



**AGENDA**  
**CITY OF LAKE WORTH BEACH**  
**HISTORIC RESOURCES PRESERVATION BOARD REGULAR MEETING**  
**CITY HALL COMMISSION CHAMBER**  
**WEDNESDAY, JUNE 14, 2023 -- 6:00 PM**

**ROLL CALL and RECORDING OF ABSENCES**

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

**APPROVAL OF MINUTES:**

- A. [April 12, 2023 Minutes](#)

**CASES**

**SWEARING IN OF STAFF AND APPLICANTS**

**PROOF OF PUBLICATION**

- 1) [711 South Palmway](#)  
[224 North L Street](#)  
[Ordinance 2023-06](#)  
[Ordinance 2023-10](#)

**WITHDRAWALS / POSTPONEMENTS**

**CONSENT**

**PUBLIC HEARINGS:**

**BOARD DISCLOSURE**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

- A. [HRPB Project Number 23-00100084: Consideration of a Certificate of Appropriateness \(COA\) for roof replacement at 722 North K Street; PCN #38-43-44-21-15-218-0060. The subject property is a contributing resource to the Northeast Lucerne Historic District and is located in the Single-Family and Two-Family Residential \(SF-TF-14\) Zoning District.](#)
- B. [HRPB Project Number 23-00100117: Consideration of a Certificate of Appropriateness \(COA\) for window and door replacement at the property located at 220 Fordham Drive; PCN #38-43-44-15-06-007-3140. The subject property is a non-contributing resource to the College Park National and Local Historic District and is located in the Single-Family Residential \(SFR\) Zoning District.](#)
- C. [HRPB Project Number 23-00100112: Consideration of a Certificate of Appropriateness \(COA\) for the construction of a new ±1,881 square foot single-family house and a new ±693 square foot detached garage at 224 North L Street. The subject property is located in 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 Northeast Lucerne Historic District.

- D. HRPB Project Number 23-00100078:** Consideration of a Certificate of Appropriateness (COA) for the demolition of the existing structure and construction of a new ±3,360 square foot single-family house at 711 South Palmway. The subject property is located in the Single Family Residential (SFR) 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.
- E. Ordinance 2023-10:** Consideration of an ordinance amending the City's Comprehensive Plan to adopt a new property rights element as required by F.S. 163.3177(6)(i).
- F. Ordinance 2023-06:** Consideration of an ordinance amending multiple sections of Chapter 23 "Land Development Regulations" to address several housekeeping and minor changes for clarity, to provide for a reduction in the side setback requirements to 5 feet for accessory structures and pools on all lot sizes, to provide for new standards for street walls, and to expand and clarify the waiver provisions.

### **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)

**NOTE:** ALL CITY BOARDS ARE AUTHORIZED TO CONVERT ANY PUBLICLY NOTICED MEETING INTO A WORKSHOP SESSION WHEN A QUORUM IS NOT REACHED. THE DECISION TO CONVERT THE MEETING INTO A WORKSHOP SESSION SHALL BE DETERMINED BY THE CHAIR OR THE CHAIR'S DESIGNEE, WHO IS PRESENT AT THE MEETING. NO OFFICIAL ACTION SHALL BE TAKEN AT THE WORKSHOP SESSION, AND THE MEMBERS PRESENT SHOULD LIMIT THEIR DISCUSSION TO THE ITEMS ON THE AGENDA FOR THE PUBLICLY NOTICED MEETING. (*Sec. 2-12 Lake Worth Code of Ordinances*)

**Note:** One or more members of any Board, Authority or Commission may attend and speak at any meeting of another City Board, Authority or Commission.



**MINUTES  
CITY OF LAKE WORTH BEACH  
HISTORIC RESOURCES PRESERVATION BOARD REGULAR MEETING  
CITY HALL COMMISSION CHAMBER  
WEDNESDAY, APRIL 12, 2023 -- 6:00 PM**

**ROLL CALL and RECORDING OF ABSENCES:** Present were: R. D'Arinzo; B, Guthrie-Vice Chair; Nadine Heitz; Stephen Pickett, Chair; Jamie Foreman 6:13 pm; Absent: Tricia Hallison Mischler. Also present were: Yeneneh Terefe, Historic Planner; Annie Greening, Senior Historic Planner; Erin Sita, Asst. Director for Community Sustainability; 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:** B. Guthrie moves to accept agenda, N. Heitz 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous

**APPROVAL OF MINUTES:**

A. March 8, 2023 Regular Minutes

**Motion:** B. Guthrie moves to accept agenda, N. Heitz 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous

**CASES**

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

**PROOF OF PUBLICATION** Provided in the meeting packet.

- 1) 325 North Ocean Breeze  
509 Lake Avenue

**WITHDRAWALS / POSTPONEMENTS** None

**CONSENT** None

**PUBLIC HEARINGS:**

**BOARD DISCLOSURE:** B. Guthrie has had several conversations with staff and members of the public regarding 509 Lake Avenue and he can remain impartial in the matter.

**UNFINISHED BUSINESS:**

**A. HRPB Project Number 23-00100043:** Consideration of a Certificate of Appropriateness (COA) for the demolition of the existing structure at 509 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 National and Local Historic District.

**Staff:** A. Greening presents case findings and analysis. The survey describes the style as Commercial Craftsman influence built circa 1930. Various uses, primarily commercial, in the past including consignment, gift shop, café and restaurant. In 2020, the City Building Official declared the building as an Unsafe structure. As the building in the current state does not contribute to the district. Would not constitute an irreparable loss to the district. Any renovation/rehabilitation would constitute a substantial improvement according to Florida Building Code. A reconstruction would require the removal of the wood roof in order to meet fire code which would further reduce any contributing characteristics.

**CRA Director-** Joan Oliva-Part of the redevelopment effort begun in 2018, currently working with a firm in Miami to bring an RFP forward, most likely within the next two months.

**Public Comments:** Cliff Kohlmeyer – 503 1<sup>st</sup> Ave S. – There should be a new construction plan submitted prior to demolition. Doesn't believe vacant lot should exist. Uses such as those mentioned by Treasure Coast Regional Planning including a Biergarten. This demolition is not necessary in order for greater project to proceed; incumbent upon CRA to maintain the lot. It should go out to RFP as there may be an interested party. Suggests it could be an arbitrary and capricious decision if demolition is approved

Sara Malega- Owner of the Zoo Health Club 824 Lake Ave.- It is an ongoing struggle to rid the downtown of blight. Although Havana Hideout was on Diners, Drive-Ins and Dives, the property took a turn for the worse. Has an appreciation for architecture and historic properties but it doesn't lend itself to the new vision for the Downtown. The CRA shouldn't be held responsible when the place gets tagged.

Jon Faist – 511 Lake Ave. – Adjacent building owner. The food truck for the Havana Hideout sat behind this building and was where the food was prepared. The interior consists of a toilet and ice chest for drinks. Please move forward as it represents a safety risk. Currently housing drug dealers, criminals and prostitutes. Keeping the building lends reason to developers not wanting to invest.

Wes Blackman- 241 Columbia Dr.- Recalls it being called the Lizards Den and known for an open keg. Impressions are made everyday and it sends the wrong message. The need for concurrent new construction, however there is discretion given within the demolition criteria is given in the interest of the public. If HRPB determines it no longer has historic value as a contributing or historic property or if it becomes part of a larger, community redevelopment plan. Not the fault of the CRA that the project has not moved forward. Clear the way for the demolition and clear the blight. The CRA is a public entity charged with a duty to taxpayers.

Peggy Fischer - 508 North A St. – The property is not on the Historic Registry, simply a structure in the District. Explains a recent attempted use was for a bakery. The squatter tenant, in addition to practicing naked yoga in public spaces, requested donations of free bread to sell. Does not think this is the direction the City wants to take.

Debra Roberts – 127 South K St. -Why must we continue to see this structure everyday? Doing no service to the memory or history of the building or area. It is now a broken-down eyesore and that Lake Worth will always remain Lake Worthless. We cannot hang on to every rotting timber. Perhaps a new structure could hold a plaque with mention of the building.

Tom Conboy – 30 South M St. – Don't demolish, there is value that can't be retrieved. The City has been out to demolish all the buildings across from his business. There should be a plan in place for new construction.

Greg Richter – 1202 South Palmway - Tear the building down, the CRA had previously offered to give away the other buildings in the area of said building, there were no takers due to rotting wood. Time to move on, this is a delay tactic to keep things from happening in the area.

Richard Stowe – 414 N. Federal Hwy- String of negativity. Solution is not to use grant money. The building has a small footprint. It is a craftsman bungalow, the CRA has not provided another plan. Suggests demolition by neglect of the building. Could be surprisingly nice if restored. Protect and deny the request for demolition.

Written Comments (attached):

Tom Osterholt – 2111 Notre Dame Dr. -In favor of demolition

Erin Allen – 208 S. Lakeside Dr. -In favor of demolition.

Amy Ferriter- 30 S. J St - In favor of demolition.

Martha Wright – 616 S. N St. – In favor of demolition.

Susy Madison – 401 S. Lakeside Dr. -In favor of demolition.

Janet Serrano – 413 N. L St.- In favor of demolition.

Andrew Carey-1022 N. K St. requested to read comment on Zoom, not present.

Beverly Young – 1130 N. Golfview Rd. – In favor of demolition.

Silvia Rotela – 302 N. B St. – In favor of demolition

David Simms – 715 N. L Street – In favor of conservation of structure.

Giovanna Timor –308 8<sup>th</sup> Ave. N - In favor of conservation of structure.

Suki deJong– 2381 Sunset Ave #110 - In favor of conservation of structure.

John McGrass –911 N Federal Hwy. - In favor of conservation of structure.

Ginny Powell – 224 N. Palmway – In favor of conservation of structure.

Anthony Segrich – 601 S. Palmway – In favor of demolition.

Carolyn Deli – 126 N. E St. – In favor of conservation of structure.

Mention is made of a petition received from nine Downtown Merchants, presented by Makayla Clanton.

**Board:** R. D'Arinzo moves to receive in the petition; N. Heitz 2<sup>nd</sup>. Ayes all, unanimous to accept the Downtown Merchant petition requesting demolition.

Mention of Sierra Club Loxahatchee letter – Board is unable to accept the letter into the record as there is no express, written consent from the group that the letter represents the

collective opinion of the group. The letter is not from any particular person nor has the group provided authorization for anyone to speak on their behalf.

**Public Comment is closed.**

**Board:** The defining character items would need to be removed in order to bring the structure up to Florida Building code. The demolition will raise the value of nearby properties. If action is delayed tonight, it will come before Board to be heard again. In the interim the public will continue to see this structure during high profile events such as the Street Painting Festival. Suggestion to have the CRA consider an open space, temporary use until such time as a site plan comes forward.

**Staff:** There is no plumbing, electric, a/c, it needs a roof, windows and doors. There may be concrete spalling, it is a concrete block structure. Functional reconstruction would involve the removal of the wood eaves on the zero lot line structure.

**CRA-** Joan Oliva- The CRA may be willing to have a temporary open space while working with the RFP. The CRA attorney was clear the structure should be demolished in order to reduce liability; Code Compliance required the fence on the parcel.

**Motion:** B. Guthrie moves to approve HRPB 23-00100043 with staff recommended Conditions of Approval, including CRA to work with City staff to identify potential interim uses, 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; N. Heitz 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous.

**B. HRPB Project Number 23-00100034:** Consideration of a Certificate of Appropriateness (COA) for the partial demolition and renovation of the existing structure at 325 North Ocean Breeze, removing a 1994 addition. The subject property is located in the Single-Family Residential (SFR) zoning district and has a future land use designation of Single-Family Residential (SFR). The property is a non-contributing resource in the Old Lucerne National and Local Historic District.

**Staff:** A. Greening presents case findings and analysis. Proposal includes removal of the 1994 addition and, in returning historic appearance, uncovering the original wood siding with the removal of the vinyl siding. The removal of the addition brings the encroachment, onto the double lot side, closer to the five-foot setback. The owner does not seem to want to split the lot at this time.

**Applicant/Owner:** Tine Shipman 319 N. Ocean Breeze – wants to restore as it's been vacant for approximately 10 years. Supposedly contains Miami Dade pine floors.

**Staff:** Cannot add the setback waiver application at this time as it needs advertised. Two lots of record that have been combined cannot be “re-split” into the original two lots of record as the structure on the one lot would then encroach on the side. A waiver was suggested so that in the future if there were to be a lot split, a non-conforming setback would not be created with that lot split.

**Board:** Will it be elevated to a contributing structure with the removal of the addition and siding?  
**Response:** According to the 2020 survey it was still proposed to be non-contributing.

**Public Comment:** Richard Stowe-414 N Federal Hwy– In support of the addition removal and vinyl siding.

**Motion:** N. Heitz moves to approve HRPB 23-00100034 with staff recommended Conditions for the partial demolition and renovation of the existing structure 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; R. D'Arinzo 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous.

**Five minute break 7:33 resume.**

**C. HRPB Project Number 23-00100032:** Consideration of a Certificate of Appropriateness (COA) for an addition to create a duplex at 931 North J Street; PCN #38-43-44-21-15-278-0090. The subject property is a non-contributing resource to the Northeast Lucerne Historic District and is located in the Single-Family and Two-Family Residential (SF-TF-14) Zoning District.

**Staff:** Y. Terefe presents case findings and analysis. The new construction would change the single-family structure into a duplex via a proposed breezeway between the two structures. The landscaping in the rear will most likely be lost due to insufficient back-out space into the alley. Staff suggestion is to shorten the breezeway to allow movement of the structure and parking area forward toward the street. Currently there will be the mitigation of one tree.

Board discussion of the parking.

**Motion:** R. D'Arinzo Moves to approve HRPB 23-00100032 with staff recommended Conditions for an addition for the property 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; B. Guthrie 2<sup>nd</sup>.

Motion amended by original maker to include a foundation planting for Historic compatibility; 2<sup>nd</sup> by. original maker.

**Vote:** Ayes all, unanimous.

**D. HRPB Project Number 23-00100039:** Consideration of a Certificate of Appropriateness (COA) for window replacements at the property located at 211 Columbia Drive. The subject property is a contributing resource to the College Park Local Historic District and is located in the Single-Family Residential (SFR) Zoning District.

**Staff:** A. Greening presents case findings and analysis. The permit application received in 2020 was disapproved; in 2022 Code Enforcement staff filed violations on the property for window replacement without a permit. The applicant re-submitted a permit which was denied due to the glazing having gray tint. Staff advised the applicant to replace with clear glass or bring forward to the Historic Board. The property owner has been unsuccessful in finding a contractor to replace the glazing.

**Board:** The contract states that the permits and engineering are not included in the scope of work. The permit was submitted, denied and contractor performed the work anyway.

**Motion:** J. Foreman moves to deny HRPB 23-00100039 for window replacements with gray tinted glass 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; B. Guthrie 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous. Proposal denied.

**PLANNING ISSUES:** None

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

**DEPARTMENT REPORTS:**

- A. Notification of the condemnation of the principal structure and garage at 206 North Federal Highway. The subject property is a non-contributing resource in the Northeast Lucerne Local Historic District.

The Building Official, upon visiting the site on January 31 and February 2, 2023, declared the structure and garage as unsafe due to structural cracks, structural foundation issues, significant water damage and collapsing addition.

- B. Voting on the Awards will occur on April 19, currently there are three categories with a total of six nominations. Historic Preservation Awards Ceremony will be held at the City Library.
- C. The Mobility Plan Charette- will be held at the Jewel Box building in front of the Bohemian on April 15.

**BOARD MEMBER COMMENTS:**

**ADJOURNMENT** 8:16 pm



## ORDINANCE 2023-06

**PLEASE TAKE NOTICE** that the City of Lake Worth Beach's Historic Resources Preservation Board (HRPB) will conduct a meeting at 7 N. Dixie Highway, Lake Worth Beach on **June 14, 2023 at 6:00 pm** or soon thereafter to consider the following ordinance that includes multiple housekeeping and minor changes for clarity; provides for a reduction in the side setback requirements to 5 feet for accessory structures and pools; provides for new standards for street walls; and expands and clarifies the waiver provisions.

**PLEASE TAKE NOTICE** that the City of Lake Worth Beach's City Commission will conduct a meeting at 7 N Dixie Highway, Lake Worth Beach on **July 18, 2023 at 6:00 pm** or soon thereafter to consider Ordinance 2023-06 on first reading.

**ORDINANCE 2023-06 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 "LAND DEVELOPMENT REGULATIONS, BY AMENDING ARTICLE 1 "GENERAL PROVISIONS," DIVISION 2, "DEFINITIONS," SECTION 23.1-12 - DEFINITIONS; ARTICLE 2 "ADMINISTRATION," DIVISION 3, "PERMITS," SECTION 23.2-27 - WAIVER; ARTICLE 2 "ADMINISTRATION," DIVISION 3, "PERMITS," SECTION 23.2-31 - SITE DESIGN QUALITATIVE STANDARDS; ARTICLE 3 "ZONING DISTRICTS," DIVISION 2, "RESIDENTIAL DISTRICTS," SECTION 23.3-7 - SF-R - SINGLE-FAMILY RESIDENTIAL; ARTICLE 3 "ZONING DISTRICTS" DIVISION 2, "RESIDENTIAL DISTRICTS," SECTION 23.3-8 - SF-TF 14 - SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL; ARTICLE 3 "ZONING DISTRICTS," DIVISION 2, "RESIDENTIAL DISTRICTS," SECTION 23.3-10 - MF-20 - MULTI-FAMILY RESIDENTIAL; ARTICLE 3 "ZONING DISTRICTS," DIVISION 2, "RESIDENTIAL DISTRICTS," SECTION 23.3-11 - MF-30 - MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL; ARTICLE 3 "ZONING DISTRICTS," DIVISION 2, "RESIDENTIAL DISTRICTS," SECTION 23.3-12 - MF-40 - HIGH DENSITY MULTI-FAMILY RESIDENTIAL; ARTICLE 4 "DEVELOPMENT STANDARDS," SECTION 23.4-1 - SECONDARY (ACCESSORY) DWELLING UNIT; ARTICLE 4 "DEVELOPMENT STANDARDS," SECTION 23.4-10 - OFF-STREET PARKING; ARTICLE 4 "DEVELOPMENT STANDARDS," SECTION 23.4-13 - ADMINISTRATIVE USES AND CONDITIONAL USES; ARTICLE 4 "DEVELOPMENT STANDARDS," SECTION 23.4.16. - MECHANICAL SYSTEMS / EQUIPMENT FOR EXISTING RESIDENTIAL STRUCTURES," ARTICLE 5 "SUPPLEMENTAL REGULATIONS," SECTION 23.5-1 - SIGNS; ARTICLE 5 "SUPPLEMENTAL REGULATIONS," SECTION 23.5-3 - NONCONFORMITIES; AND PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.**

The public can view the meeting via YouTube at <https://www.youtube.com/c/CityofLakeWorthBeach>. The agenda and back-up materials are available at: <https://lakeworthbeachfl.gov/government/commission-agendas-and-minutes/>

**Public comment** will be accommodated in person at the meeting, or virtually prior to the meeting through the web portal: <https://lakeworthbeachfl.gov/virtual-meetings/>. If you are unable to access the web portal, please email [pzoning@lakeworthbeachfl.gov](mailto:pzoning@lakeworthbeachfl.gov) for a comment to be read into the record by a staff member. Written responses or comments can be sent to the Department for Community Sustainability Planning and Zoning Division, 1900 2nd Avenue North, Lake Worth Beach, FL 33461 and must arrive before the hearing date to be included in the formal record.

**For additional information, please contact City Staff at 561-586-1687 or email [pzoning@lakeworthbeachfl.gov](mailto:pzoning@lakeworthbeachfl.gov).** 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 (FS 286.0105). In accordance with the provisions of the American with Disabilities Act (ADA) this document may be requested in an alternative format. **Persons in need of special accommodation** to participate in this proceeding are entitled to the provision of certain assistance. **Please**

## Ordinance 2023-10

**PLEASE TAKE NOTICE** that the City of Lake Worth Beach's Historic Resources Preservation Board (HRPB) will conduct a meeting at 7 N Dixie Highway, Lake Worth Beach acting as the City's Local Planning Agency to consider a Comprehensive Plan text amendment (Ordinance 2023-10) to create a new required element for the Comprehensive Plan. The Historic Resources Preservation Board (HRPB) will conduct a meeting on **June 14, 2023 at 6:00 pm** or soon thereafter to consider the following ordinance:

**PLEASE TAKE NOTICE** that the City of Lake Worth Beach's City Commission will conduct a meeting at 7 N Dixie Highway, Lake Worth Beach on **July 18, 2023 at 6:00 pm** or soon thereafter to consider the Ordinance 2023-10 on first reading.

**Ordinance 2023-10 - AN ORDINANCE NO. 2023-10 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN, ADDING A NEW PROPERTY RIGHTS ELEMENT AS REQUIRED BY F.S. 163.3177(6)(i); PROVIDING THAT CONFLICTING ORDINANCES ARE REPEALED; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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**PLEASE TAKE NOTICE** that the City of Lake Worth Beach's Historic Resources Preservation Board (HRPB) will conduct a meeting at 7 North Dixie Highway, Lake Worth Beach on **June 14, 2023 at 6:00 pm** or soon thereafter to consider the following:

**HRPB Project #23-00100112:** Consideration of a Certificate of Appropriateness (COA) for the construction of a new ± 1,881 square foot single-family house and a new ± 693 square foot detached garage at 224 North L Street. The subject property is located in 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 Northeast Lucerne Historic District. PCN #38-43-44-21-15-046-0130.

The public can view the meeting via YouTube, <https://www.youtube.com/c/CityofLakeWorthBeach>. The agenda and back-up materials are available: <https://lakeworthbeachfl.gov/government/advisory-board-agendas-and-minutes/>

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**Affected parties, as defined in Section 23.1-12 of the Lake Worth Beach Code of Ordinances, who are interested in participation must notify the City of their status at least five (5) days before the hearing.** Failure to follow the process will be considered a waiver of the right to participate as affected party in the hearing, but does not preclude the party from making public comment. Affected parties shall submit the evidence they wish the Historic Resources Preservation Board to consider a minimum of one (1) full business day prior to the date of the meeting. **Affected parties, whether individually or collectively and irrespective of the number of affected parties, shall have the right to request one (1) continuance** provided that the request is to: address neighborhood concerns or new evidence, hire legal counsel or a professional services consultant, or is unable to be represented at the hearing. **For additional information, please contact City staff at 561-586-1687 or [historicpreservation@lakeworthbeachfl.gov](mailto:historicpreservation@lakeworthbeachfl.gov).**

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Publish: The Lake Worth Herald  
June 1, 2023

Legal Notice No. 42185

**PLEASE TAKE NOTICE** that the City of Lake Worth Beach's Historic Resources Preservation Board (HRPB) will conduct a meeting at 7 North Dixie Highway, Lake Worth Beach on **June 14, 2023 at 6:00 pm** or soon thereafter to consider the following:

**HRPB Project #23-00100078:** Consideration of a Certificate of Appropriateness (COA) for the demolition of existing structure and construction of a new ± 3,360 square foot single-family house at 711 South Palmway. The subject property is located in the Single Family Residential (SFR) 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 #38-43-44-27-01-013-0110.

The public can view the meeting via YouTube, <https://www.youtube.com/c/CityofLakeWorthBeach>. The agenda and back-up materials are available: <https://lakeworthbeachfl.gov/government/advisory-board-agendas-and-minutes/>

**Public comment** will be accommodated in person at the meeting, or virtually through the web portal: <https://lakeworthbeachfl.gov/virtual-meetings/>. If you are unable to access the web portal, email [historicpreservation@lakeworthbeachfl.gov](mailto:historicpreservation@lakeworthbeachfl.gov) for a comment to be read into the record by a staff member. Written responses or comments can be sent to the Department for Community Sustainability PZHP Division, 1900 2nd Avenue North, Lake Worth Beach, FL 33461 and must arrive before the hearing date to be included in the formal record.

**Affected parties, as defined in Section 23.1-12 of the Lake Worth Beach Code of Ordinances, who are interested in participation must notify the City of their status at least five (5) days before the hearing.** Failure to follow the process will be considered a waiver of the right to participate as affected party in the hearing, but does not preclude the party from making public comment. Affected parties shall submit the evidence they wish the Historic Resources Preservation Board to consider a minimum of one (1) full business day prior to the date of the meeting. **Affected parties, whether individually or collectively and irrespective of the number of affected parties, shall have the right to request one (1) continuance** provided that the request is to: address neighborhood concerns or new evidence, hire legal counsel or a professional services consultant, or is unable to be represented at the hearing. **For additional information, please contact City staff at 561-586-1687 or [historicpreservation@lakeworthbeachfl.gov](mailto:historicpreservation@lakeworthbeachfl.gov).**

**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 (FS 286.0105). In accordance with the provisions of the American with Disabilities Act (ADA) this document may be requested in an alternative format. Persons in need of special accommodation to participate in this proceeding are entitled to the provision of certain assistance. Please call 561-586-1687 or email [historicpreservation@lakeworthbeachfl.gov](mailto:historicpreservation@lakeworthbeachfl.gov) no later than five (5) days before the hearing if this assistance is required.**

Publish: The Lake Worth Herald  
June 1, 2023



## HISTORIC RESOURCES PRESERVATION BOARD REPORT

**HRPB Project Number 23-00100084:** Consideration of a Certificate of Appropriateness (COA) for roof replacement at **722 North K Street**; PCN #38-43-44-21-15-218-0060. The subject property is a contributing resource to the Northeast Lucerne Historic District and is located in the Single-Family and Two-Family Residential (SF-TF-14) Zoning District.

**Meeting Date:** May 10, 2023

**Property Owner/Applicant:** SellTime, LLC.

**Address:** 722 North K Street

**PCN:** 38-43-44-21-15-218-0060

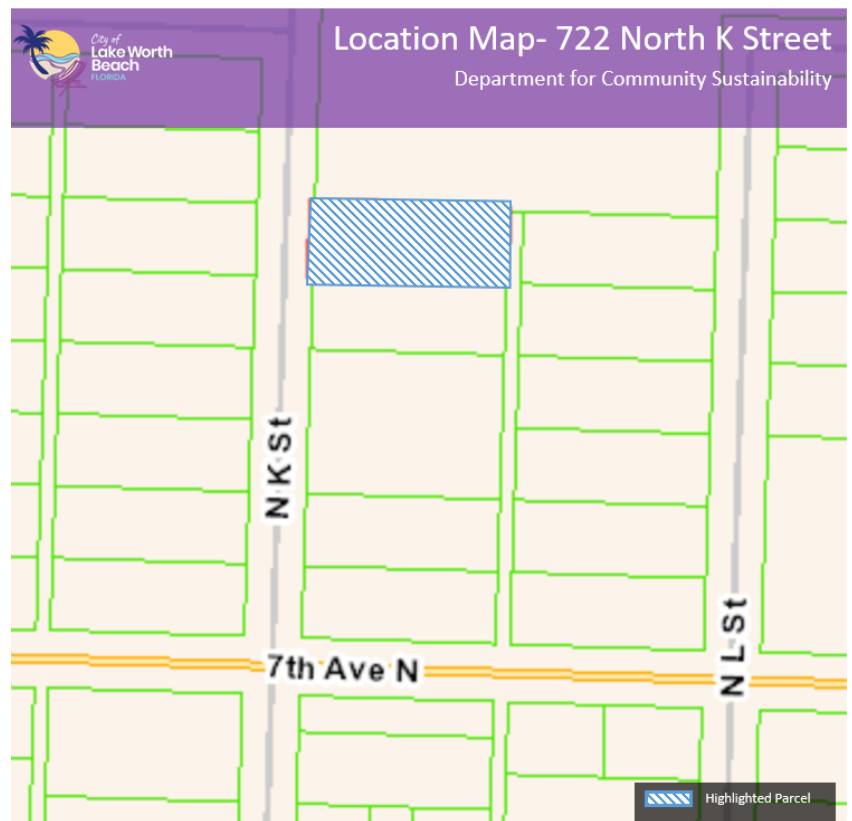
**Lot Size:** 0.15 acre /6750 sf

**General Location:** East side of North K Street between 7<sup>th</sup> Avenue North and 8<sup>th</sup> Avenue North

**Existing Land Use:** Single Family Residential

**Current Future Land Use Designation:** Medium Density Residential (MDR)

**Zoning District:** Single-Family and Two-Family Residential (SF-TF-14)



## RECOMMENDATION

The documentation and materials provided with the application were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs) and Historic Preservation Design Guidelines, and for consistency with the Comprehensive Plan. Staff is recommending denial of the roof replacement. Many of the original Frame Vernacular and Frame Minimal Traditional buildings originally utilized metal shingle roofs. However, few examples of these original metal shingle roofs remain on our historic structures. It is important to the character of Lake Worth Beach's historic districts to maintain the few remaining examples or replace them with in-kind products.

## PROJECT DESCRIPTION

The property owner, SellTime, LLC., is requesting a Certificate of Appropriateness to replace the original metal shingle roof with a dimensional asphalt shingle roof, as well as replace existing flat roofing with new modified bitumen roofing at 722 North K Street.

## PUBLIC COMMENT

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

## PROPERTY DEVELOPMENT HISTORY

The existing structure at 722 North K Street was constructed c. 1940 in the Wood Frame Minimal Traditional style. A rear addition with a flat roof and a separate rear screened porch addition were added to the structure in 1976. Based on property record cards in the property file, the attached one-car garage was enclosed and converted to living space prior to 1976.

On March 17, 2023, historic preservation staff received a completed COA application for roof replacement, including replacing a flat roof with new modified bitumen roofing and replacing metal shingle roofing with asphalt shingles. Staff disapproved the application on March 20<sup>th</sup> and provided comments to the applicant noting that the appropriate replacement for a metal shingle roof was a new metal shingle roof. On April 4<sup>th</sup>, staff and the applicant further discussed the roof, and staff provided a digital "binder" with examples of companies that offer metal shingles that meet Florida Building Code requirements. The applicants chose to pursue HRPB approval of asphalt shingles, and applied for HRPB review on April 17, 2023. The project was placed on the HRPB agenda for May 10, 2023.

Photographs of the site are included as **Attachment A**, the proposed asphalt shingles are included as **Attachment B**, and the applicant's justification statement is included as **Attachment C**.

## ANALYSIS

### Consistency with the Comprehensive Plan

The subject site has a Future Land Use (FLU) designation of Medium Density Residential (MDR). Per policy 1.1.1.3, the Medium-Density Residential category is *"intended primarily to permit development of two-family structures and multi-family structures. Two-family structures are those that provide two principal dwelling units, each for occupancy by one family or household. Multi-family structures are those that contain three or more dwelling units, each for occupancy by one family or household. Implementing zoning districts are SF/TF-14, MF-20 and NC."*

**Analysis:** While the Medium-Density Residential designation is primarily intended to permit development of structures with two or more dwelling units, one of the implementing districts is the Single-Family and Two-Family Residential zoning district (SF-TF-14), which is intended to permit development of one-family and two-family structures. The existing structure at 722 North K Street is a single-family house, which is consistent with the implementing zoning district for the Medium-Density Residential FLU designation. The current land-use is consistent with the future land-use. However, the proposed asphalt shingle roof is not consistent with Objectives 1.4.2 and 3.4.1, which seek to provide for the protection, preservation, or sensitive reuse of historic resources.

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

All exterior alterations to structures within a designated historic district are subject to visual compatibility criteria. Staff has reviewed the documentation and materials provided in this application and outlined the applicable guidelines and standards found in the City's Historic Preservation Ordinance, detailed in the section below. The Minimal Traditional section of the Historic Preservation Design Guidelines, as well as the roofing section, are included as **Attachment D**.

At the Historic Resources Preservation Board workshop on May 11, 2022, the Board gave direction that staff can administratively approve replacement of historic metal shingle roofs with new metal shingles that meet the Florida Building Code and the Florida Wind Code; staff has identified at least four metal shingle options that meet these requirements: the Oxford Shingle by Classic Metal Roofing Systems, the MetalWorks StoneCrest Tile Steel Shingles by TAMKO Building Products, the Arrowline Permanent Metal Slate and Steel Shake by EDCO Products, and the Victorian Shingles by Berridge Manufacturing. The Board also gave direction that they would consider applications to replace metal shingles with light gray asphalt shingles on a case-by-case basis, preferably with an economic hardship claim to justify the alternative material.

Other properties, such as 535 South Palmway, have chosen to get administrative approval to replace their historic metal shingle roofs with new metal shingles. If the Board moves to approve this application for replacement asphalt shingles without an economic hardship claim, staff requests updated direction regarding replacement of metal shingle roofs.

**Section 23.5-4(k)1 – General guidelines for granting certificates of appropriateness:** *In approving or denying applications for certificates of appropriateness, the city shall, at a minimum, consider the following general guidelines:*

- A. What is the effect of the proposed work on the landmark or the property upon which such work is to be done?  
**Analysis:** The proposed work will replace the original metal shingle roof with an asphalt shingle roof. Based on the City's Historic Preservation Design Guidelines, staff contends that the proposed asphalt shingle roof is *not a successful replacement* for metal shingles.
- B. What is the relationship between such work and other structures on the landmark site or other property in the historic district?  
**Analysis:** The proposed roof replacement will detract from the overall historic character of Northeast Lucerne Local Historic District by reducing an already limited number of original metal shingle roofs in this district.
- C. To what extent will the historic, architectural, or archaeological significance, architectural style, design, arrangement, texture, materials and color of the landmark or the property be affected?  
**Analysis:** Per the regulations set forth in the City's Historic Preservation Design Guidelines, replacement roofs shall replicate the appearance of the original roofing material. The asphalt shingle roof will reduce the overall historic character of this property.
- D. Would denial of a certificate of appropriateness deprive the property owner of reasonable beneficial use of his property?  
**Analysis:** No, denial of the COA would not deprive the applicant of reasonable use of the property.
- E. Are the applicant's plans technically feasible and capable of being carried out within a reasonable time?  
**Analysis:** Yes, the applicant's plans can be completed in a reasonable timeframe.
- F. Are the plans (i) consistent with the city's design guidelines, once adopted, or (ii) in the event the design guidelines are not adopted or do not address the relevant issue, consistent as reasonably possible with the applicable portions of the United States Secretary of the Interior's Standards for Rehabilitation then in effect?

**Analysis:** The proposal is not in compliance with the City's Historic Preservation Design Guidelines, the Secretary of the Interior's Standards for Rehabilitation, or the City's Historic Preservation Ordinance (LDR Sec. 23.5-4).

- G. What are the effects of the requested change on those elements or features of the structure which served as the basis for its designation and will the requested changes cause the least possible adverse effect on those elements or features?

**Analysis:** The structure is designated as a contributing resource within a local historic district. The resource is a Wood Frame Minimal Traditional building, which has a distinct set of architectural characteristics. The proposed roof is not a successful replacement for the original metal shingles roofing system.

**Section 23.5-4(k)(2) – Additional guidelines for alterations and additions, Landmark and contributing structures:** *In approving or denying applications for certificates of appropriateness for alterations and additions, the city shall also consider the following additional guidelines:*

- A. Is every reasonable effort being made to provide a compatible use for a property that requires minimal alteration of the building, structure or site and its environment, or to use the property for its originally intended purpose?

**Analysis:** Not applicable; no change to the use of the property is proposed.

- B. Are the distinguishing original qualities or character of a building, structure or site and its environment being destroyed? The removal or alteration of any historic material or distinctive architectural features shall be avoided whenever possible.

**Analysis:** Yes, in this case the original qualities and character of the building would be destroyed by the removal and replacement of the original metal shingles with an asphalt shingle roof.

- C. Is the change visually compatible with the neighboring properties as viewed from a primary or secondary public street?

**Analysis:** Asphalt shingle roofing is a common roofing material among neighboring properties. The proposed asphalt shingle roofing would be visually compatible with other structures from a public street but would not be the most compatible option.

- D. When a certificate of appropriateness is requested to replace windows or doors the HRPB or development review officer, as appropriate, may permit the property owner's original design when the city's alternative design would result in an increase in cost of twenty-five (25) percent above the owner's original cost. The owner shall be required to demonstrate to the city that:

- a. The work to be performed will conform to the original door and window openings of the structure; and  
**Analysis:** Not applicable.

- b. That the replacement windows or doors with less expensive materials will achieve a savings in excess of twenty-five (25) percent over historically compatible materials otherwise required by these LDRs. This factor may be demonstrated by submission of a written cost estimate by the proposed provider of materials which must be verified by city staff; and

**Analysis:** Not applicable.

- c. That the replacement windows and doors match the old in design, color, texture and, where possible, materials where the property is significant for its architectural design or construction.

**Analysis:** Not applicable.

- d. If the applicant avails himself of this paragraph the materials used must appear to be as historically accurate as possible and in keeping with the architectural style of the structure.

**Analysis:** Not applicable, the applicant has not requested to be availed of this paragraph.

#### CONCLUSION AND CONDITIONS

Staff contends that the proposed application to replace one of the few remaining example of historic metal shingle roofing with asphalt shingle roofing is not an appropriate replacement material for this contributing structure, and is not consistent with the replacement material guidance in the Historic Preservation Design Guidelines. In addition, staff processed an administrative approval for replacement metal shingles for a similar property in 2022. Therefore, staff recommends denial of the application for new asphalt shingles. Further, staff is requesting that the Board discuss appropriate replacement material for the few remaining historic metal shingle roofs in the City's historic districts.

#### BOARD POTENTIAL MOTION:

I MOVE TO **DENY** HRPB Project Number 23-00100084 for a Certificate of Appropriateness (COA) for roof replacement for the property located at **722 North K Street**, 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.

I MOVE TO **APPROVE** HRPB Project Number 23-00100084 for a Certificate of Appropriateness (COA) for roof replacement for the property located at **722 North K 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.

#### ATTACHMENTS

- A. Photos
- B. Proposed Asphalt Shingles
- C. Applicant's Justification Statement
- D. Design Guidelines – Minimal Traditional Style and Roofing





## HISTORIC RESOURCES PRESERVATION BOARD REPORT

**HRPB Project Number 23-00100117** Consideration of a Certificate of Appropriateness (COA) for window and door replacement at the property located at **220 Fordham Drive**; PCN #38-43-44-15-06-007-3140. The subject property is a non-contributing resource to the College Park National and Local Historic District and is located in the Single-Family Residential (SFR) Zoning District.

**Meeting Date:** June 14, 2023

**Property Owner/Applicant:** Abanoub Boutros

**Address:** 220 Fordham Drive

**PCN:** 38-43-44-15-06-007-3140

**Lot Size:** 0.18 acre /7880 sf

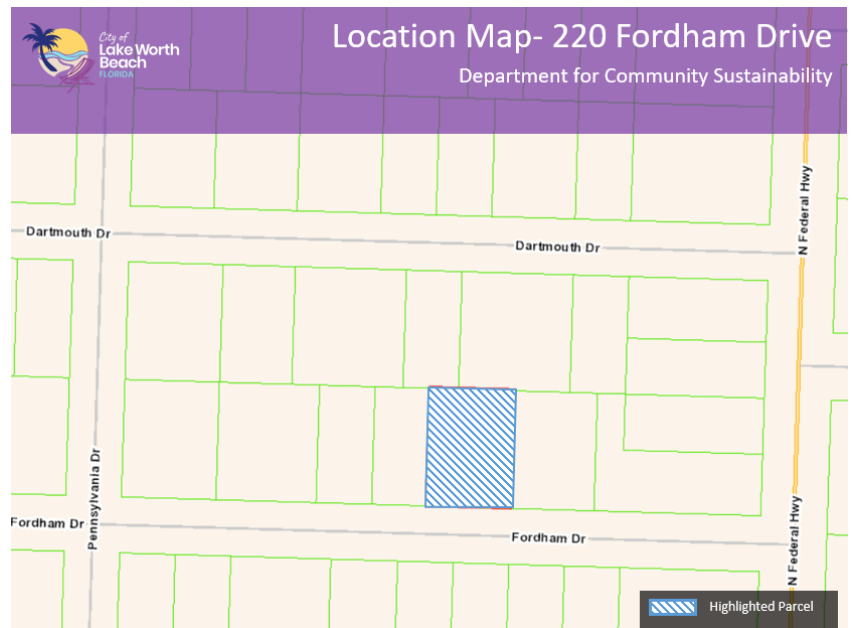
**General Location:** North side of Fordham Drive between Pennsylvania Drive and North Federal Highway

**Existing Land Use:** Single Family Residential

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

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

### 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 Historic Preservation Design Guidelines, and for consistency with the Comprehensive Plan. Staff is recommending approval of two (8) of the ten (10) windows, which comply with the design guidelines. However, staff is recommending modifications to Windows 1 and 2, as the proposed window are not consistent with the Historic Preservation Design Guidelines, which Window 1 requires a clear, single-hung window and Window 2 requires a clear, horizontal sliders with external, raised muntins to replicate a 3 horizontal divided light pattern.

## PROJECT DESCRIPTION

The property owner, Abanoub Boutros, is requesting a Certificate of Appropriateness to replace ten (10) windows on the structure located at 220 Fordham Drive. As the structure is non-contributing resource, a COA is only required for two windows replacements visible from Fordham Drive.



## PUBLIC COMMENT

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

## PROPERTY DEVELOPMENT HISTORY

The single-family house at 220 Fordham Drive was constructed c.1981 in the Masonry Vernacular architectural style. The structure is masonry construction with a stucco exterior and features a hip roof and awning windows. On April 10, 2023, Historic Preservation staff received a COA application for windows replacement. Staff reviewed and disapproved the application on April 20, 2023, as the applicant did not select architecturally appropriate window. The proposed windows including Window 1 were tinted, and Window 2 required two horizontal muntin.

After extensive communication with staff, the applicant did not agree to resolve the aforementioned issues. The applicant would like to forego the recommended clear windows on Window 1 and 2. As staff cannot administratively approve projects that conflict with the Design Guidelines, the project was placed on the HRPB agenda for June 14, 2023.

The home's original architectural drawings are included as **Attachment A**, an installation map and photos of the existing window are included as **Attachment B**, communication with homeowner and contractor as **Attachment C**.

## ANALYSIS

### Section 23.5-4(k)(3)(A) – Review/Decision Certificate of Appropriateness

All exterior alterations to structures within a designated historic district are subject to visual compatibility criteria. Staff has reviewed the documentation and materials provided in this application and outlined the applicable guidelines and standards found in the City's Historic Preservation Ordinance, detailed in the section below. The Masonry Vernacular architectural style section and the window replacement section of the City's Historic Preservation Design Guidelines are included as **Attachment D**.

#### Section 23.5-4(K)(1) *General guidelines for granting certificates of appropriateness*

1. *In general.* In approving or denying applications for certificates of appropriateness, the city shall, at a minimum, consider the following general guidelines:
  - A. What is the effect of the proposed work on the landmark or the property upon which such work is to be done?  
**Staff Analysis:** Based on the City's Historic Preservation Design Guidelines, staff contends that the proposed Windows 1 and 2 are unsuccessful in replicating appropriate window designs for a Masonry Vernacular structure. The replacement of the existing windows with an inappropriate design would adversely alter the appearance of the historic resource.
  - B. What is the relationship between such work and other structures on the landmark site or other property in the historic district?  
**Staff Analysis:** The proposed window replacements will have no direct physical effect on any surrounding properties within the College Park National and Local Historic District.
  - C. To what extent will the historic, architectural, or archaeological significance, architectural style, design, arrangement, texture, materials and color of the landmark or the property be affected?  
**Staff Analysis:** Based on the information in the property file, this project will replace the structure's original windows, and therefore will have a major effect on the property's historic architectural design and materials.
  - D. Would denial of a certificate of appropriateness deprive the property owner of reasonable beneficial use of his property?  
**Staff Analysis:** No, denial of the COA would not deprive the applicant of reasonable use of the property.
  - E. Are the applicant's plans technically feasible and capable of being carried out within a reasonable time?  
**Staff Analysis:** Yes, the applicant's plans can be completed in a reasonable timeframe.
  - F. Are the plans (i) consistent with the city's design guidelines, once adopted, or (ii) in the event the design guidelines are not adopted or do not address the relevant issue, consistent as reasonably possible with the applicable portions of the United States Secretary of the Interior's Standards for Rehabilitation then in effect?

**Staff Analysis:** The proposed windows replacement for Window 1 and 2 are not in compliance with the City's Historic Design Guidelines, the Secretary of the Interior's Standards for Rehabilitation, and the City's Historic Preservation Ordinance (LDR Sec. 23.5-4).

- G. What are the effects of the requested change on those elements or features of the structure which served as the basis for its designation, and will the requested changes cause the least possible adverse effect on those elements or features?

**Staff Analysis:** The structure is designated as a non-contributing resource within the College Park historic district. As a non-contributing structure, historic review of window and door replacements only extends to openings that are visible from the public right-of-way. Windows 1 and 2 are the only windows at 220 Fordham Drive that is subject to historic review, and the proposed windows are not consistent with the Masonry Vernacular architectural style and the Historic Preservation Design Guidelines, which will have an adverse effect on the structure's relationship with the surrounding historic district.

Section 23.5-4(K)(2) *Additional guidelines for alterations and additions, noncontributing structures.*

- A. Is this a change to the primary façade?

**Staff Analysis:** Yes, Windows 1 and 2 are on the primary façade of 220 Fordham Drive.

- B. Is the change visually compatible and in harmony with its neighboring properties as viewed from a public street?

**Staff Analysis:** No, the proposed windows for Windows 1 and 2 are not visually compatible with the Masonry Vernacular architectural style of the structure or with other structures of similar architectural styles in the neighboring properties. Replacement with inappropriate windows would have an adverse visual effect on the surrounding historic district.

## CONCLUSION AND CONDITIONS

The proposed application is consistent with the Historic Preservation Design Guidelines, with the exception of the proposed Windows 1 and 2. Therefore, staff recommends approval of the application with the conditions outlined below, including conditions to bring Windows 1 and 2 into compliance with the Design Guidelines.

### Conditions of Approval:

1. Doors A, B, and C shall be clear, three-light doors.
2. The sidelight to Door B shall be a clear, full-light window.
3. Window D shall be a clear, single-hung window.
4. Window E shall be clear four (4) light single hung window to replicate an awning window.
5. All windows shall be installed in their existing openings. Openings shall not be filled in or made larger to accommodate alternately sized products.
6. All divided light patterns shall be created utilizing exterior raised applied muntins. Exterior flat muntins or "grids between the glass" shall not be used.
7. All glazing shall be 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.
8. Original window trim, window sills, and mullions shall be retained. Where original trim and surrounds need to be replaced due to severe deterioration, the replacement elements shall match what is being removed in profile, design, shape, size, configuration, and location.
9. All windows and doors shall be install recessed in the jambs and shall not be installed flush with the exterior wall.

**BOARD POTENTIAL MOTION:**

I MOVE TO **APPROVE a portion of** HRPB Project Number 23-00100117 for a Certificate of Appropriateness (COA) with conditions for the replacement of Windows 1 and 2, the sidelight window for Door B, and the three (3) doors as proposed; and, Windows 1 and 2 as conditioned by staff for the property located at **220 Fordham 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 **DENY** HRPB Project Number 23-00100117 for a Certificate of Appropriateness (COA) for window and door replacements for the property located at **220 Fordham 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.

I MOVE TO **APPROVE** HRPB Project Number 23-00100117 for a Certificate of Appropriateness (COA) for window and door replacements with staff recommended conditions, but excluding the condition related to Windows 1 and 2, for the property located at **220 Fordham 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.

**ATTACHMENTS**

- A. Installation Map
- B. Historic architectural drawings
- C. Installation Map and Photos of existing window
- D. Proposed Replacement Window
- E. Masonry Vernacular Design Guidelines and Window Replacement Guidelines
- F. Application and Justification Statement

**WINDOW ELEVATION**

Staff recommended window elevation for Window 2:





## HISTORIC RESOURCES PRESERVATION BOARD REPORT

**HRPB Project Number 23-00100112:** Consideration of a Certificate of Appropriateness (COA) for the construction of a new ±1,881 square foot single-family house and a new ±693 square foot detached garage at 224 North L Street. The subject property is located in 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 Northeast Lucerne Historic District.

**Meeting Date:** June 14, 2023

**Property Owner:** Garrett Scheffler

**Address:** 224 North L Street

**PCN:** 38-43-44-21-15-046-0130

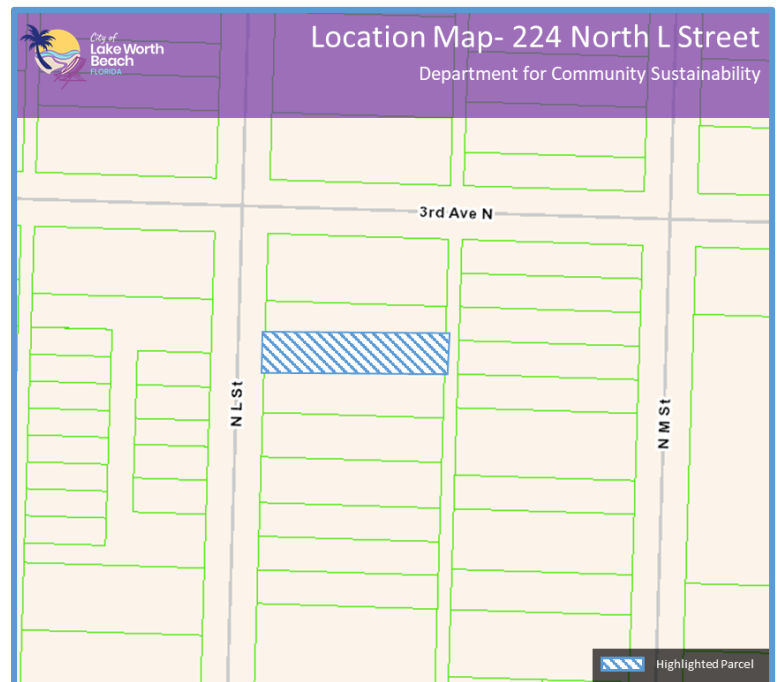
**Size:** ±0.077 acres / 3,375 sf

**General Location:** East side of North L Street between 2<sup>nd</sup> Avenue North and 3<sup>rd</sup> Avenue North

**Existing Land Use:** Single Family Residential (HRPB notified of condemnation on June 16, 2021)

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

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

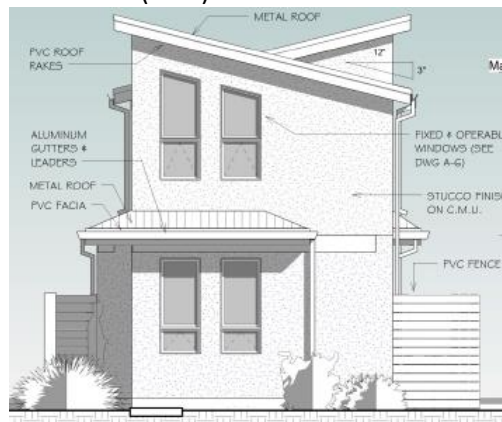


## RECOMMENDATION

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 and Strategic Plan. The proposed new single-family structure is consistent with the City's Land Development Regulations. As proposed, the structure's design is not consistent with the Historic Preservation Ordinance and the Historic Preservation Design Guidelines requirements for new construction. Staff contends that the current design does not appropriately convey either the Mid-Century Modern architectural style or the Contemporary architectural style. Therefore, staff recommends that the HRPB **continue this project, allowing for the applicant to revise the design and incorporate staff-recommended conditions and board member comments.**

## PROJECT DESCRIPTION

The property owner, Garrett Scheffler, is requesting approval for the construction of a new single-family residence and detached garage structure at 224 North L Street. The subject property is a 25-foot wide parcel located on the east side of North L Street between 2<sup>nd</sup> Avenue North and 3<sup>rd</sup> Avenue North. A survey of the property is included in **Attachment A**. The parcel is located in the Medium Density Multi-Family Residential (MF-30) zoning district and has a Future Land Use (FLU) designation of High Density Residential (HDR).



Proposed Front Elevation

## PUBLIC COMMENT

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

## BACKGROUND

The one-story single-family residence located at 224 North L Street was constructed c.1925 in a Wood Frame Vernacular architectural style. Although no architectural drawings of the building are available in the City's property files, property cards from the 1940s and 1950s describe the structure as being of wood frame construction on a pier and slab foundation, having a gable composition and asphalt shingle roof, wood windows, and two porches. The rear porch was originally constructed in 1953 with a shed roof and screened openings. City permit records indicate the structure had alterations over time, including permits for roof replacement, window replacement, and electrical upgrades.

At the HRPB meeting on October 14, 2020, the Board considered a COA request for exterior alterations (HRPB #20-00100186). The application proposed a reconfiguration of the original window openings to accommodate new impact single-hung and fixed glass windows. In addition, the application proposed to replace the front and rear doors. The Board continued the request due to concerns related to fire separation on the south side of the structure where openings were being reconfigured. This portion of the structure encroaches into the required side setback.

At the HRPB meeting on March 3, 2021, the Board reviewed conceptual plans for new construction. The property owner had concerns about the structure's integrity and sought the Board's feedback for a new single-family structure. The

Board recommended vertically-oriented windows that are compatible with the historic district and a simplified roof design.

The property owner requested that the City's Building Official inspect the property to determine if there were unsafe conditions that would warrant condemnation. On April 19, 2021, the City's Building Official (Peter Ringle) declared the structure was unsafe due to decay, deterioration or dilapidation, and was likely to fully or partially collapse. The condemnation letter is included as **Attachment B**. Pursuant to Land Development Regulation (LDR) Section 23.5-4(m)(3), a COA is not required for the demolition of a contributing building that has been condemned by the City. Current photos of the property are included in **Attachment B**. The Board was notified of the condemnation and future demolition of the structure and given opportunity to comment on the demolition at the June 16, 2021 HRPB meeting. The demolition of the existing structure has not yet taken place and a demolition permit has not been submitted.

At the HRPB meeting on June 16, 2021, the Board approved a COA for new construction of a ±1,554 square foot single family structure on the property (HRPB #21-00100137). The Development Order for that new construction project expired on June 16, 2022.



Previous design for 224 North L Street, approved by the HRPB in 2021

Per a conversation with the property owners in February 2023, they chose not to extend the Development Order, as they decided to propose a different architectural design than what was previously approved by the HRPB. Historic preservation staff provided pre-application zoning and design review on March 8, 2023, and April 12, 2023, and met with the applicants via Zoom on April 17, 2023. The property owners submitted for HRPB review on May 16<sup>th</sup> and were subsequently scheduled for the June HRPB meeting.

## ANALYSIS

### *Consistency with the Comprehensive Plan*

The subject site has a Future Land Use (FLU) designation of High Density Residential (HDR). Per policy 1.1.1.4, the High Density Residential category is *“intended to permit development of multi-family structures. Multi-family structures are those that contain three or more principal dwelling units, each for occupancy by one family or household.”*



**Analysis:** While the High-Density Residential designation is primarily intended to permit development of structures with three or more dwelling units, the implementing MF-30 zoning district allows for the development of single-family structures as a use that is permitted by right. 224 North L Street is a nonconforming lot of record that does not comply with the minimum lot area and lot width provided within Section 23.3-11 of the Lake Worth Beach Land Development Regulations. Pursuant to LDR Section 23.5-3(c), Nonconforming lots of record:

*A nonconforming lot of record is a platted lot which by width, depth, area, dimension or location does not meet current standards set forth in these LDRs. In any zoning district in which single-family dwelling units are permitted, notwithstanding limitations imposed by other provisions of these LDRs, a single-family dwelling unit and customary accessory buildings may be erected on any single nonconforming lot of record so platted on or before January 5, 1976.*

The subject property was platted prior to January 5, 1976. Therefore, single-family development is permitted and is consistent with the implementing zoning district for the High Density Residential FLU 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.

Based on the analysis above, the proposed development request is consistent with the goals, objectives, and polices of the City of Lake Worth Beach's Comprehensive Plan.

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

**Medium Density Multi-Family Residential (MF-30):** Per LDR Section 23.3-11(a), the "MF-30 medium-density multiple-family residential district" is intended to permit development of multiple-family structures. It is also intended to permit development of one-family and two-family structures. Provision is made for a variety of dwelling unit types in multiple-family structures on lots which meet minimum lot size requirements for multiple-family structures. Permitted dwelling unit types could include efficiency, one-bedroom, two-bedroom and larger types. Provision is also 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 residential character. The "MF-30 medium-density multiple-family residential district" implements the "high-density multiple-family residential" land use category of the Lake Worth Comprehensive Plan.

The proposed new construction project is consistent with all site data requirements in the City's Land Development Regulations, including LDR Section 23.3-11 for the MF-30 zoning district. The application complies with all impermeable surface requirements, building coverage allotments, and required setbacks. 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, architectural drawings, and landscape plan are included in this report in **Attachment A**.

Development Standard		Medium Density Multi-Family Residential (MF-30)	Provided
Lot Size (min)		5,000 sf	3,375 sf (existing non-conformity)
Lot Width (min)		50'	25' (existing non-conformity)
Setbacks	Front	20'	20'
	Rear	13.5'	55'
	Side	3'	3'
Accessory Structure	Front	n/a	n/a
	Rear	5'	12'
Setbacks (Pool)	Side	3'	3'
Impermeable Surface Coverage (max)		65%	57.9%
Structure Coverage (max)		45%	40.3%

Front Yard	75% permeable & landscaped	83%
Building Height (max)	30' principal structure 24' accessory structure	About 20.3' principal* 18.8' accessory*
Accessory Structure Size Limitation	40% of primary structure	37%
Maximum Wall Height at Side Setback (primary structure)	22' @ 3' setback up to 26' @ 5' setback	9.33' @ 3' setback 21.2' @ 5' setback
Maximum Wall Height at Side Setback (accessory structure)	22' @ 3' setback up to 26' @ 5' setback	9.33' @ 3' setback 16.84' @ 5' setback
Floor Area Ratio (FAR) (max)	0.80	0.765
Parking	1 space	1 space

*\*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...*

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

The proposed single-family residence is designed in a Contemporary style with elements of Mid-Century Modern architecture. The Mid-Century Modern architectural style gained popularity in the United States in the 1950s. Elements such as angled and flat rooflines, projecting sills or eyebrows, and the use of multiple wall materials are all character-defining features of the style. The Mid-Century Modern architectural style is covered as a primary style in the Lake Worth Beach Historic Preservation Design Guidelines, and that chapter is included in this report as **Attachment C**.

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:** While the height of the proposed building is taller than the height of its immediate neighbors to the south, it is in harmony with a number of other nearby 2-story residential buildings, including 210, 219, 231, 301, and 302 North L Street, as well as the potential new construction at 230 North L Street (design approved by the HRPB in 2020, currently in the permitting process).

- (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:** The width of the front elevation is in scale with the surrounding properties. However, the relationship of the width to the height is different from many of the surrounding properties. Because of the small lot width and the two-story height, the proposed new construction is much more vertical in appearance than nearby structures, which tend to either be one-story residences on small lots or wide, two story residential structures on larger lots.

- (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 proposal is new construction and therefore will not be a landmarked or contributing building. The proposed single-light awning and fixed glass windows, glazed and flush panel doors are compatible with the contemporary style of the structure and properties in the Northeast Lucerne Local Historic District that utilize masonry construction. However, the side elevations feature window placement and orientation that is atypical for buildings within the historic districts, particularly the small size and asymmetric placement of many of the windows on the side elevations. The windows on the side elevations should be centered and symmetrically placed within the bays of the elevation.

- (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 (west) elevation mostly avoids expanses of black façade, and the relationship of solids to voids is generally in harmony with neighboring buildings.

- (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 setback requirements within the current zoning code and is spaced appropriately in relation to neighboring buildings.

- (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 a side elevation rather than on the front elevation, with a covered side porch and walkway to the public sidewalk. The surrounding homes have a variety of entrance and porch configurations, with front doors and front porches placed both on the front and the side of nearby homes. Unlike neighboring properties with entrances oriented to the side, staff contends that the proposed design does not provide sufficient detailing or architectural features; as a result, the front of the building reads as a side elevation facing the street rather than as the primary façade. Furthermore, the porch roofs over the first story of the main house and accessory structure should be revised to be flat roofs, which are more appropriate for the Contemporary architectural style; the porch roof eaves should also be adjusted so that they are the same depth along all elevations of the structure.

- (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 building will be concrete block with a smooth stucco exterior finish. This is a common and compatible façade material for Contemporary and Mid-Century new construction proposals within the City's historic districts. Staff also suggests using a secondary exterior wall finish to add visual interest and further embrace the Contemporary design aesthetic. For example, on the main house, the front and rear sections could

use smooth stucco, while the middle section uses another exterior finish such as brick facing, wood-look materials, implied siding, or stone.

- (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 primary structure proposes to use shed rooflines, with the middle section of the structure at an opposing angle from that of the front and rear of the structure. The detached garage proposes to use a gable roof. The design also proposes a hipped roof above the first story on both the primary and accessory structures. Staff recommends revising the roofline of the primary structure to be a shed roof with a single slope (this would require some alterations to the proposed windows on the second floor) or to change the middle section's shed roof to a flat roof. Staff also recommends revising the hip roof above the first floor to be a simple, flat roof above any porches or areas that the second story is recessed from the first story's exterior walls. The first-floor porch roofs should also be revised so that their eaves are the same depth across all elevations. The gable roof on the rear accessory structure should be revised to be a simple flat roof or a shed roof with the same slope as the primary structure.

These revisions would simplify the design, make its Contemporary influence clearer, and, in the case of the flat first-story roof, would help emphasize horizontality in the design, which was common in Mid-Century and Contemporary architecture. The proposed revisions to the roof design would also make the buildings more compatible with other Contemporary and Mid-Century Modern structures in Lake Worth Beach.

- (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 largely appropriate for the structure and its context in the neighborhood. The proposed breeze-block wall near the front entrance of the house is a common feature of the Mid-Century Modern architectural style.

- (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:** The height of the proposed building is more substantial than some of the neighboring properties, but is in harmony with other two-story buildings on the block, including a proposed residential structure on the adjacent property to the north as well as the townhome development across North L Street. The fenestration patterns on the side elevations should be revised so that the openings are centered within the structures' bays and are more symmetrical.

- (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 to either side of it. The building's height and massing are more substantial than some of the immediately neighboring properties, but the building is similar in height to existing two-story residential structures in the neighborhood.

- (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 design of the structure is modern in nature, incorporating elements of the Mid-Century Modern and Contemporary architectural styles. However, as currently proposed, the purity of the modern style is not reading clearly in the architectural design. Other architectural styles may read better on the proposed plan. If the applicants want to pursue a Contemporary design, staff contends that changes to the design are needed to properly convey that architectural style.

(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 side setbacks and will not be visible from North L Street.

(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 garage and driveway are located at the rear of the property with access from the alley, which is the typical configuration for other single-family houses on narrow lots along North L Street. The proposed site design is generally compatible with the surrounding neighborhood; in addition to a landscape plan, a tree survey and disposition plan shall be required at building permit.

#### **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.”* The Mid-Century Modern architectural style is covered as a primary style in the Lake Worth Beach Historic Preservation Design Guidelines, and that chapter is included in this report as **Attachment C**. Contemporary architecture is not included as a primary style in the Design Guidelines.

**Analysis:** New construction in the City’s historic districts is not limited to any particular architectural style, but staff always recommends that projects are designed solely within one architectural style. Staff contends that the design of the structure displays some architectural features and materials that are consistent with Contemporary and Mid-Century Modern architecture; the shed roof, the fixed and single-light awning window styles, and breeze block wall are character-defining features of the Contemporary and Mid-Century Modern styles present in the design. However, staff contends

that the overall design does not clearly read as Contemporary architecture, and revisions to the proposed rooflines, front façade design, fenestration pattern, and proposed roofing material are necessary for the structure to appropriately convey a Contemporary design.

The front façade features a side-loaded entry porch with a breeze block wall on the side property line. The structure is designed utilizing concrete block with smooth stucco exterior finish. As previously mentioned, staff recommends adding a secondary exterior wall finish to the design for visual interest. The use of multiple exterior finishes was common in both the Mid-Century Modern and Contemporary styles.

The main massing of the structure utilizes multiple shed roofs in contrasting angles, and the detached garage utilizes a gable roof. Both structures proposed hipped roofs above the first story of the buildings. Staff contends that these proposed rooflines create a confusing, cluttered design and do not successfully emulate a Contemporary design. Staff recommends revising the roofline of the primary structure to be a shed roof with a single slope (this would require some alterations to the proposed windows on the second floor), or changing the middle section of the roofline from a shed roof to a flat roof. Staff also recommends revising the hipped roof above the first floor to be a simple, flat roof above any porches or areas that the second story is recessed from the first story's exterior walls. Additionally, the depth of the first-story roofs should be revised so that it is consistent across the structures' elevations. The proposed gable roof on the accessory structure should be changed to a simple flat roof or a shed roof to match that of the primary structure. These revisions would simplify the design, make its Contemporary influence clearer, and, in the case of the flat first-story roof, would help emphasize horizontality in the design, which was common in Contemporary and Mid-Century Modern architecture.

Additionally, the design proposes to use metal roofing on the shed roofs, hip roofs, and gable roof. Metal roofing is atypical for Mid-Century Modern architecture, which most often uses flat roofing materials, asphalt shingles, or occasionally concrete tile roofing. Furthermore, 5V crimp and standing seam metal roofs typically are not allowed within the City's historic districts.

The fenestration incorporates both full-view vinyl impact awning and fixed glass windows, glazed and flush panel doors, and a flush-panel garage door. The side elevations feature window placement and orientation that is atypical for buildings within the historic districts. While the fenestration pattern generally avoids long expanses of blank façade, the openings should be revised so that they are centered within the structures' bays and are symmetrical in their placement.

Finally, staff has concerns about the proposed design of the front façade. Staff contends that the current design reads more like the side of a building facing the street, rather than the front of a house. While some homes nearby have their primary entrances on the side of the building, they all have sufficient detailing and architectural features to read as the front façade. Staff recommends that the applicant either revise the proposed design to place the entry door on the front façade, or add architectural interest to better emphasize the front façade.

## CONCLUSION AND CONDITIONS

The proposed new construction application is consistent with the City's Land Development Regulations. As proposed, the structure's design is not consistent with the Historic Preservation Ordinance and the Historic Preservation Design Guidelines requirements for new construction. Staff contends that the current design does not appropriately convey either the Mid-Century Modern architectural style or the Contemporary architectural style. Therefore, staff recommends that the HRPB continue this project, allowing time for the applicant to revise the design to more fully embrace the Contemporary style and incorporate staff-recommended conditions and board member comments.

If the HRPB moves to approve the new construction request, staff has drafted conditions of approval:

### Conditions of Approval:

- 1) The main roofline of the primary structure shall be revised to make the middle section a flat roof, or to make the entire roof a shed roof with a single slope.

- 2) The accessory structure shall be revised to have a flat roof.
- 3) The first-story roofline over porches and recessed areas of the primary structure and accessory structure shall be revised to be a flat roof, with eaves of equal depth on all elevations.
- 4) The front façade of the primary structure shall be revised to include the entry door and/or architectural detailing to emphasize it as the main façade of the building.
- 5) The fenestration pattern on the side elevations shall be revised so that openings are centered within the bays and are symmetrical.
- 6) 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.
- 7) 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.
- 8) The windows shall be recessed a minimum of two inches (2") in the wall, and shall not be installed flush with the exterior wall.
- 9) The roofing shall be flat roofing material and/or asphalt shingles.
- 10) The structure shall utilize a smooth stucco finish. Staff recommends adding a secondary exterior wall finish to add visual interest and increase compatibility with the Contemporary architectural style.
- 11) The exact design of the windows, entry doors, and garage doors shall be reviewed by staff at permitting.
- 12) All improved surfaces shall be setback a minimum of 1'-0" from property lines to allow for adequate water runoff within the property boundary.
- 13) All mechanical equipment shall be located behind the front façade of the structure and outside of required setbacks.
- 14) A gravel stabilization plan shall be submitted at building permit, noting how the gravel will be maintained so that it stays out of the right-of-way, alley, and storm water systems.
- 15) Formal and complete review for compliance with the City's Land Development Regulations will be conducted at building permit review.
- 16) All fencing and gate locations, heights, and materials shall comply with the height and placement requirements of LDR Sec. 23.4-4 and shall be reviewed by staff at building permit.
- 17) 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 **CONTINUE** HRPB Project Number 23-00100112 for the construction of a new single-family house and detached garage at **224 North L Street**, pending the Applicant's redesign of the proposed new construction, because the Applicant has not established by competent substantial evidence that the application complies with the City of Lake Worth Beach Historic Preservation requirements. [Board member please state the meeting date to which the project will be continued].

I MOVE TO **DISAPPROVE** HRPB Project Number 23-00100112 for a Certificate of Appropriateness (COA) for the construction of a new single-family house and detached garage at **224 North L Street**, 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.

I MOVE TO **APPROVE** HRPB Project Number 23-00100112 with staff recommended conditions for the construction of a new single-family house and detached garage at **224 North 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.

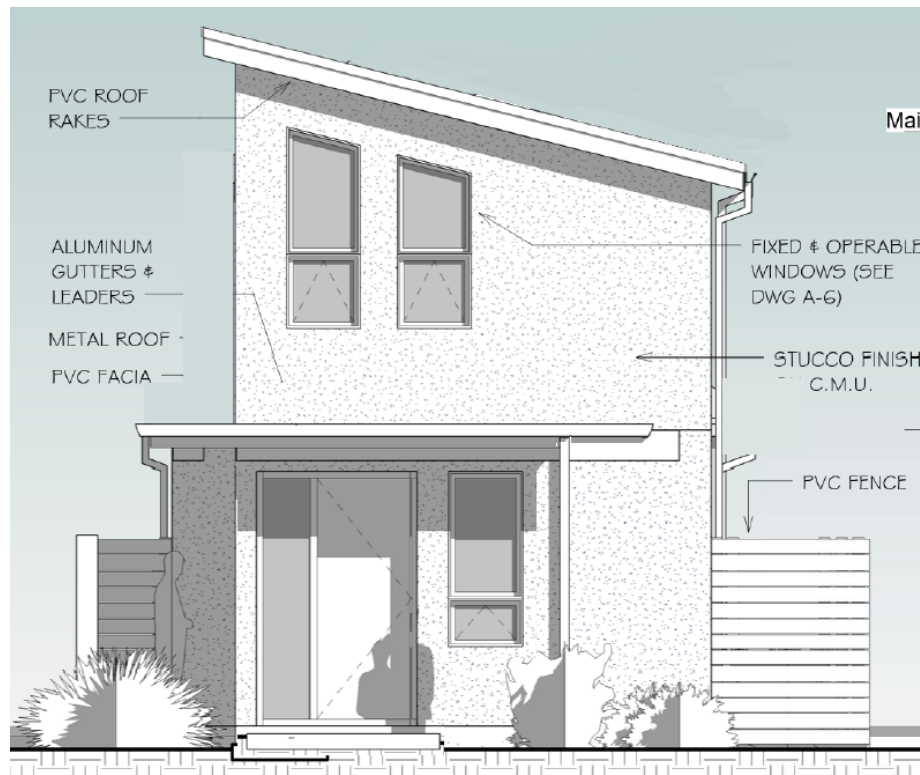
**Consequent Action:** The Historic Resources Preservation Board's decision will be final decision for the new construction. The Applicant may appeal the Board's decision to the City Commission.

## ATTACHMENTS

- A. Plan Set, Survey, and Photos
- B. Unsafe Declaration
- C. Historic Preservation Design Guidelines – Mid-Century Modern
- D. Applicant's Justification Statement

## CONCEPTUAL ROOFLINE AND FAÇADE REVISIONS

Front (West) Elevation:







## HISTORIC RESOURCES PRESERVATION BOARD REPORT

**HRPB Project Number 23-00100078:** Consideration of a Certificate of Appropriateness (COA) for the demolition of the existing structure and construction of a new ±3,360 square foot single-family house at 711 South Palmway. The subject property is located in the Single Family Residential (SFR) 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.

**Meeting Date:** June 14, 2023

**Property Owner:** Edmund Deveaux

**Address:** 711 South Palmway

**PCN:** 38-43-44-27-01-013-0110

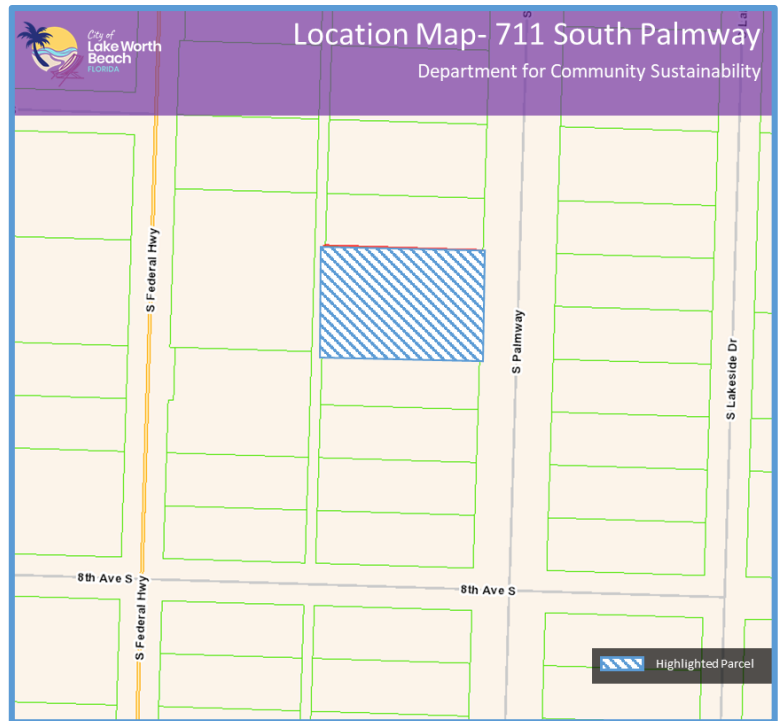
**Size:** ±0.34 acres / 15,000 sf (existing parcel)  
±0.17 acres / 7,500 sf (proposed parcel split)

**General Location:** West side of South Palmway  
between 6<sup>th</sup> Avenue South and 8<sup>th</sup> Avenue South

**Existing Land Use:** Single Family Residential

**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 and Strategic Plan. While the proposed new single-family structure is generally consistent with the City's Land Development Regulations, the demolition request is not consistent with the criteria established in the Historic Preservation Ordinance. The existing house at 711 South Palmway is one of the few surviving examples of the work of the state's first registered female architect (Agnes Ballard), and has been recommended to be re-designated as a contributing resource in the historic district in the 2020 Historic Resources Survey. No evidence of disrepair that would necessitate demolition has been provided to staff. Therefore, staff **recommends denial of the requested demolition and new construction.**

## PROJECT DESCRIPTION

The property owner, Edmund Deveaux, is requesting approval for the demolition of the existing single-family house and construction of a new single-family house at 711 South Palmway. The requested demolition would enable a parcel split, dividing the existing parcel into two 50-foot wide parcels; the proposed new construction would occur on the new north parcel. A survey of the property and current photos of the site are included in **Attachment B**. The parcel is located in the Single Family Residential (SFR) zoning district and retains 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.

## PROPERTY DEVELOPMENT HISTORY

The existing single-family, Ranch-style house was built at 711 South Palmway in 1956. The house was designed by architect Agnes Ballard, Florida's first female registered architect. The house was designed with an L-shaped layout with stucco exterior walls, concrete tile roofing on the intersecting gable roofs, and architectural detailing including ornamental gable vents and decorative porch and carport columns (see **Attachment A**).

The property has undergone several alterations throughout its history. Most notably, a pool and large screen enclosure were constructed at the rear of the building in 1959, and additional rear patio awning was added in 1964, two accessory utility buildings were constructed in 1971 and 1981, and the original concrete tile roofing was replaced with shingles in 1988. Based on documentation in the property file, the open front porch was enclosed with screening and the carport was enclosed to become a garage sometime between 1960 and 2007.



Existing Structure (above)

On August 2, 2022, the applicant received a Zoning Verification Letter (#22-01700038) from the City of Lake Worth Beach. The applicants requested permission to split the 100-foot parcel at 711 South Palmway into two 50-foot parcels, with the intention to develop a single-family structure on each new parcel. Per the zoning letter, the request was deemed potentially feasible subject to demolition and new construction approval by the Historic Resources Preservation Board as the structure is a non-contributing resource in the South Palm Park Historic District.

The applicant's design team contacted the City's historic preservation staff in January 2023 to discuss architectural plans for new construction on the property. Staff and the applicant's design team met on January 10, 2023 and discussed requirements for demolition and new construction in the City's historic districts, as well as Base Flood Elevation requirements for new construction. Staff provided additional pre-application architectural review on January 30<sup>th</sup>. After an incomplete COA application on April 12, 2023, a complete COA application for HRPB review of demolition and new construction was received on May 3<sup>rd</sup>, and the project was scheduled for the June 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 has a proposed density of fewer than 7 units per acre, 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. However, as a request for demolition of a structure within a historic district, the proposal is not consistent with Objectives 1.4.2 and 3.4.1, which seek to provide for the protection, preservation, or sensitive reuse of historic resources

### 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 is consistent with all site data requirements in the City's Land Development Regulations. The application complies with all impermeable surface requirements, building coverage allotments, and required setbacks.

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, architectural drawings, and landscape plan are included in this report in **Attachment B**.

Development Standard		Base Zoning District Single-Family Residential (SFR)	Provided
Lot Size (min)		5,000 sf	7,500 sf
Lot Width (min)		50'	50'
Setbacks	Front	20'	32.4'
	Rear	15'	41'
	Side	5'	5.7'
Impermeable Surface Coverage (max)		50%	46%
Structure Coverage (max)		30%	29.4%
Front Yard		75% permeable & landscaped	77%
Density (max)		7 du/acre X 0.17 ac = 1 du	1 du
Building Height (max)		30'	26.1'
Maximum Wall Height at Side Setback		18' @ 5' setback up to 23' @ 10' setback	10' @ 5.7' setback 21' @ 9' setback
Floor Area Ratio (FAR) (max)		0.45	0.448
Parking		2 spaces	2 spaces

#### **Consistency with the Land Development Regulations – Demolition in Historic Districts**

All requests for demolition of structures (with the exception of condemned, locally-listed structures) within historic districts require a certificate of appropriateness from the HRPB. The decision-making criteria for demolitions within the City's historic districts are located in Section 23.5-4(k)(4) of 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 in **Attachment D**.

**Section 23.5-4(k)4.A – Additional Requirements for Demolitions:** *All requests for demolition shall require a certificate of appropriateness. No certificate of appropriateness for demolition of a landmark or contributing property shall be issued by the HRPB unless the applicant has demonstrated that no other feasible alternative to demolition can be found. In making its decision to issue or deny a certificate of appropriateness to demolish, in whole or in part, a landmark building or structure, the HRPB shall, at a minimum, consider the following additional decision-making criteria and guidelines:*

- (1) *Is the structure of such interest or quality that it would reasonably fulfill criteria for designation as a landmark on the National Register of Historic Places?*

**Analysis:** The existing structure is currently designated as a non-contributing resource to the South Palm Park Historic District, although the 2020 Historic Resources Survey recommended that the property's designation be changed to contributing. Based on the information currently available about the structure, staff analysis is that the structure is unlikely to qualify as an individual landmark on the National Register of Historic Places. However, the structure does qualify to become a contributing structure in the local district.

- (2) *Is the structure of such design, texture, craftsmanship, size, scale, detail, unique location or material that it could be reproduced only with great difficulty or economically unreasonable expense?*

**Analysis:** It is the analysis of Staff that a historically accurate version of the building could be reconstructed using materials available today.

- (3) *Is the structure one of the few remaining examples of its kind in the city?*

**Analysis:** No, there are other remaining examples of Ranch architecture in the city. However, there are few remaining examples of Agnes Ballard's designs, the state's first registered female architect.

- (4) *Would retaining the structure promote the general welfare of the city by providing an opportunity to study local history, architecture and design or by developing an understanding of the importance and value of a particular culture or heritage?*

**Analysis:** Staff contends that retaining the structure in the context of the larger South Palm Park Historic District exemplifies the development history of the City of Lake Worth Beach, particularly in the post-war era. Furthermore, the house is one of few known surviving examples of Agnes Ballard's designs, and therefore provides a unique opportunity to study local architecture.

- (5) *Does the permit application propose simultaneous demolition and new construction? If new construction is proposed, will it be compatible with its surroundings (as defined above) and, if so, what effect will those plans have on the character of the surrounding sites or district?*

**Analysis:** The application does propose simultaneous demolition and new construction. The Historic Resources Preservation Board will determine the compatibility of the new construction as part of this application; staff has concerns about the proposed new construction's height, exterior materials, and window proportions, as detailed in the new construction section of this staff report.

- (6) *Would granting the certificate of appropriateness for demolition result in an irreparable loss to the city of a significant historic resource?*

**Analysis:** The loss of this structure would be a significant loss for the South Palm Park Historic District, as it is a potentially contributing resource to the district, illustrating the changes in architectural design and residential development throughout the City's history. Additionally, the loss of this structure would be significant for the City and the County, as 711 South Palmway is a rare surviving example of Agnes Ballard's architecture. According to a 2016 article in the Palm Beach Post, there is only one other known example of her designs that remains today – another Ranch-style house in the Old Northwood neighborhood of West Palm Beach.<sup>1</sup>

- (7) *Are there definite plans for the immediate reuse of the property if the proposed demolition is carried out, and what effect will those plans have on the architectural, historic, archeological or environmental character of the surrounding area or district?*

**Analysis:** There are definite plans for the immediate reuse of half of the property. Should the demolition of the structure be approved by the HRPB, it is the property owner's intention to reestablish a residential structure on the north half of the existing parcel. The property owner has also indicated that they would split the property into two parcels, with the intention of building another single-family house on the south half of the exiting parcel sometime in the future. The HRPB will determine if the proposed new construction is visually compatible with the neighboring structures, and the South Palm Park Historic District as a whole.

- (8) *Is the building or structure capable of earning reasonable economic return on its value?*

**Analysis:** Staff contends that the existing single-family house is capable of earning reasonable economic return on its value. The applicant has not submitted any documentation to support arguments that the existing structure cannot provide return on its value.

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<sup>1</sup> Marshall, Barbara. "Palm Beach County Woman was Political Trailblazer Long Before Hillary," Palm Beach Post (July 8, 2016).

(9) *Would denial of demolition result in an unreasonable economic hardship for the property owner?*

**Analysis:** Staff contends that denial of demolition would not result in unreasonable economic hardship. The applicant has not submitted any documentation for an unreasonable economic hardship claim.

(10) *Does the building or structure contribute significantly to the historic character of a designated historic district and to the overall ensemble of buildings within the designated historic district?*

**Analysis:** While the existing structure is currently designated as a non-contributing resource within the South Palm Park Historic District, the updated Historic Resources Survey in 2020 recommended that the structure's designation be updated to contributing. This updated designation reflects both the structure's age, as it now fulfills the typical 50-year threshold for historic designation, as well as an increased appreciation for and interest in preserving structures built in the post-WWII building boom, including Ranch-style architecture. Staff contends that the existing building currently contributes to the historic character of the South Palm Park Historic District. The South Palm Park Historic District Designation report notes that the area was developed as one of the City's first speculative neighborhoods, and continued to develop through the Florida Land Boom era, the Great Depression, World War II, and the post-war era, uniquely enabling the district to reflect the evolving nature of development, planning, and architecture in the City.<sup>2</sup> The existing house at 711 South Palmway, built c. 1956, is associated with the end of the post-war housing boom of the 1940s and 1950s, as well as with the rise of the Ranch style, which dominated American housing from the 1950s to the 1970s.

(11) *Has demolition of the designated building or structure been ordered by an appropriate public agency because of unsafe conditions?*

**Analysis:** No, the structure has not been inspected or condemned by the City's Building Official, nor has the applicant submitted any structural engineering reports to document unsafe conditions.

(12) *Have reasonable measures been taken to save the building from further deterioration, collapse, arson, vandalism or neglect?*

**Analysis:** It appears that reasonable measures have been taken to secure the property.

#### **Consistency with the Land Development Regulations – New Construction in Historic Districts**

The proposed single-family residence, as described by the applicant, is designed as a modern interpretation of the Wood Frame Vernacular architectural style. Wood Frame Vernacular architecture describes the wood frame buildings that were common in early construction in South Florida from the 1890s until the 1930s, with limited construction of this style into the 1940s. These structures were built by local craftsmen, and typically had very little ornamental detailing. Covered front stoops or front porches were common, and windows were tall, typically with a 1:2 vertical proportion. Common, simple forms of architectural detailing included exposed rafter ends, decorative brackets under roof eaves, accented shingles, decorative gable vents, or ornamental porch columns. The Wood Frame Vernacular architectural style is covered as a primary style in the Lake Worth Beach Historic Preservation Design Guidelines, and that chapter is included in this report as **Attachment C**.

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 are located in Section 23.5-4(k)(3)(A) of the

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<sup>2</sup> *Local Register of Historic Places Designation Report: South Palm Park Historic District*, Preservation Resource, Inc. (October 2000), 21.

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 in **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 height of the proposed building is taller than the height of most of the neighboring structures. Generally, this area of South Palmway is characterized by low, one-story houses. Among the 28 existing houses on South Palmway along the extended block from 6<sup>th</sup> Avenue South to 8<sup>th</sup> Avenue South, only six are built at 1.5 or 2 stories. Of those six, three are partially 2 stories tall, and one is entirely 2 stories tall. As the proposed new construction at 711 South Palmway is 2 stories tall, its height is not in harmony with the majority of the existing buildings in the surrounding neighborhood.

Address	Height
731 South Palmway	1-1.5 stories tall (only the rear section of the building over the garage is 1.5 stories tall)
705 South Palmway	1.5 stories tall (split level)
610 South Palmway	Half the building is 1 story tall, the other half is 2 stories tall
630 South Palmway	Most of the building is 1 story tall, but a portion on the rear is 2 stories tall
706 South Palmway	Half the building is 1 story tall, the other half is 2 stories tall
613 South Lakeside	2 stories tall (note: this property is on the same block as the rest of the properties, but has a non-conforming design that orients the house towards South Lakeside Drive instead of South Palmway. Landscaping obscures the building from view along South Palmway.)

- (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, the two-story height of the proposed new construction creates a different relationship between the building’s width and height than many of its surrounding neighbors. Whereas most of the existing buildings nearby are wider than they are tall, emphasizing horizontality, the proposed new construction is both tall and wide, and has a greater emphasis on verticality.

- (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 proposal is new construction and therefore will not be a landmarked or contributing building. The proposed design and proportion of the 15-light French doors and 8-light fixed windows are appropriate for the Wood Frame Vernacular style and are compatible with other neighboring Wood Frame Vernacular, Bungalow, and Wood Frame Minimal Traditional houses. The proposed 8-light horizontal roller windows are somewhat successful in imitating paired 8-light casement windows, but are slightly more horizontal in proportion than traditional Wood Frame Vernacular windows, which were typically vertically oriented with a 1:2 proportion.

- (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 (east) elevation largely avoids expanses of blank façade, and the relationship of solids to voids is generally in harmony with neighboring buildings.

- (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 setback requirements within the current zoning code and is spaced appropriately in relation to neighboring buildings.

- (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 front entrance and porch towards the north side of the front elevation. The surrounding homes have a variety of entrance and porch configurations; most utilize a front-facing entry door and many have narrow open-air entry porches. While covered stoops were most common on Wood Frame Vernacular houses, front porches across the full length of the house were also occasionally used. The proposed simple porch columns are also appropriate for the architectural style.

- (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 building will utilize Hardie lap siding with a 6-inch reveal, which imitates the historic wood lap siding used on most Wood Frame Vernacular structures and is in harmony with other nearby structures in the historic district.

- (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 building utilizes a hip roof, which is a compatible roof type for multiple architectural styles within the South Palm Park Historic District as well as for the Wood Frame Vernacular style.

- (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 largely 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:** The size and mass of the proposed building are more substantial than the majority of the neighboring properties. The building also utilizes glazing and a large front porch to add visual interest and increase visual



compatibility. However, as previously discussed, the proportions of the horizontal roller windows are not visually compatible with historic Wood Frame Vernacular structures.

*(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 to either side of it. The building's height and massing are more substantial than the majority of the immediately neighboring properties.

*(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 iteration of the Wood Frame Vernacular style. The Wood Frame Vernacular style is generally compatible with the surrounding district. However, as detailed in the responses above and in the Design Guidelines section, staff has concerns about the architectural compatibility of the proposed roofing material, horizontal roller window proportions, and height and massing of the structure.

*(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 proposed new construction project, as the applicant is requesting to demolish the existing historic structure.

*(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 side setbacks and will not be visible from South Palmway.

*(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 proposed new construction project, as the applicant is requesting to demolish the existing historic structure.

*(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 proposal includes a landscape plan, which is part of the architectural drawings in **Attachment C**. The proposed parking ribbons in the front yard are side-loaded. Side-loaded ribbon driveways are common among all the City's historic districts, including South Palm Park. The proposed site design is generally compatible with the surrounding neighborhood.

### 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.”* The Wood Frame Vernacular architectural style is covered as a primary style in the Lake Worth Beach Historic Preservation Design Guidelines, and that chapter is included in this report as **Attachment C**.

**Analysis:** New construction in the City’s historic districts is not limited to any particular architectural style, but staff always recommends that projects are designed solely within one architectural style. Staff contends that the design of the structure displays some architectural features and materials that are consistent with contemporary architecture and Wood Frame Vernacular detailing; in particular, the hipped roof, the eight-light fixed windows, lap siding, and large front porch are character-defining features of the Wood Frame Vernacular style present in the proposed design. However, staff has remaining concerns about the structure’s height and massing, proposed roofing material, and horizontal roller window proportions. Staff has included the Design Guidelines section on Wood Frame Vernacular architecture as **Attachment C**.

The front façade features an entry porch with simple columns. The structure is designed with James Hardie “Artisan” style lap siding, with a 6-inch reveal. The main massing of the structure utilizes intersecting hip roofs, as well as hipped porch roofs over the building’s first story. The design proposes to use 5V crimp metal roofing. Per the Design Guidelines, historic roofing materials for the Wood Frame Vernacular style were typically wood shingles, metal shingles, or occasionally rolled roofing; appropriate modern materials would be asphalt shingles or metal shingles. Furthermore, 5V crimp metal roofs typically are not allowed within the City’s historic districts.

The fenestration incorporates both 8-light fixed windows and 8-light horizontal roller windows as well as 15-light paired French doors and 8-light sliding glass doors. As previously mentioned, the proposed design and proportion of the 15-light French doors and 8-light fixed windows are appropriate for the Wood Frame Vernacular style and are compatible with other neighboring Wood Frame Vernacular, Bungalow, and Wood Frame Minimal Traditional houses. The proposed 8-light horizontal roller windows are somewhat successful in imitating paired 8-light casement windows, but are slightly more horizontal in proportion than traditional Wood Frame Vernacular windows, which were typically vertically oriented with a 1:2 proportion. Additionally, the 8-light configuration on the proposed sliding glass doors is atypical for the architectural style; fully-glazed Wood Frame Vernacular doors typically had at least a 10-light muntin configuration. The window placement and fenestration pattern generally avoids long expanses of blank façade, although the north elevation does have a few blank areas.

Finally, staff contends that the scale, height, and massing of the proposed new construction are 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.”* As discussed in the previous section, the 2-story height of the proposed building is taller than the height of most of the neighboring structures. Generally, this area of South Palmway is characterized by low, one-story houses. Among the existing houses on South Palmway along the extended block from 6<sup>th</sup> Avenue South to 8<sup>th</sup> Avenue South, only one is entirely 2 stories tall. Furthermore, while the width of the front elevation is in scale with the surrounding properties, the two-story height of the proposed new construction creates a different relationship between the building’s width and height than many of its surrounding neighbors. Whereas most of the existing buildings nearby are wider than they are tall, emphasizing horizontality, the proposed new construction is both tall and wide, and has a greater emphasis on verticality.

The applicant has revised their initial design to make the front portion of the home narrower to reduce the impact of the incompatible massing. Staff contends that a one or 1.5 story house would be most appropriate for the neighborhood. However, revising the design to recess the 2-story portion of the house to the rear of the property, as that would diminish the adverse impact of the out-of-character height and massing. 731 South Palmway and 630 South Palmway are nearby examples of houses with rear portions that are taller than the front section of the house.

## CONCLUSION AND CONDITIONS

While the proposed application for new construction is consistent with the City's Land Development Regulations, staff contends that the demolition request does not meet the criteria established in the Historic Preservation Ordinance. Therefore, staff recommends **denial of the proposed demolition and new construction requests**.

Should the HRPB move to approve the demolition and new construction requests, staff has drafted conditions of approval, including conditions regarding documentation of the existing structure.

### Conditions of Approval:

- 1) If the demolition is approved, the applicant shall submit documentation of the existing historic structure prior to demolition for the City's records. The Applicant shall be required to submit an updated site file form with the State of Florida Division of Historic Resources Florida Master Site File.
- 2) The design of the structure shall be revised to mitigate the incompatible height. Staff recommends lowering the height of the structure's front portion to one story tall.
- 3) The proportions of the horizontal roller windows shall be revised to have a 1:2 proportion for each pane.
- 4) The muntins on the sliding glass doors shall use 10-light, 12-light, or 15-light grid configurations.
- 5) 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.
- 6) 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.
- 7) The windows shall be recessed a minimum of two inches (2") in the wall, and shall not be installed flush with the exterior wall.
- 8) All divided light patterns shall be created utilizing exterior raised applied muntins. Exterior flat muntins or "grids between the glass" shall not be used.
- 9) The exact design of the windows and doors shall be reviewed by staff at permitting.
- 10) The structure shall utilize cementitious lap siding (often called Hardie siding) with a 6-inch reveal.
- 11) The roofing material shall be asphalt shingles or metal shingles.
- 12) All improved surfaces shall be setback a minimum of 1'-0" from property lines to allow for adequate water runoff within the property boundary.
- 13) All mechanical equipment shall be located behind the front façade of the structure and outside of required setbacks.
- 14) Formal and complete review for compliance with the City's Land Development Regulations will be conducted at building permit review.
- 15) All fencing and gate locations, heights, and materials shall comply with the height and placement requirements of LDR Sec. 23.4-4 and shall be reviewed by staff at building permit.
- 16) In addition to a Landscape Plan, a tree survey and disposition plan shall 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.
- 17) A permit for new construction shall be submitted concurrently with the demolition permit.

**BOARD POTENTIAL MOTION:**

I MOVE TO **DISAPPROVE** HRPB Project Number 23-00100078 for a Certificate of Appropriateness (COA) for the demolition of the existing structure and construction of a new ±3,360 square foot single-family house at **711 South Palmway (North Lot)**, 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.

I MOVE TO **APPROVE** HRPB Project Number 23-00100078 with staff recommended conditions for the demolition of the existing structure and construction of a new ±3,360 square foot single-family house at **711 South Palmway (North Lot)**, 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.

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

**ATTACHMENTS**

- A. Original Architectural Drawings
- B. Plan Set, Survey, and Photos
- C. Historic Preservation Design Guidelines – Wood Frame Vernacular
- D. Applicant's Justification Statement



DATE: May 3, 2023

TO: Members of the Planning & Zoning and Historic Resources Preservation Boards

FROM: William Waters, Director Community Sustainability

MEETING: May 10 & May 24, 2023

SUBJECT: **Ordinance 2023-10:** Consideration of an ordinance amending the City’s Comprehensive Plan to adopt a new property rights element as required by F.S. 163.3177(6)(i.).

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**PROPOSAL / BACKGROUND/ ANALYSIS:**

On June 28, 2021, the Governor signed into law House Bill 59, which amended statutory provisions regarding optional and required comprehensive plan elements by creating a new required property rights element (F.S. 163.3177(6)(i.)). As of July 1, 2021, all local governments must adopt this element as part of their comprehensive plans by the next proposed plan amendment, or the date of the next scheduled evaluation and appraisal of their comprehensive plan. The Florida Department of Economic Opportunity (DEO) has informed the City that any future amendments to its comprehensive plan, including the Future Land Use Map, cannot be adopted until the adoption of a property rights element occurs.

This new required element must include policies consistent with the legislative intent that local governments respect “judicially acknowledged and constitutionally protected private property rights” in local decision-making. Further, F.S. 163.3177(6)(i.) provides the following statement of rights to be included in the element:

*The following rights shall be considered in local decisionmaking:*

1. *The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.*
2. *The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.*
3. *The right of the property owner to privacy and to exclude others from the property to protect the owner’s possessions and property.*
4. *The right of a property owner to dispose of his or her property through sale or gift.*  
*(Reference: F.S. 163.3177(6)(i.)1.)*

**STAFF RECOMMENDATION:**

Staff recommends that the Planning and Zoning Board and Historic Resources Preservation Board recommend that the City Commission transmit to DEO and subsequently adopt Ordinance 2023-10.

**POTENTIAL MOTION:**

I move to **RECOMMEND/NOT RECOMMEND** TO THE CITY COMMISSION TO ADOPT the proposed Comprehensive Plan text amendment included in Ordinance 2023-10.

Attachments

- A. Draft Ordinance 2023-10



DATE: April 26, 2023

TO: Members of the Planning & Zoning and Historic Resources Preservation Boards

FROM: William Waters, Director Community Sustainability

MEETING: May 3 & May 10, 2023

SUBJECT: **Ordinance 2023-06:** Consideration of an ordinance amending multiple sections of Chapter 23 “Land Development Regulations” to address several housekeeping and minor changes for clarity, to provide for a reduction in the side setback requirements to 5 feet for accessory structures and pools on all lot sizes, to provide for new standards for street walls, and to expand and clarify the waiver provisions.

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**PROPOSAL / BACKGROUND/ ANALYSIS:**

The subject amendment to the City’s Land Development Regulations (LDR) was drafted to clarify interpretations, address general housekeeping items, resolve inconsistencies, provide greater flexibility with the location of secondary (accessory) dwelling units, accessory structures and mechanical equipment in residential properties, create a waiver process, and implement street wall requirements for nonconforming properties and new auto-centric uses that cannot meet build-to line requirements.

The proposed LDR Amendments will modify the following sections of the City’s Land Development Regulations:

- Article 1 – Section 23.1-12: Definition
- Article 2 – Section 23.2-27: Waiver
- Article 2 – Section 23.2-31: Site Design Qualitative Standards
- Article 3 – Section 23.3-7: Single-Family Residential (SF-R)
- Article 3 – Section 23.3-8: Single-Family and Two-Family Residential (SF-TF 14)
- Article 3 – Section 23.3-10: Multi-Family Residential (MF-20)
- Article 3 – Section 23.3-11: Medium Density Multi-Family Residential (MF-30)
- Article 3 – Section 23.3-12: High Density Multi-Family Residential (MF-30)
- Article 4 – Section 23.4-1: Secondary (Accessory) Dwelling Unit
- Article 4 – Section 23.4-10: Off Street Parking
- Article 4 – Section 23.4-13: Administrative Uses and Conditional Uses
- Article 4 – Section 23.4-16: Mechanical Systems/Equipment for existing residential structures
- Article 5 – Section 23.5-1: Signs
- Article 5 – Section 23.5-3: Nonconformities

**Secondary (Accessory Dwelling Unit):** Clarifying and consolidate the maximum unit size and minimum living area requirements. Also, identifying certain provisions eligible for a waiver application.

**Accessory Structure:** Reducing the minimum side setback requirement from 10% of lot width for lots over 50 feet to a minimum of five (5) feet which allows additional flexibility in the placement of accessory structures and pools.

**Pawn Shops:** Revising the definition of pawn shop and clarifying the review process.

**Street wall:** Creating a street wall definition and developing regulations for the redevelopment of existing nonconforming properties and new auto-centric uses that cannot meet build-to line requirements.

**Signs:** Establishing a waiver review process for changeable message signage for public and institutional uses outside of the City's Major Thoroughfares.

**Waiver:** Expand and clarify waiver review process of limited and specified land development regulations.

**Housekeeping Items:** Revising the definitions to distinguish between extended stay lodging facilities and lodging facilities, removing inconsistencies related to the maximum secondary (accessory) dwelling unit size, clarifying material options for single-family and two-family driveways, and further identifying minimum setback requirements for mechanical systems of existing residential structures.

**STAFF RECOMMENDATION:**

Staff recommends that the Planning and Zoning Board and Historic Resources Preservation Board recommend that the City Commission adopt Ordinance 2023-06.

**POTENTIAL MOTION:**

I move to **RECOMMEND/NOT RECOMMEND** TO THE CITY COMMISSION TO ADOPT the proposed LDR text amendments included in Ordinance 2023-06.

Attachments

- A. Draft Ordinance 2023-06