TOWN OF PALM BEACH

Planning, Zoning & Building Department

SUMMARY
LANDMARKS PRESERVATION COMMISSION
WORKSHOP WITH DAVID FERRO
WEDNESDAY, OCTOBER 17, 2001
at 2:00 p.m.

LANDMARKS PRESERVATION COMMISSION MEMBERS PRESENT: All members were present, excepting Jack Pyms and Laurel Baker. Staff members present were Robert Moore, Veronica Close, Tim Frank, and Jane Day (Staff Preservation Consultant). Cynthia Delp served as the Recording Secretary.

Mr. Pandula welcomed all those in attendance to this workshop to discuss the Secretary of the Interior's Standards as they relate to tax abatement issues. He thanked the Preservation Foundation and Mrs. Earl for bringing Mr. Ferro to the town for this workshop, and thanked the Town Council for their support. He explained the procedure for today's workshop as being a free exchange of ideas to help clarify the grey areas encountered by the LPC on a monthly basis. Mr. Pandula introduced Mr. Ferro as an excellent architect and a passionate preservationist.

COMMENTS BY MR. DAVID FERRO:

The Secretary of the Interior's Standards have been in place for the last 25 years. Basically, they are "ten generally worded principles" developed by the National Park Service for the Federal Grant Program for Historic Preservation. The standards apply to the exterior and interior of the building as well as the site.

With the advent of the tax abatement legislation, projects must submit to a higher level of review based upon the Secretary of the Interior's Standards, and that review includes the interior, exterior and the site. The most appropriate changes are those which are most easily reversible and which have the least impact on the historic fabric of a landmark. Preservation, as defined, is saving the work of the hands of the craftsmen of the past, changes undertaken by an earlier society or culture. So, just because a changed item may look the same as the original, if the materials have changed, this is not preservation.

Mrs. Day asked how to approach situations where a project has been reviewed and approved by the LPC, and then during construction, more deterioration was discovered than expected. Mr. Ferro responded that the applicant should preserve as much of the original fabric as possible and then document the portions of the building that need to be removed, and what materials are being removed. The need for the replacement should be documented as well.

Post Office Box 2029 • 360 South County Road • Palm Beach, Florida 33480 • (561) 838-5430

Mr. Ferro responded to a question regarding how the homeowners of more modest houses can be encouraged to use landmarking to preserve their homes. Mr. Ferro stated that residents should be helped, through good public relations, to understand how special their homes really are, and how different their neighborhoods could potentially become without landmarking. He added that there is a bill before Congress right now, the Historic Home Ownership Assistance Act, dealing with providing investment federal tax credit for homeowners.

In response to a question relative to subdivision of a large landmarked property in order to build a new home on part of the land, Mr. Ferro felt it would not be a problem provided that the new home was compatible with the existing in mass and scale, and provided the site was large enough to provide ample site area around the existing building, after the subdivision.

Mrs. Albarran de Mendoza raised the issues of additions and whether they should be apparent as additions or should look like they have always been there. Mr. Ferro replied that additions should be compatible, yet look different, so the eye can distinguish the original from the addition. The addition should be subordinate to the original building.

Mr. Moore questioned Mr. Ferro about the subject of offering "zoning credits." Although he has heard of the concept, he was not very familiar with it. Mr. Moore also spoke relative to "hardship" and the Town beginning to look at re-writing parameters for hardship.

Mrs. Earl asked a question concerning this scenario: The interior of a landmarked home has been radically changed over time so that little or none of the original interior remains. The exterior will be restored according to the Secretary of the Interior's Standards. Is the project suitable for tax abatement? Mr. Ferro responded that the owner is not required to restore the interior back to the original if no original elements are present any longer; and if the exterior is restored according to the Secretary of the Interior's Standards, the entire project qualifies for the tax abatement. Mr. Moore asked a follow up question: If the owner requesting tax abatement is the party responsible for removing the original interior elements, is that owner eligible for tax abatement? Mr. Ferro responded that it depends on when the "deed was done." Was it before the tax abatement program was put in place, or after? If the interior sweeping was done prior to the tax abatement program, the tax abatement would be allowable. If, however, the interior sweeping was done after the tax abatement program was put in place, the tax abatement would be denied.

Ms. Marsh Kaye stated she lives in a Mizner home on the ocean which, in 1983, was converted to six units. She, like the other owners, was unclear about how and when to apply for the tax abatement. Mr. Ferro responded that improvements must raise the assessed value of a property before an owner could apply for a tax abatement.

Ms. Merrilyn Bardes spoke relative to storm shutters on a landmark building, and how shutters, while necessary, can interfere with architecture. Mr. Ferro responded that shutters are a very difficult issue as they relate to landmarks. Mountable panels are preferable to minimize the effect on the architecture. Mrs. Polly Earl inquired about the impact glass which is being used currently. Mr. Ferro stated that historic glazing is preferable to impact glass.

Mrs. Earl asked about the concept of reversibility in making changes to landmarks. Mr. Ferro stated that such changes, i.e., allowing a change with the knowledge that it is reversible, need to be reviewed on a case by case basis, and always should retain as much of the historic character of the property as possible.

Wendy Victor asked about the financial aspect of the tax abatement program, and it taking funds from the Town, even temporarily, for a period of ten years. She wondered if any studies have been done to determine whether there is a counterbalance with the funds deferred and property values raised due to landmarks being improved and restored. Mr. Ferro stated that a study is underway at the University of Florida and Rutgers University to determine the economic impact of historic preservation in Florida. Tax abatement is designed to encourage preservation and investment in historic properties. He felt that the lost or deferred revenue is not a substantial amount.

Mrs. Dowdle inquired as to code exemptions for landmark properties. Mr. Ferro responded that this is largely up to the discretion of the Building Official. Mr. Frank commented that the Town of Palm Beach already has several code exemptions for landmark properties in the Building Code and the Zoning Code.

After a short break, Mr. Ferro showed a series of slides which illustrate successful tax abatement projects. All those present were invited to the Preservation Foundation for a reception.

cmd