



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING
100 NW 1ST AVENUE, DELRAY BEACH, FLORIDA 33444
(561) 243-7040

HISTORIC PRESERVATION BOARD STAFF REPORT

300 SE 7th Avenue

Meeting	File No.	Application Type
December 2, 2020	2020-209	Certificate of Appropriateness & Waiver

REQUEST

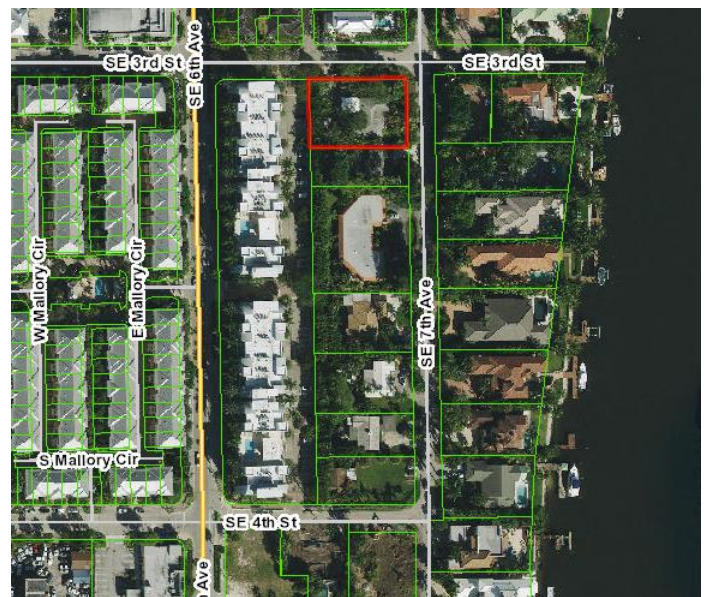
The item before the Board is in consideration of a Certificate of Appropriateness & Waiver (2020-209) request associated with the construction of a two-story addition and exterior alterations to an existing contributing residence on the property located at **300 SE 7th Avenue, Marina Historic District**.

GENERAL DATA

Agent: Steve Siebert Architecture
Owner: Robert Kubin
Location: 300 SE 7th Avenue
PCN: 12-43-46-16-A9-120-0230
Property Size: 0.33 Acres
Zoning: R-1-AA - Single-Family Residential
LUM Designation: LD (Low Density)
Historic District: Marina Historic District
Adjacent Zoning:

- R-1-AA - Single-Family Residential (North)
- CBD -Central Business District (West)
- R-1-AA - Single-Family Residential (South)
- R-1-AA – Single-Family Residential (East)

Existing Land Use: Residential
Proposed Land Use: Residential



BACKGROUND INFORMATION AND PROJECT DESCRIPTION

The subject 0.33-acre property is located on the west side of SE 7th Avenue between SE 3rd Street and SE 4th Street. The property is located within the Locally and Nationally Registered Marina Historic District and consists of Lot 23, 24, & East 8 feet of the abandoned alley lying west of & adjacent to, Block 120. The property contains a one-story, 1,973 square foot, Masonry Vernacular style, contributing single-family, residence, which was built in 1957.

The subject Certificate of Appropriateness (COA) request is for the construction of a two-story addition that contains a 1,050 square foot ground floor garage, 43 square foot ground floor addition, and 1,093 square foot 2nd floor to the rear of the existing, contributing structure. In addition, the proposal also includes replacement of the existing gravel driveway with brick pavers. The proposal also includes a Waiver request to allow the proposed 2-story addition to the 1-story structure to exceed the Visual Compatibility requirements for the massing of additions. The COA is now before the board.

Project Planners:

Katherina Paliwoda, Planner PaliwodaK@mydelraybeach.com
Michelle Hoyland, Principal Planner HoylandM@mydelraybeach.com

Review Dates:

HPB: December 16, 2020

Attachments:

1. Plans
2. Justification Statements
3. Photographs
4. View Easement
5. Material selections

REVIEW AND ANALYSIS

Pursuant to Land Development Regulation (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 1.4 of the Historic Preservation 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 Land Development Regulation (LDR) Section 2.4.5(I)(5), Architectural (appearance) elevations, the Site Plan Review and Appearance Board or the Historic Preservation Board, as appropriate, may approve subject to conditions or deny architectural elevations or plans for a change in the exterior color of a building or structure, or for any exterior feature which requires a building permit.

ZONING AND USE REVIEW

Pursuant to LDR Section 4.4.3(F)(1) – Single-Family Residential (R-1-AA) Development Standards:

Pursuant to LDR Section 4.3.4(K) - Development Standards: properties located within the R-1-AA zoning district shall be developed according to the requirements noted in the chart below. The proposal is in compliance with the applicable requirements; therefore, positive findings can be made.

Development Standards	Required	Existing	Proposed
Open Space (Minimum, Non-Vehicular)	25%	68.5%	65.4%
Setbacks (Minimum): Front (East)	30'	34'-10"	34'-10"
Side Street (North)	15'	34'-11"	22'-8"
Side Interior (South)	10'	13'	13'
Rear (West)	10'	42' -8"	10'-2 ½"
Height (Maximum)	35' Max.	11'-9"	22'-8"

LDR SECTION 4.5.1

HISTORIC PRESERVATION: DESIGNATED DISTRICTS, SITES, AND BUILDINGS

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

Pursuant to LDR Section 4.5.1(E)(2)(c)(4) – Major Development.

The subject application is considered "Major Development" as it involves "modification of a Contributing Structure over 25% within the R-1-AA 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 an existing 6' wood fence that surrounds the entire property. Although fences over 4' high are not permitted in front or side street setbacks, the 6' fence is an existing non-conformity and there are no improvements proposed regarding the fence. Should the property owner make a modification to the fencing, an added condition of approval is that the fencing within the front and side street setbacks be reduced to 4 feet in height in order to comply with the requirements of the code.

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 garage is accessible from the rear (northwest) side of the property. Although the proposed car garage doors are aluminum, they have been designed as individual openings with a raised panel style, which meets the requirements of the code. It is noted that the proposed garage has two entrance doors on the north side of the structure and a single garage door on the south elevation. A driveway is not proposed on the south side of the new structure.

Parking Requirements for residential uses, Pursuant to LDR Section 4.6.9(C)(2)(a), single-family detached residences are required to provide two parking spaces per dwelling unit. Required parking spaces shall not be located in the front setback or side street setback areas.

The proposal provides for a 1,050 square foot garage that will accommodate four (4) parking spaces; thus, this requirement has been met.

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 there is an existing gravel driveway to the rear (west) side of the property that is proposed to be replaced with a new brick paver driveway. The request complies with residential parking requirements of this code section.

Pursuant to LDR Section 4.5.1(E)(4) – Alterations: in considering proposals for alterations to the exterior of historic buildings and structures and in applying development and preservation standards, the documented, original design of the building may be considered, among other factors.

The subject request is for the construction of a two-story addition to the rear of the existing one-story structure. The proposed addition is attached to the main structure in the rear via a ground floor addition and a new four-car garage and second story living area. The structure has been considered with respect to improvements.

Pursuant to LDR Section 4.5.1(E)(5) - Standards and Guidelines: a historic site, building, structure, improvement, or appurtenance within a historic district shall only be altered, restored, preserved, repaired, relocated, demolished, or otherwise changed in accordance with the Secretary of the Interior's Standards for Rehabilitation, and the Delray Beach Historic Preservation Design Guidelines, as amended from time to time.

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 2

The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Standard 3

Each property shall 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 architectural elements from other buildings, shall not be undertaken.

Standard 4

Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

Standard 5

Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

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.

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.

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.

Standard 9

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

Standard 10

New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Standard 1, 2, 3, 5, 9, & 10 are applicable. The proposal includes the construction of new two-story addition to the rear of the existing one-story, contributing structure that will contain a four-car garage and 2nd floor living area. The two-story addition is to be constructed of CBS with textured stucco with coral quoins added to match the appearance of an existing residence. A gray asphalt shingle roof is proposed to match what is existing on the main structure. The garage doors on the ground floor of the addition are a faux carriage style to give a softer residential appearance. Guardrails on the second-floor balconies are to be aluminum. Windows and doors are also to be aluminum with white frames. The existing gravel driveway will be replaced with Chicago brick pavers.

The use of the property will remain a single-family residence as it was traditionally used, so the property will be used as its original historic purpose meeting the intent of Standard 1.

Regarding Standard 2, 3, and 5 the historic character of the property is that of a one-story Masonry Vernacular structure constructed in the 1950's. The proposal does retain distinctive features, finishes, and construction techniques of the existing structure and its façade. The proposed style of the addition has been designed to be compatible with the existing style. However, there is concern with respect to the size and massing of the proposed two-story addition as the existing structure is a one-story structure. With the last Historic Resource Survey, which was completed in 2008, nearly the entire 300 block of SE 7th Avenue was removed from the historic district due to inappropriate new construction and modifications to existing structures that were not seen to be compatible with the existing Marina Historic District. Further, when considering the appropriateness of building additions, the Board is required to consider the development pattern of the existing historic district, not areas that outside of the district, such as the adjacent CBD zoned properties to the west.

Pursuant to “The Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, & Reconstructing Historic Buildings” (Guidelines):

NEW EXTERIOR ADDITIONS TO HISTORIC BUILDINGS AND RELATED NEW CONSTRUCTION	
RECOMMENDED	NOT RECOMMENDED
New Additions	
Placing functions and services required for a new use (including elevators and stairways) in secondary or non-character-defining interior spaces of the historic building rather than constructing a new addition.	Expanding the size of the historic building by constructing a new addition when requirements for the new use could be met by altering non-character-defining interior spaces.
Constructing a new addition on a secondary or non-character-defining elevation and limiting its size and scale in relationship to the historic building.	Constructing a new addition on or adjacent to a primary elevation of the building which negatively impacts the building’s historic character.
Constructing a new addition that results in the least possible loss of historic materials so that character-defining features are not obscured, damaged, or destroyed.	Attaching a new addition in a manner that obscures, damages, or destroys character-defining features of the historic building.
Designing a new addition that is compatible with the historic building.	Designing a new addition that is significantly different and, thus, incompatible with the historic building.
Ensuring that the addition is subordinate and secondary to the historic building and is compatible in massing, scale, materials, relationship of solids to voids, and color.	Constructing a new addition that is as large as or larger than the historic building, which visually overwhelms it (i.e., results in the diminution or loss of its historic character).

There is concern with Standard 9, which states **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 proposed two-story addition will have a height of 22’-8” feet, while the main one-story structure is only 11’-9” high. The proposal does not reflect an addition that is compatible with the massing, size, nor scale of the existing structure. In addition, the Guidelines also state that the **recommended approach** to new exterior additions is to **ensure that the addition is subordinate and secondary to the historic building and it is not recommended that the construction of a new addition that is as large as or larger than the historic building, which visually overwhelms it (i.e., results in the diminution or loss of its historic character).** The existing structure contains 1,973 square feet and the proposed structure contains 2,186 square feet for a total of structure size of 4,159 square feet. The construction of a two-story addition that overwhelms an existing one-story contributing structure is not an recommended practice of historic preservation.

It is noted that the applicant has sought a waiver for relief to the Visual Compatibility standard to allow the proposed 2-story addition to the 1-story structure to exceed the Visual Compatibility requirements for the massing of additions, which is analyzed in the Waiver Analysis section later in this report. In order for the request to be determined to be compliant with the Secretary of the Interior Standards for Rehabilitation, the Waiver request would also need to be approved

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.

- 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:
 - a. 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:
 - b. For buildings deeper than fifty percent (50%) of the lot depth, a portion of each side façade, which is greater than one story high, must be setback a minimum of five (5) additional feet from the side setback line:
- k. **Directional Expression of Front Elevation:** A building shall be visually compatible with the buildings, structures, and sites within a historic district for all development with regard to its directional character, whether vertical or horizontal.

- l. Architectural Style:** All major and minor development shall consist of only one (1) architectural style per structure or property and not introduce elements definitive of another style.
- 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.**
 - 2. Additions or accessory structures shall not be located in front of the established front wall plane of a historic building.**
 - 3. Characteristic features of the original building shall not be destroyed or obscured.**
 - 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.**
 - 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.**
 - 6. Additions shall be secondary and subordinate to the main mass of the historic building and shall not overwhelm the original building.**

With regards to **Additions to contributing structures**, the requirements state that additions shall be secondary and subordinate to the main mass of the historic building and shall not overwhelm the original building. The subject request proposes a second story to the rear of the existing one-story structure. There is concern with the massing of the addition as it is visible from the public right-of-way and may overwhelm the existing structure. The existing structure contains 1,973 square feet and the proposed structure contains 2,186 square feet for a total of structure size of 4,159 square feet. Therefore, the request may not comply with the Visual Compatibility standards. As previously noted, the applicant has submitted a waiver request for relief regarding this standard. Provided the requested waiver is approved, the proposal can be considered compliant with the intent of this standard.

With regards to **Architectural style**, the requirements state that all major and minor development shall consist of only one architectural style per structure or property and not introduce elements definitive of another style. The architectural style of the proposed addition is defined by the architect as Masonry Vernacular. The style for the addition is the same as the main structure and is compatible with the overall streetscape as this historic style is common within the district. While the existing contributing structure is a one-story structure, it is important to note that Masonry Vernacular structures within the district are typically one to two-stories.

Regarding the visual compatibility requirement of **Relationship of Materials, Texture, and Color:** which requires **the relationship of materials, texture, and color of the facade of a building and/or hardscaping to be visually compatible with the predominant materials used in the historic buildings and structures within the subject historic district** – The two-story addition is to be constructed of CBS with textured stucco with coral quoins added to match the appearance of an existing residence. It is noted that through Historic Building Permit research, the decorative quoin elements that were placed on the corners of the existing structure and the tile surrounding the front door were not original to the structure. It cannot be documented as an approved improvement to the structure. Corner quoin features were commonly utilized in Western Architectural styles such as the Georgian style and were of stone material, such as granite. They were utilized as a way to help support a building's walls where load bearing needed to be stabilized in order to support a large building from potential collapse; thus, they were structural not decorative. The "coquina" quoins that were applied to the existing structure appear to be tile and were also applied to the entire wall sections of the rear portion of the existing structure that was originally a carport. The coquina quoin tiles are also proposed on the new addition as well. It is suggested that these features be removed from the proposal and the existing structure in order to return the structure to its original architectural design.

The garage doors on the ground floor of the addition include raised panels to give a additional architectural interest to the structure. Railings on the second-floor balconies are to be aluminum. Windows and doors are also to be aluminum with white frames and clear glass. Historically, the predominant materials used in and on historic structures within the Marina Historic District are authentic such as wood or metal. With new construction, typically aluminum is utilized for windows and railings with wood elements being utilized for both decorative and structural elements such as doors, shutters, railings, rafter tails, corbels etc.

Regarding the visual compatibility requirement for **Roofs: 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 request includes the construction of a two-story addition to be added to the rear of the existing residence. The roof of the rear addition is proposed as a 3-dimensional asphalt shingle roof to match the roof on the existing structure.

According to building permit records, when originally constructed in 1957 the structure had a cement tile roof. Building permit records indicate that the cement tile roof was later changed to an asphalt shingle roof. The asphalt shingle roof was widely utilized in the mid-2000's during the economic downturn as homeowners sought out affordable roofing options and asphalt shingle roofs began to replace cement tile roofs throughout the area at an alarming rate. The concern with the use of asphalt shingle material on a concrete block Masonry Vernacular style structures is that it appears lighter than the existing construction. Although, it is a material that is documented as being utilized in such structures, the cement tile roof material has a prominence to it, as it appeared appropriate for block structures with large roof expanses.

Ideally, utilizing a cement tile roof in the proposal would return historic integrity to the structure, but the request does not include replacement of the shingle roof on the existing structure. The board could consider approving a cement tile roof for the addition with the condition that when the roof is replaced on the existing structure that it be replaced with concrete tile.

Pursuant to “The Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, & Reconstructing Historic Buildings” (Guidelines) – Roofs:

ROOFS	
RECOMMENDED	NOT RECOMMENDED
<p><i>Identifying, retaining, and preserving</i> roofs and their functional and decorative features that are important in defining the overall historic character of the building. The form of the roof (gable, hipped, gambrel, flat, or mansard) is significant, as are its decorative and functional features (such as cupolas, cresting, parapets, monitors, chimneys, weather vanes, dormers, ridge tiles, and snow guards), roofing material (such as slate, wood, clay tile, metal, roll roofing, or asphalt shingles), and size, color, and patterning.</p>	<p>Removing or substantially changing roofs which are important in defining the overall historic character of the building so that, as a result, the character is diminished.</p> <p>Removing a major portion of the historic roof or roofing material that is repairable, then rebuilding it with new material to achieve a more uniform or “improved” appearance.</p> <p>Changing the configuration or shape of a roof by adding highly visible new features (such as dormer windows, vents, skylights, or a penthouse).</p> <p>Stripping the roof of sound historic material, such as slate, clay tile, wood, or metal.</p>

Overall, 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. Provided the conditions of approval are addressed and the Waiver approved, the proposal can be considered compliant with the intent of this standard.

WAIVER ANALYSIS

The applicant has requested a variance to the setback requirements, which are summarized below:

Pursuant to LDR Section 4.5.1(E) – Development Standards. Relief from Subsections (1) through (9) may be granted by seeking a waiver approvable by the Historic Preservation Board, unless otherwise stated.

Pursuant to LDR Section 4.5.1(E)(7)(m)(6), Additions shall be secondary and subordinate to the main mass of the historic building and shall not overwhelm the original building.

The subject waiver request is to permit the construction of two-story addition in the rear of a contributing one-story, single-family residence.

Pursuant to LDR Section 2.4.7(B)(5) – Findings: The following findings must be made prior to approval of a waiver:

(a) Shall not adversely affect the neighboring area:

Construction of a second floor addition in the rear of a one-story structure does not meet the requirements for Visual Compatibility as it relates to the requirement that “Additions shall be secondary and subordinate to the main mass of the historic building and shall not overwhelm the original building. Further, the Secretary of the Interior’s Standards for Rehabilitation states that- ***Constructing a new addition that is as large or larger than the historic building, which visually overwhelms it (i.e., results in the diminution or loss of its historic character).***

Over the years there have been large additions to some historic properties and new construction within several of Delray’s historic districts, including the Marina Historic District. This type of construction was the impetus behind removing most of the 300 block from the historic district with the last Historic Resource survey in 2008. The redevelopment of several properties within that block pushed the limits on massing and scale. Recently, there have been applicants that have based their cases for large additions or arguments for relief to code requirements relating to massing upon the fact that the board has approved large additions and new construction on neighboring properties. The Visual Compatibility Standards are specific in that they require compatibility with “historic structures within the district”; thus, if the existing development pattern is a low scale (one-story or two-story) then that is what is appropriate for modifications to historic buildings and structures.

It is also important to note, that since the addition is to be constructed in the rear of the main residence, if the addition were to be removed in the future, it would not have a negative affect the historic integrity of the existing structure (Secretary of the Interior’s Standards for Rehabilitation Standard 10). The proposal could have an adverse effect upon the neighboring area.

(b) Shall not significantly diminish the provision of public facilities;

The proposal is required to meet the standards for drainage, which will be reviewed at the time of building permit. The request is for a private residence and is not anticipated to significantly diminish the provision of public facilities.

(c) Shall not create an unsafe situation; and,

The request is not anticipated to create an unsafe situation.

(d) Does not result in the grant of a special privilege in that the same waiver would be granted under similar circumstances on other property for another applicant or owner.

While there are structures within the district that are two-story residences, caution should be exercised with respect to this finding as the request should not be utilized as a “precedent” setting relief request for future projects that might seek a similar request. With recent development pressures in Delray Beach, many property owners want to expand their buildings to allow for “modernization” improvements such as bigger kitchens, closets, bathrooms, etc. Such additions are common, but depending upon the site, an appropriate addition does not need to be a two-story addition that overwhelms the one-story structure. The proposal includes a 1,050 square foot 4-car garage and upper story living area. The subject property is generally considered a large site in that it contains 0.33 acres and the existing structure is not built to the building setbacks; thus, there is ample room on the property to accommodate an appropriate addition that could meet the requirements of the Additions to Contributing Structures requirements as they relate to massing. Such an addition would need to be designed to be secondary and subordinate and meet the regulations of the LDRs.

This request could result in the granting of a special privilege in that the same waiver to allow for an addition to not be secondary nor subordinate to the main massing of the existing structure may not be approved for another applicant/owner.

The property owner has submitted justification statements for the waiver request (attached).

COMPREHENSIVE PLAN

Pursuant to the Historic Preservation Element (HPE), Objective 1.4, Historic Preservation Planning: Implement appropriate and compatible design and planning strategies for historic sites and properties within historic districts.

The objective shall be met through continued adherence to the City’s Historic Preservation Ordinance and, where applicable, to architectural design guidelines through the following policies:

HPE Policy 1.4.1

Continue to require that the Historic Preservation Board make findings that any land use or development application for a historic structure, site or within a historic district, is consistent with the provisions of the Secretary of the Interior’s Standards for Rehabilitation, the Land Development Regulations, and Delray Beach Historic Preservation Design Guidelines.

The development proposal involves the construction of a two-story addition to the rear of an existing one-story, contributing residence on the subject property. There are no concerns with respect to soil, topographic or other physical considerations. With respect to the adjacent land uses, the property is in an area surrounded by single-family and multi-family residential uses. The proposal can be found to be consistent with the requirements of this policy provided the conditions of approval are addressed and that the Waiver is approved.

OPTIONAL BOARD MOTIONS FOR ACTION ITEMS

A. Move to continue with direction

B. Approve Certificate of Appropriateness and Waiver (2020-209) requests for the property located at **300 SE 7th Avenue, Marina Historic District** by finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations.

C. Approve Certificate of Appropriateness and Waiver (2020-209) requests for the property located at **300 SE 7th Avenue, Marina Historic District** by finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations subject to the following conditions:

1. Should the property owner make a modification to the existing 6' high fencing, the fencing within the front and side street setbacks be reduced to 4' in height in order to comply with the requirements of the Land Development Regulations.

Site Plan Technical Items:

1. That the site data table be updated to accurately reflect the proposed square footage of the proposed structure.

D. Deny Certificate of Appropriateness and Waiver (2020-209) requests for the property located at **300 SE 7th Avenue, Marina Historic District**, by finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in the Land Development Regulations.

PUBLIC AND COURTESY NOTICES

☒ Courtesy Notices were provided to the following, at least 5 working days prior to the meeting:

Marina Historic District Homeowners Association

☒ Public notice mailers are not required for this application.

☒ Agenda was posted on (12/9/20), 5 working days prior to meeting.