

**MINUTES
HISTORIC PRESERVATION BOARD
CITY OF DELRAY BEACH**

MEETING DATE: October 2, 2019

MEETING PLACE: Commission Chambers, City Hall

1. CALL

The meeting was called to order by Kelly Brandon, Asst. City Attorney at 6:12 P.M.

2. ROLL

A quorum was present. Members present were John Klein, Chairman, Tracy Caruso, Vice Chairman, Paula Newman-Rocker, 1st Vice Chair, Alyse Lemstrom, and Allison Turner. Absent is Benjamin Baffer and Reeve Bright. Staff present were Kelly Brandon, Assistant City Attorney; Anthea Gianniotis, Development Services Director, Michelle Hoyland, Principal Planner, Katherina Paliwoda, Planner, and Diane Miller, Board Secretary.

3. ELECTION OF OFFICERS

Kelly Brandon, Asst. City Attorney announced that the next item on the Agenda will be Election of Officers and she announced the process of electing officers.

Motion made by Tracy Caruso and seconded by Allison Turner to nominate John Klein as Chairman.

MOTION CARRIED 5-0 for John Klein as Chairman.

Motion made by Paula Newman-Rocker and seconded by Allison Turner to nominate Tracy Caruso as Vice Chairman.

MOTION CARRIED 5-0 for Tracy Caruso as Vice Chairman.

Motion made by John Klein and seconded by Tracy Caruso to nominate Paula Newman-Rocker as 1st Vice Chairman.

MOTION CARRIED 5-0 for Paula Newman-Rocker as 1st Vice Chairman.

4. APPROVAL OF AGENDA

Item 9H – 44 E. Atlantic Avenue-COA has been postponed by applicant.

Legal Board Member Training was moved to the end of the agenda.

Motion to **APPROVE** by Allison Turner and seconded by Tracy Caruso

MOTION CARRIED 5-0

5. SWEARING IN OF THE PUBLIC

John Klein read the Quasi-Judicial Rules for the City of Delray Beach and Ms. Miller swore in all who wished to give testimony.

6. MINUTES

Motion to approve minutes of 6/19/2019 was made by Tracy Caruso and seconded by Allison Turner.

MOTION CARRIED 5-0

7. COMMENTS FROM THE PUBLIC

Roger Cope-Cope Architects – 80 NE 4th Ave Delray Beach, FL

8. PRESENTATION

Michelle Hoyland, Principal Planner presented Certificate of Appreciation to Andrea Harden and Andrea Sherman for services to the Historic Preservation Board.

9. QUASI-JUDICIAL HEARING ITEMS

A. Certificate of Appropriateness (2019-277) - 303 North Swinton Avenue, Old School Square

Historic District: Consideration of Certificate of Appropriateness request for color changes to the existing, contributing building.

Michelle Hoyland, Principal Planner entered project file 2019-277 into the record.

Exparte

None

Applicant Presentation

Mr. and Mrs. James Hartman - 954 Brookdale Dr., Boynton Beach, FL

Staff Presentation

Michelle Hoyland, Principal Planner presented the project from a Microsoft Power Point presentation.

Public Comment

None

Board Comments

None

Motion to **APPROVE** Certificate of Appropriateness (2019-277) request for the property located at 303 N Swinton Avenue Old School Square 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) of the Land Development Regulations, by Paula Newman-Rocker, seconded by Allison Turner.

MOTION CARRIED 5-0

B. Certificate of Appropriateness (2019-254) - 22 SE 1st Avenue, Old School Square

Historic District: Consideration of a Certificate of Appropriateness and Class I Site Plan Modification associated with the painting of a mural on an internal wall of the non-contributing parking garage.

Michelle Hoyland, Principal Planner entered project file 2019-254 into the record.

Exparte

None

Applicant Presentation

Suzanne Fisher – Asst. City Manager

Staff Presentation

Michelle Hoyland, Principal Planner presented the project from a Microsoft Power Point presentation.

Public Comment

Dan Sloan – Sloan & Sloan, 106 SE 7th Ave, Delray Beach, FL 33483

Board Comments

None

Motion to APPROVE Certificate of Appropriateness (2019-254) for a Class I Site Plan Modification for the painting of a mural, 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 Section 2.4.6(H)(5) and 2.4.6(I)(5) by Paula Newman-Rocker, seconded by Allison Turner

MOTION CARRIED 5-0.

C. Certificate of Appropriateness (2019-229) - 707 SE 1st Street, Marina Historic District:

Consideration of a Certificate of Appropriateness associated with the existing contributing single-family residence for architectural elevation

Michelle Hoyland, Principal Planner entered project file 2019-229 into the record.

Applicant Presentation

Roger Cope – 80 NE 4th Ave Delray Beach, FL
Danny Kowalski & Alexandra Meighan - Owners

Staff Presentation

Michelle Hoyland, Principal Planner presented the project from a Microsoft Power Point presentation.

- John Klein – There does not seem to originally have shutters on the building. *Michelle Hoyland – If the shutters were to be removed, the windows might have to be replaced.*
- Tracy Caruso – Asked about the medallions. *Michelle Hoyland – She said that is not part of this project.*
- Allison Turner – Noticed that the painting is not in the report. Is this part of the project? *Michele Hoyland – It is part of the project and it was left out of the report.*

Public Comment

Dan Sloan-Sloan and Sloan - 106 SE 7th Ave, Delray Beach, Florida
Danny Kowalski-Owner – 707 SE 1st Street Delray Beach, Florida
Claudia Willis-former owner of the home - 160 Marine Way, Delray Beach, FL.

Rebuttal

Roger Cope – 80 NE 4th Ave Delray Beach, FL

Exparte

Allison Turner – Drive by

Board Comments

- Allison Turner – Is it the functionality of the shutters that is the main concern or something else to cover the windows. *Michelle Hoyland-Suggested that the shutters could be taken down and stored in the garage.*
- John Klein – I know that we battle with the windows especially when we have storms. I think the eyebrows and medallions are in conflict.
- Tracy Caruso – It was said that the medallions were not original. I would like to see them go.
- Alyse Lemstrom – Were these medallions not on this particular Mizner. *Michelle Hoyland- There were not on this particular Mizner but are a Spanish bungalow style.*
- Paula Newman-Rocker – Shutters being removed and put back would be very viable. We should look at stronger windows. The medallions need to go.

MOTION to APPROVE Certificate of Appropriateness (2019-229) request for the property located at 707 SE 1st Street, Marina 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), and 2.4.7(I)(5), subject to the following conditions:

1. That the medallions be removed
2. That the shutters be removed

made by Tracy Caruso and seconded by Allison Turner.

Move to amend and add (1) That the elevation drawings be revised to accurately depict the existing muntin/grid pattern of all existing windows by Tracy Caruso and seconded by Allison Turner

MOTION CARRIED 5-0

D. Certificate of Appropriateness (2019-255) - 3 NE 1st Street, Old School Square Historic District: Consideration of a Certificate of Appropriateness and Class II Site Plan Modification for a Landscape Plan modification to create an educational heritage garden for the Delray Beach Historical Society.

Katherina Paliwoda, Planner entered project file 2019-255 into the record.

Applicant Presentation

Winnie Edwards – Delray Beach Historical Society

Bill Wilsher – Senior Landscape Planner – P&Z

John Miller - 1502 Fenton Drive, Delray Beach, FL.

Staff Presentation

Katherina Paliwoda, Planner presented the project from a Microsoft Power Point presentation.

Public Comments

None

Board Comments

None

MOTION to APPROVE the Class II Site Plan Modification and Certificate of Appropriateness (2019-255) for property located at 3 NE 1st Street, Old School Square Historic District, by adopting the findings of fact and law continued in the staff report and finding the request and approval thereof meets the criteria set forth in the Land Development regulations Sections 2.4.5(G)(5), 2.4.5(H), and 2.4.6(H) by Alyse Lemstrom and seconded by Tracy Caruso.

MOTION CARRIED 5-0

E. Certificate of Appropriateness (2019-268) - 230 George Bush Boulevard, Del-Ida Park Historic District: Consideration of a Certificate of Appropriateness and Class II Site Plan Modification for the addition of a 2-car garage to the southwest side of the property.

Michelle Hoyland, Principal Planner entered project file 2019-268 into the record.

Applicants Presentation

Gary Eliopoulos – GE Architecture, Inc. 230 George Bush Blvd.

Staff Presentation

Michelle Hoyland, Principal Planner presented the project from a Microsoft Power Point presentation.

Comments from the Public

None

Exparte

None

Board Comments

John Klein – I think the massing is too much for the property.

MOTION to APPROVE the Certificate of Appropriateness (2019-268), for the property located at 230 George Bush Boulevard, Del-Ida Park Historic District by the finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Sections 2.4.5(G), 2.4.6(H)(5) and 2.4.5(I)(5) by Paula Newman-Rocker and seconded by Allison Turner.

MOTION CARRIED 5-0

F. Certificate of Appropriateness (2019-299) - 222 Palm Court, Del-Ida Park Historic District: Consideration of a Certificate of Appropriateness request for the replacement of windows associated with a non-contributing office building.

Exparte

None

Katherina Paliwoda, Planner entered project file 2019-229 into the record.

Applicants Presentation

Gerard Valentini-Owner, 222 Palm Court, Delray Beach, Fl.

Staff Presentation

Katherina Paliwoda, Planner presented the project from a Microsoft Power Point presentation.

Comments from the Public

None

Board Comments

None

MOTION to APPROVE the Certificate of Appropriateness (2019-299), for the property located at 222 Palm Court, Del-Ida Park Historic District by the 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) by Allison Turner and seconded by Tracy Caruso.

MOTION CARRIED 5-0

G. Certificate of Appropriateness (2019-278) - 411 N. Swinton Avenue, Del-Ida Park Historic District: Consideration of a Certificate of Appropriateness request for the installation of a PVC fence associated with the existing non-contributing single-family residence.

Exparte

None

Katherina Paliwoda, Planner entered project file 2019-278 into the record.

Applicants Presentation

John and Karen Galvin - Owner

Staff Presentation

Katherina Paliwoda, Planner presented the project from a Microsoft Power Point presentation.

Comments from the Public

None

Board Comments

Alyse Lemstrom-Is the existing fence coming down? Yes

MOTION to APPROVE Certificate of Appropriateness (2019-278), for the property located at 411 N. Swinton Avenue, Del-Ida Park Historic District by the 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) by Alyse Lemstrom and seconded by Allison Turner.

MOTION CARRIED 5-0

H. Certificate of Appropriateness (2019-252) - 220 & 226 North Swinton Avenue, Old School Square Historic District: Consideration of a Certificate of Appropriateness request for the construction of an accessory structure on a contributing property.

Exparte

Paula Newman-Rocker-Drive by
Allison Turner-Drive by

Michelle Hoyland, Principal Planner entered project file 2019-252 into the record.

Applicants Presentation

Frank Rozzo-Owner

Staff Presentation

Michelle Hoyland, Principal Planner presented the project from a Microsoft Power Point presentation.

Comments from the Public

None

Board Comments

Allison Turner-Will this be visible from the alley? *Yes*

John Klein-Thinks that this gazebo is beautiful.

Paula Newman-Rocker-Thought the gazebo was beautiful.

MOTION to APPROVE Certificate of Appropriateness (2019-252), for the property located at 220 & 226 North Swinton Avenue, Old School Square Historic District, by adopting the finding of fact and law continued in the staff report and finding the request and approval thereof meets the criteria set forth in LDR Sections 2.4.6(H) by Allison Turner and seconded by Tracy Caruso.

MOTION CARRIED 5-0

I. Certificate of Appropriateness (2019-250 & 251) - 235 NE 1st Avenue, Old School Square Historic District: Consideration of a Certificate of Appropriateness and Variance requests for the construction of an accessory structure on a contributing property.

Exparte

Allison Turner-Drive by

Michelle Hoyland, Principal Planner entered project files 2019-250 & 251 into the record..

Applicants Presentation

Dan Sloan – Agent

Joel Darack & Laurie Clingan-Darack - Owner

Staff Presentation

Michelle Hoyland, Principal Planner presented the project from a Microsoft Power Point presentation.

Rebuttal

Dan Sloan-Agent, Staff has asked that we revise the elevation to show the existing awning. We would like to use ‘-----’ (dash lines). *Michelle Hoyland said that would be acceptable.*

Comments from the Public

Joel Darack-Owner of the residence, 235 NE 1st Avenue

Board Comments

John Klein-Feels that the variance is very minor.

MOTION to APPROVE Certificate of Appropriateness and Variance requests (2019-250 & 251), for the property located at 235 NE 1st Avenue, Old School Square 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) and 2.4.5(I)(5) by Paula Newman-Rocker and seconded by Tracy Caruso.

MOTION CARRIED 5-0

AMENDED the motion as Michelle Hoyland has noted adding to the motion LDR Section 2.4.7(A)(5) & (6) by Paula Newman-Rocker and seconded by Tracy Caruso

MOTION CARRIED 5-0

10. LEGISLATIVE ITEMS – CITY INITIATED

A. Land Development Regulations Text Amendment (2019-259): Provide a recommendation to the Planning and Zoning Board and City Commission regarding Ordinance No. 33-19, a privately-initiated text amendment to the Land Development Regulations Section 4.4.13(H)(1), “Residential Incentives,” to allow incentives in the form of increased density on certain lots that do not contain contributing historic structures in the West Settlers Historic District and Atlantic Grove Development.

Anthea Gianniotis, Development Services Director entered project file 2019-259 into the record.

Applicant Presentation

Timothy Hernandez representing New Urban Communities.

Staff Presentation

Anthea Gianniotis presented the project from a Microsoft Power Point presentation.

Public Comments

Claudia Willis - 160 Marine Way, Delray Beach, Fl. 33483

Let the record show that Tracy Caruso step down on LDR Text Amendment, Ordinance No 33-19 as she has ownership interest in the project.

Board Comments

- Paula Newman-Rocker-We need to recognize that we only have (5) Historic Districts, and to go by the LDR, anything that is built in the area should be similar from the existing area.
- John Klein-Need not jeopardize the district.
- Allison Turner-The giving up of the lot what do we want.
- Alyse Lemstrom-What else would we rather have there.

MOTION to RECOMMEND DENIAL to the Planning and Zoning Board and the City Commission of Ordinance No. 33-19, amending the Land Development regulations at Section 4.4.13 “Central Business (CBD) District” at Subsection (H)(1), “Residential Incentives”, by finding that the amendment and approval thereof is not consistent with the Comprehensive Plan and does

not meet the criteria set forth in Land Development Regulations by Paula Newman-Rocker and seconded by John Klein.

MOTION FAILED 2-2

PRESENTATION

A. Legal Board Member Training-Because of the hour of the meeting we need to vote to move this presentation to the next meeting in November.

All in Favor

9. REPORTS AND COMMENTS

A. Staff Comments

Next meeting – November 6th.

B. Board Comments— None

C. Attorney Comments - None

10. ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 10:35pm.

The undersigned is the Secretary of the Historic Preservation Board and the information provided herein is the Minutes of the meeting of said body for **October 2, 2019**, which were formally adopted and APPROVED by the Board on _____.

Diane Miller

Diane Miller

If the Minutes you have received are not completed as indicated above, then this means that these are not the official Minutes. They will become so after review and approval, which may involve some changes.

(These Minutes are a record of the proceedings of this Board. The full audio and video recording of these proceedings are available at:

www.mydelraybeach.com/city-commission/av *or a digital copy may be purchased at City Hall.)*