



**TOWN OF PALM BEACH**  
Planning, Zoning & Building Department  
360 South County Road  
Palm Beach, FL 33480  
[www.townofpalmbeach.com](http://www.townofpalmbeach.com)

PLANNING, ZONING, & BUILDING DEPARTMENT  
PZ&B Staff Combination Memorandum: Architectural Commission and Town Council

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

SUBJECT: ARC-24-0085 (ZON-24-0044) 315 CHAPEL HILL RD

MEETING: JANUARY 29, 2025, ARCOM  
FEBRUARY 12, 2025, TC

**ARC-24-0085 (ZON-24-0044) 315 CHAPEL HILL RD (COMBO).** The applicant, Ocean Breezes 2 LLC (Francis Lynch, Attorney), has filed an application requesting Architectural Commission review and approval for the construction of a new, two-story, single-family residence of over 10,000 SF with a detached two-story accessory structure including final hardscape, landscape, and swimming pool improvements; requiring a special exceptions to redevelop a nonconforming parcel in the R-A zoning district and to provide reduced vehicle stacking; also one variance to encroach into the building height plane setback area. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

**ZON-24-0044 (ARC-24-0085) 315 CHAPEL HILL RD (COMBO) – SPECIAL EXCEPTION(S) AND VARIANCE.** The applicant, Ocean Breezes 2 LLC (Frances Lynch, Attorney), has filed an application requesting Town Council review and approval for two (2) special exceptions (1) for the redevelopment of an existing nonconforming parcel of land in the R-A zoning district and (2) to provide reduced vehicular queuing back-up distance for vehicular gates installed on a cul-de-sac street. Additionally, one (1) variance to exceed the maximum required building height plane setback area for the construction of the new two-story residence is also being requested. The Architectural Commission shall perform design review of the application.

Applicant: Ocean Breezes 2, LLC (Frank Lynch, Attorney)  
Architecture: Spina O'Rourke (Keith Spina / Nelo Freijomel)  
Landscape: Nievera Williams Design (Mario Nievera)  
Legal: Frank Lynch

**HISTORY:**

The project was initially heard at the November 22, 2024, ARCOM hearing and was deferred to the December 20 meeting with comments pertaining primarily to size and scale of the structure's wings as well as other minor architectural details. The applicant made a request in writing for a deferral to the January 29, 2025, meeting to allow for additional study.

**THE PROJECT:**

The applicant has submitted plans, entitled "New Residence At: 315 Chapel Hill Road" as prepared by **Spina O'Rourke + Partners**, uploaded on January 10, 2025.

The following scope of work is proposed:

- New two-story single-family residence with over 10,000 SF of area.
- New detached two-story garage accessory structure.

- Final hardscape, landscape and swimming pool improvements.

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

- **SPECIAL EXCEPTION 1: Sec. 134-843(b):** A request for a special exception to redevelop an existing nonconforming parcel comprised of portions of platted lots which is 148'-2" in depth in lieu of the 150'-0" minimum depth required in the R-A zoning district.
- **SPECIAL EXCEPTION 2: Sec. 134-1668:** A request for a special exception to provide less than 18 ft of vehicle queuing space between vehicular gates and edge of pavement on a cul-de-sac street.
- **VARIANCE 1: Sec. 134-843(7):** A variance to encroach into the required building height plane setback area.

Site Data			
<b>Zoning District</b>	R-A ESTATE RESIDENTIAL	<b>Future Land Use</b>	SINGLE FAMILY
<b>Lot Size</b>	36,525 SF	<b>Crown of Road</b>	+6.18' NAVD
<b>Lot Depth</b>	Required: 150' Existing: 148.23' <i>Special Exception Required</i>	<b>Lot Width</b>	Required: 150' Existing: 205'
<b>Lot Coverage</b>	Permitted: 25% (9,131 SF) Proposed: 25% (9,131 SF)	<b>Enclosed Square Footage</b>	Prev. Proposed: 14,938 SF Proposed: 15,350 SF
<b>Building Height</b>	Permitted: 25' Prev. Proposed: 21' Proposed: 23'	<b>Overall Building Height</b>	Permitted: 35' Prev. Proposed: 30.67' Proposed: 31.25'
<b>Finished Floor Elevation</b>	+8' NAVD	<b>FEMA Flood Zone</b>	Zone AE 7' & Zone X
<b>Maximum Fill</b>	Permitted: 0.9' Proposed: 0.9'	<b>Zero Datum</b>	+8' NAVD
<b>Overall Landscape Open Space</b>	Required: 50% (18,267 SF) Proposed: 54.2% (19,805 SF)	<b>Front Yard Landscape Open Space</b>	Required: 45% (3,254 SF) Proposed: 45% (3,256 SF)
Surrounding Properties / Zoning			
<b>North</b>	60 Cocoanut Row   House of Worship (Royal Poinciana Chapel) / R-B		
<b>South</b>	4 S Lake Trl   Residence / R-A		
<b>East</b>	309 Chapel Hill Rd   Residence / R-B & West 100 ft of Lot #6 of Hill Subdivision (Unimproved Parcel) / R-B		
<b>West</b>	Lake Worth Lagoon		

### **STAFF ANALYSIS**

The applicant is proposing the construction of a new two-story residence and new two-story detached accessory structure totaling over 10,000 square feet of enclosed area. The subject property is located at the westernmost terminus of the Chapel Hill Rd cul-de-sac adjacent to the Lake Worth Lagoon. This is the only property on Chapel Hill Rd with R-A zoning. A preliminary review of the project indicates that the application, as proposed, is inconsistent with the Town zoning code and requires two (2) special exceptions and one (1) variance to achieve the application as proposed.



*Color elevation with landscape.*

The application was originally heard at the November 2024 ARCOM hearing and was deferred for further study of scale and massing, especially as it pertained to appendages of the main structure. Overall, the project was well received by the commission. The applicant resubmitted plans in response to comments of the commission, with modifications to building footprint, roof eave height, ridge height, gable ends, massing, and other architectural details. The attached two-car garage previously proposed at the north of the structure has been eliminated from the design. Landscape and hardscape plans were also adjusted according to the modifications to the structure, including relocation of a vehicular gate and elimination of the pedestrian gate.

The proposed main house is sited roughly center on the parcel with a two-story detached four-bay garage structure proposed in the southeast corner of the site. The site is proposed to be surrounded by site walls and accessed by one of three vehicular curb cuts, all with gates. Open and covered terraces are proposed at the rear of the main structure overlooking an expansive lawn and the Lake Worth Lagoon. A swimming pool is proposed in the southwest rear yard and a paved terrace is proposed at the northwest rear yard. The residence is designed with a primarily two-story volume spanning from the south to north side yards with a small one-story “clipping room” projection on the south side of the structure. The structures feature sloped roofs contained by parapeted gable ends. Exterior details include whitewash brick at the main house with lime wash brick at the wings. Roof types are a shake shingle over the main structure and garage structure with standing seam copper roofs at the projections (bay windows, covered entry, etc.). Windows are proposed in steel or painted wood. An acid washed limestone trim is proposed. Shutters are shown in a green color and a stained mahogany wood door with divided light pattern with transom is proposed for the main entrance.



*Previously Proposed Front (East) Elevation*



*Currently Proposed Front (East) Elevation*



*Previously Proposed Rear (West) Elevation*



*Currently Proposed Rear (West) Elevation*



*Previously Proposed Side (North) Elevation*



*Currently Proposed Side (North) Elevation*



*Previously Proposed Side (South) Elevation*



*Currently Proposed Side (South) elevation*

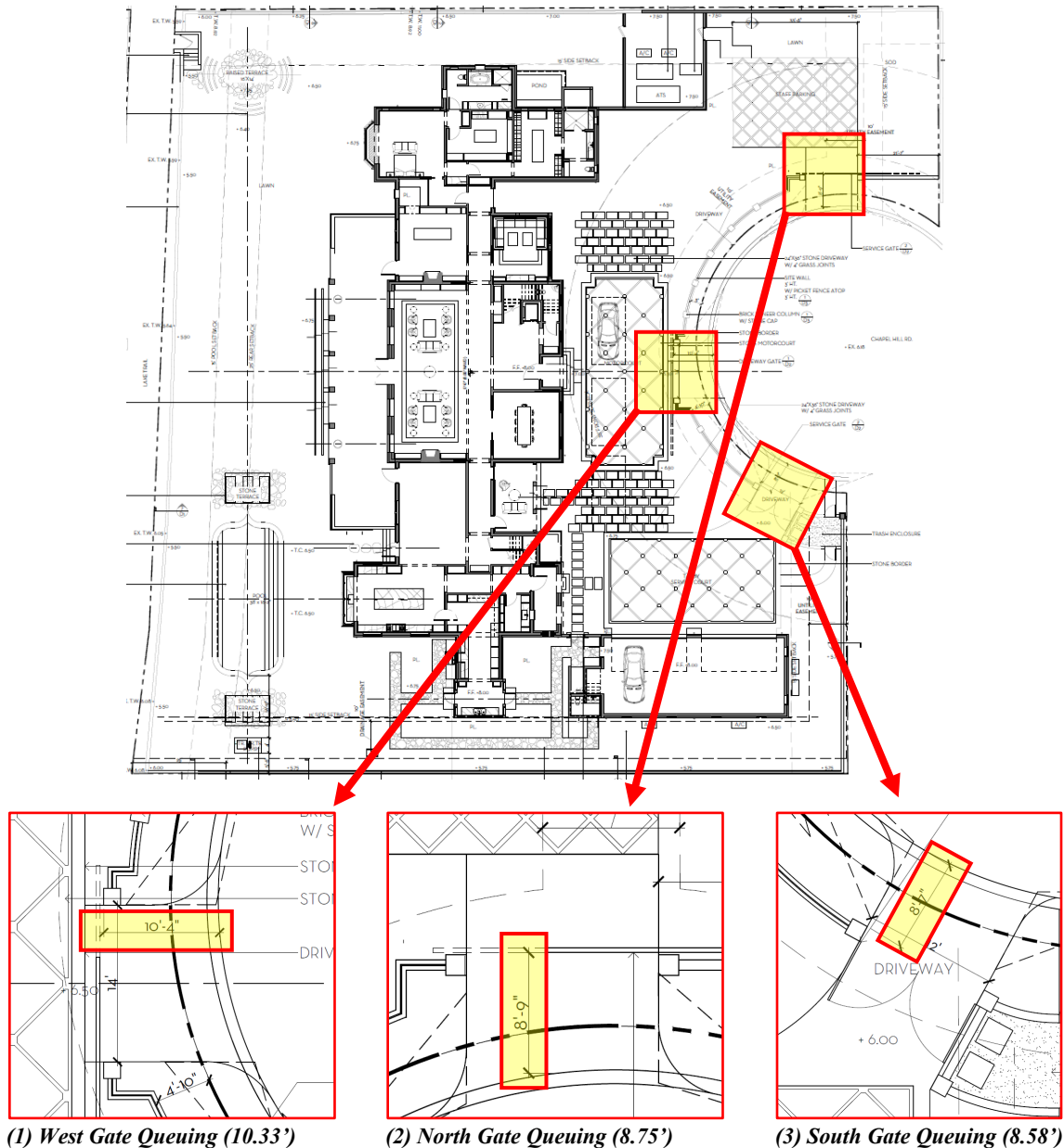


*Previously Proposed Landscape and Hardscape Rendering*



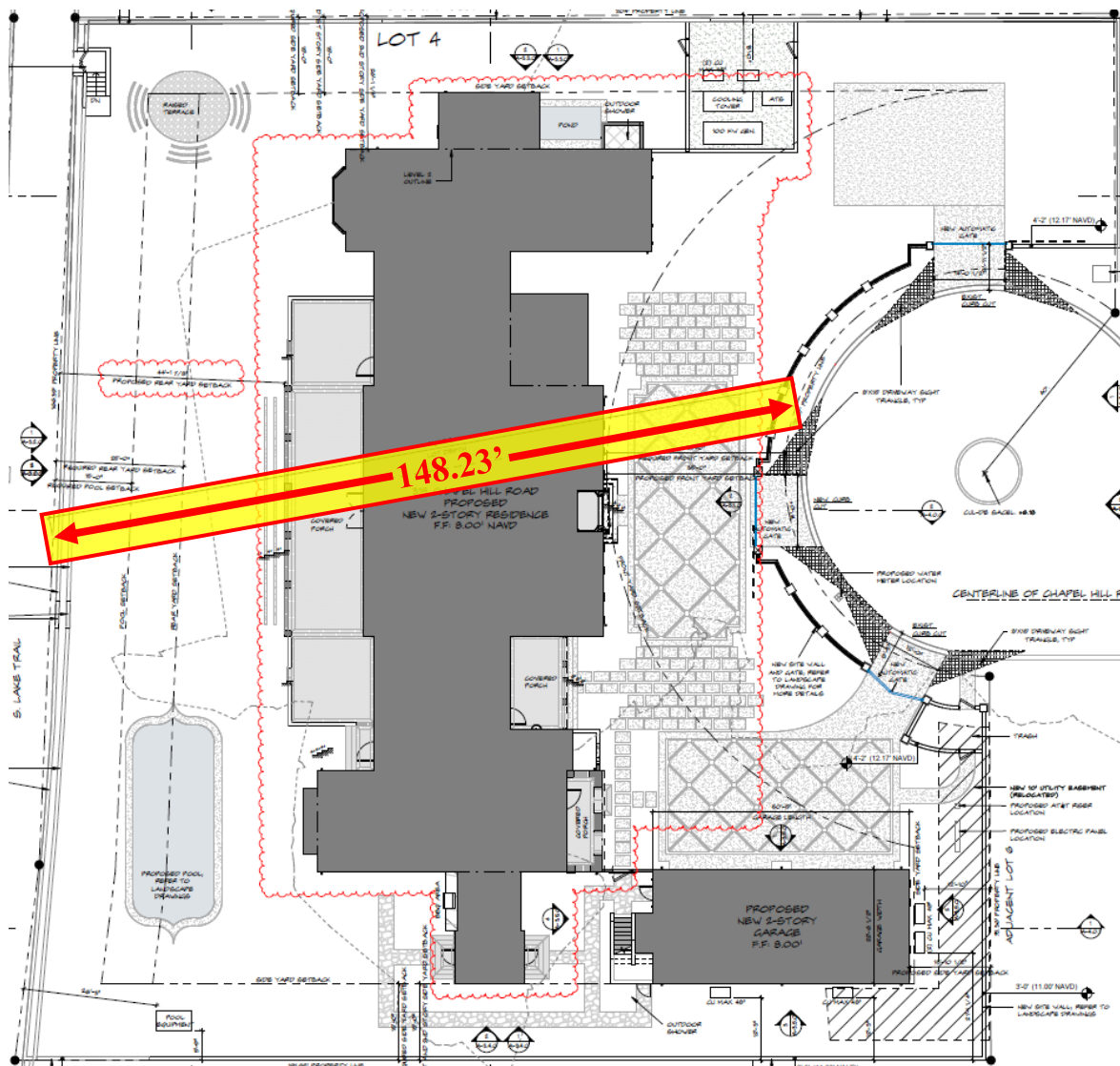
*Previously Proposed Landscape and Hardscape Rendering*

The proposed gates do require review and approval by Town Council. **Special Exception # 2** pertains to the setback distance of the vehicular gates from the Chapel Hill Road right-of-way. The zoning code requires that an 18'-0" deep vehicle queuing space be provided between the vehicle gate and the edge of the pavement to prevent a car from obstructing the roadway while waiting for the gate to operate. However, when the proposed gates are located on a cul-de-sac street, the Code permits pursuing a special exception for reduced queuing area (in lieu of a variance as would be required on a through-street). The existing residence on site has three curb-cuts all with vehicular gates. In addition to the subject parcel, one other residence on the street has a vehicular gate.



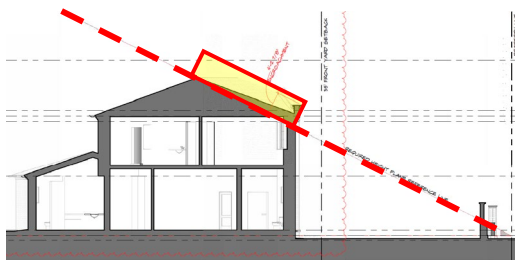
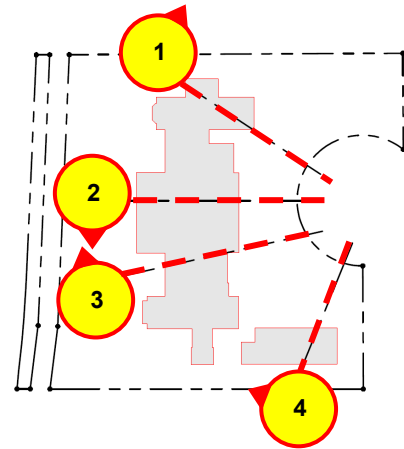
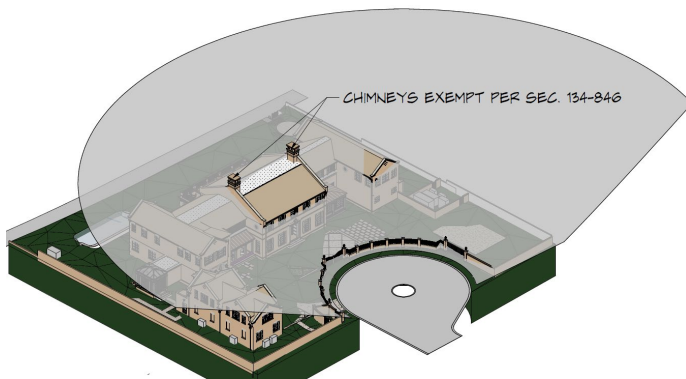
Code Section	Required	Existing/Proposed	Difference
SPECIAL EXCEPTION 2: Sec. 134-1668	18' Vehicle Loading Space at Drive Gate	10.33' (1) West Gate 9.25' (2) North Gate 8.58' (3) South Gate	-7.67' (1) West Gate -8.04' (2) North Gate -9.42' (3) South Gate

**Special Exception # 1** pertains to the depth of the lot. The lot is an irregular shape with a concave arc along the front property line as it follows the shape of the cul-de-sac. Due to the zoning code definition of lot depth, the point where to measure the depth of the lot is along this arc, resulting in a lot depth of less than 150'-0" which is the minimum lot depth required for the R-A zoning district. If the lot depth was to be measured along the north or south property lines from east to west, the depth would be conforming at approximately 200'-0". To note, the requested special exception is for an irregularly shaped lot that is only 1.77' deficient at its shaped most pinched point.

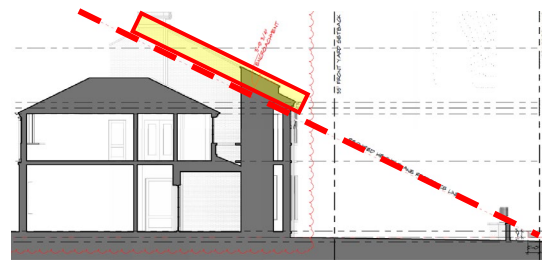


Code Section	Required	Existing/Proposed	Difference
SPECIAL EXCEPTION 1: Sec. 134-843(b)	150' Lot Depth	148.23' Lot Depth	-1.77' Lot Depth

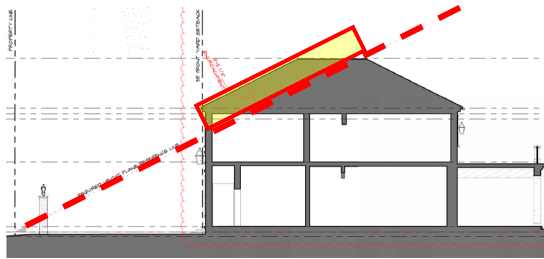
As it pertains to the **Variance** request, the applicant is proposing to construct the new residence beyond the building height plane limitation. The code states that no portion of any building or roof system shall extend beyond a height limiting plane extending at an inclined angle from the intersection of the front yard property line and zero datum. To determine the angle of the building height plane, two feet of setback are required for every one foot in building height. Due to the peculiar shape of the lot, the building projects anywhere between 3.48' to 5.21' beyond the building height plane.



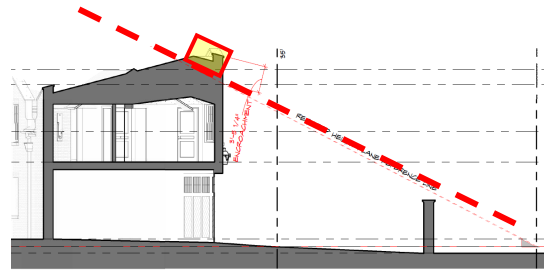
*Building height plane encroachment 1 (4.24')*



*Building height plane encroachment 3 (3.81')*



*Building height plane encroachment 2 (5.21')*



*Building height plane encroachment 4 (3.48')*

Code Section	Required	Variance
VARIANCE 1: Sec. 134-843(7)	2' setback for every 1' building height	+3.48' – +5.21' Encroachment

**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 three (3) 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; and
- (2) for final determination of approval or denial of special exception #1 (as it pertains to redevelopment of a parcel with reduced lot depth) by the Town Council, and that the special exception **shall** or **shall not** be granted that all the criteria applicable to this application as set forth in [Sec. 134-229](#), items 1 through 14 have been met; and
- (3) for final determination of approval or denial of special exception #2 (as it pertains to reduced vehicle queuing space between vehicular gates and the roadway on a cul-de-sac street) by the Town Council, and that the special exception **shall** or **shall not** be granted that all the criteria applicable to this application as set forth in [Sec. 134-229](#), items 1 through 14 have been met.