

FERGUSON &
SHAMAMIAN
ARCHITECTS

July 30th, 2024

Town of Palm Beach
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480

By E-mail: devrev@townofpalmbeach.com
 And upload to the EPL portal

Re: COA 24-0002
 ZON 24-0039
 195 Via Del Mar, Palm Beach, FL
 Letter of Intent

Dear Members of the Town of Palm Beach Landmark Preservation Commission;

Please find this Second Submittal application on behalf of the Owner and Applicant, Guy Rabideau, as Trustee of the 195 Via Del Mar Trust. The applicant is submitting a proposal for new metal gates and flanking stone piers at the vehicular entrances along Via del Mar. We consider the proposed design to be compatible with and subordinate to the 1928 Romanesque, Mediterranean Revival style house designed by Maurice Fatio (Landmarked 2/16/1990).

Property Description:

The Palm Beach County Appraiser's Office identifies the Property with Folio Nos. 50-43-43-35-00-001-0110. The Property is a rectangular shaped lot comprised of approximately 73,000 square feet.

Located in the R-A, Estate Residential Zoning District, the Property is surrounded by similar single-family houses. The residential area has two-story houses with pools, courtyards and lush landscaping.

Proposed Development:

The majority of the proposed scope of work for this property has been approved, with a Development Order, by the Landmarks Preservation Commission under File Number COA-24-0002 and reviewed at the June 21st, 2024 hearing.

The remaining scope of work, under consideration, in this application is outlined below;
Vehicular Gates and Piers

- Replace existing, non-original metal entry gates, stone piers and stone call boxes at vehicular entrances on Via del Mar. Install new stone piers to match Fatio's original design intent, new black painted metal gates to match characteristics of original Fatio designed metal work found at the front entry vestibule and new call boxes set in stone piers to match original Fatio style details.

The application addresses all pertinent review criteria in the following Ordinance sections;

54-123 – Exterior Alterations

The criteria set forth in Section 54-122, where applicable, have been met:

- The alterations are sensitive to the intent of the original architecture by replicating an original unbuilt Maurice Fatio design for the piers and drawing inspiration from original metal ironwork details.
- The proposed exterior alterations will enhance the architectural quality as well as the historical character of the building.

54-125 – Partial Demolition

The criteria set forth in Section 54-125, where applicable, have been met:

- The importance, historic and architectural significance of the house has been taken into consideration and is being preserved.
- The proposed demolition of existing non original metal gates and stone piers has minimal impact to the architectural and historical integrity of the house because these finishes are being replaced with materials and/or designs sympathetic to the originals.

Justification:

- 1) The property is located in the R-A Zoning District and the residence was constructed in 1928 and is a Landmarked Property. The new gates and piers will be beneficial to the neighborhood.
- 2) The proposed work is not injurious to the neighborhood.
- 3) The applicant is not proposing any special conditions of the property or residence.
- 4) The non-confirming condition (stone gate piers and painted metal gates exceeding the 8'-0" height restriction) at the Via del Mar main vehicular entrances has been requested by the Landmarks Preservation Commission to match an original design sketch and metalwork designs by Maurice Fatio.

Variance:

Section 134-1668: Request for a variance to allow the gateposts at the driveway entrance to be increased to 9.5 feet in height in lieu of the 8 foot maximum allowed by the Code and the gate to be 9 feet in height in lieu of the 8 foot maximum allowed by the Code.

Section 134-201 – Findings prior to authorization.

1. The special conditions and circumstances related to the subject property is that this is a landmarked house built in 1934 and, therefore, any additions or modifications made to the house need to be such that the existing character of the house is upheld. The replacement of the gate at this location has resulted in the Landmarks Preservation Commission requesting the gateposts depicted in the sketch by Maurice Fatio which would be 9.5 feet and subsequently the gate to be 9.0 feet.
2. The special conditions and circumstances are not the result of the applicant as the Landmarks Preservation Commission has requested the specific gateposts be increased to 9.5 feet in order to match the sketch by Maurice Fatio.
3. Granting of the variance requested will not confer any special privilege that is denied to the neighboring properties as the gate and gateposts will be in line with the existing features, character, and stature of the house and the increase in height of the gate and gateposts is being proposed due to the request by the Landmarks Preservation Commission.
4. The hardship, which runs with the land, is that the proposed increase in height of the gate and gateposts is the result of the request by the Landmarks Preservation Commission to match the sketch by Maurice Fatio.

5. The variance requested is the minimum necessary to make reasonable use of the land as the gate and gateposts will be in line with the existing features, character, and stature of the house.
6. The granting of the variances will not be injurious to the neighborhood. The gate and gateposts will be in line with the existing features, character, and stature of the house; therefore, the height of the gate and gateposts will not detrimentally affect the neighbors or public passersby.

Conclusion:

The Applicants' goal is to replace the existing, non-historic front entry gates and stone piers with new gates and piers that more accurately reflect the original design intent of Maurice Fatio.

Thank you for your time and attention to this matter.

We look forward to your review and feedback.

Sincerely,

FERGUSON & SHAMAMIAN ARCHITECTS



Scott J. Sottile

cc: Guy Rabideau, David Klein, Garrett Ellis,
William Rutledge, Karin Ames, Natalie Zuppas

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