



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 *WB*
Director PZ&B

SUBJECT: ARC-23-117 (ZON-23-091) 341 PERUVIAN AVE (COMBO)

MEETING: SEPTEMBER 27, 2023 | ARCOM
OCTOBER 11, 2023 | TOWN COUNCIL

ARC-23-117 (ZON-23-091) 341 PERUVIAN AVE (COMBO). The applicant, Villa Giardino Land Trust (Jeff and Elizabeth Louis), has filed an application requesting Architectural Commission review and approval for the construction of a new fabric tent and package receptacle requiring a front setback variance, and the construction of a new masonry screening wall for the installation of a new generator and air conditioning equipment, requiring a wall height variance. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

ZON-23-091 (ARC-23-117) 341 PERUVIAN AVE (COMBO) - VARIANCES. The applicant, Villa Giardino Land Trust (Jeff and Elizabeth Louis), has filed an application requesting Town Council review and approval for (2) variances, (1) for front setback relief for the construction of a new fabric tent and package receptacle, and (1) for the construction of a new masonry site wall on the west property line that exceeds permitted wall height for the screening of a new generator and air conditioning equipment. The Architectural Commission shall perform design review of the application.

Applicant: Villa Giardino Land Trust (Jeff and Elizabeth Louis)
Professional: Richard Sammons | Fairfax, Sammons & Partners LLC

THE PROJECT:

The applicant has submitted plans, entitled "Villa Giardino Renovations", as prepared by **Fairfax, Sammons & Partners**, stamped August 14, 2023.

The following scope of work is proposed for the project:

- Installation of a new 60kW generator and AC units at the northwest corner of the property.
- Construction of a new equipment screening wall requiring a variance.
- Construction of a new metal and fabric tent and package receptacle requiring a variance.

The following Special Exceptions, Site Plan review and/or Variances required to complete the project, and shall be reviewed by Town Council:

- **Variance 1:** [Sec. 134-1113\(5\)](#) A variance to construct a new fabric tent and package receptacle with a 3.7' front setback in lieu of the 5' required.
- **Variance 2:** [Sec. 134-1669](#) A variance to construct a new masonry site wall for mechanical

screening along the west property line with a height of 10.5' in lieu of the 7' maximum permitted.

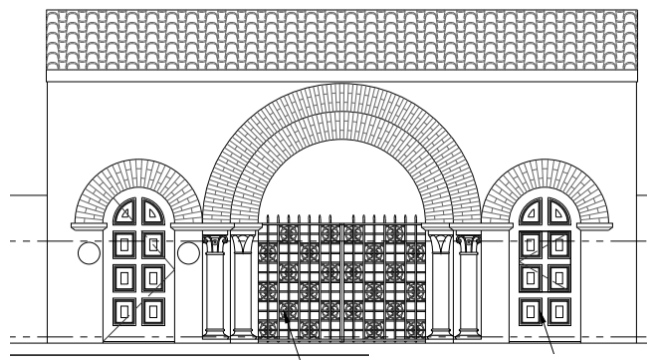
The applicant has submitted a detailed Letter of Intent providing an explanation of the project as well as responses to all decision-making criteria.

Site Data			
Zoning District	C-TS	Future Land Use	COMMERCIAL
Lot Size	21,883	Crown of Road	1.95' NAVD
Lot Depth	125'	Lot Width	175.07'
Lot Coverage	Permitted: 70% (15,318 SF) Proposed: 16.2% (3,548 SF)	FEMA Flood Zone	AE-6 (7" NAVD)
Setbacks	See Staff Analysis <i>*Variance Requested</i>	Site Wall Height	Permitted: 7'-0" Proposed: 10'-6" <i>*Variance Requested</i>
Surrounding Properties / Zoning			
North	354 Chilean Avenue Island House Condominium / Residential		
South	347 Worth Avenue Commercial (Everglades Club) / Commercial		
East	333 Peruvian Avenue Commercial (Waterfront Properties) / Commercial		
West	353 Peruvian Avenue Commercial / Commercial		

STAFF ANALYSIS:

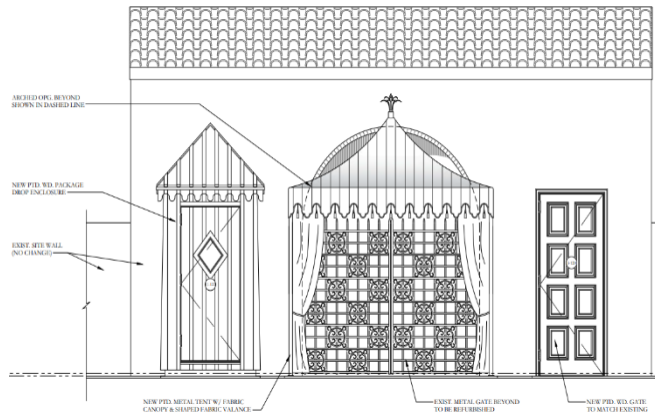
A review of the project indicates that the application, as proposed, is inconsistent with the above-mentioned sections of the Town zoning code, requiring two variances: (1) to allow for reduced front yard setbacks for the construction of a new tent structure and package receptacle, and (1) to allow for increased wall height along the west property line for the screening of mechanical equipment.

As depicted in the photos, plans, and elevations provided for the project, a large masonry wall structure with a barrel tile roof and three arches exists at the front of property along Peruvian Avenue - east of the residence's south façade. The large central arch contains a decorative metal vehicular gate, and the two flanking arches contain human-scale solid wood panel doors. No alterations are proposed to the south side of the wall.



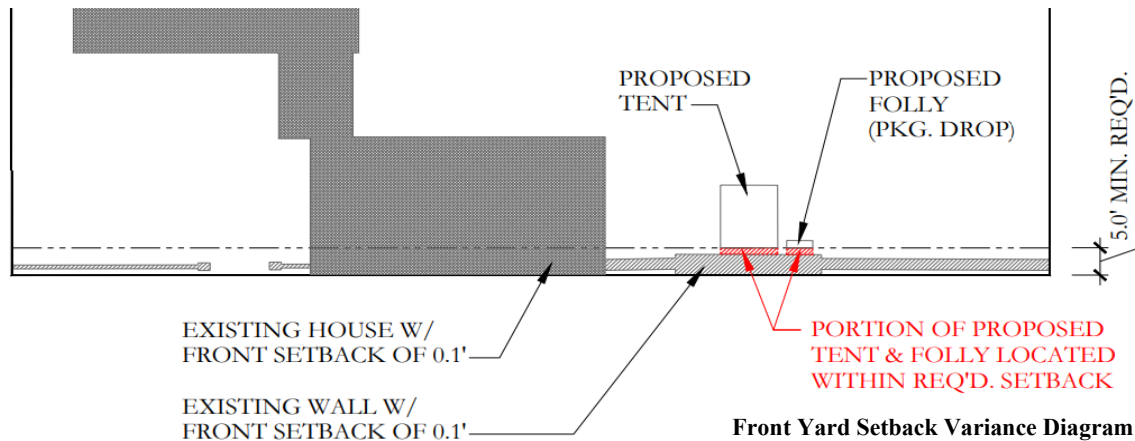
Existing South Elevation

The application requests to install a new metal tent structure with a fabric canopy to provide covered vehicular parking north of the vehicular gate, and a wood package receptacle structure to the north of the east wood panel door. Detailed plan, elevation, and section drawings of the two structures are provided on Sheet A-210 of the architectural plan set. Per the drawings, the package receptacle will not be visible from Peruvian Avenue. The tent structure will be partially visible through the central arch of the wall and through the decorative metal gate.



Proposed North Elevation

The existing wall structure sits 0.1' off the front property line and is 3.6' deep. The application requests attaching the proposed tent and package receptacle to the north side of the wall, creating front setbacks for these two new elements at 3.7' in lieu of the required 5'-0". As the proposed front setbacks are less than the minimum required, the project requires **Variance 1:**



Front Yard Setback Variance Diagram

Code Section	Required	Proposed	Variance
Variance 1: Sec. 134-1113(5)	5'-0" Minimum Front Yard Setback	3.7' Front Yard Setback	3.3' Encroachment

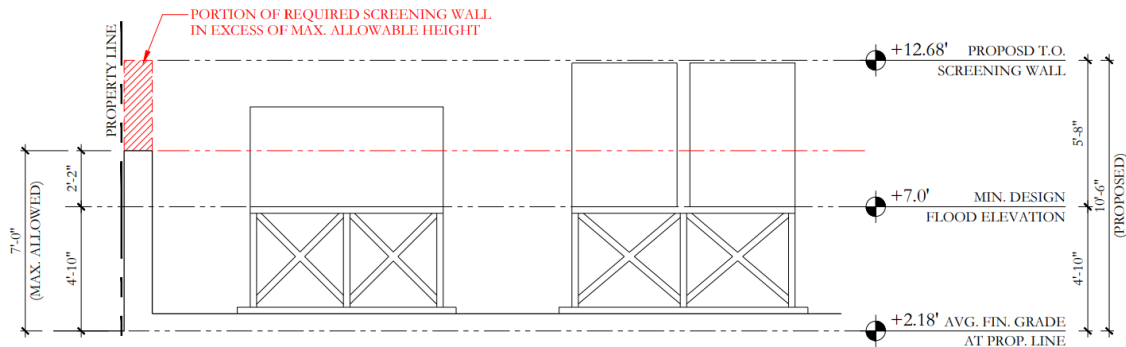
The application also requests modifications to the property's mechanical equipment locations. Per proposed site plan on architectural plan sheet A-001b, existing A/C condensing units located in the west side yard and behind the residence and an existing generator in the northwest corner of the property will be removed. New mechanical equipment, including a new 60kW generator and two new A/C condensing units will be consolidated into the northwest corner of site. The proposed equipment locations meet minimum mechanical equipment setback requirements.

The proposed equipment yard area has a low elevation at +/- 2.18' NAVD. FEMA regulations

require that mechanical equipment meet current Finish Floor Elevation standards, which compels the equipment to be elevated to 7' NAVD (Zone AE 6 + 1' Freeboard). The applicants are proposing to place the new A/C condensing units and generator on 3'-10 3/4" aluminum frame stands to reach the required height of 7' NAVD. The proposed generator is 3'-10 1/2" high, bringing the overall generator height to 8'- 1/4". The proposed condensing units are 5'-7" high, bringing the overall height of the units to 9'-8 3/4".

Mechanical equipment placed within side yard and rear yard setbacks are required to be screened from adjacent properties with a masonry wall as high as the equipment. In this instance – due to the need to place the equipment on stands and due to the height of the equipment itself - the necessary wall height needed to adequately screen the equipment is higher than the maximum wall height permitted on property lines. A non-conforming 11'-10" masonry site wall exists on-site to the north of the proposed mechanical equipment location, which satisfies screening requirements for the property to the north – Island House Condominium.

Per the proposed site wall drawings on architectural plan sheet A-201, the applicants are proposing to construct a new masonry site wall at 10'-6" high (as measured from the neighbor's grade) to screen the new equipment from the property to the west – 353 Peruvian Avenue. As the wall height exceeds the maximum permitted wall height, the applicants have requested **Variance 2**:



Wall Height Variance Diagram

Code Section	Required	Proposed	Variance
Variance 2: Sec. 134-1669	7'-0" Wall Height in Side Yard	10'-6" Wall Height in Side Yard	3'-6" Wall Height Variance

CONCLUSION:

This application is presented to the Architectural Commission to consider whether all criteria have been met.

Approval of the project will require two separate motions be made by the Architectural Commission:

- (1) for the overall design of the project in accordance with the criteria set forth in [Sec. 18-205](#), subject to any imposed conditions,

- (2) that the implementation of the (2) **variances shall or shall not** cause negative architectural impact to the subject property.

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

- (1) for final determination of approval or denial of the variances by the Town Council, and that the (2) **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:JRH