



HISTORIC RESOURCES PRESERVATION BOARD REPORT

HRPB Project Number 23-00100077: Consideration of three historic waivers to the minimum required side setback, maximum impermeable surface coverage, and minimum front yard landscaping area for property located at 424 South K Street. The subject property is located within the Single Family Residential (SFR) zoning district and has a future land use designation of Medium Density Residential (MDR). The property is a contributing resource in the Southeast Lucerne Historic District.

Meeting Date: August 21, 2024

Property Owner: Caled Hamed – CH76 Investment, LLC

Applicant: Josh Nichols – Schmidt Nichols

Address: 424 South K Street

PCN: 38-43-44-21-15-155-0040

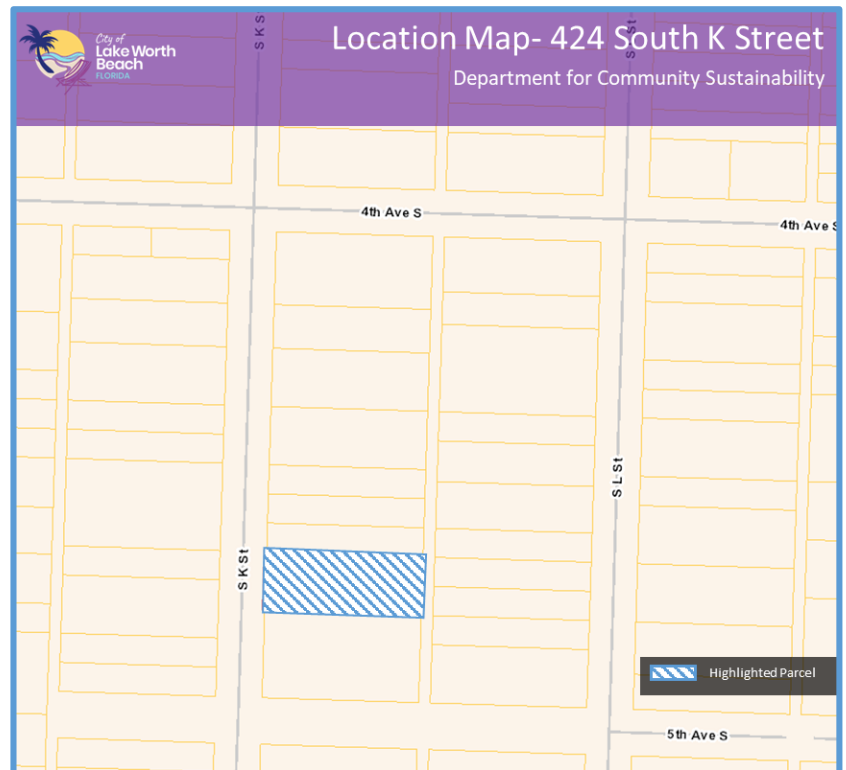
Lot Size: 0.155 acre / 6,750 sf

General Location: East side of South K Street between 4th Avenue South and 5th Avenue South

Existing Land Use: Multi-Family Residential

Current Future Land Use Designation: Medium Density Residential (MDR)

Zoning District: Single Family Residential (SFR)



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 requested historic waivers.

PROJECT DESCRIPTION

The applicant, Josh Nichols of Schmidt Nichols, on behalf of the property owner, is requesting three historic waivers for the existing multi-family property at 424 South K Street. The City Building Official has determined that over 50% of the structural members have been replaced in renovations (permitted and unpermitted). Per the Building Code and Land Development Regulations (LDRs), the extent of the renovations requires that the structure be brought into compliance with the current Building Code and LDRs.

The property does not comply with the current LDRs due to the existing south-side setback, the total impermeable surface, and existing impermeable surfaces in the front yard. The waivers, if approved, would address those three non-conformities, allowing the structure to remain in its current location and retain the impermeable surfaces needed to meet the required off-street parking.

PUBLIC COMMENT

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

PROPERTY DEVELOPMENT HISTORY

The multi-family (four-unit) structure at 424 South K Street was constructed c. 1925 in the Mediterranean Revival architectural style. The building has undergone alterations over time, including window and door replacement, structural roofing repairs, and the addition of a two-story porch on the rear elevation in 1967. The structure was approved for window and door replacements in 2020 and was approved for stucco repairs and modifications to the rear porch in early 2022.

In his review of the renovation permit and in the course of building inspections, the City's previous Building Official, Peter Ringle, determined that renovation work had gone beyond the scope of work approved in the owner's permits, and had replaced over 50% of the building's structural members. Per the Building Code and Land Development Regulations (LDRs), the extent of the renovations triggers the requirements that the structure be brought into compliance with the current Building Code and LDRs.

Historic preservation and planning staff, met with the owner on January 26, 2023, to discuss the required Minor Site Plan and historic waivers to bring the property into zoning compliance insofar as feasible, and to resolve zoning issues with the south side setback and impermeable surfaces. Staff met again with the owner and with the applicant on February 28, 2023, to discuss the required application and review processes for the site plan and waivers. After the applicant's submittal for the Minor Site Plan was deemed complete on December 4, 2023, the project went through three rounds of Site Plan Review Team (SPRT) review before receiving approval on July 22, 2024. The waivers were then scheduled for the August 2024 HRPB meeting.

A survey of the property is included as **Attachment A**, exterior photos of the property are included as **Attachment B**, and the approved Minor Site Plan is 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 Section 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
Maximum Wall Height at Side Setback (Section 23.3-7(c))	18' wall height at 5' setback, up to 23' wall height at 10' setback. Each additional foot of wall height requires an additional foot of side setback.	Existing 20'6" wall height at 6.4' south side setback
Total Impermeable Surface Coverage (Section 23.3-7(c)(5))	Fifty-five (55) percent for medium size lots	67.5% impermeable surface coverage (reduction from 83% existing coverage)
Front Yard Landscaping (Section 23.3-7(c)(5))	Minimum of 75% of the front yard area shall remain pervious and landscaped	Existing 72.5% pervious and landscaped front yard area

Pursuant to City of Lake Worth Beach LDR Section 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 three 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 criteria are sufficiently met. The applicant has provided a Justification Statement for the requests, which is included as **Attachment D**.

(A) The waiver or modification is in harmony with the general appearance and character of the neighborhood or district.

Analysis: The existing multi-family structure, built c. 1925, currently exceeds the allowable wall height at the south side setback. Inconsistencies with current setback requirements are common in the City's historic districts due to different development standards and practices in place over the course of the City's development. The property's excess impermeable surface coverage, both in the front yard area and across the property as a whole, enables the property to accommodate the required off-street parking spaces for the existing multi-family use. The proposed renovation and repairs to the existing structure as well as improvements to the site will not further the deficiencies in regard to the setback or front yard landscaping, and will decrease the non-conformity for the overall impermeable surface coverage. The site, including the historic 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 multi-family structure for continued use as a multi-family rental property, while making alterations to the site to better accommodate parking for future residents. Once completed, the renovation and site alterations will return the structure to a safe, usable condition while maintaining its historic appearance. The design and arrangement of the building and site will not have a substantial aural or visual impact on adjacent properties; the building has existed in this size and location for nearly 100 years, and the approved site plan includes landscaping to serve as a visual and aural buffer to neighboring properties. **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 existing structure in its current location and allowing for additional impermeable surfaces to provide onsite parking 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 multi-family building while maintaining its historic attributes. **Meets Criterion.**

CONCLUSION AND CONDITIONS

The proposed waivers will enable the property at 424 South K Street to complete renovations to the historic structure and improvements to the site, which will facilitate the historic property's continued use as a multi-family residential property. Staff recommends approval of the historic waivers as the contributing structure meets the eligibility requirements for these requests and the renovations and site 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 20'6" wall height at a 6.4' south 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 67.5% impermeable surface coverage on the property 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. The historic waiver to allow 72.5% pervious and landscaped area in the front yard 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.
4. No exterior alterations to the structure are included in the scope of this approval. Future exterior alterations shall require a Certificate of Appropriateness (COA) for historic approval.
5. All conditions from Minor Site Plan #23-01400029 still apply, unless specifically superseded in this approval. See Minor Site Plan Approval Letter #23-01400029 for full conditions of approval.

BOARD POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Number 23-00100077 with staff recommended conditions for three historic waivers for the property located at 424 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 23-00100077 for three historic waivers to for the property located at 424 South K Street, because the applicant has not established by competent substantial evidence that the application complies 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 the final decision for the waivers. The Applicant may appeal the Board's decision to the City Commission.*

ATTACHMENTS

- A. Property Survey
- B. Exterior Photos
- C. Approved Minor Site Plan (#23-01400029)
- D. Applicant's Justification Statement