CITY OF DELRAY BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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

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HISTORIC PRESERVATION BOARD STAFF REPORT

223 NW 1st Avenue

Meeting	File No.	Application Type
October 7, 2026	HP-22-2025	Certificate of Appropriateness & Waivers

REQUEST

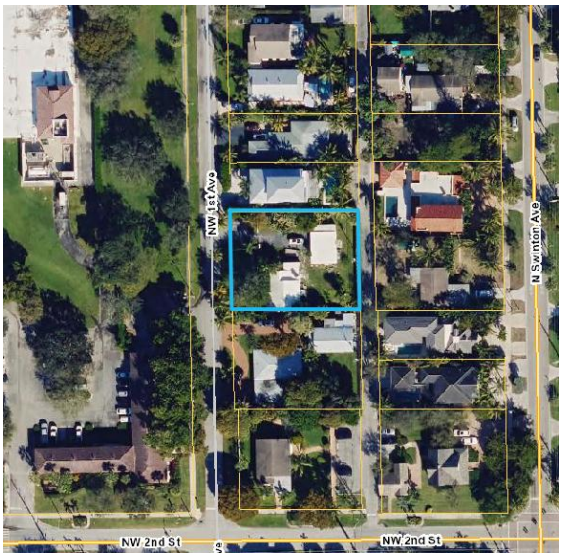
The item before the Board is consideration of a Certificate of Appropriateness and Waivers (File No. HP-22-2025) in association with an addition and alterations to the existing contributing primary residence, exterior modifications to the accessory guest cottage, and construction of a swimming pool on the subject single-family residential property, which is located at **223 NW 1st Avenue, Old School Square Historic District.**

GENERAL DATA

Owner: Giacomo & Rossana Breglia
Applicant: Roger Cope
Location: 223 NW 1st Avenue
PCN: 12-43-46-17-49-058-0170
Property Size: 0.3 Acres
Zoning: Old School Square Historic Arts District (OSSHAD)
FLUM: Historic Mixed Use (HMU)
Historic District: Old School Square Historic District
Adjacent Zoning:

- OSSHAD (North)
- OSSHAD (East)
- OSSHAD (South)
- Community Facilities (CF) (West)

Existing Land Use: Residential
Proposed Land Use: Residential



BACKGROUND AND PROJECT DESCRIPTION

Located at 223 NW 1st Avenue, the residence and detached garage are one-story wood frame buildings. The Frame Vernacular residence and its outbuilding lie between NW 1st Street and NW 2nd Street on the east side of NW 1st Avenue in the Old School Square Historic Arts District (OSSHAD) zoning district. The 1930 Frame Vernacular style residence contains wood siding, a gable roof, with asphalt shingle roofing. The structure also contains a flat roof over an enclosed porch. Previously, the residence had clamshell awnings that were removed. A shed roof extension exists on the north elevation The 1953 Frame Vernacular accessory structure consists of a board and batten exterior, a flat, built-up roof and previously had a pair of decorative overhead doors on the front facade. The contributing accessory structure was originally constructed as a garage.

At its meeting of February 22, 2002, the Historic Preservation Board approved the conversion of the existing garage into a guest cottage with the removal of the overhead garage doors and the installation

Project Planner:	Review Dates:	Attachments:
Michelle Hewett, Senior Planner, hewettm@mydelraybeach.com	HPB: October 7, 2026	1. Plans 2. Justification Statements 3. Mover/Relocation/Demo Docs. 4. Building Color and Material

of a single, solid panel door entrance with sidelights and an aluminum-framed awning window (matching the existing windows) on the front façade facing the NW 1st Avenue right-of-way. A single, French door was installed on the rear (east) elevation including the placement of a concrete stoop to provide access to the rear entrance. The conversion retained the board and batten siding and awning windows.

In December of 2024, staff administratively approved the replacement of windows & doors, along with repainting of the rear accessory structure.

The request before the board is for alterations to the existing 1,425 square foot principal structure, a 1,998 square foot addition to the north side of the principal structure to include additional living area and a new two-car garage facing NW 1st Avenue, exterior alterations to the existing rear 1,018 square foot accessory structure, site improvements including hardscaping and construction of a new swimming pool. The request also includes four waivers for the following:

- Visual Compatibility Standard - Additions - shall be located to the rear or least public side of a building and be as inconspicuous as possible;
- Visual Compatibility Standard - Additions or accessory structures shall not be located in front of the established front wall plane of a historic building;
- Visual Compatibility Standard - Characteristic features of the original building shall not be destroyed or obscured; and
- Visual Compatibility Standard - Additions shall be secondary and subordinate to the main mass of the historic building and shall not overwhelm the original building.

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 4.4.24(F) – Old School Square Historic Arts District (OSSHAD) Development Standards: The existing and proposed use is single-family residential, which is a permitted use within the OSSHAD zoning district. Also, existing on site is a detached guest cottage, which is a permitted accessory use within the OSSHAD zoning district.

Pursuant to LDR Section 4.3.4(K) Development Standards, single-family structures within the OSSHAD zoning district, shall be developed according to the requirements noted in the chart below:

DEVELOPMENT STANDARDS	REQUIRED	EXISTING	PROPOSED
OPEN SPACE	25%	39%	37.1%
SETBACKS (MINIMUM) FRONT (EAST)	25'	28.66'	28.66'
SIDE INTERIOR (SOUTH)	7'6"	.25'*	.25'*
SIDE INTERIOR (NORTH)	7'6"	7' 7"	7' 7"
REAR (WEST)	10'	20.19'	20.19'
HEIGHT	35'	11'	13.6'

*** Existing non-conformity**

Pursuant to LDR Section 4.3.3(Q)(1) – Accessory Residential Structures.
General Standards. To promote aesthetically harmonious neighborhoods, accessory structures in residential zoning districts must comply with the regulations herein.

- **a) The height of an accessory structure shall not exceed the height of the principal structure. This limitation does not apply to Accessory Dwelling Units (ADUs).**
- **b) The floor area of an accessory structure shall not exceed 40 percent of the floor area of the principal structure. This limitation does not apply to ADUs.**
- **c) Accessory structures larger than 350 square feet or taller than ten feet are subject to the following design standards:**
  1. **The accessory structure must be designed with a similar architectural style and be finished with materials similar in appearance to the principal structure.**
  2. **Foundation landscaping, in accordance with Section 4.6.16, must be provided along the entire building frontage, if visible from the right-of-way.**
  3. **All doors, including garage and overhead doors, must have a decorative appearance consistent with the overall architectural style of the primary residential structure.**
  4. **Blank walls visible from the right-of-way are prohibited. Fenestration consistent with the design and appearance of the principal structure and/or design treatments such as trellises with climbing vines or other plant materials, or architectural details may be used to avoid the appearance of blank walls.**

Pursuant to LDR Section 1.3.7. - Exterior remodeling.

(A) Exterior modifications to a nonconforming structure or a structure containing a nonconforming use shall be approved only in compliance with ALL of the following:

- **(1) The value of the modifications in any 12-month period does not exceed 25 percent of the current improvement value as determined by the Palm Beach County Property Appraiser, except that improvements to contributing structures within historic districts or to individually listed historic structures can exceed the 25 percent exterior remodeling maximum thresholds, if approved by the Historic Preservation Board.**
- **(2) The exterior remodeling does not result in an increase of the floor area devoted to a nonconforming use;**
- **(3) The exterior remodeling does not result in the increase in the number of dwelling units; and**
- **(4) The modification is approved as follows:**
  - **a. Single-family detached residence or duplex requires approval by the Chief Building Official or designee.**
  - **b. Non-residential structure, mixed-use structure, or multifamily structure requires approval pursuant to Article 2.4.**
  - **c. Structures located within the historic districts or individually listed historic structures require approval by the Historic Preservation Board.**

The existing accessory structure is non-conforming with respect to its size as not only an accessory structure, but also exceeds maximum size for a guest cottage. The non-conformity cannot be increased, pursuant to ***LDR Section 1.3.5(B)(1)*** which states ***"A nonconforming structure shall not be altered or enlarged in any way which increases its nonconformity, vertically or horizontally. Enlargement or alteration of the structure in a way that complies with applicable dimensional standards and does not create any new nonconformity, or alteration of the structure in a way***

that decreases the degree of nonconformity, is permitted". The proposal does not include modifications to the non-conformities, however, given its square footage is greater than 350 square feet, any exterior modifications must be approved by the Historic Preservation Board. The request includes the addition of shutters on either side of the existing windows on the north elevation with a new louvered vent at the top of the gable, which do not currently exist on the structure, but at the very least appear operable. There is also concern with the addition of a porch feature on the east (rear) side of the accessory structure, as this is a new element that doesn't currently exist on the structure and its proposed architectural features aren't compatible, however, it is on a low visibility elevation. There are also visual compatibility concerns with the roof modification on the existing angled flat roof, given it was likely original to the structure. It is noted that the accessory structure is recessed on the property substantially, but is visible from the adjacent NW 1st Avenue right-of-way, should the proposed addition to the primary structure not be approved.

Pursuant to LDR Section 4.3.3(Q)(2) – Guest Cottage

a) **Guest Cottages are accessory residential structures for use by members of the family occupying the principal dwelling, their nonpaying guests (except in Bed and Breakfast Inns), or persons employed for service on the premises.**
b) **The guest cottage, whether detached or attached to the principal structure, shall not occupy more than one-twentieth of the lot area and shall not exceed a floor area of 700 square feet.**
c) **The guest cottage shall comply with the minimum setbacks required for the principal structure.**
d) **Only one guest cottage shall be allowed on a property.**
e) **The guest cottage shall not have a kitchen.**
f) **A guest cottage shall not have a separate water or electric meter.**

The existing accessory structure is currently non-conforming with regard to size, as indicated above. The request is to retain the existing square footage of the guest cottage but includes alterations to the exterior of the structure including enlargement of the footprint through the addition of a new porch and modification of the existing roof. There is concern with the roof modification, however, which is analyzed later in the report.

Pursuant to LDR Table 4.3.4(A) Building Elements or Site Improvements Allowed in Building Setbacks, air conditioning units are proposed within the building setbacks, which are proposed to meet the requirements of the code. There are no generators proposed on the site. Should any other building elements or site improvements within building setbacks be proposed during permitting, they will need to comply with the requirements of this code section and may require modification of the plans if the subject request is approved.

Pursuant to LDR Section 4.6.9 - Off-street Parking Regulations(C)(2)(b), 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 subject property contains a single-family residence and guest cottage, which are situated on a lot that is wider than 60 feet. The proposal involves construction of a new two-car garage and a single parallel parking space off of the rear north/south alley, which meets the requirements of this code section as two parking spaces are proposed to be located outside of the front setback. While the

requirements of this code section are being met, there is concern with the placement of the proposed garage, analyzed later in the report.

Pursuant to LDR Section 4.6.14 – Sight Visibility, Intersections (C), 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.
The proposal includes a new driveway location for entrance into the garage. There are no proposed fences, gates, or visual obstructions anticipated to be within the sight visibility triangles.

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 request includes the installation of a new ground level swimming pool at the rear of the property. The proposed pool and its deck are meeting the required setbacks (ten feet from the water's edge from the side interior/rear property lines, outside of the front setback, and the deck is setback a minimum of five feet from all property lines).

Right-of-Way DEDICATIONS
Pursuant to LDR Section 5.3.1(A)(6) - Additional right-of-way width may be required to promote public safety and welfare; to provide for stormwater management; to provide adequate area for street trees; and to assure adequate access, circulation, and parking in high intensity use areas. Such a determination shall be advanced by a recommendation from the City Engineer and may be based upon the results of a traffic study or general knowledge of the City. The authority for requiring such additional right-of-way shall rest with the body having the approval authority of the associated development application.
A two-foot right-of-way dedication along the west side of the north/south alley and a five-foot right-of-way dedication along the east side of NW 1st Avenue is required, in accordance with the Comprehensive Plan, Mobility Table. The required dedications have been illustrated on the proposed plans and the required building setbacks are taken from the modified property lines. The dedications will need to be completed prior to issuance of permit; this item is attached as a Site Plan Technical Item.

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 structures within the OSSHAD zoning district.

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 subject site contains an existing four-foot wood fence on the west side of the site, a six-foot fence on the north. east, and south sides of the property. The four-foot decorative wood fence that exists along the front (west) of the property is proposed to be rebuilt in the same design and relocated onto the subject property, once the r-o-w dedication is taken. The proposal includes construction of a new six-foot fence on the north side of the property, outside of the front setback, to match the existing fencing. None of the fencing is proposed within the sight visibility triangles, as fencing can be no taller than three feet within any sight visibility triangles (pursuant to LDR section 4.6.14(c)).

Garages and Carports:

a. **Garages and carports are encouraged to be oriented so that they may be accessed from the side or rear and out of view from a public right of way.**
b. **The orientation of garages and carports shall be consistent with the historic development pattern of structures of a similar architectural style within the district.**
c. **The enclosure of carports is discouraged. When permitted, the enclosure of the carport should maintain the original details, associated with the carport, such as decorative posts, columns, roof planes, and other features.**
d. **Garage doors shall be designed to be compatible with the architectural style of the principal structure and should include individual openings for vehicles rather than two car expanses of doors. Metal two car garage doors are discouraged; however, if options are limited and metal is proposed, the doors must include additional architectural detailing appropriate to the building.**

A two-car garage is proposed to be constructed to the north of the existing contributing structure, with access from NW 1st Avenue. There are several concerns with the proposed garage placement as it pertains to the code section above. The proposed garage has not been oriented so that it may be accessed from the side or rear, but instead has been placed in its entirety facing NW 1st Avenue, which is not consistent with the development pattern of contributing structures along this particular block. Most of the contributing structures take their access from the rear, along the alley, allowing them to have minor impact on the front façade of the principal structure. Further, the site could accommodate a garage facing the rear (alley) given the amount of space available behind the principal structure. And given the size of the lot, there are various options/locations for the garage to be oriented other than the front, particularly due to its prominence and impact on the front elevation. There is a singular two-car garage door proposed, which is also discouraged, and should be designed to appear as two separate openings. While the design of the garage door does somewhat emulate the appearance of two separate garage door openings, additional architectural elements are needed to provide that full separate appearance.

This LDR Section relating to **Appurtenances**, states that **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**. The board will need to make a determination that the appearance, configuration and location of the garage meet the requirements of the LDRs.

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 street side 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 subject request includes construction of a two-car garage on the north side of the existing structure facing the front of the property. As proposed, the required parking within the garage does not meet three of the six criteria (criterion a, b, and c). The proposal does not locate parking adjacent to the building or in the rear, the new garage is visible from the adjacent public right-of-way, and the existing north/south alley has not been utilized to provide sole vehicular access to the site This code section strives to encourage parking that contributes to the historic nature of the site and historic district through creative design. Where the proposal involves an addition that can be considered competing with the front façade of the residence. Screening has not been proposed, as a large two car garage is difficult to guise from a primary elevation, where a driveway with a parking area or carport is easier to shield, should the parking need to be located in the front, which this lot does not impart that restraint. The criteria also indicate that existing alleys should be utilized to provide vehicular access. Given the development pattern of the historic district, sheer size of the lot, configuration of the structures on the lot, and direct access to an alley in the rear, , a garage could easily be accommodated in the rear of the property. Locating the parking in the rear would provide complete compliance with the criteria of this code section. Again, there is concern with the proposed location of the garage as it is not compliant with the criteria above. There is no concern with the proposed material for the driveway, as pavers can be considered an appropriate material four use in a historic district. Overall, the construction of the garage in this location creates a non-conformity with the criteria above.

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 Locally and Nationally Designated Old School Square Historic District.

Pursuant to LDR Section 4.5.1(E)(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.

SECRETARY OF THE INTERIOR'S STANDARDS

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.

The specific request requires analysis by standards 1, 2, 3, 5, 9, and 10.

Standard 1 Analysis

The existing use of the site and its structures is a single-family residence with a guest cottage. While the structures will be used for their historic purpose, the proposal involves alterations that are not minimal in nature and potentially result in alteration of defining characteristics of the building, its site and environment. A substantial addition could be accommodated in the rear of the property rather than to the side and front of the existing residence, which could have a more minimal impact on the historic structures.

Standard 2 Analysis

The request includes an addition to the side of the existing main contributing structure, restoration of the original porch, introduction of new front porches, exterior modifications to both the residence and guest cottage, along with construction of a new swimming pool. There are existing elements proposed for removal to be replaced by architectural elements and openings that could be considered incompatible with the existing structure. These items include removal of the existing window pattern for installation of large vertical windows with transoms for an overall glass heavy front facade, introduction of arch features along the restored porch (which do not currently exist on the structure nor are they compatible with the existing architecture), and modification of the existing roofline along the front porch. The request also includes removal of the flat roof on the accessory structure, a character defining feature, and construction of a new pitched roof with side facing gables. There is concern with the removal of character defining features of the residence, as the front façade is no longer recognizable due to the proposed modifications. The proposed elements are also not cohesive with the existing structure nor architectural style.

Standard 3 Analysis

The proposal includes the introduction of new features that do not currently exist on the structure and are considered conjectural to the existing residence's front façade. According to the Secretary of the Interior's Standards for Rehabilitation, the recommended approach to compliance with this standard should not involve "*Removing or substantially changing windows or window features which are important in defining the overall historic character of the building so that, as a result, the character is diminished*". The introduction of large glass windows are typically only seen on the rear of additions, as this elevation is not typically seen from the front, and has no impact on the front facade. Removal of existing windows, introduction of new front porch elements, new incompatible architectural features and the addition of a garage, are all expected to have a substantial impact upon the original front façade, which will likely give a false sense of historic development, as none of those elements currently exist on the residence, nor are they considered architecturally compatible. Below is the recommended and not recommended approach to identifying, retaining, and preserving windows, (taken directly from the Secretary of the Interior's Standards and Guidelines for Rehabilitation), that are applicable to the proposal:

WINDOWS

RECOMMENDED	NOT RECOMMENDED
Identifying, retaining, and preserving windows and their functional and decorative features that are important to the overall character of the building. The window material and how the window operates (e.g., double hung, casement, awning, or hopper) are significant, as are its components (including sash, muntins, ogee lugs, glazing, pane configuration, sills, mullions, casings, or brick molds) and related features, such as shutters.	Removing or substantially changing windows or window features which are important in defining the overall historic character of the building so that, as a result, the character is diminished. Changing the appearance of windows that contribute to the historic character of the building by replacing materials, finishes, or colors which noticeably change the sash, depth of the reveal, and muntin configurations; the reflectivity and color of the glazing; or the appearance of the frame.

WINDOWS

RECOMMENDED	NOT RECOMMENDED
Alterations and Additions for a New Use	
Adding new window openings on rear or other secondary, less-visible elevations, if required by a new use. The new openings and the windows in them should be compatible with the overall design of the building but, in most cases, not duplicate the historic fenestration.	Changing the number, location, size, or glazing pattern of windows on primary or highly-visible elevations which will alter the historic character of the building. Cutting new openings on character-defining elevations or cutting new openings that damage or destroy significant features. Adding balconies at existing window openings or new window openings on primary or other highly-visible elevations where balconies never existed and, therefore, would be incompatible with the historic character of the building.
Replacing windows that are too deteriorated to repair using the same sash and pane configuration, but with new windows that operate differently, if necessary, to accommodate a new use. Any change must have minimal visual impact. Examples could include replacing hopper or awning windows with casement windows, or adding a realigned and enlarged operable portion of industrial steel windows to meet life-safety codes.	Replacing a window that contributes to the historic character of the building with a new window that is different in design (such as glass divisions or muntin profiles), dimensions, materials (wood, metal, or glass), finish or color, or location that will have a noticeably different appearance from the historic windows, which may negatively impact the character of the building.

Standard 5 Analysis

This modest one-story Frame Vernacular main residence has an irregular floor plan, a side-gable roof plan with a small entry porch with flat roof, and wood horizontal siding. A distinctive feature of the principal structure is that it is modest in size and scale. As proposed, the scale and appearance of the proposed addition is expected to alter the scale of the residence horizontally, doubling its size. What's more, is that the proposed addition could be accommodated to the rear of the residence with the garage accessing the rear north/south alley. Additional features that are a part of the structure's historic integrity are its shingle roof, wood siding, and window scale. The alterations also involve construction of a new front porch, where one does not exist. There is also concern with the proposed color/painted standing seam metal roof, window modifications, the use of Hardie-board on the addition as any differences in material between the existing wood siding and proposed will be highly visible as the addition is adjacent

to instead of behind the existing principal structure. There is concern with the proposed guest house roof alteration from a flat roof to a gabled roof. Ultimately, the proposal involves alteration and removal of **Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property.**

Standard 9 Analysis

As proposed, this requirement is not being met, as the only item on the principal structure proposed to remain is its footprint; all other elements proposed for modification could be seen as inappropriate to the character of the structure. Retaining a structure's historic integrity is more than just keeping the footprint, but retaining spaces elements that are specific to the structure, with minimal modifications, particularly to primary elevations. There is concern that the request is altering the existing historic structure to match the proposed addition, instead of the inverse. The new addition and exterior alterations are expected to result in a diminution or loss of integrity to both the primary residence and the guest cottage. Had the addition been placed in the rear of the existing structure, the integrity of the front façade could have been retained. This architectural approach also does not allow the existing structure to be differentiated from the addition.

The size of the addition, being placed adjacent to and competing with the front elevation is a concern as it overwhelms and modifies not only the scale of the principal structure but also the NW 1st Avenue streetscape and the sites position in the historic district. An important part of the historical development of the site, is the inclusion of the adjacent lot, where the guest cottage exists and has been visible from the NW 1st Avenue right-of-way for over 50 years. If approved, the guest cottage will be completely hidden behind a new inappropriate addition to the primary structure. It is difficult to substantiate that **Standard 9** is being met as the **New addition and exterior alterations, could destroy historic materials that characterize the property. While the new work is differentiated from the old and it does not appear to be compatible with the massing, size, scale, nor architectural features of the existing historic structures.**

NEW EXTERIOR ADDITIONS TO HISTORIC BUILDINGS AND RELATED NEW CONSTRUCTION

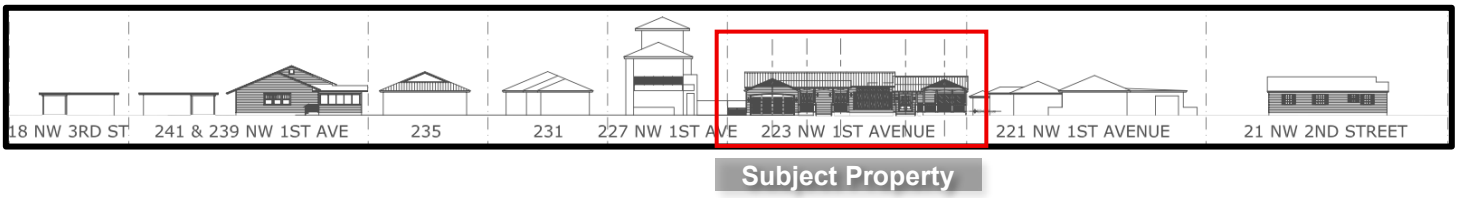
RECOMMENDED	NOT RECOMMENDED
New Additions	
Placing functions and services required for a new use (including elevators and stairways) in secondary or non-character-defining interior spaces of the historic building rather than constructing a new addition.	Expanding the size of the historic building by 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).

Standard 10 Analysis

As mentioned previously, the only element of the structure proposed to remain is its footprint and some existing materials; all other modifications would make it very difficult, if removed, to identify what is historic resulting in a potential impairment of the **integrity of the historic property and its environment.** As mentioned previously, inappropriate modifications include the removal of existing window/door patterns, introduction of new porch elements forward of the front wall plane, a new roof shape/material, as well as an incompatible addition adjacent to the primary structure. Four waivers have been submitted for relief to the required historic preservation Visual Compatibility Standards, which is indicative of the proposal's inability to meet historic preservation requirements and thresholds.

The request does involve the retention of historic material as well as the use of new, authentic materials on the existing structure, which is considered appropriate; however there are little massing mitigation methods taken to reduce the additions impact on the principal structure, where collectively, the primary façade could be majorly comprised by the new addition and new architectural elements. As proposed, this structure would be the widest on this street, having a large impact on the streetscape, while overwhelming the principal structure to the point where it is indistinguishable from the addition.

The images below depict examples of how alteration of a site and structure can impact the historic streetscape (regarding massing and height), and the historic integrity of the existing structure(s).



There are major concerns with the request as it is anticipated that the structures contributing status is at risk with the proposed modifications. Should the proposal be approved, the board would need to make a determination that the requirements of this standard have been met in order to ensure retention of the structure's contributing, historic status in the Old School Square Historic District.

Overall, the board will need to make a determination that the proposal can be found in compliance with the Secretary of the Interior's Standards and Guidelines.

VISUAL COMPATIBILITY STANDARDS

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

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 4.5.1I(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 respect to **Height**, the proposal includes a new addition to the primary structure as well as an increase to the height of the existing guest cottage, through removal of the flat roof and construction of a pitched, gabled roof. The addition to the north side of the primary structure is proposed to be taller than the existing structure by two feet six inches; which is expected to be quite noticeable. There is concern with the proposal as the new addition puts emphasis on the new structure instead of the existing. This also is expected to affect the additions' ability to be secondary and subordinate, to the main mass of the existing residence.

The **Front Façade Proportion** of the primary structure and proposed addition, will result in becoming the widest structure on the street block, having a negative effect upon the existing streetscape. As mentioned previously, the taller height of the addition will also affect the Front Façade Proportion. This is further emphasized given its location directly next to the principal structure, and completely eclipsing the accessory structure, which has always been visible from the NW 1st Avenue public right-of-way. There is concern with the proposal's potential impact on the Front Façade Proportion.

The request includes substantial modifications to the existing **Proportion of Openings (windows and doors)**, outlined below:

- West (Front) Elevation – Removal of all awning windows for the installation of four single hung windows on the existing structure, new double entry doors, five nearly floor to ceiling singe hung windows with transoms, spanning between the existing and proposed addition.
- South (Side Interior) Elevation – Removal of all awning windows with no windows/openings proposed.
- East (Rear) Elevation – Removal of all awning windows for three single hung windows, two fixed windows, new double rear entry doors, five single hung windows with transoms, spanning between the existing and proposed addition.

There are several concerns with the proposed modifications, as all original openings are proposed to be removed for new openings that currently do not exist on the principal structure, but are instead designed around the addition, which is not the recommended approach. Additionally, the proposal is introducing new incompatible window types that do not currently exist on the structure nor are prevalent in the historic district. It is understood that awning window types are commonly replaced with impact-rated, single-hung or casement windows, given the hurricane windload requirements of the Florida Building Code. The request, however, goes beyond simply replacing the windows, and instead completely changes the existing window pattern, and introduces modern and incompatible types that are expected to affect the historic integrity of the structure. Transoms are not seen on this type of structure, nor do they currently exist on this structure, thus there is concern, particularly due to their proposed placement on the primary elevation. The scale of the openings is also inappropriate for the existing structure, as large expanses of tall windows are not typically seen on this architectural style nor on any of the contributing Frame Vernacular style structures within the district. The relationship between the height and width of windows and doors amongst historic buildings shall be visually compatible with both the existing structure(s) and within the subject historic district. Additionally, the proposal introduces shutters that do not currently exist on either of the structures. While, Frame Vernacular style structures can have shutters, this particular

Casement windows on a Mediterranean Revival residence

Not Recommended:

- Cutting new openings, altering existing openings, blocking windows, and installing a replacement sash that does not fit the window.
- Changing the historic appearance through inappropriate design materials or adding a finish or color that changes the sash, depth of reveal, the reflectivity, or the appearance of the frame.
- Replacing viable windows rather than maintaining the original. Bronze, black frame, or tinted windows are not preferred choices.
- New Construction: In selecting windows for an infill design in a historic district, flat "snap in" muntins **should not be used** to simulate the division of window panes. Any such divisions should be created with muntins that create a true profile.

Flat and arched double-hung sash windows on a Mediterranean Revival house

Recommended:

- Shutters should be operable or appear to be operable.
- Shutters should be designed so they measure the full height and one-half the width of the window frames.

Shutter dog on Colonial style shutter

- "Shutter dog" hardware should be used to enhance the appearance that the shutters are operable.
- Shutters should be attached to the window casing rather than the exterior finish material.
- Shutter details should compliment the construction material and architectural style of the property on which they are applied. For example, wooden raised panel shutters or board and batten shutters are frequently used in wood frame houses.

structure does not. The proposed shutters also do not appear operable, as none on the front and most on the rear elevation of the principal structure are half the width of the windows, and do not include shutter dogs or visible hinges. Above is a screenshot from the Delray Beach Historic Preservation Design Guidelines regarding shutters and a below is screenshot from the Secretary of the Interior's Standards for Rehabilitation regarding openings:

NEW EXTERIOR ADDITIONS TO HISTORIC BUILDINGS AND RELATED NEW CONSTRUCTION

RECOMMENDED	NOT RECOMMENDED
Using the same forms, materials, and color range of the historic building in a manner that does not duplicate it, but distinguishes the addition from the original building.	Duplicating the exact form, material, style, and detailing of the historic building in a new addition so that the new work appears to be historic.
Basing the alignment, rhythm, and size of the window and door openings of the new addition on those of the historic building.	
Incorporating a simple, recessed, small-scale hyphen, or connection, to physically and visually separate the addition from the historic building.	
Distinguishing the addition from the original building by setting it back from the wall plane of the historic building.	

There is also concern with **the Rhythm of solids to voids**, particularly on the south side interior elevation, as no windows are proposed, where windows currently exist. It is noted that this side is nearly on the property line, an existing non-conformity, however, this elevation does currently have windows that should either be retained or utilize a method (such as closed shutters) to emulate the appearance of openings, instead of a blank façade. Proposing an elevation with no windows is considered inappropriate for a façade treatment on the principal structure. The request includes modifications to the **Rhythm of Buildings on Streets** as the open space between the current buildings on the site and adjacent structures is being severely modified. As currently configured, the layout of the site provides substantial open space adjacent to the principal structure to the north, as the accessory structure is substantially recessed on the property. With the proposed request, that visual break is no longer

ENTRANCES AND PORCHES

RECOMMENDED	NOT RECOMMENDED
Identifying, retaining, and preserving entrances and porches and their functional and decorative features that are important in defining the overall historic character of the building. The materials themselves (including masonry, wood, and metal) are significant, as are their features, such as doors, transoms, pilasters, columns, balustrades, stairs, roofs, and projecting canopies.	Removing or substantially changing entrances and porches which are important in defining the overall historic character of the building so that, as a result, the character is diminished. Cutting new entrances on a primary façade. Altering utilitarian or service entrances so they compete visually with the historic primary entrance; increasing their size so that they appear significantly more important; or adding decorative details that cannot be documented to the building or are incompatible with the building's historic character.
Retaining a historic entrance or porch even though it will no longer be used because of a change in the building's function.	Removing a historic entrance or porch that will no longer be required for the building's new use.

proposed, as it will be entirely encompassed by the addition. It is noted that this lot is larger than most on the block and therefore could accommodate an addition directly behind the principal structure that does not impact the Rhythm of Buildings on Streets. Along with the additions' impact on the street, there is concern with the introduction of new **entry and porch elements** along the front façade. The above guidelines are applicable to the proposal. According to the **Secretary of the Interior's Standards and Guidelines for Rehabilitation** (pg. 110).

The request includes the restoration of the enclosed front porch, which is considered appropriate, as it will bring back an element that is original to the structure. However, the proposed appearance of the porch is not compatible architecturally with the existing structure; introducing arched gables, and a new pitched roof, which are elements that do not currently exist on the primary structure/front porch. With the restoration of the front porch, the proposal includes the expansion of the front porch along a majority of the facade, which also does not currently exist on the structure. The introduction of the new porch elements/features adds another layer of architectural incompatibility that will compete with the front façade of the principal structure. It is also important to note that this architectural style can have front porches, hence the restoration of the existing enclosed porch; however, that does not provide leeway to add additional porch elements that do not currently exist on the structure, particularly if they compete with the existing front façade.

There are proposed modifications to the **materials, textures, and colors** of both the existing primary structure and rear guest cottage . The proposal includes the modification of all existing openings with new white aluminum frames windows with clear glass. A Site Plan Technical Item has been added that the window and door schedule indicate that the glass is clear (no tint, non-reflective, no low-e) as previously, incorrect windows were installed on the existing structures without that clear distinction. There is no concern with the window materials/colors, as they are commonly seen throughout the historic districts and structures. Additional modification include wood columns for the restored porch, aluminum railings, aluminum shutters, wood siding on the existing structure and Hardie-board siding on the addition, a new standing seam metal roof, and metal garage door. Colors include a white fascia with white trim, white garage door and windows, with white railings and columns. The shutters are to be painted "Patina Green" and the metal roof is to be in the color "Antique Patina". There is concern with several proposed materials/colors. The proposed Hardie-board is a composite material, which has been utilized on other additions throughout the City's historic districts, on a case-by-case basis. Particular attention should be paid to the importance that the Hardie-board is proposed to match the existing wood sidings profile exactly, as the addition is an extension of the existing structure that is fully visible from the primary front façade, where the use of Hardie-board has primarily been used on rear additions. Should the existing wood siding and composite siding match, it will be hard to discern the existing, original material from the new, composite material. Should the existing wood siding and composite siding not match, it will create further incompatibility with the proposed addition, due to its prominence on the front facade. Thus, the difficulty with proposing the addition adjacent to the structure instead of directly behind. The board will need to make a determination that the proposed composite material is appropriate for the addition on the primary facade.

There is also concern with the proposed roof material, and color. The principal structure currently contains an asphalt shingle roof, which has historically been utilized and maintained over the years. This particular architectural style, Frame Vernacular, could have utilized standing seam metal roofing but would have been in a mill finish. While such roof material has previously been approved on other structures of the same architectural style, it has been reviewed on a case-by-case basis. As the existing roof profile contains asphalt shingle, the most appropriate materials is shingle, however, for longevity, metal shingle could also be considered appropriate as the profile and appearance would be similar. In addition to the proposed roof material, there is concern with the proposed color of the roofing, as metal

roofs, if they were original to the structure, were always mill finish (its natural metal appearance). The proposed color is dark and will thus stand out even more as an incompatible feature.

Regarding **Roof shapes**, there is concern that the modified roof shape over the restored porch, proposed porches of the primary residence, and guest cottage are not compatible with what currently exists. Both the enclosed porch and rear structure have flat roofs, with the rear structure being angled (a nod to the Mid-Century Modern era). Modifying their pitch, especially the front porch, is an attempt to make the existing structures compatible with the addition, instead of the addition being compatible with the existing structure; which would be the appropriate way to conceive an addition. Consideration should be given to retaining the existing roof pitch of the front porch, to maintain some element of the existing structure, given that a shed roof front porch is a general characteristic of the architectural style. In addition, the proposed new porches are to further modify the existing roof shape on the principal structure to accommodate an overhang over the porch; also not considered appropriate. Consideration should also be given to retaining a similar roof pitch on the accessory structure as exists. It is noted, however, that the existing height is relatively low, and it is substantially setback from the property line, though currently it is highly visible from the right-of-way.

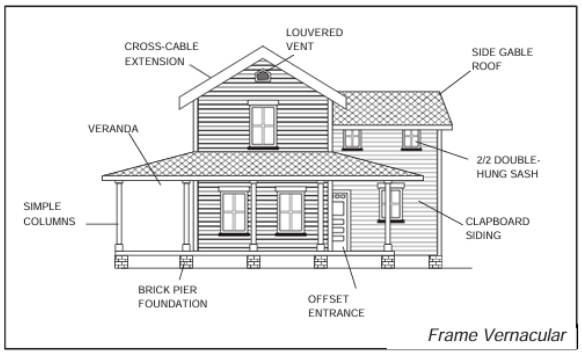
Recommended:

- Rehabilitate contributing accessory structures, where possible.
- Retain architectural features that convey the structure's original use.
- If the original use of the accessory structure is no longer required, the retention and adaptive use of the structure is encouraged.
- New accessory structures should compliment the principal building, and should be located to either the rear or the side of the principal building. Accessory structures should not block any portion of the front façade of the principle building.

Delray Beach Historic Preservation Design Guidelines – Accessory Structures

A decorative fence that is in disrepair exists in the front of the property and is proposed to be replaced like-in-kind. The proposed railings of the porch features are to utilize the same pattern as the existing fence. There is concern with the use of this decorative feature as it is a modern pattern, not commonly utilized on Frame Vernacular style structures. Consideration should be given to vertical picket style fencing/railings that are more compatible with the architectural style. There are several other elements that are also introducing inappropriate architectural elements for the Frame Vernacular **architectural style.** As mentioned previously, the introduction of shutters, an element that currently doesn't exist on the structure, may not be considered appropriate for use with this modest structure. Particularly because most do not appear operable. The request also includes the use of arch features along the restored open-air porch, new front porch expansion, and garage door, where the existing structure does not have any arch features, nor does the Frame Vernacular style. Curvilinear features are more commonly seen on Spanish style structures, such as Mediterranean Revival. The D**irectional expression** of the proposed addition is also uncharacteristic of this architectural style, given the width of building. If the existing structure were a Ranch style structure then such an addition might be considered more compatible as Ranch style structures are typically oriented horizontally. Many Frame Vernacular style structures are relatively symmetrical in elevation.

Vernacular (Frame and Masonry)



Frame Vernacular

The dictionary describes "vernacular" as something native to a particular area or resident culture. In architecture, the term vernacular is used to embrace a diversity of folk and mass-produced building forms that were transmitted by memory or sometimes by pattern book.

Vernacular buildings typically were designed and constructed by lay builders who utilized traditional building techniques. When America changed from an agrarian nation to a nation with an industrial economy during the late nineteenth century, mass production was made possible, leading to the standardization of building elements. Decorative features often were derived from historical styles that may result in a classification of Vernacular with elements that are tied to a specific architectural style. For example, residential buildings in Delray Beach are frequently a vernacular type, but have recognizable features associated with the Mediterranean Revival or Mission styles.

Frame Vernacular residence

The Vernacular is no less important than examples of recognized traditional architectural styles. In fact, of all the building styles, Vernacular is of the most significant consequence in defining the unique characteristics of a place. In Delray Beach, most of the Vernacular examples are built between the early 1920s and the late 1940s.

WWII-era Frame Vernacular residence

General Characteristics: Residential Frame Vernacular

- Plan shape: symmetrical, frequently "L"
- Building material: frame; locally-available materials
- Exterior surface treatment: wood siding
- Roof type: gable or hip
- Height: one or two stories
- Window type: sash
- Foundation: elevated, raised pier
- Other:
  - Shed roof porch across front elevation
  - Ornamentation: rafter tails, cornerboards, vents in the gable ends, and shutters
  - Often a freestanding garage that may reflect details that exist on the main residence

Regarding the **Additions** Visual Compatibility Standard, there is major concern with the proposed addition, in relation to not only the existing historic structures, but also the surrounding historic structures within the Old School Square Historic District.

Pursuant to the **Secretary of the Interior's Standards and Guidelines for Rehabilitation** (pg.156 & 158):

NEW EXTERIOR ADDITIONS TO HISTORIC BUILDINGS AND RELATED NEW CONSTRUCTION

RECOMMENDED	NOT RECOMMENDED
Ensuring that the addition is stylistically appropriate for the historic building type (e.g., whether it is residential or institutional).	
Considering the design for a new addition in terms of its relationship to the historic building as well as the historic district, neighborhood, and setting.	

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).

- **Additions shall be located to the rear or least public side of a building and be as inconspicuous as possible.**
  The request is not in compliance with this requirement, and thus a waiver has been submitted, and is analyzed later in this report. Given the size of the lot and positioning of the structures on the site, there is little to no constraint, even with the right-of-way dedications, that would make placing the addition on the most public facing façade appropriate. An addition could be accommodated in the rear of the property with minimal impact to the front façade, allowing it to be located in the least public side of the site as well as being as inconspicuous as possible. As proposed, there is concern that the addition will have a negative impact on the historic integrity of the structures, the site, and the district.
- **Additions or accessory structures shall not be located in front of the established front wall plane of a historic building.**
  The request is not in compliance with this requirement, and thus a waiver has been submitted. The request includes the introduction of new porch elements forward of the front wall plane that do not currently exist on the structure. These elements are not cohesive with the existing architectural style/structure and have been designed to match the addition, instead of the other way around. It is also noted that while the proposed two car garage is not forward of the enclosed porch (the furthest west point of the existing structure), it is forward of majority of the existing structure, and there is concern with its impact and visual importance it bears upon the front façade.
- **Characteristic features of the original building shall not be destroyed or obscured.**
  The proposal is not in compliance with this requirement, and thus a waiver has been submitted. The request includes removal of all openings for several new incompatible openings, removal of the existing roof for an incompatible color standing seam metal roof, and modification of the existing roofline to accommodate new porch features. The accessory structure is also proposed for its angled flat roof to be modified, a distinguishing feature. This is not considered an appropriate approach to the integration of architectural features with existing structures.
- **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.**
  The addition is to retain the existing building footprint, with minimal removal of walls to accommodate the addition, but nearly all other elements are being removed/modified, which the

board will need to make a determination of the simply retaining the building footprint is enough to retain the basic form and character of the historic building if the additions are ever removed.

- **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.**
  The addition is proposed to primarily appear Frame Vernacular but introduces elements that currently do not exist on the structure and/or are incompatible with the architectural style. The request involves transforming the existing structure to match the proposed addition, instead of integrating the addition into the design of the existing structure. As proposed, the design does not appear compatible with the existing primary structure, but instead makes the addition and the structures appear as one instead of creating a cohesive transition between the existing and new addition.
- **Additions shall be secondary and subordinate to the main mass of the historic building and shall not overwhelm the original building.**
  The proposal is not in compliance with this requirement, and thus a waiver has been submitted. There is concern with the location of the proposed addition to the primary structure, as it is to be placed on the most publicly visible elevation, competing with the existing principal structure, and completely guising the rear accessory structure. The addition is also wider and taller than the existing structure, furthering incompliance with the secondary and subordinate requirement. The proposed location of the garage and porch elements are not considered appropriate as they are highly visible and dominant on the front elevation. Should the addition be located directly behind the existing structure there would be minimal concern as the garage would be in an appropriate location, and the addition would not be competing with the primary façade.

Four waivers for relief have been submitted to the requirements outlined above, and are analyzed later in the report. 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, as there is concern the proposed modifications could elicit a non-contributing status. Such surveys occur every five to ten years and are completed by historic preservation consultants, not city staff. 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.

WAIVER ANALYSIS

Pursuant to LDR Section 2.4.11(B) A waiver involves the granting of partial or total relief from a specific development regulation. A waiver may be granted to the procedural and substantive provisions of these regulations. A waiver may be granted only for those substantive items within these regulations for which such provision is made. A waiver to substantive provisions may be granted only by the approving body with the final authority to approve or deny the related development application.

Pursuant to LDR Section 2.1.9(E)(12)(i), Board Actions. The Board hereby has the authority to take action on any other regulations or requirements that specify relief is available by the body acting upon the development application.

Pursuant to LDR Section 4.5.1(E) – Development Standards. Relief from Subsections (1) through (9) may be granted by seeking a waiver approvable by the Historic Preservation Board, unless otherwise stated.

Waiver Request 1:

LDR Section 4.5.1(E)(7)(m)(1).

1. **Additions shall be located to the rear or least public side of a building and be as inconspicuous as possible.**
   The Waiver request is to allow relief for the proposed location of the addition not to be situated to the rear nor least public side of the existing primary structure.

Pursuant to LDR Section 2.4.11(B)(5) – Findings: The following findings must be made prior to approval of a waiver:

(a) Shall not adversely affect the neighboring area:
The request would allow for an addition to be constructed adjacent (north) to the existing contributing principal structure, which is on the most public side of the building and not as inconspicuous as possible. The subject lot is one of the larger lots along the block and within the Old School Square Historic District. The current configuration of the structures on the site can accommodate a rear addition that would not impact the existing streetscape, where as proposed, the addition to the existing primary structure will result in doubling the buildings width. The property directly to the north is a modern structure that is completely out of scale with the district, and there is concern that another incompatible structure within the streetscape could impact the historic integrity of the block. The board will need to make a determination that the waiver shall not adversely affect the neighboring area.

(b) Shall not significantly diminish the provision of public facilities;
The proposal is required to meet the standards for drainage, which will be reviewed at the time of the building permit, and has received preliminary review during the site plan process. The board will need to make a determination that the proposal will not diminish the provision of any public facilities.

(c) Shall not create an unsafe situation; and,
The request is not anticipated to cause any unsafe situations.

(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.
As more development occurs within the historic district, it is imperative that the historic sites and the historic streetscape as a whole remain with compatible massing and size in order to maintain the historic setting of the district. The site itself does not have any constraints that would prohibit an appropriate addition on the least public side of the site, therefore, the impetus behind the proposed location is not compliant with the requirements for additions and thus, there is concern with the approach to preserve the structure. Should the proposal have planned for a rear addition it would reduce the impact upon the historic district and adjacent streetscape. The board will need to determine if the waiver results in a special privilege and if the same waiver would be granted under similar circumstances on other property.

Waiver Request 2:

LDR Section 4.5.1(E)(7)(m)(2), Additions or accessory structures shall not be located in front of the established front wall plane of a historic building.

The waiver request is to allow the addition to be located forward of the established front wall plane of the existing contributing structure.

Pursuant to LDR Section 2.4.11(B)(5) – Findings: The following findings must be made prior to approval of a waiver:

(a) Shall not adversely affect the neighboring area:

The submitted waiver request is due to the construction of new porches forward of the front wall plane. Additionally, the proposed two-car garage is also proposed to be forward of the established front wall plane, as the original structure had an open-air porch, making the established front wall behind the porch. Along the existing streetscape, there is only one other enclosed porch feature, no other open-air porches. There is no concern with bringing back the open-air porch, however, the addition of incompatible architectural features and expansion of the open-air porch is not considered appropriate and will impact the streetscape given the overall size of the proposed modifications. The purpose of retaining elements behind the front wall plane of the established front wall plane is to keep the historic structure the main focus.

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

The proposal is required to meet the standards for drainage, which will be reviewed at the time of the building permit, and has received preliminary review during the site plan process. The board will need to make a determination that the proposal will not diminish the provision of any public facilities.

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

The request is not anticipated to create an unsafe situation.

(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.

While the board can approve waivers on a case-by-case basis, they are designed with the intent to provide relief when constraints exist or for the preservation of the structure. As proposed, there is concern that the relief request is not being used for that intent. The addition and architectural elements proposed forward of the front wall plane are expected to affect the existing structures architectural features/appearance beyond recognition, making the original structure indistinguishable. The addition of structures/elements forward of the front wall plane is not considered appropriate, and are expected to have a negative effect upon the historic integrity of not only the structure, but the site, and streetscape.

Waiver Request 3:

LDR Section 4.5.1(E)(7)(m)(3), Characteristic features of the original building shall not be destroyed or obscured.

The waiver request is to allow for relief for the removal of characteristic features of the structures on the property for the proposed addition.

Pursuant to LDR Section 2.4.11(B)(5) – Findings: The following findings must be made prior to approval of a waiver:

(a) Shall not adversely affect the neighboring area:

The submitted waiver request is due to the removal of character defining features, particularly on the primary façade, to accommodate construction of an addition adjacent to the principal contributing structure. There is concern with the relief request as it would prompt the removal of existing openings, modification of the existing roof, and introduction of new incompatible architectural features that obscure the existing structure. The addition to the primary structure would also obscure the existing rear accessory structure, whose visibility has become part of the existing streetscape. It is not considered appropriate to modify the existing structures features to match the proposed addition.

(b) Shall not significantly diminish the provision of public facilities;
The proposal is required to meet the standards for drainage, which will be reviewed at the time of the building permit, and has received preliminary review during the site plan process. The board will need to make a determination that the proposal will not diminish the provision of any public facilities.

(c) Shall not create an unsafe situation; and,
The request is not anticipated to create an unsafe situation.

(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.
While the board can approve waivers on a case-by-case basis, they are designed with the intent to provide relief when constraints exist or for the preservation of the structure. As proposed, there is concern that the relief request is not being used for that intent. Staff would have concerns with any proposal that includes the removal of character-defining features, as the impetus behind these regulations is to preserve as much of the historic structure(s) as possible. It is of the utmost importance that essential features and elements are not modified, as one of the requirements of the addition is that it can be removed in the future with little to no impact on the historic integrity of the structure. As proposed, that would be a difficult feat to accomplish due to the amount of character defining features proposed for removal. It is possible, and commonly done, to design an addition that is compatible with the existing contributing structure.

Waiver Request 4:
Pursuant to LDR Section 4.5.1(E)(7)(m)(6), Additions shall be secondary and subordinate to the main mass of the historic building and shall not overwhelm the original building.
The waiver request is to allow for the addition to not be secondary and subordinate to the main mass of the historic building and to allow the addition to overwhelm the original building.

Pursuant to LDR Section 2.4.11(B)(5) – Findings: The following findings must be made prior to approval of a waiver:

(a) Shall not adversely affect the neighboring area:
The submitted waiver request is due to the construction of an addition that is adjacent to the existing contributing primary structure. The request does not meet the Visual Compatibility Standard as it relates to the requirement that “Additions be secondary and subordinate to the main mass of the historic building and shall not overwhelm the original building.” It is noted, however, that with recent development pressures in Delray Beach, many property owners want to expand their buildings to allow for “modernization” such as bigger kitchens, closets, bathrooms, etc. Such alterations and additions are common and are typically approved but their design depends upon the configuration of the site. Per the Secretary of the Interior’s

Standards and Guidelines for Rehabilitation it is not recommended to ***Construct a new addition that is as large or larger than the historic building, which visually overwhelms it (i.e., results in the diminution or loss of its historic character).***

Given the size of the lot and configuration of the structure on the site, an addition could be accommodated so it is secondary and subordinate to the mass of the primary structure and with little to no impact on the front façade. There is concern with the choice to place the addition in the most incompatible location, competing with the existing structure. It is imperative the inappropriate additions are carefully reviewed, as there have been instances where entire portions of districts have been removed where incompatible infill construction and additions/modifications were made. A particular instance that prompted the importance of the Visual Compatibility Standards, was the removal of majority of the 300 block in the Marina Historic District due to large inappropriate development. Recently, there have been applicants that have based their cases for large additions or arguments for relief to code requirements relating to massing, upon the fact that the board has approved large additions and new construction on neighboring properties. It is noted that each request is considered by the board on a case-by-case basis. In a historic district, an appropriate addition should not overwhelm the existing one-story Frame Vernacular structure.

The Visual Compatibility Standards are specific in that they contain massing controls and require compatibility with "historic structures" within the district; thus, if the existing development pattern is a low scale (one or two-story structures) then that is what is appropriate for modifications to historic buildings and structures. It is noted that the proposed addition is one-story, but it is taller, wider, and designed to modify the existing structure so it is no longer the most prominent feature on the site.

(b) Shall not significantly diminish the provision of public facilities;
The proposal is required to meet the standards for drainage, which will be reviewed at the time of the building permit, and has received preliminary review during the site plan process. The board will need to make a determination that the proposal will not diminish the provision of any public facilities.

(c) Shall not create an unsafe situation; and,
The request is not anticipated to create an unsafe situation.

(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.
As the request could be accommodated in the rear of the property, there is less justification for its proposed location, as it is incompatible and does not aid in retaining the historic integrity of the structure; instead it causes concern for the structure's ability to retain its contributing status. Most importantly, given the size of the lot and existing configuration of the structures on the property, it is possible to construct an addition that can be considered more secondary and subordinate to the main structure, than what is proposed. As more development occurs within historic districts, it is imperative that the historic sites and the historic streetscape as a whole remain with compatible massing and size in order to maintain the historic setting of the district. The board will need to determine if the waiver results in a special privilege and if the same waiver would be granted under similar circumstances on other property.

The property owner has submitted justification statements for each of the requests (attached).

COMPREHENSIVE PLAN

Pursuant to the Historic Preservation Element (HPE), Objective 1.4, Historic Preservation Planning: Implement appropriate and compatible design and planning strategies for historic sites and properties within historic districts.
The objective shall be met through continued adherence to the City's Historic Preservation Ordinance and, where applicable, to architectural design guidelines through the following policies:

HPE Policy 1.4.1 - Continue to require that the Historic Preservation Board make findings that any land use or development application for a historic structure, site or within a historic district, is consistent with the provisions of the Secretary of the Interior's Standards for Rehabilitation, the Land Development Regulations, and Delray Beach Historic Preservation Design Guidelines.
The board will need to make a determination that the request can be found to be consistent with the provisions of LDR Section 4.5.1 relating to historic sites and districts as well as the Secretary of the Interior's Standards and the Delray Beach Historic Preservation Design Guidelines.

SITE PLAN TECHNICAL ITEMS

1. That a 3" x 2" box be provided at the top right corner of all plans;
2. That all plans have their digital signatures in ProjectDox, unexpired;
3. Provide existing and proposed square footages on the Site Data Table for all structures on the property;
4. That a note be included on the window and door schedule indicating that the glass color is to be clear, no tint, non-reflective, no low-e, such note is most appropriate as a separate column on the schedule rather than a footnote;
5. That the proposed colors be included on the elevations;
6. That the site plan calls out/provides distinction between the property lines and proposed/existing fencing;
7. That the use of the accessory structure is labeled on the site plan;
8. That the right-of-way dedications are completed prior to issuance of a building permit;
9. That at the time of submittal of a building permit, the sidewalk fee is paid;
10. That the proposed rear porch on the accessory structure is shown on all elevations; and

ALTERNATIVE ACTIONS

A. Move to continue with direction.

B. Approve Certificate of Appropriateness (HP-22-2025) and Waivers for the property located at **223 NW 1st Avenue, Old School Square 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 (HP-22-2025) and Waivers for the property located at **223 NW 1st Avenue, Old School Square 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 (HP-22-2025) and Waivers for the property located at **223 NW 1st Avenue, Old School Square 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	
☑ Courtesy Notices are not applicable to this request	☑ Public Notices are not required for this request. ☑ Agenda was posted on 9/30/26, 5 working days prior to meeting.

TAC Timeline Table			
Review No.	**Submittal Date**	**TAC Comments Transmitted**	**Board Meeting Date**
1	**9/17/2025**	**10/10/2025**	**N/A**
2.	**5/13/2026**	**6/5/2026**	**N/A**
3.	**7/31/2026**	**8/14/2026**	**N/A**
4.	**9/21/2026**	**Determined Board Ready**	Scheduled for October 7 HPB Meeting