

**MINUTES  
HISTORIC LANDMARK PRESERVATION BOARD**

**REGULAR MEETING**

**July 19, 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, Carl Gerken, Geneva Jackson, Sue Parkerson and Dr. Philip Shapiro James Stowers. Member excused was Sean O'Sullivan; absent was Michael McQuarrie.

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

Dr. Shapiro expressed condolences to Ms. Eifert regarding the passing of her husband

**III. Approval of Minutes – June 21, 2010**

**Ms. Parkerson moved seconded by Ms. Eifert to accept the minutes of the June 21, 2010, meeting. The motion passed unanimously.**

**IV. Public Hearing**

**A. Certificate of Appropriateness (Alteration) – 1 North Beach Street  
(Pilgrim's Rest Primitive Baptist Church), HTE File #10-119**

Dr. Shapiro opened the Public Hearing

Ms. Kornel stated this was a Certificate of Appropriateness for the Pilgrim's Rest Primitive Baptist Church located at 1 North Beach Street and was on the Local Landmark List. She stated it was a proposal by the City to replace the existing wood porch and the wood ramps and small landing with like material. The City was in the process of obtaining quotes for the work. The proposed design would be to make the existing structure the same and in accordance with ADA standards.

Staff recommends approval of a Certificate of Appropriateness for alterations to replace the wood ramp and small landing of the historical structure located at 1 North Beach Street.

Ms. Parkerson stated it was a safety hazard. She visited the site and there were nails sticking out of the wood.

**Mr. Adams moved, seconded by Ms. Parkerson that the Historic Landmark Preservation Board approves a Certificate of Appropriateness for alterations to replace the wood ramp and small landing of the historical structure located at 1 North Beach Street. The motion passed unanimously. (7-0)**

Dr. Shapiro closed the Public Hearing

**B. Certificate of Appropriateness (Demolition) – 232 South Beach Street, HTE #10-120**

Dr. Shapiro opened the Public Hearing

Ms. Kornel stated this was an administrative request for a Certificate of Appropriateness to demolish the primary residence located at 232 South Beach Street. She noted the property is not on the Local Landmark List but was built prior to 1950, so a Certificate of Appropriateness is required. There was a fire that significantly damaged the property on January 13, 2010, and on January 14, 2010, the structure was deemed by the Chief Building Official to be a significant hazard to life and property.

Ms. Kornel stated at the time of the fire and demolition, the property was owned by another individual and a request for a Certificate of Appropriateness was never submitted. It was brought to the attention of staff that an administrative Certificate of Appropriateness was necessary for the record. The new property owner has been contacted and was in agreement with the application for a Certificate of Appropriateness.

Staff recommends approval of a Certificate of Appropriateness for demolition of the demolished structure located at 232 South Beach Street without a period of delay.

Ms. Eifert stated she went to the site and did not see any structure that needed to be demolished.

Ms. Kornel stated the property was demolished after the fire since it was deemed a hazard, and to follow the Code, a Certificate of Appropriateness was required.

Ms. Parkerson asked why the person that owned the house when it burned was not required to pay the \$5,000 demolition fee.

Deputy City Attorney Ms. Emery stated at the time of the fire, the City did not have an ordinance in place for the abatement of unsafe structures. Currently there is an ordinance stating the City must act when there is an unsafe structure, and the property owner has to pay or the City will lien the property. The new owner gave permission to have it demolished but stated he didn't want to be responsible for the cost.

**Mr. Adams moved, seconded by Mr. Stowers that the Historic Landmark Preservation Board approves a Certificate of Appropriateness for demolition of the demolished structure located at 232 South Beach Street without a period of delay. The motion passed unanimously. (7-0)**

Dr. Shapiro closed the Public Hearing

### **Administrative Concerns**

#### LDC language change

Ms. Kornel stated in light of the demolition Certificate of Appropriateness she asked if the Board would consider supporting and amendment to the Land Development Code under Section F 2.71, regarding maintenance. That Section explains that the Chief Building Official has the authority to certify a property unsafe or dangerous. Would the Board be willing to amend the Code to read "upon the Chief building Official's certification for demolition a Certificate of Appropriateness shall not be required". This would save time and resources.

Dr. Shapiro stated if it is specified that the structure was an immediate threat to the public than it should not be a problem. He stated if it wasn't specific, someone may state that their property having been neglected was unsafe and request a demolition.

Ms. Emery stated there was an unsafe abatement clause which could be attached to the amendment.

Ms. Kornel stated she would discuss the issue with Ms. Emery and come up with property language for the change, and bring it back to the Board for review.

#### Local Landmark List property name change

Ms. Kornel also stated she received a call from another property owner who said she would like to revise the common name of the property located at 48 Lincoln Street. She would like it changed to the original owners name.

The Board had no problem with the name change.

#### Demolition Certificate of Appropriateness

Ms. Kornel stated someone came in to see about demolishing a portion of a detached garage. She noted the Code says a Certificate of Appropriateness issued by the HLPB shall also be required for the demolition or structure that was constructed prior to January 1, 1950, not on the Local Landmark List. She wanted to add "greater than 50%", so that should it come up again, policy would already be in place.

Ms. Parkerson asked how someone could demolish a portion of the garage without destroying it all.

Ms. Kornel stated she did not visit the site because it was later determined that though the main structure was built in 1950, the garage was built in 1957. She asked whether it was feasible to have someone apply for a Certificate of Appropriateness if they were demolishing less than 50% of the structure.

Dr. Shapiro stated as long as it was not on the Local Landmark List there should not be a problem.

Ms. Parkerson stated most garages were built after 1950.

Mr. Stowers stated he would like to see more information on what language would be added. Such as if it was an emergency, the decision would be made by staff, and if the Board has to come after the fact and certify the Certificate of Appropriateness, so be it. His concern would be a situation where a hurricane damaged numerous properties with flooding and/or foundations and the property owner was pressuring the City for a

Certificate of Appropriateness. He stated the language needed to be specific.

Ms. Kornel stated she could work with Ms. Emery on this language as well and bring it back to the Board for approval in a Memorandum.

Ms. Kornel stated the purpose of bringing it to the Board now was to avoid any future incidents like the Certificate of Appropriateness for the fire. She noted it was a costly filing for a citizen and also the city.

Ms. Emery stated it could be tied to the unsafe abatement ordinance.

Dr. Shapiro stated it needed to be a distinction from demolition by neglect. He stated the words compelling and emergent should be included in the language.

## **V. Member Comments**

### Gordon Kipp

Dr. Shapiro stated Gordon Kipp was in rehab at Sandlewood Nursing Center in Daytona Beach.

### Three Chimneys

Dr. Shapiro stated the Three Chimney's was on the Local Landmark List and the State of Florida has recently nominated them to be placed on the National Register.

### Minnie Wade

Ms. Parkerson stated Minnie Wade who served on the Board in the past recently passed away. She was a former HLPB member and an upstanding citizen in Ormond Beach.

Dr. Shapiro asked if news and events could be shared with staff so that they could inform the Board members about what was going on.

## **VI. Public Comments**

Audrey Parente stated she worked for the News Journal and was recently assigned to cover events at the City of Ormond Beach. She wanted to introduce herself.

**VII. Adjournment – Next Meeting**

The meeting adjourned at 4:35 p.m.

Respectfully submitted,

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Shá Moss, Recording Secretary

ATTEST:

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Dr. Philip J. Shapiro, Chairman