



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

FROM: Wayne Bergman, MCP, LEED-AP<sup>WB</sup>  
Director PZ&B

SUBJECT: ARC-23-120 (ZON-23-088) 1600 S OCEAN BLVD (COMBO)

MEETING: NOVEMBER 20, 2023 ARCOM  
DECEMBER 13, 2023 TOWN COUNCIL

**ARC-23-120 (ZON-23-088) 1600 S OCEAN BLVD (COMBO).** The applicant, PB Pavilion Trust (Michael Vineberg, Robert G. Simses and Peter Flanagan, Trustees), has filed an application requesting Architectural Commission review and approval for additions to a structure including an addition in the required north side yard setback, raising roof parapet height in the required north side yard setback, and an addition in the required south side yard setback. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

**ZON-23-088 (ARC-23-120) 1600 S OCEAN BLVD (COMBO)—SITE PLAN REVIEW AND VARIANCE.** The applicant, PB Pavilion Trust (Michael Vineberg, Robert G. Simses and Peter Flanagan, Trustees), has filed an application requesting Town Council review and approval for site plan review for an addition to house a generator over 150kW, and (3) variances for (1) additional parapet height in the required north yard setback and (2 – 3) additions in the required north and south side yard setback areas. The Architectural Commission shall perform design review of the application.

Applicant: PB Pavilion Trust (Michael Vineberg, Robert G. Simses and Peter Flanagan, Trustees)  
Professional: Smith and Moore Architects, Inc. (Harold Smith)  
Representative: Maura Ziska, Esq.

**HISTORY:**

At the June 26, 2019, ARCOM meeting, an application was reviewed and approved (6-1) for “a 6,175 square foot second floor addition and a 2,920 square foot basement level addition to an existing two-story, 15,567 square foot single family residence”, pursuant to B-37-2019. At the May 24, 2023, ARCOM meeting, an application for modifications to this previously approved project for fenestration changes and a second-floor addition was reviewed and the basement changes only were approved (7-0), pursuant to ARC-23-067. The balance of the application was deferred (7-0) to the July 28, 2023 ARCOM meeting. At the July 28, 2023 ARCOM meeting, the remaining portion of the application was reviewed and approved (5-2).

The current application was originally reviewed at the September 27, 2023 ARCOM meeting. The commission had concerns with the application relating to the size and scale of the previously

approved structure with the proposed expansion. There was a general sense that the proposed changes weren't necessary and that the variance requests weren't necessary to achieve the changes.

**THE PROJECT:**

The applicant has submitted plans, entitled "1600 S OCEAN BLVD PALM BEACH, FL", as prepared by **Smith and Moore Architects Inc.**, stamped November 6, 2023.

The following is the scope of work for the Project:

- One story northwest garage extension.
- One story southwest main floor extension.
- Raise kitchen wing roof line.

The following Special Exceptions, Site Plan review and/or Variances required to complete the project, and shall be reviewed by Town Council:

- **SITE PLAN REVIEW: Sec. 134-1729(2)c.:** Site Plan Review to allow installation of 200kW generator and required generator building.
- ~~**VARIANCE 1: Sec. 134-843(a):** A variance to permit an addition with a south side yard setback of 15.1' in lieu of the 30' required.~~
  - *Variance eliminated with redesign.*
- ~~**VARIANCE 2: Sec. 134-843(a):** A variance to permit an addition with a north side yard setback of 28.77' in lieu of the 30' required.~~
  - *Variance eliminated with redesign.*
- **VARIANCE 1: Sec. 134-843(a):** A variance to permit an increase in building height (parapet) within the north side-yard setback.

Site Data			
<b>Zoning District</b>	R-A	<b>Future Land Use</b>	SINGLE-FAMILY
<b>Lot Size</b>	107,288 SF	<b>Crown of Road</b>	17.31' NAVD
<b>Lot Depth</b>	428 FT	<b>Lot Width</b>	250 FT
<b>Lot Coverage</b>	Permitted: 25% (28,822 SF) Existing: 12.1% (12,971 SF) Proposed: 14.4% (15,411 SF)	<b>Enclosed Square Footage</b>	Existing: 21,832 SF Proposed: 24,203 SF
<b>Building Height</b>	Permitted: 25' Existing: 20' Proposed: N/C	<b>Overall Building Height</b>	Permitted: 35' Proposed: 29'10" Proposed: N/C
<b>Finished Floor Elevation</b>	22.79' NAVD	<b>FEMA Flood Zone</b>	ZONE X
<b>Site Fill</b>	N/A	<b>Zero Datum</b>	30.80' NAVD

<b>Side Setback (First Floor)</b>	Required: 30' Existing: 15.33' (S) / 25.83' (N) Prop.: 15.33' (S) / 25.83' (N) <i><b>Variances Eliminated</b></i>	<b>Side Setback (Second Floor)</b>	Required: 30' Existing: 54.92' (S) / 70.92' (N) Proposed: N/C
<b>Overall Landscape Open Space</b>	Required: 50% (56,644 SF) Existing: 53.1% (57,077 SF) Proposed: 52.5% (56,369 SF)	<b>Generator Size</b>	200 kW <i><b>Site Plan Review Requested</b></i>
<b>Surrounding Properties / Zoning</b>			
<b>North</b>	1574 S Ocean Blvd   Residence / R-A		
<b>South</b>	1616 S Ocean Blvd   Residence / R-A		
<b>East</b>	Atlantic Ocean		
<b>West</b>	Lake Worth Lagoon		

### **STAFF ANALYSIS**

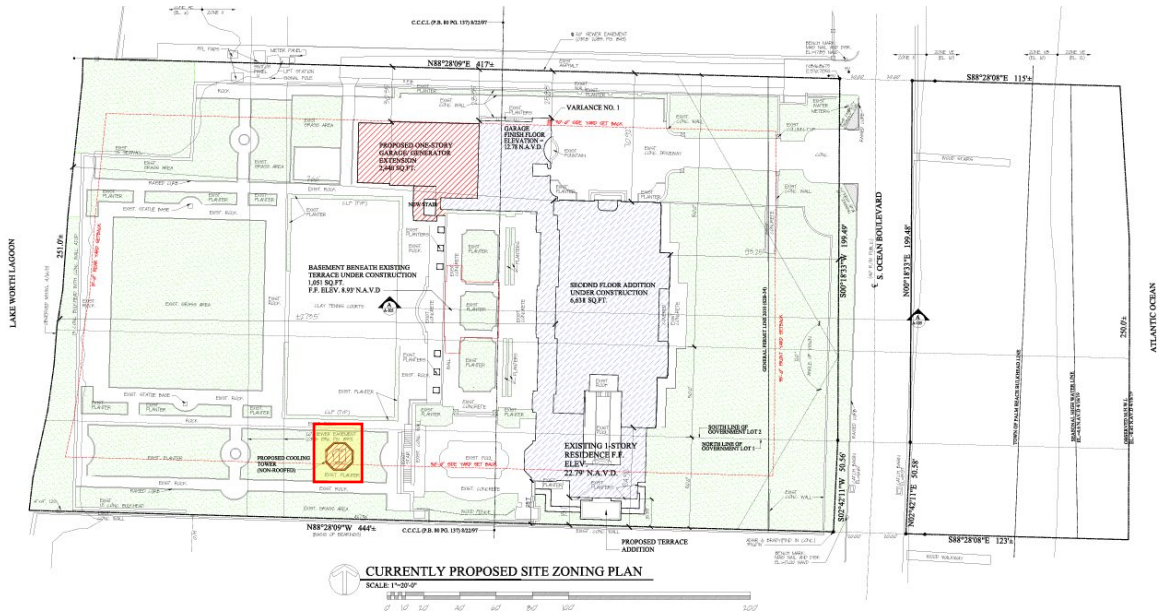
A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the above-mentioned sections of the Town zoning code.

The applicant is proposing to construct a parapet addition above maximum building height and is proposing installation of a 200 kW generator with required building enclosure.

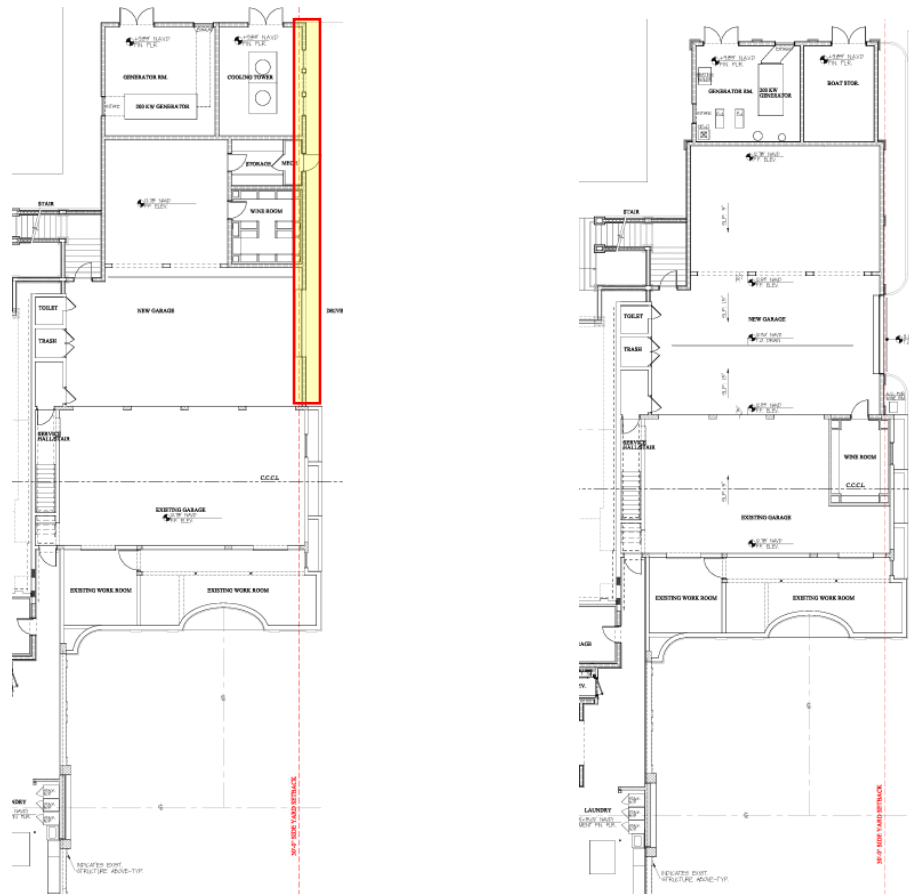
This application was originally heard at the September 27 ARCOM meeting. The project was met with apprehension by the commission, with concerns related to expansions to an already large previously approved structure. The commission also had concerns about the variance requests needed for the expansions. The applicant has resubmitted plans addressing comments of the commission, including elimination of the north and south side yard setback variances previously sought.

Changes include the elimination of the previously proposed sauna (resulting in elimination of the south side yard setback variance request), reduction of garage and pergola addition (resulting in elimination of the north side yard setback request), reduction of magnitude of variance for service wing parapet relocation of the cooling and tower and folly structure, and additional landscaping.

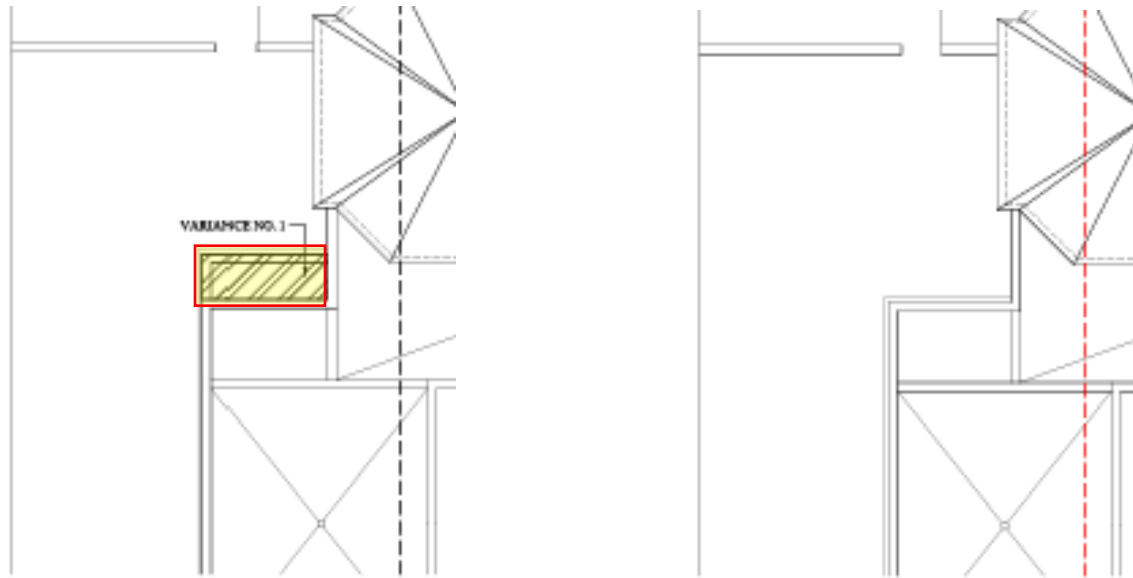
Staff will note that the applicant has not provided elevations of the cooling tower folly for review, which could result in variances.



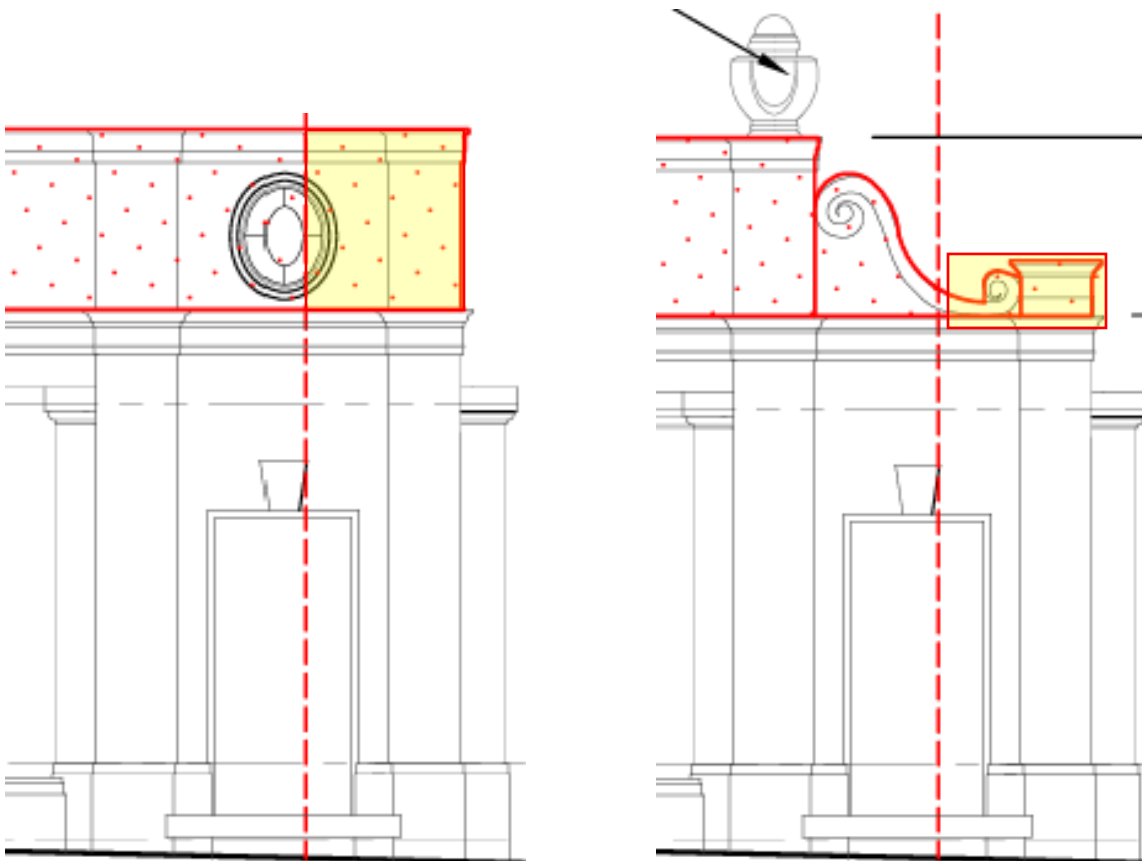
*Cooling tower and folly location on site plan.*



*Previously proposed north setback variance, now eliminated.*



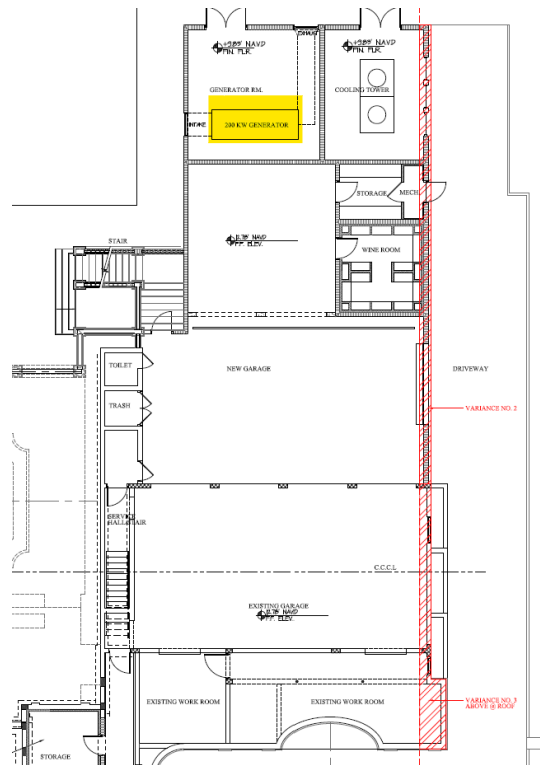
*Previously proposed south setback variance, now eliminated.*



*1Previously proposed height variance, now reduced.*

As it pertains to **Variance #1**, a variance to permit an increase in building height (parapet) within the north side-yard setback, the applicant is proposing to raise the parapet on the structure and addition within the required north side-yard.

As it pertains to the **Site Plan Review**, the applicant is proposing a 200kW generator for the site. The Town code requires that any generators over 100kW be enclosed in a building, and that the construction of the building be subject to ARCOM approval, and installation of the generator be subject to Site Plan Approval by the Town Council. The proposed 200kW is compliant with the requirements of the Code section as proposed.



**CONCLUSION:**

This application is presented to the Architectural Commission to consider whether all of the criteria in Sec: 18-205 have been met. Approval of the project will require two separate motions to be made by the Commission:

- (1) for the overall design of the project in accordance with the criteria, subject to any imposed conditions, and
- (2) that the implementation of the **Variances shall or shall not** cause negative architectural impact to the subject property. The **Variance request** is scheduled for final review and approval by Town Council.

Approval of the project will require two separate motions to be made by the Town Council:

- (1) for final determination of approval or denial of the variances by the Town Council, and that the **Variance shall or shall not** be granted and that all of the criteria applicable to this application as set forth in Section 134-201(a), items 1 through 7 have been met, and
- (2) shall be made as to whether the criteria of Sec. 134-329 Site Plan Review has or has not been met, concerning Section 134-329 items 1 through 11.

WRB:JGM:BMF