

## LETTER OF INTENT

COA-23-038 and ZON-23-106: We are pleased to submit the accompanying drawings for our project at 318 Australian Avenue, Palm Beach, FL. The proposed work includes the following:

- Removal of rear covered porch and addition of a new sitting/breakfast enclosed area.
- Addition of an open trellis between main and guest house structures.
- Complete interior renovation.
- Exterior opening modifications and replacement of all exterior windows and doors with impact rated products.
- Removal of asphalt roof system with new asphalt roof system.
- Complete new Landscape/Hardscape and drainage system

Please note the following as it relates to this application:

Sections 134-201, 134-226, 134-227 and 134-893(e). Applicant is requesting three variances as described below.

The following zoning relief is requested:

1. **Variance 1: Sec. 134-948(9)(a)**: A variance a variance to permit lot coverage of 35.6% in lieu of 34.3% existing and 30% maximum permitted.
2. **Variance 2: Sec. 134-1728(c)**: A variance to permit the storage of pool equipment with a rear yard setback of 8.6' in lieu of 15' required.
3. **Variance 3: Sec. 50-114**: Request for a variance to allow the renovation, rehabilitation, improvement and addition to the existing residence constituting a substantial improvement and to maintain the existing floor elevation of 2.90' NAVD in lieu of 7.0' NAVD minimum required.

The hardship that runs with the property is that the existing home on this very small 50' wide lot was built at a low elevation pursuant to a different zoning code, which permitted the structures that currently exist. Applicant is merely proposing to renovate, where applicable, to fortify, beautify and preserve the existing to-be-designated landmarked home. The requested lot coverage relief is de minimis because the proposed size of the addition is only 100 sq. ft. plus an outdoor pergola covering 115 sq. ft. The requested addition is the minimum necessary to preserve the historic character and design of the existing home, which was built in 1925.

Granting of the variances will not be contrary to the public's interest because no negative impact to the neighbors will result. The applicant proposes to preserve and improve the existing historic home, so this is a positive for the neighborhood as opposed to demolishing the entire structure and building a mc mansion.

See Site History attached hereto as Exhibit “A.”

**Criteria for Site Plan Review – N/A**

**Criteria for Special Exceptions – N/A**

**Criteria for Authorizing a Variance (The following rationale and criteria apply to all variance requests # 1 through # 3 because all non-conformities are existing, and the proposed addition is de minimis (100 sq. ft. addition plus 115 sq. ft. trellis)).**

1. List the special conditions and circumstances peculiar to the land, structure or building which are not applicable to other lands, structures or buildings in the same zoning district.

The hardship and special conditions applicable to this property are that the building was constructed pursuant to a different code and is non-compliant with current codes. In addition, the lot is extremely small (approximately 50' wide) The Applicant is proposing to preserve, enhance and renovate the existing historic, very small home, which includes a small 100 sq. ft. addition and a small open trellis.

2. Indicate how the special conditions and circumstances do not result from the actions of the Applicant.

The special conditions existed upon construction of the building and were not created by the Applicant. The Applicant is proposing to make the building, which was constructed in 1925, safer and to also preserve, enhance and greatly enhance the aesthetics of this historically significant building on this extremely small lot.

3. Demonstrate that the granting of the variance will not confer on the Applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district.

No special privileges will be conferred on the Applicant if the variances are granted because the applicant is simply trying to preserve a 1925 home which was built on a very small lot.

4. Demonstrate how literal interpretation of this ordinance would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the Applicant.

Literal interpretation of the ordinances would deprive Applicant of the right to beautify the home and make it safe and to preserve and enhance the charm of this older home.

5. Demonstrate that the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

The requested relief is the minimum necessary because the Applicant proposes to keep the home in its current location and size and the relief requested for the addition (100 sq. ft.) and trellis (115 sq. ft.) is de minimis.

6. For granting of a variance to sections 134-387, or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings must be demonstrated pertaining to the nonconforming use for which the variance is requested:

N/A

7. Show how the granting of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

The granting of these variances are in harmony with the intent and purpose of the Zoning Code because the requested renovation is an improvement to this to-be landmarked home and it will preserve the home for the future while continuing to enhance the beauty and charm of the neighborhood. No new height and only a tiny addition is proposed.

**EXHIBIT “A”**  
**Site History**

None.