



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, *WB*
Director PZ&B

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

MEETING: OCTOBER 25, 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 application was initially scheduled and advertised for review at the July 2023 ARCOM meeting but was deferred at the request of the applicant for one month. The project was reviewed and deferred by ARCOM at the August 2023 meeting, with members recommending a restudy of the massing arrangements and a reorientation to front North Lake Way; a restudy of the rear wing's scale, as well as modifications to the roof slopes, fenestration and divided light proportions, and overall size and scale.

At the September 2023 meeting, the project was reviewed and deferred with Commission members recommending a further reduction in mass, specifically a "slimming down" of the rear wing, along with recommendations to increase the front garage setback, increase front yard greenspace, and to redirect the truck logistics route to County Road in lieu of N Lake Way.

VARIANCE NOTE: At the August 9, 2023, Town Council meeting, Ordinance No. 011-2023 was adopted, which replaced the zoning code's nine (9) definitions of Building Height with four (4) simplified definitions based on a property's geographical location and designated flood zone. The definitions prescribe the point of measurement, or zero datum, for all height measurements -

and within the R-B zoning district, the zero datum determines the bottom plane of the Cubic Content volumetric measurement.

This project was initially submitted for internal staff review in May with a projected ARCOM hearing in July 2023. When utilizing the previous definition of Building Height for corner lots within the R-B zoning district, the zero datum was identified by obtaining the average of each abutting crown of road, and then averaging the averages of the two street elevations. When calculated for this project using the average crowns of roads for North Lake Way and Orange Grove Road, the zero datum was determined at 7.26' NAVD, which is below the 9.55' NAVD finished floor of the existing home to be demolished, and below the 8.5' NAVD finished floor of the proposed residence. As such, the cubic content calculation accounted for over 4,000 cubic feet of unusable space below the finish floor, prompting the applicants to request a CCR variance.

The new applicable building height/point of measurement definition states, "For lots outside the Special Flood Hazard Area and lots that are not seaward of the CCCL, the point of measurement shall be a maximum of 18 inches above the highest street elevation of the crown of the public or private street or road, measured along the front property line of the subject lot". The subject property is located within the FEMA designated X Zone, which is not a Special Flood Hazard zone. The highest crown of road along Orange Grove Road in front of the property is 5.93' NAVD.

$$5.93' \text{ NAVD} + 18" = \mathbf{7.43" \text{ NAVD}}$$

When utilizing the new zero datum and with the changes requested by ARCOM at the September hearing, the project, as proposed, complies with all Building Height, Overall Building Height, and Cubic Content calculations even as the zero datum remains below the requested Finish Floor. **The CCR variance is no longer required.**

THE PROJECT:

The applicant has submitted plans, entitled "Proposed New Construction at: 292 Orange Grove" as prepared by **Dailey Janssen Architects**, dated October 16, 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 4.03 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			
Zoning District	R-B	Future Land Use	SINGLE-FAMILY
Lot Size	14, 479 SF	Crown of Road	5.93' NAVD
Lot Depth	108.75'	Lot Width	133.14'

Building Height	Permitted: 22' Proposed: 20'-6"	Overall Building Height	Permitted: 30' Proposed: 27'-9 ½"
Finish Floor Elevation	8.5' NAVD	Zero Datum for Point of Measurement	7.43' NAVD
FEMA Flood Zone	ZONE X	Angle of Vision	Proposed: 77° Permitted: 100°
Lot Coverage	Permitted: 30% (4,344 SF) Proposed: 26.2% (3,796 SF)	Enclosed SF	Proposed: 5,850 SF
Cubic Content Ratio (CCR)	Permitted: 3.96 (57,420 CF) Proposed: 3.95 (57,246 CF)	Perimeter Land. Open Space	Required: 50% Proposed: 76.1%
Landscape Open Space	Required: 45% Proposed: 45.05%	Front Yard Landscape Open Space	Required: 40% Proposed: 40.2%
Surrounding Properties / Zoning			
North	1085 N Lake Way Residence / R-B Zoning		
South	1065 N Lake Way Residence / R-B Zoning		
East	286 Orange Grove Rd. Residence / R-B Zoning		
West	1072 N Lake Way Residence / R-B Zoning		

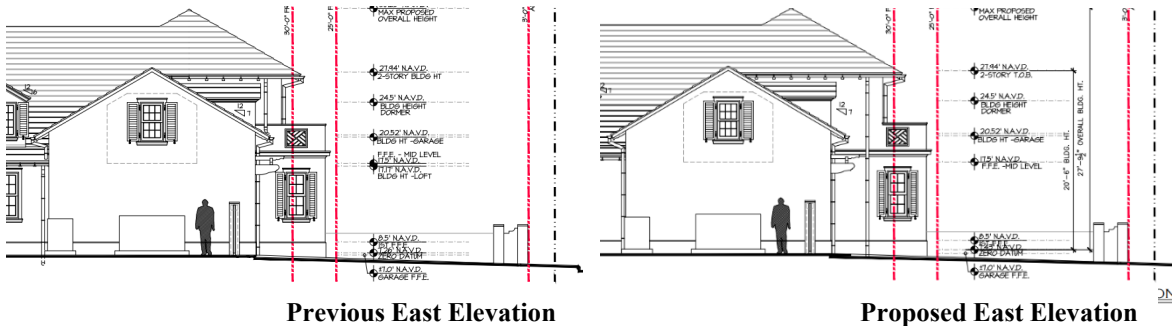
STAFF ANALYSIS

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 for the October hearing, is consistent with the Town zoning code.

The subject parcel is a corner lot with primary frontage to the north along Orange Grove Road and secondary frontage to the west along North 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 Road and a secondary massing element sited on the southeastern portion of the lot. A lawn with a pool and pool patio is proposed to occupy the southwest 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 from public rights-of-way and neighboring homes with masonry site walls and dense vegetation.

The architectural design of the residence features a largely symmetrical two-story central mass with a cedar shake hip roof. Two one-story wings flank the primary 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 cream stucco-clad walls, white louvered shutters, a lime washed cedar entry door, half-round copper gutters and downspouts, and large aluminum-clad wood double-hung windows and French doors.

The two-story attached garage element has been further setback from Orange Grove Road, per request at the September ARCOM meeting, as demonstrated below with the East Elevations:



Additional changes since the September meeting include a shifting of the south wing of the building further south due to the increased garage setback and minor fenestration, landscape and hardscape modifications.

CONCLUSION:

Approval of the project will require one motion 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.

Approval of the project will require (1) motion to be made by the Town Council:

- ~~(1) for final determination of approval or denial of the variance by the Town Council, and that the variance **shall** or **shall not** be granted in that all the criteria as set forth in [Sec. 134-201\(a\)](#), items 1 through 7 have been met.~~

WRB:JGM:JRH