

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

**MEETING DATE:** June 2, 2021

**MEETING PLACE:** City Commission Chambers  
**In-Person Meeting**

**1. CALL TO ORDER**

The meeting was called to order by Kelly Brandon, Asst. City Attorney at 6:00 P.M.

**2. ROLL CALL**

A quorum was present.

**Members present** were Benjamin Baffer, Robert Osinoff; Claudia Willis, Alyse Lemstrom, Rhonda Sexton, and Kristin Finn.

**Absent** Allison Turner.

**Staff present** were Kelly Brandon, Assistant City Attorney; Michelle Hoyland, Principal Planner; Debora Slaski, Senior Planner; and, Diane Miller, Board Secretary.

**3. ELECTION OF OFFICERS**

Kelly Brandon announced that the next item on the agenda will be Election of Officers and she announced the process of electing officers.

**Motion** made by Allison Turner and seconded by Claudia Willis to nominated Benjamin Baffer as Chairman.

AIF – Benjamin Baffer was selected as Chairman.

**Motion** made by Claudia Willis and seconded by Allison Turner to nominate Alyse Lemstrom as Vice Chairman.

AIF – Alyse Lemstrom was selected as Vice Chairman.

**Motion** made by Rhonda Sexton and seconded by Allison Turner to nominate Claudia Willis as 2nd Vice Chairman.

AIF – Claudia Willis was selected as 2nd Vice Chairman

**4. APPROVAL OF AGENDA**

**Motion** to APPROVE the June 2, 2021 agenda by Claudia Willis and seconded by Alyse Lemstrom.

**MOTION CARRIED 5-0**

## **5. MINUTES**

None

## **6. SWEARING IN OF THE PUBLIC**

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

## **7. COMMENTS FROM THE PUBLIC**

Jim Miller - 206 Seabreeze Avenue - Inquired as to what is happening at 212 Seabreeze Avenue.

Michelle Hoyland gave an update of the property:

- The property owner went to the Special Magistrate Hearing as a result of violation of the Code of Ordinances.
- The Owner is reviewing the project with a 3<sup>rd</sup> party consultant.
- After the review it will go to the Historic Preservation Board.
- There will be public notice sent out to residents within a 500' radius.

## **8. PRESENTATION**

None

## **9. QUASI-JUDICIAL HEARING ITEMS**

**A. Certificate of Appropriateness (2021-157):** Recommendation to the City Commission for a Historic Property Ad Valorem Tax Exemption.

**Address: 235 NE 1st Avenue**, Old School Square Historic District

**Owner/Applicant: Joel and Laurie Clingan-Darack;** jsdarack@gmail.com

Michelle Hoyland, Principal Planner entered project file 2021-157 into the record.

### **Exparte**

Benjamin Baffer – No

Kristin Finn – No

Rhonda Sexton – No

Alyse Lemstrom – No

Claudia Willis – Drive by.

### **Applicant Presentation**

Joel and Laurie Clingan-Darack - Owners

### **Staff Presentation**

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

**Public Comment**

None

**Board Comments**

Mr. Baffer asked how long ago the project was completed and Ms. Hoyland responded with some history on the project. The Certificate of Occupancy (C.O.) was received April and Mr. Darack said that it was completed in November. With the C.O. already issued all permits have been closed and we cannot bring a tax exemption to the board without a completed C.O. Ms. Hoyland commented on the inspection of the house and responded that she personally did not inspect the house but does have staff that takes on this role.

**MOTION** to recommend approval to the City Commission of the Historic Property Ad Valorem Tax Exemption Application for improvements to the property 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 the Land Development Regulations made by Alyse Lemstrom and seconded by Claudia Willis.

**MOTION CARRIED 5-0**

*Robert Osinoff arrived at the meeting 6:30pm*

**B. Certificate of Appropriateness (2021-140):** Certificate of Appropriateness (2021-140): Consideration of a Class I Site Plan Modification and Certificate of Appropriateness request associated with the installation of a white aluminum pergola on the 3rd story rooftop of a non-contributing, multi-residential structure.

**Address: 12 SE 1st Avenue,** Old School Square Historic District

**Owner/Applicant: John Mallon;** johnrobot@msn.com

Michelle Hoyland, Principal Planner entered project file 2021-140 into the record.

**Exparte**

Benjamin Baffer - No

Robert Osinoff – No

Claudia Willis – No

Alyse Lemstrom – No

Rhonda Sexton – No

Kristin Finn – Drive by

**Applicant Presentation**

John Mallon - Owner

**Staff Presentation**

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

**Public Comment**

Bob McAllister, President – Palm Beach Pergola – 1768 SW Bradway Lane, Port St. Lucie, Florida

I am the builder who brought the pergola to South Florida and I am available to answer any questions the board might have.

**Board Comments**

Claudia Willis brought up the question about noise ordinance and if it has been incorporated into the appurtenances. Ms. Hoyland said that since the appurtenance has not been completed, she would bring the noise ordinance up to staff.

Regarding height, Ms. Sexton wanted to know how the 10 foot height came into play for the pergola. Mr. McAllister explained the height was determined by the way the louvers and drainage would work. In addition, Mr. Baffer wanted to know where the drainage would go and it was explained that the gutters would go all the way down the building.

Kim Mallon-12 SE 1<sup>st</sup> Avenue-Owner (asked to speak with the boards approval) Ms. Mallon commented on the noise and when on the roof they are very quiet.

**Motion** to approve the Class I Site Plan Modification and Certificate of Appropriateness (2021-140), for the property located at 12 SE 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 the Land Development Regulations. made by Rhonda Sexton and seconded by Robert Osinoff.

**MOTION CARRIED 6-0**

**C. Uses Involving Domestic Animals (File No.2021-144):** Provide a recommendation to the Planning and Zoning Board on Ordinance No. 17-21 regarding an amendment to the Land Development Regulations for regulations associated with uses involving domestic animals, and to identify the zoning districts where uses involving domestic animals are allowed.

**Planner: Debora Slaski, Senior Planner;** slaskid@mydelraybeach.com

Michelle Hoyland, Principal Planner entered project file 2021-144 into the record.

**Staff Presentation**

Debora Slaski, Senior Planner presented the project from a Microsoft Power Point presentation.

**Board Comments**

Claudia Willis was not clear on what area of the CBD the ordinance was speaking about and with the map at presentation Ms. Hoyland showed the boundaries. Ms. Willis also asked if the residents in the area were going to be notified for this ordinance but no separate meeting would be held. Mr. Baffer asked some questions regarding mobile grooming and vet services, but that service would not be in this ordinance. Ms. Willis was

also asking about if there was distance separation between business and clarified it was 300 feet. Kelly Brandon ask Debora Slaski to restate what was amended.

Amended, Property with outdoor use areas intended for domestic animals services shall not be located within 600' of the residentially owned property with outdoor use areas intended for domestic animal services as measured from lot line to lot line in a straight line.

Property with indoor use areas intended for domestic animals services shall not be located within 300' of residentially owned property or property with indoor use areas intended for domestic animal services as measured from lot line to lot line in a straight line.

**Motion** to recommend approval to the Planning and Zoning Board of Ordinance No. 17-21, as amended, amending the Land Development Regulations to provide specific regulations regarding outdoor use areas, overnight boarding, disposal of carcasses, site and structural requirements, hours of operation, and separation requirements for uses involving domestic animals; to identify the zoning districts where uses involving domestic animals are allowed as a principal use or as a conditional use, by finding that the amendment as amended and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in Land Development Regulations made by Claudia Willis and seconded by Rhonda Sexton.

**MOTION CARRIED 6-0**

## **10. REPORTS AND COMMENTS**

### **A. Staff Comments**

1. Next meeting July 7, 2021.
2. Gave our new board members training binders.

### **B. Attorney Comments**

1. Ms. Brandon welcomed our new members, Ms. Sexton

### **C. Board Comments**

1. Alyse Lemstrom-Update and thoughts on personal inspections. Ms. Hoyland has had conversation with the Building Official and we are finding that there is a need for someone to inspect specific details of a building. Looking at the details of the windows.
2. Claudia Willis-Asked if there is going to be any training on searching for historic information. Ms. Hoyland is working on a tutorial.

## **11. ADJOURN.**

There being no further business to come before the Board, the meeting was adjourned at 8:15pm.

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 **June 2, 2021** which were formally adopted and **APPROVED** by the Board on **February 2, 2022**.

ATTEST:

  
\_\_\_\_\_  
CHAIRMAN

  
\_\_\_\_\_  
BOARD SECRETARY

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