



AGENDA
CITY OF LAKE WORTH BEACH
HISTORIC RESOURCES PRESERVATION BOARD MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, OCTOBER 11, 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. [September 13, 2023 minutes](#)

CASES

SWEARING IN OF STAFF AND APPLICANTS

PROOF OF PUBLICATION

- 1) [802 North Federal Hwy](#)

WITHDRAWALS / POSTPONEMENTS

CONSENT

PUBLIC HEARINGS:

BOARD DISCLOSURE

UNFINISHED BUSINESS:

NEW BUSINESS:

- A.** [HRPB Project Number 23-00100221: Consideration of a Certificate of Appropriateness \(COA\) for roof replacement and an Unreasonable Economic Hardship application at 415 North Ocean Breeze. The subject property is a contributing resource to the Old Lucerne National Historic District and is located in the Single Family Residential \(SFR\) Zoning District.](#)
- B.** [HRPB Project Number 23-00100216: Consideration of a Certificate of Appropriateness for two historic waivers for a swimming pool in the front yard and minimum required front setback for the structure located at 401 North Lakeside Drive. The subject property is located within the Single Family Residential \(SFR\) zoning district and has a future land use designation of Single Family Residential \(SFR\). The property is a contributing resource in the Old Lucerne Historic District.](#)
- C.** [HRPB Project Numbers 23-01400014 and 23-00100179: Consideration of a Major Site Plan and Certificate of Appropriateness \(COA\) to construct a 6-unit apartment building at 802 North Federal Highway. The subject site is located in the Mixed Use – Federal Highway \(MU-FH\) zoning district and has a future land use designation of Mixed Use – East \(MU-E\). The subject property is a non-contributing resource in the Northeast Lucerne Historic District.](#)

PLANNING ISSUES:

PUBLIC COMMENTS: (3 minute limit)

DEPARTMENT REPORTS:

BOARD MEMBER COMMENTS:

ADJOURNMENT

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

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 13, 2023 -- 6:02 PM

SWEARING IN OF NEW MEMBERS Board Secretary administered Oath of the Office (Historic Resources Preservation Board) City of Lake Worth Beach to newly appointed Board members: Laura Devlin; Elaine DeRiso; Edmund Deveaux.

ROLL CALL and RECORDING OF ABSENCES Present were: Robert D'Arinzo; Nadine Heitz; Jamie Foreman(6:11); Laura Devlin; Elaine DeRiso; Edmund Deveaux. Absent: Edmond LeBlanc. Also present were: Yeneneh Terefe, Preservation Planner; Anne Greening, Senior Preservation Planner; Erin Sita, Asst. Director for Community Sustainability; Elizabeth Lenihan, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA Motion to move the training portion of the agenda to the top of the agenda.

APPROVAL OF MINUTES:

A. June 14, 2023 Regular Meeting Minutes

Motion: N. Heitz moves to accept the minutes as presented; L. Devlin 2nd. **Vote:** Ayes all.

July 12, 2023 Regular Meeting Minutes

Motion: N. Heitz moves to accept the minutes as presented; L. Devlin 2nd. **Vote:** Ayes all.

HRPB TRAINING: One of the duties of this Board is to provide architectural review guidance and decisions. A later training session will be held to provide zoning training.

Anne Greening, Senior Historic Planner: Shares quick history of the beginnings of Historic Preservation in the United States. In 1853 the Mt. Vernon Ladies Association were the model agency for Preservation; Charleston had the first Zoning Ordinance in 1931; Penn Station, demolished in 1963, caused outrage and protest but there were no lawful protections in effect at the time. 1965 brought the New York Preservation Committee as a result of those actions. In 1966 the Federal Government enacted the Historic Preservation Act which then provided for local offices. On the Federal level the Dept. of the Interior and National Park Service create standards and guidelines and regulate national sites. In Florida the State level is the Florida Division of Historical Resources. The State Certified Local Government (CLG) designation provides opportunities for the entire City such as lower Flood Insurance rates. Base Flood Elevation variances are available only for contributing structures in Historic Districts. The CLG designation provides for grant opportunities, offering of waivers, digitizing of property files and the creation of guidelines. All minutes and agendas are reviewed by the State as part of the Certified Local Government status. This brings additional scrutiny to decisions, regulations and programs. The real protection comes through local code preventing unnecessary demolitions and incompatible alterations. The Historic Preservation Ordinance outlines the Board and Staff responsibilities; community goals for preservation; and specific review criteria. Along with the Design Guidelines, which are in full force and

effect, are the Land Development Regulations. There are Educational Guidelines which are ideas for sustainability and resiliency. Major Thoroughfare Design Guidelines give direction for properties on the City major thoroughfares. Surveys have been conducted twice since the inception of the districts. There are contributing resources and non-contributing resources within the districts. Most of the structures are single-family. In Florida the only time a Board can review the architecture of a single-family home is if they are located within a historic district. Otherwise they would go directly to permits. Criteria for review are provided through the State as well as local ordinances.

Elizabeth Lenihan, Board Attorney: Review of Meeting procedures. Two types of Disclosures that may be encountered are Ethics Disclosures and Quasi-Judicial Disclosures (Ex-parte communications involving direct investigations and/or communications with applicants prior to a meeting).

Palm Beach County ethical regulations are more stringent than the State, these are the ones the City utilizes. Voting conflicts of interest shall be declared and completion of Form 8B is required to be filed for each voting conflict of interest. Competent substantial evidence can be found within the staff report. Decisions cannot be arbitrary, consistent application of the law and not contrary to law.

Ex-parte communications- demonstrated bias or prejudice; monetary interest; pre-judgement of the issues; extraordinary personal investigations and/or communications; written communications or emails. Can you perform as an independent impartial hearing officer? Board members are not obliged to return calls made by applicants.

Discussion of protocol for meeting such as motion making, who can make a motion and Roberts Rules of Order. Public Comment is required.

Brief overview of the Certificate of Appropriateness process. Successful design review should follow the Design Guidelines. Preservation means sustain the existing form (in the purest form). Reconstruction is replication of evidenced based data; Restoration is taking it back to what it was, including removal of interim improvements; Rehabilitation - new or same use but making it usable for our lives today.

The Sunshine Law – Reminder to not discuss projects with other Board members outside the meeting forum. This includes emails, texts, phone, or in person. You may communicate with staff. Refrain from discussing items that may come before the Board through social media or otherwise. The City attorney is open to discussion prior to any meeting should you have a question about whether you need to disclose or be recused from procedures. Ethics – Do not accept gifts from parties coming before the Board; do not enter into contracts with the City. State and County Ethics links are provided to the Board.

CASES

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

PROOF OF PUBLICATION None required

WITHDRAWALS / POSTPONEMENTS None

CONSENT None

PUBLIC HEARINGS:

BOARD DISCLOSURE None

UNFINISHED BUSINESS: None

NEW BUSINESS:

HRPB TRAINING moved to earlier portion of the agenda.

A. HRPB Project Number 23-00000011: Request by Elaben Patel for installation of a new mural at 128 North Lakeside Drive. The subject site is zoned Multi-Family Residential (MF-20) and has a future land use designation of Downtown Mixed Use (DMU).

Staff: Y. Terefe provides information to Board regarding the request for the retroactive approval of the mural. The mural was installed prior to permit. Conditions include the need for a permit; the completion of a mural removal agreement; and no other physical alterations to the structure aside from paint application.

Applicant: Chatan Patel, owner of Mango Inn was approached by a muralist. The applicant is in agreement with the Conditions.

Public Comment: None

Motion: N. Heitz moves to approve HRPB 23-00000011 as the application meets the mural criteria based on the data and analysis in the staff report; E. Deriso 2nd.

Board: A question was raised with regard to the mural removal agreement condition and the purpose.

Staff: The removal agreement is in place should the mural become neglected or deteriorated to the point of needing to be removed or painted over.

Vote: Ayes all, unanimous.

B. HRPB Project Number 23-00100142: Consideration of a Certificate of Appropriateness (COA) for door and sidelight replacements with integral mini-blinds at the property located at 129 South Golfview Road, Unit #7. The subject property is a non-contributing resource to the South Palm Park Historic District and is located in the Medium-Density Multi-Family Residential (MF-30) District.

Staff: A. Greening provides analysis and data of the case. The structure was originally a 3-story building and raised to 4 stories. Original masonry railings were replaced with metal railings at the same time circa 1980-1981. Windows and doors on units 1-8 were replaced in 2009. In 2021 unit 9 applied for a COA window and door replacement. Not noted on that application and not approved via a Certificate of Appropriateness were the integral mini-blinds. In January 2023 the Building Division and Historic Division were contacted regarding the replacement of entry doors on Unit #7 (adjacent to unit #9). Staff confirmed that the full light French Doors would be a historically appropriate replacement. At that time the integral blinds were not mentioned. Subsequently the permit of May 25, 2023, showing integral blinds, was denied. Suggested alternatives were provided to the applicant however the applicant submitted the necessary documentation to proceed to Board. The door style and sidelights are appropriate according to Design Guidelines, the integral blinds are not visually consistent with the glazing on other units in the building. While it is a fine detail, it is different and staff cannot approve.

Staff: It is not a variance but a design review.

Applicant owner: Richard Narowski – Believes there are several advantages to embedded blinds. The glass will be the same. Units 7 & 9 always had the same doors and he wishes to continue the look. The doors are in close proximity to each other. Discusses current and potential privacy issues due to the location of the elevator and security light. It is difficult to see the subject door from surrounding streets. A white interlayer gives the appearance of a Dr. office and a cheap looking alternative.

Board: What is the white interlayer?

Staff: It creates a frosting, staff is attempting to achieve consistency. The HOA should be consistently approving the same door for all units. The balance of the doors on the building do not have mini blinds but one pane of glass, some with curtains behind. Does the addition of the mini blinds impact the harmony of the architecture? Although non-contributing, staff seeks architectural consistency in the multi-family masonry structure.

Board: Members are concerned with setting a precedent and that the proposal does not align with the Design Guidelines. Confirmation unit 9 is the penthouse unit.

Contractor: William Hammeke – blinds other than integral would void the warranty.

Applicant: The door has not yet been ordered.

Public Comment: Staff received seven (7) written comments prior to the meeting. These comments were distributed and made available to Board members prior to the meeting.

Motion: E. DeRiso moved to approve HRPB 23-00100142 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. 23.-54k2 More particularly because the floor was set aside to be distinctive from the lower floors and it would be visually compatible with the adjacent door; E. Deveaux 2nd.

Vote: Motion passes 4/2; J. Foreman and L. Devlin dissenting.

PLANNING ISSUES:

A. Conceptual review of a potential addition at 1405 South Palmway.

Staff: The original proposal was to remove the façade and construction to the front of the house. This would remove the home as a contributing structure. In July the Board suggested the applicant return with additional proposals. Subsequent meetings with staff and applicant did not produce any new designs. Although there have been renovations, elements continue to exist.

Proposal 1 reflects a rear 2-story addition. The height of the addition can be difficult.

Proposal 2 suggests a 1-story addition in the rear of the original home. This could be approved at staff level.

Staff: Explanation of the difference between replication and restoration. The State will look at the decision. Inconsistent, poor decisions can jeopardize the CLG status and will cause more oversight.

Board Attorney: Requests the Board to determine if they would entertain the waiver for the pool in the front yard at a future meeting.

Board: A waiver would be appropriate as it gives the opportunity to preserve the front façade and contributing status. It floods in the southern portion of the City, as a contributing structure, there would not be a requirement to raise the structure according to the new flood zones.

Applicant: Elise Prieto prefers option #2 (with the pool in front) rather than Option #1 (two-story rear addition). Would really like the original proposal to be considered. The pool in the front yard would require a waiver and could not be heard today. Would like more room for visitors and family.

PUBLIC COMMENTS: (3 minute limit) None

DEPARTMENT REPORTS: None

BOARD MEMBER COMMENTS: None

ADJOURNMENT 8:45 pm

Legal Notice No. 48696

PLEASE TAKE NOTICE that the City of Lake Worth Beach's Historic Resources Preservation Board (HRPB) will conduct a meeting at 7 North Dixie Highway, Lake Worth Beach on **October 11, 2023 at 6:00 pm** or soon thereafter to consider the following:

HRPB Project #23-01400014 and #23-00100179: Consideration of a Major Site Plan and Certificate of Appropriateness (COA) to construct a 6-unit apartment building at 802 North Federal Highway. The subject site is located in the Mixed Use - Federal Highway (MU-FH) zoning district and has a future land use designation of Mixed Use - East (MU-E). The subject property is a non-contributing resource in the Northeast Lucerne Historic District. PCN #38-43-44-21-15-234-0010.

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

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

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

If a person decides to appeal any decision made by the Board, Agency or Commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (FS 286.0105). In accordance with the provisions of the American with Disabilities Act (ADA) this document may be requested in an alternative format. Persons in need of special accommodation to participate in this proceeding are entitled to the provision of certain assistance. Please call 561-586-1687 or email historicpreservation@lakeworthbeachfl.gov no later than five (5) days before the hearing if this assistance is required.

Publish: The Lake Worth Herald
September 28, 2023



HISTORIC RESOURCES PRESERVATION BOARD REPORT

HRPB Project Number 23-00100221: Consideration of a Certificate of Appropriateness (COA) for roof replacement and an Unreasonable Economic Hardship application at 415 North Ocean Breeze. The subject property is a contributing resource to the Old Lucerne National Historic District and is located in the Single Family Residential (SFR) Zoning District.

Meeting Date: October 11, 2023

Property Owner/Applicant: Thomas Newkirk

Address: 415 North Ocean Breeze

PCN: 38-43-44-21-15-106-0130

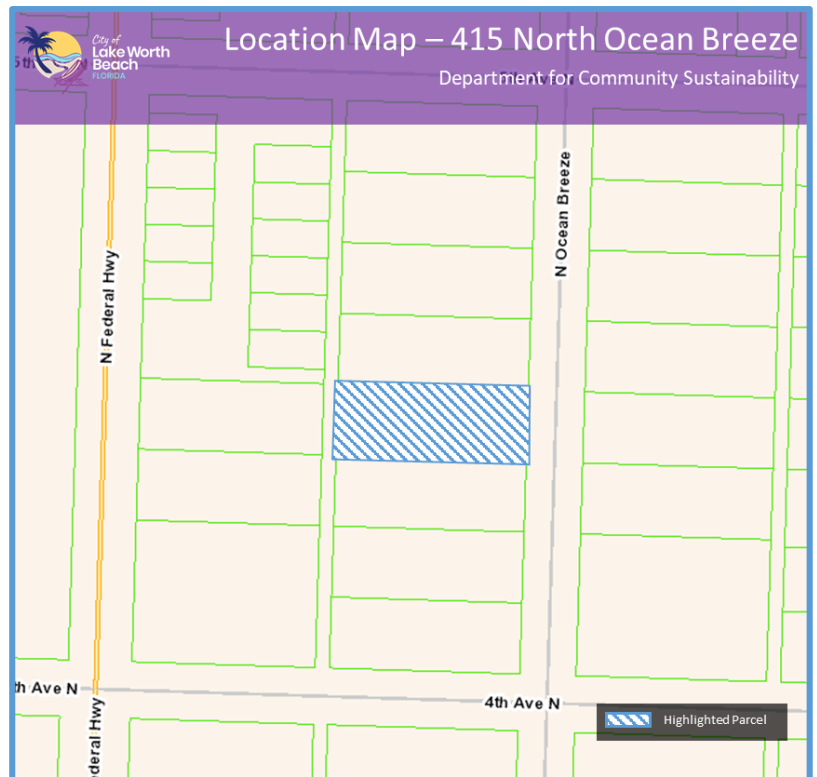
Lot Size: 0.15 acre /6750 sf

General Location: East side of North Ocean Breeze between 6th Avenue North and 7th Avenue North

Existing Land Use: Single Family Residential

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

Zoning District: Single Family Residential (SFR)



RECOMMENDATION

The documentation and materials provided with the application 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.

Many original Frame Vernacular and Frame Minimal Traditional buildings originally utilized metal shingle roofs. However, few examples of these original metal shingle roofs remain on our historic structures. It is important to the character of Lake Worth Beach's historic districts to maintain the few remaining examples or replace them with in-kind products. Staff recommends that the Board review the criteria and documentation supplied by the applicant to determine if replacing the roof with a new metal shingle roof would pose an unreasonable economic hardship for the property owner.

PROJECT DESCRIPTION

The property owner, Thomas Newkirk, is requesting a Certificate of Appropriateness to replace the original metal shingle roof with a light gray dimensional asphalt shingle roof at 415 North Ocean Breeze. The request is accompanied by an Unreasonable Economic Hardship application (LDR Section 23.5-4(I)).

PUBLIC COMMENT

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

PROPERTY DEVELOPMENT HISTORY

The existing structure at 415 North Ocean Breeze was constructed in c. 1938 in the Wood Frame Minimal Traditional style. The house was designed with wood siding, metal shingle roofing, a front-gabled entry porch, and 3-over-1 double hung windows. Based on information in the property file, a detached garage was constructed at the rear of the property in 1939. In 1966, two awnings were added to the house and a carport was added to the detached garage.

The applicant submitted a COA application and building permit application on September 1, 2023 to replace the metal shingles with asphalt shingles. The application was disapproved by staff on September 5, 2023; after discussions with the contractor and property owner, an economic hardship application was submitted and the project was subsequently placed on the October 11th HRPB agenda.

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

ANALYSIS

Consistency with the Comprehensive Plan

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

Analysis: The existing principal structure is a single-family house that is consistent with the intent of the Single-Family Residential designation. However, the proposed asphalt shingle roof is not consistent with Objectives 1.4.2 and 3.4.1, which seek to provide for the protection, preservation, or sensitive reuse of historic resources.

Consistency with the Land Development Regulations – Historic Preservation

All exterior alterations to structures within a designated historic district are subject to visual compatibility criteria. Staff has reviewed the documentation and materials provided in this application and outlined the applicable guidelines and

standards found in the City's Historic Preservation Ordinance, detailed in the section below. The Minimal Traditional section of the Historic Preservation Design Guidelines, as well as the roofing section, are included as **Attachment D**.

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

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

- A. *What is the effect of the proposed work on the landmark or the property upon which such work is to be done?*

Analysis: The proposed work will replace the original metal shingle roof with an asphalt shingle roof. Based on the City's Historic Preservation Design Guidelines, the proposed asphalt shingle roof is considered a "less successful" replacement for metal shingles, and requires HRPB approval.

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

Analysis: The proposed roof replacement would detract from the overall historic character of Old Lucerne National Historic District by reducing an already limited number of original metal shingle roofs in this district. However, per previous direction from the HRPB and the Florida Division of Historical Resources, replacement with a compatible substitute material may be appropriate when an in-kind replacement of a historic roof is not economically feasible. If an economic hardship is established, replacement with light gray asphalt shingles would be considered a compatible substitute roofing as they retain the color and pattern that the historic roof provided.

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

Analysis: Per the regulations set forth in the City's Historic Preservation Design Guidelines, replacement roofs shall replicate the appearance of the original roofing material. The asphalt roof will impact the overall historic integrity of this property by removing a character-defining feature.

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

Analysis: No, denial of the COA would not result in a loss of reasonable use of the property.

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

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

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

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

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

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

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

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

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

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

Analysis: Yes; some of the original qualities and character of the building would be destroyed by the removal and replacement of the original metal shingles with an asphalt shingle roof.

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

Analysis: Asphalt shingle roofing is common roofing material among properties in the Northeast Lucerne Historic District. Many wood-frame structures in the City have lost their original metal shingle roofs over time. They have largely been replaced with asphalt shingles. A change from metal shingles to asphalt shingles would not be visually incompatible with neighboring properties.

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

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

- c. *That the replacement windows and doors match the old in design, color, texture and, where possible, materials where the property is significant for its architectural design or construction.*
- d. *If the applicant avails himself of this paragraph the materials used must appear to be as historically accurate as possible and in keeping with the architectural style of the structure.*

Analysis: This section is not applicable to this COA request for roofing replacement.

Consistency with the Land Development Regulations – Unreasonable Economic Hardship

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

The applicant's Unreasonable Economic Hardship Affidavit and supporting materials are included as **Attachment E**; for confidentiality reasons, Attachment E will be provided to the members of the HRPB but will not be published.

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

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

Analysis: Per the applicant's affidavit, he did know at the time of acquisition that the property was located within a historic district.

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

Analysis: The property's ownership was transferred in February 2005 from the current owner's parents through a quit deed and there was no payment or financing.

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

Analysis: The property owner resides at the property, and is homesteaded at this location.

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

Analysis: Per the applicant's affidavit, the property owner and his daughter contacted 7 roofing companies for estimates of metal shingle roofing replacement, and the consensus of the various companies was that metal shingle roofing would cost between \$8,000 - \$15,000 more than replacement with asphalt shingle roofing. The applicant also provided their cost estimate for asphalt shingle roofing.

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

Analysis: Per Palm Beach County Property Appraiser, in 2022 the property had an assessed land value of \$189,000 and an improvement value of \$92,900 with a total market value of \$281,900. In 2021, the property had an assessed land value of \$121,750 and an improvement value of \$77,396 with a total market value of \$199,146.

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

Analysis: Per the applicant's affidavit, here, the real estate taxes totaled \$1,284.51 in 2022 and \$1,235.95 in 2021.

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

Analysis: Not applicable.

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

Analysis: Not applicable, item E indicates the most recent assessments of the property's value.

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

- a) *Any real estate broker or firm engaged to sell or lease the property.*
- b) *Reasonableness of the price or rent sought by the applicant.*
- c) *Any advertisements placed for the sale or rent of the property.*

Analysis: Not applicable; the applicant does not intend on selling the property.

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

Analysis: Not Applicable.

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

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

Analysis: Not provided by the applicant. The structural soundness of the building is not in question.

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

Analysis: Staff directs attention to item D and evidence submitted in **Attachment E**.

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

Analysis: Not provided by the applicant.

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

Analysis: Not applicable; demolition is not proposed.

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

Analysis: Not provided by the applicant.

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

Analysis: Not provided by the applicant. However, the estimated Zillow values for 2-bedroom/ 1-bathroom structures in the immediate area on North Ocean Breeze were listed for around \$450,000 on 10/2/2023.

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

Analysis: The applicant is retired and relies on Social Security for income. The applicant has provided a Social Security Benefit letter, which details the monthly payments provided to the property owner.

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

Analysis: Not applicable; the HRPB has not requested additional information.

Alternative remedies per LDR Section 23.5-4(1)(7): *If the HRPB determines that the applicant has proved that an unreasonable economic hardship exists, it shall consider whether other relief is available that will not result in unreasonable economic hardship but which will provide the least adverse effect on the site or its historic, architectural, archeological or cultural features. If found, and within its power, the HRPB may grant this relief, or grant the requested relief with appropriate conditions attached thereto, so as to insure the least possible adverse effect on the historic property which does not result in unreasonable economic hardship.*

Analysis: Based on previous direction from the HRPB, as well as additional direction from the Florida Division of Historical Resources, replacement of metal shingles with light gray dimensional asphalt shingles may be used as an alternative remedy that will not result in unreasonable economic hardship and will have the least adverse effect on the contributing resource.

CONCLUSION AND CONDITIONS

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

Conditions of Approval:

1. The replacement roof shall utilize light gray dimensional asphalt shingles.
2. This approval does not include any modification or alteration to the structural elements of the roof system that may alter its configuration and height. This approval does not include any alterations to the decorative trim, fascia, and soffits.

BOARD POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Number 23-00100221 for a Certificate of Appropriateness (COA) for roof replacement with asphalt shingles due to an unreasonable economic hardship for the property located at **415 North Ocean Breeze**, 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 23-00100221 for a Certificate of Appropriateness (COA) for roof replacement with asphalt shingles for the property located at **415 North Ocean Breeze**, because the applicant has not established by competent substantial evidence that the request is consistent with the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements and because replacing the roof with a metal shingle roof does not pose an unreasonable economic hardship.

ATTACHMENTS

- A. Current Photos
- B. Proposed Asphalt Shingle Roofing
- C. Applicant's Justification Statement
- D. Design Guidelines – Minimal Traditional Style and Roofing
- E. Economic Hardship Affidavit and Supporting Materials



HISTORIC RESOURCES PRESERVATION BOARD REPORT

HRPB Project Number 23-00100216: Consideration of a Certificate of Appropriateness for two historic waivers for a swimming pool in the front yard and minimum required front setback for the structure located at 401 North Lakeside Drive. The subject property is located within the Single Family Residential (SFR) zoning district and has a future land use designation of Single Family Residential (SFR). The property is a contributing resource in the Old Lucerne Historic District.

Meeting Date: October 11, 2023

Property Owner/Applicant: Brooks Bishop

Address: 401 North Lakeside Drive

PCN: 38-43-44-21-15-102-0160

Lot Size: 0.15 acre / 6750 sf

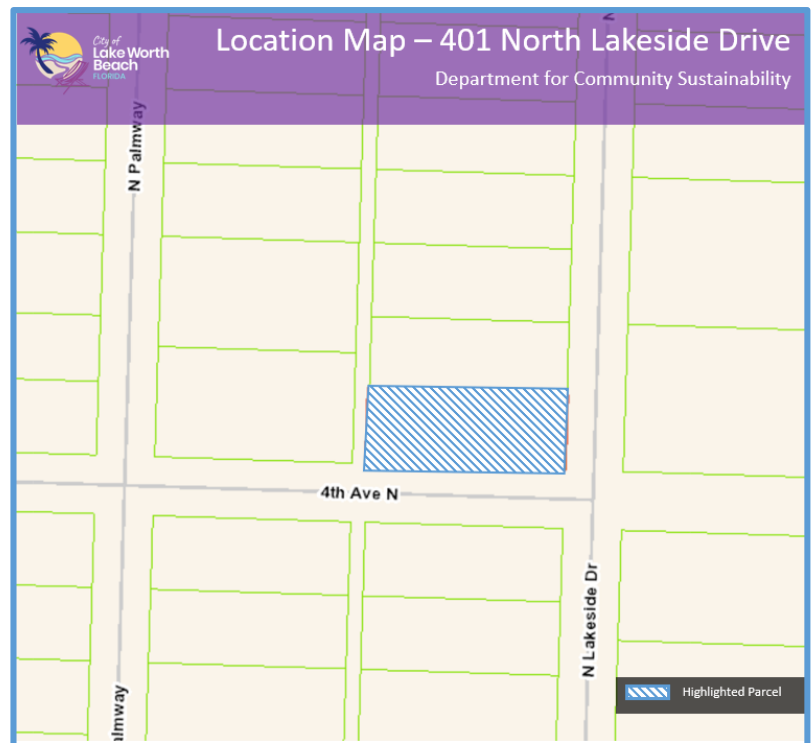
General Location: West side of North Lakeside Drive between 4th Avenue North and 5th Avenue North

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 for consistency with the Comprehensive Plan. Staff recommends approval with conditions, listed on page 4, for the historic waivers for the minimum required front setback and pool location.

PROJECT DESCRIPTION

The property owner, Brooks Bishop, is requesting two historic waivers for a swimming pool in front yard and in the required minimum front setback for the property located at 401 North Lakeside Drive. There is an accessory structure (garage) in the rear limiting space for a swimming pool.

The swimming pool, as proposed, does not comply with the current LDRs due to the location between the front building line and North Lakeside Drive and because the proposed location encroaches the minimum required front setback. The waivers, if approved, would allow the pool to be in the front yard with a front setback of 13 feet.

PUBLIC COMMENT

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

PROPERTY DEVELOPMENT HISTORY

The single-family house and accessory garage structure were constructed c. 1925 in the Mediterranean Revival architectural style. Both structures have undergone alterations over time, including window, door, and roof replacement.

Staff met with the applicant on August 17, 2023, to discuss zoning issues regarding the potential swimming pool location. Based on staff recommendations, the applicant adjusted the proposed pool location to minimize the pool's encroachment into the front setback, and prepared documentation for the required historic waiver applications.

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

ANALYSIS

Consistency with the Land Development Regulations - Zoning

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

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

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

Waiver Requests		
LDR Citation	Required	Proposed
Minimum Front Setback (LDR Section 23.3-7(c)(3)(A))	Minimum front setback is 20 feet.	Proposed swimming pool setback of 13 feet.
Accessory Structure Location (LDR Section 23.1-12)	Accessory structures must maintain the same setback or greater from public streets as the principal structure and may not be constructed between any principal structure and a public street right-of-way.	Installation of pool between the front of the principal structure and North Lakeside Drive.

Due to the building's contributing status to the Old Lucerne National and Local Historic District, the application is eligible for relief from the land development requirements of Section 23.3-7, should the Board determine that the waiver criteria are sufficiently met. The applicant has provided a Justification Statement for the requests and has provided responses for each criterion. The applicant's justification statement is included in **Attachment C**.

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

Analysis: While the existing rear setback of the principal structure is approximately 42 feet, the garage structure, which is also contributing to the Old Lucerne Historic District, is located in the rear yard, leaving little room for the construction of a pool. Although swimming pools in the front yard are not common within the City's historic districts, the applicant has proposed fencing and landscaping to screen the pool from view. **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: Hedging and fencing will screen the proposed pool from North Lakeside Drive and 4th Avenue North. The mechanical equipment will be installed outside the setbacks and will comply with the City's noise regulations. **Meets Criterion.**

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

Analysis: Installing the swimming pool in the front yard will not be detrimental to public health, safety, or welfare. **Meets Criterion.**

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

Analysis: Although a swimming pool is not required for reasonable use of a single-family residence, a swimming pool is a reasonable expectation for a single-family home in South Florida due to the context and climate. Because of the historic development of the parcel, the front yard is the only available area for a pool. Typically, the most appropriate location for a new pool is the rear and/or side yard of the property; however, installation in the rear yard at 401 North Lakeside Drive would require demolition of the historic garage structure. The requested historic waivers would allow for the installation of a swimming pool and the continued preservation of the garage structure. **Meets Criterion.**

CONCLUSION AND CONDITIONS

The proposed swimming pool in the front yard at 401 North Lakeside Drive will help preserve the rear historic accessory structure (garage). Staff recommends approval of the historic waivers as the contributing structure meets the eligibility requirements for these requests and the proposed swimming pool would not preclude the continuation of the structure's contributing designation.

Conditions of Approval:

1. The historic waiver to allow pool in the front yard at 401 North Lakeside Drive shall only apply to the scope of work approved under this application. Should any structures on the parcel be destroyed, relocated, or demolished, any future development for the parcel shall adhere to the current City of Lake Worth Beach Land Development Regulations.
2. The historic waiver to allow the proposed swimming pool with a front setback of 13 feet at 401 North Lakeside Drive 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.

BOARD POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Number 23-00100216 with staff recommended conditions for two historic waivers to allow to proposed swimming pool in the front yard, and to encroach the minimum required front setback for property located at 401 North Lakeside Drive, based upon the competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements.

I MOVE TO **DISAPPROVE** HRPB Project Number 23-00100216 for a Certificate of Appropriateness for two historic waivers to allow to proposed swimming pool in the front yard, and to encroach the minimum required front setback for property located at 401 North Lakeside Drive, because [Board member please state reasons].

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. Justification Statement



HISTORIC RESOURCES PRESERVATION BOARD REPORT

HRPB Project Numbers 23-0140014 and 23-00100179: Consideration of a Major Site Plan and Certificate of Appropriateness (COA) to construct a 6-unit apartment building at 802 North Federal Highway. The subject site is located in the Mixed Use – Federal Highway (MU-FH) zoning district and has a future land use designation of Mixed Use – East (MU-E). The subject property is a non-contributing resource in the Northeast Lucerne Historic District.

Meeting Date: October 11, 2023

Property Owner: Robert Miller, NE Lucerne Holdings, LLC

Applicant: Denise Cravy, LCA Architecture, Inc.

Address: 802 North Federal Highway

PCN: 38-43-44-21-15-234-0010

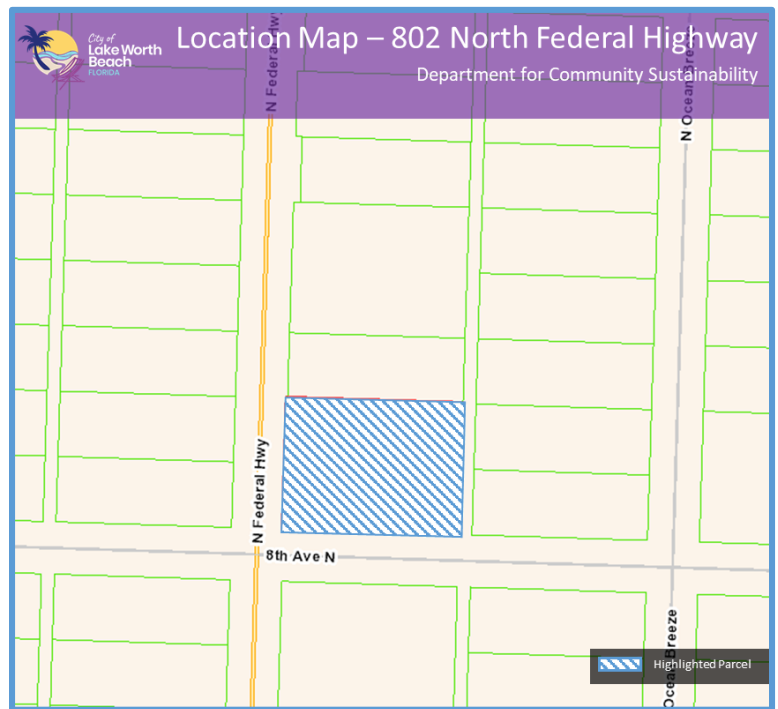
Size: ±0.31 acres / 13,500 sf

General Location: Northeast corner of North Federal Highway and 8th Avenue North

Existing Land Use: Vacant

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

Zoning District: Mixed Use – Federal Highway (MU-FH)



RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs), the Historic Preservation Design Guidelines, and for consistency with the Comprehensive Plan and Strategic Plan. The proposed Major Site Plan and Certificate of Appropriateness (COA) requests are consistent with the Comprehensive Plan, Strategic Plan, LDRs, and Historic Preservation Design Guidelines, as conditioned. **Therefore, staff recommends approval with conditions.** The conditions are located on pages 9-11 of this report.

PROJECT DESCRIPTION

The applicant, Denise Cravy, is requesting approval for the construction of a new residential development at 802 North Federal Highway. This approval includes:

- A **Major Site Plan** for the development of a 6-unit apartment building and additional site improvements
- A **Certificate of Appropriateness** for new construction in the Northeast Lucerne Historic District

The Applicant is proposing a 2-story, 6-unit residential development on a 0.31-acre lot with the purpose of improving the area. The building is designed with 3 residential units on each floor. Site improvements will include a surface parking lot accessed from the alley, landscaping, and an in-ground pool.

The proposed development will be compatible with the surrounding uses, which include commercial and institutional uses, as well as single and multi-family residential uses. The building is designed in a Streamline Moderne architectural style, with large casement windows, a smooth stucco exterior finish, aluminum railings, a flat roof and parapet, and porthole openings.

PUBLIC COMMENT

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

BACKGROUND

A 2-story wood-frame building, used as a garage and apartment, was constructed on the property c. 1940, with additions in 1954. The building was demolished in 1970. The site was later used as a parking lot for the church at 720 North Federal Highway until 2004. The property at 802 North Federal Highway is currently vacant, and has no active code cases or outstanding violations.

ANALYSIS

Consistency with the Comprehensive Plan and Strategic Plan

The subject site has a Future Land Use (FLU) designation of Mixed Use – East (MU-E). Per policy 1.1.1.5, The Mixed Use – East category is *intended to provide for a mixture of residential, office, service and commercial retail uses within specific areas east of I-95, near or adjacent to the central commercial core and major thoroughfares of the City. The maximum density of permitted residential development is 30 dwelling units per acre. The preferred mix of uses area-wide is 75% residential and 25% non-residential. While mixed-use projects are allowed on a single site, it is not a requirement that each site within the category incorporate multiple uses. Zoning regulations implementing the Mixed Use – East category shall permit the establishment and expansion of residential (including single family, two-family and multi-family), office, service and commercial retail uses either as uses permitted by right or through conditional use permit provisions. All buildings are required to provide transitional buffering and design features to mitigate impact of the MU-E sites adjacent to residential zoning districts.*

Analysis: The proposed multi-family residential use is appropriate and intended in the MU-E FLU designation. The project would allow for the infill of a vacant property along one of the City's Major Thoroughfares and in one of the City's Historic Districts with an architecturally appropriate and attractive design. The City's Strategic Plan focuses on fostering safer neighborhoods, encouraging community pride, building a vibrant and diverse economy, planning for the

future, and enhancing the natural, historic, and cultural environment of the City. Pillar II and Pilar IV of the Strategic Plan state that the City shall strengthen Lake Worth Beach as a community of neighborhoods and navigate towards a sustainable community. Pillars II.A, II.B, IV.A, and IV.E of the Strategic Plan state that the City shall diversify housing options; continue crime reduction and prevention in achieving a safe, livable and friendly community; achieve financial sustainability and stable tax base; and ensure facility placement, construction and development that anticipates and embraces the future. The proposed building and associated site improvements will contribute towards the City's Pillars II.A, II.B, IV.A, and IV.E of the Strategic Plan.

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

Consistency with the Land Development Regulations

Mixed Use – Federal Highway (MU-FH): Per LDR Section 23.3-16(a), the "MU-FH - mixed use-Federal Highway" district is intended to provide for limited retail, office, hotel/motel and low-density multiple-family residential development. Provision is made for the establishment of the following nonresidential uses: low intensity office uses, low intensity personal service uses, residential apartments as secondary uses in structures with office uses as primary uses, hotels and motels. Provision is also made for the establishment of low-density multiple-family residential uses and single-family and two-family residential uses in accordance with the provisions of the "low-density multiple-family residential district, 20 du/net acre." The "mixed use - Federal Highway" district implements in part the "mixed use" land use category of the Lake Worth Comprehensive Plan.

Development that is all-residential in the MU-FH zoning district utilizes the Multi-Family Residential (MF-20) zoning requirements; however, all-residential projects may use the height, setbacks, FAR, and building lot coverage of the mixed-use district instead of the multi-family district. The proposed development exceeds the maximum impermeable lot coverage by 23 sf, and has been conditioned to reduce the impermeable surface coverage in a concurrent minor site plan with building permit.

The table and topic area analysis below evaluate the proposed site features and the project's compliance with the Code:

Development Standard		Multi-Family Residential (MF-20)	Provided
Lot Size (min)		5,000 sf	13,500 sf
Lot Width (min)		50'	100'
Density (max)		20 du/ac x 0.31 ac = 6 du	6 du
Setbacks	Front	10' minimum, up to 22' maximum*	11'
	Rear	13.5'	74'
	Street Side	10'	10'
	Interior Side	10'	10'
Impermeable Surface Coverage (max)		55% (7,425 sf)	55.17% (7,448 sf)
Structure Coverage (max)		45%*	29%
Front Yard		75% permeable & landscaped	75.6%
Building Height (max)		30' (2 stories)	25'
Maximum Wall Height at Side Setback		23' @ 10' setback	23' @ 10' setback
Floor Area Ratio (FAR) (max)		0.60*	0.50
Living Area (min)		750 sf for 2-bedroom unit	1,118 sf – 2-bedroom 1,205 sf – 2-bedroom
Parking		1.75 spaces/2-bed unit x 6 units = 11 spaces; may count up to 5 on-street spaces	11 spaces: 7 off-street, 4 on-street

*zoning regulation from the MU-FH district, as allowed per LDR Section 23.3-16(b)

Section 12-7, Dumpster Requirements: *The location of all dumpsters shall be approved by the public services director or his designee and/or the building official or his designee. All dumpsters shall meet the requirements set forth in this section and all other ordinances, rules, regulations and policies adopted by the city.*

Analysis: The refuse will be collected in City approved trash cans/bins and stored away in two designated refuse locations on the north and south sides of the property. The refuse areas will be screened by enclosures and landscaping. Staff has included a condition of approval that a detailed drawing identifying the height and material of the refuse area enclosures shall be submitted in a Minor Site Plan amendment or modification. Additionally, the Minor Site Plan amendment or modification shall revise the storage locations to be out of the required 5-foot landscape buffer by shifting each enclosure 6 inches closer to the parking area.

Section 23.4-3, Exterior Lighting: *All outdoor lighting shall be installed in conformance with the provisions of this chapter, applicable electrical and energy codes, and applicable sections of the building code.*

Analysis: Staff has included a condition of approval that a revised photometric plan (consistent with the final site plan) shall be submitted in a Minor Site Plan amendment or modification to demonstrate compliance with the exterior lighting requirements in Section 23.4-3. A recommended condition of approval has been provided requiring the proposed lighting to comply with Dark Skies lighting recommendations. The proposed fixtures shall be required to have a warm tone setting of 3000K or less. The proposed fixtures may be substituted with similar fully shielded light fixtures at building permit to achieve a warm LED light tone of 3000K or less if the proposed fixture cannot be set to provide the required light tone.

Section 23.4-10. - Off-street parking: *This section provides general provisions for off-street parking. The standards “apply to all parking spaces required for new buildings, new uses, additions, enlargements, or changes.”*

Analysis: The required parking for the 6-unit residential use is nine spaces. The parking spaces were calculated at the following rates:

- 2-bedroom multi-family units: 1.75 spaces/unit x 6 units = 11 spaces

Per LDR Section 23.4-4(k), on-street parking spaces abutting a property may be used to satisfy, in part, the minimum number of required off-street parking spaces for developments in mixed-use and multi-family zoning districts. No more than 50% of the required off-street parking spaces may be met with on-street parking. The proposed development provides seven (7) off-street parking spaces (including one ADA space) accessed from the alley, as well as four (4) on-street parking spaces on 8th Avenue North to meet the total parking requirement.

Section 23.5-1- Signage: Signage is required to comply with the size and design requirements in the Land Development Regulations. The current proposal does not include signage; any future signage will be reviewed at building permit for consistency with the Land Development Regulations.

Section 23.6-1. - Landscape regulations: The objective of this section is to provide minimum standards for the installation and maintenance of landscaping within the City. Per Section 23.6-1(c)(2), *“on the site of a building or open-lot use providing an off-street parking, storage or other vehicular use area, where such an area will not be screened visually by an intervening building or structure from an abutting right-of-way or dedicated alley, shall require landscaping”* consistent with this section including a landscape strip ten (10) feet in depth.

Analysis: The development proposal provides perimeter landscaping and shade trees. Tree species include Silver Buttonwood, White Geiger, and East Palatka Holly trees with variety of native and non-native shrubs and groundcovers for perimeter and interior plantings. The proposed landscaping is generally consistent with the City’s landscape regulations, but requires minor revisions for full compliance. Staff has included conditions of approval to bring the

landscaping into full compliance, including additional perimeter trees on the north and south sides of the property, and changing the East Palatka Holly trees to a south Florida native tree such as Dahoon Holly.

The diameter at breast height (DBH) for the existing trees with a condition rating of fifty (50) percent or greater on the property is used to calculate the replacement tree requirement. Due to the lack of trees on the site, a tree survey and disposition plan is not required.

Section 23.2-31 - Site Design Qualitative Standards (Attachment A)

Site Design Qualitative Standards are intended to “promote safety and minimize negative impacts of development on its neighbors by establishing qualitative requirements for the arrangements of buildings, structures, parking areas, landscaping and other site improvements. The qualitative standards are designed to ensure that site improvements are arranged in ways which cannot be otherwise accomplished with quantitative standards.” These qualitative standards are applicable to site plan applications as well as all conditional uses. The Major Thoroughfare Design Guidelines are an adopted component of these Site Design Qualitative Standards as per Section 23.2-31(j), which are applicable to properties adjacent to the City’s Major Thoroughfares. Compliance determination with the applicable standards in Section 23.2-31 is provided in **Attachment A**. The following analysis of the site, building, vehicular use area and appearance support the compliance findings for the applicable standards listed in **Attachment A** and in the Major Thoroughfare Design Guidelines.

Site Design Qualitative Standards Analysis (including vehicular use areas) and Major Thoroughfare Design Guidelines: The proposed improvements to the site, including landscaping and architecture, are generally consistent with the Major Thoroughfare Design Guidelines. The character of the proposed development is consistent with the vision for the Major Thoroughfare Design Guidelines, providing for vibrant, diverse, safe, inviting, and sustainable features. The Applicant is proposing a 2-story, 6-unit residential development on a 0.31-acre lot with the purpose of improving the area. The building is designed with three residential units on each floor. The proposed development will be compatible with the surrounding uses, which include a mix of commercial and institutional uses, as well as single and multi-family residential uses. Interior and perimeter landscaping are provided with a variety of trees and hedges. The landscaping of the perimeter buffers is designed to complement the architectural style of the building. The proposed improvements to the site are harmonious as a whole, will improve the aesthetics of the site, and will be an asset to the neighborhood.

The existing uses in the surrounding area are as follows:

Direction	Future Land Use	Zoning District	Existing Use
North	Mixed Use – East (MU-E)	Mixed Use – Federal Highway (MU-FH)	Two-family residential
South	Mixed Use – East (MU-E)	Mixed Use – Federal Highway (MU-FH)	Place of worship (across 8 th Avenue North)
East	Single-Family Residential (SFR)	Single-Family Residential (SFR)	Single-family residential
West	Mixed Use – East (MU-E)	Mixed Use – Federal Highway (MU-FH)	Two-family and single-family residential (across Federal Highway)

The proposed uses and site improvements, as conditioned, will not negatively affect the existing surrounding properties and uses. The proposed changes are harmonious and compatible with the existing mixed-use area.

Community Appearance Criteria:

The proposed residential development project includes new construction, new landscaping, and associated site improvements that represent an enhancement in the general appearance of the property over the existing vacant

lot. The proposed Streamline Moderne architectural style of the building is appropriate and in harmony with the surrounding residential and non-residential area. Consistent with the chosen architectural style, the structure features large casement windows, a smooth stucco exterior finish, aluminum railings, a flat roof and parapet, and porthole openings. Overall, the proposed project represents a substantial improvement in the visual appearance over the existing property and is consistent with the Comprehensive Plan, Major Thoroughfare Design Guidelines, and the City's Land Development Regulations (LDRs). The project is in conformity with the principals of good design and quality and is in harmony with the City and the surrounding area as conditioned.

Consistency with the Historic Preservation Ordinance

The proposed multi-family residential structure is designed in the Streamline Moderne architectural style. The Streamline Modern architectural style (also called Art Moderne), began in the United States around 1930. The style shares many design elements with the Art Deco style, but has simpler ornamentation and tend to emphasize horizontality. Common character-defining features include flat roofs; smooth stucco walls; curved or rounded walls and corners; decorative horizontal banding; and fixed, casement, and porthole windows. The Streamline Moderne architectural style is covered as a primary style in the Lake Worth Beach Historic Preservation Design Guidelines, and that chapter is included in this report as **Attachment D**.

All new construction within a designated historic district shall be visually compatible. New buildings should take their design cues from the surrounding existing structures, using traditional or contemporary design standards and elements that relate to existing structures that surround them and within the historic district as a whole. Building design styles, whether contemporary or traditional, should be visually compatible with the existing structures in the district. The visual compatibility criteria for new construction within the city's historic districts is located in Section 23.5-4(k)(3)(A) in the LDRs. Staff has reviewed the criteria and provided an analysis in the section below. The applicant has also submitted a Justification Statement, provided in this report as **Attachment E**.

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

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

Analysis: While the height of the proposed building is taller than the height of some of its immediate neighbors to the north, it is in harmony with a number of other 2-story multi-family residential buildings along North Federal Highway, such as 605, 619, 702, 901-911, 1001, and 1111 North Federal Highway.

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

Analysis: The width of the front elevation is in scale with the surrounding properties. The relationship of the width and height of the front elevation is in harmony with surrounding properties. The proposed new construction maintains the appropriate horizontality for the Streamline Moderne style, and is visually compatible with the horizontal emphasis of many of the surrounding buildings.

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

Analysis: The proposal is new construction and therefore will not be a landmarked or contributing building. The proposed casement windows and glazed doors are compatible with the Streamline Moderne style of the structure and are visually compatible with the surrounding district. The windows and doors are symmetrically placed along all elevations.

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

Analysis: The front (west) elevation has a regular rhythm of solids to voids, and avoids expanses of black façade, and the relationship of solids to voids is generally in harmony with neighboring buildings.

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

Analysis: The proposed building adheres to setback requirements within the current zoning code and is spaced appropriately in relation to neighboring buildings.

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

Analysis: The proposed design places the units' entrances on the front elevation, with a simple flat roof projection over the front doors. The entrances are given visual emphasis through raised stucco door surrounds. The proposed design at 802 North Federal Highway appropriately orients the building's entrances towards Federal Highway.

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

Analysis: The proposed building will have a smooth stucco exterior finish. This is a common and compatible façade material for Streamline Moderne architecture, and is visually compatible with multiple common architectural styles in the Northeast Lucerne Historic District.

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

Analysis: The proposed structure has a flat roof with a parapet, which is an appropriate roof shape for Streamline Moderne architecture and is visually compatible with other structures in the Northeast Lucerne Historic District.

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

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

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

Analysis: The structure's size and mass are architecturally compatible in relation to its architectural features.

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

Analysis: The applicant has provided a streetscape showing the building in relation to those to either side of it. The building's height and massing are more substantial than some of the immediately neighboring properties, but the building is similar in height to existing two-story multi-family residential structures in the neighborhood. Furthermore, the horizontal emphasis of the building's design is in harmony with the horizontality of many of the neighboring properties.

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

Analysis: The building is inspired by the Streamline Moderne architectural style. However, it does not seek to replicate an existing historic structure since it utilizes a custom design with modern construction materials and impact products.

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

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

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

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

Analysis: As shown in the submitted site plan, all mechanical equipment is placed outside the required side setbacks and will not be visible from the primary façade.

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

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

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

Analysis: The off-street parking spaces are located at the rear of the property with access from the alley, which is a common configuration for parking throughout the Northeast Lucerne Historic District. The proposed site design is compatible with the surrounding neighborhood.

Consistency with the Historic Preservation Design Guidelines

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

Analysis: New construction in the City’s historic districts is not limited to any particular architectural style, but staff always recommends that projects are designed solely within one architectural style. The proposed multi-family structure at 802 North Federal Highway incorporates many of the character-defining features commonly associated with the Streamline Moderne architectural style. The building uses a flat roof with a parapet, and the exterior walls are finished with smooth stucco and horizontal stucco banding.

The façade features a symmetrical design with covered entrances. The units’ front doors are given visual emphasis through simple raised stucco door surrounds. The façade also has two projecting elements featuring porthole openings; although the structure does not incorporate any curved walls or rounded corners, the round porthole openings help to break up the straight lines of the building. The façade’s projecting elements, along with the recessed rear patios and balconies and small recessed areas on the north and south elevations, add variety and visual interest to the structure’s massing. The fenestration incorporates both single and paired casement windows as well as full-light glazed doors.

Staff contends that the structure’s design successfully emulates the Streamline Moderne architectural style, and fulfills the new construction requirements in the Historic Preservation Design Guidelines.

CONCLUSION AND CONDITIONS

The proposed Major Site Plan and COA application, as conditioned, is consistent with the City’s Land Development Regulations and the Historic Preservation Design Guidelines for new construction. Therefore, staff recommends approval with conditions, provided below:

Historic Preservation

1. The windows and doors (excluding the bathroom windows and front door) shall utilize glazing that is clear, non-reflective, and without tint. Low-E (low emissivity) is allowed but the glass shall have a minimum 60% visible light transmittance (VLT) measured from the center of glazing. Glass tints or any other glass treatments shall not be combined with the Low-E coating to further diminish the VLT of the glass. Front doors and bathroom windows may utilize a white interlayer for privacy.
2. All divided light patterns shall be created utilizing exterior raised applied muntins. Exterior flat muntins or “grids between the glass” shall not be used.
3. The windows shall be recessed a minimum of two inches (2”) in the wall, and shall not be installed flush with the exterior wall.

Planning and Zoning

1. If LED lighting is utilized, such fixtures shall have warm tone of 3000 K or less. All lighting fixtures shall be shielded in compliance Dark Sky guidelines.
2. Prior to issuance of building permit, a site plan amendment or modification shall be required to address the following:
 - a. Detail drawing(s) shall be provided identifying the height and material of refuse area enclosures.
 - b. Detail of all proposed fences shall be provided.
 - c. Refuse areas shall be relocated out of the required 5-foot landscape buffer by shifting each enclosure 6 inches closer to the parking area.

- d. Photometric plan shall be revised to meet requirements of LDR Section 23.4-3: "Lighting shall be shielded and located so as not to allow light trespass upon neighboring residential properties or districts in excess of 12.57 lumens when measured on that property."
- e. Maximum impermeable surface shall be reduced to meet the requirements of LDR Section 23.3-10(c)(5).

Landscape

1. Revise the landscape plan to include the required perimeter trees on the north and south side of the property adjacent to the building. The required spacing for perimeter trees adjacent to abutting properties is twenty (20) feet. The required spacing for perimeter trees adjacent public rights-of-way can be found in LDR Section 23.6-1(c)(2)(b)(1)(a-d).
2. Revise the landscape plan to change the East Palatka Holly trees to a south Florida native tree such as Dahoon Holly.

Public Works

1. The issuance of any permits shall comply with all provisions of the Lake Worth Municipal Code and all other applicable standards including but not limited to the Florida Department of Transportation (FDOT), Manual on Uniform Traffic Control Devices (MUTCD), and City of Lake Worth Public Works Construction Standards and Policy and Procedure Manual.
2. No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied under jurisdiction of the Department of Public Works.
3. In the event of a legal challenge to this approval, shall be responsible for all costs to defend the action of the city in approving any and all permits related to this application. Should the applicant fail to enter into an agreement fund the costs of litigation, the city, at its discretion, may rescind this approval and revoke all permits issued.
4. Prior to the issuance of a building permit, contact the Lake Worth Drainage (LWDD) District's Engineering Department and obtain any required permit(s), if necessary, and furnish to the City. Prior to the issuance of a building permit, contact the South Florida Water Management District's (SFWMD) Engineering Department and obtain any required permit(s), if necessary
5. Prior to issuance of a certificate of occupancy, construct a new 5-foot wide sidewalk along North Federal Highway in compliance with FDOT specifications.
6. Prior to issuance of a certificate of occupancy, install new Type F curb along North Federal Highway in compliance with FDOT specifications.
7. Prior to the issuance of a certificate of occupancy, alleyway improvements consisting of new subgrade, base, asphalt, and header curb shall be constructed in compliance with Public Works approved specifications.
8. Prior to the issuance of a certificate of occupancy, ensure the entire surrounding off-site infrastructure inclusive of the roadway, sidewalk, curbing, stormwater system piping and structures, valve boxes, manholes, landscaping, striping, signage, and other improvements are in the same condition as prior to construction. A pre-construction video of the entire perimeter shall be performed and submitted to the City.
9. Prior to the issuance of a building permit, submit an Erosion Control plan (SWPPP) and indicate the BMP's and NPDES compliance practices.
10. Prior to performing work in the right of way, apply for and receive issuance of a "Right of Way/Utility Permit" application.
11. Prior to the issuance of a Certificate of Occupancy, restore the right of way to a like or better condition. Any damages to pavement, curbing, striping, sidewalks or other areas shall be restored in kind.

Utilities – Electric

1. Before or at the time of application for a Building Permit, Developer must provide the load calculation, voltage requirements and riser diagram. If a pad mount transformer will be requested, we will need to know the location of the pad-mount transformers for the building. The transformer locations must be accessible to our

vehicles, and must have 8-ft minimum clearance in front of them and 3-ft clearance to the side or rear, including landscaping. They also must not be under or inside any structure.

2. Before the issuance of a Building permit, if pad-mount transformer will be requested, we will need a 10-ft wide utility easement for the underground electric, transformers and other equipment that will need to be installed to provide power to this project.
3. Before the issuance of a Certificate of Occupancy, the utility easement must be recorded.
4. Developer to show the location of the meter center on the site plan.
5. Developer will be responsible for installing their own lightning for the parking areas.
6. Developer will be responsible for the cost of Lake Worth Beach's materials and labor for this project.
7. Before the issuance of a Certificate of Occupancy (CO) a final electrical inspection must be done.

Utilities – Water & Sewer

1. Landscape plans still need to show utility lines and it appears that proposed trees are in close proximity to with the roof drain lines on the north and south sides of the site. Please confirm minimum spacing between landscape and services per Public Services Detail 23, Typical Tree with Root Barrier.
2. Prior to building permit issuance, capacity fees for water and sewer must be paid in full in accordance with the current City Ordinance.

BOARD POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Numbers 23-01400014 and 23-00100179 with staff-recommended conditions for a Major Site Plan and Certificate of Appropriateness (COA) to construct a 6-unit apartment building at **802 North Federal Highway**, 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 Numbers 23-01400014 and 23-00100179 with staff-recommended conditions for a Major Site Plan and Certificate of Appropriateness (COA) to construct a 6-unit apartment building at **802 North Federal Highway**, because the Applicant has not established by competent substantial evidence that the application complies with the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements.

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

ATTACHMENTS

- A. Qualitative Development Standards
- B. Architectural Plan Set
- C. Survey and Photos
- D. Historic Preservation Design Guidelines – Streamline Moderne
- E. Applicant's Justification Statement

ATTACHMENT A – Qualitative Development Standards

Section 23.2-31(c) – Qualitative Development Standards	Analysis
<p>1. Harmonious and efficient organization. All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of plot, the character of adjoining property and the type and size of buildings. The site shall be developed so as to not impede the normal and orderly development or improvement of surrounding property for uses permitted in these LDRs.</p>	In compliance
<p>2. Preservation of natural conditions. The natural (refer to landscape code, Article 6 of these LDRs) landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal and by such other site planning approaches as are appropriate. Terrain and vegetation shall not be disturbed in a manner likely to significantly increase either wind or water erosion within or adjacent to a development site. Natural detention areas and other means of natural vegetative filtration of stormwater runoff shall be used to minimize ground and surface water pollution, particularly adjacent to major waterbodies. Fertilizer/pesticide conditions may be attached to development adjacent to waterbodies. Marinas shall be permitted only in water with a mean low tide depth of four feet or more.</p>	In compliance
<p>3. Screening and buffering. Fences, walls or vegetative screening shall be provided where needed and practical to protect residents and users from undesirable views, lighting, noise, odors or other adverse off-site effects, and to protect residents and users of off-site development from on-site adverse effects. This section may be interpreted to require screening and buffering in addition to that specifically required by other sections of these LDRs, but not less.</p>	In compliance as conditioned
<p>4. Enhancement of residential privacy. The site plan shall provide reasonable, visual and acoustical privacy for all dwelling units located therein and adjacent thereto. Fences, walls, barriers and vegetation shall be arranged for the protection and enhancement of property and to enhance the privacy of the occupants.</p>	In compliance as conditioned
<p>5. Emergency access. Structures and other site features shall be so arranged as to permit emergency vehicle access by some practical means to all sides of all buildings.</p>	In compliance
<p>6. Access to public ways. All buildings, dwelling units and other facilities shall have safe and convenient access to a public street, walkway or other area dedicated to common use; curb cuts close to railroad crossings shall be avoided.</p>	In compliance
<p>7. Pedestrian circulation. There shall be provided a pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system.</p>	In compliance
<p>8. Design of ingress and egress drives. The location, size and numbers of ingress and egress drives to the site will be arranged to minimize the negative impacts on public and private ways and on adjacent private property. Merging and turnout lanes traffic dividers shall be provided where they would significantly improve safety for vehicles and pedestrians.</p>	In compliance
<p>9. Coordination of on-site circulation with off-site circulation. The arrangement of public or common ways for vehicular and pedestrian circulation shall be coordinated with the pattern of</p>	In compliance

existing or planned streets and pedestrian or bicycle pathways in the area. Minor streets shall not be connected to major streets in such a way as to facilitate improper utilization.

- 10. Design of on-site public right-of-way (ROW).** On-site public street and rights-of-way shall be designed to for maximum efficiency. They shall occupy no more land than is required to provide access, nor shall they unnecessarily fragment development into small blocks. Large developments containing extensive public rights-of-way shall have said rights-of-way arranged in a hierarchy with local streets providing direct access to parcels and other streets providing no or limited access to parcels. **Not applicable**
- 11. Off-street parking, loading and vehicular circulation areas.** Off-street parking, loading and vehicular circulation areas shall be located, designed and screened to minimize the impact of noise, glare and odor on adjacent property. **In compliance as conditioned**
- 12. Refuse and service areas.** Refuse and service areas shall be located, designed and screened to minimize the impact of noise, glare and odor on adjacent property. **In compliance as conditioned**
- 13. Protection of property values.** The elements of the site plan shall be arranged so as to have minimum negative impact on the property values of adjoining property. **In compliance**
- 14. Transitional development.** Where the property being developed is located on the edge of the zoning district, the site plan shall be designed to provide for a harmonious transition between districts. Building exteriors shall complement other buildings in the vicinity in size, scale, mass, bulk, rhythm of openings and character. Consideration shall be given to a harmonious transition in height and design style so that the change in zoning districts is not accentuated. Additional consideration shall be given to complementary setbacks between the existing and proposed development. **In compliance**
- 15. Consideration of future development.** In finding whether or not the above standards are met, the review authority shall consider likely future development as well as existing development. **In compliance**

Section 23.2-31(d) - Qualitative Buildings, generally	Analysis
<p>1. Buildings or structures which are part of a present or future group or complex shall have a unity of character and design. The relationship of forms of the use, texture and color of material shall be such as to create one (1) harmonious whole. When the area involved forms an integral part of, is immediately adjacent to, or otherwise clearly affects the future of any established section of the city, the design, scale and location of the site shall enhance rather than detract from the character, value and attractiveness of the surroundings. Harmonious does not mean or require that the buildings be the same.</p>	In compliance
<p>2. Buildings or structures located along strips of land or on a single site, and not a part of a unified multi-building complex shall achieve as much visual harmony with the surroundings as is possible under the circumstances. If a building is built in an undeveloped area, three (3) primary requirements shall be met, including honest design construction, proper design concepts, and appropriateness to the city.</p>	In compliance
<p>3. All façades visible to public or adjacent property shall be designed to create a harmonious whole. Materials shall express their function clearly and not appear foreign to the rest of the building.</p>	In compliance

4. *The concept of harmony shall not infer that buildings must look alike or be of the same style. Harmony can be achieved through the proper consideration of scale, mass, bulk, proportion, height, orientation, site planning, landscaping, materials, rhythm of solids to voids and architectural components including but not limited to porches, roof types, fenestration, orientation and stylistic expression.* **In compliance**
5. *Look-alike buildings shall not be allowed unless, in the opinion of the board, there is sufficient separation to preserve the aesthetic character of the present or evolving neighborhood. This is not to be construed to prohibit the duplication of floor plans and exterior treatment in a planned development where, in the opinion of the board, the aesthetics or the development depend upon, or are enhanced by the look-alike buildings and their relationship to each other.* **Not Applicable**
6. *Buildings, which are of symbolic design for reasons of advertising, unless otherwise compatible with the criteria herein, will not be approved by the board. Symbols attached to the buildings will not be allowed unless they are secondary in appearance to the building and landscape and are an aesthetic asset to the building, project and neighborhood.* **Not Applicable**
7. *Exterior lighting may be used to illuminate a building and its grounds for safety purposes, but in an aesthetic manner. Lighting is not to be used as a form of advertising in a manner that is not compatible to the neighborhood or in a manner that draws considerably more attention to the building or grounds at night than in the day. Lighting following the form of the building or part of the building will not be allowed if, in the opinion of the board, the overall effect will be detrimental to the environment. All fixtures used in exterior lighting are to be selected for functional as well as aesthetic value.* **In compliance as conditioned**
8. *Building surfaces, walls and roofs shall be compatible and in harmony with the neighborhood.* **In compliance**
9. *"Take-out" or "pick-up" windows of retail or wholesale establishments shall not be located on a building façade that faces a public right-of-way, unless they are designed in such a manner as to constitute an aesthetic asset to the building and neighborhood.* **Not Applicable**
10. *All exterior forms, attached to buildings, shall be in conformity to and secondary to the building. They shall be an asset to the aesthetics of the site and to the neighborhood.* **In compliance**
11. *All telephones, vending machines, or any facility dispensing merchandise, or a service on private property, shall be confined to a space built into the building or buildings or enclosed in a separate structure compatible with the main building, and where appropriate and feasible, should not be readily visible from off-premises.* **Not Applicable**
12. *Buildings of a style or style-type foreign to south Florida or its climate will not be allowed. It is also to be understood that buildings which do not conform to the existing or to the evolving atmosphere of the city, even though possessing historical significance to south Florida, may not be approved.* **Not Applicable**
13. *No advertising will be allowed on any exposed amenity or facility such as benches and trash containers.* **In compliance**
14. *Light spillage restriction. The applicant shall make adequate provision to ensure that light spillage onto adjacent residential properties is minimized.* **In compliance as conditioned**

Section 23.2-31(h) – Criteria for parking lots and vehicular use areas	Analysis
<p>1. <i>Parking lots and other vehicular use areas are to be designed as an aesthetic asset to a neighborhood and to the building, group of buildings, or facility they serve. A parking lot is to be considered an outside space; a transitional space that is located between access areas (such as roads) and the building, group of buildings or other outside spaces which it serves. The parking lot, because it is viewed from above as well as at eye level, should be designed accordingly.</i></p>	In compliance
<p>2. <i>Parking lots, vehicular use areas, and vehicles parked therein are to be effectively screened from the public view and from adjacent property in a manner that is attractive and compatible with safety, the neighborhood and the facility served.</i></p>	In compliance as conditioned
<p>3. <i>The responsibility for beautification and design of a parking lot is the same as that which a homeowner has to his residential lot. The atmosphere within a parking lot or vehicular use area is to be as pleasant and park-like as possible, rather than a harsh stand of paving. Trees are of primary importance to the landscape and are not to be minimized in either height or quantity. Trees impart a sense of three-dimensional space in a relatively flat area. Trees cast shadows that help to reduce the monotony of an expanse of paving and create a refuge from the tropical sun. Signs designating entrances, exits and regulations are to be of a tasteful design and shall be subject to review by the board. Consideration may be given to use of pavement which is varied in texture or color to designate lanes for automobile traffic, pedestrian walks and parking spaces. Brightly colored pavement is to be used with restraint. In order to create a pleasant atmosphere, it is recommended that consideration be given to sculpture, fountains, gardens, pools and benches. Design emphasis is to be given to the entrance and exit areas of the lot. Trash, refuse and unaesthetic storage and mechanical equipment shall be screened from the parking lot.</i></p>	In compliance
<p>4. <i>Lighting is to be designed for visual effects as well as safety and resistance to vandalism. Care should be taken not to create a nuisance to the neighborhood from brightness or glare. Low lights in modest scale can be used along with feature lighting emphasizing plants, trees, barriers, entrances and exits. The fixtures are to be selected for functional value and aesthetic quality. Fixtures should be regarded as "furniture of the parking lot" which are visible both day and night.</i></p>	In compliance as conditioned

Section 23.2-31(l) – Community Appearance Criteria	Analysis
<p>1. <i>The plan for the proposed structure or project is in conformity with good taste, good design, and in general contributes to the image of the city as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas and high quality.</i></p>	In compliance
<p>2. <i>The proposed structure or project is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.</i></p>	In compliance
<p>3. <i>The proposed structure or project is in harmony with the proposed developments in the general area, with code requirements pertaining to site plan, signage and landscaping, and the comprehensive plan for the city, and with the criteria set forth herein.</i></p>	In compliance as conditioned
<p>4. <i>The proposed structure or project is in compliance with this section and 23.2-29, Conditional Use Permits (CUP), as applicable.</i></p>	In compliance