



MINUTES OF THE ARCHITECTURAL REVIEW BOARD

March 18, 2021

MEMBERS PRESENT: Chairperson Salter, Vice Chairperson Mead, Board Member Fogarty, Board Member Spencer, Board Member Villegas, Board Member Yee

MEMBERS ABSENT: Board Member Ramos

STAFF PRESENT: Historic Preservation Planner Harding, Senior Planner Statler, Transportation Planner-Complete Streets Ziarnek, Network Engineer Johnston

STAFF VIRTUAL: Planning Director Morris, Assistant City Attorney Lindsay

OTHERS PRESENT: Stephanie Butler, Summer Carter, Kevin Smith (virtual), Al Pruden (virtual), Dan Girardin (virtual), Greyson Roberts (virtual), Todd Vucovich

CALL TO ORDER / QUORUM PRESENT

Chairperson Salter called the meeting to order at 2:03 p.m.

APPROVAL OF MINUTES

Board Member Spencer made a motion to approve the February 18, 2021 minutes, seconded by Board Member Mead, and it carried unanimously.

OPEN FORUM - None

NEW BUSINESS

Item 1

426 E. Intendencia St

PHD

Noncontributing Structure

HR-1 / Wood Cottages

Action taken: Approved.

Installation of Mechanical Equipment at a Noncontributing Structure

Todd Vucovich is requesting approval to install a gas generator and tankless gas hot water heater on the west side yard of a noncontributing structure. The proposed equipment will be hidden from the street view by landscaping. Wood pickets on the west side had been removed from the request.

Board Member Spencer advised Mr. Vucovich had been a client of SMP Architecture, but this submittal was not under their purview; it was determined he was able to vote as a member of the ARB on this item.

Mr. Vucovich explained the reason for locating the equipment on the west side was to be closer to

the gas meter for better results. It would be installed 65' from the street, and they met all setback requirements. He proposed to place a green screen and Podocarpus hedge south of the generator location. Board Member Villegas asked how long it takes the hedge to grow and would it grow to a height to screen the equipment. Mr. Vucovich advised it was very common in this district and was used as an effective screen. The plants would be placed in at 5' in order to immediately cover the equipment.

Board Member Spencer made a motion to approve, seconded by Board Member Fogarty, and with no speakers it carried unanimously.

Item 2

321 W. De Soto Street

**NHPD
PR-1AAA**

**Contributing Structure
Modifications**

Action taken: Approved with Exception of Porch.

Renovation and Improvements to a Contributing Structure

Stephanie Butler is seeking approval for exterior modifications to a contributing structure. North Hills' comments were given to the Board; they had no problem with the materials but felt the proposed front porch columns did not reflect the Craftsman style of the home and agreed with Mr. Pristera that the porch was original and should be kept as is.

Ms. Butler stated there were currently 7 ways to enter the house, and they were cutting those down to 3. The chosen windows would match the existing. Chairperson Salter stated the vast majority of the changes to the house were appropriate and well thought out. He advised after visiting the site, the porch did seem heavy but did agree that with the materials used, the porch seemed original to the house. He was concerned that the alteration would constitute loss of the foremost historic element of the structure; drastic modification was contrary to the ARB's duties for preservation. He did feel the color palette would lighten the look. Ms. Butler asked if modifications were possible if they maintained the arch and front columns, shaving down the corners. Chairperson Salter advised it would be hard to answer without seeing the proposal. Board Member Spencer thanked the applicant for the application and for her endeavors in this project. He was openminded on how to help the applicant achieve a greater amount of natural light on the porch; his thought was to use flat Velux skylights, and paint color changes would also be helpful. Ms. Butler advised the red deck would be wood; it was suggested she could paint the deck a light blue-gray.

Board Member Mead agreed with the nature of the porch being original and did not feel the Board could meaningfully change the form. He was not necessarily opposed to changing the parapet rail in shape and materials since those areas were more incidental, but he could not approve without seeing the proposed change. Board Member Villegas stated the project was commendable, but Mr. Pristera's statements allowed the Board to determine what was original. She explained lightening the colors and possibly using fans would make a significant difference. Ms. Butler stated they were not using fans since they did not want to damage the bead board.

With no speakers, Board Member Mead made a motion to approve with the exception of the redesign of the front porch and with the allowance to resubmit for porch alterations addressing opening the parapet wall in an appropriate way; modifications would return to the full Board. The motion was seconded by Board Member Spencer and carried unanimously.

Item 3

513 N. Davis Highway

**OEHPD
OEHC-1**

New Construction

Action taken: Conceptual Approval with Exception of Parking

Conceptual Review

Summer Carter (Northwest Florida Investment Group LLC) is requesting conceptual review and approval of a new single-family residence. The proposed new construction will be a single-story building with fiber cement siding, asphalt shingle roofing, a raised slab foundation, and a double ribbon drive. Comments from Old East Hill were provided to the Board.

Ms. Carter presented to the Board. Chairperson Salter explained in reviewing the Old East Hill comments, in this area, single driveways were preferred and where possible, placed to the side; the primary concern was the width of the driveway with the possibility of blocking the sidewalk. He also noted that most of the homes in this area were right at the street and did not know if moving the house back was a solution. Board Member Villegas explained she felt the concern was that the driveway would be in front of the house and slimming the façade might give the illusion that the driveway was at the side of the property. Ms. Carter stated there was an existing curb cut, but FDOT would determine if they needed to use that curb cut. Staff advised that typically ARB's jurisdiction was inside the property boundaries, and they would not be able to weigh in on the right-of-way area. Board Member Yee suggested narrowing the kitchen area of the house to be able to slide a car along side the front portion of the structure; Ms. Carter indicated that was an option. Regarding the pitch of the roof, Chairperson Salter stated it would not require a different pitch. Board Member Yee advised with the new CRA overlay guidelines, 6 and 12 was a minimum, which was what was indicated for the project. It was also noted that with 513 and 515 N. Davis being along side of each other, there should be space between the driveways; placing parking on opposite sides of the adjacent properties might also help. It was determined the 5' setbacks were on the sides with none on the front and rear.

Transportation Planner Ziarnik explained the desire of the Mayor, TPO and Council was to restore the fabric of Old East Hill, going away from one-way pairs to two-way traffic which makes the streets safer and restores parking on both sides of the streets. Board Member Mead could not approve the parking as submitted but would be amenable to a variance for the side to make room for a driveway and parking in the rear. Board Member Spencer asked if the one-way street was being considered a hardship, and Board Member Mead stated it could, but there was no variance application in front of the Board. Board Member Spencer noted that two-way traffic would slow down the speeds, but in the meantime, decisions had to be made on the present conditions. Board Member Yee suggested shared easements, and Senior Planner Statler explained in using the area currently there, it would be 10' with travel lanes being 10'. With a shared easement, they were preferred to be around 20' to allow for two-way traffic for flow between houses and not having traffic backed up into the right-of-way. Board Member Fogarty preferred the shared driveway alternative, and parking in the rear would be a lot safer allowing for a vehicle to drive out facing forward on Davis.

With no speakers, Board Member Mead made a motion to approve conceptually with the exception of parking, seconded by Board Member Villegas, and it carried unanimously.

Item 4 **515 N. Davis Highway** **OEHPD**
New Construction **OEHC-1**
Action taken: Conceptual Approval with Exception of Parking
Conceptual Review
Summer Carter (Northwest Florida Investment Group LLC) is requesting conceptual review and approval of a new single-family residence. The proposed new construction will be a single-story building with fiber cement siding, asphalt shingle roofing, a raised slab foundation, and a double ribbon drive.
The motion and approval for 513 N. Davis Highway carried for 515 N. Davis Highway as well.

Item 5 **116 W. De Soto Street** **NHPD**
Replacement of Roofing Materials **PR-1AAA**
Action taken: Approved.
Replacement of Roofing Materials
Kevin Smith (CMR Construction and Roofing) is requesting approval to replace roofing materials at a contributing structure. The applicant is proposing to replace the historic Ludowici clay roofing tiles with new tiles matching the manufacturer, visible profile, weight, and color. The main difference between the existing and proposed tile is a slight variation of the interlocking profile on the back end of the tile. Tile samples were provided to the Board.
Mr. Smith presented to the Board and stated the quality of the tile was always the same. The costs to produce the historic version were much greater in overhead due to the equipment it was constructed on.
Board Member Spencer made a motion to approve, seconded by Board Member Mead. Chairperson Salter advised the tile was as close a representation to being authentic as reasonably expected and appreciated the applicant's efforts in doing so. It was noted that Mr. Pristera was also pleased with the materials for this historical roof. **The motion then carried unanimously.**

Item 6 **111 W. Gonzalez Street** **NHPD**
Replacement of Roofing Materials **PR-1AAA**
Action taken: Approved.
Replacement of Roofing Materials
Kevin Smith (CMR Construction and Roofing) is requesting approval to replace roofing materials at a contributing structure. The applicant is proposing to replace the historic Ludowici clay roofing tiles with new tiles matching the manufacturer, visible profile, weight, and color. The main difference between the existing and proposed tile is a slight variation of the interlocking profile on the back end of the tile.
With this item being the same concept, there was no need for presentation. **Board Member Fogarty made a motion to approve, seconded by Board Member Villegas, and it carried unanimously.**

Item 7

617 Crown Cove

PHD / SSD

New Construction

Wood Cottages District

Action taken: Denied based on colors and materials.

Final Review of New Construction

Dan Girardin is requesting final approval for a new three-story single-family residence. The new construction will feature entertaining areas and a pool on the ground floor and living space on the second and third. Additionally, there will be a basement accessed by a car elevator and a roof top terrace. This project obtained conceptual approval at the January 21, 2021 meeting where it also received a variance to reduce the west side yard setback.

Mr. Spencer presented to the Board. Staff explained conceptual approval required site plans, elevations, and floor plans which were provided at the January 21 meeting. The Board approved a general design, endorsing the project and giving the applicant confidence to move forward to include the minor details that ARB needs to review including products, colors, etc. Exterior materials were to be considered by the Board today. The Board was reminded this project was in a Site Specific Development (SSD). This development was taken out of the Historic District in 1980; SSDs have their own LDC which can be elaborate and restrictive; in this case it was not and was open to a lot of variations.

The products were then presented. Chairperson Salter indicated that since this project was an SSD, it had no real design guidelines, but more a general description, and the actual guidelines of HC-1 did not apply since this was not technically an HC-1, and there was no specific guide the Board could apply to this. When Crown Cove was established, it was mentioned that ARB would be required to give final approval on anything placed there. So, anything new would not have a negative impact on the aesthetics of the surrounding properties and neighborhoods, and that it would not be historic but that it would fit in to some extent which was the reason the ARB was founded and the basis of ARB decisions. He explained when he looked at the project, he was impressed with a beautiful house but concerned with its appropriateness at this location. The rendering on A-001 showed the homes on Crown Cove which were similar in design, mass, and detailing, with only one close to this structure, but it also related to the others; he did not see the proposed structure relating to the aspects of the surrounding aesthetics and asked if Mr. Spencer could address that. Mr. Spencer advised that the Board had already covered the elements in a spirited discussion with a unanimous vote to approve conceptually and asked that this meeting address the final approval.

Board Member Mead asked that the rules for conceptual review be read to determine what it entailed. Historic Preservation Planner Harding read an email given by Legal which stated "The Code does not support the ARB if it were to direct different design elements by conceptual or final review because there is no codified process for the review of an SSD by the ARB. This gap in the Code may be worth examining if the ARB would like to review the notes from an SSD and suggest that standards be codified down the road. It is also worth examining if SSDs should go before the ARB in the future, as ARB is unable to do what it does best in this situation, and that is to apply standards to preserve the integrity of a neighborhood or district consistent with the historic design elements and the City's desire to preserve."

Assistant City Attorney Lindsay referred to Section 12-12-3 which established the ARB and states that the ARB shall have as its purpose the preservation and protection of buildings of historic and architectural value and maintenance and enhancements in the following districts: Pensacola Historic District, North Hill Preservation District, Old East Hill Preservation District, Palafox Historic Business District, and the Governmental Center District (SSD was not covered). However, this SSD was adjacent to HC-1, and the thought was could we support staff in applying those adjacent standards to the SSD to ensure that the ARB was protecting the character and integrity of the area. Legal could not find a code to support that extension of authority. But,

according to the Board's duties, it has the right to approve or disapprove plans for buildings to be erected, renovated, or raised that are located or are to be located within a historical district or districts, to preserve the historical integrity and ancient appearance within all historic districts established by the governing body of the City. The conceptual section does not reflect what the Board is limited to as far as what happens after the Board makes the conceptual approval decision, but it suggests that materials and colors would be the Board's focus when asked to review the development. Staff confirmed Section 12-3-10(1)(f)(6) which states "conceptual approval is permitted by the board only when the applicant specifies on their application that is the approval they are seeking. Conceptual approval applications shall be complete with the exception of final details such as material and color selections. Conceptual approval by the board does not permit the issuance of a building permit." Board Member Mead explained this review was given to the Board by the City Council with standards from the Board's overall purpose. He explained proximity has architectural effect in terms of visual impact and overall character of a structure and surrounding structures; he felt the Board had passed that bar in the conceptual review and should be considering things of lesser significance such as colors and materials.

Mr. Spencer explained this residence faced another SSD structure, and this particular project had a public hearing with a variance notice in the yard; the applicant went to great means to communicate with the property owners within direct visual proximity, and they supported the variance request which included the full conceptual package. He suggested the Board conduct a workshop for clarification on the SSD process. He emphasized that this project had been conceptually approved, and the Board was now here to consider colors and materials; he advised his applicants walked away with conceptual approval and did not expect to debate what had already been approved.

Board Member Mead suggested other structures on Bayfront were in pastels, and it was hard to keep the exterior materials clean with the white color, and more work needed to be done to make the colors and materials fit in the area. Mr. Spencer disagreed and thought the color was consistent with the building form. He indicated he had worked with Board Member Yee on a project across from the YMCA which was also white stucco. He agreed this structure was not a rough texture stucco to collect particulate matter.

Board Member Villegas stated that because of its location, it was more important to consider the structure; it was a completely different building and discussing the color was a way to find the balance. She believed there were a lot of things to be respected, but it did not have to be a pastel but could definitely not be the stark white which takes away from the surrounding structures. In speaking for the applicants, Mr. Spencer was open to a neutral palette and advised he had never specified pure white; the whites selected for buildings were typically not white-white. He suggested returning to the Board with actual stucco samples for consideration. Board Member Mead pointed out the structures on Bayfront with different colors and a mixture of textural patterns. In comparison, the proposed structure displayed lots of white, flat surfaces with the window treatments mostly dark muntins which made the windows go away, leaving large flat spaces broken up by large empty holes with little visual texture; it also dominated this location. He felt the Board needed to see something that diminished the impact in the structural massing with some of the color and materials.

Board Member Fogarty advised the colors and materials selected for this structure on this SSD site were perfectly appropriate and personally believed this would be a great addition to history on this block moving forward. She did not mind the white color but would be open to looking at something more muted. She understood the concerns of the other members, but in her opinion, it was okay. Mr. Spencer stated after the Board's comments, they moved forward with the smooth stucco. Board Member Mead explained the banding in this structure did not pop out,

and the other neighboring structures also had a distinguishing roofline; he suggested the roof and intermediate bands be in a different or darker color which would bring the roof down visually for a similar effect.

Board Member Yee explained the structure was a well-designed building and had expressed the placement of it within the proximity to the historic district but recognized that the Board did not have the authority to evaluate it in the typical standards. The Board granted conceptual approval, and he agreed that the Board was evaluating the previously conceptually approved application on details which the Board did have the ability to evaluate. He also agreed that Board Member Mead's suggestions were valid in order to bring the project into conformity with the other structures. Board Member Mead explained the approval of the Whalebone structure was because they took the criteria given and made an intelligible and evident explication of all the elements to satisfy that criteria to the letter.

Mr. Spencer stated it was very awkward to have a group design meeting to discuss color and roof fascia. His goal was to walk away from this meeting with affirmative action, however it was prudent for him to return with stucco samples, but he felt with the conceptual approval, it sent a bad message. Board Member Villegas understood the emotional involvement but stated to evaluate colors and materials to integrate the home into the surrounding structures was within the Board's allowance to have this discussion and make the best decision which would be beneficial to the surrounding structures and in long term, to the client. Mr. Spencer indicated someone had liked the white color in the previous conceptual review meeting and wanted to know how to move forward with an applicant ready to submit for permit. Chairperson Salter wanted to clarify that the elevations as shown on A2-1 and sheets A2-2 which appear to correspond with the final rendering was the final massing of the house. Mr. Spencer advised the realistic rendering preceded the adjustment the Board spoke in favor of which was a tapered flared column element. Also, the only protrusion from the wall that was allowed was an overhang. Staff advised that the Building Official reviewed all the plans including the elevations, and the elements displayed were considered normal projections, and he was agreeable with the design. Mr. Spencer stated they integrated and completely sealed the shutter system so that the building material was not changed or altered.

Given the scope of its review and comments received, **Board Member Mead made a motion to deny final approval based on color and materials as submitted and based on the Board's discussion. Board Member Villegas seconded the motion.** Mr. Spencer pointed out at the last meeting that stucco was preferred. Chairperson Salter was not present at the meeting, but he had reviewed the video and believed that only one or two members of the Board had stated that they preferred or were in favor of, but one or two members did not make that a binding factor of that approval. Unless it was stated in the motion for approval that it be stucco all over, we would not be bound by that. Staff advised "Board Member Ramos made a motion for conceptual approval and felt the Board wanted to keep it pure without the siding, and let it be the jewel it plans to be. The motion was seconded by Board Member Yee. The motion carried 4 to 1 with Board Member Spencer recusing." The minutes further stated "Advisor Pristera stated when he first saw the structure, he felt it was too modern for the historic district but adding historic features would look like a mish-match of styles. He explained they did not want to add other styles to the whalebone house either; as a preservationist, he loves pure styles no matter what they are. He felt if they were going modern, it should be pure modern as shown, and its location does not distract from the historic district. Board Member Villegas agreed siding would not look appropriate on this house. Mr. Stephens advised the HOA liked the design. Board Member Fogarty liked the tapered column and other details and thought it was very special. Board Member Yee appreciated the design and felt Hardie did not belong on the structure. He was surprised the Board had approved the Top of Ninth or whalebone structure. He did realize that

the nature of Bayfront was different, and the type of development that would be going in that area adjacent to 9th Avenue was probably more fitting with this project. He reluctantly supported the project in this location and stated the design was great.”

Mr. Spencer respectfully asked that the maker of the motion consider instead of a denial, a motion that is passing with a conditional reappearance by him with various stucco finishes and colors. Staff advised the Board had the option to approve a project with certain aspects returning to the Board. Board Member Mead stated if what we are accepting for final approval is colors and materials, we are denying it on the basis of colors and materials.

Board Member Mead explained the Board was relying on the section for conceptual approval which deals with color and materials being with the Board’s scope for final review and in light of the general for our review which applies for specific criteria for such sections involved.

Mr. Spencer asked for a clarification in the motion to return with confidence that he was not asked to return with a different material other than stucco. He felt it was polite and not unreasonable for the applicant to understand there had been a motion that would not open a can of worms to go beyond stucco. Board Member Villegas explained that Mr. Spencer could decide what stucco and which colors would again be presented to the Board.

Board Member Mead called the question, and the motion carried 3 to 2 with Board Members Yee and Fogarty dissenting and Board Member Spencer recusing.

DISCUSSION: None.

ADJOURNMENT – With no further business, the meeting adjourned at 4:42 p.m.

Respectfully Submitted,

 3.23.2021

Historic Preservation Planner Harding
Secretary to the Board

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, Brian Kenneth Spencer, hereby disclose that on March 18, 20 21 :

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

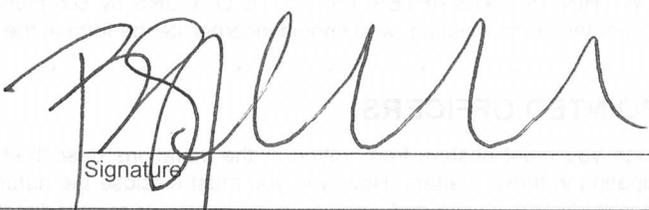
- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which 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:

Architectural Review Board review item for 617 Crown Cove

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.

3-25-2021
Date Filed


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.