

TOWN OF PALM BEACH

Planning, Zoning & Building Department

DEVELOPMENT ORDER (LPC)

File: HSB-22-011 (ZON-22-122)
Property: 141 Australian Ave (Historically Significant Building)
Meeting Date: May 17, 2023

The Landmarks Preservation Commission (LPC) approved the second story addition and modifications to the rear building at the historically significant property (7-0) as part of this Development Order, with the following conditions:

1. The applicant shall submit revised plans with conditions as a Staff Level Application.
2. The first-floor ceiling height shall be lowered to 8'.
3. The finished floor shall be raised to a 4" step from grade.
4. The proposed exterior band between the first floor and second floors shall be included.
5. Two bracketed trellises shall be added over the French doors.
6. Applicant shall modify at the direction of the Commission the casement window and mullion band.

Additionally, the Commission found that implementation of the proposed variances would not cause negative architectural impact to the subject property (7-0).

Provided, the applicant builds substantially in accordance with the approved plans, as prepared and submitted by **SKA Architect + Planner** on May 10, 2023, as approved by the LPC, and as determined by staff.

Approval of this application by the LPC does not relieve the owner and/or applicant from obtaining additional Town approvals as may be required, such as Town Council approval and the necessary building permits. A building permit for the work authorized under this approval must be obtained within one year from the date of approval or said approval will expire. When requesting a building permit, the plans submitted to the Town for permit are required to be consistent with the plans approved by the Commission and modified in accordance with the conditions of approval that must be satisfied prior to permit issuance, as set forth in this Development Order. A copy of all pages of the Development Order shall be scanned into the plans submitted for a building permit and shall be located immediately after the front cover page of the permit plans. Upon the issuance of a final Certificate of Occupancy or Certificate of Completion, as applicable, the project approved herein shall be maintained in accordance with the plans approved by the Commission and shall be subject to all conditions of approval herein, unless otherwise modified by the Commission. Failure to maintain shall result in the issuance of a Code Compliance citation, and continued failure to comply may result in revocation of the Certificate of Occupancy, Completion and Business Tax Receipt.

This Development Order shall serve as the written approval of the LPC in accordance with Section 54-94.

Dated this 25th day of May, 2023.

Sincerely,

Wayne Bergman, Director of Planning, Zoning and Building, on behalf of
LANDMARKS PRESERVATION COMMISSION

cc: James G. Murphy, Assistant Director of Planning, Zoning and Building
Sarah C. Pardue, Design & Preservation Planner
Jordan R. Hodges, Design & Preservation Planner





Town of Palm Beach

Planning Zoning and Building

360 S County Rd

Palm Beach, FL 33480

www.townofpalmbeach.com

Line #	Zoning Legend			
1	Property Address:	141 AUSTRARIAN AVENUE		
2	Zoning District:	R-B LOW DENSITY RESIDENTIAL		
3	Structure Type:	TWO STORY, SINGLE FAMILY HOME		
4		Required/Allowed	Existing	Proposed
5	Lot Size (sq ft)	10,000 SQ.FT.	7,011 SQ.FT.	7,011 SQ.FT.
6	Lot Depth	100.00'	140.00'	140.00'
7	Lot Width	100.00'	50.08'	50.08'
8	Lot Coverage (Sq Ft and %)	40%(1)-30%(2)	2,008 (28.64%)	2,008 (28.64%)
9	Enclosed Square Footage (Basement, 1st Fl, 2nd Fl., Accessory Structures, etc)	NA	3,688.40 SQ.FT.	3,688.40 SQ.FT.
10	Cubic Content Ratio (CCR) (R-B ONLY)	4.30	4.53	4.63
11	*Front Yard Setback (Ft.)	25'(1)-35'(2)	28.1'	28.1'
12	* Side Yard Setback (1st Story) (Ft.)	12.50'(W+E)	8.2',12.4'	8.2',12.4'
13	* Side Yard Setback (2nd Story) (Ft.)	15.00'(W+E)	16.4',3.4'	16.4',3.4'
14	*Rear Yard Setback (Ft.)	10'(1)-15'(2)	3.2'	3.2'
15	Angle of Vision (Deg.)	100	55	55
16	Building Height (Ft.)	14'(1)-22'(2)	18' (Main) / 16' (Guest)	18' (Main) / 17' (Guest)
17	Overall Building Height (Ft.)	22'(1)-30'(2)	21.5'	22.5'
18	Crown of Road (COR) (NAVD)	NA	10.42	NO CHANGE
19	Max. Amount of Fill Added to Site (Ft.)	NA	NA	NA
20	Finished Floor Elev. (FFE)(NAVD)	7.00' MINIMUM	12.17' (M) / 10.96' (G)	12.17' (M) / 11.50' (G)
21	Zero Datum for point of meas. (NAVD)	7.00' MINIMUM	7.00'	7.00'
22	FEMA Flood Zone Designation	NA	X	X
23	Base Flood Elevation (BFE)(NAVD)		7.00'	7.00'
24	Landscape Open Space (LOS) (Sq Ft and %)	3,155 SF (45%)	2,962 SF (43.2%)	3,159 SF (45.01%)
25	Perimeter LOS (Sq Ft and %)	1,079.5 SF (50%)	2,057 SF (66.69%)	2,057 SF (66.69%)
26	Front Yard LOS (Sq Ft and %)	500 SF (40%)	725 SF (57.95%)	824 SF (65.9%)
27	**Native Plant Species %	Please refer to separate landscape legend.		

* Indicate each yard area with cardinal direction
(N,S,E,W)

If value is not applicable, enter N/A

** Provide Native plant species calculation per
category as required by Ord. 24-2021 on separate
table

If value is not changing, enter N/C



ARCHITECT + PLANNER

Re:
141 Australian Ave
Palm Beach, Florida 33480
Date:
June 1, 2023

SKA Architect+Planner - LETTER OF INTENT
RELATED TO THE RENOVATION OF AN EXISTING RESIDENCE AND
AN EXISTING GUEST HOUSE AT
141 AUSTRALIAN AVE

We are pleased to submit the accompanying drawings for the renovation of an existing residence and reconstruction of an existing guest house at 141 Australian Ave. Please note the following:

A) LANDMARKS PRESERVATION COMMISSION 54-122 & 54-161

Renovation to an existing two story residence (replacing vinyl siding for wood shingle siding). Renovation and lifting of an existing guest house. New landscape and hardscape.

B) ARCOM 18-205 N/A

B) ARCOM 18-206 N/A

C) SPECIAL EXCEPTION 134-229 N/A

D) SITE PLAN REVIEW 134-329 N/A

E) VARIANCES 134-201 N/A

The guest house require the following variances:

Section 134-893(b)(7): Request for lifting an existing accessory structure with an east side yard setback of 3.5 feet in lieu of the 15-foot required in R-B Zoning District.

Section 134-893(b)(9): Request for lifting an existing accessory structure with a rear yard setback of 5 feet in lieu of the 15-foot required in R-B Zoning District.

Section 134-893(b)(13): Request for a cubic content ratio of 4.63 in lieu of the 4.30 maximum allowed in R-B Zoning District.

Section 134-891(b)(1): Request to lift an existing accessory structure with a maximum height of 22.5 feet in lieu of the 15-foot maximum allowed in R-B Zoning District.

Section 134-891(b)(1) Request to lifting and maintaining an existing two story accessory structure in lieu of the one story maximum stories due to size of lot under 20,000SF




Section 134-201 – Findings prior to authorization.

1. The special conditions and circumstances related to the subject property is that it is non-conforming in width and area, with a width of 50 feet in lieu of the 100-foot required in the R-B Zoning District and an area of 7,000 square feet in lieu of the 10,000-foot minimum in the R-B Zoning District.
2. The special conditions and circumstances are not the result of the applicant as the property was non-conforming in width and area prior to acquisition by the applicant.
3. Granting of the variances requested will not confer any special privilege that is denied to the neighboring properties as the neighboring properties contain significantly more square footage than the subject property. Further, the proposed guest house will encroach into the setbacks less than the existing structure.
4. The hardship, which runs with the land, is that the property is non-conforming in width and area, which prevents having adequate square footage of the guest house without encroaching into the setbacks, making the guest house a two-stories with a height of 23.5 feet, and exceeding the maximum cubic content ratio.
5. The variances requested are the minimum necessary to make reasonable use of the land as the reconstructed guest house will encroach less into the setbacks than the existing house and will increase the cubic content ratio only slightly from 4.53 to 4.73.
6. The granting of the variances will not be injurious to the neighborhood. The guest house will encroach into the setbacks less than the existing structure and the height of the guest house will not be noticeable to passersby or negatively affect the surrounding properties.

F) OTHER

Sincerely,

Daniel Clavijo

	LOT COVERAGE	2,008 SQFT	(28.64%)
	OPEN SPACE	3,159 SQFT	(45.01%)
	HARDSCAPE	1,844 SQFT	(26.35%)
TOTAL		7,011 SQFT	(100.00%)

RECEIVED

JUN 23 2023

TOWN OF PALM BEACH
PZB DEPARTMENT

EXISTING CCR

MAIN HOME
1,111.50 SQ. FT. @ 18.00' = 20,007.00 CU. FT. (TWO STORY STRUCTURE)

GUEST LOFT/GARAGE [SUBJECT STRUCTURE]
732.70 SQ. FT. @ 16.00' = 11,723.00 CU. FT. (TWO STORY STRUCTURE)

TOTAL CUBIC FEET = 31,730.20 CU. FT. / 7,000 SQ. FT. = 4.53 CCR

MAX ALLOWABLE CCR: $4.00 + [(10,000 - 7,011.00) / 10,000] = 4.30$ CCR

MAX ALLOWABLE CUBIC FEET: $4.30 \times 7,011.00 \text{ SQ. FT.} = 30,139.59 \text{ CU. FT.}$

$30,139.59 \text{ CU. FT. MAX} - 31,730.20 \text{ CU. FT.} = 1,590.61 \text{ CU. FT. EXCESS [EXISTING]}$

LOGGIA
146.00 SQ. FT. @ 8.00' = 1,168.00 CU. FT. (MAIN HOUSE ENTRY)

5% OF HOUSE CU. FT. (30,139.59 CU. FT.) = 1,506.98 CU. FT. MAX

$1,506.98 \text{ CU. FT. MAX} - 1,168.00 \text{ CU. FT.} = 338.98 \text{ CU. FT. LOGGIA REMAINING}$

$1,590.61 \text{ CU. FT. EXCESS [EXISTING]} - 338.98 \text{ CU. FT. LOGGIA REMAINING} = -1,251.63 \text{ CU. FT. EXCESS}$

PROPOSED CCR

MAIN HOME
1,111.50 SQ. FT. @ 18.00' = 20,007.00 CU. FT. (TWO STORY STRUCTURE)

GUEST LOFT/GARAGE [SUBJECT STRUCTURE]
732.70 SQ. FT. @ 17.00' = 12,445.90 CU. FT. (TWO STORY STRUCTURE)

TOTAL CUBIC FEET = 32,462.90 CU. FT. / 7,000 SQ. FT. = 4.73 CCR

MAX ALLOWABLE CCR: $4.00 + [(10,000 - 7,011.00) / 10,000] = 4.30$ CCR

MAX ALLOWABLE CUBIC FEET: $4.30 \times 7,011.00 \text{ SQ. FT.} = 30,139.59 \text{ CU. FT.}$

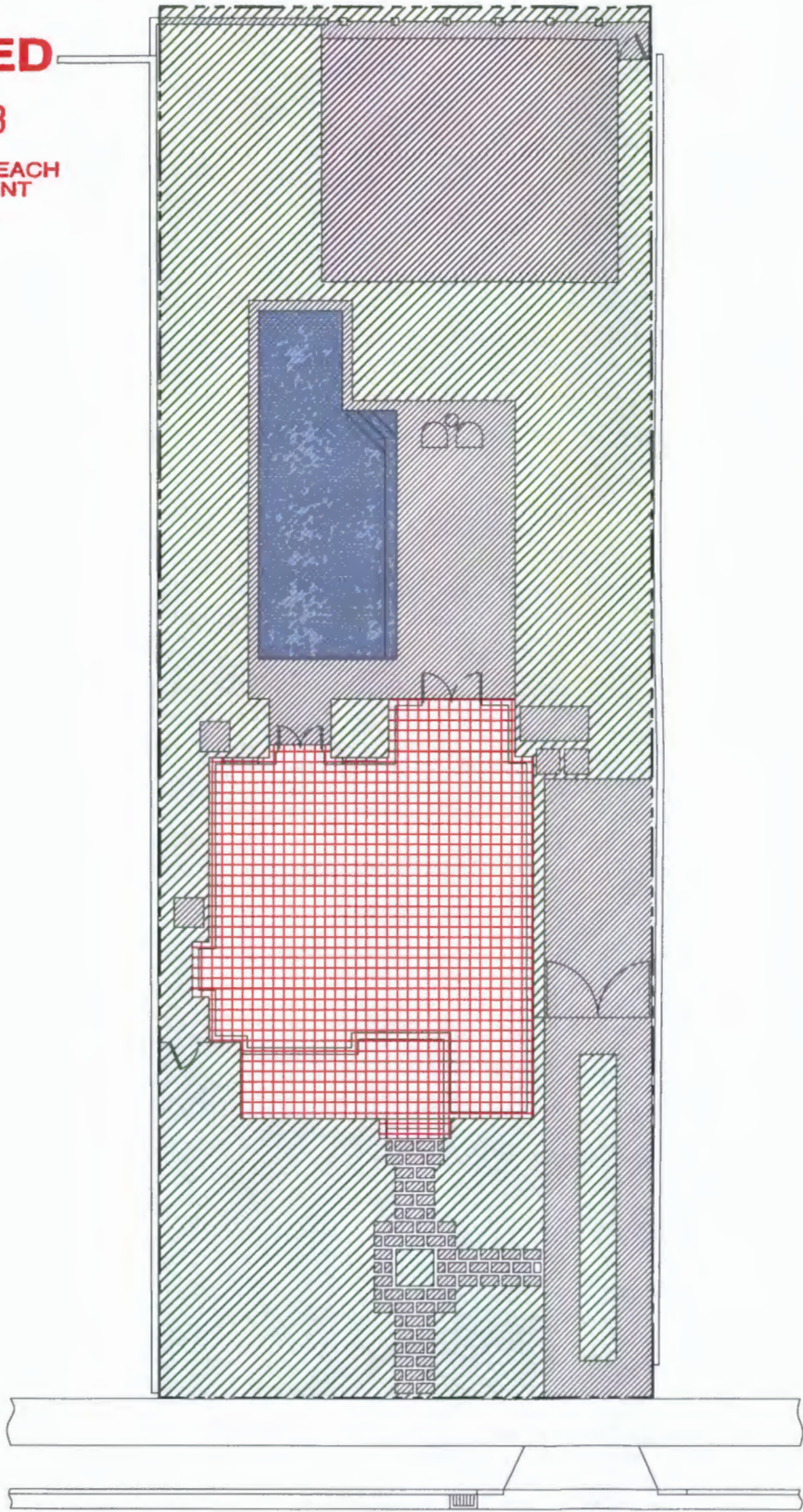
$30,139.59 \text{ CU. FT. MAX} - 32,462.90 \text{ CU. FT.} = 2,323.31 \text{ CU. FT. EXCESS [EXISTING]}$

LOGGIA
146.00 SQ. FT. @ 8.00' = 1,168.00 CU. FT. (MAIN HOUSE ENTRY)

5% OF HOUSE CU. FT. (30,139.59 CU. FT.) = 1,506.98 CU. FT. MAX

$1,506.98 \text{ CU. FT. MAX} - 1,168.00 \text{ CU. FT.} = 338.98 \text{ CU. FT. LOGGIA REMAINING}$

$2,323.31 \text{ CU. FT. EXCESS [EXISTING]} - 338.98 \text{ CU. FT. LOGGIA REMAINING} = -1,984.33 \text{ CU. FT. EXCESS}$



AUSTRALIAN AVE

ZONING DIAGRAM

SCALE: 1/8" = 1'-0"



SKA
SKA ARCHITECT + PLANNER
OFFICE 561-665-1116 FAX 561-892-7828
240 PERMAN AVE. SUITE F-2, PALM BEACH, FL 33480

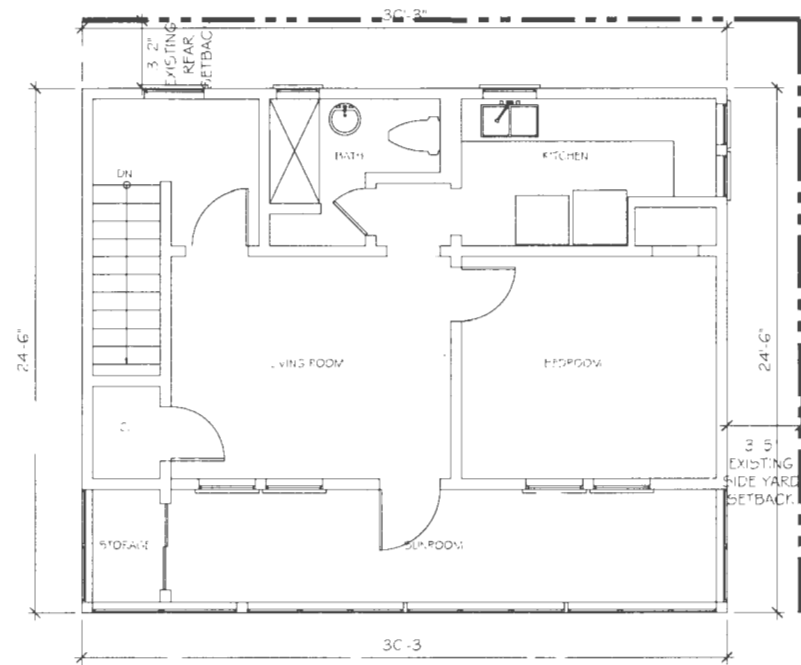
CONSULTANT:

PROPOSED RESIDENCE FOR:
141 AUSTRALIAN AVE, LLC
141 AUSTRALIAN AVE
PALM BEACH, FLORIDA 33480

A.A. #001345
A.R. #10,181

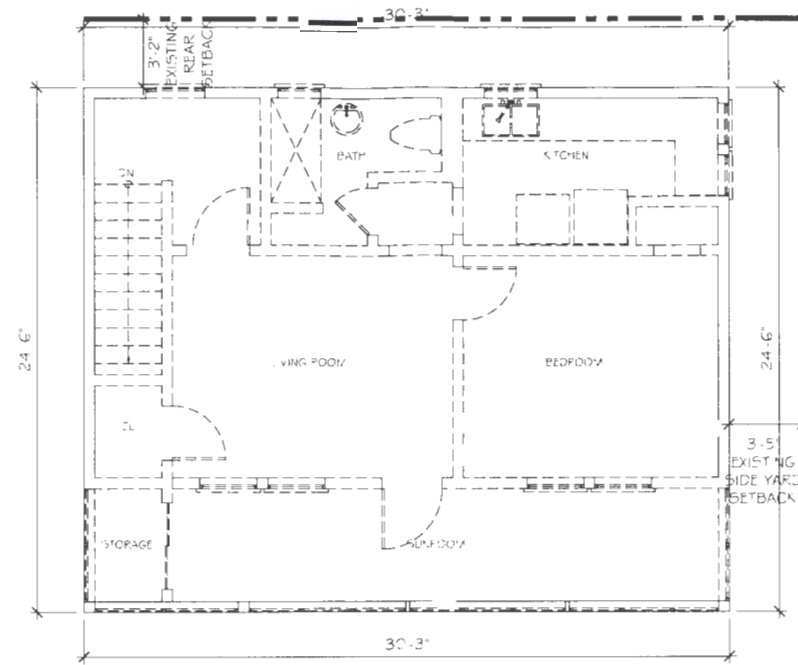

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SHEET NUMBER:
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ISSUE DATE: 08-17-22
H5B-22-011
ZON-22-122



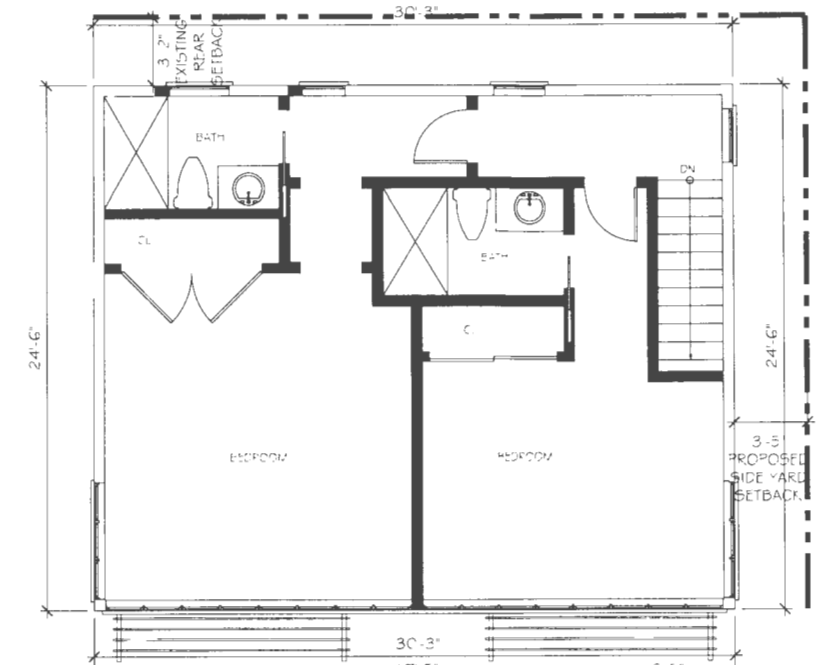
EXISTING SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"



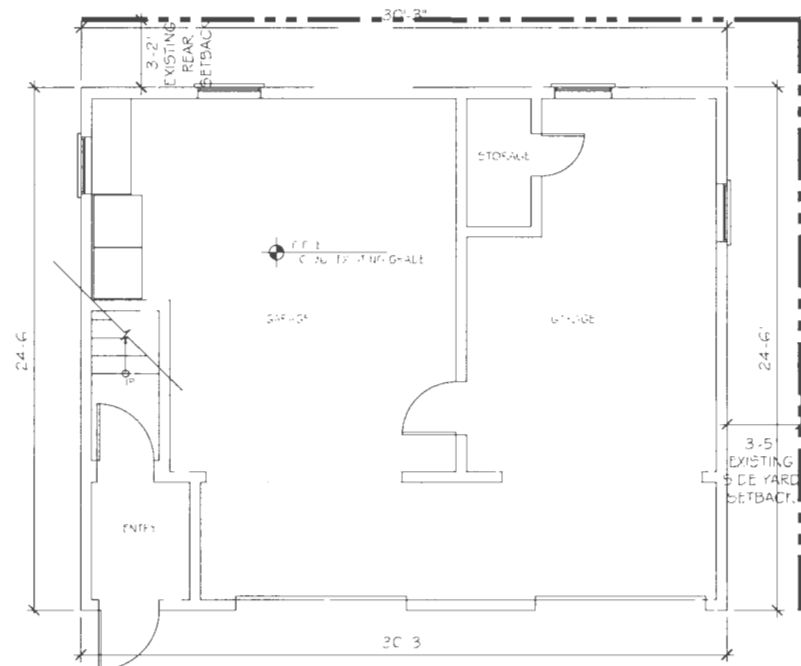
SECOND FLOOR DEMO PLAN

SCALE: 1/4" = 1'-0"



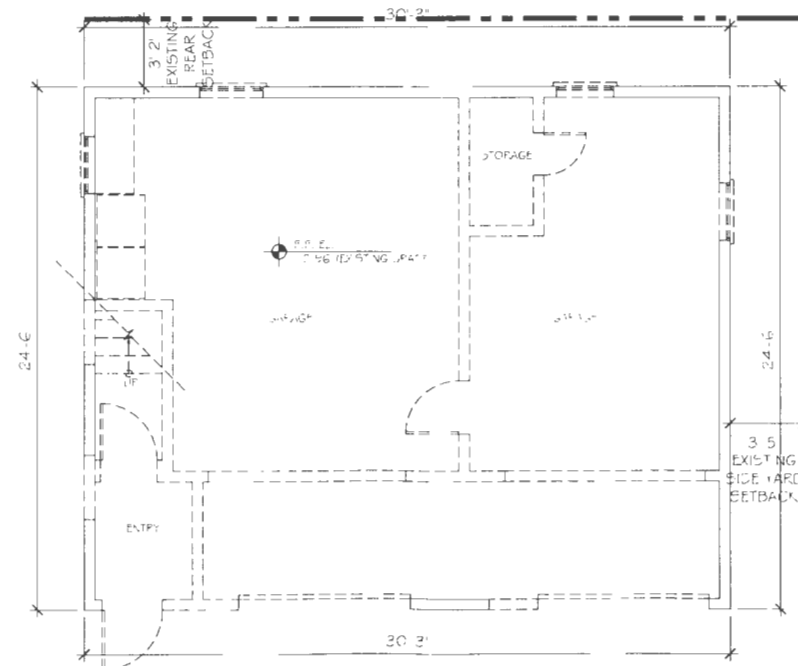
PROPOSED SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"



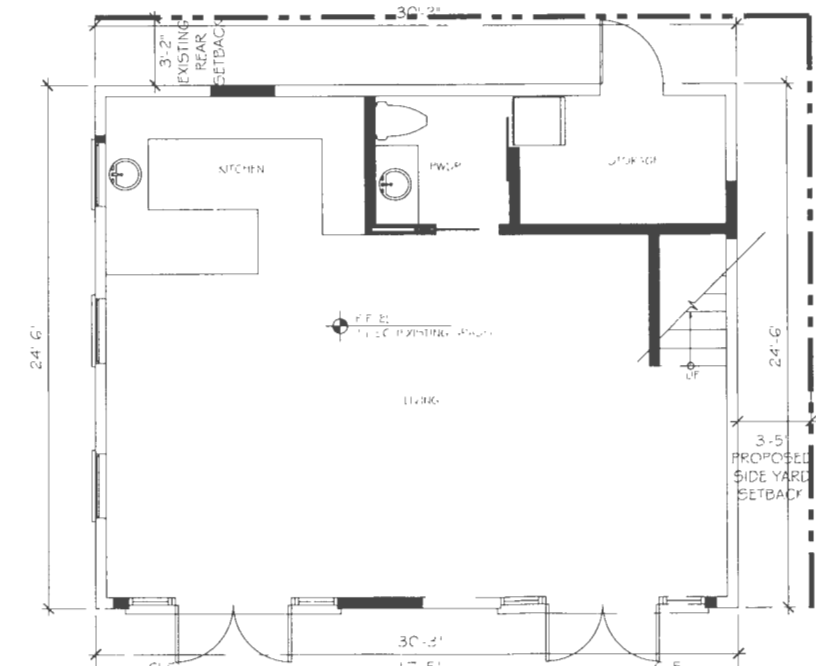
EXISTING FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"



FIRST FLOOR DEMO PLAN

SCALE: 1/4" = 1'-0"



PROPOSED FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"



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16

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19

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EXISTING SOUTH ELEVATION-GUEST HOUSE

SCALE: 1/4" = 1'-0"



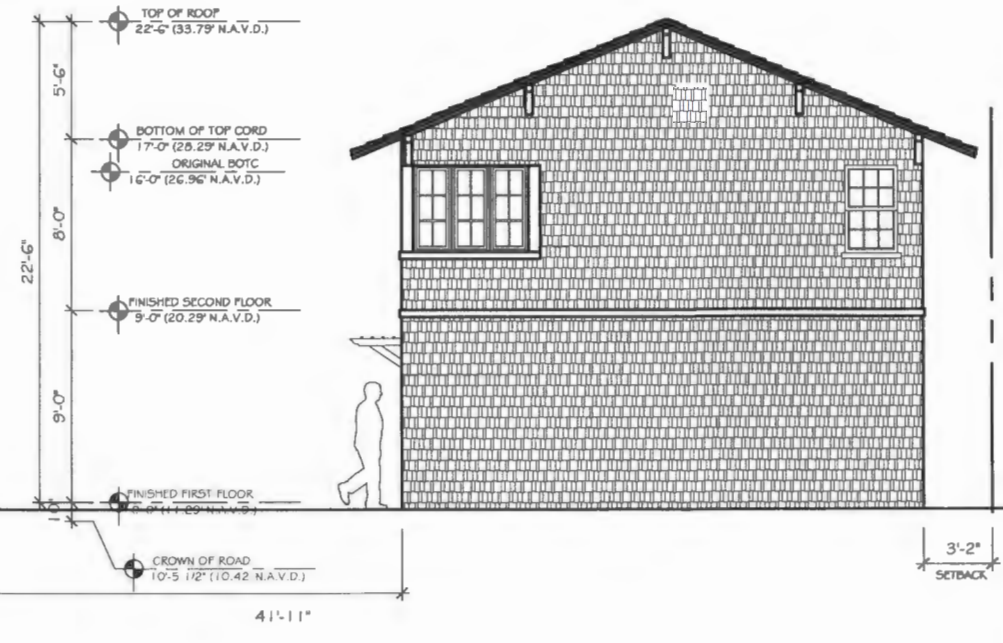
EXISTING EAST ELEVATION-GUEST HOUSE

SCALE: 1/4" = 1'-0"



PROPOSED SOUTH ELEVATION-GUEST HOUSE

SCALE: 1/4" = 1'-0"



PROPOSED EAST ELEVATION-GUEST HOUSE

SCALE: 1/4" = 1'-0"

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 141 AUSTRALIAN AVE
 PALM BEACH, FLORIDA 33480

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 A.R. #10,181

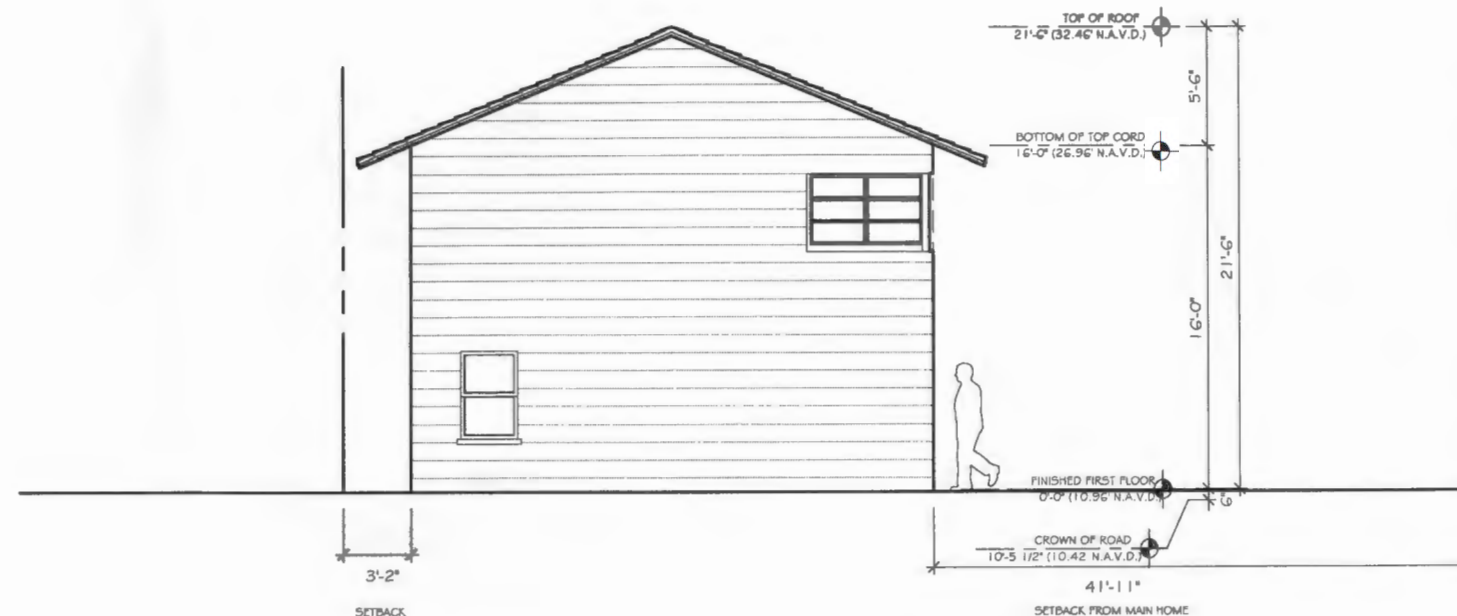

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SHEET NUMBER:
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 ISSUE DATE: 08-17-22
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EXISTING NORTH ELEVATION-GUEST HOUSE

SCALE: 1/4" = 1'-0"



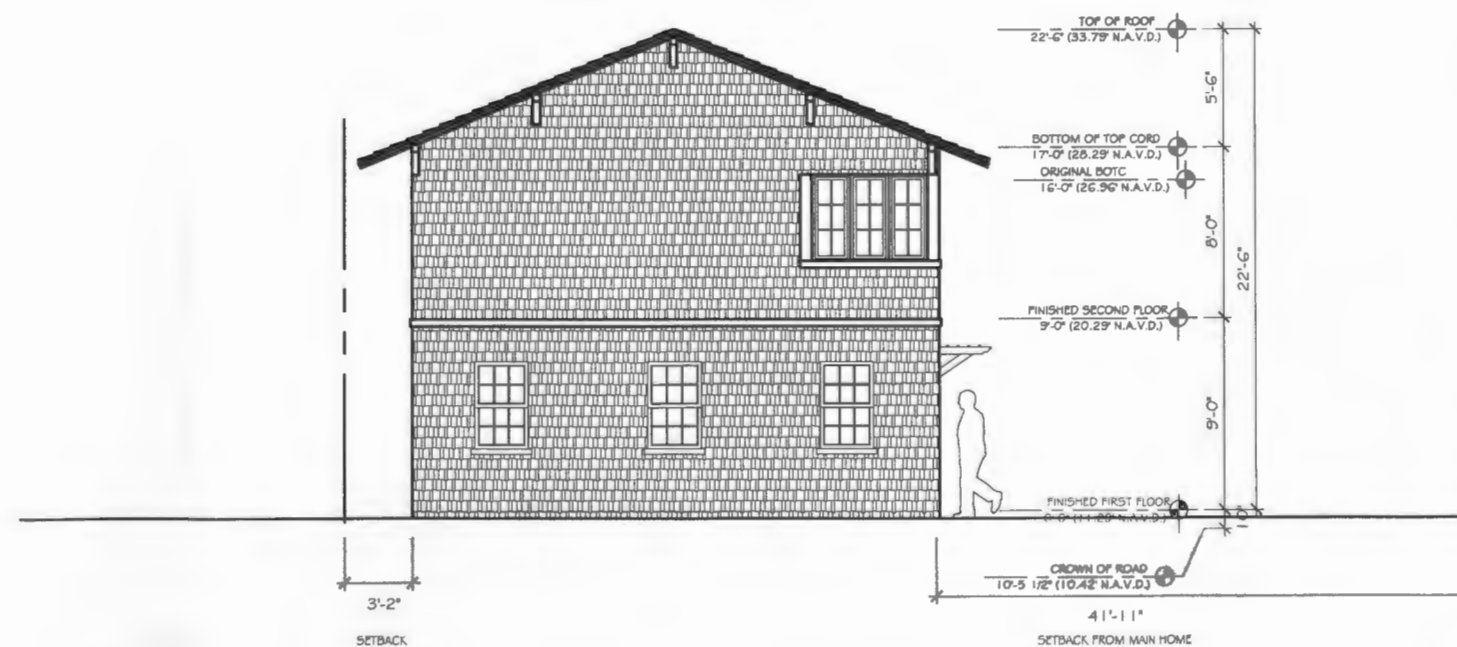
EXISTING WEST ELEVATION-GUEST HOUSE

SCALE: 1/4" = 1'-0"



PROPOSED NORTH ELEVATION-GUEST HOUSE

SCALE: 1/4" = 1'-0"



PROPOSED WEST ELEVATION-GUEST HOUSE

SCALE: 1/4" = 1'-0"