

## LETTER OF INTENT

ARC-23-107 and ZON-23-077 is a request to permit the renovation of an existing home to include the addition of a bump-out front entry feature, replacement of windows and doors and enclosure of a balcony in the rear of the residence at 162 E. Inlet Drive. The required plans are submitted with this Application.

Please note the following as it relates to this application:

ARCOM Section 18-205:

We are submitting a proposal that we consider tastefully designed, which will not interfere with the existing harmonious and balanced elevations, and will not be visible from any direction at eye level.

1. The addition of the bump-out entry, enclosure of back balcony and other renovations are in conformity with good taste and design and in general contribute to the image of the Town and neighborhood as a place of beauty, spaciousness, balance, charm and high quality.
2. Not Applicable.
3. The design and appearance of the proposed renovations are not of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance value.
4. The proposed renovation is in harmony with the proposed developments on land in the general area and with the comprehensive plan for the town.
5. The proposed renovation 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. This proposal does not have apparently visible identical front or side elevations.
  - b. We do 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 renovation 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 addition.
  - 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 renovation is subservient in style and massing to the principal or main structure.
  - a. The proposed massing and details will be congruent with but subservient to those of the principal existing structure.
  - b. The details and proportions will also be in keeping with the main structure but scaled to the proportions of the accessory structure.
8. The proposed renovation 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).
  - a. There is no change to the outward appearance of the existing residence.
9. The proposed renovation is generally in conformity with the standards of this code and other applicable ordinances with the exception of the required cubic content and the lot coverage requirements of the code. The renovation meets all other dimensional requirements of the code.
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 renovation does not negatively impact any existing natural features.

Section 134-201. Applicant is requesting variances as follows:

The following zoning relief is requested:

1. **Variance 1: Sec. 134-893(b)(13):** A variance to permit the renovation with a cubic content ratio of 4.405 in lieu of 4.248 existing and 3.99 maximum permitted

Granting of the variances will not be contrary to the public's interest because no negative impact to the neighbors will result. The renovated home still meets all lot, yard and area requirements including, lot coverage, setback requirements, height and overall height and landscape open space requirements, so the variance is de minimis and technical in scope. The home will remain in proportion with other neighboring homes. Landscaping is actually being increased as part of the renovation.

See Site History attached hereto as Exhibit "A."

**Criteria for Site Plan Review – N/A**

**Criteria for Special Exceptions – N/A**

## Criteria for Authorizing a Variance

1. List the special conditions and circumstances peculiar to the land, structure or building which are not applicable to other lands, structures or buildings in the same zoning district.

The hardship and special conditions applicable to this property are that the CCR requirement is intended to prevent larger homes on properties than what is intended, but this home meets all lot coverage, height and overall height and setback requirements. The relief requested is de minimis in scope. Landscaping is actually increasing.

2. Indicate how the special conditions and circumstances do not result from the actions of the Applicant.

The renovations are small in scope and do not result in an overbuilt home on this lot.

3. Demonstrate that the granting of the variance will not confer on the Applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district.

No special privileges will be conferred on the Applicant if the variances are granted because the applicant is not proposing to add any non-conforming uses to the building. The bump-out entry and enclosure of balcony will barely be visible to neighbors.

4. Demonstrate how literal interpretation of this ordinance would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the Applicant.

Literal interpretation of the ordinances would deprive Applicant of the right to beautify the building and to add very small comfort features that add little overall space to the home.

5. Demonstrate that the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

The requested relief is the minimum necessary because the proposed relief is de minimis. All lot, yard and area requirements are in compliance other than CCR.

6. For granting of a variance to sections 134-387, or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings must be demonstrated pertaining to the nonconforming use for which the variance is requested:

- a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
- b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:

- i. Be granted only for the continuation of the same hotel or residential use; and,
- ii. Require the Applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

N/A

- 7. Show how the granting of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

The granting of these variances are in harmony with the intent and purpose of the Zoning Code because the requested renovation and small additions are an improvement to this home, make it more useable in the future and have no negative impact on neighbors or the neighborhood.

**EXHIBIT “A”**  
**Site History**

1. SPR#14-2002 and Variance

One story home converted to two-story home.

Variance for angle of vision of 102° in lie of 100° minimum allowed

Variance withdrawn

Site plan approved December 10, 2022



**TOWN OF PALM BEACH**  
 Planning, Zoning & Building Department  
 360 South County Road  
 Palm Beach, FL 33480  
 (561) 838-5430 • [www.townofpalmbeach.com](http://www.townofpalmbeach.com)

### DEVELOPMENT REVIEW APPLICATION

Updated 08/16/21

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                  |                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| <b>FILE NUMBER:</b> ARC-23-107                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>ZONING NUMBER (if applicable):</b> ZON-23-077                                                                                                                                                                                                                                                                                                                                 | <b>DATE:</b> 6/26/2023 |
| <b>ADDRESS:</b> 162 E. Inlet Drive, Palm Beach, FL 33480                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                  |                        |
| <input type="checkbox"/> <b>LANDMARKS</b><br><input type="checkbox"/> Certificate of Appropriateness for design approval<br><input type="checkbox"/> Certificate of Appropriateness for demolition<br><input type="checkbox"/> Historically Significant building<br><input type="checkbox"/> Historic district/ Site designation / undesignation<br><input type="checkbox"/> Other (expand below)<br><input type="checkbox"/> Waiver<br><input type="checkbox"/> Tax abatement project | <input checked="" type="checkbox"/> <b>ARCOM</b><br><input checked="" type="checkbox"/> Design review approval- <u>major project</u><br><input type="checkbox"/> Design review approval- <u>minor project</u><br><input type="checkbox"/> Design review approval- <u>minor no notice</u><br><input type="checkbox"/> Demolition<br><input type="checkbox"/> Other (expand below) |                        |
| <input type="checkbox"/> <b>TOWN COUNCIL</b><br><input type="checkbox"/> Special exception<br><input checked="" type="checkbox"/> Variance(s)<br><input type="checkbox"/> Site plan review<br><input type="checkbox"/> Division of land / replat<br><input type="checkbox"/> Amendment to the Town's Zoning Code or Zoning Map or Comprehensive Plan or Future Land Use Map<br><input type="checkbox"/> Other (expand below)                                                           |                                                                                                                                                                                                                                                                                                                                                                                  |                        |
| <input type="checkbox"/> <b>Other:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                  |                        |
| <b>Property Information</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                  |                        |
| ADDRESS OF PROPERTY<br>162 E. Inlet Drive                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                  |                        |
| LEGAL DESCRIPTION (if necessary attach as separate exhibit)<br><br>See attached Exhibit "B" for Legal Description                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                  |                        |
| PROPERTY OWNER NAME<br>David and Jill Shulman                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                  |                        |
| CONTACT NUMBER AND/OR EMAIL<br>c/o M. Timothy Hanlon, (561) 659-1770, tim.hanlon@amrl.com                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                  |                        |
| APPLICANT NAME (if different than owner)<br>same                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                  |                        |
| CONTACT NUMBER AND/OR EMAIL<br>same                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                  |                        |
| <b>Authorized Representative(s) Information (if applicable)</b>                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                  |                        |
| NAME<br>M. Timothy Hanlon                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <input checked="" type="checkbox"/> Attorney<br><input type="checkbox"/> Agent<br><input type="checkbox"/> Other _____                                                                                                                                                                                                                                                           |                        |
| CONTACT PHONE<br>(561) 659-1770                                                                                                                                                                                                                                                                                                                                                                                                                                                        | EMAIL ADDRESS<br>tim.hanlon@amrl.com                                                                                                                                                                                                                                                                                                                                             |                        |

**Summary of Request (NOTE: A separate Letter of Intent (LOI) is required as part of the submittal prerequisite)****PROVIDE A BRIEF SCOPE OF PROJECT REQUEST**

Request to renovate the existing house including adding one entry bump-out, replacing doors and windows, and enclosing one of the back balconies. The project also includes redesigning the pool and awning. See attached LOI for explanation of zoning relief requested.

**Project Information**

|                                                                                                   |                                         |                                        |
|---------------------------------------------------------------------------------------------------|-----------------------------------------|----------------------------------------|
| Is there an existing building(s) on the site?                                                     | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |
| Does the project include minor exterior demolition?                                               | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |
| Does the project include total demolition?                                                        | <input type="checkbox"/> YES            | <input checked="" type="checkbox"/> NO |
| Does the project include exterior alterations?                                                    | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |
| Does the project include site plan modifications?                                                 | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |
| Provide the total square footage of the new construction.                                         | 351                                     | SF.                                    |
| Provide the gross square footage of the new construction (including parking and all usable area). | 351                                     | SF.                                    |

**Design Professional (primary design professional responsible for project design)**

|                                                                                                                          |                                               |
|--------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| NAME: SKA Architect & Planner                                                                                            | <input checked="" type="checkbox"/> Architect |
| LICENSE #:                                                                                                               | <input type="checkbox"/> Contractor           |
| <input type="checkbox"/> Check this box if you are a Commission member that will result in a voting conflict of interest | <input type="checkbox"/> Landscape Architect  |
|                                                                                                                          | <input type="checkbox"/> Engineer             |
|                                                                                                                          | <input type="checkbox"/> Other _____          |
| CONTACT PHONE<br>(561) 655 - 1116                                                                                        | EMAIL ADDRESS<br>daniel@skaarchitect.com      |

**Please read the following and acknowledge below:**

- ☐ As part of the project approval, I voluntarily agree to dedicate a utility easement supporting the undergrounding project to the satisfaction of the Town of Palm Beach, which may include the installation of aboveground electrical equipment and pads to be placed on my property.

The aforementioned is acknowledged by:

☐ Owner of the subject property

☒ Authorized representative

  
M. Timothy Hanlon

SIGNATURE

PRINT NAME

June 8, 2023

DATE SIGNED

**"Exhibit A"**  
**NOTICE AFFIDAVIT**

(rev 05/19/23)

FILE NUMBER: ARC-23-108FILE NUMBER: ZON-23-077

STATE OF FLORIDA  
COUNTY OF PALM BEACH, TOWN OF PALM BEACH

BEFORE ME THIS DAY PERSONALLY APPEARED M. Timothy Hanlon  
WHO BEING DULY SWORN, DEPOSES AND SAYS THAT:

1. He/she is the owner, or the owner's authorized agent, of the real property legally described in the Application; and
2. The accompanying Property Owners List is, to the best of his/her knowledge, a complete and accurate list of all property owners' mailing addresses and property control numbers dated no more than 90 days prior to the meeting at which the subject application will be heard, and as recorded in the latest official tax rolls for the subject property and all other property within **three hundred (300) feet, or other radius distance if required**, of the real property described in the Application, or all property within **three hundred (300) feet, or other radius distance if required**, of all contiguous property owned wholly or in part by the owner of the real property described in the Application for approval, if applicable; and
3. A copy of the **MAILER NOTICE**, prepared by the Town of Palm Beach, to all surrounding Property Owners (as described above in 2.) and **TOWN HALL** shall be included in each envelope submitted for mailing, and will be mailed **FIRST CLASS (NOT CERTIFIED MAIL) at least 30 days prior** to the meeting using the labels provided by the Property Appraiser's office.
4. A **completed USPS Certificate of Mailing – Firm (PS Form 3665)** submitted to and Postmarked with Date of Receipt to the USPS shall be **submitted to the Town of Palm Beach**. This service provides evidence that the mailer has presented individual items to the Postal Service for mailing. The Certificate of Mailing must retain the original written approval granted by the Postal Service as evidence that the privately printed facsimile of PS Form 3665 has been approved by the Postal Service.

**FURTHER AFFIANT SAYETH NOT.**

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of June, 2023, by  
Month/Year

M. Timothy Hanlon who is personally known to me or who has produced  
(Name of person acknowledging)

\_\_\_\_\_ as identification.  
(Type of identification)

M. Timothy Hanlon

Applicant's Signature

Courtney Rydman

Notary as to Owner or to Authorized Agent

M. Timothy Hanlon

Applicant's (or Agent's) Printed Name

340 Royal Poinciana Way, Suite 321, PB, FL 33480

Applicant's (or Agent's) Address

My Commission Expires: 12/30/2024



**EXHIBIT "B"**  
**Legal Description**

Lot 18, of Plat of Sea Isles Estates, according to the Plat thereof, recorded in Plat Book 25, Page 89, of the Public Records of Palm Beach County, Florida.