



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT

PZ&B Staff Combination Memorandum: Landmarks Preservation Commission and Town Council

FROM: Wayne Bergman, MCP, LEED-ARB *WLB*
Director PZ&B

SUBJECT: COA-24-0028 (ZON-24-0077) 284 MONTEREY RD (COMBO)

MEETING: JANUARY 22, 2025, LPC
FEBRUARY 12, 2025, TC

COA-24-0028 (ZON-24-0077) 284 MONTEREY RD (COMBO). The applicant, Dustin Mizell with Environmental Design Group, has filed an application requesting a Certificate of Appropriateness for the review and approval of site modifications including relocation of mechanical equipment which requires a street side yard variance, revised water feature design, and hardscape changes. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

ZON-24-0077 (COA-24-0028) 284 MONTEREY RD (COMBO) - VARIANCE. The applicant, Dustin Mizell with Environmental Design Group on behalf of the owner DHC MONTEREY LLC, has filed an application requesting Town Council review and approval for one (1) variance to reduce the street side yard setback to allow the installation of mechanical equipment for the Landmarked property. The Landmarks Preservation Commission shall perform design review of the application.

Applicant/Professional: Dustin Mizell (Environmental Design Group)
Property Owner: DHC MONTEREY LLC

HISTORY:

The one-story property at 284 Monterey Road was constructed in 1941 and designated as a Landmark in 2013. The Bermuda-style residence was designed by Marion Sims Wyeth and built for E.B. Walton. As stated in the designation report *"Most domestic building in the United States ceased during World War II. The residence at 284 Monterey Road, built in 1941, reflects the end of the pre-war era and represents the development of the north end of Palm Beach by the contracting form of E.B. Walton, Inc."*

In 2022, a Certificate of Appropriateness (COA-22-028) was granted by LPC for the construction of a one-story addition, exterior alterations, as well as landscape and hardscape modifications. The associated variances (ZON-22-079) for side yard setbacks and the angle of vision were granted by Town Council. In 2024, COA-24-002 was granted by LPC for minor window and door modifications. Primarily the relocation of a side (east) entry door to the front next to the garage door, elimination of one window on the west elevation, addition of a window on the east elevation, and conversion of a window to a pair of French doors on the south elevation. Minor exterior alterations were approved through administrative reviews (L-22-00674 and L-23-00717). Neighbor consent was supplied to the Town for the wall and hedge with additional discussions and possible private agreements between the owner and neighbors abutting on the east side that was part of the private negotiations leading to the approval process for the variance in 2022.

In 2024, an administrative review application (LPCS-24-0044) was denied since consent from the neighbor to the east was not secured for the project.

THE PROJECT:

The applicant has submitted plans, entitled “Private Residence 284 Monterey Road, Palm Beach Florida”, as prepared by **Environmental Design Group**, received by the Town on January 8, 2025.

The following is the scope of work for the Project as indicated by the applicant:

- Relocation of mechanical equipment.
- Revised water feature design.
- Landscape and hardscape changes.

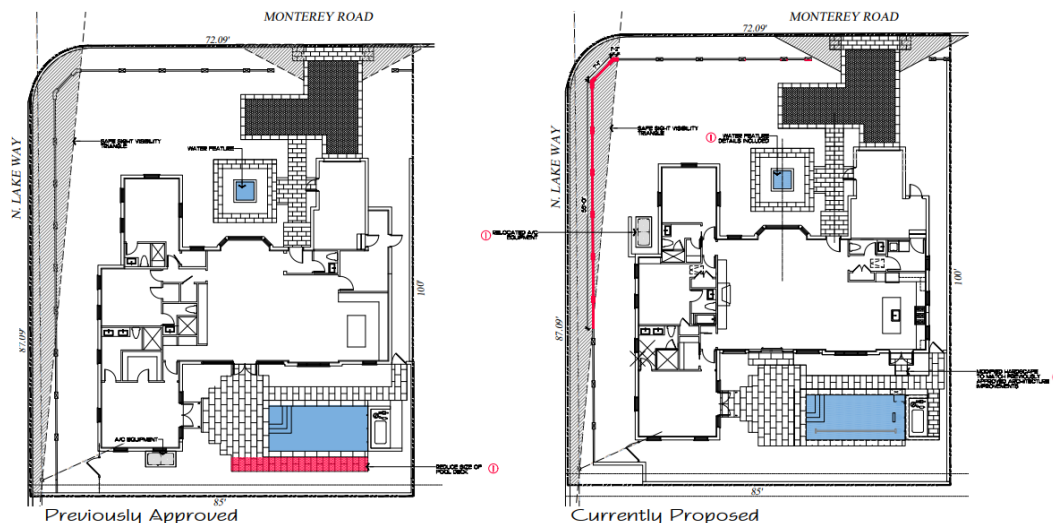
The following variance is required to relocate the mechanical equipment.

- **VARIANCE #1:** A variance to reduce the street side yard setback to 15’-9”, in lieu of the minimum 20’-0”.

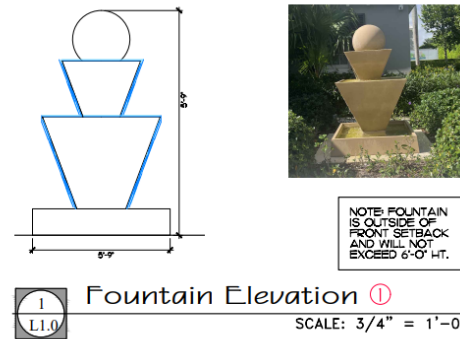
Site Data			
Zoning District	R-B	Future Land Use	SINGLE-FAMILY
Designation	12/11/2013	Architect/Builder:	Wyeth and King
Lot Area	8,465 SF	Year of Construction	1941
Landscape Open Space	Required: 45.0% (3,809.25 SF)	Previously Approved: 47.96% (4,060 SF)	Proposed: 48.8% (4,135 SF)
Surrounding Properties / Zoning			
North	1105 North Lake Way / R-B		
South	1085 North Lake Way / R-B		
West	1098 North Lake Way / R-B		
East	282 Monterey Road / R-B		

STAFF ANALYSIS

The applicant is seeking a Certificate of Appropriateness for exterior alterations to a landmarked property. Air conditioning equipment is proposed to be relocated from the south side of the property to the west, fronting North Lake Way. A street side yard setback variance will be required which is further discussed in the variance analysis portion of this memorandum. The improvements have already been completed, except for the wall to screen the air conditioning equipment.



Additional changes include a revised design for the water feature located on the north side of the property (front yard), hardscape changes surrounding the pool on the south side of the property (backyard), and revisions to the landscaping generally increasing the number of shrubs. As noted in the plans, all the landscaping has already been installed. The water feature has also already been installed without approval.



The plans show a site wall which is located within the intersection safe sight triangle for Monterey Road onto North Lake Way. Due to the substantial improvements completed at the property, the Public Works Department has determined that the site wall must comply with current intersection safe-sight triangle requirements. To reach compliance, the site wall could be relocated outside of the intersection safe-sight triangle area or lowered within its existing location to not exceed a height of 30 inches. A combination of both approaches could be considered. If the applicant wishes to maintain the wall as constructed, a relief request must be reviewed and approved by Town Council. Public Works has denied the request for the restored wall to remain. Staff has asked the applicant to present as-built drawings and photographs at the LPC hearing. Alternative designs that comply with safe-sight triangle requirements can also be presented.

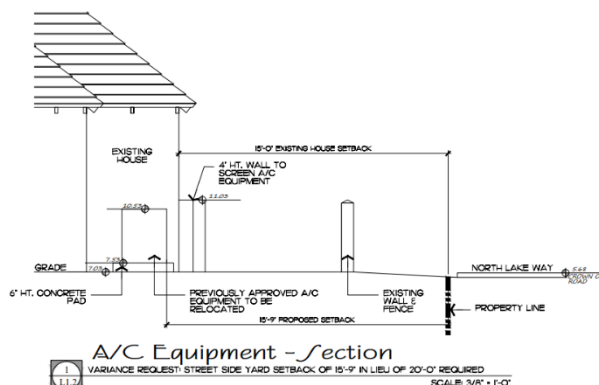
The current water feature is not consistent architecturally with the house and is very visible. The applicant should return to a square basin design or eliminate the water feature entirely. The hardscape changes around the pool and landscape revisions appear to be minor.

However, other changes have been noted in the field that are not reflected in this request. The roof is a white glazed terra cotta tile vs a typical concrete tile with no sheen. Also, the color of the house appears to be a much darker gray with black shutters vs what LPC approved previously. Comprehensively this house has veered greatly from its original landmark days and approvals for rehabilitation.

Variance

A street side yard setback variance will be required for the relocation of air conditioning equipment to the west side of the property, fronting North Lake Way. The street side yard setback will be reduced to 15'-9", in lieu of the minimum 20'-0", as summarized in the table below:

Code Section	Required	Proposed	Variance
Variance #1: Sec. 134-1728(a)(2)	20' Min. Street Side Yard Setback	15.9' Street Side Yard Setback	4.1'



Since the applicant has not demonstrated a hardship and there is sufficient space within the property to locate air conditioning mechanical equipment outside of the setbacks, staff cannot be supportive of the variance request.

CONCLUSION:

The application is presented to the Commission to consider whether all the criteria in section 54-123 have been met. Approval of the project will require two (2) separate motions to be made by the Landmarks Preservation Commission:

- (1) for the overall design of the project in accordance with aforementioned 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.

WRB: JGM: FHM: ALF