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**Architect + Planner**

March 3, 2025

Re:  
COA-24-0025 / ZON-24-0065  
70 Middle Rd  
Palm Beach, FL 33480

We are pleased to submit the accompanying drawings for our project at 70 Middle Rd in Palm Beach, FL. The proposed work includes the following:

- Addition of a 7-foot covered terrace on an existing 1-story flat roof.
- New OSHA recommended aluminum steps installed parallel to roof to safely access the flat roof and chimneys (not visible from any angle, right of way or street view).
- 8-foot laundry room addition (91 sq. ft.) to the existing 1952 non-original structure.
- Relocation of existing pool equipment and installation of future fountain equipment.
- Installation of fountain equipment located 54.5 feet away from the water's edge.
- Construction of a previously approved South equipment enclosure wall to screen the pool and fountain equipment.

Please note the following as it relates to this application: Applicant is requesting 6 variances as described below.

1. Section 134-893(b)(11): A variance to increase lot coverage for a previously approved 8 foot laundry room addition resulting in lot coverage of 34.47% in lieu of the 33.07% existing and 30% maximum allowed under the Code.
2. Section 134-893(b)(13): A variance to increase the cubic content ratio ("CCR") for the previously approved laundry room addition and previously approved covered terrace resulting in a Cubic Content Ratio of 8.59 in lieu of the 8.44 existing and the 3.95 maximum allowed under the Code.
3. Section 134-893(b)(7): A variance to reduce the side (North) yard setback for the previously approved laundry room addition and previously approved terrace railing addition (on an existing 1-story flat roof) resulting in a North side yard setback of 7.6 feet in lieu of the 12.5 foot minimum required under the Code.
4. Section 134-893(b)(10): A variance to increase building height of 27.4 feet in lieu of the 22 feet required under the Code for the previously approved 7-foot covered terrace (on the existing 1-story flat roof). Increase of overall building height for the OSHA recommended Rooftop steps resulting in 47.1 feet in lieu of the 30 feet required under the Code (13 inches higher than the existing 46 feet high flat roof).
5. Section 134-1728(c)(5): A variance to reduce the street (South) side yard setback for existing pool equipment and fountain equipment resulting in a street side yard setback of 15.6 feet in lieu of the 20 foot minimum required under the Code. Increase the distance between the fountain's water's edge and the fountain equipment located 54.5 feet away from the water's edge in lieu of the 25 feet maximum allowed under the Code.



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6. Section 134-1667(a): A variance to increase the height of the previously approved South equipment enclosure walls in the street (South) side yard setback to 6.9 feet in height in lieu of the 6 foot maximum allowed under the Code.

Section 134-201 – Findings prior to authorization.

1. The special conditions and circumstances related to the subject property is that this is a Historic Landmarked house in the R-B Zoning District that is currently non- conforming to the current Code.
2. The special conditions and circumstances are not the result of the applicant as the house was built in 1924 (with later additions in 1952 and 1969). The non-conforming aspects of the house were in existence at the time of acquisition by the applicant.
3. The hardship, which runs with the land, is that the house is a Town of Palm Beach Historic Landmark house (built in 1924) which is non-conforming in several aspects to the current Code as zoning has changed since the house was originally constructed 100 years ago.
4. The current location and configuration of the Landmark house limits the applicant's ability to make changes without the necessity for variances. Renovations to a Landmark house require a delicate approach in making changes to improve the livability for the year 2024.
5. The previously approved 8-foot laundry room addition (extended from the 1952 non-original structure) is relatively small and will allow for greater livability of the property to conform to current standards. The variances requested are the minimum necessary to make reasonable use of the land. The previously approved 8-foot (91 square foot) laundry room addition in the North West corner of the house will be no farther into the setback than the rest of the house currently is. The previously approved 8-foot laundry room addition will be no closer to the North property line than other portions of the house currently are (to also include providing the required solid wall screening concealing and providing a sound barrier for the existing North A/C equipment).
6. The previously approved 7-foot covered terrace on the existing 1-story flat roof of the 1969 non-original addition will not be any closer to the North property line than the flat roof currently is; nor would it be any higher than the original clay barrel tile roof currently is. The previously approved 7- foot covered terrace is a significant improvement to the 1969 non-original 1-story addition creating cohesion and unification of the North exterior elevation of the Landmarked house.



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7. The relocation of the pool equipment and future fountain equipment are necessary for the pool, spa and fountain and will be enclosed within the previously approved South equipment enclosure. The pool equipment and fountain equipment will be lower in height and farther from the property line than the existing equipment is currently situated (concealed within the South equipment enclosure providing the required solid wall screening and sound barriers).
8. The OSHA recommended steps are a safety measure so the owner's staff and maintenance crew do not suffer catastrophic falls, injury or death while performing various maintenance and/ or roof repairs. The owner's flat roofs require re-painting and waterproofing semi-annually. The owner's 3 chimneys frequently require cleaning and maintenance due to excessive leaves and debris which often accumulate on the flat roofs during high winds, storms and hurricanes. The owner's handmade clay roof tiles often crack, break and detach during high winds, storms and hurricanes; which require immediate replacement to avoid future code violations. The OSHA recommended steps provide a safer and more efficient access between the two flat roofs; reducing the need for ladders and other potentially hazardous access methods to transition between the two flat roofs for chimney and roof access. The OSHA recommended steps are not visible from any right of way or street views. The OSHA recommended steps are a necessity and not a frivolity. The approval of the OSHA recommended steps will not confer any special privilege nor would they be detrimental to the public welfare. However, not installing the OSHA recommended steps could result in injury or death; of which the owner is seeking to avoid 3rd party liability.
9. The granting of these variances will not be injurious to the area involved or detrimental to the public welfare. Granting of the variances requested will not confer any special privilege that is denied to the neighboring properties.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Albarran', written over a horizontal line.

Jacqueline Albarran, Architect P.A.