

# DRAFT



CITY OF FORT PIERCE  
**HISTORIC PRESERVATION  
BOARD**

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## Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE HISTORIC PRESERVATION BOARD HELD ON MONDAY, DECEMBER 9, 2019, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Present: **Kori Benton; Charlie Hayek; Michael Broderick; Holly Theuns; George Johansen; Anthony Westbury; Suzanne Boardman, Chair**

Absent: **Jon Neprud; Paul Sampson**

Staff Present: **Peter Sweeney, City Attorney  
Jennifer Hofmeister, Planning Director  
Maria Lewicka, Historic Preservation Planner  
Alicia Rosenthal, Executive Assistant**

4. **CERTIFICATION OF ALTERNATE MEMBER VOTING STATUS/EXCUSE NON VOTING ALTERNATE**

Mr. Johansen and Mr. Westbury were made regular voting members for the meeting.

5. **APPROVAL OF MINUTES**

- a. Minutes from the October 28, 2019 meeting

**Motion was made by Michael Broderick, and seconded by Charlie Hayek to approve the minutes from the October 28, 2019 meeting.**

**AYE: Charlie Hayek, Michael Broderick, Holly Theuns, George Johansen, Anthony Westbury, Kori Benton, Chair Suzanne Boardman**

Passed

## 6. PUBLIC HEARINGS

### a. Certificate of Appropriateness 19-79 - Demolition - 209 Avenue D

Ms Theuns and Mr. Benton recused themselves.

Ms. Lewicka gave an overview of the application and answered questions from the Board on how long the applicant owned the building and what code violations were on the property.

Cynthia O'Connell spoke in favor of the demolition.

Donna Benton spoke in favor of the demolition. She stated her client purchased the property several years ago and it was termite ridden. She said the home is beyond repair and hindering the neighborhood. Ms. Benton said the consensus among the contractors and investors is that it is beyond the benefit of money needed to repair the home. Ms. Benton suggested putting in something new that is safe and has the same architectural style and Edgartown feel.

Mr. Hayek noted that four years ago the home could have been rehabilitated and if the city keeps allowing demolition by neglect, Edgartown may not be around.

Cathy Wassylenko spoke against the demolition and she stressed that the one of Ft. Pierce's greatest resource is it's historic structures.

Toni Monokian spoke against the demolition. Ms. Monokian explained that the two-story front porch has historical significance because it is unique to Fort Pierce and quite rare. Ms. Monokian suggested to replace what was eaten by termites and preserve the outside of the building.

Mike McCloud, spoke against the demolition and he said he would like to hear about the true structural integrity of the building.

Board discussion ensued on mandating that a new structure be built exactly the same, possible grants, strategy being put into place for demolition by neglect, and hearing from the building department regarding the inspection.

Ms. Hofmeister stated that historic structures are important to the character of the city and she wants to take a look at what other cities are doing to capitalize on historic structures.

**Motion was made by Michael Broderick, and seconded by Anthony Westbury to defer Certificate of Appropriateness 19-79 for the demolition of 209 Avenue A to the January 28, 2020 meeting.**

AYE: **Michael Broderick, George Johansen, Anthony Westbury, Charlie Hayek, Chair Suzanne Boardman**

Other: **Holly Theuns (ABSTAIN), Kori Benton (ABSTAIN)**

Passed

### b. Certificate of Appropriateness 19-72 - Accordion Shutters - 811 Delaware Avenue

Ms. Lewicka gave an overview of the Certificate of Appropriateness and answered questions from the Board on who the building is occupied by, if the applicant considered Bahama shutters and if accordion shutters have been approved by the Historic Preservation Board in the past.

Brown Johnson from JBR Exteriors provided additional information and answered questions

from the Board on impact windows and cost to the applicant.

Toni Monokian and Michael McCloud spoke against the accordion shutters.

Board discussion ensued on insurance companies mandating how windows are protected, uniformity in contributing structures, and using a demountable system on the entire structure.

**Motion was made by Kori Benton, and seconded by Michael Broderick to approve Certificate of Appropriateness 19-72, with the condition that all the shutter systems utilize the direct mount storm panels accordance with the Secretary of Interior Standards, 2, 5 and 9 as they would minimize the impact to the structure, it's overall appearance, design, and craftsmanship, helping to conceal the protective devices.**

**AYE: Holly Theuns, George Johansen, Anthony Westbury, Kori Benton, Charlie Hayek, Michael Broderick, Chair Suzanne Boardman**

Passed

c. **Certificate of Appropriateness 19-77 - Canopy Signs combined with a Variance Application - 701 Delaware Avenue**

Ms. Lewicka gave an overview of the application and answered questions from the Board on landscape and lighting plans, LED lighting and lighting colors.

Mr. Benton explained that the location has been vacant for quite some time and there are homes to the south and west of the property. Mr. Benton said the gas station has more character than the average gas station and architectural features, that are compatible with the building style, are encouraged.

Fred Shuaibi, sign company representative, explained that Amoco always uses red and blue in their 80 year old logo. Mr. Shuaibi stated the monument and pylon signs are self contained and the proposed logo sign is the smallest sign that Amoco offers.

Ms. Hofmeister stated that the businesses should be able to work with the historic standards by compromising and working together with the city.

Jonathan Baixauli, applicant representative, stated that the red in the torch logo is part of the historical brand and Amoco is adamant about the brand colors. Mr Baixauli showed pictures of the Amoco gas station signage in Miami and he said he would be willing to look at landscape improvements to dampen the spillover of light to the adjacent residential neighbors.

Board discussion ensued on landscape buffering and eliminating the LED canopy lighting.

**Motion was made by Michael Broderick, and seconded by Anthony Westbury to approve Certificate of Appropriateness 19-77 for the canopy signs combined with a Variance for 701 Delaware Avenue with the following conditions:**

- 1. The southern most canopy sign will be non-illuminated;**
- 2. A landscape plan will be submitted to the Planning department for the south boundary line, where currently a vinyl fence is installed, that would be subject to an administrative approval from the Planning department.**

**AYE: George Johansen, Anthony Westbury, Kori Benton, Charlie Hayek, Michael Broderick, Holly Theuns, Chair Suzanne Boardman**

Passed

## 7. NEW BUSINESS

### a. Administratively Approved Certificates of Appropriateness - October 2019

Ms. Theuns asked how the Arcade Building, a national historic structure, was approved to be renamed to Kraaz Square. Ms. Lewicka explained that the signage on the building was not original or historic and it was added in 2002 and 2007. Ms. Lewicka stated the owners name can be put on the building if they have an office in the building. Mr. Benton highlighted that Secretary of Interior Standard #4 would have supported an alternative and better solution with what the applicant proposed and the historic nature of the building. Mr. Benton commented that it would be an easier sales pitch to the community if the sign on the side of the building said Arcade building at Kraaz Square.

Mr. Benton proposed that when an applicant is requesting to go from non-internally illuminated sign fixtures to internally illuminated or LED sign fixtures, that change the character or nature of the sign, that the Board considers the change with regards to the Secretary of Interior Standards. Mr. Benton noted that going from a manual change in copy to an electronic change of copy changes the appearance, design and dynamics of the sign.

Mr. Benton encouraged staff and possibly the city attorney to review Ordinance K-303 regarding City Commission adopting a sunset date in which non-conforming signs would be phased out and notice provided. Mr. Benton said the Board should consider location, articulation, design and landscaping for sign proposals in the historic districts.

Chair Boardman stated the city needs to come up with a process for demolition by neglect, by enforcing fines and being more proactive.

## 8. COMMENTS FROM THE PUBLIC

Any person who wishes to comment on any subject may be heard at this time. Please limit your comments to three (3) minutes or less, as directed by the Chair, as this section of the Agenda is limited to thirty minutes. The Historic Preservation Board will not be able to take any official actions under Comments from the Public. Speakers will address the Board and the Public with respect. Inappropriate language will not be tolerated.

## 9. CONSIDERATION OF ABSENCES

**Motion was made by Michael Broderick, and seconded by Holly Theuns to approve the absences of Mr. Sampson and Mr. Neprud.**

**AYE: Anthony Westbury, Kori Benton, Charlie Hayek, Michael Broderick, Holly Theuns, George Johansen, Chair Suzanne Boardman**

Passed

## 10. ADJOURNMENT

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Theuns - Holly</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Historic Preservation Board</i>
MAILING ADDRESS <i>415 N 2nd St</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <i>Fort Pierce</i>	COUNTY <i>St Lucie</i>
DATE ON WHICH VOTE OCCURRED <i>12/9/15</i>	NAME OF POLITICAL SUBDIVISION:  MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, Holly Theury, hereby disclose that on 12/9, 20 19:

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

COA 19-79  
 209 Ave B Demolition permit  
 I have a contract to buy the parcel if demo is approved

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

12/9/19  
Date Filed

[Signature]  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, Kori Benton, hereby disclose that on December 9, 20 19 :

(a) A measure came or will come before my agency which (check one or more)

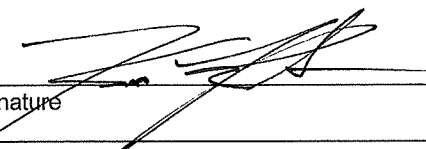
- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_ ;
- inured to the special gain or loss of my relative, Donna Benton (mother) ;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Certificate of Appropriateness for Demolition of Structure,

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

12/9/2019  
Date Filed

  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

