



**MINUTES
CITY OF LAKE WORTH BEACH
HISTORIC RESOURCES PRESERVATION BOARD REGULAR MEETING
BY TELECONFERENCE
WEDNESDAY, FEBRUARY 10, 2021 -- 6:00 PM**

ROLL CALL and RECORDING OF ABSENCES: Present for the live quorum in the City Commission Chambers were: Bernard Guthrie, Judi Fox, William Feldkamp-Chairman; Geoff Harris and Steve Pickett. Board members present in virtual attendance: Robert D'Arinzo. Also present: Abraham Fogel, Preservation Planner; Jordan Hodges, Senior Preservation Coordinator; Erin Sita, Assistant Director for Community Sustainability; Peter Ringle, Building Official; Susan Garrett, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA The agenda was revised to include a Conceptual Review of 807 N Ocean Breeze under New Business Item C.

Motion: B. Guthrie moved to accept the agenda as re-ordered; J. Fox 2nd.

Vote: Ayes all, unanimous

APPROVAL OF MINUTES: None

CASES

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

PROOF OF PUBLICATION

- 1) 130 North Ocean Breeze – Provided in the meeting packet.

WITHDRAWALS / POSTPONEMENTS: None

CONSENT: None

PUBLIC HEARINGS:

BOARD DISCLOSURE: None

UNFINISHED BUSINESS:

- A. **HRPB 20-00100227** Consideration of a Certificate of Appropriateness for the construction of a new ± 619 square foot accessory building for the single-family residence at **418 North Ocean Breeze**; PCN 38-43-44-21-15-104-0050. The subject property is located in the Single-Family Residential Zoning District (SF-R) and is a contributing resource within the Old Lucerne Local Historic District.

Staff: A. Fogel reminds all the Board made a motion to continue this item pending additional drawings to illustrate the scale, height and visibility of the proposed accessory structure in relation to the existing historic structure on the parcel.

Applicant: Scott Ehrenberg from Berg Design and Property Owner, Kristina MacLeod. There is no visual aspect to be seen from North Ocean Breeze. The only place where it could possibly be seen would be from the street at the far left (north) side. The pitch was chosen based upon the applicant's desire to accommodate a lofted storage space with nine (9) foot walls used by family members occupying the existing residence. Other amenities include an open living space, bedroom and kitchenette.

Board: G. Harris asks why the drawings do not show all the chords and pitches? B. D'Arinzo asks about the status of existing trees and vegetation. Are the trees going to be removed?

Response: The large front tree will remain as will the trees in the backyard. The pool will be placed so as not to remove the mature vegetation.

Public Comment: Gael and Howard Silverblatt-As adjacent homeowners at 414 N. Ocean Breeze, they agree with staff's recommendation to have the accessory structure equal to or lower than the primary structure.

Staff: There are continued concerns regarding the retention of the fan light, the accessory structure roof design and overall height and the door design. Staff is recommending a four light transom window as opposed to the fan light. A single French door is depicted however the applicant has selected a steel raised panel door with decorative leaded glass inserts. Other site improvements include a new driveway with alley access, pool and pool decking and walkways.

Board member J. Fox recuses herself from the vote as she was not present at the previous meeting when the item was heard in its entirety.

Board attorney: If the Board member feels she cannot properly evaluate the project based upon not having heard the previous testimony she may recuse herself but it is not required to do so.

Board: G. Harris states it is possible to have a different ceiling height and dormer pitch from the roof pitch. This would allow for the transom windows. Believes the arched window is out of place; it is fundamentally a good project but the window detracts from the overall appearance. If the dormer pitch is changed, the roof pitch could be 7/12 rather than 9/12 which he would support. B. Guthrie asks if it would still be higher than the primary structure? W. Feldkamp also believes it should be equal to or less than the primary, as it is suppose to be subordinate to the primary structure. B. Guthrie agrees and would like it to be subordinate, the neighbor is not looking at it from the street but rather from the side. R. D'Arinzo wouldn't be totally opposed to a compromise since it is in the rear and the landscaping isn't being altered (mature trees), agrees with G. Harris. Discussion of base flood elevation and what is required by Florida Building Code. A 5/12 pitch will allow a nine (9) foot height. The applicant wants a nine (9) foot wall height. The 18-inch transom light appears to be the best choice. S. Pickett due to the flood plain changes, believes it is important to get elements of the façade and the building to look right rather than be so concentrated on the pitch and getting the height equal to or lower than the primary. Base flood plus one foot is what is now proposed, this is the minimum required.

Mr. Ehrenberg has brought the floor level even with the existing level. The property owner chose the wall height over the finished floor height.

Motion: G. Harris motions to approve HRPB 20-00100277 with staff recommended conditions of approval including the following modifications to those conditions. Amend Condition #10 to read a 7/12 roof pitch resulting in an approximate maximum height difference of two (2) foot from the primary structure; S. Pickett 2nd.

Vote: Ayes 4, Nays 1 with W. Feldkamp dissenting. Motion carries.

NEW BUSINESS:

A. **Presentation on flood adaptation in the City's historic districts:** City staff will present base flood elevation requirements, adaptation strategies for existing historic structures, considerations for additions and new construction, and project examples.

Staff: E Sita presents a brief overview of upcoming changes to the flood maps. National Flood Insurance Program is administered by FEMA. Flood mapping is a large part of the Flood Insurance Program. The city reviews new construction and renovations for compliance with the program requirements. The city also participates in the Community Rating System (CRS) to gain discounts for all affected by the mapping and insurance. Currently the rating is 7 which allows a 15% discount. The lower the number the bigger the discount. Approximately 1,500 communities nationwide participate in the voluntary CRS. Activities include: reducing the exposure to flood damage (mitigation), strengthen and support the NFI program and foster improvements in floodplain management. In January 2020 the new maps, published although not yet officially adopted, are required to be utilized. The presentation will provide information regarding the base flood elevation, questions regarding when is it necessary to elevate, what is considered a substantial improvement, historic district impacts and exemptions and coastal resiliency.

Peter Ringle, Building Official, City Flood Plain Administrator – When the new maps are adopted, most every parcel east of Federal will be in the flood plain. A study between 2016 - 2020 produced wave data with wave heights and penetration into the Florida coastline. The result being the base flood elevation has been raised along the entire coastline of Florida. Changes have been made to the 100-year flood plain and the 500-year flood plain which now extends to Federal Hwy. On the northside of the City the flood plain now extends west to Ocean Breeze. On the southside the flood zone crosses Federal Hwy in several places. LIMWA (Limited Moderate Wave Action) boundaries will now prohibit shallow foundations in those areas. Two flood zone categories are: AE -standard flood zone and VE flood zone (with a 1-3 foot wave crest built in and still water). The difference- AE heights are referring to the finished floor, in the VE zone the elevation is referring to lowest structural member. There are significant insurance differences between below elevation, at elevation or above elevation. Generally, the City is between 5-7 feet of finished floor elevation along the intracoastal however even King tides can easily generate five (5) feet of water. A new home will have to be brought up to the current map requirement. **What is a substantial improvement and how is it determined?** FEMA states it is 50% of market value of the structure before the improvement. It will require the structure to be elevated when making improvements such as an addition; the primary structure will also be required to be elevated. Florida Building Code states it is anything exceeding 50 % of the building area. Appraisals can be obtained through an independent appraisal because the Property Appraiser is typically low. A pre-improvement market value of the structure can be had prior to the start of construction. Building Official recommends getting flood insurance policy prior to adoption of new maps. Anyone with an existing policy prior will be grandfathered and the fees will increase gradually until parity is reached. Otherwise if no policy is obtained, it will be classified as -1 and policy will be more expensive.

Board questions to Building Official: Is FIRM map same as FEMA map? Yes, the information comes from FEMA.

If one is in a multi-story building (above first story), will it be a requirement to have a flood insurance policy? **Response:** Only if it is a federally backed mortgage.

Does an existing policy increase dramatically upon renewal? **Response:** The understanding is that an existing policy will increase incrementally (max annual 25%) until parity is reached.

How will the increased height of new structures affect drainage? **Response:** This will be looked at by staff.

Building Official: There will be a 90-day advance notice of publication of maps but the previous maps took two (2) years to roll out. Palm Beach County has challenged the data. The challenge was based upon the LIDAR elevation results and FEMA 2000 LIDAR data. Palm Beach County has better aerial elevations and data.

Will the public be made aware through Utility Bill inserts? Building Official would like to do a direct mailing.

Staff: Jordan Hodges-There are six (6) historic districts with approximately 2,700 parcels many located within flood zones. Within the districts structures are evaluated by criteria established by the National Park Service, Dept of the Interior. Structures can be designated as contributing (with local protections through ordinance to prevent adverse changes affecting historic significance) or non-contributing resources.

The most prevalent, but not sole criteria, to be considered contributing is to be a structure of more than 50 years in age. As most of the Districts were established in the late 1990's many of the homes surveyed at that time were not considered contributing. With recent State grant monies (@ \$200,000) funded surveys now show many more are eligible for contributing status. This is important as there are exemptions to the Florida Building Code for those contributing structures when making a substantial improvement or adding an addition. Structures outside of a district may seek individual designation if meeting eligibility requirements. Once a property becomes designated there are no mechanisms to remove that designation. Occasionally a renovation, when poorly done, will cause a structure to be de-designated. Typical requests for the exterior are window and door, roof, additions. The Historic Board would determine if the request is architecturally appropriate or compatible based upon the Historic Guidelines (adopted in 2018), historic ordinances and review matrix. The Building Code allows for the exemption if the program that designated the structure as contributing determines it will continue to be contributing after the proposed work is completed. The City Land Development Regulations also allows for property owners of contributing structures to apply for a variance to be issued which can allow the historic structure and improvement to remain at the current elevation. Homeowners may elect to elevate or utilize the variance option to maintain the elevation. Either would be subject to Historic Board review.

E. Sita shares that the City participates in several local and regional partnerships and the Southeast Florida Climate Compact as well as developing and adopting strategies taken from other communities.

B. HRPB 21-00100014, 21-01500002 and 21-01600001 A Certificate of Appropriateness for the conversion of an existing ± 404 garage into additional living space for the single-family residence, a historic waiver for the minimum required rear setback, and a variance from base flood elevation requirements of the Florida Building Code for the property located at 130 North Ocean Breeze; PCN #38-43-44-21-15-030-0080. The subject property is located

within the Multi-Family Residential (MF-20) Zoning District and is a contributing resource to the Old Lucerne Local Historic District.

Staff: A. Fogel presents case findings and analysis.

Board: There appear to be hurricane shutters over French Doors. **Response:** The hurricane shutters are custom engineered and are protecting the windows, which are not impact. The shutters will be impact rated according to the architect for the project, Geoff Harris. B. Guthrie – Is the rear setback for a garage (accessory structure) different as opposed to an accessory dwelling unit (ADU)? **Staff response:** Yes, there is an increased setback for accessory dwelling units. In MF-20 zoning the rear setback increases to ten feet from 5 feet. As it was a garage (accessory structure) it would be non-conforming by 5 feet. It will not have a kitchen. The minimum square footage requirement is 400 square feet but the livable space would be less. An Accessory Dwelling Unit (ADU) use is allowed but that is not being requested.

Motion: S. Pickett moves to approve with staff recommended Conditions of Approval; J. Fox 2nd.

Vote: Ayes all, unanimous (5/0) .

C. Conceptual Review for 807 N. Ocean Breeze

The applicant wishes to obtain guidance from the Board through preliminary review of the plans as to whether they would likely receive approval from the Board. The applicant is also open to suggestions. Only the front elevation would change, hoping to create more livable interior space. The floor elevation would need to meet the existing building code. Board consensus was in support of the location and size of proposed addition. The Board recommended the applicant select the preferred roof and front elevation with the preference being for a gable roof elevation. Also recommended was the front porch be extended to nine (9) feet.

PLANNING ISSUES:

A. **Historic Resources Preservation Board (HRPB) Training:** City staff will present a variety of topics including historic preservation in the United States, Lake Worth Beach's historic preservation program, the Certificate of Appropriateness approval process, and the HRPB's power and duties.

Staff: J. Hodges presents a collage, snapshots of restoration projects, places and times from Mt. Vernon to Penn Station to Savannah mansions which inspired and gave rise to Historic Preservation (in many ways) in the United States. The various states of dilapidation became a catalyst for what we know today as historic preservation and restoration. The Historic Preservation Act of 1966 led to the establishment of the Dept of the Interior, National Park Service standards for renovations. But real protection comes at the local level. Board members should follow the compatibility, significant character defining features and impact on the surrounding district criteria set forth by the Historic Design Guidelines and base decisions on these criteria.

PUBLIC COMMENTS: (3 minute limit) None

DEPARTMENT REPORTS: The volume of applications received and processed through Planning Zoning Historic Preservation in 2020 as compared to 2019 has increased dramatically. Site Plan review increased 225%, Conditional Use reviews increased 129%. Total application intake increased 13 %

BOARD MEMBER COMMENTS: None

ADJOURNMENT: 9:10 PM