



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-ARB
Director PZ&B

SUBJECT: HSB-23-007 (ZON-23-095) 124 PARC MONCEAU (COMBO)

MEETING: FEBRUARY 21, 2024, LPC
MARCH 13, 2024, TC

HSB-23-007 (ZON-23-095) 124 PARC MONCEAU (COMBO). The applicant, Parc Monceau Ltd (Peter Brooks, Representative), has filed an application requesting Landmarks Preservation Commission review and approval of a flood plain variance for improvements/rehabilitation of a designated historic building and approval for additions and renovations to an existing nonconforming historically significant building requiring town council variances required to revest existing nonconformities. Town Council shall review the application as it pertains to zoning relief/approval.

ZON-23-095 (HSB-23-007) 124 PARC MONCEAU (COMBO) – SITE PLAN REVIEW AND VARIANCES. The applicant, Parc Monceau Ltd (Peter Brooks, Representative), has filed an application requesting town council review and approval for site plan review to revest the development of an existing nonconforming parcel in the R-A zoning district, and (8) total variances: (variances 1 – 2) to revest nonconforming south side-yard and west rear-yard setbacks, (variance 3) to revest nonconforming lot coverage, (variances 4 – 5) to revest nonconforming overall and front yard landscape open space, (variance 6) to forgo the requirement of providing 2 garage parking spaces, and (variances 7– 8) for north and south sitewalls to exceed maximum heights permitted; due to the demolition of more than 50% of a façade of the existing structure. The Landmarks Preservation Commission shall perform design review of the application.

Applicant: Parc Monceau Ltd (Peter Brooks, Representative)
Architect: MP Design & Architecture (Michael Perry)
Landscape: Nievera Williams Design (Mario Nievera)

HISTORY:

The residence was designed by the architect Clarence Mack in 1961. In 2014, Parc Monceau was considered for designation as part of a historic district. At the December 16, 2015 Landmarks Preservation Commission meeting, a motion passed 4-3 that the Parc Monceau Historic District not be recommended to the Town Council for designation as a landmark of the Town of Palm Beach.

Various permits have been issued over the years related to maintenance and renovations.

In January 2023, the property was designated as a Historically Significant Building (HSB) at the request of the property owner.

THE PROJECT:

The applicant has submitted plans, entitled "Addition and Renovation to Existing 2 Story Residence at 124 Parc Monceau", as prepared by **MP DESIGN & ARCHITECTURE** dated and stamped by the Town, January 16, 2024.

The following is the scope of work for the Project:

- Proposed 341 SF second floor master bedroom addition.
- Modifications to rear elevation based on original Clarence Mack design.
- All doors and windows to be replaced with units by Hartman.
- Complete foundation repair.
- Demolition and reconstruction of rear pool and deck, eliminating encroachment over property line.

The following variance(s) are required to achieve the scope of work.

- FLOOD PLAIN VARIANCE: Sec. 50-114: A flood plain variance for improvements/rehabilitation of a designated historic building determined eligible for the exception of flood resistant construction requirements of the Florida Building Code, Existing Buildings, Chapter 12 Historic Buildings, as the proposed improvements will not preclude the buildings continued designation as a Historic building to maintain a ground floor and additions with a finished floor of **5.39' NAVD in lieu of the 7' NAVD required**. Additionally, this variance authorization and subsequent eligibility, allows for the installation of mechanical equipment, pool equipment, and a generator below the required base flood elevation.
- SITE PLAN REVIEW: Sec. 134-843(b): Site plan review to retest the development of an existing nonconforming platted lot in the R-A zoning district, which is deficient in minimum lot width (75.51' in lieu of 125' required), lot depth (135.43' in lieu of 150' required), and lot area requirements (10,722 sf in lieu of 20,000 sf required.).
- VARIANCE 1: Sec. 134-843(a)(8): A variance to permit a south side yard setback of **3.5'** in lieu of the 15' required, due to demolition of more than 50% of a façade.
- VARIANCE 2: Sec. 134-843(a)(9): A variance to permit a west rear yard setback of **1.5'** in lieu of the 15' required, for the reconstruction of an outdoor raised terrace which currently encroaches across the property line.
- VARIANCE 3: Sec. 134-843(a)(11)b: A variance to permit a lot coverage of **28.5%** in lieu of the **29%** existing and the 25% maximum permitted.
- VARIANCE 4: Sec. 134-843(a)(12)(a): A variance for an overall landscaped open space of **30.2%** in lieu of the 20.6% existing and 50% minimum required.
- VARIANCE 5: Sec. 134-843(a)(12)(b): A variance for a front yard landscape open space of **43.2%** in lieu of the 36.9% existing and 45% of front yard area required.
- VARIANCE 6: Sec. 134-2179(b)(a): A variance to provide **one enclosed garage parking**

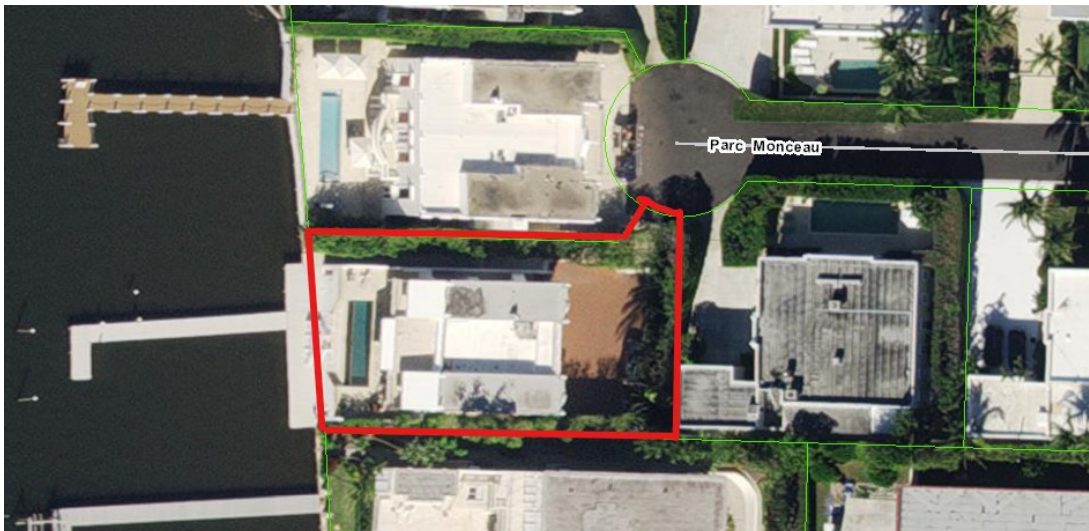
space in lieu of the minimum 2 garage parking spaces required.

- **VARIANCE 7: Sec. 134-1669:** A variance for a (north) site wall with varying heights of **7.1' to 16.75'** in lieu of the 7' maximum permitted.
- **VARIANCE 8: Sec. 134-1669:** A variance for a (south) site wall with varying heights of **10.67' to 15.33'** in lieu of the 7' maximum permitted.

| Site Data | | | |
|---------------------------------|---|---------------------------------|--|
| Zoning District | R-A | Future Land Use | SINGLE FAMILY |
| HSB Designation | January 2023 | Architect/Builder: | Clarence Mack |
| Lot Area | 10,722 SF | Year of Construction | 1961 |
| Lot Coverage | Permitted: 25% Existing: 29% Proposed: 28.5% <i>Variance requested</i> | Landscape Open Space | Required: 50% Existing: 20.6% Proposed: 30.2% <i>Variance requested</i> |
| Flood Zone | AE-6 | Finished Floor Elevation | 5.39' NAVD (Existing Finished Basement Level) |
| Surrounding Properties / Zoning | | | |
| North | 125 Parc Monceau / R-A | | |
| South | 1739 S Ocean Blvd (Via Agape) / R-A | | |
| East | 116 Parc Monceau / R-A | | |
| West | Lake Worth Lagoon | | |

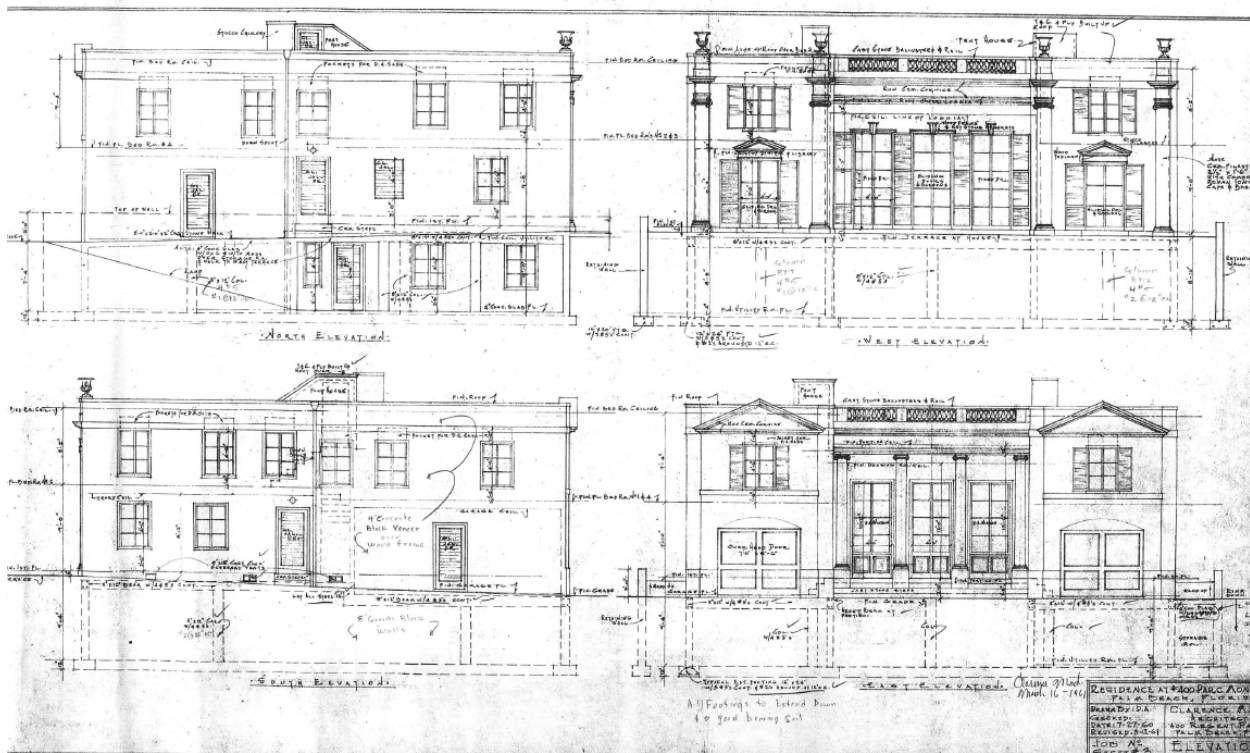
STAFF ANALYSIS

The application is seeking Landmarks Preservation Commission review and approval for renovations and additions to an existing nonconforming Historically Significant Building. The subject property is an irregularly shaped waterfront lot at the southern end of the cul-de-sac terminus of Parc Monceau, the two-story structure with basement was constructed in 1961.



As part of the restoration and additions, more than 50% of the rear waterfront (west) façade will be demolished, therefore, variances are required from Town Council for any existing zoning nonconformities. The two-story structure was built with a basement level (permitted in 1961) and that finished level is below the minimum flood elevation at 5.39' NAVD. While not visible at all from the front of the site, or along Parc Monceau, the subterranean level serves as portions of the elevated pool deck by the time you get to the rear waterfront portion of the site due to the severe grade difference. The site has a significant slope as it traverses from the east down to the Lake Worth Lagoon at the west.

The applicant is requesting LPC approval for a Flood Plain Variance from Chapter 50 the Town Code to permit the nonconforming finished floor elevation to remain after the proposed substantial improvement. Lastly, Site Plan Review is required by Town Council to retest the development of the existing nonconforming platted lot (Parc Monceau Lot 6).



The residence is a Regency style structure designed and constructed by Clarence Mack in the Parc Monceau subdivision. The primary east façade (street facing) of the structure is comprised of a tripartite division. The outermost bays are two-story with single car garages. These are proud of the center bay. The central bay is recessed, with steps leading from grade up to a covered entry portico supported by four columns supporting an entablature and cast stone balustrade. The entry door is a glass divided lite pattern with transom and is centered on the main bay and structure. Flanking the entry are four over four sash windows with wood panels below accentuated by a pediment.



Proposed east front elevation.

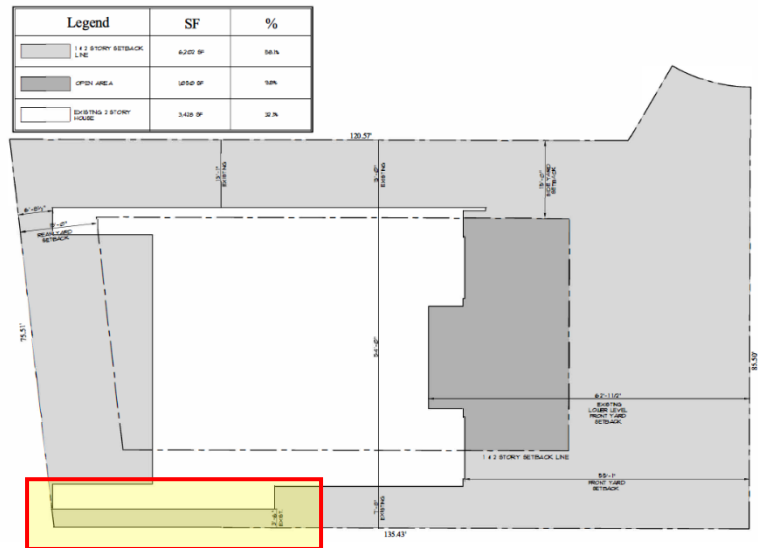


Proposed west rear elevation.

A preliminary review of the project, as proposed, appears to be inconsistent with the abovementioned sections of the Town zoning code. The application contains one (1) flood plain variance to be reviewed by the Landmarks Preservation Commission and one (1) site plan review for the nonconforming parcel to be reviewed by the Town Council. The application contains eight (8) zoning code variances for rear setback encroachment, side setback encroachment, lot coverage overage, landscape open space deficiency, elimination of a required garage parking space, and two (2) variances related to the height of site walls. The variances are triggered due to demolition of more than 50% of the rear elevation of the structure. The demolition is occurring at the lower basement level of the structure, the raised pool deck, and the rear loggia and balconies.

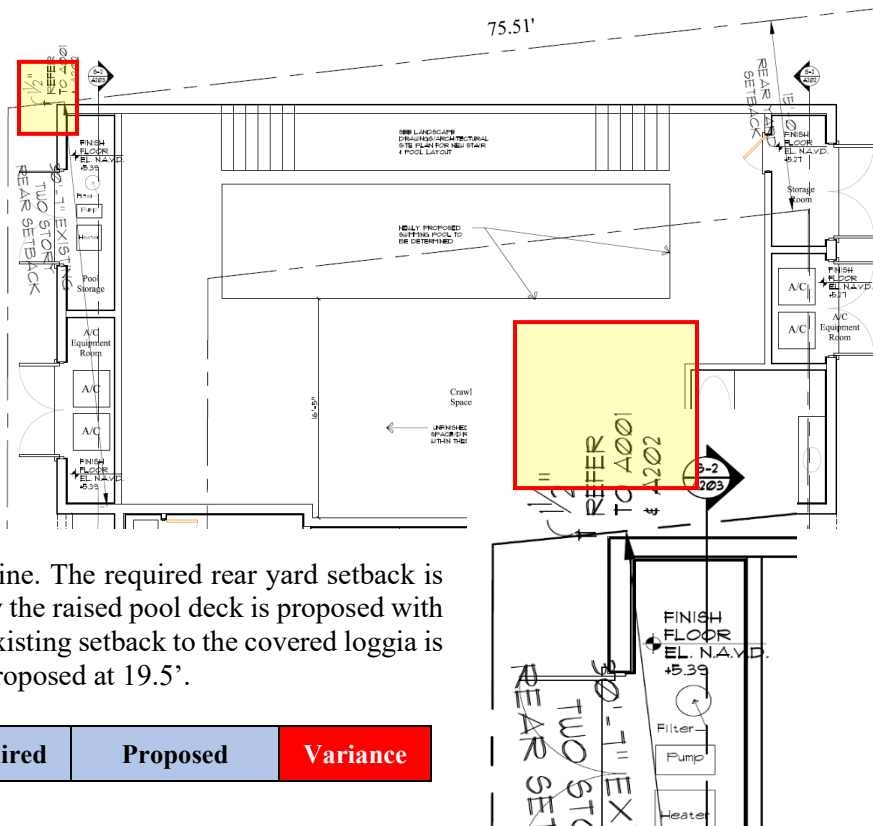
The project involves demolishing and reconstructing the rear pool, deck, and stair, altering the stair configuration to curve down towards the lake. Additionally, the covered loggias and balconies at the rear will be reconstructed with reduced projections and removal of second floor awnings. A new second-floor primary suite will be added over the center bay at the rear of the structure, featuring a flat roof with parapet and balustrade detail matching the entry portico. All exterior windows and doors will be replaced with Hartman products, designed to replicate Clarence Mack's original lite patterns. The garage doors will undergo replacement, with the north bay featuring a faux door with a window at the top center panel for the interior living space. Furthermore, landscape and hardscape improvements are proposed as part of the project.

As it pertains to Variance 1, the applicant is proposing to retain the existing 3.5' side (south) yard setback. Currently, pedestrian tunnels lead from the basement under the rear pool deck at the north and south side of the structure. The elevated pool deck is being demolished and reconstructed due to structural deficiencies. Because of the demolition, the nonconformance is not permitted to be continued and a variance is required. The required side yard setback is 15' from the property line. The diagram to the right depicts the 3.5' setback area.



| Code Section | Required | Proposed | Variance |
|------------------------------------|-----------------------------|------------------------------|----------|
| VARIANCE 1: Sec. 134-843(a)(8): | Minimum side setback of 15' | Side (south) Setback of 3.5' | 11.5' |

Variance 2 pertains to the west rear yard setback is proposed at 1.5". Currently, the pool deck encroaches 6.5" across the west property line. As part of the demolition and reconstruction of the pool deck, the encroachment across the property line is being eliminated, however, the nonconforming setback must be reverted. The graphics to the right and below identify the point where the deck is closest point to the west property line. The required rear yard setback is 15'. Staff will note that only the raised pool deck is proposed with such a slight setback. The existing setback to the covered loggia is conforming at 16.83' and proposed at 19.5'.



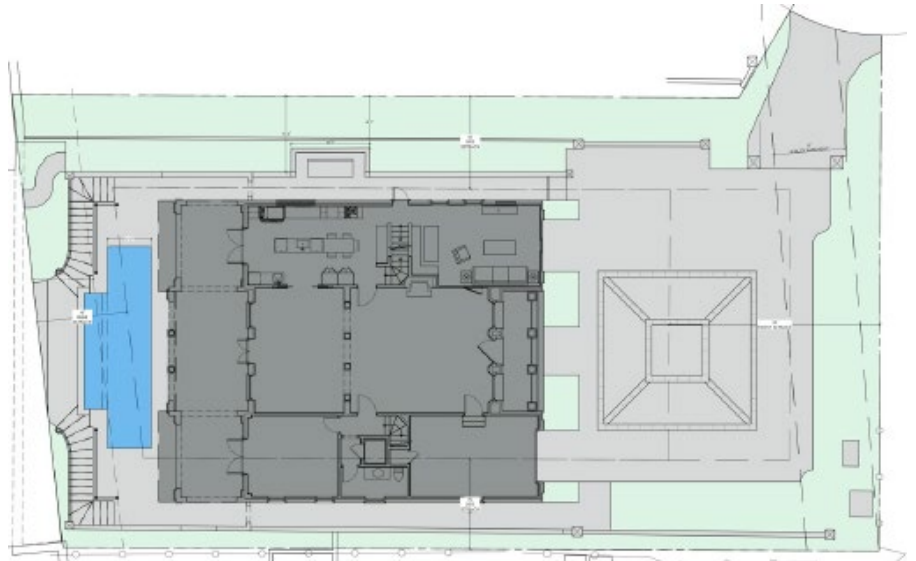
| Code Section | Required | Proposed | Variance |
|--------------|----------|----------|----------|
|--------------|----------|----------|----------|

| | | | |
|------------------------------------|-----------------------------|----------------------------|----------------|
| VARIANCE 2: Sec. 134-843(a)(9): | Minimum rear setback of 15' | Rear west) setback of 1.5" | 14.875' |
|------------------------------------|-----------------------------|----------------------------|----------------|

As it pertains to Variance 3, the applicant is proposing a lot coverage of 28.5% in lieu of the 29% and the 25% maximum proposed. The loggia at the rear of the property is being demolished and reconstructed as part of the necessary demolition and reconstruction of the raised pool deck. The proposed reconstructed loggia will be smaller than what is existing, which overall improves the existing lot coverage. While the existing nonconforming lot coverage is improving, the nonconforming lot coverage will need to be reverted due to demolition of over 50% of the west façade.

| Code Section | Required | Proposed | Variance |
|-------------------------------------|-----------------------------|---|----------------------------|
| VARIANCE 3: Sec. 134-843(a)(11)b | Maximum Lot Coverage of 25% | Lot Coverage of 28.5% (in lieu of 29% existing) | + 3.5% Over Maximum |

Variances 4 and 5 pertain to landscape open space minimums. Variance 4 to provide deficient overall landscape open space and variance 5 to provide deficient front yard landscape open space. Similar to the other variances, the existing landscape open space on site is already nonconforming at 30.2% provided overall, and 43.2% provided in the required front yard area. As a part of the proposed renovations to the site, the landscape open space is improving, with 10% additional landscape open space being added, however, it still under the minimum requirements; as such, variances are required. The proposed landscape open space diagram is shown above.



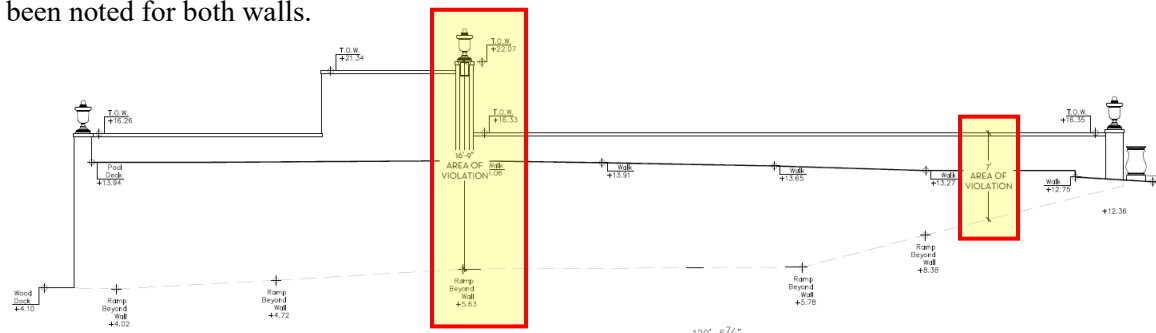
| Code Section | Required | Proposed | Variance |
|---------------------------------------|--|--|----------------------------|
| VARIANCE 4: Sec. 134-843(a)(12)(a) | Minimum Overall Landscape Open Space of 50% | Overall Landscape Open Space of 30.2% (in lieu of 20.6% existing). | 19.8% Under Minimum |
| VARIANCE 5: Sec. 134-843(a)(12)(b) | Minimum Front Yard Landscape Open Space of 45% | Front Yard Landscape Open Space of 43.2% (in lieu of 36.9% existing) | 1.8% Under Minimum |

Variance number 6 is required to permit a single car garage in lieu of the two-car garage required by

current code. When the home was originally designed, it did feature two separate single-bay garages, however, at some point in time, the north garage was converted into interior living space. From the exterior, the renovation will be sensitive to the original design and hone towards the original garage design. The proposed motor court on site is expansive as shown in the previous landscape/hardscape diagram above.

| Code Section | Required | Proposed | Variance |
|------------------------------------|----------------------------|----------------------------|-----------------------|
| VARIANCE 6: Sec. 134-2179(b)(a) | Two Enclosed Garage Spaces | One Enclosed Garage Space. | 1 Garage Space |

Variances 7 and 8 pertain to perimeter site wall heights. The parcel has a significant change in grade, sloping downwards towards the Lake Worth Lagoon. The significant change in grade has created an existing condition where the height of site walls varies greatly. On the north, the grade starts at roughly 12' NAVD and slopes all the way down to almost 4' NAVD at the west on the pedestrian ramp. On the south, the grade starts at roughly 12.5' NAVD on the east and works its way down to about 3.5' NAVD at the west property line. With the combination of the changes in grade and the height of the walls being raised to provide privacy for the subject parcel, variance requests are required. Staff notes that the grade condition is existing on site. The extremities occur at several different points across the span of the walls, so for clarity the least expanse of variance and the greatest wall high increase have been noted for both walls.

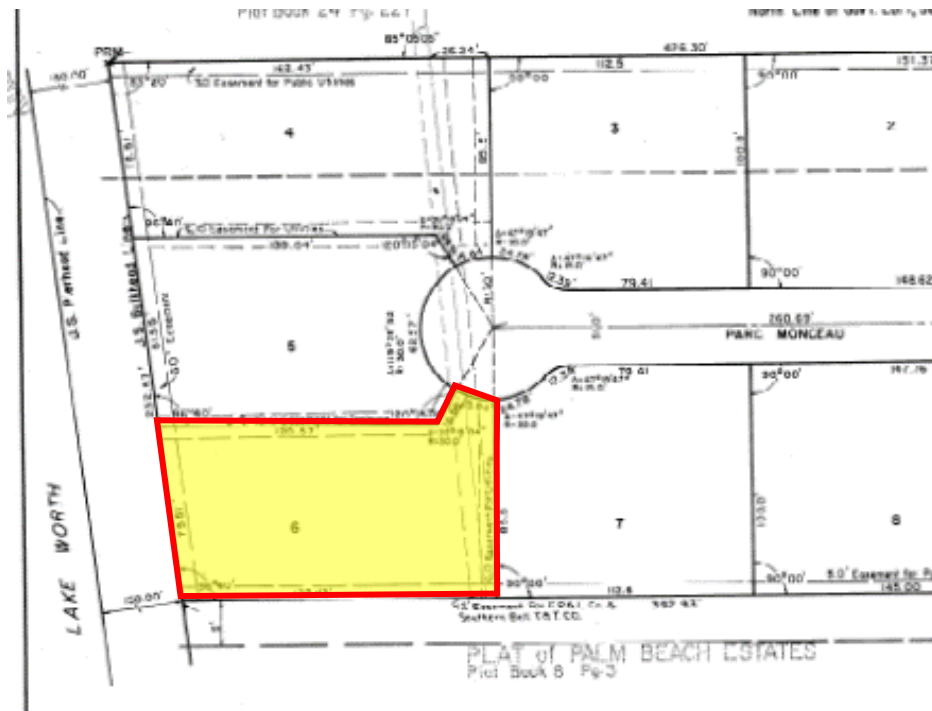
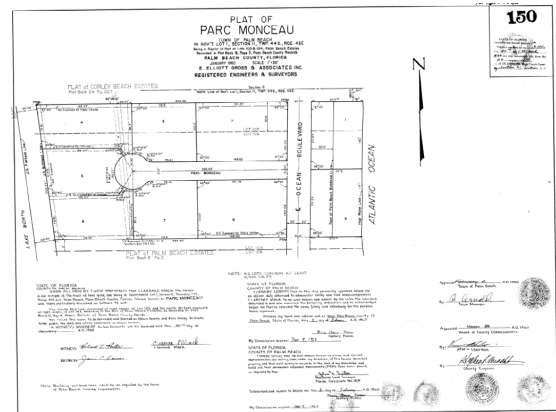


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|------------------------------|---------------------------|---|------------------------------|
| VARIANCE 8: Sec. 134-1669 | Maximum Wall Height of 7' | Varying wall height of 10.67' to 15.33' at south | 3.67'to 8.33' higher. |
|------------------------------|---------------------------|---|------------------------------|

The necessity for eight variance requests, in addition to a flood plain variance, arises from extensive demolition along one side (rear waterfront) of the 1961 structure. Renovating and enhancing older buildings, particularly those of landmarked or historical significance, presents inherent challenges within the Town's regulatory framework. Preserving these culturally significant structures is paramount for upholding the aesthetic and intrinsic charm of streets, neighborhoods, and the Town as a whole. Consequently, there exists a compelling need for a nuanced approach to zoning regulations, one that accommodates the unique demands of historic preservation. This imperative underscores the ongoing importance of ongoing reforms to the zoning code, which seek to reconcile the preservation of architectural heritage with contemporary development imperatives.

SITE PLAN REVIEW

As it pertains to the request for Site Plan Review, development of nonconforming parcels of land must be reviewed by the Town Council. As this lot is comprised of a single platted lot (Parc Monceau Lot 6) in the subdivision, only Site Plan Review by Town Council is required. The existing irregularly shaped lot is 75.51' in width (in lieu of the 125' required), 135' in depth (in lieu of the 150' required) and 10,722 square feet in area (in lieu of the 20,000 square feet required). Because of the loss of more than 50% of an elevation as part of the renovation, approval of the development the existing nonconforming improved site must be revested.



CONCLUSION:

As an 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 three (3) separate motions 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
- (2) That the floodplain variance is or is not granted pursuant to the criteria of Sec. 50-114, and
- (3) that the implementation of the proposed variances **will or will not** cause negative architectural impact to the subject property. The variance portion of the application is scheduled for review by the Town Council on March 13, 2024.

Approval of the project will require two (2) separate motions to be made by the Town Council:

- (1) for final determination of approval or denial of the variance 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.
- (2) for final determination of approval or denial of the (1) Site Plan Review for development of an undersized parcel in that the approval of said application meets the criteria set forth in Sec. 134-229 and finding that approval of the site plan will not adversely affect the public interest, that all zoning requirements governing the use have been met and that satisfactory provision and arrangement has been made.

WRB:JGM:BMF