



MINUTES
CITY OF LAKE WORTH BEACH
HISTORIC RESOURCES PRESERVATION BOARD REGULAR MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, SEPTEMBER 13, 2023 -- 6:02 PM

SWEARING IN OF NEW MEMBERS Board Secretary administered Oath of the Office (Historic Resources Preservation Board) City of Lake Worth Beach to newly appointed Board members: Laura Devlin; Elaine DeRiso; Edmund Deveaux.

ROLL CALL and RECORDING OF ABSENCES Present were: Robert D'Arinzo; Nadine Heitz; Jamie Foreman(6:11); Laura Devlin; Elaine DeRiso; Edmund Deveaux. Absent: Edmond LeBlanc. Also present were: Yeneneh Terefe, Preservation Planner; Anne Greening, Senior Preservation Planner; Erin Sita, Asst. Director for Community Sustainability; Elizabeth Lenihan, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA Motion to move the training portion of the agenda to the top of the agenda.

APPROVAL OF MINUTES:

A. June 14, 2023 Regular Meeting Minutes

Motion: N. Heitz moves to accept the minutes as presented; L. Devlin 2nd. **Vote:** Ayes all.

July 12, 2023 Regular Meeting Minutes

Motion: N. Heitz moves to accept the minutes as presented; L. Devlin 2nd. **Vote:** Ayes all.

HRPB TRAINING: One of the duties of this Board is to provide architectural review guidance and decisions. A later training session will be held to provide zoning training.

Anne Greening, Senior Historic Planner: Shares quick history of the beginnings of Historic Preservation in the United States. In 1853 the Mt. Vernon Ladies Association were the model agency for Preservation; Charleston had the first Zoning Ordinance in 1931; Penn Station, demolished in 1963, caused outrage and protest but there were no lawful protections in effect at the time. 1965 brought the New York Preservation Committee as a result of those actions. In 1966 the Federal Government enacted the Historic Preservation Act which then provided for local offices. On the Federal level the Dept. of the Interior and National Park Service create standards and guidelines and regulate national sites. In Florida the State level is the Florida Division of Historical Resources. The State Certified Local Government (CLG) designation provides opportunities for the entire City such as lower Flood Insurance rates. Base Flood Elevation variances are available only for contributing structures in Historic Districts. The CLG designation provides for grant opportunities, offering of waivers, digitizing of property files and the creation of guidelines. All minutes and agendas are reviewed by the State as part of the Certified Local Government status. This brings additional scrutiny to decisions, regulations and programs. The real protection comes through local code preventing unnecessary demolitions and incompatible alterations. The Historic Preservation Ordinance outlines the Board and Staff responsibilities; community goals for preservation; and specific review criteria. Along with the Design Guidelines, which are in full force and

effect, are the Land Development Regulations. There are Educational Guidelines which are ideas for sustainability and resiliency. Major Thoroughfare Design Guidelines give direction for properties on the City major thoroughfares. Surveys have been conducted twice since the inception of the districts. There are contributing resources and non-contributing resources within the districts. Most of the structures are single-family. In Florida the only time a Board can review the architecture of a single-family home is if they are located within a historic district. Otherwise they would go directly to permits. Criteria for review are provided through the State as well as local ordinances.

Elizabeth Lenihan, Board Attorney: Review of Meeting procedures. Two types of Disclosures that may be encountered are Ethics Disclosures and Quasi-Judicial Disclosures (Ex-parte communications involving direct investigations and/or communications with applicants prior to a meeting).

Palm Beach County ethical regulations are more stringent than the State, these are the ones the City utilizes. Voting conflicts of interest shall be declared and completion of Form 8B is required to be filed for each voting conflict of interest. Competent substantial evidence can be found within the staff report. Decisions cannot be arbitrary, consistent application of the law and not contrary to law.

Ex-parte communications- demonstrated bias or prejudice; monetary interest; pre-judgement of the issues; extraordinary personal investigations and/or communications; written communications or emails. Can you perform as an independent impartial hearing officer? Board members are not obliged to return calls made by applicants.

Discussion of protocol for meeting such as motion making, who can make a motion and Roberts Rules of Order. Public Comment is required.

Brief overview of the Certificate of Appropriateness process. Successful design review should follow the Design Guidelines. Preservation means sustain the existing form (in the purest form). Reconstruction is replication of evidenced based data; Restoration is taking it back to what it was, including removal of interim improvements; Rehabilitation - new or same use but making it usable for our lives today.

The Sunshine Law – Reminder to not discuss projects with other Board members outside the meeting forum. This includes emails, texts, phone, or in person. You may communicate with staff. Refrain from discussing items that may come before the Board through social media or otherwise. The City attorney is open to discussion prior to any meeting should you have a question about whether you need to disclose or be recused from procedures. Ethics – Do not accept gifts from parties coming before the Board; do not enter into contracts with the City. State and County Ethics links are provided to the Board.

CASES

SWEARING IN OF STAFF AND APPLICANTS Board Secretary administered oath to those wishing to give testimony.

PROOF OF PUBLICATION None required

WITHDRAWALS / POSTPONEMENTS None

CONSENT None

PUBLIC HEARINGS:

BOARD DISCLOSURE None

UNFINISHED BUSINESS: None

NEW BUSINESS:

HRPB TRAINING moved to earlier portion of the agenda.

A. HRPB Project Number 23-00000011: Request by Elaben Patel for installation of a new mural at 128 North Lakeside Drive. The subject site is zoned Multi-Family Residential (MF-20) and has a future land use designation of Downtown Mixed Use (DMU).

Staff: Y. Terefe provides information to Board regarding the request for the retroactive approval of the mural. The mural was installed prior to permit. Conditions include the need for a permit; the completion of a mural removal agreement; and no other physical alterations to the structure aside from paint application.

Applicant: Chatan Patel, owner of Mango Inn was approached by a muralist. The applicant is in agreement with the Conditions.

Public Comment: None

Motion: N. Heitz moves to approve HRPB 23-00000011 as the application meets the mural criteria based on the data and analysis in the staff report; E. Deriso 2nd.

Board: A question was raised with regard to the mural removal agreement condition and the purpose.

Staff: The removal agreement is in place should the mural become neglected or deteriorated to the point of needing to be removed or painted over.

Vote: Ayes all, unanimous.

B. HRPB Project Number 23-00100142: Consideration of a Certificate of Appropriateness (COA) for door and sidelight replacements with integral mini-blinds at the property located at 129 South Golfview Road, Unit #7. The subject property is a non-contributing resource to the South Palm Park Historic District and is located in the Medium-Density Multi-Family Residential (MF-30) District.

Staff: A. Greening provides analysis and data of the case. The structure was originally a 3-story building and raised to 4 stories. Original masonry railings were replaced with metal railings at the same time circa 1980-1981. Windows and doors on units 1-8 were replaced in 2009. In 2021 unit 9 applied for a COA window and door replacement. Not noted on that application and not approved via a Certificate of Appropriateness were the integral mini-blinds. In January 2023 the Building Division and Historic Division were contacted regarding the replacement of entry doors on Unit #7 (adjacent to unit #9). Staff confirmed that the full light French Doors would be a historically appropriate replacement. At that time the integral blinds were not mentioned. Subsequently the permit of May 25, 2023, showing integral blinds, was denied. Suggested alternatives were provided to the applicant however the applicant submitted the necessary documentation to proceed to Board. The door style and sidelights are appropriate according to Design Guidelines, the integral blinds are not visually consistent with the glazing on other units in the building. While it is a fine detail, it is different and staff cannot approve.

Staff: It is not a variance but a design review.

Applicant owner: Richard Narowski – Believes there are several advantages to embedded blinds. The glass will be the same. Units 7 & 9 always had the same doors and he wishes to continue the look. The doors are in close proximity to each other. Discusses current and potential privacy issues due to the location of the elevator and security light. It is difficult to see the subject door from surrounding streets. A white interlayer gives the appearance of a Dr. office and a cheap looking alternative.

Board: What is the white interlayer?

Staff: It creates a frosting, staff is attempting to achieve consistency. The HOA should be consistently approving the same door for all units. The balance of the doors on the building do not have mini blinds but one pane of glass, some with curtains behind. Does the addition of the mini blinds impact the harmony of the architecture? Although non-contributing, staff seeks architectural consistency in the multi-family masonry structure.

Board: Members are concerned with setting a precedent and that the proposal does not align with the Design Guidelines. Confirmation unit 9 is the penthouse unit.

Contractor: William Hammeke – blinds other than integral would void the warranty.

Applicant: The door has not yet been ordered.

Public Comment: Staff received seven (7) written comments prior to the meeting. These comments were distributed and made available to Board members prior to the meeting.

Motion: E. DeRiso moved to approve HRPB 23-00100142 based upon competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements. 23.-54k2 More particularly because the floor was set aside to be distinctive from the lower floors and it would be visually compatible with the adjacent door; E. Deveaux 2nd.

Vote: Motion passes 4/2; J. Foreman and L. Devlin dissenting.

PLANNING ISSUES:

A. Conceptual review of a potential addition at 1405 South Palmway.

Staff: The original proposal was to remove the façade and construction to the front of the house. This would remove the home as a contributing structure. In July the Board suggested the applicant return with additional proposals. Subsequent meetings with staff and applicant did not produce any new designs. Although there have been renovations, elements continue to exist.

Proposal 1 reflects a rear 2-story addition. The height of the addition can be difficult.

Proposal 2 suggests a 1-story addition in the rear of the original home. This could be approved at staff level.

Staff: Explanation of the difference between replication and restoration. The State will look at the decision. Inconsistent, poor decisions can jeopardize the CLG status and will cause more oversight.

Board Attorney: Requests the Board to determine if they would entertain the waiver for the pool in the front yard at a future meeting.

Board: A waiver would be appropriate as it gives the opportunity to preserve the front façade and contributing status. It floods in the southern portion of the City, as a contributing structure, there would not be a requirement to raise the structure according to the new flood zones.

Applicant: Elise Prieto prefers option #2 (with the pool in front) rather than Option #1 (two-story rear addition). Would really like the original proposal to be considered. The pool in the front yard would require a waiver and could not be heard today. Would like more room for visitors and family.

PUBLIC COMMENTS: (3 minute limit) None

DEPARTMENT REPORTS: None

BOARD MEMBER COMMENTS: None

ADJOURNMENT 8:45 pm