JUSTIFICATION STATEMENTS ADDRESSING LDR Section 2.4.11(B)(5)

Waiver Findings- LDR Section 2.4.11(B)(5)- Secondary and Subordinate

Findings: Prior to granting a waiver, the granting body shall make findings that the granting of the waiver:

1. (a) Shall not adversely affect the neighboring area;

   ANSWER: The requested waiver will not adversely affect the neighboring area. The subject property is uniquely constrained due to the existing historic structure, the narrow lot width of approximately 52.98 feet, and current FEMA flood elevation requirements. Because of the limited lot size, there is little opportunity for horizontal expansion while still complying with required setbacks, making vertical construction the only practical option.
   The existing historic home is currently under 1,000 square feet in size and requires an appropriately designed rear addition in order to provide a functional and livable residence. The addition has been located to the rear of the structure to minimize visibility from the public right-of-way and preserve the prominence of the original historic home. Additionally, the existing historic structure already extends beyond the visual compatibility line in its current condition. As such, elevating the structure to comply with FEMA requirements naturally results in the structure remaining outside the visual compatibility standard. The project does not seek to negatively impact neighboring properties, but rather to preserve the existing historic structure while ensuring resiliency and continued viability of the home.

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

ANSWER: The requested waiver will not significantly diminish the provision of public facilities or services within the surrounding area. The proposed project consists of elevating the existing historic structure and constructing a rear addition necessary to accommodate modern residential living standards within the constraints of the property. Due to the lot width of only 52.98 feet and the existing historic structure being under 1,000 square feet, there is little room for additional building accommodations at ground level while maintaining required setbacks. The proposed addition therefore extends vertically and toward the rear of the property in a manner that preserves the historic structure and complies with applicable zoning requirements. The project does not increase demands on public infrastructure beyond what is typical for a residential property and will not adversely impact utilities, drainage, emergency access, or municipal services. Elevating the structure to meet FEMA requirements further

improves long-term resiliency and reduces potential future impacts on public resources.

(c) Shall not create an unsafe situation; and

ANSWER: The requested waiver will not create an unsafe situation for the property, neighboring properties, or the surrounding area. The proposed project is intended to improve the safety and resiliency of the existing historic structure by elevating it in compliance with current FEMA flood elevation requirements and applicable building and life-safety codes.
The subject property presents unique constraints due to the narrow lot width of approximately 52.98 feet and the small size of the existing historic structure, which is currently under 1,000 square feet. Because there is limited opportunity for horizontal expansion, the proposed rear addition and vertical elevation are necessary to create a functional and livable residence while maintaining compliance with required setbacks and safety standards. All proposed improvements support the long-term preservation and safe occupancy of the historic home.

(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.

ANSWER: The requested waiver does not constitute the grant of a special privilege. The request is based on the unique conditions associated with the historic structure, the narrow lot width of approximately 52.98 feet, and the requirement to elevate the structure to comply with current FEMA flood elevation standards. The existing historic home is currently under 1,000 square feet in size, and because of the limited lot dimensions, there is little opportunity to expand outward while still complying with required setbacks. As a result, the only practical option is to construct a rear addition and build vertically in order to create a functional living environment while preserving the historic structure. Additionally, the existing historic structure already sits outside the visual compatibility standard line due to its historic placement and design. Elevating the structure to comply with FEMA requirements naturally maintains this condition. Similar waivers would reasonably be granted to other property owners facing comparable circumstances involving historic properties, FEMA compliance requirements, and constrained lot dimensions within the Marina Historic District.

(e) Within the CBD, the following additional findings apply:
a. The waiver shall not result in an inferior pedestrian experience along a Primary Street, such as exposing parking garages or large expanses of blank walls.

ANSWER: The requested waiver will not result in an inferior pedestrian experience along the Primary Street or surrounding public realm. The proposed addition has been located at the rear of the property in order to preserve the prominence and visibility of the existing historic structure from the public right-of-way. The subject property is constrained by its narrow lot width of approximately 52.98 feet and the small size of the existing historic home, which is currently under 1,000 square feet. Because there is limited opportunity for horizontal expansion, the project must build vertically and toward the rear of the property in order to accommodate FEMA elevation requirements and provide a functional residential layout.

(f.) The waiver shall not allow the creation of significant incompatibilities with nearby buildings or uses of land.

ANSWER: The requested waiver will not create significant incompatibilities with nearby buildings or surrounding land uses. The proposed project preserves the existing historic structure in its current location while elevating the home to comply with current FEMA flood elevation requirements and constructing a rear addition necessary to create a functional and livable residence.
The existing historic structure is currently under 1,000 square feet in size, and due to the narrow lot width of approximately 52.98 feet, there is little opportunity for additional building accommodations without building upward. While any addition to such a small historic structure may naturally appear larger, the project has been designed to remain secondary to the historic home to the greatest extent feasible and has been located at the rear of the property to minimize visual impacts. Additionally, surrounding property owners within the Marina Historic District are similarly permitted to elevate structures to meet FEMA requirements, and some neighboring properties are pursuing full demolition and redevelopment projects. In comparison, the proposed project preserves the existing historic resource and maintains the historic development pattern of the neighborhood.

(g.) The waiver shall not erode the connectivity of the street and sidewalk network or negatively impact any adopted bicycle/pedestrian master plan.

ANSWER: The requested waiver will not erode the connectivity of the street or sidewalk network or negatively impact any adopted bicycle or pedestrian

master plan. The proposed project maintains the existing historic structure in its current location vertically elevated to meet FEMA requirements. Due to the limited lot width of approximately 52.98 feet and the small size of the existing historic home, vertical expansion and a rear addition are necessary to accommodate FEMA elevation requirements and provide a functional living environment while preserving the historic structure.

(h). The waiver shall not reduce the quality of civic open spaces provided under this code.

ANSWER: The requested waiver will not reduce the quality of civic open spaces within the surrounding area. The proposed project consists primarily of elevating the existing historic structure and constructing a rear addition while maintaining the structure in its current historic location. The subject lot is uniquely constrained due to its narrow width of approximately 52.98 feet and the small size of the existing historic home, which is currently under 1,000 square feet. Because there is limited opportunity for horizontal expansion, the proposed improvements have been carefully designed to comply with setback requirements while preserving the existing site layout and historic streetscape character.