



**HISTORIC PRESERVATION BOARD STAFF REPORT**

**219 N. Swinton Avenue**

| Meeting        | File No. | Application Type               |
|----------------|----------|--------------------------------|
| August 3, 2022 | 2022-154 | Certificate of Appropriateness |

**REQUEST**

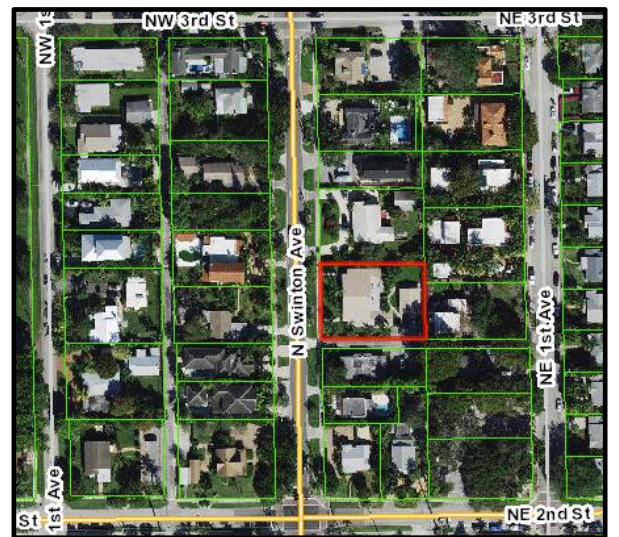
The item before the Board is consideration of a Certificate of Appropriateness (2022-154) request for a 465 square-foot rear addition and exterior modifications to an existing contributing, one-story, duplex structure located at **219 N. Swinton Avenue, Old School Square Historic District.**

**GENERAL DATA**

**Owner:** Joseph & Mary Larrivee  
**Agent:** Simeon Kirilov  
**Location:** 219 N. Swinton Avenue  
**PCN:** 12-43-46-16-01-066-0070  
**Property Size:** 0.3191 Acres  
**Zoning:** OSSHAD  
**Historic District:** Old School Square Historic District  
**LUM Designation:** HMU (Historic Mixed Use)  
**Adjacent Zoning:**

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

**Existing Land Use:** Duplex  
**Proposed Land Use:** Duplex



**BACKGROUND AND PROJECT DESCRIPTION**

The subject property is located on the east side of North Swinton Avenue, approximately 122' north of NE 2<sup>nd</sup> Street, and consists of Lots 7 and 8, Block 66, Town of Delray. The property is zoned Old School Square Historic Arts District (OSSHAD) and contains a duplex with an accessory detached garage constructed in 1957 in the Mid-Century Modern style. The duplex is approximately 3,261 square feet and is considered a contributing structure within the Old School Square Historic District. The subject unit, 219 N. Swinton Avenue, is to the north of the second unit, 221 N. Swinton Avenue.

The original 1957 structure was constructed with a white flat cement tile roof, which was replaced in kind in 1998. A COA was submitted to replace the existing roof with a light beige (Linen) Spanish "S" cement tile roof.

The subject request is a Certificate of Appropriateness (COA) for a 465 Square foot addition and exterior modifications, including a pool with deck, fence and walkway, in the rear of the property. The request is now before the board.

| Project Planner:  | Review Dates:  | Attachments:  |
|---|----------------|---|
| Michelle Hewett, Planner hewettm@mydelraybeach.com<br>Katherina Paliwoda, Planner paliwodak@mydelraybeach.com | August 3, 2022 | 1. Plans/Photographs<br>2. Survey<br>3. Justification Statement<br>4. Color and Materials |

## 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.

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 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.

### ZONING AND USE REVIEW

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

The existing use is a duplex (residential), and the proposed use will remain the same, which is a permitted use within the Old School Square Historic Arts zoning district.

Pursuant to LDR Section 4.6.15(G) Swimming Pool - Yard encroachment. Swimming pools, the tops of which are no higher than grade level, may extend into the rear, interior or street side setback areas but no closer than ten feet to any property line. Swimming pools shall not extend into the front setback area noted in Section 4.3.4(K).

A swimming pool is proposed at the east/rear of the property and will meet the requirements of this code section at 10'-8" from the rear and 10'-1/2" from the side.

### 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) – Minor Development.

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

Pursuant to LDR Section 4.5.1(E)(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.

There is a proposed 6' high aluminum fence adjacent to the proposed addition in the rear (east) of the property and along the rear property line at 4'. The proposed fences are not visible from the public right-of-way and are considered an appropriate height/material for their location.

**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 involves an addition to the rear of the subject unit on an existing contributing duplex structure. The structure has been considered with respect to improvements.

#### **SECRETARY OF THE INTERIORS STANDARDS**

**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.**

Standard 1, 2, 5, 9 & 10 are applicable. The development proposal involves the construction of an addition to the rear of the property. Additional modifications include a pool and deck, a 6' white aluminum fence located on the interior of the site to the south of the addition, with a 4' white aluminum fence proposed to the rear of the property. The wall located in the rear of the unit will be removed to accommodate the addition. All other proposed materials/colors are to match the existing, with the exception of the proposed siding which will be a textured stucco as a way to differentiate from the original. Paint on the addition will match the existing structure. A concrete walkway is proposed to the rear of main structure to connect the existing walkway to the west facing garage door. The use of the property will remain a duplex structure as it was traditionally used and no changes are proposed to alter the existing materials of the duplex or to the front façade of the main structure; therefore, the property will be used as its original historic purpose meeting the intent of Standards 1& 2. In addition, the existing S-tile roof will also be used on the proposed addition, which is original to the structure, in addition to the same window single-hung style with clear glass.

Regarding Additions, the proposed addition is to the rear and has a lower roofline relative to the overall existing structure. The building footprint is proposed to be the same width as the portion of the structure it is extending from. All features and finishes are considered appropriate to the mid-century modern style and are to match the existing, except for the siding. The original structure has painted exposed block and the proposed addition is to use a textured stucco finish. This will not affect the historic materials as it is intended to distinguish it from the original. As the only wall being removed is the rear wall, if the proposed addition were removed, the essential form and integrity of the historic property and its environment would not be affected.

## **VISUAL COMPATIBILITY STANDARDS**

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.

**NEW EXTERIOR ADDITIONS TO HISTORIC BUILDINGS AND RELATED NEW CONSTRUCTION**

| RECOMMENDED  | NOT RECOMMENDED   |
|--|---|
| <b>New Additions</b>   |   |
| Placing functions and services required for a new use (including elevators and stairways) in secondary or non-character-defining interior spaces of the historic building rather than constructing a new addition. | Expanding the size of the historic building by constructing a new addition when requirements for the new use could be met by altering non-character-defining interior spaces.           |
| Constructing a new addition on a secondary or non-character-defining elevation and limiting its size and scale in relationship to the historic building.   | Constructing a new addition on or adjacent to a primary elevation of the building which negatively impacts the building's historic character.   |
| Constructing a new addition that results in the least possible loss of historic materials so that character-defining features are not obscured, damaged, or destroyed.   | Attaching a new addition in a manner that obscures, damages, or destroys character-defining features of the historic building.  |
| Designing a new addition that is compatible with the historic building.  | Designing a new addition that is significantly different and, thus, incompatible with the historic building.  |
| Ensuring that the addition is subordinate and secondary to the historic building and is compatible in massing, scale, materials, relationship of solids to voids, and color.                                       | Constructing a new addition that is as large as or larger than the historic building, which visually overwhelms it (i.e., results in the diminution or loss of its historic character). |

With respect to ***Relationship of Materials, Texture, and Color***, the proposed addition is to have a S-tile roof, clear glass windows with aluminum frames, and textured stucco. The exterior of the addition proposes a textured stucco to be differentiated from the existing structure, which has painted exposed brick/block. All other elements on the addition are to match the existing. The proposed roof for the addition is S-tile, which will match what is existing on the original structure. It is noted that the original structure had white flat tile roof, which would be the most appropriate for the residence. There are no proposed changes to the contributing structure's existing roof shape.

Regarding, ***Additions***, the proposal is located in the least public side and the rear of the property. The proposed addition is not designed to be any taller or wider than the existing unit, therefore the proposal can be considered secondary and subordinate to the original structure. The pool is proposed to be located behind the proposed addition, and is to meet all setback requirements, along with the proposed aluminum fence and concrete walkway.

## 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:

**Historic Preservation Element 1.4.1 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".**

The development proposal involves a rear addition and exterior modifications to the existing 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 residential uses. The proposal can be found to be consistent with the requirements of the Comprehensive Plan, and 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 (2022-154), for the property located at **219 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.
- C. Approve Certificate of Appropriateness (2022-154), for the property located at **219 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:

D. Deny Certificate of Appropriateness (2022-154), for the property located at **219 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.

| <b>PUBLIC AND COURTESY NOTICES</b>  |   |
|---|---|
| <input checked="" type="checkbox"/> Courtesy Notices are not applicable to this request | <input checked="" type="checkbox"/> Public Notices are not required for this request.<br><input checked="" type="checkbox"/> Agenda was posted on 7/27/22, 5 working days prior to meeting. |