



**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 *WLB*  
Director PZ&B

SUBJECT: ARC-24-0088 (ZON-24-0088) 310 PLANTATION RD

MEETING: NOVEMBER 22, 2024 ARCOM  
DECEMBER 11, 2024 TC

**ARC-24-0088 (ZON-24-0088) 310 PLANTATION RD (COMBO).** The applicant, John Burns III (Environment Design Group), have filed an application requesting Architectural Commission review and approval for a new spa, site wall, and outdoor grill with associated landscape and hardscape modifications requiring variances. Town Council shall review the application as it pertains to zoning relief/approval.

**ZON-24-0054 (ARC-24-0088) 310 PLANTATION RD (COMBO) – VARIANCES.** The applicant, John Burns III (Environment Design Group) has filed an application requesting Town Council review and approval of three (3) variances including (1) a variance to exceed the maximum lot fill allowed, (2) to exceed the maximum allowed wall height and (3) to exceed the maximum allowed generator height. The Architectural Commission (ARCOM) shall perform design review of the application.

Applicant: John Burns III  
Architecture Environment Design Group

**HISTORY:**

The property at 310 Plantation Rd has retained much of its original structure since 1950, with only essential updates like roof replacements and the installation of new impact windows.

**THE PROJECT:**

The applicant has submitted plans, entitled "Private Residence 310 Plantation Rd" as prepared by **Environment Design Group**, dated October 7, 2024.

The following scope of work is proposed:

- Addition of fill to the rear yard to raise the grade.
- Installation of an outdoor kitchen and spa.
- New site walls with associated landscape.

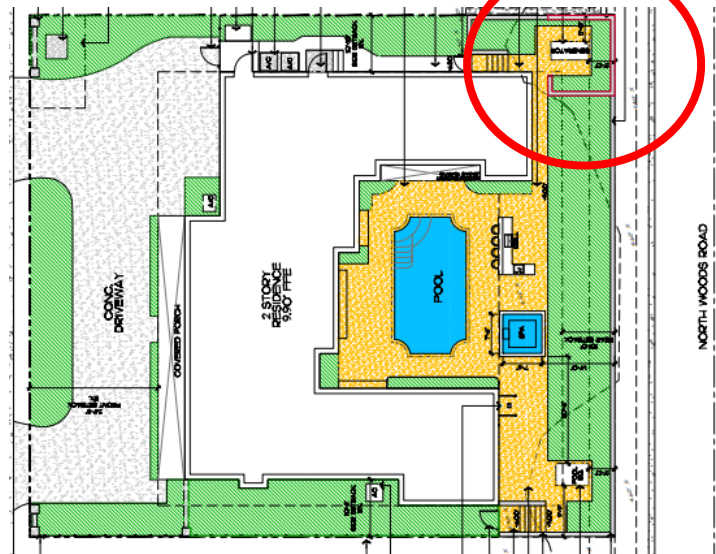
The following Special Exception, Site Plan Review, and/or Variance(s) are required to complete the project:

- **Variance 1:** Section 134-1600 – to exceed the maximum allowable fill by 3.98’.
- **Variance 2:** Section 134-1669 – to exceed the maximum allowable wall height by 1’-4”,
- **Variance 3:** Section 134-1729(1)c – to exceed the maximum allowable generator height above adjacent neighboring property grade by 1’-4”.

Site Data			
<b>Zoning District</b>	R-B	<b>Future Land Use</b>	Single-Family
<b>Lot Size</b>	11,241 SF	<b>Crown of Road</b>	9.06
<b>Lot Depth</b>	112'42"	<b>Lot Width</b>	100'
<b>Lot Coverage</b>	31%	<b>Enclosed Square Footage</b>	Existing: 3,562 SF
<b>Finished Floor Elevation</b>	Existing: 9.90	<b>FEMA Flood Zone</b>	AE- 6
<b>Maximum Fill</b>	Permitted: 0.42' Proposed: 4.4' <i>Variance Requested</i>	<b>Overall Landscape Open Space</b>	Required: 45% Existing: 27.3% Proposed: 27.7%
<b>Perimeter Landscape Open Space</b>	Required: 50% Existing: 47% Proposed: 51%	<b>Front Yard Landscape Open Space</b>	Required: 40% Existing: 33.4% Proposed: N/C
Surrounding Properties / Zoning			
<b>North</b>	620 Crest Rd   Residence / R-B		
<b>South</b>	334 N Woods Rd   Residence / R-B		
<b>East</b>	304 Plantation Rd   Residence / R-B		
<b>West</b>	316 Plantation Rd   Residence / R-B		

### STAFF ANALYSIS

The scope of work involves sitework to the existing property. The proposed application aims to elevate the rear yard by 4.40 feet, exceeding the maximum allowable fill by 3.98 feet, to achieve a finished grade of 9.0 feet NAVD. This adjustment is intended to create a seamless transition from the rear of the residence to the backyard, enhancing both accessibility and usability of the outdoor space. Additionally, this elevation will facilitate the relocation of mechanical equipment above the floodplain, ensuring compliance with current code requirements and mitigating potential flood-related risks.



Variance 2 and Variance 3 pertain to the elevation of the generator and the construction of screening elements, which will exceed the maximum allowable height for mechanical equipment and site walls/fences as measured from the neighboring grade. The purpose of these variances is to ensure that the generator is elevated to a safe height above the flood zone and accommodating the additional fill in the location. The proposed screening will effectively conceal the elevated mechanical equipment, mitigating any visual impact on neighboring properties.

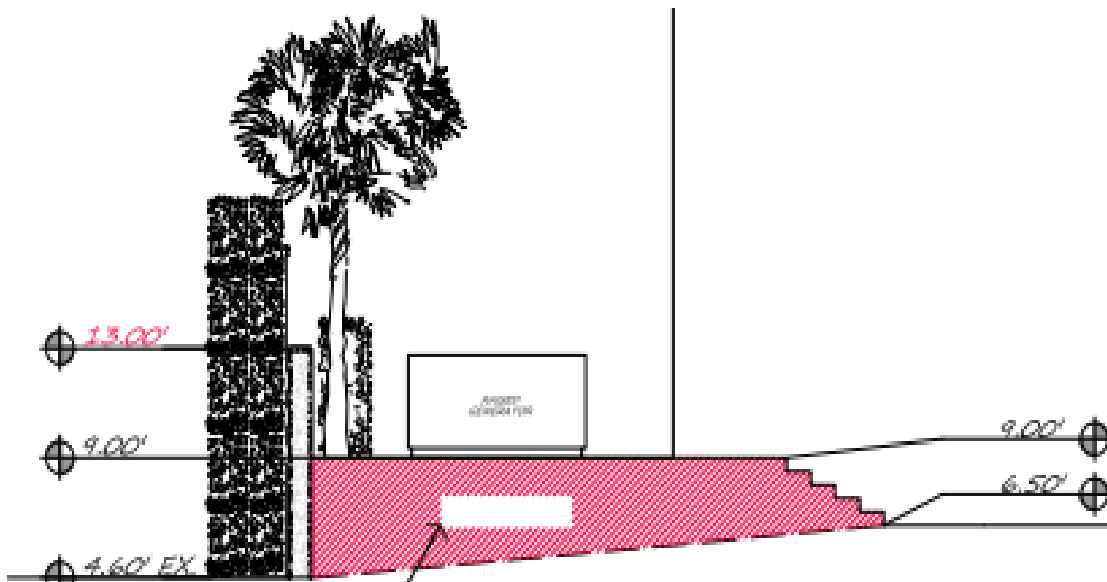
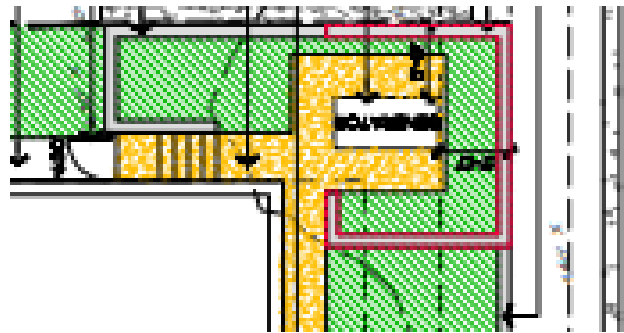
Staff notes that two of the three variances requested could be eliminated from the project scope by reducing the proposed fill level. The current application seeks to utilize the fill to achieve a grade change aligning with a 9' NAVD elevation at the rear of the home. It is staff's opinion that the

proposed request is excessive and may lead to unintended consequences as it pertains to the abutting properties.

<u>Code Section</u>	<u>Permitted</u>	<u>Proposed</u>	<u>Variance</u>
<b>Variance 1: Sec. 134-1600</b>	Maximum Fill Allowed 0.42	4.4'	3.98'
<b>Variance 2: Sec. 134-1669</b>	Max Wall Height 7'-0"	8'-4"	1'-4"
<b>Variance 3: Sec. 134-1729</b>	Max Generator Height 7' above adj grade of 11'-6"	13'	1'-4"

If the proposed was lessened in all capacity, and the slab that the generator was reduced to the lower requirement of 7' NAVD, 2' less of fill would be sought and the generator would still comport with zoning and FEMA requirements as it pertains to elevation height. Not only would this lessen the fill request to meet for maximum amount of Fill from 4.4', it would eliminate altogether the need for Variances 2 and 3.

The proposed work, being adjacent to North Woods Road rather than a residence, limits the visual impact to any abutting property to the south. The presence of a mature hedge along that boundary offers natural screening, which should help conceal any changes in grading—particularly as viewed from the property to the east. Additionally, with the Town of Palm Beach Public Works Department's review, it appears that measures are in place to meet regulations on drainage, fill, and perimeter walls, and will be re-reviewed at time of permit.



**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) separate motion(s) to be made by the Town Council:

1. for final determination of approval or denial of the (3) variances 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.

WRB:JGM:SCP