



**MINUTES
CITY OF LAKE WORTH BEACH
HISTORIC RESOURCES PRESERVATION BOARD REGULAR MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, JUNE 08, 2022 -- 6:00 PM**

ROLL CALL and RECORDING OF ABSENCES: Present were-Bernard Guthrie-Vice-Chair; Robert D'Arinzo; Stephen Pickett; Ricardo Martin. Also present were: Scott Rodriguez-Principal Planner; Erin Sita-Assistant Director for Community Sustainability (Virtual); William Waters, Director for Community Sustainability. Elizabeth Lenihan, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

Motion: R. D'Arinzo moved to continue New Business Item A to the July 13, 2022 Regular meeting; S. Pickett 2nd.

Vote: Ayes all, unanimous

Motion: R. D'Arinzo moved to continue New Business Item B to the July 13, 2022 Regular meeting; S. Pickett 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) 201 Ocean Breeze
315 N Ocean Breeze
Ordinance 2022-11
Ordinance 2022-12
Ordinance 2022-13

WITHDRAWALS / POSTPONEMENTS: None

CONSENT: None

PUBLIC HEARINGS:

BOARD DISCLOSURE: No Board Member disclosures with exception of Ricardo Martin recognizing that agent Mr. Wes Blackman is licensed with the company with whom he works. It will not affect his impartiality.

UNFINISHED BUSINESS: None

NEW BUSINESS:

A. HRPB Project #22-00100169: Consideration of a Certificate of Appropriateness (COA) for the construction of a new attached 1-car garage and a new 2-story wood-framed accessory building with carport and covered patio for a building located at 315 North Ocean Breeze; PCN# 38-43-44-21-15-096-0130. The subject property is a contributing resource within the Old Lucerne Historic District and is located in the Single Family Residential (SFR) zoning district.

Continued to July 13, 2022 HRPB meeting

B. HRPB Project # 22-00100091: Consideration of a Certificate of Appropriateness (COA) for roof replacement on a building located at 623 North Ocean Breeze; PCN# 38-43-44-21-15-170-0100. The subject property is a contributing resource within the Old Lucerne Historic District and is located in the Single Family Residential (SFR) zoning district.

Continued from May 11, 2022.

Applicant has requested further continuance to the July 13, 2022 meeting.

C. HRPB Project # 22-00100212: Consideration of Certificate of Appropriateness (COA) for roof replacement and an Unreasonable Economic Hardship Application for an Income Property located at 814 North Ocean Breeze; PCN #38-43-44-21-15-232-0040. The subject property is a non-contributing resource to the Northeast Lucerne Local Historic District and is located within the Single-Family Residential (SF-R) zoning district.

Staff: It is an owner-occupied residence, not an income property. This statement in the staff report was incorrect. The original roof was shingle asbestos and replaced in 1967 with a flat tile roof, now the request is to go back to asphalt dimensional shingle.

Applicant: Hillary Broder- Most of the roofs on the street are asphalt shingle roofs. The house was Inherited. Dislikes the tile as It became dirty within 6 months of cleaning. Staff reminds applicant to speak of hardship not aesthetics. Applicant states she was a professor at NYU, retired, currently has a squatter in apartment, retirement annuity was less than expected due to taxes. Also receives money from University of North Carolina Chapel Hill.. Only income is SS and UNC. Roof has had structural damage (underlayment is warped). The price of the tile has increased, is difficult to get, it's not made anymore.

Board: R. Martin asks about staff conditions regarding color. **Response:** Light grey is the conditioned color. B. Guthrie indicates the change to tile was an upgrade, and that asbestos shingles looked and were installed differently from asphalt shingles. B. Guthrie asked if there is a mortgage? **Response:** No, it does not. No evidence was presented for No bank accounts were provided (or other documentation) showing the hardship. **Response:** Wealth has deteriorated by 2/3 due to the current stock market. Experiencing the hardship of maintenance on the property. S. Pickett asks if it's possible to generally condition that the shingles could be granted however the next replacement would require tiles. Board members don't believe a hardship could be granted for the life of the roof. B. Guthrie inquires about the difference in the cost of the roof. **Staff response:** Typically a tile roof runs around 40-50K

Code states that a 30% difference would be the hardship delineation. The quote was 28K. Board questions if this is a standard disclosure, does the Board always receive the same information? **Staff response:** Applicants will provide different documents based upon what they are comfortable with disclosing. Ms. Broder provided what she deemed necessary to review her economic circumstances and stated to staff that some of her retirement accounts would indicate a lesser hardship, therefore those documents were not provided.

Board: Members believe the evidence is lacking.

Applicant: Due to required minimum distributions from accounts, what would have taken 5-10 years, was taken lump sum and the federal tax burden was well over \$100,000.00. Also claiming physical, emotional and financial hardships and would appreciate the Board attention as she lives by herself. Board states that other cases have been more forthcoming in presenting evidence.

Board: Members are amenable to continuing to the July 13 meeting should the applicant wish to provide more verifiable information/documentation of hardship. The evidence falls short.

Applicant: States she cannot get a tile roof on the house prior to hurricane season. Please look at the big picture.

Motion: R. D'Arinzo moves to continue the request to the next regular meeting, July 13, should the applicant wish to submit additional supporting hardship information; R. Martin 2nd.

Vote: Ayes all, unanimous.

D. HRPB Project # 21-00100148: Consideration of a Certificate of Appropriateness (COA) for a second-floor addition, new wrap around porch, and new detached garage including an accessory dwelling unit (ADU) above it for a building located at 201 Ocean Breeze; PCN# 38-43-44-21-15-095-0090. The subject property is a contributing resource within the South Palm Park Historic District. The property is located in the Multi-family Residential (MF-20) zoning district.

Staff: Presents case findings and analysis. A historic waiver is requested due to exceeding the maximum lot coverage with the ADU. If the staircase were left open, rather than enclosed, the waiver could be eliminated or reduced.

Architect for Applicant: Geoffrey Harris-the square footage 101 over the maximum lot coverage is primarily covered staircase to the second floor of the ADU.

Applicant: Matt Palmer, does not want to rent a property while the construction/remodeling is occurring. The chain link fence will be in the hedge. Requesting to build the ADU, move into the ADU, while working on the primary contributing structure.

Board: Discussion on concurrency. Staff suggests one permit for the entire project; a TCO could be issued to the ADU however the CO would only be issued for the ADU once the primary structure receives the CO.

Motion: S. Pickett moves to approve HRPB 21-00100148 with staff recommended Conditions of Approval, with added Conditions regarding TCO, one permit for project and that the ADU shall not be used as a short-term/vacation rental 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; R. D'Arinzo 2nd.

Vote: Ayes all, unanimous.

E. Ordinance 2022-11: Consideration of an ordinance amending Chapter 23 “Land Development Regulations,” Article 2 “Administration,” Division 3 “Permits,” Section 23.2-31 related to “Site Design Qualitative Standards.”

Staff: W. Waters- This ordinance will only apply to buildings of 7,500 square feet or more. Provide additional guidance, consistency, clarity and additional standards related to building design and sustainable performance; high-quality architectural design respectful of the existing streetscape; exceed industry standards with regard to greenhouse emissions, carbon footprint and utilization of recycled materials as well as reductions in water and energy usage. New buildings would be required to incorporate design features that support multi-modal transportation, amenities that are conducive to enhancing community pride and social interaction, and safety features. Include design elements, performance standards and/or specifications to enhance the public’s awareness and appreciation of the community’s commitment to the incorporation of sustainable qualities, values and principles

Board Discussion: Developers will encounter too many roadblocks and go elsewhere for new construction and redevelopment projects. The spirit or intent is acceptable however there are already review mechanisms and staff in place, including the Boards and City Commission, to make the determinations. Additionally, it would require an added staff person to oversee the programs. The cost is an impediment and the elements are too vague. To put into an Ordinance is not right.

Public Comment: Mr. Wes Blackman finds that all policies, guidelines and codes already exist to make these determinations.

Motion: R. D’Arinzo move to recommend denial of **Ordinance 2022-11** to the City Commission.

Vote: Ayes all, unanimous.

F. Ordinance 2022-12: Consideration of an ordinance amending Chapter 23 “Land Development Regulations,” Article 1 “General Provisions,” Division 2 “Definitions,” Section 23.1-12 “Definitions,” adding new definitions “Annual Gross Household Income,” “Gross Rent,” and “Overall Housing Expense;” and Article 2 “Administration,” Division 3 “Permits,” adding a new Section 23.2-39 “Affordable/Workforce Housing Program.”

Staff: Staff received direction to create an Affordable/Workforce Housing Program to encourage the development of affordable and/or workforce housing units within the City. The proposed program would allow several incentives, including a 15% density bonus and additionally flexibility in unit size, parking requirements and financial incentives provided that no less than 15% of the total dwelling units are deed restricted as affordable.

Motion: R. D’Arinzo moves to recommend adoption of **Ordinance 2022-12** to the City Commission; R. Martin 2nd.

Vote: Ayes all, unanimous.

G. Ordinance 2022-13: Consideration of an ordinance amending Chapter 23 “Land Development Regulations,” Article 1 “General Provisions,” Division 2 “Definitions,” Section 23.1-12 “Definitions,” adding a new definition “Micro-unit;” and Article 4 “Development Standards,” adding a new Section 23.4-25 “Micro-units,” providing for development standards for micro-units.

Staff: Staff received direction to create a new multi-family unit type in the City to address housing affordability in the region. The proposed micro-unit housing type would have a smaller

minimum unit size (minimum 250 sf – maximum 750 sf) and require only 1 parking space per unit with provisions for guest parking. A micro-unit development would also be required to provide additional interior common areas and an outdoor amenity area.

Motion: R. Martin moves to recommend adoption of **Ordinance 2022-13** to the City Commission; S. Pickett 2nd.

Vote: Ayes all, unanimous.

PLANNING ISSUES:

A. Annual Organizational Meeting & Election of the Chair & Vice-Chair

Motion: R. D'Arinzo nominates Stephen Pickett for Chairman; R. Martin 2nd.

Vote: Ayes all, unanimous

Motion: R. D'Arinzo nominates Bernard Guthrie for Vice-Chair; R. Martin 2nd.

Vote: Ayes all, unanimous

PUBLIC COMMENTS: (3 minute limit) Mr. Wes Blackman questions if a previously denied variance request can re-submit to the Board? **Response:** yes, as 12 months have passed since the denial.

DEPARTMENT REPORTS: None

BOARD MEMBER COMMENTS: Consideration of standardization of hardship criteria for future cases. **Staff:** The applicant cannot be forced to provide, they do receive a list of suggested documents.

ADJOURNMENT 8:55 PM