



Historic Preservation Board Agenda August 7th, 2014 - 4:00 PM

1. **Roll Call**
2. **Approval of the May 27th, 2014 Minutes**
3. **Appeals Procedures**
4. **New Business**
 - A. **Case:** 14-16
Location:
 - 1.) Northeast side of 2nd St & Madison St (within the R-O-W)
 - 2.) Northeast side of 2nd St & Main St (within the R-O-W)
 - 3.) Northeast corner of 3rd St & Main St (within the R-O-W)
 - 4.) Southeast side of 3rd St & Main St (within the R-O-W)
 - 5.) Northeast corner of 3rd St & Olive St (within the R-O-W)
 - 6.) Northeast corner of 4th St & Main St (within the R-O-W)
 - 7.) Northeast corner of 4th & Bronson St (within the R-O-W)
 - 8.) Northeast corner of 5th & Olive St (within the R-O-W)**Applicant:** Elizabeth van Rensburg
Request: Request for a Certificate of Appropriateness to install eight historical wayfinding kiosk signs

 - B. **Case:** 14-17
Location: N/A
Applicant: Building & Zoning Dept.
Request: Proposed Original and Historic Use Ordinance
5. **Other Business**
6. **Adjourn**

HISTORIC PRESERVATION BOARD

CITY OF PALATKA

Meeting Minutes May 27, 2014

Minutes for the May 27th, 2014 Meeting

The meeting was called to order by Chairperson Robbie Correa at 4:06 pm. Other members present included Larry Beaton, Lynda Little Crabill, Meri Rees and Elizabeth Van Rensburg. The following members were absent: Robert Goodwin, Laura Schoenberger, and Gilbert Evans Jr. Staff present: Planning Director Thad Crowe, and Recording Secretary Ke'Ondra Wright.

APPROVAL OF MINUTES

Motion made by Ms. Van Rensburg to approve the May 1st, 2014 minutes, seconded by L. Crabill motion passed unanimously.

APPEALS PROCEDURE

Chairperson Correa read the appeals procedures.

NEW BUSINESS

Case: HB 14-12
Address: 314 Madison St.
Parcel Number: 42-10-27-6850-0180-0030
Applicant: John Wadman
Request: **Certificate of Appropriateness** to reroof structure with 30-year architectural shingle (FL Approval No. 1956.3) Shingle color- rustic black drip edge color-black

Mr. Crowe summarized his report and recommendations. He noted that the applicant was in the process of restoring this structure, which is one of the older and finer homes in the North Historic District. He reviewed the applicability of pertinent criteria as represented in the staff report. The first criterion [Sec. 54-19(a)] requires consideration of the design of the structure, including materials, textures and colors. The Board has approved certificates of appropriateness (COAs) for roofs in the past. The roof types used in Palatka's historic period were sheet metal, metal shingles, or wood shingles. However just before the turn of the century composition (asphalt) shingles came into use and while such materials do not have much resemblance to modern architectural shingles, both roof types are composed of asphalt material. From a very strict standpoint the architectural shingles do not resemble the other historical materials that were used during that time in the 1890s. He noted that historic buildings are not frozen in time and in later periods past the turn of the century it is quite logical that newer roofing materials could have been used. So the potential for an asphalt roof to be used during the 20s and 30s reroofing could be entirely possible. However architectural shingles did not come into use until modern times.

Mr. Crowe reminded the Board that the COA criteria guide them to look at the immediate surroundings in the North Historic District. In this area the predominate form of roofing is metal (galvanized "V" crimp metal roofing). There are a very few slate, metal shingle, and wood shingle roofs remaining and we are losing these roofs because they are very expensive. The applicant advised Mr. Crowe that other homes do have architectural shingles, but these homes did not come before the Board for approval since staff at that time was (incorrectly) approving such requests administratively.

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Mr. Crowe added that another COA criterion steers the Board to consider reasonable justice and equity for the property owner. In recent cases, namely St. Marks and First Presbyterian Church demolition COAs, the Board used factors such as economic circumstances, economic hardships or practical hardships. In using the test Staff did not see that any of these factors were proven, mostly because the architectural shingles themselves are an expensive alternative and the metal is more of an affordable material. This reduces the request as a matter of the Applicant's aesthetic preference, which from Staff's perspective is difficult to quantify and review under relevant COA criteria.

Mr. Crowe addressed the other issue regarding the precedence set by previous approval of architectural shingle roofs. He said that there were about a half dozen homes in the North Historic District that have architectural shingles. However the Board does not have to approve this certificate of appropriateness on the basis of precedence because the Board did not approve these actions - all were incorrectly approved by Staff. This is an important case as it will set the precedent for the Board to approve architectural shingle roofs in the future.

Mr. Crowe concluded that said in Staff's opinion this architectural shingle roof does not comply with the COA standards and Staff recommended denial. However the Board is free to make their own findings that the request is in keeping with the COA criteria and that architectural shingles are similar to historic roof types such as slate, metal, composition asphalt, or wood shingles. He noted that he had suggested to the Applicant that there might be another architectural shingle that is not as pronounced and visibly different from historic roof types, but the Applicant did not pursue this recommendation. This request is up to the Board on whether to approve or deny the request. Mr. Crowe is recommending denial because Staff has to stay as close to the ordinance as possible but the Board has the ability to differ from such interpretations.

Applicant John Wadman, 314 Madison St, purchased the house a year ago and is currently slowly renovating the house his self. Mr. Wadman said he didn't think the request for a new roof would be too much to ask for because he isn't going from a historic metal, slate, or wooden shingle roof type to the requested type. Currently on the roof now is molded black asphalt shingles in some areas and brown asphalt shingles where it has been patched up. The roof really needs to be replaced. The roof has been repaired haphazardly by previous owners over the last 20 years. His neighbor has lived in her house for 20 years and never seen a new roof placed on this house. Mr. Wadman showed the Board a sample of the architectural shingle roof. He said that most people these days aren't going to put slate or wood on their roof (due to the cost and scarcity of materials), but they will install metal or asphalt roofing. Mr. Wadman is asking to go from dark brown asphalt shingles to the architectural shingles because it gives more of a three-dimensional appearance. Mr. Wadman has two pictures (file) of Victorian houses from the South Historic District that have architectural shingles to give the Board an idea of what the house would look like. Mr. Wadman said he didn't not think the architectural shingles distracts from the historic setting and make it looks like something from the 21st century. Mr. Wadman said he didn't think that the Board is setting a dangerous precedent on approving the request because every homeowner is going to make a decision on whether to have asphalt or metal. He added that architectural shingles do not make someone question the age of the house.

Ms. Crabill asked Mr. Wadman if the decision of the type of roof was based on the cost or the look of the architectural shingles as opposed to a metal roof, and also what's the difference in cost between the two roofs. Mr. Wadman responded that the cost of the architectural shingle roof will be about \$2,000 higher than a metal roof. Chairperson Correa stated that one can identify the past presence of metal roofs from an attic inspection. Mr. Wadman said he had only been in the attic once and could not tell what type of past roof existed. Ms. Crabill said she used to live in the area and back in the 1950s the house had asphalt shingles then.

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Ms. Van Rensburg declared she had a couple of a very brief discussions with the Applicant, a neighbor, to discuss the COA process. She asked Mr. Wadman if there were any leaks in the roof. Mr. Wadman replied in the affirmative. Mr. Wadman told the Board that he purchased the house a year ago as a bank repossession and the house has been empty for many years. There has been very little maintenance done on this house.

Public Comments

Kate McGovern, 400 N. 3rd St, said she has lived in her current residence for a little over 20 years. She has also known the two previous owners of the property in question. Mrs. Merwin owned the house in the 60s and 70s and showed Ms. McGovern pictures of the house with an asphalt roof. Mr. Greeno owned the house also and during a bad storm he tore off some shingles for an insurance claim that didn't go through. The roof was so bad that Mr. Greeno had to patch up the roof himself, doing a very poor job as the shingles didn't match the existing shingles. Mr. Wadman currently has a lot of problems from the poorly patched up roof. She said she had been in the house after the house was abandoned and the ceiling was soaked and moldy from the leaks. During the rain storms you could see water coming down within the house. Mr. Wadman has an immediately need to get the roof fixed. Ms. McGovern is in favor of the architectural shingle roof.

Anthony Harwell, 322 Madison St, has been inside of the attic and researched the roof and found out the original roof was wood shingle. Mr. Harwell is against making Mr. Wadman put a metal roof on the house. Chairperson Correa advised Mr. Harwell that no one would force a metal roof on the house. Mr. Harwell said that the proper thing to do would be to place the original roof back on the house, but getting a qualified roofer in this area is impossible. The best solution would be to get an architectural shingle that mimics the original roof. Mr. Harwell said he was grateful that the roof is architectural shingles instead of a metal roof. Chairperson Correa agreed with Mr. Harwell that the roof should be architectural shingles instead of a metal roof.

Chairperson Correa said the preferred roof type depends on the era and what type of roof was on the house previously and since the cypress mill was here there probably have been many homes that had the wood shingles. The Board really needs to talk about architectural shingles verses the standard asphalt shingles. Ms. Van Rensburg drove around the North Historic District and spent quite a bit of time looking at the standard plain asphalt roof. She said this roof is just so flat and lifeless and also just looks like a cheap roof. The architectural shingles looks more like the original slate roof and what a wood shingle roof would look like. Ms. Van Rensburg's home at 310 N. 3rd St, fell through the cracks and she wanted to put the best looking roof material on the home back in 2005 when the home was purchased, not knowing that a certificate of appropriateness was needed but it was permitted and they replaced the roof. They took pride in spending the extra money to place the architectural shingle roof on the home. Ms. Van Rensburg said she does not have an issue with the architectural shingle roof.

Ms. Crabill said she has known this house since the 1940s and that the architectural shingle roof would probably look better than a metal roof.

Ms. Vans Rensburg said she has been very cognizant over the years that the house has been vacant and unsecured at various times and is pleased that something is being done that is making a positive difference in the neighborhood in general.

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Chairperson Correa said that she could agree with everyone's input, but the Board was not here to judge the aesthetics, but to utilize the Secretary of Interior guidelines in making the decision. That makes the decision somewhat difficult. She added that architectural shingles can be attractive on a new home.

Mr. Beaton said he was very sympathetic to the Applicant, but his great concern was the precedent that the Board would be setting. He said that the Board would not only be going against staff recommendations, but also going against some of the federal guidelines. Mr. Beaton would like to know what kind of position this will put the Board in when the next case like this comes up. This was particularly a concern because this is an important contributing house in the North Historic District. He said this is probably the more difficult decision the Board has faced recently, and he was very reluctant to go against the guidelines.

Ms. Crabill asked if the original roof was wood shakes. Chairperson Correa stated that was Mr. Harwell's educated guess. Ms. Crabill said if the roof was wood shakes then putting a metal roof is not going to comply with the standards. Chairperson Correa reminded the Ms. Crabill that there is no request for a metal roof, so it doesn't have to be discussed. Ms. Crabill said the choice would be to have Mr. Wadman put a three tabs asphalt or architectural shingle roof on the house. Chairperson Correa said in fairness to the home owner a wooden roof is cost prohibited and the request is for an architectural shingle roof. Ms. Crabill asked if the Board was trying to set a precedent and if so why. Chairperson Correa replied because the Board has not approved of any architectural shingles as of to date according to staff and the Secretary of Interior guidelines does not seem to support such a roofing material. She said that once the Board passes or denies the certificate of appropriateness today anyone who comes in may come in and say they want to take a metal roof off and put architectural shingles on.

Mr. Beaton asked if the decision of the Board would be to deny the request is there something the Board could do for the Applicant to proceed with another alternative without having to come to the Board again. Mr. Crowe replied that the Board has the ability to approve all alternatives that they believe would be appropriate. He added that there was an appeal procedure on the Board's decision that the homeowner could take to the City Commission. Mr. Beaton said he understood, but wondered if there were any alternatives that the Applicant would accept and if so it would be something the Board could approve today or not. Chairperson Correa asked Mr. Wadman if he was denied the certificate of appropriateness for the architectural shingles what would be the alternative material. Mr. Wadman responded that slate and wood shakes were not viable options, and nobody supported metal, so the only choices were architectural shingles or three-tab asphalt shingles.

Ms. Rees asked Mr. Wadman if he had already purchased the roof materials. Mr. Wadman replied that he put a down payment on the roof pending the certificate of appropriateness approval. If the certificate of appropriateness is denied he would have to renegotiate the contract and change over from the architectural shingles to the asphalt.

Mr. Wadman said he did not think the Board would have a rush of applicants applying for architectural shingles and the neighborhood would go down the drain. He thinks everyone would select the metal or asphalt roofs with two choices the plain or the architectural, and the architectural shingles shouldn't be a problem since they are on several architectural neighboring roofs.

Mr. Harwell stated if the goal of the Board is to preserve then the proper material would be to replace the original roof. So there is no other solution but the original roof verses the three tab. Chairperson Correa advised Mr. Harwell that the house has a different type of roof on there now and someone already made the change to

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the roof type sometime ago and this often happens with roofs. Mr. Crowe advised the Board through research that you really can't particularly tie a particular type roof to a particular architectural style since roofs were used without specific associations. Mr. Beaton asked if this certificate of appropriateness is approved today would the Board be setting precedent for both contributing and non-contributing structures. Mr. Crowe said the Board would have to take each one on a case-by-case basis but the Board should be less concerned with roof types for noncontributing buildings.

Chairperson Correa said that she believes that roofing materials are sometimes specific to a type of architecture, for example most arts and crafts home don't have metal roofs. Mr. Crowe advised the Board that they have the ability as a local Board to set their own community standard. The Secretary of Interior standards are not intended to be strict but are intended to be more of guideline. Some wealthy communities have much higher standards to a certain degree. If the goal is to preserve historic buildings then we have limited resources in doing this and the community standard could be a little more generous or liberal.

Ms. Van Rensburg is really not seeing the problem with the architectural shingles, the warranty is longer than the standard three tab and it has more have depth and is more interesting to look at. She said that she rarely goes against staff recommendations because staff is here for a reason, but she feels in this case that the most important thing is about this house is the house itself. If there is no proper envelope on the house and hasn't been for many years then we are going to be trying to protect something that is really compromised.

Chairperson Correa said she believed that all agree the Board must approve some type of roof, because the Applicant has a leaky roof that needs to be fixed and this cannot drag on.

Ms. McGovern said that in the process of restoring a house there is a lot of times we use materials that weren't original but they are better made and constructed, and often give the appearance of the original material. Going forward we are getting more and more modern materials but if you are trying to retain original appearance the architectural shingles looks more like a wood shake roof than the flat three tab. The Board will have to address the issue sooner or later because houses are deteriorating to the point where we can't find the materials or can't afford the original materials and then the original materials are not at the homeowner's best interest

Motion- made by Mr. Beaton to accept staff recommendation to deny the request. The motion died for lack of a second.

Motion- made by Ms. Van Rensburg to approve the use architectural shingles for this home as a like-kind roofing alternative to wood shingle or slate. The motion was seconded by Ms. Crabill. Motion passed 3-2, with Mr. Beaton and Ms. Rees voting in the negative.

Mr. Crowe asked Ms. Van Rensburg to read the statement on the last page of staffs report for the record. Ms. Van Rensburg stated that the architectural shingles were a like kind roof material that is keeping with the building's architecture, that the material is in keeping with material utilized for historic homes in the vicinity, and that the alteration will not negatively impact the North Historic District.

OTHER BUSINESS – Mr. Crowe said he is still working on bringing back to the Board the zoning issues that was discussed at the previous meeting. Mr. Crowe did propose to the purchaser of the 100 block (Mr. Corky Diamond) that Staff could assist in completing a National Register of Historic Places questionnaire, which would provide input from the State Bureau of Historic Preservation on the likelihood of National Register listing. Mr. Diamond is discussing this with his lawyers and taking it into consideration. Mr. Beaton asked if

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Mr. Diamond had the booklet that was prepared that included a detailed history of each of those buildings. Mr. Beaton said the information was from a presentation by Robert Tindall and Ray Hall for the public hearings that was held at the Price- Martin community center to receive public input on whether the City should demolish the buildings. Mr. Beaton said this document included considerable research using the city directory, Sanborn maps, and other materials. Mr. Crowe said he would appreciate this information and would be glad to give Mr. Diamond a copy.

NEW BUSINESS – Mr. Beaton expressed his concerns about the recent frequency of called meetings, and what might be the resulting low attendance. He asked if the Board could get back to regularly scheduled meetings again unless there was a true emergency. The Board is missing some good input from absent members. The people on the Board like the architect, attorney and the representative of the historical society provide a benefit to the applicants with their perspective and expertise. Mr. Crowe said he agreed with Mr. Beaton and that Staff strived to only schedule called meetings in the event of an emergency that could result in damages to an historic structure. Mr. Beaton wanted to mention to the Board because some members have very strict schedules.

Motion to adjourn made by Ms. Rees, and seconded by Chairperson Correa.

ADJOURNMENT

With no further business the meeting was adjourned at 4:43pm

Certificate of Appropriateness

HB 14-16

Educational kiosk signs various locations within North Historic District

STAFF REPORT

DATE: July 31, 2014

TO: Historic Preservation Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

This application is to install eight kiosk signs at the locations indicated in the map below. Public notice included property posting and letters to nearby property owners (within 150 feet).



Figure 1: Kiosk Sign Locations

APPLICATION BACKGROUND

Per Sec. 54-78(a) of the Palatka Code, under Article III Historic Districts, a Certificate of Appropriateness (COA) is required to erect, construct or alter a structure or sign located in a historic district.



Figure 2: Typical Sign

Figure 2 shows the design and appearance of the signs, with this existing sign located at the northeast corner of Main St. and N. 3rd St. Some signs will be different in that they will have a portrait orientation (20 square feet) instead of the landscape orientation (30 square feet) above.

Please note that in this case the Board is to review sign appearance and not sign content.

PROJECT ANALYSIS

The following section of the report evaluates the application in light of applicable COA review criteria.

1. **Section 54-79(a), General considerations, requires the board to consider the design and appearance of the structure, including materials, textures and colors.**

Staff comment: The use of earth tones and the antique white background of the signs allow them to better blend in with the neighborhood.

2. **Section 54-79(a), General considerations, also bases issuance of COAs on conformance of the proposed work to the Secretary of the Interior's Standards for Rehabilitation.**

Staff comment: The Secretary of the Interior's Standards do not address new signage.

3. **Section 54-79(a) also requires that the decision include consideration to the immediate surroundings and to the district in which it is located or to be located.**

Staff comment: Staff believes that this signs will present an attractive appearance within the historic district. The signs will provide interesting information on neighborhood history and increase appreciation for historic preservation, the neighborhood, and the City.

4. **Section 54-79(b) requires that the board shall make each of the following findings to approve a COA:**

- (1) **In the case of a proposed alteration or addition to an existing structure, that such alteration or addition will not materially impair the architectural or historic value of the structure.**

Staff comment: not applicable.

5. (2) **In the case of a proposed new structure, that such structure will not, in itself or by reason of its location on the site, materially impair the architectural or historic value of a structure on adjacent sites or in the immediate vicinity.**

6. (3) **In the case of a proposed new structure, that such structure will not be injurious to the general visual character of the district in which it is to be located.**

Staff comment: as stated, the signs will fit into their surroundings and complement the historic districts.

7. (4) **In the case of the proposed demolition of an existing structure, that the removal of such structure will not be detrimental to the historic and architectural character of the district, or that, balancing the interest of the city in preserving the integrity of the district and the interest of the owner of the property, approval of the plans for demolition is required by considerations of reasonable justice and equity; in the latter event the board shall issue an order postponing demolition for a period of not to exceed three months.**

Staff comment: not applicable.

STAFF RECOMMENDATION

Staff recommends approval of COA HB 14-16.

Certificate of Appropriateness HB 14-17 (Original and Historic Use)

STAFF REPORT

DATE: July 31, 2014

TO: Historic Preservation Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

This item was presented to the Board as a discussion item at the May 1, 2014 meeting. Staff relayed to the Board that there have been multiple instances where potential owners of larger historic buildings have opted out of purchasing such properties and current owners of such properties have been hamstrung by the inability to restore and maintain such properties. The combination of large restoration costs and a limited ability to recoup those costs often render such buildings unusable and vacant. Zoning solutions in the form of slightly higher residential density and/or use for limited commercial or office space could level the playing field in such situations, and conditional use review could provide for public notice and input, while limiting neighborhood impacts. The Board agreed by consensus to consider proposed zoning changes to provide for incentives for the restoration of such properties.

PROJECT BACKGROUND

Staff researched this issue and found that other Florida jurisdictions have addressed the problem of large historic structures rendered obsolete by zoning. The City of Jacksonville, in the Historic Springfield Zoning Overlay, created the classifications of "original use," referring to the original unit configuration of a historic building at the time of its construction; and "historic use," referring to the use configuration where it had been changed during the historic time period after its construction. Original uses were allowed by right in the overlay and historic uses were allowed by zoning exception (similar to Palatka's conditional use process). The City of St. Petersburg also employed an overlay zoning district that allowed for higher density for functionally obsolete historic structures, recognizing that such approval did not constitute spot zoning because the goal of preserving historic structures was met. Staff from the City of Little Rock, AR provided the following commentary:

Whether they were built as corner stores, churches, or apartments, most neighborhoods traditionally included some number of non-houses. Generally speaking, single-family zoning strangles non-houses from usability. Our zoning rules have always allowed for offices and quiet business to be considered as conditional uses in our single-family zone "when the preservation of a historic commercial building is involved." That's helped our historic corner stores to find new uses, but our district's original apartment buildings and houses of worship continued to struggle with vacancy and neglect. So staff recently suggested changing that language to "when the preservation of a historic commercial, multifamily, or civic type building is involved." (We made sure to include the word "type" to clarify that we were referring a building's form, not necessarily its original use.) Our property owners had reservations about allowing historic structures built as three, four, and eight-unit dwellings to be converted to commercial use. So they asked that we strike multifamily from the proposed changes.

Staff from Salisbury, NC provided the following comments:

In our Historic Residential (HR) districts multi-family uses with 4 or less units are designated as PS – permitted with standards. The standard is that “up to four (4) units per building, or less, are permitted only when the structure was originally constructed to contain such multiple units.” This was intended to protect the single family homes, but I believe it also works in reverse too. The large single family homes are prevented from being carved up, but the multi-family buildings are allowed to operate as small-scale multi-family buildings if they were originally constructed that way.

The concern about multi-family in Palatka could be addressed through the conditional use process on a case-by-case basis. The Planning Board, with the Historic Preservation Board assisting by making recommendations, can apply additional conditions that may come up in each unique situation. Additionally the ordinance could tie original and historic use to owner-occupancy, much like the owner-occupancy requirement for bed and breakfast establishments. Staff is not recommending this as this would remove more of the functionality and flexibility of this new standard.

Please note that Staff also recommends shifting the current Historic Preservation Board review of adaptive reuse [noted in the second recommended change under (c)(1)]. As stated in Zoning Code Sec. 54-79 the Historic Preservation Board “shall not exercise any control over land use, such as is governed by the zoning ordinance.” This correction appropriately gives zoning authority to the Planning Board, but requires this Board to consider the recommendations of the Historic Preservation Board.

The following elements are recommended to institute the original and historic use ordinance, with additions underlined and deletions ~~struck through~~.

Zoning Code Sec. 94-2 (Definitions)

1. Definition: Original or historic use. The term “original or historic use” means the original use of a contributing structure within a historic district at the time of its construction or as occurring during the district’s period of historic significance.

Zoning Code Sec. 94-156 HD historic district (addition of original or historic use conditional use criteria within HD (Historic District zoning district):

(c) *Conditional uses.*

- (1) Adaptive Reuse. Historical structures may be permitted for a use other than their original design use when maintaining the original design use is no longer economically or socially feasible. In such cases, the new use of the structure will not be considered to be a nonconforming land use. Alternate uses of historic structures must be approved by the planning board with consideration of recommendations by the city historic preservation board.
- (2) Original or historic use. Historical structures may be permitted for their original or historic design use when the current design use is no longer economically or socially feasible. Original or historic use must be approved by the planning board with consideration of recommendations from the historic preservation board and with consideration of the following factors along with the established conditional use criteria:
 1. The building or structure could not easily be retrofitted to comply with existing codes and criteria without such factors as significant costs, required variances, the vacation of

- right-of-way, the purchasing of adjacent property, extensive interior remodeling including wall removals or additions, or the removal of portions of the existing building.
2. Projects shall provide as many required off-street parking spaces as can reasonably be provided on-site without destroying the integrity of the historic resource.
 3. Traditionally occurring on-street parking shall be credited toward parking requirements.
 4. Residential uses may not exceed eighteen units per acre.
 5. Qualifying structures must retain the appearance of single-family homes to the greatest degree practicable, except that original and historic elements will not require modification or removal.
 6. Any approval must include the condition that if the structure is removed the property shall fully conform with current zoning standards.

PROJECT ANALYSIS

Per Section 94-38(f)(2) of the Zoning Code, the Historic Preservation Board, Planning Board, and City Commission must study and consider proposed zoning text amendments in relation to the following criteria (if applicable), shown in underlined text (staff response follows each criterion).

a. The need and justification for the change.

Staff comments: the following justifications are applicable.

- The amendment will encourage the use of larger residential structures that are not feasible for use as single-family homes.
- The amendment will prevent the harm and expense to historic resources caused by the required conversion of historic multi-use structures to single-family homes.
- The amendment will provide for neighborhood compatibility for such uses through the conditional use process.

b. The relationship of the proposed amendment to the purposes and objectives of the city's comprehensive planning program and to the comprehensive plan, with appropriate consideration as to whether the proposed change will further the purposes of this chapter and other city ordinances, regulations and actions designed to implement the comprehensive plan.

Staff comments: the following Comprehensive Plan policies (shown in *italics*) are applicable to this amendment. This amendment is in keeping with the goals, objectives, and policies of the Comprehensive Plan. In regard to the policies listed below, the amendment is in line with stated purposes of promoting infill development, renewing blighted properties, encouraging the use of existing commercial areas, preserving historic resources, and promoting adaptive reuse.

FUTURE LAND USE ELEMENT

Objective A.1.2 9J-5.006(3)(b)2

Upon Plan Adoption, the City shall implement the following policies in order to provide the means for redevelopment and renewal of blighted properties.

Policy A.1.6.1 9J-5.006(3)(c)

Provide incentives which direct development to infill in areas of the City with in-place water/sewer lines and paved road. These incentives may include, but not be limited to providing additional permitted land uses through special use designations under the City Zoning Code such as approved "mother-in-law" units with separate kitchens or home office operations for limited business activities.

Objective A.1.5 9J-5.006(3)(b)4; F.S. 187.201(16)(a)(b)5

Upon Plan adoption, The City, through implementing the following policies, shall increase public awareness of the historical significance of the City and provide incentives to maintain and restore historically significant areas and structures within the City limits.

Policy A.1.5.2 9J-5.006(3)(c)8

Neither the owner of, nor the person in charge of, a structure within a historic district, or a structure that has been designated a national, State or local historical landmark shall permit such structure to fall into a state of disrepair which may result in the deterioration of exterior appurtenances or architectural features so as to produce or tend to produce, in the judgment of the board, a detrimental effect upon the character of the district as a whole or the life and character of the structure in question.

Adaptive reuse of historic structures shall be given priority over actions that would harm or destroy the historic value of such resources. Adaptive reuse shall include the permitting of historic structures to be remodeled or rehabilitated for a use that would be non-conforming to adjacent properties so long as the remodeling/rehabilitation does not affect the historical significance of the structure and the proposed use is or can be made compatible with adjacent land uses.

STAFF RECOMMENDATION

Staff recommends approval of COA HB 14-17 including the following definition of “original or historic use” and the addition of HD historic district criteria for this use, as noted below.

Zoning Code Sec. 94-2 (Definitions)

Definition: Original or historic use. The term “original or historic use” means the original use of a contributing structure within a historic district at the time of its construction or as occurring during the districts period of historic significance.

Zoning Code Sec. 94-156 HD historic district (zoning):

(c) Conditional uses.

- (1) Adaptive Reuse. Historical structures may be permitted for a use other than their original design use when maintaining the original design use is no longer economically or socially feasible. In such cases, the new use of the structure will not be considered to be a nonconforming land use. Alternate uses of historic structures must be approved by the planning board with consideration of recommendations by the city historic preservation board.
- (2) Original or historic use. Historical structures may be permitted for their original or historic design use when the current design use is no longer economically or socially feasible. Original or historic use must be approved by the planning board with consideration of recommendations from the historic preservation board and with consideration of the following factors along with the established conditional use criteria:
 1. The building or structure could not easily be retrofitted to comply with existing codes and criteria without such factors as significant costs, required variances, the vacation of right-of-way, the purchasing of adjacent property, extensive interior remodeling including wall removals or additions, or the removal of portions of the existing building.
 2. Projects shall provide as many required off-street parking spaces as can reasonably be provided on-site without destroying the integrity of the historic resource.
 3. Traditionally occurring on-street parking shall be credited toward parking requirements.
 4. Residential uses may not exceed eighteen units per acre.

5. Qualifying structures must retain the appearance of single-family homes to the greatest degree practicable, except that original and historic elements will not require modification or removal.
6. Any approval must include the condition that if the structure is removed the property shall fully conform with current zoning standards.