

**MINUTES OF THE REGULAR MEETING OF THE
SANFORD HISTORIC PRESERVATION COMMISSION
7:00 PM, MONDAY, JULY 28, 2008
WEST END CONFERENCE ROOM
SANFORD MUNICIPAL BUILDING**

Roll Call

Members Present: Matthew Sakurada, Al Roethlisberger, Tim Mercer,
Lora Wright, Mark West, & Katherine Zyla

Members Absent: Peter Thompson

Staff Present: David Montgomery, Bruno Pursche,

Citizens: Gerald & Bailey Kohl, Joni Martin, Paul Snyder, Rick
Guerrero, Tammy Hebert, David Stalker, Michael
Morgan, Laura Younger, William H. & Martha Shaw,
Nina Green, Kristen Dunne, Michael & Nancy
Humphrey, Carole & Adrienne McKenzie, Johnny Perez

**APPROVAL OF THE PREVIOUS MEETING MINUTES FOR JUNE 23, 2008
AND THE AGENDA FOR JULY 28, 2008**

Chair Matthew Sakurada called the meeting to order, and called the roll.

Chair Matthew Sakurada mentioned the Landmark designation application which is being reviewed by the City Attorney and will not be considered at the July 28 meeting.

Chair Matthew Sakurada asked if there were any additions/deletions to the agenda for July 28, 2008 meeting. Member Al Roethlisberger moved to add to the agenda introduction of new commission members; Member Tim Mercer seconded, and the motion passed unanimously.

Chair Matthew Sakurada asked the Commission if there were any additions/deletions to the previous meeting minutes for June 23, 2008. There being none Chair Sakurada entertained a motion to approve the minutes. Commission member Mark West moved that the minutes be approved and seconded by Member Al Roethlisberger, the motion carried unanimously.

REGULAR AGENDA: Commission members introduced themselves and gave a short history and background on themselves.

Chair Matthew Sakurada announced that board officers needed to be elected for the Historic Preservation Board. Member Tim Mercer moved to nominate Matthew Sakurada as Chairperson and Mark West as Vice-chair, Al

Roethlisberger seconded; there being no other nominations, Chair Sakurada closed the nominations. Member Al Roethlisberger moved by acclamation to approve the chair and vice-chair and the motion passed unanimously.

Matthew welcomed the guests and had them sworn in to testify for the public hearing. There were no conflicts of interest in the cases this evening.

PUBLIC HEARINGS:

- **Review of Application for Certificate of Appropriateness COA-08-37** submitted by AK&K Corporation owner of 121 S Steele Street repair and paint tiles with acrylic epoxy paint (off white, the same as the window trim).

David Montgomery, Staff, summarized the COA-08-37 staff report. He made comments and recommendations that Materials, Patterns, Textures, and Colors of the project were factors in the case.

Rick Guerrero represented AK&K Corporation; after some discussion with the board members, different suggestions were given to the applicant about what were some options. It was the consensus of the Board that they would like to table the hearing until further information was provided and an on-site visit was conducted; the applicant had no objection to tabling the application till next meeting.

Public hearing portion was closed by Matthew Sakurada, Chairperson.

Member Al Roethlisberger moved to table COA-08-37 for 121 S Steele Street until the next HPC meeting when we can receive more information on alternate approaches to repairing the tile; Member Lora Wright seconded and the motion passed unanimously.

- **Review of Application for Certificate of Appropriateness COA-08-39** submitted by AK&K Corporation owner of 218 Wicker Street who wishes to paint the outside tile with epoxy enamel paint in an off white color.

David Montgomery, Staff, summarized the COA 08-39 staff report. He made comments and recommendations that Materials, Patterns, Textures, and Colors of the project were factors in the case.

Rick Guerrero represented AK&K Corporation; after some discussion with the board members, different suggestions were given to the applicant about what were some options. It was the consensus of the Board that they would like to table the hearing until further information was provided and an on-site visit was conducted; the applicant had no objection to tabling the application till next meeting.

Public hearing portion was closed by Matthew Sakurada, Chairperson.

Member Al Roethlisberger moved to table COA-08-39 for 218 Wicker Street until the next HPC meeting when we can receive more information on alternate approaches to repairing the tile; Member Tim Mercer seconded and the motion passed unanimously.

- **Review of Application for Certificate of Appropriateness COA-08-45** submitted by Jay and Bailey Kohl of 325 N Gulf Street, who wish to install a “Hollywood” brick driveway with a shared apron at the left side of the residence.

David Montgomery, Staff, summarized the COA-08-45 staff report. He made comments and recommendations that Setback & Placement, Materials, Patterns, Textures, & Colors, Appurtenant Features and Fixtures were factors in the case.

Bailey gave a history of ownership of her property. She was told before they purchased the house that they would be able to put in a driveway in their backyard. However, since they purchased the house, a sink hole has developed in the back yard. They tried to bring soil in but every time it rains it washes out. They tried to park their car on the street, but their vehicle was struck while parked on the street.

As a result, the applicant felt that a driveway in her left side yard was their only option. The driveway would come off a shared apron with the neighboring property; the neighbor, who was currently deployed in Iraq, had already agreed to a shared driveway in writing.

The board members questioned the applicant regarding the retaining wall and running brick all the way up; Bailey stated they may have to curb it somewhat to create proper drainage. Her neighbor requested that they not remove the retaining wall on the west end side. Tim explained by providing a larger brick base by the retaining wall, it would not cause any modification of the wall and it would appear as if it had been there forever.

Mike Humphrey spoke in support of the driveway but was concerned with the City’s policy of a 10’ side setback for new driveway aprons particularly in the historic neighborhood; due to the small lot size and that most historic driveways throughout the neighborhood were less than 10’ side setback, he felt that a 10’ side setback was impossible to meet without putting the driveway directly in front of the house. While he agreed that the shared apron was away to meet the policy in this case, it would not solve the issue in every case. The

Commission agreed to write a letter asking Public Works to reconsider their policy of a 10' side setback for new driveway aprons in historic neighborhoods.

Public hearing portion was closed by Matthew Sakurada, Chairperson.

FINDING OF FACT: Member Al Roethlisberger moved that the Historic Preservation Commission find as fact that the proposed project COA 08-45, 325 N Gulf Street, if constructed according to the plans reviewed, is congruous with the character of the district, for the reasons that the setback, materials, appurtenant features are congruent with the designs seen throughout the neighborhood and period driveways and are generally in harmony with the criteria in the design guidelines and the special character of the neighboring properties and the historic district as a whole. Member Tim Mercer seconded and the motion passed unanimously.

DECISION: Based on the preceding finding of fact, Member Al Roethlisberger moved that the Historic Preservation Commission grant a Certificate of Appropriateness to Jay & Bailey Kohl and approve the proposal as shown in application COA 08-45, 325 N Gulf Street with the following conditions, that if they decide to amend the length and brick base of the driveway, they present those plans to staff before proceeding. Member Mark West seconded and the motion passed unanimously.

- **Review of Application for Certificate of Appropriateness COA-08-49** submitted by Progressive Development Co., LLC, owners of 147 Chatham Street, who wish to construct wood stairs and a deck to access the back entrance.

David Montgomery, staff, summarized the COA 08-49 staff report. He made comments and recommendations that height, setback & placement, materials, patterns, textures, & colors, general form & proportions of buildings & structures, and appurtenant features & fixtures were factors in this case.

Joni Martin appeared on behalf of Progressive Development Co.. She said there was a change to the size of the deck on the back of the building different than what was in the application. The deck would be eight feet by six feet, 3.5 feet off the ground; the applicant wished to use composite decking material in lieu of wood deck boards and use metal rails which match the rails at the buggy factory.

Public hearing portion was closed by Matthew Sakurada, Chairperson.

It was the consensus of the Board that since the applicant did not have the composite decking material in the original application nor provide samples of

the product at the meeting, that they would be unable to rule on the composite decking. The applicant said that would be fine and they would construct it out of wood.

FINDING of FACT: Member Mark West moved that the Historic Preservation Commission find as fact that the proposed project COA 08-49 at 147 Chatham Street, if constructed according to the plans reviewed, is congruous with the character of the district, for the reasons that the height, setback & placement, materials, general form & proportions and structures, and appurtenant features are generally in harmony with the criteria of the design guidelines and the special character of the neighboring properties and the historic district as a whole. Member Katherine Zyla seconded and the motion passed unanimously.

DECISION: Based on the preceding finding of fact, Member Mark West moved that the Historic Preservation Commission grant a Certificate of Appropriateness to Progressive Development Co., LLC and approve the proposal as shown in COA 08-49 at 147 Chatham Street. Member Al Roethlisberger seconded and the motion passed unanimously.

- **Review of application for Certificate of Appropriates COA 08-50** submitted by Michael Morgan of 500 N Gulf Street, who wishes to install a green house structure over an existing basement stairwell.

David Montgomery, staff, summarized the COA 08-50 staff report. He made comments and recommendations that height, setback & placement, materials, patterns, textures, & colors, architectural detailing, roof shapes, forms and materials, fenestration proportions, shapes, position, location & pattern and general form & proportions of buildings & structures were factors in this case.

Michael Morgan would like to permanently install a greenhouse above the exterior entrance to the basement to prevent basement flooding. He said it was like a sewer when it rained with 5 to 6 inches of water in the basement. The greenhouse windows will cover the windows that presently exist. The contractor will build a small concrete pad at the top of the stairs, to stop the water from going down the stairs.

Public hearing portion was closed by Matthew Sakurada, Chairperson.

FINDING of FACT: Member Lora Wright moved that the Historic Preservation Commission find as fact that the proposed project COA 08-50 at 500 N Gulf Street, if constructed according to the plans reviewed, is congruous with character of the district, for the reasons that height, setback & placement, materials, architectural detailing, general form &

proportions, and appurtenant features & fixtures are generally in harmony with the criteria of the design guidelines and the special character of the neighboring properties and the historic district as a whole. Member Tim Mercer seconded, the motion carried unanimously.

DECISION: Based on the preceding finding of fact, Member Lora Wright moved that the Historic Preservation Commission grant a Certificate of Appropriateness to Michael Morgan and approve the proposal as shown in COA 08-50 at 500 N Gulf Street. Member Mark West seconded, the motion carried unanimously.

- **Review of Application for Certificate of Appropriateness COA 08-51** submitted by Michael Morgan of 500 N. Gulf Street, who wishes to install two skylights (low profile) in roof of enclosed porch facing Bracken Street; each window will be two feet by four feet.

Dave Montgomery, Staff summarized the COA 8-51 staff report. He made comments and recommendations that height, setback & placement, materials, patterns, textures, & colors, roof shapes, forms & materials, and fenestration proportions, shapes, position location, & pattern were factors in the case.

Michael Morgan informed the board that these type of skylights would be similar in style as the ones that were approved for the greenhouse. You will not be able to see them from the street; I'm proposing that they be one inch above the roof line which will allow the water to flow around them. A board member recommended placing them as high as possible without being seen so he won't have to deal with water issues in the future. A discussion pursued regarding placing a mock up on the roof before installation by taking a picture of it and possibly tabling the issue for public input.

Mike Humphrey stated skylights in new construction are risky; skylights in old construction are dangerous and that he would never do a skylight on a flat roof, but if you are going to do it, you need get a big reveal around them. It has been advertised and people have had the opportunity to speak on this so it should not be tabled for another meeting.

The Public Hearing portion was closed by Matthew Sakurada, Chairperson.

FINDING of FACT: Member Lora Wright moved that the Historic Preservation Commission find as fact that the proposed project COA 08-51 at 500 N Gulf Street, if constructed according to the plans reviewed, is congruous with the character of the district, for the reasons that the materials, architectural detailing, roof shapes, general form & proportions, and appurtenant features are in general harmony with the

criteria in the design guidelines and special character of the neighboring properties and the historic district as a whole. Member Al Roethlisberger seconded and the motion carried unanimously.

DECISION: Based on the preceding finding of fact, Member Lora Wright moved that the Historic Preservation Commission grant a Certificate of Appropriateness to Michael Morgan for the proposal as shown in COA 08-51 at 500 N Gulf Street with the following condition that staff will ensure that the skylight cannot be seen from the street with a mockup. Member Al Roethlisberger seconded and the motion carried unanimously.

- **Review of Application for Certificate of Appropriateness COA 08-52** submitted by Michael Humphrey, who wishes to move an existing Bungalow style house from 715 N Horner to the vacant lot at the northeast corner of the intersection of Sunset Drive and Vance Street. This will require the removal of some trees on the subject property as well as the City ROW, grading the vacant lot, and installation of a foundation. In addition, the applicant wishes to install a driveway, a rear deck, and fencing around the subject property.

Dave Montgomery, Staff summarized the COA 8-52 staff report. He made comments and recommendations that height, setback & placement, materials, patterns, textures, & colors, architectural detailing, roof shapes, forms & materials, and fenestration proportions, shapes, position location, & pattern, general form & proportions of buildings & structures, and appurtenant features & fixtures were factors in the case.

Michael Humphrey presented his case before the HPC regarding the house he acquired from Horner Blvd to be moved to the vacant lot. He submitted a packet to the board members with detailed information. Michael addressed the feasibility of the project and the costs involved; he further briefed the board page by page using the packet and construction layouts. A discussion pursued regarding other trees which some adjoining property owners wanted removed which the Commission felt had no bearing with this COA.

The applicant requested to put either wood, hardi plank, or vinyl for the siding. He noted that two months ago a non-contributing house was approved for vinyl siding. Matthew Sakurada noted that this previously approved house already had vinyl siding on it. Michael wanted all three products approved so that he could choose whichever he wanted to use. Michael presented his case that each application should not be judged on its own merits, but the Commission should be consistent with its interpretation of the guidelines; he referred them to the board's own guidelines on page 15 (design guideline summary). Asked what he would do if the Commission did not approve the vinyl, Michael Humphrey stated he would sue the board if his request for vinyl siding is

denied because the board has taken away his property rights. He claimed he was just making a point; the Commission has to start following the rules, and he wants that protection for his home. He wanted the protection that if he is putting \$170,000 into a house, that somebody else can't come next door and put that vinyl up and devalue his property. Matthew Sakurada asked, do you want to make a point or do you want a COA? He stated he didn't need anything. Member Lora Wright explained that she couldn't understand why they had come this far and that he had a beautiful layout and undertook a heck of a project.

Adrienne McKenzie spoke in favor of the project. Nina Green spoke in favor of the project. Mike apologized for his rant and rave, but further stated that this board must follow the guidelines.

Tim Mercer let Mike know that this was wonderful project but that he wanted to hold the board hostage with his comments. Al Roethlisberger brought up that Mike had made the motion to approve the vinyl siding on the house at the corner of Chisholm and N. Gulf Street; Tim Mercer concurred with Al.

Mike Morgan stated this is his first meeting and there seems to be a lot of history here; all in all, he felt that this sounds like a good project. David Stalker impressed on the board to make sure they follow the rules consistently. Matthew explained there may be some shortcomings in the existing guidelines, but for about a year, new ones have been drafted and they are close to being completed. David Stalker cautioned the board for using gut feelings in lieu of the guidelines for making certain decisions. Adrienne McKenzie made a comment regarding the tearing down of homes from an article she read, and that this is an excellent example of restoration and saving of a home. Nancy Humphrey co-applicant told the board that vinyl siding was not going up on the house.

The Public Hearing portion was closed by Matthew Sakurada, Chairperson.

Chair Matthew Sakurada questioned whether this board could be sued for its decision. David Montgomery explained that their decision could be appealed to the Board of Adjustment in the "nature of certiorari" and then it could be taken further to the Superior Court of Lee County.

Al Roethlisberger addressed the challenges with corner lots and fences. He explained that depending on what direction a house faced on a corner lot that a rear fence could be changed.

Matthew Sakurada read the proper and reasonable materials to be used for new construction in a Historic designated area. In his mind this is not an existing structure; it is a structure being moved into the district, and therefore should be considered new construction. Lora Wright questioned whether this

board has ever approved new construction with vinyl siding in the Historic District; it was noted that only an existing house with vinyl siding on it has been previously approved for more vinyl siding. David Montgomery mentioned that in the decision ruling, the Commission should be clear on what siding they felt would be appropriate; he also stated to make the cutting of the trees in the ROW that would be required to be conditioned by staff approval.

FINDING of FACT: Member Lora Wright moved that the Historic Preservation Commission find as fact that the proposed project COA 08-52 at Sunset Drive and Vance Street, if constructed and moved according to the plans reviewed, is congruous with the character of the district, for the reasons that the height, setback and placement, architectural detail, roof shape, fenestration, general form, and appurtenant features of the house does meet the Rosemount-McIver Park Historic District Design Guidelines, and was generally in harmony with the criteria of the Design Guidelines, the special character of the neighboring properties and the historic district as a whole. She further moved that although most of the proposed materials were congruous with the character of the district, the use of vinyl siding was an inappropriate material as the guidelines for Buildings under New Construction states “Keep the predominant material of the proposed building consistent with historic materials in the district: brick, stone, stucco, and wooden siding or shingles”. Therefore, the Commission found that the proposed vinyl material siding did not meet the Rosemount-McIver Park Historic District Design Guidelines, and was not generally in harmony with the criteria of the Design Guidelines, the special character of the neighboring properties and the historic district as a whole. Member Katherine Zyla seconded, and the motion passed unanimously.

DECISION: Based on the preceding finding of fact, Member Lora Wright moved that the Historic Preservation Commission grant a Certificate of Appropriateness to Michael & Nancy Humphrey for the moving of an existing Bungalow style house from 715 N Horner Boulevard to the vacant lot at the northeast corner of the intersection of Sunset Drive and Vance Street, the removal of some trees on the subject property as well as the City Right of Way, grading the vacant lot, installation of a foundation, installation of a driveway with retaining wall, installation of a rear deck, and installation of fencing around the subject property with the conditions that vinyl will not be used for the siding of the house and that the City files the proper COA application with staff for the removal of trees in the City Right of Way next to 503 Sunset Drive on the Vance Street side so that the house can be moved. Member Katherine Zyla seconded, and the motion passed unanimously.

- **Review of Application for Certificate of Appropriateness COA 08-53** submitted by Michael & Nancy Humphrey at 503 Summitt Drive who wishes to install a rain and gray water collection system, make physical changes to a hot tub gazebo, overlay existing concrete patio with tumbled pavers, add 12' X 16' shed roof over the patio, and replace basement metal door with a wood paneled door with windows.

Dave Montgomery, Staff summarized the COA 8-53 staff report. He made comments and recommendations that height, setback & placement, materials, patterns, textures, & colors, architectural detailing, roof shapes, forms & materials, general form & proportions of buildings & structures, and appurtenant features & fixtures were factors in the case.

Michael Humphrey addressed the collection area for rain and gray water at the rear of the house which cannot be seen by anyone and how it is used. He further explained the use of the windows, door replacement and gazebo roof. He also clarified that the wood enclosure for the trash and recycling would be placed next to the garage.

The Public Hearing portion was closed by Matthew Sakurada, Chairperson.

FINDING of FACT: Katherine Zyla moved that the Historic Preservation Commission find as fact that the proposed project COA 08-53 at 503 Summitt Drive, if constructed according to the plans reviewed, is congruous with the character of the district, for the reasons that the fences and walls, landscaping guidelines, garages and outbuildings, windows and doors, utilities and energies retrofit are generally in harmony with the criteria of the design guidelines and the special character of the neighboring properties and the historic district as a whole. Member Mark West seconded, and the motion passed unanimously.

DECISION: Based on the preceding findings of fact, Katherine Zyla moved that the Historic Preservation Commission grant a Certificate of Appropriateness to Michael & Nancy Humphrey, and approve the proposal as shown in COA 08-53 at 503 Summitt Drive. Member Mark West seconded, and the motion passed unanimously.

OLD BUSINESS: NNO is August 5, 2009; Bailey Kohl sent out flier for Rosemount-McIver Park, and former member Laura Younger was setting one up for Hawkins Avenue.

Ad Hoc Committees Updates:

Guidelines Committee: A workshop for finalization of guidelines was going to be made between the Committee and the full Commission.

Marketing/Communication Committee: Al sent out E-mail requesting input for the newsletter; he also asked to have the new members send in a blurb to Al for newsletter.

Safety and Security Committee: Matt said that NNO had taken top priority for the Committee recently and they would be delving into other issues after.

Block Captain Update: Block 1: Al gave a block update of 4 new residents; 318 W Weatherspoon, 400 W Weatherspoon, 407, and the Hein’s house. Two of four did not know they were in a Historic District.

COA Staff Update:

- COA 08-44 120 S Steele St, Brandon Atkins, Install new canvas awning, new exterior lights bead board on exterior ceiling, exterior window trim.
- COA 08-47 505 Sunset Drive Matthew & Susan Sakurada, Cut down & replace overgrown ornamental holly bushes lining the west side of lot.
- COA 08-48 119 N Gulf Street David & April Montgomery, Paint exterior-beige-sash maroon-shingle addition & garage green.
- COA 08-54 311 Green Street R.O. Pace Replace aluminum gutters, paint the facing of the front porch the same color as is existing.
- COA 08-55 149 S Horner Blvd Dun Q Tran/Lan Dao, Add 42” deck to even with the sidewalk.
- COA 08-56 119 N Gulf Street David & April Montgomery, Rebuild brick steps from sidewalk and Install new lights in steps.

NEW BUSINESS: Block assignments of the new Commission Members would be made at the next meeting.

ADJOURNMENT: With no further business to come before the Commission, Chair Sakurada entertained a motion to adjourn. Commission Member Mark West moved and seconded by Member Lora Wright and the motion carried unanimously.

Adopted this _____ day of _____

BY: _____
Matthew Sakurada
Chairperson

ATTEST:

DAVID MONTGOMERY, PRESERVATION PLANNER