

**Planning Board Application  
Request for Aesthetic Review**



Application Date: 2/25/21

Project Address: 711 S. PALAFOX ST.

Applicant: BRIAN SPENCER, SMP ARCHITECTURE

Applicant's Address: 205 E. INTENDENCIA ST.

Email: brian@smp-arch.com Phone: 850-712-2612

Property Owner: JIM ENGLISH

Redevelopment  
District:

Waterfront

Gateway

✓ South Palafox  
Business

North 9th  
Avenue

\* An application for aesthetic review shall be reviewed by a representative of the Planning Board once all materials have been submitted and it is deemed complete by the Secretary to the Board.

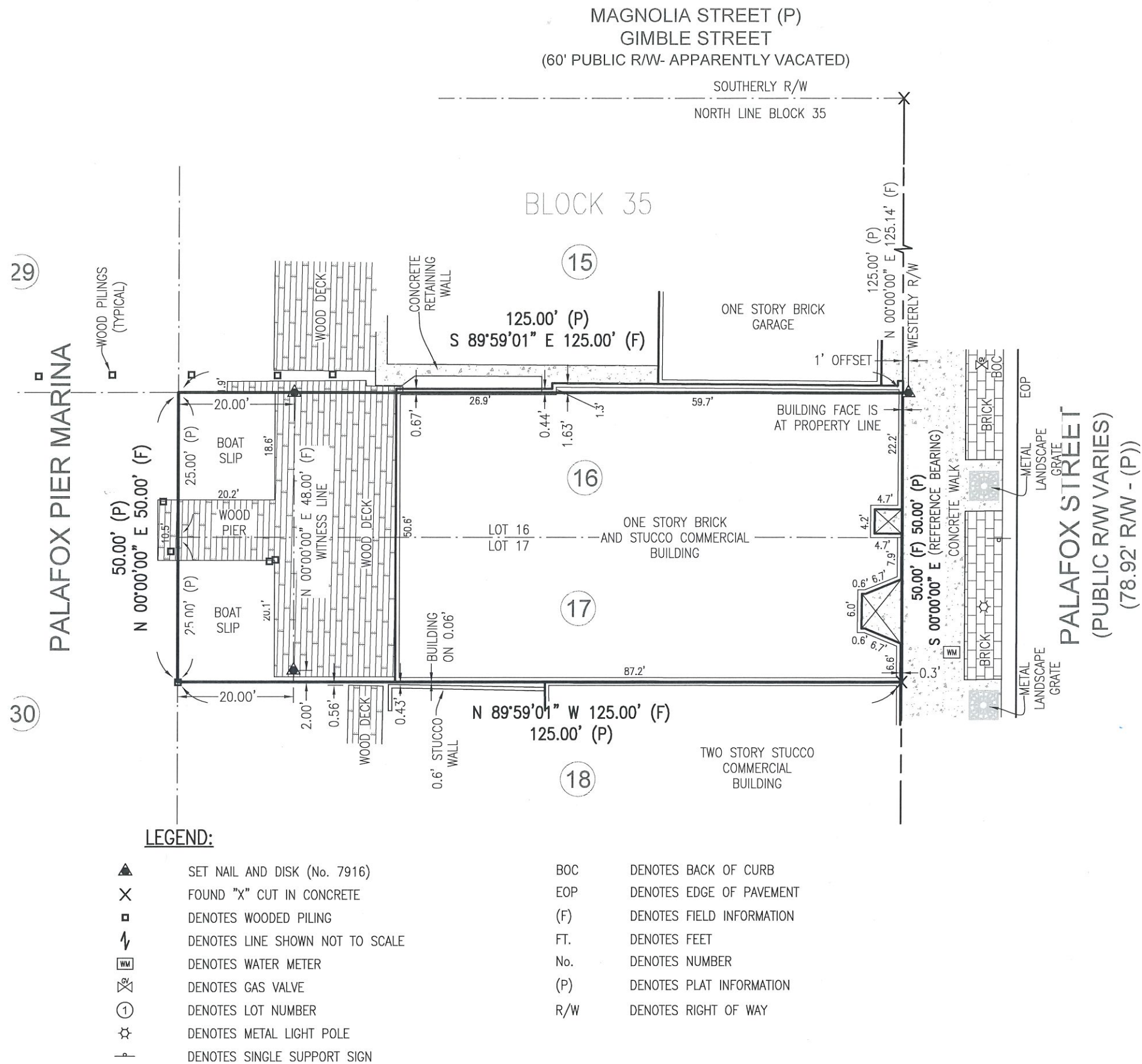
**Project specifics/description:**

THE APPLICANT SEEKS PLANNING BOARD APPROVAL  
TO DEMOLISH TWO EXISTING, ADJOINING  
BUILDINGS IDENTIFIED AS 711 S. PALAFOX,  
FORMERLY OCCUPIED BY BUSINESSES,  
SCUBA SHACK & BAYFRONT GALLERY. REMOVAL  
OF THE BUILDINGS IS NECESSARY FOR GEO-TECH  
DRILLING & TESTING IN ADVANCE OF ENGINEERING  
AND FOUNDATION DESIGN FOR A FUTURE PROJECT.  
THIS REQUEST IS NOT FOR CONCEPTUAL DESIGN  
APPROVAL OF A FUTURE BUILDING. SURVEY & ARB  
MINUTES ARE INCLUDED IN APPLICATION

I, the undersigned applicant, understand that payment of these fees does not entitle me to approval and that no refund of these fees will be made.

  
Applicant Signature

2/25/21  
Date



**DESCRIPTION:** (OFFICIAL RECORDS BOOK 5883, PAGE 270)

LOTS 16 AND 17, BLOCK 35, WATERFRONT SUBDIVISION, IN THE CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906.

**GENERAL NOTES:**

1. NORTH AND THE SURVEY DATUM SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF SOUTH 00°00'00" EAST ALONG THE WESTERLY RIGHT OF WAY LINE OF PALAFOX STREET AND REFERENCED TO THE MAP OF THE CITY OF PENSACOLA FLA., PUBLISHED BY THOMAS C. WATSON & CO., COPYRIGHTED IN 1906; DEEDS OF RECORD AND EXISTING FIELD MONUMENTATION.
2. THE STRUCTURE DIMENSIONS DO NOT INCLUDE THE EAVE OVERHANG OR FOUNDATION FOOTINGS.
3. NO TITLE SEARCH, TITLE OPINION OR ABSTRACT WAS PERFORMED BY NOR PROVIDED TO THIS FIRM FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHTS-OF-WAY, BUILDING SETBACKS, RESTRICTIVE COVENANTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OR USE OF THE SUBJECT PROPERTY.
4. IT IS THE OPINION OF THE UNDERSIGNED SURVEYOR & MAPPER THAT THE PARCEL OF LAND SHOWN HEREON IS IN ZONE 'AE', BASE FLOOD ELEVATION 7 AND 8, BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR ESCAMBIA COUNTY, FLORIDA, COMMUNITY PANEL NUMBER 12033C0390G, EFFECTIVE DATE OF SEPTEMBER 29, 2006.
5. VISIBLE IMPROVEMENTS ARE AS SHOWN HEREON.
6. VISIBLE UTILITIES ARE AS SHOWN HEREON.
7. VISIBLE ENCROACHMENTS ARE AS SHOWN HEREON.
8. THIS SURVEY DOES NOT REPRESENT NOR GUARANTEE OWNERSHIP.

**SURVEYOR'S CERTIFICATE:**

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050, 5J-17.051 AND 5J-17.052 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Mark A. Norris  
 DATE 4/9/2021  
 FLORIDA REGISTRATION No. 6211



**BOUNDARY SURVEY**

PREPARED FOR: JIM & MICHELLE ENGLISH  
 REQUESTED BY: MR. BRIAN SPENCER  
 SMP ARCHITECTURE

NO. DATE APPR. REVISION/ACTION TAKEN

PROJECT: 2020.233

DRAWN BY: BTH

CHKD BY: MAN

SCALE: 1" = 20'

F.B.: 21-01

P.G.: 18-19

DATE: 1/18/2021

711 SOUTH PALAFOX  
 PENSACOLA, FL

A PORTION OF  
 SECTION: 46 TOWNSHIP: 2 S  
 COUNTY: ESCAMBIA  
 RANGE: 30 W  
 STATE: FLORIDA

NOT VALID WITHOUT THE  
 ORIGINAL SIGNATURE  
 AND THE BASED SEAL OF  
 A FLORIDA LICENSED  
 SURVEYOR AND MAPPER

**RBA**  
 REBOL-BATTLE & ASSOCIATES  
 CIVIL ENGINEERS AND SURVEYORS  
 2301 N. Ninth Avenue, Suite 300  
 Pensacola, Florida 32503  
 Telephone 850.438.0400 Fax 850.438.0448  
 EB 0000857 LB7916



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 21-00011

Architectural Review Board

12/17/2020

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**TO:** Architectural Review Board Members

**FROM:** Gregg Harding, RPA, Historic Preservation Planner

**DATE:** 12/14/2020

**SUBJECT:**

711 S. Palafox Street  
South Palafox Business District  
Historic Structures Demolition Review

**BACKGROUND:**

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 regards 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.

Please find attached all relevant documentation for your review.

**RECOMMENDED CODE SECTIONS:**

Sec. 12-12-5(E) *City of Pensacola's Historic Building Demolition Review*  
Sec. 12-2-13 *South Palafox Business District* (for reference only)





City of  
**Pensacola**  
America's First Settlement  
And Most Historic City

**Architectural Review Board Application  
Abbreviated Review for Historic Structure  
Demolition**

Application Date: 12.8.2020

Project Address: 711 S. PALAFOX

Applicant: JAMES ENGLISH

Applicant's Address: \_\_\_\_\_

Email: ENGLISHJIM@MAC.COM Phone: 904-861-7418

Property Owner: JIM ENGLISH (2020)  
(If different from Applicant)

**(Office Use)**

Construction Year: 1900 - THIS IS IN SOUTH PALAFOX BUSINESS

Current Use: COMMERCIAL DISTRICT - PLANNING BOARD REVIEW

Ownership History: SCUISA SNACK (2020-2004), FERGUSON + BEARD INC  
(2004-1991), DONALD + CHERRY PARTINGTON + WILLIAM

Meets NRHP criteria: + MARTHA CLARK (1991 - NOT AVAILABLE)

Notes: STUCCO EXTERIOR, METAL WINDOWS, PLASTIC SHUTTERS (FAUX)

METAL AWNINGS, FMSF ATTACHED

Historical significance determination based on National Register of Historic Places criteria (see Sec. 12-12-5(E)(5)(c)).  
If applicable, provide photographs of all elevations and a completed FMSF Historical Structures Form.

This request was reviewed by the following member of Planning Staff.

[Signature] FUTURE DEVELOPMENT TO BE  
ARB Secretary Signature REVIEWED BY PLANNING 12/10/2020  
Board Date

This request was reviewed by the following members of the Architectural Review Board:

Comments: \_\_\_\_\_

Architect Signature / Date

[Signature] 12-11-2020  
UWFHT Representative Signature / Date

Comments: send to full Board  
Historic significance and proximity  
to historic district

Planning Services  
222 W. Main Street \* Pensacola, Florida 32502  
(850) 435-1670  
Mail to: P.O. Box 12910 \* Pensacola, Florida 32521

FLORIDA MASTER SITE FILE  
Site Inventory Form

FDAHRM 802 ==  
1009 ==

Site No. ES 1206  
830 == Survey Date 8210 820 ==  
Site Name \_\_\_\_\_ 905 ==  
Address of Site: 711 S. Palafox St., Pensacola, FL 32501  
Instruction for locating W side of S. Palafox between W. Pine St. 813 ==  
and W. Gimble St. 868 ==  
Location: Waterfront 35 16, 17 808 ==  
subdivision name block no. lot no.  
County: Escambia  
Owner of Site: Name: Clark, William H. and Martha B;  
Address: 21 S. Tarragona St. 902 ==  
Pensacola, FL 32501 832 ==  
Type of Ownership Private 848 == Recording Date \_\_\_\_\_  
Recorder: \_\_\_\_\_  
Name & Title: Campbell, D. L.  
Address: HPPB 818 ==

Condition of Site: Integrity of Site: Original Use Commercial 838 ==  
Check One Check One or More  
☐ Excellent 863 == ☒ Altered 858 ==  
☐ Good 863 == ☐ Unaltered 858 ==  
☒ Fair 863 == ☒ Original Site 858 ==  
☐ Deteriorated 863 == ☐ Restored ( ) (Date: ) 858 ==  
☐ Moved ( ) (Date: ) 858 ==  
Present Use Commercial 850 ==  
Dates: Beginning C+ 1910 844 ==  
Culture/Phase American 840 ==  
Period 20th Century 845 ==

NR Classification Category: Building 916 ==  
Threats to Site:

Check One or More  
☐ Zoning ( ) 878 == ☐ Transportation ( ) 878 ==  
☐ Development ( ) 878 == ☐ Fill ( ) 878 ==  
☒ Deterioration ( ) 878 == ☐ Dredge ( ) 878 ==  
☐ Borrowing ( ) 878 ==  
☐ Other (See Remarks Below): 878 ==

Areas of Significance: Architecture 910 ==

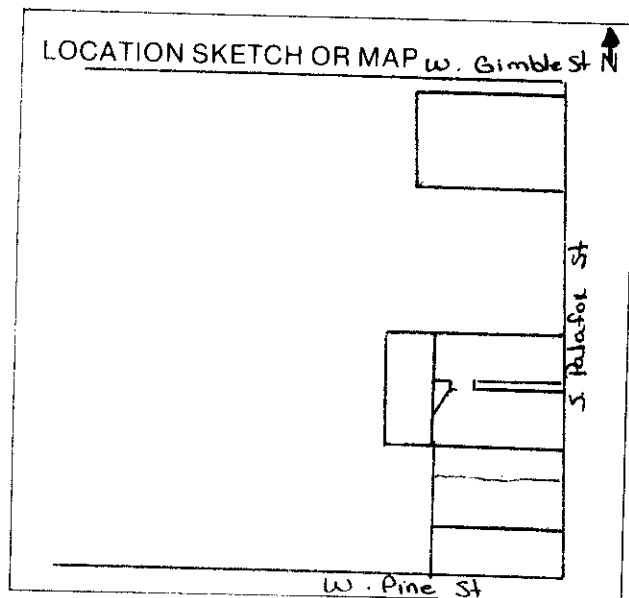
Significance:

Morris Bear constructed this modest masonry vernacular building in about 1910 on the Palafox wharf. It housed Alex Zelius' ship chandlery until about 1917.

911 ==

SEE SITE FILE STAFF FOR  
ORIGINAL PHOTO(S) OR MAP(S)

ARCHITECT Unknown 872 = =  
 BUILDER Unknown 874 = =  
 STYLE AND/OR PERIOD Masonry vernacular 964 = =  
 PLAN TYPE Rectangular 966 = =  
 EXTERIOR FABRIC(S) Stucco: smooth, E facade scored # 854 = =  
 STRUCTURAL SYSTEM(S) Masonry: brick 856 = =  
 PORCHES -  
 FOUNDATION: Continuous: brick 942 = =  
 ROOF TYPE: Flat: built-up with parapet 942 = =  
 SECONDARY ROOF STRUCTURE(S): - 942 = =  
 CHIMNEY LOCATION: - 942 = =  
 WINDOW TYPE: Fixed # DHS, 2/2, metal 942 = =  
 CHIMNEY: - 882 = =  
 ROOF SURFACING: Built-up 882 = =  
 ORNAMENT EXTERIOR: Relieving arch over door and window 882 = =  
 NO. OF CHIMNEYS 0 952 = = NO. OF STORIES 1 950 = =  
 NO. OF DORMERS 0 954 = =  
 Map Reference (incl. scale & date) USGS 7.5 Min. Pensacola 1970 809 = =  
 Latitude and Longitude: 800 = =  
 Site Size (Approx. Acreage of Property): Lt. 1 833 = =



Township	Range	Section

\*\*

812 = =

UTM Coordinates:

Zone Easting Northing

890 = =

Photographic Records Numbers HPPB P.83.12 Frame 9

860 = =

Contact Print

\*\*Waterfront tract has no metes and bounds description

CONTINUATION SHEET

OWNER OF SITE: Name: Partington, Donald and Cherry 902==  
EXTERIOR FABRIC(S): Concrete block # Brick: common 854==





Source: Escambia County Property Appraiser

[Restore Full Version](#)

<b>General Information</b> <b>Reference:</b> 000S009100016035 <b>Account:</b> 154383050 <b>Owners:</b> SCUBA SHACK INC <b>Mail:</b> 711 S PALAFOX ST PENSACOLA, FL 32501 <b>Situs:</b> 711 S PALAFOX ST 32502 <b>Use Code:</b> STORE, 1 STORY <b>Taxing Authority:</b> PENSACOLA CITY LIMITS <b>Tax Inquiry:</b> <a href="#">Open Tax Inquiry Window</a> Tax Inquiry link courtesy of Scott Lunsford Escambia County Tax Collector						<b>Assessments</b> <table border="1"> <thead> <tr> <th>Year</th> <th>Land</th> <th>Imprv</th> <th>Total</th> <th><a href="#">Cap Val</a></th> </tr> </thead> <tbody> <tr> <td>2020</td> <td>\$148,750</td> <td>\$111,366</td> <td>\$260,116</td> <td>\$260,116</td> </tr> <tr> <td>2019</td> <td>\$148,751</td> <td>\$107,194</td> <td>\$255,945</td> <td>\$255,945</td> </tr> <tr> <td>2018</td> <td>\$148,751</td> <td>\$93,576</td> <td>\$242,327</td> <td>\$242,327</td> </tr> </tbody> </table> <a href="#">Disclaimer</a> <a href="#">Market Value Breakdown Letter</a> <a href="#">Tax Estimator</a> <a href="#">File for New Homestead Exemption Online</a> <a href="#">Report Storm Damage</a>					Year	Land	Imprv	Total	<a href="#">Cap Val</a>	2020	\$148,750	\$111,366	\$260,116	\$260,116	2019	\$148,751	\$107,194	\$255,945	\$255,945	2018	\$148,751	\$93,576	\$242,327	\$242,327
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04/2006	5883	270	\$100	WD																										
05/1991	3006	94	\$150,000	WD																										
<b>Parcel Information</b> <b>Section Map Id:</b> <a href="#">CA073</a> <b>Approx. Acreage:</b> 0.1419 <b>Zoned:</b> SPBD <b>Evacuation &amp; Flood Information</b> <a href="#">Open Report</a> <a href="#">View Florida Department of Environmental Protection(DEP) Data</a>						<a href="#">Launch Interactive Map</a>																								

Buildings

Address:711 S PALAFOX ST, Year Built: 1900, Effective Year: 1980, PA Building ID#: 27730

Structural Elements

DECOR/MILLWORK-BELOW AVERAGE

DWELLING UNITS-0

EXTERIOR WALL-BRICK-COMMON

EXTERIOR WALL-STUCCO OV BLOCK

FLOOR COVER-PINE/SOFTWOOD

FOUNDATION-SLAB ON GRADE

HEAT/AIR-CENTRAL H/AC

INTERIOR WALL-PLASTER DIRECT

INTERIOR WALL-EXPOSED BLK/BRK

NO. PLUMBING FIXTURES-4

NO. STORIES-1

ROOF COVER-BLT UP ON WOOD

ROOF FRAMING-WOOD FRAME/TRUS

STORY HEIGHT-20

STRUCTURAL FRAME-MASONRY PIL/STL

Areas - 4611 Total SF

BASE AREA - 1483

BASE SEMI UNF - 1600

OPEN PORCH FIN - 97

UTILITY UNF - 1431

53

27

27

26

27

60

56

60

7

7

11

8

4

5

4

5

22

UTU


BAS

BSU

OPF

OPF

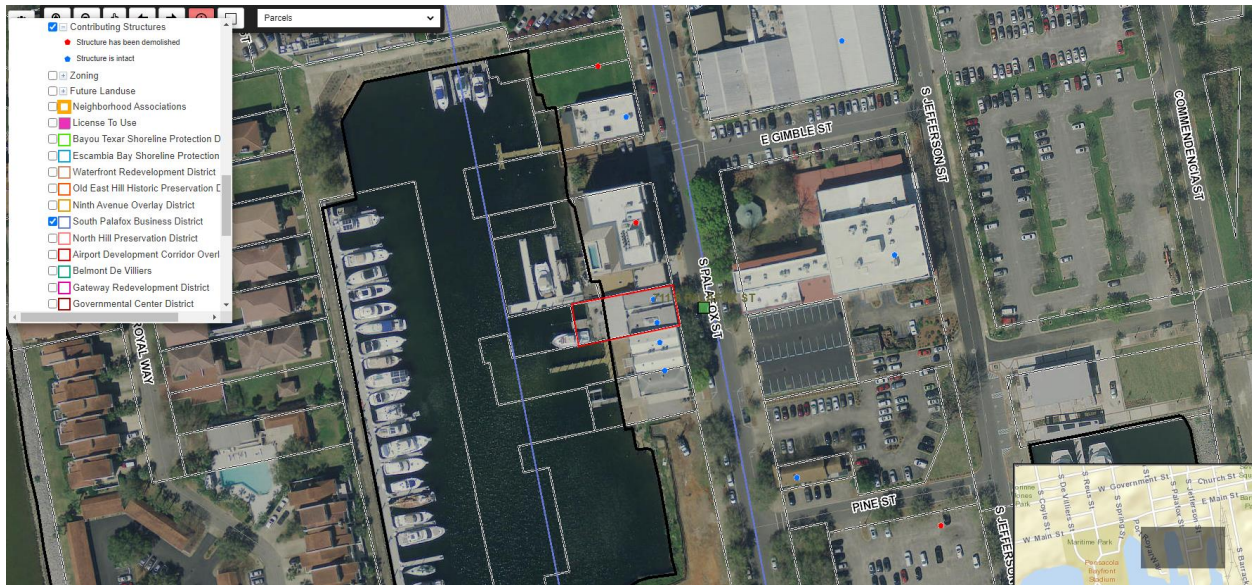
Images



6/15/20

The primary use of the assessment data is for the preparation of the current year tax roll. No responsibility or liability is assumed for inaccuracies or errors.

## 711 S. Palafox Street



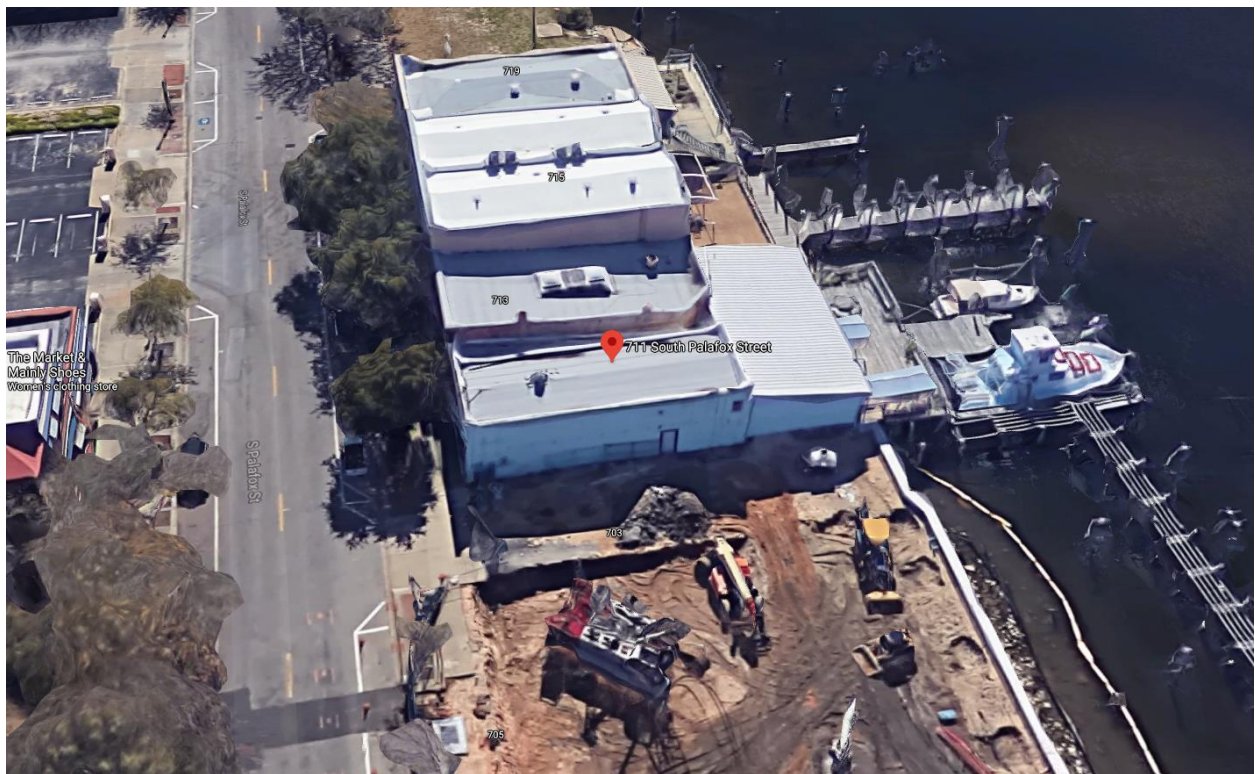
## Front, facing west



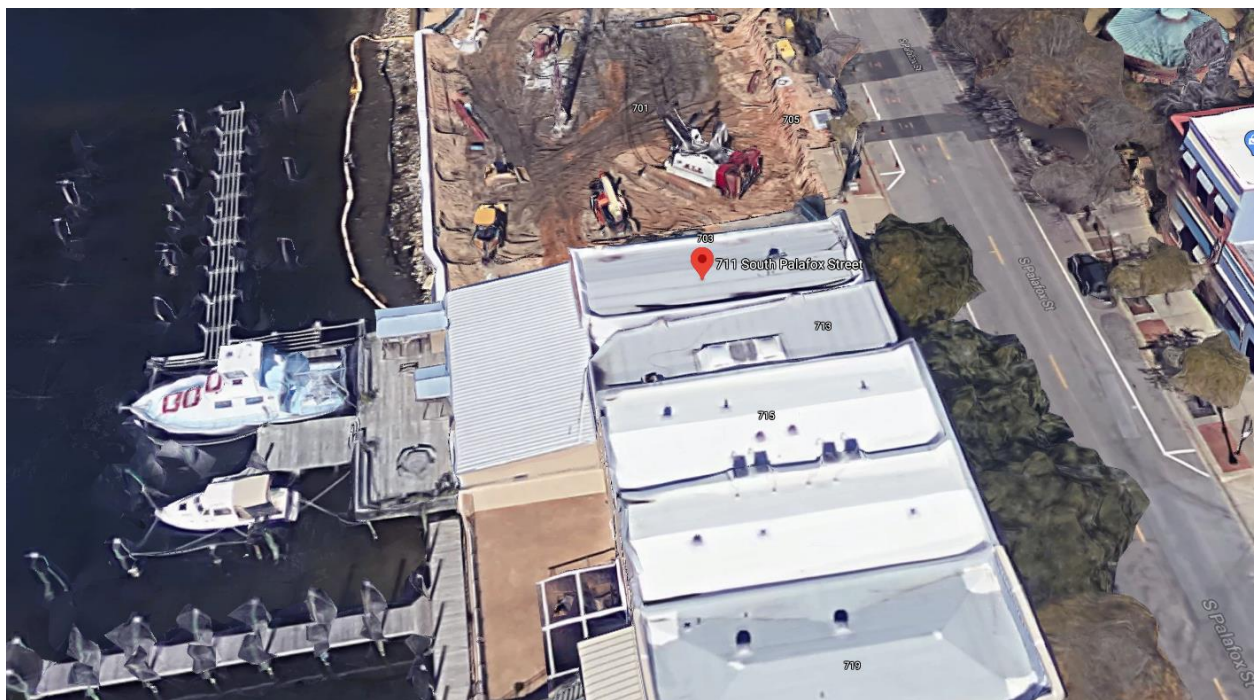
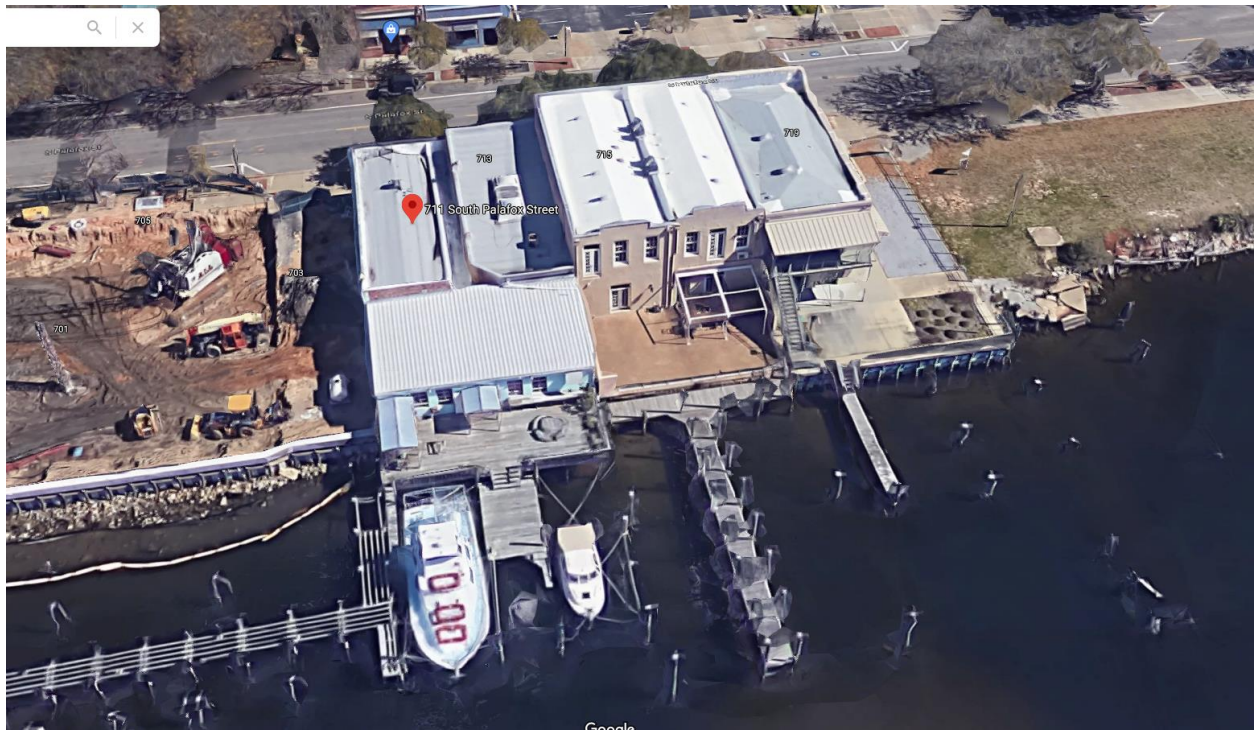












PROPOSED  
ORDINANCE NO. 24-19

ORDINANCE NO. 19-19

AN ORDINANCE  
TO BE ENTITLED:

AN ORDINANCE AMENDING SECTION 12-12-5 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; CREATING SUBSECTION 12-12-5(E) ESTABLISHING A PROCESS FOR THE REVIEW OF REQUESTS TO DEMOLISH BUILDINGS OF HISTORICAL, ARCHITECTURAL, CULTURAL OR URBAN DESIGN VALUE TO THE CITY; PROVIDING DEFINITIONS; PROVIDING ARCHITECTURAL REVIEW BOARD CRITERIA AND PROCEDURES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 12-12-5 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

SECTION 12-12-5. - Building permits.

This section is established to provide for building permits for review of compliance with the provisions of this land development code. A "building permit" means any building or construction permit required by Chapter 14-1.

(A) *Application.* Any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the Standard Building Code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit for the work. All applications for building permit shall be accompanied by the following information and materials:

(a) Two (2) complete sets of building construction plans shall be required. In addition, a plot plan drawn to scale depicting the following information shall be required for residential and commercial building permits:

1. Lot dimensions, boundary lines, area of the lot, and its legal description.
  2. The locations and dimensions of buildings, structures or additions, including all overhangs, eaves and porches.
  3. The yard requirements indicating distance from all property lines to the proposed buildings, structures or additions in feet.
  4. The existing and proposed uses of each building, structure or addition.
  5. Access and parking layout, including driveway location. Where applicable, required loading and unloading spaces should be indicated.
  6. Elevations showing architectural features of each side of the existing and proposed construction.
  7. Where application is made to build upon a lot nonconforming in size or dimensions (lot of record), the application shall be accompanied by a recorded deed giving description of the property as of July 23, 1965.
  8. For all plans except single-family or duplex dwellings a landscape plan is required pursuant to section 12-6-4.
- (b) Proof of sewer tap from Escambia County Utilities Authority.
- (c) Completed current Florida Model Energy Efficiency Code Building Construction.

One (1) copy of the plans shall be returned to the applicant by the building official after he has marked such copy either as approved or disapproved and attested same by his signature on such copy. The original, similarly marked, shall be retained by the building official.

- (B) *Issuance of building permits.* No application for a building permit shall be approved by the building official for any building, structure, or addition on any lot in violation of this chapter or not in compliance with any provisions of this chapter, unless authorized under subsection 12-12-2(A)(2), Variances.
- (C) *Construction and occupancy to be as provided in applications.* Building permits issued on the basis of plans and applications approved by the building official authorize only the occupancy, arrangement, and

construction set forth in such approval plans and applications, and no other occupancy, arrangement, or construction. Occupancy, arrangement, or construction in variance with that authorized shall be deemed a violation of this chapter, unless such change is reviewed and approved by the building official.

- (D) *Expiration of building permits.* Every permit issued shall become invalid unless the work authorized by such permit is commenced within six (6) months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of six (6) months after the time the work is commenced; provided that, for cause, one or more extensions of time, for periods not exceeding ninety (90) days each, may be allowed, and such extensions shall be in writing by the building official.
- (E) This section shall be known and cited as the City of Pensacola's Historic Building Demolition Review Ordinance. The purpose of this section is to establish a predictable process for reviewing requests to demolish certain historic buildings not located within historic and preservation land use districts in order to establish an appropriate waiting period during which the City and the Applicant can propose and consider alternatives to the demolition of a building of historical, architectural, cultural or urban design value to the City.

(1) Definitions.

For the purposes of this section only, the following words and phrases, whether or not capitalized, shall have the following meanings:

Applicant means the person or persons filing an application for review under this Section.

Application means a Demolition Permit application for review under this Section, filed with the City's Inspection Services Division.

Application filing date means the date on which the application was filed with the City's Inspection Services Division.

Architectural Review Board means the City's Architectural Review Board as advisors to the City Council.

Contributing Structure means any building adding to the historic significance of a property or district.

Day means any day, including Saturdays, Sundays, and holidays.

Demolition means any act of pulling down, destroying, razing, or removing a building.

Demolition permit means a permit issued by the Inspection Services Division authorizing the demolition of a building pursuant to an application.

Florida Master Site File means the State of Florida's official inventory of historical, cultural resources including archaeological sites, historical structures, historical cemeteries, historical bridges and historic districts, landscapes and linear resources.

Historic Building means a building or structure that is:

- (a) At least 50 years in age or more; or
- (b) Individually listed in the National Register of Historic Places; or
- (c) A contributing property in a National Register of Historic Places listed district; or
- (d) Designated as historic property under an official municipal, county, special district or state designation, law, ordinance or resolution either individually or as a contributing property in a district; or
- (e) Determined potentially eligible as meeting the requirements for listing in the National Register of Historic Places, either individually or as a contributing property in a district, by the Secretary of the Interior.

Historic Site means a place, or associated structures, having historic significance.

Historic Structure means a building, bridge, lighthouse, monument, pier, vessel or other construction that is 50 years in age or more and is designated or that is deemed eligible for such designation by a local, regional or national jurisdiction as having historical, architectural or cultural significance.



Neighborhoods means all the areas of the City.

Significant building means a building with respect to which the Architectural Review Board has made a determination, that further examination, is warranted to determine whether a delay in demolition should be required.

National Register of Historic Places means the official Federal lists of districts, sites, buildings, structures and objects determined significant in American history, architecture, archaeology, engineering and culture.

(2) Buildings Subject to Review.

The following buildings are subject to review by the Architectural Review Board for the purpose of determining whether such buildings are historically significant:

Any building located in the Neighborhoods of the city of Pensacola if:

- (a) Such building, or the portion thereof to which the application relates, is 50 years old or older; or
- (b) Such building is listed on the City of Pensacola's "Local Registry of Historic or Significant Buildings" and/or the Florida Division of Historical Resource's Florida Master Site File, or
- (c) Such building or the portion thereof is determined to be a historically significant building pursuant to subsection (5)c, herein.

(3) Exemptions.

Demolition of historic buildings, whether contributing or noncontributing, located in the following districts shall be exempt from this section.

- (a) Pensacola Historic District, refer to section 12-2-10(A) (9) to (11);
- (b) North Hill Preservation District, refer to section 12-2-10(B) (9);
- (c) Old East Hill Preservation District, refer to section 12-2-10(C) (10);
- (d) Palafox Historic Business District, refer to section 12-2-21(F) (2) (d); and

(e) Governmental Center District.

(4) Enforcement.

(a) Issuance of Demolition Permit. With exception to the districts listed in subsection 3, herein, the requirements set forth in this Section are in addition to, and not in lieu of, the requirements of any other codes, ordinances, statutes, or regulations applicable to the demolition of buildings. The Building Official shall not issue any demolition permit relating to a building that is subject to review, unless:

1. The Building Official has determined that the building is unsafe in accordance with City Code Section 14-1-139.
2. The Building Official: (i) has received a notice issued by the Architectural Review Board, that the building is not subject to review under this section, or is not a historically significant building, or (ii) has not received such notice within the time period set forth in subsection (5) (a); or
3. The Building Official: (i) has received a notice issued by the Architectural Review Board that no demolition delay is required; or (ii) has not received such notice within the time period set forth in subsection (5) (a); or
4. The Building Official has received a notice issued by the Architectural Review Board that there is no feasible alternative to demolition; or
5. The demolition delay period set forth in subsection (5) (a) has expired.

(b) Required Demolition or Repair.

1. Demolition. Nothing in this section shall restrict the authority of the Building Official to order the building owner, or the City, to demolish a building at any time if the Building Official determines that the condition of a building or part thereof presents an imminent and substantial danger to the public health or safety.

(5) Procedure.

- (a) Application. An application for review under this section shall be made in the manner provided below. The process, from start (application) to finish (determination and/or permit issuance) shall not exceed 120 days. If the Applicant is not the owner of record of the building, the owner or owners of record shall co-sign the application.
1. Time for Filing Application. The Applicant (or building owner)<sup>h</sup> is encouraged to apply for review under this section as early as possible, so that any necessary review, and any delay period required by this Section, may be completed prior to, or during, any other review to which the building or its site may be subject.
  2. Application for Early Review. At any time prior to filing an application for a demolition permit, the Applicant may apply for review under this Section by submitting a request in writing to the Architectural Review Board.
  3. Informational evidence: The Applicant must submit for review sufficient information to enable the Architectural Review Board to make their determination, including an accurate site plan showing the footprint, photos of all sides of the subject building and the site to indicate all existing site features, such as trees, fences, sidewalks, driveways and topography, and photos of the adjoining streetscape, including adjacent buildings to indicate the relationship of the existing structure to the surrounding properties.
- (b) Determination: Applicability of Review and Significance of Building. After its receipt of an application from Planning Staff, the Architectural Review Board shall determine: (1) whether the building is subject to review under this Section, and (2) whether the building is a historically significant building. The Architectural Review Board may seek the assistance of City staff or the University of West Florida's Historic Trust or the

University of West Florida Archaeological  
Institute.

The initial review process shall be handled as an abbreviated review involving staff, the Chairman or his/her designee of the Architectural Review Board, and a staff member of West Florida Historic Preservation, Inc. If it is determined by the abbreviated review panel to be potentially historically significant, the application would then go to the full Architectural Review Board for review.

However, if the building is determined by the abbreviated review panel to not be historically significant by not meeting the criteria set forth in subsection (5)c, the Historic Building Demolition Review will end.

The Architectural Review Board shall issue a notice of its determination within sixty (60) days of an application being received. If the Architectural Review Board determines that the building is historically significant, such notice shall:

1. Invite the Applicant to submit any information that the Applicant believes will assist the Architectural Review Board in: (i) determining whether the building is subject to demolition delay according to the criteria set forth herein, and (ii) evaluating alternatives to demolition.
2. Set forth the Criteria for Requiring Demolition Delay. The Architectural Review Board shall make its determination concerning the requirement of demolition delay according to the following criteria: To determine that a historically significant building is subject to the demolition delay, the Architectural Review Board must find that, in the public interest, it is preferable that the building be preserved or rehabilitated rather than demolished. In making such finding, the Architectural Review Board shall consider the criteria for determining historical significance.

The Applicant is encouraged to present any information the Applicant believes will assist the Architectural Review Board in making its determination.

3. Provide Information regarding the Early Determination of No Feasible Alternative. At the determination meeting or within the demolition delay period, the Applicant may present any information the Applicant believes will assist the Architectural Review Board in evaluating alternatives to demolition. If, at such hearing, the Architectural Review Board finds that demolition delay is required, and also finds that the information presented at such hearing is sufficient for the Board to issue a determination that there is no feasible alternative to demolition, the Board shall issue such determination within the time period set forth in this subsection for the issuance of the Architectural Review Board's hearing determination.

(c) Criteria for Determining Significance. The Architectural Review Board shall determine that the building to which the application relates is a historically significant building if:

1. The building is associated with events that have made a significant contribution to the broad patterns of our national, regional or local history; or
2. The building is associated with the lives of persons significant in our national, regional or local past; or
3. The building embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possess high artistic values, or that represents a significant and distinguishable entity whose components may lack individual distinction; or
4. The building has yielded, or may be likely to yield, information important in national, regional or local history.

(e) Criteria for Determination that Building is Subject to Demolition Delay. To determine that a historically significant building is subject to the demolition delay, the Architectural Review Board must find that, in the public interest, it is preferable that the building be preserved or rehabilitated rather than



demolished. In making such finding, the Architectural Review Board shall consider the criteria for determining historical significance.

(d) Demolition Delay.

1. Delay Period. If the Architectural Review Board has issued a determination that a historically significant building is subject to demolition delay, the Building Official shall not issue a demolition permit until sixty (60) days have elapsed from the date of determination but in no case exceeding the aggregate of 120 days from the date of application.

Upon expiration of the delay period, the Architectural Review Board shall issue a notice in writing stating that such delay period has expired, and the date of such expiration, unless the Architectural Review Board has issued a determination that there is no feasible alternative to demolition.

1. Invitation to Consider Alternatives. If the Architectural Review Board has determined that a historically significant building is subject to demolition delay, and has not determined, at the hearing that there is no feasible alternative to demolition, the Architectural Review Board shall invite the Applicant (or the owner of record, if different from the Applicant) to participate in an investigation of alternatives to demolition. The Architectural Review Board also may invite the participation, on an advisory basis, of City Staff, as well as any individual or representative of any group whose participation the Applicant (or owner) requests, to assist in considering alternatives.

(e) Evaluation of Alternatives to Demolition. In evaluating alternatives to demolition, the Architectural Review Board may consider such possibilities as: the incorporation of the building into the future development of the site; the adaptive re-use of the building; the use of financial or tax incentives for the rehabilitation of the building; the removal of the building to

another site; and, with the owner's consent, the search for a new owner willing to purchase the building and preserve, restore, or rehabilitate it.

In evaluating' alternatives to demolition, the Architectural Review Board shall consider, and shall invite the Applicant to present, the following information:

1. The cost of stabilizing, repairing, rehabilitating, or re-using the building;
2. A schematic, conceptual design drawing;
3. Any conditions the Applicant proposes to accept for the redevelopment of the site that would mitigate the loss of the building; and
4. The availability of other sites for the Applicant's intended purpose or use.

(f) Determination of No Feasible Alternative. If, based on its evaluation of alternatives to demolition, the Architectural Review Board is satisfied that there is no feasible alternative to demolition, the Architectural Review Board may issue a determination prior to the expiration of the delay period, authorizing the building official to issue a demolition permit.

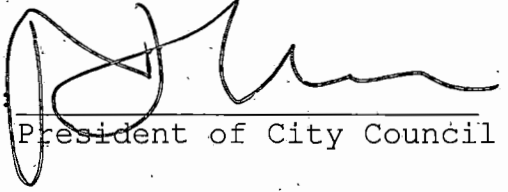
(g) Notice. Any determination or notice issued by the Architectural Review Board or its staff shall be transmitted in writing to the Applicant, with copies to the building official and, where applicable, to any individual or group that the Architectural Review Board has invited to participate in an exploration of alternatives to demolition.

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.



SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: September 26, 2019

Approved:   
President of City Council

Attest:

  
  
City Clerk

Robyn M. Tice  
CITY CLERK'S OFFICE, CITY OF PENSACOLA  
3RD FLOOR, 222 WEST MAIN STREET  
PENSACOLA, FL 32502

Published Daily-Pensacola, Escambia County, FL

### PROOF OF PUBLICATION

State of Florida  
County of Escambia:

Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Advertising Representative of the Pensacola News Journal, a daily newspaper published in Escambia County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

### NOTICE OF PROPOSED ORDINANCE

as published in said newspaper in the issue(s) of:

09/16/19

Affiant further says that the said Pensacola News Journal is a newspaper in said Escambia County, Florida and that the said newspaper has heretofore been continuously published in said Escambia County, Florida, and has been entered as second class matter at the Post Office in said Escambia County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 16th of September 2019, by legal clerk who is personally known to me

Affiant

Notary Public State of Wisconsin, County of Brown

My commission expires

Publication Cost: \$316.74  
Ad No: 0003791732

SHELLY HORA  
Notary Public  
State of Wisconsin

### NOTICE OF PROPOSED ORDINANCES

Please be advised that Proposed Ordinance Nos. 24-19, 25-19, 27-19, 28-19, and 29-19 were presented to the City Council of the City of Pensacola for first reading on Thursday, September 12, 2019 and will be presented for final reading and adoption on Thursday, September 26, 2019 at 5:30 p.m., in Council Chambers on the First Floor of City Hall, 222 West Main Street, Pensacola, Florida.

The title(s) of the proposed ordinance(s) are as follows:

P.O. #24-19:

AN ORDINANCE AMENDING SECTION 12-12-5 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; CREATING SUBSECTION 12-12-5(E) ESTABLISHING A PROCESS FOR THE REVIEW OF REQUESTS TO DEMOLISH BUILDINGS OF HISTORICAL, ARCHITECTURAL, CULTURAL OR URBAN DESIGN VALUE TO THE CITY; PROVIDING DEFINITIONS; PROVIDING ARCHITECTURAL REVIEW BOARD CRITERIA AND PROCEDURES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

P.O. #25-19:

AN ORDINANCE REPEALING SECTION 12-13-4, OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; ABOLISHING THE GATEWAY REVIEW BOARD; AMENDING SECTION 12-13-2, TRANSFERRING FUNCTIONS OF THE GATEWAY REVIEW BOARD TO THE PLANNING BOARD; CONFORMING REFERENCES WITHIN THE CODE; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

P.O. #27-19:

AN ORDINANCE AMENDING SECTION 10-4-19 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA ADJUSTING RATES AND CHARGES FOR THE SALE OF NATURAL GAS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

P.O. #28-19:

AN ORDINANCE AMENDING SECTION 4-3-97 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR INCREASE IN SANITATION COLLECTION FEES AND THE SANITATION EQUIPMENT SURCHARGE; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

P.O. #29-19:

AN ORDINANCE RELATING TO FUNDING FOR THE PROVISION OF INDIGENT CARE SERVICES BY HOSPITALS LOCATED WITHIN THE CITY OF PENSACOLA; PROVIDING A SPECIAL NON-AD VALOREM ASSESSMENT AGAINST THE PROPERTY OF SUCH HOSPITALS FOR THE PURPOSE OF INCREASING FUNDING AVAILABLE FOR THE PROVISION OF SUCH SERVICES; PROVIDING DEFINITIONS; PROVIDING PROCEDURES FOR THE IMPLEMENTATION AND COLLECTION OF SPECIAL ASSESSMENTS; CONFORMING TO THE REQUIREMENTS OF LAW; PROVIDING FOR SEVERABILITY; REPEALING AND REPLACING ORDINANCE NO. 10-19; AND PROVIDING AN EFFECTIVE DATE.

A copy of proposed ordinances may be inspected by the public in the City Clerk's office, located on the 3rd Floor of City Hall, 222 West Main Street, Pensacola, Florida, or on-line on the City's website: <https://pensacola.legistar.com/Calendar.aspx>. Interested parties may appear at the Council meeting and be heard with respect to the proposed ordinances.

If any person decides to appeal any decision made with respect to any matter considered at this meeting or public hearing, such person may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and any evidence upon which the appeal is to be based.

The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to city services, programs and activities. Please call 435-1606 (or TDD 435-1666) for further information. Requests must be made at least 48 hours in advance of the event in order to allow the City time to provide the requested services.

CITY OF PENSACOLA, FLORIDA

By: Ericka L. Burnett, City Clerk

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Legal No. 3791732 9/16/2019

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

Department:

Comments:

FIRE

No objections.

PW/E

No objections.

Insp Svcs

No objections.

ESP

No objections.

ECUA

No objections.

GPW

No objections.

ATT

No objections.

Surveyor

No objections.

Planning

Although this property is located in a Planning Board review district, the proposed demolition was subject to the City's historic demolition review ordinance due to the building's age (Sec. 12-11-5(5)). The proposed demolition was reviewed by the full Architectural Review Board on December 17, 2020, where they determined that the building was eligible for a 60-day demolition delay. That period of delay began on December 17, 2020, and ended on February 15, 2021. Since the 60-day delay has been fulfilled, since the building façade has been photographed, and since the historic property itself has been recorded for a future Florida Master Site File historic structures form, I have no issues with the proposed demolition.