



Development Services Department

BOARD ACTION REPORT – APPEALABLE ITEM

Project Name: 244 SE 7th Avenue (2020-233)

Project Location: 244 SE 7th Avenue, Marina Historic District

PCN: 12-43-46-16-B3-000-0130

Request: Certificate of Appropriateness

Board: Historic Preservation Board

Meeting Date: October 7, 2020

Board Vote: Denied on a 5-0 vote

Board Actions:

Denied the Certificate of Appropriateness (2020-233) request for the installation of a PVC fence associated with the non-contributing single-family residence.

Project Description:

The subject property consists of the Lot 13, Block 119 Gracey-Byrd Subdivision. The zoning for the property is R-1-AA (Single Family Residential). The single-family residence is classified as non-contributing to the historic building stock of the Marina Historic District.

On April 1, 2009, the Historic Preservation Board approved Certificate of Appropriateness (COA) (2009-111) request associated with the demolition of a one-story, non-contributing structure and construction of a new 3,279 square foot two-story single-family residence and attached two-car garage. The approval also included a swimming pool, 4' tall, concrete block wall surrounding the front of the property and a wood fence along the west and north property lines.

The subject COA request is for the replacement of an existing 6' tall wood fence with a 6' PVC (vinyl) fence to the rear (west) and side (north) of the property.

Board Comments:

All members of the board were unsupportive of the proposal.

Public Comments:

There was no public comment.

Associated Actions:

N/A

Next Action:

The HPB action is final unless appealed by the City Commission



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

100 NW 1ST AVENUE, DELRAY BEACH, FLORIDA 33444
(561) 243-7040

HISTORIC PRESERVATION BOARD STAFF REPORT

244 SE 7th Avenue

Meeting	File No.	Application Type
October 7, 2020	2020-233	Certificate of Appropriateness

REQUEST

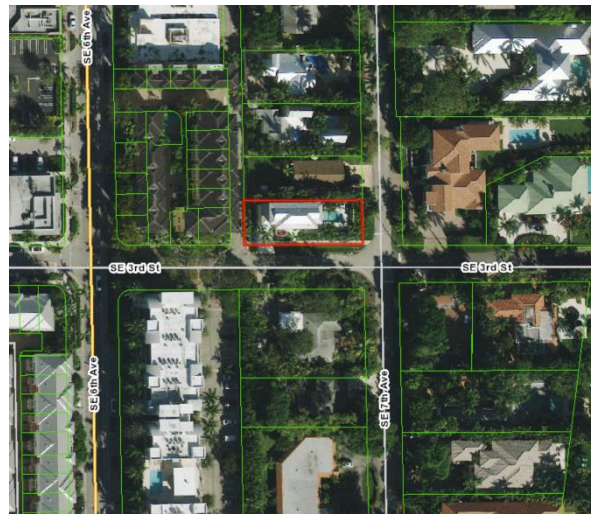
The item before the Board is consideration of a Certificate of Appropriateness (2020-233) request for the installation of a PVC fence associated with the non-contributing single-family residence located at **244 SE 7th Avenue, Marina Historic District.**

GENERAL DATA

Owner: James Franklin
Location: 244 SE 7th Avenue
PCN: 12-43-46-16-B3-000-0130
Property Size: 0.155 Acres
Zoning: R-1-AA (Single Family Residential)
Historic District: Marina Historic District
LUM Designation: LD (Low Density 0-5 DU/ Acre)
Adjacent Zoning:

- R-1-AA - Single-Family Residential (North)
- R-1-AA - Single-Family Residential (East)
- R-1-AA - Single-Family Residential (South)
- CBD – Central Business District (West)

Existing Land Use: Residence
Proposed Land Use: Residence



BACKGROUND INFORMATION & ITEM DESCRIPTION

The subject property consists of the Lot 13, Block 119 Gracey-Byrd Subdivision. The zoning for the property is R-1-AA (Single Family Residential). The single-family residence is classified as non-contributing to the historic building stock of the Marina Historic District.

On April 1, 2009, the Historic Preservation Board approved Certificate of Appropriateness (COA) (2009-111) request associated with the demolition of a one-story, non-contributing structure and construction of a new 3,279 square foot two-story single-family residence and attached two-car garage. The approval also included a swimming pool, 4' tall, concrete block wall surrounding the front of the property and a wood fence along the west and north property lines.

The subject COA request is for the replacement of an existing 6' tall wood fence with a 6' PVC (vinyl) fence to the rear (west) and side (north) of the property. The request is now before the board.

Project Planners:

Ross Einsteder, Planner-in-Training
EinstederR@mydelraybeach.com
 Katherina Paliwoda, Planner
PaliwodaK@mydelraybeach.com

Review Dates:

HPB: October 7, 2020

Attachments:

1. Photos
2. Plan
3. Materials

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 1.4 of the Historic Preservation 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 6' tall wood shadow box fence with a 6' tall white synthetic PVC fence surrounding the property on the north and west sides of the property. This fence is visible from the adjacent north/south alley right-of-way, but not the adjacent SE 7th Avenue 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 proposal is for the installation of a 6' synthetic PVC fence on the rear (west) and side (north) of the property adjacent to the improved north/south alleyway. The proposed fence will replace a 6' tall, shadowbox wood fence.

With regard to the Relationship of Materials, Texture, and Color: Synthetic PVC fencing, is not an authentic material for use within a historic district when visible from a right-of-way. Wood, brick, stone, or metal are examples of fencing material that is appropriate for use within a historic district. The synthetic fencing is visible from the improved north/south alleyway on the west side (rear) of the property.

COMPREHENSIVE PLAN

Pursuant to the Historic Preservation Element (HPE), Objective 1.4, Historic Preservation Planning: Implement appropriate and compatible design and planning strategies for historic sites and properties within historic districts.

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:

HPE Policy 1.4.1

Continue to require that the Historic Preservation Board make findings that any land use or development application for a historic structure, site or within a historic district, is consistent with the provisions of the Secretary of the Interior's Standards for Rehabilitation, the Land Development Regulations, and Delray Beach Historic Preservation Design Guidelines.

The development proposal involves the replacement of a fence on the north and west sides of the existing non-contributing structure. There are no concerns with respect to soil or topographic conditions. There is concern that this proposed request represents a physical improvement that is not consistent with the historic district as the synthetic fence is visible from adjacent alley right-of-way, which is in conflict with LDR Section 4.5.1(E)(3)(a)(1).(d). This code requirement discourages the use of synthetic fence materials when visible from an adjacent right-of-way. There is concern that the request may not be consistent with the requirements of the Comprehensive Plan, the provisions of LDR Section 4.5.1 relating to historic sites and districts as well as the "Delray Beach Historic Preservation Design Guidelines". The board can approve the use of synthetic fence materials, where appropriate, and find that the request is consistent with the provisions of the code.

With respect to the adjacent land uses, the property is within the Marina Historic District and is surrounded by residential uses on the north, east, and south sides and commercial uses on the west side of the property across the north/south alleyway. There are no concerns with respect to land uses as the existing residential use is to remain.

ALTERNATIVE ACTIONS

- A. Move to continue with direction
- B. Approve Certificate of Appropriateness (2020-233), for the property located at **244 SE 7th Avenue, 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 (2020-233), for the property located at **244 SE 7th Avenue, 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:
- D. Deny Certificate of Appropriateness (2020-233), for the property located at **244 SE 7th Avenue, 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.

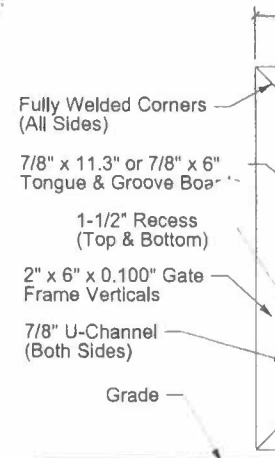
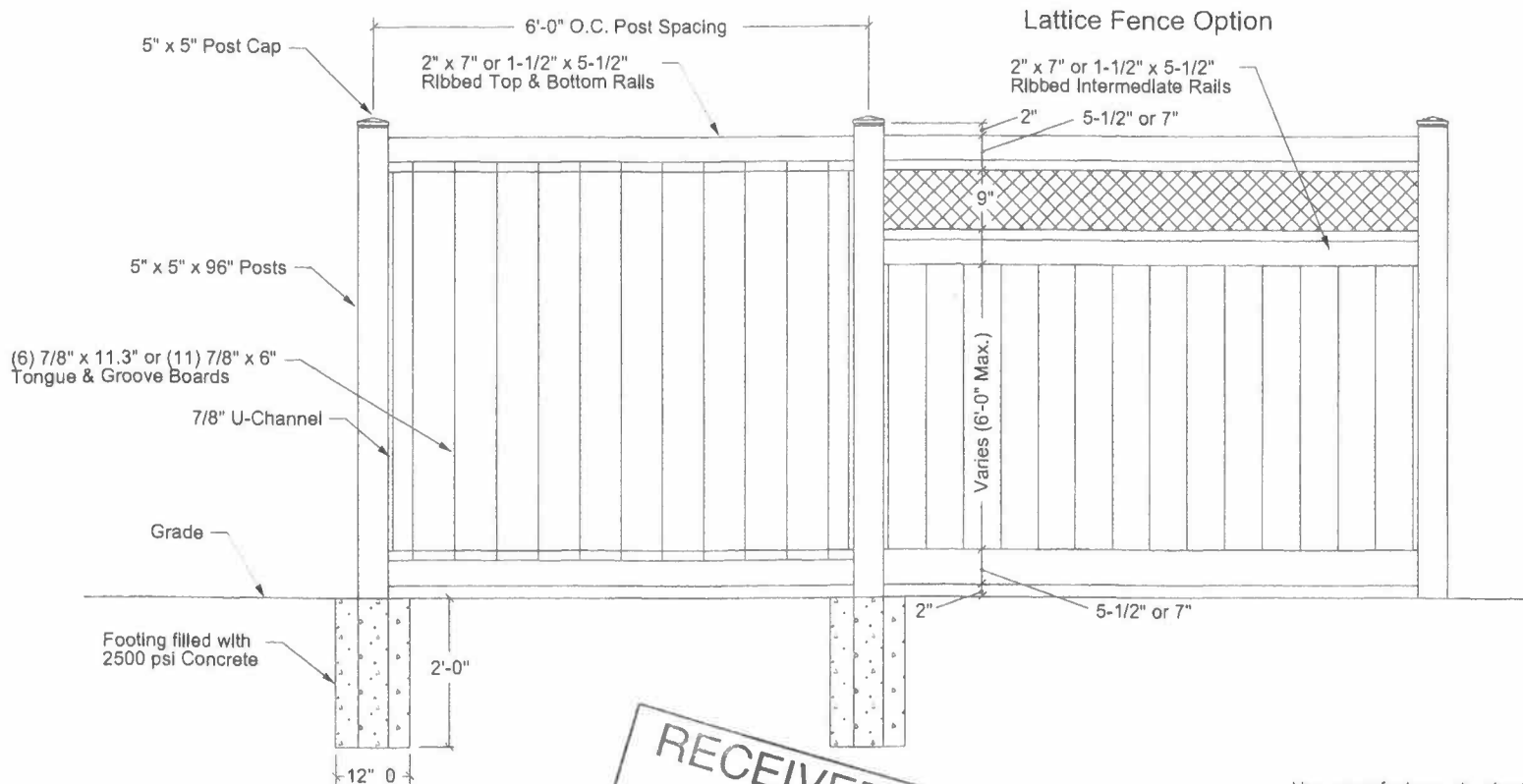
PUBLIC AND COURTESY NOTICES

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

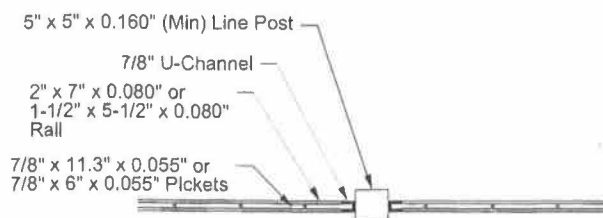
Marina Historic District Homeowners Association

☒ Public Notices are not required for this request.

☒ Agenda was posted on (9/30/20), 5 working days prior to meeting.



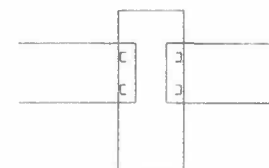
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2. R-4
3. Gat



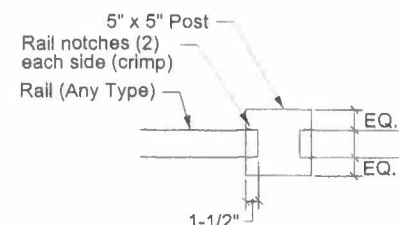
Fence Plan

7/8" x 11.3" or 7/8" x 6" Tongue & Groove Boards

Use manufacturer standard notching tool, notches shall be on the side



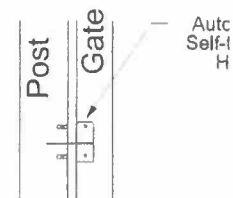
Section



Plan

2 Typical Gate

NTS



Latch Detail



broken fence door



broken gate



broken sliding gate



fence facing north



fence looking east

A photograph of a residential property. In the foreground, a mailbox with a silver and green design and the number '244' is mounted on a grey post. The mailbox is situated on a decorative bed of dark grey and white pebbles. Behind the mailbox, there is a lush green lawn and a variety of tropical plants, including palm trees and large-leafed shrubs. In the background, a white fence is visible, and a blue house with a white roof can be seen through the trees. The overall scene is well-maintained and aesthetically pleasing.

fence not visible from 7th Ave



Franklin residence compliments white fence



middle fence



neighbor PVC fence historic



neighboring PVC alley



neighboring fence historic



neighboring PVC fence in historic district



rotting bottom fence

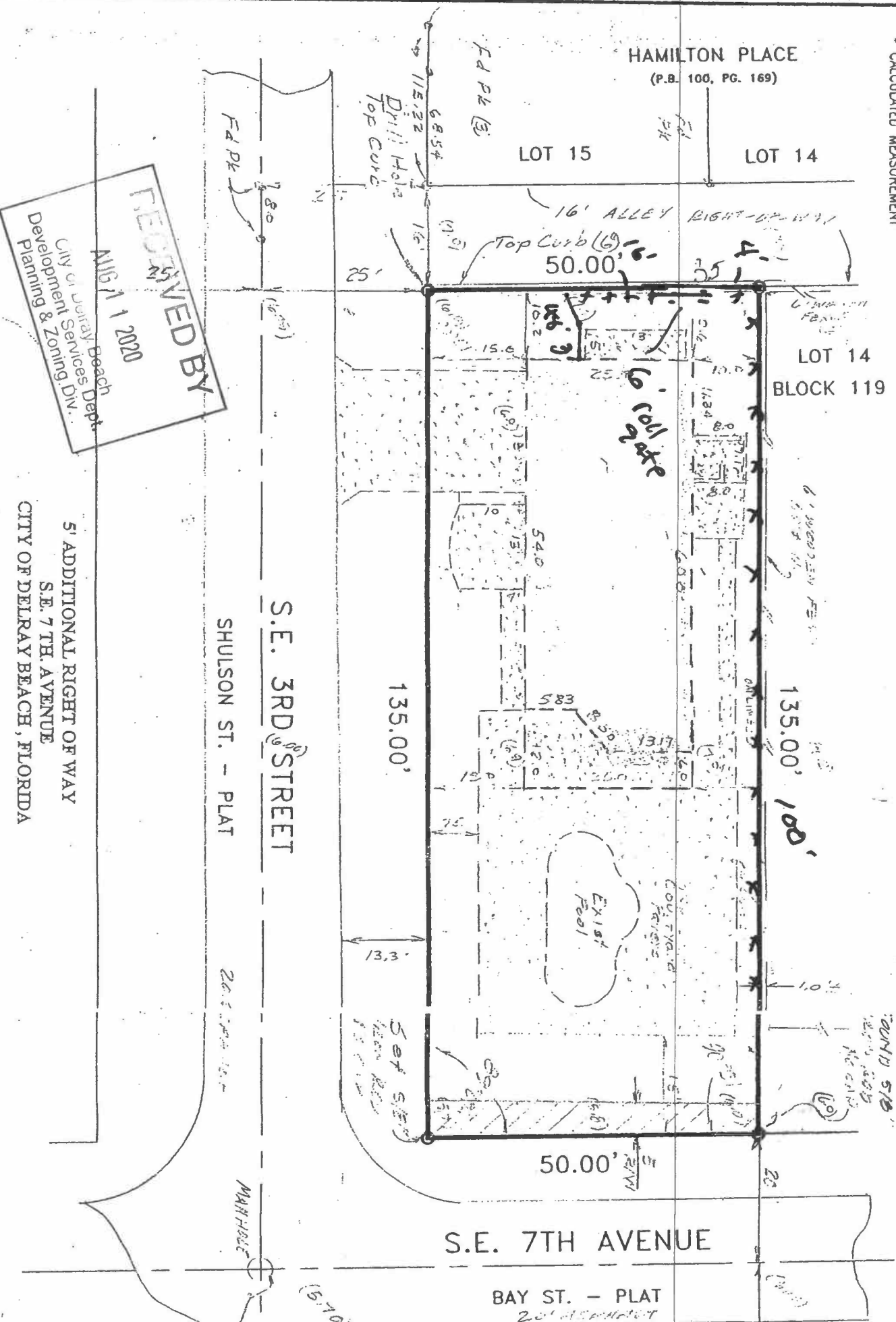


rot on bottom fence



view fence from neighbor

• CALCULATED MEASUREMENT



THE EAST 5.00 FEET OF LOT 13, BLOCK 119, GRACEY-BIRD SUBDIVISION, DELRAY BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 52, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

FOR THE BENEFIT OF:
JAMES J. FRANKLIN, JR.