



# DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING  
100 NW 1<sup>ST</sup> AVENUE, DELRAY BEACH, FLORIDA 33444  
(561) 243-7040

## HISTORIC PRESERVATION BOARD STAFF REPORT

### 411 N Swinton Avenue

Meeting	File No.	Application Type
October 2, 2019	2019-278	Certificate of Appropriateness

### REQUEST

The item before the Board is consideration of a Certificate of Appropriateness (2019-278) request for the installation of a PVC fence associated with the existing non-contributing single-family residence located at **411 N Swinton Avenue, Del-Ida Park Historic District**, pursuant to LDR Section 2.4.6(H). Specifically, the request is for the replacement of approximately 80' of wood fence with PVC fencing along the sides and rear of the property.

### GENERAL DATA

**Agent:** Karen Galvin  
**Owner:** Karen and John Galvin  
**Location:** 411 N Swinton Avenue  
**PCN:** 12-43-46-09-29-006-0020  
**Property Size:** 0.17 Acres  
**Zoning:** R-1-A (Single Family Residential)  
**Historic District:** Del-Ida Park Historic District  
**FLUM:** LD (Low Density)  
**Adjacent Zoning:**

- R-1-A - Single-Family Residential (North)
- CF - Community Facilities(West)
- R-1-A - Single-Family Residential (South)
- R-1-A - Single-Family Residential (East)

**Existing Land Use:** Residence  
**Proposed Land Use:** Residence



### BACKGROUND & ITEM DESCRIPTION

The subject property (Lot 2, Block 6, Del-Ida Park) is located in the Del-Ida Park Historic District on the east side of North Swinton Avenue between Northeast 4th Street and Northeast 5th Street. The property originally contained a 1,300 square foot, one-story, single-family residence in the Masonry Vernacular style and was built in 1956. The structure is classified as non-contributing to the historic district.

In July of 2000, the Historic Preservation Board (HPB) approved Certificate of Appropriateness COA-415 for a two-story addition to the rear of the structure, it was subsequently constructed, bringing the total square footage of the residence to approximately 2,200. At its November 16, 2005 meeting, the HPB approved COA 2005-359 for a variance to allow the rear setback to be reduced from 10' to 7'6", in order to accommodate a swimming pool. On March 13, 2006, COA 2006-177 was approved for the construction of the swimming pool.

<b>Project Planner:</b> Project Planners: Katherina Paliwoda, Planner <a href="mailto:PaliwodaK@mydelraybeach.com">PaliwodaK@mydelraybeach.com</a>	<b>Review Dates:</b> HPB: October 2, 2019	<b>Attachments:</b> <ol style="list-style-type: none"><li>1. Photos</li><li>2. Plan</li></ol>
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At its meeting of March 4, 2015, the Historic Preservation Board approved a COA request for the replacement of all existing windows and doors with impact-rated windows and doors. All existing accordion shutters were subsequently removed.

The current request is for the replacement of a wood fence with an 8' PVC (vinyl) fence to the rear and sides of the property. The fence color will be Mocha Walnut to give the appearance of wood. The COA 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 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)(d) – Fences and Walls, Non-historic and/or synthetic materials are discouraged, particularly when visible from a public right-of-way.**

The proposal includes replacement of the existing board-on-board wood fence that surrounds the property on the north, east, and west sides of the property. This fence is not visible from an adjacent right-of-way.

**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 regard to fence style, the proposed fence is to be installed to the rear of the property and used to enclose the property where a swimming pool exists. The proposed material replaces a wood fence with a wood colored PVC material. This improvement will give the appearance of a wood style fence and will not be visible from an adjacent right-of-way.

With regard to the Relationship of Materials, Texture, and Color: Material proposed for fence is PVC, which is a synthetic material and not an appropriate material for use within an historic district; however, given the location of the fence out of view from an adjacent right-of-way and that the style of the material is designed to look like wood, which helps give it a more visually compatible feel within the area.

It is noted that there is an existing PVC fence already installed in the front on the adjacent property, on the north side of the existing driveway adjacent to N. Swinton Avenue. The owner has indicated that this fence is not on their property, rather it is on the neighbor's property to the north and is planned for replacement in association with the project to the north.

#### **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 teR-1-As 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".

As the proposal involves the replacement of a wood fence with a PVC fence that will not be visible from an adjacent right-of-way, the proposal can be found to be consistent with the requirements of the Comprehensive Plan and 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 **411 N Swinton Avenue, 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 LDR Sections 2.4.6(H)(5).
- C. Approve Certificate of Appropriateness (2019-278), for the property located at **411 N Swinton Avenue, 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 LDR Sections 2.4.6(H)(5), subject to the following conditions:
- D. Deny Certificate of Appropriateness (2019-278), for the property located at **411 N Swinton Avenue, 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 LDR Sections 2.4.6(H)(5).

#### **PUBLIC AND COURTESY NOTICES**

☐ Courtesy Notices are not applicable to this request

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

Del-Ida Park Homeowners Association

☒ Public Notices are not required for this request.

☒ Agenda was posted on (9/25/19), 5 working days prior to meeting.