



TOWN OF PALM BEACH
Planning, Zoning & Building Department
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PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Combination Memorandum: Architectural Commission and Town Council

FROM: Wayne Bergman, MCP, LEED-ARB *WRB*
Director PZ&B

SUBJECT: ARC-24-0139 (ZON-24-0090) 401 WORTH AVE (COMBO)

MEETING: FEBRUARY 12, 2025, TC
FEBRUARY 26, ARCOM

ZON-24-0090 (ARC-24-0139) 401 WORTH AVE (COMBO)—VARIANCES. The applicant, 401 Worth Avenue Building Inc. Condominium Association, has filed an application requesting Town Council review and approval for two (2) Variances to 1) reduce the required street side yard and 2) reduce the rear yard setback from minimum requirements to install a new 100KW generator with screen wall and landscaping in the required side yard of an existing of multi-family building in the RC district. The Architectural Commission shall perform design review of the application.

ARC-24-0139 (ZON-24-0090) 401 WORTH AVE (COMBO). The applicant, 401 Worth Avenue Building Inc. Condominium Association, has filed an application requesting Architectural Commission review and approval for installation of a new 100KW generator with associated site wall and landscaping on the west side of an existing multi-family building, requiring variances from side and rear setback minimums in the R-C district. Town Council shall review the application as it pertains to zoning relief/approval.

Applicant: 401 Worth Avenue Building Inc. Condominium Association
Architecture: Nievera Williams
Representative: Maura Ziska

HISTORY:

At the February 12, 2025 Town Council meeting, the Council approved (5-0) the variance requests.

THE PROJECT:

The applicant has submitted plans, entitled "401 WORTH AVE PALM BEACH" as prepared by **Nievera Williams**, dated January 6, 2025.

The following scope of work is proposed:

- Installation of new 100kW generator.
- New landscaping enhancements on south side of building.

The following Special Exception, Site Plan Review, and/or Variance(s) are required to complete the project:

- **Variance 1:** Sec. 134-948(5)(d): Request for a variance to allow a street side yard (south) setback along Worth Avenue to be 13'-6" in lieu of the 35'-0" minimum required.
- **Variance 2:** Sec. 134-948(7): Request for a variance to allow the generator to have a rear yard (west) setback of 6'-7" in lieu of the 30-foot minimum required.

still to be finalized, but staff is confident that such a feature can be reviewed with the Chairperson should the Commission find merit in the application.



Proposed landscaping



Existing condition

CONCLUSION:

Approval of the project will require one (1) separate motion(s) 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.

Approval of the project will require one (1) separate motion(s) 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.

WRB: JGM