

**MINUTES
HISTORIC LANDMARK PRESERVATION BOARD**

REGULAR MEETING

June 20, 2011

4:00 p.m.

**City of Ormond Beach
Bailey Riverbridge
1 North 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: Dr. Daniel Drake, Ann Eifert, Geneva Jackson, Shannon Julien, Sean O'Sullivan, Sue Parkerson, Damien Richards, Dr. Philip Shapiro and Robert Walsh.

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

Dr. Shapiro introduced Laureen Kornel to the Board for the benefit of those members that had not met her.

III. Approval of Minutes – March 21, 2011

Ms. Parkerson moved seconded by Ms. Eifert to accept the minutes of the March 21, 2011, meeting. The motion passed unanimously.

IV. Public Hearing – None at this time

V. Discussion Item

A. Administrative Reviews for Certificate of Appropriateness for Demolition – May 2011 through June 2011

Dr. Shapiro stated the Board used to have about three Public Hearings a month, but the Land Development Code was changed last year so that staff would have discretion for preliminary review to make a determination on whether a Public Hearing was necessary for a Certificate of Appropriateness (COA).

Ms. Kornel stated she wanted to highlight the reviews from this past month in an effort to stimulate discussion or address any questions the Board might have with respect to implementation of the new regulations. The past month was had an unusual number of inquiries for COAs for demolition, she wanted to review the cases with the Board that were administratively reviewed throughout May and June to determine if a COA for demolition would be appropriate, according to the new regulations. Ms. Kornel stated she thought it would be worthwhile meeting to discuss the cases. Typically the Board should be meeting at least once every three meetings or so according to the by-laws anyway. She noted the majority of the properties, except one, were frame vernacular properties generally built prior to January 1, 1950.

49 New Britain Avenue

Ms. Kornel stated it was built in 1925, and is part of the City's adopted redevelopment plan and would be used for parking. Even though the property was in good condition, it was determined that a COA was not necessary. She further explained that the Board had previously reviewed and approved similar cases that were a part of the adopted downtown redevelopment plan. These cumulative factors as well as the fact that the property is presently non-conforming under the current zoning all contributed to staff's administrative determination that no COA for demolition to be reviewed by the Board would be necessary.

118 N. Tymber Creek Road

Ms. Kornel stated the property is located west of I-95. She indicated it was built in 1936, and is a non-conforming property on a very small piece of property owned by the County and would be used for the right-of-way. The property is in very poor condition and not worth saving. No COA for demolition was recommended.

113 Arlington Way

Ms. Kornel stated a visual inspection revealed past alterations and could only verify that it was built in 1950, but was probably built before then. In light of the uncertainty about the date of construction of the structure staff reviewed the property. No COA for demolition was recommended.

17 Fairview Avenue

Ms. Kornel stated it was built in 1935 and was in pretty good condition, even though it's older in appearance and probably does not have central

air. There have been some modifications, including a deck to the back of the structure and a carport addition to the garage. An interested buyer made an inquiry as whether a COA for demolition would be required. A COA for demolition was recommended. The request for a determination came in from an interested buyer. The interested buyer has not indicated how they intend to proceed.

308 Selden Avenue

Ms. Kornel stated she could only verify that it was built in 1966, but has probably been around since the neighborhood has been established. In light of the uncertainty regarding the date of construction of the building, a review of the property was conducted. She noted she could not find much information on the subject property and the property was in a poor deteriorated condition. A COA would not be necessary for demolition.

Ms. Parkerson asked whether the property was occupied.

Ms. Kornel stated her understanding was that currently there is a congregation, but that they were not meeting at the church. The church is boarded up and has a failing blue tarp over the roof of the structure over. She noted the congregation has completed various repairs over the years but that the church was well beyond repair or saving in its present condition. She stated they are aware that it needed to be demolished because of the condition.

9 Ellsworth Avenue

Ms. Kornel stated this was an interesting property, even with the overgrown brush, in fairly good condition, built in 1946 and exhibits some Mediterranean Revival architectural style and had some maintenance issues. The property is in transition. There has been interest from a potential buyer in purchasing the property. The question was raised whether a COA for demolition would be required. After a site visit observations indicated the property looked to be relatively structurally sound. There did appear to be some maintenance issues as the property is presently not lived in. The pool in the back is in good condition though not maintained and the property overlooks the river. Staff made a determination that a COA would be required. Ms. Kornel indicated that a follow-up phone call with the potential buyer revealed that an offer would not be put forward as the buyer did not wish to proceed with the uncertainty of a public hearing.

Dr. Shapiro asked whether these were recent inquiries; wherein Ms. Kornel stated she received these request within a three week period of time.

Ms. Kornel stated she wanted feedback from the Board on whether they were satisfied with staff's implementation of the new regulations to date. She reiterated that staff's understanding of the Board's intent is to allow staff the discretion to conduct a preliminary review to determine if a COA for demolition is warranted. In cases where properties are in good condition the intent is to require a formal review/public hearing by the Board through the COA process. She noted two examples; 49 New Britain Avenue and 118 N. Tymber Creek Road as properties that staff reviewed and found not worthy of Board review.

Dr. Shapiro stated the Land Development Code is not a static document and is always evolving to be amended and revised to fit the time and circumstances. The Board may look to complete amendments in the future, but the general consensus of the Board is the requirements meet the needs of the City present day. The real estate pulse may be moving again.

Ms. Eifert stated since she had been on the Board, the City has never not granted a COA and if they were always granted, what would be the role of the Board.

Dr. Shapiro asked Ms. Eifert to repeat her question.

Ms. Eifert re-stated the question and explained that the City advised that they didn't think two of the houses (9 Ellsworth and 17 Fairview) that were presented today should be demolished.

Ms. Kornel stated that the City did not make a determination that the two houses that were presented today should be demolished. That determination was never made by staff. In fact staff recommended that should a demolition be requested, an application for a COA for demolition for review by the Board was recommended. Ms. Kornel stated the way the new requirements read was any property that was derelict or in very poor condition, a COA for demolition would not be required for Board review, but in the case of a landmark, or a property built prior to January 1, 1950, and in good condition, board review would be recommended. For example even though the Rose Villa is not a landmark property it is historic by age because it was built prior to January 1, 1950. If it were proposed for demolition the Land Development Code would require review by the Board.

Dr. Shapiro stated he thought we had a very good system in place.

Ms. Eifert agreed.

Ms. Parkerson stated if someone wanted to demolish the properties at 9 Ellsworth Avenue and 17 Fairview Avenue, then a COA should be granted without review.

Ms. Kornel stated that is a determination the Board could certainly make during a public hearing. However, staff would only be using its discretion to not require a COA for demolition in instances where the property is considered a derelict or there are cumulative factors where it makes common sense not to require a COA for demolition as the examples of New Britain and Tymber Creek mentioned earlier.

Mr. O'Sullivan stated he thought that was appropriate because the Board went through a good review to make the changes to the Land Development Code and still have meaningful input on important historic properties in the community.

Dr. Shapiro further added that the cost that was being imposed on property owners when there could have been or should have been a decision at the staff level without putting people into a public hearing for things that would not necessarily require at a board hearing.

Dr. Shapiro stated that when the time comes for a public hearing, it is encouraged that Board members should visit sites under review. He also stressed that Board attendance was necessary because it was costly to the property owner and staff to reschedule the meetings if the Board did not have a quorum at those meetings.

Mr. Richards asked does the Board only have access to the properties from the street level.

Dr. Shapiro advised Board members have not ability to be on the property.

Mr. O'Sullivan stated Ms. Kornel does an excellent job providing a lot of background information garnered from site visits in the Staff Report. Staff reports provide detailed information and document the site through photographs.

Discussion ensued about the process of preparing staff reports for COAs. Ms. Kornel stated when she prepares the Staff Report for a COA, more information including photographs is provided. She noted staff normally gets permission from the owner to go on the property and they usually do a walk thru together.

Further discussion ensued about the property at 308 Seldon Avenue.

VI. Member Comments

Dr. Shapiro addressed John Adams who indicated he was in attendance not as a board member. Dr. Shapiro re-introduced Laureen Kornel and asked the board to contact her directly to avoid communication with the Chair of the HLPB to avoid any sunshine issues if any Board Member has a question. Dr, Shapiro emphasized the need for a quorum at meetings and asked the Board Members to advise the Recording Secretary before meetings if they may be absent. Dr. Shapiro introduced Shannon Julien as the Vic-Chair.

Dix House

Ms. Parkerson asked the status of the Dix House, because the For Sale sign was no longer on the property. She asked if someone had bought the property.

Mr. Adams stated he believed the property was taken off the market.

Dr. Shapiro reminded everyone of the regular meeting dates and times.

Ames House

Ms. Parkerson asked whether the Board has read the newspaper article dated June 20, 2011 regarding the cost for repairs needed for the Ames House. Dr. Shapiro referenced the article and provided a summary of same. He further noted there was some type of partnership with the MacDonald House for rehabilitation of those properties according to the article, but that money was tight right now.

State Notification

Ms. Julien asked how the City notified the State Historic Preservation Department on properties built prior to 1950.

Ms. Kornel stated she was not aware of this, but would look into it.

VII. Public Comments

None

VIII. Ad Adjournment – Next Meeting

The meeting adjourned at 4:23 p.m.

Respectfully submitted,

Shá Moss, Recording Secretary

ATTEST:

Dr. Philip J. Shapiro, Chairman