



Planning, Zoning and Building Department

BOARD ACTION REPORT – APPEALABLE ITEM

Project Name: 103 NE 4th Street – Mural
Project Location: 103 NE 4th St
Request: Approval of a Class I Site Plan Modification - Certificate of Appropriateness
Board: Historic Preservation Board
Meeting Date: February 8, 2018

Board Action:

Approved (6-1, Andrea Harden dissenting) Class I Site Plan Modification Certificate of Appropriateness associated with the painting of a mural.

Project Description:

The subject property is located on the north side of NE 4th Street between N. Swinton Avenue and NE 2nd Avenue in the Residential Office (RO) zoning district and the Del-Ida Park Historic District. The Old School Square Historic District (OSSHD), the Old School Historic Arts District (OSSHAD) zoning district and the Pineapple Grove Arts District are across the street to the south while the Artist's Alley area exists approximately one block to the east. The existing 1,080 square foot structure was built in 1949, is considered a contributing resource.

The applicant is proposing to paint a mural on an existing concrete wall to the rear of the property in vibrant orange, blue, and magenta in symmetrical designs. There is a colorful pineapple painted on the eastern portion of the wall and what appears to be a coconut drink and reads "Make it Memorable". It is noted that the wording is not considered signage as it is not advertising the business. The mural was painted by a local artist named Ben Heller.

Staff Recommendation:

N/A

Board Comments:

none

Public Comments:

none

Associated Actions:

N/A

Next Action:

The SPRAB action is final unless appealed by the City Commission.

HISTORIC PRESERVATION BOARD

CITY OF DELRAY BEACH

STAFF REPORT

MEETING DATE: February 7, 2018

ITEM: 103 NE 4th Street, Del-Ida Park Historic District - Certificate of Appropriateness 2017-266 mural.

RECOMMENDATION: Approve the Certificate of Appropriateness

GENERAL DATA:

Owner/Applicant:..... Neal Jones
...

Location:..... North side of NE 4th Street between
N. Swinton Avenue and NE 2nd
Avenue

Property Size:..... 0.28 Acres

Historic District: Del-Ida Park Historic District

Zoning:..... RO (Residential Office)

Adjacent Zoning:.....
North: R-1-AA (Single-Family Residential)
South: OSSHAD (Old School Square
Historic Arts District)
East: RO
West: RO

Existing Future Land
Use Designation:..... TRN (Transitional)

Water Service: Public water service is provided on-
site

Sewer Service: Public sewer service is provided on-
site



ITEM BEFORE THE BOARD

The item before the Board is consideration of a Class I Site Plan Modification, Certificate of Appropriateness (COA) associated with the painting of a mural on a site wall associated with an existing contributing structure located at **103 NE 4th Street, in the Del-Ida Park Historic District**, pursuant to Land Development Regulations (LDR) Section 2.4.6(H).

BACKGROUND & PROJECT DESCRIPTION

The subject property is located on the north side of NE 4th Street between N. Swinton Avenue and NE 2nd Avenue in the Residential Office (RO) zoning district and the Del-Ida Park Historic District. The Old School Square Historic District (OSSHD), the Old School Historic Arts District (OSSHAD) zoning district and the Pineapple Grove Arts District are across the street to the south while the Artist's Alley area exists approximately one block to the east. The existing 1,080 square foot structure was built in 1949, is considered a contributing resource to the historic district and is occupied by a business office.

At its meeting of July 17, 1991, the Historic Preservation Board (HPB) approved a site plan, landscape plan and associated Certificate of Appropriateness (COA) for the conversion of the existing single family residence to an optometrist office. On March 4, 2005, a COA application for the replacement of the roofing shingles and repainting the exterior of the building was approved administratively. On April 6th 2005, a COA was approved for the replacement and installation of new windows.

The item before the board now is a COA for the approval of a mural. It should also be noted that the applicant recently submitted applications for an exterior color change and installation of a new sign both have been administratively approved.

ANALYSIS OF PROPOSAL

Pursuant to 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.

No direct reference is made to murals affecting historic structures, sites, or districts; however, pursuant to the Secretary of the Interior's Standards, there is importance in preserving "character-defining" and distinctive features, and discussing scale and compatibility within historic districts such as the following:

Standard 8

New construction and all improvements to both contributing and noncontributing buildings, structures and appurtenances thereto within a designated historic or on an individually designated property shall be visually compatible.

The intent of this Standard has been met as the integrity of the historic building will not be compromised; therefore, positive findings are made.

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(E)(2) shall be determined by utilizing criteria contained in (a)-(m). Visual compatibility for all development on individually designated properties outside the district shall be determined by comparison to other structures within the site.

The mural is deemed compatible with the surrounding commercial area along NE 4th Street/Lake Ida Road, especially given its location on the northern border of the adjacent Pineapple Grove Arts District. Painting of the wall does not negatively affect visual compatibility of the contributing structure.

Pursuant to LDR Section 4.6.7(F)(3)(e) Murals and signs within mural, A large painting or drawing affixed to the wall of a building located in commercially zoned districts shall be subject to approval by the Site Plan Review and Appearance Board or the Historic Preservation Board.

The subject property is within the RO zoning district which is a commercially zoned district.

Pursuant to LDR Section 4.4..17 (H)(1), Special Regulations, All buildings and structures shall appear to be residential in character regardless of the actual use therein, shall be kept in sound and attractive condition, and in established neighborhoods shall be generally compatible in architectural style and scale with the surrounding area.

The subject property is located across the street from the Old School Square Historic Arts District, the Old School Square Historic District as well as the Pineapple Grove Arts District. Additionally, the property is situated approximately one block west of Artist's Alley, an area which has a high concentration of art based uses and where multiple murals can be found; including Bedner's Farm Fresh Market, the Spengler Construction office and the Arts Warehouse, further to the south.

The mural is painted on an existing concrete wall to the rear of the property in vibrant orange, blue, and magenta in symmetrical designs. There is a colorful pineapple painted on the eastern portion of the wall and what appears to be a coconut drink and reads "Make it Memorable". It is noted that the wording is not considered signage as it is not advertising the business. The mural was painted by a local artist named Ben Heller.

It is noted that the uses along NE 4th Street/Lake Ida Road are primarily commercial in nature and NE 4th Street is classified as an arterial roadway with 3 lanes. The mural is compatible with the architectural style, scale and character of the surrounding commercial area and neighborhood.

ALTERNATIVE ACTIONS

- A. Continue with direction.
- B. Approve the Certificate of Appropriateness (2017-266) for **103 NE 4th Street, Del-Ida Historic District**, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof meets the criteria set forth in the Land Development Regulations Section 2.4.6(H)(5).

- C. Deny the Certificate of Appropriateness (2017-266) for **103 NE 4th Street, -Ida Historic District**, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof does not meet the criteria set forth in the Land Development Regulations Section 2.4.6(H)(5).

RECOMMENDATION

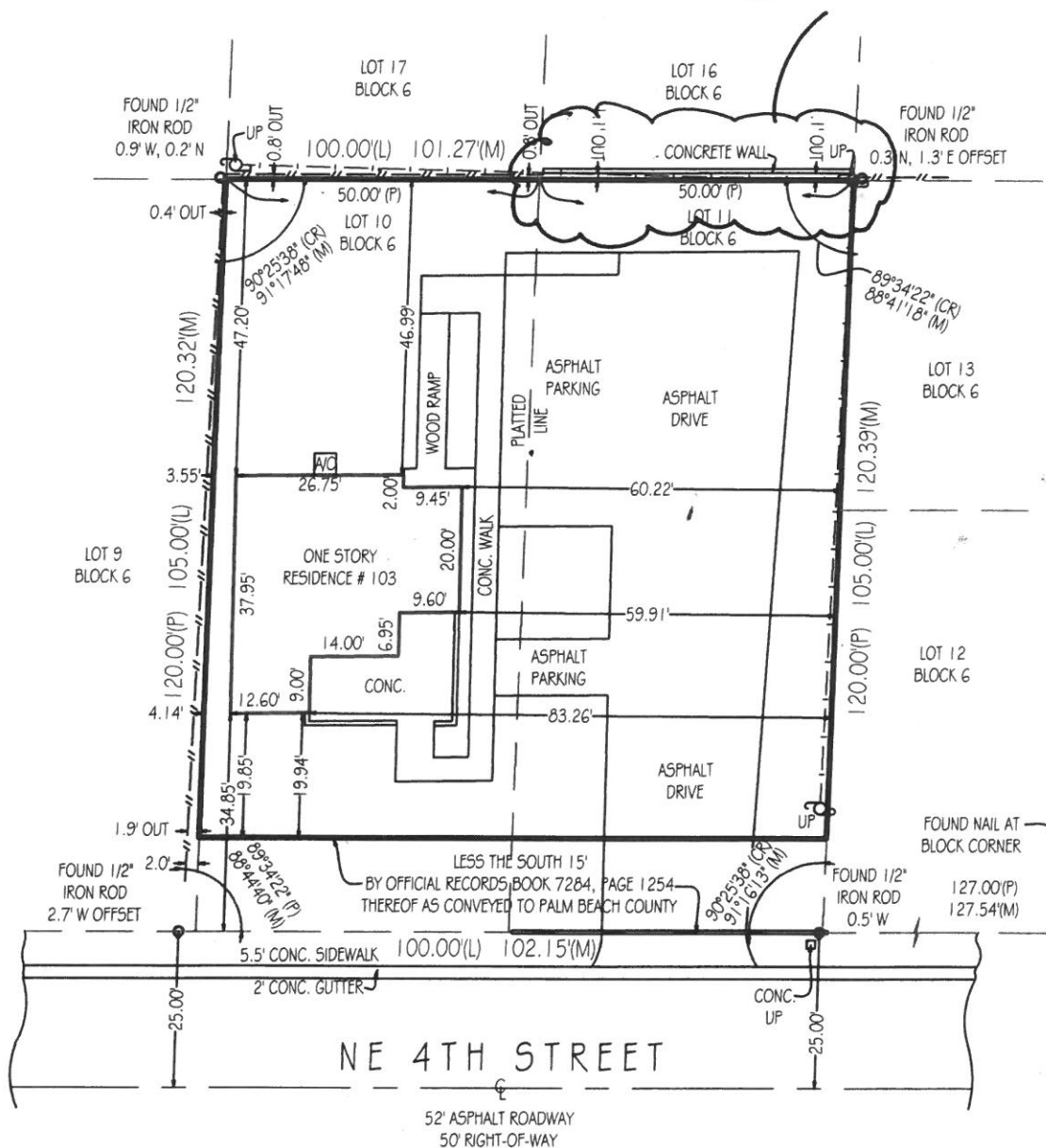
Approve the Certificate of Appropriateness (2017-266) for **103 NE 4th Street, Del-Ida Historic District**, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof meets the criteria set forth in the Land Development Regulations Section 2.4.6(H)(5).

Report Prepared By: Jennifer Buce, Assistant Planner



SCALE: 1"=30'

EXISTING CONCRETE WALL.



LINETYPE LEGEND:	
	BOUNDARY LINE
	BUILDING LINE
	CENTERLINE
	EASEMENT LINE
	CHAIN LINK FENCE
	WOODEN FENCE
	OVERHEAD CABLE
ENCROACHMENTS SHOWN IN RED LETTERING	

LEGEND:	
CA	DENOTES CENTRAL ANGLE
CATV	DENOTES CABLE T.V. BOX
CH	DENOTES CHORD DISTANCE
DE	DENOTES DRAINAGE EASEMENT
FN	DENOTES FOUND NAIL
M	DENOTES MEASURED
OHC	DENOTES OVERHEAD CABLE
P	DENOTES PLAT
PP	DENOTES POOL PUMP
R	DENOTES RADIUS
TR	DENOTES TELEPHONE RISER
UE	DENOTES UTILITY EASEMENT
UP	DENOTES UTILITY POLE
WM	DENOTES WATER METER

BEARING REFERENCE: NONE. RECORD INFORMATION RELIANT UPON ANGULAR DATA ONLY. ALL ANGULAR DATA SHOWN HEREON REFERENCED THERETO.

PLEASE NOTE:
SUBJECT PROPERTY IS SERVICED BY PUBLIC UTILITIES.

Notable Conditions - Please note the following:

- None found.

Landtec Surveying offers services throughout the State of Florida. Please refer to our website at www.LandtecSurvey.com for up to date information about our locations and coverage area.
This survey has been issued by the following Landtec Surveying office:

600 Fairway Drive - Ste. 101
Deerfield Beach, FL. 33441
Office: (561) 367-3587 Fax: (561) 465-3145
www.LandtecSurvey.com

Invoice Number : 70592-SE

Drawn By : J. Santmyer

Date of Field Work : 12/24/2015

Revision :

Revision :

Revision :

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