



**CITY OF WINTER PARK  
HISTORIC PRESERVATION BOARD**

6:30 p.m.  
January 23, 2014  
Commission Chambers  
401 Park Avenue South

**MINUTES**

1. Call to order. Chairman Randall Glidden called the special meeting to order at 6:30 p.m.

Present: Chairman Randall Glidden, Rebecca Talbert, Billy Wilson, Louise Sprimont, Genean MacKinnon, Candace Chemtob (arrived at 7:05 p.m.) and Michael Miller (arrived at 7:13 p.m.). Also Present: Robin McKinney, City Attorney. Staff: Sr. Planner Lindsey Hayes and Recording Secretary Lisa Smith.

2. Action Items.

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

- a. Section 28-457. Designation procedures (2) Local historic districts.

Sr. Planner Lindsey Hayes stated that staff is not recommending any substantive changes to the designation process for individual buildings at this time. She said that for discussion purposes, staff recommends an annual report to the HPB noting the demolition of any individual historic buildings that have been identified in the historic resources survey, and are not in a potential historic district. Further, continued loss of these buildings may trigger a review of this part of the ordinance in the future. Staff has found that the current process to establish a local historic district places an inappropriate burden on property owners and can result in discord among property owners. The current process is not comparable to other cities and several potential historic districts remain undesignated. For discussion, staff is recommending the following amendments to:

1. Remove the burden of petitioning fellow property owners for a nomination,
2. Better inform property owners of the process and results, and
3. Lift the pressure of the current voting process from the property owners.

The Board discussion more public outreach on the issues. Chairman Glidden revisited the Sarasota model of owners filing notarized statements of objection. The board discussed the timing of objections either before an HPB hearing or a Commission hearing. Mrs. MacKinnon stated that she would prefer keeping an owner vote and petition. Ms. Talbert commented that a 15% petition may be sufficient to start the process. Ms. Sprimont stated that it should be the intent of the Board to be able to take action. The Board discussed the merits of opinion polling versus a vote during the district hearing process.

Incentives for preservation, Section 58-469(2) and (3) and Division 6. Note Incentives section in the *Preservation Ordinance Comparison* page 4.

The current incentives for historic resources include the ability to request a variance through the HPB as part of the Certificate of Review process for additions or alterations that are appropriate for historic properties.

There are no fees for a Certificate of Review or for a variance request. Historic properties that are zoned for single family use may retain, improve or add an accessory dwelling unit such as a garage apartment or “granny” flat subject to design review and the third parking space in the case of new construction. The city has worked with owners when an adaptive use is appropriate.

The state permits ad valorem tax relief to encourage the rehabilitation of historic buildings. The taxable value of significant improvement to historic buildings may be “forgiven” for up to ten years. The current ordinance allows the city to offer this relief. The city initiated listing the downtown on the National Register of Historic Places. Income producing buildings that have been determined to be contributing historic resources may make application for a 20% federal tax credit for the total cost of an appropriate building rehabilitation. Non-contributing buildings built before 1930 may be eligible for a 10% credit for rehabilitation. These tax credits can be sold. The state determines the approved value of the credit.

The city can receive donations of conservation easements. A tax deductible donation is made of the rights to the exterior of a historic building or land which would be protected from development. This is a onetime donation and the easement stays with the property for the lifetime unless otherwise limited. The owner and IRS determine the value.

Several cities over the ability to transfer or sell development rights (TDR) from historic properties to a specific receiving area where the added development would be appropriate. The historic property has to have addition development potential. This additional development potential, once transferred, is gone forever from that property. The transfer of development rights was important in the Supreme Court case that found historic preservation was a government power and not a taking. Commercial uses are when this usually applies. The city would need to identify a receiving area such as the Orlando Avenue or Lee Road corridors that could accept modest amounts of additional development. For example 3,000 square feet of potential development could be moved from downtown to an identified receiving area. This incentive could be put forward at a later time following pending planning studies.

Mrs. McKinnon asked about energy and water fee incentives. The board discussed the potential for permit rebates and possible tax incentives.

The Board took no action on these items.

Public comments were received from the following people: Dykes Everett, 341 East Webster Avenue; Richard Sullivan, 1362 Richmond Road; Frank Hamner, 405 Balmoral Road; Elizabeth Posner, 350 Carolina Avenue; Nicole Seybold, 800 North Interlachen Avenue; Frank Hamby, 907 Old England Avenue; Sally Flynn, 1400 Highland Road; Scott Peelen, 1555 Lakehurst Avenue; Betsy Owens, 656 North Park Ave; Margaret Cassells, 907 Old England Avenue; Jeffrey Blydenburg, 204 Genius Drive; Lou Nimcoff, 740 Williams Drive; Stephen Pategas, 1425 Berkshire Avenue.

No one else wished to speak. Public comment closed.

A motion was made by Ms. Talbert, seconded by Mrs. Sprimont recommending policy change that staff is to provide an annual report to the Board noting any demolition of individual historic buildings that have been identified on a historic resources survey and that are not in a potential historic district. Mr. Glidden offered the amendment adding that with the report there be an indication of the number of properties that have been

demolished that fall within the 50 year range as well so there is a comparison of the historic properties as well as the total properties in the 50 year range.

City Attorney Robin McKinney pointed out that the Board was not able to take action on this motion and amendment because it has not been public noticed. Consensus of the Board was to bring this issue back on the February agenda with the proper notice.

The Board also discussed time allotments for the February meeting. Mrs. McKinnon thanked the members of the public for coming out and participating in the meeting. Ms. Talbert asked staff to look into the comments made concerning a formal work shop. Ms. Hayes stated that she would look into that and report back to the Board.

3. New Business

Date of Next Meeting: Wednesday, February 12, 2014 at 9:00 a.m.

4. Adjournment. There was no further business. The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Lisa M. Smith,  
Recording Secretary