



TOWN OF PALM BEACH
Planning, Zoning & Building Department
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PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Combination Memorandum: Architectural Commission and Town Council

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

SUBJECT: ARC-24-0139 (ZON-24-0090) 401 WORTH AVE (COMBO)

MEETING: FEBRUARY 12, 2025, TC
FEBRUARY 26, ARCOM

ZON-24-0090 (ARC-24-0139) 401 WORTH AVE (COMBO)—VARIANCES. The applicant, 401 Worth Avenue Building Inc. Condominium Association, has filed an application requesting Town Council review and approval for two (2) Variances to 1) reduce the required street side yard and 2) reduce the rear yard setback from minimum requirements to install a new 100KW generator with screen wall and landscaping in the required side yard of an existing of multi-family building in the RC district. The Architectural Commission shall perform design review of the application.

ARC-24-0139 (ZON-24-0090) 401 WORTH AVE (COMBO). The applicant, 401 Worth Avenue Building Inc. Condominium Association, has filed an application requesting Architectural Commission review and approval for installation of a new 100KW generator with associated site wall and landscaping on the west side of an existing multi-family building, requiring variances from side and rear setback minimums in the R-C district. Town Council shall review the application as it pertains to zoning relief/approval.

Applicant: 401 Worth Avenue Building Inc. Condominium Association
Architecture: Nievera Williams
Representative: Maura Ziska

HISTORY:

At the February 12, 2025 Town Council meeting, the Council approved (5-0) the variance requests.

THE PROJECT:

The applicant has submitted plans, entitled "401 WORTH AVE PALM BEACH" as prepared by **Nievera Williams**, dated January 6, 2025.

The following scope of work is proposed:

- Installation of new 100kW generator.
- New landscaping enhancements on south side of building.

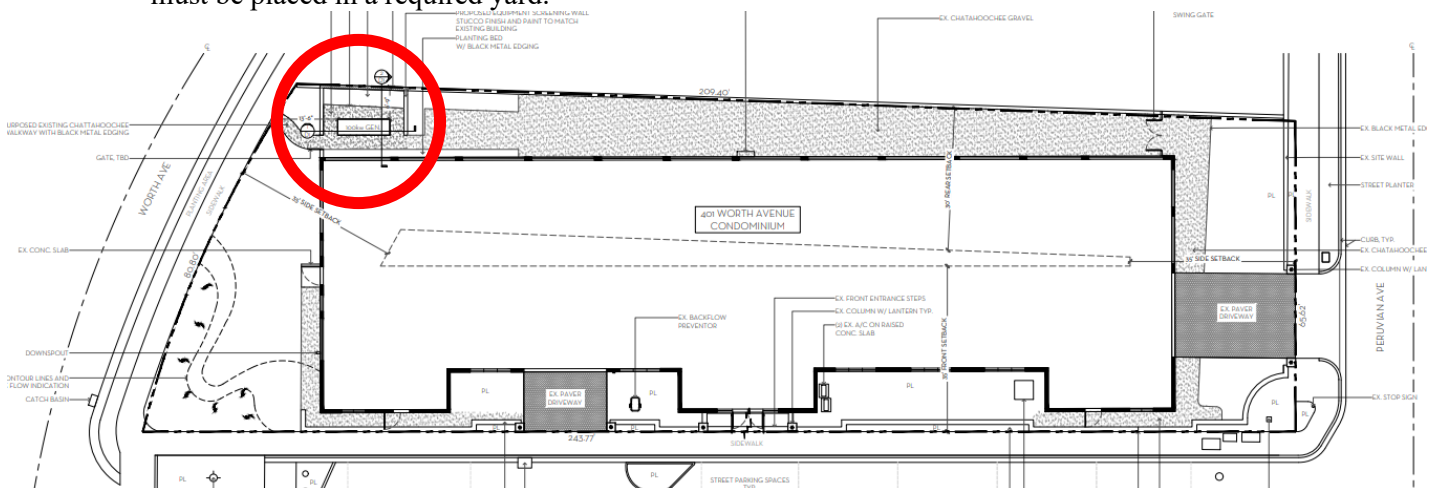
The following Special Exception, Site Plan Review, and/or Variance(s) are required to complete the project:

- **Variance 1:** Sec. 134-948(5)(d): Request for a variance to allow a street side yard (south) setback along Worth Avenue to be 13'-6" in lieu of the 35'-0" minimum required.
- **Variance 2:** Sec. 134-948(7): Request for a variance to allow the generator to have a rear yard (west) setback of 6'-7" in lieu of the 30-foot minimum required.

Site Data			
Zoning District	R-C	Future Land Use	MULTI-FAMILY HIGH DENSITY
Lot Size	15,446 SF	Overall Landscape Open Space	Required: 35% Existing: 19% Proposed: 21%
Surrounding Properties / Zoning			
North	Four-story Multi-family / R-C		
South	Everglades Club / C-WA		
East	Three-story commercial office / C-WA		
West	Six-story Multi-family / R-D (2)		

STAFF ANALYSIS

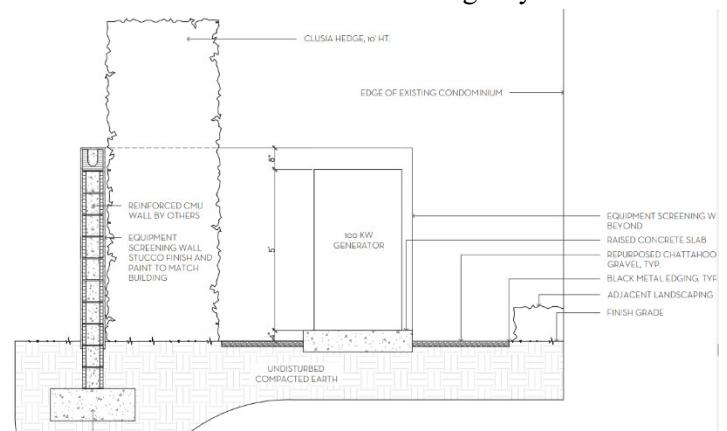
The subject property is an existing three-story multifamily building built in 1978. Sited on a lot with three street frontages (Peruvian Ave, Worth Ave, and Cocoanut Row) the proper front entrance faces Cocoanut Row. The applicant is seeking to install a 100kW generator for the six-unit building. Due to the existing footprint of the building, with many nonconforming setbacks, the generator must be placed in a required yard.



Plan rotated 90degrees for legibility (north is to the left)

Staff has met with the applicant in the field to help determine the best location for the emergency device. The proposed installation is located in the southwest portion of the site—set behind the existing building line along Worth Avenue which serves as the least significant frontage to the building. The primary pedestrian access is along Coconut Way and the vehicular entrance to the covered parking is along Peruvian Ave.

The location will require two setback variances from the required side (south) street (Worth Avenue) and rear (west) setback requirements. A 6'-0" high screening wall will be installed along the property line and flush with the building line to adequately screen the generator. In addition, a clusia hedge, 10' high, will be installed on the ownership side. The detail of the gate that would be required and will be facing Worth Avenue is



still to be finalized, but staff is confident that such a feature can be reviewed with the Chairperson should the Commission find merit in the application.



Proposed landscaping



Existing condition

CONCLUSION:

Approval of the project will require one (1) separate motion(s) to be made by the Town Council:

- (1) for final determination of approval or denial of the (1) variance 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.

Approval of the project will require one (1) 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.

WRB: JGM