

# DRAFT



CITY OF FORT PIERCE  
**HISTORIC PRESERVATION  
BOARD**

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## Minutes

OF THE SPECIAL MEETING OF THE FORT PIERCE HISTORIC PRESERVATION BOARD HELD ON MONDAY, FEBRUARY 11, 2020, 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: **Charlie Hayek; Michael Broderick; Holly Theuns; Jon Neprud; George Johansen; Anthony Westbury; Suzanne Boardman, Chair**

Absent: **Kori Benton**

Staff Present: **Linda Cox, City Clerk  
Jennifer Hofmeister, Planning Director  
Tanya Earley, Assistant City Attorney  
Maria Lewicka, Historic Preservation Planner**

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

**Motion was made by Michael Broderick, and seconded by Charlie Hayek to approve Mr. Johansen and Mr. Westbury as alternates for the meeting.**

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

Passed

5. **PURPOSE AND SCOPE OF MEETING**

Assistant City Attorney, Tanya Earley, explained a special meeting was called because the applicant had an application for demolition denied at the last Historic Preservation Board meeting. She said the code permits an applicant upon denial to appeal the decision of the Historic Preservation Board directly to the City Commission. Ms. Earley stated there is a sub-section that deals with undue economic hardship and how the applicant files an affidavit

addressing the issue of undue Economic Hardship.

Ms. Earley provided the Board a full copy of the relevant code and summarized what the code actually says. The issue of undue hardship can only be considered after the application has been denied. An applicant who elects to pursue a claim of undue hardship may submit an affidavit in support of that claim. The affidavit must be submitted within ten (10) days after the public hearing where an application was denied. City Code Section 22-65 (1), lists a number of items that should be submitted as part of the affidavit. The Board may require that an applicant furnish such additional information if the Board believes it to be relevant in the determination of an economic hardship. The Board will be able to consider what has been presented thus far and determine whether or not additional materials are required that would be helpful in a determination of economic hardship. City Code Section 23-66 addresses appeals and states that an applicant who gets an adverse ruling has 20 days from the written decision of the Historic Preservation Board to file an appeal, which goes to City Commission. City Code Section 23-66 explains that the City Commission's ruling is the final administrative review and the City Commission can ask the applicant to submit additional information, however, it does not give the Historic Preservation Board the authority to rule on the ultimate issue of whether or not there is economic hardship.

Ms. Earley said the filing of the affidavit triggered the special meeting, because City Code Section 23-65 (3), gives the Board the authority to determine whether or not additional documentation needs to be provided.

Ms. Earley stated that the issues for the Board's consideration are as follows:

1. Does the affidavit meet the criteria set forth in City Code Section 23-65 (1)(a)(g)?
2. Should the applicant be required to furnish additional information to the Board that the Board deems relevant to economic hardship?

Ms. Earley explained to the Board that they are not to make a ruling on the issue but to make sure the record is adequately developed, so the City Commission can take what was submitted and make a ruling. The purpose of the meeting is to make sure there is nothing additional the Board believes in their judgment is required, in order to fully develop the record.

## 6. **COMMENTS FROM THE PUBLIC**

Jeanne Arias does not support.  
John Hayes does not support.  
James Norcia does not support.  
Mari Herringshaw does not support.  
Cathy Wassylenko does not support.  
Micheal McLeod does not support.  
Toni Monokian does not support.  
Margaret Dushaw (sp?) does not support.  
Leslie Olson does not support.  
Sarah Brink does not support.  
George Adams does not support.

## 7. **NEW BUSINESS**

a. **Women's Care Center - Affidavit of Economic Hardship**

Chairwoman Boardman asked for the Board's opinion on whether the affidavit meets the requirements or if they had any additional information that needs to be required.

The Board discussed adding the items listed below.

1. Profit and Loss statement for Women's Care Center
2. Identity income and funding sources (Federal, State and Charitable)
3. Current bank statements
4. Commercial real estate appraisal at time of purchase
5. Current commercial appraisal
6. Remodel estimates at time of purchase
7. Attempt to rent or sell
8. Comparable property analysis
9. Meeting minutes from the Women's Care Center Board of Directors

Ms. Earley stated there is a provision for the Board to allow certain documentation to be submitted under seal, so if there is sensitive information it can be submitted in a format that is confidential in nature.

Ms. Earley explained that the subsection does not permit the board to require something new to be done.

**Motion was made by Michael Broderick, and seconded by Jon Neprud that the supporting documentation is missing under 22-65.(1)e.f.g.**

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

Passed

**Motion was made by Charlie Hayek, and seconded by Jon Neprud that under section 23-65.(3) the following documentation be provided:**

1. **Profit and Loss statement**
2. **Funding sources for the last two years**
3. **Bank statements for the last two years**
4. **Commercial real estate appraisal prior to closing**
5. **Board of Directors meeting minutes**

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

Passed

**8. CONSIDERATION OF ABSENCES**

**Motion was made by Jon Neprud, and seconded by Michael Broderick to excuse Mr. Benton.**

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

Passed

**9. ADJOURNMENT**

