



April 30, 2022

Historic Preservation Board
City of Delray Beach
100 NW 1st Ave.
Delray Beach, FL 33444

RE: Beckworth Residence 231 Venetian Dr., Delray Beach, FL 33483

Dear Members of the Board:

This letter serves as a written statement demonstrating the basis of the requested Variance.

John and Eleanor Beckworth are requesting a Variance in order to install a swimming pool in the front yard of their property located at 231 Venetian Dr. in the Nassau Park Historic District. The pool area will be enhanced with a new patio and fencing.

The justifications are as follows:

As per LDR Variance 2.4.7(A)(5):

- (a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures, or buildings subject to the same zoning (The matter of economic hardship shall not constitute a basis for the granting of a variance);

Response: The Beckworth Residence has special conditions and circumstances that are peculiar to their land which are generally not applicable to other lands, structures, or building within the same zoning. The structure was subdivided leaving 231 Venetian with limited outdoor space and limited buildable area for a pool. Subdividing the house and a pool were likely not imagined at the time of construction. Designating a usable space for such a pool was not planned. Their primary open space exists in the front yard along Venetian. The entrance to the residence is located off Nassau Street (not the front yard), the side street. The lot size is substandard 60' front yard width compared to the neighbors in the district.

- (b) That literal interpretation of the regulations would deprive the applicant of rights commonly enjoyed by other properties subject to the same zoning;

Response: The hardship to the applicant is the inability to enjoy rights commonly enjoyed by other properties subject to the same zoning in their neighborhood. The applicant and design team have analyzed options for a proposed pool location on the property. Through analysis of buildable area, it

was determined to locate the pool in the only open space available, the west side of the property. The development of an outdoor pool area in this location will permit the façade of the contributing historical structure to remain visible while permitting further use of the property for the needs and enjoyment of the property owners. Further, other homes in the district have pools in their front yards, including the home to the south across the street from the Beckworth residence. The property to the west of the residence is parking lot and will not be impacted by the pool location.

- (c) That the special conditions and circumstances have not resulted from actions of the applicant;

Response: The existing conditions are unique to this site and are not directly attributable to the applicant. The existing home was built in 1949 as a multifamily unit. Pools for each home were likely not imagined at the time of construction and designating usable space for such amenities was not planned.

- (d) That granting the variance will not confer onto the applicant any special privilege that is denied to other lands, structures, and buildings under the same zoning. Neither the permitted, nor nonconforming use, of neighborhood lands, structures, or buildings under the same zoning shall be considered grounds for the issuance of a variance;

Response: Granting the variance will not confer onto the applicant any special privilege denied to other homeowners in their neighborhood. Numerous homes in the district have added pools and additions since the historic district designation. Further, several homes in the Nassau Park Historic District have been granted, not denied, variances for setbacks to enhance their living space. A variance for the Beckworth residence will enhance the character of the home by permitting the appropriate development and further use of the property for the needs of the property owner.

- (e) That the reasons set forth in the variance petition justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure; and,

Response: Due to the existing conditions, this variance is the minimum required for pool installation. The pool is proposed in the front yard on the west side of the residence. The pool is 12' by 20'. The pool size is smaller than a standard pool and provides landscape planting space around it.

- (f) That the granting of the variance will be in harmony with the general purpose and intent of existing regulations, will not be injurious to the neighborhood, or otherwise detrimental to the public welfare

Response: The variance requested will be an improvement to the Beckworth residence and bring their home up to the general standards of neighboring homes, which in turn will improve property values for the neighborhood. The variance will not be injurious to the neighborhood or detrimental to the public welfare since the variance affects a private residence only.

As per LDR Variance 2.4.7(A)(6):

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

Response: The variance is necessary to maintain the historic character of the property by allowing the pool to be placed in such an area as to emphasize the layout of the historic home rather than detract from its historic features. This location has the least impact to the neighborhood and historic district. The variance would not be contrary to the public interest, safety, or welfare.

- (b) That special conditions and circumstances exist, because of the historic setting, location, nature, or character of the land, structure, appurtenance, sign, or building involved, which are not applicable to other lands, structures, appurtenances, signs, or buildings in the same zoning district, which have not been designated as historic sites or a historic district nor listed on the Local Register of Historic Places;

Response: The special conditions and circumstances exist because of the historic designation of the structure, which are not applicable to other residences in the same zoning district that have not been designated as contributing to a historic district.

- (c) That literal interpretation of the provisions of existing ordinances would alter the historic character of the historic district, or historic site to such an extent that it would not be feasible to preserve the historic character of the historic district or historic site.

Response: Approval of the variance would help to preserve the historic character of the historic site by placing the pool in the front yard where there is less impact to the neighboring homes. The Beckworth residence establishes the northwest corner to the historic district and the pool will be located on the west side of this boundary.

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

Response: The variance requested will serve to bring the Beckworth home up to modern homeowner standards without diminishing the historic character of the historic site or the historic district. The improvement is in the front yard, below ground, and will have a 4' ht. fence pool enclosure on the sides.

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

Response: The variance requested is necessary to accommodate the appropriate adaptive reuse of the historic structure in order to create a modernized home while maintaining the original historic features. The construction of a pool will

enhance the livability of the residence and provide usable outdoor space for the applicant.

As per LDR 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.

Response: The construction is for an improvement below finish floor of the outdoor patio and residence which will not impact any views or disrupt views of the house. The pool, patio, and fencing will be compatible to the neighborhood with regard to height, mass, scale, materials and color.

As per LDR Section 4.6.15(G)(1):

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, except as provided in subsection (2) and (4) below. Swimming pools shall not extend into the front setback area noted in Section 4.3.4(K). [Amd. Ord. 24-04 5/18/04]; [Amd. Ord. 41-92 9/8/92]; [Amd. Ord. 13-91 2/26/91]

Response: The Beckworth swimming pool is at grade level. The pool setback is minimum 10' from the front property line (West) and 10' from the side street setback (South). The pool exceeds the setbacks on the North and East sides of the property.

Pool Setbacks

Setback	Required	Proposed
Front (West)	25'	13'-8" to 10'-9" *
Side Interior (North)	0'	4'
Side Street (South)	25'	16'-4" to 10'-9" *
Rear (East)	15'	79' – 11'

*Varies due to radius at corner.

We appreciate your time in evaluating this request to allow Mr. and Mrs. Beckworth the rights commonly enjoyed by other properties in their neighborhood subject to the same zoning.

Sincerely,



Carol Perez, Landscape Architect ASLA #0001459
President
AGTLAND, P. A.

JUSTIFICATION STATEMENT

Standards of Rehabilitation

HISTORIC PRESERVATION BOARD

City of Delray Beach
100 NW 1st Avenue
Delray Beach, FL 33444

Ref: *John and Eleanor Beckworth Residence*
231 Venetian Drive

To whom it May concern,

Below is an explanation/response of the criteria used on the proposed remodeling and addition.
Set of floor plans attached to this letter.

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.
 - The property will remain as a private residence.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces shall be voided.
 - The property will keep its character. No historic materials are being removed. The proposed addition will remain secondary and subordinate to the original structure along Venetian Drive and Nassau Street.
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.
 - The feature and elements of the original will be maintained.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
 - The original and portions of additions over the years will be retained and preserved.
5. Distinctive features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - Features, finishes and techniques will remain.
6. Deteriorated historic features shall be repaired rather than replaced. Where this verity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture and other qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.
 - The original historic building roof and structure is remaining intact. The proposed roof will match the original structure additions pitch and style.

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Standards of Rehabilitation

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.
 - Set of construction documents will be noted accordingly to comply with this.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 - Set of construction documents will be noted accordingly to comply with this.
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.
 - We feel the proposed addition will comply.
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.
 - We feel the proposed additions will comply.

JUSTIFICATION STATEMENT

Visual Compatibility Standards

HISTORIC PRESERVATION BOARD

City of Delray Beach
100 NW 1st Avenue
Delray Beach, FL 33444

Ref: *John and Eleanor Beckworth Residence*
231 Venetian Drive

To whom it May concern,

Below is an explanation/response of the criteria used on the proposed remodeling and addition.
Set of floor plans attached to this letter.

(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. [Amd. Ord. 30-08 09/16/08]; [Amd. Ord. 38-07 2/5/08]

(a) **Height.** The height of proposed buildings or modifications shall be visually compatible in comparison or relation to the height of existing structures and buildings in a historic district for all major and minor development. For major development, visual compatibility with respect to the height of residential structures, as defined by 4.5.1(E)(2)(a), shall also be determined through application of the following: [Amd. Ord. 38-07 2/5/08]

1. Building Height Plane (BHP): The building height plane technique sets back the overall height of a building from the front property line. [Amd. Ord. 38-07 2/5/08]
 - a. The building height plane line is extended at an inclined angle from the intersection of the front yard property line and the average grade of the adjacent street along the lot frontage. The inclined angle shall be established at a two to one (2:1) ratio. See illustration below. [Amd. Ord. 38-07 2/5/08]
 - [Proposed height complies. See Sheet SP-7](#)
 - b. A structure relocated to a historic district or to an individually designated historic site shall be exempt from this requirement. [Amd. Ord. 38-07 2/5/08]

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- N/A

2. First floor maximum height. Single-story or first floor limits shall be established by:
[Amd. Ord. 01-12 8/21/12]; [Amd. Ord. 38-07 2/5/08]
 - a. Height from finished floor elevation to top of beam (tie or bond) shall not exceed 14 feet. [Amd. Ord. 38-07 2/5/08]
 - Proposed layout complies.
 - b. Mean Roof Height shall not exceed 18 feet. [Amd. Ord. 38-07 2/5/08]
 - Proposed layout complies.
 - c. If any portion of the building exceeds the dimensions described in a. and b. above, the building shall be considered a multi-story structure. [Amd. Ord. 01-12 8/21/12]; [Amd. Ord. 38-07 2/5/08]
 - Proposed addition complies under the 2:1 height plane ratio as illustrated on sheet SP-7.
 - d. See illustration below: [Amd. Ord. 38-07 2/5/08]
 - Complies.
 - e. Sections a., b., and c., above may be waived by the Historic Preservation Board when appropriate, based on the architectural style of the building. [Amd. Ord. 01-12 8/21/12]; [Amd. Ord. 38-07 2/5/08]
3. Upper Story Height(s). Height from finished floor elevation to finished floor elevation or top of beam (tie or bond) shall not exceed 12 feet. [Amd. Ord. 01-12 8/21/12]; [Amd. Ord. 38-07 2/5/08]

- (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. [Amd. Ord. 38-07 2/5/08]

- The proposed addition is located at the rear of the property. It's height will match the existing house. Given the particular lot shape, the addition will be unnoticeable from both Venetian and Nassau. Allowing the façades of the house to remain as is.

- (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. [Amd. Ord. 38-07 2/5/08]

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- There are no new windows or doors to be added or removed from the house, the proposed addition (located at the back) will have a garage door, which won't be visible from either street.
- (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. [Amd. Ord. 38-07 2/5/08]
- The existing facades are to remain as is. No change is proposed.
- (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. [Amd. Ord. 38-07 2/5/08]
- The existing facades are to remain as is. No change is proposed.
- (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. [Amd. Ord. 38-07 2/5/08]
- The existing facades are to remain as is. No change is proposed.
- (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. [Amd. Ord. 38-07 2/5/08]
- The material, texture and color will match the structure and 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. [Amd. Ord. 38-07 2/5/08]
- The proposed addition roof will match the existing flat roof.
- (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. [Amd. Ord. 38-07 2/5/08]
- Proposed layout complies.
- (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

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appropriate, the following shall apply for major development only: [Amd. Ord. 38-07 2/5/08]

1. For buildings wider than 60 percent of the lot width, a portion of the front façade must be setback a minimum of seven additional feet from the front setback line: [Amd. Ord. 38-07 2/5/08]
 - a. Lots 65 feet or less in width are exempt from this requirement. [Amd. Ord. 38-07 2/5/08]
 - N/A
 - b. To calculate how much of the building width must comply with this provision, multiply the lot width by 40 percent and subtract the required minimum side setbacks (example: 100' lot width x 40% = 40' - 15' side yard setbacks = 25'). [Amd. Ord. 38-07 2/5/08]
 - N/A
 - c. Any part or parts of the front façade may be used to meet this requirement. [Amd. Ord. 38-07 2/5/08]
 - N/A
 - d. See illustration below: [Amd. Ord. 38-07 2/5/08]
 - N/A
 - e. If the entire building is set back an additional seven (7) feet, no offset is required. [Amd. Ord. 38-07 2/5/08]
 - N/A
2. For buildings deeper than 50 percent of the lot depth, a portion of each side façade, which is greater than one story high, must be setback a minimum of five additional feet from the side setback line: [Amd. Ord. 38-07 2/5/08]
 - a. To calculate how much of the building depth must comply with this provision, multiply the lot depth by 50 percent and subtract the required minimum front and rear setbacks (example: 120' lot depth x 50% = 60' - 25' front yard setback - 10' rear setback = 25'). [Amd. Ord. 38-07 2/5/08]
 - N/A
 - b. Any part or parts of the side façades may be used to meet this requirement. [Amd. Ord. 38-07 2/5/08]
 - N/A
 - c. See illustration below: [Amd. Ord. 38-07 2/5/08]

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- N/A
 - d. If the entire building is set back an additional five feet from the side, no offsets are required on that side. [Amd. Ord. 38-07 2/5/08]
 - N/A
 - 3. Porches may be placed in the offset portion of the front or side façades, provided they are completely open except for supporting columns and/or railings. [Amd. Ord. 38-07 2/5/08]
- (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. [Amd. Ord. 38-07 2/5/08]
- Building has no change, Front elevation to remain as is.
- (l) **Architectural style.** All major and minor development shall consist of only one architectural style per structure or property and not introduce elements definitive of another style. [Amd. Ord. 38-07 2/5/08]
- Architectural style has remained.
- (m) **Additions to individually designated properties and contributing structures in all historic districts.** Visual compatibility shall be accomplished as follows: [Amd. Ord. 01-12 8/21/12]; [Amd. Ord. 38-07 2/5/08]
1. Additions shall be located to the rear or least public side of a building and be as inconspicuous as possible. [Amd. Ord. 38-07 2/5/08]
 - The proposed addition is tucked back into the N.E. corner of the property. This is the furthest space available from Venetian Drive & Nassau Street. It's proposed as a one-story structure as tall as the existing structure. And will not be visible from neither Nassau or Venetian.
 2. Additions or accessory structures shall not be located in front of the established front wall plane of a historic building. [Amd. Ord. 38-07 2/5/08]
 - There are no proposed structures in the front of the house.
 3. Characteristic features of the original building shall not be destroyed or obscured. [Amd. Ord. 38-07 2/5/08]
 - The existing structure will remain as is, no changes are being proposed. The addition located at the back will be connected to the existing structure without damaging its integrity.

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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. [Amd. Ord. 38-07 2/5/08]
 - The original historic building roof and structure is remaining intact.
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. [Amd. Ord. 38-07 2/5/08]
 - Intention of addition is to be coherent with existing house.
6. Additions shall be secondary and subordinate to the main mass of the historic building and shall not overwhelm the original building. [Amd. Ord. 38-07 2/5/08]
 - The proposed addition is located in the rear and secondary to the original building.