

## LETTER OF INTENT

COA-24-\_\_\_\_\_ and ZON-24-\_\_\_\_\_: We are pleased to submit the accompanying drawings for our project at 448 N. Lake Way, Palm Beach, FL. The proposed work includes the following:

- Construction of an elevator to the south side of the existing main house.
- New hardscape and landscaping will be installed.

Please note the following as it relates to this application:

Sections 134-201, 134-226, 134-227 and 134-893(b)(1)(7). Applicant is requesting one variance as described below.

The following zoning relief is requested:

1. **Variances: Sec. 134-893(b)(1)(7):** A variance to allow the addition of an elevator with a side yard setback of 10.2' in lieu of 15' required for a two-story home and 10.2' in lieu of 12.5' required for the one-story portion.

The hardship that runs with the property is that this lot is very narrow and non-conforming. It is only 70' wide. In addition, the home (Vicarage) is a landmarked structure built in 1920. The owners now have a physical need for an elevator and the only place it may be added is on the south side of the landmarked home to provide access to and from the primary bedroom.

Granting of the variances will not be contrary to the public's interest because no negative impact to the neighbors will result. The small elevator is only 30 square feet and will not be visible to the neighbors.

**Criteria for Site Plan Review – N/A**

**Criteria for Special Exceptions – N/A**

**Criteria for Authorizing a Variance (Variance #1 and #2)**

1. List the special conditions and circumstances peculiar to the land, structure or building which are not applicable to other lands, structures or buildings in the same zoning district.

The hardship and special conditions applicable to this property are that the lot is very narrow (only 70' wide) and non-conforming and Vicarage is a 1920 landmarked home. The owners have a physical need for an elevator to and from their bedroom on the south

side of the property. The narrow nature of the lot precludes any addition in the side yard without a variance.

2. Indicate how the special conditions and circumstances do not result from the actions of the Applicant.

The physical characteristics of the lot are natural, and the home was built in 1920.

3. Demonstrate that the granting of the variance will not confer on the Applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district.

No special privileges will be conferred on the Applicant if the variances are granted because the applicant is simply trying to add a small elevator to this 1920 landmarked home, which was built on a very narrow lot.

4. Demonstrate how literal interpretation of this ordinance would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the Applicant.

Literal interpretation of the ordinances would deprive Applicant of the right to add an elevator to allow them to continue to use the home safely and which otherwise meets all code requirements and will be screened from the neighbors.

5. Demonstrate that the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

The requested relief is the minimum necessary because the elevator must be on the south side to provide access to and from the primary bedroom on the second floor.

6. For granting of a variance to sections 134-387, or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings must be demonstrated pertaining to the nonconforming use for which the variance is requested:

N/A

7. Show how the granting of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

The granting of this variance is in harmony with the intent and purpose of the Zoning Code because the requested elevator will allow the owners to continue to safely occupy and care for Vicarage for years to come.