



TOWN OF PALM BEACH
Planning, Zoning & Building Department
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Palm Beach, FL 33480
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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: ZON-23-059 (ARC-23-063) 1265 N LAKE WAY (COMBO)

MEETING: SEPTEMBER 27, 2023 ARCOM
OCTOBER 11, 2023 TC

ZON-23-059 (ARC-23-063) 1265 N LAKE WAY (COMBO) – SITE PLAN REVIEW. The applicant., 1265 N Lake Way LLC (Maura Ziska, Manager), has filed an application requesting Town Council Site Plan Review for development of single-family dwelling on a lot deficient in lot width in the R-B zoning district. The Architectural Commission shall perform design review of the application.

Applicant: 1265 N LAKE WAY LLC (Maura Ziska, Manager)
Professional: LaBerge & Menard, Inc. (Chris Kidle)
Representative: Maura Ziska, Esq.

HISTORY

The application was reviewed at the June 28, 2023 ARCOM hearing. The overall site planning and landscape plan was generally well received by the commission, but expressed mixed reactions to the previously proposed modern design of the structure and proposed materials. The application was deferred to the August 23, 2023 hearing to allow for restudy.

At the August 23, 2023 ARCOM hearing, the applicant presented a redesigned home with more classical design elements. Generally, the revised design was well received by the commission. Minor adjustments were suggested such as modifications to break up scale of the rear elevation, reevaluate how and where wood material was incorporated (rear loggia), shutter details, Lake Trail gate width, and lightening the color of the house. The commission voted unanimously to defer the project for one month to the September 27, 2023 meeting to allow for modifications. At the September 27, 2023, the design was reviewed and approved (6-1) by ARCOM.

THE PROJECT:

The applicant has submitted plans, entitled "1265 N LAKE WAY NEW 2-STORY SINGLE FAMILY HOME" as prepared by **LaBerge & Menard**, dated September 5, 2023.

The following is the scope of work:

- Construction of a new two-story single-family residence with new landscape, hardscape, and pool.

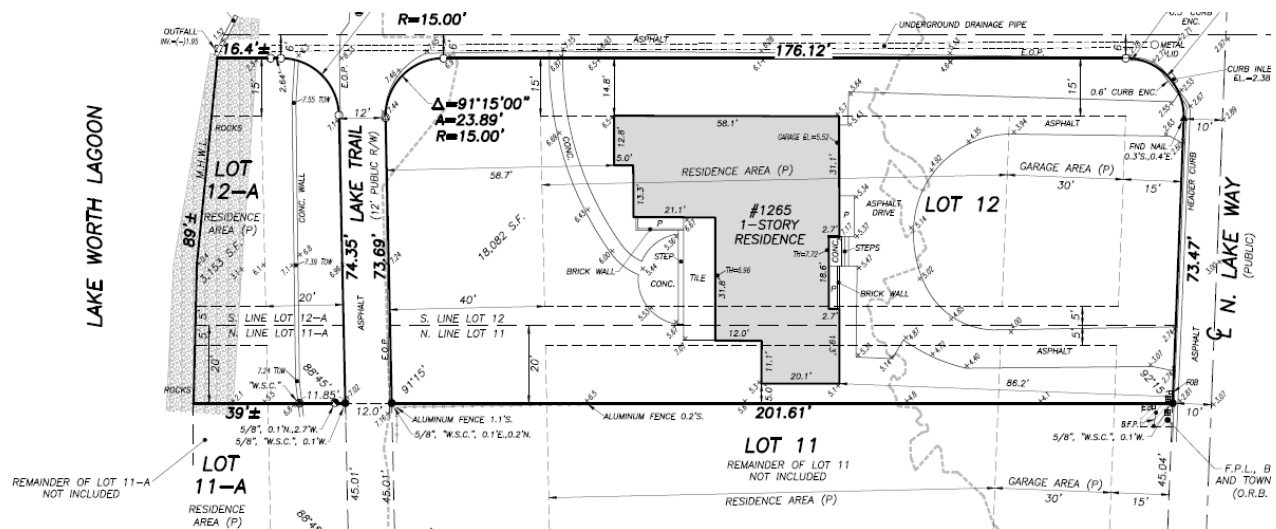
The following Special Exception, Site Plan Review and/or Variances are required to complete the project:

- **SITE PLAN REVIEW:** [Sec. 134-893\(c\)](#): Site Plan Review to permit the construction of a new single-family dwelling on an existing nonconforming lot in the R-B zoning district which is 73.47 ft in width in lieu of the 100 ft required.

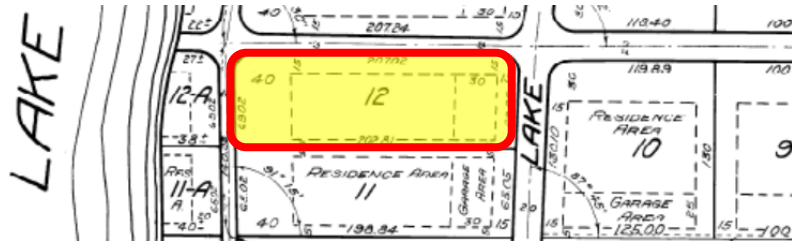
Site Data			
Zoning District	R-B	Future Land Use	SINGLE-FAMILY
Lot Size	18,082 SF	Crown of Road	3' NAVD
Total Enclosed SF	Prev. Proposed: 6,549 SF Proposed: 6,505 SF	FEMA Flood Zone	ZONE X
Building Height from point of meas.	Permitted: 22' Prev. Proposed: 21' Proposed: 21'-4"	Overall Building Height from point of meas.	Permitted: 30' Prev. Proposed: 28'-11" Proposed: 29'-4"
Finished Floor Elevation	7' NAVD	Point of Measurement	7' NAVD
Lot Coverage	Permitted: 30% (5,426 SF) Prev. Proposed: 26.5% (4,798 SF) Proposed: 28.8% (5,212 SF)	Maximum Fill	2'
Landscape Open Space (LOS)	Required: 45% Proposed: 52%	Front Yard Landscape Open Space	Required: 40% Proposed: 50%
Surrounding Properties / Zoning			
North	Kenlyn Rd (Lake Trail) & 1978 1-story residence / R-B		
South	New residence under construction / R-B		
East	1998 2-story residence / R-B		
West	Lake Worth Lagoon		

STAFF ANALYSIS

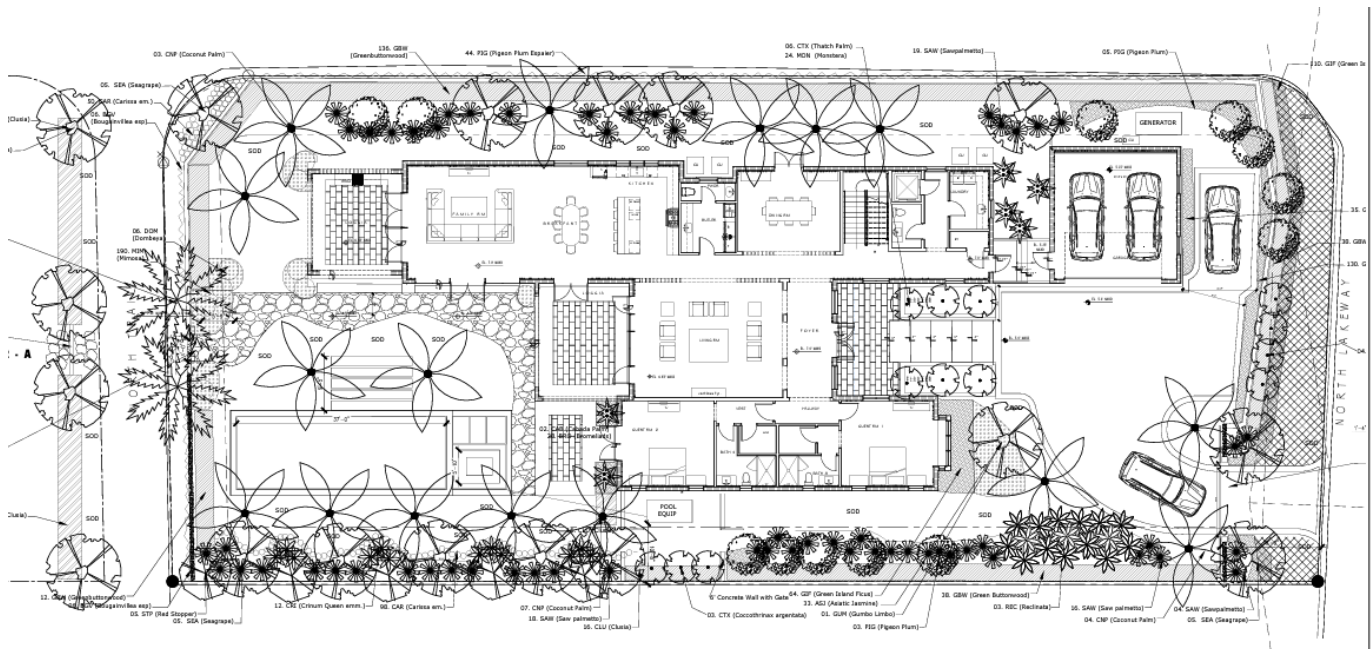
Site Plan Review is required due to the nonconforming lot width in the R-B district due to the nonconforming lot width.



The parcel is deficient in minimum width (73.47') for the R-B Zoning district (100'), thus requires Site Plan Review and approval by Town Council. The subject property contains its original geometric configuration and dimensions as it was originally platted in 1925 as Lot '12' within the Bello Lido subdivision.



Access has been provided off of N Lake Way, with a two car garage oriented away from the street.



The generator and AC equipment has been configured in the north side yard, adjacent to the right of way, and impacts no abutting properties. Staff has no objections to the granting of the Site Plan Review.

CONCLUSION:

Approval of the project will require two separate motions to be made by the Town Council:

- (1) for the Site Plan Review request to permit the development of the existing nonconforming lot in the R-B zoning district which is 73.47' in width in lieu of the 100' required in accordance with the applicable criteria set forth in section 134-329, subject to any imposed conditions.

WRB:JGM:BMF

LABERGE & MÉNARD INC.

444 25TH STREET SUITE #1 | WEST PALM BEACH, FL 33407
P: 561.655.8582 | DANIELAMENARD@GMAIL.COM

SECOND SUBMITTAL LETTER OF INTENT

Re: 1265 N, Lake Way, Palm Beach 33480
ARCOM: ARC- 23-063 June 28, 2023
Town Council: ZON-23-059 July 12, 2023

We are seeking ARCOM approval for a new two story 6,549 sq ft under air home, new landscape and hardscape. Please note the following:

A) Landmarks Preservation Commission 54-122 & 54-161:

not applicable

B) ARCOM 18-205 & 18-206

- 1) The plan for the proposed building or structure 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 building or structure 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 building or structure 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 building or structure 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 building or structure 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 building or structure 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.

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- 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. n/a

8) The proposed building or structure 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.

C) SPECIAL EXCEPTION 134-229 n/a

D) SITE PLAN REVIEW 134-329

Requires site plan review, due to lot size of 89' x 201.66'. The minimum lot width in the R-B district is 100'. No other variances are requested

E) VARIANCES 134-201: n/a

F) OTHER

not applicable

Sincerely,

Chris Kidle