZON-22-024 (ARC-22-028) was approved by the Town Council granted Site Plan Approval with a Special Exception for the existing beach cabana to allow the construction of a tunnel under South Ocean Boulevard connecting the main parcel at 1540 South Ocean Boulevard to the beach parcel and for architectural changes to the beach cabana. The application required variances to the side yard and ocean bulkhead setback, that were granted. Subsequently, the owner purchased the property at 114 Ocean View Road and in July 2022 received approval to demolish the existing 4,029 square foot two (2) story home. On November 15, 2022, The Town Council granted approval of ZON-22-138 (ARC-22-138) to construct a new 5,245 square foot two (2) story guest house connected to the previously approved main house at 1540 South Ocean Boulevard. Most recently, the property owner purchased the beach parcel abutting the existing beach parcel to the north and has submitted an application for improvements that unify both beach parcels.

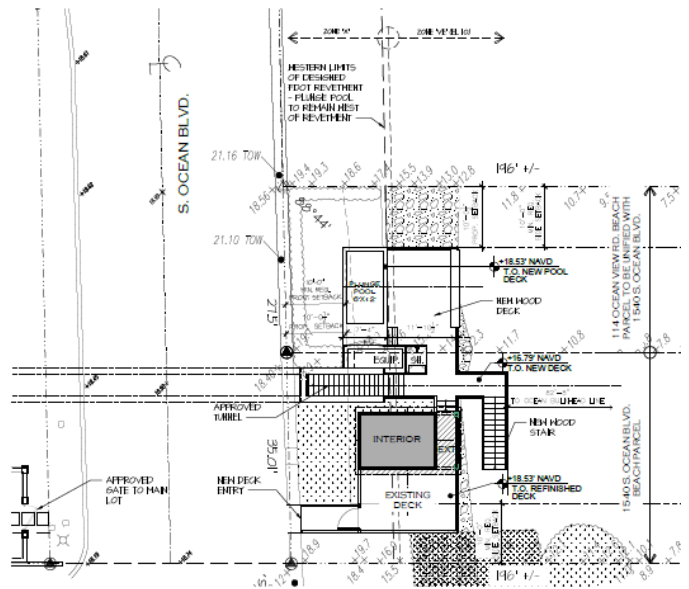
THE PROJECT:

The subject application is a proposal to modify the previously approved plans for the existing one (1) story cabana by combining the two (2) beach parcels (114 Ocean Way and 1540 South Ocean Boulevard) and adding a new plunge pool, deck, and landscaping.



PREVIOUSLY APPROVED
 BEACH PARCEL SITE PLAN

SCALE 1/8" = 1'-0"



PROPOSED BEACH
 PARCEL SITE PLAN

SCALE 1/8" = 1'-0"



The application was reviewed by the Public Works Department and the applicant has been made aware that the proposed decking is subject to a revetment easement with the Florida Department of

Transportation (FDOT). As such, the application will require review and approval by FDOT prior to the issuance of a building permit.

STAFF ANALYSIS

Zoning

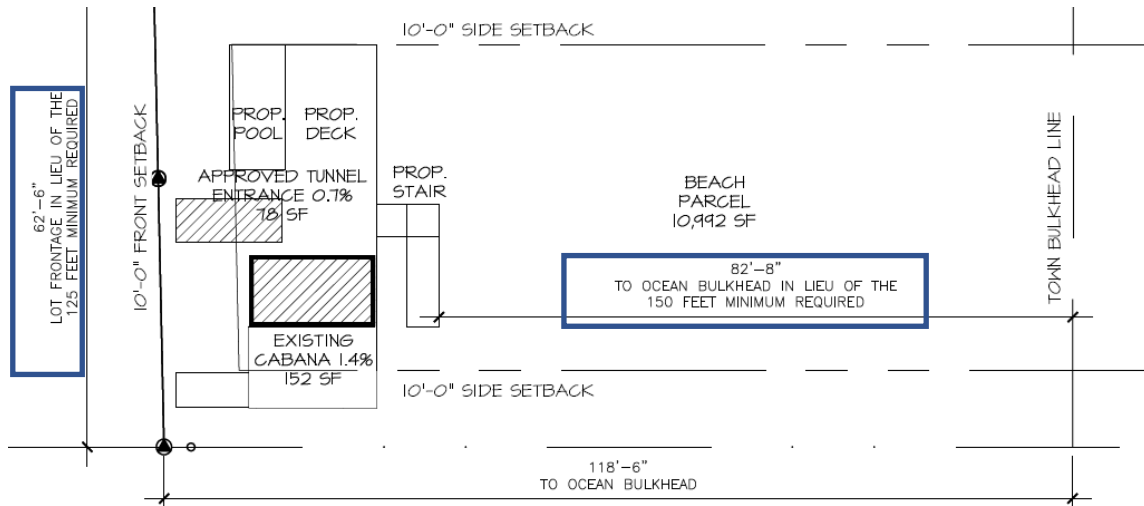
Below is a summary of the subject application with regards to Zoning Code compliance and variance requests.

Site Data			
Zoning District	Beach Area (BA) adjacent to R-A	Lot Size	Existing: 5,597 SF Proposed: 10,992 SF
Future Land Use	Single-Family	Lot Width	Required: 125 FT Existing: 35.01 FT Proposed: 62.51 FT (<i>variance requested</i>)
Rear Yard Setback	Required: 150 FT Existing: 90 FT 10 IN Proposed: 82 FT- 8 IN (<i>variance requested</i>)	Front Yard Setback	Required: 20 FT Existing 2 FT-1 IN Proposed: 10 FT
Crown of Road (COR)	Existing: 18 FT – 7 IN Proposed: NC	FEMA Zone	X/VE 10
Overall Building Height	Required: 16 FT ABV C.O.R. Existing 12 FT – 7 IN Proposed: 11 FT – 3 IN	Finished Floor Elevation	Existing 18.53 FT Proposed: NC
Surrounding Properties / Zoning			
North	Beach/BA		
South	Beach/BA		
East	Atlantic Ocean		
West	Single-family home/R-A		

In addition to the Special Exception to allow modifications to an existing beach cabana pursuant to Code Sections 134-840 and 134-1472, the applicant is requesting two (2) variances that are described below. Please note, that these two (2) variances were also requested and received approval by the Town Council with the previous application for architectural changes to the beach cabana and the construction of the tunnel ZON-22-024 (ARC-22-028).

- Sec. 134-1702. Structures adjacent to ocean bulkhead. No structure of any nature that is to be constructed on land situated southward of Southern Boulevard (State Road No. 80) shall be constructed closer than 150 feet from the designated ocean bulkhead line established in Chapter 62. Variance request is to allow a setback of 103 feet from the ocean blackhead line in lieu of the 150 feet required minimum.

- Sec. 134-1475. Height, width and length limit for properties adjacent to properties in districts other than R-B. Variance request is to allow the existing beach cabana on a lot with a frontage of 62.5 feet in lieu of the 125 required minimum.



Variance Requests

The project was reviewed at the February ARCOM and deferred for one month, with Commissioners requesting restudy of the roof design, gable details, and fenestration. The applicants resubmitted for the March meeting, with the cabana design now featuring a cross gable roof, octagonal windows, and decorative gable vent details in response to comments.

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.

WRB:JGM:JHD