



**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-22-153 (COA-22-054) 125 VIA DEL LAGO (COMBO)

MEETING: FEBRUARY 15, 2023

**ZON-22-153 (COA-22-054) 125 VIA DEL LAGO (COMBO)–VARIANCES.** The applicant, Todd Glaser, has filed an application requesting Town Council review and approval for a variance to (1) expand an existing nonconforming 3rd story of a single-family dwelling and (2) to exceed the maximum building height. The Landmarks Preservation Commission shall perform design review of the application.

**LPC NOTICE:**

**COA-22-054 (ZON-22-153) 125 VIA DEL LAGO (COMBO).** The applicant, Todd Glaser, has filed an application requesting Landmarks Preservation Commission review and approval for exterior modifications, including removal and relocation of a stair way, and a new addition over driveway, requiring variances. This is a combination project that shall be reviewed by Town Council as it pertains to zoning relief/approval.

Applicant: Todd Glaser  
Professional: LaBerge & Menard, Inc. (Chris Kidle)

**HISTORY:**

The property at 125 Via Del Lago was constructed in 1928 and designed by Wyeth. The property was Landmarked by the Town of Palm Beach in 2011. Town records indicate a number of permits for numerous updates and renovations throughout the years.

**THE PROJECT:**

The applicant has submitted plans, entitled "Addition to 125 Via Del Lago", as prepared by **LaBerge & Menard, Inc.**, dated December 09, 2022

The following is the scope of work for the Project:

- Remove existing garage entry stair.
- Add 890 sq. ft. of coverage for an addition to the existing home.
- New exterior garage entry stair.
- Removal of some existing windows and doors.
- Reroof.

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

- **VARIANCE 1** - Sec. 134-843(a)(10)a.: A variance to expand an existing nonconforming 3rd story.
- **VARIANCE 2** - Sec. 134-843(a)(10)a.: A variance for a building height of 26.6 ft in lieu of the 25 ft maximum permitted, in conjunction with a three story addition.

Site Data			
Zoning District	R-A	Lot Size	35,510 SF
Future Land Use	SINGLE-FAMILY	Total Building Size	Existing: 12,035 SF Proposed: 13,013 SF
C-O-R	12.71' NAVD	Flood Zone	Zone X
Finished Floor Elevation	18.2' NAVD	Max Fill	N/A
Year of Construction:	1928	Architect:	Wyeth
Project			
	Required/Allowed	Existing	Proposed
Lot Coverage	25% (9,184 SF)	15.8% (6,149 SF)	19.8% (7,039 SF)
Building Height	25'	26.5'	26.5' <i>Variance Requested for Addition</i>
Landscape Open Space	50% (19,470 SF)	54.8% (21,342 SF)	54.6% (21,190)
Number of Stories	2	3	3 <i>Variance Requested for Addition</i>
Surrounding Properties / Zoning			
North	Two-story 1967 residence / R-A		
South	One-story 1995 residence & two-story 1958 residence / R-A		
East	One-story 1952 residence / R-A		
West	Two-story 1952 residence / R-A		

#### STAFF ANALYSIS

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:

- Sec. 134-843(a)(10)a.: A variance to expand an existing nonconforming 3rd story.
- Sec. 134-843(a)(10)a.: A variance for a building height of 26.6 ft in lieu of the 25 ft



maximum permitted, in conjunction with a three story addition.

The construction of an approximately 1000 SF addition triggers the need for two variances. The first variance to expand an existing nonconforming third story. This portion of the building includes a garage on the first floor, with two floors of living space above. Even though the garage is nonhabitable area, it is considered the first floor, hence the need for a variance. The second variance is to exceed the maximum allowed building height. The historic structure was built with a finished floor area at 18.2' NAVD. The zoning code, however, prescribes that zero datum for the point of measure to being at the highest crown of road, which in this case is 12.71' NAVD. The addition is proposed to match the existing finished floor elevation, therefore, a variance is required for building height. The screenshot below highlights the areas requiring variance relief.

