



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

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

SUBJECT: ZON-23-044 (COA-23-017) 360 SEASPRAY AVE (COMBO)

MEETING: JUNE 14, 2023

**COA-23-017 (ZON-23-044) 360 SEASPRAY AVE (COMBO).** The applicants, Justin and Meira Besikof, have filed an application requesting a Certificate of Appropriateness for proposed exterior alterations, additions, and site modifications to a Landmarked single-family residence requiring variances for reduced setbacks (west), the removal of garage parking, and pool screening requirements. Town Council will review the zoning components/relief requests of the application.

**ZON-23-044 (COA-23-017) 360 SEASPRAY AVE (COMBO)—VARIANCES.** The applicants, Justin and Meira Besikof, have filed an application requesting Town Council review and approval of (3) Variances to (1) to reduce the required street side yard (west) setback, (2) to provide no garage parking, and (3) to not provide code compliant screening for a swimming pool, in conjunction with proposed exterior alterations, additions, and site modifications to a Landmarked single-family residence. The Landmarks Preservation Commission will perform design review of the application.

Applicant: Justin & Meira Besikof  
Professional: SKA Architect + Planner  
Representative: Maura Ziska, Esq.

#### **HISTORY**

At the May 17, 2023 LPC meeting the item was approved (7-0) and a motion was made that the variances would not (7-0) negatively impact the architecture.

#### **THE PROJECT:**

The applicant has submitted plans, entitled "BESIKOF RESIDENCE", as prepared by **SKA Architect + Planner**, dated May 03, 2023.

The following is the scope of work for the Project:

- An enclosure of a service entrance on a street side elevation.
- Removal of a garage to be enclosed living space.
- Opening up of a rear portion to be a loggia.

Site Data			
Zoning District	R-B	Lot Size (SF)	6,375 SF

<b>Crown of Road (C-O-R)</b>	1.96' NAVD	<b>Flood Zone</b>	AE
<b>Exist Fin. Floor Elevation</b>	5.61'	<b>Prop. Fin. Floor Elevation</b>	5.61' (N/C)
<b>Project</b>			
	<b>Required/Allowed</b>	<b>Existing</b>	<b>Proposed</b>
<b>Lot Coverage</b>	30%	28.39% (1,809.89 SF)	N/C
<b>Landscape Open Space</b>	45%	31.2% (1,988 SF)	N/C
<b>Surrounding Properties / Zoning</b>			
<b>North</b>	1926 Two-Story Residence / R-B Zoning		
<b>South</b>	1943 One-Story Residence / R-B Zoning		
<b>East</b>	1946 One-Story Residence / R-B Zoning		
<b>West</b>	1924 Three-Story Residence / R-B Zoning		

### **STAFF ANALYSIS**

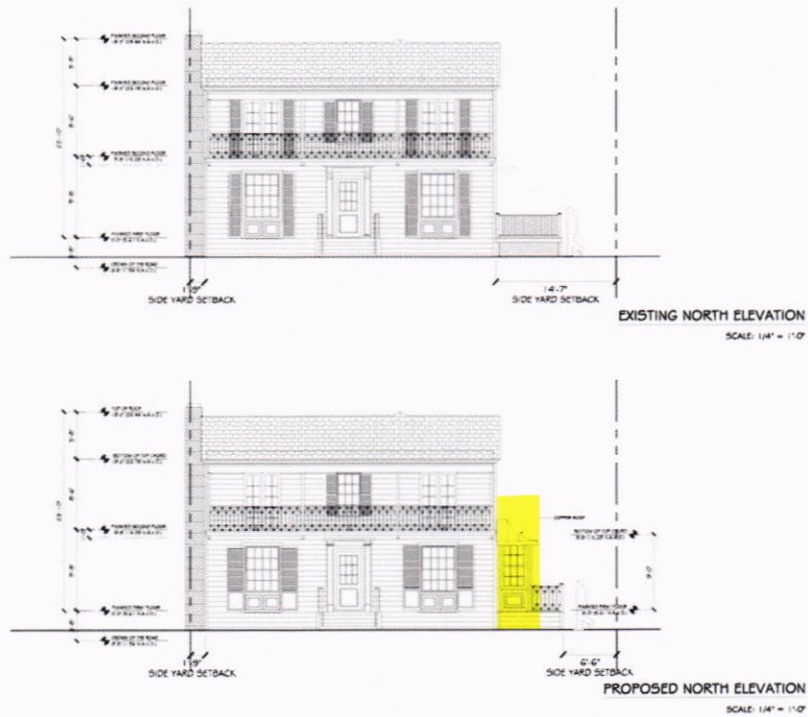
The application, as proposed, appears inconsistent with the following sections of the town code:

- Variance #1: Sec. 134-1576(a): A variance to allow a west street side yard setback for an addition at 6.46' in lieu of the 25' minimum required.
- Variance #2: Sec. 134-2179(b): A variance to have 0 garage parking spaces in lieu of the 1 garage parking space required.
- Variance #3: Sec. 134-1757: A variance to allow a swimming pool at the required street side setback without the required 6' solid screening wall.

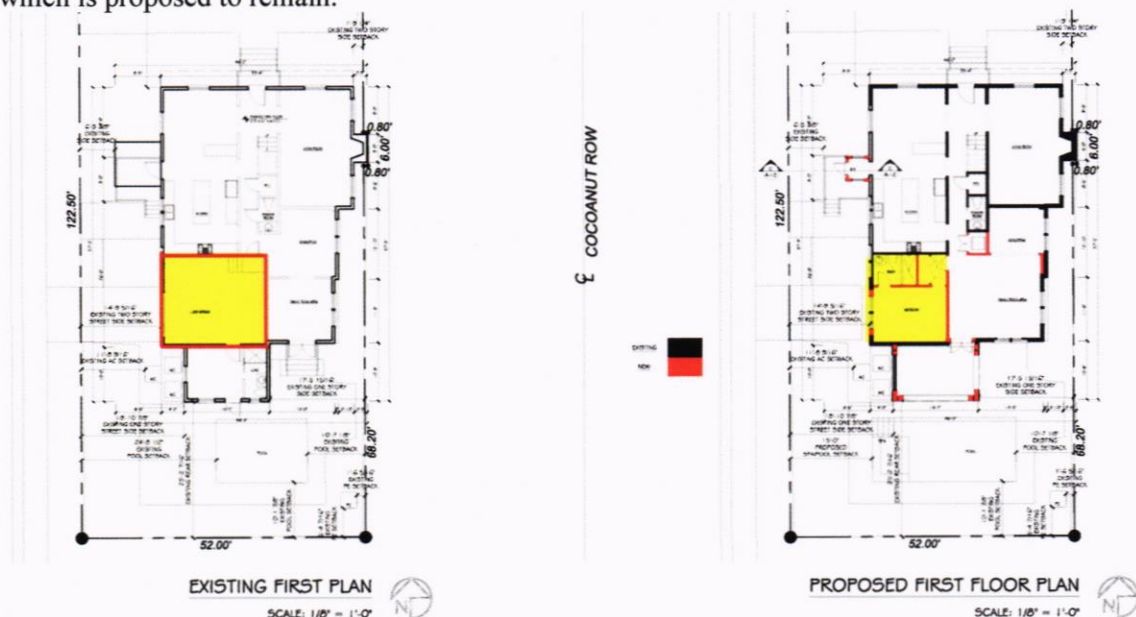
The two-story single family residential structure located at 360 Seaspray Ave was designated as a Palm Beach Landmark in 2016. Per the applicant's Letter of Intent, the application is for a renovation and addition of the existing property, with variances required. The proposal for renovation includes partial rear demolition, glass vestibule enclosure, and removal of the one-car garage. There is no change of use, occupancy, or building height proposed as part of this application.

The current application seeks to enclose a service entry on the west street side elevation. The existing service entry is located within the street side-yard setback, and enclosing it triggers the request for a street side yard variance.



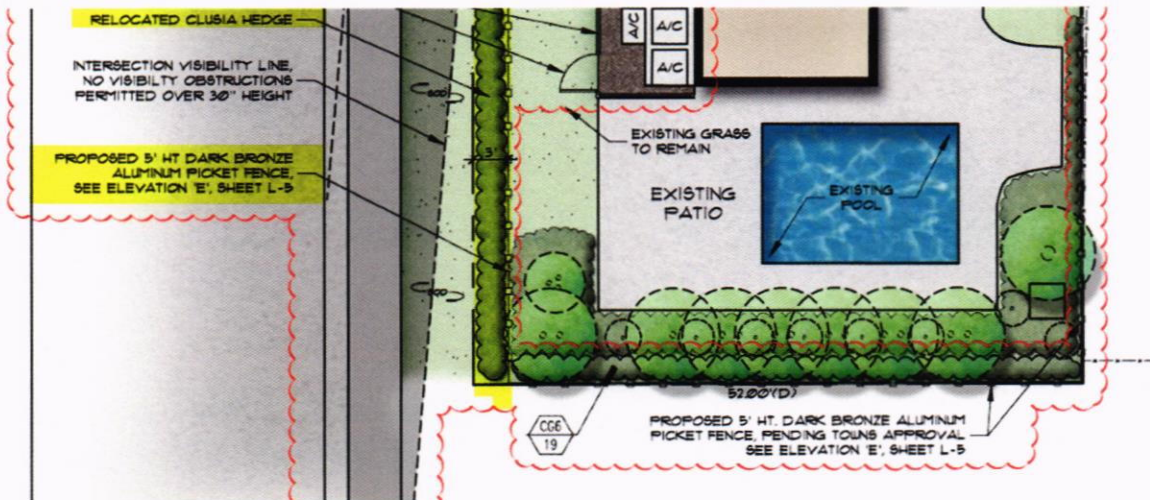


The applicant also proposes conversion of a garage into living area. Enclosed garage parking spaces are a requirement, and eliminating the garage triggers the need for a variance. Based on the lot width of the subject parcel, 1 enclosed parking space is required, and one enclosed parking space is existing. Zero enclosed parking spaces are proposed, and the single vehicle parking space in the west yard is proposed to remain. There is an existing motor court in the north front yard on Seaspray which is proposed to remain.



The conversion of a rear room into an open loggia does not trigger the need for variances.

The applicant is also proposing minor hardscape changes including the expansion of a swimming pool. Swimming pools are permitted within a street-side setback area with a 15' setback, provided they meet the requirement of being screened with both a 6' high wall and a 6' high hedge between the required wall and street. The applicant is proposing to forgo the requirement that the pool be screened by both a wall and a hedge triggering a variance. In lieu of a 6' masonry wall, a 5' bronze aluminum picket fence is proposed with a Clusia hedge between it and the street.



### Conclusion

Approval of the project will require one motion to be made by the Town Council: (1) that the variances **should or should not** be granted that all of the criteria applicable to this application as set forth in Section 134-201(a), items 1 through 7 have been met.

WRB:JGM:BMF