



DEVELOPMENT SERVICES

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

HISTORIC PRESERVATION BOARD STAFF REPORT

131 SE 7th Avenue

Meeting	File No.	Application Type
September 2, 2020	2020-159	Certificate of Appropriateness

REQUEST

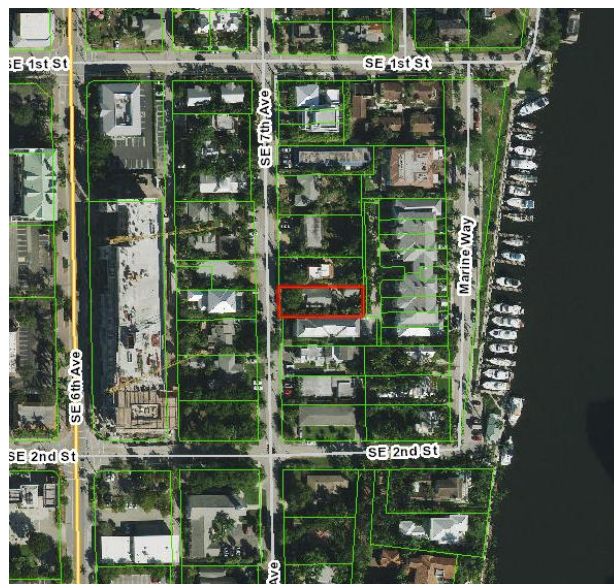
The item before the Board is in consideration of a Certificate of Appropriateness request associated with the exterior alteration to the existing contributing, detached, 2-car garage and the installation of a swimming pool in the rear of the property located at **131 SE 7th Avenue, Marina Historic District**.

GENERAL DATA

Agent: Steve Siebert, AIA
Owner Robert and Stephanie Marchand
Location: 131 SE 7th Avenue
PCN: 12-43-46-16-01-126-0200
Property Size: 0.1636 Acres
Zoning: RM (Multiple-Family Residential)
FLUM: MD (Medium Density Residential)
Historic District: Marina Historic District
Adjacent Zoning:

- Multiple-Family Residential (RM) (North)
- Multiple-Family Residential (RM) (West)
- Multiple-Family Residential (RM) (South)
- Multiple-Family Residential (RM) (East)

Existing Land Use: Residential
Proposed Land Use: Residential



BACKGROUND INFORMATION AND PROJECT DESCRIPTION

The subject 0.16-acre property is located on the east side of SE 7th Avenue between SE 1st Street and SE 2nd Street. The property is located within the Locally and Nationally Registered Marina Historic District and consists of Lot 20, Block 126, Town of Delray. The property contains a 1-story, Craftsman Bungalow style single-family, residence, built in 1925, which is classified as contributing to the Marina Historic District. A 1925 detached garage exists in the northeast corner of the property behind the residence, which is also classified as contributing to the Marina Historic District. Both structures are evident on the 1926 & 1949 Sanborn Maps and city building yellow cards.

On July 16, 2019, the property owners submitted a Certificate of Appropriateness (2019-242) request for exterior alterations and addition to the existing contributing, single-family residence; demolition of the existing one-story garage; and, construction of a new two-story garage. The Historic Preservation Board (HPB) reviewed the request at their February 5, 2020 meeting, and approved COA (2019-242) for the addition of a new screened porch on the rear elevation, exterior color change, and restoration of window openings to the original window sizes. The Board did not approve demolition of the existing 1-story contributing garage nor the construction of a new 2-story masonry garage.

The applicant submitted a new Certificate of Appropriateness (2020-159) application on May 22, 2020 for the rehabilitation of the existing detached garage and construction of a new swimming pool in the rear (east) side of the property.

The COA request 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.

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 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.

ZONING AND USE REVIEW

Pursuant to LDR Section 4.4.6(F)(1) – Medium Density Residential (RM) Development Standards: the provisions for R-1-A shall apply for the single-family detached dwellings pursuant to LDR Section 4.4.3.

Pursuant to LDR Section 4.4.3(C) - Uses and structures normally associated with residences such as: bird aviaries, boat docks, dog houses and dog runs, garages, greenhouses, guest cottages, playhouses, pool houses and covers, pump houses, slat houses, storage sheds, tennis courts, swimming pools, and workshops are permitted as accessory uses and structures within the R-1-A zoning district.

Pursuant to LDR Section 4.3.4(K) - Development Standards: properties located within the R-1-A zoning district shall be developed according to the requirements noted in the chart below.

The proposal is in compliance with the applicable single-family zoning requirements and development standards; therefore, positive findings can be made.

DEVELOPMENT STANDARDS		REQUIRED	EXISTING	PROPOSED
Minimum Lot Size:		8,000 sq. ft.	7,150 sq. ft. [†]	no change
Minimum Lot Width & Frontage:		80'	50' [†]	no change
Minimum Lot Depth:		100'	143'	no change
GARAGE				
Required Setbacks:	Front (West)	25'	104'	no change
	Side Interior (North)	7'6"	4'6" [†]	no change
	Side Interior (South)	7'6"	26'6"	no change
	Rear (East)	10'	18'1"	no change
Building Height (no taller than principal structure):		14'1"	10'1½" (mean)	no change
SWIMMING POOL				
Rear (east)		10'	N/A	10'
Side Interior (south)		10'	N/A	10'

[†] Existing Non-Conformity

Pursuant to LDR Section 4.6.15(G)(1) - Swimming pools: the tops of which are no higher than grade level, may extend into the rear, interior or street side setback areas but no closer than ten feet to any property line, except as provided in subsection (2) and (4) below. **Swimming pools shall not extend into the front setback area noted in Section 4.3.4(K).**

The proposal includes a new kidney shaped swimming pool in the rear (east side) of the property. The proposed pool will have a 10' rear (east) setback and a 10½' side interior setback (south), which meets the requirements of the code. The required and proposed pool setbacks need to be indicated on the Site Data chart on plan sheet SP1.1 and the open space calculation needs to reflect the proposed pool, these items are attached as a Site Plan Technical Items.

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)(2)(c)(4) – Minor Development.

The subject application is considered "Minor Development" as it involves "alteration of less than 25 percent of the existing floor area of the building and all appurtenances."

Appurtenances: Appurtenances include, but are not limited to, stone walls, fences, light fixtures, steps, paving, sidewalks, signs, and accessory structures.

Fences and Walls: The provisions of Section 4.6.5 shall apply, except as modified below:

- a. Chain-link fences are discouraged. When permitted, chain-link fences shall be clad in a green or black vinyl and only used in rear yards where they are not visible from a public right of way, even when screened by a hedge or other landscaping.
- b. Swimming pool fences shall be designed in a manner that integrates the layout with the lot and structures without exhibiting a utilitarian or stand-alone appearance.
- c. Fences and walls over four feet (4') shall not be allowed in front or side street setbacks.
- d. Non-historic and/or synthetic materials are discouraged, particularly when visible from a public right of way.
- e. Decorative landscape features, including but not limited to, arbors, pergolas, and trellises shall not exceed a height of eight feet (8') within the front or side street setbacks.

The existing fencing on the property includes:

- A 6' tall masonry wall on the east side of the property;
- A 4' tall chain link fence on the north side of the property;
- A 4' tall aluminum rail pick fence on the south side of the property.

The proposal includes two new 4' tall chain-link gates and fencing on the north and south sides of the residence behind the front setback. The chain-link material faces the front of the property and will be visible from the adjacent SE 7th Avenue right-of-way. Chain-link fences are discouraged, but when permitted they shall not be visible from a public right-of-way. The proposal should be revised to include fence and gate material that is appropriate for the historic district, such as aluminum rail or wood. This item is attached as a condition of approval.

Garages and Carports:

- a. Garages and carports are encouraged to be oriented so that they may be accessed from the side or rear and out of view from a public right of way.
- b. The orientation of garages and carports shall be consistent with the historic development pattern of structures of a similar architectural style within the district.
- c. The enclosure of carports is discouraged. When permitted, the enclosure of the carport should maintain the original details, associated with the carport, such as decorative posts, columns, roof planes, and other features.
- d. Garage doors shall be designed to be compatible with the architectural style of the principal structure and should include individual openings for vehicles rather than two car expanses of doors. Metal two car garage doors are discouraged; however, if options are limited and metal is proposed, the doors must include additional architectural detailing appropriate to the building.

The proposal includes the alteration of the existing 2-car garage door opening from a 16' double steel door to a 9' single wood door. The new garage door is more compatible with the architectural style of the structure and fits more appropriately with the historic streetscape.

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.

The existing structure, and its remaining original form, has been considered with respect to the proposed garage improvements.

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.

Standard 1, 2, 3, 5, & 9 are applicable. The proposal includes the alteration of the contributing detached garage located in the rear (east) side of the property. Due to its low elevation on the property, which has resulted in a flooding issue that is causing ongoing damage to the structure, new 8"x16" flood vents have been proposed on the north (side) and east (rear) bottom of the structure to help with the future maintenance and to minimize water damage.

The existing garage is simple and rectangular in form with a gable roof and 2-car garage door. It is believed that the structure may have been altered from its original form due to the existing size of the 2-car garage metal door opening. The west (front) elevation will feature a single 9' wide cottage style, steel garage door with the installation of a new 1-over-1 single-hung window. In addition, a single man door in the same style is proposed on the south elevation and new single-hung 1-over-1 windows are proposed on the south and north elevations. The proposed windows are wood frame and single-hung. In February 2020, the HPB approved a window replacement for the residence to include white, aluminum framed, single-hung windows with a 9-over-1 dimensional muntin pattern. The glass was approved as clear. Added Site Plan Technical items approval are: that the proposed garage windows match those approved for the residence, in that they be white framed, single-hung, with clear glass, and a 9-over-1 dimensional muntin pattern; and, that the window schedule on plan sheet A1.1 and the elevation drawings on plan sheet A2.1 be updated to reflect such details.

Overall, the exterior modifications to the detached garage are complimentary to the main structure and more historically accurate to the original construction time period as it uses smaller openings. Provided the conditions of approval are addressed, these improvements are anticipated to help restore and maintain the original historic character of the property.

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.**

The Texture and Color of the new garage will be visually compatible with the main structure as well as the district. Specifically, architectural elements to match the original house include the use of heavy stucco painted Sherwin Williams "Regale Blue" with "Steely Gray" fascia, and an asphalt shingle roof.

In relation to the Proportion of Openings (windows and doors), the existing 16' steel, 2-car garage door is proposed to be replaced by a 9' wood garage door and a single-hung, aluminum, impact-rated window. As a contributing structure, it is an appropriate preservation practice to restore openings to their original size and style as the larger opening that currently exists on the front façade does not fit with the time frame that the structure was originally built. The south side of the garage also proposes to include a 36" door as an alternative way to enter through the garage.

Also, proposed are new single-hung 1-over-1 windows on the west, south, and north elevations. The proposed windows are wood frame and single-hung. In February 2020, the HPB approved a window replacement for the residence to include white, aluminum framed, single-hung windows with a 9-over-1 dimensional muntin pattern. The glass was approved as clear. Added Site Plan Technical items approval are: that the proposed garage windows match those approved for the residence, in that they be white framed, single-hung, with clear glass, and a 9-over-1 dimensional muntin pattern;

and, that the window schedule on plan sheet A1.1 and the elevation drawings on plan sheet A2.1 be updated to reflect such details.

These minor exterior modifications are appropriate to the architectural style will aid in creating more symmetry to the proportion of openings along the structure as well as helping to restore the original historic character to the structure and the property.

Architectural Elevations Analysis

Pursuant to LDR Section 4.6.18(E), Criteria for Board Action, the following criteria shall be considered by the Historic Preservation Board (HPB) in the review of plans for building permits. If the following criteria are not met, the application shall be disapproved:

The plan or the proposed structure is in conformity with good taste, good design, and in general contributes to the image of the City as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas, and high quality.

The proposed structure, or project, is in its exterior design and appearance of quality such as not to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.

The proposed structure, or project, is in harmony with the proposed developments in the general area, with the Comprehensive Plan, and with the supplemental criteria which may be set forth for the Board from time to time.

The development proposal is also subject to the requirement for Visual Compatibility pursuant to LDR Section 4.5.1(E)(7), which provides for a specific analysis of the historic exterior of the proposal. The proposed improvements to the exterior of the accessory structure will help to restore historic character to the property. The proposed alterations to the accessory garage structure have been designed to be in harmony with the existing home and surrounding area.

The proposal presents design elements that will contribute to the general area, will maintain the architectural harmony, compatibility, and quality of the neighborhood. It will not cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.

Comprehensive Plan

Pursuant to the Historic Preservation 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:

Historic Preservation Element 1.4 Property shall be developed or redeveloped, in a manner so that the future use, intensity and density are appropriate in terms 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 exterior alterations to an existing one-story garage and the installation of a swimming pool. The footprint of the contributing garage or the main existing structure will not change. Both the Craftsman Bungalow style principal and accessory structures are contributing to the Marina Historic District. The improvements to the garage will help modernize the site and provide for flood adaptation methods through the installation of flood vents. The proposal is anticipated to further bolster the historic integrity of the property and the district. The proposal can be found to be consistent with the requirements of the Comprehensive Plan and the request can be considered 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".

Historic Preservation Element 1.4.1 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”.

The residence and garage structure are contributing to the Marina Historic District. Provided the conditions of approval are addressed, 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”.

OPTIONAL BOARD MOTIONS FOR ACTION ITEMS

- A. Move to continue with direction
- B. Approve Certificate of Appropriateness (2020-159), request for the property located at **131 SE 7th 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 the Land Development Regulations.
- C. Approve Certificate of Appropriateness (2020-159), requests for the property located at **131 SE 7th 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 the Land Development Regulations subject to the following conditions:
1. That the proposed chain-link fence and gate material on the north and south sides of the residence be replaced with a fencing material that is appropriate for the historic district, such as aluminum rail or wood.

Site Plan Technical Items:

1. That the required and proposed pool setbacks be indicated on the Site Data chart on plan sheet SP1.1
 2. That the proposed open space calculation indicated on the Site Data chart on SP1.1 be updated to reflect the proposed pool.
 3. That the proposed garage windows match those approved for the residence, in that they be white framed, single-hung, with clear glass, and a 9-over-1 dimensional muntin pattern; and,
 4. That the window schedule on plan sheet A1.1 and the elevation drawings on plan sheet A2.1 be updated to reflect the details of proposed windows.
- D. Deny Certificate of Appropriateness (2020-159), requests for the property located at 131 SE 7th Street, Marina Historic District, by finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in the Land Development Regulations.

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:

- ☒ Public Notices are not required for this request.
- ☒ Agenda was posted on (8/26/20), 5 working days prior to meeting.

Marina Historic Homeowners Association