



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

MEETING: JUNE 14, 2023

ZON-23-025 (COA-22-055) 210 VIA DEL MAR (COMBO) – SPECIAL EXCEPTION WITH SITE PLAN REVIEW. The applicant, BEACHBOYZ DEVELOPMENT LLC., has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for reduced vehicular gate setbacks on a cul-de-sac street. The Landmarks Preservation Commission will perform the design review for modifications to the existing Landmarked residence and grounds.

LPC NOTICE:

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 (Robert Fishel)
Professional: Nielson Landscape Architect

HISTORY:

This item was originally scheduled for January 11, 2023 Town Council Development Review meeting but was deferred pending LPC approval. The item was consequently deferred again at the FEBRUARY 15, 2023, MARCH 15, 2023, APRIL 4, 2023, and MAY 10, 2023 TC meetings. At the MAY, 17, 2023 LPC meeting, the project was approved.

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:

- Replacement of existing roof tiles.
- Replacement of existing and doors with impact rated wood units.
- Review of existing paint schemes.

- Revisions to existing landscape.
- Addition of vehicular gates.
- New garden trellis.

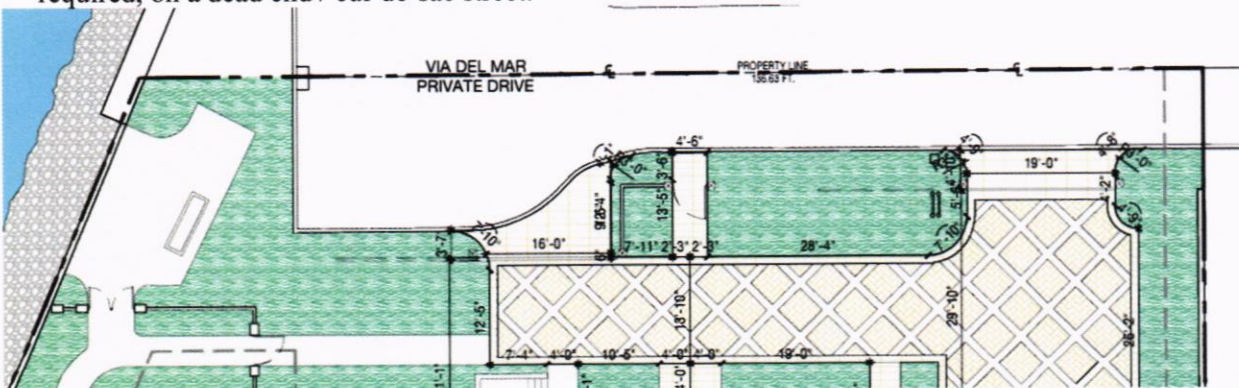
Site Data			
Zoning District	R-A	Future Land Use:	Single-Family
Style	Tudor Revival	Designated:	4/13/93
Year of Construction:	1928	Architect:	Treanor & Fatio
Surrounding Properties			
North	2019 two-story residence		
South	1936 two-story residence		
East	2019 two-story residence		
West	Lake Worth Lagoon		

STAFF ANALYSIS

The application proposes a reduction in the number of driveway curb cuts along with the installation of new vehicular driveway gates with insufficient vehicle loading space between the edge of pavement and the gate. The zoning code provides an avenue for an applicant to seek a Special Exception with Site Plan Review, rather than a variance, for insufficient vehicle loading space when the property in question is located on a cul-de-sac or dead-end street. This property is the western-most property on Via Del Mar, with no driveways on the opposite side of the street in front of the parcel, and 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.

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 a 5 ft 10.5 in. setback from the edge of pavement, in lieu of the 18 ft setback required, on a dead end / cul-de-sac street.



Because these are not through streets, a vehicle which is partially in the roadway while waiting for the gate to operate will not impede local traffic flow.

WRB:JGM:BMF