## BOARD ACTION REPORT - APPEALABLE ITEM

| Project Name: | 116 Marine Way |
| :--- | :--- |
| Project Location: | 116 Marine Way |
| Request: | Certificate of Appropriateness (COA) |
| Board: | Historic Preservation Board |
| Meeting Date: | August 16, 2017 |

## Board Action:

Approved the COA for demolition of an existing non-contributing structure and construction of a new 2-story duplex structure to be located at 116 Marine Way, on a 5 to 0 vote (Bathurst absent and Patton stepping down).

## Project Description:

The 0.27 acre vacant property is situated on the west side of Marine Way between SE $1^{\text {st }}$ Street and SE $2^{\text {nd }}$ Street and is zoned Multiple Family Residential (RM).

A circa 1975 2-story single family residence exists on the subject property. The proposal includes demolition of the existing non-contributing structure and construction of a new 2-story duplex structure with subgrade garage parking, associated pool, fencing and perimeter wall.

Staff supported the Certificate of Appropriateness request, subject to conditions.

## Board Comments:

The Board comments were supportive.

## Public Comments:

Two members of the public spoke in support of the project.
Associated Actions: All required actions were taken.
Next Action: HPB action is final.

## HISTORIC PRESERVATION BOARD CITY OF DELRAY BEACH

MEETING DATE:
ITEM:

August 16, 2017
116 Marine Way, Marina Historic District - Certificate of Appropriateness, (2017-122) for the construction of a 2-story, residential duplex structure.

RECOMMENDATION: Approve the Certificate of Appropriateness

## GENERAL DATA:

Owner/Applicant: $\qquad$ Azure Delray Marina, LLC
Agent $\qquad$ Lattouf Korban, AIA Randall Stofft Architects

Location: $\qquad$ 116 Marine Way
Property Size: $\qquad$ .27 Acres
Historic District:
Marina Historic District
Current Zoning: $\qquad$ RM - (Multiple Family Residential Medium Density)

Adjacent Zoning: $\begin{array}{rr}\text { North: } & \text { RM } \\ \text { South: } & R M \\ \text { East: } & \text { RM } \\ \text { West: } & \text { RM }\end{array}$

Existing Future Land Use
Designation:.....
Water Service: $\qquad$
Medium Density Residential -5-12 Units per Acre

Public water service is provided on site.

Sewer Service: $\qquad$ Public sewer service is provided on site.


## ITEM BEFORE THE BOARD

The item before the Board is the consideration of a Certificate of Appropriateness (COA) associated with the demolition of an existing non-contributing structure and construction of a new 2 -story duplex structure to be located at 116 Marine Way, Marina Historic District, pursuant to LDR Section 2.4.6(H).

## BACKGROUND \& PROJECT DESCRIPTION

The 0.27 acre property is situated on the west side of Marine Way between SE $1^{\text {st }}$ Street and SE $2^{\text {nd }}$ Street and is zoned Multiple Family Residential (RM). A circa 1975 2-story single family residence exists on the subject property. The proposal includes demolition of the existing non-contributing structure and construction of a new 2 -story duplex structure with subgrade garage parking, associated pool, fencing and perimeter wall.

## ANALYSIS OF PROPOSAL

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, properties located within the RM zoning district that are to be developed for use as duplex shall be developed according to the requirements noted in the chart below. As illustrated, the proposal is in compliance with the applicable requirements; therefore, positive findings can be made.

| Development Standards |  | Required |
| :--- | :---: | :---: |
| Open Space (Minimum, Non-Vehicular) | $25 \%$ | Proposed |
| Setbacks (Minimum): | Front (West) | $25^{\prime}$ |
| Side Interior (North) | $15^{\prime}$ | $25^{\prime}$ |
| Side Street (South) | $15^{\prime}$ | $15^{\prime}$ |
| Rear (East) | $15^{\prime}$ | $15^{\prime}$ |
| Height (Maximum) | $35^{\prime}$ | $32^{\prime} 3^{\prime \prime}$ (mean) |

As illustrated above, the proposal meets the Development Standard requirements, and therefore, positive findings can be made.

## SUPPLEMENTAL DISTRICT REGULATIONS

Pursuant to LDR Section 4.6.9(C)(2)(b), Parking Requirements for Residential Uses - Duplexes: two parking spaces per dwelling unit are required.
The requirements of this code section have been met as 4 parking spaces per unit are proposed within subgrade parking garages below each individual unit, ensuring required parking is provided for outside of the front or side street setback areas. An overall project total of 8 parking spaces are proposed.

## GENERAL PROCEDURES

Pursuant to LDR Section 2.4.3(B)(1) Standard Plan Items: the survey, site plan, landscaping plan, preliminary engineering plans, (excluding architectural elevations and floor plans, which shall utilize an architect's scale) shall be at the same scale. Acceptable scales shall include one inch equals ten feet; one inch equals 20 feet or one inch equals 30 feet.
The submitted plans generally meet this requirement as they are at a scale of one inch equals ten feet ( $1^{\prime \prime}=10^{\prime}$ ), with the exception of the landscape plan, which is drawn to a scale of $1 / 8^{\prime \prime}=1^{\prime}$. A condition of approval has been added that the landscape plan be revised to a scale of one inch equals ten feet.

Pursuant to LDR Section 2.4.3(B)(5) Standard Plan Items: The center line of the right-of-way of any adjacent street with the basis of the center line clearly stated; the center line of the existing pavement; the width of the street pavement; the location and width of any adjacent sidewalk; and the identification of any improvements located between the property and any adjacent street.
The submitted plans need to be revised to indicate the center line dimension and notation of the Marine Way right-of-way. This item has been added as a condition of approval.

## LDR SECTION 4.5.1

HISTORIC PRESERVATION: DESIGNATED DISTRICTS, SITES, AND BUILDINGS
Pursuant to LDR Section 2.4.6(H)(5), Certificate of Appropriateness Findings, 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(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.

## Standard 1

A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

## Standard 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 subject property is occupied by a non-contributing single-family residence, which is proposed for demolition. As the proposal is for construction of a new duplex on the property, the property will be used for its historic purpose which is residential within the existing multi-family residential neighborhood and the essential form and integrity of the property and its environment will be unimpaired. Further, the development proposal must comply with the Land Development Regulations for Visual Compatibility which address essential form and integrity of the historic property and its environment through; thus, meeting these standards.

Pursuant to LDR Section 4.5.1(E)(2)(b)(3) - Major Development: the subject application is considered "Major Development" as it involves "new construction within the RM zoning district".

Pursuant to LDR Section 4.5.1(E)(3) - Buildings, Structures, Appurtenances and Parking: Buildings, structures, appurtenances and parking shall only be moved, reconstructed, altered, or maintained, in accordance with this chapter, in a manner that will preserve the historical and architectural character of the building, structure, site, or district:

Appurtenances: Appurtenances include, but are not limited to, stone walls, fences, light fixtures, steps, paving, sidewalks, signs, and accessory structures.

Fences and Walls: The provisions of Section 4.6 .5 shall apply, except as modified below:
a. Chain-link fences are discouraged. When permitted, chain-link fences shall be clad in a green or black vinyl and only used in rear yards where they are not visible from a public right of way, even when screened by a hedge or other landscaping.
b. Swimming pool fences shall be designed in a manner that integrates the layout with the lot and structures without exhibiting a utilitarian or stand-alone appearance.
c. Fences and walls over four feet (4') shall not be allowed in front or side street setbacks.
d. Non-historic and/or synthetic materials are discouraged, particularly when visible from a public right of way.
e. Decorative landscape features, including but not limited to, arbors, pergolas, and trellises shall not exceed a height of eight feet ( 8 ') within the front or side street setbacks.

The proposal includes the use of a non-historic, synthetic PVC fence material around the side and rear of the property. A condition of approval is included with the request to limit the use of PVC fence material where it is not visible from an adjacent right-of-way and utilize authentic materials where visible from adjacent public right-of-way.

## 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.

The subject proposal meets with the intent of the requirements of this subject regulation as the proposed garages are subgrade, are accessed from the side of the subject property and are out of view from a public right-of-way. The garage doors are proposed as two-car garage doors and are metal; however, the doors will be cladded with wood incorporating additional architectural detailing.

Parking: Parking areas shall strive to contribute to the historic nature of the properties/districts in which they are located by use of creative design and landscape elements to buffer parking areas from adjacent historic structures. At a minimum, the following criteria shall be considered:
a. Locate parking adjacent to the building or in the rear.
b. Screen parking that can be viewed from a public right-of-way with fencing, landscaping, or a combination of the two.
c. Utilize existing alleys to provide vehicular access to sites.
d. Construct new curb cuts and street side driveways only in areas where they are appropriate or existed historically.
e. Use appropriate materials for driveways.
f. Driveway type and design should convey the historic character of the district and the property.

The subject proposal complies with the requirements of this subject regulation, as all new parking will be situated within enclosed, sub-grade, garages underneath the proposed structure and will be accessed
by paver brick driveways. It is noted that a single point of access currently exists on the subject property and the proposal includes two new points of access. The increase of an additional access point can be viewed to be appropriate given the proposed use of the property.

Pursuant to LDR Section 4.5.1(E)(7) - Visual Compatibility Standards: new construction and all improvements to both contributing and noncontributing buildings, structures and appurtenances thereto within a designated historic district or on an individually designated property shall be visually compatible. In addition to the Zoning District Regulations, the Historic Preservation Board shall apply the visual compatibility standards provided for in this Section with regard to height, width, mass, scale, façade, openings, rhythm, material, color, texture, roof shape, direction, and other criteria set forth elsewhere in Section 4.5.1. Visual compatibility for minor and major development as referenced in Section 4.5.1(E)(2) shall be determined by utilizing criteria contained in (a)-(m) below. Visual compatibility for all development on individually designated properties outside the district shall be determined by comparison to other structures within the site.

The following criteria apply:
(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 Building Height Plane.
(b) Front Facade Proportion: The front facade of each building or structure shall be visually compatible with and be in direct relationship to the width of the building and to the height of the front elevation of other existing structures and buildings within the subject historic district.
(c) Proportion of Openings (Windows and Doors): The openings of any building within a historic district shall be visually compatible with the openings exemplified by prevailing historic architectural styles of similar buildings within the district. The relationship of the width of windows and doors to the height of windows and doors among buildings shall be visually compatible within the subject historic district.
(d) Rhythm of Solids to Voids: The relationship of solids to voids of a building or structure shall be visually compatible with existing historic buildings or structures within the subject historic district for all development, with particular attention paid to the front facades.
(e) Rhythm of Buildings on Streets: The relationship of buildings to open space between them and adjoining buildings shall be visually compatible with the relationship between existing historic buildings or structures within the subject historic district.
(f) Rhythm of Entrance and/or Porch Projections: The relationship of entrances and porch projections to the sidewalks of a building shall be visually compatible with existing architectural styles of entrances and porch projections on existing historic buildings and structures within the subject historic district for all development.
(g) Relationship of Materials, Texture, and Color: The relationship of materials, texture, and color of the facade of a building and/or hardscaping shall be visually compatible with the predominant materials used in the historic buildings and structures within the subject historic district.
(h) Roof Shapes: The roof shape, including type and slope, of a building or structure shall be visually compatible with the roof shape of existing historic buildings or structures within the subject historic district. The roof shape shall be consistent with the architectural style of the building.
(i) Walls of Continuity: Walls, fences, evergreen landscape masses, or building facades, shall form cohesive walls of enclosure along a street to ensure visual compatibility with historic buildings or structures within the subject historic district and the structure to which it is visually related.
(j) Scale of a Building: The size of a building and the building mass in relation to open spaces, windows, door openings, balconies, porches, and lot size shall be visually compatible with the building size and mass of historic buildings and structures within a historic district for all development. To determine whether the scale of a building is appropriate, the following shall apply for major development only:

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.
(I) 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.

The applicant notes the following in their justification statement regarding visual compatibility:
The front façade proportion is compatible to its width and height, keeping the front side elements to single story volumes and stepping back the two-story massing giving the architecture the proper balance and impact on the street.

The building is designed with front porches and open terraces with no garages visible from the street. Grading the front yard up towards the terrace is allowing us to propose a two story building fronting Marine Way transitioning nicely from a long three story building to the south and one story single family homes on the north. Rhythm of buildings on the streets - the front and side elevations of the building are broken up in different elements to avoid the long blank walls to fit nicely with the neighborhood. The front elevation is composed with different elements of one story porch, open terraces and two story elements stepped further back to minimize the impact on the street. The use of columns, the outriggers and louvered panels are typical of the tropical architecture. Architectural elements are depicted in many other buildings around the Marina district. Roof shapes are visually compatible within the historic district keeping low 4/12 pitch hipped roofs, simple geometry pods giving interest to its correct Architecture and avoiding massive roofs. Directional expression of the front elevation is compatible with the historic district creating an inviting front porch and terraces, locating the garaged to the side so they are not visible from the street.

The design of the structure reduces the overall massing of the structure on the front elevation with the individual garages oriented to the sides of the property rather than facing the street. The design also incorporates single-story elements ensuring the proposal meets the requirements for Building Height Plane (BHP). With respect to the BHP, it is noted that the proposal takes advantage of the BHP Incentive as noted in LDR Section 4.5.1(E)(8), with a $2^{\text {nd }}$ floor open air balcony on the east elevation as well as an 18 ' portion of the front elevation extending above the permitted BHP.

The exterior finish of the residence includes a combination of smooth stucco on the first story and hardiplank or beveled stucco siding on the second story. The proposed second floor balcony facing Marine Way includes azek columns, aluminum railings and wood corbels. Aluminum framed single-hung and fixed windows with dimensional muntins are proposed that include a variety of profiles. Striped canvas awnings are proposed on the north and south elevations along with decorative shutters. Wood rafter tails, entrance gate and front doors are proposed along with a flat tile roof. The Visual Compatibility Standard for Relationship of Materials, Texture, and Color states that 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.

Typically, the predominant materials used in and on historic structures within the Marina Historic District are authentic such as wood for shutters, rafter tails, corbels and doors. With new construction, typically aluminum is utilized for doors, windows and railings with wood elements being utilized for both decorative and structural elements such as shutters, railings, rafter tails, corbels etc. The use of authentic materials guarantees the longevity and authenticity of the district, ensuring there will be future resources that will contribute to the architectural and historical context of the historic district. The proposal complies with the intent of this standard.

In consideration of the Visual Compatibility Standards, the proposed two-story, residential duplex is generally appropriate and compatible with the Marina Historic District; thus, positive findings can be made with respect to the sections indicated above.

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.
(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.
(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).
(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)(j).
(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.
(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).
(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.
(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 noncontributing buildings within the historic district may be delayed for up to three months.
(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.
(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.

The existing structure is classified as a non-contributing structure as it was constructed in 1975, outside of the period of significance for the Marina Historic District. A review of the applicable code requirements relating to demolition of non-contributing structures has been completed and is noted below. The applicant has provided a request for demolition via the subject application for COA. The proposed demolition is not proposed to occur until a building permit has been issued for construction of the new structure. It is noted that the existing structure is to be maintained so as to remain in a condition similar to that which existed at the time of the application for the COA. The applicant has not claimed undue economic hardship with respect to the subject COA request. Should the Board deny the request, the Board shall provide an explanation within the motion and a written supporting statement for the record
describing the public interest that the Board seeks to preserve. An additional delay period has not been requested and is not anticipated to be necessary.

## ALTERNATIVE ACTIONS

A. Continue with direction.
B. Approve the Certificate of Appropriateness (2017-122) for 116 Marine Way, Marina Historic District, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof meets the criteria set forth in the Land Development Regulations Section 2.4.6(H)(5), subject to conditions.
C. Deny the Certificate of Appropriateness (2017-122) for 116 Marine Way, Marina Historic District, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof does not meet the criteria set forth in the Land Development Regulations Section 2.4.6(H)(5).

## RECOMMENDATION

Approve the Certificate of Appropriateness (2017-122) for 116 Marine Way, Marina Historic District, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof meets the criteria set forth in the Land Development Regulations Section 2.4.6(H)(5), subject to the following conditions:

1. That the landscape plan be revised to a scale of one inch equals ten feet;
2. That the center line dimension and notation of the Marine Way right-of-way be provided for on the survey, site plan, and landscape plan; and,
3. That the use of PVC fence material be limited to where it is not visible from an adjacent right-ofway and to utilize authentic materials (such as wood or metal) where visible from adjacent public right-of-way.

Report Prepared By: Michelle Hoyland, Historic Preservation Planner


SURVEYOR'S REPORT/LEGENO:
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DESCRPTION:



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EXISTING TREE LIST


## LEGEND

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existing tree plan





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| MG | Magnolia grandiflora 'Little Gem' | $16 \cdot 0 . \mathrm{hat}$ | 2 | No |  |  |

CODE COMPLIANCE

| 4 | Total lot Area |  | 11773 sF. |
| :---: | :---: | :---: | :---: |
| B | STRLCTURES, PAEERGG, |  | ${ }_{8,105 ~ 5 F .}$ |
| c | TOTAL PERVIOUS LOT AREA | $c=(A-B)$ | $3.6685 \%$. |
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| E |  |  | SF. |
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