



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING
100 NW 1ST AVENUE, DELRAY BEACH, FLORIDA 33444
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HISTORIC PRESERVATION BOARD STAFF REPORT

20 North Swinton Avenue

Meeting	File No.	Application Type
July 3, 2019	2019-225	Certificate of Appropriateness (COA)

Request

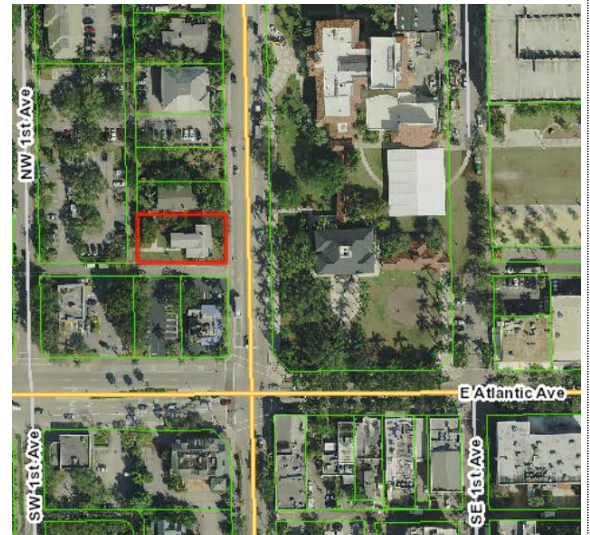
The item before the Board is for consideration of a Certificate of Appropriateness (2019-225) request associated with the relocation of a single-family residence to **20 N. Swinton Avenue, Old School Square Historic District**, pursuant to LDR Section 2.4.6(H)(5).

General Data

Agent: Roger Cope, AIA – Cope Architects, Inc.
Owner: Delray Beach Community Redevelopment Agency (CRA)
Location: 20 N. Swinton Avenue
PCN: 12-43-46-16-01-060-0120
Property Size: 0.21 Acres
FLUM: Other Mixed Use (OMU)
Zoning: Old School Square Historic Arts District (OSSHAD)
Adjacent Zoning:

- OSSHAD (North)
- OSSHAD (West)
- OSSHAD (South)
- OSSHAD (South)

Existing Land Use: Office
Proposed Land Use: Office
Historic District: Old School Square Historic District



Background Information

The proposal involves relocation of a structure from its current location at 215 NE 7th Avenue to 20 N. Swinton Avenue. The structure is not currently within a historic district nor is it individually designated to the Local Register of Historic Places. The circa 1937, two-story, frame vernacular style, single-family residence is currently situated on the east side of the road between NE 2nd Street and NE 3rd Street. The residence was originally designed by Samuel Ogren, Sr., the city's first registered architect and built for J.C. Wellbrock who was a local produce shipper in Delray Beach. The structure is slated for demolition as the current property owner is proposing to redevelop the site with residential townhouses. The proposed location of 20 N. Swinton Avenue, is the location of the Delray Beach CRA Office.

The CRA Office at 20 N. Swinton Avenue is situated on the west side of North Swinton Avenue between Atlantic Avenue and NW 1st Avenue, within the Locally and Nationally Designated Old School Square Historic District. The property contains a 2-story Monterey Style structure that was designed as a single-family residence by prominent Palm Beach architect, Belford Shoumate in 1939 and is listed to the Local Register of Historic Places.

Shoumate (1903-1991) was a graduate of the University of Pennsylvania School of Architecture. He first started practice in New York City, in the office of Joseph Urban. Urban was the architect who designed Mar-A-Largo (a

Project Planner: Project Planner Michelle Hoyland, Principal Planner HoylandM@mydelraybeach.com	Review Dates: HPB: July 3, 2019	Attachments: 1. Plans 2. Photos
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nationally designated site). Shoumate's first commission in south Florida was in the late 1930's when he designed a home in the Art Moderne style at 1221 N. Lake Way in Palm Beach. Shoumate won first prize in architecture for the design of this structure at the 1939 World's Fair and the house was named "The House of the Future". Mr. Shoumate was in active practice in Palm Beach for over 50 years and during that time he designed over 1,500 buildings in south Florida.

The subject structure known as "The Monterey House" was originally located in the Hillcrest neighborhood in West Palm Beach and it was relocated to its current address in 1994, along with two other structures (presently located at 24 and 516 N. Swinton Avenue) by way of the Intracoastal Waterway. Prior to the move, this building was considered eligible for listing in the National Register of Historic Places. The move provided an alternative to demolition, which would have occurred due to the Palm Beach International Airport expansion. At the time of relocation, the structure contained 2,300 square feet and following its move in 1995, a 600 square foot addition was approved and constructed. Parking for the CRA offices exist within the CRA owned parking lot to the west of the structure. The structure was then listed on the City of Delray Beach Local Register of Historic Places. The building is presently occupied by the Delray Beach Community Redevelopment Agency (CRA).

In 2006, the CRA submitted applications for Variances and a COA and a Class IV Site Plan Modification to relocate the adjacent Bungalow style structure located at 24 N. Swinton Avenue to the rear of 20 N. Swinton Avenue for use as additional CRA office space. The request to move the Bungalow structure was in anticipation of the possible redevelopment of 24 and 34 North Swinton Avenue as the property owner of 24 North Swinton Avenue also owned the abutting property directly to the north (34 N. Swinton Avenue). On October 4, 2006, HPB approved a COA for the demolition of the contributing structure situated at 34 N. Swinton Avenue. On December 20, 2006, the HPB approved two variance requests in relation to the relocation of the contributing structure (24 N. Swinton Avenue); however, on February 21, 2007 HPB denied the COA to relocate the structure located at 24 North Swinton Avenue onto the subject property (20 N. Swinton Avenue) based upon failure to make positive findings with respect to LDR Sections 4.5.1(E)(3), 4.5.1 (E)(4), 4.5.1(E)(5), and 4.5.1 (E)(8)(a-k).

The approved variances were as follows:

- Reduce the rear setback (west side) from the required 10' to 3'10"; and,
- Reduce the side interior setback (south side) from the required 7'6" to 3'8".

At its meeting of July 19, 2017, the HPB approved a request to construct a 1,400 sq. ft. one-story addition to the west (rear) side of the existing 2,920 sq. ft. structure. The addition was designed to add new floor area to expand the CRA offices. Minor site improvements were also approved including: a new walkway, site lighting and minor landscape improvements. The addition was not constructed but the minor site improvements are currently underway.

Project Description

The proposal involves the relocation of the single-family residence from 215 NE 7th Avenue to 20 N. Swinton Avenue. The structure would be repurposed from use of a single-family residence to an office. Alterations are proposed to the structure which include removal of the 2-car garage. As the relocation is the most pressing matter, additional requests will come before the Board in the near future including: a request for approval to individually designate the structure listing it on the Local Register of Historic Places; and Class IV Site Plan Modification & COA for building and site alterations once the relocation is completed.

Review and Analysis

Pursuant to Land Development Regulation (LDR) Section 2.4.6(H)(5), prior to approval, a finding must be made that any Certificate of Appropriateness which is to be approved is consistent with Historic Preservation purposes pursuant to Objective A-4 of the Land Use Element of the Comprehensive Plan and specifically with provisions of Section 4.5.1, the Delray Beach Historic Preservation Design Guidelines, and the Secretary of the Interior's Standards for Rehabilitation.

Future Land Use Element Objective A-4: The redevelopment of land and buildings shall provide for the preservation of historic resources. The objective shall be met through continued adherence to the City's Historic Preservation Ordinance and the following policies:

Policy A-4.1: Prior to approval or recommending approval of any land use or development application for property located within a historic district or designated as a historic site, the Historic Preservation Board must make a finding that the requested action is consistent with the provisions of Section 4.5.1 of the Land Development Regulations relating to historic sites and districts and the "Delray Beach Historic Preservation Design Guidelines."

Pursuant to Land Development Regulation (LDR) Section 2.4.5(I)(5), Architectural (appearance) elevations, the Site Plan Review and Appearance Board or the Historic Preservation Board, as appropriate, may approve, approve subject to conditions or deny architectural elevations or plans for a change in the exterior color of a building or structure, or for any exterior feature which requires a building permit.

LDR SECTION 4.5.1

HISTORIC PRESERVATION: DESIGNATED DISTRICTS, SITES, AND BUILDINGS

Pursuant to LDR Section 4.5.1(E), Development Standards, all new development or exterior improvements on individually designated historic properties and/or properties located within historic districts shall, comply with the goals, objectives, and policies of the Comprehensive Plan, the Delray Beach Historic Preservation Design Guidelines, the Secretary of the Interior's Standards for Rehabilitation, and the Development Standards of this Section.

Pursuant to LDR Section 4.5.1(E)(2)(c)(4) – Major Development.

The subject application is considered "Major Development". As the relocation is the most pressing matter additional requests will come before the Board in the near future, which include a request for approval to individually designate the structure listing it on the Local Register of Historic Places, as well as a COA and Class IV Site Plan Modification for building and site alterations once the relocation is completed. A full analysis of the project will be completed at that time.

Pursuant to LDR Section 4.5.1(E)(5) - Standards and Guidelines: a historic site, building, structure, improvement, or appurtenance within a historic district shall only be altered, restored, preserved, repaired, relocated, demolished, or otherwise changed in accordance with the Secretary of the Interior's Standards for Rehabilitation, and the Delray Beach Historic Preservation Design Guidelines, as amended from time to time.

Standard 1

A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

Standard 2

The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Standard 3

Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

Standard 4

Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

Standard 5

Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

Standard 6

Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

Standard 7

Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

Standard 8

Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

Standard 9

New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Standard 10

New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Standards 1, 2, and 9 are applicable to the proposed relocation and modification of the structure.

Standard 1 notes that *“A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.”*

Standard 2 notes that *“the historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided”.*

Standard 9 notes that *“New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.”*

The proposal involves a future change of use from single-family residential to office, placing the structure in a new use. Review of the change of use will occur with a subsequent application for a Class IV Site Plan Modification. The relocation will facilitate preservation of the structure; however, the applicant is proposing to remove the 2-car garage, which exists on the north side of the existing single-family residence, indicating its removal will aid in the relocation of the structure. The existing 2-car garage characterizes the structure as a single-family residence and removal of the garage represents an alteration of character defining features and spaces, which is not minimal. A solution would be to cut the garage from the structure, move it separately and reassemble it or reconstruct the garage in its new location. This item is attached as a condition of approval. Provided the condition of approval is met the proposed relocation can protect the historic integrity of the structure & its environment and the proposal can be found to be compliant with these standards.

Pursuant to LDR Section 4.5.1(E)(6)(c) - Relocation of eligible historic structures into a historic district or on an individually designated site. An eligible historic structure is one which is not presently located within a historic district or is individually designated, and meets the criteria for Individually Designated for listing on the Local Register of Historic Places as outlined in LDR Section 4.5.1(B).

1. When considering the relocation of an eligible historic structure into a historic district, or onto an individually designated site, the Board shall be guided by the following, as applicable:
 - a. Whether the proposed relocation would have a positive effect on other historic sites, buildings, or structures within the historic district into which it will be relocated, or at the new site.
 - b. Whether the new surroundings of the relocated structure would be compatible with its architectural character.
2. When a relocation permit is issued for an eligible historic structure which will be relocated into a historic district, the structure shall be required to be individually designated to the new location for listing on the Local Register of Historic Places prior to receiving the final inspection of the relocation permit.

The proposal involves relocation of an original Samuel Ogren, Sr. designed structure from an area not protected by the historic preservation ordinance. The structure will be situated in the Old School Square Historic District and on a site that is listed on the Local Register of Historic Places. Following the move, the property owner will submit a request to individually designate the structure to the Local Register of Historic Places as well as a site plan application for a change of use. These items are attached as conditions of approval.

It is noted that the structure will not be situated fronting directly on a streetscape, but it will be visible from the east/west alley on the south side of the property and from NW 1st Avenue (across the CRA parking lot to the west). Situating the structure on the CRA property will create a small campus-like feel in that 2 structures will exist on the property.

The proposed relocation can be found to have a positive effect on other historic sites, buildings and structures within OSSHD and will further enrich the property for which it is to be situated. The structure's new surroundings will be compatible with its Frame Vernacular architectural style and character. Specifically, the site for which it will be located contains a Monterey style two-story structure, which is a wood-framed, style that is similar to the subject structure. It is unfortunate that the structure's original setting will change; however, it is positive that the structure will be protected following the relocation. Based upon the above, positive findings can be made.

Pursuant to LDR Section 4.5.1(E)(6)(d) – Relocation - Supplemental requirements. All buildings and structures approved for relocation shall comply with the following:

1. The building to be relocated shall be secured from vandalism and potential weather damage before and after its move, in a manner as approved by the Chief Building Official.
2. All structures approved for relocation and awaiting issuance of a building permit for the new development on the originating site shall be maintained so as to remain in a condition similar to that which existed at the time of the application.
3. All structures to be relocated pursuant to this Section shall comply with the requirements of Section 7.10.11, "Moving of Building: Historic Structures".

The above LDR requirements are applicable to the subject request and will be monitored until the project receives a Certificate of Occupancy.

Pursuant to LDR Section 4.5.1(E)(8) - Visual Compatibility Standards: new construction and all improvements to both contributing and noncontributing buildings, structures and appurtenances thereto within a designated historic district or on an individually designated property shall be visually compatible. In addition to the Zoning District Regulations, the Historic Preservation Board shall apply the visual compatibility standards provided for in this Section with regard to height, width, mass, scale, façade, openings, rhythm, material, color, texture, roof shape, direction, and other criteria set forth elsewhere in Section 4.5.1. Visual compatibility for minor and major development as referenced in Section 4.5.1(E)(2) shall be determined by utilizing criteria contained in (a)-(m) below. Visual

compatibility for all development on individually designated properties outside the district shall be determined by comparison to other structures within the site.

A complete and thorough analysis of the project's compliance with the Visual Compatibility Standards will be conducted upon review of the COA and site plan modification applications for alterations to the structure and associated site improvements for the new development. At this time, however, the structure itself can be deemed compatible with the Old School Square Historic District with respect to its architectural style, size, scale and massing; thus, positive findings can be made.

Review By Others

The development proposal is in a geographic area requiring review by the **Community Redevelopment Agency (CRA)** and the **Downtown Development Authority (DDA)**.

Community Redevelopment Agency (CRA) – The CRA reviewed and approved the request to relocate the structure to 20 N. Swinton Avenue at its meeting of June 11, 2019.

Downtown Development Authority (DDA) – The DDA will review the request and their feedback, if any will be presented at the Historic Preservation Board meeting.

Alternative Actions

- A. Move to continue with direction.
- B. Approve Certificate of Appropriateness (2019-225) request for the property located at **20 North Swinton Avenue, Old School Square Historic District** by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Sections 2.4.6(H)(5) of the Land Development Regulations.
- C. Approve Certificate of Appropriateness (2019-225) request for the property located at **20 North Swinton Avenue, Old School Square Historic District** by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Sections 2.4.6(H)(5) of the Land Development Regulations, subject to the following conditions:
1. That the existing garage be reconstructed or reassembled in its future location at 20 N. Swinton Avenue;
 2. That following the relocation, an application be submitted for the individual designation of the structure to the Local Register of Historic Places; and,
 3. That an application for a change of use and site plan modification be submitted following the relocation of the structure to 20 N. Swinton Avenue.
- D. Deny Certificate of Appropriateness (2019-225) request for the property located at **20 North Swinton Avenue, Old School Square Historic District** by finding that the request is inconsistent with the Comprehensive Plan and meets the criteria set forth in LDR Sections 2.4.6(H)(5) of the Land Development Regulations.

Public and Courtesy Notices

☒ Courtesy Notices are not applicable to this request

☐ Courtesy Notices were provided to the following, at least 5 working days prior to the meeting:

☒ Public Notices are not required for this request.

☐ Public Notice was posted at the property on (insert date), 7 calendar days prior to the meeting.

☐ Public Notice was mailed to property owners within a 500' radius on (6/6/2019), 10 days prior to the meeting.

☐ Public Notice was mailed to the adjacent property owners on (insert date), 20 days prior to the meeting.

☐ Public Notice was published in the (insert publication) on (insert date), 10 calendar days prior to the meeting.

☐ Public Notice was posted to the City's website on (6/6/19)), 10 calendar days prior to the meeting.

☐ Public Notice was posted in the main lobby at City Hall on (insert date), 10 working days prior to the meeting.

☒ Agenda was posted on (6/25/19), 5 working days prior to meeting.