Staff Comment: Waiver request should include a justification statement that addresses the findings in LDR Section 2.4.11(B)(5). The document should also include a description of the relief and what section of the code you are seeking relief from.

Modified Justification Statement - Waiver for Minimum Lot Size (Subdivision)

Property Address: 14 George Bush Boulevard, Delray Beach, FL 33444
Legal Description: DEL IDA PARK LTS 20 TO 22 INC BLK 1 (DEL-IDA PARK HISTORIC DISTRICT)
Zoning District: R-1-AA
Historic District: Del Ida Park Historic District
First Submission Date: October 22, 2025

Purpose of Request

This revised justification statement is associated with 2 applications for Certificate of Appropriateness for Single Family homes at the location above and respectfully request a waiver for a minor/partial relief from the lot size requirement pursuant to LDR Section 2.4.11(B) Waivers.

Specifically, this application seeks a **waiver** from the R-1-AA district's minimum lot area requirement of 9,500 square feet, under Sections 4.3.4(K) (Development Standards Matrix) of the LDRs, to allow a replat (recombination) of the platted nonconforming lots of record [Lots 20 through 22 (50' wide) which combined create an 18,000-square-foot parcel] into 2 lots accommodating 2 single family homes subject to the Del Ida Park development standards, LDR Section 4.5.1 and the City's Historic Preservation Design Guidelines. These new lots will restore the traditional lot rhythm of George Bush Boulevard and facilitate the construction of two compatible single-family homes. Since the 2 new lots will be 9000 square feet each, they don't meet the city's lot area requirement.

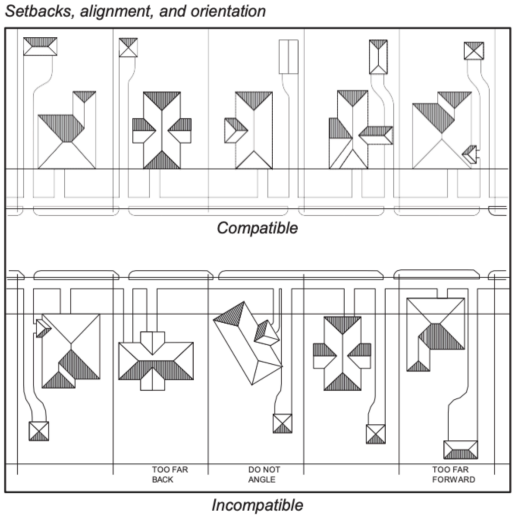
Pursuant to LDR Section 2.4.11(B)(5)Findings: Prior to granting a waiver, the granting body shall make findings that the granting of the waiver: (a) Shall not adversely affect the neighboring area; (b) Shall not significantly diminish the provision of public facilities; (c) Shall not create an unsafe situation; and, (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.

Justification and Findings

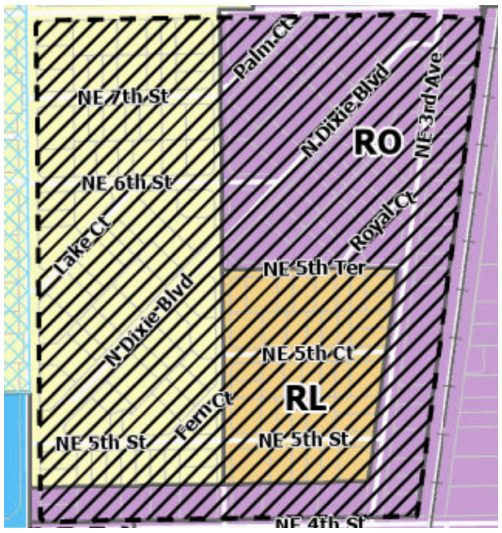
Consistency with Historic and Zoning Intent
The Del Ida Park Historic District was originally platted with primarily 50 foot wide lots. This parcel consists of three 50' lots with a unified title. Subdividing this 150 foot parcel into two 75 foot lots reestablishes a more historic lot pattern, consistent with the original subdivision intent and the design goals of the Historic Overlay. Further, an analysis of surrounding parcels confirms that all nearby lots along George Bush Boulevard and adjacent blocks are smaller in width than the subject parcel and 10/16 homes in this block (Block 1) are on 50' lots. The proposed subdivision improves compatibility with prevailing lot sizes and building scale. Therefore, this waiver **a. Shall not adversely affect the neighboring area and (b) Shall not significantly diminish the provision of public facilities**

Minimal Nature of Waiver
The proposed relief request for 500 square feet per lot (approx. 5%) maintains the low-density intent of the R-1-AA district and compliance with Land Development Regulations: LDR Section 4.3.4(K)(Development Standards Matrix). As indicated in the chart below, the proposed single family home structures **comply with all other** minimum setback, building height and open space requirements of the R-1-AA Del Ida Park zoning

district regulations, per LDR Section 4.3.4(K)(Development Standards Matrix). As the chart below shows, the Del Ida Park Historic District is composed of Single Family Residences in R-1-AA, R-1-A, RO and RL zoning. Given the diversity of zoning in the district and the minimal nature of the waiver, this request **(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.**



	R-1-AA	R-1-A
Building height limit	35′	35′
Minimum lot size (sq. ft.)	9,500	7,500
Minimum lot width	75/95	60/80
Minimum front yard	30(d)	25′(d)
Minimum side yard	10′(d)	15′(d)
Minimum rear yard	10′(d)	25′(d)
Minimum floor area (sq. ft.)	1,500	1,000
Minimum open space	25%	25%



Supported by Preservation Expert Analysis
As outlined in the accompanying letter from **Kathleen Kauffman, KSK Preservation**, the current structure sits far back on the parcel, disrupting the block's cohesive streetscape and making the home "Incompatible". Reintroducing two appropriately sited homes will restore the district's consistent setback pattern and spatial rhythm, directly advancing the City's preservation objectives under Section 4.5.1(B). Therefore the introduction of 2 compatible homes in rhythm with the street will make the street safer and **(c) Shall not create an unsafe situation**

No Adverse Impact or Precedent
The waiver will not adversely affect infrastructure, open space, or neighborhood character. Instead, it will result in **contextually sensitive infill** and enhance property values within the district. The requested waiver will allow for the redevelopment of a property that is not a part of the fabric of the street, it is underutilized and at times has had a blighting influence throughout the years. The redevelopment will provide much needed housing in the downtown area that will be designed consistent with the character of Del Ida Park.

Based on the above, the waiver will not adversely affect the surrounding neighborhood, as the project design is sensitive to the character of the surrounding area. The waiver will not diminish the provision of public facilities and will not create an unsafe situation. The waiver will not grant any special privilege in that a similar waiver could be granted under similar circumstances on other properties for another applicant or owner. **Therefore, positive findings can be made with LDR Section 2.4.11(B)(5).**

Conclusion

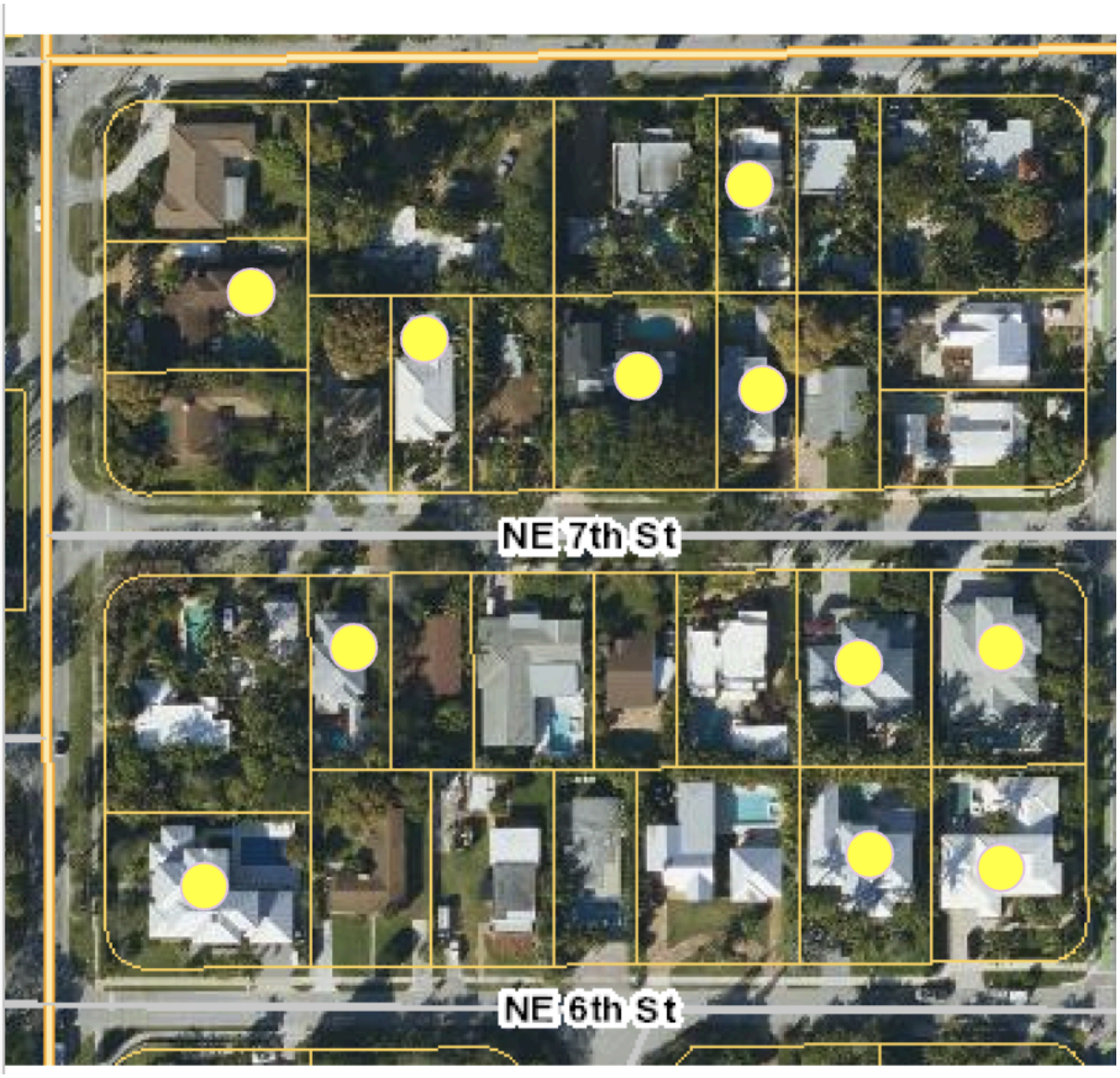
The proposed lot-area waiver is modest in scope, consistent with the intent of both the Historic Overlay and the R-1-AA zoning district, and supported by qualified historic preservation testimony. Approval of the waiver will allow for the creation of two historically compatible, resilient single-family homes that reinforce neighborhood character while making efficient use of land within an established historic district.

The City of Delray Beach's Comprehensive Plan and Land Development Regulations expressly encourage context-sensitive infill development in established neighborhoods proximate to the downtown core. The addition of two well-designed homes within walking and biking distance of Atlantic Avenue, local schools, and neighborhood parks advances the City's goals of efficient land use, reduced vehicle dependence, and enhanced livability.

By delivering new housing within an existing infrastructure network, the proposed subdivision supports Delray Beach's sustainability and smart-growth objectives without altering the low-density residential character of the neighborhood. For these reasons, approval of the requested lot-area waiver is appropriate and in the public interest.

Therefore, the applicant respectfully requests approval of the Waiver for Minimum Lot Area as submitted.

(Attachment: Expert Letter by Kathleen Kauffman, KSK Preservation, LLC)



10/16 homes in Block 1 are on 50 foot lots. Yellow dots represent 2 story structures.

(K) ***Development standards matrix.*** The following matrices set forth the minimum and maximum development standards for each zoning district subject to descriptions, interpretations, and exceptions as provided for elsewhere in Section 4.3.4.

DEVELOPMENT STANDARDS MATRIX – RESIDENTIAL ZONING DISTRICTS**

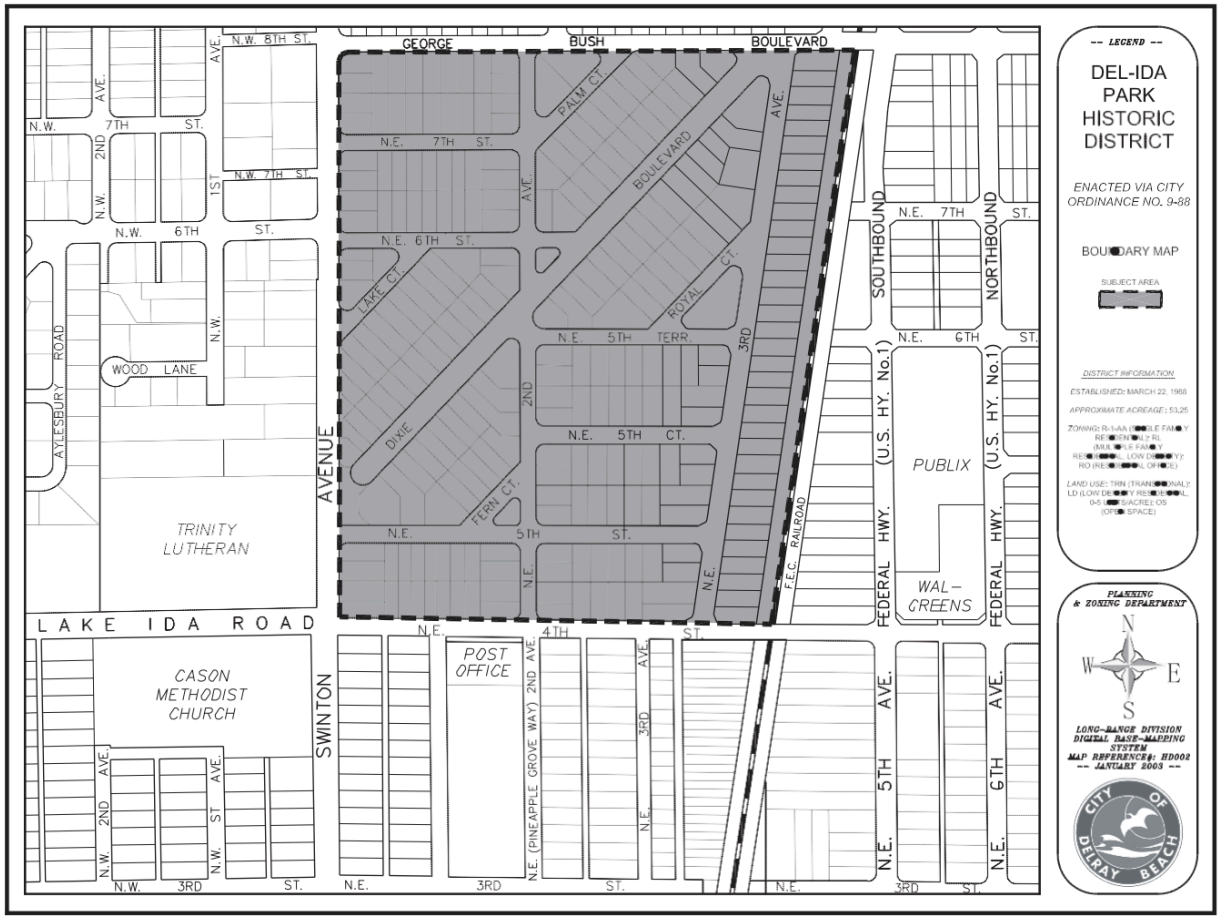
			MINIMUM LOT SIZE (sq. ft)	LOT WIDTH I/C* (ft.)	LOT DEPTH (ft.)	LOT FRONTAGE I/C* (ft.)	MINIMUM FLOOR AREA (sq. ft.)	MAXIMUM LOT COVERAGE	MINIMUM OPEN SPACE	SETBACKS				DENSITY	HEIGHT (4) (FT.)	MINIMUM DEVELOPMENT AREA
										FRONT 1st & 2nd / 3rd (7) (ft.)	SIDE STREET 1st & 2nd / 3rd (7) (ft.)	SIDE INTERIOR 1st & 2nd / 3rd (7) (ft.)	REAR (ft.)			
Agriculture	**AG**	-	10 AC. (2)	100	110	100	1,500			35	25	15	25		35	
Rural Residential	**RR**	-	3 ACRES				2,200			35	17	12	12		35	
Single Family	**R-1-AAA**	**Conventional**	12,500	100	110	100	2,200			35	17	12	12		35	
	R-1-AAAB	**Conventional**	12,500	100	110	100	1,500			35	17	12	12		35	
	R-1-AA	**Conventional**	9,500	75/95	100	75/95	1,500	N/A		30	15	10	10	N/A	35	
	R-1-AAB	**Conventional**	9,000	90	100	90	1,500			25	20	8.5	25		35	
	R-1-A	**Conventional**	7,500	60/80	100	60/80	1,000			25	15	7.5	10		35	
	R-1-AB	**Conventional**	7,500	60/80	100	60/80	1,500			25	15	7.5	10		35	N/A
Low Density (5)	**RL**	**Multi-family**	8,000	60	100	60	(1)	40%		25/30	25/30	15/30	25	3-6 UNITS / ACRE	35	
		Duplex											25			
		Zero Lot Line	4,800		80								25			
Medium Density (5)	**RM**	**Multi-family**	8,000	60	100	60	(1)	40%	(3)	25/30 (6)	25/30 (6)	15/30 (6)	25 (6)	6-12 UNITS / ACRE	35	
		Duplex											25			
		Zero Lot Line	4,800		80								25			
Planned Residential Development	**PRD**	**Multi-family**	N/A	N/A	N/A	N/A	(1)	40%		25/30	25/30	15/25	25	PER LAND USE MAP OR NUMERICAL SUFFIX	35	5 ACRES
		Conventional	7,500	60/80	100	60/80	1,200	N/A		25	15	7 1/2	10		35	
		Zero Lot Line	4,500	40/60	80	40/60	1,000			20		0/15				
Mobile Home	**MH**	**Park**	2 ACRES	120	N/A	N/A	N/A	N/A		25	15	7 1/2	10	N/A	35	2 ACRES
		Sites	3,200	N/A						5	5	5	5			

Notes:

* I/C = Interior Lot/Corner Lot

** This matrix is to be interpreted and applied pursuant to Section 4.3.4.

(1) = Minimum Floor Area for Duplexes and Multifamily Dwelling Units:
Duplexes - 1000 sq. ft. (Represents absolute minimum size. Must also comply with minimums for corresponding number of bedrooms.
Efficiency - 400 sq. ft.
One Bedroom - 600 sq. ft.
Two Bedroom - 900 sq. ft.
Three Bedroom - 1,250 sq. ft.
Four Bedroom - 1,500 sq. ft.
(2) = See Section 4.4.1(F) for exceptions.
(3) = A minimum of 25 percent non-vehicular open space shall be provided. Interior and perimeter landscaping may be applied toward meeting this requirement.
(4) = See Section 4.3.4(J)(2) for single family detached structures in residentially zoned districts.
(5) = The provisions for the R-1-A District shall apply for single family dwellings.
(6) = Refer to individual district regulations "Development Standards" section for special setbacks in the Southwest Neighborhood Overlay District, Carver Estates Overlay District and Infill Workforce Housing Area.
(7) = 1&2/3 = 1st and 2nd Story/3rd Story. The setback for the 3rd story shall only be applied to those portions of the building that are 3 stories in height, not the entire building.



Boundaries for the Del-Ida Park Historic District