



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5431 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT

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

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

SUBJECT: ZON-24-0004 (COA-24-0001 126 S OCEAN BLVD (COMBO))

MEETING: JUNE 21, 2024, LPC
JULY 10, 2024, TC

COA-24-0001 (ZON-24-0004) 126 S OCEAN BLVD - COMBO. The applicant, South Ocean Boulevard LLC (James M. Crowley, Authorized Representative), has filed an application requesting a Certificate of Appropriateness for the review and approval for the renovation of an existing mechanical equipment enclosure, replacement of an existing cooling tower, and replacement of an existing generator which requires three (3) variances to reduce the rear yard setback, reduce the street side yard setback, and increase the mechanical equipment enclosure wall height. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

ZON-24-0004 (COA-24-0001) 126 S OCEAN BLVD (COMBO)—VARIANCES. The applicant, South Ocean Boulevard LLC (James M. Crowley, Authorized Representative), has filed an application requesting Town Council review and approval of three (3) variances to 1) reduce the rear yard setback for the generator, 2) reduce the street side yard setback for the cooling tower and 3) increase the mechanical equipment enclosure wall height. The Landmarks Preservation Commission shall perform design review of the application.

Applicant: South Ocean Boulevard LLC
Representative: James M. Crowley, Esq.
Professionals: Madison Worth Architecture

HISTORY:

The subject property was built in 1938. It was designed by architects Wyeth and King in the Neoclassical architectural style. In 1993, the property was landmarked. As stated in the designation report *"It is one of the few Neo-Classical buildings designed by Wyeth and King, and is one of the best examples of this style in Palm Beach."*

At the January 8, 2022, Town Council meeting, a variance (#1-2002) was approved to place a generator in the side street setback of 33.3 feet in lieu of the required 35-foot minimum setback.

At the June 21, 2024 LPC meeting, the Commission approved (7-0) the design of the project. Additionally, the Commission approved (7-0) that the implementation of the proposed variances would not negatively affect the architecture.

THE PROJECT:

The applicant has submitted plans, entitled "PRIVATE RESIDENCE 126 S OCEAN BLVD PALM BEACH, FLORIDA RENOVATION OF EXISTING LANDMARKED HOUSE", as prepared by **Madison Worth Architecture**, received by the Town on May 10, 2024.

The following is the scope of work for the Project:

- Renovation of existing mechanical equipment enclosure and increase in height.
- Replacement of the cooling tower and replacement of the generator.

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

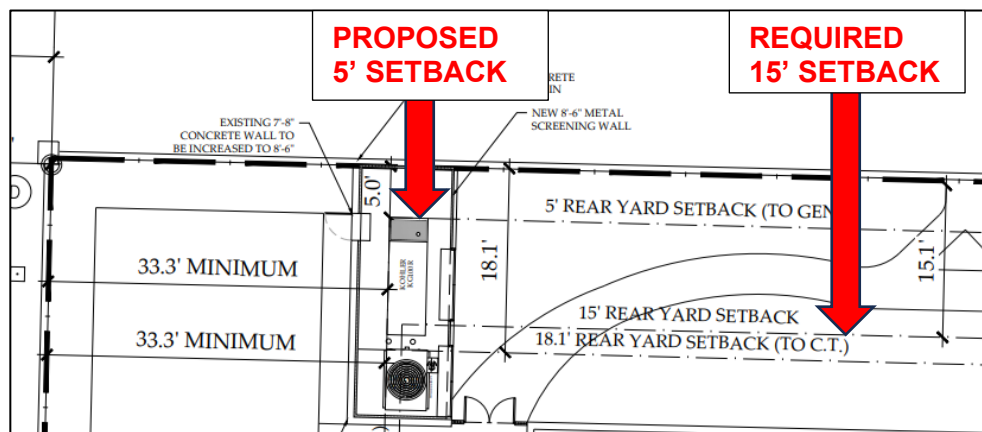
- **VARIANCE #1:** Decrease the rear yard setback to 5' in lieu of the required 15'.
- **VARIANCE #2:** Decrease the street-side yard setback to 33.3' in lieu of the required 35'.
 - Note: This variance request applies to the cooling tower only since variance #1-2002 previously granted a 33.3' setback for a generator.
- **VARIANCE #3:** Increase the mechanical enclosure wall height to 8.5' in lieu of the maximum 7'-0".

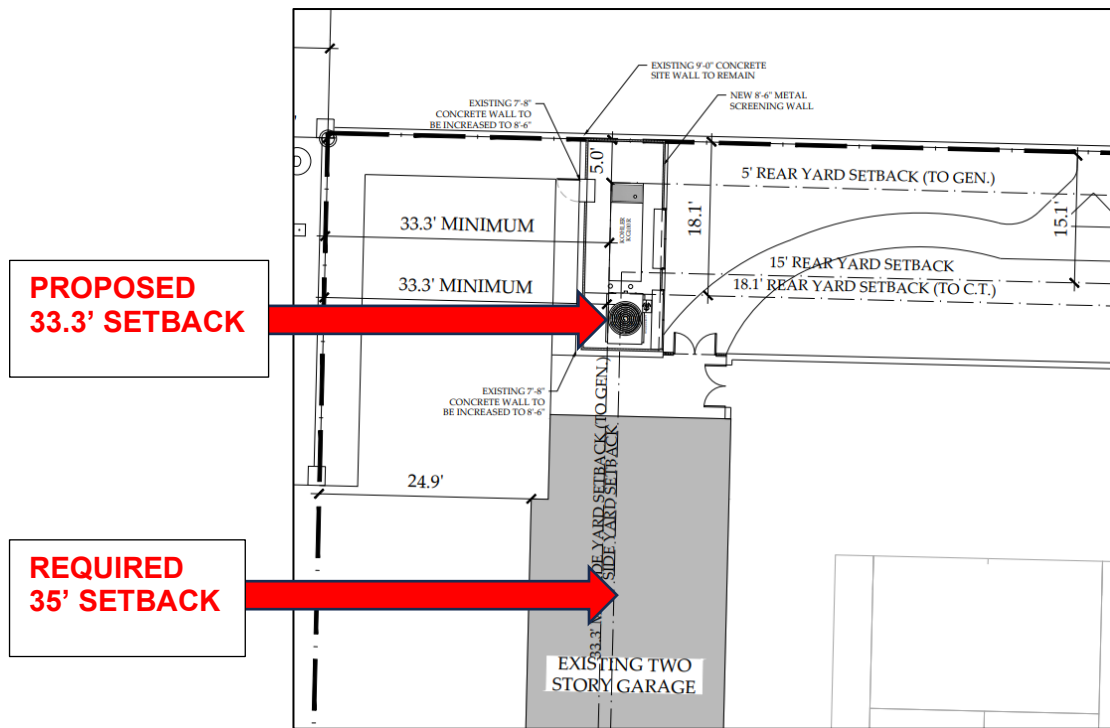
STAFF ANALYSIS

The application is seeking a Certificate of Appropriateness to renovate the existing mechanical equipment enclosure and increase the wall height to adequately screen the replacement cooling tower and generator. The existing enclosure is located on the northwest corner of the property with frontage on Flagler Drive. The existing pedestrian doors to the enclosure will be reused. The existing concrete wall with stucco finish and metal screening wall will be replicated within the revised enclosure configuration. However, staff have concerns about the repurposed gate's ability to adequately screen the mechanical equipment since the enclosure is being raised.

The application as proposed requires three (3) variances for construction. As the diagram below illustrates, **Variances 1 and 2** seek a reduced rear setback of 5' in lieu of the required 15' per Section 134-793(a)(9) and a reduced street-side yard setback of 33.3' in lieu of the required 35' per Section 134-793(a)(5).

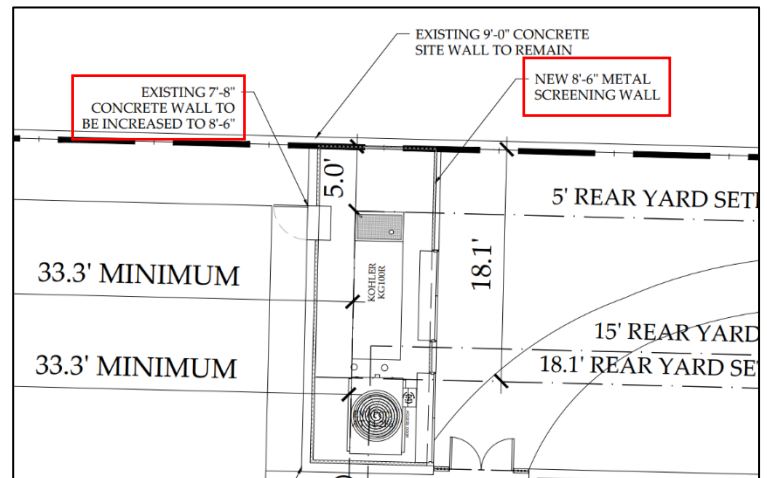
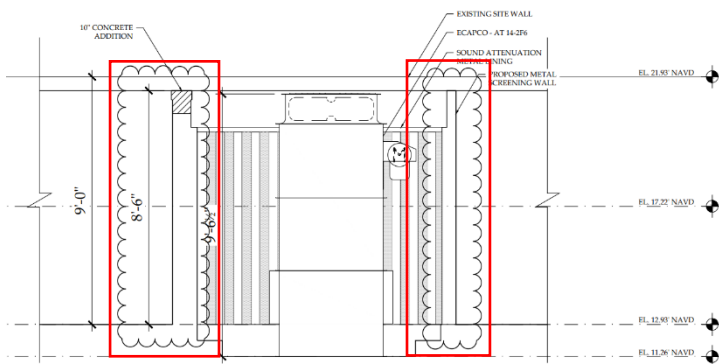
Code Section	Required	Proposed	Variance
Variance 1: Sec. 134-793(a)(9)	15' Rear Setback	5' Rear Setback	10'
Variance 2: Sec. 134-793(a)(5)	35' Street Side Yard Setback	33.3' Street Side Yard Setback	1.7'





As the diagram below illustrates, **Variance 3** occurs because a higher enclosure wall height is needed to screen the replacement cooling tower and generator. The site wall/fence height variance request code section, provisions, and amounts are provided in the table below:

Code Section	Required	Proposed	Variance
Variance 3: Sec. 134-1667 Sec. 134-1669	7' – Max. Wall Height Side Yard 6' – Max. Wall Height Front/Street Side Yard	8.5' Site Wall Height	1.5'- Side Yard 2.5' – Front/Street Side Yard



Site Data			
Zoning District	R-B	Future Land Use	SINGLE-FAMILY
Designation	01/12/1993	Architect/Builder:	Wyeth and King
Lot Area	78,413.1 SF	Year of Construction	1938
Surrounding Properties / Zoning			
North	115 Flagler Drive / R-B		
South	150 South Ocean Boulevard / R-B		
West	131 Barton Avenue and 102 Flagler Drive / R-B		
East	Atlantic Ocean		

CONCLUSION:

The application is presented to the Commission to consider whether all the criteria in Sections 54-122 and 54-123 have been met. Approval of the project will require two (2) separate motions to be made by the Landmarks Preservation Commission:

- (1) for the overall design of the project in accordance with aforementioned criteria, subject to any imposed conditions, and
- (2) that the implementation of the proposed variances **will** or **will not** cause negative architectural impacts to the subject property.

Approval of the project will require one (1) 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, subject to any proposed conditions.

WRB: FHM: ALF