



**CITY OF WINTER PARK  
HISTORIC PRESERVATION BOARD**

9:00 a.m.  
January 8, 2014  
Commission Chambers  
401 Park Avenue South

**MINUTES**

1. Call to order. Chairman Randall Glidden called the meeting to order at 9:00 a.m.

Present: Chairman Randall Glidden, Candace Chemtob, Rebecca Talbert, Billy Wilson, Genean MacKinnon Louise Sprimont, and Michael Miller. Staff: Sr. Planner Lindsey Hayes and Recording Secretary Lisa Smith.

2. Approval of Minutes:

**Motion made by Ms. Talbert, seconded by Mr. Wilson to approve the December 11<sup>th</sup> meeting minutes. Motion carried unanimously with a 6-0 vote.**

3. Action Items.

Senior Planner Lindsey Hayes explained that these items are listed as action items in order to begin to build consensus moving forward. She stated that she anticipates taking a complete package to the City Commission to make a presentation in April.

The Board members discussed the following items relating to the Historic Preservation Ordinance review:

**Demolition:**

The Board continued the discussion concerning the demolition process. Ms. Hayes explained that once a historic property is demolished, there is no opportunity in the future to bring it back. She said that recognized historic properties represent only about 8% of the residential and commercial buildings in the city so demolition should be thoughtfully considered, and the burden to any affected property owners weighed against the community good in the long term. She distributed copies of the amended code text areas. She reviewed the City's current city-wide demolition process. The Board discussed the following potential amendments to that process:

1. Demolition permits for all structures:
  - a. With a Florida Master Site File,
  - b. That are listed in the National Register of Historic Places either individually or that are a contributing element in a NRHP listed district, or
  - c. Are 45 years old or older;
2. May be not issued for 120 days (period used in Sarasota and Gainesville) unless staff finds that:
  - a. The structure is not in or adjacent to a potential historic district as identified in the survey,(see attached per HPB request)
  - b. The structure is not a landmark identified in the survey,

- c. Is not a landmark structure in that it does not have architectural distinction, or recognized vernacular building pattern, or
- d. Does not have an association with a historic event or person.
- e. The exterior of the structure has been damaged with more than 50% of the structure affected.

If staff doesn't find one of the above "outs", then the 120 day delay is imposed and the application goes to the HPB for a public hearing.

- a. The HPB may find no cause to impose the delay and may issue the permit with conditions if the board wishes to apply conditions.
- b. The HPB may waive the delay if the applicant demonstrates economic hardship, using the evidence requirements the state recommends.
- c. Under that claim, the HPB may waive the delay if, based on a qualified report, it is not feasible to keep or restore the structure to useable condition.
- d. HPB may approve the permit with the delay imposed in order to record the site for archival purposes.
- e. HPB may approve the permit with the delay imposed with an architectural salvage condition.
- f. HPB may impose the delay for the board and owner to explore options to avoid demolition.
- g. HPB may deny the application, and this is not a taking provided:
  - a. There is a reasonable use of the property, for example a house is or can be made livable or a property could be preserved and adapted for a reasonable use.
  - b. There is a reasonable economic return on the property.

Ms. Hayes responded to Board member questions and concerns. Ms. Talbert reiterated that she feels that the age threshold should remain at 50 years for the demolition process versus 45. She said that she is comfortable with 120 days, and would not want it be any shorter. Mrs. MacKinnon restated her concerns with regard to the demolition process. She said that this is a major change to the process that will affect a large number of property owners both residential and commercial. She said that she feels that this change establishes a way that other's opinion can over-ride your own concerning your property. She continued by saying that before any decision is made she feels that a workshop should be held with anyone who lives in a home that is 50 years or older so that they are made aware of how this will affect their property.

Ms. Hayes reviewed the Chapter 58 changes, which she noted are mostly housekeeping amendments. She provided details of the economic hardship provision (which affects mostly the landmark properties) which was included in the HP ordinance amendments. She said that the requirements have been used by other cities and have not been found to be a burden if an applicant chooses to make such a claim. The HPB is a quasi-judicial board and must have the evidence it needs to make a decision. Language "tweaked" in accordance with the Florida Historic Preservation Law Handbook. Further, applicants who wish to appeal a decision by the HPB can appeal to the City Commission, but must present the same evidence, address the same criteria and be able to justify why the HPB decision was wrong based on fact– not just that they didn't get the outcome they wanted.

#### **Board member qualifications:**

The Board continued the discussion regarding board member qualifications. Ms. Hayes reviewed the potential amendment that reinserts the same qualifications that were in the 2001 ordinance. She said that including those amendments would satisfy the qualification criteria for Certified Local Government (CLG) status.

The Board took no action on these items.

Public comments were received from the following people:

Betsy Owens, Casa Feliz, expressed concern with placing limitations on future staff and Boards. She said that she feels that requires subjectivity. She also said that she feels that there have been ample opportunities for public input.

Frankie Elliot, Vice-President of Governmental Affairs, Orlando Realtors Association, spoke concerning the proposed changes to the ordinance.

Aimee Spencer, 1509 Orange Avenue, spoke concerning the public notification process.

No one else wished to speak. Public comment closed.

#### 4. New Business.

The Board members discussed other possible meeting dates in January. Consensus was to have a special meeting on Thursday, January 23, 2014 @ 6:30 p.m. in the Commission Chambers.

#### 5. Adjournment. There was no further business. The meeting adjourned at 10:40 a.m.

Respectfully submitted,

Lisa M. Smith,  
Recording Secretary