



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 *WLB*
Director PZ&B

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

MEETING: AUGUST 21, 2024, LPC
SEPTEMBER 11, 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 landscaping as presented, window and door replacement as discussed with muntins added to the doors on the structure's perimeter, and the South County Road gate as presented were approved per COA-24-0002. Also, the variance for vehicular stacking (ZON-24-0009) was supported by LPC and approved at the July 10, 2024, Town Council meeting. The design of the addition and the Via Del Mar gates were deferred to the July 17, 2024, LPC meeting.

At the July 17, 2023, LPC meeting, the Commissioners deferred the project to re-study the addition and gate design. Based on the original plans, the gate posts were designed to be taller than they exist today, and gates were proposed along the Via Del Mar frontage although never built. The Commissioners expressed interest in a gate post and gate design that replicates the original intent of the plans. A variance would be required to exceed the maximum allowable height for these features.

THE PROJECT:

The applicant has submitted plans, entitled "LANDMARKS DEFERRED SUBMITTAL" and "TOWN COUNCIL SECOND SUBMITTAL", as prepared by **Ferguson & Shamamian Architects** received by the Town on July 29, 2024.

The following is the scope of work for the Project:

- Second-story addition (approximately 510 square feet).
- Installation of vehicular gate posts and gates on the Via Del Mar frontage.

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

- **VARIANCE #1 (ZON-24-0031):** A variance to increase the building height of the second-story addition
 - Preferred Design: 29'-3" in lieu of the maximum of 25'-0".
 - Alternate Design: 28'-0" in lieu of the maximum of 25'-0".
- **VARIANCE #2 (ZON-24-0039):** A variance to exceed the maximum permitted height of gate posts and gates within the Via Del Mar front yard setback
 - Preferred Design: 9'-6" in lieu of the maximum of 8'-0".
 - Alternate Design: Zoning Code Compliant.

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" *	<i>Preferred Design: 29'-3" Addition Variance Required</i>	<i>Alternate Design: 28'-0" Addition Variance Required</i>
Overall Building Height	35'	37'-11" *	Preferred Design: 32'-7"	Alternate Design: 31'-4"
Number of Stories	2	2* * <i>Excludes tower</i>	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			

STAFF ANALYSIS

The application is seeking a Certificate of Appropriateness for the construction of a second-story addition, and vehicular gates fronting Via Del Mar.

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 will be required as outlined in the table below

Code Section	Required	Preferred Design	Alternate Design	Variance
Variance: Sec. 134-843(a)(10)(a)	25'-0" Building Height Max.	29'-3" Building Height	28'-0" Building Height	3'-0" to 4'-3"

The applicant submitted revised plans that outlined a "preferred" and an "alternate" addition design. The preferred option matches the design presented at the June 21, 2024, and July 17, 2024, LPC meetings.



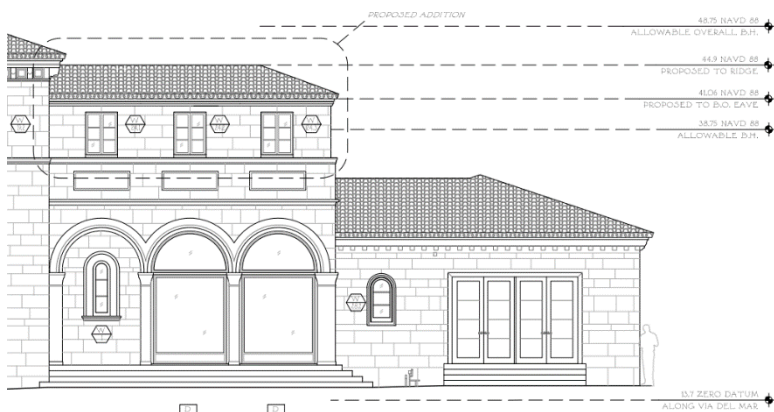
"Preferred" Design

The "alternate" design lowered the building height and overall height of the addition by approximately 1'-3". The "alternate" design presents an addition that is adequately subordinate to the abutting mass of the residence.



"Alternate" Design

The previous "alternate" design, presented at the July 17, 2024' LPC meeting, also lowered the building height and overall height of the addition by approximately 1'-3". The roof design was modified to have only one hip end (instead of two). However, the blank niches were eliminated on the north façade. Based on Commissioner comments, this feature was reintroduced.



Previous "Alternate" Design

A comparison of the north façade of the addition is shown below:



“Preferred” Design



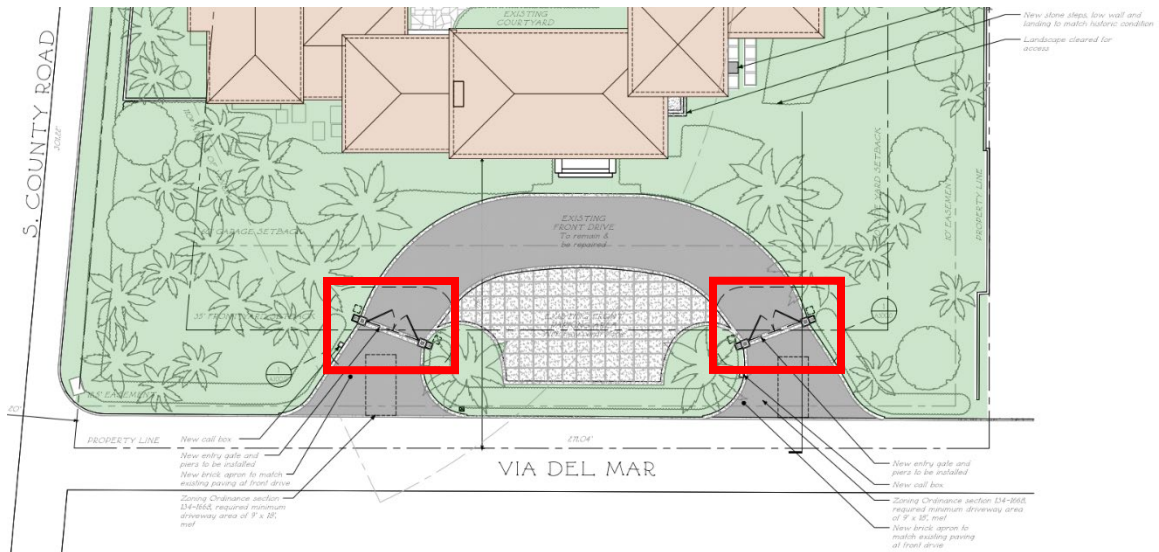
“Alternate” Design



Previous “Alternate” Design

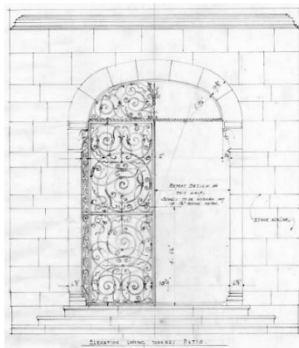
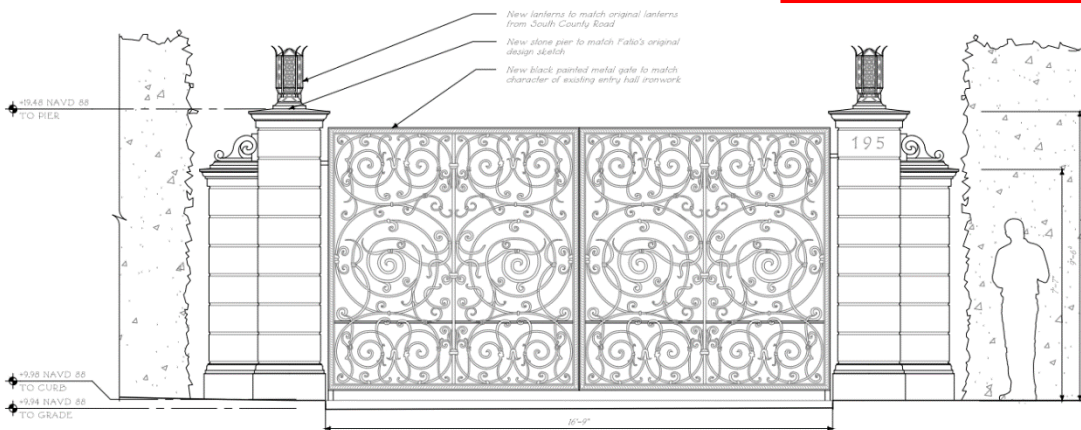
Vehicular Gates

The request includes the replacement of two (2) pairs of vehicular swinging gates and gate posts fronting Via Del Mar.

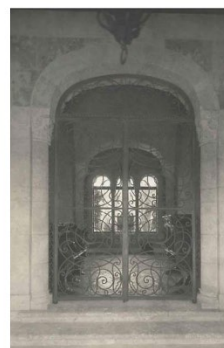


The applicant submitted revised plans that outlined a “preferred” and an “alternate” design. Both options feature ornate ironwork inspired by the existing front entrance gate.

“Preferred” Design



ORIGINAL FATIO ENTRANCE GATE IRONWORK DRAWING



HISTORIC IMAGE OF FRONT ENTRANCE GATE IRONWORK

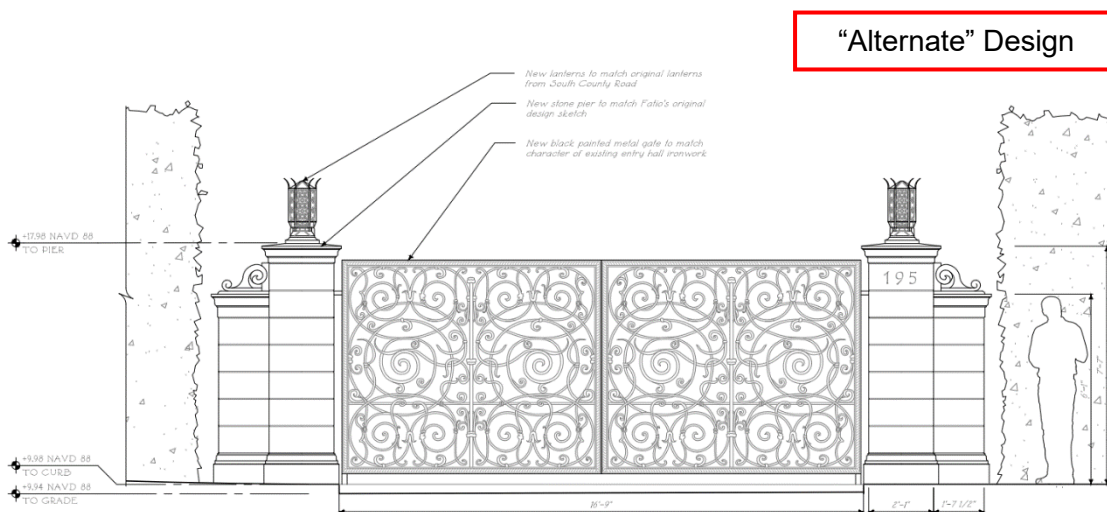


CURRENT FRONT ENTRANCE GATE

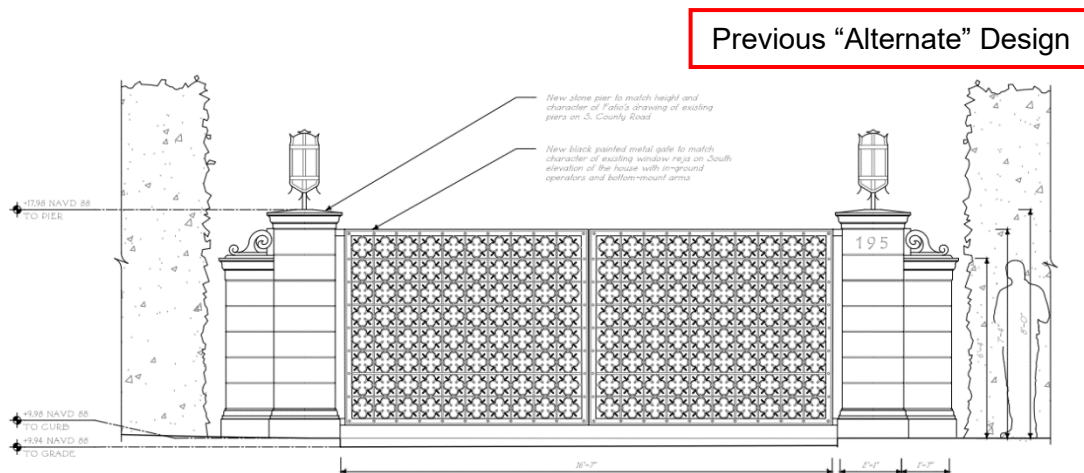
Based on Commissioner comments, the applicant pursued gate post and gate proportions inspired by the original plans. As a result, a variance is required to achieve a height of 9'-6" in lieu of the 8'-0" maximum permitted for gate posts and gates in a front yard.

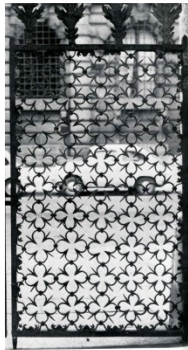
Code Section	Required	Preferred Design	Variance
Variance: Sec. 134-1668	8'-0" Gate Post and Gate Height Max.	9'-6" Gate Post and Gate Height	1'-6"

The "alternate" option matches the design of the "preferred" option at a lower height that is zoning code compliant.

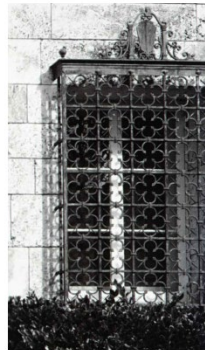


The previous "alternate" design presented gate detailing inspired by Fatio-designed window ironwork.



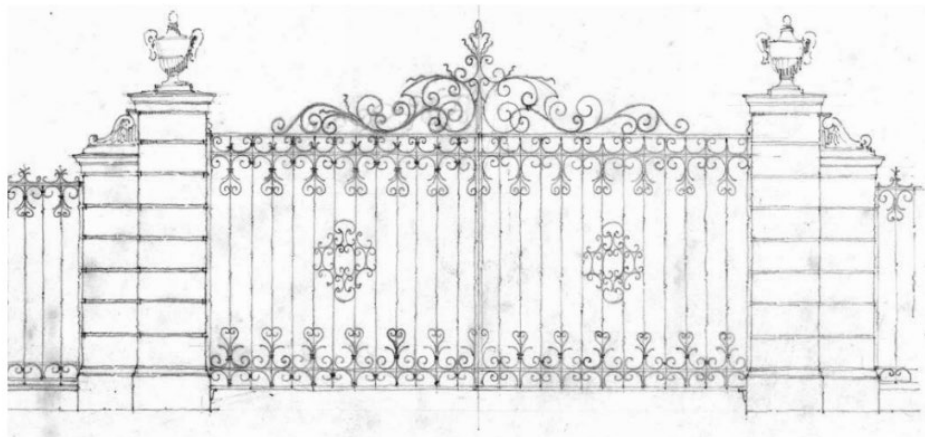


IRON DETAIL FROM
GATES OF VENETTO



ORIGINAL FATIO WINDOW GRATE

From a historic preservation perspective, the “preferred” option is desirable since it seeks to reconstitute original gate post and gate proportions. Replicating the original gate design (as shown below) would also be highly desirable, as it incorporates a feature proposed by Fatio that was never actually constructed.



ORIGINAL FATIO DRAWING OF VIA DEL MAR FRONT GATE

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 (ZON-24-0031 and ZON-24-0039) **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 (ZON-24-0031 and ZON-24-0039) 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:JGM:FHM:ALF