



**TOWN OF PALM BEACH**  
 Planning, Zoning & Building Department  
 360 South County Road  
 Palm Beach, FL 33480  
[www.townofpalmbeach.com](http://www.townofpalmbeach.com)

PLANNING, ZONING, & BUILDING DEPARTMENT  
 PZ&B Staff Combination Memorandum: Architectural Commission and Town Council

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

SUBJECT: ARC-24-0121 (ZON-24-0073) 1030 N LAKE WAY (COMBO)

MEETING: FEBRUARY 26, 2025, ARCOM  
 MARCH 05, 2025, TC

**ARC-24-0121 (ZON-24-0073) 1030 N LAKE WAY (COMBO).** The applicants, David and Jennifer Fischer (Maura Ziska representative), have filed an application requesting Architectural Commission review and approval for enclosure of a second story terrace necessitating a variance for cubic content ratio. Town Council shall review the application as it pertains to zoning relief/approval.

**ZON-24-0073 (ARC-24-0121) 1030 N LAKE WAY (COMBO)- VARIANCE.** The applicant, David and Jennifer Fischer, has filed an application requesting Town Council review and approval for one (1) variance to exceed maximum cubic content ratio as part of an application to enclose a second story terrace. The Architectural Commission shall perform design review of the application.

Applicant: David and Jennifer Fischer  
 Architecture: Smith Architectural Group  
 Legal: Maura Ziska

**HISTORY:**

The existing two-story residence was built in 1998 by Charles Pawley.

**THE PROJECT:**

The applicant has submitted plans, entitled "Addition to Fisher Residence 1030 North Lake Way Final Submittal" as prepared by **Smith Architectural Group**, submitted and uploaded to the Town February 12, 2025.

The following scope of work is proposed:

- Second floor addition to existing two-story residence.

The following Special Exception, Site Plan Review, and/or Variance(s) are required to complete the project:

- **VARIANCE 1: Section 134-893 (b)(13):** A variance request to exceed the maximum Cubic Content Ratio (CCR) of 4.72 in lieu of the 4.46 existing and 3.91 maximum permitted

Site Data			
Zoning District	R-B	Future Land Use	SINGLE-FAMILY
Lot Size	20,726 SF	Lot Coverage	28.3%

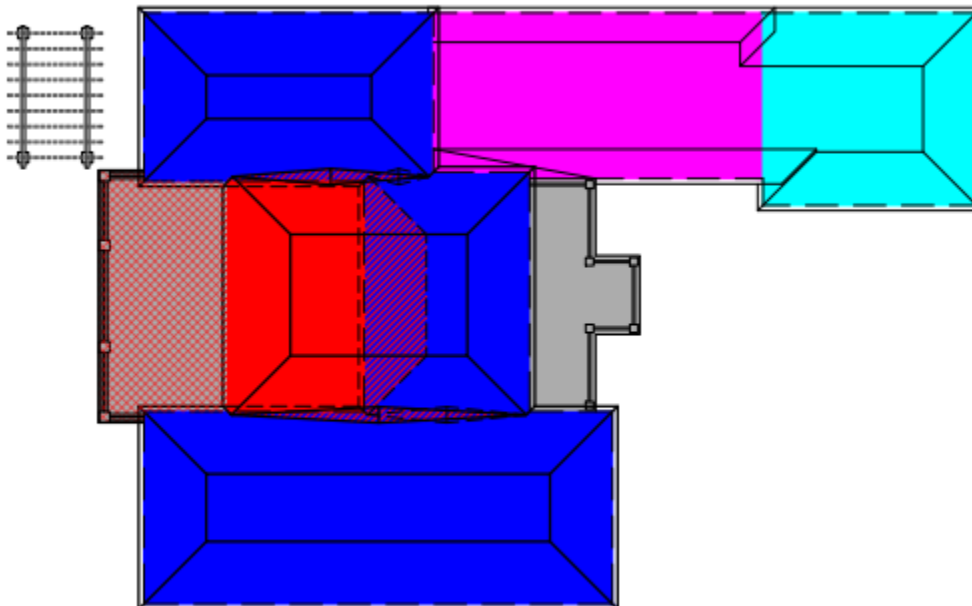
<b>Cubic Content Ratio (CCR)</b>	Permitted: 3.91 Existing: 4.46 Proposed: 4.72 <i>Variance Required</i>	<b>Enclosed Square Footage</b>	Existing: 7,592 SF Proposed: 8,080 SF
<b>Surrounding Properties / Zoning</b>			
<b>North</b>	1954 One-story residence / R-B		
<b>South</b>	1998 Two-story residence / R-B		
<b>East</b>	1940 Two-story residence / R-B		
<b>West</b>	Lake Worth Lagoon		

**STAFF ANALYSIS**

The subject property is a midblock parcel zoned R-B located on the waterfront side of North Lake Way, at the terminus of Laurian Lane. The residence was constructed in 1998. Numerous permits have been issued throughout the years for renovations, improvements and maintenance to the structure.

The application is for a proposed 489 SF addition on the second floor at the rear of the two-story structure. The proposed improvements to the structure are within the existing footprint, so there will be no change in the overall lot coverage of the site. Further, the proposal will not be visible to the front of the structure or noticeable from North Lake Way. The applicant is proposing a second story addition at the existing second floor open air terrace on the rear east side of the structure. The addition is relatively small (488 SF); however, a CCR variance is required to achieve the scope of work as the existing structure was built prior to the advent of CCR in the Code. In 1999 eliminated the FAR regulation and created the sliding scale CCR requirement to replace FAR. The proposed second floor intervention will be located over 50'-0" from the rear property line along Lake Trail and will be architecturally harmonious with the existing condition in terms of roof height, slope and amount of glazing on the façade.

***CCR Diagram, red area is location of second floor intervention***



*Existing and proposed west elevation rendering*



Code Section	Permitted	Proposed	Variance
<b>VARIANCE 2:</b> Sec. 134-893(b)(13)	<b>3.91 Max</b>	<b>4.72 CCR in lieu of 4.46 CCR existing</b>	<b>+0.26 CCR from exist. +0.81 CCR from max.</b>

**CONCLUSION:**

Approval of the project will require two (2) separate motion(s) 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, and
2. that the implementation of the proposed variances **will** or **will not** cause negative architectural impacts to the subject property.

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

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