




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 
Director PZ&B

SUBJECT: ZON-25-0011 (ARC-25-0011) 261 MIRAFLORES DR

MEETING: APRIL 23, 2025 ARCOM
MAY 14, 2025 TC

ZON-25-0011 (ARC-25-0011) 261 MIRAFLORES DR (COMBO) – VARIANCE(S). The applicant, Fernanda Niven (Maura Ziska, Representative), has filed an application requesting Town Council review and approval of two (2) variances related to a one-story garage addition to an existing single-story residence, including; (1) a variance to exceed the maximum angle of vision and (2) a variance to encroach within the required front yard setback. ARCOM shall perform design review of the application.

ARC-25-0011 (ZON-25-0011) 261 MIRAFLORES DR (COMBO). The applicant, Fernanda Niven (Maura Ziska, Representative), has filed an application requesting Architectural Commission review and approval for a one-story garage addition to an existing single-story residence, with related setback and angle of vision variances. Town Council shall review the application as it pertains to zoning relief/approval.

Applicants: Fernanda Niven
Architecture: MHK Architecture (Caroline Forrest)
Landscape: Nievera Williams Design (Mario F. Nievera)
Legal: Maura Ziska

HISTORY:

At the April 23, 2025 ARCOM meeting, the Commission approved (7-0) the project. Additionally, the Commission motioned (7-0) that the implementation of the proposed variances would not negatively affect the architecture.

THE PROJECT:

The applicant has submitted plans, entitled "IMPROVEMENTS TO THE RESIDENCE 261 MIRAFLORES DRIVE" as prepared by **Smith & Moore Architects**, uploaded April 07, 2025.

The following scope of work is proposed:

- Garage addition to an existing single-story residency.

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

- **VARIANCE 1:** Sec. 134-893(b)(6)d.: A variance request for an angle of vision of 120° in lieu of the 110° existing and 108° maximum permitted.
- **VARIANCE 2:** Sec. 134-893(b)(5)a: A variance request for a front yard setback of 15.57'

in lieu of the 25.83' existing and the 25' minimum setback required.

Site Data			
Zoning District	R-B	Future Land Use	SINGLE-FAMILY
Lot Size	18,740	Crown of Road	+2.03' NAVD
Lot Depth	119.9'	Lot Width	150'
Lot Coverage	Permitted: 40% (7,421 SF) Existing: 23.1% (4,280 SF) Proposed: 26% (4,815 SF)	Enclosed Square Footage	Existing: 4,280 SF Proposed: 4,815 SF
Cubic Content Ratio (CCR)	Permitted: 3.92 Proposed: 2.11	Angle of Vision	Permitted: 108° Existing: 110° Proposed: 128° <i>Variance Requested</i>
Front Yard Setback	Required: 25' Existing: 35.91' Proposed: 15.57' <i>Variance Requested</i>	Side Yard Setback	Required: 12.5' Existing: 21.86' at west Proposed: 12.87' at west addition
Building Height	Permitted: 14' Existing/Proposed: 8.6'	Overall Building Height	Permitted: 22' Proposed: 13' (at addition)
Finished Floor Elevation	3.9' NAVD	FEMA Flood Zone	AE-6'
Overall Landscape Open Space	Required: 45% Existing: 46% Proposed: 45.3%	Front Yard Landscape Open Space	Required: 40% Existing: 42% Proposed: 46%
Surrounding Properties / Zoning			
North	250 Tangier Ave & 254 Tangier Ave Residence(s) / R-B		
South	256 Miraflores Dr, 258 Miraflores Dr, & 260 Miraflores Dr (Vacant) Residence(s) / R-B		
East	247 Miraflores Dr Residence / R-B		
West	269 Miraflores Dr Residence / R-B		

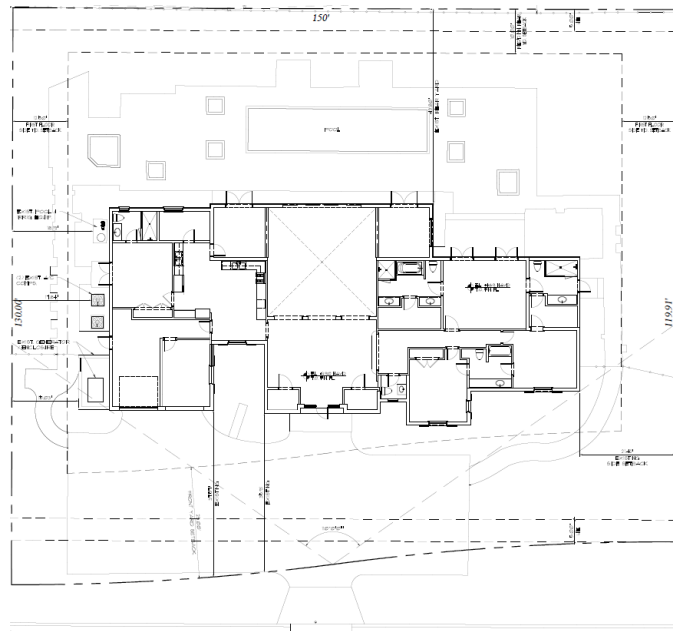


Rendering of proposed addition.

STAFF ANALYSIS

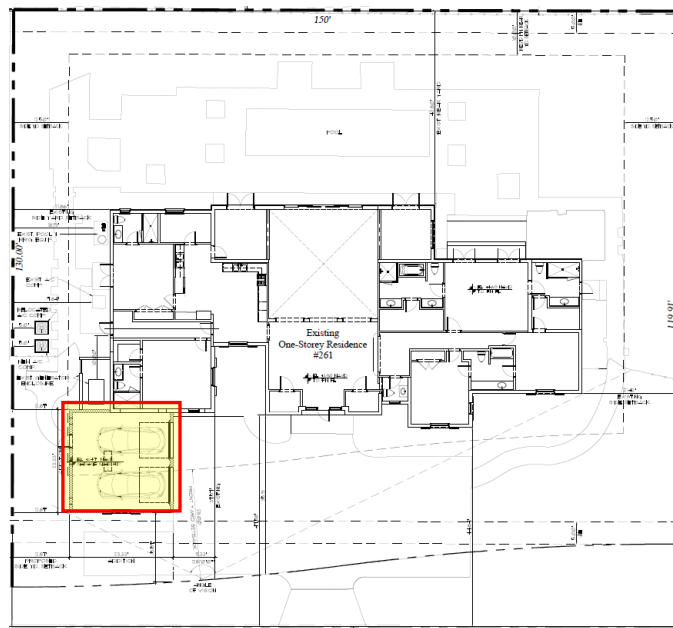
The applicant is proposing the construction of a small garage addition to an existing single-story residence. A preliminary review of the project indicates that the application, as proposed, is inconsistent with the Town zoning code and requires two (2) variances to achieve the application as proposed.

The subject property is located on the north side of Miraflores Drive, the second parcel east of North Lake Way. The existing residence is a single-story ranch style home constructed in 1951. The scope of work includes the addition of a two-car garage and renovation of the existing garage with minor exterior fenestration adjustments to accommodate the remodel including a new circular window at the front façade and relocation of an existing exterior door at the west side of the structure. The addition will match existing architectural details and finishes and will add approximately 535 SF of lot coverage, which translates to an increase of 3%. The only landscape adjustments proposed are related to the new addition. No other modifications are being proposed to the structure or site as part of this application.



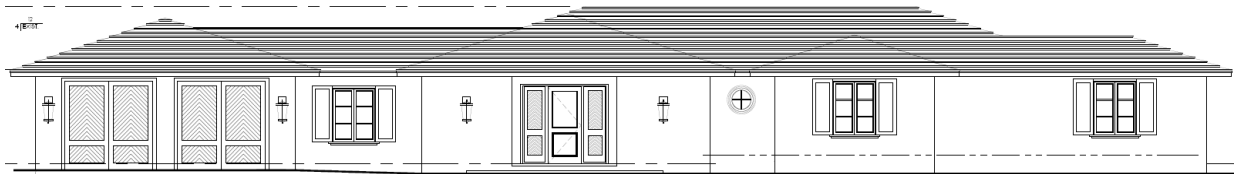
MIRAFLORES DRIVE
Existing Site Plan

The addition is proposed at the western end of the residence at the front (South) façade. The addition encroaches into the required front yard setback area and beyond the permitted angle of vision, which will require that two variances are granted by Town Council and that ARCOM make recommendation as to whether or not the implementation of the variances will result in a negative architectural impact. Staff has mentioned in the past that the angle of vision regulation, designed to control mass as viewed from the street, should not apply to one-story structures and as the Town moves towards Code Reform this is one of the specific regulations that shall be critically examined.

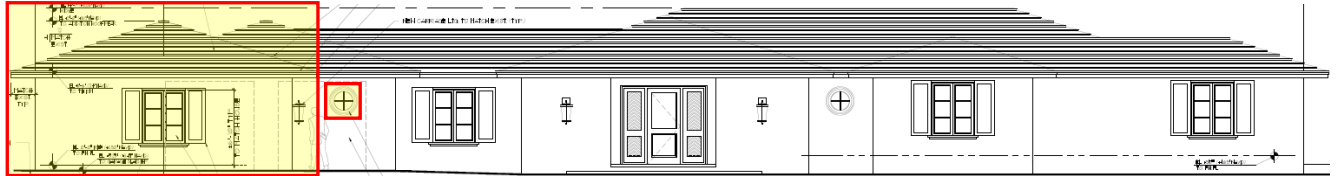


MIRAFLORES DRIVE
Proposed Site Plan

The addition will reduce, but does not encroach into, the required west side yard setback. Zoning calculations for lot coverage and landscape open space as provided by the applicant are zoning compliant in relation to the proposed site plan.



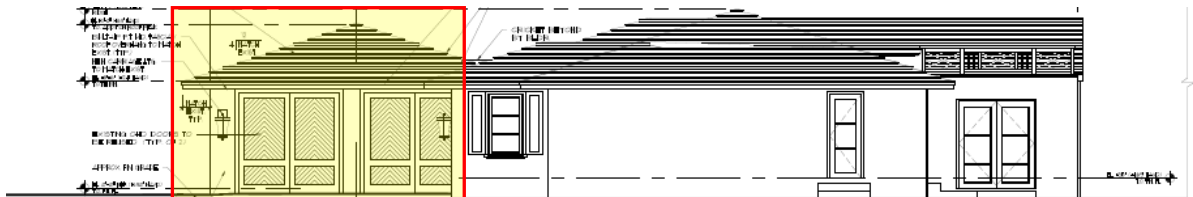
Existing Front (South) Elevation



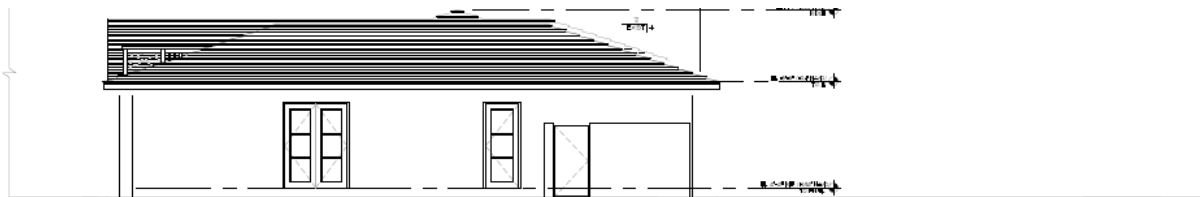
Proposed Front (South) Elevation



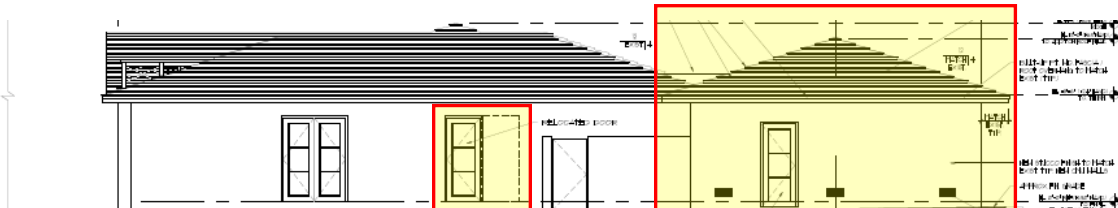
Existing Side (East) Partial Elevation



Proposed Side (East) Partial Elevation



Existing Side (West) Partial Elevation



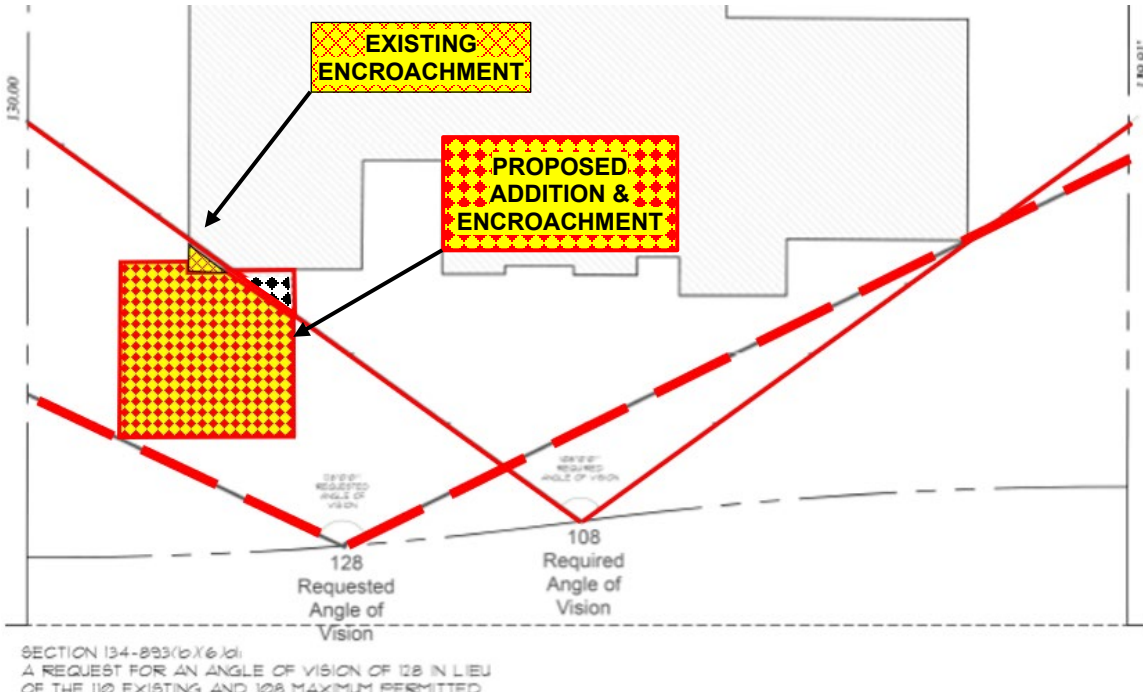
Proposed Side (West) Partial Elevation

VARIANCE REQUEST

The variances required to achieve the scope of work are (1) to exceed the permitted angle of vision permitted for the R-B zoning district and (2) to encroach into the front yard setback area.

Variance 1 pertains to the angle of vision requirement. No portion of any individual building is permitted to extend beyond a line drawn from the front property line 50 degrees either side of a line drawn perpendicular or radial to the front yard property line. For lots that exceed the minimum required lot width, the base angle of vision (50 degrees on either side of the line) is increased by two degrees for each ten feet of increased lot width over the minimum up to a maximum additional width of 40 feet in the R-B district. All structures must be sited within the angle of vision. In this application, the existing angle of vision is already nonconforming at 110° with a maximum angle of vision of 108° permitted and a variance required for the 128° angle of vision proposed.

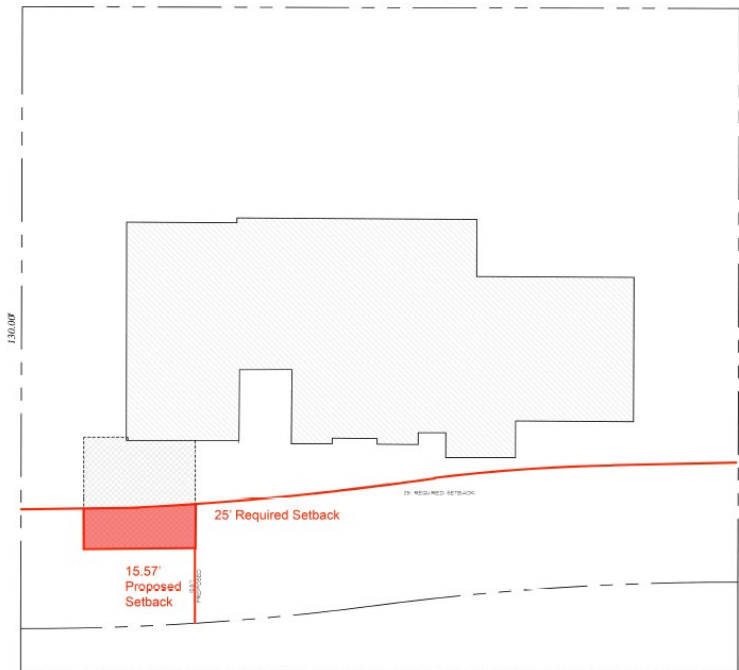
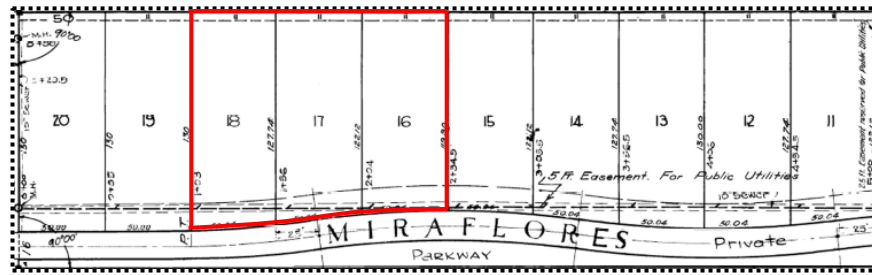
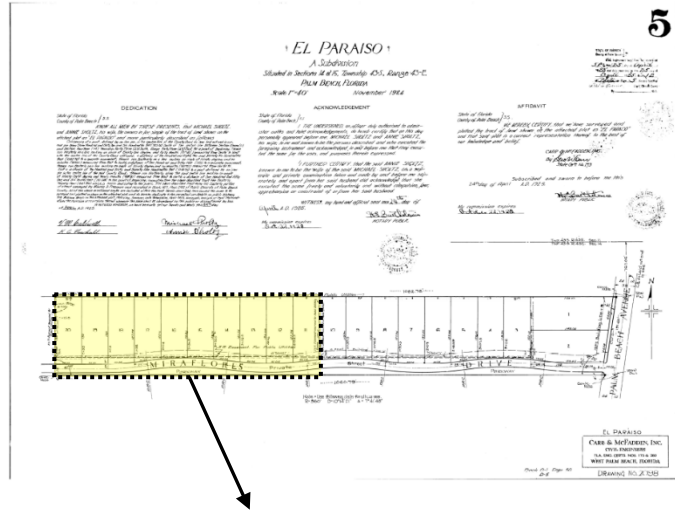
Code Section	Permitted	Proposed	Variance
VARIANCE 1: Sec. 134-893(b)(6)d	Maximum Angle of Vision 108° (110° existing)	Angle of Vision 128°	+20°



Plan of the portion of the existing structure and proposed addition extending beyond the permitted angle of vision.

Staff has mentioned in the past that the angle of vision regulation, designed to control mass as viewed from the street, should not apply to one-story structures and as the Town moves towards Code Reform this is one of the specific regulations that shall be critically examined.

Variance 2 pertains to the front yard setback encroachment. The proposed addition will encroach within the front yard setback by just under 10 feet. The existing front setback at the west side of the structure is 37.57' with 15.57' proposed, in lieu of the 25' minimum required. Staff will note that the lot configuration is atypical with a meandering front property line that is set back several feet away from the finished edge of pavement. The lot configuration is a condition of the original plat for Miraflores Drive, which reserved area for a meandering "parkway" and private street between street and front property line. The subject property is inclusive of lots 16 through 18 of the El Paraiso subdivision, recorded in 1925. The actual development of the right of way is a relatively straight line with landscape open space between the property line and edge of pavement. Measured from the edge of pavement, the distance from the edge of pavement to the new addition is just over 25', which would be zoning compliant if the property configuration was in keeping with typical conditions for the North End with property lines abutting the paved right of way.



SECTION 134-893(b)(5)a
 A REQUEST FOR A FRONT YARD SETBACK OF 15.57' IN LIEU OF THE 25.83' EXISTING
 AND 25' REQUIRED FRONT SETBACK

Code Section	Required Front Setback	Proposed	Variance
Sec. 134-893(b)(5)a	25' (37.57' Existing)	15.57'	-9.43'

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 variance(s) **shall** or **shall not** cause negative architectural impacts to the subject property.

Approval of the project will require one (1) separate motion to be made by the Town Council:

- (1) for final determination of approval or denial of the (2) 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.

RB:JGM:BMF