



## **MINUTES OF THE ARCHITECTURAL REVIEW BOARD**

**December 17, 2020**

**MEMBERS PRESENT:** Chairperson Salter, Vice Chairperson Mead, Board Member Fogarty, Board Member Ramos, Board Member Yee

**MEMBERS ABSENT:** Board Member Spencer, Board Member Villegas

**STAFF PRESENT:** Historic Preservation Planner Harding, Senior Planner Statler, Board Advisor Pristera, Deputy City Attorney Wells, Building Services Director Bilby, Network Engineer Johnston

**OTHERS PRESENT:** Timothy DuFrain, Maria Goldberg, William Merrill, Pam Gross, Ron Gross, Paul Morrison (virtual), Stephen Frazier (virtual), David Bates (virtual), Maverick McCoy, Andy Thoms (virtual), Jim English

### **CALL TO ORDER / QUORUM PRESENT**

Chairperson Salter called the meeting to order at 2:01 p.m.

### **APPROVAL OF MINUTES**

**Board Member Mead made a motion to approve the November 19, 2020 minutes, seconded by Board Member Fogarty, and it carried unanimously.**

**OPEN FORUM** - None

### **NEW BUSINESS**

**Item 1**

**400 S. Palafox Street**

**PHD / PHBD**

**Contributing Structure**

**HC-2**

**Action taken: Approved with modifications.**

Jackson's of Pensacola, LLC, is requesting approval to install three awnings. One awning will be on the Palafox Street side of the restaurant and two will be located on the Zarragossa Street side. All three awnings will have a metal retractable frame that withdraws into a housing to protect the system from high winds.

Mr. Merrill presented to the Board, and Chairperson Salter indicated the covering was for outdoor seating, and Mr. Merrill explained with COVID, more people preferred outside seating. He advised if the wind increased to 30 mph, the covering would withdraw into the housing or

they could manually bring it in; he advised the long cylindrical motor was located in the white housing unit. Board Member Ramos suggested the frame should match the main awning and goosenecks. Staff had no problem with adjusting the existing LTU over the pavement. Mr. Merrill stated the awning would not interfere with the existing signage. It would be drilled into the face of the I-Beam which was structurally sound, and the bolts would not be visible. Board Member Mead stated the existing awning was below the C-Beam, and he was concerned with the entrance being clearly distinct. Mr. Merrill stated he would consider that; however, the entrance awning did protrude out further, and the tables and chairs would be visible outside. Ms. Goldberg advised they would make sure the awnings were symmetrical, with the main awning still retaining its presence. The drop in the projection of the awning would be a 3 on 12 slope for rain runoff. Board Member Yee stated the new awnings were not as deep and suggested a complimentary color that was not the same as the original awning, and Mr. Merrill agreed to consider this. Board Member Fogarty suggested the housing and awning be the same color.

**Board Member Mead made a motion to approve with the following modifications: 1) that the housing be painted to match the color of the fabric; 2) that the fabric match some element of the building other than the entrance awning color, and 3) that there be an abbreviated review for the final color matching. The motion was seconded by Board Member Fogarty and carried unanimously.**

**Item 2**

**209-219 W. Romana**

**GCD**

**Non-Contributing Structure**

**C-2**

**Action taken: Approved.**

Timothy DuFrain is requesting approval to replace 13 exterior doors on the rear and side of a non-contributing structure. The existing French doors are wood, with single-lite doors on the ground floor and 12-lite doors on the second. These have become damaged over time and are proposed to be replaced with single-lite, fiberglass French doors which will match the existing ground level doors in style and color.

Staff advised that the Governmental Center District (GCD) was the only ARB review district not historical in nature, but there were contributing historical buildings in the district. When projects were reviewed by this Board, they were not reviewing that they matched the historical theme and intent of the district. He then read the purpose of the district was to provide the redevelopment of a centralized area for government and to encourage a coordinated architectural character within the district. "The proposed plans shall be approved unless the Board finds that the proposed erection, construction, renovation, or indoor alteration is not compatible with the built environment of the GCD."

Mr. DuFrain presented to the Board and stated the building was built in 2007-2008. He advised the original doors were vinyl clad, and they were replacing them with fiberglass and impact-rated glass to meet the new Code. He clarified they were replacing all the rear doors with no divided lite along with two doors on the Romana side; the front of the building would remain the same. It was verified all doors on the side and the rear would be consistent with each other. **Board Member Mead made a motion to approve, seconded by Board Member Fogarty, and with no additional comments, it carried unanimously.**

**Item 3**

**423 E. Intendencia**

**PHD**

**New Construction**

**HR-1 / Wood Cottages**

**Action taken: Denied without prejudice.**

Andy Thoms is requesting approval for a new single-family residence with an accessory dwelling unit on the ground floor. This property is a vacant lot located behind 423 E. Intendencia Street and by which vehicular access to and from the street will be granted. Site photos of the vacant lot and new construction within the immediate area were provided to the Board.

Mr. Thoms presented to the Board. Board Member Ramos indicated the drawings showed something respectful to the scale and materials of the district, but he did not see an example of the garage as part of the ground floor. Mr. Thoms advised since the garage was not visible from the street, they tried to tie in the architectural design and make it attractive and appealing. Board Member Fogarty indicated on the north and south elevations, it seemed the roof dormers were not meeting up with ridge at the same location. Board Member Yee offered it was the placement of the wall that caused the roof to hit lower. He was typically not in favor of front-facing garages, but this house was acting as a garage accessory dwelling unit and had no problem with it. Chairperson Salter stated from the streetscape, this would not read as a stand-alone house. Regarding the south elevation, is set up as asymmetric; the second-floor windows were centered on the building width and not the gable end. The north elevation did not relate to the first-floor solid elevation, and maybe the second-floor balcony should have more of a solid wall. Mr. Thoms explained it was designed as aesthetically pleasing as possible, taking into consideration the south elevation was a commercial parking lot along with high-density townhomes. They tried to tie it into the carriage house style, and had it not been a rear lot, he would not have considered this style. Board Member Mead understood the south elevation and it did not detract from the massing, but the shed dormers were fighting and making way too complicated a statement for a structure of this simplicity. He could see how it worked on the east elevation, but it was really fighting on the north and the south. A gable treatment could help solve the problems with symmetry; the west elevation should be a gable, then everything would be consistent with gables throughout. A pair of windows could accomplish light for the stairs.

It was clarified that this project was for final review. **Board Member Fogarty moved to approve the item with the request to modify elevations addressing the window symmetry on the front and south to be submitted for abbreviated review; also, any work on the dormers be submitted for abbreviated review.** Board Member Ramos felt this would change the project significantly. Staff stated an abbreviated review was typically reviewed by one of the ARB architects and UWF Historic Trust ARB Advisor who would have authority to approve changes with additional modifications or refer back to the full Board for review. Board Member Yee stated there was confusion on the main gable not being centered on the widest footprint but on the narrower footprint; it was hard to find the center of the house with all of the gables having different reference points. Board Member Mead was concerned with the amount of work to be done. With the dormers going to gables and the roofline, he was not sure you could fix the main roofline without it coming back. Board Member Yee stated the maximum height (35') was making the skirting come in and making the balance askew; he suggested asking the designer to lower the ground level since it was a garage. Board Member Mead advised a typical solution would be a gambrel, but that would be a totally different look. **Board Member Fogarty retracted her motion, but there was no second, so it failed.**

**Board Member Mead moved to deny without prejudice and resubmit addressing the points discussed.** Chairperson Salter stated in looking at this presentation, he noticed the

doors, specifically doors listed as GBG mullions (grills between glass), and new developments should closely emulate the original window designs; typically, it is a simulated divided light arrangement, and he encouraged that to be taken into consideration. **The motion was seconded by Board Member Ramos. Board Member Mead stated the denial was for the reason the roofline and treatments as well as the door configuration and elevations were not consistent with the surrounding area meeting the architectural style being sought in new construction. Changes sought or discussed for resubmission would achieve those objectives 12-2-10(A)(4)(b)(2)(a). With no speakers, the motion carried unanimously.**

**Item 4  
New Solar Canopy for  
Parking Lot**

**19 W. Garden Street**

**PHBD  
C-2A**

**Action taken: Approved as submitted with abbreviated review on color.**

Gulf Power is requesting approval to install a solar parking canopy in a parking lot behind 19 W. Garden Street. The proposed solar equipment is part of a renewable energy and education campaign and similar equipment is in the process of being installed at additional locations in the City. The solar canopy will be constructed from powder coated aluminum painted white with solar arrays on top.

Staff included the State Statue on solar equipment as well as photos of the current parking lot. Mr. Frazier presented to the Board and stated this canopy would increase solar capability as well as match the designs in the current neighborhood. He provided examples of solar canopies servicing a historical government building. He pointed out the estimated value would be equivalent to 25,058 trees planted, with 203.92 vehicles removed from the road and the elimination of 2,276.31 barrels of fuel not consumed. Chairperson Salter noted the canopy was covering the existing parking island. Mr. Bates of Gulf Power stated they were also looking at an addition for charging electric vehicles at a later date; staff explained that this would come before the Board as either an abbreviated review or to the full Board as a deviation of an approved project. It was also noted solar equipment was being permitted for Sanders Beach; the City would also be installing solar trees in the right-of-way at some point in the future.

Board Member Mead was not sure this equipment was defined as a building according to the statute; he was concerned with the conformity of design in relation to the surrounding structures and the established canopy in the parking area, which follows the arched elements of the buildings. Mr. Frazier was not sure if an arched canopy was available. Mr. Bates explained because of the inverted design, water is diverted down the middle to the center columns; the arched canopy would be a customized design which would increase costs. Board Member Mead advised the Code instructed the Board to fit the structure to the surrounding structures and clearly the structure was servicing the parking lot of the two adjoining structures with the arched established form. Staff advised from a permitting standpoint, this structure would fall into new construction or new buildings. Board Member Ramos clarified new construction not having to emulate the historical structures, and staff agreed, but it should complement the district. Board Member Mead stated if this canopy were located on the corner and away from the established canopy, it could be a debatable issue.

Board Member Fogarty saw this as an educational feature and something designed to stand out. She felt the proposed location was ideal for interaction with the public; painting the

columns something other than white might be ideal. Board Member Mead stated the inverted roof actually hides the solar panels and was not drawing attention to them. Advisor Pristera explained if the location was further from the buildings and the existing canopy, it might be considered an element unto itself. Mr. Bates indicated they could look at other locations, but this location was the most convenient because of the existing conduit and was the preference of the developer.

Board Member Ramos suggested the southwest corner might be a better location for it to stand alone, but if the current location was more important, the applicant should make it fit the character of the surrounding structures. Board Member Mead suggested the current location was more fitting as an amenity to the existing, but making it fit was the object. Board Member Yee provided an example of a modern curved canopy. Mr. Bates stated this type of canopy would significantly increase the cost, and they did not want the canopy to curve down into traffic so taller vehicles would risk hitting the structure, and the solar generation would go downward due to shading from the building. He pointed out that there was a mixture of architecture in that area and did not think it would conflict, but they could paint it bronze to recede visually.

Chairperson Salter stated he had considered the context, being surrounded by historic architectural buildings, but the canopy's architectural face was on the other side. The parking lot had established its own area and its own visual characteristics which were separate from the building. He did not believe the proposed elements of the new structure took away from the existing architecture; the length of the canopy stopped shy of encroaching on the visual lanes of the form of the existing porte-cochere. The canopy established its own identity and was consistent with the parking lot; if the canopy's color could relate to the parking lot, that would further separate that identity which would not detract from the existing historical character of the adjacent buildings (possibly using the color of the existing light poles).

**Board Member Mead made a motion to deny without prejudice based on the fact that the form of the canopy was detracting from the established architectural forms relating to the surrounding buildings in this context, not that it has to follow the arched form but should speak to the established language in this area bounded on two sides by these types of forms 12-2-21(F)(2)(b) and (c). The motion failed for lack of a second.**

**Chairperson Salter made a motion to approve as submitted with a color change in the canopy to more closely resemble some of the site elements and that it would return for an abbreviated review. It was seconded by Board Member Fogarty. With no speakers, the motion carried 3 to 1 with Board Member Mead dissenting and Board Member Ramos abstaining, agreeing that the parking lot developed its own identity, but the porte-cochere was brought to the rear of the building by the applicant, and he noted that the infrastructure was already there and hated to move it to a less convenient place.**

**Item 5**

**434 E. Zaragoza St.**

**PHD**

**Contributing Structure**

**HC-1 / Wood Cottages**

**Action taken: Denied.**

Ron and Pam Gross are requesting approval to retain the existing roofing materials on a recently renovated single-family residence. Final renovations were approved by the Board in April 2019, including the installation of a new 5V-Crimp metal roof. An R-Panel metal roof was instead installed in December 2019. The roofing contractors were contacted on December 17, 2019, with information that only 5V-Crimp was to be used. According to permitting records, a

permit was issued to the roofing contractor on December 18, 2019. The installation of the unapproved roof was formally brought to the attention of the Building Department on January 13, 2020, through an Inspections/Building Permits 311 request. According to MGO, the following comment was added to the permit application by the Building Official also on January 13, 2020: "The roofing material installed is not what was approved by the ARB. This project was approved for 5V and Tuff Rib was installed. This project is stopped until this is addressed". Mr. Gross presented to the Board. Chairperson Salter advised that the Code states that the form and architectural elements should maintain the historic nature, and this Board has a well-established profile for metal roofing as being a standing seam or the 5V-Crimp profile. There were samples of houses that did not follow that profile. He explained that the Board considered requests on a case-by-case basis. Zaragoza had been brought up as an area that detracts from historic nature because the texture of materials and the profile of the roof take away from that; the 5V-Crimp was maintained as a standard for this area.

Historic Preservation Planner Harding advised that there were no roofing permits before 2011 for 433 E. Zaragoza, with partial roofing permits for 2013, 2014 and 2018 during renovation. The R-Panel had already been installed by 2011. They could not find a roof permit for 435 Zaragoza, but in 2018 the ARB approved shingles, but an R-Panel had been installed instead without ARB approval and a permit. At 424 E. Zaragoza, there was a re-roof permit for 2004, with Florida Product Approval number showing another name for an R-Panel; he could not locate any ARB records for approval (this might have been an emergency permit after Hurricane Ivan). An addition in 2013 was approved for a standing seam. There was a re-roof permit for 431 E. Zaragoza for 2000, but no ARB approvals or Florida Product Approval numbers were found. He explained he was not able to find any ARB approval for the R-Panel; a similar occasion occurred with a homeowner in Old East Hill in 2019, but no records were found for R-Panel approval.

Mr. Gross stated it was their mistake, but they had installed the roof on the recommendation of their roofer who installed the roofs on the house next door and across the street and claimed this was a superior product. He advised they were not aware of the noncompliance until they applied for their Certificate of Occupancy in November. He explained they now have a completed house, and there was substantial attentive risk with any intervention that would occur to say nothing of the costs. He pointed out there were five other structures on this block which had the same roof.

Board Member Fogarty understood their predicament but was concerned with setting a precedent when a product is approved, and an alternative product is installed. Mr. Gross explained there was discussion among members of the Board and staff, but no one informed them. Staff indicated that the contractor was notified and was the agent to confer with property owners; staff does not typically reach out to property owners when dealing with roof permits. Mr. Bilby, Inspections Services Director, stated once they had determined the material proposed by the ARB was 5V-Crimp and that was attached to the roofing permit, they notified the roofing contractor; if the contractor failed to notify the owners at that point, it would be the responsibility of that contractor; they hold the permit and are the ones communicated with by the Inspections Department. They did communicate with the roofing contractor when they received the initial complaint.

Board Member Ramos agreed that it was not in the best interest for the Board to approve a deviation, and the Board had done its job when it originally approved the 5V-Crimp. The goal of the Board was to preserve the historic districts, and he was not comfortable setting a

precedent. He asked what the next step would be. Staff advised the roofing permit could not be closed and a Certificate of Occupancy issued until there was ARB approval on the current roof or the roof was changed to the approved 5V-Crimp. The Code does not specifically address which type of metal roof profiles are acceptable or not. That standard is based on the historic character of the district, and what the ARB has historically approved to be historically accurate. The Board has the authority to deviate from materials; if the Board denied this roof, the applicant would need to get with their contractor to change the roof, or they could appeal to Council to make their case for retention of the current roof. Council could overturn the Board's decision or stay with the Board's decision.

Board Member Mead advised the ARB was not a remedial board, but its job was to find what was historically consistent in the various districts it must adjudicate on and render quasi-judicial findings that amplify the legislation provided to them by the Council who appoints them. The plea today was to give a remedy on something the Board ruled upon and was installed incorrectly; it becomes a matter of compliance; if a roof is installed without a permit, that becomes an enforcement issue. It is inappropriate for the Board to fix something it did not create, and it should stick to what it ruled on previously since the facts have not changed and neither has the Code.

Advisor Pristera had visited the house and any changes in materials would have had some type of approval; the roofer could have submitted the product through an abbreviated review; everything on the property had to be reviewed, and it was documented that 5V-Crimp had been approved. He explained there was now a concentration of unapproved roofs in this location, and people did notice. He advised the Board approved that material for the project and could not go back on its decision because then anyone could put up anything they wanted. Chairperson Salter read from Sec. 12-13-3(E) which states, "It shall be the duty of the board to approve or disapprove plans for buildings to be erected, renovation or razed which are located, or are to be located, within the historical district or districts and to preserve the historical integrity and ancient appearance within any and all historical districts established by the governing body of the city". Chairperson Salter pointed out that this project lies within one of those districts and that the Board in its previous reviews has fulfilled that duty and has established what are acceptable roof products and profiles that maintain the historic integrity and ancient appearance of the districts. **Board Member Mead made a motion to deny based on the discussion and the code section 12-13-3(E), seconded by Board Member Ramos.** Mr. Gross understood the Board, but pointed out the home had major damage, and the more difficult they make it, the less likely someone will be willing to do this in the future, and the Board was making it cost prohibitive. Board Member Mead advised the applicant was not without remedy, but the Board could not make that happen. The record indicated the Board had never approved this style. **The motion then carried unanimously.**

#### **Item 6**

**1101 E. Bobe St.**

**R-1AA**

#### **Demolition Review**

#### **Action taken: Approved.**

Per the City of Pensacola's Historic Building Demolition Review Ordinance (Sec. 12-12-5(E)), the referenced structure has been found to be potentially significant in regard to its architectural style. Per the ordinance, the Board is tasked with determining whether or not this structure meets criteria for listing in the National Register of Historic Places. If eligible and deemed historically significant by those criteria, the Board must also determine if the

building is subject to a demolition delay of no more than 60 days. To determine that a historically significant building is subject to a demolition delay, the ARB must find that in the interest of the public it is preferable that the building be preserved or rehabilitated rather than demolished.

Mr. McCoy presented to the Board. (Board Member Mead confirmed that Moorhead Westmoreland was not currently representing Mr. McCoy.) Advisor Pristera stated the house was a good example of brick cottage architecture in the 1940s and was located on the corner lot; he was unable to sign a demolition for this since it was in good condition and set up the language for that neighborhood. Chairperson Salter agreed this was the typical style of the area and met the criteria for No. 3. and he felt the neighborhood would be better off if it were maintained. Board Member Mead asked if there were any historic attachments, and Advisor Pristera advised he could not find anything on file; he also advised if East Hill were to become a district, this would be a contributing structure. Mr. McCoy explained everyone wanted to save it, but nobody wanted to pay for it. The property appraiser placed the improvement value at \$66,620.00. Chairperson Salter indicated he had an old house in this neighborhood he had chosen to renovate, and it was worth more than if he had torn it down and built it new. He pointed out the duty of the Board was to preserve history, but the Board could not prevent the demolition. Staff advised the Board could only delay it for 60 days. Mr. McCoy was willing to wait 60 days. Advisor Pristera stated it was unfortunate the owner was not present to discuss the options. He also wished East Hill would have been more involved.

**Board Member Mead made a motion to approve the demolition without the 60-day delay. While he was mindful that changes were occurring in the neighborhood, there were plenty of examples of this architecture on adjoining blocks, and it was not one of the last few examples of its type.**

Board Member Yee agreed that pushing the demolition out 60 days would not accomplish much, but he felt it would be useful for the Board or the City to record demolitions like this which had been granted so we would have a timeline and some way of tracking how many buildings we are losing. The house was characteristic of the neighborhood, and in the future when the Board would have the ability to deny demolition of structures such as this, it could see the degradation of the neighborhood and how quickly or slowly it happened. **He then seconded the motion.** Board Member Mead urged the City to survey East Hill so we would have the types in a meaningful way and stated we needed to encourage citizens to look at other options and to preserve whatever aspect that can be salvaged. **The motion then carried 3 to 2 with Board Member Fogarty and Board Member Salter dissenting.**

#### **Item 7**

**711 S. Palafox St.**

**SPBD**

#### **Demolition Review**

**Action taken: Delayed 60 days.**

Per the City of Pensacola's Historic Building Demolition Review Ordinance (Sec. 12-12-5(E)), the referenced structure has been found to be potentially significant in regard to its local architecture and proximity to a historic district. Per the ordinance, the Board is tasked with determining whether or not this structure meets criteria for listing in the National Register of Historic Places. If eligible and deemed historically significant by those criteria, the Board must also determine if the building is subject to a demolition delay of no more than 60 days. To determine that a historically significant building is subject to a demolition delay, the ARB must



find that in the interest of the public it is preferable that the building be preserved or rehabilitated rather than demolished.

Mr. English presented to the Board and stated he was very proud of the preservation at 200 W. Jackson. The owner of the Scuba Shack purchased the adjacent building; the address was actually 711 and 713 S. Palafox; the two buildings are titled under 711 S. Palafox. The pink building had not been occupied in 25 years and the roof structure was corroding. The Scuba Shack had already had exterior modifications; between Ivan and Sally part of the seawall had collapsed. Their desire was to demolish and replace with another building.

Advisor Pristera advised that this side of Palafox was not a historic district, although the east side of Palafox is; if it were across the street, it would be considered a contributing structure. Chairperson Salter noted this cluster of buildings was the last of the waterfront area. Board Member Mead explained it was not in the Board's purview to see what would replace the buildings, but the potential of the development along the waterfront would greatly benefit the City. He thought this qualified for a delay and asked if the façade could remain. Mr. English stated the plans were not yet on paper. South of Main is brick and stucco; he wanted to bring N. Palafox to S. Palafox and use materials like the old courthouse north of Main (limestone). Board Member Mead noted there was no criteria for site conditions. Mr. English advised the rear foundation was crumbling. **Board Member Ramos made a motion to approve demolition.** Mr. Mead felt whatever could be done should be done to preserve this location and asked for the delay. **The motion for demolition without delay failed for lack of a second. Board Member Mead stated based on the unique circumstances of the last remaining frontage on S. Palafox with its historic character and one of the last examples in this area, and without which the character of this area would be substantially diminished, he made a motion to delay for 60 days on the grounds cited (Criteria 3). Board Member Fogarty seconded the motion, and it carried unanimously.**

**DISCUSSION:** None.

**ADJOURNMENT** – With no further business, the meeting adjourned at 4:58 p.m.

Respectfully Submitted,



12.22.2020

Historic Preservation Planner Harding  
Secretary to the Board