



AGENDA
CITY OF LAKE WORTH BEACH
HISTORIC RESOURCES PRESERVATION BOARD REGULAR MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, MARCH 08, 2023 -- 6:00 PM

ROLL CALL and RECORDING OF ABSENCES

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

APPROVAL OF MINUTES:

- A. [February 8, 2023 Meeting Minutes](#)

CASES

SWEARING IN OF STAFF AND APPLICANTS

PROOF OF PUBLICATION

WITHDRAWALS / POSTPONEMENTS

CONSENT

PUBLIC HEARINGS:

BOARD DISCLOSURE

UNFINISHED BUSINESS:

NEW BUSINESS:

- A. [HRPB Project Number 23-00100008](#): Consideration of a Certificate of Appropriateness for stucco repairs and six (6) historic waivers for the primary structure located at 501 North K Street. The subject property is located within the Single-Family and Two-Family Residential (SF-TF 14) zoning district and has a future land use designation of Medium Density Residential (MDR). The property is a contributing resource in the Northeast Lucerne Historic District.
- B. [HRPB Project Number 23-00100023](#): Consideration of a Certificate of Appropriateness for two (2) historic waivers and a parking space for the structure located at 319 North J Street. The subject property is located within the Mixed-Use Dixie Highway (MU-DH) zoning district and has a future land use designation of Mixed-Use East (MU-E). The property is a contributing resource in the Northeast Lucerne Historic District.
- C. [HRPB Project Number 23-00100002](#): Consideration of a Certificate of Appropriateness (COA) for window and door replacements for the property located at 232 Fordham Drive; PCN #38-43-44-15-06-007-3100. The subject property is a non-contributing resource to the College Park National and Local Historic District and is located in the Single-Family Residential (SFR) Zoning District.

PLANNING ISSUES:

PUBLIC COMMENTS: (3 minute limit)

DEPARTMENT REPORTS:

- A. Update regarding the 2023 Historic Preservation Awards Program. The Call for Nominations opens March 8, 2023 and is available on the City website. Nominations will close at 4pm on April 7, 2023.
- B. [Notice of condemnation and future demolition of the garage structure at 122 North L Street. The property is a contributing resource in the Northeast Lucerne Local Historic District.](#)

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, FEBRUARY 08, 2023 -- 6:00 PM

ROLL CALL and RECORDING OF ABSENCES: Present were- Stephen Pickett, Chairperson; Bernard Guthrie, Vice Chair-person; Robert D'Arinzo; Tricia Hallison-Mischler. Absent: Jamie Forman, Nadine Heitz. Also present were: Annie Greening, Senior Preservation Planner; Yeneneh Terefe, Preservation Planner; Erin Sita, Assistant Director for Community Sustainability; William Waters, Director for Community Sustainability; Peter Ringle, Building Official, Elizabeth Lenihan, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

The Call for Nominations (Historic Awards Program) will be added under Planning Issues.

APPROVAL OF MINUTES:

A. January 11, 2023 Regular Meeting Minutes

Motion: R. D'Arinzo moves to approve the January 11, 2023 minutes as presented; T. Hallison-Mischler 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 Provided in the meeting packet.

1) Ordinance 2023.02

WITHDRAWALS / POSTPONEMENTS None

PUBLIC HEARINGS:

BOARD DISCLOSURE None

UNFINISHED BUSINESS:

A. **HRPB Project Number 22-00100384:** Additional information requested by the HRPB at the January 11, 2023 meeting on the proposed demolition of the existing contributing single-family home at 338 Cornell Drive (West Lot), and an updated recommendation by staff.

Staff: In keeping with the previous request by the Board at the January meeting, City staff including the City Building Official, and Community Sustainability Director visited the site on January 20, 2023 with the owner. From that visit, it was determined the foundation and structural members would require extremely costly repairs with most of the structure needing to be replaced resulting in very little of the historic fabric intact. The level of deterioration could render repair and restoration infeasible. Demolition and total reconstruction were discussed for both the garage and house. Reconstruction would maintain the current footprint and exterior appearance; the garage entrance would be turned to the alley to permit practical access. A bond or letter of credit was proposed to guarantee the reconstruction within a time certain after demolition. As of the date of this meeting, the owner has indicated that is no longer an option. Five waivers have been proposed in order to settle the existing non-conformities associated with the reconstruction on the same footprint and facilitate the reconstruction. These include the front and east side setback for the primary structure, rear and west side setbacks for the garage and Floor Area Ratio (FAR). Photo documentation will be required to enable accurate reconstruction.

Board wants, at a minimum, the front façade to be preserved.

Applicant-Wes Blackman, AICP/Owner-Padraic Buckley agree with the Conditions of Approval.

Staff: W. Waters reminds all that some exploratory demolition will need to be done prior to construction documents becoming available. There will likely be a loss of some stucco to the front façade when tying in new joists. A timeline should be agreed upon. Exploratory demolition should be agreed upon with staff and will occur beyond the front facade. The garage is eligible for immediate demolition due to safety concerns.

Motion: B. Guthrie moves to approve HRPB 22-00100384 including associated waivers, with staff recommended Conditions of Approval based upon the competent, substantial evidence in the staff report, supplementary memorandum and pursuant to the City of Lake Worth Beach Land Development Regulations (LDR's) and Historic Preservation Guidelines. Additionally, the property shall be documented through photo's, floor plans and elevations. Additions to the rear shall not be visible from the street; R. D'Arinzo 2nd.

Vote: Ayes all, unanimous.

NEW BUSINESS:

- A. Ordinance 2023-02:** Consideration of an ordinance amending Chapter 23 "Land Development Regulations," Article 2 "Administration," Division 3 "Permits," Section 23.2-39 "Affordable/Workforce Housing Program" to provide clarification on the combination of incentives, qualifications for affordability, participation in other entity programs, and providing additional affordability buy downs provisions.

Staff: City Commission has recently requested staff to develop additional buydown options to provide additional housing affordability. The City requirements are more stringent than the County requirements. It would allow the City to lower income requirements by 15% if desired. In order to evaluate applications in the FY 2024, staff has advised there would be a need for an additional revenue stream to add an additional staff member.

Board: Asks about what programs the City has that can receive funding. These include: County funding programs, Sustainable Bonus Incentive Program, Affordable Housing. Transfer of Development Rights (TDR).

Public Comment: R. Stowe is in favor of the Ordinance.

Motion: R. D'Arinzo moves to recommend adoption of proposed LDR text amendments in Ordinance 2023.02 to the City Commission. T. Hallison-Mischler 2nd.

Vote: Ayes all, unanimous.

PLANNING ISSUES:

- A. Quarterly presentation by HRPB member to City Commission on board activities
 - Discussion of content of 5-minute update to City Commission and selection of member to present update.

The CLG report will be used as a starting point for cases heard by the Board. Awards program can be mentioned.

The Historic Preservation Awards Categories will be as follows:

Rehabilitation

Compatible New Construction/Addition

Pivotal Preservation

Staff has noted 6 projects that could potentially receive an award. The Board and public will be able to submit any projects from the previous five (5) years that have not been previously awarded and meet the criteria.

PUBLIC COMMENTS: (3-minute limit)

Cliff Kohlmeyer 503 1st Ave S: States CRA should be held accountable for the demolition by neglect of the L&M properties and the lack of a need for a COA.

David Sims 715 North L St: Is unhappy with the outcome of the L&M properties, it was intentionally bought out to let it deteriorate. The Board should have a part in the preservation.

Richard Stowe 414 N Federal Hwy: All the properties (L&M) are repairable, Level 3 Restoration. Speaks to the history of the Agnes Ballard property and that grants are available for restoration. Board should send a letter to the CRA regarding the grants.

DEPARTMENT REPORTS:

- A. Notice of condemnation and future demolition of five properties in the Old Town Local Historic District: 25 South K St, 30 South L St, 32 South L St, 704 1st Ave South, and 710 1st Ave South.

Staff: Since 2018 the structures have stood vacant, empty and deteriorating. In May 2022, at the direction of City Commission, an update was provided with regard to cost for renovations and existing conditions. It was reported that five (5) were deemed financially infeasible to restore and the remaining two (2) were appropriate for renovation. The Building Official, after visiting the site, declared the five as unsafe and provided condemnation reports. October 2022 brought the recommendation that the remaining two structures be tented for termite infestations. This notice fulfills the requirement for notification of Condemnation. The condemnation notice is the mechanism to alleviate unsafe structures (no Certificate of Appropriateness required) versus a request for Demolition which requires Board evaluation and motions. As these structures are listed only on the Local Historic District, no authority is given to the Board regarding the condemnation and subsequent demolition. That is for those parcels on the National Historic Registry.

BOARD MEMBER COMMENTS: Thank you to Mariana Gonzales for her volunteered time on the Board. Please advise those who have similar qualifications to apply for the vacant position if they have interest.

ADJOURNMENT: 8:15 PM



HISTORIC RESOURCES PRESERVATION BOARD REPORT

HRPB Project Number 23-00100008: Consideration of a Certificate of Appropriateness for exterior stucco repairs, and six (6) historic waivers for the primary structure located at 501 North K Street. The subject property is located within the Single-Family and Two-Family Residential (SF-TF 14) zoning district and has a future land use designation of Medium Density Residential (MDR). The property is a contributing resource in the Northeast Lucerne Historic District.

Meeting Date: March 8, 2023

Property Owner/Applicant: Kamal Ahmed

Address: 501 North K Street

PCN: 38-43-44-21-15-152-0320

Lot Size: 0.077 acre / 3,375 sf

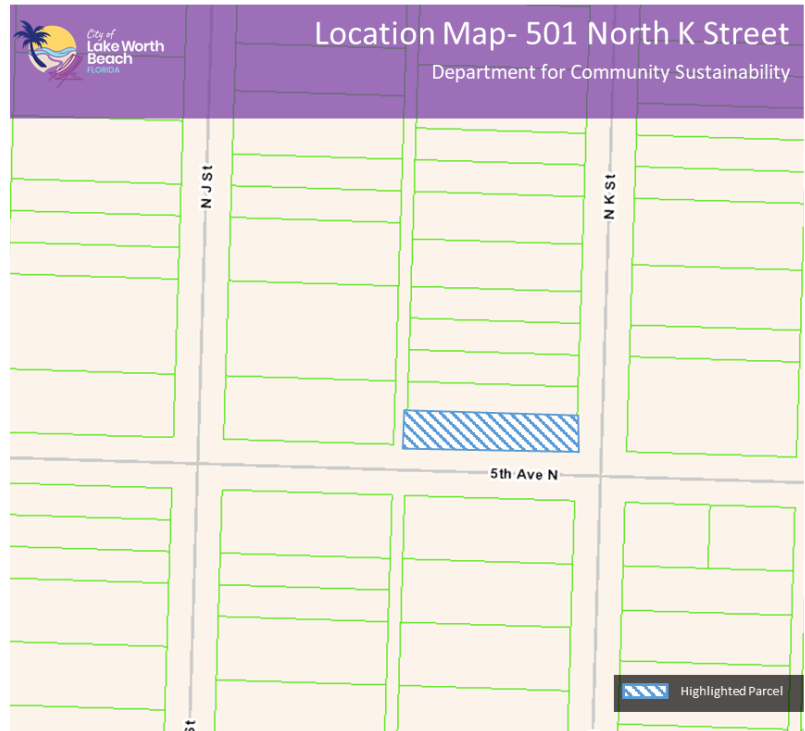
General Location: Northwest corner of North K Street and 5th Avenue North

Existing Land Use: Multi-Family Residential

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

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

Location Map



RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs) and for consistency with the Comprehensive Plan. Staff recommends approval with conditions, listed on page 4, for the Certificate of Appropriateness for stucco repairs and historic waivers for the minimum required front setback, north and south side setbacks, impermeable surface coverage, structure coverage, and Floor Area Ratio.

PROJECT DESCRIPTION

The property owner, Kamal Ahmed, is requesting six historic waivers for the existing primary structure at 501 North K Street. The property owner plans to repair the exterior stucco and renovate the interior of the primary structure, including repairs and replacement of existing framing, to facilitate the building's continued use as multi-family rental units. The City Building Official has determined that over 50% of the structural members will be replaced in the proposed renovation. Per the Building Code and Land Development Regulations (LDRs), the extent of the proposed renovations triggers the requirements that the structure be brought into compliance with the current Building Code and LDRs.

The structure does not comply with the current LDRs. The waivers, if approved, would allow the structure to retain its current front and side setbacks and exceed the allowed maximums for impermeable surfaces, structure coverage, and Floor Area Ratio. However, staff has added conditions of approval that would require the applicant to address non-conformities with the City's fence and landscaping requirements.

PUBLIC COMMENT

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

PROPERTY DEVELOPMENT HISTORY

The two structures at 501 North K Street were constructed c. 1925 in the Mission Revival and Wood Frame Vernacular architectural styles. The primary structure was originally used as a grocery store on the first floor with two apartment units on the second floor; the rear cottage has always been used as a single-family residence. The first story of the primary structure was converted to another apartment unit in 1971. Both buildings have undergone alterations over time, including window, door, and roof replacements, as well as various structural repairs due to termite damage, water damage, and damage from automobile accidents.

On October 12, 2022, the property owner applied for a remodeling permit for the primary structure at 501 North K Street. The application was disapproved by the Building Department on October 16th, with comments asking the applicant to schedule a meeting with the Building Official. The applicant met with Peter Ringle and was informed that the project would require historic waivers, as the work would replace over 50% of the structural members. The applicant re-submitted the permit on December 20, 2022, and it was disapproved again as no waivers had been requested or received.

Historic staff met with the property owner on January 12, 2023, and discussed the zoning non-conformities at 501 North K Street, as well as the process for requesting historic waivers from the HRPB. Staff received a completed COA application for six historic waivers and stucco repairs on February 3, 2023, and the project was placed on the March 2023 HRPB agenda.

A survey of the property is included as **Attachment A**, photos of the property are included as Attachment B, and the submitted plans for the renovations, conceptual landscape improvements, and the location of stucco repairs are included as **Attachment C**.

ANALYSIS

Consistency with the Land Development Regulations - Zoning

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

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

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

Waiver Requests		
LDR Citation	Required	Proposed
Minimum Front Setback (Section 23.3-8(c)3.A)	Minimum front setback of 20 feet	Existing front setback of 0-0.3 feet
Minimum Side Setback (Section 23.3-8(c)3.B(1))	Minimum 3-foot side setback for 25-foot lots	Existing south side setback of 0-0.3 feet
Minimum Side Setback (Section 23.3-8(c)3.B(1))	Minimum 3-foot side setback for 25-foot lots	Existing north side setback of 2.1 feet
Impermeable Surface Coverage (Section 23.3-8(c)5)	Maximum 60% impermeable coverage for small lots	Existing impermeable coverage at 65%
Structure Coverage (Section 23.3-8(c)6)	Maximum 40% structure coverage for small lots	Existing structure coverage at 60%
Floor Area Ratio (FAR) (Section 23.3-8(c)7)	Maximum 0.55 FAR for small lots	Existing FAR at 0.97

Pursuant to City of Lake Worth Beach LDR Sec. 23.5-4(r)(2), the HRPB may grant historic waivers if the requests meet the criterion listed in the section below. Staff has listed each criterion and provided responses for the historic waiver requests. Due to the building’s contributing status to the Northeast Lucerne Local Historic District, the application is eligible for relief from the land development requirements of Section 23.3-8, should the Board determine that the criterion is sufficiently met. The applicant has provided a Justification Statement for the requests and has provided responses for each request. The applicant’s justification statement is included in **Attachment D**.

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

Analysis: Due to the historic nature of the parcel’s development over time, particularly its original use as a mixed-use building, the existing c. 1925 primary structure currently encroaches on the front setback, the south side setback, and the north side setback. Inconsistencies with current setback requirements are common in the surrounding historic districts due to different development standards and practices in place over the course of the city’s development, and it is common for buildings with commercial uses, such as the historic grocery store use, to be built with little to no setback from adjacent sidewalks. The structure’s size and two-story height also bring the property over the permitted maximum lot coverage, structure coverage, and Floor Area Ratio. The structure’s size is indicative of many two-story commercial structures from the City’s early development in the 1920s, and is a unique reminder of the neighborhood’s development history. The proposed renovation and repairs will not further any of the existing non-conformities as the proposed work will take place within the existing footprint of the structure. Furthermore, staff has added conditions of approval that would reduce existing non-conformities with the City’s fence and

landscaping requirements. The existing structure is in harmony with the general appearance and character of the district. **Meets Criterion.**

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

Analysis: The project proposes to renovate and repair the existing primary structure for its continued use as multifamily rental units, while maintaining exterior appearance of the structure. It is staff's analysis that the project returns the structure to a safe, usable condition while maintaining its historic appearance. The design and arrangement of the building does not have a substantial aural or visual impact on adjacent properties; the building has existed in this size and location for nearly 100 years. **Meets Criterion.**

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

Analysis: Maintaining the structure in its current location will not be detrimental to public health, safety, or welfare. Staff has added conditions of approval that would reduce existing non-conformities with the City's fence and landscaping requirements, which will improve the property's appearance. **Meets Criterion.**

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

Analysis: Staff contends that the historic waivers requested are the minimum adjustment necessary to allow the proposed reasonable use of the existing multifamily building while maintaining its historic attributes. **Meets Criterion.**

CONCLUSION AND CONDITIONS

The proposed renovation project is designed to maintain the use of 501 North K Street as a multifamily residence, while providing necessary repairs to the structure, including the exterior stucco and the framing. The project as proposed adheres to the recommendations provided within the City's Historic Preservation Design Guidelines. Staff recommends approval for the request for a Certificate of Appropriateness for stucco repairs and historic waivers as the contributing structure meets the eligibility requirements for these requests and the proposed renovation and repair work would not preclude the continuation of the structure's contributing designation. However, staff has added conditions of approval that require the applicant comply with current requirements for fencing and landscaping.

Conditions of Approval:

1. The subject historic waivers, which allow the existing structures to be maintained as historically developed with no additions or expansions, are project specific, and shall only apply to the scope of work approved under this application. Should any structures on the parcel be destroyed, moved, demolished or redeveloped, then all such future development/redevelopment shall adhere to the current City of Lake Worth Beach Land Development Regulations at that time.
2. Stucco repairs shall be consistent with the existing stucco in style, color, and texture.
3. Prior to the issuance of a Certificate of Completeness (CC), the applicant shall decrease the property's non-conformities with the City's landscaping requirements in so far as feasible as reviewed and approved by staff through a landscape permit. The required landscape permit shall include a landscape plan that at a minimum removes all invasive species and adds native plant material to the site. All landscaping shall be installed prior to the issuance of a CC of the renovation building permit. Contact the City Horticulturalist, David McGrew, for more information.

4. The landscape plan shall identify a screened refuse bin storage area on the plan that is approved by the Public Works Department and the Department of Community Sustainability staff.
5. Prior to the issuance of a CC, the chain link fencing shall be removed. If replaced, the fence shall comply with Section 23.4-4 Fences, walls and gates.

BOARD POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Number 23-00100008 with staff recommended conditions for a Certificate of Appropriateness for stucco repair and six historic waivers for the primary structure located at 501 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 **DISAPPROVE** HRPB Project Number 23-00100008 for a Certificate of Appropriateness for stucco repair and six historic waivers for the primary structure located at 501 North K 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.

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

ATTACHMENTS

- A. Property Survey
- B. Photos
- C. Plan Set
- D. Justification Statement



HISTORIC RESOURCES PRESERVATION BOARD REPORT

HRPB Project Number 23-00100023: Consideration of a Certificate of Appropriateness for two (2) historic waivers located at 319 North J Street. The subject property is located within the Mixed-Use Dixie Highway (MU-DH) zoning district and has a future land use designation of Mixed-Use East (MU-E). The property is a contributing resource in the Northeast Lucerne Historic District.

Meeting Date: March 8, 2023

Property Owner/Applicant: Dennis Baker

Address: 319 North J Street

PCN: 38-43-44-21-15-086-0230

Lot Size: 0.077 acre / 3,375 sf

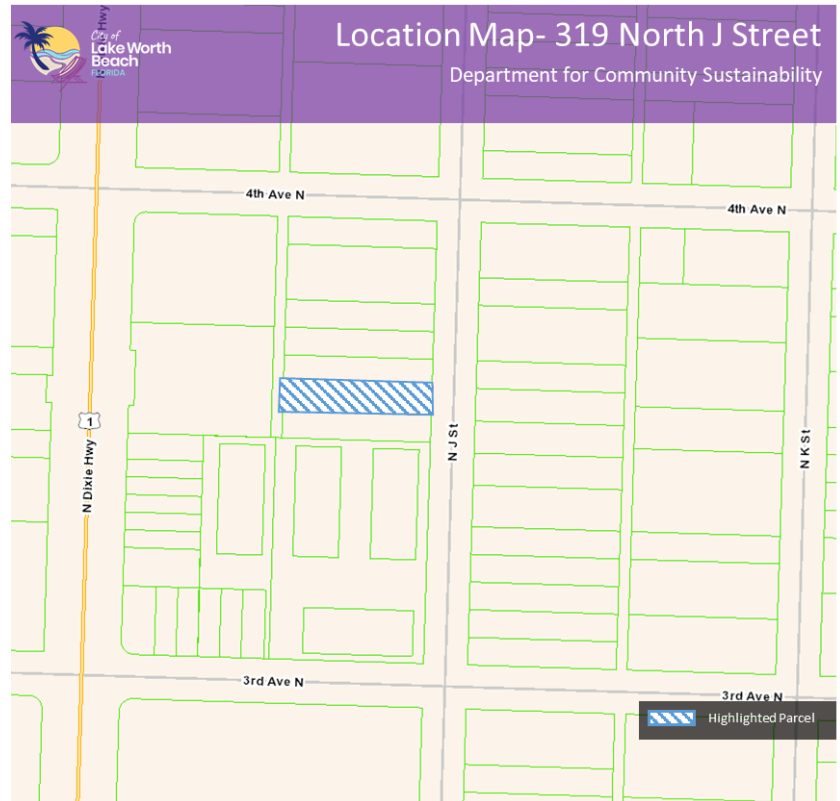
General Location: West side of North J Street between 3rd Avenue North and 4th Avenue North

Existing Land Use: Single Family Residential

Current Future Land Use Designation: Mixed-Use East (MU-E)

Zoning District: Mixed-Use Dixie Highway (MU-DH)

Location Map



RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs) and for consistency with the Comprehensive Plan. Staff recommends approval with conditions, listed on page 4, for the Certificate of Appropriateness for historic waivers for the minimum required front setback and north side setbacks.

PROJECT DESCRIPTION

The property owner, Dennis Baker, is requesting two historic waivers for the existing structure at 319 North J Street. The property owner is in the process of renovating the structure, including window and door replacements, siding replacement, interior renovations, and repairs and replacement of deteriorated framing, to facilitate the building's continued use as a single-family residence. The proposed improvements will also include the addition of a required off-street parking space that is located at the rear of the lot behind the single-family structure.

The City Building Official has determined that over 50% of the structural members will be replaced in the proposed renovation. Per the Building Code and Land Development Regulations (LDRs), the extent of the proposed renovations triggers the requirements that the structure be brought into compliance with the current Building Code and LDRs. As structure does not comply with the current LDRs, the proposed waivers would allow the structure to retain its current front and side setbacks. Staff has added conditions of approval that would reduce existing non-conformities with the City's off-street parking, fencing, and landscaping requirements.

PUBLIC COMMENT

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

PROPERTY DEVELOPMENT HISTORY

The single-family residential structure at 319 North J Street was constructed c. 1926 in the Wood Frame Vernacular architectural style. A two-story garage and apartment structure was also constructed on the property c. 1926, but the structure was demolished in 1993. The remaining building has undergone alterations over time, including the front porch enclosure in 2003 and replacement of siding with stucco between 2008-2011. The building has also had multiple window, door, and roof replacements.

On June 10, 2022, the property owner applied for a remodeling permit for the structure at 319 North J Street. The application went through multiple rounds of comments from reviewers from the Planning, Zoning, and Historic Preservation Division as well as the Building Division. The property was issued a COA for window, door, and siding replacement on September 23, 2022 (COA #22-00100287), and continued to go through permit review in the Building Division. On January 10, 2023, and January 26, 2023, the Building Official notified the property owner that over 50% of the structure was being replaced in the proposed framing repairs, and the project required compliance with the zoning code or historic waivers.

Staff received a completed application for two historic waivers and the creation of a required parking space on February 6, 2023, and the project was placed on the March 2023 HRPB agenda.

A survey of the property is included as **Attachment A**, current photos of the property are included as Attachment B, and the submitted plans for the renovations and parking space are included as **Attachment C**.

ANALYSIS

Consistency with the Land Development Regulations - Zoning

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

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

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

Waiver Requests		
LDR Citation	Required	Proposed
Minimum Front Setback (Section 23.3-8(c)3.A)	Minimum front setback of 20 feet	Existing front setback of 16.87 feet
Minimum Side Setback (Section 23.3-8(c)3.B(1))	Minimum 3-foot side setback for 25-foot lots	Existing north side setback of 2.5 feet

Pursuant to City of Lake Worth Beach LDR Sec. 23.5-4(r)(2), the HRPB may grant historic waivers if the requests meet the criterion listed in the section below. Staff has listed each criterion and provided responses for the historic waiver requests. Due to the building's contributing status to the Northeast Lucerne Local Historic District, the application is eligible for relief from the land development requirements of Section 23.3-8, should the Board determine that the criterion is sufficiently met. The applicant has provided a Justification Statement for the requests and has provided responses for each request. The applicant's justification statement is included in **Attachment D**.

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

Analysis: Due to the historic nature of the parcel's development over time, the existing c. 1926 structure currently encroaches on the front setback and the north side setback. Inconsistencies with current setback requirements are common in the surrounding historic districts due to different development standards and practices in place over the course of the city's development. The structure's design is indicative of many wood frame structures from the City's early development in the 1920s. The proposed renovation and repairs will not further any of the existing non-conformities as the proposed work will take place within the existing footprint of the structure; staff has added conditions of approval that would reduce existing non-conformities with the City's off-street parking, fencing, and landscaping requirements. The existing structure is in harmony with the general appearance and character of the district. **Meets Criterion.**

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

Analysis: The project proposes to renovate and repair the existing structure for its continued use as a single-family residence. It is staff's analysis that the project returns the structure to a safe, usable condition while maintaining its historic appearance. The design and arrangement of the building does not have a substantial aural or visual impact on adjacent properties; the building has existed in this size and location for nearly 100 years. **Meets Criterion.**

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

Analysis: Maintaining the structure in its current location will not be detrimental to public health, safety, or welfare. **Meets Criterion.**

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

Analysis: Staff contends that the historic waivers requested are the minimum adjustment necessary to allow the proposed reasonable use of the existing single-family building while maintaining its historic attributes. **Meets Criterion.**

CONCLUSION AND CONDITIONS

The proposed renovation project is designed to maintain the use of 319 North J Street as a single-family residence, while providing necessary repairs to the structure and adding a required parking space. The project as proposed adheres to the recommendations provided within the City's Historic Preservation Design Guidelines. Staff recommends approval for the request for a Certificate of Appropriateness for the historic waivers, as the contributing structure meets the eligibility requirements for these requests and the proposed renovation and repair work would not preclude the continuation of the structure's contributing designation.

Conditions of Approval:

1. The historic waivers to allow the existing structure to maintain the legal non-conforming 16.87' front setback and 2.5' north side setback shall be project specific, and shall only apply to the scope of work approved under this application. Should any structures on the parcel be destroyed, moved, or demolished, any future development for the parcel shall adhere to the current City of Lake Worth Beach Land Development Regulations.
2. The required parking space shall be located at the rear of the property, and shall comply with all relevant regulations established in LDR Section 23.4-10, Off-Street Parking.
3. Prior to the issuance of a Certificate of Completeness (CC), the applicant shall decrease the property's non-conformities with the City's landscaping requirements, insofar as feasible, as reviewed and approved by staff via a building or landscape permit. All landscaping shall be installed prior to the issuance of a CC of the renovation building permit. Contact the City Horticulturalist, David McGrew, for more information.
4. Prior to the issuance of a CC, all of the chain link fencing in the front yard and chain link fencing visible from a right-of-way shall be removed. If replaced, the fence shall comply with Section 23.4-4 Fences, walls and gates.

BOARD POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Number 23-00100023 with staff recommended conditions for a Certificate of Appropriateness for two (2) historic waivers for the structure located at 319 North J Street, based upon the competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements.

I MOVE TO **DISAPPROVE** HRPB Project Number 23-00100023 for a Certificate of Appropriateness for two (2) historic waivers for the structure located at 319 North J 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.

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

ATTACHMENTS

- A. Property Survey
- B. Photos
- C. Plan Set
- D. Justification Statement



HISTORIC RESOURCES PRESERVATION BOARD REPORT

HRPB Project Number 23-00100002 Consideration of a Certificate of Appropriateness (COA) for window and door replacement at the property located at **232 Fordham Drive**; PCN #38-43-44-15-06-007-3100. The subject property is a non-contributing resource to the College Park National and Local Historic District and is located in the Single-Family Residential (SFR) Zoning District.

Meeting Date: March 8, 2023

Property Owner/Applicant: Benjamin Rowell

Address: 232 Fordham Drive

PCN: 38-43-44-15-06-007-3100

Lot Size: 0.12 acre /5250 sf

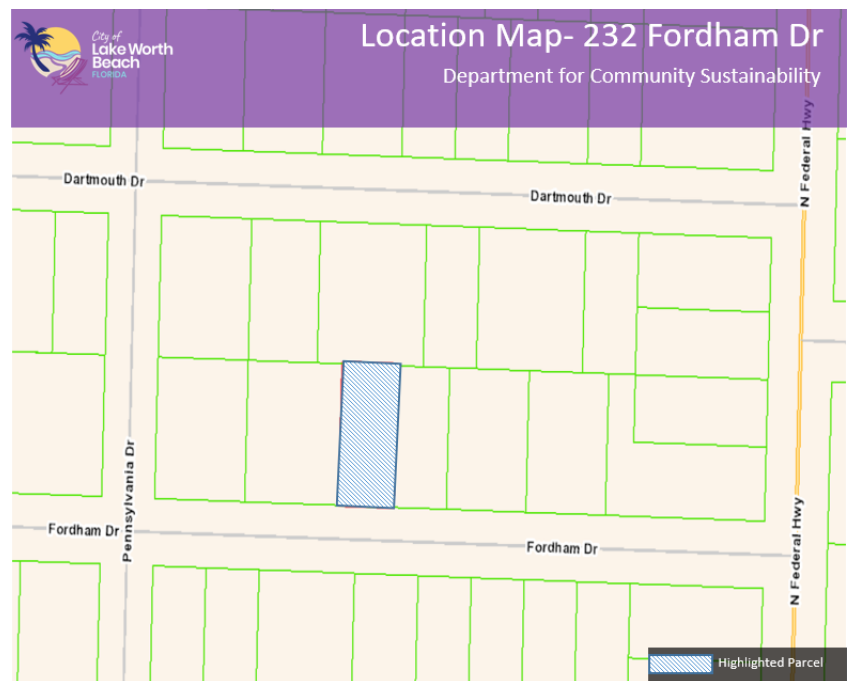
General Location: North side of Fordham Drive between Pennsylvania Drive and North Federal Highway

Existing Land Use: Single Family Residential

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

Zoning District: Single Family Residential (SFR)

Location Map



RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs) and Historic Preservation Design Guidelines, and for consistency with the Comprehensive Plan. Staff is recommending approval of two (2) of the three (3) windows and three (3) doors as proposed, which comply with the design guidelines. However, staff is recommending modifications to Window E as depicted in the Window Elevation section on page 4, as the proposed window is not consistent with the Historic Preservation Design Guidelines, which requires a clear, single-hung window with external, raised muntins to replicate a 4 horizontal divided light pattern.

PROJECT DESCRIPTION

The property owner, Benjamin Rowell, is requesting a Certificate of Appropriateness to replace three (3) windows and three (3) doors on the structure located at 232 Fordham Drive. As the structure is non-contributing resource, a COA is only required for window and door replacements visible from Fordham Drive.

PUBLIC COMMENT

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

PROPERTY DEVELOPMENT HISTORY

The single-family house at 232 Fordham Drive was constructed c.1969 in the Masonry Vernacular architectural style. The structure is masonry construction with a stucco exterior and features a gable roof and awning windows. On January 3, 2023, Historic Preservation staff received a COA application for window and door replacements. Staff reviewed and disapproved the application on January 9, 2023, as the applicant did not select architecturally appropriate window and door replacements. The proposed windows were tinted, Window E required a horizontal muntin on each sash, and the proposed doors were not appropriate for the Masonry Vernacular architectural style.

After discussions with staff, the applicant agreed to resolve the aforementioned issues, except for Window E. The applicant would like to forego the recommended muntins on Window E to have a one-over-one single hung window. As staff cannot administratively approve projects that conflict with the Design Guidelines, the project was placed on the HRPB agenda for March 8, 2023.

The home's original architectural drawings are included as **Attachment A**, an installation map and photos of the existing window are included as **Attachment B**, and the proposed replacement for Window E is included as **Attachment C**.

ANALYSIS

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

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

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

1. *In general.* In approving or denying applications for certificates of appropriateness, the city shall, at a minimum, consider the following general guidelines:
 - A. What is the effect of the proposed work on the landmark or the property upon which such work is to be done?

Staff Analysis: Based on the City's Historic Preservation Design Guidelines, staff contends that the proposed Window E is unsuccessful in replicating an appropriate window design for a Masonry Vernacular structure. The replacement of the existing window with an inappropriate design would adversely alter the appearance of the historic resource.

- B. What is the relationship between such work and other structures on the landmark site or other property in the historic district?

Staff Analysis: The proposed window replacement will have no direct physical effect on any surrounding properties within the College Park National and Local Historic District.

- C. To what extent will the historic, architectural, or archaeological significance, architectural style, design, arrangement, texture, materials and color of the landmark or the property be affected?

Staff Analysis: Based on the information in the property file, this project will replace the structure's original windows, and therefore will have a major effect on the property's historic architectural design and materials.

- D. Would denial of a certificate of appropriateness deprive the property owner of reasonable beneficial use of his property?

Staff Analysis: No, denial of the COA would not deprive the applicant of reasonable use of the property.

- E. Are the applicant's plans technically feasible and capable of being carried out within a reasonable time?

Staff Analysis: Yes, the applicant's plans can be completed in a reasonable timeframe.

- F. Are the plans (i) consistent with the city's design guidelines, once adopted, or (ii) in the event the design guidelines are not adopted or do not address the relevant issue, consistent as reasonably possible with the applicable portions of the United States Secretary of the Interior's Standards for Rehabilitation then in effect?

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

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

Staff Analysis: The structure is designated as a non-contributing resource within the College Park historic district. As a non-contributing structure, historic review of window and door replacements only extends to openings that are visible from the public right-of-way. Window E is one of the few windows at 232 Fordham Drive that is subject to historic review, and the proposed window is not consistent with the Masonry Vernacular architectural style, which will have an adverse effect on the structure's relationship with the surrounding historic district.

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

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

Staff Analysis: Yes, Window E is on the primary façade of 232 Fordham Drive.

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

Staff Analysis: No, the proposed window for Window E is not visually compatible with the Masonry Vernacular architectural style of the structure or with other structures of similar architectural styles in the

neighboring properties. Replacement with an inappropriate window would have an adverse visual effect on the surrounding historic district.

CONCLUSION AND CONDITIONS

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

Conditions of Approval:

1. Doors A, B, and C shall be clear, three-light doors.
2. The sidelight to Door B shall be a clear, full-light window.
3. Window D shall be a clear, single-hung window.
4. Window E shall be clear four (4) light single hung window to replicate an awning window.
5. All windows shall be installed in their existing openings. Openings shall not be filled in or made larger to accommodate alternately sized products.
6. All divided light patterns shall be created utilizing exterior raised applied muntins. Exterior flat muntins or "grids between the glass" shall not be used.
7. All glazing shall be clear, non-reflective and without tint. Low-E (low emissivity) is allowed but the glass shall have a minimum 60% visible light transmittance (VLT) measured from the center of glazing. Glass tints or any other glass treatments shall not be combined with the Low-E coating to further diminish the VLT of the glass.
8. Original window trim, window sills, and mullions shall be retained. Where original trim and surrounds need to be replaced due to severe deterioration, the replacement elements shall match what is being removed in profile, design, shape, size, configuration, and location.
9. All windows and doors shall be install recessed in the jambs and shall not be installed flush with the exterior wall.

BOARD POTENTIAL MOTION:

I MOVE TO **APPROVE a portion of** HRPB Project Number 23-00100002 for a Certificate of Appropriateness (COA) with conditions for the replacement of Window D, the sidelight window for Door B, and the three (3) doors as proposed; and, Window E as conditioned by staff for the property located at **232 Fordham Drive** based upon the competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements.

I MOVE TO **DENY** HRPB Project Number 23-00100002 for a Certificate of Appropriateness (COA) for window and door replacements for the property located at **232 Fordham Drive** because the applicant has not established by competent substantial evidence that the application complies with the City of Lake Worth Beach Land Development Regulation and Historic Preservation requirements.

I MOVE TO **APPROVE** HRPB Project Number 23-00100002 for a Certificate of Appropriateness (COA) for window and door replacements with staff recommended conditions, but excluding the condition related to Window E, for the property located at **232 Fordham Drive**, based upon the competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements.

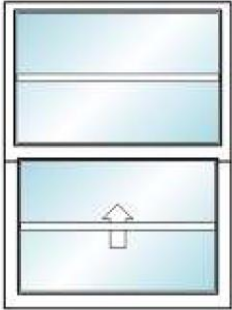
ATTACHMENTS

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

E. Application and Justification Statement

WINDOW ELEVATION

Staff recommended window elevation for Window E:





BUILDING DIVISION
1900 2ND AVENUE NORTH
LAKE WORTH BEACH, FL 33460

Declaration of unsafe conditions.

January 5, 2023

The representative of the Building Official inspected the back-garage structure located at 122 N L Street on December 13, 2022. This structure is being declared as unsafe according to the City's unsafe ordinance Section 9-2.2 Abatement of unsafe buildings. The building is being declared as unsafe for the following reasons:

The building as a result of decay, deterioration or dilapidation, is likely to fully or partially collapse. (Sec. 9-2.2(c)(7))

During the inspection of the structure the inspector observed extensive termite damage to the structural members of the building. The bottom plate of the walls is rotten and significant termite damage is evident. The structure was evaluated by a structural engineer. The conclusion of the structural engineer confirms my findings. There are photographs and the engineering evaluation for the garage in the unsafe working folder if you want to see the documentation.

Peter Ringle
Building Official Lake Worth Beach.

THOMAS J. TWOMEY, P.E.

2831 Exchange Ct., Ste. A • West Palm Beach, FL 33409 • (561) 686-5853 • Cell: (561) 706-2838

December 7, 2022

City of Lake Worth Building Department
1900 2nd Avenue North
Lake Worth, Florida 33461

Attn: Peter Ringle, Building Official

Re: Paine Residential Property
122 North 'L' Street
Lake Worth, Florida 33460

Ladies/Gentlemen:

This is to certify the following:

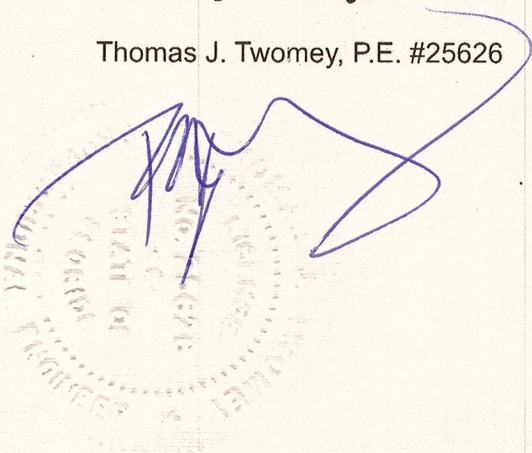
- I inspected the detached garage at the rear of the above referenced property on December 5, 2022.
- This building was found to be in a dilapidated state.
- The wood entry door and wood garage doors are severely water damaged.
- The wood framing (columns, studs and roof rafters) is termite damaged throughout.
- The concrete floor slab is below grade and floods frequently.
- It is my judgment that it is economically unfeasible to repair the structure of the garage.
- It is my recommendation that this building be torn down and removed.

If you have any questions or additional information is needed, please do not hesitate to contact me. Your cooperation is as always greatly appreciated.

Very truly yours,

Thomas J. Twomey

Thomas J. Twomey, P.E. #25626



The image shows a handwritten signature in blue ink that overlaps a circular professional seal. The seal is partially obscured by the signature but contains the text 'FLORIDA PROFESSIONAL ENGINEERS & SURVEYORS' around the perimeter and 'THOMAS J. TWOMEY' in the center. The signature is a stylized, cursive 'TJ Twomey'.



DATE: March 1, 2023

TO: Members of the Historic Resources Preservation Board

FROM: Anne Greening, Senior Preservation Planner
Yeneneh Terefe, Preservation Planner
Department of Community Sustainability

MEETING: March 8, 2023

SUBJECT: Notification of the condemnation of the garage structure at 122 North L Street. The subject property is a contributing resource in the Northeast Lucerne Local Historic District.

PROPOSAL / BACKGROUND:

The subject property is a contributing resource in the Northeast Lucerne Local Historic District; the multi-family structure and detached garage were built c. 1938 in the Colonial Revival/Wood Frame Minimal Traditional style.

After a representative of the Building Official visited the site on December 13, 2022, the City’s Building Official declared the garage unsafe due to extensive termite damage to the structural members of the building. The property owner also hired a structural engineer to evaluate the structure; the engineer’s letter concurs with the Building Official’s findings. The condemnation letter and engineer letter are included as attachments.

The property owner plans to construct a new garage structure with an additional dwelling unit at the rear of the property. This construction will be subject to HRPB review and approval at a later meeting date.

Pursuant to Land Development Regulation (LDR) Section 23.5-4(m), Exceptions to certificates of appropriateness:
3. **City condemnation. A certificate of appropriateness shall not be required when a designated city landmark or a contributing building within a designated local historic district has been condemned by the city.** A demolition permit, however, shall not be issued until the HRPB has been notified and given an opportunity to comment, as provided in subsection l). A certificate of appropriateness shall be required prior to demolition by the city of a landmark listed on the National Register or of any contributing structure within a historic district listed on the National Register.

BOARD COMMENT:

[Board members may provide comment on the condemnation and proposed demolition.]

Attachments

- A. Declarations of Unsafe Conditions and Engineer’s Letter
- B. Photographs