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**Tin Roof Expansion – Tin Roof Delray Beach  
Justification Statement for Class I Site Plan Modification and Certificate of Appropriateness  
SUBMITTED: October 4, 2019**

In response to positive feedback from customers, Tin Roof Delray Beach, LLC (“Petitioner”) is proposing to expand its popular live music and restaurant concept into the space directly west of the existing location. Specifically, Petitioner is requesting approval to renovate a portion of the structure currently known as Tin Roof Bar located at 8 East Atlantic Avenue, and the adjacent vacant structure to its west, previously known as Tapas 35, located at 4 East Atlantic Avenue. The Tin Roof property, which is +/- 0.37-acres, and the property previously occupied by Tapas 35, which is +/- 0.15 acres are generally located near the southeast corner of East Atlantic Avenue and South Swinton Avenue within the City of Delray Beach (“City”) and within the Old School Square Historic District (“OSSHD”). The properties are designated Mixed Use/Historic Overlay on the City’s Future Land Use Map, and are located within the OSSHAD, Old School Square Historic Art, zoning district. The properties shall be referred to herein collectively as the “Property.” At this time, Petitioner is proposing to renovate the Property to allow for the expansion of Tin Roof Bar into the adjacent vacant structure (“Project”) as shown on the Site Plan (A-0.1.1) a copy of which is attached hereto as Exhibit “A”. More specifically, Petitioner respectfully requests approval of the following applications:

- 1. Certificate of Appropriateness and Class I Site Plan Modification Application for renovation of the Tin Roof Property at 8 East Atlantic Avenue**
- 2. Certificate of Appropriateness and Class I Site Plan Modification Application for renovation of the former Tapas 35 Property at 4 East Atlantic Avenue**

The Project will facilitate the expansion of Tin Roof Delray Beach into the currently vacant neighboring structure. Given the Property’s location within the OSSHD historic district, the Project has been designed to maintain historical character and involves minimal impacts to the exterior façade of the Property, as shown on the Site Plan. Petitioner designed the Project so the only external alterations will be: creation of an opening in the shared wall between the two structures, relocation of the handicapped chair lift from the north side of the stage to the south side of the stage, and moving the existing cooler into the interior space. In addition, in response to feedback from City Staff, Petitioner has made further modifications to the Site Plan in order to better meet the desires of the City. These revisions include a faux living green wall along the overhang and draw-down gate of the outdoor stage.

**JUSTIFICATION CRITERIA**

As required by Section 3.1.1 of the City’s Land Development Regulations (“LDR”), Petitioner will demonstrate below that the Project is consistent with the goals, objectives and policies of the City’s Comprehensive Plan, the Delray Beach Historic Preservation Design Guidelines, the Secretary of the

Interior's Standards for Rehabilitation, and the Development Standards of Section 4.5.1. Further, pursuant to Section 2.4.5(F)(5) of the LDR, the Project is compatible and harmonious with adjacent and nearby properties and the City as a whole, so as not to cause substantial depreciation of property values. In addition, please refer to Site Plan (A-0.1.1) for details of how the Project meets the City's development standards in Section 3.2.3.

Petitioner will also demonstrate that the Project complies with Section 4.5.1(E), Secretary of the Interior Standards of Rehabilitation and the Visual Compatibility Standards. Specifically, Petitioner will show the Project: (a) complies 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 Section 4.5.1; and (b) is visually compatible with regard to the criteria set forth in Section 4.5.1.

- 1. 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.*

The proposed Project is designed to comply with the goals, objectives, and policies of the Comprehensive Plan. Tin Roof Bar is a vibrant restaurant which reflects the area's character and meets the desires of its residents and visitors by promoting live music. As such, the proposed Project will increase and reinforce the benefits of this popular community amenity. Further, it will also revitalize the vacant tenant space (4 E. Atlantic Ave.), and will do so in a complimentary nature to the surrounding uses. The Project will further the Comprehensive Plan's Objective 1.3 for goal NDC 1, Neighborhoods, Districts, and Corridors, specifically Policy 1.3.22, which calls for providing a mix of residential, commercial, and arts uses in the Historic Mixed-Use land use designation for properties within the OSSHD district. Tin Roof Bar is a live music venue that serves the community as an arts space. The venue hosts locally and nationally recognized musical acts for the enjoyment of its visitors and the community. As such, the Project will provide for an adaptive reuse of historic structures and also promote the integration of commercial and arts uses.

#### The Secretary of Interior's Standards

- 1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.*

The Property's use will not change. Further, no changes will be made to the exterior's materials and features except for the partial demolition of an exterior wall/wood fence which faces interior to the courtyard between the two structures. This alteration is the minimum necessary in order to provide an opening between the two shared structures and to accommodate the accordion storefront system.

- 2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.*

The Project does not involve any alteration or removal of distinctive materials or features, spaces, and spatial relationships.

3. *Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*

No changes are proposed in the Project which would create a false sense of historical development.

4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*

Petitioner is not proposing to modify any prior changes to the Property that have acquired historical significance in their own right.

5. *Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

The Project does not propose changing or removing any of the Property's distinctive materials, features, or finishes.

6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*

The Project's scope does not involve any work to the Property's historic features, deteriorated or otherwise.

7. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*

Any chemical or physical treatments utilized will be done with the gentlest means possible. Petitioner will take precautionary steps to ensure that treatments that may cause damage to historic materials will not be used.

8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*

The Project's scope does not involve any archaeological resources, however, Petitioner will ensure the mitigation of any disturbed resources if necessary.

9. *New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*

The proposed exterior alterations made by this Project will not alter or destroy any historic materials, features, and spatial relationships which characterize the Property.

10. *New additions and adjacent or related new construction will 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 Project does not propose any new additions to the Property. However, Petitioner will ensure that any and all alterations to the Property will maintain the essential form and integrity of the historic property and its environment.

#### Visual Compatibility Standards

*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.*

The Project is compliant with the Visual Compatibility Standards, specifically regarding height, width, mass, scale, façade, openings, rhythm, material, color, texture, roof shape, direction, walls of continuity, directional expression, and architectural style. Specifically, any requested alteration to the exterior is necessary and minimal, involving only noncontributing structure(s), and is designed specifically to preserve the historical character of the overall historic district. The Project's scope involves the minimum alterations necessary to allow for Tin Roof's expansion into the adjacent structure, and all alterations are designed such that they do not affect the buildings' façade or alter the architectural style in any way. Specifically:

1. ***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.*

The Project does not entail the modification of building height. As such, this criterion does not apply.

2. ***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.*

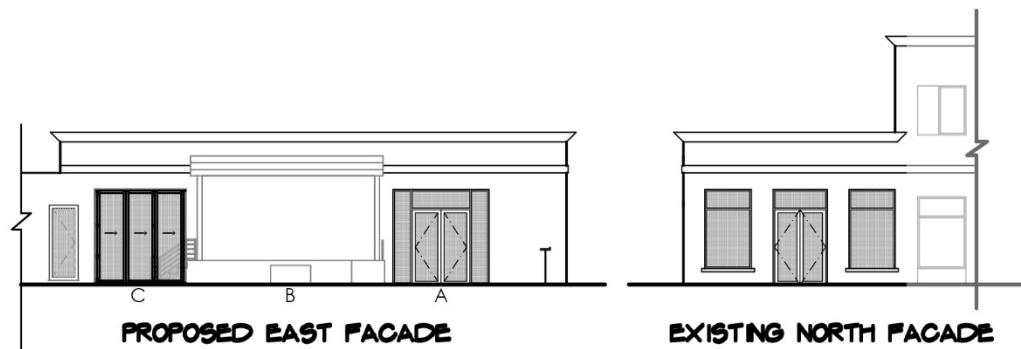
This criterion does not apply as the Project does not involve any alterations to the front façade of either building. However, any proposed modifications or additions to the buildings are designed to be consistent with the façade and the historic character of the buildings.

3. ***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 proposed new major opening along the east façade (9'-6"W x 10'H) accordion glass door is the near same proportions as that of the larger door/window opening of the existing historic structure (10' x 9'-11"). Also, both opening doors are well balanced on either side of the existing stage. The proposed new minor opening also along the east façade is a (3'W-8'H) storefront, which matches the existing door aforementioned along the east façade.

4. ***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 relationship of solids to voids of the new openings is visually compatible with the existing historic structure. Particular attention was taken to keep new openings in scale to match not only that of the existing North Primary front façade, but also that of the existing opening on the north façade. This new opening on the east façade provides a balanced rhythm of solid and voids with the stage serving as a solid while the two window/door openings framing the stage provide a balance of voids.



5. ***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.*

This criterion does not apply, as the Project does not alter the relationship of buildings to open space between them. However, the proposed new opening is visually compatible with the existing historic structure and neighboring structures and will create a sense of continuity between the two spaces.

6. ***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 Project does not involve any alterations to the buildings' existing entrances or porch projections to the sidewalk. The proposed new opening, while not fronting the street or leading to the sidewalk, is visually compatible with existing architectural styles of existing entrances on the building. As aforementioned, particular attention was taken to keep new openings in scale to match not only that of the existing North Primary front façade, but also that of the existing opening on the north façade.

7. ***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 Project does not involve any alterations to the buildings' materials, textures, and colors of façade and/or hardscaping. As such, this criterion does not apply.

8. ***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 Project does not propose any alterations to the buildings' roofing. As such, this criterion does not apply.

9. ***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.*

The Project's scope does not entail modifying the buildings' walls, fences, landscape masses, façades, or any other elements which have street frontage. The proposed new opening, while not fronting the street or leading to the sidewalk, is visually compatible with the historic buildings and the existing architectural styles of existing entrances on the building and is designed to maintain visual cohesiveness with regard to enclosure along the street.

10. ***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.*

The Project does not involve any alterations or additions to the building size and mass. As such, this criterion does not apply.

11. ***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 Project does not involve any alterations or additions to the existing buildings' directional character. As such, this criterion does not apply.

12. ***Architectural style.*** *All major and minor development shall consist of only one architectural style per structure and shall not introduce elements definitive of another style.*

While the Project does not involve any significant architectural elements, the Project maintains the use of the building's architectural style which is complimentary to the historic district, and it does not introduce elements definitive of another style.

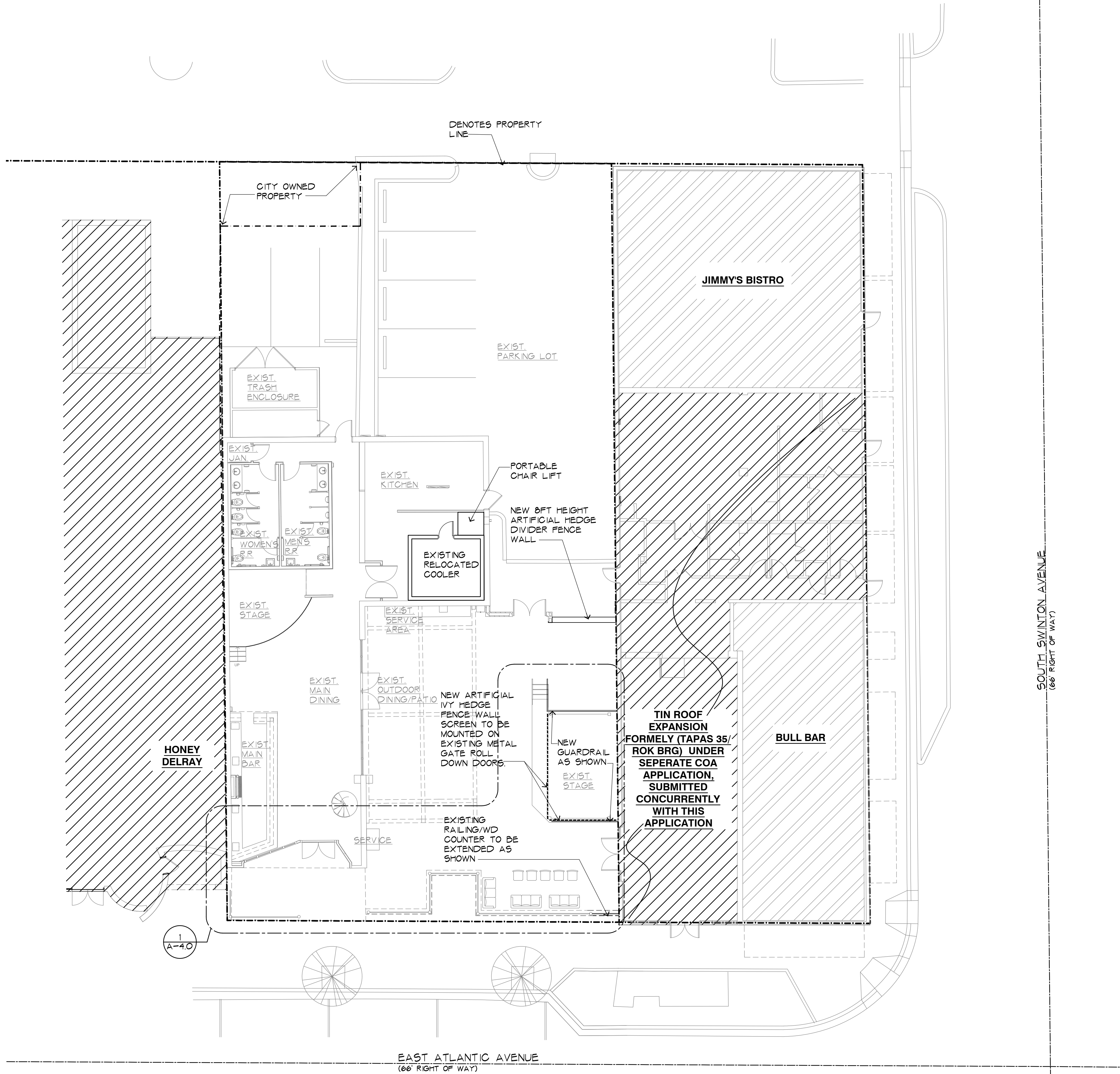
13. **Additions to individually designated properties and contributing structures in all historic districts.** Visual compatibility shall be accomplished as follows: [Amd. Ord. 01-12 8/21/12]; [Amd. Ord. 38-07 2/5/08]

1. Additions shall be located to the rear or least public side of a building and be as inconspicuous as possible. [Amd. Ord. 38-07 2/5/08]
2. Additions or accessory structures shall not be located in front of the established front wall plane of a historic building. [Amd. Ord. 38-07 2/5/08]
3. Characteristic features of the original building shall not be destroyed or obscured. [Amd. Ord. 38-07 2/5/08]
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. [Amd. Ord. 38-07 2/5/08]
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. [Amd. Ord. 38-07 2/5/08]
6. Additions shall be secondary and subordinate to the main mass of the historic building and shall not overwhelm the original building. [Amd. Ord. 38-07 2/5/08]

The Project does not propose any additions to the buildings. As such, this criterion does not apply.

**Exhibit "A"**  
**Proposed Site Plan**





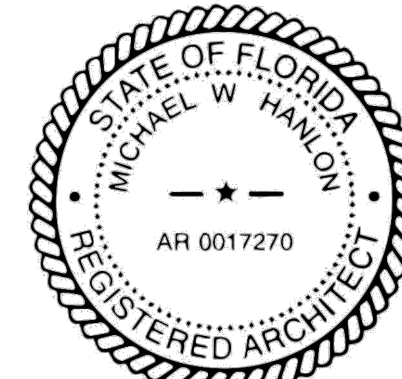
SITE DATA			
ZONING:			
ZONING DESIGNATION:	OS5HAD		
LAND-USE DESIGNATION:	OMU (OTHER MIXED USE)		
EXISTING USE:	RESTAURANT		
LOT AREA:	9,773 SF		
BUILDING AREA CALCULATION:			
EXISTING GROUND FLOOR AREA:	2,580 SF		
EXISTING SECOND FLOOR AREA:	249 SF		
TOTAL COMBINED FLOOR AREA:	2,802 SF		
SITE AREA CALCULATION:			
BUILDING FOOTPRINT:	2,692 SF(28% OF SITE)		
PATIO AREA:	2,642 SF(27% OF SITE)		
LANDSCAPE AREA:	934 SF(10% OF SITE)		
PAVED/PARKING AREA:	3,505 SF(35% OF SITE)		
TOTAL AREA:	9,773 SF(100% OF SITE)		
SITE NOTE ITEMS: 1. ALL EXISTING PARKING TO REMAIN. 2. DUMPSTER AREA REMAINS IN CURRENT LOCATION.			
BUILDING SETBACKS:			
	REQUIRED:	EXISTING:	PROPOSED
NORTH SIDE (FRONT):	10'-0" MIN. 15'-0" MAX	10'-0"	10'-0"
EAST SIDE:	0'-0"	0'-0"	0'-0"
WEST SIDE:	0'-0"	0'-0"	0'-0"
SOUTH SIDE (BACK):	10'-0"	52'-0"	52'-0"
*ALL SETBACKS TO REMAIN.			
BUILDING HEIGHT:			
	REQUIRED:	EXISTING:	PROPOSED
HEIGHT:	35'-0"	18'-6"	18'-6"
FLOORS:	2	2	2
CIVIC OPEN SPACE:			
	REQUIRED:	EXISTING:	PROPOSED
SITE SMALLER THAN 20,000 SF:	0%	0%	0%
SEATING COUNT:			
	REQUIRED:	EXISTING:	PROPOSED
TOTAL SEATS:	N/A	N/A	107
PERVIOUS/IMPERVIOUS			
	REQUIRED:	EXISTING:	PROPOSED
PERVIOUS:	SEE NOTE BELOW	933 SF (10 %)	933 SF (10%)
IMPERVIOUS:	SEE NOTE BELOW	6,147 SF (90 %)	6,147 SF (90 %)
*4.6.16(B)(4) TO ANY MODIFICATION TO EXISTING DEVELOPMENT WHICH RESULTS IN AN INCREASE OF 25% IN THE GROSS FLOOR AREA OF THE STRUCTURE, OR STRUCTURES, SITUATED ON THE SITE. IN SUCH CASES THE ENTIRE SITE SHALL BE UPGRADED TO PRESENT LANDSCAPE STANDARDS. (AMD. ORD. 22-95 5/21/96)			
PARKING CALCULATIONS:			
	EXISTING:	PROPOSED:	
STANDARD SPACES:	6	6	
COMPACTED SPACES ON SITE:	2	2	
HANDICAP SPACES ON SITE:	1	1	
TOTAL:	9	9	
*ALL EXISTING PARKING TO REMAIN.			

Tin Roof  
Exterior Improvements at  
8 East Atlantic Avenue  
Delray Beach, Florida 33444

NO. DATE  
REVISION

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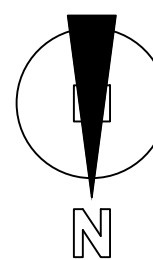


MICHAEL W. HANLON  
FLORIDA REGISTERED ARCHITECT - REG. NUMBER: AR0017270  
ELECTRONIC SIGNATURE SERIAL NUMBER:

HNM PROJECT NUMBER:  
19-032

ISSUED DATE:  
2019-09-23

SCALE:  
1"=10'



TITLE:  
PROPOSED  
SITE PLAN

DRAWING NUMBER:

A-0.1.1