



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: ZON-24-0054 (ARC-24-0088) 310 PLANTATION RD

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

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.

ARC-24-0088 (ZON-24-0054) 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.

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. At the November 22, 2024, ARCOM meeting, the Commission approved (7-0) the application with a modified approval in accordance with staff's recommendation which lowered the fill variance to reduce impacts. Additionally, the Commission approved (7-0) that the implementation of the proposed variances would not negatively affect the architecture.

THE PROJECT:

The applicant has submitted revised plans, 3 sheets entitled "Private Residence 310 Plantation Rd" as prepared by **Environment Design Group**, dated uploaded to the Town November 26, 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, and new site walls with associated landscape

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

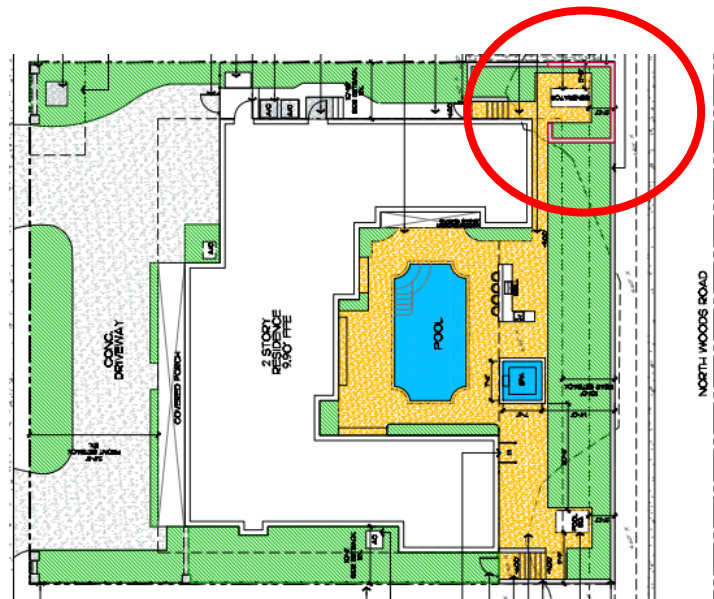
- **Variance 1:** Section 134-1600 – to exceed the maximum allowable fill by 1.98', versus the original request of 3.98'.

- ~~Variance 2: Section 134 1669 to exceed the maximum allowable wall height by 1' 4",~~
No longer needed.
- ~~Variance 3: Section 134 1729(1)c to exceed the maximum allowable generator height above adjacent neighboring property grade by 1' 4".~~
- *No longer needed.*

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

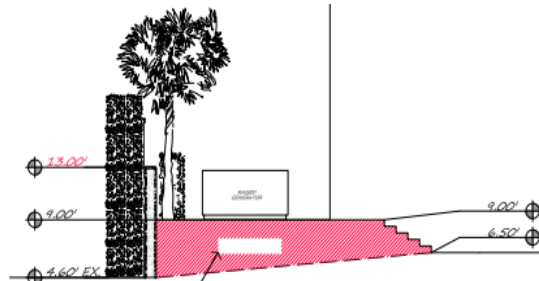
STAFF ANALYSIS

The scope of work involves sitework to the existing property. The proposed application aims to elevate the rear yard by 2 feet, exceeding the maximum allowable fill by 1.98 feet, to achieve a finished grade of 7.0 feet NAVD in portions of the rear yard currently at 5.0 NAVD. The original proposal called for an additional 2' of fill for creating an additional 4' of fill in order 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.

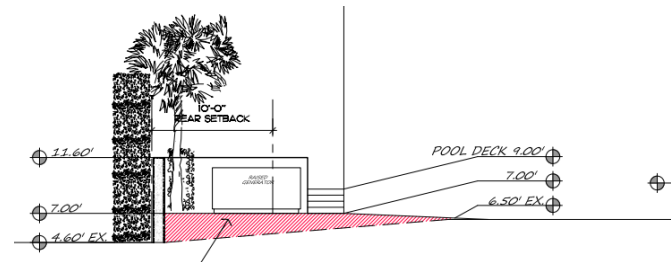


At the November 22, 2024, ARCOM meeting, the Commission approved (7-0) the application with a modified approval in accordance with staff's recommendation which lowered the fill variance to reduce impacts. Additionally, the Commission approved (7-0) that the implementation of the proposed variances would not negatively affect the architecture.

Variance 2 and Variance 3 pertained to the height of the generator and the height of the screening wall, both of which are no longer required with the adjusted fill amount. Staff's recommendation was followed by ARCOM was 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.



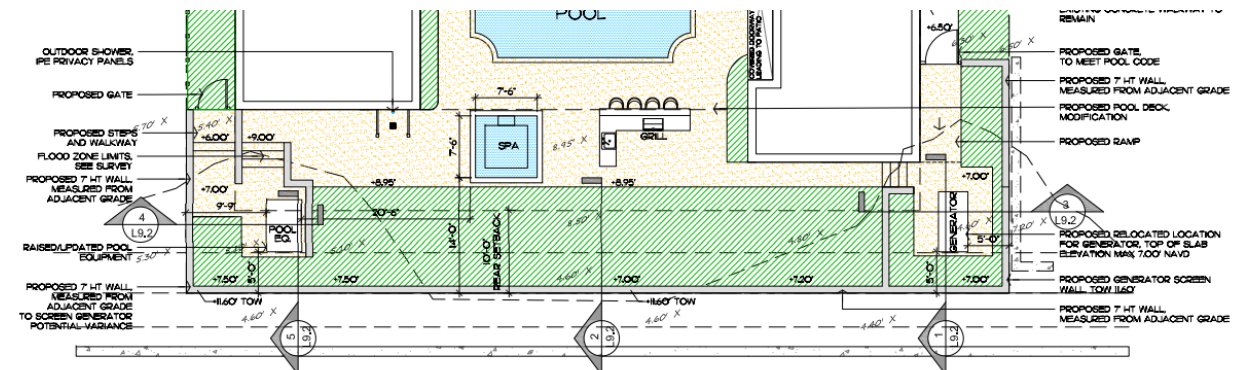
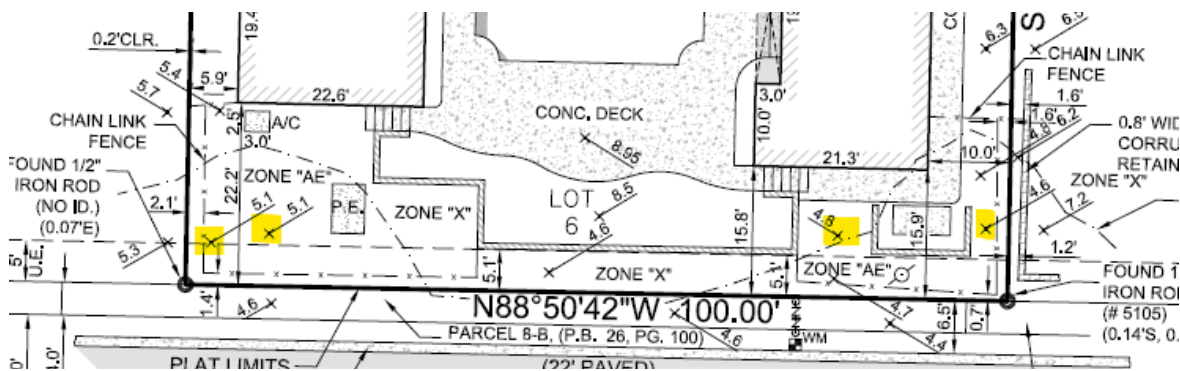
Section cut showing original fill request



Section cut showing modified fill request

Code Section	Permitted	Proposed	Variance
Variance 1: Sec. 134-1600	Maximum Fill Allowed 0.42	4.4'	1.98' 3.98' original

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 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