

# SMITH AND MOORE ARCHITECTS, INC.

Harold Smith • Jonathan Moore • Peter Papadopoulos • Daniel Kahan



Re: 302 Seabreeze Ave.,  
Palm Beach, FL 33480

May 8<sup>th</sup>, 2023

## **LETTER OF INTENT (LOI)**

**ARC-22-243 (ZON-23-014)**

### **PROPOSED TWO-STORY RESIDENCE IN R-B ZONING**

Please find for review the attached drawings and documentation for our proposed new project in the R-B Zoning District of Palm Beach. The proposal is for the construction of a new two-story home on a currently occupied Lot. We believe the proposal is in accordance with the following guidelines:

### **ARCHITECTURAL REVIEW IN ACCORDANCE WITH SECTION 18-205 AND 18-206:**

#### **Sec. 18-205. - Criteria for building permit.**

We are submitting a proposed design that we consider tasteful with harmonious and balanced elevations, providing texture and shadow, and designed with appropriate materials and details.

1. The plan for this proposed design 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 is reasonably protected against external and internal noise and other factors that would tend to make the environment less desirable.
  - a. The plans show that major entertaining spaces are centrally located on the site placing these spaces far as possible from neighboring properties.
  - b. The proposed pool area is located at the rear of the Residence.
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 building is in harmony with the proposed developments on land in the general area and with the compressive plan for the town.
5. The proposed building is not excessively similar to any other structure 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. The proposed design does not have apparently visible identical front or side elevations.
  - b. The proposed design 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.

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- c. The proposed design does 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 building is not excessively dissimilar in relation to any 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. The proposed addition or accessory structure is subservient in style and massing to the principal or main structure. The proposed design keeps the garage wing subservient to the principal mass.
8. The proposed design 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 (except alleys).
9. The proposed design 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. The proposed design does not negatively impact any existing natural features.

## **SPECIAL EXCEPTION 134-229**

**SPECIAL EXCEPTION W/ SITE PLAN REVIEW:** Sec. 134-446(c), Sec. 134-893 (c) and Sec. 134-329 Special Exception with Site plan Review. to allow the construction of a residence on platted lots which is 75' feet in width in lieu of the 100' minimum width required and lot area (9,1878 SF) in lieu of the minimum lot area (10,000 SF) in the R-B Zoning District.

1. 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 25 feet short of the required lot width.
2. The design, location and operation of the proposed residence will not adversely affect public health, safety, welfare or morals.
3. 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.
4. The proposed single family residence will be compatible with the neighborhood and purpose of the district as it is permitted.
5. The proposed single family residence will comply with all requirements set forth in Article VI of the Zoning Code, if applicable.
6. The proposed single family residence will comply with the comprehensive plan, if applicable.
7. The proposed single family residence will not result in substantial economic, noise, glare, or odor impacts on properties within the district.

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8. 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.
9. There are no signs being proposed.
10. Utility service will remain unchanged or be improved, thus there will be no negative impact on health and safety.
11. 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.
12. N/A – Town serving
13. N/A – No historic/specimen trees
14. 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 owner of the property, Sean Rooney, is in control of the property. A single family residence is a permitted use in the RB Zoning District.

2. 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.
3. Ingress, egress, utilities and refuse collection will be via Seabreeze Avenue, which is capable of handling traffic and other such uses in a residential neighborhood.
4. N/A
5. The proposed site plan and landscape plan provides for buffers and screening from neighboring properties.
6. The proposed drainage plan meets the Town of Palm Beach's drainage requirements.
7. The utility hook ups will remain or be improved to meet the current Town of Palm Beach requirements.
8. The recreation facilities are private and will be screened from the neighboring properties by landscaping.
9. N/A
10. N/A
11. 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.

## **VARIANCES 134-201**

**VARIANCE 1:** Section 134-2179 (b) Residential districts. In the R-B zoning districts, one and two-family dwellings shall provide the required parking set forth in section 134-2176. The following number of those required off-street parking spaces shall be located in an enclosed garage: (1) Lots which are 75 feet or more in width shall provide two parking spaces. Variance is being requested to provide one (1) garage parking space in lieu of the two (2) required.

**VARIANCE 2:** Section 134-1729(1)(d) Request for a variance to allow a generator that will not be screened with a wall the height of the generator.

~~**VARIANCE 3:** Section 134-1728(4) Request for a variance to allow air conditioning units behind the cabana and garage to not be screened with a wall the height of the air conditioning units.~~

1. The special condition peculiar to this property and residence is that proposed home is in a neighborhood with smaller lots with many homes that have no garages or only one-car garages. The ~~mechanical equipment~~ generator needs to be on a pad that is above the new FEMA guidelines

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and the code only allows for a height of a wall in the rear to be 7 feet tall, thus a conflict with the ability to meet two sections of the code.

2. The special conditions and circumstances do not result from the applicant. The applicant intends to construct a residence for their family that will be architecturally-appealing to the neighborhood and a two-car garage would be too overwhelming for the street. The FEMA requirements and the wall limitations are a conflict in the code that is not the result of the applicant's actions.

3. The granting of the variance will not confer on the applicant a special privilege. There are many homes in the neighborhood with one car or no garages and with ~~mechanical equipment~~ generators that are not completely screened by walls.

4. The hardship, which runs with the land, is in order to design a modest new home that will be sensitive to the neighborhood, a 2-car garage is overly burdensome on this non-conforming lot. The FEMA requirement is a hardship with meeting our code requirements.

5. The variance requested is the minimum necessary to make reasonable use of the land considering the applicant's intention to have a one-car garage and to construct a visually-appealing residence for their family. The ~~mechanical equipment~~ generator will be screened sufficiently with walls and landscaping.

6. Granting the variance will be in harmony with the general intent and purpose of this chapter. Allowing a one-car garage will enable the applicant to achieve his goal of a modest home with substantial greenspace. The ~~mechanical equipment~~ generator will be screened to the best of the applicant's ability.

Sincerely,



Peter Papadopoulos  
Principal Architect