



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 *WUB*
Director PZ&B

SUBJECT: ARC-24-0133 (ZON-24-0074) 410 SEABREEZE AVE (COMBO)

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

ARC-24-0133 (ZON-24-0074) 410 SEABREEZE AVE (COMBO). The applicant, Deborah Glass, has filed an application requesting Architectural Commission review and approval for a second story addition which requires variance(s). Town Council shall review the application as it pertains to zoning relief/approval.

ZON-24-0074 (ARC-24-0133) 410 SEABREEZE AVE (COMBO) – VARIANCES. The applicant, Deborah Glass, has filed an application requesting Town Council review and approval for two (2) variances for a second story addition to (1) exceed maximum lot coverage permitted and (2) exceed maximum CCR permitted. The Architectural Commission shall perform design review of the application.

Applicant: Deborah Glass
Architecture: Kristin Kellogg
Legal: Maura Ziska

HISTORY

This property previously requested an addition (ARC-24-30) and was denied (7-0) by ARCOM on August 28, 2024. This current version is a substantially different request and restores some other elements of the structure.

Previously application VAR-11-2008 was approved by town council in 2008, approving the following variances: (1) CCR of 4.77 in lieu of the 4.29 existing and 4.08 maximum permitted by code. (2) One story east side yard setback of 11.3' in lieu of 12.5' minimum required. (3) Two story west side yard setback of 9.6' in lieu of the 15' minimum required.

THE PROJECT:

The applicant has submitted plans, entitled "ADDITION AND ALTERATIONS TO 410 SEABREEZE AVENUE" as prepared by **Smith Kellogg Architecture, Inc**, submitted January 8, 2025.

The following scope of work is proposed:

- Second floor addition to existing two-story residence.

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

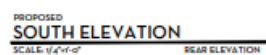
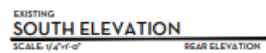
- **VARIANCE 1: Sec. 134-893(b)(11)b.:** A variance to rebuild a ground floor terrace and a second story addition with a 31.4% lot coverage, in lieu of the 30% maximum lot coverage permitted. With existing lot coverage at 31.7%.
- **VARIANCE 2: Sec. 134-893(b)(13):** A variance to permit a cubic content ratio (CCR) of 4.59 in lieu of the 4.45 existing and the 4.08 maximum CCR permitted.

Site Data			
Zoning District	R-B	Future Land Use	SINGLE-FAMILY
Lot Size	9,187.5 SF	Crown of Road	+3.34' NAVD
Lot Depth	122.5'	Lot Width	75'
Lot Coverage	Permitted: 30% Existing: 31.7% Proposed: 31.4% <i>Variance Required</i>	Enclosed Square Footage	Existing: 4,344 SF Proposed: 4,522
Cubic Content Ratio (CCR)	Permitted: 4.08 Existing: 4.45 Proposed: 4.59 <i>Variance Required</i>	Angle of Vision	Permitted: 100° Existing/Proposed: 71°
Building Height	Permitted: 22' Existing: 18'-10" Proposed: 18'-10"	Overall Building Height	Permitted: 30' Existing: 24'-6" Proposed: 24'-6"
Finished Floor Elevation	Proposed: 7' NAVD	FEMA Flood Zone	ZONE AE 6
Surrounding Properties / Zoning			
North	417 Seabreeze Ave & 411 Seabreeze Ave Residence(s) / R-B		
South	415 Seaspray Ave Residence / R-B		
East	402 Seabreeze Ave Residence / R-B		
West	416 Seabreeze Ave Residence / R-B		

STAFF ANALYSIS

The subject property is a midblock parcel located on the south side of Seabreeze Avenue. The residence was constructed in the 1930's and designed by Gustav Maass for Mr. & Mrs. Van Voorhees in a colonial style. Numerous permits have been issued throughout the years for renovations, additions and maintenance to the structure. The existing structure is sited roughly mid parcel with existing nonconforming side yard setbacks.

The application is for a proposed addition. The proposed improvements to the structure are within the existing footprint. The applicant is proposing a second story addition at the existing second floor balcony on the rear east side of the structure. The addition is relatively small (178 SF); however, variances are required to achieve the scope of work. The roof of the addition will be a hip that ties into the existing roof surfaced in matching tile. This will eliminate the currently flat roof portion of the house. Exterior finishes include wood siding to match the existing, multi lite windows flanked by painted wooden shutters and French Doors facing the rear.

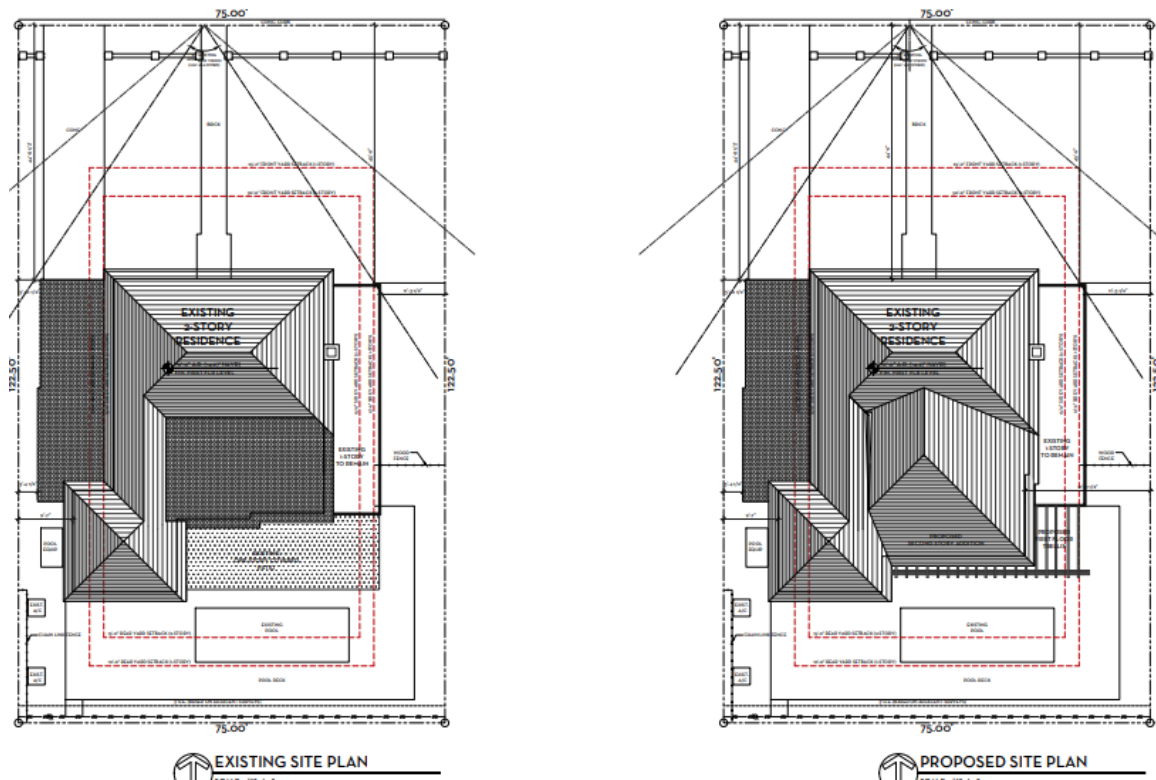


Existing and Proposed Rear (South) Elevations

The design requires two variances as proposed.

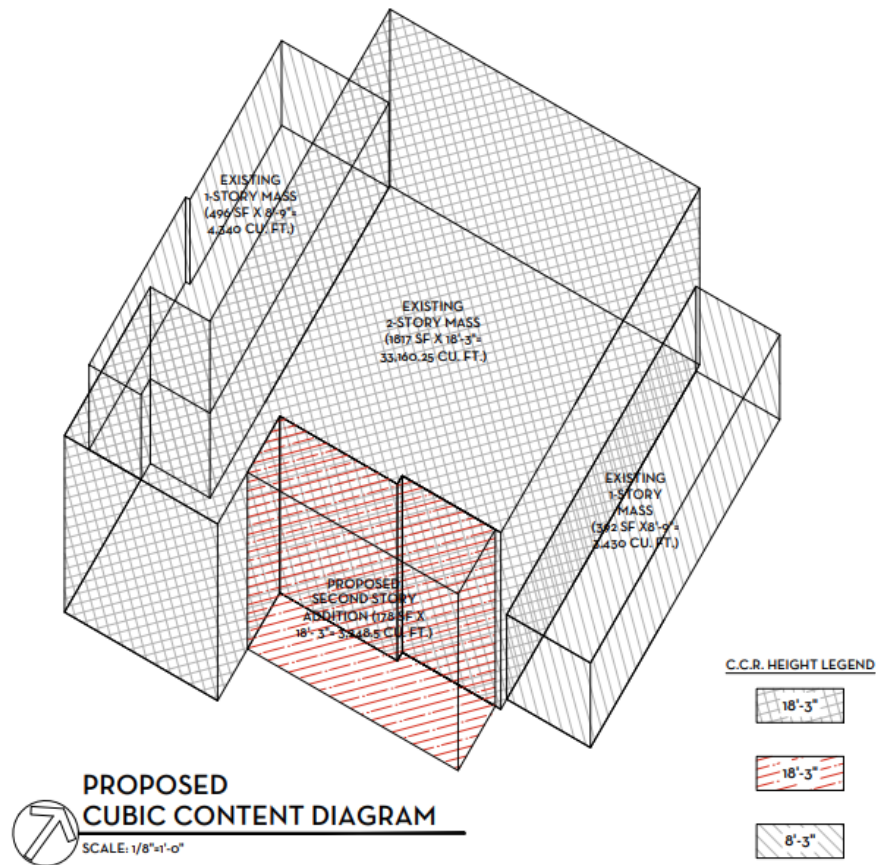
- **VARIANCE 1: Sec. 134-893(b)(11) b.:** A variance to rebuild a ground floor terrace and a second story addition with a 31.4% lot coverage, in lieu of the 30% maximum lot coverage permitted.
- **VARIANCE 2: Sec. 134-893(b)(13):** A variance to permit a cubic content ratio of 4.59 in lieu of the 4.45 existing and the 4.08 maximum CCR permitted.

As it pertains to VARIANCE 1, the rear of the structure is being removed to construct a more cohesive dining room and covered outdoor seating downstairs and a new dressing room upstairs. Due to the extent of demolition of this portion of the house the lot coverage will need to be revisited through a variance despite decreasing the lot coverage from 31.7% to 31.4%.



Code Section	Required	Proposed	Variance
VARIANCE 1: Sec. 134-893(b)(11)b.	30% lot coverage maximum	31.4% lot coverage 31.7% existing	1.4%

Variance 2 is to exceed the maximum cubic content ratio (CCR) permitted on site. As mentioned previously, the structure was built in the 1930s and therefore prior to today's zoning code. In 2008, the Town Council considered and granted a variance for a similar scope of work as it pertained to first and second floor additions to the nonconforming building, which permitted the expansion of the already nonconforming cubic content ratio (CCR) to the 4.59 amount existing today.



Axonometric diagram of cubic content from rear.

The size of the addition is approximately 178 SF at 18.3' in height for that volume, adding an additional 0.14CF of mass to the already nonconforming structure. The addition will not be visible from the public right of way nor the west elevation and matches the existing structure in style and materials. While the relatively small second floor addition seamlessly blends in with the architecture of the 1930's residence, it still remains as a variance and its approval needs to provide hardship in order for the Town Council to grant. Perhaps, as the Code reform continues to examine all aspect of the zoning code, the Town Council could provide specific direction on a lesser standard of approval for CCR on older residential buildings in the Town as a means of further incentivizing their retention.

Code Section	Permitted	Proposed	Variance
VARIANCE 2: Sec. 134-893(b)(13)	4.08 Max CCR	4.59 CCR in lieu of 4.45 CCR existing	+0.14 CCR from exist. +0.37 CCR from max.

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 variances **will** or **will not** cause negative architectural impacts to the subject property.

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:FHM