



Development Services Department

BOARD ACTION REPORT – APPEALABLE ITEM

Project Name: 201 NE 5th Court
Project Location: 201 NE 5th Court, Del-Ida Park Historic District
Request: Certificate of Appropriateness (2019-278)
Board: Historic Preservation Board
Meeting Date: November 6, 2019

Board Action:

Denied Certificate of Appropriateness (2019-278), for the property located at **201 NE 5th Court, 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

Project Description:

The subject property (Lots 3 and 4, Block 9, Del-Ida Park) is located in the Del-Ida Park Historic District at the northwest corner of NE 2nd Avenue and NE 5th Court. The property contains a 1,110 square foot, one-story, single-family residence in the Masonry Vernacular style and was built in 1948. The structure is classified as non-contributing to the historic district.

In November of 2018, Historic Preservation Board (HPB) approved the Certificate of Appropriateness 2018-209, for the renovation of the existing structure, construction of a new 555 sq. ft. addition and new garage and guest house to the existing non-contributing structure for the property located at **201 NE 5th Court, Del-Ida Park Historic District**.

The item before the board is for replacement of the existing 6' high wood fence on the north and east sides of the property with an 8' high PVC fence, construction of a new 4' high PVC fence on the in the front setback areas of the north and east property lines, and installation of a new PVC fence gate & arbor at the southeast corner of the property.

Board Comments:

The Board comments were unresponsive.

Public Comments:

One member of the public spoke against the project.

Associated Actions: All required actions were taken.

Next Action: HPB action is final unless appealed by the City Commission.



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING
100 NW 5TH AVENUE, DELRAY BEACH, FLORIDA 33444
(561) 243-7040

HISTORIC PRESERVATION BOARD STAFF REPORT

201 NE 5th Court

Meeting	File No.	Application Type
November 6, 2019	2019-287	Certificate of Appropriateness

REQUEST

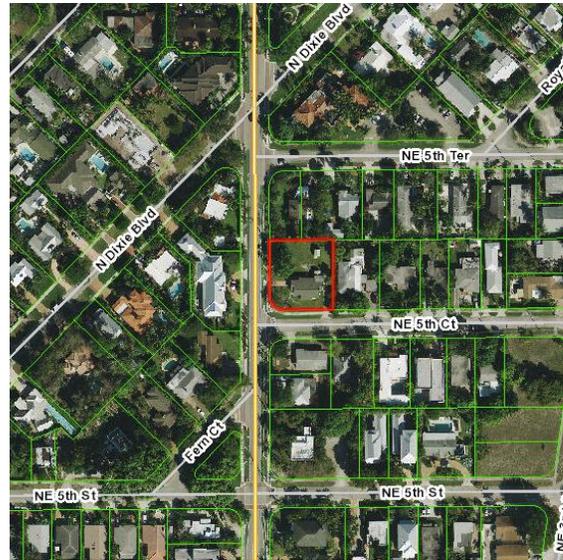
The item before the Board is consideration of a Certificate of Appropriateness (2019-278) request associated with the installation of a PVC fence, gate, arbor, and porch handrail associated with the existing non-contributing single-family residence located at **201 NE 5th Court, Del-Ida Park Historic District**.

GENERAL DATA

Agent: Ron Brito/Enterprise Contractors, Inc.
Owner: Rochelle Greenberg
Location: 201 NE 5th Court
PCN: 12-43-46-09-29-009-0030
Property Size: 0.3 Acres
Zoning: RL (Low Density Residential)
Historic District: Del-Ida Park Historic District
FLUM: LD (Low Density)
Adjacent Zoning:

- RL - Low Density Residential (North)
- R-1-AA - Single Family Residential (West)
- RL - Low Density Residential (South)
- RL - Low Density Residential (East)

Existing Land Use: Residence
Proposed Land Use: Residence



BACKGROUND AND PROJECT DESCRIPTION

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Project Planner: Project Planners: Katherina Paliwoda, Planner PaliwodaK@mydelraybeach.com	Review Dates: HPB: November 6, 2019	Attachments: 1. Photos 2. Plan
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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.

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)(3)(a)(1.)(c)&(d) – Fences and Walls, over four feet shall not be allowed in front or side street setbacks. Non-historic and/or synthetic materials are discouraged, particularly when visible from a public right-of-way.

The proposal includes the replacement of the existing board-on-board, wood 6' high fence with a 4' high and 8' high woodgrain PVC fence on the north and east sides of the property. In addition, the proposal also includes traditional white PVC to be used for the gate, arbor, and porch handrail on the property. It is noted that all proposed materials are synthetic and not appropriate for use within an historic district however, the 8' high wood grain fence would make the materials appear to be more visually compatible with the historic district. Additionally, the applicant requested the use of PVC materials for the columns of the porch when the HPB reviewed the project at their meeting of November 7, 2018. An added condition of approval was that the columns be metal or wood. The board felt that the use of vinyl or PVC material was not authentic for use in the Del-Ida Park Historic District. An added condition of approval is that the porch railings be metal or wood.

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.

The Delray Beach Historic Preservation Design Guidelines note the following with respect to Fences and Walls:

“Fencing, and garden and retaining walls add distinction to individual buildings and historic districts. They serve a practical purpose of forming property line boundaries, and to distinguish lines between the yard, sidewalk and street. Whenever possible, the original walls and/or fences should be preserved.

New materials, some of them synthetic, may be approved on a case-by-case basis.”

With regards to fence style, the proposed fence material to be installed along the entire property, replacing the existing wood fence will be a wood grain colored PVC material. This improvement will give the appearance of a wood style fence.

With regard to the Relationship of Materials, Texture, and Color: the 4' and 8' high fencing, gate, arbor, and porch handrail are all proposed to use PVC, which is a synthetic material and not appropriate for use within an historic district. The style of the material for the 8' PVC high fence is designed to look like wood, which helps give it a more visually compatible feel within the area and will also not be visible from the public right-of-way. The 4' high PVC fence will be visible from the adjacent rights-of-way and does not meet the requirements of the code. With respect, to the traditional white style PVC material that is proposed for the gate, porch handrail, and

arbor, these are all visible from the road on both the west and south sides of the property. A white A wood picket fence has already been approved on the south and west sides of the property. The proposed white PVC gate awaiting approval will provide entrance to the area enclosed by the white picket fence. Added conditions of approval are that the 4' high PVC fence, gate, arbor, and porch railings be wood or metal.

COMPREHENSIVE PLAN

Pursuant to the 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, where applicable, to architectural design guidelines through the following policies:

Future Land Use Objective A-1 Property shall be developed or redeveloped, in a manner so that the future use, intensity and density are appropriate in the LDs of soil, topographic, and other applicable physical considerations; encourage affordable goods and services; are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs.

The development proposal involves the replacement of a fence surrounding the existing non-contributing structure. There are no concerns with respect to soil, topographic or other physical considerations. With respect to the adjacent land uses, the property is in an area surrounded by a residential uses. The proposal is consistent with the subject Objective.

Future Land Use 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 Design Guidelines”.

Provided the conditions of approval are met, the proposal will be consistent with the requirements of the Comprehensive Plan as the request can be considered to be consistent with the provisions of LDR Section 4.5.1 relating to historic sites and districts as well as the “Delray Beach Historic Preservation Design Guidelines”.

ALTERNATIVE ACTIONS

- A. Move to continue with direction
- B. Approve Certificate of Appropriateness (2019-278), for the property located at **201 NE 5th Court, 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 (2019-278), for the property located at **201 NE 5th Court, 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:
 - 1. That the porch railings be metal or wood;
 - 2. That the 4' high PVC fence be metal or wood; and,
 - 3. That the fence gates and arbor be metal or wood.
- D. Deny Certificate of Appropriateness (2019-278), for the property located at **201 NE 5th Court, 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

Courtesy Notices are not applicable to this request

Public Notices are not required for this request.

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

Agenda was posted on (10/30/19), 5 working days prior to meeting.

Del-Ida Park Homeowners Association



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