



ARCHITECT + PLANNER

Re:
428 Seabreeze Ave
Palm Beach, Florida 33480
Date:
July 10, 2023

SKA Architect+Planner - LETTER OF INTENT
RELATED TO THE NEW CONSTRUCTION OF A TWO STORY SINGLE FAMILY HOME
WITH DETACHED ONE STORY CABANA AT
428 SEABREEZE AVE

We are pleased to submit the accompanying drawings for the new construction of a two story single family home with detached one story cabana at 428 Seabreeze Ave. Please note the following:

A) LANDMARKS PRESERVATION COMMISSION 54-122 & 54-161 N/A

B) ARCOM 18-205 N/A

New construction of a 3,228 sq.ft. Monterrey style two story single family home in the same manner of the previously existing home along with detached one story cabana.

C) SPECIAL EXCEPTION WITH SITE PLAN REVIEW 134-893(c)

Section 134-893(c): Special Exception with Site Plan Review to allow the construction of a new 2 story residence and 1 story cabana on a lot that is 55 feet wide in lieu of the 100 foot width minimum required in the R-B Zoning District.

D) SPECIAL EXCEPTION 134-229

Section 134-229: Special Exception with Site Plan Review to allow the construction of a new 2 story residence and 1 story cabana on a lot that is 55 feet wide in lieu of the 100 foot width minimum required in the R-B Zoning District.

The requirements for granting a special exception use under this chapter are as follows:

(1)The use is a permitted special exception use as set forth in article VI of this chapter.

The residential use is permitted.

(2)The use is so designed, located and proposed to be operated that the public health, safety, welfare and morals will be protected.

The use meets above mentioned requirements.

(3)The use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.

The use will not cause injury.

(4)The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.

The use is compatible with development and purpose.

(5)The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.

The use complies with the above mentioned requirements.

(6)The use will comply with all elements of the comprehensive plan.

The use complies with the above mentioned requirements.

(7)The use not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district.

The use will not cause above mentioned impacts.

(8)Adequate ingress and egress to property and proposed structures thereon and off-street parking and loading areas will be provided where required, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Adequate ingress and egress is provided.

(9)Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and economic impact shall be compatible and in harmony with properties in the district.

No planned signs. Exterior lighting to meet code and be compatible and in harmony as directed.

(10)Location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.

The use complies with the above mentioned requirements.

(11)Refuse and service areas for the use shall not adversely affect automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.

The use will not adversely affect above mentioned situations.

(12)In all districts except the C-OPI district, and also with the exception of hotel, motel and timeshare uses, the proposed special exception use will not attract the principal portion of its customers/clients from off-island locations. The applicant shall submit evidence satisfactory to the town council that not less than 50 percent of the customers of the proposed use will be town persons. Evidence submitted in support of this contention shall include credible data or information suitable for review by the town to determine the credibility and the appropriateness of the applicant's conclusion. The submittal shall include a description of the types of information used and the methodology employed to arrive at the conclusion. Information used shall include, but shall not be limited to, lists of customer/client addresses or certification thereof by an independent certified public accountant approved by the town, market studies prepared by independent professional firms, or data from similar operations under the control of the applicant. The town may in the future require the applicant to demonstrate to the satisfaction of the town council that the special exception use is continuing to be town-serving.

Residential use; above mentioned not applicable.

(13)If historic/specimen trees are located on the subject property, the location of said historic/specimen trees shall be identified on a signed and sealed survey. In addition, adequate landscaping, screening and barricade protection of historic/specimen trees shall be demonstrated to be provided as required in this chapter.

None have been identified.

(14)The proposed use will not place a greater burden than would be caused by a permitted use on municipal police services due to increased traffic or on fire protection services due to the existence of or increased potential for fire/safety code violations.

The use will not place such burdens.

E) SITE PLAN REVIEW 134-329

Section 134-329: Site Plan Review to allow the construction of a residence on a non-conforming platted lot which is 55 feet in width in lieu of the 100 foot minimum width required in the RB Zoning District.

Within 30 days of receipt of the application for site plan review, the town council shall review and consider the application. Before any site plan shall be approved, approved with changes, or denied, the town council shall make a finding that the approval of the site plan will or will not adversely affect the public interest and certify that the specific zoning requirements governing the individual use have or have not been met and that, further, satisfactory provision and an arrangement has or has not been made concerning the following matters, where applicable:

(1) Sufficiency of statements on ownership and control of the subject property and sufficiency of conditions of ownership or control, use and permanent maintenance of common open space, common facilities or common lands to ensure preservation of such lands and facilities for their intended purpose and to ensure that such common facilities will not become a future liability for the town.

The owners of the property is Dr. and Mrs. Chauncey Crandall and they are in control of the property. A single family residence is a permitted use in the R-B Zoning District.

(2) Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon; provided, however, that nothing in this subsection shall be construed as granting the town council the authority to reduce residential densities below that permitted by the use regulations in article VI of this chapter.

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 and egress to the property and the proposed structure thereof, with particular reference to automotive and pedestrian safety; separation of automotive traffic; traffic flow and control; provision of services and servicing of utilities and refuse collection; and access in case of fire, catastrophe or emergency.

Ingress, egress, utilities and refuse collection will be via Seabreeze Ave, which is capable of handling traffic and other such uses in a residential neighborhood.

(4) Location and relationship of off-street parking and off-street loading facilities to thoroughfares and internal traffic patterns within the property, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.

N/A

(5) Proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the property boundaries.

The proposed site plan and landscape plan provides for buffers and screening from neighboring properties.

(6) Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the consequences of such drainage on overall town capacities.

The proposed drainage plan meets the Town of Palm Beach's drainage requirements.

(7) Utilities, with reference to hook-in locations and availability and capacity for the uses projected.
The utility hook ups will remain or be improved to meet the current Town of Palm Beach requirements.

(8) Recreation facilities and open spaces, with attention to the size, location and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and uses within the property, and relationship to communitywide open spaces and recreation facilities.

The recreation facilities are private and will be screened from the neighboring properties by landscaping

(9) Such other standards as may be imposed by this chapter for the particular use or activity involved.

N/A

(10) Height of commercial structures with reference to adjoining buildings, the effect on uniformity in height, and the general principle of retaining the low profile scale of commercial architecture.

N/A

(11) Visible size and bulk. The proposed development should be so arranged that it minimizes the visible bulk of the structures to drivers and pedestrians on abutting roadways, the point of reference being the centerline of the abutting roadways, with the intent being to maintain visual impact of multistory buildings at the same relative level of intensity as a single-story building at the minimum required setback.

The proposed two story residence follows the Sea Streets Ordinance and the one story cabana meets all of the setback requirements and is well within the zoning requirements. Both structures fit nicely into the neighborhood and will not be overly intrusive on the street.

F) SEA STREETS ORDINANCE PROVISIONS 134-893(a)

Section 134-893(a): The proposed new construction in the R-B Zoning District follows the Sea Streets Ordinance.

(a) In order to protect the unique, residential character of Seaview Avenue, Seaspray Avenue and Seabreeze Avenue (Sea Streets), partial or complete demolition and reconstruction of a single-family dwelling and/or accessory buildings on a lot 75 feet or less in width are exempt from the lot, yard, and area requirements as set forth in this section if redeveloped substantially on the same footprint as existed prior to demolition provided the following conditions are met:

(1) The proposed single-family dwelling and/or accessory buildings are of an architectural style consistent with the architecture of the single-family dwellings within the R-B zoning district on both sides of the subject street, between the intersecting streets in both directions, where the dwelling is situated, as determined by the architectural commission.

The façade of the new construction is virtually identical to the existing structure and therefore of a very consistent architecture style on both sides of the subject street.

(2) The proposed single-family dwelling and/or accessory building(s) shall meet the requirements in subsection (c) of this section.

Subsection (c) refers to special exception with site plan review detailed above.

(3) If the existing footprint of the single-family dwelling and/or accessory building(s) lay within five feet of a side or rear lot line, the replacement footprint must be shifted such that an absolute minimum five foot side and rear lot line setback is created, and further the redeveloped home must be situated at least ten feet apart from any structure on a neighboring lot.

The minimum side setback of the new structure is 5'-11" and the distance between the redeveloped home and existing structure on the east neighboring lot to the east is greater than 10 feet.

(4) The height and overall height from the point of measurement of the proposed single-family dwelling and/or accessory buildings are no higher than the dwelling and/or accessory buildings being demolished.

The height and overall height from point of measurement of the proposed dwelling are the same as existing.

(5) Any square footage added to the proposed single-family dwelling and/or accessory buildings shall meet all lot, yard and bulk zoning requirements in the Code.

The added square footage meets the lot, yard, and bulk zoning requirements.

(6) If using the provisions of this subsection (a) above, no variances can be requested for any new additions which add additional square footage or cubic content than existed prior to demolition of a single-family dwelling and/or accessory buildings.

No variances are needed for the additional square footage or cubic content.

G) VARIANCES

Variance 1: 134-893(a)(3): Request to demolish and reconstruct a single-family house on substantially the same footprint as the existing house, with an exterior stair side yard setback of 2.75 feet and chimney of 3.75 feet in lieu of the 5 foot minimum required.

Variance 2: 134-2179(b)(2): Request to demolish and reconstruct a single-family house on substantially the same footprint as the existing house without a garage in lieu of the minimum one parking space garage required for a 55-foot wide lot within the R-B Zoning District.

134-201– Findings prior to authorization.

(1) The special conditions and circumstances related to the subject property is that it is non-conforming in width and area, with a width of 55 feet in lieu of the 100-foot required in the R-B Zoning District and an area of 6,375.5 square feet in lieu of the 10,000-foot minimum in the R-B Zoning District, and the existing house is below the required flood plain elevation. The proposed house will be built on substantially the same footprint as the existing house, which does not allow for a garage.

(2) The special conditions and circumstances are not the result of the applicant as the property was non-conforming in width and area and the flood plain elevation prior to acquisition by the applicant.

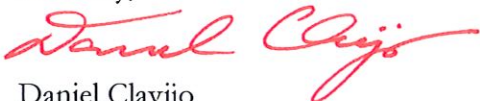
(3) Granting of the variances requested will not confer any special privilege that is denied to the neighboring properties as the neighboring properties contain significantly more square footage than the subject property and several of the houses on the neighboring properties encroach within 5 feet of the side yard. Further, several of the surrounding properties do not contain garages.

(4) The hardship, which runs with the land, is that the property is non-conforming in width and area, and the new house is required to be at 7.0 NAVD, which would require exterior stairs to access the first floor. The configuration of the house and the size of the lot does not allow for a garage, yet the proposed plan includes a concrete driveway to allow for at least one car to park on the property.

(5) The variance requested is the minimum necessary to make reasonable use of the land as the stairs are necessary to access the first floor and the existing house includes a chimney.

(6) The granting of the variances will not be injurious to the neighborhood. The stairs will not be noticeable to passersby and the chimney will not negatively affect the surrounding properties.

Sincerely,



Daniel Clavijo