



City of Mount Dora
Planning and Development
510 N. Baker St.
Mount Dora, FL 32757
352-735-7112
Fax: 352-735-7191

E-mail: plandev@cityofmounddora.com

HISTORIC PRESERVATION BOARD MEETING
City Hall Conference Room, 510 N. Baker Street, Mount Dora, FL
Wednesday, January 26, 2022 – 4:00 PM

MINUTES

I. CALL TO ORDER

Having been duly noticed as required by law, the January 26, 2022 meeting of the Mount Dora Historic Preservation Board was called to order at 4:00 p.m. by Det Joks. Chairman.

II. ROLL CALL WITH DETERMINATION OF QUORUM

Present: Det Joks, Tracey Gerken, Sharon Nichols, Don Marx, Amanda Kelley, Patricia Huizing

Absent: Philip Crotwell

City Staff: Shelby Eldridge, *Planner II*; Adam Sumner, *Administrator*; Faith Gibbs, *Administrative Coordinator*; Sherry Sutphen, *City Attorney*

III. APPROVAL OF MINUTES

Mr. Marx motioned to approve the December 16, 2021 minutes. Ms. Nichols seconded the motion and all approved unanimously.

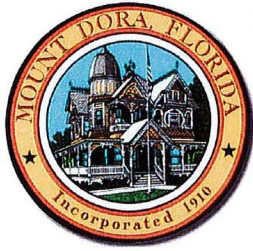
IV. ELECTION

A. CHAIRPERSON

Ms. Kelley motioned to nominate herself for Chairperson. The nomination failed by a roll call vote (2:4).

Ms. Nichols motioned to nominate Mr. Joks for Chairperson. The nomination was approved by a roll call vote (4:2).

B. VICE-CHAIR



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Ms. Gerken motioned to nominate Ms. Kelley for Vice-Chairperson. The nomination was approved by a roll call vote (6:0).

V. PUBLIC PARTICIPATION/HEARING FOR NON-AGENDA ITEMS

VI. CERTIFICATE OF APPROPRIATENESS

A. 244 E 3rd Avenue - Reroof

- i. Ex Parte Communication Disclosure**
- ii. Swearing in of staff/applicants**
- iii. Staff presentation**

Ms. Eldridge stated that the Maria Martin house was constructed, in 1885. The applicant wants to replace the asphalt shingles on the roof with a standing seam metal roof. The staff recommends that the item be approved since it is appropriate. Per the application, the new roof has no impact on the chimney. Ms. Nichols asked about the risks of asbestos. If a permit is required, the applicant must follow the process, per the staff. Ms. Nichols asked if the home is going to stay on the Historic Tour brochure. This home would remain on the brochure with updated photos, according to the staff. The Board reviewed the historical significance of this 137-year-old mansion, which was built by RC Tremain for the congregational church's first minister.

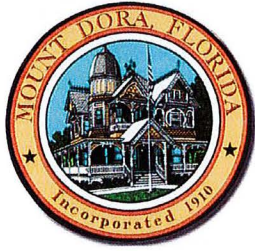
- iv. Public Input**
- v. Discussion**

Ms. Kelley motioned to approve staff recommendations. Mr. Marx seconded and all approved unanimously.

B. 810 N Tremain Street - Reroof

- i. Ex Parte Communication Disclosure**
- ii. Swearing in of staff/applicants**
- iii. Staff presentation**

Ms. Eldridge stated that Hackett-Burnham House was constructed in 1895 the applicant is proposing a change from asbestos shingles and metal to complete metal panels. Staff recommends approval as the material is appropriate. Ms. Kelley asked about the age of the current metal roof. Staff will research building permits within the last ten years and provide information if available. Ms. Kelley said she had been in the home when it was for sale and the roof is inconsistent; as there are various roofing materials. She agrees the home would look more consistent with one material.



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iv. Public Input

John Miller mentioned the discussion of panel roof versus standing seam roof which differ. He asked which of the two are on the application. Staff replied that the applicant is proposing a mill finished standing seam metal roofing. The board members were reminded the color of roofing materials cannot be a factor in the board's decision.

v. Discussion

Ms. Nichols requested verification that the asbestos shingles would be handled correctly and that the fire chimney will not be affected. Ms. Eldridge said that as shown on the application, the chimney would not be affected and the roofer would ensure the asbestos shingles were handled appropriately.

Ms. Huizing motioned to approve staff recommendations. Ms. Gerken seconded and all approved unanimously (6:0).

C. 828 E 7th Avenue – Detached Garage

i. Ex Parte Communication Disclosure

ii. Swearing in of staff/applicants

iii. Staff presentation

Ms. Eldridge stated that this structure was built in 1970, recently hit the 52nd mark. The applicant is requesting a detached garage which would bring the home in compliance with the current zoning code requirements. The structure will not be visible from the street, as it is in the rear of the home. The applicant will include the horizontal siding seen on the front porch onto the garage to match. Staff recommends approval. Mr. Joks commended that it does not appear to be enough room for vehicles to turn the area on the driveway. Staff stated zoning issues are not under the purview of this board.

iv. Public Input

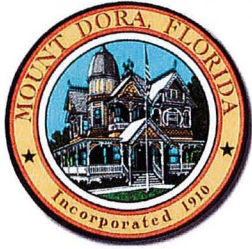
v. Discussion

Ms. Kelley motioned to approve staff recommendations. Ms. Gerken seconded and all approved unanimously (6:0).

D. 975 N. McDonald Street - Demo

i. Ex Parte Communication Disclosure

Ms. Kelley informed the board that she is recusing herself from the discussion and vote as she works for West Construction. Ms. Gerken stated that she has had conversations with Jay Smith



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regarding the property being divided and the condition of the home. Mr. Det received a call from Alex Fernandez; a neighbor of the applicant. Mr. Joks directed him to contact Ms. Eldridge with concerns and welcomed him to attend this evening's meeting. Ms. Huizing stated that prior to joining the board she was a member of a Local Citizen's Advocacy Group. There has been a lot of discussion on a group email about the property and its future. She stated she did not respond to any comments made and will request to be removed in the future.

ii. Swearing in of staff/applicants
iii. Staff presentation

Ms. Eldridge stated that the applicant is requesting to demolish the accessory structure once used as a carriage house and detached "servant's quarters" was split in 2019 and now sits on by itself. For staff proposes, there are seven demolition criteria, provided to the board. Although the structure is a historic building and the last of its kind, it is not on the national register due to previous work being done to the structure. The initial engineering report did not provide sufficient evidence to staff for demolition, therefore, a second revised report was provided to staff stating the things wrong with the structure. Staff does recommend approval of demolition. Mr. Joks commented on the Staff Analysis error date June 30, 2022, as to the correct date of June 30, 2021. Staff referenced Section 3.6.44 of the *City's Land Development Code* demolition requirements as the applicant did provide a report from a licensed engineer.

Lou Buigas; a contractor with West Construction Services to build a new home gave background information that their office is in a historical home built in 1925. She stated that they do not wish to destroy things that have merit or historical value. Ms. Buigas stated that the current structure is a hazard as the Building department previously put work stop orders. If members of the board wished to inspect the home, West Construction would be required to sign a waiver as the foundation is problematic as the foundation will not warrant it.

iv. Public Input

According to Thomas Cutshaw, the city of Mount Dora bears the entire responsibility for the current situation with this land by allowing the former owner to split the parcel. Mr. Cutshaw claimed that throughout his five years on the Historic Preservation Board, he questioned this property on a regular basis and that this structure and fence would be protected until summer 2021. He stated that the city should have done more than issue stop work orders on a regular basis. He added that this framework is a piece of history, and that they should examine everything while presenting their argument. Mr. Cutshaw's sentiments were echoed by Jay Smith. Mr. Smith inquired as to what else the board would allow be demolished. The application



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was denied by the Historic Preservation Board, but it was appealed to the City Commission, according to Mr. Joks. According to City Attorney Sutphen, the Historic Preservation Board has final decision-making authority that is appealable in the same manner that any other case is.

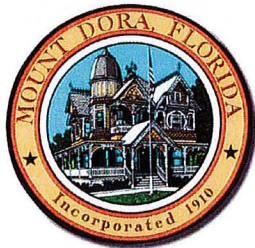
Lynn Tacher; Mount Dora resident questioned whether the original house was on the national registry as she recalls seeing a plaque. Ms. Eldridge stated that the original house is on the local registry not the national registry. Ms. Tacher would love to see the structure saved due to the historical markers and by tearing down this structure, it is tearing down a piece of the city. Frank Ford, a Mount Dora homeowner, restated earlier public complaints and blamed the city. He said he went to the Planning Department and was informed there was nothing he could do because it was a zoning problem. According to him, the building is presently included among Mount Dora's top ten historic landmarks. For years, the house had a slew of code problems that were not addressed until the demo notice was issued. Although this may be a financial concern for the owners, Jamie Allen, asked if the city could help with renovations. Attorney Sutphen replied that the city presently does not have any historic preservation grants in its budget. Commercial funds are administered by the CRA, not Historic Preservation. Private house owners would be responsible for finding grants; but, if the city was requested for any grant information, the city would supply it.

v. Discussion

Ms. Gerken inquired if the applicant's budget was a factor in the structure's inability to be saved. Mrs. Buigas indicated that the structure could not be constructed on the easement because the footing and foundation needed to be addressed, and it was not habitable.

Ms. Gerken motioned to table staff recommendation. The motion fails for a lack of a second.

Ms. Nichols agrees with the public's concerns about tearing down another piece of Mount Dora's history, citing the 1993 guideline that instructed Historic Preservation Board members to strive for the preservation of Mount Dora's heritage. She mentioned that the existing structure is included in the Historic Tour book, which informs the public and citizens about how ancient and vital the home is to Mount Dora; yet, it is requested to be demolished. Ms. Huizing worked with a number of commissions that were dealing with the same problem in New Jersey, referred to as "demolition by neglect." This structure is a type of social history and should be preserved since it is the last of its kind in Mount Dora's Historic District. Mr. Joks indicated that the Wardell-Wilmot House was dismantled piece by piece by being divided, with the understanding that it would remain intact as a historic landmark. After appearing before the Historic Preservation Board in June 2021 to request permission to build a new home on the vacant lot with the



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assurance that the existing structure will be preserved. Mr. Joks stated that the purpose of this board is to maintain the city's history and the relevance of structures like these. Ms. Huizing offered to collaborate with the community to discover methods for the town to act to prevent structures from being demolished due to neglect.

Betty Morgan, the owner, stated that when the application for renovation was brought to the board in June of 2021, with previous contractor Design South Homes who provided no examination of the home's and this is the first time learning of the condition that the accessory structure was in. Ms. Huizing inquired about the prior stop-work orders issued against the previous owners. Ms. Eldridge added that the building department was notified of work being done without approvals. Staff is unable to get access to a building since no permits have been issued for it; the property owner's permission would be required for staff to enter. The homeowner was also informed that this structure does not have to be habitable, but rather an additional structure, such as a shed.

Ms. Gerken amended motion has been made to table the matter to allow the City Building Official to be able to go into the structure to observe it and be able to give an opinion on it and also to have a more detailed report from the applicant's engineer as to the specific reasons for why the structure is appropriate for demolition. The motion was approved by roll call vote (3:2, with one abstention).

VII. OTHER BUSINESS

VIII. ANNOUNCEMENT OF NEXT SCHEDULED MEETING DATE: February 23, 2022 (4:00 pm)

IX. ADJOURNMENT

Mr. Joks motioned to adjourn the meeting. Ms. Huizing seconded the motion and it was approved unanimously. The meeting was adjourned at 5:19 p.m.

Det Joks, Chairman
Historic Preservation Board

Faith Gibbs
Administrative Coordinator

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

LAST NAME—FIRST NAME—MIDDLE NAME Kelley Amanda Jessica		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE HPB	
MAILING ADDRESS 1305 Crestview Dr Lake		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
CITY Mt. Dora FL	COUNTY	NAME OF POLITICAL SUBDIVISION:	
DATE ON WHICH VOTE OCCURRED		MY POSITION IS: ☐ ELECTIVE ☒ 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 equally 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 the reverse side 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 inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a **measure** which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate 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 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 otherwise may participate 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 other side)

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, Amanda Kelley hereby disclose that on January 26 2022

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

☒ 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

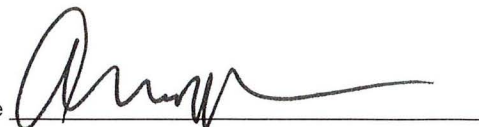
☐ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows'

Date Filed

1/26/2022

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.