



AGENDA

ORMOND BEACH HISTORIC LANDMARK PRESERVATION BOARD

January 28, 2013

ORMOND BEACH TRAINING ROOM

4:00 P.M.

I. CALL TO ORDER (SECRETARY)

II. ADMINISTRATIVE ITEMS

- A. Election of Chairperson and Vice-Chairperson (Secretary call for Nominations)
- B. Acceptance of 2013 HLPB Calendar
- C. Approval of the 2013 HLPB Rules of procedures

III. ROLL CALL

IV. APPROVAL OF MINUTES

- A. September 24, 2012

V. PUBLIC HEARING

VI. DISCUSSION

- A. Administration Review for COA for demolition for 412 Bostrom Lane

VII. MEMBER COMMENTS

VIII. PUBLIC COMMENTS

IX. ADJOURNMENT

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE HISTORIC LANDMARK PRESERVATION BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING, SAID PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, SAID PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

PERSONS WITH A DISABILITY, SUCH AS A VISION, HEARING OR SPEECH IMPAIRMENT, OR PERSONS NEEDING OTHER TYPES OF ASSISTANCE, AND WHO WISH TO ATTEND CITY COMMISSION MEETING OR ANY OTHER BOARD OR COMMITTEE MEETING MAY CONTACT THE CITY CLERK IN WRITING, OR MAY CALL (386) 677-0311 FOR INFORMATION REGARDING AVAILABLE AIDS AND SERVICES.

HISTORIC LANDMARK PRESERVATION BOARD - 2013 CALENDAR

Submittal Deadlines	Legal Notification*	Board Meeting Date
December 26, 2012	January 15	January 28
January 22	February 5	February 18
February 18	March 5	March 18
March 18	April 2	April 15
April 15	May 7	May 20
May 20	June 4	June 17
June 17	July 2	July 15
July 15	August 6	August 19
August 19	September 3	September 16
September 16	October 8	October 21
October 21	November 5	November 18
November 18	December 3	December 16

* Note: All legal notification will be done by City staff. Legal notification consists of a legal ad in the newspaper and a letter to the property owner.

**RULES OF PROCEDURE
OF THE
HISTORIC LANDMARK PRESERVATION BOARD
FOR THE
CITY OF ORMOND BEACH**

The Historic Landmark Preservation Board of the City of Ormond Beach, Florida shall be governed by the terms of the Charter, the Code of Ordinances, and the Land Development Code of the City of Ormond Beach, and the Rules of Procedure set forth herein and adopted by the Board.

SECTION 1. OFFICERS, MEMBERS AND DUTIES

1.1 Chairman. A Chairman shall be elected by the Board, in accordance with Section 1-17, Subsection (E), of the Land Development Code. The Chairman shall decide upon all points of order and procedure subject to these rules, unless otherwise directed by a majority of the Board in session at the time. The Chairman shall appoint any subcommittee found necessary to investigate matters before the Board. The Chairman shall sign all minutes of the Board and all pertinent correspondence.

1.2 Vice-Chairman. A Vice-Chairman shall be elected by the Board, in accordance with Section 1-17, Subsection (E), of the Land Development code. The Vice-Chairman shall serve as Acting Chairman in the absence of the Chairman and, at such times, shall have the same powers and duties as the Chairman.

1.3 Secretary. The Secretary shall be a staff person designated by the City Manager. The Secretary shall keep all records, shall conduct all correspondence of the Board, and shall generally take charge of the clerical work of the Board. The Secretary shall take, or cause to be taken, the minutes of every meeting of the Board. These minutes shall show the record of all important facts pertaining to each meeting and hearing, every resolution acted upon by the Board, and all votes of members of the Board upon any resolution or upon the final determination of any questions, in dictating the names of members absent or failing to vote. The Secretary shall endeavor to present the final copy of the minutes to the Chairman for signature not later than five (5) days before the next regular meeting. The Secretary shall keep all records open to the public at all times during normal business hours (8:00 AM-5:00 PM), but shall in no event relinquish the original of any record to any person, unless such authority is granted by the Chairman of the Board.

1.4 Staff Liaison. The Staff Liaison shall be a staff person designated by the City Manager. The Staff Liaison shall receive all applications made before the Historic Landmark Preservation Board, shall conduct all studies and research, shall cause to be given the required legal notice of each public hearing, and shall prepare a report with recommendations for Board review. The Staff Liaison shall prepare the agenda in accordance with the criteria set forth in Section 8 of these Rules and Procedures.

1.5 Members. As required by the Code of Ordinances, members of the Board shall be appointed by the City Commission. Members shall provide the Secretary with their current home address, home and/or office telephone

number, and electronic mail (email) addresses unless such information is made confidential by law. Such information shall be kept current by the members. In the event that a member of the Board shall be unable to attend a regularly scheduled meeting, that person shall notify the Secretary of the expected absence no later than five (5) days before that meeting. The five (5) days notice of absence shall not apply to emergency absences beyond the person's control, or to special meetings described in Subsection 2.3 below.

1.6 Viewing. The Board members shall make every effort to view any premises to be considered for recommendation. The Staff Liaison shall provide each member with a map showing the subject site.

SECTION 2. MEETINGS

2.1 Meetings shall be held as determined by the Board, but no less than once every three (3) months. At the first meeting of the Board in 1997, and each subsequent year, the Secretary shall call the meeting to order and shall then call for nominations for Chairman. Once nominations for Chairman have been received and voted upon, nominations for Vice-Chairman will be received and voted upon.

2.2 Regular Meetings. Regular meetings of the Historic Landmark Preservation Board shall be held no less than quarterly on the third (3rd) Monday at, 4:00 PM, in the City Hall Training Room. If the Training Room is not available, an alternate location shall be noted on the agenda and in all related advertising and noticing. The time and place of the regular meeting may be changed by affirmative vote of a majority of the Board members present and voting.

2.3 Special Meetings. Special meetings of the Board may be called at any time by the Chairman, or at the direction of any three (3) members of the Board. At least one (1) week's advance notice of the time and place of a special meeting shall be given by the Secretary or Chairman to each member of the Board.

2.4 Cancellation of Meetings. Whenever there is no business for the Board, or whenever so many members notify the Secretary of inability to attend that a quorum will not be available, the Chairman may cancel the regular meeting by requesting the Secretary to immediately give written or oral notice to all members of the Board.

2.5 Quorum. A quorum shall consist of four (4) members for the transaction of business.

2.6 Conduct of Meeting. All meetings shall be open to the public. The order of business at regular meetings shall be as follows:

- a. Call to Order
- b. Roll Call
- c. Approval of the Minutes of Previous Meeting(s)
- d. Public Hearings (Various Types)
- e. Discussion Items
- f. Member Comments

g. Adjournment

2.7 Continued Meetings. The Board may continue any regular or special meeting if all business cannot be disposed of on the day set, and no further public notice shall be necessary for resuming such a meeting if the time and place of its resumption is stated at the meeting and is not thereafter changed.

2.8 Adjournment. New items will not be heard by the Board after 6:00 PM unless authorized by a majority vote of the Board members present. Items which have not been heard before 6:00 PM may be continued to the next regular meeting or to a special meeting, as determined by affirmative vote of a majority of the Board members present and voting.

SECTION 3. VOTING

3.1 Vote. The affirmative vote of a majority of the members present and legally entitled to vote at any meeting shall be necessary to make any recommendation on any matter coming before the Board. The Chairman may vote on all issues voted upon by the Board.

3.2 Voting Conflict of Interest. Any member of the Board shall, prior to participating in the discussion of any matter which would lead to the member's special private gain, which the member knows would lead to the special private gain or loss of any principal by whom the member is retained (other than an agency as defined in Section 112.312(3), Florida Statutes), or to the parent organization or subsidiary of a corporate principal by which the member is retained; or which the member knows would inure to the special private gain or loss of a relative or business associate of the member, disclose the nature of the member's interest in the matter.

Such disclosure, indicating the nature of the conflict, shall be made in a written memorandum filed with the Secretary, prior to the meeting in which consideration of the matter will take place, and shall be incorporated in the minutes; if the disclosure is initially made orally at a meeting attended by the member, the written memorandum disclosing the nature of the conflict shall be filed within fifteen (15) days with the Secretary, who shall incorporate it into the minutes. A copy of such memorandum, which shall become a public record upon filing, shall immediately be provided to the other members of the Board and shall be read publicly at the next meeting held subsequent to the filing of this written memorandum.

In the event that disclosure has not been made prior to the meeting, or that any conflict is unknown prior to the meeting, the disclosure shall be made orally at the meeting when it becomes known that a conflict exists. A written memorandum disclosing the nature of the conflict shall then be filed within fifteen (15) days after the oral disclosure with the Secretary, who shall incorporate it into the minutes of the meeting at which the oral disclosure was made. Any such memorandum shall become a public record upon filing, shall immediately be provided to the other members of the Board, and shall be read publicly at the next meeting held subsequent to the filing of this written memorandum.

Any member of the Board who, after written notice and public hearing, is found to have violated the provisions listed above, shall have their membership on the Board immediately terminated.

3.3 Abstention. All members of the Board shall vote “yes” or “no” upon all matters coming before the Board for vote, other than for the approval of the minutes of a prior meeting, and such vote shall be recorded in the official records of the Board. However, no member shall vote upon any matter which would lead to their special private gain; which they know would lead to the special private gain of any principal by whom they are retained or to the parent organization or subsidiary of a corporate principal by which they are retained, other than an agency as defined in Florida Statutes, Section 112.312(2); or which they know would lead to the special private gain of a relative or business associate of the member. Any member so required to abstain shall, prior to the vote being taken, publicly state to the assembly the nature of their interest in the matter from which they are abstaining from voting and, within fifteen (15) days after the vote occurs, disclose the nature of their interest as a public record in a memorandum filed with the Secretary, who shall incorporate the memorandum in the minutes.

3.4 Policy. It shall be the policy of the Board to provide findings of fact in making any recommendation or decision. All findings of fact shall be based on the applicable standards and regulations contained in either the Code of Ordinances or Land Development Code, the information provided by the applicant, staff liaison’s review of the application and appropriate information or evidence and testimony presented at the public hearing.

SECTION 4. VACANCIES

Failure to attend three (3) consecutive meetings without permission of the Chairman, or failure to attend at least seventy-five (75%) percent of all regularly scheduled meetings [excused or unexcused] of the Board during any twelve (12) month period, shall be considered automatic resignation from the Board, and upon such resignation, resignation by other means, or upon other vacancies occurring in office, the Chairman shall inform the City Clerk as promptly as possible so that the City Commission may appoint a replacement to complete the unexpired term.

SECTION 5. APPLICATIONS

All applications for Board action shall be complete and filed in the manner provided for in Section 2-71 of the Land Development Code.

SECTION 6. CONDUCT OF HEARINGS

The applicant may appear in person, by agent or by attorney at the hearing. The order of procedure for each hearing shall be as follows:

- 6.1 The Chairman shall present a summary explanation of the application;
- 6.2 The staff liaison shall present analysis and recommendations regarding the application;
- 6.3 The applicant or the applicant’s agent shall be afforded the opportunity to speak on behalf of the application;

6.4 Any Board member, with permission of the Chairman, may request additional staff input or question the applicant or his agent;

6.5 Persons wishing to speak in favor of, or in opposition to, the application shall be allowed to do so; such persons shall give their name and address for the public record;

6.6 In order to allow the meeting to proceed in an orderly fashion, the Board, by motion, **may** limit the time allowed for remarks concerning a specific agenda item to a maximum of ten (10) minutes each for City staff, the designated representative of the applicant and the designated representative of any organized group and five (5) minutes for members of organizations and other individual speakers. Additional time shall be allowed to respond to questions from the Board. The Chairman may also direct speakers to limit their comments to issues which have not been previously stated.

6.7 Arguments between the parties shall not be permitted; all remarks shall be addressed to the Chair;

6.8 Where there is no opposition to an application, the Chairman, by consensus of the Board and upon confirmation that all Board members have read the staff report, may waive the staff analysis (Section 6.2).

SECTION 7. DECISION(S)

7.1 Time. A decision by the Board shall be made in the form of a motion upon completion of the hearing on that particular application or request.

7.2 Notification. The Secretary shall send a copy of the Board's decision to the applicant within fifteen (15) days of the date of decision by the Board. A copy of the Board's decision shall be inserted in the applicant's file.

SECTION 8. AGENDA

Each matter shall be placed upon the agenda of the Board by the Staff Liaison. The order shall be set by the Staff Liaison with emphasis placed on anticipated audience interest. There may be a cut-off date established by the Board after which no further matters shall be added to the agenda. The agenda of matters to be heard shall be mailed or delivered to each member of the Board at least five (5) days before the regular meeting.

SECTION 9. RECONSIDERATION

Once a motion has been adopted, the Board may reconsider that matter at the same hearing, provided a motion to reconsider is made by a member who voted with the prevailing side.

SECTION 10. AMENDMENTS

These rules of procedure may be amended or modified by an affirmative vote of not less than four (4) members of the entire membership of the Board, provided that such amendment be presented in writing at a regular meeting and action taken thereon at a subsequent regular meeting.

SECTION 11. MOTIONS

Every motion shall require an affirmative vote of the majority of the Board members present and voting.

SECTION 12. ROBERT'S RULES OF ORDER

Any point of procedure not otherwise addressed by these Rules shall be governed by the current edition of Robert's Rules of Order, Newly Revised.

Previously approved at the regular meeting of the Board on January 28, 2004.

PRESENTED IN WRITING at the regular meeting of the Board on January 28, 2013.

M I N U T E S

ORMOND BEACH HISTORIC LANDMARK PRESERVATION BOARD

Regular Meeting

September 24, 2012

4:00 PM

Ormond Beach City Hall

Training Room

22 South Beach Street

Ormond Beach, Florida

I. CALL TO ORDER

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

II. ROLL CALL

Members Present

Shannon Julien
Robert Walsh
Sue Parkerson
Geneva Jackson
Ellen Needham
Dr. Philip Shapiro
Dr. Daniel Drake
Ann Eifert (absent)
Damien Richards (excused)

Staff Present

Ann-Margaret Emery, Assistant City Attorney
Laureen Kornel, AICP, Senior Planner
Meggan Znorowski, Recording Technician

III. APPROVAL OF MINUTES

A. January 23, 2012

Dr. Shapiro called for any modifications to the minutes of January 23, 2012.

Dr. Shapiro stated on Page 1, Roll Call, his first name should only contain one "j".

Ms. Julien moved to approve the minutes as modified. Ms. Parkerson seconded the motion. Vote was called and the motion unanimously approved.

IV. PUBLIC HEARING

A. Certificate of Appropriateness for alterations- 42 North Beach Street

Chairman Shapiro disclosed that he is on the Board of Directors for the Historic Society and will not benefit in any way by the approval of this Certificate of Appropriateness.

Ms. Julien disclosed that she is on the Board of Directors for the Historic Society and will not benefit in any way by the approval of this Certificate of Appropriateness.

Laureen Kornel, Senior Planner, City of Ormond Beach, stated this item is a Certificate of Appropriateness for the five alterations listed in the staff report: 1) elastomeric coating of the exterior of the building; 2) redesign and construction of the roof over the kitchen addition with arch shingles; 3) paving the driveway; 4) erecting a monument sign; and 5) restoring the front door. Ms. Kornel explained the Historical Society is the applicant and the property is locally and nationally listed as an historic landmark, and the applicant has indicated that the alterations will be in keeping with the historic character of the building. Ms. Kornel continued the Society successfully applied for a property improvement grant to complete the proposed alterations. Ms. Kornel stated staff is recommending approval.

Dr. Shapiro added that the proposed improvements will improve access, visibility, and the appearance of the property.

Mr. Walsh moved to approve the Certificate of Appropriateness as submitted; Ms. Parkerson seconded the motion. Vote was called and the motion unanimously approved.

V. MEMBER COMMENTS

Dr. Shapiro stated there has been a change of circumstances and most certificates of appropriateness are now administratively handled and felt the lack of applications is due to the state of the economy.

Ms. Kornel stated even though staff is handling the majority of cases, the Board will always receive a memorandum summarizing staff's review of public inquiries.

Dr. Shapiro thanked the Board for their availability, and the Historical Society for the refreshments.

Dr. Shapiro explained that it would be January or February before the alterations on 42 N. Beach Street are complete.

Dr. Shapiro thanked Ms. Kornel, Ms. Znorowski, and Ms. Emery.

VI. PUBLIC COMMENTS

Susan Heddy, Ormond Beach Historical presented a painting to show the Board the approximate new paint scheme for 42 N. Beach project.

VII. ADJOURNMENT

The meeting was adjourned at 4:10 p.m.

Respectfully submitted,

Meggan Znorowski, Recording Secretary

ATTEST:

Dr. Philip J. Shapiro, Chairman

Minutes transcribed by Meggan Znorowski

CITY OF ORMOND BEACH

FLORIDA

PLANNING

MEMORANDUM

TO: Chairman Shapiro, and Historic Landmark Preservation Board
(HLPB) Members

FROM: S. Laureen Kornel, AICP, Senior Planner

DATE: January 3, 2013

SUBJECT: Administrative Review for COA for Demolition – 412 Bostrom Lane

Staff has not received any new cases that warrant a public hearing at this time. However, there was one administrative review for a Certificate of Appropriateness (COA) for demolition completed for the above-mentioned property. Below is a brief summary of the case that was reviewed in January 2013 to determine if a COA for demolition would be appropriate.

412 Bostrom Lane: The subject property is not a locally designated historic landmark. According to the Master Site File the property was built in c.1920 and is frame vernacular. In response to a public request for a determination if a COA for demolition would be required to demolish the structure, staff completed an administrative review.

A site visit conducted on January 3, 2013, revealed the residential structure on the property is in fair condition. The structure is not architecturally significant nor does it contribute to the overall historic architectural qualities, historic association or values of an historic district. Based on those factors, a determination was made that no COA for demolition for review by the Board would be required.



cc: Ann-Margret Emery, Deputy City Attorney
Ric Goss, AICP, Planning Director
Meggan Znorowski, Office Manager