



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-24-0032 (COA-24-0010) 228 SEASPRAY AVE (COMBO)

MEETING: AUGUST 21, 2024, LPC
SEPTEMBER 11, 2024, TC

ZON-24-0032 (COA-24-0010) 228 SEASPRAY AVE (COMBO) - VARIANCES. The applicant, Smith Architectural Group, has filed an application requesting Town Council review and approval of two (2) variances to 1) reduce the side yard setback and 2) increase the allowable cubic content ratio (CCR) associated with a second-story addition and covered terrace. The Landmarks Preservation Commission shall perform design review of the application.

COA-24-0010 (ZON-24-0032) 228 SEASPRAY AVE (COMBO). The applicant, Smith Architectural Group, has filed an application requesting a Certificate of Appropriateness for the review and approval of the construction of a second-story addition and covered terrace and partial window replacement which requires two (2) variances to 1) reduce the side yard setback and 2) increase the allowable cubic content ratio (CCR). This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

Property Owner: 228 Seaspray Land Trust
(Zachary K. Shipley and Gergana K. Adams, Co-Trustees)
Applicant/Professional: Smith Architectural Group
Representative: Maura Ziska, Esq.

HISTORY:

The residence was constructed in 1925. The single-family residence located at 228 Seaspray Avenue is an example of the Mediterranean Revival style of architecture designed and was built by City Builder's Realty Company. The property was landmarked in 2017. According to the designation report: "228 Seaspray Avenue is a three-bay wide, two-story dwelling constructed of wood and hollow clay tile covered with rough stucco. The roof has a slight eave overhang covered with red clay barrel tiles and carved wood brackets below. The focal point of the house is the very ornate stone door surround featuring Corinthian pilasters, classical carved designs and a cornice topped with urns and a cartouche..."

In 2020, an administrative approval (L-20-00350) was issued for fenestration changes to the accessory structure.

At the August 21, 2024 LPC meeting, the Commission approved (7-0) second-story addition and covered terrace. 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 "Renovation to Shipley Residence", as prepared by **Smith Architectural Group**, received by the Town on July 12, 2024.

The following is the scope of work for the Project:

- A new second-story addition.
- A new second-story covered terrace.
- Pergola removal.
- Partial window replacement with relocation of openings.

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

- **VARIANCE #1:** A variance to reduce the side yard (west) setback to 2'-5" in lieu of the 15'-0" minimum required.
- **VARIANCE #2:** A variance to increase the allowable cubic content ratio (CCR) to 6.27 in lieu of the maximum 4.39 permitted.

Site Data			
Zoning District	R-B	Lot Size (SF)	6,125 SF
Future Land Use	SINGLE-FAMILY	Total Building Size (SF)	3,363 SF
Designation	2017	FEMA Flood Zone	AE
Year of Construction:	1925	Architect/Builder:	City Builder's Realty Company
Project			
	Required/Allowed	Existing	Proposed
Lot Coverage	30.00% (1,837.5 SF)	34.66% (2,122.82 SF)	No Change 34.66% (2,122.82 SF)
Building Height	22'	21.08'	20'-0"
Overall Building Height	30'	25.08'	26'-0"
Number of Stories	2	2	2
Cubic Content Ratio (CCR)	4.39 (26,779 CF)	5.81 (35,450 CF)	6.27 (38,254.8 CF) <i>Variance Required</i>

Surrounding Properties / Zoning	
North	225 Seaspray Ave / R-B
South	241 Seaview Ave (Palm Beach Day School) / R-B
East	222 Seaspray Ave / R-B
West	230 Seaspray Ave / R-B

STAFF ANALYSIS

The application is seeking a Certificate of Appropriateness for the construction of a new second-story addition and covered terrace. In addition, the application includes exterior alterations and partial window replacement with relocation of openings.

New Addition and Covered Terrace

The new second-story addition and covered terrace are proposed on the south (rear) elevation of the structure. Although the residence has two stories, at the rear there is a one-story volume. The new addition and terrace will be located above it. Four windows will be removed on the second floor to accommodate the addition. A flat roof design with a decorative parapet with clay barrel tile caps which is consistent with the architectural style of the residence is proposed. Four (4) sets of arched wood French doors with divided-light patterns are proposed, one (1) them will be added to the existing exterior wall of the structure. A stucco finish will be installed to match existing ones. Two (2) projecting balconies with dark bronze aluminum railings will be located on the south side of the addition.

Directly west of the addition, a new covered terrace will be created. It will include a new awning with a forest green stripped pattern as well as dark bronze aluminum railings and balcony walls.



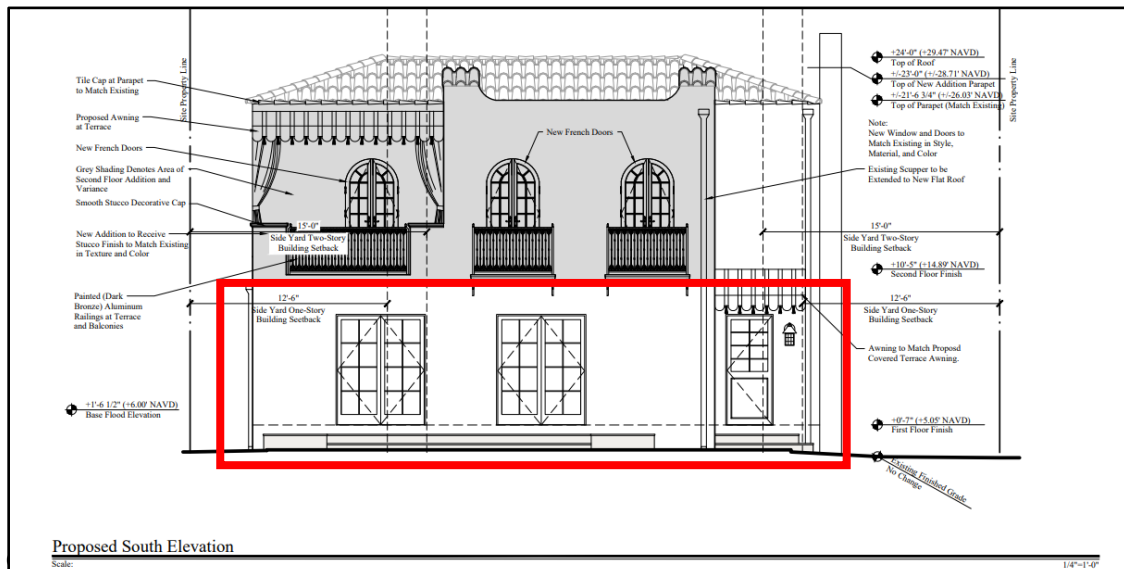
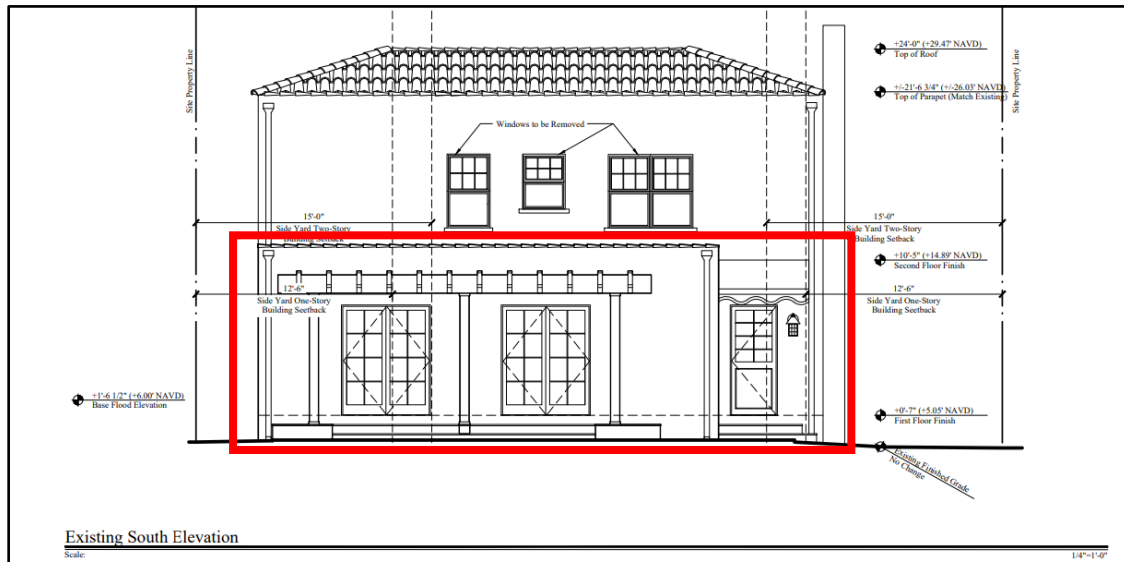
The property does not conform with existing lot coverage, setback, and cubic content ratio (CCR) requirements. This is not uncommon for historic structures from the 1920s that were not built under the current zoning regulations. The covered terrace as part of this application does require a side (west) yard setback since it follows the existing side yard setback of the residence (2'-5") which does not meet the minimum 15'-0". Adding square footage to the second floor of the residence also triggers the need for a CCR variance, but not a lot coverage increase, since the existing structures already exceed the maximum CCR of 4.39—it is at 5.81, as outlined in the table below:

Code Section	Required	Proposed	Variance
Variance #1: Sec. 134-893(b)(7)(b)	15'-0" Side Yard Setback	2'-5" Side Yard Setback	12'-7"
Variance #2: Sec. 134-893(b)(13)(a)(1)	4.39 (26,779 CF) CCR	6.27 (38,254.8 CF) CCR	1.88 (11,475.8 CF) CCR

Overall, the design of the new addition and covered terrace is compatible with the Mediterranean Revival structure. Although a lower parapet height could achieve a greater level of differentiation from the existing structure, the proposed parapet with decorative elements and tile caps also satisfies this historic preservation objective.

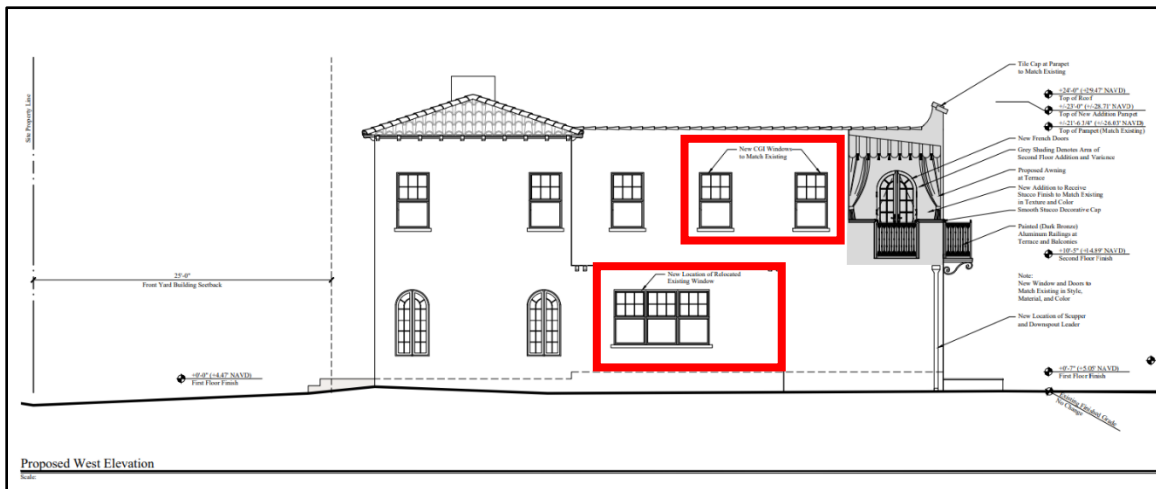
Exterior Alternations and Partial Window Replacement

On the first floor of the south (rear) elevation, the existing pergola will be removed. An existing awning will be replaced above a door on the eastern side of the façade. The awning will feature the same design and color scheme as the one proposed on the second-floor covered terrace.



metal sash window and one (1) white metal fixed window (that replicates the appearance of a sash

window) with greater spacing between them. One of the removed windows will be reinstalled on the first-floor façade. Additionally, a triple window on the ground floor will shift slightly to the north to accommodate an adjusted floorplan.



From a historic preservation perspective, original openings should remain. However, the proposed changes will be minimally visible from the street. Staff recommends that the Commissioners discuss whether the new windows should be wood frame to match the existing fenestration.

CONCLUSION:

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: JGM: FHM: ALF