



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

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

SUBJECT: ARC-23-061 (ZON-23-062) 301 PLANTATION RD (COMBO)

MEETING: JUNE 28, 2023 ARCOM

**ARC-23-061 (ZON-23-062) 301 PLANTATION RD (COMBO).** The applicant, Berne Helen H Trust, Owner / Roberto and Joanne DeGuardiola, Contract Purchaser, have filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence with detached pool cabana, swimming pool, and sitewide landscape and hardscape improvements, with variances related to height and pool screening. Town Council shall review the applicant as it pertains to zoning relief/approval.

**ZON-23-062 (ARC-23-061) 301 PLANTATION RD (COMBO) – VARIANCES.** The applicant, Berne Helen H Trust, Owner / Roberto and Joanne DeGuardiola, Contract Purchaser, have filed an application requesting Town Council review and approval of (4) variances to exceed (1) maximum building height, (2) maximum overall building height, (3) maximum chimney height, and (4) to forgo swimming pool screening requirements in a street side setback, as part of the development of a new single-family residence. The Architectural Commission shall perform design review of the application.

Applicant: Roberto and Joanne DeGuardiola (contract purchaser)  
Professional: Richard Sammons | Fairfax & Sammons  
Representative: Maura Ziska, Esq.

### **HISTORY**

The project was initially reviewed originally reviewed and approved at the May 24, 2023, ARCOM hearing, specifically for the overall architecture with conditions and imposed, along with ARCOM supported for the variances (#1-3) related to building and chimney height. Conditions of approval included a revision of the front door color from black to a softer color, and a change of the rear balcony railing material from solid panels to metal.

The landscape and hardscape plan was deferred for restudy, with ARCOM requesting a reduction to the overall proposed hardscape. No commission for revisions; as such no motion was made related to the variance request for the omission of a required screening wall for the swimming pool (variance #4). The redesign has eliminated the need for the previously requested variance.

### **THE PROJECT:**

The applicant has submitted plans, entitled "301 Plantation" as prepared by **Nievera Williams**, dated June 505, 2023.

The following is the scope of work:

- New 2-story residence with swimming pool and cabana.  
Approved with Conditions at the May ARCOM meeting
- Sitewide landscape and hardscape improvements.

The following Special Exception, Site Plan Review and/or Variances are required to complete the project:

1. **VARIANCE 1: Sec. 134-893(b)(10)b:** A variance for a building height of 23.85’ in lieu of the 22’ maximum permitted. *Variance supported at May ARCOM meeting.*
2. **VARIANCE 2: Sec. 134-893(b)(10)c:** A variance for an overall building height of 31.46’ in lieu of the 30’ maximum permitted. *Variance supported at May ARCOM meeting.*
3. **VARIANCE 3: Sec. 134-896(a):** A variance for a chimney height of 32.66’ in lieu of the 30.8’ maximum permitted. *Variance supported at May ARCOM meeting.*
4. ~~**VARIANCE 4: Sec. 134-1757:** A variance to forgo the requirement of screening a swimming pool in a street side yard setback with a 6 ft wall.  
*Variance request no longer required due to the addition of a 6 ft. masonry site wall to screen the pool from N Lake Way in June resubmittal.*~~

Site Data			
<b>Zoning District</b>	R-B	<b>Future Land Use</b>	SINGLE-FAMILY
<b>Lot Size</b>	Existing: 18,649 SF Required: 10,000 SF	<b>Lot Coverage</b>	Permitted: 30% (5,400 SF) Proposed: 26% (4,701.87 SF)
<b>Landscape Open Space (LOS)</b>	Required: 45% (8,377 SF) Previously Proposed: 45.17% (8,410 SF) Currently Proposed: 46.49% (8,655 SF)		
<b>Front Yard Landscape Open Space</b>	Required: 40% (1,446 SF) Previously Proposed: 49.5% (1,793 SF) Currently Proposed: 49.88% (1,803 SF)		
Surrounding Properties / Zoning			
<b>North</b>	Vacant Parcel / R-B		
<b>South</b>	1950 One-Story Residence / R-B		
<b>East</b>	N Lake Way ROW, 2003 Two-Story Residence / R-B		
<b>West</b>	1965 One-story Residence / R-B		

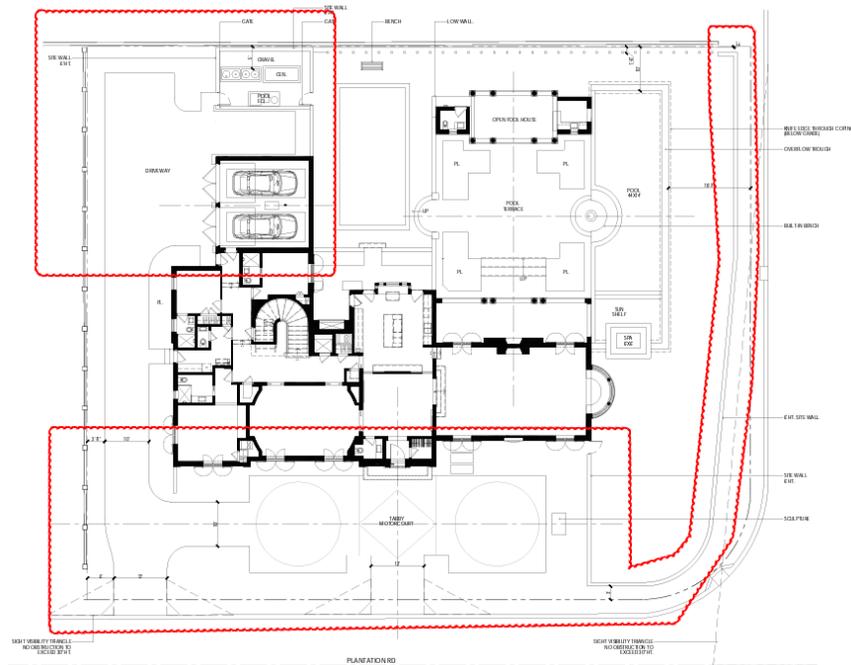
**STAFF ANALYSIS**

A preliminary review of the landscape and hardscape revisions indicates that the application, as proposed, is consistent with the Town of Palm Beach zoning code.

Based on the comments of the Architectural Commission at the May 2023 hearing, the applicant submitted a revised landscape and hardscape plan on June 5, 2023. Greenspace has been added to the front of the property by reducing the driveway footprint by approximately 250 sq. ft. and by

reducing the hardscape area at the northwest of the property by approximately 75 sq. ft.

Additional palms have been added to the front of the site to provide additional screening. The applicant has eliminated variance request #4, to forgo swimming pool screening requirements by proposing a new 6' masonry screening wall in the east yard, which is shielded from N Lake Way by Green Buttonwood and Coffee hedges. Staff notes that the 6' site wall is measured from the Crown of Road when located in a street setback area. The graphic below illustrates the areas of hardscape reduction and the proposed installation of the new masonry screening wall.



**Conclusion**

This application is presented to the Commission to consider whether all criteria in Sec. 18-205 have been met. Approval of the project will require one motion to be made by the Commission: (1) for the overall design of the project in accordance with the aforementioned criteria, subject to any imposed conditions, as the Commission had previously motioned support (7-0) for the variance #1-3 portion of the application.

WRB:JGM:BMF