



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: ARC-24-0023 (ZON-24-0010) 515 N LAKE WAY (COMBO)

MEETING: JUNE 26, 2024, ARCOM
JULY 10, 2024, TC

ARC-24-0023 (ZON-24-0010) 515 N LAKE WAY (COMBO). The applicant, JORDAN GRETCHEN S TRUST (Maura Ziska, Authorized Representative), has filed an application requesting Architectural Commission review and approval for the construction of a new one-story single-family residence with final hardscape and landscape, a special exception to develop the existing nonconforming lot, and one variance 1) to exceed the permitted angle of vision. This is a combination project that shall be reviewed by Town Council as it pertains to zoning relief/approval.

ZON-24-0010 (ARC-24-0023) 515 N LAKE WAY (COMBO)—SPECIAL EXCEPTION AND VARIANCE. The applicant, JORDAN GRETCHEN S TRUST (Maura Ziska, Authorized Representative), has filed an application requesting Town Council review and approval for a special exception review to develop the existing nonconforming lot, and one variance to exceed the permitted angle of vision for the construction of a new one-story single-family residence with final hardscape and landscape. The Architectural Commission (ARCOM) shall perform design review of the application.

Applicants: Maura Ziska, legal counsel
Architecture: Dailey Janssen Architects, P.A.
Landscaping: Environmental Design Group

HISTORY:

This lot currently has a one story, approximately 3,023 SF regency inspired house on site that was built in 1963. The applicant wishes to demolish this house and build a new one-story residence of approximately 3,938 SF.

THE PROJECT:

The applicant has submitted plans, entitled "515 NORTH LAKE WAY" as prepared by **Dailey Janssen Architects**, uploaded May 10, 2024, and identified as second submittal for ARCOM hearing 6-26-24.

The following scope of work is proposed:

- New one-story residence, approximately 3,938 SF.
- New associated hardscape, and landscape.

The following is required to complete the project:

- **Variance 1: Sec. Sec 134-893 (b) (6):** Angle of vision exceeds the 116 degrees permitted

- for the frontage along the designated primary north-south roadway of North Lake Way.
- **SPECIAL EXCEPTION: Sec. 134-893(c):** A special exception to develop an existing nonconforming parcel, comprised of portions of platted lots, which is 70' in width (in lieu of the 100' width required).

| Site Data | | | |
|-------------------------------------|---|--|--|
| Zoning District | R-B | Future Land Use | SINGLE-FAMILY |
| Lot Size | Required: 10,000 SF Existing: 12,093 SF | Crown of Road | 2.25' NAVD |
| Lot Depth | Required: 100' Existing: 172.8' | Lot Width | Required: 100' Existing: 70' <i>Special Exception Required</i> |
| Lot Coverage | Permitted: 40% (4,837 SF) Proposed: 32.2% (3,897 SF) | Enclosed Square Footage | Proposed: 3,897 SF |
| Cubic Content Ratio (CCR) | Permitted: 48,134 CF Proposed: 42,506 CF | Angle of Vision | Permitted: 116° Proposed: 134° |
| Building Height | Permitted: 14' – 0" Proposed: 14' – 0" | Overall Building Height | Permitted: 17' Proposed: 14' |
| Finished Floor Elevation | Proposed: 7.17' NAVD | FEMA Flood Zone | ZONE AE |
| Maximum Fill | Permitted: 2.46' Proposed: 2.46' | Zero Datum | 7' NAVD |
| Overall Landscape Open Space | Required: 45% Proposed: 47.9% | Front Yard Landscape Open Space | Required: 40% Proposed: 83.4% |
| Surrounding Properties / Zoning | | | |
| North | 6 La Costa Way Residence / R-B | | |
| South | 254 Tangier Ave Residences / R-B | | |
| East | 273 Tangier Way Residence / R-B | | |
| West | 528 North Lake Way Residence / R-B | | |

STAFF ANALYSIS

The applicant is proposing the construction of a new one-story residence with hardscape and landscape on the northeast corner of North Lake way and Tangier Avenue. A preliminary review of the project indicates that the application, as proposed, is inconsistent with the Town zoning code and requires one (1) variance and one (1) special exception to achieve the application as proposed. The applicant has indicated the depth is deficient for this non-conforming lot due to the address, angle of vision and current front door location. However, staff has identified the width of concern since the relocated entry will be off the south.

The proposed house is similar in massing to the one existing on site. The exterior has a smooth stucco finish painted white, punctuated with black metal multi-lite windows and doors. Striped awnings are proposed. The house features a mix of hip and flat roofs. The hip roofs are surfaced with flat gray concrete tiles. over the various bay window projections. The single door front entry on the south is tucked beside and east of the prominent protruding two car garage. Staff was hopeful that at least the horizontally oriented windows in the garage could be modified to vertical windows

of the same size as the windows in the primary structure to minimize the appearance of the garage from the sides.

Staff had initially expressed concern that per Section 134-2197 supplemental parking spaces not located within an enclosed garage structure shall require effective screening by hedges and/or a wall permitted by the Code not less than six feet in height, shall be placed between said off-street parking and any street and/or interior lot lines was not being met. However, the applicant has added appropriate landscaping while maintaining the visibility triangle.

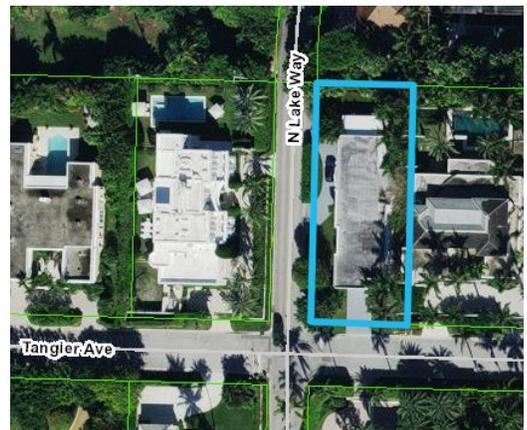
The single entry drive off Tangier is proposed to be a poured tabby with a 12” border. Unfortunately, the front/south elevation is dominated by the garage door which is also the current situation. No gates are proposed. Proposed landscaping includes eight (8) Royal Palms, one (1) green buttonwood, cocoplum and podocarpus hedges, groundcovers and lawn.



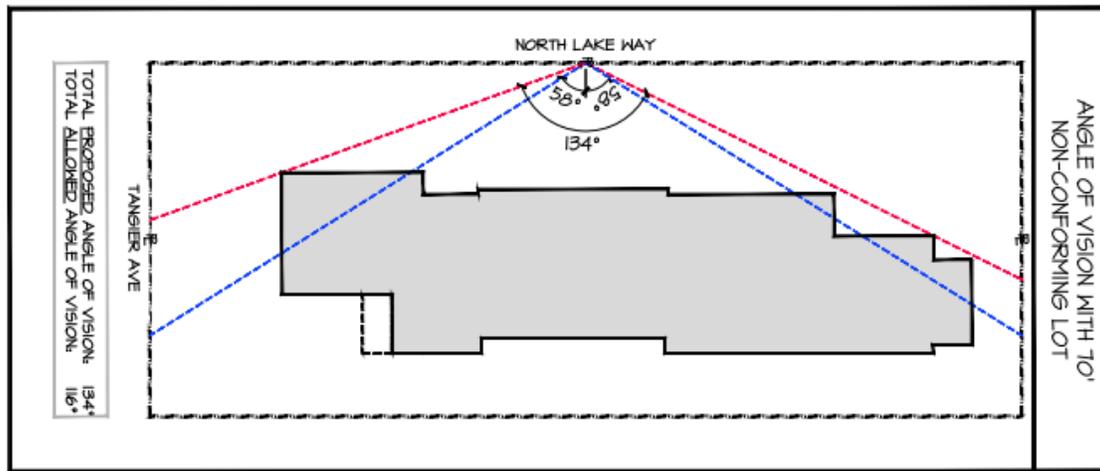
The design requires one variance and special exceptions as proposed.

| Code Section | Required | Proposed | Variance |
|---|---------------------|-------------|-------------------|
| <u>Variance 1:</u> Sec 134-893 (b) (6) | 116 degrees maximum | 134 degrees | 18 degrees |

The Angle of vision zoning regulation is a tool intended to complement the setback requirements by ensuring that the mass of the building is ‘pushed back’ from the street, at least visually, by creating this additional step back regulation. This regulation is mostly applied to the north or south facade face of the residences due to the long linear layout of the Island, having mostly east-west streets developed with residences. When applied to corner properties, or those with more unique configurations, such as the subject property—compliance is more challenging. In this specific instance, the width of the lot along N Lake Way measures over 172’ in length making it very challenging to comply with the wide aperture of the angle of vision; yet the code specifically requires such; *In the case of corner lots or through lots*

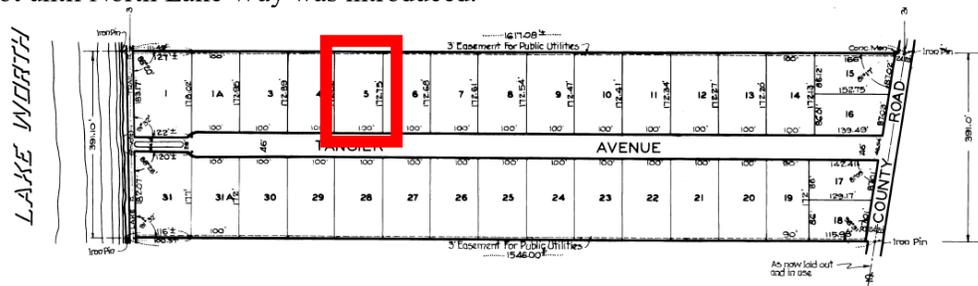


with frontage on the following primary north-south roadways, the building angle of vision shall be applied only to the frontage along the designated primary north-south roadway: North Ocean Boulevard; South Ocean Boulevard; North County Road; South County Road; and North Lake Way.



(graphic of site plan rotated 90° for visual reading ease)

Redevelopment of the existing nonconforming parcel requires approval of a special exception by the Town Council. A lot width of 100' is required with only 70' existing. The parcel is comprised of Lot 5 less 30 feet of right of way of the Tanger Estates subdivision. Originally this was a 100' wide lot until North Lake Way was introduced.



The subject property contains the same historic dimensions and geometric configuration as it was originally platted apart from the addition of the N Lake Way right-to-way and is currently developed with a residence.

CONCLUSION:

Approval of the project will require two (2) separate motion(s) 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 impacts to the subject property.

Approval of the project will require two (2) separate motion(s) 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.
- (2) for final determination of approval or denial of the (1) Special Exception for development of an undersized parcel in that the approval of said application meets the criteria set forth in [Sec. 134-229](#) and finding that the approval will not adversely affect the public interest, that all zoning requirements governing the use have been met and that satisfactory provision and arrangement has been made.

WRB: JGM: FHM