




TOWN OF PALM BEACH
Planning, Zoning & Building Department
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PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Landmarks Preservation Commission

TO: LPC Chairperson and Members

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

SUBJECT: COA-22-055 (ZON-23-025) 210 VIA DEL MAR (COMBO)

MEETING: MAY 17, 2023

COA-22-055 (ZON-23-025) 210 VIA DEL MAR (COMBO). The applicant, BEACHBOYZ DEVELOPMENT LLC., has filed an application requesting a Certificate of Appropriateness for roof replacement, window and door replacement, exterior paint, and site alterations including new landscape, hardscape, a free-standing trellis, and vehicular gates with reduced setbacks, requiring Special Exception with Site Plan Review, for the Landmarked property. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Applicant: BEACHBOYZ DEVELOPMENT LLC (Dr. Robert Fishel)
Professional: Nielson Landscape Architects

HISTORY:

The application was initially reviewed at the December 2022 meeting, where a request to replace the existing roof with a new Ludiwici clay tile roof and a request to replace the existing windows and doors with Hartman mahogany impact products were approved. The residence's paint scheme and proposed landscape and hardscape improvements, including a new pergola and gates, were deferred for restudy.

The applicant submitted a revised design for review at the April 2023 meeting. The proposal was subsequently deferred for one month, with Commission members requesting modifications to the design of the human and vehicular gates, driveway paving patterns, paint color, and garden trellis structure. The applicant resubmitted on April 28, 2023, for the May LPC meeting.

THE PROJECT:

The applicant has submitted plans, entitled "210 Via Del Mar Garden", as prepared by **Nielson Landscape Architects**, dated April 28, 2023.

The following is the scope of work for the project:

- Landscape and hardscape revisions.
- Exterior paint.
- Installation of new vehicular and human gates.

Site Data			
Zoning District	R-A	Future Land Use:	Single-Family
Style	Tudor Revival	Designated:	4/13/93
Year of Construction:	1928	Architect:	Treanor & Fatio
Landscape Open Space	Required: 50% Proposed: 50% (12,675 SF)	Front Yard Landscape Open Space	Required: 45% Proposed: 58% (2,995 SF)
Vehicular Gate Setback	Required: 18' Proposed: 3'-7" and 4'-10" <i>Special Exception Required</i>		
Surrounding Properties			
North	2019 two-story residence		
South	1936 two-story residence		
East	2019 two-story residence		
West	Lake Worth Lagoon		

STAFF ANALYSIS

The application is presented to the Commission to consider whether all the criteria in section 54-122 have been met.

The following elements appear inconsistent with the following sections of the Town Zoning Code:

- **SPECIAL EXCEPTION with SITE PLAN REVIEW: Sec.134-1688:** to construct new driveway vehicular gates with 3'-7" (west gate) and 4'-10" (east gate) setbacks from the edge of pavement, in lieu of the 18 ft setback required, on a dead end / cul-de-sac street.

The application was initially reviewed at the December 2022 meeting, where requests to replace the existing roof with a new Ludiwici clay tile system and the existing windows and doors with Hartman mahogany impact products were approved. The Commission deferred the balance of the application, requesting a restudy of the proposed site alterations and paint scheme.

The application includes modifications to the property's driveway off Via Del Mar. Currently, there are three large curb cuts for vehicles which dead-end at the home's façade. The applicants are requesting to reduce the number of curb cuts to two to create a circular drive with a landscape buffer. The plans request to install two new vehicle gates, which do not meet the minimum setback requirements prescribed by the zoning code. The west vehicle gate is proposed with a setback of 3'-7" and the east gate with a setback of 4'-10" from the edge of pavement. The application includes a Special Exception with Site Plan Review request for review and approval by the Town Council should the Landmarks Commission approve the design. This parcel is the western-most property on Via Del Mar and there are no driveways on the opposite side of the street in front of the parcel, therefore staff does not anticipate an issue with traffic flow if a vehicle is partially in the roadway while waiting for the vehicular gate to open. Additional site alterations have been determined to be zoning compliant.

The applicants submitted a revised application based on comments received at the April 2023 meeting. The driveway paving pattern has been adjusted to a diamond pattern to alleviate the front door alignment issues discussed at the April meeting. Additionally, a revised paint scheme for the

exposed half-timbering has been revised to “Mexican Sand”, which is darker than what was proposed at the April meeting. The vehicular and human gates have also been simplified with a custom wrought iron alternating spear-top picket configuration.

Approval of the project will require one motion 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. The Special Exception and Site Plan Review portion of the application is scheduled for review by the Town Council.

WRB: JGM: JRH