



AGENDA
CITY OF LAKE WORTH BEACH
HISTORIC RESOURCES PRESERVATION BOARD REGULAR MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, NOVEMBER 17, 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. [Approval of Meeting Minutes from:](#)

[September 8 2021 September 15 2021 and October 13 2021](#)

CASES

SWEARING IN OF STAFF AND APPLICANTS

PROOF OF PUBLICATION

- 1) [812 S Lakeside Drive - Demo](#)

WITHDRAWALS / POSTPONEMENTS

CONSENT

PUBLIC HEARINGS:

BOARD DISCLOSURE

UNFINISHED BUSINESS:

NEW BUSINESS:

- A. [HRPB Project Number 21-00100281: Consideration of a request for a Certificate of Appropriateness \(COA\) to demolish an attached carport structure located at 812 South Lakeside Drive. The subject property is located in the Single-Family Residential \(SF-R\) Zoning District and the South Palm Park Local Historic District.](#)
- B. [HRPB Project Number 21-00100284: Consideration of a Certificate of Appropriateness \(COA\) for window additions and replacement on the second story of a building located at 704 Lake Avenue; PCN# 38-43-44-21-15-508-0091. The subject building is located within the Downtown \(DT\) zoning district with a future land use designation of Downtown Mixed Use \(DMU\). It is also located within the City's Community Redevelopment Agency \(CRA\) overlay district and is a contributing resource within the Old Town Historic District.](#)

C. Conceptual Review 226 N K Street - Modern multi-family four (4) unit building by Contin Architecture & Design.

PLANNING ISSUES:

PUBLIC COMMENTS: (3 minute limit)

DEPARTMENT REPORTS:

A. [131 S. Palmway - Demolition Permit was issued for the contributing garage structure per order of the building official as the structure was unsafe.](#)

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, SEPTEMBER 08, 2021 -- 6:00 PM**

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

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

Board Secretary administered Oath of Office to new Board Member Ricardo Martin.

APPROVAL OF MINUTES:

A. July 14, 2021 Regular Meeting Minutes

Motion: S. Pickett moved to accept July 14, 2021 meeting minutes as presented; G. Harris 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) 307 North L Street
617 North K Street

WITHDRAWALS / POSTPONEMENTS None

CONSENT: None

PUBLIC HEARINGS:

BOARD DISCLOSURE: W. Feldkamp visited all the sites on the agenda, no other disclosures.

UNFINISHED BUSINESS:

- A. HRPB Project Number(s) 21-00100119 and 21-01500004:** A Certificate of Appropriateness (COA) for exterior alterations and a variance from base flood elevation requirements of the Florida Building Code for the detached garage located at **732 North Palmway**; PCN #38-43-44-21-15-228-0080. The subject property is located within the

Single-Family Residential (SF-R) zoning district and is a contributing resource to the Northeast Lucerne Local Historic District.

Staff: A. Fogel provides a recap to the previous approval and request heard in July 2021. This portion is to change the detached garage to a pool cabana. It includes a bath and kitchenette. Two options: Option A – the hip roof conversion to gable now matches (more similar to the main structure). The height has been reduced overall. The window beneath the gable end is now a decorative vent. Option B - a hip roof design, which would respect the original roof design. The base flood elevation must be met if the valuation is a substantial improvement however the property is a contributing structure and as such is eligible for the relief exemption of 4.67 feet. Both options retain the overall height. The roof height has been reduced from 14 feet 3 inches to 12 feet 2 inches since the July meeting.

Applicant: Jeremy Walter prefers the gable option as the repetition of the gables offers a better massing and ties all the renovations together.

Public Comment: None

Board: S. Pickett continues to prefer the hip roof and would like to ensure that kitchen facilities are not on the plan. With the exception of S. Pickett, all members prefer the gable end.

Motion: G. Harris moves to approve HRPB 21-00100119 and 21-01500004 with staff recommended conditions based upon competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements.

Vote: Ayes all. Unanimous.

B. HRPB Project Number 19-00100107: Consideration of a Completed Work Application (Part III) for a Historic Preservation Ad Valorem Tax Exemption and a recommendation to the City Commission for a Historic Preservation Ad Valorem Tax Exemption for the subject property located at **1020 South Lakeside Drive**; PCN#38-43-44-27-01-042-0010. The subject property is a contributing resource to the South Palm Park Local Historic District and is located within the Single-Family Residential (SF-R) zoning district.

Staff: J. Hodges- September 11, 2019 the Board previously approved the Pre-Construction Ad Valorem Tax Exemption application. Renovations occurred in the interior as well as the exterior. Three of the nine Conditions relating to the glazing tint and the muntins of the Certificate of Appropriateness were not met. The original windows appear to have had a tint application in addition to bronze framing. This application was approved prior to the change to the low E/ Visual Light Transmittance Resolution of 60% or greater. The contractor did not provide glazing specifications at time of permit review. The renovation has not yet received final inspection. Staff agrees the flat muntins do indeed more closely replicate the original look of the awning windows as opposed to the triangular muntins. Staff visited the site and found the work to generally in compliance with the scope of work proposed in the pre-construction application and has met the conditions with the exception of three conditions. Board may certify the majority of the work and exclude portions should they choose to or approve all of the work.

Applicant: Lewis Makepeace is excited to be winding down the process.

Public Comment: None

Board: B. Guthrie recollects the windows have always had a tint and due to the proximity to the park, it could be a fishbowl effect without tinting. G. Harris confirms the original windows were originally tinted. J. Fox questions if this is an instance of replacing existing as opposed to

changing the glazing. Does it replicate what was there? Would require a COA to clean up the muntins and glazing. W. Feldkamp does take issue with the tinting. Finds the window near the garage does not have tint. Given the year of construction, window tinting was not likely. Considering that the City will take a 10-year tax deferral, those items should be held to the original condition of approval. J. Hodges states the cost of the windows could be eliminated from the tax exemption request. R. D'Arinzo questions how did it get to this point? **Response:** An in progress and final inspection are the only 2 inspections. The Building Division did not review the COA prior to the final. Human error. S. Pickett- would be agreeable to separate window approval. J. Fox ponders the implications of being approved for one thing, doing something else, then asking for forgiveness. R. Martin- what is the precedence? There should be some consistency, have there been previous proportional approvals? J. Hodges this would be the first instance. Board has been consistent in the application of the glazing change that was instituted. B. Guthrie – is there a copy of the Visual Light Transmittance? J. Hodges – does not believe one was submitted. B. Guthrie questions if it is possible that it does meet the newer lower standard of 60%. The Commission did lower the VLT from 70% to 60%. W. Feldkamp - the flat muntins are acceptable as the single hung windows could not properly operate (open) with the triangular muntins. **Staff:** This would be the first time for a proportional approval. Remove the scope of the windows from the exemption. E. Sita- the proposal (pre-Construction application) comes forward as a whole approval not a part. The applicants already agreed to the conditions before the Board, went through the construction process and did not complete what was agreed to with the Board. **Applicant:** Did their best to meet the conditions and had no intent to do something and then come back for forgiveness. This was prior to defining the glazing. Clarifies the garage window is tinted. **Board:** S. Pickett questions if these were the original windows? **Staff response:** It would seem so, the permit file does not show any prior replacement.

Staff suggests that Board may recommend the entirety of the scope of work or alternatively may exclude those components that did not comply with the Development Order and the intent of the Secretary of Interior Standards.

Motion: R. Martin moves to recommend approval to the City Commission for a Historic Preservation Ad Valorem Tax Exemption based upon competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements for the subject property located at **1020 South Lakeside Drive**; B. Guthrie 2nd The replacement windows replicate the original windows.

Vote: S. Pickett, G. Harris, R. Martin, B. Guthrie yea's; dissenting W. Feldkamp, R. D'Arinzo and J. Fox. Motion carries 4/3.

NEW BUSINESS:

A. HRPB Project Number 21-00100250: Consideration of a Certificate of Appropriateness (COA) for the construction of four (4) new ± 1,489 square foot single-family structures on Lots 27, 28, 29, and 30 of Block 90 at **307 North L Street**; PCN #38-43-44-21-15-090-0270. The subject property is located in the Low-Density Multi-Family Residential (MF-20) zoning district and the Northeast Lucerne Local Historic District.

Staff: J. Hodges presents case findings and analysis. Staff recommended denial as the proposed roof design is not consistent with the Streamline Moderne style and the Historic Preservation Design Guidelines criteria for new construction. Currently the lot is vacant. The front yards are identical while the backyards have 2 variations, one of which includes a pool and one parallel parking spot. Only one parking stall is required so the parking requirement is met. Staff indicates the landscaping code was met however a tree mitigation plan would need to be

presented. Floor plans and exterior treatments are repeated. The gable roof ends conflict with the Streamline Moderne style. The repetitive design of four (4) identical residences are not compatible within the Historic Districts Qualitative Design requirements.

Board: G. Harris has concerns about the lack of exterior space and the relentless repetitiveness. The parking option is confusing. B. Guthrie is concerned with the WWII barracks feel; that it was a 100-foot lot, perhaps staggered footprints would be better; similar in appearance to an apartment building; parking will be a problem; dislikes the gable ends and lack of detail. J. Fox sees it as too sterile and believes it evokes the appearance of Stalag 17. R. D'Arinzo believes the facades could be enhanced and staggered. R. Martin questions the square footage, it is better than an apartment complex, perhaps two (2) stories and staggered would make more sense by allowing for parking and conservation of trees. **Staff response:** these structures are at maximum lot coverage; typically there would be an accessory structure.

Applicant: Lori Principe and Jeff Mercier- Vested in multi-family developments in the city, excited about venturing into single family homes.

Architect for Applicant: Not trying to mix styles. Could shorten the eaves.

Public Comments:

Diane Skoglund- 318 N L St- has concerns about the loss of canopy with removal of large trees, in particular the Mango trees.

Eileen Filipowicz-312 North L Street -

Peter Meyerhorfer-218 North K Street- In support of project.

Drew Martin- 1015 North M Street- concerns with tree and landscape removal.

Lawrence Reese -315 North L Street- Is out of place, trying to bring a Miami minimalist feel to Lake Worth Beach, the shotgun style is very different from the cottage homes and impervious coverage will cause a runoff problem.

Board: G. Harris - Relentlessly repetitive. If high density is being sought, why not give the homeowner more exterior space such as a two-story or courtyard. B. Guthrie - It does take on the appearance of a barracks. Similar to what one would find in an apartment rental complex where everything is the same. The front and gable end is lacking in detail and appeal. These developers have previously provided other attractive projects, can be better. Parking will be a problem. J. Fox - Reminds one of Stalag 19, very sterile, don't fit in with the Secretary of Interiors design. R. D'Arinzo – Is in favor of bringing back the 25 foot lots; it is an eclectic street and lot. The trash cans will be an issue, (fitting between the houses). Maybe stagger the buildings. It can be taken up a notch. **Staff:** Typically there might be an accessory structure; without that, it does seem bigger. R. Martin – Doesn't see the elongated structures anywhere, what would be the typical square footage of a home on a 25-foot lot. Save some trees by going two-story and staggering the structure.

Architect for Applicant: G. Antoniazzi- does not find a two (2) story to be of interest and more comfortable without stairs.

S. Pickett also questions the landscaping (lack of trees). Appreciates there is a market for this type of home for older couples, understands the lot split, however concurs with other Board members assessment of repetition. The "barracks style" appearance is only evident from the aerial view, the streetscape is more important.

Staff explains it is by-right development, this is really a single-family home, although the landscape plan is minimal, a tree disposition plan would be required. This probably won't be the final look of the site. The scope of the COA is the architecture.

W. Feldkamp questions how many trees could be saved and that the gable ends are nearly two-story in height. There is no space left for the amenities that are appreciated or needed.

R. Martin thanks the applicants and gives words of encouragement expressing how important the historic aspect is when building deeper into the neighborhoods.

Motion: R. D'Arinzo moves to continue HRPB 21-00100250 to a date certain of October 13; S. Pickett 2nd.

Vote: Ayes all, unanimous.

B. HRPB Project Number 21-00100222: Consideration of a Certificate of Appropriateness (COA) for the construction of a new +/- 1,790 square foot addition for the single-family residence at **320 North Lakeside Drive**; PCN #38-43-44-21-15-430-0050. The subject property is located within the Single-Family Residential (SF-R) zoning district and is a contributing resource to the Old Lucerne Local Historic District.

Staff: J. Hodges present case findings and analysis. At the May 12, 2021 the Board reviewed conceptual plans and asked the applicant to re-consider the proposed use of shipping containers as the method of construction. As a result, the applicant has decided to utilize traditional construction methods. The design has also changed dramatically from the conceptual proposal. Two remaining items of concern are the transition between the two structures and the 16-foot wide garage door which is atypical for the Mediterranean Revival style.

Applicant: Per Lorentzen – The addition has to be where it is in order to avoid existing palms to be preserved and the driveway apron to avoid a manhole in the street. Two nine-foot bays would create a tight interior on the garage, preventing any counter or cabinet installation. The purpose of the addition is to create upper level living space and storage away from potential flood waters. Rachel Lorentzen suggests the single garage door is balanced by the wide gate on the opposite side of lot and the adjacent location to a double car garage door. Per Lorentzen states the stairs would impinge upon the garage and interior space, hence the reason for being incorporated on the exterior.

Board: R. Martin- why cannot there be one single door and keep the arch?

Staff: Generally a historically accurate garage would be a 9-10 foot side-by-side door with a pillar.

Board: B. Guthrie- The streetscape does show a balance between the garage door width and the opposite gate. Would not mind the double overhead as the doors appear to swing out. The arch should be retained. G. Harris – it is a beautiful rambling house. This elevation is very bland. The storage is on the exterior walls, move the bathrooms to the exterior to use the natural light instead of faux windows. Suggests turning the gable in the opposite direction would reduce the height and mass of the connection. Because the adjacent garage is tall is no reason for this one to mimic and be so massive.

Architect: Lou Canales willing to try to turn the gable and lower the height. It can also be lowered with 16-inch floor joists instead of 24-inch floor joists.

Staff advises that there will not be time for staff to formally review in one week's time so it could be heard on September 15 as a conceptual review and a formal discussion in October.

Motion: G. Harris moves to continue HRPB 21-00100222 to the September 15 meeting as a conceptual design; R. D' Arinzo 2nd.

Vote: Ayes all, unanimous.

C. HRPB Project Number 21-00100182: Consideration of a Certificate of Appropriateness (COA) for the construction of a new ± 1,462 square foot single-family structure and a ± 650 square foot accessory structure at **617 North K Street**; PCN #38-43-44-21-15-178-0240. 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.

Staff: A. Fogel presents case findings and analysis. The Building Official condemned the original structure and as such does not require a COA to be heard by the Board for the demolition. The proposed single-family construction is consistent with Land Development Regulations as conditioned and generally consistent with the Wood Frame Vernacular style and Historic Preservation Design Guidelines.

Applicant: Pamela Russell – Resident of last 20 years. The reason for the faux window on the apartment side of the home is to allow privacy.

Public Comment: None

Board: R. D'Arinzo likes the proposal, the blank wall in the alleyway is fine. J. Fox likes the boat garage. B. Guthrie would like fenestration on the boat garage, also wary of a specific use and what could occur in the future. R. Martin likes it; G. Harris – The blank wall is suitable as it is a garage. S. Pickett concurs the garage wall can be blank. W. Feldkamp – ensure the skirtboards continue around the home, would like the rafter tails exposed. B. Guthrie inquires about the metal vs. asphalt shingle roof.

Applicant: Tyree will not provide the construction document; prefer the asphalt roof but is open to considering the metal roof if Board so desires.

Motion: R. D'Arinzo moves to approve HRPB 21-00100182 with staff recommended conditions of approval based upon competent substantial evidence and the staff report pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements; S. Pickett 2nd.

Vote: Ayes all, unanimous

PLANNING ISSUES: None

PUBLIC COMMENTS: (3 minute limit) None

DEPARTMENT REPORTS: None

BOARD MEMBER COMMENTS: W. Feldkamp suspects the City will eventually allow Accessory Dwelling Units, at some time in the future the end of Single Family will come about.

ADJOURNMENT 8:54 PM



MINUTES
CITY OF LAKE WORTH BEACH
HISTORIC RESOURCES PRESERVATION BOARD REGULAR MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, SEPTEMBER 15, 2021 -- 6:09 PM

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

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

A Conceptual Review of 320 North Lakeside Drive will be added to Planning Issues.

APPROVAL OF MINUTES: None

CASES

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

PROOF OF PUBLICATION

- 1) 1001 North Lakeside Drive
220 South L Street

WITHDRAWALS / POSTPONEMENTS None

CONSENT None

PUBLIC HEARINGS:

BOARD DISCLOSURE None

UNFINISHED BUSINESS: None

NEW BUSINESS:

- A. HRPB Project Number 21-00100216:** A Certificate of Appropriateness (COA) for the construction of a new ± 540 square foot accessory dwelling unit located at **220 South L Street**; PCN #38-43-44-21-15-091-0070. The subject property is located in the Low-Density Multi-Family Residential (MF-20) zoning district and is a contributing resource to the Southeast Lucerne Local Historic District.

Staff: J. Hodges presents case findings and analysis. The City Building Official condemned the garage, no COA is required for condemnations. With the proposal, 3 new parking spaces were added with access from the alleyway. Overall the new structure and design relates to the primary structure with materials, window types, trim and sill detail, roofing material and pitch. The single-story structure is inspired by the garage in location and massing.

Architect for the applicant: Geoffrey Harris-

Board: R. Martin would like to know if it is metered separately? **Response:** yes. J. Fox confirms it is multi-family and if there are 3 parking spaces off the alley; **Response:** yes. B. Guthrie believes it to be an improvement and ADU's are allowed in multi-family zoning districts. W. Feldkamp asks whether it is CBS? **Response:** no it is frame.

Motion: R. Martin moves to approve HRPB 21-00100216 with staff recommended Conditions based upon competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements; J. Fox 2nd.

Vote: Ayes all, unanimous.

B. HRPB Project Number 21-12400003: An Appeal of the Development Review Official's decision regarding the expansion of a legal non-conforming garage apartment at **1029 North Palmway**; PCN #38-43-44-21-15-298-0090. The subject property is located in the Single-Family Residential (SF-R) Zoning District and is a contributing resource to the Northeast Lucerne Local Historic District.

Board Attorney: Explains the order of the appeal and that if any new factual information is presented, it should not be taken into consideration.

Staff: A. Fogel provides background information on the DRO decision to deny the approval of additional expansion into the non-conforming garage apartment. All filings were timely. The primary structure was constructed in 1940; construction of the garage apartment circa 1949. A code compliance case was initiated based upon a citizen complaint two days prior to the purchase by applicant.

Architect for the applicant: Requesting an exception to expand the use. Purchased the property based upon it being a larger apartment than it turned out to be. Has cleaned up the property and installed new landscaping.

Applicant Bryan Sher: Unaware of any code violations when purchased and did not find upon title search. Wants to follow the code, in it for the long term.

Public Comment: Porter Smythe-1101 North Palmway - in agreement with the DRO decision. Drawings only show the garage and a room, no kitchen, which would be required for the use as a separate apartment. The previous owner used the garage area as a separate unit and the realtor sold it as such.

Anthony DyJach – in agreement with the DRO decision. Contends the applicant listed the property for rent just six days after purchase and is currently rented with no active business license. States the new owner should take up the issue with the previous owner, contractor and realtor as a civil matter.

Bo & Erin Allen-208 S. Lakeside Dr: Has a long history with the parcel. The interior of the garage was incorporated as part of the living area. Nothing was done covertly, purchased it and did the renovation when Mr. Sanchez passed and sold it to Mr. Rendez subsequently selling to Mr. Sher. The neighbor had made the Sanchez's life miserable by turning them in for code violations.

Believes the title search did not show until after the closing and the decision should be overturned.

Board: S. Pickett – how should Board consider the fact that permits were issued for the work that was done.

Staff: A lien search is just that, a search for a recorded lien. A code violation is not a lien. If the use had been legally expanded, this situation wouldn't exist. There were roof replacement permits, window permits, mechanical, electrical, plumbing permits but no permits to be found for the enclosure of the garage bay.

Board Attorney: This appeal is really about the zoning determination that the property is not in compliance with the zoning.

Board: R. Martin asks if there are duplexes in the area since this is a Single-Family residentially zoned area? **Response:** There are, although those, properly permitted, may continue until either the use or structure ceases, they cannot be expanded.

Staff: Historic Resources Preservation Board has purview over this area regarding zoning decisions.

Board Chairman: This is a very narrow determination, was the DRO correct in the interpretation of the code. B. Guthrie-when the structure was constructed there were service quarters attached to the garage. **Staff:** There is no record of the conversion of the area, at some time the service quarters were recognized as a unit. Grandfathered uses are allowed on non-conformity provided it is in good standing. The garage apartment can remain but the garage stall will have to be turned back. Board empathizes with the new owner. B. Guthrie- points out there is no curb cut. Board Chair states this is not for the Board to decide on at this point. Will the room be unusable?

Staff: There are other options for use of the space. The conversion of the garage increased the required parking; if the space were re-converted to only living space, no kitchen, the parking requirement would not increase.

Motion: S. Pickett moves to deny HRPB 21-12400003 thus upholding the decision of the DRO disallowing the expansion of the legal non-conforming garage apartment; J. Fox 2nd.

Vote: Ayes all, unanimous.

C. HRPB Project Number(s) 21-00100213 and 21-01600001: A Certificate of Appropriateness (COA) for the construction of a new ± 840 square foot accessory structure and a historic waiver to exceed the accessory structure limitation for the property located at **226 South L Street**; PCN #38-43-44-21-15-091-0040. The subject property is located within the Low-Density Multi-Family Residential (MF-20) zoning district and is a contributing resource to the Southeast Lucerne Local Historic District.

Staff: J. Hodges presents case findings and analysis. The property has previously received approval for multiple renovations along with approval for a Non Ad-Valorem Tax Exemption. In 2018 it was awarded a Historic Preservation Award. Proposed is a new two-story accessory structure, not an accessory dwelling unit. It must function in conjunction with the primary structure. The size limitation of accessory structures is 40% of the primary structure. This addition comes in at 136% of the primary structure. The applicant has applied for a historic waiver of that limitation. First floor is the garage. The second floor serves as the Master bedroom for the primary structure. The lower level is stuccoed with lap siding on the upper level with a flared Dutch gable roof. Similar to many 2-story garage buildings off the alleys found in the City's early development history. Staff reviews the Conditions of Approval.

Applicant: Anne Fairfax Ellett thanked the Board for the previous conceptual review and staff for their assistance. Would like to match the wood shingles as on the small addition and front overhand with the intent of re-roofing the main house roof. Change asphalt shingles to wood shingles in the condition #4

Public Comment: Cliff Kohlmeyer- 501 1st Ave S -supports the approval of the proposal and waiver. Richard Stowe- 414 N Federal Hwy. – supports the project and waiver. The issue with attaching a structure directly to a historic structure is the reduction in natural light, this proposal provides relief.

Board: G. Harris-the structure is very nice and appears to be taller than it will actually be. R. Martin inquires about the use of the historic waiver.

Applicant: Could have placed the addition, against the house by right. It wouldn't be a waiver if it was joined to the building.

Staff: A waiver is typically used for rehabilitation of existing contributing properties not currently in compliance with code (building lot coverage, setbacks etc..). Separating the structures better preserves the Historic building. There are no prohibitions to utilizing the waiver in this manner, for impervious lot coverage. It is available only to contributing structures. Because the primary structure is diminutive, this waiver will allow for more living space.

Board: B. Guthrie- inquires as to whether it is the minimum required to allow reasonable use of the land. If it were on a fifty-foot lot, it could be a garage apartment. J. Fox asks if the garage door is facing the courtyard? And it looks huge compared to the front of the small house

Response: yes, to pull through with a boat or for more than one car on the property. The streetscape is compatible and because it is set back on the lot, it appears shorter. S. Pickett-is there a minimum square footage for living space? The peak of the roof should be shorter than the primary. W. Feldkamp- would like the pitch to match the main structure. **Applicant:** the primary structure is a frame vernacular with gable roof. Hips and gable pitches are perceived differently. A hip roof with a pitch that was less would "read" lower. Is there a requirement for the garage door to be above the crown of the road? **Staff:** only when there is habitable living space.

Motion: G. Harris moves to approve HRPB 21-00100213 and 21-01600001 with staff recommended Conditions and the revision of Condition #4 (or wood shingles), based upon competent substantial evidence in the staff report pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements; S. Pickett 2nd .

Vote: Ayes all, unanimous.

D. HRPB Project Number(s) 21-00100214, 21-01500007, and 21-01500008: A Certificate of Appropriateness (COA) for the installation of an inground pool in the front yard and variances from the front setback requirement and accessory structure location requirement for the property located at **1001 North Lakeside Drive**; PCN #38-43-44-21-15-296-0160. The subject property is located within the Single-Family Residential (SF-R) zoning district and is a contributing resource to the Northeast Lucerne Local Historic District.

Staff: J. Hodges presents case findings and analysis. Although it is a corner lot, there is a 28-foot setback in the front and 22-foot setback on the rear of the property. One variance would be to allow for a reduced front setback, the other variance for the placement of an accessory structure in front of the primary residence. The variance criteria must be met. Although the Design Guidelines do not address pools in the front yard, it could visually impact the surrounding district as it is atypical for a pool location. Although the denial would not deprive the owner of

continued use, a pool in a reasonable expectation for a single-family home in South Florida due to context and climate.

Applicant: Melissa Larsen- back yard by alley would be too small for a pool, mature landscaping and the utilities would make it difficult for installation. The front of the house on 10th Ave N doesn't feel like the front since it has no front door in that area. There will be enhanced vegetation for privacy in the front.

Public Comment: None

Board: J. Fox- where is the front door? **Response:** Facing 10th Avenue North. S. Pickett states the home across the street has the same situation, it is the functionally the side yard. Pleased to see a fence with sufficient room for planting. W. Feldkamp asks about the size of the sight triangle as it looks larger than required. Doesn't care for the fence extending beyond the front door, lack of landscape plan, Board does not know what the fence will look like. **Staff:** Ten by ten for the sight triangle. As there is no sidewalk, it would explain the appearance. The existing picket fence is 4 foot in height. Staff states the landscape plan would be required at time of permit, this is a residential plan, not a commercial.

Board: Fencing for a pool typically is higher than 4-foot, however anything higher than 4-foot is not allowed in the front yard, so what would the fencing look like? A barrier fence could be used. Discussion over the required height of the fence.

Applicant: Want the plants to be taller than the fence, didn't plan on getting an architect to design the planting.

Board: B. Guthrie asks if the pool could be placed on the opposite side, notwithstanding the mature trees., it's prohibited in the front yard.

Motion: R. Martin moves to approve HRPB 21-00100214 with staff recommended Conditions for the installation of the pool in the front yard of the property based upon the competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements G. Harris 2nd.

Board: W. Feldkamp asks that the shrubs be installed at four (4) feet in height. B. Guthrie- no one seems to know the height or type of fence. Motion is amended for Condition #2 that the minimum height of the shrub hedging be installed at four (4) feet and that a landscape permit is required at time of permit.

R. Martin agrees to amendment of the Condition # 2, G. Harris 2nd.

Vote: 4/2 motion carries, B. Guthrie, W. Feldkamp dissenting.

Motion: R. Martin moves to approve HRPB 21-01500007 with staff recommended Conditions for a variance to allow a 10'-6" front setback for the new pool based upon competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements; S. Pickett 2nd.

Vote: 5/1 motion carries, B. Guthrie dissenting.

Motion: R. Martin moves to approve HRPB 21-01500008 with staff recommended conditions for a variance to allow the installation of the pool in the front yard, whereas accessory structures are not permitted between the principal structure and the street based upon the competent substantial evidence in the staff report pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements; G. Harris 2nd.

Vote: 5/1 motion carries, B. Guthrie dissenting.

E. HRPB Project Number 21-00100076: Consideration of a Certificate of Appropriateness (COA) for window replacement for the property located at 518 South L Street; PCN #38-43-44-21-15-167-0070. The subject property is a contributing resource to the Southeast Lucerne Local Historic District and is located in the Single-Family Residential (SF-R) zoning district.

Staff: A. Fogel presents case findings and analysis. On October 7, 2020 a code compliance case was initiated for unpermitted work for the installation of new windows. Shortly thereafter a permit application was received and disapproved due to the lack of application materials such as glass specifications, Certificate of Appropriateness application and keyed photos. Correspondence ensued with the property owner regarding options for administrative review or Board review. Because the windows were already installed, the owner chose Board review. In July 2021 a completed application was provided by the applicant. The scope of work was amended to include replacement of all windows since none of the installed windows received a building permit or preservation approval. If approved the unpermitted windows could remain. Staff is recommending denial because the VLT (visual light transmittance) is below the newly reduced minimum of 60 %, it is at 49%. The proposal is inconsistent with Goal1.4 of the Comprehensive Plan which encourages preservation and rehabilitation. The Historic Preservation Design Guidelines provide suggestions for successful replacements. Windows, are one of the most character defining features on a structure and certainly one of the commonly replaced items.

Applicant: Madeleine Burnside-States she was a member of the Board from 2015-2018. Was extremely “freaked out” hurricane Dorrian of 2019 and was willing to accept any fines caused by installation of windows without permit. Has re-stuccoed front and side, placed solar on the roof, damage from where a portico was removed. States house has been messed about with a great deal. Was unaware there was a restriction on the VLT. Looked it up on the State website and found suggested as low as 65 %. States no ordinance can prohibit renewable resource installation of clothesline or other energy device, solar protection should be equivalent to a clothesline that doesn’t consume energy as does a clothes dryer.

Board: B. Guthrie mentions that had she applied for permits, there would have been information available to her, she was on the Board and would have known that not only would it require permits but consideration by the Historic Preservation Board. This could have all been initiated back in 2020. Inclined to deny and bring into compliance. G. Harris- how does building code egress requirement mesh with Historic Board requirement. **Staff:** Try to marry the two so long as it doesn’t decrease the egress, not required to come up to current code. W. Feldkamp agrees with B. Guthrie, the lack of a permit, the tint, they appear to be flanged windows, generally there is no recess to the window in the sill. It is contrary to the progress made over the years with respect to the Guidelines. S. Pickett- This is generally a code issue; people generally board up in the face of a hurricane. Despite the historic degradation, there should be an attempt to keep the historic characteristics. J. Fox believes it is just one of many that does work without permit.

Motion: S. Pickett moves to deny HRPB 21-00100076 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 Regulations and Historic Preservation requirements; J. Fox 2nd.

Vote: Ayes all, unanimous

PLANNING ISSUES:

Conceptual review of 320 North Lakeside Dr

J. Hodges explains the changes to the connection between the house and addition and change or orientation to the gable ends on the addition.

Property owner - Per Lorentzen – Believes the appearance of the façade facing the street has decreased in size.

Board: J. Fox questions the streetscape change with the part of the house to the east. B. Guthrie asks about the height of the connector, the eave height is higher with the gable end oriented north and south. W. Feldkamp questions if the terrace is necessary. General consensus that the gable re-orientation combined with the connector from last week will work well. G. Harris suggests a wrapping stairwell as in a Mediterranean style home.

Property owner -Rachel Lorentzen states the terrace could remain with the connector from last week. The cost was not as prohibitive as previously thought. The rooflines become complicated.

Board: G. Harris suggests a band of clerestory windows to break up the massing and lower the height. W. Feldkamp suggests a change to the slope of the connector. S. Pickett would hope the windows could be more generous in size on both the addition and connector.

PUBLIC COMMENTS: (3 minute limit) None

DEPARTMENT REPORTS:

- A. Historic Old Town Commercial District: Recognition of the 20th anniversary of the historic district listing on the National Register of Historic Places.

This is the 20th anniversary of the creation of the Historic district Old Town. It was created on May 18, 1999 with Ordinance 99-17. The downtown was then nominated for the National Register.

Jordan Hodges is leaving the City for new opportunities in the Town of Palm Beach.

BOARD MEMBER COMMENTS: All Board members concur that the staff reports provided are always clear, complete and it's easy to understand the issue at hand.

ADJOURNMENT 9:22 PM



**MINUTES
CITY OF LAKE WORTH BEACH
HISTORIC RESOURCES PRESERVATION BOARD REGULAR MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, OCTOBER 13, 2021 -- 6:00 PM**

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

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA Vice-chair requests the addition of a discussion item under Planning Issues.

Motion: R. D'Arinzo moves to amend the agenda with a discussion item, Non-conformities under Planning Issues; R. Martin, 2nd.

Vote: Ayes all to amend the agenda. Unanimous

APPROVAL OF MINUTES: None

CASES

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

PROOF OF PUBLICATION

- 1) Lake Worth Herald Notices

WITHDRAWALS / POSTPONEMENTS: None

CONSENT: None

PUBLIC HEARINGS:

BOARD DISCLOSURE: None

UNFINISHED BUSINESS:

- A. HRPB Project Number 21-00100222:** Consideration of a Certificate of Appropriateness (COA) for the construction of a new +/- 1,790 square foot addition for the single-family residence at 320 North Lakeside Drive; PCN #38-43-44-21-15-430-0050. The subject property is located within the Single-Family Residential (SF-R) zoning district and is a contributing resource to the Old Lucerne Local Historic District.

Staff: The project was reviewed by the Board as a conceptual plan on May 12, 2021. A full submittal was presented at the September 8, 2021 meeting with the recommendation to reduce the overall height of the addition and re-orient the gable ends to reduce the visible massing from the streetscape. On September 15, 2021, again as a conceptual review, the Board advised returning on October 13, 2021 with the recommendation to: reduce the overall height of the connection to the new addition and; add windows to the west elevation and increase the size of the faux shutter openings. As the applicants have incorporated the Board's recommendations, staff is recommending approval with the conditions found within the staff report.

Public Comment: None

Motion: R. D'Arinzo moves to approve HRPB 21-00100222 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 and Historic Preservation requirements. R. Martin 2nd.

Vote: Ayes all, unanimous.

B. HRPB Project Number 21-00100157: Consideration of a Certificate of Appropriateness (COA) for the installation of a new circular asphalt driveway off of South Lakeside Drive for the property located at 726 South Palmway; PCN #38-43-44-27-01-014-0020. The subject property is a non-contributing resource within the South Palm Park Local Historic District and is located in the Single-Family Residential (SF-R) zoning district.

Staff: The parcel once had a circular drive that has fallen into disrepair, curb cuts are still intact. The parking created by the proposed circular drive would add off-street parking in excess of what is required for a single-family residence. The permit was failed by staff and brought before the Board on June 9, 2021 with the result being the Board recommending the applicant work with staff toward a parallel parking solution. Circular drives in Historic Districts are historically inaccurate as they give unwanted prominence to the automobile.

Agent for the applicant: There is no way to accommodate a parallel parking situation. It would also double the cost. She wants to retain the pelican statue in the middle of a narrow circle and to pull in and pull out. The contractor is willing to put cocoplum shrubs to buffer the area as the owner is not willing to add anything.

Board: B. Guthrie – Would like to see pavers or concrete, asphalt is not correct for Historic areas. Agent states he also installs concrete and pavers but applicant doesn't want that. Since it is a dual frontage lot on Lakeside and Palmway, it would be a disservice to the neighborhood if something is installed that doesn't look nice. The property owner has been using the front driveway all these years. R. D'Arinzo continues to support the previous Board recommendation. S. Pickett – The proposal is not significantly different from the previous proposal, Board guidance was not taken. It is questionable if it is safe; it would also vest the drive going forward. J. Fox – pavers would be esthetically pleasing and believes the cocoplum planting may create a blind spot. R. Martin doesn't care for the proposal, it would change the look of the street and does not want to set any precedence.

Motion: S. Pickett moves to deny HRPB 21-00100157 because the applicant has not established by competent substantial evidence that the application is compliant with the Land Development Regulations and Historic Preservation requirements: R. D'Arinzo 2nd.

Vote: Ayes all, unanimous.

NEW BUSINESS:

A. HRPB Project Number 21-00000014: Consideration of a request for Mural Installation for the contributing structure located at 17 South L Street; PCN#38-43-44-21-15-021-0250. The subject property is located in the Mixed-Use East (MU-E) zoning district and the Old Town Local Historic District.

Staff: E. Sita provides background information on the mural. This is a request for a retro-active approval as the mural is already installed. The commercial message has been removed. Historically murals were used on the sides or rear walls/facades which means the location of this mural is appropriate.

Board: S. Pickett agrees with staff as long as the message is gone. R. Martin inquires as to whether murals are not allowed on side or back of home if not visible. Staff states it is a commercial property.

Public Comment: None

Motion: R. D'Arinzo moves to approve HRPB 21-00000014 with two (2) conditions based upon competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements; J. Fox 2nd

J. Fox asks if this is yet another case of asking forgiveness. Everyone does what they want to do and then comes before the Board for approval. **Staff:** They were cited by Code Compliance and there is a permit penalty fee.

Vote: Ayes all, unanimous.

B. HRPB Project Number 21-00100269: A Certificate of Appropriateness (COA) for window and door replacement for the property located at 220 South L Street; PCN #38-43-44-21-15-091-0070. The subject property is located in the Low-Density Multi-Family Residential (MF-20) zoning district and is a contributing resource to the Southeast Lucerne Local Historic District.

Staff: E. Sita presents case findings and analysis. On March 3, 2021 the detached garage was condemned by the Building Official per his findings and at the request of the property owners. Any structure in a Historic District that is condemned by the Building Official does not need Board approval to be demolished.

Of interest is the closure of window openings on the south elevation. This is a result of a non-conforming setback and inability to meet fire rating with any window. The closure will increase safety of the residents'. Faux shutters will be applied at those locations. Non-conformities will not increase.

Architect for the applicant: Geoff Harris- explains the front door will become a solid, recessed panel door. The new one will be a three (3) panel door. Other changes include one window to be replaced with siding, one opening to accommodate a pair of windows, and alteration of a paired window to accommodate a triplet of windows.

Motion: S. Pickett moves to approve HRPB 21-00100269, a request for window and door replacement, with staff recommended Conditions based upon competent substantial evidence in the staff report and pursuant to the city of Lake Worth Beach Land Development Regulations and Historic Preservation requirements; R. D'Arinzo 2nd.

Vote: Ayes all, unanimous.

C. PZB/HRPB Project Number 20-01100001: A request by MAG Real Estate & Development, Inc. on behalf of Hammon Park on the Ave, LLC, for consideration of a replat to subdivide a portion of 'Hammon Park' to the development known as 'Aviara on the Ave', which is the subject property. The property is located within the Northeast Lucerne Local Historic District and is located within the Mixed Use - Dixie Highway (MU-DIXIE) zoning district with a Future Land Use of Mixed Use East (MU-E).

Staff: E. Sita provides background information for the reason of the re-platting. A condition of the Ordinance 2015-05 was to replat showing the conversion from townhouse to multi-family condominium structures prior to receiving a Certificate of Occupancy. In 2019 building permits were issued for construction in accordance with the Major RPD in 2015. The townhome HOA had to agree to changes guaranteeing and clarifying access to the roadways. This is why it took so long for the plat to get to this stage.

Public Comment: Fred Romaine-308 North J Street- has concerns about whether the re-plat will affect the Knox-Box on J Street. Also trash and gate concerns.

Staff: The Site Plan was approved in 2015 and will receive the Certificate of Occupancy once all conditions of that approval are met. The Knox Box and gate would have been a part of the Site Plan approval. Appropriate trash can days and replacing to the proper location is addressed by Public Services and Code Compliance.

Motion: R. Martin move to recommend approval of PZB/HRPB 20-01100001 the re-plat of a portion of Hammon Park to the City Commission, the proposal meets the applicable criteria based upon data and analysis in the staff report; S. Pickett 2nd.

Vote: Ayes all, unanimous.

D. PZB/HRPB 21-00400001 (Ordinance 2021-09): Consideration of an ordinance to Chapter 23 "Land Development Regulations" regarding changes to the development appeal process.

Staff: E. Sita explains the changes to the appeal process. The City process is no longer the standard, it is atypical. Florida Statutes allow for appeal directly to the Circuit Court. This proposal represents standard practice within local governments. It is cumbersome to the municipality to prepare and process, it provides better due process and also more time for both the applicant and appellant. It costs money and time to appeal to the City Commission, it eliminates the Commission. W. Waters- many cities do not have decision making Boards, unlike Lake Worth Beach. The Commission was in agreement, and requested, after the last appeal, to move the process directly toward the Circuit Court. Only site plans and conditional uses followed that route, variances have always been to appeal directly to Circuit Court.

Board: Clarification about the waiver process within an RPD, distinction is made between modifying a law or ordinance and appealing a decision made by Board according to that law.

Board Attorney: An appellant review is only looking for whether the decision was arbitrary and capricious. The appeal is seeking to determine if the decision was made contrary to law. It puts the Commission in a difficult position to rule on statute driven law.

Staff: Administrative decisions are still appealed to the Board, that is a decision made by the Development Review Official. W. Waters also mentions the Permitted Use table and the inclusionary code decisions come directly to Board. The Board acts in a quasi-judicial matter as it relates to certain applications, other recommendations are legislative in nature. In that case the City Commission is the decision making body.

Motion: S. Pickett moves to recommend approval to the City Commission to adopt PZB/HRPB 21-00400001 Ordinance 2021-09; R. D'Arinzo 2nd.

PLANNING ISSUES: B. Guthrie has questions about Non-Conformities. Initial concern is building on a 25-foot lot which was previously part of a larger parcel and broken apart.

Staff: Changes in minimum lot size have varied over the years. Currently a conforming Single Family Residential lot is 50 foot in width decreased from 75-feet approximately six (6) years ago. Certain lots in the Worthmore and College Park area are excluded. There is still an appreciation for the historic lots of record. The distinction is made between a Unity of Title and re-platting. A Unity of Title gives one parcel number and one tax bill but the underlying lots remain. Replatting removes all previous lot lines. Lots created after January 5, 1976 must be according to the requirements for that district. The non-conforming legal lots of record can still be built upon. One could request a Unity of Title be released and the City could deny the request to release the Unity of Title.

Board inquires if an interested party could not be required to meet the conforming size? No, there are property rights. There is a place for 25-foot lots, they require creative configurations, attention to mass and density.

PUBLIC COMMENTS: (3 minute limit) None

DEPARTMENT REPORTS: None

BOARD MEMBER COMMENTS: None

ADJOURNMENT: 8:35 pm

Legal Notice No. 39422

PLEASE TAKE NOTICE that the City of Lake Worth Beach's Historic Resources Preservation Board (HRPB) will conduct the meeting virtually with limited in-person attendance per the Centers for Disease Control and Prevention Coronavirus Disease 2019 (Covid-19) Guidance at 7 North Dixie Highway, Lake Worth Beach on **Wednesday, November 17, 2021 at 6:00 pm** or soon thereafter to consider the following:

HRPB 21-00100281: Consideration of a request for the demolition of a garage/carport structure located at 812 South Lakeside Drive, pursuant to but not limited to Sections 23.2-7, 23.3-7, and 23.5-4 of the Land Development Regulations. The subject property is located in the Single-Family Residential (SF-R) Zoning District and the South Palm Park Local Historic District. PCN: 38-43-44-27-01-024-0050.

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
November 4, 2021

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Publish: The Lake Worth Herald
November 4, 2021

Legal Notice

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

• **Ordinance 2021-09** - Consideration of an ordinance addressing modifications to the appeals process of land development applications as follows: AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, REMOVING THE CITY COMMISSION AS THE ADMINISTRATIVE APPELLATE AUTHORITY FOR LAND DEVELOPMENT REGULATION DECISIONS MADE BY THE HISTORIC RESOURCES PRESERVATION BOARD AND PLANNING AND ZONING BOARD BY AMENDING CHAPTER 23 "LAND DEVELOPMENT REGULATIONS," ARTICLE 2, "ADMINISTRATION," DIVISION 1, "SUPPLEMENTAL REGULATIONS," DIVISION 1, "DECISIONMAKERS," SECTIONS 23.2-1, 23.2-7, 23.2-8, AND 23.2-9; DIVISION 2, "PROCEDURES," SECTIONS 23.2-15, 23.2-16, AND 23.2-17; DIVISION 3, "PERMITS," SECTIONS 23.2-27, 23.2-29, 23.2-30; ARTICLE 5, "SUPPLEMENTAL REGULATIONS," SECTION 23.5-1 AND 23.5-4; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND 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/> prior to the start of the meeting. If you are unable to access the web portal, please leave a message at 561-586-1662. Written responses or comments can be sent to the City Clerk's office at 7 N Dixie Highway, Lake Worth Beach, FL 33460 and must arrive before the hearing date to be included in the formal record. Please email written comments to cityclerk@lakeworthbeachfl.gov. The public may view the meeting through the City's YouTube channel at <https://www.youtube.com/c/CityofLakeWorthBeach>

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Publish: The Lake Worth Herald
November 4, 2021



MEMORANDUM DATE: November 10, 2021

AGENDA DATE: November 17, 2021

TO: Chair and Members of the Historic Resources Preservation Board

RE: **812 South Lakeside Drive**

FROM: Department for Community Sustainability

TITLE: **HRPB Project Number 21-00100281:** Consideration of a request for a Certificate of Appropriateness (COA) to demolish an attached carport structure located at 812 South Lakeside Drive. The subject property is located in the Single-Family Residential (SF-R) Zoning District and the South Palm Park Local Historic District.

Property Owner / Applicant: Ashley & Brian Mudd
810 S Lakeside Drive
Lake Worth Beach, FL 33460

PROPERTY DEVELOPMENT HISTORY:

The single-family structure located at 812 S Lakeside Drive was constructed in 1942 in Art Moderne architectural style designed by Samuel Akerman. Character-defining features of the two-story structure include the round fixed window and horizontal casement windows along the front façade. The original windows were replaced in 1970, and a window replacement permit was subsequently administratively approved in 2021. The property is a contributing resource to the South Palm Park Local Historic District.

PROJECT DESCRIPTION:

The Applicant has submitted plans for the demolition of the attached carport structure. The carport structure has deteriorated. The applicant would like to demolish the structure because they feel it detracts from the architecture of the home.

Existing Carport:



Proposed Carport Demolition:

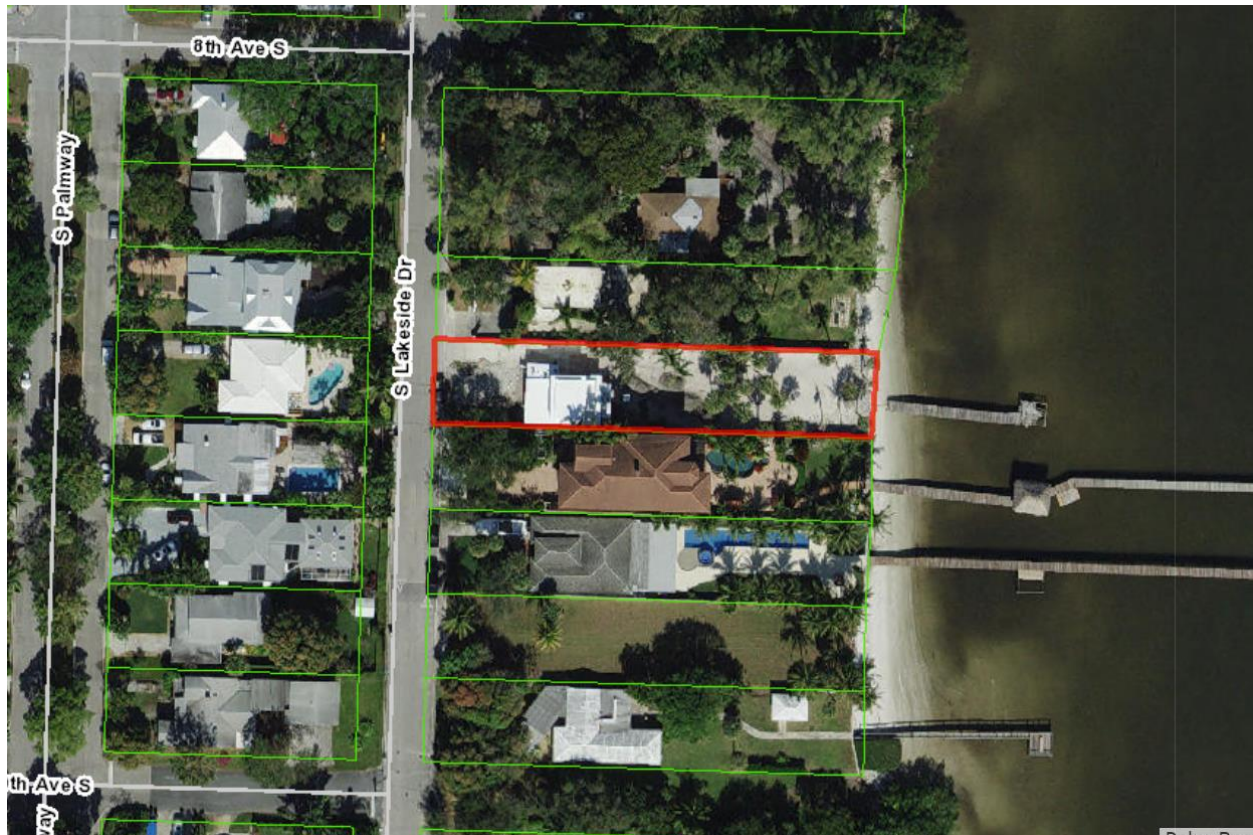


STAFF RECOMMENDATION: Staff recommends that the Board discuss the carport demolition after reviewing the Decision Criteria for Demolition, included as **Attachment A**. The property is a contributing resource to the South Palm Park Local Historic District.

PROPERTY DESCRIPTION:

Owner	Ashley & Brian Mudd
General Location	East side of South Lakeside Drive, north of 9 th Ave S
PCN	38-43-44-21-15-508-0091
Zoning	SFR – Single-Family Residential
Existing Land Use	Single-Family
Future Land Use Designation	SFR – Single-Family Residential

LOCATION MAP:



Consistency with the Comprehensive Plan

Goal 1.4 of the Comprehensive Plan encourages preservation and rehabilitation of historic resources. Policy 3.4.2.1 insists 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. Staff requests that the Board review the proposed carport demolition to determine the consistency of the structure with the Comprehensive Plan requirements as codified in the demolition review criteria in Attachment A.

HISTORIC PRESERVATION ANALYSIS:

Certificate of Appropriateness

All exterior alterations to structures, including demolition, within a designated historic district are subject to review criteria. Staff is requesting that the HRPB review the criteria in **Attachment A** to determine the appropriateness of the carport demolition.

POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB 21-001000281: Consideration of a Certificate of Appropriateness (COA) for the demolition of an attached carport structure located at **812 South Lakeside Drive** based upon competent substantial evidence in the staff report and testimony at the public hearing.

I MOVE TO **DENY** HRPB 21-001000281: Consideration of a Certificate of Appropriateness (COA) for the demolition of an attached carport structure located at **812 South Lakeside Drive** because the Applicant has not established by competent substantial evidence that the application complies with the City of Lake Worth Beach’s Land Development Regulations Section 23.5-4 and the City’s Comprehensive Plan.

ATTACHMENTS:

Attachment A – Historic Preservation Review Criteria

Attachment B – Application Materials

Attachment A

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?
 - B. What is the relationship between such work and other structures on the landmark site or other property in the 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?
 - D. Would denial of a certificate of appropriateness deprive the property owner of reasonable beneficial use of his property?
 - E. Are the applicant's plans technically feasible and capable of being carried out within a reasonable time?
 - 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?
 - 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?

Section 23.5-4(K)(4) *Additional requirements for demolitions.*

- A. **Decision-making criteria.** All requests for demolition shall require a certificate of appropriateness. No certificate of appropriateness for demolition of a landmark or contributing property shall be issued by the HRPB unless the applicant has demonstrated that no other feasible alternative to demolition can be found. In making its decision to issue or deny a certificate of appropriateness to demolish, in whole or in part, a landmark building or structure, the HRPB shall, at a minimum, consider the following additional decision-making criteria and guidelines:
 - (1) Is the structure of such interest or quality that it would reasonably fulfill criteria for designation as a landmark on the National Register of Historic Places?
 - (2) Is the structure of such design, texture, craftsmanship, size, scale, detail, unique location or material that it could be reproduced only with great difficulty or economically unreasonable expense?
 - (3) Is the structure one of the few remaining examples of its kind in the city?
 - (4) Would retaining the structure promote the general welfare of the city by providing an opportunity to study local history, architecture and design or by developing an understanding of the importance and value of a particular culture or heritage?

- (5) Does the permit application propose simultaneous demolition and new construction? If new construction is proposed, will it be compatible with its surroundings (as defined above) and, if so, what effect will those plans have on the character of the surrounding sites or district?
- (6) Would granting the certificate of appropriateness for demolition result in an irreparable loss to the city of a significant historic resource?
- (7) Are there definite plans for the immediate reuse of the property if the proposed demolition is carried out, and what effect will those plans have on the architectural, historic, archeological or environmental character of the surrounding area or district?
- (8) Is the building or structure capable of earning reasonable economic return on its value?
- (9) Would denial of demolition result in an unreasonable economic hardship for the property owner?
- (10) Does the building or structure contribute significantly to the historic character of a designated historic district and to the overall ensemble of buildings within the designated historic district?
- (11) Has demolition of the designated building or structure been ordered by an appropriate public agency because of unsafe conditions?
- (12) Have reasonable measures been taken to save the building from further deterioration, collapse, arson, vandalism or neglect?



MEMORANDUM DATE: November 10, 2021

AGENDA DATE: November 17, 2021

TO: Chair and Members of the Historic Resources Preservation Board

RE: **704 Lake Avenue**

FROM: Department for Community Sustainability

TITLE: HRPB Project Number 21-00100284: Consideration of a Certificate of Appropriateness (COA) for window additions and replacement on the second story of a building located at 704 Lake Avenue; PCN# 38-43-44-21-15-508-0091. The subject building is located within the Downtown (DT) zoning district with a future land use designation of Downtown Mixed Use (DMU). It is also located within the City's Community Redevelopment Agency (CRA) overlay district and is a contributing resource within the Old Town Historic District.

OWNER(S): Douglas Peters / 702 704 Lake Avenue LLC
6023 Le Lac Road
Boca Raton, FL 33496

ARCHITECT: Giorgio G. Antoniazzi of Antoniazziarch Architecture, INC

PROPERTY DEVELOPMENT HISTORY:

According to the property appraiser's files, the two-story structure was constructed in 1935. The property is listed on the Florida Master Site File (PB16505) as National Register of Historic Places (NRHP) eligible per the Lake Worth Historic Survey Update Phase II. Prior to that 2018 survey, the subject property was not considered to be NRHP eligible. Evidence of the structure's past mixed use can be found in many historical newspaper notices, including advertisements for rooms in the Royal Hotel circa 1945, notices of activities as the Lodge house for Lake Worth BPOE Elks Lodge No. 1352 in 1946, and more recent commercial use including Johnson's Men's Shop.

PROJECT DESCRIPTION:

The property owner, Douglas Peters, is requesting a COA for the addition of new second story windows along the front and side façades of the building located at 704 Lake Avenue (**Attachment B**). The windows on the second story side (east & west) facades are located in previously enclosed openings and proposed to be single hung windows. The proposed application would also modify the window configuration on the rear (north) façade of the building. Specifically, the existing awning windows on the rear (north) façade would be removed and replaced with horizontal rollers. The proposed products include both Series "PW7720A" Aluminum Fixed Windows and Series "SH7700A" Aluminum Single Hung Windows (Exhibit C). The product approval for the rear horizontal roller windows was not provided.

On the front (south) façade, the applicant is requesting the approval of two new fixed windows in the configuration depicted in Exhibit A below. An alternate configuration (Exhibit B) was also provided at staff's request.

Exhibit A: Applicant's Preferred Window Configuration – Front (South) Facade



Exhibit B: Alternate Window Configuration – Front (South) Facade



Staff recommends windows depicted in Exhibit B with the removal of the stucco texture on the concrete between each set of windows.

STAFF RECOMMENDATION: Staff recommends that the Board discuss the proposed window configurations presented by the applicant in **Attachment B**, including:

- For the windows on the front (south) façade, discuss the appropriateness of the window configurations as presented in Exhibit A and Exhibit B with staff recommended conditions of approval; and
- For the windows on the side (east & west) facades, discuss if single-hung windows in the previously enclosed window openings are appropriate or an alternate window type such as horizontal rollers or fixed casement windows.

PROPERTY DESCRIPTION:

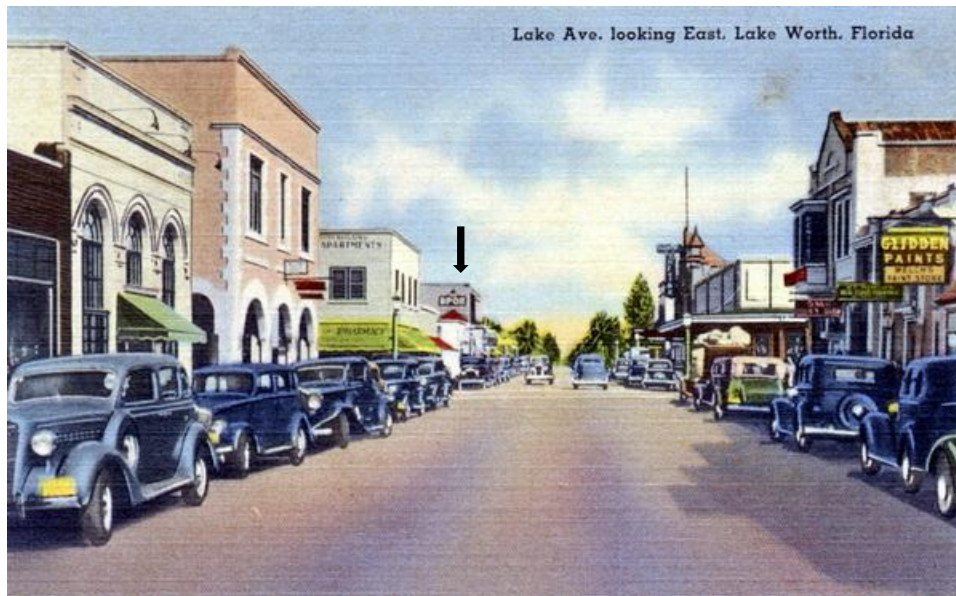
Owner	702 704 Lake Avenue LLC
General Location	North side of Lake Avenue between North J Street and North K Street
PCN	38-43-44-21-15-508-0091
Zoning	DT - Downtown
Existing Land Use	Commercial
Future Land Use Designation	Downtown Mixed Use

LOCATION MAP:



Consistency with the Comprehensive Plan

The proposed project is consistent with Goal 1.4 of the Comprehensive Plan, which encourages preservation and rehabilitation of historic resources. Policy 3.4.2.1 insists 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 missing features should be substantiated by documentary, physical, or pictorial evidence. The addition of windows on the second story of the subject building is a compatible and appropriate modification. The current proposal is substantiated by evidence that the products proposed are compatible with the architectural style of the structure or current regulations. Further, the images below suggest evidence of windows on the second-floor south façade in the past:



Note subject property (BPOE building) indicated by the arrow appears to have second-floor window openings. Lake Avenue looking east - Lake Worth, Florida. 20th century. State Archives of Florida, Florida Memory. Accessed 9 Nov. 2021.<<https://www.floridamemory.com/items/show/159722>>.



Note subject property indicated by the arrow. Lake Avenue looking east - Lake Worth, Florida. 1976 (circa). State Archives of Florida, Florida Memory. Accessed 9 Nov. 2021.<<https://www.floridamemory.com/items/show/159725>>.

ZONING ANALYSIS:

Major Thoroughfare Design Guidelines

Pages 56-57 of the Major Thoroughfare Design Guidelines provides guidance on windows for properties located along the City's major thoroughfares. The guidelines recommend a minimum of 25% percent of the front façade of the building have glazing and states that windows should be "consistent and harmonious with the desired architectural style" of the building. New windows on the second floor are consistent with the recommendations in the guidelines.

HISTORIC PRESERVATION ANALYSIS:

Historic Preservation Design Guidelines

The City's Historic Preservation Design Guidelines provide a guide for compatible windows for historic structures within the historic districts. Windows are amongst the most important character-defining architectural features, but they are also one of the most commonly replaced or added features of a building. The addition, replacement or modification of windows should match the original features in design, color, texture, and other visual qualities and, where possible, materials. The masonry vernacular architectural style featured rectilinear groups of fixed-pane windows using metal (steel/aluminum) trim as described section of the City's Historic Preservation Design Guidelines.

Staff Analysis: The window replacements and additions are depicted in the applicant's drawings in **Attachment B**. Based on the existing original windows and the City's Historic Preservation Design Guidelines, staff contends that the addition of new windows is appropriate provided the proposed windows successfully replicate windows consistent with the building's architectural style.

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.

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 proposed window additions on the front façade do not successfully complement the existing windows on the bottom floor of the building. Staff is recommending the more vertical three-part window configuration in Exhibit B that would more successfully complement the existing window configuration on the ground floor. The proposed windows on the side and rear façades are not anticipated to have a negative effect on the structure.

- 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 addition of compatibly designed windows would allow for greater utilization of the second-floor commercial space without negatively impacting the structure or other properties in 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 applicant’s preferred window configuration on the front façade does not successfully complement the existing architectural style of the structure. The applicant’s alternate configuration should be considered in lieu of the applicant’s preferred option. The proposed windows on the side and rear facades are not anticipated to negatively impact the historic significance of building. However, the Board may wish to discuss the window types utilized on the side facades.

- 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 applicant's preferred proposal on the front facade, is not in compliance with the City's Historic Preservation Design Guidelines, Secretary of the Interior's Standards for Rehabilitation, and the City's Land Development Regulations, Historic Preservation Ordinance (LDR Sec. 23.5-4). However, the alternate window proposal for the front façade (Exhibit B) and the proposed windows on the side and rear facades are consistent with these standards.

- 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 contributing local resource within the historic district. The resource is a masonry vernacular commercial building, which has a distinct set of architectural characteristics. The Board should provide direction to the applicant to modify the design of the proposed second story windows on the front façade for consistency with the City's Historic Preservation Design Guidelines.

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: No distinguishing original qualities or character of the building would be destroyed as result of appropriately compatible windows on the second floor.

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

Staff Analysis: The addition of new windows is consistent with the City’s Historic Preservation Design Guidelines and is visually compatible with neighboring properties.

PUBLIC COMMENT:

At the time of publication of the agenda, staff has not received written public comment.

CONCLUSION:

The addition of new windows on the second story of the subject building would allow for effective utilization of the commercial space and is a compatible and appropriate modification to the structure. However, staff has concerns related to the appropriateness of the applicant’s preferred window configuration on the front façade. Therefore, staff recommends that the Board discuss the appropriateness of the proposed window configurations as follows:

- For the windows on the front (south) façade, discuss the appropriateness of the window configurations as presented in Exhibit A and Exhibit B with staff recommended conditions of approval; and
- For the windows on the side (east & west) facades, discuss if single-hung windows in the previously enclosed window openings are appropriate or an alternate window type such as horizontal rollers or fixed casement windows.

Conditions of Approval

- 1) On the front façade of the building, the window configuration in Exhibit B shall be modified to have smooth stucco finish between the windows.
- 2) 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 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.
- 4) Replacement stucco texture shall be smooth.

POTENTIAL MOTION:

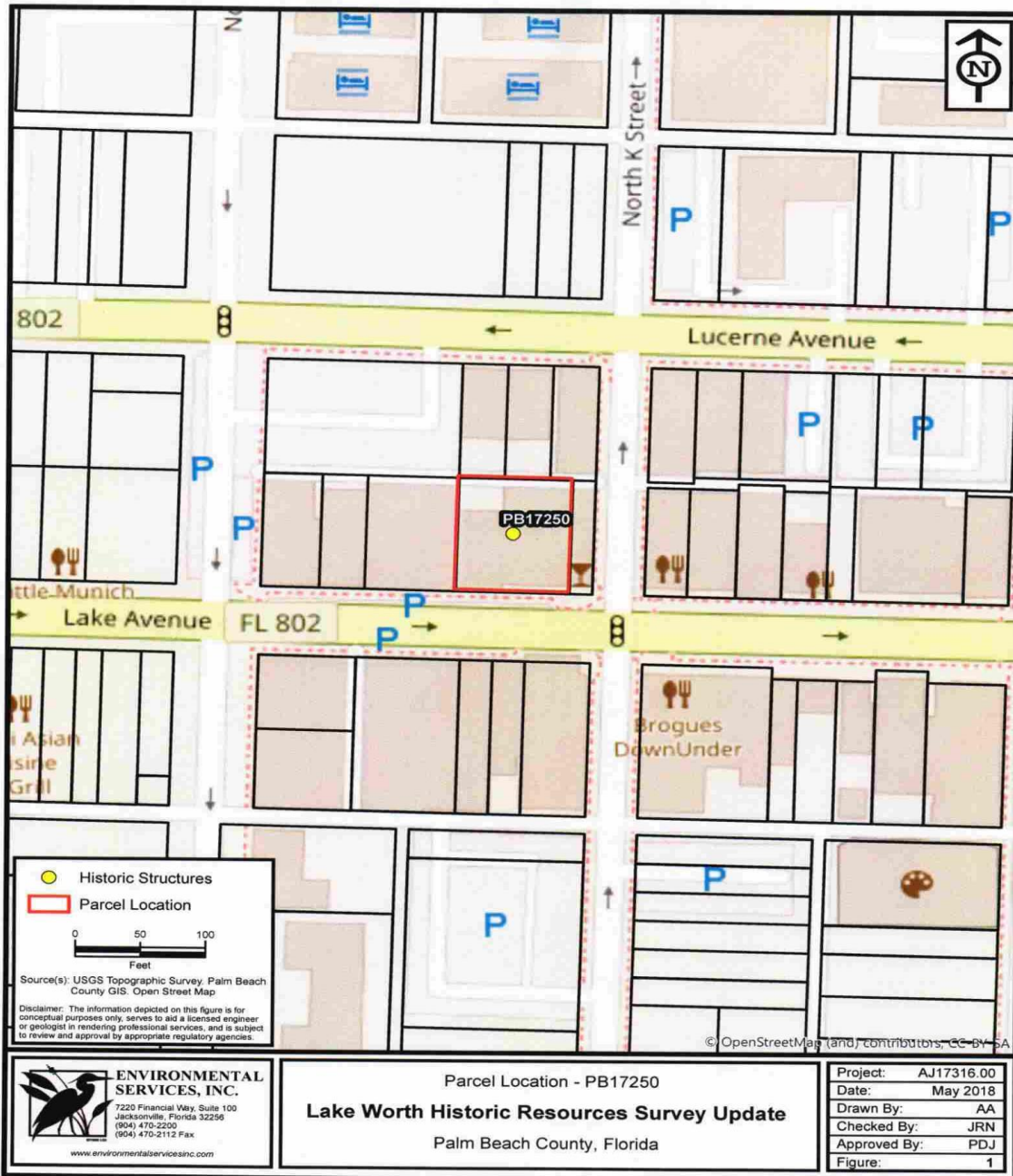
I MOVE TO **APPROVE** HRPB Project Number 21-00100284 with staff recommended conditions for a Certificate of Appropriateness (COA) for window additions and replacement for the property located at **704 Lake Avenue**, based upon the competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements.

I MOVE TO **DENY** HRPB Project Number 21-00100284 for a Certificate of Appropriateness (COA) for window additions and replacement for the property located at **704 Lake Avenue**, 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. Parcel Map – Lake Worth Historic Resources Survey
- B. Proposed Architectural Plans

Attachment A





SEE COA LETTER FOR CONDITIONS OF APPROVAL

21-4055 131 S Palmway
garage-condemnation



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

Reviewed to the best of my knowledge
and belief for the Florida Building
Codes compliance. Issuance of this
permit shall not constitute permission to
violate Building, Zoning or licensing
Requirements.
Reviewed by Charlie Sturtevant

Declaration of unsafe conditions.

July 8, 2021

A representative of the Building Official of Lake Worth Beach inspected the structure located at 131 S Palmway. 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))

The following are the observations from the site visit:

The structure is wood framed and there is a significant amount of termite damage and rotten wood in the structural members of the walls and the roof. The sill plate which connects the walls to the foundation is damaged beyond repair.

It is my conclusion that the building is structurally compromised and should be demolished. See attached photographs which document my conclusions.

Peter Ringle
Building Official
Lake Worth Beach

HISTORIC