



CITY OF DELRAY BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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



HISTORIC PRESERVATION BOARD STAFF REPORT

2 N. Dixie Boulevard

Meeting	File No.	Application Type
May 7, 2025	2024-257	Certificate of Appropriateness, Relocation & Variances

REQUEST

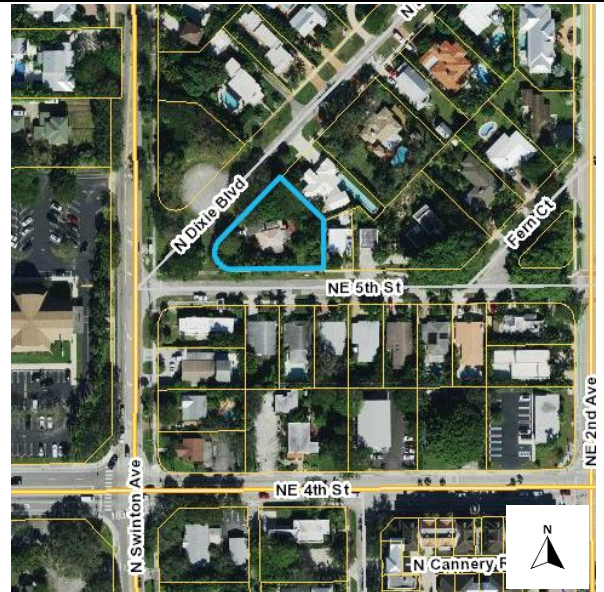
The item before the Board is consideration of a Certificate of Appropriateness, Relocation, and Variances (2024-257) request for exterior modifications and one-story addition associated with an existing contributing one-story single-family residence on the property located at **2 N. Dixie Boulevard, Del-Ida Park Historic District**.

GENERAL DATA

Owner: Edward Hazard & Elizabeth Polsinelli
Agent: Roger Cope
Location: 2 N. Dixie Boulevard
PCN: 12-43-46-07-39-005-0110
Property Size: 0.328 Acres
Zoning: R-1-AA – Single Family Residential
FLUM: Low Density (LD)
Historic District: Del-Ida Park Historic District
Adjacent Zoning:

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

Existing Land Use: Residential
Proposed Land Use: Residential



BACKGROUND AND PROJECT DESCRIPTION

The contributing property is zoned R-1-AA and is within the Locally Designated Del-Ida Park Historic District. The 1937 structure was designed in the Masonry Vernacular style and according to the city Building Yellowcard, it originally contained a garage and open-air porch on the front of the structure with cement tile roofing, wood frame construction, and stucco on wood walls. The existing one-story, 1,393 square feet, wood frame structure contains double wood posts with “x” detailing, a chimney, 6-over-6 double hung wood sash windows with operable shutters, and composition shingles. This structure has an unusual configuration on the site due to N. Swinton Avenue, N. Dixie Boulevard, and NE 5th Street previously connecting at the southwest corner of the property. A cul-de-sac was created at the end of N. Dixie Boulevard to assist with traffic calming for the neighborhood.

Project Planner: Katherina Paliwoda, Planner, paliwodak@mydelraybeach.com Michelle Hewett, Planner, hewettm@mydelraybeach.com	Review Dates: May 7, 2025	Attachments: <ol style="list-style-type: none">1. Plans, Survey, & Renderings2. Photographs3. Color & Materials4. Justification Statements5. NOAs
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The Certificate of Appropriateness request before the board is for the following:

- Relocation of the existing structure on the site;
- 2,227 square feet, one-story additions (a total of 3,620 square feet);
- Exterior modifications, with ground level improvements;
- Variance to reduce the required 30' front setback to 22' 6"; and
- Variance to reduce the required 10' side interior setback to 6' 5" – 7' 6".

REVIEW AND ANALYSIS

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

ZONING USE AND REVIEW

Pursuant to LDR Section 4.4.3(F)(1) – Single Family Residential (R-1-AA) Development Standards:

The existing use is a single-family residence, which is a permitted use within a Single-Family Residential zoning district. The existing use is to remain.

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.

DEVELOPMENT STANDARDS	REQUIRED	EXISTING	PROPOSED
SETBACKS (MINIMUM)			
FRONT (NORTHWEST/SOUTHWEST)	25'	15.3'	22'6" *
SIDE INTERIOR (NORTHEAST)	10'	45'	6'5" - 7' 6" *
SIDE STREET (SOUTH)	15'	18.7'	15' 3"
REAR (EAST)	10'	50.9'	20'
HEIGHT	35'(MAX)	12'10 ½"	13'8"

*Variance Requested

ARTICLE 4.6 – SUPPLEMENTAL DISTRICT REGULATIONS

SWIMMING POOL, WHIRLPOOLS, AND SPAS

Pursuant to LDR Section 4.6.15(G) Swimming Pool - Yard encroachment. Swimming pools, the tops of which are no higher than grade level, may extend into the rear, interior or street side setback areas but no closer than ten feet to any property line. Swimming pools shall not extend into the front setback area noted in Section 4.3.4(K).

The proposal involves the installation of a new swimming pool at the southeast (side interior/rear) corner of the site. The pool is proposed to meet the required ten feet setback from any property line and the decking is proposed to be a minimum of five feet from adjacent property lines as is required by code. The pool's location in the rear of the property can be seen as appropriate for the site.

Pursuant to LDR Section 4.6.9(C)(2)(a) – Parking requirements for residential uses. Single family detached residences. Two spaces per dwelling unit. Tandem parking may be used in the Single Family (R-1) Residential Districts or Low Density Residential (RL) District. Required parking spaces shall not be located in the front setback or side street setback areas. For lots that are

less than 60 feet wide and do not have alley access, one parking space may be located in either the front setback area or the side street setback area, provided that no more than 50 percent of the front and side street setback area may be improved for parking purposes.

The existing site contains a single-car driveway that connects to a one-car garage. The proposal involves the removal of the existing one-car garage and driveway, and construction of a new two-car driveway, accessing a new two-car garage. Portions of the driveway and two-car garage are proposed within the front setback (variance requested). The site's main access is along N. Dixie Boulevard. The existing configuration would not permit two parking spaces outside of the front setback, where the proposed parking driveway/court and new two car garage will allow some of the parking to be accommodated outside of the front setback, reducing the existing non-conformity. There are concerns, however, with the removal of the existing garage as it alters the original front elevation of the contributing structure, which is discussed later in the report.

Pursuant to LDR Section 4.6.14 – Sight Visibility – Driveway intersecting street or alley. The are on both sides of a driveway formed by the intersection of a driveway and a street or alley with a length of ten fee along the driveway, a length of ten feet along the street or alley right-of-way and the third side being a line connecting the ends of the other two lines. When an access way intersects a public right-of-way, all visual obstructions within the sight visibility triangle shall provide unobstructed cross-visibility at a level between three feet and six feet.

Sight visibility triangles are shown adjacent to the new driveway along N. Dixie Boulevard. It is noted that a CMU wall is proposed within the west sight visibility triangle, however the wall is proposed to be a maximum of three feet in height, which is permitted. No visual obstructions are proposed within the sight visibility triangle areas.

LDR SECTION 4.5.1

HISTORIC PRESERVATION: DESIGNATED DISTRICTS, SITES, AND BUILDINGS

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

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

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

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

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

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

- a. Chain-link fences are discouraged. When permitted, chain-link fences shall be clad in a green or black vinyl and only used in rear yards where they are not visible from a public right of way, even when screened by a hedge or other landscaping.
- b. Swimming pool fences shall be designed in a manner that integrates the layout with the lot and structures without exhibiting a utilitarian or stand-alone appearance.

- c. **Fences and walls over four feet (4') shall not be allowed in front or side street setbacks.**
- d. **Non-historic and/or synthetic materials are discouraged, particularly when visible from a public right of way.**
- e. **Decorative landscape features, including but not limited to arbors, pergolas, and trellises shall not exceed a height of eight feet (8') within the front or side street setbacks.**

The proposal includes the installation of a three feet to four feet tall concrete wall along the southern corner of N. Dixie Boulevard, an eight feet tall concrete wall along NE 5th street, and four feet fencing and gate on the side interior of the property. An eight feet high, wood arbor is also proposed at the front of the property, forward of the front door. There are no concerns with the proposed material, height, or placement of the fencing/walls and arbor, as they meet the requirements of this code section. A site plan technical item has been added to include the proposed colors of the fencing, walls, gates, and arbor.

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

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

The existing parking is located in front of the structure with a garage facing the front of the home that takes access from N. Dixie Boulevard. The proposal includes the removal of the garage, relocation of the existing structure, and additions with a new side-loaded, two-car garage. The proposed driveway is in the same general location as existing, however the new paver driveway and motor court will be wider to accommodate two cars and allow vehicles to better navigate the site. Paver brick is considered an appropriate material for driveways within historic districts. The parking area was not reconfigured to be situated in the rear of the property given the shape of the lot and that the proposed additions and modifications extend both to and beyond the setback boundaries. This LDR requirement notes that parking areas shall strive to contribute to the historic nature of properties and the districts in which they are located, historically the parking was situated in front of the contributing residence, with access from N. Dixie Boulevard. Continuing to locate the parking in front of the home can be considered appropriate for the streetscape and the historic district.

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

Applicable development and preservation standards have been applied during the review of the proposal while also taking into consideration the original design of the contributing structure and its location within the Del-Ida Park Historic District.

SECRETARY OF THE INTERIORS STANDARDS

Pursuant to LDR Section 4.5.1I(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.

Standard 1, 2, 3, 5, 9, and 10 are applicable to this request. The subject COA request is for relocation, and renovation of the existing contributing structure, construction of new one-story additions, and ground level improvements. Regarding **Standard 1** the proposal is for residential use, which is the current use of the structure and is considered appropriate to the historic district and zoning.

Regarding **Standard 2**, it is noted that the proposal involves relocation of the existing structure by turning it to face N. Dixie Boulevard along with removal of the existing one-car garage and portions of the side and rear of the structure. New additions are proposed to the side and rear of the structure. There is concern with the removal of the existing garage, as this is a primary feature of the front elevation, and original to the structure. This removal also prompts a new façade change to the existing structure, creating a false sense of history. The request, however, proposes a two-car garage with the same orientation and access as the existing garage, but that does not negate the historic character of the property being altered. There is also concern with the relocation of the structure on the site, as this could also be seen as creating a false record, and a substantial alteration to the site original configuration. The board will need to make a determination that the proposal meets the Secretary of the Interior's **Standard 2**, regarding the historic character of the property being preserved as an effect of the proposed alterations.

Alterations

Some exterior and interior alterations to a historic building are generally needed as part of a **Rehabilitation** project to ensure its continued use, but it is most important that such alterations do not radically change, obscure, or destroy character-defining spaces, materials, features, or finishes. Alterations may include changes to the site or setting, such as the selective removal of buildings or other features of the building site or setting that are intrusive, not character defining, or outside the building's period of significance.

Regarding **Standard 3 and 5**, the proposal involves alteration of the existing structure by removal of portions of the building, additions, installation of a new roof, new chimney cap, new windows and doors, new shutters, repainting, and removal of the existing garage. The proposed roofing can be seen as conjectural due to the proposed style and color. The use of metal roofing is considered a modern approach for roofing, particularly because this structure is contributing. The original and existing roofing material is concrete tile, so a similar style such as a metal shingle, could emulate a similar profile, that the standing seam does not. Additionally, the proposed dark bronze color is not commonly seen within historic districts in Delray Beach, where mill finish is commonly utilized. The board has approved the use of metal roofs such as standing seam or aluminum shingles in some instances for similar style structures, but such has been considered by the Board on a case-by-case basis.

ROOFS

Because they have a limited useful life, many roofs have been replaced over time. Sometimes the materials used in the replacement are not original to the building. Every effort should be made to identify the original roofing material and to use that material in the event a non-historic roof is replaced.

ROOFS	
RECOMMENDED	NOT RECOMMENDED
Replacing in kind an entire roof covering or feature that is too deteriorated to repair (if the overall form and detailing are still evident) using the physical evidence as a model to reproduce the feature or when the replacement can be based on historic documentation. Examples of such a feature could include a large section of roofing, a dormer, or a chimney. If using the same kind of material is not feasible, then a compatible substitute material may be considered.	Removing a feature of the roof that is unrepairable and not replacing it, or replacing it with a new roof feature that does not match.
Replacing only missing or damaged roofing tiles or slates rather than replacing the entire roof covering.	Using a substitute material for the replacement that does not convey the same appearance of the roof covering or the surviving components of the roof feature or that is physically or chemically incompatible.
Replacing an incompatible roof covering or any deteriorated non-historic roof covering with historically-accurate roofing material, if known, or another material that is compatible with the historic character of the building.	Failing to reuse intact slate or tile in good condition when only the roofing substrate or fasteners need replacement.

All of the existing wood frame 6-over-6 windows are to be replaced with 6-over-6 single hung bronze painted aluminum frame windows. The existing solid wood door is to be replaced with an impact glass/wood front door. As previously mentioned, the proposed bronze color is not considered compatible with this particular structure, as this color would not have been utilized during this timeframe nor for this specific architectural style. The existing shutters are proposed to be replaced with aluminum and painted Sherwin Williams “Dark Knight”, a dark blue, which can be seen as appropriate for this structure. Additional colors include Benjamin Moore “China White” for the walls, Benjamin Moore “Brilliant White” for the outlookers, brackets & fascia boards, “English Oak” stain for the wood columns, new garage doors, and replaced front door. There is no concern with the listed colors. The windows and doors on the proposed additions include single hung, double single hung, clerestory, transom, full panel glass doors, and French doors. There is concern with the clerestory and single/double hung windows with transoms, as these are a modern approach to window appearance, and are not cohesive with the existing window patterns. The overall finishes are similar to existing with exception of the roof material. Additionally, it is noted that the addition occurs to the side (southwest side) and rear of the home. Overall, the scale of the structure is expected to be substantially modified, as the proposed additions are comparable in size to the existing structure, however, the character of the structure is very similar to its existing/original design. The board will need to make a determination that the alterations meet the Secretary of the Interior’s **Standards 3 and 5** and are appropriate examples of craftsmanship that characterize the Masonry Vernacular structure.

Regarding **Standard 9**, there are two small additions proposed to the rear of the existing structure (once relocated) and an addition to the side, which is relatively large compared to the existing structure, primarily due to its location and high visibility. While behind the front wall plane, the size could be seen as competing with the existing structure, as the existing structure is 1,393 square feet, and the proposed additions are 2,227 combined. The proposed materials can be seen as compatible, but there are elements, including solid pane windows, bronze metal roofing, and a heavy timber custom feature which are introducing elements not seen on the existing structure nor the architectural style. The board will need to make a determination that the proposal is compatible with the architectural features of the existing contributing residence meeting the intent of the Secretary of the Interior’s **Standard 9**. It is important to note that the proposed addition to the side will maintain the existing structures wall, allowing for ease of removal in the future. The additions in the rear of the rear of the existing structure, also require modifications to the existing wall, but this is the rear of the structure where additions are

more commonly placed. The removal of the garage impacts the essential form of the historic property, so in that regard, the addition cannot be deemed compliant with the requirements in **Standard 10**.

Overall, the board will need to make a determination that the proposal meets the Secretary of the Interior's Standards for Rehabilitation.

Pursuant to LDR Section 4.5.11(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 4.5.11(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 4.5.11(2)(a), shall also be determined through application of the Building Height Plane.
- b. **Front Facade Proportion:** The front facade of each building or structure shall be visually compatible with and be in direct relationship to the width of the building and to the height of the front elevation of other existing structures and buildings within the subject historic district.
- c. **Proportion of Openings (Windows and Doors):** The openings of any building within a historic district shall be visually compatible with the openings exemplified by prevailing historic architectural styles of similar buildings within the district. The relationship of the width of windows and doors to the height of windows and doors among buildings shall be visually compatible within the subject historic district.
- d. **Rhythm of Solids to Voids:** The relationship of solids to voids of a building or structure shall be visually compatible with existing historic buildings or structures within the subject historic district for all development, with particular attention paid to the front facades.
- e. **Rhythm of Buildings on Streets:** The relationship of buildings to open space between them and adjoining buildings shall be visually compatible with the relationship between existing historic buildings or structures within the subject historic district.
- f. **Rhythm of Entrance and/or Porch Projections:** The relationship of entrances and porch projections to the sidewalks of a building shall be visually compatible with existing architectural styles of entrances and porch projections on existing historic buildings and structures within the subject historic district for all development.
- g. **Relationship of Materials, Texture, and Color:** The relationship of materials, texture, and color of the facade of a building and/or hardscaping shall be visually compatible with the predominant materials used in the historic buildings and structures within the subject historic district.
- h. **Roof Shapes:** The roof shape, including type and slope, of a building or structure shall be visually compatible with the roof shape of existing historic buildings or structures within the subject historic district. The roof shape shall be consistent with the architectural style of the building.

- i. **Walls of Continuity:** Walls, fences, evergreen landscape masses, or building facades, shall form cohesive walls of enclosure along a street to ensure visual compatibility with historic buildings or structures within the subject historic district and the structure to which it is visually related.
- j. **Scale of a Building:** The size of a building and the building mass in relation to open spaces, windows, door openings, balconies, porches, and lot size shall be visually compatible with the building size and mass of historic buildings and structures within a historic district for all development. To determine whether the scale of a building is appropriate, the following shall apply for major development only:
 - a. For buildings wider than sixty percent (60%) of the lot width, a portion of the front façade must be setback a minimum of seven (7) additional feet from the front setback line:
 - b. For buildings deeper than fifty percent (50%) of the lot depth, a portion of each side façade, which is greater than one story high, must be setback a minimum of five (5) additional feet from the side setback line:
- k. **Directional Expression of Front Elevation:** A building shall be visually compatible with the buildings, structures, and sites within a historic district for all development with regard to its directional character, whether vertical or horizontal.
- l. **Architectural Style:** All major and minor development shall consist of only one (1) architectural style per structure or property and not introduce elements definitive of another style.
- m. **Additions to individually designated properties and contributing structures in all historic districts:** Visual compatibility shall be accomplished as follows:
 - 1. Additions shall be located to the rear or least public side of a building and be as inconspicuous as possible.
 - 2. Additions or accessory structures shall not be located in front of the established front wall plane of a historic building.
 - 3. Characteristic features of the original building shall not be destroyed or obscured.
 - 4. Additions shall be designed and constructed so that the basic form and character of the historic building will remain intact if the addition is ever removed.
 - 5. Additions shall not introduce a new architectural style, mimic too closely the style of the existing building nor replicate the original design but shall be coherent in design with the existing building.
 - 6. Additions shall be secondary and subordinate to the main mass of the historic building and shall not overwhelm the original building.

With regard to **Height**, the proposal involves the construction of a new addition to the side and rear of the relocated structure along with alterations to the existing home. There are no proposed modifications to the existing roof pitch, however the **roof profile/shape** will be altered due to the proposal on the southwest side of the relocated structure, and the proposed standing seam metal roofing. Additionally, the roof pitch on the proposed addition appears to be the inverse of the existing structures hipped roof regarding the direction that the ridge runs. The new additions are proposed to be slightly taller with the addition to the side (southwest) and slightly lower to the rear (southeast) than the existing structure. There is no concern with the proposed **Scale** with regard to height, but the overall size is substantial compared to the existing structure and could be seen as competing with its **Front Façade Proportion**. This request also alters the existing **Directional Expression** of the **Front Façade** and the **Rhythm of Buildings on Streets**, as the proposed relocation changes the position of the existing contributing residences front door/façade to fully face N. Dixie Boulevard. There are concerns with this modification, as the contributing structure's original setting on the site faces north Swinton Avenue where N. Dixie Blvd and NE 5th Street originally intersected, which is important to the historic setting of the site and historic district, as it notes the time frame the structure was built (before the road was

converted to a cul-de-sac). The relocation and reorientation of the residence could have a negative effect on the historic integrity of the site, the structure, and the Del-Ida Park Historic District. There are also concerns with the proposed windows on the new proposed addition along the front façade, as they are substantially larger than the existing windows, and appear modern with the transom above and without grids on the clerestory. There is also a “heavy timber custom feature” proposed on the new addition to the southwest, to emulate the “x” column feature on the existing structure. This feature is not considered compatible with the existing residence, as the only element that contains the “x” is a separate column for the front porch, where the proposed feature is attached to the façade and larger in scale. This is seen as introducing a new element that is not appropriate for the existing structure.

The proposed **Window and Door Openings** on the new additions are somewhat different than the openings that exist on the subject structure in size and appearance. As previously mentioned, all of the existing windows on are to be replaced with the same muntin pattern; bronze painted aluminum frames with clear, no-tint, non-reflective, no low-e glass. The additions at the rear of the existing structure propose full glass slider doors with transom windows, which provide access to the proposed pool. A majority of the windows proposed on the new addition to the side of the existing structure are either single hung with a transom, or double single hung with a transom. There are two windows, one facing N. Dixie Boulevard and one facing the southwest corner of the site, that are proposed to be single hung with shutters to match the existing structure. There is concern with the size of the proposed windows on the additions and the use of a transom window, as this element does not currently exist on the contributing structure, nor is it considered appropriate for the Masonry Vernacular style. The overall size of the windows, primarily with the transom, creates a substantially larger appearance and is out of scale compared to the existing structure. Additionally, the proposed bronze frames are also not considered appropriate due to their primary use in modern construction; after the timeframe the contributing residence was constructed.

With respect to the **Rhythm of Solids to Voids**, overall, the proposal can be deemed compliant with this standard with the exception of the rear (southeast) elevation facing NE 5th street, and the side street (southwest) elevation facing the cul-de-sac. The clerestory windows leave a large expanse of **blank wall** below them and impact the rhythm, along with their modern appearance as single pane windows. The board will need to make a determination that the proposed **Proportion of Openings and Rhythm of Solids to Voids** visual compatibility standards are being met with the proposal. Separately, it is noted that per the Florida Building Code, historic (contributing) structures are not required to be compliant with the Florida Energy Code requirements. This is noted to further emphasize the importance of the utilization of clear window and door glass to achieve compliance with the Secretary of the Interior’s Standards for Rehabilitation.

The **Architectural Style** of the additions can overall be seen as compatible, but there are elements such as the “heavy timber custom feature”, standing seam metal roofing, and wood brackets that do not currently exist on the structure and are not typically utilized on this structures particular style. There is less concern, however, with the brackets as they are only on the proposed rear additions, so they are not on a highly visible elevation. The proposed garage doors are to emulate the appearance of a carriage door, which the existing structure did contain but can be seen as compatible with the architectural style. Regarding the **Relationship of Materials**, the proposal involves installation of a dark bronze standing seam roof on both the existing structure and additions, replacement of the wood windows with aluminum, bronze painted frames, and aluminum shutters painted Sherwin Williams “Dark Knight”, a dark blue, to replace the wood. The existing and proposed walls are to be stucco, to match existing, painted Benjamin Moore “China White”, the outlookers, brackets & fascia board are to be wood painted Benjamin Moore “Brilliant White”, and the new garage doors, wood columns, and replaced front door is to be stained “English Oak”. Aside from the proposed metal roofing, there are no

concerns with the proposed materials, as they are either to match the existing structure or utilize materials that are appropriate for the structure and their use, such as the aluminum frames and shutters. The garage door is to be wood clad and impact rated. As previously mentioned, there are concerns with the proposed dark bronze color and roofing material. The use of metal roofing was not common during the subject structures construction time period, but may have been utilized on a wood frame structure. Consideration could be given to utilizing a roofing material that emulates the appearance of the existing concrete tile, such as metal shingle, while utilizing a material that will ensure the roofs longevity. The proposed roof color is also not common nor utilized in historic districts, where the metal's natural appearance, mill finish, would have been historically appropriate had the existing structure used a metal roof. There are also concerns with the proposed bronze aluminum framed windows, as windows were commonly white or wood/painted wood. The existing Masonry Vernacular structure would likely not have had bronze painted frames. The board will need to make a determination that the **Relationship of Materials** visual compatibility standard has been met with this request.

Finally, with respect to the visual compatibility standards relating to **Additions**, the proposal can be deemed compatible with the standards as follows: the addition is not located in front of the established front wall plane of the building, and the addition has been designed so that the basic form and character of the building would remain intact if the addition is ever removed. However, as previously noted there are concerns as the addition is not located to the least public side of the building thus impacting the front facades appearance and the size of the proposed structure is substantial compared to the main mass of the historic building. There are concerns with some of the proposed windows, roofing, colors, and added features, as they could be seen as introducing architectural elements from another architectural style and the alterations to the roof, removal of the garage and proposed colors could represent an alteration to characteristic features that define the original building. The board will need to make a determination that the proposal is compliant with the **Additions** visual compatibility standard.

It is noted that the board should also consider the impact of the improvements on the overall historic integrity of the structure and district, to ensure that the structure can remain as a contributing structure when future historic resource surveys are completed. Such surveys occur every five to ten years and are completed by historic preservation consultants. There are instances where board approved improvements to structures have been deemed incompatible with the historic integrity of a contributing structure, requiring reclassification of the structure to non-contributing. Such reclassification could also affect the integrity of the historic district as a whole as well as potential Ad Valorem Tax Exemption status.

RELOCATION ANALYSIS

Pursuant to LDR Section 4.5.1(E)(6)(b)(1), Relocation of Contributing or Individually Designated Structures, Criteria - when considering the relocation of a contributing structure from a historic district, or an individually designated structure from a site, the Board shall be guided by the following, as applicable:

- a. Whether the structure will be relocated within the same historic district, into a new historic district, or outside of a historic district;
- b. Whether the proposed relocation may have a detrimental effect on the structural soundness of the building or structure;
- c. Whether the proposed relocation would have a negative or positive effect on other historic sites, buildings, or structures within the originating historic district, at the new site;
- d. Whether the new surroundings of the relocated structure would be compatible with its architectural character; and,

e. Whether the proposed relocation is the only practicable means of saving the structure from demolition.

The existing historic structure is proposed to be relocated within the property. The relocation will move the structure from the southwest corner of the site (its original position) to the northeast corner of the site in order to accommodate an addition to its rear and southwest side. The relocation also situates the structure facing N. Dixie Boulevard. An engineer's report has been provided that indicates that a new foundation will be constructed for the structure to then be placed on. The report also indicates that there is no expected damage from the risk of moving the structure, as the walls and roof framing appear to be in very good condition. With the provided documentation, there is no inherent concern that the move will have a detrimental effect on the soundness of the structure. There is concern, however, that the relocation imparts an unnecessary potential risk to the structure, as the relocation is not for saving/preserving the structure. The relocation and reorientation of the residence may have a negative effect on the historic integrity of the site, the structure, and the Del-Ida Park Historic District, while creating a false narrative of the history of the area. The existing location/siting of the structure indicates that the original street layout overlapped at the corner it faces, N. Swinton Avenue, N. Dixie Boulevard, and 5 NE 5th Street.

There are also concerns with regard to the massing, character, and compatibility of the proposed addition in relation to the existing structure, which is possible as a result of the proposed relocation. Below are screenshots from the Secretary of the Interior's Standards for Rehabilitation which discuss recommended and not recommended approaches to the building site, setting and additions/new construction that pertain to the relocation request.

SETTING (DISTRICT / NEIGHBORHOOD)

RECOMMENDED

Retaining the historic relationship between buildings and landscape features in the setting. For example, preserving the relationship between a town common or urban plaza and the adjacent houses, municipal buildings, roads, and landscape and streetscape features.

NOT RECOMMENDED

Altering the relationship between the buildings and landscape features in the setting by widening existing streets, changing landscape materials, or locating new streets or parking areas where they may negatively impact the historic character of the setting.

Removing or relocating buildings or landscape features, thereby destroying the historic relationship between buildings and the landscape in the setting.

SETTING (DISTRICT / NEIGHBORHOOD)

RECOMMENDED

Identifying, retaining, and preserving building and landscape features that are important in defining the overall historic character of the setting. Such features can include circulation systems, such as roads and streets; furnishings and fixtures, such as light posts or benches; vegetation, gardens and yards; adjacent open space, such as fields, parks, commons, or woodlands; and important views or visual relationships.

NOT RECOMMENDED

Removing or substantially changing those building and landscape features in the setting which are important in defining the historic character so that, as a result, the character is diminished.

BUILDING SITE

RECOMMENDED

Identifying, retaining, and preserving features of the building site that are important in defining its overall historic character. Site features may include walls, fences, or steps; circulation systems, such as walks, paths or roads; vegetation, such as trees, shrubs, grass, orchards, hedges, windbreaks, or gardens; landforms, such as hills, terracing, or berms; furnishings and fixtures, such as light posts or benches; decorative elements, such as sculpture, statuary, or monuments; water features, including fountains, streams, pools, lakes, or irrigation ditches; and subsurface archeological resources, other cultural or religious features, or burial grounds which are also important to the site.

NOT RECOMMENDED

Removing or substantially changing buildings and their features or site features which are important in defining the overall historic character of the property so that, as a result, the character is diminished.

BUILDING SITE

RECOMMENDED

Retaining the historic relationship between buildings and the landscape.

NOT RECOMMENDED

Removing or relocating buildings or landscape features, thereby destroying the historic relationship between buildings and the landscape.

Removing or relocating buildings on a site or in a complex of related historic structures (such as a mill complex or farm), thereby diminishing the historic character of the site or complex.

Moving buildings onto the site, thereby creating an inaccurate historic appearance.

Changing the grade level of the site if it diminishes its historic character. For example, lowering the grade adjacent to a building to maximize use of a basement, which would change the historic appearance of the building and its relation to the site.

NEW EXTERIOR ADDITIONS TO HISTORIC BUILDINGS AND RELATED NEW CONSTRUCTION

RECOMMENDED

NOT RECOMMENDED

New Additions

Placing functions and services required for a new use (including elevators and stairways) in secondary or non-character-defining interior spaces of the historic building rather than constructing a new addition.

Expanding the size of the historic building by constructing a new addition when requirements for the new use could be met by altering non-character-defining interior spaces.

Constructing a new addition on a secondary or non-character-defining elevation and limiting its size and scale in relationship to the historic building.

Constructing a new addition on or adjacent to a primary elevation of the building which negatively impacts the building's historic character.

Constructing a new addition that results in the least possible loss of historic materials so that character-defining features are not obscured, damaged, or destroyed.

Attaching a new addition in a manner that obscures, damages, or destroys character-defining features of the historic building.

Designing a new addition that is compatible with the historic building.

Designing a new addition that is significantly different and, thus, incompatible with the historic building.

Ensuring that the addition is subordinate and secondary to the historic building and is compatible in massing, scale, materials, relationship of solids to voids, and color.

Constructing a new addition that is as large as or larger than the historic building, which visually overwhelms it (i.e., results in the diminution or loss of its historic character).

Pursuant to LDR Section 4.5.1(E)(6)(b)(2), Relocation of Contributing or Individually Designated Structures, Relocation Plan - when considering the relocation of a contributing or individually designated structure, the Board shall require a Relocation Plan that includes the following:

- a. A detailed explanation of the relocation method including the type of machinery and equipment to be utilized;
- b. A demolition plan illustrating any parts of the structure to be removed or modified to facilitate the relocation;
- c. An illustration of locations where the building will be split, as applicable;
- d. The name of the Florida Licensed Building Mover who will relocate the structure(s) and the following support materials, if available:
 - i. A description of the Florida Licensed Building Mover's past experience in moving historic buildings of a similar construction technique.
 - ii. Photographs of prior relocation projects completed by the Florida Licensed Building Mover taken before and after the relocation, if applicable.
- e. A certified engineering report which includes:
 - i. A relocation feasibility study with an assessment of the building's structural condition to determine any damage that might occur during the move.
 - ii. Details and a description of the historic structure's construction type including technique and materials and current condition of materials.
 - iii. Identification of any areas of concern, and how these areas will be addressed prior to the relocation.

Brownie Structural Movers is the proposed Relocation Contractor (mover) is a Florida Licensed Contractor. The Mover has indicated that they have experience with relocating historic structures in Delray Beach as well as other Florida cities. As previously mentioned, the engineer's letter has indicated the structure is in condition to be moved. Their method of relocation consists of installing a temporary steel I-Beam lifting/transport platform underneath the structure, raising the structure with hydraulic crib jacks and Unified Hydraulic Jacking system approximately four feet to install transport wheels and relocation equipment. It will then be moved to its new location on the site, where a new permanent foundation will be installed. The transport wheels and relocation equipment will be removed, and the structure will be lowered onto the new foundation system and permanently/structurally fastened down.

Pursuant to LDR Section 4.5.1(E)(6)(b)(3), Relocation of Contributing or Individually Designated Structures, Supplemental Documentation - The following information shall be provided with the application for a Certificate of Appropriateness for relocation of a contributing or individually designated structure prior to Board consideration:

- a. As built drawings of the building as it exists on its originating site before undertaking the move, particularly if the move will require substantial reconstruction, including but not limited to floor plans, elevations, and architectural details and profiles;
- b. Photographs of the site and the interior and exterior of the building, including but not limited to all elevations and exterior details.
- c. History of any code violations applied to the structure and property, along with an explanation of any pending violations or structure violations which have been issued within five (5) years of the application request.

Architectural drawings documenting the existing conditions of the structure have been provided as well as interior and exterior photographs of the structure.

Pursuant to LDR Section 4.5.1(E)(6)(b)(4), Relocation, Relocation of Contributing or Individually Designated Structures, Concurrent New Development Review - Applications for a Certificate of

Appropriateness for relocation shall be submitted concurrently with the application for a Certificate of Appropriateness for the new development on the originating site.

The subject request for relocation of the structure on site includes modifications to the existing structures.

Pursuant to LDR Section 4.5.1(E)(6)(b)(5), Relocation, Relocation of Contributing or Individually Designated Structures, Site Maintenance - If the originating site is to remain vacant and construction of the new development will not commence for more than 90 days following the relocation, the lot shall be sodded and maintained in a manner consistent with other open space in the historic district.

The proposal involves the relocation of the existing structure within the site; thus, this requirement is not applicable.

Pursuant to LDR Section 4.5.1(E)(6)(b)(6), Relocation, Relocation of Contributing or Individually Designated Structures, Successful or Unsuccessful Relocation - The relocation of a historic structure is deemed successful when either no damage occurs during or as a result of the relocation or minimal damage occurs which is not deemed to compromise the integrity (structurally and architecturally) of the structure, and when the relocation is completed in accordance with the approved Certificate of Appropriateness, including the associated Relocation Plan.

- a. If damage occurs during the relocation, then the property owner, applicant and/or Licensed Building Mover shall notify the Historic Preservation Planner and Chief Building Official within 24 hours of completion of the move to determine if the damage has compromised the integrity of the structure, thereby deeming the relocation as unsuccessful.
- b. If a relocation is not successful, then the property owner and/or applicant shall notify the Historic Preservation Planner and Chief Building Official within 24 hours of the failed relocation, or before the close of business on the next business day.
- c. Failure of any degree to successfully relocate the historic structure may result in the revocation of any site development relief (waivers, variances, internal adjustments, or other relief) associated with the relocation that has been granted by the Board or the City Commission, as required by the Planning and Zoning Director.
- d. The applicant or property owner may submit a written request for the reconsideration of any previously approved site development relief associated with the unsuccessfully relocated structure in accordance with the following:
 - i. The reconsideration request shall be submitted to the Planning and Zoning Director within five business days of notification of the unsuccessful relocation. The reconsideration will be placed on the next available agenda of the recommending or approving body as appropriate.
 - ii. Requests for reconsideration shall include a statement regarding the relocation, documentation of the relocation, an explanation of the relocation failure, and how the relocation failed to meet the Relocation Plan of the approved Certificate of Appropriateness and the corrective actions to address issues caused by failed relocation.

The Applicant must comply with this code section should there be damage that compromises the integrity of the structure, and if relocation is deemed unsuccessful.

Pursuant to LDR Section 4.5.1(E)(6)(b)(7), Relocation, Relocation of Contributing or Individually Designated Structures, Public Notice - All applications for a Certificate of Appropriateness for

the relocation of a contributing structure or an individually designated structure shall meet the “Additional Public Notice” requirements of LDR Section 2.4.2(B)(f)(j).

A notice of the Relocation was posted on the City’s website at least ten days prior to the scheduled hearing, sent to surrounding property owners within a 500’ radius of the subject property, the notice was posted at City Hall, and the site was posted with placards as well.

Pursuant to LDR Section 4.5.1(E)(6)(d), Relocation, Supplemental Requirements, all buildings and structures approved for relocation shall comply with the following:

- 1. The building to be relocated shall be secured from vandalism and potential weather damage before and after its move, in a manner as approved by the Chief Building Official.**
- 2. All structures approved for relocation and awaiting issuance of a building permit for the new development on the originating site shall be maintained so as to remain in a condition similar to that which existed at the time of the application.**
- 3. All structures to be relocated pursuant to this Section shall comply with the requirements of Section 7.10.11, “Moving of Building: Historic Structures”.**

The Applicant shall meet all requirements of this code section.

LDR Section 7.10 – Moving of Building

The request must be compliant with the requirements of this code section including the below referenced code section relating to Surety Bond or Letter of Credit.

Pursuant to LDR Section 7.10.5, Cash deposit, bond, or insurance required.

- (A) Cash deposit.** An application hereunder shall be accompanied by a cash deposit in the sum of \$5,000.00, as an indemnity for any damage which the City may sustain by reason of damage or injury to any highway, street, or alley, sidewalk, fire hydrant, or other property of the City, which may be caused by or be incidental to the removal of any building over, along, or across any highway, street, alley, or other rights-of-way within the City and to indemnify the City against any claims of damages to persons or private property, and to satisfy any claims by private individuals arising out of, caused by, or incidental to the moving of any building over, along, or across any street in the City.
- (B) Bond in lieu of deposit.** Any person filing an application hereunder may, in lieu of the general cash deposit required above, file with the Building Official a bond, approved as to form by the City Manager, executed by a bonding or surety company authorized to do business in the state in the amount of \$5,000.00, conditioned upon the assurance that this subchapter and other applicable ordinances and laws will be complied with. This bond shall run to the City for the use and benefit of any person intended to be protected thereby and shall be conditioned on the payment for any damages or losses resulting from any malfeasance, misfeasance, or nonfeasance or negligence in connection with any of the activities or conditions upon which the permit applied for is granted.
- (C) Insurance policy in lieu of deposit.** Any person filing an application hereunder may, in lieu of the general cash deposit required above, file with the Building Official a liability insurance company authorized to do business in the state, and approved as to form by the City Manager, in the same amount and providing the same protection as would be required for a bond hereunder.
- (D) Historic structure relocation bond.** In addition to the above, an applicant requesting the relocation of a contributing structure or an individually designated structure shall provide a Surety Bond or a Letter of Credit in favor of the City of Delray Beach and in a form satisfactory to the City Attorney's Office of an amount equal to 125 percent 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 60 days prior to the date of application for a relocation permit. The Surety Bond or Letter of Credit shall not be released until final inspection of the successfully completed relocation to the new foundation. Failure to successfully relocate a Historic structure may result in the forfeiture of the Surety Bond or a draw on the Letter of Credit as determined by the City Commission upon recommendation by the Historic preservation Board.

The request must comply with the requirements of this code section if approved.

DEMOLITION ANALYSIS

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

- (1) No structure within a historic district or on a historic site shall be demolished before a Certificate of Appropriateness has been issued pursuant to Section 2.4.6(H).
- (2) The application for a Certificate of Appropriateness for demolition must be accompanied by an application for a Certificate of Appropriateness for alterations to the structure or the redevelopment of the property.
- (3) Demolition shall not occur until a building permit has been issued for the alterations or redevelopment as described in the applicable Certificate of Appropriateness.
- (4) All structures approved for demolition and awaiting issuance of a building permit for the alterations or redevelopment shall be maintained so as to remain in a condition similar to that which existed at time that the Certificate of Appropriateness for demolition was approved unless the Chief Building Official determines that an unsafe building condition exists in accordance with Section 4.5.3(G).
- (5) A Certificate of Appropriateness for demolition of 25% or more of contributing or individually designated structure shall be subject to the following additional requirements:
 - (a) A demolition plan shall accompany the application for a Certificate of Appropriateness for demolition. The plan shall illustrate all portions of the existing structure that will be removed or altered.
 - (b) The Certificate of Appropriateness for demolition and the Certificate of Appropriateness for alternation or redevelopment shall meet the “Additional Public Notice” requirements of LDR Section 2.4.2(B)(1)(j).
- (6) The Board upon a request for demolition by a property owner, shall consider the following guidelines in evaluating applications for a Certificate of Appropriateness for demolition of designated historic sites, historic interiors, or buildings, structures, or appurtenances within designated historic districts:
 - (a) Whether the structure is of such interest or quality that it would reasonably fulfill criteria for designation for listing on the national register.
 - (b) Whether the structure is of such design, craftsmanship, or material that it could be reproduced only with great difficulty or economically nonviable expense.
 - (c) Whether the structure is one of the last remaining examples of its kind in the designated historic district within the city.
 - (d) Whether retaining the structure would promote the general and value of a particular culture and heritage.
 - (e) Whether there are approved plans for immediate reuse of the property if the proposed demolition is carried out, and what effect those plans will have on the historic district designation or the individual designation of the property.

- (7) No decision of the Board shall result in undue economic hardship for the property owner. The Board shall determine the existence of such hardship in accordance with the definition of undue economic hardship found in Section 4.5.1(H).
- (8) The Board's refusal to grant a Certificate of Appropriateness requested by a property owner for the purpose of demolition will be supported by a written statement describing the public interest that the Board seeks to preserve.
- (9) The Board may grant a certificate of appropriateness as requested by a property owner, for demolition which may provide for a delayed effective date. The effective date of the certificate will be determined by the Board based on the relative significance of the structure and the probable time required to arrange a possible alternative to demolition. The Board may delay the demolition of designated historic sites and contributing buildings within historic districts for up to six months while demolition of non-contributing buildings within the historic district may be delayed for up to three months.
- (10) Request for Demolition Justification Statement: A justification statement shall accompany the application for a Certificate of Appropriateness for demolition of any contributing structure in a historic district or individually designated historic structure.
- (11) Salvage and Recordation of Historic Structures:
 - (a) The property owner shall contact the Delray Beach Historical Society for the purpose of salvaging and preserving specified classes of building materials, architectural details and ornaments, fixtures, and the like for reuse in the restoration of the other historic properties. Confirmation of such efforts shall be provided in a written statement and submitted with the other demolition application prior to consideration by the Historic Preservation Board.
 - (b) The Board may, with the consent of the property owner, request that the Delray Beach Historical Society, or the owner, at the owner's expense, record the architectural details for archival purposes prior to demolition.
 - i. The recording may include, but shall not be limited to photographs, documents and scaled architectural drawings to include elevations and floor plans.
 - ii. One (1) copy of the recording shall be submitted to the City's Planning and Zoning Department, and one (1) copy shall be submitted to the Delray Beach Historical Society for archiving purposes.

The proposal includes demolition of an existing garage (142 Square feet) and portions of the existing structure (160 square feet) to facilitate a relocation with additions. As this constitutes less than 25% of the structure, a full demolition request was not required. However, there are concerns with the removal of the garage, as it is apart of the overall appearance of the front elevation of the structure. Additionally, it is integral to the history of the area, indicating that access was previously taken from the intersection of NE 5th St, N. Dixie Boulevard, and N. Swinton Avenue. The board will need to make a determination that the proposal is in compliance with the requirements for Demolition.

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.

Below are the Variance requests for the subject property:

LDR Section	Requirement	Existing	Variance Request
<u>Variance Request 1: Front (northwest/southwest) Setback</u> 4.3.4(K) Structure Setback (Minimum)	30'	15.3'	22' 6"
<u>Variance Request 2: Side Interior (northeast) Setback</u> 4.3.4(K) Structure Setback (Minimum)	10"	45'	6' 5"- 7' 6"

Variance request 1

Pursuant to Section 4.3.4(K), Development Standards Matrix, the required front setback within the R-1-AA District is 30'. The requested variance is to allow the relocation of the existing structure, and construction of an addition to the side (southeast) elevation of the contributing structure, that is proposed to be setback 22' 6" from the front property line where a 30' setback is required.

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 property and demonstrating that the granting of the variance would not be contrary to the public interest, safety, or welfare.

The existing structure currently does not comply with the development standards, at 15.3'. The structure is proposed for relocation within the site to facilitate additions to the side and rear, and the front fully facing N. Dixie Boulevard. Should the structure be relocated and placed at the requested 22' 6" setback, it will alter the historic character of the property, as the structures existing siting is integral to the history of the area and the resulting cul-de-sac. The variance is not anticipated to be contrary to the public interest, safety, nor 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 subject property is one of a few uniquely shaped lots within the Del-Ida Park Historic District. The structures position on the lot provides an indication in the built environment that the roads branching off from N. Swinton Avenue were once connected. Due to the sites' triangular shape, there are some constraints regarding setbacks, as nearly half of the entire property must utilize the larger 30' front setback. The existing structure currently does not conform to the required setbacks, and the proposal involves reducing the non-conformity, but there is concern with the proposed alteration and relocation. Overall, it could be determined that special conditions and circumstances exist regarding the request.

- 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 sites configuration could be impacted by the literal interpretation of the code, however, the site is only impacted by setbacks, where no right-of-way dedications or easements are being

taken. Should the variance not be approved, then the front (southwest) addition would need to be redesigned to decrease its size, and the relocated structure will need to comply with the required setbacks or not be relocated at all, requiring submittal and review of revised plans.

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

As previously mentioned, this particular lot within Del-Ida Park is an indication that the roads were once connected, and it is reflected by the entrance of the subject property's orientation. The granting of the variance will permit the structures front entrance to be within the front setback facing N. Dixie Boulevard. It is also noted that, city LDR Visual Compatibility Standards and Secretary of the Interior's Standards outline regulations relating to the location of additions, which are to be to the rear or side of a structure. While the proposed addition to the side (southwest) is behind the existing front wall plane, its proximity to the front and overall size coupled with a reduced setback could affect the scale of the area. The variance itself does not appear that it will significantly diminish the historic character of the site or district, rather what it facilitates could diminish the character of the site and district.

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

The request is being made to accommodate the relocation of the existing structure and new additions. This creates a new space for an addition and thus, an ability to accommodate an appropriate adaptive reuse and modernization of the historic structure, however such could also be accomplished without relocating the structure within the setback or designing the new additions to encroach within them.

Variance request 2

Pursuant to Section 4.3.4(K), Development Standards Matrix, the required side interior setback within the R-1-AA District is 10'. The requested variance is to allow the relocation of the existing structure, and construction of an addition to the side (southeast) and rear (southeast) elevation of the contributing structure, that is proposed to be setback 6'-5" – 7'6" from the side interior property line where a 10' setback is required.

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 property and demonstrating that the granting of the variance would not be contrary to the public interest, safety, or welfare.

The existing structure is proposed for relocation within the site to facilitate additions to the side and rear and have the front fully facing N. Dixie Boulevard. Should the structure be relocated and placed at the requested 6'-5" - 7' 6" setback along with the proposed rear additions, it could alter the historic character of the property, as the structures existing siting is integral to the history of the area and the resulting cul-de-sac. As the structure is proposed to be moved, any historic integrity will be impacted, and there will be no historic context to placing the structure within the side interior setback. The variance is not anticipated to be contrary to the public interest, safety, nor 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 subject property is one of a few uniquely shaped lots within the Del-Ida Park Historic District, that provides indication that the roads branching off from N. Swinton Avenue were once connected. Due to the sites' triangular shape, there are some constraints regarding setbacks, however, the existing structure is compliant with the side interior setbacks, so the proposed variance is not to preserve the existing structure's historic setting. While the site has special conditions and circumstances regarding the code requirements, it also has special conditions because of its historic setting, as the positioning of the structure on the site and its shape are an indicator of the history in the area. Overall, it could be determined that special conditions and circumstances exist supporting the request.

- 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 site's configuration could be impacted by the literal interpretation of the code, however, the site is only impacted by setbacks. As it exists, the structure does not comply with the current Land Development Regulation development requirements regarding setbacks, and there are no additional restrictions being imparted as a result of the request, such as a right-of-way dedication or easement. The structure is being voluntarily relocated for the addition of more square footage and reorientation of the front of the structure. The side interior setback with new rear addition could accommodate the required setback, as they are being moved/constructed at their requested location.

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

As previously mentioned, this particular lot within Del-Ida Park is an indication that the roads were once connected, and it is reflected by the entrance of the subject property's orientation. The variance itself does not appear that it will significantly diminish the historic character of the site or district, rather what it facilitates could diminish the character of the site and district. As the structure does not currently reside in the requested location and thus holds no historic value to the site. An addition could potentially be accommodated to the rear of the existing structure, which contains an additional 45' before a structure would encroach within the side interior setback.

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

The request is being made to facilitate the relocation of the existing structure and new additions. This creates a new space for an addition and thus an ability to accommodate an appropriate adaptive reuse and modernization of the historic structure, however this could also be accomplished without relocating the structure within the setback or designing the new additions to encroach within them. The variance may not be necessary to accommodate an appropriate adaptive reuse, and the request is not being used to preserve the structures setting on the stie, as it is proposed to be relocated.

SITE PLAN TECHNICAL ITEMS

1. That the color of the proposed fencing, walls, gates, and arbor be indicated on the plans.
2. That the required 10' side setback labelled on the site plan.
3. The proposed setbacks with variances are labelled "variance requested" on the site plan.
4. Place the same façade elevations on the same page (i.e. Northwest Existing with Northwest Proposed)
5. Provide the material of the proposed pool decking on the site plan

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 development proposal involves variances and a relocation request associated with the rehabilitation of an existing contributing residence, ground level improvements and new additions. There are no concerns with respect to soil, topographic or other physical considerations. With respect to the adjacent land uses, the property is in an area surrounded by various uses within the mixed-use zoning. The board will need to make a determination that the proposal can be found to be consistent with the requirements of this policy.

ALTERNATIVE ACTIONS

- A. Move to continue with direction.
- B. Approve Certificate of Appropriateness (2024-257), Relocation, and Variance requests for the property located at **2 N. Dixie Boulevard, Del-Ida Park 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 (2024-257), Relocation, and Variance requests for the property located at **2 N. Dixie Boulevard, Del-Ida Park 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 (2024-257), Relocation, and Variance requests for the property located at **2 N. Dixie Boulevard, Del-Ida Park Historic District**, by finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in the Land Development Regulations.

PUBLIC AND COURTESY NOTICES

- | | |
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| <input checked="" type="checkbox"/> Courtesy Notices were provided to the following, at least 5 working days prior to the meeting: | <input checked="" type="checkbox"/> Public Notice was mailed to property owners within a 500' radius on 4/25/25, 10 days prior to the meeting. |
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Del-Ida Historic Neighborhood Association	<input checked="" type="checkbox"/> Public Notice was posted at the property on 4/30/25, 7 calendar days prior to the meeting. <input checked="" type="checkbox"/> Public Notice was posted in the main lobby at City Hall on 4/25/25, 10 working days prior to the meeting. <input checked="" type="checkbox"/> Public Notice was posted to the City's website on 4/25/25, 10 calendar days prior to the meeting. <input checked="" type="checkbox"/> Agenda was posted on 4/30/25, 5 working days prior to meeting.
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TAC Timeline Table			
Review No.	Submittal Date	TAC Comments Transmitted	Fee Due with Next Submittal?:
1	9/26/2024	10/30/2024	No <u> X </u> Yes <u> </u> Amount: <u> </u>
2	1/21/2025	2/13/2025	No <u> X </u> Yes <u> </u> Amount: <u> </u>
3	3/12/2025	Determined Board Ready 3/28/2025	No <u> X </u> Yes <u> </u> Amount: <u> </u>