



**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 *WB*  
Director PZ&B

SUBJECT: ARC-23-088 (ZON-23-086) 292 ORANGE GROVE RD (COMBO)

MEETING: AUGUST 23, 2023

**ARC-23-088 (ZON-23-086) 292 ORANGE GROVE RD (COMBO).** The applicants, Stephen and Kerri Meyers, have filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with sitewide landscape and hardscape improvements, requiring (1) variance for Cubic Content. The Town Council shall review the application as it pertains to the zoning relief/approval.

**ZON-23-086 (ARC-23-088) 292 ORANGE GROVE RD. (COMBO)—VARIANCE.** The applicants, Stephen and Kerri Meyers, have filed an application requesting Town Council review and approval for (1) variance to exceed the maximum Cubic Content Ratio for the construction of a new two-story single-family residence. The Architectural Commission shall perform the design review component of the application.

Applicant: Stephen and Kerri Myers  
Professional: Roger Janssen | Dailey Janssen Architects, P.A.  
Dustin Mizell | Environment Design Group  
Representative: Maura Ziska | Kochman & Ziska PLC

**HISTORY:**

The current application was initially scheduled and advertised for the July 2023 ARCOM meeting but was deferred at the request of the applicant to the August 2023 meeting.

**THE PROJECT:**

The applicant has submitted plans, entitled “Proposed New Construction at: 292 Orange Grove” as prepared by **Dailey Janssen Architects**, dated July 11, 2023.

The following is the scope of work:

- Proposed new two-story single-family residence
- New hardscape, landscape and pool

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

- **VARIANCE 1:** [Sec. 134-893\(b\)\(13\)](#): A variance to permit the construction of a new residence with a Cubic Content Ratio of 4.15 in lieu of the 3.96 maximum permitted.

The applicant has provided a detailed Letter of Intent outlining ARCOM's decision-making criteria and responses for each criterion.

Site Data			
<b>Zoning District</b>	R-B	<b>Future Land Use</b>	SINGLE-FAMILY
<b>Lot Size</b>	Required: 10,000 SF Existing: 14, 479 SF	<b>Crown of Road</b>	5.76' NAVD (Average)
<b>Lot Depth</b>	Required: 100' Existing: 108.75'	<b>Lot Width</b>	Required: 100' Existing: 133.14'
<b>Building Height</b>	Permitted: 22' Proposed: 20'- 8 ¾"	<b>Overall Building Height</b>	Permitted: 30' Proposed: 27'-2 7/8"
<b>Finish Floor Elevation</b>	NA	<b>Zero Datum for Point of Measurement</b>	7.26' NAVD
<b>FEMA Flood Zone</b>	ZONE X	<b>Angle of Vision</b>	Proposed: 74° Permitted: 100°
<b>Lot Coverage</b>	Permitted: 30% (4,344 SF) Proposed: 26.2% (3,793 SF)	<b>Enclosed SF</b>	Proposed: 5,916 SF
<b>Cubic Content Ratio (CCR)</b>	Permitted: 3.96% (57,337 CF) Proposed: 4.15% (60,165 CF) <i>*Variance Requested</i>	<b>Perimeter Land. Open Space</b>	Required: 50% Proposed: 75%
<b>Landscape Open Space</b>	Required: 45% Proposed: 45.3%	<b>Front Yard Landscape Open Space</b>	Required: 40% Proposed: 40.2%
Surrounding Properties / Zoning			
<b>North</b>	1085 N Lake Way   Residence / R-B Zoning		
<b>South</b>	1065 N Lake Way   Residence / R-B Zoning		
<b>East</b>	286 Orange Grove Rd.   Residence / R-B Zoning		
<b>West</b>	1072 N Lake Way   Residence / R-B Zoning		

### **STAFF ANALYSIS**

This application is presented to the Commission to consider whether all criteria in Sec. 18-205 have been met. A review of the project indicates that the application, as proposed, is inconsistent with the Town zoning code, and requires one (1) variance to increase the Cubic Content Ratio (CCR) beyond what code permits - 3.96% (57,337 CF) vs. the requested 4.15% (60,165 CF).

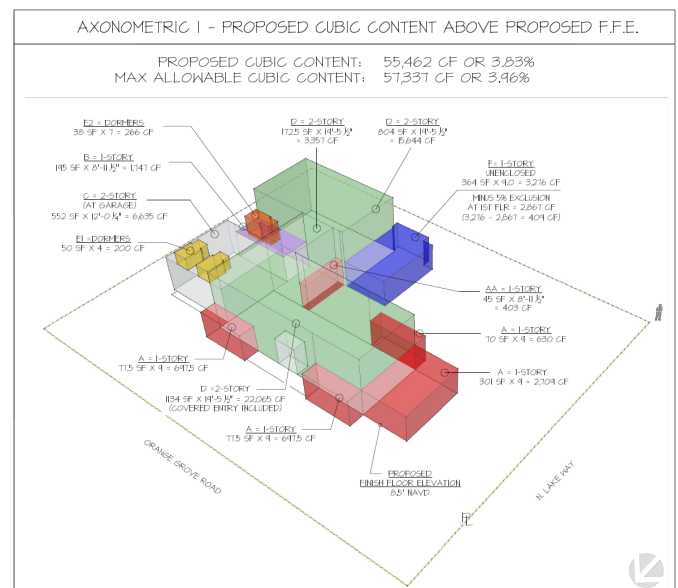
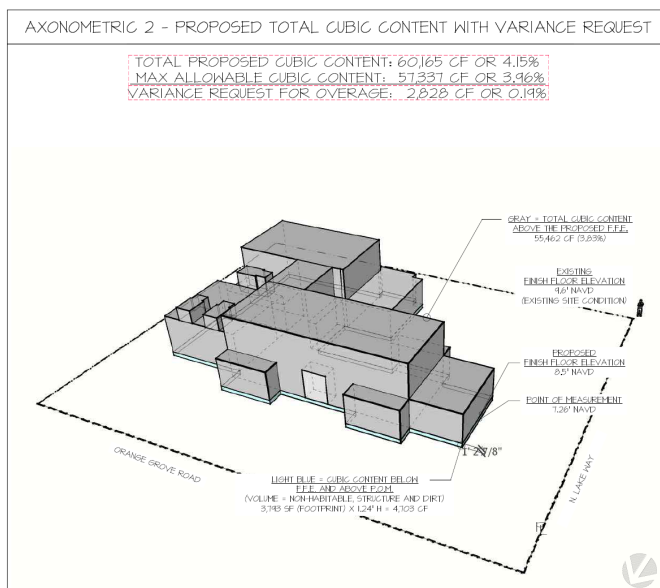
The subject parcel is a corner lot with primary frontage to the north along Orange Grove Road and secondary frontage to the west along N Lake Way. The application proposes to construct a new two-story single-family residence with sitewide landscape and hardscape improvements. The proposed residence is "L" shaped, with the primary massing fronting Orange Grove and a massing element sited on the eastern half of the lot. A yard with a pool and pool patio is proposed to occupy

the southeast portion of the lot. The front yard features two curb cuts leading to a long drive isle running parallel with Orange Grove Road and providing access to a two-car garage on the east side of the residence, slightly set back from the primary façade. Mechanical equipment is placed within the east and south yards and is screened with masonry site walls from public rights-of-way and neighboring properties.

The architectural design of the residence features a largely symmetrical two-story central mass with a cedar shake hip roof. One story wings flank the two-story front façade and utilize masonry parapet walls with open Chippendale-style inserts that resemble second-story balconies, which provide façade setback relief for the second floor. The exterior design utilizes white stucco-clad walls, blue louvered aluminum shutters, a lime washed cedar entry door, half-round copper gutters and downspouts, and large aluminum-clad wood double-hung windows and French doors. A two-story attached garage element is set back from the front façade and features second-story projecting dormers and a bracketed trellis over the garage doors.

The parcel lies within Flood Zone X, which does not prescribe a minimum Finish Floor Elevation for new or substantially improved residences. Within the RB zoning district, the Zero Datum for corner lot properties where no FEMA Finish Floor Elevation is prescribed is arrived at by averaging the average crowns of road of the two abutting streets. An additional freeboard of 18" is also allowed be to added. A property's Zero Datum is the starting point for measuring a building's height, overall height, and serves as the bottom plane of the cubic content measurement.

The resulting point of measurement, or Zero Datum, is below the current finished floor of the existing structure to be demolished. Although the applicants are requesting a Cubic Content variance, the applicant has achieved a project which still conforms to the height requirements. A diagram has been provided by the applicant which demonstrates that if the calculation of Cubic Content was taken at their preferred Finish Floor Elevation (8.5' NAVD vs. code prescribed 7.26' NAVD), the proposed structure would be conforming in Cubic Content. The cubic content overage is 2,828 cubic feet. For conceptual visualization purposes, a 20' wide x 15' deep x 10' high area is 3,000 cubic feet.



**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 two separate motions to be made by the Architectural Commission:

**(1)** for the overall design of the project in accordance with the subject criteria, subject to any imposed conditions, and

**(2)** that the implementation of the proposed variance **will/will not** cause negative architectural impact to the subject property.

WRB:JGM:JRH