



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

PLANNING, ZONING, & BUILDING DEPARTMENT  
PZ&B Staff Memorandum: Architectural Commission

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

SUBJECT: ARC-24-006 249 SEABREEZE AVE

MEETING: FEBRUARY 28, 2024

**ARC-24-006 249 SEABREEZE AVE.** The applicant, Joseph & Elizabeth Berger, has filed an application requesting Architectural Commission review and approval for new vehicular and pedestrian gates and modifications to previously approved landscape and hardscape, including driveway reductions and change in perimeter site walls as well as modifications to the previously approved design of the front door and balcony railings.

Applicant: Joseph & Elizabeth Berger  
Professional: James Crowley | Gunster  
John Lindgren | Gunster  
Dustin Mizell | Environment Design Group

**HISTORY:**

The subject site is a midblock parcel currently improved with a two-story residence. The parcel has frontage to the north along Seabreeze Ave. A previous application, ARC-21-042, was reviewed and approved (6-1) on October 27, 2021 for exterior modifications to the front entry door, second floor balcony, railing, and landscape modifications.

Additionally an administrative approval, A-23-02895 was approved on 05/12/23 that altered as site wall and some garden plantings including the introduction of calophyllum hedge at 12' high that required and received an authorized neighbor consent form from the western neighbor. Since this approval, there has been a Code Enforcement case (CE 23-1728) with the warning letter being issued on October 03, 2023. This case is due to windows and doors not matching the ARCOM approved plans. A remedy to these deficiencies is also included in the scope of the work of this application, as well as items that fall outside of the scope and extent of administrative applications.

**THE PROJECT:**

The applicant has submitted plans, entitled "Private Residence 249 Seabreeze Avenue" as prepared by **Environment Design Group**, dated January 29, 2024.

The following is the scope of work:

- New vehicular and pedestrian gates.
- Modifications to previously approved landscape and hardscape including reduction of driveway curb cuts.
- Change in perimeter site walls.

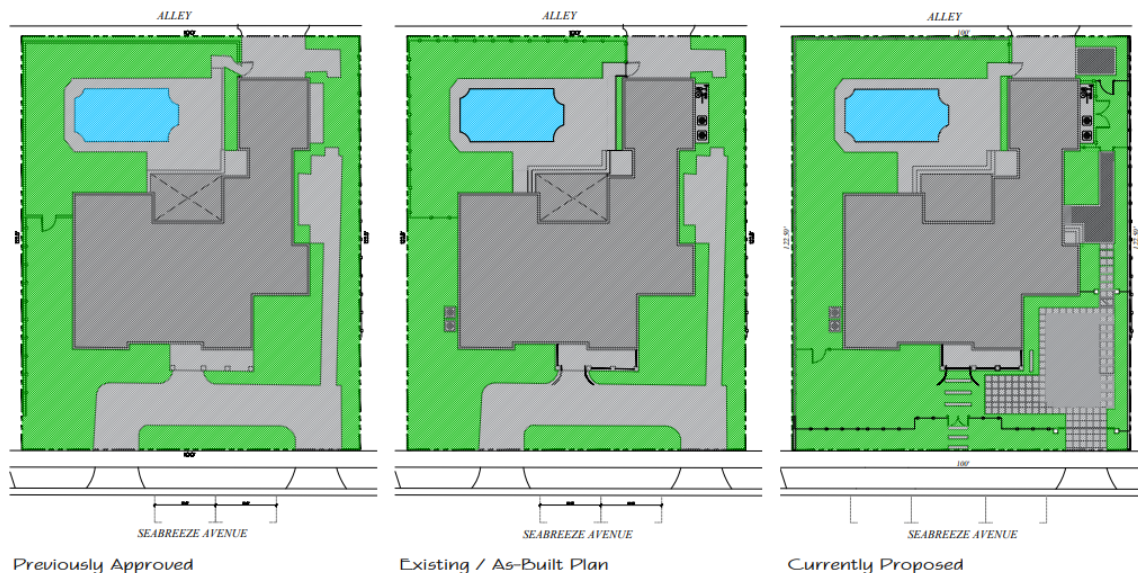
- Modifications to the previously approved front door and to the previously approved balcony railings.

Site Data			
Zoning District	R-B	Future Land Use	SINGLE-FAMILY
Lot Size	12,235 SF	Crown of Road	2.16' NAVD
Landscape Open Space	Required: 45% Proposed: 47.4%	Front Yard Landscape Open Space	Required: 40% Proposed: 45.2%
Surrounding Properties / Zoning			
North	230 Clarke Ave   Residence / R-B Zoning		
South	300 and 242 Seabreeze Ave   Residences / R-B Zoning		
East	237 Seabreeze Ave   Residence / R-B Zoning		
West	301 Seabreeze Ave   Residence / R-B Zoning		

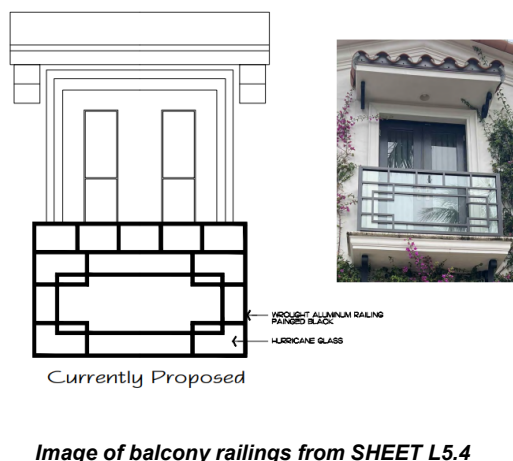
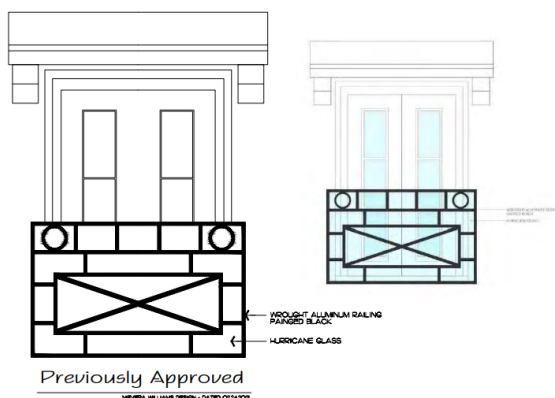
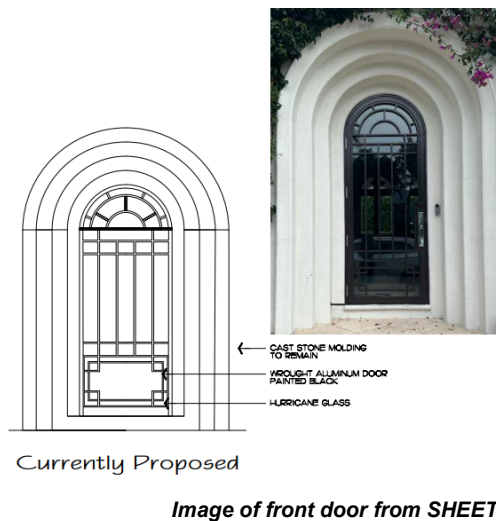
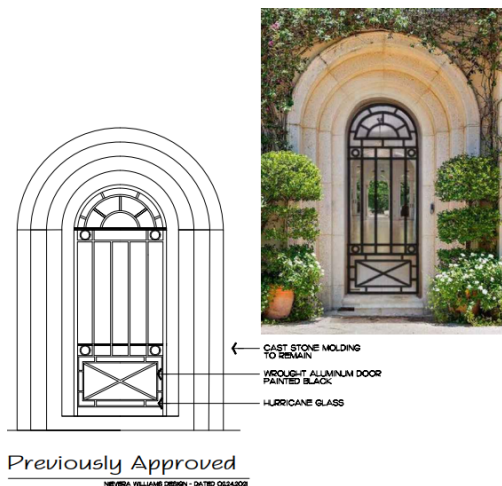
### STAFF ANALYSIS

A review of the project indicates that the application, as proposed, is consistent with the Town zoning code.

As this project has started already begun site work, it has 'As-Built Plans' within the submittal package reflect the difference in what was approved, built, and proposed—most significantly along the eastern side of the property and façade. Additionally, the project designation manual matrix requires the new driveway configuration, new driveway gate and alterations to what was previously approved by ARCOM to be heard by ARCOM. To note, there is an increase of Landscape Open Space from what was previously approved by about 7%. The reduction of the curb cut increases the Landscape Open Space and increases the number of on-street parking being proposed. The application includes the incorporation of new vehicular and pedestrian gates.



The aspects of the project that are proposed to remedy the Code Enforcement case is the change to the front door and balcony railings.



### **CONCLUSION:**

This application is presented to the Commission to consider whether all criteria in [Sec. 18-205](#) have been met. Approval of the project will require one motion to be made by the Architectural Commission:

- (1) for the overall design of the project in accordance with [Sec. 18-205](#) criteria, subject to any imposed conditions.