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CITY OF FORT PIERCE
**HISTORIC PRESERVATION
BOARD**

Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE HISTORIC PRESERVATION BOARD HELD ON MONDAY, JUNE 28, 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**

Mr. Broderick entered the meeting at 2:20 PM

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

Absent: George Johansen; Kori Benton

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

4. **APPROVAL OF MINUTES**

- a. Minutes from the May 24, 2021 meeting

Motion was made by Charlie Hayek, and seconded by Holly Theuns to approve the minutes from the May 24, 2021 meeting.

AYE: Holly Theuns, Charlie Hayek, Anthony Westbury, Chair Suzanne Boardman
Passed

5. **PUBLIC HEARINGS**

a. **Certificate of Appropriateness 21-30 - New Fence & Variance - 517 N. 12th Street**

Madam Chair Boardman introduced Certificate of Appropriateness for 21-30 for a new fence & Variance for 517 N. 12th Street.

Madam Chair Boardman asked the clerk to explain the Quasi-Judicial Hearing procedures.

Before commencing this Quasi-Judicial Hearing, the clerk 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 and notice requirements.

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

Mr. Hayek – no

Mr. Westbury – no

Ms. Theuns – 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. The applicant is requesting Certificate of Appropriateness approval for the installation of a six (6) foot high white PVC fence along the rear (west) property line, front (east) property line and part of side (north) property line and the installation of a 12 foot roll gate. The applicant also requested a Variance to deviate from City Code Section 125-322.(c) (2), which allows for a maximum height of the fence located within the required front yard to be four (4) feet. The height of the fence that is located within the required front yard is (6) feet.

The fence was installed without a Certificate of Appropriateness or a building permit to exceed the maximum height within the required front yard by two (2) feet.

Fences are important elements of the design and character of historic structures and districts. The scale and character of a fence must be compatible with the houses and the neighboring structures. The subject proposal seeks to install a six (6) foot high, white PVC fence which does not meet the recommendations based on Secretary of Interior's Standard #9. The height and mass of the fence, and the white PVC material does not blend well with the moderately

sized and multiple colored neighboring residences. There are no other fences on the street other than a few old four (4) foot high chain link fences. The solid six (6) foot high white fence appears intrusive and not compatible with the material and sizes of the existing surrounding fences. Based upon Secretary of Interior's Standard #9, staff recommends that the Board deny the request for the installation of a PVC fence and gate, or approve it with conditions that part of the fence located on the front yard of the property will be a 4 foot high picket fence and the picket fence construction will be similar to or as recommended by the Fort Pierce Historic District Wood Picket Fence Guide. Additionally, staff recommends denial of the Variance as it does not meet requirements of City Code Sec. 125- 108 of the City Code - Criteria for granting Variances (1) through (5).

Board questions for Staff: Ms. Theuns asked the name of the fence vendor.

Applicant questions for Staff: None

Applicant presentation: Sarah George, Applicant and Owner, sworn, stated the higher fence is for safety and both of her contractors were not able to attend the meeting because they are in the hospital. Ms. George showed pictures of existing fences in her area, including one fence similar to what she has already installed.

Board questions for Applicant: Mr. Hayek asked if the contractor has been paid in full. Mr. Hayek explained that the police can not see if someone is hiding through a 6 foot high solid fence. Mr. Hayek stressed that Lincoln Park Historic District has standards and the Board is asked to follow the codes.

Public comment: None

Staff final comments: Ms. Hofmeister added if the gate had not been purchased, a lower gate may be safer. Ms. Hofmeister highlighted that a local contractor should know the permit rules.

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

Comments by the Board: Ms. Boardman asked if the fence could be moved back 2 feet off the street and she expressed concerns with being taken advantage of by the contractor. Mr. Broderick suggested tabling the item until the representing contractor can explain what is going on.

Motion was made by Charlie Hayek, and seconded by Holly Theuns to table the item for 60 days or until the representing contractor can be in attendance.

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

Passed

b. **Certificate of Appropriateness 21-32 - New Fence - 520 Means Court**

This item was not heard and was tabled along with item 5a for 60 days or until the representing contractor can be in attendance.

6. NEW BUSINESS

a. **Administratively Approved Certificates of Appropriateness - May 2021**

7. COMMENTS FROM THE PUBLIC

There were no comments from the public.

8. CONSIDERATION OF ABSENCES

Motion was made by Holly Theuns, and seconded by Charlie Hayek to table the Consideration of Absences until the absent Board members are in attendance.

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

Passed

9. ADJOURNMENT