



## *Development Services Department*

### **BOARD ACTION REPORT – APPEALABLE ITEM**

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<b>Project Name:</b>	<b>222 Palm Court</b>
<b>Project Location:</b>	<b>222 Palm Court, Del-Ida Park Historic District</b>
<b>Request:</b>	<b>Certificate of Appropriateness (2019-299)</b>
<b>Board:</b>	<b>Historic Preservation Board</b>
<b>Meeting Date:</b>	<b>October 2, 2019</b>

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#### **Board Action:**

Approved the Certificate of Appropriateness (2019-299), by a vote of 5-0 for the property located at **222 Palm Court, 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 Section 2.4.6(H)(5).

#### **Project Description:**

The property is zoned Residential Office (RO) and is within the Del-Ida Park Historic District. The structure was built in 1956 in the Masonry Vernacular style for use as a duplex. Historic building permits indicate Samuel Ogren as the architect and Mr. Charles Dierckson as the owner. This was Samuel Ogren, Junior, as the title block indicates Charles E. Toth & Associates as the architectural firm. We know that Samuel Ogren, Junior was working with Charles Toth in the mid-1950's, as this was about the time Samuel Ogren, Senior retired. The original CBS structure included a white cement tile roof, stucco exterior, jalousie windows & doors, and a 2-car carport in the center of the structure. Two separate units flanked the carport.

In 1984, Marvin L. Gelatt, architect designed plans to modify the form and style of the structure for use as a dentist's office for Dr. Thomas D. McMurray and Dr. Stephen C. Norton. A front porch with arched openings was added to the structure and its style was converted to a Mediterranean Revival inspired style of architecture included enclosure of the existing carport and the addition of a Spanish "S" tile roof and new stucco chimney as well as replacement of the existing jalousie windows with awning style windows that included muntins to give the appearance of single-hung windows and bronze/black security bars on some windows. It was this modification that changed the structure from its original style and form causing it to be considered non-contributing to the Del-Ida Park Historic District (designated in 1988).

The structure as it exists contains 3,255 square feet and is still utilized as a dentist's office.

At its meeting of January 19, 2005, the Board reviewed a COA for the installation of aluminum accordion shutters on the sides and rear elevations, which do not face a public right-of-way and on the front elevation underneath the arcade. The shutters would be painted ivory to match the color of the building. The Board approved the proposal, subject to the condition that removable storm panels be installed for the windows at the front of the property which are not screened by the arcade and that the tracks or channels be painted to match the exterior of the building. Then the applicant, appeared before the Board on February 2, 2005 for reconsideration of this condition as he wishes to install accordion shutters on the windows visible from the public right-of-way. The recommendation of the Board was that the applicant investigate other suitable options for the storm protection of the three windows and present them for review. At its meeting of February 16, 2005, the Historic Preservation Board approved the Certificate of Appropriateness (2005-076) for the installation of storm protection, subject to the following:

1. That removable storm panels or some other appropriate method of storm protection be installed for the windows at the front of the property which are not screened by the arcade.
2. If removable panels are installed the tracks or channels should be painted to match the exterior of the building.

The current request is for the replacement of the existing awning windows on the front (west side), side interior (south), and side interior (north) of the structure with horizontal sliding windows. The proposed horizontal sliding windows will include muntins to replicate the existing grid pattern.

**Board Comments:**

The Board comments were supportive.

**Public Comments:**

There were no public comments.

**Associated Actions:** All required actions were taken.

**Next Action:** HPB action is final unless appealed by the City Commission.



# 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

### 222 Palm Court

Meeting	File No.	Application Type
October 2, 2019	2019-299	Certificate of Appropriateness

### REQUEST

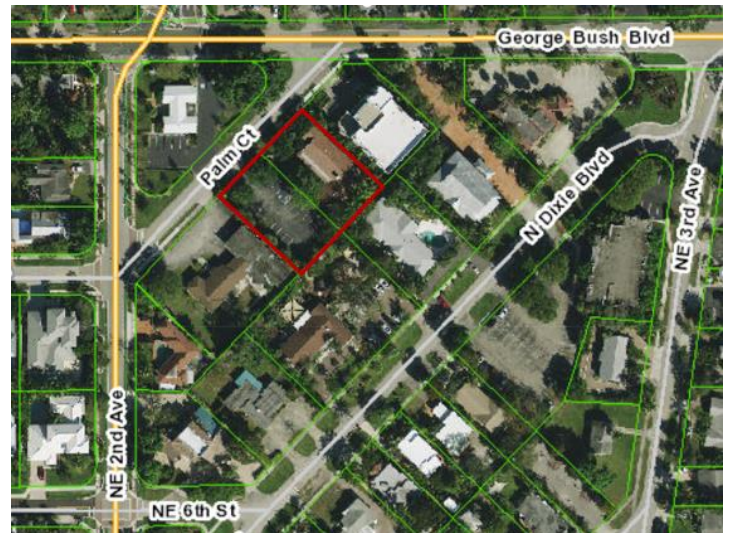
The item before the Board is consideration of a Certificate of Appropriateness (2019-299) request for the replacement of windows associated with a non-contributing office building located at **222 Palm Court, Del-Ida Park Historic District**, pursuant to LDR Section 2.4.6(H). Specifically, the request is for the replacement of 8 existing awning windows with horizontal sliding windows.

### GENERAL DATA

**Agent:** Roger Buczek  
**Owner:** GACA Holdings, LLC  
**Location:** 222 Palm Court  
**PCN:** 12-43-46-09-29-011-0040  
**Property Size:** 0.17 Acres  
**Zoning:** RO (Residential Office)  
**Historic District:** Del-Ida Park Historic District  
**FLUM:** TRN (Transitional)  
**Adjacent Zoning:**

- RO (Residential Office) (North)
- RO (Residential Office) (West)
- RO (Residential Office) (South)
- RO (Residential Office) (East)

**Existing Land Use:** Office  
**Proposed Land Use:** Office



### BACKGROUND INFORMATION & ITEM DESCRIPTION

The property is zoned Residential Office (RO) and is within the Del-Ida Park Historic District. The structure was built in 1956 in the Masonry Vernacular style for use as a duplex. Historic building permits indicate Samuel Ogren as the architect and Mr. Charles Dierckson as the owner. This was Samuel Ogren, Junior, as the title block indicates Charles E. Toth & Associates as the architectural firm. We know that Samuel Ogren, Junior was working with Charles Toth in the mid-1950's, as this was about the time Samuel Ogren, Senior retired. The original CBS structure included a white cement tile roof, stucco exterior, jalousie windows & doors, and a 2-car carport in the center of the structure. Two separate units flanked the carport.

In 1984, Marvin L. Gelatt, architect designed plans to modify the form and style of the structure for use as a dentist's office for Dr. Thomas D. McMurray and Dr. Stephen C. Norton. A front porch with arched openings was added to the structure and its style was converted to a Mediterranean Revival inspired style of architecture included enclosure of the existing carport and the addition of a Spanish "S" tile roof and new stucco chimney as well as replacement of the existing jalousie windows with awning style windows that included muntins to give the appearance of single-hung windows and bronze/black security bars on some windows. It was this

**Project Planner:**  
**Project Planners:** Katherina Paliwoda, Planner  
[PaliwodaK@mydelraybeach.com](mailto:PaliwodaK@mydelraybeach.com)

**Review Dates:**  
HPB: October 2, 2019

**Attachments:**

1. Architectural Plans
2. Justification Statements
3. Photos

modification that changed the structure from its original style and form causing it to be considered non-contributing to the Del-Ida Park Historic District (designated in 1988).

The structure as it exists contains 3,255 square feet and is still utilized as a dentist's office.

At its meeting of January 19, 2005, the Board reviewed a COA for the installation of aluminum accordion shutters on the sides and rear elevations, which do not face a public right-of-way and on the front elevation underneath the arcade. The shutters would be painted ivory to match the color of the building. The Board approved the proposal, subject to the condition that removable storm panels be installed for the windows at the front of the property which are not screened by the arcade and that the tracks or channels be painted to match the exterior of the building. Then the applicant, appeared before the Board on February 2, 2005 for reconsideration of this condition as he wishes to install accordion shutters on the windows visible from the public right-of-way. The recommendation of the Board was that the applicant investigate other suitable options for the storm protection of the three windows and present them for review. At its meeting of February 16, 2005, the Historic Preservation Board approved the Certificate of Appropriateness (2005-076) for the installation of storm protection, subject to the following:

1. That removable storm panels or some other appropriate method of storm protection be installed for the windows at the front of the property which are not screened by the arcade.
2. If removable panels are installed the tracks or channels should be painted to match the exterior of the building.

The current request is for the replacement of the existing awning windows on the front (west side), side interior (south), and side interior (north) of the structure with horizontal sliding windows. The proposed horizontal sliding windows will include muntins to replicate the existing grid pattern. The COA is now before the board.

## 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.**

**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, 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.**

**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.**

**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 installation of new aluminum, impact-resistant windows will be beneficial in that the exterior of the structure will be less affected where permanent hurricane protection will not be necessary. It is noted that the property owner is replacing a total of 21 windows on the structure, most will be single-hung windows with applied muntins and 8 will be horizontal sliding windows also with applied muntins. It is noted that the single-hung windows are being processed separately as they represent an appropriate modification, restoring some of the original architectural authenticity to the existing structure; thus, can be reviewed by building permit. . Given the 1984 modification of the structure from its original style and form, the current proposal to replace 8 awning windows with horizontal sliding windows will not further modify the structure in a negative. Further, the new horizontal windows will include muntins to give the appearance of single-hung windows with divided lites; thus, the proposal can be considered appropriate.



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 foR-1-A 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.

The proposal is for replacement of 8 windows with horizontal sliding windows – 1 on the front elevation and 7 on the side and rear elevations. It is noted that 13 of the 21 total windows are being replaced with single-hung windows, which is being processed via building permit. Overall, the window replacement project will help to restore some architectural authenticity.

The applicable Visual Compatibility Standard is the Proportion of Openings (Windows and Doors) as the relationship of windows shall be visually compatible within the subject historic district.

The Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties, states:

**"It is not recommended to change the appearance of windows that contribute to the historic character of the building by replacing materials, finishes, or colors which noticeably change the sash, depth of the reveal, and muntin configurations; the reflectivity and color of the glazing; or the appearance of the frame."**

The City of Delray Beach Historic Preservation Design Guidelines, states:

**"When new windows are required, their replacement with the original material is always most desirable. However, the Historic Preservation Board will consider other materials or cladding on a case-by-case basis, provided that the new windows match the originals in their profile, configuration and any other character-defining feature(s)."**

and, the Guidelines state it is not recommended to:

**"Changing the historic appearance through inappropriate design materials or adding a finish or color that changes the sash, depth of reveal, the reflectivity, or the appearance of the frame."**

Based upon the above standards, guidelines, and requirements the use of single-hung or casement windows is most appropriate for use with the subject structure, but given the fact that the original form and architectural style of the structure no longer exists the use of 8 horizontal sliding windows, with 1 such window on the façade, can be deemed appropriate. Overall, the window replacement project will help to restore some architectural authenticity as 13 of the 21 windows are single-hung windows and muntins are proposed on the 8 horizontal sliding windows, giving the appearance of a divided lite window.

### ALTERNATIVE ACTIONS

- A. Move to continue with direction
- B. Approve Certificate of Appropriateness (2019-299), for the property located at **222 Palm Court, 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 (2019-299), for the property located at **222 Palm Court, 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 (2019-299), for the property located at **222 Palm Court, 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

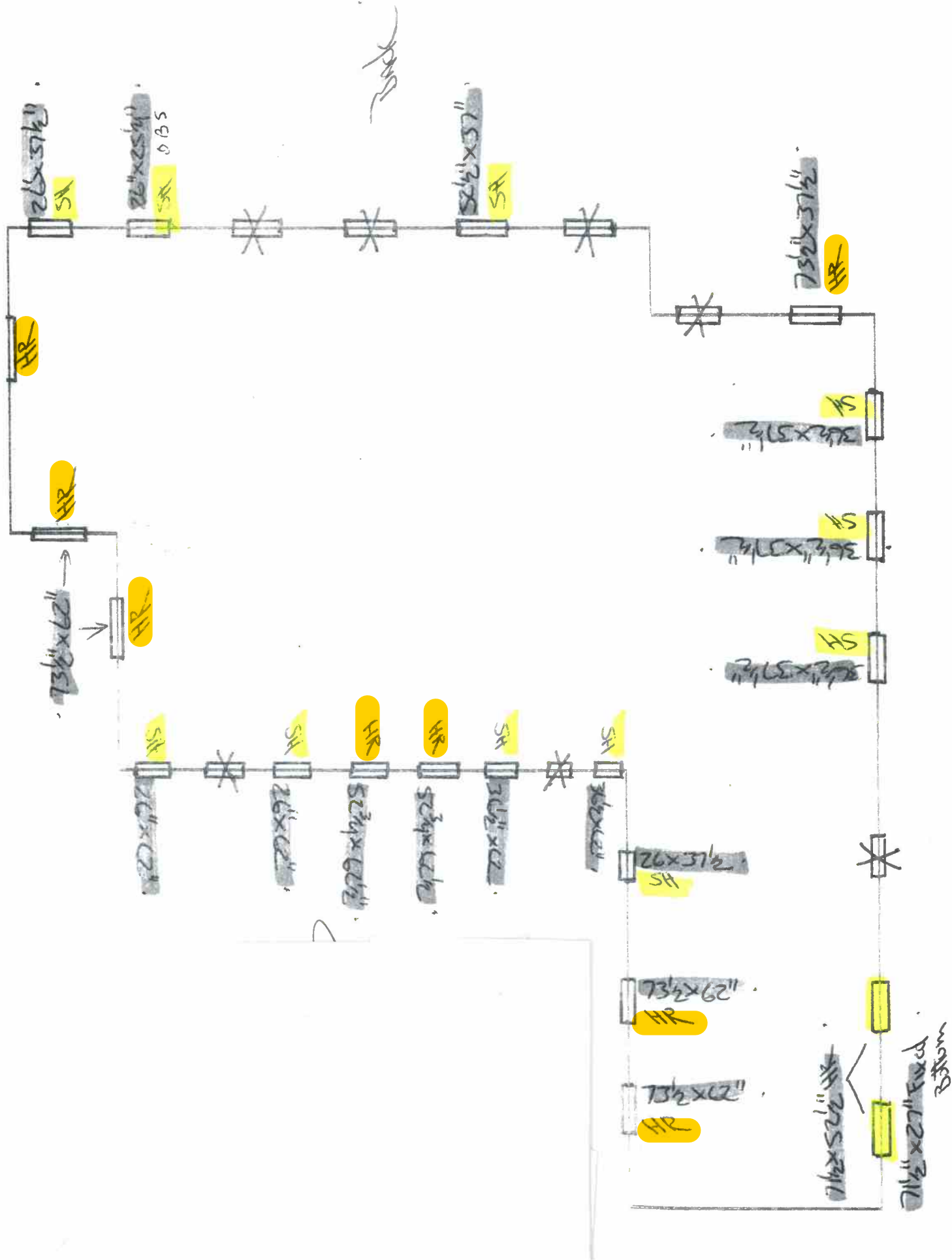
☒ Courtesy Notices were provided to the following, at least 5 working days prior to the meeting:

Del-Ida Park Neighborhood Association

☒ Public Notices are not required for this request.

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





Horizontal Rollers - Orange  
Single Hung - Yellow