

## Kelly Churney

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**From:** Francis Lynch <flynch@sniffenlaw.com>  
**Sent:** Monday, October 25, 2021 1:29 PM  
**To:** msmall@smallawpalmbeach.com; Alexander; amginny@aol.com; johncorey84@gmail.com; betsyshiverick@gmail.com; ktcatlin@hotmail.com; dan.floersheimer@icloud.com; Tom Kirchhoff  
**Cc:** Wayne Bergman; James Murphy; Sarah Pardue; Bradley Falco; Paul Castro; Kelly Churney; Maura Ziska  
**Subject:** ARC-21-051 / 1015 South Ocean Boulevard  
**Attachments:** 202101251144.pdf  
**Importance:** High

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Dear Chairman Small, Ladies and Gentlemen of the Architectural Review Commission and Town Staff:

Please be advised that I represent the owner of the property located at 1020 South Ocean Boulevard ("1020") which is located immediately west of the subject property.

1020 objects to the Application before you, specifically the variances requested for same, for the fundamental reason that the hardship established for these variances is entirely self-imposed.

While you may recall the Applicant's first application involving this property, which sought to demolish all of the improvements on the property, I am attaching to this email a transcript of the August, 2020 ARCOM meeting at which the Applicant's demolition ARCOM Application # B-046-2020 was heard. At the August, 2020 hearing, the commissioners were virtually unanimous in their caution to the Applicant that this was a difficult site to work with for any number of reasons and that the commission did not want to see the Applicant come back to ARCOM seeking "a laundry list of variance requests". While the Applicant's previous application to build a home on this property was denied, this Application also requires two (2) variances to build.

The Applicant continues to compare its plan to my client's home in support for your approval of the Applicant's plan, however, my client's home was built without the need for any zoning approvals whatsoever.

The front yard setback sought is nearly fifteen feet (15.0') less than the minimum front yard setback required by code. More than one-half (1/2) of the entire north /south dimension of the proposed house is in the code-required minimum front yard setback. That, coupled with a height plane variance, however nominal as asserted by the Applicant, reflect a structure that is too tall and too close to South Ocean Boulevard.

For the reasons indicated above, my client requests that the Application be denied.

Thank you for your consideration of this matter.

Sincerely,

Frank Lynch

Francis X. J. Lynch, Esquire



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