



TOWN OF PALM BEACH
Planning, Zoning & Building Department
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PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

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

SUBJECT: ZON-22-054 (HSB-22-004) 324 BARTON AVENUE (COMBO)

MEETING: June 15, 2022

ZON-22-054 (HSB-22-004) 324 BARTON AVE (COMBO) – VARIANCES. The applicants, Leverett and Linda Miller, have filed an application requesting Town Council review and approval for a Variances to (1) reduce the required side (east) yard setback, (2) for the expansion of a nonconforming accessory structure, and (3) from Chapter 50 for the required floor elevation for the new ground floor addition on a historically significant building to construct a ground floor addition with a finished floor of 5.34' NAVD in lieu of the required 7' NAVD, in conjunction with one story additions to a Historically Significant building two-story main house and one story additions to an existing two-story accessory structure. The Landmarks Preservation Commission will perform design review of the application.

LPC NOTICE:

HSB-22-004 (ZON-22-054) 324 BARTON AVE. (COMBO) The applicants, Leverett and Linda Miller, have filed an application requesting Landmarks Preservation Commission review and approval for one-story additions to a historically significant two-story main house and two-story accessory structure, including variances (1) from setback requirements, (2) for the expansion of a nonconforming accessory structure and (3) Floodplain requirements. Town Council will review the variance portion of the application.

Applicant: Miller Residence
Professional: SKA Architect + Planner
Representative: Jacqueline Albarran, Architect P.A.

HISTORY:

The subject property was designated 'historically significant' in May of 2021. The property is located within the Mid-Town Conservation District. The Georgian Revival style dwelling was designed by architect John L. Volk in 1939. At the May 18, 2022 LPC meeting, an application was approved (7-0) for one-story additions to a historically significant two-story main house and two-story accessory structure, including variances, pursuant to HSB-22-003. The Commission additionally recommended favorably on the variance associated with project (7-0).

THE PROJECT:

The applicant has submitted plans, entitled "Miller Residence", as prepared by **SKA Architect + Planner**, dated April 8, 2022.

The following is the scope of work for the complete demolition to an existing two-story residence:

- One story addition to the rear of the existing residence.

The following Special Exceptions and Variances required to complete the project:

- **VARIANCE 1:** Sec. 134-893(7): A variance to continue an existing nonconforming east side-yard setback of 7.54 ft in lieu of the 12.5 ft minimum required.
- **VARIANCE 2:** Section 134-416(d): Request to expand a non-conforming 2 story accessory building.
- **VARIANCE 3:** Sec. 50-114: A Floodplain variance on a historically significant home in order to add a 368 SF one story addition with a finished floor elevation of 5.34 feet North American Vertical Datum ("NAVD"), and a 581 SF one story addition to the garage with a finished floor elevation of 3.39' NAVD, both in lieu of the 7' NAVD minimum required.

Site Data			
Zoning District	R-B Low Density Residential	Lot Size (SF)	18,709 SF
Future Land Use	Single Family	Total Building Size (SF)	8,050 SF
C-O-R	2.79'	Flood Zone	AE 6'
Exist Fin. Floor Elevation	5.34' NAVD	Prop. Fin. Floor Elevation	5.34' NAVD
Year of Construction:	1939	Architect:	John L. Volk
Project			
	Required/Allowed	Existing	Proposed
Lot Coverage	30% (5,612 SF)	22.92% (4,288 SF)	27.7% (5,174 SF)
Building Height	22'	20.33'	20.33'
Overall Building Height	30'	26.83'	26.83'
Front Yard Open Space 45% OF FRONT YARD:	45% (1,200 SF)	33.2% (995 SF)	33.2% (995 SF)
Landscape Open Space	45% (8,419 SF)	56.6% (10,590 SF)	51.8% (9,704 SF)
Native Plant Species %	35%	N/A	N/C
Cubic Content	3.91	3.19	3.46

*If value is not applicable, N/A

*If value is not changing, N/C

Surrounding Properties / Zoning	
North	2013 Two-story single-family residence
South	Vacant Low density residential
East	1997 Two-story single-family residence
West	1936 Two-story single-family residence

STAFF ANALYSIS

The applicant is proposing to construct a one story additions to the rear of the existing John Volk designed residence built in 1939. The scope of work includes significant improvements to an existing historically significant single- story residence. A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the Town zoning code:

- **VARIANCE 1:** Sec. 134-893(7): A variance to continue an existing nonconforming east side-yard setback of 7.54 ft in lieu of the 12.5 ft minimum required.
- **VARIANCE 2:** Section 134-416(d): Request to expand a non-conforming 2 story accessory building.
- **VARIANCE 3:** Sec. 50-114: A Floodplain variance on a historically significant home in order to add a 368 SF one story addition with a finished floor elevation of 5.34 feet North American Vertical Datum ("NAVD"), and a 581 SF one story addition to the garage with a finished floor elevation of 3.39' NAVD, both in lieu of the 7' NAVD minimum required.

One story addition to rear of main house in areas that are not original. This addition requires two variances; 1. A flood plain variance to construct the addition at 5.54' NAVD in lieu of the 7' NAVD minimum. 2. A setback variance as the addition will align with the west wall of the existing structure which has a side yard setback of 7.54' in lieu of the 12.5' required in the RB District (NOTE: only 63.6 SF of the addition will be in the required setback).

The scope of work exceeds 50% of the improved value of the structure, as such the *historically significant building* is applying for a flood plain variance to keep the replacement structure closely resembling the appearance of the original, the finished floor of the new structure will match that of the main structure, which is below current requirements. The variance to add a 368 SF one story addition with a finished floor elevation of 5.54' North American Vertical Datum ("NAVD"), and a 581 SF one story addition to the garage with a finished floor elevation of 3.39' NAVD, both in lieu of the 7' NAVD minimum required. Additionally, if needed, the Town Council can extend the floor plain variance to the main structure.

Staff is supportive of the application for the minor additions due to the retention and continued use of an older architecturally significant building.