



**CITY OF ST. PETERSBURG
COMMUNITY PLANNING & PRESERVATION COMMISSION
PUBLIC HEARING**

**Council Chambers
City Hall**

**December 13, 2016
Tuesday, 3:00 p.m.**

Approved as written 1/10/17

MINUTES

Present: Robert “Bob” Carter, Chair
Jeffery “Jeff” M. Wolf, Vice Chair
Keisha A. Bell
Christopher “Chris” A. Burke
Will Michaels
Lisa Wannemacher, Alternate
Thomas “Tom” Whiteman, Alternate

Commissioners Absent: Gwendolyn “Gwen” Reese¹ *¹ excused*
Jeff Rogo¹
Arnett Smith, Jr., Alternate¹

Staff Present: Derek Kilborn, Manager, Urban Planning & Historic Preservation
Rick Dunn, Building Official
Larry Frey, PhD, Historic Preservationist, Urban Planning & Historic Preservation
Laura Duvekot, Historic Preservationist, Urban Planning & Historic Preservation
Michael Dema, Assistant City Attorney
Vicky Davidson, Administrative Assistant, Planning & Economic Development

The public hearing was called to order at 3:02 p.m., a quorum was present.

I. OPENING REMARKS OF CHAIR AND SWEARING IN OF WITNESSES

II. ROLL CALL

III. MINUTES

The minutes from the November 8, 2016 meeting were approved as written by a consensus vote.

IV. INFORMATION

A. 335 Lang Court North Demolition

Contact Person: Derek Kilborn, 893-7872

Demolition of the main structure designated as a contributing property to the Lang’s Bungalow Court Historic District, located at 335 Lang Court North.

Staff Presentation

Derek Kilborn gave the Commissioners an update of the demolition of the subject property based on the letter with attachment from Mr. Kilborn and distributed to the Commission Members in advance of the meeting. A letter was received from St. Petersburg Preservation in opposition to the demolition and copies were distributed to the CPPC members.

Commissioner Burke asked if there was a third option in lieu of the demolition by the City or owner. Mr. Kilborn stated that the conditions set forth are that if the owner does not take final action by February 2017, it would trigger the authorization for the City to proceed with the demolition with all costs associated with such to be charged back to the owner and the property.

Commissioner Michaels asked staff about lessons learned from this particular situation in terms of how this can be precluded from happening again. Mr. Kilborn stated that these are always difficult cases to manage. This case began with two owners who he feels lacked the necessary resources to maintain the building. Staff is considering several tools that could help mitigate concerns relating to the demolition of neglected buildings.

Public Hearing

Peter Belmont, representing St. Petersburg Preservation, spoke about the lessons needing to be learned from this case and suggested "special conditions" be in place that the Commission might otherwise impose, ranging from requirements for documentation of the building to other types of requirements which the Building Official does not get into. He suggested that the Commission may want to look at the process of saying even if the Building Official is finding the demolition appropriate, that there still can lie jurisdiction within the Commission to review what conditions might be appropriate to include with such a demolition order for an historic property; find a way to include the Commission in the process. He urged the Commission to look at the demolition by neglect issue

V. QUASI-JUDICIAL PUBLIC HEARINGS**A. City File HPC 16-90300007****Contact Person: Laura Duvekot, 892-5451**

Request: Owner request for a Local Landmark designation of the John Gassman House, located at 630 14th Avenue South.

Staff Presentation

Laura Duvekot gave a PowerPoint presentation based on the staff report. A letter in support of the designation was received from Florida Trust for Historic Preservation and copies were distributed to the CPPC members.

Applicant Presentation

Coy LaSister, owner, spoke in support of the designation request.

Public Hearing

Peter Belmont, representing St. Petersburg Preservation, spoke in support of the request.

Executive Session

MOTION: *Commissioner Wolf moved and Commissioner Bell seconded a motion approving the Local Landmark designation in accordance with the staff report.*

VOTE: *YES – Bell, Burke, Michaels, Wolf, Wannemacher, Whiteman, Carter*
NO – None

Motion passed by a vote of 7 to 0.

(Note: Commission Chair Carter was recused from the following item (COA 16-90200038) due to a conflict.)

B. City File COA 16-90200038

Contact Person: Larry Frey, 892-5470

Request: Certificate of Appropriateness approval for an after-the-fact installation of a fixed, transparent covering/roof above a previously approved pergola, located at 2402 Brevard Road Northeast in the Granada Terrace Historic District.

Staff Presentation

Larry Frey gave a PowerPoint presentation based on the staff report. Two letters in opposition to the COA request and one-email message in favor were received and copies were distributed to the CPPC members. A petition by residents in favor of the covered pergola was also received and included in the staff report.

Commissioner Whiteman asked about the precedence stated in the staff report if this were approved. Dr. Frey stated that staff has not had a case consisting of exposed exterior polycarbonate panels come before them or the Commission but, if approved, may set a precedent for future requests of use in the same or similar situation. Michael Dema stated that any COA decision that the Commission makes does have the potential to set precedence.

Commissioner Whiteman asked about the staff report's final sentence under Recommendation regarding the CPPC may determine the covering to be temporary and reversible. Dr. Frey stated that that was included because there are very minimal attachments to the historic building (garage) so, in a way, it is a reversible structure that would have little, if any, negative adverse effect to the historic building (garage). This would include the panels and pergola, and gives the Commission an additional item to consider during their deliberations.

Commissioner Burke asked if the COA were approved, the applicant would then need to get an after-the-fact building permit. Dr. Frey replied, yes.

Commissioner Burke asked if the panels have any type of architectural rating or are permanent. Dr. Frey stated that the way the panels cover the structure does change the building permit review because the structure changes from a pergola to a carport.

Commissioner Wolf asked if there is any language in the historic preservation code that speaks to temporary and reversible. He understands how these materials might be considered both but would not have any weight unless it is recognized in the best practices of preservation that states temporary and reversible structures are allowed. Dr. Frey replied, not exactly but the City code and the nationally recognized standards does speak

about additions or alterations being reversible. However, there is no requirement or strong recommendation other than any effect to certain historic buildings be considered to be reversible.

Commissioner Michaels asked if there is any information that the owner has any plans to take this down by a certain date. Dr. Frey replied, not that he is aware of.

Owner Presentation

Leah Campen gave a presentation in support of the COA approval and distributed photographs of the subject site to the Commission.

Commissioner Michaels asked what exactly the after-the-fact part of the installation is. Ms. Campen stated that only the transparent panels are after-the-fact. Small furring strips going across the top of the pergola to help stabilize were also installed; however, they were suggested at the time the pergola was installed but not required.

Commissioner Burke asked if the panels have any type of product approval rating to be used as a flat roof. Ms. Campen replied that she did not know and would have to research. She was looking for a material that would not destroy the pergola and be nearly invisible. These panels also provide the UV protection.

Public Hearing

Jack Bodziak, architect and representing the owner, spoke in support of the request.

Richard Powell, 2434 Andalusia Way NE, spoke in support of the request.

Mark Squires, 2328 Brevard Rd NE, spoke in opposition of the request. (Not going through the proper channels and setting a precedence by approving something that is not typically within the historical code.)

Amy Thomas, 2321/2405 Brevard Rd NE. spoke in opposition of the request. (Circumventing the process; initially sending the cover letter with a blank page (not the public notice); and not supplying all the information on a petition that the owner had provided for neighbors to sign.)

Cross Examination

By City Administration:

Waived

By Owner:

To Amy Thomas – Did you receive the second letter that was sent because actually the first letter that was blank, as you stated, was in error. I have an admin assistant who is a very nice women and she just made a mistake and I immediately went to Larry and said “I’m sorry; she made a mistake; we need to re-mail it” which is why we are on the docket now for December instead of November. So a subsequent letter was mailed out immediately following the mistake and it was mailed out about the middle of November.

(Unable to hear Ms. Thomas’ reply; was not picked up on the chamber microphones as she was talking from her seat in the audience section.)

To Amy Thomas – In regard to the petition, I would ask you what your issue is with the petition because I have no opponents to the covering at all and everybody was very supportive in the neighborhood.

(Unable to hear Ms. Thomas' reply; was not picked up on the chamber microphones as she was talking from her seat in the audience section.)

Rebuttal/Closing Statement

By City Administration:

Derek Kilborn began by complimenting the property owner with the investment/improvements made to the house. He cautioned the Commission to be careful about drawing conclusions regarding someone's motivations and actions that they take. In this particular case, the owner did follow proper procedure in seeking the original COA and we have to evaluate the action that has been taken after-the-fact. There was a condition of approval that prohibited any enclosure of the open sides of the pergola including the top and this does put staff in a difficult position because we are here discussing something that has a small visual impact on the surrounding properties in the neighborhood. Staff is obligated to provide recommendations based on how the code is written and today the code does provide a process for us to review accessory structures and ancillary structures on a property like this pergola. So, based on the original condition of approval we have come back to you with a recommendation to deny but we have, in an attempt to review this in its entirety, provided you with some additional language and options regarding a determination that this as a temporary and reversible structure, which we think is important for you to consider in this particular case. Finally, there was a characterization about the signatures; it was described as all and he wanted to remind the Commission that based on the material they have related to this case, there were 29 signatures submitted to the office representing 23 properties in total; there were two signatures representing two properties and there are a total of approximately 71 in the neighborhood.

Commissioner Wolf asked if there is any evidence of the second public notification mailing. Mr. Kilborn stated that the owner provided a certificate of mailing for the second mailing evidencing that the envelopes were sent to the required addresses but it does not verify the contents of what went into the envelopes, themselves.

By Owner:

Ms. Campen stated the she had no intention of doing anything that was incorrect or after-the-fact. She feels that some flexibility is needed in terms of allowing functionality to occur. This transparent covering is removable and temporary; could be removed by two men in an afternoon. She would appreciate the Commission to consider approval for the covering as it provides functionality and she does not want to seek tearing down the historic garage. She is trying to save the garage; trying to find a functional solution that is not aesthetically displeasing, that is also temporary, reversible, does not harm the building and protects her car from the neighboring tree's falling debris. She concluded by saying that she had spent quite amount of money fixing up the home and is hoping that she will be able to stay there.

Commissioner Wolf asked if she had any input from the Building Dept. as to whether they would allow this covering to remain. Mr. Bodziak stated that the pergola was designed to meet all of the applicable building codes. The covering complies with the FBC codes and should not be an issue with the Building Dept.

Commissioner Wolf stated that the previously-approved pergola could now be reviewed with the covering as a carport. Mr. Bodziak stated that it meets all requirements of a carport because it is open-sided and the uplift can be met very easily.

Executive Session

Commissioner Wannemacher stated that the material is 1/16th of an inch but the profile is taller due to the covering is corrugated. They are really dealing with two issues; historical aesthetics and building code. She did not think that it was fair for Mr. Bodziak to say that the pergola, as designed and permitted, would meet all of the requirements of a carport because it would need to go through the permitting process for that determination. The aesthetic issue is dealing with the choice of material and if the covering is placed on a slope, the discoloration from the falling debris would be more visible from the street versus a horizontally flat covering.

Commissioner Wannemacher then asked staff if there were some kind of materials that would be allowable as a covering in this case provided it met the building code requirements of uplift and structure. Dr. Frey stated that he does not have any clear answer because wood is obviously historical material and metal, in some ways, is an historic material. The real question is how has it been used in the district in the past or in other districts that can be referenced. When it comes to a carport, they typically find roof structures consisting of shingles on top (not many in Granada Terrace) so putting Spanish tiles on a hard roof would conceivably be appropriate.

Commissioner Michaels asked if carports are allowed in this neighborhood, to which Mr. Kilborn replied, yes. Mr. Kilborn went on to say that they looked at the setbacks and staff determined it would comply if the subject structure were approved as a carport,. Any action taken today is based on historic preservation matters only and the owner is still required to obtain a building permit.

Commissioner Burke asked if they are able to apply for a building permit without the Commission's approval today. Mr. Kilborn stated that they will need a COA in order for a building permit to be issued.

Commissioner Whiteman asked about corrugated or galvanized steel. Dr. Frey stated that this material is not found in the district; it would be considered new material.

Commissioner Whiteman asked about a flat tin roof. Dr. Frey stated that these are not found in the district but do find them on built-up flat roofs. A big concern is how it is exposed and if it is hidden without any visible trace; then it would be more acceptable.

Commissioner Whiteman commented that assuming the Building Dept. approved, a built-up roof would be substantially thicker and more visible to the neighbors. Dr. Frey stated that it would be looked at more compatible than polycarbonate materials but the structure would obviously change.

Commissioner Wolf commented about what coverings may be compatible with the neighborhood without complete redesign of the structure; shingle and most metal roofs require a slope but a built-up roof does not. He asked if the subject structure could be approved as a carport. Dr. Frey stated that it would be looked at for compatibility (there are a couple in the district with living space above them) and the current structure has to withstand any type of permanent roof that goes above it; really talking about a different structure which may have more impact but, in turn, be more compatible. Dr. Frey went on to say that right now it is more of a permanent structure with the added covering because it is nailed in and fastened in; most professionals would look at it as more permanent.

Commissioner Wannemacher asked about a canvas/fabric covering. Dr. Frey stated that this would be more temporary with the attachments permanent and there are precedence of the canvas-type of awnings in the district; design plans a lot into this.

Commissioner Wolf asked if a temporary canvas covering over the pergola would be considered compatible. Dr. Frey replied that it would be more compatible than the current panels because there is some kind of precedent; will have to be reviewed, look to see how it is designed, how it folds up, and how it will be attached.

Commissioner Burke commented that the original COA very clearly stated that the pergola was not to be covered and this after-the-fact concerns him. If the current covering is temporary and removable, then why not remove it now and then go through the proper channels in converting the pergola into a carport. He feels that this would be a more appropriate way to handle this. Mr. Kilborn stated that an after-the-fact application is handled the same way by the Commission as with a COA application; the action is after-the-fact but procedurally the effect is the same.

Commissioner Burke stated that he is not inclined to support it because of the after-the-fact nature and if it is that temporary, then it can be removed which he believes is a better solution. Maybe the owner should re-design the structure as a true carport going through the proper channels.

Commissioner Wolf summarized that the owner had done an excellent job restoring the property and salvaging what others may have torn down, and had followed the procedure with the approval of the pergola structure. His concern is that a carport structure may have a more visual impact on the neighborhood with a bigger profile and taller roof line. From a construction point of view, he considers the panels temporary and removable because plastic exposed to the sun has a limited lifespan and can be taken off with a screwdriver not hurting the structure. He also understands that the material used is not found historically in the neighborhood and only one possible alternative would be considering a canvas awning top or other type of material that the staff would consider temporary which would not need a COA. His sympathy is with the owner but his main concern is precedence.

MOTION #1: *Commissioner Whiteman moved and Commissioner Michaels seconded a motion to approve the COA request for an after-the-fact installation of a non-historic roof covering material above the pergola and deem it a temporary and reversible roof covering.*

Commissioner Wolf stated that one possible alternative would be for the owner to have an opportunity to come back and work with the City on a different covering but he personally would be comfortable with interpreting as a temporary and removable covering for primary purposes of not establishing a precedence where someone else can come and do this without approval from the Building Dept.

Commissioner Wannemacher stated her concern with approving this type of material is that if it is placed on a slope or in a vertical fashion, or utilized in any other way such as a garden accessory or material, over time it will not be as invisible as it is now. This would set a precedence in allowing this material to be used in other types of situations. She will not support the motion.

VOTE: *YES – Whiteman*
NO – Bell, Burke, Michaels, Wannemacher, Wolf

Motion failed by a vote of 5 to 1.

Commissioner Wolf suggested to see if the owner can work with staff with a canvas covering over the frame which he would consider temporary and removable; less expensive for the owner. Commissioner Wolf then asked the owner/applicant if she would consider working with the City for a different covering that would protect her vehicle and still be considered temporary and removable.

(Unable to hear Ms. Campen' reply; was not picked up on the chamber microphones as she was talking from her seat in the audience section.)

MOTION #2: *Commissioner Michaels moved and Commissioner Wannemacher seconded a motion that the Commission recommends that staff work with the owner to find alternatives for the covering of the pergola such as a canvas topping.*

VOTE: *YES – Bell, Michaels, Wannemacher, Whiteman, Wolf*
 NO – Burke

Motion passed by a vote of 5 to 1.

Commissioner Burke stated for the record that he originally suggested that the owner go back to the City for this type of approval and his “no” vote was only because he did not like the suggestion of a canvas covering being appropriate.

(Note: Commissioner Wannemacher was recused from the following item (COA 16-90200045) due to a conflict.)

C. City File COA 16-90200045

Contact Person: Larry Frey, 892-5470

Request: Certificate of Appropriateness approval for the construction of an addition to a Local Historic Landmark building, known as the Tramor Cafeteria, located at 123 4th Street South.

Staff Presentation

Larry Frey gave a PowerPoint presentation based on the staff report.

Commissioner Wolf asked if the special conditions stated in the staff report have been discussed with and agreed to by the applicant, to which Dr. Frey replied, no, that they are for future discussions. Dr. Frey went on to say that if the applicant disagrees with the special conditions, then he feels it should come back to the CPPC.

Applicant Presentation

Jack Bodziak, architect and the owner’s representative, gave a presentation in support of the COA request.

Commissioner Michaels stated that there are two issues; the size of the addition and the loss of the five historic windows; staff’s recommendations are trying to minimize that such as changing the hip roof to a flat roof with a parapet, and then asked how much does this lower the building’s height. Mr. Bodziak stated that the height has to go up significantly enough to accommodate the equipment, so they could not come down more than a foot or two. They will probably have a parapet that would still exceed the present roof level because access is needed around and over very specific brewing tanks needed for the type of beer they will make, and these tanks are pretty tall.

Commission Chair Carter asked if the overhead that sticks out over the sidewalk on the south side of the Tramor is still there. Mr. Bodziak stated that he does not remember and went on to say that meeting the window requirement will be difficult.

Commission Chair Carter asked that if the Commission were to approve this today, would he accept all of the conditions set forth by Dr. Frey.

Commissioner Michaels asked if it were possible to build this addition and keeping the windows intact. Mr. Bodziak stated that the wall has to be covered in order to connect to the main building. The potential reuse of the windows is possible but would be very difficult in this case especially because of the 30% transparency, but are willing to work with staff to preserve anything they can.

Dr. Frey stated that in regards to windows, they do not want to copy the windows exactly on additions; reusing these windows would not meet code unless an appeal was made to the Building Official; however, more windows will be needed than what will be taken out. Dr. Frey went on to say that, in this case, they would rather reference the openings allowing more modernized windows which are commonly done with other rehabilitations/additions done throughout the country. We don't exactly mimic the building with an addition, but reference its openings and basic window style.

Commission Chair Carter commented that he noticed as well where the reference to the stucco as being slightly different. Dr. Frey stated that the northwest corner where a flat roof tower used to be and by looking at 1960s photographs and 1930s postcards, there was never a pitched roof at that corner but a tiled roof with a different size that did not match the other tower. So, either a pyramidal roof or a flat roof could be used and asked the Commission to discuss which one they would prefer.

Commissioner Michaels asked about the reference on page 8 of the staff report regarding increasing the horizontal and window references to try to minimize the scale of the addition. Dr. Frey stated that staff wanted to ensure that the horizontal flow of the windows is compatible with the historic building. Mr. Bodziak stated that the 30% transparency along with adding doors will throw the windows off balance from the rest of the building.

Public Hearing

No speakers present.

Cross Examination

By City Administration:

Waived

By Applicant:

Waived

Rebuttal/Closing Remarks

By City Administration:

Dr. Frey stated, for clarification, that staff is willing to work with the applicant regarding the 30% transparency, knowing that the 30% transparency does not work well with all historic buildings, if the CPPC agrees to consider it at today's meeting that staff can work with the applicant to resolve this issue even though it may not meet the 30% transparency. Dr. Frey then clarified about the height versus pitch; the height would be the difference between the peak (currently 30-feet, 9-inches) and the height of the parapet that will be required for a flat roof.

By Applicant:

Mr. Bodziak stated that what the staff proposes is workable.

Commissioner Wolf asked about the roof drainage. Mr. Bodziak stated that as long the equipment can be accommodated, he feels that he and staff are pretty close. Dr. Frey added in regards to the pyramidal roof that he did not want to close out the fact that the pitch roof may stay if some of the fenestration and/or windows are changed; not saying absolutely it will be one or the other and will be something that staff will work on with the applicant.

Executive Session

Commissioner Wolf stated that he was somewhat concerned about not gaining the anticipated height benefit by raising the parapet to cover a flat roof; he has no objections with the aesthetic perspective.

Commission Chair Carter stated that *The Times* may like the hip roof better because a lot of drainage would go onto their sidewalk/property right behind to the west side of the building which has heavy pedestrian traffic. He feels that the triangular roof looks better and would make more drainage sense.

MOTION: *Commissioner Wolf moved and Commissioner Bell seconded a motion approving the Certificate of Appropriateness for the construction of an addition subject to the special conditions in the staff report with a hip roof may be an acceptable form to be determined by staff and the architect or applicant.*

VOTE: *YES – Bell, Burke, Michaels, Wolf, Whiteman, Carter
NO – None*

Motion passed by a vote of 6 to 0.

Prior to the next Public Hearing item, Commission Chair Carter asked Commissioner Michaels to talk about the Heritage Tourism Study that he had prepared and copies of the draft were provided to the Commission Members prior to the meeting.

Commissioner Michaels gave a brief history of the study and then asked that this item be placed on the January agenda as a first item for discussion. Commission Chair Carter agreed and asked that the absent Commissioners (Reese, Rogo and Smith) be provided a copy prior to the meeting. Commissioner Michaels stated that he will send an e-copy to Derek Kilborn for distribution.

VI. PUBLIC HEARING**A. Inventory of Signs of Historic Significance Contact Person: Derek Kilborn, 893-7872**

Request: Approve the inventory for use in interpreting the Signs of Historic Significance regulations.

Staff Presentation

Laura Duvekot gave a PowerPoint presentation based on the staff report.

Public Hearing

No speakers present.

Executive Session

Commissioner Wannemacher asked if there are more painted signs on sides of buildings of historical significance than listed in the inventory. Mr. Kilborn was not sure but there have been demolitions within the past several years uncovering painted signs with some being restored after-the-fact.

Commissioner Wannemacher asked what would happen if other signs were discovered. Mr. Kilborn stated that they would be put in the inventory and believes over time this will continue to evolve as a list in a document and will bring to the CPPC updates to the list which may include additions and/or removals.

Commission Chair Carter asked if there are any historical kind of standards for reconditioning these signs. Mr. Kilborn stated that he thinks the general preference is to leave them in the condition that they were revealed and not necessarily to restore them. The purpose of this list is to give protection to someone who has one of these signs that no longer meet the current sign regulations.

Commissioner Michaels expressed his appreciation for the tremendous time and effort that staff put into this inventory; it is a very significant first for our community. Mr. Kilborn stated that this project was very interesting and exciting to work on with input received from individuals from as far away as California.

MOTION: *Commissioner Wolf moved and Commissioner Bell seconded a motion approving the Inventory of Signs of Historic Significance in accordance with the staff report.*

VOTE: *YES – Bell, Burke, Michaels, Wolf, Wannemacher, Carter*
NO – None

Motion passed by a vote of 6 to 0.

Prior to Announcements, Mr. Kilborn asked the Chair to recognize Peter Belmont with St. Petersburg Preservation.

Mr. Belmont announced that the preservation awards that St. Petersburg Preservation does every other year will be determined/revealed during an awards ceremony being held in February 2017 (February 8th at the St. Petersburg Women's Club). Nominations are being accepted from the public and the application can be found

on the St. Petersburg Preservation website. These awards recognize individuals and businesses who have contributed to the community by restoring, renovating or maintaining some of the City's historic buildings.

VII. CPPC MEMBER/STAFF COMMENTS, ANNOUNCEMENTS

Mr. Kilborn stated his appreciation of the efforts that went into the Heritage Tourism Study draft.

Designation applications for property on 5th Avenue North will be coming before the CPPC in January.

The Historic Preservation annual update will be given by staff at the January meeting as well as an update from St. Petersburg Preservation regarding their projects.

The commission member handbook will be presented at the February meeting when new terms begin for some Commission Members. This handbook was prepared to assist members with understanding the different issues with planning and historic preservation that come before the Commission.

VI. ADJOURN

With no further items to come before the Commission, the public hearing was adjourned at 5:53 p.m.