



**AGENDA**  
**CITY OF LAKE WORTH BEACH**  
**HISTORIC RESOURCES PRESERVATION BOARD MEETING**  
**CITY HALL COMMISSION CHAMBER**  
**WEDNESDAY, MARCH 11, 2026 -- 6:00 PM**

**ROLL CALL and RECORDING OF ABSENCES:**

**PLEDGE OF ALLEGIANCE:**

**ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA:**

**APPROVAL OF MINUTES:**

- A. [January 14, 2026 Regular Meeting Minutes](#)
- B. [February 11, 2026 Meeting Minutes](#)

**CASES:**

**SWEARING IN OF STAFF AND APPLICANTS**

**PROOF OF PUBLICATION**

- 1) [109 South L Street](#)  
[826 South Lakeside Drive](#)  
[804 Lake Avenue](#)

**WITHDRAWALS / POSTPONEMENTS**

**CONSENT**

**PUBLIC HEARINGS:**

**BOARD DISCLOSURE**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

- A. [HRPB Project Number 26-00500002: a request for a Conditional Use Permit to allow a Bar with Live Entertainment and Alcohol Distance Waiver to allow non-package sales of wine for on-site consumption at Latitude 26 Art Gallery & Wine Bar at 804 Lake Avenue. The subject property is located in the Downtown \(DT\) Zoning District and has a future land use designation of Downtown Mixed Use \(DMU\). The property is a contributing resource in the Old Town Historic District.](#)
- B. [HRPB Project Number 26-00100034: Consideration of a Certificate of Appropriateness \(COA\) for new construction of a single-family structure of approximately ±5,876 square feet at 826 S Lakeside Drive. The subject property is located in the SFR—Single Family Residential Zoning District and has a future land use designation of Single Family Residential \(SFR\). The property is non-contributing to the South Palm Park Historic District.](#)

**C.** [HRPB Project Number 26-00100035: Consideration of a Certificate of Appropriateness request for one historic waiver for a swimming pool in the front yard for the property located at 109 South L Street. The subject property is located within the Medium Density Multi-Family Residential \(MF-30\) zoning district and has a future land use designation of High Density Residential \(HDR\). The property is a contributing resource in the Southeast Lucerne Historic District.](#)

**PLANNING ISSUES:**

**PUBLIC COMMENTS:** (3 minute limit)

**DEPARTMENT REPORTS:**

**BOARD MEMBER COMMENTS:**

**ADJOURNMENT:**

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)



**MINUTES  
CITY OF LAKE WORTH BEACH  
HISTORIC PRESERVATION BOARD  
CITY HALL COMMISSION CHAMBER  
WEDNESDAY, JANUARY 14, 2026 -- 6:00 PM**

**ROLL CALL and RECORDING OF ABSENCES** Present were: Laura Devlin; Robert D’Arinzo, Chair; Michelle Huffman; Ken Gross; Edmond LeBlanc; Edmund Deveaux. Absent: Elaine DeRiso. Also present: Anne Hamilton, Senior Preservation Planner; Scott Rodriguez, Assistant Director for Planning & Preservation; Elizabeth Lenihan, Board Attorney; Sherie Coale, Board Secretary.

**NEW MEMBER OATH** The Oath of Office was administered to two new Board members: Ken Gross and Michelle Huffman by the Board Secretary

**PLEDGE OF ALLEGIANCE**

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

**APPROVAL OF MINUTES:**

A. December 10, 2025 Regular Meeting Minutes

**Motion:** L. Devlin moves to approve the minutes as presented. K. Gross would like the minutes be amended to reflect that he was in attendance in the audience at the meeting . Amendment accepted by the Board.

**Vote:** Ayes all, unanimous.

**CASES**

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

**PROOF OF PUBLICATION**

- 1) 309 S Ocean Breeze  
1022 North J Street

**WITHDRAWALS / POSTPONEMENTS** None

**PUBLIC HEARINGS:**

**BOARD DISCLOSURE:** R. D’Arinzo states he knows both the applicant and architect for New Business, Item. B.. K. Gross states he knows the applicant for the same project and lives within 500 feet of the parcel. Believes it does not have any impact on his impartial decision making.

**Board Attorney:** Voting conflicts are not based upon whether or not a person can remain neutral rather a matter of fact of how close and how many others could be similarly situated. The State

of Florida and Palm Beach County Commission on Ethics state a person cannot vote if one falls within a certain subset of people.

**NEW BUSINESS:**

- A. HRPB Project Number 25-00100311:** Consideration of a Certificate of Appropriateness (COA) for Ad Valorem Tax Exemption and one waiver for maximum Accessory Dwelling Unit size associated with the construction of a new ±798 square foot Accessory Dwelling Unit at 1022 N J Street. The subject property is located in the Single Family and Two Family Residential (SF-TF-14) zoning district and has a future land use designation of Medium Density Residential (MDR). The property is a contributing resource in the Northeast Lucerne Historic District.

**Staff:** A. Hamilton provides an overview of request and current status of parcel. The owner has been working with staff for some time now and they wish to construct an accessory dwelling unit (ADU). The existing garage will be used as 150 sq ft. storage and laundry. They wish to keep the structure. The new structure will house 2 bedrooms and 2 baths. The maximum area has been exceeded by 36%. The applicant has provided 3 parking spaces however they are not dimensioned correctly.

Waivers are a benefit to contributing structures in Historic districts incentivizing improvements and encouraging re-use of existing buildings. The request meets the waiver criteria.

The applicant has also requested approval of an Ad Valorem Tax Exemption. This portion is the pre-construction approval. Board would also hear a post-construction recommendation in the future when construction is complete.

**Board:** L. Devlin requests more information regarding the parking spots and location.

**Response:** Staff confirms the parking will be on the parcel, parallel to the alley but not in the alley or alley right-of-way. In an SFR zoning district all parking must be on-site.

E. Deveaux does not believe any Ad Valorem Tax Exemptions should be approved reasoning that if the applicant can afford to improve the property, the City should be able to reap the benefits of taxes. Questions if there is a way to remove all Ad Valorem Tax Exemptions now and going forward?

**Staff response:** Any particular request can be denied however the criteria for the denial would need to be provided for the record. Decisions must be consistent with the Secretary of the Interior Standards. Substantial evidence would need to be provided as to why it was denied.

K. Gross inquires about a curb cut for the parking in the front.

E. Deveaux inquires about alley improvements. **Staff:** Public Works would be the Department to require the improvement. Duplexes, multi-plexes triplexes are usually required to improve the alleyway. As this is SFR it is not required.

E. Deveaux believes millings could be used and the City should require each property to improve the alley regardless whether Single or Multi Family.

K. Gross- questions if the applicant plans to remove the garage door facing the ADU. **Staff:** No.

L. Devlin inquires about the historic consistency/qualities of the ADU. **Staff:** The only condition would be to change the horizontal slider, otherwise it meets the standards.

**Motion:** L. Devlin moves to approve HRPB 25-0100311 with staff recommended Conditions of Approval based upon the competent substantial evidence in the staff report and pursuant to the

City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements; E. Deveaux 2<sup>nd</sup>

**Vote:** Ayes all, unanimous.

**Applicant:** Not present.

**A short break was taken before New Business Item B.**

**Board Attorney:** It is recommended but not required the applicant leave the room.

**Mr. Gross remained on the dais but recused himself.**

**B. HRPB Project #25-00100314:** Consideration of a Certificate of Appropriateness (COA) for new construction of a multi-family structure of approximately ±3,675 square feet at 309 S Ocean Breeze. The subject property is located in the MF-20—Multi-Family and Two-Family Residential Zoning District and has a future land use designation of Medium Density Residential (MDR). The property is a non-contributing resource in the South Palm Park Historic District.

**Staff:** A. Hamilton provides an analysis of the request based up Historic Preservation requirements for new construction. Staff has suggested and conditioned several changes to fenestrations and other items to bring the proposal closer to Streamline Moderne style.

**Board:** E. Deveaux would like to know the finished floor elevation. **Staff:** It is shown on the elevation slide. Drainage is addressed by time of Building permit; the reviewer has seen the proposal and provided comments. E. LeBlanc inquires as to whether the comments are included in the Conditions.

**Applicant owner Daniel Tanner and Architect Geoffrey Harris:** Both mention as previous Board members they never reviewed the entire plan, those responsibilities remain with the City Building reviewers. The crown of the road is base flood elevation 7.99 feet plus 1 foot. The current flood zone is X and proposed to be AE flood zone. The wall height shown on these plans is in error, it shows the top of roof. The top of the wall will be at 18 feet (maximum allowable wall height). The adjacent property has a finished floor height above this structure's finished floor height.

Further discussion regarding applied muntins: applicant would like to have the picture windows remain open. In line with Historic Guidelines they do not want to create a false sense of history, this is a new building in an old district. Applicant is willing to provide banding. Sliders will allow for more interior space than suggested French doors. The sliders are not visible from the street, they are in the courtyard, private rear area near the pool. The eyebrows can be increased. The alley is improved, there is some asphalt there already.

As per the staff report, there is provision for additional staff and applicant discussions.

**Motion:** E. LeBlanc moves to approve HRPB 25-00100314 with staff recommended Conditions of Approval striking Condition 9c, the sliders shall have a five lite pattern 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; M. Huffman 2<sup>nd</sup>.

**Vote:** 5/0 motion passes; K. Gross abstained from voting.

**PLANNING ISSUES:** The Joint Board meeting will be held on January 21, 2026 in City Hall to provide orientation and variance training by the Board Attorney and staff.

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

**DEPARTMENT REPORTS:** None

**BOARD MEMBER COMMENTS:** Question about new staff being hired. Anne Hamilton is the Senior Preservation Planner. The Principal Planner position may soon be filled.

E. Deveaux has continued concerns about hearing the apparatus ordinance, believes it should not infiltrate into the realm of the Historic Preservation Board.

Board Attorney reminds Board members, their role, their function is as one-half of the Certified Local Government Planning Agency. All comprehensive plans and amendments to the Land Development regulations are heard by both Boards prior to being forwarded to the City Commission for action. It is heard by this Board whether or not it impacts any Historic District.

Portions of the tile roof of City Hall Annex is missing, what is the status? Board members are concerned that the structure is not headed down a neglectful path. The City has contracted for the roof repair.

**ADJOURNMENT 7:14 pm**



**MINUTES  
CITY OF LAKE WORTH BEACH  
HISTORIC RESOURCES PRESERVATION BOARD MEETING  
CITY HALL COMMISSION CHAMBER  
WEDNESDAY, FEBRUARY 11, 2026 -- 6:00 PM**

**Motion:** L. Devlin moves to nominate/appoint E. LeBlanc as temporary Chair; E. Deveaux 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous.

**ROLL CALL and RECORDING OF ABSENCES:** Present were: Elaine DeRiso, Laura Devlin, Edmond LeBlanc, Ken Gross, Michelle Huffman, Edmund Deveaux. Absent: Robert D'Arinzo.

Also present: Anne Hamilton, Senior Preservation Planner; Yeneneh Terefe, Preservation Planner; Lauren Pruss, Principal Planner; Elizabeth Lenihan, Board Attorney; Sherie Coale, Board Secretary

**PLEDGE OF ALLEGIANCE:**

**ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA:**

**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) 338 Cornell Dr – Provided in the meeting packet.

**WITHDRAWALS / POSTPONEMENTS** None

**PUBLIC HEARINGS:**

**BOARD DISCLOSURE:** Ken Gross did some research on New Business Item A with staff during the week and believes it will not bear upon his decision making abilities. Elaine DeRiso, received a courtesy notice for the same property. She owns the property at 314 Cornell, but resides elsewhere.

**Board Attorney:** E. DeRiso is significantly closer than other Board members and will be abstaining.

**NEW BUSINESS:**

- A. HRPB Project Number 26-01500001:** A variance request for an eight (8) foot fence along the side alley property line at 338 Cornell Drive. The subject property is a contributing resource within the College Park Historic District and is located in the Single Family

Residential (SFR) zoning district. The future land use designation is the Single Family Residential (SFR).

**Staff:** A. Hamilton provides a brief overview of the request. The applicant applied for and received a permit for a six (6) foot fence; upon inspection to close the permit, it was observed that an eight (8) foot fence had been constructed. The applicant then requested a variance to allow the eight (8) foot fence. This address previously received approval by HRPB for re-construction of the house (22-00100384). This request involves approximately eighty (80) linear feet of fence along the west alley side of the parcel. As a variance request, the four variance criteria must be met. Staff review of the criteria reveals none of the criteria can be met. It is a self-imposed hardship.

**Applicant Agent:** Robert Gleichenhaus Realtor for corporate owner – The fence was constructed for safety issues related to vagrant on the property. A higher fence will be more beneficial to a new owner. His belief is that it is more a safety issue related to vagrancies rather than proximity to the liquor store.

**Board:** E. Deveaux asks if the applicant is open to other ideas? **Response:** It would not be his decision but would be interested to hear a suggestion. E. LeBlanc asks if the fence is eight (8) foot all around? **Response:** Yes. Would it need to be cut to six (6) foot? **Response:** Yes. K. Gross believes it is a unique property as it is the rear alley for the businesses and not many parcels in the City are similarly situated. The applicant asked for and received approval for a six (6) foot fence. What if the fence needs to be rebuilt in the future? E. Deveaux states that the criteria must be met. **Staff:** Applications and approvals for a fence or wall must follow the City regulations. Findings for variances must meet the criteria, criteria #1 is that the parcel is uniquely situated.

**Board:** L. Devlin requested an explanation of why an eight (8) foot fence is safer than a six (6) foot fence. **Applicant Response:** It is a better deterrent, the gate (leading to the pool equipment) is sometimes locked. He always calls ahead to the commercial property owner to have the vagrants removed from before he arrives on site. **Board:** L. Devlin asks whether as a Realtor the property easier to sell with an eight foot fence, is that a reason for the request? **Applicant Response:** No, it is better for the homeowner, it is a selling point. **Board:** E. LeBlanc states a four (4) foot fence would be allowed in the front setback and there is no fence at all. A four (4) foot fence in the front setback might discourage vagrancy in the front yard. E. Deveaux asks if there is a height restriction on the hedges and suggests a hedge in combination with a six (6) foot fence. It could have been a hardship before installation, now it's a violation. **Response:** There is no height restriction on hedge height, however the site would be required to have a safe sight triangle at the intersection.

K. Gross- believes the site is unique however other members mention the need to meet all four criteria.

**Board Attorney:** This could be a discussion item in a joint workshop with Planning & Zoning to discuss a possible code change pertaining to alleyway fences.

**Applicant:** How many community complaints from neighbors were received? **Board and Staff:** None, however the request does not meeting the criteria. **Board:** M. Huffman, drove by the site, and believes this has to do with safety rather than the rules/criteria. L. Devlin states a site visit results in non-parity with other board members; knowing or having more information than other Board members.

**Board Attorney:** Reminds the Board member that all site visits should be disclosed. If the intent is to inspect the site prior to coming up for Board review all Board members should be on an

equal basis of having the same information. The disclosure must be made. Quasi-judicial hearings are based upon all members hearing and receiving the same information at the same time. Any research, including google street views, should be disclosed.

K. Gross drove by as well and requests that staff provide larger photos. **Staff:** The photos are provided to staff by the applicant and is what is presented to the Board. Board Attorney offers that Google street views can be reviewed during this meeting.

**Motion:** K. Gross moves to approve HRPB 26-01500001 with conditions, as the project meets the variance criteria as stated below:

1. Special conditions exist. A side alley is rare. Most side alleys are abutting other residential lots.
2. The applicant will be deprived of all reasonable use of the land - For the same reason it was decided an eight (8) foot high fence in the rear is suitable.
3. Putting a hedge will not help.
4. Not detrimental to anyone.

M. Huffman-2<sup>nd</sup>. K. Gross the portion adjoining the house to the eight (8) foot alleyway fence shall be cut to six (6) feet. The variance shall run with the property, no time limit.

**Vote:** 2 ayes, 3 nays. Dissenting E. LeBlanc; E. Deveaux; L. Devlin. **Motion fails.**

Board members suggest a Joint meeting for code changes. E. LeBlanc would support code changes requiring a fence on a public roadway be limited to a four (4) foot fence irrespective of location.

E. Deveaux believes this is a cut and dried situation and self-inflicted.

**Motion:** E. Deveaux moves to disapprove HRPB 26-01500001 as the applicant does not meet the variance criteria based upon the data and analysis in the staff report; L. Devlin 2<sup>nd</sup>.

**Vote:** 3 ayes; 2 nays K. Gross and M. Huffman dissenting. **Motion passes.**

- B.** Ordinance 2026-02: Consideration of an ordinance establishing a new section within the Land Development Regulations to allow murals and sculptures to be attached to structures.

**Staff:** L. Pruss provides details of the new Ordinance. Much of the Ordinance is related to moving it out of sign code.

**Board:** L. Devlin asks about enforcement. **Responses:** Enforcement is available under other sections of the Land Development Regulations. The approvals would fall under the Development Order requirements. E. Deveaux- has concerns about the distance between murals and sculptures. Question as to what is a mural? **Board Attorney:** Is the neighborhood becoming overwhelmed? Is it in keeping with the character of the neighborhood. The Major Thoroughfare Design Guidelines are in effect as well as the Historic Preservation Guidelines.

**Staff:** The Ordinance provides enough constraints.

The Commission would like to understand the reasons for recommended denial. The objection seems to be for regulation of sculptures and murals in on residential property. It is more likely that a sculpture, rather than a mural, could extend beyond the height of the structure.

**Staff:** Y. Terefe-Preservation Planner. Fences are not structures, this is why they are allowed on the property line. The only regulated 'paint' is for chain link fences to be black coated.

Currently murals are allowed in Commercial and Industrial zoning districts. Murals, as this Ordinance is written, would be allowed in all zoning districts

**Motion:** K. Gross moves to recommend denial of the Ordinance 2026-02 to the City Commission; L. Devlin 2<sup>nd</sup> . The reasons for the recommendation are the Board would like:

- a better definition of mural
- no regulation for single-family homes
- consideration of visibility from Right-of-Ways.

**Vote:** Ayes all, unanimous.

**PLANNING ISSUES:** The Board election is due however Board would like to table until all Board members, the chair, are present.

Availability for the City garage meeting. March 25 or April 8 or April 15. Please hold the dates.

E. LeBlanc believes he will not be able to participate due to his proximity to the project. He will be able to speak as an individual, not as a Board member.

**PUBLIC COMMENTS:** (3 minute limit)

**DEPARTMENT REPORTS:** None

**BOARD MEMBER COMMENTS:** None

**ADJOURNMENT: 7:51 PM**



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#### 109 SOUTH L STREET

HRPB Project #26-00100035: A waiver request to locate a pool in front of the primary structure at 109 S L Street, associated with the construction of a new rear addition. The subject property is a contributing resource within the Southeast Lucerne Historic District and is located in the Medium Density Multi-Family Residential (MF-30) Zoning District. The future land use designation is the High Density Residential (HDR). PCN # 38-43-44-27-01-024-0020.

Fri, Feb 27, 2026

[See More](#)

#### 804 LAKE AVENUE

HRPB Project #26-00500002: A Conditional Use Permit and Alcohol Distance Waiver request to establish an Art Gallery with a Bar with Live Entertainment at 804 Lake Avenue. The subject property is a contributing resource within the Old Town and is located in the Downtown (DT) Zoning District. The future land use designation is the Downtown Mixed Use (DMU). PCN # 38-43-44-21-15-507-0090.

Fri, Feb 27, 2026

[See More](#)

#### 826 SOUTH LAKESIDE DR

HRPB Project #26-00100034: Consideration of a Certificate of Appropriateness (COA) for new construction of a single family structure of approximately ±5,876 square feet at 826 S Lakeside Drive. The subject property is located in the SFR—Single Family Residential Zoning District and has a future land use designation of Single Family Residential (SFR). The property is a non-contributing resource in the South Palm Park Historic District. PCN # 38-43-44-27-01-024-0020.

Fri, Feb 27, 2026



## HISTORIC RESOURCES PRESERVATION BOARD REPORT

**HRPB Project Number 26-00500002:** a request for a Conditional Use Permit to allow a Bar with Live Entertainment and Alcohol Distance Waiver to allow non-package sales of wine for on-site consumption at Latitude 26 Art Gallery & Wine Bar at 804 Lake Avenue. The subject property is located in the Downtown (DT) Zoning District and has a future land use designation of Downtown Mixed Use (DMU). The property is a contributing resource in the Old Town Historic District.

**Meeting Date:** March 11, 2026

**Property Owner:** Cimaglia Holdings Number One LLC

**Applicant:** Kelly Absher – Latitude 26 Art Gallery & Wine Bar

**Address:** 802-804 Lake Avenue

**PCN:** 38-43-44-21-15-507-0090

**Size:** 0.16 acre / 7,000 sf

**General Location:** Northeast corner of Lake Avenue and North J Street

**Existing Land Use:** Art Gallery

**Current Future Land Use Designation:** Downtown Mixed Use (DMU)

**Zoning District:** Downtown (DT)

### Location Map



## RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs) and for consistency with the Comprehensive Plan and Strategic Plan. Staff recommends that the Historic Resources Preservation Board (HRPB) approve the proposed Conditional Use Permit (CUP) and Alcohol Distance Waiver to permit the existing Art Gallery to operate a Bar with Live Entertainment use and to allow for non-package sales of wine for on-site consumption, as they meet the criteria provided in the LDRs. If the HRPB approves the request, conditions of approval have been provided on pages 4-5 of this report.

## PROJECT DESCRIPTION

The applicant, Kelly Absher, is requesting a **Conditional Use Permit (CUP) and Alcohol Distance Waiver** to establish a bar with live entertainment use in addition to the existing Art Gallery use at 804 Lake Avenue. The subject site is located in the Downtown (DT) zoning district and is a contributing resource in the Old Town Historic District.

## COMMUNITY OUTREACH

At the time of publication, staff have not received any letters of support or opposition for this application.

## BACKGROUND

Below is a timeline summary of the commercial property based on the Palm Beach Property Appraiser's records and City records:

- Development History
  - Circa 1915 – Construction of 804 Lake Avenue for First National Bank
  - Circa 1925 – Construction of 802 Lake Avenue (eastern half of the existing building at 802-804 Lake Avenue)
  - Major interior and exterior renovations: 1940, 1941, 1945, 1947, 1955, 1973, 1989, 1991, 1992, 2005
- Business License History (Excludes records prior to the year 2000)
  - The Sunflower Room was licensed from 2011-2015.
  - Cherry Pickings Antiques was licensed from 2015-2017.
  - E-Gear Media was licensed from 2017-2020.
  - V Gallery was licensed from 2023-2024; this business previously received HRPB approval for an Alcohol Distance Waiver to permit sales of wine under HRPB 24-00600001.
  - Latitude 26 Art Gallery & Wine Bar requested a business license on July 29<sup>th</sup> 2025. At this time, the application was approved for an Art Gallery with a note from Planning & Zoning Staff that no live entertainment or bar was permitted as this would require a Conditional Use approval and updated Alcohol Distance Waiver. The property was subsequently inspected on December 17<sup>th</sup>, 2025 for Use and Occupancy and disapproved for operating outside of the scope of their business license.
- Recent Code Enforcement History
  - There is currently an active code enforcement case (25-2672) for this property; the property owner was cited for operating outside of the scope of their approved City of Lake Worth Beach business license as the property was not approved for operation as a Bar with Live Entertainment. The subject request will therefore facilitate the applicant in clearing their existing code enforcement citations and allow them to obtain an updated business license.

## ANALYSIS

### Consistency with the Comprehensive Plan and Strategic Plan

The subject site has a Future Land Use (FLU) designation of Downtown Mixed Use (DMU). Per Policy 1.1.1.7, *the DMU FLU is established to provide for the establishment and expansion of a broad range of office, retail and commercial uses,*

*and some residential within the traditional downtown core of the City.* The proposed request is seeking to allow an art gallery with a bar with live entertainment in the existing building.

The City's Strategic Plan focuses on fostering safer neighborhoods, encouraging community pride, building a vibrant and diverse economy, planning for the future, and enhancing the natural, historic, and cultural environment of the City. Pillars II.D, IV.A, and IV.D of the Strategic Plan state that the City shall preserve and protect historic resources, achieve economic and financial sustainability through a versatile and stable tax base, and influence the supply and expansion of jobs. Because the proposed Conditional Use permit will allow for the continued use of a historic building, enhance the cultural environment of the city, contribute towards the City's tax base, and sustain or increase jobs, the proposal is consistent with Pillar II.D, Pillar IV.A, and Pillar IV.D.

Based on the analysis above, the proposed Conditional Use Permit requests are consistent with the goals, objectives, and policies of the City of Lake Worth Beach's Comprehensive Plan and Strategic Plan.

#### **Consistency with the City's Land Development Regulations**

The **Downtown (DT) zoning district** is designed to regulate the commercial core of Lake Worth, primarily along Lake and Lucerne Avenues from Golfview to the Florida East Coast Railroad right-of-way. The Downtown zoning district is intended to provide the establishment and expansion of a broad range of office and commercial uses, including higher density residential use. Certain commercial uses are not permitted in the district because they will be detrimental to the shopping or office functions of the area. The establishment of certain uses is subject to conditional use review to ensure they will not have a negative impact on nearby residential uses or on the commercial viability of their neighbors. The district implements in part the Downtown Mixed Use land use category of the Lake Worth Comprehensive Plan.

**Analysis:** The applicant is requesting a Conditional Use Permit to serve wine and offer live music performances, therefore operating as a bar with live entertainment within the existing gallery space. Based on staff analysis, the proposed uses are not anticipated to impact the surrounding area greater than uses permitted by right or the current Art Gallery use. The existing site is served by municipal services, including water, sewer, refuse, fire and police. The site is located at the intersection of a local roadway and an FDOT roadway. Therefore, no additional public expenditure is required to service the proposed use.

Per the City's Use Table (LDR Section 23.3-6), a medium intensity bar with or without live entertainment use requires Conditional Use Permit approval. The proposed use, as conditioned, is consistent with the intent of the DT zoning district.

The Department of Community Sustainability is tasked in the LDRs to review conditional use applications for consistency with the City's LDRs (Section 23.2-29(i)), for compliance with the following findings for granting conditional uses and to provide a recommendation on the proposed project.

The analysis for the Conditional Use Permit is provided in the section below and is consistent with the review criteria located in **Attachment A**.

**Section 23.2-29(a), Conditional Use Permits:** *Conditional uses are defined as generally compatible with the other uses permitted in a district, but that require individual review of their location, design, structure, configuration, density and intensity of use, and may require the imposition of pertinent conditions to ensure the appropriateness and compatibility of the use at a particular location and to prevent or minimize potential adverse impacts to the surrounding area.*

**Section 23.2-29(b), Approval Authority:** *The historic resources preservation board, in accordance with the procedures, standards and limitations of this section, shall approve, approve with conditions, or deny an application for a development permit for a conditional use permit after review and recommendation by the development review official.*

**Analysis:** A recommendation by the development review official is provided on page 5 of this report.

**Section 23.2-29(c), General Procedures:** *The department for community sustainability shall review the application in accordance with these LDRs and prepare a report that summarizes the application and the effect of the proposed conditional use, including whether the application complies with each of the findings for granting conditional uses stated below and provide a recommendation for whether the application should be approved, approved with conditions, or denied.*

**Analysis:** The existing structure was built c. 1915 and existing site conditions do not conform to the current LDRs with regard to impermeable surfaces, setbacks, parking and landscape; therefore, the nonconformities section of the Land Development Regulations, LDR Section 23.5-3, is applicable. The existing nonconformities are not proposed to be increased or negatively impacted by the subject Conditional Use request. **The proposed conditional uses are consistent with the City's LDRs as conditioned based on the following data and analysis.**

#### **Findings for Granting Conditional Uses**

*Prior to approving any conditional use permit, the decision-making authority shall find based on competent and substantial evidence that the following criteria related to conditional uses are met:*

#### ***Section 23.2-29.(d) General findings relating to harmony with LDRs and protection of public interest.***

**Analysis:** The proposed uses, as conditioned, are in general harmony with the surrounding area and consistent with the development of the corridor. The existing art gallery use is permitted by-right in the Downtown (DT) zoning district, and a number of other bar and bar with live entertainment uses are located in the surrounding vicinity. The proposed uses will not result in less public benefit or more intensive development than anticipated in the zoning district in the comprehensive plan. Please see **Attachment A** for specific review criteria analysis.

#### ***Section 23.2-29.(e) Specific findings for all conditional uses.***

**Analysis:** The proposed conditional uses are not anticipated to impact the surrounding area greater than uses permitted by-right. The site is already served by municipal services, including water, sewer, refuse, fire and police. The site is also located at the intersection of a local roadway and an FDOT roadway. Therefore, no additional public expenditure is required to service the proposed use. Staff has included a condition of approval regarding compliance with City Code Section 15-24, *Noise control*. Please see **Attachment A** for specific review criteria analysis.

#### ***Section 23.2-29.(g) Additional requirements.***

**Analysis:** There is currently one (1) open code compliance case for the subject property. Staff has added a condition of approval to ensure that code violations are resolved prior to the issuance of a business license on the property; approval of this CUP and distance waiver request is necessary to resolve the existing code violation.

### **Chapter 5 – Alcoholic Beverages**

**Section 5.5(d) – Standards for Review/Decision.** *A decision on a request for a waiver shall be guided by the following factors:*

1. *Whether approval of the waiver will result in two (2) or more alcoholic beverage establishments have a license within five hundred (500) feet of a protected land use or each other, or within five hundred (500) feet of a property zoned for residential uses;*

**Analysis:** The subject property is located within the City's downtown area, where there are numerous existing establishments with alcoholic beverage licenses within a 500-foot radius. Properties zoned for residential uses within the Downtown (DT) and Mixed-Use East (MU-E) zoning districts will also be within 500 feet of the proposed wine sales at 804 Lake Avenue. Per LDR Section 5.5(a)(2), protected land uses are identified as churches, public or private schools, parks, and libraries; based on staff research of the surrounding area no protected uses will be located within 500 feet of the proposed wine sales.

2. *Whether the license is being added to or is a license upgrade of an existing use or to an establishment which is relocating to the subject location;*

**Analysis:** The proposed non-package wine sales will be offered by the existing art gallery business at 804 Lake Avenue, which has an existing City of Lake Worth Beach business license. The subject property previously received approval for an Alcohol Distance Waiver in 2024 under a different business owner. If approved, staff has added a condition of approval that the Applicant shall submit their Development Order to the City of Lake Worth Beach Business License staff to reflect the approval of non-packaged alcohol sales at the proposed business.

3. *If the property contains a structure which is on the National Register of Historic Places or otherwise has been designated by the city as having historic architectural significance, whether the structure will be preserved or developed so as to retain its architectural and historic character; and*

**Analysis:** The subject property is classified as a contributing resource to the Old Town National and Local Historic District. The Applicant is not proposing any exterior alterations under the subject request.

4. *Whether the waiver promotes the health, safety and welfare of the neighborhood and the public.*

**Analysis:** The waiver is necessary to allow non-package sales of wine at the subject property and will not be detrimental to the health, safety or welfare of the neighborhood and public. Staff has added several conditions of approval in order to ensure the business operates within the allowed hours of sale, levels of noise, and to ensure the proposed use is not detrimental to the health, safety, and welfare of the surrounding community.

## CONCLUSION AND CONDITIONS

The Downtown district is intended to provide the establishment and expansion of a broad range of office and commercial uses, including bar with live entertainment uses subject to Conditional Use approval. Based on the data and analysis in this report and the supporting documents provided by the applicant, the proposed use of an art gallery with bar with live entertainment and alcohol distance waiver, as conditioned, are not anticipated to negatively impact adjacent properties. The proposed uses will be compatible with other uses provided within the DT zoning district. **Therefore, staff is recommending APPROVAL of the subject application with the following conditions:**

### Planning, Zoning, and Historic Preservation:

1. The Applicant shall submit their Development Order to the City of Lake Worth Beach Business License staff to reflect the approval of non-packaged alcohol sales and a bar with live entertainment as an amended use to the existing Art Gallery business.
2. This approval only applies to the subject property (804 Lake Avenue) and will not constitute approval for any new location, unit or operator.
3. Prior to the issuance of a City of Lake Worth Beach business license, any code violations shall be resolved.
4. All sales transactions, except during city approved special events shall take place within the building.

5. No person shall sell, deliver, or permit the sale, delivery, of alcoholic beverages on the premises except for the following hours where a business holds a legal alcohol license: The hours of sale of alcoholic beverages, having more than one (1) percent of alcohol by weight (Section 5-4) shall be from 12:00 a.m. (midnight) to 2:00 a.m., and 7:00 a.m. to 11:59 p.m., each day.
6. Any future proposed sidewalk café will require a separate permit.
7. No exterior alterations to the structure are included in the scope of this approval. Future exterior alterations shall require a Certificate of Appropriateness (COA) for historic approval.
8. All uses shall meet all the requirements and stipulations set forth in City Code Section 15-24, Noise control.
9. Per City Code Section 14-32 and LDR Section 23.2-23, the occupant must obtain and maintain the required Lake Worth Beach Business License.
10. The City shall revoke the business license and the approval of the conditional use permit if the property is declared a chronic nuisance as result of or related to the operations of the requested uses.

**Electric Utility Comments:**

1. Before or at the time of application for a Building Permit, Developer must provide the load calculation, voltage requirements and riser diagram.
2. Developer to show the location of the meter center on the site plan.
3. Developer will be responsible for the cost of Lake Worth Beach's materials and labor for this project.
4. Before the issuance of a Certificate of Occupancy (CO) a final electrical inspection must be done.

**BOARD POTENTIAL MOTION:**

I move to **APPROVE** HRPB Project Number 26-00500002 with staff recommended conditions for a Conditional Use Permit to allow a Bar with Live Entertainment and Alcohol Distance Waiver to allow non-package sales of wine for on-site consumption at Latitude 26 Art Gallery & Wine Bar at 804 Lake Avenue based on the competent and substantial evidence provided in the staff report and in the testimony at the public hearing.

I move to **DISAPPROVE** HRPB Project Number 26-00500002 for a Conditional Use Permit to allow a Bar with Live Entertainment and Alcohol Distance Waiver to allow non-package sales of wine for on-site consumption at Latitude 26 Art Gallery & Wine Bar at 804 Lake Avenue. The applicant has not established competent and substantial evidence for the subject request for the following reasons [Board member please state reasons].

**Consequent Action:** *The Historic Resources Preservation Board's decision will be the final decision for the Conditional Use Permit and Alcohol Distance Waiver. The Applicant may appeal the Board's decision to the City Commission.*

**ATTACHMENTS**

- A. Findings for Conditional Uses
- B. Application Package (Survey, Justification Statement, Supporting documents)

### ATTACHMENT A - Findings for Granting Conditional Uses

Section 23.2-29(d) General findings relating to harmony with LDRs and protection of public interest.	Analysis
1. <i>The conditional use exactly as proposed at the location where proposed will be in harmony with the uses which, under these LDRs and the future land use element, are most likely to occur in the immediate area where located.</i>	<b>In compliance</b>
2. <i>The conditional use exactly as proposed at the location where proposed will be in harmony with existing uses in the immediate area where located.</i>	<b>In compliance</b>
3. <i>The conditional use exactly as proposed will not result in substantially less public benefit or greater harm than would result from use of the site for some use permitted by right or some other conditional use permitted on the site.</i>	<b>In compliance</b>
4. <i>The conditional use exactly as proposed will not result in more intensive development in advance of when such development is approved by the future land use element of the comprehensive plan.</i>	<b>In compliance</b>
Section 23.2-29(e) Specific findings for all conditional uses.	Analysis
1. <i>The proposed conditional use will not generate traffic volumes or movements which will result in a significant adverse impact or reduce the level of service provided on any street to a level lower than would result from a development permitted by right.</i>	<b>In compliance</b>
2. <i>The proposed conditional use will not result in a significantly greater amount of through traffic on local streets than would result from a development permitted by right and is appropriately located with respect to collector and arterial streets</i>	<b>In compliance</b>
3. <i>The proposed conditional use will not produce significant air pollution emissions or will appropriately mitigate anticipated emissions to a level compatible with that which would result from a development permitted by right.</i>	<b>In compliance</b>
4. <i>The proposed conditional use will be so located in relation to the thoroughfare system that neither extension nor enlargement nor any other alteration of that system in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.</i>	<b>In compliance</b>
5. <i>The proposed conditional use will be so located in relation to water lines, sanitary sewers, storm sewers, surface drainage systems and other utility systems that neither extension nor enlargement nor any other alteration of such systems in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.</i>	<b>In compliance</b>
6. <i>The proposed conditional use will not place a demand on municipal police or fire protection service beyond the capacity of those services, except that the proposed facility may place a demand on municipal police or fire protection services which does not exceed that likely to result from a development permitted by right.</i>	<b>In compliance</b>



## HISTORIC RESOURCES PRESERVATION BOARD REPORT

**HRPB Project Number 26-00100034:** Consideration of a Certificate of Appropriateness (COA) for new construction of a single-family structure of approximately ±5,876 square feet at 826 S Lakeside Drive. The subject property is located in the SFR—Single Family Residential Zoning District and has a future land use designation of Single Family Residential (SFR). The property is non-contributing to the South Palm Park Historic District.

**Meeting Date:** March 11, 2026

**Property Owner:** White Sand Property Development LLC

**Applicant:** Brian Bullock; The Benedict Bullock Group

**Address:** 826 South Lakeside Drive

**PCN:** 38-43-44-27-01-024-0020

**Size:** ±0.31 acres / 13,742 sf

**General Location:** East side of South Lakeside Drive between 9<sup>th</sup> Avenue South and 8<sup>th</sup> Avenue South

**Existing Land Use:** Vacant Residential Lot

**Current Future Land Use Designation:** Single Family Residential (SFR)

**Zoning District:** Single Family Residential (SFR)



## RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs), the Historic Preservation Design Guidelines, and for consistency with the Comprehensive Plan. The proposed new single-family structure is consistent with the City's Land Development Regulations. As proposed, the structure's design is consistent with the Historic Preservation Ordinance and the Historic Preservation Design Guidelines' requirements for new construction. The proposed design successfully integrates characteristic features of Coastal Contemporary style architecture and therefore is differentiated from surrounding historic structures as a new construction project. Staff has some concerns regarding the height and massing of the structure in relation to the surrounding neighborhood, especially in the context of the recently increased Base Flood Elevation requirements in this location, and has added conditions of approval to address this concern.

## PROJECT DESCRIPTION

The applicant, The Benedict Bullock Group, on behalf of the property owners, White Sand Property Development LLC, are requesting approval for the construction of a new ±5,876 square foot single-family residence at 826 South Lakeside Drive. The applicant previously received approval for the proposed design in 2018 under HRPB 18-00100224, and demolished the non-contributing residence that was previously on the property at that time. A survey of the property is included in **Attachment A**. The parcel is located in the Single Family Residential (SFR) zoning district and has a Future Land Use (FLU) designation of Single Family Residential (SFR).

## PUBLIC COMMENT

Staff has not received any letters of support or opposition for this application.

## BACKGROUND

The property at 826 S Lakeside Drive currently consists of a vacant waterfront lot which previously featured a single-family residential structure. In 2018, the current property owner applied for and received approval under HRPB 18-00100224 for demolition of the single-family structure on the lot and new construction of a new single-family residence which was substantially similar to the currently proposed design. While the demolition was undertaken and the lot subsequently cleared, a building permit was never applied for or approved for the previously approved new single-family structure. Therefore, the previous approval is now expired and the applicant must again receive HRPB approval for the proposed design in order to proceed with new construction on the subject site.

The applicant's design team contacted the City's Historic Preservation staff in July of 2025 to discuss re-activating the previously approved plans for new construction on the property. At that time, Staff explained the process for submitting an updated COA request to the Board for review, as well as Base Flood Elevation (BFE) requirements for new construction. As the FEMA flood elevation maps for Palm Beach County were updated in December of 2024, the previous design was created at a lower BFE than the current requirement for the location. After a second meeting on February 12<sup>th</sup>, 2026, a complete COA application for HRPB review was received and the project was scheduled for the March HPRB meeting.

## ANALYSIS

### Consistency with the Comprehensive Plan

The subject site has a Future Land Use (FLU) designation of Single Family Residential (SFR). Per policy 1.1.1.2, the Single-Family Residential category is *"intended primarily to permit development of single-family structures at a maximum of 7 dwelling units per acre. Single-family structures are designed for occupancy by one family or household. Single-family homes do not include accessory apartments or other facilities that permit occupancy by more than one family or household. Residential units may be site-built (conventional) dwellings, mobile homes or modular units."*

**Analysis:** The proposed structure is a single-family residence and is consistent with the intent of the Single-Family Residential designation. The proposed single-family structure is also consistent with Goal 3.1 which seeks to achieve a

supply of housing that offers a variety of residential unit types and prices for current and anticipated homeowners and renters in all household income levels by the creation and/or preservation of a full range of quality housing units.

#### Consistency with the Land Development Regulations – Zoning

**Single-Family Residential (SFR):** Per LDR Section 23.3-7(a), the "SF-R single-family residential district" is intended primarily to permit development of one (1) single-family structure per lot. Provision is made for a limited number of nonresidential uses for the convenience of residents. These nonresidential uses are compatible by reason of their nature and limited frequency of occurrence with an overall single-family residential character. The "SF-R single-family residential district" implements the "single-family residential" land use category of the Lake Worth Comprehensive Plan.

The proposed new construction project appears to be consistent with all site data requirements in the City's Land Development Regulations. Formal and complete review for compliance with the City's Land Development Regulations, including landscaping, will be conducted at building permit review. The proposed site plan and architectural drawings are included in this report in **Attachment A**.

Development Standard		Single Family Residential (SFR)	Provided
Lot Size (min)		5,000 sf	13,742 sf
Lot Width (min)		50'	50'
Setbacks	Front	50' <sup>1</sup>	77.33'
	Rear	15'	62.25'
	Side	5'	5' (stairs extend into North setback and must be eliminated)
Impermeable Surface Coverage (max)		50% (6,871 sf)	49.6% (6,485 sf)
Structure Coverage (max)		30% (4,122 sf)	29% (3,817 sf)
Front Yard		75% permeable & landscaped	81% (estimated)
Building Height (max)		30' principal structure (2 stories) <sup>2</sup>	26.3' principal; 32.5' to top of "architectural lantern" feature.
Maximum Wall Height at Side Setback		18' @ 5' setback up to 23' @ 10' setback	Not provided on plans (condition added to address)
Floor Area Ratio (FAR) (max)		0.45 (6,183 sf)	0.44 (5,876 sf)
Parking		2 spaces	3 spaces (garage)

<sup>1</sup> Per LDR Section 23.3-7(d)(1)(A), The following special setbacks and restrictions are hereby established in these several areas in the SF-R district: South Lakeside Drive. Setback from the street on the east side of South Lakeside Drive from 13th Avenue South, more specifically described as Lot 1, Block 60, Addition No. 1, to 5th Avenue South, further described as Lot 10, Block 5, Addition No. 1, shall not be less than fifty (50) feet from such street and the front of such lots and residences shall be on South Lakeside Drive.

<sup>2</sup> Per LDR Section 23.1-12, Building height: The vertical distance measured from the minimum required floor or base flood elevation or twelve (12) inches above the crown of the road, whichever is greater, to ... (c) the average height between eaves and ridge for gable, hip, and gambrel roofs, (d) the average height between high and low points for a shed roof... *The measurement of height shall not include decorative architectural elements, chimneys, mechanical equipment, church steeples and architecturally integrated signage, which may extend an additional ten (10) feet but cannot cover cumulatively more than ten (10) percent of the roof surface.*

#### Consistency with the Land Development Regulations – Historic Preservation

The proposed single-family residence is designed in a contemporary coastal style. This architectural style is not based on any historic typology but is appropriate for the coastal environment of South Florida.

All new construction within a designated historic district shall be visually compatible. New buildings should take their design cues from the surrounding existing structures, using traditional or contemporary design standards and elements

that relate to existing structures that surround them and within the historic district as a whole. Building design styles, whether contemporary or traditional, should be visually compatible with the existing structures in the district. The visual compatibility criteria for new construction within the city's historic districts is located in [Section 23.5-4\(k\)\(3\)\(A\)](#) in the LDRs. Staff has reviewed the criteria and provided an analysis in the section below. The applicant has also submitted a Justification Statement, provided in this report as **Attachment D**.

**Section 23.5-4(k)3.A – Additional Guidelines for New Construction:** *In approving or denying applications for certificates of appropriateness for new construction, the City shall also, at a minimum, consider the following additional guidelines which help to define visual compatibility in the applicable property's historic district:*

- (1) *The height of proposed buildings shall be visually compatible and in harmony with the height of existing buildings located within the historic district.*

**Analysis:** The surrounding structures in the general vicinity of this property are generally one or two story, with wide rectangular massing. The proposed new construction is two stories with an additional architectural feature extending above the second story. Due to the required base flood elevation and the proposed architectural lantern feature, the height of the structure is not entirely in keeping with the other structures in the district, and a condition has been added to address this and bring it more in alignment with the scale of other structures in the district.

- (2) *The relationship of the width of the building to the height of the front elevation shall be visually compatible and in harmony with the width and height of the front elevation of existing buildings located within the district.*

**Analysis:** While the width of the front elevation is in scale with the surrounding properties with similar lot widths, the two-story height and included architectural lantern feature of the proposed new construction creates a different relationship between the building's width and height than the surrounding structures. Most homes in the surrounding neighborhood are low, horizontally oriented one-story structures; some two story structures exist but were constructed at a much lower overall base elevation. As the architectural lantern and overall roof height are the features which overall lack visual compatibility with other structures in the district, staff recommends that the architectural lantern be eliminated and the overall height lowered by 2' at minimum to create a more appropriate visual relationship between width and height in keeping with the surrounding properties.

- (3) *For landmarks and contributing buildings and structures, the openings of any building within a historic district should be visually compatible and in harmony with the openings in buildings of a similar architectural style located within the historic district. The relationship of the width of the windows and doors to the height of the windows and doors in a building shall be visually compatible with buildings within the district.*

**Analysis:** The proposed design is new construction and therefore will not be a landmarked or contributing building. The proposed structure features generally appropriate fenestration, with tall full lite windows lending an element of verticality to the structure and an appropriate spacing of openings.

- (4) *The relationship of solids to voids in the front facade of a building or structure shall be visually compatible and in harmony with the front facades of historic buildings or structures located within the historic district. A long, unbroken facade in a setting of existing narrow structures can be divided into smaller bays which will complement the visual setting and the streetscape.*

**Analysis:** The front elevation of the structure successfully avoids expanses of blank façade by staggering the planes of the façade and providing a rhythmic pattern of windows along the façade. The garage projects forward

and the second story slightly projects over the front entry porch, providing a degree of visual differentiation and interest.

- (5) *The relationship of a building to open space between it and adjoining buildings shall be visually compatible and in harmony with the relationship between buildings elsewhere within the district.*

**Analysis:** The proposed building adheres to the special 50' setback requirement within the Single Family Residential zoning regulations for structures located along South Lakeside Drive and is spaced appropriately in relation to neighboring buildings. While the structure has a proposed 77' front setback which is greater than the required 50' setback, the increased front setback will have a positive effect of reducing the perceived scale of the two-story structure given the overall height required by the updated Base Flood Elevation and in context with the surrounding structures. Furthermore, this allows for the establishment of a side loaded garage and parking court arrangement, which is appropriate in the context of a structure of this size.

- (6) *The relationship of entrance and porch projections to sidewalks of a building shall be visually compatible and in harmony with the prevalent architectural styles of entrances and porch projections on buildings and structures within the district.*

**Analysis:** The proposed design places the entrance on the front elevation but somewhat obstructs the line-of-sight of the entry from the street by the projection of the garage in front of it. Staff is therefore somewhat concerned with the lack of hierarchy and visual prominence given to this entry feature and has added a condition that the applicant should revise the design to slightly shift the entry feature and give it more visibility.

- (7) *The relationship of the materials, texture and color of the façade of a building shall be visually compatible and in harmony with the predominant materials used in the buildings and structures of a similar style located within the historic district.*

**Analysis:** The proposed structure will have a mixture of smooth stucco and longboard cladding as the exterior finish materials. While decidedly modern in style, this mix of textures creates visual differentiation in the massing of the structure and the longboard cladding provides a horizontal line that counters the vertical lines of the windows and structure, bringing an element of scale and proportion.

- (8) *The roof shape of a building or structure shall be visually compatible and in harmony with the roof shape of buildings or structures of a similar architectural style located within the historic district.*

**Analysis:** The structure proposes to use a hipped roof surfaced with a standing seam metal material. Hipped roofs are a common architectural feature within the surrounding district, however, standing seam metal roofs are not typically seen on historic structures. This feature adequately differentiates this proposal as new construction. Staff has recommended a condition of approval that the applicant may consider adjusting the proposed roofing material to a flat white concrete tile roof, as conditioned in the original 2018 approval, but is open to the applicant retaining the metal roof.

- (9) *Appurtenances of a building, such as walls, wrought iron, fences, evergreen, landscape masses and building facades, shall, if necessary, form cohesive walls of enclosures along a street to ensure visual compatibility of the building to the buildings and places to which it is visually related.*

**Analysis:** The site features are appropriate for the structure and its context in the neighborhood.

- (10) *The size and mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible and in harmony with the buildings and places to which it is visually related.*

**Analysis:** As previously discussed, the size and mass of the proposed building are more substantial than the majority of the neighboring properties, which are a mix of one and two story structures constructed at a much lower overall elevation. The proportions of window and door openings are visually compatible with the surrounding neighborhood.

*(11) A building shall be visually compatible and in harmony with the buildings and places to which it is visually related in its directional character: vertical, horizontal or non-directional.*

**Analysis:** The applicant has provided a streetscape showing the building in relation to those properties on either side, however, this streetscape rendering does not appear to have been updated to take into account the increased Base Flood Elevation effective as of December 2024, which underemphasizes the scale of the proposed new construction by approximately 2'. The building's height and mass are more substantial than the majority of the immediately neighboring properties and will exceed the scale of even relatively recent two-story new construction such as 818 S Lakeside Drive. The applicant should therefore lower the overall height of the structure by 2' and eliminate the architectural lantern feature.

*(12) The architectural style of a building shall be visually compatible with other buildings to which it is related in the historic district, but does not necessarily have to be in the same style of buildings in the district. New construction or additions to a building are encouraged to be appropriate to the style of the period in which it is created and not attempt to create a false sense of history.*

**Analysis:** The proposed new structure is designed as a contemporary style which avoids creating a false sense of development in the area; the structure is clearly identifiable as being new construction and appropriate to the period in which it is created.

*(13) In considering applications for certificates of appropriateness to install mechanical systems which affect the exterior of a building or structure visible from a public right-of-way, the following criteria shall be considered:*

*(a) Retain and repair, where possible, historic mechanical systems in their original location, where possible.*

**Analysis:** This requirement is not applicable to the new construction project.

*(b) New mechanical systems shall be placed on secondary facades only and shall not be placed on, nor be visible from, primary facades.*

**Analysis:** In the submitted site plan, all mechanical equipment is placed outside the required setbacks and is situated in such a way that it cannot be seen from the public right-of-way. Any additional proposed mechanical equipment shall be subject to review at the time of building permitting.

*(c) New mechanical systems shall not damage, destroy or compromise the physical integrity of the structure and shall be installed so as to cause the least damage, invasion or visual obstruction to the structure's building materials, or to its significant historic, cultural or architectural features.*

**Analysis:** This requirement is not applicable to the new construction project.

*(14) The site should take into account the compatibility of parking facilities, utility and service areas, walkways and appurtenances. These should be designated with the overall environment in mind and should be in keeping visually with related buildings and structures.*

**Analysis:** The site plan proposes to provide a one-car driveway leading to a parking court area and the proposed side-loaded garage. The proposed site plan is visually in keeping with the patterning of driveways along South Lakeside Drive; while large parking courts are not typical throughout the city, they are prevalent in the surrounding vicinity of larger lakefront lots and appropriate for the scale of the proposed new construction.

#### Consistency with the Historic Preservation Design Guidelines

Per the Lake Worth Beach Historic Guidelines, *“New construction can be designed utilizing the architectural language of one of the 10 defined primary styles, or an alternative yet compatible style. It is very important that new construction not hybridize the styles, borrowing pieces from one and another. This approach creates confusion and dilutes the intrinsic value of the historic structures and styles. The best approach is to choose one style of architecture, and to design a structure that utilizes the common characteristics, proportions, and materials of that style.”*

**Analysis:** New construction in the City’s historic districts is not limited to any particular architectural style, but typically should align with one architectural style consistently rather than utilizing elements from many different styles. The proposed design is generally in keeping with Coastal Contemporary style architecture, featuring rectangular massing, varied exterior finish material including smooth stucco and horizontal longboard cladding and symmetrical fenestration patterning on the primary façade.

The structure proposes a hipped roof over the structure and the lantern feature. Staff has conditioned the removal of the lantern feature in order to lower the overall height. Staff suggests that the roofing material be adjusted to a flat white concrete tile roof as conditioned in the original HRPB approval, but is open to the applicant retaining the proposed standing seam metal roof as well.

The scale of the proposed new construction is somewhat out of character for the surrounding neighborhood. As described in the Historic Preservation Design Guidelines, *“Few things can disrupt a historic street and district more than new construction that is out of scale, too tall, and simply overwhelms its lot. ... Even if the zoning code allows a two-story structure; on a street made of one-story historic structures, a two-story structure may not be appropriate.”* The proposed new construction is two stories and is required to provide an overall Base Flood Elevation + 1’ additional freeboard of 10’ NAVD for the finished first floor elevation. The surrounding properties, as well as most structures in the district are much lower in scale, having been constructed under various different FEMA floodplain regulations depending on the date of construction. However, the width of the structure is generally in keeping with those structures in the surrounding vicinity, and the structure is set back 77’ rather than the typical 50’ setback. This provides some relief to the massing and creates a more appropriate scale. Furthermore, staff has recommended a condition for the overall height of the structure to be reduced by 2’ overall and the architectural lantern feature eliminated.

The proposed new construction application is consistent with the City’s Land Development Regulations. As proposed, the structure’s design is consistent with the Historic Preservation Ordinance and the Historic Preservation Design Guidelines’ requirements for new construction. The proposed design successfully creates a Contemporary Coastal style home and will be generally compatible with the surrounding neighborhood and South Palm Park Historic District as a whole with the alterations as conditioned by staff. If the HRPB moves to approve the new construction request, staff has drafted conditions of approval below.

#### Conditions of Approval:

- 1) The overall building height shall be lowered by a minimum of 2’ to more closely align with surrounding structures.
- 2) The wall height at the proposed 5’ side setback should be clearly indicated on the provided plans and site data table.
- 3) The architectural lantern feature shall be eliminated to reduce the overall height of the structure.
- 4) The structure may feature a flat white concrete tile roof as requested by staff in the HRPB 18-00100224 approval conditions or a standing seam metal roof as proposed.
- 5) The applicant shall work with staff to revise the front door location in order to provide a more prominent entry location which is visible from the street.

- 6) All decorative outlookers shall be composed of true wood material.
- 7) The front door and bathroom windows may utilize clear glass, frosted glass, or glass with a Low-E coating (60% minimum VLT). Tinted, highly reflective, grey, colored, etched, or leaded glass shall not be used.
- 8) The windows and doors (excluding the bathroom windows and front door) shall utilize glazing that is clear, non-reflective, and without tint. Low-E (low emissivity) is allowed but the glass shall have a minimum 60% visible light transmittance (VLT) measured from the center of glazing. Glass tints or any other glass treatments shall not be combined with the Low-E coating to further diminish the VLT of the glass.
- 9) The windows shall be recessed a minimum of two inches (2") in the wall, and shall not be installed flush with the exterior wall.
- 10) All divided light patterns shall be created utilizing exterior raised applied muntins with a pyramid or ogee profile. Exterior flat muntins or "grids between the glass" shall not be used.
- 11) The structure shall utilize smooth stucco and longboard cladding as depicted in the provided elevations.
- 12) Formal and complete review for compliance with the City's Land Development Regulations will be conducted at building permit review.
- 13) All improved surfaces shall be setback a minimum of 18" from property lines to allow for adequate water runoff within the property boundary.
- 14) All mechanical equipment shall be located behind the front façade of the structure and outside of all required setbacks.
- 15) In addition to a Landscape Plan, a tree survey and disposition plan shall also be required at building permit. Trees that are removed must be replaced on site and/or mitigated, and a tree removal permit shall be required. Landscaping shall be reviewed for compliance with the City's landscape requirements at building permit.

#### BOARD POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Number 26-00100034 with staff recommended conditions for the construction of a new single-family structure at **826 South Lakeside Drive**, based upon the competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements.

I MOVE TO **DISAPPROVE** HRPB Project Number 26-00100034 for a Certificate of Appropriateness (COA) for the construction of a new single-family structure at **826 South Lakeside Drive**, because the Applicant has not established by competent substantial evidence that the application complies with the City of Lake Worth Beach Land Development Regulation and Historic Preservation requirements.

**Consequent Action:** *The Historic Resources Preservation Board's decision will be final decision for the new construction. The Applicant may appeal the Board's decision to the City Commission.*

#### ATTACHMENTS

- A. Plan Set and Survey
- B. Photos
- C. Historic Preservation Design Guidelines – New Construction
- D. Applicant's Justification Statement

## HISTORIC RESOURCES PRESERVATION BOARD REPORT

**HRPB Project Number 26-00100035:** Consideration of a Certificate of Appropriateness request for one historic waiver for a swimming pool in the front yard for the property located at 109 South L Street. The subject property is located within the Medium Density Multi-Family Residential (MF-30) zoning district and has a future land use designation of High Density Residential (HDR). The property is a contributing resource in the Southeast Lucerne Historic District.

**Meeting Date:** March 11, 2026

**Property Owner/Applicant:** Peter Sowisdral

**Address:** 109 South L Street

**PCN:** 38-43-44-21-15-047-0210

**Lot Size:** 0.0775 acre / 3,375 sf

**General Location:** West side of South L Street south of 1<sup>st</sup> Avenue South

**Existing Land Use:** Single Family Residential

**Current Future Land Use Designation:** High Density Residential (HDR)

**Zoning District:** Medium Density Multi-Family Residential (MF-30)

### Location Map



## RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs) and for consistency with the Comprehensive Plan. Staff recommends approval with conditions, listed on page 4, for the historic waiver for the location of a pool within the front yard.

## PROJECT DESCRIPTION

The property owner, Peter Sowisdral, is requesting one historic waiver for a swimming pool within the front yard for the property located at 109 South L Street. The owner intends to construct an addition to the existing 640 square foot single family dwelling at a future date. The construction of the addition is subject to the issuance of a Certificate of Appropriateness pursuant to staff approval at an administrative level.

The subject property is a 3,375 square foot rectangular lot in the MF-30 zoning district which requires a minimum lot size of 5,000 square feet, a minimum lot width of 50 feet, and a minimum of 800 square feet of living area. The existing lot is only 25 feet wide as originally platted, and the existing living area is 640 square feet, rendering the site legally nonconforming with respect to all three requirements.

The swimming pool, as proposed, does not comply with the City of Lake Worth Beach Land Development Regulations (LDRs) which require pools in the MF-30 zoning district to be located within the side or rear yard, and be subject to the minimum required setbacks for accessory structures. While setbacks are not shown on the proposed site plan, the LDRs would require the pool to be developed with a minimum front setback of 20 feet, and a minimum side setback of 3 feet (a corresponding condition for approval is included in staff's recommendation). Given the narrow lot width of 25 feet, it is not possible to construct a pool within a side yard. The City of Lake Worth Beach Historic Design Guidelines further recommends additions be constructed to the side or rear of the existing structure, limiting the placement of a pool within the rear yard due to the small size of the lot. The waiver, if approved, would allow the pool to be located in the front yard with a minimum front setback of 20 feet and a minimum side setback of 3 feet, while allowing the future addition to conform to the recommendations of the Design Guidelines.

## PUBLIC COMMENT

Staff has not received any letters of support or opposition for this application.

## PROPERTY DEVELOPMENT HISTORY

The single-family house was constructed c. 1925 in the Frame Vernacular architectural style.

Staff met with the applicant on Thursday September 18<sup>th</sup>, 2025, and January 8<sup>th</sup> 2026, to discuss a proposed addition as well as zoning issues regarding the potential swimming pool location. Based on staff recommendations, the applicant prepared documentation for the required historic waiver applications.

A survey of the property is included as **Attachment A** and current photos of the property are included as **Attachment B**.

## ANALYSIS

### *Consistency with the Land Development Regulations – Zoning*

#### **Section 23.5-4(r)(2). Waiver or Modification of Certain Land Development Regulations**

Pursuant to City of Lake Worth Beach LDR Sec. 23.5-4(r) *Incentives for improvements to designated landmark and contributing properties:*

2. In addition, the HRPB may waive or modify certain land development regulation requirements. Waiver or modification may occur concurrently with issuance of a certificate of appropriateness or upon initial designation of a landmark or of a historic district. **Waivers may include setbacks, lot width, area requirements, height limitations, open space requirements, vehicular parking and circulation requirements, design compatibility requirements and similar development regulations. No waiver shall be permitted for permitted land uses, density or environmental and health standards.**

Waiver Requests		
LDR Citation	Required	Proposed
Minimum Front Setback (LDR Section 23.3-11(c)(3)(A))	Minimum front setback is 20 feet.	<b>Proposed swimming pool setback of 20 feet.</b>
Minimum Side Setback (LDR Section 23.3-11(c)(3)(B)(5))	Minimum side setback is 3 feet.	<b>Proposed swimming pool minimum setback of 3 feet from both side lot lines.</b>
Location of Accessory Buildings, pool, etc. (LDR Section 23.3-11(c)(9))	Pools are only permitted between the main building and the public street on a double front or corner lot.	<b>Installation of pool between the front of the principal structure and North L Street.</b>
Accessory Structure Location (LDR Section 23.1-12)	Accessory structures must maintain the same setback or greater from public streets as the principal structure and may not be constructed between any principal structure and a public street right-of-way.	<b>Installation of pool between the front of the principal structure and North L Street.</b>

Due to the building's contributing status to the Southeast Lucerne Historic District, the application is eligible for relief from the aforementioned land development requirement, should the Board determine that the waiver criteria are sufficiently met. The applicant has provided a Justification Statement for the requested waiver, included in **Attachment C**.

(A) The waiver or modification is in harmony with the general appearance and character of the neighborhood or district.

**Analysis:** While the existing front setback of the principal structure is 58 feet, the Historic Preservation Design Guidelines recommend that additions be constructed to the side or rear of the existing structure, limiting the placement of a pool within the rear yard due to the small size of the lot. Although swimming pools in the front yard are not common within the City's historic districts, the applicant has proposed landscaping to screen the pool from view, and it will be located outside of the required front yard setback, protecting the required twenty foot front yard open space which must be landscaped with a minimum of 75% living plant material. **Meets Criterion.**

(B) The project is designed and arranged in a manner that minimizes aural and visual impact on adjacent properties while affording the owner reasonable use of the land.

**Analysis:** Typically, the most appropriate location for a new pool is the rear and/or side yard of the property; however, installation in the rear yard at 109 South L Street would preclude the construction of an addition to a dwelling that does not meet the minimum size of a dwelling in the MF-30 zoning district. Additionally, the Historic Preservation Design Guidelines recommend that additions be constructed to the side or rear of the existing structure to maintain the integrity and form of the original historic structure. The granting of the waiver will support this guideline while also maintaining the required open space within the front yard. **Meets Criterion.**

(C) The waiver or modification will not injure the area or otherwise be detrimental to the public health, safety or welfare.

**Analysis:** Installing the swimming pool in the front yard will not be detrimental to public health, safety, or welfare. The pool and mechanical equipment will be installed outside the required setbacks and will comply with the City's noise and building code regulations. **Meets Criterion.**

(D) The waiver or modification is the minimum necessary to allow reasonable use of the property while preserving its historical attributes.

**Analysis:** Although a swimming pool is not required for reasonable use of a single-family residence, a swimming pool is a reasonable expectation for a single-family home in South Florida due to the context and climate. Because of the historic development of the parcel with a deeper front yard than required, the front yard is the only available area for a pool that will permit an addition to the existing legally nonconforming dwelling. Furthermore, the proposed swimming pool will conform to all required setbacks for accessory structures **Meets Criterion.**

## CONCLUSION AND CONDITIONS

The proposed swimming pool in the front yard at 109 South L Street will permit the expansion of the existing small, 640 square foot dwelling and allow the site to be improved in a manner consistent with the expectations for residences within the context of South Florida climate. Staff recommends approval of the historic waivers as the contributing structure meets the eligibility requirements for these requests and the proposed swimming pool would not preclude the continuation of the structure's contributing designation.

### Conditions of Approval:

1. The historic waiver to allow the proposed swimming pool with a front setback of 20 feet and side setback of 3 feet at 109 South L Street shall only apply to the scope of work approved under this application. Should any structures on the parcel be destroyed, moved, or demolished, any future development for the parcel shall adhere to the current City of Lake Worth Beach Land Development Regulations.
2. The waivers are only granted for the construction of the proposed swimming pool in the front yard and any approval granted does not imply approval for any other portions of a future building addition to be approved after full review by staff as an administrative Certificate of Appropriateness.
3. Pool equipment shall not exceed 65 decibels as measured from property line and shall be adequately screened from view.
4. Pool equipment shall be located behind the front building line and shall be reviewed for compliance with Sec. 23.4-16 at time of building permitting.

## BOARD POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Number 26-00100035 with staff recommended conditions for one historic waiver to allow the proposed swimming pool to be located in the front yard for property located at 109 South L Street, based upon the competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements.

I MOVE TO **DISAPPROVE** HRPB Project Number 26-00100035 for a Certificate of Appropriateness for one historic waiver to allow the proposed swimming pool to be located in the front yard for property located at 109 South L Street, because [Board member please state reasons].

**Consequent Action:** *The Historic Resources Preservation Board's decision will be a final decision for the requested waiver. The Applicant may appeal the Board's decision to the City Commission.*

**ATTACHMENTS**

- A. Property Survey
- B. Proposed Site and Landscape Plan
- C. Photos
- D. Justification Statement