



**AGENDA
CITY OF LAKE WORTH BEACH
HISTORIC RESOURCES PRESERVATION BOARD
VIRTUAL MEETING
WEDNESDAY, JUNE 10, 2020 -- 6:09 PM**

ROLL CALL and RECORDING OF ABSENCES

Present were: William Feldkamp, Chairman; Judith Just, Vice-Chair; Robert D'Arinzo, Bernard Guthrie, Judith Fox; Ozzie Ona. Absent: David Cavorsi.

Also present: Abraham Fogel, Preservation Planner; Jordan Hodges, Senior Preservation Coordinator; Erin Sita, Assistant Director for Community Sustainability; William Waters, Director for Community Sustainability; Pamala Ryan, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE Dispensed with until meetings resume in person.

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

APPROVAL OF MINUTES:

A. May 13, 2020 Regular Meeting Minutes

Motion: J. Just moves to approve the meeting minutes as presented; J. Fox 2nd.

Vote: Ayes all, unanimous.

CASES

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

PROOF OF PUBLICATION Provided in the meeting packet.

- 1) Lake Worth Herald-Proof of Publication
- 2) Water Supply Plan Proof of Publication

WITHDRAWALS / POSTPONEMENTS : None

CONSENT : None

PUBLIC HEARINGS:

BOARD DISCLOSURE: J. Just spoke with Juan Contin; R. D'Arinzo had nothing to disclose; B. Guthrie knows Juan Contin, is a friend to Anthony Marotta but has no conflicts; J. Fox is a friend of Anthony Marotta and had contact with Juan Contin; O. Ona had nothing to disclose; W. Feldkamp toured Bhavin Shah's building nearly 2 years ago.

UNFINISHED BUSINESS: None

NEW BUSINESS:

- A. Consideration of a Completed Work Application and a recommendation to Lake Worth Beach City Commission for a Historic Preservation Ad Valorem Tax Exemption for the subject property located at **407 South Lakeside Drive**; PCN# 38-43-44-21-15-165-0080. The subject property is a contributing resource to the South Palm Park Local Historic District and is located within the Low-Density Multi-Family Residential 20 (MF-20) Zoning District.

Staff: J. Hodges presents case findings and analysis. Photos of before and after photos of restoration. The pre-construction approval was granted October 10, 2018. Explains the balance of the approval process up to and including County Commission decision.

Board: B. Guthrie found it to be a beautiful restoration. Clarifies the tax exemption is based upon the difference in assessed value pre-improvement and post-improvement. The difference is the amount held in abeyance for 10 years. O. Ona has nearby properties and believes the improvement is a pleasure to see. W. Feldkamp hopes this property will be a nominee for the awards program and thanks the owner. J. Just states it is a great improvement.

Motion: B. Guthrie moves to approve HRPB 18-00100211 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; further to recommend approval of the application to the City Commission. O. Ona 2nd.

Votes: Ayes all, unanimous.

- B. A Distance Proximity Waiver for the proposed beer and wine sales for on-site consumption as an accessory use to the existing business, pursuant to but not limited to Sections 23.2-7, 23.3-14, and Section 23.5-4 of the Land Development Regulations. The subject property is located in the Downtown (DT) Zoning District and is a contributing resource to the Old Town Local Historic District.

Staff: A. Fogel presents case findings and analysis.

Applicant: Maria Paz- Art Gallery predominately selling art and having art shows. Art and wine go together. Has been asked if the sip and paint events will provide wine. A nice alternative to going to a store; instead of buying an entire bottle one can purchase a glass or two. M. Paz states this is for people who don't want to go to a bar.

Board: J. Just asks if there are any concerns with the conditions of approval. **Applicant response:** In agreement with conditions.

Motion: O. Ona moves to approve 20-02100003, waiver of the prohibition of alcoholic beverage sales within 500 feet of other alcoholic beverage establishments, residential land uses and protected land uses, with staff recommended conditions of approval and based upon competent substantial evidence as found in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations. J. Just 2nd.

Vote: Ayes all, unanimous.

- C. A Certificate of Appropriateness for exterior alterations and a Major Site Plan Approval for the existing commercial structure located at **1000 Lake Avenue**, pursuant to but not limited to Sections 23.2-7, 23.3-19, and Section 23.5-4 of the Land Development Regulations. The subject property is located in the Transit Oriented Development-East (TOD-E) Zoning District and is a contributing resource to the Old Town Local Historic District.

Staff: Abraham Fogel presents case findings and analysis. File documentation, of the Masonic Scottish Rite Temple, indicates May 1921 as original construction date with construction costs of

nearly \$200,000 a substantial amount at the time. The structure suffered severe damage in the 1928 Okeechobee hurricane. It is recognized in the National Historic Registry and the only example of Mediterranean Revival in the district. Currently the building has undergone window changes and lower level windows closed in, reduced height. The footprint would remain with 24 parking spaces. New landscaping, lighting and signage, awnings, windows, doors and re-stuccoing of exterior and interior renovations would also occur. Historic postcards provided guidance for the appearance of awnings.

Applicant: Juan Contin-wanted to keep it intact as much as possible and make the parking lot as usable as possible. The desire was to animate the buildings with murals. The archways were stucco, on the interior the archways never existed.

Public Comment: None

Board: J. Fox inquires as to what types of businesses will occupy the spaces? **Applicant Response:** The first floor will be retail, the second floor will be office space. There will be a grease trap installed in the event that there are food establishments on the horizon. B. Guthrie recollects when the CRA purchased the property, it was meant to jumpstart the area. He is surprised to see so much parking as it is near the Transit Oriented District. Since it will be within a block of a train station, it will be a good project. Improvement to the area has to start somewhere. **Owner response:** Is currently in lease discussions with a food court tenant. The structure has a full basement for possible food stalls. The Bohemian will also have a coffee shop/food establishment. O. Ona asks about the construction schedule to not extend beyond 5 years? **Applicant response:** This would be part of the Major Site Plan. With the utilization of the parking lot as a construction staging area, the project will not lock up the public streets. J. Just asks for clarification of the arched windows with square awnings and whether that is a faux arch. **Owner response:** While the parking lot and building improvements are separate, neither can happen without the other. Without approval, nothing will happen. The CRA has a tight timeline and retains the ability to take back the building. It has been uninhabited for nine (9) years. Hopefully it will be staffed with 15 persons.

Board: B. Guthrie would like to combine both projects into one motion. W. Feldkamp has remaining concerns. The building was purchased by the CRA for approximately two million, a substantial amount of money and has since been sold to the applicant for a fraction of that amount. The tax dollars should reflect that, it is a bare minimum. The building once was a prominent building in the city. What is being shown is not meeting the goals of CRA which is to prevent and eliminate blighted areas. There isn't yet a tenant, the owner has had two (2) years to put a project together. The height, bulk and massing is not the same. It is not helping the area. To allow it to remain at two (2) stories is an abdication of the Board's responsibility to make sure it works with the neighborhood. It will fail to hold it's own against other higher buildings nearby including City Hall, Bohemian, and the Eco Building.

Owner: Bhavin Shah states just because the CRA purchased the property for two million does not mean that is what it is worth. The cost of development is not cheap. For the last 10 years the building has been empty. He is offended by the comment that this is a short cut. Any restoration to four floors would encounter structural issues. J. Just asks when the building was purchased? **CRA Director: Joan Oliva-** The building was purchased in 2018 for \$850,000.00.

Board: J. Just states future owners cannot be held responsible for what the CRA paid. W. Feldkamp would like to bring it back, there is good documentation of what it was, is a landmark within the City. The company building the Bohemian believes in the City. **Applicant:** The firm with historic restoration experience as evidenced by 17 buildings in Florida and New York on the

Historic Register, has a choice to make. Either bring it back to what it once was or take recognize what historic components and features remain to be displayed. W. Feldkamp mentions a plan before the CRA shown at 4 stories. **Applicant:** Does not believe it is economically feasible. J. Olivia concurs that the cost for the minimum is somewhere between 2 and 4 million dollars. The interior was completely ruined by previous consortium of attorney's who left it open to the elements for years. To have someone interested in the investment is welcome and will compliment the nearby buildings.

Board: B. Guthrie while on the CRA Board, flooding problems in the basement, understood the interior and roof conditions were in poor disrepair. Once the roof repair was complete there was much interest in purchasing. Viable step toward the development of the area. O. Ona we need to be more selective. As a previous member of the CRA Board. We are representatives of the entire City, we are volunteers with good intentions. We need to listen to concerns of Board members. This is the only possibility at the moment, move forward and be flexible since the building has been sitting empty. It is parking lot with a shell. If we reject this possibility, how long will it take for another to present itself? J. Fox understands that it is a compromise, it is historically correct aesthetically.

Motion: B. Guthrie moves to approve HRPB 20-00100082 with staff recommended Conditions for the Certificate of Appropriateness and 20-01400024 for the redevelopment of the surface parking lot, 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. J. Fox 2nd.

Vote: 5/1 W. Feldkamp dissenting.

- D. Consideration of a Certificate of Appropriateness for the construction of a ± 109 square foot addition, a Variance from base flood elevation requirements of the Florida Building Code, and three Historic Waivers for the minimum required side setback, maximum building lot coverage, and floor area ratio limitations for the single-family residence at **327 N Lakeside Drive**; PCN 38-43-44-21-15-100-0100. 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: J. Hodges presents case findings and analysis. The proposed addition does not meet the current building code relating to the flood elevation. The proposed addition is eligible for a one time application for exemption from this requirement. Additionally the City requires the applicant to apply for a variance from this requirement to avail themselves of the Flood Elevation exemption. LDR Section 23.7-7. The proposed addition would match the elevation of the existing finished floor. The required addition would be 9 feet. Lot coverage and FAR would increase above the Single Family zoning district allowances as well as a small encroachment into the setback. The door replacement is not compatible.

Applicant: A. Marotta states that neither the craftsman or bungalow style door would be an improvement. Asks for condition #6 to be dropped. **Board:** O. Ona- have you spoken to the next door neighbors? **Applicant response:** One neighbor to the south and neighbor to the north, others going by have commented that they are looking forward to some improvement. O. Ona asks about the door that enters into the bathroom. **Applicant response:** is to be aesthetically pleasing and functionality is secondary. The current only bathroom on the first floor is through the master. **Applicant response:** the second story can be bumped out for a laundry facility and the first floor facilitates that improvement structurally and aesthetically. Takes offense to the comment regarding the door looking like a Home Depot door. Questions as to whether there is such a thing

as a two (2) story bungalow. **Staff:** There are 2- story bungalows, the leaded and/or beveled glass door is not historic. Because it is being proposed with 3 waivers, a variance and a certificate of appropriateness, the historic standards should be held to a high standard. **Board:** J. Just- as others have been denied, it is hard to go against staff recommendation. J. Fox mentions her home was purchased with one of the 'offending' doors. R. D'Arinzo likes what is being presented but agrees with staff regarding the door.

Public Comment: Brian Gleason-302 North Palmway is in support of the requested improvements.

Motion: R. D'Arinzo moves to approve HRPB projects 20-00100089 a Certificate of Appropriateness; 20-01500001 a variance from the base flood elevation requirement of the Florida Building Code; and three (3) historic waivers 20-01600001; 20-01600002; and 20-01600003 for minimum required side setback, maximum building lot coverage and floor area ratio limitations with staff recommended conditions based upon competent substantial evidence in the staff report and pursuant to the Land Development Regulations and Historic Preservation requirements.; J. Just 2nd.

Vote: 5/1, J. Fox dissenting.

- E. An Appeal of the Development Review Official's decision regarding the expansion of a legal non-conforming garage apartment at **731 North J Street**, pursuant but not limited to Sections 23.2-7, 23.3-8, and Section 23.5-4 of the Land Development Regulations. The subject property is located in the Single-Family Two-Family Residential (SF-TF 14) Zoning District, retains a Future Land Use (FLU) designation of Medium Density Residential (MDR), and is a contributing resource to the Northeast Lucerne Local Historic District.

Staff: J. Hodges discusses the history of the parcel and structure. It was designed as a duplex (2 one-bedroom apartments). The owner purchased the property in September 2019. Subsequent to that the new owner applied for a Zoning Confirmation Letter which explained the 3 units currently existing are grandfathered non-conformities and are subject to LDR Section 23.5-3. January 2020 brought the submittal of a proposal to expand the garage apartment into the garage. Staff responded with a Zoning Determination Letter stating the existing non-conformities may not be extended to any portion of the structure not previously put to such use as expressly prohibited in LDR Section 23.5-3-Nonconformities. This is the appeal of that decision. The current use of the property is nonconforming. It is a multi-family use in what is now zoned SF-TF14 residential.

Applicant: Wes Blackman for property owner Michael Coyle-Request was to change the one bedroom unit into a 2 bedroom unit by expanding into the garage. States it is not the 'garden spot' of Lake Worth Beach with a crematoria in close proximity. Feels it is commendable that someone would purchase the property and improve it. All existing code violations were resolved and Business Licenses were obtained. Discussions and displays of various parking combinations for the existing conditions versus proposed parking requirements. States 'everyone knows' that garages are rarely used for parking vehicles, that the current situation would allow for utilization of the garage for storage rather than vehicles. If the staff determination is overturned the proposed configuration shows 3 parking spaces on site and 2 on street spaces with the expansion of living space into the garage and parking apron currently outside the garage entrance as a paver terrace.

Board: Would the existing garage doors would remain? Why is there grass in front of the garage doors? Why are the garage door windows opaque and has construction begun?

Applicant response: no construction and no one living there.

Board Attorney: Remands Board to limit discussion to the use allowed, the code section regarding non-conformities.

Board: O. Ona it is a busy corner and has never seen anyone use the garage. Three apartments will have six (6) cars. Don't waste time discussing something that may or may not be. We have to respect the law. W. Feldkamp re-iterates that the law is very clear with no wiggle room. B. Guthrie states as code has changed over time the three units as built became non-conforming. Believes the historic appearances can be retained. J. Just and Board Attorney state this is a code issue, nothing to do with historic preservation, possible configurations at this point in time.

Applicant Architect-Geoffrey Harris- believes there is a grey area in the law.

Board: B. Guthrie- when did it become non-conforming 3 units to 2 units? **Staff response:** When SF-TF14 zoning district came into being.

Staff: J. Hodges- it is a non-conforming use. J. Just queries whether the garage space is considered part of the apartment (due to proximity)? W. Blackman states despite being under the same roof, any of the 3 tenants could currently claim parking use of the garage. Board Chairman states the question of who uses the garage units is immaterial.

Motion: B. Guthrie moves to deny HRPB 20-00100052 an appeal of the DRO decision interpreting the LDR's to disallow the expansion of the legal non-conforming garage apartment; O. Ona 2nd.

Vote: 5/1 J. Just dissenting.

F. **PZB/HRPB 20-00400002:** Consideration to recommend to the City Commission to transmit to the State of the Florida the City's 2020 10-Year Water Supply Facilities Work Plan for review including the adoption of related amendments to the Comprehensive Plan.

Staff: Brian Shields, City Engineer and Water Utility Director-presents case findings and analysis. The text was prepared by Mock-Roos Engineering firm. Florida statutes requires a five (5) year reporting cycle to the 10-year Water Supply Plan. It ensures that environmental concerns are addressed as well as meeting and supporting plans for future growth. It keeps the City in compliance with State law.

Motion: R. D'Arinzo moves to recommend **PZB/HRPB 20-00400002** to the City Commission for the transmittal to the State of the Florida the City's 2020 10-Year Water Supply Facilities Work Plan approval for the water plan; B. Guthrie 2nd

Board: B. Guthrie inquires about the wellfield abandonments and whether that is a result of contamination or depletion due to droughts. B. Shields- In the wells east of I-95 there is salt water intrusion, the district prefers wells west of I-95. The older wells are also failing both structurally and mechanically. B. Guthrie asks about the plan for seven (7) deep well aquifers, they are expensive. Currently there are 3 in place. Mention is made of the reverse osmosis-deep injection well. W. Feldkamp finds the section about the population increase in certain small areas to be interesting. B. Shields- Palm Beach County Zoning provided population projection information.

Vote: Ayes all, unanimous.

PLANNING ISSUES: None

PUBLIC COMMENTS: (3 minute limit) None

DEPARTMENT REPORTS: June 16 City Commission will hear the appeal of a decision given by the Board. The applicant for a Single-Family residence proposal, that did not subscribe to some historic suggestions/conditions that Board voted on.

W. Waters- LDR's (Round 1) going for 2nd reading. The Bohemian was approved on June 16, June 30 is second reading. There will be additional LDR changes in July with round 3 in September. Negotiations with Gulfstream MU Urban Planned Development.

BOARD MEMBER COMMENTS: R. D'Arinzo, in reference to doors, (generally) finds they are important with the message they present. W. Feldkamp concurs. Staff concedes everyone has different taste but doors are easy to change, as are roofs. A substantial amount of time and money was spent developing The Design Guidelines and it would be foolhardy to not pay homage to them. W. Feldkamp acknowledges the opinions of Board members who previously sat on the CRA Board, however he is never ceases to be disappointed by what is presented by the CRA. R. D' Arinzo concurs. B. Guthrie is responded he was always amazed at where the money is leveraged in the City. Consequently, if the CRA didn't acquire the property it would decay. The CRA budget/ funds in comparison to other local municipalities is small. The signage- what you see is the culmination of months of work. Encourages people to attend the meetings as it is tax dollars being spent. W. Feldkamp states it all seems to be happening in the dark despite a mandate to be publicize their efforts. O. Ona- amazed at the voluminous amount of material put forth to the Board.

ADJOURNMENT 9:53 PM