



TOWN OF PALM BEACH
Planning, Zoning & Building Department
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PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

FROM: Wayne Bergman, MCP, LEED-AP
Director PZ&B

SUBJECT: ZON-23-004 (ARC-22-244) 422 AUSTRALIAN AVE (COMBO)

MEETING: MARCH 15, 2023

ZON-23-004 (ARC-22-244) 422 AUSTRALIAN AVE (COMBO)—VARIANCES. The applicant, 422 Development Group LLC, has filed an application requesting Town Council review and approval for variances (1) for development on a lot which is deficient in minimum lot area and (2) deficient in lot depth in the RC zoning district and (3) for an equipment screening wall exceeding maximum allowed height, in conjunction with the construction of a new two-story residence. The Architectural Commission will perform design review of the application.

ARCOM NOTICE:

ARC-22-244 (ZON-23-004) 422 AUSTRALIAN AVE (COMBO). The applicant, 422 Development Group LLC, has filed an application requesting Architectural Commission review and approval for the construction of a new a two-story residence on a lot deficient in lot width and lot area in the R-C zoning district requiring (3) variances. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Applicant: 422 Development Group LLC
Professional: SKA Architect + Planner, Pat Seagraves
Representative: Timothy Hanlon

HISTORY:

At the February 22, 2023 ARCOM meeting, the design was reviewed and approved (7-0) (DF,JDC,MG) with the condition that certain elements return (color comes back, resize first floor windows, lighting, simplified band, awning refinements, and options for fountain) at the 03/29/23 ARCOM meeting. Additionally, a motion was approved that the variance would not cause negative impact to the architecture (7-0).

THE PROJECT:

The applicant has submitted plans, entitled " 442 Australian Ave", as prepared by **SKA Architect + Planner**, dated February 06, 2023.

The following is the scope of work:

- Construction of a new two-story residence requiring variances
- Site wide landscape and hardscape improvements

The following Special Exceptions, Site Plan review and/or Variances required to complete the project, and shall be reviewed by Town Council:

- **VARIANCE 1:** Section 134-948(1): Variance to permit construction of a new residence

- on a R-C Zoned lot with an area of 6,250 sq. ft. in lieu of 10,000 sq. ft. minimum required.
- **VARIANCE 2:** Section 134-948(2): Variance to permit construction of a new residence on a R-C Zoned lot with a width of 50' in lieu of 75' required.
 - **VARIANCE 3:** Section 134-1669: Variance for an east side-yard wall height of 9.5' in lieu of the 7' height maximum allowed as measured from lowest grade.

| Site Data | | | |
|------------------------|--|--------------------------|--|
| Zoning District | R-C | Lot Size | 6,250 SF Required 10,000 SF <i>Variance required</i> |
| Future Land Use | MULTI FAMILY | Lot Width | 50' Required 75' <i>Variance required</i> |
| Overall Height | Permitted: 31.5' Proposed: 27.5' | Lot Coverage | Permitted: 30% Proposed 29.88% (1,868 SF) |
| Crown of Road (COR) | 1.92' NAVD | Finished Floor Elevation | 7' NAVD |
| Max Fill | 2.54' 7' - 1.92' = 5.08 / 2 | FEMA Zone | AE 6 |
| Landscape Open Space | Required: 45% Proposed: 45.03% (2,815 SF) | Perimeter Open Space | Required: 50% Proposed: 75.2% (2,331 SF) |
| Surrounding Properties | | | |
| North | 1974 Three-story condominium | | |
| South | 1984 Two-story residence | | |
| East | 1935 Two-story residence | | |
| West | 2016 Two-story residence | | |

STAFF ANALYSIS

A review of the project indicates that the application, as proposed, appears to be inconsistent with the abovementioned sections of the Town zoning code.

The subject property is a mid-block parcel zoned R-C. The proposal includes the construction of a new single-family residence with site wide landscape and hardscape improvements. The lot area is 6,250 SF, which is substandard in size for the R-C zoning district, which requires 10,000 SF of lot area (variance #1) for development of the site with a single-family residence; additionally, the lot is deficient in lot width (variance #2).

The development patterning of the immediate area consists of several multifamily buildings of varying age and architectural styles, heights and densities. Further, there are two-story single-family residences, both older and newer, along the block. Notably, the development of the newer single-family residences are all two-story in height on relatively similar lot sizes to the subject property. In this regard, the granting of the variances as they pertain to the dimensional aspects of the lot—area and width—are not inconsistent with the surrounding area or out of character with the immediate vicinity, and a similar application is currently being reviewed by ARCOM located on the opposite side of the street, westerly at 441 Australian Avenue, pursuant to ARC-22-187 (ZON-22-129).

As it pertains to variance #3, to exceed an east side-yard wall height of 9.5' in lieu of the 7' height maximum allowed as measured from lowest grade. This is 'driven' by the relatively low grade of the neighboring parcel and the FEMA requirement to have all new mechanical systems elevated to minimum required base flood elevation of 7' NAVD (AE6 + 1' Freeboard). As evident in the "Wall Height Variance Diagram" on Sheet 14 of the submittal packet, the base of the generator is proposed at the required 7' NAVD. The masonry wall required to screen the generator from the neighboring property extends to 9'-2" when measured from the neighbor's grade, as the neighboring grade sits roughly at 2.15' NAVD, roughly 4.85' below the required platform height of the generator.

WRB:JGM:JRH