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By DSR at 1:17 pm, Apr 07, 2022

April 7, 2022

Town of Palm Beach Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480

Re: Letter of Intent ARC-22-058 (ZON-22-038) 220 BRAZILIAN AVE – Minor ARCOM/Variance TPC)

To Whom it May Concern:

The applicant respectfully submits a formal request for an ARCOM minor project modification and Town of Palm Beach Council variance request with the accompanying drawings and information for the property at 220 Brazilian Avenue, Palm Beach, Florida.

A. LANDMARK PRESERVATION COMMISSION

Not applicable; this property is not landmarked.

B. ARCOM

Construction for a new two-family residence located at 220 Brazilian Avenue has been previously approved by ARCOM, passed zoning review, issued a building permit, and is currently under construction nearing completion.

On the East and West property lines, the property has two equipment yards housing a generator and A/C condensing unit in each.

The existing adjacent grade and 7'-0" max wall height requirement have forced the project to reduce the site wall height at these locations below what is necessary to screen the equipment thoroughly on all three sides; the proposed equipment is located in a rear setback.

Please see the accompanying drawings for equipment yard plans and sections illustrating this condition. The applicant is seeking an ARCOM minor project modification.

C. SPECIAL EXCEPTION

Not applicable.

D. SITE PLAN REVIEW

Not applicable.

E. VARIANCE

Section 134-1728(a)(4): Request for a variance to allow installation of air conditioning equipment in the South rear yard setback which is not completely screened by a concrete wall.

Section 134-201: Findings prior to authorization.

1. The special condition and circumstances peculiar to the land is that the code requires that the equipment be installed at 7.0 NAVD, and the existing grade of the neighboring properties and the existing property is such that the 7-foot perimeter wall is unable to screen the equipment completely.
2. The special conditions and circumstances are not the result of the applicant as the grade of the neighboring properties existed prior to the applicant acquiring the property.
3. Granting of the variances requested will not confer any special privilege that is denied to the neighboring properties as the neighboring properties are not configured such that the equipment is required to be located within the setbacks.
4. The hardship, which runs with the land, is that the code requires the air conditioning equipment to be installed at 7.0 NAVD, and the height of the perimeter wall cannot exceed 7 feet, which is measured from the grade of neighboring properties, which prohibits the applicant's 7-foot perimeter wall from completely screening the air conditioning equipment.
5. The variances requested are the minimum necessary to make reasonable use of the land in order to install the equipment on the property and not incur the need for additional variances.
6. The granting of the variances will not be injurious to the neighborhood, as the equipment will be shielded from the view of the neighboring properties by landscaping.

We respectfully request your consideration of this application to the Town of Palm Beach. If you have any questions or comments, don't hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "P. R. O'Connell". The signature is stylized with a large, looped "P" and "O'".

Patrick Ryan O'Connell, AIA
Patrick Ryan O'Connell Architect, LLC.
Lic. #: AA26003685