



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-AP *WLB*
Director PZ&B

SUBJECT: ZON-24-0009 (COA-24-0002) 195 VIA DEL MAR (COMBO)

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

COA-24-0002 (ZON-24-0009) 195 VIA DEL MAR - COMBO. The applicant, Guy Rabideau (Trustee of the 195 Via Del Mar Trust), has filed an application requesting a Certificate of Appropriateness for the review and approval for the construction of a second-story addition, window and door replacement, vehicular and pedestrian gates, and hardscape and landscape modifications which requires one (1) variance to reduce the minimum driveway area in front of the vehicular gate fronting South County Road. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

ZON-24-0009 (COA-24-0002) 195 VIA DEL MAR (COMBO)—VARIANCES. The applicant, Guy Rabideau (Trustee of the 195 Via Del Mar Trust), has filed an application requesting Town Council review and approval of (1) variance to reduce the minimum driveway area in front of the vehicular gate fronting South County Road. The Landmarks Preservation Commission shall perform design review of the application.

Representative: Guy Rabideau / Trustee of the 195 Via Del Mar Trust
Professionals: Ferguson & Shamamian Architects

HISTORY:

The residence was designed by the architects Treanor & Fatio and constructed in 1928. The property was designated in 1990. According to the designation report: *“Casa Della Porta is a noteworthy residence of fine proportion and scale. It is a thoroughly livable adaptation of a Romanesque design with the ground floor plan well-disposed around the central patio.”*

At the September 15, 1989, LPC meeting, the commission approved the addition of two entry gates, widening and resurfacing of the driveway, and paving of additional parking under COA # 30-89. Therefore the current gates proposed for replacement are not the original ones.

Several minor modifications have been made over the years through administrative reviews including the installation of a new bronze and glass decorative gate (L-19-00167), partial window replacement in the kitchen wing (L-21-00366), replacement of HVAC equipment (L-21-00460), partial fence replacement (L-22-00604), and landscaping modifications (L-23-00872).

At the June 21, 2024 LPC meeting, the Commission approved (7-0) aspects of the design of the project but deferred certain items to next month. Additionally, the Commission approved (7-0) that the implementation of the proposed variance would not negatively affect the architecture.

THE PROJECT:

The applicant has submitted plans, entitled "195 Via del Mar, Palm Beach, Florida", as prepared by **Ferguson & Shamamian Architects** received by the Town on May 10, 2024.

The following is the scope of work for the Project:

- Second-story addition (approximately 510 square feet).
- Window and door replacement.
- Installation of vehicular and pedestrian gates.
- Relocation of one (1) mechanical unit.
- Hardscape and landscape modifications.

The following variance is required to achieve the scope of work.

- **VARIANCE #1:** Reduce the required vehicular backup driveway space to install two (2) swinging vehicular gates with an approximately 11'-4" (west gate) setback from the edge of pavement of South County Road in lieu of the 18'-0" minimum required.
- **VARIANCE #2:** Increase the building height of the second-story addition to 29'-3" in lieu of the maximum of 25'-0".
 - Note: This variance request will be reviewed separately under ZON-24-0031 which is anticipated to be presented to Town Council at the August 12, 2024, meeting.

Site Data			
Zoning District	R-A Estate Residential District	Lot Size (SF)	77,454 SF
Future Land Use	SINGLE-FAMILY	Total Building Size (SF)	21,032.7 SF
FEMA Flood Zone	X		
Year of Construction:	1928	Architect:	Treanor & Fatio
Project			
	Required/Allowed	Existing	Proposed
Lot Coverage	25.00% (19,363.5 SF)	18.80% (14,554 SF)	18.80% (14,554 SF)
Building Height	25'	31'-11" *	29'-3" Addition Variance Required
Overall Building Height	35'	37'-11" *	33'-6" Addition
Number of Stories	2	2*	2
Landscape Open Space	50.00% (38,727 SF)	42.98% (33,296 SF)	43.3% (33,531 SF)
Surrounding Properties / Zoning			
North	115 Via La Selva / R-A		
South	196 Via Del Mar & 840 South Ocean Boulevard / R-A		
East	810 South Ocean Boulevard and 830 South Ocean Boulevard / R-A		
West	830 South County Road, 822 South County Road, & 800 South County Road / R-A		

* Excludes tower.

STAFF ANALYSIS

The application is seeking a Certificate of Appropriateness for the construction of a second-story addition, window and door replacement, vehicular and pedestrian gates, and hardscape and landscape modifications.

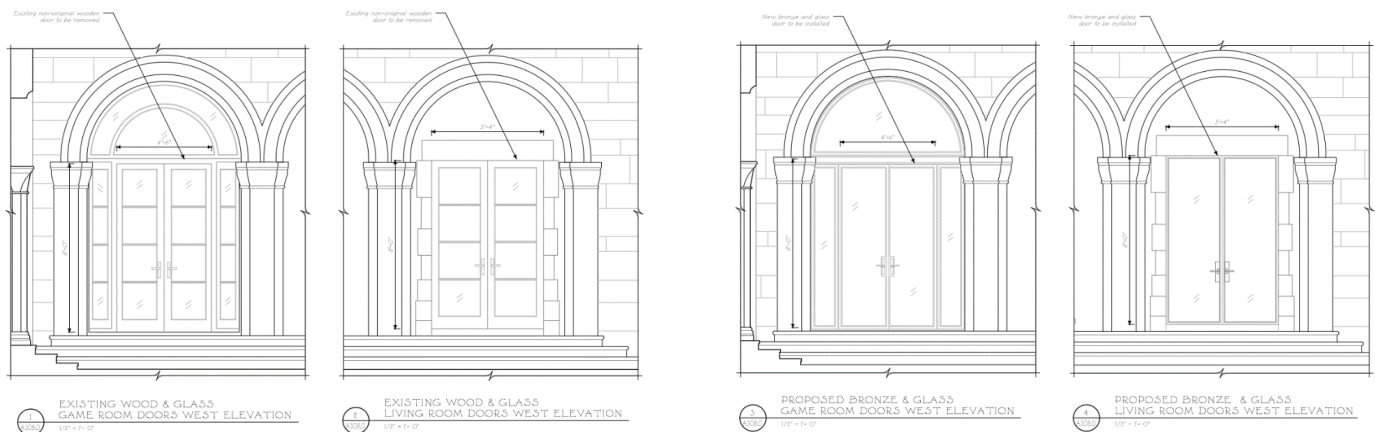
Addition

The proposed second-story addition is located on the northeast side of the residence. The approximately 510-square-foot space will house a new walk-in closet. The addition is proposed with a hipped roof finished with clay barrel tiles that match the roofing in the remainder of the residence. The fenestration includes wood casement windows with divided-light patterns and a bronze-framed pair of French doors. A new coquina façade is proposed with detailing that matches the residence. In addition, blind niches and modillions are proposed on the north elevation of the addition which creates visual interest in a façade void of openings. As indicated in the site data table, the addition's height exceeds the maximum allowance of 25 feet, however, the maximum overall height of 35 feet is not exceeded. Therefore, a variance to increase the maximum height to 29'-3" will be required. This variance request will be presented to the Town Council separately under ZON-24-0031.

Window and Door Replacement

The unique fenestration of the residence includes single and pairs of casements with divided-light patterns and groupings of three (3) pointed arched openings with transoms and leaded lights in a vertical hexagon pattern. The doors include pairs of French doors with divided-light patterns, wood doors with unique carvings that surround prominent openings, and ornamental metalwork. Since the residence has a mixture of original windows and doors and replacement products, historic drawings and photographs are essential to determining the most appropriate products for replacement. For the majority of openings, appropriate replacement is proposed with wood casement windows with clear glass and divided-light patterns. Existing original leaded glass or stained glass is proposed to be re-inserted into new frames where they currently exist. Bronze-framed and wood-framed replacement doors are proposed.

However, staff does have concerns regarding several French doors. These openings currently have divided-light patterns and are proposed to be replaced with full-view French doors. Analysis of the historical documentation does not provide precedence for this type of design in operable doors. Staff recommends that the existing divided-light patterns be replicated in the replacement products.



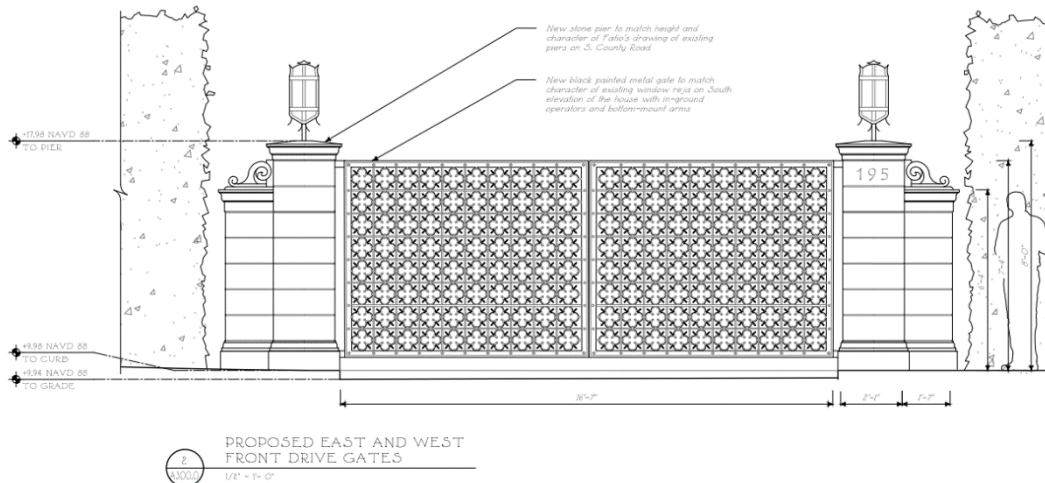
For example, the Juliet balcony French doors currently feature divided light patterns. The proposed replacement is full view:



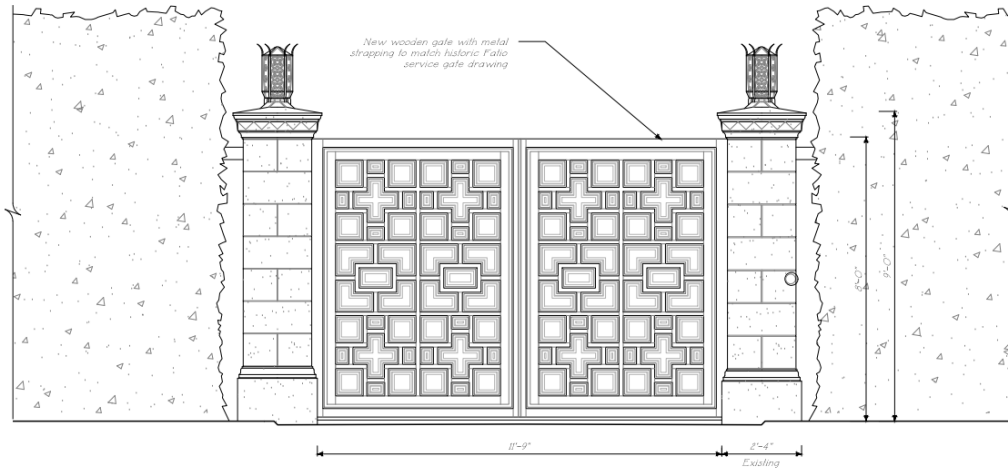
Vehicular and Pedestrian Gates

The request includes replacement of two (2) pairs of vehicular swinging gates off Via Del Mar and one (1) new vehicular swinging gate off South County Road that will replace a rolling gate. In addition, a new pedestrian opening, and gate will be created along Via La Selva.

Along the Via Del Mar frontage, the existing stone piers that flank the gates will be raised to match the new pairs of swinging wrought iron gates. The detailing of the gates is inspired by Fatio-designed window ironwork.



The rolling gate along the South County Road frontage will be replaced with a new pair of wooden gates that are inspired by the original Fatio design for the gates at this location. However, the existing location of the gate and piers does not provide the minimum of 18 feet to the street pavement as required per Section 134-1668. Therefore, a variance is required to reduce the required vehicular backup driveway space 11'-4".

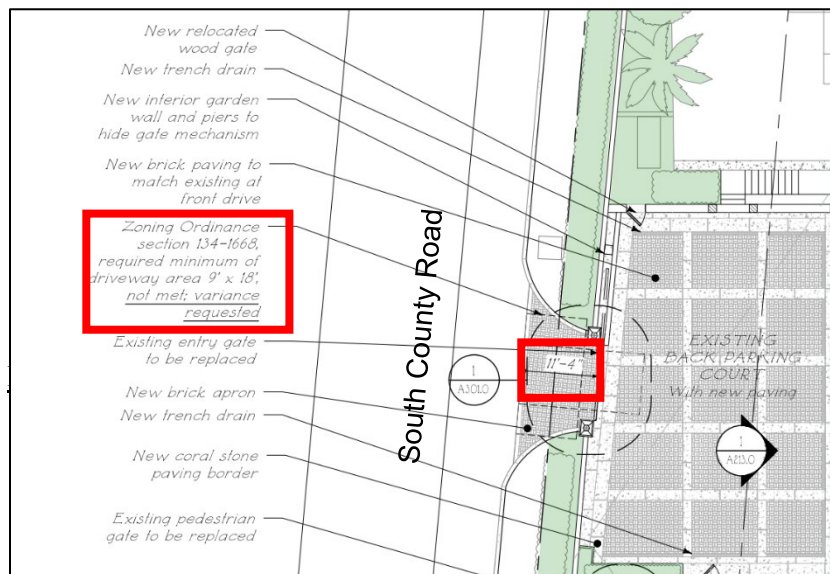


PROPOSED
 S. COUNTY ROAD ELEVATION
 3/4" = 1' - 0"

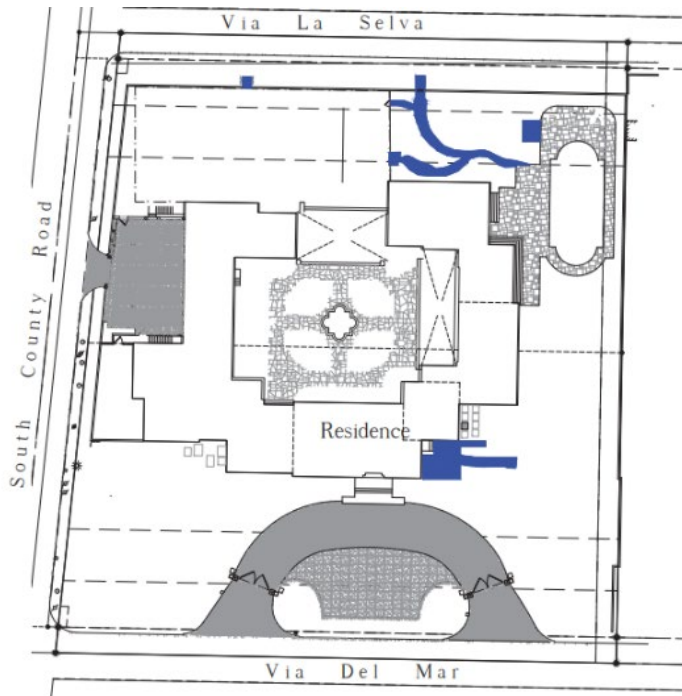
Other properties north and south of 195 Via Del Mar have gates along South County Road. Although these gates typically have less opacity than the proposed design, they are appropriate for the landmarked property since they will replace an existing opaque gate and are inspired by Fatio's original design.

The variance request is summarized in the table and diagram below:


Code Section	Required	Proposed	Variance
Variance: Sec. 134-1668	18' Driveway Depth	11'-4" Existing Driveway Depth	6'-8"



Minimal hardscape and landscape changes are proposed. A mechanical equipment unit will be relocated outside of the building setbacks. An existing *Calophyllum Brasiliense* (Brazilian Beauty Leaf) shrub will be removed on the southeast side of the property. In addition, a small portion of Brazilian Beauty Leaf hedging will also be removed along Via La Selva to accommodate a new pedestrian gate. Lastly, existing shrubs and ground cover will be relocated to create a new path leading to the new pedestrian gate.



Site diagram illustrating areas
of landscape modification

 Color denotes areas of landscape modification

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 three (3) 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 variance (ZON-24-0009) **will** or **will not** cause negative architectural impacts to the subject property.
- (3) that the implementation of the proposed variance (ZON-24-0031) **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 variance (ZON-24-0009) 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.