



MEMORANDUM DATE: April 7, 2021

AGENDA DATE: April 14, 2021

TO: Chair and Members of the Historic Resources Preservation Board

RE: **801 North Palmway**

FROM: Jordan Hodges, Senior Preservation Coordinator
Abraham Fogel, Preservation Planner
Department for Community Sustainability

TITLE: **HRPB Project Number 21-00100071:** Consideration of a Certificate of Appropriateness (COA) for window and door replacement for the property located at **801 North Palmway**; PCN #38-43-44-21-15-232-0160. The subject property is a noncontributing resource to the Northeast Lucerne Local Historic District and is located in the Single-Family Residential (SF-R) Zoning District.

OWNER: Mariusz Baran
801 North Palmway
Lake Worth Beach, FL 33460

PROPERTY DEVELOPMENT HISTORY:

The structure located at 801 N Palwmay was constructed in 1997. The original architectural drawings are located within the City's property file and are included in this report as **Attachment A**. The plans illustrate a two-story building of masonry construction, smooth stucco exterior finish, and cement barrel tile mansard roofs. The fenestration consists of single-hung windows, decorative circle and half-circle windows, French doors with sidelights, and a pair of half-light panel front doors. The plans show decorative divided-light patterns that do not appear to have been installed at time of construction. The structure's character-defining features include a gable covered entry, second-story balconies, a breezeway connecting the main structure with the two-story garage, and an open boat garage at the rear of the property. Current photos are included as **Attachment B**.

City permit records indicate the structure has had alterations over time, including the installation of a pool, construction of an exterior perimeter wall, roof replacement, installation of hurricane shutters, and air-conditioning upgrades.

PROJECT DESCRIPTION:

The property owner, Mariusz Baran, is requesting a COA for window and door replacement for the property located at 801 North Palmway. The subject property is located on the southeast corner of North Palmway and 8th Avenue North, in Lake Worth Beach. It is also located within the Single-Family Residential (SF-R) Zoning District and retains a Future Land Use (FLU) designation of Single Family Residential (SFR).

If approved, the subject application would allow the replacement of the existing windows and doors with new Lawson aluminum impact single-hung, horizontal sliding, fixed glass windows, and French doors. The proposed windows are full-view and utilize grey-tinted glass with a visual light transmittance (VLT) of 10%, which is below the 70% minimum.

The application will require the following approval:

1. **COA** for window and door replacement.

PROJECT HISTORY:

On January 8, 2021, Historic Preservation staff received building permit application #21-76 for window and door replacement for the structure. Staff reviewed the application and disapproved the request on January 20, 2021, as the permit application did not include a COA application, photos, or glass specifications. The subsequent resubmittal was also failed by staff as the window and door replacement did not meet historic preservation glazing requirements for visible light transmittance and tint as outlined in this report. Staff recommended that the project be reviewed by the HRPB, as the request could not be approved administratively. The permit submittal packet is included as **Attachment C**. The project contractor has indicated that the proposed windows have already been purchased and manufactured.

STAFF RECOMMENDATION:

As the request is not in compliance with the Lake Worth Beach Historic Preservation Ordinance and the Historic Preservation Design Guidelines criteria on window and door replacement, staff is recommending denial of the application as submitted because the proposed glazing of the windows and doors is tinted and has a visible light transmittance that is below the 70% minimum. The HRPB, as tasked in the LDR Sec. 23.2-7(C)(7), shall review the request and supporting exhibits to determine if a COA for window and door replacement to the noncontributing structure may be granted.

PROPERTY DESCRIPTION:

Owner	Mariusz Baran
General Location	Southeast corner of North Palmway and 8 th Avenue North
PCN	38-43-44-21-15-232-0160
Zoning	Single-Family Residential (SF-R)
Existing Land Use	Single Family Residence
Future Land Use Designation	Single Family Residential (MDR)



Consistency with the Comprehensive Plan

The proposed project is consistent with Policy 1.1.2.3 of the Comprehensive Plan, which intends to preserve single-family housing within the existing residential and historic neighborhoods. Window and door replacement with impact products provides protection for structures and their continued single-family residential use.

HISTORIC PRESERVATION ANALYSIS:

Historic Preservation Design Guidelines

The City's Historic Preservation Design Guidelines provide a guide for compatible window replacement for structures within the historic districts included as **Attachment D**. Windows are amongst the most important character-defining architectural features, but they are also one of the most commonly replaced features of a building.

Staff Analysis: The applicant is proposing an in-kind replacement of all of the structure's single-hung, horizontal sliding, fixed glass windows, and French doors with grey-tinted glass that has a visible light transmittance (VLT) of 10%. Administratively, staff could approve an in-kind replacement with the exception of the grey-tinted glass. The requested grey glass does not comply with the VLT minimum of 70% as measured from center of glazing. Also, the applicant has not provided documentation to indicate if the replacement windows match the VLT of the existing windows.

Pursuant to the COA Approval Matrix, only windows and doors visible from the street for noncontributing structures required historic preservation review. As a corner property, the majority of the windows being

replaced are visible from the street. Only one (1) window opening on the north façade is not readily visible.

The Historic Preservation Design Guidelines indicate that windows historically utilized clear glass, and therefore clear glass is the most compatible type for historic structures. Noncontributing structures must be compatible with neighboring properties within the district. Permitting window and door replacement with grey-tinted glass is incompatible with the surrounding contributing structures in Northeast Lucerne Local Historic District.

COA

For noncontributing structures in historic districts, alterations that are visible from a public street require a COA to ensure that the proposed design and materials are compatible with the district as a whole and to maintain an overall integrity of architectural style for the building. 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)(2) *Additional guidelines for alterations and additions. Noncontributing structures:*

A. Is this a change to the primary façade?

Staff Analysis: Yes, the proposed window and door replacement impacts the primary façade of the structure on North Palmway and the secondary façade fronting 8th Avenue North.

B. Is the change visually compatible and in harmony with its neighboring properties as viewed from a public street?

Staff Analysis: The subject property is classified as noncontributing and was constructed in 1997, which falls outside the Northeast Lucerne Local Historic District's period of significance (1915 to 1952). Glass tints were widely available during the structure's period of construction in 1997. Therefore, an in-kind replacement of the grey-tinted glass may be considered appropriate for the structure. However, the Historic Preservation Ordinance indicates on Section 23.5-4(e)(B) that changes to noncontributing buildings and structures shall be reviewed to ensure compatibility with neighboring properties within the historic district in order to protect the overall character and integrity of the district. Permitting window and door replacement with grey-tinted windows is incompatible with the surrounding historic structures in the Northeast Lucerne Local Historic District and will perpetuate a nonconformity for 801 North Palmway which was built before the district was established in 2002.

The structure at 801 North Palmway was erected in 1997 and although not confirmed, the existing original windows appear to have a grey tint. The proposed replacement products have a VLT of 10%, which is considerably below the 70% VLT standard for window replacement within the historic districts. There has been no information submitted on the VLT of the existing windows, but based on visual comparisons of sample glass, the existing windows appear to have a VLT greater than 10%. Aside from

the glass, the windows could be permitted as an in-kind replacement as they match the existing window types and configurations.

Although this is a non-contributing structure and grey glass may have been utilized when this structure was designed, the proposed replacement windows have an extremely low light transmittance. Staff's current standards, as outlined in the Design Guidelines and COA Approval Matrix, limit staff authority to approving clear glass (VLT of 70%+) for all glazing on contributing structures and for visible windows on non-contributing structures. Although non-contributing structures are not designated as historic, maintaining the visual continuity of streetscapes within historic districts require the review of alterations to visible facades. Staff recommends that the HRPB review the criteria and documentation provided in this report to determine the compatibility for replacement glass for this structure.

PUBLIC COMMENT:

Staff has not received public comment for this item.

CONCLUSION:

The request for window and door replacement is inconsistent with the Historic Preservation Ordinance and the Historic Preservation Design Guidelines. Staff is recommending denial of the application as submitted as the proposed windows are substantially darker (10% VLT) than the 70% established for the district. The HRPB, as tasked in LDR Sec. 23.2-7(c)(7), shall review the application and supporting exhibits to determine if a COA for window and door replacement to the noncontributing structure may be granted.

POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Number 21-00100071 for a COA for window and door replacement for the property located at **801 North Palmway**, 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 21-00100071 for a COA for window and door replacement for the property located at **801 North Palmway**, because the applicant has not established by competent substantial evidence that the application is compliant with the City of Lake Worth Beach Land Development Regulation and Historic Preservation requirements.

ATTACHMENTS:

- A. Property File Documentation
- B. Current Property Photos
- C. Permit Submittal Packet
- D. Historic Preservation Design Guidelines – Window Replacement