



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: ARC-23-080 (ZON-23-065) 210 FAIRVIEW RD (COMBO)

MEETING: JUNE 28, 2023 ARCOM
JULY 14, 2023 TC

ARC-23-080 (ZON-23-065) 210 FAIRVIEW RD (COMBO). The applicant, Aaron W. Ford, has filed an application requesting Architectural Commission review and approval for modification to the existing driveway, landscape modification, an addition to a one-story garage, requiring front and side yard setback variances. Town Council shall review the application as it pertains to zoning relief/approvals.

ZON-23-065 (ARC-23-080) 210 FAIRVIEW RD (COMBO) – VARIANCES. The applicant, Aaron W. Ford, has filed an application requesting Town Council review and approval for (1) a variance to allow an addition to a one-story garage within the required front yard setback and (2) a variance for an addition in the required west side yard setback. The Architectural Commission shall perform design review of the application.

Applicant: Aaron W. Ford
Professional: Kyle Fant | Bartholemew & Partners
Representative: Maura Ziska, Esq.

THE PROJECT:

The applicant has submitted plans, entitled "210 FAIRVIEW ROAD" as prepared by **Bartholemew & Partners**, dated May 16, 2023.

The following is the scope of work:

- Garage extension of 140 sq. ft.
- New driveway and apron.
- New site drainage.
- New landscape

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

1. **VARIANCE 1: Sec. 134-893(b)(1)b.**: A variance for a west side-yard setback of 13.83 ft in lieu of the 24 ft required as part of a one-story garage addition, for a lot over 20,000 sq. ft. in the R-B Zoning District.

2. **VARIANCE 2: [Sec. 134-893\(b\)\(5\)a.](#)**: A variance for a north front-yard setback of 18 ft in lieu of the 20 ft required as part of a one-story garage addition, for a building with a 15ft+ rear yard setback.

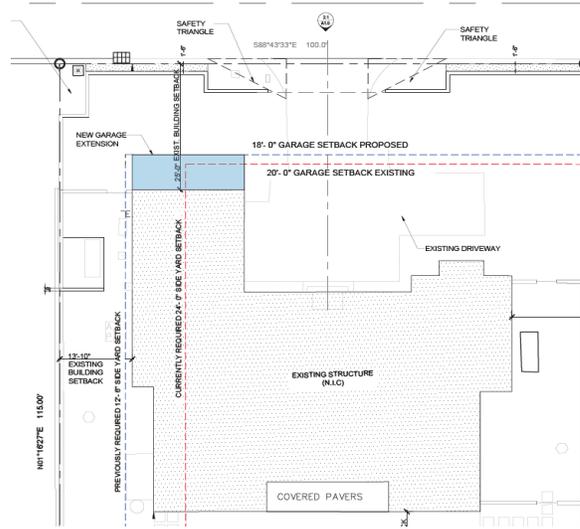
Site Data			
Zoning District	R-B	Future Land Use	SINGLE-FAMILY
Lot Size	Existing: 20,815 SF Required: 10,000 SF	Crown of Road (COR)	2.78' NAVD (FAIRVIEW) 4.96' NAVD (N. OCEAN)
Total Enclosed SF	Existing: 4545 SF Proposed: 4690 SF	FEMA Flood Zone	AE 6
Building Height from point of meas.	Existing: 19'-10" <i>No change w/ 1-story addition.</i>	Overall Building Height from point of meas.	Existing: 27' <i>No change w/ 1-story addition.</i>
Finished Floor Elevation	5.09' NAVD	Point of Measurement	7' NAVD
Lot Coverage	Permitted: 25% (5,203 SF) Existing: 15.8% (3,294 SF) Proposed: 16.5% (3,439 SF)	Front Yard Setback	Permitted: 20' (due to increased rear yard) Existing: 25' Proposed: 18' <i>VARIANCE</i>
Landscape Open Space (LOS)	Required: 50% (10,407.5 SF) Existing: 45.17% (14,809 SF) Proposed; 70.8% (14,755 SF)	Side Yard Setback	Required: 24' (due to lot >20k SF) Existing/Proposed: 13' 10" <i>VARIANCE</i>
Surrounding Properties / Zoning			
North	Beach Club Sport Courts / R-B		
South	2005 Two-Story Residence / R-B		
East	N Ocean Blvd ROW, Multi-Structure Combined Estate Parcel / R-AA		
West	2001 One-Story Residence / R-B		

STAFF ANALYSIS

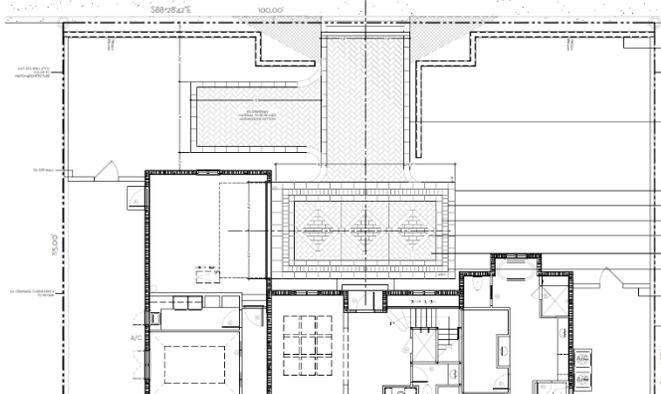
A preliminary review of the project indicates that the application, as proposed, is inconsistent with the abovementioned sections of the Town zoning code.

The variance requests are the result of the applicant's desire to enlarge an existing 1-story garage. The front yard setback variance requests to encroach 2' into the required front yard setback. The existing home has a rear yard setback at 26', which exceeds the 15' two-story minimum setback. The zoning code provides a provision which allows the front setback of a home to be decreased by a corresponding increase in a rear-yard setback, up to 5'. With a 26' rear yard setback, the applicant is permitted a 20' front yard setback. Therefore, the variance request is to allow an 18' setback where 20' is required, for the garage addition.

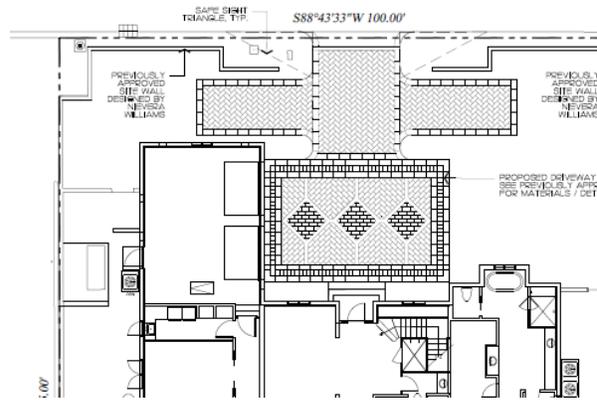
The side yard setback variance request is to encroach 10.17 ft into the required west side-yard setback, by continuing the existing non-conforming setback at 13.83 ft. The existing west side setback was conforming when it was constructed but became non-conforming after the parent parcel was joined with a parcel to the east, resulting in a lot over 20,000 square feet. When a lot in the R-B zoning district exceeds 20,000 square feet, setbacks may increase depending on lot dimensions. In this instance, the lot width is over 160' feet. The code requires that any lot in the R-B zoning district over 160' in width provide a 22' side yard setback, plus two feet for each additional ten feet in width in excess of 169', to a maximum side yard setback of 30'. In this instance, the width of the lot results in a required side-yard setback of 24'.



Aside from the garage expansion, no other modifications are proposed for the existing structure. Site improvements, including modifications to site walls, the driveway, and landscaping are requested. Site walls are being readjusted and the driveway apron is being changed to allow for better access into and out of the site. A previously approved parking space on the west of the drive, in front of the garage, is being mirrored to include an additional space on the east side of the entrance to make for a symmetrical design.



Previously approved



Currently Proposed

Conclusion

Approval of the project will require two separate motions to be made by the Commission: (1) for the overall design of the project in accordance with the aforementioned criteria, subject to any imposed conditions, and (2) that the implementation of the proposed variances **will or will not** cause negative architectural impact to the subject property.

The project shall be reviewed for final determination of approval or denial of the variances by the Town Council. 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.