



**MEMORANDUM DATE:** July 7, 2021

**AGENDA DATE:** July 14, 2021

**TO:** Chair and Members of the Historic Resources Preservation Board

**RE:** **326 Columbia Drive**

**FROM:** Jordan Hodges, Senior Preservation Coordinator  
Abraham Fogel, Preservation Planner  
Department for Community Sustainability

**TITLE:** **HRPB Project Number 21-00100135:** Consideration of Certificate of Appropriateness (COA) for roof replacement and an Unreasonable Economic Hardship Application for an Income Property located at **326 Columbia Drive**; PCN #38-43-44-15-06-001-0110. The subject property is a contributing resource to the College Park Local Historic District and is located within the Single-Family Residential (SF-R) zoning district.

**OWNER:** Diana Mayo  
325 Maryland Drive  
Lake Worth Beach, FL 33460

**PROPERTY DEVELOPMENT HISTORY:**

The single-family residence located at 326 Columbia Drive was commissioned by Mr. C. Blinn in 1947. The property was designed by local Lake Worth architect Arthur L. Weeks in a Masonry Vernacular architectural style. The architectural plan set from the building's construction is included as **Attachment A**. The Florida Master Site File for 326 Columbia Drive from the 1996 historic survey of the College Park is included as **Attachment B**. The drawings illustrate a building of block construction with an asymmetrical front façade, stucco exterior, awning windows, a decorative wrought iron porch, and a cross gable roof with shingles. The architectural drawings do not describe whether the shingles were originally asphalt or concrete, but staff was unable to locate a permit card in the property file indicating that the original roof was ever replaced. At some point in the building's history, the wrought iron front porch was converted into a partially enclosed screen room, but overall, the building maintains a high degree of the seven aspects of historic integrity: location, setting, design, workmanship, materials, feeling, and association. Current photos of the property are included as **Attachment C**.

**PROJECT DESCRIPTION:**

The property owner, Diana Mayo, is requesting a Certificate of Appropriateness (COA) to replace the existing flat white concrete tile roof with new dimensional asphalt shingles. The request is accompanied by an Unreasonable Economic Hardship application for an Income Property (LDR Section 23.5-4(I)(4)). The subject property is located on the north side of Columbia Drive, between Dixie Highway and North Federal Highway. The property is located in the Single-Family Residential (SF-R) zoning district and has a Future Land Use (FLU) designation of Single Family Residential (SFR).

The application will require the following approval:

1. **COA for roof replacement accompanied by an Unreasonable Economic Hardship Application**

**PROJECT BACKGROUND:**

In February of 2021, building permit application #21-646 was submitted by the applicant’s contractor for the replacement of the existing flat white concrete tile roof with a new dimensional asphalt shingle roof. On March 5, 2021, Abraham Fogel, Preservation Planner for the City of Lake Worth Beach, disapproved the permit application as the request was not in compliance with the Historic Preservation Design Guidelines section of compatible replacement options for flat white concrete tile roofs. Due to the increase in cost between a Design Guideline compliant flat white concrete tile roof and the requested asphalt shingle roof, the property owner submitted an Unreasonable Economic Hardship application on May 5, 2021. The application was then scheduled for the June 16, 2021 HRPB meeting.

At the June 16, 2021 HRPB meeting, the Board continued the item because the applicant was not in attendance to answer questions.

**STAFF RECOMMENDATION:**

The request is not in compliance with the Lake Worth Beach Historic Preservation Design Guidelines criteria for compatible roof replacement. Staff recommends that the Board review the criteria and documentation supplied by the applicant to determine if replacing the roof with a new Design Guidelines compliant roof would pose an unreasonable economic hardship for the property owner.

**PROPERTY DESCRIPTION:**

Owner	Diana Mayo
General Location	North side of Columbia Drive between Dixie Highway and North Federal Highway
PCN	38-43-44-15-06-001-0110
Zoning	Single Family Residential (SF-R)
Existing Land Use	Single-Family Residence
Future Land Use Designation	Single Family Residential (SFR)



### **Consistency with the Comprehensive Plan**

The proposed project is not in compliance with Policy 3.4.2.1 which requires that properties of special value for historic, architectural, cultural, or aesthetic reasons be restored and preserved through the enforcement of the City's Historic Preservation Ordinance to the extent feasible. Per the City's Historic Preservation Ordinance (LDR Sec. 23.5-4), the Lake Worth Beach Historic Preservation Design Guidelines, and the Secretary of Interior Standards for Rehabilitation, the replacement of features should be substantiated by documentary, physical, or pictorial evidence. The contributing resource at 326 Columbia Drive currently has a flat white concrete tile roof which appears to be original to the structure.

### **HISTORIC PRESERVATION ANALYSIS:**

#### **Historic Preservation Design Guidelines Analysis**

The City's Historic Preservation Design Guidelines provide a guide for compatible roof replacement for structures within the historic districts based on the structure's architectural style. Replacement products for historic structures should match the original features in design, color, texture, and other visual qualities and, where possible, materials. Pages 53-64 of the City's Historic Preservation Design Guidelines, included as **Attachment D**, provide a guide for compatible roof types for Masonry Vernacular Structures. Per the Design Guidelines, Masonry Vernacular roofs for buildings constructed after 1930 were typically flat white concrete tile, or occasionally asbestos shingle or white glazed barrel tile.

Pages 205 and 206 of the Design Guidelines, included as **Attachment E**, provide a guide for roof replacement. Examples are provided of *successful*, *less successful*, and *unsuccessful* replacement:



Roof material is an important character-defining feature for a historic property. Per the Design Guidelines, new flat white concrete tiles are the only successful replacement options for original flat white tile roofs. Flat white concrete tiles that replicate historic tile profiles and dimensions are still in production today, and could be utilized as the replacement roofing material.

It is the analysis of staff that the proposed change to dimensional asphalt shingles could negatively affect the historic character of the property. Masonry Vernacular residential structures throughout Lake Worth Beach were designed with an emphasis placed on horizontality. This style of architecture primarily used flat white concrete tiles as a roofing material. The buildings are typically linear in appearance, often one story, and utilized horizontal details in the windows and doors. The roofing materials for these buildings continued this theme, with thick concrete tiles laid in horizontal rows creating a visually stepped appearance towards the high point of the roof. Asphalt shingles are labeled as an unsuccessful replacement option for original concrete tiles, as the proportions, dimensions, material, and related visual qualities are not consistent with tiles.

### **Certificate of Appropriateness**

Exterior alterations to structures within a designated historic district are subject to visual compatibility criteria. The applicant has requested approval for dimensional asphalt shingles. The HRPB, as tasked in the LDR Sec. 23.2-7(C)(7), shall review the request and supporting exhibits to determine if a COA may be granted. Staff has reviewed the documentation and materials provided in this application and outlined the applicable guidelines and standards found in the City’s Historic Preservation Ordinance, detailed in the section below.

#### Section 23.5-4(K)(1) *General guidelines for granting certificates of appropriateness*

1. *In general.* In approving or denying applications for certificates of appropriateness, the city shall, at a minimum, consider the following general guidelines:
  - A. What is the effect of the proposed work on the landmark or the property upon which such work is to be done?

**Staff Analysis:** The applicant has submitted a request for a COA for the replacement of the existing flat white concrete tile roof with a new dimensional asphalt shingle roof. The request is accompanied by a request for relief through an Unreasonable Economic Hardship application.

- B. What is the relationship between such work and other structures on the landmark site or other property in the historic district?

**Staff Analysis:** The roof replacement will have no direct physical effect on any surrounding properties within the surrounding College Park Local Historic District, but could impact the character of the surrounding district.

- C. To what extent will the historic, architectural, or archaeological significance, architectural style, design, arrangement, texture, materials and color of the landmark or the property be affected?

**Staff Analysis:** The structure currently has a flat white concrete tile roof, which is a character defining roof material for Masonry Vernacular residences. The request to install a new asphalt shingle roof will alter the design, arrangement, texture, material, and potentially color, of the contributing resource's roof.

- D. Would denial of a certificate of appropriateness deprive the property owner of reasonable beneficial use of his property?

**Staff Analysis:** No, denial of the COA would not deprive the applicant of reasonable use of the property.

- E. Are the applicant's plans technically feasible and capable of being carried out within a reasonable time?

**Staff Analysis:** Yes, the applicant's plans can be carried out in a reasonable time frame.

- F. Are the plans (i) consistent with the city's design guidelines, once adopted, or (ii) in the event the design guidelines are not adopted or do not address the relevant issue, consistent as reasonably possible with the applicable portions of the United States Secretary of the Interior's Standards for Rehabilitation then in effect?

**Staff Analysis:** The City's Historic Preservation Design Guidelines place significant importance on compatible roofing materials and roof replacement. A request for an asphalt shingle roof does not satisfy the requirements of the Historic Preservation Design Guidelines or the Secretary of Interior Standards as this material is not a visually compatible replacement option for flat white concrete tiles.

- G. What are the effects of the requested change on those elements or features of the structure which served as the basis for its designation and will the requested changes cause the least possible adverse effect on those elements or features?

**Staff Analysis:** The building has a high level of historic integrity and maintains many of its original character-defining features. Replacing the existing flat white concrete tile roof with a new asphalt shingle roof does not pose the least possible adverse effect, as the roof could be replaced in-kind with a new flat concrete tile in white.

Section 23.5-4(K)(2) *Additional guidelines for alterations and additions.*

2. In approving or denying applications for certificates of appropriateness for alterations and additions, the city shall also consider the following additional guidelines: *Landmark and contributing structures*:

- A. Is every reasonable effort being made to provide a compatible use for a property that requires minimal alteration of the building, structure or site and its environment, or to use the property for its originally intended purpose?

**Staff Analysis:** Not applicable; no change to the use of the property is proposed.

- B. Are the distinguishing original qualities or character of a building, structure or site and its environment being destroyed? The removal or alteration of any historic material or distinctive architectural features shall be avoided whenever possible.

**Staff Analysis:** The existing character-defining flat white concrete tile roof would be removed if the application is approved.

- C. Is the change visually compatible with the neighboring properties as viewed from a primary or secondary public street?

**Staff Analysis:** Many masonry structures from the 1940's and 1950's on Columbia Drive have lost their concrete tile roofs over time. They have largely been replaced with asphalt shingles. A change from flat white concrete tiles to asphalt shingles would not be visually incompatible with neighboring properties.

**UNREASONABLE ECONOMIC HARDSHIP ANALYSIS:**

**LDR Section 23.5-4 (I)**

According to the City of Lake Worth Beach, Land Development Regulations, Section, 23.5-4(I)(1), no decision of the development review officer, HRPB, or the city commission shall result in an unreasonable economic hardship for the property owner. The HRPB shall have the authority to determine the existence of an unreasonable economic hardship in accordance with the criteria set forth in this section. The applicant shall have the burden of proving by substantial competent evidence that denial of a certificate of appropriateness or imposition of conditions on a certificate of appropriateness have caused or will cause an unreasonable economic hardship for the owner of the property. The following addresses the submission of evidence with respect to the applicant's requested economic hardship.

City of Lake Worth Land Development Regulation Section 23.5-4(I), *Supplemental standards to determine if unreasonable economic hardship exists*, has been included in this staff report as **Attachment F**. The applicant's COA Application, Unreasonable Economic Hardship Affidavit, Justification Statement, and supporting materials are included in this report as **Attachment G**.

**LDR Section 23.5-4(I)(3): *Evidence considered for all property***

- A. Whether the owner knew or should have known of the landmark or historic district designation at the time of acquisition and whether the structure or district was designated subsequent to acquisition.

**Staff Response:** Per the applicant’s affidavit, she did not know at the time of acquisition that the property was located within a historic district. The property’s ownership was transferred in May of 2018 from parent to daughter through a quit claim deed and there was no payment or financing.

- B. The amount paid for the property, the date of purchase and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between seller and buyer.

**Staff Response:** Per the applicant’s affidavit, the property’s ownership was transferred in May of 2018 from parent to daughter through a quit claim deed and there was no payment or financing.

- C. The form of ownership of the property, whether sole proprietorship, for profit or not-for-profit corporation, limited partnership, joint venture or other form, and whether or not it is a homestead property.

**Staff Response:** Per the applicant’s affidavit, the property is owned in a sole proprietorship with the intended use as a rental property, not a homesteaded property.

- D. An estimate of the cost of the proposed construction, alteration, demolition or removal.

**Staff Response:** Per the applicant’s affidavit, roof replacement proposals from two (2) different companies are provided in the application, **Attachment G**.

Per staff’s review of the materials, two companies, Master Contractors, Inc. and Total Home Roofing provided estimates for replacing the roof with flat white concrete tiles and asphalt shingles (as identified in the chart below).

CONTRACTOR	MATERIAL	QUOTE
Master Contractors, Inc.	GAF Timberline Asphalt Shingle	\$9,200.00
Master Contractors, Inc.	Boral Flat Tile (or equivalent)	\$16,800.00
Total Home Roofing	Architectural Asphalt Lifetime Shingles	\$13,890.00
Total Home Roofing	Tile	\$19,800.00

- E. The assessed value of the property according to the two (2) most recent assessments.

**Staff Response:** Per Palm Beach County Property Appraiser, in 2020 the property had an assessed land value of \$130,000 and an improvement value of \$164,952 with a total market value of \$294,952. In 2019, the property had an assessed land value of \$120,000 and an improvement value of \$153,170 with a total market value of 273,170.

- F. The real estate taxes for the previous two (2) years.

**Staff Response:** Per the Palm Beach County Constitutional Tax Collector, the real estate taxes totaled \$7,445.53 in 2020 and \$6,980.49 in 2019.

- G. Annual debt service or mortgage payments if any, for the previous two (2) years.

**Staff Response:** Per the applicant's affidavit, there was no mortgage payments made over the previous two (2) years.

- H. All appraisals obtained within the previous two (2) years by the owner or applicant in connection with the purchase, financing or ownership of the property.

**Staff Response:** Not applicable, item E indicates the most recent assessments of the property's value.

- I. Any information that the property is not marketable or able to be sold, considered in relation to any listing of the property for sale or rent, price asked and offers received, if any, within the previous two (2) years, including testimony and relevant documents regarding:
- (a) Any real estate broker or firm engaged to sell or lease the property.
  - (b) Reasonableness of the price or rent sought by the applicant.
  - (c) Any advertisements placed for the sale or rent of the property.

**Staff Response:** Not applicable. The applicant does not intend on selling the property.

- J. Any Phase I or any other environmental analysis prepared for the site.

**Staff Response:** Not Applicable.

- K. Any information regarding the unfeasibility of adaptive or alternative uses for the property that can earn a reasonable economic return for the property as considered in relation to the following:

(a) A report from a professional engineer registered in the State of Florida or an architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation.



**Staff Response:** Not provided by the applicant. The structural soundness of the structures is not in question.

(b) An estimate of the costs of construction, alteration, demolition or removal and an estimate of any additional cost that would be incurred to comply with the recommendation and decision of the HRPB concerning the appropriateness of the proposed alterations.

**Staff Response:** Staff directs attention to criterion D and evidence submitted in **Attachment G**.

(c) The estimated market value of the property in its current condition, after completion of the demolition, after completion of the proposed construction and after renovation of the existing property for continued use.

**Staff Response:** Per the applicant’s affidavit, “I have provided an assessment issued by the city for estimated market value. I’m not sure of the after-construction market value.”

(d) In the case of a proposed demolition, an estimate from an architect, developer, licensed contractor, real estate consultant, appraiser or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property.

**Staff Response:** Per the applicant’s affidavit, “We provided them as previously mentioned.”

(e) Financial documentation of the ability to complete the replacement project, which may include, but is not limited to, a performance bond, a letter of credit or a letter of commitment from a financial institution.

**Staff Response:** Per the applicant’s affidavit, “We would not be applying for financial assistance.”

(f) The fair market value of the property, as determined by at least two (2) independent certified appraisals.

**Staff Response:** Per the applicant’s affidavit, “We’re not able to afford two independent appraisals at this time.”

L. Any state or federal income tax returns relating to the property or the owner for the past two (2) years. These forms may be redacted for confidentiality purposes.

**Staff Response:** A Schedule 1 Form 1040 from 2019 was provided and is included in **Attachment G**.

M. Any other information considered necessary by the HRPB in making its determination.

**Staff Response:** Per the applicant’s affidavit, “Only applicable if the HRPB requests additional information.”

**LDR Section 23.5-4(l)(4): Evidence considered for income property (actual or potential)**

- A. Annual gross income from the property, if any, for the previous two (2) years.

**Staff Response:** Per the applicant’s affidavit addendum, “\$4,200 for 2019 and \$14,600 collected for 2019. A total of \$18,800.

- B. Depreciation deductions and annual cash flow, if any, for the previous two (2) years, before and after debt service.

**Staff Response:** Per the applicant’s affidavit addendum, “N/A”.

- C. Status of leases, rentals or sales for the previous two (2) years

**Staff Response:** Per the applicant’s affidavit addendum, “1/2019 through 3/2019 (tenant’s name), property remained vacant till end of 2019. New tenant least 1/2020 through 12/2020 (tenant’s name – they fell \$8,400 behind during Pandemic).” See **Attachment G**, Unreasonable Economic Hardship Affidavit Addendum for full details.

- D. Itemized operating and maintenance expenses for the previous two (2) years, including proof that adequate and competent management procedures were followed.

**Staff Response:** The applicant provided a list of operating and maintenance expenses for the property. See **Attachment G**, Unreasonable Economic Hardship Affidavit Addendum for full details.

- E. Any other information considered necessary by the HRPB in making its determination as to whether or not the property does yield or may reasonably yield a reasonable economic return to the owners.

**Staff Response:** Per the applicant’s affidavit addendum, “No other information to add.”

- F. Any state or federal income tax returns relating to the property for the past two (2) years. These returns may be redacted for confidentiality purposes.

**Staff Response:** Per the applicant’s affidavit addendum, “I have attached Reference #F (Supplemental Income & Loss)”. See **Attachment G**, Unreasonable Economic Hardship Affidavit Addendum and supporting materials for full details.

**Alternative remedies per LDR Section 23.5-4(l)(7)**

If the HRPB determines that the applicant has proved that an unreasonable economic hardship exists, it shall consider whether other relief is available that will not result in unreasonable economic hardship but which will provide the least adverse effect on the site or its historic, architectural, archeological or cultural features. If found, and within its power, the HRPB may grant this relief, or grant the requested relief with appropriate conditions attached thereto, so as to insure the least possible adverse effect on the historic property which does not result in unreasonable economic hardship.

**Staff Response:** Staff defers to the Board to determine if there are alternative remedies that will not result in unreasonable economic hardship and will have the least adverse effect on the contributing resource.

**Issuance of certificate per LDR Section 23.5-4(l)(8):**

If, after full consideration of all other possible relief, the HRPB determines that unreasonable economic hardship shall result unless the specific relief requested is granted, the HRPB shall promptly grant the certificate of appropriateness for such relief.

**PUBLIC COMMENT:**

At the time of publication of the agenda, staff has not received written public comment.

**CONCLUSION:**

The request is not in compliance with the Lake Worth Beach Historic Preservation Design Guidelines criteria for compatible roof replacement. The City’s historic preservation ordinance tasks the Board to review the criteria and documentation supplied by the applicant and determine if replacing the roof with a new Design Guidelines compliant roof would pose an unreasonable economic hardship for the property owner. Should the Board determine that replacing the roof with a Design Guidelines complaint roof would cause an unreasonable economic hardship, staff has included conditions of approval to help mitigate the visual impact.

**Conditions of Approval**

1. The replacement roof shall utilize dimensional or architectural asphalt shingles. Three-tab shingles shall not be approved.
2. The asphalt shingles shall be white, or light grey if white is not available.

**POTENTIAL MOTIONS:**

I MOVE TO **APPROVE** HRPB Project Number 21-00100135 for a Certificate of Appropriateness (COA) for roof replacement with asphalt shingles due to an unreasonable economic hardship for the property located at **326 Columbia Drive**, 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 **DENY** HRPB Project Number 21-00100135 for a Certificate of Appropriateness (COA) for roof replacement with asphalt shingles for the property located at **326 South Lakeside Drive**, because the applicant has not established by competent substantial evidence that the request is consistent with the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements and

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because replacing the roof with a Design Guidelines compliant roof does not pose an unreasonable economic hardship.

**ATTACHMENTS:**

- A. Property File Documentation
- B. 1996 Historic Survey Report
- C. Current Photos
- D. LWBHPDG Masonry Vernacular
- E. LWBHPDG Roof Replacement
- F. Sec. 23.5-4(L) Economic Hardship
- G. Economic Hardship Application and Supporting Materials