



TOWN OF PALM BEACH
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PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Architectural Commission

FROM: Wayne Bergman, MCP, LEED-ARB *WRB*
Director PZ&B

SUBJECT: ZON-24-0007 (ARC-24-0016) 403 BRAZILIAN AVE

MEETING: JUNE 26, ARCOM

ARC-24-0016 (ZON-24-0007) 403 BRAZILIAN AVE (COMBO) - VARIANCE. The applicant, BHJ Land Trust, has filed an application requesting Architectural Commission review and approval for modifications to an existing pool and courtyard of an existing single-family residence with a variance for the placement of the pool equipment. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

ZON-24-0007 (ARC-24-0016) 403 BRAZILIAN AVE (COMBO) - VARIANCE. The applicant, BHJ Land Trust, has filed an application requesting Town Council review and approval for one (1) variance to exceed the required 25' maximum distance of pool equipment from waters edge by 25.7'. The Architectural Commission shall perform design review of the application.

Applicants: BHJ Land Trust
Design Professional: Environment Design Group

HISTORY:

The parcel at 403 Brazilian is a two-family dwelling attached to 401 Brazilian built in 2003. The residence is two-stories with approximately 6600 SF. Since the initial construction the majority permits on record are for interior renovations and modifications only. At the June 26, 2024 ARCOM meeting, the Commission approved (7-0) the design of the project. Additionally, the Commission approved (7-0) that the implementation of the proposed variances would not negatively affect the architecture.

THE PROJECT:

The applicant has submitted plans, entitled "Private Residence, 403 Brazilian Avenue" as prepared by **Environment Design Group**, dated May 10, 2024.

The following scope of work is proposed:

- New pool design, modifications to existing courtyard, and enlargement of equipment pad.

The following variance is required to achieve the scope of work.

- **VARIANCE #1:** Reduce the required distance separation of pool equipment from water's edge which will remain in the existing location however is not within the 25' from edge of water as required.
- **VARIANCE #2:** To install a new pool at 7'-4" in lieu of the 10' required from the east property line.

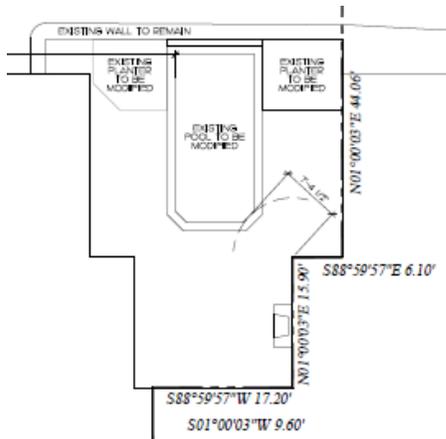
Site Data			
Zoning District	R-C	Future Land Use	SINGLE-FAMILY
Lot Size	7,876 SF	Crown of Road	3.58' NAVD
Lot Coverage	Permitted: 30% Proposed: No Change	Overall Landscape Open Space	Required: 45% (3,543 SF) Proposed: 25% (1,999 SF)
Front Yard Landscape Open Space	Required: 45% Proposed: 64.4%	Perimeter Landscape Open Space	Required: 40% Proposed: 46.9%
Surrounding Properties / Zoning			
North	308 Coconut Row / Single Family Residence / R-C		
South	330 Coconut Row / Condominium / R-C		
East	401 Brazilian Ave / Attached Two Family Dwelling/ R-C		
West	411 Brazilian Ave / Vacant Lot / R-C		

STAFF ANALYSIS

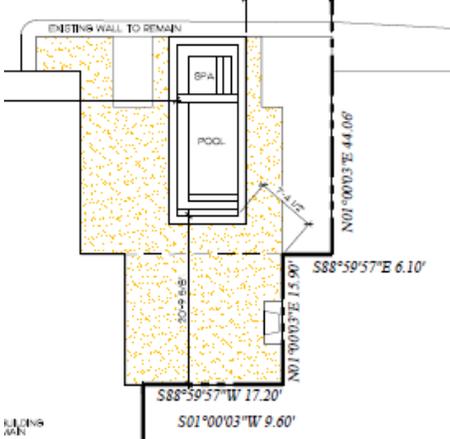
The parcel is located on Brazilian Avenue between South Lake Trail and Coconut Row. It is an attached single-family residence with 40 Brazilian to the east with a similar lot configuration. There are two access points on the property with a vehicular driveway on Brazilian and a secondary one located off Coconut Row.

An existing pool is situated in the northeast rear of the property which the applicant seeks to remove and construct a new pool with a different design. Construction of the new pool requires two variances (1) for the location of the pool equipment which will remain in the existing location however is not within the 25' from edge of water as required and (2) to place the new pool at 7'4" in lieu of the 10' required from the east property line.

EXISTING POOL



PROPOSED POOL



The parcel currently does not comply with the current code as it relates to placement of the pool, pool equipment and open space. The modifications in this application require variances to maintain the existing non-conformities. Per Section 66-285 the applicant does not seek to modify more than 50% of the existing landscape/greenspace which does not require open space come into compliance although the application does provide an increase of less than 1%.

CONCLUSION:

This application is presented to the Commission to consider whether all of the criteria in Sec. 18-205 have been met. Approval of the project will require two (2) separate motion(s) to be made by the Architectural Commission:

- (1) for the overall design of the project in accordance with [Sec. 18-205](#) criteria, subject to any imposed conditions.
- (2) that the implementation of the proposed variances **will** or **will not** cause negative architectural impacts to the subject property.

Approval of the project will require one (1) separate 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 variance **shall or shall not** be granted that all of the criteria applicable to this application as set forth in Section 134-201(a), items 1 through 7 have been met.

WRB:JGM:SCP