

**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, 1<sup>st</sup> 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 1<sup>st</sup> Vice Chairman.

**MOTION CARRIED** 5-0 for Paula Newman-Rocker as 1<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 6<sup>th</sup>.

**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 **August 5, 2020**.

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