



## Legislation Text

---

File #: 21-1040, Version: 1

---

**TO:** Mayor and Commissioners  
**FROM:** Anthea Gianniotis, Development Services Director  
**THROUGH:** Terrence R. Moore, ICMA-CM  
**DATE:** October 5, 2021

RESOLUTION NO. 152-21: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION TO KENNETH J. FABEL AND PAOLA FABEL, FOR THE HISTORIC REHABILITATION OF THE PROPERTY LOCATED AT 228 NORTH DIXIE BOULEVARD, AS FURTHER DESCRIBED HEREIN; DETERMINING THAT THE COMPLETED IMPROVEMENTS ARE CONSISTENT WITH LAND DEVELOPMENT REGULATION (LDR) SECTION 4.5.1(J), TAX EXEMPTION FOR HISTORIC PROPERTIES; AND PROVIDING AN EFFECTIVE DATE.

**Recommended Action:**

Review and consider Resolution No. 152-21 approving a Historic Property Ad Valorem Tax Exemption request for improvements to the contributing structure and property located at 228 North Dixie Boulevard.

**Background:**

The 0.23 acre subject property is located at 228 North Dixie Boulevard and contains a contributing structure constructed in 1947 in the Minimal Traditional style. The property is zoned RO (Residential Office) and is situated within the Locally Designated Del-Ida Park Historic District.

According to the City Property cards, the historic structure had a floorplan consisting of six rooms. The structure was built of concrete block construction with a stucco exterior, gabled tile roof. The building permit for the original structure indicates that Samuel Ogren was the architect. Ogren was Delray's most prolific architect during the real estate boom, he designed hundreds of homes and commercial buildings in Delray Beach in a variety of architectural styles.

At its meeting of July 18, 2018, HPB approved a Certificate of Appropriateness (2018-031) for a 3,887 square foot addition to the existing 1,240 square foot residential structure, as well as a new pool and associated landscaping and hardscaping. The approval also included a waiver for enclosure of the existing carport for use as a 1-car garage, and Variance (2018-032) to reduce the side interior setback from the required 7'-6" to 3'-1".

Based on State of Florida regulations, a Historic Property Ad Valorem Tax Exemption can be approved for a project before, during, or after it has been undertaken. The applicant therefore requests consideration of the Historic Property Ad Valorem Tax Exemption as the project is complete.

Pursuant to LDR Section 4.5.1(J)(7)(d)(b), upon approval recommendation of the Historic Property Ad Valorem Tax Exemption Application by the Historic Preservation Board, the application shall be

placed by resolution on the agenda of the City Commission for approval. At its meeting of September 1, 2021, the Historic Preservation Board (HPB) recommended approval by a vote of 6-0 of the Historic Property Ad Valorem Tax Exemption request associated with the approved additions and alterations to the contributing structure. A Certificate of Occupancy (CO) was issued on June 4, 2021.

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. The tax exemption will apply only to the difference in assessed value after the eligible property improvements. Additional background and an analysis of the request are provided in the attached HPB Memorandum Staff Report.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source:**

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 for final appraisal of the improvements.