



TOWN OF PALM BEACH
Planning, Zoning & Building Department
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PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Combination Memorandum: Architectural Commission and Town Council

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

SUBJECT: ZON-23-062 (ARC-23-061) 301 PLANTATION RD (COMBO)

MEETING: JUNE 14, 2023

ARC-23-061 (ZON-23-062) 301 PLANTATION RD (COMBO). The applicant, Berne Helen H Trust, Owner / Roberto and Joanne DeGuardiola, Contract Purchaser, have filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence with detached pool cabana, swimming pool, and sitewide landscape and hardscape improvements, with variances related to height and pool screening. Town Council shall review the applicant as it pertains to zoning relief/approval.

ZON-23-062 (ARC-23-061) 301 PLANTATION RD (COMBO) – VARIANCES. The applicant, Berne Helen H Trust, Owner / Roberto and Joanne DeGuardiola, Contract Purchaser, have filed an application requesting Town Council review and approval of (4) variances to exceed (1) maximum building height, (2) maximum overall building height, (3) maximum chimney height, and (4) to forgo swimming pool screening requirements in a street side setback, as part of the development of a new single-family residence. The Architectural Commission shall perform design review of the application.

Applicant: Roberto and Joanne DeGuardiola (contract purchaser)
Professional: Richard Sammons | Fairfax & Sammons
Representative: Maura Ziska, Esq.

HISTORY:

At the May 24, 2023 ARCOM meeting the item was approved (7-0) with the following items to return to the June 28, 2023, meeting for consideration: the landscape and hardscape plan, the railing on the rear balcony, and the color of the front door. and a motion was made that the variances #1-#3 (building and chimney height) would not (7-0) negatively impact the architecture with the exception of the variance #4 (site wall) which shall be deliberated upon of the landscape plan.

THE PROJECT:

The applicant has submitted plans, entitled "DeGUARDIOLA RESIDENCE" as prepared by Fairfax & Sammons, dated April 11, 2023.

The following is the scope of work:

- New 2-story residence with swimming pool and cabana.
- Sitewide landscape and hardscape improvements.

The following Special Exception, Site Plan Review and/or Variances are required to complete the project:

- **VARIANCE 1: Sec. 134-893(b)(10)b:** A variance for a building height of 23.85' in lieu of the 22' maximum permitted.
- **VARIANCE 2: Sec. 134-893(b)(10)c:** A variance for an overall building height of 31.46' in lieu of the 30' maximum permitted.
- **VARIANCE 3: Sec. 134-896(a):** A variance for a chimney height of 32.66' in lieu of the 30.8' maximum permitted.
- **VARIANCE 4: Sec. 134-1757:** A variance to forgo the requirement of screening a swimming pool in a street side yard setback with a 6 ft wall.

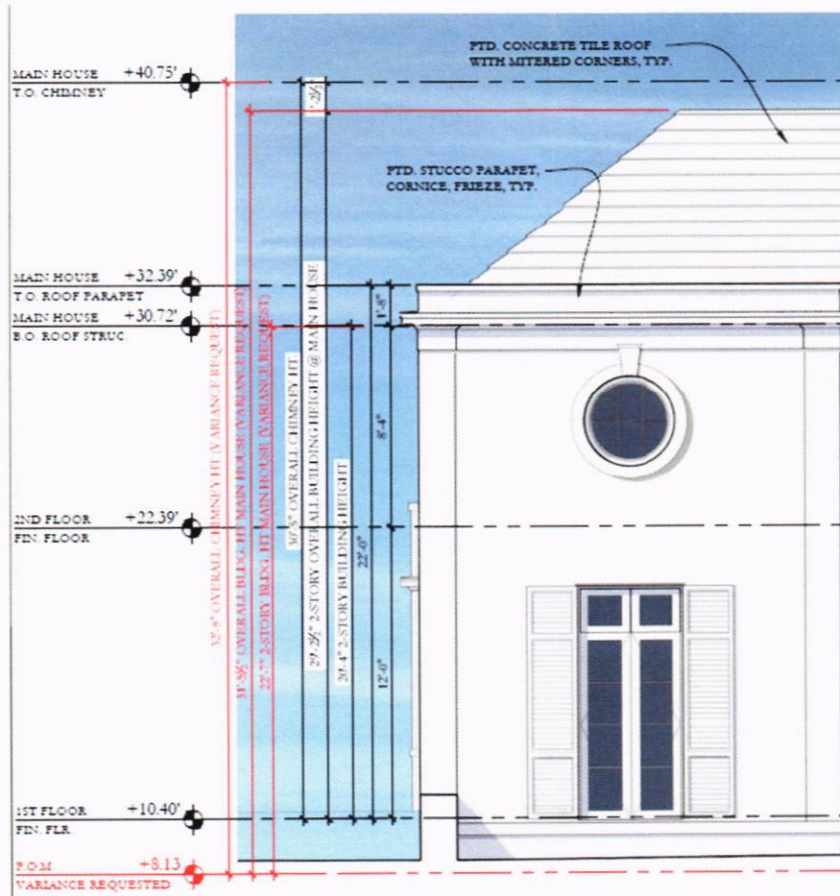
Site Data			
Zoning District	R-B	Future Land Use	SINGLE-FAMILY
Lot Size	Existing: 18,649 SF Required: 10,000 SF	Crown of Road (COR)	6.05' NAVD (N LAKE WAY) 8.48' NAVD (PLANTATION)
Total Enclosed SF	7,805 SF	FEMA Flood Zone	ZONE X
Building Height from point of meas.	Permitted: 22' Proposed: 23.85' <i>VARIANCE REQUESTED</i>	Overall Building Height from point of meas.	Permitted: 30' Proposed: 31.46' <i>VARIANCE REQUESTED</i>
Finished Floor Elevation	10.40' NAVD	Point of Measurement	8.13' NAVD
Lot Coverage	Permitted: 30% (5,400 SF) Proposed: 26% (4,701.87 SF)	Maximum Fill	0.76
Landscape Open Space (LOS)	Required: 45% (8,377 SF) Proposed: 45.17% (8,410 SF)	Front Yard Landscape Open Space	Required: 40% Proposed: 49.5% (1,793 SF)
Surrounding Properties / Zoning			
North	Vacant Parcel / R-B		
South	1950 One-Story Residence / R-B		
East	N Lake Way ROW, 2003 Two-Story Residence / R-B		
West	1965 One-story Residence / R-B		

STAFF ANALYSIS

A preliminary review of the project indicates that the application, as proposed, is inconsistent with the abovementioned sections of the Town zoning code.

Variance requests 1 – 3 are the result of peculiar lot conditions as the elevations of N Lake Way and Plantation Road are substantially different. The point of measurement is based on the applicable definition of building height for corner lots. In this instance, when the road elevations are averaged as instructed in the code, the point of measurement is established below the existing grade of the lot at 8.17' NAVD. As such, the request for variances to exceed maximum building height, overall building height, and chimney height is required. See the following graphic for the point of

measurement location.



The application requests the construction of a new two-story residence described by the architect as being designed in the English-Regency style with landscape, hardscape, pool, and site improvements. The lot is oversized for a north end parcel at 18,000+ square feet, where only 10,000 is required. The applicant's proposed lot coverage is 5% less than permitted, and landscape open space is close to the minimum required.

The plan features a two-story residence on a corner parcel with the majority of the two-story massing along the front (south) of the property along Plantation Rd. The home features a wing on the west extending to the north rear of the property, offering a side loaded 2-bay garage, not visible from the right-of-way with a second-floor guest studio. The driveway layout presents two entrances off Plantation Road without vehicular gates. The eastern drive entrance is on-center with the front entrance of the structure and offers parking on the east and west side and connects to the west drive aisle. The west drive entrance and aisle directs vehicles along the west side of the house to the rear of the property where the garage and additional parking spaces are located.

Behind the east two-story wing of the home, an expansive patio and covered loggia leads to a one-story unenclosed cabana towards the north rear property line. A long rectangular swimming pool flanks the east side of the loggia extending the entire length of the patio to the cabana, near North Lake Way. The code requires a screening wall for swimming pools when they are located within

street side yard setbacks. The applicant is electing to not install a screening wall (variance request #4), however, generous landscaping screens the pool from the Right-of-Way. A/C condensers, pool equipment, and a generator are proposed in an equipment yard next to the garage at the north rear property line. The landscape plan is dense and tropical and offers a lawn at the intersection of Plantation Rd and N Lake Way, and a lawn area between the garage and open patio. This variance was not opined upon by the Architectural Commission at the May 24, 2023 meeting.

Conclusion

Approval of the project will require one motion to be made by the Town Council: (1) that the variances **should or should not** be granted that all of the criteria applicable to this application as set forth in Section 134-201(a), items 1 through 7 have been met.

WRB:JGM:BMF