

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

MEETING DATE: July 1, 2020

MEETING PLACE: Virtual Meeting, City Hall

1. CALL TO ORDER

The meeting was called to order by John Klein, Chairman at 6:07 P.M.

2. ROLL CALL

A quorum was present.

Members present were John Klein, Chairman, Allison Turner, Vice Chairman, Paula Newman-Rocker, 2nd Vice Chairman, Tracy Caruso, Benjamin Baffer, Reeve Bright, and Alyse Lemstrom.

Absent was none.

Staff present were Kelly Brandon, Assistant City Attorney; Michelle Hoyland, Principal Planner; Katherina Paliwoda, Planner, Amy Alvarez, Principal Planner, and Diane Miller, Board Secretary.

3. APPROVAL OF AGENDA

Motion to APPROVE the 7/1/2020 agenda by Reeve Bright and seconded by Allison Turner with the following changes:

- 8B – File number is changed to 2020-087.
- 8E – 53 SE 7th Avenue postponed to August 5, 2020.
- 8G – 51 N. Swinton Avenue (Concept Plan) postponed to September 2, 2020.

ALL IN FAVOR

4. MINUTES

None

5. SWEARING IN OF THE PUBLIC

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

6. COMMENTS FROM THE PUBLIC

Patricia Wright – 255 NW 14th Avenue

Caroline Patton – 1020 Tamarin Road

Nancy Offon – 2 Furf Road

Paul Ludwig – 920 Dogwood Drive

7. PRESENTATIONS

None

8. QUASI-JUDICIAL HEARING ITEMS

- A. Certificate of Appropriateness (2020-192):** recommendation to the City Commission for a Historic Property Ad Valorem Tax Exemption
Address: 777 N. Ocean Boulevard, Individually Listed to the Local Register of Historic Places
Owner/Applicant: William & Stephanie McCauley; wpmccauley@gmail.com
Agent: Roger Cope; copearchitectsinc@gmail.com

Michelle Hoyland, Principal Planner entered project file 2020-192 into the record.

Exparte

None

Applicant Presentation

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

Staff Presentation

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

Public Comment

None

Board Comments

All the board members agree that this is a good project.

MOTION to recommend approval to the City Commission of the Historic Property Ad Valorem Tax Exemption Application for improvements to the property at 777 N. Ocean Boulevard, Individually Listed to the National Register of Historic Places, 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 made by Reeve Bright and seconded by Tracy Caruso.

MOTION CARRIED 7-0

- B. Certificate of Appropriateness (2020-188) (2020-087):** Recommendation to the City Commission for a request to individually list “The Wellbrock House” located at 22 N. Swinton Avenue to the Local Register of Historic Places.
Address: 22 N. Swinton Avenue, Old School Square Historic District
Owner: Delray Beach Community Redevelopment Agency
Agent: Tara Toto, Redevelopment Manager – CRA; toto@mydelraybeach.com

Michelle Hoyland, Principal Planner entered project file 2020-087 into the record.

Exparte

None

Applicant Presentation

Tara Toto – Redevelopment Manager – CRA

Staff Presentation

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

Public Comment

None

Board Comments

All of the board members agree that this is a good project.

Motion to make a recommendation of approval to the City Commission that “The Wellbrock House” located at 22 N. Swinton Avenue, Old School Square Historic District be listed in the Local Register of Historic Places by amending Land Development Regulations (LDR) Section 4.5.1(I), by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in the Land Development Regulations made by Reeve Bright and seconded by Paula Newman-Rocker.

MOTION CARRIED 7-0

- C. Certificate of Appropriateness (2020-119):** Consideration of a Certificate of Appropriateness and Variance request for the installation of a swimming pool and exterior improvements.

Address: 222 SE 7th Avenue, Marina Historic District

Owner/Applicant: Thomas P. Bloch & Jessica Wolfe; tom@samuelsre.com

Agent: Carol Perez; carol@agtland.com

Michelle Hoyland entered the project file (2020-119) into the record.

Exparte

None

Applicant Presentation

Carol Perez, AGT LAND, P.A. – Agent

Staff Presentation

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

Public Comment

Wari and Mary Dodge – 228 SE 7th Avenue (Email submittal)

Board Comments

All of the board members agree that this is a good project.

MOTION to approve Certificate of Appropriateness and Variance (2020-119), for the property located at 222 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 made by Alyse Lemstrom and seconded by Paula Newman-Rocker.

MOTION CARRIED 7-0.

- D. Certificate of Appropriateness (2018-089):** Consideration of a Certificate of Appropriateness request associated with the demolition and reconstruction of the existing contributing garage.

Address: 145 NE 6th Avenue, Individually Listed to the Local Register of Historic Places

Owner/Applicant: Allison Turner & Nancy Turner; allison@bcosf.com

Agent: Chuck Halberg; chuckh@stuartandshelby.com

NOTE: This Public Hearing item was originally scheduled and noticed for the March 4, 2020 Historic Preservation Board meeting and the item was continued at that meeting to a date certain for the July 1, 2020 Historic Preservation Board meeting.

Michelle Hoyland entered the project file (2018-089) into the record.

Exparte

None

Allison Turner stepped down as she is the owner of the property.

Applicant Presentation

David Schmidt – Attorney for the applicant.

Roger Cope – Cope Architect - 80 NE 4th Ave Delray Beach, Fl.

Chuck Halberg – Stuart and Shelby

Staff Presentation

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

Public Comment

Charles Coltman – 608 Renaissance Lane

Tony Abbott – 618 Renaissance Lane

Theodore Hoskinson – 124 NE 7th Avenue

Board Comments

Tracy Caruso – We cannot have this neglect on buildings. Maybe we need Code Enforcements help.

Benjamin Baffer – Maybe the building can be fixed.

Reeve Bright – The house is falling apart. Can it be re-built?

Paula Newman-Rocker – We must be careful with demolition.

John Klein – Are there any plans to build back?

- David Schmidt – I have spoke to the owner and she said if approved, she would go get a permit and start building.

Reeve Bright – How does the City let homes get in such bad shape?

MOTION to approve Certificate of Appropriateness (2018-089), request for the property located at 145 NE 6th Avenue, Individually Listed to the Local Register of Historic Places,

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 made by Tracy Caruso and seconded by Alyse Lemstrom.

Site Plan Technical Items:

1. That the window on the north elevation of the garage be eliminated.
2. That the height measurement for the principal structure is correctly illustrated on plan sheet A2.1 to be measured from the average crown of road.
3. That the height of the existing structure shall be noted within the site data sheet on plan sheet SP1.1.

MOTION CARRIED 5-1, Dissenting Paula Newman-Rocker

- E. Certificate of Appropriateness (2019-212):** Consideration of a Certificate of Appropriateness, Variance, and Waiver requests associated with the construction of a new 2-story single-family residence.

Address: 53 SE 7th Ave, Marina Historic District

Owner/Applicant: 53 SE 7, LLC; steve@bellahomes.us

Agent: Richard Jones; rich@rjarchitecture.com

Michelle Hoyland, Principal Planner entered the file into the record and informed the board that the applicant has asked for a postponement of his project until August 5, 2020 board meeting.

MOTION to approve the request by the applicant for a postponement of Certificate of Appropriateness (2019-212) at 53 SE 7th Avenue, Marina Historic District made by Reeve Bright and seconded by Tracy Caruso.

MOTION CARRIED 7-0

- F. Doc's Place (2020-137, 2020-138):** Provide a recommendation to the Planning and Zoning Board on Ordinance No. 34-20 for a small-scale Land Use Map Amendment from Historic Mixed Use (HMU) to Commercial Core (CC), and on Ordinance No. 35-20 for a rezoning from Old School Square Historic Arts District (OSSHAD) to Central Business District (CBD) with associated amendments to the Land Development Regulations (LDR) for two parcels totaling approximately 0.57 acres.

Address: Unaddressed Parking Lot and 37 West Atlantic Avenue (Block 60, Lots 13-15), Old School Square Historic District

Agent: John W. Szerdi, Architect for Banyan Fund, LLC; john@ldgfla.com

Planner: Amy Alvarez, Principal Planner; alvarez@mydelraybeach.com

Amy Alvarez, Principal Planner entered the project file (2020-137 and 2020-138) into the record.

Exparte

Tracy Caruso – Spoke to Steve Michael and Andre Fladell, received emails but has not read them

Allison Turner – Received emails from Mr. Price Patton, Delray Beach Preservation Trust; Ms. Kelly Barrett; and, Mr. Roger Cope

Benjamin Baffer – Received emails from Mr. Price Patton, Delray Beach Preservation Trust; Ms. Kelly Barrett; and, Mr. Roger Cope

Reeve Bright – Spoke to the owner of the property, Andre Fladell, Neil Schiller, Price Patton – did not read emails

Paula Newman-Rocker – Received emails from Mr. Price Patton, Delray Beach Preservation Trust; Ms. Kelly Barrett; and, Mr. Roger Cope and spoke to Mr. Price Patton

Alyse Lemstrom – Received emails from Mr. Price Patton, Delray Beach Preservation Trust; Ms. Kelly Barrett; and, Mr. Roger Cope

John Klein – Received emails from Mr. Price Patton, Delray Beach Preservation Trust; Ms. Kelly Barrett; and, Mr. Roger Cope

Applicant Presentation

John Szerdi, Architect for Banyan Fund, LLC

Neil Shiller – Attorney

Staff Presentation

Amy Alvarez, Principal Planner presented the project from a Microsoft Power Point presentation.

Public Comment

John Miller – 1502 Fenton Drive Delray Beach

Roger Cope – Cope Architects

Board Comments

Reeve Bright – Asked the applicant will Doc's be contributing? Yes

Tracy Caruso – I am in favor of contributing.

Allison Turner – Has the property ever been presented with existing zoning?

- Amy Alvarez – Nothing has been submitted.

Paula Newman-Rocker – If rezoned will it still remain in the historic district.

- Amy Alvarez – Yes, it will still remain under the HPB purview.

Benjamin Baffer – I have seen other applications on this property, but nothing went through. We need to be careful. I feel there would not be a reason that we would take a property out of the historic district. We should not support this.

Reeve Bright – I agree with Mr. Baffer.

Tracy Caruso – Remember that this is going to the Planning & Zoning Board and City Commission.

MOTION to recommend approval to the Planning and Zoning of Ordinance No. 34-20, a request for a Future Land Use Map amendment from Historic Mixed Use (HMU) to Commercial Core (CC) for Doc's Place, finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the applicable criteria set forth in the Land Development Regulations and to expect that Doc's be made a contributing structure made by Tracy Caruso and no one made a seconded.

MOTION FAILED

MOTION to recommend **denial** to the Planning and Zoning of Ordinance No. 34-20, a request for a Future Land Use Map amendment from Historic Mixed Use (HMU) to Commercial Core (CC) for Doc's Place, finding that the amendment and approval thereof

is not consistent with the Comprehensive Plan and does not meet the applicable criteria set forth in the Land Development Regulations made by Paul Newman-Rocker and seconded by Benjamin Baffer.

MOTION CARRIED A DENIAL OF 7-0

MOTION to recommend **denial** to the Planning and Zoning of Ordinance No. 35-20, a request for a Rezoning from Old School Square Historic Arts District (OSSHAD) to Central Business District (CBD) and associated amendment to the Land Development Regulations for Doc's Place, finding that the amendment and approval thereof is not consistent with the Comprehensive Plan and does not meet the applicable criteria set forth in the Land Development Regulations made by Paula Newman-Rocker and seconded by Alison Turner.

MOTION CARRIED A DENIAL OF 7-0

- G. Concept Plan Review (2019-139)** - Conceptual Plan Review discussion regarding the potential to amend the code to allow digital signage on the Old School Square property.
Address: 51 N. Swinton Avenue - Old School Square, Old School Square Historic District

Applicant: Shannon Eadon; seadon@oldschool.org

Note: This review is non-binding and no action shall be taken by the Board nor shall there be any written report resulting from discussions at the meeting which may be construed to be preliminary approval of the development concept.

MOTION to postponed Concept Plan Review, 51 N. Swinton Avenue to a date certain of September 2, 2020 made by Reeve Bright and seconded by Alyse Lemstrom

MOTION CARRIED 7-0

9. LEGISLATIVE ITEMS – CITY INITIATED

- A. Restaurant-Bar Hybrid LDR Amendment (2020-126):** Provide a recommendation to the Planning and Zoning Board on Ordinance No. 33-20 regarding an amendment to the Land Development Regulations (LDR) to establish a Restaurant-Bar Hybrid Use and associated criteria and requirements.

Location: Central Business District (CBD), Central Core Sub-district

Applicant: Tin Roof Acquisition Company, LLC

Agent: Matthew Scott, Esq, Dunay, Miskel & Backman, LLP; mscott@dmblaw.com

Planner: Amy Alvarez, Principal Planner; alvarez@mydelraybeach.com

Amy Alvarez, Principal Planner entered the project file (2020-126) into the record.

Exparte

All board members did a drive by.

Application Presentation

Matthew Scott – Dunay, Miskel & Backman Attorney at Law

Staff Presentation

Amy Alvarez, Principal Planner presented the project from a Microsoft Power Point presentation.

Board Comments

Tracy Caruso – Feel this project is not safe.

Allison Turner – I have mixed thoughts.

Benjamin Baffer – I feel this is a safety issue.

John Klein – Whatever happens we go by the Florida Building Code.

Paula Newman Rocker – I think there will be a parking issue.

MOTION to recommend denial to the Planning and Zoning Board of Ordinance No. 33-20, amending the Land Development regulations to establish the Restaurant-Bar Hybrid use and associated criteria and requirements, by finding that the amendments and approval thereof is not consistent with the Comprehensive Plan and does not meets the criteria set forth in the Land Development regulations made by Tracy Caruso and seconded by Paula Newman-Rocker.

MOTION DENIED 7-0

10. REPORTS AND COMMENTS

A. Staff Comments

- Next meeting is August 5
- Carver High School – No activity at this time.

B. Board Comments

- None

11. ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 12:30am (July 2, 2020).

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 **July 1, 2020** 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 recording of the proceedings of this Board. The full audio and video recording of these proceedings are available.