



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: Architectural Commission and Town Council

FROM: Wayne Bergman, MCP, LEED-AP
Director PZ&B



SUBJECT: ARC-24-0015 (ZON-24-0008) 253 SEMINOLE AVE (COMBO)

MEETING: AUGUST 28, 2024 ARCOM
SEPTEMBER 11, 2024 TC

ARC-24-0015 (ZON-24-0008) 253 SEMINOLE AVE (COMBO). The applicant, Thomas Dagostino, has filed an application requesting Architectural Commission review and approval for an expanded pool deck and new awning shade structure, requiring variances related to landscape open space and lot coverage. The Town Council shall review the application as it pertains to zoning relief/approval.

ZON-24-0008 (ARC-24-0015) 253 SEMINOLE AVE (COMBO) – VARIANCES. The applicant, Thomas Dagostino, has filed an application requesting Town Council review and approval for two (2) variances; (1) to expand existing nonconforming lot coverage beyond maximum permitted, and (2) to decrease existing nonconforming landscape open space below minimum permitted; as part of hardscape and awning shade structure improvements. The Architectural Commission shall perform design review of the application.

Applicant: Thomas Dagastino
Landscape: Environment Design Group (Dustin Mizell)

HISTORY:

At the August 28, 2024 ARCOM hearing, the commission voted 7-0 in favor of the application, with the condition that the proposed hardscape expansion is not part of the approval, and that the design of the awning support was to be revised and approved via an ARCOM Administrative Application with Chairman Review.

The remaining lot coverage variance required for the new awning was indicated (7-0) not to have negative architectural impact on the application.

THE PROJECT:

The applicant has submitted plans, entitled "Private Residence: 253 Seminole Avenue" as prepared by **Environment Design Group**, submitted July 9, 2024.

The following scope of work is proposed:

- New 295 SF awning structure.
- Expansion of existing pool deck by 111 SF.

The following Special Exception, Site Plan Review, and/or Variance(s) are required to complete the project:

- **VARIANCE 1:** Sec. 134-948(9)b.: A variance to exceed the maximum allowable lot

coverage of 33.53% existing and the 30% maximum lot coverage permitted for 38.5% proposed.

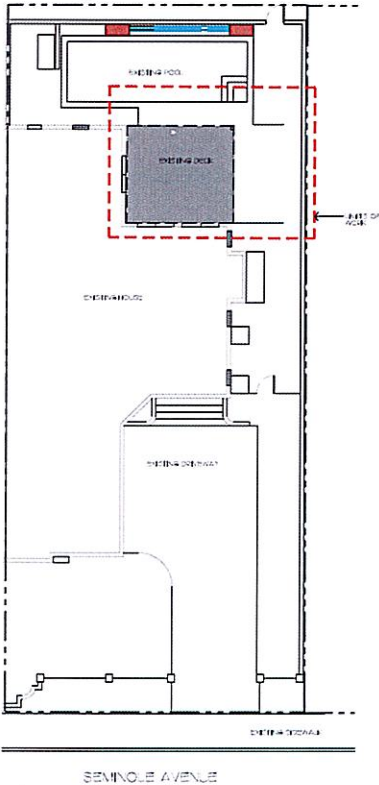
- **VARIANCE 2:** Sec. 134-948(11)b.: A variance to further reduce the landscape open space of 33.9% existing and 40% minimum required for 32.09% proposed.
 - a. *Hardscape expansion to the east outside of awning area not approved by the Architectural Commission.*

Site Data			
Zoning District	R-C	Future Land Use	Multi-Family Medium Density
Lot Size	5,949 SF	Lot Coverage	Permitted: 30% (1784.7 SF) Existing: 33.53% (1995 SF) Proposed: 38.5% (2290 SF) <i>Variance Requested</i>
Lot Depth	119.02'	Lot Width	50'
Overall Landscape Open Space	Required: 40% (2379.6 SF) Existing: 33.9% (2020 SF) Proposed: 32.09% (1909 SF) <i>Variance Requested</i>	Front Yard Landscape Open Space	Required: 35% Existing: 53.9% Proposed: 53.9%
Surrounding Properties / Zoning			
North	250 & 256 Everglade Ave Duplex / R-C		
South	256 Seminole Ave Residence / R-C		
East	249 Seminole Ave Residence / R-C		
West	255 Seminole Ave Attached Residence / R-C		

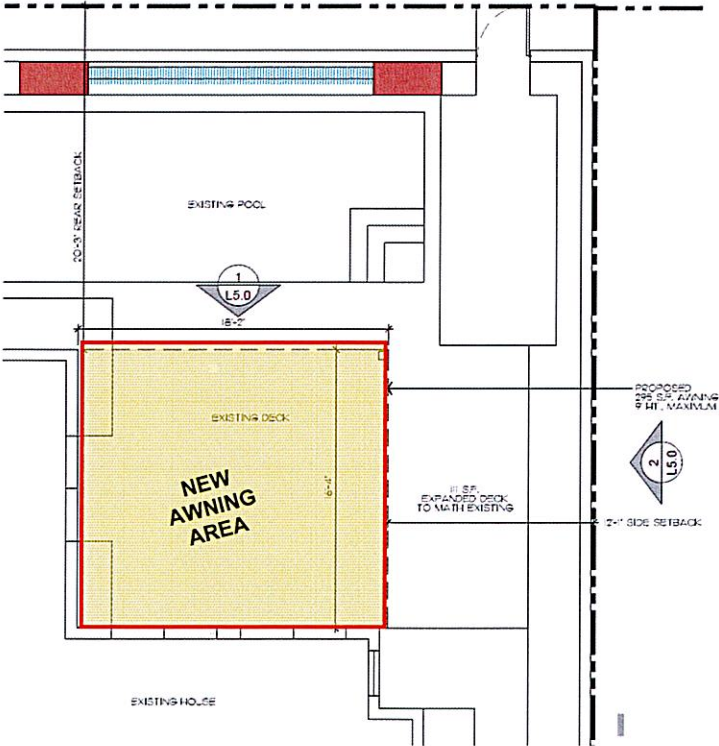
STAFF ANALYSIS

The applicant is proposing the construction of a new canopy awning structure at the rear of the property at the pool deck. A preliminary review of the project indicates that the application, as proposed, is inconsistent with the Town zoning code and requires one (1) variances to achieve the application as proposed.

The subject property is one-half of a duplex located on the north side of Seminole Avenue. The proposed awning addition is 295 SF and is proposed over existing decking and planter areas at the rear of the structure. The height of the awning will not exceed 9' in height. The applicant proposed to expand existing nonconforming hardscape to the east by removing sod and installing 111 SF of acid washed white cast stone to match existing deck materials, however, ARCOM did not approve the hardscape expansion in the scope. No other landscape changes are proposed. The site is nonconforming to both lot coverage and landscape open space regulations as it exists. The proposed changes exacerbate the nonconformities and require variances from the zoning code.



Area of Work



New Awning Area Enlarged

Code Section	Permitted/Required	Proposed	Variance
--------------	--------------------	----------	----------

<u>VARIANCE 1:</u> Sec. 134-948(9)b.	30% lot coverage	38.5% proposed 32.09% existing	+8.5% From Permitted +4.97% From Existing
<u>VARIANCE 2:</u> Sec. 134-948(11)b	40% Landscape Open Space	32.09% proposed 33.9% existing	-7.91% From Required -1.81% From Existing

CONCLUSION:

Approval of the project will require one (1) separate motion(s) to be made by the Town Council:

- (1) for final determination of approval or denial of the (1) variance by the Town Council, and that the variances **shall** or **shall not** be granted that all the criteria applicable to this application as set forth in [Sec. 134-201\(a\)](#), items 1 through 7 have been met.

WRB:JGM:BMF