



TOWN OF PALM BEACH
Planning, Zoning & Building Department
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PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Architectural Commission (ARCOM)

TO: ARCOM Chairperson and Members

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

SUBJECT: ARC-22-216 (ZON-22-140) 248 COLONIAL LN (COMBO)

MEETING: MARCH 29, 2023 (ARCOM)

ARC-22-216 (ZON-22-140) 248 COLONIAL LN (COMBO). The applicant, 306 Livingston Street Holdings I, LLC (Matthew Mirones), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence including variances (1) to not provide required garage enclosure for two vehicles, ~~(2 and 3) and locate a generator in a setback which is higher than allowed and not adequately screened~~, in the R-B zoning district. This is a combination project that shall also be reviewed by Town Council as it pertains to the Special Exception w/ Site Plan Review and Variance relief for approval.

Applicant: 306 Livingston Street Toldings I, LLC (Matthew Mirones)
Professional: Wadia Associates (Robert Pilla)
Representative: Maura Ziska, Esq.

HISTORY:

At the October 2022 meeting, the applicant presented a Mediterranean style home to the Commission. While the asymmetrical design received some positive response, overall, the Commission indicated that the house presented too massive for the lot and that a Mediterranean style home was inappropriate for the street. The commission directed the applicant to restudy the style of home, the massing, materials, and enhancement of the landscaping. At the February meeting, the residence's style was changed from Mediterranean Revival to Colonial Revival, while the general footprint of the house and program of the site were retained. The Commission deferred the item for one month, requesting modifications to the height, rear roof design, and considerations to how the home relates to the street. The applicants resubmitted plans on March 6, 2023.

THE PROJECT:

The applicant has submitted plans, entitled "248 COLONIAL LANE", as prepared by **Wadia Associates**, dated March 6, 2023.

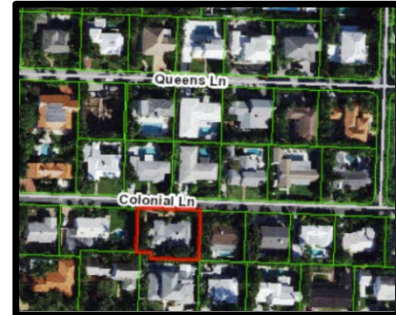
The following is the scope of work:

- New two-story single-family residence with pool and final hardscape and landscape.

The following Special Exception, Site Plan Review, and/or Variance(s) are required to complete the project and shall be reviewed by the Town Council.

- a. **SPECIAL EXCEPTION W/ SITE PLAN REVIEW:** Sec. 134-893 (c) and Sec. 134-329 Special Exception with Site plan Review, to allow the construction of a residence on a non-conforming platted lot which is 82' feet in width in lieu of the 100' minimum width required and lot area (8,360 SF) in lieu of the minimum lot area (10,000 SF) in the R-B Zoning District.
- b. **VARIANCE 1:** Sec 134-2179 (b): A variance to forgo requirement to provide two off-street parking spaces in an enclosed garage.

Special Exceptions to the lot size and depth and a Variance to the parking requirement for a parking garage for the proposed single-family home are requested. The previously requested variance to the location of the generator within the setback is no longer requested as the design has been modified to place the generator within the Code required development perimeters.



STAFF ANALYSIS:

Zoning

Below is a summary of the subject application with regards to Zoning Code compliance and Variance and/or Special Exception requests:

Site Data			
Zoning District	R-B	Future Land Use	SINGLE FAMILY
Lot Size (SF)	Min. Required: 10,000 SF Proposed: 8,360 SF <i>Special Exception Requested</i>	Crown of Road	3.32' NAVD
Lot Depth	Min. Required: 100 FT Proposed: 82 FT <i>Special Exception Requested</i>	Lot Width	105'
Rear Yard Setback	Required: 10' (1 st) / 15' (2 nd) Proposed: 11.66' / 16.66'	Front Yard Setback	Required: 25' (1 st) / 30' (2 nd) Proposed: 25' / 28.33'
Building Height	Max. Permitted: 22' Proposed: 20'	Overall Building Height	Max. Permitted: 30' Proposed: 29.5'
Finished Floor Elevation	Min. Required: 7' NAVD Proposed: 7.19' NAVD	Zero Datum for Point of Measurement	7' NAVD
FEMA Flood Zone	AE-6	Base Flood Elevation	6' NAVD (+1' Freeboard)
Lot Coverage	Permitted: 40%/30% Proposed: 27% (2,228 SF)	Angle of Vision	Max. Permitted: 100° Proposed: 95.8°

Cubic Content Ratio (CCR)	Maximum: 34,944 CF Proposed: 34,667 CF	Enclosed Square Footage	3,407 Sq. Ft.
Native Planting	Complies	Landscape Open Space (LOS)	Required: 45% (3,672 SF) Proposed: 38.75% (3,160 SF)
Perimeter Open Space	Required: 50% (1,881 SF) Proposed: 61.8% (2,276 SF)	Front Yard Open Space	Required: 40% (1,050 SF) Proposed: 54.6% (1,432 SF)
Surrounding Properties / Zoning			
North	1950/1964 One-story residences/ R-B		
South	2021 One-story residence/ R-B		
East	1945 One-story residence/ R-B		
West	1950 Two-story residence/ R-B		

The subject application is presented to the Architectural Commission (ARCOM) for consideration of compliance with the code Sec. 18-205, which pertains to ARCOM's review criteria. The application is presented to the Town Council for consideration of compliance with zoning code Sec. 134-201 as it pertains to variance relief and zoning code Sec. 134-229 as it pertains to Special Exception review. A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of Town zoning code:

- a. **SPECIAL EXCEPTION W/ SITE PLAN REVIEW:** Sec. 134-893 (c) and Sec. 134-329 Special Exception with Site plan Review. to allow the construction of a residence on a non-conforming platted lot which is 82' feet in width in lieu of the 100' minimum width required and lot area (8,360 SF) in lieu of the minimum lot area (10,000 SF) in the R-B Zoning District.

The zoning code prescribes a minimum lot area and lot dimensions for parcels in each Zoning District. In the R-B Zoning District, those minimum required dimensions are 100' Width x 100' Depth and a minimum lot area of 10,000 SF. This parcel only provides 82' ft of lot depth, and a lot area of 8,360 SF. Because the existing structure on site is being demolished, any new construction must meet current regulations and vest any nonconformities. Therefore, a special exception from Town Council is required to redevelop the non-conforming parcel.

- b. **VARIANCE 1:** Sec 134-2179 (b): A variance to forgo requirement to provide two off-street parking spaces in an enclosed garage.

Per the zoning code, residential parcels which are 75 ft or greater in width are required to provide two, 9' x 18' parking spaces inside of an enclosed garage. In this application, the applicant is only proposing to provide one off street parking space in an enclosed garage. The condition of having a one-car garage on Colonial Ln is not unprecedented, and some homes on the street provide no parking spaces in an enclosed garage.

Based on feedback from the October 2022 ARCOM meeting, the applicant redesigned the proposed style from Mediterranean Revival to Colonial Revival. Material and finish inspiration is borrowed from other homes on Colonial Lane. The residence utilizes a cedar shake roof and a combination

of stucco siding on the first floor and plank siding on the second. Shutter and bay window design inspiration come from elements of the existing structure on site. While the overall site programming remains similar to the previous proposal, the applicant has stepped back the west side of the house to mitigate the presence of the structure on the street. The proposed landscape plan has been slightly modified as well. The landscape buffer along the south rear property line has been enhanced to provide more screening of the proposed structure from the rear neighbor.

At the February meeting, the commission gave direction to restudy the height and street presence and to simplify the rear second story and rear facing roof design. The applicant resubmitted revised drawings on March 6, 2023.

Approval of the project will require two (2) separate motions to be made by the Architectural Commission: (1) for the overall design of the project in accordance with the criteria contained in Code Section 18-205, subject to any imposed conditions, and (2) that the implementation of the proposed variance will/will not cause negative architectural impact to the subject property.

WRB:JGM:BMF