



## CERTIFICATE OF APPROPRIATENESS APPLICATION



### HISTORIC PRESERVATION BOARD

Submittal Date: 8/1/2019

Property Address: 19 North Dixie Blvd.

Project Name: THE ADLER RESIDENCE

Historic District/Site: REL #10

#### INSTRUCTIONS FOR COMPLETING AND FILING THE COA APPLICATION

Proposals to alter properties containing **Single Family** and **Duplex** uses require the submittal of a completed COA application and all applicable materials. Applications may be submitted to the Planning and Zoning Department between the hours of 8:00 a.m. and 5:00 p.m., Monday thru Friday. The completed application must be submitted **(6) weeks** prior to the next available Historic Preservation Board (HPB) meeting where it **may** be reviewed. This time may vary, depending upon the type of request, number of comments made by staff, or the time required by the applicant to submit necessary revisions and/or additional information.

**HPB meetings are held in the City Commission Chambers at 6pm on the first Wednesday of each month.**

The complete application must be accompanied by the following **fee(s)**, as applicable:

\$500.00 (Minor Alterations such as new windows, fences and/or repairs),

\$1,000.00 (New Construction and Additions),

\$1,500.00 (Demolition of greater than 25% square footage) or more of a principal structure, or a contributing accessory structure (fee is per building)

\$750.00 (Demolition of less than 25% square footage) of a principal structure, or of a non-contributing accessory structure (fee is per building)

\$585.00 (Relocation of a contributing or individually listed historic structure) to another property (fee is per building)

\$1,000.00 Waivers-during site or master plan review (separate written letter required)

\$2,500.00 Waivers-after site plan submittal (separate written letter required)

Make checks payable to the City of Delray Beach.

*HB* .

If **Demolition or Relocation** is being requested with this application, then the applicant shall submit a list of property owners within a 500' radius of the subject property; taken from the latest official County tax roll. Additionally, a tax map showing all property lying within 500' of the subject property must be provided. Applicant shall also submit a digital copy of these documents. The list of property owners, tax map and mailing labels can be obtained at:

Palm Beach County Property Appraiser's Office  
14925 Cumberland Drive  
Delray Beach, FL 33446  
(561)276-1250

**The applicant shall provide** standard white (number 10) pre-addressed envelopes with the required postage for mailed notices. (Postage may either be in the form of stamps or metered postage. For metered postage, please ensure that the mailing date is turned off).

The mailing labels must be typed, affixed to the envelopes and shall state the property owner's name, mailing address and property control number (PCN #). *[When Condominiums are involved, the names and addresses of all owners must be submitted].* (For duplicates i.e. owners name and addresses are the same, please provide postage for only one pre-addressed envelope and submit the remaining duplicate labels).

**Written notice will be mailed no later than 10 days prior to a public hearing.**

### **APPLICATION SUBMITTAL REQUIREMENTS**

Please print or type all of the required information, and ensure that the application is complete and accurate prior to submittal.

A pre-application conference with the Historic Preservation Planner is strongly recommended. ✓

Pursuant to the City's Land Development Regulations' (LDR) Section 2.4.6(H)(2) no application for a COA will be accepted by the HPB unless it contains all required and pertinent information. **Beginning August 1, 2017, the Planning, Zoning and Building Department will only accept development application submittals by appointment.**

All proposals will be reviewed in accordance with LDR Section 4.5.1, Historic Preservation Sites and Districts. A copy of the LDRs may be found online at [www.mydelraybeach.com](http://www.mydelraybeach.com) or in the Planning and Zoning Department.

#### **Notes:**

1. A digital copy of all plan exhibits and application documentation provided on CD is required with the submittal of the application and each subsequent resubmittal. The digital copy must be in a PDF format and shall be prepared at a size of 8½" x 11" or 11"x 17", depending upon legibility.
2. Citizens who request a presentation before the Board or City Commission that is on a portable flash drive device must provide their media to the City Clerk's Office, no later than 12:00 pm one day prior to the meeting where they wish to present.

**CITY OF DELRAY BEACH PLANNING AND ZONING DEPARTMENT  
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS**

*A COA is valid for 24 months from the date of approval.*

Address or General Location:

19 NORTH DIXIE BLVD.

**PART ONE - APPLICANT INFORMATION:**

**APPLICANT**

Name: OGG ADLER

Mailing Address: 10 ISLAND WAY  
WESTPORT, CT  
06880

Phone: 203-223-3241 E-Mail: OGGADLER@TAHOE.COM

**AUTHORIZED AGENT**

Name: COPE ARCHITECTS, INC.

Mailing Address: 79 CR 1ST STREET  
DELRAY BEACH FL  
33483

Phone: 561-789-3791 E-Mail: COPEARCHITECTSINC@GMAIL.COM

**PROPERTY OWNER (if other than applicant)**

Name: APPLICANT

Mailing Address:

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Applicant is: Owner  Lessee  Other \_\_\_\_\_

Request is a Result of Code Enforcement Action: Yes  No

**PART TWO - PROPERTY INFORMATION:**

Property Control Number: 12-03-40-09-29-004-0100

Legal Description (attach separate sheet if necessary): CRE ATTACHED

Historic District or Individually Designated Site: TEL #18

Contributing  Non-Contributing  Individually Designated  Nationally Designated

Once the improvements are complete, will you be seeking a Historic Property Ad Valorem Tax Exemption for the proposed improvements? yes

Zoning District: P-1-XA

Size of Property: \$7,000.00 sq.ft. .10.10 acres  
(Existing)

150' width 140' depth

150' frontage

Existing Use of Property: SINGLE FAMILY PRIVATE  
RESIDENCE.

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**CERTIFIED TO:** Olga Adler  
**PROPERTY ADDRESS:** 19 N. Dixie  
Blvd., Delray Beach, FL 33444  
**FLOOD ZONE:** X (FIRM 125102  
1251020002D 1/5/89)  
**DESCRIPTION:** Lot 16, Block 4, DEL  
IDA PARK, according to the Plat thereof on  
file in the office of the Clerk of the Circuit  
Court in and for Palm Beach County,  
Florida, in Plat Book 9, Page 52.

## PART THREE – PROJECT INFORMATION - DESCRIPTION OF WORK FOR WHICH THE COA IS DESIRED

(Check Applicable Item(s))

- Maintenance or Repair:** Application of measures to sustain the existing form, integrity and material of a building or structure that requires a building permit.
- Restoration:** recovery of the form and details of a property and its setting as it originally appeared.
- Reconstruction:** The process of reconstructing a building or structure.
- Renovation:** Returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural and cultural values.
- New Construction:** Construction of a building or structure that never existed at the location, or of additional square footage to existing structure.
- Demolition:** Destruction or tear down of a building or structure or a part thereof, or the process of removing or destroying an archeological site or a part thereof.
- Relocation:** The process of moving a building or structure to another site.
- Landscaping:** Improvements to landscape features including subsurface alteration, site grading, fill deposition, paving, landscaping, courtyards, and exterior lighting.
- Excavation:** Recovery of artifacts, historical materials or other archeological features.
- Walls, Fences and Sidewalks:** The installation and/or construction of new walls, fences and sidewalks.
- Color Change:** Change in color of the exterior of any buildings or structures, walls, fences, sidewalks, or any other architectural features.
- Other:** Please explain \_\_\_\_\_

Describe the proposed project in detail and indicate if there is to be any phasing of the improvements:

Proposed changes include: 1. Paint exterior of existing buildings (1925) to be consistent with new exterior color scheme, then add a new "wing" to be attached to existing (also renovated) rear cottage, add new pool & pool deck, new light fixtures, add an exterior generator, etc. - No anticipated phasing.

**DEMOLITION (If Applicable)**

Explain why the proposed demolition should occur. (Attach separate sheet if necessary.)

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Upon consideration of a demolition application, the Delray Beach Historic Preservation Board will consider the criteria noted in **LDR Section 4.5.1(F)** and **Ordinance 14-15**.

## **RELOCATION (If Applicable)**

Explain why the proposed relocation should occur. (Attach separate sheet if necessary.)

✓/4

Upon consideration of a relocation application, the Delray Beach Historic Preservation Board will consider the criteria noted in **LDR Section 4.5.1(F)** and **Ordinance 13-15**. **NOTE:** When relocation is approved through the required processes, the submittal of a "Surety Bond" and bond application will be required in a form satisfactory to the City Attorney's Office of an amount equal to 125% of the "fair market value" of the property which includes the value of the land and any improvements such as the historic structure, as determined by or through an MAI (Member of the Appraisal Institute) appraisal. The appraisal must be performed no more than sixty (60) days prior to the date of application for a relocation permit.

## PART FOUR - REQUIRED COA MATERIALS

Please be certain to include sufficient documentation ensuring an accurate assessment of the project. Check only the appropriate items.

- Historical Information** - For ALL Contributing AND Non-Contributing Properties.
- Demolition Reports** – As required by LDR Section 4.5.1(E)(7) and 4.5.1(F).
  - For Contributing Structures, the following shall also be submitted as required by LDR Section 4.5.1(F)(7):
    - Certified structural report from a registered architect or engineer;
    - Certified cost analysis from an engineer, architect, general contractor, or other qualified professional;
    - Property appraisals, and;
    - Relocation documentation.
- Photographs** - Of ALL elevations of each building or structure on the subject property must be attached. If the subject property is vacant, photographs of the site must be attached. Label ALL photographs with address and cardinal direction.
- Manufacturer Cut Sheets** of Window and Doors
  - \* A digital copy of all exhibits provided above is required on CD or jump drive . The digital copy must be in a PDF format and shall be prepared at a scaled size of 8½" x 11" or 11"x 17"format.

## APPLICATION SUBMITTAL CHECKLIST

One (1) collated set of all applicable materials is required. The survey, site plan, landscaping plan, preliminary engineering plan, tree survey and irrigation plan (excluding architectural elevations and floor plans, which utilize an architect's scale) shall be prepared at the same scale of 1" =10' or 1"=20' or 1"=30'. Please be certain to include sufficient documentation ensuring an accurate assessment of the project. Check only the appropriate items.

- Site Survey** –current plan prepared by a registered Surveyor.
- Site Plan** –prepared by a registered Architect, Engineer, or Landscape Architect.
- Exterior Elevations** – ALL elevations; directional labels, dimensions, height, roof pitch, etc. must be noted.
- Landscape Plan** –Include all hardscaping (existing/proposed), must be certified by a registered Landscape Architect, unless deemed acceptable by the Building Department for permitting purposes.
- Floor Plans**
- Other Plans** - i.e. Demolition Plan, Roof Plan, etc.
- Window and Door Schedule** –Include specifications, to include but not limited to, window type, material, configuration, dimensions, and profile drawings.
- Engineering and/or Other Reports**
- Architectural Drawings, Sketches or Artistic Rendering**
- 11"x17" Reduced Set** – To include a copy of all submitted materials.
- Samples of Building Materials and Color Chips** – See Page 6.
- Site Development Chart** -including lot coverage %, open space minimum %, setbacks, and grade to peak height measurements- (required and proposed)
- Other Materials** - May be requested by the Planning and Zoning Department or Historic Preservation Board.
- \* A digital copy of all plan exhibits above is required on CD or jump drive . The digital copy must be in a PDF format and shall be prepared at a scaled drawing size of 8½" x 11" or 11"x 17"format.

COLOR SAMPLE & FINISH SCHEDULE

Existing Colors/Material:

ACCENT

Yellow catalog id/ Dark blue

Proposed Colors/Materials:

White catalog w/ black &  
Dark anodized & copper accent.

ATTACH SAMPLES AND/OR PHOTOGRAPHS OF TYPE PROPOSED ✓

Please note type of material proposed.

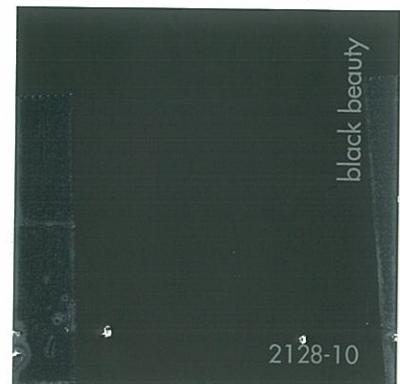
ROOF	flat	AWNINGS	PEPPED TILE ON HEAT TREATED PINE
WALLS	BEHR #PR-W14 "BIT OF SUGAR" (LTHHR)	RAILINGS/ FENCE	N/A
FASCIA	N/A	DOORS	front: solid TEAK OIL STAIN (STAIN)
WINDOWS	DARK ANODIZED BRONZE (PRSTMC)	SCREENING (PATIO/POOL)	N/A
COLUMNS	N/A	OTHER	ACCENT COLOR: R. COPE #2128-10 "BLACK PEARL"

PR-W14



PR-W14

PR-W14<sup>U</sup>  
Bit of Sugar



BENJAMIN MOORE®  
COLOR PREVIEW® 2128

2128-10

## PROJECT COMPLIANCE AND RELIEF

Does any component of the project require relief from any of the applicable requirements noted in the Land Development Regulations?  Yes  No

### WAIVERS:

Fee: See Section 2.4.3(K)

No waivers are requested

Pursuant to LDR Section 2.4.7(B), a waiver involves the granting of partial or total relief from a specific regulation. A formal letter of request with reference to the Section and a justification for granting the waiver is required.

Pursuant to LDR Section 2.4.7(B)(5), prior to granting a waiver, the granting body shall make findings that the granting of the waiver:

- (a) Shall not adversely affect the neighboring area
- (b) Shall not significantly diminish the provision of public facilities;
- (c) Shall not create an unsafe situation; and,
- (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.

The following waiver(s) are requested:

<u>LDR Section</u>	<u>Requirement</u>	<u>Relief Requested</u>

\*If additional waivers are requested, please provide a copy of this page with the additional information.

Required fee(s) and justification statement(s) is/are attached:

### VARIANCE:

Fee: See Section 2.4.3(K)

No variances are requested

A variance is requested. The Historic Preservation Board Variance Application is attached.

**OWNER'S CONSENT**

(This form must be completed by **ALL** property owners)

I OLGA ADLER AND WILLIAM ADLER the fee simple owner of the following  
(Owner's Name)

described property (give legal description):

CHIPS ATTACHED.

hereby petition to the City of Delray Beach for Class I site plan modification for:

ADLER PRECIPICE.

(Project Name)

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. I consent to inspection and photographing of the subject property by the Planning and Zoning Department Staff for purposes of consideration of this application and/or presentation to the approving body. Further, I understand that this application, attachments and fees become part of the Official Records of the City of Delray Beach, Florida, and are not returnable.

Olga Adler  
Owner's Signature

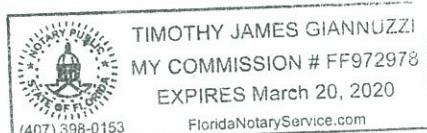
The foregoing instrument was acknowledged before me this 5, day of  
July, 20 17 by OLGA ADLER, WILLIAM ADLER, who is personally  
known to me or has produced DL 192337761, 118068553 (type of  
identification) as identification and who did (did not) take an oath.

Timothy Giannuzzi  
(Printed Name of Notary Public)

OS  
(Signature of Notary Public)

Commission # FF972978, My Commission Expires 03/20/2020

(NOTARY'S SEAL)



10  
-4-

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file in the office of the Clerk of the Circuit  
Court in and for Palm Beach County,  
Florida, in Plat Book 9, Page 52.

**OWNER'S DESIGNATION OF AGENCY**

(This form must be completed by **ALL** property owners if designating an Agent)

OLGA ADLER AND WILLIAM ADLER, the fee simple owner of the following  
(Owner's Name)

described property (give legal description):

COPY ATTACHED

hereby affirm that ROBERT COPE OF COPE ARCHITECTS,  
(Applicants/Agent's Name)

is hereby designated to act as agent on my behalf to accomplish the above.

INC.

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the City of Delray Beach, Florida, and are not returnable.

Olga Adler  
(Owner's Signature)

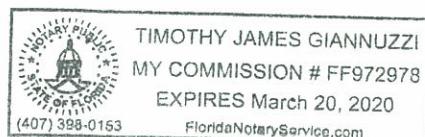
The foregoing instrument was acknowledged before me this 5<sup>th</sup>, day of  
July, 20 17 by OLGA ADLER William ADLER, who is personally  
known to me or has produced DL 11806853, 192337761 (type of  
identification) as identification and who did (did not) take an oath.

Timothy Giannuzzi  
(Printed Name of Notary Public)

OGJ  
(Signature of Notary Public)

Commission # FF972978, My Commission Expires 03/20/2020

**(NOTARY'S SEAL)**



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100 NW 1<sup>st</sup> Avenue • Delray Beach, FL 33444

(561) 243-7200 • Fax (561) 243-7221

www.mydelraybeach.com

## BUILDING PERMIT APPLICATION

APPL DATE <u>6-22-18</u>	F.B.C. VERSION	ACCEPTED BY <u>P.Y.</u>	PERMIT NO. <u>18-177227</u>
OWNER INFORMATION		CONTRACTOR & DESIGNER INFORMATION	
Name <u>OLGA ADLER</u>		<input checked="" type="checkbox"/> Check if Owner/Builder (See Page 3)	
Address <u>19 DIXIE BLVD</u>		Contractor License No. <u></u>	
City <u>DELRAY BEACH</u> State <u>FL</u> Zip <u>33444</u>		Workers' Comp No. <u>01B</u>	
Home Phone <u>(561) 504-6034</u>		Company <u></u>	
Cell Phone <u>(203) 273-3249</u>		Address <u></u>	
Fax No. <u>( )</u>		City <u></u> State <u></u> Zip <u></u>	
Email Address <u>olgaradler@yahoo.com</u>		Phone <u></u> Fax <u></u>	
PROPERTY INFORMATION		Cell <u></u>	
Property Control Number: <u>12-43-46-09-29-004-0160</u>		Email <u></u>	
Address of Proposed Work <u>19 DIXIE BLVD</u>		Architect/Engineer's Name <u></u>	
Legal Description <u>DEL IDA PARK LT 16 BLKA</u> <u>(DEL IDA PARK - HISTORIC DISTRICT)</u>		Address <u></u>	
Ste or Apt # / Floor <u></u>		FOR PERMIT EXPEDITERS ONLY (for permit pick-up):	
Project Name (if applicable) <u>ADLER ADDITION</u>		Contact Name <u>SOPRA GROUP LLC</u>	
		Phone <u>JOE SOPRA</u> Ext. <u></u>	
		Cell <u>561 504-6034</u> <b>Back Flow</b>	
ADDITIONAL INFORMATION		Inspection Required	
Fee Simple Title Holder (if other than owner) <u></u>		<input type="checkbox"/> Fire	
Address <u></u>		<input checked="" type="checkbox"/> Irrigation	
Mortgage Lender <u></u>		<input type="checkbox"/> Commercial	
Address <u></u>		City <u></u> State <u></u> Zip <u></u>	
City <u></u> State <u></u> Zip <u></u>		Address <u></u>	
DESCRIPTION OF PROPOSED IMPROVEMENTS			
Description of the proposed work (New Construction, Addition, Interior/Exterior Alteration, Windows/Doors, etc.) <u>Addition, INTERIOR ALTERATION, &amp; WINDOWS/DOORS.</u>			
Is this a City or Re-hab project? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Is the building served with an automatic fire sprinkler system? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Current Use or Occupancy <u>SFH</u>		Is this a change in the Use or Occupancy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
PERMIT VALUATION			
For Impact Fee Credit, Existing or Previous Structure Demolished? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Type of Structure Demolished: <input checked="" type="checkbox"/> SFR <input type="checkbox"/> Commercial <input type="checkbox"/> Commercial Accessory Building			
PLEASE CHOOSE ONE OF THE FOLLOWING:			
NEW CONSTRUCTION & ADDITIONS - FEE SCHEDULE I*		MISCELLANEOUS PERMITS - FEE SCHEDULE II* ALTERATIONS & GENERAL CONSTRUCTION - SCHED. III*	
TOTAL COST OF CONSTRUCTION TO INCLUDE: STRUCTURAL, ROOFING, ELEC, MECH, PLBG \$ <u>206,716.91</u> <u>199,936.91</u>		TOTAL COST OF CONSTRUCTION: \$ <u></u> COST OF CONSTRUCTION WITHOUT TRADES: \$ <u></u>	
NOTE: OTHER ASSOCIATED TRADES TO BE FEE'D SEPARATELY UNDER <u>FEESCHEDULE II OR III</u> . THESE INCLUDE: LOW VOLTAGE, HOOD/SUPPRESSION SYSTEM, FIRE SPRINKLERS, IRRIGATION, LANDSCAPING, PAVING, ETC.		NOTE: ALL SUB-TRADES TO BE FEE'D SEPARATELY. THESE INCLUDE ELEC, MECH, PLBG, ROOFING, LOW VOLTAGE, HOOD/SUPP SYSTEM, FIRE SPRINKLERS, IRRIGATION, LANDSCAPING, PAVING, ETC.	
*SEE BUILDING PERMIT FEE SCHEDULE FOR DETAILS			

## APPLICATION CERTIFICATION AND ACKNOWLEDGEMENT

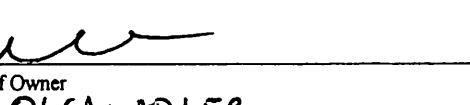
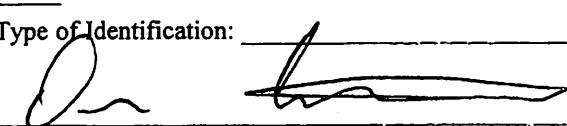
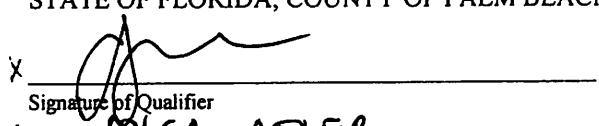
Application is hereby made to obtain a permit to do the work and installation as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. A City Building Permit does not assure compliance with Homeowners Association's rules, regulations and/or deed restrictions. Applicant is advised to obtain approval from the Homeowners Association before improving any property. Applicant further acknowledges the following:

- Separate permits must be secured for ELECTRICAL, PLUMBING, MECHANICAL, WELLS, POOLS, FIRE SPRINKLER, SIGNS, LANDSCAPE, IRRIGATION, ROOFING, SHUTTERS, ETC.
- This permit becomes null and void if work or construction authorized is not commenced within six (6) months or if construction or work is suspended or abandoned for a period of six (6) months at any time after work is commenced. Permit will be considered suspended or abandoned if it does not pass an inspection within 180 days and will be subject to a reactivation fee in the amount in force at the time of reactivation.
- Failure to comply with all applicable construction regulations may result in the withholding of future permits.
- Submission of any false information or misrepresentation is a violation of law and shall result in revocation of your permit.
- NOTICE: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies.

**WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.**

**OWNER'S AFFIDAVIT:** I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

OWNER BUILDER

<b>PROPERTY OWNER</b> STATE OF FLORIDA, COUNTY OF PALM BEACH   Signature of Owner <b>OLGA ADLER</b> Printed Name of Owner  STATE OF FLORIDA, COUNTY OF PALM BEACH The foregoing instrument was acknowledged before me This <u>24</u> day <u>MAY</u> , 20 <u>18</u> , By <u>Olga Adler</u> <input checked="" type="checkbox"/> Personally Known OR <input type="checkbox"/> Produced Identification Type of Identification: _____   Signature of Notary  <div style="border: 1px solid black; padding: 2px; display: inline-block;">DON CURTIS (SEAL) Notary Public Connecticut My Commission Expires Jul 31, 2022</div>	<b>GENERAL CONTRACTOR</b> STATE OF FLORIDA, COUNTY OF PALM BEACH   Signature of Qualifier <b>OLGA ADLER</b> Printed Name of Qualifier  STATE OF FLORIDA, COUNTY OF PALM BEACH The foregoing instrument was acknowledged before me This <u>24</u> day <u>MAY</u> , 20 <u>18</u> , By <u>Olga Adler</u> <input checked="" type="checkbox"/> Personally Known OR <input type="checkbox"/> Produced Identification Type of Identification: _____   Signature of Notary  <div style="border: 1px solid black; padding: 2px; display: inline-block;">DON CURTIS (SEAL) Notary Public Connecticut My Commission Expires Jul 31, 2022</div>
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# OWNER – BUILDER AFFIDAVIT

Owner: X OLGA ADLER

(Please Print)

Permit #: \_\_\_\_\_

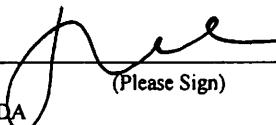
I hereby apply for a Building Permit in the City of Delray Beach Florida and will personally supervise and control the permitted construction and will observe all of the requirements of the Building, Electrical, Plumbing, Mechanical, Zoning and other technical codes as adopted and enforced by the City of Delray Beach, Florida.

WHEN ISSUED, I UNDERSTAND THAT THIS PERMIT IS FOR CONSTRUCTION OF IMPROVEMENTS EXEMPT UNDER 489.103(7) OF THE FLORIDA STATUTES, AND CERTIFY THAT I AM THE BONA FIDE OWNER OF SAID PROPERTY. I ALSO UNDERSTAND THAT:

State law requires construction to be done by licensed contractors. I have applied for a permit under an exemption to that law. The exemption allows me, as the owner of the property, to act as my own contractor even though I do not have a license. I must supervise the construction myself. I may build or improve a one-family or two family residence or a farm outbuilding. The building must be for my own use and occupancy. It may not be built for sale or lease. If I sell or lease more than one building I have built myself within one (1) year after the construction is complete, the law will presume that I built it for sale or lease, which is a violation of this exemption. I may not hire an unlicensed person as my contractor. My construction must be done according to building codes and zoning regulations. It is my responsibility to make sure that people employed by me have licenses as required by state law and by county or municipal licensing ordinances. I certify that I have not completed a residence or duplex under an owner – builder permit within the past twelve (12) months. I am responsible for all work done by my employees and that proper provision has been made to carry the necessary workers compensation, public liability and property damage insurance, withholding of social security, federal income taxes and payments of federal and state unemployment compensation taxes, as required by law.

I, THE OWNER OF THE PROPERTY DESCRIBED AS (address) 19 N. DIXIE BLVD

Do hereby certify that I have read the foregoing, and am aware of my responsibilities, and liabilities for construction work on the above described property and do hereby covenant and agree to abide by all of the aforesaid stipulations. I further understand that any falsification of the above statements constitutes fraud and may result in cancellation of this permit and the imposition of other penalties as prescribed by law.

Owner: X 

(Please Sign)

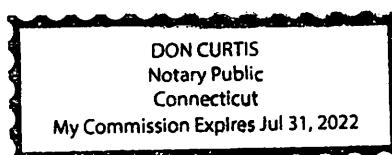
Date: 05/24/18

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 24 day of May, 2018  
By Olga Adler who is personally known to me or who has produced License  
# 11806855  
(type of ID)

  
(seal)

(Signature of Notary)



City of Delray Beach Florida  
100 NW 1ST AVE  
DELRAY BEACH FL 33444

CERTIFICATE OF OCCUPANCY/CERTIFICATE OF COMPLETION

Application Number. . . . . 18-00177227 000 000  
CO Issue Date . . . . . 9/28/19  
Parcel Number . . . . . 12 43 46 09 29 004 0160  
Property Address . . . . . 19 N DIXIE BLVD  
Subdivision Name . . . . . DEL IDA PARK  
Legal Description . . . . . DEL IDA PARK  
LT 16 BLK 4 (DEL-IDA PARK  
HISTORIC DISTRICT)  
Property Zoning . . . . . SINGLE FAMILY  
Owner . . . . . ADLER OLGA & WILLIAM  
10 ISLAND WAY  
WESTPORT CT 06880  
Contractor . . . . . OWNER/BUILDER  
Description of Work . . . . . ADDITION - SINGLE FAMILY  
Valuation . . . . . \$ 206,158  
Construction Type . . . . . TYPE V-B  
Occupancy Type . . . . . RES-SINGLE FAMILY/DUPLEX  
Flood Zone . . . . . FLOOD ZONE X  
DESIGN OCCUPANT LOAD . . . . . 1.00  
Building Code Edition . . . . . FBC SBC: 1994, 1997, 2001, 2004, 2007, 2010, 2014

NOTES:

CONSTRUCT ADDITION TO SINGLE FAMILY:  
ADDITION, INTERIOR ALTERATION, WINDOWS/  
DOORS.  
FLOOD ZONE: X  
FFE: =EXISTING  
CODE VER: FBC 2017  
SPRINKLER NOT REQUIRED  
THE CITY OF DELRAY BEACH ENCOURAGES THE  
USE OF ENERGY STAR PRODUCTS.

Building Official . . . . . Steve Tobias,

SBI

VOID UNLESS SIGNED BY BUILDING OFFICIAL OR DESIGNEE

The described portion of the structure has been inspected for  
compliance with the requirements of the code for the occupancy  
and division of occupancy and the use for which the proposed  
occupancy is classified.



CFN 20170242787

This Document Prepared By and Return to:

**Delray Title & Abstract Co.**  
210 NE 6th Ave., Ste. 105  
Delray Beach, FL 33483  
W/C 43

DR BK 29202 PG 0835  
RECORDED 07/07/2017 09:14:44  
AMT 549,000.00  
Doc Stamp 3,843.00  
Palm Beach County, Florida  
Sharon R. Bock, CLERK & COMPTROLLER  
Pas 0835 - 836; (2pss)

Parcel ID Number: 12-43-46-09-29-004-0160

## Warranty Deed

This Indenture, Made this 30<sup>th</sup> day of June, 2017 A.D., Between  
Richard Phillip Morris and Carol Sue Morris, husband and wife

of the County of Indian River, State of Florida, grantors, and  
William K. Adler and Olga Adler, husband and wife

whose address is: 10 Island Way, Westport, CT 06880

of the County of Fairfield, State of Connecticut, grantees.  
Witnesseth that the GRANTORS, for and in consideration of the sum of

-----TEN DOLLARS (\$10)----- DOLLARS.

and other good and valuable consideration to GRANTORS in hand paid by GRANTEES, the receipt whereof is hereby acknowledged, have  
granted, bargained and sold to the said GRANTEES and GRANTEES' heirs, successors and assigns forever, the following described land, situate,  
lying and being in the County of Palm Beach, State of Florida, to wit:

Lot 16, Block 4, Del-Ida Park, according to the plat thereof on file  
in the Office of the Clerk of the Circuit Court in and for Palm Beach  
County, Florida, in Plat Book 9, Page 52, together with improvements  
thereon and fixtures therein.

Subject to current taxes, easements and restrictions of record.

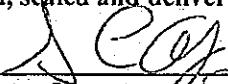
and the grantors do hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

# Warranty Deed - Page 2

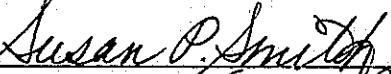
Parcel ID Number: 12-43-46-09-29-004-0160

In Witness Whereof, the grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

  
Printed Name: S.C. ALGONAS

Witness

  
Printed Name: Susan P. Smith

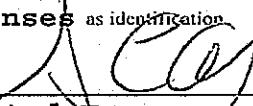
Witness

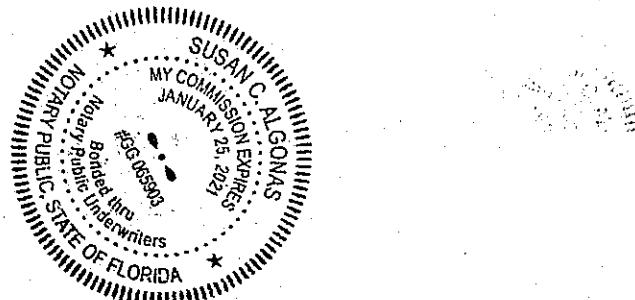
STATE OF Florida  
COUNTY OF Indian River

The foregoing instrument was acknowledged before me this

30 day of June , 2017 by

Richard Phillip Morris and Carol Sue Morris  
who are personally known to me or who have produced their driver's licenses as identification

  
Printed Name:  
Notary Public  
My Commission Expires:





**CITY OF DELRAY BEACH**  
PLANNING, ZONING AND BUILDING DEPARTMENT



1993•2001•2017 100 NW 1<sup>ST</sup> AVENUE, DELRAY BEACH, FLORIDA 33444 • PLANNING & ZONING DIVISION: (561) 243-7040 • BUILDING DIVISION: (561) 243-7200

June 4, 2018

Roger Cope  
Cope Architects, Inc.  
701 SE 1st Street  
Delray Beach, FL 33483  
copearchitectsinc@gmail.com

**RE: 19 Dixie Boulevard, Delray Beach, FL 33444  
File #2017-246 & #2017-247**

Dear Mr. Cope:

At the Historic Preservation Board (HPB) meeting of February 7, 2018, a Certificate of Appropriateness (COA) and Variance was approved for the property located at 19 Dixie Boulevard. The development proposal consists of a 674 square foot exterior addition, renovations, new pool, landscaping, hardscaping and Variance request to reduce the side interior setback from 10' to 8.5' on the North side of the property.

You may now proceed to the Building Division to obtain a building permit for the construction of the proposed improvements. Please note that all plans submitted with the building permit application must accurately reflect the improvements within the attached certified plan set. In order to expedite the review of the permit, it is recommended that you verify that the building permit plans match the final certified plans. The status of your building permit may be verified by contacting the Building Division at 561.243.7200.

Attached is a copy of the plans, certified by the Director of the Planning, Zoning, and Building Department. The site plan approval is valid for 24 months, thus expiring on February 7, 2020. Prior to the expiration date of the site plan, 25% of the cost of all improvements associated with the approved development must be constructed in order for this proposal to be considered established. Any request for an approval extension shall be filed 45 days prior to the aforementioned site plan expiration date.

If you have any questions regarding the subject development approval, you may contact me at 561.243.6054 or via e-mail at [fogela@mydelraybeach.com](mailto:fogela@mydelraybeach.com)

Sincerely,

Abe Fogel, Assistant Planner  
Historic Preservation Division

cc: Project file  
Olga Adler, via email

# HISTORIC PRESERVATION BOARD

## CITY OF DELRAY BEACH

## STAFF REPORT

**MEETING DATE:** February 7, 2018

**ITEM:** 19 Dixie Boulevard, Del-Ida Park Historic District - Certificate of Appropriateness (2017-247) for exterior addition and renovations and Variance (2017-246) to reduce the side interior setback from the required 10' to 8.5'.

**RECOMMENDATION:** Approve the Certificate of Appropriateness and Variance

### GENERAL DATA:

Owner:..... Olga Adler

Agent:..... Roger Cope, Cope Architecture, Inc.

Location:..... North side of Dixie Boulevard, between NE 5th Street and NE 6<sup>th</sup> Street.

Property Size:..... 0.161 Acres

Historic District: ..... Del-Ida Park Historic District

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

Adjacent Zoning:.....  
North: R-1-AA  
East: R-1-AA  
South: R-1-AA  
West: R-1-AA

Existing Future Land Use Designation:..... LD (Low Density 0-5 DU/ Acre)

Water Service:..... Public water service is provided on site.

Sewer Service:..... Public sewer service is provided on site.



## ITEM BEFORE THE BOARD

The item before the Board is consideration of a Certificate of Appropriateness (2017-247) and Variance (2017-246) requests associated with a 674 square foot exterior addition, renovations, new pool, landscaping and hardscaping to the property located at **19 Dixie Boulevard, Del-Ida Park Historic District**, pursuant to Land Development Regulation (LDR) Section 2.4.6(H) and 2.4.7(A).

## BACKGROUND & PROJECT DESCRIPTION

The property is located within the R-1-AA (Single Family Residential) zoning district. The 0.16-acre lot measures 50' wide x 140' deep and contains a 1,018 square foot existing single-family residence and 587 square foot guest cottage. The historic structures were built in 1925 and are classified as contributing to the Del-Ida Park Historic District.

According to the City Property cards, the historic structure had a floorplan consisting of five rooms, flat roof covered in gravel, wood frame, and stucco exterior walls. The structure exhibits mission-style architecture.

The subject COA request for exterior renovations and addition to the single-family residence and guest cottage includes:

1. Installation of new impact resistant windows and doors;
2. Paint the structure white with black accents;
3. Construction of a 674 square foot addition connecting the single-family residence and the guest cottage;
4. Construction of a new pool and associated deck;
5. Installation of new exterior light fixtures;
6. Installation of a new emergency generator; and,
7. Reconfiguration of the existing brick paver driveway.

The subject request also includes a variance to allow the proposed addition to encroach 1.5' into the required 10' side interior setback on the North side of the property. The COA and variance request are now before the Board for consideration.

## ANALYSIS OF PROPOSAL

Pursuant to Land Development Regulation (LDR) Section 2.4.6(H)(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 A-4 of the Land Use 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.

## 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.

### 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 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.**

The proposal meets the applicable standards noted above and their intent as the proposed changes ensure an appropriate renovation and addition of the existing historic structure.

The renovations include new aluminum framed (anodized bronze) impact resistant windows and doors, a Mahogany entry door, new exterior light fixtures, construction of a new pool and associated deck, installation of a new emergency generator, and reconfiguration of the brick paver driveway to improve an existing non-conformity. The exterior color scheme will be changed from yellow stucco with dark blue accents to white painted stucco and black accents. The addition will include a new kitchen and living area that connects the single-family residence to the guest cottage. The proposed changes do not destroy historic features that characterize the structure.

Overall, the proposed changes protect the historic integrity of the existing structure and its environment by allowing for modernization and expansion of the existing structure utilizing durable materials.

**Pursuant to LDR Section 4.5.1(E)(2)(b)(2) - Major Development.**

The subject application is considered "Major Development" as it involves "alteration of a building in excess of 25 percent of the existing floor area, and all appurtenances."

**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)-(m). Visual compatibility for all development on individually designated properties outside the district shall be determined by comparison to other structures within the site.

**Applicable Visual Compatibility Standards**

- (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 4.5.1(E)(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.
- (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.**

**(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:

1. 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.
2. 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.

**(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.

The proposed renovation and addition to the single-family residence and guest cottage is appropriate and compatible with the Del-Ida Park Historic District. The height of the addition does not exceed the highest element of the existing residence. The extension of the kitchen component on the North elevation does not alter the front façade proportion. The new windows and doors are compatible with the existing proportion of openings. The exterior color scheme will change from yellow stucco with dark blue accents to white painted stucco and black accents. These changes will not alter the visual compatibility of structure within the Del-Ida Historic District since the existing stucco and semi-smooth texture will remain. The scale of the building will not be substantially altered since the addition will be in exact alignment with the existing kitchen component on the North side of the property nor will the renovation/addition introduce a new architectural style. Replica emblem/motifs will be added to the addition to match the existing emblem/diamond motifs. New barrel tile and a heavy timber eyebrow are proposed on South elevation, East elevation, and West Elevation. These new elements are visually compatible with the historic mission-style of the property.

The overall proposal maintains mission-style architectural details appropriate for the Del-Ida Park Historic District. The proposal meets the intent of the review criteria above; thus, positive findings are made with respect to the sections indicated above.

## VARIANCE ANALYSIS

**Pursuant to LDR Section 4.3.4(K), required side setbacks within the R-1-AA District are 10'.**

The subject request is a variance to allow construction of an addition that connects the single-family residence to the guest cottage to encroach 1.5' into the required 10' side interior setback on the North side of the property.

**Pursuant to LDR Section 2.2.6(D), the Historic Preservation Board (HPB) shall act on all variance requests within an historic district, or on a historic site, which otherwise would be acted upon by the Board of Adjustment.**

**Pursuant to LDR Section 2.4.7(A)(5) Variances, the following findings must be made prior to the approval of a variance:**

- (a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures, or buildings subject to the same zoning (The matter of economic hardship shall not constitute a basis for the granting of a variance);**
- (b) That literal interpretation of the regulations would deprive the applicant of rights commonly enjoyed by other properties subject to the same zoning;**
- (c) That the special conditions and circumstances have not resulted from actions of the applicant;**
- (d) That granting the variance will not confer onto the applicant any special privilege that is denied to other lands, structures, and buildings under the same zoning. Neither the permitted, nor nonconforming use, of neighborhood lands, structures, or buildings under the same zoning shall be considered grounds for the issuance of a variance;**
- (e) That the reasons set forth in the variance petition justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure; and,**
- (f) That the granting of the variance will be in harmony with the general purpose and intent of existing regulations, will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.**

The property owner has submitted the following justification statement (attached).

*"We recognize that LDR Section 4.3, (H), (1): Setbacks address building setback guidelines. The "Side Yard Building Setback Line" requirement for our site is 10', as we are within an R-1-AA zoning district. The rationale behind our request is that keeping our proposed addition ("wing") in exact alignment with the existing Kitchen component on that side (North) of the Floor Plan: it makes the most structural sense (no odd offset), interior layout and flow of the plan sense (no odd offset), allows for an additional 1.5' of area to be used within our Pool area/courtyard, and most importantly – has been tastefully designed so that it has negligible to no negative impact on our immediate next door neighbor.*

*We feel the intent of the code, in all matters, will not be compromised in any fashion whatsoever!*

*In conclusion, if granted, the "Variance" would in no way "be contrary to the public interest and where owing to the 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". Furthermore, we feel "that the reasons set forth in the "Variance" petition justify the granting of the "Variance, and we feel that the "Variance" is the minimum "Variance" that will make possible the reasonable use of the land, building, or structure" and finally "that the granting of the*

*"Variance" will be in (complete) harmony with the general purpose and intent of existing regulations, will not be injurious to the neighborhood, or otherwise detrimental to the public welfare".*

*For these reasons, the owner respectfully requests that this variance be granted."*

The variance is to allow a reduction to the required 10' side interior setback to 8.5' to accommodate the addition that connects the single-family residence to the guest cottage. A paved driveway exists in a portion of this location.

Special conditions and circumstances exist due to the small size of the 50' wide property as well as the historic setting of the site within the Del-Ida Park Historic District. Further, the variance is the minimum necessary to preserve the historic character of the property while allowing for the modernization of the floorplan. It will not significantly diminish the historic character of the site or the district. Literal interpretation of the requirements of the code would alter the historic character and scale of the property as it is situated within the Del-Ida Park Historic District. The variance is necessary to accommodate an appropriate adaptive reuse of the historic structure and site. Finally, the variance is not contrary to the public interest, safety or welfare.

Note: As required by the LDRs, a notice regarding the subject variance request was sent to those property owners located within a 500' radius of the subject property as well as a Special Courtesy Notice to the Del-Ida Park Neighborhood Association.

The submitted justification statements are attached.

#### **ALTERNATIVE ACTIONS**

- A. Continue with direction.
- B. Approve Certificate of Appropriateness (2017-247) and Variance requests (2017-246) for the property located at **19 Dixie Boulevard, Del-Ida Park Historic District** by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Sections 2.4.6(H)(5), and 2.4.7(A)(5).
- C. Deny Certificate of Appropriateness (2017-247) and Variance requests (2017-246) for the property located at **19 Dixie Boulevard, Del-Ida Park Historic District** by finding that the request and approval thereof is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in LDR Sections 2.4.6(H)(5), and 2.4.7(A)(5).

#### **RECOMMENDATIONS**

##### **Certificate of Approval (COA)**

Approve the COA 2017-247 for **19 Dixie Boulevard, Del-Ida Park Historic District**, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof meets the criteria set forth in the Land Development Regulations Section 2.4.6(H)(5).

##### **NOTE:**

If the COA is approved, the following must be addressed prior to certification:

1. That the height dimension of the addition on the North elevation be measured to the top of the parapet.
2. That the site plan and floor plan indicate the air conditioning unit, pool equipment, and generator in the same configuration.
3. That the dimension of the driveway between the property line and fence (area where vehicles are parked) be indicated.

**Variance**

Approve the variance to allow a reduction to the required 10' side interior setback to 8.5', based upon positive findings to LDR Section 2.4.7(A)(5).

**Attachments:**

- Applicant Justification Statement
- Site plan, elevations, and survey

**Report Prepared by:** Michelle Hoyland, Principal Planner and Abraham Fogel, Planner in Training