

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

**MEETING DATE:** September 7, 2022

**MEETING PLACE:** City Commission Chambers

**1. CALL TO ORDER**

The meeting was called to order by Kelly Brandon, Assistant City Attorney at 6:04 P.M.

**2. ROLL CALL**

A quorum was present.

**Members present** were, Alyse Lemstrom, Chairman; Claudia Willis Vice Chairman; Rhonda Sexton, 2<sup>nd</sup> Vice Chairman; Jim Chard; John Miller and Kristin Finn

**Absent** Robert Osinoff

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

**3. APPROVAL OF AGENDA**

**Motion** to move item 4 to item 3.

APPROVE the September 7, 2022 agenda, as amended, made by Alyse Lemstrom and seconded by Jim Chard.

**MOTION CARRIED 6-0**

**4. ELECTION OF OFFICERS**

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

Motion made by Claudia Willis to nominate Alyse Lemstrom as Chairman and seconded by Rhonda Sexton.

**Motion Carried 6-0**

Motion made by Alyse Lemstrom to nominate Claudia Willis as Vice Chairman and seconded by Jim Chard.

**Motion Carried 6-0**

Motion made by Jim Chard to nominate Rhonda Sexton as 2<sup>nd</sup> Vice Chairman and seconded by Claudia Willis.

**Motion Carried 6-0**

## **5. MINUTES**

Motion to APPROVE the minutes of February 2, 2022, March 2, 2022, April 6, 2022, May 4, 2022, June 1, 2022, July 6, 2022, and August 3, 2022, made by Kristin Finn and seconded by Claudia Willis.

**Motion Carried 6-0**

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

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

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

George Long, 46 N Swinton Avenue. Mr. Long was concerned that the development located at 37 W Atlantic Avenue and 10 N Swinton Avenue is changing the residential character of the block.

## **8. PRESENTATION**

None

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

**A. Ad Valorem Tax Exemption (2022-228):** Recommendation to the City Commission for a Historic Property Ad Valorem Tax Exemption (2022-228) request associated with additions and alterations to a contributing structure. Address: 131 NW 1st Avenue, Old School Square Historic District

**Owner/Applicant:** Joseph and Donna Marion; jmarion@marionassociates.com

**Planner:** Katherina Paliwoda, Planner; paliwodak@mydelraybeach.com

Michelle Hoyland, Principal Planner entered project file 2022-228 into the record.

### **Exparte**

Alyse Lemstrom- None

Kristin Finn – None

Jim Chard – None

Rhonda Sexton – None

Claudia Willis-None

John Miller- None

### **Applicant Presentation**

Joseph Marion, property owner of 131 NW 1<sup>st</sup> Avenue Delray Beach FL 33444

### **Staff Presentation**

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

### **Rebuttal/Cross**

None

### **Public Comment**

George Long 46 N Swinton Avenue. Mr. Long stated that granting the ad valorem tax exemption was appropriate.

### **Board Comments**

Claudia Willis asked staff if an inspection was conducted to ensure that the additions and alterations were conducted in accordance with historic preservation standards and Historic Preservation Board approvals.

Rhonda Sexton requested clarification from staff regarding a 2007 Board approval to install 6 over 6 windows which was noted in the staff report. Ms. Willis asked staff if the front door was approved as it does not appear to be in accordance with the architectural style of the structure.

Jim Chard and Kristin Finn noted that the applicant did a good job in restoring the structure.

**MOTION** to recommend approval to the City Commission of the Historic Property Ad Valorem Tax Exemption Application (2022-228) for improvements to the property at 131 NW 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 was made by Claudia Willis and seconded by Rhonda Sexton.

**MOTION CARRIED 6-0**

**B. Certificate of Appropriateness (2022-221):** Consideration of a Certificate of Appropriateness (2022-221) request for a material & color change to awnings on an existing contributing, commercial structure. Address: 44 E. Atlantic Avenue, Old School Square Historic District

**Owner/Applicant:** Jetport II, LLC; comptroller@zonelaw.com

**Agent:** Donald C Day - Delray Awning LLC; don@delrayawning.com

**Planner:** Katherina Paliwoda, Planner; paliwodak@mydelraybeach.com

Katherina Paliwoda, Planner entered project file 2022-221 into the record.

**Exparte**

Alyse Lemstrom- None  
Kristin Finn – None  
Jim Chard – None  
Rhonda Sexton – None  
Claudia Willis-None  
John Miller- None

**Applicant Presentation**

Catherine Straught, Property Manager for the property owner Jetport II LLC

**Staff Presentation**

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

**Rebuttal/Cross**

None

**Public Comment**

None

**Board Comments**

Jim Chard inquired from the applicant regarding the flagpole located on the top of the structure and the lighting illuminating the structure as shown in the Applicants rendering.

Claudia Willis asked if the trim and building color was administratively approved why the awning changes were not administratively approved. Staff indicated that due to the cumulative number of changes staff wanted the have the Board made aware of the exterior changes.

**MOTION** to approve Certificate of Appropriateness (2022-221), for the property located at 40-44 E. Atlantic 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 was made by Rhonda Sexton and seconded by Jim Chard.

**MOTION CARRIED 6-0**

**C. Certificate of Appropriateness (2022-190):** Consideration of a Certificate of Appropriateness (2022-190) associated with the installation of a new guest cottage and two storage sheds in the rear of the existing one-story single family, non-contributing residence.

**Address:** 126 NW 4th Avenue, West Settlers Historic District

**Owner/Applicant:** Jonathan Morgenstern; Jonathan.d.morgenstern@gmail.com

**Agent:** Mike Covelli; mike@covellidesign.com

**Planner:** Michelle Hewett, Planner; hewettm@mydelraybeach.com

Michelle Hewett, Planner entered project file 2022-190 into the record.

**Exparte**

Alyse Lemstrom- None

Kristin Finn – None

Jim Chard – None

Rhonda Sexton – None

Claudia Willis-None

John Miller- None

**Applicant Presentation**

Mike Covelli, Covelli Design Associates, Inc., 1209 S Swinton Avenue, Delray Beach FL 33444

Roger Cope, Cope Architects 701 SE 1<sup>st</sup> Street, Delray Beach FL 33483

**Staff Presentation**

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

**Rebuttal/Cross**

None

**Public Comment**

George Long, 46 N Swinton Avenue. Mr. Long was supportive granting the Certificate of Appropriateness.

**Board Comments**

Rhonda Sexton inquired as to the height of the accessory structure and the primary residence and if a similar type of structure can be installed in any zoning district. Staff indicated that a similar structure is permissible if the structure meets the Florida Building Code and Zoning Regulations, the Historic Preservation Board would need to make a determination that the structure is architecturally compatible, meet the visibility standards and the standards set forth in the Secretary of the Interior for properties located within a historic district. Ms. Sexton asked if this structure is considered a mobile home or a permanent structure, staff indicated that this is considered to be a permanent structure.

Jim Chard asked staff if an 8-foot fence was permitted and if the primary structure will be deemed to be a contributing structure in the future. Mr. Chard inquired from the applicant as to how stucco will be applied to the existing metal siding.

John Miller noted that the visual compatibility is of most importance and would have preferred windows on both sides and a different roof line.

Alyse Lemstrom asked if staff could administratively approve the two plastic sheds located in the rear of the property.

**MOTION** to approve Certificate of Appropriateness (2022-190), requests for the property located at 126 NW 4th Avenue, West Settlers 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 was made by John Miller and seconded by Rhonda Sexton.

**MOTION CARRIED 6-0**

## **9. LEGISLATIVE ITEMS- CITY INITIATED**

None

## **10. REPORTS AND COMMENTS**

### **A. Staff Comments**

- The next Historic Preservation Board meeting will be held on October 19, 2022.
- A training Manual will be provided to John Miller, the newest Board member.
- An interview with the State of Florida regarding the Cemetery Resource Study Grant was conducted and Delray Beach was ranked 8<sup>th</sup> out of a total of 56 applicants. If the grant is funded the project would start July 2023. Information resulting from the historic resource survey will be added to the GIS map and a preservation plan for the cemetery would be created.

### **B. Board Comments**

Jim Chard asked if the Cemetery Resource Study would include anything from the master plan. Mr. Chard inquired if Frog Alley was included in the Atlantic Avenue Resource survey. Mr. Chard noted that in one of the minutes adopted at the start of the meeting noted that the train station may be removed from the National Historic Register.

John Miller inquired about the history of the Memorial Gardens Municipal Cemetery and the forthcoming survey. Mr. Miller noted that the Delray Historic Society may need to relocate the FEC train station currently located at 220 NE 1<sup>st</sup> Street as the land that it currently is located has been sold and may be developed in the future.

Claudia Willis asked about the Atlantic Avenue resource survey and how it will proceed.

Rhonda Sexton noted that the Preservation Trust was willing to be spearheading the preservation of four structures located at Carver Middle School. Ms. Sexton noted that the City would need to purchase the property from the Palm Beach Board of Education.

### **C. Attorney Comments**

None

**11. ADJOURN.**

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

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 **September 7, 2022**, which were formally adopted and **APPROVED** by the Board on **October 19, 2022**.

**ATTEST:**

  
CHAIR

  
BOARD SECRETARY

NOTE TO READER: If the Minutes you have received are not completed as indicated above, then this means that these are not the official Minutes of the Historic Preservation Board. They will become official minutes only after review and approval, which may involve some amendments, additions, or deletions.