



TOWN OF PALM BEACH
Planning, Zoning & Building Department
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PLANNING, ZONING, & BUILDING DEPARTMENT

PZ&B Staff Combination Memorandum: Landmarks Preservation Commission and Town Council

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

SUBJECT: ZON-23-106 (COA-23-038) 318 AUSTRALIAN AVE (COMBO)

MEETING: NOVEMBER 17, 2023 LPC
DECEMBER 13, 2023 TC

ZON-23-106 (COA-23-038) 318 AUSTRALIAN AVE (COMBO)—VARIANCE. The applicant, Combinat, LLC (Rep. Timothy Hanlon), has filed an application requesting Town Council review and approval for (1) Variance to exceed the maximum allowable lot coverage for the construction of a rear enclosed addition and pergola to an existing one-story landmarked structure. The Landmarks Preservation Commission shall conduct the design review portion of the application and shall decide on the floodplain variance and Historic Preservation Tax Abatement.

COA-23-038 (ZON-23-106) 318 AUSTRALIAN AVE. (COMBO)—FLOODPLAIN VARIANCE. The applicant, Combinat, LLC (Rep. Timothy Hanlon), has filed an application requesting Landmarks Preservation Commission review and approval of a Certificate of Appropriateness and a Historic Preservation Tax Abatement for modifications to a residence and guest house currently Under Consideration for Landmark designation, including window, door and roof replacement, the demolition of a rear porch and construction of an enclosed rear addition and pergola, and sitewide landscape and hardscape improvements requiring a variance from the Floodplain requirements of Chapter 50, Floods to construct an addition and to maintain the existing buildings and mechanical equipment at a finished floor elevation below current FEMA requirements, and a variance to exceed allowable lot coverage. Town Council shall review the application as it pertains to the zoning relief/approval.

Applicant: Combiant LLC
Professional: Yianni Varnava | Varnava Design Studio
Representative: Tim Hanlon | Alley, Maass, Rogers & Lindsay

HISTORY:

The one-story bungalow at 318 Australian Avenue was construed ca. 1918 on the south side of Australian Avenue between Hibiscus Avenue and Cocoanut Row in the Royal Park subdivision. The architect/builder remains unknown. The current property owner has requested a Landmark designation for the property, which will be heard by the Landmarks Preservation Commission at the November 17, 2023, meeting.

At the November 17, 2023 LPC meeting, the subject property was recommended (7-0) to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1 and 3 in Section 54-161, and with the acknowledgement of owner consent. At the November 17, 2023 LPC

meeting, the Commission approved (7-0) an application for a COA for improvements and additions to the landmarked one-story building. Additionally, the LPC approved (7-0) the floodplain variance. Further, the Commissioned motioned that the implementation of the proposed variances would not negatively impact the architecture.

THE PROJECT:

The applicant has submitted plans, entitled "318 Australian Avenue, Palm Beach Florida 33480", as prepared by **Varnava Design Studio** dated October 12, 2023.

The following scope of work shall be reviewed by the Landmarks Preservation Commission:

- Historic Preservation Tax Exemption
- Demolition of rear covered porch
- Construction of a new rear addition and pergola structure
- Fenestration modifications and the replacement of all windows and doors
- Replacement of roofing material
- Interior rehabilitation
- Sitewide landscape and hardscape improvements
- **VARIANCE 1:** [Sec. 50-114](#) A variance is authorized for the improvements to and rehabilitation of this historic building that is determined eligible for the exception of the flood resistant construction requirements of the Florida Building Code, Existing Buildings, Chapter 12 Historic Buildings, as the proposed improvements will not preclude the building's continued designation as a Historic building due to a substantial improvement through the construction of an addition and remodeling of the residence with a finished floor of 2.9' NAVD, a guest house with a finished floor of 3.14' NAVD, and mechanical equipment in lieu of the required 7' NAVD (To be acted upon by the Landmarks Preservation Commission).

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

- **VARIANCE 2:** [Sec. 134-948\(9\)\(a\)](#) A variance to permit lot coverage at 35.74% in lieu of the 34.3% existing and the 30% maximum permitted.

Site Data			
Zoning District	R-C	Future Land Use	Residential
Year of Construction:	c. 1918	Architect/Builder:	Unknown
Lot Size	5,750 SF	Crown of Road	1.65' NAVD
Lot Depth	125'	Lot Width	46'
Building Height	Permitted: 22' Proposed: 17'-10"	Overall Building Height	Permitted: 30' Proposed: 22'-4"
Finish Floor Elevation	Primary: 2.9' NAVD Accessory: 3.14' NAVD * <i>Variance Requested</i>	Zero Datum	Existing Finish Floor

FEMA Flood Zone	AE6 (7' NAVD)	Lot Coverage	Permitted: 30% (1,725 SF) Existing: 34.3% (1,972 SF) Proposed: 35.74% (2,055 SF) <i>*Variance Requested</i>
Enclosed SF	Existing: 1,882.7 SF Proposed: 1,937.4 SF	Landscape Open Space	Permitted: 45% Proposed: 45.8%
Front Yard Landscape Open Space	Permitted: 40% Proposed: 66%	Perimeter Land. Open Space	Permitted: 50% Proposed: 64.4%
Surrounding Properties / Zoning			
North	301 Australian Ave. (Brazilian Court Hotel) Commercial / R-C Zoning		
South	315 and 317 Chilean Ave. Residences / R-C Zoning		
East	314 Australian Ave. Residence / R-C Zoning		
West	322 Australian Ave. Residence / R-B Zoning		

STAFF ANALYSIS

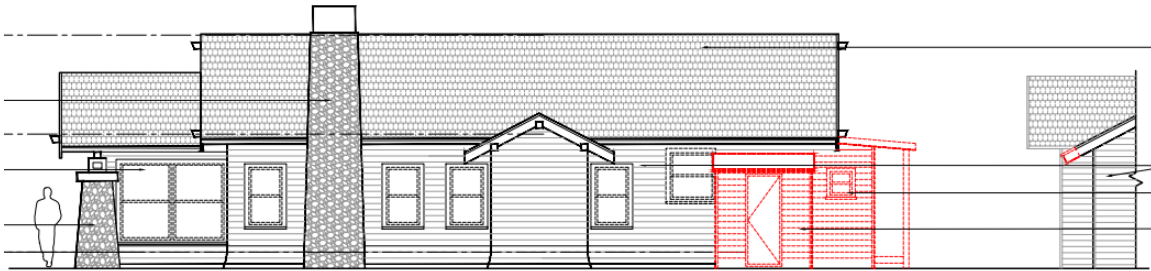
A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the abovementioned sections of the Town zoning code, requiring two (2) variances, (1) from the flood resistant construction requirements of the Florida Building Code and (2) to exceed the maximum allowable lot coverage for the structure on the parcel. The application requests a Certificate of Appropriateness for the rehabilitation of the primary single-family bungalow and rear detached guest house. A Historic Preservation Tax Exemption is also requested for the proposed improvements.

The property is located within the FEMA AE (6) Flood Hazard Area. The residence was constructed with a Finish Floor Elevation of 2.9' NAVD, which is significantly below the current FEMA/Florida Building Code requirement of 7' NAVD. The application also requests to construct a small enclosed rear addition at the same height as the existing floor. The detached guest house is also currently non-compliant, with a Finish Floor Elevation of 3.14' NAVD. Due to the expected Substantial Improvement, the applicants have requested **Variance 1**, to maintain the residence, addition, and guesthouse at the existing Finish Floor Elevations, in lieu of elevating the structures to meet current Finish Floor requirements. Within the Town of Palm Beach, this variance is only available to designated Landmark and Historically Significant Buildings. The variance amounts are as follows:

Code Section	Required	Proposed	Variance
Variance 1: Sec. 50-114	7' NAVD Finish Floor Elevation	Primary Structure 2.9' NAVD Finish Floor Elevation	4.1'
		Accessory Structure 3.14' NAVD Finish Floor Elevation	3.86'

Final authority of the floodplain variance is with the Landmarks Preservation Commission, staff is fully supportive of the variance request.

The application requests to replace the structure's windows and doors with new impact-rated products, predominately divided lite hung windows and glazed divided lite doors. Additionally, the existing asphalt shingle roof is proposed to be replaced with Owen's Corning dimensional asphalt shingles in "Terra Cotta". The existing wood clapboard siding is to be repaired and replaced in-kind only where rot or deterioration has rendered the material beyond repair. The existing stone cladding on the structure's chimney and front porch columns are also to be retained and preserved. The applicant has included demolition floor plans, roof plans, and elevations on Sheets A-001 – A-008 of the architectural plan sets. In addition to the removal of windows, doors, and roof cladding, the application requests to demolish a rear enclosed porch and attached storage shed located on the west side of the property. Per the documentation provided, the request does not propose to demolish more than 50% of any elevation or roof structure. The application requests to replace the rear enclosed porch with a new enclosed breakfast room, which will be connected to the guest house with a new pergola structure. Existing and proposed West Elevations (Sheet A-006) are provided below and identify the areas of demolition in red and the proposed enclosed addition and pergola connector.



Areas to be Demolished in Red



New Enclosed Addition and Pergola

The existing property currently maintains a nonconforming lot coverage of 34.3%, where 30% is permitted for single-family residences in the R-C district. The proposed enclosed addition is slightly larger than the area proposed to be demolished and the new pergola connector also counts towards increased lot coverage. As such, the applicants have requested **Variance 2**, to permit lot coverage at 35.74% in lieu of the 34.3% existing and the 30% maximum permitted. The variance amount is as follows:

Code Section	Required	Existing	Proposed	Variance
Variance 2: Sec. 134-948(9)(a)	Lot Coverage 30% (1,725 SF)	Lot Coverage 34.3% (1,972 SF)	Lot Coverage 35.74% (2,055 SF)	5.74% (330 SF)

The proposed site design includes significant landscape and hardscape improvements and an overall reduction in hardscape for the property, which brings the site into compliance with current Landscape Open Space requirements. The lot currently has two (2) curb cuts off Australian Avenue for off-street parking, which will be maintained. The driveways will be replaced in the same locations with Chicago brick, laid in a herringbone pattern, and bordered with limestone pavers. Chicago brick walkways are proposed within the east and west side yards. New trees, dense perimeter hedging, and ground covers are proposed, as well as a new white picket fence in the front yard. The new mechanical equipment on site meets mechanical setback requirements and are not required to be placed at the minimum 7' NAVD due to the Floodplain variance request.

Staff notes that this sensitive rehabilitation would not be possible if not accompanied by a Landmark or Historically Significant Building designation. Without a historic designation, a planned substantial improvement to this building would require that the structures be elevated approximately 4', which could impact the building's historic significance, add significant cost to the project, and adversely alter the historic landscape of Australian Avenue. Modest 1920's bungalows, which were once one of the predominate housing types in coastal South Florida, are becoming increasingly rare as property values and development pressures continue to raise. This sensitive rehabilitation will increase this property's continued viability as a part of the Town's diverse housing stock and safeguard its future.

CONCLUSION:

The application is presented to the Landmarks Preservation Commission to consider whether all criteria have been met. Approval of the project will require (5) separate motions:

- (1) for the overall design of the project in accordance with the [Sec. 54-123](#), subject to any imposed conditions, and
- (2) for the partial demolition of the rear enclosed porch and attached storage shed in accordance with [Sec. 54-125](#), subject to any imposed conditions, and
- (3) for the scope of improvements to be included in a Historic Preservation Tax Exemption in accordance with [Sec. 54-198](#) and [Sec. 54-199](#), subject to any imposed conditions, and
- (4) the approval of **Variance 1** for the construction of an addition and rehabilitation to the primary residence with a finished floor of 2.9' NAVD, the rehabilitation of the guest house with a finished floor of 3.14' NAVD, and the installation of mechanical equipment below the required 7' NAVD in accordance with [Sec. 50-114](#), subject to any imposed conditions, and
- (5) that the implementation of the proposed **Variance 2** will/will not cause negative architectural impact to the subject property. The variance portion of the application is scheduled for review by Town Council on December 13, 2023.

Approval of the project will require one motion to be made by the Town Council:

- (1) for final determination of approval or denial of the Lot Coverage variance by the Town Council, and that the variance shall or shall not be granted that all of the criteria applicable to this application as set forth in [Sec. 134-201\(a\)](#), items 1 through 7 have been met.