



TOWN OF PALM BEACH
Planning, Zoning & Building Department
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PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Architectural Commission (ARCOM)

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

SUBJECT: ARC-24-0022 (ZON-22-0014) 1246 N LAKE WAY

MEETING: JULY 24, 2024 ARCOM
AUGUST 12, 2024 TC

ARC-24-0022 (ZON-24-0014) 1246 N LAKE WAY (COMBO)- VARIANCES. The applicant, Myron and Michelle Miller, has filed an application requesting Architectural Commission review and approval to enclose an existing covered patio with a variance to exceed allowable Cubic Content Ratio. Town Council shall review the application as it pertains to zoning relief/approval.

ZON-24-0014 (ARC-24-0022) 1246 N LAKE WAY (COMBO) – VARIANCES. The applicant, Myron and Michelle Miller, has filed an application requesting Town Council review and approval of a variance for exceeding allowable cubic content. The Architectural Commission (ARCOM) shall perform the design review of the application.

Applicant: Mr. & Mrs. Miller
Professional: Design Group Inc
Representative: Kochman & Ziska PLC (Maura A. Ziska)

HISTORY:

The single-family residence at 1246 N Lake Way was built in 1962 with several modifications occurring since its construction. In December 2023 ARCOM approved sitewide landscape and hardscape improvements under ARC-23-160. The application included installation of a new pool and spa, new site walls, landscape lighting and vegetation.

THE PROJECT:

The applicant has submitted plans, entitled "1246 N LAKE WAY" as prepared by **JSR Design Group Inc**, uploaded May 28, 2024, and identified as final submittal for ARCOM hearing 7/24/24.

The following scope of work is proposed:

- Enclosure of a first floor loggia and second story balcony.

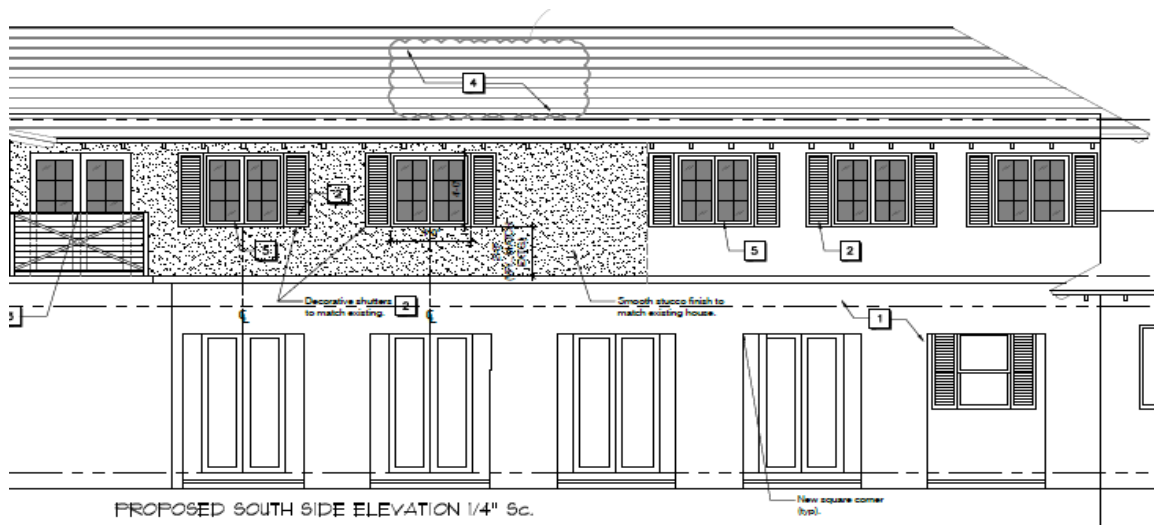
The following is required to complete the project:

- **Variance 1:** Sec. 134-893(13): A variance to exceed the maximum allowable cubic content ratio (CCR) to 4.14 in lieu of the 3.96 permitted.

Site Data			
Zoning District	R-B	Future Land Use	SINGLE-FAMILY
Lot Size	Required: 10,000 SF Existing: 13,826 SF	Lot Coverage	Existing: 35% (4,147 SF) Proposed: No Change
Lot Depth	Required: 100' Existing: 187.27'	Lot Width	Required: 100' Existing: 70.29
Cubic Content Ratio (CCR)	Permitted: 3.96 Existing: 3.93 Proposed: 4.14 VARIANCE REQUIRED	Enclosed Square Footage	Existing: 5,031 SF Proposed: 5,509 SF
Building Height	Permitted: 22" Proposed: 19'2"	Overall Building Height	Permitted: 30' Proposed: 26'9"
Finished Floor Elevation	Existing: 9.13' NAVD	Overall Landscape Open Space	Required: 45% Existing: 46.67%
Perimeter Landscape Open Space	Required: 50% Existing: 61.83%	Front Yard Landscape Open Space	Required: 40% Existing: 60.78%
Surrounding Properties / Zoning			
North	1255 N Lake Way Residence / R-B		
South	1237 N Lake Way Residences / R-B		
East	1241 N Lake Way Residence / R-B		
West	Intercoastal Waterway		



EXISTING CONDITIONS



PROPOSED ELEVATION

STAFF ANALYSIS

A preliminary review of the project indicates that the application, as proposed, is inconsistent with the Town zoning code and requires one (1) variance—to exceed the maximum allowable Cubic Content Ratio (CCR). The property is situated on a 13,826 SF lot with 4,551SF under air. The first floor has an existing 277 SF covered loggia and a 588 SF second floor balcony. The applicant requests to enclose both the ground floor loggia and second floor balcony to enclosed air-conditioned interior space. The footprint of the home, as well as all open space calculations, will not be altered. The enclosures will trigger a variance to exceed the maximum for CCR.

The work area is positioned within the interior of the lot. On the first floor, there is a 397 square foot covered patio and a 277 square foot covered loggia. The proposal involves enclosing the 397 square foot patio to create a new living area approximately 11' x 32'. The west loggia will remain open air west of the existing swimming pool. On the second floor, the 588 square foot covered balcony will be enclosed to form an interior hallway providing access to the bedrooms.

The current CCR calculations are at 3.963 of the 3.93 permitted—which is already slightly above the allowance. Should this project be approved, there will be an increase to 4.14 CCR. It should be noted that CCR requirements of the Town code were implemented after construction of the residence.

Code Section	Required	Proposed	Variance
Variance 1: Section 134-893(13)	3.93 maximum allowable CCR	4.14 CCR	.21 CCR

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 variances **will** or **will not** cause negative architectural impacts to the subject property.

Approval of the project will require one (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 that all the criteria applicable to this application as set forth in [Sec. 134-201\(a\)](#), items 1 through 7 have been met.

WRB:JGM:SCP