



**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: Town of Palm Beach Mayor and Council  
FROM: Wayne Bergman, MCP, LEED-AP  
Director PZ&B  
SUBJECT: ZON-22-124 (ARC-22-163) 357 N LAKE WAY (COMBO)  
MEETING: OCTOBER 12, 2022

**ZON-22-124 (ARC-22-163) 357 N LAKE WAY (COMBO)—VARIANCES.** The applicant, Scott Hesse and Whitney Hesse, has filed an application requesting Town Council review and approval for variances (1-2) to reduce the front and rear setbacks, and (3) to eliminate the two-car garage enclosure requirement by only providing a one-car garage, and (4) to reduce the street side yard 2-story setback, in conjunction with the renovation of an existing two-story single-family residence and new one- and two-story additions. The Architectural Commission will perform design review of the application.

**ARCOM NOTICE:**

**ARC-22-163 (ZON-22-124) 357 N LAKE WAY (COMBO).** The applicant, Scott Hesse and Whitney Hesse, has filed an application requesting Architectural Commission review and approval for the renovation to an existing two-story residence, which includes a substantial second story addition and ground floor addition to the existing footprint, raising the existing non-conforming first floor slab (6.36' NAVD) to meet minimum FEMA requirements (7' NAVD), a new pool, hardscape, and landscape, requiring variances to setbacks, and required two-car garage. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Applicant: Scott Hesse and Whitney Hesse  
Professional: Smith and Moore Architects LLC  
Representative: Maura Ziska, Esq.

**THE PROJECT:**

The applicant has submitted plans, entitled "ARCOM Final Submittal 357 N Lake Way", as prepared by **Smith and Moore Architects LLC** dated August 15, 2022.

The following is the scope of work:

- Renovation to an existing two-story residence including second floor additions and ground floor additions including variances.
- Raising the existing first floor slab to meet minimum FEMA requirements.
- New pool, hardscape, and landscape.

The following Special Exceptions, Site Plan review and/or Variances required to complete the project, and shall be reviewed by Town Council:

- VARIANCE 1: Section 134-893(b)(5) – A variance to permit a 2<sup>nd</sup> story south front-yard setback at 29' in lieu of the 30' minimum required.
- VARIANCE 2: Section 134-893(b)(8)- A variance to permit a 1<sup>st</sup> story north rear-yard setback at 4 ft 5 in in lieu of the 10 ft minimum required.
- VARIANCE 3: Section 134-2179(b)- A variance to forgo 2 required off-street parking spaces in an enclosed garage.
- VARIANCE 4: Section 134-893(b)(7)b.: A variance to reduce the street side yard 2-story setback from 30'-0" to 26'-2".

| Site Data                       |  |                           |  |
|---------------------------------|--|---------------------------|--|
| Zoning District                 | R-B  | Lot Size                  | 15,269 SF  |
| Future Land Use                 | SINGLE FAMILY                                      | Year Built                | 1951   |
| Total Building Size (SF)        | Existing 4,363 SF<br>Proposed 7,542 SF             | Lot Coverage              | Permitted 30% (4,580 SF)<br>Existing 27.5% (4,194 SF)<br>Proposed 29.4% (4,488 SF) |
| Max Fill                        | 1.04   | Cubic Content Ratio (CCR) | 3.95 (60,672 cf)<br>Existing: 2.34 (40,136 cf)<br>Proposed: 3.8 (58,380 cf)        |
| Crown of Road (COR)             | 4.62' NAVD   | FEMA Zone                 | AE 6   |
| Landscape Open Space            | Required 45% (6,871 SF)<br>Proposed 45% (6,892 SF) | Finished Floor Elevation  | Existing: 6.5' NAVD<br>Proposed: 7' NAVD   |
| Surrounding Properties / Zoning |  |                           |  |
| North                           | 1950 Two-story residence / R-B                     |                           |  |
| South                           | 1955 Two-story residence / R-B                     |                           |  |
| East                            | 1950 One-story residence / R-B                     |                           |  |
| West                            | Two-story residence / R-B                          |                           |  |

### STAFF ANALYSIS

The subject property is corner site at the southeast corner of Coral Lane and North Lake Way currently improved with an existing two-story residence built in 1951. The proposal is for a renovation to an existing 2-story residence, including second story additions and minor additions to the existing footprint that would increase the overall residences' size from 4,363 SF to 7,542 SF. A notable aspect of the improvement is the raising the existing first floor slab, currently noncompliant as it pertains to today's FEMA elevation requirements, to meet the FEMA minimum required elevation. a new pool, hardscape, and landscape.

In all, it is commendable example of working with an existing structure, modifying it with substantial additions while fortifying its resistance through the elevation of the ground floor slab. Although considerable alterations and removal of the roof require multiple variances to establish a few of the existing nonconformities of the existing structure.

Among them, variance #1, to permit a 2<sup>nd</sup> story south front-yard setback at 29'-0" in lieu of the 30'-



0" minimum required. Currently a 26'-0" wide portion of the existing second floor portion of the existing structure is located at 29'-0". Additionally, as it pertains to variance #2, to permit a 1<sup>st</sup> story north rear-yard setback at 4 ft 5 in in lieu of the 10 ft minimum required. Currently a 21'-6" wide portion of the existing first floor portion of the residence is located at 4'-5". Staff has no concerns with variance #1 or #2 as it pertains to the existing structure's nonconforming conditions.

As it pertains to variance 3, to forgo 2 required off-street parking spaces in an enclosed garage, the corner site currently has one curb cut providing vehicular access along Coral Lane. Another curb cut was removed along North Lake Way was removed under B-20-84435 (A-20-01001) which left a large motor court area at the corner of the site. The 15,269 SF corner site has plenty of area to accommodate two parked vehicles. The area formerly containing a one-car garage is proposed to be converted into a workspace and it's former gravel driveway converted to sod. The applicant has provided a front-loaded one car garage reminiscent of the one previously facing North Lake Way. Staff has no concerns with the elimination of the required two-car garage.

As it pertains to variance 4, to reduce the street side yard 2-story setback from 30'-0" to 26'-2". A 13'-7" portion of the new second floor encroaches into the required setback in order to provide the new stairwell that substantially expands the second floor along the broadside of the one-story portion of the residence along North Lake Way.