

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

MEETING DATE: October 6, 2021

MEETING PLACE: City Commission Chambers

1. CALL TO ORDER

The meeting was called to order by Benjamin Baffer, Chairman at 6:04 P.M.

2. ROLL CALL

A quorum was present.

Members present were Benjamin Baffer, Chairman, Rhonda Sexton, Vice Chairman, Claudia Willis, 2nd Vice Chairman, Robert Osinoff, Jim Chard, and Kristin Finn.

Absent Alyse Lemstrom

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

3. APPROVAL OF AGENDA

Motion to APPROVE the October 6, 2021, agenda by Jim Chard and seconded by Robert Osinoff.

MOTION CARRIED 6-0

4. MINUTES

None

5. 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.

6. COMMENTS FROM THE PUBLIC

None

7. PRESENTATION

None

8. QUASI-JUDICIAL HEARING ITEMS

A. Historic Property Ad Valorem Tax Exemption (2021-254): Recommendation to the City Commission for a Historic Property Ad Valorem Tax Exemption request associated with additions and alterations to a contributing structure.

Address: 227 NE 1st Avenue, Old School Square Historic Arts District

Owner/Applicant: Michael Perlman

Michelle Hoyland, Principal Planner entered project file 2021-254 into the record.

Applicant Presentation

Michael Perlman – Property owner

Staff Presentation

Katherina Paliwoda, Historic Preservation Planner presented the project from a Microsoft PowerPoint presentation.

Exparte

Benjamin Baffer - None

Kristin Finn - None

Rhonda Sexton - None

Claudia Willis - Drive by

Robert Osinoff – None

Jim Chard- None

Public Comment

None

Rebuttal/ Cross

None

Board Comments

Claudia Willis stated that the Historic Preservation Board had previously approved the alterations of the Historic structure and supports the tax exemption be granted to the applicant.

Benjamin Baffer inquired regarding inspections by Historic Preservation staff to ensure that alterations to the structure were conducted in accordance with the Certificate of Appropriateness and conditions of approval approved by the Historic Preservation Board.

Jim Chard noted that the pictures presented by City Staff showed that utilities were located above ground and requested staff to clarify whether the Land Development Regulations governing historic properties require that utility lines are placed below ground.

Rhonda Sexton noted that the siding on the cottage was altered from the original board siding, the applicant indicated that the original siding on the cottage was replaced with the

intent to match the siding on the primary structure.

Claudia Willis recommended that a checklist be drafted so that staff can indicate that the historic property meets the requirements set forth in the Historic Preservation Land Development Regulations and thereby potentially qualify for a Historic Property Ad Valorem Tax Exemption tax exemption.

MOTION to recommend approval to the City Commission of the Historic Property Ad Valorem Tax Exemption Application (2021-254) for improvements to the property at 227 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 Rhonda Sexton and seconded by Kristin Finn.

MOTION CARRIED 6-0

B. Certificate of Appropriateness (2020-179): Consideration of a Certificate of Appropriateness request for the reconstruction of the roof and repairs to exterior walls of an existing contributing structure.

Address: 143 S. Swinton Avenue, Old School Square Historic District

Owner/Applicant: Nigel Development, Inc.

Agent: Jaime Mayo-HNM Architecture, 3705 N. Federal Highway, Delray Beach, FL.

Michelle Hoyland, Principal Planner entered project file 2020-179 into the record.

Applicant Presentation

Jaime Mayo, HNM Architecture LLC., 3705 N. Federal Highway, Delray Beach, FL.

Staff Presentation

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

Exparte

Benjamin Baffer - None

Kristin Finn - None

Rhonda Sexton - Drive by

Claudia Willis - Drive by

Robert Osinoff – None

Jim Chard- None

Public Comment

None

Rebuttal/ Cross

None

Board Comments

Benjamin Baffer requested clarification as to the extent of roof repairs that need to be conducted. The roof and trusses need to be replaced and that adequate shoring will be installed throughout the structure to support the existing structure during the construction. The existing height and slope of the roof would not be altered.

Claudia Willis noted that the structure was constructed with Dade County Pine and inquired whether the original building materials would remain in the existing structure. In regard to the siding, areas containing rotted wood would be replaced and the new siding would look identical to the original siding.

Rhonda Sexton inquired as to what steps will be taken to prevent moisture from damaging the interior of the structure during construction.

Jim Chard requested clarification from Michelle Hoyland regarding the initial denial of the Certificate of Appropriateness. Ms. Hoyland explained that the original application contained a larger addition, additionally the applicant requested several variances in regard to the addition to the northern portion of the property.

MOTION to approve Certificate of Appropriateness, (2020-179) request for 143 South 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 the Land Development Regulations made by Claudia Willis and seconded by Jim Chard.
MOTION CARRIED 6-0

C. Certificate of Appropriateness (2021-239): Consideration of a Certificate of Appropriateness request associated with the alteration of the historic fountain situated on the subject property.

Address: 110 Marine Way, Marina Historic District

Owner/Applicant: Courtney Palmer, 1250 Crain Highway, LLC;
JGDeleonibus@gmail.com

Agent: M. Peg Delp; mmpdllc@gmail.com

Michelle Hoyland, Principal Planner entered project file 2021-239 into the record.

Applicant Presentation

Courtney Palmer, Owner – 110 Marine Way
M. Peg Delp, Project Manager/ Agent

Staff Presentation

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

Exparte

Benjamin Baffer - Received Price Patton email

Kristin Finn - None

Rhonda Sexton - Received Price Patton email, Drive by

Claudia Willis - Received Price Patton email, walked by the location, received calls from the general public, spoke with Price Patton and City staff

Robert Osinoff – Received Price Patton email

Jim Chard- Received Price Patton email

Public Comment

Ann Whitehead- 213 SE 7th Avenue asked the Board if the email from Price Patton was entered onto the record.

Rebuttal/ Cross

Michelle Hoyland stated that the applicant has not worked with staff in every step of the process, as indicated in Mr. Palmer's testimony.

Mary Peg Delp stated that the tiles located within the fountain were cracked which resulted in water draining from the fountain and that the period tiles needed to be removed to make the required repairs. From a distance the public was unable to adequately determine the condition of the tiles. Ms. Delp indicated that she never refused City staff access to the property.

Board Comments

Claudia Willis stated that the property owner did not follow the Historic Preservation procedures when making alterations to the fountain in addition, that the property owners site plan indicated that the fountain was to remain as-is. Ms. Willis asked Ms. Delp if she was aware that no exterior alterations of any historic structures were to be conducted prior to obtaining the required approvals, Ms. Delp responded that she was aware.

Rhonda Sexton inquired if the applicant brought samples with her of the tiles that were recently installed on the fountain and if the tiles installed on fountain were matching with any other tiles located on the property.

Claudia Willis stated that if the applicant came before the Board prior to removal of the tiles, she would have recommended that replacement tiles be crafted that would be similar to the original tiles.

Jim Chard stated that the Board is understanding regarding maintenance requirements. The replacement tiles are not consistent with the original period titles as the replacement tiles are now a field tile and the previous tiles were a pattern tile. The planting around the fountain were placed in a way that is obstructing the view of the fountain.

Benjamin Baffer directed the Board to consider if the Board would approve the replacement tiles if the applicant had followed the Historic Preservation Land Development Regulations and followed the standard procedures. Mr. Baffer was understanding that repairs needed

to be made to the fountain and that tiles may have needed to be removed to make the necessary repairs. Replacement tiles should have been a replica of the original period tiles, additionally, he indicated that using replica tiles would not be too burdensome on the property owner.

MOTION to continue with direction, to replace the exterior wall and top tile with replica tiles and to allow the cobalt blue interior tile to remain made by Claudia Willis and seconded by Jim Chard.

MOTION Failed 3-3, Dissenting – Claudia Willis, Kristin Finn & Benjamin Baffer

MOTION to continue with direction, to replace the exterior side, top and 4x4-inch interior tile with replica tiles that replicates the original period tiles made by Claudia Willis and seconded by Kristin Finn.

MOTION CARRIED 5-1, Dissenting - Robert Osinoff

D. Certificate of Appropriateness (2021-199): Consideration of Certificate of Appropriateness request for the construction of additions and exterior alterations to the existing contributing structure and construction of accessory structures.

Address: 330 NE 1st Avenue, Old School Square Historic District

Owner/Applicant: Stephen & Laura Derrickson; steve@thederricksons.com

Agent: Dan Sloan; dsloan@sloandesign.biz

Applicant Presentation

Dan Sloan, Architect 106 SE 7th Avenue, Delray Beach, FL 33483

Staff Presentation

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

Exparte

Benjamin Baffer - None

Kristin Finn - None

Rhonda Sexton - None

Claudia Willis - None

Robert Osinoff – None

Jim Chard- None

Public Comment

None

Rebuttal/ Cross

Dan Sloan indicated that the standard for rehabilitation of existing replacement windows differs from rehabilitation of historic windows, he is open to installation of white windows. Michelle Hoyland had a differing opinion in regard to Mr. Sloan's representation regarding design standards for window replacements.

Board Comments

Benjamin Baffer inquired about a large tree currently located at the front of the property as the rendering provided by the applicant shows a palm tree in its place. Mr. Baffer stated that the use of a hip roof as opposed to a gable roof changes the appearance of the structure significantly and would significantly alter the original style of the home.

Jim Chard inquired regarding the disposition of the trees and potential drainage concerns based the additions to the structure, the applicant indicated that drainage plans will be submitted upon the receipt of a Certificate of Appropriateness. Jim Chard was concerned that the proposed roof may not appear historically accurate from the street frontage. Jim Chard noted that the parcel is larger than most parcels in the area and therefore should provide ample green space, but the proposed additions would encompass a significant portion of the parcel.

Rhonda Sexton requested clarification as to the proposed modification of the parking spaces. Michelle Hoyland presented to the Board the historic guidelines regarding parking. There is on street parking on the east side of the street.

Claudia Willis expressed concern that the proposed project would significantly decrease the amount of greenspace on the parcel but is content in seeing that the porches are going to be installed to match the original structure.

Kristin Finn requested information regarding the setbacks of the proposed structure, the original structure is an existing nonconformity as it does not comply with current setback requirements. The setbacks of the proposed additions exceed the required setbacks imposed by the City's Land Development Regulations.

MOTION to continue with direction made by Jim Chard, seconded by Robert Osinoff with the recommendations below.

1. The south side addition modified to be less conspicuous.
2. White window frames.
3. Remove the parking in the front.
4. Picket Railings must be utilized on the front porch, a decorative feature is allowed
5. Adjust the design of the French doors.
6. Hip seam metal roof

MOTION CARRIED 6-0

9. LEGISLATIVE ITEMS – CITY INITIATED

A. Restaurant Definitions (FKA - Ice Cream Shops) (2020-160):

Provide a recommendation to the Planning and Zoning Board on Ordinance No. 27-21, a city-initiated request to amend the Land Development Regulations (LDR) for the purpose of updating the regulations for restaurants by updating restaurant definitions and restaurant specific regulations, creating provisions for limited indoor dining, which reduce off-site parking requirements, and updating zoning language to reflect such changes.

Planner: Brian Ruscher, Transportation Planner; Ruscherb@mydelraybeach.com

Staff Presentation

Brian Ruscher, Transportation Planner presented the project from a Microsoft PowerPoint presentation.

Board Comments

Claudia Willis indicated that she had reviewed the changes and found them to be reasonable.

Jim Chard stated that the purpose of the changes is to encourage small business to invest and making the changes in regard to off street parking regulations and fees.

MOTION to approval to the Planning and Zoning Board of Ordinance No. 27-21, amending the Land Development Regulations Sections Section 4.3.3 Special Requirements for Specific Uses, Section 4.4.9 General Commercial, Section 4.4.11 Neighborhood Commercial, Section 4.4.13 Central Business District Section 4.4.14 Resort/Tourism, Section 4.4.15 Planned Office Center, Section 4.4.24 Old School Square Historic Arts District, Subsection 4.6.9 (A) (B) and (C) Off-Street Parking Regulations, and APPENDIX A: Definitions, by finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in Land Development Regulations made by Jim Chard and seconded by Claudia Willis.

MOTION CARRIED 6-0

10. REPORTS AND COMMENTS

A. Staff Comments

- Next meeting November 3rd, 2021.
- Update of Doc's will be presented before the City Commission on October 5, 2021
- Grants, 2 funded by the State of Florida, will hire consultant for historic property GIS system
- Resource survey for the cemetery located on SW 8th Avenue along with Pine Ridge

B. Attorney Comments

None

C. Board Comments

Claudia Willis requested information regarding the signage on Christian Science Church (Chapel 4). No permits have been submitted regarding the signage. Some interior alterations were conducted, and landscaping has been added. The business owner does possess a current Business Tax Receipt. A question was posed if there was adequate parking for the use, the property owner submitted a site plan to City Staff that indicated that there is sufficient parking.

Kristin Finn inquired in regard to the historic Del Ida Park marker on NE 2nd Avenue. Ms. Hoyland indicated that an inventory of historic markers has been conducted to identify missing or damaged markers.

Jim Chard presented his viewpoint regarding the Historic Preservation of Natural Environmental tree canopy study and encouraged the Historic Preservation Board to draft a letter of suggestions to include goals and how the goals can be executed.

11. ADJOURN.

There being no further business to come before the Board, the meeting was adjourned at 11:00pm.

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 6, 2021**, which were formally adopted and **APPROVED** by the Board on **August 3, 2022**.

ATTEST:



Chairman



Board Secretary

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