



## HISTORIC PRESERVATION BOARD STAFF REPORT

### 170 Marine Way

| Meeting         | File No. | Application Type               |
|-----------------|----------|--------------------------------|
| January 4, 2023 | 2023-040 | Certificate of Appropriateness |

### REQUEST

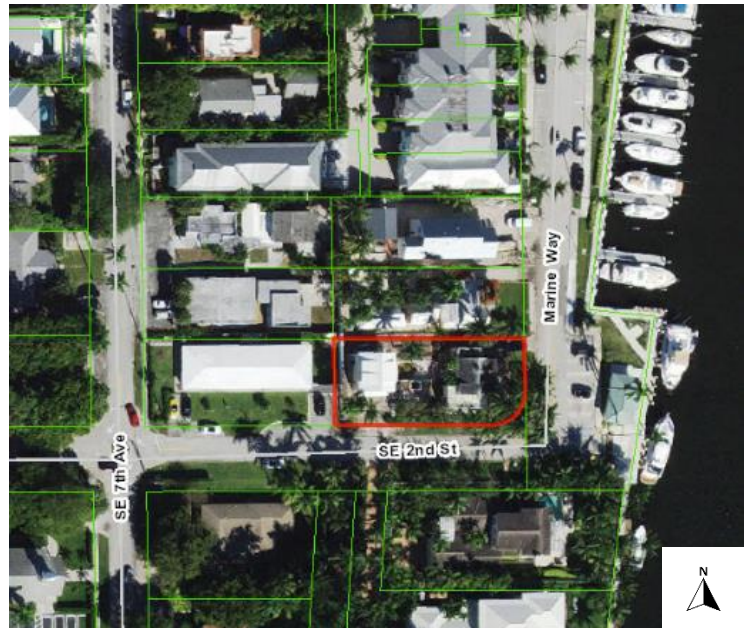
The item before the Board is consideration of a Certificate of Appropriateness (2023-040) request associated with exterior modifications to an existing, single-family residence individually designated known as the Marina House, which is located at 170 Marine Way, within the Marina Historic District.

### GENERAL DATA

**Owners:** Joseph & Gina Sarno  
**Designated Agent:** Smith Kellogg Architecture, Inc.  
**Location:** 170 Marine Way  
**PCN:** 12-43-46-16-01-126-0150  
**Property Size:** 0.197 acres  
**Zoning:** Multiple Family Residential-Medium Density (RM)  
**Historic District:** Marina Historic District  
**Land Use:** Medium Density Residential  
**Adjacent Zoning:**

- East: CF (Community Facilities)
- North: RM (Multiple Family Residential - Medium Density)
- West: RM
- South: R-1-AA (Single-Family Residential)

**Existing Use:** Residential  
**Proposed Use:** Residential



### BACKGROUND AND PROJECT DESCRIPTION

The subject property is located within the RM zoning district. A circa 1939 two-story, A-frame, vernacular style structure was relocated to the subject property in 2012 and subsequently Individually Designated to the Local Register of Historic Places via Ordinance No. 03-13.

At its meeting of August 15, 2012, the Historic Preservation Board (HPB) approved Certificate of Appropriateness (COA) and Variance (2012-189) requests associated with the relocation of the single-family residence from 806 NE 2<sup>nd</sup> Street to 170 Marine Way. To accommodate the structure on the subject site, the relocation proposal included a variance to reduce the south side street setback from 15' to 5' (adjacent to SE 2<sup>nd</sup> Street).

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| <b>Project Planner:</b><br>Katherina Paliwoda, Planner, Paliwodak@mydelraybeach.com<br>Michelle Hoyland, Principal Planner, HoylandM@mydelraybeach.com | <b>Review Dates:</b><br>HPB: January 4, 2023 | <b>Attachments:</b><br>1. Justification Statement<br>2. Materials and Color Samples<br>3. Plans |
|--|--|---|

At its meeting of February 6, 2013, HPB approved COA (2013-082) associated with additions and alterations to the single-family residence that included an open front porch addition (East elevation), installation of concrete landing and steps (North and West elevation), installation of concrete porch (South elevation), brick paver walkway from Marine Way, and replacement of upper story rail with decorative capped aluminum rail. HPB also recommended approval of a request to individually designate the subject structure to the Local Register of Historic Places to be known as "The Marina House". The designation (2013-044) was approved by the City Commission at its March 5, 2013, meeting via Ordinance No. 03-13.

At its meeting of February 7, 2018, HPB approved a Certificate of Appropriateness (2017-267) request associated with a 172 square foot exterior addition, construction of a 432 square foot, two-story, two-car garage, pool, landscaping and perimeter fence. To date, construction has commenced but is not yet completed.

At its meeting of July 6, 2022, HPB approved Certificate of Appropriateness (2022-064) request associated with a 259 square foot addition to the existing 1,601 square foot, 2-story main residence, replacement of the existing trusses and white cement tile roof on the single-family residence, construction of a new covered porch and aluminum trellis to the rear (west side) of the property.

The subject request is for the demolition of 236 square feet of non-contributing additions to the existing residence to allow for the structure to raise its existing 6' floor height to 8.5' to comply with new FEMA flood zone requirements. The elements of the structure to be removed are front steps, the non-contributing addition on the north rear side of the main residence, and the terrace on the south of the existing structure. These elements will be reconstructed once the structure is raised. It is noted that in the 2022 approval, raising the structure was noted on the plans, however, since the request didn't include narratives or justifications for that part of the request, it was not included in the Board's discussion when the previous request was approved. Therefore, in an abundance of caution, raising the floor height is included again with this request.

The request is now before the board.

#### 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 AND USE REVIEW

Pursuant to LDR Section 4.4.6(F)(1) - Medium Density Residential (RM) - Development standards: The provisions for the R-1-A District shall apply for single family detached dwellings.

The existing use is a single-family residence and will remain the same, which is a permitted use within the RM zoning district.

Pursuant to LDR Section 4.4.3(F)(1) – Single-Family Residential (R-1-A) Development Standards:

**Pursuant to LDR Section 4.3.4(K) - Development Standards: properties located within the R-1-A zoning district shall be developed according to the applicable standards.**

The proposal is in compliance with the applicable requirements by maintaining existing and/or approved setbacks, as well as the additional 1.5' of height.

#### **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) – Minor Development.**

The subject application is considered "Minor Development" as it involves "The construction, reconstruction, or alteration of less than 25 percent of the existing floor area of the building and all appurtenances."

**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.**

The subject request includes the demolition and reconstruction of non-contributing elements on an existing historic structure. The demolished additions will be reconstructed once the structures are raised to meet the new FEMA requirements.

**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.**

#### **SECRETARY OF THE INTERIOR'S 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, 3, 5, 9, & 10 are applicable to this request. The proposal includes the demolition of 236 square feet of additions that are non-contributing to the existing historic structure. The front steps, north side addition, and south terrace addition are proposed to be removed to accommodate raising the existing structure, and then are to be reconstructed as they presently exists, with no additional modifications.

Regarding Standard 1, 2, 3, and 5, the historic character of the property is that of a 2-story Frame Vernacular style structure constructed in 1939. The use of the property will remain as a single-family residence as it was traditionally used, so the property will be used as its original historic purpose. The

proposed materials for the reconstruction of the removed additions have not changed since the previous approval and can still be considered appropriate as they match what is existing, which will ensure the longevity and integrity of the historic residence.

Regarding Standards 9 and 10, the proposed removal of the front steps, north addition, and south terrace are not original to the structure, and were not existing when the residence was moved to its current location, where it was individually designation. If removed, these additions would not harm the existing structure or its history integrity. Therefore, the request can be determined to meet the requirements of these standards.

**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.

With regard to **Relationship of Materials, Texture, and Colors**, no changes in material or paint colors are proposed to the existing structure. The proposal includes materials and color that were previously approved and will match what is existing on the residence.

The Visual Compatibility Standard regarding **Additions**, they shall be located to the rear or least public side of a building and be as inconspicuous as possible and **Additions shall be secondary**

**and subordinate to the main mass of the historic building and shall not overwhelm the original building**, the proposal can be considered appropriate as the proposed additions to be reconstructed will be in the same locations as when they were previously approved. They can be considered secondary and subordinate to the main structure.

With regard to **Height and Rhythm of Buildings on street**, the original structure is proposed to be elevated in place by lifting the structure from its original foundation, increasing the height of the residence to meet the required 8' finished floor elevation requirements for the FEMA AE Zone. The existing finished floor elevation for the original structure is 6' N.A.V.D. and the proposed finished floor elevation will be 8.5'.

The National Park Service (NPS) recently introduced new guidelines relating to **Flood Adaptation for Rehabilitation of Historic Buildings**. The goal of these guidelines is to provide information about how to adapt historic buildings to be more resilient to flooding risk in a manner that will preserve their historic character and that will meet **The Secretary of the Interior's Standards for Rehabilitation**. The Flood Adaptation Guidelines should be used in conjunction with the Guidelines for Rehabilitating Historic Buildings that are part of **The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings**.

The proposed method of flood proofing is to elevate the structure by detaching it from the stem wall and raising it in place, which is most similar to "Elevating the Building on a New Foundation" per the Flood Adaptation guidelines, which typically involves raising the height of a building by lifting the building from the existing foundation, constructing a higher foundation, and resetting the building on a new base. Also, the guidelines note that such method is appropriate for structures on piers or post foundations and can be done allowing the existing structure to remain virtually unchanged. It is also noted in the guidelines, that when elevating an historic structure, massing, scale, and proportion (tall vs. wide) are important factors to consider. Below are excerpts from the Flood Adaptation Guidelines relating to the method of "Elevating the Interior Structure":

| PLANNING AND PREPARATION   |   |
|--|---|
| RECOMMENDED  | NOT RECOMMENDED   |
| Documenting the building in photographs and/or graphics, particularly any features that may be lost or altered, prior to beginning work.                           |   |
| Elevating later additions and porches that also contribute to the historic significance of the building along with the main structure.                             | Demolishing later additions and porches without regard to their historic significance.  |
| Repairing any structural deficiencies, such as rotten sill plates and termite damage, before beginning work to separate the building from the existing foundation. | Lifting a building from its foundation without first conducting a thorough inspection and repairing any identified structural issues. |
| Protecting fragile features and materials subject to damage from minor movements or vibrations of the structure, like decorative plaster.                          |   |



## HEIGHT OF THE ELEVATION

| RECOMMENDED  | NOT RECOMMENDED  |
|--|--|
| Identifying and retaining the historic massing, scale, size, form, and proportional relationships of the major elements of the historic building and/or the historic district. | Elevating a building without considering the impact to the massing, size, scale, form, and proportional relationships of the historic building and/or the historic district. |
| Designing a new foundation that preserves the historic character of the building.  | Designing a new foundation that is too tall, so that its size and scale are out of proportion to the historic building and, diminishing its character.                       |

## NEW FOUNDATION

| RECOMMENDED   | NOT RECOMMENDED   |
|---|---|
| Constructing a new foundation that is compatible with the historic character of the building.   | Constructing a new foundation that alters the overall proportions, massing, or scale of the building without making site alterations, such as regrading or adding elevated planting beds at the foundation, to minimize the appearance of the increased height. |
| Salvaging and reusing historic materials and features, like stone, brick, decorative vents, etc., from the historic foundation to construct the new foundation, particularly where visible. | Demolishing a historic foundation without saving salvageable materials for reuse.   |
| Matching the new foundation to the visual characteristics of the historic foundation.   | Designing a new foundation with a different architectural expression or appearance than the historic foundation.  |
| Maintaining the visual appearance of piers or posts if a historically open foundation must be closed, such as using infill material that is recessed between piers and darker in color.     |   |
|   | Selecting an open foundation for a building that historically had a closed crawlspace or basement without using design techniques to mask the change.   |

## IN HISTORIC DISTRICTS

| RECOMMENDED   | NOT RECOMMENDED  |
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| Elevating buildings in historic districts that are similar in style and size to consistent heights if that is the character of the district while maintaining the historic spatial and architectural relationships between the buildings. | Elevating buildings in historic districts that are similar in style and size to different heights unless that is the historic character of the district. |
| Elevating buildings in districts with a tradition or history of elevating buildings.  |  |

**Pursuant to Land Development Regulation (LDR) Section 2.4.5(I)(5), Architectural (appearance) elevations, Findings. At the time of action on architectural elevations the approving Board shall make findings with respect to the objectives and standards as contained in the architectural regulations, Section 4.6.18.**



An overall determination of consistency with respect to the above is required in order for an architectural plan to be approved.

Pursuant to LDR Section 4.6.18(A), Minimum requirements.

- (1) The requirements contained in this Section are minimum aesthetic standards for all site development, buildings, structures, or alterations except for single family development.
- (2) It is required that all site development, structures, buildings, or alterations to same, show proper design concepts, express honest design construction, and be appropriate to surroundings.

Pursuant to LDR Section 4.6.18(E), Criteria for board action. The following criteria shall be considered, by the Site Plan Review and Appearance Board or Historic Preservation Board, in the review of plans for building permits. If the following criteria are not met, the application shall be disapproved.

- (1) The plan or the proposed structure is in conformity with good taste, good design, and in general, contributes to the image of the City as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas, and high quality.
- (2) The proposed structure, or project, is in its exterior design and appearance of quality such as not to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.
- (3) The proposed structure, or project, is in harmony with the proposed developments in the general area, with the Comprehensive Plan, and with the supplemental criteria which may be set forth for the Board from time to time.

The proposal can be considered to be designed with good taste and is not expected to cause any harm with regards to the nature of the local environment nor it's evolving environment to depreciate in value. The proposal can be considered in harmony with other properties in the general area and within the Marina 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 development proposal involves the demolition of the front steps, north addition, and south terrace to accommodate the raising of the structure to meet FEMA requirements. 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 single-family and multi-family residential uses. The proposal can be found to be consistent with the requirements of this.

Pursuant to the **Conservation, Sustainability, and Resiliency (CSR) Element, Objective CSR 8.5 Reduce Vulnerability**: Prepare the City's land, infrastructure, and historic assets to become less vulnerable and withstand flood and other weather-related disruptions.

The proposed request seeks to prepare the structure to withstand potential flood impacts.

**CSR Policy 8.5.10: Consider building elevations and future flood risk in the historic preservation review process and create programs and materials that help property owners adapt to flood threats and sea level rise.**

The National Park Service (NPS) guidelines for **Flood Adaptation for Rehabilitation of Historic Buildings** provides guidance in the review of this request.

| SITE PLAN TECHNICAL ITEMS |
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| 1. Correct elevation height measurements on previously approved front (east) elevation illustration. |
| 2. Remove "option 1" note on proposed west elevation.  |

| ALTERNATIVE ACTIONS |
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| A. Move to continue with direction.  |
| B. Approve Certificate of Appropriateness (2023-040) for the property located at <b>170 Marine Way, Individually Listed to the Local Register of Historic Places as The Marina House</b> , 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 (2023-040) for the property located at <b>170 Marine Way, Individually Listed to the Local Register of Historic Places as The Marina House</b> , 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 (2023-040) for the property located at <b>170 Marine Way, Individually Listed to the Local Register of Historic Places as The Marina House</b> , 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 |  |
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| <input checked="" type="checkbox"/> Courtesy Notices were provided to the following, at least 5 working days prior to the meeting: | <input checked="" type="checkbox"/> Public notice mailers are not required for this request. |
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| Marina Historic District Homeowners Association | <input checked="" type="checkbox"/> Agenda was posted on (12/27/22), 5 working days prior to meeting. |
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