

**MINUTES
HISTORIC LANDMARK PRESERVATION BOARD**

REGULAR MEETING

September 20, 2010

4:00 p.m.

**Ormond Beach City Hall
Training Room
22 South Beach Street
Ormond Beach, Florida**

I. Call To Order

Chairman Dr. Shapiro called the meeting to order at 4:00 p.m.

II. Roll Call

Members present were: John Adams, Ann Eifert, Geneva Jackson, Sue Parkerson and Dr. Philip Shapiro, James Stowers. Member absent were Sean O'Sullivan Michael McQuarrie.

Staff present was Senior Planner Laureen Kornel, Deputy City Attorney Ann-Margret Emery and Recording Secretary Shá Moss.

Dr. Shapiro stated Mr. Gerken resigned from the Board and a letter was sent thanking him for his service.

III. Approval of Minutes – July 19, 2010

Mr. Adams moved seconded by Ms. Parkerson to accept the minutes of the July 19, 2010, meeting. The motion passed unanimously.

IV. Public Hearing

A. Certificate of Appropriateness (Demolition) – 245 Oleander Place (HTE File #10-106)

Dr. Shapiro opened the Public Hearing

Ms. Kornel stated this was an administrative Certificate of Appropriateness request to demolish the structure located at 245 Oleander Place. She noted it was not on the Local Landmark List but built before 1950. The structure was in a deteriorating condition, a major section of the west wall was missing and a rear portion of the roof has collapsed and there are issues with vagrants inhabiting the structure. Inspection reports and photographs are attached to the Staff Report.

Ms. Kornel stated based on the requirements for compliance, staff recommends the approval of the application for a Certificate of Appropriateness for demolition of the structure located at 245 Oleander Place without a period of delay.

Dr. Shapiro stated everyone was entitled to live in a safe and clean neighborhood and if vagrants are starting to inhabit the structure, it was time to take it down before it fell down.

Ms. Eifert moved, seconded by Ms. Jackson that the Historic Landmark Preservation Board approves the application for a Certificate of Appropriateness for demolition of the structure located at 245 Oleander Place without a period of delay. The motion passed unanimously. 6-0

Dr. Shapiro closed the Public Hearing.

B. Certificate of Appropriateness (Alterations) – 104 South Beach Street (HTE File #10-137)

Dr. Shapiro opened the Public Hearing.

Ms. Kornel stated this was a request by Mr. Rousis to modify the exterior at 104 South Beach Street. She stated the Mr. Rousis was in attendance in case there were any questions. The structure is listed on the Local Landmark List, was built around 1910. The roof is not original and wanted to replace the existing gray asphalt shingles with terra cotta asphalt shingles to match the trim of the historic home.

Ms. Kornel stated based on the requirements for compliance, staff recommends the approval of the application for a Certificate of Appropriateness for alterations to re-roof 104 South Beach Street with terra cotta asphalt shingles.

Ms. Eifert stated she visited the site and Mrs. Rousis asked her about the high cost to have any type of work done on historic homes. She did not have an answer and would like some clarification.

Dr. Shapiro stated that since Ms. Eifert comments did not specifically pertain to the Certificate of Appropriateness approval, could it wait until Member Comments for discussion; where Ms. Eifert agreed.

Ms. Parkerson moved, seconded by Mr. Stowers that the Historic Landmark Preservation Board approves the application for a Certificate of Appropriateness for alterations to re-roof 104 South Beach Street with terra cotta asphalt shingles. The motion passed unanimously. 6-0

Ms. Parkerson stated the property would be beautiful when it was completed.

Mr. Rousis thanked the Board for their approval.

Dr. Shapiro closed the Public Hearing.

C. Certificate of Appropriateness (Alterations) – 48 Lincoln Avenue (HTE File #10-136)

Dr. Shapiro opened the Public Hearing.

Ms. Kornel stated this was a request by Mrs. Ellen Hayden-Needham and Jonathan Needham for a Certificate of Appropriateness to modify the exterior at 48 Lincoln Avenue. She noted Ms. Needham was in attendance in the event there were any questions. The property was a contributing property within the Lincoln Avenue Overlay District and on the Local Landmark List, was built in 1915, a two story framed vernacular. The owners were requesting three improvements and repairs to the existing residence. 1) - to remove the existing composition shingles and replacing them with architectural shingles of similar color; 2) – to install a new in-ground pool with multi-shaped pavers, a child barrier fence, screen enclosure, and gazebo in the back yard; 3) – to improve the existing driveway with multi-shaped pavers.

Ms. Kornel stated based on the requirements for compliance, staff recommends the approval of the application for a Certificate of Appropriateness for alterations to install an in-ground pool with child barrier fence, pool enclosure, pavers, gazebo, and re-shingle the roof of 49 Lincoln Avenue.

Dr. Shapiro asked whether the request should be approved separately or together; wherein the Board agreed they should be approved as one project.

Mr. Adams asked whether what was listed in the drawings was the scale of the pool; wherein Ms. Kornel stated it was designed in a way not to modify the front façade from the road.

Ms. Eifert moved, seconded by Ms. Parkerson that the Historic Landmark Preservation Board approves the application for Certificate of Appropriateness for alterations to install an in-ground pool with child

barrier fence, pool enclosure, pavers, gazebo, and re-shingle the roof of 49 Lincoln Avenue. The motion passed unanimously. 6-0

Dr. Shapiro closed the Public Hearing.

V. Discussion Item – Section 2-71 Land Development Code Amendment – Minor revisions to D.2 and F.1.

Dr. Shapiro stated when the Board met in July we discussed some minor revisions to the Land Development Code (LDC).

Ms. Kornel stated the additions were listed as underlined. The first amendment would help with the gray area of what is being demolished and suggested “of greater than 50%” of any building. The second amendment was “Upon the Chief Building Official’s certification, in accordance with the Unsafe Building Abatement ordinance, a certificate of Appropriateness shall not be required, except in cases where there has been deliberate and inadvertent neglect to landmarks identified on the Ormond Beach Historic Landmark List and those properties identified as contributing properties in the Lincoln Avenue Overlay District.” She noted this could be used in the event a property is destroyed by fire. It doesn’t seem reasonable to ask the property owner to get a Certificate of Appropriateness when the property is gone.

Ms. Kornel stated the third amendment was regarding the common name of 48 Lincoln Avenue, but the property owner has indicated they wanted more time for research.

Dr. Shapiro stated he wasn’t aware the archeological sites were covered in this section of the Code.

Ms. Kornel stated the next step would be to have a public hearing with the Planning Board and two public hearings with the City Commission for approval.

Mr. Stowers stated the second amendment should end after the word required. The “except” language creates a little confusion and was not necessary. He stated when there was neglect over a long period of time; he would hope that Code Enforcement would notice it so that the problem could be addressed timely.

Ms. Emery agreed with Mr. Stowers’ comments that the amendment should end after the word required and stated the Oleander property as an example.

Ms. Kornel stated it would be no problem to make the change.

Ms. Emery noted that the certification would be provided by three officials and not solely on the Chief Building Official.

Mr. Adams moved, seconded by Ms. Eifert that the Historic Landmark Preservation Board approves the amendments to the Land Development Code as proposed striking the words after “required.” The motion passed unanimously. 6-0

VI. Member Comments / Public Comments

Community Effort

Dr. Shapiro thanks Mr. Stowers for the work that he organized at the eyesore gas station at 100 West Granada Boulevard.

Mr. Stowers stated over the past few weeks, Ormond Main Street and the Ormond Rotary Club partnered to coordinate the clean up of the site. He noted other local businesses provided materials in order to complete the project.

Fees for Certificate of Appropriateness

Dr. Shapiro stated the Board has discussed in the past the cost of a Certificate of Appropriateness. He stated when you apply for a building permit, standard fees applied, but if a public hearing was required there was a considerable amount of staff time and effort expended. He noted there was a cost to protect the quality of life of the community and the economy and times have changed.

Ms. Kornel stated the biggest expense was the legal ad and staff time. She noted cost for an ad for a Certificate of Appropriateness cost about \$650.

Ms. Eifert stated some residents might take their homes off the list just to avoid the additional cost.

Ms. Kornel stated it was the right of the owner to request to be removed from the list. She noted it was expensive to do some alterations because of the cost of materials as well. She noted there were expenses to the City and they had been absorbing those costs over the years.

Ms. Needham, 48 Lincoln Avenue, stated she agreed it was costly in addition to the cost of doing the work and would have liked to have some type of tax credit.

Mr. Rousis, 104 South Beach Street, stated he was surprised by the additional fees. He stated there was a threshold for a building permit, the cost of the Certificate of Appropriateness in addition to an updated survey and deed. He stated the contributing properties benefitted the citizens of Ormond Beach and thought the administrative costs should be absorbed by them. He was

considering removing his property from the list to avoid the fee in the future and he wasn't really benefitting from it. When he purchased the property it was already on the list and to make any modifications, he would face these costs. Mr. Rousis stated maybe a different fee structure might be considered, like no more than 5% of the improvements being done. Some type of sliding scale. He noted it was a disincentive.

Dr. Shapiro asked whether it would help sell the property in the future with the property listed on the Local Landmark List.

Mr. Rousis stated he didn't believe having the property on the Local Landmark List would help. He stated it would probably hurt more than help with the sale of the property.

Ms. Needham stated she has been involved with the Lincoln Overlay and was never told there would be these types of fees and would probably not have agreed to be on the list. It was outrageous to have to pay such a significant amount every time an improvement or repair was needed.

Ms. Parkerson agreed it was costly and there was no mention of those costs years ago.

Ms. Kornel stated originally there were no fees associated with a Certificate of Appropriateness and when the economy changed, the City decided to recoup some of the cost associated with all the processes. Regarding a fee scale, the fees were assessed based on the cost of the advertising and staff time. She noted there was a legal advertisement for each Certificate of Appropriateness, advertised ten days in advance of the public hearing and the ad cost a few hundred dollars. Ms. Kornel stated in addition, there were a site visit, meeting with property owner, phone calls, staff report preparation, and the public hearing.

Mr. Adams asked whether the Board could get a breakdown of the fees. He noted if the cost was putting an undue burden on the property owner it should be looked at.

Ms. Kornel stated the largest cost was the legal ad which was about \$300 to \$400 and the rest was allocated for staff time. She noted the application and paperwork for a Certificate of Appropriateness was provided to the Board in their handbook. Ms. Kornel stated if the Board wanted to discuss changing fees, Planning Director Ric Goss would need to be involved because it would require changing the Code.

Mr. Stowers stated the historic homes added to the aesthetics of the community and was a positive benefit to all of Ormond Beach.

Ms. Kornel asked if the Board wanted a special meeting for this discussion or to wait for the next public hearing meeting.

The Board decided to put this item on the agenda as a discussion item and the next public hearing meeting.

VII. Public Comments

VIII. Adjournment – Next Meeting

The meeting adjourned at 5:00 p.m.

Respectfully submitted,

Shá Moss, Recording Secretary

ATTEST:

Dr. Philip J. Shapiro, Chairman