



TOWN OF PALM BEACH
Planning, Zoning & Building Department
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PLANNING, ZONING, & BUILDING DEPARTMENT

PZ&B Staff Combination Memorandum: Town Council and Landmarks Preservation Commission

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

SUBJECT: HSB-23-009 (ZON-23-111) 269 PARK AVE (COMBO)

MEETING: JANUARY 17, 2024

HSB-23-009 (ZON-23-111) 269 PARK AVE (COMBO) AND FLOODPLAIN VARIANCE.

The applicant, Schnapps 269 Park Avenue LLC (Andrew and Lorraine Dodge), has filed an application requesting Landmarks Preservation Commission review and approval for exterior alterations to an existing three-story historically significant building, specifically to add a front terrace deck onto an existing ground floor entry porch, to construct a new gable-end entry, to add four new dormer windows (two on the east and two on the west side) to the roof of an existing three-story building, requiring a variance from the Floodplain requirement from Chapter 50, Floods, to maintain the existing building at a finished floor elevation below current FEMA requirements, and a variance to expand a nonconforming third floor, to increase the maximum height and to reduce the required front and side setback. Town Council shall review the application as it pertains to zoning relief/approval.

ZON-23-111 (HSB-23-009) 269 PARK AVE (COMBO)-VARIANCES. The applicant, Schnapps 269 Park Avenue LLC (Andrew and Lorraine Dodge), has filed an application requesting Town Council review and approval for four (4) variances to (1) expand an existing nonconforming 3rd story of an existing three-story historically significant building by adding four side rooftop dormer windows, (2) to exceed the maximum overall building height for the construction of four dormer windows, (3) to reduce the required side setback for the dormer windows and habitable terrace deck, and (4) to reduce the required front setback for a new entrance feature and habitable terrace deck. The Landmarks Preservation Commission shall conduct the design review portion of the application and shall decide on the floodplain variance.

Applicant: Schnapps 269 Park Avenue LLC (Andrew and Lorraine Dodge)
Professional: Brasseur & Drobot Architects
Representative: Maura Ziska

HISTORY:

At the February 15, 1991, meeting, the Landmarks Preservation Commission unanimously voted to not recommend the property for designation as a landmark. The subject property was designated 'Historically Significant' in May of 2022 at the request of the property owner. The property is located within the Flagler Conservation District. The three-story dwelling was considered as a with a Spanish Colonial flavor with smooth stucco walls capped by Dutch gables at the north and south façades. In 1927, a porch addition (likely in the rear) and wood cladding was added in 1927. In

1954, the residence was converted into an apartment building with four units. The property is currently functioning as its original use, a single-family residence.

At the December 2023 LPC meeting, the commission was largely supportive of the design, and the project was approved as presented with the condition that street facing scuppers on the second floor terrace be moved to the sides of the building and that the parapet return to the commission for further study.

THE PROJECT:

The applicant has submitted plans, entitled "A Remodel and Addition to 269 Park Avenue", as prepared by **Brasseur & Drobot Architects** dated January 05, 2023.

The following is the scope of work for the Project:

- Partial demolition and exterior alterations to an existing three-story historically significant building, specifically to add a front terrace onto an existing ground floor entry porch, to construct a new gable-end entry, to add four new dormer windows (two on the east and two on the west) to the roof of the third floor, requiring variances to expand the nonconforming third floor, to increase the maximum height, and to reduce the required front and side yard setbacks.
- **Variance 1:** [Sec. 50-114](#): Variance to authorize the improvements to and rehabilitation of this historic building that is determined eligible for the exception of the flood resistant construction requirements of the Florida Building Code, Existing Buildings, Chapter 12 Historic Buildings, as the proposed improvements will not preclude the building's continued designation as a historic building due to a substantial improvement through the renovation of the residence with a finished floor of 4.01' NAVD in lieu of the required 7' NAVD (To be acted upon by the Landmarks Preservation Commission).

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

- **Variance 2:** [Sec. 134-948\(8\)\(a\)](#): Variance to expand an existing non-conforming 3rd story.
- **Variance 3:** [Sec. 134-948\(8\)\(a\)](#): Variance to exceed by 4'-6" the maximum building height of 23'-6" for single-family uses. The proposed height for dormers is 27'-11" from finished first floor/ 24'-10" from POM (base flood +1).
- **Variance 4:** [Sec. 134-948\(6\)\(a\)](#): Variance to reduce the required east side yard setback to construct two dormer windows with a 5.4 foot (east) side setback in lieu of the required 10 foot minimum side yard setback. This variance also extends to the new terrace above the front porch with a 5.9' foot setback.
- **Variance 5:** [Sec. 134-948\(5\)\(a\)](#): Variance to reduce the required front yard setback to construct the proposed terrace and front entry gable-end with a 8.1 foot front yard setback in lieu of the minimum 25 foot front yard setback required and existing 9.1 foot setback.

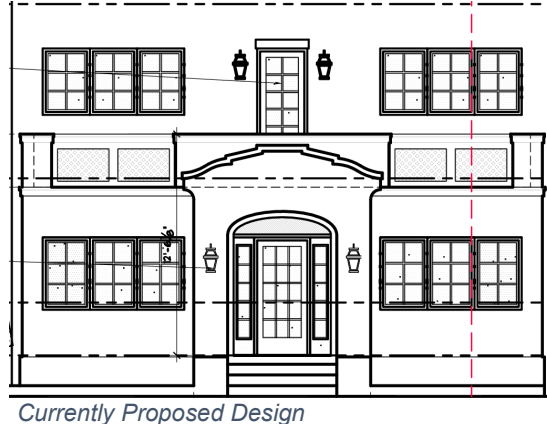
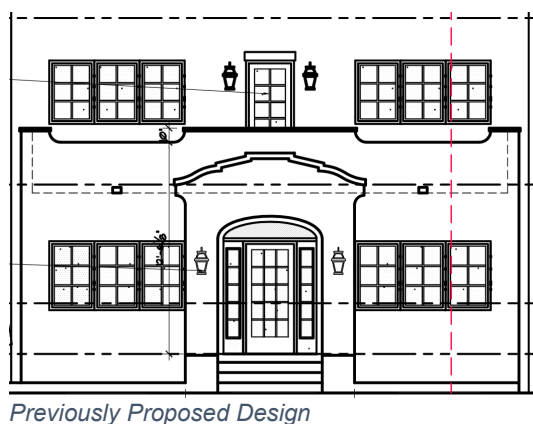
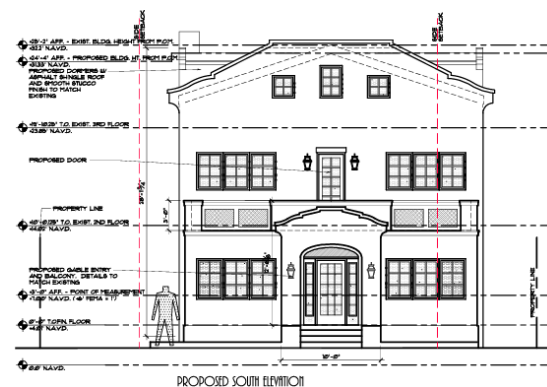
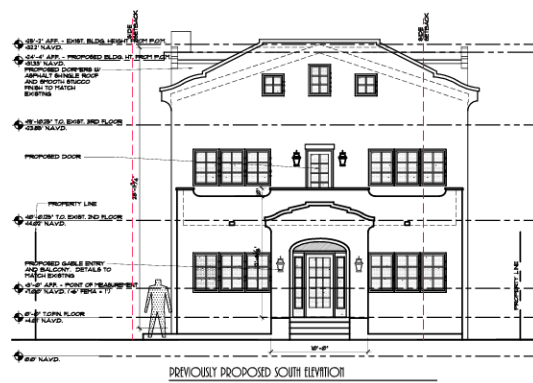
Site Data			
Zoning District	R-C	Future Land Use	COMMERCIAL
Year of Construction:	c. 1923	Architect/Builder:	Unknown
C-O-R	1.36' NAVD	Flood Zone	AE 6
Exist Fin. Floor Elevation	4.01' NAVD	Prop. Fin. Floor Elevation	No Change

Building Height	Allowed: 23'-6" (SFR) Proposed: 27'-11" <i>Variance requested</i>	Point of Measurement	7'-0" (base flood +1).
Surrounding Properties / Zoning			
North	One-story commercial / C-TS		
South	One-story commercial / C-TS		
East	Two-story residence/ R-C		
West	One-story commercial / C-TS		

STAFF ANALYSIS

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the abovementioned sections of the Town zoning code, requiring four (4) variances. The Landmark Preservation Commission voted favorably that the variances would not cause negative architectural impact.

In response to the comments of the commission, the applicant has resubmitted plans with an alternative parapet design for the structure at the second floor, street-facing terrace. The parapet design has changed to incorporate a lattice style railing feature with banding.



CONCLUSION:

As a HSB project the proposed changes must meet the Secretary of the Interior's Standards for Rehabilitation and [Sec. 18-306](#), [Sec. 54-122](#) and [Sec. 54-123](#) of the Landmark Preservation Ordinance. Approval of the project will require one motion to be made by the Commission:

- (1) for the overall design of the project in accordance with the aforementioned criteria, subject to any imposed conditions, and

Approval of the project will require one separate motion 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 that all of the criteria applicable to this application as set forth in [Sec. 134-201\(a\)](#), items 1 through 7 have been met.

WRB:JGM:BMF