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CITY OF FORT PIERCE
**HISTORIC PRESERVATION
BOARD**

Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE HISTORIC PRESERVATION BOARD HELD ON MONDAY, JULY 22, 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: Minnie Spivey; Anthony Westbury; Betty Jo Starke; Charlie Hayek; Patrece Frisbee; KeAndrea Davis, Chair

Absent: Andrea Anicito

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

4. **APPROVAL OF MINUTES**

- a. Minutes from the May 28, 2024 meeting

Motion was made by Charlie Hayek, and seconded by Patrece Frisbee to approve the minutes from the May 28, 2024 meeting.

AYE: Anthony Westbury, Betty Jo Starke, Charlie Hayek, Patrece Frisbee, Minnie Spivey, Chair KeAndrea Davis

Passed

5. **PUBLIC HEARINGS**

a. **Certificate of Appropriateness #24-35 - Fence and Deck with Variance
109 Fisherman's Wharf**

The clerk introduced Certificate of Appropriateness 24-35 for a fence and deck with a Variance located at 109 Fisherman's Wharf.

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.

Madam Chair Davis called the proceeding to order.

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

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

Ms. Starke - no

Mr. Hayek - yes

Dr. Frisbee - no

Ms. Spivey - no

Mr. Westbury - no

Madam Chair Davis - no

Madam Chair Davis 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 on May 28, 2024, the Historic Preservation Board approved a Certificate of Appropriateness for the installation of a new fence, deck and handicap access ramp. She stated the location of the deck and fence was slightly adjusted to what was originally approved, and the fence does not meet the required 15-foot setback from the street. Ms. Lewicka explained a Variance is required because the proposed setback ranges from 13.6 feet to 14 feet due to the fence curvature.

Board questions for staff: none

Applicant Presentation: Jon Nolli, sworn, stated the previous owner took down the fence and replaced it with a wall. He said they are putting up a new fence where it was originally located. Mr. Nolli said the deck is inside the fence.

Board questions for Applicant: none

Staff final comments: none

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

Comments by the Board: none

Motion was made by Charlie Hayek, and seconded by Anthony Westbury to approve Certificate of Appropriateness 24-35 for the proposed modifications and Variance as requested for 109 Fisherman's Wharf.

AYE: Betty Jo Starke, Charlie Hayek, Patrece Frisbee, Minnie Spivey, Anthony Westbury,
Chair KeAndrea Davis

Passed

6. NEW BUSINESS

Chair Davis asked how staff determines what is approved administratively and how Historic Preservation Board appeals are handled. Ms. Lewicka explained the Certificate of Appropriateness approval matrix located in the Code of Ordinances, Sec.111-151, lists the different types of approval actions and whether the actions can be approved by staff or the Historic Preservation Board. She stated that the City Commission is talking about increasing the action items that staff can approve. Ms. Lewicka said changes to the matrix will require Historic Preservation Board and City Commission approval.

Ms. Lewicka said that the staff does not handle appeals, they are filed with the City Clerk.

- a. Administratively Approved Certificates of Appropriateness - May 2024
- b. Administratively Approved Certificates of Appropriateness - June 2024

7. COMMENTS FROM THE PUBLIC

There were no comments from the public.

8. CONSIDERATION OF ABSENCES

Ms. Anicito was excused.

9. ADJOURNMENT