



HISTORIC RESOURCES PRESERVATION BOARD REPORT

HRPB Project Number 23-00100023: Consideration of a Certificate of Appropriateness for two (2) historic waivers located at 319 North J Street. The subject property is located within the Mixed-Use Dixie Highway (MU-DH) zoning district and has a future land use designation of Mixed-Use East (MU-E). The property is a contributing resource in the Northeast Lucerne Historic District.

Meeting Date: March 8, 2023

Property Owner/Applicant: Dennis Baker

Address: 319 North J Street

PCN: 38-43-44-21-15-086-0230

Lot Size: 0.077 acre / 3,375 sf

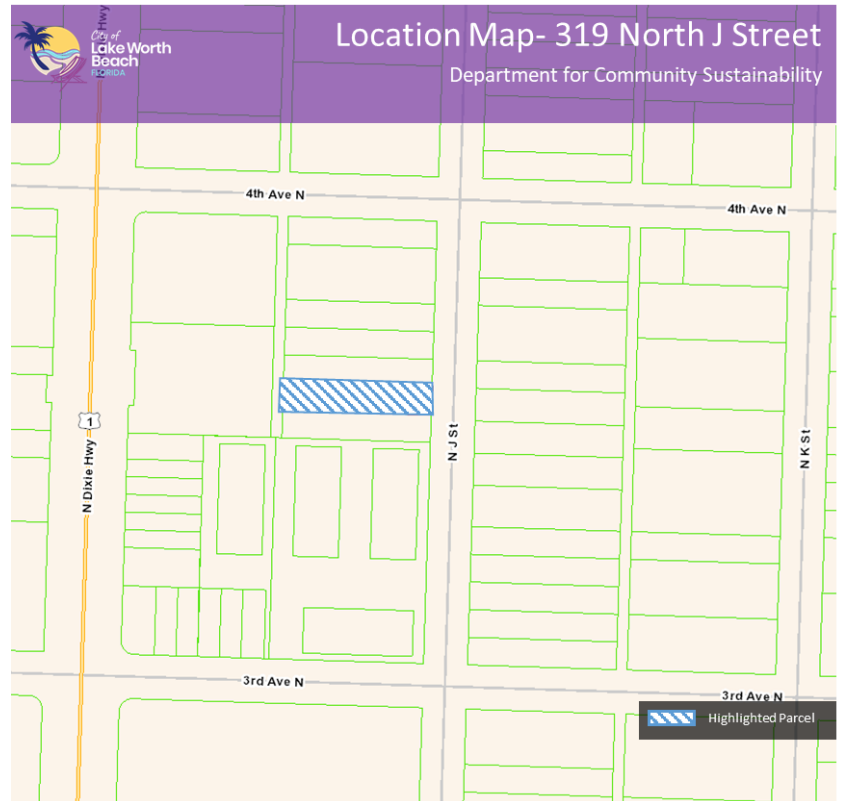
General Location: West side of North J Street between 3rd Avenue North and 4th Avenue North

Existing Land Use: Single Family Residential

Current Future Land Use Designation: Mixed-Use East (MU-E)

Zoning District: Mixed-Use Dixie Highway (MU-DH)

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 4, for the Certificate of Appropriateness for historic waivers for the minimum required front setback and north side setbacks.

PROJECT DESCRIPTION

The property owner, Dennis Baker, is requesting two historic waivers for the existing structure at 319 North J Street. The property owner is in the process of renovating the structure, including window and door replacements, siding replacement, interior renovations, and repairs and replacement of deteriorated framing, to facilitate the building's continued use as a single-family residence. The proposed improvements will also include the addition of a required off-street parking space that is located at the rear of the lot behind the single-family structure.

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. As structure does not comply with the current LDRs, the proposed waivers would allow the structure to retain its current front and side setbacks. Staff has added conditions of approval that would reduce existing non-conformities with the City's off-street parking, fencing, and landscaping requirements.

PUBLIC COMMENT

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

PROPERTY DEVELOPMENT HISTORY

The single-family residential structure at 319 North J Street was constructed c. 1926 in the Wood Frame Vernacular architectural style. A two-story garage and apartment structure was also constructed on the property c. 1926, but the structure was demolished in 1993. The remaining building has undergone alterations over time, including the front porch enclosure in 2003 and replacement of siding with stucco between 2008-2011. The building has also had multiple window, door, and roof replacements.

On June 10, 2022, the property owner applied for a remodeling permit for the structure at 319 North J Street. The application went through multiple rounds of comments from reviewers from the Planning, Zoning, and Historic Preservation Division as well as the Building Division. The property was issued a COA for window, door, and siding replacement on September 23, 2022 (COA #22-00100287), and continued to go through permit review in the Building Division. On January 10, 2023, and January 26, 2023, the Building Official notified the property owner that over 50% of the structure was being replaced in the proposed framing repairs, and the project required compliance with the zoning code or historic waivers.

Staff received a completed application for two historic waivers and the creation of a required parking space on February 6, 2023, and the project was placed on the March 2023 HRPB agenda.

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 and parking space 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 Front Setback (Section 23.3-8(c)3.A)	Minimum front setback of 20 feet	Existing front setback of 16.87 feet
Minimum Side Setback (Section 23.3-8(c)3.B(1))	Minimum 3-foot side setback for 25-foot lots	Existing north side setback of 2.5 feet

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. Due to the building's contributing status to the Northeast Lucerne Local Historic District, the application is eligible for relief from the land development requirements of Section 23.3-8, 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 c. 1926 structure currently encroaches on the front setback and 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 structure's design is indicative of many wood frame structures from the City's early development in the 1920s. The proposed renovation and repairs will not further any of the existing non-conformities as the proposed work will take place within the existing footprint of the structure; staff has added conditions of approval that would reduce existing non-conformities with the City's off-street parking, fencing, and landscaping requirements. The existing 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 structure for its continued use as a single-family residence. 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 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 single-family building while maintaining its historic attributes. **Meets Criterion.**

CONCLUSION AND CONDITIONS

The proposed renovation project is designed to maintain the use of 319 North J Street as a single-family residence, while providing necessary repairs to the structure and adding a required parking space. The project as proposed 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 the historic waivers, as the contributing structure meets the eligibility requirements for these requests and the proposed renovation and repair work would not preclude the continuation of the structure's contributing designation.

Conditions of Approval:

1. The historic waivers to allow the existing structure to maintain the legal non-conforming 16.87' front setback and 2.5' 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 required parking space shall be located at the rear of the property, and shall comply with all relevant regulations established in LDR Section 23.4-10, Off-Street Parking.
3. Prior to the issuance of a Certificate of Completeness (CC), the applicant shall decrease the property's non-conformities with the City's landscaping requirements, insofar as feasible, as reviewed and approved by staff via a building or landscape permit. All landscaping shall be installed prior to the issuance of a CC of the renovation building permit. Contact the City Horticulturalist, David McGrew, for more information.
4. Prior to the issuance of a CC, all of the chain link fencing in the front yard and chain link fencing visible from a right-of-way shall be removed. If replaced, the fence shall comply with Section 23.4-4 Fences, walls and gates.

BOARD POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Number 23-00100023 with staff recommended conditions for a Certificate of Appropriateness for two (2) historic waivers for the structure located at 319 North J 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 23-00100023 for a Certificate of Appropriateness for two (2) historic waivers for the structure located at 319 North J 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. Justification Statement