



## MINUTES OF THE ARCHITECTURAL REVIEW BOARD

September 16, 2021

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

**MEMBERS ABSENT:** Board Member Spencer

**STAFF PRESENT:** Historic Preservation Planner Harding, Senior Planner Statler, Help Desk Technician Russo, Advisor Pristera

**STAFF VIRTUAL:** Planning Director Morris, Assistant Planning Director Cannon, Assistant City Attorney Lindsay

**OTHERS PRESENT:** Chris Paul, Jeff Paul, Brad Brown, Brandon Myers, Andrew Fisher, Mike Bradley, James Ray, Jeb Hunt, Kevin Fox, Charles Liberis, Chad Kaipo Robello, Ronnie Rainwater, Tim Daniel, Katherine Michelle Hendricks, Aislinn Rehwinkel, Stacy Robello, Danny Grundhoefer, Dr. Gloria Horning

### CALL TO ORDER / QUORUM PRESENT

Chairperson Salter called the meeting to order at 2:05 p.m. with a quorum present and reminded guests to sign in for the meeting.

### APPROVAL OF MINUTES

Board Member Mead made a motion to approve the August 19, 2021 minutes, seconded by Board Member Yee, and it carried unanimously.

OPEN FORUM - None

### NEW BUSINESS

#### Item 2

#### Noncontributing Structure

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

Andrew Fisher is seeking approval to replace the front door, side entry door, and rear sliding door. The current front and side doors are fiberglass and are proposed to be replaced with new fiberglass doors with a slightly different pattern and painted blue. The rear sliding glass door will be replaced

**1200 N. Baylen Street**

**NHPD  
PR-1AAA**

with one matching the existing dimensions and painted white. North Hill had no objections to the request.

Mr. Fisher presented to the Board. Board Member Ramos asked if this project could not have been presented in an abbreviated review, and staff advised abbreviated reviews were generally for change of paint colors, signs, deviations to improve projects, fences, and solar panels. When there was a change in materials or design, the applicant was required to consult the full Board.

**Board Member Ramos made a motion for approval as submitted, seconded by Board Member Mead, and it carried 6 to 0.**

### Item 3

**817 N. Palafox Street**

**NHPD**

#### **Noncontributing Structure**

**PC-1**

**Action taken: Approved.**

Kaipo Robello is seeking approval to paint a noncontributing brick structure. The applicant is proposing to use "Richmond White" ROMABIO which is a breathable, mineral based, and toxin-free paint made specifically for brick and masonry elements. The final product also appears as a natural finish rather than leaving a glossy or shiny surface. North Hill approved the ROMABIO but not the limewash.

Mr. Robella presented to the Board and stated it was not limewash. He confirmed the keystones would remain brick, and keystones and trim would not be painted. Chairperson Salter stated he was traditionally against painting existing masonry since the brick presents an architectural feature, pattern, finish, or texture and sometimes color. He saw this brick as more of a field, not intended to be an architectural element, and for that reason, he could support this. Board Member Mead pointed out North Hill suggested painting the trim elements a different color. Mr. Robella stated the trim would be painted the same color and touched up. Board Member Mead pointed out there was a tradition of painted brick and agreed it was more a field. **Board Member Mead made a motion for approval, seconded by Board Member Fogarty, and it carried 6 to 0.**

### Item 4

**115 W. Brainerd Street**

**NHPD**

#### **Variance**

**PR-1AAA**

**Action taken: Approved.**

Tim Daniel is seeking a variance to reduce the side yard setback requirements of Section 12-3-55(4)a of the City of Pensacola Land Development Code. The variance request is to decrease the minimum west side yard setback from 9 feet to 4 feet to accommodate an addition to an existing accessory dwelling unit. A conceptual review of the addition is also under consideration with this item.

Mr. Daniel presented to the Board and stated the original structure was a shotgun style home which had repairs over the years that were not necessarily done correctly. Their intent was to restore the home to the original structure. Chairperson Salter stated based on the site plan provided, it appeared that the existing structure came as close as 4' 2" off the existing property line. Mr. Daniel confirmed that was a cantilever section that came within the 4' 2" away from it, and the existing back structure corner was 4' 7.5" but they needed to get the 4' to allow for that not being paralleled. Chairperson Salter asked if there was consideration to taking the rear wall and stepping it 2" or 4" or some distance such that the addition does not get any closer to the existing property line than the building does. Mr. Daniel explained they needed to consider the roof structure and continuity of the interior space. They also wanted to make sure they had a seamless roof and no maintenance issues later on. Board Member Mead asked about the difference in the treatment of ADUs in the rear yard. Staff confirmed that ADUs typically do not have the same setbacks as the primary structures unless they are located within the buildable area, then they

must meet the side yard setback of the principal structure. Board Member Mead indicated since we have lot coverage requirements which deal with the area of the building which is distinct from the proximity of the closest part of any portion of the building to the lot line, which is the setback question, are we actually varying for the footprint of the structure or only varying 2" difference into that setback. Staff advised per ordinance, they were varying 5' from the 9' to 4'. This would be similar to building above or up, creating a second story. You would still have to ask for a variance because any development over that setback line would require a variance. Board Member Mead asked if the rear of the structure was sitting on the rear yard setback, none of the addition would be covered by this regulation because it would not be within the buildable area. Staff agreed but explained we would still be dealing with the side setback.

Board Member Courtney felt this was parallel to painting the brick in terms of the variance for this structure because of the nature of its historical significance and the proximity with the extreme setback already. With neighbors' permission, they won't be hampered with that addition. She preferred a jog in the building for the history of the nature of the building. Mr. Daniel explained the front area that was added on had the water intrusion issues, and there was not enough room for the trim to match the existing on the corners; it all becomes one solid trim, and they did not have the defined line of the house color versus the trim color. Board Member Yee asked if this were the primary structure, how had the Board ruled on those conditions, and staff advised it would still be a variance request, and since this was a quasi-judicial matter, the Board had to only consider what was in the application. There had been side yard setbacks in the past which had been granted either to extend a nonconformity or extending something which reduced a nonconformity. He also explained if this were wholly in the rear yard setback, then the setbacks would only be 3' off the side; also, if this were a building that went all the way down to the rear yard setback and the only addition was wholly within the rear yard, that addition could also be set back to the 3' and the 3' – any new development must comply with the current setbacks. The administrative variance allowed in this case was 10% up to 2' however, the Board could not stack variances. Board Member Yee asked to clarify that the variance would be 10% of 9' or 10.8" up to a maximum of 2'. With no speakers, **Board Member Mead made a motion to approve the variance percent per 12-12-2 and find that the conditions of circumstances that exist are peculiar to the land and not applicable to other lands in the same zoning district; that conditions and circumstances have no responsibility to the applicant or his actions; it will not confer any special rights since other properties in the area certainly have the right to extend into the rear yard, which is effectively what this is requesting, but for the configuration of the existing structure within the present authorized side setback area; that the literal interpretation of provisions would deprive the applicant of the right to extend into that rear yard area that would otherwise be enjoyed by other properties in the zoning district and the variance is the minimum necessary to make that reasonable use of the land that would otherwise be denied; the grant of the variance is in harmony with the intent of the district and the other regulations and should not injure the area or be detrimental to the public welfare; that it will not constitute any change in the zoning map or any of the other factors under Subsection 7 that do not appear to be in the record that there's any impact there. Finally, with respect to 12-13-3 that it will not detract from the architectural integrity, in fact, the purpose of this extension is to maintain that architectural integrity as opposed to doing an "L" or something along those lines which would destroy that, and it will be in harmony with the general intent and purpose of the title under the same terms as Subsection 6 of the Code. Board Member Ramos seconded the motion, and it carried 6 to 0.**

## Conceptual Review

PR-1AAA

### Action taken: Conceptual Approval.

Tim Daniel is seeking conceptual review to rebuild and add to an accessory structure. The proposed project will extend and raise the existing rear roofline which was a past and poorly executed addition to the original structure. Although this item will return for final review, all materials are proposed to be consistent with the existing structure, and the design of the addition is meant to keep with the existing shotgun style architecture. Although the structure is historic, ADUs and other accessory buildings are typically considered “noncontributing”.

Mr. Daniel identified the areas for the addition and the repaired roof. He explained the cantilevered section which was an existing pantry/closet. Board Member Ramos clarified that the new roof would be at the same ridge elevation as the existing center portion over the entry door. Mr. Daniel stated they were extending the roofline to be continuous and removing the shed roof. **Board Member Yee made a motion to conceptually approve as submitted, seconded by Board Member Fogarty, and it carried 6 to 0.**

## Item 6

205 Cevallos Street

PHD

### Noncontributing Structure

HR-1 / Wood Cottages

### Action taken: Approved.

Aislinn Rehwinkel is seeking approval to replace all windows and doors at a noncontributing structure. The existing windows are a mix of original windows from 1997 or replacement vinyl windows. These will be replaced with fiberglass-clad wood windows which will be 2 over 2, double hung, and with simulated divided lites to match the surrounding historic homes. Likewise, all existing French doors (14) will be replaced with new fiberglass-clad 6-lite French doors with some being replaced with full length 6-lite windows. Lastly, the stairway at the rear porch will be removed. Matching tongue-and-groove wood will fill in its place on the second-floor balcony and the bottom-floor empty space will be filled in for a storage area with matching fiber cement siding currently on the house.

Ms. Rehwinkel presented to the Board and distributed handouts with further details. Chairperson Salter asked if the intent was to have simulated divided lite type mullion patterns, and Ms. Rehwinkel indicated the grids would be molded wood on top to simulate a true historic window.

**Board Member Ramos made a motion to approve and commended the applicant on the historically appropriate renovation to a noncontributing structure. Board Member Courtney seconded the motion, and it carried 6 to 0.**

## Item 7

200 W. Blount Street

NHPD

### Noncontributing

PR-1AAA

### Action taken: Approved with Comments & Abbreviated Review

Christine Paul is requesting approval to renovate the exterior of a noncontributing brick residence. The scope of work includes replacing the existing windows with double hung, 1 over 1 vinyl, replace all exterior entry doors with fiberglass products, replace exterior wood siding with fiber cement Hardie siding, install a generator and pad along the rear, install composite decking and a screen at the rear, and to repaint all existing painted elements.

Christine and Jeff Paul along with Katherine Hendricks presented to the Board. Chairperson Salter read the North Hill comments and asked if the new deck was being installed over the existing mosaic tile in the back, and Ms. Paul confirmed it was, and they were keeping the mosaic in the front. Chairperson Salter asked if there was any consideration for a double door or the addition of side lites on the front entry which would be more characteristic. Ms. Paul advised they wanted privacy. Mr. Paul stated they observed another house in North Hill with the same brick and a blue

solid door, and they loved it. Regarding the mullion patterns, they were prepared to place some type of divisions on Blount and Spring, preferring the grid between the glass type of pattern with impact resistant glass. It was determined due to COVID, the builders were having issues in finding the ones with simulated divided lites. Board Member Fogarty questioned the location of the light fixtures and fans. Ms. Paul advised they would basically remain in the same locations. Board Member Courtney explained the motion lights should be angled down, and Ms. Paul agreed. Chairperson Salter was not familiar with the Oceanview vinyl window, but the images showed a possible depth to it. Board Member Yee asked about the location for the retractable screen, and Ms. Paul indicated it would be in front of the rear door. Board Member Ramos agreed with North Hill's comments, but since this was a noncontributing structure, he did not feel what the applicant proposed would necessarily deter from the surrounding homes. Staff advised the language was not as specific as contributing structures which were held to a higher standard, with elements replaced with in kind materials; noncontributing structures are viewed as products in their own time. On a case-by-case basis, vinyl windows were allowed on noncontributing structures which were sometimes treated as new construction.

Board Member Yee wanted to see the divided lite on the street elevations; they could be eliminated on the rear, and if a solid door was preferred, perhaps a pair of solid doors would be more appropriate. Board Member Ramos asked if the siding on the recessed area would be replaced with lap siding or just the back wall, and it was determined to be new since the current siding was not in good shape, and the builder had recommended they replace all siding. Regarding the front doors, the applicant was agreeable to double doors. It was determined new doors were required to be 36" each to meet the Code, so they would have to confirm the existing doors were 36". Chairperson Salter stated the applicant preferred in-glass for mullions, but his preference would be a 1 over 1 window without mullions. **Chairperson Salter made a motion to approve as submitted with the modification that the front door remain a double door with door style as submitted, and if that becomes a Code issue, that the front door be submitted for an abbreviated review for modification. Board Member Mead seconded the motion, and it carried 6 to 0.**

#### Item 8

1009 N. Reus Street

NHPD

#### Contributing Structure

PR-1AAA

#### Action taken: Approved.

Eric Mead is requesting approval to restore and replace missing shutters on all windows. The proposed shutters will be impact-rated aluminum colonial shutters. The applicant has provided quotes and product information for the proposed materials as well as photographs of the home and windows to be protected.

Board Member Mead recused himself and presented to the Board. Chairperson Salter advised the Board had seen applications for the aluminum shutters before, and Mr. Mead indicated he had submitted examples on Gonzales and North Palafox within the district. Chairperson Salter stated in the mounting of these shutters, it appeared there was stucco and no window trim on the second floor and lap siding with traditional wood trim on the first floor; the trim would not require any alterations to mount the shutters. Mr. Mead explained it was hardware consistent with those already closed up which mount to the trim covering the window frame, goes into the studs adjoining the window frame, and then leafs over the window inside of the surround. In 2007, the home had plastic decorative screw-on shutters; the original shutters were designed to leaf into the window opening whereas the decoratives were not. They wanted to get the original configuration of the home restored as well as obtain storm protection without worrying about plywood especially on the upper floors. He pointed out the shutters had always been in a darker contrasting color to the

body of the house and window trim, and they intended to maintain that contrast. They wanted to go with a more charcoal color "Black-Grey" to complement the rose color of the house. Also, in the renovation of the house, they discovered the original house was a dust gray green, and they proposed to return to that color sometime in the future. Board Member Yee asked about the pair of windows on the front, and Mr. Mead explained they would be a pair of bifold which would unfold onto the windows.

**Board Member Courtney made a motion to approve as submitted, seconded by Board Member Fogarty, and it carried 5 to 0 with Board Member Mead recusing.**

**Item 9**

**29 S. Palafox Place**

**PHBD  
C-2A**

**Contributing-Conceptual**

**Action taken: Conceptual Approval.**

Scott Holland is requesting CONCEPTUAL approval to replace the existing metal awning with a new fabric awning at a contributing structure. The scope of work encompasses the following: 1) removal of an existing flat metal awning and supporting rods; 2) repair the existing outer wall to address water intrusion; and 3) design and construct a new awning composed of a painted steel rigid frame and fabric cover.

Mr. Holland presented to the Board and stated they wanted a conceptual review since that would impact the elevation. Advisor Pristera explained there had always been some type of awning or canopy on these buildings; in this block, it was a metal or wood awning with metal poles at the sidewalk, and throughout Palafox there were fabric awnings with metal poles. He furnished pictures to the Board and stated even on the upper stories, there were fabric awnings. But in modern times, people would have the frame underneath with the fabric stretched over it. He felt this project was appropriate and helped to break up the current monotonous canopy and provided some variety and interest in separating those buildings. It also gave another feel and texture when walking on the sidewalk to make it more of a personal scale than under the one canopy that was one solid mass. Board Member Ramos asked the height of the existing awning, and Mr. Holland thought it might be 13' 2" and the new awning would be a little lower. He also stated they were going to address the panels underneath the awning at a later time. They might do something in stucco to match the building. Board Member Yee asked if the improvements to the wall detailing require a full Board review, and Mr. Holland stated they would return with complete details of the awning and replacements.

Chairperson Salter explained that conceptually the Board was agreeable to removing the existing canopy which was not original to the building and did not appear to have an architecturally significant contribution to the building; it was conceptually agreeable with a fabric type awning and removing some of the existing deteriorating trim and replacing it with something to be determined later. With the awning supports, there was an opportunity to consider some historic features which may have been downtown. **Board Member Fogarty made a motion to approve conceptually, seconded by Board Member Courtney.** Board Member Mead asked if the ends would be covered with similar awning material, and Mr. Holland stated they would probably cover them. **The motion then carried 6 to 0.**

**Item 10**

**40 S. Alcaniz Street**

**PHD  
HC-1**

**Noncontributing-Addition**

**Action taken: Approved.**

Carter Quina is requesting approval to construct a new pavilion in the existing courtyard at IHMC to enclose research equipment. The proposed addition has been designed to blend with the existing architectural style and will consist of stucco walls, a galvalume standing seam metal roof,

and a new deck to connect with the east building. The existing landscape will remain or be slightly shifted to accommodate the new wall.

Mr. Grundhoefer presented to the Board. Chairperson Salter explained it appeared the courtyard would be enclosed with a block and stucco wall with detail similar to the existing and a black metal gate. The interior of the courtyard would be a panelized prefab building system that would also have a stucco coating. The Board was provided samples, and it was determined you would not see the pre-engineered panels from alleyway. Mr. Grundhoefer advised the visible stucco would be true stucco on concrete block with details from the existing structure. Chairperson Salter clarified the courtyard wall was the wall with the stucco and detailing to match the existing building, and the entirety of the enclosure within the courtyard was the panelized system. Mr. Grundhoefer advised IHMC was a research facility, and the grant for this particular research tub and pool being housed at this location might be a short-lived endeavor, so they did not want to put a lot of money into a permanent structure, and they might want to do something else within that courtyard in the future. Chairperson Salter stated the window might not be wanted but was a Code requirement; it was determined not to be required. Board Member Mead asked if the existing fence would remain, and Mr. Grundhoefer stated it would remain in front of the stucco wall. Board Member Mead asked if there could be more treatment to the gables on the wall, and Mr. Grundhoefer advised that could easily be done.

Board Member Ramos was concerned with the wing walls and asked if someone walking by would see the prefab structure from the side, and Board Member Mead explained there was a short return which should cover that. Mr. Brown stated if you looked at the entire elevation, the wall was actually taller – 3' higher at the lowest point and should not be visible from the road. Board Member Yee stated the roof that goes over the new walkway would be visible from the cemetery and wondered if the shorter walls could be extended upward so they would be less likely to be visible. Mr. Grundhoefer explained the building to the east would block any views from the alley or cemetery. He suggested they modify the parapet for submission in an abbreviated review. Board Member Mead pointed out the cemetery rises from the fence row and did not think the visibility would be significant. He also wondered if some water feature could be placed on the outside wall or some ornamental feature that would be pleasing to the eye. Mr. Grundhoefer pointed out this project was tied to a grant and might last 3 to 5 years, and once the program is completed, the courtyard would probably be removed and something else constructed in its place.

**Board Member Ramos made a motion to approve as submitted but did not think the Board needed to rework the profile of the parapet since the scale was appropriate and did not need to compete with the more grand designs there. Board Member Fogarty seconded the motion, and it carried 6 to 0.**

#### **Item 11**

#### **Covington Place, Building G**

**NHPD**

#### **New Construction**

**PC-1**

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

Jim Bozeman is requesting approval for three new single-family residences. This project is an addition to a larger project approved by the Board in September 2017 and again in April and May 2020. The design and materials of the new building, "Building G", will be identical to "Building F" which was approved last year. These are called out on the elevations and include Hardie shiplap siding, carriage-style garage doors, and asphalt dimensional shingles. The windows are proposed to be JeldWen Premium Atlantic vinyl. The previously approved paint palette has also remained which alternates between gray hues within the Sherwin Williams collection.

North Hill provided comments addressed a 2' wide area between the entrance drives which had already been approved and was not part of the current application.

Mr. Liberis presented to the Board and advised the masterplan was approved in 2017. They had since acquired the property to the east. He also stated the question was raised if they would be using wood spindles, and he confirmed they would. They were also building a pavilion as a common area since the current and future residents did not want a swimming pool. Board Member Mead questioned the location of the louvered fence, and it was determined to be skirting around the common area; it was also confirmed they were not using solar panels but beveled lights. He explained the purchased property was long and narrow going from north to south; the front portion facing Strong would contain the three units, and south of that would be the common area. Board Member Mead stated the pavilion and common area were very simple and well thought out. Board Member Fogarty was observing paint samples, and staff explained some samples were scanned and appeared dull.

Chairperson Salter clarified that on the actual residential building, the only difference from the approved adjacent building was the window type; all the other trim work and materials were the same. It appeared the windows were 1 over 1 with no mullion patterns. North Hill had no objection to the paint colors, windows, siding, trim, columns, "Carriage House Option" of the garage doors but made reference to railings which had been confirmed; a supplemental package addressed the wire mesh railings, brick for the fireplace and column bases, and solar-powered lanterns proposed on the gazebo.

**Board Member Mead made a motion to approve, seconded by Board Member Courtney, and it carried 6 to 0.**

**Item 12                      SW Block of W. Government Street & So. Reus Street**  
**New Construction**

**GCD**  
**C-2**

**Action taken: Approved with Abbreviated Review.**

Adams Homes of Northwest Florida is seeking final approval for nine (9) new two-story single-family residences. The section of development under review is completely located in the Governmental Center District (GCD) and immediately adjacent to the CRA Urban Design Overlay which encompasses the west portion of the project. The homes slightly vary from each other with the main exterior components being made up of fiber cement and brick veneer siding, vinyl windows and doors, shingle roofs, and aluminum railings. Homes located in the deeper lots are accompanied by detached garages with similar features.

Jeb Hunt and Ronnie Rainwater were present to address the Board. Board Member Mead advised the project was in the path of Washer Woman Creek, and they need to be aware of the soils in that basin since other projects had been held up, and for conventional foundation purposes, they needed to be aware this issue. Mr. Rainwater advised they had a number of professionals to guide them through this.

Board Member Fogarty inquired about the CRA requirements with this project and Senior Planner Statler indicated the designs had been reviewed for the minimum 18" above grade for the porches, 20% glazing on the front façade and the secondary facades as applicable. In this case, the Board was looking at interior lots. The roof pitch would be 6:12, and the facades were alternating so there would a little bit of distinction as you proceed down the street. Mr. Hunt explained the parking access on Fort Street and individual parking for some interior structures. They were not sure if Fort Street would be gravel, concrete, or paved. Staff explained that issue would be considered by the Engineering Department and the Fire Marshall. Board Member Mead asked for the finished floor elevations which looked to be 1' 6" but they might be 5' above the sidewalk.

Mr. Rainwater did not know if any of the trees were heritage. Staff advised there was a new



requirement to add trees which would also be a part of the application process. Regarding the CRA requirements, a tree is required to be planted on each single-family lot, and a list of approved trees is available.

Dr. Horning explained she called the street Fort River since the river runs through it. She explained she lost everything in Hurricane Sally with 3.5' of sea water, fresh water, and sewage in her home. With the recent rain, there were five sewer sanitation overflows on South DeVilliers alone. She indicated you could not place anything at this location until addressing the infrastructure. There were also sewer sanitation overflows on Reus Street. She pointed out the fecal matter coming off Fort Street drained into the storm water and eventually into Bruce Beach. She was concerned the project would be higher than her home which would then impact her. She advised the infrastructure should be addressed before more structures were built because fecal matter was a dangerous health issue. Staff advised the land use was not under the purview of this Board but ECUA, Engineering, and Public Works would be heavily involved in any kind of development in this area. Board Member Mead was concerned with the elevation of the buildings. He provided an email from UWF showing the watershed running directly through the block.

Staff advised the GCD was a non-historic district and Section 12-3-28 indicates: The purpose for the establishment of this district is to provide the redevelopment of a centralized area for government related land use; and to encourage a coordinated architectural character within the district. Every decision of the board, in their review of plans for building or signs located or to be located in the district, shall be in the form of a written order stating the finding of the board, its decision and the reasons therefor. The board may at its discretion make recommendations for changes necessary to be made before the plans will be reconsidered. If recommendations for changes are made by the board, they may be general in scope and compliance with them shall only qualify the plans for reconsideration by the board but compliance with recommendations shall not bind or stop the board from disapproving the plans under reconsideration. Proposed plans shall be approved unless the board finds that the proposed erection, construction, renovation and/or alteration is not compatible with the built environment of the governmental center district.

Board Member Mead explained the FIRM maps do not recognize that this is a floodway and not merely a floodplain, and he was concerned the elevations of these buildings was insufficient knowing this was in a floodway. The south side was fine, but he had a problem in supporting this project without a serious look at those foundations.

Mr. Rainwater stated they had Butler Engineering perform flood elevation and a typography survey of the entire land. Staff pointed out the applicants would be working closely with the Building Official who is the floodplain manager and read 12-3-28 (c) (2) stating that the board shall not consider interior design or plan. The board shall not exercise any control over land use, such as is governed by the city's zoning ordinance, chapters [12-3](#) and [12-4](#), or over construction, such as is governed by the city's building codes. Any new development would take into consideration floodplain management and the Florida Building Code regarding that.

Board Member Mead asked if it would be appropriate to approve the application with the limited exception of submitting for abbreviated review the question of the elevation of foundations after the City floodplain manager has looked at these questions, in particular the floodway, as opposed to the floodplain question. Staff indicated it would be appropriate and something Mr. Bilby would be willing to look at fairly soon. The abbreviated review process was explained to the applicant.

**Board Member Mead made a motion to approve as submitted with an exception for abbreviated review that the height of the foundation be examined by staff and Building Official and submitted back to the appropriate architect for abbreviated review as to how that will function from an architectural standpoint once that review has been conducted and we know what the finished elevation needs to be for these foundations based on the**

**concerns expressed. Chairperson Salter advised he would be willing to accept that review assignment. The motion was seconded by Board Member Yee, and it carried 5 to 1 with Board Member Fogarty dissenting.**

**ADJOURNMENT** – With no further business, the meeting adjourned at 5:10 p.m.

Respectfully Submitted,

*Gregg Harding*

Historic Preservation Planner Harding  
Secretary to the Board

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>Mead, George R.</b>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>Architectural Review Board</b>	
MAILING ADDRESS <b>1009 N. Reus Street</b>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <b>Pensacola</b>	COUNTY <b>Escambia</b>	<input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <b>September 16, 2021</b>		NAME OF POLITICAL SUBDIVISION: <b>na</b>	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE	

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

## 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, George R. Mead, II, hereby disclose that on September 16, 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:

City of Pensacola Architectural Review Board item for 1009 N. Reus Street -

Eric Mead is requesting approval to restore and replace missing shutters on all windows. The proposed shutters will impact-rated aluminum colonial shutters. The applicant has provided quotes and product information for the proposed materials as well as photographs of the home and windows to be protected.

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.

Date Filed

9/20/21

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.