



July 7th, 2026

CITY OF DELRAY BEACH, Development Services Department
100 North West 1st Avenue
Delray Beach, Florida 33444

Re: **VARIANCE JUSTIFICATION STATEMENT**
John P Basford & Jasmine Carvajal Residence
516 North Swinton Avenue, Delray Beach, FL 33444
Folio: 12-43-46-08-21-011-0060
Zoning District: R-1 AA Single Family

Dear Members of the Historic Preservation Board,

This letter is submitted as part of the Historic Review Application for the above-referenced property.

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

The requested variance is necessary to maintain the historic character of the property because the proposed exterior stair serves a new in-law quarters located above the existing detached garage, allowing the existing historic house and overall site arrangement to remain substantially intact. Due to the limited space between the detached garage, property lines, and existing improvements, a fully compliant stair layout cannot be achieved without either removing established site features, substantially altering the historic relationship between the house and accessory structure, or redesigning the addition in a way that would be more visually intrusive. Granting limited setback encroachment for the stair is therefore the least disruptive solution and allows the improvement to be integrated into the property while respecting its established historic pattern and character.

Approval of the variance would not be contrary to the public interest, safety, or welfare because the request is narrow in scope and applies only to a portion of the exterior stair, rather than to the principal massing of the building. The stair will be designed and constructed in compliance with applicable building and life-safety requirements, and the addition itself remains subordinate to the historic residence and detached garage. The proposal does not introduce an incompatible use, does not alter the essential residential character of the neighborhood, and does not create a substantial negative effect on adjacent properties. Instead, it supports continued investment in and maintenance of a historic residential property, which is consistent with the City's preservation goals.

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.



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Special conditions and circumstances exist because of the historic setting and the existing layout of the property, including the location of the detached garage, the established placement of improvements on the lot, and the need to preserve the historic development pattern rather than clear the site and rebuild under modern standards. These conditions are unique to a property in a historic neighborhood where preservation of existing structures and their spatial relationships is a primary objective. A non-historic property in the same zoning district may have more flexibility to reconfigure buildings or construct new access in a different location, but this property is constrained by the need to preserve the character-defining features and established site arrangement that contribute to its historic value.

These conditions are not generally applicable to other non-historic properties in the same zoning district because those sites are not subject to the same preservation considerations. Here, the detached garage already exists in a fixed location, and the exterior stair must connect to the second-floor in-law quarters without undermining the historic character of the site. The limited area available for access circulation, combined with the obligation to maintain the historic placement and appearance of the structures, creates a practical constraint that is specific to this historic context and justifies the requested variance

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.

A literal interpretation of the setback provisions would alter the historic character of the property to such an extent that preservation of the site's historic character would become less feasible. If the stair were required to comply strictly without variance relief, the project would likely require a more intrusive redesign, such as relocating the stair to a more prominent and visually disruptive position, substantially modifying the detached garage, or removing existing elements that help define the historic arrangement of the property. Any of those outcomes would have a greater adverse effect on the historic character than the limited encroachment now being requested.

In this case, strict enforcement of the ordinance would not preserve the historic district more effectively; it would instead force a design response that is less compatible with the established historic setting. The proposed variance allows the stair to be located where it has the least impact on the visibility, form, and character of the existing structures. For that reason, the requested relief is consistent with the preservation purpose of the ordinance and is necessary to avoid changes that would be more harmful to the historic resource.

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

The requested variance will not significantly diminish the historic character of the historic site or the surrounding historic district because the encroachment is limited to a portion of the exterior stair and does not alter the primary historic massing or principal façade of the residence. The in-law quarters is placed above the detached garage rather than attached in a way that would overwhelm the original house, and the stair can be designed with materials, scale, proportions, and detailing that are compatible with the architectural character of the property. As a result, the historic residence remains the dominant visual element on the site, and the addition reads as a subordinate accessory improvement.

The proposal also preserves the broader character of the district because it respects the established residential use, lot pattern, and architectural context of the neighborhood. The requested variance is not for a use or intensity that is out of character with the area, but rather for a modest dimensional adjustment needed to accommodate access. When viewed in context, the limited stair encroachment is minor compared with the preservation benefit achieved by retaining and sensitively improving the existing historic property.

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

The requested variance is necessary to accommodate an appropriate adaptive reuse of the detached garage and related accessory area by allowing it to function as a compatible in-law quarters above the existing structure. Adaptive reuse in a historic setting often requires careful modification of older buildings so they can continue to serve contemporary residential needs without demolition or substantial loss of historic fabric. In this case, the variance makes it possible to use the existing detached garage in a practical and beneficial way while maintaining the overall historic character of the property and avoiding more invasive changes to the principal residence.

This is an appropriate adaptive reuse because it remains residential in nature, is subordinate to the main house, and adds functional value to the property without changing its essential historic identity. The exterior stair is a necessary component of that reuse, as it provides independent access to the in-law quarters in a manner that is operationally sensible and less disruptive than alternatives that would require more substantial alteration to existing historic features. Granting the variance therefore supports the long-term viability, usability, and preservation of the property as a historic residential resource.