



MINUTES
CITY OF LAKE WORTH BEACH
HISTORIC RESOURCES PRESERVATION BOARD REGULAR MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, NOVEMBER 30, 2022 -- 6:00 PM

ROLL CALL and RECORDING OF ABSENCES Present were: Stephen Pickett, Chairman; Bernard Guthrie, Vice-Chair; Robert D'Arinzo; Nadine Heitz; Tricia Hallison-Mischler. Absent: Mariana Gonzales, Jamie Foreman. Also present were: Annie Greening, Senior Preservation Planner; Yeneneh Terefe, Preservation Planner; Erin Sita, Assistant Director for Community Sustainability; Elizabeth Lenihan, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

Continuation- Item C to January 2023. The mailer was not sent timely.

APPROVAL OF MINUTES:

- A. September 14, 2022 Regular Meeting Minutes
- B. September 21, 2022 Regular Meeting Minutes
- C. October 12, 2022 Regular Meeting Minutes

Motion: B. Guthrie moves to approve three sets of Minutes as presented; T. Hallison-Mischler
2nd.

Vote: Ayes all, unanimous

CASES

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

PROOF OF PUBLICATION Provided in the meeting packet.

- 1) 324 North K Street
1120 South Lakeside Dr
504 3rd Ave South

WITHDRAWALS / POSTPONEMENTS None

PUBLIC HEARINGS:

BOARD DISCLOSURE: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

A. HRPB Project Number 22-00100376: Consideration of a Certificate of Appropriateness (COA) for front door replacement for a single family house located at 432 South L Street; PCN# 38-43-44-21-15-157-0010. The subject property is a contributing resource within the Southeast Lucerne Historic District and is located in the Single Family Residential (SFR) zoning district. The future land use designation is Medium Density Residential (MDR).

Staff: A. Greening revisits the details from the previous meeting on September 14, 2022. Staff has determined the proposed front door on the contributing property does not meet Historic Guidelines with regard to the style of the house. The tongue and groove style is more appropriate for Mission Revival rather than Frame Vernacular. Raised panels are not appropriate. Staff has been working with the applicant and has recommended specific doors. The plain panel design has been offered. It is up to the Board to decide if more concessions can be made.

Applicant: Dave Battle-Insists upon the HVHZ rated door as approved for Miami-Dade and Broward. Believes the insurance company will have the last say. Does not want to pay restocking fee as the door was purchased prior to approval. Applicant presents a handout with different door styles with excerpts from the Historic Design Guidelines. One staff recommended door was \$2700.00. Cites various hurricanes as reason for needing the HVHZ rated door.

Handout provided to the Board, by the applicant.

Staff: Explains the difference between recessed panels and raised panel doors.

Applicant: States he proposed to cover the tongue and groove portion of the door. Staff was not apprised of that willingness until this moment.

Board: Tricia Hallison-Mischler inquires as to whether the modification of the door would invalidate the warranty thus affecting the insurance?

Applicant responds it will not invalidate the warranty, he is not drilling into the door. The muntins will be applied.

Public Comment: - James Rockwell recommends the Board set a precedent (sp?-precedent) and override staff recommendations and historic guidelines especially when they don't make sense. Whether or not it matches the architectural profile is just silly. Staff doesn't have a vested interest as they live elsewhere, and Board members should advocate for neighbors.

Motion: N. Heitz moves to approve HRPB 22-00100376, including Board direction to do as the applicant proposed by modifying the bottom panel to smooth it out (minus tongue and grooves), muntins required on upper portion; based upon competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements; R. D'Arinzo 2nd.

B. HRPB Project Number 22-00100370: Consideration of a Certificate of Appropriateness (COA) for the demolition of an existing structure and construction of a new ± 6,145 square foot single-family residence located at 1120 South Lakeside Drive; PCN #38-43-44-27-01-051-0021. The subject property is located in the Single Family Residential (SFR) zoning district and is a non-contributing property in the South Palm Park Local Historic District. The future land use is Single Family Residential (SFR).

Staff: A. Greening- On March 11, 2020 the phased demolition was approved this is the final phase of demolition. The neighboring structure to the south is the similar in massing and height.

Terracing or gentle sloping would mitigate the height. It is proposed to setback sixty (60) feet from the street. The style is contemporary/mid-century.

Peter Ringle City Building Official and Certified Flood Plain Manager. Map proposed by FEMA not yet adopted. Once the new map is adopted, a habitable structure will be three (3) feet above the current, existing flood maps. The property is located within three (3) zones AE-6 (shallow flooding); AE-7 (shallow flooding); V8 (nearest the intracoastal with wave action). NAVD (9.5 feet above King Tide) requires the finished floor to be at 13 feet which is significantly higher than what was once required of the surrounding historic properties on the Intracoastal. Structural fill will not be allowed. Wave action is typically responsible for damage.

Staff: E. Sita- Discussion of the height of the fence on top of the fill between neighbor and structure. Fence height is measured from the natural grade, not from the top of fill.

Once the walking surface with an elevation change in excess of 30 inches, a handrail is required. Handrails are 36 inches in height.

Applicant/Project Manager/Owner: Wes Blackman, AICP; Neighbors have reached out to the applicant regarding potential landscape issues at the SE and NE edges of the property as well as providing information to interested neighbors. Decided not to come to a conceptual meeting in June. July and August Board meetings were not held, September brought the decision to move forward with a formal submittal. November was Hurricane Nicole. Ken Brower, northern neighbor, would like the wall to move south by one foot, a ten-foot setback. The owner is in agreement.

Agent for Applicant: Code only speaks to fence on property line, it does not speak to a fence not on the property line. Fence height limitation should not apply as it is not on the property line. The new natural grade would be with the fill.

Staff: Staff does not agree with the interpretation. The determination of whether it is a fence or structure. If a fence is a fence, it must meet height restrictions (six feet from natural grade); if a fence is not on the line as a fence then it is a structure and must meet setback requirements.

Board: B. Guthrie asks if structure is proposed to be built on structural fill? **Response:** Elevation drawings are designed to meet the proposed map changes, if structural fill cannot be used it will not be used, they are building for the future.

Board: The larger issue is dealing with the flood plain, fill, and impacts of several lots being filled. What are the effects of the displacement with no place for the water to go?

Building Official: Reason for LiMWA and VE Zone wave action or scour is the reason for no fill. The seabed/offshore topography is different from the Gulf Coast to the Atlantic Coast. The raising of a lot will not significantly cause the Intracoastal waterway to raise. Changing the natural grade with fill is concerning for drainage. The outfall drains have flaps which close when tide rises and the flaps remain closed until the tide goes out and drainage can occur.

Staff: If no part of the structure touches the VE zone it could use structural fill. Changes to the FEMA flood map would put the entire structure in the LiMWA (limited moderate wave action) zone disallowing structural fill.

Architect for applicant: Tom Benedict – the structure could shift to the south, with north setback meeting code but the shift would cause the second story on the south side to encroach on the setback/height. The applicant is willing to reduce the square footage on the 2nd floor in order to meet the wall height setback.

Board: The slope, possible terracing and drainage retention on-site, along with lower fill could be evaluated at time of permit by staff. The proposed structure is setback sixty (60) feet from the front property line.

Public Comment: Jimmy Kelly Sr 1202 S. Lakeside Drive- Has concerns with construction dust and debris during demolition; drainage should not flow on to surrounding properties, the outfall on 12th Avenue South is constrained by barnacles and sand; lastly any seawall should not cause erosion of surrounding properties.

Ken Brower-1100 S. Lakeside Drive- has concerns about the fill and wall footer affecting the royal palms roots on his property. Believes the condition that staff will review at time of permit takes away the public ability to comment on the solution. Inquires about what happens when there are two walls back to back, such as a retaining wall?

Building Official: It is no longer a retaining wall when there is fill on both sides.

Greg Richter – 1202 S Palmway- The structure is not compatible with the neighborhood. Both lots will have big square footages unlike what was there. The bottom of the front door will be even with the roof of the adjacent homes.

Staff suggests that portion of the proposal (conceptually) could be brought back before the Board on the following Wednesday. Board would really only like to see again if the streetscape is significantly changed.

Architect for applicant states the client is ready for permit and prefers a Condition over return to the Board.

Motion: B. Guthrie moves to approve HRPB 22-00100370 with staff recommended Conditions of Approval, including Board direction to soften the transition of fill and bring back informational updates as needed at subsequent meetings, based upon competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements; N. Heitz 2nd.

Vote: Ayes all, unanimous.

C. HRPB Project Number 22-00100321: Consideration of a Certificate of Appropriateness (COA) for the construction of a new ± 4,135 square foot single-family structure with a Sustainable Bonus Program Incentive request for additional FAR located at 324 North K Street; PCN #38-43-44-21-15-090-0120. The subject property is located in the Multi-Family Residential (MF-20) zoning district and is a non-contributing property in the Northeast Lucerne Local Historic District. The future land use is Medium-Density Residential (MDR).

Motion: B. Guthrie moves to continue HRPB 22-00100321 to the January 2023 meeting; R. D'Arinzo 2nd.

Vote: Ayes all, unanimous.

D. HRPB Project Number 22-01500005: A request for a variance to allow a generator in the front yard along South M Street for the property located at 504 3rd Avenue South; PCN #38-43-44-21-15-091-0300. The subject property is a non-contributing resource within the Southeast Lucerne Local Historic District and is located in the Multi-Family Residential (MF-20) zoning district. The future land use designation Medium Density Residential (MDR).

Staff: A. Greening present case findings and analysis. As a nursing home, the State of Florida requires a permanent emergency generator. Although the entrance is on 3rd Ave S.,

the legal frontage is along South M Street. City Code does not permit the installation of generators in the front yard. Siting of the generator is further limited by the small setbacks between the property line and structure. As the four variance criteria are met, staff is recommending approval based upon consistency with the variance requirements found in Code Section 23.2-26(b). Missing and dead vegetation and walking path must be re-established.

Board: No other suitable location can be found. The backyard does not have enough space; the side yard is utilized as the only outdoor area available to residents as well as being adjacent to a single-family dwelling. The generator will only run during an emergency and for testing the system.

Public Comment: None

Motion: N. Heitz moves to approve HRPB 22-01500005 with staff recommended Conditions of Approval for location #2 (in front yard), including the provision the walking path be re-constructed and the generator is fully screened as seen from the roadway, as the variance criteria based on data and analysis in the staff report are met; T. Hallison-Mischler 2nd.

Vote: Ayes all, unanimous

PLANNING ISSUES:

A. Conceptual Review for potential demolition of an existing garage and construction of a new accessory structure with a garage and an apartment unit above. A multi-unit building in the Mixed-Use East zoning district.

Staff: 122 North L Street, as the applicant is not seeking condemnation, the Board would determine if the structure could be demolished.

Applicant: James Paine is wanting a similar size and style to the front structure. States the slab is in poor shape and floods on occasion. The request for condemnation is an extra step.

Board is cautious about the possible demolition of a contributing structure. The Building Official will check to see if the structure can be condemned (possible termites).

Applicant: Suggests that it is speculation that it may or may not be contributing. There is no evidence. It's a moot point.

Staff: Reminder that part of this conceptual review is to gauge Board concerns and gather additional information through the Building Official to understand the condition of the building.

PUBLIC COMMENTS: (3 minute limit) None

DEPARTMENT REPORTS: None

BOARD MEMBER COMMENTS: Chair believes we are now seeing how lots will look in the future. B. Guthrie likes the new construction in a Historic District, but has heard comments contrary to that opinion. Staff cautions against false mimicking of style versus complimentary styles. What will be contributing within the next 50 years as indicative of this period? Board should ensure projects are true, authentic and high quality style to continue and uphold the districts. Infill discussion and adaptation issues in coming years regarding height of adjacent properties, massing, and natural grade. Brief discussion on Design Awards and Historic markers with City of Lake Worth Beach.

ADJOURNMENT 8:32 pm