



## Legislation Text

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File #: 18-842, Version: 1

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**TO:** Mayor and Commissioners  
**FROM:** Timothy Stillings, Development Services Director  
**THROUGH:** Mark R. Lauzier, City Manager  
**DATE:** December 11, 2018

RESOLUTION NO. 156-18: HISTORIC PROPERTY TAX EXEMPTION REQUEST FOR 106 SE 7<sup>th</sup> AVENUE

**Recommended Action:**

Motion to Adopt Resolution No. 156-18; approving a historic property tax exemption request for improvements to the contributing structure and property located at 106 SE 7<sup>th</sup> Avenue, based upon positive findings with respect to LDR Section 4.5.1(J).

**Background:**

The subject property consists of Unit 1, of Sloan Hammock, Land Condominium, and is located on the west side of SE 7<sup>th</sup> Avenue, approximately 75' south of SE 1<sup>st</sup> Street. The property, joined by a Unity of Title and executed condominium documents, currently contains four structures consisting of 5 total units (two 2-story structures, a 1-story structure, and a detached garage). The property is zoned Multiple-Family Residential-Medium Density (RM) and classified as contributing to the Marina Historic District.

In October, 1993, the Historic Preservation Board approved variances to reduce the required side and rear setbacks for a proposed 3-bay garage, a variance request to reduce the distance between two residential buildings within the multi-family developments, a waiver to reduce the right-of-way width on SE 7<sup>th</sup> Avenue from 60' to 40', and the site plan, subject to conditions. The Board required that a sidewalk be installed along the west side of SE 7<sup>th</sup> Avenue from the north property line to the northernmost parking space. The Board also gave partial approval for the proposed architectural design elements. While the development approval expired, the variances remained as these run with the land, as opposed to with the validity or establishment of an approved project.

In December, 1995, the Historic Preservation Board approved the restoration of the historic dwelling, expansion and upgrading of the existing one-story triplex to two stories, construction of a second-story on the existing 1-story single-family residence, construction of a three-car garage, construction of a swimming pool, and the installation of fences, walkways, and decking, subject to conditions. One condition was that Unity of Title and condominium documentation be recorded as the development proposal contained three individually platted lots. Once these documents were recorded, the triplex became a three-unit condominium, the two-story, single family residence became a single-unit condominium, and the one-story, contributing structure became a single-unit condominium with an associated attached garage.

Then, at its June 1, 2016 meeting the Historic Preservation Board approved a COA and Class II Site

Plan Modification consisting of additions and alterations to the 1925 Mission style structure on the site, as follows:

- Addition to the south elevation with French doors facing south;
- Screened porch over existing patio on the south elevation with simulated coral rock columns and decorative trellis supporting new awning above;
- 2<sup>nd</sup> story addition to main structure consisting of 910 square feet;
- New shed style, fabric awnings on residence (Sunbrella, Forest Green Tweed);
- Extension of chimney to second story on north elevation;
- New single French door on west elevation of residence;
- New Weathershield PGT aluminum clad wood windows and doors in medium walnut finish; and,
- Alterations to the detached garage that included a new flat, single-panel door on the north elevation and new shed style fabric awnings (Sunbrella, Forest Green/Beige Blvd. stripe).

At its meeting of December 5, 2018, the Historic Preservation Board (HPB) approved an Ad Valorem Tax Exemption request associated with the approved additions and alterations to the contributing structure.

Pursuant to LDR Section 4.5.1(J)(7)(d)(b), upon approval recommendation of the Historic Property Tax Exemption Application by the Historic Preservation Board, the application shall be placed by resolution on the agenda of the City Commission for approval.

The improvements, included a 910 square foot 2<sup>nd</sup> story addition to the 1-story residence, an addition to the south elevation, new screened porch, as well as exterior elevation changes all of which have been completed. A Certificate of Occupancy (CO) was issued on September 24, 2018. The applicant is now applying for tax exemption status for those improvements.

The item is now before the City Commission for final approval of the exemption request. If approved, the request will be forwarded to the Palm Beach County Property Appraiser's Office and the Palm Beach County Planning and Zoning Department for recordation and final appraisal of the improvements. Additional background and an analysis of the request are provided in the attached HPB Memorandum Staff Report.

#### **Review by Others**

The HPB considered the tax exemption request at their December 5, 2018 meeting and recommended approval of the Ad Valorem Tax Exemption Application. The tax exemption will apply only to the difference in assessed value after the eligible property improvements.

#### **City Attorney Review:**

Approved as to form and legal sufficiency.

#### **Funding Source/Financial Impact:**

N/A

#### **Timing of Request:**

Approved Resolution must be forwarded to the Palm Beach County Property Appraiser's Office and the Palm Beach County Planning and Zoning Department as soon as possible.