

JUSTIFICATION STATEMENT: Revised February 20, 2019

Historical Background

1. The building, also known as “The Sewell C. Biggs House” was designed by Paul Rudolph in 1955 as a beach house with no air conditioning, 2 small bedrooms, 2 small bathrooms and a galley kitchen on the elevated 2nd floor with a partially glassed in ground floor entry room on grade. The remainder of the 1st floor under the elevated 2nd floor house was an open air outside living area. The property was individually designated a local historic site in 2005 by the City of Delray Beach.
2. Two non historic additions were made to the original house in 1981 and 2007 that conflicted with many of the current LDR Development Standards and the LDR Visual Compatibility Standards. As a result the historic character of the house was badly compromised. The 1981 and 2007 additions to the house were made at the front and rear respectively, both of which were incompatible with the distinctive design features of the original house.
3. The Historic Preservation Board granted approval for the demolition of the non historic additions in July, 2018 and the demolition was completed in October, 2018.

Our approach: The historic house will be rehabilitated and restored back to Paul Rudolph’s original design with minimal changes and a compatible addition will be designed and built in compliance with the LDR 4.5.1(E) Development Standards and the LDR 4.5.1(E)(8) Visual Compatibility Standards.

Summary of our project proposal:

1. Removed the non historic and inappropriate 1981 north and 2007 south additions.
2. Restore the original Paul Rudolph designed house to reflect the elevated design element with the ground floor on grade, as Paul Rudolph originally designed in 1955 and built in 1956. **See attached Figures 1, 2, 3 and 4 depicting original historic house and Figures 6 and 7 depicting existing house post demolition of non historic structures.**
3. Reestablish S Vista del Mar as the “front” or most public side of the house. S Vista del Mar Drive was the front of the property in 1955/1956. The original address was 1104 S. Vista Del Mar Drive until 1963. Thereafter Visa Del Mar was renumbered and the address was changed to 212 Seabreeze Ave. **See Figure 1 showing original S Vista del Mar front as built in 1956.**
4. Enclose the open ground floor area in transparent glass, allowing for air conditioned living space available year round yet still retaining the look of the “floating box” 2nd floor structure. **Figures 2 and 3 showing original partially glassed in vestibule with open ground floor living area and Figure 9 showing detail of proposed glassed in ground floor living space.**

5. Design and build a compatible addition, connected to the historic house by a 'bridge', in the southeast rear corner of the property largely hidden from the most public Vista del Mar view and also partially hidden from view on the Seabreeze street side of the property as well. **See Figures 8 through 13 showing views of the addition. See Figures 14 and 15 showing aerial views of the property, Figures 16 showing addition partially hidden from Seabreeze Ave side and Figure 17 rendering showing addition hidden from view on Vista del Mar side.**
6. Request a variance to preserve and retain the existing 6' NAVD top of 1st floor elevation for both the historic house and the addition. **See pages 29 through 31 for discussion based on the historic exemption. See Figures 20 and 21 for building elevation details.**
7. Request a Variance to locate a pool in the front (Vista del Mar side) setback. **See Figure 18 showing location of proposed pool.**
8. Request a Waiver to allow the addition to be higher than the historic house. **See Figure 17 rendering showing addition higher than historic house but out of the line of sight from the most public street view. See Figures 20 and 21 showing addition height and elevation.**

Guided by copies of the original plans drawn by Paul Rudolph in 1955 and photos taken of the house as built in 1956, we propose to restore, rehabilitate and reestablish the original historic building with minimal changes in order to comply with the **LDR 4.5.1(E) Development Standards** and **LDR 4.5.1(E)(8) Visual Compatibility Standards**.

The restoration of the historic house and the design of the addition complies with the following LDR Section 4.5.1(E) Development Standards:

Development 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.”- **The proposed work retains the original historic purpose of the house as a residential single family house and adds compatible features such as the air conditioned glassed in ground floor living space and in ground swimming pool, that involve minimal changes to the defining characteristics of the historic house. The addition also retains the original historic purpose of the use of the home as a residential beach house, but with minimal changes to the defining characteristics of the historic building and the site, and accommodates modern use of the home with a garage, master bedroom and full kitchen, all of which are lacking in the original historic house.**

Development Standard 2- “The historic character of the property shall be retained and preserved. The removal of historic materials or alterations of features and space that characterize a property shall be avoided.” **The proposed work preserves and restores the original defining characteristics of the house as part of the rehabilitation of the existing structure. The existing steel structure and the elevated 2nd floor house with the characteristic grooved wood siding and combination of fixed glass and louvered panel glass facade will be restored. The proposed work does not involve any removal of any characteristic features of the original house, such as the previously proposed plan to remove the 2nd floor and the galley kitchen, both of which will remain intact. The Seabreeze rear driveway and the Vista del Mar front will be reestablished. The construction of the addition does not remove or alter any characteristic features of the historic house. The historic house restoration is not affected by the design of the addition which is only connected at the rear, or least public view of the historic house, and is largely hidden from view from the Vista del Mar front.**

Development Standard 3-“Each property shall be recognized as a physical record of it's time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.”**The proposed work is faithful to the original architecture and does not add new features or elements from other buildings.**

Development Standard 4-"Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved."-**The non historic additions to the house have been removed. We propose to restore the original historic house as designed by Paul Rudolph in 1955 with minimal changes. There are no other added changes over time having any significance that justify preservation.**

Development Standard 5-"Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved."-**The characteristic elevated steel column and steel beam structure will be structurally rehabilitated but otherwise preserved as is with respect to its original design. The 2nd floor original Paul Rudolph house will be reestablished at an elevation 8' 4" above grade, as originally designed by Paul Rudolph. The characteristic features of the original Paul Rudolph house facade with the 3" grooved wood siding and combinations of fixed glass and 24" louvered panels will be reestablished. The ground floor living space will be reestablished on grade as in the original Paul Rudolph designed house, not raised more than 3' off the ground as it currently sits as a result of the 1981 alteration. The characteristic 'recessed inside the steel columns glass box' of the original ground floor pedestal will be reestablished and enlarged by enclosing the entire ground floor in glass, reestablishing the original floating 'above the ground' look of the 2nd floor structure. The addition does not change or affect any of the distinctive features, finishes or construction techniques of the historic house. The historic house is being preserved and restored without any compromises arising out of the addition proposal, except for the connector at the rear, least public view.**

Development Standard 6-"Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence". **The existing steel structure will be repaired and rehabilitated, not replaced. The characteristic features of the historic house such as the 3" grooved wood siding will be restored and replaced, and if damaged beyond restoration, will be replaced with matching materials of the same specification. The existing fixed glass and 24" louvered panels, which do not meet code and are of varying color and quality, will be replaced with clear, impact glass and louvers consistent with the original design of the house with respect to specification, size and proportions. All restoration, repair and replacement work will be guided by our copies of the original Paul Rudolph plans and the photo's of the house as built in 1956.**

Development Standard 7-"Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible." **The proposed work does not involve any chemical or physical treatments that could damage the structure.**

Development Standard 8-“Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.”-**The proposed work does not involve or affect any archeological resources.**

Development 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.”- **The architectural style of the original house is one of the earliest examples of the Florida ‘Tropical Modernist’ style pioneered by Paul Rudolph. The addition is designed by Jeffrey Silberstein, a student of Paul Rudolph’s contemporary Ralph Twitchell, and a highly regarded modernist architect. Jeffrey’s knowledge and experience in the modernist movement has allowed him to design a compatible and coherent modern addition that does not introduce any design elements characteristic of a different style. The design of the addition and the materials selected are visually compatible with the original historic design and the original historic materials. The addition does not introduce a new architectural style and does not mimic closely the style of the existing building. There is a subtle reference to the materials and character of the existing building. The proposed work on the original house restores the original characteristic features of the white grooved marine plywood siding and the louvered panels over the clear glass windows. The materials on the addition are sensitively used to be compatible with the historic materials in size, scale and proportion. For example, the grooved siding and louvered features of the original house are reflected in the use of vertical slats and louvers as both a siding and louvered element on the east and west elevation of the addition so that the exterior of the garage and addition are compatible with the historic house. All glass areas of both the historic house and the addition will be the same specification clear impact glass. Both the historic house and the garage and addition will have flat roofs free of any mechanical equipment. The overall effect of the proposed design and the materials for the addition is consistent with protecting the historic integrity of the historic house and the environment.**

Development 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 addition is connected by a ‘bridge’ to the original restored historic house. In the event a future owner wanted to remove the addition, the bridge could be easily cut off and the addition demolished. The restored original house could stand on its own with the 2nd floor living room, 2 bedrooms, 2 bathrooms and galley kitchen intact. The glass enclosed ground floor living space could easily be restored to the open air living space of the original house by simply removing the glass. Neither removing the bridge or the ground floor glass involves any structural or major renovation work.**



Figure 1. Original S Vista del Mar Front View (North side of house) 1956



Figure 2. Original ground floor open air living room space on grade in 1956 looking towards S Vista del Mar. Note walkway leading from Vista del Mar to entranceway.

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Figure 3. Original partially glass enclosed ground floor vestibule recessed inside steel columns and built on grade in 1956, view from Vista del Mar



Figure 4. Original rear of historic house showing driveway on Seabreeze Avenue in 1956

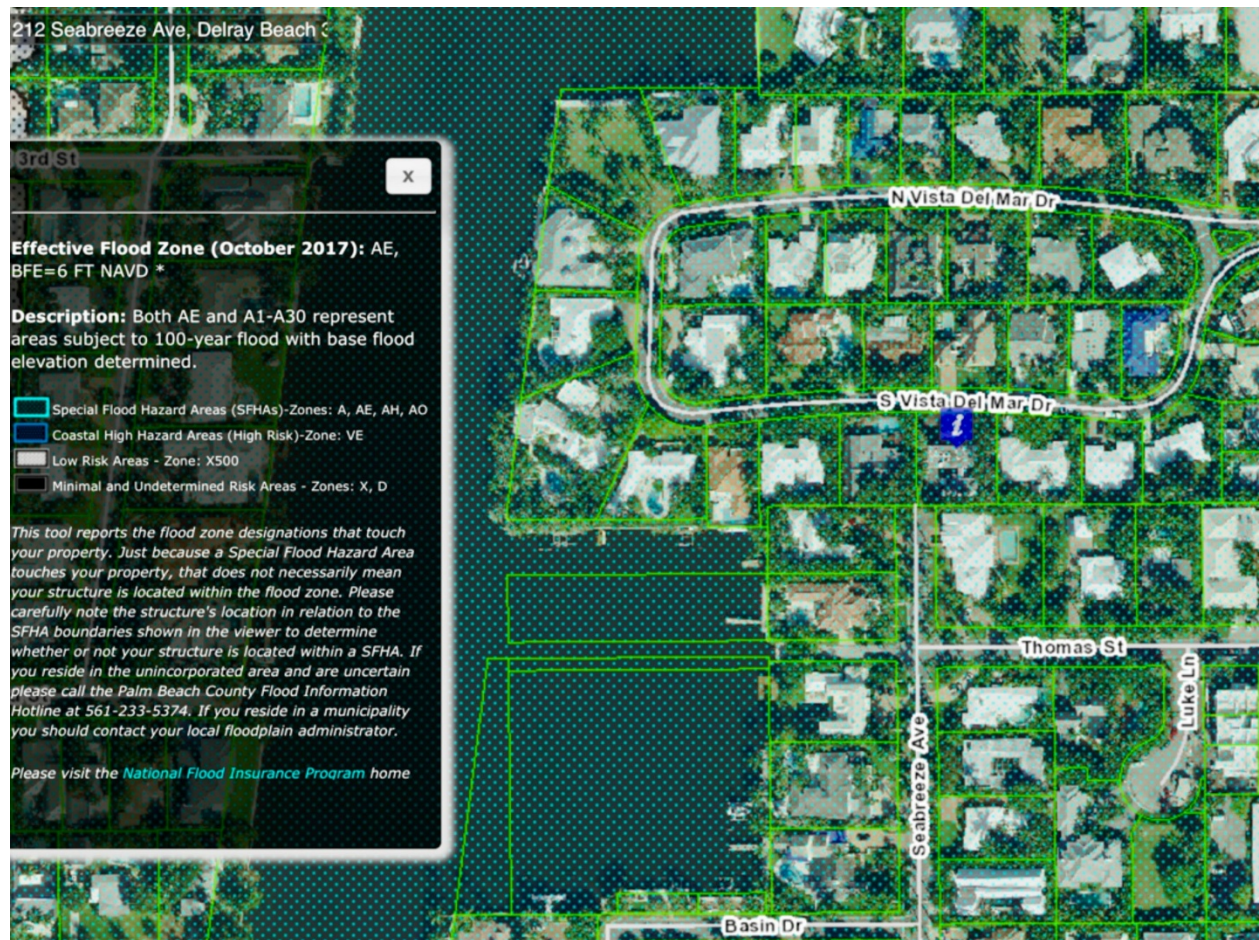


Figure 5. 212 Seabreeze Avenue location in Flood Zone AE 6' NAVD Base Flood Elevation



Figure 6. Post demo North view of existing 6' NAVD top of 1st floor elevation at base of entry vestibule. Ground floor of entry vestibule is elevated 3' above existing grade, 2nd floor structure is elevated 12'4" above existing grade.



Figure 7. Post demo South view showing existing 6' NAVD top of 1st floor elevation at base of entry vestibule. Ground floor of entry vestibule is elevated 3' above existing grade, 2nd floor structure is elevated 12'4" above existing grade.

The restoration of the historic house and the design of the addition complies with the following LDR Section 4.5.1(E)(8) 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 shall be determined by utilizing criteria contained in (a)-(m) of this section.”

Note: Standards applied for the Minor Development Project (Note: requirements relating to Major development are NOT applicable.

(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.-The existing 2nd floor structure height will be unchanged but the space under the structure will be restored back to the original proportions by grading the site under and around the house rather than changing the height of the house by modifying the steel structure. The proposed addition is slightly higher than the original historic building. We are requesting a Waiver of the Visual Compatibility Standard 4.5.1(E)(8)(a) governing the height of the addition, see Waiver letter, based on the addition being in compliance with the intent of LDR 4.5.1(E)(8)(a) which states that the addition “**shall be visually compatible**” with the historic building. The proposed location of the addition to the rear of and behind the original historic building keeps the addition largely out of the public view. The proposed Variance to preserve the 6’ NAVD for top of 1st floor for the addition mitigates the height issue by reducing the height of the addition. The added height of the addition cannot be readily seen directly head on from the Vista del Mar front, the most public side of the house. Due to the fact that the height of the addition is not readily visible from the Vista del Mar front and the fact that the design of the addition itself is compatible with the historic house, the addition complies with the requirement to be “visually compatible”. The addition height is dictated by the additional vertical space necessary to accommodate modern air conditioning mechanicals, insulation, roof construction and ceiling heights. **See attached Figures 8 through 13 showing the proposed work, Figure 17 showing the pedestrian view from Vista del Mar, Figure 19 showing the Building Height Plan section and Figures 20 and 21 showing the existing and proposed elevations.**

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.-The property is individually designed historic so there is no applicable relationship to other structures within a historic district. However, the proposed rehabilitation of the historic house restores the front facade design and proportions of the original Paul Rudolph house. The height, dimensions and proportions of the elevated 2nd floor original house and the living space below reflect the original front facade proportions as designed by Paul Rudolph. The front facade of the proposed addition is not readily visible from any public side view of the property. **See attached Figures 8 through 13 showing the renderings of the façade.**

(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.- The property is individually designed historic so there is no applicable relationship to other structures within a historic district. However, the proposed openings of the restored Paul Rudolph house reestablishes the height and width proportions of the original design with minimal changes using a combination of louvered covered clear glass and fixed clear glass consistent with the original design. The existing placement of the windows and fixed glass is not consistent with the original design since it was changed to accommodate the non historic additions which have now been removed. In addition, the existing glass and louver combinations do not meet current Florida Building Code, lack insulation features and are vulnerable to break in. The overall effect of the proposed window and door opening proportions in the addition is also compatible with the original historic design. Both the addition and the original house utilize compatible proportions of open fixed clear glass and louvered covered clear glass. **See attached Figures 8 through 13 showing the openings.**

(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. The property is individually designed historic so there is no applicable relationship to other structures within a historic district. However, the proposed work on the original house restores the rhythm of solids and voids that were an important part of the original design by utilizing a combination of the original dimension grooved solid siding, fixed clear glass and louvered clear glass. The relationship of solids and voids in the addition, through the use of a combination of solid stucco, fixed glass, louvered glass and louvered siding does not introduce a new architectural style or mimic too closely the original design but is coherent and compatible with the original design. **See attached Figures 8 through 13 renderings.**

(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. The property is an individually designated historic house and is not in an historic district. However, the proposed restored historic house and proposed addition do not change or affect the relationship of the open spaces between the historic house and the adjacent structures. The restored historic house will have the same existing setbacks as the original historic house and the addition will fit into required setbacks as well.

(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.-The property is an individually designated historic house and is not in an historic district. In addition there are no sidewalks on S Vista del Mar. However, the proposed front entrance to the house re establishes the original Vista del Mar front along with the walkway going from Vista del Mar towards the house. **See Figure 8 for a comparison of the front of the original house to the front of the proposed house.**

(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.”- The property is individually designed historic so there is no applicable relationship to other structures within a historic district. However, the proposed work on the original house restores the original characteristic features of the grooved marine plywood siding with the same original dimensions and specifications. The louvered panels covering the clear glass windows on the 2nd floor structure are the same aluminum material and the same dimensions as what we believe to have been on the original house. The materials on the addition are sensitively used to be compatible with the historic materials in size, scale and proportion. For example, the wood siding and louvered features of the original house are reflected in the use of vertical slats and louvers as both a siding and louvered element on the east and west elevation of the addition so that the exterior of the garage and addition are compatible to the historic house. All glass areas of both the historic house and the addition will be the same specification clear impact glass. Both the historic house and the garage and addition will have flat roofs free of any mechanical equipment. We propose to retain the existing historic Seabreeze driveway entrance. **See attached Figures 8 through 13 renderings of proposed work. See Figure 4 for photo of original Seabreeze rear driveway entrance.**

(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.- The property is individually designed historic so there is no applicable relationship to other structures within a historic district. However, the flat roof shape of the restored historic house is unchanged from the original design. The proposed addition has the same flat roof shape as the original house. Since the house is individually designated and not in a historic district the roof shapes of the surrounding houses are not relevant.

(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.-Although the house is individually designated and is not in a historic district the proposed landscaping is similar to the original theme of locating the heaviest landscaping and trees along the east, west and south boundary and leaving the most public side north side open with the exception of a 4' wall with accompanying hedge or ground cover. The distinctive mature Royal Palms bordering the property on the east, south and southwest boundaries of the will be retained. The proposed landscape is consistent with the original landscape and is compatible with the surrounding area.

(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.- The property is individually designed historic so there is no applicable relationship to other structures within a

historic district. However, the size, mass, height, location and setback of the original historic building are being retained or restored back to the original historic parameters. The size, mass and location of the addition have been carefully designed to be compatible with the original house and within established setbacks. **See Figures 1 through 4 for the historic record and Figures 8 through 13 proposed work.**

(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.-The property is individually designated and is not in a historic district. However, the proposed front elevation is very close to the original design with minimal changes and the directional expression of the front elevation is unchanged from the original historic house. **See Figure 8 showing directional expression of front elevation of original historic house and the proposed front elevation of the restored historic house and addition.**

(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.-The architectural style of the original house is one of the earliest examples of the 'Tropical Modernist' style pioneered by Paul Rudolph. The addition is designed by Jeffrey Silberstein, a student of Paul Rudolph's contemporary Ralph Twitchell, and a highly regarded modernist architect. Jeffrey's knowledge and experience in the modernist movement has allowed him to design a compatible and coherent modern addition that does not introduce any design elements characteristic of a different style. **See Figures 1 through 4 and Figures 8 through 13 showing the architectural compatibility.**

(m) Additions to individually designated properties and contributing structures in all historic districts. Visual compatibility shall be accomplished as follows:

1. Additions shall be located to the rear or least public side of a building and be as inconspicuous as possible. Our proposal takes advantage of the unique characteristics of the lot in that most of the southeast rear corner of the lot is hidden from public view from both the Vista del Mar 'front' and the Seabreeze 'rear'. There is no actual street frontage on the Seabreeze side as that side of the property is 'landlocked' with the exception of the driveway. The addition is largely hidden from view on the Vista del Mar, or most public side of the property, where it is located directly behind the elevated original house and cannot be seen from the direct Vista del Mar street side view and only partially glimpsed from the sides. **See attached Figures 8 through 13 and Figures 16 and 17 showing the addition located on the least public side of the property largely hidden from view.**

2. Additions or accessory structures shall not be located in front of the established front wall plane of a historic building. Our proposed work has no additions or accessory structures in front of the re established front wall plane of the house. **See attached Figure 19 Building Height Plane section.**

3. Characteristic features of the original building shall not be destroyed or obscured.

The proposed work restores the characteristic features of the original historic house. The characteristic elevation of the steel structure original house above the ground floor living space on grade, the exterior design elements of grooved wood siding, fixed glass and louvered covered glass are preserved in the proposed design and are not obscured or hidden by the addition. **See Figures 10 through 13 showing renderings of the addition and Figures 20 and 21 comparing the existing and proposed elevations.**

4. Additions shall be designed and constructed so that the basic form and character of the historic building will remain intact if the addition is ever removed.

The proposed addition is connected by a 'bridge' to the original restored historic house. In the event a future owner wanted to remove the addition, the bridge could be easily cut off and the addition demolished. The original house could stand on its own with the 2nd floor living room, 2 bedrooms, 2 bathrooms and galley kitchen intact. The glass enclosed ground floor living space could easily be restored to the open air living space of the original house by simply removing the glass. Neither removing the bridge or the ground floor glass involves any structural or major renovation work.

5. Additions shall not introduce a new architectural style, mimic too closely the style of the existing building nor replicate the original design, but shall be coherent in design with the existing building.

The architectural style of the original house is one of the earliest examples of the 'Tropical Modernist' style pioneered by Paul Rudolph. The addition is designed by Jeffrey Silberstein, a student of Paul Rudolph's contemporary Ralph Twitchell, a well known and highly regarded modernist. Jeffrey's knowledge and experience in the modernist movement has allowed him to design a compatible and coherent modern addition that does not copy the original Paul Rudolph design nor introduce a totally new or different design theme that conflicts with the original design. **See Figures 8 through 13 showing the compatible addition design theme.**

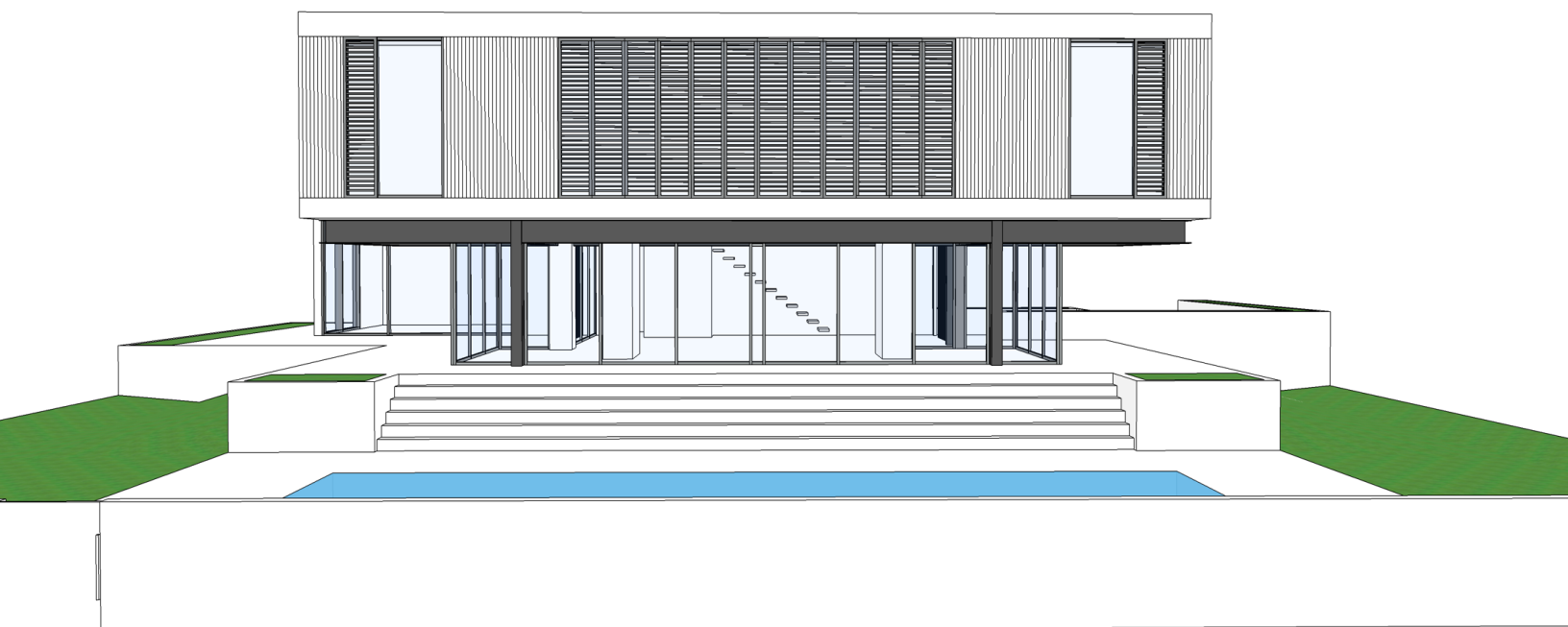
6. Additions shall be secondary and subordinate to the main mass of the historic building and shall not overwhelm the original building.

The location, size and mass of addition are subordinate to the original historic house from all public sides. It is directly behind the original historic house and is not visible from the direct head on Vista del Mar view. The elevated height and width of the original house hides the addition behind it. It is mostly hidden from the Seabreeze view by virtue of it being located in the landlocked corner that does not have street side frontage. From the Vista del Mar front and most public view of the property the primary impression will be of the beautifully restored Paul Rudolph designed early modernist house with the addition being subordinate and secondary. **See Figures 8 through 13 showing the addition being subordinate and secondary to the historic house.**

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Figure 8. Above North view of the original historic house from Vista del Mar in 1956 compared to North view of proposed restored historic house and addition below.



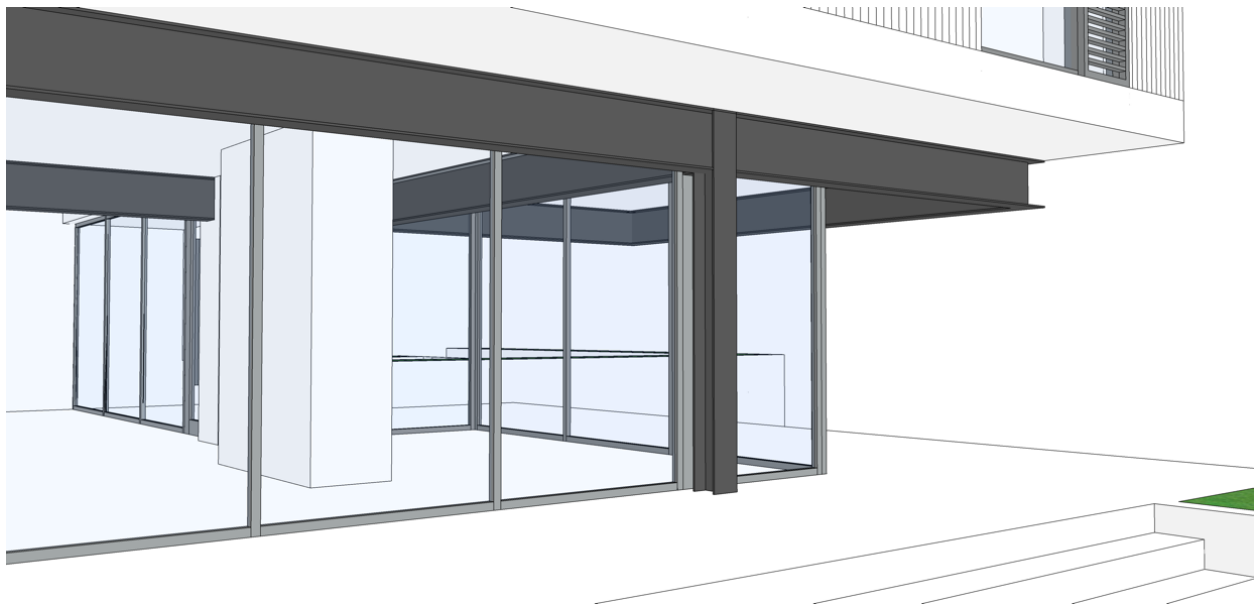


Figure 9. Proposed detail of the glass enclosure of ground floor living space built on grade as a recessed glass box, inside the steel columns, consistent with the character of the original design.

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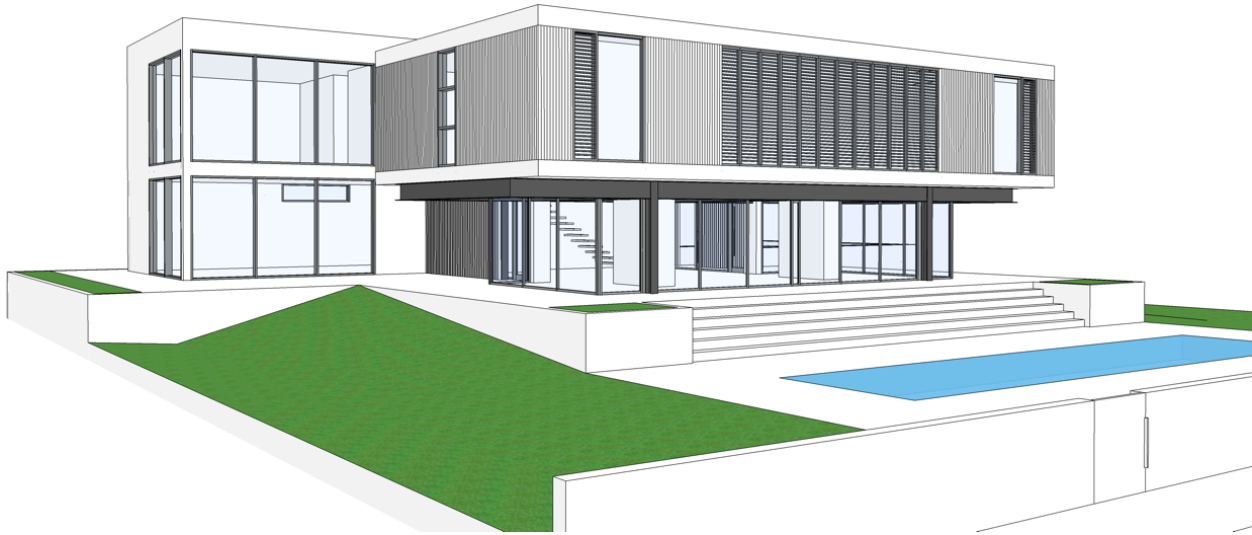


Figure 10. Northeast view of proposed addition and restored historic house



Figure 11. East view of proposed addition and restored historic hou

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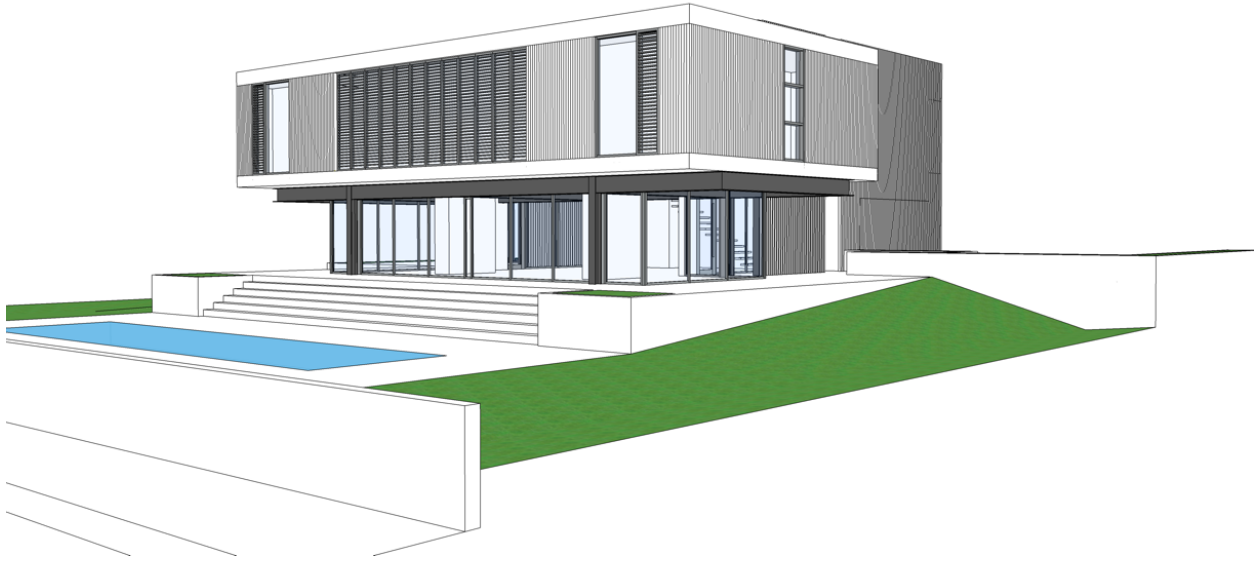


Figure 12. Northwest view of restored historic house and proposed addition



Figure 13. West view of restored historic house and proposed addition

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Figure 14. Aerial view of property pre demolition showing 2007 addition in the SE corner hidden from Seabreeze Avenue

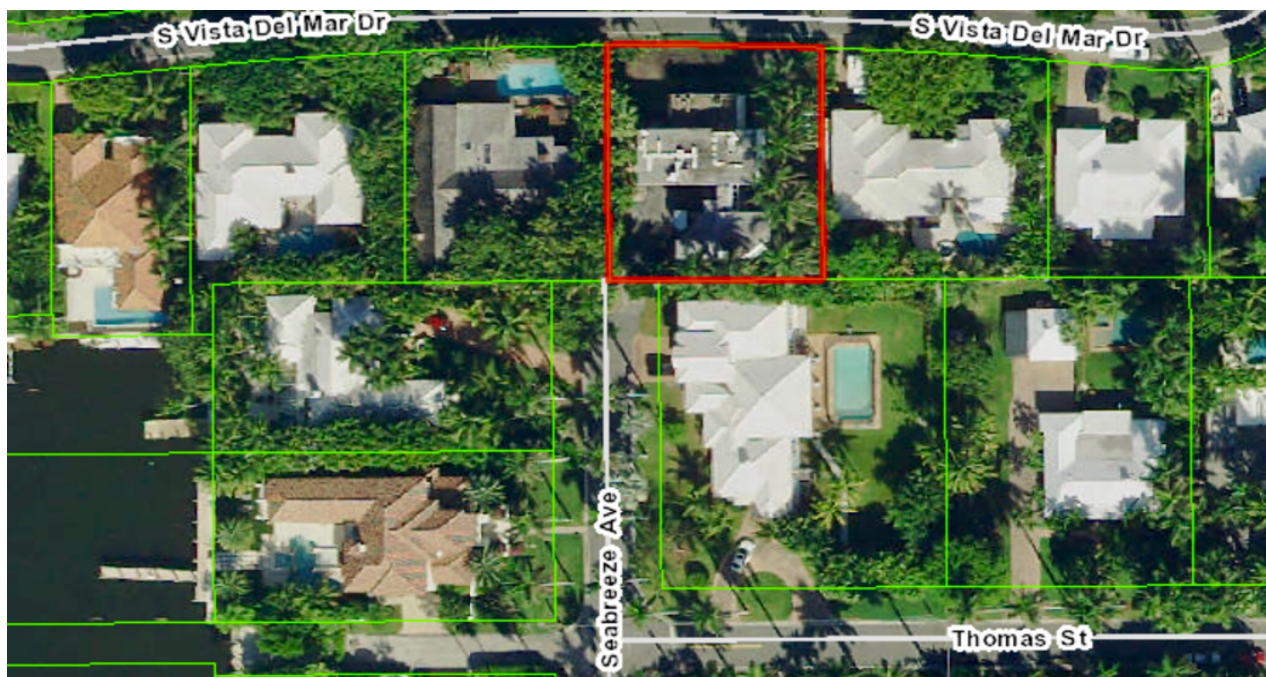


Figure 15. PAPA map of 212 Seabreeze showing 'landlocked' southeast corner of property

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Figure 16. Rendering of proposed addition partially hidden from Seabreeze Ave view



**Figure 17. Pedestrian View from S Vista del Mar. Top of addition is not visible.
Perspective is from 5' high with pedestrian standing at the curb on Vista del Mar.**

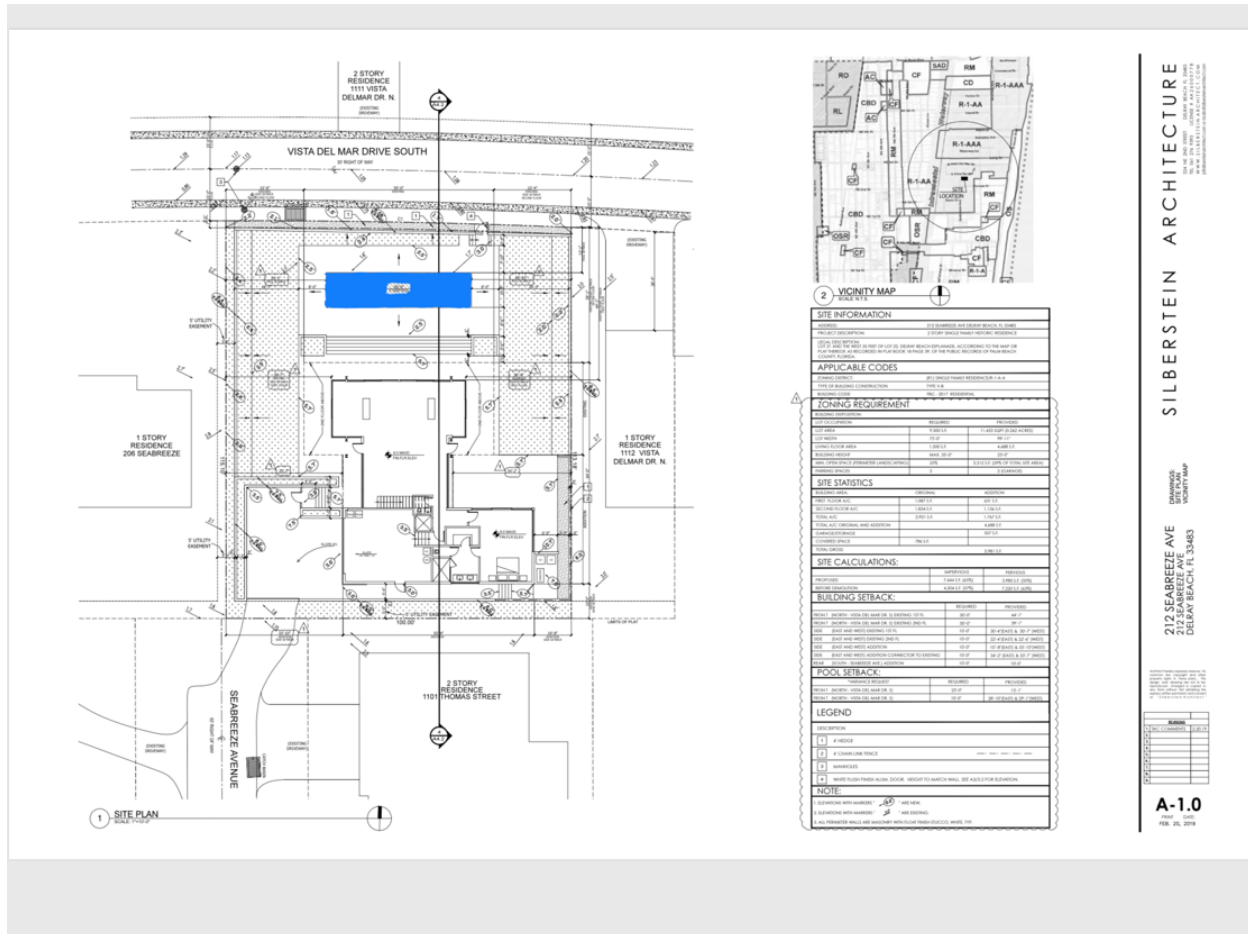


Figure 19. Proposed Building Height Plane Section

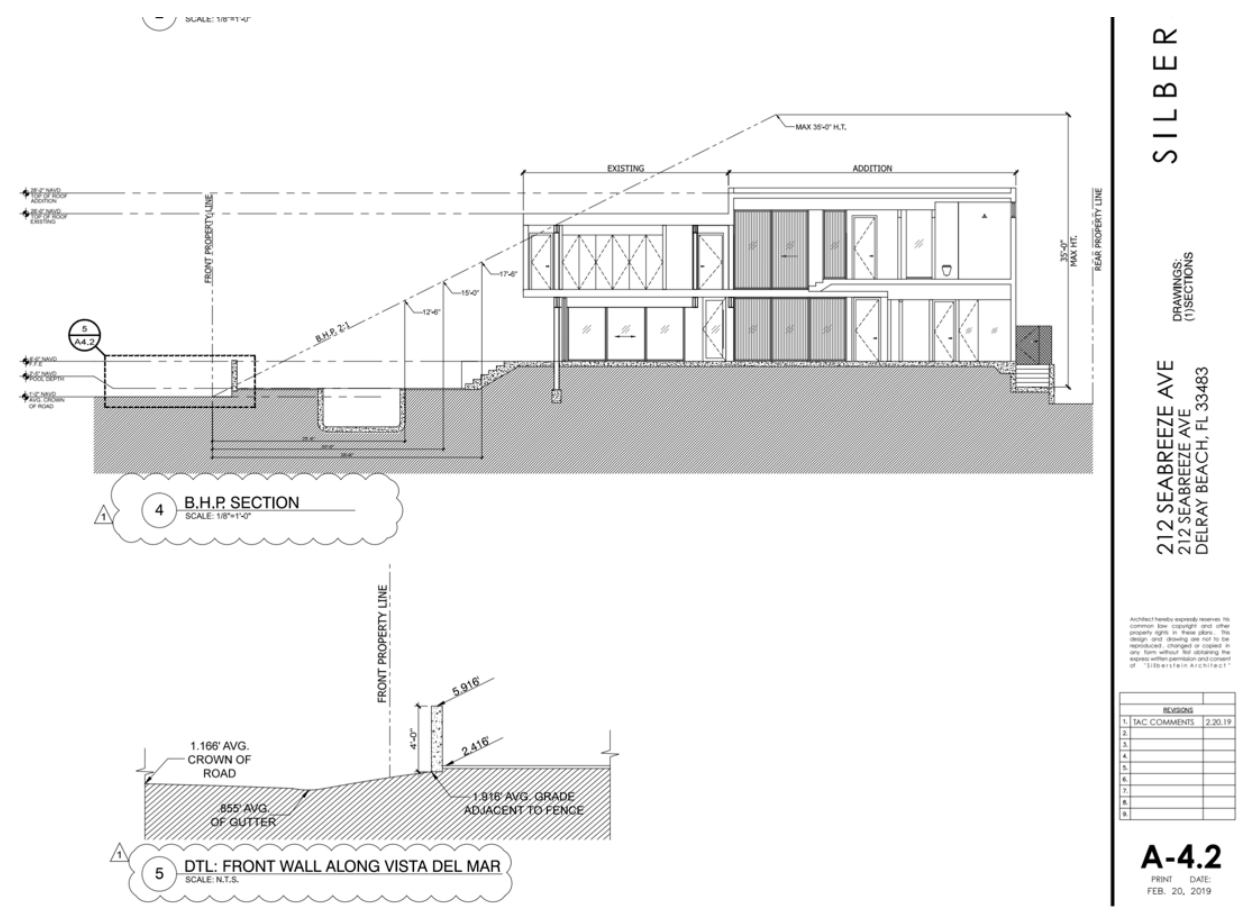


Figure 20. Existing and proposed East Elevation

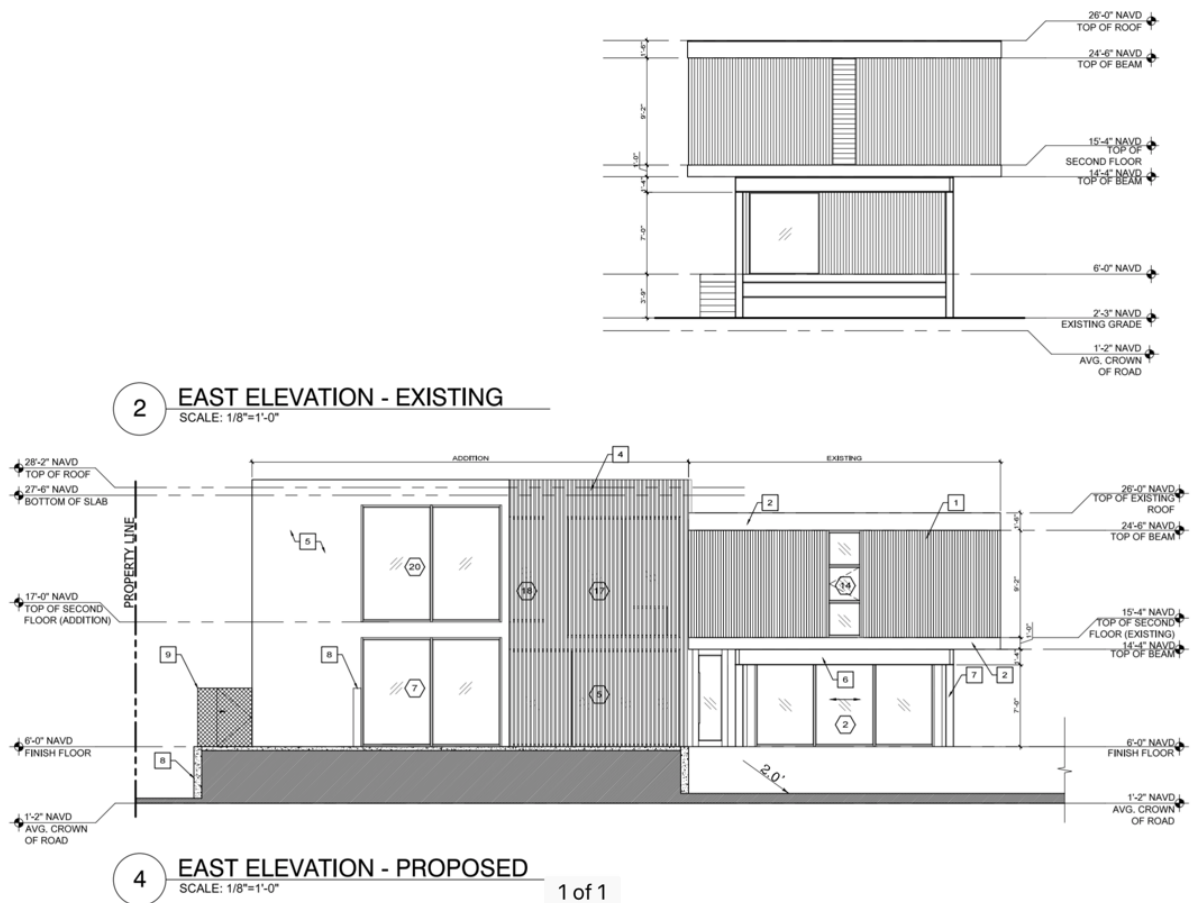
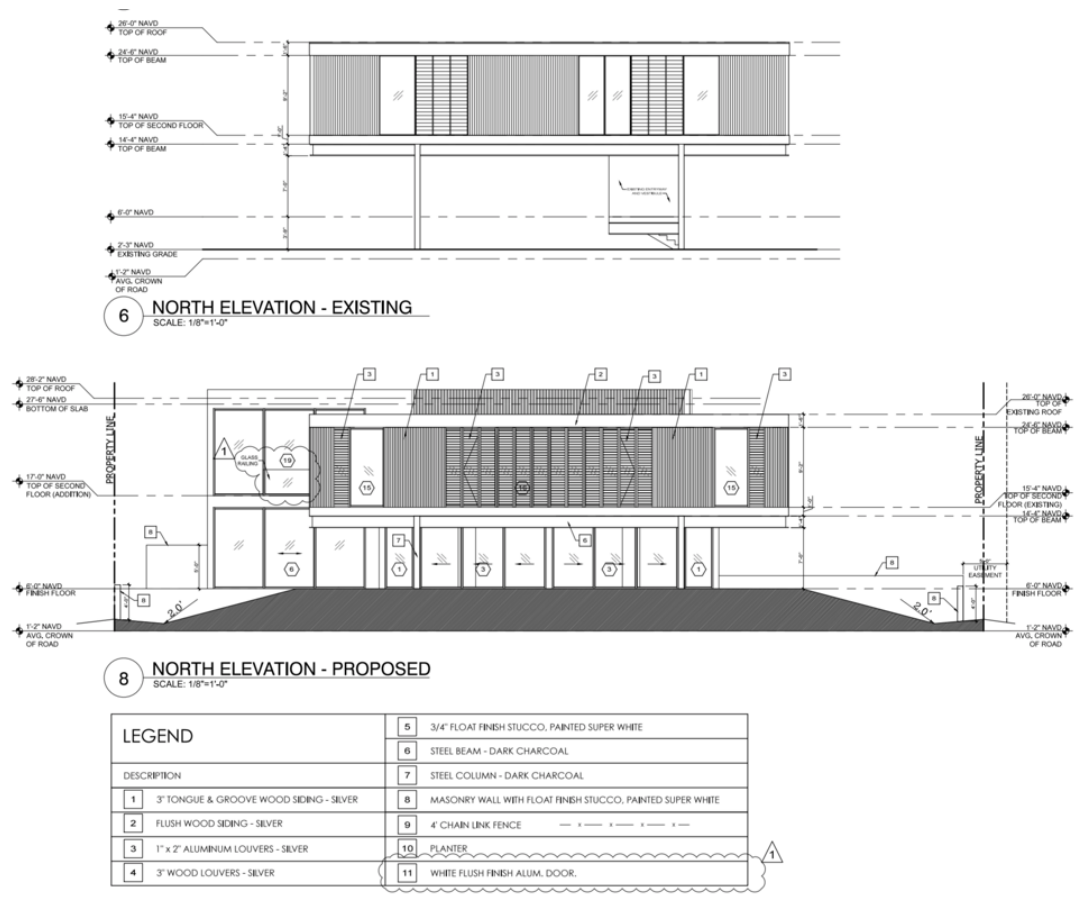


Figure 21. Existing and proposed North Elevation



Supplemental Discussion for the reestablishment of the ground floor living space on grade with a 6' NAVD top of 1st floor elevation:

The architecture of the original Paul Rudolph house is characterized by the 2nd floor building elevated at a certain height above grade. In order to minimize the changes to the defining characteristics of the historic house, the site and the environment, we propose to retain the 6' top of 1st floor elevation by restoring the original dimensions, proportions and spatial relationship of the original historic building with respect to the elevation above the ground floor grade. The preservation of the 6' top of 1st floor with the ground floor on grade is a critical step in restoring the distinctive features of the historic house and in making the addition compatible with the historic building. By reestablishing the proportions and relationship of the ground floor space and the 2nd floor elevated building, the original design will be restored as Paul Rudolph intended.

The original 1st floor, the covered open air ground floor living room and the front door and entry rested on approximate 3' elevation grade in 1956, see attached Figure 1. **The characteristic height, or open vertical space, from the ground level living area built on grade to top of first floor steel beam was 8'4". The 1981 addition raised the 1st floor an additional approximate 3' above the existing 3' elevation grade, by extending the steel columns and leaving the first floor hanging 3' above the ground level grade. The result of this was to increase the vertical space under the 2nd floor structure to 11'4", equivalent to a total elevation of 14'4" to top of steel beam (15'4" total elevation to top of 2nd floor).** This was done to place the 1981 addition first floor in compliance with the NGVD BFE in effect at the time. However, by doing so the original design of the ground floor on grade with the top of beam 8'4" above grade was compromised. The 2nd floor of the original Paul Rudolph house now sits approximately 3' higher than the the original house, so the increased ground floor vertical space is totally out of proportion to the elevated 2nd floor building above it.

The proposed design positions the 1st floor on back on grade, as Paul Rudolph originally intended. **Since the existing top of the 1st floor is currently at an elevation of 6' NAVD but also hanging 3' above the existing grade, we propose to gradually fill and re grade a portion of the site under and around the house in order to achieve a grade elevation of 6', thus retaining the 6' top of 1st floor elevation but at the same time reestablishing the ground floor on grade instead of it hanging 3' above grade.** To comply with current Florida Building Code and achieve the current required City of Delray Beach top of 1st floor elevation of 7' would require raising the entire steel structure and also undertake a major amount of site work, both of which would significantly conflict with LDR Development Standards 1, 2 and 9. Retaining the existing 6' top of 1st floor elevation allows our proposed work to comply with the above cited LDR Development Standards and allows reasonable flood protection at the current FEMA Flood Zone AE 6' BFE. **See Figure 5 for Flood Zone map.** By reestablishing the top of ground floor on grade at 6' NAVD for both the original Paul Rudolph house and for the addition, we are not only preserving the character and integrity of the historic house but are also making the addition more compatible with the historic house. Retaining the same 6' top of 1st floor throughout the historic house and the addition allows the design of a more coherent floor plan in both structures. Retaining the 6' top of 1st floor in the addition also helps keep the overall height of the addition to a minimum.

In order to allow the City of Delray Beach Building Department to grant a building permit for our improvements using the 6' NAVD top of 1st floor elevation, we are seeking a Variance based on the fact that our project is eligible for the historic exception cited in the Florida Building Code and the relevant City of Delray Beach Ordinance. The FBC requires all new construction defined as 'significant improvements' to be 1' above Base Flood Elevation. Since the property is located in Flood Zone AE with a BFE of 6' NAVD, the required top of first floor would be 7'. However, according to the Florida Building Code 1201.3, see below, ***our proposed work is not considered to be substantial improvement and the building qualifies for a Variance to remain at 6' NAVD top of 1st floor elevation.***

We propose to apply the 'historic exception' detailed in the Florida Building Code: 6th Edition (2017) Florida Building Code, Existing Building

1201.3 Flood hazard areas. In flood hazard areas, if all proposed work, including repairs, work required because of a change of occupancy, and alterations, constitutes substantial improvement, then the building shall comply with Section 1612 of the *Florida Building Code, Building*, or Section

R322 of the *Florida Building Code, Residential*, as applicable.

Exception: If the program that designated the building as historic determines that it will continue to be an historic building after the proposed work is completed, then the proposed work is not considered to be substantial improvement. For the purposes of this exception, an historic building is:

1. Individually listed in the National Register of Historic Places; or

2. A contributing resource within a National Register of Historic Places listed district; or

3. Designated as historic property under an official municipal, county, special district or state designation, law, ordinance or resolution either individually

or as a contributing property in a district, provided the local program making the designation is approved by the Department of the Interior (the Florida state historic preservation officer maintains a list of approved local programs); or

4. Determined eligible by the Florida State Historic Preservation Officer for listing in the National Register of Historic Places, either individually or as a contributing property in a district.

The historic exception variance is noted in the City of Delray Beach Ordinance XX-16, page 13 Section 10.1.7 Variances and Appeals:

(E) Historic Buildings: A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Building, Chapter 11 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building.

If the proposed work precludes the building's continued designation as a historic building, the variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the Florida Building Code."

Based on the City of Delray Beach Ordinance, a Variance is authorized to be issued to retain the existing 6' top of 1st floor elevation as long as "***the proposed repair, improvement or rehabilitation will not preclude the buildings designation as a historic building and the Variance is the minimum necessary to preserve the historic character and design of the building***". The only reason cited ***not*** to grant the variance would be if the proposed work precludes the building's continued designation as a historic building. Our proposed work, if approved by the HPB, would not preclude the building's continued historic designation.