



*Planning & Zoning Department*

**BOARD ACTION REPORT – APPEALABLE ITEM**

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**Project Name:** 218 NE 5<sup>th</sup> Court  
**Project Location:** 218 NE 5<sup>th</sup> Court, Del-Ida Park Historic District

**Request:** Certificate of Appropriateness

**Board:** Historic Preservation Board  
**Meeting Date:** December 7, 2016

**Board Action:**  
Demolition: Denied on a 7-0 vote

**Project Description:**

The subject property is located on the south side of NE 5<sup>th</sup> Court, between NE 2<sup>nd</sup> Avenue and NE 3<sup>rd</sup> Avenue, within the Del-Ida Park Historic District. A circa 1925 Mission style one-story single family residence is located on the property and is classified as contributing to the historic district. An accessory structure is located at the rear of the property.

The proposal is for the demolition of the historic principal structure and new construction of a one-story, single family residence.

Staff did not support the demolition of the contributing structure as it did not meet the criteria of LDR Section 4.5.1(F)(6).

**Public input:**

Five residents from the Del-Ida Park Historic District and two residents from the community spoke on the item. The overall comments expressed concern for the historic structure and opposition to the demolition request.

**Associated Actions:** All required actions were taken.

**Next Action:** HPB actions are final.

# HISTORIC PRESERVATION BOARD

## CITY OF DELRAY BEACH

## STAFF REPORT

**MEETING DATE:** December 7, 2016

**ITEM:** **218 NE 5<sup>th</sup> Court, Del-Ida Park Historic District (2017-011)** – Certificate of Appropriateness and Variance request for the demolition of a contributing structure and new construction of a single-family residence, and reduction to the rear setback from the required 10' to 4'3".

**RECOMMENDATIONS:** Demolition: Deny  
Variance: Deny  
New Construction: Approve, subject to conditions.

### GENERAL DATA:

Owner:..... MJC BC LLC

Agent:..... Marc Julien Homes, Valerie Cacciaguida

Location:..... 218 NE 5<sup>th</sup> Court

Property Size:..... 0.17 acres

Zoning District:..... RL (Multi-family Residential, Low-density)

Adjacent Zoning:.....

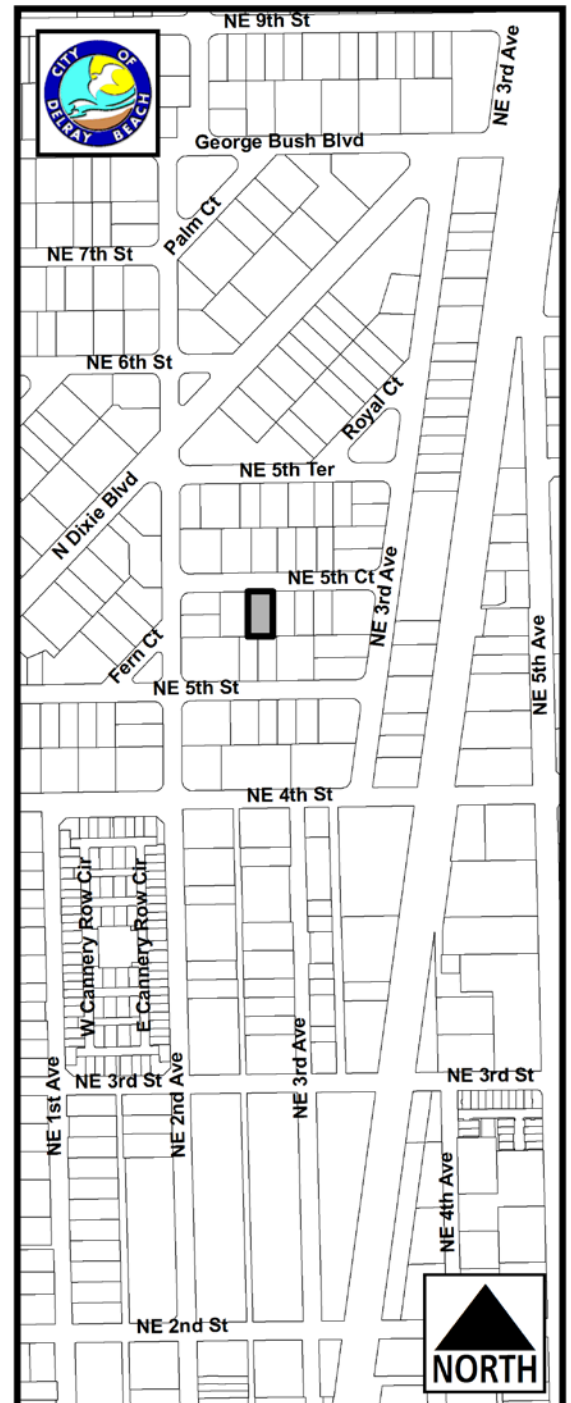
North: RL

South: RL

East: RL

West: RL

Proposed Land Use:.... Single-family Residential



## ITEM BEFORE THE BOARD

The item before the Board is the consideration of a Certificate of Appropriateness (COA) for the demolition of a contributing structure, and new construction of a single-family residence with an associated variance to the rear setback on the property located at **218 NE 5th Court, Del-Ida Park Historic District**, pursuant to LDR Section 2.4.6(B).

## BACKGROUND / DESCRIPTION

The subject property is located on the south side of NE 5<sup>th</sup> Court, between NE 2<sup>nd</sup> Avenue and NE 3<sup>rd</sup> Avenue, within the Del-Ida Park Historic District. A circa 1925 Mission style one-story single family residence is located on the property and is classified as contributing to the historic district. An original accessory structure is located at the rear of the property.

A review of the City's building permit history indicates the following:

- 1925: Single-family residence complete and included 5 rooms.
- 1947: A room and bath were added to the single-car garage.
- 1991: Fence installed.
- 1998: Swimming pool, screened enclosure, fence installed.
- 2010: New windows installed.

The Sanborn Insurance Map of 1926 illustrates that the subject structure, as well as the one at the southwest corner of NE 5<sup>th</sup> Court (Harding Avenue) and NE 3<sup>rd</sup> Avenue (Loftin), was one of the first along NE 5<sup>th</sup> Court to be constructed. The map shows a dwelling with an open porch and a small detached garage to the rear corner of the property. The 1949 map indicates a dwelling unit added to the east side of the garage. The 1963 map does not illustrate any changes to those structures.

The property originally consisted of Lots 16, 17, and the east half of Lot 18, Block 8, Del-Ida Park. However, in September 2014, the City Engineer granted a Plat Exception to reconfigure these non-conforming Lots of Record from the original 1923 Del-Ida Park Plat into two new, conforming lots. As a result, the new property line which separates the two lots was placed down the middle of the historic structure, and created a legal non-conforming interior setback for the accessory structure on the east side. At that time, concern arose when the Agent requesting the Plat Exemption stated that the intent of the reconfiguration was to demolish the existing structures and build two new single-family residences. While a formal demolition request was not submitted, the potential to demolish the historic structures remained a concern.

At its meeting of December 17, 2014, the Board denied a COA (2015-046) for the relocation of the principal historic structure from the center of the property now known as 218 and 222 NE 5<sup>th</sup> Court to the newly created lot to the west, readdressed as 218 NE 5<sup>th</sup> Court. The relocation moved the structure approximately 15'-2" to the west and 5" to the south, and set it on a new stem wall foundation system. No further alterations to either the principal or accessory structures were proposed at that time. The denial was appealed to the City Commission by the property owner. The appeal was considered by the City Commission at its March 3, 2015 meeting where the Board's denial was overturned, thereby upholding the appeal.

The City Commission conditioned the relocation approval subject to the provision of a surety bond in the amount of 125% of the structure's value which was provided and released once the relocation was completed and received a final inspection.

At its meeting of June 3, 2015, the Board approved a COA (2015-155) for additions and alterations to the historic structure and associated accessory structure. The approved improvements would create a one-story, u-shaped residence wrapping around a swimming pool.

At its meeting of January 6, 2016, the Board considered the partial demolition and reconstruction of the accessory structure. The request was submitted subsequent to interior demolition and finding that the structure was dilapidated. At that time, the rear (south) and side (west) walls were to remain, with only the north and east walls and roof to be removed.

The current proposal is now for the demolition of the historic principal and accessory structures, a variance to reduce the required rear setback from 10' to 4'3", and new construction of a one-story, single family residence. The new construction mimics the footprint, architectural detailing (minus the historic structure itself), and site layout of the 2015 approval.

Code Enforcement History includes the following citations, all of which were resolved and the cases have since been closed:

- 2014: Work without a permit including demolition on parts of the house and property, and an on-site trailer.
- 2015: Neglect of structure, water intrusion into the open walls and accessory structure.
- 2015: Hazard citation due to no fence around the lifted/elevated structure and an open, dangerous hole on site resulting from the pool removal.
- 2015: Fire hydrant damage from dump trucks on site.
- 2016: Soil control from site, however, a rainstorm washed the roadway and the case was closed before the citation was issued.

The COA and Variance request is now before the Board for consideration.

<b>DEMOLITION ANALYSIS</b>
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Pursuant to **LDR Section 2.4.6(H)(5)**, prior to approval, a finding must be made that any Certificate of Appropriateness which is to be approved is consistent with Historic Preservation purposes pursuant to Objective A-4 of the Land Use Element of the Comprehensive Plan and specifically with provisions of Section 4.5.1, the Delray Beach Historic Preservation Design Guidelines, and the Secretary of the Interior's Standards for Rehabilitation.

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

- (1) No structure within a historic district or on a historic site shall be demolished before a Certificate of Appropriateness has been issued pursuant to Section 2.4.6(H).
- (2) The application for a Certificate of Appropriateness for demolition must be accompanied by an application for a Certificate of Appropriateness for alterations to the structure or the redevelopment of the property.

The COA application for the demolition is accompanied by the new construction and is reviewed concurrently in this report.

- (3) Demolition shall not occur until a building permit has been issued for the alterations or redevelopment as described in the applicable Certificate of Appropriateness.

While this is a requirement, should the Board make positive findings for the demolition, this requirement that the demolition not occur until a building permit is also issued for the new construction should be added as a condition of approval for reinforcement purposes to ensure the property owner is aware of this requirement.



- (4) All structures approved for demolition and awaiting issuance of a building permit for the alterations or redevelopment shall be maintained so as to remain in a condition similar to that which existed at time that the Certificate of Appropriateness for demolition was approved unless the Chief Building Official determines that an unsafe building condition exists in accordance with Section 4.5.3(G).

The Chief Building Official has not determined that this is an unsafe structure, and the building must remain in compliance with the subject requirement regarding its maintenance. Otherwise, the property owner may be cited for failing to comply.

- (5) A Certificate of Appropriateness for demolition of 25% or more of contributing or individually designated structure shall be subject to the following additional requirements:
- (a) A demolition plan shall accompany the application for a Certificate of Appropriateness for demolition. The plan shall illustrate all portions of the existing structure that will be removed or altered.
  - (b) The Certificate of Appropriateness for demolition and the Certificate of Appropriateness for alternation or redevelopment shall meet the "Additional Public Notice" requirements of LDR Section 2.4.2(b)(1)(i).

A demolition plan has been submitted which illustrates the removal of both existing structures on the subject property. Additional public notice has been provided in accordance with the referenced Section. A Public Notice was provided to all property owners within a 500' radius of the property, a placard was posted on the property, the Public Notice was posted both in City Hall and on the City's website.

- (6) The Board upon a request for demolition by a property owner, shall consider the following guidelines in evaluating applications for a Certificate of Appropriateness for demolition of designated historic sites, historic interiors, or buildings, structures, or appurtenances within designated historic districts;
- (a) Whether the structure is of such interest or quality that it would reasonably fulfill criteria for designation for listing on the national register.
  - (b) Whether the structure is of such design, craftsmanship, or material that it could be reproduced only with great difficulty or economically nonviable expense.
  - (c) Whether the structure is one of the last remaining examples of its kind in the designated historic district within the city.
  - (d) Whether retaining the structure would promote the general and value of a particular culture and heritage.
  - (e) Whether there are approved plans for immediate reuse of the property if the proposed demolition is carried out, and what effect those plans will have on the historic district designation or the individual designation of the property.

In consideration of the criteria that the Board shall consider, staff's consideration of this criteria has determined that while the structure itself would likely not be eligible for individual listing the National Register, it would be classified as contributing as part of the Del-Ida Park Historic District if it were to be listed. Historic structures can be replicated; however, there are details inherently lost in replication unless the replication is exactly based on the original plans, or new plans based on all existing and remaining historic detailing of the structure with the difficulty potentially found in an appropriately skilled craftsman to work on the replication. The structure is not the last remaining examples of its kind, but it is located in a historic district where the intent is to maintain the historic building stock while restoring the structures and permitting appropriately designed new additions to accommodate the property owners' needs. Retaining the historic structure promotes and illustrates the developmental history of Del-Ida Park. The proposed new construction is generally in keeping with the additions and alterations to the historic structure that were approved by the Board in 2015. The effect of those plans on the

historic district may not impact the district designation; however, the Board should also consider the long-term impact of losing historic structures within the historic district.

- (7) No decision of the Board shall result in undue economic hardship for the property owner. The Board shall determine the existence of such hardship in accordance with the definition of undue economic hardship found in Section 4.5.1(H).

The applicant has not claimed economic hardship; if the Board does not approve the demolition, the applicant may make the claim but will be required to provide additional information in accordance with the referenced Section.

- (8) The Board's refusal to grant a Certificate of Appropriateness requested by a property owner for the purpose of demolition will be supported by a written statement describing the public interest that the Board seeks to preserve.

The public interest sought in maintaining the structure is found in the historic style and detailing which illustrates the developmental history of Del-Ida Park, one of the city's first platted neighborhoods. By continuing to erase the physical history of the city, residents of the past, present, and future, as well as visitors, will no longer have the ability to experience it. Buildings located outside of the city's historic district, inclusive of those eligible for listing on the Local Register of Historic Places or within a neighborhood eligible for historic district designation, may be demolished and erased from the local historic building stock without question. The intent of the historic district designation is to maintain the historic building stock and honor the local developmental history while permitting additions and alterations to occur in an appropriate and compatible manner.

- (9) The Board may grant a certificate of appropriateness as requested by a property owner, for demolition which may provide for a delayed effective date. The effective date of the certificate will be determined by the Board based on the relative significance of the structure and the probable time required to arrange a possible alternative to demolition. The Board may delay the demolition of designated historic sites and contributing buildings within historic districts for up to six months while demolition of non-contributing buildings within the historic district may be delayed for up to three months.

The Board may opt to delay the demolition, as permitted above, if deemed necessary in order to find an alternative to the demolition. Staff does not have a specific position on this as the demolition would not be permitted until the new construction permit is also granted, and during this time, the applicant could seek those other alternatives.

- (10) **Request for Demolition Justification Statement:** A justification statement shall accompany the application for a Certificate of Appropriateness for demolition of any contributing structure in a historic district or individually designated historic structure. The justification statement must include the following:

- (a) A certified report from a registered architect or engineer which provides documentation explaining that the building is structurally unsound and is damaged beyond the ability to repair it at a reasonable cost. The report must include photographs to substantiate the damage.
- (b) A certified report from an engineer, architect, general contractor, or other qualified professional which documents the projected cost of repairing the structure and returning it to a safe and habitable condition.
- (c) An appraisal of the property in its current condition, its value as vacant land and its potential value as a preserved and restored historic property.

- (d) Documentation that reasonable efforts have been made to find a suitable alternate location for the structure within the City of Delray Beach to which the contributing/individually designated historic
- (e) Documentation that the applicant or property owner has taken such steps as it deems necessary to preserve the structure requested for demolition including consultation with community groups, public agencies, and interested citizens, recommendations for acquisition of property by public or private bodies, or agencies and exploration of the possibility of moving one or more structures or other features.

The applicant has provided letters from two different engineering firms, both of which are provided as attachments. Each letter indicates that there are structural concerns with the historic buildings and they are not salvageable. The Board may consider these reports, along with the appraisal and additional documentation information provided in the attachments which are required as part of the justification for the demolition.

**(11) Salvage and Recordation of Historic Structures:**

- (a) The property owner shall contact the Delray Beach Historical Society for the purpose of salvaging and preserving specified classes of building materials, architectural details and ornaments, fixtures, and the like for reuse in the restoration of the other historic properties. Confirmation of such efforts shall be provided in a written statement and submitted with the other demolition application prior to consideration by the Historic Preservation Board.
- (b) The Board may, with the consent of the property owner, request that the Delray Beach Historical Society, or the owner, at the owner's expense, record the architectural details for archival purposes prior to demolition.
  - i. The recording may include, but shall not be limited to photographs, documents and scaled architectural drawings to include elevations and floor plans.
  - ii. One (1) copy of the recording shall be submitted to the City's Planning and Zoning Department, and one (1) copy shall be submitted to the Delray Beach Historical Society for archiving purposes.

While required, the requirements of this Subsection should be included as conditions of approval if the Board makes positive findings regarding the demolition. The property owner has not yet provided confirmation that the Delray Beach Historical Society (DBHS) has been contacted; however, they have indicated that it will be provided to staff prior to the meeting. The as-built drawings of the exterior have been provided; however, specific details such as window profiles, stucco pattern, materials, etc. along with detailed photographs have not been provided. Two copies shall be provided, should the Board make positive findings to the demolition request.

<b>VARIANCE ANALYSIS</b>
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Pursuant to **LDR Section 2.2.6(D)**, the Historic Preservation Board (HPB) shall act on all variance requests within an historic district, or on a historic site, which otherwise would be acted upon by the Board of Adjustment.

Pursuant to **LDR Section 2.4.7(A)(6), Variances: Alternative Findings of the Historic Preservation Board**: The Board may be guided by the following to make findings as an alternative to the criteria listed in Section 2.4.7(A)(5):

- (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.
- (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.

- (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.
- (d) That the variance requested will not significantly diminish the historic character of a historic site or of a historic district.
- (e) That the requested variance is necessary to accommodate an appropriate adaptive reuse of a historic building, structure, or site:

Pursuant to **LDR Section 4.3.4(K)**, the required rear setback for structures in the R-1-AA zoning district is 10', whereas 4'3" is proposed.

The submitted justification statement is attached.

In consideration of the criteria above, the granting of the variance is not necessary to maintain the historic character of the property if the original accessory structure is demolished. With the clearing of the property, there are no special conditions or circumstances which remain with the property and restrict or limit the new construction. The literal interpretation of the requirements would not impact, alter, or diminish the historic character of the site or district with the provision of the required rear setback once the historic structures are removed. The variance will not accommodate an adaptive reuse; rather, it will accommodate a replicated footprint of the approved plans which included maintenance of the two existing structures. Therefore, positive findings cannot be made with respect to the variance request to reduce the rear setback from the required 10' to 4'3".

**LDR SECTION 4.5.1**  
**HISTORIC PRESERVATION: DESIGNATED DISTRICTS, SITES, AND BUILDINGS**

Pursuant to **LDR Section 2.4.6(H)(5)**, prior to approval, a finding must be made that any Certificate of Appropriateness which is to be approved is consistent with Historic Preservation purposes pursuant to Objective A-4 of the Land Use Element of the Comprehensive Plan and specifically with provisions of Section 4.5.1, the Delray Beach Historic Preservation Design Guidelines, and the Secretary of the Interior's Standards for Rehabilitation.

**Zoning and Use Review**

Pursuant to **LDR Section 4.3.4(K), Development Standards**, single-family residential properties located within the RL zoning district shall be developed according to the requirements of the R-1-A zoning district, as noted in the chart below.

	<b>Requirement</b>	<b>Proposed</b> (Same as approved in 2015)
Lot Coverage (Maximum)	N/A	44.3%
Open space (Minimum)	25%	42%
Setbacks:		
Front (south)	25'-0"	25' - 34'
Side Interior (west)	7'-6"	7'-6"
Side Interior (east)	7'-6"	7'-6"
Rear (north)	10'-0"	4'-3" – 10'-0"*
Height (maximum)	35'-0"	13'

\*Variance requested

As illustrated above, the proposal complies with the Development Standards for the R-1-A zoning district requirements, with the exception of the rear setback, for which the variance was requested.

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. Relief from Subsections (1) through (9) below may be granted by seeking a waiver approvable by the Historic Preservation Board, unless otherwise stated.

Pursuant to **LDR Section 4.5.1(E)(2), Major Development**, the subject application is classified as Major Development as it is the "alteration of a building in excess of twenty-five percent (25%) of the existing floor area, and all appurtenances...", and "the construction, reconstruction, or alteration of any part of the front façade of an existing contributing residential or non-residential structure and all appurtenances..."

The proposed improvements are considered "Major Development" in accordance with the LDR noted above.

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.

The applicable Standards are noted below:

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 proposed new construction is sensitive in scale and massing to the historic district, and would not impact the historic integrity of the district or the immediate surroundings. The differentiation inherently exists with the new construction. If the structure were to be removed in the future, the environment would likely be unimpaired. While it would be considered a non-contributing structure, its removal would likely signify its replacement with a larger structure which would have the potential to impact the environment.

Pursuant to **LDR Section 4.5.1(E)(3)(a)1., Buildings, Structures, Appurtenances and Parking; Appurtenances, 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.

As reviewed and approved in 2015, the garage faces NE 5<sup>th</sup> Court, yet is setback from the primary front façade in order to grant less visibility of this feature along the streetscape. The single door consists of an applied wood finish which is appropriate to the style.

Pursuant to **LDR Section 4.5.1 (E)(3)(b)1., Buildings, Structures, Appurtenances and Parking; 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 required parking has been provided in the tandem two-car garage which is compact at a depth of just 36', the equivalent of two standard parking spaces. Additional vehicular parking is provided in front of the garage, with a widened driveway to accommodate an additional car adjacent to the west property line. This configuration, while not ideal, is consistent with the previously approved plans. The driveway will be finished in brick pavers, which is an appropriate material for the property.

Pursuant to **LDR Section 4.5.1(E)(8), Visual Compatibility Standards**, all improvements to contributing buildings, structures and appurtenances thereto within a designated historic district 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 and other criteria set forth elsewhere in Section 4.5.1.

**(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:

**1. Building Height Plane (BHP):** The building height plane technique sets back the overall height of a building from the front property line.

**(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:

1. 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:
2. 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.

Overall, the intent of the Visual Compatibility Standards has generally been met with the proposal. This determination is made under the idea that the new construction is not associated with the demolition of a historic structure. The proposed new construction is very sensitive to the historic scale on the lot and originally found within the historic district. The overall design is compatible and appropriate, and something the Board would typically accept and appreciate. Given the “replication” of the historic structures, Staff has suggestions to illustrate the intended evolution of the property. In order to maintain a differentiation between the “historic structures” and the new additions, a score line in the stucco where the additions would have met the historic structures with a slightly differing stucco finish between these areas should be provided and indicated on the plans. In addition, a true barrel tile should be utilized on what should have been the historic structures, while an “S” tile may be utilized on what would have been the additions.

Based on the comments provided above, positive findings can be made with respect to LDR Section 4.5.1(E)(8), subject to the suggested conditions of approval.

<b>ALTERNATIVE ACTIONS</b>
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A. Continue with the following direction

B. Recommend approval of the COA and Variance requests (2017-011) for the property located at **218 NE 5th Court, Del-Ida Park Historic District** by adopting the findings of fact and law

contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Sections 2.4.6(H)(5), 2.4.7(A)(6), and 4.5.1(F).

- C. Recommend denial of the COA and variance requests (2017-011) for the property located at **218 NE 5th Court, Del-Ida Park Historic District** by adopting the findings of fact and law contained in the staff report, and finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in LDR Sections 2.4.6(H)(5), 2.4.7(A)(6), and 4.5.1(F)

<b>RECOMMENDATIONS</b>
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## **BY SEPARATE MOTIONS**

### **COA - Demolition**

Move denial of the COA (2017-011) for the demolition of the historic structure on the property located at **218 NE 5th Court, Del-Ida Park Historic District** by adopting the findings of fact and law contained in the staff report, and finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in LDR Section 4.5.1(F)

As an alternative, if the Board approves the demolition, the following motion should be made to ensure specific conditions of the approval are included:

Move approval of the COA (2017-011) for the demolition of the historic structure on the property located at 218 NE 5th Court, Del-Ida Park Historic District by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets the criteria set forth in the LDR Section 4.5.1(F), subject to the following:

1. That the demolition permit be issued concurrently with the new construction; and,
2. That the Delray Beach Historical Society provide a statement regarding their interests in salvaging any items from the historic structure.

### **Variance**

Move denial of the variance to reduce the rear (south) setback to 4'3", whereas 10' is required, based upon a failure to make positive findings with respect to LDR Section 2.4.7(A)(6).

### **COA – New Construction**

If the demolition is approved by the Board, then the Board may utilize the following motion:

Move approval of the COA (2017-011) for the new construction of a single-family residence located at **218 NE 5th Court, Del-Ida Park Historic District** by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations Section 2.4.6(H)(5), subject to the following conditions:

1. That the plans are revised to meet the rear setback requirement of 10';
2. That a score line be provided where the original structure and the additions would have met;
3. That a differing stucco finish be applied between the "original" structures and the "additions"; and,
4. That a true barrel tile be used on the "original" structures, and an "S" tile be permitted on the "additions".



# BRENNAN ENGINEERING, INC.

1600 S. Dixie Hwy., Ste. 400B, Boca Raton, FL 33432

(561) 392-3748 (Office) (561) 392-4833 (Fax)

---

June 3, 2016

City of Delray Beach  
Building Department  
Delray Beach, FL

Re: 218 NE 5<sup>th</sup> Court  
Delray Beach, FL

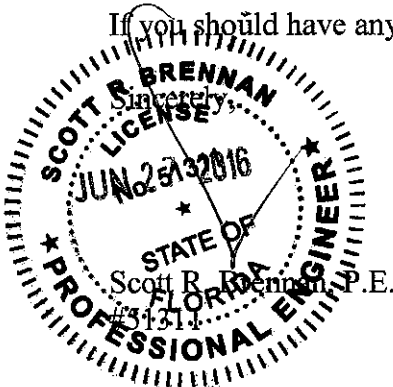
Building Official,

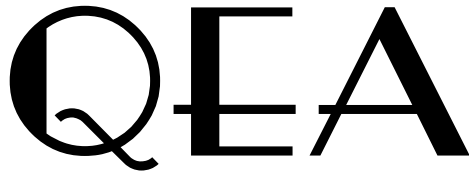
Regarding the one story single family home at the above referenced address, our office has performed site inspections of the framing (roof, walls, floor) and the foundation to assess the integrity of the structural members and the building's overall structural ability. The roof, walls, and floor are structural wood members and the foundation is constructed with a continuous concrete footings and a masonry stem wall.

The roof framing members are incapable of supporting the loads required by the FBC and, in many locations, is deteriorated, cracked, and/or broken. The floor joists are in similar condition. The exterior wall framing is installed in a manner that creates a hinge point in some locations and is in most cases unable to meet the wind loading. In additions, the continuous load path is nonexistent. No straps or anchors are used at the roof joist to wall connections, or wall to foundation.

It is my opinion, based on the inspections and knowledge of the FBC, that the current structure is incapable of meeting the basic FBC loading requirements and therefore is not salvageable.

If you should have any questions or need any further information, please feel free to call.





QUANTUM ENGINEERING ASSOCIATES INC.

*Structural Engineering & Cost Segregation*

July 12, 2016

## **APPROVAL LETTER**

City of Delray Beach Building Department  
Delray Beach, Florida

RE: 218 NE 5th Ct  
Delray Beach, FL

Dear Building Official:

Please be advised that our office has inspected the above referenced structure with regards to its structural integrity and the retro-fit required to bring the structure up to current FBC code. The structure was found to be completely framed with wood members from the roof and walls down to the floor. The foundation is a new masonry/concrete stem-wall type foundation that was placed prior to moving the structure to its current location.

Upon inspection, it was immediately noticed that the roof members are undersized and in a lot of cases have deteriorated or failed and split. This roof framing would not be able to support the loading required by current code. The floor joists are in similar condition with more deterioration and rot observed. The exterior wall framing in many locations is terminated at headers or horizontal framing rather than framed full height between brace points as is required to maintain a continuous load path. This creates an unstable hinge point in the wall. The sill plate around the majority of the perimeter is deteriorated along with many of the studs. Due to the age of the house there no strapping or anchorage of the joist to top plate, top plate to stud nor the stud to bottom plate. Complete strapping would be required to transfer the current wind loading.

Based on our inspection and the requirements of the FBC, we believe this structure is incapable of meeting the current requirements of the code and would require a complete deconstruction and reconstruction in order to do so. Therefore it is our opinion that the current structure is not salvageable.

If you have any questions, please feel free to call me.

Thank You,

Shawn M. Stambaugh, P.E.  
State of Florida:  
Registered Professional Engineering Number: 0061850

300 AVENUE OF CHAMPIONS, SUITE 260, PALM BEACH GARDENS, FLORIDA 33418  
P/ 561.202.6994 F/ 561.296.2494  
C.A. 26210

\*\*\*\*\* INVOICE \*\*\*\*\*

File Number: 15-0383

04/06/2015

Marc Julien Homes  
755 NW 17th Ave, Suite 107  
Delray Beach, FL 33445

Invoice # : 15-0383  
Order Date : 03/12/2015  
Reference/Case # :  
PO Number :

Appraiser: George Matzen, Cert Res RD2505

218 NE 5th Ct  
Delray Beach, FL 33444

Appraisal fee for property located at above address:	\$ 800.00
	\$ -----
Invoice Total	\$ 800.00
State Sales Tax @	\$ 0.00
Deposit	(\$ )
Deposit	(\$ )
	-----
Amount Due	\$ 800.00

Terms: In full/Upon receipt

Please Make Check Payable To:

Aucamp, Dellenback & Whitney  
1900 NW Corporate Blvd, Suite 215E  
Boca Raton, FL 33431

Fed. I.D. #: 65-0217791

**APPRAISAL OF**



**LOCATED AT:**

218 NE 5th Ct  
Delray Beach, FL 33444

**CLIENT:**

Marc Julien Homes  
755 NW 17th Ave  
Delray Beach, FL 33445

**AS OF:**

March 19, 2015

**BY:**

George Matzen, Cert Res RD2505



Summary Residential Appraisal Report

File No. 15-0383

FEATURE		SUBJECT		COMPARABLE SALE NO. 1			COMPARABLE SALE NO. 2			COMPARABLE SALE NO. 3					
218 NE 5th Ct				117 NE 7th St			202 NE 5th Ter			412 NE 2nd Ave					
Address Delray Beach				Delray Beach			Delray Beach			Delray Beach					
Proximity to Subject				0.20 miles NW			0.07 miles NW			0.09 miles SW					
Sale Price		\$		\$ 400,000			\$ 360,000			\$ 220,000					
Sale Price/Gross Liv. Area		\$ 0.00 sq. ft.		\$ 243.75 sq. ft.			\$ 270.68 sq. ft.			\$ 158.39 sq. ft.					
Data Source(s)		PBC Prop Appr Rec		PBC Property Appraiser Records			S.E.F. MLS			PBC Property Appraiser Records					
Verification Source(s)		Inspection/Owner		Inspection			PBC Property Appraiser Records			Inspection					
VALUE ADJUSTMENTS		DESCRIPTION		DESCRIPTION			+(-) \$ Adjustment			DESCRIPTION			+(-) \$ Adjustment		
Sale or Financing		N/A		Cash						Cash					
Concessions				0						0					
Date of Sale/Time		N/A		s6/2/14;unk			18,000			s2/14/14;c1/28/14			25,000		
Location		Del Ida Park (RL)		Del Ida Park (R1AA)			No Adj			Del Ida Park (RL)			Del Ida Park (R1AA)		
Leasehold/Fee Simple		Fee Simple		Fee Simple						Fee Simple			Fee Simple		
Site		15054 Sq.Ft.		7618 Sq.Ft.			102,000			6534 Sq.Ft.			107,000		
View		Residential		Residential						Residential			Residential		
Design (Style)		Mediterranean Rev		Ranch			No Adj			Ranch			No Adj		
Quality of Construction		Average		Average						Average			Average		
Actual Age		89 Years		57 Years			No Adj			64 Years			No Adj		
Condition		Poor		Avg/Good			-50,000			Avg/Good			-53,000		
Above Grade		Total Bdrms Baths		Total Bdrms Baths						Total Bdrms Baths					
Room Count		5 2 1.0		5 3 2.0			-5,000			5 2 2.0			-10,000		
Gross Living Area 100.00		927 sq. ft.		1,641 sq. ft.			-71,400			1,330 sq. ft.			-40,300		
Basement & Finished		None		None						None					
Rooms Below Grade		Unfinished		Unfinished						Unfinished					
Functional Utility		Inferior		Average			No Adj			Average			No Adj		
Heating/Cooling		FWA C/Air		FA/Central						FA/Central					
Energy Efficient Items		None		None						None					
Garage/Carport		None		1 Car Gar			-15,000			None					
Porch/Patio/Deck		Entry Porch		Breezeway,Patio			No Adj			Scr Porch			No Adj		
		No Pool		Pool			-15,000			No Pool			No Pool		
Net Adjustment (Total)				+ - \$ 36,400			+ - \$ 28,700			+ - \$ 117,000					
Adjusted Sale Price				Net Adj. -9.1%						Net Adj. 8.0%					
of Comparables				Gross Adj. 69.1%			\$ 363,600			Gross Adj. 65.4%			\$ 388,700		

COMMENTS

RECONCILIATION

Discussion of methods and techniques employed, including reason for excluding an approach to value: The direct sales comparison analysis is the only method utilized in this report. The cost approach was not utilized as it was less reliable due to the subject's age and depreciation. The income approach was not considered applicable as homes in this market are generally owner occupied.

Reconciliation comments: See Addendum.

Based on the scope of work, assumptions, limiting conditions and appraiser's certification, my (our) opinion of the defined value of the real property that is the subject of this report as of 03/19/2015, which is the effective date of this appraisal, is:

☒ Single point \$ 10,000 ☐ Range \$ to \$ ☐ Greater than ☐ Less than \$

This appraisal is made ☐ "as is," ☐ subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed, ☐ subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed ☐ subject to the following:

**Scope of Work, Assumptions and Limiting Conditions**

Scope of work is defined in the Uniform Standards of Professional Appraisal Practice as "the type and extent of research and analyses in an assignment." In short, scope of work is simply what the appraiser did and did not do during the course of the assignment. It includes, but is not limited to: the extent to which the property is identified and inspected, the type and extent of data researched, the type and extent of analyses applied to arrive at opinions or conclusions.

The scope of this appraisal and ensuing discussion in this report are specific to the needs of the client, other identified intended users and to the intended use of the report. This report was prepared for the sole and exclusive use of the client and other identified intended users for the identified intended use and its use by any other parties is prohibited. The appraiser is not responsible for unauthorized use of the report.

The appraiser's certification appearing in this appraisal report is subject to the following conditions and to such other specific conditions as are set forth by the appraiser in the report. All extraordinary assumptions and hypothetical conditions are stated in the report and might have affected the assignment results.

1. The appraiser assumes no responsibility for matters of a legal nature affecting the property appraised or title thereto, nor does the appraiser render any opinion as to the title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership.
2. Any sketch in this report may show approximate dimensions and is included only to assist the reader in visualizing the property. The appraiser has made no survey of the property.
3. The appraiser is not required to give testimony or appear in court because of having made the appraisal with reference to the property in question, unless arrangements have been previously made thereto.
4. Neither all, nor any part of the content of this report, copy or other media thereof (including conclusions as to the property value, the identity of the appraiser, professional designations, or the firm with which the appraiser is connected), shall be used for any purposes by anyone but the client and other intended users as identified in this report, nor shall it be conveyed by anyone to the public through advertising, public relations, news, sales, or other media, without the written consent of the appraiser.
5. The appraiser will not disclose the contents of this appraisal report unless required by applicable law or as specified in the Uniform Standards of Professional Appraisal Practice.
6. Information, estimates, and opinions furnished to the appraiser, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished to the appraiser is assumed by the appraiser.
7. The appraiser assumes that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The appraiser assumes no responsibility for such conditions, or for engineering or testing, which might be required to discover such factors. This appraisal is not an environmental assessment of the property and should not be considered as such.
8. The appraiser specializes in the valuation of real property and is not a home inspector, building contractor, structural engineer, or similar expert, unless otherwise noted. The appraiser did not conduct the intensive type of field observations of the kind intended to seek and discover property defects. The viewing of the property and any improvements is for purposes of developing an opinion of the defined value of the property, given the intended use of this assignment. Statements regarding condition are based on surface observations only. The appraiser claims no special expertise regarding issues including, but not limited to: foundation settlement, basement moisture problems, wood destroying (or other) insects, pest infestation, radon gas, lead based paint, mold or environmental issues. Unless otherwise indicated, mechanical systems were not activated or tested.

This appraisal report should not be used to disclose the condition of the property as it relates to the presence/absence of defects. The client is invited and encouraged to employ qualified experts to inspect and address areas of concern. If negative conditions are discovered, the opinion of value may be affected.

Unless otherwise noted, the appraiser assumes the components that constitute the subject property improvement(s) are fundamentally sound and in working order.

Any viewing of the property by the appraiser was limited to readily observable areas. Unless otherwise noted, attics and crawl space areas were not accessed. The appraiser did not move furniture, floor coverings or other items that may restrict the viewing of the property.

9. Appraisals involving hypothetical conditions related to completion of new construction, repairs or alteration are based on the assumption that such completion, alteration or repairs will be competently performed.
10. Unless the intended use of this appraisal specifically includes issues of property insurance coverage, this appraisal should not be used for such purposes. Reproduction or Replacement cost figures used in the cost approach are for valuation purposes only, given the intended use of the assignment. The Definition of Value used in this assignment is unlikely to be consistent with the definition of Insurable Value for property insurance coverage/use.
11. The ACI General Purpose Appraisal Report (GPAR™) is not intended for use in transactions that require a Fannie Mae 1004/Freddie Mac 70 form, also known as the Uniform Residential Appraisal Report (URAR).

**Additional Comments Related To Scope Of Work, Assumptions and Limiting Conditions****Scope of work**

The scope of work for the appraisal is defined by the complexity of the appraisal assignment and the reporting requirements of the appraisal report form, including the definition of market value, statement of assumptions and limiting conditions, and certifications.

the appraiser at a minimum has:

- Performed a physical inspection of the subject property.
- Inspected the neighborhood.
- Inspected each of the comparable sales from the street if accessible.
- Researched, verified and analyzed data from reliable public and/or private sources.
- Reported the analysis, opinions, and conclusions in this appraisal report.

# Summary Residential Appraisal Report

File No. 15-0383

## Appraiser's Certification

The appraiser(s) certifies that, to the best of the appraiser's knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are the appraiser's personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. Unless otherwise stated, the appraiser has no present or prospective interest in the property that is the subject of this report and has no personal interest with respect to the parties involved.
4. The appraiser has no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
5. The appraiser's engagement in this assignment was not contingent upon developing or reporting predetermined results.
6. The appraiser's compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
7. The appraiser's analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
8. Unless otherwise noted, the appraiser has made a personal inspection of the property that is the subject of this report.
9. Unless noted below, no one provided significant real property appraisal assistance to the appraiser signing this certification. Significant real property appraisal assistance provided by:

## Additional Certifications:

1. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
2. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
3. As of the date of this report, I, Douglas Whitney, have completed the continuing education program for Designated Members of the Appraisal Institute.

Definition of Value: ☒ Market Value ☐ Other Value: \_\_\_\_\_

Source of Definition: See Below

## DEFINITION OF MARKET VALUE

The source for the definition of value was published by federal regulatory agencies pursuant to Title XI of the Financial Institutions Reform, Recovery and Enforcement Act (FIRREA) of 1989 between July 5, 1990 and August 24, 1990, by the Federal Reserve System (FRS), National Credit Union Administration (NCUA), Federal Deposit Insurance Corporation (FDIC), the Office of Thrift Supervision (OTS), and the Office of Comptroller of the Currency (OCC). This definition is also referenced in regulations jointly published by the OCC, OTS, RFS, and FDIC on June 7th 1994, and in the interagency Appraisal and Evaluation Guidelines, dated October 27, 1994.

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what they consider their own best interests; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. Dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

## ADDRESS OF THE PROPERTY APPRAISED:

218 NE 5th Ct

Delray Beach, FL 33444

EFFECTIVE DATE OF THE APPRAISAL: 03/19/2015

APPRAISED VALUE OF THE SUBJECT PROPERTY \$ 10,000

## APPRAISER

Signature: 

Name: George Matzen, Cert Res RD2505

State Certification # Cert Res RD2505

or License # \_\_\_\_\_

or Other (describe): \_\_\_\_\_ State #: \_\_\_\_\_

State: FL

Expiration Date of Certification or License: 11/30/2016

Date of Signature and Report: 04/06/2015

Date of Property Viewing: 03/19/2015

Degree of property viewing:

☒ Interior and Exterior ☐ Exterior Only ☐ Did not personally view

## SUPERVISORY APPRAISER

Signature: 

Name: Douglas Whitney MAI, St Cert Gen RZ1062

State Certification # St Cert Gen RZ1062

or License # \_\_\_\_\_

State: FL

Expiration Date of Certification or License: 11/30/2016

Date of Signature: 04/06/2015

Date of Property Viewing: N/A

Degree of property viewing:

☐ Interior and Exterior ☐ Exterior Only ☒ Did not personally view



ADDENDUM

Client: Marc Julien Homes

File No.: 15-0383

Property Address: 218 NE 5th Ct

Case No.:

City: Delray Beach

State: FL

Zip: 33444

Comments on Sales Comparison

Comparable Sale 1 is a larger 3 bedroom home which had been partially updated approx 13 yrs ago and fell into a state of disrepair according to the listing agent. The home required considerable repair to the AC equipment, pool, appliances, and wood floors which had buckled due to water damage.. Despite these issues, the subject was in superior condition to the subject and an adjustment of approx. -\$30/sf was warranted. Adjustment was also required for the superior bath count, garage, and pool. Sale 2 is a larger 2 bedroom home, also with a superior bath count. This home was relatively well maintained with a new roof in 2006 and an addition in 1990. Updating to this home was less contemporary and adjustment of -\$40/sf was warranted. Sale 3 is another larger 3 bedroom home which at the time of sale was in poor condition and subsequently razed for new construction, thus no adjustments for the improvements were made, only for the inferior site. Site adjustments were based on both the differences in site size and location, i.e., zoning.

Land Sales

Address	Zoning	Sale Date	Sales Price	Site Size	Price/SF	Comments
522 NE 2nd Ave	R1AA/Osshad	1/15	\$445,000	14,374	30.95	Vacant
Lot 2/Del Ida Pt	R1AA/Osshad	12/14	\$385,000	13,068	29.46	Vacant
412 NE 2nd Ave	R1AA/Osshad	12/13	\$220,000	7,618	28.87	Imprv Razed
218 NE 5th Ct (Subject)	RL/Osshad	9/14	\$371,000	15,054	24.64	Impr Part/Razed
215 NE 5th St	RL/Osshad	2/13	\$240,000	12,000	20.00	Imprv Razed

For purposes of making site adjustments, the appraiser utilized a value of \$30/sf for those properties in the R1AA zoning district versus \$22/sf for those in the RL zone. The RL zone has more restrictive set back and maximum lot coverage requirements. Market adjustments to reflect the increasing values in this market were compensated for in sales grid.

Estimated Value of the Subject's Site:

Utilizing a market adjustment of .5%/month the adjusted Price/Sf for the two RL zoned properties in the above grid would be \$25.25/sf and \$22.50/sf respectively. The appraiser thus concludes a current site value of \$23.50/sf or \$353,769. For purposes of this report the appraiser is utilizing a site value of \$353,000.

Final Reconciliation of Value

Insofar as the client requested the market value of only the historic portion of the improved properties less the value of the site, the appraiser utilized a market value of \$363,000 utilizing the Sales Comparison Approach and then reduced that amount by \$353,000 the estimated land value of the subjects site which was based on the data in the Land Sales Chart.

The appraiser concludes that the Market Value of the Historic portion of the subject's improvements is:

\$10,000

# USPAP ADDENDUM

File No. 15-0383

Borrower: _____			
Property Address: <u>218 NE 5th Ct</u>			
City: <u>Delray Beach</u>	County: <u>Palm Beach</u>	State: <u>FL</u>	Zip Code: <u>33444</u>
Lender: <u>Marc Julien Homes</u>			

## APPRAISAL AND REPORT IDENTIFICATION

This report was prepared under the following USPAP reporting option:

- ☒ **Appraisal Report** A written report prepared under Standards Rule 2-2(a).
- ☐ **Restricted Appraisal Report** A written report prepared under Standards Rule 2-2(b).

## Reasonable Exposure Time


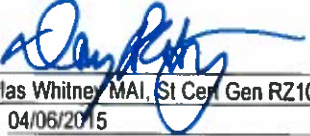
My opinion of a reasonable exposure time for the subject property at the market value stated in this report is: 1-3 Months

Exposure time is the estimated length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal.

## Additional Certifications

- ☒ I have performed **NO** services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- ☐ I **HAVE** performed services, as an appraiser or in another capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment. Those services are described in the comments below.

## Additional Comments

<b>APPRAISER:</b>  Signature: <u></u> Name: <u>George Matzen, Cert Res RD2505</u> Date Signed: <u>04/06/2015</u> State Certification #: <u>Cert Res RD2505</u> or State License #: _____ or Other (describe): _____ State #: _____ State: <u>FL</u> Expiration Date of Certification or License: <u>11/30/2016</u> Effective Date of Appraisal: <u>03/19/2015</u>	<b>SUPERVISORY APPRAISER (only if required):</b>  Signature: <u></u> Name: <u>Douglas Whitney MAI, St Cert Gen RZ1062</u> Date Signed: <u>04/06/2015</u> State Certification #: <u>St Cert Gen RZ1062</u> or State License #: _____ State: <u>FL</u> Expiration Date of Certification or License: <u>11/30/2016</u> Supervisory Appraiser inspection of Subject Property: <input checked="" type="checkbox"/> Did Not <input type="checkbox"/> Exterior-only from street <input type="checkbox"/> Interior and Exterior
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**SUBJECT PROPERTY PHOTO ADDENDUM**

Client: Marc Julien Homes

File No.: 15-0383

Property Address: 218 NE 5th Ct

Case No.:

City: Delray Beach

State: FL

Zip: 33444



**FRONT VIEW OF  
SUBJECT PROPERTY**

Appraised Date: March 19, 2015  
Appraised Value: \$ 10,000



**REAR VIEW OF  
SUBJECT PROPERTY**



**STREET SCENE**





West Side of Subject



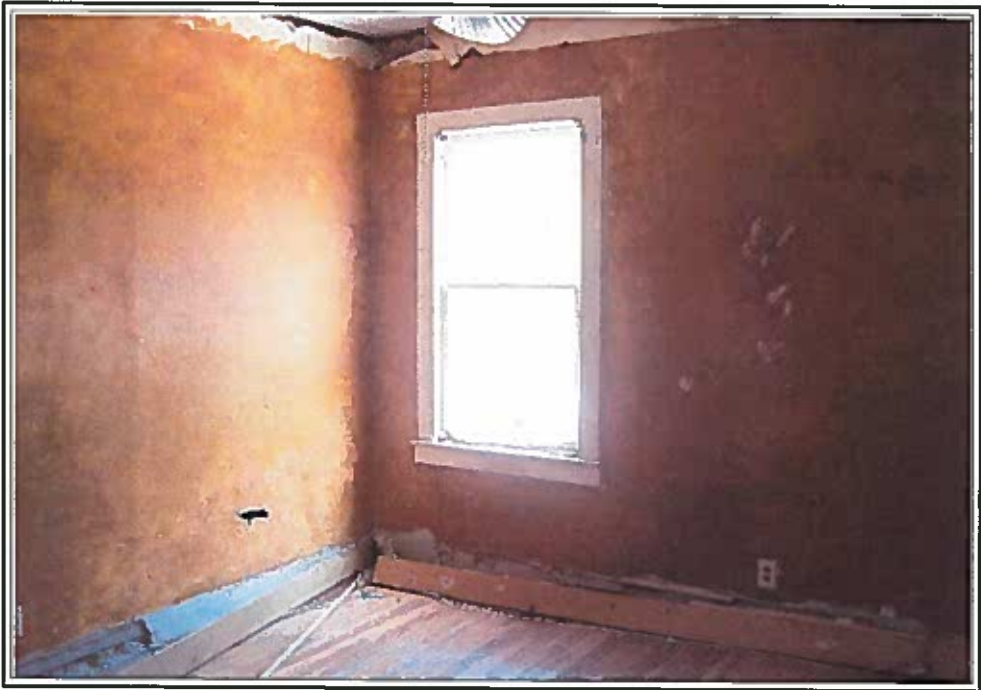
Detached Guest House  
(Not included in this report)



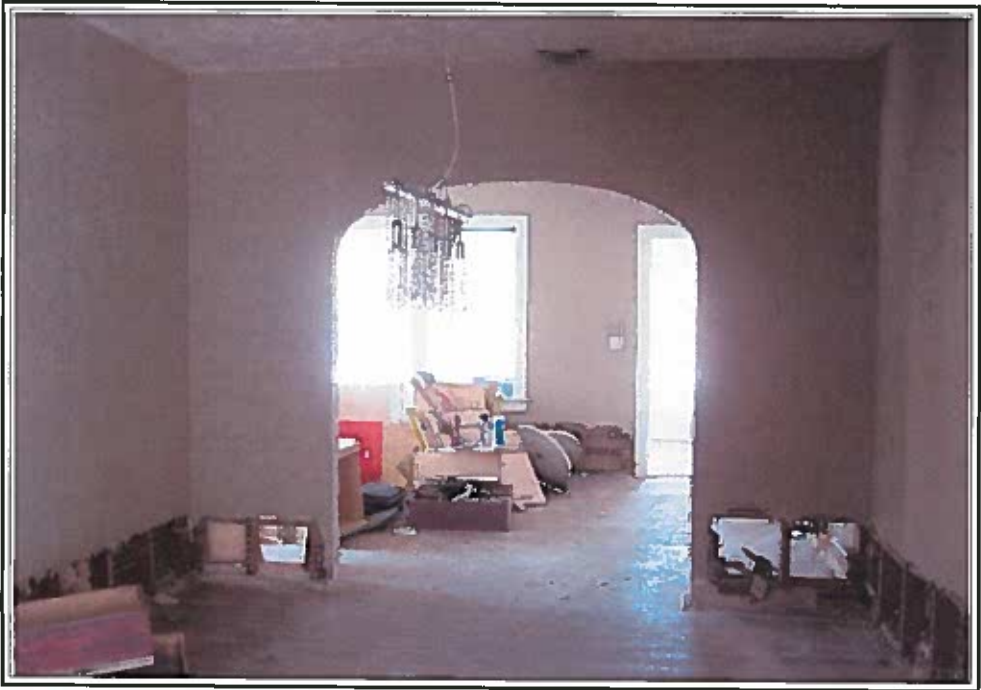
Kitchen



Kitchen (Additional Photo)



Rear Bedroom



Dining Room





Living Room



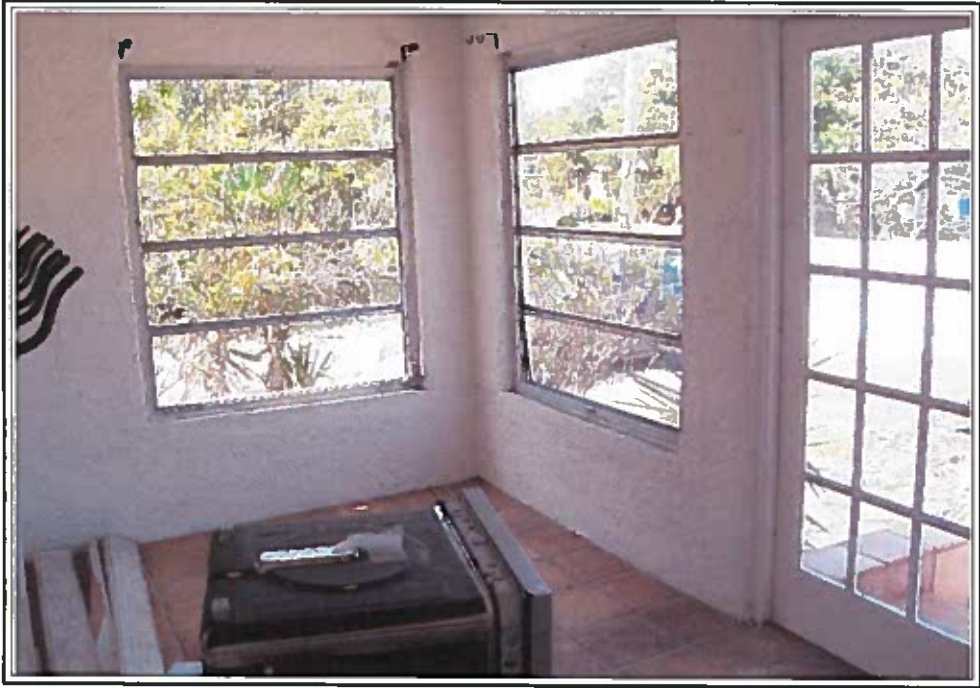
Front Bedroom



Front Bathroom



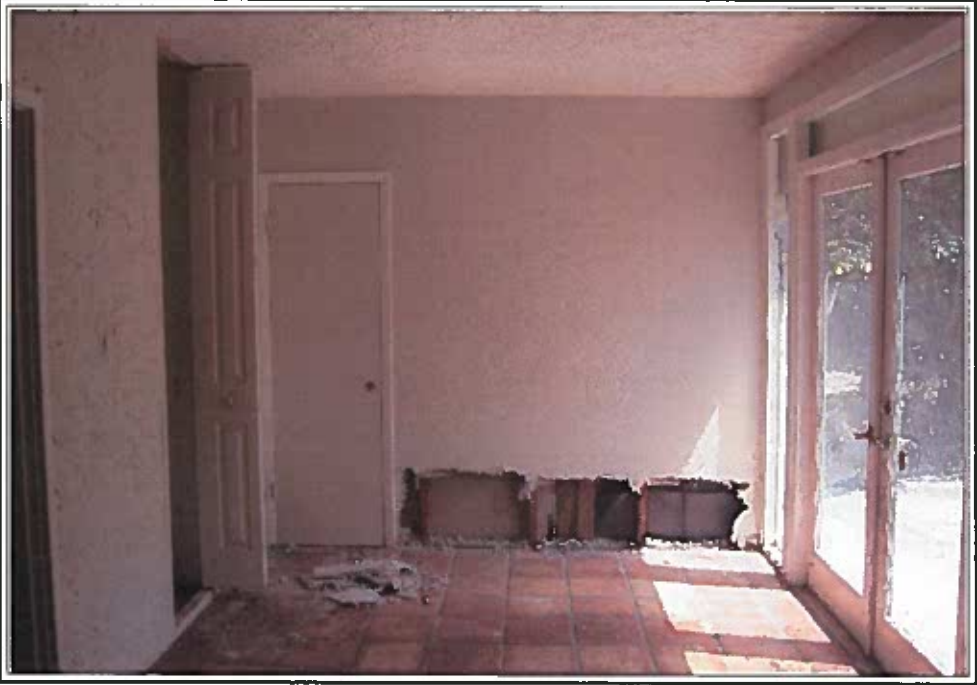
Front Bathroom (Additional Photo)



Front Porch



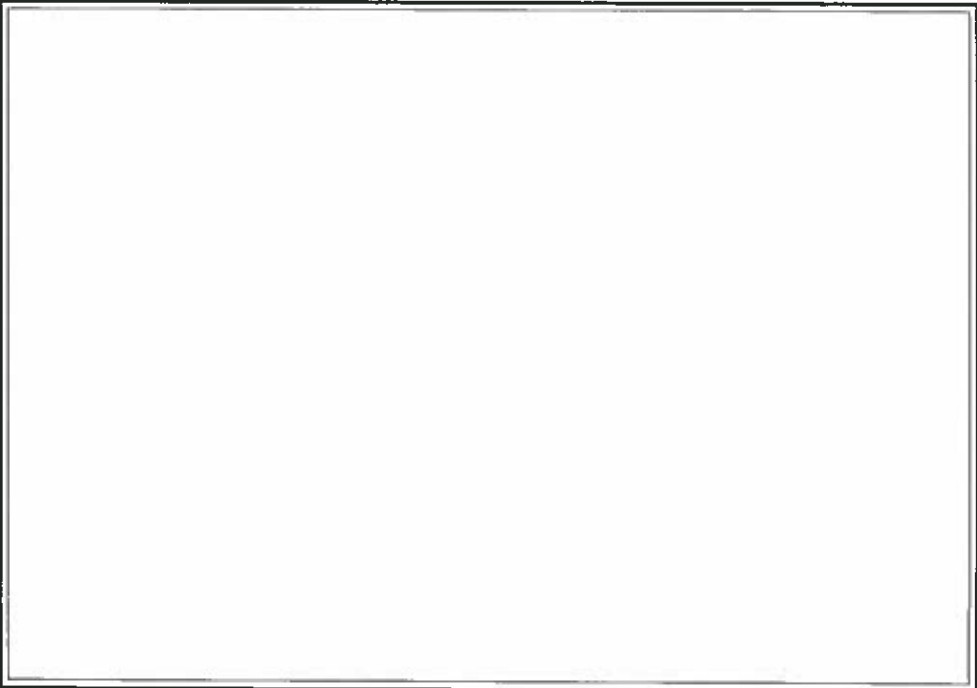
Rear Bathroom (Addition)



Rear Porch (Addition)



Laundry Room (Addition)





# COMPARABLE PROPERTY PHOTO ADDENDUM

Client: Marc Julien Homes

File No.: 15-0383

Property Address: 218 NE 5th Ct

Case No.:

City: Delray Beach

State: FL

Zip: 33444



## COMPARABLE SALE #1

117 NE 7th St  
Delray Beach  
Sale Date: s6/2/14;unk  
Sale Price: \$ 400,000



## COMPARABLE SALE #2

202 NE 5th Ter  
Delray Beach  
Sale Date: s2/14/14;c1/28/14  
Sale Price: \$ 360,000



## COMPARABLE SALE #3

412 NE 2nd Ave  
Delray Beach  
Sale Date: s1/2/14;unk  
Sale Price: \$ 220,000



AERIAL MAP

Client: Marc Julien Homes

File No.: 15-0383

Property Address: 218 NE 5th Ct

Case No.:

City: Delray Beach

State: FL

Zip: 33444



Subject  
218 NE 5th Ct  
Delray Beach, FL 33444

NE 5th Ct

NE 5th Ct

NE 5th Ct

NE 5th St

NE 5th St

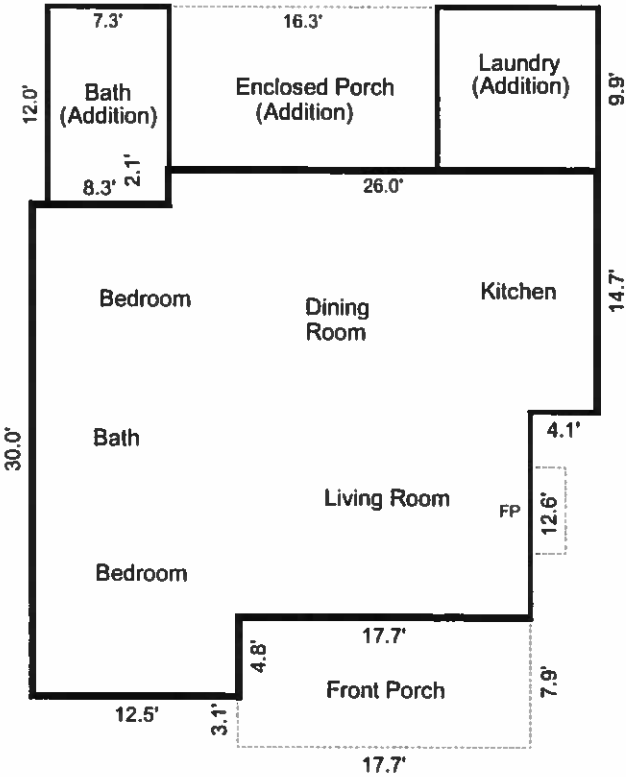
NE 5th St

Google

Map data ©2015 Google Imagery ©2015

FLOORPLAN SKETCH

Client: Marc Julien Homes	File No.: 15-0383
Property Address: 218 NE 5th Ct	Case No.:
City: Delray Beach	State: FL Zip: 33444



Sketch by Apex IV™

Comments:

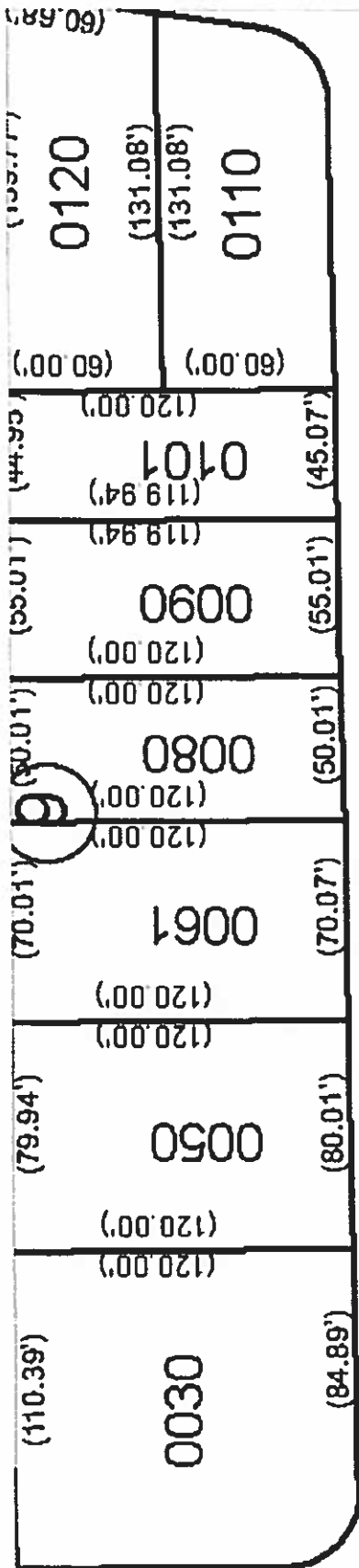
AREA CALCULATIONS SUMMARY			
Code	Description	Size	Net Totals
GLA1	First Floor	927.30	927.30
P/P	Front Porch	139.83	
	Enclosed Porch	161.37	301.20
OTH	Laundry	96.03	
	Bath (Addition)	87.60	183.63
TOTAL LIVABLE (rounded)			927

LIVING AREA BREAKDOWN			
Breakdown			Subtotals
First Floor			
12.5	x	30.0	375.00
17.7	x	25.2	446.04
2.1	x	21.9	45.99
4.1	x	14.7	60.27
4 Calculations Total (rounded)			927

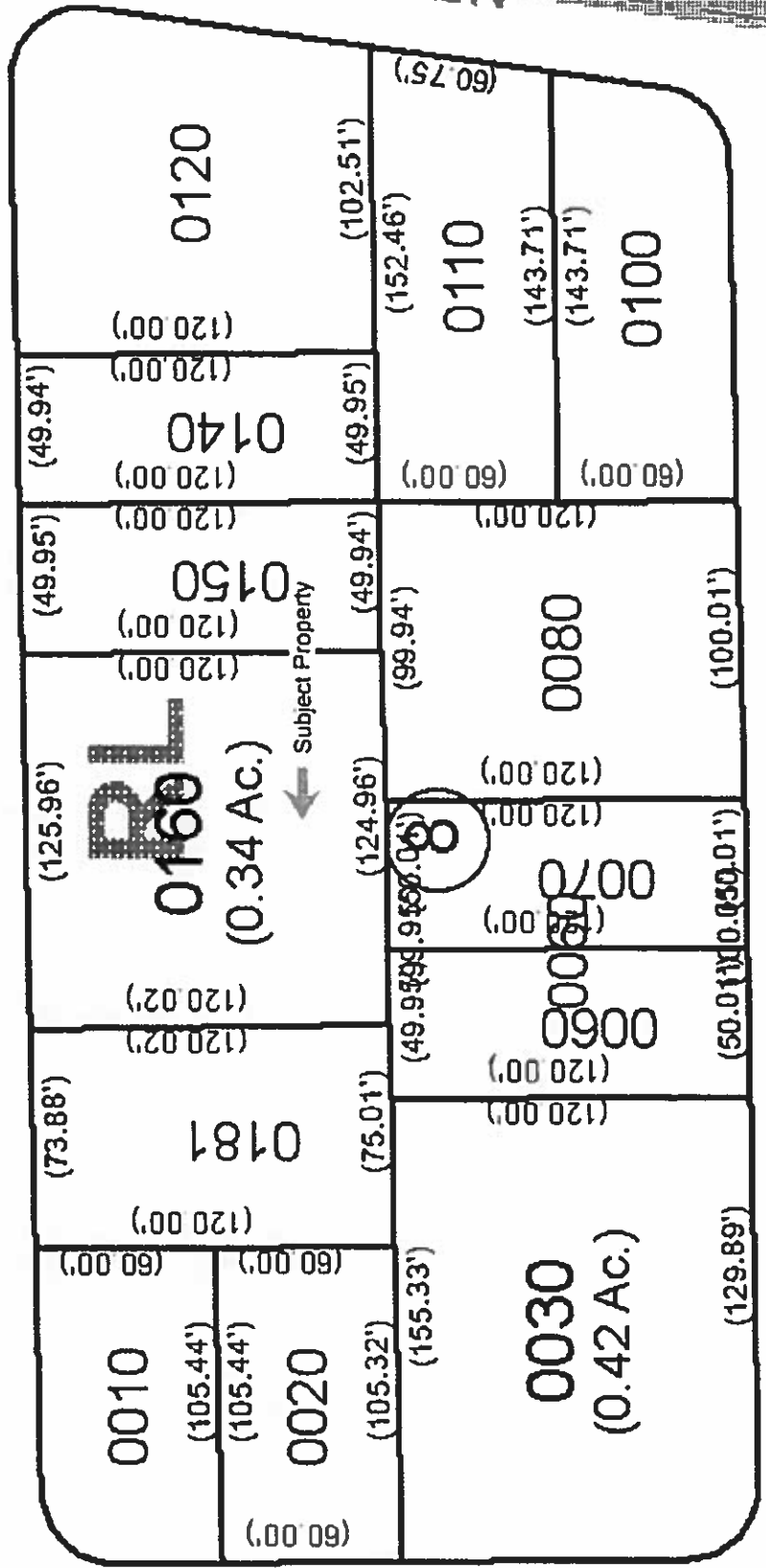
PLAT MAP

Client: Marc Julien Homes  
Property Address: 218 NE 5th Ct  
City: Delray Beach

File No.: 15-0383  
Case No.:  
State: FL Zip: 33444



NE 5th Ct.





# LOCATION MAP

Client: Marc Julien Homes  
Property Address: 218 NE 5th Ct  
City: Delray Beach

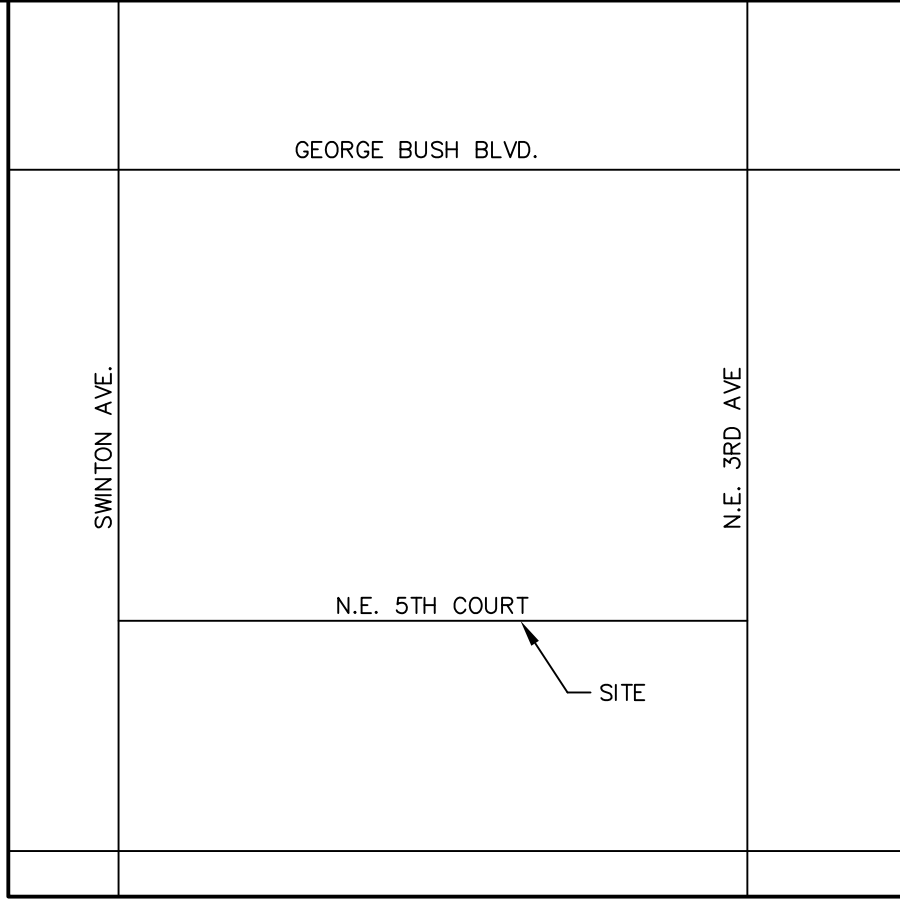
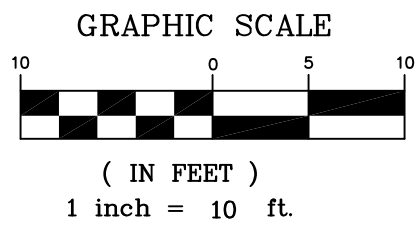
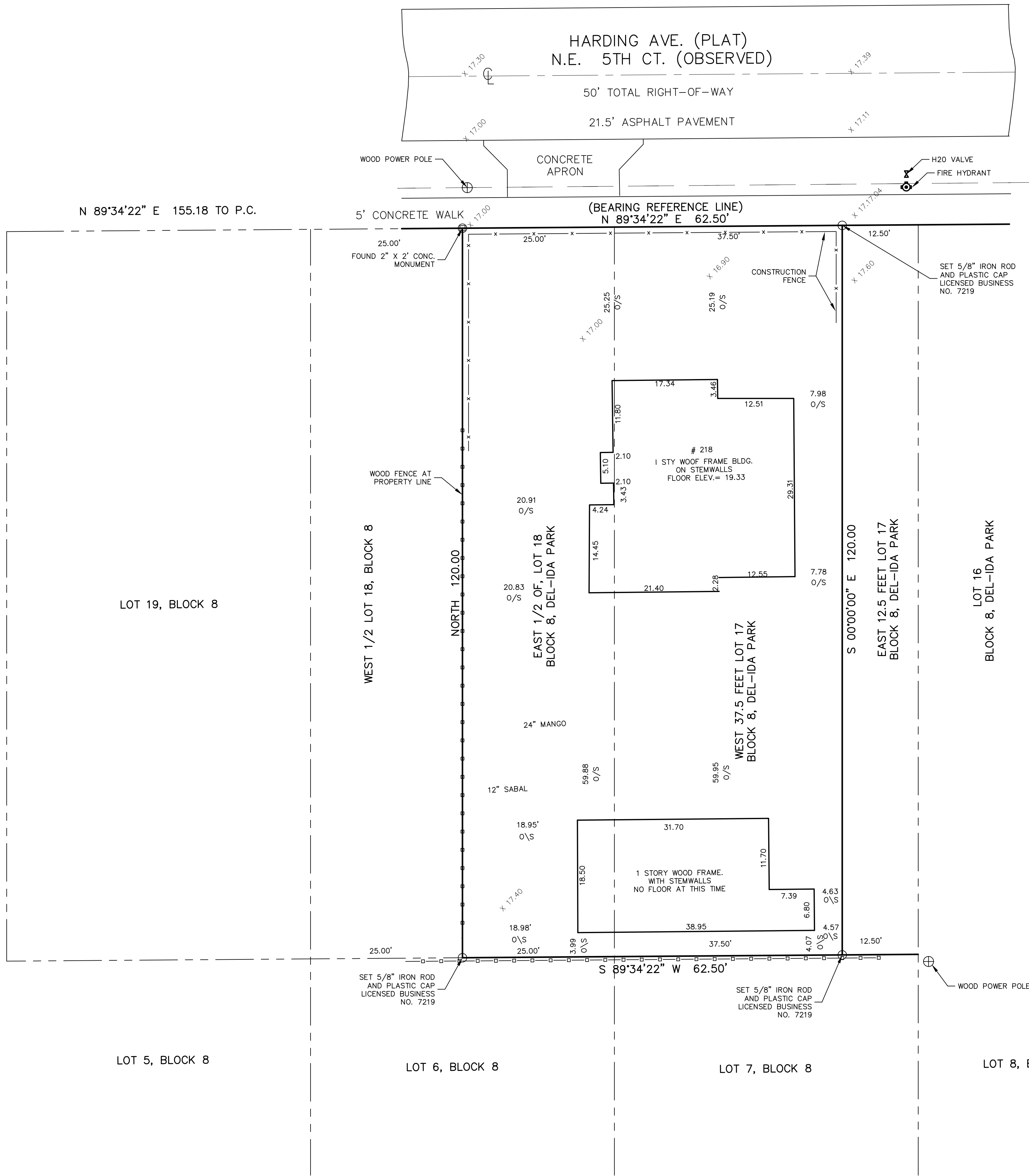
File No.: 15-0383  
Case No.:  
State: FL Zip: 33444



Google

Map data ©2015 Google Imagery ©2015 DigitalGlobe U.S. Geological Survey

BOUNDARY AND SPOT ELEVATION SURVEY



LOCATION MAP  
NOT TO SCALE

x 17.30  
DENOTES EXISTING ELEVATION

CERTIFIED TO:  
MJH BC, LLC. AND OLD REPUBLIC NATIONAL  
TITLE INSURANCE COMPANY

LEGAL DESCRIPTION:  
THE WEST 37.50 FEET OF LOT 17, BLOCK 8, TOGETHER  
WITH THE THE EAST 25.00 FEET OF LOT 18, BLOCK 8,  
DEL-IDA PARK, ACCORDING TO THE PLAT THEREOF AS  
RECORDED IN PLAT BOOK 9 PAGE 52 OF THE PUBLIC  
RECORDS OF PALM BEACH COUNTY, FLORIDA.  
CONTAINING 7,500 SQUARE FEET MORE OR LESS.

- SURVEYOR'S NOTES:
- ALL BEARINGS OR ANGLES SHOWN HEREON ARE BASED ON THE RECORD PLAT UNLESS OTHERWISE NOTED. (ASSUMED)
  - LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENT OR RIGHTS-OF-WAY.
  - THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE.
  - THIS SURVEY OF THE PROPERTY SHOWN HEREON IS IN ACCORDANCE WITH THE DESCRIPTION FURNISHED BY: CLIENT
  - REBARS AND CAPS WERE SET ON ALL CORNERS UNLESS OTHERWISE NOTED.
  - FIELD WORK COMPLETED ON: 3-30-14
  - THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND EMBOSSED SEAL.
  - ELEVATIONS SHOWN HEREON ARE BASED ON N.G.V.D. OF 1929 UNLESS OTHERWISE NOTED.
  - BENCHMARK OF ORIGIN IS PALM BEACH COUNTY BENCHMARK NO. 2 233 ELEV. = 17.57 N.G.V.D.
  - THIS SURVEY IS LOCATED IN FLOOD ZONE "X" PER N.F.I.P. COMMUNITY-PANEL MAP NO. 125102-0002-D, REVISED BASE FIRM ELEVATION IS N/A FEET DATE OF FIRM IS 1-5-89
  - PROPERTY ADDRESS IS: 218 N.E. 5TH CT., DELRAY BEACH, FLA.
  - THERE ARE NO ENCHROACHMENTS ON THIS SURVEY.

THIS SURVEY MEETS THE STANDARDS OF PRACTICE OF THE  
FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO CHAPTER 472.027,  
F.S.  
NOTE: THE PROPERTY DESCRIBED HEREON HAS NOT BEEN ABSTRACTED  
TO REFLECT ANY ENCUMBRANCES THEREON BY THE UNDERSIGNED  
AND/OR DAVIS & PURMORT, INC.  
DATE: 3-30-14

CERTIFICATE:  
I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF SURVEY OF THE  
ABOVE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF  
MY KNOWLEDGE AND BELIEF AS SURVEYED UNDER MY DIRECTION.

PAUL A. DAVIS  
P.S.M. #4531  
STATE OF FLORIDA.

NO.	DATE	REVISION DESCRIPTION	BY
2.	10-12-16	UPDATE SURVEY	P.A.D.
1.	1/4/16	STEM WALL	A.M.D.



PAUL A. DAVIS, INC.

LB #0007219  
Land Surveyors • Land Development • Consultants • Planners

PO BOX 50234, 2091 N.E. 36TH ST., LIGHTHOUSE POINT, FLA. 33064  
Phone: (954) 263-3102

Subdivisions & Condominiums Land & Site Planning  
Lot Surveys • Mortgage Surveys • Acreage Surveys • Topographic Surveys • Record Plats • Condominium Plats • Construction Layout

SCALE	1" = 10'
DRAWN BY	P.A.D.
DATE	6-08-14
JOB NO:	218
F.B./PG.	FILE
FILE	D-
SHEET NO.	1 OF 1

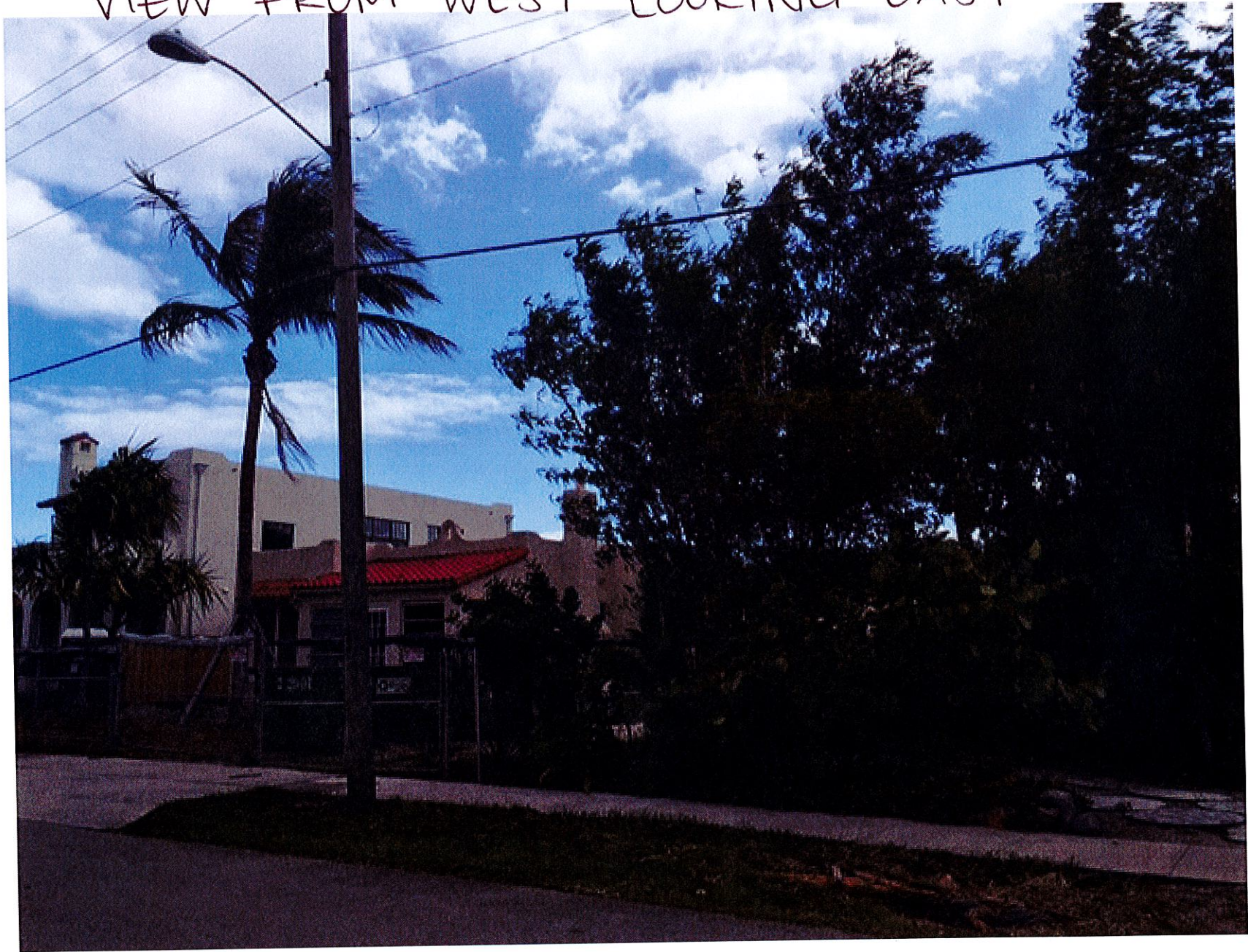


FRONT ELEVATION



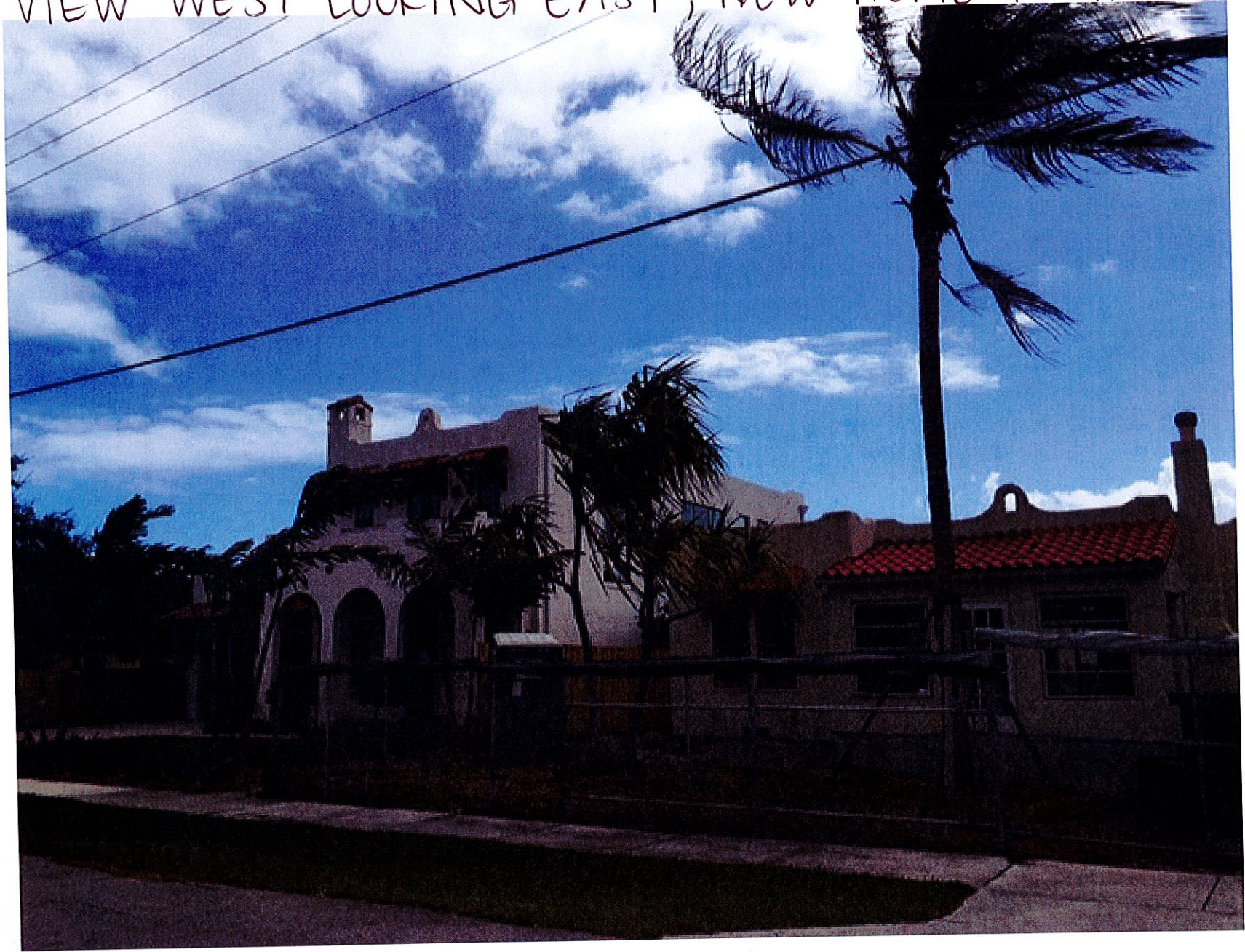


VIEW FROM WEST LOOKING EAST





VIEW WEST LOOKING EAST, NEW HOME TO THE EAST



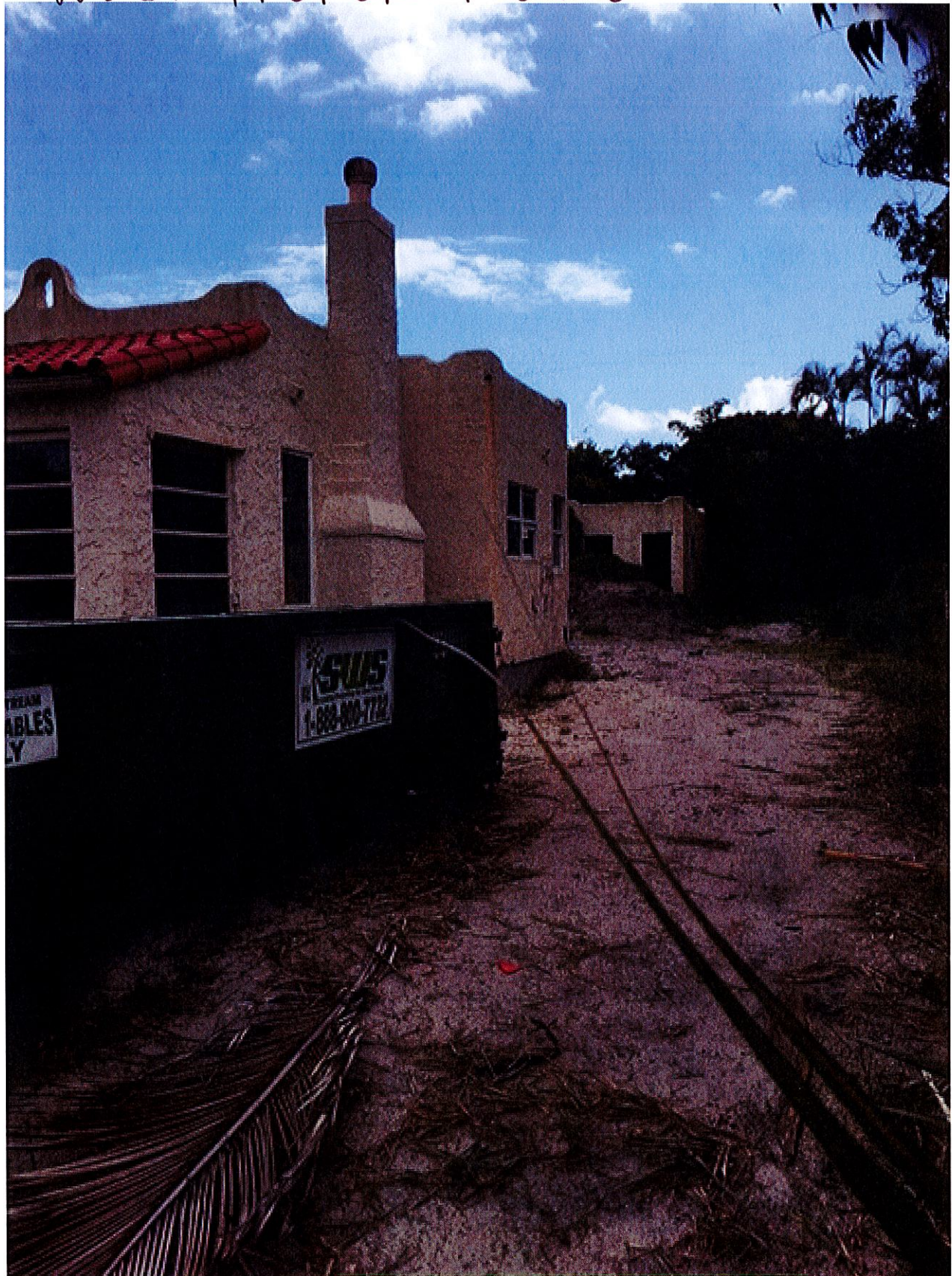


PROPERTY TO THE WEST



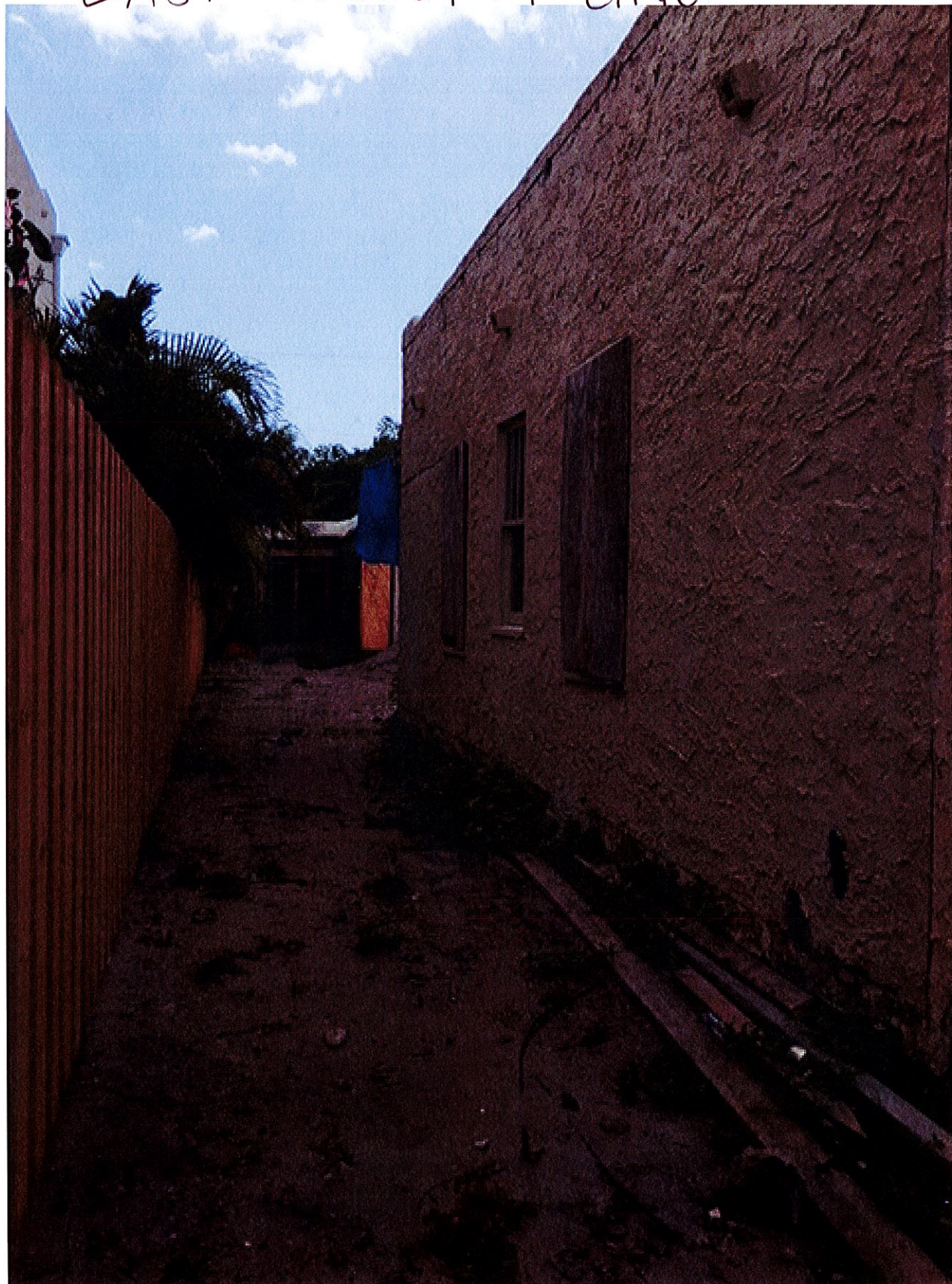


# WEST PROPERTY LINE





EAST PROPERTY LINE





REAR ELEVATION





REAR ELEVATION, LOOKING NE

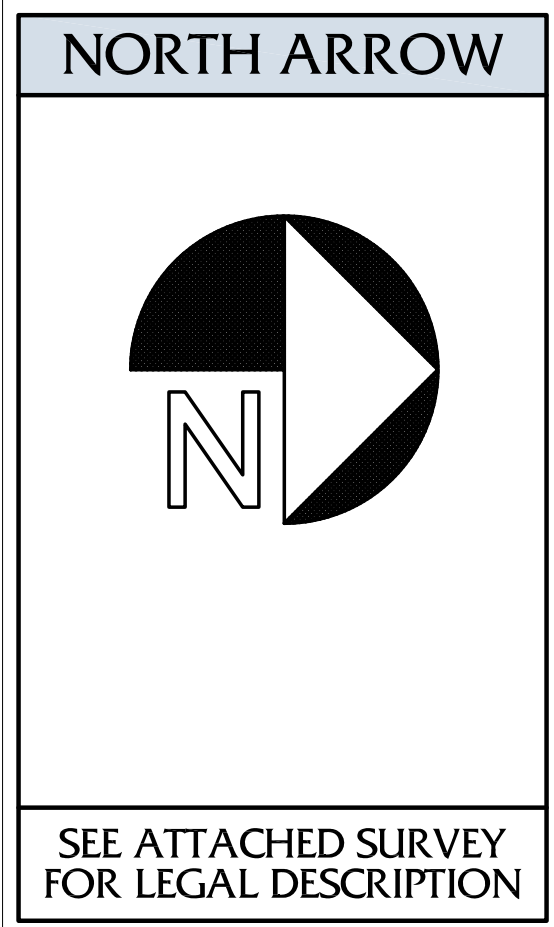
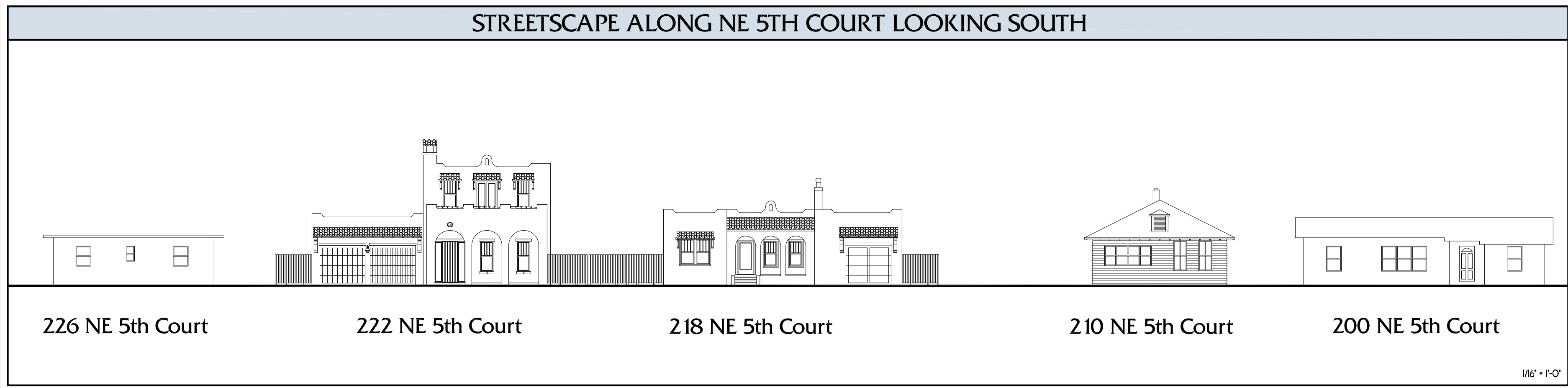




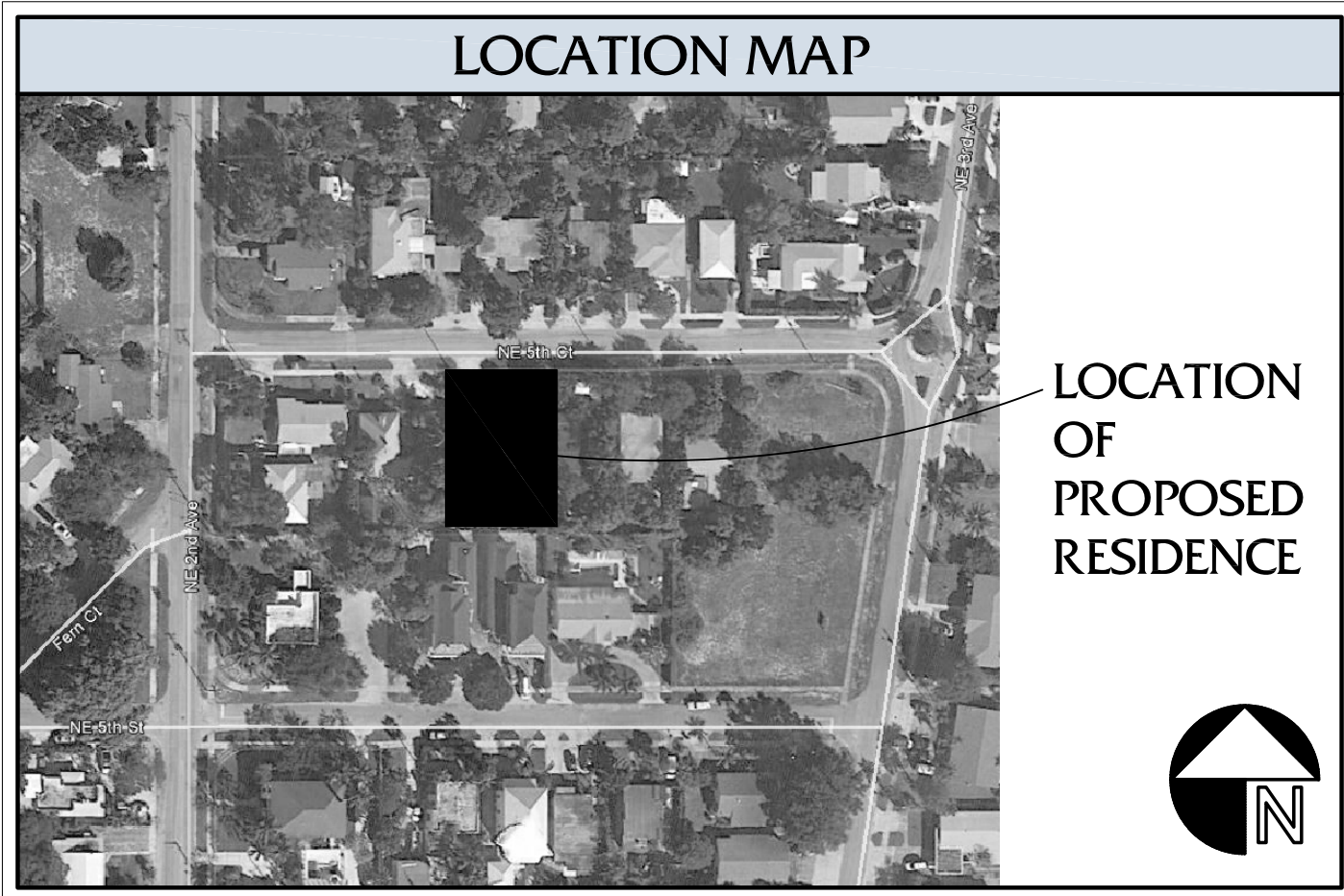
FRONT ELEVATION OF GUEST HOUSE



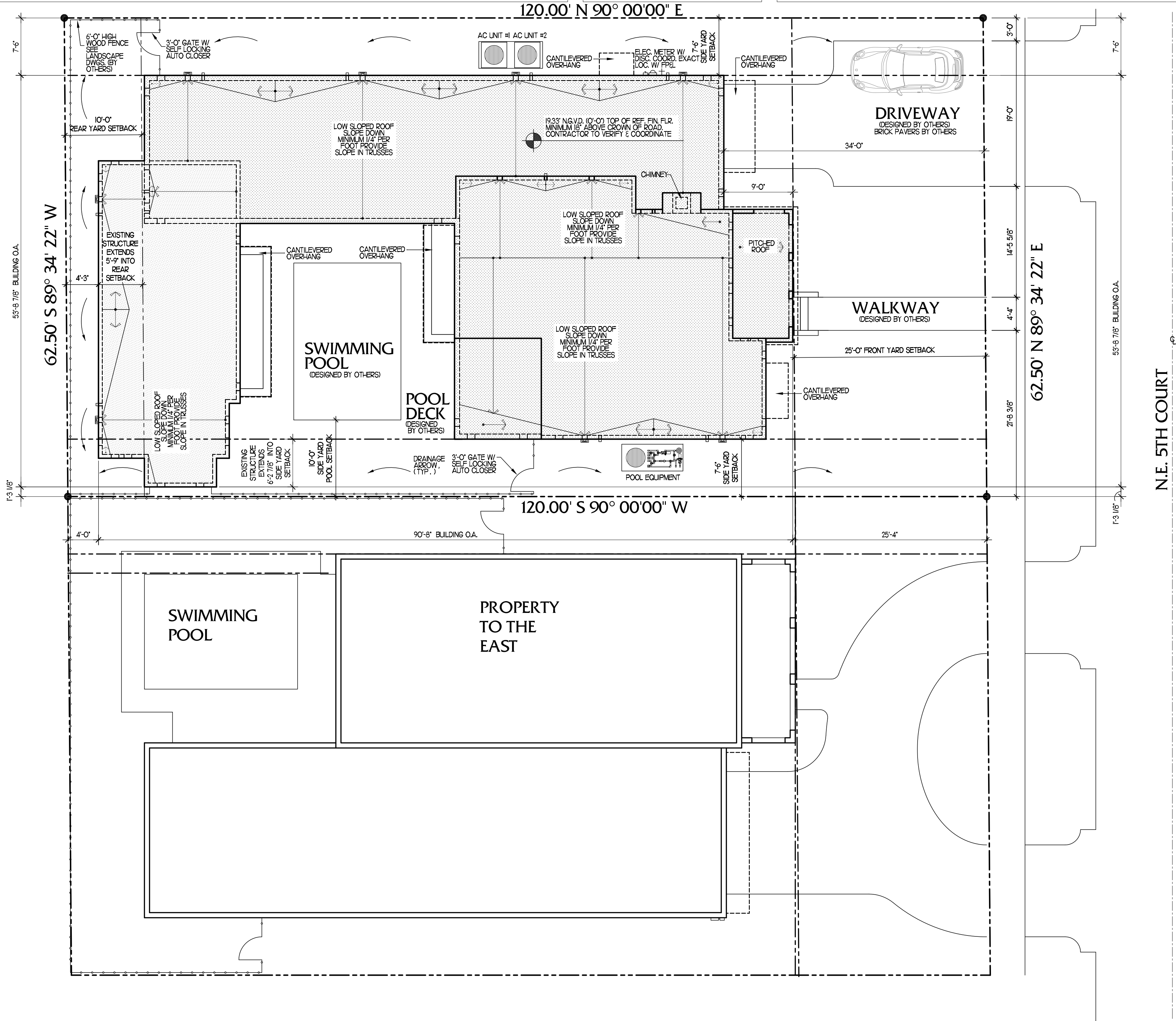
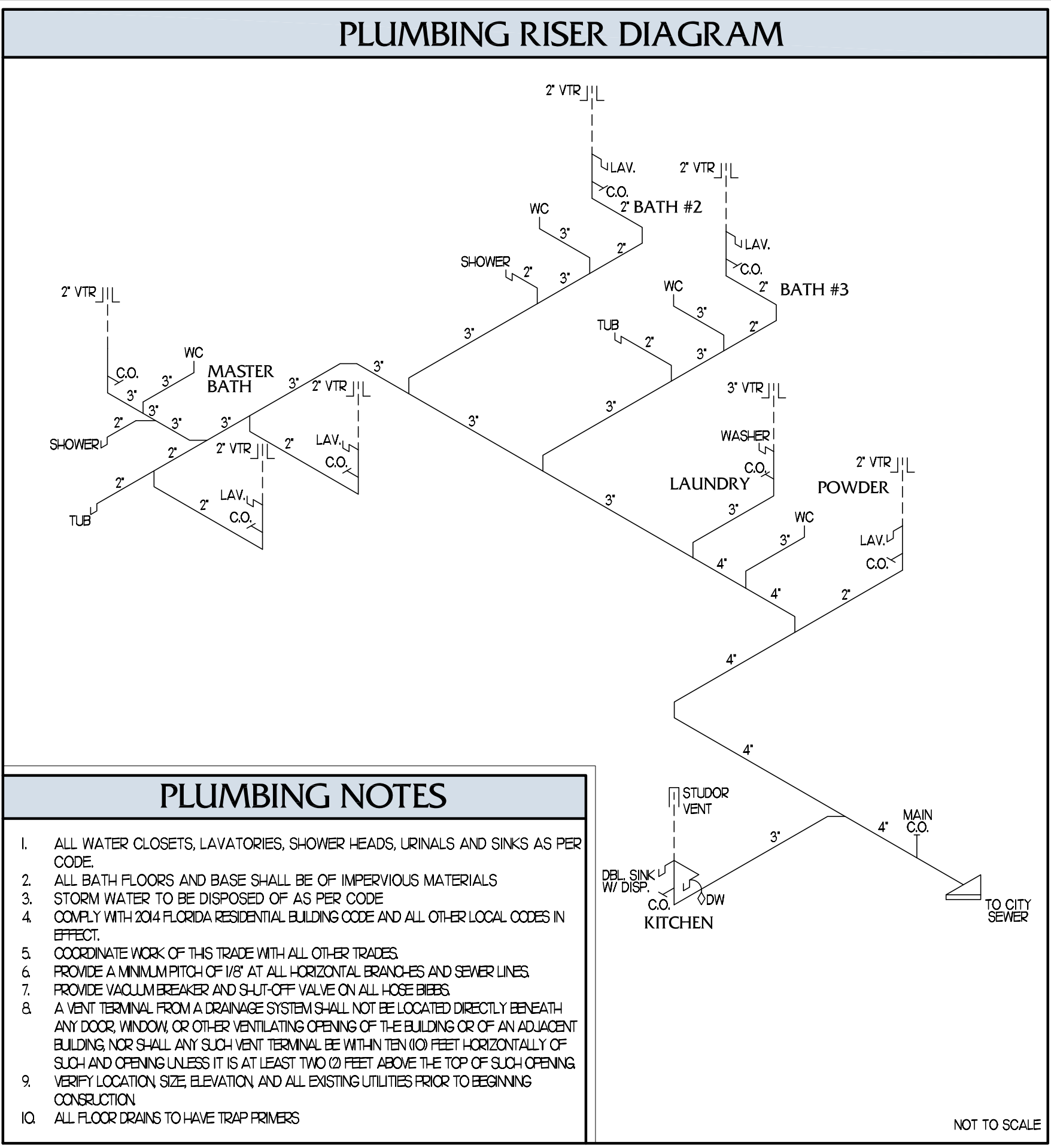




SITE CALCULATIONS		
ZONING, RL, FOLLOWS R-1-A DISTRICT REGULATIONS		
LOT AREA:	7,500 S.F.	
MAX. FAR = LOT AREA X .35	2,625 S.F.	NOT APPLICABLE FOR THIS DISTRICT
LEVEL ONE A.C.	2,534 S.F.	
LEVEL TWO A.C.	N/A	
GARAGE * 100%	515 S.F.	
COV. ENTRY * 0%	0 S.F.	
TOTAL FLOOR AREA FOR CALC.	3,049 S.F.	
MAX. ALLOWED LOT COVERAGE (30% OF LOT AREA 7,500 S.F. X .30)	2,250 S.F.	NOT APPLICABLE FOR THIS DISTRICT
PROVIDED LOT COVERAGE:	3,327 S.F.	44.3%
OPEN SPACE (25% OF LOT AREA REQUIRED)	1,875 S.F.	
OPEN SPACE PROVIDED	3,154 S.F.	42.0%



SETBACKS AND HEIGHT CALCULATIONS			
SETBACKS	REQUIREMENT	EXISTING STRUCTURE	PROPOSED ADDITION
FRONT:	25'-0"	25'-0"	34'-0"
SIDE:	7'-6"	1'-3"	7'-6"
REAR:	10'-0"	4'-3"	10'-0"
HEIGHT	10'-0"	16'-8"	13'-2"



Project Number:  
**14096**

**218 N.E. 5th Court**  
**Delray Beach, Florida**  
**Marc Julien Homes, LLC**

**A F I N I T I**  
*architects*

6100 Broken Sound Pkwy. NW - Suite 8 - Boca Raton FL - 33487  
561.750.0445 AFINITIARCHITECTS.COM

Revisions

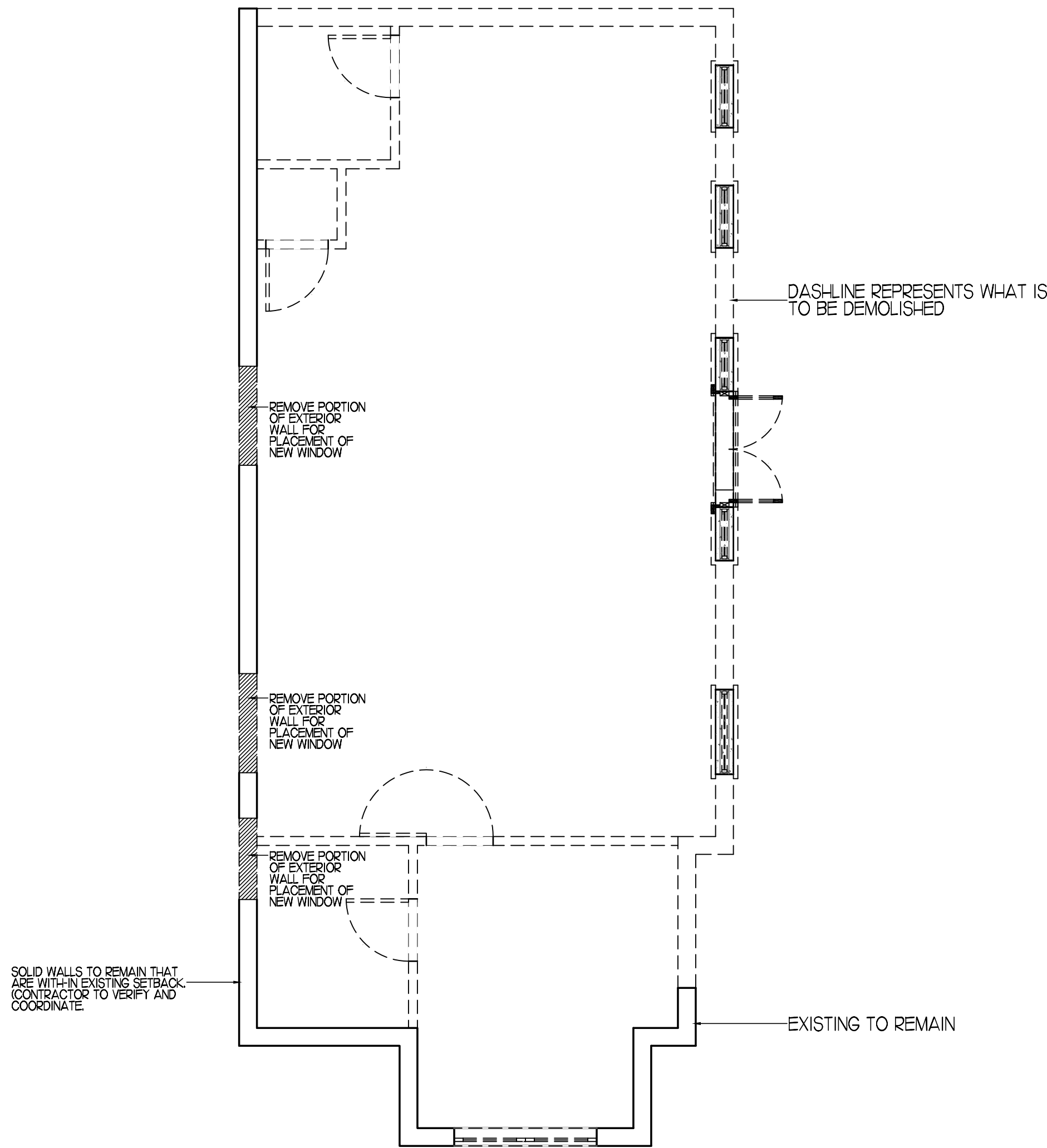
Date	9-28-16
Drawn / Checked	SDC/BMS
Date / Approval	-
Date / Permit	-
Date / Construction	-

Seal:

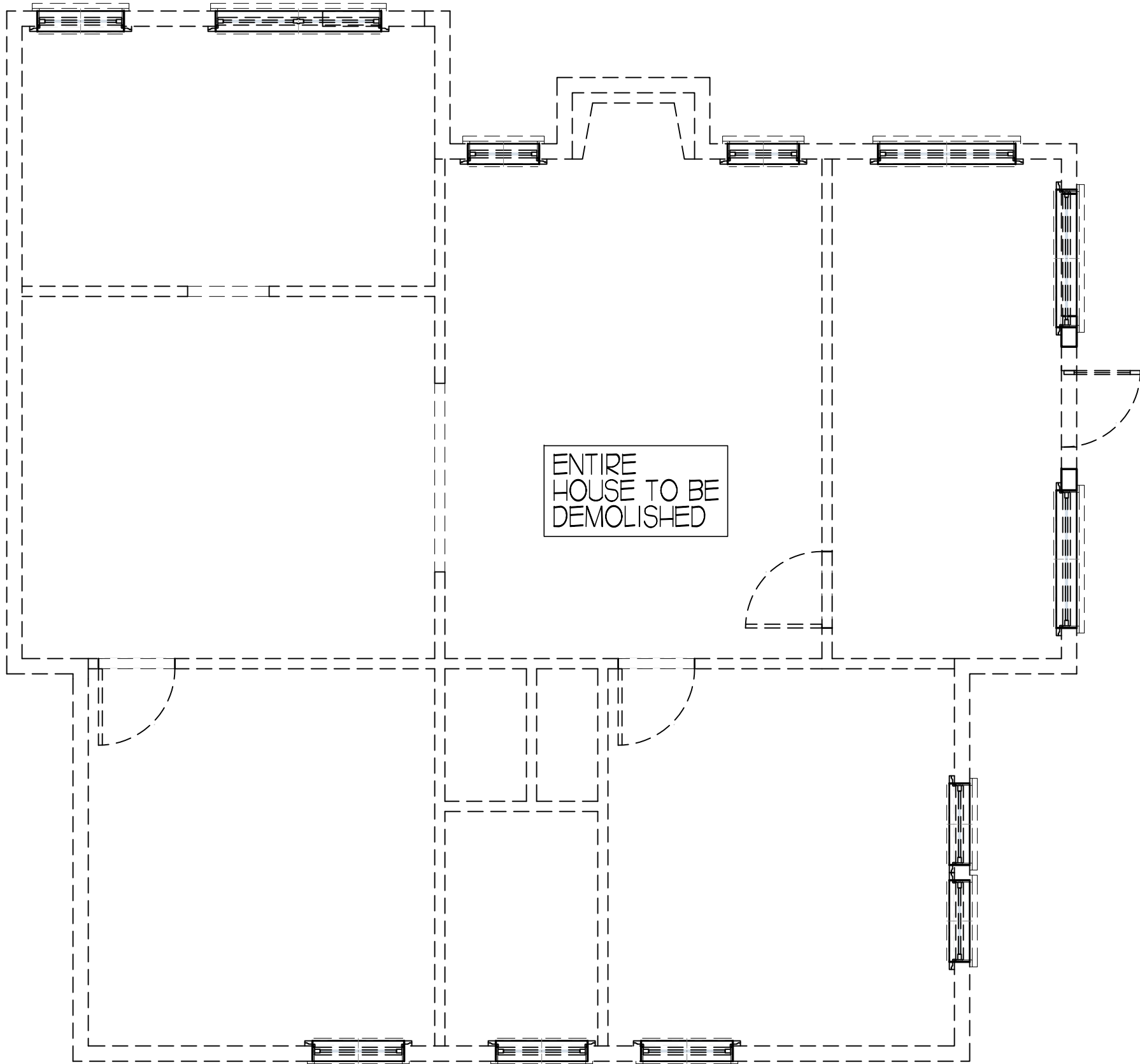
AA0002340 © 2015

**A1.0**





SOUTH HOUSE DEMOLITION PLAN



NORTH HOUSE DEMOLITION PLAN

DEMOLITION NOTES

THE ARCHITECT SHALL NOT HAVE CONTROL, OR CHARGE OF AND SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION OR DEMOLITION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES, OR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE PROJECT, FOR ACTS OR OMISSIONS OF CONTRACTOR, SUBCONTRACTORS OR ANY OTHER PERSON PERFORMING ANY OF THE WORK INCLUDED IN THE PROJECT, OR FOR THE FAILURE OF ANY OF THEM TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS, BUILDING CODE OR APPLICABLE LAWS.

CONTRACTOR TO VERIFY ALL EXISTING BEARING POINTS, INTERIOR AND EXTERIOR INCLUSIVE OF THE FOUNDATION SYSTEM (BELOW), AT AREA OF DEMOLITION PRIOR TO BEGINNING ANY DEMOLITION. ANY BEARING LOCATIONS NOT SHOWN WITHIN THESE PLANS SHALL BE REPORTED IMMEDIATELY TO THIS OFFICE FOR ITS REVIEW IN RELATION TO THE PROPOSED DEMOLITION.

CONTRACTOR TO BRACE AND UNDERPIN EXISTING STRUCTURE AS REQUIRED PRIOR TO DEMOLITION.

CONTRACTOR TO PROTECT AND PROVIDE SHORING OF EXISTING CONSTRUCTION TO REMAIN DURING DEMOLITION/CONSTRUCTION.

CONTRACTOR TO PROTECT AND PROPERLY BRACE EXISTING ROOF FRAMING MEMBERS TO REMAIN DURING DEMOLITION/CONSTRUCTION OF ADJACENT AREAS.

CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL REPAIRS TO THE EXISTING BUILDING, PAVING, LANDSCAPING, UTILITIES, WATER LINES, ETC. WHICH MAY BE DISTURBED DURING CONSTRUCTION AND SHALL LOCATE ALL EXISTING UTILITIES AND SHALL MAKE PROPER TIE-INS AND APPLY FOR ALL PERMITS NECESSARY.

MECHANICAL CONTRACTOR SHALL INSPECT EXIST. A/C SYSTEM AND SUBMIT SHOP DRAWINGS OF NEW WORK TO ARCHITECT FOR REVIEW.

CONTRACTOR TO PATCH TO MATCH EXISTING ALL AREAS ADJACENT TO OR DISTURBED BY DEMOLITION/CONSTRUCTION, UNLESS NOTED OTHERWISE ON PLANS.

CONTRACTOR TO REMOVE ALL UNWANTED DEMOLITION DEBRIS FROM SITE IN A TIMELY MANNER.

DO NOT DISPOSE OF ANY FIXTURES, HARDWARE, DOORS, EQUIPMENT, APPLIANCES, ETC WITHOUT THE OWNER'S PERMISSION.

CONTRACTOR TO CO-ORDINATE WITH HOMEOWNER EXISTING APPLIANCES AND/OR FIXTURES TO REMAIN DURING RENOVATION THAT WILL REQUIRE PROTECTION FROM DAMAGE DURING RENOVATION PROCESS.

COORDINATE DEMOLITION TO MINIMIZE EXPOSURE TO ADVERSE WEATHER CONDITIONS. PROVIDE COVER, BARRIERS, AND/OR PROTECTION FOR WEATHER AND SECURITY AS NECESSARY.

ARCHITECT & CONTRACTOR SHALL NOT BE RESPONSIBLE FOR ANY PRE-EXISTING CONDITIONS IN EXISTING CONDITIONS IN EXISTING RESIDENCE, UNLESS OTHERWISE NOTED ON THE PLANS.

NO DEAD ENDS PERMITTED IN THE DRAINAGE (SEWER) SYSTEM. INSPECTION REQUIRED

Project Number:  
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**A F F I N I T I**  
*a r c h i t e c t s*

6100 Broken Sound Pkwy. NW - Suite 8 - Boca Raton FL - 33487

561.750.0445 AFFINITARCHITECTS.COM

Revisions

HISTORIC BOARD

Date	9-28-16
Drawn   Checked	SDC/BMS
Date   Approval	-
Date   Permit	-
Date   Construction	-

Seal:

AA0002340 © 2015

DEMOLITION PLAN  
1/4" = 1'-0"

**D1.0**







EXTERIOR DECORATIVE DETAILS

FRONT

SIDE

NOTE:  
1. CONTRACTOR TO VERIFY ALL DIMENSIONS IN THE FIELD PRIOR TO FABRICATION.  
2. CONTRACTOR TO VERIFY FINAL DEPTH OF DETAILS WITH FINAL DEPTH OF CEMENTITIOUS FINISH PRIOR TO FABRICATION. (TYPICAL ALL DETAILS).  
3. SLOPE TOP OF DECORATIVE TRIM AWAY FROM THE HOUSE AS REQUIRED.



PARAPET SEE STRUCTURAL PLANS

2' MIN EXTENSION BEYOND FINISHED SURFACE

4"

1 / 2" HEMMED EDGE

SEALANT ALL AROUND BY EXT. FINISH TRADE

CANT WALL SEE STRUCTURAL PLANS

EXTERIOR FINISH

MASTIC & MEMBRANE

24 GA. MILL FIN GALVANIZED REGLET - TYPICAL

CONTINUOUS COUNTER FLASHING BEYOND - TRIM & FORM ENDCAPS \* SCUPPER OPENING

COPPER SCUPPER W/ MIN 4" CONTINUOUS DECK FLANGE - ALL JOINTS FULLY SOLDERED

BASE FLASHING BEYOND - TRIM \* SCUPPER OPENING

FIELD PURLINS

FOR SECONDARY (EMERGENCY) SCUPPER - BOTTOM OF SECONDARY (EMERGENCY) SCUPPER SHALL BE PLACED NO LESS THAN 2 INCHES AND NO MORE THAN 4 INCHES ABOVE THE FINISHED ROOF COVERING. CONTRACTOR TO VERIFY FINAL LOCATION IN FIELD.

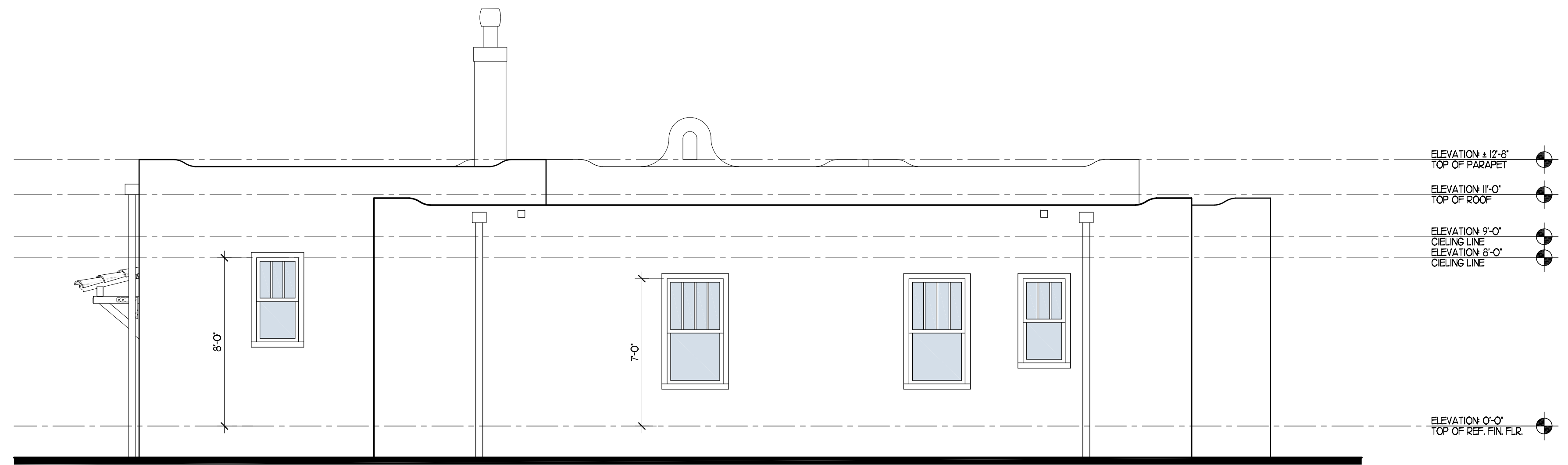
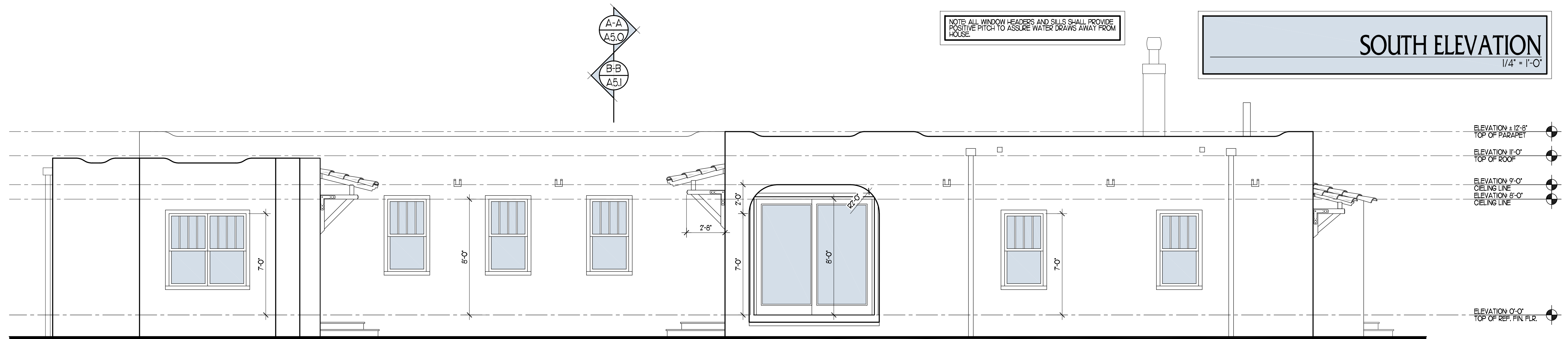
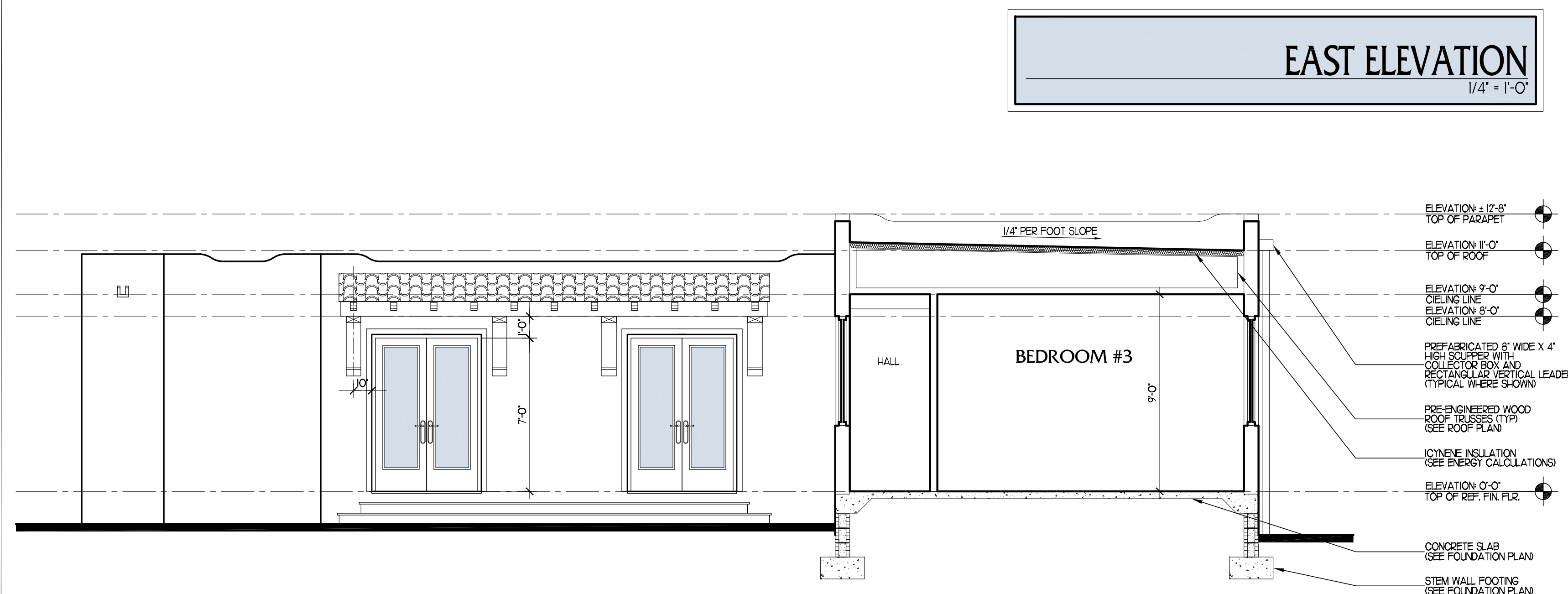
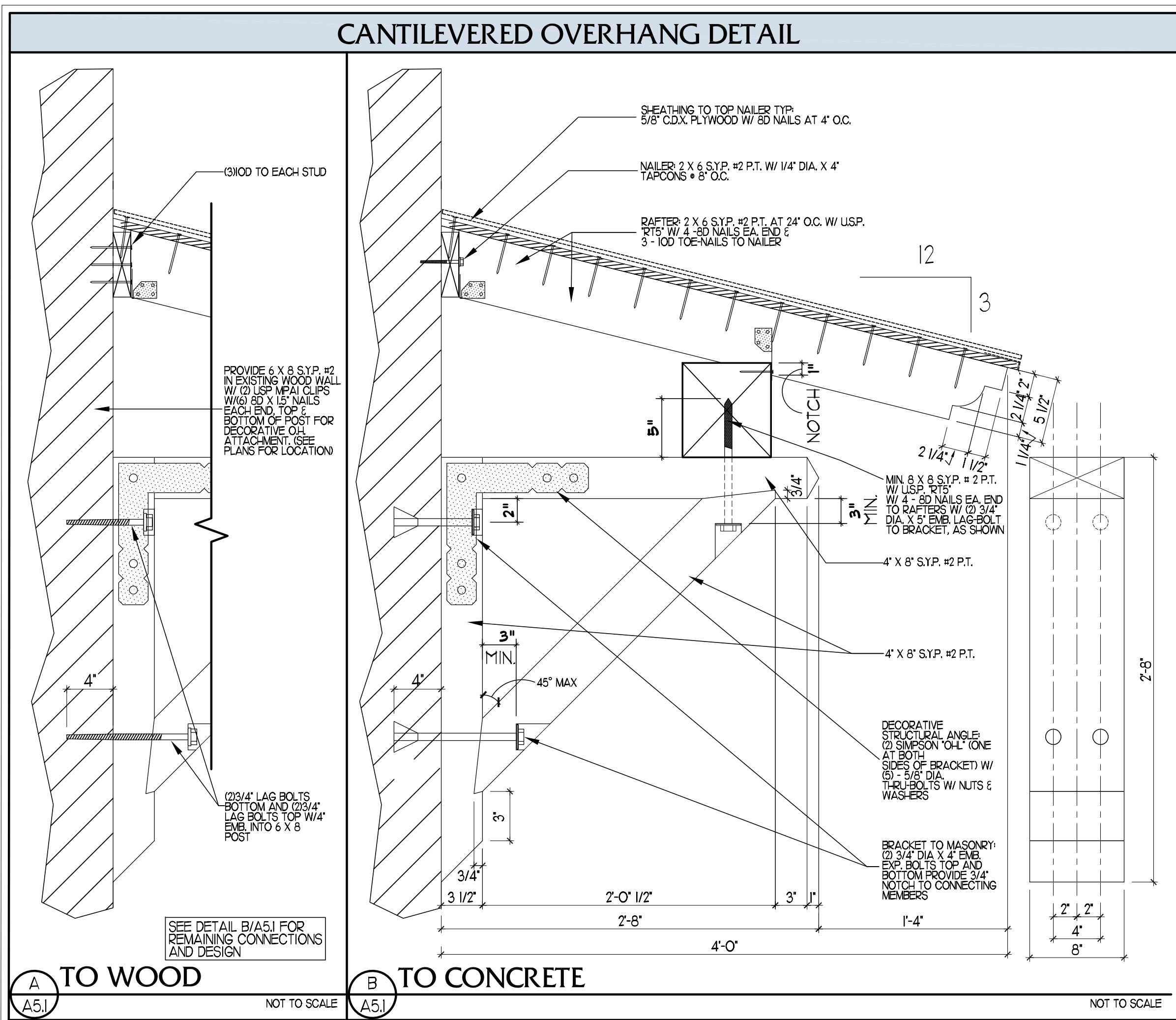
MINIMUM 4 PLY BUILT UP ROOFING SYSTEM ON 19/32" CD GRADE EXP 1 A40/20 APA OVER PCE-FAB WOOD TRUSSES \* 24" O.C. MAX. (SEE ROOF PLAN FOR WALLING ZONES AND PLY-WOOD ATTACHMENT)

WOOD ROOF TRUSSES SEE ROOF FRAMING PLAN

**EMERGENCY SCUPPER/SCUPPER DETAIL**

NOT TO SCALE

1  
A5.1


$$1/4'' = 1'-0''$$

$$\frac{1}{4}'' = 1'-0''$$

$$1/4'' = 1'-0''$$


Project Number:  
14096

**218 N.E. 5th Court**  
**Delray Beach, Florida**  
**Marc Julien Homes, LLC**

**AFFINITI**  
*architecture*

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## Revisions

ate	9-28-16
rawn   Checked	SDC/BMS
ate   Approval	-
ate   Permit	-
ate   Construction	-

Deal:

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## A5.1