



architecture, planning & design

1045 e. atlantic ave, suite 303
delray beach, fl 33483

tel 561.276.6011
fax 561.276.6129

May 23, 2024

City of Delray Beach
Development Services
100 N. W. 1st Avenue
Delray Beach, Florida 33444

Re: Magnolia Place
130 SE 1st Avenue
Delray Beach, Florida 33444

To Whom It May Concern:

Please accept this letter to request a waiver from the Historic Preservation Board for the demolition of the existing non-conforming structures at the above referenced property. We are requesting relief to allow demolition of existing structures to occur prior to a building permit being issued as per LDR Section 4.5.1(F)(3) as follows:

Item #1: Demolition shall not occur until a building permit has been issued for the alterations or redevelopment as described in the applicable Certificate of Appropriateness. (see attached drawings).

The request is to deviate from the City's standard threshold from "Issuance of a Building Permit" for the above referenced redevelopment in the COA and submit and construct the foundations for all five proposed structures.

Pursuant to LDR Section 2.4.7(B)(5) *Findings*. 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;

We believe the granting of this waiver is justified at the above property; the existing structures are non-conforming, and the property / structures have been for the most part vacant and blighted for several years prior to the current ownership. As for a building permit being issued, the developer will need to record the plat first but in order to do that, the buildings must first be demolished. Granting of this waiver to demolish the existing structures and start the foundations will allow for this property to actually be cleaned up for immediate construction of all 5 duplexes, (all 5 to be under construction at the same time), which will start contributing to the fabric of the historic district vs. vacant lots. We believe this request will have a positive effect on the historic character of the district.

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

Demolition of the existing structures and the proposed new foundations will not have a negative effect on the public facilities.

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

The proposed demolition of the existing non-conforming structures will not create an unsafe situation, rather it will eliminate existing abandoned structures and any potential loitering.

(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 waiver will not grant any special privilege in that a similar waiver may be granted under similar circumstances on other properties for another applicant or owner.

The property is located in the historic OSSHAD zoning with the following required setbacks per LDR Section 4.3.4(K), Development Standards Matrix:

Front setback: 25'-0"

Side street setback: 15'-0"

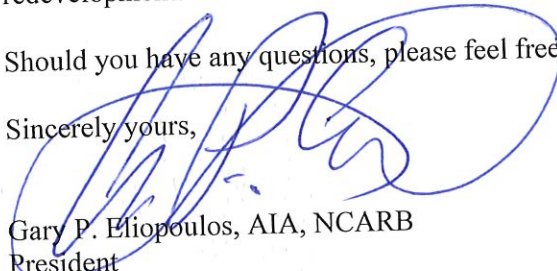
Side interior setback: 7'-6"

Rear setback: 10'-0"

Please see the attached survey, proposed site demolition plan and proposed overall site plan depicting the proposed redevelopment.

Should you have any questions, please feel free to contact me at our office (561) 276-6011.

Sincerely yours,


Gary P. Eliopoulos, AIA, NCARB
President