

**Historic Preservation Board
September 28, 2021 Meeting Minutes
Commission Chambers**

MEMBERS PRESENT: Amanda Skier, Chairperson
Dan Pichney, Member
Gabriel Jaroslavsky, Member
Kenneth Breslauer, Member
Reginald Stambaugh, Member
Keith Williams, Member
Donna Tomaszewski, 1st Alternate

MEMBERS ABSENT: Kristin Kellogg, Vice-Chairperson

STAFF PRESENT: Friederike Mittner, City Historic Preservation Planner
Hope White, Board Secretary

BOARD ATTORNEY: Denise Haire, Assistant City Attorney

I. CALL TO ORDER/ROLL CALL

Chairperson Amanda Skier, called the regular meeting of the Historic Preservation Board to order at 5:00 P.M. Hope White, Board Secretary, called the roll and it was determined that a quorum was present.

II. APPROVAL OF AGENDA/MINUTES

Ms. Friederike Mittner, City Historic Preservation Planner, indicated that there was one new construction application on the Consent Agenda. She read a letter of support received by Staff regarding Consent Case HPB Case No. 21-70, for 525 31st Street, into the record, and praised the work done at 3101 Washington Road.

Mr. Gabriel Jaroslavsky indicated that Continued Case, HPB Case No. 21-67, 3110 Washington Road, was postponed but that the Minutes of August 24, 2021 indicated it was continued. He also mentioned that David Lawrence had not given a presentation.

Chairperson Amanda Skier requested a motion to approve the Agenda.

Due to the absence of Vice-Chairperson Kristin Kellogg, Ms. Donna Tomaszewski became a voting member.

Mr. Keith Williams made a **motion to approve** the Agenda for September 28, 2021. Mr. Gabriel Jaroslavsky seconded the motion; **the motion passed** 7-0.

Chairperson Skier requested a motion to amend the Minutes of the August 24, 2021 meeting, with the noted changes.

Mr. Gabriel Jaroslavsky made a **motion to approve** the amended Minutes for August 24, 2021. Mr. Keith Williams **seconded the motion; the motion passed 7-0.**

III. REPORT OF THE HISTORIC PRESERVATION PLANNER

Ms. Friederike Mittner, City Historic Preservation Planner, reported that since the last meeting of August 2021, Staff had reviewed 119 Level I applications, 2 Level II applications, and 44 zoning reviews.

Ms. Mittner announced that Anne Hamilton, the new Historic Preservation Planner, would begin October 4, 2021.

IV. REMARKS BY THE CHAIRPERSON/DECLARATION

Chairperson Amanda Skier stated that the matters before the public are quasi-judicial in nature. The decisions of the Board are made from competent and substantial evidence that comes before them. For each case, after the applicant presents their case, Staff will provide a presentation and then the public will have an opportunity to speak or have their comments read into the record from previously received correspondence. The applicant can make a 10-minute presentation for regular cases or take 15 minutes for a proposed demolition. After Staff's presentation, the Board will open up the floor for public comment, which is restricted to three minutes per speaker. The applicant may have a short rebuttal after the public speaks. The Board will then go into executive session. Prior to rendering a decision, the Board will confirm no additional public comments have been received by Staff. Members of the Board need to disclose if they have discussed the cases with anyone prior to tonight's meeting.

A. EX-PARTE COMMUNICATION

- Ms. Donna Tomaszewki, disclosed she had no ex-parte communications.
- Mr. Keith Williams – disclosed he had communications regarding HPB Case No. 19-58A, and HPB Case No. 21-63. He indicated that for HPB Case No. 21-67, he would need to recuse himself.
- Mr. Gabriel Jaroslavsky – disclosed that he had spoken with the architects regarding HPB Case Nos. 21-73, and 21-67. He stated he received an email regarding HPB Case No. 19-58A. Mr. Jaroslavsky indicated he had heard a presentation from architect and applicant regarding HPB Case Nos. 21-62 and 21-63, but that he would make his decisions based upon the evidence presented.
- Chairperson Amanda Skier – disclosed she had communications with the architect regarding HPB Case Nos. 21-67, and 19-58A. She indicated she heard a presentation from the architect regarding HPB Case No. 21-63 and had spoken with the attorney of those projects. Ms. Skier stated she heard a presentation from the architect regarding HPB Case No. 21-68. She stated she had spoken with Ms.

Friederike Mittner regarding all of the cases on the agenda, but that she could make her decision based upon the evidence presented at the meeting.

- Mr. Daniel Pichney – disclosed he had sent Ms. Mittner information regarding HPB Case No. 21-62 (the design and concepts resembling a building in Manhattan). He stated he received a meeting invite from the attorney regarding HPB Case No. 21-62, but that he declined the invitation. Mr. Pichney indicated that he would make his decisions based upon the testimony and evidence presented.
- Mr. Ken Breslauer – disclosed he had received an email regarding HPB Case Nos. 21-67, 19-58A and 21-63, but had no further ex-parte communications.
- Mr. Reginald Stambaugh disclosed he had received communications regarding HPB Case No. 21-67, (heard a presentation by the architect), and HPB Case Nos. 21-62 and 21-63. He stated he could make his decision based upon the evidence presented without bias.

V. PUBLIC COMMENT

None.

A. SWEARING IN OF SPEAKERS

Ms. Hope White, Board Secretary, swore in Staff and members of the public who wished to speak.

VI. CONSENT CASES

1. **Historic Preservation Board Case No. 18-77**: 3101 Washington Road
This contributing Mediterranean Revival property located on a prominent corner in the Prospect Park/Southland Park Historic District was built in 1922. It is known as the Joseph and Maritta Schulper house and was in the same family until the current owner purchased it. Few modifications had been made over time. Character defining features include a columned semicircular front porch facing north. Historic images provided guidance for the rehabilitation that was completed as presented.

On December 19, 2018, the applicant received approval for the following:

Ad Valorem Pre-Construction application for rear (south) two story addition of approximately 990 square feet, second floor addition on garage of approximately 460 square feet and general rehabilitation including new 6/1 single hung impact windows. New flat concrete tile roof.

Staff recommended **APPROVAL** of the application as submitted.

2. **Historic Preservation Board Case No. 21-70**: 525 31st Street
The property at 525 31st Street is a two-story Frame Vernacular single-family house built in 1923 by W. E. Poland. Architectural features include previous painted split

shake siding, a Neoclassical style door surround, and a low-pitched hipped roof. Building records show an eastern sun porch that has been since removed. Current floorplan size measures 1,278 SF on both ground and upper floors. The applicant is requesting to construct a 512 square feet rear story addition - approximately 256 square feet per each floor. This will create a mudroom and utility area downstairs and a third bedroom upstairs. Additional work will include site upgrades, an interior remodel to convert an upstairs bedroom into a master bath space, and a reconstruction of the 210 square feet eastern sunroom removed sometime in the 1980s. New white frame aluminum impact windows were previously approved via permit in 2017. The owner submitted and then withdrew a similar application per HPB 18-14, when it was determined an Ad Valorem is not appropriate for the request.

The applicant is now requesting approval for the following:

1. Side and Rear additions.
2. New detached accessory structure.
3. Site work.

Staff recommended **APPROVAL** of the application as submitted.

3. **Historic Preservation Board Case No. 21-75**: 3115 Washington Road
This contributing property in the Prospect Park/Southland Park was built in 1939 in the Vernacular style by Stephens Company. It is defined by its long linear facade, fluted curved details at the window bays and columns on the covered porch.

The applicant is seeking an Ad Valorem preconstruction approval for the following:

1. New approximately 907 square feet one-story addition at rear of structure.
2. Second floor addition of approximately 496 square feet to existing detached one-story accessory structure.
3. Site work.

Staff recommended **APPROVAL** of the application as submitted.

4. **Historic Preservation Board Case No. 21-77**: 727 Palm Street
This contributing property in the Grandview Heights Historic District was built in 1925 in the Vernacular style by Prather and Shennan. It is defined by its front facing double gables and craftsman elements that is so popular in Grandview Heights.

The applicant is seeking an Ad Valorem preconstruction approval for the following:

1. New approximately 700 square feet one-story addition at rear of structure.
2. Replacement of windows and doors with a 4/1 single hung product.
3. Site work.

Staff recommended **APPROVAL** of the application as submitted.

5. **Historic Preservation Board Case No. 21-73:** 210 Sunset Road
This 1941 Vernacular structure is known as the Benjamin and Clara Herr House and contributes to the El Cid Historic District. Colonial elements such as oversized windows and horizontal siding are key to the symmetrical facade

The applicant is requesting approval for the following:

1. Replace existing windows with same style in black frames.
2. Repair and match existing siding where needed.
3. Window modifications at rear of residence.

Staff recommended **APPROVAL** of the application as submitted.

6. **Historic Preservation Board Case No. 21-76:** 912 Division Avenue
This is an undersized vacant comer lot in the Northwest neighborhood.

The applicant is requesting approval for the following:

1. Construction of a new two-story single-family home of approximately 1,309 square feet. The new construction is in the masonry vernacular style.
2. Site work.

The proposed plans comply with the building size, scale and mass regulations per the SF14-C5 zoning regulations.

Staff recommended **APPROVAL** of the application with the condition that the second floor shall be clad in horizontal smooth hardi board or other siding.

EXECUTIVE SESSION

Mr. Gabriel Jaroslavsky **made a motion to APPROVE** Consent Case Nos. 18-77C (3101 Washington Road), 21-70 (525 31st Street), 21-75 (3115 Washington Road), 21-77 (727 Palm Street), 21-73 (210 Sunset Road), and 21-76 (912 Division Avenue).

Mr. Dan Pichney **seconded the motion; the motion passed 7-0.**

VII. CONTINUED CASES

Mr. Keith Williams recused himself from this application and left the Chambers at approximately 5:12 p.m.

1. **Historic Preservation Board Case No. 21-67**: 3110 Washington Road

Update: This case was not heard at the August 24, 2021 Historic Preservation Board meeting due to a lack of quorum when it was called. This will be the first presentation of this case.

This is another site on the east side of Washington Road in the Prospect Park/Southland Park Historic District proposed for redevelopment, where there seems to be a proliferation of modern new construction. The structure currently on site was built circa 1961 in the Colonial style. The structure is non-contributing. Its most noticeable feature from the street is the two-story square columned porch with a brick base and siding on the second level.

The applicant is requesting approval for the following:

1. Demolition of existing structure.
2. Construction of a new two-story single-family home with a detached cabana of approximately 10,449 square feet. The new construction is modern and broken down into multiple box-like massing elements.
3. Site work including 6'-0" wall, motor court, driveway and pool with open gazebo.

Staff recommended **APPROVAL** of the application as submitted for demolition and new construction as presented in the plans with the following conditions:

1. The permanent materials selected on the exterior shall exhibit a warmer tone such as the light rose, or tan depicted in the rendering vs. the harsh white shown on the material selection page.
2. The glass facing Washington Road shall be clear.
3. The west elevation shall be modified to address the blank wall of the side loading garage.

The applicant is currently asking for a reconsideration of condition number one due to overall resiliency for the structure.

Harold Smith and Cory Meyer gave a presentation on behalf of the applicant.

Ms. Friederike Mittner presented Historic Preservation Board Case No. 21-67.

See the Staff Report for detailed history, background and analysis information pertaining to this case.

Chairperson Amanda Skier opened the floor to public comment.

There were no members of the public providing public comments.

EXECUTIVE SESSION

Mr. Ken Breslauer **made a motion to APPROVE** Historic Preservation Case No. 21-67, at 3110 Washington Road, for demolition, in accordance with the demolition guidelines as set forth in the Historic Preservation Ordinance Section 94-49 of the City's Zoning and Land Development Regulations (ZLDRs). The motion is based upon the testimony presented, along with the application submitted and the Staff Report which constitute competent substantial evidence.

Mr. Dan Pichney **seconded the motion; the motion passed 6-0.**

Mr. Ken Breslauer **made another motion to APPROVE** Historic Preservation Case No. 21-67, at 3110 Washington Road, for New Construction, in accordance with the Security of Interior Standards for Rehabilitation, specifically Standards 9 and 10, as well as the additional compatibility criteria as set forth in the Historic Preservation Ordinance Section 94-49 of the City's Zoning and Land Development Regulations (ZLDRs). The motion is based upon the testimony presented, along with the application submitted and the Staff Report which constitute competent substantial evidence. In addition, the approval of this request is made conditional upon the following restrictions, stipulations, and/or safeguards that I move are necessary to ensure compliance with the purpose and intent of the Historic Preservation Ordinance, the Historic Preservation Element of the Comprehensive Plan of the City of West Palm Beach, the Secretary of the Interior's Standards for Rehabilitation, specifically Standards 9 and 10, as well as the additional compatibility criteria as set forth in the Historic Preservation Ordinance Section 94-49 of the City's Zoning and Land Development Regulations (ZLDRs). The conditions include the following:

1. The permanent materials selected on the exterior shall exhibit a warmer tone such as the light rose, or tan depicted in the rendering vs. the harsh white shown on the material selection page.
2. The glass facing Washington Road shall be clear.
3. The west elevation shall be modified to address the blank wall of the side loading garage.

Mr. Gabriel Jaroslavsky **seconded the motion; the motion passed 6-0.**

Mr. Keith Williams returned to the Chambers at approximately 5:45 p.m.

2. **Historic Preservation Board Case No. 19-58A: 227 Rugby Road**
Update: This case was continued from the July 27, 2021, for the applicant to present the new windows for the front facade. This case will still be going through the code enforcement process simultaneously. Staff is recommending approval of the proposed windows and shift in window location on the rear elevation.

This corner site consists of a contributing primary structure built in 1925 in the Mediterranean Revival style and a detached two car garage accessed off South Olive Avenue on the northwest corner of the lot also listed as contributing to the district. The primary two-story structure faces Rugby Road with character defining features that include wood windows, stucco exterior finish and a barrel tile roof.

On December 19, 2019, the applicant received approval for the following:

1. Two story addition to the west and rear of the primary structure including a ground floor loggia of approximately 2,906 square feet.
2. New construction of approximately 484 square feet two car garage facing west attached via hyphenated roof line to existing accessory structure that will be converted to a pool house.
3. Site work.

With these conditions:

1. The French door light configuration will match the existing French door.
2. The applicant will consider the front addition and fenestration with City Staff.

The permit was issued in accordance with the decision and then the applicant came back to staff requesting three window modifications from what the Board approved. Two were minor enough that staff approved them administratively but the third was deferred to the Board. That is the request the applicant is presenting you. However, Staff is concerned about the level of demolition and loss of front facade that has occurred during construction and has advised the applicant that staff will be presenting these concerns to the Board.

Staff recommended **APPROVAL** of the application as submitted.

Daniel Clavijo, of S K Architects, gave a presentation on behalf of the applicant.

Ms. Friederike Mittner presented Historic Preservation Board Case No. 19-58A.

See the Staff Report for detailed history, background and analysis information pertaining to this case.

Chairperson Amanda Skier opened the floor to public comment.

Nancy Pullum provided public comments.

Daniel Clavijo offered a rebuttal to public comments.

EXECUTIVE SESSION

Mr. Gabriel Jaroslavsky **made a motion to APPROVE** Historic Preservation Case No. 19-58A, at 227 Rugby Road, for alterations, in accordance with Standards 9 and 10 as set forth in Section 94-49, of the City's Zoning and Land Development Regulations (ZLDRs). The motion is based upon the testimony presented, along with the application submitted and the Staff Report which constitute competent substantial evidence.

Mr. Keith Williams **seconded the motion; the motion passed 7-0.**

3. **Historic Preservation Board Case No. 21-57**: 3120 Washington Road
This case was withdrawn by the applicant.

Ms. Friederike Mittner indicated that there would be another case to be placed on the agenda for 3120 Washington Road; only the previous submittal was withdrawn.

4. **Historic Preservation Board Case No. 21-58**: 3130 Washington Road
This case was withdrawn by the applicant.

5. **Historic Preservation Board Case No. 21-59**: 3140 Washington Road
This case was withdrawn by the applicant.

Historic Preservation Board Case Nos. 21-62 and 21-63 were presented simultaneously.

6. **Historic Preservation Board Case No. 21-62**: 301 Clematis Street – Hatch’s Department Store

Update: This case was continued from the August 24th Historic Preservation Board meeting. There is no supplemental information for the designation portion of the request.

This application is for the designation of the structure at 301-307 Clematis Street, West Palm Beach, Florida, (formerly known as Hatch's Department Store) which is a three-story, square plan, commercial building and its associated land. The building rests on a concrete foundation, has a poured concrete frame, stucco walls, and a flat, asphalt roof. The building achieved its current Art Modeme expression in 1936 and 1940, when two earlier buildings were remodeled into this unified structure.

Hatch's Department Store gained its current form and architectural significance when it was expanded in 1936, an act that took unprecedented courage and vision during the Great Depression years. Hatch intended to transform his business in anticipation of economic recovery from the depression. The progressive attitudes of the owner guided him in selecting his architect, John L. Volk, who responded to the difficult times with a dramatically new architectural style applied with subtle economy. Volk's design introduced the modern aesthetic to commercial West Palm Beach. The newly remodeled store was the largest local building project since the boom-time era. Contractor for the remodeling was C.J. Trevail. The building was owned by Bernard H. Kroger, of Palm Beach and Cincinnati, founder of the Kroger chain of supermarkets, and leased for a long period of years to Hatch's, Inc. This expansion, the fifth since 1912, gave the store 40 percent more floor space and the ability to display more merchandise. Kawneer show windows were installed on the

ground floor, and Hope steel windows on the floors above. The remodeled store was considered to feature the latest advances in architecture and engineering. At the time it was the only department store in Florida, and the fourth in the entire southeast, to be completely equipped for year-round temperature and humidity control and air conditioning.

The structure has seen modifications over the years but not enough to lose its architectural integrity of the Art Modeme style. The structure was listed on the National Register of Historic Places in 1994.

The applicant is also seeking to redevelop this property and the parking to the north and is pursuing an Ad Valorem Tax Abatement via HPB Case 21-63.

Staff recommended **APPROVAL** of the application for the request to designate 301 Clematis Street as a Historic Property.

See the Staff Report for detailed history, background and analysis information pertaining to this case.

7. **Historic Preservation Board Case No. 21-63**: 301 Clematis Street and 300 Banyan Boulevard

Update: This case was continued from the August 24, 2021 Historic Preservation Board meeting. The applicant has adjusted the design.

The structure at 301 Clematis Street has a long history but is primarily associated with the John Volk design from 1936 of Hatch's Department Store. The applicant is requesting to place this structure on the Local Register of Historic Places in the preceding application. The application would also like to make modifications to the structure that bring it closer to its original design. Additionally, the same owner has purchased the property immediately to the north of 301 Clematis at 300 Banyan that has served as a surface parking lot for many years. The applicant wishes to construct a new building there and have a synergy and circulation between the buildings across the alley.

The applicant is requesting an Ad Valorem Preconstruction approval for the following:

1. Window and door replacement at 301 Clematis Street
2. Removal of existing non-original vinyl awnings and installation of metal shield.
3. Complete interior remodel.
4. Construction of new 12-story office, parking and restaurant structure north of alley.

Staff recommended **APPROVAL** with the following conditions:

1. All DAC and PPRC conditions shall be met.
2. The properties at 301 Clematis Street and 300 Banyan Boulevard shall have a Unity of Title.
3. The Ad Valorem Tax Exemption program shall be subject to final approval via submittal of the completed work application to the Historic Preservation Board, City Commission approval and Board of County Commission approval.

Keith Spina gave a presentation on behalf of the applicant.

Arlene Franconero, Assistant City Attorney, indicated that another condition would be to record the Unity of Title for both cases. Keith Spina indicated that Staff has made them aware of this concern, and that the applicant is in agreement.

Ms. Friederike Mittner presented Historic Preservation Board Case Nos. 21-62 and 21-63.

See the Staff Report for detailed history, background and analysis information pertaining to this case.

Chairperson Amanda Skier opened the floor to public comment.

Nancy Pullum provided public comments.

EXECUTIVE SESSION

Mr. Gabriel Jaroslavsky **made a motion to DESIGNATE** Historic Preservation Case No. 21-62, for Historic Designation at 301 Clematis Street (Hatch's Department Store).

1. The subject site is historically significant, and the structure and site was constructed in 1936, over 85 years ago.
2. The subject site is associated with a commercial development of West Palm Beach.
3. The subject site is associated with the architect John L. Volk.
4. The structure embodies the distinctive characteristics of the art Modeme style of architecture.
5. The loss of the subject building to the City would be significant.

Mr. Keith Williams **seconded the motion; the motion passed** 7-0.

Mr. Keith Williams **made a motion to APPROVE** Historic Preservation Case No. 21-62, at 301 Clematis Street for alterations and Ad Valorem, in accordance with Standards 9 and 10 as set forth in Historic Preservation Ordinance 3554-02. The motion is based upon the testimony presented, along with the application submitted and the Staff Report which constitute competent substantial evidence.

Mr. Keith Williams **made another motion to APPROVE and AMEND** the Case number from Historic Preservation Case No. 21-62 to Historic Preservation Case No. 21-63, at 301 Clematis Street and 300 Banyan Boulevard. The conditions included the following:

1. All DAC and PPRC conditions shall be met.
2. The properties at 301 Clematis Street and 300 Banyan Boulevard shall have a Unity of Title.
3. The Ad Valorem Tax Exemption program shall be subject to final approval via submittal of the completed work application to the Historic Preservation Board, City Commission approval and Board of County Commission approval.

Mr. Dan Pichney **seconded the motion; the motion passed** 7-0.

8. **Historic Preservation Board Case No. 21-64**: 806 Park Place

Update: This case was continued from the August 24, 2021, Historic Preservation Board meeting. Per Board direction, the applicant has submitted a list of recommended corrections. Staff believes an approval incorporating this list will satisfy the design guidelines.

This property was built by and is known as the Joseph Reese house built in 1934 in the Mission Revival Style. Both the primary and accessory structure are one-story and contribute to the Flamingo Park Historic District. Until recently, it had been in the Murray Family since before 1979. Very little had been done to the property until the current owner acquired it and replaced all the windows, changed opening sizes, removed window sills, added Bahamas shutters, added a metal trellis, restuccoed the house and completed miscellaneous interior and site work without permits or historic approval

The applicant is requesting approval for the work retroactively.

Staff recommended **APPROVAL** of the request with conditions submitted by the applicant.

Steve Knight and Sam Bauer gave a presentation on behalf of the applicant.

Ms. Friederike Mittner presented Historic Preservation Board Case Nos. 21-62 and 21-64.

See the Staff Report for detailed history, background and analysis information pertaining to this case.

Chairperson Amanda Skier opened the floor to public comment.

Nancy Pullum provided public comments.

EXECUTIVE SESSION

Mr. Gabriel Jaroslavsky **made a motion to APPROVE** Historic Preservation Case No. 21-64, A 806 Park Place, for alterations [work already completed], in accordance with Standards 9 and 10 as set forth in Section 94-49, of the City's Zoning and Land Development Regulations (ZLDRs). The motion is based upon the testimony presented, along with the application submitted and the Staff Report which constitute competent substantial evidence. In addition, the approval of this request is made conditional upon the following restrictions, stipulations, and/or safeguards that I move are necessary to ensure compliance with the purpose and intent of the Historic Preservation Ordinance, the Historic Preservation Element of the Comprehensive Plan of the City of West Palm Beach, the Secretary of the Interior's Standards for Rehabilitation, as well as the additional compatibility criteria as set forth in the Historic Preservation Ordinance Section 94-49, of the City's Zoning and Land Development Regulations (ZLDRs). The conditions included the following:

1. The recommended corrections included in the Staff Report submitted at the September 28, 2021 Historic Preservation Board meeting.

Mr. Keith Williams **seconded the motion; the motion passed 7-0.**

Chairperson Amanda Skier recessed the meeting at approximately 7:05 p.m. and resumed the meeting at approximately 7:13 p.m.

Mr. Reginald Stambaugh left the meeting at approximately 7:05 p.m.

9. **Historic Preservation Board Case No. 21-68**: 2415 S. Flagler Drive
Update: This case was continued from the August 24, 2021, Historic Preservation Board meeting for the applicant to address Staff and the Board's concerns. The revised plans are attached and include a reduction in height, a greater setback, roof and fenestration modifications. Staff is recommending approval for the revised plans which include the transom line.

This is a non-contributing ranch style home mid-block along South Flagler Drive. There are no real character defining features and spiral columns were added after original construction.

The applicant is requesting approval for the following:

1. Demolition of existing structure.
2. Construction of a new two-story single-family home with an attached pool house via covered walkways of approximately 6,874 square feet. The new construction is in the Art Modeme style and broken down into multiple massing elements.
3. Site work including multiple retaining walls and pool.

Staff recommended **APPROVAL** of the revised application as submitted.

David Lawrence gave a presentation on behalf of the applicant.

Ms. Friederike Mittner presented Historic Preservation Board Case Nos. 21-68.

See the Staff Report for detailed history, background and analysis information pertaining to this case.

Chairperson Amanda Skier opened the floor to public comment.

There were approximately six (6) members of the public who provided public comments.

David Lawrence offered a rebuttal to public comments.

EXECUTIVE SESSION

Mr. Gabriel Jaroslavsky **made a motion to CONTINUE** Historic Preservation Case No. 21-68 at 2415 S. Flagler Drive, to the October 2021 meeting.

Mr. Keith Williams **seconded the motion; the motion passed 6-0**.

VIII. NEW BUSINESS

1. **Historic Preservation Board Case No. 21-71**: 149 Edgewood Drive
This site features a contributing two-story primary structure and one-story accessory structure built in 1975. The property is located on the north side mid-block of Edgewood drive in the Prospect park/Southland Park Historic District.

The applicant is requesting approval for the following:

1. Replace existing street facing garage door with a pair of French Doors and sidelites on either side, no opening change.

Pete LaSpina, the applicant's representatives, gave a brief presentation.

Ms. Friederike Mittner presented Historic Preservation Board Case No. 21-71.

City Staff recommended **APPROVAL** of the request with the following condition:

1. A bifold wooden shutter shall be installed flanking the new French Doors to fold over new doors to read as a garage door when closed.

See the Staff Report for detailed history, background and analysis information pertaining to this case.

Chairperson Amanda Skier opened the floor to public comment.

There were no members of the public providing public comments.

EXECUTIVE SESSION

Mr. Keith Williams **made a motion to APPROVE** Historic Preservation Case No. 21-71, at 149 Edgewood Drive, for alterations, in accordance with Standards 9 and 10 as set forth in the Historic Preservation Ordinance, Section 3554-02. The motion is based upon the testimony presented, along with the application submitted and the Staff Report which constitute competent substantial evidence. This motion is being made without the conditions [listed in the Staff Report].

Mr. Ken Breslauer **seconded the motion; the motion passed 6-0.**

2. **Historic Preservation Board Case No. 21-72**: 237 Monroe Drive

A request by Deidra Newton on behalf of Deirdre Byrne, for a variance from Section 94-82(b)(2) of the Zoning and Land Development Regulations, which requires a primary structure to have a cumulative 15'-0" side setback in the Historic Single-Family High Density (SF14-C3) Residential zoning district at 237 Monroe Drive. The applicant is requesting an 8.2' west side and 6.38' east side setback at the closest points of the existing structure totaling 14.68' vs. the required 15'0" to allow the splitting of the lots along original lot lines.

Deidra Newton, the applicant's representative, gave a presentation. Deirdre Byrne, the applicant, gave a presentation.

Ms. Friederike Mittner presented Historic Preservation Board Case No. 21-72.

City Staff recommended **APPROVAL** - based on the finding that the petition meets ten (10) of the ten (10) Variance Standards found in Section 94-38(d)(6) of the Zoning and Land Development Regulations (ZLDRs).

See the Staff Report for detailed history, background and analysis information pertaining to this case.

Chairperson Amanda Skier opened the floor to public comment.

There were three (3) members of the public providing public comments.

Ms. Friederike Mittner played two (2) voicemail messages received by Staff.

There was additional discussion between the Board and Staff.

Arlene Franconero, Assistant City Attorney, read the description of a variance into the record.

EXECUTIVE SESSION

Mr. Keith Williams **made a motion to DENY** Historic Preservation Case Nos. 21-72, at 237 Monroe Drive, a request by Deidra Newton on behalf of Deirdre Byrne for a variance from Section 94-82(b)(2) of the Zoning and Land Development Regulations, which requires a primary structure to have a cumulative 15'-0" side setback in the Historic Single-Family High Density (SF14-C3) Residential zoning district at 237 Monroe Drive. The applicant is requesting an 8.2' side and 6.38' side setback totaling 14.68', thus denying a .32' cumulative side setback variance. The motion is based upon the testimony presented along with the application submitted and the Staff Report, which constitute competent, substantial evidence. The Historic Preservation Board finds that the applicant has not presented competent, substantial evidence of record that all ten criteria required by Article II, 94-38(d)(6) have been met for the variance.

Mr. Keith Williams **made another motion to AMEND the setback** from 14.68 inches to 14.68 feet.

Mr. Ken Breslauer **seconded the motion; the motion passed 6-0.**

3. **Historic Preservation Board Case No. 21-74**: 464 Fern Street

The site at 464 Fern Street consists of two structures that were relocated here from the Hillcrest area when the airport expanded in the 1990's. This site was previously owned by the City of West Palm Beach. One building served as the City's Health Center and the other building has not been occupied since 2002 when the Horticultural Society used the space. In February 2018 Linton Jog Associates LTD purchased the land and structures from the City.

On October 27, 2020 under HPB Case 20-64, the Historic Preservation Board granted approval to relocate the larger structure to 801 North Tamarind Avenue

The applicant is now requesting approval for the following:

1. Relocation of smaller pink structure from 464 Fern street to 1213 N. Sapodilla Avenue.
2. Rehabilitate structure as a single-family residence.

Margaret Kaywell, the applicant, gave a brief presentation.

Ms. Friederike Mittner presented Historic Preservation Board Case No. 21-74.

City Staff recommended **APPROVAL** of the application with the following conditions:

1. Building will be re-designated at new location.
2. Building shall be successfully relocated and rehabilitated per CRA agreement including installation of entry feature to neighborhood.

See the Staff Report for detailed history, background and analysis information pertaining to this case.

Chairperson Amanda Skier opened the floor to public comment.

There were no members of the public providing public comments.

EXECUTIVE SESSION

Mr. Daniel Pichney **made a motion to APPROVE** Historic Preservation Case No. 21-74, at 464 Fern Street, for alterations, in accordance with Standards 9 and 10 as set forth in Section 94-49, of the City's Zoning and Land Development Regulations (ZLDRs). The motion is based upon the testimony presented, along with the application submitted and the Staff Report which constitute competent substantial evidence. In addition, the approval of this request is made conditional upon the following restrictions, stipulations, and/or safeguards that I move are necessary to ensure compliance with the purpose and intent of the Historic Preservation Ordinance, the Historic Preservation Element of the Comprehensive Plan of the City of West Palm Beach, the Secretary of the Interior's Standards for Rehabilitation, as well as the additional compatibility criteria as set forth in the Historic Preservation Ordinance Section 94-49, of the City's Zoning and Land Development Regulations (ZLDRs). The conditions include the following:

1. Building will be re-designated at new location.
2. Building shall be successfully relocated and rehabilitated per CRA agreement including installation of entry feature to neighborhood.

Mr. Ken Breslauer **seconded the motion; the motion passed 6-0.**

Historic Preservation Board Case Nos. 21-78 and 21-79 were presented simultaneously.

4. **Historic Preservation Board Case Nos. 21-78**: 3120 Washington Road
This is a multi-part request by David Lawrence on behalf of Sean Heyniger for a relocation, a Class B Special Use Pennit, with one (1) waiver request from Section 94-303(b)(2) of the Zoning and Land Development Regulations, to allow for an accessory structure to exceed the 1,000 square foot requirement and a new construction behind/to the east of the relocated structure.

City Staff recommended **APPROVAL** of the application - based on the findings that the application meets all of the standards in General Special Use Standards in Section 94-36(e)(3), Residential District Standards in Section 94-36(e)(5), Additional Standards in Section 94-303(b)(2), and Waiver Standards in Section 94-273(a)(2) of the City of West Palm Beach Zoning and Land Development Regulations (ZLDRs) provided in attachments.

See the Staff Report for detailed history, background and analysis information

pertaining to this case.

5. **Historic Preservation Board Case No. 21-79**: 3120 Washington Road
This is a multi-part request by David Lawrence on behalf of Sean Heyniger for a relocation, a Class B Special Use Pennit, with one (1) waiver request from Section 94-303(b)(2) of the Zoning and Land Development Regulations, to allow for an accessory structure to exceed the 1,000 square foot requirement and a new construction behind/to the east of the relocated structure.

City Staff recommended **APPROVAL** of the application with the condition that arched wing walls be added to entry - based on the findings that the application meets all of these standards:

David Lawrence gave a presentation on behalf of the applicant.

Ms. Friederike Mittner presented Historic Preservation Board Case Nos. 21-78 and 21-79.

See the Staff Report for detailed history, background and analysis information pertaining to this case.

Chairperson Amanda Skier opened the floor to public comment.

Ms. Friederike Mittner read into the record an email received by Staff, from Lila Young.

EXECUTIVE SESSION

Mr. Gabriel Jaroslavsky **made a motion to APPROVE** Historic Preservation Case No. 21-78, at 3120 Washington Road, a request by David Lawrence on behalf of Sean and Ashly Heyniger for a Class B Special Use Permit to allow for an accessory apartment of 1,600 at 3120 Washington Road. The motion is based upon the testimony presented, along with the application submitted and the Staff Report which constitute competent substantial evidence. The Board hereby makes findings of fact that each of the criteria in Article II, Section 94-36(e)(3) and (4) and (5) has been met.

Mr. Keith Williams **seconded the motion; the motion passed 6-0.**

Mr. Gabriel Jaroslavsky **made another motion to APPROVE** the relocation of the existing house at 3120 Washington Road, for Historic Preservation Case No. 21-78, to the front of the same lot.

Mr. Keith Williams **seconded the motion; the motion passed 6-0.**

Mr. Gabriel Jaroslavsky **made another motion to APPROVE** Historic Preservation Case No. 21-79, at 3120 Washington Road, for new construction in accordance with the Secretary of Interior Standards rehabilitation, specifically Standards 9 and 10, as well as the additional compatibility

criteria as set forth in the Historic Preservation Ordinance Section 94-49, of the City’s Zoning and Land Development Regulations (ZLDRs). The motion is based upon the testimony presented, along with the application submitted and the Staff Report which constitute competent substantial evidence. In addition, the approval of this request is made conditional upon the following restrictions, stipulations, and/or safeguards that I move are necessary to ensure compliance with the purpose and intent of the Historic Preservation Ordinance, the Historic Preservation Element of the Comprehensive Plan of the City of West Palm Beach, the Secretary of the Interior’s Standards for Rehabilitation, as well as the additional compatibility criteria as set forth in the Historic Preservation Ordinance Section 94-49, of the City’s Zoning and Land Development Regulations (ZLDRs). The conditions include the following:

1. That the applicant work with City Staff to study further proportions of the openings to refine details, study the brackets, the window sills, openings, surrounds, proportions of the entry features to the house and proportions of the door on the north elevation.

Mr. Keith Williams **seconded the motion; the motion passed 6-0.**

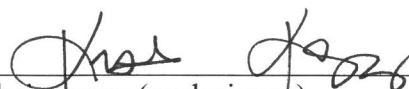
I. ADJOURNMENT

Chairperson Amanda Skier adjourned the meeting at approximately 9:37 P.M.

Please be advised that these minutes are not verbatim. An audio copy of the meeting may be requested through the City of West Palm Beach City Clerk’s office at 822-1210. There is a fee.

* * * * *

This signature is to attest that the undersigned is the Chairperson, or designee, of the **Historic Preservation Board Meeting** and that the information provided herein is the true and correct Minutes for the **September 28, 2021**, meeting of the **Historic Preservation Board Meeting**, dated this 26 day of OCTOBER, 2021.



Chairperson (or designee)

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>William Kent Nelson</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>HISTORIC PRESERVATION BOARD</i>
MAILING ADDRESS: <i>125 RICHMOND PL</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY: <i>WPB</i> COUNTY: <i>PS</i>	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED <i>26 OCT 21</i>	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, KEITH WILLIAMS, hereby disclose that on 28 SEPT, 20 21:

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of MY CLIENT, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

CR # 2167 3110 WASHINGTON

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

28 SEPT 21
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.