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## LETTER OF INTENT

COA-24-0014 and ZON-24-0041: We are pleased to submit the accompanying drawings for our project at 860 S. Ocean Blvd., Palm Beach, FL. The proposed work includes the following:

- Construction of one-story additions, mostly with basements, at the rear of the existing landmarked residence. The materials and details of the additions to match or complement existing architecture.
- The existing tennis court will be removed and the existing pool and pool deck will be replaced.
- New hardscape and landscaping will be installed.

Please note the following as it relates to this application:

Sections 134-201, 134-226, 134-227 and 134-843(10). Applicant is requesting variances as described below.

The following zoning relief is requested:

1. **Variance 1: Sec. 134-843(10)a.**: A variance to allow construction of a one-story addition with a height of 28'11.5" for the Great Room and 27' for the L'Orangerie room in lieu of 25' maximum permitted.
2. **Variance 2: Sec. 134-843(10)b.**: Request for a variance to allow the construction of a one-story addition with an overall height of 37'11.5" in lieu of 35' maximum permitted.

The hardship that runs with the property is the dramatic slope of the lot from east to west. The elevation along the S. Ocean Blvd. is approximately 18.34' NAVD, and the elevation along S. County Rd. is approximately 7.87.' To add an addition to match the architecture of this beautiful landmarked residence, it is very challenging to match the height of the existing home to the addition and still meet the Code's height requirements given the drastic elevation changes.

Granting of the variances will not be contrary to the public's interest because no negative impact to the neighbors will result. The applicant proposes to preserve and improve the existing historic home, and the additions will be the same height or shorter than the existing home.

See Site History attached hereto as Exhibit "A."



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**Criteria for Site Plan Review – N/A**

**Criteria for Special Exceptions – N/A**

**Criteria for Authorizing a Variance (Variances #1 and 2 are combined because the analysis is the same)**

1. List the special conditions and circumstances peculiar to the land, structure or building which are not applicable to other lands, structures or buildings in the same zoning district.

The hardship and special conditions applicable to this property are that the natural grade of the property slopes dramatically from east to west (front to back). The difference in elevation is approximately ten feet from the front boundary to the rear boundary. To match the existing architecture of the landmarked home, variances are required because the Code's point of measurement ordinance does not apply to a dramatic slope from front to back.

2. Indicate how the special conditions and circumstances do not result from the actions of the Applicant.

The physical characteristics of the lot are natural, and the home was built in 1928.

3. Demonstrate that the granting of the variance will not confer on the Applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district.

No special privileges will be conferred on the Applicant if the variances are granted because the applicant is simply trying to match the architecture and height of this 1928 landmarked home, which was built on a very sloped lot.

4. Demonstrate how literal interpretation of this ordinance would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the Applicant.

Literal interpretation of the ordinances would deprive Applicant of the right to add an addition that otherwise meets all code requirements and matches the beautiful character of the home.

5. Demonstrate that the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

The requested relief is the minimum necessary because the Applicant proposes to keep the height of the one-story additions at or below the height of the existing home.



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6. For granting of a variance to sections 134-387, or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings must be demonstrated pertaining to the nonconforming use for which the variance is requested:

N/A

7. Show how the granting of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

The granting of these variances are in harmony with the intent and purpose of the Zoning Code because the requested renovation is an improvement to this to-be landmarked home and it will preserve the home for the future. No greater height is proposed, and the project meets all other lot, yard and area zoning requirements.



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## **Exhibit A**

The Mediterranean style home was designed in 1928 by Julius Jacobs for Woolworth executive E. Z. Nutting. The structure has a number of distinctive features including a large 2-story high entry with a curved roof and an ornamented 3-story tower topped with gargoyles at the corners. The first floor living spaces have ceilings of 16 feet or higher. The original building included a large front terrace with cast stone decorative sea animals, which were also used at the rear terrace. The front terrace was removed some time after 1935 when the elevation of Ocean Blvd. was raised. The site originally included a large saltwater pool at the rear of the house. The existing tennis court was added in 1976.