



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING
100 NW 1ST AVENUE, DELRAY BEACH, FLORIDA 33444
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HISTORIC PRESERVATION BOARD STAFF REPORT

220-226 N Swinton Avenue

Meeting	File No.	Application Type
October 2, 2019	2019-252	Certificate of Appropriateness

REQUEST

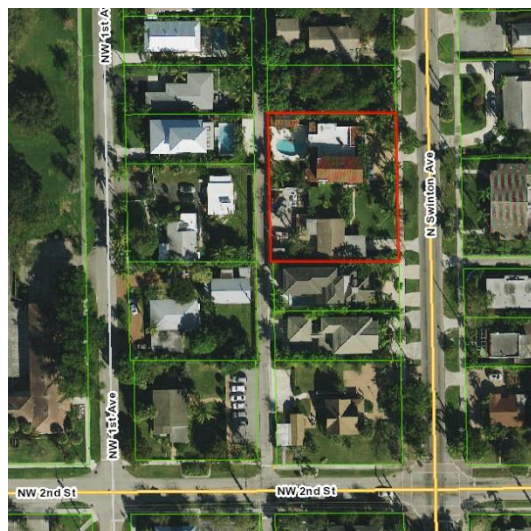
The item before the Board is for consideration of a Certificate of Appropriateness (2019-252) request associated with the construction of an accessory structure on a contributing property located at **220-226 N Swinton Avenue, Old School Square Historic District**, pursuant to LDR Sections 2.4.6(H). Specifically, the request includes: construction of a new pagoda style gazebo in the southwest corner of the property, construction of an arbor in the northwest corner of the property, installation of new water features with decorative stones/boulders, and construction of a new wall and gate.

GENERAL DATA

Agent: Don Murakami, Murakami Landscape Architects
Owner/Applicant: Frank Rozzo
Location: 220 & 226 N Swinton Avenue
PCN: 12-43-46-17-49-08-0051
Property Size: 0.45 Acres
Zoning: OSSHAD (Old School Square Historic Arts District)
Historic District: Old School Square Historic District
FLUM: OMU (Other Mixed Use)
Adjacent Zoning:

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

Existing Land Use: Residential
Proposed Land Use: Residential



BACKGROUND INFORMATION & ITEM DESCRIPTION

The subject property is situated on the west side of North Swinton Avenue between NE 2nd Street and NE 3rd Street, within the Locally and Nationally designated Old School Square Historic District and contains 2 historic structures that are joined by a unity-of-title. The structure situated on the 220 N. Swinton Avenue property is a 1940 wood frame vernacular residence, and the structure situated on the 226 N Swinton Avenue is a 1920 Mission Style residence. Both are contributing structures within the district. The structure at 226 N. Swinton Avenue originally consisted of a 1,490 sq. ft. contributing, one-story, Mission Revival style single-family residence along with a 250 sq. ft. contributing, Frame Vernacular accessory garage circa 1920's. On January 28, 2004, a fire occurred within the structure damaging the wall and ceiling finishes as well as damaging the structural integrity of the roof framing which required repair and replacement.

At its meeting of December 15, 2004, the Historic Preservation Board approved a COA (2005-027) for a two-story, 1,888 square foot addition to the south side of the contributing structure. Prior to the COA submittal and review, the interior and roof of the subject structure were damaged by fire which resulted in the demolition of

the majority of the interior as well as repairs to the roof and electrical systems of the dwelling. A building permit was then issued for the reconstruction of the damaged interior. A subsequent revision (2006-053) to the original COA approval was approved administratively on December 2, 2005 which included a covered porch on the rear elevation. In 2007, an Ad Valorem Tax Exemption application was subsequently reviewed and approved by HPB.

The request before the board is for approval of a Certificate of Appropriateness for the construction of a new pagoda style gazebo in the southwest corner of the property, construction of an arbor in the northwest corner of the property, installation of new water features with decorative stones/boulders, and construction of a new wall and gate to the sides and rear (west) of the property located on 226 N Swinton Avenue.

REVIEW AND ANALYSIS

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.

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 the following policies:

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 Historic Preservation Design Guidelines."

The proposal is for the construction of accessory structures and garden improvements to the side and rear of the property without proposing a significant change or addition to the historic site. The proposal will be consistent with the Comprehensive Plan.

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)(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.

The proposal does not include modification to any of the existing historic structures and is an improvement project that will make a change to the site environment via the construction of new accessory structures and garden features. The proposal will not harm nor cause the removal of any historic materials on site.

Standards 9 & 10: the proposal involves the construction of new accessory structures that will be incorporated within the rear yard of the property. The proposed garden with waterfall features, pagoda, walkways, and arbor additions are to be created for the private use of the resident.

In reference to accessory structures, the Delray Beach Historic Preservation Design Guidelines states:

An accessory structure is defined as a structure that is located on the same lot as the principal building, but that is generally smaller and that is non-habitable. The most common example of an accessory structure is a detached garage that is associated with a residence. Other examples include, but are not limited to, tool sheds and pool equipment enclosures.

It is recommended that new accessory structures should complement the principle building and should be located to either the rear or the side of the principle building. Accessory structures should not block any portion of the front façade of the principle building.

The architectural style of the main structure is Mission Revival and the style of the new gazebo is a Chinese pagoda. While the proposed accessory gazebo structure introduces a new architectural style that is not compatible with Mission Style, it is an accessory garden feature that will not be visible from the public right-of-way as it will be situated behind a proposed perimeter wall. The new masonry perimeter wall is proposed on the south side of the existing residence and incorporates a “moon gate” or a quatrefoil shaped opening in the wall. The quatrefoil feature will be complimentary to the Mission Style residence, as this decorative element has been seen in the Spanish style of architecture. It also provides a connection between the Mission Revival style home and the Chinese pagoda, as the decorative quatrefoil element is also seen in Asian influenced architecture. A wooden accessory arbor structure is proposed to be attached to the rear accessory garage and does not obstruct any of the principle building in any way as it is to the rear of the main structure.

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) 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(E)(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.

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.

With regard to the materials used for the pagoda, the structure uses similar materials seen in Mission Style architecture. Traditionally, Chinese pagodas use authentic materials such as wood and tile and Spanish revival architecture typically uses the same. Specifically, the pagoda can be seen to share a similar connection to the Spanish revival architecture as both use a similar barrel type tile roofing material as well as a sloped roof pitch. The quatrefoil doorway proposed on the wall also connects the two architectural styles with the use of rounded archlike elements. There are also similarities in the architectural styles relating to the use of columns. However, the overall design, including the roof and color palette of the proposed accessory structure is still visually incompatible when compared to the main structure. As previously noted, the accessory pagoda style gazebo is proposed as a part of the garden improvement and will be hidden from public view behind the proposed masonry wall.

Pursuant to LDR Section 4.6.5(C) – Height Restrictions - Walls, fences, and hedges located in a required front yard or street side yard shall not exceed six feet in height. Walls, fences, or hedges located in a required interior side or rear yard shall not exceed eight feet in height.

The proposed wall masonry wall is situated in the side yard and will range in height from 6' to 8'8" where the gate is proposed, exceeding the height restrictions. An added condition of approval is that the proposed wall be reduced to 8' in height in order to comply with the code requirements for height.

ALTERNATIVE ACTIONS

- A. Move to continue with direction
- B. Approve the Class II Site Plan Modification and Certificate of Appropriateness (2019-252) for property located at **220-226 N Swinton Avenue, Old School Square Historic District**, by adopting the findings of fact and law contained in the staff report and finding the request and approval thereof meets the criteria set forth in Land Development Regulations Sections 2.4.6(H).
- C. Approve the Class II Site Plan Modification, Landscape Plan, and Certificate of Appropriateness (2019-252) for property located at **220-226 N Swinton Avenue, Old School Square Historic District**, by adopting the findings of fact and law contained in the staff report and finding the request and approval thereof meets the criteria set forth in Land Development Regulations Sections 2.4.6(H), subject to conditions
 - 1. That the proposed wall be reduced to 8' in height.
- D. Deny the Class II Site Plan Modification, Landscape Plan, and Certificate of Appropriateness (2019-252) for educational landscape improvement located at **220-226 N Swinton Avenue, Old School Square Historic District**, by finding the request and approval thereof does not meet the criteria set forth in Land Development Regulations Sections 2.4.6(H).

PUBLIC AND COURTESY NOTICES

☒ Courtesy Notices are not applicable to this request

☒ Public Notices are not required for this request.

☒ Agenda was posted on (September 25, 2019), 5 working days prior to meeting.