



**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 *WRB*  
Director PZ&B

SUBJECT: ZON-24-046 (ARC-24-040) 227 ANGLER AVE (COMBO)

MEETING: APRIL 24, 2024 ARCOM  
MAY 15, 2024 TOWN COUNCIL

**ARC-24-040 (ZON-24-046) 227 ANGLER AVE (COMBO) -VARIANCES.** The applicant, Bryan and Mary Thomas, has filed an application requesting Architectural Commission review and approval for construction of a new pergola structure and outdoor fireplace with two variances 1) exceeding allowable lot coverage a 2) exceeding allowable cubic content ratio. Town Council shall review the application as it pertains to zoning relief/approval.

**ZON-24-046 (ARC-24-040) 227 ANGLER DR (COMBO) - VARIANCES.** The applicant, Bryan and Mary Thomas, has filed an application requesting Town Council review and approval for one (1) variance to reduce lot coverage below minimum requirements and (2) variance to exceed maximum allowable Cubic Content ratio (CCR) with the installation of a pergola. The Architectural Commission shall perform design review of the application.

Applicant: Bryan and Mary Thomas  
Architecture: Kirchhoff & Associates Architects

**HISTORY:**

In 2020 a staff level application A-20-01041 was approved for landscape and hardscape changes. The pool and spa were removed to construct a new pool and fountain with a 4-foot screening wall for equipment. Following that approval, application A-065-2020 was submitted for ARCOM review. The application was for the removal of a 167 SF awning to be replaced with a 565 SF pergola. The pergola was constructed over previous hardscape area thus no decrease to open space calculations. The proposed pergola included screening and roll down shutters and was approved on consent at the November 20, 2020 ARCOM meeting. This approval, predating the new procedure format for land use applications, seems unlikely to have been thoroughly reviewed for zoning compliance. At the APRIL 24, 2024 ARCOM meeting, the Commission approved (7-0) the design of the project. Additionally, the Commission approved (7-0) a motion that the implementation of the proposed variances would not negatively affect the architecture.

**THE PROJECT:**

The applicant has submitted plans, entitled "Demolition of Existing Pergola, Replacement with Loggia, 224 Angler Ave" as prepared Kirchhoff & Associates Architects, dated April 8, 2024.

The following scope of work is proposed:

- Demolition of existing pergola.
- Construction of a roofed loggia.

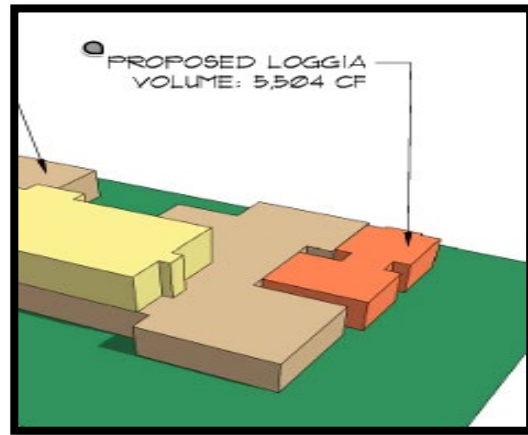
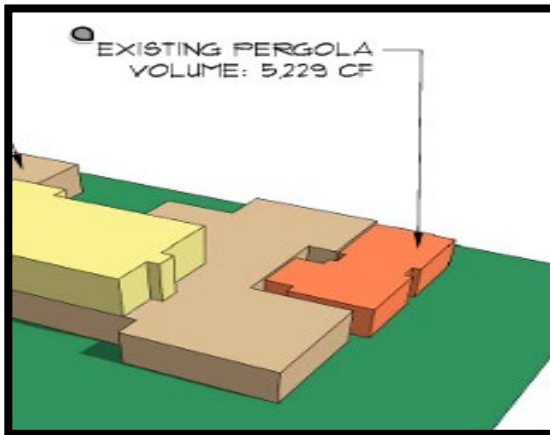
The following Special Exception, Site Plan Review, and/or Variances are required to complete the project:

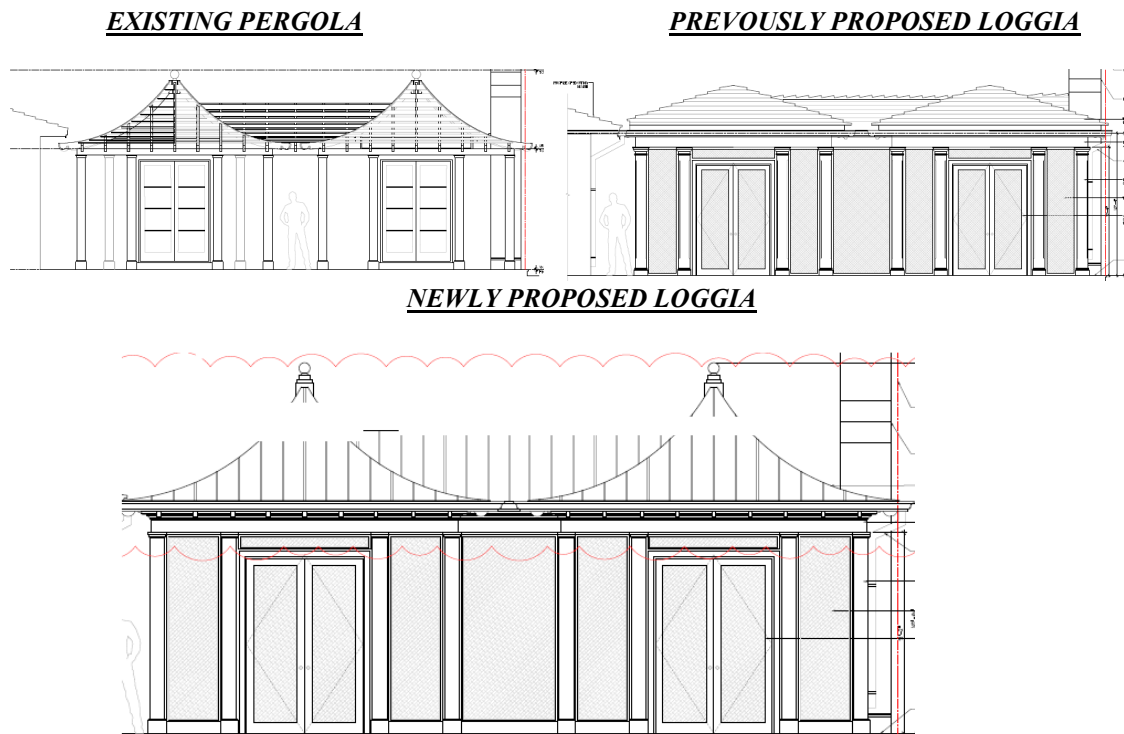
- **VARIANCE 1:** Sec.134-893(11): Variance to exceed maximum lot coverage of 30% to 33.26%.
- **VARIANCE 2:** Sec.134-893(13): Variance to exceed maximum allowable CCR from 4.15 to 4.46.

Site Data			
Zoning District	R-B	Future Land Use	SINGLE-FAMILY
Lot Size	Required: 10,000 SF Existing: 15,070 SF	Lot Depth Lot Width	100.41' 150'
Lot Coverage	Permitted: 30% (4,521 SF) Existing: 29.61%(4,463SF) Proposed: 33.26% (5,013 SF)	Enclosed Square Footage	6,007 SF
Cubic Content Ratio	Permitted: 4.15 Existing: 4.09 Proposed: 4.46	Side Yard Setback (1 <sup>st</sup> Story)	Required: 12'6" Existing: 29'8" Proposed: 27'4"
Overall Landscape Open Space	Required: 45% Proposed: 45%	Front Yard Landscape Open Space	Required: 40% (1,500 SF) Proposed: 87.4% (2,879 SF)
Surrounding Properties / Zoning			
North	140 Seagate Rd / R-B		
South	216 Angler Ave / R-B		
East	215 Angler Ave / R-B		
West	235 Angler Ave / R-B		

### **STAFF ANALYSIS**

The application is for the construction of an enclosed loggia at the rear of an existing two-story residence. A preliminary review of the project indicates that the application, as proposed, is **inconsistent** with the Town zoning code and requires two variances (1) variance to exceed the allowable lot coverage and (2) variance to exceed the allowable cubic content ratio.





Staff notes that the progression from original construction will continue the deficiency in lot coverage and trigger relief from cubic content requirements. Lot coverage prior to the 167 SF awning replacement was 29.61% just under the 30% permitted. In 2020, with the addition of the 565 SF pergola over existing hardscape, the main house with the pergola covered 34% of the lot and the new loggia, although 15 SF less (33.26%) will still exceed allowable lot coverage. The zoning code permits a 5% credit to CCR for unenclosed loggias, pergolas, porches, terraces and covered patios and a 3% lot coverage exemption for awnings or trellises.

The applicant has made note within this application of rainwater/drainage issues with the current structure as well as concerns with their adjacent neighbor. Approval of the proposed loggia and variances would renew the parcels existing non-conformities.

At the March ARCOM meeting the commissioners expressed concern over the required variances to maintain the current deficiencies in lot coverage and CCR. The applicant has resubmitted with revisions including the reduction in column diameter, a redesign in the rafters to match the existing and a metal roof in lieu of the previously proposed wood however the footprint remains the same.

#### **CONCLUSION:**

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 [Sec. 18-205](#) criteria, subject to any imposed conditions, and
- (2) that the implementation of the proposed variances **will** or **will not** cause negative architectural impacts to the subject property.

Approval of the project will require one motion to be made by the Town Council:

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