



Land Planning  
Landscape Architecture  
Landscape Management

September 23, 2024

Town of Palm Beach  
Planning, Zoning, & Building Department  
360 S. County Road  
Palm Beach, Florida 33480

ATTN: **ARCOM Staff**  
Re: 334 Chilean Avenue - Landscape Architecture  
Our Ref # 22180.00 LA  
ARC-24-0097

## **LETTER OF INTENT**

Current zoning for the project is R-C MEDIUM DENSITY RESIDENTIAL

Our current proposal, for improvements to the site, does not include any architectural changes to the approved house. This application is in regards to a previously approved plan presented on 01.24.4 ARCOM meeting. We are proposing the following revisions to the originally approved ARCOM plans.

### **The proposed changes include:**

1. Proposed section of site wall to be 8'-4" HT for 12' length to screen equipment as shown on updated Site Plan and detail sheet D3.3. Please note variance request as below.
2. Addition of two air condition units at the east side of the property.  
Refer to updated Site Plan.
3. Minor changes to previously approved landscape plan. Add sod area around proposed pool as well as addition of palms along the east side buffer. Please refer to updated Landscape Plan.
4. Variance Request:  
Sec. 134-1669: Variance for a perimeter site wall of 8'-4" in lieu of the 7' max height permitted, for the east yard to screen two proposed a/c equipment.
  - a. Maximum allowed site wall height: 7'-0"
  - b. Variance request: **1'-4"** (above the 7'-0" allowed site wall height).



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### Variance Narrative:

According to Section 134-201 our request qualifies for a variance request as shown below:

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district. *The neighboring grade is over 1' lower than our finished grade, however we are required by code to screen equipment from our neighbors.*
2. The special conditions and circumstances do not result from the actions of the applicant.
3. *This applies to our application.*
4. Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.
5. *This applies to our application.*
6. Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.  
*A 7'-0" height wall would not provide sufficient equipment screening for the neighbors.*
7. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.  
*The proposed height of wall is just tall enough to screen the A/C equipment.*
8. 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 shall be made pertaining to the nonconforming use for which the variance is requested –  
*This applies to our application.*
9. The grant 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. In granting any variance, the town council may prescribe appropriate conditions and safeguards in conformity with this chapter. Upon granting a variance the town council may require the landowner to provide a declaration of use agreement which shall be recorded in the public records to ensure continuing compliance with town council imposed conditions of such grants. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter.  
*This applies to our application.*

The attached plan reflects the above-outlined revisions.

If there are any questions regarding this project, please feel free to reach out to our office.

Thank you for your assistance.

Dustin Mizell, MLA RLA #6666784

Environment Design Group