



**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 *WUB*  
Director PZ&B

**SUBJECT:** ZON-24-0041 (COA-24-0014) 860 S OCEAN BLVD (COMBO)

**MEETING:** SEPTEMBER 18, 2024, LPC  
OCTOBER 9, 2024, TC

**ZON-24-0041 (COA-24-0014) 860 S OCEAN BLVD (COMBO) – VARIANCES.** The applicant, John J. Cafaro Family Trust (John J. Cafaro, Trustee), has filed an application requesting Town Council review and approval of two (2) variances to 1) exceed the maximum allowable building height and 2) exceed the maximum allowable overall building height associated with new one-story additions to the existing residence. The Landmarks Preservation Commission shall perform design review of the application.

**COA-24-0014 (ZON-24-0041) 860 S OCEAN BLVD (COMBO).** The applicant, John J. Cafaro Family Trust (John J. Cafaro, Trustee), has filed an application requesting a Certificate of Appropriateness for the review and approval of one-story additions requiring variances to exceed maximum building height and maximum overall building height, a new pool, and hardscape and landscape modifications. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

**Applicant:** John J. Cafaro Family Trust | John J. Cafaro, Trustee  
**Representative:** M. Timothy Hanlon  
**Professional:** Jacqueline Albarran | SKA Architect | Environmental Design Group

**HISTORY:**

The residence was constructed in 1928 and designed by architect Julius Jacobs. The Mediterranean Revival structure was designated as a landmark in 1991. According to the designation report: *“In 1928, Long Island Woolworth executive E. Z. Nutting began building a home in Palm Beach (Building Permit no. 8928 and Smith, 12-E). According to an article in the 1953 Palm Beach Times, Nutting had traveled in Europe and compiled photographs in order to develop plans for his Palm Beach home (Smith, 12-E). Julius Jacobs, a Palm Beach architect from 1924-1942, designed the Nutting residence. Jacobs came from New York, and began as an associated in the office of Bruce Kitchell, but developed his own distinctive style. Within the first year, 860 Ocean Blvd. earned the name “Nuestro Paradiso,” and was later called “Casa Alegre” by subsequent owners.”*

In 2000, LPC approved a Certificate of Appropriateness (COA #13-00) for window replacement, stucco restoration, addition of a balcony, new garage doors, extension of the pool terrace, and the addition of French doors on the west elevation.

In 2001, LPC approved COA #6-01 for landscape, hardscape, site lighting, a new awning, and a new pergola.

In 2011, LPC approved COA-002-2011 for landscape, hardscape, a fountain, and statues.

At the September 18, 2024 LPC meeting, the Commission approved (6-1) the project. 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 “CAFARO RESIDENCE”, as prepared by **SKA Architect + Planner** and **Environmental Design Group**, received by the Town on August 13, 2024.

The scope of work for the project includes:

- One-story additions with basements, increasing the residence’s enclosed square footage by 9,673.3 square feet.
- Removal of the existing tennis court, awning support structure, pergola, and pool.
- Hardscape and landscape modifications including a new pool.

The following variances are required to achieve the additions.

- **VARIANCE #1:** A variance to exceed the maximum allowable building height by 3.95’, for a total building height of 28.95’, in lieu of the maximum 25’.
- **VARIANCE #2:** A variance to exceed the maximum allowable overall building height by 2.95’, for a total overall building height of 37.95’, in lieu of the maximum 35’.

Site Data			
<b>Zoning District</b>	R-A	<b>Lot Size (SF)</b>	68,908 SF
<b>Future Land Use</b>	SINGLE-FAMILY	<b>Crown of Road S. County Rd</b>	7.87’ NAVD – At Highest Point
<b>FEMA Flood Zone</b>	X		
<b>Year of Construction:</b>	1928	<b>Architect:</b>	Julius Jacobs
Project			
	Required/Allowed	Existing	Proposed
<b>Lot Coverage</b>	25.00% (17,227 SF)	12.63% (8,704.72 SF)	20.85% (14,370.39)
<b>Building Height*</b>	25’	45.76’	28.95’ Additions <i>Variance Required</i>
<b>Overall Building Height**</b>	35’	55.52’	37.95’ Additions <i>Variance Required</i>
<b>Enclosed Square Footage</b>	N/A	20,213.3 SF	29,986.6 SF
<b>Number of Stories</b>	2	4	1 (Additions)
<b>Landscape Open Space</b>	50.00% (34,454 SF)	44.5% (30,674 SF)	50.97% (35,122 SF)

Surrounding Properties / Zoning	
North	196 Via Del Mar & 850 South Ocean Boulevard / R-A
South	109 Via Vizcaya, 117 Via Vizcaya, 125 Via Vizcaya, & 870 South Ocean Boulevard / R-A
East	South Ocean Boulevard
West	854 South County Road & 4 Via Vizcaya / R-A

### **STAFF ANALYSIS**

The application is seeking a Certificate of Appropriateness (COA) for one-story additions with basements, increasing the residence's enclosed square footage by 9,673.3 square feet to a total of 29,986.6 SF; removal of the existing tennis court, awning support structure, pergola, and pool; and hardscape and landscape modifications including a new pool.

### **Additions**

The scope of work includes two new addition wings on the west side (rear) of the four-story landmarked structure. An existing tennis court, awning support structure, pool, and pergola will be removed to accommodate the additions. The north and south additions are proposed to be one-story with a basement. The north addition will feature a flat roof annex that creates a connection with the existing residence. The south addition will connect directly to an existing flat roof annex. These annexes ensure the hipped roofs of the additions do not remove notable original features on the west façade of the residence. The exterior finishes will include clay barrel tiles to match existing, textured stucco, window and door details inspired by the existing residence with Roman and gothic arches, and new light fixtures appropriate for the architectural style of the residence. Stained glass windows are proposed on several openings which draw inspiration from the residence.



North Elevation (Partial)





*South Elevation (Partial)*

### Exterior Alterations

Except for the changes associated with attaching the additions to the existing Landmarked structure, the only other significant exterior alterations are the creation of a new entry terrace on the front (east) of the property and enclosing the south garage.

Historic photographs show that the east side of subject property was originally much lower, necessitating a front entry with several steps leading to the front entry. This area was adorned with 'sea creatures' which are also featured in the rear terraces of the property. As specified in the designation report, sometime after 1935, the front terrace was removed, and the front entrance became ground level. The proposal seeks to create a new entry terrace which reintroduces the 'sea creatures' which were removed once the property was raised.



*Historic Photograph*



*Current Photograph*



1 EXISTING EAST ELEVATION  
 SCALE: 1/8" = 1'-0"



### Hardscape and Landscape

The proposed site plan features a new garden and mechanical equipment enclosure on the north side of the property. On the west side of the north addition, an Italian garden and pavilion are proposed. The lower west terrace, centered between the two (2) additions, will feature a foundation, well, and planters. A new pool and spa are proposed west of this terrace area. On the south side of the property a new terrace is proposed with lawn areas, fountain, and planting areas. Due to the dramatic change in the property's grading, stairs with balustrade detailing are featured throughout the proposed terraces. In addition, new site walls are proposed and the driveway that leads to the south garage will be filled. The property also contains an existing north garage that will remain.



The new landscaping will have a variety of trees and palms, including Large Leaf Clusia, Southern Magnolia, Calophyllum, Tripple Adonia Palms, Dahoon Holly, Myrsine Cubana, Cypress, and Single Pygmy Date Palms. Shrubs and vines will include Beach Creeper, Inkberry, Green Island Ficus, Bougainvillea Sphere, Bougainvillea Vine, Pink Dragon Wing Begonia, Ice Pink Oleander, Egyptian Paper Reed, Monstera Minima, Atamasco Lilly, Button Busu, Lady Palm, Elephant Ear, Green Cocoplum, Cocoplum Horizontals, Confederate Jasmine Vine, White Lantana, Oak-Leaf Hydrangea, Pink Ixora, Carmona Border, Simpson Stopped, Pink Lindheimeri Butterfly Plant, Philodendron, Gold Duranta, and Purple Sky Vine.

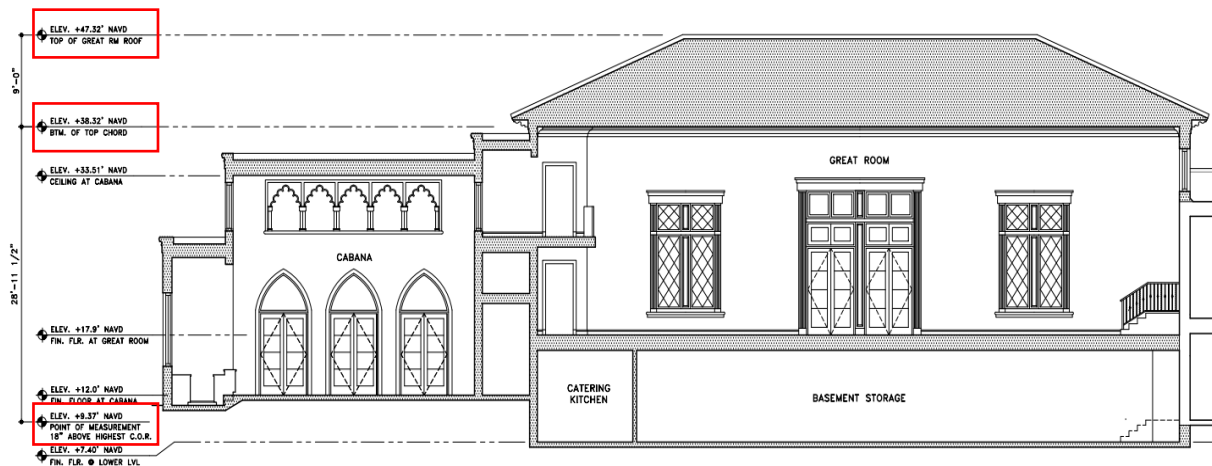
### Variances

The existing residence is non-conforming in regards to the number of stories and the building height. Although the proposed additions are only one story and substantially lower than the existing residence, variances are required due to the unique topography of the lot. The subject property is a through lot with the highest abutting crown of road on South Ocean Boulevard set at 18.34' and 7.87' on South County Road. This represents a significant change in grade which impacts how building height is measured on the lot.

Since the property is located outside of a Special Flood Hazard Area and the additions are not constructed seaward of the Coastal Construction Control Line, the point of measurement for building height is measured 18 inches above the highest crown of road of South County Road (7.87' + 18" = **9.37' NAVD**). As a result, the additions will require both a building height and overall building height variance. Building height is measured from the point of measurement to the point at which the outside wall meets the horizontal eave of the roof. While the overall building height is measured from the point of measurement to the highest point of the roof. The variance requests are summarized in the table and diagrams below:

Code Section	Required	Proposed	Variance
<b>Variance #1:</b> Sec. 134-893(a)(10)(a.)	25' Building Height Max.	28.95' Building Height	<b>3.95'</b>
<b>Variance #2:</b> Sec. 134-893(a)(10)(b.)	35' Overall Building Height Max.	37.95' Overall Building Height	<b>2.95'</b>

Variance #1 exceeds the maximum allowable building height by 3.95', for a total building height of 28.95', in lieu of the maximum 25'. Variance #2 exceeds the maximum allowable overall building height by 2.95', for a total overall building height of 37.95', in lieu of the maximum 35'.



front (eastern side along South Ocean Boulevard) of the property ranges from 14.5 to 20 feet. Due to the unique siting conditions of the elongated dual-frontage lot, that contains a severe grade change from South County Road (west) to South Ocean Boulevard (east), staff is supportive of the variance requests.

**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