



**MINUTES  
CITY OF LAKE WORTH BEACH  
HISTORIC RESOURCES PRESERVATION BOARD REGULAR MEETING  
VIA TELECONFERENCE  
WEDNESDAY, OCTOBER 14, 2020 -- 6:00 PM**

**OATH OF OFFICE:** The Oath of Office was taken by newly appointed Board Member Geoffrey Harris prior to roll call.

**ROLL CALL and RECORDING OF ABSENCES:** Present were: William Feldkamp, Chairman; Robert D'Arinzo; Judith Fox; Bernard Guthrie; Ozzie Ona; Geoffrey Harris. Absent: Judith Just.

Also present were: 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**

**ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA:** None

**APPROVAL OF MINUTES:**

A. September 9, 2020 Regular Meeting Minutes

**Motion:** R. D'Arinzo moves to accept the minutes as presented; B. Guthrie 2<sup>nd</sup>.

**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) LDR Amendments Round 04

**WITHDRAWALS / POSTPONEMENTS:** None

**CONSENT:** None

**PUBLIC HEARINGS:**

**BOARD DISCLOSURE:**

R. D'Arinzo and B. Guthrie have no disclosures; G. Harris, W. Feldkamp, and O. Ona each received many emails against the proposed amendment regarding artificial turf. J. Fox received a voicemail regarding the same issue.

**UNFINISHED BUSINESS:** None

## **NEW BUSINESS:**

- A. Consideration of a Completed Work Application for a Historic Preservation Ad Valorem Tax Exemption; and, the review and recommendation to the City Commission of a Historic Preservation Ad Valorem Tax Exemption for the subject property located at **631 Lucerne Avenue** (The Hummingbird); PCN# 38-43-44-21-15-509-0010 for the completed work. The subject property is a contributing resource to the Old Town Local Historic District and is located within the Downtown Zoning District.

**Staff:** J. Hodges reviews the restoration project, describing conditions before and after. The pre-renovation request for Historic Preservation Ad Valorem Tax Exemption was approved in 2017. It has been determined that all conditions have been met and staff recommends approval of the request. The property won a Historic Preservation Award in 2019 in the Rehabilitation category.

**Board:** W. Feldkamp points out the depth of the sills in the after photos and how they contribute to the building. J. Fox points out the small hummingbird on the front of the building.

**Motion:** R. D'Arinzo moves to recommend approval of HRPB 17-00100137, the completed Work Application, and to recommend to the City Commission the approval of a Historic Preservation Ad Valorem Tax Exemption; J. Fox 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous.

- B. Consideration of a Completed Work Application for a Historic Preservation Ad Valorem Tax Exemption; and, the review and recommendation to the City Commission of a Historic Preservation Ad Valorem Tax Exemption for the subject property located at **910 North M Street**; PCN#38-43-44-21-15-286-0030 for completed work. The subject property is a contributing resource to the Northeast Lucerne Local Historic District and located within the Single-Family and Two-Family Residential (SF-TF 14) Zoning District.

**Staff:** J. Hodges reviews the restoration project, describing conditions before and after. The pre-renovation request for Historic Preservation Ad Valorem Tax Exemption was approved on March 11, 2020. It has been determined that all conditions have been met and staff recommends approval of the request.

**Board:** J. Fox inquires as to whether a window was added to the wraparound on the front. **Staff Response:** No; they were casements before. O. Ona states the landscaping is in need of maintenance and does not look complete. **Staff Response:** There are future plans for additional work. B. Guthrie asks about the white barrel tile roof as opposed to a flat cement tile. **Staff Response:** The original drawings indicate a white cement tile and the white barrel is acceptable according to Design Guidelines. The option was discussed at the previous Board meeting and the applicant opted for the barrel tile, instead of flat cement tile. W. Feldkamp states that had the pre-approval come before Board since the Design Guidelines have been implemented, the recommendation/requirement would most likely have been for flat cement tile. J. Fox asks if the applicant is required to move forward with landscape and painting and if another exemption can be applied for? **Staff Response:** The scope of this approval was only for roof and windows. Tax exemptions can be stacked. Not all improvements would qualify for an exemption, for example a pool addition only would not qualify, however it could be wrapped into the scope of work for a larger preservation/rehabilitation project.

**Motion:** R. D'Arinzo moves to recommend approval of HRPB 20-00100061, the completed Work Application, and to recommend approval for a Historic Preservation Ad Valorem Tax Exemption to the City Commission; B. Guthrie 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous

- C. Consideration of a Certificate of Appropriateness (COA) for accordion shutter installation for the condominium unit located at 31 South Golfview Road #13; 38-43- 44-27-36-001-0130.

**Staff:** J. Hodges presents case findings and historical analysis. Although there were two approvals for accordion shutters in 2000 and 2007, this was before the Design Guidelines were adopted. There are other product replacements (windows and shutters) in the Hampshire and the Statler Buildings. Permitting yet another shutter system that will not be used by all units will further exacerbate the piecemeal appearance. Should the Board set precedent by granting the request, it would provide/allow for future requests of accordion shutters to be granted administratively. The request is not consistent with the Comprehensive Plan due to the fact that they cannot be stored out of site when not in use in addition to being very intrusive. They are visible from the street and utilize permanent tracks which detract from the appearance of the structure's openings. Visual characteristics of the building would also be permanently altered. Other options include metal corrugated panels, clear lexan panels and fabric screens all of which can be removed when not in use. Depending upon structure style, impact colonial or Bahama shutters are more permanent options.

**Board:** G. Harris mentions the seven (7) story building with existing accordion shutters. **Staff response:** It is actually one of the few applications where it is acceptable due to the height and the large balcony size and it seems to be consistent. Even though the Statler and Hampshire are two-story structures, it's not different from putting up shutters on a two-story home. The original rolldown shutters are shown on advertising from the 50's and 60's. G. Harris queries why the HOA hasn't taken any action on recommendation, it's a shame to lose the charm and shade offered by the original roll-down shades. **Staff response:** HOA has requested that everyone either replace windows with the approved impact windows already on the building or seek an approvable shuttering system. J. Fox thinks the consistency is important. W. Feldkamp believes eventually the entire building will transition to impact windows. B. Guthrie asks if any applicant could receive administrative approval for the impact windows as already shown on the building. **Staff Response:** Although they were approved at different times, the product was the same. The Board approval provided a blanket approval for future impact window requests to be approved administratively rather than Board approval. O. Ona queries how Board could deny when some are already existing, it is sending a mixed message. W. Feldkamp believes Board has been consistent. **Staff Response:** This project began as a building permit, it doesn't meet current Design Guidelines and there are other options of which the applicant could avail themselves; it does not stop anyone from protecting the property, the particular product does not meet the objective of the Design Guidelines. B. D'Arinzo asks how many windows are in the unit. Discussion ensues regarding floorplan of the units and number of openings per unit.

**Motion:** B. Guthrie moves to deny HRPB 20-00100189 because the applicant has failed to establish by competent, substantial evidence that the application is in compliance with the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements; J. Fox 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous.

- D. Consideration of a Certificate of Appropriateness (COA) for exterior alterations for the property located at **224 North L Street**; PCN#38-43-44-21-15-046-0130. The subject property is a contributing resource to the Northeast Lucerne Local Historic District and is located in the Medium Density Multi-Family Residential (MF-30) Zoning District.

**Staff:** A. Fogel presents case findings and historical analysis of the property. The proposal would require the enlargement and reconfiguration of most of the original openings which goes against the City's Historical Ordinance and is contrary to the Design Guidelines. New windows could be approved according to staff recommended Conditions of Approval. As the proposal is for a partial replacement, staff has included Conditions that would regulate any future replacement of the remaining windows, when that occurs, to ensure visual compatibility and consistency. The west elevation would receive a new front door, 6-light divided light pattern and would be visually compatible. The east elevation replacement of the jalousie windows would be a pair of 10 light French door and a single hung 6 over 1 divided light pattern. The north elevation proposal includes a triangular gable window, three (3) enlarged openings for single-hung windows and the closure of one window. South elevation four jalousie window openings would be enlarged and replaced with single-hung windows and the one wood window would remain.

**Applicant:** Garrett Scheffler talks about possible construction history of structure. On the south façade one window is egress (bedroom) and the other is matching as he believes it would give an unbalanced appearance if the original opening size was retained.

**Staff:** A. Fogel reviews the Conditions of Approval.

**Applicant:** The stud wall will need to be rebuilt to be structurally safe. In rebuilding, the trim will be replaced/replicated as staff recommends. The siding has damage and applicant is going to try to save what he can. He intends to replace with wood shiplap although this is tongue and groove.

**Board:** G. Harris dislikes the triangular window but does appreciate the two (2) existing clerestory windows. Favors the matching of the two (2) bedroom windows instead of one egress and smaller window. J. Fox asks if the replacement windows will be wood? **Staff Response:** No, only one wood double-hung window will remain; the jalousie windows are being replaced. R. D'Arinzo asks about the width of the lot. It may be a 25-foot wide lot. Since there is a privacy fence and not visible, would six over 1 (6/1) be acceptable as opposed to six over 6 (6/6)? **Staff Response:** yes that would be acceptable.

**Staff:** W. Waters points out the setbacks with regard to the wood siding may not meet fire code. It would have to be a fireproof product. The survey shows it to be one foot off the property line on the bedroom side of the house. The opening penetrations would also be a fire code issue.

**Applicant:** The building department already approved the plan.

**Board:** G. Harris states that although there may be room to walk that's not how the code works. Code states there needs to be separation from the property line, not just from the neighboring structure. Fire/life safety issues normally cannot be resolved with a variance. If the floor plan were to be flipped to have the living room on that side no penetrations would be allowed in the living area.

**Staff:** W. Waters, in consulting with the Building Official, has determined the siding has to be fire rated to be at a one-foot setback, the penetrations cannot be enlarged without fire rating and this item should be tabled to work with the applicant.

**Motion:** R. D'Arinzo moves to continue HRPB 20-00100186 to next meeting; G. Harris 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous.

**Moderator** advises that there are several attendees who have joined the meeting. Staff advises the item for the second tax exemption has passed and there is no need for them to join or speak at this point in time.

- E. **PZHP 20-03100007**: Consideration of an ordinance to Chapter 23 “Land Development Regulations” regarding changes to commercial vehicle parking, open air operations, temporary banner signage for new construction, landscaping requirements and artificial turf (Ordinance 20-15).

**Staff:** E. Sita reviews the proposed changes to the Land Development Regulations. Most of the changes were prioritized by the City Commission in early 2020 staff however the artificial turf is a proposal brought forth by the City Commission. As the latter is of the most interest, it will be heard first.

Exhibit G Article 6 Section 23.6-1- Landscape Regulations- subject to requirements related to location quality and installation. Staff research is displayed in a table showing pro’s and con’s. Reviewed best practices in adjacent cities.

**Locations proposed:** SFR and duplex rear yard only not visible from any street; ribbon parking strips in front yard of non-conforming properties (to be reviewed by DRO or Review Board) Rooftop terraces and part of a PDD recreation or amenity area. **How:** Landscape permit requirement, affidavit of maintenance, barrier between artificial turf and landscaping, crumb rubber not permitted and subsurface material specs. **What:** Minimum quality Standards; a 10 year warranty; drainage standards; appearance standards; and shall be disposable under normal conditions at any US landfill.

**Board:** Asks which surrounding cities that have allowed the application. **Response:** West Palm Beach, Delray Beach and Boca Raton, but not in the front yard. Delray Beach does allow for the ribbon strip parking in the front yard. It could be a potential solution for the many non-conforming front yard parking situations within the city.

**Board:** Questions about the jurisdiction of rooftop terraces. If one were to put carpet on the balcony that would be a maintenance issue and typically not visible to anyone. **Response:** Within a Planned Development. Outdoor carpet does not have a drainage component as does artificial turf. The litigation is related to crumb rubber.

**Board:** How would existing applications be addressed? **Response:** currently unpermitted applications would need to be removed. If it were to be allowed, it would be with a substantial number of restrictions. PZB voted to not make a recommendation on the subject.

**Board:** How does it relate to/impact impermeable surface requirements? **Response:** alternatives for the ribbon strip areas could be ground cover, turf or rocks.

**Board:** Why is this suddenly a topic? is there demand? Several properties have prominently installed it in the front yard. **Response:** It was not initiated nor is it connected to any City project; it was initiated by a City Commissioner. Within this ordinance it is not recommended in any public recreation areas or ballfields.

**Board:** Could it be placed beneath trees where grass does not grow and in a time of water conservation what are the benefits?

**Staff:** Crumb rubber was used on playgrounds years ago which was removed after a short time due to smell, black with rubber dust and being widely criticized by parents.

**Board:** Finds it ironic that a Board whose duty is to preserve, is considering something artificial, unnatural and counter to preservation. It is a lazy solution to problems. We should be setting a higher example. Other organic materials could be used. Consensus is that it is inappropriate for an entire lawn. This is doing nothing to reduce heat in the City. Eventually parking strips may not even be necessary for non-conforming properties.

**Board Attorney:** Planning & Zoning Board wanted to hear the Tree Board's thoughts on artificial turf.

**Staff:** The process for Land Development Regulation change is to gather information including public comments and advisory board comment; compile those comments/information into a staff report for City Commission consideration.

**Motion:** B. Guthrie moves to not recommend Exhibit G artificial turf; should City Commission decide to allow the use, a Certificate Of Appropriateness and Board approval should be required for all applications in the Historic Districts; J. Fox 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous.

**Staff:** E. Sita reviews the balance of the proposed changes including parking and storage of commercial vehicles in non-residential areas; cemeteries, mausoleums and columbariums. Outdoor storage, open air operations and outdoor display such as propane tanks. Signage (larger grand opening signage) and Landscaping regulations for ground cover, inorganic mulch and prohibitions. The yards of rocks were addressed in the last LDR change with previous requirements and the minimum plant material.

**Board:** Why is Board concerned with hours of operation for cemeteries and could it be rewritten?

**Response:** It is a safety issue related to lighting.

**Motion:** R. D'Arinzo moves to recommend approval of 20-03100007 to City Commission with the exception of Exhibit G; O. Ona 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous.

### **PLANNING ISSUES:**

- A. Consideration of an amendment to the COA Approval Matrix that adds clear glazing standards and consolidates information for actions that impact the exterior appearance of properties located within the historic districts.

**Staff:** A. Fogel – On August 12, 2020 meeting a moratorium was placed on all glass types that are not clear. At the September 9, 2020 meeting the Board requested additional research comparing clear glass and clear glass with low-E, Visual Light Transmittance be revised to only account for the glazing to effectively review glass types. According to Design Guidelines clear glass is the most historically accurate glass type. With regard to current energy efficient design, it is important to recall that historical homes were designed with those green practices since they were built when energy and water efficiency were important. Walls (concrete block), porches, roof material (concrete tile), roof and attic vents, large overhangs, wood windows and doors (thermal properties) and foundation stem walls all help to cool and insulate.

Orientation in relation to the sun, shading, roof overhangs, curtains/blinds all influence how well glazing performs. Low-E is a non-reflective, non-tinted window film that reduces heat gain. With low-E the glass must have a minimum 70% VLT measured from the center of the glazing to be permissible in a historic structure. This refers to the amount of light passing through the glass, clear glass may typically have a rating of 80%. VLT is also determined by the thickness of the sash, grids/muntins, and frame. The Center Of Glass (COG) only measures that light passing

through the glass. Major manufacturer's offer low-E coatings that meet the 70% minimum VLT. At Board's discretion, tinted glass may be allowed that meets the 70% minimum. The COA matrix has been consolidated, and duplicitous information eliminated to more closely align with the Design Guidelines. Going forward all COA applications for window and door replacement will require a product quote showing VLT of the glazing.

**Public Comment:** Ron Heath-Max Guard Hurricane Windows-mentioned Cardinal Glass is discontinuing low-E270 and being replaced by low-E 366 the #1 selling tint in the U.S..

This glass does not meet the 70% threshold.

**Board:** B. Guthrie believes that if in the future it is determined that the 70% is not available, the threshold could be adjusted. Rather than using industry jargon, if Board states the minimum 70 % VLT, the homeowner will have to provide the rating through their supplier. R. D'Arinzo clarifies that PGT is one of the biggest manufacturer's.

**Motion:** B. Guthrie moves to approve changes to the COA matrix; R.D'Arinzo 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous.

**PUBLIC COMMENTS:** (3 minute limit): None

**DEPARTMENT REPORTS:**

Staff: The Gulfstream has been submitted and the hope is to have it before Board in December.

A. Presentation of award recipients that have demonstrated outstanding achievements in historic preservation:

- 113 South Federal Highway,
- 407 South Lakeside Drive,
- 231 North Ocean Breeze,
- 330 North Palmway, and
- 1101 North Lakeside Drive.

All recipients will receive a Bronze plaque for the structure.

**Board:** W. Feldkamp would like to see the awards featured in the Palm Beach Post and an insert in the City water utility bill.

**BOARD MEMBER COMMENTS:** O. Ona commends R.D'Arinzo's for the historic information provided on his business flyer/advertisement. B. Guthrie welcomes Geoffrey Harris.

**ADJOURNMENT:** Motion by B. Guthrie to adjourn; R. D'Arinzo 2<sup>nd</sup>.

9:23 PM