

(2 VARIANCES)

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 2.4.7 (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 SITUATED ON A NON-CONFORMING LOT (MIN. LOT SIZE IS 12,500 SQ. FT.; EXISTING LOT IS 5,398 SQ. FT.) WITH THE FRONT BEING BASED ON LAING ST. AND THE THE SIDE STREET BEING BASED OFF SANDPIPER LANE. THIS STRUCTURE WAS CONSTRUCTED IN 1930, OVER THE CURRENT SETBACKS.

- 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 THE REQUIRED WIDTH IS 100'-0" AND THE REQUIRED DEPTH IS 110'-0". THIS PROPERTY IS 50'-0" WIDE AND 109'-0" DEEP, MAKING THIS LOT FAR SMALLER THAN TYPICAL LOTS IN R-1-AAA ZONING. THIS CONDITION 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. IT'S ALSO IMPORTANT TO UNDERSTAND THAT THE EXISTING HISTORIC STRUCTURE IS ALREADY LOCATED OVER THE SETBACKS.

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

THE NON-CONFORMING CONDITION WAS EXISTING WHEN THIS HOUSE WAS PURCHASED BY THE CURRENT OWNER. THE EXISTING HISTORIC STRUCTURE WAS CONSTRUCTED WITHIN THE FRONT, SIDE INTERIOR AND SIDE STREET SETBACKS.

- 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 TO ENJOY THE ABILITY TO MAKE MINIMAL UPDATES TO THE PROPERTY – A 2-CAR GARAGE AND CARRIAGE HOUSE WHICH WILL ENCROACH INTO THE SIDE AND REAR SETBACKS. A GARAGE IS A STANDARD MOST HOMES IN R-1-AAA ZONING ENJOY.

- 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 2-CAR GARAGE AND CARRIAGE HOUSE AT THE REAR OF THE PROPERTY. THE PROPOSED GARAGE IS 20'-0" X 19'-6" WHICH IS A MINIMAL SIZE FOR A GARAGE. IT WOULD ALSO ALLOW THIS PROPERTY TO COMPLY WITH LDR SECTION 4.6.9(2)(a) – SINGLE FAMILY RESIDENCE (TWO PARKING SPACES PER DWELLING UNIT).

- 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:

THE PROPOSED DESIGN OF THE 2-STORY CARRIAGE HOUSE AND GARAGE HAVE BEEN SPECIFICALLY DESIGNED TO BE COMPATIBLE WITH THE ORIGINAL HISTORIC HOUSE. THE EXISTING HOUSE HAS 8'-0" CEILINGS AND LOWER GRADES THAN SURROUNDING PROPERTIES – THE PROPOSED HEIGHT WILL STILL BE COMPATIBLE WITH SURROUNDING PROPERTIES.

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

THIS IS A HISTORIC STRUCTURE CONSTRUCTED IN 1930. IT'S A CLASSIC EXAMPLE OF THE MONTEREY STYLE OF ARCHITECTURE. IT BLENDS WITH THE "BEACH" VERNACULAR OF THAT PERIOD IN THIS PART OF TOWN, WHICH IS A TRUE GEM OF ARCHITECTURE AND DELRAY BEACH'S HISTORY.