



## TOWN OF PALM BEACH

Planning, Zoning & Building Department  
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### PLANNING, ZONING, & BUILDING DEPARTMENT PZ&B Staff Combination Memorandum

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

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SUBJECT: ARC-23-014 (ZON-23-029) 325 VIA LINDA (COMBO)  
ZON-23-029 (ARC-23-014) 325 VIA LINDA (COMBO)

ARCOM MEETING: APRIL 26, 2023  
TOWN COUNCIL MEETING: MAY 10, 2023

**ARC-23-014 (ZON-23-029) 325 VIA LINDA (COMBO).** The applicant, Three Palm Trees, LLC, has filed an application requesting Architectural Commission review and approval of the construction of a new two-story residence with garage and basement, a two-story detached accessory structure with garage and basement, a pool pergola structure with awning, pool(s)/water feature(s), and associated landscape and hardscape including entry gate assemblies, site walls and an emergency generator. This is a combo project that will require Town Council review and approval for a Special Exception and Site Plan Approval to permit a reduction in the required setback for the proposed gate and gateposts. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

**ZON-23-029 (ARC-23-014) 325 VIA LINDA (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW.** The applicant, Three Palm Trees, LLC, has filed an application requesting Town Council review and approval for a Special Exception and Site Plan Approval to permit a reduction in the required setback for the proposed driveway gate and gateposts. The Architectural Commission will perform design review of the application.

Applicant: Three Palm Trees, LLC  
Professional: Dailey Janssen Architects, P.A.  
Representative: Maura A. Ziska, Esq

The subject property is located at the north-west corner of the 300 block of Via Linda and is comprised of two parcels, the main parcel being located north of Via Linda and east of the Lake Trail, and a small lake front parcel located between the Lake Trail and the Lake Worth Lagoon. The property has a Future Land Use designation of Single Family with compatible Zoning classifications of Low Density Residential (R-B).

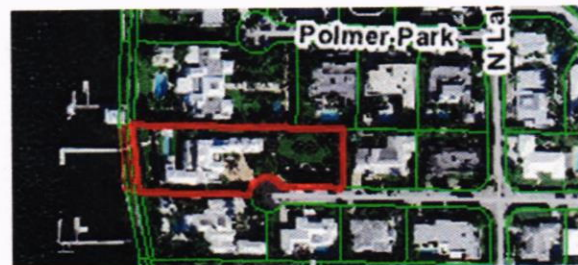


Figure 1: Subject property location.

### **HISTORY:**

The existing structure on the western side of the property was built in 1993. In 1995, 317 Via Linda, located immediately east of the home, was demolished. In 1996, the vacant parcel at 317 Via Linda, was joined to the 325 Via Linda parcel by a unity of title agreement and has served as a garden area for the estate. Numerous renovations and repairs have been made to the structure and site since it's construction.

An application for new construction was presented to the Architectural Commission at the February 2023 meeting. The project was deferred to the March 2023 meeting by the commission with comments to restudy the glazing on the west elevation, column spacing at west loggia, overall massing, the mansard roofs over the garages, landscaping at the rear of the property, and the style of the front door.

At the March 2023 meeting, the project was deferred for further study of architectural features and details, landscaping, and overall massing of the proposed structures. This item was approved (7-0) at the 04/26/23 Architectural Commission.

### **THE PROJECT:**

The applicant has submitted plans, entitled "Proposed New Construction At: 325 Via Linda Final 04.10.23", as prepared by **DAILEY JANSSEN ARCHITECTS, P.A.**, dated April 10, 2023.

The following is the scope of work:

- Construction of a new two-story residence with garage and basement, a two-story detached accessory structure with garage and basement, a pool pergola structure with awning, pool(s)/water feature(s), and associated landscape and hardscape including entry gate assemblies, site walls and an emergency generator.

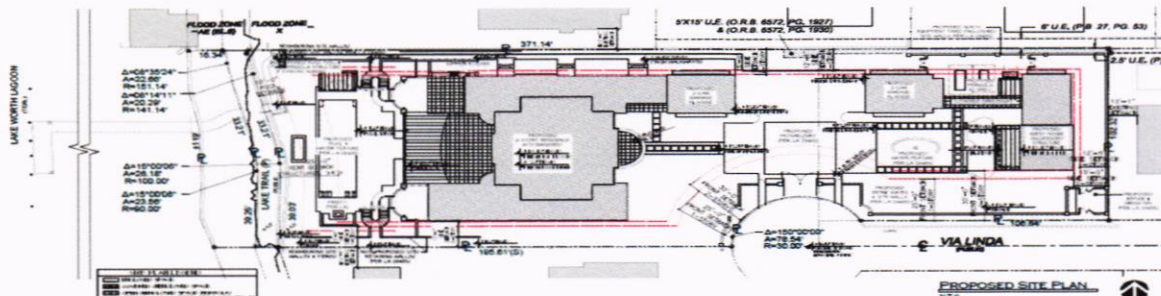


Figure 2: Subject application proposed site plan.

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

- **SPECIAL EXCEPTION WITH SITE PLAN APPROVAL:** Sec. 134-1668: Special Exception with Site Plan Review for the installation of vehicular gate and columns with an 8 ft setback from the edge of pavement in lieu of the 18 ft required, on a cul-de-sac street.



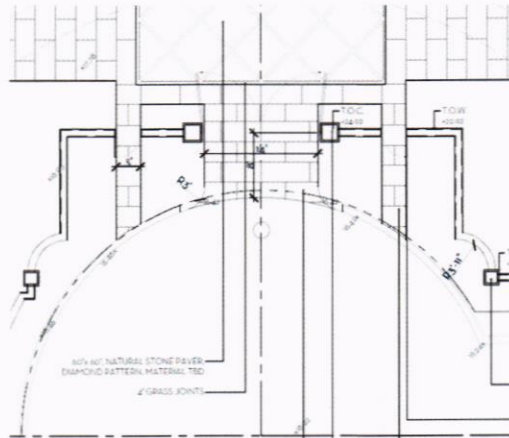


Figure 3: Diagram illustrating proposed vehicle loading area and driveway access.

### STAFF ANALYSIS

Below is a summary of the subject application with regards to Zoning Code compliance and/or variance requests.

Site Data			
<b>Zoning District</b>	R-B	<b>Future Land Use</b>	SINGLE-FAMILY
<b>Lot Size</b>	39,434 SF	<b>Crown of Road</b>	16.92' NAVD
<b>Lot Depth</b>	+/- 360'	<b>Lot Width</b>	+/- 117'
<b>Rear Yard Setback</b>	Required: 25' (Lake Trl Setback) Proposed: 25.5'	<b>Front Yard Setback</b>	Required: 30' Proposed: 30.1'
<b>Building Height</b>	Permitted: 22' Proposed: 22'	<b>Overall Building Height</b>	Permitted: 30' Proposed: 29.66'
<b>Finished Floor Elevation</b>	7.0' NAVD (Basement) 16.0' NAVD (First level)	<b>Zero Datum for Point of Measurement</b>	18.42' NAVD
<b>FEMA Flood Zone</b>	ZONE AE 6 & ZONE X	<b>Base Flood Elevation</b>	6' NAVD & None
<b>Lot Coverage</b>	Permitted: 30% Proposed: 29%	<b>Angle of Vision</b>	N/A on cul-de-sac street
<b>Cubic Content Ratio (CCR)</b>	Maximum: 4.5 Proposed: 4.26	<b>Enclosed Square Footage</b>	25,141SF
<b>Landscape Open Space</b>	Required: 45% Proposed: 46%	<b>Front Yard Landscape Open Space</b>	Required: 40% Proposed: 82%
Surrounding Properties / Zoning			
<b>North</b>	1969 2-Story Residence & 1966 2-Story Residence / R-B Zoning		
<b>South</b>	1952 2-Story Residence & 1954 1-Story Residence / R-B Zoning		

<b>East</b>	1954 1-Story Residence / R-B Zoning
<b>West</b>	Lake Worth Lagoon

A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the Town zoning code.

The subject application is a proposal for the construction of a new two-story residence with garage and basement, a two-story detached accessory structure with garage and basement, a pool pergola structure with awning, pool(s)/water feature(s), and associated landscape and hardscape including entry gate assemblies, site walls and an emergency generator. The subject parcel is oversized for the district, at almost 40,000 Sq. Ft. in a zoning district where a minimum of 10,000 Sq. Ft. is required. However, oversized parcels are not uncommon along the Lake Trail and Lake Worth Lagoon in the R-B Zoning District. Special zoning regulations govern lots which are greater than 20,000 Sq. Ft. and are adjacent to Lake Worth, allowing for decreased setbacks and increased lot coverage which are not afforded to other oversized estate lots elsewhere in the R-B zoning district.

A basement is proposed for both the main structure and the accessory structure. Both basements meet the zoning code basement regulations, and therefore, are not considered an additional story. The basement of the accessory structure is located entirely below grade and is not visible from any side of the structure. The basement of the main structure is visible from the western elevation of the building. A dramatic change in grade as the lot approaches the lake creates this condition. The exposed basement is stepped down from the main massing of the house, and does not provide three levels in vertical alignment.

The following element requires review and approval for special exception from the Town Council:

- SPECIAL EXCEPTION WITH SITE PLAN APPROVAL: Sec. 134-1668: Special Exception with Site Plan Review for the installation of vehicular gate and columns with an 8 ft setback from the edge of pavement in lieu of the 18 ft required, on a cul-de-sac street.

The zoning code requires that when a vehicular driveway gate is installed, that a space no less than 9' x 18' is provided between the gate and the edge of roadway pavement, to allow for vehicle stacking. This size space is required so that a vehicle will be completely clear of the right-of-way while waiting for the gate to operate, without impeding the flow of traffic. However, the zoning code has a provision which allows a reduction in the length of the loading space for dead end or cul de sac streets. Because these are not through streets, a vehicle which is partially in the roadway while waiting for the gate to operate will not impede local traffic flow.

WRB:JGM:BMF