



TOWN OF PALM BEACH
 Planning, Zoning & Building Department
 360 South County Road
 Palm Beach, FL 33480
www.townofpalmbeach.com

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

FROM: Wayne Bergman, MCP, LEED-AP *WB*
 Director PZ&B

SUBJECT: ZON-23-103 (COA-23-036) 209 PHIPPS PLAZA (COMBO)

MEETING: OCTOBER 18, 2023 LPC
 NOVEMBER 15, 2023 TC

COA-23-036 (ZON-23-103) 209 PHIPPS PLAZA (COMBO). The applicant, 209 Phipps Plaza LLC (Greg & Francine Purcell), has filed an application requesting a Certificate of Appropriateness for the addition of an awning to the northwest corner of the property. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Applicant: 209 Phipps Plaza LLC
 Representative: SKA Architect + Planner

HISTORY:

This item was reviewed and approved (7-0) by the Landmarks Preservation Commission at the October 18, 2023 meeting. Additionally, a motion was made supporting (7-0) that the variances would not negatively impact the architecture.

THE PROJECT:

The applicant has submitted plans, entitled “209 PHIPPS PLAZA AWNING ADDITION”, as prepared by **SKA Architect + Planner**, dated September 12, 2023.

The following is the scope of work:

- Addition of a 189 SF awning in the NE corner of the property.

The following Special Exceptions, Site Plan Review and/or Variances are part of the application:

- **VARIANCE 1** Sec.134-948(5) Variance to allow an awning within the rear yard setback at a distance of 3.3’ in lieu of the 25’ minimum required.
- **VARIANCE 2** Sec.134-948(6) – Variance to allow an awning within the side yard setback at a distance of 6.83’ in lieu of the 10’ minimum required.
- **VARIANCE 3** Sec.134-948(9) Variance to allow an increase in lot coverage of 51.46% in lieu of the 30% maximum required.

Site Data			
Zoning District	R-C	Lot Size (SF)	7640 SF
Year of Construction	1925	Architect:	WYETH
Landscape Open Space (LOS)	Required: 45% (3439 SF) Existing: 22.6% (1773 SF) Proposed: 22.6% (1773 SF)	Lot Coverage	Required: 30% (2292 SF) Existing: 49.19% (3758 SF) Proposed: 5.61% (3945 SF)
Surrounding Properties / Zoning			

North	Palm Beach Day Academy – Seaview Ave
South	Phipps Plaza Park
East	Office/Residential – 206 Phipps Plaza
West	Multi-Family Residential – 215 Phipps Plaza

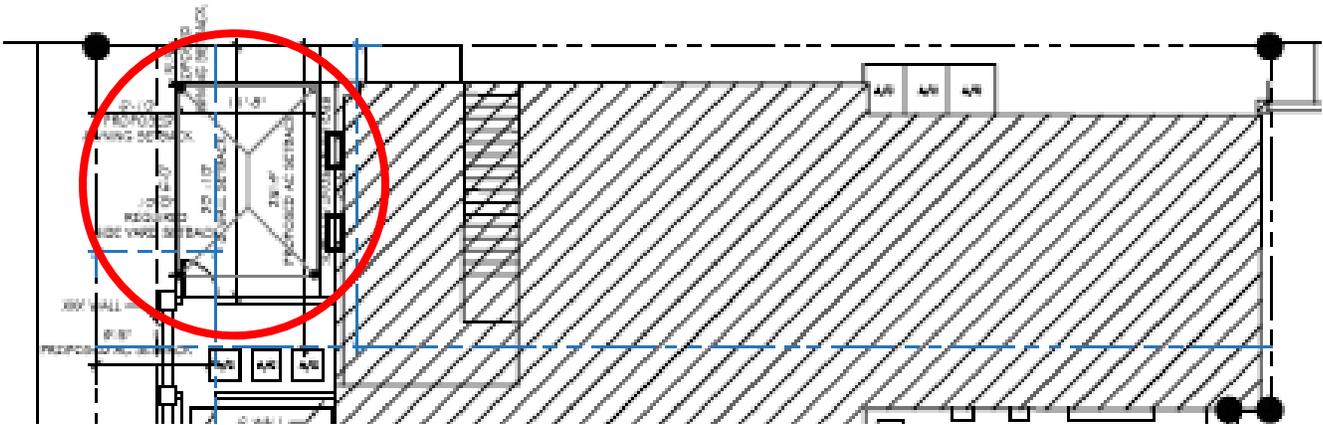
STAFF ANALYSIS:

The subject property at 209 Phipps Plaza is a two-story residence landmarked in 1982 by the Town. In 2021, a comprehensive renovation was undertaken. As the project proceeded minor additions and alterations have been approved including the addition of a new awning on the second-floor balcony and modifications to the trellis on the second-floor master porch. The addition of the second-floor balcony was issued under COA-22-041 (ZON-22-119) and required approval of one variance for relief of a second story front yard setback.



The current applicant is seeking an additional awning to be placed in the northwest corner of the property to serve as a parking cover. As proposed, 3 variances are required as the proposed awning does not comply with the required setbacks. Stylistically, the proposed covered carport matches in color and style of the previously approved second floor awning at the front of the property. The existing landmarked residence contains many nonconforming aspects to it, notably for the structures footprint as it pertains to setbacks, as well as for the overall lot coverage of the site.





The application proposed the carport at the northwest portion of the site and would flank the existing nonconforming rear setback of the landmarked structure (variance #1) of 3.3' in lieu of the 25' minimum required. Additionally the new structure would encroach in the required side yard setback (variance #2). Further, the approval of the carport would further exceed the nonconforming lot coverage of 49% and increase the amount to 51.5% (variance #3). Staff has no objection to this request as it is a non-permanent (pipe and canvas) structure and would serve only to cover an existing paved area, ie would not diminish landscape open space.

CONCLUSION:

The application is presented to the Commission to consider whether all the criteria in section 54-122 have been met. Approval of the project will require two (2) separate motions to be made by the Commission:

- (1) for the overall design of the project in accordance with the aforementioned criteria.
- (2) that the implementation of the proposed variances **would or would not** negatively impact the architecture.

Approval of the project will require one (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 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: SCP