



**TOWN OF PALM BEACH**  
Planning, Zoning & Building Department  
360 South County Road  
Palm Beach, FL 33480  
[www.townofpalmbeach.com](http://www.townofpalmbeach.com)

PLANNING, ZONING, & BUILDING DEPARTMENT  
PZ&B Staff Combination Memorandum: Town Council and Architectural Commission

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

SUBJECT: ZON-24-0071 (ARC-24-0118) 239 WORTH AVE

MEETING: JANUARY 15, 2025 TC  
JANUARY 29, 2025 ARCOM

**ZON-24-0071 (ARC-24-0118) 239 WORTH AVE (COMBO) VARIANCES AND SITE PLAN REVIEW.** The applicant, CSPB WORTH LLC, has filed an application requesting Town Council review and approval for Variances to reduce the required on-site parking for a retail addition, to exceed the maximum allowable lot coverage for a one-story commercial building, and to reduce the required overall landscape open space in order to construct a new one-story addition to the rear of an existing one-story commercial building in the C-WA district. The Architectural Commission shall perform design review of the application.

**ARC-24-0118 (ZON-24-0071) 239 WORTH AVE (COMBO).** The applicant, CSPB WORTH LLC, has filed an application required Architectural Commission review and approval for a one-story addition to the rear of an existing one-story commercial building, including variances from parking, landscape open space, and lot coverage in the C-WA district. Town Council shall review the application as it pertains to zoning relief/approval.

Applicant: CSPB WORTH LLC  
Professional: Jerome Baumoehl  
Representative: Maura Ziska

**THE PROJECT:**

The applicant has submitted plans, entitled "239 Worth Avenue Palm Beach", as prepared by **Jerome Baumoehl** date submitted and uploaded to the Town, January 06, 2025.

The following is the scope of work for the project:

- One-story 1,137 SF addition in rear of existing one-story commercial building resulting in variances.

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

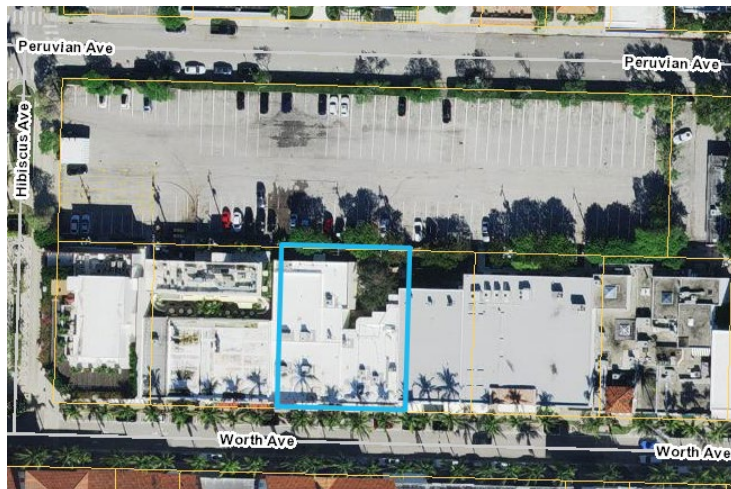
- **SITE PLAN REVIEW: Section 134-1159(a).** Additions to commercial projects.
- **VARIANCE #1: Sec. 134-2176.** A variance to not provide the required six (6) on-site parking spaces for a 1137 SF retail addition.
- **VARIANCE #2: Sec. 134-1163 (11).** A variance to reduce overall landscape open space from 3,000 SF (24%) to 1,863 SF (14.5%) when 1,875 SF (15%) is required for a one-story addition.

- VARIANCE #3: Sec. 134-1163 (9). A variance to exceed the maximum allowable lot coverage of 9,375 SF (75%) to permit 10,672 SF (85%) from existing 9,535 SF( 76%) for a one-story addition.

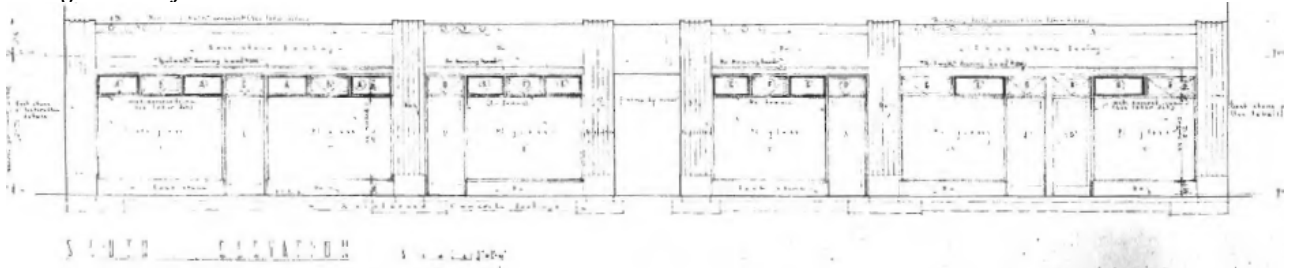
Site Data			
<b>Zoning District</b>	C-WA	<b>Lot Size (SF)</b>	12,500 SF
<b>Future Land Use</b>	COMMERCIAL	<b>Finished Floor Elevation</b>	3.5' NAVD (no change)
<b>C-O-R</b>	3.04' NAVD	<b>Flood Zone</b>	AE-7
<b>Architect:</b>	Simonsen & Holley	<b>Year of Construction</b>	1948
Project			
<b>Lot Coverage</b>	Existing: 76% (9,535 SF) Proposed: 85% (10,672 SF) Permitted: 75% (9,375 SF) <i>Variance Requested</i>	<b>Landscape Open Space (LOS)</b>	Existing: 3,000 SF (24%) Proposed: 1,863 SF (14.5%) Required: 15% (1,875 SF) <i>Variance Requested</i>
<b>Floor Area (LOS)</b>	Existing: 9,535 SF Proposed: 10,672 SF Permitted: 15,000 SF	<b># Parking Spaces</b>	Existing: 0 Required: 6 <i>Variance Requested</i>
<b>Height</b>	Existing: 15'-9" Proposed: 15'-9"	<b>Building length</b>	Existing: 100' Proposed: No change Permitted: 150'
Surrounding Properties / Zoning			
<b>North</b>	Surface Parking Lot, 'Apollo' lot / C-TS		
<b>South</b>	Two-story commercial building / C-WA		
<b>East</b>	One-story commercial building / C-WA		
<b>West</b>	Three-story mixed use commercial building ( <i>nearing completion / under construction</i> ) / C-WA		

## STAFF ANALYSIS

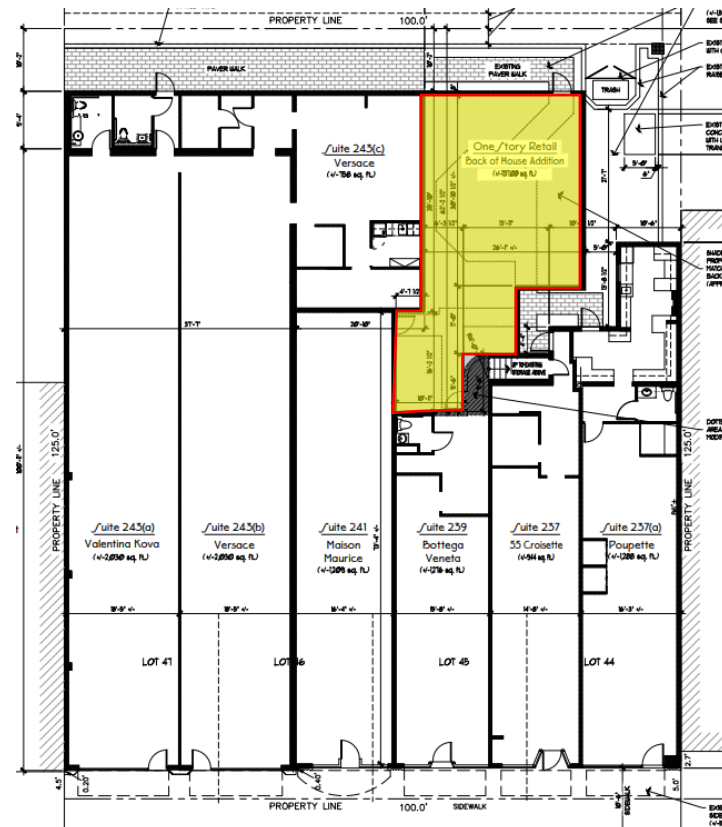
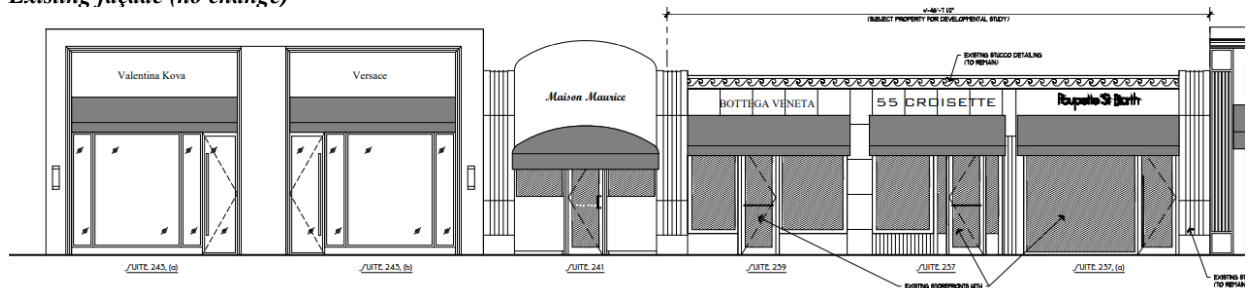
The application is for the construction of a one-story 1,137 SF addition to the rear of a portion of an existing one-story commercial building, midblock on the north side of Worth Avenue. The existing building has 100'-0" of frontage along Worth Avenue and the building is divided into six (6) retail bays of varying square footages. Originally built in 1948, the building has undergone numerous alterations including the division of the original 4-bay storefront system, and the blocking in of the original via passageway. The addition is for an existing tenant—Bottega Veneta—but will not result in a square footage threshold greater than what is permitted in the C-WA district. There are no proposed changes to the front of the building.



*Original 1948 facade*



*Existing façade (no change)*



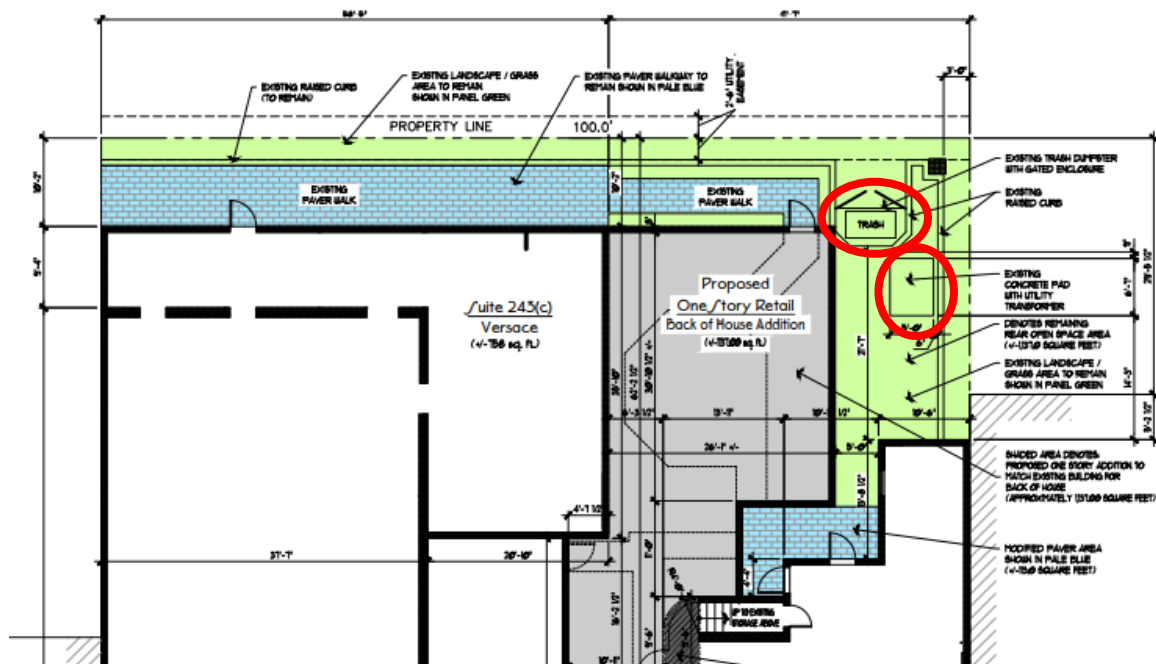
The applicant is proposing to a ground floor addition to a portion of pone of the retail bays (behind bay 4) of Bottega Veneta by 1,137 SF. Currently, the existing back open area of this retail area is a paved and grassy back of house area, likely utilized as recreational or break space areas for the retail workers.

A Variance to not provide the required 6 spaces for the new 1,137 SF commercial addition (**variance #1**). The Code requires 1 parking space for every 200 SF of new retail square footage, which yields 6 spaces. The subject property has been commercially zoned and programmed with retail and restaurant uses for over 85 years with zero on-site parking resources. Parking is provided within the Town of Palm Beach's commercial area along Worth

Avenue and South County Road with on-street parking and public surface parking lots provided in the vicinity of the site. Most notably, the Apollo parking lot has the spatial capacity to park over 500 vehicles and currently serves the needs of the entirety of the retail, restaurant and gallery

parking demands of the Avenue as nearly all of properties have zero on-site parking. Based on preliminary findings of the commercial traffic study performed by the Corradino Group, specific to Worth Avenue, there is adequate supply within the South Parking District (area bound by Royal Palm Way to the north, South Lake Drive to the west, South Ocean Blvd to the east and the alley south of Worth Avenue to the south). The parking data analysis of the parking utilization data collected along Worth Avenue indicated that there was available parking along Worth Avenue during the weekday. During the weekend, the Worth Avenue on-street parking was close to fully utilized, and the off-street parking was near capacity west of South County Road. There was available parking during the weekend at other parking spaces nearby within the South Parking District.

The existing building is currently occupies a 9,535 SF footprint which translates to a 76% lot coverage—1% over the prescribed regulatory limitation. Therefore, any new ground floor addition will require a variance. The applicant is proposing a 85% lot coverage for the 10,672 SF footprint (**variance #2**). While the addition will not be visible from Worth Avenue, the addition will also deplete the existing open space (**variance #3**). A variance to reduce overall landscape open space from 3,000 SF (24%) to 1,863 SF (14.5%) when 1,875 SF (15%) is required for a one-story addition. There are some areas that are incorrectly identified as ‘open space’ on the applicant’s plans (dumpster pad, FPL pad and wall), and it is staff’s determination that a variance is needed, albeit the request *de minimus*, approximately less than 2% of the requirement.



It is worth noting that the additional space would not exceed the maximum floor area, as such it may be worth exploring a second story addition which would not require any lot coverage or open space variance. While the general atmosphere of the certain members of the community and council have frowned upon second floor additions, a sensitively designed, small addition at the rear of the property, outside of any line of sight, may be a alternative that merits exploration. Further, the second floor addition would require a separate special exception request that had not be requested or advertised. Additionally, it is also work exploring the possible future restoration of the façade of

the building back to the original design, most notably seen as altered in the westernmost bays (Valentina Kova and Versace)—although it is highly unlikely that a open via passageway will be reintroduced.

### **CONCLUSION**

Approval of the project will require two (2) separate motions to be made by the Town Council:

- (1) [Sec. 134-1162](#): Site Plan Review for commercial properties with additions; and
- (2) that the Variance(s) #1-3 **shall or shall not** be granted that all of the criteria applicable to this application as set forth in [Sec. 134-201\(a\)](#), items 1 through 7 have been met.

WRB:JGM