



CITY OF DELRAY BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

100 N.W. 1ST AVENUE • DELRAY BEACH • FLORIDA 33444 • (561) 243-7040



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HISTORIC PRESERVATION BOARD STAFF REPORT

160 Marine Way

Meeting	File No.	Application Type
August 5, 2026	HP-417-2026	Certificate of Appropriateness & Waiver

REQUEST

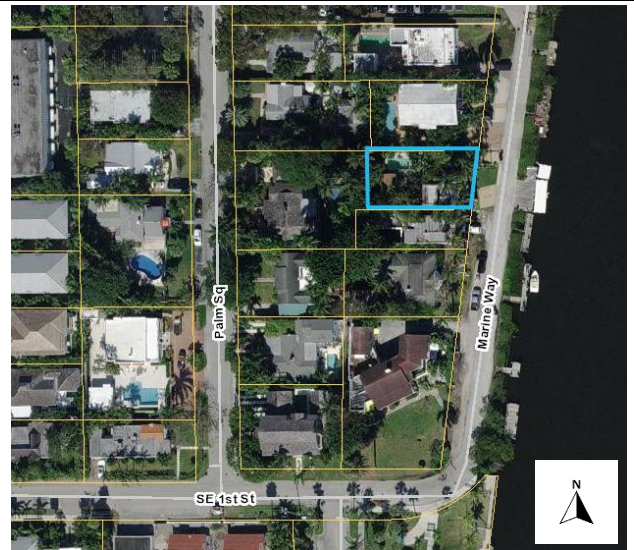
The item before the Board for consideration of a Certificate of Appropriateness (HP-417-2026) and Waiver in association with exterior modifications to an existing contributing structure and a 3rd story addition to the existing, contributing, single-family residence, located at **160 Marine Way, Marina Historic District**.

GENERAL DATA

Owner: Sally Whaley
Applicant: GE Architecture, Inc.
Location: 160 Marine Way
PCN: 12-43-46-16-A9-128-0012
Property Size: 0.17 Acres
Zoning: Multiple Family Residential (RM)
FLUM: Multiple Family Residential (RM)
Historic District: Marina Historic District
Adjacent Zoning:

- RM - Medium Density Residential (North)
- CF (Community Facilities) (East)
- RM - Multiple Density Residential (South)
- RM - Multiple Density Residential (West)

Existing Land Use: Residential
Proposed Land Use: Residential



BACKGROUND AND PROJECT DESCRIPTION

The subject property consists of Lot 14, Block 126, Town of Delray, is situated on the west side of Marine Way, is zoned Medium Density Residential (RM) and is within the Locally and Nationally designated Marina Historic District. The property contains a 1940 Minimal Traditional, 2,510 sq. ft. contributing residence. The structure has a smooth stucco exterior, metal gable roof, a rooftop trellis, a trellis over the gravel driveway, and a front porch trellis.

On December 2, 1992, the Historic Preservation Board reviewed and approved the construction of a trellis over the front porch and along the north elevation. The trellis was subsequently constructed as proposed.

At its meeting of April 21, 1993, the Historic Preservation Board approved a Certificate of Appropriateness (8-198) and Variance (88-30) request to allow the construction of a trellis on the north side of the property with a reduced 0' side interior setback.

Project Planner: Katherina Paliwoda, Senior Historic Planner, paliwodak@mydelraybeach.com	Review Dates: HPB: August 5, 2026	Attachments: 1. Plans 2. Justification Statements 3. Building Color and Material 4. Photographs
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At its meeting of May 18, 1994, the Historic Preservation Board approved a Certificate of Appropriateness (8-225) associated with the construction of a 1,795 sq. ft., second-story addition on top of the one-story structure. The project included connecting the main dwelling and extant guest cottage (which was located to the west/rear of the main dwelling) and included construction of a loggia on the ground floor to the rear of the existing main structure.

At its meeting of August 18, 2004, the Historic Preservation Board approved a Certificate of Appropriateness (2004-334) for the enclosure of a 188 sq. ft. loggia on a contemporary portion of the contributing dwelling.

On November 4, 2025, staff administratively approved a Certificate of Appropriateness (HP-72-2025) for modifications to the exterior of an existing contributing structure. The approved modification are for the following:

- North Elevation:
 - o First Floor: Removal of one window and one door. Installation of the existing door in a new location. Placement of shutters in a closed position (faux window) to be painted to match the existing shutters.
- South Elevation:
 - o First Floor: Removal of a pair of French doors with sidelights. Installation of one window, low-e, to match existing tint.
 - o Second Floor: Removal of one window
- West Elevation:
 - o Second Floor: Placement of shutters in a closed position (faux window) to be painted to match the existing shutters.

The request before the board is for an addition and exterior alteration to the existing single-family residence. The request specifically notes:

- Demolition of the existing roof trellis above the 2nd story non-contributing portion of the residence and construction of a new third floor stair vestibule and open-air covered porch.
- Removal of the existing wood trellises on the front (east) elevation and side (north) elevation, to be replaced with new aluminum trellises.
- Extend the existing front patio deck to match the end of the existing trellis.
- Replacement of the existing 5v-crimp metal roof to be replaced with a new standing seam metal roof in "Stone White".
- Addition of a standing seam eyebrow over the two existing double doors located on the side (north) elevation.

The request is now before the board.

REVIEW AND ANALYSIS

Pursuant to Land Development Regulation (LDR) Section 2.4.12(A)(5), prior to approval, a finding must be made that any Certificate of Appropriateness is consistent with Historic Preservation purposes pursuant to Objective HPE 1.4 of the Historic Preservation Element of the Comprehensive Plan; the provisions of Section 4.5.1; the Delray Beach Historic Preservation Design Guidelines; and, the Secretary of the Interior's Standards for Rehabilitation.

ZONING USE AND REVIEW

Pursuant to LDR Section 4.4.6 – Multiple Family Residential (RM) Development Standards: The proposed use is single-family residential, which is a permitted use within the RM zoning district. Pursuant to LDR Section 4.4.6(F)(1), the R-1-A District regulations apply to single-family detached dwellings.

Pursuant to LDR Table 4.3.4(A) Building Elements or Site Improvements Allowed in Building Setbacks. The proposal includes the replacement of an existing trellis located on the north side elevation of the property which encroaches into the side setback more than the allowed 3 feet. However, the property has a previous approval to allow the trellis to encroach into the setback. Therefore, the request meets the requirements of this code.

Pursuant to LDR Section 4.3.4(K) Development Standards single-family structures within the RM zoning district, shall be developed according to the requirements set forth in the R-1-A development standards, noted in the chart below:

DEVELOPMENT STANDARDS	REQUIRED	EXISTING	PROPOSED
OPEN SPACE	25%	39%	36%
SETBACKS (MINIMUM)			
FRONT (EAST)	25'	31'6"	29'5"
SIDE INTERIOR (NORTH)	7'6"	0'0" (carport)	No change
SIDE INTERIOR (SOUTH)	7'6"	5'0"	No change
REAR (WEST)	10'	14'7"	No change
HEIGHT (measured from new finished floor elevation)	35'	26' 4 5/8"	26' 5 3/4 "

ROOFTOP USES

Pursuant to LDR Section 4.3.3(RR) - Rooftop uses.

- a) Rooftop uses in all residential zoning districts. Rooftop uses shall not be located higher than 26 feet and shall be limited to open air terraces and amenities that are ancillary or accessory to the principal use, including but not limited to outdoor kitchen areas, swimming pools, and hot tubs. Rooftops located higher than 26 feet shall not have rooftop uses, may only be accessed for maintenance and repair, and shall not provide elevator access.
 - 1) General design standards for rooftop uses and terraces. All rooftop uses and terraces shall meet the following:
 - a) Features or structures shall not extend beyond the maximum building height, except pursuant to Section 4.3.4(J)(3), "Exceptions to zoning district height", or as specifically increased by the zoning district regulations.
 - b) Parking must be provided for principal uses, such as restaurant seating, located on rooftops. Parking is not required for amenities that are ancillary or accessory to the principal use, such as a swimming pool for a condominium.
 - c) Rooftop use areas greater than 100 square feet and located below the maximum building height shall landscape a minimum of ten percent of the rooftop use area. Rooftop use areas that are located at the maximum building height shall landscape a minimum of 20 percent. Landscaping shall consist of trees, shrubs, ground cover, and vines.
 - d) Rooftop use areas shall be hardscaped with materials that reduce the urban heat island effect such as cool or reflective roofs, patterned concrete, pavers, or wood decking. Open-air shade elements, such as awnings, trellises, and shade sails are

allowed up to ten feet in height subject to the setback requirements of the zoning district.

- e) Railings and parapets shall be provided as follows:
 - (1) The full perimeter of rooftop use area shall be surrounded by a parapet or railing at a minimum height of four feet that is consistent with the architectural style.
 - (2) For non-residential rooftop uses adjoining or separated by an alley from OSSHAD, RO, or a residential zoning district, rooftop uses and terraces larger than 100 square feet located at any story or height shall provide privacy and mitigate potential impacts to the adjoining property through at least one of the following:
 - (a) a solid parapet or screening, greater than 75 percent opaque and minimum of six feet in height along the adjoining perimeter; or
 - (b) a setback of at least 20 feet from the property line(s) with a railing or parapet at least four feet in height along the adjoining perimeter.
- f) Restroom facilities allowed to be located above the maximum building height shall be setback an additional ten feet on all sides.
- g) All rooftop lighting shall comply with Section 4.6.8 and shall provide full cutoff luminaries to minimize spillover on adjacent properties. Light poles shall not extend beyond the maximum building height.
- h) Relief to the general design standards for rooftop uses and terraces is subject to review and action by the City Commission through the waiver process per Section 2.4.7(B).

The existing structure has a rooftop terrace with trellis that is proposed for removal. The proposed alteration involves construction of a new covered area and 3rd floor element that houses an enclosed staircase. The proposal no longer qualifies as a rooftop terrace and considered a bonafide story as it involves new building area.



LDR SECTION 4.5.1

HISTORIC PRESERVATION: DESIGNATED DISTRICTS, SITES, AND BUILDINGS

Pursuant to LDR Section 4.5.1(E), Development Standards, all new development or exterior improvements on individually designated historic properties and/or properties located within historic districts shall, comply with the goals, objectives, and policies of the Comprehensive Plan, the Delray Beach Historic Preservation Design Guidelines, the Secretary of the Interior's Standards for Rehabilitation, and the Development Standards of this Section.

Pursuant to LDR Section 4.5.1E(2) – Major and Minor Development.

The subject application is considered "Major Development" as it involves the modification of more than 25 percent of the existing contributing single-family residence within the RM zoning district.

Pursuant to LDR Section 4.5.1E(3) – Buildings, Structures, Appurtenances and Parking: Buildings, structures, appurtenances and parking shall only be moved, reconstructed, altered, or maintained, in accordance with this chapter, in a manner that will preserve the historical and architectural character of the building, structure, site, or district:

Appurtenances: Appurtenances include, but are not limited to, stone walls, fences, light fixtures, steps, paving, sidewalks, signs, and accessory structures.

Fences and Walls: The provisions of Section 4.6.5 shall apply, except as modified below:

- a. Chain-link fences are discouraged. When permitted, chain-link fences shall be clad in a green or black vinyl and only used in rear yards where they are not visible from a public right of way, even when screened by a hedge or other landscaping.
- b. Swimming pool fences shall be designed in a manner that integrates the layout with the lot and structures without exhibiting a utilitarian or stand-alone appearance.
- c. Fences and walls over four feet (4') shall not be allowed in front or side street setbacks.
- d. Non-historic and/or synthetic materials are discouraged, particularly when visible from a public right of way.
- e. Decorative landscape features, including but not limited to, arbors, pergolas, and trellises shall not exceed a height of eight feet (8') within the front or side street setbacks.

The subject site contains an existing 6' high masonry wall on the south side of the property, and a 4' high masonry wall to the rear on the west side that are proposed to remain. The front of the property has an existing one-foot CMU low wall that is located outside of the property line and was not installed with proper building permits. The proposal involves removal of the one-foot low wall and construction of a new three-foot tall wall with columns and horizontal aluminum louvered railings within the property line. The fence meets the height requirements per this LDR section as well as the requirements for sight visibility per LDR section 4.6.14(c) as the total height of the fence will be no taller than the required maximum 3 feet.

Garages and Carports:

- a. Garages and carports are encouraged to be oriented so that they may be accessed from the side or rear and out of view from a public right of way.
- b. The orientation of garages and carports shall be consistent with the historic development pattern of structures of a similar architectural style within the district.
- c. The enclosure of carports is discouraged. When permitted, the enclosure of the carport should maintain the original details, associated with the carport, such as decorative posts, columns, roof planes, and other features.
- d. Garage doors shall be designed to be compatible with the architectural style of the principal structure and should include individual openings for vehicles rather than two car expanses of doors. Metal two car garage doors are discouraged; however, if options are limited and metal is proposed, the doors must include additional architectural detailing appropriate to the building.

A gravel driveway (single vehicle width) flanked by one row of paver bricks exists on the north side of the property. An existing trellis carport is located adjacent to the contributing structure and behind the front wall plane of the home. A previously noted, the existing wood trellis is proposed to be replaced with an aluminum trellis.

Will regard to the existing gravel driveway, there are no changes the driveway material nor configuration of the driveway. However, it is noted that in the future, if there are proposed changes, the driveway will need to be reconstructed so it is situated a minimum of five feet from the north property line in accordance with LDR Section 6.1.4(C)(3)(b)2.

Parking: Parking areas shall strive to contribute to the historic nature of the properties/districts in which they are located by use of creative design and landscape elements to buffer parking areas from adjacent historic structures. At a minimum, the following criteria shall be considered:

- a. Locate parking adjacent to the building or in the rear.
- b. Screen parking that can be viewed from a public right-of-way with fencing, landscaping, or a combination of the two.
- c. Utilize existing alleys to provide vehicular access to sites.
- d. Construct new curb cuts and street side driveways only in areas where they are appropriate or existed historically.
- e. Use appropriate materials for driveways.
- f. Driveway type and design should convey the historic character of the district and the property.

The subject property contains an existing two-car, tandem driveway with a trellis carport located on the north side of the property. There are no proposed changes to the existing driveway at this time.

Pursuant to LDR Section 4.5.1(E)(4) – Alterations: in considering proposals for alterations to the exterior of historic buildings and structures and in applying development and preservation standards, the documented, original design of the building may be considered, among other factors.

Applicable development and preservation standards have been applied during the review of the proposal while also taking into consideration the original design of the contributing structure and its location within the Locally and Nationally Designated Marina Historic District.

Pursuant to LDR Section 4.5.1(E)(5) - Standards and Guidelines: a historic site, building, structure, improvement, or appurtenance within a historic district shall only be altered, restored, preserved, repaired, relocated, demolished, or otherwise changed in accordance with the Secretary of the Interior's Standards for Rehabilitation, and the Delray Beach Historic Preservation Design Guidelines, as amended from time to time.

SECRETARY OF THE INTERIOR'S STANDARDS

Standard 1

A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

Standard 2

The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Standard 3

Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

Standard 4

Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

Standard 5

Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

Standard 6

Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

Standard 7

Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

Standard 8

Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

Standard 9

New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Standard 10

New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

With the revised proposal, standards 1, 2, 3, 5, 9, and 10 are applicable. The existing use of the site and its structures is a single-family residence (its original function) and no modifications to the use are proposed, thus meeting the intent of **Standard 1**. Regarding **Standard 2, 3, & 5**, the proposal includes the demolition of the existing 2nd-floor stairwell, balcony and rooftop trellis. There are concerns with the proposed third floor addition with respect to the cumulative effect of alterations that have occurred for this property and their impact on the contributing structure. Originally, the structure was a one-story home, and a second-floor addition was added in the 1990's. At that time Visual Compatibility Standards did not yet exist within the city LDRs, although the ten Secretary of the Interior's Standards for Rehabilitation and the Delray Beach Historic Preservation Design Guidelines were in place. It is important to ensure the proposed alterations do not alter features and spaces that characterize the property and that distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property be preserved. While the second-floor addition was a later alteration, it has not yet acquired historic significance and can be altered. The concern is that construction of the third floor addition could reduce the significance of the one-story structure from a scale and massing perspective.

Additionally, the proposal includes minor alterations to the front façade of the residence which is the replacement of the existing wooden front trellis with an aluminum trellis. The existing carport trellis will be replaced and is proposed to match the front trellis in design. All proposed materials are authentic and will be visual compatible with the original structure, with the exception of the introduction of aluminum louvers on the front property wall and third floor windows, and Azek material on the proposed

columns. There are concerns with these new materials as the aluminum louvers do not match the Minimal Traditional architectural style nor existing features on the existing structure. The Azek trim is also a concern as it is not an authentic material that has been commonly used on historic structures.

Regarding **Standards 9 and 10**, the height and massing of the proposed third-story addition and open-air terrace in relation to the original one-story contributing residence is a concern. While the addition is proposed above the non-contributing second floor addition behind the existing contributing one-story structure, (replacing an existing trellis feature), it is substantially taller than the existing home. The third-floor addition appears to pull focus away from the main structure, which is not considered an appropriate practice of historic preservation (not secondary nor subordinate to the main massing of the historic structure). Additionally, the historic streetscape contains a mix of one to two story structures, the introduction of a roofed third story addition, is not historically compatible with the streetscape (see streetscape images below). Thus, a waiver for the Secondary and Subordinate Visual Compatibility standard has been requested and is analyzed later in the report.

The board will need to make a determination that the proposal can be found in compliance with the Secretary of the Interior's Standards and Guidelines.



VISUAL COMPATIBILITY STANDARDS

Pursuant to LDR Section 4.5.1(E)(7) – **Visual Compatibility Standards**: New construction and all improvements to both contributing and noncontributing buildings, structures and appurtenances thereto within a designated historic district or on an individually designated property shall be visually compatible. In addition to the Zoning District Regulations, the Historic Preservation Board shall apply the visual compatibility standards provided for in this Section with regard to height, width, mass, scale, façade, openings, rhythm, material, color, texture, roof shape, direction, and other criteria set forth elsewhere in Section 4.5.1. Visual compatibility for minor and major development as referenced in Section 4.5.1(E)(2) shall be determined by

utilizing criteria contained in (a) through (m) below. Visual compatibility for all development on individually designated properties outside the district shall be determined by comparison to other structures within the site.

- a. **Height:** The height of proposed buildings or modifications shall be visually compatible in comparison or relation to the height of existing structures and buildings in a historic district for all major and minor development. For major development, visual compatibility with respect to the height of residential structures, as defined by 4.5.11(2)(a), shall also be determined through application of the Building Height Plane.
- b. **Front Facade Proportion:** The front facade of each building or structure shall be visually compatible with and be in direct relationship to the width of the building and to the height of the front elevation of other existing structures and buildings within the subject historic district.
- c. **Proportion of Openings (Windows and Doors):** The openings of any building within a historic district shall be visually compatible with the openings exemplified by prevailing historic architectural styles of similar buildings within the district. The relationship of the width of windows and doors to the height of windows and doors among buildings shall be visually compatible within the subject historic district.
- d. **Rhythm of Solids to Voids:** The relationship of solids to voids of a building or structure shall be visually compatible with existing historic buildings or structures within the subject historic district for all development, with particular attention paid to the front facades.
- e. **Rhythm of Buildings on Streets:** The relationship of buildings to open space between them and adjoining buildings shall be visually compatible with the relationship between existing historic buildings or structures within the subject historic district.
- f. **Rhythm of Entrance and/or Porch Projections:** The relationship of entrances and porch projections to the sidewalks of a building shall be visually compatible with existing architectural styles of entrances and porch projections on existing historic buildings and structures within the subject historic district for all development.
- g. **Relationship of Materials, Texture, and Color:** The relationship of materials, texture, and color of the facade of a building and/or hardscaping shall be visually compatible with the predominant materials used in the historic buildings and structures within the subject historic district.
- h. **Roof Shapes:** The roof shape, including type and slope, of a building or structure shall be visually compatible with the roof shape of existing historic buildings or structures within the subject historic district. The roof shape shall be consistent with the architectural style of the building.
- i. **Walls of Continuity:** Walls, fences, evergreen landscape masses, or building facades, shall form cohesive walls of enclosure along a street to ensure visual compatibility with historic buildings or structures within the subject historic district and the structure to which it is visually related.
- j. **Scale of a Building:** The size of a building and the building mass in relation to open spaces, windows, door openings, balconies, porches, and lot size shall be visually compatible with the building size and mass of historic buildings and structures within a historic district for all development. To determine whether the scale of a building is appropriate, the following shall apply for major development only:
 - a. For buildings wider than sixty percent (60%) of the lot width, a portion of the front façade must be setback a minimum of seven (7) additional feet from the front setback line:

- b. For buildings deeper than fifty percent (50%) of the lot depth, a portion of each side façade, which is greater than one story high, must be setback a minimum of five (5) additional feet from the side setback line:
- k. Directional Expression of Front Elevation: A building shall be visually compatible with the buildings, structures, and sites within a historic district for all development with regard to its directional character, whether vertical or horizontal.
- l. Architectural Style: All major and minor development shall consist of only one (1) architectural style per structure or property and not introduce elements definitive of another style.
- m. Additions to individually designated properties and contributing structures in all historic districts: Visual compatibility shall be accomplished as follows:
 - 1. Additions shall be located to the rear or least public side of a building and be as inconspicuous as possible.
 - 2. Additions or accessory structures shall not be located in front of the established front wall plane of a historic building.
 - 3. Characteristic features of the original building shall not be destroyed or obscured.
 - 4. Additions shall be designed and constructed so that the basic form and character of the historic building will remain intact if the addition is ever removed.
 - 5. Additions shall not introduce a new architectural style, mimic too closely the style of the existing building nor replicate the original design but shall be coherent in design with the existing building.
 - 6. Additions shall be secondary and subordinate to the main mass of the historic building and shall not overwhelm the original building.

With respect to **Height**, the proposal includes demolition of an existing trellis located above the second-story non-contributing portion of the residence, to be replaced with the construction of a new roofed and walled open air terrace. It is noted that although the height meets zoning requirements, there is concern with regard to the third-story addition being visually compatible to the original contributing one-story portion of the structure on site.

There is concern with regard to **Proportion of Openings (Windows and Doors)** and **Rhythm of Solids to Voids** as the window sizes on the proposed third floor terrace new addition do not appear to be proportionate to the windows in the historic structure. The existing residence contains smaller scale single-hung windows throughout, to which the new proposed windows are significantly larger. There are some window openings that are the size of doors.

With regard to **Relationship of Materials, Texture, and Color and Roof**, the subject request includes the replacement of the existing wood trellises with aluminum, stucco exterior on the third-floor, aluminum framed windows & shutters, and replacement of the existing, 5-V crimp, mill finish, metal roof with a white standing seam metal roof. The addition of an eyebrow feature on the two double doors on the north elevation will also match the standing seam metal roof in “Drexel Metals” Stone White/Kynar 500 Fin.

The use of standing seam and 5-V crimp metal roofs within historic districts are required to be reviewed by the board and are on a case-by-case basis, to ensure visual compatibility with other structures and the districts as a whole. It is noted however, that aluminum shingle roofing has been deemed compatible for historic structures within the districts and can be approved administratively. While the board has approved metal roofs for historic structures, typically the color of the metal is “mill finish” or silver. This is because historically when metal roofs may have been utilized at the time of original construction, metal was only available in its natural color, not a painted finish. The most appropriate roof material is what was historically utilized, in this case this originally home had a shingle roof. However, the board

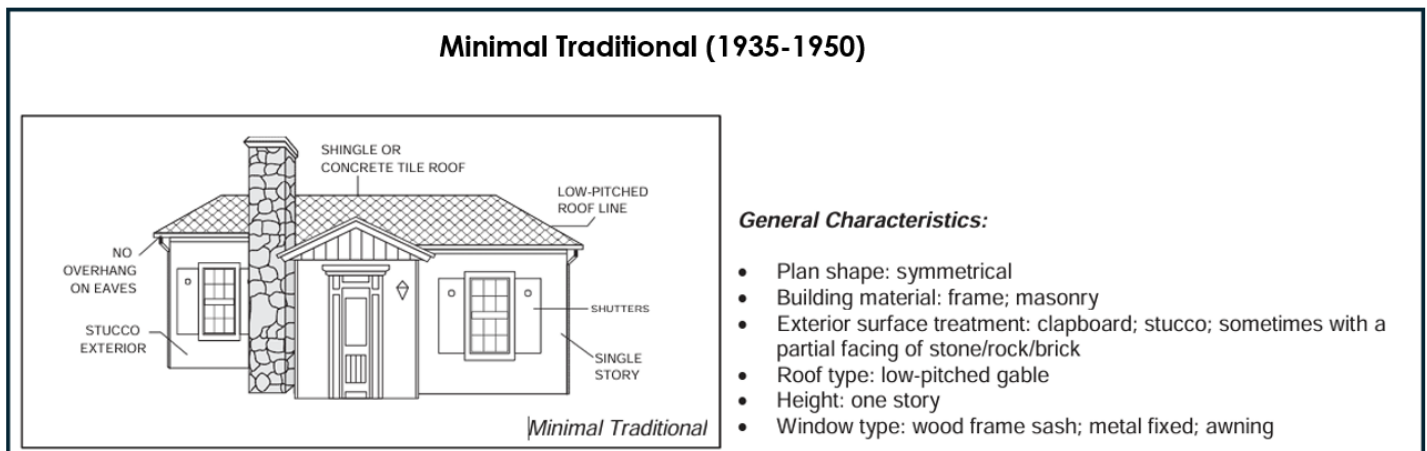
previously approved the use of a 5-V crimp metal roof for this structure – in a mill finish. The use of metal roofing has increased, given the city's location within a hurricane prone area and many owners have requested the use of metal roofs to aid in reducing insurance premiums and improve a structure's resiliency to storms.

It is also noted, that the existing roof needs replacement and the property owner sought a building permit (BLDR-016097-2027) to replace the roof with a white standing seam metal roof. Staff advised that such is a board reviewed item, and the property owner requested that the city approve the roof material and white color with the caveat that they would sign a Hold Harmless agreement, stating that they would take the risk of utilizing the white color metal roof without the board's approval. The permit was issued on 7/24/2026 and the roof replacement has occurred. The board will need to make a determination that the proposed white, standing seam metal roof is appropriate for use on this contributing structure.

The proposed third-floor open-air covered porch will include new white aluminum casement windows with clear glass to match what's existing on the structure. The covered porch will also have smooth cypress wood columns and Azek trim on the top and bottom of the columns. The porch also includes Aluminum bi-fold shutters and aluminum louvered railings. All columns, trim, windows/doors, and trellises will painted Benjamin Moor Brilliant White #OC-150.

The proposed knee wall/fence will include one-foot of stuccoed, concrete block, columns and louvered aluminum railings on the front (east) side of the property. All decorative shutters, gates, and aluminum railings are proposed in the color Benjamin Moor Kittery Point Green #HC-119. There is a concern with the proposed Azek material on third floor columns as it is not an authentic material and was not used on the original house at the time of construction. Consideration for the use of authentic material adaptations have been given to new construction for such materials as metals and hardi board, however an addition to a contributing structure should be utilizing the same materials that exist on the main structure.

For **Architectural Style**, there are concerns with regards to the introduction of the aluminum louvered front wall and covered porch windows as these distinctive elements were not originally used on the structure. As noted in the Delray Beach Historic Preservation Guidelines (as shown below), the existing historic structure was built in the 1940s in the Minimal Traditional style. This architectural style was inspired by 1920s and 1930s Tudor style cottages that were typically one-story, were very symmetrical in plan shape, and had simplified elements and materials. The introduction of the louvered elements on the proposed third floor and front wall designs are not compatible with the existing architectural style and gives the structure a more modernize appearance. The board will need to make a determination that the proposal is compliant with the **Architectural Style** visual compatibility standard.



Regarding the **Additions** Visual Compatibility Standard, there is concern with the proposed new addition in relation to the existing historic structure and surrounding historic structures within the Marina Historic District. While the proposed addition is in an appropriate location, to the rear of the original one-story contributing portion of the residence and is located on the non-contributing portion of the structure, the introduction of a roofed third floor for this structure may not be considered visually compatible. Although the new addition is in the same location and height as the existing trellis feature, the trellis was considered a non-habitable, open-air element. Additionally, the new additions height cannot be considered secondary and subordinate to the main massing of the original one-story portion of the residence. As the addition does not meet the requirements of this code section, the applicants have requested a waiver for relief from the Secondary and Subordinate Visual Compatibility Standard. The Waiver is analyzed later in the report.

The following guidelines are applicable to the proposal. According to the **Secretary of the Interior's Standards and Guidelines for Rehabilitation** (pg. 110 & 156):

NEW EXTERIOR ADDITIONS TO HISTORIC BUILDINGS AND RELATED NEW CONSTRUCTION	
RECOMMENDED	NOT RECOMMENDED
New Additions	
Placing functions and services required for a new use (including elevators and stairways) in secondary or non-character-defining interior spaces of the historic building rather than constructing a new addition.	Expanding the size of the historic building by constructing a new addition when requirements for the new use could be met by altering non-character-defining interior spaces.
Constructing a new addition on a secondary or non-character-defining elevation and limiting its size and scale in relationship to the historic building.	Constructing a new addition on or adjacent to a primary elevation of the building which negatively impacts the building's historic character.
Constructing a new addition that results in the least possible loss of historic materials so that character-defining features are not obscured, damaged, or destroyed.	Attaching a new addition in a manner that obscures, damages, or destroys character-defining features of the historic building.
Designing a new addition that is compatible with the historic building.	Designing a new addition that is significantly different and, thus, incompatible with the historic building.
Ensuring that the addition is subordinate and secondary to the historic building and is compatible in massing, scale, materials, relationship of solids to voids, and color.	Constructing a new addition that is as large as or larger than the historic building, which visually overwhelms it (i.e., results in the diminution or loss of its historic character).

NEW EXTERIOR ADDITIONS TO HISTORIC BUILDINGS AND RELATED NEW CONSTRUCTION	
RECOMMENDED	NOT RECOMMENDED
Ensuring that the addition is stylistically appropriate for the historic building type (e.g., whether it is residential or institutional).	
Considering the design for a new addition in terms of its relationship to the historic building as well as the historic district, neighborhood, and setting.	

DEMOLITION ANALYSIS

Pursuant to LDR Section 4.5.1(F), Demolitions – Demolition of historic or archaeological sites, or buildings, structures, improvements and appurtenances within historic districts shall be regulated by the Historic Preservation Board and shall be subject to the following requirements:

- (1) No structure within a historic district or on a historic site shall be demolished before a Certificate of Appropriateness has been issued pursuant to Section 2.4.6(H).

- (2) The application for a Certificate of Appropriateness for demolition must be accompanied by an application for a Certificate of Appropriateness for alterations to the structure or the redevelopment of the property.**
- (3) Demolition shall not occur until a building permit has been issued for the alterations or redevelopment as described in the applicable Certificate of Appropriateness.**
- (4) All structures approved for demolition and awaiting issuance of a building permit for the alterations or redevelopment shall be maintained so as to remain in a condition similar to that which existed at time that the Certificate of Appropriateness for demolition was approved unless the Chief Building Official determines that an unsafe building condition exists in accordance with Section 4.5.3(G).**
- (5) A Certificate of Appropriateness for demolition of 25 percent or more of contributing or individually designated structure shall be subject to the following additional requirements:**
 - a. A demolition plan shall accompany the application for a Certificate of Appropriateness for demolition. The plan shall illustrate all portions of the existing structure that will be removed or altered.**
 - b. The Certificate of Appropriateness for demolition and the Certificate of Appropriateness for alternation or redevelopment shall meet the "Additional Public Notice" requirements of LDR Section 2.4.2(B)(1)(j).**
- (6) The Board upon a request for demolition by a property owner, shall consider the following guidelines in evaluating applications for a Certificate of Appropriateness for demolition of designated historic sites, historic interiors, or buildings, structures, or appurtenances within designated historic districts:**
 - a. Whether the structure is of such interest or quality that it would reasonably fulfill criteria for designation for listing on the national register.**
 - b. Whether the structure is of such design, craftsmanship, or material that it could be reproduced only with great difficulty or economically nonviable expense.**
 - c. Whether the structure is one of the last remaining examples of its kind in the designated historic district within the city.**
 - d. Whether retaining the structure would promote the general and value of a particular culture and heritage.**
 - e. Whether there are approved plans for immediate reuse of the property if the proposed demolition is carried out, and what effect those plans will have on the historic district designation or the individual designation of the property.**
- (7) No decision of the Board shall result in undue economic hardship for the property owner. The Board shall determine the existence of such hardship in accordance with the definition of undue economic hardship found in Section 4.5.1(H).**
- (8) The Board's refusal to grant a Certificate of Appropriateness requested by a property owner for the purpose of demolition will be supported by a written statement describing the public interest that the Board seeks to preserve.**
- (9) The Board may grant a certificate of appropriateness as requested by a property owner, for demolition which may provide for a delayed effective date. The effective date of the certificate will be determined by the Board based on the relative significance of the structure and the probable time required to arrange a possible alternative to demolition. The Board may delay the demolition of designated historic sites and contributing buildings within historic districts for up to six months while demolition of non-contributing buildings within the historic district may be delayed for up to three months.**
- (10) Request for Demolition Justification Statement: A justification statement shall accompany the application for a Certificate of Appropriateness for demolition of any**

contributing structure in a historic district or individually designated historic structure.

(11) Salvage and Recordation of Historic Structures:

- a. The property owner shall contact the Delray Beach Historical Society for the purpose of salvaging and preserving specified classes of building materials, architectural details and ornaments, fixtures, and the like for reuse in the restoration of the other historic properties. Confirmation of such efforts shall be provided in a written statement and submitted with the other demolition application prior to consideration by the Historic Preservation Board.
- b. The Board may, with the consent of the property owner, request that the Delray Beach Historical Society, or the owner, at the owner's expense, record the architectural details for archival purposes prior to demolition.
 - i. The recording may include, but shall not be limited to photographs, documents and scaled architectural drawings to include elevations and floor plans.
 - ii. One (1) copy of the recording shall be submitted to the City's Planning and Zoning Department, and one (1) copy shall be submitted to the Delray Beach Historical Society for archiving purposes.

- a. Whether the structure is of such interest or quality that it would reasonably fulfill criteria for designation for listing on the national register.
- b. Whether the structure is of such design, craftsmanship, or material that it could be reproduced only with great difficulty or economically nonviable expense.
- c. Whether the structure is one of the last remaining examples of its kind in the designated historic district within the city.
- d. Whether retaining the structure would promote the general and value of a particular culture and heritage.
- e. Whether there are approved plans for immediate reuse of the property if the proposed demolition is carried out, and what effect those plans will have on the historic district designation or the individual designation of the property.

The applicant has submitted plans for the demolition of the existing stairway and balcony on the second-floor and third-floor rooftop trellis. Since the proposed area of demolition is located on a non-contributing portion of the structure (the two-story portion of the residence that was built in 1994) and with the total square footage of area to be demolished at 21% the requirements of this section of the code are not applicable to the request.

WAIVER ANALYSIS

Pursuant to LDR Section 2.4.11(B) A waiver involves the granting of partial or total relief from a specific development regulation. A waiver may be granted to the procedural and substantive provisions of these regulations. A waiver may be granted only for those substantive items within these regulations for which such provision is made. A waiver to substantive provisions may be granted only by the approving body with the final authority to approve or deny the related development application.

Pursuant to LDR Section 2.1.9(E)(12)(i), Board Actions. The Board hereby has the authority to take action on any other regulations or requirements that specify relief is available by the body acting upon the development application.

Pursuant to LDR Section 4.5.1(E) – Development Standards. Relief from Subsections (1) through (9) may be granted by seeking a waiver approvable by the Historic Preservation Board, unless otherwise stated.

Pursuant to LDR Section 4.5.1(E)(7)(m)(6), Additions shall be secondary and subordinate to the main mass of the historic building and shall not overwhelm the original building.

A waiver is proposed to allow for relief to the Secondary and Subordinate Visual Compatibility Standard for the proposed two-story addition.

Pursuant to LDR Section 2.4.11(B)(5) – Findings: The following findings must be made prior to approval of a waiver:

(a) Shall not adversely affect the neighboring area:

The submitted waiver request is due to the construction of new third-story addition and open-air covered porch. As this new addition creates a roofed third floor to what was originally a one-story Minimal Traditional structure, it does not meet the Visual Compatibility Standard as it relates to the requirement that “Additions be secondary and subordinate to the main mass of the historic building and shall not overwhelm the original building.” It is noted, however, that with recent development pressures in Delray Beach, many property owners want to expand their buildings to allow for “modernization” such as bigger kitchens, closets, bathrooms, etc. Such alterations and additions are common but depend upon the configuration of the structure and the site. Per the Secretary of the Interior’s Standards and Guidelines for Rehabilitation it is not recommended to ***Construct a new addition that is as large or higher than the historic building, which visually overwhelms it (i.e., results in the diminution or loss of its historic character).***

In a historic district, an appropriate addition should not overwhelm a one-story and especially a two-story structure. Also, over the years, there have been large additions and new construction to some properties within several of Delray’s historic districts, including the Marina Historic District, many of which have occurred on Marine Way, that can be seen as having a negative impact upon the historic integrity of the area. This type of construction was the impetus behind removal of most of the 300-block from the historic district with the last Historic Resource survey in 2008. The redevelopment of several properties within that block pushed the limits on massing and scale. Recently, there have been applicants that have based their cases for large additions or arguments for relief to code requirements relating to massing, upon the fact that the board has approved large additions and new construction on neighboring properties. It is noted that each request is considered by the board on a case-by-case basis.

The Visual Compatibility Standards are specific in that they contain massing controls and require compatibility with historic structures within the district; thus, if the existing development pattern is a low scale (one or two-story structures) then that is what is appropriate for modifications to historic buildings and structures.

(b) Shall not significantly diminish the provision of public facilities;

The proposal is situated along Marine Way, where a multi-million-dollar city capital improvement project is underway to make the area more flood resilient. The proposed waiver

involves private residential development to which there is no concern that request could diminish the provision of public facilities.

(c) Shall not create an unsafe situation; and,

The request is not anticipated to create an unsafe situation.

(d) Does not result in the grant of a special privilege in that the same waiver would be granted under similar circumstances on other property for another applicant or owner.

As more development occurs within historic districts, it is imperative that the historic sites and the historic streetscape as a whole remain with compatible massing and size in order to maintain the historic setting of the district. The adjacent lots are comparable in size so there are no restraints with regards to the property size. In addition, there are no other residences or obstructions blocking the view from the Marina located to the east of the property, so the proposal of the third-floor open air porch modifications appears to be motivated primarily by aesthetic preferences rather than functional necessity. There are concerns that should another property owner of a historic property seek a waiver to allow an upper floor addition above a one-story structure, that such may not be granted. Thus, the proposed waiver could result in the granting of a special privilege.

The board will need to make a determination that the waiver meets all of the above findings.

The property owner has submitted justification statements for each of the requests (attached).

Pursuant to LDR Section 6.1.3(D)(2) Relief from sidewalk installation.

As noted through TAC review, a sidewalk would be required to be adjacent to the right-of-way of the property. The applicants have requested relief from sidewalk installation, to which a Sidewalk In-Lieu fee would be required at the time of permit. In addition, as noted by the City Engineer, the current approximate length of sidewalk is 50 feet per the supplied plans. The fee shall be \$4,074 based on \$81.48/linear foot of 5-foot-wide sidewalk. This is noted as a site plan technical item.

COMPREHENSIVE PLAN

Pursuant to the Historic Preservation Element (HPE), Objective 1.4, Historic Preservation Planning: Implement appropriate and compatible design and planning strategies for historic sites and properties within historic districts.

The objective shall be met through continued adherence to the City's Historic Preservation Ordinance and, where applicable, architectural design guidelines through the following policies:

HPE Policy 1.4.1 - Continue to require that the Historic Preservation Board make findings that any land use or development application for a historic structure, site or within a historic district, is consistent with the provisions of the Secretary of the Interior's Standards for Rehabilitation, the Land Development Regulations, and Delray Beach Historic Preservation Design Guidelines.

The board will need to make a determination that the request can be found to be consistent with the provisions of LDR Section 4.5.1 relating to historic sites and districts as well as the Secretary of the Interior's Standards and the Delray Beach Historic Preservation Design Guidelines.

SITE PLAN TECHNICAL ITEMS

1. Illustrate the existing 12" CMU wall on the front (east) side of the property (on the existing site plan).

2. Provide a note on the existing and proposed site plan drawings indicating the gravel driveway material.
3. That at the time of submittal of a building permit, the sidewalk fee is paid per the requirements noted by the City Engineer.

ALTERNATIVE ACTIONS

- A. Move to continue with direction.
- B. Approve Certificate of Appropriateness and Waiver (HP-417-2026), for the property located at **160 Marine Way, Marina Historic District**, by finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations.
- C. Approve Certificate of Appropriateness and Waiver (HP-417-2026), for the property located at **160 Marine Way, Marina Historic District**, by finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, subject to the following conditions:
 - 1.
- D. Deny Certificate of Appropriateness and Waiver (HP-417-2026), for the property located at **160 Marine Way, Marina Historic District**, by finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in the Land Development Regulations.

PUBLIC AND COURTESY NOTICES

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| ☒ Courtesy Notices were provided to the following, at least 5 working days prior to the meeting:

Marina Historic District Homeowners Association | ☒ Public Notice are not required for this request. |
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TAC Timeline Table			
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Review No.	Submittal Date	TAC Comments Transmitted	Board Meeting Date
1.	04/09/2026	5/04/2026	N/A
2.	5/19/2026	6/11/2026	N/A
3.	6/18/2026	Determined Board Ready 6/26/2026	Scheduled for August 5, 2026 HPB Meeting