



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council

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

SUBJECT: ZON-23-074 755 N COUNTY RD-BEACH CLUB

MEETING: OCTOBER 11, 2023

ZON-23-074 755 N COUNTY RD-BEACH CLUB—SPECIAL EXCEPTION WITH SITE PLAN REVIEW. The applicant, Beach Club, Inc. (Robert Morris, General Manager), has filed an application requesting Town Council review and approval for a Special Exception w/ Site Plan Review for alterations and additions to an existing special exception use (Club) in the R-B Zoning District, in order to install a secondary means of beach access to match the existing beach access ramp along the bulkhead to the east of the property.

Applicant: The Beach Club Inc.
Professional: PEACOCK + LEWIS
Representative: Marua Ziska

HISTORY:

At the April 27, 2022 ARCOM meeting, a similar application was reviewed and approved (7-0) for minor renovations and an expansion to the existing Beach Club facility requiring variance relief from lot coverage and Cubic Content Ratio (CCR) restrictions, pursuant to combination file ARC-22-015 (ZON-22-015)). The variances were approved (7-0) by Town Council at the May 11, 2022 Development Review meeting.

At the May 10, 2023 Town Council development review meeting, an application was reviewed and approved for a Special Exception with Site Plan Review and Variance(s) to exceed the maximum allowable lot coverage and Cubic Content Ratio (CCR) in order to expand an outdoor covered pavilion, pursuant to ZON-23-048 (ARC-23-048). The ARCOM portion of the combo project was approved (7-0) at the April 26, 2023 ARCOM meeting.

THE PROJECT:

The applicant has submitted plans, entitled "The Beach Club: Secondary Beach Access Ramp", as prepared by **PEACOCK + LEWIS Architects and Planners**, dated September 11 2023.

The following is the scope of work:

- Installation of a second set of beach access stairs/ramp to match the existing beach access ramp along the bulkhead.

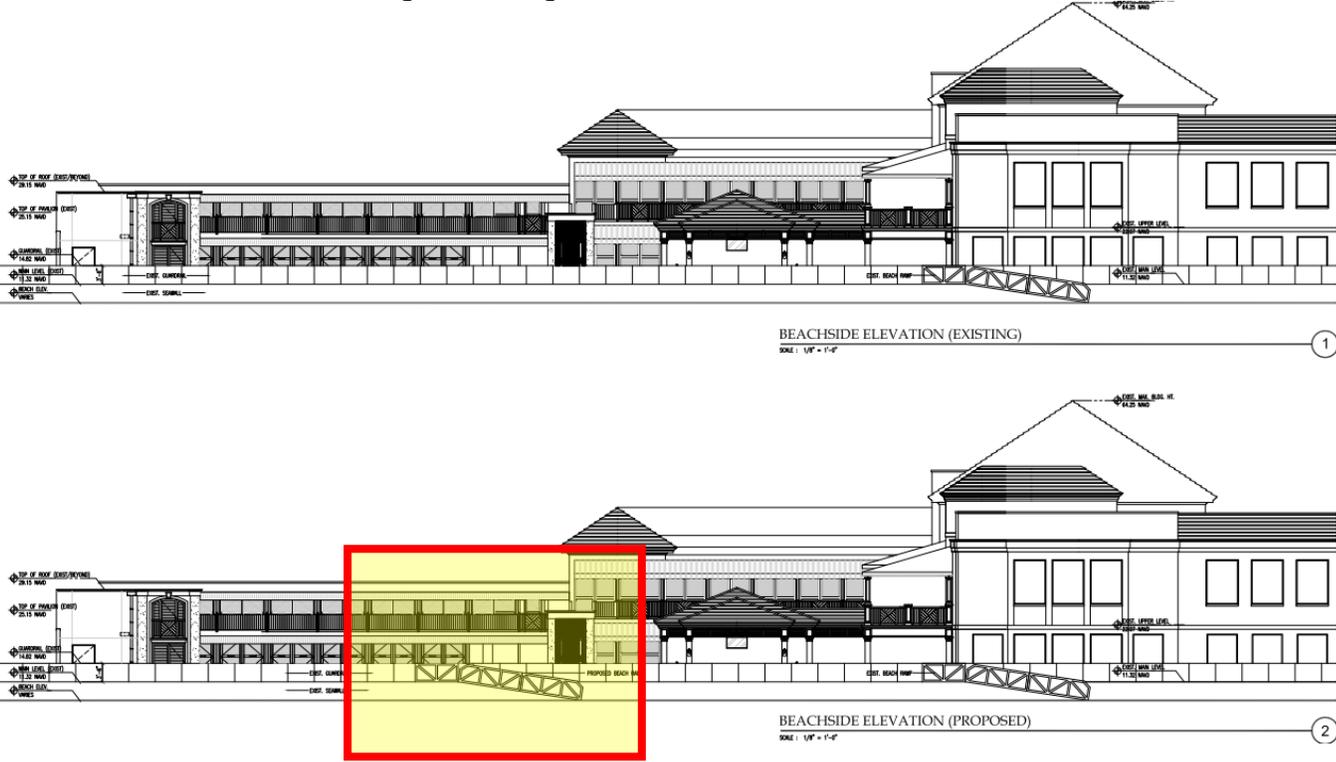
The following Special Exception with Site Plan Review and Variances are required to complete the project:

- **SPECIAL EXCEPTION W/ SITE PLAN REVIEW: Sec. 134-890::** Special Exception with Site Plan Review for alterations and additions to an existing special exception use (Club) in the R-B Zoning District.

Site Data			
Zoning District	R-B	Lot Size (sq ft)	134,260 SF
Future Land Use	Private Group Use	Total Building Size (sq ft)	55,696 SF
Surrounding Properties / Zoning			
North	Palm Beach Country Club / R-B		
South	1952 2-story single-family residence / R-B		
East	Atlantic Ocean		
West	Beach Club (Tennis Courts) / R-B		

STAFF ANALYSIS

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the Town zoning code. The project consists of the installation of a secondary means of beach access along the existing bulkhead.



The proposed metal ramp will match the existing access ramp. It is proposed to be located at the southeastern edge of the property to provide additional ingress/egress from the pool deck for the members of the club, the total beach frontage is over 310' in length and a secondary means of access is greatly needed. The subject site is a Special Exception use in the R-B zoned 3.4 acre oceanfront site.

CONCLUSION:

Approval of the project will require one (1) motion to be made by the Town Council: (1) Special Exception for the modification to the previously approved Special Exception use and meets the criteria set forth in sections 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



August 28, 2023

PEACOCK + LEWIS

Architects and Planners, LLC
Lic. # AAC 000020

Town of Palm Beach
360 S. County Road
Palm Beach, FL. 33480

RE: **Project: 755 N. County Road**
Zoning Case Number: ZON-22-074
Peacock + Lewis Project No. 19-030

1295 US Highway One
Suite 200
North Palm Beach, FL 33408

T: 561.626.9704
F: 561.626.9719

1610 Trade Center Way
Suite #5
Naples, FL 33408

T: 239.631.2332
F: 239.300.6402

Architecture

Planning

Interior Design

Programming

Graphic Design

Project Delivery

Member AIA

www.peacockandlewis.com

We are pleased to submit the accompanying drawings for second submittal review of our project at 755 N. County Road. The proposed work to the property includes:

Addition of a secondary beach access ramp at the southeastern edge of the property to provide additional ingress/egress from the pool deck for the members of the club.

Please note the following as it relates to this application:

- A. Special exception in accordance with Section 134-229 for this project.
 - a. The Private Club use is a permitted special exception use as set forth in article VI of this chapter.
 - b. We consider that the use is so designed, located and proposed to be operated that the public health, safety, welfare and morals will be protected to a greater degree than the existing single beach access. (The club has 765 members. An additional beach access provides improved life safety.)
 - c. We consider that the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.
 - d. We consider that the use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.
 - e. The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.
 - f. We consider that the use will comply with all elements of the comprehensive plan.
 - g. The use does not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district.
 - h. Adequate ingress and egress to property and proposed structures thereon and off-street parking and loading areas will be provided where required, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe. (The ingress/egress from the public right of way – N. County Rd – is not being affected by the project.)
 - i. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and economic impact shall be compatible and in harmony with properties in the district. (There are no signs or lighting as part of this project.)
 - j. We consider that the location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.

- k. Refuse and service areas for the use shall not adversely affect automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.
(The project does not change the property's refuse and service areas.)
 - l. In all districts except the C-OPI district, and also with the exception of hotel, motel and timeshare uses, the proposed special exception use will not attract the principal portion of its customers/clients from off-island locations. The applicant shall submit evidence satisfactory to the town council that not less than 50 percent of the customers of the proposed use will be town persons. Evidence submitted in support of this contention shall include credible data or information suitable for review by the town to determine the credibility and the appropriateness of the applicant's conclusion. The submittal shall include a description of the types of information used and the methodology employed to arrive at the conclusion. Information used shall include, but shall not be limited to, lists of customer/client addresses or certification thereof by an independent certified public accountant approved by the town, market studies prepared by independent professional firms, or data from similar operations under the control of the applicant. The town may in the future require the applicant to demonstrate to the satisfaction of the town council that the special exception use is continuing to be town-serving.
(The property is a private club.)
 - m. If historic/specimen trees are located on the subject property, the location of said historic/specimen trees shall be identified on a signed and sealed survey. In addition, adequate landscaping, screening and barricade protection of historic/specimen trees shall be demonstrated to be provided as required in this chapter.
(The existing landscaping is not being affected/changed.)
 - n. We consider that the proposed use will not place a greater burden than would be caused by a permitted use on municipal police services due to increased traffic or on fire protection services due to the existence of or increased potential for fire/safety code violations.
- B. Site Plan Review Approval in accordance with Section 134-329.
- a. The Beach Club Inc., owns the land.
 - b. Ingress and egress to the property and the proposed structure is unaffected by the proposed project. (The ingress/egress from the public right of way – N. County Rd – is not being affected by the project.)
 - c. All parking will be on site.
 - d. The proposed project is on the easternmost edge (the beach side) of the Beach Club's property; as such, the proposed project does not affect the external harmony and compatibility with uses outside the property boundaries.
 - e. Drainage will remain the same.
 - f. Utilities will remain the same or be improved if required.
 - g. Not applicable.
 - h. Not applicable.
 - i. The proposed project does not affect the existing overall height of the existing structure.
 - j. Visibility along the public road will not be impacted as the proposed project is on the easternmost edge (the beach side) of the Beach Club's property

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Project: 755 N. County Road
Zoning Case Number: ZON-23-074

Sincerely,
Peacock + Lewis Architects and Planners, LLC

A handwritten signature in blue ink, appearing to read "Isaac Campos". The signature is fluid and cursive, with the first name "Isaac" written in a smaller, more compact script than the last name "Campos", which features a large, prominent "C".

Isaac Campos, NCARB, AIA
Architect