

MINUTES OF THE HISTORIC PRESERVATION BOARD

PUBLIC HEARING/REGULAR MEETING

CITY OF DELRAY BEACH
DELRAY BEACH, FLORIDA

MEETING DATE: July 10, 2013

LOCATION: 1st Floor Conference Room

MEMBERS PRESENT: Annie Adkins Roof, Ronald Brito, Ana Maria Aponte, Ronald Brito and Iris McDonald

MEMBERS ABSENT: Annette Smith, Samuel Spear

STAFF PRESENT: Amy Alvarez, Brian Shutt (City Attorney), Diane Miller

I. **CALL TO ORDER:**

The meeting was called to order by the Chair, Ms. Annie Adkins Roof at 6:00 p.m. This meeting was a rescheduled meeting from July 3, 2013 due to lack of a quorum.

II. **ROLL CALL:**

Upon roll call by Ms. Miller it was determined that a quorum was present.

III **APPROVAL OF AGENDA:**

Motion made by Iris McDonald, seconded by Ronald Brito, and approved 4-0.

IV **MINUTES**

Motion of the June 5, 2013 minutes are being held till the August 7, 2013 meeting.

Chair Ms. Roof read the Quasi-Judicial Rules for the City of Delray Beach and Ms. Miller swore in all who wished to give testimony on any agenda item.

IV. **ACTION ITEMS:** (Item A & B are being swapped as the applicant for 275 N. Swinton Avenue was not present)

A. Certificate of Appropriateness (2013-187) **101 NE 5th Street, Del-Ida Park Historic District**

Applicant: Virginia Ritter & John Kolkmeier

Property Owner: Virginia Ritter

Authorized Agent: Cope Architects, Inc.

Consideration of a COA for additions to a contributing structure, and construction of a detached guest cottage, and detached garage.

Exparte Communication – None

This property is located at **101 NE 5th Street, Del-Ida Park Historic District**. The subject property is irregularly shaped and fronts on both Fern Court and NE 5th Street. The .42 acre site contains a circa 1925, 1,174 square foot Mission style residence along with a detached single-car garage. The residence is classified as contributing to the Del-Ida Park Historic District. Building records indicate that a Florida Room was added to the west elevation in 1965.

The current request consists of 2 minor additions to the residence, demolition of the single-car garage, construction of a detached two-car garage, and construction of a detached guest cottage.

The additions to the historic structure measure approximately 226 square feet. The addition to the west elevation is to provide a new master bathroom and walk-in closet; the addition to the north is to provide an expansion of the existing kitchen.

The proposed two-car garage is located approximately seven feet, six inches (7'6") from the guest cottage and is situated on the side yard setback, ten feet (10') from the west property line. The new garage overlaps the existing garage's footprint.

Two individual driveways to each garage opening are proposed, along with a circular drive in front of the guest cottage. The material has not yet been specified.

There is only one issue that we found, and the front entry porch extends into the front setback area; however, the wall measures a total of five feet (5') in height, whereas the total height cannot exceed three feet (3'). Therefore, a reduction of two feet (2') in height is required and is added as a condition of approval.

Development standards have all been met; with the front porch height needs to be reduced because it is in the setback. Parking has been met with (2) parking spaces out in front.

Visual Compatibility Standards has met all the criteria and the scale is in keeping with the house and the additions that are proposed.

Staff has recommended approval subject to the following conditions:

1. That the stove be removed from the guest cottage plans;
2. That the total height of front wall on the guest cottage not exceed 3' in height from grade;
3. That the driveway material be specified; and,
4. That the stucco finish of the proposed structures differs from the historic stucco pattern.

Applicant Presentation

Roger Cope – Cope Architects, Inc. – representing the applicant
Applicant – Virginia Ritter & John Kolkmeier

Mr. Cope is very satisfied with the project and the work that Ms. Alvarez has done. We are in agreement with the conditions that have been presented in the staff report. There is an extra heavy stucco finish now on the exiting cottage and we might go ultra-smooth on the new structure. In regards to the driveway, we are still looking at different materials.

As far as the one condition that affects the physical aspect of the architecture is the front porch. The existing house has pretty much has the same porch but does not have any railings. We want to upgrade the porch on the guest cottage by having a solid concrete fence that is around it. If it was a rod iron transparent fence would it still be limited to the 3ft. in height?

Amy Alvarez said that she was ok with the fence height, but she would have to check to just make sure of the rules.

Mr. Cope for the record he said he would comply with the ruling of the fence height. Worse case we will eliminate it all together and go down to the concrete slab. We are in complete agreement with all conditions and we are staying with the existing colors.

John Kolkmeier – Applicant

He is happy to part of the project and the only thing that we are working on is the driveway. Also, we would like to remove the sea grape, but we will go through the appropriate channels for that.

BOARD DISCUSSION

Iris McDonald commented that she thought it was a great upgrade for the area.

Anna Maria Aponte thought it was very refreshing to the area too.

Ronald Brito said that he liked the Mission style design on the house but what is the texture on the house.

Virginia Ritter – Property Owner - said that the house has been completely stuccoed since the mid '90s.

Ronald Brito said that when they re-do the stucco, it should be all smooth.

Anna Maria Aponte thought that both textures should be the same. Also, do you live in the house now and the applicant said yes.

PUBLIC COMMENTS – None

MOTION/FINDINGS

Approve the Certificate of Appropriateness (2013-187) for **101 NE 5th Street, Del-Ida Park Historic District**, based upon positive findings with respect to the Land Development Regulations, the Delray Beach Historic Preservation Design Guidelines, and the Secretary of the Interior's Standards for Rehabilitation, subject to the following conditions:

1. That the stove be removed from the guest cottage plans;
2. That the total height of front wall on the guest cottage not exceed 3' in height from grade or hand rail.
3. That the driveway material be specified, and approved by the city;
4. That the stucco finish of the proposed structures differ from the historic stucco pattern.

Motion by Mr. Brito, seconded by Ms. McDonald. Said motion passed with a 4-0 vote.

B. Certificate of Appropriateness and Waiver Request (2013-182)
275 North Swinton Avenue, Old School Square Historic District

Applicant: Sharon J. Baker, Property Owner

Consideration of a COA and waiver request associated with the installation of a 6' wood fence within the side street setback area.

Exparte Communications – None

This is a Certificate of Appropriateness (COA) and Waiver request associated with the installation of a 6' wood fence within the side street setback area of the property located at **275 North Swinton Avenue, Old School Square Historic District.**

The fence can be approved administratively, and the applicant is aware of this, but because the fence is 6 feet in height and it is in the side street setback, I could not. Amy Alvarez explained to the applicant that she would go down to 4 feet I would be happy to approve this permit. Her tenant wants a private area on the side of the house so she is going to move forward with the waiver in order to increase to 6 feet.

In consideration of the applicable Visual Compatibility Standard noted above, the proposal does not meet its intent. The proposed 6' fence is not visually compatible as far as being cohesive in a historic sense. Although other 6' fences exist in the district, they were installed prior to the adoption of the subject regulation in 2008. The intent of the height limitation is to maintain open streetscapes and viewpoints of interest in the historic district, as opposed to permitting tall fences and walls which detract from the district's character.

The applicant is not here tonight, but she did send in picture of another fence in her area, and it is 6 feet. Amy Alvarez did speak with the applicant and explained that it was grandfathered in.

Anna Maria Aponte asked that if she puts in a 4 foot fence, could she put in hedges behind it and have them grow to 6 feet or more.

Amy Alvarez said that she can put in hedges and they can grow as high as they want. Also, she said that if 6 feet is not approved she would accept the 5 foot fence.

Brian Shutt said that we should do the waiver first and the COA under the recommendation section.

MOTION/FINDINGS

Waiver

Waiver: LDR Section 4.5.1(E)(3)(a)1.c., Fences and Walls

Deny the waiver to LDR Section **4.5.1(E)(3)(a)1.c.**, to permit a fence measuring 6' within the side-street setback, whereas 4' is the maximum height permitted, based upon a failure to make positive findings of LDR Section 2.4.7(B)(5).

Motion by Ms. Aponte, seconded by Ms. McDonald. Said motion passed with a 4-0 vote.

COA

Approve the Certificate of Appropriateness (2013-182) for **275 North Swinton Avenue, Old School Square Historic District** by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Sections 2.4.6(H)(5) subject to the condition that the fence height be reduced to 4'.

Motion by Ms. Aponte, seconded by Ms. McDonald. Said motion passed with a 4-0 vote.

REPORTS AND COMMENTS

PUBLIC COMMENTS – NONE

BOARD MEMBERS COMMENTS – NONE

STAFF – *Next Meeting will be on August 7th.*

VII. **ADJOURN**

The meeting adjourned at 6:40pm

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 **July 10, 2013** which were formally adopted and approved by the Board on **September 11, 2013**.

Diane Miller

Diane Miller, Executive Assistant

If the Minutes that you have received are not completed as indicated above, then this means that these are not the official Minutes. They will become so after review and approval, which may involve some changes.