



MEMORANDUM DATE: October 6, 2021

AGENDA DATE: October 13, 2021

TO: Chair and Members of the Historic Resources Preservation Board

RE: **220 South L Street**

FROM: Erin Sita, Assistant Director
Abraham Fogel, Preservation Planner
Department for Community Sustainability

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

OWNER(S): Benjamin Lubin and Tiasha Palikovic
2275 S Ocean Blvd Apt 305N
Palm Beach, FL 33480

ARCHITECT: Geoffrey B. Harris
Geoffrey B. Harris Architecture

PROPERTY DEVELOPMENT HISTORY:

Documentation available in the structure's property file indicates that the building was constructed circa 1924 in a Wood Frame Vernacular architectural style. Although the original architectural drawings are not available, property cards from 1944 and 1956 (included as **Attachment A**) indicate that the property was originally developed with a single-family structure and rear detached garage. Both structures utilized frame construction with wood siding, gable roofs, and wood windows. City permit records indicate the structure has had additional improvements, including the construction of a rear addition in the 1940s, partial window replacements, installation of Bahama shutters over openings in the enclosed front porch, roof replacement, and fencing. Due to the minimal alterations over time, the single-family structure has a high degree of integrity of setting, materials, design, location, workmanship, feeling, and association.

The property owners requested that the City's Building Official inspect the detached garage to determine if unsafe conditions warranted condemnation. On March 3, 2021, the City's Building Official, Peter Ringle, declared the garage was unsafe due to decay, deterioration or dilapidation, and was likely to fully or partially collapse. The condemnation letter is included as **Attachment B**. Pursuant to Land Development Regulation (LDR) Section 23.5-4(m)(3), a COA is not required for the demolition of a building that has been condemned by the City. The demolition of the structure was approved with building permit #21-253. Current photos of the property are included as **Attachment C**.

At the September 15, 2021 HRPB meeting, a COA was approved for the allow construction of a new +/- 540 square foot single-story accessory dwelling unit (ADU). The building is designed to replicate a detached Wood Frame Vernacular apartment.

PROJECT DESCRIPTION:

The property owners, Benjamin Lubin and Tiasha Palikovic, are requesting approval for window and door replacement. The subject property is a 50'x135' (6,750 square foot) parcel containing two (2) platted lots of record located on the east side of South L Street, between 2nd Avenue South and 3rd Avenue South in Lake Worth Beach. The property is located in the Low-Density Multi-Family Residential (MF-20) zoning district and retains a Future Land Use (FLU) designation of Medium Density Residential (MDR).

If approved, the subject application would allow window and door replacement. HRPB review is required as alterations are proposed to original window openings. The application will require the following approval:

1. **COA** for window and door replacement at 220 South L Street

STAFF RECOMMENDATION: A recommendation of approval with conditions has been provided to the HRPB. The recommended conditions of approval are located on page 8.

PROPERTY DESCRIPTION:

Owner	Benjamin Lubin and Tiasha Palikovic
General Location	East side of South L Street, between 2 nd Avenue South and 3 rd Avenue South
PCN	38-43-44-21-15-091-0070
Zoning	Low Density Multi-Family Residential (MF-30)
Existing Land Use	Single-Family Residence
Future Land Use Designation	Medium Density Residential (MDR)



Consistency with the Comprehensive Plan

The proposed project is consistent with Goal 1.4 of the Comprehensive Plan, which encourages preservation and rehabilitation of historic resources. Policy 3.4.2.1 insists that properties of special value for historic, architectural, cultural, or aesthetic reasons be restored and preserved through the enforcement of the City's Historic Preservation Ordinance to the extent feasible. Per the City's Historic Preservation Ordinance (LDR Sec. 23.5-4), the Lake Worth Beach Historic Preservation Design Guidelines, and the Secretary of Interior Standards for Rehabilitation, the replacement of missing features should be substantiated by documentary, physical, or pictorial evidence. The current proposal seeks to replicate the appearance of the original windows and to utilize compatible window types where these features have been removed.

ZONING ANALYSIS:

Existing Non-Conformities – Buildings and Structures

The existing primary residence has a legal non-conforming front and side setback that does not comply with minimum setback requirements provided within Section 23.3-10 of the Lake Worth Beach Land Development Regulations (LDRs). Pursuant to LDR Section 23.5-3(d), Non-conforming buildings and structures:

1. *Nonconforming buildings and structures may be enlarged, expanded or extended subject to these LDRs, including minimum site area and dimensions of the district in which the building or structure is located. No such building or structure, however, shall be enlarged or altered in any way so as to increase its nonconformity. Such building or structure, or portion thereof, may be altered to decrease its nonconformity, except as hereafter provided.*

As part of this application, window openings on the south elevation will be enclosed due to the non-conforming side setback and insufficient separation from the neighboring structure. The proposed window and door replacement does not increase the existing non-conforming setbacks and seeks to improve safety.

HISTORIC PRESERVATION ANALYSIS:

Historic Preservation Design Guidelines

The City's Historic Preservation Design Guidelines provide a guide for compatible window replacement for historic structures within the historic districts. Windows are amongst the most important character-defining architectural features, but they are also one of the most commonly replaced features of a building. Replacement products for historic structures should match the original features in design, color, texture, and other visual qualities and, where possible, materials. The Wood Frame Vernacular architectural style section of the City's Historic Preservation Design Guidelines is included as **Attachment D**.

Staff Analysis: The window replacement, as proposed, utilizes single-hung windows in every opening with the exception of one bathroom opening that will utilize an awning window. The entry and back doors will be replaced with recessed panel doors with glazing. The elevation drawings and window and door schedule are included as **Attachment D**. Based on the existing original windows and the City's Historic Preservation Design Guidelines, staff contends that the proposal is *successful* in replicating the original window design. Although the new doors do not match the original, an architecturally-compatible

alternative design is being utilized. The applicant has provided a justification statement included as **Attachment F**.

Administratively, staff could approve proposed window and door replacement within the original openings. However, the following changes to window openings are proposed which require HRPB review:

- North Elevation
 - Removal of one window opening to be replaced with siding
 - Alteration of one window opening to accommodate a pair of windows



Existing Window and Door Replacement
 North Elevation

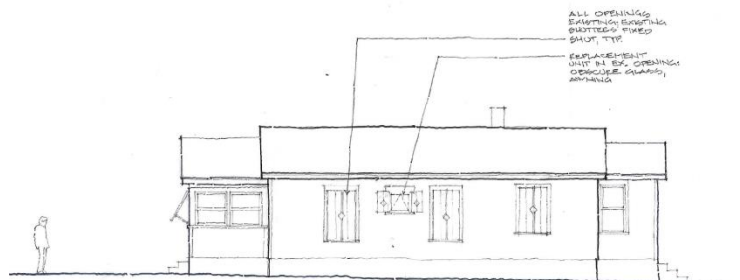


Proposed Window and Door Replacement
 North Elevation

- South Elevation:
 - Removal of three window openings to be replaced with faux shuttered openings

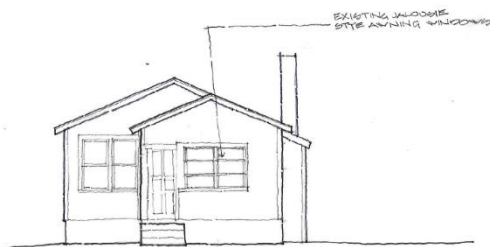


Existing Window and Door Replacement
 South Elevation

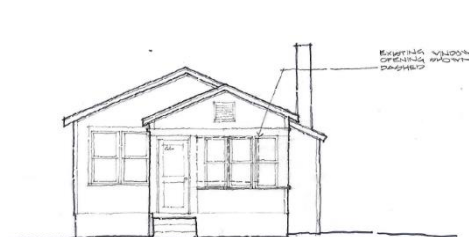


Proposed Window and Door Replacement
 South Elevation

- East Elevation:
 - Alteration of a paired window opening to accommodate a triplet of windows



Existing Window and Door Replacement
 East Elevation



Proposed Window and Door Replacement
 East Elevation

The enclosed front porch currently utilizes replacement jalousie windows. The proposal will replace these windows with pairs of single-hung windows that are compatible with the Wood Frame Vernacular architectural style, according to the City’s Historic Preservation Design Guidelines. The enclosed rear porch also utilizes replacement windows. An existing pair of awning windows will be replaced with a tripled of single-hung windows.

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

Certificate of Appropriateness

All exterior alterations to structures within a designated historic district are subject to visual compatibility criteria. Staff has reviewed the documentation and materials provided in this application and outlined the applicable guidelines and standards found in the City’s Historic Preservation Ordinance, detailed in the section below.

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

1. *In general.* In approving or denying applications for certificates of appropriateness, the city shall, at a minimum, consider the following general guidelines:

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

Staff Analysis: The proposed window replacement with new single-hung windows successfully replicates historic windows in a Wood Frame Vernacular structure.

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

Staff Analysis: The proposed window replacement will have no direct physical effect on any surrounding properties within the Southeast Lucerne Local Historic District, although the products will enhance the visual appearance of the structure by removing incompatible (jalousie and awning) replacement windows in the front and rear enclosed porches with single-hung windows.

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

Staff Analysis: The structure retains the majority of its original windows. Per the regulations set forth in the City’s Historic Preservation Design Guidelines, replacement windows shall replicate their appearance. New windows are being proposed that replicate the original single-hung windows and utilize glass that complies with the glass standards.

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

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

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

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

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

Staff Analysis: The proposal, is in compliance with the City's Historic Preservation Design Guidelines Design Guidelines, Secretary of the Interior's Standards for Rehabilitation, and the City's Land Development Regulations, Historic Preservation Ordinance (LDR Sec. 23.5-4). However, staff has concerns that several original opening sizes will be altered.

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

Staff Analysis: The structure is designated as a contributing resource within a local historic district. The resource is a Wood Frame Vernacular building, which has a distinct set of architectural characteristics. Although incompatible windows have been installed in the front and rear enclosed porches, this proposal seeks to rectify these issues with new vertically orientally single-hung windows in accordance with the City's Historic Preservation Design Guidelines that bring the property further into compliance.

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

2. In approving or denying applications for certificates of appropriateness for alterations and additions, the city shall also consider the following additional guidelines: *Landmark and contributing structures:*

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

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

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

Staff Analysis: The original wood windows and doors will be removed to accommodate the new products.

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

Staff Analysis: Yes, the proposed windows and doors comply with the City’s Historic Preservation Design Guidelines by successfully replicating the structure’s original features. Therefore, the project is visually compatible with neighboring properties.

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

- (1) The work to be performed will conform to the original door and window openings of the structure; and

Staff Analysis: No, as indicated in the historic preservation analysis provided on pages 3 to 5 of this report, several window openings will be altered.

- (2) That the replacement windows or doors with less expensive materials will achieve a savings in excess of twenty-five (25) percent over historically compatible materials otherwise required by these LDRs. This factor may be demonstrated by submission of a written cost estimate by the proposed provider of materials which must be verified by city staff; and

Staff Analysis: The applicant has not requested replacement with windows and doors that are less expensive than what is being proposed.

- (3) That the replacement windows and doors match the old in design, color, texture and, where possible, materials where the property is significant for its architectural design or construction.

Staff Analysis: The proposed windows seek to match the old and design in a manner that is compatible with the Wood Frame Vernacular architectural style of the building. Although the new doors do not match the original, an architecturally-compatible alternative design is being utilized.

- (4) If the applicant avails himself of this paragraph the materials used must appear to be as historically accurate as possible and in keeping with the architectural style of the structure.

Staff Analysis: Not applicable, the applicant has not requested to be availed of this paragraph.

PUBLIC COMMENT:

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

CONCLUSION:

The proposed application is consistent with the Wood Frame Vernacular architectural style and the Historic Preservation Design Guidelines requirements. If the request the Board determines that the alteration to original window openings complies with the City’s Historic Preservation requirements, staff has provided conditions below:

Conditions of Approval

- 1) The existing window trim, sills, and mullions shall remain. If any of these elements are too deteriorated for continued use, they shall be replaced in-kind, subject to staff review at permitting.
- 2) All proposed exterior entry doors shall be compatible with the Wood Frame Vernacular architectural style, subject to staff review at permitting.
- 3) All new paired and triplet windows shall utilize a 4”-6” wide mullion between windows. Wood or cementitious trim shall be utilized to replicate the appearance of historic window details. The new trim and sills for altered opening sizes shall match the original, subject to staff review at permitting.
- 4) The windows shall be recessed within the wall, and shall not be installed flush with the exterior wall.
- 5) All divided-light patterns shall be created utilizing exterior raised applied muntins. Exterior flat muntins or “grills between the glass” shall not be permitted.
- 6) The windows shall utilize glazing that is clear, non-reflective, and without tint. Low-E (low emissivity) is allowed but the glass shall have a minimum 60% visible light transmittance (VLT) measured from the center of glazing. Glass tints or any other glass treatments shall not be combined with the Low-E coating to further diminish the VLT of the glass.
- 7) The doors may utilize clear glass, frosted, obscure glass, or glass with a Low-E coating (60% minimum VLT). Tinted, highly reflective, grey, colored, etched, or leaded glass shall not be used.
- 8) The faux shuttered openings shall conform to the original opening sizes, shall be recessed, and shall utilize the structure’s original wood shutters. If the wood shutters are too deteriorated for continued use, they shall be replaced in-kind, subject to staff review at permitting.
- 9) The replacement siding shall match the existing siding in profile, shape, and material. The applicant shall be responsible for submitting a 6” sample of the existing and replacement siding, subject to staff review at permitting.

POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Number 21-00100269 with staff recommended conditions for a Certificate of Appropriateness (COA) for window and door replacement for the property located at **220 South L Street**, based upon the competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements.

I MOVE TO **DENY** HRPB Project Number 21-00100269 for a Certificate of Appropriateness (COA) for window and door replacement for the property located at **220 South L Street**, because the applicant has not established by competent substantial evidence that the application complies with the City of Lake Worth Beach Land Development Regulation and Historic Preservation requirements.

ATTACHMENTS:

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| A. Property File Documentation | D. LWBHPDG – Wood Frame Vernacular |
| B. Condemnation Letter | E. Applicant Justification Statement |
| C. Current Photos | F. Proposed Architectural Plans |