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October 27, 2023

**VIA EMAIL: [townclerk@lakeparkflorida.gov](mailto:townclerk@lakeparkflorida.gov)  
AND HAND DELIVERY**

Ms. Vivian Mendez, Town Clerk  
Town of Lake Park  
535 Park Ave.  
Lake Park, Florida 33403

**Re: 918 Park Avenue Historic Preservation Board Appeal**

Dear Ms. Mendez:

I represent The Adler at Lake Park LLC (the “Petitioner”). Please accept this letter as Petitioner’s Notice of Appeal of a decision on Petitioner’s Petition to Rescind the local historic designation of the Arnold Building, 918 Park Avenue, rendered on October 9, 2023 by the Town of Lake Historic Preservation Board (attached as Exhibit “A”). The grounds for relief follow.

1. The Historic Preservation Board applied the wrong standard.

The Town’s evidence and presentation submitted to the Historic Preservation Board made clear that it believed that the Petition could not be granted if the subject property had not materially changed since its designation in 1998. Yet that is not what the code dictates. At its core, the Petition sought approval to demolish a structurally unsafe building to make way for a new mixed use development. This would have triggered a review of the Petition pursuant to the factors set forth in Section 66-9(f)(4) of the Town Code. None of these factors calls for an analysis of whether a property had changed since its initial designation as a historic structure. Rather, these factors (set forth verbatim below) all mitigate in favor of granting the Petition. For example:

a. Is the structure of such interest or quality that it would reasonably meet national, state or local criteria for designation as an historic or architectural landmark?

This structure is not nationally designated as an historic structure, nor, contrary to the written order of the Preservation Board, was there any evidence that it would likely meet the requirements for designations (a transcript of the proceedings has been ordered, and will be filed upon receipt).

- b. Is the structure of such design, craftsmanship, or material that it could be reproduced only with great difficulty and/or expense?

The evidence before the Board was undisputed that the only potentially historic value rested in the façade of the building which could easily be reproduced in a replacement or other structure.

- c. Is the structure one of the last remaining examples of its kind in the town, neighborhood, the county or the region?

While the structure may be the only remaining structure in the commercial district of Park Avenue which has a longstanding existence, it provides no meaningful historic value from a neighborhood, county or regional basis.

- d. Does the structure contribute significantly to the historic character of a designated district?

It is undisputed that this building is located in a section completely comprised of non-historic structures, except for this sole building. There is no contribution, significant or otherwise, to the character of a "district." Indeed, there is no historic district in the vicinity of the subject site.

- e. Would retention of the structure promote the general welfare of the town, county or region by providing an opportunity for study of local history, architecture and design or by developing an understanding of the importance and value of a particular culture or heritage?

There was no evidence that the general welfare of the town would be enhanced through retention of this sculpture by providing opportunities for study. To the contrary, the existing deteriorated structural state of the building, which the Historic Preservation Board was instructed to ignore, precludes any meaningful opportunities for study. To the contrary, the general welfare would clearly be promoted if this unsafe structure were to be demolished.

- f. Are there definite plans for reuse of the property of the proposed demolition is carried out, and what will be the effect of those plans on the character of the surrounding area?

The Historic Preservation Board completely failed to consider plans for reuse of the property. In fact, they were specifically instructed to ignore this evidence. For this reason alone, the order should be reversed and remanded.

As a result of the foregoing analysis, it is clear that, had the appropriate factors been considered by the Historic Preservation Board, they would have largely, if not completely, supported Petitioner's request. Therefore, reversal is in order.

2. The subject property was never appropriate for designation in 1998.

The Town provided no evidence whatsoever that the property was appropriately designated in 1998. Instead, Petitioner's expert, architect Rick Gonzalez, a well-known local architect with historic preservation expertise, concluded that the property was not appropriate for designation in 1998 because of the substantial modifications which had occurred to the structure since its construction in the early 1920s. Mr. Gonzalez concluded:

"Front (North) façade has a sloped clay barrel tile roof with ornamental parapet wall ends, and all windows/storefront openings were altered from the original (Refer to Figure 8 and Figure 9). Many significant changes have occurred to the exterior. Items such as window/storefront replacements, stucco repair and re-coat, enclosure/infill of rear sleeping and eating porches, inappropriate and insensitive rear (South) alterations, infills and additions.

Therefore, the Property has ceased to meet the criteria for being listed as a historic landmark in the downtown retail district of the Town of Lake Park. This is due to alterations and additions which have destroyed the historic integrity and significance. This report found the property does not meet or possess historic significance and does not retain a high degree of integrity. Thus, the existing building does not retain any degree of historic integrity of location, setting, materials, design, proportion, massing, feeling, and association with the existing context."

REG Report (citations omitted) (attached as Exhibit "B").

While the written order of the Historic Preservation Board attempts to discredit Mr. Gonzalez' findings by reference to a 2017 report authored by Mr. Gonzalez which appeared to conclude to the contrary, the Board completely ignored Mr. Gonzalez' explanation that he had not been given access to, nor an opportunity to review, the original file designating the subject site as historic. His testimony was clear that had he had that access, his conclusions would have been much different.

Therefore, the property has ceased to meet the criteria for being listed as a historic landmark in the downtown retail district of the Town of Lake Park. This is due to alterations and additions which have destroyed the historic integrity and significance. This report found the property does not meet or possess historic significance and does not retain a high degree of integrity. Thus, the existing building does not retain any degree of historic integrity of location, setting, materials, design, proportion, massing, feeling, and association with the existing context.

And, an examination of the designation form in question readily demonstrates its deficiencies. Both Mr. Gonzalez, as well as the Town's expert, Mr. Heisenbottle, stated or acknowledged that the designation document would not have passed muster under today's review processes. It was not authored by an architect, and contains some glaring errors. First, and most importantly, it states, "[the subject property] retains most of its historic physical integrity and modifications are limited to the replacement of some original windows." That statement is demonstratively untrue. Instead, it remains clear that the building was substantially renovated throughout its existence, including the front façade. Thus, the documentation upon which the original designation was based is materially flawed, and should not have served as a basis for designation.

The 1998 order of designation issued by the then-sitting Historic Preservation Board is also flawed. It states, "918 Park Avenue possesses a Mediterranean Revival architecture features of the Boom Times in Florida in the early 1920s [ ]." This implies that the building retained its 1920s historical features. But it did not. Those changes are both well documented in the record and legion. For example, the structure is missing the following architectural detail lost in the many renovations which occurred over the years:

- a. Historic clay roof tile.
- b. Historic detailing at gable wall.
- c. Historic decorative/ornamental gable wall.
- d. Historic seal/molding drip edge detailed at windowsills and below gable wall.
- e. Historic drip edge detailing at windowsill.
- f. Historic single hung windows.
- g. Historic ribbon windows.
- h. Historic recessed entry.
- i. Transom archway with detailing molding.
- j. Historic stone façade.
- k. Historic storefront glazing with exterior base molding.

See REG Report.

All of the foregoing historic features no longer exist, and did not exist in 1998. Therefore the building was simply not appropriate for designation in 1998.

Finally, the Town Code requires, and required in 1998, that "before entering upon the duties of office, each member of the Historic Preservation Board shall file written acceptance of appointment." Petitioner requested all public records establishing that the Board members who designated the property as historic in 1998 had signed such acceptances of office. The Town Clerk has confirmed that those records do not exist or cannot be located (see email string attached as Exhibit "C"). It should be incumbent upon the Town to retain such records when restricting the property rights of landowners. Because these records cannot be located, and for the other reasons set forth above, the 1998 historic designation should be declared void *ab initio*.



3. The Board ignored changes to the subject building which occurred since 1998.

Even if the Town was correct in its assumption that it was permitted only to review whether there had been changes in the structure since 1998 when the site received its historic designation, the Board failed to take those changes into consideration. For example, it ignored the testimony of Petitioner's representative, Glen Spiritis, not only a principal in the Adler, but who also holds a Ph.D. in Urban and Environmental Planning, acted as Director of Planning for two New York municipalities, and redeveloped two buildings listed on the National Register as historic. Mr. Spiritis testified that since its designation in 1998, the subject property has been substantially changed through the addition of a large garage door having been cut into the building, the addition of an extension, and the gutting of the entirety of the inside down to the studs. All of this was apparently done by the prior property owners, in an aborted attempt to bring the property into some type of productive use. These changes not only detract from any perceived historical value of the building itself, but also, as will be demonstrated in the next section, contribute to the current condition of the building, which Petitioner's engineer has deemed unsafe. This evidence should have been considered, but was not.

4. The Board failed to take the current condition of the subject property into account.

As noted above, the subject property is now in an unsafe condition. Petitioner's professional engineer, Ada Baez, testified that she deemed the building unsafe after personally inspecting it. Specifically, she concluded that:

"The interior walls of the building do not have sheathing, leaving the structure susceptible to collapse for lack of lateral resistance, due to the reduction in shear wall capacity. Blocking was not observed preventing continuity at bearing walls, limiting the transfer of lateral loads from the roof and floor diaphragms to the shear walls and down to the foundation. It is critical that these conditions be repaired immediately and without reservations, since the building as it stands may not be able to resist a major hurricane, and do not meet any fire-rating requirements per the FBC and the ASTM E119 or UL 263.

Evident and substantial mold and water damage was noticed in the rear portion of the building, where wood decay is prominent and requires complete replacement."

See Structural Assessment Report of Accord Engineering attached hereto as Exhibit "D".

A similar conclusion was reached by the termite inspectors: "Due to the extreme damage and condition of 2X4S, 2X6 walls, floor joist and header beams, we recommend removing and or rebuild. The building is unsafe." See inspection report of N Tiger Inspections attached hereto as Exhibit "E".

The condition of the structure is a required element for both designation and de-designation of historic structures. For example, in Town Code Section 66-9(f)(4)(a), it states, “is the structure of such interest or **quality** that it would reasonably meet national state or local criteria for designations as a historic or architectural landmark?” (emphasis added). This specifically states that the quality of the structure is to be considered when de-designating structures as historic for the purpose of demolition, as was the request here. Yet the Board was specifically instructed not to consider the current condition of the building, and did not do so. This was clear error.

Further, the Florida Building Code, at Section 1205, makes clear that safety trumps historic designation. For example, Section 1205.1 of the Florida Building Code states:

**1205.1 Strict compliance.** Historic structures or portions of such structures that do not strictly comply with this code shall be considered to be in compliance if it can be shown to the satisfaction of the building code official that **equivalent protection has been provided or that no hazard will be created or continued through noncompliance.**

See Florida Building Code Section 1205.1 attached hereto as Exhibit “F” (emphasis added).

Thus, the Board’s failure to consider the current condition of the structure was clearly erroneous.

5. The Historic Preservation Board failed to take its future use into account.

As outlined above in Section 1 of this appeal, the Code specifically requires that when considering a petition to demolish a designated historic structure, the Board must take into account “definitive plans for reuse of the property if the proposed demolition is carried out [and] the effect of those plans on the character of the surrounding area.” Lake Park Town Code Section 66-9(f)(4)(f). The Historic Preservation Board was specifically instructed to disregard future plans for development of the property and thus completely failed to do so. Once again, this is clear error.

6. Petitioner was prevented from offering a compromise before the Board.

During open session, Petitioner sought to engage the Board with discussion of potential means to arrive at a mutually beneficial solution, one wherein the look and feel of the original 1925 facade could be incorporated into the development plan for the property. This discussion was terminated at the direction of the Town attorney, preventing any discussion of potential compromise. Again, this should not have occurred, and the discussion should have been allowed to ensue.

7. Petitioner’s Request was consistent with the Town’s Comprehensive Site Plan

The Order on appeal states that the Petition was inconsistent with Objective 12 of the Future Land Use section of the Town's Comprehensive Plan. That too, is clear error. Objective 12, and the very first policy listed under the Objective, are designed to promote redevelopment such as that proposed by the Petitioner. The Comprehensive Plan states:

Objective 12

Redevelopment of the Historical Downtown Area: A Downtown Future Land Use Classification is established to facilitate the redevelopment of the historical Park Avenue downtown and the immediate surrounding area. This land use category encourages a dense, vibrant, walkable mixed-use downtown that combines residences, businesses, and civic spaces, and that is well-integrated into the surrounding neighborhoods. This land use classification is also intended to facilitate development that complements a future tri-rail station.

Policy 12.1 The Downtown Land Use classification is implemented by the Park Avenue Downtown District (PADD) zoning district. The Downtown Land Use shall provide for the development or redevelopment of compact residential and non-residential or mixed use buildings to complement the existing buildings.

Town of Lake Park Comprehensive Plan.

Because Petitioner's Petition was designed to make way for the exact type of redevelopment contemplated by Objective 12 of the Comprehensive Plan, this finding also constitutes clear error.

8. Request for Relief.

The Adler at Lake Park requests the Town Commission to de-designate 918 Park Avenue as historic building and permit demolition for the safety and welfare of the community, or remand the matter to the Town's Historic Preservation Board with instructions to do so. This approval will be subject to Petitioner's proposal for mixed use rental building to include a storefront ground floor location of current 918 Park Avenue to be designed as close architecturally as possible as the 918 Park Avenue 1925 design.

Very truly yours,

NASON, YEAGER, GERSON, HARRIS  
& FUMERO, P.A.



Nathan E. Nason

cc: Glen Spiritis – via email  
Thomas Baird, Esq. – via email

IN THE JURISDICTION  
OF THE TOWN OF LAKE PARK  
PRESERVATION BOARD

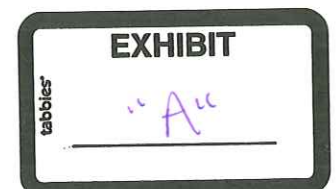
IN RE: PETITION TO RESCIND  
THE LOCAL HISTORIC  
DESIGNATION OF THE  
ARNOLD BUILDING, 918 PARK  
AVENUE

### ORDER

A quasi-judicial hearing was conducted on October 2, 2023 to consider the application of the Adler at Lake Park LLC to rescind the local historic designation granted in 1998, for the Arnold Building. Based upon the evidence and arguments presented at the hearing, the Historic Preservation Board (HPB) makes the following findings:

### FINDING OF FACT

1. The owner of the property which was the subject of the quasi-judicial hearing concerning the property located at 918 Park Avenue (the Property or the Arnold Building) is the Adler at Lake Park LLC (the Owner).
2. The Owner submitted a Petition to rescind or de-designate the local historic designation of the Arnold Building and to remove it from the Town's historic designation survey and the Florida Master Site File (the Petition).
3. The Arnold Building was originally constructed in 1925 by the Arnold Construction Company in the Mediterranean Revival Architecture style popular at the time of Florida's "Land-boom" era.
4. The building served as the headquarters of the Arnold Construction Company, which was instrumental in the growth and development of early Lake Park (Kelsey City). The company built many homes in the Town, as well as the Town Hall building.
5. The Arnold Building is the last of the commercial buildings existing in the Kelsey City downtown. The Plat of Kelsey City, including its downtown was created by the Olmstead Brothers and John Nolan, the town most renowned planning and architectural firms in the 1920s.
6. The historic downtown along Park Avenue was developed before automobiles began to dominate the development of land. The building abuts Park Avenue without a "sea of parking" in front. The commercial buildings that replaced the other commercial buildings on Park Avenue have been developed with parking in front of them.



7. The Arnold Building was damaged by the 1928 hurricane. Sometime thereafter it was repaired and the facade modified; nevertheless, it retained its Mediterranean Revival style, similar to the historic Lake Park Town Hall Building.
8. The Arnold Building housed the Arnold Construction Company, Arnold grocery, Dr. Pearson, and rental rooms. It also housed Atlantic Lumber, and later Lake Park Sundries and a United States Post Office.
9. The Arnold Building is listed in the Florida Master Site File. The Florida Master Site File, Historic Structure form captures the essence of the building's continuing historic significance:

"This is the last remaining commercial building from the Boom-Times era. It retains most of its historic physical integrity and modifications are limited to the replacement of some original windows. Based on architectural significance and associations with the early history of Kelsey City, this resource is considered to the potentially eligible for listing on the National Register of Historic Places."

10. The HPB historically designated the building on September 9, 1998. This designation was based upon the findings of Janus Research, who was engaged by the Town to survey all possible historic structures in the Town.
11. In 2017, REG was retained by the Town to review a development application for the property, and the historic integrity of the locally designated structure. REG found that:

"Several **minor changes** have occurred to the exterior [of the building]. Items such as windows replacement, stucco repair and recoat, storefront alteration, enclosure / infill of rear sleeping and eating porches, inappropriate and insensitive rear (South) alterations, infills and additions. **Overall, the existing building** retains a moderate degree of historic integrity of location, setting, materials, design, proportion, massing, feeling, and association."

12. The Town engaged RJ Heisenbottle Architects (RJHA) to conduct a review of the Petition to de-designate the Arnold Building as a historic structure. RJHA concluded that the building has changed little since it was designated in 1998. It maintains its architectural integrity and qualities for which it was listed locally and therefore, continues to meet the criteria for designation. RJHA does **not** believe the justifications for de-designation are valid.



13. The Arnold Building is associated with persons who were significant to the Town's development, including, but not limited to, Harry Kelsey, the Olmstead brothers, John Nolan, and Herman and J.Y. Arnold, the principals involved in the Arnold Construction Company.
14. The Property has a Future Land Use designation pursuant to the Town's Comprehensive Plan of "Downtown" and its zoning designation is "Park Avenue Downtown District (PADD).
15. In 1998 when the Arnold Building received its local historic designation it was also determined that the building would qualify to be listed on the National Historic Register. An application was prepared, but the process was never completed.

### **CONCLUSIONS OF LAW**

The application must be evaluated pursuant to Chapter 26, § 66-9(d)(7) of the Town Code.

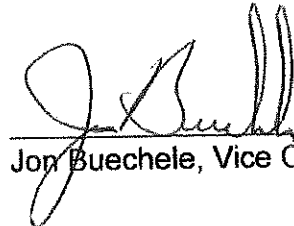
- A. The Code requires the HPB to evaluate whether the Arnold Building still meets the criteria of § 66-9(a). Based upon the evidence, the HPB concludes as a matter of law that it does, and makes these findings:
  - (1) The Arnold Building remains associated with distinctive elements of the cultural, social, political, economic, scientific, religious, and architectural history that contributed to the pattern of history in the Town, Palm Beach County, South Florida, the State of Florida and the United States.
  - (2) The Arnold Building remains associated with the lives of persons significant to the Town's history and the development of the historical downtown of the Town.
  - (3) The Arnold Building embodies the distinctive characteristics of the type, period and style or method of construction and architecture and represents a distinguishable building. It is the last remaining commercial building constructed during the Land-boom era in conformance with Mediterranean Revival architecture, the then prevailing architecture of this era.
  - (4) The Arnold Building has yielded and will, or is likely to continue to yield information regarding the Town's history.
  - (5) Although the process for listing in the National Register of Historic Places was not completed, the Property would have likely qualified for this listing.

B. The approval of de-designation must comply with Fla. Stat. § 163.3194(1)(a), which requires that all actions taken in regards to development permits shall be consistent with the Town's Comprehensive Plan. The de-designation and demolition of the Arnold Building would not be consistent with the Town's Comprehensive Plan as follows:

(1) The Property is located within the Future Land Use category of the Town's Comprehensive Plan, entitled, "Downtown". Objective 12 of the Future Land Use Element of the Town's Comprehensive Plan, entitled "Redevelopment of the Historical Downtown Area" is intended to facilitate the redevelopment of the historical Park Avenue downtown, and includes policies to protect and preserve existing historical resources in the Downtown.

(2) The demolition of the last commercial downtown building on Park Avenue would not be consistent with this objective and its implementing policies.

**DONE AND ORDERED** in Lake Park, Florida this 9<sup>th</sup> day of October, 2023.

  
Jon Buechele, Vice Chair

Copies furnished to:

Nadia Di Tommaso, Community Development Director, Town of Lake Park

Glen Spiritis, PHD, The Adler at Lake Park, LLC

Vivian Mendez, Town Clerk



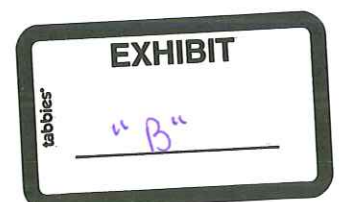


## Petition for Removal

918 Park Avenue, 8PB9607, as a locally designated historic landmark in the downtown retail district of the Town of Lake Park.

03.01.2023

918 LAKE PARK, FLORIDA  
HISTORIC IMAGE



**March 1, 2023**



TO:

Historic Preservation Board  
Town Hall Commission Chamber  
535 Park Avenue  
Lake Park, Florida 33403

RE:

918 Park Avenue, Lake Park FL 33408  
Historic Preservation Consultant

From:

REG Architects, Inc. (Consultant)  
Brian Laura, D. Arch, Sr. Project Manager  
Rick Gonzalez, A.I.A., President

Petition for Removal of 918 Park Avenue, 8PB9607, as a locally designated historic landmark in the downtown retail district of the Town of Lake Park.

**Project Description & Location:**

This letter is regarding Historic Resource, FMSF #8PB9607, 918 Park Avenue of Lake Park, Florida in Kelsey City downtown, which is currently listed as a locally designated historic landmark in the downtown retail district of the Town of Lake Park. Therefore, this report serves as a formal request and petition to remove resource 8PB9607 from the historic landmark designation survey and Florida Master Site File, (per 36 CFR § 60.15). Grounds for the petition are based on the following:

1. The property has ceased to meet the criteria for listing as a designated historic landmark because the qualities which caused it to be originally listed have been lost or destroyed, or such qualities were lost subsequent to nomination.
2. Additional information shows that the property does not meet the historic landmark designation criteria for evaluation.

**Background & Date of Development:**

The subject property is a locally designated historic landmark in the downtown retail district of the Town of Lake Park. It was originally built in the Mediterranean Revival Style c.1925 as a mixed-use commercial building. The first floor use to contain retail space and the second floor contained two apartments (now removed). The two-story, mostly flat roofed building has stucco finish, recessed storefront (arcade), and ground level front residential entrance.

The rear (South) appears to have been sleeping and eating porches with stairway. Front (North) façade has a sloped clay barrel tile roof with ornamental parapet wall ends, and all windows/storefronts openings were altered from the original (Refer to Figure 8 and Figure 9). Many significant changes have occurred to the exterior. Items such as window/storefront replacements, stucco repair and re-coat, enclosure/ infill of rear sleeping and eating porches, inappropriate and insensitive rear (South) alterations, infills and additions.



Therefore, the Property has ceased to meet the criteria for being listed as a historic landmark in the downtown retail district of the Town of Lake Park. This is due to alterations and additions which have destroyed the historic integrity and significance. This report found the property does not meet or possess historic significance and does not retain a high degree of integrity. Thus, the existing building does not retain any degree of historic integrity of location, setting, materials, design, proportion, massing, feeling, and association with the existing context.

The property was designated as a locally significant by Town of Lake Park Historic Preservation Board in 1998. However, due to significant alterations and additions the historic core of the building no longer exhibits a period of significance, nor does it embody the distinctive characteristics of an academic architectural type, style, or method of construction; and it does not possess unique components that make it a distinguishable historic entity. The loss of original materials is extensive on the building's exterior (Refer to Figure 7 and Figure 9). Significant changes to the front façade have obscured/destroyed the original design, materials, and workmanship. The submitted FMSF and additional information indicate 918 Park Avenue (Arnold Building) no longer meets the historic designation criteria for significant sites. Moreover, the value of truly eligible properties within a district may be harmed by including a structure which lacks significance and a high degree of integrity. This can hinder the public perception of the quality and significance of the historic Town of Lake Park designation, criteria, and evalu-

ation. Furthermore, the removal of the resource FMSF #8PB9607 will increase the integrity and value of the existing Kelsey City downtown.

#### **Addendum**

This report consists of an update to the original FMSF submitted for 918 Park Avenue, Lake Park Florida in 1998. The update for FMSF 8PB9607 is necessitated due to the change in historic significance, integrity, and character. The empirical methodology for the update included reproduced plans, historic and existing photography, historic zoning map, conversations with current owner, city staff, FMSF review, and other local publications. The property was evaluated with The Secretary of the Interior's Standards (36 CFR § 67.7).

Resource 8PB9607 was surveyed for historic properties in compliance with the Florida Administrative Code Chapter 1A-46 Archaeological and Historical Report Standards and the Criteria for Evaluation for the National Register of Historic Places as set forth in 36 CFR 60 and amendments thereto. The survey methodology was established using the Guide to the Historical Structure Form Version 4.0.

The majority of alterations and additions were built in the 1970's to facilitate the mix-use commercial aspect of the property. This includes the elimination and disturbance of the main street historic façade of the building (Refer to Figure 7) and a non-historic large addition at the rear (Refer to Figure 12).

The Secretary of the Interior's Standards states the following, "A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment." Thus, the changes in setting and feeling further detract from the original design and function of the property.

The non-historic addition (rear) uses historic materials that have been salvaged or re-purposed from other buildings. The mix of historic and non-historic materials does not allow the additions to be distinguished as non-historic (Refer to Figure 12). Following the Standards, "To preserve a property's historic character, a new addition must be visually distinguishable from the historic building."

For a street-side observer, the mix of historic and new materials on later additions to the structure makes it hard to discern which parts of the building are truly historic (Refer to Figure 7). The Standards also provide the following guidance, "New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired." The addition (rear) to the building has compromised the original structure and removal of significant architectural elements from the main north elevation, which includes altered and removal of historic fenestration, exterior stone, removal of storefronts, double hung windows, first floor transom windows, decorative gable end, quoining, and roofing materials (Refer to Figure 7 and Figure 8).

### **Historic Preservation**

Alterations to building's facade in a local historic district is subject to specific criteria for visual compatibility as set forth in Historic Preservation, Chapter 66 of the Town's Code of Ordinances. As required by Historic Preservation the project was also reviewed using the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings, 2017 Edition.

### **Consultant's Analysis:**

It is the Consultant's analysis that the proposed demolition is compatible with the regulations set forth in Chapter 66 Historic Preservation Ordinance and the Standards and Guidelines.

### **Consequent Action:**

The Board can approve the application; approve the application with conditions; continue the hearing to a date certain to request additional information; or deny the application.

### **Recommendation:**

Consultant recommends that the Board approve the amendment for the request of proposed demolition for the following Conditions:

1. Refer to Historic Image (Figure 8)
2. Refer to Non-Historic Facade (Figure 7)
3. Refer to Non-Historic Addition (Figure 12)

**Potential Motion:**

I MOVE TO APPROVE Project Number 8PB9607:

Consideration of an amendment to the Certificate of Appropriateness (COA) for 918 Park Avenue of Lake Park, Florida, based upon the competent substantial evidence for demolition as recommended by Consultant.

I MOVE TO DENY Project Number 8PB9607:

Consideration of an amendment to the Certificate of Appropriateness (COA) for 918 Park Avenue of Lake Park, Florida.



Figure 1: Lake Park Zoning Map

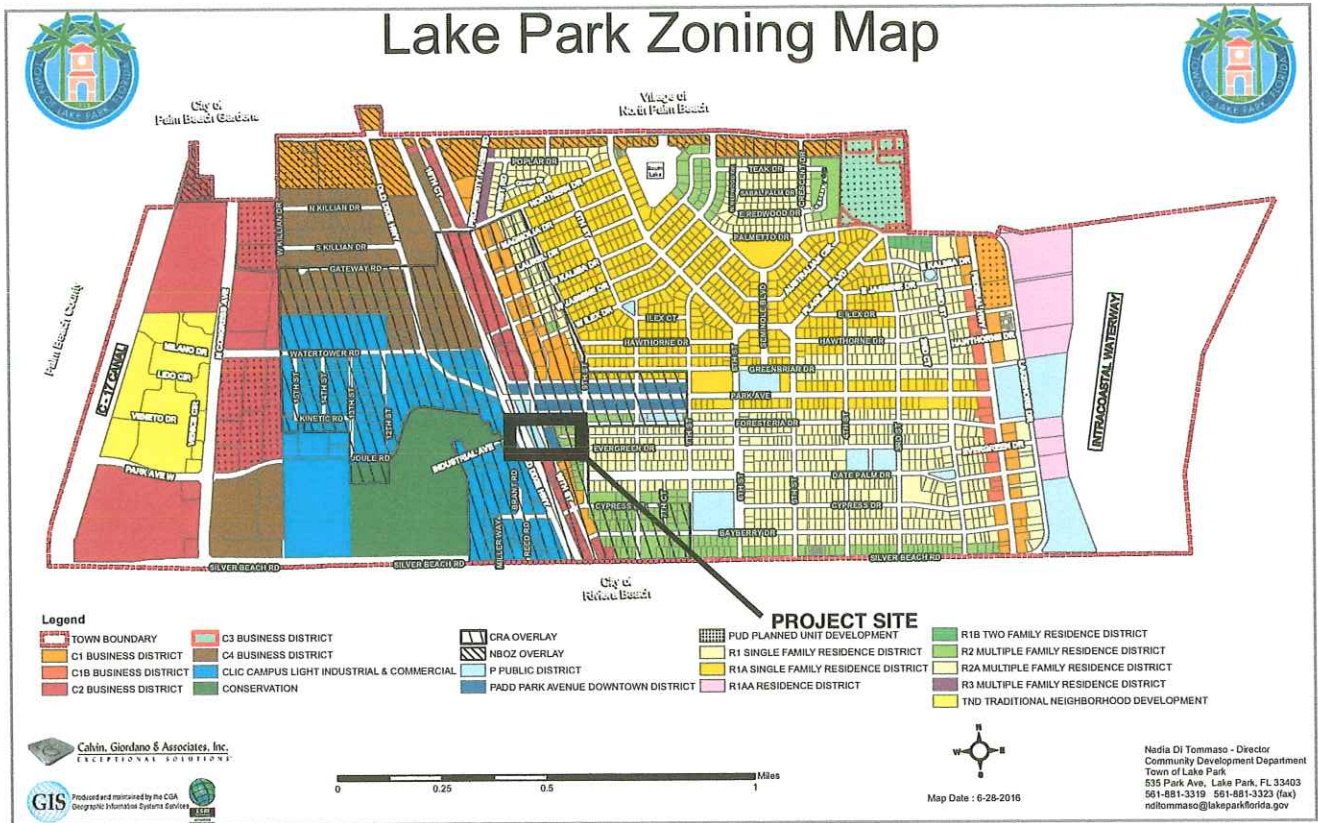


Figure 2: Existing Aerial Plan

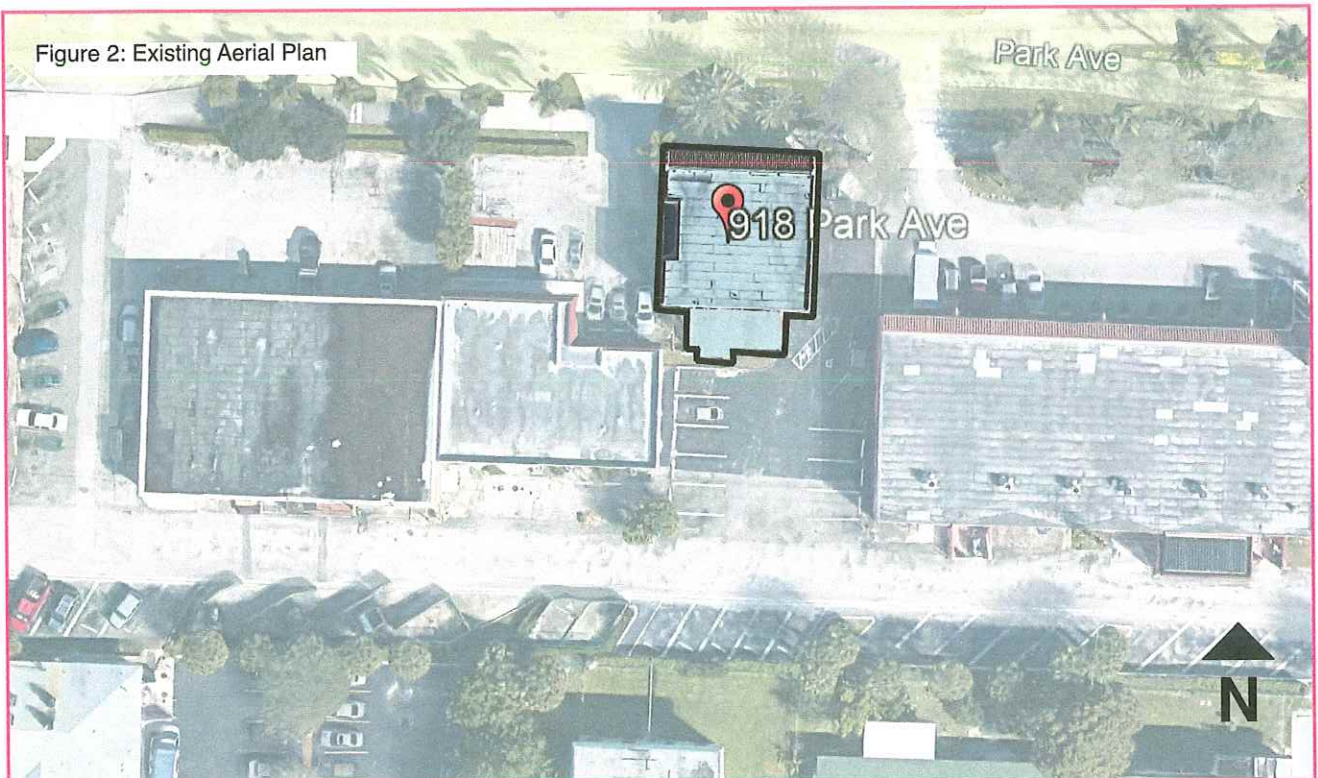




Figure 3: Existing Aerial Plan



EXISTING SITE AERIAL - LOOKING  
NORTH EAST ELEVATION

Figure 4: Existing Aerial Plan



EXISTING SITE AERIAL - LOOKING  
NORTH WEST ELEVATION

Figure 5: Existing Aerial Plan



EXISTING SITE AERIAL - LOOKING  
SOUTH EAST ELEVATION

Figure 6: Existing Aerial Plan



EXISTING SITE AERIAL - LOOKING  
SOUTH WEST ELEVATION



Figure 7: Existing - Front Facade



Figure 02:  
Historic Image  
Front Facade

Figure 8: Historic Photo of Fenestration





Figure 9: Existing Front Facade



Figure 10: Existing Non-Historic Arch Colonnade



Figure 11: Existing Non-Historic Composite Order Column Capital





Figure 12: Existing Non-Historic Addition, south west elevation



Figure 13: Existing Recessed East Elevation



Figure 14: Existing Non-Historic Addition, East Elevation



Figure 15: Historical Structure Form

Page 1  
X original  
update

HISTORICAL STRUCTURE FORM  
FLORIDA MASTER SITE FILE

Site 8PB9607  
Recorder# 51

SITE NAME Park Building  
HISTORIC CONTEXTS Boom Times  
NAT. REGISTER CATEGORY Building  
OTHER NAMES OR MSF NOS None  
COUNTY Palm Beach OWNERSHIP TYPE Private--Individual  
PROJECT NAME Lake Park Survey DHR NO       
LOCATION (Attach copy of USGS map, sketch-map of immediate area)  
ADDRESS 918 Park Ave CITY Lake Park  
VICINITY OF / ROUTE TO South side of Park Ave, between 9th and 10th Streets  
SUBDIVISION N/A BLOCK NO      LOT NO       
PLAT OR OTHER MAP County Aerial Photographs  
TOWNSHIP 42S RANGE 43E SECTION 20 1/4 SE 1/4-1/4 NW  
IRREGULAR SEC? y X n LAND GRANT Unknown  
USGS 7.5' MAP Riviera Beach USGS, 1946 PR 1983  
UTM: ZONE 17 EASTING 592210 NORTHING 2964420  
COORDINATES: LATITUDE      D      M      S LONGITUDE      D      M      S

HISTORY  
ARCHITECT: Unknown  
BUILDER: Unknown  
CONST DATE 1925 CIRCA C RESTORATION DATE(S): N/A  
MODIFICATION DATE(S): 1970s  
MOVE: DATE N/A ORIG LOCATION N/A  
ORIGINAL USE(S) Commercial  
PRESENT USE(S) Commercial

DESCRIPTION  
STYLE Mediterranean Revival  
PLAN: EXTERIOR Rectangular  
INTERIOR Unknown  
NO.: STORIES 2.0 OUTBLDGS 0 PORCHES 4 DORMERS 0  
STRUCTURAL SYSTEM(S) Hollow tile  
EXTERIOR FABRIC(S) Stucco  
FOUNDATION: TYPE Slab MATLS Concrete  
INFILL N/A  
PORCHES N/inset entrances/1st floor/turned supports/arches/N  
ROOF: TYPE Flat, shed SURFACING Unknown, barrel tile  
SECONDARY STRUCS. N/A  
CHIMNEY: NO 0 MTLs N/A LOCNS N/A  
WINDOWS Awning, metal, 4; Fixed, wood, storefronts, 1  
EXTERIOR ORNAMENT Cast stone, wood  
CONDITION Good SURROUNDINGS Residential  
NARRATIVE (general, interior, landscape, context; 3 lines only)  
See continuation sheet.

ARCHAEOLOGICAL REMAINS AT THE SITE  
FMSF ARCHAEOLOGICAL FORM COMPLETED? y X n (IF Y, ATTACH)  
ARTIFACTS OR OTHER REMAINS None observed.

Page 2

FMSF HISTORICAL STRUCTURE FORM

Site 8PB9607

RECORDER'S EVALUATION OF SITE

AREAS OF SIGNIFICANCE Architecture/Community Planning/Development

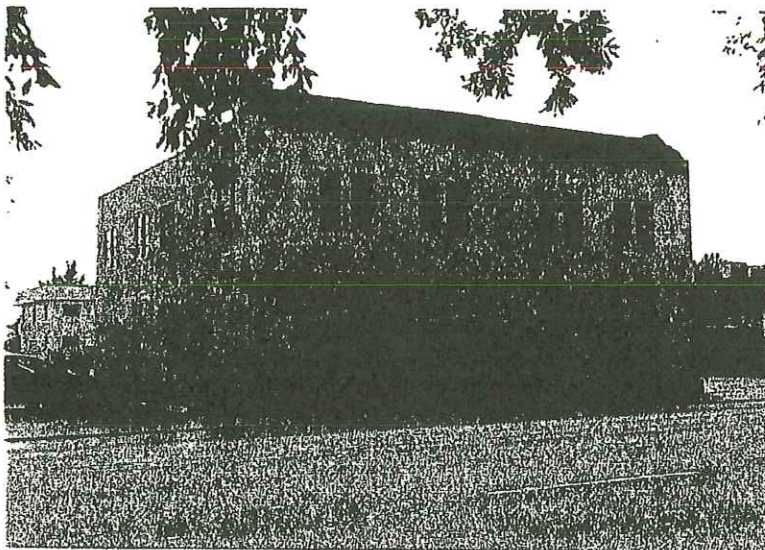
ELIGIBLE FOR NAT. REGISTER? ☒ y ☐ n likely, need info insf inf  
SIGNIF. AS PART OF DISTRICT? ☐ y ☒ n likely, need info insf inf  
SIGNIFICANT AT LOCAL LEVEL? ☒ y ☐ n likely, need info insf inf

SUMMARY ON SIGNIFICANCE (Limit to three lines provided; see page 3)  
See continuation sheet.

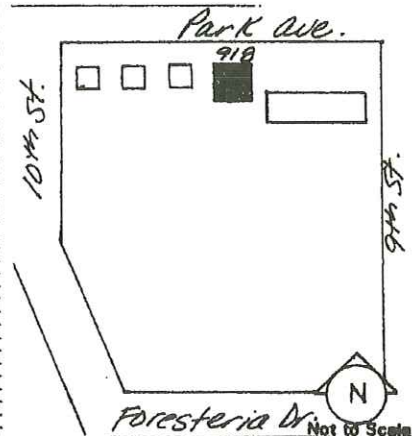
\* \* \*DHR USE ONLY\* \* \* \* \* \*DHR USE ONLY\* \* \*  
\*  
\* DATE LISTED ON NR \_\_\_\_\_ \*  
\* KEEPER DETERMINATION OF ELIG. (DATE): -YES \_\_\_\_\_ -NO \_\_\_\_\_ \*  
\* SHPO EVALUATION OF ELIGIBILITY (DATE): -YES \_\_\_\_\_ -NO \_\_\_\_\_ \*  
\* LOCAL DETERMINATION OF ELIG. (DATE): -YES \_\_\_\_\_ -NO \_\_\_\_\_ \*  
\* OFFICE \_\_\_\_\_ \*  
\* \*DHR USE ONLY\* \* \* \* \* \*DHR USE ONLY\* \* \*

RECORDER INFORMATION: NAME Amy Groover, Dawn Van De Putte  
DATE: 19971121 AFFILIATION Janus Research/Piper Archaeology

PHOTOGRAPHS (Attach a labeled print bigger than contact size)  
LOCATION OF NEGATIVES Janus Research/Piper Archaeology  
NEGATIVE NUMBERS Roll 9782-4, Exp. 8 Facing SW



M A P  
Street/plat map, not  
USGS



REQUIRED: USGS MAP OR COPY WITH SITE LOCATION MARKED



Page 3

SUPPLEMENT FOR SITE FORMS

Site 8PB9607

SITE NAME Park Building

A. NARRATIVE DESCRIPTION OF SITE (Use back of page and continuations)

This commercial Mediterranean Revival building is located on the south side of Park Avenue, between 9th and 10th Streets in Township 42 South, Range 43 East, Section 20 (Riviera Beach USGS Quadrangle, 1946, PR 1983) in Lake Park, Florida. Built in 1925, the two-story masonry structural system rests on a concrete slab foundation. Exterior walls are surfaced with stucco and the first floor features corner quoining. The flat portion of the roof features shaped parapets and barrel tile trim. The shed portion of the roof is covered in barrel tile and features pecky cypress brackets. Fenestration includes metal awning and wood fixed storefront windows. The north facade features inset entrances with arched openings and cast stone turned columns. The west elevation features a second-story rectangular cut-out which exhibits a balcony and a railing.

B. DISCUSSION OF SIGNIFICANCE (Use back of page and continuations)

The Mediterranean Revival style is most often found in states with Spanish colonial heritage. In Florida, this style is closely linked with the 1920s Florida Land Boom era. The style has its origin in Beaux Arts-trained architects' desire to create a building style appropriate to the history of the Sun Belt area of the United States. The Mediterranean Revival style flourished in Florida during the 1920s and 1930s, as it captured the picturesque resort image the State was promoting to its winter visitors. Mediterranean Revival domestic buildings are chiefly associated with middle and upper class suburban housing developments. The style was also applied to commercial, hotel, club, and school buildings. Features of the style include stuccoed wall surfaces and low-pitched red barrel tile roofs. Arched windows and doors are often found in Mediterranean Revival style buildings. Decorative elements such as inset tiles, cast stone columns or pilasters, balconies, and window grilles are incorporated in the building designs as well.

The Town of Lake Park is located in Palm Beach County and is adjacent to the City of Riviera Beach to the south and the Village of North Palm Beach to the north. Lake Park was originally conceived in 1919 as Kelsey City by Harry Seymour Kelsey, a multimillionaire from Massachusetts. Kelsey acquired a vast fortune from the sale of his restaurant business, the Waldorf Lunch System. With his new found wealth, Kelsey purchased over 100,000 acres of land from the estate of J.M. Barr, a real estate investor from Jacksonville, Henry Flagler's Model Land Company, and the Silver Beach tract, also known as the Peck Aviation Field. From his land holdings, Kelsey established a community platted and planned by the

## Nathan Nason

---

**From:** Glen Spiritis <dokspirit@aol.com>  
**Sent:** Monday, October 16, 2023 3:24 PM  
**To:** Nathan Nason  
**Subject:** Fw: 918 Park Ave

FYI-Glen

----- Forwarded Message -----

**From:** Glen Spiritis <dokspirit@aol.com>  
**To:** Nadia DiTommaso <nditommaso@lakeparkflorida.gov>; Anders Viane <aviane@lakeparkflorida.gov>  
**Cc:** John D'Agostino <jd'agostino@lakeparkflorida.gov>; Karen Golonka <kgolonka@lakeparkflorida.gov>; Kimberly Rowley <krowley@lakeparkflorida.gov>  
**Sent:** Thursday, September 28, 2023 at 12:20:08 PM EDT  
**Subject:** Re: 918 Park Ave

Did you check City Clerk file?

On Thursday, September 28, 2023 at 08:48:45 AM EDT, Anders Viane <aviane@lakeparkflorida.gov> wrote:

Good morning,

No, it does not appear so. They were not in the property file.

Sincerely,

**Anders R Viane**

**Planner**

**COMMUNITY DEVELOPMENT DEPARTMENT**

**TOWN OF LAKE PARK**

**535 Park Avenue**

**Lake Park, FL 33403**

**561-881-3320**

**561-881-3323 (Fax).**

[aviane@lakeparkflorida.gov](mailto:aviane@lakeparkflorida.gov)







**\*PLEASE NOTE:** The State of Florida has a very broad Public Records Law. Written communication regarding Town of Lake Park business is considered to be Public Record, and is available to the public upon request. Therefore, all e-mail communications are subject to public disclosure. If you do not wish for your e-mail address to be released in response to a Public Records Request, please do not send electronic mail to this entry, but instead contact this Office by telephone or in writing. Section 668.6076, F.S.

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**From:** Glen Spiritis <dokspirit@aol.com>

**Sent:** Wednesday, September 27, 2023 10:50 PM

**To:** Nadia DiTommaso <NDiTommaso@lakeparkflorida.gov>; Anders Viane <aviane@lakeparkflorida.gov>

**Cc:** John D'Agostino <jD'Agostino@lakeparkflorida.gov>; Karen Golonka <kgolonka@lakeparkflorida.gov>;

Kimberly Rowley <krowley@lakeparkflorida.gov>

**Subject:** Re: 918 Park Ave

Anders- Please thank the staff for the quick response to my request

Application to designate 918 for local designation is included in the documents you sent me

It was initiated by staff

Just confirming that Town does not have original plans?

Thank you

Glen

516-510-4363

[dokspirit@aol.com](mailto:dokspirit@aol.com)

On Wednesday, September 27, 2023 at 02:42:43 PM EDT, Anders Viane <[aviane@lakeparkflorida.gov](mailto:aviane@lakeparkflorida.gov)> wrote:

Good morning Glen,

Please see the available records [linked here](#). We could not find the following:

- Copy of application to designate/list 918 Park Ave for local historic designation
- Petition & consent of 918 Park Ave property owner to the Town historic preservation board in 1998
- Copies of written acceptance of appointment to the Historic Preservation Board by all Board members in 1998/99

Please let me know if you have any questions.

Sincerely,

**Anders R Viane**

**Planner**

COMMUNITY DEVELOPMENT DEPARTMENT

TOWN OF LAKE PARK

535 Park Avenue

Lake Park, FL 33403

561-881-3320

561-881-3323 (Fax).

[aviane@lakeparkflorida.gov](mailto:aviane@lakeparkflorida.gov)



**\*PLEASE NOTE:** The State of Florida has a very broad Public Records Law. Written communication regarding Town of Lake Park business is considered to be Public Record, and is available to the public upon request. Therefore, all e-mail communications are subject to public disclosure. If you do not wish for your e-mail address to be released in response to a Public Records Request, please do not send electronic mail to this entry, but instead contact this Office by telephone or in writing. Section 668.6076, F.S.

---

**From:** Glen Spiritis <[dokspirit@aol.com](mailto:dokspirit@aol.com)>  
**Sent:** Tuesday, September 26, 2023 1:01 PM  
**To:** Nadia DiTommaso <[NDiTommaso@lakeparkflorida.gov](mailto:NDiTommaso@lakeparkflorida.gov)>  
**Cc:** John D'Agostino <[jD'Agostino@lakeparkflorida.gov](mailto:jD'Agostino@lakeparkflorida.gov)>; Karen Golonka <[kgolonka@lakeparkflorida.gov](mailto:kgolonka@lakeparkflorida.gov)>; Anders Viane <[aviane@lakeparkflorida.gov](mailto:aviane@lakeparkflorida.gov)>; Kimberly Rowley <[krowley@lakeparkflorida.gov](mailto:krowley@lakeparkflorida.gov)>  
**Subject:** Re: 918 Park Ave

Hi Again Nadia- Can you add the following documents to my request

1. Investigation & designation report filed with Town historic preservation board for 918 Park Ave in 1998
2. Petition & consent of 918 Park Ave property owner to the Town historic preservation board in 1998
3. Copy of recording of designation for 918 Park Ave with the clerk of the circuit court in 1998 or 1999
4. Certificate of Recognition issued by Historic Preservation Board for 918 Park in 1998/99
5. Copies of written acceptance of appointment to the Historic Preservation Board by all Board members in 1998/99

Thank you

Glen

516-510-4363

[dokspirit@aol.com](mailto:dokspirit@aol.com)

On Tuesday, September 26, 2023 at 10:47:03 AM EDT, Nadia DiTommaso <[nditommaso@lakeparkflorida.gov](mailto:nditommaso@lakeparkflorida.gov)> wrote:

Good morning Anders and Kim-

Please work on this request and provide the documentation to Glen via email by Thursday.

Glen- for your #5 request and original request below, please see attached.

Thank you,

Nadia

*Nadia Di Tommaso, FRA-RP, LEED Green Associate*

**Community Development Director**

Town of Lake Park, Community Development Department

535 Park Avenue

Lake Park, FL 33403

Phone: (561) 881-3319

Fax: (561) 881-3323



Please note: Florida has a very broad public records law. Written communication regarding Town business are public records available to the public upon request. Your e-mail communications are therefore subject to public disclosure. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entry, instead contact this office by phone or in writing. Section 668.6076, F.S.



**From:** Glen Spiritis <[dokspirit@aol.com](mailto:dokspirit@aol.com)>  
**Sent:** Tuesday, September 26, 2023 8:53 AM  
**To:** Nadia DiTommaso <[NDiTommaso@lakeparkflorida.gov](mailto:NDiTommaso@lakeparkflorida.gov)>  
**Cc:** John D'Agostino <[jD'Agostino@lakeparkflorida.gov](mailto:jD'Agostino@lakeparkflorida.gov)>; Karen Golonka <[kgolonka@lakeparkflorida.gov](mailto:kgolonka@lakeparkflorida.gov)>; Anders Viane <[aviane@lakeparkflorida.gov](mailto:aviane@lakeparkflorida.gov)>; Kimberly Rowley <[krowley@lakeparkflorida.gov](mailto:krowley@lakeparkflorida.gov)>  
**Subject:** Re: 918 Park Ave

Hi Nadia- Was speaking with our team last night & we need the following for Historic Preservation presentation

1. All Resolutions by Town Board creating Historic Preservation Board & Historic Preservation Ordinance (Think 1999?) Maybe earlier years as well?
2. Minutes of Town Historic Preservation Board Meeting designating/ listing 918 Park Ave as having Historic significance
3. Copy of application to designate/list 918 Park Ave for local historic designation
4. Copy of all building permit applications & issued building permits for 918 Park Ave
5. Copy of rules & regulations for de-designating a building from historic preservation local listing

Thank you for your cooperation in this matter

Glen

516-510-4363

[dokspirit@aol.com](mailto:dokspirit@aol.com)

On Tuesday, September 26, 2023 at 07:38:05 AM EDT, Nadia DiTommaso <[nditommaso@lakeparkflorida.gov](mailto:nditommaso@lakeparkflorida.gov)> wrote:

Good morning Glen-

I will be in the office a little later and will provide you with both the regulations and the zoning in progress resolution later today.

Regards,

Nadia

----- Original message -----

From: Glen Spiritis <[dokspirit@aol.com](mailto:dokspirit@aol.com)>

Date: 9/25/23 5:58 PM (GMT-05:00)

To: Nadia DiTommaso <[NDiTommaso@lakeparkflorida.gov](mailto:NDiTommaso@lakeparkflorida.gov)>

Cc: John D'Agostino <[jD'Agostino@lakeparkflorida.gov](mailto:jD'Agostino@lakeparkflorida.gov)>

Subject: 918 Park Ave

Hello Nadia- Please e-mail a copy of the Town's Historic Preservation guidelines, rules & regulations to me

Thank you

Glen Spiritis

516-510-4363

[dokspirit@aol.com](mailto:dokspirit@aol.com)

# STRUCTURAL ASSESSMENT



230606-FL

918 Park Avenue

**ac**cord  
ENGINEERING

EXHIBIT

tabbles

"D"



# SIGNATURES

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## PREPARED BY



Aida L. Baez, PE

*Co-Owner / Senior Structural Engineer*

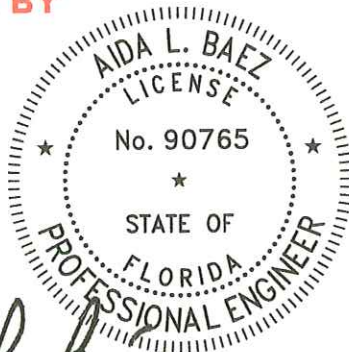
## REVIEWED BY



Clifton Newkirk, PE

*Co-Owner / Senior Structural Engineer*

## APPROVED BY



Aida L. Baez, PE

*Co-Owner / Senior Structural Engineer*

Professional Engineer No. 90765

State of Florida

2023.08.07 16:57:09-04'00'

This report was prepared by ACcord Engineering for Kelsey on Park, in accordance with the approved professional services agreement. The material in it reflects ACcord Engineering best judgement in light of the information available to it at the time of preparation

The original of the technology-based document sent herewith has been authenticated and will be retained by ACcord Engineering for a minimum of seven years. Since the file transmitted is now out of ACcord Engineering's control and its integrity can no longer be ensured, no guarantee may be given with regards to any modifications made to this document.

# INTRODUCTION

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## General Description

This structural assessment report is for the building located in the downtown retail district of the Town of Lake Park at 918 Park Avenue, Lake Park, Florida. The original building was constructed in 1925 as a mixed-use commercial building. The 2-story building structure is composed of wood vertical and horizontal framing, with steel interior columns, and concrete slab-on-grade. The foundation was not identified during the field investigation but is presumed to be shallow concrete. The exterior walls are finished with stucco and are sheathed with diagonal or batten boards (see photos 005 and 028), consisting with the framing method preferred before World War II, instead of plywood panel sheathing, which is the recommended method in today's Florida Building Code (FBC), the National Design Specifications (NDS) for wood construction, and the APA – Engineered Wood Association, especially for High Wind Resistance wood construction.

ACcord Engineering was hired by The Kelsey on Park Group to perform a structural assessment of the existing structure. The field evaluation was performed during the afternoon of July 10, 2023, by Aida Baez, PE and Roshaun Wisdom, both from ACCord Engineering. The weather was Fair, with temperature at 95° F.

## Purpose and Scope

This report gives overall representative observations and preliminary assessment on the condition of the easily visible areas of the building envelope and structure with details on the types of deteriorations noted, possible causes, the effects of the deterioration, suggested remedies, if applicable, and any noticeable safety concerns.

The observation was limited to the readily accessible and easily visible portions of the building envelope and structural members. The condition assessment is not technically exhaustive and additional field observations, measurements, or testing are likely required to determine the total scope of repairs required, if applicable, and the cost associated with them. As such, this document is not to be used for bidding or execution of repairs and should only serve as a guide in determining the building's structural conditions and assessing the probability for repairs.

## General Physical Condition

The exterior of the building needs extensive repairs. For example, delaminated and buckling stucco, shattered windows, inappropriately boarded storefronts with open gaps, leaving the interior of the structure exposed to the elements and susceptible to water intrusion. Also, the exterior door frames display gaps and reveal sealant cohesion failure around the door openings. The exterior stairs and railings are fastened with toe nails which is not allowed in the building code and would need to be analyzed to verify if they're able to sustain the live load requirements for a commercial building, per the FBC minimum requirements.

The interior walls of the building do not have sheathing, leaving the structure susceptible to collapse for lack of lateral resistance, due to the reduction in shear wall capacity. Blocking was not observed preventing continuity at bearing walls, limiting the transfer of lateral loads from the roof and floor diaphragms to the shear walls and down to the foundation. It is critical that these conditions be repaired immediately and without reservations, since the building as it stands may not be able to resist a major hurricane, and do not meet any fire-rating requirements per the FBC and the ASTM E119 or UL 263.

Evident and substantial mold and water damage was noticed in the rear portion of the building, where wood decay is prominent and requires complete replacement.



The bottom of the interior stair is immediately adjacent to the exterior door, and does not provide the necessary landing space as required by the FBC and the American with Disabilities Act (ADA). The stairs are not properly supported and fastened at the top bearing condition to meet the minimum requirements of the FBC. These conditions would require code analysis to determine if redesigning the stairs would be deemed necessary.

The second floor was found to be extremely hot, since it's not properly sheathed nor insulated. Prolonged exposure to such temperatures is not adequate for wood framing since it can cause a permanent loss in strength when cooled and loaded at normal temperatures. A significant amount of the framing seems to be decaying and would require replacement.

The second floor and roof framing display numerous inappropriate and insufficient conditions, causing some to demand temporary shoring, refer to the roof portion of the Observations section below. These framing anomalies warrant immediate repair, since some of the conditions are critically unsafe.

## OBSERVATIONS

---

### Exterior Facade

The exterior stucco is delaminating and spalling (see photos 002 and 009), loss of bonding to the structural frame, damage from water penetration, failed lath attachments, or damage to the wood framing from termites or dry rot. Significant exterior finish damage was observed by the entrance of the building, where pieces of stucco were severely damaged and cracked, or completely missing (see photos 005, 006 and 007). A significant indentation on the West side of the building was observed on the wall (see photo 010). This may have been caused by a vehicle crashing into the wall since parking stalls are noted perpendicular to the wall. The stucco finish at this location has been improperly patched and would require repair and further assessment of the existing wall framing.

The storefronts are missing, and their openings are boarded up, but do not provide proper enclosure since there are significant gaps allowing for pest and water intrusion into the interior of the building (see photo 004).

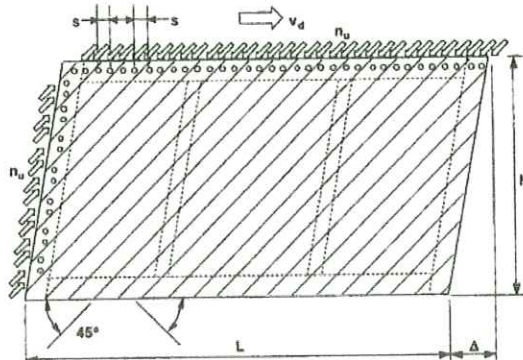
The windows seem to have been installed in recent times, but some are shattered (see photo 011) indicating that they are not impact resistant. Some exterior door frames show a large gap around the opening which allows for pest and water intrusion (see photos 013 and 024).

### Interior Structural Framing

From the inside of the building, the exterior walls are noticed to be sheathed with diagonal or batten boards (see photos 005 and 028). Along the East/West direction of the building, the diagonal boards are seemed spaced at  $\pm 16"$  OC (see photo 029) and not directly abutting each other as were noted along the North/South direction exterior walls. This framing condition does not provide continuous lateral resistance to the exterior shear walls, making them inadequate to sustain the lateral forces produced by a major hurricane. Figure 1 shows the proper assembly for diagonal lumber shear wall sheathing, to be able to resist in-plane lateral forces.

---





**Figure 1 - Diagonal Lumber Shear Wall Sheathing Diagram**

The interior bearing/shear wall is not sheathed, the bearing studs are completely exposed (see photo 027). In its current condition, this wall is subjected to combined bending and in-plane structural failure, since it's missing the wall sheathing, which provides lateral resistance and out-of-plane bracing. A continuously anchored bottom sill was not noticed on the interior bearing/shear wall, leaving the structure vulnerable and undermined. Also, it was observed that in some locations the bottom and top plate of the wall had been cut to allow for plumbing. Without proper splicing of the top and bottom plates the shear wall is deemed structurally inadequate.

The front and back interior walls are missing headers above the openings (see photos 025 and 029). This condition renders the wall inadequate for proper door/window framing, gravity support, and for lateral resistance, since there is no transfer of the in-plane forces along the North and South walls.

Significant mold and water damage is present at the rear/South area of the building (see photos 019 and 020). This area of the structure seems to be an addition to the original building. The structural framing elements are substantially rotted and damaged; they are viewed as unsafe and will require complete demolition and replacement.

Partial slab demolition was noted towards the back of the interior space. The partial slab demo seems to be for utility repair reasons. The concrete slab will need to be properly repaired.

The interior stair does not seem to comply with today's FBC and ADA requirements/standards. The stringers top bearing end is be notched more than  $\frac{1}{4}$  the depth of the stringer, which is not permitted by the NDS. The wall adjacent to the stair is a bearing wall, supporting the floor joists (see photo 030). It was observed that the wall ends near the top 3<sup>rd</sup> of the staircase, and two of the floor joists are supported by a 2x8 girder, which is supported on top of the bearing wall by less than 1 inch. This bearing condition of the girder seems insufficient and would require further investigation to validate if it allows for the proper transfer of lateral forces distributed by the floor diaphragm. A small lateral force applied to the building may cause the girder to move and lose its bearing, prompting a collapse of the floor joists. It is imperative that this condition is repaired as soon as possible, since a tropical storm or hurricane can apply enough lateral force to the building that could potentially cause this failure.

The second-floor deck diaphragm was observed to have different types of materials and changes in span direction, without proper fastening to allow for lateral load transfer (see photos 034 and 035). At the back portion of the building the floor was covered with a green rug. The floor deflected a lot as one walked on it, indicating probable water damage due or deficient deck/joist spans. In this area mold was very noticeable on the walls, and bathroom shower.

Near the Northwest corner of the roof framing, a temporary steel-shoring-column has been placed to support a joist bearing line (see photo 031). It is presumed that the joists were bearing over a wall, that since then has been



removed and the top plate of the wall is too shallow to span the unsupported distance. Also, near this area a post installed roof girder has been added and it is improperly supported by a 2x ledge nailed to the face of a timber column (see photo 032). In general, the roof framing does not present a proper load path to transfer the roof diaphragm forces down to the shear walls (see photo 033).

## RECOMMENDATIONS

It must be noted that the recommendations that follow are general in nature and are not to be utilized during repairs except as a guide for specification of repair processes and materials. Repair details and material specification shall be done by a licensed Florida professional engineer in accordance with local building codes, the Florida Building Code (FBC), and other professionally accepted standards such as those from the American Wood Council (AWC), the National Design Specification (NDS) for Wood Construction and the American Society of Testing Materials (ASTM) International among others.

The recommendations set forth in the following sections are to be evaluated on a case-by-case basis as further investigation is conducted during the repair process. Some of the recommendations may be deemed unnecessary or other forms of remediation may be required dependent on the findings of during repair.

The following is a list of structural items we recommend be repaired and their urgency level, for the structural integrity of the structure and for human safety.

NO	STRUCTURAL ITEM	REPAIR RECOMMENDATION	URGENCY LEVEL
1	Assess all existing wood vertical and horizontal structural members for lack of strength capacity, decay, or defectiveness (studs, columns, floor and roof joists and girders, headers, etc.)	Remove and replace all structural members compromised	Immediate
2	Missing or compromised framing around openings (doors and windows)	Remove and replace opening wood framing	Immediate
3	Mold and decayed wood member	Remove and replace wood members	Immediate
4	Provide structural sheathing to the North, South, and interior shear walls	Remove all exterior stucco finishes. Remove diagonal (spaced) boards, replace with new sheathing.	Immediate
5	Exterior stairs	Remove, redesign and replace	Immediate
6	Interior stairs	Remove, redesign, reframe support, and replace	Immediate
7	Shattered windows	Remove and replace shattered windows with impact resistant and Miami Dade NOA or Florida Product Approval windows	Immediate
8	Storefronts	Install new impact resistant Miami Dade NOA or Florida Product Approval storefronts	Immediate
9	Repair exterior stucco finish	Remove and replace existing stucco, lath and fasteners	Immediate
10	Waterproofing	Recommend application of elastomeric waterproofing surface coating. This will provide a water-tight seal on the surface, expand and contract with the stucco and concrete surfaces.	Immediate

11	Sealants around fenestrations should be evaluated and if replacement is necessary. Any indication of adhesive failure, cohesive failure, substrate failure, or loss of sealant properties would require replacement of fenestration sealant.	Complete removal of the sealant around door and window openings and a thorough cleaning with a chemical cleaner as approved by the manufacturer of the new sealant would be required. Once the surface has been cleaned of all existing sealant and debris, it is recommended that a structural silicone sealant be applied. The use of a backer rod and bond breaker might be necessary depending on the requirements of the sealant manufacturer.	Immediate
----	--	---	-----------

Due to the assessed conditions of the structural elements, the building is deemed unsafe and extensive structural repairs or complete demolition and reconstruction are eminent prior to occupancy. We anticipate the cost for repairs as outlined herein to be cost prohibitive, given the quantity of the repairs and the distressed condition of the existing building. We recommend the client obtains an estimate of the outlined repairs necessary to bring the existing structure up to code and performs a cost analysis comparison for a complete demolition and construction of a new building.

## QUALIFICATIONS

Aida Baez, PE is a licensed Professional Engineer in the state of Florida, with more than two decades of structural design experience in multiple regions of the country and worldwide. Her experience includes structural assessment of existing structures and inspections during construction. Assessment of mild-steel reinforced cast-in-place, post-tensioned, and pre-cast concrete for low and high-rise residential buildings, and commercial buildings, including parking garages, has been common throughout her 23-year career span. Conducting structural assessment, documenting existing conditions and implementing construction specifications and repair procedures has been customary throughout her career.



## APPENDIX A – FIELD PHOTOGRAPHS

Photo No. 001  
Date Taken: 07/10/2023  
File Name: 20230710\_173023225  
Description: Exterior front façade  
Comments: Overall front view of building



Photo No. 002  
Date Taken: 07/10/2023  
File Name: 20230710\_173333447  
Description: Cracked stucco at top of Northeast corner of building  
Comments: Cracked stucco allows for water infiltration, allowing for structural water damage to wood framing members



Photo No. 003  
Date Taken: 07/10/2023  
File Name: 20230710\_173546857  
Description: Entrance doorway

Comments: Exposed electrical wires on the exterior of the building should be capped.



Photo No. 004  
Date Taken: 07/10/2023  
File Name: 20230710\_173527910  
Description: Boarded storefront openings.

Comments: Boards do not fully enclose the openings allowing for water and pest infiltration into the building.





Photo No. 005  
Date Taken: 07/10/2023  
File Name: 20230710\_173640515  
Description: Front entrance vestibule  
with spalled stucco and  
exposed framing

Comments: Spalled stucco finish allows  
for water and pest  
infiltration into the building.



Photo No. 006  
Date Taken: 07/10/2023  
File Name: 20230710\_173848196  
Description: Front entrance vestibule  
with cracked stucco

Comments: Full horizontal stucco crack  
may indicate in-plane  
lateral distress

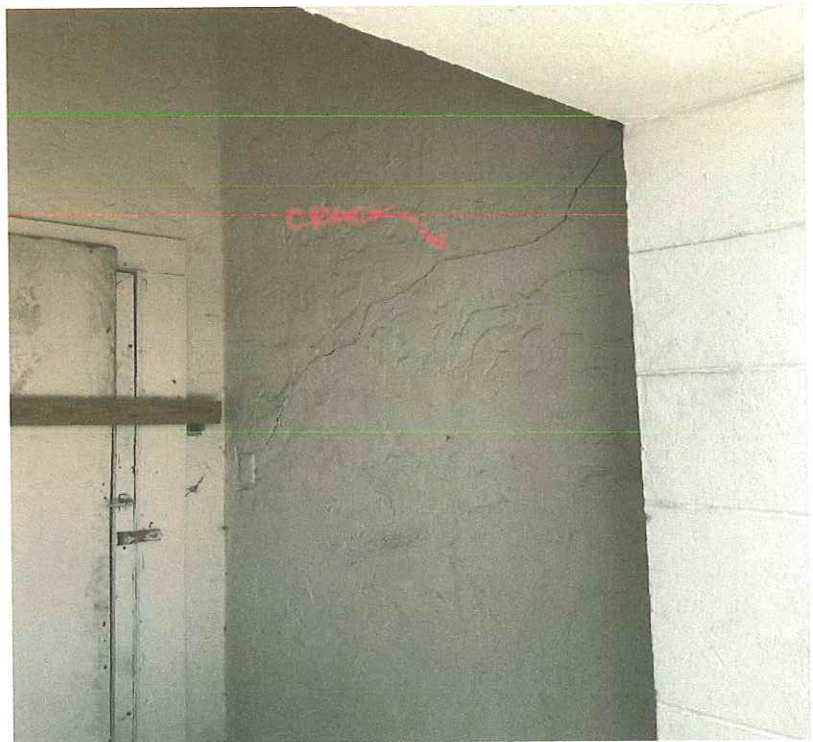




Photo No. 007  
Date Taken: 07/10/2023  
File Name: 20230710\_173938121  
Description: Front entrance vestibule  
with spalled stucco and  
exposed framing

Comments: Spalled stucco finish allows  
for water and pest  
infiltration into the building.



Photo No. 008  
Date Taken: 07/10/2023  
File Name: 20230710\_173954446  
Description: Detached faux column

Comments: Susceptible to falling and  
injuring a pedestrian.



Photo No. 009  
Date Taken: 07/10/2023  
File Name: 20230710\_174418143  
Description: Exterior overall West elevation

Comments: Overall view of West elevation of the building



Photo No. 010  
Date Taken: 07/10/2023  
File Name: 20230710\_174453683  
Description: Large indentation on stucco finish

Comments: Presumed vehicle impact. Wall framing needs to be inspected for damage.





Photo No. 011  
Date Taken: 07/10/2023  
File Name: 20230710\_174515638  
Description: Broken window on West side of building

Comments: Broken glass window allows for water and pest infiltration into the building



Photo No. 012  
Date Taken: 07/10/2023  
File Name: 20230710\_174714749  
Description: Overall West elevation of rear expansion area

Comments:





Photo No. 013  
Date Taken: 07/10/2023  
File Name: IMG\_7937  
Description: Broken screen door and exposed door frame at Southwest corner of building

Comments: Dangerous debris needs to be removed



Photo No. 014  
Date Taken: 07/10/2023  
File Name: 20230710\_174904543  
Description: Overall South elevation of rear expansion area

Comments:

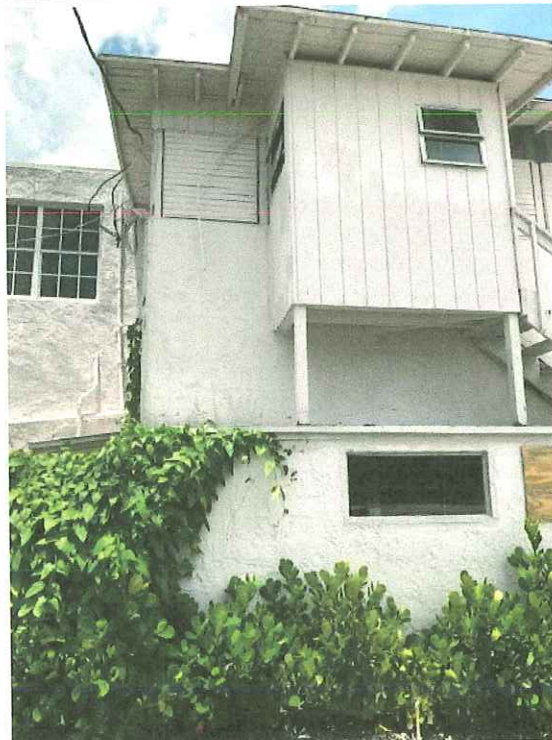


Photo No. 015  
Date Taken: 07/10/2023  
File Name: 20230710\_174932538  
Description: Underside of exterior  
wood-framed stairs

Comments:  
Toenailing of threads and  
stringers is not acceptable  
per the FBC. Railing does  
not meet FBC height and  
spacing requirements



Photo No. 016  
Date Taken: 07/10/2023  
File Name: 20230710\_175010839  
Description: Exterior wood-framed  
stairs

Comments:





Photo No. 017  
Date Taken: 07/10/2023  
File Name: 20230710\_175053193  
Description: Overall East elevation of rear expansion area

Comments:



Photo No. 018  
Date Taken: 07/10/2023  
File Name: 20230710\_175225471  
Description: Exterior overall East elevation

Comments:





Photo No. 019  
Date Taken: 07/10/2023  
File Name: 20230710\_175620887  
Description: Interior of rear expansion framing

Comments: Extensive water damage and mold



Photo No. 020  
Date Taken: 07/10/2023  
File Name: 20230710\_175943565  
Description: Interior of rear expansion framing

Comments: Extensive water damage and mold



Photo No. 021  
Date Taken: 07/10/2023  
File Name: IMG\_7961  
Description: Interior of rear expansion -  
uncapped drain hole and  
unfinished floor

Comments: Extensive water damage,  
mold, paint delamination  
and loose debris



Photo No. 022  
Date Taken: 07/10/2023  
File Name: 20230710\_180136250  
Description: Interior of rear expansion -  
Opening

Comments: Infill framing and finish  
required in existing  
opening





Photo No. 023  
Date Taken: 07/10/2023  
File Name: 20230710\_180047399  
Description: Interior of rear expansion –  
Un-blocked roof framing  
over masonry wall

Comments: An unblocked gap allows  
for water and pest  
infiltration into the building.  
There is not lateral load  
transfer from the roof  
framing onto the wall.

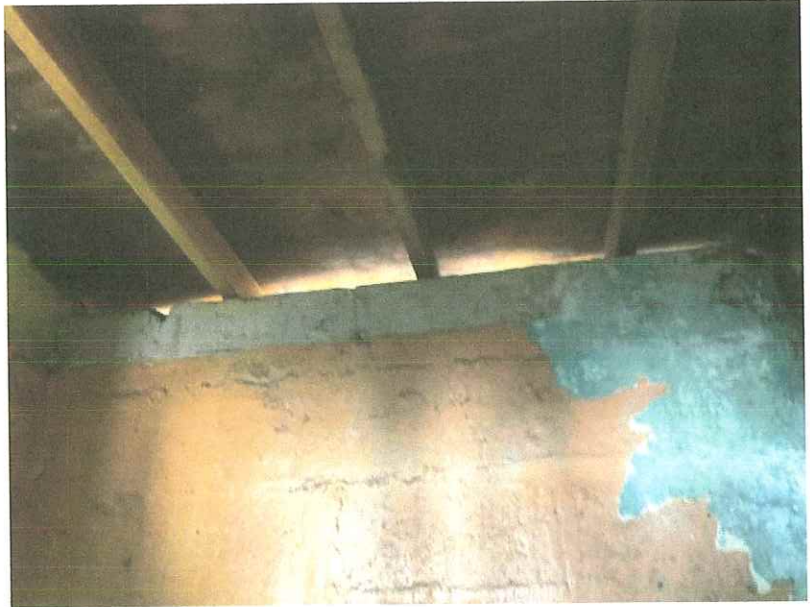


Photo No. 024  
Date Taken: 07/10/2023  
File Name: 20230710\_180212710  
Description: Southwest corner of  
building – Gapped door  
frame, unsheathed walls,  
missing door headers,  
water damage, debris

Comments:





Photo No. 025  
Date Taken: 07/10/2023  
File Name: 20230710\_180559152  
Description: Original building rear wall

Comments: Missing door header,  
exposed stucco lath,  
spaced diagonal exterior  
sheathing, missing interior  
wall finish



Photo No. 026  
Date Taken: 07/10/2023  
File Name: IMG\_7970  
Description: Slab demolition at rear of building

Comments: Exposed utilities should be  
capped. Sill plate for  
interior shear wall should  
not be cut



Photo No. 027  
Date Taken: 07/10/2023  
File Name: 20230710\_180253426  
Description: Interior wall framing

Comments: Unsheathed bearing shear wall. Interrupted sill plate, and missing hold-downs.



Photo No. 028  
Date Taken: 07/10/2023  
File Name: 20230710\_180913972  
Description: Interior Southeast corner

Comments:





Photo No. 029  
Date Taken: 07/10/2023  
File Name: IMG\_7974  
Description: Interior front wall at  
Northeast side of building

Comments: Missing sheathing, missing  
headers over arched  
openings



Photo No. 030  
Date Taken: 07/10/2023  
File Name: 20230710\_181856779  
Description: Floor girder by top of stairs

Comments: Bearing of girder is less  
than 1 inch.



Photo No. 031  
Date Taken: 07/10/2023  
File Name: 20230710\_183906548  
Description: Roof framing temporarily shored

Comments: Near the Northwest corner of the 2nd floor a shallow roof girder is temporarily shored



Photo No. 032  
Date Taken: 07/10/2023  
File Name: 20230710\_182541168  
Description: Roof framing girder bearing over nailed stub

Comments: Framing of girder is unconventional and needs to be analyzed. Water stains on roof deck sheathing.

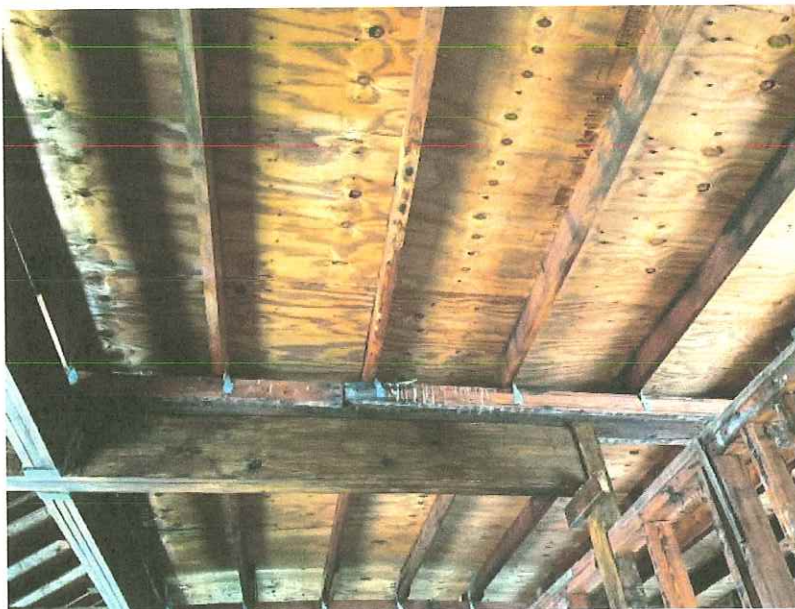




Photo No. 033  
Date Taken: 07/10/2023  
File Name: 20230710\_183444030  
Description: Northeast corner of building

Comments: Diagonal board sheathing spaced, exposed stucco lath, unconventional framing at top of wall to be analyzed



Photo No. 034  
Date Taken: 07/10/2023  
File Name: 20230710\_183718585  
Description: Window vertical framing at West side of building

Comments: Roof and 2<sup>nd</sup> floor wall framing bearing over unblocked floor joists



Photo No. 035  
Date Taken: 07/10/2023  
File Name: 20230710\_183145784  
Description: Decayed wood framing  
and discontinuous deck  
framing  
Comments:



Photo No. 036  
Date Taken: 07/10/2023  
File Name: 20230710\_184057412  
Description: Interior stair – Bottom door  
is immediately adjacent to  
bottom step  
Comments:





Photo No. 037  
Date Taken: 07/10/2023  
File Name: 20230710\_183316911  
Description: Rear expansion – Mold at shower

Comments:



Photo No. 038  
Date Taken: 07/10/2023  
File Name: IMG\_8018  
Description: Rear expansion – Mold at wall top corner

Comments:



Photo No. 039  
Date Taken: 07/10/2023  
File Name: IMG\_8025  
Description: Threshold at rear  
expansion

Comments:





Additional Photos



Finish separation  
PHOTO NO. IMG\_7919



Awning framing  
PHOTO NO. IMG\_7920



Boarded opening  
PHOTO NO. IMG\_7926



Stucco finish indentation  
PHOTO NO. IMG\_7931



Unfastened board at wall opening  
PHOTO NO. IMG\_7946



Stucco repair transition around window  
PHOTO NO. 20230710\_175305873

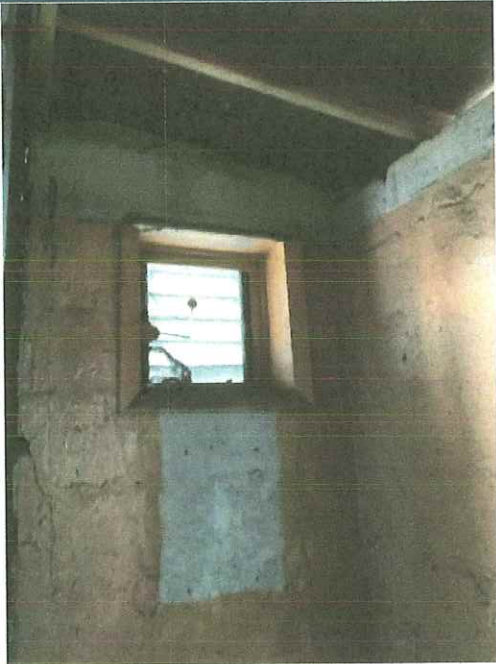


Rear expansion floor framing from underside  
PHOTO NO. 20230710\_175601186



Rear expansion masonry wall  
PHOTO NO. 20230710\_180038560





Rear expansion masonry wall  
PHOTO NO. 20230710\_180036624



Broken top of bearing wall, joist not supported  
PHOTO NO. 20230710\_180056949

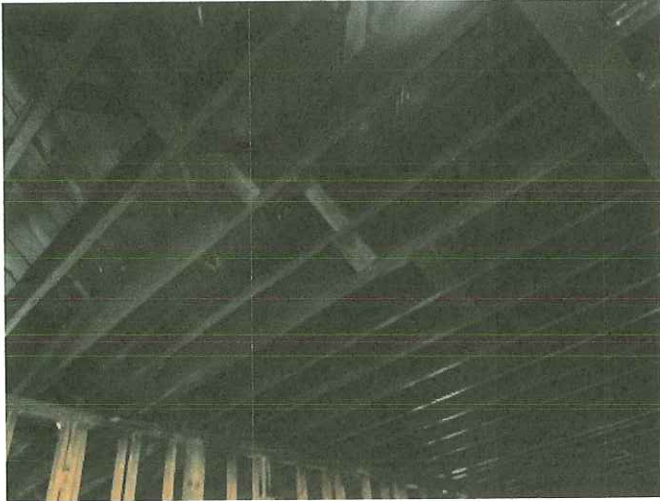


Original back wall, water damage, unfastened stucco finished  
PHOTO NO. 20230710\_180139050



1<sup>st</sup> floor interior Northwest side wall framing  
PHOTO NO. 20230710\_180225366





Underside of 2<sup>nd</sup> floor framing  
PHOTO NO. 20230710\_180258452



Underside of 2<sup>nd</sup> floor framing, discontinued top plate  
PHOTO NO. 20230710\_180448544

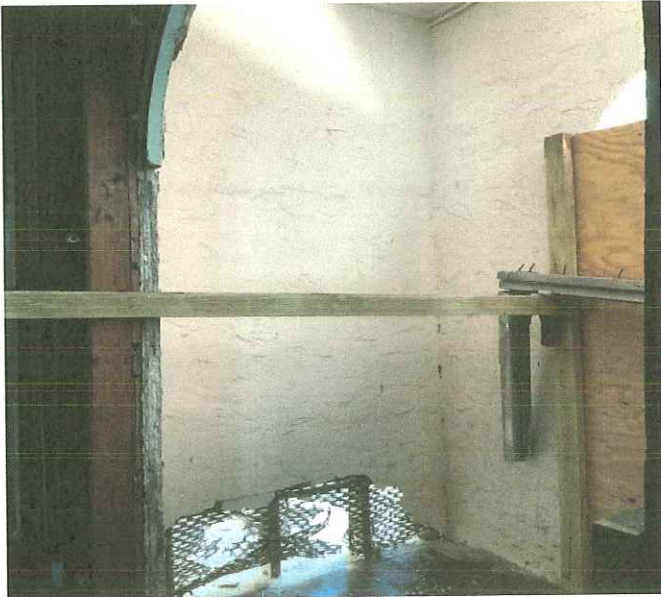


Original rear wall framing, exposed stucco lath, unfinished  
PHOTO NO. 20230710\_180812979



Original rear wall framing, exposed stucco lath, unfinished  
PHOTO NO. 20230710\_180851909

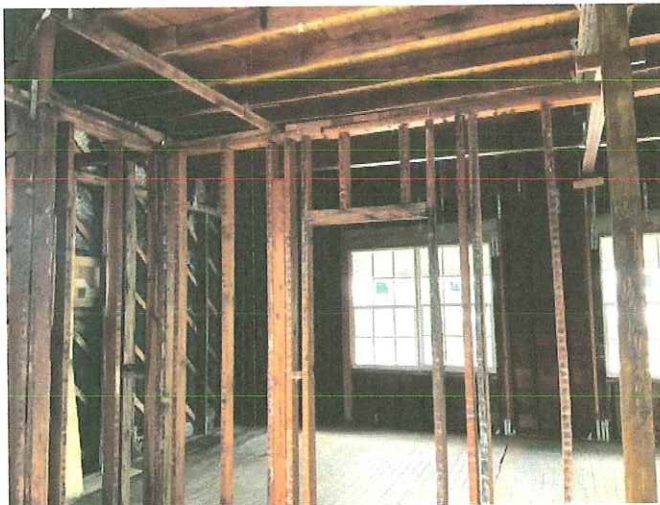




Spalled stucco finish  
PHOTO NO. 20230710\_181632154



Missing header over arched openings  
PHOTO NO. 20230710\_181658453



2<sup>nd</sup> Floor interior wall framing  
PHOTO NO. 20230710\_182257563



2<sup>nd</sup> Floor wall framing  
PHOTO NO. 20230710\_182322393





Unconventional top of wall framing  
PHOTO NO. 20230710\_182333863



Unconventional roof framing by the North wall  
PHOTO NO. 20230710\_182644649



Spliced roof joist framing at bearing ends  
PHOTO NO. 20230710\_182352450



Unconventional roof framing  
PHOTO NO. IMG\_7993





Roof framing and water stains at roof deck sheathing  
PHOTO NO. IMG\_7999



Discontinuous floor deck sheathing  
PHOTO NO. IMG\_8002



Interior wall framing at 2<sup>nd</sup> floor  
PHOTO NO. IMG\_8003



Discontinuous floor deck sheathing  
PHOTO NO. IMG\_8011



Florida Department of Agriculture and Consumer Services  
Division of Agricultural Environmental Services

WOOD-DESTROYING ORGANISMS INSPECTION REPORT

NICOLE "NIKKI" FRIED  
COMMISSIONER

Rule 5E-14.142, F.A.C.  
Telephone Number (850) 617-7996

SECTION 1 – GENERAL INFORMATION

Inspection Company: N Tiger Inspections  
Business License Number: 9345  
Inspection Company Name: 601 N C Street  
Phone Number: 561-436-0746  
Company Address: Lake Worth, FL, 33460  
Date of Inspection: 09/28/2023  
Company City, State and Zip Code:  
Inspector's Name and Identification Card Number: Noe Garcia 21146  
Print Name ID Card No.  
Address of Property Inspected: 918 PARK AVENUE, LAKE APRK, FL  
Structure(s) on Property Inspected: COMMERCIAL BUILDING  
Inspection and Report requested by:  
Name and Contact Information  
Report Sent to Requestor and to: ARON GOLDSTEIN  
Name and Contact Information if different from above

SECTION 2 – INSPECTION FINDINGS – CONSUMERS SHOULD READ THIS SECTION CAREFULLY

THIS REPORT IS MADE ON THE BASIS OF WHAT WAS VISIBLE AND READILY ACCESSIBLE AT THE TIME OF INSPECTION AND DOES NOT CONSTITUTE A GUARANTEE OF THE ABSENCE OF WOOD-DESTROYING ORGANISMS (WDOs) OR DAMAGE OR OTHER EVIDENCE UNLESS THIS REPORT SPECIFICALLY STATES HEREIN THE EXTENT OF SUCH GUARANTEE.

This report does not cover areas such as, but not limited to, those that are enclosed or inaccessible, areas concealed by wall-coverings, floor coverings, furniture, equipment, stored articles, insulation or any portion of the structure in which inspection would necessitate removing or defacing any part of the structure.

This property was not inspected for any fungi other than wood-decaying fungi, and no opinion on health related effects or indoor air quality is provided or rendered by this report. Individuals licensed to perform pest control are not required, authorized or licensed to inspect or report for any fungi other than wood-destroying fungi, nor to report or comment on health or indoor air quality issues related to any fungi. Persons concerned about these issues should consult with a certified industrial hygienist or other person trained and qualified to render such opinions. **A wood-destroying organism (WDO) means an arthropod or plant life which damages and can reinfest seasoned wood in a structure, namely, termites, powder post beetles, old house borers, and wood-decaying fungi.**

NOTE: This is NOT a structural damage report. It should be understood that there may be damage, including possible hidden damage present. FURTHER INVESTIGATION BY QUALIFIED EXPERTS OF THE BUILDING TRADE SHOULD BE MADE TO DETERMINE THE STRUCTURAL SOUNDNESS OF THE PROPERTY.

Based on a visual inspection of accessible areas, the following findings were observed:  
(See Page 2, Section 3 to determine which areas of the inspected structure(s) may have been inaccessible.)

A. ☐ NO visible signs of WDO(s) (live, evidence or damage) observed.

B. ☒ VISIBLE evidence of WDO(s) was observed as follows:

X 1. LIVE WDO(s): DRYWOOD AND SUBTERRANEAN TERMITES

(Common Name of Organism and Location – use additional page, if needed)

☒ 2. EVIDENCE of WDO(s) (dead wood-destroying insects or insect parts, frass, shelter tubes, exit holes, or other evidence): DRYWOOD TERMITES, SUBTERRANEAN TERMITES AND FUNGUS (WOOD ROT)

(Common Name, Description and Location – Describe evidence – use additional page, if needed)

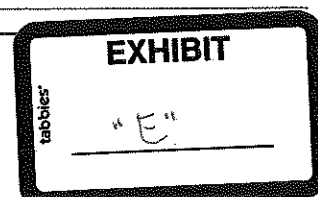
LIVE TERMITES, PELLETS, MUD TUBES AND DAMAGE  
SEE ATTACHED PAGE

X 3. DAMAGE caused by WDO(s) was observed and noted as follows: DRYWOOD TERMITES AND SUBTERRANEAN TERMITES

(Common Name, Description and Location of all visible damage – Describe damage – use additional page, if needed)

SEE ATTACHED PAGE

CONTINUED ON PAGE TWO





**SECTION 3 – OBSTRUCTIONS AND INACCESSIBLE AREAS:** The following areas of the structure(s) inspected were obstructed or inaccessible. NO INFORMATION on the status of wood-destroying organisms or damage from wood-destroying organisms in these areas is provided in this report.

In addition to those areas described in consumer information on Page 1, Section 2; the following specific areas were not visible and/or accessible for inspection. The descriptions and reasons for inaccessibility are stated below:

<input checked="" type="checkbox"/> Attic	<b>SPECIFIC AREAS:</b> _____ N/A <b>REASON:</b> _____
<input checked="" type="checkbox"/> Interior	<b>SPECIFIC AREAS:</b> _____ N/A <b>REASON:</b> _____
<input checked="" type="checkbox"/> Exterior	<b>SPECIFIC AREAS:</b> _____ N/A <b>REASON:</b> _____
Crawlspace	<b>SPECIFIC AREAS:</b> _____ N/A <b>REASON:</b> _____
<input type="checkbox"/> Other:	<b>SPECIFIC AREAS:</b> _____ N/A <b>REASON:</b> _____

#### SECTION 4 – NOTICE OF INSPECTION AND TREATMENT INFORMATION

**EVIDENCE** of previous treatment observed: ☐ Yes ☒ No If Yes, the structure exhibits evidence of previous treatment. List what was observed: \_\_\_\_\_

(State what visible evidence was observed to suggest possible previous treatment – use additional page, if needed)

**NOTE:** The inspecting company can give no assurances with regard to work done by other companies. The company that performed the treatment should be contacted for information on treatment history and any warranty or service agreement which may be in place.

A Notice of Inspection has been affixed to the structure at: \_\_\_\_\_ **WATER HEATER**  
(State the location)

This Company has treated the structure(s) at the time of inspection ☐ Yes ☒ No

If Yes: Common name of organism treated: \_\_\_\_\_  
(Common name of organism)

Name of Pesticide Used: \_\_\_\_\_ Terms and Conditions of Treatment: \_\_\_\_\_

Method of treatment: ☐ Whole structure ☐ Spot treatment: \_\_\_\_\_

Specify Treatment Notice Location: \_\_\_\_\_

#### SECTION 5 – COMMENTS AND FINANCIAL DISCLOSURE

Comments: \_\_\_\_\_  
(Use additional pages, if necessary)

**DUE TO THE EXTENSIVE DAMAGE AND CONDITION OF 2X4S, 2X6, WALLS, FLOOR JOIST AND HEADER BEAMS, WE RECOMMEND REMOVING AND OR RE-BUILD. THIS BUILDING IS UNSAFE.**

**IF NO CURRENT GAURRANTEEE, WE RECOMMEND TERMITE TREATMENT**

**SEE ATTACHED PAGE**

Neither the company (licensee) nor the inspector has any financial interest in the property inspected or is associated in any way in the transaction or with any party to the transaction other than for inspection purposes.

Signature of Licensee or Agent: \_\_\_\_\_ Date: 09/28/2023

Address of Property Inspected: 918 PARK AVENUE, LAKE PARK, FL Inspection Date: 09/28/2023

**918 Park Avenue  
Lake Park, FL**

**Drywood Termite**

- 1) Heavy Drywood Termite damage, pellets and wings were noted to all north side interior 2x4s and wall.
- 2) Heavy Drywood Termite damage and pellets were noted to the west side of the interior 2x4s and wall.
- 3) Heavy Drywood Termite damage and pellets were noted to the south side interior 2x4s and wall.
- 4) Heavy Drywood Termite damage and pellets were noted to the east side interior 2x4s and walls.
- 5) Drywood Termites were noted to the interior south side walls.
- 6) Drywood Termites and damage were noted to the south side second floor walls

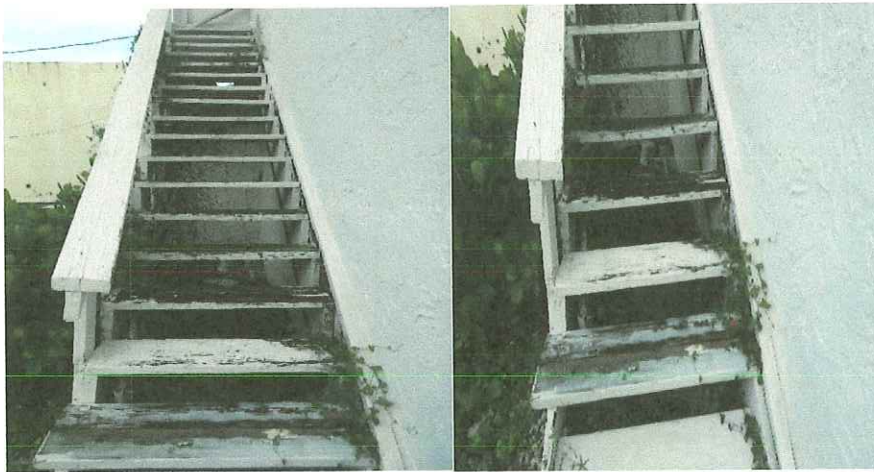
**Subterranean Termites**

- 1) Subterranean Termites and damage were noted to the north side interior 2x4s and wall joists
- 2) Subterranean Termite Mud tubes were noted to the north side interior floor joists and header beams.
- 3) Subterranean Termite mud tubs and damage were noted to the interior front north walls.
- 4) Heavy Subterranean Termite mud tubes were noted to the exterior north wall.
- 5) Subterranean Termite damage was noted to the interior northeast, west, south and east side 2x4s, floor joists and walls.
- 6) Heavy Subterranean Termite mud tubs and damage were noted to the north front entrance and framing.

**Fungus (wood rot)**

- 1) Fungus wood rot was noted to the interior downstairs south and east walls.
- 2) Fungus wood rot was noted to the interior east wall.
- 3) Heavy fungus wood rot was noted to the second-floor south wall (roof leaking)
- 4) Wood rot was noted to the exterior stairway.







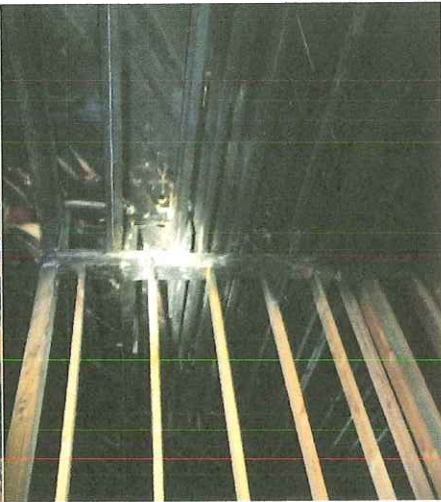
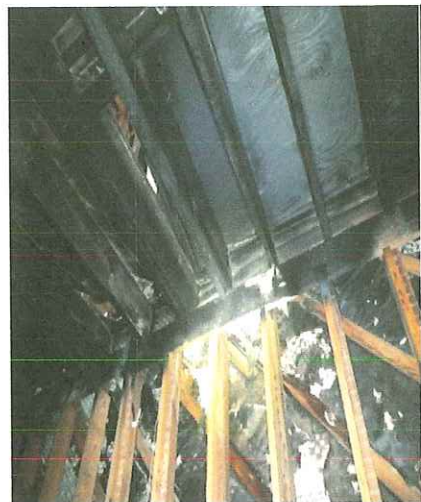
















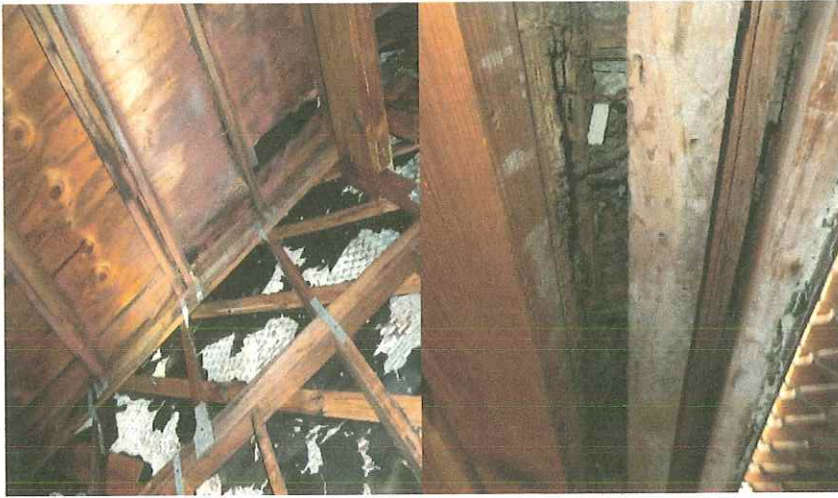




















## CHAPTER 12

# HISTORIC BUILDINGS

### SECTION 1201 GENERAL

**1201.1 Intent and purpose.** It is the intent of this chapter to provide means for occupant safety, property conservation and use of designated historic buildings while protecting those elements, spaces and features that make these buildings historically or architecturally significant.

**1201.2 Scope.** The provisions of this code acknowledge the need to preserve the character of historic buildings and shall apply to the repair, alteration, restoration, change of occupancy, addition and relocation of historic buildings.

**1201.3 Flood hazard areas.** In flood hazard areas, if all proposed work, including repairs, work required because of a change of occupancy, and alterations, constitutes substantial improvement, then the building shall comply with Section 1612 of the *Florida Building Code, Building*, or Section R322 of the *Florida Building Code, Residential*, as applicable.

**Exception:** If the program that designated the building as historic determines that it will continue to be an historic building after the proposed work is completed, then the proposed work is not considered to be substantial improvement. For the purposes of this exception, an historic building is:

1. Individually listed in the National Register of Historic Places; or
2. A contributing resource within a National Register of Historic Places listed district; or
3. Designated as historic property under an official municipal, county, special district or state designation, law, ordinance or resolution either individually or as a contributing property in a district, provided the local program making the designation is approved by the Department of the Interior (the Florida state historic preservation officer maintains a list of approved local programs); or
4. Determined eligible by the Florida State Historic Preservation Officer for listing in the National Register of Historic Places, either individually or as a contributing property in a district.

**1201.4 Accessibility requirements.** For accessibility requirements, see the *Florida Building Code, Accessibility*.

### SECTION 1202 DEFINITIONS

**ADAPTIVE REUSE.** The conversion of functional change of a building from the purpose or use for which it was originally constructed or designed.

**ADAPTIVE USE.** A use for a building other than that for which it was originally designed or intended.

**HISTORIC BUILDING.** For the purposes of this code and the referenced documents, an historic building is defined as a building or structure that is:

1. Individually listed in the National Register of Historic Places; or
2. A contributing property in a National Register of Historic Places listed district; or
3. Designated as historic property under an official municipal, county, special district or state designation, law, ordinance or resolution either individually or as a contributing property in a district; or
4. Determined eligible by the Florida State Historic Preservation Officer for listing in the National Register of Historic Places, either individually or as a contributing property in a district.

**HISTORIC CHARACTER.** The essential quality of an historic building or space that provides its significance. The character might be determined by the historic background, including association with a significant event or person, the architecture of design, or the contents or elements and finishes of the building or space.

**HISTORIC FABRIC.** Original or added building or construction materials, features and finishes that existed during the period that is deemed to be most architecturally or historically significant or both.

**HISTORIC PRESERVATION.** A generic term that encompasses all aspects of the professional and public concern related to the maintenance of an historic structure, site or element in its current condition, as originally constructed, or with the additions and alterations determined to have acquired significance over time.

**HISTORIC SITE.** A place, often with associated structures, having historic significance.

**HISTORIC STRUCTURE.** A building, bridge, lighthouse, monument, pier, vessel or other construction that is designated or that is deemed eligible for such designation by a local, regional or national jurisdiction as having historical, architectural or cultural significance.

**PRESERVATION.** The act or process of applying measures necessary to sustain the existing form, integrity and materials of an historic building or structure.

**REHABILITATION, HISTORIC BUILDING.** The act or process of making possible a compatible use of a property through repair, alterations and additions while preserving those portions or features which convey its historical, cultural or architectural values.

**RESTORATION.** The act or process of accurately depicting the form, features and character of a property as it appeared at a particular period of time by means of the removal of features, and repair or replacement of damaged or altered features from the restoration period.



## HISTORIC BUILDINGS

### SECTION 1203 STANDARDS AND GUIDELINES FOR REHABILITATING HISTORIC BUILDINGS

**1203.1 Historic preservation goal.** The historic preservation goal of this code shall be to minimize damage to and loss of historic structures, their unique characteristics and their contents as follows:

1. Maintain and preserve original space configurations of historic buildings.
2. Minimize alteration, destruction or loss of historic fabric or design.

#### 1203.2 Historic preservation objectives.

1. Preservation of the original qualities or character of a building, structure, site or environment shall be encouraged.
2. Removal or alteration of any historic material or distinctive architectural features shall be minimized.
3. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure or site shall be treated with sensitivity.
4. A compatible use for a property that requires minimal alteration of the building, structure or site and its environment shall be encouraged.
5. New additions or alterations shall be designed and constructed in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired to the greatest degree possible.
6. Repairs, alterations, restorations, changes of occupancy, additions and relocations shall be guided by the recommended approaches in rehabilitation set forth in the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Appendix B).

### SECTION 1204 EQUIVALENCY

**1204.1 Equivalency.** Nothing in this code shall be intended to prevent the use of systems, methods or devices of equivalent or superior quality, strength, fire resistance or effectiveness, provided that the following conditions are met:

1. Technical documentation is submitted to the building official to document equivalency.
2. The system, method or device is acceptable to the building official.

### SECTION 1205 COMPLIANCE

**1205.1 Strict compliance.** Historic structures or portions of such structures that do not strictly comply with this code shall be considered to be in compliance if it can be shown to the satisfaction of the building code official that equivalent pro-

tection has been provided or that no hazard will be created or continued through noncompliance.

**1205.2 Compliance option.** Life safety and property conservation shall be provided in accordance with one of the following options:

1. Prescriptive-based provisions of this code.
2. Compliance alternative-based provisions of this code.
3. Performance-based provisions of NFPA 914, Code for Fire Protection of Historic Structures, Chapter 6, along with a structural evaluation as specified in Section 1401.4.1 of this code.

#### 1205.3 Conditions specific to Compliance Options 2 and 3.

1. Architect or engineer required. The evaluation of historic structures utilizing Compliance Options 2 or 3 shall be completed by a Florida-registered architect or engineer and submitted to the building code official for review.
2. Documentation. Historic buildings that are determined to be code compliant through the use of Compliance Option 2 or 3 shall have copies of the architect or engineer's report kept on site and available for review by the building official.
3. Change of report assumptions. Any remodeling, modification, renovation, change of use or change in the established assumptions of the report shall require a reevaluation and reapproval by the building code official.
4. Construction safeguards. Construction safeguards consistent with Chapter 15 and NFPA 914, Code for Fire Protection of Historic Structures, shall be maintained during periods of repair, alteration, change of occupancy, addition and relocation of historic buildings.
5. Maintenance. In addition to the requirements of Section 1204, historic buildings shall be maintained in accordance with Chapters 1, 2, 8, 9, 10 and 11 of NFPA 914, Code for Fire Protection of Historic Structures.

### SECTION 1206 INVESTIGATION AND EVALUATION

**1206.1 Investigation and evaluation report.** An historic building undergoing alteration or change of occupancy shall be investigated and evaluated. If it is intended that the building meet the requirements of this chapter, a written report shall be prepared and filed with the building official by a Florida-registered architect or engineer. Such report shall be in accordance with the provisions of Sections 4.3.1.2 through 4.3.2 of NFPA 914, Code for Fire Protection of Historic Structures and shall identify each required safety feature that is in compliance with this chapter and where compliance with this or other chapters would be damaging to the contributing historic features. In addition, the report shall describe each feature that is not in compliance and demonstrate how the intent of the provisions of this or other chapters are complied with in providing an equivalent level of safety.

## SECTION 1207 HISTORIC CUBAN TILE

**1207.1** Historic Cuban tile is a material with distinct architectural features and unity and with examples of skilled craftsmanship. In order to preserve its use and in accordance with Section 1203.2, Historic preservation objectives, its use shall be preserved for both existing and new construction with the following requirements.

**1207.2** Handmade or hand process made barrel ("C"-shaped) natural clay tile, often variegated in color, either manufactured in the Republic of Cuba prior to the imposition of the U.S. Embargo, or, in the case of antique tile, manufactured in 18th century Spain, salvaged from buildings in Cuba and imported to the United States during the 1920s and 1930s.

- 1. Identification.** Final responsibility for the identification of historic Cuban tile shall rest with the building official, subject to the appeals process established by the authority having jurisdiction. Historic Cuban tile is generally identified in the following manner:

- 1.1** Tile bearing an embossed identification mark usually located on the convex side at the wide taper end of the tile, the most common of which are: "C.E. SAÑUDO MADE IN CUBA"; "JAIME MADE IN CUBA"; "FLORIDO"; "st ANA R.S."; "St. FELIPE"; "MIA"; "CPS"; "C"; "D"; "DD"; "DDD"; "M"; [script] "M"; [script] "JS"; "S"; "SS"; "TZ"; "Z"; "ZZ"; "\*", a nonalphabetical symbol (such as the "delta" figure created by three finger-tip impressions in a triangular position), or a distinctive physical characteristic (such as a bur-lap material impression over the convex surface of the tile or finger-made impression band(s) located across the end lap of the convex surface); and

- 1.2** Tile not bearing an embossed identification mark, a nonalphabetical symbol or a distinctive physical characteristic(s) listed in Item 1 above but determined by official action of the legally constituted historic preservation board or historic preservation officer of the jurisdiction to be antique Cuban tile of Spanish origin or tile manufactured in preem-bargo Cuba.

- 2. Reapplication of historic Cuban tile-method.** When a structure which bore historic Cuban tile when originally constructed is reroofed, reapplication of historic Cuban tile, rather than replacement with new contemporary tile, is preferred and shall be encouraged by the building official. When historic Cuban tile is reapplied under the circumstances described above, except as otherwise provided herein, all of the requirements of this code, especially Chapter 15 of the *Florida Building Code, Building* relating to roof covering and application, shall apply. In addition, the following reapplication methods shall be observed:

- 2.1 Attachment.** Historic Cuban tile shall be mortar set or adhesive set to the deck in the same manner as other product approved handmade clay barrel tile, in accordance with RAS 120.

- 2.2 Use with contemporary tile.** Where, during removal, the salvage ratio of the historic Cuban tile is less than 100 percent, it is preferred that the replacement cap tile also be historic Cuban tile. Where this is not practical or possible, during reapplication, the salvaged historic Cuban tile shall be used only as cap tile, and not as pan tile. The historic Cuban tile should always be reapplied to distinctive architectural elements such as walls, parapets and chimneys. Where contemporary barrel tile is used to supplement salvaged historic Cuban tile, the contemporary barrel tile shall be product approved and otherwise comply with all the requirements of this code. It is preferred that the contemporary barrel tile, when used as cap tile, be handmade natural clay tile, but, in any event, it shall be the same shape, color and texture as the existing historic Cuban tile. Because the salvage ratio of pan tile is low and because pan tile is much less visible, reapplication of historic Cuban tile as a pan tile is discouraged. Rather, it is preferred that pan tile be contemporary barrel tile of either handmade clay, vitrified clay or cement.

- 2.3 Mixing dissimilar tiles.** Mixing dissimilar tile styles or shapes, such as an "S"-shaped tile with the "C"-shaped historic Cuban barrel tile, even on separate roofing surfaces of the same structure, shall be avoided. In no case shall dissimilar tile styles or shapes be permitted on the same roofing surface.

- 2.4 Double caps and/or pans on the eave roof line.** For reinforcement during routine maintenance and for aesthetic purposes, double caps, double pans or both shall be encouraged on the eave roof line, especially where extant or historical evidence of the original installation indicates the use of this historic technique.

- 2.5 Inspection and testing of the installation.** Installations of salvaged and reapplied historic Cuban tile, as are specifically permitted in this section, shall be subject to each and every inspection and test otherwise required in this code for a barrel tile mortar set or adhesive set installation.

- 3. Exemption from product control and testing requirements.** Historic Cuban tile, when salvaged and reapplied, as otherwise provided in this section, to a roof that historically bore such material, is exempt from the product approval and preinstallation physical testing requirements of this code. However, the completed installation shall be subject to each and every inspection and test otherwise required of a barrel tile mortar set or adhesive set installation, and, further, if contemporary barrel tile is used to supplement historic Cuban tile, the contemporary tile shall be product approved and comply with all requirements of this code.