



AGENDA
CITY OF LAKE WORTH BEACH
HISTORIC RESOURCES PRESERVATION BOARD REGULAR MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, JUNE 16, 2021 -- 6:00 PM

ROLL CALL and RECORDING OF ABSENCES

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

APPROVAL OF MINUTES:

- A. [May 12, 2021 Meeting Minutes](#)

CASES

SWEARING IN OF STAFF AND APPLICANTS

PROOF OF PUBLICATION

- 1) [431 North K Street](#)
[224 North L Street](#)
[722 South Lakeside Dr](#)
[1130 South Lakeside Dr](#)

WITHDRAWALS / POSTPONEMENTS

CONSENT

PUBLIC HEARINGS:

BOARD DISCLOSURE

UNFINISHED BUSINESS:

NEW BUSINESS:

- A. [HRPB Project Number 21-00100098](#): Consideration of a Certificate of Appropriateness (COA) for the new construction of a ± 2,360 square foot two-family structure at **431 North K Street**; PCN #38-43-44-21-15-114-0170. The subject property is located in the Single-Family and Two-Family Residential (SF-TF 14) zoning district and the Northeast Lucerne Local Historic District.**
- B. [HRPB Project Number 21-00100137](#): Consideration of a Certificate of Appropriateness (COA) for the new construction of a ± 1,554 square foot single-family structure at **224 North L Street**; PCN #38-43-44-21-15-046-0130. The subject property is located in the**

Medium Density Multi-Family Residential (MF-30) zoning district and is located within the Northeast Lucerne Local Historic District.

- C. HRPB Project Number 21-00100164:** A Certificate of Appropriateness (COA) for the construction of a new +/- 817 square foot addition and exterior alterations for the single-family residence at **312 12th Avenue North**; PCN #38-43-44-21-15-366-0010. The subject property is located within the Mixed-Use Federal Highway (MU-FH) zoning district and is a noncontributing resource within the Northeast Lucerne Local Historic District.
- D. HRPB Project Number 21-00100163:** Consideration of a Certificate of Appropriateness (COA) for the demolition of a +/- 187 square foot rear enclosed porch, construction of a new +/- 1,380 square foot addition and +/- 783 square foot accessory structure, and exterior alterations for the single-family residence at **321 North L Street**; PCN #38-43-44-21-15-090-0211. The subject property is located within the Multi-Family Residential (MF-20) zoning district and is a contributing resource to the Northeast Lucerne Local Historic District.
- E. HRPB Project Number 21-00100129:** Consideration of a Certificate of Appropriateness (COA) for the construction of a new ± 4,435 square foot single-family structure at **722 South Lakeside Drive**; PCN #38-43-44-21-15-114-0170. The subject property is located in the Single-Family Residential (SF-R) zoning district and the South Palm Park Local Historic District.
- F. HRPB Project Number 21-00100135:** Consideration of Certificate of Appropriateness (COA) for roof replacement and an Unreasonable Economic Hardship Application for an Income Property for the property located at **326 Columbia Drive**; PCN #38-43-44-15-06-001-0110. The subject property is a contributing resource within the College Park Local Historic District and is located within the Single-Family Residential (SF-R) zoning district.
- G. PZB/HRPB 21-00400002 (Ordinance 2021-10):** Consideration of an ordinance to Chapter 23 “Land Development Regulations” regarding changes to floodplain management standards for manufactured homes as required by FEMA.
- H. HRPB Project Number 20-00100273:** Consideration of a Certificate of Appropriateness (COA) for the construction of a new single-family structure located at **1130 South Lakeside Drive**; PCN #38-43-44-27-01-051-0010. The subject property is located in the Single-Family Residential (SF-R) zoning district and is located within the South Palm Park Local Historic District.

PLANNING ISSUES:

PUBLIC COMMENTS: (3 minute limit)

DEPARTMENT REPORTS:

BOARD MEMBER COMMENTS:

ADJOURNMENT

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such

purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

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, MAY 12, 2021 -- 6:00 PM**

ROLL CALL and RECORDING OF ABSENCES Present were: William Feldkamp, Chairman; Bernard Guthrie, Vice Chair; Robert D'Arinzo (virtual); Judith Fox; Geoffrey Harris; Stephen Pickett. Also present were: Abraham Fogel, Preservation Planner; Jordan Hodges, Senior Preservation Coordinator; Erin Sita, Assistant Director for Community Sustainability; William Waters, Director for Community Sustainability; Susan Garrett, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

Motion: B. Guthrie moves to re-order the agenda with New Business agenda item B. to be heard first after Unfinished Business and to include two additional items to be heard under Planning Issues. The first is a conceptual review for an addition to be located at 320 N Lakeside Drive and the second item is a discussion to amend a portion of the Design Guidelines. S. Pickett 2nd.

Vote: Ayes all, unanimous

APPROVAL OF MINUTES:

A. April 14, 2021 HRPB Minutes

Motion: G. Harris moves to accept the April minutes as presented, S. Pickett 2nd.

Vote: Ayes all, unanimous.

CASES

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

PROOF OF PUBLICATION

- 1) Proof for 15th Ave S - Birthday Cake Castle – provided in the meeting packet.

WITHDRAWALS / POSTPONEMENTS: None

CONSENT: None

PUBLIC HEARINGS:

BOARD DISCLOSURE: R. D'Arinzo discloses he has visited the property located at 1 5th Avenue South.

UNFINISHED BUSINESS:

A. HRPB Project Number 21-00100071: Consideration of a Certificate of Appropriateness (COA) for window and door replacement for the property located at **801 North Palmway**; PCN #38-43-44-21-15-232-0160. The subject property is a noncontributing resource to the Northeast Lucerne Local Historic District and is located in the Single-Family Residential (SF-R) Zoning District.

Staff: A. Fogel presents case findings since the last meeting which indicates the glazing of 40% VLT appears, after a site visit, to be visually consistent to the existing glazing. As an in-kind replacement, which do not appear to be darker than the original product despite being below the 70 % VLT the current standard in the Design Guidelines, the product can be approved and has been brought before the Board as requested.

Motion: B. Guthrie moves to approve HRPB 21-00100071 with staff recommended conditions of approval based upon competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations; R. D'Arinzo 2nd.

Vote: Ayes all, unanimous.

B. HRPB Project Number 21-00100074: A request for a Certificate of Appropriateness (COA) for the demolition of a ± 115 square foot rear enclosed porch and the construction of a new +/- 1,234 sq. ft. addition for the single-family residence located at **122 South K Street**; PCN #38-43-44-21-15-047-0060. The subject property is located within the Medium Density Multi-Family Residential (MF-30) zoning district and is a contributing resource to the Southeast Lucerne Local Historic District.

Staff: J. Hodges presents case findings and analysis. Originally heard as a conceptual project, then as a new project which was continued to this meeting allowing for the applicant to revise the plans according to Board comments and recommendations. The Board concerns were the massing, streetscape and neighborhood compatibility. The proposal utilizes three staggered box forms with sparse architectural detailing. The 87-foot distance between the second story addition and the primary structure reduces the massing at the street. The middle massing contains a utility space, open kitchen and living room. The second floor of the 2 story addition features an artist's studio. One parking space was added off the alley. The deck acts as the stairway to the upper level. Continuity with the original structure has also been achieved with the windows in the addition now closely replicating the windows of that structure. The applicant is proposing 3 options for the second-floor addition wall covering. A - Faux foliage on mesh; B - smooth stucco; C - expandable metal mesh only.

Applicant: J. Contin- Believes they have achieved compatibility. Further camouflage is provided with the addition of the mesh on the back addition. It blends with the trees and helps with the heat. The stucco finish is a clean option B, Option C, the mesh only, also provides thermal barrier properties. The porch window was restored to the original state.

Public Comment: Angelo Romano from Paradiso- 625 Lucerne Avenue is in support of the project as it is crafted with much care and is what Lake Worth Beach needs. Christa Hauss and John Wright 112 S J St are also in support as the area suffers from absentee owners and neglect. The modern structure shows the owners are vested in the attractiveness and utility of making local housing fit for current needs while at the same time providing for the rejuvenation of the neighborhood.

Board: B. Guthrie-Regarding the faux foliage, what happens in five (5) years if it fades, how is it maintained? **Response:** It is a 30-year warranty, there was consideration of a live mesh

however the maintenance was very intense as well as potential wall damage by a live vine if not maintained. S. Pickett inquires as to the maintenance technique. **Response:** It gets washed off. R. D'Arinzo asks if it is similar to the one in Delray? **Response:** That one is a combination of live vine and faux. G. Harris doesn't see the need for a window in the west elevation of the addition (Condition #4) as the heat gain would increase. S. Pickett concurs. J. Fox confirms the porch will be demolished? **Response:** Yes. W. Feldkamp is pleased with the evolution of the project, asks if lot coverage is 40% or 45%? **Response:** It is 45%. There is concurrence among Board members they prefer the faux foliage.

Motion: R. D'Arinzo moves to approve with staff recommended conditions based upon substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations excluding Condition #4. G. Harris 2nd.

Discussion of amending the motion to add a Condition for the faux foliage. R. D'Arinzo, with the understanding Board prefers the faux foliage, has left those three options open to the applicant. Motion stands.

Vote: Ayes all, unanimous.

NEW BUSINESS:

A. HRPB Project Number 21-00100083: Consideration of a Certificate of Appropriateness (COA) for the installation of a bronze metal panel roof for the property located at **222 South Lakeside Drive**; PCN #38-43-44-21-15-101-0030. The subject property is a contributing resource within the South Palm Park Local Historic District and is located within the Low-Density Multifamily Residential (MF-20) Zoning District.

Staff: A. Fogel presents case findings, analysis and a brief synopsis of how the project came to be before the Board. Original construction included metal shingles with a replacement with asphalt shingles. In December 2020 the project failed during the building permit process due to a lack of a Certificate of Appropriateness. After email conversations with the roofing company about the mill finish being the only finish that could be approved along with a seam no higher than one (1) inch. A COA approval was issued with those conditions. Upon building inspection it was discovered the roof was installed with a bronze finish. The project was brought before the Board as a conceptual review in March 2021 with the guidance given the applicant should return to the Board for review of the alternate metal roof finish. Staff does not recommend approval for the following reasons:

Frame Minimal Traditional structures almost exclusively utilized metal shingles with a grey or mill finish. It has reflective qualities which assists with cooling the structure. Metal panel systems were occasionally used and painted reddish brown to emulate a clay or terracotta product. Past practices of the Board have been to allow metal products only with a mill finish, not setting a precedent with other colors. Exterior alterations to structures within historic districts are subject to visual compatibility, there is also concern about the loss of contributing status for the structure. Although the Design Guidelines do not regulate paint or asphalt shingle colors, certain materials have a finish that is intrinsic to the material, a character defining feature.

Contractor-Tim Hunt – The mill finish was missed in the Certificate of Appropriateness and the roof is already installed. The owner showed examples of other metal roofs in the area that were not mill finish. States the energy efficiency ratings are the same as with mill finish.

Board: G. Harris asks if samples were required at time of application? **Response:** No B. Guthrie states it was clear at submittal and then at some point it changed? Contractor states it was

originally specified this way, and the seam height was changed. B. Guthrie queries if a dark bronze asphalt shingle color would have been staff approved? **Response:** Yes, however staff would recommend a light color such as grey or white option. Staff reiterates the permit failure was always due to the seam height and finish, those comments were always communicated together. When the seam was lowered, the product was changed. W. Feldkamp ask what remedies are available to avoid replacing the roof such as a coating? Contractor – initially the thought was that it would have to be removed. Further investigation would be required to determine whether coatings would adversely affect the approximate 50-year warranty. J. Fox asks why if Board is not regulating asphalt color, why are we regulating the color of metal? J. Hodges asphalt shingles had color variations available when they came into being. Likewise there is documentation of what original metal roofs really looked like, the only time color is reviewed is when it is intrinsic to the material and is historically accurate such as anodized window frames, metal shingles, metal roofs, barrel clay tiles. B. Guthrie asks about the horizontality of metal shingles. J. Hodges- the case is generally made for concrete roof tiles, Board preference has gradually migrated toward allowing vertically seamed roofs. At this point the color is still under consideration. S. Pickett, in reviewing the email, states that each correspondence mentions the mill finish is listed first and the height of the seam. W. Feldkamp reminds all the Design Guidelines are clear and precedent should not be set. B. Guthrie suggests a painted mill finish, which is less costly than replacement. Staff suggests making findings that preclude setting precedent. That there have been so many changes made over time, that the historical integrity of the structure may have been compromised.

Motion: B. Guthrie moves to approve HRPB 21-00100083, a roof replacement with the current bronze metal panel system conditioned that a repainted sample with a mill finish be provided to staff for approval. Should staff be unable to administratively grant that approval, the project would then be remanded back to the Board for further action at the September meeting. This based upon competent substantial evidence in the staff report and pursuant to the Land Development Regulations of the City of Lake Worth Beach and Historic Preservation requirements. S. Pickett 2nd.

Vote: Ayes all, unanimous.

Item C. re-ordered to be heard first under New Business.

C. HRPB Project Number 21-00500001: Consideration of a Conditional Use Permit for the operation of a Bed and Breakfast Inn, Castle La Florentia, for the property located at 1 **5th Avenue South**, also known as “**The Birthday Cake Castle**”; PCN #38-43-44-27-01-005-0090. The subject property is a contributing resource to the South Palm Park Local Historic District and is located in the Single-Family Residential (SF-R) Zoning District.

Staff: J. Hodges presents case findings and analysis. Designed by G. Sherman Childs and built circa 1925. Current owners purchased the property in March 2020, there is no active, current business license and a city inspector responded to a citizen complaint regarding unpermitted work, including the construction of a rear chickee hut. Building permits have since been filed with the City. Staff has received complaints regarding noise and spillover parking in the neighborhood seemingly as a result of those unpermitted, unlicensed special events that are not operating harmoniously within the single family residential neighborhood. Those complaints have been referred to PBSO as they are the responsibility of the sheriff’s department. The property is being advertised as a private events venue through the Castle La Florentia website. Should the Board

be amenable to permitting the Bed & Breakfast application, the conditions of approval deal largely with the events (limited in both size and frequency with a parking plan) that can be held at the location under that license in a harmonious manner. Staff reviews the proposed Conditions of Approval.

Applicants: Myra and Gus Ramirez with attorney Thomas Prestia. The home was purchased in 2020 and have exerted much effort in restoration of the property as well as investment. Hope to contribute in a positive way to the City with adding to the economic growth and taxes.

At 1:08 (7:08 pm) technical difficulties were encountered with loss of audio/video through Zoom. The chamber computers restarted. Audio/Video re-established at 1:17:44 (7:17 pm).

The applicant restarted their presentation. Hopes the location could be a world class tropical destination. Has parking for up to 20 cars within the property if needed. Provides information about the business plan and how the potential guests will be entertained. States there have only been 3 private events in the last year, shows letters of support with one letter from a private off-duty officer. Hires a valet company. The adjacent park and pavilion creates much noise which the City supports. It seems to be inside the back yard for parties and events.

Mr. Prestia-Suggests the recommended denial is a result of the noise and traffic complaints. Points to various letters from off-duty officers indicating the events in question were orderly and conformed to the noise ordinance. Suggests the proximity of the Bryant Park pavilion (adjacent to the north property line) the bandshell, concerts and events also generates noise and traffic. With the oversized picnic tables seating up to 96 people there appears to be no concern for traffic or noise. Mr. Prestia's presentation included letters of support from neighbors: Brian Gallagher, Treasurer of the HOA for 421 S Lakeside; Joe Triangelo 202 5th Ave S., Kim Cotet at 502 S Palmway; Jonathan Stuart for Lakeside Castle at 1 Lakeside Drive. Please consider concerns of the neighbors in the area, not 15 blocks away. Requests granting approval based upon unfounded noise and traffic issues, letters from law enforcement nullifying those noise complaints and the findings of staff that the use meets criteria.

Affected Party Michael Collins – HOA President of 421 S Lakeside Drive- asked by other owners, with the exception of the treasurer, to speak on their behalf. A bed & breakfast would be acceptable but they seem to be holding large events. The traffic, noise, drinking and driving the wrong way. Have not been good neighbors and haven't talked to the neighbors. Nine condo units will suffer if this passes. Much of the work done to the property was without permits. It would most likely be an event center, they will ask for forgiveness after the fact rather than permission. Wishes it could have started off on a better foot.

Louis Goldberg – tenant at 421 S Lakeside – the bandshell is on the far northern end of the park not near the applicant's back yard. Asks if there is a serial pattern behavior, no permits, an agenda to do as they please.

Public Comments: Anthony Segrich-601 S Palmway (virtual) -against project. Have used the neighborhood for a parking lot. The off-duty officers who wrote letters of support were on the payroll of the Castle La Florentia. Did not act in good faith or as good neighbors. They have shown they have no intent to follow any rules by the fact that they did not apply for permits or licenses. Have never advertised themselves as a Bed & Breakfast.

Charles Phillips – 526 S Palmway (virtual) – Bryant Park closes at dusk, differentiating between what happens in the park versus what happens at the Birthday Cake Castle. Pay attention to the neighbors. It takes audacity to promote something of this scale without approvals. They bought a single-family home in a single-family zoned district for a party venue.

Robert & Tracy Conner – 208 5th Ave S (in chambers) – Contrary to Mr. Prestia's claim the event held in April was not contained on the property. Cars were parked in front of his house. Secured signatures from neighbors on a petition.

At 2:00 (8:00 pm) technical difficulties were encountered with loss of audio/video through Zoom. The chamber computers restarted. Audio/Video re-established at 2:03:47 (7:04 pm).

Marshall Pass- 415 Ocean Breeze –(in chambers) Speaking on behalf of himself although he is President of Bryant Park Neighborhood Association. Within the four letters of endorsement, one states the owners of the Lakeside Castle are in support, he has it on the owners authority, that is not true contrary to the mention made by the applicant. Noise and parking issues. The following persons submitted comments and were present in chambers to have their comments read aloud or to speak on their own behalf.

Attorney Prestia- All of the concerns brought forward with the public comment are being addressed in the Conditions of Approval. The various complaints were not warranted as evidenced by the law enforcement letters.

The Board Secretary stated the names, addresses and position of the comments received prior to the publication of the meeting packet and included within the meeting packet (26).

The 27 comments were received after the publication of the packet. 7 of those comments submitted on the afternoon of the meeting are inaccessible at this time due to technical difficulties. From: Chris DeSerio, Jeannie Gedeon, Chris Brownstein, Richard Douglas, Johana Pomasan, Bethany Williams, Courtney Kline.

Maryann Douglas- present in chambers and requested her comment be read aloud. Alice Mann – present in chambers and requested her comment be read aloud.

Richard Douglas - 605 S Palmway- present in chambers-Statement by the applicant attorney demonstrates the arrogance of the applicants suggesting the public park creates noise. Act entitled and beware of the future if it is allowed to go on.

The attached spreadsheet, entered into the record, contains the 51 written comments received. The spreadsheet summarizes the position of the correspondent (in support of or against the proposal) and their home address.

Director for Community Sustainability: Some assertions made may or may not be accurate regarding the activities of the City Park. There are two portions of the park with the most events held on the northerly portion. If this is deemed by the Board to be an important aspect of the case, it may be continued.

Break: 8:37 PM – 8:45 PM

Motion: J. Fox moves to continue the item to the June 9 HRPB meeting; G. Harris 2nd.

Vote: Ayes all, unanimous.

PLANNING ISSUES:

Conceptual Review of 320 N Lakeside Dr. – Per Lorentzen is proposing an addition to the current structural configuration located on a large lot. Four 40-foot containers are proposed to be utilized, which would withstand hurricane winds and surge. It is in a flood zone with Base Flood Elevation at 7 feet. They would be stacked 2 on top of 2. States the cost is important. Would add a new master bedroom on the east side of the upper level, a bath and closet. The lower level would be storage area, with the connection to the primary structure. Finishes would match, tongue and

groove varnished cypress. A decorative medallion and parapet mimic elements found on the property and nearby properties. The second floor would be setback 6 feet from the ground floor in addition to the required lot line setbacks. Various parts of the existing fence would be removed or relocated. Most palms would remain with some being relocated. The new windows would mimic the existing front windows. The lower level of the additions, as it is proposed storage would not have windows.

Board: G. Harris asks if the medallion would be a window? **Response:** No, the intent is to create a second floor closet, storage in that area. W. Feldkamp: Is the connector space habitable? **Response:** primarily corridor. **Staff:** As this is a pre-FIRM structure, lateral additions that do not comply with current FEMA base flood elevation requirements unless exceeding the substantial improvement threshold which for this home is fairly high appraised value. W. Feldkamp does not like the 4 horizontal windows in the addition, believes they should be vertical or square. Would have to consider whether the prairie style windows are consistent with architecture. Discussion about the containers having the structural elements removed (and possible loss of structural integrity) on the lower level to accommodate a car and other storage with stairway access to the second level; windows and Bahama awnings on the blank wall, applicant does not want windows in closet. Applicant states it does not necessarily have to be containers but prefers similar proportions if conventional construction.

Historic Preservation Design Guidelines

A resolution is being brought forward to lower the VLT (Visual Light Transmittance) allowed rating. It would have to be certified by the State of Florida Dept of the Interior. As technology is improving, and the VLT industry standards are going lower, the glass is remaining much clearer. Currently Lake Worth Beach requirements are among the higher ones in the State. Board members express concern that they spent considerable time and deliberation to arrive at the current 70% requirement and that CLG status could be compromised.

PUBLIC COMMENTS: (3 minute limit) None

DEPARTMENT REPORTS: Progress is being made with the Gulfstream. A workshop is being held on May 18 with the guest speaker being Elizabeth Plater-Zyberg. The "fireside chat" will provide information/tips/ideas on how to lead the City forward and marrying economic development, historic preservation as well as other elements to sustain the City. The biggest impediment to development is unpredictability and length of time to approval. Clear concise, succinct direction is needed. There is a disconnect between the predictability of what is coming and what the public expects to see. RE: the Sustainable Bonus Incentive Program is undergoing a revision which will require ½ of the creditable monies to be placed in the fund, not all the credits can be placed in the project. Additionally, items such as dog parks, tot lots etc. must be open to the public or placed offsite in order to receive the credit otherwise they will be discounted toward the credit.

BOARD MEMBER COMMENTS: When will live meetings be held again? Currently attendance is limited to 20. Applicants could now attend but that would also limit the public attendance. Additionally the two Boards do not have the level of staffing to monitor the area. B. Guthrie urges all Board members to review the recent City Commission workshop held on Thursday, May 6, 2021 regarding Board appointment procedures and what may be coming in the future months.

ADJOURNMENT: 10:13 PM

Public	Date Received	Address	Position
Adrian Coplan	5.5.2021	NA	support
Alan & Jaquie Gardner	5.11.2021	1515 S Palmway	oppose
Arthur Broughton Jr	5.6.2021	130 16th Ave S	oppose
Bill Robeson	5.10.2021	822 S Palmway	oppose
Carol Masterson		421 S Lakeside	oppose
Chris Lehman	5.6.2021	523 S Palmway	oppose
Daryl & Shari Cornutt	5.7.2021	1315 S Palmway	oppose
Deborah Tobias	5.6.2021	902 S Palmway	oppose
Elizabeth Dimon	5.9.2021	717 S Palmway	oppose
Helga Aquilina	5.5.2021	421 S Lakeside #4	oppose
Graham Love	5.5.2021		
Greg Richter	5.6.2021	1202 S Palmway	oppose
Henryetta Seif	5.5.2021	1516 S Lakeside #115	oppose
Inke Sunila	5.8.2021	534 S Palmway	oppose
Jim & Lynn Caswell	5.10.2021	1002 S Palmway	support
Joss MacLennan	5.9.2021	411 S Lakeside Dr #3	support
Kathleen Holmes	5.7.2021	730 S Lakeside Dr	oppose
Michelle Ludwig	5.10.2021	No PAPA address	oppose
Richard & Doris Bosworth	5.4.2021	421 S Lakeside Dr #3	oppose
Richard Phillips	5.9.2021	905 S Palmway	oppose
Ted Johnson	5.9.2021	802 S Palmway	oppose
Tracey McMin	5.10.2021	3 Lakeside Palms Ct	oppose
Robert Connor **	5.10.2021	208 5th Ave S	oppose
Ty Houck		602 S Lakeside Dr	oppose
Viadanka Iebejac	5.11.2021	8 Indigo Terrace	oppose

Primary Concern
 added tax revenue from event space, provide jobs, already have two other B&B's. Mitigate traffic & noise. operating without a license, disregard for existing code (no permits) advertising operating beyond normal hours for premium, Residentially zoned neighborhood, party venue, traffic noise, disruption of neighbors lives, belongs in the DT or Dixie Hwy corridor. Disregard for current rules and regulations, significant access issues for the south end of Bryant Park due to previous events. Purchased 2 properties for history, beauty and lifestyle in the neighborhood. Internet search reveals intent as an event destination. Traf Year round residents; incorporating an event center into the neighborhood will have a detrimental effect on the neighborhood. Parking Tons of cars parked around the house; not a place for busy ongoing large parties and events. Against the site becoming an event destination. Enjoys being able to walk and ride a bike in the neighborhood. The streets are not near lives directly across from the Birthday Cake Castle. Traffic will be a problem. Questions if the zoning is changed to allow Commercial bu: Power of Attorney for Ms. Aquilina and echos her sentiment. Not a compatible use within the neighborhood. Several events have already been hosted with cars all over the street and noise late into Questions how the owner will pay for the property, maintain the property and pay taxes. Is nicely kept on the outside but can't envision requirements to turn it into a space where food is served in a commercial manner. There is no way to come up with enough cash to ma to discuss if you are sound of mind. Bring Mr. Levine into the mix since he is technically the owner of the property. CRA should take it o Advertising on their website as an event venue. Crowds will cause traffic congestions parking issue and noise and safety concerns; the st could potentially take over Bryant Park blocking resident's access to the waterfront. Bryant Park and South Bryant Park are for the enjoy playground is filled with children who do not have a safe place to play. Alcohol being served next to the park is not a good fit. Traffic wo Freedom to manage your own property without interference provided there is no harm to those surrounding. Nice to share the beauty: and prosper. Many other businesses are being run from homes on surrounding streets such as Air BnB, VRBO, Trucking company, car ha A/C company with no harassment from the neighbors such as fliers and hang tags on the mailboxes telling other what to say and think. creates discord and isolation. Fireworks are set off at all hours weekends and holidays in disregard of noise Ordinances, drones fly over, if parking is provided off street and guests have noise regulations it shouldn't cause trouble to the neighbors. There are no short term re Vehemently opposed to an event and party venue. Has several fully licensed vacation rentals in he neighborhood with a strict policy of r the traffic and noise upon the neighbors. It's one thing if a neighbor has a party but another if a stranger, non resident, comes in and pay Not appropriate for the associated noise, traffic and parking. Does not want the neighborhood turned into a business district. Allowing the commercial use would be detrimental to the quality of life in the neighborhood. A B & B is just a hotel that serves food to th Although they live on S. Palmway and are not really affected by what happens, they have spoken to neighbors who will be. Parking and i In a previous event the catering and other trucks created a hazardous situation. His wife was nearly run down. There is not enough parki Lives down a few blocks, do not allow commercial operations to open in South Palm Park. Object to the characterization of the business being called a B&B. It is an event space. Parking will be in front of his house. Noise compia Quiet neighborhood is no place for late night music, truck traffic, parking all over the streets. This is a residential area, not a commercial Enough motels on the south side of the City, no need for commercial zoning in the middle of a residential area. Don't have a commercial

Yasmin Stem & Peter Nou	5.7.2021	1225 S Lakeside Dr	oppose
Mary Ann Douglas **	5.11.2021	605 S Palmway	oppose
Kirk Stetson	5.12.2021	330 S Lakeside Dr	support
Nestor Rivera	5.12.2021	1027 S Palmway	oppose
Linda Brower		1100 S Lakeside	oppose
Tom McArdle	5.12.2021	421 S Lakeside Dr	oppose
Wes Blackman	5.12.2021	241 Columbia Dr	oppose
Dennis Ambrose & Victori	5.11.2021	808 S Palmway	oppose
Burton Greenhouse	5.12.2021	515 S Palmway	oppose
Jane Anderson & David Cr	5.12.2021	1615 S Palmway	oppose
Helen Snider & Bennett D	5.12.2021	902 S Lakeside Dr	oppose
Rachel McDermott	5.12.2021	316 Princeton Dr	concern
Alice Mann **		411 S Lakeside Dr	oppose
Pamela Abraham	5.8.2021	4 Lakeside Palms Ct	oppose
Richard Douglas **	5.12.2021	515 S Palmway	oppose
Ludio Armenta Barrera	5.11.2021	605 S Palmway	oppose
	5.12.2021	1505 S Palmway	oppose
Chris Diserio	5.12.2021	No PAPA address	oppose
Jeanmie Gedson	5.12.2021	1117 S Palmway	oppose
Chris Brownstein	5.12.2021	522 S Palmway	oppose
		1016 S Lakeside Dr	oppose
Johanna Pomasan	5.12.2021	610 S Lakeside Dr	oppose
Bethany Williams	5.12.2021	529 S. Palmway	oppose
Courtney Kline	5.12.2021	327 S Lakeside Dr	oppose
Charles Phillips **	5.10.2021	526 S Palmway	oppose

** also spoke at meeting or had letter read aloud

Bought into a residential neighborhood, doesn't want to live in Mixed-Use area with increased traffic, increasing noise from bands and strangers in the neighborhood including drunks. Would set a dangerous precedent. The owners are already flaunting the law and code. The true intent is to use as an events venue as evidenced by their website. Flaunted disregard for the codes and permit regulations and opportunity to apply retroactively. Has questions about the logistics of the event, where to park, are there commercial kitchen facilities, b Will afford the residents an opportunity to experience and enjoy the property more than if it were a gated secluded property. The trans Against the proposal in a residential neighborhood. Listen to the community.

The neighbors have already demonstrated how they will conduct their business with loud, unlawful events late into the night, bad traffic neighborhood was not conceived to profit the owners of a B&B at the expense of the neighborhood. By conforming to the conditional The change of neighborhood dynamics is noticeable once the new neighbors moved in. Dogs barking throughout the night, construction cars, parties late into the night with blaring music and microphones, intoxicated persons in the street, supply trucks blocking the streets. The intersection of 5th Ave S and S Lakeside is a dangerous intersection. The wall on the subject property blocks the view of northbound conditions placed upon the applicant, is it rests upon further regulation by the City which may be burdensome. The reporting would be So far the track record has not been good with unpermitted work and disruptions to the neighborhood. Will open the door to similar fa Already a non-conforming use, an intrusive wedding, and construction. This will encourage zoning violations which will be impossible fa The true intention is to operate a full scale event operation with a \$35,000 venue ticket for the day. Have seen the ads for these events Do not want additional traffic, the quality of life will be affected. A commercial business will likely drive down property values. Will the events diminish the events at the Gulfstream and other downtown venues. Is it setting precedent in other residential neighbor Traffic, loud noise, improvements without permit, disregard for residential character of the neighborhood.

Unlicensed wedding venues. Parking. Concern about the applicant getting a license for an Air BnB.

Does not want: additional noise or traffic. Would like the serenity of the quiet neighborhood. Doesn't deserve having to put up with t Does not favor granting forgiveness due to disregard for immediate neighbors, ordinances/laws and process. Doubts they are capable Family values in the residential district. Air BnB's or B&B's are not found in Manalapan, COLWB is no different. States residents pay year Back door a Spot zoning request for an event space as evidenced by lack of permits. Unfair to neighbors who purchased their homes ex The applicant has not established they are compliant with LDR's for a B&B Conditional Use. Traffic impact, parking and noise are ex A commercial event venue poorly disguised as a B&B. Noise and parking are concerns.

Noise and parking concerns. Bryant Park will become difficult to utilize as locals will be unable to park there. South Lakeside is used by v Concerns with the valuation of own property in light of a potential approval. Has had a home invasion and attempted break in. Bryant p interesting information while at a fundraiser. Will not be threatened by the applicant knowing who they are. High class events cost mor Noise keeping baby awake at night. Parking is a concern with the events and 24 events per year is shocking. Using the B&B as a loophole Applicant is using the ask for forgiveness rather than permission approach to the improvements made without permits. No parking plan Lives a few doors down and has seen that it is not a B&B. Questions the motives are disingenuous in requesting this approval. Disrespec

no address in this name

Sherie Coale

From: Adriane Coplan <violetrose47@bellsouth.net>
Sent: Wednesday, May 5, 2021 7:41 AM
To: Sherie Coale
Subject: Meeting for Birthday Cake Castle variance

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

I believe allowing this would be a wonderful idea which would in effect only continue to add to the intrinsic value to Lake Worth Beach which it so rightly deserves.

The location is second to none the property is amazing and what a wonderful use for it to become an upscale accommodations and events destination.

Allowing this will only facilitate aiding our city with additional tax revenue, helping support our downtown, provide jobs and continue to market Lake Worth Beach as a place of historical beauty and charm.

In Parrot Cove, we already enjoy The Beach Club offering parties and events, The Sabal Palm House and The Mango Inn as bed and breakfasts. Why not add another as long as proper planning steps are taken so as to mitigate any potential traffic issues and noise levels since those seem to be the concerns of the neighborhood.

Additionally, one of the reasons I chose to make Lake Worth Beach my home a few years ago, was because I was hoping for these type of changes and improvements to come to fruition not only increasing our property values, but increasing the value of our city as a whole.

Sherie Coale

From: A Gardiner <a.gardiner@jushicanada.com>
Sent: Tuesday, May 11, 2021 11:46 AM
To: Sherie Coale
Cc: J Gardiner
Subject: HRPB Meeting May 12. 2021

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

Board Secretary Coale;

We are residents of Lake Worth Beach in the 15th Block of South Palm Park. For the record, we object to the Birthday Cake House getting commercial event venue status in a residential neighborhood. While we appreciate the thought put in to the conditions for this applicant, we don't believe any conditions will protect the neighbors from this intrusion. This applicant has previously demonstrated disregard for the Codes of Lake Worth Beach by operating without a license and completing building structures without permits. The fines are not sufficient to control or even curtail this applicant as proven in their advertisement where they offer a premium to operate beyond the proposed "allowed" operating hours. They just budget for the fines!

Other adjacent and neighborhood properties are waiting for this ruling to open their own "event venue" (AKA party houses); better to stop this now with existing Code and use enforcement rather than deal with the inevitable onslaught of other applications for commercial use properties in a historical residential neighborhood.

We would seriously appreciate the preservation of what makes this neighborhood so splendid and charming! Neighbors make the neighborhood, not commercial properties.

Yours Truly,

Alan and Jacquie Gardiner

1315 S Palmway

Sherie Coale

From: Arthur G Broughton Jr <abroughton@me.com>
Sent: Thursday, May 6, 2021 5:00 PM
To: Sherie Coale
Subject: Comment regarding the Birthday Cake Castle's Application for a Business License.

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

To the Historic Preservation Resource Board

My name is Arthur Broughton. for the past 9 years, my wife and I have been full-time residents in a home we own in the South Palm Park Historic neighborhood. We are strongly opposed to conversion of a neighborhood residence to a For Profit Party Venue.

We oppose the Birthday Cake Castle's application for several reasons:

1. South Palm Park is a residential neighborhood and it is zoned residential.
2. A For Profit Party Venue is not a residence, it is a business.
3. Moreover, based on current experience with the Birthday Cake House which is already operating as a For Profit Party Venue, we know that it creates traffic congestion, loud party noise, a nuisance that lasts throughout the evening.
4. In other words, this proposed business operates to the detriment of it's neighbors
5. For profit businesses degrade a residential neighborhood, They displace some neighbors and disrupt the lives of others. They have no place in a small town residential neighborhood.
6. Lake Worth Beach has a downtown commercial district, plus a long commercial corridor on Dixie Highway. Both of those areas welcome for profit businesses.
7. Please don't degrade our residential neighborhoods by allowing unwanted for profit businesses, whether large-scale party venues or short term vacation rentals, within them.

Thank you for your consideration.

Sincerely,

Arthur & Paula Broughton
103 16th Avenue South
Lake Worth Beach, FL

> 400

Sherie Coale

From: Bill Robeson <wmrobeson@verizon.net>
Sent: Monday, May 10, 2021 2:02 PM
To: Sherie Coale
Subject: Birthday Cake Castle Commercial Property Use Request

Caution: *This is an external email. Do not click links or open attachments from unknown or unverified sources.*

My wife and I purchased our single family residence nearly five years ago as our permanent retirement home. The South Palm Park Neighborhood offered a nearly perfect place to reside and we have thoroughly enjoyed our time here. The potential use of the Birthday Cake Castle as a commercial property in the middle of two primarily residential neighborhoods creates a significant challenge to the character of our neighborhood. The owners have shown a blatant disregard of the current rules and regulations of the city. Their past events have caused significant access issues for the south end of Bryant Park. We urge this commercial property request be denied.

William M and Bonnie M Robeson
822 S Palmway
Lake Worth Beach, FL 33460

[Sent from the all new AOL app for iOS](#)

To Whom It May Concern:

My name is Carol Masterson, and I'm writing to you today in regards to the courtesy notice I received, which notified me of the Historic Resources Preservation Board's consideration of HRPB Project #21-0500001: a request by Gustavo Ramirez and Mayra Ramirez of GMR Empire, LLC, for a Conditional Use permit for the operation of a Bed and Breakfast.

As a resident of Lake Worth Beach and an owner of two properties, both of which are located on Lakeside Dr. (421 S Lakeside Dr. #2, and 122 S Lakeside Dr. 6B), I want to caution you about the ramifications such an enterprise could have on our community.

I have lived and owned property here for over twenty years. I purchased both properties precisely because of the appreciation my community has for its history, aesthetic beauty, and lifestyle. The granting of a permit for such a business venture may well threaten all of these qualities, as well as property values—not only for the property in question, but for those in the future who, blinded by dollar signs, will follow suit.

The idea of a bed and breakfast sounds modest at first, but considering the size and splendor of the property in question (1 5th Avenue South, also known as "The Birthday Cake Castle—and I emphasize the word *castle*), we must consider all the potential consequences.

A simple internet search of Castle La Fiorentina tells us where this is heading. The second website revealed by Googling "lake worth Castle la Fiorentina" shows a listing on the website partyspace.com. In addition to booking information, the site boasts both indoor and outdoor facilities, with a "maximum capacity with dancing" of 200 people. The *first* link from the same search is the property's own website, castleflorentia.com, which touts the location as a "stunning venue [that] can be used for weddings, corporate affairs, social events, and more."

The obvious temptation for any business would be to turn this property into an events mill. Is our sleepy neighborhood ready for weekly weddings, corporate, and social events? I shudder to think what "and more" might entail.

Granting this temporary permit, allowing GMR Empire, LLC, to move forward with its commercial plans, will place undue strain on local traffic. While occasional guests at a cozy B&B may sound harmless, the maze of narrow, one-way streets in this neighborhood is ill-equipped to handle the traffic certain to attend events with upwards of 200 dancing attendees.

And what happens when such events coincide with other Bryant Park festivals, such as the 4th of July Fireworks celebration? Or any of the multiple charity runs and walk-a-thons held in our neighborhood and in the park, events which themselves routinely result in streets being blocked from automobile traffic multiple Sundays out of the year? The traffic will surely become unmanageable. And how many criminals will be lured here by the glut of cars—owned by those who can afford events at a "castle"—that will be parked at all hours on our public streets?

There is also no guarantee that events on a property boarding Bryant Park—which has a strict sunset curfew—won't run into the wee hours of the night, with loud music and dancing, with

party-space goes trickling out into the streets or the park itself. This will constitute a profound quality-of-life nuisance for long-time homeowners. And while we cheerfully abide the traffic and noise that come with the celebration of our nation's birthday or races meant to raise money for good causes, we are less sanguine about doing so in furtherance of a privately owned *empire*.

I understand the property in question is zoned SF-R, which the municipal codes allow for Conditional Use Permits for Bed and Breakfast establishments. But "The Birthday Cake Castle" is no ordinary property. Its history, architectural beauty, and sheer size distinguish its importance and value to the community, as well as its potential impact if turned into a for-profit business.

I realize the objections of one—or perhaps even a few—local residents, mostly retirees, may amount to nothing more than a clutching at pearls, but allow me one further speculation. Might not this temporary permit be little more than a Trojan Horse? According to the city of Lake Worth Beach's Code of Ordinances 23.3.7, properties zoned SF-R *may* be granted conditional permits for Bed and Breakfast; however, they may *not* be granted such a permit for *Commercial Recreation* (either indoor or outdoor). With this being the case, what is the community to do when the honeymooning couple—legally lodging at a B&B—has 100 of their closest friends over for the wedding reception? What are we to do when this happens monthly or weekly?

The SF-R zoning ordinances do permit *public recreation* use, but according to the property's own website, the Castle La Fiorentina "is one of the only private waterfront venues in South Florida." As written, the ordinances are a little fuzzy on what constitutes "recreation use," so far as I can tell. Would this mean all my neighbors and I are permitted to attend any "weddings, corporate affairs, social events and more"? Can anyone and everyone in the park come over and help themselves to the open bar?

One could not blame GMR Empire, LLC, for booking the most lucrative (i.e., heavily attended) events packaged with overnight stays sold as a B&B: that is, after all, the purpose of any commercial venture. But the purpose of this board is in the name itself: The Historic Resources *Preservation* Board. We rely on this Board to *preserve* our resources, our community, our way of life. While I take no pleasure in standing in the way of anyone making a living, this request runs contrary to the community spirit that has made me a proud resident of Lake Worth Beach.

Thank you for your time.

Sincerely,

Carol Masterson

421 S Lakeside

Condo N1

© 400 f4.

Sherie Coale

From: Chris Lehmann <christopherinwashington@gmail.com>
Sent: Thursday, May 6, 2021 6:11 AM
To: Sherie Coale
Subject: Hearing on the "Birthday Cake House" application

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

Dear Board Secretary Coale,

I am a resident of Lake Worth Beach at 523 South Palmway, and am very concerned about the application to turn the Birthday Cake House into a commercial "event venue". I have looked at their promotional materials and was alarmed to see that they advertise that they will host events of up to 200 people.

As you may know, they are already conducting their events business at that location, license or not. On past occasions when there have been DJ's and loudspeakers set up at that location, the noise has blasted all over the neighborhood, and goes on for hours. This is unpleasant and definitely diminishes the quality of life in the neighborhood, and the peaceful enjoyment of our properties. If this commercial establishment is allowed in this residential neighborhood, I fear this will become a regular problem. It is the equivalent of living near a night club or discotheque.

There will also be the problem of parking for events involving hundreds of people. I do not relish late night revelers coming back to their vehicles on our street.

Further, it is to be expected that an events venue will involve large amounts of alcohol, which always introduces additional problems of noise and unruly behavior to the neighborhood.

This is not a B&B. This is not an Airbnb. This is not an Inn. This is a mega events business, thrust into the middle of a quiet residential neighborhood with no other commercial activity. This is unacceptable.

Sincerely Yours

Christopher Lehmann
523 South Palmway

Sherie Coale

From: Daryl Cornutt <dcornutt@gmail.com>
Sent: Friday, May 7, 2021 7:09 PM
To: Sherie Coale
Subject: Public Comment for May 12 Birthday Cake Castle application

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

Daryl & Shari Cornutt
Year round residents
1315 S. Palmway
(South Palm Park) since 2012

South Palm Park is a single-family residential area most noted for our beautiful median and streets that we decorate every year for Holidays that all of Lake Worth and surrounding areas enjoy. We have a strong sense of community as seen in our neighborhood gatherings and our participation in many events represented by the city.

We have been full-time residents here since 2012 and have noticed adverse changes, like the one this proposal represents, that threaten the nature of our neighborhood as a single-family residential zone. Keeping our quality of life is very important to us. We are already seeing a negative effect for our residents on the South end where some of the larger homes that were bought as rentals allow (rightly or wrongly) large gatherings of rowdy renters that overtake our quiet streets with cars, people noise and trash on any given night or weekend. Some of our residents no longer have neighbors on their street, just empty rental houses waiting for the next party. To incorporate an Event Center that can handle 200 people plus at any given time for any variety of party will have a profound and detrimental effect on our neighborhood. Parking alone will be an extreme change, not to mention the need for more security to monitor an influx of unknown people and consequences.

My wife and I strongly oppose the request for the variance to assume the property as a "Bed and Breakfast" (which is an obvious misleading descriptor) on the North End of our neighborhood. It will be a detriment to our community as well as the other communities adjacent to it. The Birthday Castle already has websites advertising the property as exclusive, large entertainment and event space for parties, weddings, etc. It seems they are clear in their real intent to hold large events there any night of the week. Please don't disregard that and allow the decline of one of Lake Worth's oldest, most respected neighborhoods. We strongly oppose this!

Thank you!

Daryl and Shari Cornutt
917-685-3046
dcornutt@gmail.com

over 1/2 mile south
outside 400

Sherie Coale

From: Deborah Tobias <debtobias45@gmail.com>
Sent: Thursday, May 6, 2021 1:16 PM
To: Sherie Coale
Subject: Birthday Castle rezoning

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

Hi Sherrie,

I have lived on S Palmway since 2001 and very much oppose approving the Birthday Castle business application. Already, I have seen tons of cars parked around this house for events when riding my bike over to Bryant Park so that I had to turn around and take another route. This is a single family residentially zoned community and not the place for noisy, busy ongoing large parties and events!

Thank you,

Deborah Tobias
902 S Palmway, Lake Worth, FL 33460

1/3 mile

1,771

outside 400

Sherie Coale

From: Elizabeth Dimon <bethdimon57@gmail.com>
Sent: Sunday, May 9, 2021 4:07 PM
To: Sherie Coale
Subject: Birthday Cake proposal

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

To whom all it may concern:

I am opposed to allowing the Birthday Cake Castle to become an event destination. I have lived and owned my home in South Palm Park for 30 years. I love and appreciate my neighborhood as an open and public place and love that others like to walk or ride bikes in our beautiful neighborhood. But I do not want an event center where a house can be rented out as if was Ben Venutos. Our streets are not meant for that kind of traffic and there is not ample parking for large events. It's a neighborhood, not a business area. Please protect the serenity of our homes by not allowing a single family dwelling to become a business.

Thank you.

Sincerely, Elizabeth Dimon

717 S. Palmway
outside 400' 1,116

@ 400 ft.

Sherie Coale

From: Graham Love <grafv203@yahoo.com>
Sent: Wednesday, May 5, 2021 11:07 AM
To: Planning and Zoning
Subject: HRPB PROJECT #21-00500001

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

For the attention of The Historic Resources Preservation Board.

Re Project # 21-00500001: the request by Gustavo Ramirez and Mayra Ramirez of GMR Empire, LCC, to obtain a permit for the operation of a Bed and Breakfast Business located at "The Birthday Cake Castle" 15th Ave South Lake Worth Beach 33460.

My name is Helga Aquilina. I live permanently at 421 S Lakeside DR, # 4 Lake Worth Beach FL 33460. My property is opposite the "Birthday Cake Castle".

I am strongly opposed to the changing of the zoning of the area in and around my property. This is very upsetting for me as I enjoy the area as it is at the present time. I have owned this property for a long time; I wish to spend the rest of my life living in this property.

If the Zoning is changed to allow Commercial businesses, would it then be possible for anyone to open any type of business such as Tattoo parlors, Cafes, Bars, Massage parlors, and many more types of businesses? The traffic would be a problem if this happens.

Thank you

Helga Aquilina.

Sherie Coale

From: Graham Love <grafv203@yahoo.com>
Sent: Wednesday, May 5, 2021 11:49 AM
To: Planning and Zoning
Subject: HRPB Project # 21-00500001

Caution: *This is an external email. Do not click links or open attachments from unknown or unverified sources.*

My name is Graham Love, I am Power of Attorney and Health Surrogate for Mrs. Helga Aquilina. Mrs. Aquilina resides permanently at 421 S. Lakeside Drive # 4 Lake Worth Beach FL 33460.

I am very concerned about Mrs. Aquilina as she is very upset about the possibility of the change of zoning for this area. Mrs. Aquilina lives directly across the road from the Birthday Cake House. It is understood that the owners of this property are asking to change the zoning of this property to use it as a Bed and Breakfast business, Mrs. Aquilina is against this proposition (so would I be) as it would alter this area tremendously. The value of her property and many other peoples properties may go down in price if this change is allowed.

Thank you
G F V Love.

Sherie Coale

From: greg richter <gregsellspalmbeach@gmail.com>
Sent: Thursday, May 6, 2021 8:03 AM
To: Sherie Coale
Subject: Birthday Cake Application for Business License

Caution: *This is an external email. Do not click links or open attachments from unknown or unverified sources.*

I live in the South Palm Park Neighborhood where the current applicant is requesting a business license to turn the property into a B&B- Event Venue.

This neighborhood is zoned single family this type of business is not compatible with the nature and make up of this area. They have already hosted several events, with cars all over the street noise late into the night. They also had launched a web page advertising as event space even without a license.

If you allow this one, then you open up the whole area for this type of business. Please deny this application and let up keep our single family neighborhood.

Greg Richter
1200 S Palmway

1202 S Palmway
over 400 sq ft.
3,049

> 400ft

Sherie Coale

From: HENRYETTA SEIF <HENISEIF2010@hotmail.com>
Sent: Wednesday, May 5, 2021 12:53 PM
To: Planning and Zoning
Subject: Birthday Cake House

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

I have been watching this property ever since it changed hands from Levine to Ramirez. I have been wondering how this little group are going to pay for a 2.5-million-dollar property, as well as maintain it in a satisfactory condition. My guess is that Levine is holding the paper, but even at that, they have to make some kind of good faith effort to pay, not to mention the taxes.

I have been watching this little group, and I will say that they make every effort to keep the property looking nice on the outside, but I don't think they can meet the property requirements to turn it into a bed and breakfast, or any other type of establishment where food is served in a commercial manner.

They have had a few events there, and they always have cleaned up afterward. There just isn't any way that they can come up with enough cash to maintain that property. It's absurd to even discuss the issue if you are of sound mind.

I have to give the people credit for trying this, but I think Mr. Levine should be brought into the mix, because technically, he is the owner of the property, and if you look at the chain of ownership, there may be other people involved as well.

The place is a White Elephant. I can't imagine that the CRA doesn't take it over and try to obtain Historical Status for the property.

It seems to me that at some level, the people who are now in residence are being exploited for whatever purpose. We all have dreams, but some dreams are just not possible to realize.

V/R

Henryetta Seif
1516 Lakeside Dr. #115
Sent from [Outlook](#)

over 400 ft.
4,424.1

Sherie Coale

From: INKE SUNILA <inkesunila@sbcglobal.net>
Sent: Saturday, May 8, 2021 1:31 PM
To: Sherie Coale
Subject: HRPB Project # 21-0050001

Caution: *This is an external email. Do not click links or open attachments from unknown or unverified sources.*

Dear Board Secretary Sherrie Coale,

Birthday Cake Castle, located at 1 5th Ave S, Lake Worth Beach, FL 33460 is applying for a Business License to operate a B&B (PCN # 38-43-44-27-01-005-0090, HRPB Project # 21-0050001). At the same time, they are advertising their function as an event venue on their web-site <http://www.castlelaflorentia.com>, and also on sites such as <http://www.partyspace.com/southflorida/venue/Castle-La-Florentia>, describing "a stunning venue that can be used for weddings, corporate affairs, social events and more".

Birthday Cake Castle is within Single-Family Residential (SF-R) District. I am afraid that the Business License application for B&B is just smoke and mirrors to operate a party venue. According to their pamphlets parties up to 250 people can be accommodated. Crowds of this magnitude would cause significant traffic congestion, parking issue, noise and safety concerns to the neighborhood. Residential parking on the sides of the narrow streets is already an issue, and the City service trucks are often having hard time passing them. Event visitors could potentially take over Bryant Park parking blocking resident's access to the waterfront.

South Park Park and Bryant Park are neighborhoods, where people bike, hike, walk their dogs and push baby strollers. These neighborhoods are not only for us, who are privileged to live here, but for the residents of the entire City, since these neighborhoods form an outdoorsy hub for everyone to enjoy. South Palmway is the only boulevard in the City, and Bryant Park provides public access to Intracoastal Waterway. Having an event venue in the midst of this would seriously harm these uses.

Next to Birthday Cake Castle is Bryant Park and its playground, the only one downtown Lake Worth Beach. Every day the playground is filled with children. Many of these children come from homes, where they can not safely play on the yard. Their parents walk long distances on the streets to take their kids to the park to play with their friends and the playground equipment. Having an event venue, where alcohol would be served, next to this park would not be a good fit. Traffic would endanger safe commute to the park. Many of these children do not get the best possible in their homes, and it is the duty of the City to give them the best.

Because of the abovementioned reasons I recommend that the Business License will not be granted for Birthday Cake Castle.

Thank you for taking time for reading my comments,

With regards,

Inke Sunila, Ph.D.
534 South Palmway
Lake Worth Beach, FL 33460
(203) 393-1535
inkesunila@sbcglobal.net

376 ft.

Sherie Coale

From: Land For Us <landforus@pm.me>
Sent: Monday, May 10, 2021 8:08 AM
To: Sherie Coale
Subject: 1 5th Ave South - Birthday Cake House

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

To whom it may concern,

We write to you today to respectfully submit our voice regarding the Commercial Property Use Request for 1 5th Ave South - Birthday Cake House which sits at the end of the street we have lived on for 9 years. Its a gorgeous structure and we know the new owners must love and wish to preserve the home. If they wish to make it into a Bed & Breakfast we feel strongly that is something which should be allowed. We are all for the freedoms to manage your own property without the interference of those around you as long as you are not harming others. What a perfect business for this historic neighborhood. Sharing the beauty with others will only enhance the unique qualities we enjoy here and hopefully will inspire more to move here and join us so that we prosper.

The fact that many other home businesses are currently being run in this neighborhood, on the adjoining streets to the gorgeous property, should make the choice obvious when granting permission to the owners of The Birthday Cake House. We already have many AirBNB, VRBO, trucking company, car hauling, pool maintenance and even an AC company being run here and nobody harassed neighbors to oppose those businesses by stopping them on the streets, placing fliers and hang tags on their mailboxes and telling others what to say and think about what somehow else does on their own property. Property owners pay for, maintain and pay high taxes on their homes therefore as no harm is done its not others concern. Why should this property be singled out? It shouldn't. It's not for us to worry about what others do or what might happen. There is no harm in sharing our neighborhood with others. Blocking off streets or limiting what we can do in our own homes only acts to isolate and create discord.

We have never been bothered by any event or party at this home and we dont mind if we did as we already have noise ordinances in place. Its not like the fireworks people fire off at all hours most weekends and holidays, drones flying over our homes, loud music, loud Lakeside Dr park activities with screaming kids, barking dogs and people walking behind homes at low tide or any other noise we already endure and hear. To us, those are the sounds of happy lives living freely.

We welcome the beautiful Bed & Breakfast to Lake Worth Beach for all to enjoy. Please do NOT post this on the public forum or read our names at the meeting. We have already been harassed by a neighbor and we try to mind our own business, remain private and quiet but this we feel strongly about and wish to send our opinion to the city so they know not everyone opposes personal freedoms.

- Jim and Lynn Caswell

1002 S Palmway
over 400ft.

Sherie Coale

From: Joss Maclennan Design <joss@joss.to>
Sent: Sunday, May 9, 2021 5:10 PM
To: Planning and Zoning
Subject: re HRPB Project #21-00500001 / a neighbour in support of the zoning change

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

Date: April 9 2021

Re:

HRPB Project #21-00500001: A request by Gustavo Ramirez and Mayra Ramirez of GMR Empire, LLC., for a Conditional Use permit for the operation of a Bed and Breakfast, Castle La Florentia, for the property located at 15th Avenue South, also known as "The Birthday Cake Castle"

From:

Josephine Maclennan,
Owner unit #3
Coastalview Condominium,
411 South Lakeside Drive
Lake Worth Beach
33460

I support the use of Casa La Florentia as a Bed and Breakfast. If parking is provided off street and guests have noise regulations I don't see any reason why this should cause trouble to neighbours.

There are almost no short term rental places in Lake Worth. The B&Bs we do have are always booked up. AirBnB places can vary wildly in quality. The hotels near us are very expensive.

Personally, when I have friends and family come to visit I would welcome having a great guest house nearby.

I think the Birthday Cake House as a B&B would attract visitors and provide taxes to the city.

Thanks for including my views.

best

Josephine (Joss) Maclennan
416-721-6062

⓪ 400 ft.

Sherie Coale

From: kathleen holmes <khss@me.com>
Sent: Friday, May 7, 2021 12:59 PM
To: Sherie Coale
Subject: Birthday Cake Castle

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

To whom it may concern:

My name is Kathleen Holmes and I live at 730 South Lakeside just two blocks from the birthday cake castle. I am vehemently opposed to them operating as an event and party venue. This is a very quiet, comfortable residential neighborhood. I have several fully licensed vacation rentals in this neighborhood and I have a strict policy of no parties!! I have too much respect for my neighbors to ever impose them to the kind of traffic and noise that would be associated with a large party, especially one held by someone who is not even a resident of this neighborhood. If one of my neighbors has a party, that's one thing. For strangers to come in and pay to have parties on a regular basis in this quiet neighborhood is wrong and offensive to me. That's not why any of us moved here. The new owners should have researched this issue before they bought with this intention. I respectfully ask that whoever is going to govern on the licensing of an event venue here show first priority and deference to ALL of us homeowners who live here in the quiet and relaxing neighborhood we all love. Thank you!

Kathleen Holmes
730 S Lakeside Dr
561-533-7884

7 400 ft.

Sherie Coale

From: michelle ludwig <michmarie1@att.net>
Sent: Monday, May 10, 2021 11:56 AM
To: Sherie Coale
Subject: Business license application

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

Hello Sherri,

As a resident of the City of Lake Worth and South Palm Park neighborhood for over 20 years, I want to express my lack of support for the request to allow the Birthday Cake Castle to be used as a bed and breakfast or event venue. They advertise for up to 250 guests. The area is not appropriate for the associated noise, traffic, and parking needs this would generate. I do not want our neighborhood turned into a business district.

Best regards,
Michelle Ludwig

Sent from my iPhone

400 ft.

Sherie Coale

From: RICHARD BOSWORTH <richardbosworth@comcast.net>
Sent: Tuesday, May 4, 2021 3:04 PM
To: Planning and Zoning; Graham Love
Subject: Response to Courtesy Notice, Regarding HRPS Project #21-00500001

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

Staff members of The Historic Resources Preservation Board,

Thank you for informing me of the request for a Conditional Use Permit to operate a bed and breakfast enterprise in the property known as "The Birthday Cake Castle", and allowing me to respond to the notice you sent. I am presently out of the state and unable to attend the virtual meeting that will address that request, so I am expressing my opposition by way of this correspondence. My residence is located across the street from the property in question at 521 S Lakeside Drive and it would be negatively affected by such an enterprise.

We, like many others in that neighborhood, purchased a dwelling there believing that the area was zoned for non-commercial purposes with the only exception being the right to rent the neighborhood residences to individuals or families who would reside there but not occupy the property for commercial purposes. To allow the commercial use of any residence in that area would be detrimental to the quality of life of the residents living in the area and would establish a precedence for the establishment of other businesses that would be difficult to control. For example, if agreed to by our HOA would those living in the condominium complex where we reside be permitted to operate a bed and breakfast or open a coffee shop or massage parlor, etc in their home? Would other property owners along the lakefront and surrounding area be able to convert their residential property for business purposes?

A bed and breakfast is just a hotel that serves food to its short-term guests. Please don't convert our neighborhood residential area into a commercial one. We wish the best for GMR Empire, LLC and much success in their business ventures in areas more properly suited for their business pursuits than among the homes in our neighborhood.

Thank you very much for allowing us to express our concern.

Respectfully yours, Richard and Doris Bosworth

421 S Lakeside Not homesteaded

Sherie Coale

From: Richard Phillips <yotsmyline@gmail.com>
Sent: Sunday, May 9, 2021 8:31 PM
To: Sherie Coale
Subject: Public Comment - May 12th HRPB Meeting - RE: HRPB Project #21-00500001

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

Hello,

I am writing about the Commercial property request for the Birthday Cake Castle on 5th Ave. S. Although we live on South Palmway and really not effected by what happens there, I have spoken to neighbors who are and will be effected. Just the overflow parking alone is a nightmare. Not to mention the noise. So now you are going to take a quiet and peaceful neighborhood and turn it upside down. And Not in a good way. If it were just a quiet B&B, that would be one thing, but having weddings, etc with 80 or more guests is absurd! This is not downtown Lake Worth on Lake or Lucerne, but a quiet Residential neighborhood. Not meant to be Commercial in any sense of the word! I also believe that it will bring property values down as well. Not good...

That being said, I think the most important thing is, it's not fair to the neighbors who live close by. To have to constantly put up with that? Would be a nightmare!!

As a resident here for a long time, and part of the Historic district, I am asking the Preservation board to deny this permit! I am AGAINST this!

I ask you to please read this into the public record on May 12th...

Thank you!

Richard Phillips
905 S Palmway

Dick Phillips
(561) 346-1616
Sent from my iPhone 11 Pro

~~Not homesteaded~~
400 not found

Sherie Coale

From: Ted Johnson <tedjohnson101@msn.com>
Sent: Sunday, May 9, 2021 12:59 PM
To: Sherie Coale
Subject: Birthday Cake Castle business application

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

As a resident of South Palm Park, I am very concerned about the application to turn the Birthday Cake House into a commercial "event venue". In a previous event, the catering & other event trucks created a hazardous traffic situation at Lakeside & 5th. My wife was nearly run down. There is not enough parking and noise will always be an issue. It is not an appropriate use for a home in a single-family neighborhood.

Thank you

Ted Johnson
303-506-7804
Lake Worth Beach, FL

"There is nothing - absolutely nothing - half so much worth doing as simply messing about in boats" - Kenneth Grahame, from the "Wind in the Willows".

802 S Palmday
1,318

Sherie Coale

From: Tracey McMinn <mcminnt@gmail.com>
Sent: Monday, May 10, 2021 3:27 PM
To: Planning and Zoning
Subject: No Permit for Birthday Cake House B&B

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

I live down the street a few blocks from the Birthday Cake House Castle. Please do not allow commercial operations to open in South Palm Park. We are a quiet residential neighborhood and do not wish to have permitting changed for businesses to open!

Thank you.
Tracey McMinn

3 Lakeside Palms Ct



DEPARTMENT FOR COMMUNITY SUSTAINABILITY
Planning Zoning Historic Preservation Division
1900 2ND Avenue North
Lake Worth Beach, FL 33461
561-586-1687

AFFECTED PARTY STATUS FORM FOR QUASI-
JUDICIAL PROCEEDINGS

(Please Print)

CASE NUMBER/TOPIC: HRPB Project #21-00500001

Location/Address of Property: 1 5th Avenue South

Name of Affected Party: Tracy Conner

Address: 208 5th Avenue South

Best Contact Phone Number(s)/email addresses: (917) 280-5480/tracycmconner@gmail.com

Check one of the following: For the Petition XXXXXXXXXX Against the Petition

*Qualification as Affected Party - Describe below how you qualify for standing as an affected party in addition to property ownership within 400 feet of the property at issue:

We object to the characterization of the business to be conducted at 1 5th Avenue South as a "Bed and Breakfast". It is, in fact, an event space. Parking will be in front of our house. Noise complaints have already been filed.

List Attached Documents/Exhibits: (Attach copies of documents/exhibits you intend to present)

Disclosure of Witnesses:

List below the names and addresses of witnesses or anyone who will be present to provide sworn testimony. If you are represented by an attorney, please provide the name, address and phone number of the attorney. (Attach an additional sheet if necessary.)

Name: Robert Conner Address: 208 5th Avenue South. Phone Number: (908) 727-7007

Please estimate the time needed for your presentation: no more than 10 minutes

The City, by resolution, limited presentations to no more than 10 minutes.

Ty Houck
Fri 5/7/22021 1:25pm

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

I have lived on S Lakeside for 25 years and once before there was an attempt to make that property a "special events" venue. That was stopped and this absolutely should be as well. A quiet waterfront neighborhood is no place for late night music, truck traffic, set up /break down, attendee parking stretching in front of houses to the north and south of the location and more. Allowing 24 events a year with loud music and all the comings and goings of attendees should not be allowed. I am not against entrepreneurial endeavors, but this is not a commercial area. Lake Worth Beach has a downtown entertainment area, and ventures such as this one, should be in that area, not in a residential area. I am fairly certain that if the town allows this, rules will not be followed.

Thank you for your time,
T Houck

Sent from my iPhone

Sherie Coale

From: vladanka itebejac <vladanka@icloud.com>
Sent: Tuesday, May 11, 2021 8:58 AM
To: Planning and Zoning
Subject: Stop Birthday House

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

We already have enough Motels on the South side of Lake Worth Beach we don't need a Comm Zoning in the middle of residential.

What's next a Hotel next them on the vacant lot.

Please stop Birthday House from turning into a commercial use in the middle of residential.

Thank you

Sent from my iPhone

Sherie Coale

From: Yaz <ysms7@aol.com>
Sent: Friday, May 7, 2021 12:10 PM
To: Sherie Coale
Subject: Opposing the B&B proposal for One Fifth Ave. South

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

To the City of Lake Worth,

We would like to go on record opposing the request to allow the property at One 5th Avenue South to be used as an event location, bed and breakfast, or for any other commercial use.

There are numerous reasons we oppose this, including;

- This is a residential neighborhood and we bought property here because it's zoned residential - we don't want to live in a mixed use neighborhood because of the;
 - increased traffic on our streets which are filled with our neighbors and their children walking dogs, jogging, biking etc.
 - increased noise from bands/DJs and large groups of party goers
 - increase of strangers in our neighborhood - including the disruptions from drunk people leaving events
 - ask yourself if you'd consider buying a house next to a bar, event venue or motel, and if the answer's "no"... then you can add to our list of reasons not to approve their request
- This would set a dangerous precedent - If approved, I assume all properties in the neighborhood would be allowed to apply to become B&Bs, event locations, bars, restaurants, etc? We understand that there are other properties waiting for this decision by the City, before they file for similar requests.
- The people applying for this permit are currently already using the property as a commercial facility (event location for up to 200 people). This is illegal. They are flaunting the law and the town regulations/codes. Why would you trust these people to act as a responsible business owner and why would their request even be considered?
 - Please let us know at the public meeting what legal actions are under way by the city (cease and desists orders, fines etc.) to close down this business operating illegally in our neighborhood (please see link to their website and current promotion as an event venue)
 - <https://www.castlelaflorentia.com/>
 - "The one acre castle holds a lush, tropical paradise for all to enjoy and it's stunning venue can be used for weddings, corporate affairs, social events and more."

Sincerely,
Yasmin Stem and Peter Nourse
1225 S. Lakeside Dr., Lake Worth Beach

> 400 ft

Sherie Coale

From: Mary Ann Douglass <douglass.ma@gmail.com>
Sent: Tuesday, May 11, 2021 9:30 PM
To: Sherie Coale
Subject: Birthday Cake Castle

Caution: *This is an external email. Do not click links or open attachments from unknown or unverified sources.*

I, with my husband, own and reside at 605 S Palmway in South Palm Park and I want to say I am opposed to any conditional use permit for the Birthday Cake Castle aka Castle La Florentia to become a B&B. It is common knowledge that the owners' true intent is an events venue as evidenced by their website soliciting said events.

The fact they have launched their business before applying for the proper permitting speaks to a certain privileged attitude. That they so blatantly flaunted local and historic preservation codes and permit regulations but after the fact are still given the opportunity to retroactively apply for said conditional use permit is galling, to say the least.

Most of us do our duty and obtain permits for our projects and get the subsequent city inspections after completion of the projects. They got a permit because of a neighbor complaint but continued to make alterations without submitting permits for them only to be caught by an inspector. Seems like a pattern.

The idea of an events venue in a residential neighborhood that touts the ability to host up to 500 people is frightening. Where do all those guests park? On our streets and in front of our homes? How can they accommodate that many people unless they have put in commercial-size bathroom facilities? Permits or inspections on record? Do they need or have commercial kitchen facilities? One assumes there will be food served at these events. Is the music subject to sound ordinances such as decibel levels? Those of us living in close proximity to the Castle have some right to expect our quiet neighborhood stays that way. The occasional backyard party is an acceptable exception. Weekly, or more, events are not.

If a recent event there on a Friday night last month is any indication of what we can expect in the future, we are not ready to accept such a venue here. It appeared to be a wedding and trucks were coming and going all day in preparation. The music was loud and the PBSO was called. That night the wind was not coming off the water from the east or the decibel level would have been far higher and heard from a greater distance.

I know the staff has recommended restrictions on commercial vehicles for the events and valet parking and limiting the number of guests at the events but these don't seem sufficiently restrictive to deter bad behavior. Who is going to keep track of compliance? Will violations be treated with more than a slap on the wrist? How many violations and complaints from neighbors will it take to take away their business license? Will the city get a decibel meter to monitor noise complaints? I have little faith that people who disregard regulations until they are caught will act any differently if they are rewarded with a conditional use permit. I'm sure they will argue that they have invested large amounts of money to achieve their goal and it will be a financial hardship to deny them the permit. But is our neighborhood to pay the price for their bad business decision to establish an events venue in a SF-R zone without doing their due diligence?

As the memorandum states this permit has the capability to alter the character of the neighborhood. If it were strictly a B&B with no events permitted I think it would be an acceptable use for the property, but the 2 seem to be entwined. So I urge the commission to deny the permit. It will set a precedent that will be hard to defend against.

Mary Ann Douglass

Sherie Coale

From: Stetson, Kirk <stetsonk@palmbeachstate.edu>
Sent: Wednesday, May 12, 2021 12:22 PM
To: Sherie Coale
Cc: Stetson, Kirk
Subject: Public Comment - May 12th HRPB Meeting - RE: HRPB Project #21-00500001

Caution: *This is an external email. Do not click links or open attachments from unknown or unverified sources.*

Good Morning, my name is Kirk Stetson, I have resided for the last 10 years at 330 South Lakeside Drive. I am an Architect with over 45 years of experience in Palm Beach County. For the past year, I have watched with professional interest and curiosity the transformation of this property since it was repurchased in March of 2020. Since it is literally just across Bryant Park South from my residence, I used the covid shutdown to regularly walk across the park and watch the construction of the native Seminole Chicken, followed by the massive tropical landscape materials, Gardens and Ponds, creating a unique and luxury natural setting for this historic Lake Worth structure.

I strongly support the owners request for the conversion of this single-family residence into a light commercial bed and breakfast. I have No reservations about large events, weddings, anniversaries, etc being held at this location.

It is my opinion that this change of use will actually offer the residents of Lake Worth a unique opportunity to experience and enjoy the property much more than if it was a secluded privately gated single family residence.

THANK YOU

Get [Outlook for Android](#)

Please note: Due to Florida's broad open records law, most written communication to or from College employees is public record, available to the public and the media upon request. Therefore, this e-mail communication may be subject to public disclosure.

Sherie Coale

From: EAN Rivera <nestorclaudio1981@gmail.com>
Sent: Wednesday, May 12, 2021 7:21 AM
To: Sherie Coale
Subject: Against!

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

My name is Nestor Rivera 1027 S. Palmway Im against this proposal this is a residential neighborhood , please listen the community.

Linda Brower
1100 South Lakeside Drive
Lake Worth Beach, Florida 33460

To the members of the Historic Preservation Board:

I live in South Palm Park where the current owners of The Birthday Cake Castle (1 5th Ave So) are requesting a business license and a conditional use permit of the property as a B&B. The owners have already demonstrated to the neighborhood how they intend to conduct their business, with unlawful loud events very late into the night, bad traffic, and parking issues. They have created brochures and on-line advertising in several places which show that they accommodate events up to 250 people.

South Palm Park Neighborhood was not conceived to be a tourist development incentive, benefiting downtown merchants, especially for the profit of owners of the B&Bs and at the expense of the neighborhood. While a B&B with events is a convenience to the owners, it is definitely not for the convenience of the neighborhood as they have demonstrated. Our neighborhood has worked hard to maintain its single-family character and feel to allow this B&B would not contribute to our efforts.

As I understand the code, the reason why they (B&Bs) are allowed in SF-R neighborhoods as a *conditional use* is because they are supposed to conform to the expectation of the peace and quiet of the traditional SF-R neighborhood. So, their allowance is conditional - not permitted by right. The current owners of the Birthday Cake Castle have shown that they do not respect nor do they conform to our expectation of peace and quiet in our single-family neighborhood.

I strongly request that you deny this application.

With Respect,

Linda Brower
1100 South Lakeside Drive

Sherie Coale

From: 1377tjmac <tjmac1377@gmail.com>
Sent: Wednesday, May 12, 2021 12:53 PM
To: Sherie Coale
Subject: Public Comment - May 12th HRPB Meeting - RE: HRPB Project #21-00500001

Caution: *This is an external email. Do not click links or open attachments from unknown or unverified sources.*

I love this neighborhood, though I loved it more before the current residents at birthday cake castle moved in. It is impossible not to notice their presence as well as the change in the dynamic of the neighborhood. From the dogs barking throughout the night to the noise from all the construction and people working there throughout the day to the street lined with cars parked on the side of the house - it is always something. And that's not to mention the frequent parties that go late into the night with blaring music, speeches made with a microphone that can be heard throughout the neighborhood and obviously intoxicated people flowing out into the street with no concern for how loud they are or the disruption they cause. There are party supply trucks blocking the streets and valets parking cars all around the block, crowding the streets in an area near the park that gets a lot of foot traffic (including dogs and children and people on bikes). Not only is it disruptive, it's not safe. All of this has occurred prior a license being granted for a bed and breakfast. I can only speak for myself, but it is no secret that this is an entirely unwelcome addition in this neighborhood. It would completely change the complexion of this residential area. I vehemently oppose the approval of this permit and whole heartedly hope this neighborhood will remain residential, as it was intended to be.

421 S Lakeside Dr.
Tom Mc Ardle

...e Coale

From: Wes Blackman <wesblackman@gmail.com>
Sent: Wednesday, May 12, 2021 11:35 AM
To: Sherie Coale
Subject: HRPB #21-00500001 1 5th Avenue South Conditional Use Permit | Bed and Breakfast

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

Hi Sherie,

Please read the following into the record for the HRPB of May 12, 2021 regarding the above case:

My name is Wes Blackman, I am a member of the American Institute of Certified Planners (AICP). I live at 241 Columbia Dr, but often ride my bike through the South Palm Park neighborhood. First, I'd like to note that the intersection at Fifth Avenue South and South Lakeside Drive, which happens to be the location of the subject property, is a dangerous one for bicycles, cars and pedestrians. The wall on the subject property blocks the view of northbound traffic from seeing cyclists and pedestrians walking along Fifth Avenue South. Any increase in volume of traffic or a valet operation would potentially make a hazardous situation worse. A bed and breakfast of any number of rooms would not have an impact, but the prospect of 12 events of 100 people and an additional 12 events of 50 people during a year is enough to increase my concern regarding the safety of this intersection.

Of the thirty standards and findings relating to harmony with the LDRs, protection of the public interest, specific standards for all conditional uses, findings for nonresidential uses in residential districts, additional requirements and specific regulations and standards for Bed and Breakfast Inns, a total of fourteen or almost half of them "meet criterion as conditioned" according to the staff report related to this request.

The problem with these conditions is that it rests on further regulation by the city which it may find burdensome or happen after the fact and the harm has already been done. For example, does the Leisure Services Department issue an events license for any other private venue in the city? The requirement for a parking plan and shared parking agreement should be before you now and not a condition after this approval. The requirement of the property owner to submit an audited report happens on a yearly basis merely reports what has occurred after-the-fact. The impact of any violation of this condition has already and may continue to happen until this report is reviewed. I'm afraid enforcement of other conditions will fall on an already burdened code compliance department and would be in reaction to a situation that has already happened.

Therefore, I recommend denial of the conditional use application for a bed and breakfast inn at this location given the above factors. One final note, all applications and related materials from the applicant should be available for review online prior to the meeting the same as staff generated reports.

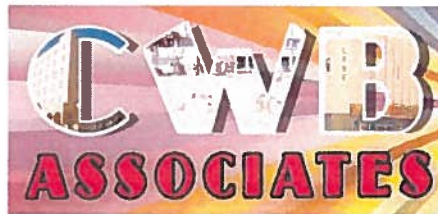
Thank you.

C. WESLEY BLACKMAN AICP

Senior Principal Urban Planner
dba CWB ASSOCIATES

241 Columbia Drive

Lake Worth Beach, Florida 33460



561 308 0364

Email: wesblackman@gmail.com

Sherie Coale

From: Dennis Ambrose <dambrose126@gmail.com>
Sent: Tuesday, May 11, 2021 11:56 PM
To: Sherie Coale
Subject: Public Comment - May 12th HRPB Meeting - RE: HRPB Project #21-00500001

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

As residents of the 800 block of South Palmway, we are against the Birthday Cake Castle being used for a bed and breakfast or special-events facility. The track record has not been good so far—unpermitted work and disruptions in the neighborhood as a result of special events do not bode well. In addition, it's obvious that this will open the door to similar facilities in the neighborhood. We value the neighborhood as it is. We do not want to see an increase in traffic or noise. The proposed commercial business will not benefit South Palm Park—it will benefit only the owners of the Castle.

Respectfully,

Dennis Ambrose and Victoria Pearson

→ 808 S Palmway

Sent from my iPhone

Sherie Coale

From: BURTON GREENHOUSE <greenhouseb@aol.com>
Sent: Wednesday, May 12, 2021 1:50 PM
To: Sherie Coale
Subject: Public Comment - May 12th HRPB Meeting - RE: HRPB Project #21-00500001

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

Hello,

As a resident of 515 s Palmway, 2 short blocks from the property use request, I would to submit my response as AGAINST the use request , Already there has been non conforming use (a intrusive wedding) and construction in back of the house (a patio and deck).

If this is any indication of future activity, this will not only change the character of my neighborhood, it will also encourage zoning violations which will impossible to enforce.

Let's keep the character of our neighborhood as is.

If it is not broke, do not fix it !

Thank you for your consideration.

Burton Greenhouse

Sent from my iPhone

Sherie Coale

From: Jane Anderson <janekanderson1@gmail.com>
Sent: Wednesday, May 12, 2021 1:48 PM
To: Sherie Coale
Cc: Chip Guthrie; Herman Robinson
Subject: HRPB# 21-005000011 5th Avenue South Conditional Use

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

I will not be in attendance tonight but would appreciate if you would include my comments in the meeting minutes.

For the last 18 years, my husband David Cram and I have lived at 1615 South Palmway. We moved to this neighborhood because of the family feel of this community, the diverse nature of our residents, and how we look out for each other.

Both of us are shocked at the recent movement in our community to move toward a commercialization of where we live, which includes allowing The Birthday Cake House to operate as a Bed & Breakfast. This sounds so innocuous if it would just be a true Bed and Breakfast with four or five guests staying on property at any given time.

But, we all know that the true intention of the owners is to operate a full scale event operation, with a \$35,000 venue ticket for the day. We know this because we have all seen the ads online for these events. And we have experienced the traffic and noise from this. We are also aware that they are promising to curb the number of these events and to end them at a certain time. How are the nearby neighbors who purchased single family homes supposed to tolerate the noise and traffic from 200 + guests at weddings and other large events, fueled by alcohol, music, and revelry. I am all for those things but just not in my residential neighborhood.

One other point. I live in a historic home built in the 20's and added on to in the 30s. I'm on a double lot. Exactly what is to stop us from turning this into a Bed & Breakfast and then into a major event venue? Once you open this door, you cannot close it.

We live on the south end so we are 10 blocks away from the noise and the traffic that is caused by this business venture. However, we are a neighborhood of people who help each other and look out for one another. WE are a residential neighborhood, and you are asking us to accept that the financial desires of a homeowner takes priority over ALL THE REST OF the neighbors who built this neighborhood.

ALL of us have had struggles including financial throughout COVID times, but please don't let this cause you to relax the protections of this beautiful and diverse neighborhood.

Neighbors make neighborhoods. Allowing the noise and disruption that this will cause, will not serve our neighbors or our neighborhood.

Sincerely,

Jane Anderson & David Cram

Sherie Coale

From: hksusa@aol.com
Sent: Wednesday, May 12, 2021 1:53 PM
To: Sherie Coale
Subject: NO to B-day Cake House

Caution: *This is an external email. Do not click links or open attachments from unknown or unverified sources.*

We live on Lakeside Drive and request that the permit for Gustavo & Mayra Ramirez for commercial use of the Birthday Cake House BE DENIED.

We, as homeowners, do not want any additional traffic as it will impact our quality of life for us and our family.

Also, many residents enjoy walking, running, and riding bikes along Lakeside Drive, especially in the late afternoon and evening, when events are likely to be held. Thus, the quality of life for those neighborhood residents (not just those living on Lakeside) will also be affected.

When the Ramirezes employ people to park cars for their events, these people tend to be in a hurry and somewhat careless.

Finally, the operation of a commercial business on our street, is likely to drive down property values, which would ultimately lower the city's revenue from property taxes.

NO to proposal!

Helen Snider
Bennett DeBerry
902 South Lakeside Dr

561-603-8032

Sherie Coale

From: Rachel - McDermott <ksullivan@lakeworthbeachfl.gov>
Sent: Wednesday, May 12, 2021 11:39 AM
To: Sherie Coale; Web Master
Subject: Digital Public Comment Card - Advisory Board Submission - Rachel-McDermott
Attachments: PCC -Rachel-(Name (Last)_3.6- {Topic of Agenda Item on which you want to speak_12}.pdf

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

Which Board Meeting is this Comment For?

Historic Resources Preservation Board

Meeting Date

05/12/2021

Comment Topic

Florentia

Name

Rachel McDermott

Email

rachelmariemcdermott@gmail.com

Address

316 Princeton Drive
Lake Worth Beach, FL 33460
United States

[Map It](#)

Testimony Consent

I swear and affirm the testimony I am about to give will be the truth, the whole truth and nothing but the truth
Do you swear and affirm the testimony you are about to give will be the truth, the whole truth and nothing but the truth?

How would you like to participate?

I would like the city to read my comments below

Comments to be read into record

Part of the charm and appeal of living in Lake Worth Beach is the quiet residential neighborhoods. I'm concerned that approving this property to hold large events would set a precedent that would affect the solitude and peace our residents have come to love.

My questions:

1. Where will event attendees park? It seems they will take up limited street parking near the park, which is an issue on weekends especially.
2. What is the precedent that allowing this event space will set for other residential and historic neighborhoods? We don't need noise and traffic near our homes.

c. Won't this event space take business away from other merchants downtown and the newly-planned revival of the Gulfstream hotel?

Re: Birthday Cake House Application HRPB Project #21-00500001

Statement to be read into the records from Alice Mann, 411 S. Lakeside Dr., Lake Worth Beach

I oppose granting a permit for use of this property as a Bed and Breakfast for several reasons.

1. **NOISE and TRAFFIC:** Recently, events have been held at the property, without regard for nearby neighbors and without permits. The last event that occurred when I was home was a wedding which resulted in two days of traffic. The first day, with many delivery trucks for the large event, and the second day, there were 45 cars parked on my block (400 block of S. Lakeside) and 5th Ave. South, past both sections of S. Palmway. All parking was taken up by these cars that belonged just to the staff for the event. There was also a large noisy refrigerated truck, with engine running, that sat on S. Palmway almost the entire day and evening of the party.

The music from the event was so loud that my windows rattled. At 11 pm, when quiet hours went into effect under the noise ordinance, the officer who had been stationed at the event left. Then the music got so much louder and the guests came out of the property and started dancing in the street, along Bryant Park, at S. Lakeside and 5th Ave. South. The noise was so loud that I could not sleep and, for the first time, I had to call the police.

They came out and got the owner to turn off the music. There was absolutely no regard for the neighbors.

2. **RESIDENTIAL NEIGHBORHOODS:** There is an expectation in residential neighborhoods that businesses will not pop up next door and turn the neighborhood into a business and commercial tract. Allowing it here, would mean that it could happen

anywhere, even in your neighborhood. We have a beautiful park with a playground on our block. The day of the event, there were no parking spaces, except for a few in the parking lot. The park was empty, aside from some locals who could walk to it. This neighborhood is not built to accommodate so much traffic and activity.

3. CONDUCTING BUSINESS AND MAKING IMPROVEMENTS WITHOUT PERMITS:

I have been told by City personnel that, 1) the owner has made improvements in the backyard, including a huge Chiki hut, for which he failed to obtain required permits, and 2) that the owner does not have a permit for special events from which he may derive income. I was told by City personnel that the recent wedding was held for a friend of the owner. The owner told me that the wedding was for a cousin. Who really knows. What we do know is that there is a website advertising the property as available for special events with photos of a bride in different settings and information on how to contact the owner to schedule an event. The appearance is that the owner is currently running a business at the property, without a permit. All of this indicates a disregard for the legal requirements of this City and disregard for the neighbors of Bryant Park and South Palm. Given the owner's current approach to the laws of this City, I cannot imagine what might happen if a permit is granted.

I urge this Advisory Board to deny the permit request.

Sherie Coale

From: Maryann Furth <furth.maryann@gmail.com>
Sent: Saturday, May 8, 2021 1:27 PM
To: Planning and Zoning
Cc: Maryann Polizzi
Subject: In regards to the Birthday cake castle

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

Dear All,

As a homeowner of many years, I am deeply concerned about the Birthday Cake Castle trying to get a license for an Air B and B. I went by this house a couple of weeks ago and there were cars parked everywhere, a semi truck- that was a caterer, cars coming and traffic stopped. They did not get a license for a wedding venues that they had. I spoke to a lady who was walking the other night and asked her what her thoughts were. She stated that the other castle was thinking of doing the same thing. We have a few people who are trying to bully the neighbors into going along with their plan on having vacation rentals in our neighborhood. I vehemently oppose this. It will change our neighborhood for the worse.

I love Lake Worth Beach, as I said I have lived her many years. My first husband, Dr. Polizzi and I purchased a house at 1529 S. Palmway After he passed away and a few years later, I remarried, to Frederick P. Furth. I moved into his house in Ocean Ridge. He asked me my thoughts. I said I would love to move back to Lake Worth Beach. We found our home at 2 Lakeside Palms Court, where I reside, only a block and a half from my old house. Up until the day Fred passed away, he was amazed at how wonderful the neighbors are.

I can only say that I urge you to consider not making exceptions to our zoning, to permit businesses.

Sincerely Yours,

Maryann Polizzi Furth

> 406

4,415.

Sherie Coale

From: Pamela M Abrahams <pamelamabrahams@mac.com>
Sent: Monday, May 10, 2021 10:17 PM
To: Sherie Coale
Subject: Public Comment - May 12th HRPB Meeting - RE: HRPB Project #21-00500001

Caution: *This is an external email. Do not click links or open attachments from unknown or unverified sources.*

Please DENY the request for the Birthday Cake Castle to be operated as a B&B INN, and DO NOT allow events or any commercial business at this property.

As residents that live within earshot (and less than 400 feet away) we cherish our quiet single family block charming neighborhood.

We do not want : extra cars , slamming car doors and additional traffic in this small family and pet oriented area . We want to enjoy the serenity of sitting on the front porch , gardening in the back yard , having dinner outside - all in peaceful quiet , with the hum of butterflies, the chirping of the birds . I deserve this . I don't deserve having to put up with loud music , the clanging of the metal when the tents are being erected, the noise of the generators operating the ports potties (Yes, we listened to all that last month when they held a wedding at the Birthday Cake house .) The music seemed to stop by 12, but then the tents were taken down after midnight. The clanging could be heard thru our impact resistant windows ! This is not fair ! They are running a business at my expense ! Based on their past behavior, and their nonchalance towards the neighborhood when they had a wedding event - their request should be DENIED !

Pamela Abrahams
515 S Palmway
Lake Worth Beach

Sent from Pam's iPad

Sherie Coale

From: Richard - Douglass <ksullivan@lakeworthbeachfl.gov>
Sent: Wednesday, May 12, 2021 3:08 PM
To: Sherie Coale; Web Master
Subject: Digital Public Comment Card - Advisory Board Submission - Richard-Douglass
Attachments: PCC -Richard-{Name (Last)_3.6- {Topic of Agenda Item on which you want to speak_12}.pdf

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

Which Board Meeting is this Comment For?

Historic Resources Preservation Board

Meeting Date

05/12/2021

Comment Topic

Conditional use permit for Birthday Cake Castle to become commercial Bed and Breakfast and events venue in South Palm Park neighborhood

Name

Richard Douglass

Email

richinpame@gmail.com

Address

605 South Palmway
Lake Worth Beach, FL 33460
United States
[Map It](#)

Testimony Consent

I swear and affirm the testimony I am about to give will be the truth, the whole truth and nothing but the truth
Do you swear and affirm the testimony you are about to give will be the truth, the whole truth and nothing but the truth?

How would you like to participate?

I would like the city to read my comments below

Comments to be read into record

I am not in favor of allowing the Birthday Cake House to become an events center. I am not in favor of granting any leniency or forgiveness to scofflaws. The developers of this property have demonstrated a startling and unprofessional disregard for the city of Lake Worth Beach, its citizens, its community standards, and most importantly, its immediate neighbors. To reward such conduct would invite scorn and disbelief from those of us most affected and would certainly send a terrible message to developers looking to take similar shortcuts, not to mention homeowners wondering why the rules apply to them but not those with money and influence. Does not the disregard for lawful process by these developers beg the question of "How did these people think they could proceed in such blatant disregard for local governance?" An unpleasant but necessary question arises. Just who could these developers have known that could have eased and greased their project? I fervently hope that is not the case; that political influence played no role. But the question does beg asking. These folks could have saved themselves and the city lots of time, money, and energy if they had played by the rules. But, its apparent thats not the way they operate. They seem not to care about the community they will impact. In light of that, I seriously

doubt they will become good neighbors. 24 permitted "events" a year. That's every other weekend year round. That's a lot of potential for conflict in my quiet neighborhood. Thanks for the opportunity to weigh in.

From: Lucio Armenta-Barrera
To: Sherie Coale
Subject: RE: Public Comment: HRPB Project #21-00500001
Date: Tuesday, May 11, 2021 3:51:19 PM
Attachments: [image001.png](#)
[25F4E39DBBC04A438B76B6296BB44E7C.png](#)

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

1505 S Palmway

(No Names Publicly Mr. Sherie Coale)

From: Sherie Coale
Sent: Tuesday, May 11, 2021 3:22 PM
To: Lucio Armenta-Barrera
Subject: RE: Public Comment: HRPB Project #21-00500001

Please provide your address for the comment to be entered into the record.

Sherie Coale
Executive Secretary | Community Sustainability Department



City of Lake Worth Beach
1900 Second Avenue North
Lake Worth Beach, FL 33461
V: 561-586-1633
scoale@lakeworthbeachfl.gov
www.lakeworthbeachfl.gov

Departmental Operating Hours
Monday – Friday 8:00 am – 4:00 pm

“We are LAKE WORTH BEACH A hometown City that is committed to delivering the highest level of customer service through a commitment to integrity, hard work and a friendly attitude. We strive to exceed the expectations of our citizens, our businesses, our elected officials and our fellow employees.”



CITY OF LAKE WORTH BEACH E-MAIL DISCLAIMER:

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from local officials regarding city business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

From: Lucio Armenta-Barrera <LAB193@outlook.com>

Sent: Tuesday, May 11, 2021 3:06 PM

To: Planning and Zoning <Pzoning@lakeworthbeachfl.gov>

Subject: Public Comment: HRPB Project #21-00500001

Caution: *This is an external email. Do not click links or open attachments from unknown or unverified sources.*

As a resident of South Palmway in the Historic District of our City of Lake Worth Beach, I must opposed the following request by GMR Empire, LLC. We residents have families in the neighborhood that see this as damaging as well. I understand that a lot of us won't be as affected as much (for now) than those close to 1 Fifth Avenue South, Lake Worth, 33463. But this is very concerning to us in this neighborhood. This "PartySpace" as seen on <https://partyspace.com/southflorida/venue/Castle-La-Florentina> is just the beginning of what is yet to change in our Historic District.

Family value stills hold strong in this residential zone. You can't find one BNB (or AirBNB) in Manalapan, we are no different. I get that they're houses may cost more but the "RESIDENTIAL FEEL" is the same. For us all. Besides all the fines they will accumulate over the years from they're future violations, it won't be worth tipping the scale of family value. GMR Empire, LLC is already showing loophole tactics in they're filings. We residents who are here part-time or full-time pay the yearly taxes in full, sometimes at a discount but we pay it up. I wonder how much they're property taxes will be from selling 1 Fifth Avenue South to each other for \$10 in October 2020? <https://blockshopper.com/fl/palm-beach-county/lake-worth/property/38434427010050090/1-5th-avenue-s>

If they decide to sell, I'm interested.

I support local businesses, but we can not allow residential communities to succumb to this. The history for the house speaks for itself. Best of luck to the decision makers on this.

PCN #38-43-44-27-01-005-0090

South Palm Park Neighbor

..

Sherie Coale

From: Sam Smith <samstersmithy@yahoo.com>
Sent: Wednesday, May 12, 2021 10:46 AM
To: Sherie Coale
Subject: Birthday Cake House BnB zoning request HRPB Project Number 21-00500001

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

As a resident of a single family zoned neighborhood in the City of LWB, I say no to the proposal for the BnB zoning request for the Birthday Cake House. It is clear from the unpermitted work and the unpermitted loud and crowded events that these property owners have already improperly undertaken, that this is simply an effort to back door a spot zoning request for an event space.

Single family zoned properties should be maintained as such. Permitting property owners to run businesses out of single family homes in areas not zoned for them is unfair to neighbors who purchased homes in these neighborhoods expecting the City to enforce the zoning. Event spaces, Air BnB party homes, Air BnB short term rentals are all incompatible with the quiet enjoyment of neighbors how want to enjoy their homes and have to get up in the morning to go to work.

Thank you for your consideration,

Sam Smith
Parrot Cove
North O St. (please fix the South O so I can get my deliveries and mail)

Sherie Coale

From: Chris - Diserio <ksullivan@lakeworthbeachfl.gov>
Sent: Wednesday, May 12, 2021 6:01 PM
To: Sherie Coale; Web Master
Subject: Digital Public Comment Card - Advisory Board Submission - Chris-Diserio
Attachments: PCC -Chris-{Name (Last)_3.6- {Topic of Agenda Item on which you want to speak_12}.pdf

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

Which Board Meeting is this Comment For?

Historic Resources Preservation Board

Meeting Date

05/12/2021

Comment Topic

Birthday Cake Castle

Name

Chris Diserio

Email

jcd.17@icloud.com

Address

1117 S. Palmway
Lake Worth Beach, FL 33460
United States
[Map It](#)

Testimony Consent

I swear and affirm the testimony I am about to give will be the truth, the whole truth and nothing but the truth
Do you swear and affirm the testimony you are about to give will be the truth, the whole truth and nothing but the truth?

How would you like to participate?

I would like the city to read my comments below

Comments to be read into record

Chris Diserio and Talia Tripp,
1117 S. Palmway

Thank you for the opportunity to be heard.

Consideration of a Conditional Use Permit for the operation of a Bed and Breakfast Inn should be denied because the applicant has not established by competent substantial evidence that the application is compliant with the City of Lake Worth Beach Land Development Regulation.

Some of the ways in which the proposal is not compliant include traffic, parking, noise, stress on police and fire and alteration of the character of an historic residential neighborhood.

The proposed conditional use will generate traffic volumes or movements, which will result in a significant adverse impact. Even an event with a limit of 100 guests on the premises would generate a significant numbers of cars requiring parking. Those numbers don't include traffic generated by staff and vendors. Valet parking would add adverse traffic impacts, both when guests are dropped off, and then again when guests are picked up. Some of this taking place at times when families are utilizing

adjacent Bryant Park, creating an unsafe impact.

Furthermore, the proposal will result in a significantly greater amount of through-traffic on local streets. There is no way to mitigate this due to the property location in a single family neighborhood.

The proposal will place additional demand on municipal police and fire protection service. Events for 100 people generate traffic and noise, which will result in calls for service to an already-taxed PBSO.

The proposal will generate significant noise. Staff has received complaints from neighbors from the non-permitted events that have already been held on the property.

Furthermore, additional noise, traffic, and potential disturbances that are generally caused by large events will alter the character of the neighborhood.

Finally, in this packet, the board noted "Rules are rules and the granting of exceptions can be a slippery slope." In other words, 24 events in a single calendar year at one bed and breakfast can turn into 48 events in a single calendar year at two bed and breakfasts. This use is not compatible within a single-family residential area.^[1]

For the aforementioned reasons, we request the Historic Resource Preservation Board reject the Conditional Use application for 1 5th Ave South.

Thank you for your consideration.

Sherie Coale

From: Jeannie Gedeon <jgedeonmphrd@gmail.com>
Sent: Wednesday, May 12, 2021 5:14 PM
To: Sherie Coale
Subject: Please do NOT approve Birthday Cake Castle application to operate B&B

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

I am a resident and homeowner on the 500 block of South Palmway. My back gate opens to Lakeside Drive, which puts me across the street mid-block from The Birthday Cake Castle (BCC). I am strongly against the application to turn BCC into a commercial event venue that is poorly disguised as a B&B. However, due to their large, loud, overcrowded parties, we know that they are already illegally running an event venue in our single family residentially zoned neighborhood.

In December they had a deafening blow-out party, with cars parked nose to nose for blocks around. When I walked my dogs that night, there were cars parked on the grass beyond my privacy fence, making it difficult to open the gate door, and I was forced to walk my dogs in the middle of the street, creating a safety hazard for me and my pets. Since cars were parked over all grass spaces on my block, I had to take the dogs to Bryant Park in the dark, when it was closed (which I always avoid otherwise). We walked by crowds of people smoking and throwing cigarette butts on the ground, talking loudly, and when I passed the bouncers and valet drivers, I asked, "Have any of you heard of COVID?" Their witty response, "Huh?" And my retort, "People are not supposed to gather in large groups at this time. I wonder how many people in there will die because of tonight?"

The next morning, garbage, broken glass, a gazillion cigarette butts on the block. And the party truck, loud sounds of banging metal in the early weekend morning as party gear was loaded.

They've had several other large parties, blast horrible music, and my neighbors and I will not tolerate more of this. We lucky South Palm Park residents were drawn to this beautiful neighborhood for its ambiance and tranquility. The owners of BCC must be made to cease and desist all commercial event planning. They bought a beautiful castle to live in, and instead disturb my/our neighborhood with their uncouth activities.

I vote no!

Thank you,

Jeannie Gedeon, Owner
522 South Palmway
Lake Worth Beach, FL. 33460-4637

--

Jeannie Gedeon
District Leader Volunteer
Florida Congressional District 21
JGedeonMPHRD@gmail.com
C 561-569-1945
humanesociety.org



**THE HUMANE SOCIETY
OF THE UNITED STATES**

The Humane Society of the United States is the nation's most effective animal protection organization, fighting for all animals for more than 60 years. To support our work, please make a [monthly donation](#), give in [another way](#) or [volunteer](#).

Sherie Coale

From: mschris324@aol.com
Sent: Wednesday, May 12, 2021 4:31 PM
To: Sherie Coale
Subject: Birthday Cake Castle

Caution: *This is an external email. Do not click links or open attachments from unknown or unverified sources.*

Please do not allow the birthday cake castle to become a legal business. Even without legal permission this location has already been the source of loud music and parking issues. Adjacent Bryant Park is heavily used by local residents. The parking issues that will occur if a party venue is legalized will severely limit the use of that park by locals unable to park in the vicinity. South Lakeside Drive is used by many walkers, joggers and bikers, including children. A large party venue will make this street unsafe. South Palm Park and Bryant Park are quiet desirable residential neighborhoods. We do not want their character to be destroyed by a party venue in our midst.

Chris Brownstein
1016 S. Lakeside Dr.

Sherie Coale

From: JOHNNA POMASAN <pomasan@aol.com>
Sent: Wednesday, May 12, 2021 4:00 PM
To: Sherie Coale
Subject: Public Comment - May 12th HRPB Meeting - RE: HRPB Project #21-00500001

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

To: The Historic Preservation Board
From: Johnna and Lauro Pomasan
610 South Lakeside Drive
Lake Worth Beach, Fl. 33460

Re: B&B permit request for 1 5th. Avenue S. (The Birthday Cake Castle) This email is to serve as an official no vote on the requested permit.

As a new homeowner in Fl. And LWB We purchased in a single family neighborhood for a reason.

Our home is directly 5 lots south of the BCC. I have felt the music in my bed and been stuck behind the valet parking coming from S Lakeside onto 5 th to return home. This is not what I expected when purchasing a home for 1.7 million with 36,000.00 property taxes. I have put in approximately 500,000.00 in upgrades to my home with another 2-3 hundred thousand to come when sea wall and dock permit are approved.

The news came as a shock while at a fundraiser at the BCC for Pam Triolo. It was announced by Gus that he was turning the property into a B&B and an event space with a party auctioned off at the fundraiser.

We are new residents and only know our immediate neighbors due to Covid lockdowns. The fundraiser was a way to find out about L.W.

And our neighbors.

I have spoken to my realtor and 2 others along with my Lake Worth Wells Fargo banker and broker and all agree that if approved my property value would decrease.

I am also concerned about the safety of the neighborhood, in February 22 we had a home invasion. A drunk/ drugged vagrant came into our home and into our bedroom while we slept. We successfully beat him off and he was captured by PBSO. He has pled guilty and doing 5 years in prison. The next week at 8:30 pm we had another attempt at a break in while sitting in our house watching television. I under no circumstances want any large groups under the influence anywhere near my home on a regular basis. Bryant park is too close and bad enough with drugs and homeless.

I also don't think having people driving under the influence day and night next to a park/ playground/ neighborhood is in anyone's best interest.

As for people saying the price for 200 people is 25,000.00 would only bring high class events I beg to differ. That is not a large number for location, food, valet, beverage as they are advertising. Any event space that has portable bathrooms for guests is not exactly top notch.

It's unfortunate that I don't believe or trust that a B&B is the final for this petitioner. I believe they with full knowledge purchased the property with full intent on using it for commercial purposes for monetary gain. I believe they think the town and neighbors would just roll over because they are playing nice with some, for now.

I will not be manipulated or threatened that if I don't write in their favor "they will know who their real friends and family are." If they can't afford to live in the property as a single family the market is great now and would sell easily. We will not have an entire historic neighborhood turned upside down because one person wants to profit at our expense, figuratively and literally.

Thank you,

Sincerely,

Johnna and Lauro Pomasan

Sherie Coale

From: Bethany Williams <bethanyerush@icloud.com>
Sent: Wednesday, May 12, 2021 5:03 PM
To: Planning and Zoning
Subject: Public comments for tonight's meeting

Caution: This is an external email. Do not click links or open attachments from unknown or unverified sources.

Hello,

I am a new resident of the South Palm Park neighborhood. When my wife and I moved here two months ago we were unaware that there was a house being used as an event venue just down the street. We live only a block away from the birthday cake house, and have already had to deal with the music keeping our baby awake deep into the night. I can assure you that nights like that are miserable, as well as the next day. We bought our house here excited that we would finally live on a quiet street after coming from a neighborhood in west Palm where there was a different party every week and we were not getting much sleep. Finding out about the event venue down the street here has been extremely disappointing in the least.

Now we see that they are using their bed and breakfast proposal basically as a loophole to get rewarded for all of the un-permitted work they have done at the castle which is frankly outrageous. I have heard from most of our neighbors and from the previous homeowners of our house just how hard it is to meet the permit standards of the city and how even if you get a permit the city can change their mind.

We have only witnessed one event so far since moving here but I can tell you that they had no regard for the neighborhood residents or city rules, especially quiet hours. There were cars lining the streets as there is evidently no parking for their hundreds of guests.

We were shocked to hear that they were trying to get permits to hold up to 24 events year. That would be terrible for this neighborhood and we would really have to consider whether raising a family here would work for us.

Thank you.

529 S. Palmway

Sherie Coale

From: Courtney Kline <courtneyroserealtor@gmail.com>
Sent: Wednesday, May 12, 2021 2:40 PM
To: Historic Preservation
Cc: Planning and Zoning
Subject: Birthday Cake House Application HRPB Project #21-00500001

Caution: *This is an external email. Do not click links or open attachments from unknown or unverified sources.*

As a neighbor one block from the proposed event site I am opposed to the approval of this conditional permit. Everything that I have seen and experienced as a result of the increased activity at 1 5th Ave S gives the indication that the owners of the property are using the "ask for forgiveness rather than permission" approach to doing business. From the unpermitted tiki hut in the backyard to the large events they have been hosting since December 2020, they don't appear concerned with following the proper channels and receiving the necessary approvals before going forward with whatever they want to do. To me, this shows a blatant lack of respect for the city and its rules and processes, as well as lack of respect for the historic and special neighborhood they are a part of.

The owners of the home do not appear to have a plan for parking for their events which directly affects the neighborhood. Even when they offer valet parking, as they have at a few of their last events, many of their guests and certainly the staff and vendors do not use this service and instead opt to park on the city streets, taking up spots normally used by residents and park goers. City resources, in this case parking spaces, are being used up and the only people benefiting are the owners of the property.

When we bought our home in the residential Bryant Park Neighborhood we were aware of the many city sponsored events held in the park that bring residents from all over and the traffic and commotion that comes with it. Events that benefit the entire community are to be expected in this neighborhood right along Bryant Park, and we welcome them. Events held at the Birthday Cake house benefit only those directly involved in the transaction- those paying to use the space, and those cashing in on it.

Increased noise, traffic and parking are my three major concerns. If this property was already in a mixed use, mixed zoning area that would be one thing, but upending the right to peaceful enjoyment of all other neighbors for the benefit of one doesn't make sense.

Thank you for your time and consideration.

Respectfully,
Courtney Kline
327 S Lakeside Dr.
561-903-0220



DEPARTMENT FOR COMMUNITY SUSTAINABILITY
Planning Zoning Historic Preservation Division
1900 2ND Avenue North
Lake Worth Beach, FL 33461
561-586-1687

AFFECTED PARTY STATUS FORM FOR QUASI-
JUDICIAL PROCEEDINGS

(Please Print)

CASE NUMBER/TOPIC: Project #21-00500001

Location/Address of Property: 1 5th Avenue South

Name of Affected Party: Charles Phillips

Address: 526 S Palmway

Best Contact Phone Number(s)/email addresses: 561-774-4418 / charles@rustybike.com

Check one of the following: _____ For the Petition XXX Against the Petition

***Qualification as Affected Party** - Describe below how you qualify for standing as an affected party in addition to property ownership within 400 feet of the property at issue:

I am requesting a few minutes to read my statement in person (or, Zoom as it is these days) as this is an extremely important issue for us. My wife and I live only a few doors down from this property so we would be directly impacted if the request were approved. We have seen the business they actually run from that property and it is certainly not a Bed and Breakfast, or an Inn. We feel that their motives in requesting this permit are disingenuous, just as their respect for neighbors and our city's processes has been since they purchased the property.

List Attached Documents/Exhibits: (Attach copies of documents/exhibits you intend to present)

Disclosure of Witnesses:

List below the names and addresses of witnesses or anyone who will be present to provide sworn testimony. If you are represented by an attorney, please provide the name, address and phone number of the attorney. (Attach an additional sheet if necessary.)

Name:

Address:

Phone Number:

Please estimate the time needed for your presentation: 3 tops I would
imagine.

The City, by resolution, limited presentations to no more than 10 minutes.

Signed by:  _____ Date: 5/10/2021

NOTE: Please complete this form and return by email or mail to pzoning@lakeworthbeachfl.gov or to the City of Lake Worth Beach, Community Sustainability Department, 1900 2nd Avenue North, Lake Worth Beach, FL 33461, no later than five (5) calendar days before the proceeding.

* Affected parties must have an interest greater than an interested party. §23.1-2, Code of Ordinances. Also see §23.2-16, Code of Ordinances, for additional information concerning quasi-judicial procedures and affected parties.

Legal Notice No. 38680

PLEASE TAKE NOTICE that the City of Lake Worth Beach's Historic Resources Preservation Board will conduct a virtual meeting with a limited in-person capacity per the Centers for Disease Control and Prevention Coronavirus Disease 2019 (Covid-19) Guidance at 7 North Dixie Highway, Lake Worth Beach on **June 18, 2021 at 8:00 pm** or soon thereafter to consider the following:

HRPB Project #21-00100098: A Certificate of Appropriateness for new construction of a \pm 2,360 square foot two-family structure located at 431 North K Street. The subject property is located in the Single-Family and Two-Family Residential (SF-TF 14) zoning district and is located within the Northeast Lucerne Local Historic District. PCN #38-43-44-21-15-114-0170.

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 through the web portal on the day of the meeting: <https://lakeworthbeachfl.gov/virtual-meetings/>. If you are unable to access the web portal, please leave a message at 561-586-1687 or email pzoning@lakeworthbeachfl.gov. 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 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 call 561-586-1687 or email pzoning@lakeworthbeachfl.gov no later than five (5) days before the hearing if this assistance is required.

Publish: The Lake Worth Herald
June 3, 2021

Legal Notice No. 38683

PLEASE TAKE NOTICE that the City of Lake Worth Beach's Historic Resources Preservation Board will conduct a virtual meeting with a limited in-person capacity per the Centers for Disease Control and Prevention Coronavirus Disease 2019 (Covid-19) Guidance at 7 North Dixie Highway, Lake Worth Beach on June 16, 2021 at 6:00 pm or soon thereafter to consider the following:

HRPB Project #20-00100273: A Certificate of Appropriateness for new construction of a ± 5,880 square foot single-family structure located at 1130 South Lakeside Drive. The subject property is located in the Single-Family Residential (SF-R) zoning district and is located within the South Palm Park Local Historic District. PCN #38-43-44-27-01-051-0010.

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

Public comment will be accommodated through the web portal on the day of the meeting: <https://lake-worthbeachfl.gov/virtual-meetings/>. If you are unable to access the web portal, please leave a message at 561-586-1687 or email pzoning@lakeworthbeachfl.gov. 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 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 288.0105). 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 pzoning@lakeworthbeachfl.gov no later than five (5) days before the hearing if this assistance is required.

Publish: The Lake Worth Herald
June 3, 2021

Legal Notice No. 38681

PLEASE TAKE NOTICE that the City of Lake Worth Beach's Historic Resources Preservation Board will conduct a virtual meeting with a limited in-person capacity per the Centers for Disease Control and Prevention Coronavirus Disease 2019 (Covid-19) Guidance at 7 North Dixie Highway, Lake Worth Beach on **June 16, 2021 at 6:00 pm** or soon thereafter to consider the following:

HRPB Project #21-00100137: A Certificate of Appropriateness for new construction of a ± 1,554 square foot single-family structure located at 224 North L Street. The subject property is located in the Medium Density Multi-Family Residential (MF-30) zoning district and is located within the Northeast Lucerne Local 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/>

Public comment will be accommodated through the web portal on the day of the meeting: <https://lakeworthbeachfl.gov/virtual-meetings/>. If you are unable to access the web portal, please leave a message at 561-586-1687 or email pzoning@lakeworthbeachfl.gov. 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 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 call 561-586-1687 or email pzoning@lakeworthbeachfl.gov no later than five (5) days before the hearing if this assistance is required.**

Publish: The Lake Worth Herald
June 3, 2021

Legal Notice No. 38679

PLEASE TAKE NOTICE that the City of Lake Worth Beach's Historic Resources Preservation Board will conduct a virtual meeting with a limited in-person capacity per the Centers for Disease Control and Prevention Coronavirus Disease 2019 (Covid-19) Guidance at 7 North Dixie Highway, Lake Worth Beach on **June 16, 2021 at 6:00 pm** or soon thereafter to consider the following:

HRPB Project #21-00100129: A Certificate of Appropriateness for new construction of a ± 4,435 square foot single-family structure located at 722 South Lakeside Drive. The subject property is located in the Single-Family Residential (SFR) zoning district and is located within the South Palm Park Local Historic District. PCN #38-43-44-27-01-015-0090.

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 through the web portal on the day of the meeting: <https://lakeworthbeachfl.gov/virtual-meetings/>. If you are unable to access the web portal, please leave a message at 561-586-1687 or email pzoning@lakeworthbeachfl.gov. 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 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 call 561-586-1687 or email pzoning@lakeworthbeachfl.gov no later than five (5) days before the hearing if this assistance is required.

Publish: The Lake Worth Herald
June 3, 2021

Public Notice

Legal Notice No. 38686

PLEASE TAKE NOTICE that the City of Lake Worth Beach's Historic Resources Preservation Board (HRPB) and Planning and Zoning Board (PZB) will conduct virtual meetings with a limited in-person capacity per the Centers for Disease Control and Prevention Coronavirus Disease 2019 (Covid-19) Guidance at 7 North Dixie Highway, Lake Worth Beach on **June 16, 2021 at 8:00 pm** or soon thereafter for the HRPB to consider the following two (2) ordinances and on **June 23, 2021 at 6:00 pm** or soon thereafter for the PZB to consider the following two (2) ordinances:

- **PZHP 21-00400002 (Ordinance 2021-10)** Consideration of an ordinance amending the floodplain management standards to maintain and improve the City's flood insurance discounts as determined by FEMA's Community Rating System rating as follows: **AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH AMENDING CHAPTER 23 OF THE LAKE WORTH BEACH CODE OF ORDINANCES RELATED TO FLOODPLAIN MANAGEMENT STANDARDS FOR MANUFACTURED HOMES AND PROVIDING FOR IDENTICAL ELEVATION STANDARDS; PROVIDING FOR APPLICABILITY, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

The agenda and back-up materials are available:

<https://lakeworthbeachfl.gov/government/advisory-board-agendas-and-minutes/>

Public comment will be accommodated through the web portal: <https://lakeworthbeachfl.gov/virtual-meetings/>. If you are unable to access the web portal, please leave a message at 561-586-1687 or email pzoning@lakeworthbeachfl.gov. Written hard copy 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. The public may view the meeting through the City's YouTube channel at <https://www.youtube.com/c/CityofLakeWorthBeach>

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 no later than five (5) days before the hearing if assistance is required.

Publish: The Lake Worth Herald
June 3, 2021

City



MEMORANDUM DATE: June 9, 2021

AGENDA DATE: June 16, 2021

TO: Chair and Members of the Historic Resources Preservation Board

RE: **431 North K Street**

FROM: Jordan Hodges, Senior Preservation Coordinator
Abraham Fogel, Preservation Planner
Department for Community Sustainability

TITLE: **HRPB Project Number 21-00100098:** Consideration of a Certificate of Appropriateness (COA) for the new construction of a \pm 2,360 square foot two-family structure at **431 North K Street**; PCN #38-43-44-21-15-114-0170. The subject property is located in the Single-Family and Two-Family Residential (SF-TF 14) zoning district and the Northeast Lucerne Local Historic District.

OWNER: INCSAS FLORIDA LLC
Manuel Rojas
5786 NW 48th Ct
Coral Springs, FL 33067

ARCHITECT: Denise Cravy
LCA Architecture, Inc.
1975 Sansbury's Way, Suite 108
West Palm Beach, FL 33411

PROJECT DESCRIPTION:

The property owner, Manuel Rojas on behalf of INCSAS FLORIDA LLC, is requesting approval for a new two-family structure. The subject property is a 50' x 135' (6,750 square foot) containing two (2) platted lots of record located on the southwest corner of North K Street and 5th Avenue North in Lake Worth Beach. The vacant property is located in the Single-Family and Two-Family Residential (SF-TF 14) zoning district and retains a Future Land Use (FLU) designation of Medium Density Residential (MDR).

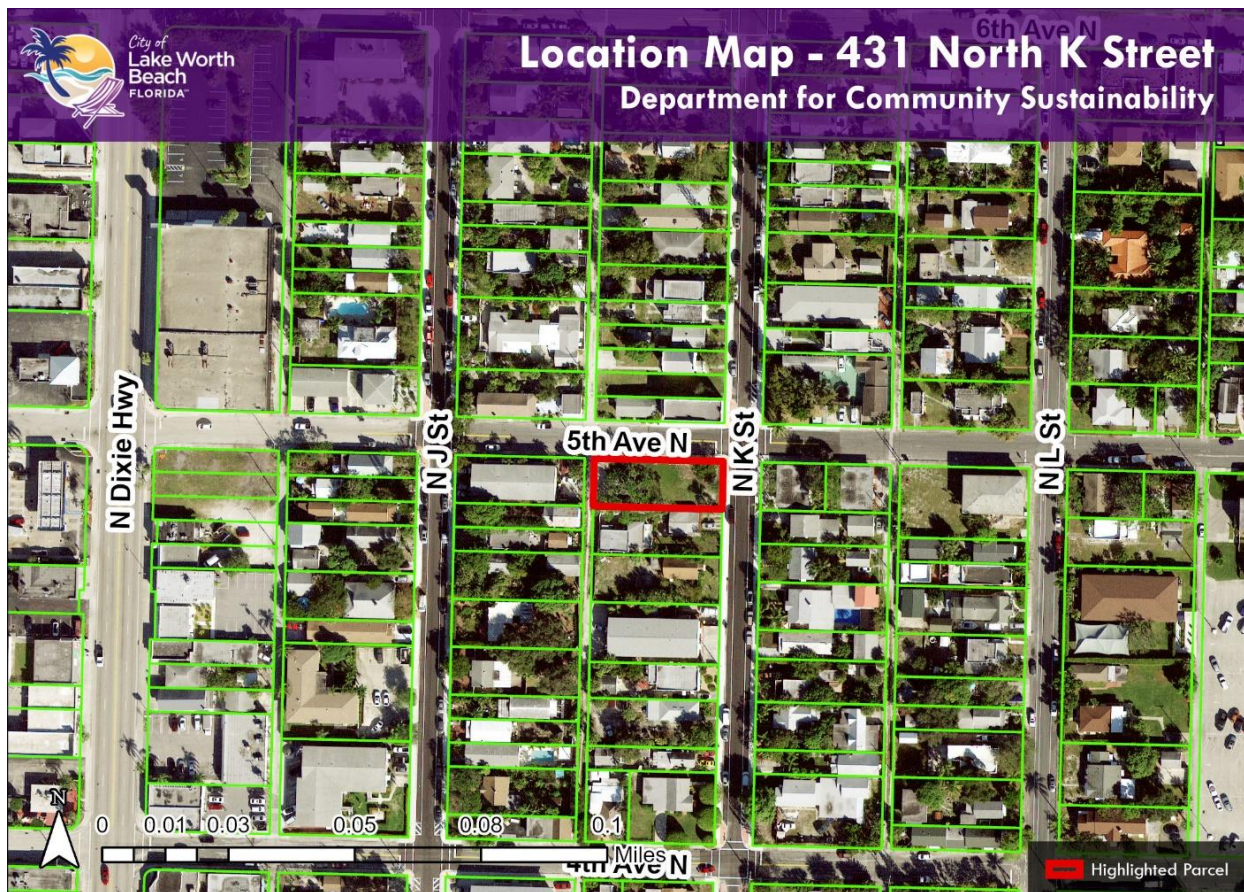
If approved, the subject application would allow construction of a new +/- 2,360 square foot single-story two-family residence. The proposed building is designed to replicate a Wood Frame Vernacular building. The application will require the following approval:

1. **COA** for the new construction of a \pm 2,360 square foot two-family structure

STAFF RECOMMENDATION: Staff recommends approval with conditions as provided on pages 9 and 10.

PROPERTY DESCRIPTION:

Owner	INCSAS FLORIDA LLC, Manuel Rojas
General Location	Southwest corner of North K Street and 5 th Avenue North
PCN	38-43-44-21-15-114-0170
Zoning	Single-Family and Two-Family Residential (SF-TF 14)
Existing Land Use	Vacant
Future Land Use Designation	Medium Density Residential (MDR)



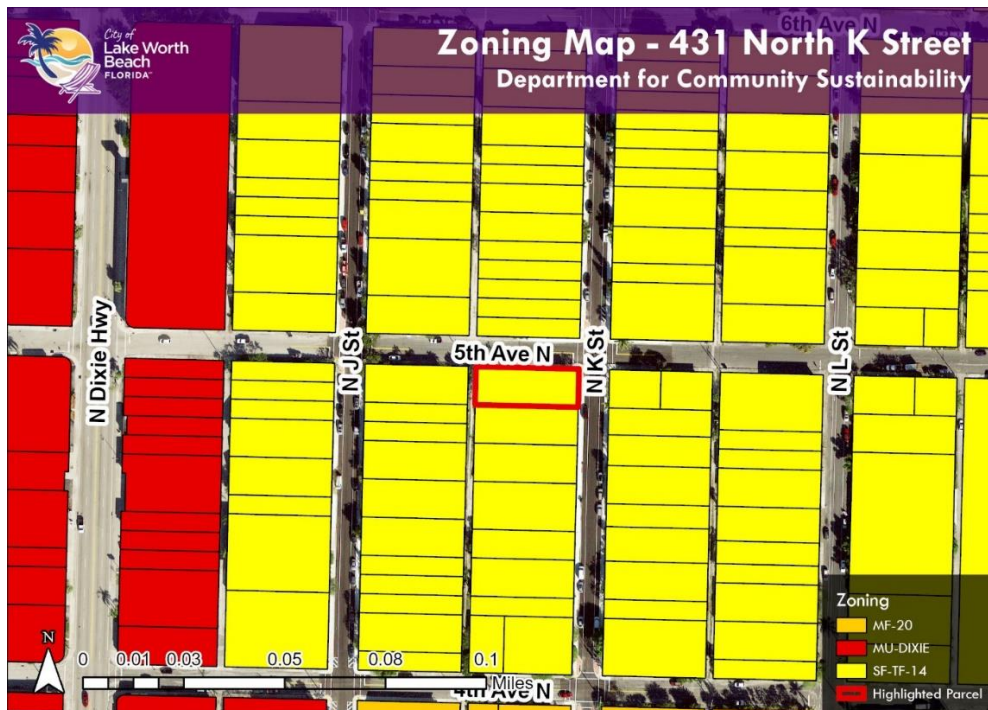
SITE ANALYSIS:

Surrounding Properties

The site is surrounded by multi-family structures with similar Zoning and FLU designations, and thus, are found to be compatible with the proposed residential use on the subject site. The following summarizes the nature of the surrounding properties adjacent to the subject site:

NORTH: Immediately north of the subject site across 5th Avenue North is a multi-family structure. This area contains a FLU designation of MDR and a zoning designation of SF-TF 14.

- SOUTH:** Immediately south of the subject site is a single-family structure with a rear detached unit. This area contains a FLU designation of MDR and a zoning designation of SF-TF 14.
- EAST:** East of the subject site across North K Street is a two-family structure. This area contains a FLU designation of MDR and a zoning designation of SF-TF 14.
- WEST:** West of the subject site across the rear alley is a multi-family structure. This area contains a FLU designation of MDR and a zoning designation of SF-TF 14.



Consistency with the Comprehensive Plan

The subject is located in the Medium-Density Residential Future Land Use (FLU) designation. Per Policy 1.1.1.3 in the City's Comprehensive, the FLU designation allows for a maximum density of 20 per acre. The proposed density for the project is 14 units per acre. The purpose for the Medium Density Residential designation is to permit the development of two-family and multi-family structures. As the proposed structure is a two-family development and has a proposed density of less than 20 units per acre, it is consistent with the intent of the Medium Density Residential designation.

The proposed two-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. The project encourages architectural design that complements the City's appearance, consistent with Objective 3.2.4.

LAND DEVELOPMENT CODE REQUIREMENTS:

Land Development Code Requirements		
Code References	23.3-8 (SF-TF 14); 23.4-10 (Off-street parking)	
	Required	Proposed
Lot Area	5,000 sf.	6,750 sf.
Lot Width	50'-0"	50'-0"
Building Height	30'-0" (2 stories)	15'-10"
Setback - Front	20'-0"	24'-0"
Setback - Side	East: 5'-0" (10% of lot width) West: 5'-0" (10% of lot width)	East: 6'-0" West: 15'-9"
Setback - Rear	13'-6" (10% of lot depth)	23'-10"
Impermeable Surface Total ⁽¹⁾	55.0% (3,375 sf.)	43.65% (2,947 sf.)
Front Yard Impermeable Surface Total	900 sf. or 75% pervious and landscaped	95.00% (1,140 sf.)
Maximum Building Coverage ⁽¹⁾	35.0% maximum (2,362 sf.)	34.96% (2,360 sf.)
Density/Number of Units	2 dwelling units	2 dwelling units
Floor Area Ratio ⁽¹⁾	0.50 maximum (1,687 sf.)	0.35 (2,360 sf.)
Living Area	800 sf. minimum (unit 1) 400 sf. minimum (unit 2)	1,590 sf. (unit 1) 770 sf. (unit 2)
Parking	3 spaces total (1.5 spaces per unit)	3 spaces
Parking Dimensions	9'x18' perpendicular or angled off street 9'x28' perpendicular or angled off alley 9'x22' parallel	9'x28' perpendicular off alley and street 10'x22' parallel

(1)- Medium lot (lots 5,000 square feet to 7,499 square feet)

The proposed new construction project is consistent with all site data requirements in the City's zoning code. The application, as proposed, meets the minimum off-street parking requirements and complies with all impermeable surface requirements, building coverage allotments, and required building setbacks. The proposed site plan is included in this report as **Attachment C**. A landscape plan was also provided in the application, and the proposal will also need to comply with the City's landscape requirements, which will be reviewed at permitting.

HISTORIC PRESERVATION ANALYSIS:

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 single-story two-family structure is proposed with distinct facades on North K Street and 5th Avenue North. The North K Street façade features the entrance to unit #1 with a stoop and gable roof covering with posts. The 5th Avenue North façade features the entrance to unit #2 with a stoop and a bracketed shed roof overhang. The structure is designed utilizing concrete block construction finished with stucco to simulate wood lap siding and board and batten on the exterior walls. The roof design features gables with dimensional asphalt shingles and bracketed overhanging eaves. The fenestration incorporates 6/1 and 3/3 aluminum impact single-hung windows with historically compatible window trim, sill, and mullion details. French (glazed) and recessed panel doors are proposed for each façade. Site features include wood fences, landscaping, paver and patios walkways, and paver parking pads in the front yard and rear of the property.

Section 23.5-4(k)(3)(A) – Review/Decision

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.

Staff Analysis: The proposed building is consistent with the height of other single-story buildings surrounding the property, and is in harmony with the height of other historic properties in the district.

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

Staff Analysis: The width and height of the front elevation of the proposed building are in scale with the surrounding properties.

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

Staff Analysis: The proposed single-hung windows, French (glazed) doors, and recessed panel doors are compatible in height and width with the typical windows and doors on the neighboring structures.

- (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.

Staff Analysis: Each façade features a rhythm of solids to voids with window and door openings that avoid long, unbroken walls.

- (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.

Staff Analysis: The proposed building adheres to setback requirements within the current zoning code. The North K Street façade is setback 24 feet, whereas 20 feet is required, to accommodate a front stoop and roof covering.

- (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.

Staff Analysis: Each unit features a walkway connecting the stoop to the street. As a result, there is a pedestrian connection between the front door and street.

- (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 Northeast Lucerne Local Historic District.

Staff Analysis: The building will utilize concrete block construction finished with simulated stucco wood lap and board and batten siding. This is a common and compatible façade material for new construction proposals within the historic districts.

- (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 Northeast Lucerne Local Historic District.

Staff Analysis: The gable roof with dimensional asphalt shingles and bracketed overhangs are common for Wood Frame Vernacular style 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 insure visual compatibility of the building to the buildings and places to which it is visually related.

Staff Analysis: The new wood fences are setback from the front façade, which creates visual compatibility with the new structure and overall streetscape.

(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.

Staff Analysis: The size, massing, and other visual qualities of the proposed new construction are compatible and in harmony with visually related properties.

(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.

Staff 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 compatible with other residential structures on the block.

(12)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.

Staff Analysis: This requirement is not applicable to the new construction project on a vacant property.

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

Staff Analysis: The mechanical systems associated with this property are located on the side yards behind a fence, not visible from North K Street and 5th Avenue North.

(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.

Staff Analysis: The new mechanical systems are ground-mounted and not visible from street.

(13)The site should take into account the compatibility of landscaping, 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.

Staff Analysis: The proposal complies with maximum lot coverage and impermeable surface totals for the SF-TF 14 zoning district. Parking is proposed in the backyard of the property with vehicular access from 5th Avenue North and the alley. Overall, the design of the proposed structure and site are compatible with visually related properties in the Northeast Lucerne Local Historic District. A preliminary landscape plan is included in **Attachment C**. However, additional landscape in the proposed parking area is necessary for visual compatibility. Staff has proposed a condition of approval for additional screening of the parking area, including a medium to large shade tree. The landscaping for the property will need to be evaluated to ensure it meets the minimum requirements of LDR Section 23.6-1, Landscape Regulations. Final review and approval will take place during the building permit review process.

B. In considering certificates of appropriateness for new buildings or structures, which will have more than one primary facade, such as those on corner lots facing more than one street, the HRPB shall apply the visual compatibility standards to each primary facade.

Staff Analysis: The subject property has two (2) primary facades on North K Street and 5th Avenue North. Staff's analysis of visual compatibility standards was applied to both facades.

Historic Preservation Design Guidelines (Wood Frame Vernacular Architectural Style)

The City's Historic Preservation Design Guidelines provide a guide to architectural styles found within the historic districts. The proposal generally adheres to the design features of Wood Frame Vernacular structures. This architectural style was described as being built by local craftsman, using locally available materials, and were built to take advantage of (or protect from) the specific environment in which they were built. Ultimately, this meant that the buildings were utilitarian in nature and had very little ornamentation or detailing, other than those elements that had an actual use.

In Lake Worth Beach, Wood Frame Vernacular structures were typically one or two stories, and were built on a foundation of multiple masonry piers. The siding could be horizontal (shiplap, clapboard, weatherboard, single) or vertical (board on batten, weatherboard). Roof types were front gable, side gable, or hipped roofs that were clad in wood shingles, composition shingles, or metal shingles. Roof overhangs generally extended past the walls of the house to provide shade from the sun. Exposed rafter ends and brackets under the eaves were common.

A front porch occasionally extended across the length of the house. Wood doors generally featured glazed panels. Windows were either casement or double-hung sash and made of wood and usually had multiple lights (window panes) in both the top and bottom sash. Windows were often large for maximum ventilation and had plain wood window surrounds, with sills that sloped away from the house to shed water and ornamentation was limited to those elements that were actually used as part of the structure: shingle accents or a slotted vent in the gable end, porch columns, roof brackets or braces.

Staff Analysis: The proposed design utilizes regularized window sizes, appropriate material usage, and has a balanced layout. The structure as designed utilizes elements of Wood Frame Vernacular architecture commonly found in early twentieth-century residential structures throughout Lake Worth Beach and the resulting drawings propose a compatible design for the Northeast Lucerne Local Historic

District. Staff has recommended several standard conditions of approval to further ensure visual compatibility.

PUBLIC COMMENT:

At the time of publication of the agenda, Staff has received no public comment.

CONCLUSION:

The proposed application is consistent with the City's Land Development Regulations as conditioned and the structure's design and site plan are generally consistent with the Wood Frame Vernacular architectural style and the Historic Preservation Design Guidelines requirements on site considerations. Therefore, staff recommends approval with conditions, listed below, to allow construction of a new ± 2,360 square foot two-family structure.

Conditions of Approval

- 1) The windows and doors shall be wood, wood-clad, aluminum, or fiberglass and the windows shall utilize a historically compatible sill detail, subject to Staff review at permitting. All proposed exterior entry doors shall be compatible with the Wood Frame Vernacular architectural style, and shall be subject to Staff review at permitting.
- 2) All paired windows shall utilize a 6" wide mullion between windows. Wood trim, fiber-cement trim, or simulated stucco trim shall be utilized to replicate the appearance of historic window details.
- 3) The windows shall be recessed a minimum of two inches (2") in the wall, and shall not be installed flush with the exterior wall.
- 4) The 6/1 divided light patterns on the proposed single-hung windows shall be created utilizing exterior raised applied triangular muntins. Exterior flat muntins or "grills between the glass" shall not be permitted. The smaller single-hung windows utilized for bathrooms and utility rooms have a 3/3 divided-light pattern.
- 5) The windows shall utilize glazing that is clear, non-reflective, and without tint. Low-E (low emissivity) is allowed but the glass shall have a minimum 70% 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.
- 6) The doors may utilize clear glass, frosted, obscure glass, or glass with a Low-E coating (70% minimum VLT). Tinted, highly reflective, grey, colored, etched, or leaded glass shall not be used.
- 7) The porch post and beam details, bracketed overhangs, and faux vents shall be constructed out of wood or a wood-look material and shall be compatible with the Wood Frame Vernacular architectural style and shall be subject to Staff review at permitting.
- 8) The stucco lap siding shall have a texture and profile that is compatible with wood lap siding commonly found on Wood Frame Vernacular style structures and shall have no more than a six inch (6") reveal. The Applicant shall be responsible for contacting Historic Preservation staff to review and inspect a portion of siding prior to completion.
- 9) All improved surfaces shall be setback a minimum of 1'-0" from property lines to allow for adequate water runoff within the property boundary.
- 10) The pavers shall have a percolation rate of at least 50% relative to the ground percolation rate.
- 11) Landscape screening of the rear parking area shall be provided in the NW corner of the site to be approved by staff at permit. Such screening shall be continuous and comprised of native and drought tolerant species with an average minimum planting height of 24". Landscaping installed in the site

triangle shall not exceed 30” in height. Further, a small to medium species of shade tree shall be planted at a minimum planting height of 10’ to 12’ in the general area north of the alleyway parallel parking space and south of the site triangle area provided that there are not utility conflicts as determined by Public Works and Electric Utilities staff.

POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Number 21-00100098 with staff recommended conditions for a Certificate of Appropriateness (COA) for the new construction of a ± 2,360 square foot two-family structure at **431 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.

I MOVE TO **DENY** HRPB Project Number 21-00100098 for a Certificate of Appropriateness (COA) for the new construction of a ± 2,360 square foot two-family structure at **431 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.

ATTACHMENTS:

- A. Property Survey
- B. Current Photos
- C. Proposed Architectural Plans
- D. Historic Preservation Design Guidelines – Wood Frame Vernacular (Excerpt)



MEMORANDUM DATE: June 9, 2021

AGENDA DATE: June 16, 2021

TO: Chair and Members of the Historic Resources Preservation Board

RE: **224 North L Street**

FROM: Jordan Hodges, Senior Preservation Coordinator
Abraham Fogel, Preservation Planner
Department for Community Sustainability

TITLE: **HRPB Project Number 21-00100137:** Consideration of a Certificate of Appropriateness (COA) for the new construction of a ± 1,554 square foot single-family structure at **224 North L Street**; PCN #38-43-44-21-15-046-0130. The subject property is located in the Medium Density Multi-Family Residential (MF-30) zoning district and is located within the Northeast Lucerne Local Historic District.

OWNER: Garrett Scheffler
7943 Manor Forest Boulevard
Boynton Beach, FL 33436

PROPERTY DEVELOPMENT HISTORY:

The single-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 (included as **Attachment A**) 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 October 14, 2020 HRPB meeting, 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 March 3, 2021 HRPB meeting, 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 as **Attachment C**. The demolition of the existing structure has not yet taken place and a demolition permit has not been submitted.

PROJECT DESCRIPTION:

The property owner, Garret Scheffler, is requesting approval for a new single-family structure. The subject property is a 50’ x 135’ (3,375 square foot) containing one (1) platted lot of record located on the east side of North L Street, between 2nd Avenue North and 3rd Avenue North in Lake Worth Beach. The property is located in the Medium Density Multi-Family Residential (MF-30) zoning district and retains a Future Land Use (FLU) designation of High Density Residential (HDR).

If approved, the subject application would allow construction of a new +/- 1,554 square foot two-story single-family residence. The proposed building is designed in a contemporary architectural style with Mid-Century Modern detailing. The application will require the following approval:

1. **COA** for the new construction of a ± 1,554 square foot single-family structure

STAFF RECOMMENDATION: Staff recommends approval with conditions as provided on pages 10 and 11.

PROPERTY DESCRIPTION:

Owner	Garret Scheffler
General Location	East side of North L Street, between 2 nd Avenue North and 3 rd Avenue North
PCN	38-43-44-21-15-046-0130
Zoning	Medium Density Multi-Family Residential (MF-30)
Existing Land Use	Single-Family
Future Land Use Designation	High Density Residential (HDR)



SITE ANALYSIS:

Surrounding Properties

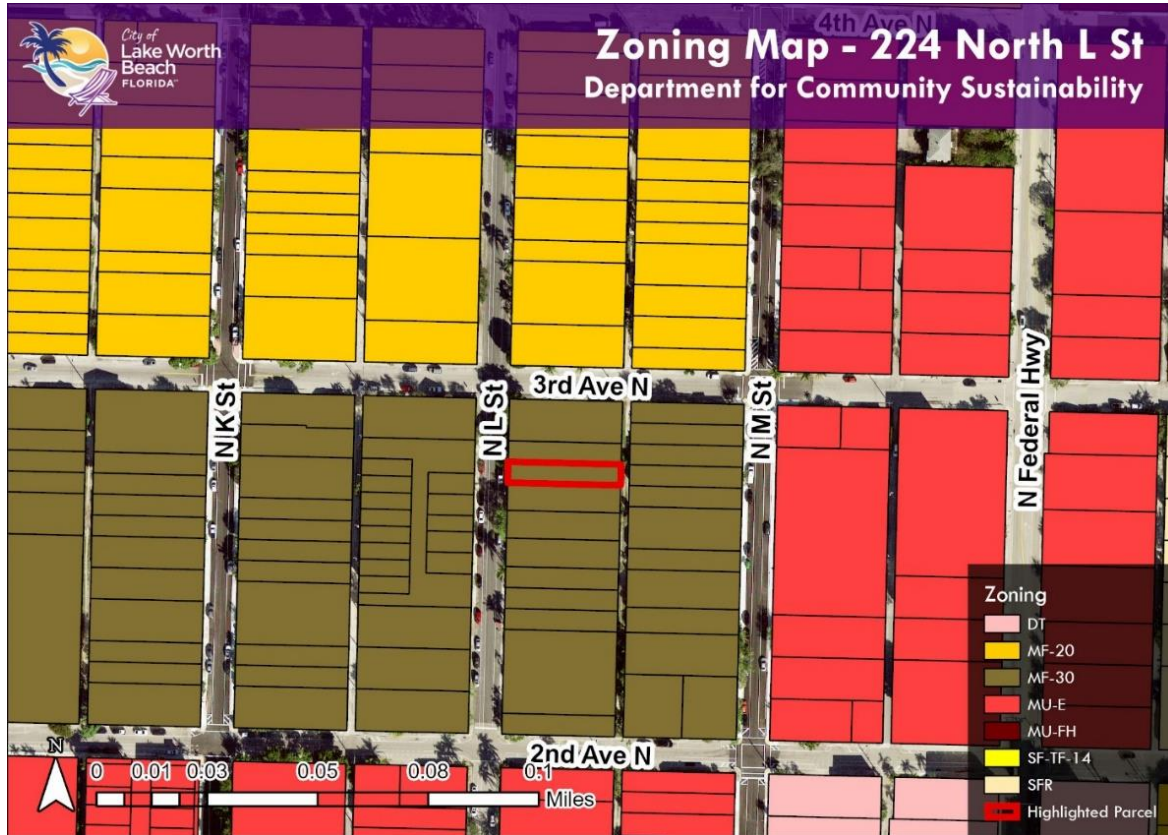
The site is surrounded by multi-family structures with similar Zoning and FLU designations, and thus, are found to be compatible with the proposed residential use on the subject site. The following summarizes the nature of the surrounding properties adjacent to the subject site:

NORTH: Immediately north of the subject site is a vacant property. This area contains a FLU designation of HDR and a zoning designation of MF-30.

SOUTH: Immediately south of the subject site is a single-family structure. This area contains a FLU designation of HDR and a zoning designation of MF-30.

EAST: East of the subject site across the rear alley is a single-family structure with a rear dwelling unit. This area contains a FLU designation of HDR and a zoning designation of MF-30.

WEST: West of the subject site across North L Street is a townhouse development. This area contains a FLU designation of HDR and a zoning designation of MF-30.



Consistency with the Comprehensive Plan

The subject is located in the Medium-Density Residential Future Land Use (FLU) designation. Per Policy 1.1.1.3 in the City’s Comprehensive, the FLU designation allows for a maximum density of 30 per acre. The proposed density for the project is 13 units per acre. As the proposed structure has a proposed density of less than 30 units per acre, it is consistent with the intent of the Medium Density Multi-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. The project encourages architectural design that complements the City’s appearance, consistent with Objective 3.2.4.

LAND DEVELOPMENT CODE REQUIREMENTS:

Land Development Code Requirements		
Code References	23.3-11 (MF-30); 23.4-10 (Off-street parking)	
	Required	Proposed
Lot Area	5,000 sf.	3,375 sf. (platted lot of record)
Lot Width	50'-0"	25'-0" (platted lot of record)
Building Height	30'-0" (2 stories)	21'-5"
Setback - Front	20'-0"	20'-0"
Setback - Side	North: 3'-0" (10% of lot width) South: 5'-0" (2-stories)	North: 3'-0" (1-story portion) North: 5'-0" (2-story portion) South: 5'-0" (2-story portion)
Setback - Rear	13'-6" (10% of lot depth)	37'-0"
Impermeable Surface Total ⁽¹⁾	65.0% (2,193 sf.)	64.15% (2,165 sf.)
Front Yard Impermeable Surface Total	900 sf. or 75% pervious and landscaped	69.00% (345 sf.)
Maximum Building Coverage ⁽¹⁾	45.0% (1,518 sf.) maximum	34.96% (2,360 sf.)
Maximum Wall Heights at Side Setback	22 ft. wall height at 3'-0" setback up to 26 ft. wall height at 5'-0" setback	10'-3" (3'-0" setback) 19'-0" (5'-0" setback)
Density/Number of Units	1 dwelling unit	1 dwelling unit
Floor Area Ratio ⁽¹⁾	0.80 maximum (2,700 sf.)	0.46 (1,554 sf.)
Living Area	800 sf.	1,554 sf.
Parking	1 space	1 space
Parking Dimensions	9'x18' perpendicular or angled 9'x22' parallel	9'x19' perpendicular

(1)- Small lot (lots up to 4,999 square feet)

The proposed new construction project is consistent with all site data requirements in the City's zoning code with the exception of the front yard impermeable surface total. Pursuant to LDR Section 23.3-11(c)(5), the lesser of 900 square feet or 75% of the front yard area shall remain **pervious and be landscaped**. Although pervious/permeable pavers are proposed, which receive a 50% lot coverage credit, the material does not supersede the requirement of maintaining 75% of front yard pervious and landscaped. Staff has included a condition of approval that the improved surfaces in the front yard shall not exceed 25% of the front yard area.

The application, as proposed, meets the minimum off-street parking requirements and complies with all impermeable surface requirements, building coverage allotments, and required building setbacks. The proposed site plan is included in this report as **Attachment D**. A landscape plan was also provided in the application, and the proposal will also need to comply with the City’s landscape requirements, which will be reviewed at permitting.

Existing Non-Conformities

The existing property 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.

HISTORIC PRESERVATION ANALYSIS:

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.

Staff Analysis: New construction in the City’s historic districts is not limited to any particular architectural style, but staff always recommends that the design professional design solely within one architectural style. It is the analysis of staff that the new construction project, as proposed, is generally compatible with the regulations set forth in the historic preservation ordinance, and that the design of the structure displays architectural features and materials that are consistent with contemporary architecture and Mid-Century Modern detailing. Staff has included the Design Guidelines section on Mid-Century Modern architecture as **Attachment E**. The roof design, corner windows, and breezeblock walls, in particular, are character-defining features of this architectural style. Adding contemporary structures into historic districts creates an architectural record for present styles, which can add to the unique character and to the chronology of building styles constructed throughout the city’s history.

The front façade features a single-story side-loaded porch with breezeblock walls. The structure is designed utilizing concrete block with smooth stucco exterior finish. The main massing of the structure utilizes a “skillion and lean to” roof design. The fenestration incorporates full-view vinyl impact turn-style and fixed glass windows, glazed and flush panel doors, and a flush-panel garage door with glazing. Proposed site features include fences, landscaping, paver walkways and patios in the front yard and rear

of the property. The side elevations feature window placement and orientation that is atypical for buildings within the historic districts. However, the proposed is designed as a contemporary iteration of a Mid-Modern home and the window placement and fenestration pattern generally avoids long expanses of blank façade.

The applicant has submitted two (2) options for the roof design. Option 1 features a shed roof for the side-loaded front porch (1/12 pitch) and a “skillion and lean to” for the main massing of the structure (1/12 pitch). Option 2 utilizes a flat/low slope roof for the side-loaded front porch (0.25/12 pitch) and a “skillion and lean to” for the main massing of the structure (0.25/12 pitch). For both options, a rubber membrane will be utilized as the roof covering. It is staff’s analysis that both options are compatible with the contemporary proposal. However, option 2 addresses the Board’s recommendation given at the conceptual review at the March 3, 2021 HRPB meeting to utilize a simplified roofline.

Section 23.5-4(k)(3)(A) – Review/Decision

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.

Staff Analysis: The proposed building is consistent with the height of other two-story buildings surrounding the property, and is in harmony with the height of other historic properties in the district.

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

Staff Analysis: The width and height of the front elevation of the proposed building are in scale with the surrounding properties.

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

Staff Analysis: The proposed turn-style 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.

- (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.

Staff Analysis: Each façade features a rhythm of solids to voids with window and door openings that avoid long, unbroken walls.

- (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.

Staff Analysis: The proposed building adheres to setback requirements within the current zoning code.

- (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.

Staff Analysis: The proposed design utilizes a covered side porch with a walkway to the public sidewalk. The structure as proposed is visually compatible and in harmony with other structures within the district.

- (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 Northeast Lucerne Local Historic District.

Staff Analysis: The building will be concrete block finished with a smooth stucco exterior finish. This is a common and compatible façade material for contemporary new construction proposals within the historic districts.

- (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 Northeast Lucerne Local Historic District.

Staff Analysis: The structure utilizes a “skillion and lean to” roof design for the main massing and a shed roof for the side-loaded porch. The roof design is compatible contemporary and Mid-Century Modern structure 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 insure visual compatibility of the building to the buildings and places to which it is visually related.

Staff Analysis: The new fencing is setback from the front façade, which creates visual compatibility with the new structure and overall streetscape.

(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.

Staff Analysis: The majority of neighboring historic structures are one-story. However, a new proposal on the adjacent property to the north will feature 2 stories and the townhome development across North L Street also has 2 stories. The windows and fenestration patterns on the side elevations could be improved to create a more harmonious cohesion with other structures in the historic district but the most visible openings are consistent with the proposed architectural style. Overall, the size, massing, and other visual qualities of the proposed new construction are compatible and in harmony with visually related properties.

(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.

Staff 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 compatible with other residential structures on the block. Although not yet constructed, the streetscape elevation shows an approved project that will be constructed at 230 North L Street, which further increases visual compatibility in terms of height and massing.

(12) 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.

Staff Analysis: This requirement is not applicable to the new construction project on a vacant property.

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

Staff Analysis: The mechanical systems associated with this property are located on the side yard behind a fence, not 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.

Staff Analysis: The new mechanical systems are ground-mounted and not visible from street.

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

Staff Analysis: The proposal complies with maximum lot coverage and impermeable surface totals for the MF-30 zoning district. Staff has included a condition of approval to ensure the front yard is maintained 75% pervious and landscaped. Parking is the rear integral garage with vehicular access from the alley. Overall, the design of the proposed structure and site are compatible with visually related properties in the Northeast Lucerne Local Historic District. A preliminary landscape plan is included in **Attachment D**. The landscaping for the property will need to be evaluated to ensure it meets the minimum requirements of LDR Section 23.6-1, Landscape Regulations. Final review and approval will take place during the building permit review process.

B. In considering certificates of appropriateness for new buildings or structures, which will have more than one primary facade, such as those on corner lots facing more than one street, the HRPB shall apply the visual compatibility standards to each primary facade.

Staff Analysis: Not applicable, the subject property only has street frontage on North L Street.

PUBLIC COMMENT:

At the time of publication of the agenda, Staff has received no public comment.

CONCLUSION:

The proposed application is consistent with the City’s Land Development Regulations as conditioned and the structure’s design and site plan are generally consistent with the contemporary architectural style and the Historic Preservation Design Guidelines requirements on site considerations. Therefore, staff recommends approval with conditions, listed below, to allow construction of a new ± 1,554 square foot single-family structure.

Conditions of Approval

- 1) All proposed exterior entry doors shall be compatible with the Mid Century Modern architectural style, subject to staff review at permitting.
- 2) The windows shall be recessed a minimum of two inches (2”) in the wall, and shall not be installed flush with the exterior wall.
- 3) The windows shall utilize glazing that is clear, non-reflective, and without tint. Low-E (low emissivity) is allowed but the glass shall have a minimum 70% 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.
- 4) The doors may utilize clear glass, frosted, obscure glass, or glass with a Low-E coating (70% minimum VLT). Tinted, highly reflective, grey, colored, etched, or leaded glass shall not be used.
- 5) The stucco texture shall be smooth.
- 6) The corner windows on the front elevation shall utilize a structural mullion as proposed.

- 7) The exact design of the breezeblock shall be selected and a sample provided to staff to review prior to permitting.
- 8) The garage door design shall be subject to staff review at permitting.
- 9) All improved surfaces shall be setback a minimum of 1'-0" from property lines to allow for adequate water runoff within the property boundary.
- 10) The improved surfaces in the front yard shall not exceed 25% of the front yard area.
- 11) The pavers shall have a percolation rate of at least 50% relative to the ground percolation rate.
- 12) In accordance with the City Building Official's condemnation letter, a demolition permit shall be submitted prior to or concurrently with the new construction building permit.
- 13) Staff recommends that the rubber membrane roofing utilize a white or light gray finish for energy conservation purposes.
- 14) Staff recommends that the walkways and patios utilize semi-pervious such as pavers to increase drainage on the lot.

POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Number 21-00100137 with staff recommended conditions for a Certificate of Appropriateness (COA) for the new construction of a ± 1,554 square foot single-family structure 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.

I MOVE TO **DENY** HRPB Project Number 21-00100137 for a Certificate of Appropriateness (COA) for the new construction of a ± 1,554 square foot single-family structure 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.

ATTACHMENTS:

- A. Property File Documentation
- B. Condemnation Letter
- C. Current Photos
- D. Proposed Architectural Plans
- E. Historic Preservation Design Guidelines – Mid-Century Modern (Excerpt)



MEMORANDUM DATE: June 9, 2021

AGENDA DATE: June 16, 2021

TO: Chair and Members of the Historic Resources Preservation Board

RE: **312 12th Avenue North**

FROM: Jordan Hodges, Senior Preservation Coordinator
Abraham Fogel, Preservation Planner
Department for Community Sustainability

TITLE: HRPB Project Number 21-00100164: A Certificate of Appropriateness (COA) for the construction of a new +/- 817 square foot addition and exterior alterations for the single-family residence at 312 12th Avenue North; PCN #38-43-44-21-15-366-0010. The subject property is located within the Mixed-Use Federal Highway (MU-FH) zoning district and is a noncontributing resource within the Northeast Lucerne Local Historic District.

OWNER: POINTED EARS FLIPS LLC
Jill Gorelick
4214 Burns Heritage Trail NE
Roswell, GA 30075

ARCHITECT: GBH Architecture
Geoffrey Harris
605 North Lakeside Drive #3
Lake Worth Beach, FL 33460

PROPERTY DEVELOPMENT HISTORY:

Per documentation within the City's property files, there were originally two (2) residential structures on the parcel, constructed between 1925 and 1938. Although no architectural drawings of the buildings are available in the City's property file, property cards from the 1940s and 1950s, included as **Attachment A**, describe the structures as being of wood frame construction on pier and continuous wall foundations, having gable roofs, and wood windows. In 1938, an integral garage was added to the existing structure fronting 12th Avenue North. A building permit from 1976 indicates that the structure fronting North Federal Highway was demolished due to fire damage. A major renovation to the existing structure also took place in 1976. The renovation included removal of the garage, roof replacement, window replacement, and interior renovations to reconfigure the floor plan and upgrade the plumbing and electrical. Photos of the existing property are included as **Attachment B**.

PROJECT DESCRIPTION:

The property owner, Jill Gorelick on behalf of POINTED EARS FLIPS LLC, is requesting approval for the following:

- Window and door replacement, siding replacement, and roof replacement for the existing structure
- Construction of a new +/- 101 square foot front porch on the south side of the existing structure
- Construction of a new +/- 449 square foot addition on the west side of the existing structure
- Construction of a new +/- 267 square foot front porch on the west side of the addition

The subject property is a 50' x 135' (6,750 square foot) platted lot of record located on the northeast corner of 12th Avenue North and North Federal Highway in Lake Worth Beach. The property is located in the Mixed-Use Federal Highway (MU-FH) zoning district and retains a Future Land Use (FLU) designation of Mixed Use East (MU-E).

The application will require the following approval:

1. **Certificate of Appropriateness (COA)** for a new +/- 817 square foot addition that includes additional living space and two (2) covered porches, and window and door replacement

STAFF RECOMMENDATION: Staff recommends approval with conditions as provided on pages 8 and 9.

PROPERTY DESCRIPTION:

Owner	POINTED EARS FLIPS LLC, Jill Gorelick
General Location	Northeast corner of 12 th Avenue North and North Federal Highway
PCN	38-43-44-21-15-366-0010
Zoning	Mixed-Use Federal Highway (MU-FH)
Existing Land Use	Single Family Residence
Future Land Use Designation	Mixed Use East (MU-E)



SITE ANALYSIS:

Surrounding Properties

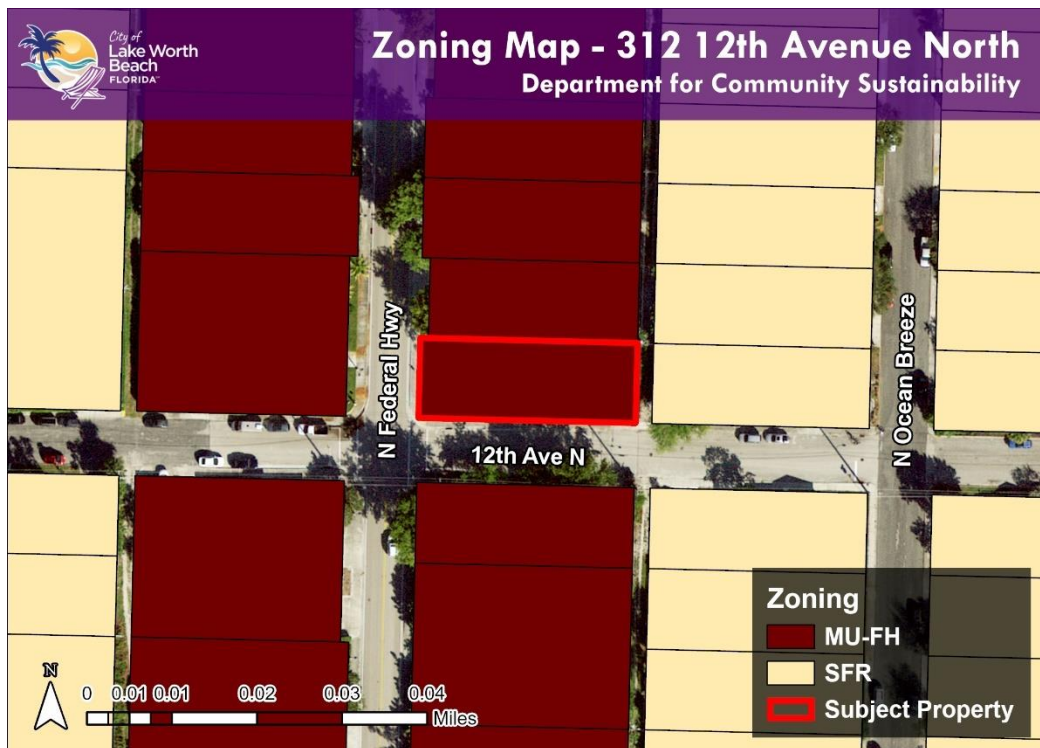
The site is surrounded by similar structures with similar Zoning and FLU designations, and thus, are found to be compatible with the existing and proposed residential use on the subject site. The following summarizes the nature of the surrounding properties adjacent to the subject site:

NORTH: Immediately north of the subject site is 1208 North Federal Highway, a multi-family structure. This area contains a FLU designation of MU-E and a zoning designation of MU-FH.

SOUTH: Immediately south of the subject site across 12th Avenue North is 1130 North Federal Highway, a multi-family structure. This area contains a FLU designation of MU-E and a zoning designation of MU-FH.

EAST: East of the subject site across the rear alley is 1201 North Ocean Breeze, a single-family residence. This area contains a FLU designation of SFR and a zoning designation of SF-R.

WEST: West of the subject site across North Federal Highway is 1205 North Federal Highway, a commercial structure. This area contains a FLU designation of MU-E and a zoning designation of MU-FH.



Consistency with the Comprehensive Plan

The subject is located in the Mixed Use East Future Land Use (FLU) designation. Per Policy 1.1.1.5 in the City’s Comprehensive, the FLU designation allows residential development with a maximum density of 30 per acre. The proposed density for the project is 7 units per acre. As the proposed structure has a proposed density of less than 30 units per acre, it is consistent with the intent of the Mixed Use East designation.

The project also encourages architectural design that complements the City’s appearance, consistent with Objective 3.2.4.

LAND DEVELOPMENT CODE REQUIREMENTS:

Land Development Code Requirements		
Code References	23.3-10 (MF-20); 23.4-10 (Off-street parking)	
	Required	Existing/Proposed
Lot Area	5,000 sf.	6,750 sf.
Lot Width	50’-0”	50’-0”
Building Height	30’-0” (2 stories)	11’-2”
Setback - Front	20’-0”	62’-9”
Setback - Side	North: 5’-0” (10% of lot width) South: 5’-0” (10% of lot width)	North: 9’-2” South: 14’-0”
Setback - Rear	13’-6” (10% of lot depth)	11’-0” (existing nonconformity)
Impermeable Surface Total ⁽¹⁾	60.0% total (4,050 sf.)	30.0% (2,004 sf.)
Front Yard Impermeable	900 square feet or 75% pervious and landscaped	100% (1,000 sf.)
Maximum Building Coverage ⁽¹⁾	40.0% maximum (3,037 sf.)	23.0% (1,571 sf.)
Density/Number of Units	3 dwelling units	1 dwelling unit
Floor Area Ratio ⁽¹⁾	0.55 (3,712 sf.) maximum	0.23 (1,571 sf.)
Living Area	800 sf. minimum	1,203 sf.
Parking	Two (2) off-street spaces	Two (2) spaces
Parking Dimensions	9’x18’ perpendicular or angled off street 9’x28’ perpendicular or angled off alley 9’x22’ parallel	9’x19’

(1)- Medium lot (lots 5,000 square feet to 7,499 square feet)

Pursuant to LDR Section 23.3-16(b)(1), multiple-family, two-family and **single-family** residential uses may be established in the MU-FH district subject to the provisions of section 23.3-10. The proposed additions are consistent with all site data requirements in the City’s Land Development Regulations. The application, as proposed, meets the minimum off-street parking requirements and complies with all impermeable

surface requirements, building coverage allotments, and required building setbacks. The proposed site plan and architectural drawings are included in this report as **Attachment C**.

Existing Non-Conformities

The existing historic structure has legal non-conforming setbacks that do not comply with minimum setback requirements provided within Section 23.3-11 of the Lake Worth Beach Land Development Regulations. Pursuant to LDR Section 23.5-3(d), Non-conforming buildings and structures:

1. *Nonconforming buildings and structures may be enlarged, expanded or extended subject to these LDRs, including minimum site area and dimensions of the district in which the building or structure is located. No such building or structure, however, shall be enlarged or altered in any way so as to increase its nonconformity. Such building or structure, or portion thereof, may be altered to decrease its nonconformity, except as hereafter provided.*

The proposed additions comply with current zoning requirements and do not increase the non-conforming setback of the existing structure.

HISTORIC PRESERVATION ANALYSIS:

Certificate of Appropriateness

All additions and 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.

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: It is the analysis of staff that the new additions to the single-family structure located at 312 12th Avenue North will result in a significant change to the structure's appearance. However, the building currently retains a noncontributing designation status and permit records indicate that the building has undergone significant alterations over time. The proposed alterations include window replacement with new impact single-hung products, siding replacement with new cementitious lap siding, the installation of a new covered porch, and the construction of an addition to the west side of the property with a new porch.

- 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 work will not have a direct visual effect on the surrounding properties within the district. It is staff's analysis that the proposal will not adversely affect neighboring structures within the 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: The building currently retains a noncontributing designation status and has been substantially altered over the years. The applicant plans on replacing the existing siding with new cementitious lap siding and replacing the windows with new impact single-hung products. The proposal does include an addition to the west façade and a new porch for the south façade, which will alter the massing and arrangement of the existing building.

- A. 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: The plans are feasible and could be carried out 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 design of the additions generally complies with the City of Lake Worth Beach Design Guidelines. The addition utilizes a gable roof with similar massing and fenestration to the existing structure. The replacement products for the existing structure; windows, doors, and siding, are Design Guidelines compliant with the provided conditions of approval.

- 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 building is a noncontributing resource and is not a individually designated historic structure.

2. For noncontributing structures in historic districts, alterations and additions that are determined to not be visible from a public street shall not require further administrative review; alterations and additions that are visible from a public street shall be reviewed only for their compliance with the LDRs and whether the addition or alteration's height, mass and orientation to a public street are compatible with neighboring buildings in the district, and whether major changes to the building include design and materials compatible with the district as a whole and maintain an overall integrity of architectural style for the building. Therefore, the following questions should be considered:

- A. Is this a change to a primary facade?

Staff Analysis: Yes. The parcel has frontage on both North Federal Highway and 12th Avenue North.

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

Staff Analysis: The changes to the existing structure include siding replacement, window replacement, and the construction of a new front porch. An addition is also proposed on the west façade of the structure fronting North Federal Highway. The proposed alterations are visually compatible with neighboring structures with the provided conditions of approval.

Historic Preservation Design Guidelines Analysis

The residence at 312 12th Avenue North was constructed circa 1925, and per the property appraiser's cards from the 1940's and 1950's, the building featured many characteristics that would commonly be associated with 1920's Frame Vernacular architecture. The building has been altered substantially over the years, including a major renovation in the 1970's which demolished portions of the building, altered the window sizes and styles, and moved window openings. Today, the building bares little semblance to the City's inventory of Frame Vernacular buildings from the period.

Alterations to existing structure

Staff Analysis: The proposal requests to replace the existing aluminum siding with new cementitious lap siding and to replace the 1970's metal single hung windows with new impact single hung windows. The window and door surrounds are also proposed to be replaced with new cementitious trim and sills. Per the Design Guidelines, these alterations could be approved administratively by staff, with the pertinent conditions of approval. The request also proposes to install a new porch over an existing slab at the current entry on the south façade. The design of the porch is simple, with three wood columns supporting a shed roof.

Historically, divided-light patterns were consistent with the proportions of the windows. As proposed, all single-hung windows will utilize a 2/1 divided-light pattern despite varying their varying sizes (height and width). Staff recommends the following divided-light patterns:

- Window Type A and B: 3/1 divided-light pattern
- Window Type C and E: 2/2 divided-light pattern
- Window Type D: 2/1 divided-light pattern (as proposed)

Addition

Staff Analysis: The request proposes a new +/- 17'-4" x 26'-8" addition to the west side of the building housing a new kitchen and master bedroom. The addition features a side gable roof and ties into the existing gable roof via an extension, creating a cross gable configuration. The roof is proposed to be clad in new dimensional asphalt shingles, matching the roofing material on the existing structure.

The applicant has provided two (2) siding materials for the addition, illustrated in the architectural plan set (**Attachment C**) on sheets HPR-2A, HPR-2B, HPR-3A, and HPR-3B. The first option, provided on sheets 2A and 3A, proposes a new cementitious board and batten siding, which was a common siding treatment on frame constructed houses from the 1920s. The board and batten siding is compatible with the cementitious lap siding proposed on the existing portion of the structure, and is complimentary to the design of the structure.

The second option, provided on sheets 2B and 3D, proposes a smooth stucco finish with score vertical and horizontal score lines on the north and south facades. Although the structure has undergone numerous alterations overtime, it is staff's recommendation that the addition should seek the appearance of a uniform building of frame construction with typical frame building siding materials. Staff has added a condition of approval to utilize the board and batten design as the exterior siding material.

PUBLIC COMMENT:

At the time of publication of the agenda, staff has received no public comment.

CONCLUSION:

The proposed application, as conditioned, is generally consistent with the City's Land Development Regulations, Historic Preservation Ordinance, and the Lake Worth Beach Historic Preservation Design Guidelines. Therefore, staff recommends approval with the conditions listed below to allow for exterior alterations and an addition for the property located at 312 12th Avenue North.

Conditions of Approval

1. The windows and doors shall be wood, wood-clad, aluminum, vinyl, or fiberglass subject to staff review at permitting.
2. The windows shall be recessed in the walls to the same depth as the existing windows and shall utilize a historically compatible trim and sill detail. A detailed drawing illustrating the window trim and sill detail shall be submitted and reviewed as part of the building permit application plan set.
3. All proposed divided light patterns shall be created utilizing exterior raised applied triangular muntins. External flat muntins and "grids between the glass" shall not be approved.
4. All glazing shall be clear, non-reflective, and without tint. Low-E (low emissivity) is allowed but the glass shall have a minimum 70% 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.

5. The windows and doors shall be replaced in their original openings, and the openings shall not be made smaller by building in the framing or made larger by expanding the opening, unless otherwise stated in the proposed plans and approved by the HRPB.
6. The glazed doors shall utilize clear, frosted, or obscure glass, or glass with a clear Low-E coating that has a minimum 70% visible light transmittance (VLT). Tinted, highly reflective, etched, or leaded glass shall not be used. Alternate exterior door designs shall be subject to staff review at permitting.
7. The new cementitious lap siding for the existing structure shall have a 6" to 7" reveal.
8. The siding material for the addition shall utilize the cementitious board and batten option.
9. The new roof shall be a dimensional asphalt shingle roof. Staff recommends white or light grey shingles for the greatest energy efficiency.
10. Staff *recommends* that two windows (Window Schedule Type A) be installed on either side of the pair of French doors on the west façade.
11. Staff *recommends* that Window Type A and B utilize a 3/1 divided-light pattern, Window Type C and E utilize a 2/2 divided-light pattern, and Window Type D utilizes 2/1 divided-light.

POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Number 21-00100164, with staff recommended conditions of approval for a Certificate of Appropriateness (COA) for exterior alterations and an addition for the single-family residence at **312 12th Avenue North**, 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 21-00100164 a Certificate of Appropriateness (COA) for exterior alterations and an addition for the single-family residence at 312 12th Avenue North, because the applicant has not established by competent substantial evidence that the application is in compliance with the City of Lake Worth Beach Land Development Regulation and Historic Preservation requirements.

ATTACHMENTS:

- A. Property File Documentation
- B. Current Photos
- C. Proposed Architectural Plans



MEMORANDUM DATE: June 9, 2021

AGENDA DATE: June 16, 2021

TO: Chair and Members of the Historic Resources Preservation Board

RE: **321 North L Street**

FROM: Jordan Hodges, Senior Preservation Coordinator
Abraham Fogel, Preservation Planner
Department for Community Sustainability

TITLE: HRPB Project Number 21-00100163: Consideration of a Certificate of Appropriateness (COA) for the demolition of a +/- 187 square foot rear enclosed porch, construction of a new +/- 1,380 square foot addition and +/- 783 square foot accessory structure, and exterior alterations for the single-family residence at 321 North L Street; PCN #38-43-44-21-15-090-0211. The subject property is located within the Multi-Family Residential (MF-20) zoning district and is a contributing resource to the Northeast Lucerne Local Historic District.

OWNER: CAIN DEVELOPMENT LLC
Mark Cain
1 North Golfview Road #605
Lake Worth Beach, FL 33460

ARCHITECT: GBH Architecture
Geoffrey Harris
605 North Lakeside Drive #3
Lake Worth Beach, FL 33460

PROPERTY DEVELOPMENT HISTORY:

Per documentation within the City's property files, there were originally three (3) structures on the parcel; a single-family residence, a garage apartment, and a utility room constructed ca. 1925. Although no architectural drawings of the buildings are available in the City's property file, property cards from the 1940s and 1950s, included as **Attachment A**, describe the structures as being of wood frame construction. The single-family structure is described as having a continuous wall foundation, wood exterior walls, a hip roof, chimney, and wood windows. The garage apartment and utility room utilized a slab foundation, wood exterior walls, and a hip and shed roof respectively. In 1949, the City granted permission to the property owners, Ernest and Theresa Fleischman, to install a water closet and one lavatory in the utility building with the condition that the structure would not be occupied and would only be used for storage. In 1990, a permit was issued for the demolition of the garage apartment and utility shed due to a declaration of unsafe conditions issued in 1989 by the Director of Building and Zoning. City building permit records indicate the remaining structure has had minor alterations overtime including; roof replacement, mechanical upgrades, and foundation repairs. As the single-family structure

retains the majority of its character-defining features and materials representative of Wood Frame Vernacular architecture, it has a high degree of the seven aspects of historic integrity; location, setting, design, workmanship, materials, feeling, and association. Current photos of the property are included as **Attachment B**.

At the April 14, 2021 HRPB meeting, the Board reviewed conceptual plans for a new addition and accessory structure. The Board expressed concerns regarding the overall massing of the addition and its “pop-up” appearance behind the historic structure. The project architect, Geoffrey Harris, agreed to consider modulating the height of the addition to address the HRPB’s concerns.

PROJECT DESCRIPTION:

The property owner, Mark Cain on behalf of CAIN DEVELOPMENT LLC, is requesting approval for the following:

- Window replacement for the existing structure
- Demolition of a +/- 187 square foot rear enclosed porch for the existing structure
- Construction of a new +/- 1,380 square foot addition to the existing structure
- Construction of a new +/- 783 square accessory structure

The subject property is a 37.5’ x 135’ (5,063 square foot) platted lot of record and a half located on the west side of North L Street, between 3rd Avenue North and 4th Avenue North, in Lake Worth Beach. The property is located in the Multi-Family Residential (MF-20) zoning district and retains a Future Land Use (FLU) designation of Medium Density Residential (MDR).

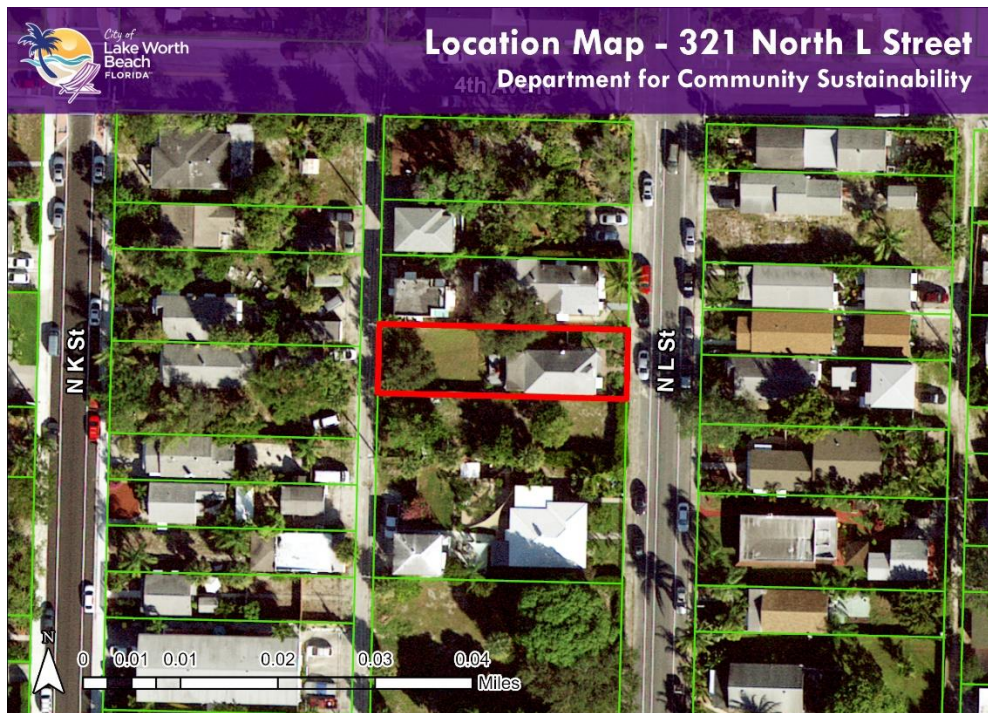
The application will require the following approval:

1. **COA** for the demolition of a +/- 187 square foot rear enclosed porch, construction of a new +/- 1,380 square foot addition and +/- 783 square foot accessory structure, and exterior alterations

STAFF RECOMMENDATION: Staff recommends approval with conditions as provided on pages 11 and 12.

PROPERTY DESCRIPTION:

Owner	CAIN DEVELOPMENT LLC, Mark Cain
General Location	West side of North L Street between 3 rd Avenue North and 4 th Avenue North
PCN	38-43-44-21-15-090-0211
Zoning	Multi-Family Residential (MF-20)
Existing Land Use	Single Family Residence
Future Land Use Designation	Medium Density Residential (MDR)

**SITE ANALYSIS:****Surrounding Properties**

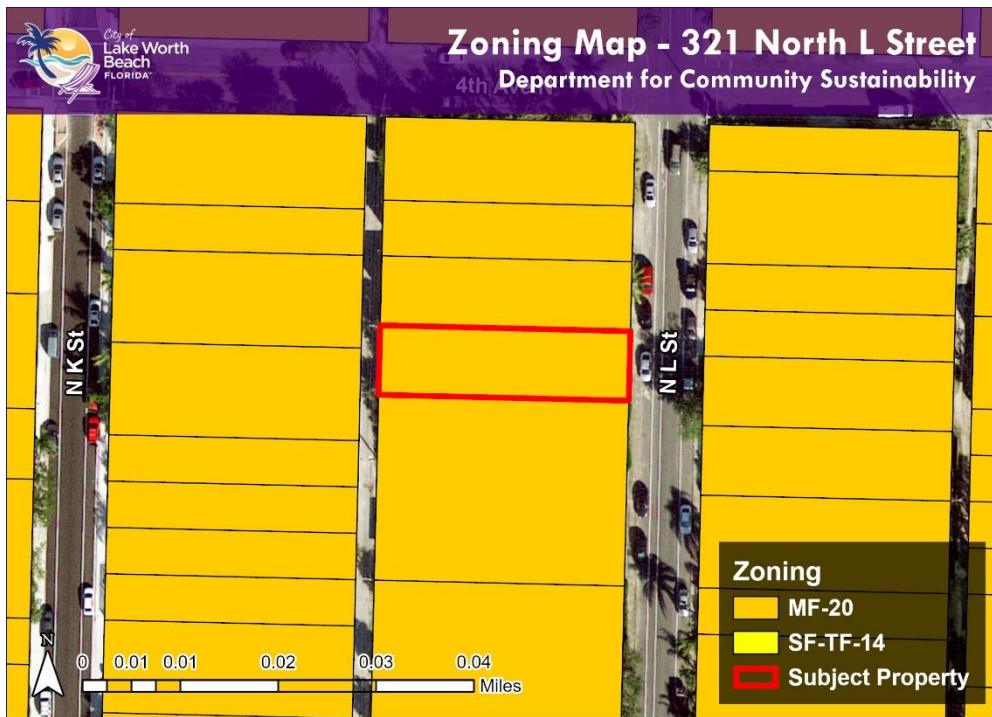
The site is surrounded by similar structures with similar Zoning and FLU designations, and thus, are found to be compatible with the existing and proposed residential use on the subject site. The following summarizes the nature of the surrounding properties adjacent to the subject site:

NORTH: Immediately north of the subject site is 325 North L Street, a single-family structure and rear 2-unit structure. This parcel contains a FLU designation of MDR and a zoning designation of MF-20.

SOUTH: Immediately south of the subject is 315 North L Street, a single-family structure and rear accessory dwelling unit. This parcel contains a FLU designation of MDR and a zoning designation of MF-20.

EAST: East of the subject site across the rear alley is 322 North K Street, a single-family residence. This parcel contains a FLU designation of MDR and a zoning designation of MF-20.

WEST: West of the subject site across North L Street is 322 North L Street, a multi-family structure. This parcel contains a FLU designation of MDR and a zoning designation of MF-20.



Consistency with the Comprehensive Plan

The subject property is located in the Medium-Density Residential Future Land Use (FLU) designation. Per Policy 1.1.1.3 in the City’s Comprehensive, the FLU designation allows for a maximum density of 30 per acre. The proposed density for the project is 9 units per acre. As the proposed development has a density of less than 30 units per acre, it is consistent with the intent of the Medium Density Multi-Family Residential designation.

The project also encourages architectural design that complements the City’s appearance, consistent with Objective 3.2.4.

LAND DEVELOPMENT CODE REQUIREMENTS:

Land Development Code Requirements		
Code References	23.3-10 (MF-20); 23.4-10 (Off-street parking)	
	Required	Existing/Proposed
Lot Area	5,000 sf.	5,063 sf.
Lot Width	50'-0"	37'-6" (existing nonconformity)
Building Height	30'-0" (2 stories)	22'-4"
Wall Height	Lots less than 50 ft. in width: 14 ft. wall height at 3'-0" setback up to 18 ft. wall height at 5'-0" setback	18'-0" Top of Wall
Setback - Front	20'-0"	18'-0" (existing nonconformity)

Setback - Side	North: 3'-8" (10% of lot width, 1 story) South: 3'-8" (10% of lot width, 1 story) North: 5'-0" (Minimum for 2 stories) South: 5'-0" (Minimum for 2 stories)	<u>House</u> North: 12.8' South: 2.9' (existing nonconformity) <u>Addition</u> North: 5'-2" South: 5'-0" <u>Accessory Structure</u> North: 5'-0" South: 16'-10"
Setback - Rear	13'-6" (10% of lot depth) 5 ft. for accessory structures	House: 61'-0" Addition: 52'-6" Accessory: 10'-0"
Impermeable Surface Total ⁽¹⁾	60.0% total (3,038 sf.)	41.93% (2,123 sf.)
Front Yard Impermeable	900 square feet or 75% pervious and landscaped	80.00% (540 sf.)
Maximum Building Coverage ⁽¹⁾	40.0% maximum (2,025 sf.)	38.00% (1,924 sf.)
Accessory Structure Limitation	40% of the principal structure area or 1,000 square feet, whichever is less (982 sf. based on new total sf)	37.42% (783 sf.)
Density/Number of Units	1 dwelling unit	1 dwelling unit (existing)
Floor Area Ratio ⁽¹⁾	0.55 (2,785 sf.) maximum	0.46 (2,331 sf.)
Living Area	800 sf. minimum	2,673 sf.
Parking	2 spaces	3 spaces
Parking Dimensions	9'x18' perpendicular or angled off street 9'x28' perpendicular or angled off alley 9'x22' parallel	9'x28' perpendicular off alley

(1)- Medium lot (lots 5,000 square feet to 7,499 square feet)

The proposed addition and new accessory structure are consistent with all site data requirements in the City's zoning code. The application, as proposed, meets the minimum off-street parking requirements and complies with all impermeable surface requirements, building coverage allotments, floor area ratio, and required building setbacks. A survey of the existing parcel is included as **Attachment C**. The proposed site plan and architectural drawings are included as **Attachment D**. A landscape plan was also provided in the application, and the proposal will also need to comply with the City's landscape requirements, which will be reviewed at permitting.

Existing Non-Conformities – Buildings and Structures

The existing historic structure has legal non-conforming setbacks that do not comply with minimum setback requirements provided within Section 23.3-10 of the Lake Worth Beach Land Development Regulations. Pursuant to LDR Section 23.5-3(d), Non-conforming buildings and structures:

- 1. Nonconforming buildings and structures may be enlarged, expanded or extended subject to these LDRs, including minimum site area and dimensions of the district in which the building or structure is located. No such building or structure, however, shall be enlarged or altered in any way so as to increase its nonconformity. Such building or structure, or portion thereof, may be altered to decrease its nonconformity, except as hereafter provided.*

The proposed addition and accessory structure comply with current zoning requirements and do not increase the existing non-conforming setbacks of the existing structure.

Existing Non-Conformities – Lots of Record

The existing property 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 and a customary accessory building is permitted. The proposed second story of the accessory structure will therefore be limited in use as accessory living space for the single-family residence. The detached living space will not be licensed to rent independent of the residence as an accessory dwelling unit (ADU) is not permitted for the parcel.

HISTORIC PRESERVATION ANALYSIS:

Certificate of Appropriateness

The scope of this COA application includes replacement of the existing wood double-hung windows with new aluminum impact single-hung windows with clear glass which conform to the original opening sizes. As proposed, the rear enclosed porch will be demolished and replaced with a new two-story rear addition designed with façade elements borrowed from Frame Vernacular architecture. Additionally, a new two-story garage with accessory living space is proposed for the rear of the lot.

All additions and 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.

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: The proposal includes a significant two-story addition to the structure and the construction of a new two-story rear accessory structure. The rear addition poses a substantial change to the visual massing of the building. The existing contributing resource is single story and was constructed with a linear shot-gun plan. The addition is placed to the rear of the building and designed with compatible façade elements and fenestration patterns. The proposed accessory structure, while two stories in height, will likely be minimally visible from North L Street.

- 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 work will not have a direct visual effect on the surrounding properties within the district. It is staff's analysis that the proposal will likely not adversely affect neighboring structures within the 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: The proposed addition will alter the historic design and arrangement of the building. The resource was designed as a modest, linear, single-story residence, as was typical of Frame Vernacular buildings throughout the 1920s. While there are two-story Frame Vernacular buildings within the historic districts, they were generally erected in a simple box form with a single side gable or hip roof unlike the complex roofline that is proposed. However, the addition's height and width are mitigated by the placement of the addition to the rear of the existing structure.

- A. 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: The plans are feasible and could be carried out 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: As discussed in the Design Guidelines Analysis, pages 9 and 10 of this report, the proposed addition generally respects the historic fabric and integrity of the existing resource by connecting to the very rear of the structure. However, staff has remaining concerns regarding the directional character of the addition and its overall massing. Regarding the proposed accessory structure, it is designed in a manner that replicates the design of many other two-story rear garage structures throughout the districts. The neighboring properties to the north and south have rear accessory structures. Therefore, the proposal is consistent with historic development in the area.

- 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 building is a contributing resource which was designed as a Frame Vernacular building. The City's collection of Frame Vernacular buildings is generally single-story linear buildings with simple hip and gable rooflines. The addition utilizes a two-story design placed to the rear of the building. The proposal utilizes characteristic traits of the style that are utilized in the fenestration patterns, detailing, and material choices.

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

2. In approving or denying applications for certificates of appropriateness for alterations and additions, the city shall also consider the following additional guidelines: *Landmark and contributing structures:*

- 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?

Staff Analysis: Not applicable, no change is proposed for the use of property.

- 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.

Staff Analysis: The applicant is proposing to replace the existing wood double-hung windows in the historic structure with new 1/1 impact single hung windows, which are compliant with the Design Guidelines. A small enclosed porch to the rear of the structure is proposed to be demolished to accommodate the addition.

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

Staff Analysis: The majority of the neighboring properties are low single-story structures, but the property to the north, 325 North L Street, does have a detached two-story garage apartment structure to the rear of the property in visual proximity to the proposed two-story addition.

- 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:

- (1) The work to be performed will conform to the original door and window openings of the structure; and

Staff Analysis: The applicant is proposing to replace the existing windows with new aluminum impact single-hung windows with clear glass that conform to the original opening sizes.

- (2) 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

Staff Analysis: Not applicable, the applicant has not requested less expensive replacement products.

- (3) 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.

Staff Analysis: The proposed windows are aluminum impact single-hung windows. New wood double-hung windows are not readily available with an impact rating and would likely result in a cost increase greater than 25% of the current proposal.

Historic Preservation Design Guidelines Analysis

Demolition

Staff Analysis: The proposal includes demolishing the rear enclosed porch. Although original architectural drawings are not available, the 1940s property card labels the area as a screened porch. Rear screen porches are typical features of Frame Vernacular homes which were typically enclosed with windows overtime, as the current configuration. Per Secretary of Interior (SOI) Standard #4,

“Most properties change over time; those changes that have acquired significance in their own right shall be retained and preserved.”

The rear enclosed porch was constructed more than 50 years ago in a manner that was indicative of its time of construction and complimentary to the 1920s Wood Frame Vernacular residence. The porch is to the rear of the structure and not visible from North L Street. Staff recommends that the Board discuss SOI Standard #4 and determine if the rear enclosed porch can be demolished.

Addition

The residence at 321 North L Street was constructed circa 1925, and per the property appraiser’s cards from the 1940s and 1950s and a visual inspection by staff during a site visit, the property maintains the majority of its character-defining features and historic building materials. The Lake Worth Beach Historic Preservation Design Guidelines provides guidance and recommendations when planning additions to historic structures. This portion of the Design Guidelines, New Additions to Historic Buildings, is included in this report as **Attachment E**. A graphic from page 211 of this section is provided below.



Staff Analysis: The proposed addition generally respects the historic fabric and integrity of the existing resource by connecting to the very rear of the structure. The addition is connected to the historic structure via an extension of the existing hip roof. The fenestration on the front of the addition provides the appearance of a one and a half story addition, with the projecting dormer window situated low on the roofline over the proposed secondary side entry. The new side entry mimics the existing front entry, utilizing a glazed door and a similar sized single hung window under a covered porch roof. The rear façade features an expansive two-story porch with compatible wood picket railings. The design of the siding material (cementitious lap siding), window and fenestration patterns, and other related wood or wood-look detailing is generally compatible with the Frame Vernacular architectural style. Staff defers to the Board to determine if the massing concerns discussed in the conceptual plan review have been addressed.

Staff does have some remaining concerns regarding the height and width of the proposed addition’s roofline. The roof design is very broad when compared to the narrow width of the historic structure. Although the addition is set to the rear of the structure, the two-story addition will be readily visible from North L Street.

Accessory Structure

Staff Analysis: The proposed accessory structure is designed in a manner that replicates the design of many other two-story rear garage structures through out the districts. The design utilizes a simple two-story massing with a hip roof with overhanging eaves. An exterior staircase provides access to the second-story living area and integral porch. The garage entry is placed to the rear of the building, providing vehicular access from the alley. The two-story addition will likely obscure visibility of the garage when viewed from North L Street. The accessory structure does feature some long expanses of blank façade, specifically on the north and south first floor elevations. This could be broken up by addition fenestration. Additionally, the design could utilize a smooth stucco first floor and a lap siding on the second floor to increase visual interest and to further delineate garage space from habitable space when viewed from the exterior.

PUBLIC COMMENT:

At the time of publication of the agenda, staff has received no public comment.

CONCLUSION:

It is the analysis of staff that the proposed addition and accessory structure are generally consistent with the City's Historic Preservation Ordinance and the Lake Worth Beach Historic Preservation Design Guidelines. Should the Board determine that the demolition of the rear enclosed porch is warranted for the construction of the addition and that the massing of the addition addressed compatibility concerns that were discussed during the concept plan review, staff recommends approval with conditions listed below.

Conditions of Approval

1. All proposed exterior entry doors shall be compatible with the Wood Frame Vernacular architectural style, and shall be subject to staff review at permitting.
2. The windows shall be recessed a minimum of two inches (2") in the wall, and shall not be installed flush with the exterior wall.
3. The existing wood window trim, sills, and mullions shall remain or be replaced in-kind matching in profile, dimension, and design. The windows on the addition and accessory structure shall utilize historically-compatible window and sills details that replicate the existing elements created out of wood or wood-look material, subject to staff review at permitting.
4. Pairs and triplets of windows shall utilize a minimum four inch (4") wide mullion. If aluminum structural mulls are used, the exterior shall be encased in a cementitious or similar wood-look material to replicate a historic wood mullion.
5. If divided-light patterns on windows and doors are utilized, they shall be created utilizing exterior raised applied triangular muntins. Exterior flat muntins or "grills between the glass" shall not be permitted.
6. The windows shall utilize glazing that is clear, non-reflective, and without tint. Low-E (low emissivity) is allowed but the glass shall have a minimum 70% 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 doors may utilize clear glass, frosted, obscure glass, or glass with a Low-E coating (70% minimum VLT). Tinted, highly reflective, grey, colored, etched, or leaded glass shall not be used.

8. The post, beam, and railing details shall be constructed out of wood or a wood-look material and shall be compatible with the Wood Frame Vernacular architectural style and shall be subject to Staff review at permitting.
9. The garage door shall utilize a recessed panel design subject to staff review at permitting.
10. Detailed square footage calculations shall be submitted to indicate the project complies with the building lot coverage maximum and floor area ratio (FAR), subject to staff review at permitting.
11. The porches shall not be enclosed in the future as the project maximizes the allowable floor area ratio (FAR).
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. The accessory structure shall not be utilized as an accessory dwelling unit (ADU).
14. The accessory structure shall not have kitchen facilities as defined in the City's Land Development Regulations. Future alterations that would lead to the conversion of the structure to an accessory dwelling unit (ADU) shall be prohibited. The accessory structure shall function as an extension of and subordinate to the single-family use.
15. The accessory structure shall not be granted an additional utility meter from the Public Utilities Department and shall not be issued a rental license from the Lake Worth Beach Business License Division.
16. Staff *recommends* additional fenestration be added to the north and south elevations of the rear garage structure. Additionally, the accessory structure could utilize a smooth stucco first floor and a lap siding on the second floor.

I MOVE TO **APPROVE** HRPB Project Number 21-00100163, with staff recommended conditions of approval for a Certificate of Appropriateness (COA) for exterior alterations, an addition, and the construction of a new accessory structure for the single-family residence located at **321 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.

I MOVE TO **DENY** HRPB Project Number 21-00100163, a Certificate of Appropriateness (COA) for exterior alterations, an addition, and the construction of a new accessory structure for the single-family residence located at **321 North L Street**, because the applicant has not established by competent substantial evidence that the application is in compliance with the City of Lake Worth Beach Land Development Regulation and Historic Preservation requirements.

ATTACHMENTS:

- A. Property File Documentation
- B. Current Photos
- C. Property Survey
- D. Proposed Architectural Plans
- E. LWBHPDG Additions to Historic Buildings



MEMORANDUM DATE: June 9, 2021

AGENDA DATE: June 16, 2021

TO: Chair and Members of the Historic Resources Preservation Board

RE: **722 South Lakeside Drive**

FROM: Jordan Hodges, Senior Preservation Coordinator
Abraham Fogel, Preservation Planner
Department for Community Sustainability

TITLE: **HRPB Project Number 21-00100129:** Consideration of a Certificate of Appropriateness (COA) for the construction of a new ± 4,435 square foot single-family structure at **722 South Lakeside Drive**; PCN #38-43-44-21-15-114-0170. The subject property is located in the Single-Family Residential (SF-R) zoning district and the South Palm Park Local Historic District.

OWNER: Nils Mueller-Kronast, MD
7429 Serrano Terrace
Delray Beach, FL 33446

PROJECT DESCRIPTION:

The property owner, Nils Mueller-Kronast, is requesting approval for the construction of a new single-family residence. The subject property is a 50-foot wide platted lot of record located on the east side of South Lakeside Drive with frontage on the Intracoastal Waterway, between 6th Avenue South and 8th Avenue South, in Lake Worth Beach. A survey of the vacant property is included as **Attachment A**. Current photos of the site and surrounding streetscape are included as **Attachment B**. The unimproved parcel is located in the Single-Family Residential (SF-R) zoning district and retains a Future Land Use (FLU) designation of Single Family Residential (SFR).

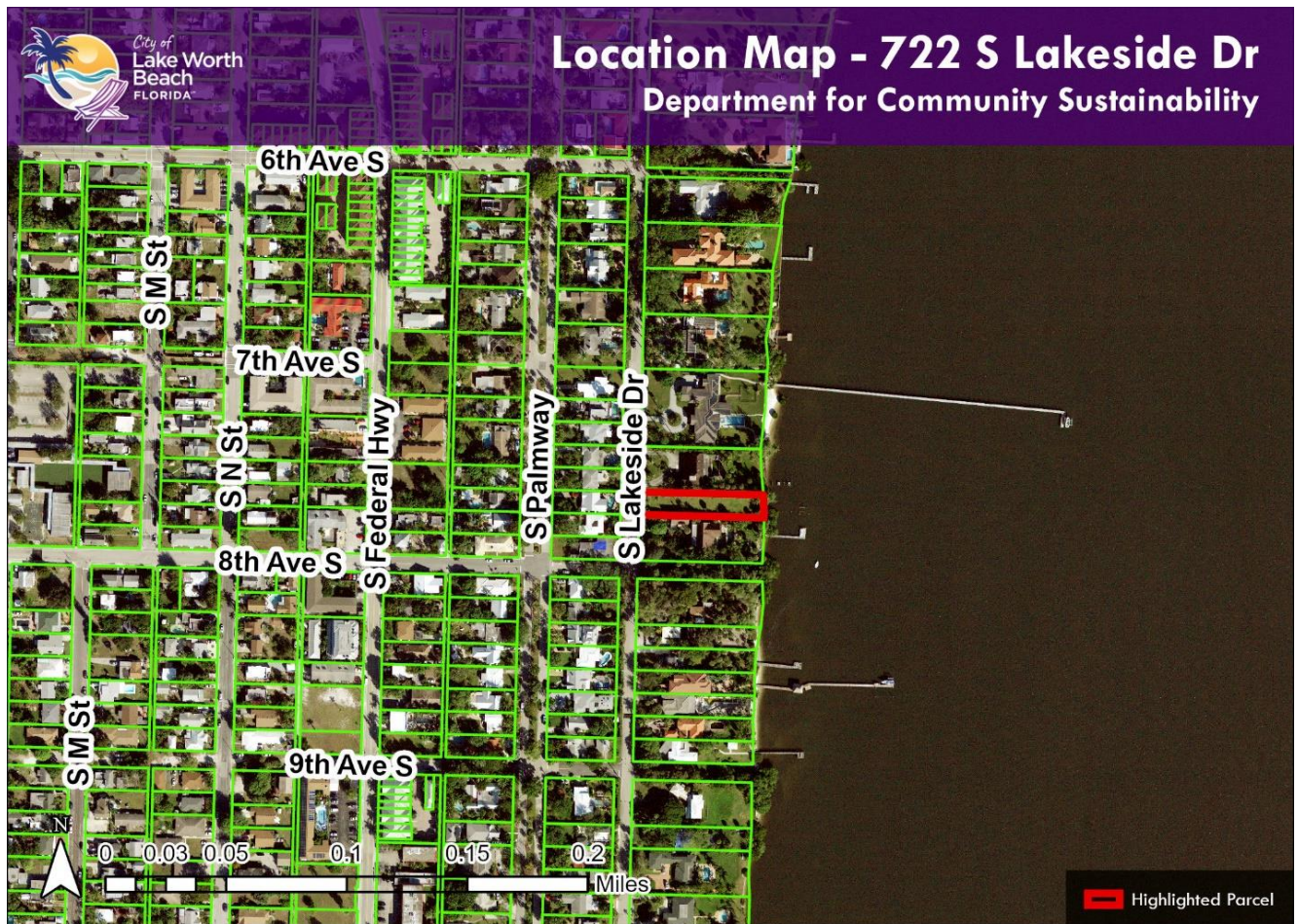
If approved, the subject application would allow construction of a new +/- 4,435 square foot single-family residence. The residence is designed in an Anglo-Caribbean architectural style. The application will require the following approval:

1. **COA** for the construction of a new ± 4,435 square foot single-family residence

STAFF RECOMMENDATION: Staff recommends approval with conditions as provided on pages 10 and 11.

PROPERTY DESCRIPTION:

Owner	Nils Mueller-Kronast
General Location	East side of South Lakeside Drive between 6 th Avenue South and 8 th Avenue South
PCN	38-43-44-27-01-015-0030
Zoning	Single-Family Residential (SF-R)
Existing Land Use	Vacant
Future Land Use Designation	Single Family Residential (SFR)



SITE ANALYSIS:

Surrounding Properties

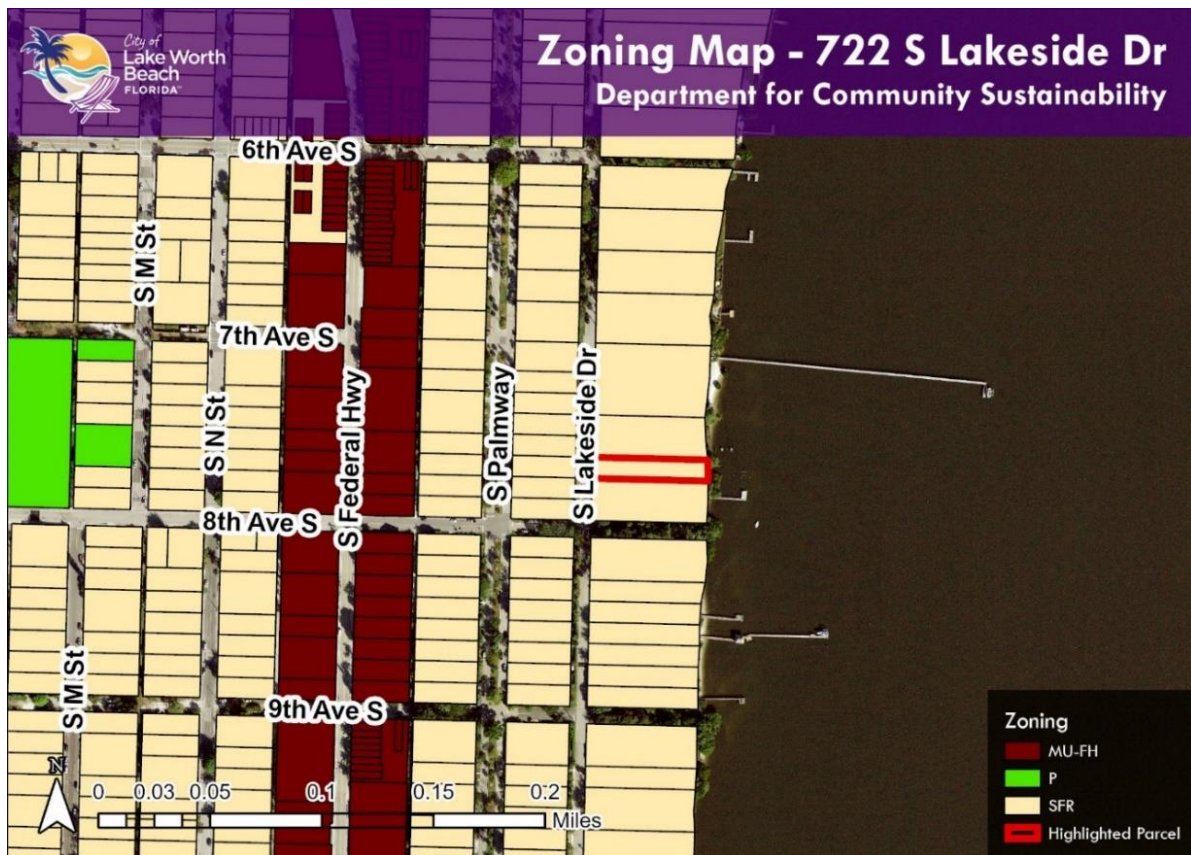
The site is surrounded by similar single-family residences with similar Zoning and FLU designations, and thus, are found to be compatible with the proposed residential use on the subject site. The following summarizes the nature of the surrounding properties adjacent to the subject site:

NORTH: Immediately north of the subject site is 714 South Lakeside Drive, a single-family residence. This parcel contains a FLU designation of SFR and a zoning designation of SF-R.

SOUTH: Immediately south of the subject site is 730 South Lakeside Drive, a single-family residence. This parcel contains a FLU designation of SFR and a zoning designation of SF-R.

EAST: East of the subject site is Lake Worth Lagoon.

WEST: West of the subject site across South Lakeside Drive is 722 South Palmway, a single-family residence. This area contains a FLU designation of SFR and a zoning designation of SF-R.



Consistency with the Comprehensive Plan

The subject is located in the Single Family Residential Future Land Use (FLU) designation. Per Policy 1.1.1.2 in the City’s Comprehensive, the FLU designation allows for a maximum density of 7 dwelling units per acre. The purpose for the Single-Family Residential designation is to permit the development of single-family structures designed for occupancy by one family or household. As the proposed structure is a single-family residence and has a proposed density of less than 7 units per acre, it 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. The project encourages architectural design that complements the City’s appearance, consistent with Objective 3.2.4.

LAND DEVELOPMENT CODE REQUIREMENTS:

Land Development Code Requirements		
Code References	23.3-7 (SF-R); 23.4-10 (Off-street parking); Florida Building Code	
	Required	Proposed
Lot Area	5,000 sf.	+/- 13,600 sf.
Lot Width	50'-0"	50'-0"
Height of Decorative Architectural Elements	May extend an additional 10 ft. but cannot cover cumulatively more than 10% of the roof surface (40 ft.)	30'-0" Top of Chimney 22'-6" Top of Parapet (decorative feature on north elevation)
Building Height	30'-0" (2 stories)	24'-1" Midpoint of Roof
Wall Height	Lots between 50 ft. and 100 ft. in width: 18 ft. wall height at 5'-0" setback up to 23 ft. wall height at 10'-0" setback	18'-0" Top of Wall
Setback - Front	50'-0"	50'-0"
Setback - Side	North: 5'-0" (10% of lot width) South: 5'-0" (10% of lot width)	North: 5'-0" (10% of lot width) South: 5'-9" (10% of lot width)
Setback - Rear	Primary Structure: 15'-0" (15 ft. or 10% of lot depth, whichever is less) Accessory Structure: 5'-0"	Primary Structure: 75'-4" Accessory Structure (Pool): 17'-8"
Impermeable Surface Total ⁽¹⁾	50% (6,800 sf.)	38% (5,277 sf.)
Front Yard Impermeable Surface Total	900 sf. or 75% pervious and landscaped	35% (890 sf.)
Maximum Building Coverage ⁽¹⁾	30% maximum (4,080 sf.)	26% (3,600 sf.)

Density/Number of Units	1 dwelling Unit	1 dwelling unit
Floor Area Ratio ⁽¹⁾	0.45 maximum (6,120 sf.)	0.29 (3,974 sf.)
Living Area	800 sf. minimum	3,974 sf.
Parking	2 space	2 spaces
Parking Dimensions	9'18' perpendicular or angled 9'x22' parallel	9'x18'
Base Flood Elevation	12"-0" NAVD (Zone VE) (BFE 11'-0" + 12" Freeboard)	12'-0" NAVD

(1)- Large lot (lots 7,500 square feet or greater)

The proposed new construction project is consistent with all site data requirements in the City's zoning code with the exception of the front yard impermeable surface total. Pursuant to LDR Section 23.3-7(c)(5)(D), the lesser of 900 square feet or 75% of the front yard area shall remain **pervious and be landscaped**. Although pervious/permeable pavers are proposed, which receive a 50% lot coverage credit, the material does not supersede the requirement of maintaining 75% of front yard pervious and landscaped. Staff has included a condition of approval that the improved surfaces in the front yard shall not exceed 25% of the front yard area.

The application, as proposed, meets the minimum off-street parking requirements and complies with all impermeable surface requirements, building coverage allotments, and required building setbacks. The proposed site plan and architectural drawings are included in this report as **Attachment C**. A landscape plan was also provided in the application, provided as **Attachment D**. The landscape design will undergo final review by the City horticulturist for compliance with the City's landscape requirements at permitting. The applicant has also submitted a Justification Statement for the project, provided in this report as **Attachment E**.

HISTORIC PRESERVATION ANALYSIS:

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 proposed single-family residence is designed in a modernized Anglo-Caribbean architectural style, which is gaining prominence in new construction throughout South Florida. The style borrows elements and design features from the 18th century British, French, and Dutch colonial settlements found throughout the Caribbean, most notably in the Bahamas and greater West Indies. These elements include lime washed stucco walls, decorative Flemish gables, broad gable and hipped roofs, tall vertically oriented casement and hung windows, exterior staircases, and cantilevered balconies. The characteristic massing elements of this style include balanced facades and two-story construction with an emphasis on

verticality. Due to the style's tropical vernacular building materials and construction type, it is naturally suited for South Florida climates.

The residence proposed for 722 South Lakeside Drive features an L shaped plan with a two-story garage placed at the required 50'-0" front setback. The garage is connected to the residence by a covered breezeway on an elevated patio. Although both the house and the garage are two stories, the base flood elevation requirements for finished living space places the first floor of the residence significantly higher than the elevation required for the garage space. By placing the garage forward of the residence, the additional foundation height required for the main house is offset when viewed from South Lakeside Drive, which assists in maintaining visual consistency amongst neighboring properties that were constructed with shorter foundations. The difference in required floor heights for inhabitable and uninhabitable space, as required in the Florida Building Code, is best illustrated on the section drawings provided in the architectural plan set, page 9 of **Attachment C**.

Per the streetscape elevation, page 5 of **Attachment C**, the proposed residence is designed to be at similar heights to the structures to the north and south. The front (west) facade of the two-story garage features a broad and simplified Flemish gable, compatibly sized casement windows, and a projecting cantilevered balcony with a vertically seamed metal shed roof. Composite wood colonial shutters and copper gutters and downspouts are also used to add functional ornament and interest to the building. The front (west) facade of the primary mass of the building utilizes a pair of Flemish gables at either end with a broad gable roof connecting the two while creating a covered balcony on the second floor. The fenestration rhythm and opening sizes are appropriate for the scale of the building.

Section 23.5-4(k)(3)(A) – Review/Decision

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.

Staff Analysis: The proposed building is consistent with the height of neighboring two-story buildings flanking the property, and is in harmony with the height of other two-story historic properties in the district.

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

Staff Analysis: The building is taller than most buildings on 50'-0 wide parcels, but the increase in height is largely due to the increase in finish floor height requirements in the Florida Building Code. All new construction within flood prone areas within the city's historic districts will have to be constructed at higher elevations than previously required.

- (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.

Staff Analysis: The proposal is new construction and not an addition to a landmarked or contributing building, but the openings are appropriately sized and in harmony with visually related buildings.

- (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.

Staff Analysis: Each façade features a rhythm of solids to voids with window and door openings that avoid long, unbroken walls.

- (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.

Staff Analysis: The proposed building adheres to setback requirements within the current zoning code.

- (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.

Staff Analysis: The proposed design partially obscures the front entrance porch as the garage structure is placed in front of the main massing of the residence. Although this is an atypical configuration for structures within the historic district, the placement of the garage in front of the building helps mask the substantial increases in floor height from neighboring parcels.

- (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.

Staff Analysis: The building will be concrete block finished with stucco and will utilize a vertically seamed metal roof, which is typical for the style and utilized independently on structures throughout the 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.

Staff Analysis: The Flemish gable roofs are consistent for contemporary interpretations of Anglo-Caribbean residential architecture.

(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 insure visual compatibility of the building to the buildings and places to which it is visually related.

Staff Analysis: The new wood fences are setback from the front façade, which creates visual compatibility with the new structure and overall streetscape.

(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.

Staff Analysis: The size, massing, and other visual qualities of the proposed new construction are compatible and in harmony with visually related properties.

(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.

Staff 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 compatible with other residential structures on the block.

(12) 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.

Staff Analysis: This requirement is not applicable to the new construction project on a vacant property.

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

Staff Analysis: Staff has conditioned that mechanical equipment shall not be visible from primary facades.

(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.

Staff Analysis: Staff has conditioned that mechanical equipment shall not be visible from primary facades.

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

Staff Analysis: The proposal includes an extensive landscape plan, included in this report as **Attachment D**. The driveway for the structure is side-loaded to the south and the garage bays are located on the south side of the structure, obscuring its prominence.

B. In considering certificates of appropriateness for new buildings or structures, which will have more than one primary facade, such as those on corner lots facing more than one street, the HRPB shall apply the visual compatibility standards to each primary facade.

Staff Analysis: Not applicable, the subject property only has street frontage on South Lakeside Drive.

Historic Preservation Design Guidelines

Each historic district in Lake Worth Beach is made of many architectural styles. These buildings and homes were built over time, with different hands, and in a manner or style that was in favor at the time. The historic districts of Lake Worth Beach are authentic and showcase a diversity of architectural styles. New construction within the districts should take the primary styles into consideration when contemplating the design of a new building. While it is understood that new buildings will not be built exactly the same way their historic neighbors were, there should be a conscious effort to be compatible with and take inspiration from the historic fabric. Pursuant to page 216 of the City's Historic Preservation Design guidelines, **new construction can be designed utilizing the architectural language of one of the 10 defined primary styles, or an alternate 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. Additionally, this approach will result in mediocre architecture at best. **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.**

Staff Analysis: The proposed design utilizes elements commonly found in the Anglo-Caribbean architectural style. As this architectural style is not covered in the City's Design Guidelines, staff has included an excerpt from the Jensen Beach Architectural Standards that discusses Anglo-Caribbean architecture (**Attachment F**). The document was created by Treasure Coast Regional Planning Council, the same consultant that developed the City's Historic Preservation Design Guidelines. This document is meant to be purely educational.

The structure's design utilizes elements found in the Anglo-Caribbean architectural style, such as a smooth stucco finish, simple wood or wood-look detailing (columns, rafters, and shutters), and Flemish gable roofs. Windows and doors with divided-light patterns are also utilized which are common features of Anglo-Caribbean architecture. The roofing material is currently proposed as a metal roof in white, which is consistent with contemporary interpretations of the style, as traditional Anglo-Caribbean homes featured wood shingles and lime-washed tile roofs.

PUBLIC COMMENT:

At the time of publication of the agenda, Staff has received no public comment.

CONCLUSION:

The proposed application is consistent with the City's Land Development Regulations, as conditioned, and the structure's design is generally consistent with the Anglo-Caribbean architectural style and the Historic Preservation Design Guidelines requirements on site considerations. Therefore, staff recommends approval with conditions, as listed below.

Conditions of Approval

- 1) The windows and doors shall be wood, wood-clad, aluminum, vinyl, or fiberglass, and the windows shall utilize a historically compatible sill detail, subject to Staff review at permitting. All proposed exterior entry doors shall be compatible with the Anglo-Caribbean architectural style, and shall be subject to staff review at permitting.
- 2) All paired windows shall utilize a 4" to 6" wide mullion between windows. Wood trim, fiber-cement trim, or simulated stucco trim shall be utilized to replicate the appearance of historic window details.
- 3) The windows shall be recessed a minimum of two inches (2") in the wall, and shall not be installed flush with the exterior wall.
- 4) All divided-light patterns shall be created utilizing exterior raised applied triangular muntins. Exterior flat muntins or "grills between the glass" shall not be permitted.
- 5) The windows shall utilize glazing that is clear, non-reflective, and without tint. Low-E (low emissivity) is allowed but the glass shall have a minimum 70% 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.
- 6) The doors may utilize clear glass, frosted, obscure glass, or glass with a Low-E coating (70% minimum VLT). Tinted, highly reflective, grey, colored, etched, or leaded glass shall not be used.
- 7) A window and door schedule shall be submitted at permitting that includes product types, glazing, frame finish and dimensions.
- 8) The structure shall utilize a smooth stucco exterior finish.
- 9) All exterior detailing such as rafter tails, trim, sills, railings, posts, beams, bracketed overhangs, and faux vents shall be constructed out of wood or a wood-look material and shall be compatible with the Anglo-Caribbean architectural style and shall be subject to staff review at permitting.
- 10) The metal roof panels shall have a white or mill finish.
- 11) The metal panel seams shall not exceed 1-inch in height.
- 12) The garage door design shall be compatible with the Anglo-Caribbean architectural style and shall be subject to staff review at permitting.
- 13) Detailed square footage calculations shall be submitted to indicate the project complies with the building lot coverage maximum and floor area ratio (FAR), subject to staff review at permitting.

- 14) All improved surfaces shall be setback a minimum of 1'-0" from property lines to allow for adequate water runoff within the property boundary.
- 15) The improved surfaces in the front yard shall not exceed 25% of the front yard area, subject to staff review at permitting.
- 16) The pavers shall have a percolation rate of at least 50% relative to the ground percolation rate.
- 17) The living space above the garage shall not be granted an additional utility meter from the Public Utilities Department and shall not be issued a separate rental license from the Lake Worth Beach Business License Division.
- 18) The applicant shall submit a complete site plan for permitting, subject to staff review, that includes but is not limited to: location of the property line and rights-of-way; location and dimensions of driveways, pools, walls, walkways, mechanical equipment (pool equipment and condensing units) and all site features; the outlines of all proposed buildings showing their setbacks; location, dimensions and detail of all perimeter treatment (public sidewalks, curb cuts, and street names); and layout and location of all off-street parking as consistent with the City's Land Development Regulations.

POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Number 21-00100129 with staff recommended conditions for a Certificate of Appropriateness (COA) for the new construction of a +/- 4,435 square foot single-family residence at **722 South Lakeside Drive**, based upon the competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements.

I MOVE TO **DENY** HRPB Project Number 21-00100129 for a Certificate of Appropriateness (COA) for the new construction of a +/- 4,435 square foot single-family residence at **722 South Lakeside Drive**, because the Applicant has not established by competent substantial evidence that the application is in compliance with the City of Lake Worth Beach Land Development Regulation and Historic Preservation requirements.

ATTACHMENTS:

- A. Property Survey
- B. Current Photos
- C. Architectural Plans
- D. Landscape Plan
- E. Applicant Justification Statement
- F. Jensen Beach Architectural Standards



MEMORANDUM DATE: June 9, 2021

AGENDA DATE: June 16, 2021

TO: Chair and Members of the Historic Resources Preservation Board

RE: **326 Columbia Drive**

FROM: Jordan Hodges, Senior Preservation Coordinator
Abraham Fogel, Preservation Planner
Department for Community Sustainability

TITLE: HRPB Project Number 21-00100135: Consideration of Certificate of Appropriateness (COA) for roof replacement and an Unreasonable Economic Hardship Application for an Income Property for the property located at **326 Columbia Drive**; PCN #38-43-44-15-06-001-0110. The subject property is a contributing resource within the College Park Local Historic District and is located within the Single-Family Residential (SF-R) zoning district.

OWNER: Diana Mayo
325 Maryland Drive
Lake Worth Beach, FL 33460

PROPERTY DEVELOPMENT HISTORY:

The single-family residence located at 326 Columbia Drive was commissioned by Mr. C. Blinn in 1947. The property was designed by local Lake Worth architect Arthur L. Weeks in a Masonry Vernacular architectural style. The architectural plan set from the building's construction is included as **Attachment A**. The Florida Master Site File for 326 Columbia Drive from the 1996 historic survey of the College Park is included as **Attachment B**. The drawings illustrate a building of block construction with an asymmetrical front façade, stucco exterior, awning windows, a decorative wrought iron porch, and a cross gable roof with shingles. The architectural drawings do not describe whether the shingles were originally asphalt or concrete, but staff was unable to locate a permit card in the property file indicating that the original roof was ever replaced. At some point in the building's history, the wrought iron front porch was converted into a partially enclosed screen room, but overall, the building maintains a high degree of the seven aspects of historic integrity: location, setting, design, workmanship, materials, feeling, and association. Current photos of the property are included as **Attachment C**.

PROJECT DESCRIPTION:

The property owner, Diana Mayo, is requesting a Certificate of Appropriateness to replace the existing flat white concrete tile roof with new dimensional asphalt shingles. The request is accompanied by an Unreasonable Economic Hardship application for an Income Property (LDR Section 23.5-4(1)(4)). The subject property is located on the north side of Columbia Drive, between Dixie Highway and North Federal Highway. The property is located in the Single-Family Residential (SF-R) zoning district and has a Future Land Use (FLU) designation of Single Family Residential (SFR).

The application will require the following approval:

- 1. COA for roof replacement accompanied by an Unreasonable Economic Hardship Application

PROJECT BACKGROUND:

In February of 2021, building permit application #21-646 was submitted by the applicant’s contractor for the replacement of the existing flat white concrete tile roof with a new dimensional asphalt shingle roof. On March 5, 2021, Abraham Fogel, Preservation Planner for the City of Lake Worth Beach, disapproved the permit application as the request was not in compliance with the Historic Preservation Design Guidelines section of compatible replacement options for flat white concrete tile roofs. Due to the increase in cost between a Design Guideline compliant flat white concrete tile roof and the requested asphalt shingle roof, the property owner submitted an Unreasonable Economic Hardship application on May 5, 2021. The application was then scheduled for the June HRPB meeting.

STAFF RECOMMENDATION:

The request is not in compliance with the Lake Worth Beach Historic Preservation Design Guidelines criteria for compatible roof replacement. Staff recommends that the Board review the criteria and documentation supplied by the applicant to determine if replacing the roof with a new Design Guidelines compliant roof would pose an unreasonable economic hardship for the property owner.

PROPERTY DESCRIPTION:

Owner	Diana Mayo
General Location	North side of Columbia Drive between Dixie Highway and North Federal Highway
PCN	38-43-44-15-06-001-0110
Zoning	Single Family Residential (SF-R)
Existing Land Use	Single-Family Residence
Future Land Use Designation	Single Family Residential (SFR)



Consistency with the Comprehensive Plan

The proposed project is not in compliance with Policy 3.4.2.1 which requires that properties of special value for historic, architectural, cultural, or aesthetic reasons be restored and preserved through the enforcement of the City’s Historic Preservation Ordinance to the extent feasible. Per the City’s Historic Preservation Ordinance (LDR Sec. 23.5-4), the Lake Worth Beach Historic Preservation Design Guidelines, and the Secretary of Interior Standards for Rehabilitation, the replacement of features should be substantiated by documentary, physical, or pictorial evidence. The contributing resource at 326 Columbia Drive currently has a flat white concrete tile roof which appears to be original to the structure.

HISTORIC PRESERVATION ANALYSIS:

Historic Preservation Design Guidelines Analysis

The City’s Historic Preservation Design Guidelines provide a guide for compatible roof replacement for structures within the historic districts based off of the structure’s architectural style. Replacement products for historic structures should match the original features in design, color, texture, and other visual qualities and, where possible, materials. Pages 53-64 of the City’s Historic Preservation Design Guidelines, included as **Attachment D**, provide a guide for compatible roof types for Masonry Vernacular Structures. Per the Design Guidelines, Masonry Vernacular roofs for buildings constructed after 1930 were typically flat white concrete tile, or occasionally asbestos shingle or white glazed barrel tile.

Pages 205 and 206 of the Design Guidelines, included as **Attachment E**, provide a guide for roof replacement. Examples are provided of *successful*, *less successful*, and *unsuccessful* replacement:



Roof material is an important character-defining feature for a historic property. Per the Design Guidelines, new flat white concrete tiles are the only successful replacement options for original flat white tile roofs. Flat white concrete tiles that replicate historic tile profiles and dimensions are still in production today, and could be utilized as the replacement roofing material.

It is the analysis of staff that the proposed change to dimensional asphalt shingles could negatively affect the historic character of the property. Masonry Vernacular residential structures throughout Lake Worth Beach were designed with an emphasis placed on horizontality. This style of architecture primarily used flat white concrete tiles as a roofing material. The buildings are typically linear in appearance, often one story, and utilized horizontal details in the windows and doors. The roofing materials for these buildings continued this theme, with thick concrete tiles laid in horizontal rows creating a visually stepped appearance towards the high point of the roof. Asphalt shingles are labeled as an unsuccessful

replacement option for original concrete tiles, as the proportions, dimensions, material, and related visual qualities are not consistent with tiles.

Certificate of Appropriateness

Exterior alterations to structures within a designated historic district are subject to visual compatibility criteria. The applicant has requested approval for dimensional asphalt shingles. The HRPB, as tasked in the LDR Sec. 23.2-7(C)(7), shall review the request and supporting exhibits to determine if a Certificate of Appropriateness may be granted. 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.

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: The applicant has submitted a request for a COA for the replacement of the existing flat white concrete tile roof for a new dimensional asphalt shingle roof. The request is accompanied by a request for relief through an Unreasonable Economic Hardship application.

- 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 roof replacement will have no direct physical effect on any surrounding properties within the surrounding College Park Local Historic District, but could impact the character of the surrounding 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: The structure currently has a flat white concrete tile roof, which is a character defining roof material for Masonry Vernacular residences. The request to install a new asphalt shingle roof will alter the design, arrangement, texture, material, and potentially color, of the contributing resource's roof.

- 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 carried out in a reasonable time frame.

- 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 City’s Historic Preservation Design Guidelines place significant importance on compatible roofing materials and roof replacement. A request for an asphalt shingle roof does not satisfy the requirements of the Historic Preservation Design Guidelines or the Secretary of Interior Standards as asphalt shingle roofs are not visually compatible replacement options for flat white concrete tiles.

- 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’s Florida Master Site File was included as part of the designation report for the College Park Local Historic District. The building has a high level of historic integrity and maintains many of its original character-defining features. Replacing the existing flat white concrete tile roof with a new asphalt shingle roof does not pose the least possible adverse effect, as the roof could be replaced in-kind with a new flat concrete tile in white.

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

2. In approving or denying applications for certificates of appropriateness for alterations and additions, the city shall also consider the following additional guidelines: *Landmark and contributing structures:*

- 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?

Staff 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.

Staff Analysis: The existing character-defining flat white concrete tile roof would be removed if the application is approved.

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

Staff Analysis: Many masonry structures from the 1940’s and 1950’s on Columbia Drive have lost their concrete tile roofs over time. They have largely been replaced with asphalt shingles. A change from flat white concrete tiles to asphalt shingles would not be visually incompatible with neighboring properties.

UNREASONABLE ECONOMIC HARDSHIP ANALYSIS:

LDR Section 23.5-4 (I)

According to the City of Lake Worth Beach, Land Development Regulations, Section, 23.5-4(I)(1), no decision of the development review officer, HRPB, or the city commission shall result in an unreasonable economic hardship for the property owner. The HRPB shall have the authority to determine the existence of an unreasonable economic hardship in accordance with the criteria set forth in this section. The applicant shall have the burden of proving by substantial competent evidence that denial of a certificate of appropriateness or imposition of conditions on a certificate of appropriateness have caused or will cause an unreasonable economic hardship for the owner of the property. The following addresses the submission of evidence with respect to the applicant's requested economic hardship.

City of Lake Worth Land Development Regulation Section 23.5-4(I), *Supplemental standards to determine if unreasonable economic hardship exists*, has been included in this staff report as **Attachment F**. The applicant's COA Application, Unreasonable Economic Hardship Affidavit, Justification Statement, and supporting materials are included in this report as **Attachment G**.

LDR Section 23.5-4(I)(3): Evidence considered for all property

- A. Whether the owner knew or should have known of the landmark or historic district designation at the time of acquisition and whether the structure or district was designated subsequent to acquisition.

Staff Response: Per the applicant's affidavit, she did not know at the time of acquisition that the property was located within a historic district. The property's ownership was transferred in May of 2018 from parent to daughter through a quit deed and there was no payment or financing.

- B. The amount paid for the property, the date of purchase and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between seller and buyer.

Staff Response: Per the applicant's affidavit, the property's ownership was transferred in May of 2018 from parent to daughter through a quit deed and there was no payment or financing.

- C. The form of ownership of the property, whether sole proprietorship, for profit or not-for-profit corporation, limited partnership, joint venture or other form, and whether or not it is a homestead property.

Staff Response: Per the applicant's affidavit, the property is owned in a sole proprietorship with the intended use as a rental property, not a homesteaded property.

- D. An estimate of the cost of the proposed construction, alteration, demolition or removal.

Staff Response: Per the applicant’s affidavit, roof replacement proposals from two (2) different companies are provided in the application, **Attachment G**.

Per staff’s review of the materials, two companies, Master Contractors, Inc. and Total Home Roofing provided estimates for replacing the roof with flat white concrete tiles and asphalt shingles.

CONTRACTOR	MATERIAL	QUOTE
Master Contractors, Inc.	GAF Timberline Asphalt Shingle	\$9,200.00
Master Contractors, Inc.	Boral Flat Tile (or equivalent)	\$16,800.00
Total Home Roofing	Architectural Asphalt Lifetime Shingles	\$13,890.00
Total Home Roofing	Tile	\$19,800.00

- E. The assessed value of the property according to the two (2) most recent assessments.

Staff Response: Per Palm Beach County Property Appraiser, in 2020 the property had an assessed land value of \$130,000 and an improvement value of \$164,952 with a total market value of \$294,952. In 2019, the property had an assted land value of \$120,000 and an improvement value of \$153,170 with a total market value of 273,170.

- F. The real estate taxes for the previous two (2) years.

Staff Response: Per the Palm Beach County Constitutional Tax Collector, the real estate taxes totaled \$7,445.53 in 2020 and \$6,980.49 in 2019.

- G. Annual debt service or mortgage payments if any, for the previous two (2) years.

Staff Response: Per the applicant’s affidavit, there was no mortgage payments made over the previous two (2) years.

- H. All appraisals obtained within the previous two (2) years by the owner or applicant in connection with the purchase, financing or ownership of the property.

Staff Response: Not applicable, item E indicates the most recent assessments of the property’s value.

- I. Any information that the property is not marketable or able to be sold, considered in relation to any listing of the property for sale or rent, price asked and offers received, if any, within the previous two (2) years, including testimony and relevant documents regarding:
 - (a) Any real estate broker or firm engaged to sell or lease the property.

- (b) Reasonableness of the price or rent sought by the applicant.
- (c) Any advertisements placed for the sale or rent of the property.

Staff Response: Not applicable. The applicant does not intend on selling the property.

- J. Any Phase I or any other environmental analysis prepared for the site.

Staff Response: Not Applicable.

- K. Any information regarding the unfeasibility of adaptive or alternative uses for the property that can earn a reasonable economic return for the property as considered in relation to the following:

- (a) A report from a professional engineer registered in the State of Florida or an architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation.

Staff Response: Not provided by the applicant. The structural soundness of the structures is not in question.

- (b) An estimate of the costs of construction, alteration, demolition or removal and an estimate of any additional cost that would be incurred to comply with the recommendation and decision of the HRPB concerning the appropriateness of the proposed alterations.

Staff Response: Staff directs attention to criterion D and evidence submitted in **Attachment G**.

- (c) The estimated market value of the property in its current condition, after completion of the demolition, after completion of the proposed construction and after renovation of the existing property for continued use.

Staff Response: Per the applicant's affidavit, "I have provided an assessment issued by the city for estimated market value. I'm not sure of the after-construction market value."

- (d) In the case of a proposed demolition, an estimate from an architect, developer, licensed contractor, real estate consultant, appraiser or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property.

Staff Response: Per the applicant's affidavit, "We provided them as previously mentioned."

(e) Financial documentation of the ability to complete the replacement project, which may include, but is not limited to, a performance bond, a letter of credit or a letter of commitment from a financial institution.

Staff Response: Per the applicant’s affidavit, “We would not be applying for financial assistance.”

(f) The fair market value of the property, as determined by at least two (2) independent certified appraisals.

Staff Response: Per the applicant’s affidavit, “We’re not able to afford two independent appraisals at this time.”

L. Any state or federal income tax returns relating to the property or the owner for the past two (2) years. These forms may be redacted for confidentiality purposes.

Staff Response: A Schedule 1 Form 1040 from 2019 was provided and is included in **Attachment G**.

M. Any other information considered necessary by the HRPB in making its determination.

Staff Response: Per the applicant’s affidavit, “Only applicable if the HRPB requests additional information.”

LDR Section 23.5-4(l)(4): Evidence considered for income property (actual or potential)

A. Annual gross income from the property, if any, for the previous two (2) years.

Staff Response: Per the applicant’s affidavit addendum, “\$4,200 for 2019 and \$14,600 collected for 2019. A total of \$18,800.

B. Depreciation deductions and annual cash flow, if any, for the previous two (2) years, before and after debt service.

Staff Response: Per the applicant’s affidavit addendum, “N/A”.

C. Status of leases, rentals or sales for the previous two (2) years

Staff Response: Per the applicant’s affidavit addendum, “1/2019 through 3/2019 (tenant’s name), property remained vacant till end of 2019. New tenant least 1/2020 through 12/2020 (tenant’s name – they fell \$8,400 behind during Pandemic).” See **Attachment G**, Unreasonable Economic Hardship Affidavit Addendum for full details.

- D. Itemized operating and maintenance expenses for the previous two (2) years, including proof that adequate and competent management procedures were followed.

Staff Response: The Applicant provided a list of operating and maintenance expenses for the property. See **Attachment G**, Unreasonable Economic Hardship Affidavit Addendum for full details.

- E. Any other information considered necessary by the HRPB in making its determination as to whether or not the property does yield or may reasonably yield a reasonable economic return to the owners.

Staff Response: Per the applicant’s affidavit addendum, “No other information to add.”

- F. Any state or federal income tax returns relating to the property for the past two (2) years. These returns may be redacted for confidentiality purposes.

Staff Response: Per the applicant’s affidavit addendum, “I have attached Reference #F (Supplemental Income & Loss)”. See **Attachment G**, Unreasonable Economic Hardship Affidavit Addendum and supporting materials for full details.

Alternative remedies per LDR Section 23.5-4(l)(7)

If the HRPB determines that the applicant has proved that an unreasonable economic hardship exists, it shall consider whether other relief is available that will not result in unreasonable economic hardship but which will provide the least adverse effect on the site or its historic, architectural, archeological or cultural features. If found, and within its power, the HRPB may grant this relief, or grant the requested relief with appropriate conditions attached thereto, so as to insure the least possible adverse effect on the historic property which does not result in unreasonable economic hardship.

Staff Response: Staff defers to the Board to determine if there are alternative remedies that will not result in unreasonable economic hardship and will have the least adverse effect on the contributing resource.

Issuance of certificate per LDR Section 23.5-4(l)(8):

If, after full consideration of all other possible relief, the HRPB determines that unreasonable economic hardship shall result unless the specific relief requested is granted, the HRPB shall promptly grant the certificate of appropriateness for such relief.

PUBLIC COMMENT:

At the time of publication of the agenda, Staff has received no public comment.

CONCLUSION:

The request is not in compliance with the Lake Worth Beach Historic Preservation Design Guidelines criteria for compatible roof replacement. The City’s historic preservation ordinance tasks the Board to review the criteria and documentation supplied by the applicant and determine if replacing the roof with a new Design Guidelines compliant roof would pose an unreasonable economic hardship for the property owner. Should the Board determine that replacing the roof with a Design Guidelines complaint roof would cause an unreasonable economic hardship, staff has included conditions of approval to help mitigate the visual impact.

Conditions of Approval

1. The replacement roof shall utilize dimensional or architectural asphalt shingles. Three-tab shingles shall not be approved.
2. The asphalt shingles shall be white, or light grey if white is not available.

POTENTIAL MOTIONS:

I MOVE TO **APPROVE** HRPB Project Number 21-00100135 for a Certificate of Appropriateness (COA) for roof replacement with asphalt shingles due to an unreasonable economic hardship for the property located at **326 Columbia 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 21-00100135 for a Certificate of Appropriateness (COA) for roof replacement with asphalt shingles for the property located at **326 South Lakeside Drive**, because the applicant has not established by competent substantial evidence that the request is consistent with the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements and because replacing the roof with a Design Guidelines compliant roof does not pose an unreasonable economic hardship.

ATTACHMENTS:

- A. Property File Documentation
- B. 1996 Historic Survey Report
- C. Current Photos
- D. LWBHPDG Masonry Vernacular
- E. LWBHPDG Roof Replacement
- F. Sec. 23.5-4(L) Economic Hardship
- G. Economic Hardship Application and Supporting Materials



DATE: June 9, 2021

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

FROM: William Waters, Director Community Sustainability

MEETING: June 16, 2021 & June 23, 2021

SUBJECT: **PZB/HRPB 21-00400002 (Ordinance 2021-10)**: Consideration of an ordinance to Chapter 23 “Land Development Regulations” regarding changes to floodplain management standards for manufactured homes as required by FEMA.

BACKGROUND/ PROPOSAL:

The subject amendments were drafted based on guidance provided by the Florida Department of Emergency Management’s Floodplain Management Office to local governments participating in the FEMA Community Rating System (CRS). The City currently has a CRS Class 7 rating, which entitles residents to a 15% reduction in their Federal Flood Insurance rates. Last year, FEMA announced new prerequisite requirements to obtain or retain a CRS Class 8 rating or lower. If the subject amendments are not adopted, then the City’s CRS rating would automatically become a Class 9. This would reduce the Federal Flood Insurance discount to 5% for residents. The subject amendments were recommended by both the Florida Department of Emergency Management and the City’s Floodplain Administrator. There is not anticipated to be any impact within the City’s boundaries as the existing manufactured and mobile home parks are all located outside the special flood hazard area.

The proposed amendments would modify the following sections of the LDR in Chapter 23 of the City’s Code of Ordinances:

- Article 7, Section 23.7-10 - Definitions
- Article 7, Section 23.7-14 - Manufactured Homes

Definitions: The proposed amendments will delete obsolete definitions as guided by FEMA and the Florida Department of Emergency Management.

Definitions: The proposed amendments will require the elevation of manufactured homes consistent with base flood elevation requirements within the special flood hazard area. There are no manufactured or mobile home parks within the special flood hazard area in the City.

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Board and Historic Resources Preservation Board recommend that the City Commission adopt PZB/HRPB 21-00400002 (Ordinance 2021-10).

POTENTIAL MOTION:

I move to RECOMMEND/NOT RECOMMEND TO THE CITY COMMISSION **TO ADOPT** the proposed LDR text amendments included in PZB/HRPB 21-00400002 (Ordinance 2021-10)

Attachments

- A. Draft Ordinance 2021-10

1
2
3 **ORDINANCE 2021-10 - AN ORDINANCE BY THE CITY COMMISSION**
4 **OF THE CITY OF LAKE WORTH BEACH AMENDING CHAPTER 23 OF**
5 **THE LAKE WORTH BEACH CODE OF ORDINANCES RELATED TO**
6 **FLOODPLAIN MANAGEMENT STANDARDS FOR MANUFACTURED**
7 **HOMES AND PROVIDING FOR IDENTICAL ELEVATION STANDARDS;**
8 **PROVIDING FOR APPLICABILITY, SEVERABILITY, CONFLICTS,**
9 **CODIFICATION, AND AN EFFECTIVE DATE.**

10
11 WHEREAS, the City Commission of the City of Lake Worth Beach, Florida (“the
12 City”), pursuant to the authority granted in Chapters 163 and 166, Florida Statutes, is
13 authorized to adopt regulations designed to promote the public health, safety, and general
14 welfare of its citizenry; and

15
16 WHEREAS, the City has adopted floodplain management regulations as set forth
17 in Chapter 23, Land Development Regulations, Article 7. Floodplain Management, of the
18 City Code of Ordinances “the Floodplain Management Ordinance”); and

19
20 WHEREAS, the Federal Emergency Management Agency has identified special
21 flood hazard areas within the boundaries of the City of Lake Worth Beach and such areas
22 may be subject to periodic inundation which may result in loss of life and property, health
23 and safety hazards, disruption of commerce and governmental services, extraordinary
24 public expenditures for flood protection and relief, and impairment of the tax base, all of
25 which adversely affect the public health, safety and general welfare, and

26
27 WHEREAS, the City was accepted for participation in the National Flood Insurance
28 Program on August 2, 1974 and the City Commission desires to continue to meet the
29 requirements of Title 44 Code of Federal Regulations, Sections 59 and 23, necessary for
30 such participation; and

31
32 WHEREAS, the City Commission has determined that it is in the public interest to
33 amend the Floodplain Management Ordinance accordingly.

34
35 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
36 **CITY OF LAKE WORTH BEACH, FLORIDA, that:**

37
38 **Section 1.** The foregoing recitals are incorporated herein by reference and made
39 a part hereof.

40
41 **Section 2.** Chapter 23, Land Development Regulations, Article 7. Floodplain
42 Management, Section 23-7-10, Definitions, is hereby amended as follows (words stricken
43 are deletions; words underlined are additions):

44
45 Sec. 23-7-10. Definitions.

46
47 ~~Existing manufactured home park or subdivision: A manufactured home park~~
48 ~~or subdivision for which the construction of facilities for servicing the lots on~~
49 ~~which the manufactured homes are to be affixed (including, at a minimum, the~~

50 installation of utilities, the construction of streets, and either final site grading or
51 the pouring of concrete pads) is completed before November 6, 1978.

52
53 ~~Expansion to an existing manufactured home park or subdivision: The~~
54 ~~preparation of additional sites by the construction of facilities for servicing the~~
55 ~~lots on which the manufactured homes are to be affixed (including the~~
56 ~~installation of utilities, the construction of streets, and either final site grading or~~
57 ~~the pouring of concrete pads).~~

58
59 ~~New manufactured home park or subdivision: A manufactured home park or~~
60 ~~subdivision for which the construction of facilities for servicing the lots on which~~
61 ~~the manufactured homes are to be affixed (including at a minimum, the~~
62 ~~installation of utilities, the construction of streets, and either final site grading or~~
63 ~~the pouring of concrete pads) is completed on or after November 6, 1978.~~

64
65

66 **Section 3.** Chapter 23, Land Development Regulations, Article 7. Floodplain
67 Management, Section 14, Manufactured Homes, is hereby amended as follows (words
68 stricken are deletions; words underlined are additions):

69 SECTION 23.7-14. - MANUFACTURED HOMES

70

71 a) *General.* All manufactured homes installed in flood hazard areas shall be
72 installed by an installer that is licensed pursuant to section 320.8249, F.S.
73 and shall comply with the requirements of Chapter 15C-1, F.A.C. and the
74 requirements of this ordinance. If located seaward of the coastal
75 construction control line, all manufactured homes shall comply with the
76 more restrictive of the applicable requirements.

77
78 1. Limitations on installation in floodways and coastal high hazard areas
79 (Zone V). New installations of manufactured homes shall not be
80 permitted in floodways and coastal high hazard areas (Zone V).

81
82 b). Foundations. All new manufactured homes and replacement manufactured
83 homes installed in flood hazard areas shall be installed on permanent,
84 reinforced foundations that:

85 1. In flood hazard areas (Zone A) other than coastal high hazard areas,
86 are designed in accordance with the foundation requirements of the
87 *Florida Building Code, Residential* Section R322.2 and this Chapter.
88 ~~Foundations for manufactured homes subject to Section 23.7-~~
89 ~~14(d)(2) of this Chapter are permitted to be reinforced piers or other~~
90 ~~foundation elements of at least equivalent strength.~~

91 2. In coastal high hazard areas (Zone V), are designed in accordance
92 with the foundation requirements of the *Florida Building Code,*
93 *Residential* Section R322.3 and this ordinance.

94 c) *Anchoring.* All new manufactured homes and replacement manufactured
95 homes shall be installed using methods and practices which minimize

96 flood damage and shall be securely anchored to an adequately anchored
 97 foundation system to resist flotation, collapse or lateral movement.
 98 Methods of anchoring include, but are not limited to, use of over-the-top
 99 or frame ties to ground anchors. This anchoring requirement is in
 100 addition to applicable state and local anchoring requirements for wind
 101 resistance.

102 d). ~~Elevation. Manufactured homes that are placed, replaced, or substantially~~
 103 ~~improved shall comply with subsections 23.7-14(d)(1) or (2) of this~~
 104 ~~ordinance, as applicable. All manufactured homes that are placed,~~
 105 ~~replaced, or substantially improved in flood hazard areas shall be elevated~~
 106 ~~such that the bottom of the frame is at or above the elevation required, as~~
 107 ~~applicable to the flood hazard area, in the *Florida Building Code,*~~
 108 ~~*Residential Section R322.2 (Zone A) or Section R322.3 (Zone V and*~~
 109 ~~*Coastal A Zone).*~~

110
 111 1. ~~General elevation requirement. Unless subject to the requirements of~~
 112 ~~Section 23.7-14(d)(2) of this ordinance, all manufactured homes that~~
 113 ~~are placed, replaced, or substantially improved on sites located: (a)~~
 114 ~~outside of a manufactured home park or subdivision; (b) in a new~~
 115 ~~manufactured home park or subdivision; (c) in an expansion to an~~
 116 ~~existing manufactured home park or subdivision; or (d) in an existing~~
 117 ~~manufactured home park or subdivision upon which a manufactured~~
 118 ~~home has incurred "substantial damage" as the result of a flood, shall~~
 119 ~~be elevated such that the bottom of the frame is at or above the~~
 120 ~~elevation required, as applicable to the flood hazard area, in the~~
 121 ~~*Florida Building Code, Residential Section R322.2 (Zone A) or*~~
 122 ~~*Section R322.3 (Zone V).*~~

123
 124 2. ~~Elevation requirement for certain existing manufactured home parks~~
 125 ~~and subdivisions. Manufactured homes that are not subject to Section~~
 126 ~~23.7-14(d)(1) of this Chapter, including manufactured homes that are~~
 127 ~~placed, replaced, or substantially improved on sites located in an~~
 128 ~~existing manufactured home park or subdivision, unless on a site~~
 129 ~~where substantial damage as result of flooding has occurred, shall be~~
 130 ~~elevated such that either the:~~

131 A. ~~Bottom of the frame of the manufactured home is at or above~~
 132 ~~the elevation required, as applicable to the flood hazard area,~~
 133 ~~in the *Florida Building Code, Residential Section R322.2 (Zone*~~
 134 ~~*A) or Section R322.3 (Zone V); or*~~

135 B. ~~Bottom of the frame is supported by reinforced piers or other~~
 136 ~~foundation elements of at least equivalent strength that are not~~
 137 ~~less than forty-eight (48) inches in height above grade.~~

138
 139
 140 **Section 4. Applicability.** This ordinance shall apply to all applications for
 141 development in the City of Lake Worth Beach, Florida, including building permit
 142 applications and subdivision proposals, submitted on or after the effective date of this
 143 ordinance.

144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191

Section 5: Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 6: Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 7: Codification. The sections of the ordinance may be made a part of the City Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "division", or any other appropriate word.

Section 14: Effective Date. This ordinance shall become effective 10 days after passage.

The passage of this ordinance on first reading was moved by _____, seconded by _____ and upon being put to a vote, the vote was as follows:

- Mayor Betty Resch
- Vice Mayor Herman Robinson
- Commissioner Sarah Malega
- Commissioner Christopher McVoy
- Commissioner Kimberly Stokes

The Mayor thereupon declared this ordinance duly passed on first reading on the _____ day of _____, 2021.

The passage of this ordinance on second reading was moved by _____, seconded by _____, and upon being put to a vote, the vote was as follows:

- Mayor Betty Resch
- Vice Mayor Herman Robinson
- Commissioner Sarah Malega
- Commissioner Christopher McVoy
- Commissioner Kimberly Stokes

The Mayor thereupon declared this ordinance duly passed on the _____ day of _____, 2021.

LAKE WORTH CITY COMMISSION
By: _____
Betty Resch, Mayor

192

193 ATTEST:

194

195 Deborah M. Andrea, City Clerk



MEMORANDUM DATE: June 9, 2021

AGENDA DATE: June 16, 2021

TO: Chair and Members of the Historic Resources Preservation Board

RE: **1130 South Lakeside Drive**

FROM: Jordan Hodges, Senior Preservation Coordinator
Abraham Fogel, Preservation Planner
Department for Community Sustainability

TITLE: **HRPB Project Number 20-00100273:** Consideration of a Certificate of Appropriateness (COA) for the construction of a new single-family structure located at **1130 South Lakeside Drive;** PCN #38-43-44-27-01-051-0010. The subject property is located in the Single-Family Residential (SF-R) zoning district and is located within the South Palm Park Local Historic District.

Continuance to a date certain