



CITY OF DELRAY BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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



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HISTORIC PRESERVATION BOARD STAFF REPORT

321 N. Swinton Avenue

Meeting

June 7, 2023

File No.

2023-158

Application Type

Certificate of Appropriateness

REQUEST

The item before the Board is consideration for a Certificate of Appropriateness (2022-294) request for the installation of a PVC fence associated with an existing contributing single-family residence on the property located at **321 N. Swinton Avenue, Old School Square Historic District.**

GENERAL DATA

Owner: Tom Sedita

Agent: Mateo Encinosa

Location: 321 N. Swinton Avenue

PCN: 12-43-46-17-49-058-0051

Property Size: 0.23 Acres

Zoning: OSSHAD

FLUM: Historic Mixed Use (HMU)

Historic District: OSSHD

Adjacent Zoning:

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

Existing Land Use: Residential

Proposed Land Use: Residential



BACKGROUND AND PROJECT DESCRIPTION

The contributing property is zoned Old School Square Historic Arts District and is within the Locally and Nationally Designated Old School Square Historic District. The 2-story house is a fine example of Mediterranean Revival Architecture with Mission style elements. The exterior massing of the main residence is irregular and has flat roofs together with shaped parapet walls. The 2-story section of the home has a hipped roof with jig-sawn exposed rafter tails. The chimney has a parabolic chimney cap. The entrance to the home occurs at the side of the enclosed porch adjacent to the porte-cochere (south elevation). The 2-story garage in the rear is similar in architectural style with Mission style elements.

The subject property contains two residential structures, one main residence and one converted garage with apartments located on a lot measuring 100' x 131'. The structures were originally built or completed in 1928 according to city building permit Yellowcards and were listed as having three apartments, however the 1926 Sanborn maps indicates both structures were there in 1926. The Florida Master Site file indicates the construction year as circa 1925.

Project Planner:

Katherina Paliwoda, Planner, paliwodak@mydelraybeach.com
Michelle Hewett, Planner, hewettm@mydelraybeach.com

Review Dates:

June 7, 2023

Attachments:

1. Plans, Survey, & Renderings
2. Photographs
3. Color & Materials
4. Justification Statements
5. NOAs

On October 7, 2015, HPB approved the rehabilitation of the historic residences including a 594 square foot addition to the main residence returning it to a single-family residence. The addition included a master bedroom suite, pantry, breakfast room and laundry room. Alterations to the garage included a 45 square foot addition on the south elevation (first level), which modernized the two efficiency (studio) style apartments. A small balcony was added to the north elevation of the garage (second level) and was enclosed by a bronze picket railing system. The improvements were constructed, and a Certificate of Occupancy was issued in 2019.

The request before the board is for the replacement of a wood fence with a 4' and 6' high masonry wall and PVC fence to the front, side and rear portions of the property.

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 1.4 of the Historic Preservation 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.

ZONING USE AND REVIEW

Pursuant to LDR Section 4.4.24(F)(1) – Old School Square Historic Arts District (OSSHAD) Development Standards:

The existing use is a single-family residence, which is a permitted use within the OSSHAD zoning district.

Pursuant to LDR Section 4.6.14 – Sight Visibility – Driveway intersecting street or alley. The are on both sides of a driveway formed by the intersection of a driveway and a street or alley with a length of ten feet along the driveway, a length of ten feet along the street or alley right-of-way and the third side being a line connecting the ends of the other two lines.

All proposed fencing is to be located outside of site visibility triangles, both in the front and rear of the property.

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 4.5.1E(2) – Major and Minor Development.

The subject application is considered "Minor Development" as it involves the modification of less than 25 percent of the existing contributing single-family residence.

Pursuant to LDR Section 4.5.1E(3) – Buildings, Structures, Appurtenances and Parking: Buildings, structures, appurtenances and parking shall only be moved, reconstructed, altered, or maintained, in accordance with this chapter, in a manner that will preserve the historical and architectural character of the building, structure, site, or district:

Appurtenances: Appurtenances include, but are not limited to, stone walls, fences, light fixtures, steps, paving, sidewalks, signs, and accessory structures.

Fences and Walls: The provisions of Section 4.6.5 shall apply, except as modified below:

- a. Chain-link fences are discouraged. When permitted, chain-link fences shall be clad in a green or black vinyl and only used in rear yards where they are not visible from a public right of way, even when screened by a hedge or other landscaping.
- b. Swimming pool fences shall be designed in a manner that integrates the layout with the lot and structures without exhibiting a utilitarian or stand-alone appearance.
- c. Fences and walls over four feet (4') shall not be allowed in front or side street setbacks.
- d. Non-historic and/or synthetic materials are discouraged, particularly when visible from a public right of way.
- e. Decorative landscape features, including but not limited to arbors, pergolas, and trellises shall not exceed a height of eight feet (8') within the front or side street setbacks.

The proposal includes the replacement of the existing 6' tall wood fencing with a 4' high masonry wall with an aluminum gate at the front entrance, a 6' masonry wall behind the front setback and along the north side, and a 6' PVC fence around the northern most driveway in the rear. There is concern with the use of PVC as it is a synthetic material, which is discouraged particularly when visible from a public right-of-way.

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 installation of a masonry wall and PVC fencing along portions of the existing contributing residence property. The structure has been considered with respect to the proposed improvements.

SECRETARY OF THE INTERIORS STANDARDS

Pursuant to LDR Section 4.5.1(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.

Standard 1, 2, 5, 9, and 10 are applicable to this request. The proposal includes the removal of the existing wood fencing for the installation of a masonry wall and PVC fence to portions of the site of the existing contributing single-family residence. Regarding standard 1 and 2, the proposal is for residential use, which is the current use of the structure and is considered appropriate to the historic district and zoning. The request will include the removal of the existing wood fencing.

Regarding standard 9 and 10, no other portions of the proposal include modifications to historic materials or are anticipated to affect the existing historic structures. The fencing around the front (N. Swinton Avenue), and north side are visible from the public right-of-way and proposed to be masonry wall. The PVC fencing is proposed along the rear which faces the alley. There is no concern regarding the use of masonry, as that is considered an appropriate material for historic sites. There is concern, however, regarding the use of synthetic materials, as it is not considered an appropriate material in historic districts within Delray Beach. PVC is considered a conjectural feature and historically inappropriate for the site. Appropriate materials include wood, brick, stone, or metal. It is up to the board's discretion to determine if the request or potential configurations of the request are considered appropriate and consistent with the regulations and guidelines utilized for historic structures/districts in the City of Delray Beach.

BUILDING SITE

RECOMMENDED	NOT RECOMMENDED
<p>Replacing in kind an entire feature of the site 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. Examples could include a walkway or a fountain, a land form, or plant material. If using the same kind of material is not feasible, then a compatible substitute material may be considered.</p>	<p>Removing a character-defining feature of the site that is unrepairable and not replacing it, or replacing it with a new feature that does not match.</p> <p>Using a substitute material for the replacement that does not convey the same appearance of the surviving site feature or that is physically or ecologically incompatible.</p> <p>Adding conjectural landscape features to the site (such as period reproduction light fixtures, fences, fountains, or vegetation) that are historically inappropriate, thereby creating an inaccurate appearance of the site.</p>





Pursuant to LDR Section 4.5.1I(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 4.5.1I(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 4.5.1I(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.

Regarding the visual compatibility standard of Walls of Continuity, the proposed PVC fencing and masonry walls are to match the opaque appearance of the existing fencing on the property, keeping the same visual impact. Regarding **the Relationship of Materials, Texture, and Color**, the proposal includes the removal of the existing wood fencing for masonry and PVC. PVC fencing is proposed to emulate the appearance of authentic wood in shape, texture, and color. As previously mentioned, the use of synthetic materials is discouraged for use within a historic district when visible from the public right-of-way. According to the Delray Beach Historic Preservation Design Guidelines, Frame vernacular structures are compatible with picket style wood fencing and Mediterranean and mission style structures are most compatible with masonry.

FENCES AND WALLS	SCREENING OF PARKING LOTS
<p>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.</p> <ul style="list-style-type: none">For Colonial Revival and some vernacular designs, wooden pickets are a good choice for fencing.For Mediterranean Revival or Mission style buildings, simple masonry walls are appropriate.When masonry walls are finished with stucco, the texture and finish found on the main building should be repeated on the new walls.Chain-link fences clad in a green vinyl may only be used in rear yards, or where they are not visible from the street.  <p>Textured stucco on masonry walls should match the textured stucco on the main building.</p>  <p>Picket fencing is appropriate for this Frame Vernacular house.</p> <ul style="list-style-type: none">New materials, some of them synthetic, may be approved on a case-by-case basis.	<p>The city of Delray Beach has enacted a Landscape Ordinance that establishes the minimum standards for the screening of parking lots. Fencing, walls or landscape buffers are appropriate solutions.</p>  <p>Two examples of the use of landscaping to screen parking lots on commercial properties.</p> 

The applicant has indicated that the purpose of using PVC instead of replacing the wood is for longevity. Consideration can be given to using authentic materials in the front and side of the property and use of other materials for the rear or portions of the property not visible from the public right-of-way.

SITE PLAN TECHNICAL ITEMS

1. Revise the plans to illustrate and dimension the proposed wall on the west side (front) of the site with a minimum 25' setback.; and
2. Revise plans to illustrate the required site visibility triangles per LDR Section 4.6.14 for the proposed fencing on the east side (rear) of the property.

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 development proposal involves the installation of a masonry wall and PVC fencing around the perimeter of the property. 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 various uses within the mixed-use zoning. The board will need to make a determination that the proposal can be found to be consistent with the requirements of this policy.

ALTERNATIVE ACTIONS

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| <p>A. Move to continue with direction.</p> <p>B. Approve Certificate of Appropriateness (2023-158), for the property located at 321 N. Swinton Avenue, Old School Square 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.</p> <p>C. Approve Certificate of Appropriateness (2023-158), for the property located at 321 N. Swinton Avenue, Old School Square 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:</p> <p>D. Deny Certificate of Appropriateness (2023-158), for the property located at 321 N. Swinton Avenue, Old School Square 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.</p> |
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PUBLIC AND COURTESY NOTICES	
<p><input checked="" type="checkbox"/> Courtesy Notices are not required for this request.</p>	<p><input checked="" type="checkbox"/> Public Notices are not required for this request.</p> <p><input checked="" type="checkbox"/> Agenda was posted on 5/31/23, 5 working days prior to meeting.</p>