

SMITH
ARCHITECTURAL
GROUP, INC.

February 12, 2025

Planning, Zoning and Building Department
Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

**RE: 1030 N Lake Way
Palm Beach, FL 33480
LETTER OF INTENT for ARC-24-0121/ZON-24-0073**

Dear Mr. Bergman, Mr. Murphy and Town Staff,

We are the architects representing Ambassador & Mrs. Fischer. Please consider this Letter of Intent in support of our request to construct a 489 SF addition enclosing the second floor terrace that will result in a Cubic Content Ratio (CCR) of 4.72 in lieu of the 4.46 existing and the 3.91 maximum allowed in the RB Zoning District for a lot that is 19,435 SF in area.

The existing house was built in 1998 by Charles Pawley. It was purchased by the Fischers in 2000 and underwent a renovation by Ames Bennett shortly thereafter. During this renovation the exterior pergola was added. The house sustained a fire in 2011 and a more extensive renovation was begun by Glidden Spina in 2012. At that time the house had more modern refreshment which is what is visible today.

A) LANDMARKS PRESERVATION COMMISSION 54-122 & 54-161 N/A

B) ARCOM 18-205

Request to enclose the existing second story terrace to construct a 489 SF addition that will result in a Cubic Content Ratio (CCR) of 4.72 in lieu of the 4.46 existing and the 3.91 maximum allowed in the R-B Zoning District for a lot that is 19,435 SF in area.

1. The plan for the proposed addition is in conformity with good taste and design and in general contributes to the image of the town as a place of beauty, spaciousness, balance, taste, fitness, charm and high quality.
2. The plan for the proposed addition indicates the manner in which the structures are reasonably protected against external and internal noise, vibrations, and other factors that may tend to make the environment less desirable.
3. The proposed addition is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value.
4. The proposed addition is in harmony with the proposed developments on land in the general area, with the comprehensive plan for the town, and with any precise plans adopted pursuant to the comprehensive plan.
5. The proposed addition is not excessively similar to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features of exterior design and appearance:
 - a. Apparently visibly identical front or side elevations;
 - b. Substantially identical size and arrangement of either doors, windows, porticos or other openings or breaks in the elevation facing the street, including reverse arrangement; or
 - c. Other significant identical features of design such as, but not limited to, material, roof line and height of other design elements.
6. The proposed addition is not excessively dissimilar in relation to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features:
 - a. Height of building or height of roof.
 - b. Other significant design features including, but not limited to, materials or quality of architectural design.
 - c. Architectural compatibility.
 - d. Arrangement of the components of the structure.
 - e. Appearance of mass from the street or from any perspective visible to the public or adjoining property owners.
 - f. Diversity of design that is complimentary with size and massing of adjacent properties.
 - g. Design features that will avoid the appearance of mass through improper proportions.
 - h. Design elements that protect the privacy of neighboring property.

7. The proposed addition is subservient in style and massing to the principal or main structure.
8. The proposed addition is appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as viewed from any public or private way (except alleys).
9. The proposed development is in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.
10. The project's location and design adequately protects unique site characteristics such as those related to scenic views rock outcroppings, natural vistas, waterways, and similar features.

B) ARCOM 18-206 N/A

C) SPECIAL EXCEPTION 134-229 N/A

D) SITE PLAN REVIEW 134-329 N/A

E) VARIANCES 134-201

VARIANCE 1: Sec. 134-893(b)(13): A variance request to allow a 489 SF second floor enclosure of an existing second story terrace that will result in a Cubic Content Ratio of 4.72 in lieu of the 4.46 existing and the 3.91 maximum permitted in the R-B Zoning District.

The criteria for granting the variances are as follows:

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 property is located in the R-B Zoning District and is non-conforming in width and area than what is required in the R-B Zoning District.

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

The Applicant was not the cause of the special conditions of the property or residence, as the characteristics of the residence and land have been in existence since the house was designed and built in 1998.

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.

The granting of the variances will not confer on the Applicant a special privilege. There are other properties in the neighborhood with non-conforming CCR as many of the residences were constructed prior to today's zoning code requirements.

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.

The hardship for the cubic content ratio variance, which runs with the land, is that the residence was built in 1998 and is non-conforming to today's code. The proposed increase in CCR is minor in order to enclose the terrace to create more livable square footage.

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

The variances requested are the minimum necessary to make reasonable use of the land in order to create a modest addition.

6. 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.

Granting the variances will not be injurious to the neighborhood, as the requests are minor and in the rear of the property.

Respectfully submitted,

A handwritten signature in dark ink, appearing to be 'J. Smith', with a long horizontal stroke extending to the right.

Jeffery Smith, AIA
Smith Architectural Group, Inc.