

CITY OF ST. AUGUSTINE, FLORIDA

Historic Architectural Review Board Meeting
April 19, 2007

The Historic Architectural Review Board met in formal session at 2:00 P.M., Thursday, April 19, 2007, in the Alcazar Room at City Hall, St. Augustine, Florida. The meeting was called to order by Paul Weaver, III, Chairperson, and the following were present:

1. ROLL CALL: Paul Weaver, III, Chairperson
Antoinette Wallace, Vice Chairperson
Frederick Halback
Dana Ste. Claire
Karen Harvey

City Staff: Mark Knight, Director, Planning and Building Department
Tom Scofield, Historic Preservation Planner
David Birchim, Planning Manager
Robin Upchurch, Assistant City Attorney
Maria Carlin, Recording Secretary

7. OTHER BUSINESS

Ms. Wallace said she would be changing the order of items on the Agenda and move Other Business to the first item for consideration. She said that the board would be considering nominations for the three new districts proposed for listing on the National Register of Historic Places as follows; Fullerwood Park, Nelmar Terrace and North City. She stated that they would handle the nominations individually.

Mr. Ste Claire enquired if there was a reason to handle the nominations individually.

Tom Scofield, Historic Preservation Planner, advised that there was a request for a technical amendment to the Fullerwood Park application to amend the boundary to include numbers six and eleven Bay View Drive. He said they would also be including an additional out-building and a pocket park.

Mr. Ste Claire enquired whether Mr. Scofield had reviewed the historic merits of numbers six and eleven Bay View Drive and concurred with the request.

Mr. Scofield stated that the boundary originally included the properties, and he said that the amendments appeared to be amenable.

MOTION

Mr. Ste. Claire moved that the boundary amendment include numbers six and eleven Bay View Drive, the pocket park on Bay View Drive and an out-building adjacent to 8 North Park Drive. Motion SECONDED by Karen Harvey.

VOTE ON MOTION:

AYES: Ste. Claire, Harvey, Halback, Wallace

NAYES: NONE

MOTION CARRIED 4/0

MOTION

Mr. Ste. Claire moved that the Historic Architecture Review board transmit recommendation to the City Commission for their earliest review of the nominations for National Register Districts for Fullerwood Park, Nelmar

Terrace and North City for their consideration to, in turn, forward to Tallahassee Division of Historical Resources of National Register and to also recommend that they pursue funding to comprehensively update the site files for all three districts under consideration. Motion SECONDED by Frederick Halback.

VOTE ON MOTION:

AYES: Ste. Claire, Halback, Harvey, Wallace

NAYES: NONE

MOTION CARRIED 4/0

Mr. Weaver returned as Chairman of the meeting.

2. APPROVAL OF MINUTES
March 15, 2007 Regular Meeting

The Minutes from the March 15, 2007 meeting were approved as presented.

3. PROPERTY TAX ABATEMENT APPLICATION

Item 3 (a) F2007-0214 Leslee Keys – Applicant, Thomas C. Heinrich – Owner 15 & 15 ½ Bridge Street

Amendment to Part 2, Description of Improvements

Mr. Scofield reported that the board previously approved the first phase of the preliminary portion of a historic property tax abatement application for 15 and 15½ Bridge Street. He said that they also reviewed a Certificate of Appropriateness for 15 Bridge Street but a COA was not reviewed for 15½ Bridge Street, which was a garage apartment to the rear of the primary structure of the building. He concluded that the applicant had encountered considerable damage and would be forwarding a proposal that would address replacement of all interior millwork and trim. He stated that he would amend his original application accordingly. He said

that staff recommended approval of his request.

Tom Heinrich, 15 Bridge Street, was sworn in and stated that his application pertained to work inside the main structure. He said that the property was previously used for apartments and had been renovated numerous times. He said that when renovations were carried out the millwork and trim had never been accurately replaced. He stated that sometime in the 1980's there was an infestation of termites, which caused damage to most of the woodwork and interior trim. He proposed to replace the trim in an authentic Victorian profile and apply the Victorian theme throughout the interior of the house. He said that he conducted research on the different types of trim for the period, and he had generated custom profiles for the board's review. He concluded that he would use antique hard pine for construction of the interior trim.

Mr. Weaver enquired what the interior detailing looked like and whether the proposed trim would match.

Mr. Heinrich replied that it matched with the overall dimensional height and type of material.

Mr. Weaver said it appeared that the applicant was trying to come up with a compatible but not necessarily historically accurate solution.

Mr. Heinrich responded that the proposed millwork and trim would be historically accurate. He said that he tried to match the detail to his neighbor's house, which was built by the same contractor at the same time.

Leslee Keyes, P.O. Box 457, was sworn in and confirmed that the house had been altered repeatedly. She said the applicant was trying to reconstruct the original Flagler era 'feel' to the property.

Mr. Weaver opened the hearing but there was no response.

MOTION

Mr. Ste. Claire moved to approve the Certificate for Property Tax Abatement Application F2007-0214. Motion SECONDED by Karen Harvey.

VOTE ON MOTION:

AYES: Ste. Claire, Harvey, Halback, Wallace, Weaver

NAYES: NONE

MOTION CARRIED 5/0

4. CERTIFICATE OF APPROPRIATENESS
Item 4 (a) F2007-0210 Jan Earl Jertson – Applicant/Owner
17 Bridge Street

To install a new driveway

Mr. Scofield reported that although the Architectural Guidelines for Historic Preservation encouraged parking to the side or rear of a building, the limitations on the parcel of land was such that parking had to be located in front of the house. He said that currently there was a brick paved parking spot in front of the porch for parallel parking. He stated that the applicant proposed adding additional pavers to match the existing pavers to allow two vehicles by removing the front-centre stairs and adding two stairways on either side of the porch. He concluded, that staff recommended approving the renovations to the porch, and adding bumper stops to prevent vehicles from bumping into the porch.

Jan Jertson, 17 Bridge Street, Owner/Applicant and David Johnson 44 Andalusia Court, Landscape Architect were sworn in.

Mr. Jertson said that his son resided with him and was presently parking at Cathedral Parrish, as there was not enough space to park at his house. He said that Mr. Johnson

recommended using posts for safety reasons as opposed to bumper stops.

Mr. Weaver enquired whether it would be similar to a bollard and the response was affirmative.

Ms. Wallace requested clarification on the bollards.

Mr. Weaver explained whether it would be similar to cast concrete and approximately 8" in diameter.

Mr. Scofield suggested wood posts to match the porch.

Ms. Harvey enquired how often both cars would be parked there, as the road was heavily traveled, and the vehicles would be distracting.

Mr. Jertson replied when they were both home the vehicles would be parked in the driveway, but he thought the house would be visible between the cars.

Mr. Halback requested more specific information regarding the posts, as he thought a square wood post would be appropriate.

Mr. Johnson said the wood posts were a new idea, and he did not have a specific response. He suggested putting a square cap, painted white on the post to match the porch.

A brief discussion followed regarding the height of the post and it was determined that the posts should be easily visible to drivers.

Mr. Halback enquired whether the applicant would be using the same style bricks and whether he could locate more.

Mr. Jertson replied that the brick was acquired from a contractor, but he would be willing to replace all the bricks for uniformity.

Mr. Halback enquired about the concrete column in the corner of the telephone pole, and whether the applicant was planning on any landscape enhancements.

Mr. Jertson responded that he would not be removing the column, as there was a matching one on the other side of the property with a palm tree near it that he would not want to destroy. He said he was considering using the same filigree across the top of the house and have it reproduced along the front of the porch as a railing to enhance the appearance of the house.

Mr. Weaver opened the hearing but there was no response.

MOTION

Mr. Halback moved to approve application F2007-0210 for a 36" tall bollard square post be added for each vehicle as a bumper stop and to match existing columns on the house, additional brick should match existing brick, the proposed porch railing should match the filigree across the top of the porch to Code. Motion SECONDED by Dana Ste. Claire.¹

VOTE ON MOTION:

AYES: Halback, Ste. Claire, Harvey, Wallace, Weaver

NAYES: NONE

MOTION CARRIED 5/0

Item 4 (b) F2007-0211 Charles R. & Sandra Harmon – Applicant/Owner 63 Marine Street

To modify previously approved plans

Mr. Scofield reported that they would be addressing four different items. He said the garage door was moved to the south end of the building to maximize the interior floor plan downstairs. He said that at the November 30th meeting the gable end

windows were addressed by the board and there were originally two proposed dormers, at the west and east elevation. He stated that staff had recommended removal of the dormer on the west elevation, as it was not consistent with architectural guidelines. He said they requested that the applicant return regarding the redesign of the dormer on the east elevation, and the board had offered suggestions at the last meeting. He said that the applicant never altered the dormer configuration and at the previous meeting, the board rescinded the gable end windows as an allowable feature, as it was not originally included in the historic configuration. He stated that the applicant wished to readdress the matter. He said there was a rear addition added to the east elevation that included a downstairs door entry, and the applicant currently proposed to replace the door entry with a small bathroom window to match the upstairs bathroom window. He concluded that with removal of the door entry for the proposed addition, the board suggested placing the door on the north elevation. He said that the north elevation fenestration never included a door, and there appeared to be alternatives available to the applicant in terms of interior door configuration and access. He said that it was difficult to make a determination regarding the final item, which was a spiral staircase as a means of exit and entrance to the upstairs portion of the building, as there was not visual representation of the proposal. He said the applicant needed to supply the necessary information and it would be addressed later. He summarized that staff recommended approval of items one and three and denial of two and four as presented.

Sandra Harmon, 11 Reflection Drive, Sandwich, Massachusetts, was sworn in and advised that the door and the hardware would include wood trim and be the same as represented in the drawings for the garage door. She said they would be reusing the brick from the original backyard for the ramp leading to the driveway; she said she was unsure at this time if the garage door would be wood or metal.

¹ End of Tape 1

Mr. Weaver questioned whether there was a problem with a metal door.

Mr. Scofield responded that in a previous Certificate of Appropriateness application the applicant was required to provide detailed information for the garage conversion, including door operation materials and hardware to be used, configuration materials for the approach, apron or ramp and any mechanical equipment proposed as a condition to be submitted to staff for review and approval prior to installation. He stated that staff was waiting for drawings and written information and the matter would be handled administratively.

Ms. Harmon responded that she reviewed the minutes from the February 2006 meeting and she felt it was clear that when she proposed a front dormer on the west side and a back dormer on the east side, the board had not approved of the front dormer on Marine Street. She said the board suggested the gable windows, but she was concerned that the windows might pose a problem with the stairway to the third floor. She said she was to return before the board with whether they could change from a four-window dormer to a three-window dormer, as she still needed to have cross-ventilation and light upstairs. She agreed with the change to the bathroom window, but if staff was not in agreement with putting the door on the north side, she would go back to the original plan.

Mr. Weaver clarified that the applicant was proposing a door and there would be a matching window in the same rank as the far-east window.

Ms. Harmon stated that they could address the spiral staircase at a later date.

Ms. Wallace commented that she recollected they were also trying to reduce the size of the east dormer to allow more light for the third floor. She said that was why the board recommended the gable

windows, and there would still be four windows.

Ms. Harmon said the gable windows were a substitute for the front west dormer.

Ms. Wallace said it was unnecessary to add gable windows where none had existed.

Mr. Weaver stated that the board was concerned about putting a dormer in the main elevation. He said that based on the representation provided they were allowing the windows in the gables for the north and south elevations.

Ms. Harmon said she was confused about why that request was initially rescinded.

Mr. Weaver clarified that a condition for putting windows in the gables was for the applicant to redesign the rear dormer based on staff recommendations. He said the board felt that they compromised, but no changes were made despite their recommendations. He said that the board wanted little change to the elevations, and they felt the dormer was inappropriate.

Ms. Upchurch directed the board's attention to page 5, point #2 of the staff report.

Mr. Scofield responded that the board asked the applicant to return with a redesign of the rear dormer that would be more compatible to the period, as it was not submitted at the last meeting. He said that the applicant did not make the suggested changes, and the board approved the rear dormer in its current configuration.

Mr. Halback enquired whether the applicant anticipated other design changes. He said it appeared that requests were made in small stages. He stated that there was no overall architectural design to the unit, which made it difficult to visualize.

Ms. Harmon replied that currently she had no changes.

Ms. Harvey requested clarification on the exterior spiral staircase and suggested that

the applicant submit several proposed changes at one time.

Ms. Harmon responded that she would be returning with information on the staircase.

Mr. Weaver concluded that the board was trying to limit renovations to the rear elevation. He said that by allowing the dormer design, the board felt that the side windows should be removed.

MOTION

Ms. Wallace moved to approve the Certificate of Appropriateness F207-0211 to approve the relocation of garage door, to disapprove the windows on the gable ends, to approve the downstairs bathroom windows, to disapprove the door on the north elevation and to defer consideration of the exterior spiral staircase until additional information was proposed. Motion SECONDED by Mr. Ste. Claire.²

VOTE ON MOTION:

AYES: Wallace, Ste. Claire, Harvey, Halback, Weaver

NAYES: NONE

MOTION CARRIED 5/0

Mr. Weaver said that he did not call for disclosure of exparte communication for every item, but reminded the board to disclose any communication as necessary once the Agenda item was called.

Item 4 (c) F2007-0212 Kenneth Russom, Flagler College – Applicant
Robert Ellert & Jo Ann Crisp-Ellert - Owner
48 Sevilla Street

To modify previously approved plans and approve exterior light fixtures.

Ms. Wallace disclosed that she received a letter from David Nolan concerning possible archaeological resources on the site. She

said she would be submitting a map as part of the record.

Mr. Ste. Claire reported that he discussed the project on the telephone with Ken Smith.

Mr. Scofield reported that Flagler College was now the titleholder of the property. He said that Mr. Smith requested withdrawal of item #3 and the applicant would be keeping the store-front as originally approved. He stated that the applicant requested the following:

- Item #1 was a request to change four windows on the south building elevation to recessed niches in the wall for more gallery hanging space
- Item #2 was a request to approve Mediterranean style wall mounts and sconce lights on the front and rear entries in keeping with the historic style of the building
- Item #3 was withdrawn
- Item #4 was a request to modify the west sculpture gallery wall to curve around an existing tree
- Applicant submitted new drawings since the previously approved drawings
- Item #5 addressed proposed changes to a drawing, which included a rezone in the projection of the south elevation to include a larger shed roof, adding a projecting gable roof, removing one casement of the three-part casement window to make it a two-part casement window and adding a round louvered vent
- Change in the design and style of the gate in the masonry wall on the west elevation
- Removal of the secondary entrance for the tile roof on the west elevation
- Change two windows in the north elevation to recessed niches
- Change two multiple divided light doors to single light doors with a transom on the north elevation
- Change simple square wood columns with wood brackets to round masonry

² Break from 3:10 P.M. to 3:20 P.M.

or plastered columns with wood brackets

- Additional copper gutters and drainpipes were reflected in the drawing along with additional railings

Mr. Scofield advised that staff recommended approval of Item numbers 1, 2, 4 and 5.

Ken Smith, 8301 Cypress Plaza Drive, Jacksonville, was sworn in and advised that the proposed railings would match the railings installed at Flagler College.

Ms. Wallace read a letter she received from Mr. Nolan regarding 48 Sevilla Street, who believed the location was the site of the Markland slave cabins, as there was a square coquina well located near the sidewalk on the south property line. He advised that he was concerned about work conducted in the area. She advised that the applicant provided an 1859 map showing an area that appeared to be in the location proposed for the new addition. She said that the city archaeologist had no jurisdiction in that area, but the college had a Public Archaeology Program.

Mr. Smith said it was hard to determine how old the well was but it was rectangular.

Mr. Weaver advised that based on the shape it would be a late 18th early 19th century plantation well. He suggested that staff coordinate with Mr. Halbirt to collaborate with Ms. Miller regarding the site.

Mr. Ste. Claire agreed that he would be interested in Mr. Halbirt's assessment of the site.

Mr. Halback asked about Item #4 requesting permission to curve a gallery wall around an existing tree to preserve the tree and how far the tree was from the foundation of the wall.

Mr. Smith replied that the tree was approximately 24" and 5 to 6-feet away from the wall.

Mr. Halback enquired about the contractor staging area adjacent to the 24" Oak Tree and whether the College was planning any additional landscaping.

Mr. Smith responded that the trees would be protected with 2 x 4 boxing, and the area would be taped off. He said that Sharon Fowler was hired to develop the area to the west of the student union; and her work expanded to encompass the walkways to the west and east of the new building. He stated that they planned to save the well at the end of the walkway by Sevilla Street.

Mr. Weaver opened the hearing but there was no response.

MOTION

Mr. Ste. Claire moved to approve Certificate of Appropriateness Application F2007-0212 as stipulated by the conditions outlined in the staff summary with the exception of condition #3 and including item #5 collectively.

Mr. Ste. Claire amended his motion to include the preservation of the tree in item #4.

Motion SECONDED by Karen Harvey.

VOTE ON MOTION:

**AYES: Ste. Claire, Harvey, Halback
Wallace, Weaver**

NAYES: NONE

MOTION CARRIED 5/0

**Item 4 (d) F2007-0213 Simon Tate,
Classic Manor Builders inc. – Applicant
Columbia Restaurant of St Augustine -
Owner
98 St. George Street**

To install a storage shed and increase height of an existing wall

Ms. Harvey said that she spoke to Robert Hall a neighbor that was opposed to the storage shed and the existing wall.

Mr. Scofield reported that the Columbia needed additional enclosed storage space and they chose a pre-fabricated shed-framed building. He said they were requesting raising the masonry wall to screen the proposed shed. He concluded that adequate wall construction documents should be provided to assure that the building would be screened from public view as a condition of staff approval.

Simon Tate, P.O. Box 1632, Green Cove Springs, was sworn in and said that the extension would not detract from the architecture.

Mr. Weaver enquired why the side of the wall was left open.

Mr. Tate responded that at one time the area was considered for a dining area.

Ms. Harvey said Mr. Hall's main objection was the storage shed and not the wall.

Mr. Weaver stated that if it were properly screened it would not be visible.

Mr. Weaver opened the hearing but there was no response. He said that he felt that the proposed renovations were appropriate.

MOTION

Mr. Halback moved to approve Application F2007-0213 to install a storage shed and increase the height of an existing masonry wall, with the condition that measured drawings be provided to the City. Motion SECONDED by Dana Ste. Claire.

VOTE ON MOTION:

AYES: Halback, Ste. Claire, Harvey, Wallace, Weaver

NAYES: NONE

MOTION CARRIED 5/0

Item 4 (e) F2007-0216 St. Augustine Historical Society – Applicant/Owner

6 Artillery Lane

To replace a roof

Mr. Scofield reported that the applicant would use replacement materials instead of the same materials for the roofing. He said that staff determined that the applicant needed to appear before HARB, as there was considerable difference between materials. He advised that the original material was cement based with asbestos fiber but the proposed replacement was faux slate shingle tile. He said that the slate roof was appropriate for second period Spanish buildings in accordance with the Architectural Guidelines for Historic Preservation. He stated that the AGHP stated that faux material was occasionally allowable, as long as it resembled the original material. He said the applicant would use a previously approved state grant for the roofing.

Mr. Weaver enquired whether Mr. Scofield had contacted state Architects to determine why they approved the materials.

Mr. Scofield responded that he spoke with the Executive Director of the Historical Society.

Paul Davis, St. Augustine Historical Society, was sworn in and advised that they chose the faux slate because it was an improvement that did not crack as easily, adhered better and was lighter than slate. He stated that there would also be foot-traffic on the roof for painting purposes, and they felt that the faux-slate would be safer.

Mr. Weaver enquired whether the house was a Kirby-Smith house and whether the applicant had photographs of the previous material used.

Mr. Davis responded that Mr. Smith provided some samples of the original slate. He added that they had upgraded the underlay to titanium instead of felt.

Mr. Weaver stated that the applicant should have conferred with staff before doing any work.

Mr. Ste. Claire pointed out that the state approved a product aware that local review might not approve and they would defer to that review. He stated that the use of synthetic materials was a controversial issue in St. Augustine.

Mr. Weaver opened the hearing but there was no response.

Mr. Weaver advised that staff had determined the original material was not historic. He stated that if it had been historic material, it should be replaced accordingly. He suggested that the applicant meet with staff for any future projects to avoid similar occurrences.

Mr. Halback questioned the faux finish being similar to real slate and advised that previous applicants had been denied use of faux shingles. He concluded that it would be difficult to adhere to the same standards for other applicants if the St. Augustine Historical Society was not held accountable.

Mr. Weaver stated that the Historical Society set a standard for preservation in the community.

Ms. Wallace commented that the grant process did not negate the local review authority.

Mr. Ste. Claire said the board had received numerous applications requesting the use of faux materials, and there had been collective opposition to the material. He said that St. Augustine was not ready for faux roofing, and the board was not ready to compromise the historic integrity of buildings. He concluded that it would be expensive to replace the roof as it had already been installed. He expressed concern for setting a precedent.

Ms. Upchurch advised that if the board³ determined that the application had factual distinctions, they could note those differences as the basis for a motion that would distinguish the case from other applications.

Mr. Weaver said that he was interested why the state approved the application, and he suggested tabling the item as there might be additional information that would assist the board in making a decision.

Ms. Wallace asked for clarification why the applicant had not gone before the board prior to installing the roof.

Mr. Davis replied that he had spoken with Mr. Scofield.

Mr. Scofield said the building permit application stated that the applicant would replace the same material; however, the material was no longer in production. He said that if they located a tile that resembled the original tile, they could have applied for a permit without appearing before HARB.

MOTION

Mr. Ste. Claire moved to table Application F2007-0216 until the next scheduled meeting for additional testimony from the State Historic Preservation Architects, Ken Smith and to include a statement from the Historical Society board of directors, not in endorsing the grant application, but providing a statement that they endorsed the replacement of the historic roof with a synthetic roof. Motion SECONDED by Antoinette Wallace.

VOTE ON MOTION:

**AYES: Ste. Claire, Wallace
Harvey, Weaver**

**NAYES: Halback
MOTION CARRIED 4/1**

³ Tape 3

4. CERTIFICATES OF DEMOLITION

Item 5 (a) F2007-0209 City of St Augustine – Applicant/Owner 5 Madison Street

To demolish a public building built in 1946

Mr. Weaver and Mr. Halback advised that they met with representatives of the City regarding the application.

Mr. Ste. Claire and Ms. Harvey said they spoke with staff regarding the application.

Mr. Scofield reported that the Certificate of Demolition application was part of the City's Fleet Maintenance Complex for Public Works. He stated that the building was located in an area slated for storm water retention, as there was considerable run-off that needed to be treated. He said the building was listed as a framed-vernacular but had a considerable amount of craftsman and bungalow features. He said the St. Augustine block building had originally been used for storage. He noted that several residents had expressed interest in the block for renovations; therefore, the block should be disassembled in a manner allowing for recycling. He concluded that staff recommended approval with that one condition.

John Reagan, Chief Operations Officer for the City of St. Augustine and Teri Chynoweth, Staff Engineer were sworn in. Mr. Reagan stated that they were before the board because the project required the demolition of a structure over 50 years old, and he felt that the following presentation would support their application.

Ms. Chynoweth reported that the 3 Madison Street address was represented as 5 Madison Street on the St Johns County Property Appraiser website, which was how the application had been filed by the city. She said they encountered some design constraints because of municipal waste on the site and a new location was needed for the retention pond. She said the plan, parking and street layout of the original

design had to be altered. She advised that the following would occur:

- Landscaping requirements would be addressed by using some of the trees placed in a temporary orchard outside the Visitor Information Center and Garage
- Parking would be rearranged to meet the requirements of the Planning and Building Department
- Stormwater would meet St. Johns River Water Management District and City requirements
- The Florida Department of Environmental Protection had been contacted regarding the municipal waste

Ms. Chynoweth advised that the Department explored the site and chose an area located south of the site, however, it would not provide the storage volume to meet the city's stormwater requirements. She stated that the Water Treatment Plant was used as a reference for architectural guidelines. She said that neighbors were contacted to address their concerns regarding demolition and construction of the stormwater pond. She concluded, that they would meet with experts to determine the safest way to demolish the building and retain the St. Augustine Block as requested. She recapped as follows:

- The building was not on the National Register for Historic Places
- It was not a local landmark
- Demolition would not substantially impact the historic and architectural character of the City
- It was not in close proximity to a Historic Preservation Zoning District
- It was not a contributor to mass and scale of the streetscape
- The building was functionally obsolete and in poor condition
- The building met the standards for demolition approval
- The St. Augustine Block would be preserved

Ms. Chenoweth stated that if approved, demolition would begin in two to three months. She said that if denied there would be a backslide on the City Stormwater Ordinance with significant ramifications that would substantially increase the cost to provide treatment.

Mr. Halback said he would like attention paid to the site design and landscaping to enhance the neighborhood.

A brief discussion followed regarding the reuse of the brick as part of the landscape or site design.

Ms. Chynoweth suggested integrating the brick into the vertical wall of the pond.

Mr. Weaver opened the hearing but there was no response.

MOTION

Mr. Ste. Claire moved to approve Certificate of Demolition F2007-0209 to demolish the building at 5 Madison Street and all attempts shall be made to salvage the historic coquina brick for possible reuse in the landscaping. Motion SECONDED by Karen Harvey.

VOTE ON MOTION:

**AYES: Ste. Claire, Harvey, Halback
Wallace, Weaver**

NAYES: NONE

MOTION CARRIED 5/0

Item 5 (b) b) F2007-0215 Douglas N. Burnett, Rogers Towers, P.A. – Applicant Kevin Leonardi, Leonardi’s Nursery, Inc. - Owner 71 Palmetto Avenue

To demolish a single-family residence built in 1953

Mr. Scofield advised the board that there were two corrections to the front page of the application. He stated that the Zoning District reflected Residential Single-Family

Two (CM2), the property was residential and the construction date should be 1952 not 1946. He reported that there was no historical significance to the property, which was a layer house located in the lighthouse park neighborhood in fair condition. He advised that they received five responses from adjacent property owners and two telephone calls. He said that there was an issue with the property’s Zoning the adjacent property was being addressed by Code Enforcement, and a shared septic tank. He stated that the property was near Davis Shores and there were no master site file records available. He said that staff recommended approval with the condition that information be prepared for listing on the Florida Master Site File.

Mr. Weaver said they received two responses in favor, two opposed, one undecided and four with comments that addressed the following:

- Residential zoning of the area
- Use of the property
- Shared septic system with 71 Palmetto Avenue

Doug Burnett, 170 Malagar Street, Attorney/Applicant and Kevin Leonardi, 396 Marsh Point Circle, owner were sworn in. Mr. Burnett advised that the nursery was established in the neighborhood since 1958. He advised that the adjoining property was Mr. Leonardi’s yard that had a grandfathered use. He advised that the building had no historic significance. He stated that they met all the requirements and the structure had been unoccupied for the past two years. He advised that the area would be used for plant storage and parking.

Mr. Weaver asked if the applicant preferred to wait until the zoning and code enforcement issues were addressed before demolishing the building.

Mr. Burnett responded that the applicant had to know whether he would be

demolishing the structure and rebuilding or rehabilitating the existing one.

Mr. Weaver suggested waiting until the other issues were resolved before filing the application.

Mr. Burnett responded that they could not move forward for an exception if they were unsure whether they would be able to demolish the building. He stated that the applicant had no intention of making any changes regarding the shared use of the septic tank.

Mr. Weaver opened the hearing but there was no response.

Joseph Pacetti, 67 Palmetto Avenue, was sworn in and said he had resided in the adjacent property since 1979. He said that when his father owned the property it was kept in immaculate condition. He expressed concern about the large Oak Trees on the property, as well as the upkeep of the property, which was in constant disrepair. He advised that there was a dumpster on the property that regularly overflowed with garbage, for which he had made several complaints to the city.

Thomas Pacetti, 78 Magnolia Drive, was sworn in and expressed concern about the level of noise in the neighborhood. He said he was opposed to having the house torn down as he wanted it to remain a residential property. He stated that the property was not clean, and the streets were blocked with commercial vehicles. He expressed concern regarding the development of the adjacent property.

Mr. Burnett responded that he frequently visited the site and found it to be clean; moreover, the property had been used commercially since the 1980's. He stated that he did not think there would be a code enforcement problem.

Mr. Leonardi said the city recommended a larger dumpster, and he had since complied.

Mr. Burnett said that the building did not have historic significance and as such they were requesting approval.

Thomas Pacetti requested that the city wait until the zoning was completed.

Joseph Pacetti asked the board to consider the impact on the birds from removal of the trees.

Mr. Ste. Claire said the applicant submitted the Certificate of Demolition application and while the board was sympathetic to the neighbors concerns, it fell outside the board's jurisdiction.

Ms. Upchurch responded that the grandfathered use of the land, the trees and the zoning issues were not relevant. She explained that the only criteria of concern was the justification of the proposed demolition, as the reason given was for commercial use. She said that as long as it was understood that approval would not guarantee the applicant would receive commercial zoning approval.

Mr. Ste. Claire clarified that the board's charge was evaluating the structure based on the criteria listed in the Code.

Mr. Weaver said that there was no evidence to support the building as historic or architecturally significant. He said he was sympathetic to the surrounding property owners but there was no compelling evidence to deny the application.

Mr. Halback said he agreed and wanted to ensure that if a demolition permit was granted that they were not approving the demolition of the surrounding trees. He said that if the trees needed to be removed it should be done in an appropriate manner. He suggested, that the applicant work toward improving his relationship with the neighbors.

MOTION

Mr. Halback moved to approve Certificate of Demolition F2007-0215 to demolish the single-family residence built in 1952 with the condition that they prepare a Florida Master Site File for the building before demolition. Motion SECONDED by Dana Ste. Claire.

VOTE ON MOTION:

AYES: Halback, Ste. Claire, Harvey,
Wallace, Weaver

NAYES: NONE

MOTION CARRIED 5/0

Mr. Halback clarified that the motion would not have anything to do with obtaining the appropriate zoning or use for the property. Mr. Ste. Claire seconded the amendment.

6. PLANNING AND BUILDING DIRECTOR'S REPORT

There was nothing to report.

7. OTHER BUSINESS

Ms. Upchurch said the board was considering having a Workshop on issues important to Quasi Judicial boards. After a brief discussion it was determined that the meeting would be scheduled at a date to be determined in July.

Mr. Ste. Claire suggested that the city hire an independent arborist to review the Flagler College treescape on Sevilla Street.

Mr. Halback said that the proposed rebuilding of Sevilla Street and the sidewalks should fall within the purvue of HARB to determine whether the proposed streetscape proposed improvements were being handled appropriately.

MOTION

Mr. Ste. Claire moved to recommend to the City Commission hiring an independent arborist to evaluate the streetscape on Sevilla Street and forward the matter to HARB for review as it

related to streetscape improvements. Motion SECONDED by Frederick Halback.

VOTE ON MOTION:

AYES: Ste. Claire, Halback, Harvey,
Wallace, Weaver

NAYES: NONE

MOTION CARRIED 5/0

8. REVIEW OF CONFLICT STATEMENTS FROM PREVIOUS MEETING

There was nothing to report.

ADJOURNMENT

There being no further business, the⁴ meeting was adjourned at 5:38 P.M.

Paul Weaver, III, Chairperson

⁴ Transcribed by Maria Carlin, Recording Secretary