

CITY OF ST. AUGUSTINE

Historic Architectural Review Board Regular Meeting January 19, 2023

The Historic Architectural Review Board met in formal session at 1:00 P.M., Thursday, January 19, 2023 in the Alcazar Room at City Hall, St. Augustine, Florida. Gaere MacDonald, Vice-Chairperson, called the regular meeting to order, and the following were present:

1. ROLL CALL:

Gaere MacDonald, Vice-Chairperson
Jon Benoit
Paul Weaver, III
Brad Beach
Barbara Wingo, Alternate

Absent:

Catherine Duncan, Chairperson, excused

City Staff:

Julie Courtney, Historic Preservation Officer
Candice Seymour, Historic Preservation Planner
Isabelle Lopez, City Attorney
Elyse Wiemann, Recording Secretary

2. General Public Comments for Items not on the Agenda

(None)

3. Approval of Minutes

Mr. Weaver asked if the September joint meeting minutes could be voted on without notice,

Ms. Lopez advised items were able to walked-on at a meeting as it was an administrative item. She said the Board could open the item up for public comment.

Public comment was opened; however, there was no response.

MOTION

Mr. Weaver MOVED to APPROVE the Joint Historic Architectural Review Board and the Planning and Zoning Board minutes on September 20, 2022 as presented. The motion was SECONDED by Mr. Benoit.

VOTE ON MOTION:

AYES: Weaver, Benoit, Wingo, Beach, MacDonald

NAYES: NONE

**MOTION CARRIED UNANIMOUSLY
MOTION**

Mr. Benoit MOVED to APPROVE the October 13, 2022 Special meeting minutes as presented. The motion was SECONDED by Mr. Beach.

VOTE ON MOTION:

AYES: Benoit, Beach, Wingo, Weaver, MacDonald

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

MOTION

Mr. Benoit MOVED to APPROVE the November 17, 2022 minutes as presented. The motion was SECONDED by Mr. Beach.

VOTE ON MOTION:

AYES: Benoit, Beach, Wingo, Weaver, MacDonald

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

MOTION

Mr. Benoit MOVED to APPROVE the December 14, 2022 minutes as presented. The motion was SECONDED by Mr. Weaver.

VOTE ON MOTION:

AYES: Benoit, Weaver, Wingo, Beach, MacDonald

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

4. Modification and approval of Agenda

Mr. MacDonald announced Item HP2022-0078 and Item HP2022-0079 requested a continuance to Feb 16, 2023. He asked if there was any objection to continuing the items.

Mr. Weaver questioned if this applicant had been denied and resubmitted.

Ms. Seymour replied in the affirmative. She stated they reapplied in December and the Board requested the applicant to attend a Friday Development Review Committee. She said the applicant had retained a new architect and did not have enough time to provide the needed documentation.

MOTION

Mr. Weaver MOVED to CONTINUE Item HP 2022-0078 to the February 16, 2023 meeting. The motion was SECONDED by Mr. Benoit.

VOTE ON MOTION:

AYES: Weaver, Benoit, Wingo, Beach, MacDonald

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

MOTION

Mr. Weaver MOVED to CONTINUE Item HP 2022-0079 to the February 16, 2023 meeting. The motion was SECONDED by Mr. Benoit.

VOTE ON MOTION:

AYES: Weaver, Benoit, Wingo, Beach, MacDonald

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

Mr. MacDonald asked if there were any objections to the approval and modifications to the agenda.

There was Board consensus to approve the agenda with the modifications.

5. Public Comments related to Expedited Hearing items:

5. (a) Certificate of Demolition

**HP2022-0093– St. Johns Housing Partnership, Inc– Applicant & Owner
5 N. Whitney Street**

To demolish a residential building constructed c. 1935 that is not recorded in the Florida Master Site File or located in a district.

Ms. Seymour read the staff report and said based on a review of the AGHP and without the support of evidence to the contrary, staff finds that the Board can APPROVE a Certificate of Demolition at 5 N. Whitney Street because it is not a local landmark or otherwise designated as a historic building. The Board may consider including the following condition in a motion to approve:

1. For any salvageable historic materials to be salvaged, if possible, in accordance with Sec. 28-89(2)d6: The board may require, at the applicant's expense, salvage and preservation of significant building materials, architectural details and ornaments, fixtures, and the like for reuse in restoration of other historic properties.

Bill Lazar waived his rights to a presentation and agreed to the staff recommendations.

Ex Parte Communication:

(None)

17 certified notices were sent, 2 were returned in favor, 0 were returned opposed and 1 had comments.

Public hearing was opened; however, there was no response.

Board discussion:

- Asked the time frame for a replacement structure
- Asked if applicant would make a good faith effort to salvage materials
- Asked if there were any materials worth saving

Applicant response:

- Would be done as quickly as a plan could be approved by Planning and Zoning
- If anything could be saved, they would do so; however, there were not a lot of architectural features to the structure
- Would recycle the hard pine or hard cypress

MOTION

Mr. Weaver MOVED to APPROVE item 5(a) application HP2022-0093, 5 N. Whitney Street based on the staff report and no evidence indicating this was a historic building and applicant would make a good faith effort to salvage materials. The motion was SECONDED by Mr. Beach.

VOTE ON MOTION:

AYES: Weaver, Beach, Wingo, Benoit, MacDonald

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. Certificate of Appropriateness

6. (a) HP2022-0092– Southern Construction– Applicant
J Prabhu II LLC– Owner
226 Charlotte Street

To alter existing windows on the north and south elevations and construct a new two-story porch and exterior stair on the west elevation.

Ms. Seymour read the staff report and said based on a review of the AGHP, and without the support of evidence to the contrary, staff finds that the Board can APPROVE a Certificate of Appropriateness at 226 Charlotte Street with the following findings:

1. The proposed window fenestration changes will not impact the architectural integrity of the contributing building; and,
2. The proposed rear two-story porch and exterior stair meets the Secretary of the Interior's Standards for Rehabilitation #9 as a compatible contemporary design.

David Grande reviewed the application.

Ex Parte Communication:

(None)

Public hearing was opened; however, there was no response.

The Board discussed:

- Asked if both windows would be repurposed
- Thought it made sense to limit the details on the back porch and was an appropriate compatible contemporary design
- Swapping of the windows changed the character of the home but overall felt it worked
- Looked to have been a back porch on the home at one time and the scale, portion, and designed tied into the home

- Agreed the subtle differentiation on the back porch brought it into compliance
- Siding would have to be patched where the removal of the smaller window was and should blend
- Questioned if there was any physical evidence that the smaller window had been an alteration
- In favor of the new porch's flat roof which did not impact the primary details of the home and could be removed in the future
- Requested applicant to remove enough siding for the replacement siding to look woven to not leave a scar where the window was
- Lights were appropriate but not on the plan asked where those were located
- Needed to clarify the lights on the drawing for staff

Applicant Response:

- The smaller window was from a bathroom and was swapping the larger with the smaller
- Would not change the exterior look and wanted it all to match
- Lights were the same as the Marion Hotel and had to be at exits

Ms. Seymour asked if there were only two windows that were being swapped as there seemed to be another on the north elevation that had shrunk.

Mr. Grande said the third window would be left the same and only the two mentioned would be changed.

Mr. Weaver said the plan was to repair everything else, and if there was an issue like wholesale replacement, he would need to contact staff.

Ms. Seymour said if things changed, a window survey or additional HARB review may be necessary.

Mr. Weaver noted this building had a lot of alterations despite the age.

MOTION

Mr. Benoit MOVED to APPROVE application 2022-0092 finding that both the fenestration changes and the rear porch addition were compatible, contemporary alterations in additions to the historic contributing structure with the condition that the final plans identify the location of the proposed light fixtures and to clarify the third window was not in the scope and the rest of the windows would be prepared as is. The motion was SECONDED by Mr. Weaver.

VOTE ON MOTION:

AYES: Benoit, Weaver, Wingo, Beach, MacDonald

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

**6. (b) HP2022-0085 – Jennifer Laporte–
Applicant & Owner
46 St. Francis Street**

To construct a picket fence with a gate and rolling gate along the south property line and install brick pavers.

Ms. Seymour read the staff report and said based on a review of the AGHP, and without the support of evidence to the contrary, staff finds that the Board can take the following actions for a Certificate of Appropriateness at 46 St. Francis Street:

1. APPROVE if the HARB determines that the fence, gate, and paving plans as proposed or modified based upon Board recommendations meet the Secretary of the Interior's Standards for Rehabilitation #9 as compatible contemporary designs.
2. CONTINUE the application to allow the applicant time to consider a more appropriate design for the picket fence and/or paving material.

Jennifer Laporte reviewed the application.

Ex Parte Communication:

(None)

Public hearing was opened; however, there was no response.

Public hearing was closed.

Mr. Benoit asked when this type of fence came in on an application did staff contact the applicant and provide the correct fencing materials per the AGHP guidelines.

Ms. Seymour replied she had informed the applicant that a simpler design maybe more appropriate for the house based on the design of the building.

The Board discussed:

- Asked if the masonry wall was an option
- Felt that any water that had hit the masonry wall to knock it down may hit the house now with the proposed fence
- Paver matched the existing driveway
- In favor of the application as long as it had clay pavers and the fence was simplified

Applicant response:

- Unable to put a masonry wall back due to the high cost
- Driveway had an opening for drainage, and it sat higher
- Felt the masonry wall failed due to not be done correctly and the picket fence would allow water to flow
- Paver would match what was in the driveway and be uniform with the existing
- Wanted the picket fence with the clay pavers and asked if the project could be done in stages

Ms. Seymour replied as long as the concept was approved by HARB there was no timeline; however, permits lasted a year and could reapply if needed.

Ms. Courtney said the Certificate of Appropriateness did not expire unlike Certificate of Demolition. She said staff could refer back to what had been approved.

There was a brief discussion regarding the expiration of the Certificate of Appropriateness and how that could be changed if the Board felt it was necessary which could be discussed at a subsequent meeting.

Mr. Beach questioned if the fence needed to be heavier or have a heavier presence. He felt the fence should be simpler than what had been proposed. He asked if the proposed fence was on the approved list for fences.

Mr. MacDonald stated the staff report noted the design could be simplified which would make it more appropriate.

Mr. Benoit asked about another application with the same picket fence.

Ms. Seymour advised it was similar; however, that home was Colonial reproduction building and not a framed vernacular.

Board discussion:

- Fencing was picketed with a scallop between them
- Questioned the rolling gate component and noted it needed to be larger enough for a vehicle
- Thought either a rolling gate or swinging gate would work
- Expected the fence to be painted or stained
- Did not want the fence to be too large
- Was fine with the proposed fence if the finial was at four feet and mid picket should not be higher than thirty-six inches
- Should keep in mind the scale of the home in order to not make the fence overwhelming

- Top horizontal rail would drop to thirty inches, being only slightly higher than the masonry wall with the pickets and finials would be a little higher

Applicant response:

- Fencing would be painted white
- Had no issue with simplifying the look of the fence
- Noted the driveway was slightly higher and a rolling gate would be better, and the swinging gate could cause more issues

Ms. Seymour said there were no measurables for post 1821 vernacular structures, but the AGHP noted simple vertical picket fences were appropriate for framed vernacular of at least five and a half feet for American Territorial Period 1821-1845 and later period fences should be at least four feet high but less than five feet adjacent to the street.

Mr. Benoit said he thought this was a guideline but could work with the proposed fence, as being in line with vernacular could use materials available.

Board discussion:

- Questioned the height of the former masonry wall
- Fence was around two feet eight inches high with a cap on top
- Everything on the property seemed to fit
- Guidelines were good; however, should look at the property, history and precedence of the features
- Felt the house should be the benchmark for the height of the fence
- Average height on the fence without the finial would be around three foot three inches or three foot four inches, not much higher than the masonry wall
- Felt the spirit of the guidelines was being followed

- Should check with the Building Department regarding impervious and pervious ratio
- Highly suggested using stain instead of paint as it was easier to maintain

Applicant response:

- When quoted the pillars would be about four feet high and the scallop would have about five inches in between

MOTION

Mr. Benoit MOVED to APPROVE application HP2022-0085 approving both the proposed paver material of clay brick paver from temron that matches the existing driveway and approving the fence with the following conditions top of the post would be four feet tall and top of the horizontal rail would be at two feet eight inches, as measured from the property side of the fence since it was similar to the height of the masonry wall. The motion was SECONDED by Mr. Weaver.

Mr. Weaver asked about the proposed rolling gate.

Mr. Benoit said the proposed rolling gate was appropriate since the driveway was a slightly higher and would be more difficult for a swinging gate.

VOTE ON MOTION:

AYES: Benoit, Weaver, Wingo, MacDonald

NAYES: Beach

MOTION CARRIED 4/1

6. (c) HP2022-0090– Carlos R. & Paige L. Cruz– Applicant & Owner
39 Grove Avenue

To construct a new privacy fence along the east, west, and south property lines and install a new metal gate in the existing masonry wall on the north property line.

Ms. Seymour read the staff report and said based on a review of the AGHP, and without the support of evidence to the contrary, staff finds that the Board can CONTINUE a Certificate of Appropriateness at 39 Grove Avenue to allow the applicant time to consider a more appropriate fence and gate material and design.

Anthony Amos reviewed the application.

Ms. Courtney advised it was communicated that the Polyvinyl Chloride (PVC) was not an approved material per the AGHP guidelines and other material options were provided.

The Board discussed:

- City used the Secretary of the Interiors standards and PVC was not in the guidelines or approvable
- Questioned what the fence would look like when complete
- Asked if it was a stockade or picket fence

Applicant response:

- Asked if a wooden fence with no gate could be approved instead of the PVC
- Fence would be exactly like the neighbor's fence
- Was a box fence and the rails being on the neighbor's side

Mr. Weaver asked if there was a visual available on what the guidelines advised.

Ms. Seymour replied the guideline did not provided information regarding wood privacy fences. She said it was generally appropriate on side and rear elevations.

Board discussion:

- Questioned the height of the fence
- Buildings were close together and could be intrusive to the neighbor
- Could compromise the building
- Felt the privacy fence could be six feet high

- A vertical stockade fence would be more appropriate butted together
- The site plan steps down to four feet once in front of the building
- Thought a stain would be more appropriate than a paint
- If a gate were needed could return to HARB for approval
- Questioned the gate in the masonry wall as there was no evidence of one being there

Applicant response:

- Was requesting eight feet in the middle and would step down to six feet along the property line
- If only allowed to have a six-foot fence the owner would more than likely be satisfied
- Willing to do the six-foot fence with no gate

Ex Parte Communication:

(None)

Public hearing was opened.

BJ Kalaidi stated she was concerned with this application as the applicant had been told the what the guidelines would allow. She said Grove Street was very important and encouraged the Board to continue the application.

Public hearing was closed.

Mr. Weaver felt this was simple application and could be approved with the changes.

MOTION

Mr. Benoit MOVED to PARTIALLY APPROVE application HP2022-0090 with the conditions that the proposed fence be wood, six feet, and step down as proposed and per code in front of the house towards the street, wood would be stained and DENY any of the proposed

aluminum gates. The motion was **SECONDED** by Mr. Weaver.

VOTE ON MOTION:

AYES: Benoit, Weaver, Wingo, Beach, MacDonald

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. Certificates of Demolition and Partial Demolition (see expedited hearing item)

Hearing and Motion under Item 5.

8. Continued Certificates of Appropriateness from previous HARB meetings

8. (a) HP2022-0083 Continued from December 14, 2022 – Duval Master Construction – Applicant
26 Toques PI, LLC – Owner
26 Toques Place

To remove an existing ADA ramp, install a new porch railing to match the existing, and repair and/or replace existing wood windows and wood siding.

Ms. Courtney read the staff report and said based on a review of the AGHP, and without the support of evidence to the contrary, staff finds that the Board can CONTINUE a Certificate of Appropriateness at 26 Toques Place to allow time for the applicant or building owner to revise the application to include changes to and submit requested information for the expanded project scope, including the new window and exterior door replacements, as well as to submit the required after-the-fact Certificate of Demolition (partial) application for elements, such as the historic windows, that were permanently removed.

Hunter Hayden reviewed the application.

The Board provided ex parte communication.

Public hearing was opened.

BJ Kalaidi spoke in opposition to the application and noted the property was in historic preservation district three. She said this was in the historic area and thought the historical fabric was being destroyed. She felt the owner needed to take responsibility for the home and she encouraged the Board to continue the application.

Public hearing was closed.

Mr. Benoit said the application before the Board was not for partial demolition for the windows.

Ms. Courtney advised the applicant that a partial demolition application would be needed and encouraged the applicant to continue; however, he wanted to be at the meeting.

The Board discussed:

- Not opposed to the rail move and ramp removal and relocation which was more in line with the original porch
- Windows needed to go through the proper process
- Had architectural issues with the proposed window and thought it would not comply with the Building Code
- Would need to have the product approval number
- In favor of the new windows being put back in the existing openings
- Issues with the rebuilding of the windows
- Would be more successful with drawings to show the changes to the home
- Siding information was helpful and appropriate
- Having an architect could help with the details of the top railing and the post
- Felt the application needed to be continued

Mr. Weaver said in order to approve a replacement window, an after-the-fact application for partial demolition should have been submitted.

Ms. Courtney said in December the applicant noted the windows were being repaired; however, on Google street view the windows had been out since April 2022. She questioned if the windows were being restored or not. She said it appeared to be wholesale replacement and felt a Certificate of Demolition should be required and an after-the-fact application.

Mr. Weaver asked if a partial demolition application were denied would it be a Code Enforcement issue.

Ms. Courtney said it could be a Code Enforcement issue now but if the windows were removed for restoration a permit was not required. She said she needed to understand the issues before moving forward.

Mr. Weaver said this was concerning; however, the best option was to continue the applicant since the correct application was not before the Board.

Board discussion:

- Felt procedurally the application should be continued
- Documentation was on time for the Board or the public to review
- Building was below the flood elevation
- Original windows in the home were cypress wood, not pine wood and only three or four were left
- Questioned the date that the original windows were discarded
- Felt there was a conflict of information because in December Board was told windows were out for repair
- Felt there were many windows that could have been repaired
- Only solution was to meet the Florida building guidelines and have new wood windows approved by the Board
- Questioned when permits were pulled and what for
- Board was to there to protect the town
- Would have to provide a set of plans with all the replacement materials

- With the level of information needed, did not feel a month was enough time

Applicant response:

- Windows were pulled in April and contractor was told to restore windows on site
- Did not have exact dates but carpenter threw away originals and was rebuilding them
- Permits were pulled for electrical and plumbing

Mr. Weaver asked if it were possible to have feedback from Barry Fox, Code Enforcement Supervisor.

Ms. Lopez advised this was not a Code Enforcement meeting; however, the Building Official was available to answer any questions.

Mr. MacDonald asked what the Building Officials opinion was as he also reviewed the plans for the City.

Richard Schauland City Building Official, advised, he would need to have the product approval numbers for the windows, or an engineer would have to submit a signed and sealed letter before it would be allowed.

Mr. MacDonald advised Kolbe and Jeld-Wen windows were preapproved; however, others could be presented. He encouraged the applicant to provide a sample when he returned to the Board.

Ms. Courtney said those windows had been approved in the past; however, no windows were preapproved because the manufacture made a variety of windows.

Mr. MacDonald suggested denying the application to have a reset for the application.

Mr. Weaver disagreed but agreed to continuing the application.

Mr. Hayden noted he could provide the drawings and would submit the partial demolition application. He said if both applications could be heard simultaneously, he was not opposed to continuing the application.

Dr. Wingo encouraged the applicant to make sure all documentation was turned in prior to the deadline to avoid confusion on what was being requested. She agreed that continuing the application would be better to have the history of the project.

MOTION

Mr. Weaver **MOVED** to **CONTINUE** application HP2022-0083 26 Toques Place to the March 16, 2023 HARB meeting. The motion was **SECONDED** by Mr. Benoit.

VOTE ON MOTION:

AYES: Weaver, Benoit, Wingo, Beach, MacDonald

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

8. (b) HP2022-0078 Continued from November 17, 2022– Grace Contracting, LLC– Applicant
Zigiz Holdings, LLC – Owner
28 W. Castillo Drive - Lot 14

To construct a new 1-1/2 story single family residence along Grove Avenue and a 2-story detached garage with living space above along W. Castillo Drive with associated site features to include an inground pool with paver surround, front and rear driveways, fencing, landscaping, and associated mechanical and utility equipment.

Applicant requested a continuance to the February HARB meeting. Motion under Item 4.

8. (c) HP2022-0078 Continued from November 17, 2022– Grace Contracting, LLC– Applicant
Zigiz Holdings, LLC – Owner
28 W. Castillo Drive - Lot 15

To construct a new 1-1/2 story single family residence along Grove Avenue and a 2-story detached garage with living space above along W. Castillo Drive with associated site features to include an inground pool with paver surround, front and rear driveways, fencing, landscaping, and associated mechanical and utility equipment.

Applicant requested a continuance to the February HARB meeting. Motion under Item 4.

9. Planning and Building Staff Communications

9. (a) Planning and Building Staff Approved Permits Report

(Provided for informational purposes)

10. Other Business

10. (a) Continued discussion regarding application requirements

Ms. Courtney reviewed the topic with the Board and asked if there was any feedback. She said staff could continue working on the requirements for applications and come back with a final list.

Mr. Benoit referred to 10(a) page sixteen from the Homeowners association. He said on the form it had space to write in the materials being used and thought it was better than just confirming it was included.

Mr. Beach asked if there would be an electronic version that would not allow an applicant to continue until everything was filled out correctly.

Ms. Courtney advised HARB permits were going to start being submitted online though the portal. She said thresholds could require more information to be submitted to staff.

Mr. Benoit said this would require applicants to have more of an idea of what was needed

and could also let the applicant know the application may be incomplete and should contact staff. He said he liked having to include the zoning information.

Mr. Beach said there were several components that should be included such as the basic project scope, zoning requirements, specific plans, and a materials checklist.

Mr. MacDonald said there should be clear links for the public to use to find information easily and not make it difficult for the public.

Ms. Courtney said information about zoning; if the property or home were in an HP District, or on the National Register, could be found using the Geographic Information System (GIS) system on the City's website.

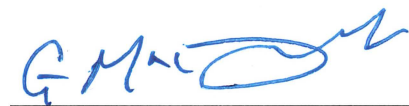
Ms. Lopez suggested sharing how to find this information on the website as it could be beneficial to many.

11. Next Scheduled Meeting Date

(a) Thursday, February 16, 2023, at 1:00 p.m.

12. Adjournment

There being no further business, the meeting was adjourned at 3:00 P.M.¹



Gaere MacDonald, Vice-Chairperson

¹ Transcribed by Elyse Wiemann