

DRAFT



CITY OF FORT PIERCE
**HISTORIC PRESERVATION
BOARD**

Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE HISTORIC PRESERVATION BOARD HELD ON MONDAY, FEBRUARY 22, 2021, 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**

Ms. Hofmeister attended the meeting via telephone.

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

Absent: George Johansen

Staff Present: Jennifer Hofmeister, Planning Director
Tanya Earley, Assistant City Attorney
Maria Lewicka, Historic Preservation Planner
Alicia Rosenthal, Executive Assistant

4. **APPROVAL OF MINUTES**

a. Minutes from the January 25, 2021 meeting

Motion was made by Michael Broderick, and seconded by Charlie Hayek to approve the minutes from the January 25, 2021 meeting.

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

Passed

5. PUBLIC HEARINGS

a. Certificate of Appropriateness 20-75 - Facade Sign - 108 N. Depot Drive

The clerk introduced Certificate of Appropriateness 20-75 for the installation of a new sign located at 108 N. Depot Drive, Fort Pierce, Florida.

Madam Chair Boardman asked Assistant City Attorney, Tanya Earley, to explain the Quasi-Judicial Hearing procedures as they apply to all subsequent Quasi-Judicial Hearings.

Before commencing this Quasi-Judicial Hearing, Tanya Earley, Assistant City Attorney, reminded the Board that they serve in both a legislative and quasi-judicial role. When acting as a legislative body, the Board engages in law-making activity by passing laws and establishing policies. When acting as a quasi-judicial body, the Board applies those laws and policies and is held to stricter procedural requirements. Quasi-judicial proceedings are less formal than proceedings before a circuit court but are more formal than the normal Board meeting. Quasi-judicial proceedings must follow basic standards of notice and due process; and decisions must be made based on competent substantial evidence.

Therefore, Board members have a duty to conduct the quasi-judicial proceedings more like judges than legislators. That is why the Commission has established the uniform procedures for quasi-judicial hearings that will be followed today.

Madam Chair Boardman called the proceeding to order.

The clerk confirmed the City complied with advertisement requirements.

Madam Chair Boardman inquired with the Board regarding ex-parte communications and asked the Clerk to call the roll:

Mr. Westbury - no

Mr. Hayek - no

Mr. Broderick - no

Ms. Theuns -no

Mr. Benton - no

Madam Chair Boardman - no

Madam Chair Boardman opened the public hearing.

The clerk was asked to swear in those wanting to speak during this Quasi-Judicial hearing. Individuals in the audience intending to speak on this item were asked to stand, raise their right hand, and administered an oath to tell the truth, the whole truth, and nothing but the truth. Those that were sworn in were asked to clearly state their name for the record and confirm they were sworn in at such time as they were asked to come forward to testify.

Staff Presentation:

Maria Lewicka, Historic Preservation Planner, stated the application was tabled from the last Historic Preservation Board meeting on January 25, 2021 because the applicant was proposing adding an art gallery to the directory sign. Ms. Lewicka stated she e-mailed the applicant asking for detailed drawings of how the art piece(s) will be mounted to the building, including any protective devices, illumination, etc.

The applicant is requesting Certificate of Appropriateness approval for the installation of a 26" x 43" digital directory sign to the front of the building next to the front doors. The application states the following:

- The sign will be similar to a “TV in a box with changing images” (one per tenant).
- Each tenant will have their own design that reflects their business.
- The frequency of the image content change has not been determined. However, the application states that it is anticipated to be approximately every 30-60 seconds.

Signs are very important elements in defining and preserving the overall character of storefronts of historic commercial buildings. Business signs should be appropriately designed, scaled and installed to be informative, perhaps decorative, and contributing to the historical atmosphere of the building, business and surrounding district. It is staff's professional opinion that a traditional directory sign at the subject location would be appropriate and acceptable. The proposed illuminated, digital, electronic screen display with constant content changing and flashing, animated motion, is not in harmony with the historic character of the downtown. Such a display is not compatible with the historic materials, features and integrity of the building, the district and the Secretary of the Interior's Standard #9. Further, approval of such a sign within this historic district would potentially set precedent for future such installations, greatly diminishing the historic significance, charm and appeal of the downtown. Nevertheless, based on Historic Preservation Board discussion, some board members were inclined to approve the proposed electronic directory sign after the review of the full outside art gallery proposal introduced by the applicant. Therefore, based upon Historic Preservation Board discussion and Secretary of Interior's Standard #9, staff will no longer oppose the approval of the proposal but recommends that the approval of the proposed digital directory sign and the art gallery will be subject to the following conditions:

- The digital directory sign will be installed together with the rest of the gallery
- The applicant will submit a building permit with detailed drawings of how the art piece(s) will be mounted to the building, including any protective devices, illumination, etc.

Board questions for Staff: Mr. Hayek asked if the frames will be attached to the building. Ms. Theuns asked if the framed area artwork would be digitized or canvas art.

Applicant questions for Staff: None

Applicant presentation: None

Board questions for Applicant: None

Public comment: None

Madam Chair Boardman, seeing no one else, closed the public hearing.

Comments by the Board: Mr. Hayek suggested frames around the artwork with the directory in the middle of the six frames to help with symmetry. Mr. Broderick stated the direction given to the applicant, from the last Historic Preservation Board meeting, was that specific detail be provided regarding the mounting and type of enclosed cases.

Ms. Hofmeister suggested the Board table the item until the applicant can be present to provide the specific detail.

Mr. Hayek suggested denying the application and Ms. Earley stated that a denial triggers the appeal process to City Commission.

Motion was made by Michael Broderick, and seconded by Anthony Westbury to table Certificate of Appropriateness 20-75 until the applicant is able to provide the Planning Department with detail specifications that the Historic Preservation Planner had requested.

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

Passed

b. Certificate of Appropriateness 21-03 - New Residence - 602 S. Indian River Drive

The clerk introduced Certificate of Appropriateness 21-03 for a new residence located at 602 S. Indian River Drive, Fort Pierce, Florida.

Madam Chair Boardman called the proceeding to order.

The clerk confirmed the City complied with advertisement requirements.

Madam Chair Boardman inquired with the Board regarding ex-parte communications and asked the Clerk to call the roll:

Mr. Hayek - no

Mr. Broderick - no

Ms. Theuns - no

Mr. Benton - yes

Mr. Westbury - no

Madam Chair Boardman - yes

Madam Chair Boardman opened the public hearing.

The clerk was asked to swear in those wanting to speak during this Quasi-Judicial hearing. Individuals in the audience intending to speak on this item were asked to stand, raise their right hand, and administered an oath to tell the truth, the whole truth, and nothing but the truth. Those that were sworn in were asked to clearly state their name for the record and confirm they were sworn in at such time as they were asked to come forward to testify.

Staff Presentation:

Maria Lewicka, Historic Preservation Planner, provided an overview of the application. The applicant is proposing the construction of a new 3,374 square foot residence, construction of a new retaining wall, and installation of new native landscaping. The applicant is proposing a building design that incorporates a standing seam metal roof, traditional stucco finish, dark mahogany front entry doors, garage door of similar color, PGT impact vinyl white windows and French doors. The applicant is proposing two (2) color schemes; one (1) in yellow/tan colors as shown on the attached rendering from 2011, and a second (preferred) blue/grey coastal, pastel main colors with tan or white metal roof. The proposed residence is to be constructed on vacant parcel located on the river within the River's Edge Historic District. The River's Edge Historic District consists of office commercial, multi-family and single family uses with various architectural styles and diversity of materials and colors. The proposed design would enhance the character of the area. The mass, scale, height and proposed blue/gray colors of the proposed residence would blend well with existing surroundings. Overall, the proposal is consistent with Secretary of the Interior standards, and staff recommends that the Historic Preservation Board approve the request.

Board questions for Staff: Mr. Benton asked if the parcel is a conforming lot. Mr. Benton also asked about the lot coverage, foot print, mass and scaling consistency with other structures in the district, and if there are other front loading garages in the district. Mr. Benton asked if the seawall will require City Commission approval or will be an internal review.

Ms. Hofmeister stated the application is consistent with the Historic Preservation standards

and could set the stage for more development in the River's Edge Historic District.

Applicant questions for Staff: None

Applicant presentation: Steve Weaver, Applicant, sworn and, Jim Gilgenbach, Architect sworn. Mr. Weaver stated he picked a color scheme that was appropriate to the area and blended in with the neighborhood. Mr. Weaver said he was considering clapboard siding and garage doors that look like carriage house doors. Mr. Weaver said he is aware of the Department of Environmental Protection (DEP) restrictions and the hill will not be impacted.

Board questions for Applicant: Mr. Benton asked about the driveway design and architectural features on the home. Mr. Broderick asked about the color scheme and if stone is being used on the front of the home. Ms. Theuns asked how much property is developable on Indian River Drive in the River's Edge District.

Public comment: The clerk read public comments submitted from Dr. Leonard Berg and Jacob Berg.

Madam Chair Boardman, seeing no one else, closed the public hearing.

Comments by the Board: Mr. Benton expressed concerns with spatial compatibility and the new construction fitting in with the River's Edge district regarding scale and massing. Mr. Benton also had environmental concerns with the property along the scenic highway. Ms. Theuns said the applicant did a good job putting the house on an unobtrusive lot. Mr. Broderick noted that the applicant could build a multi-family structure to 45 feet. He highlighted that the single family structure has less density and is less impactful to the neighborhood. Mr. Broderick applauded the applicant for the good use of the property.

After the motion was made Mr. Benton stated his concerns were with the colors and some of the architectural design features, primarily the massing and the width of the structure, as it relates to the development pattern in the River's Edge Historic District

Motion was made by Holly Theuns, and seconded by Charlie Hayek to approve Certificate of Appropriateness 21-03 for the new residence at 602 S. Indian River Drive, with the blue/gray family color scheme subject to staff's approval and the roof color being in the white/beige/tan family, as suggested by the applicant.

AYE: Charlie Hayek, Michael Broderick, Holly Theuns, Anthony Westbury

NAY: Kori Benton, Chair Suzanne Boardman

Passed

c. **Certificate of Appropriateness 21-06 - Demolition - 505 N. 11th Street (also know as 1102 Avenue D)**

The clerk introduced Certificate of Appropriateness 21-06 for a demolition located at 505 N. 11th Street, Fort Pierce, Florida.

Madam Chair Boardman called the proceeding to order.

The clerk confirmed the City complied with advertisement requirements.

Madam Chair Boardman inquired with the Board regarding ex-parte communications and asked the Clerk to call the roll:

Mr. Hayek - no
Mr. Broderick - no
Ms. Theuns - no
Mr. Benton - no
Mr. Westbury - no
Madam Chair Boardman - no

Madam Chair Boardman opened the public hearing.

The clerk was asked to swear in those wanting to speak during this Quasi-Judicial hearing. Individuals in the audience intending to speak on this item were asked to stand, raise their right hand, and administered an oath to tell the truth, the whole truth, and nothing but the truth. Those that were sworn in were asked to clearly state their name for the record and confirm they were sworn in at such time as they were asked to come forward to testify.

Staff Presentation:

Maria Lewicka, Historic Preservation Planner, provided an overview of the application. She stated the request is for demolition of one (1) of two structures located on the same property. The remaining structure is fronting Avenue D. The structure proposed for demolition is located on the back of the property and is facing 11th Street. The building proposed for a demolition is in very poor condition. It was not maintained for an extended period of time and has become visibly damaged, deteriorated and unsafe. Given the application meets A, B, C, D, E and F criteria for demolition of a structure within a designated historic district, the building's current state of disrepair and that there are current redevelopment projects in the immediate vicinity, staff recommends approval of the demolition request. The removal of the building may present options for new construction to support Lincoln Park Historic District. Shortly after the demolition the property should be re-sodded.

Board questions for Staff: None

Applicant questions for Staff: None

Applicant presentation: Danielle Beckford from LEB Demolition and Consulting Contractors Inc., Applicant, sworn, stated that LEB Demolition is a city contractor and they were contacted by the property owner's contractor to demolish the building. Ms. Beckford said the owner received a Condemnation letter from the Code Enforcement department on December 10, 2021. Ms. Beckford said they did not realize the property was in the Historic District.

Board questions for Applicant: Mr. Hayek asked if the contract includes the sod and Ms. Beckford said it is always included.

Public comment: None

Madam Chair Boardman, seeing no one else, closed the public hearing.

Comments by the Board: None

Motion was made by Charlie Hayek, and seconded by Holly Theuns to approve Certificate of Appropriateness 21-06 for the demolition of the building in the rear of the property at 1102 Avenue D, with the actual address being 505 N. 11th street, and the contract does include sod.

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

Passed

6. NEW BUSINESS

- a. Administratively Approved Certificates of Appropriateness - January 2021

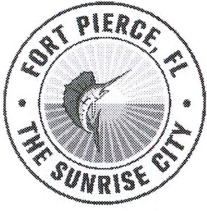
7. COMMENTS FROM THE PUBLIC

There were no comments from the public.

8. CONSIDERATION OF ABSENCES

Mr. Johansen's absence will be voted on at the next Historic Preservation Board meeting.

9. ADJOURNMENT



**Submission of Sworn Public Comment for
Public Hearings
Legislative and Quasi-Judicial**

The asterisk denotes a required field in order for the comments to be submitted for consideration.

Your name*

Prefix: Dr. First Name: Leonard

Last Name: Berg

Your address*

Street Address: 3401 S. Indian River Drive

City: Fort Pierce

Meeting Date*

02/22/21

Agenda Item*

certificate of appropriateness 21-03

Contact Information

Email: pberg@vocelleberg.com

Phone: 772-321-7074

Comments at public hearings are limited to **three minutes** per speaker. The decorum policy of the Commission shall apply to all comments, either oral or written, pursuant to Sec. 2-55 of the Fort Pierce Code of Ordinances. Comments read into the record by the Clerk will be limited to three minutes. E-mail completed form to: arosenthal@cityoffortpierce.com

TESTIMONY/COMMENTS*

Please see attachment.

I swear or affirm, under oath, that the statement herein is the truth, the whole truth and nothing but the truth.

Signature

I am unable to attend the meeting and ask that you consider my objections. This project will set a bad precedent for the Drive. It is very close to the street and creates a situation where cars have to back out into traffic. Having extra driveways on the Drive will only contribute to an already dangerous situation for traffic. People speed and I have had several accidents at my home including death. Further, this house will block the view of the river which is why people live on the Drive and also use the road as a scenic highway. Other people will follow this precedent and the drive will lose its character altogether. The house does not appear to look like it fits in with the historic nature of buildings downtown either. Finally, i believe that there may be environmental impacts to allowing construction on the riverbank. The Lagoon is in enough danger without additional structures on its banks.



**Submission of Sworn Public Comment for
Public Hearings
Legislative and Quasi-Judicial**

*The asterisk denotes a required field in order for the comments to be submitted
for consideration.*

Your name*

Prefix: First Name: Jacob

Last Name: Berg

Your address*

Street Address: 615 S. Indian River Drive

City: Fort Pierce

Meeting Date*

February 22, 2021

Agenda Item*

Certificate of Appropriateness 21-03

Contact Information

Email: zaneberg@gmail.com

Phone: 772-359-6599

Comments at public hearings are limited to **three minutes** per speaker. The decorum policy of the Commission shall apply to all comments, either oral or written, pursuant to Sec. 2-55 of the Fort Pierce Code of Ordinances. Comments read into the record by the Clerk will be limited to three minutes. E-mail completed form to: arosenthal@cityoffortpierce.com

TESTIMONY/COMMENTS*

Please see attached comments as the space provided here is insufficient.

I swear or affirm, under oath, that the statement herein is the truth, the whole truth and nothing but the truth.

Signature

Members of the Fort Pierce Historic Preservation Board, my name is Jacob Berg and I am an owner of property at 615 S. Indian River Drive, which is adjacent to 602 S. Indian River Drive. I regret that I am unable to attend this meeting in person due to the short notice and health concerns associated with the COVID 19 pandemic. Please consider my below objections to the certificate of appropriateness application 21-03 presently before you.

1. The proposed new residence is to be built on the east side of Indian River Drive, a state designated scenic highway. Permitting the proposed residence will substantially impair the ability to view the Indian River by all. Impairing the view takes away the primary historical feature of the Drive (the view) and cuts against the stated purpose of designating the Drive as a scenic highway in the first place.
2. Permitting the proposed residence on the east side of the Drive sets a bad precedent, essentially laying the groundwork to permit all owners of land up and down the drive to bulkhead, fill, and construct new homes on the east side of the road in a manner which obstructs the view. If the current application is approved, many more applications will be forthcoming.
3. The proposed residence will obstruct my view. My house is located on the west side of the Drive with only two properties between mine and the one at issue. In order to reclaim my unobstructed view of the Indian River, I would have to consider developing the portion of my property on the east side of the Drive. This concern applies to all home owners up and down the Drive.
4. I do not believe that adequate notice of the hearing on this application was provided. The issues at hand are serious and require the board's utmost attention and consideration. A mere 10 days' notice is insufficient to allow all stakeholders to learn of the meeting and make arrangements to attend.
5. The limited liability company applying for this approval has been administratively dissolved since September 2020 and is therefore not authorized to conduct business in this state.