



# CITY OF DELRAY BEACH

## DEPARTMENT OF DEVELOPMENT SERVICES

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



### HISTORIC PRESERVATION BOARD STAFF REPORT

**303 SE 7<sup>th</sup> Avenue**

**Meeting**

August 5, 2026

**File No.**

HP-392-2025

**Application Type**

Certificate of Appropriateness & Variance

### REQUEST

The item before the Board is consideration for a Certificate of Appropriateness (COA) and Variance (HP-392-2025) of a non-contributing single-family structure located at **303 SE 7<sup>th</sup> Avenue, Marina Historic District**.

### GENERAL DATA

**Owner:** Bianca & Donald Pucci

**Location:** 303 SE 7<sup>th</sup> Avenue

**PCN:** 12-43-46-16-A9-128-0012

**Property Size:** 0.189 Acres

**Zoning:** R-1-AA (Single Family Residential)

**FLUM:** LD (Low Density Residential)

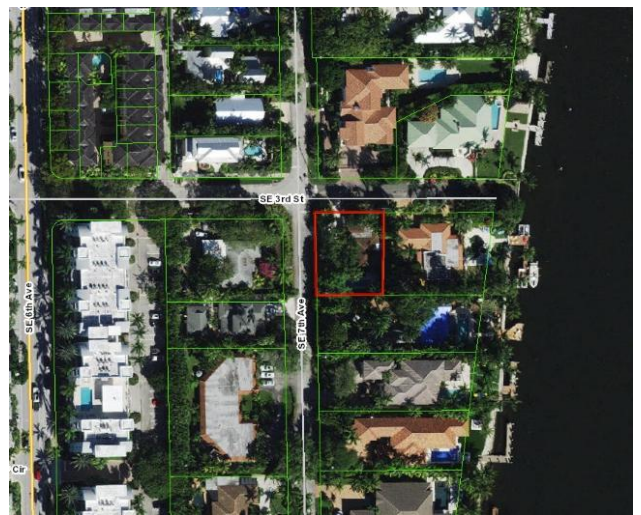
**Historic District:** Marina Historic District

**Adjacent Zoning:**

- R-1-AA (North)
- R-1-AA (West)
- R-1-AA (South)
- R-1-AA (East)

**Existing Land Use:** Residential

**Proposed Land Use:** Residential



### BACKGROUND AND PROJECT DESCRIPTION

The subject 0.189-acre property is located at the southeast corner of SE 7<sup>th</sup> Avenue and SE 3<sup>rd</sup> Street, within the Locally and Nationally Registered Marina Historic District. The property contains a one-story Ranch style single-family residence, built in 1954 and was classified as contributing to the Marina Historic District. City Building Permit Yellowcards note that Mike L. Blank, of the original Blank Family, was previously one of the owners of the subject property. The John Rudolph Blank family came to Delray in 1903 from Bay City, Michigan, which makes them part of the early "Michigan Connection" as the pioneering settlers from the Saginaw area were called. They founded the first tropical plant nursery in the area and were successful in shipping palms and other tropical house plants north on the Florida East Coast Railroad. Their business contributed to the financial growth of the city as this was a period when palms and other exotics were in great demand for hotel lobbies and public spaces as well as for home decoration. The nursery was centered in the area of the Marina Historic District, which accounts for the many beautiful trees found within the district.

The original architect of record was Carlos B. Schoepl (1898-1990), who was born in Comfort, Texas. He was a first generation American, his father was Austrian, and his mother was German. Schoepl studied architecture at UCLA and in 1922, he began private practice in San Antonio and Houston, Texas.

**Project Planner:**

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Michelle Hoyland, Principal Planner,  
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**Review Dates:**

August 5, 2026

**Attachments:**

1. Plans, Survey, & Renderings
2. Photographs
3. Color & Materials
4. Justification Statements

He moved to Florida in 1927 where he established an architectural practice in both St. Augustine and Jacksonville from 1927 to 1929. While in Jacksonville, Schoeppl designed some of the earliest Art Deco buildings in the city. He had an interest in aviation and was friends with Howard Hughes and Eddie Rickenbacker. In the early 1930's, he relocated to Miami, where he joined in partnership with Arnold Southwell. During their partnership, Schoeppl and Southwell produced "A Florida Brochure" highlighting their numerous projects, predominately residential structures, in the South Florida area. Schoeppl became a highly respected Miami Beach architect and interestingly Belford Shoumate, noted Palm Beach architect, worked for Schoeppl early in his career.

Some of his Schoeppl's designs are documented within the Collins Waterfront Architectural District. His contributions to the historic district are now considered to be representative of the work of a master alongside of several other noted architects including Martin L. Hampton (Colony Hotel – Delray Beach, and associate of Addison Minzer), Russell Pancoast, and Morris Lapidus to name a few. Other examples of Schoeppl's work include:

- Lead architect of Davis Shores on Anastasia Island, St. Augustine, Florida;
- The Fred J. Heyne in House (1922) Houston, Texas, listed on the National Register of Historic Places;
- The Bryan-Champan House (1935), Houston, Texas, a recorded Texas Historic Landmark by the Texas Historical Commission; and,
- Echo Motor Hotel (1959), Edinburg, Texas.

Schoeppl designed the subject structure in a modest Ranch architectural style using Crab Orchard Stone detailing, which could have been inspired by his Texas roots. The original 1,848 square foot single-family residence contained one-over-one single hung aluminum framed windows, with stucco banding surrounds. A stucco banded, raised arch detail existed on the west side of the house. The structure had a barrel tile roof and smooth stucco exterior. In 1987 and 1988, modifications were made to the structure, including the following:

- Enclosure of the original carport for additional living space;
- Small additions to the front and rear of the home;
- Modification of the original Crab Orchard Stone and block/brick veneer front exterior to a smooth stucco finish; and,
- Replacement of the original cement tile roof with a barrel tile roof.

In 1998, a new swimming pool, perimeter fence, and deck were constructed.

At its meeting of December 12, 2022, HPB approved the Certificate of Appropriateness (2022-170) Demolition, Variance, and Waiver request for the demolition of 106 sq. ft. of non-contributing additions, construction of a one-story addition to the rear of the home and two-story addition to the south side of the existing structure. The approved additions totaled 1,636 sq. ft and the overall square footage of the home was to be 3,484 sq. ft. In order to meet minimum FEMA finished floor elevations, the approval included elevation of the original structure vertically in place by pouring additional slab, construction of additional walls at the top of the existing structure and shifting window and door openings vertically. A new swimming pool and associated decking was approved for installation on the south side of the property. The proposal also included three project relief requests:

- A variance to allow for the proposed 2-story addition to encroach into the east/rear setback from the required 10' to 6'7".
- A variance to allow the pool to encroach into the west/front setback from the required 30' to 10'6".
- A waiver to allow for relief to the Secondary and Subordinate Visual Compatibility Standard for the proposed two-story addition.

Then, a permit for the approved work was issued on September 27, 2023 (23-212072). However, during construction, more than the approved demolition occurred and all but one section of existing walls and the roof were removed. As the approval did not include a request to demolish more than 25% of a contributing structure, the property owner was issued Code Enforcement Violations including Irreversible or Irreparable Violations for work exceeding the COA approval. The violations were heard by the Special Magistrate at its meeting of December 6, 2023, and the Special Magistrate assessed a one-time fine in the amount of \$15,000 and ordered the property owner to obtain a modified Certificate of Appropriateness and permits.

At its meeting of May 1, 2024, the Historic Preservation Board approved Certificate of Appropriateness and Demolition request for an after the fact Demolition and reconstruction of the contributing single-family residence, which included the previously approved alterations and additions. The project was completed and a certificate of occupancy was issued on March 25, 2025.

The subject request before the board includes exterior modifications to the non-contributing residence, as follows:

- Installation of a retractable awning to the front of the structure on the 2<sup>nd</sup>-story elevation;
- Installation of bronze aluminum railings on top of the structure for use as a rooftop deck;
- Installation of a spiral staircase on the rear (northeast) side of the reconstructed one-story portion of the structure, to provide access to the new rooftop deck.

Also, a Variance is requested to reduce the rear setback from the required 10' to 3' 6½" for the installation of the proposed spiral staircase.

#### 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 which is to be approved is consistent with Historic Preservation purposes pursuant to Objective 1.4 of the Historic Preservation Element of the Comprehensive Plan and specifically with 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 4.3.4(K), Development Standards, properties located within the R-1-AA zoning district shall be developed according to the requirements noted in the chart below. The previously approved COA was determined to be in compliance with the applicable requirements and Variances were approved to allow relief to setback requirements.

| DEVELOPMENT STANDARDS SETBACKS | REQUIRED | EXISTING                         | PROPOSED  |
|--------------------------------|----------|----------------------------------|-----------|
| FRONT (WEST)                   | 30'      | 30' (Structure)<br>10' ½" (pool) | No change |
| SIDE STREET (NORTH)            | 15'      | 15'3"                            | No change |
| SIDE INTERIOR (SOUTH)          | 10'      | 10'<br>(Addition & Pool)         | No change |

|                        |                  |                                                     |                    |
|------------------------|------------------|-----------------------------------------------------|--------------------|
| <b>REAR<br/>(EAST)</b> | <b>10'</b>       | <b>9'-7"-6'-7"</b>                                  | <b>3' 6 1/2" *</b> |
| <b>HEIGHT</b>          | <b>35' (MAX)</b> | <b>16' 3" 1-story<br/>20' 5" (2-story addition)</b> | <b>No change</b>   |

\* Variances are required for any new building area that encroaches into required setbacks, including ground floor building area proposed underneath the existing structure.

## **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 proposal involves utilization of the rooftop and installation of a spiral staircase on the rear (northeast) side of the residence. The proposed rooftop sits at 11'½" feet and contains a 4' parapet aluminum railing around the perimeter of the area, which meets the requirements of this code section. Additionally, the proposal includes planter boxes on the rooftop to meet minimum landscape requirements.

**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 4.5.1(E)(2) – Major and Minor Development.**

The subject application is considered "Minor Development" as it involves "alteration of less than 25 percent of the existing floor area of the building and all appurtenances."

**Pursuant to LDR Section 4.5.1(E)(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 proposal includes a new canvas retractable awning on a white metal frame to be installed on the front (west) elevation of the new two-story addition, a new bronze metal spiral staircase on the rear (northwest) side of the one-story portion of the residence, and bronze aluminum railings to be installed on the garage rooftop.

**Pursuant to LDR Section 4.5.1(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.

The subject request is for minor exterior modifications to add railings to the rooftop area, a new spiral staircase to access the rooftop terrace, and a new retractable awning to the existing one and two-story

non-contributing residence. The reconstructed design of the one-story portion of the home has been taken into consideration, and the proposal represents a minor alteration to the property.

## **SECRETARY OF THE INTERIORS STANDARDS**

Pursuant to LDR Section 4.5.11(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.

### **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.**

As the structure is considered a reconstruction of the original historic residence, the structure is no longer considered contributing to the Marina Historic District. Application of the Secretary of the Interior's Standards and Guidelines for Rehabilitation are applied where the proposal would have an impact on the surrounding historic district. With that said, the proposal is expected to be compatible with the surrounding historic district and historic structures.

**Pursuant to LDR Section 4.5.1l(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 4.5.1l(2) shall be determined by utilizing criteria contained in (a)-(m) below.**

- 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 4.5.1l(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.

There proposal involves installation of aluminum railings on top of the existing one-story garage, for rooftop use. The rooftop area contains 211 sq. ft. and the new metal spiral staircase proposed for access to the rooftop will be located on the east side of the property, behind the home. While there are no proposed changes to the non-contributing structures' existing Roof Shape, as the garage roof will remain as a flat deck roof, that area will now include 42" aluminum railings and be utilized as a rooftop terrace. The proposal meets the LDR requirements for rooftop terraces as noted above in this staff report.



With regards to **Relationship of Materials, Texture, and Color**, the proposal includes bronze aluminum railings for the rooftop area to match the existing fence and balcony railings. The spiral staircase will also be aluminum railing to match. The proposed retractable awning will be a fabric canvas in a tan “Stone Silica” color with an off-white aluminum frame. There are no concerns with the proposed materials and colors for this request.

#### **VARIANCE ANALYSIS**

**Pursuant to LDR Section 2.4.11(A) A variance is a departure from the dimensional or numeric requirements of these land development regulations where such variance will not be contrary to the public interest and where, owing to the existing conditions peculiar to the property and not the result of the actions of the landowner, a literal enforcement of the regulations would result in unnecessary and undue hardship.**

**Pursuant to LDR Section 2.1.9(E)(12)(d)(1)&(3), Board Actions. The Board hereby has the authority to take action on Variances from LDR Section 4.3.4 - Base district development standards and LDR Section 4.6 - Supplemental District Regulations associated with property, sites, and structures located within a Historic District or for Individually Designated Sites as listed on the Local Register of Historic Places in Section 4.5.1(I), pursuant to the procedures and standards of the LDR.**

**Pursuant to Section 4.3.4(K), Development Standards Matrix, the required rear setback is 10 for the R-1-AA zoning requirements.** The request is to reduce the minimum required rear (east) setback, from 10 feet to 3 feet 6½ inches for the installation of a spiral staircase to access the rooftop.

**Pursuant to LDR Section 2.4.11(A)(6) – Alternative Findings of the Historic Preservation Board: The Board may be guided by the following to make findings as an alternative to the variance standard criteria:**

- (a) That a variance is necessary to maintain the historic character of the property and demonstrating that the granting of the variance would not be contrary to the public interest, safety, or welfare.**

The request includes the installation of a spiral staircase for access to the rooftop. The existing structure involves a one-story reconstructed version of the original residence and two-story addition. The variance is not necessary to maintain the historic character of the property, yet granting of the variance is not expected to be contrary to the public interest, safety, or welfare.

- (b) That special conditions and circumstances exist, because of the historic setting, location, nature, or character of the land, structure, appurtenance, sign, or building involved, which are not applicable to other lands, structures, appurtenances, signs, or buildings in the same zoning district, which have not been designated as historic sites or a historic district nor listed on the Local Register of Historic Places.**

The reconstruction of the residence sits at the same setting as the original structure once did on the lot, to which the rear of the structure encroaches into the required 10’ setback. This is very narrow area of the property as it exists, which does not allow much room for additions and/or renovations. The variance to allow the spiral staircase is a very minor exterior alteration, but it is to allow access to a new rooftop use. The board will need to make a determination that special conditions and circumstances exist per this finding.

**(c) That literal interpretation of the provisions of existing ordinances would alter the historic character of the historic district, or historic site to such an extent that it would not be feasible to preserve the historic character of the historic district or historic site.**

The rooftop use represents a modernization of the existing structure rather than a minimum building requirement necessary for occupancy of the structure as a residence as the rooftop use is an amenity secondary to the use of the single-family residence. Installation of the spiral staircase is necessary to provide access to the proposed rooftop use. The structure as it exists encroaches into the rear setback and is built to the required side street setback. There is not available location for the staircase to be situated where it would conform to the setback requirements. As the request is proposed to the rear of the structure, the spiral staircase is a minor modification and will not be visible from the front public right of way of SE 7<sup>th</sup> Avenue and partially visible from the adjacent SE 3<sup>rd</sup> Street right-of-way. The request is not expected to have a negative effect upon the historic character of the Marina Historic District.

**(d) That the variance requested will not significantly diminish the historic character of a historic site or of a historic district.**

The original historic structure was demolished and reconstructed with the previously approved application. As the structure is no longer contributing to the Marina Historic District, there is no historic fabric left to alter on site. The proposal to install the staircase in the rear of the home is the least visually impactful side for the staircase to be situated. However, installation of the staircase facilitates the use of the roof of the garage as a rooftop terrace and involves the installation of rooftop mounted aluminum railings surrounding the proposed rooftop area. The board will need to make a determination that the proposal will not significantly diminish the historic character of the Marina Historic District.

**(e) That the requested variance is necessary to accommodate an appropriate adaptive reuse of a historic building, structure, or site.**

The property has historically been utilized for residential use and is currently being used for residential use. The subject variance is to allow the installation of a spiral staircase in the rear of the property with a reduced setback of 3 feet 6 ½ inches where 10 feet is required. The spiral staircase would be necessary to access the proposed rooftop terrace use, which represents a modernization of the existing structure rather than a minimum building requirement necessary for occupancy of the structure as a residence. The board will need to make a determination that the proposal is necessary to accommodate an appropriate adaptive reuse of the non-conforming structure.

The property owner has submitted a justification statement for the request (attached).

Note: As required by the LDRs, a notice regarding the subject demolition request was sent to those property owners located within a 500' radius of the subject property.

**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, to 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. Remove all proposed notes that were already approved and are not a part of this request (ex. reconstruction note of the main structure on the proposed site plan).

#### **ALTERNATIVE ACTIONS**

- A. Move to continue with direction.
- B. Approve Certificate of Appropriateness and Variance (HP-392-2025), for the property located at **303 SE 7<sup>th</sup> Avenue, 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 Variance (HP-392-2025), for the property located at **303 SE 7<sup>th</sup> Avenue, 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:
- D. Deny Certificate of Appropriateness and Variance (HP-392-2025), for the property located at **303 SE 7<sup>th</sup> Avenue, 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**

|                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Courtesy Notices were provided to the following, at least 5 working days prior to the meeting:<br><br>Marina Historic District Homeowners Association | <input checked="" type="checkbox"/> Public Notice was mailed to property owners within a 500' radius on 7/24/26, 10 days prior to the meeting.<br><input checked="" type="checkbox"/> Public Notice was posted at the property on 7/30/26, 7 calendar days prior to the meeting.<br><input checked="" type="checkbox"/> Public Notice was posted in the main lobby at City Hall on 7/24/26, 10 working days prior to the meeting.<br><input checked="" type="checkbox"/> Public Notice was posted to the City's website on 7/24/26, 10 calendar days prior to the meeting.<br><input checked="" type="checkbox"/> Agenda was posted on 7/29/26, 5 working days prior to meeting. |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

#### **TAC Timeline Table**

| <b>Review No.</b> | <b>Submittal Date</b> | <b>TAC Comments Transmitted</b> | <b>Board Meeting Date</b> |
|-------------------|-----------------------|---------------------------------|---------------------------|
|-------------------|-----------------------|---------------------------------|---------------------------|

|           |                   |                                                 |                                           |
|-----------|-------------------|-------------------------------------------------|-------------------------------------------|
| <b>1.</b> | <b>05/19/2026</b> | <b>6/11/2026<br/>TAC</b>                        | <b>N/A</b>                                |
| <b>2.</b> | <b>07/10/2026</b> | <b>Determined Board<br/>Ready<br/>7/22/2026</b> | <b>Scheduled for August 5 HPB Meeting</b> |