



# CITY OF DELRAY BEACH

## DEPARTMENT OF DEVELOPMENT SERVICES

100 N.W. 1<sup>ST</sup> AVENUE • DELRAY BEACH • FLORIDA 33444 • (561) 243-7040



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### HISTORIC PRESERVATION BOARD STAFF REPORT

#### 49 Palm Square

#### Meeting

July 2, 2025

#### File No.

2025-176

#### Application Type

Certificate of Appropriateness

#### REQUEST

The item before the Board is consideration of a Certificate of Appropriateness (2025-176) for an after-the-fact siding replacement on a contributing single-family structure located at **49 Palm Square, Marina Historic District**.

#### GENERAL DATA

**Owner:** Noel Smith

**Location:** 49 Palm Square

**PCN:** 12-43-46-16-34-000-0641

**Property Size:** 0.23 Acres

**Zoning:** RM (Medium Density Residential)

**LUM Designation:** MD, Medium Density, 5-12 DU/Acre

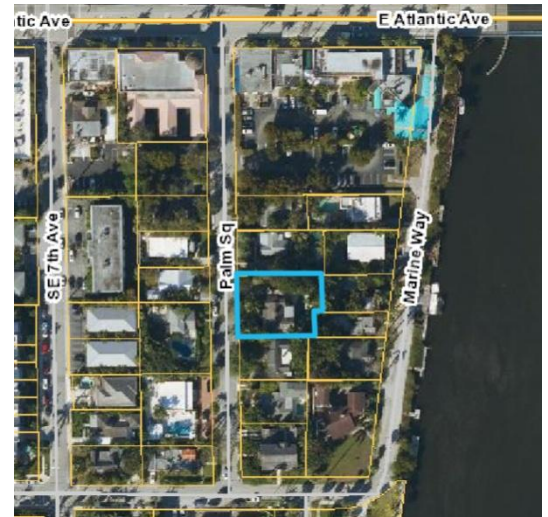
**Historic District:** Marina Historic District

**Adjacent Zoning:**

- RM (Medium Density Residential) (North)
- RM (Medium Density Residential) (West)
- RM (Medium Density Residential) (South)
- RM (Medium Density Residential) (East)

**Existing Land Use:** Residential

**Proposed Land Use:** Residential



#### BACKGROUND AND PROJECT DESCRIPTION

The property is located within the RM (Multi-Family Residential) zoning district and the Marina Historic District, a Nationally and Locally Registered Historic District. The one-story, historic, Minimal Traditional, wood frame residence was built in 1940.

The original one-story residence contained 1,024 square feet, had front facing cross gabled roofs covered in asphalt shingle, horizontal clapboard siding, operable wood louver shutters and an irregular floor plan. There was a brick chimney located towards the rear (West) side of the residence and the height of the residence is approximately 14' (grade to peak).

In 2015, the Historic Preservation Board approved a Certificate of Appropriateness (2015-250) for the hydraulic lifting of the structure in place by approximately 2' foot higher than it is was originally situated, which was below the flood plain at 6' (NGVD) and not meeting FEMA floor height level requirements. The lifting of the structure to 8'-0" (NGVD) allowed it to slightly exceed the FEMA required minimum floor elevations. The property is one block west from the Intracoastal Waterway and flooding has occurred on the site as well as on adjacent properties. The proposal also included:

#### Project Planner:

Michelle Hewett, Historic Planner, hewettm@mydelraybeach.com

#### Review Dates:

HPB: July 2, 2025

#### Attachments:

1. Approved Elevation
2. Photographs
3. Justification Statements

- Creation of two additions on the South side of the existing structure. One is an extension of the bath and guest closet and the other is an extension of the master bedroom;
- An 1,490 square foot addition on the North side of the existing structure for a new kitchen, pantry, laundry;
- A new attached open-air carport at the North side of the existing structure to contain a cabana bath and storage area situated to the rear (East) of the carport and equaling 627 square feet; and,

Alteration of existing window and door openings, as well as the rear porch.

At its meeting of July 19, 2017, the HPB approved a COA (2017-167) to allow a material change for the approved brick chimney to natural coquina stone, to eliminate the proposed trellis feature on the West (front) elevation, to revise the roofline of the front porch, construction of a new covered entrance on the North elevation and revision to the style of the front door.

A code enforcement violation (24-8146) was recently issued for the replacement of existing siding without a building permit nor Certificate of Appropriateness application. A Certificate of Appropriateness application was subsequently submitted on April 28, 2025, for the replacement of the existing clapboard siding with synthetic Azek bevel siding on the existing structure.

At its June 4 meeting, the Historic Preservation Board continued the request for the siding replacement for clarification on the amount of siding that was replaced. The request is for the replacement of all of the existing clapboard siding with synthetic Azek bevel siding on the existing structure.

#### **REVIEW AND ANALYSIS**

Pursuant to Land Development Regulation (LDR) Section 2.4.12(A)(5), prior to approval, a finding must be made that any Certificate of Appropriateness is consistent with Historic Preservation purposes pursuant to Objective HPE 1.4 of the Historic Preservation Element of the Comprehensive Plan; the provisions of Section 4.5.1; the Delray Beach Historic Preservation Design Guidelines; and, the Secretary of the Interior's Standards for Rehabilitation.

#### **ZONING AND USE REVIEW**

##### **Pursuant to LDR Section 4.4.6(B) – Medium Density Residential (RM) Principal Uses and Structures Permitted**

The use of single family residential is a permitted use within the RM zoning district. No changes to the use are proposed with this request.

#### **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)(4) – Alterations:** in considering proposals for alterations to the exterior of historic buildings and structures and in applying development and preservation standards, the documented, original design of the building may be considered, among other factors.

The subject request is for the after-the-fact replacement of the existing wood siding with synthetic Azek siding on the entirety of the contributing structure.

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.

## **SECRETARY OF THE INTERIOR'S STANDARDS**

### **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.**

Standard 2, 5, 6, and 9 are applicable. The existing Minimal Traditional style structure contained horizontal wood siding and the proposal involves replacement of the existing siding with synthetic Azek bevel siding on the entirety of the existing structure. It is noted that the existing wood siding was removed and the new siding has been installed. At their June meeting, the board requested clarification on the extent of the siding replaced, and it has been confirmed that all of the siding has been replaced.

There are concerns with the installed material, as the use of synthetic materials is strongly discouraged on structures within Historic Districts and Individually designated structures. Synthetic siding a modern approach to replicating the appearance of wood siding and while it is a material that could be considered by the board for use on additions such type of material is not regularly utilized on historic structures within Delray Beach historic districts. The structures' wood siding is considered a **distinctive feature, finish, construction technique, and example of craftsmanship that helps to characterize the historic property and they shall be preserved**. However, there has been a recent update to the National Park Services (NPS) Preservation Briefs for "The Use of Substitute Materials on Historic Building Exteriors", which provides information on preserving, rehabilitating, and restoring historic buildings. According to page 5 of the brief, *"Today's available commercial supplies of lumber no longer provide the denser, more decay resistant wood of old-growth forests, so even careful matching to species, which is not always possible, will not yield a replacement equal in performance to the historic material"*. The applicant has stated that the wood siding required frequent maintenance, primarily due to its proximity to intracoastal, which caused faster decay on wood. The NPS Preservation Brief also mentions *"when features with severe exposure need to be replaced or reproduced, substitute materials that are less susceptible to decay can have a longer life, and when the feature is painted, as exterior wood features generally are, the visual effect of a substitute material can be minimal"*. The overall finish of the Azek does not incorporate a wood grain appearance, rather brush strokes are apparent; see the images below. Consideration could be given to a finish that resembles the appearance of wood. The board will need to make a determination that the request is appropriate for the contributing Minimal Traditional structure.



Wood grain on 3 NE 1<sup>st</sup> Avenue



Smooth paint finish on 49 Palm Square

## Secretary of the Interior's Guidelines for Rehabilitation:

### WOOD: CLAPBOARD, WEATHERBOARD, SHINGLES, AND OTHER FUNCTIONAL AND DECORATIVE ELEMENTS

RECOMMENDED	NOT RECOMMENDED
<b>Identifying, retaining, and preserving</b> wood features that are important in defining the overall historic character of the building (such as siding, cornices, brackets, window and door surrounds, and steps) and their paints, finishes, and colors.	<p>Altering wood features which are important in defining the overall historic character of the building so that, as a result, the character is diminished.</p> <p>Replacing historic wood features instead of repairing or replacing only the deteriorated wood.</p> <p>Changing the type of finish, coating, or historic color of wood features</p>

### WOOD: CLAPBOARD, WEATHERBOARD, SHINGLES, AND OTHER FUNCTIONAL AND DECORATIVE ELEMENTS

RECOMMENDED	NOT RECOMMENDED
<b>Repairing</b> wood by patching, splicing, consolidating, or otherwise reinforcing the wood using recognized conservation methods. Repair may include the limited replacement in kind or with a compatible substitute material of those extensively deteriorated or missing components of wood features when there are surviving prototypes, such as brackets, molding, or sections of siding.	<p>Removing wood that could be stabilized, repaired, and conserved, or using untested consolidants and unskilled personnel, potentially causing further damage to historic materials.</p> <p>Replacing an entire wood feature, such as a cornice or balustrade, when repair of the wood and limited replacement of deteriorated or missing components is feasible.</p>
<b>Replacing</b> in kind an entire wood feature that is too deteriorated to repair (if the overall form and detailing are still evident) using physical evidence as a model to reproduce the feature or when the replacement can be based on historic documentation. Examples of such wood features include a cornice, entablature, or a balustrade. If using wood is not feasible, then a compatible substitute material may be considered.	<p>Removing a wood feature that is unrepairable and not replacing it, or replacing it with a new feature that does not match.</p> <p>Using substitute material for the replacement that does not convey the same appearance of the surviving components of the wood feature.</p>
Replacing a deteriorated wood feature or wood siding on a <i>primary</i> or other <i>highly-visible</i> elevation with a new matching wood feature.	Replacing a deteriorated wood feature or wood siding on a <i>primary</i> or other <i>highly-visible</i> elevation with a composite substitute material.

**Pursuant to LDR Section 4.5.1(E)(7) – 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(2) shall be determined by utilizing criteria contained in (a)-(m) below.

- a. **Height:** The height of proposed buildings or modifications shall be visually compatible in comparison or relation to the height of existing structures and buildings in a historic district for all major and minor development. For major development, visual compatibility with respect to the height of residential structures, as defined by 4.5.1(2)(a), shall also be determined through application of the Building Height Plane.



- b. **Front Facade Proportion:** The front facade of each building or structure shall be visually compatible with and be in direct relationship to the width of the building and to the height of the front elevation of other existing structures and buildings within the subject historic district.
- c. **Proportion of Openings (Windows and Doors):** The openings of any building within a historic district shall be visually compatible with the openings exemplified by prevailing historic architectural styles of similar buildings within the district. The relationship of the width of windows and doors to the height of windows and doors among buildings shall be visually compatible within the subject historic district.
- d. **Rhythm of Solids to Voids:** The relationship of solids to voids of a building or structure shall be visually compatible with existing historic buildings or structures within the subject historic district for all development, with particular attention paid to the front facades.
- e. **Rhythm of Buildings on Streets:** The relationship of buildings to open space between them and adjoining buildings shall be visually compatible with the relationship between existing historic buildings or structures within the subject historic district.
- f. **Rhythm of Entrance and/or Porch Projections:** The relationship of entrances and porch projections to the sidewalks of a building shall be visually compatible with existing architectural styles of entrances and porch projections on existing historic buildings and structures within the subject historic district for all development.
- g. **Relationship of Materials, Texture, and Color:** The relationship of materials, texture, and color of the facade of a building and/or hardscaping shall be visually compatible with the predominant materials used in the historic buildings and structures within the subject historic district.
- h. **Roof Shapes:** The roof shape, including type and slope, of a building or structure shall be visually compatible with the roof shape of existing historic buildings or structures within the subject historic district. The roof shape shall be consistent with the architectural style of the building.
- i. **Walls of Continuity:** Walls, fences, evergreen landscape masses, or building facades, shall form cohesive walls of enclosure along a street to ensure visual compatibility with historic buildings or structures within the subject historic district and the structure to which it is visually related.
- j. **Scale of a Building:** The size of a building and the building mass in relation to open spaces, windows, door openings, balconies, porches, and lot size shall be visually compatible with the building size and mass of historic buildings and structures within a historic district for all development. To determine whether the scale of a building is appropriate, the following shall apply for major development only:
  - a. For buildings wider than sixty percent (60%) of the lot width, a portion of the front façade must be setback a minimum of seven (7) additional feet from the front setback line:
  - b. For buildings deeper than fifty percent (50%) of the lot depth, a portion of each side façade, which is greater than one story high, must be setback a minimum of five (5) additional feet from the side setback line:
- k. **Directional Expression of Front Elevation:** A building shall be visually compatible with the buildings, structures, and sites within a historic district for all development with regard to its directional character, whether vertical or horizontal.
- l. **Architectural Style:** All major and minor development shall consist of only one (1) architectural style per structure or property and not introduce elements definitive of another style.

**m. Additions to individually designated properties and contributing structures in all historic districts: Visual compatibility shall be accomplished as follows:**

- 1. Additions shall be located to the rear or least public side of a building and be as inconspicuous as possible.**
- 2. Additions or accessory structures shall not be located in front of the established front wall plane of a historic building.**
- 3. Characteristic features of the original building shall not be destroyed or obscured.**
- 4. Additions shall be designed and constructed so that the basic form and character of the historic building will remain intact if the addition is ever removed.**
- 5. Additions shall not introduce a new architectural style, mimic too closely the style of the existing building nor replicate the original design but shall be coherent in design with the existing building.**
- 6. Additions shall be secondary and subordinate to the main mass of the historic building and shall not overwhelm the original building.**

With respect to **Relationship of Materials and Color** the subject proposal consists of the use of synthetic Azek bevel siding to replace existing wood siding on the existing contributing single-family residence. As previously mentioned, the Board requested clarification on the amount of siding replaced, which was confirmed to be a complete replacement for the entire structure. Recent renovations included approval for the use of authentic wood siding replacement, seen in the image below, all of which has been removed:



Given the Secretary of the Interior's Standards and Guidelines, the recommended approach for the replacement and repairing of siding, the use of synthetic materials is discouraged for use on a historic structure. As previously mentioned, however, there have been updates to NPS Preservation Briefs which recommend alternate solutions with regard to modern requirements. Composite materials such as Hardie-board, have been approved by the board on a case-by-case basis for use on non-contributing structures or additions to historic buildings when not visible from a public right-of-way. A common aspect of composite material that has been deemed appropriate for use on non-contributing additions or structures within historic districts is the appearance of a wood grain texture, which aids in emulating the appearance of wood siding. The subject structure now contains composite Azek material that has a smooth painted finish rather than a wood grain texture. The Visual Compatibility Standards

recommended approach for siding is **that the relationship of materials, texture, and color of the facade of a building and/or hardscaping shall be visually compatible with the predominant materials used in the historic buildings and structures within the subject historic district.** The Delray Beach Historic Preservation Design Guidelines **do not recommend removal of major portions of wood from a façade instead of replacing or repairing the deteriorated wood.** There is concern, as the entirety of the wood siding has been removed.

**Not Recommended:**

- Unnecessarily removing a major portion of wood from a façade instead of replacing or repairing the deteriorated wood.
- Stripping painted surfaces to bare wood to achieve a “natural” effect.
- Failing to identify the underlying cause(s) of wood deterioration. Conditions such as faulty flashing, leaking gutters, cracks and holes in the siding, deteriorated caulking in joints and seams, plant material and weeds, insect and fungus infestation are some root causes of wood deterioration. Without the treatment of the cause, the destruction will continue.
- Creating a false architectural appearance by adding or eliminating detail(s).
- Applying synthetic materials that conceal building materials. Sidings, such as vinyl or aluminum, can mask the advance of termite infestation or wood rot. Severe moisture problems may occur because siding traps moisture in the wall cavity.
- Painting surfaces that were originally natural.



*An example of weatherboard siding*



*Board and batten siding*

Consideration could be given to the utilization of a non-authentic alternatives on portions of the building not visible from the public right-of-way along with the overall finish of the siding. Typically, a request for siding replacement is reviewed by staff at the administrative level. However, since the project has already been completed and the non-authentic material has been utilized, the application must be reviewed by the board in order to make a determination that the request is appropriate for the contributing structure and compatible to the Marina Historic District. Additionally, a further complication of the Azek material that has been utilized is that it does not have a current Notice of Acceptance (NOA). Either a NOA or letter, provided and signed by a licensed professional, indicating that the installed material meets the Florida Building Code is required and necessary for building permit approval in order to comply with engineering and Florida Building Code hurricane wind load requirements. Such will need to be provided for building permit approval.

The board will need to make a determination that the material is appropriate for use on the historic, contributing structure.

## COMPREHENSIVE PLAN

**Pursuant to the Historic Preservation Element (HPE), Objective 1.4, Historic Preservation Planning: Implement appropriate and compatible design and planning strategies for historic sites and properties within historic districts.**

The objective shall be met through continued adherence to the City’s Historic Preservation Ordinance and, where applicable, to architectural design guidelines through the following policies:

**HPE Policy 1.4.1 - Continue to require that the Historic Preservation Board make findings that any land use or development application for a historic structure, site or within a historic district,**



is consistent with the provisions of the Secretary of the Interior's Standards for Rehabilitation, the Land Development Regulations, and Delray Beach Historic Preservation Design Guidelines. The proposal is for an after-the-fact installation of Azek siding. The board will need to make a determination that the request can be found to be consistent with the provisions of LDR Section 4.5.1 relating to historic sites and districts as well as the Secretary of the Interior's Standards and the Delray Beach Historic Preservation Design Guidelines.

<b>ALTERNATIVE ACTIONS</b>
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- A. Move to continue with direction.
- B. Approve Certificate of Appropriateness (2025-176), for the property located at **49 Palm Square, Marina Historic District**, by finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations.
- C. Approve Certificate of Appropriateness (2025-176), for the property located at **49 Palm Square, Marina Historic District**, by finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations, subject to the following conditions:
- D. Deny Certificate of Appropriateness (2025-176), for the property located at **49 Palm Square, Marina Historic District**, by finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in the Land Development Regulations.

<b>PUBLIC AND COURTESY NOTICES</b>
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<input checked="" type="checkbox"/> Courtesy Notices were provided to the following, at least 5 working days prior to the meeting:  Marina Historic District Homeowners Association	<input checked="" type="checkbox"/> Public Notices are not required for this request. <input checked="" type="checkbox"/> Agenda was posted on (6/25/25), 5 working days prior to the meeting.
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<b>TAC Timeline Table</b>
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Review No.	Submittal Date	TAC Comments Transmitted	Fee Due with Next Submittal?:
1	4/28/2025	N/A Board Ready 4/28/2025	No <u>  X  </u> Yes <u>      </u> Amount: <u>      </u>