

## MEETING INFORMATION

**Location**

City Council Chambers  
1st Floor, City Hall  
One City Commons  
400 South Orange Avenue

**Time**

4:00 p.m.

**Board Members****Present**

Scott Sidler,  
*Vice-Chairperson*  
Laurie Burns  
Beth Hobart  
Tim Lemons  
Kevin Motschall  
Jeffery Thompson  
Dena Wild

**Absent**

Lucie Ghioto,  
Chairperson  
Mark Lewis

## MINUTES ▪ APRIL 4, 2018

## OPENING SESSION

- Determination of Quorum
- Pledge of Allegiance
- Introduction of Board Members and Staff
- Consideration of the March 7, 2018 Minutes
  - **Jeff Thompson MOVED to approve the Minutes of the March 7, 2018 meeting. Beth Hobart SECONDED the motion, which was voted upon and PASSED by unanimous voice vote (6-0).**
- Scott Sidler turned in a Conflict of Interest form for case HPB2018-10046 and abstained from voting on that item.

## CONSENT AGENDA

1. **Case No.: HPB2018-10046, 716 Mount Vernon St.**

Applicant/Owner: Benjamin Green, Mount Vernon LLC, 907 S. Ft. Harrison Ave., Ste. 102, Clearwater, FL 33756  
District: Lake Eola Heights Historic District (Commission District 4)

Request for a Major Certificate of Appropriateness to install a bedroom addition to the rear of the home.

Recommended Action: Approval of the request subject to staff conditions of approval as follows:

1. All changes to this proposal shall be reviewed and approved by HPB Minor Review Committee prior to permitting. Major modifications may require additional HPB approvals.
2. HPB approval does not grant permission to commence construction activity. All necessary permits must be obtained prior to commencement of construction activity.
3. HPB Construction Observation. Prior to the commencement of vertical construction the general contractor, developer and architect must schedule a coordination meeting with HPB Staff to review the HPB conditions of approval and the HPB review process for any proposed changes that may occur during construction. The general contractor must schedule periodic meetings with the HPB staff as needed to update staff on the project progress and potential issues complying with the HPB conditions of approval.
4. All siding and roof materials shall be similar to the existing materials.
5. All materials and details to match the existing house.
6. New windows shall be similar to the existing historic windows.
7. Recommend replicating and replacing the 3 missing Tuscan columns on the front porch as shown in file photo.

**Jeff Thompson MOVED to APPROVE the Consent Agenda. Laurie Burns SECONDED the Motion, which was voted upon and PASSED by a unanimous voice vote (5-0; Scott Sidler abstained).**

Note: Tim Lemons arrived at 4:07 p.m.

## REGULAR AGENDA

### 2. Case No.: HPB2018-10047, Mount Vernon St.

Applicant/Owner: Benjamin Green, Mount Vernon LLC, 907 S. Ft. Harrison Ave., Ste. 102, Clearwater, FL 33756  
District: Lake Eola Heights Historic District (Commission District 4)

Request for a Major Certificate of Appropriateness to construct a new single family residence with a detached garage/apartment.

Recommended Action: Approval of the request subject to staff conditions of approval as follows:

1. All changes to this proposal shall be reviewed and approved by HPB Minor Review Committee prior to permitting. Major modifications may require additional HPB approvals.
2. HPB approval does not grant permission to commence construction activity. All necessary permits must be obtained prior to commencement of construction activity.
3. HPB Construction Observation. Prior to the commencement of vertical construction the general contractor, developer and architect must schedule a coordination meeting with HPB Staff to review the HPB conditions of approval and the HPB review process for any proposed changes that may occur during construction. The general contractor must schedule periodic meetings with the HPB staff as needed to update staff on the project progress and potential issues complying with the HPB conditions of approval.
4. Reverse the site plan so that the new driveway is on the west side of the lot.
5. Move the body of the main house forward to be even with the historic house to the east.
6. All windows shall have dimensional exterior and interior muntins to simulate historic wood, double hung, divided light windows and shall have mullions between ganged windows of 8 inches to be similar to historic paired windows.
7. Windows shall be inset to be similar to historic wood windows in the district and be consistent on both first and second floors.
8. Window trim details shall be similar to other Craftsman style contributing properties in the district.
9. Rear facing window on the second floor of the garage must be obscure, non-vision glass.
10. Add a window to the side elevation, first floor study.
11. Cement board siding shall have a smooth finish so that when painted it will be similar in texture to historic wood siding.
12. Foundation shall be expressed with the addition of false vents to give the impression of a traditional raised foundation.

Richard Forbes, Historic Preservation Officer, introduced the case with a PowerPoint presentation which included site photos, images of neighboring properties, the Sanborn map, the proposed layout, existing and proposed site survey, floor plans, roof plan, and the proposed elevations. He also reviewed staff conditions as shown above.

Board members asked questions about the related variance procedure, window placement, lot size, siding and other materials, and the style of the proposed new house. Scott Sidler read into the record an e-mail from Marc Hustad, a neighbor to the west, which also asked a series of questions and expressed concerns about the proposal.

Ben Green, 1704 Split Fork Dr., Oldsmar, FL 34677, spoke as the applicant in support of the request. He said he wasn't opposed to having siding all the way down the façade, as board members had suggested. Further comments were made about additional windows being needed, and Mr. Green concurred.

Board discussion ensued at length. Topics included the height of the front columns, what to call the design style, nearby historic properties and commonalities with this proposal, the eclectic nature of the Lake Eola Heights Historic District, and concerns about the proposed building volume, size and height.

**Jeff Thompson MOVED to APPROVE the case subject to staff conditions. Tim Lemons SECONDED the Motion, which was voted upon and PASSED by a 5-2 voice vote (Kevin Motschall and Dena Wild opposed).**

### 3. Case No.: HPB2018-10045, 578 N. Orange Ave.

Applicant: John Youngman, Architect, 421 E. SR 434, Ste. 1015, Longwood, FL 32750  
Owner: Harrold Productions Inc., 1451 Falcon Dr., Orlando, FL 32803  
District: Commission District 5

Request for a Major Certificate of Appropriateness to allow renovations of the exterior façades facing Orange Ave. and Concord St., including windows, doors, balconies, and metal railing and screens.

Recommended Action: Approval of the request subject to staff conditions of approval as follows:

1. All changes to this proposal shall be reviewed and approved by HPB Minor Review Committee prior to permitting. Major modifications may require additional HPB approvals.
2. HPB approval does not grant permission to commence construction activity. All necessary permits must be obtained prior to commencement of construction activity.
3. HPB Construction Observation. Prior to the commencement of vertical construction the general contractor, developer and architect must schedule a coordination meeting with HPB Staff to review the HPB conditions of approval and the HPB review process for any proposed changes that may occur during construction. The general contractor must schedule periodic meetings with the HPB staff as needed to update staff on the project progress and potential issues complying with the HPB conditions of approval.
4. All new glass must be clear.
5. All materials and details to match the existing structure where possible.
6. Pull the proposed Concord Street balcony and stairs back from the front of the building so that there is less impact to the tower element base.
7. The Orange Avenue proposed balcony should be reduced to the minimum size and be pulled back from the corner of the existing portion of the building as much as possible. Recommend exploring alternate ways of exiting into the existing area and not adding the balcony on the Orange Avenue façade.
8. Retain existing 1940's metal gate screens in current locations and do not move any of them forward to the face of the canopy. Continue to use the gate screens to screen the walls that are being rebuilt.
9. Final material selection for doors, stair finish and any paint changes shall be reviewed by Minor Review.
10. Changes to the patio enclosure walls shall require additional review.

Richard Forbes, Historic Preservation Officer, introduced the case with a PowerPoint presentation which included site photos, images of neighboring properties, the Sanborn map, the proposed layout, existing and proposed site survey, floor plans, roof plan, and the proposed elevations. He also reviewed staff conditions as shown above.

Board members asked questions about the following topics: whether the windows and doors were the original material; various alterations that had already been done to the property, some without permits or Historic Preservation review; and what was allowed through the minor review process.

John Youngman, 421 E. SR 434, Ste. 1015, Longwood, FL 32750, spoke as the applicant in support of the request. He apologized for the alterations that had already been done without permits, and stated he would be replacing the windows that were taken out. He also would be replacing the wood fence around the dumpster. His main goal with this project was to increase capacity to make the club viable for acts they wanted to bring in. He said he was meeting or exceeding all fire and exit codes, and he had attended multiple meetings with Permitting review staff to confirm this.

Board discussion ensued at length. Many board members were concerned about the proposal, especially since some work had already commenced and it would be difficult to replace the removed historic materials. Topics of discussion included the old rolling gate pieces, balcony space used as a bar, number of exits desired versus what was required, whether the balconies detracted from the building's historic character, and proposals for mainly putting the stairs on the interior. Tim Lemons suggested that it might be possible to provide one interior protected exit stair and to push the stairs and landings closer to the walls and away from the exterior of the canopy, and to use a black metal grid similar to the existing gates for the railings, which would help them to disappear. Jeff Thompson also suggested minimizing the balconies and not use glass for the railings. Board members also discussed using doors that were more in keeping with the historic character of the building, and to restore the steel multi-pane windows that had been removed.

After much discussion, it became clear that the board was not satisfied with the project as proposed, but rather than outright denial, members decided that one additional month would allow the applicant to come up with a better design that

would be less damaging to the historic nature of the building. Members also wished to convene the Design Review Committee to comment on any new plan the applicant provided, prior to the May 2018 HPB meeting.

**Dena Wild MOVED to DEFER the case one month to May 2018. Tim Lemons SECONDED the Motion, which was voted upon and PASSED by a unanimous voice vote (7-0).**

## OTHER BUSINESS

- General Appearances – there were no General Appearances.
- Report on Minor Reviews (March)
- Scott Sidler noted the upcoming meeting on May 17 of the Florida Trust for Historic Preservation in Jacksonville.
- Board members commented on the occasionally poor quality of plan submissions to City staff, and whether the code could be amended to require better quality. Mr. Forbes responded that staff was obligated to take in applications, despite concerns about lower-quality drawings. He said the best way to get better plans in the future was for board members to consistently deny or defer cases they deemed inferior until the overall quality improved.
- Ed Petersen, Recording Secretary, pointed out that Heather Bonds would be returning in late April/early May to take back over HPB duties. He thanked the board for working with him while she was away.

## ADJOURNMENT

Scott Sidler, Vice Chairperson, adjourned the meeting at 5:53 p.m.

## STAFF PRESENT

Ed Petersen, Recording Secretary (acting)  
Richard Forbes, Historic Preservation Officer  
Jason Burton, Chief Planner  
Sarah Taitt, Assistant City Attorney  
Tim Johnson, Deputy Director, Economic Development Department



Richard Forbes, Historic Preservation Officer



Ed Petersen, Recording Secretary (acting)

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Sidler - Scott - Austin</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Historic Preservation</i>	
MAILING ADDRESS <i>12 N. Thornton Ave.</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Orlando</i>	COUNTY <i>Orange</i>	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY NAME OF POLITICAL SUBDIVISION: <i>City of Orlando</i>	
DATE ON WHICH VOTE OCCURRED <i>4/4/18</i>		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE	

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

**PRIOR TO THE VOTE BEING TAKEN** by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

**WITHIN 15 DAYS AFTER THE VOTE OCCURS** by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

### APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

### DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Scott Sidler, hereby disclose that on April 4<sup>th</sup>, 20 18 :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, \_\_\_\_\_ ;
- ☐ inured to the special gain or loss of my relative, \_\_\_\_\_ ;
- ☐ inured to the special gain or loss of \_\_\_\_\_, by  
whom I am retained; or
- ☒ inured to the special gain or loss of Austin Historical, Inc., which  
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Austin Historical, Inc., a company that is owned by me, has bid on the project and as a contractor and would benefit if the case HPB2018-10046 were approved.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

4/4/18  
Date Filed

[Signature]  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.