

February 12, 2020 HRPB Meeting Minutes

AGENDA DATE: June 30, 2020

DEPARTMENT: Community Sustainability

TITLE:

HRPB#20-00100081: An Appeal of the Historic Resources Preservation Board's decision to approve the construction of a new single-family structure at 403 South M Street

City of Lake Worth Beach

Historic Resource Preservation Board

February 12, 2020 Regular Meeting Minutes

Roll call and Recording of Absences

Present were: William Feldkamp-Chairman; Judith Just-Vice Chair; Bernard Guthrie; Robert D'Arinzo; Ozzie Ona. **Absent:** Judith Fox; David Cavorsi. **Also present:** Jordan Hodges, Senior Historic Coordinator; Abraham Fogel, Preservation Planner; William Waters, Director of Community Sustainability; Pamala Ryan-Board Attorney; Sherie Coale-Board Secretary.

Pledge of Allegiance

Swearing In: Board Secretary administered Oath of Office to new Historic Resources Preservation Board member Ozzie Ona.

Additions/ Deletions / Reordering and Approval of the Agenda

Agenda approved as presented.

Approval of January 2020 minutes.

Vote: Ayes all, unanimous

Cases

Swearing in of staff and applicants: Board Secretary administered oath to those wishing to give testimony.

Proof of Publication: Provided in the meeting packet.

Withdrawals or Postponements: None

Consent item: None

Public Hearings:

Board Disclosures: O. Ona, B. Guthrie, R. D'Arinzo all were contacted by the applicant for 920 S Lakeside. W. Feldkamp was contacted by Commissioner Robinson regarding the same project.

Unfinished Business:

- A. Consideration of a Certificate of Appropriateness (COA) for the Demolition of the existing contributing single-family structure, an Unreasonable Economic Hardship Request, and a Certificate of Appropriateness for the construction of a new ± 7,817 square foot single-family structure at **920 South Lakeside Drive**; PCN# 38-43-44-27-01-033-0040. The subject property is a contributing resource to the South Palm Park Local Historic District.

Staff: J. Hodges presents brief overview of case. This request came before the HRPB at the January 8, 2020 regular meeting. The HRPB and its legal counsel requested that

the Applicant submit a signed affidavit and submit additional supporting materials in regards to the Unreasonable Economic Hardship request. The Applicant presented newly revised architectural drawings for the proposed new construction at the meeting, which were not provided to the Department for Community Sustainability timely for historic preservation staff to analyze the proposal's compliance with historic preservation and zoning criteria. The HRPB voted to continue the request to the February meeting. The Applicant has submitted the requested affidavit and additional back-up materials. Staff has continuing concerns regarding height and proportion of the new construction. Based on the decision-making criteria, it is the analysis of Staff that the existing contributing resource should not be considered for demolition under regular circumstances. The Applicant maintains that the structure is uninhabitable and that continuing phases of remediation would result in an ongoing economic hardship, and that the results of future remediation cannot be guaranteed to fully correct the existing problems.

Agent for the Applicant, Wes Blackman of CWB Associates- Has dotted the 'i's" and crossed the "t's" and provided additional documentation as requested.

Architect for the Applicant, Adriana Feingold- Wanted to meet the Design Guidelines, mentions the different interpretations of West-Indies style versus Anglo-Caribbean style. Proposal included a standing seam roof.

Applicant, Brendon Lynch - Prior to his purchasing the home in 2009, the home was seasonal for some years and believes that being closed up then may have resulted in the mold issue. His family is again in hyperbaric chambers for treatment.

Board: J. Just does not see a true hardship, just opening a door to knock the structure down. Based upon the early estimates for demolition, removal and new construction from the applicant, a total project cost of \$1.3 million does not seem to be a hardship.

Applicant: The mold is integral to the structure itself, in the trusses, wood and concrete. No amount of remediation will rid the structure.

Board: W. Feldkamp questions whether any insurance claims were filed for this issue. A water claim in 2015 was for an air conditioning drainpipe clog. There were various other instances of water damage from garbage disposal leakage and plumbing problems. Result reports after remediation efforts indicate levels of spores were not elevated. Discussion and debate between Board members and applicant of validity of evidence. B. Guthrie mentions that if the property were to be sold, there would need to be disclosure of the mold issue. O. Ona asks if there was an inspection upon purchase in 2009. Applicant indicates no. R. D'Arinzo states a mold test would not normally occur unless specifically requested during the course of closing a sale.

Public Comment: Cheryl Rashkin, 1302 S. Palmway-States she had to come before the Board in 1995 for windows even though her home was not listed as being in a district. There is a difference between need and necessity. Bill Robeson, 822 S Palmway-why would anyone want to buy this house now with the known issues. Phillip

Puleo, 1019 S Lakeside Dr- the home is an environmental hazard and doesn't want to have to pay for a lawsuit through taxes in the future if the demolition isn't granted. Dan Walesky, 607 North K St.-mold in wood will continue coming back, it cannot be remediated.

Board: R. D'Arinzo asks Board Attorney how the State of Florida looks at the demolition.

Board Attorney: Historic Preservation is protected against lawsuits provided the Board is diligent in it's findings and follows the law as prescribed. The Board has done a thorough job. The standard is very high for the demolition and the new construction is held to an even higher standard than other new constructions.

Staff: W. Waters-There were three (3) options. 1. to remediate and repair 2. rebuild exactly as it was 3. tear down and rebuild. The applicant chose to follow option #3 which was his prerogative along with the economic hardship application. With regard to the Certified Local Government status, the state would look with a critical eye toward the new construction.

Board: O. Ona- Board is obligated to protect but how far can one go? On the other hand it could open the gate to another situation. B. Guthrie thanks staff and Board attorney for clarifying options.

Motion: B. Guthrie moves to approve HRPB Project Number 19-00100275: Consideration of a Certificate of Appropriateness (COA) for a Request for Unreasonable Economic Hardship for the Demolition of the existing contributing resource and the construction of a new ± 7,817 square foot single-family structure at **920 South Lakeside Drive**, based upon the competent substantial evidence, and pursuant to the City of Lake Worth Land Development Regulations, Section 23.5-4.; R. D'Arinzo 2nd. Staff intercedes to add the recommended condition of allowing staff access prior to demolition to document the structure with photos. Motion is amended and seconded by originator and seconder. Applicant disagrees and states no one can enter, he wears a mask when in the structure. W. Waters asks for the option after consulting with Risk Management. B. Guthrie withdraws motion.

Motion: B. Guthrie moves to approve HRPB Project Number 19-00100275: Consideration of a Certificate of Appropriateness (COA) for a Request for Unreasonable Economic Hardship for the Demolition of the existing contributing resource and the construction of a new ± 7,817 square foot single-family structure at **920 South Lakeside Drive**, based upon the competent substantial evidence, and pursuant to the City of Lake Worth Land Development Regulations, Section 23.5-4. R. D'Arinzo 2nd. W. Feldkamp would like to strike the reference to the square footage of the new construction as that has yet to be discussed and decided upon. **Motion amended** by B.Guthrie seconded by R. D'Arinzo.

Vote: 4/1 in favor of motion; W. Feldkamp dissenting.

Staff: New construction- subtle differences between West Indies and Anglo Caribbean architecture. The building is designed utilizing masonry construction with a smooth stucco finish. Other features include a Bermuda-style flat tile hip roof, bracketed overhanging eaves, large casement windows with horizontal lights, a recessed covered entryway, operable colonial and Bahama impact shutters, and decorative stone detailing, a circular driveway, concrete walkways, and extensive landscaping. The existing rear pool and spa from the current structure will remain.

Board: B. Guthrie notes the roof pitch and entrance has changed since the elevations were last seen. Staff mentions the walls are 12 feet from finished floor to top of wall, although the windows look proportional in the structure they are approximately 6ft 4 inches in height and width which is oversized for a historic property. There are scale issues. The lowest eave on the roof is higher than the peak of the roof of the neighboring house and the overall roof height of this one story structure is equivalent to the neighboring two-story structure. B. Guthrie asks if the streetscape is inaccurate. Staff re-iterates that scale is important. W. Feldkamp suggests lowering the two (2) modules by the entrance to ten (10) feet, this would add another roofline. Staff states the main roofline is still at considerable height. W. Feldkamp suggests: lower the front room walls to 10 feet; shutters shall remain functional although they are difficult to keep the same width; trim on the sills, the reveal will allow the shutters to close flush with the building; tile roof; windows are recessed a minimum of three (3) inches.

Applicant: Will sell the house if he is forced to put in ten (10) foot ceilings. He has already conceded so much.

Architect: States that tray ceilings can be utilized to achieve the height that is desired inside.

Motion: B. Guthrie moves to approve HRPB # 19-00100275: Consideration of a Certificate of Appropriateness (COA) for a Request for the construction of a new ± 7,817 square foot single-family structure at **920 South Lakeside Drive, with** staff recommended conditions and based upon the competent substantial evidence, and pursuant to the City of Lake Worth Land Development Regulations, Section 23.5-4. Conditions as follows:

1. The proposed exterior entry doors and garage doors shall be compatible with the Anglo-Caribbean architectural style, and shall be subject to staff review at permitting.
2. The proposed windows and doors shall have wood, wood-clad, aluminum, or fiberglass frames.
3. All window and door glass shall be clear or have a clear Low-E coating. Tinted, grey, colored, or mirrored glass shall not be used.
4. All divided light patterns on the proposed casement windows shall be created utilizing exterior raised applied triangular muntins. Exterior flat muntins or “grills between the glass” shall not be permitted.
5. All windows shall be recessed a minimum of three inches (3”) from the exterior face of the wall.

6. The design of the porch columns shall be reviewed by staff at permitting.
7. The proposed roofing material shall be reviewed by staff at permitting. Any metal roof shall have a silver-mill finish.
8. The measurement from the finished floor elevation to the top of the exterior walls of the two projecting front rooms shall be no greater than ten (10) feet.

New Business:

- A. Consideration of a Certificate of Appropriateness (COA) for the construction of a new +/- 2,361 sq. ft. single-family structure at **403 South M Street**; PCN# 38-43-44-21-15-157-0180. The subject property is a vacant lot located in the Single-Family Residential (SF-R) Zoning District and the Southeast Lucerne Local Historic District.

Staff: J. Hodges presents case findings and analysis. A similar proposed single-family residence was previously approved in 2017 at this location and after the granting of two (2) time extensions, the approvals expired without permit. This proposal is generally the same. The roof is proposed to be flat concrete tile which was an upgrade from previous proposals. Staff finds the proposal to be minimally compatible with historic regulations set forth in the design guidelines and Ordinance for the following reasons: Long expanses of unbroken facades (the structure has only five (5) windows; the front porch has an atypical configuration of the base and capital detail; the garage door width and the driveway width. Staff has been unable to identify any discernable architectural style.

Applicant: Daniel Walesky, Royal Building Group Inc.- Is in agreement with Conditions of Approval numbers 1-7, disagrees with items #8 and #9.

Board: B. Guthrie asks if there is a place to add another window? Applicant states no, years ago pre-A/C there were many windows to capture breezes but now there is air-conditioning. B. Guthrie asks staff about the sidewalk and impermeable surface that were mentioned. Staff states single-car garages typically feature a 10-foot driveway which allows for a 2-3 foot sidewalk without exceeding impermeable regulations. J. Just believes added columns will add more character, R. D'Arinzo concurs and would like the walkway. W. Feldkamp suggests the shrinking of the garage door which would allow for a decorative, or architectural element to be added between the garage and porch, such as a medallion. Additionally two single-hung windows could replace the horizontal roller. The Director dislikes the lack symmetry in the column arrangement. Staff re-iterates this is a new project not a continuation of the previously approved project and not to make comparisons, it stands on it's own. Staff concedes the horizontal window was most likely a staff recommendation made at the time of the previous approval.

Applicant: Points out similar porch configurations in the neighborhood and changes made at the behest of staff. Would be pleased if the proposal could be granted, will not agree to modify the width of the garage door and columns. Any continuance would be based upon legal requirements. Believes he would appeal if approved with revisions or denied. Believes the Board acts more as an Architectural Board rather than a Historic Board. Believes decisions such as this column, this window should not fall within the realm of the Board. It does not need to be the best representation of what the Board

wants to see in a building, if the proposal meets code and is compatible it should be approved.

Board Attorney: The same applicant came before the Board previously for the same parcel. Board members should not feel threatened into making a decision in favor of the applicant just to avoid the possibility of an appeal.

Applicant: As with the previous approval, he did not appeal the Board decision. Would like to be afforded the opportunity to continue talking with staff to resolve the last issues.

Motion: B. Guthrie moves to approve HRPB 20-00100006 based upon competent substantial evidence pursuant to the City of Lake Worth Beach LDR's with staff recommended conditions except removing Condition #8 and replacing with "change the front porch window and column configuration to be symmetrical with the two (2) vertically oriented single-hung windows with columns spaced evenly across; the driveway reduced from 12 feet to 10 feet wide with flares at sidewalk; R. D'Arinzo 2nd.

Vote: Ayes all, unanimous.

- B. Consideration of a request for a Certificate of Appropriateness (COA) for exterior alterations and construction of a +/- 443 square foot residential addition to convert the existing single-family structure to a two-family structure for the structure located at 703 North K Street; PCN# 38-43-44-21-15-216-0160. The subject property is located in the Single-Family Two-Family Residential (SF-TF 14) Zoning District and the Northeast Lucerne Local Historic District.

Staff: A. Fogel presents case findings and analysis. The proposal is to enclose a two car garage and add a 2nd floor addition over that garage effectively converting a single family structure into a two-family structure. The existing rear porch will accommodate a dining room for the new unit. Four parking spaces are provided at the rear off the alley

Project Architect: Jeffrey Harris-605 N. Lakeside Drive- the challenge was to keep the height of the addition as low as possible. Agrees with the conditions.

Board: B. Guthrie- asks about the parking and will the spots be paved. Architect states the parking spaces will not be paved, a large piece of concrete will be removed. B. Guthrie is hoping there would be some alley improvement to enhance the look. Project architect states the parking will look nicer than the alley. B. Guthrie asks about the rolled roofing. O. Ona agrees the proposed off-street parking is nice. W. Feldkamp asks about head-room on 2nd floor. Architect states it is sufficient with approximately 7'4" at the dormers.

Public Comment: None

Motion: O. Ona moves to approve HRPB 20-00100008 with staff recommended conditions and based upon competent substantial evidence pursuant to the City of Lake Worth Beach LDR's. R. D'Arinzo 2nd.

Vote: Ayes all, unanimous.

C. Consideration of a request for Mural Installation for the contributing structure located at **513 - 515 Lake Avenue**; PCN#38-43-44-21-15-023-0141. The subject property is located in the Downtown (DT) Zoning District and the Old Town Local Historic District.

Staff: A. Fogel presents case findings and analysis. Staff has found the proposed mural to be generally compatible with criteria set forth in the LDR's and Historic Preservation Ordinance. As it is not located on the front (north) facade but rather on the east facade, the location on the building is appropriate. Community volunteers will paint the mural under the supervision of Maria Paz, artist.

Board: O. Ona states Maria Paz is an incredible asset to the City.

Public Comment: None

Motion: R. D'Arinzo moves to approve HRPB 19-00000010 with staff recommended Conditions of Approval based upon competent substantial evidence pursuant to the City of Lake Worth Beach LDR's.; B. Guthrie 2nd.

Vote: Ayes all, unanimous.

Planning Issues: None

Public Comments: None

Department Reports: None

Board Member Comments: R. D'Arinzo mentions the signs being erected by Public Services (CRA) are huge and startling.

B.Guthrie welcomes Mr. Oswaldo Ona.

Adjournment: 9:20 PM