



TOWN OF PALM BEACH
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PLANNING, ZONING, & BUILDING DEPARTMENT

PZ&B Staff Combination Memorandum: Architectural Commission and Town Council

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

SUBJECT: ARC-24-015 (ZON-24-025) 153 AUSTRALIAN AVE (COMBO)

MEETING: JULY 24, 2024 ARCOM
AUGUST 15, 2024 TOWN COUNCIL

ARC-24-015 (ZON-24-025) 153 AUSTRALIAN AVE (COMBO). The applicant, Rabbi Zalman Levitin, has filed an application requesting Architectural Commission review and approval for construction of a new, two-story single-family residence with final hardscape, landscape, and swimming pool, with a variance required to forgo required garage parking. Town Council shall review the application as it pertains to zoning relief/approval.

ZON-24-025 (ARC-24-015) 153 AUSTRALIAN AVE (COMBO) – SPECIAL EXCEPTION AND VARIANCE. The applicant, Rabbi Zalman Levitin, has filed an application requesting Town Council review an approval for a special exception to develop an existing nonconforming parcel with a new, single-family residence and (1) variance to forgo required garage parking. The Architectural Commission shall perform design review of the application.

Applicant: Rabbi Zalman Levitin
Architecture: Dailey Janssen Architects (Jason Skinner)
Landscape: Todd MacClean Outdoors (Todd MacClean)

HISTORY:

At the FEBRUARY 28, 2024 ARCOM meeting, the Commission deferred (7-0) the project with comments to restudy architectural details, massing, roof plan, and landscape plantings. Additionally, a motion was made and approved (7-0) that the implementation of the proposed variances would not negatively affect the architecture. The project was then deferred at the MARCH 27, 2024 meeting for further refinement of architectural details. The project was APPROVED by ARCOM at the April 24, 2024 meeting and the variance request was supported by the commission. At the May 15, 2024 Town Council meeting, the Council unanimously voted (5-0) to remand this application to ARCOM, with the instruction to restudy and incorporate a single-garage bay into the structure to reduce the variance request.

At the JULY 24, 2024 ARCOM meeting, the Commission approved (7-0) the design of the project with some design recommendations regarding the garage door. Additionally, the Commission approved (7-0) that the implementation of the proposed variances would not negatively affect the architecture.

THE PROJECT:

The applicant has submitted plans, entitled "153 AUSTRALIAN AVE" as prepared Dailey Janssen Architects, dated March 11, 2024.

The following scope of work is proposed:

- Revised design for two-story residence w/ one car garage.

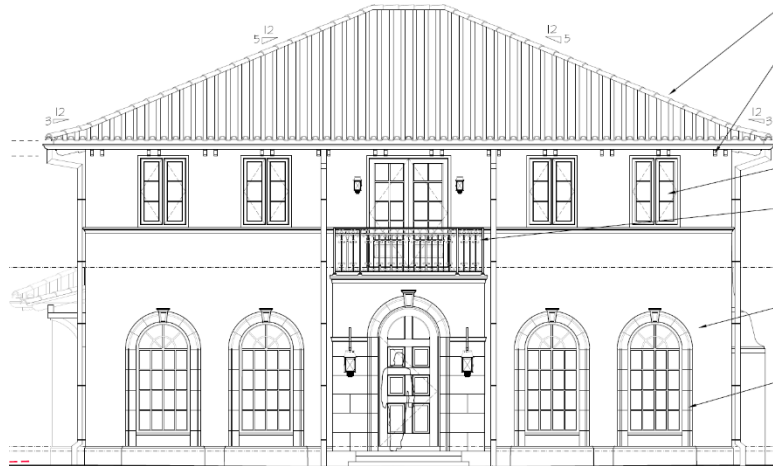
The following Special Exception, Site Plan Review, and/or Variances are required to complete the project:

- **SPECIAL EXCEPTION W/ SITE PLAN REVIEW:** [Sec. 134-893\(c\)](#): Special Exception with Site Plan Review for development of an existing nonconforming parcel which is 75 ft in width in lieu of the 100 ft width required.
- **VARIANCE 1:** [Sec. 134-2179\(b\)\(1\)](#): A variance to provide one (1) garage parking space in lieu of the two (2) garage parking spaces required for new construction of a residence on a lot 75 ft in width or greater.

Site Data			
Zoning District	R-B	Future Land Use	SINGLE-FAMILY
Lot Depth	140'	Lot Width	75'
Surrounding Properties / Zoning			
North	160 Brazilian Ave (Parking Lot) 150 Brazilian Ave (Residence) / R-B		
South	150 Australian Ave (Multi-Family) / C-TS 149 Chilean Ave (Residence) / R-B		
East	149 Australian Ave Residence / R-B		
West	159 Australian Ave Residence / R-B		

STAFF ANALYSIS

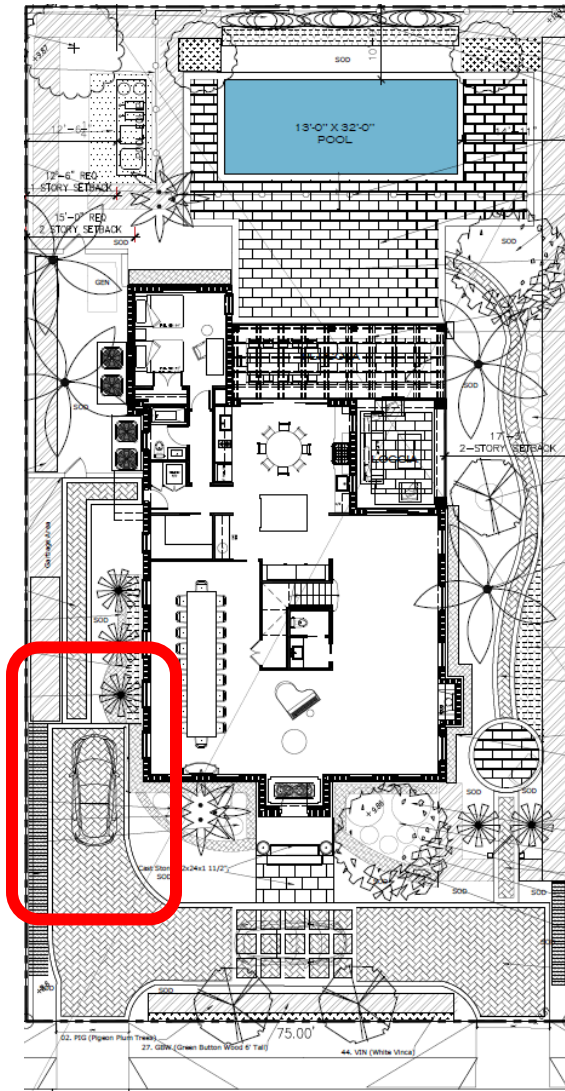
The application is for the construction of a new two-story residence. A preliminary review of the project indicates that the application, as proposed, is inconsistent with the Town zoning code and requires one (1) special exception with site plan review and one (1) variance for the construction of the new single-family residence. The application has been remanded to ARCOM with the instruction to restudy and incorporate a single-garage bay into the project to alleviate the variance request. The applicant has resubmitted plans which now feature a single, street-facing garage bay on the west side of the structure. The hardscape and landscape at the front of the residence has been adjusted according to accommodate the proposed garage. The design was also revised to incorporate a chimney on the east elevation.



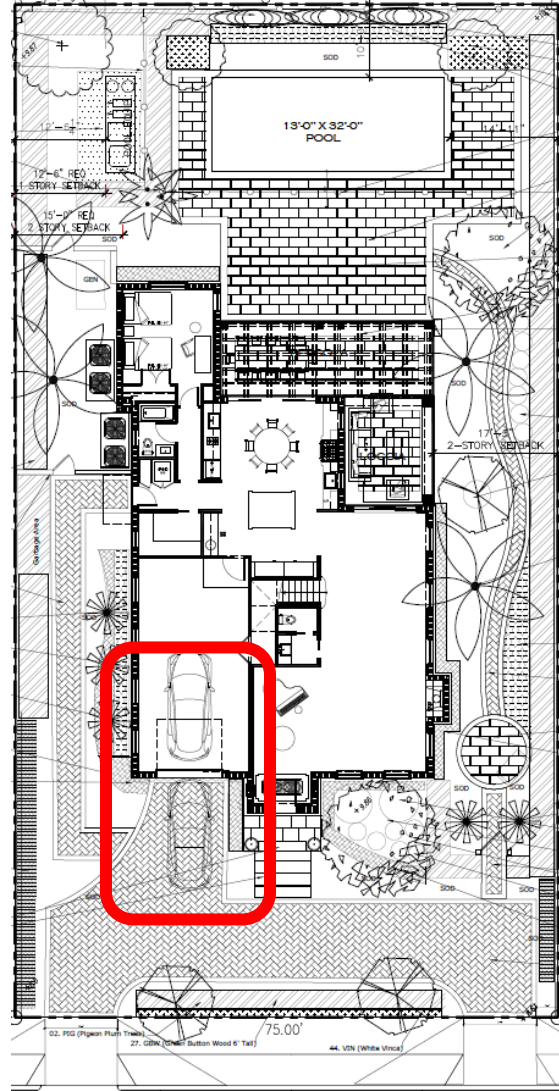
ARCOM Approved front elevation.



Proposed front elevation.



ARC-com approved hardscape/landscape plan.



Proposed hardscape/landscape plan.

As it pertains to the variance request, the applicant is proposing one (1) enclosed garage parking spaces where two garage parking spaces are required for a lot which is 75' or greater in width.

Code Section	Required	Proposed	Variance
VARIANCE 1: Sec. 134-2179(b)(1)	Two (2) Enclosed 9' x 18' Garage Parking Spaces	One (1) Garage Parking Spaces	1 Garage Parking Spaces

A precursory review of the immediate area (the 100 block of Australian Avenue), indicates that

eight of the 14 parcels have garages, or 57% of the residences.



CONCLUSION:

Approval of the project will require two (2) separate motions 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, and
- (2) that the implementation of the proposed variances **will** or **will not** cause negative architectural impacts to the subject property.

Approval of the project will require one (2) separate motions 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, and
- (2) for final determination of approval or denial of the [Sec. 134-2179\(b\)\(1\)](#) Special Exception with Site Plan Review for the redevelopment of a nonconforming parcel comprised of portions of platted lots.