



HISTORIC PRESERVATION BOARD STAFF REPORT

228 NE 5th Street

Meeting	File No.	Application Type
September 4, 2024	2024-172	Certificate of Appropriateness

REQUEST

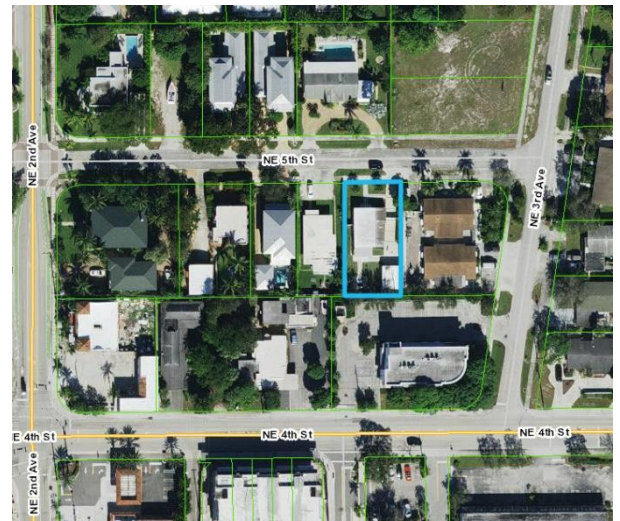
The item before the Board is consideration of a Certificate of Appropriateness (2024-172) for the replacement of windows on a contributing single-family structure located at **228 NE 5th Street, Del-Ida Park Historic District.**

GENERAL DATA

Owner Samuel, Angela, & Derick Marsh
Location: 228 NE 5th Street
PCN: 12-43-46-09-29-007-0111
Property Size: 0.1653 Acres
Zoning: RL – Multiple Family Residential
LUM Designation: LD (Low Density Residential)
Historic District: Del-Ida Park Historic District
Adjacent Zoning:

- RL - Multiple Family Residential-Low Density (North)
- RL - Multiple Family Residential-Low Density (West)
- RL - Multiple Family Residential-Low Density (West)
- RL - Multiple Family Residential-Low Density (East)

Existing Land Use: Residential
Proposed Land Use: Residential



BACKGROUND AND PROJECT DESCRIPTION

The 0.1653-acre subject property contains a single-family one story structure located within the Locally designated Del-Ida Park Historic District. The structure was designed in the Mid-Century architectural style in 1954. The structure contains windows with exterior metal jalousies, a slight-angle butterfly roofline, and a projecting eyebrow over the front door and set of windows.

According to the 2020 Del-Ida Park Historic District Survey, “The Del-Ida Park Historic District is a 14-block suburban residential area just four blocks north of the heart of downtown Delray Beach. It consists of primarily single-family, one-story residences, and several duplex structures that were built during the 1950s and 1960s. The original plat was laid out in an interesting and unusual fashion, combining a rectangular grid with a series of diagonal streets. Most notable is Dixie Boulevard, which serves as the main concourse in the development, having been laid out 20 feet wider than the rest of the streets. The combination of rectangular and diagonal street design produces a series of unusual triangular blocks and lots with varying street frontage.”

The request before the board is the replacement of the existing windows with white aluminum framed gray window glass on the existing contributing structure.

Project Planner: Katherina Paliwoda, Historic Planner, paliwodak@mydelraybeach.com Michelle Hoyland, Principal Planner, hoylandm@mydelraybeach.com	Review Dates: HPB: September 4, 2024	Attachments: 1. Photographs 2. Color and Materials
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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 4.45(B) – Low Density Residential (RL) Principal Uses and Structures Permitted

The use of single family residential is a permitted use within the RL zoning district. No changes to the use are proposed at this time.

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 replacement of the existing glass with gray tinted glass on the existing 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 1, 2, 5, and 6 are applicable. The existing Mid-century structure is currently used as a single-family residence, as it was originally constructed. The subject proposal consists of replacement of the existing windows to gray tinted glass. The glass color is considered a **distinctive feature, finish, construction technique, and example of craftsmanship that helps to characterize the historic property and they shall be preserved.**

There is concern with changing the window glass color of a historic structure as tinted windows would not have been utilized during the timeframe when this structure was constructed. It is also noted that since the structure is a contributing historic resource within the Del-Ida Park Historic District, it is exempted from meeting the energy code requirements. This means that the glass color can be clear with no tint nor reflectivity by building code standards. The board will need to make a determination that the request is appropriate for the contributing Mid-Century Modern structure.

Secretary of the Interior’s Guidelines for Rehabilitation:

WINDOWS	
RECOMMENDED	NOT RECOMMENDED
<p>Identifying, retaining, and preserving windows and their functional and decorative features that are important to the overall character of the building. The window material and how the window operates (e.g., double hung, casement, awning, or hopper) are significant, as are its components (including sash, muntins, ogee lugs, glazing, pane configuration, sills, mullions, casings, or brick molds) and related features, such as shutters.</p>	<p>Removing or substantially changing windows or window features which are important in defining the overall historic character of the building so that, as a result, the character is diminished.</p> <p style="border: 2px solid red; padding: 5px;">Changing the appearance of windows that contribute to the historic character of the building by replacing materials, finishes, or colors which noticeably change the sash, depth of the reveal, and muntin configurations; the reflectivity and color of the glazing; or the appearance of the frame.</p> <p>Obscuring historic wood window trim with metal or other material.</p> <p>Replacing windows solely because of peeling paint, broken glass, stuck sash, or high air infiltration. These conditions, in themselves, do not indicate that windows are beyond repair.</p>

WINDOWS	
<p>Replacing in kind an entire window that is too deteriorated to repair (if the overall form and detailing are still evident) using the physical evidence as a model to reproduce the feature or when the replacement can be based on historic documentation. If using the same kind of material is not feasible, then a compatible substitute material may be considered.</p>	<p>Removing a character-defining window that is unrepairable or is not needed for the new use and blocking up the opening, or replacing it with a new window 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 window or that is physically incompatible.</p>
<p>Modifying a historic single-glazed sash to accommodate insulated glass when it will not jeopardize the soundness of the sash or significantly alter its appearance.</p>	<p>Modifying a historic single-glazed sash to accommodate insulated glass when it will jeopardize the soundness of the sash or significantly alter its appearance.</p>
<p>Using low-e glass with the least visible tint in new or replacement windows.</p>	<p>Using low-e glass with a dark tint in new or replacement windows, thereby negatively impacting the historic character of the building.</p>
<p>Using window grids rather than true divided lights on windows on the upper floors of high-rise buildings if they will not be noticeable.</p>	<p>Using window grids rather than true divided lights on windows in low-rise buildings or on lower floors of high-rise buildings where they will be noticeable, resulting in a change to the historic character of the building.</p>
<p>Ensuring that spacer bars in between double panes of glass are the same color as the window sash.</p>	<p>Using spacer bars in between double panes of glass that are not the same color as the window sash.</p>
<p>Replacing all of the components in a glazing system if they have failed because of faulty design or materials that have deteriorated with new material that will improve the window performance without noticeably changing the historic appearance.</p>	<p>Replacing all of the components in a glazing system with new material that will noticeably change the historic appearance.</p>
<p>Replacing incompatible, non-historic windows with new windows that are compatible with the historic character of the building; or reinstating windows in openings that have been filled in.</p>	

Delray Beach Historic Preservation Design Guidelines:

WINDOWS

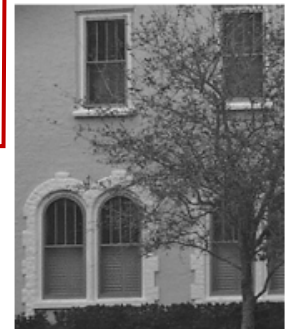
Windows are a preeminent character-defining feature of a building. Their placement, design and materials serve to articulate and give definition to the design-specific styles and periods of time. For example: in Bungalows, there are usually multiple panes in the upper window sash, and in Mediterranean Revival designs, windows are frequently arched.

When windows cannot be repaired, any replacement design should take into consideration the features of the original, including:

- Trim detail;
- Material;
- Size and shape of frame and opening;
- Reveal or setback of the window from the wall plane;
- Light configuration;
- Whether the horizontal line of the sash is on the same, or different, plane;
- The color and reflective qualities of the glass; and
- The muntin and mullion profiles and their configuration.

Not Recommended:

- Cutting new openings, altering existing openings, blocking windows, and installing a replacement sash that does not fit the window.
- Changing the historic appearance through inappropriate design materials or adding a finish or color that changes the sash, depth of reveal, the reflectivity, or the appearance of the frame.
- Replacing viable windows rather than maintaining the original. Bronze, black frame, or tinted windows are not preferred choices.
- New Construction: In selecting windows for an infill design in a historic district, flat "snap in" muntins **should not be used** to simulate the division of window panes. Any such divisions should be created with muntins that create a true profile.



Flat and arched double-hung sash windows on a Mediterranean Revival house

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.

- 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.
- 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.
- 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.
- 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.
- 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 replacement of the structure's existing windows with new aluminum framed windows with grey glass. The type of glass utilized is based upon the availability of materials at the time the structure was constructed, which was clear with no tint. The Visual Compatibility Standards recommended approach for window replacement 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.** Further, the Secretary of the Interiors Standards and Guidelines, do not recommend **changing the appearance of windows that contribute to the historic character of the building by replacing materials, finishes, or colors including those which notably change the reflectivity and color of the glazing.** Rather, the recommended approach is to utilize materials that match **the old in design, color, texture, and other visual qualities and, where possible, materials.**

There is no concern regarding the proposed frames, as they are to be white frame aluminum, which can be considered appropriate for this structure. It is noted that board has provided guidance to staff regarding window and glass materials to ensure the use of clear glass for contributing structures. Typically, a request for window replacement is reviewed by staff at the administrative level via the city Building Permit process. However, since the request is for the use of grey tinted windows the application is before the board for review. The board will need to make a determination that the request is appropriate for the contributing Mid-Century Modern structure and compatible to the historic district.

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 the replacement of windows. 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.

ALTERNATIVE ACTIONS

- A. Move to continue with direction.
- B. Approve Certificate of Appropriateness (2024-172), for the property located at **228 NE 5th Street, Del-Ida Park 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 (2024-172), for the property located at **228 NE 5th Street, Del-Ida Park 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 (2024-172), for the property located at **228 NE 5th Street, Del-Ida Park 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.

PUBLIC AND COURTESY NOTICES	
<input checked="" type="checkbox"/> Courtesy Notices are not applicable to this request	<input checked="" type="checkbox"/> Public Notices are not required for this request. <input checked="" type="checkbox"/> Agenda was posted on (08/27/24), 5 working days prior to the meeting.