

HISTORIC PRESERVATION BOARD

BOARD AGENDA

Historic Preservation Board Regular Meeting - Monday, March 25, 2024 - 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 February 26, 2024, Historic Preservation Board meeting
5. **PUBLIC HEARINGS**
 - b. CONTINUED HEARING - Conditional Use Application - Expansion of the Existing Outdoor Entertainment Area - 411 N. 2nd Street
6. **NEW BUSINESS**
 - a. Administratively Approved Certificates of Appropriateness - January 2024
 - b. Open Government 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: 03/25/2024

Information

REQUESTED ACTION

Minutes from the February 26, 2024, Historic Preservation Board meeting

SUMMARY

Historic Preservation Board Meeting Minutes

LOCATION

N/A

RESPONSIBLE STAFF

Planning Staff

RECOMMENDATION

To approve the minutes or approve the minutes with changes.

Attachments

Historic Preservation Board Minutes 2/26/24

Form Review

Form Started By: Alicia Rosenthal

Started On: 03/01/2024 01:23 PM

Final Approval Date: 03/01/2024

DRAFT



CITY OF FORT PIERCE
**HISTORIC PRESERVATION
BOARD**

Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE HISTORIC PRESERVATION BOARD HELD ON MONDAY, FEBRUARY 26, 2024, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Betty Jo Starke; Minnie Spivey; Holly Theuns; Anthony Westbury; KeAndrea Davis; Charlie Hayek, Chairman

Absent: Andrea Anicito

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

4. APPROVAL OF MINUTES

- a. Minutes from the January 22, 2024 meeting

Motion was made by Betty Jo Starke, and seconded by Anthony Westbury to approve the minutes from the January 22, 2024, meeting.

AYE: Minnie Spivey, Holly Theuns, Anthony Westbury, KeAndrea Davis, Betty Jo Starke, Chairman Charlie Hayek

Passed

5. PUBLIC HEARINGS

a. Certificate of Appropriateness #24-06 - Demolition - 738 B Delaware Avenue

The clerk introduced Certificate of Appropriateness 24-06 for demolition at 738 B Delaware Avenue.

The City Attorney explained the Quasi-Judicial Hearing procedures.

When acting as a quasi-judicial body, the Board is held to certain procedural requirements.

Quasi-judicial proceedings are less formal than proceedings before a circuit court, but are more formal than the other aspects of today's 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 quasi-judicial proceedings more like judges than legislators. This afternoon, the Board will follow the same uniform procedure in all quasi-judicial hearings.

Chairman Hayek called the proceeding to order.

The clerk confirmed the City complied with the advertisement requirements.

Chairman Hayek inquired with the Board regarding ex-parte communications and asked the Clerk to call the roll:

Ms. Theuns - no

Mr. Westbury - no

Ms. Davis - no

Ms. Starke - no

Ms. Spivey - no

Chairman Hayek - no

Chairman Hayek 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 the 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 there are three (3) buildings on the lot and the middle building is the subject structure for demolition. Ms. Lewicka said the structure is a 1936 two-story wood frame building with a gable roof. The applicant is requesting approval for demolition of the fire-damaged, deteriorated structure and after the demolition the owner will plant a garden in the footprint of the house. Ms. Lewicka showed pictures from the applicant and the building inspector of the interior and exterior damage to the structure. Ms. Lewicka stated the applicant met most of the criteria for demolition. She said the building proposed for demolition is in very poor condition, and it was heavily damaged by fire and left to deteriorate for an extended period of time. Ms. Lewicka noted the Property Maintenance Inspection report finds the building to be unsafe. Ms. Lewicka concluded that while rehab of the structure is permitted and possible, it would be at considerable expense. Given the application meets the A, B, C, D, and E criteria for demolition of a structure within a designated historic district, staff recommends the Historic Preservation Board approve the demolition.

Board questions for staff: Chairman Hayek asked if there are any restrictions on building a house in the future and if the city sends out a notification of the demolition. Ms. Lewicka said

the lot is not big enough for three (3) residential structures, and she was not aware of a demolition notification being sent out to the neighbors.

Applicant Presentation: Jean Van Winkle, Owner, sworn, stated the structure is full of rats, mice, stray cats, squirrels and fleas. She said the deterioration looks bad, and the varmints are coming over to her house.

Board questions for Applicant: none

Public comment: none

Staff final comments: none

Chairman Hayek, seeing no one else, closed the public hearing.

Comments by the Board: Board discussion ensued on whether the neighbors should be notified by the city of the demolition due to the varmints moving to the neighbor's property.

Motion was made by KeAndrea Davis, and seconded by Minnie Spivey to approve Certificate of Appropriateness 24-06 for the demolition of the structure located at 738 B Delaware Avenue.

AYE: Holly Theuns, Anthony Westbury, KeAndrea Davis, Betty Jo Starke, Minnie Spivey,
Chairman Charlie Hayek

Passed

b. **Conditional Use Application - Expansion of the Existing Outdoor Entertainment Area - 411 N. 2nd Street**

Mr. Hayek recused himself. Ms. Hedges stated the code sections for the potential voting conflicts of interest. Ms. Hedges explained a decision has to be made within 60 days of receiving the application. Staff confirmed the application was received on February 5, 2024. Ms. Hedges said a continuance to the March 25, 2024, Historic Preservation Board meeting would be within 60 days. The applicant, Jon Nolli, objected to continuing the hearing. Ms. Hedges said the Board could vote to continue the hearing.

Ms. Theuns recused herself.

Ms. Hedges explained the rules of the Board require a majority of the Board to approve the application. With the recusals, there are four (4) voting members, so a unanimous vote is required. Mr. Nolli stated he wanted to move forward.

Mr. Westbury made a motion to continue the hearing to the March 25, 2024, Historic Preservation Board meeting. Ms. Starke seconded the motion. Ms. Starke withdrew her motion. The motion died.

Ms. Theuns stated she recused herself because of the complaint she made to Code Enforcement regarding excessive use of the property in February 2023. Ms. Theuns said she was not aware the complaint was a conflict until right before the Historic Preservation Board meeting started. Ms. Theuns said she wanted to continue the meeting, so she could discuss the matter with a legal representative. Ms. Theuns said she is going to recuse herself because she does not want to jeopardize the outcome of the hearing.

The chairman introduced the Conditional Use Application for expansion of the existing outdoor

entertainment area located at 411 N. 2nd Street, Pierced Ciderworks.

Chairman Hayek called the proceeding to order.

The clerk confirmed the City complied with the advertisement requirements.

Chairman Hayek inquired with the Board regarding ex-parte communications and asked the Clerk to call the roll:

Ms. Theuns - yes

Mr. Westbury - no

Ms. Davis - no

Ms. Starke - no

Ms. Spivey - no

Chairman Hayek - yes

Chairman Hayek 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 the 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 applicant is requesting approval of a Conditional Use to expand the existing outdoor entertainment area on a designated historic site within the Edgartown Settlement Zoning District. The proposed expansion requires a conditional use approval to deviate from City Code Section 125-197(j), which allows for a maximum of 800 square feet of exterior space, whereas the proposed outdoor area will be approximately 5,000 square feet. Ms. Lewicka provided background on the location. She noted that on September 28, 2021, the Historic Preservation Board approved a Certificate of Appropriateness for the performance stage that has been installed in the rear of the property. The stage is an accessory structure and is used for music concerts and special events. Ms. Lewicka stated on May 23, 2023, Code Enforcement initiated a case against the property where Sec. 125-197 – Edgartown Settlement (ES) Zoning District was violated. On November 15, 2023, the Special Magistrate decided the business was in violation. She said the business was to reduce the area utilized for exterior restaurant/ pub use to 800 square feet or obtain a Conditional Use permit through Planning and Zoning to extend the area allowed to be utilized for exterior restaurant/pub use. Ms. Lewicka showed an aerial view of the location of the expanded entertainment area. Ms. Lewicka said the Board will act as the decision-making body for this conditional use based on the architectural and historic character, comprehensive plan, concurrency, compatability and impact. Ms. Lewicka stated it is up to the Historic Preservation Board to decide if the Conditional Use is granted to the applicant/owner, or to the location/parcel. If granted to the applicant/owner, it would expire with the property's sale. If granted to the location/parcel, the Conditional Use could be transferred to the subsequent property owner(s).

Ms. Lewicka stated the first paragraph in the staff recommendation on the staff report was not valid and has been updated in the presentation.

Board questions for staff: Ms. Davis asked for clarification on the entertainment expansion area. Ms. Lewicka explained in the ordinance that the applicant can only use 800 feet of the outside space for entertainment. The space currently being used is approximately 5,000 square feet. Ms. Lewicka said it is hard to precisely say how many square feet are being used because people are always moving around. Ms. Starke asked who had financial interest in the property. Mr. Hayek asked for the square footage of the parcel itself. Ms. Theuns confirmed

with Ms. Lewicka the comprehensive changes made to the Edgartown Settlement District in April 2023.

Applicant Presentation: Jon Nolli, owner of Pierced Ciderworks, sworn, stated six years ago he bought the property from Mr. Hayek, and he holds the note. He said Ms. Theuns is his direct neighbor and has a conflict with how they do business, and she was the person who made the complaint and brought this matter forward. Mr. Nolli said he does not understand what being able to use the outside area has to do with landscaping and volume. Landscaping will confine the area even more and the sound has to be adhered to. The cidery business is a destination and a family-friendly environment in a mixed-use area.

Board questions for Applicant: Ms. Theuns asked Mr. Nolli if he owns Typsy Tiki and Crocadillo's, and if there is nightly entertainment at the Typsy Tiki. Ms. Davis asked what the additional space would be used for. Ms. Nolli said there is not a defined 800 foot area where they are supposed to corral their customers. They have picnic tables, ring toss, dog walkers and mango trees for picking fruit. He said there is no way to currently police the area where people congregate. Ms. Davis asked if the current rules allow him to make the best use of the property. Mr. Nolli said they do not. Ms. Theuns asked if he knew the rules of the property were known when the property was purchased. Mr. Nollis stated he was aware. Mr. Hayek asked if there had been any random checks with the city to see if he was in compliance with the new sound ordinance and if he had ever failed. Mr. Nolli said he has been told a couple of times to turn the music down, but it has not been an issue in many months.

Ms. Spivey stated she had to leave the meeting.

Ms. Hedges stated there are portions of the quasi -judicial hearing that have not been met, so a special hearing date will need to be set to continue the hearing.

The public hearing ended.

Motion was made by Minnie Spivey, and seconded by Betty Jo Starke to continue the hearing to the March 25, 2024, Historic Preservation Board meeting.

AYE: Anthony Westbury, KeAndrea Davis, Betty Jo Starke, Minnie Spivey

Other: Holly Theuns (ABSTAIN), Chairman Charlie Hayek (ABSTAIN)

Passed

6. NEW BUSINESS

- a. Administratively Approved Certificates of Appropriateness - January 2024

7. COMMENTS FROM THE PUBLIC

There were no comments from the public.

8. CONSIDERATION OF ABSENCES

Ms. Davis and Ms. Spivey left the meeting prior to the vote.

Motion was made by Holly Theuns, and seconded by Anthony Westbury to excuse the absence of Ms. Anicito.

AYE: Anthony Westbury, Betty Jo Starke, Holly Theuns, Chairman Charlie Hayek
Passed

9. ADJOURNMENT

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Thomas Holly</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Historic Preservation</i>
MAILING ADDRESS <i>414 N 2nd St</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY <i>Fort Pierce</i>	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
COUNTY <i>St Lucie</i>	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED <i>2/26/24</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

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

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

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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

* * * * *

ELECTED OFFICERS:

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

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

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

* * * * *

APPOINTED OFFICERS:

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

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

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

APPOINTED OFFICERS (continued)

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

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

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

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Holly Thruy, hereby disclose that on 2/26, 2024:

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

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

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

2/03/23 fee/Click/Fix was used to initiate complaint
286,012 F.S.
quasi judicial proceedings
abstained to ensure fair proceeding free from potential bias or prejudice

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

2/26/24

Date Filed

Signature

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

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

LAST NAME—FIRST NAME—MIDDLE NAME ADRIEK CHARLES CARL	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE HIST. PRESERVATION BOARD
MAILING ADDRESS 1111 FERNANDINO ST. ST. LUCIE	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY FORT PIERCE	COUNTY ST. LUCIE
DATE ON WHICH VOTE OCCURRED 2-26-24	NAME OF POLITICAL SUBDIVISION: FORT PIERCE
MY POSITION IS: <input type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

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

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

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

* * * * *

ELECTED OFFICERS:

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

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

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

* * * * *

APPOINTED OFFICERS:

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

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

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

APPOINTED OFFICERS (continued)

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

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

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

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, _____, hereby disclose that on _____, 20 ____ :

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

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

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

OWN Mortgage on property

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

2-26-24
Date Filed

[Signature]
Signature

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

Meeting Date: 03/25/2024

Information

REQUESTED ACTION

CONTINUED HEARING - Conditional Use Application - Expansion of the Existing Outdoor Entertainment Area - 411 N. 2nd Street

SUMMARY

The applicant, Jon Nolli, owner of Pierced Ciderworks, is requesting the review and approval of a Conditional Use to expand the existing outdoor entertainment area on a designated historic site at 411 N 2nd Street within Edgartown Settlement (ES) Zoning District. The proposed expansion requires a conditional use approval to deviate from City Code Section 125-197(j), which allows for a maximum 800 square feet exterior space whereas the proposed outdoor area will be approximately 5000 square feet.

Outdoor entertainment is also subject to [Chapter 125](#), Article IV, [Section 125-197](#)(p), with the exception that outdoor entertainment is not permitted after 9.00 p.m.

LOCATION

411 N 2nd Street. Parcel ID#: 2403-705-0119-000-4

RESPONSIBLE STAFF

Maria Lewicka, AICP, Historic Preservation Planner

RECOMMENDATION

The Historic Preservation Board after consideration of conditional use approval criteria may:

- Approve the request for the proposed conditional use.
- Approve the request with following conditions (Additional conditions may be requested by the HPB):
 1. All provisions of [chapter 26](#), article II of this Code, shall apply with the following exception: Between the hours of 7:00 a.m. and 11:00 p.m. each day, subject to the exemptions in [chapter 26](#), article II, [section 26-41](#), sound levels shall not exceed 55 dBA, 55 dBC, or 55 dBZ when measured from the property line of the nearest receiving single-family residential property.
 2. Additional landscape screening will be provided.
- Deny the request for the proposed conditional use.

Attachments

411 N. 2nd St. Staff Report

411 N. 2nd St. Application

Form Review

Form Started By: Maria Lewicka
Final Approval Date: 02/27/2024

Started On: 02/20/2024 11:48 AM



TO: Members of the City of Fort Pierce Historic Preservation Board

THROUGH: Kev Freeman, Planning Director

FROM: Maria Lewicka, AICP, Historic Preservation Planner

RE: **Application for Conditional Use with No New Construction
 Expanding Outdoor Usage of the Pierced Ciderworks**

DATE: February 15, 2024

STAFF REPORT

Property Owner The House that Cider Built LLC
 411 N 2nd Street
 Fort Pierce, FL 34950

Applicant Jon Nolli
 1207 Seaway Drive
 Fort Pierce, FL 34949

Applicant's Request: Approval of a Conditional Use Application (No New Construction), to expand the outside sitting, and entertaining area.

Site Location: 411 N 2nd Street

Parcel ID: 2403-705-0119-000-4

Current Zoning: ES, Edgartown Settlement Zoning District

Future Land Use: RM, Medium Density Residential

Site Size: 0.46 acres

Surrounding FLU

North	East	South	West
RM	RM	OP	GC

Surrounding Zoning

North	East	South	West
ES	ES/R5	ES	I-1

Request

The applicant, Jon Nolli, owner of Pierced Ciderworks, is requesting the review and approval of a Conditional Use to expand the existing outdoor entertainment area on a designated historic site at 411 N 2nd Street within Edgartown Settlement (ES) Zoning District. The proposed expansion requires a conditional use approval to deviate from City Code Section 125-197(j), which allows for a maximum 800 square feet exterior space whereas the proposed outdoor area will be approximately 5000 square feet.

Outdoor entertainment is also subject to [Chapter 125](#), Article IV, [Section 125-197](#)(p), with the exception that outdoor entertainment is not permitted after 9.00 p.m.

Background

The subject property is located in ES, Edgartown Settlement Zoning District at the southern entrance to the Edgartown Historic District. The Future Land Use of this property is RM, Medium Density Residential. The surrounding uses are residential, commercial, commercial parking lot and railroad.

The property comprises three (3) contributing structures, dating back to 1904. One of the buildings is in the rear of the property and the other two wood frame vernacular structures front North 2nd Street.

On September 28, 2021, the Historic Preservation Board approved Certificate of Appropriateness (COA) for the performance stage that has been installed in the rear of the property. The stage is an accessory structure to the “Pierced Ciderworks” establishment and is used for music concerts and special events.

On May 23, 2023, Code Enforcement initiated case #23-1493 CE against the property owner. It stated that Sec. 125-197 – Edgartown Settlement (ES) Zoning District was violated.

The case came before the Special Magistrate on November 15, 2023. It was found that House That Cider Built LLC is in violation of the Code of Ordinances and the following corrective actions are to be taken:

- Reduce the area utilized for exterior Restaurant/Pub use to 800 sq. ft. or
- Obtain a conditional use permit through Planning and Zoning to extend the area allowed to be utilized for exterior Restaurant/Pub use.



**AERIAL VIEW OF THE SUBJECT SITE
LOCATION OF THE EXPANDED ENTERTAINMENT AREA**



PERFORMANCE STAGE

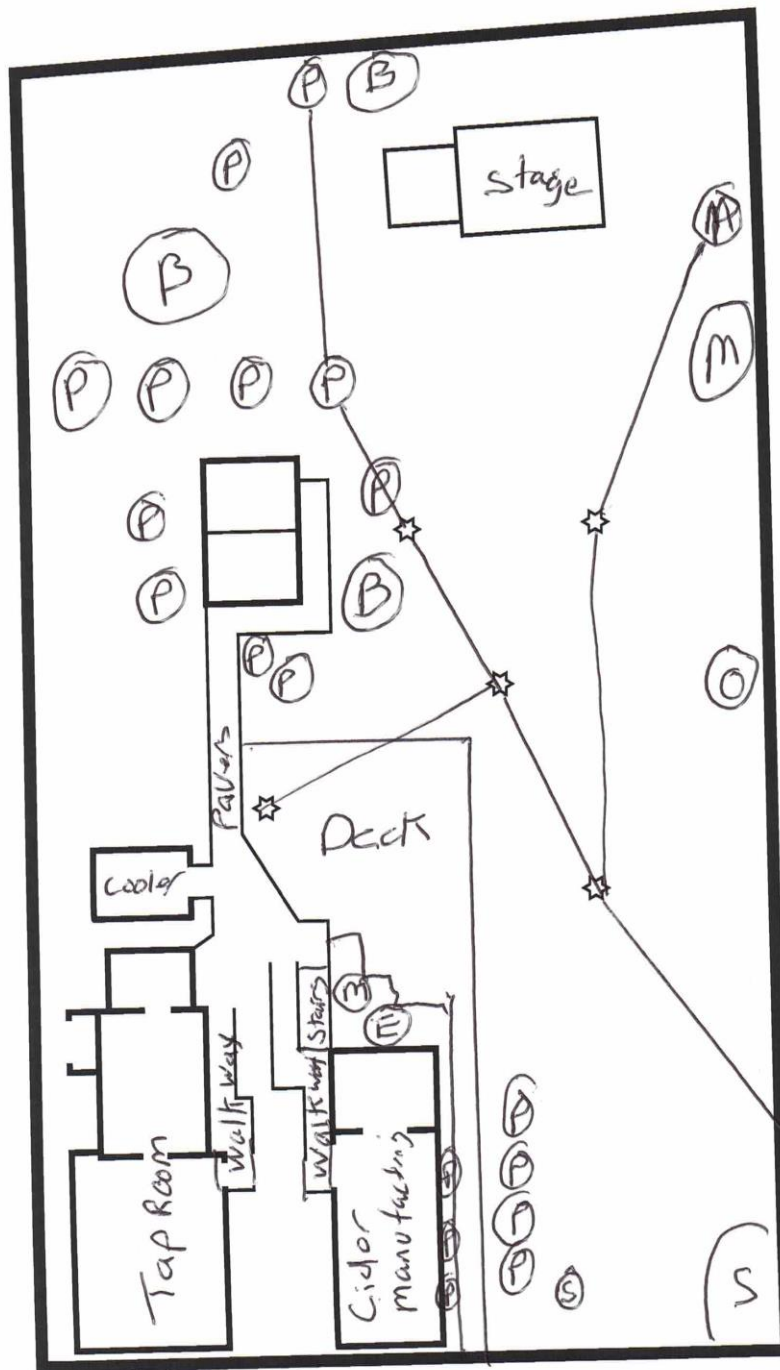
Applicant Statement

The outdoor entertainment area is to be determined as there are so many different functions of the land. In the rear, we have a large truck stage that we had gotten approved a couple years ago. There is also different areas where there is shade, along with areas that are not shaded. The area is one large area that is designed to give comfort and options for our patrons without being crowded. The parking is the only street parking for this facility. There is not a driveway. The paved walkways along with the wooden deck are included. There are many more small bushes and trees other than those noted. It is just very hard to convey this on a drawing.



THE EXPANDED ENTERTAINMENT AREA

- ★ = Electric Pole
- Ⓟ = Palm
- Ⓜ = Mango
- Ⓟ = Bamboo
- Ⓢ = Seagrape
- ⓔ = Eucalyptus



2nd Street

All parking is
Street Parking

SITE PLAN OF THE PROPERTY PROVIDED BY THE APPLICANT



THE EXPANDED ENTERTAINMENT AREA – EVENING PHOTOS PROVIDED BY THE APPLICANT

Conditional Use - Historic Preservation Board Approval

Adaptive re-use of a historic structure. Provides for a wider variety of allowed uses than those allowed in the existing zoning district for structures designated as contributing or individually designated historic structures on the city register of historic places. A proposed use not listed as permitted or conditional in the ES zoning district may be applied for through this adaptive re-use conditional use process.

The historic preservation board will act as the decision-making body for this conditional use based on the following criteria:

- a. *Architectural character.* The proposed use and any subject alterations shall maintain the architectural character of the historic property and modifications shall be governed by the Secretary of the Interior's Standards for the Treatment of Historic Properties.
- b. *Historic character.* The proposed use shall promote the preservation of the historic character of the historic district or, if the structure is individually designated, shall benefit the character of the surrounding neighborhood.
- c. *Comprehensive plan.* The proposed conditional use is consistent with the comprehensive plan.

d. *Concurrency.* The proposed conditional use will not cause the level of service of public facilities that are subject to concurrency requirements to drop below levels of service established by the comprehensive plan.

e. *Compatibility.* The proposed conditional use at the proposed location will not result in adverse impacts to adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare, either as they now exist or as they may exist in the future.

f. *Impact.* Existing regulations are in place to mitigate potential adverse impacts of the proposed conditional use, or reasonable conditions can be imposed and enforced to mitigate potential adverse impacts.

Staff Recommendation

The proposed expansion of the existing outdoor entertainment area is generally consistent with the City's Land Development Code and Comprehensive Plan with appropriate restrictions. Therefore, the Historic Preservation Board after consideration of conditional use approval criteria may:

- Approve the request for the proposed conditional use.
- Approve the request with following conditions (Additional conditions may be requested by the HPB):
 1. All provisions of [chapter 26](#), article II of this Code, shall apply with the following exception: Between the hours of 7:00 a.m. and 11:00 p.m. each day, subject to the exemptions in [chapter 26](#), article II, [section 26-41](#), sound levels shall not exceed 55 dBA, 55 dBC, or 55 dBZ when measured from the property line of the nearest receiving single-family residential property.
 2. Additional landscape screening will be provided.
- Deny the request for the proposed conditional use.

It is up to the Historic Preservation Board to decide if conditional use is granted to the applicant/owner, or to the location/parcel.

- If granted to the applicant/owner, it would expire with the property's sale.
- If granted to the location/parcel, conditional use could be transferred to subsequent property owner(s).



THE ENTRANCES TO THE EXPANDED ENTERTAINMENT AREA



RECEIVED

FEB 05 2024

CONDITIONAL USE - NO NEW CONSTRUCTION

CITY OF FORT PIERCE
PLANNING & ZONING

Property Information

Property address or Location

411 N 2nd St Fort Pierce, FL 34950

Parcel ID #(s)

2403-705-0119-000-4

Project description

Change of ~~Use~~ Expanding outdoor Use

Site Information

Building Size: 2400 sq ft+ Parking Spaces: Street

The House That Cider Built LLC Jon Nalli Owner

Property Owner(s)

411 N 2nd St

Street Address

Fort Pierce FL 34950

City

State

Zip

561-758-6457

Phone Number

jon@piercedcider.com

Email Address

Applicant/Representative, Title, Company

1207 Seaway Pl

Street Address

Fort Pierce, FL 34949

City

State

Zip

561-758-6457

Phone Number

jon@piercedcider.com

Email Address

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 Planning staff for purposes of consideration of this Application and/or presentation to the Planning Board and City Commission.

Property Owner(s) Signature(s)

APPOINTMENTS ARE REQUIRED FOR APPLICATION SUBMITTALS

CALL 772.467.3737 OR E-MAIL PLANNING DL@CITYOFFORTPIERCE.COM

For more information, please refer to the website:

<https://www.cityoffortpierce.com/971/Application-Submittal-for-Technical-Rev>

Maria Lewicka

From: jon noll jon@piercedcider.com
Sent: Sunday, December 31, 2023 7:06 PM
To: Maria Lewicka
Subject: Re: conditional use
Attachments: Image (188).jpg

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. .

I didn't see this email until a little bit ago. Attached is the site plan to scale. The outdoor entertainment area is to be determined as there are so many different functions of the land. In the rear, we have a large truck stage that we had gotten approved a couple years ago. There is also different areas where there is shade, along with areas that are not shaded. The area is one large area that is designed to give comfort and options for our patrons without being crowded. The parking is only street parking for this facility. There is not a driveway. The paved walkways along with the wooden deck are included. There are many more small bushes and trees other than those noted. It is just very hard to convey this on a drawing.

On 12/19/2023 1:03 PM, Maria Lewicka wrote:

Good afternoon,

Thank you,

I received your conditional use application. However, the application is not complete without site plan, to scale, showing the outdoor entertainment area, parking, driveways, walkways, and landscaping.

Thank you,

Maria

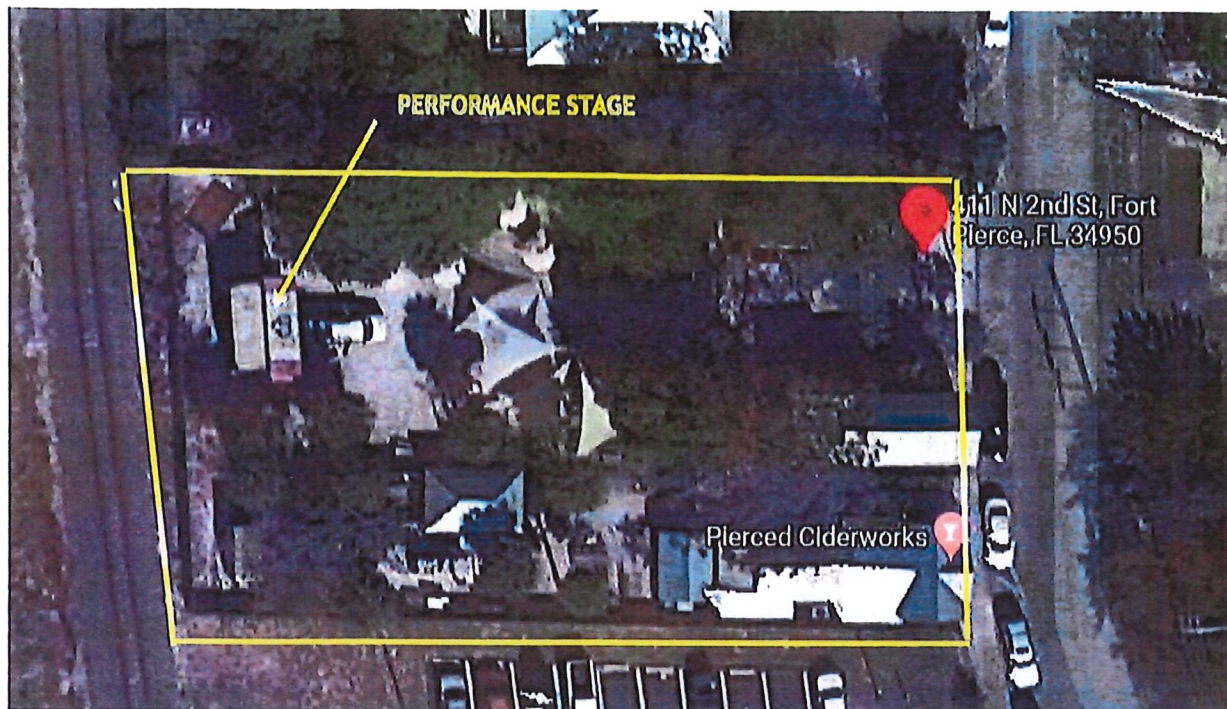
Maria Lewicka, AICP | Historic Preservation Planner | City of Fort Pierce
Planning Department

From: jon@piercedcider.com <jon@piercedcider.com>
Sent: Tuesday, December 19, 2023 7:17 AM
To: Maria Lewicka <mlewicka@cityoffortpierce.com>; Planning Department <planning@cityoffortpierce.com>
Subject: conditional use

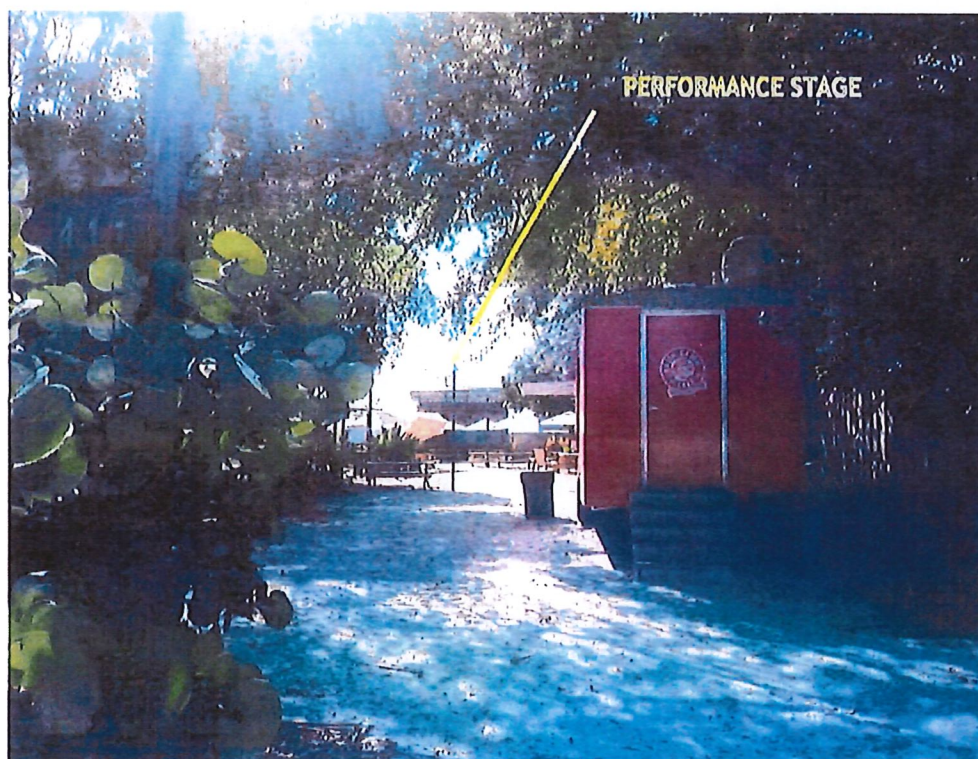
SECURITY WARNING: This email originated outside of the City of Fort Pierce systems. Please use caution when clicking links or opening attachments. For questions or concerns please contact IT immediately. .

Begin forwarded message:

From: Jon <jon@piercedcider.com>
Date: December 18, 2023 at 8:01:44 PM EST

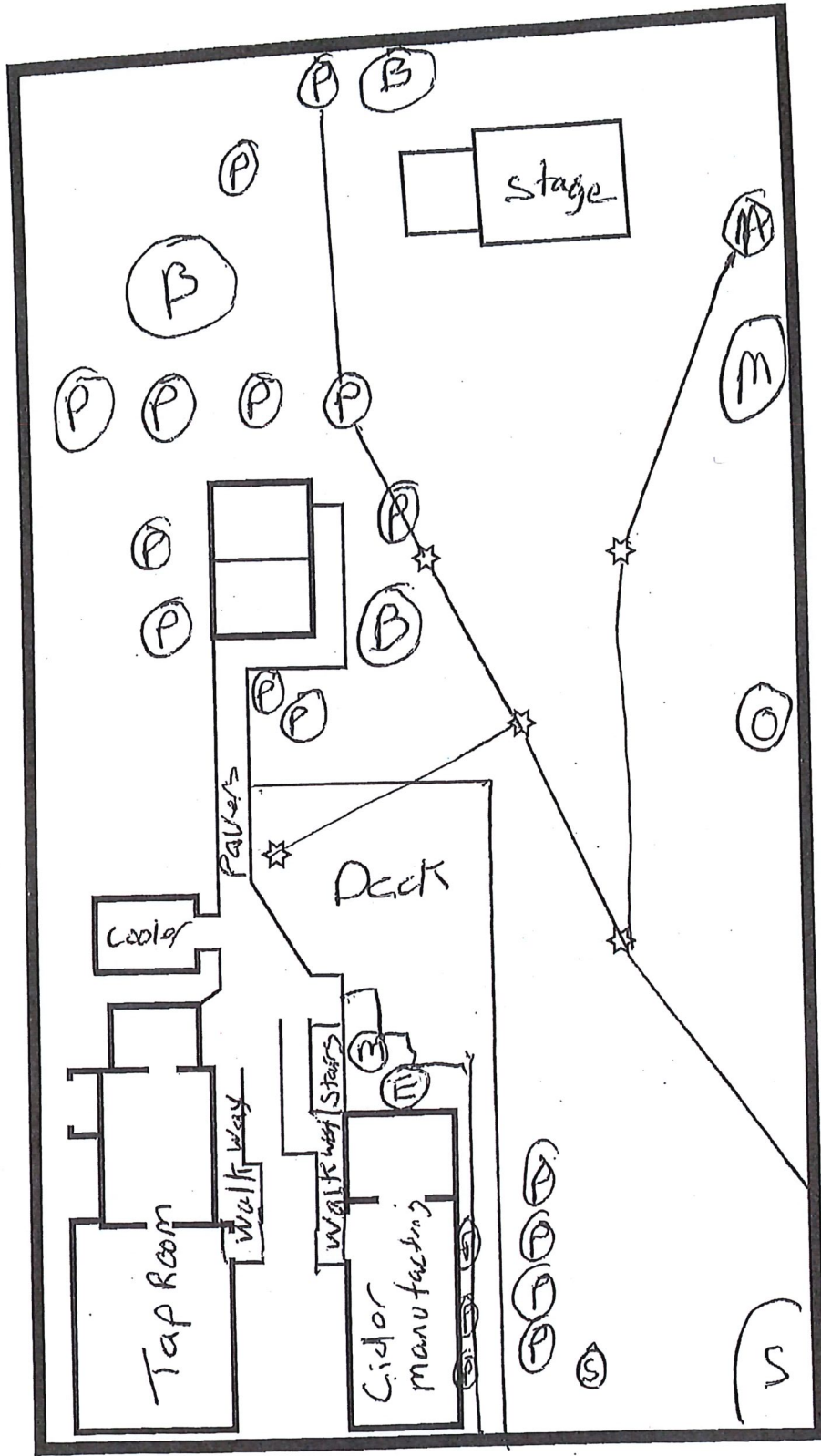


Subject property - aerial photo



View from the street

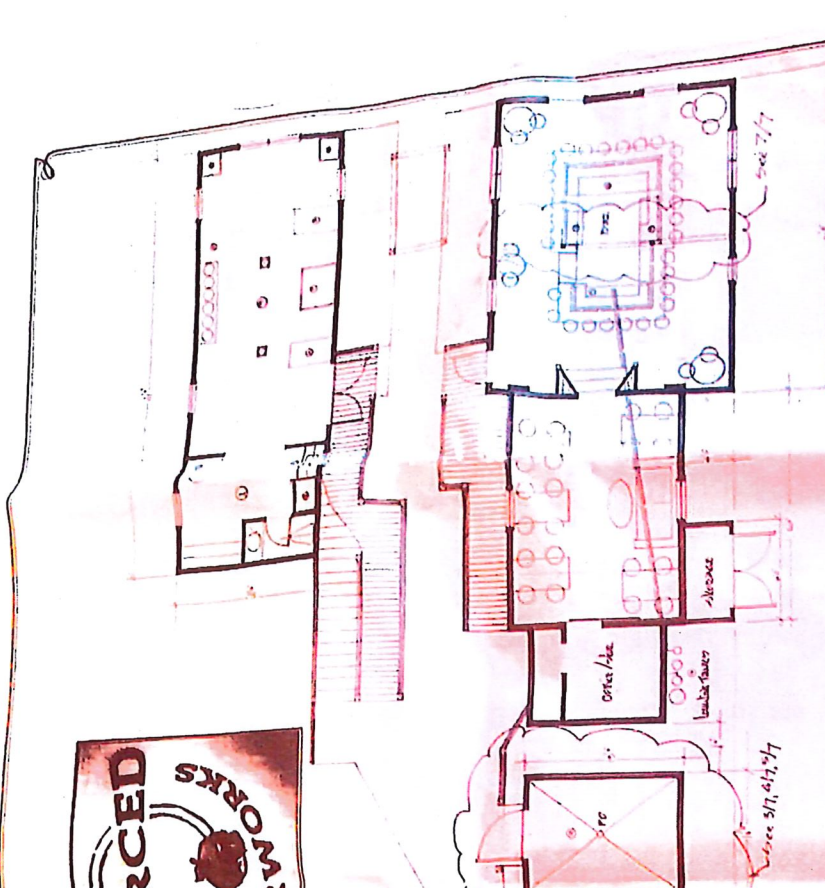
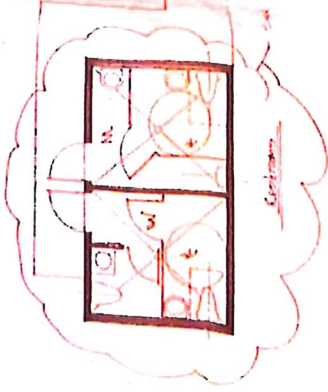
- ★ = Electric pole
- Ⓜ = Palm
- Ⓜ = Mango
- Ⓟ = Bamboo
- Ⓢ = Seagrass
- ⓔ = Eucalyptus



2nd Street: All parkings is Street Parking



LABORATIONS
 CIDER 595 SQ. FT.
 SERVICE/PATRON AREA 970 SQ. FT.
 OFFICE 92 SQ. FT.
 RESTROOMS 240 SQ. FT.
 STORAGE AREA 322 SQ. FT.
 TOTAL AREA 1929 SQ. FT.



411
 -4077409 NORTH SECOND STREET
 FORT PIERCE, FLORIDA
 34950

SCALE IS 1/4"=1'0"

PLAN PREPARED BY:
 CLEVELAND DESIGN GROUP INC.
 100 AVENUE A, SUITE 2E
 FORT PIERCE, FLORIDA
 34950
 772-464-2010, VIDARD12@YAHOO.COM

08/01/2017
 VT

- | | |
|-----|--------------------|
| 1. | LABORATORY |
| 2. | DESK |
| 3. | REFRIGERATOR |
| 4. | SINK |
| 5. | CIDERY |
| 6. | COOLER |
| 7. | PLASTIC TOTE |
| 8. | WASH STATION |
| 9. | WATER FILTER |
| 10. | RACK WITH CARBOYS |
| 11. | SHELF |
| 12. | HAND WASH SINK |
| 13. | COOLER |
| 14. | 3-COMPARTMENT SINK |
| 15. | WALKIN' COOLER |
| 16. | LONGLINE TANKS |
| FD | = FLOOR DRAINS |

Architectonic Inc
 10000 N. ...
 ...
 ...

PROJECT: ...
 STAGE ...
 FT. ...

...
 ...
 ...

NO.	DATE	DESCRIPTION
1
2
3

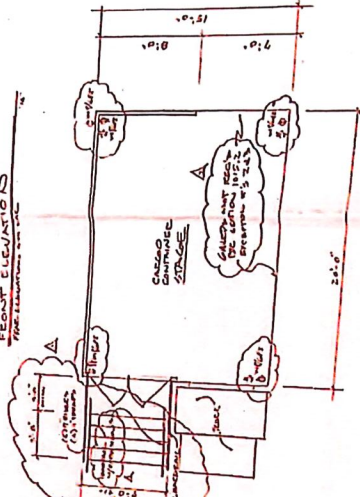
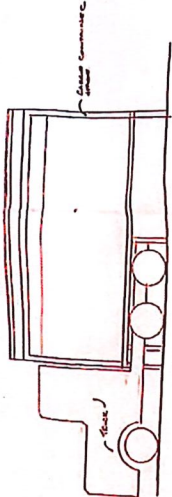
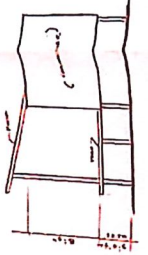
ONE OF 1

REVISIONS

PROJECT NUMBER: ...
 DATE: ...

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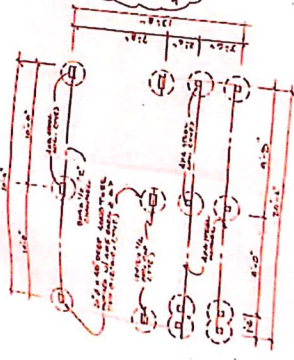
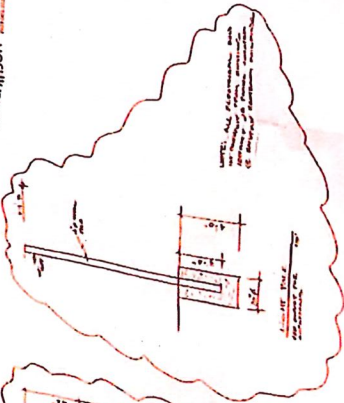


FLOOR PLAN

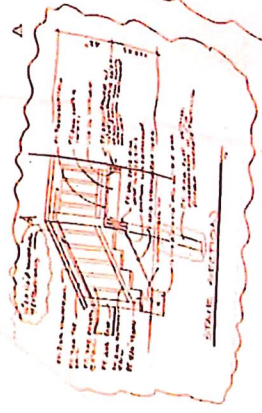
AS-BUILT

...
 ...

Bowdoin
 Grey
 Hutchinson



FOUNDATIONS PLAN



SECTION

DocuSign Envelope ID: AD5301E7-157A-439C-B978-49D81A898B8B

LEGAL DESCRIPTION:

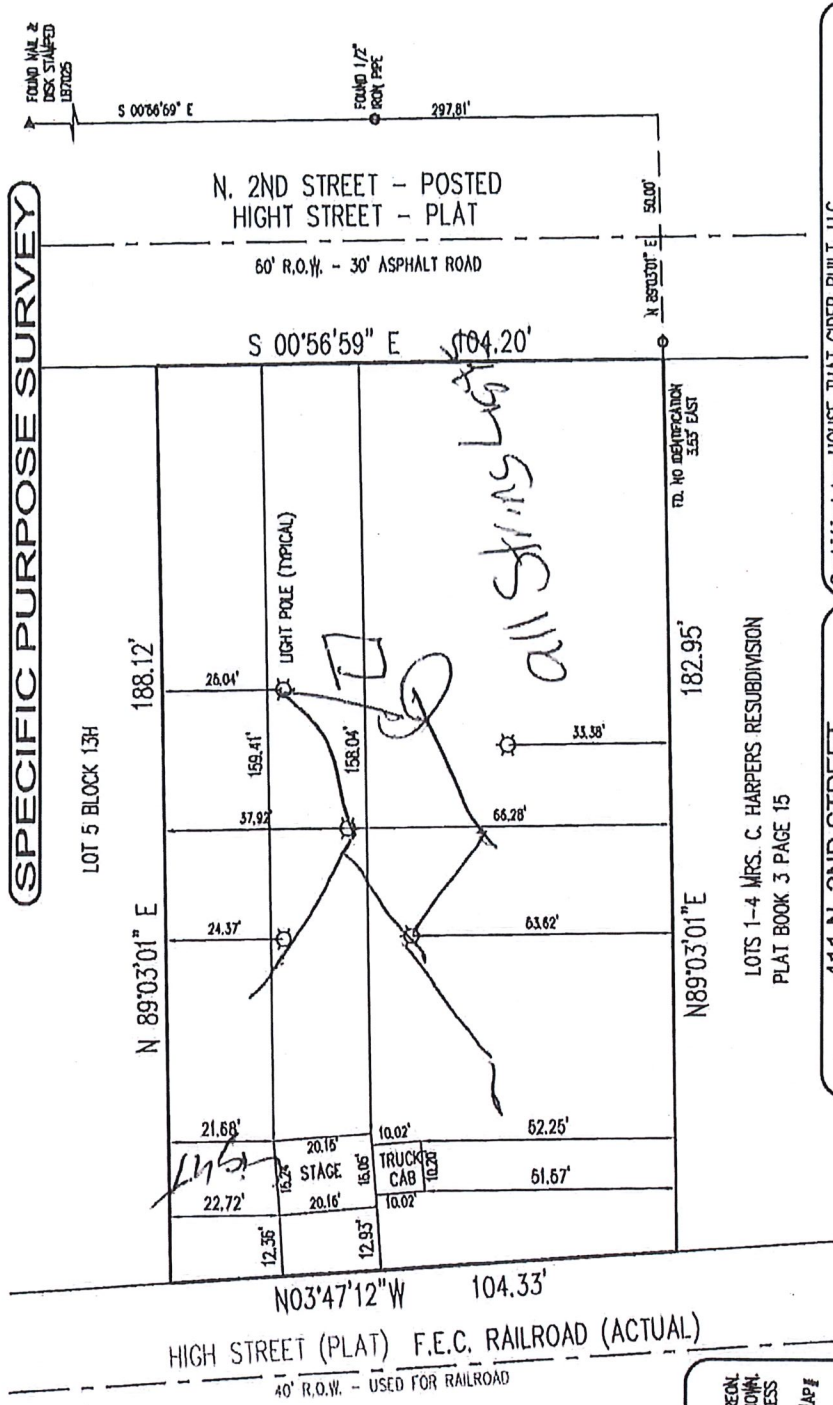
(Supplied by Client)
 LOT 6 IN BLOCK 13H OF ASSessor's MAP OF NORTH PART OF FORT PIERCE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 164, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

ABBREVIATIONS:

SET = SET 5/8" IRON REBAR WITH YELLOW CAP MARKED "PSM5543"
 FD = FOUND 5/8 IRON REBAR
 RW = RIGHT OF WAY
 (M) = MEASURED
 (C) = CALCULATED
 R = RADIUS OF CURVE
 L = LENGTH OF CURVE
 D = DELTA OF CURVE
 FFE = FINISHED FLOOR ELEVATION
 OH-OH-OH = OVERHEAD WIRES
 X-X-X = CHAINLINK FENCE
 D-D-D = PLASTIC FENCE
 O-O-O = WOOD FENCE
 CONC. = CONCRETE
 C.P. = CONCRETE PAD
 Cov. = COVERED
 ☉ LIGHTPOLE



SPECIFIC PURPOSE SURVEY



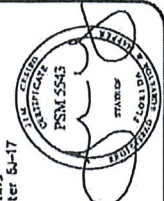
Certified to: HOUSE THAT CIDER BUILT, LLC

411 N. 2ND STREET
Atlantic Land Designs
 of the Treasure Coast, LB7488
 764 NE Jensen Beach Blvd., Jensen Beach, FL 34957
 Mailing Address:
 P.O. Box 1421 Jensen Beach, FL 34958
 ALD5543@gmail.com (772) 398-4290

SCALE: 1"=30'
 DATE: 1/20/22
 DRAWN: SWA/JC
 2022-0004
 DATE: _____
 REVISIONS _____
 LAST FIELD DATE: 1/10/22

I hereby certify that the survey shown herein is true and correct and is based on actual measurements taken in the field. This survey is in compliance with Standards and Practices Chapter 64-17 Florida administrative code section 472.027.

DocuSigned by:
James Cosiro
 A133624849F02E1



NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL

SURVEYORS NOTES:

- UNLESS OTHERWISE NOTED ONLY PLATTED EASEMENTS ARE SHOWN HEREON.
- ALL LOT DIMENSIONS SHOWN ARE PER PLAT UNLESS OTHERWISE SHOWN OTHERWISE SHOWN.
- NO UNDERGROUND UTILITIES OR IMPROVEMENTS WERE LOCATED UNLESS OTHERWISE SHOWN.
- THIS SITE LIES WITHIN FLOOD INSURANCE RATE MAP ZONE X MAP # 12111C0179 K DATED: 2-19-20
- FLOOD ZONE SHOWN HEREON IS AN INTERPRETATION BY THE SURVEYOR AND IS PROVIDED AS A COURTESY. THE FLOOD ZONE SHOULD BE VERIFIED BY A DETERMINATION AGENCY.
- BEARINGS SHOWN HEREON ARE BASED ON THE CENTER LINE OF SUBJECT PARCEL AS BEING S00°56'59"E AND IS ASSUMED FOR COMPUTATIONAL PURPOSES.
- P.U.D.E. DENOTES PUBLIC UTILITIES AND DRAINAGE EASEMENT. U.E. DENOTES UTILITY EASEMENT.
- THE SPECIFIC PURPOSE OF THIS SURVEY IS TO SHOW THE LOCATION OF THE STAGGE AND LIGHT POLES IN REALATIONSHIP TO THE PROPERTY LINES.
- ADDITIONS OR DELETIONS TO THIS SURVEY MAP BY ANYONE OTHER THAN THE SIGNING SURVEYOR IS PROHIBITED WITHOUT WRITTEN CONSENT.



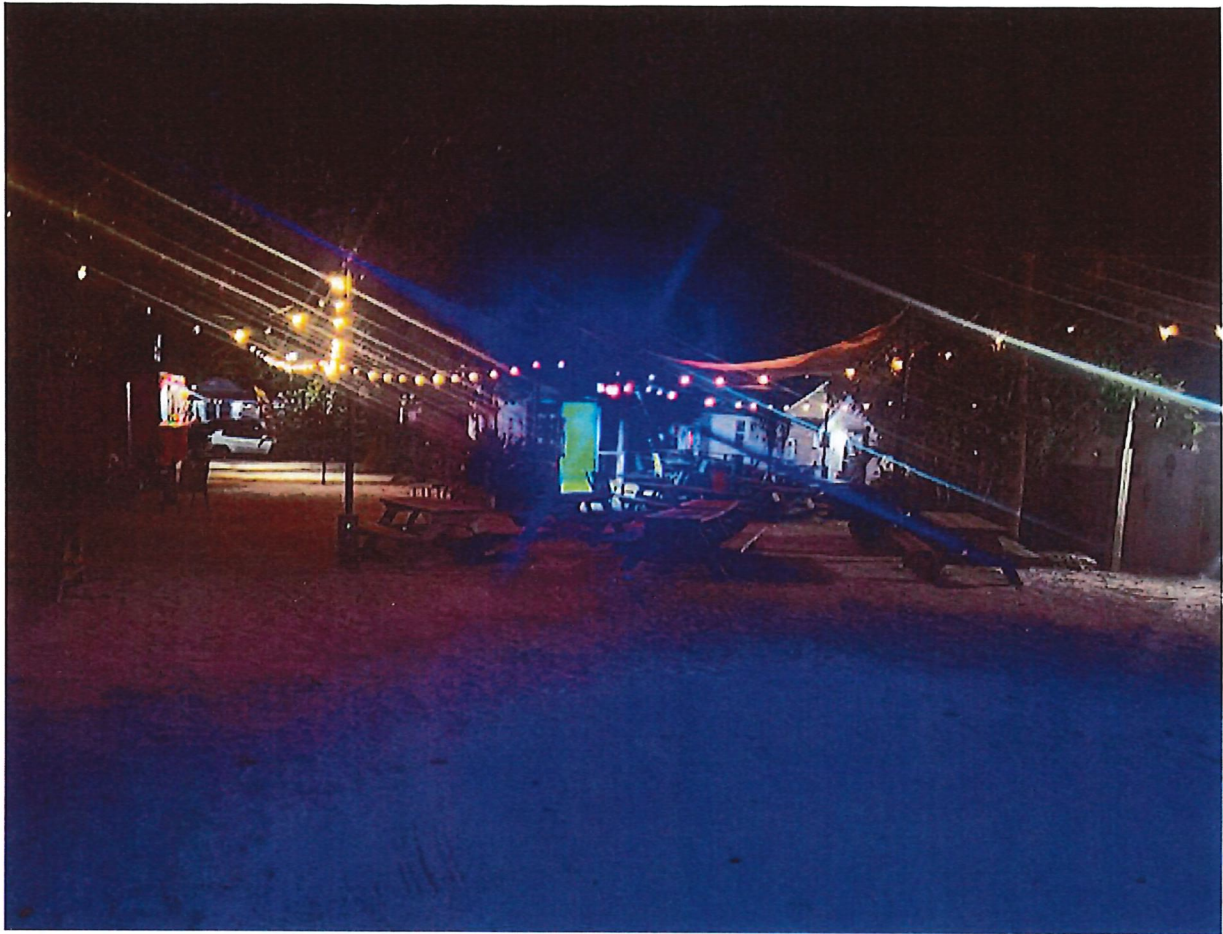












Property Identification

Site Address: 411 N 2ND ST
 Sec/Town/Range: 10/35S/40E
 Parcel ID: 2403-705-0119-000-4
 Jurisdiction: Fort Pierce

Use Type: 3300
 Account #: 16024
 Map ID: 24/10N
 Zoning: Edgartown

Ownership

HOUSE THAT CIDER BUILT LLC
 527 Indigo AVE
 Wellington, FL 33414-8158

Legal Description

ASSESSOR'S MAP OF N PART OF FORT PIERCE BLK 13-H- LOT 6 (0.46 AC- 20,020 SF) (OR 4013-1116)

Current Values

Just/Market Value: \$432,900
 Assessed Value: \$297,902
 Exemptions: \$0
 Taxable Value: \$297,902



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.

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

Total Areas

Finished/Under Air (SF): 2,352
 Gross Sketched Area (SF): 3,500
 Land Size (acres): 0.46
 Land Size (SF): 20,020

Building Design Wind Speed

Occupancy Category	I	II	III
Speed	140	160	160

Sources/links:

Sale History

Date	Book/Page	Sale Code	Deed	Grantor	Price
Jun 14, 2017	4013 / 1116	0002	WD	411 North 2nd St LLC	\$350,000
Mar 24, 2015	3731 / 0370	0130	WD	Hayek Charles	\$100
Jan 22, 2013	3484 / 0675	0316	SPWD	Hayek Charles	\$10,000
Aug 28, 2009	3125 / 1254	0205	WD	Adria Homes	\$190,000
Aug 17, 2009	3122 / 0326	0115	PB	Adria Homes	\$0
Nov 24, 2008	3037 / 2625	XX01	FJ	Adria Homes	\$0
Mar 23, 1992	0781 / 2503	XX01	QC	Lino Chermaz	\$100
Nov 7, 1991	0762 / 2153	XX01	DEED	Brian Glynn	\$2,100
Apr 1, 1985	0462 / 0244	XX00	CV		\$7,500
Feb 1, 1985	0455 / 0834	XX01	CV		\$0
Mar 1, 1983	0395 / 0365	XX01	CV		\$0

Building Information (1 of 3)

Finished Area: 936 SF

Gross Sketched Area: 1,060 SF

Exterior Data

View:
 Building Type: REST
 Grade: Y_D
 Story Height: 1 Story

Roof Cover: Metal
 Year Built: 1901
 Effective Year: 2010
 No. Units: 1

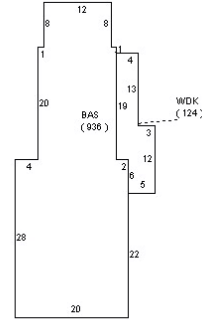
Roof Structure: Gable
 Frame:
 Primary Wall: Hardwood Lap
 Secondary Wall:

Interior Data

Bedrooms: 0
 Full Baths: 0
 Half Baths: 0
 A/C %: 100%

Electric: AVERAGE
 Heat Type: FrcdHotAir
 Heat Fuel: ELEC
 Heated %: 100%

Primary Int Wall:
 Avg Hgt/Floor: 0
 Primary Floors: Tile-Ceramic
 Sprinkled %: 0%



Sketch Area Legend

Sub Area	Description	Area	Fin. Area	Perimeter
BAS	BASE AREA	936	936	152
WDK	WOOD DECK	124	0	64

Building Information (2 of 3)

Finished Area: 1,176 SF

Gross Sketched Area: 2,200 SF

Exterior Data

View:
 Building Type: REST
 Grade: Y_D
 Story Height: 2 Story

Roof Cover: Metal
 Year Built: 1916
 Effective Year: 2010
 No. Units: 2

Roof Structure: Gable
 Frame:
 Primary Wall: Hardwood Lap
 Secondary Wall:

Interior Data

Bedrooms: 0
 Full Baths: 0
 Half Baths: 0
 A/C %: 100%

Electric: AVERAGE
 Heat Type: FredHotAir
 Heat Fuel: ELEC
 Heated %: 100%

Primary Int Wall:
 Avg Hgt/Floor: 0
 Primary Floors: CONC GRD
 Sprinkled %: 0%





Sketch Area Legend

Sub Area	Description	Area	Fin. Area	Perimeter
BAS	BASE AREA	588	588	112
IOFA	INTERIOR OFFICE AVERAGE QUALITY	588	588	112
WDK	WOOD DECK	1024	0	189

Building Information (3 of 3)

Finished Area: 240 SF

Gross Sketched Area: 240 SF

Exterior Data

View:
 Building Type: REST
 Grade: Y_D
 Story Height: 1 Story

Roof Cover: Metal
 Year Built: 1937
 Effective Year: 2010
 No. Units: 1

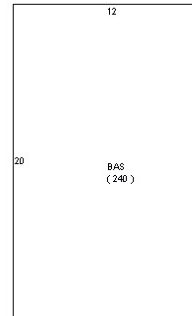
Roof Structure: Hip
 Frame:
 Primary Wall: CB Stucco
 Secondary Wall:

Interior Data

Bedrooms: 0
 Full Baths: 0
 Half Baths: 0
 A/C %: 0%

Electric: AVERAGE
 Heat Type:
 Heat Fuel:
 Heated %: 0%

Primary Int Wall:
 Avg Hgt/Floor: 0
 Primary Floors: Tile-Ceramic
 Sprinkled %: 0%



Sketch Area Legend

Sub Area	Description	Area	Fin. Area	Perimeter
BAS	BASE AREA	240	240	64

Special Features and Yard Items


Type	Qty	Units	Year Blt
Fen WoodSB 6'	1	32	2010
CONCRETE LOW	1	918	2011

Current Year Values

Current Values Breakdown		Current Year Exemption Value Breakdown	
Building:	\$294,800		
Land:	\$138,100		
Just/Market:	\$432,900		
Ag Credit:	\$0		
Save Our Homes or 10% Cap:	\$134,998		
Assessed:	\$297,902		
Exemption(s):	\$0		
Taxable:	\$297,902		

Current Year Special Assessment Breakdown

Start Year	AssessCode	Units	Description	Amount
2014	0041	1.5	Fort Pierce Stormwater Charge	\$103.50

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
2023	\$432,900	\$297,902	\$0	\$297,902
2022	\$399,600	\$270,820	\$0	\$270,820
2021	\$246,200	\$246,200	\$0	\$246,200
2020	\$246,700	\$246,700	\$0	\$246,700

Permits

Number	Issue Date	Description	Amount	Fee
SHTR2003-1	Jan 16, 2003	Additions to existing construction	\$184,509	\$2,170
BP10-0269	Apr 26, 2010	Alterations/Remodeling	\$35,000	\$460
BP10-0275	Apr 26, 2010	Alterations/Remodeling	\$40,000	\$412
BP09-2094	Oct 23, 2009	Alterations/Remodeling	\$0	\$150
BP09-1567	Oct 5, 2009	Demolition	\$0	\$130
BP11-3010	Jan 5, 2012	Electric	\$99	\$75
BP13-1073	Mar 8, 2013	Electric	\$500	\$155
BP13-1906	Aug 20, 2013	Fence	\$1,000	\$83
BP13-3003	Mar 18, 2014	Occupancy Change	\$0	\$0
BP16-1054	Apr 21, 2016	Fence	\$2,000	\$0
BP17-2145	Aug 3, 2017	Demolition	\$1,000	\$0
BP17-2146	Aug 3, 2017	Demolition	\$1,000	\$0
BP22-1970	Oct 7, 2022		\$2,500	\$0
BP23-0456	Feb 15, 2023	Air Conditioning Only	\$7,000	\$0

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



THE SUNRISE CITY

FORT PIERCE

PLANNING DEPARTMENT

Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: Conditional Use – Expanding the Existing Outdoor Entertainment Area – 411 N 2nd Street.

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

NOTICE BY NEWSPAPER: February 9, 2024, Conditional Use

NOTICE BY MAIL: February 14, 2023

NOTICE BY SIGNS: February 8, 2023

VERIFIED BY: Maria Lewicka

TITLE: Historic Preservation Planner

SIGNATURE:

DATE: 02/14/2024



February 14, 2024

Dear Property Owner(s):

This letter concerns the Conditional Use Application to expand the existing outdoor entertainment area on a designated historic site at 411 N 2nd Street within Edgartown Settlement (ES) Zoning District.

The Parcel ID is 2403-705-0119-000-4. The legal description of the property is: ASSESSOR'S MAP OF N PART OF FORT PIERCE BLK 13-H- LOT 6 (0.46 AC- 20,020 SF) (OR 4013-1116)

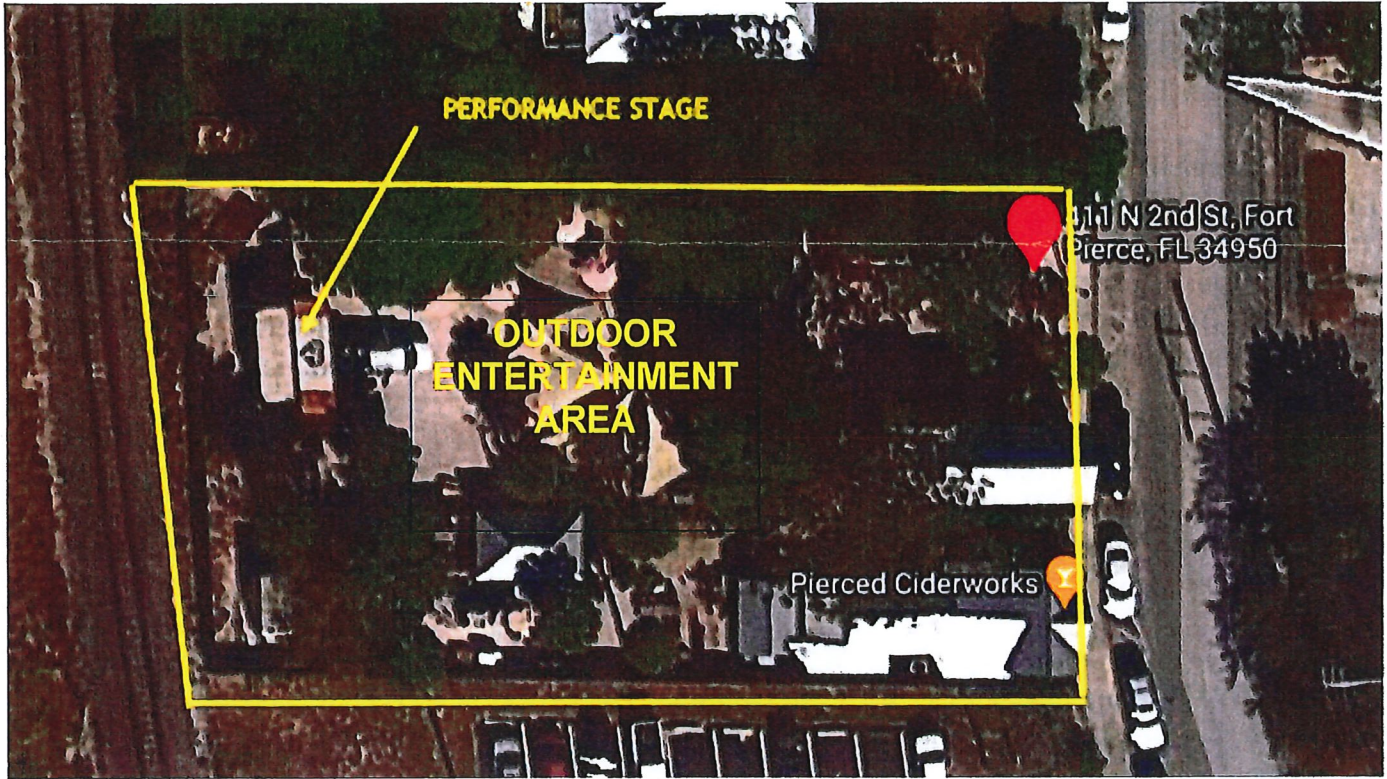
The proposed expansion requires a conditional use approval to deviate from City Code Section 125-197(j), which allows for a maximum 800 square feet exterior space whereas the proposed outdoor area will be approximately 5000 square feet.

There will be a public hearing to consider approval of this conditional use before the Historic Preservation Board of the City of Fort Pierce, Florida, at their meeting beginning at 2:00 p.m. on Monday, February 26, 2024, in the City Commission Chambers, City Hall, 100 North U.S. Highway #1, Fort Pierce, Florida. You are encouraged to attend this public hearing and to speak in favor of, or in opposition to, the requested conditional use.

If you have any inquiries, or would like to review the complete application, please contact me at (772) 467-3738 or mlewicka@cityoffortpierce.com Furthermore, published agenda packets for Historic Preservation Board meetings are provided a few days in advance at the following web address:
<http://cityoffortpierce.com/223/Agendas-Minutes>.

Thank you for your participation.
Sincerely,

Maria Lewicka, AICP
Historic Preservation Planner



**AERIAL VIEW OF THE SUBJECT SITE
LOCATION OF THE EXPANDED ENTERTAINMENT AREA**



Historic Preservation Board

6. a.

Meeting Date: 03/25/2024

Information

REQUESTED ACTION

Administratively Approved Certificates of Appropriateness - January 2024

SUMMARY

Certificates of Appropriateness issued administratively in January 2024.

- COA #24-07, 725 S Indian River Drive – Windows
- COA #24-08, 308 S 8th Street – Windows
- COA #34-09, 736 Delaware Avenue - Sign

LOCATION

Various

RESPONSIBLE STAFF

Maria Lewicka, AICP, Historic Preservation Planner

RECOMMENDATION

Approval

Attachments

Administrative COA Approvals, February 2024

Form Review

Form Started By: Maria Lewicka
Final Approval Date: 03/12/2024

Started On: 03/11/2024 12:43 PM

Administrative Certificates of Appropriateness

Attached is Certificates of Appropriateness issued administratively in February 2024.

- COA #24-07, 725 S Indian River Drive – Windows
- COA #24-08, 308 S 8th Street – Windows
- COA #34-09, 736 Delaware Avenue - Sign



CERTIFICATE OF APPROPRIATENESS
 TO ALTER A DESIGNATED HISTORIC SITE

COA#24-07 HISTORIC PRESERVATION BOARD APPROVAL

ADMINISTRATIVE APPROVAL

Site address: 725 S Indian River Drive

Contributing

Non-Contributing

Individually Designated

SITE ALTERATIONS:

Request	Conditions	Applicable Standards
Remove 9 existing windows and install new impact windows, using like sizes. 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

2/16/2024

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	Steven E Haines 725 S Indian River Drive Fort Pierce, FL 32950	E-Mail stephenehaines@gmail.com
Applicant	Kamrell Windows & Doors/ Bruce M, Tyrrell Jr. 8200 SW Lost River Road Stuart, FL 34997	E-Mail sue@kamrell.com

Bldg. Permit # _____

COA# 24-07



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: 725 S INDIAN RIVER DR
Parcel ID #: 2410-805-0014-030-6
Type of Designation: Contributing Non-contributing Site within the _____ Historic District
 Individually Designated Site, City Commission Resolution No. _____

Property Owner / Applicant Information

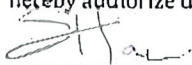
Property Owner(s)
Name(s): Steven E Haines
Mailing Address: 725 S Indian River DR Fort Pierce, FL 34950
Phone Number(s): 772-370-7865 Email: Stephenehaines@gmail.com

Applicant
Name(s): Kamrell Windows & Doors/ Bruce M, Tyrrell Jr.
Mailing Address: 8200 SW Lost River Rd Stuart, FL 34997
Phone Number(s): 772-288-6205 Email: sue@kamrell.com

Representative
Name(s): Sue Goddard
Mailing Address: 8200 SW Lost River Rd Stuart FL 34997
Phone Number(s): 772-288-6205 Email: sue@kamrell.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, Steven Haines as Owner(s) of the subject property do hereby authorize the filing of this application on my/our behalf.


Signature of Owner

01.24.2024
Date

Description of Requested Work

Please indicate the type of work requested:

- | | | | |
|---|---|-------------------------------------|-------------------------------------|
| <input type="checkbox"/> Fence | <input type="checkbox"/> Shed | <input type="checkbox"/> Door(s) | <input type="checkbox"/> Roof |
| <input type="checkbox"/> Window(s) | <input type="checkbox"/> Signage | <input type="checkbox"/> Shutter(s) | <input type="checkbox"/> Porch |
| <input type="checkbox"/> Rehabilitation | <input type="checkbox"/> New Construction | <input type="checkbox"/> Demolition | <input type="checkbox"/> Relocation |

Site Improvements (describe) Replace 9 windows with impact. Using like sizes.

Other (describe) _____

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

Replace 9 windows with impact. Using like sizes. Frames to be White glass to be clear .

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

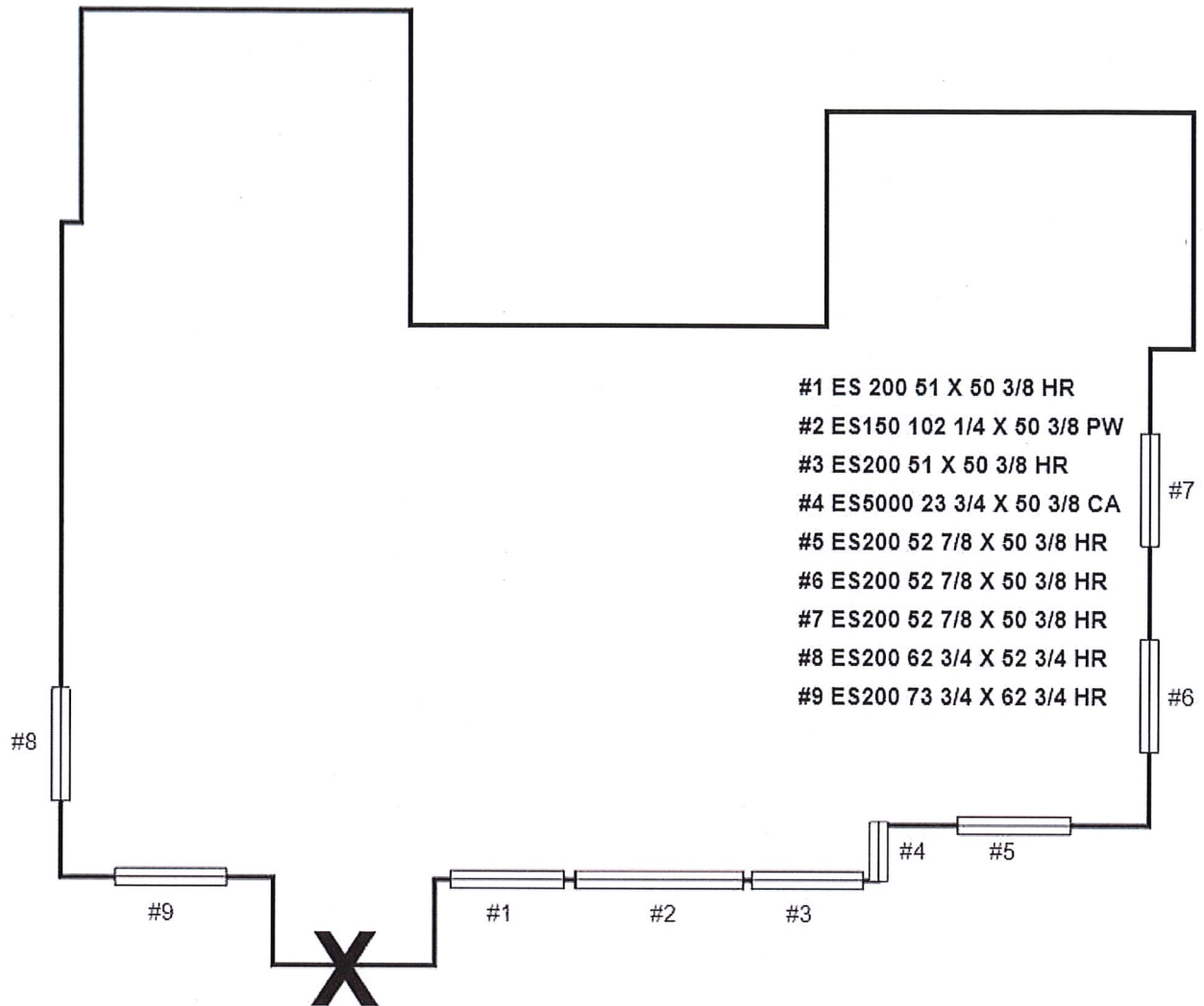
Will the proposed work require a Zoning Variance? No Yes, Code Section(s): _____

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.

Haines - 725 South Indian River Drive, Fort Pierce FL

EXPOSURE D - RF HGT 15' - ZONE 4















PROPOSAL NUMBER

531135

PROPOSAL NAME

Steven Haines | FP | Justin

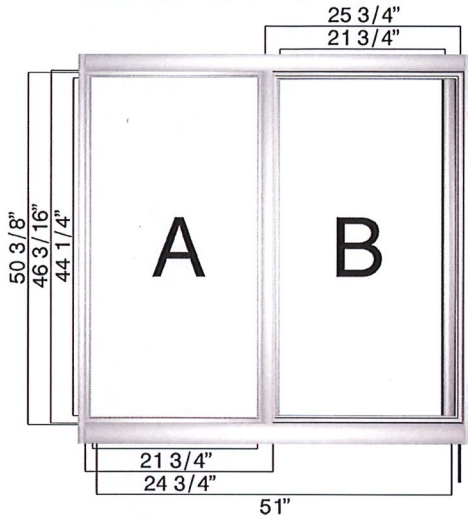
EXTERNAL PURCHASE ORDER ID

1023350

QUOTE ITEMS

LINE NUM	LINE NAME	ASSEMBLY SYSTEM	ASSEMBLY	TOTAL QUANTITY
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1	#1	ES-EL200 - HORIZONTAL ROLLER	OX	1
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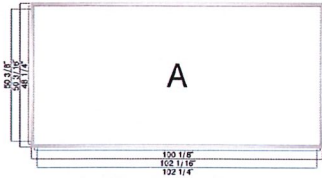


SIZE 51" X 50 3/8"
AREA 17.84 FT²
FINISH AAMA 2604 WHITE
GLASS 1/4" CLEAR HS N70/38 + 0.09 PVB CLEAR + 1/8" CLEAR HS
SCREEN YES
MUNTINS NO
SILL TYPE STANDARD
FRAME TYPE FLANGE
OPENING 4" NO
PANEL TYPE EQUAL
MEETING RAIL STANDARD WITH ALUMINUM REINFORCEMENT
PROTECTIVE FILM BOTH
LOCKING MECHANISM SWEEP LOCK MULTIMAX (2530)
PRE-GLAZED? YES

FBC CERTIFICATION
 INTERNAL PSF 80.00
 EXTERNAL PSF 75.00
CODE FL 21557.1

NOA CERTIFICATION
 INTERNAL PSF 90.00
 EXTERNAL PSF 80.00
CODE 21-0608.03

2	#2	ES-EL150 - FIXED WINDOW	O	1
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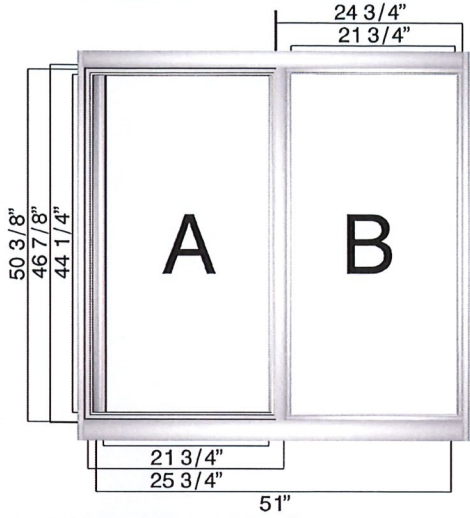
SIZE 102 1/8" X 50 3/8"
AREA 35.77 FT²
FINISH AAMA 2604 WHITE
GLASS 3/16" CLEAR HS N70/38 + 0.077 VSO2 CLEAR + 3/16" CLEAR HS
MUNTIN NO
FRAME TYPE FLANGE
PROTECTIVE FILM BOTH
PRE-GLAZED? YES

NO NOA
NO FBC

3 #3

ES-EL200 -
HORIZONTAL
ROLLER

XO 1



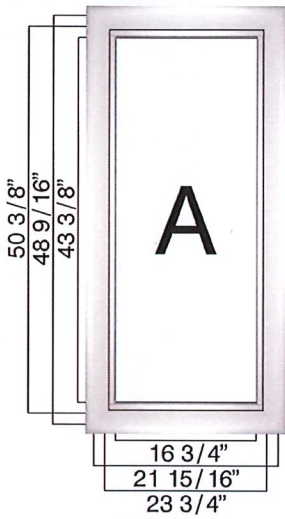
SIZE 51" X 50 3/8"
AREA 17.84 FT²
FINISH AAMA 2604 WHITE
GLASS 1/4" CLEAR HS N70/38 + 0.09 PVB
 CLEAR + 1/8" CLEAR HS
SCREEN YES
MUNTINS NO
SILL TYPE STANDARD
FRAME TYPE FLANGE
OPENING 4" NO
PANEL TYPE EQUAL
MEETING STANDARD WITH ALUMINUM
RAIL REINFORCEMENT
PROTECTIVE
FILM BOTH
LOCKING
MECHANISM SWEEP LOCK MULTIMAX (2530)
PRE-
GLAZED? YES

FBC CERTIFICATION
 INTERNAL PSF 80.00 EXTERNAL PSF 75.00
CODE FL 21557.1
NOA CERTIFICATION
 INTERNAL PSF 90.00 EXTERNAL PSF 80.00
CODE 21-0608.03

4 #4

ES-5000 -
CASEMENT

MULTIPOINT 1



SIZE 23 3/4" X 50 3/8"
AREA 8.31 FT²
FINISH AAMA 2604 WHITE
GLASS 1/4" CLEAR HS N70/38 + 0.09 PVB
 CLEAR + 1/8" CLEAR HS
SCREEN YES
MUNTINS NO
OPENING RIGHT OPENING (XR)
FRAME TYPE FLANGE
LIMIT
DEVICE NO
PROTECTIVE
FILM BOTH
LOCKING
MECHANISM MULTIPOINT LOCK
PRE-
GLAZED? YES

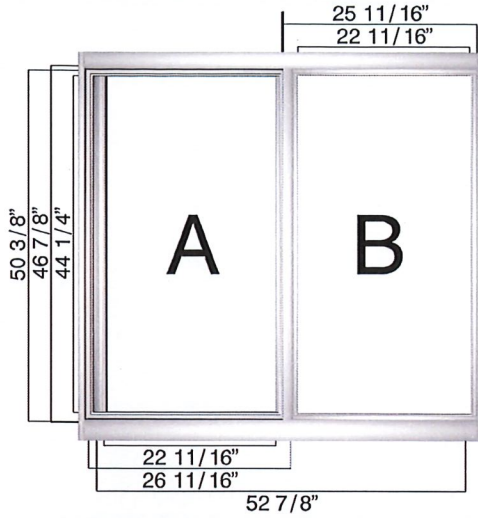
FBC CERTIFICATION
 INTERNAL PSF 114.00 EXTERNAL PSF 90.00
CODE FL-41000.1

5 #5 #6 #7

ES-EL200 -
HORIZONTAL
ROLLER

XO

3



SIZE 52 7/8" X 50 3/8"
AREA 18.50 FT²
FINISH AAMA 2604 WHITE
GLASS 1/4" CLEAR HS N70/38 + 0.09 PVB
 CLEAR + 1/8" CLEAR HS
SCREEN YES
MUNTINS NO
SILL TYPE STANDARD
FRAME TYPE FLANGE
OPENING 4" NO
PANEL TYPE EQUAL
MEETING RAIL STANDARD WITH ALUMINUM
 REINFORCEMENT
PROTECTIVE FILM BOTH
LOCKING MECHANISM SWEEP LOCK MULTIMAX (2530)
PRE-GLAZED? YES

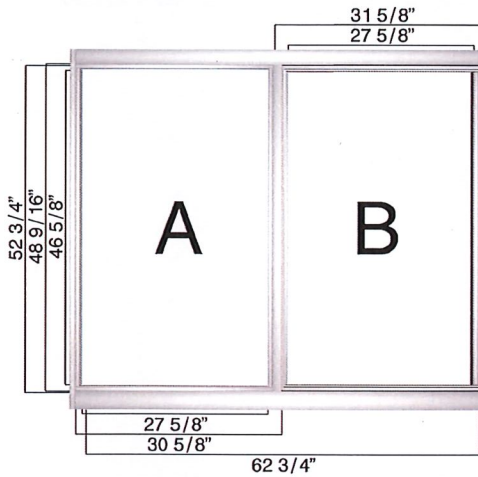
FBC CERTIFICATION
 INTERNAL PSF 80.00 EXTERNAL PSF 75.00
CODE FL 21557.1
NOA CERTIFICATION
 INTERNAL PSF 90.00 EXTERNAL PSF 80.00
CODE 21-0608.03

6 #8

ES-EL200 -
HORIZONTAL
ROLLER

OX

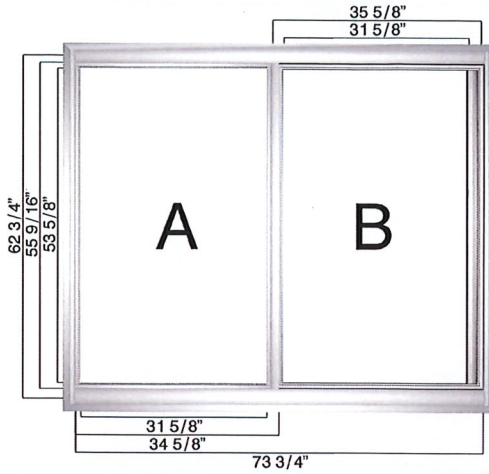
1



SIZE 62 3/4" X 52 3/4"
AREA 22.99 FT²
FINISH AAMA 2604 WHITE
GLASS 1/4" CLEAR HS N70/38 + 0.09 PVB
 CLEAR + 1/8" CLEAR HS
SCREEN YES
MUNTINS NO
SILL TYPE STANDARD
FRAME TYPE FLANGE
OPENING 4" NO
PANEL TYPE EQUAL
MEETING RAIL STANDARD WITH ALUMINUM
 REINFORCEMENT
PROTECTIVE FILM BOTH
LOCKING MECHANISM SWEEP LOCK MULTIMAX (2530)
PRE-GLAZED? YES

FBC CERTIFICATION
 INTERNAL PSF 80.00 EXTERNAL PSF 75.00
CODE FL 21557.1
NOA CERTIFICATION
 INTERNAL PSF 90.00 EXTERNAL PSF 80.00
CODE 21-0608.03

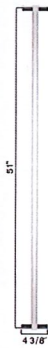
ES-EL200 -
HORIZONTAL
ROLLER



SIZE 73 3/4" X 62 3/4"
AREA 32.14 FT²
FINISH AAMA 2604 WHITE
GLASS 1/4" CLEAR HS N70/38 + 0.09 PVB CLEAR + 1/8" CLEAR HS
SCREEN YES
MUNTINS NO
SILL TYPE STANDARD
FRAME TYPE FIN
OPENING 4" NO
PANEL TYPE EQUAL
MEETING RAIL STANDARD WITH ALUMINUM REINFORCEMENT
PROTECTIVE FILM BOTH
LOCKING MECHANISM SWEEP LOCK MULTIMAX (2530)
PRE-GLAZED? YES

FBC CERTIFICATION
 INTERNAL PSF 80.00 EXTERNAL PSF 75.00
CODE FL 21557.1
NOA CERTIFICATION
 INTERNAL PSF 90.00 EXTERNAL PSF 80.00
CODE 21-0608.03

MULLION



SIZE 1" X 51"
AREA 0.35 FT²
FINISH AAMA 2604 WHITE
GLASS
ANCHOR STANDARD
MULLION TYPE 3 X 1 CUSTOME
PRE-GLAZED? NO

NO NOA
NO FBC



CERTIFICATE OF APPROPRIATENESS
 TO ALTER A DESIGNATED HISTORIC SITE

COA#24-08 HISTORIC PRESERVATION BOARD APPROVAL

ADMINISTRATIVE APPROVAL

Site address: 308 S 8th Street

Contributing

Non-Contributing

Individually Designated

SITE ALTERATIONS:

Request	Conditions	Applicable Standards
Remove all existing windows and install new impact windows, using like sizes. 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

2/16/2024
 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.

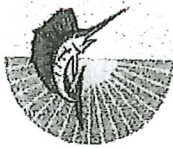
Should you have any further questions or concerns, contact Maria Lewicka, Historic Preservation Planner, at (772) 467-3738 or via e-mail at mlewicka@cityoffortpierce.com.

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	Norace Harris-Bolt 308 S 8 th Street Fort Pierce, FL 32950	E-Mail noraceharrisbolt@yahoo.com
Applicant	JBR Exteriors, Inc. Brown Johnson 1201 SW Biltmore Street PSL, FL 34983	E-Mail info@jbrexteriors.com

RECEIVED

FEB 14 2024



THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

CITY OF FORT PIERCE
PLANNING & ZONING

Bldg. Permit # _____

COA# 24-08

Certificate of Appropriateness Application

Building & Site Information

Address of the Site: 308 S. 8th Street

Parcel ID #: 2410-706-0086-000-8

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): Norace Harris-Bolt

Mailing Address: 308 S. 8th St. Ft. Pierce, FL 34950

Phone Number(s): 772-882-0057 Email: noraceharrisbolt@yahoo.com

Applicant
Name(s): JBR Exteriors, Inc.

Mailing Address: 1201 SW Billmore St PSC 34953

Phone Number(s): 772 873 0600 Email: info@jbrexteriors.com

Representative
Name(s): Brown Johnson

Mailing Address: SAME

Phone Number(s): 772 370 1000 Email: SAME

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, NORACE HARRIS-BOLT as Owner(s) of the subject property do hereby authorize the filing of this application on my/our behalf.

[Signature]
Signature of Owner

2/13/2024
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) replace all windows

Other (describe) _____

Please provide a detailed description of the proposed work to be performed: remove and replace

all windows with impact product - see attached

white color - / like for like

vinyl / white / low E 270 / impact

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.



front - west elevation



South side and rear
(RIGHT)



north side
(left)



North side
(left)



South side
(Right)



By: Dakota Johnson

Order

Noras Harris Bolt Order #: 2183797

1201 S.W. BILTMORE STREET, PORT ST. LUCIE, FL 34983

JBR - PREFERRED BUILDER ACCOUNT

Order Date: 10/3/2023

Est. Ship Date: 10/26/2023

Route: FtPrc

Cust PO#: Raxcie 8th St

Bill To:

Ship To:

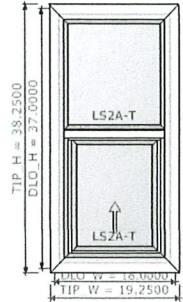
All Window Product

Order

Item No. 4 Qty: 1
Model: 8100-SH Color: WHITE
 Desc: 8100 SINGLE HUNG DP:+70/-70, [FLANGE], WHITE FRAME, 18 x16 Screen
 OBSCURE, Insulated, IMPACT
 SCREEN
 AAMA Std. Gold Labeling
 FPA #16177.1, WHITE, [No Sill Anchors this SH-8100]
 Tempered
 DOES NOT MEET EGRESS,

Dimensions

DLO: 18 x 37
 TIP: 19 1/4 x 38 1/4
 GD: 12 1/4 x 15 7/16
 SCREEN: 18 X 16

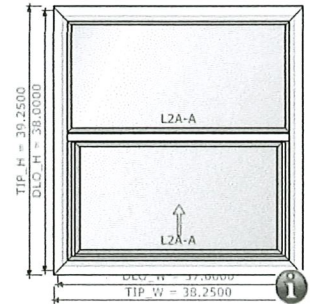


8100-SH- NFRC Rating: CWS-K-11-00877-00001 / U-Factor=0.45, Solar SHGC=0.56, V-Transmit=0.61

Item No. 5 Qty: 1
Model: 8100-SH Color: WHITE
 Desc: 8100 SINGLE HUNG DP:+70/-70, [FLANGE], WHITE FRAME, 18 x16 Screen
 LOW E 270, Insulated, IMPACT
 SCREEN
 AAMA Std. Gold Labeling
 FPA #16177.1, WHITE, [No Sill Anchors this SH-8100]
 DOES NOT MEET EGRESS,

Dimensions

DLO: 37 x 38
 TIP: 38 1/4 x 39 1/4
 GD: 31 1/4 x 15 15/16
 SCREEN: 18 X 16



8100-SH- NFRC Rating: CWS-K-11-00922-00001 / U-Factor=0.31, Solar SHGC=0.28, V-Transmit=0.52

Item No. 6 Qty: 1
Model: PVC VERTICAL MULL KIT Color: WHITE
 Desc: PVC VERTICAL MULLBAR KIT, FPA #9520.1, [FLANGE], Standard "T" Clip for
 FLANGE or BOX frames, WHITE FRAME, 3" FLAT MULL, STD HARDWARE
 AAMA Std. Gold Labeling,

Dimensions

H=38



Windows ONLY



By: Dakota Johnson

Order

Order #: 2183797

1201 S.W. BILTMORE STREET, PORT ST. LUCIE, FL 34983

JBR - PREFERRED BUILDER ACCOUNT

Order Date: 10/3/2023

Est. Ship Date: 10/26/2023

Route: FtPrc

Cust PO#: Raxcie 8th St

Bill To:

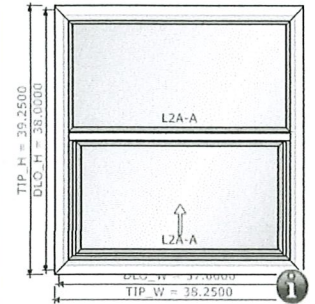
Ship To:

Order

Item No. 7 Qty: 1
Model: 8100-SH Color: WHITE
 Desc: 8100 SINGLE HUNG DP:+70/-70, [FLANGE], WHITE FRAME, 18 x16 Screen
 LOW E 270, Insulated, IMPACT
 SCREEN
 AAMA Std. Gold Labeling
 FPA #16177.1, WHITE, [No Sill Anchors this SH-8100]
 DOES NOT MEET EGRESS,

Dimensions

DLO: 37 x 38
 TIP: 38 1/4 x 39 1/4
 GD: 31 1/4 x 15 15/16
 SCREEN: 18 X 16

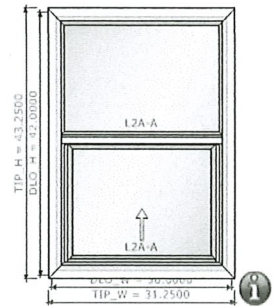


8100-SH- NFRC Rating: CWS-K-11-00922-00001 / U-Factor=0.31, Solar SHGC=0.28, V-Transmit=0.52

Item No. 8 Qty: 1
Model: 8100-SH Color: WHITE
 Desc: 8100 SINGLE HUNG DP:+70/-70, [FLANGE], WHITE FRAME, 18 x16 Screen
 LOW E 270, Insulated, IMPACT
 SCREEN
 AAMA Std. Gold Labeling
 FPA #16177.1, WHITE, [No Sill Anchors this SH-8100]
 DOES NOT MEET EGRESS,

Dimensions

DLO: 30 x 42
 TIP: 31 1/4 x 43 1/4
 GD: 24 1/4 x 17 15/16
 SCREEN: 18 X 16

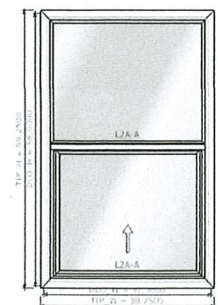


8100-SH- NFRC Rating: CWS-K-11-00922-00001 / U-Factor=0.31, Solar SHGC=0.28, V-Transmit=0.52

Item No. 9 Qty: 1
Model: 8100-SH Color: WHITE
 Desc: 8100 SINGLE HUNG DP:+70/-70, [FLANGE], WHITE FRAME, 18 x16 Screen
 LOW E 270, Insulated, IMPACT
 SCREEN
 AAMA Std. Gold Labeling
 FPA #16177.1, WHITE, [No Sill Anchors this SH-8100]
 Clr. Opng. MEETS EGRESS,

Dimensions

DLO: 37 1/2 x 58
 TIP: 38 3/4 x 59 1/4
 GD: 31 3/4 x 25 15/16
 SCREEN: 18 X 16



8100-SH- NFRC Rating: CWS-K-11-00922-00001 / U-Factor=0.31, Solar SHGC=0.28, V-Transmit=0.52



By: Dakota Johnson

Order

Order #: 2183797

1201 S.W. BILTMORE STREET, PORT ST. LUCIE,
FL 34983

JBR - PREFERRED BUILDER ACCOUNT

Order Date: 10/3/2023

Est. Ship Date: 10/26/2023

Route: FtPrc


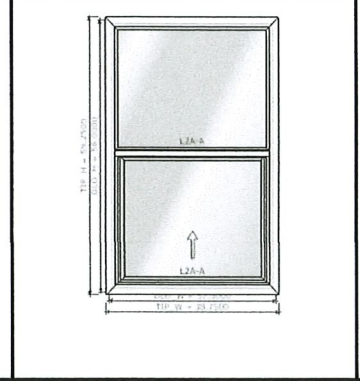
Cust PO#: Raxcie 8th St

Bill To:	Ship To:

Order

Item No. 10 Qty: 1
Model: 8100-SH Color: WHITE
 Desc: 8100 SINGLE HUNG DP:+70/-70, [FLANGE], WHITE FRAME, 18 x16 Screen
 LOW E 270, Insulated, IMPACT
 SCREEN
 AAMA Std. Gold Labeling
 FPA #16177.1, WHITE, [No Sill Anchors this SH-8100]
 Clr. Opng. MEETS EGRESS,

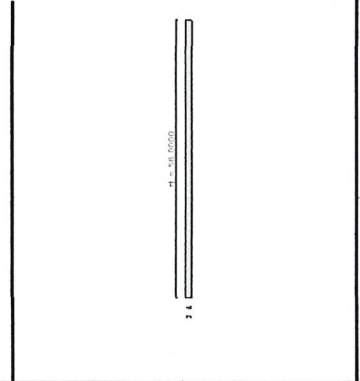
Dimensions
 DLO: 37 1/2 x 58
 TIP: 38 3/4 x 59 1/4
 GD: 31 3/4 x 25 15/16
 SCREEN: 18 X 16

8100-SH- NFRC Rating: CWS-K-11-00922-00001 / U-Factor=0.31, Solar SHGC=0.28, V-Transmit=0.52


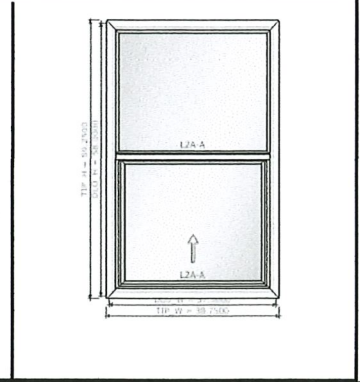
Item No. 11 Qty: 1
Model: PVC VERTICAL MULL KIT Color: WHITE
 Desc: PVC VERTICAL MULLBAR KIT, FPA #9520.1, [FLANGE], Standard "T" Clip for
 FLANGE or BOX frames, WHITE FRAME, 3" FLAT MULL, STD HARDWARE
 AAMA Std. Gold Labeling,

Dimensions
 H=58

Item No. 12 Qty: 1
Model: 8100-SH Color: WHITE
 Desc: 8100 SINGLE HUNG DP:+70/-70, [FLANGE], WHITE FRAME, 18 x16 Screen
 LOW E 270, Insulated, IMPACT
 SCREEN
 AAMA Std. Gold Labeling
 FPA #16177.1, WHITE, [No Sill Anchors this SH-8100]
 Clr. Opng. MEETS EGRESS,

Dimensions
 DLO: 37 1/2 x 58
 TIP: 38 3/4 x 59 1/4
 GD: 31 3/4 x 25 15/16
 SCREEN: 18 X 16

8100-SH- NFRC Rating: CWS-K-11-00922-00001 / U-Factor=0.31, Solar SHGC=0.28, V-Transmit=0.52



By: Dakota Johnson

Order

Order #: 2183797

1201 S.W. BILTMORE STREET, PORT ST. LUCIE,
FL 34983

JBR - PREFERRED BUILDER ACCOUNT

Order Date: 10/3/2023
Est. Ship Date: 10/26/2023
Route: FtPre

Cust PO#: Raxcie 8th St

Bill To:

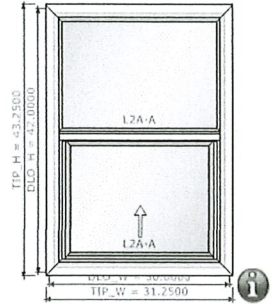
Ship To:

Order

Item No. 13 Qty: 1
Model: 8100-SH Color: WHITE
Desc: 8100 SINGLE HUNG DP:+70/-70, [FLANGE], WHITE FRAME, 18 x16 Screen
LOW E 270, Insulated, IMPACT
SCREEN
AAMA Std. Gold Labeling
FPA #16177.1, WHITE, [No Sill Anchors this SH-8100]
DOES NOT MEET EGRESS,

Dimensions

DLO: 30 x 42
TIP: 31 1/4 x 43 1/4
GD: 24 1/4 x 17 15/16
SCREEN: 18 X 16

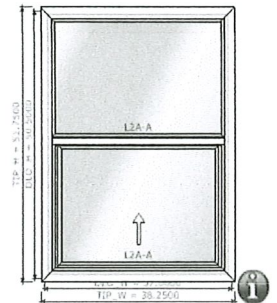


8100-SH- NFRC Rating: CWS-K-11-00922-00001 / U-Factor=0.31, Solar SHGC=0.28, V-Transmit=0.52

Item No. 14 Qty: 1
Model: 8100-SH Color: WHITE
Desc: 8100 SINGLE HUNG DP:+70/-70, [FLANGE], WHITE FRAME, 18 x16 Screen
LOW E 270, Insulated, IMPACT
SCREEN
AAMA Std. Gold Labeling
FPA #16177.1, WHITE, [No Sill Anchors this SH-8100]
DOES NOT MEET EGRESS,

Dimensions

DLO: 37 x 50 1/2
TIP: 38 1/4 x 51 3/4
GD: 31 1/4 x 22 3/16
SCREEN: 18 X 16

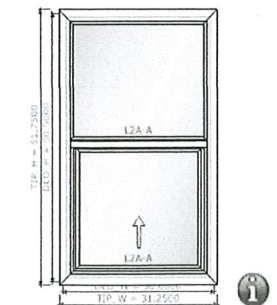


8100-SH- NFRC Rating: CWS-K-11-00922-00001 / U-Factor=0.31, Solar SHGC=0.28, V-Transmit=0.52

Item No. 15 Qty: 1
Model: 8100-SH Color: WHITE
Desc: 8100 SINGLE HUNG DP:+70/-70, [FLANGE], WHITE FRAME, 18 x16 Screen
LOW E 270, Insulated, IMPACT
SCREEN
AAMA Std. Gold Labeling
FPA #16177.1, WHITE, [No Sill Anchors this SH-8100]
DOES NOT MEET EGRESS,

Dimensions

DLO: 30 x 50 1/2
TIP: 31 1/4 x 51 3/4
GD: 24 1/4 x 22 3/16
SCREEN: 18 X 16



8100-SH- NFRC Rating: CWS-K-11-00922-00001 / U-Factor=0.31, Solar SHGC=0.28, V-Transmit=0.52



By: Dakota Johnson

Order

Order #: 2183797

1201 S.W. BILTMORE STREET, PORT ST. LUCIE, FL 34983

JBR - PREFERRED BUILDER ACCOUNT

Order Date: 10/3/2023
Est. Ship Date: 10/26/2023
Route: FtPrc

Bill To:	Ship To:

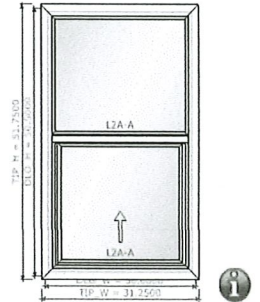
Order

Cust PO#: Raxcie 8th St

Item No. 16 Qty: 1
Model: 8100-SH Color: WHITE
 Desc: 8100 SINGLE HUNG DP:+70/-70, [FLANGE], WHITE FRAME, 18 x16 Screen
 LOW E 270, Insulated, IMPACT
 SCREEN
 AAMA Std. Gold Labeling
 FPA #16177.1, WHITE, [No Sill Anchors this SH-8100]
 DOES NOT MEET EGRESS,

Dimensions

DLO: 30 x 50 1/2
 TIP: 31 1/4 x 51 3/4
 GD: 24 1/4 x 22 3/16
 SCREEN: 18 X 16

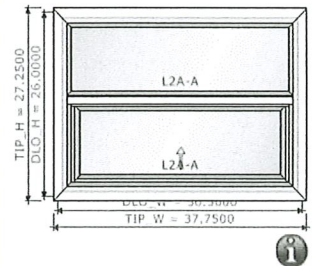


8100-SH- NFRC Rating: CWS-K-11-00922-00001 / U-Factor=0.31, Solar SHGC=0.28, V-Transmit=0.52

Item No. 17 Qty: 1
Model: 8100-SH Color: WHITE
 Desc: 8100 SINGLE HUNG DP:+70/-70, [FLANGE], WHITE FRAME, 18 x16 Screen
 LOW E 270, Insulated, IMPACT
 SCREEN
 AAMA Std. Gold Labeling
 FPA #16177.1, WHITE, [No Sill Anchors this SH-8100]
 DOES NOT MEET EGRESS,

Dimensions

DLO: 36 1/2 x 26
 TIP: 37 3/4 x 27 1/4
 GD: 30 3/4 x 9 15/16
 SCREEN: 18 X 16



8100-SH- NFRC Rating: CWS-K-11-00922-00001 / U-Factor=0.31, Solar SHGC=0.28, V-Transmit=0.52

Item No. 18 Qty: 1
Model: PVC VERTICAL MULL KIT Color: WHITE
 Desc: PVC VERTICAL MULLBAR KIT, FPA #9520.1, [FLANGE], Standard "T" Clip for
 FLANGE or BOX frames. WHITE FRAME, 3" FLAT MULL, STD HARDWARE
 AAMA Std. Gold Labeling,

Dimensions

H=26





By: Dakota Johnson

Order

Order #: 2183797

1201 S.W. BILTMORE STREET, PORT ST. LUCIE,
FL 34983

JBR - PREFERRED BUILDER ACCOUNT

Order Date: 10/3/2023
Est. Ship Date: 10/26/2023
Route: FtPrc

Cust PO#: Raxcie 8th St

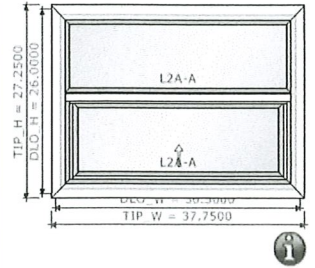
Bill To:	Ship To:

Order

Item No. 19 Qty: 1
Model: 8100-SH Color: WHITE
 Desc: 8100 SINGLE HUNG DP:+70/-70, [FLANGE], WHITE FRAME, 18 x16 Screen
 LOW E 270, Insulated, IMPACT
 SCREEN
 AAMA Std. Gold Labeling
 FPA #16177.1, WHITE, [No Sill Anchors this SH-8100]
 DOES NOT MEET EGRESS,

Dimensions

DLO: 36 1/2 x 26
 TIP: 37 3/4 x 27 1/4
 GD: 30 3/4 x 9 15/16
 SCREEN: 18 X 16

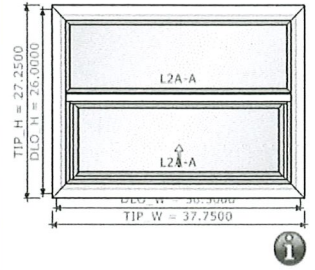


8100-SH- NFRC Rating: CWS-K-11-00922-00001 / U-Factor=0.31, Solar SHGC=0.28, V-Transmit=0.52

Item No. 20 Qty: 1
Model: 8100-SH Color: WHITE
 Desc: 8100 SINGLE HUNG DP:+70/-70, [FLANGE], WHITE FRAME, 18 x16 Screen
 LOW E 270, Insulated, IMPACT
 SCREEN
 AAMA Std. Gold Labeling
 FPA #16177.1, WHITE, [No Sill Anchors this SH-8100]
 DOES NOT MEET EGRESS,

Dimensions

DLO: 36 1/2 x 26
 TIP: 37 3/4 x 27 1/4
 GD: 30 3/4 x 9 15/16
 SCREEN: 18 X 16

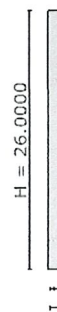


8100-SH- NFRC Rating: CWS-K-11-00922-00001 / U-Factor=0.31, Solar SHGC=0.28, V-Transmit=0.52

Item No. 21 Qty: 1
Model: PVC VERTICAL MULL KIT Color: WHITE
 Desc: PVC VERTICAL MULLBAR KIT, FPA #9520.1, [FLANGE], Standard "T" Clip for
 FLANGE or BOX frames, WHITE FRAME, 3" FLAT MULL, STD HARDWARE
 AAMA Std. Gold Labeling,

Dimensions

H=26





By: Dakota Johnson

Order

Order #: 2183797

1201 S.W. BILTMORE STREET, PORT ST. LUCIE,
FL 34983

JBR - PREFERRED BUILDER ACCOUNT

Order Date: 10/3/2023
Est. Ship Date: 10/26/2023
Route: FtPrc

Cust PO#: Raxcie 8th St

Bill To:	Ship To:

Order

Item No. 22 Qty: 1

Model: 8100-SH Color: WHITE

Desc: 8100 SINGLE HUNG DP:+70/-70, [FLANGE], WHITE FRAME, 18 x16 Screen
LOW E 270, Insulated, IMPACT
SCREEN

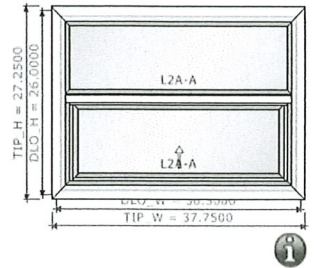
AAMA Std. Gold Labeling

FPA #16177.1, WHITE, [No Sill Anchors this SH-8100]

DOES NOT MEET EGRESS,

Dimensions

DLO: 36 1/2 x 26
TIP: 37 3/4 x 27 1/4
GD: 30 3/4 x 9 15/16
SCREEN: 18 X 16



8100-SH- NFRC Rating: CWS-K-11-00922-00001 / U-Factor=0.31, Solar SHGC=0.28, V-Transmit=0.52

Item No. 23 Qty: 1

Model: 8100-SH Color: WHITE

Desc: 8100 SINGLE HUNG DP:+70/-70, [FLANGE], WHITE FRAME, 18 x16 Screen
LOW E 270, Insulated, IMPACT
SCREEN

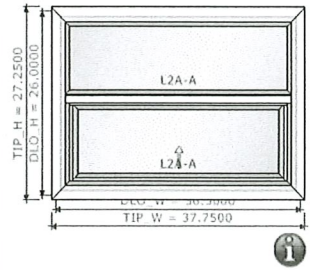
AAMA Std. Gold Labeling

FPA #16177.1, WHITE, [No Sill Anchors this SH-8100]

DOES NOT MEET EGRESS,

Dimensions

DLO: 36 1/2 x 26
TIP: 37 3/4 x 27 1/4
GD: 30 3/4 x 9 15/16
SCREEN: 18 X 16



8100-SH- NFRC Rating: CWS-K-11-00922-00001 / U-Factor=0.31, Solar SHGC=0.28, V-Transmit=0.52

Item No. 24 Qty: 3

Model: 8100-SH Color: WHITE

Desc: 8100 SINGLE HUNG DP:+70/-70, [FLANGE], WHITE FRAME, 18 x16 Screen
LOW E 270, Insulated, IMPACT
SCREEN

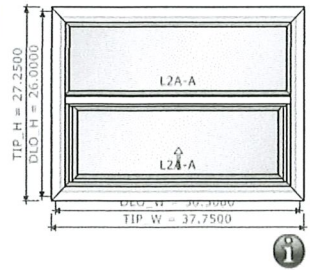
AAMA Std. Gold Labeling

FPA #16177.1, WHITE, [No Sill Anchors this SH-8100]

DOES NOT MEET EGRESS,

Dimensions

DLO: 36 1/2 x 26
TIP: 37 3/4 x 27 1/4
GD: 30 3/4 x 9 15/16
SCREEN: 18 X 16



8100-SH- NFRC Rating: CWS-K-11-00922-00001 / U-Factor=0.31, Solar SHGC=0.28, V-Transmit=0.52



By: Dakota Johnson

Order

Order #: 2183797

1201 S.W. BILTMORE STREET, PORT ST. LUCIE, FL 34983

JBR - PREFERRED BUILDER ACCOUNT

Order Date: 10/3/2023

Est. Ship Date: 10/26/2023

Route: FtPrc


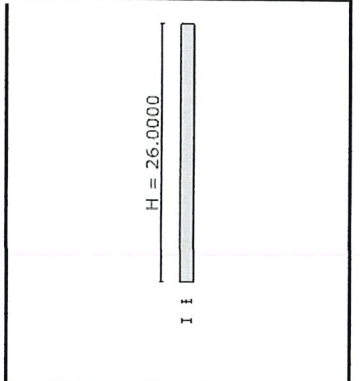
Cust PO#: Raxcie 8th St

Bill To:	Ship To:

Order


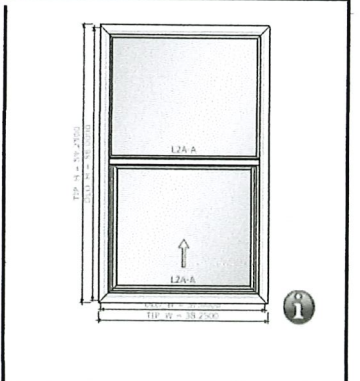
Item No. 25 Qty: 2
Model: PVC VERTICAL MULL KIT Color: WHITE
 Desc: PVC VERTICAL MULLBAR KIT, FPA #9520.1, [FLANGE], Standard "T" Clip for FLANGE or BOX frames, WHITE FRAME, 3" FLAT MULL, STD HARDWARE AAMA Std. Gold Labeling,

Dimensions
H=26

Item No. 26 Qty: 3
Model: 8100-SH Color: WHITE
 Desc: 8100 SINGLE HUNG DP:+70/-70, [FLANGE], WHITE FRAME, 18 x16 Screen LOW E 270, Insulated, IMPACT SCREEN
 AAMA Std. Gold Labeling
 FPA #16177.1, WHITE, [No Sill Anchors this SH-8100]
 DOES NOT MEET EGRESS,


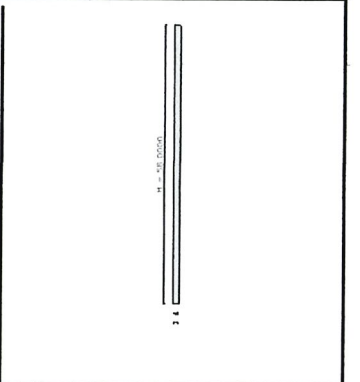
Dimensions
 DLO: 37 x 58
 TIP: 38 1/4 x 59 1/4
 GD: 31 1/4 x 25 15/16
 SCREEN: 18 X 16

8100-SH- NFRC Rating: CWS-K-11-00922-00001 / U-Factor=0.31, Solar SHGC=0.28, V-Transmit=0.52

Item No. 27 Qty: 2
Model: PVC VERTICAL MULL KIT Color: WHITE
 Desc: PVC VERTICAL MULLBAR KIT, FPA #9520.1, [FLANGE], Standard "T" Clip for FLANGE or BOX frames, WHITE FRAME, 3" FLAT MULL, STD HARDWARE AAMA Std. Gold Labeling,

Dimensions
H=58



By: Dakota Johnson

Order

Norace Harris Bolt

Order #: 2183797

1201 S.W. BILTMORE STREET, PORT ST. LUCIE, FL 34983

JBR - PREFERRED BUILDER ACCOUNT

Order Date: 10/3/2023

Est. Ship Date: 10/26/2023

Route: FtPrc

Cust PO#: Raxcie 8th St

Bill To:	Ship To:

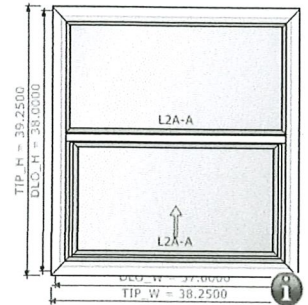
Order

Item No. 1 Qty: 1
Model: 8100-SH Color: WHITE
 Desc: 8100 SINGLE HUNG DP:+70/-70, [FLANGE], WHITE FRAME, 18 x16 Screen
 LOW E 270, Insulated, IMPACT SCREEN
 AAMA Std. Gold Labeling
 FPA #16177.1, WHITE, [No Sill Anchors this SH-8100]
 DOES NOT MEET EGRESS,

~~Sub did~~

Dimensions

DLO: 37 x 38
TIP: 38 1/4 x 39 1/4
GD: 31 1/4 x 15 15/16
SCREEN: 18 X 16



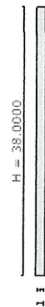
8100-SH- NFRC Rating: CWS-K-11-00922-00001 / U-Factor=0.31, Solar SHGC=0.28, V-Transmit=0.52

Item No. 2 Qty: 1
Model: PVC VERTICAL MULL KIT Color: WHITE
 Desc: PVC VERTICAL MULLBAR KIT, FPA #9520.1, [FLANGE], Standard 1/2" Clip for FLANGE or BOX frames, WHITE FRAME, 3" FLAT MULL, STD HARDWARE
 AAMA Std. Gold Labeling,

~~you finish~~

Dimensions

H=38

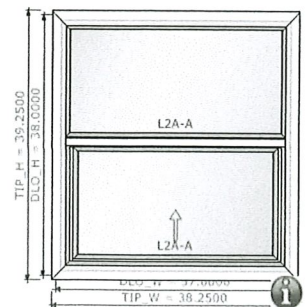


Item No. 3 Qty: 1
Model: 8100-SH Color: WHITE
 Desc: 8100 SINGLE HUNG DP:+70/-70, [FLANGE], WHITE FRAME, 18 x16 Screen
 LOW E 270, Insulated, IMPACT SCREEN
 AAMA Std. Gold Labeling
 FPA #16177.1, WHITE, [No Sill Anchors this SH-8100]
 DOES NOT MEET EGRESS,

~~four check~~

Dimensions

DLO: 37 x 38
TIP: 38 1/4 x 39 1/4
GD: 31 1/4 x 15 15/16
SCREEN: 18 X 16



8100-SH- NFRC Rating: CWS-K-11-00922-00001 / U-Factor=0.31, Solar SHGC=0.28, V-Transmit=0.52

All window product



CERTIFICATE OF APPROPRIATENESS
TO ALTER A DESIGNATED HISTORIC SITE

COA#24-09 HISTORIC PRESERVATION BOARD APPROVAL

ADMINISTRATIVE APPROVAL

Site address: 736 Delaware Avenue

Contributing

Non-Contributing

Individually Designated

SITE ALTERATIONS:

Request	Conditions	Applicable Standards
Install new sign, perimeter planting and solar-powered landscape lighting. 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

2/28/2024

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	Gloria Roa Bodin 736 Delaware Avenue Fort Pierce, FL 32950	E-Mail gglobo@aol.com
Applicant	Eric Bodin 3815 S Indian River Drive Fort Pierce, FL 34982	E-Mail EABODIN@GMAIL.COM
Representative	Valerie Slack, AIA, NCARB, LEED BD +C 200 S Indian River Drive Fort Pierce, FL 34950	E-Mail studio@natedesign.us



Bldg. Permit # _____

COA# 24-09

Certificate of Appropriateness Application

Building & Site Information

Address of the Site: 736 Delaware Ave, Fort Pierce, Florida 34950

Parcel ID #: 2410-707-0003-000-6

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

Individually Designated Site, City Commission Resolution No. _____

Property Owner/ Applicant Information

Property Owner(s) Name(s): Gloria Roa Bodin

Mailing Address: 736 Delaware Ave, Ft Pierce, FL 34950

Phone Number(s): (772)425-2888 Email: gglobo@aolmcom; germaine@gloriaroabodin.com

Applicant Name(s): Eric Bodin

Mailing Address: 3815 S. Indian River Dr., Ft. Pierce, FI 34982

Phone Number(s): (305)776-3068 Email: EABODIN@GMAIL.COM

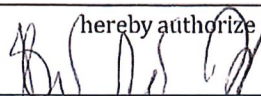
Representative Name(s): Valerie Slack, AIA, NCARB, LEED BD + C

Mailing Address: 200 S. Indian River Drive, Fort Pierce, FL 34950

Phone Number(s): (772)519-1216 Email: studio@natedesign.us

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


Signature of Owner

2/23/24
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) New Signage, related planting and lighting

Other (describe) _____

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

New Signage Approximately 5'-0" (W) X 3'-6" (D) X 5'-8"(T)
with 3'-0" perimeter planning and solar-powered landscape lighting

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

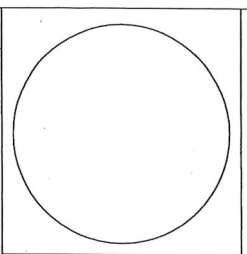
Will the proposed work require a Zoning Variance? No Yes, Code Section(s): _____

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.

DATE	NO. ISSUED FOR
02.23.24	COA APP

Native Design
 Architecture, LLC
 Valerie DeKle Slack, AIA
 200 S. Indian River Dr., #902
 Ft. Pierce, FL 34920
 (772)801-9224
 admin@nativedesign.us



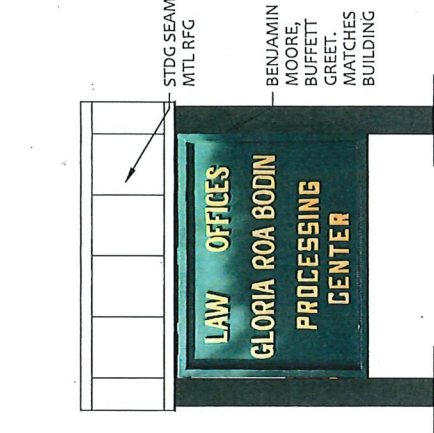
Ownership of these drawings and the design represented herein are protected by copyright and other applicable laws. Any duplication, distribution or use for any purpose without the permission of Native Design Architecture, LLC could result in criminal prosecution as well as civil liability.

SIGNAGE FOR GLORIA
 ROABODIN, P.A.,
 ATTORNEY AT LAW
 736 Delaware Ave.
 Ft. Pierce, FL 34920

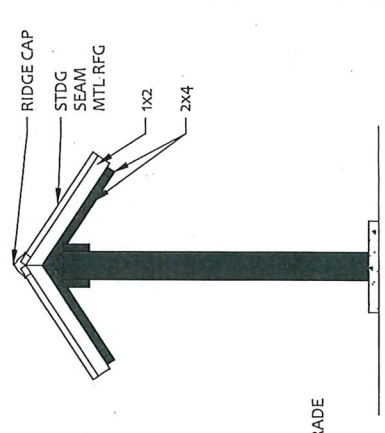
PROJ. NO.: 202401
 DRAWN: MNC
 CHECKED: VDS

TITLE:
 PLANS, SECTION &
 ELEVATIONS

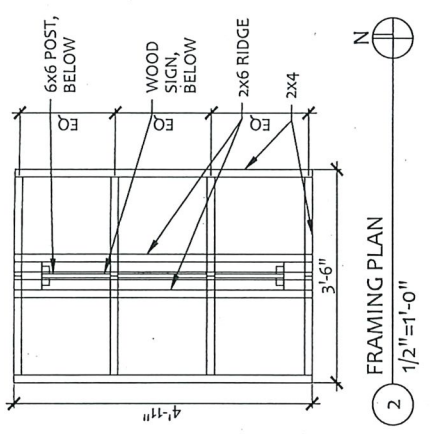
DRAWING NO.
 A-1



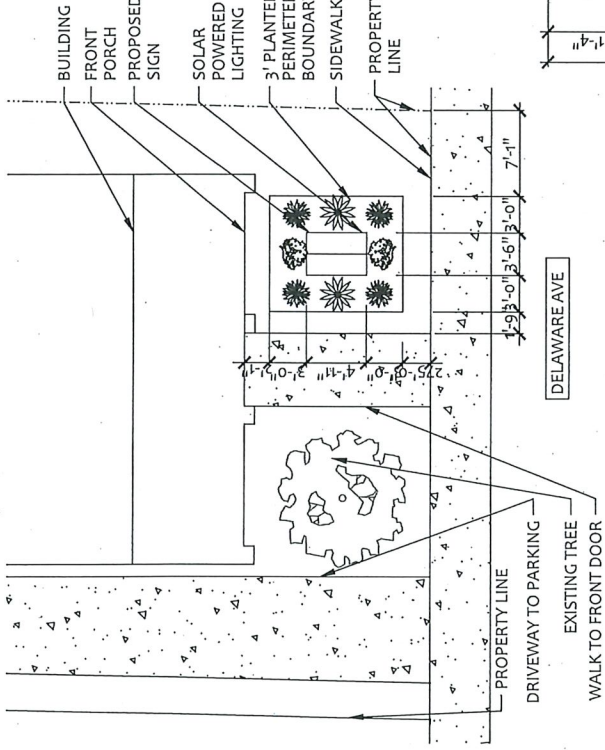
4 ELEVATION @ SIGN FACE
 1/2" = 1'-0"



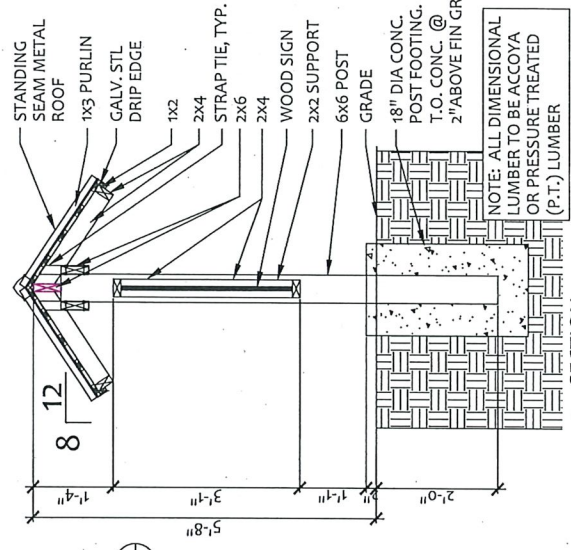
5 ELEVATION @ SIGN END
 1/2" = 1'-0"



2 FRAMING PLAN
 1/2" = 1'-0"



1 SITE PLAN
 1" = 10'-0"



3 SECTION
 1/2" = 1'-0"

NOTE: ALL DIMENSIONAL LUMBER TO BE ACCOYA OR PRESSURE TREATED (P.T.) LUMBER

PLANT LEGEND	
	COONTIE PALM
	ZAMIA PUMILA
	MUHLY GRASS
	CORAL HONEYSUCKLE
	MUHLENBERGIA CAPILLARIS
	LONICERA SEMPERVIRENS

SCOPE	
NEW SIGN APPROXIMATELY 5'-0" (W) X 3'-6" (D) X 5'-8" (T). WITH 3'-0" PERIMETER PLANNING AND SOLAR-POWERED LANDSCAPE LIGHTING	

Historic Preservation Board

6. b.

Meeting Date: 03/25/2024

Information

REQUESTED ACTION

Open Government Presentation

SUMMARY

LOCATION

RESPONSIBLE STAFF

RECOMMENDATION

Attachments

Presentation

Form Review

Form Started By: Alicia Rosenthal

Started On: 02/27/2024 05:52 PM

Final Approval Date: 02/27/2024

Florida's Open Government Laws

SARA HEDGES

ASSISTANT CITY ATTORNEY

CITY OF FORT PIERCE

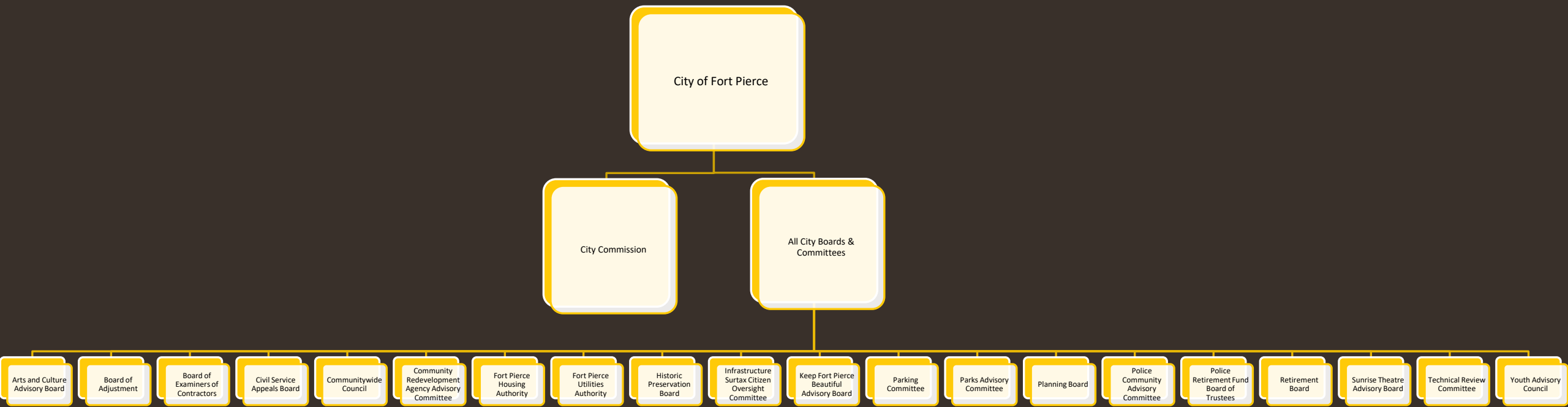
Florida's Open Government Laws

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 (affirmed on appeal) and 1 count of Perjury – Unofficial Proceeding (reversed on appeal).

Parris found guilty at trial of 1 count of Violation of the Sunshine Law (affirmed on appeal) and 2 counts of Perjury – Unofficial Proceeding (Count V reversed on appeal, Count VI affirmed on appeal).

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 \$ 500 PD FEE \$ _____
COSTS \$ 243 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. as CTS concurrent
- The Defendant is placed on Supervised Probation for _____ months with these special conditions:
a. _____ hours of community service.
b. Restitution of \$ 26088.00 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 [REDACTED]

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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(2)
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. as CTS 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 _____

3120210065305 RECORDED IN THE RECORDS OF JEFFREY R. SMITH, CLERK OF COURT
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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(3)
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 + 125 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. as CTS 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 _____

Pamela Parris Sentences

3120210065296 RECORDED IN THE RECORDS OF JEFFREY R. SMITH, CLERK OF COURT
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): 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 PD FEE \$ _____
COSTS \$ 243 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 CR5 Concurrent
- The Defendant is placed on Supervised Probation for _____ months with these special conditions:
 - _____ hours of community service.
 - Restitution of \$ 2698.95 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 _____

3120210065300 RECORDED IN THE RECORDS OF JEFFREY R. SMITH, CLERK OF COURT
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): CT(6)
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 90 days in the Indian River County Jail.
a. _____ as a condition of probation. CS CR5 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 _____

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