



MEMORANDUM DATE: February 1, 2023

AGENDA DATE: February 8, 2023

TO: Chair and Members of the Historic Resources Preservation Board

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

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

PROJECT UPDATE

On January 11, 2023, the HRPB discussed Project # 22-00100384, a Certificate of Appropriateness (COA) for demolition of the existing single-family residence and detached garage and new construction of a single-family residence located at 338 Cornell Drive (West Lot). The property is a contributing resource in the College Park National and Local Historic District. The HRPB continued the item to the next HRPB meeting with a request for additional information from staff. Specifically, the HRPB requested that the City's Building Official and Community Sustainability Director visit the property and provide an update to the board on its condition. City staff visited the property on January 20, 2023, to examine the building with the following individuals in attendance:

- William Waters, Director of Community Sustainability
- Peter Ringle, Building Official
- Erin Sita, Assistant Director of Community Sustainability
- Anne Greening, Senior Preservation Planner
- Yeneneh Terefe, Preservation Planner
- Wes Blackman, Owner's Representative
- Padraic Buckley, Property Owner

Mr. Waters and Mr. Ringle examined the interior and exterior of the building, noting issues with the building's foundation and structural members. From their observations, repair and restoration of the existing structure would be extremely costly and most of the structure would need to be replaced, leaving very little of the historic fabric intact.

Given the state of the building, staff and the property owner discussed the option for demolition of the existing house and garage with total reconstruction of both structures. The reconstruction of the house would maintain the existing footprint and exterior appearance of the building, while allowing for the interior floorplan to be reconfigured to be more of an open layout. The reconstruction of the garage would include re-orienting the structure so that the garage doors face the alleyway to provide more

practical vehicle access to the structure, as well as a small increase to the garage's length and width so that the interior space meets dimensional requirements for parking spaces.

Staff, the property owner, and the City Attorney also discussed the use of a bond or letter of credit as assurance to the HRPB and to the City that the applicant is financially prepared and capable of pursuing the reconstruction project within a reasonable timeframe following demolition. Per LDR Section 23.5-4(k)4.D, a bond or letter of credit may be used as reasonable proof that the property owner is financially prepared to proceed with reconstruction of the structures after they are demolished.

In addition to demolition and reconstruction approval, the proposed reconstruction will require approval for historic waivers. Staff used the existing property survey and the applicant's floorplans of the existing house to calculate the waivers required, including the front and east side setbacks for the primary structure, the rear and west side setbacks for the garage structure, and the Floor Area Ratio. These waivers would enable the reconstruction to maintain the historic arrangement of the buildings on the site.

RECONSTRUCTION

Reconstruction is one of the four recognized approaches to historic preservation, as established by the Secretary of the Interior. As defined in the Historic Preservation Design Guidelines, reconstruction is, *"The act or process of reproducing by new construction the exact form and detail of a vanished building, structure, or object, or a part thereof, as it appeared at a specific period of time."*

Because of the existing home and garage's level of damage and deterioration, rehabilitation for the existing structures would be extremely costly. Furthermore, because of the extensive damage to the foundation and structural members of the building, most of the existing historic fabric of the home and garage would have to be replaced in a rehabilitation project, leaving little of the existing historic fabric in the structure.

The Secretary of the Interior has established six standards for reconstruction of historic buildings, which guide historic reconstructions to be based on documentary and physical evidence, avoid disturbing archaeological resources, preserve historic spatial relationships, avoid conjectural historic designs, and clearly identify the structures as contemporary re-creations. Because the historic structures at 338 Cornell Drive are still standing, the applicant is able to prepare documentary and physical evidence of the structures (photographs, floorplans, elevation drawings, etc.) which will enable accurate reconstruction of the structure's exterior appearances. The requested waivers will allow the structures to maintain their spatial relationships on the site, and the contemporary interior layout will identify the structure as a re-creation. The Secretary of the Interior's Standards for Reconstruction have been included as **Attachment D**.

STAFF RECOMMENDATION

Staff recommends that the Board approve the demolition and reconstruction of the house and garage at 338 Cornell Drive. Based on Mr. Waters' and Mr. Ringle's site visit, the existing buildings are structurally

deteriorated in such a way that repair and restoration are infeasible. In staff’s assessment, reconstruction is a reasonable compromise to replicate the appearance of the historic structures while allowing for the property’s continued use as a single-family residence. The reconstruction would require several historic waivers, which are analyzed in the following section. Staff has drafted conditions of approval that specifically address the reconstruction of the single-family home on pages 5 and 6 of this report.

HISTORIC WAIVERS

Waiver Requests		
LDR Citation	Required	Proposed
Minimum Front Setback (Section 23.3-7(c)3.A)	Minimum front setback is 20 feet	Existing setback of 19.48 feet
Minimum Side Setback (Section 23.3-7(c)3.B(1))	10 percent of lot width (5 feet)	Existing east side setback of 3.3 feet (chimney) and 4.65 feet (building wall)
Accessory Structure Side Setback (Section 23.3-7(c)3.B(1))	10 percent of lot width (5 feet)	West side setback of 3 feet ¹
Accessory Structure Rear Setback (Section 23.3-7(c)3.C(2))	Minimum setback of 5 feet	Rear setback of 3 feet ²
Floor Area Ratio (FAR) (Section 23.3-7(c)7.B)	Maximum FAR of 0.50 for lots between 5,000-7,499 square feet	FAR up to 0.52 ³

1. Existing garage west side setback is 2.8 feet. To meet minimum building and fire code requirements, proposed waiver increases the setback to at least 3 feet.
2. Existing garage rear setback is 2.8 feet. To meet minimum building and fire code requirements, proposed waiver increases the setback to at least 3 feet.
3. Existing FAR is approximately 0.492. Because the applicants will need to slightly increase the garage size to meet minimum dimensions for parking spaces, the FAR may increase between 0.50-0.52.

LDR Section 23.5-4(r) *Incentives for improvements to designated landmark and contributing properties:*

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

Pursuant to City of Lake Worth Beach LDR Sec. 23.5-4(r)(2), the HRPB may grant historic waivers if the requests meet the criterion listed in the section below. Staff has listed each criterion and provided responses for the historic waiver requests.

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

Analysis: Due to the historic nature of the parcel’s development over time, the existing single-family residence encroaches on the front and east side setbacks, and the garage structure encroaches on the rear and west side setbacks. While the existing structures do not exceed the allowed FAR, the required expansion of the garage to meet parking space dimensions will likely increase the FAR beyond the permitted 0.50 limit. Inconsistencies with current zoning requirements, such as those at 338 Cornell Drive, are common in the City’s historic districts due to different development standards and practices in place over the course of the City’s development. The proposed reconstruction will not further the setback deficiencies; in the case of the garage setbacks, the reconstruction will bring the structure into compliance with building and fire codes by increasing the setbacks to at least 3 feet. The existing residence and garage are in harmony with the general appearance and character of the district. **Meets Criterion.**

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

Analysis: The project proposes to reconstruct the house and garage structures to match the structures’ historic exterior appearances. The design and arrangement of the buildings will not have a substantial aural or visual impact on adjacent properties, as the buildings have existed in this size and location for nearly 100 years. Size increases to the garage will be the minimum required to make the structure functional and meet the current parking space dimensions established in the Land Development Regulations. **Meets criterion.**

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

Analysis: Reconstructing the primary structure in its current location will not be detrimental to public health, safety, or welfare. The garage structure shall be reconstructed to meet the minimum 3-foot side and rear setback requirements for building and fire codes. **Meets Criterion.**

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

Analysis: Staff contends that the historic waivers requested are the minimum adjustment necessary to allow reasonable use of the property while maintaining the historic attributes of the structures. **Meets Criterion.**

PUBLIC COMMENT

One public comment was provided in-person at the January 11th HRPB meeting, in opposition to the demolition and proposed new construction on the property. At the time of publication of the February agenda, staff has received no additional public comment.

CONCLUSION

The proposed request for demolition and reconstruction is consistent with the Historic Preservation Design Guidelines, and with the requested historic waivers the reconstruction is consistent with the City’s

Land Development Regulations. Staff contends that reconstruction is a reasonable compromise to replicate the appearance of the historic structures while allowing for the property's continued use as a single-family residence. Therefore, staff recommends **approval with conditions**.

Conditions of Approval

1. The historic waivers to allow the reconstruction of the structures shall be project specific, and shall only apply to the scope of work approved under this application. Should the approved reconstructed structures on the parcel be destroyed, moved, or demolished, any future development for the parcel shall adhere to the current City of Lake Worth Beach Land Development Regulations.
2. The primary structure (house) shall be reconstructed to replicate the exterior appearance of the existing house at 338 Cornell, including but not limited to the building's size, shape, exterior stucco finish, window/door placement, and decorative detailing. Should changes to the exterior appearance of the house be proposed by the applicant, the changes shall require HRPB review and approval.
3. The garage shall be reconstructed to replicate the exterior appearance of the existing garage at 338 Cornell. The new garage may be reoriented so that garage doors face the adjacent alley, and may be increased in size to allow the parking spaces to meet the minimum size requirements established in the City's Land Development Regulations. The garage structure shall be administratively reviewed by staff for compliance with all applicable requirements.
4. As mitigation for the demolition of a contributing historic structure, the applicant shall submit documentation of the existing historic structure prior to demolition for the City's records. The Applicant shall be required to submit an updated site file form with the State of Florida Division of Historic Resources Florida Master Site File.
5. The front door and bathroom windows may utilize clear glass, frosted glass, or glass with a Low-E coating (60% minimum VLT). Tinted, highly reflective, grey, colored, etched, or leaded glass shall not be used. The doors and windows shall replicate the historic doors and windows for this structure, if documentation is located.
6. The windows and doors (excluding the bathroom windows and front door) shall utilize glazing that is clear, non-reflective, and without tint. Low-E (low emissivity) is allowed but the glass shall have a minimum 60% visible light transmittance (VLT) measured from the center of glazing. Glass tints or any other glass treatments shall not be combined with the Low-E coating to further diminish the VLT of the glass.
7. All divided light patterns shall be created utilizing exterior raised applied muntins. Exterior flat muntins or "grids between the glass" shall not be used.
8. The windows shall be recessed a minimum of two inches (2") in the wall, and shall not be installed flush with the exterior wall.
9. The exact design of the windows, entry doors, and garage doors shall be reviewed by staff at permitting.
10. All improved surfaces shall be setback a minimum of 1'-0" from property lines to allow for adequate water runoff within the property boundary.
11. All mechanical equipment shall be located behind the front façade of the structure and outside of required setbacks.

12. All fencing and gate locations, heights, and materials shall comply with the height and placement requirements of LDR Sec. 23.4-4 and shall be reviewed by staff at building permit.
13. In addition to a Landscape Plan, a tree survey and disposition plan shall be required at building permit. Trees that are removed must be replaced on site and/or mitigated, and a tree removal permit shall be required. Landscaping shall be reviewed for compliance with the City's landscape requirements at building permit.
14. Documentation of a bond or letter of credit, stating that the property owner shall reconstruct the structures within an 18-month period after the structures' demolition, shall be submitted with demolition permit. Review and approval of the bond/letter of credit by the Department of Community Sustainability and City Attorney's office shall be required prior to issuances of the demolition permit.
15. Should additional historic waivers be required and/or significant changes to the structures' exterior appearance or site configuration be requested, staff shall bring the project back to the HRPB for their review and approval.

POTENTIAL MOTIONS

I MOVE TO **APPROVE** HRPB Project Number 22-00100384, with staff recommended conditions, for a COA for the demolition and reconstruction of the existing single-family residence and detached garage located at **338 Cornell Drive (West Lot)** and associated waivers, based upon the competent substantial evidence in the staff report, supplementary memorandum, and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements.

I MOVE TO **DENY** HRPB Project Number 22-00100384, with staff recommended conditions, for a COA for the demolition and reconstruction of the existing single-family residence and detached garage located at **338 Cornell Drive (West Lot)**, as the applicant has not established by competent substantial evidence that the application is compliant with the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements.

ATTACHMENTS

- A. Survey, Elevations, and Floorplans
- B. Engineer's Report
- C. Declaration of Unsafe Conditions and Inspector Photos
- D. Secretary of the Interior's Standards for Reconstruction and LWB Historic Preservation Design Guidelines: Reconstruction