



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5431 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Combination Memorandum: Architectural Commission and Town Council

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

SUBJECT: ARC-23-088 (ZON-23-086) 292 ORANGE GROVE RD (COMBO)

MEETING: SEPTEMBER 27, 2023

ARC-23-088 (ZON-23-086) 292 ORANGE GROVE RD (COMBO). The applicants, Stephen and Kerri Meyers, have filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with sitewide landscape and hardscape improvements, requiring (1) variance for Cubic Content. The Town Council shall review the application as it pertains to the zoning relief/approval.

ZON-23-086 (ARC-23-088) 292 ORANGE GROVE RD. (COMBO)—VARIANCE. The applicants, Stephen and Kerri Meyers, have filed an application requesting Town Council review and approval for (1) variance to exceed the maximum Cubic Content Ratio for the construction of a new two-story single-family residence. The Architectural Commission shall perform the design review component of the application.

Applicant: Stephen and Kerri Myers
Professional: Roger Janssen | Dailey Janssen Architects, P.A.
Dustin Mizell | Environment Design Group
Representative: Maura Ziska | Kochman & Ziska PLC

HISTORY:

The application was initially scheduled and advertised for review at the July 2023 ARCOM meeting but was deferred at the request of the applicant for one month. The project was reviewed and deferred by ARCOM at the August 2023 meeting, with members recommending a restudy of the massing arrangements and a reorientation to front North Lake Way; a restudy of the rear wing's scale, as well as modifications to the roof slopes, fenestration and divided light proportions, and overall size and scale. The applicant submitted revisions to the drawings on September 5, 2023.

THE PROJECT:

The applicant has submitted plans, entitled "Proposed New Construction at: 292 Orange Grove" as prepared by **Dailey Janssen Architects**, dated September 5, 2023.

The following is the scope of work:

- Proposed new two-story single-family residence
- New hardscape, landscape and pool

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

- **VARIANCE 1:** [Sec. 134-893\(b\)\(13\)](#): A variance to permit the construction of a new residence with a Cubic Content Ratio of 4.03 in lieu of the 3.96 maximum permitted.

The applicant has provided a detailed Letter of Intent outlining ARCOM's decision-making criteria and responses for each criterion.

Site Data			
Zoning District	R-B	Future Land Use	SINGLE-FAMILY
Lot Size	14, 479 SF	Crown of Road	5.76' NAVD (Average)
Lot Depth	108.75'	Lot Width	133.14'
Building Height	Permitted: 22' Proposed: 20' - 8 ¾"	Overall Building Height	Permitted: 30' Proposed: 27' - 11 7/8"
Finish Floor Elevation	NA	Zero Datum for Point of Measurement	7.26' NAVD
FEMA Flood Zone	ZONE X	Angle of Vision	Proposed: 73° Permitted: 100°
Lot Coverage	Permitted: 30% (4,344 SF) Proposed: 25.7% (3,724 SF)	Enclosed SF	Proposed: 5,850 SF
Cubic Content Ratio (CCR)	Permitted: 3.96 (57,420 CF) Proposed: 4.03 (58,490 CF) <i>*Variance Requested</i>	Perimeter Land. Open Space	Required: 50% Proposed: 75%
Landscape Open Space	Required: 45% Proposed: 47.6%	Front Yard Landscape Open Space	Required: 40% Proposed: 40.2%
Surrounding Properties / Zoning			
North	1085 N Lake Way Residence / R-B Zoning		
South	1065 N Lake Way Residence / R-B Zoning		
East	286 Orange Grove Rd. Residence / R-B Zoning		
West	1072 N Lake Way Residence / R-B Zoning		

STAFF ANALYSIS

This application is presented to the Commission to consider whether all criteria in [Sec. 18-205](#) have been met. A review of the project indicates that the application, as proposed, is inconsistent with the Town zoning code, and requires one (1) variance to increase the Cubic Content Ratio (CCR) beyond the maximum allowed 3.96 (57,420 CF) to 4.03 (58,490 CF), a difference of 1,070 CF.

The subject parcel is a corner lot with primary frontage to the north along Orange Grove Road and secondary frontage to the west along North Lake Way. The application proposes to construct a new two-story single-family residence with sitewide landscape and hardscape improvements. The proposed residence is “L” shaped, with the primary massing fronting Orange Grove Road and a secondary massing element sited on the southeastern portion of the lot.

A lawn with a pool and pool patio is proposed to occupy the southwest portion of the lot. The front yard features two curb cuts leading to a long drive isle running parallel with Orange Grove Road and providing access to a two-car garage on the east side of the residence, slightly set back from the primary façade.

Mechanical equipment is placed within the east and south yards and is screened from public rights-of-way and neighboring homes with masonry site walls and dense vegetation.



Rendered Site Plan with Landscape, Plan Sheet L8.1

The architectural design of the residence features a largely symmetrical two-story central mass with a cedar shake hip roof. Two one-story wings flank the primary front façade and utilize masonry parapet walls with open Chippendale-style inserts that resemble second-story balconies, which provide façade setback relief for the second floor. The exterior design utilizes cream stucco-clad walls, white louvered shutters, a lime washed cedar entry door, half-round copper gutters and downspouts, and large aluminum-clad wood double-hung windows and French doors. A two-story attached garage element is set back from the front façade and features second-story projecting dormers and a bracketed trellis over the garage doors.



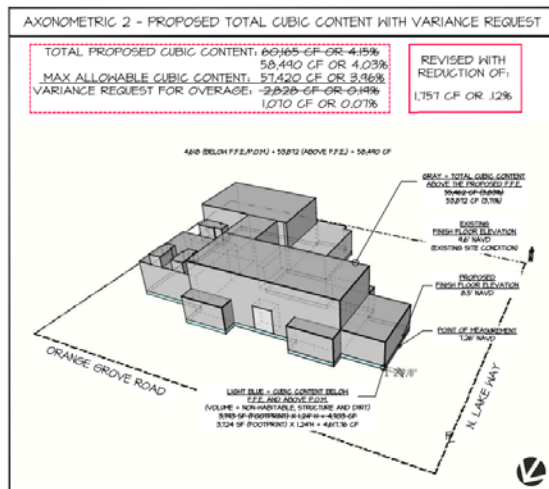
**Rendered Front Perspective w/o Landscape
 Plan Sheet A-2.1A**



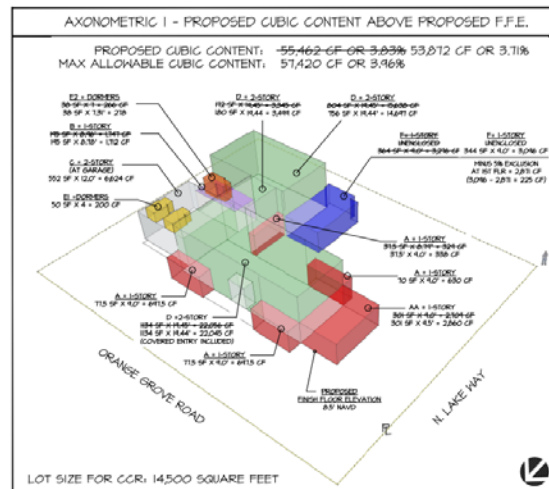
**Rendered Rear Perspective w/o Landscape
 Plan Sheet A-2.2A**

The parcel lies within Flood Zone X, which does not prescribe a minimum Finish Floor Elevation for new or substantially improved residences. Within the RB zoning district, the Zero Datum for corner lot properties where no FEMA Finish Floor Elevation is prescribed is arrived at by averaging the average crowns-of-road of the two abutting streets. An additional freeboard of 18" is also permitted to be added. The resulting Zero Datum is 7.26' NAVD. A property's Zero Datum is the starting point for measuring a building's height, overall height, and serves as the bottom plane of the cubic content calculation.

The exiting residence to be demolished has an entry threshold/Finish Floor Elevation of 9.55' NAVD, and the applicant is electing to place the proposed Finished Floor at 8.5' NAVD. The application includes an axonometric diagram which demonstrates that if the Cubic Content calculation utilized the proposed Finish Floor Elevation of 8.5" NAVD in lieu of the code prescribed 7.26' NAVD Zero Datum as the bottom plane of the volumetric measurement, the proposal would be conforming with allowable Cubic Content provisions. As the Zero Datum cannot be changed, the applicant has requested **Variance 1** for the cubic content ratio overage:



**Cubic Content AXO at 7.26' Zero Datum
Plan Sheet SP-1.03**



**Cubic Content AXO at 8.5' Finished Floor
Plan Sheet SP-1.03**

Code Section	Required	Proposed	Variance
VARIANCE 1: Sec. 134-893(b)(13):	3.96 Maximum CCR (57,420 CF)	4.03 CCR (58,490 CF)	.07 (1,070 CF)

The current cubic content overage proposed is 1,070 CF, which is 1,758 CF smaller than the overage amount of 2,828 CF proposed in the previous iteration reviewed at the August ARCOM meeting. Although the application requires a Cubic Content variance, the applicant has achieved a project which still conforms to the height and overall height requirements.

Additional changes since the August presentation include a reduction of 96 SF of enclosed space and 20 SF of covered loggia space, increased rear setbacks, decreased lot coverage, and modifications to the color scheme, roof and parapet configurations, and divided lite arrangements.

CONCLUSION:

Approval of the project will require two separate motions to be made by the Architectural Commission:

- (1) for the overall design of the project in accordance with [Sec. 18-205](#) criteria, subject to any imposed conditions, and
- (2) that the implementation of the proposed variance **will** or **will not** cause negative architectural impact to the subject property.

Approval of the project will require (1) motion to be made by the Town Council:

- (1) for final determination of approval or denial of the variance by the Town Council, and that the variance **shall** or **shall not** be granted in that all the criteria as set forth in [Sec. 134-201\(a\)](#), items 1 through 7 have been met.

WRB:JGM:JRH