

**From:** [Tim Hanlon](#)  
**To:** [Courtney Lyne](#); [Kelly Churney](#)  
**Subject:** 125 Worth Ave  
**Date:** Monday, June 07, 2021 3:18:49 PM  
**Attachments:** [2349\\_001.pdf](#)

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\*\*\*\*\*Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.\*\*\*\*\*

Hi Kelly. Please forward this email and attachment to the Mayor and the Town Council members.

Dear Madame Mayor and Town Council members:

I represent the Winthrop House Condominium Association. Please see my attached letter to ARCOM, which I sent prior to a scheduled ARCOM review of this project back in November of last year.

Almost all of the analysis is still applicable despite some somewhat minor revisions to the plans by the Applicant. From the Town Council perspective, the analysis remains simple and clear.

The Developer is attempting to renovate and expand an already very non-conforming building. The plans and application request approval for an overly massive building and intensification of use in an area which is not appropriate for such requests.

The addition of nearly 10,000 square feet on the fourth floor will make the building appear massive in its location and is not appropriate in this iconic neighborhood. From a legal perspective, there is no hardship to justify either the fourth floor expansion or most of the other variance requests. Clearly, there are plenty of reasonable other uses available for this building without adding space to the fourth floor.

We still believe that the best alternative is to renovate the third floor to add residential units on that floor and to not add any additional space on the fourth floor. Again, this is a very reasonable use of the existing building that is available, which should, per applicable case law in Florida, cause you to deny the multiple variance requests related to that particular element.

The rationale, justification or purported hardship stated in the Zoning Application appears to be that because the fourth floor was built prior to the enactment of the current code, the new owner should be allowed to expand it by over 10,000 square feet. That rationale makes no sense of course. While one may continue to use a grandfathered non-conforming use or building, one is not permitted to expand upon the non-conformity, especially in such a grand and material manner.

Thanks as always for your consideration. If you have any questions, please let me know.

Thanks, Tim

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**From:** Courtney Lyne <CLyne@amrl.com>  
**Sent:** Thursday, November 19, 2020 2:31 PM  
**To:** Kelly Churney <KChurney@TownofPalmBeach.com>  
**Cc:** Tim Hanlon <tim.hanlon@amrl.com>  
**Subject:** Letter to ARCOM

Hi Kelly,

Would you please circulate the attached letter from Tim regarding 125 Worth Avenue?

Thank you,

Courtney Lyne  
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