



TOWN OF PALM BEACH
Planning, Zoning & Building Department
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PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Combination Memorandum: Architectural Commission and Town Council

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

SUBJECT: ARC-24-0108 (ZON-24-0066) 1519 N OCEAN WAY (COMBO)

MEETING: JANUARY 29, 2025 ARCOM
FEBRUARY 12, 2025 TC

ARC-24-0108 (ZON-24-0066) 1519 N OCEAN WAY (COMBO). The applicant, 1519 N Ocean Way #1 LLC & 1519 N Ocean Way #2 LLC (Maura Ziska, Attorney), has filed an application requesting Architectural Commission review and approval for a new two-story single-family residence of over 10,000 sq ft and detached guest house with final hardscape, landscape and swimming pool improvements. A special exception with site plan review is required to redevelop the existing nonconforming parcel and a zoning variances are required to exceed maximum building height, maximum overall building height, and to permit improvements within the ocean bulkhead setback. The Town Council shall review the application as it pertains to zoning relief/approval.

ZON-24-0066 (ARC-24-0108) 1519 N OCEAN WAY (COMBO) – SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES. The applicant, 1519 N Ocean Way #1 LLC & 1519 N Ocean Way #2 LLC (Maura Ziska, Attorney), has filed an application requesting Town Council review and approval for a special exception with site plan review for redevelopment of an existing parcel which is nonconforming to minimum lot width requirements in the R-A zoning district. Additionally, three variances are requested to (1) exceed maximum building height and (2) to exceed maximum overall building height for the portions of the structure located west of the CCCL and (3) to permit improvements (steps) within the 50' ocean bulkhead setback area. The Architectural Commission shall review the application as it pertains to zoning relief/approval.

Applicant: 1519 N Ocean Way #1 LLC & 1519 N Ocean Way #2 LLC
Architecture: Wadia Associates (Paul Masino)
Landscape: Fernando Wong Outdoor Living Design (Fernando Wong)
Legal: Maura Ziska

THE PROJECT:

The applicant has submitted plans, entitled "1519 N OCEAN WAY" as prepared by **Wadia Associates**, uploaded January 16, 2025.

The following scope of work is proposed:

- Proposed new, two-story, 10,000+ SF single-family residence with basement and detached two-story accessory structure with final hardscape, landscape and swimming pool improvements.

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

- **SPECIAL EXCEPTION: Sec. 134-843(b):** A Special Exception request to permit redevelopment of an existing nonconforming parcel of land in the R-A zoning district which is 90 ft in width, in lieu of the 125 ft minimum width required.
- **VARIANCE 1: Sec. 134-843(10)a.:** A variance to exceed maximum building height to permit 30.96' in height in lieu of the 25' maximum building height permitted; for the portion of the structure located west of the CCCL.
- **VARIANCE 2: Sec. 134-843(10)b.:** A variance to exceed maximum overall building height to permit 37.15' in height in lieu of the 35' in height maximum permitted; for the portion of the structure located west of the CCCL.
- **VARIANCE 3: Sec. 134-1702:** A variance to permit the construction of stairs (structure) within the 50' ocean bulkhead setback area.

Site Data			
Zoning District	R-A	Future Land Use	SINGLE-FAMILY
Lot Size	29,429 SF	Crown of Road	6.05' NAVD
Lot Depth	327.3'	Lot Width	Required: 125' Existing: 89.9' <i>Special Exception Required</i>
Lot Coverage	Permitted: 25% (7357 SF) Proposed: 22.57% (6,675 SF)	Enclosed Square Footage	14,780 Main House 1,229 Guest House Total: 16,009 SF
Cubic Content Ratio (CCR)	<i>Not Applicable</i>	Angle of Vision	Permitted: 100° Proposed: 28°
Building Height	Permitted: 25' Proposed: 25' (& 30.96' W CCCL) <i>Variance Required</i>	Overall Building Height	Permitted: 35' Proposed: 28.75' (& 37.15' W CCCL) <i>Variance Required</i>
Finished Floor Elevation	19.19' NAVD	FEMA Flood Zone	Zone X
Maximum Fill	Permitted: 6.57' Proposed: 6.57'	Zero Datum	15.9' NAVD (E of CCCL) 7.55' NAVD (W of CCCL)
Overall Landscape Open Space	Required: 50% Proposed: 50.7%	Front Yard Landscape Open Space	Required: 45% Proposed: 47.3%
Surrounding Properties / Zoning			
North	1545 N Ocean Way Residence / R-A		
South	1515 N Ocean Way Residence / R-A		
East	Atlantic Ocean		
West	1520 N Ocean Way Residence / R-B		

STAFF ANALYSIS

The subject property is located on the east side of the northernmost segment of North Ocean Way, eight parcels south of the inlet. The applicant is proposing the construction of a new, two-story, 10,000+ SF single-family residence with basement and detached two-story accessory structure with final hardscape, landscape and swimming pool improvements on an ocean front parcel. A preliminary review of the project indicates that the application, as proposed, is inconsistent with the Town zoning code and requires three (3) variances and one (1) special exception to achieve the application as proposed.



The proposed main residence is a two-story mass with basement sited to the rear (east) of the parcel, taking advantage of ocean views. A detached two-story guest house structure is proposed towards the front (west) of the parcel. The interior of the lot is raised and surrounded by retaining walls, featuring terraces and swimming pool. A single curb cut is proposed off of North Ocean Way on axis with stairs leading up to the raised yard and onward to the main entry. To the left (north) the drive provides a small service parking area and to the right (south) the drive leads towards the rear of the property along the south property line, eventually to the side-loaded basement garage. The mechanical equipment area is situated at the north side of the main structure, outside of the setback area and in a walled enclosure at the west end of the swimming pool (also outside of the setback). The design of the structure includes Verea Clay Barrel Tile roof, shite painted stucco, cast stone banding and water table, and wood columns and railings.



Front West Elevation of Main Structure



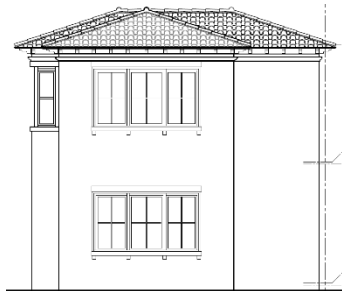
Rear East Elevation of Main Structure



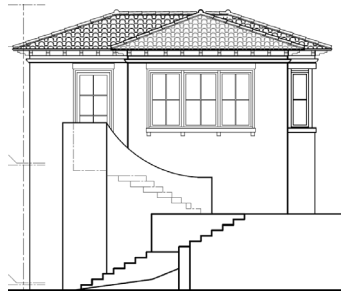
Side (North) Elevation of Main Structure



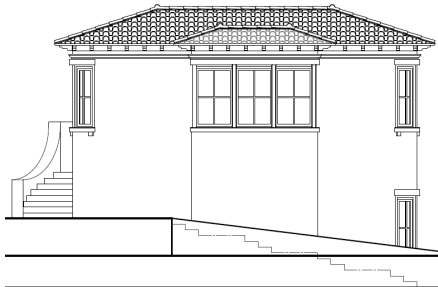
Side (South) Elevation of Main Structure



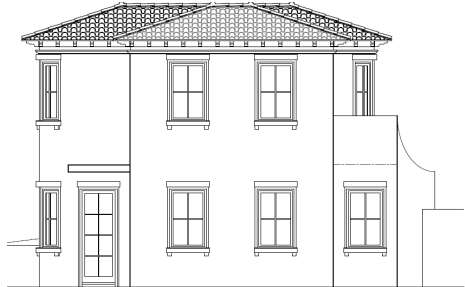
West Cabana Elevation



East Cabana Elevation

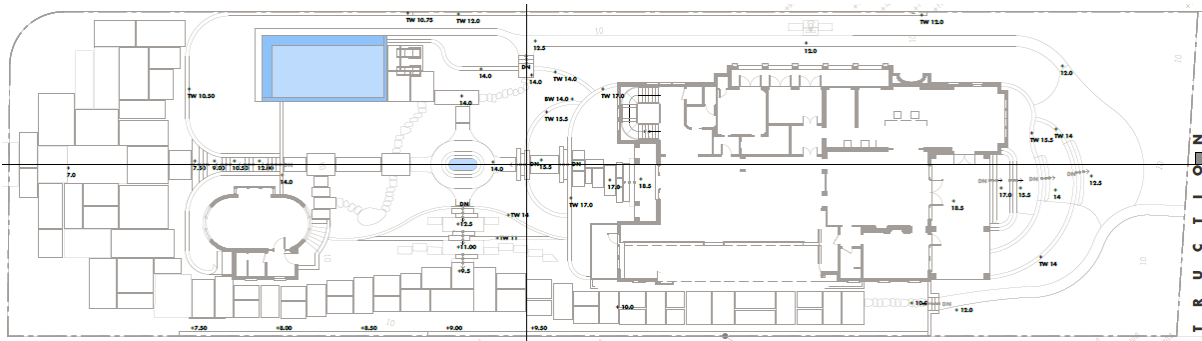


North Cabana Elevation

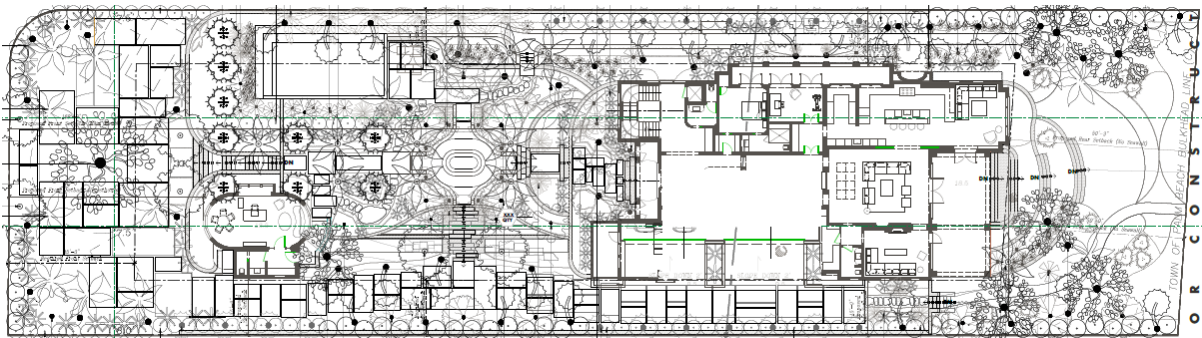


South Cabana Elevation

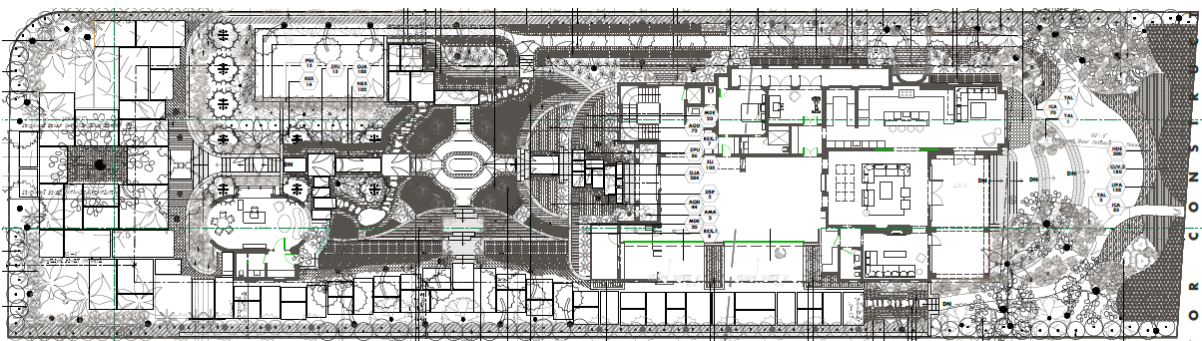
The driveway and parking areas are proposed in tabby concrete. Steps and retaining walls are proposed in oolite stone. Stair landings and pedestrian pathways are proposed in coral stone. Fountains are proposed in the raised yard in front of the main residence and in the north side yard. A very dense and tropical landscaping plan is proposed with 8 different tree species (several specimen) and 15 different types of palms proposed. At the rear of the property, an open terraces lawn leads toward the beach.



Hardscape Plan



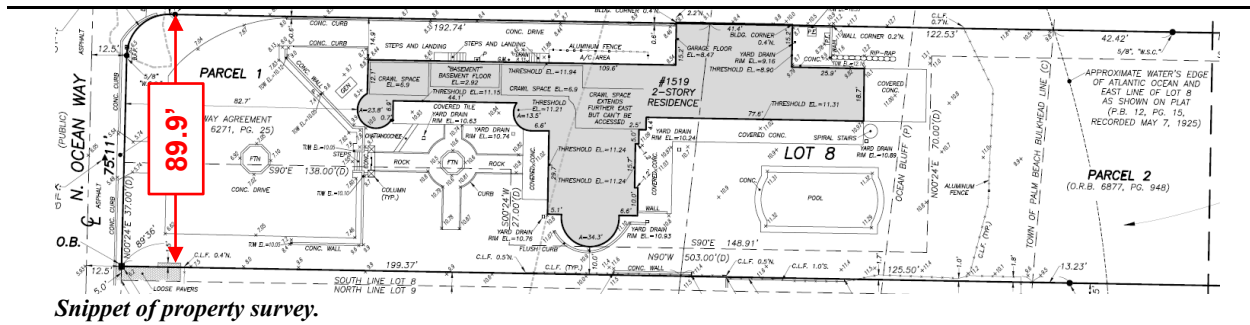
Canopy Landscape Plan



Understory Landscape Plan

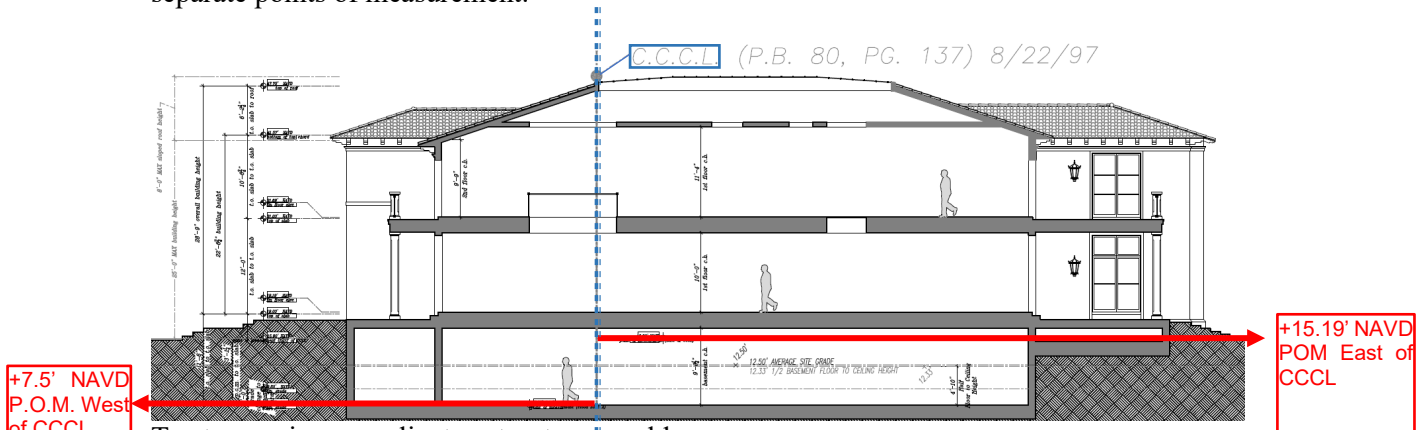
The application requires one Special Exception with Site Plan Review and three variances as designed.

The Special Exception stems from the existing configuration of the lot. The town's zoning code requires a minimum lot width of 125' in the R-A zoning district, with the existing parcel only providing 89.9'. Although nonconforming, the code does permit the redevelopment of existing nonconforming parcels in the R-A through the special exception process (in lieu of a variance).



Code Section	Required	Existing	Deficiency
Special Exception: Sec. 134-843(b)	Minimum Lot Width of 125'	Lot Width of 89.9'	- 35.1'

Two of the variances requested have to do with the Coastal Construction Control Line (CCCL) that bifurcates the property. The town's definition of building height was updated and due to the changes, this property would have two separate points of measurement. Having the separate points of measurement protects the neighborhood by accounting for the change in lot grade and topography as the property moves westward, away from the ocean. On this parcel, one point of measurement is for portions of the building at and east of the CCCL, and the other is for buildings or portions of buildings west of the CCCL. A building that crosses the CCCL would have two separate points of measurement.

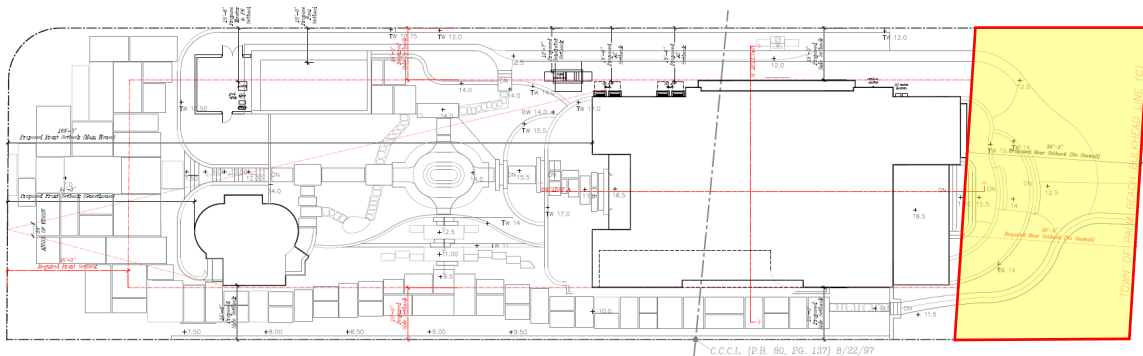


To stay zoning compliant, a structure would "step down" as it crosses west over the CCCL, reducing the height and mass as the grade elevation decreases. In this case, the applicant's desire is to have a single plane for the basement, first and second floors, without stepping down. The point of measurement at and east of the CCCL is 15.9' NAVD, and 7.55' NAVD west of the CCCL. The majority of the main structure is at or east of the CCCL, however, a small portion at the front of the main structure is west of the CCCL, which has a lower point of measurement. Therefore, two variances are being requested to exceed maximum building height and maximum overall building height for the portion of the main structure west of the CCCL.



Code Section	Permitted	Proposed	Variance
VARIANCE 1: Sec. 134-843(10)a.	Max. Building Height of 25'	Building Height 30.96'	+ 5.96'
VARIANCE 2: Sec. 134-843(10)b.	Max. Overall Building Height of 35'	Building Height 37.15'	+ 2.15'

The third variance pertains to the ocean bulkhead setback. The code does not permit improvements within the ocean bulkhead setback area. The applicant proposes to improve the area within the setback with steps and retaining walls to facilitate terracing down from the structure to the beach. The diagram below indicates the area of the ocean bulkhead setback where improvements are not permitted.



Code Section	Required	Proposed	Variance
VARIANCE 3: Sec. 134-1702	No Improvements within 50' Ocean Bulkhead Setback	Retaining walls and steps within Ocean Bulkhead Setback	Required



Rendered perspective of stairs in ocean bulkhead setback area.

CONCLUSION:

Approval of the project will require two (2) separate motion(s) to be made by the Architectural Commission:

- (1) for the overall design of the project in accordance with [Sec. 18-205](#) criteria, subject to any imposed conditions, and
- (2) that the implementation of the proposed variance **will** or **will not** cause negative architectural impacts to the subject property.

Approval of the project will require one (2) separate motion(s) to be made by the Town Council:

- (1) for final determination of approval or denial of the (3) variances 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, and;
- (2) For Special Exception request to redevelop a nonconforming parcel and meets the criteria set forth in Section 134-229 and finding that the approval of the Site Plan will not adversely affect the public interest, that all zoning requirements governing the use have been met and that satisfactory provision and arrangement has been made.

WRB:JGM:BMF