

HISTORIC RESOURCES PRESERVATION BOARD REPORT

HRPB Project Number 22-00100224: Consideration of a Certificate of Appropriateness for exterior alterations and two historic waivers to exceed the accessory structure size limitation and the minimum required side setback for the rear accessory structure located at 314 South K Street. The subject property is located within the Single Family Residential (SFR) zoning district and has a future land use designation of Single Family Residential (SFR). The property is a contributing resource in the Southeast Lucerne Historic District.

Meeting Date: January 11, 2023

Property Owner/Applicant: Michael Styer

Address: 314 South K Street

PCN: 38-43-44-21-15-113-0091

Lot Size: 0.09 acre / 4,050 sf

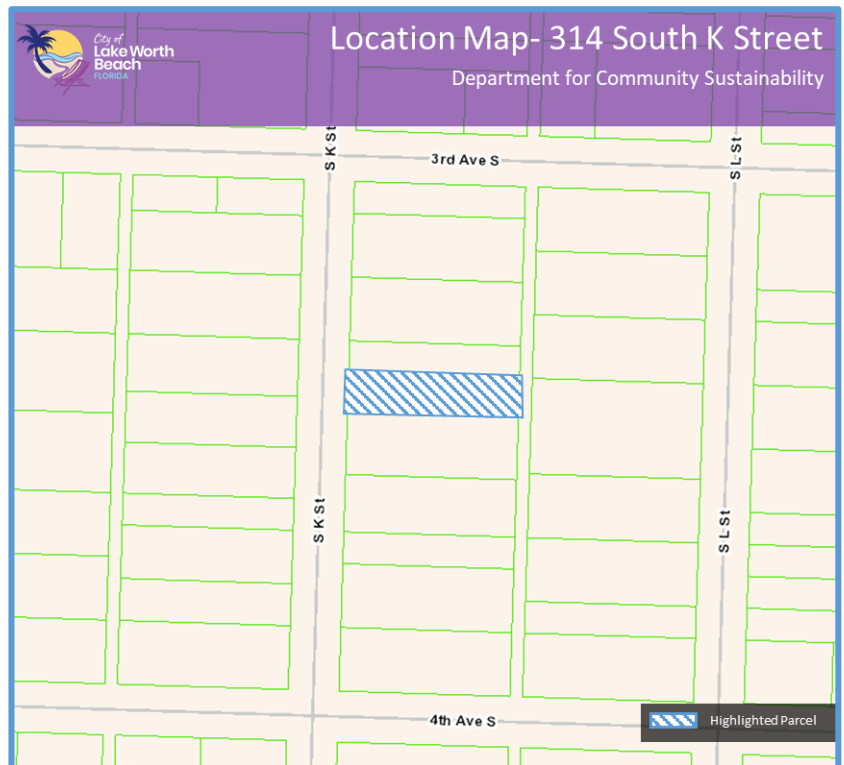
General Location: East side of South K Street between 3rd Avenue South and 4th Avenue South

Existing Land Use: Single Family Residential

Current Future Land Use Designation: Single Family Residential (SFR)

Zoning District: Single Family Residential (SFR)

Location Map



RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs) and for consistency with the Comprehensive Plan. Staff recommends approval with conditions, listed on page XX, for the Certificate of Appropriateness for exterior alterations and historic waivers for the minimum required side setback and accessory structure size.

PROJECT DESCRIPTION

The property owner, Michael Styer, is requesting two historic waivers for the existing ±740 square foot rear accessory structure at 314 South K Street. The property owner plans to renovate the historic accessory structure as a guest house. The City Building Official has determined that over 50% of the structural members will be replaced in the proposed renovation. Per the Building Code and Land Development Regulations (LDRs), the extent of the proposed renovations triggers the requirements that the structure be brought into compliance with the current Building Code and LDRs.

The accessory structure does not comply with the current LDRs due to the size of the structure and the 3.1-foot side setback. The waivers, if approved, would allow the structure to exceed the accessory structure square footage limitation and the minimum side setback requirement.

PUBLIC COMMENT

Staff has not received any letters of support or opposition for this application.

PROPERTY DEVELOPMENT HISTORY

The single-family house and rear accessory structure at 314 South K Street were constructed c.1925 in the Wood Frame Vernacular architectural style. The accessory structure was originally used as a garage, and was converted to an apartment unit in 1952. Both buildings have undergone alterations over time, including window, door, and roof replacement. The principal structure was approved for rehabilitation in 2017 (HRPB #17-00100081).

On June 6, 2022, a COA was issued for window, door, and siding replacement on the rear accessory structure. Staff met with the applicant on September 20, 2022, and October 4, 2022, to discuss zoning issues regarding the use of the structure as an accessory dwelling unit (ADU). As the property is located in the Single-Family Residential zoning district and the accessory structure had not been used as an ADU for about 10 years, the structure lost its non-conformity of use and could no longer be used as a rental unit. After those meetings, the applicant changed the project's scope of work to use the accessory structure as a guest house for the primary structure, rather than as a rental unit.

In his review of the proposed project on December 7, 2022, Peter Ringle, the City's Building Official, determined that over 50% of the structural members will be replaced in the proposed renovation. Per the Building Code and Land Development Regulations (LDRs), the extent of the proposed renovations triggers the requirements that the structure be brought into compliance with the current Building Code and LDRs. Historic preservation staff, Mr. Ringle, and Michael McCarroll, one of the City's building inspectors, met with the applicant on December 14th to discuss the project and the potential for historic waivers to resolve zoning issues with setback and structure size. After discussions with the applicant, the project was placed on the HRPB agenda for January 11, 2023.

A survey of the property is included as **Attachment A**, current photos of the property are included as Attachment B, and the submitted plans for the renovations are included as **Attachment C**.

ANALYSIS

[Consistency with the Land Development Regulations - Zoning](#)

Section 23.5-4(r)2. Waiver or Modification of Certain Land Development Regulations

Pursuant to City of Lake Worth Beach LDR Sec. 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.***

| Waiver Requests | | |
|--|---|---|
| LDR Citation | Required | Proposed |
| Minimum Side Setback (Section 23.3-7(c)3.B(2)) | Two-story buildings shall have side set back of five (5) feet minimum. | Existing 3.1' setback for a 2-story, 17.2' tall building |
| Accessory Structure Size (Section 23.3-7(c)8.) | Shall not exceed forty (40) percent of the gross floor area of the principal structure or one thousand (1,000) square feet, whichever is less | Existing accessory structure is 94.4% of the gross floor area of the principal structure |

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 two historic waiver requests. Due to the building’s contributing status to the Southeast Lucerne Local Historic District, the application is eligible for relief from the land development requirements of Section 23.3-7, should the Board determine that the criterion is sufficiently met. The applicant has provided a Justification Statement for the requests and has provided responses for each request. The applicant’s justification statement is included in **Attachment D**.

(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 two-story accessory structure, built c. 1925, currently encroaches on the north side setback. Inconsistencies with current setback requirements are common in the surrounding historic districts due to different development standards and practices in place over the course of the city’s development. The accessory structure’s size is indicative of many two-story rear accessory structures established during the City’s early development in the 1920’s. The proposed renovation and repairs will not further the deficiencies in setback and size as the proposed work will take place within the existing footprint of the structure. One-story and two-story rear accessory structures are common within the surrounding neighborhood and the Southeast Lucerne Historic District, and the existing accessory structure is 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 renovate and repair the existing accessory structure for use as a guest house, while maintaining and restoring the exterior appearance of the structure. It is staff’s analysis that the project returns the structure to a safe, usable condition while maintaining its historic appearance. The design and arrangement of the building does not have a substantial aural or visual impact on adjacent properties; the building has existed in this size and location for nearly 100 years. **Meets Criterion.**

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

Analysis: Maintaining the accessory structure in its current location will not be detrimental to public health, safety, or welfare. **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 the proposed reasonable use of the existing accessory building as while maintaining its historic attributes. **Meets Criterion.**

CONCLUSION AND CONDITIONS

The proposed renovation project is designed to return the rear accessory structure at 314 South K Street to its historic appearance and adheres to the recommendations provided within the City's Historic Preservation Design Guidelines. Staff recommends approval for the request for a Certificate of Appropriateness for exterior alterations and for the historic waivers as the contributing structure meets the eligibility requirements for these requests and the proposed exterior alterations would not preclude the continuation of the structure's contributing designation.

Conditions of Approval:

1. The historic waiver to allow the existing structure to maintain the legal non-conforming 3.1' north side setback shall be project specific, and shall only apply to the scope of work approved under this application. Should any 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 historic waiver to allow an accessory structure at 94.4% of the square footage area of the principal structure shall be project specific, and shall only apply to the scope of work approved under this application. Should any structures on the parcel be destroyed, relocated, or demolished, any future development for the parcel shall adhere to the current City of Lake Worth Beach Land Development Regulations.
3. All windows except one second floor window on the east elevation shall be replaced with impact rated Marvin single hung windows with exterior, raised, triangular shaped muntins to replicate a three (3) over one (1) divided light pattern.
4. One second floor window on the east elevation shall be replaced with a casement window to meet egress requirements. The casement window shall have muntins to match the muntin patten on the single hung windows.
5. The rear (west) door shall be a three panel Eurowall sliding glass door system
6. The front (east) door shall be a single light French door
7. All glazing shall be 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.
8. All divided light patterns shall be created utilizing exterior raised applied triangular muntins. Exterior flat muntins or "grids between the glass" shall not be used.
9. All windows and/or doors shall be install recessed in the jambs and shall not be installed flush with the exterior wall.
10. All windows and/or doors shall be installed in their existing openings. Openings shall not be filled in or made larger to accommodate alternately sized products.
11. All termite damaged or rotten siding shall be replaced with custom milled siding to replicate the original.
12. The accessory structure shall not be utilized as an accessory dwelling unit (ADU).

13. The accessory structure shall not have kitchen facilities as defined in the City's Land Development Regulations. Future alterations that would lead to the conversion of the structure to an accessory dwelling unit (ADU) shall be prohibited. The accessory structure shall function as an extension of and subordinate to the single-family use.
14. The accessory structure shall not be granted an additional utility meter from the Public Utilities Department and shall not be issued a rental license from the Lake Worth Beach Business License Division.

BOARD POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Number 22-00100224 with staff recommended conditions for a Certificate of Appropriateness for exterior alterations and two historic waivers to exceed the accessory structure size limitation and the minimum required side setback for the rear accessory structure located at 314 South K 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 **DISAPPROVE** HRPB Project Number 22-00100224 for a Certificate of Appropriateness for exterior alterations and two historic waivers to exceed the accessory structure size limitation and the minimum required side setback for the rear accessory structure located at 314 South K Street, because the applicant has not established by competent substantial evidence that the application is in compliance with the City of Lake Worth Beach Land Development Regulation and Historic Preservation requirements.

Consequent Action: *The Historic Resources Preservation Board's decision will be final decision for the waivers. The Applicant may appeal the Board's decision to the City Commission.*

ATTACHMENTS

- A. Property Survey
- B. Photos
- C. Plan Set
- D. Application and Justification Statement