

HISTORIC PRESERVATION BOARD

BOARD AGENDA

Historic Preservation Board Regular Meeting - Monday, February 27, 2023 - 2:00 p.m.
City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF MINUTES**
 - a. Minutes from the January 23, 2023 meeting
5. **PUBLIC HEARINGS**
 - a. Certificate of Appropriateness #23-05 - Fence - 601 N. 7th Street
6. **NEW BUSINESS**
 - a. Administratively Approved Certificates of Appropriateness - January 2023
 - b. Sunshine Presentation
7. **COMMENTS FROM THE PUBLIC**
8. **CONSIDERATION OF ABSENCES**
9. **ADJOURNMENT**

Any person seeking to appeal any decision by the Historic Preservation Board with respect to any matter considered at this meeting is advised that a record of proceedings is required in any such appeal and that such person may need to insure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (772) 467-3052 at least 48 hours prior to the meeting.

Historic Preservation Board

4. a.

Meeting Date: 02/27/2023

Re: Historic Preservation Board Minutes 1/23/23

Submitted For: Kev Freeman, Planning Director, Planning & Zoning

Information

SUBJECT:

Minutes from the January 23, 2023 meeting

Attachments

Historic Preservation Board Minutes 1/23/23

Form Review

Form Started By: Alicia Rosenthal

Started On: 01/24/2023 11:36 AM

Final Approval Date: 01/24/2023

DRAFT



CITY OF FORT PIERCE
**HISTORIC PRESERVATION
BOARD**

Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE HISTORIC PRESERVATION BOARD HELD ON MONDAY, JANUARY 23, 2023, 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. Davis entered the meeting at 2:13 PM.

Present: Betty Jo Starke; Minnie Spivey; Andrea Anicito; Anthony Westbury; KeAndrea Davis; Holly Theuns, Chair

Absent: Charlie Hayek

Staff Present: Sara Hedges, Assistant City Attorney
Maria Lewicka, Historic Preservation Planner
Alicia Rosenthal, Planning and Development Organizer

4. **APPROVAL OF MINUTES**

- a. Minutes from the December 5, 2022 meeting

Motion was made by Betty Jo Starke, and seconded by Andrea Anicito to approve the minutes from the December 5, 2022 meeting.

AYE: Minnie Spivey, Andrea Anicito, Anthony Westbury, KeAndrea Davis, Betty Jo Starke, Chair Holly Theuns

Passed

5. **PUBLIC HEARINGS**

a. **Certificate of Appropriateness #22-68 - Demolition - 480 N. 7th Street**

The clerk introduced Certificate of Appropriateness 22-68 for the demolition at 480 N. 7th Street.

Madam Chair Theuns asked the Assistant City Attorney to explain the Quasi-Judicial Hearing procedures.

Before commencing this Quasi-Judicial Hearing, the 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 Theuns called the proceeding to order.

The clerk confirmed the City complied with advertisement and notice requirements.

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

Ms. Anicito - no
Ms. Westbury - no
Ms. Davis - no
Ms. Starke - no
Ms. Spivey - no
Madam Chair Theuns - no

Madam Chair Theuns 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.

Staff Presentation:

Maria Lewicka, Historic Preservation Planner, said the subject noncontributing structure, located in the Lincoln Park Historic District, was built in 1957. The applicant is requesting Certificate of Appropriateness approval for the demolition of the functionally obsolete structure which is currently in a state of disrepair. Ms. Lewicka stated that all criteria has been met for the demolition. While reconstruction of the building is possible, it would be at considerable expense. St. Lucie County will work with the City of Fort Pierce on a Public Private Partnership for the redevelopment of the site. Staff has no objection to the approval of the proposal as submitted with the recommendation that the site will be redeveloped as soon as possible and in a style and manner compatible with the surrounding Lincoln Park Historic District.

Board questions for Staff: none

Applicant Presentation: Scotty Beaulieu, St. Lucie County Facilities Assistant Director, sworn, stated the building is 66 years old with electrical and underground plumbing issues, and it would cost \$500,000 to bring the building up to base standards. Mr. Beaulieu stated St. Lucie County plans to partner with the City of Fort Pierce and a developer to create a family resource center that would provide lower cost medical services. Mr. Beaulieu noted that the city has a conceptual design for the building. Mr. Beaulieu stated the county is currently working on the P3 documents to create a public/private partnership with a developer.

Brian Masters, St. Lucie County Facilities Project Manager/Applicant, sworn, stated the demolition is for future development.

Board questions for Applicant: Ms. Theuns asked the estimated timeline and if the demolition will be done even if a developer does not partner with the county. Mr. Westbury asked if they had a copy of the conceptual design and if the vacant lot will be combined. Ms. Starke asked what is meant by developer's money.

Public comment: none

Staff final comments: none

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

Comments by the Board:none

Motion was made by Andrea Anicito, and seconded by Anthony Westbury to approve Certificate of Appropriateness 22-68 for the demolition at 480 N. 7th Street.

AYE: Andrea Anicito, Anthony Westbury, KeAndrea Davis, Betty Jo Starke, Minnie Spivey,
Chair Holly Theuns

Passed

- b. **Certificate of Appropriateness #23-02 - Patio Enclosure - 721 Avenue D**
The clerk introduced Certificate of Appropriateness 22-68 for a patio enclosure at 721 Avenue D.

Madam Chair Theuns called the proceeding to order.

The clerk confirmed the City complied with advertisement and notice requirements.

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

Ms. Westbury - no

Ms. Davis - no

Ms. Starke - no

Ms. Spivey - no

Ms. Anicito - no

Madam Chair Theuns - no

Madam Chair Theuns 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.

Staff Presentation:

Maria Lewicka, Historic Preservation Planner, stated the subject contemporary noncontributing structure located in the Lincoln Park Historic District was built in 1997. The applicant is requesting approval of a Certificate of Appropriateness to allow for the enclosure of the existing patio screened area with concrete block and storefront windows to convert it to a gym/workout area. The design, proportions and architectural elements of the proposed enclosure compose well with the existing building. The new alterations allow for additional needed uses and enhance the building functional efficiency. The alterations are consistent with the Secretary of Interior Standards 5 and 9 and staff has no objection to the approval of the proposal as submitted.

Board questions for Staff: none

Applicant Presentation: Linda French, Remnant Construction, sworn, the facade is not going to change that much. The screen enclosures will have a knee wall, with a glass front and entrance door and the opening of the west and south elevation will be filled in with concrete and will match the existing stucco and painted the same color as it is now.

Board questions for Applicant: none

Public comment: none

Staff final comments: none

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

Comments by the Board: none

Motion was made by Andrea Anicito, and seconded by KeAndrea Davis to approve Certificate of Appropriateness 23-02 for the patio enclosure located at 721 Avenue D.

AYE: Anthony Westbury, KeAndrea Davis, Betty Jo Starke, Minnie Spivey, Andrea Anicito,
Chair Holly Theuns

Passed

6. NEW BUSINESS

- a. Administratively Approved Certificates of Appropriateness - December 2022

7. COMMENTS FROM THE PUBLIC

8. CONSIDERATION OF ABSENCES

Motion was made by Anthony Westbury, and seconded by Betty Jo Starke to approve the absence of Mr. Hayek.

AYE: KeAndrea Davis, Betty Jo Starke, Minnie Spivey, Andrea Anicito, Anthony Westbury,
Chair Holly Theuns

Passed

9. ADJOURNMENT

Historic Preservation Board

5. a.

Meeting Date: 02/27/2023

Information

REQUESTED ACTION

Certificate of Appropriateness #23-05 - Fence - 601 N. 7th Street

LOCATION

601 N 7th Street (Parcel ID: 2410-601-0126-000-9)

RESPONSIBLE STAFF

Maria Lewicka, AICP, Historic Preservation Planner

RECOMMENDATION

Approval / Approval with Conditions

Attachments

Staff Report

Application

Property Card

Public Notification

Form Review

Form Started By: Maria Lewicka

Started On: 02/16/2023 10:43 AM

Final Approval Date: 02/17/2023



FEBRUARY 27, 2023

COA 23-05

Owner

Fortress Capital Investments,
LLC

Applicant

Sheena Heppern

Location

601 N 7th Street

Parcel ID

2410-601-0126-000-9

Historic Status

This Building is a non-contributing structure located in the Lincoln Park Historic District.

Recommendation

Approval / Approval with
conditions

Staff

Maria Lewicka, AICP
Historic Preservation Planner

HISTORIC PRESERVATION BOARD : PUBLIC HEARING



SUBJECT BUILDING - FRONT FACADE

B A C K G R O U N D

This one-story commercial building is a non-contributing structure in the Lincoln Park Historic District. The St. Lucie County Property Appraiser's Property Record Card indicates the year of construction as 1958.

The property is zoned General Commercial, C-3.

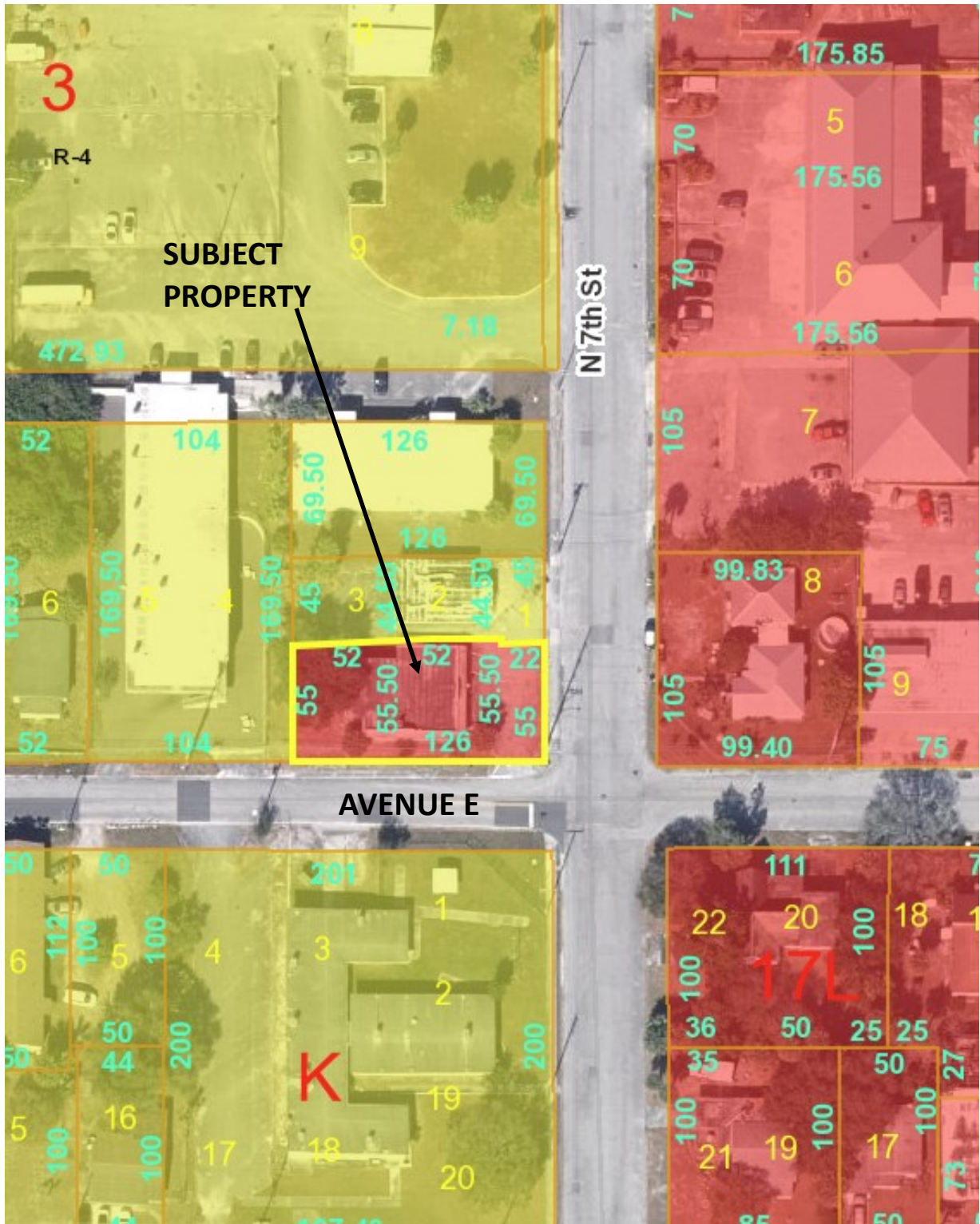
R E Q U E S T

The applicant is requesting approval of a COA to allow for the following additions:

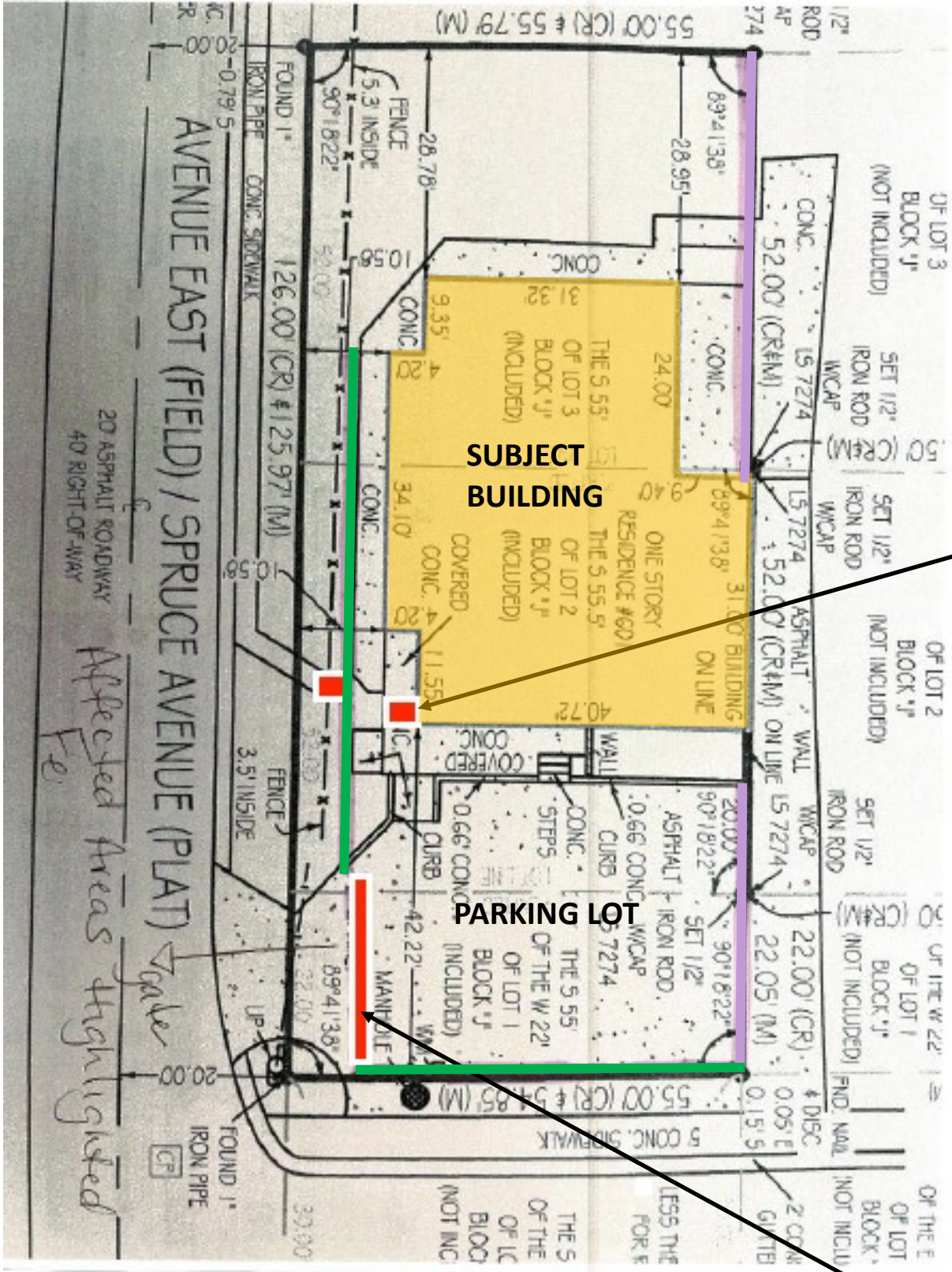
- installation of a new 6 foot high black Dura Fence on the right side of the building to separate the business from the neighboring residence.
- Installation of a 6 foot high and 118 feet long black aluminum rail fence along the front and the left side of the building.
- Installation of 3 gates. 2 walk gates 4 ft x 6 ft and a 12 ft x 6 ft rolling gate for the driveway.



LOCATION OF THE SUBJECT PROPERTY



**LOCATION OF THE SUBJECT BUILDING
ZONING MAP**



- PROPOSED ALUMINUM RAIL FENCE
- PROPOSED DURA FENCE

12' X 6'
ROLLING
GATE

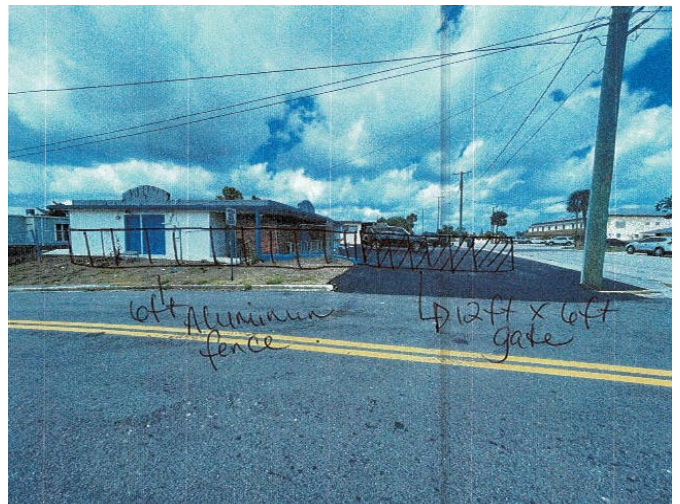
SITE PLAN



PROPOSED GATES

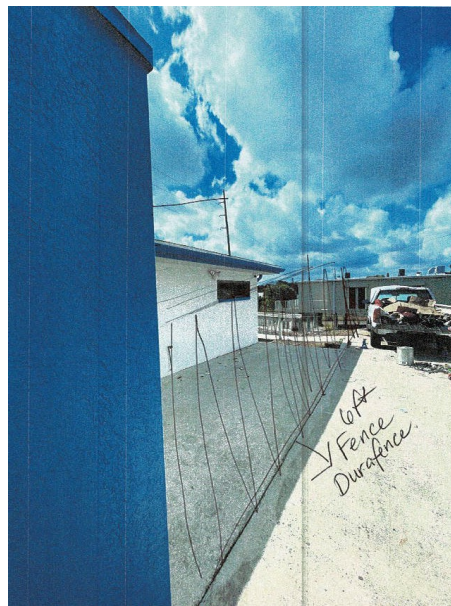
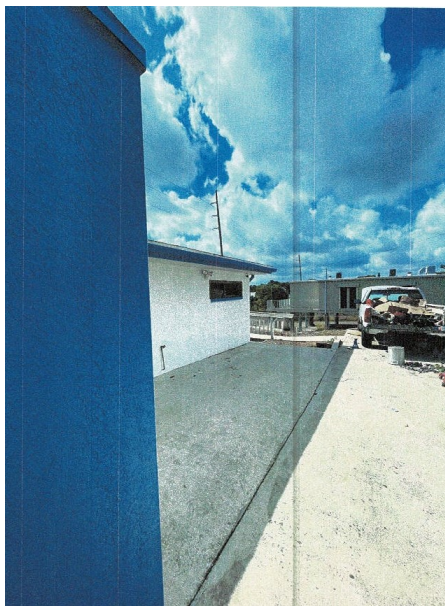
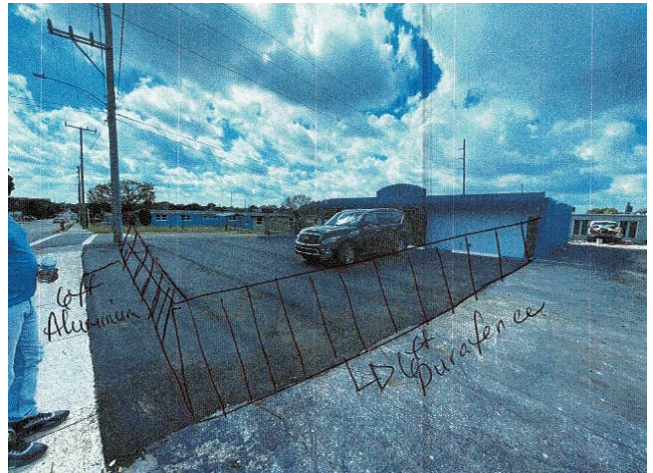


PROPOSED FENCES



PROPOSED ALUMINUM FENCE LOCATIONS

DRAWINGS PROVIDED BY THE APPLICANT



PROPOSED DURA FENCE LOCATIONS
DRAWINGS PROVIDED BY THE APPLICANT



PROPOSED WALK GATES LOCATIONS
DRAWINGS PROVIDED BY THE APPLICANT

STAFF ANALYSIS

SECRETARY OF INTERIOR'S STANDARDS

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Fences are important elements of the design and character of historic districts. The scale and character of a fence should be compatible with the neighboring structures. Surrounding properties consist of a variety of commercial, and residential uses with various architectural buildings styles and diverse materials and colors.

The subject proposal seeks to install six (6) foot high, aluminum rail and black dura fences. Both fences are new elements introduced to this location. While the aluminum rail fence may be an enhancement compared to the chain link fences in the area, the solid six (6) foot black dura fence appears intrusive and not compatible with the surroundings; The black solid material does not blend well with the light colors of neighboring buildings and walls.



ALTERNATIVE COLORS OF DURA FENCE.

STAFF RECOMMENDATION

After consideration of building architecture, non-contributing status to the Lincoln Park Historic District and commercial zoning and function of the building, the Historical Review Board based upon Secretary of Interior's Standard #9, may:

1. Approve the request for installation of the 6 foot fences as proposed
2. Approve the fences with one or more of the following conditions:
 - Fences fronting the streets will be moved back from the property line at least 5 feet and screened by landscape (hedges, bushes, trees, vines, etc.)
 - Dura fence on the North side of the property will have color more compatible with colors of neighboring existing buildings and walls.
3. Deny the request.



NEIGHBORING PROPERTIES



CITY OF FORT PIERCE

PLANNING DEPARTMENT

COMPREHENSIVE PLANNING ♦ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ♦ URBAN DESIGN ♦ URBAN FORESTRY ♦ ZONING

Certificate of Appropriateness Application

Building & Site Information

Address of the Site: 601 N 7th Street Fort Pierce FL 34950
 Parcel ID #: 2410-601-0126-000-9
 Type of Designation: Contributing Non-contributing Site within the Lincoln Park Historic District
 Individually Designated Site, City Commission Resolution No. _____

Property Owner/ Applicant Information

Property Owner(s) Name(s): Fortress Capital Investments, LLC
 Mailing Address: 601 N 7th Street Fort Pierce, FL 34950
 Phone Number(s): 949 200 2883 Email: Sheena.heppern@reasmarketing.com

Applicant Name(s): _____
 Mailing Address: _____
 Phone Number(s): _____ Email: _____

Representative Name(s): Sheena Heppern
 Mailing Address: 5680 N W Wesley Road, Port St Lucie FL 34986
 Phone Number(s): 949 200 2883 Email: Sheena.heppern@reasmarketing.com

Property Owner(s) Acknowledgements:- This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application. The property owner's signature below shall also authorize the Applicant (if other than the property owner) and/or Representative to act in his/her behalf for the purposes of seeking approval for the application described herein. The undersigned consents to inspection and photographing of the subject property by the Historic Preservation staff for purposes of consideration of this Application and/or presentation to the Historic Preservation Board.

I / We, Sheena Heppern as Owner(s) of the subject property, do hereby authorize the filing of this application on my/our behalf.

Sheena Heppern
Signature of Owner

1/31/2023
Date

Description of Requested Work

Please indicate the type of work requested:

- Fence
- Window(s)
- Shed
- Signage
- Door(s)
- Shutter(s)
- Roof
- Porch
- Rehabilitation
- New Construction
- Demolition
- Relocation

Site Improvements (describe) Fence Installation, fence will be Black

Other (describe) _____

Please provide a detailed description of the proposed work to be performed: We would to install left tall

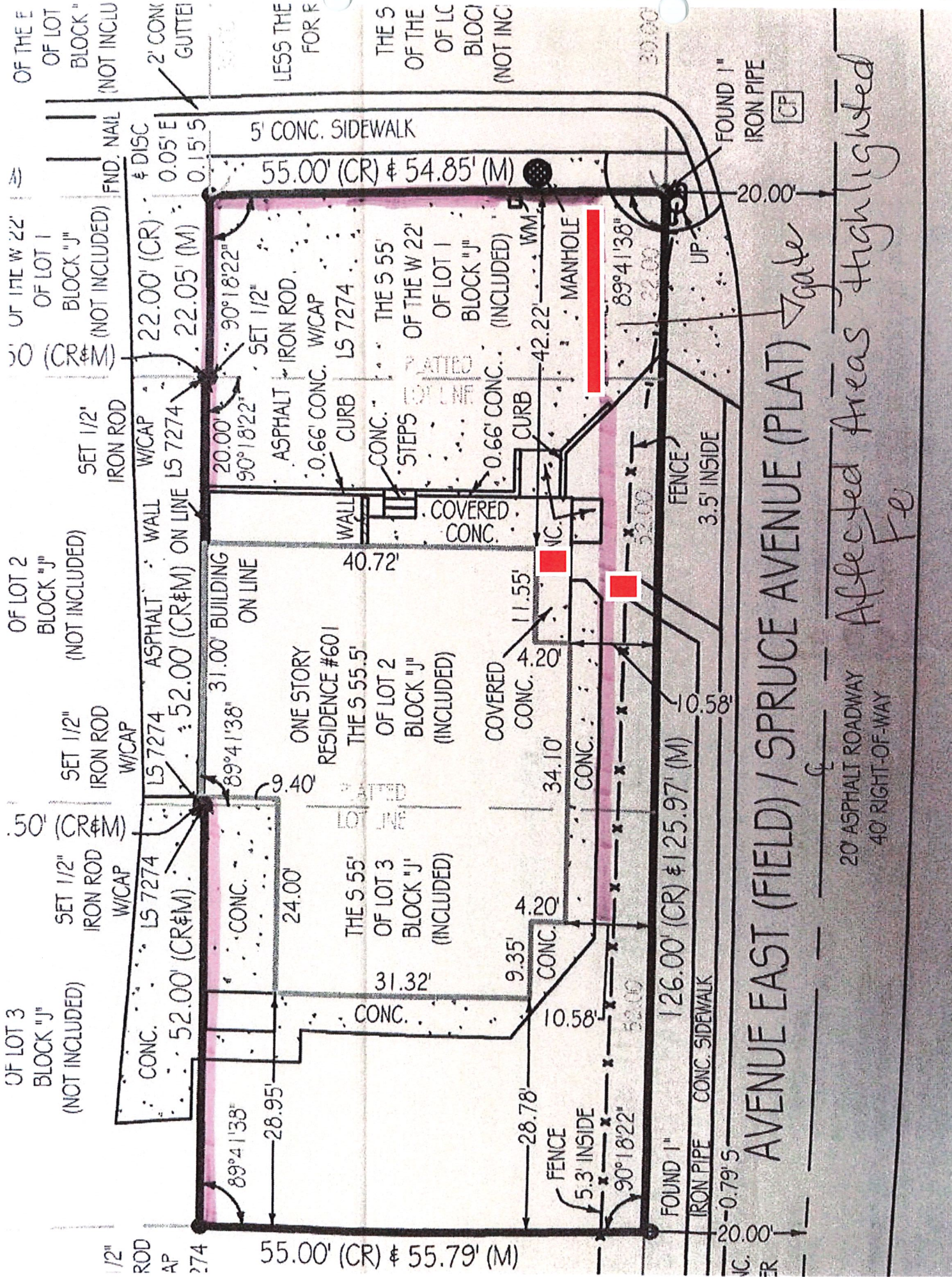
107 ft of Durafence on the right of the building to separate the business from the neighboring residence. Also install 118 ft Aluminum rail at left along the front and side the left side. We have 3 gates. 2 walk gate 4ft x 6ft and a 12ft x 6ft rolling gate for the driveway

Have other alterations been made to the site within the last 12 months? No Yes, _____

Will the proposed work require a Zoning Variance? No Yes, Code Section(s): _____

Application Requirements

- \$10.00 Application fee
- Site Plan with dimensions.
- Architectural Drawings:
 - Drawings should show all current and proposed floor plans and elevations, fences, walls, and any other landscape features.
 - Drawings should indicate materials to be used.
- Photos - One (1) color photograph of the main façade of the site and photographs of any areas affected by the proposed project.
- Material(s) specifications and/or sample(s)
- Color samples.
- Demolition - Plans for what will be taking the demolished structure's place should be submitted.



AVENUE EAST (FIELD) / SPRUCE AVENUE (PLAT) \swarrow Gate

20' ASPHALT ROADWAY
40' RIGHT-OF-WAY

Affected Areas highlighted Fe

Coft Aluminum fence (Materials)





You're shopping West Port St. ... OPEN until 9 pm

Delivering to 34986

Search

Cart | 4 items

Home / Lumber & Composites / Fencing / Metal Fencing / Metal Fence Gates

Internet #304852055 Model #DG12PARSSL-HD



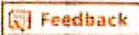
\$1895.48

\$316.00/mo* suggested payments with 6 months* financing Apply Now

ALEKO (Brand Rating: 3.4/5) Paris Style 12 ft. x 6 ft. Black Steel Single Slide Driveway Fence Gate

Questions & Answers (5)

Delivering to: 34986 | Change



Ship to Store
Pickup
Feb 23 - Feb 28
FREE

Ship to Home
Call it by
Tue, Feb 28
FREE

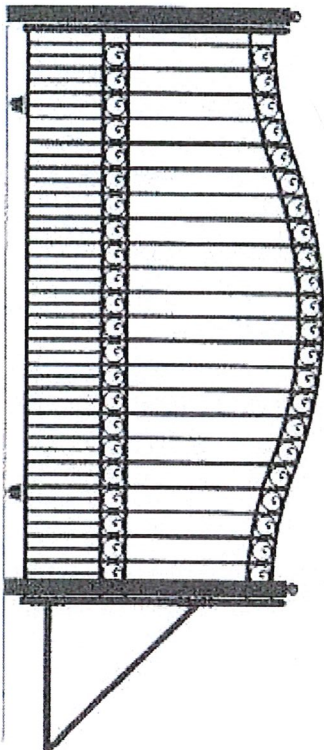
Scheduled Delivery
Not available for this item

We'll send up to 2 to West Port St Lucie for free pickup

Change Store

- 1 +

Add to Cart



Hover Image to Zoom

6ft Durafence (Materials)







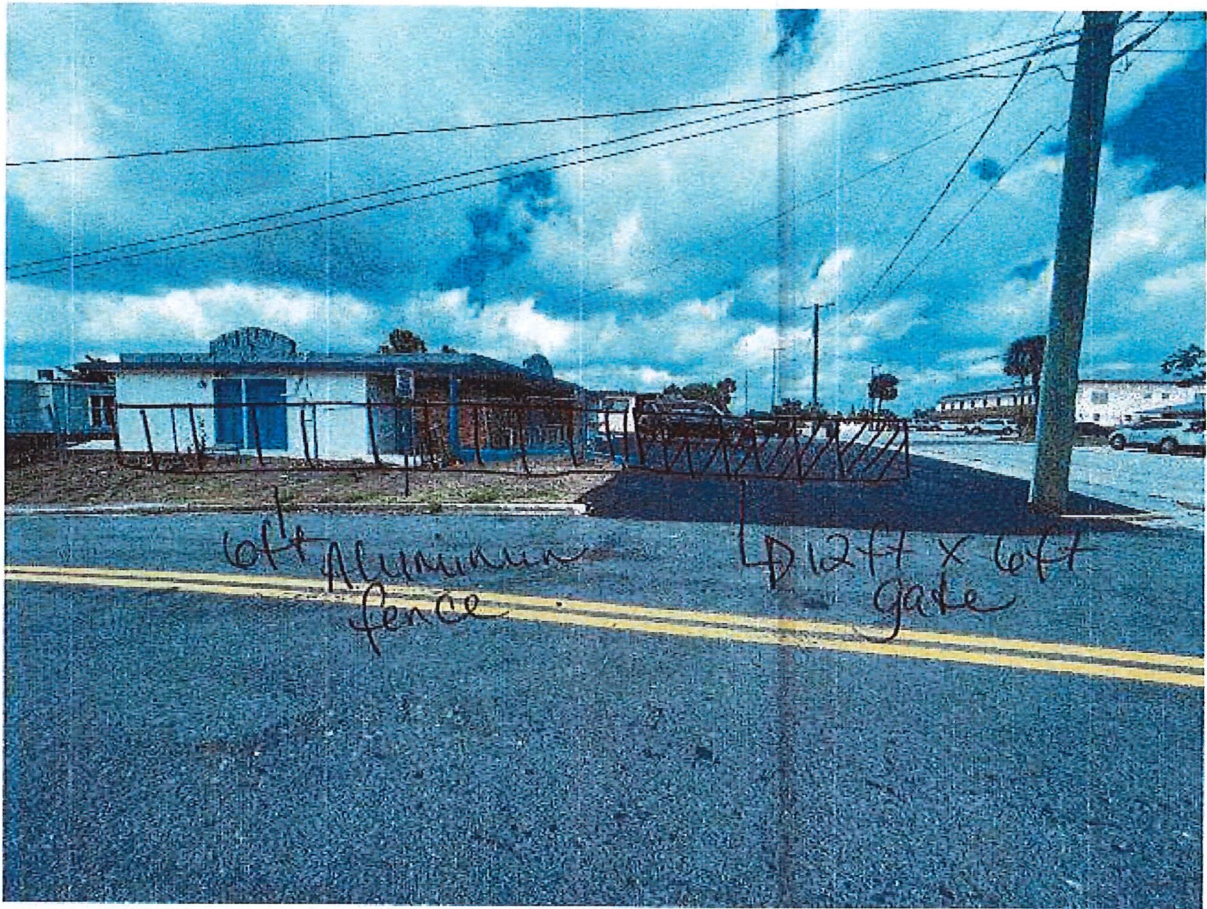
6 ft
Aluminum
fence





Left
Aluminum
fence





6ft Aluminum
fence

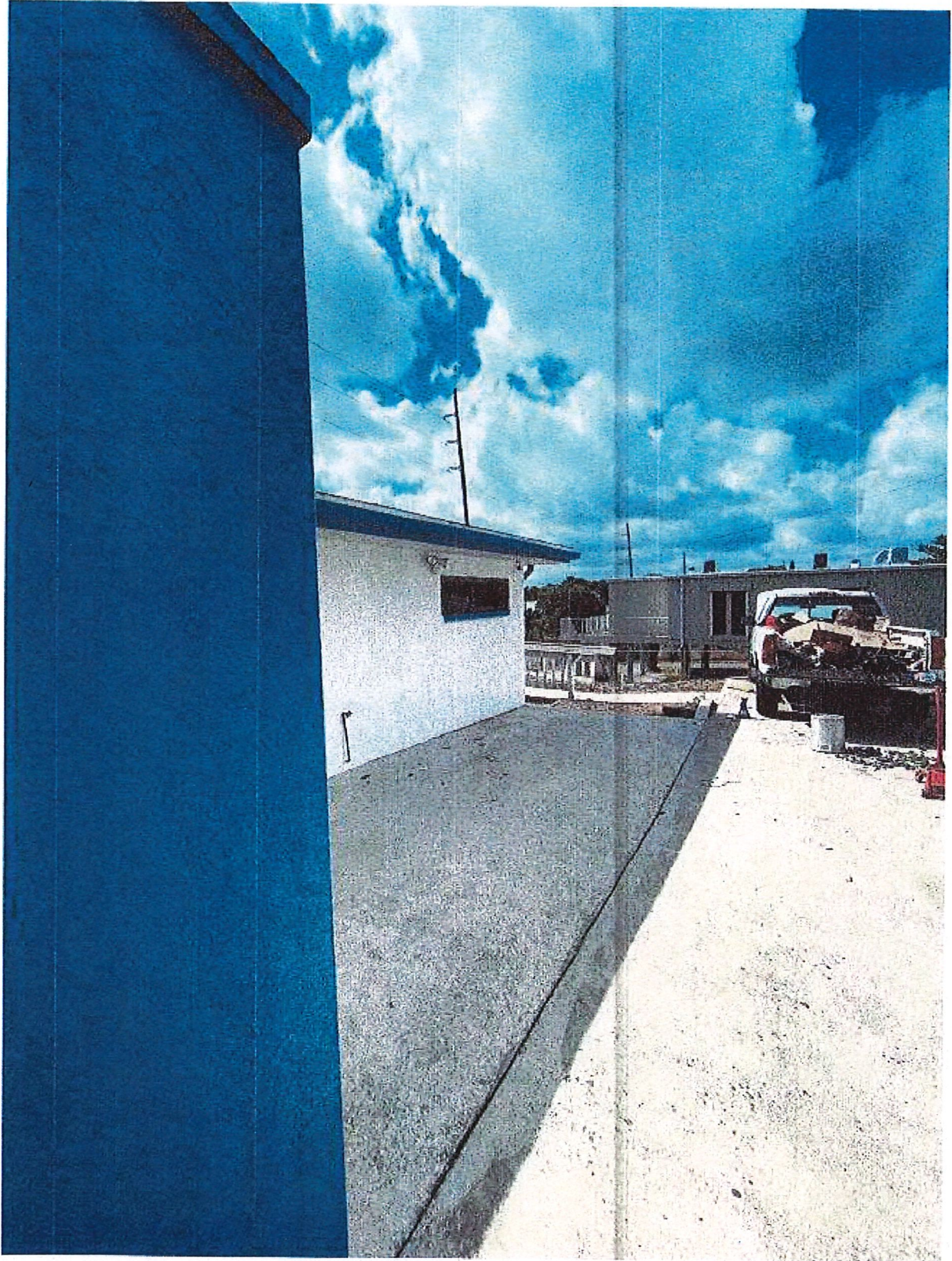
12ft x 6ft
gate

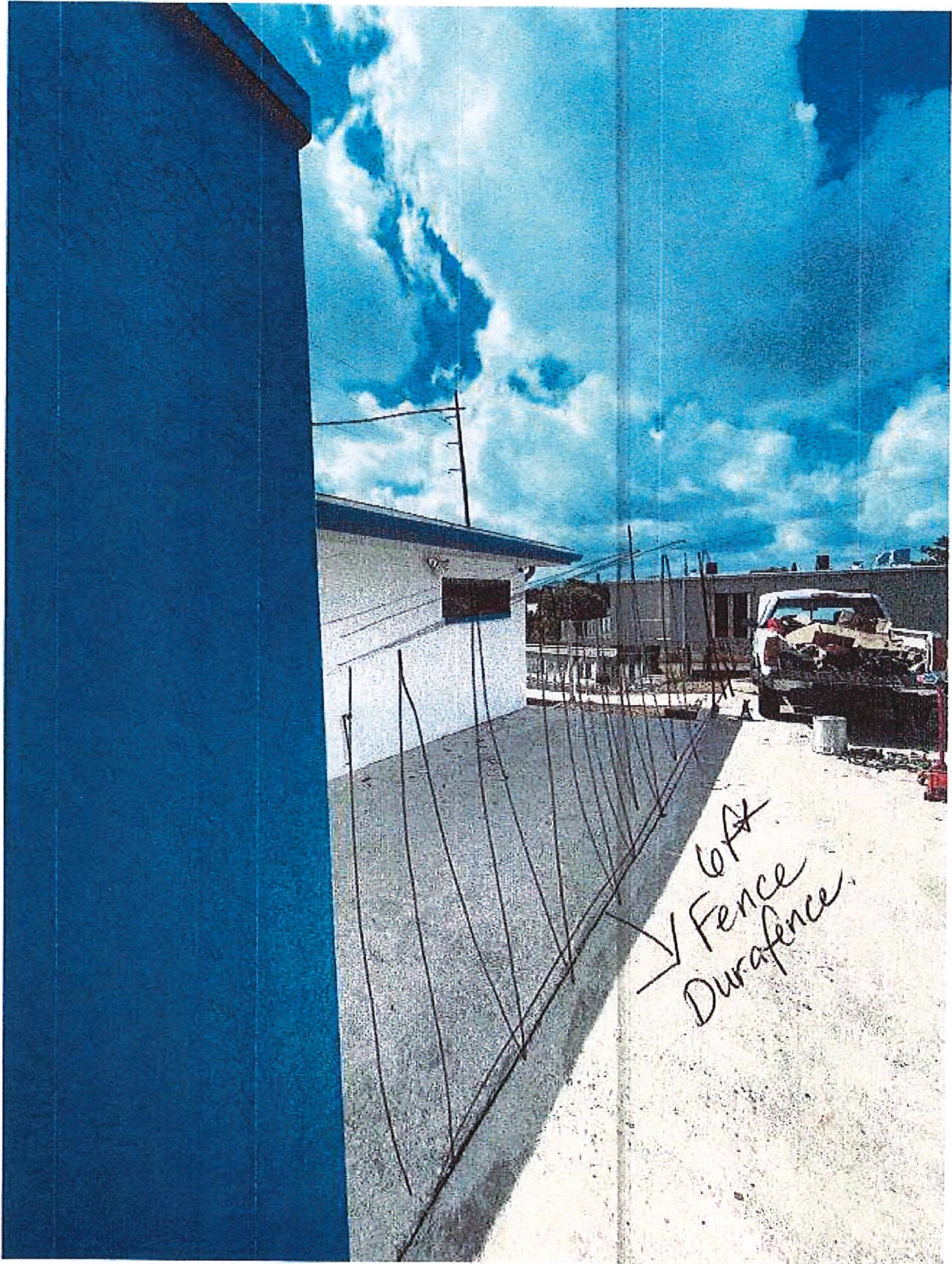




6ft
Aluminum

4ft
Parafence









top
Durafeno





GATE



Gate



Maria Lewicka

From: Sheena Heppern <sheena.heppern@reasmarting.com>
Sent: Monday, February 13, 2023 3:46 PM
To: Maria Lewicka
Subject: Re: COA #23-05, DPCR 23-20000106 601 N 7th Street

SECURITY WARNING: This email originated outside of the City of Fort Pierce systems. Please use caution when clicking links or opening attachments. For questions or concerns please contact IT immediately. .

The current chain link fence is setback 5 ft from the property line on Avenue E. We would like to keep or replace the current fence setback in the same place. The current fence is indicated on the site plan,

On Mon, Feb 13, 2023 at 3:14 PM Maria Lewicka <mlewicka@cityoffortpierce.com> wrote:

Thank you,

The fence setback is also 10ft from the Property line on Avenue E?

From: Sheena Heppern <sheena.heppern@reasmarting.com>
Sent: Monday, February 13, 2023 3:07 PM
To: Maria Lewicka <mlewicka@cityoffortpierce.com>
Subject: Re: COA #23-05, DPCR 23-20000106 601 N 7th Street

SECURITY WARNING: This email originated outside of the City of Fort Pierce systems. Please use caution when clicking links or opening attachments. For questions or concerns please contact IT immediately. .

Hello Maria,

I have attached the site plan with the red box to show where the gates will be.

- One walk gate will be 5 ft setback from Avenue E
- One walk gate is attached to the building and will be set back 12ft from Avenue E
- The sliding gate will have 10 ft setback from the property line on Avenue E

Please let me know if I have missed anything,

Thanks,

Sheena

On Mon, Feb 13, 2023 at 2:35 PM Maria Lewicka <mlewicka@cityoffortpierce.com> wrote:

Thanks for quick response. Please show the gates and requested setback on the site plan. Setback has to be measured from the property line not from the street.

Thank you.

From: Sheena Heppern <sheena.heppern@reasmmarketing.com>

Sent: Monday, February 13, 2023 2:25 PM

To: Maria Lewicka <mlewicka@cityoffortpierce.com>

Subject: Re: COA #23-05, DPCR 23-20000106 601 N 7th Street

SECURITY WARNING: This email originated outside of the City of Fort Pierce systems. Please use caution when clicking links or opening attachments. For questions or concerns please contact IT immediately. .

Hello Maria,

I have answered your questions below in blue and attached the images requested.

Please let me know if you need any additional information.

Thanks,

Sheena

On Mon, Feb 13, 2023 at 12:35 PM Maria Lewicka <mlewicka@cityoffortpierce.com> wrote:

Hi Sheena,

Could you please provide (as soon as possible) the following, additional drawings/information:

- Dimension of the front fence setback (from Avenue E property line).

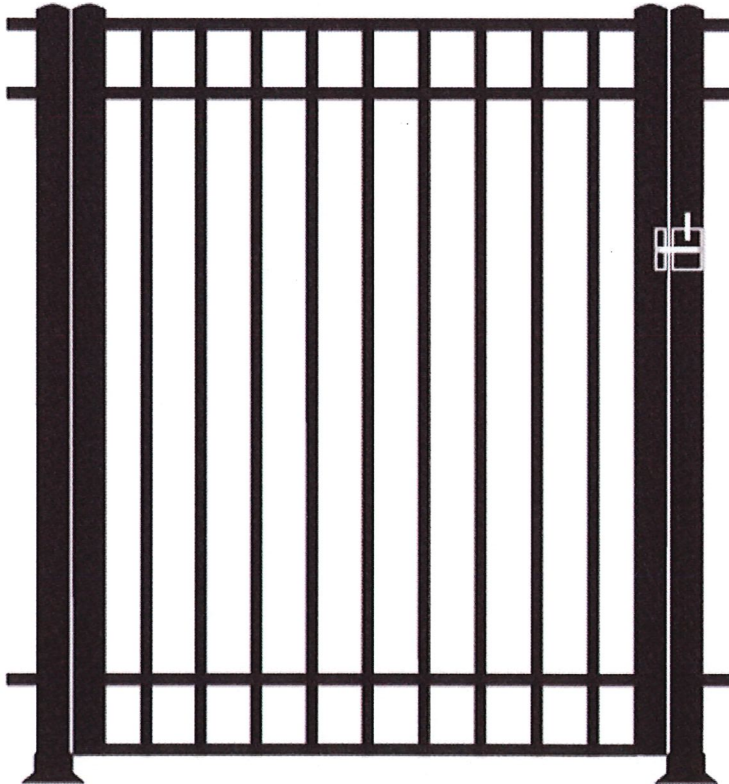
The setback is 14.5 feet from Avenue E Street

- Locations of the walk gates.

1. South side of the building facing 7th Street (Please see attached images)
2. South side of the building opens to Avenue E (Please see attached images)

- Picture showing walk gates.

Aluminium 6ft x 4ft with push bar



-
- Color of proposed Dura fence

We would like to get Black

-
- The current use of the building

The current use of the building is an office building with office suites for meetings with clients or online. We need to ensure the safety of our team and clients that will be visiting the office. We need to also separate our office building from the neighboring residential home.

-

Thank you,

Maria,

Maria Lewicka, AICP | Historic Preservation Planner | City of Fort Pierce
Planning Department

From: Sheena Heppern <sheena.heppern@reasmarketing.com>
Sent: Friday, February 3, 2023 2:26 PM
To: Maria Lewicka <mlewicka@cityoffortpierce.com>
Cc: Cecelia Bacener <cbacener@cityoffortpierce.com>; Planning Department <planning@cityoffortpierce.com>
Subject: Re: DPCR 23-20000106 601 N 7th Street

City of Fort Pierce

Warning: Sender @sheena.heppern@reasmarketing.com is not yet trusted by your organization. Please be careful before replying or clicking/downloading the attachment and URLs.

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SECURITY WARNING: This email originated outside of the City of Fort Pierce systems. Please use caution when clicking links or opening attachments. For questions or concerns please contact IT immediately. .

Hello Maria,

Here is the COA application as requested. I have enclosed photos of the property with the setbacks and materials for your review.

I would like to pay the \$60 via credit card. Here is the information you requested:

Name on the card : Sheena Heppern

Phone number: 9492002883

Email address: sheena.heppern@reasmarketing.com

Please let me know if you need anything else.

Thanks

Sheena

On Mon, Jan 30, 2023 at 11:01 AM Maria <mlewicka@cityoffortpierce.com> wrote:

Good morning,

The referenced DPCR is denied.

The subject site is located within the Lincoln Park Historic District. Please find the attached COA application to complete and return as soon as possible. Provide site plan and pictures of the property showing the proposed fence location, dimensions and setbacks. Provide also pictures of the proposed fence and gate. Application fee is \$60. You may send us a check or pay by the credit card. To pay by the credit card we need the name on the card, phone number and email.

Regards,

Maria

Maria Lewicka, AICP | Historic Preservation Planner | City of Fort Pierce
Planning Department

From: Cecelia Bacener <cbacener@cityoffortpierce.com>
Sent: Monday, January 30, 2023 10:45 AM
To: Planning Department <planning@cityoffortpierce.com>
Cc: sheena.heppern@reasmarketing.com
Subject: FW: DPCR 23-20000106 601 N 7th Street

Revised on email address.

Cecelia

From: Cecelia Bacener
Sent: Monday, January 30, 2023 10:42 AM
To: Planning Department <planning@cityoffortpierce.com>
Cc: sheenaheppern@reasmarketing.com
Subject: DPCR 23-20000106 601 N 7th Street

Good morning,

Reviewers: The attached application/plan(s) have been submitted for your review. Paper plans, if applicable, have been routed via inter-office mail. Upon completion of your review, enter your approval, approval with conditions, or rejection with comments into Naviline. Also, "Reply All" to this email with your approval, approval with condition(s), or rejection with comments. Please do not return any paper plans to the Building Department.

Applicant: This email is being provided for your information and tracking purposes. All the review agencies above will reply to this email with their approval, approval with conditions, or rejection with comments. Upon approval from all required departments, you'll receive a final approval email from the Building Department advising of the status of your review and ability to apply for the building permit. In the event of a rejection, please wait until you receive all review comments before submitting revisions.

Cecelia Bacener | Permit Specialist | City of Fort Pierce

Phone: 772-467-3723 Fax: 772.467-3849 [100 North U.S. 1 Fort Pierce, FL 34950](https://www.cityoffortpierce.com)

[Website](#) | [Facebook](#) | [Survey](#)



"To provide community leadership, quality public service, and a safe environment for all citizens, by an empowered team of employees motivated by pride in themselves and their work."

Property Identification

Site Address: 601 N 7th ST
 Sec/Town/Range: 10/35S/40E
 Parcel ID: 2410-601-0126-000-9
 Jurisdiction: Fort Pierce

Use Type: 1900
 Account #: 23240
 Map ID: 24/10N
 Zoning: General Co

Ownership

FORTRESS CAPITAL INVESTMENTS LLC
 5680 NW Wesley RD
 Port St Lucie, FL 34986



Legal Description

FEE AND MAY'S RE-S/D BLK J S 55 FT OF W 22 FT OF LOT 1 AND S 55.5 FT OF LOT 2 AND S 55 FT OF LOT 3 (MAP24/10C)

Current Values

Just/Market Value: \$275,200
 Assessed Value: \$118,592
 Exemptions: \$0
 Taxable Value: \$118,592

Total Areas

Finished/Under Air (SF): 2,121
 Gross Sketched Area (SF): 2,271
 Land Size (acres): 0.16
 Land Size (SF): 6,930

Property taxes are subject to change upon change of ownership.

- Past taxes are not a reliable projection of future taxes.
- The sale of a property will prompt the removal of all exemptions, assessment caps, and special classifications.

Building Design Wind Speed

Occupancy Category	I	II	III
Speed	140	160	160

Sources/links:

Taxes for this parcel: [SLC Tax Collector's Office](#)
 Download TRIM for this parcel: [Download PDF](#)

Sale History

Date	Book/Page	Sale Code	Deed	Grantor	Price
Dec 9, 2022	4925 / 2705	0001	WD	United Range Line LLC	\$189,900
Nov 7, 2018	4202 / 1776	0130	SPWD	Shareef Naheed	\$100
Aug 19, 2009	3120 / 2362	0001	WD	Flowers Ralph L	\$43,500
Nov 1, 1986	0525 / 1590	XX00	CV		\$44,500

Building Information (1 of 1)

Finished Area: 2,121 SF

Gross Sketched Area: 2,271 SF

Exterior Data

View:	Roof Cover: Roll Comp	Roof Structure: BarJst/WdDk
Building Type: LROF	Year Built: 1958	Frame:
Grade: Y_C	Effective Year: 1975	Primary Wall: Brk/Masonry
Story Height: 1 Story	No. Units: 2	Secondary Wall:

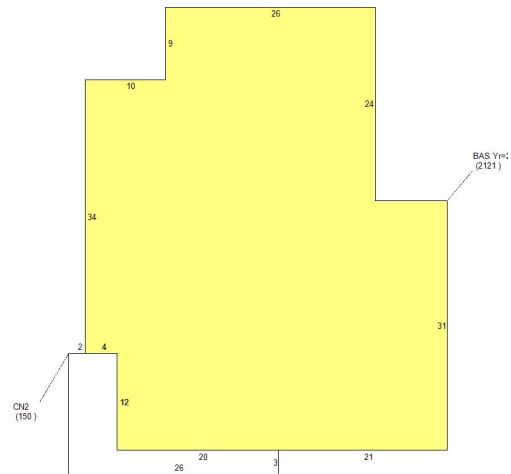
Interior Data

Bedrooms: 0	Electric: MAXIMUM	Primary Int Wall:
Full Baths: 0	Heat Type: FredHotAir	Avg Hgt/Floor: 0

Half Baths: 0
A/C %: 100%

Heat Fuel: ELEC
Heated %: 100%

Primary Floors: Terrazo
Sprinkled %: 0%



Sketch Area Legend

Sub Area	Description	Area	Fin. Area	Perimeter
BAS	BASE AREA	2121	2121	200
CN2	CANOPY	150	0	82

Special Features and Yard Items

Type	Qty	Units	Year Blt
ASP2 LOW	1	2280	1958
CHAINLINK 6'	1	168	2008
CONCRETE LOW	1	1633	2009

Current Year Values

Current Values Breakdown

Building:	\$268,300
Land:	\$6,900
Just/Market:	\$275,200
Ag Credit:	\$0
Save Our Homes or 10% Cap:	\$156,608
Assessed:	\$118,592
Exemption(s):	\$0
Taxable:	\$118,592

Current Year Exemption Value Breakdown

Current Year Special Assessment Breakdown

Start Year	AssessCode	Units	Description	Amount
2011	0041	2.7	Fort Pierce Stormwater Charge	\$186.30

This does not necessarily represent the total Special Assessments that could be charged against this property. The total amount charged for special assessments is reflected on the most current tax statement and information is available with the SLC Tax Collector's Office.

Historical Values

Year	Just/Market	Assessed	Exemptions	Taxable
2022	\$275,200	\$118,592	\$0	\$118,592
2021	\$180,800	\$107,811	\$0	\$107,811
2020	\$169,500	\$98,010	\$0	\$98,010
2019	\$89,100	\$89,100	\$0	\$89,100

Permits

Number	Issue Date	Description	Amount	Fee
BP10-0791	Apr 20, 2010	Alterations/Remodeling	\$1,000	\$75
BP09-2117	Oct 30, 2009	Roof	\$5,000	\$75
BP10-1688	Jul 19, 2010	Alterations/Remodeling	\$600	\$150
BP09-2259	Jan 7, 2010	Alterations/Remodeling	\$45,000	\$1,000
BP10-2765	Jan 25, 2011	Electric	\$360	\$155
BP10-2765	Dec 30, 2011	Electric	\$360	\$129
BP09-2117	Aug 25, 2015	Re Roof Permit	\$5,000	\$135

Notice: This does not necessarily represent all the permits for this property.

Click the following link to check for additional permit data in Fort Pierce

All information is believed to be correct at this time, but is subject to change and is provided without any warranty.

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PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: COA 23-05 – New Fence – 601 N 7th Street

NOTICES PROVIDED PURSUANT TO: City Code Section 125-37. Public Hearings (a)

NOTICE BY NEWSPAPER: February 17, 2023

NOTICE BY MAIL: N/A

NOTICE BY SIGNS: N/A

VERIFIED BY: Maria Lewicka

TITLE: Historic Preservation Planner

SIGNATURE:

DATE: 02/17/2023

Historic Preservation Board

6. a.

Meeting Date: 02/27/2023

Information

REQUESTED ACTION

Administratively Approved Certificates of Appropriateness - January 2023

LOCATION

Various

RESPONSIBLE STAFF

Maria Lewicka, AICP, Historic Preservation Planner

RECOMMENDATION

Approval

Attachments

Administrative COA Approvals, January 2023

Form Review

Form Started By: Maria Lewicka

Started On: 02/16/2023 10:28 AM

Final Approval Date: 02/16/2023

Administrative Certificates of Appropriateness

Attached is Certificates of Appropriateness issued administratively in January 2023.

- COA #23-03, 808 Georgia Avenue – Roof
- COA #23-04, 1112 Avenue E – Windows



CERTIFICATE OF APPROPRIATENESS
 TO ALTER A DESIGNATED HISTORIC SITE

COA#23-03 HISTORIC PRESERVATION BOARD APPROVAL

ADMINISTRATIVE APPROVAL

Site address: 808 Georgia Avenue

Contributing

Non-Contributing

Individually Designated

SITE ALTERATIONS:

Request	Conditions	Applicable Standards
Remove existing shingle roof and install mill finish metal panels. Reroof flat roof. Color – Crimson Red. Please see attached.		Secretary of the Interior’s Standards for Rehabilitation of Historic Properties, Standard 9.

APPROVED:

Board Approval

Administrative Approval

 Charles Hayek, Chairman Date
 Historic Preservation Board


 _____ 01/26/23
 Maria Lewicka, AICP Date
 Historic Preservation Planner

This alteration meets the Secretary of the Interior’s Standards for the Treatment of Historic Properties and the City of Fort Pierce Code of Ordinances.

Should you have any further questions or concerns, contact Maria Lewicka, Historic Preservation Planner, at (772) 467-3738 or via e-mail at mlewicka@cityoffortpierce.com.

Thank you for your efforts to preserve and redevelop historic Fort Pierce through your participation in the Certificate of Appropriateness Application process. Staff looks forward to working with you in the future to preserve and rehabilitate our historic neighborhoods and structures.

Provided to:	Name/Address	Via
Owner	Carolyn Bennett 808 Georgia Avenue Fort Pierce, FL 34950	E-Mail cb941@bellsouth.net
Applicant	Advanced Metal Roofing DBA Brilliant Roofing & Restoration 4149 Salerno Road Stuart, FL 34997	E-Mail mail@brilliantroofing.com

Bldg. Permit # _____



CITY OF FORT PIERCE

PLANNING DEPARTMENT

COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

Certificate of Appropriateness Application

JAN 24 2023

Building & Site Information

Address of the Site: 808 Georgia Ave CITY OF FORT PIERCE
PLANNING & ZONING

Parcel ID #: 2410-710-0015-000-3

Type of Designation: Contributing Non-contributing Site within the _____ Historic District

Individually Designated Site, City Commission Resolution No. _____

Property Owner/ Applicant Information

Property Owner(s) Name(s): Carolyn Bennett

Mailing Address: 808 Georgia Ave, Fort Pierce, FL 34950

Phone Number(s): 772-216-2815 Email: CB941@bellsouth.net

Applicant Name(s): Advanced Metal Roofing DBA Brilliant Roofing & Restoration

Mailing Address: 4149 Salerno Rd, Stuart, FL 34997

Phone Number(s): (772) 678 - 6654 Email: mail@brilliantroofing.com

Representative Name(s): _____

Mailing Address: _____

Phone Number(s): _____ Email: _____

Property Owner(s) Acknowledgements:- This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application. The property owner's signature below shall also authorize the Applicant (if other than the property owner) and/or Representative to act in his/her behalf for the purposes of seeking approval for the application described herein. The undersigned consents to inspection and photographing of the subject property by the Historic Preservation staff for purposes of consideration of this Application and/or presentation to the Historic Preservation Board.

I / We, Carolyn Bennett as Owner(s) of the subject property, do hereby authorize the filing of this application on my/our behalf.

Carolyn Bennett Signature of Owner 11.28.22
Date

Description of Requested Work

Please indicate the type of work requested:

- Fence
- Shed
- Door(s)
- Roof
- Window(s)
- Signage
- Shutter(s)
- Porch

- Rehabilitation
- New Construction
- Demolition
- Relocation

Site Improvements (describe) Roofing

Other (describe) _____

Please provide a detailed description of the proposed work to be performed: _____

Tear off Shingle & Install Mill Finish Metal Panels, Reroof Flat Roof

Have other alterations been made to the site within the last 12 months? No Yes, _____

Will the proposed work require a Zoning Variance? No Yes, Code Section(s): _____

Application Requirements

- \$10,00 Application fee
- Site Plan with dimensions.
- Architectural Drawings:
 - Drawings should show all current and proposed floor plans and elevations, fences, walls, and any other landscape features.
 - Drawings should indicate materials to be used.
- Photos - One (1) color photograph of the main façade of the site and photographs of any areas affected by the proposed project.
- Material(s) specifications and/or sample(s)
- Color samples.

- Demolition – Plans for what will be taking the demolished structure’s place should be submitted.







808







Crimson Red

SR .31 SRI 31

Taupe



Mill Finish Galvalume

SR .67 SRI 55

Co

SR = Solar Reflectivity / SRI =



Reroofing Form

Property Address: 808 Georgia Ave

Owners Name: Carolyn Bennett

Description of Work: Tear off Shingles & Reroof Metal, Reroof Flat

Roof Specifications: Pitch seam tape, double layer synthetic & metal
Flat Roof prime deck, 2 self adhered

Roof Deck 1:

Roof Dimensions: see attached

Square Footage: 2338

Mean Roof Height: 9

Pitch/Slope: 3/12

Rotten Wood: Yes No

Roof Type: Gable Hip Flat Other: _____

Roof Material: Shingle Metal Tile Mod. Bit. Other: _____

Underlayment: Soprema seam tape
Dupont 2 layers Protect 120 Felt (lb.): _____

Roof Deck 2 (If applicable): Premier Metal Tuff rib

Roof Dimensions: _____

Square Footage: 188

Mean Roof Height: 9

Pitch/Slope: 0/12

Rotten Wood: Yes No

Roof Type: Gable Hip Flat Other: _____

Roof Material: Shingle Metal Tile Mod. Bit. Other: _____

Underlayment: Certainteed LLC prime deck
Flintlastic SA PLYBASE
Flintlastic SA Cap Felt (lb.): _____

****Florida Product Approval or Miami-Dade Notice of Acceptance is required for all products other than felt****

Length Measurement Report

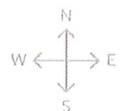
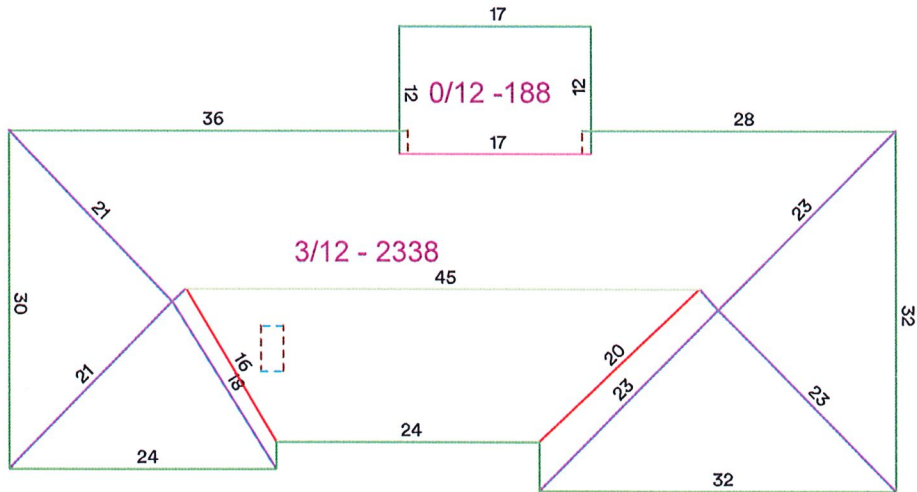
808 Georgia Avenue, Fort Pierce, Florida, United States

- Eaves 247ft 0in
- Valleys 35ft 6in
- Hips 131ft 1in
- Ridges 45ft 1in
- Rakes 0ft 0in
- Wall Flashing 3ft 11in
- Step Flashing 12ft 1in
- Transitions 16ft 9in
- Parapet Wall 0ft 0in
- Unspecified 107ft 1in

Total 2526

1 Story
 0/12 -188
 seam tape
 Dupont Protect 120 double layer
 Premier Tuff Rib

3/12 - 2338
 Certaineed
 Prime wood
 Flintlastic SA PLYBASE
 Flintlastic SA Cap



Note: The above diagram contains measurements that have been rounded up. 6 and 9 are written ●6 and ●9 to avoid confusion. Some edge length totals have been hidden from the diagram to avoid overcrowding. Flashings are depicted as dotted lines.



CERTIFICATE OF APPROPRIATENESS
 TO ALTER A DESIGNATED HISTORIC SITE

COA#23-04 HISTORIC PRESERVATION BOARD APPROVAL

ADMINISTRATIVE APPROVAL

Site address: 1112 Avenue E

Contributing

Non-Contributing

Individually Designated

SITE ALTERATIONS:

Request	Conditions	Applicable Standards
Replace outdated and damaged windows with impact windows. All openings remain unchanged. Please see attached.		Secretary of the Interior's Standards for Rehabilitation of Historic Properties, Standard 9.

APPROVED:

Board Approval

Administrative Approval

 Charles Hayek, Chairman
 Historic Preservation Board

Date



 Maria Lewicka, AICP
 Historic Preservation Planner

01/25/23
 Date

This alteration meets the Secretary of the Interior's Standards for the Treatment of Historic Properties and the City of Fort Pierce Code of Ordinances.

Should you have any further questions or concerns, contact Maria Lewicka, Historic Preservation Planner, at (772) 467-3738 or via e-mail at mlewicka@cityoffortpierce.com.

Thank you for your efforts to preserve and redevelop historic Fort Pierce through your participation in the Certificate of Appropriateness Application process. Staff looks forward to working with you in the future to preserve and rehabilitate our historic neighborhoods and structures.

Provided to:	Name/Address	Via
Owner/Applicant	David Tuten 1112 Avenue E Fort Pierce, FL 34950	E-Mail birico2@gmail.com



Bldg. Permit # _____

COA# 23-04

Certificate of Appropriateness Application

Building & Site Information

Address of the Site: 1112 avenue E

Parcel ID #: 2404-826-0003-000-3

Type of Designation: Contributing Non-contributing Site within the Lincoln prk Historic District

Individually Designated Site, City Commission Resolution No. _____

Property Owner/ Applicant Information

Property Owner(s) Name(s): David Tuten

Mailing Address: 1112 Avenue E fort pierce fl 34950

Phone Number(s): (717) 420-0571 Email: birico2@gmail.com

Applicant

Name(s): _____

Mailing Address: _____

Phone Number(s): _____ Email: _____

Representative

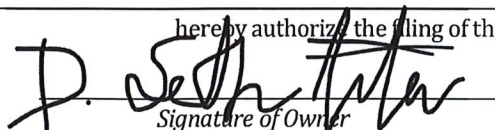
Name(s): _____

Mailing Address: _____

Phone Number(s): _____ Email: _____

Property Owner(s) Acknowledgements:- This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application. The property owner's signature below shall also authorize the Applicant (if other than the property owner) and/or Representative to act in his/her behalf for the purposes of seeking approval for the application described herein. The undersigned consents to inspection and photographing of the subject property by the Historic Preservation staff for purposes of consideration of this Application and/or presentation to the Historic Preservation Board.

I / We, David Tuten as Owner(s) of the subject property do hereby authorize the filing of this application on my/our behalf.


Signature of Owner

1/24/23
Date

Description of Requested Work

Please indicate the type of work requested:

- Fence Shed Door(s) Roof
- Window(s) Signage Shutter(s) Porch

- Rehabilitation New Construction Demolition Relocation

- Site Improvements (describe) _____
- Other (describe) _____

Please provide a detailed description of the proposed work to be performed: _____

Replace outdated and damaged windows with impact windows

Window openings to remain unchanged

Have other alterations been made to the site within the last 12 months? No Yes, Roof replace

Will the proposed work require a Zoning Variance? No Yes, Code Section(s): _____

Application Requirements

- \$10.00 Application fee
- Site Plan with dimensions.
- Architectural Drawings:
 - Drawings should show all current and proposed floor plans and elevations, fences, walls, and any other landscape features.
 - Drawings should indicate materials to be used.
- Photos - One (1) color photograph of the main façade of the site and photographs of any areas affected by the proposed project.
- Material(s) specifications and/or sample(s)
- Color samples.
- Demolition – Plans for what will be taking the demolished structure’s place should be submitted.

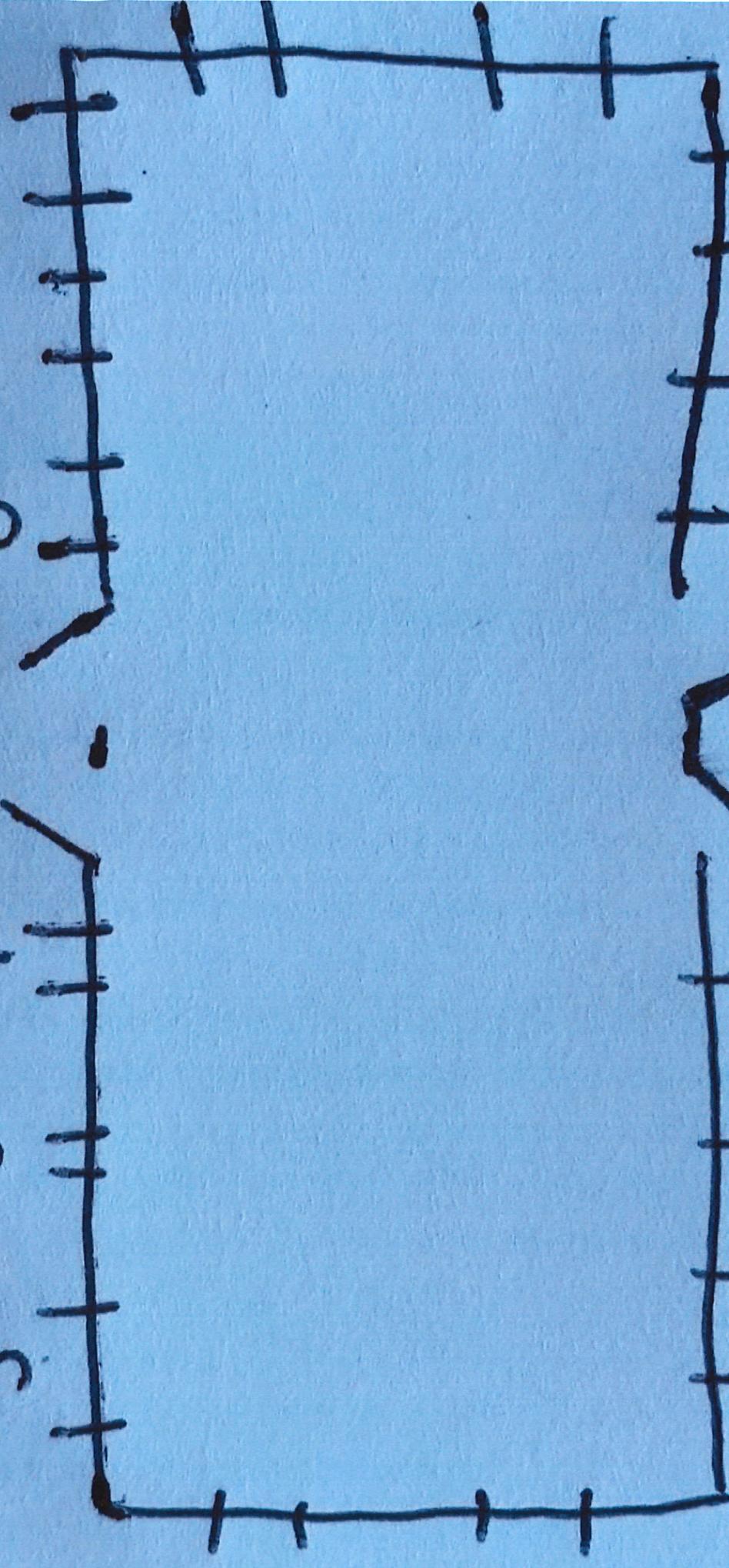








5 6 7 8 9 10



2 1 14 13

60-ACSH/SLDR-TS

70
SERIES

NEW CONSTRUCTION

Traditional wide profile frame for stronger performance

Energy efficient Low-E glass provides year-round comfort

Durable and low maintenance



 Limited Lifetime Warranty

VINYL

American Craftsman
by Ply Gem

70 SERIES



SINGLE HUNG



NO GRILLS
MAXIMUM
VIEW CLARITY

1000051137

2-3

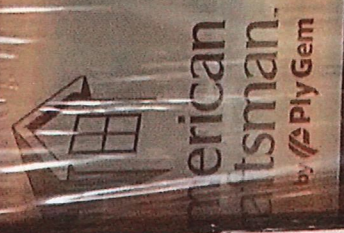
2-3721101FL

2-3721101FL

2-3721101FL

2-3721101FL

2-3721101FL



728
Multi Kit
3 Sheet Metal
10000532787

American
Craftsman
by PlyGem

70
SERIES

NEW CONSTRUCTION

Traditional wide profile
frame for stronger
performance

Energy efficient
Low-E glass provides
year-round comfort

Durable and
low maintenance



Limited Lifetime
Warranty

WARRANTY / ADVERTENCIA

VINYL

American
Craftsman
by PlyGem

70 SERIES



SINGLE HUNG



NO GRILLES
IMPACT/UV/Hz

1001902881



1/23 - 2

1/23" x 24 7/8"

Impact Res - E-9C

Argon

NOTE

INCLUDES

3-2727IMP06



Historic Preservation Board

6. b.

Meeting Date: 02/27/2023

Information

REQUESTED ACTION

Sunshine Presentation

LOCATION

RESPONSIBLE STAFF

RECOMMENDATION

Attachments

Sunshine Orientation

Form Review

Form Started By: Alicia Rosenthal

Started On: 02/03/2023 10:51 AM

Final Approval Date: 02/03/2023

Florida's Open Government Laws

SARA HEDGES

ASSISTANT CITY ATTORNEY

CITY OF FORT PIERCE

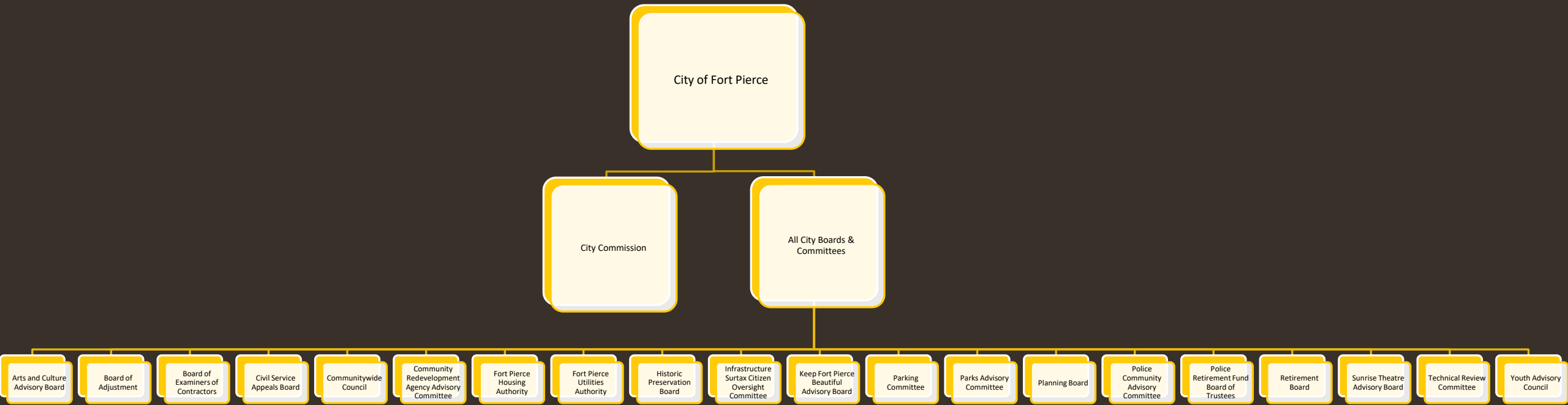
Florida's Open Government Laws

Florida's Government in the Sunshine Law

Florida's Public Records Act

Voting Conflicts of Interest

Who do these laws apply to?



Florida's Government in the Sunshine Law: Chapter 286, Florida Statutes

Provides for a right of access to governmental proceedings of any board or commission at both the state and local levels of government.

Applies to any gathering of two or more members of a board or commission to discuss any matter which will foreseeably come before them for action.

Applies to both elected and appointed boards or commissions.

Basic Requirements of Section 286.011, Florida Statutes

1. Meetings of public boards or commissions must be open to the public
2. Reasonable notice of such meetings must be given
3. Written minutes of the meetings must be taken, promptly recorded, and open to public inspection

Advisory Boards and Committees

Sunshine Law applies to advisory boards, even though their recommendations are not binding upon the agencies that created them.

Very limited exception applies to advisory committees established for fact-finding only. However, if the committee has any decision-making function (making recommendations to the governmental body) as part of their duties, the Sunshine Law applies.

“The principle to be followed is very simple: When in doubt, the members of any board, agency, authority or commission should follow the open-meeting policy of the State.”

Town of Palm Beach v. Gradison, 296 So.2d 473 (Fla. 1974).

Ex Officio Board Members

An ex officio board member is subject to the Sunshine Law, no matter whether serving in a voting or non-voting capacity.

Staff and Non-Board Members

Board members are not prohibited from discussing board business with City staff or non-board members.

Cannot, however, use such individuals as a liaison to communicate with members of your board.

Examples:

Member of the CRA Advisory Committee speaking to the City's Economic Development Manager regarding an item on the agenda for an upcoming meeting?

Member of the CRA Advisory Committee asking the Economic Development Manager to poll the remaining members of the committee to see how they will vote on the review of upcoming grant applications?

Types of Gatherings Considered a Meeting

Gathering does not have to be a formal meeting.

Sunshine Law applies to informal gatherings as well.

Types of Communication Constituting a Meeting

Sunshine Law is not limited to just verbal in person communication.

Applies to all communications.

Includes:

Telephone Conversations

Text Conversations

Emails

Public Social Media Posts

Private Social Media Communications

One Way Communications

May send documents to other commission or board members for their review.

But, once there is a response to the group or to one individual, that has triggered a meeting for which the Sunshine Law applies.

BEST PRACTICE: Do not send such communications. Do not reply to such communications.

Behavior by Members of the Public

The public must “be given a reasonable opportunity to be heard on a proposition before a board or commission,” subject to limited exceptions in the statute.

The board or commission is permitted to maintain “orderly conduct or proper decorum in a public meeting.”

May adopt rules or policies for the meetings.

Section 286.0114, Florida Statutes.

Rules or Policies Governing Opportunity of the Public to be Heard at Public Meetings

Section 286.0114, Florida Statutes limits the rules or policies to permit those that:

1. Provide guidelines regarding the amount of time an individual has to address the board or commission;
2. Prescribe procedures for allowing representatives of groups or factions on a proposition to address the board or commission, rather than all members of such groups or factions, at meetings in which a large number of individuals wish to be heard;
3. Prescribe procedures or forms for an individual to use in order to inform the board or commission of a desire to be heard; to indicate his or her support, opposition, or neutrality on a proposition; and to indicate his or her designation of a representative to speak for him or her or his or her group on a proposition if he or she so chooses; or
4. Designate a specified period of time for public comment.

Prohibited Restrictions on Meetings

Cannot ask certain members of the public to “voluntarily” leave a meeting.

Cannot ban videotaping, tape recording, or photography at public meetings when doing so is nondisruptive.

Cannot require those attending a public meeting to provide identification in order to attend.

Secret Ballots

Secret ballots violate the Sunshine Law.

Written ballots may be used so long as the votes are made openly at a public meeting. Ballot must include the name of the person voting and their selection. Ballot must be maintained and made available for public inspection.

Consequences of Violating the Sunshine Law

No resolution, rule, regulation, or formal action shall be considered binding except when taken or made at an open meeting.

Civil action can be brought for the violation.

Violations of the Sunshine Law result in those decisions being voided. They will have to be cured by reexamining the decision within the Sunshine.

Waste of time and resources of the City.

Penalties for Violating the Sunshine Law

Public officer who violates any provision is guilty of non-criminal infraction, punishable by a fine up to \$500.00.

Member of a board or commission who knowingly violates the provisions by attending a meeting not held in accordance with the Sunshine Law is guilty of a misdemeanor of the second degree, punishable by up to 60 days in the county jail, 6 months of probation, and/or a fine up to \$500.00.

Conduct occurring outside of the State of Florida which would be a knowing violation is a misdemeanor of the second degree, punishable by up to 60 days in the county jail, 6 months of probation, and/or a fine up to \$500.00.

May also be suspended or removed from your position

How Serious Should You Take the Sunshine Law?

Damien Gilliams, Pamela Parris, and Charles Mauti, formerly of the Sebastian City Council.

Accusation was that they held an illegal meeting outside of the Sunshine, where they voted to remove the Mayor and fire the City Manager, City Clerk, and City Attorney.

Mauti entered a plea to two civil infractions. Ordered to pay fines, court costs, cost of investigation, and attend and complete sunshine law training in the cases. Total ordered to be paid equaled \$1,886.00.

Gilliams found guilty at trial of 3 counts of Violation of the Sunshine Law and 1 count of Perjury – Unofficial Proceeding.

Parris found guilty at trial of 1 count of Violation of the Sunshine Law and 2 counts of Perjury – Unofficial Proceeding.

Damien Gilliams Sentences

3120210065303 RECORDED IN THE RECORDS OF JEFFREY R. SMITH, CLERK OF COURT
BK: 3464 PG: 607, 9/16/2021 8:36 AM

IN THE COUNTY COURT, OF THE
NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER COUNTY
STATE OF FLORIDA

CRIMINAL COURT

CASE: 312020MM001119AXXXXX

STATE OF FLORIDA
VS
DAMIEN HERMAN GILLIAMS

Charge(s): CT(1)
VIOLATION OF THE SUNSHINE LAW

JUDGMENT AND SENTENCE

- The Defendant now being before the Court and having:
 pleaded guilty
 pleaded no contest
 been tried and found guilty
- The Court does hereby:
 Adjudge the Defendant to be Guilty
 Withhold Adjudication of Guilty
- The Court orders the Defendant to pay a fine, cost and assessments as follows:
FINE \$ 50 PD FEE \$ _____
COSTS \$ 245 PD APP FEE \$ _____
TV AD \$ _____ C.O.P. \$ Reserved
COI \$ Reserved ADDITIONAL COSTS \$ _____
- The Defendant is incarcerated for a period of 45 days in the Indian River County Jail.
a. _____ as a condition of probation. CS CTS Concurrent
- The Defendant is placed on Supervised Probation for _____ months with these special conditions:
 - _____ hours of community service.
 - Restitution of \$ 2608.00 to City of Sebastian; Joint and several
 - Drivers License to be suspended for _____ Business Permit Yes No
 - Attend the next victim impact panel.
 - Attend DUI School and follow any recommendations.
 - _____ Days House Arrest.
 - _____ day car impounded / _____ Ignition Interlock
 - _____ days work program, minimum _____ days per week.
 - Attend and complete:
 26 week Batterer's Intervention Program
 12 week Living without Violence Program / Anger Mgt. Class
 ACF Mileposts Misd. Class
 Enroll within _____ Days.
- Report to CORE Probation within 72 hrs. of release from jail.
- Pay In Full or Set Up Payment Plan Today or _____
- Other No contact with _____

3120210065304 RECORDED IN THE RECORDS OF JEFFREY R. SMITH, CLERK OF COURT
BK: 3464 PG: 609, 9/16/2021 8:36 AM

IN THE COUNTY COURT, OF THE
NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER COUNTY
STATE OF FLORIDA

CRIMINAL COURT

CASE: 312020MM001119AXXXXX

STATE OF FLORIDA
VS
DAMIEN HERMAN GILLIAMS

Charge(s): CT(1)
VIOLATION OF THE SUNSHINE LAW

JUDGMENT AND SENTENCE

- The Defendant now being before the Court and having:
 pleaded guilty
 pleaded no contest
 been tried and found guilty
- The Court does hereby:
 Adjudge the Defendant to be Guilty
 Withhold Adjudication of Guilty
- The Court orders the Defendant to pay a fine, cost and assessments as follows:
FINE \$ 500 + 25 PD FEE \$ _____
COSTS \$ _____ PD APP FEE \$ _____
TV AD \$ _____ C.O.P. \$ _____
COI \$ _____ ADDITIONAL COSTS \$ _____
- The Defendant is incarcerated for a period of 45 days in the Indian River County Jail.
a. _____ as a condition of probation. CS CTS Concurrent
- The Defendant is placed on Supervised Probation for _____ months with these special conditions:
 - _____ hours of community service.
 - Restitution of \$ _____ to _____
 - Drivers License to be suspended for _____ Business Permit Yes No
 - Attend the next victim impact panel.
 - Attend DUI School and follow any recommendations.
 - _____ Days House Arrest.
 - _____ day car impounded / _____ Ignition Interlock
 - _____ days work program, minimum _____ days per week.
 - Attend and complete:
 26 week Batterer's Intervention Program
 12 week Living without Violence Program / Anger Mgt. Class
 ACF Mileposts Misd. Class
 Enroll within _____ Days.
- Report to CORE Probation within 72 hrs. of release from jail.
- Pay In Full or Set Up Payment Plan Today or _____
- Other _____

3120210065305 RECORDED IN THE RECORDS OF JEFFREY R. SMITH, CLERK OF COURT
BK: 3464 PG: 611, 9/16/2021 8:36 AM

IN THE COUNTY COURT, OF THE
NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER COUNTY
STATE OF FLORIDA

CRIMINAL COURT

CASE: 312020MM001119AXXXXX

STATE OF FLORIDA
VS
DAMIEN HERMAN GILLIAMS

Charge(s): CT(1)
VIOLATION OF THE SUNSHINE LAW

JUDGMENT AND SENTENCE

- The Defendant now being before the Court and having:
 pleaded guilty
 pleaded no contest
 been tried and found guilty
- The Court does hereby:
 Adjudge the Defendant to be Guilty
 Withhold Adjudication of Guilty
- The Court orders the Defendant to pay a fine, cost and assessments as follows:
FINE \$ 500 + 25 PD FEE \$ _____
COSTS \$ _____ PD APP FEE \$ _____
TV AD \$ _____ C.O.P. \$ _____
COI \$ _____ ADDITIONAL COSTS \$ _____
- The Defendant is incarcerated for a period of 45 days in the Indian River County Jail.
a. _____ as a condition of probation. CS CTS Concurrent
- The Defendant is placed on Supervised Probation for _____ months with these special conditions:
 - _____ hours of community service.
 - Restitution of \$ _____ to _____
 - Drivers License to be suspended for _____ Business Permit Yes No
 - Attend the next victim impact panel.
 - Attend DUI School and follow any recommendations.
 - _____ Days House Arrest.
 - _____ day car impounded / _____ Ignition Interlock
 - _____ days work program, minimum _____ days per week.
 - Attend and complete:
 26 week Batterer's Intervention Program
 12 week Living without Violence Program / Anger Mgt. Class
 ACF Mileposts Misd. Class
 Enroll within _____ Days.
- Report to CORE Probation within 72 hrs. of release from jail.
- Pay In Full or Set Up Payment Plan Today or _____
- Other _____

3120210065306 RECORDED IN THE RECORDS OF JEFFREY R. SMITH, CLERK OF COURT
BK: 3464 PG: 613, 9/16/2021 8:36 AM

IN THE COUNTY COURT, OF THE
NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER COUNTY
STATE OF FLORIDA

CRIMINAL COURT

CASE: 312020MM001119AXXXXX

STATE OF FLORIDA
VS
DAMIEN HERMAN GILLIAMS

Charge(s): CT(4)
PERJURY - NOT IN OFFICIAL PROCEEDING

JUDGMENT AND SENTENCE

- The Defendant now being before the Court and having:
 pleaded guilty
 pleaded no contest
 been tried and found guilty
- The Court does hereby:
 Adjudge the Defendant to be Guilty
 Withhold Adjudication of Guilty
- The Court orders the Defendant to pay a fine, cost and assessments as follows:
FINE \$ 1000 + 50.00 PD FEE \$ _____
COSTS \$ _____ PD APP FEE \$ _____
TV AD \$ _____ C.O.P. \$ _____
COI \$ _____ ADDITIONAL COSTS \$ _____
- The Defendant is incarcerated for a period of 6 months in the Indian River County Jail.
a. _____ as a condition of probation. CS CTS Concurrent
- The Defendant is placed on Supervised Probation for _____ months with these special conditions:
 - _____ hours of community service.
 - Restitution of \$ _____ to _____
 - Drivers License to be suspended for _____ Business Permit Yes No
 - Attend the next victim impact panel.
 - Attend DUI School and follow any recommendations.
 - _____ Days House Arrest.
 - _____ day car impounded / _____ Ignition Interlock
 - _____ days work program, minimum _____ days per week.
 - Attend and complete:
 26 week Batterer's Intervention Program
 12 week Living without Violence Program / Anger Mgt. Class
 ACF Mileposts Misd. Class
 Enroll within _____ Days.
- Report to CORE Probation within 72 hrs. of release from jail.
- Pay In Full or Set Up Payment Plan Today or _____
- Other _____

Pamela Parris Sentences

3120210065296 RECORDED IN THE RECORDS OF JEFFREY R. SMITH, CLERK OF
BK: 3464 PG: 574, 9/16/2021 8:30 AM

IN THE COUNTY COURT, OF THE
NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER COUNTY
STATE OF FLORIDA

CRIMINAL COURT

CASE: 312020MM001119BXXXXX

STATE OF FLORIDA
VS
PAMELA RAPP PARRIS

Charge(s): CTC1
VIOLATION OF THE SUNSHINE LAW

JUDGMENT AND SENTENCE

- The Defendant now being before the Court and having:
 pleaded guilty
 pleaded no contest
 been tried and found guilty
- The Court does hereby:
 Adjudge the Defendant to be Guilty
 Withhold Adjudication of Guilty
- The Court orders the Defendant to pay a fine, cost and assessments as follows:
FINE \$ 500 PD FEE \$ _____
COSTS \$ 245 PD APP FEE \$ _____
TV AD \$ _____ C.O.P. \$ Reserved
COI \$ Reserved ADDITIONAL COSTS \$ _____
- The Defendant is incarcerated for a period of 30 days in the Indian River County Jail.
a. _____ as a condition of probation.
CS CRTS Concurrent
- The Defendant is placed on Supervised Probation for _____ months with these special conditions:
a. _____ hours of community service.
b. Restitution of \$4000 to City of Sebastian; Joint and Several
c. Drivers License to be suspended for _____ Business Permit Yes No
d. _____ Attend the next victim impact panel.
e. _____ Attend DUI School and follow any recommendations.
f. _____ Days House Arrest.
g. _____ day car impounded / _____ Ignition Interlock
h. _____ days work program, minimum _____ days per week.
i. Attend and complete:
 26 week Batterer's Intervention Program
 12 week Living without Violence Program / Anger Mgt. Class
 ACF Mileposts Misd. Class
 Enroll within _____ Days.
j. Report to CORE Probation within 72 hrs. of release from jail.
k. Pay In Full or Set Up Payment Plan Today or _____
l. Other No Contact with _____

3120210065295 RECORDED IN THE RECORDS OF JEFFREY R. SMITH, CLERK OF
BK: 3464 PG: 572, 9/16/2021 8:29 AM

IN THE COUNTY COURT, OF THE
NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER COUNTY
STATE OF FLORIDA

CRIMINAL COURT

CASE: 312020MM001119BXXXXX

STATE OF FLORIDA
VS
PAMELA RAPP PARRIS

Charge(s): CTC5
PERJURY - NOT IN OFFICIAL PROCEEDING

JUDGMENT AND SENTENCE

- The Defendant now being before the Court and having:
 pleaded guilty
 pleaded no contest
 been tried and found guilty
- The Court does hereby:
 Adjudge the Defendant to be Guilty
 Withhold Adjudication of Guilty
- The Court orders the Defendant to pay a fine, cost and assessments as follows:
FINE \$ 100 + \$0.00 PD FEE \$ _____
COSTS \$ _____ PD APP FEE \$ _____
TV AD \$ _____ C.O.P. \$ _____
COI \$ _____ ADDITIONAL COSTS \$ _____
- The Defendant is incarcerated for a period of 90 days in the Indian River County Jail.
a. _____ as a condition of probation.
CS CRTS Concurrent
- The Defendant is placed on Supervised Probation for _____ months with these special conditions:
a. _____ hours of community service.
b. Restitution of \$ _____ to _____
c. Drivers License to be suspended for _____ Business Permit Yes No
d. _____ Attend the next victim impact panel.
e. _____ Attend DUI School and follow any recommendations.
f. _____ Days House Arrest.
g. _____ day car impounded / _____ Ignition Interlock
h. _____ days work program, minimum _____ days per week.
i. Attend and complete:
 26 week Batterer's Intervention Program
 12 week Living without Violence Program / Anger Mgt. Class
 ACF Mileposts Misd. Class
 Enroll within _____ Days.
j. Report to CORE Probation within 72 hrs. of release from jail.
k. Pay In Full or Set Up Payment Plan Today or _____
l. Other _____

3120210065300 RECORDED IN THE RECORDS OF JEFFREY R. SMITH, CLERK OF
BK: 3464 PG: 601, 9/16/2021 8:30 AM

IN THE COUNTY COURT, OF THE
NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER COUNTY
STATE OF FLORIDA

CRIMINAL COURT

CASE: 312020MM001119BXXXXX

STATE OF FLORIDA
VS
PAMELA RAPP PARRIS

Charge(s): CTC6
PERJURY - NOT IN OFFICIAL PROCEEDING

JUDGMENT AND SENTENCE

- The Defendant now being before the Court and having:
 pleaded guilty
 pleaded no contest
 been tried and found guilty
- The Court does hereby:
 Adjudge the Defendant to be Guilty
 Withhold Adjudication of Guilty
- The Court orders the Defendant to pay a fine, cost and assessments as follows:
FINE \$ 1000 + \$0.00 PD FEE \$ _____
COSTS \$ _____ PD APP FEE \$ _____
TV AD \$ _____ C.O.P. \$ _____
COI \$ _____ ADDITIONAL COSTS \$ _____
- The Defendant is incarcerated for a period of 90 days in the Indian River County Jail.
a. _____ as a condition of probation.
CS CRTS Concurrent
- The Defendant is placed on Supervised Probation for _____ months with these special conditions:
a. _____ hours of community service.
b. Restitution of \$ _____ to _____
c. Drivers License to be suspended for _____ Business Permit Yes No
d. _____ Attend the next victim impact panel.
e. _____ Attend DUI School and follow any recommendations.
f. _____ Days House Arrest.
g. _____ day car impounded / _____ Ignition Interlock
h. _____ days work program, minimum _____ days per week.
i. Attend and complete:
 26 week Batterer's Intervention Program
 12 week Living without Violence Program / Anger Mgt. Class
 ACF Mileposts Misd. Class
 Enroll within _____ Days.
j. Report to CORE Probation within 72 hrs. of release from jail.
k. Pay In Full or Set Up Payment Plan Today or _____
l. Other _____

One Last Thought on the Sunshine Law

“We note that the Sunshine Law was enacted in the public interest to protect the public from ‘closed door’ politics and, as such, the law must be broadly construed to effect its remedial and protective purpose.” Wood v. Marston, 442 So.2d 934 (Fla 1983).

Florida Public Records Act: Chapter 119, Florida Statutes

Florida's public records laws create a right of access to records of state and local governments and private entities acting on their behalf.

Material falling within the definition of a "public record" must be disclosed to the public absent a statutory exemption.

Be mindful, a public records exemption does not create a Sunshine Law exemption.

Definition of “Public Records”

“Public records’ means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.” Section 119.011(12), Florida Statutes

When “intended to perpetuate, communicate, or formalize knowledge of some type.” Shevin v. Byron, Harless, Schaffer, Reid and Associates, Inc., 379 So.2d 633 (Fla. 1980).

Personal Communications and “Public Records”

Personal notes are a public record if they are intended to communicate, perpetuate, or formalize knowledge of some type.

Emails to and from personal email, texts on personal cell phone, social media exchanges, etc. made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency or intended to communicate, perpetuate, or formalize knowledge of some type are public record.

Personal communications or documents stored on government equipment are not automatically public records, but they may be depending on the circumstances.

Retention of Public Records

All public records have a specific retention schedule approved by the Department of State.

Even exempt records must be retained.

Bottom Line: Do **NOT** destroy, delete, or alter a public record. If you are unsure whether something is a public record, **KEEP IT**.

Public Records Requests

Cannot be withheld at the request of the sender.

No legitimate purpose or noncommercial interest must be established by the requestor, motivation is irrelevant.

Cannot deny a request because it is overbroad.

Unless a statute authorizes such, requestor cannot be required to identify themselves or make the request in writing.

Cannot delay production of the records requested further than reasonable amount of time to retrieve and redact the records (according to the law).

Penalties for Noncompliance with Public Records Laws

Civil Actions

Civil action to enforce compliance with chapter 119 requires an immediate hearing and takes priority over other matters.

Attorney's fees shall be awarded if agency is found to have unlawfully withheld public records.

Civil Penalties

An unintentional violation is a non-criminal infraction punishable by up to a \$500.00 fine.

Criminal Penalties

Knowing and intentional violation is a first degree misdemeanor, punishable by up to 1 year in the county jail, 1 year of probation, and/or up to a \$1,000.00 fine.

May also be suspended or removed from your position

Voting Conflicts of Interest: Section 286.012, Florida Statutes

As a general rule, cannot abstain from voting.

Members must vote unless there is, or appears to be, a possible conflict of interest under Florida Statutes (112.311, 112.313, 112.3143, and 112.326).

If the only conflict or possible conflict is one arising from the additional or more stringent standards adopted pursuant to s. 112.326, the member shall comply with any disclosure requirements adopted pursuant to s. 112.326.

If the official decision, ruling, or act occurs in the context of a quasi-judicial proceeding, a member may abstain from voting on such matter if the abstention is to assure a fair proceeding free from potential bias or prejudice.

Voting Conflicts of Interest: Section 112.3143, Florida Statutes

A voting conflict of interest exists when voting on any matter that would inure to the special private gain or loss of the person voting, their relative, their business associate, or a principal by whom they are retained.

Relative: father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law.

Business associate: any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, co-owner of property, or corporate shareholder.

Principal by whom retained: individual or entity, other than an agency as defined in s. 112.312(2), that for compensation, salary, pay, consideration, or similar thing of value, has permitted or directed another to act for the individual or entity, and includes, but is not limited to, one's client, employer, or the parent, subsidiary, or sibling organization of one's client or employer.

Voting Conflicts of Interest: Section 112.3143, Florida Statutes

Special private gain or loss: an economic benefit or harm that would inure to the officer, his or her relative, business associate, or principal, unless the measure affects a class that includes the officer, his or her relative, business associate, or principal, in which case, at least the following factors must be considered when determining whether a special private gain or loss exists:

1. The size of the class affected by the vote.
2. The nature of the interests involved.
3. The degree to which the interests of all members of the class are affected by the vote.
4. The degree to which the officer, his or her relative, business associate, or principal receives a greater benefit or harm when compared to other members of the class.

The degree to which there is uncertainty at the time of the vote as to whether there would be any economic benefit or harm to the public officer, his or her relative, business associate, or principal and, if so, the nature or degree of the economic benefit or harm must also be considered.

Additional Conflicts of Interest Statutes

Section 112.311, Florida Statutes: Legislative Intent and Declaration of Policy.

Excerpt of subsection (5): “It is hereby declared to be the policy of the state that no officer or employee of a state agency or of a county, city, or other political subdivision of the state, and no member of the Legislature or legislative employee, shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature which is in substantial conflict with the proper discharge of his or her duties in the public interest.”

Section 112.313, Florida Statutes: Standards of Conduct for Public Officers, Employees of Agencies, and Local Government Attorneys.

Topics addressed include accepting gifts, doing business with own agency, misuse of public position, etc.

Voting Conflicts of Interest: Section 112.3143, Florida Statutes

If you have a voting conflict:

Must: Announce the nature of the conflict, abstain from voting, and file a Memorandum of Voting Conflict (Commission on Ethics Form 8B).

May: Participate (attempt to influence the decision orally or in writing by self or at your direction) if follow specifically outlined steps in the statute based on when you decide to participate.

Best Practice: Disclose the conflict prior to the meeting and remove oneself from the room during that agenda item.

Questions about Sunshine Law, Public Records Laws, Ethical Concerns, Etc.

May contact the City Attorney's Office

- Remember, we represent the City and will take a position that best protects the City
- We will advise you to stay "1,000 feet" away from the line
 - Example: voting conflicts of interest
- You should always follow up with:
 - The Commission on Ethics
 - Your own private, personal attorney

Resources Available:

- Sunshine Manual
- Attorney General's Office
- Florida Statutes