



**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 *WRB*  
Director PZ&B

**SUBJECT:** ZON-24-0022 (HSB-24-0003) 346 SEASPRAY AVENUE (COMBO)

**MEETING:** JULY 17, 2024, LPC  
AUGUST 12, 2024, TC

**HSB-24-0003 (ZON-24-0022) 346 SEASPRAY AVE (COMBO).** The applicant, Rafael Portuondo with Portuondo-Perotti, has filed an application requesting approval for the review and approval of exterior modifications including revised railing designs, removal of shutters, hardscape and landscape changes, site wall revisions, and relocation of mechanical equipment which requires two (2) variances to reduce the side yard setback to accommodate mechanical equipment and exceed the maximum allowable site wall height in the side yard. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

**ZON-24-0022 (HSB-24-0003) 346 SEASPRAY AVE (COMBO)—VARIANCE.** The applicant, Rafael Portuondo with Portuondo-Perotti, has filed an application requesting Town Council review and approval of two (2) variances to 1) reduce the side yard setback for mechanical equipment, and 2) increase site wall height in the side yard. The Landmarks Preservation Commission shall perform design review of the application.

**Applicant:** Rafael Portuondo / Portuondo-Perotti  
**Professionals:** Rafael Portuondo / Portuondo-Perotti and Nievera Williams Design

**HISTORY:**

The Town's Historic Conversation Districts and the Historically Significant Building (HSB) program was adopted through Ordinance No. 02-2020 in August 2020. The HSB designation of 346 Seaspray was completed in September 2020, as one of the first properties to obtain this type of designation. The residence is located within the Mid-Town Conservation District. The residence was built by City Builders Realty Company in 1924. As indicated in the designation form: "346 Seaspray Avenue is also important because it helps maintain the historic fabric of Seaspray Avenue, the Sea Streets, and the development of the town of Palm Beach."

Based on permitting documentation, the front door on the north elevation was altered to a French door configuration in the 1970s.

At the August 26, 2020, Architectural Commission (ARCOM) meeting, a 161 square-foot addition to the existing loggia, an 877 square-foot two-story addition to the northeast side of the property for a new garage, an upper-level studio, and a 443 square-foot pool loggia addition to the east side

of the property were approved per B-053-2020. At the October 21, 2020, Landmarks Preservation Commission (LPC) meeting, LPC approved these same modifications per H-001-2020.

At the September 9 and December 9, 2020, Town Council meetings, lot coverage, cubic content ratio (CCR), and flood plain variances (Z-20-00278) were granted to allow the proposed additions.

At the November 19, 2021, ARCOM meeting, ARC-21-069 was approved for exterior modifications to a previously approved landscape and hardscape plan, including driveway, driveway gates, and site walls.

On August 19, 2023, staff administratively approved A-22-02365 for revisions to the hardscape and landscape.

The subject application seeks to modify the scope of work approved under ARC-21-069 and H-001-2020 since work was completed on site that does not match the approvals. As an HSB property, these modifications must be reviewed and approved by the Landmarks Preservation Commission.

At the July 17, 2024 LPC meeting, the Commission approved (7-0) design of the project but. Additionally, the Commission approved (7-0) that the implementation of the proposed variance #2 would not negatively affect the architecture, variance #1 was deferred.

**THE PROJECT:**

The applicant has submitted plans, entitled "SEASPRAY RESIDENCE", as prepared by **Portuondo-Perotti**, received by the Town on June 7, 2024.

The following is the scope of work for the Project which seeks to modify the previous approvals:

- Install a stucco exterior finish on surfaces that were approved for masonry.
- Change the previously approved exterior color scheme.
- Removal of shutters, change the design of balcony railings.
- Changes in the configuration and location of windows and doors.
- Changes to the design of gates, changes to site walls, and relocation of mechanical equipment.

The following variances are required to achieve the scope of work:

- **VARIANCE #1:** Reduce the side yard setback for mechanical equipment required to 2'-6" in lieu of the 5'-0" minimum required.
- **VARIANCE #2:** Increase the site wall height to 9'-4" in lieu of the maximum of 7'-0".

Site Data			
Zoning District	R-B	Lot Size (SF)	18,375 SF
Future Land Use	SINGLE-FAMILY	Total Building Size (SF)	9,512 SF
FEMA Flood Zone	AE		
Year of Construction:	1924	Architect/Builder:	City Builders Realty Company

Project			
	Required/Allowed	Existing	Proposed
Lot Coverage	30.93% (5,684 SF)*	30.93% (5,684 SF)	30.93% (5,684 SF)
Building Height	22'-0"	16'-7"	16'-7"
Overall Building Height	30'-0"	22'-7"	22'-7"
Cubic Content Ratio (CCR)	4.23 (77,755.4 CF)**	4.23 (77,755.4 CF)	4.23 (77,755.4 CF)
Surrounding Properties / Zoning			
North	335, 339, and 345 Seaspray Ave / R-B		
South	241 Seaview Ave (Palm Beach Day School) / R-B		
East	332 Seaspray Ave / R-B		
West	350 Seaspray Ave / R-B		

\*Per variance granted under Z-20-00278. Note: Variance noted 30.3% lot coverage incorrectly for a corresponding square footage of 5,684.

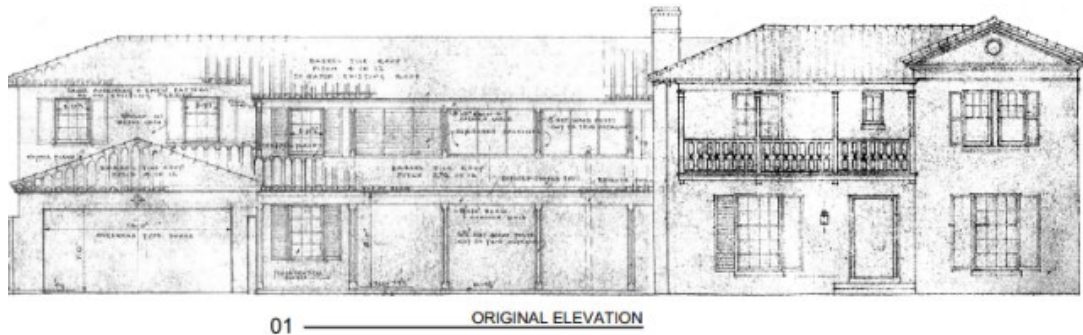
\*\*Per variance granted under Z-20-00278.

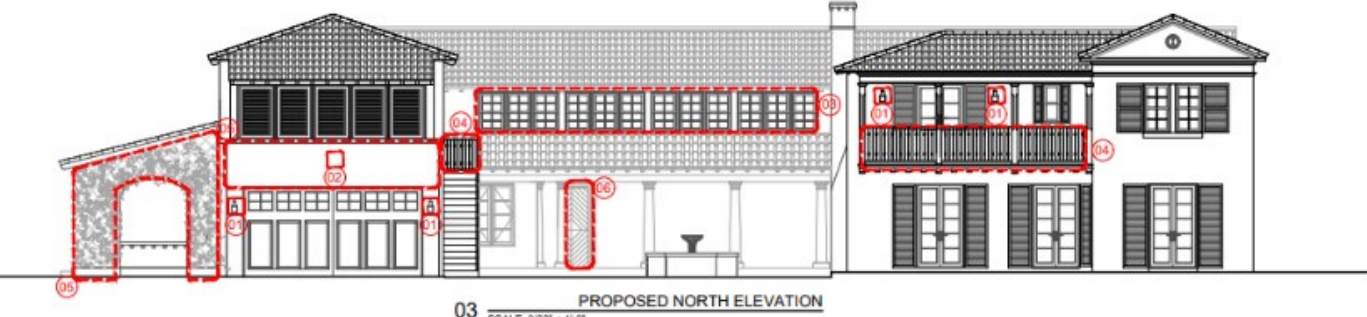
### **STAFF ANALYSIS**

The application is seeking approval of architectural and site modifications to the previous approval as outlined below.

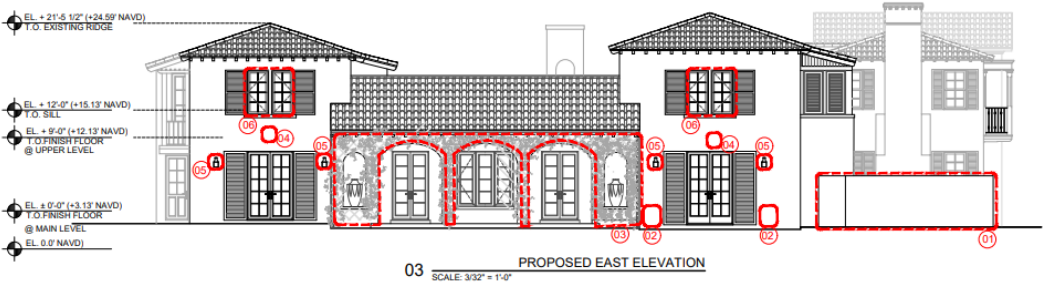
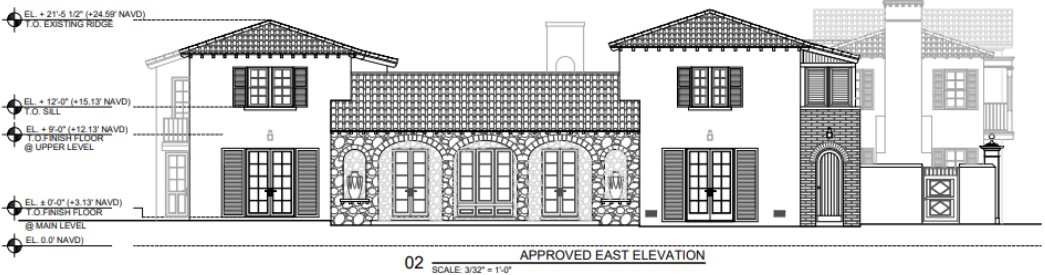
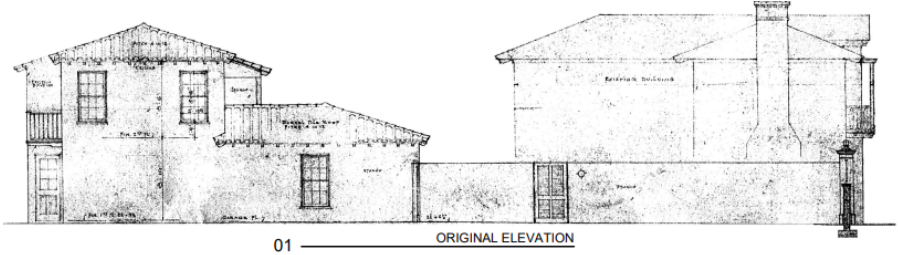
### **Architectural Changes**

On the north elevation (fronting Seaspray Ave), removal and relocation of light fixtures, shutter removal, redesign of railings, changes to exterior finishes to smooth stucco in locations where masonry was previously approved, and a new exterior door is proposed. From a historic preservation perspective, maintaining a smooth stucco exterior finish is appropriate based on the original architectural plans. In addition, the removal of the second-story loggia shutters is also acceptable since they are not original features. However, staff has concerns regarding the design of the new door and railings. The design of the doors, similar to the new gates, is not compatible with the architectural style of the building. Both the new exterior door and railings present a valuable opportunity to reconstitute original design features. Staff recommends further study of these features.





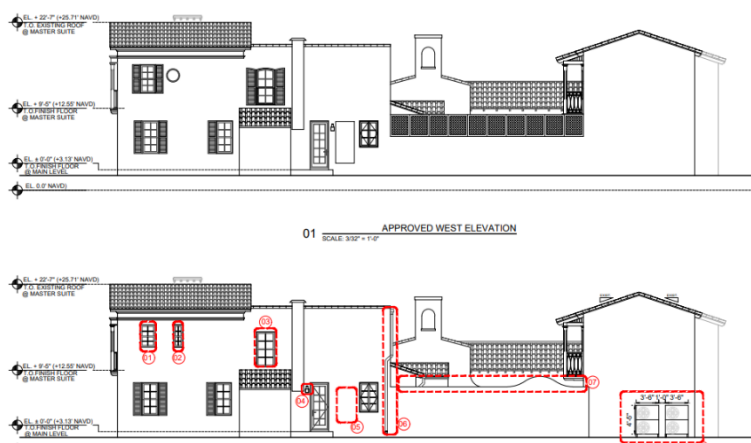
use of double hung windows is a better option for consistency with the original plans. The use of casement windows can be mitigated with divided-light patterns that replicate the appearance of sash windows with a wider (central) horizontal muntin.



On the south elevation, mechanical equipment was removed, windows were removed and added, a new pair of French doors was proposed, light fixtures were added and relocated, shutters were removed, an overhang was removed, a new second-story trellis was added to an existing balcony, and changes to exterior finishes to smooth stucco in locations where masonry was previously approved are proposed. As previously discussed, the removal of shutters and the smooth stucco exterior finish is consistent with the original plans. Staff has concerns related to removing or relocating original openings and the use of casement windows instead of hung windows. However, changes to rear facades can be given greater flexibility due to their low level of visibility.



On the west elevation, windows will be removed, altered, and added, a light fixture will be added, a mechanical panel will be removed, and gutters will be added. Staff has concerns related to the proportions and divide-light patterns of the windows being added. Staff recommends further study of these windows.

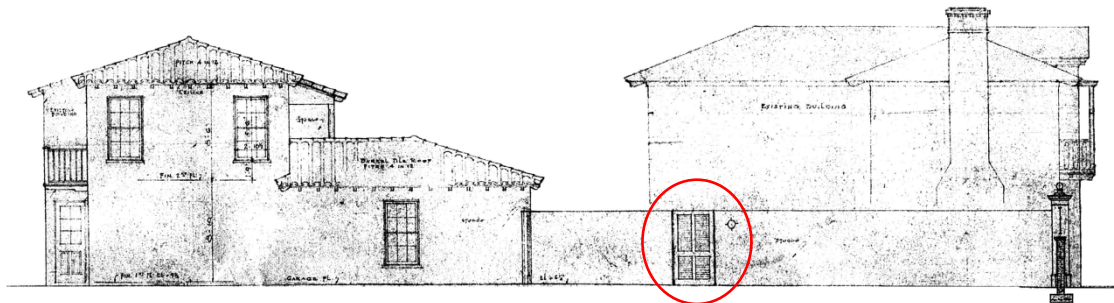
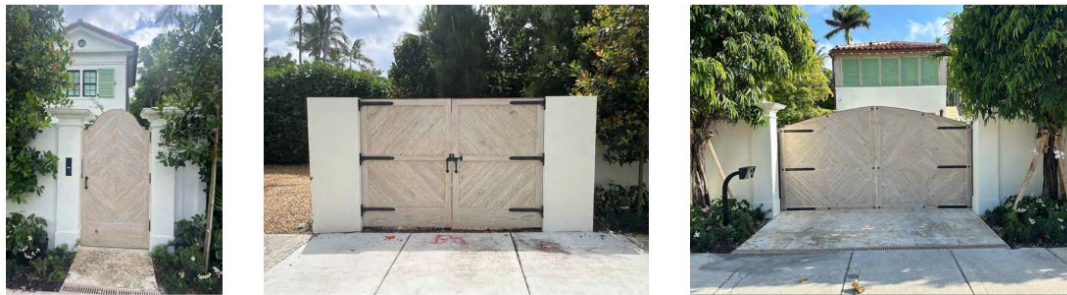




Additional changes are proposed interior to the courtyard which include adjustments to shutters, removal of shutters, revised railing designs, and redesign of the wall of the barbeque area.

### Site Changes

The proposal seeks to revise the design of the vehicular and pedestrian gates on the property. The gates feature diagonal wood planks. Staff has concerns that the design of the gates is not compatible with the HSB structure. The best design approach would be to replicate or seek inspiration from the gate designs in the original architectural plans.



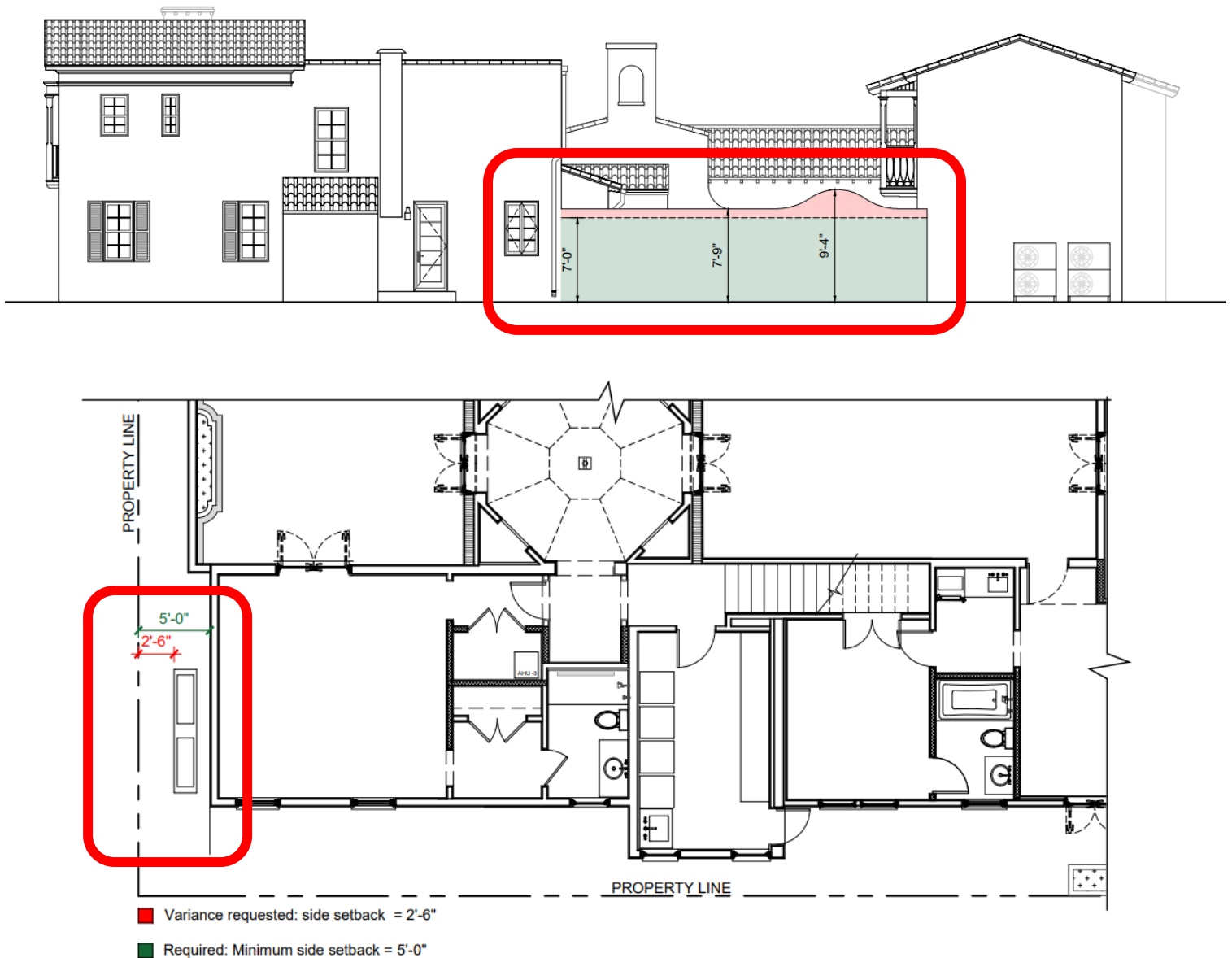
On the west side of the property, the site wall will be modified by removing the existing lattice and increasing the height with a curved design. In addition, ground-mounted mechanical equipment will be installed. These changes require variances, as discussed in the next section.

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### Variances

Two (2) variances are being requested as summarized in the table and diagrams below:

Code Section	Required	Proposed	Variance
<b>Variance #1:</b> Sec. 134-1728(a)	5'-0" Mechanical Equipment Side Yard Setback	2'-6" Mechanical Equipment Side Yard Setback	2'-6"
<b>Variance #2:</b> Sec. 134-1669	7'-0" Side Yard Site Wall Height	9'-4" Side Yard Site Wall Height	2'-4"



As explained by the applicant in the letter of intent, additional wall height is requested to replace the privacy that was offered by the lattice. Furthermore, the applicant contends that there is no other feasible location for the mechanical equipment other than where it is proposed within the side yard setback. Staff has concerns that the work was already completed without approvals or variances. In addition, the subject property is much larger than the typical R-B zoned lot. There are likely several solutions that would avoid the need for variances by considering other locations for the mechanical equipment and using landscaping to achieve greater privacy where additional wall height is desired.

**CONCLUSION:**

As a 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 two (2) 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 implementation of the **variances will or will not** cause negative architectural impact to the subject property.

Approval of the project will require one separate motion 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 variances **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.

WRB: JGM: FHM: ALF