

EAST

VARIANCE JUSTIFICATION STATEMENT- BOARD OF ADJUSTMENT
PROPERTIES OUTSIDE OF A HISTORIC AREA

The following questions pertain to the criteria upon which the Board of Adjustment will consider this application, per LDR Section 2.4.1 (A)(S). Please address each question separately as the answers provided will assist reviewing the proposal and can be included as part of the staff report presented to the Board:

☒ **JUSTIFICATION STATEMENT IS ATTACHED, WHICH ADDRESSES THE CRITERIA OF APPROVAL BELOW:**

- a) Describe which special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures, or buildings subject to the same zoning (The matter of economic hardship shall not constitute a basis for the granting of a variance):

THE EXISTING HISTORIC HOUSE IS CENTERED ON A NON-CONFORMING LOT WHICH DOESN'T ALLOW FOR THE OPPORTUNITY FOR A CONFORMING SINGLE CAR GARAGE.

- b) Describe which literal interpretation of the regulations would deprive the applicant of rights commonly enjoyed by other properties subject to the same zoning:

PER LDR SECTION 4.3.4(K), BASE DEVELOPMENT DISTRICT STANDARDS ARE MINIMUM 9,500 SQ.FT. FOR A LOT IN R-1-AA ZONING. THE CURRENT LOT SIZE OF 8,900 SQ. FT. CREATES A HARDSHIP FOR THE OWNER TO DEVELOP THE LOT AND DEPRIVES THEM OF THE RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES SUBJECT TO THE SAME ZONING.

- c) Explain how the special conditions and circumstances have not resulted from actions of the applicant:

THE PROPERTY WAS RECENTLY PURCHASED BY THE OWNER AND THE NON-CONFORMING LOT SIZE WAS EXISTING.

- d) Explain how granting the variance will not confer on to the applicant any special privilege that is denied to other lands, structures, and buildings under the same zoning. Neither the permitted, nor nonconforming use, of neighborhood lands, structures, or buildings under the same zoning shall be considered grounds for the issuance of a variance:

GRANTING THIS REQUEST WILL ALLOW THE OWNER THE ABILITY TO HAVE A SINGLE CAR GARAGE, THE SAME AS MANY OF THE SURROUNDING HOMES IN R-1-AA ZONING. THE CURRENT TREND IN THIS AREA WOULD BE TO KNOCK DOWN THE MODEST HISTORIC HOUSE AND CONSTRUCT NEW.

- e) Describe the reasons set forth in the variance petition justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure:

WE ARE PROPOSING A 9'-4" WIDE X 20'-0" DEEP SINGLE CAR GARAGE, WHICH IS CONSIDERED MINIMAL FOR PARKING A CAR AND IS AN APPROPRIATE LOCATION FOR THIS ADDITION.

- f) Explain how the granting of the variance will be in harmony with the general purpose and intent of existing regulations, will not be injurious to the neighborhood, or otherwise detrimental to the public welfare:

THIS IS AN APPROPRIATE LOCATION FOR A SINGLE CAR GARAGE. IT HAS BEEN SPECIFICALLY DESIGNED TO BE COMPATIBLE WITH THE HISTORIC HOUSE. THEREFORE IT WILL BE COMPLEMENTARY AND IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE EXISTING REGULATIONS AND WILL BE ESPECIALLY COMPATIBLE WITH THE NEIGHBORING PROPERTIES.

- g) Please provide any other comments and information which can be relevant or assist the Board in reviewing this request

THE OWNER IS GOING TO A GREAT EXPENSE TO RAISE A HISTORIC HOUSE TO COMPLY WITH THE FEMA REGULATIONS. AT A TIME WHEN MORE AND MORE SINGLE STORY FRAMED STRUCTURES ARE BEING KNOCKED DOWN AND REPLACED WITH 2 AND 3-STORY HOUSES, THIS REQUESTED VARIANCE IS MUCH MORE COMPATIBLE WITH THE NEIGHBORHOOD VERSUS THE ALTERNATIVE.



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November 20, 2020

City of Delray Beach
Board of Adjustment
100 N. W. 1st Avenue
Delray Beach, Fl. 33444

Re: Hutchison Residence
1114 N. Vista Del Mar Drive
Delray Beach FL 33483

To Whom It May Concern:

Please accept this letter to request the item listed below from the Board of Adjustment for the proposed single-family residence at the above referenced property, as follows:

The existing single-story historic house was originally constructed in 1947 and is a great example of Delray Beach Vernacular Architecture of that period. The house is located on the south side of Vista Del Mar Drive North (note that this portion of Vista Del Mar Drive is one-way). We are requesting the following variance:

To allow the proposed new single car garage to be constructed within the side property line required 10'-0" setback. We are requesting the new garage to be 4'-8" off the side property line, a 5'-4" reduction from the required side setback.

The house is situated such that it is centered along the non-conforming lot which eliminates the area for a garage. This structure is a great example of early Delray Beach architecture and one that contributes perfectly to the Vista Del Mar neighborhood. As per section LDR SECTION 4.3.4 (K) – Development Standards Matrix, we believe this is the minimal necessary for a garage (9'-4" wide x 20'-0" deep) and is an appropriate location for this portion of the property and structure. Granting this request will also help satisfy the requirements of LDR Section 4.6.9 (off street parking).



The property is located in R-1-AA zoning with the following required setbacks:

Front setback: 30'-0" (currently 28'-11" for a portion of house)

Side setbacks: 10'-0" (currently 10'-9" east side of property)

Rear setback: 10'-0"

The property is 80'-0" wide x average depth of 110'-0" (see attached survey). With the current trend of knocking down structures and building larger homes we believe this is a reasonable request for a single car garage.

Upon receipt of this letter, should you have any questions, please feel free to contact me at our office (561) 276-6011.

Sincerely yours,

Gary P. Eliopoulos, AIA, NCARB
President