



HISTORIC PRESERVATION COMMISSION MINUTES

Date: Tuesday, November 13, 2018
Time: 9:00 AM
Location: City Council Chambers - 315 E. Kennedy Blvd., 3rd Floor

Call to Order Chair Vivian Salaga called meeting to order

Silent Roll Call **Commissioners Present:** Vivian Salaga, Dr. Ralph Moon, Missy Schukraft, and Dr. Thomas Pluckhahn

Commissioners Arriving After Roll Call: Patricia Ortiz

Commissioners Absent:

Staff Present: Dennis Fernandez and Elaine Lund

Legal Staff: Rachel Peterkin

Commissioners introduced themselves and their position on the Board.

Swear In: Shirley Foxx-Knowles swore in all owners, applicants, interested parties, and witnesses in the City Council Chambers.

Announcements: Dennis Fernandez, Architectural Review and Historic Preservation Manager

- The First Federal Savings and Loan Association of Tampa, 220 E. Madison, was locally landmarked and also listed in the National Register of Historic Places on October 17, 2018.

Review of Minutes: September 11, 2018, **Minutes:** Commissioner Salaga stated that the minutes stand as read.

Review of Fence Standards: Tampa Heights Local Historic District:

Dennis Fernandez, Architectural Review and Historic Preservation Manager, and Elaine Lund, Historic Preservation Specialist, gave a PowerPoint presentation on the Tampa Heights Historic District Design Guidelines, specifically pages 69-70, Fences and Walls, the regulations in the City of Tampa Code of Ordinances regarding fences, and the direction provided by City Council to consider modifying the fence standards in the Tampa Heights Design Guidelines.

Dennis Fernandez, Architectural Review and Historic Preservation Manager - In May 2018, while hearing a related case, City Council requested the HPC review and provide a recommendation to City Council on whether or not to amend the guidelines relative to fences and walls, pages 69-70. June 12, 2018, the HPC did motion to continue this item to allow HPC staff time to engage the Tampa Heights Civic Association and get the community's response. On June 19, 2018, HPC staff met with the Tampa Heights Civic Association; on June 26,

2018, HPC staff received a letter supporting the existing guidelines as they stand and requesting to participate in any future discussion of modifying the guidelines. On September 11, 2018, HPC staff returned to the HPC Public Hearing with the letter from the Tampa Heights Civic Association, and HPC Board made a motion to recommend retaining the existing fence guidelines. HPC staff went back to City Council on September 20, 2018 and brought the HPC recommendation. At this meeting City Council motioned to request the HPC take another look at the guidelines with respect to pages 69-70, Fences and Walls, and bring a recommendation back to City Council on whether to retain the existing guidelines or make any changes to the guidelines. This brings us to today. Elaine will now present a PowerPoint presentation on the Tampa Heights Historic District Design Guidelines regarding specifically pages 69-70, Fences and Walls.

Elaine Lund, Historic Preservation Specialist, provided an overview of the existing guidelines for fences and walls in the Tampa Heights Historic District and of the city ordinances regarding fence height and placement.

Dennis Fernandez – The discussion of modifications to the design guidelines in the historic district is covered under Chapter 27, Section 264 of the Zoning Code. The HPC shall periodically review the design standards for each district. Any time that a proposed change is discussed or recommended there is a need to do a notice process under that particular section of the code; essentially, it notifies every property owner within that particular historic district that there are potential changes that may impact them. We are here today to discuss that public hearing and discuss any materials that you may want the staff to bring back to you for that public hearing. I'm planning on holding the public hearing at our next regularly scheduled hearing date of January 15, 2019. That section of the code does require a 15 day public notice, but that puts us right in the midst of the holidays, and it is my position to do a 30 day notice that is consistent with other noticing practices within the City and notice on December 15, 2018, for the January 15, 2019, Public Hearing.

Commissioner Schukraft – Did City Council give any indication as to why they needed it to go back, since the Board and Civic Association agreed to leave the guidelines as they are?

Dennis Fernandez - The motion was to re-evaluate that position. The motion was to bring it back and have another discussion and engage the entire neighborhood on the subject. What they are leaning towards is a district wide notice that may give them a truer position on what the neighborhood as a whole felt about this particular issue. It would also be necessary if they were considering making any changes under their legislative authority.

Public Comment: John Herbst, Lena Young-Green, Ricky Peterika, Mary McCahon

Dennis Fernandez – The goal for the staff was to initiate further discussion on this, in order to move this towards another motion of keeping the existing guidelines as is, the directive from City Council places the board in a position where you need to stick to the code and provide notice to the entire district if there is a change made.

Commissioners had an open discussion, including requests for clarification of various information.

Commissioner Moon – If someone wanted to have more privacy, could they use a hedge to create that additional security or privacy level?

Dennis Fernandez – They could do both in using a 4ft fence and a type of foliage.

Commissioner Moon – Would that be less offensive than a physical structure?

Commissioner Ortiz – The hedge could create a line of site issue; however, it can be maintained or trimmed to allow for line of site issues.

Commissioner Schukraft – How many times has the public had an opportunity to weigh in?

Dennis Fernandez – This issue has been before the HPC twice, met with Civic Association twice with a few additional phone calls and emails, and it has gone before City Council twice.

Commissioner Schukraft – I assume that when you met with the Civic Association there was a full neighborhood notice that you were going to meet with the Civic Association on a specific date/time?

Dennis Fernandez – No, we have been coordinating with the Civic Association at which we met with them at one of their regularly held Civic Association meeting date and time and one specially called meeting.

Commissioner Schukraft – I assume you noticed the neighborhood of these meetings and they had an opportunity to weigh in?

Commissioner Salaga – How is the neighborhood noticed for Civic Association meetings?

Ricky Peterika – We send notice through Facebook and a member email list. If they are not a Civic Association member then they did not get a notice.

Lena Young-Green – We do post signs for our meetings.

Commissioner Salaga – The HPC has been asked by City Council to re-visit that section of the guidelines and a Public Hearing schedule has been set in order to do that?

Dennis Fernandez – We discussed a possible Public Hearing date of January 15, 2019. You control that process, but that is the earliest that I could bring it back.

Commissioner Salaga – What would happen if we said, we don't think this is necessary.

Dennis Fernandez – Then I would bring that message back to City Council.

Commissioner Salaga – And then what?

Dennis Fernandez – Then they could choose to accept that and the issue would stay as is, or they could initiate changes autonomously to the design guidelines, and we would still have to go back through the notification process.

Commissioner Pluckhahn – It seems that staff is recommending this as a procedural matter, because I have not heard anyone speak in favor of changing the guidelines. I believe that we should put in our motion that we feel that the public has had an opportunity to weigh in, however, we are opening this up to the entire community to make sure that the community has had an opportunity to let their opinion be known.

Commissioner Schukraft – At any time has the entire neighborhood been notified that there were going to be meetings on this subject?

Dennis Fernandez - We have not noticed the entire neighborhood, because it did not mandate a district wide notice to keep the guidelines the same. Only if you had recommended changes to the existing guidelines would a district wide notice have been necessary.

Motion: Ralph Moon

Second: Thomas Pluckhahn

Move to recommend a third attempt to describe the fence rules in the Historic District of Tampa Heights, to evaluate the need for changes, in compliance with Section 27-264.

The motion was granted with a vote of 5-0-0.

Commissioner Salaga stated that the January 15th meeting will be a noticed public hearing on the matter of the fence issue in the Tampa Heights Historic District.

Dennis Fernandez asked the Board if they had any particular information that they wanted staff to bring to that meeting to facilitate the discussion.

Commissioner Schukraft requested information on code compliance for fences.

Commissioner Salaga requested that the January presentation include photos of homes and fences from the historic period.

Commissioner Moon requested information on the safety of clear views at intersections.

Commissioner Ortiz requested a graphic of where the non-conforming fences exist.

Date and Time of Next HPC Meeting

January 15, 2019, 9:00 a.m.

New Business

None submitted.

Adjournment

10:20 am

Approved: _____ Date: _____
Vivian Salaga – Chair