

001331

CITY OF GAINESVILLE
CITY COMMISSION

2001 MAY -9 AM 11:33

Nicholas T. Schroeder
Attorney at Law
4010-D Newberry Road
Gainesville, Florida 32607

352-376-8118

May 9, 2001

Kurt M Lannon
Clerk of the Commission
City of Gainesville
P.O. Box 490
Gainesville, FL 32602

HAND DELIVERY

Re: Honeycutt – Petition 5COA-01HPB

Dear Mr. Lannon:

Pursuant to your letter to me of April 30, 2001, you will find enclosed materials I would like included to backup our petition, they are:

1. Copy of Original Application showing date
2. Copy of Letter dated April 5th from Department of Community Planning showing date of denial.
3. Copy of a letter from Occupational Therapist, Consuelo Kreider
4. Copy of a drawing of the proposed fence submitted to Historic Preservation Board
5. Pictures which show the current area and computer generated images of proposed show how it will look.
6. Three pages of copies of photograph of similar fences in the immediate area.

Thank you for your assistance.

Sincerely,



Nicholas T. Schroeder
Enclosures (6)

CITY OF GAINESVILLE

DEPARTMENT OF COMMUNITY DEVELOPMENT

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

NAME Robert E. Honeycutt PHONE # 371 0090 (Home) 392 9061 (Work)

ADDRESS 634 NE BLVD CITY Gville ZIP 32601

Robert Honeycutt, request the HISTORIC PRESERVATION BOARD to issue a Certificate of Appropriateness in regard to the proposed project listed below, located at 634 NE BLVD, which has been listed on the Local Register of Historic Places or is within a district listed on the Local Register and in support thereof tender the following information:

A. IDENTIFICATION

Owner SAME

Contractor SAME

Address/Zip _____

Address/Zip _____

Phone _____ (Hm) _____ (Wk)

Phone _____ (Hm) _____ (Wk)

Occupant SAME

Agent _____

Address/Zip _____

Address/Zip _____

Phone _____ (Hm) _____ (Wk)

Phone _____ (Hm) _____ (Wk)

B. TYPE OF PROJECT

- Addition
- Alteration
- Demolition
- Relocation
- New Building
- Repair
- Other Fence

FOR OFFICE USE ONLY	
Permit No.	_____
Age of Structure	_____
Architectural Style	_____
Condition	_____
FSF#	_____

C. DESCRIPTION OF PROPOSED PROJECT

add Fence around back yard of property using wire scratch bricks on hoise and wood infill panels.

The information on this application represents an accurate description of the proposed project. It is understood that approval of this application by the Historic Preservation Board in no way constitutes approval of an "Application for Permit to Build" by the City of Gainesville Building Division.

Signatures: Owner [Signature]
Agent _____

Date 11/1/01
Date _____

Please post this certificate and any attachments at or near front of building

**CITY OF GAINESVILLE****Department of Community Development**

April 5, 2001

Mr. Gene Honeycutt
634 NE Boulevard
Gainesville, FL 23601

Petition 5COA-01HPB.

634 NE Boulevard. Construct fence in side and backyard. The structure is a contributing structure to the Northeast Historic District. Gene Honeycutt, Owner and Agent.

Dear Mr. Honeycutt:

The Historic Preservation Board heard the above-cited item at its April 3, 2001 public meeting. The Board DENIED the request to construct a 6' tall privacy fence on highly visible side and rear yard.

The recommendation was based on the following findings:

- *Fences in highly visible side and rear yards should be no greater than 48" tall if mostly open, and no greater than 36" tall if mostly closed, as design guidelines reflect the Historic Preservation Board's concern over creating long, blank, unarticulated spaces when fences, such as privacy fences, are constructed near sidewalks.*

Section 30-112 of the Land Development Code also allows any person aggrieved by a decision rendered by the Historic Preservation Board (HPB) to appeal the decision within 14 days from the date the decision by the HPB is reduced to writing and served by certified or registered mail, return receipt requested, to such person. Filing a written notice of appeal within the above-proscribed time period with the Clerk of the Commission shall make the appeal. The notice shall set forth concisely decision appealed from and the reasons or grounds for the appeal.

If appealed, it will be heard by the city commission at its next regular meeting, provided at least 14 days have intervened between the time of the filing of the notice of appeal and the date of such meeting. If you have any questions, please do not hesitate to contact me at (352) 334-5022.

Sincerely,

D. Henrichs
Historic Preservation Planner

Cc: Historic Preservation Board
Tom Saunders
Ralph Hilliard

Attachment Enclosed

Planning Division
P.O. Box 490 • Gainesville, FL 32602-0490
(352) 334-5023 • FAX (352) 334-3259

**SENSORY LEARNING CENTER
4040 W NEWBERRY RD. STE. 900
• GAINESVILLE, FL • 32606**

May 2, 2001

634 NE Blvd.
Gainesville, Fl
32601

Dear Mr. and Mrs. Honeycutt:

In reference to you asking my professional standpoint on privacy fencing your backyard, I feel that this issue is a top priority. Your daughter, Erin, has some severe attention issues, which are compounded by the fact that facing her backyard are three major residential roadways. Erin has also shown that she cannot attend well to auditory stimuli. If that were to indeed happen, chances are high that she would be unable to recognize that a vehicle were coming her way were she attending to something else.

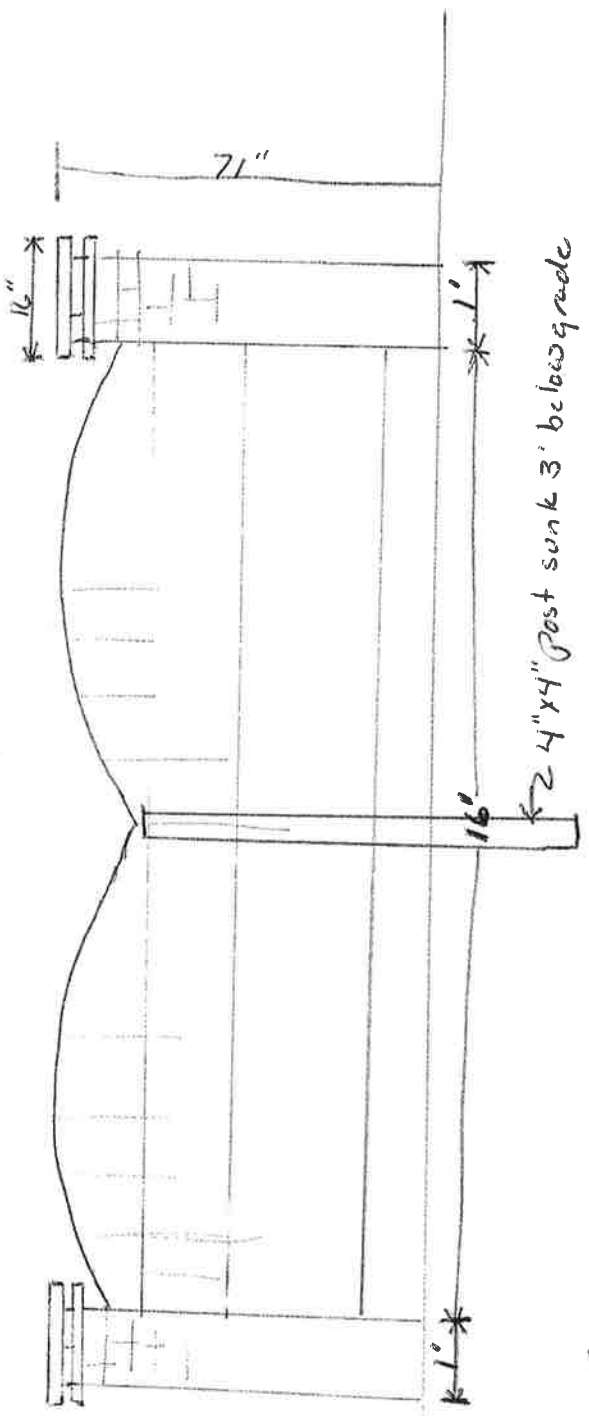
Also, due to the proximity of the Thomas Center's Heating/A.C. units, the ability to complete auditory filtration is constantly taxed, both when outdoors and if windows are open. When her sensory system becomes taxed, her already weak visual skills deteriorate further. Visual over-stimulation is a definite obstacle in the course of her treatment. Because the backyard faces all three roads, attention to positively-stimulating gross motor play is compromised. A solid fence structure such as a privacy fence would be helpful in reducing these negative stimuli.

Sincerely,

A handwritten signature in black ink, appearing to read 'CKR', with a long horizontal flourish extending to the right.

Consuelo Kreider, OTR/L
Occupational Therapist

37 5871



Columns to be constructed of brick. Capitals are to be constructed as capitals on columns on house. Wood fence panels are as shown on attached literature.

Current

Side yard as seen from NE Blvd and 7th Ave



Current back yard as seen from 7th Avenue & 5th Street

Proposed

Proposed side yard as seen from NE Blvd and 7th Ave



Proposed back yard as seen from 7th Avenue & 5th Street

Note how the clean lines and regular structure of the fence draw the eye to the geometric masses of the house.

Presentation prepared for proposed fence for residence of Robert & Mary Honeycutt at 634 NE Blvd, Gainesville, Florida.

Corner of NE Blvd and 6th Ave.



300 Block of NE 7th Ave.



600 Block of NE Blvd.



Right: Corner of NE 7th Ave and 6th Terr

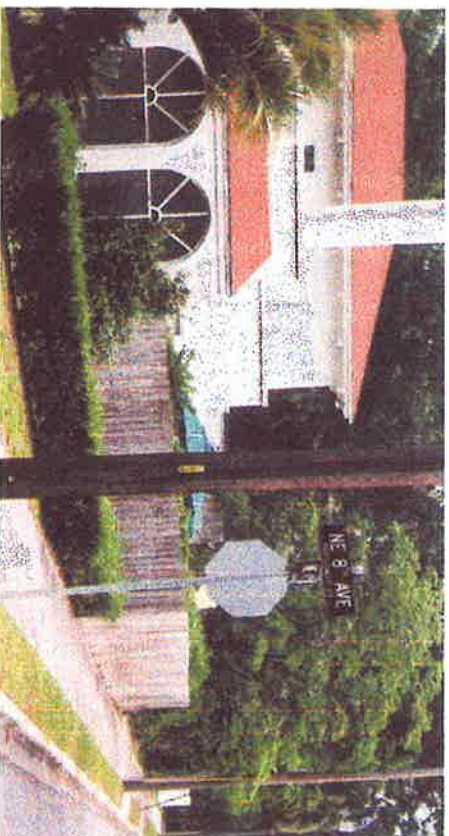
Above: Corner of NE 5th St. and 5th Ave.



Above: Corner of NE 8th Ave and 6th Terr



400 Blor NE 8th Ave.



Below: Corner of NE 8th Ave and 3rd St.

Above: Corner of NE 8th Ave and 5th St.





Above: Back of fence at corner of NE 7th Ave and 4th St.

Below: Side of NE 7th Ave and 4th St.



Back of house at NE Bl and 6th Ave.



Above: Corner of NE 8th Ave and 6th Tst.

Below: NE9th Ave and 4th St.



Above: Corner of NE Blvd and 9th Ave.



City of Gainesville

001331.7

Inter-Office Communication
Department of Community Development
Phone: 334-5022 ♦ Fax: 334-2282 ♦ Station #11

Date: May 2, 2001

To: City Commission

From: D. Henrichs, Historic Preservation Planner

Subject: Petition 5COA-01HPB. 634 NE Boulevard. Construct fence in side and backyard. The structure is a contributing structure to the Northeast Historic District. Gene Honeycutt, Owner and Agent.

Findings and Recommendation

The above referenced petition was presented to planning staff after construction of the brick piers had been constructed and Code Enforcement had issued a stop work order. The petitioner filed an application for a Certificate of Appropriateness on January 11, 2001 and it was scheduled for the next regularly scheduled meeting on February 6, 2001. The February meeting did not have a quorum to hear the agenda items and Petition 5COA-01HPB was placed on the March 6, 2001 agenda.

Planning staff under the *Historic Preservation Design Standards* could not staff-approve the requested fence, and recommended denial of the application on the basis that the proposed six-foot fence (brick posts and wood) was on a highly visible side and rear yard, running along the street edge. The applicants were not present at the March 6 meeting but delivered a letter addressed to the Historic Preservation Board at the beginning of the meeting. The Board requested the applicant to be present at the April 3, 2001 meeting in order to discuss the fence and mitigate its impacts on the Northeast Historic District. The Board expressed concerns about the height, opacity of the stockade wooden portion of the fence and the rounded top of the wood element of the fence having a cottage character rather than reflecting the prairie style of the contributing historic residence. At the March 6 meeting, the Board preferred to give the petitioner the opportunity to discuss the petition and possible mitigation rather than turn it down flatly. The petitioner attended the April 3 meeting, the Board expressed their concerns, and the petitioner did not propose any changes. A motion by the Board to deny Petition 5 COA-01HPB was made and seconded and the motion carried unanimously.

The applicant for the appeal has indicated the denial of the petition was not made in a timely manner and that City codes require a decision to be made within 45 days of the hearing. The applicant's appeal indicated that the Board did not issue a decision at the February 6, 2001 meeting and continued the item to March 22, 2001.

The item was placed on the March 6, 2001 agenda because of a lack of a quorum on February 6, 2001. At the March 6, 2001 meeting the Board continued the hearing on the petition to

The item was placed on the March 6, 2001 agenda because of a lack of a quorum on February 6, 2001. At the March 6, 2001 meeting the Board continued the hearing on the petition to April 3, 2001 in order to give the petitioner additional opportunity to attend and participate. On April 3, 2001, the Board reached a decision and issued to the applicant that decision in writing on April 7, 2001 within the 45 days of the end of the hearing on the petition.

It should also be noted that a building permit, windload calculations and compliance with the City's Vision Triangle Regulation would be required prior to the construction of brick piers. As built, the piers just sit on the ground, with no permits issued. Letters from Building Inspections and Public Works on these issues are attached.

Staff recommendation was based on the following findings:

- The proposal to construct a 6-foot tall masonry and wood fence running in part along the street edge property lines on a corner lot with a highly visible side and rear yard does not comply with the Historic Preservation Board's design review standards;
- Fences taller than 4 feet in front and highly-visible side yards [proposed fence includes side yard] are discouraged by the Historic Preservation Board; and
- The HPB standards against taller fences is two-fold: to prevent these structures from visually obscuring the architectural details of dwellings, and from creating a long, blank, unarticulated space adjacent to a street or sidewalk in the case of corner lots. The present proposal will obscure architectural details of the structure.

Explanation

The applicant proposed to construct a 6-foot tall fence on a street-side yard in the Northeast Residential Historic District. The fence style, called Half Moon, can be purchased from local home improvement stores. The pickets are 5 3/4" wide with nominal spacing between the pickets. The fences come in 8-foot sections and the masonry posts would be capped with ornamented tops that reflect the columns at the entrance and porte cochere.

Section 30-112 of the Land Development Code governs regulated work items under the jurisdiction of the Historic Preservation Board. To implement this section of the Code, the Historic Preservation Board has developed the following design guidelines based on the Secretary of Interior's *Standards for Rehabilitation* that describe appropriate designs for fencing in the historic districts.

Fences and Walls

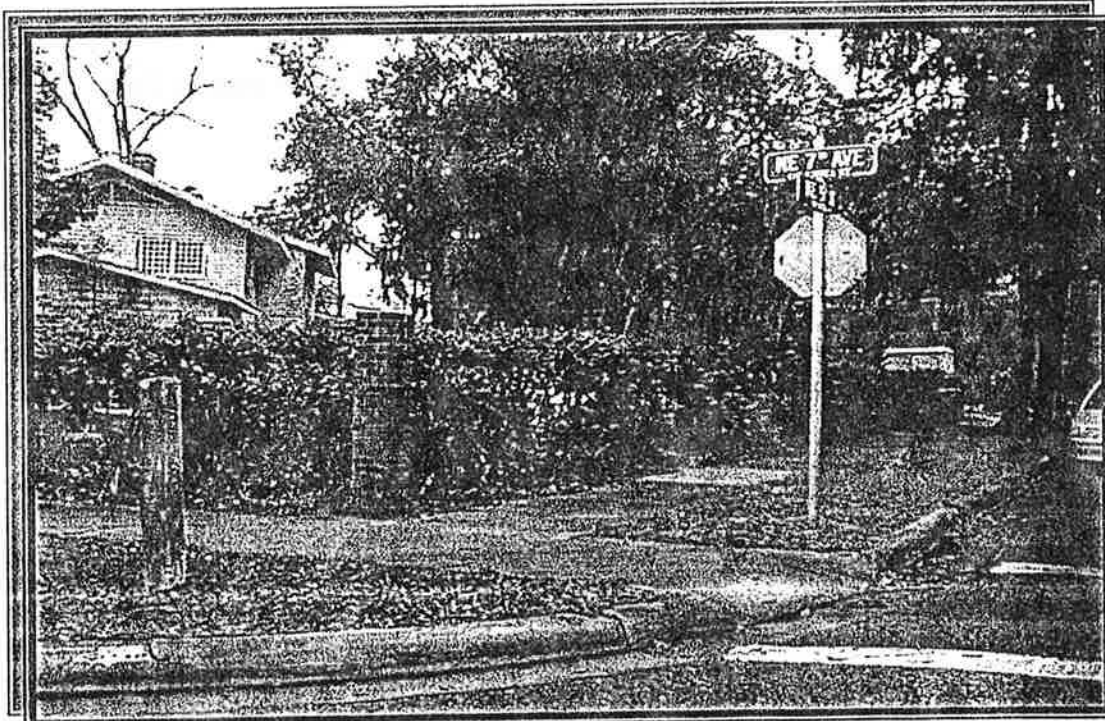
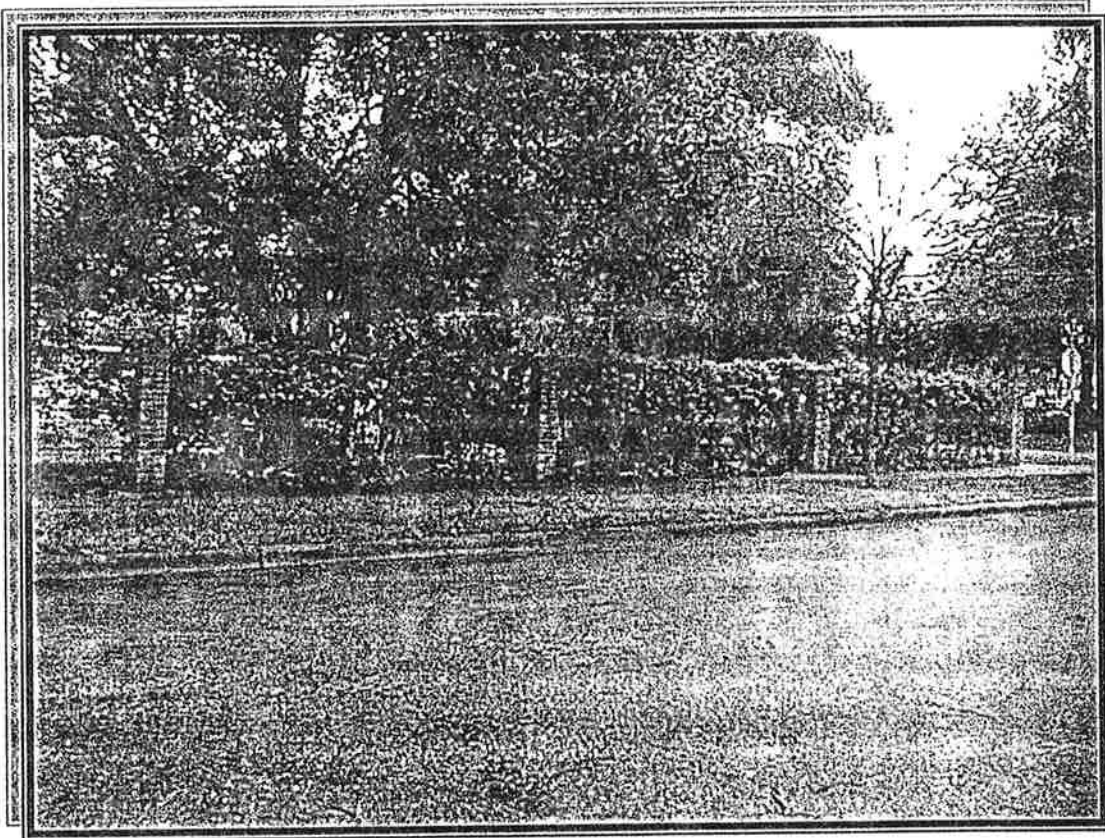
Fences and walls extending into the front yard beyond the front wall of the house or with a highly-visible side or rear yard [current proposal is side and rear yard] must meet the following conditions:

- *Constructed of wrought iron, masonry, wood, or stucco;*

- *No greater than 48" tall if mostly open (i.e., 50% transparent);*
- *No greater than 36" tall if mostly closed (i.e., 50% opaque);*
- *Where the lot is higher than the sidewalk or street, the fence height should be reduced, where practical, by the difference between the height of the lot and the sidewalk;*
- *Align with adjacent fences, if appropriate, in terms of height (where permissible) and materials;*
- *Vertical elements, which break up the repetition of the picket fence, should be introduced for every ten feet of picket fence. This can be accomplished by tapering the height of the pickets or interjecting decorative posts at rhythmic intervals.*
- *Comply with the City's Vision Triangle Regulations, which requires fence heights of two feet or less within twenty-five feet of the intersection.*
- *New construction should include fencelines/walls when adjacent to historic properties with fencelines and walls.*
- *Fences in backyards shall be no more than six feet in height and constructed of wood;*

Incompatible. The Historic Preservation Board guidelines have discouraged fences taller than 4 ft. in height in front or highly visible side yards for properties in the Northeast Residential Historic District. The Historic Preservation Board standards against taller fences are two-fold: to prevent these structures from visually obscuring the architectural details of dwellings, and to prevent them from creating a long, blank, unarticulated space adjacent to a street or sidewalk in the case of corner lots. The present proposal will obscure architectural details and create a long blank space along two streets.

cc: Wayne Bowers, City Manager
Tom Saunders, Community Development Director
Ralph Hilliard, Planning Manager
Dean Mimms, Chief of Comprehensive Planning





CITY OF GAINESVILLE

Building Inspection Department

May 1, 2001

Darlene D. Henrichs
City of Gainesville

Re: Permits for Fences


Ms. Henrichs:

This is in response to your request for permit requirements for the fence at 634 NE Blvd. As far as the Building Department is concerned, a permit is not required for any wood fences which are 8' or less in height. However there are some situations that a fence permit is required:

1. If a fence is over 8' in height, a permit is required.
2. Any fence which would require a foundation, such as a masonry fence, requires a permit.
3. Any fence requiring a foundation as in #2 above which is 36" in height or closer than 12" plus the height of the fence to the property line, any structure or other occupiable space would also require windloads to be calculated. The windloads for our area are calculated at 100 mph. A fence under 36" in height does not require windloads.

For questions or if this office can be of further assistance, please call at the number listed below.

Thank you:


Alan Dunlap
Plans Examiner
City of Gainesville

CITY OF GAINESVILLE

Inter-Office Communication

TO: D. Henrichs
Planning

DATE: 5/01/01

FROM: Philip Mann, P.E.
Traffic Engineer II

SUBJECT: Mr. Gene Honeycutt, 634 N.E. Boulevard

I have been asked to review the proposed fence on the subject property. The area in question is on the corner of N.E. 7th Avenue and N.E. 4th Street. The construction of this fence must comply with Code of Ordinances – City of Gainesville regarding the vision triangle. The vision triangle ordinance (Sec. 30-341) requires that no structure (including a fence) be constructed in what is defined as the vision triangle. A review of the existing structure (still under construction) at the subject property reveals that it violates ordinance 30-341. A variance is not provided for in the section. Please let me know if you need any additional information.



CITY OF GAINESVILLE

Department of Community Development

April 5, 2001

Mr. Gene Honeycutt
634 NE Boulevard
Gainesville, FL 23601

Petition 5COA-01HPB.

634 NE Boulevard. Construct fence in side and backyard. The structure is a contributing structure to the Northeast Historic District. Gene Honeycutt, Owner and Agent.

Dear Mr. Honeycutt:

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The recommendation was based on the following findings:

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Sincerely,

D. Henrichs
Historic Preservation Planner

Cc: Historic Preservation Board
Tom Saunders
Ralph Hilliard

Attachment Enclosed

Planning Division

P.O. Box 490 • Gainesville, FL 32602-0490
(352) 334-5023 • FAX (352) 334-3259



Date: 05/01/2001

Fax Transmission To: [redacted]
Fax Number: 352-338-0653

Attn: D Henrichs
Dear

The following is in response to your 05/01/2001 request for delivery information on your Certified item number 70993400000198629205. The delivery record shows that this item was delivered on 04/07/2001 at 12:02 PM in GAINESVILLE, FL 32601. The scanned image of the recipient information is provided below.

Signature of Recipient: Delivery Section

Mary C. [unclear]

Address of Recipient: 634 N5 BLVD

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service

INSPECTION HISTORY

CASE NUMBER: 2001-00173

TAX NUMBER: 12284-000-000

ADDRESS: 634 NE BOULEVARD GNSV

OWNER:

OWNER ADDRESS: , ,

INSPECTOR: Michael G Galipeau

DATE ISSUED:

DATE EXPIRES:

NATURE OF COMPLAINT: THIS HOUSE IS ON THE CORNER OF ON JAN. 6 THIS HOUSE WAS

PUTTING UP BRICK COLUMNS ABT 5 OF THEM IT POSSIBLE THAT THEY DID IT WITHOUT A PERMIT

Inspections

Item: 00100 Initial Investigation

01/08/2001 By: MICHAEL Action: NC Comments: WILL CHECK WITH DEE ON COA FOR FENCE APPROVAL BY 1/16/00

Item: 00110 Site Visit

Item: 00130 Warning Citation

Item: 00140 Citation

Item: 00150 Site Posting

Item: 00160 Sent Letter (Not an NOV)

Item: 00170 Phone Call

Item: 00180 Report

Item: 00200 Final Inspection/Review

02/08/2001 By: MICHAEL Action: CMPL Comments:

Item: 00120 Reinspection

01/09/2001 By: MICHAEL Action: NC Comments: LEFT CARD TO CALL DEE FOR COA. RECHECK STATUS BY 1/16/01

01/10/2001 By: MICHAEL Action: NC Comments: ISSUED STOP WORK ORDER. TURNED IN TO BLDG DEPT. RECHECK

STATUS 2/2/01

02/08/2001 By: MICHAEL Action: NC Comments: HAS APPLIED FOR COA

Item: 00190 Co-Inspection

Item: 00210 Requested Hearing With CEB

Item: 00220 Review Case (Review Date)

01/16/2001 By: MICHAEL Action: NC Comments:

01/16/2001 By: MICHAEL Action: NC Comments:

02/02/2001 By: MICHAEL Action: NC Comments:

Item: 00230 Issued NOV

Item: 00240 Reissued Notice

Item: 00250 Issued Affidavit of Compliance

Item: 00260 Issued Affidavit of Noncomply

Item: 00270 Photo Taken

Item: 00280 Researched Public Record

Conditions