



INHABIT

PROPERTY GROUP

September 21, 2020

Mr. William Waters, AIA
Director of Community Sustainability Department City of Lake Worth Beach
1900 2nd Avenue North
Lake Worth Beach, FL 33461

**RE: Village Flats, Lucerne & Lake Avenues, Lake Worth Beach, Florida –
Waiver Request Justification Statement**

Dear Mr. Waters:

The following waiver requests are submitted on behalf of InHabit LWB, LLC in conjunction with the approval of the Major Site Plan, Mixed-Use Urban Planned Development District, and Sustainable Bonus Incentive Program for Village Flats.

- A. **Balconies** – Waiver request to permit the balconies to extend into the front setback by 3 feet within the proposed Mixed-Use Urban Planned Development.

The Lake Worth Beach Land Development Regulations do not include a provision that would allow certain appurtenances to encroach into the setback area, except as provided for in LDR Section 19-57 (Conditions of Sidewalk Café Permits) where overhanging encroachments are permitted over the sidewalk/café area. Architectural elements such as roof eaves, bracketed balconies and other overhangs are typically permitted to encroach into required setbacks. These features provide additional articulation and interest to the façade. In this particular application, the proposed balconies are functional and provide coverage / weather protection for the units below. The balconies also promote neighborhood safety in an urban setting by providing the ability to have additional eyes on the street. Further, site restrictions do not allow for balconies to be recessed within the setback.

- B. **Third and Fourth Floor Setbacks** – Within the Mixed-Use East zoning district, Bonus Height and Stories code section, for all stories above the second story, both the front façade and rear façade must be set back an additional distance beyond the minimum. Pursuant to LDR Section 23.3-13.d)3.D, buildings in

excess of thirty (30) feet in height shall provide an additional front and rear setback of between eight (8) and twelve (12) feet to the minimum required front and rear setbacks; and further, as noted in part E, buildings in excess of thirty (30) feet in height shall provide an additional setback of between eight (8) and twelve (12) feet for façades facing a major thoroughfare.

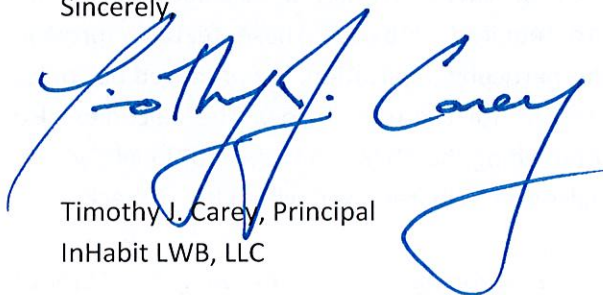
The mixed-use buildings are located along Major Thoroughfare A (Lake and Lucerne Avenues). The minimum building setback is 10'. Based upon the above, the 3rd and 4th floors of Building 1, Phase 1; the 3rd floor of Building 2, Phase 1; and, the 3rd floor of Building 3, Phase 2, must provide an additional minimum 8' setback.

Due to the site constraints of the scattered urban infill lots, the site design requires the construction of 4 separate buildings to provide a total of 31 residential dwelling units and 10 live-work units in the downtown core of Lake Worth Beach. These constraints have an impact on the design of the structures and the ability to provide a quality development that complies with all other development standards. In order to maintain the affordability of these affordable market-rate housing units and provide an economically viable project, a waiver to the requirement is necessary. Providing an additional setback would result in a reduction in the size and number of units. The units are mostly 1-bedroom units between 650 – 700 SF, and thus any additional setbacks would shrink the floorplans for these units while also increasing the cost of this affordable market-rate residential/live-work project.

The proposed development provides affordable market-rate dwelling units and space for local small businesses, and is consistent with the City's vision for a walkable, dense urban environment. The proposed elevations complement other buildings in the vicinity in terms of size, scale, mass, bulk, rhythm of openings, and character, such as the recently constructed Urban Arts Lofts and West Village Artist Lofts. The proposed development will be complimentary to and harmonious with existing desired massing characteristics or features, and is consistent with the Major Thoroughfare Design Guidelines.

Based upon the above, approval of the waivers is respectfully requested. Please let us know if you have any questions or require additional information. Thank you for your consideration.

Sincerely,



Timothy J. Carey, Principal
InHabit LWB, LLC