



MEMORANDUM

Office of the City Attorney

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MAY 14, 2001

~~XXXXXXXXXXXXXX~~
~~April 29, 2001~~

TO: CITY COMMISSION

DATE: ~~April 2, 2001~~

FROM: CITY ATTORNEY

~~FIRST READING~~
SECOND READING

SUBJECT: Ordinance No. 0-01-21; Petition No. 12TCH-01 PB
An ordinance of the City of Gainesville, Florida, relating to historic preservation; amending section 30-112 of the Land Development Code to require a certificate of appropriateness be obtained for fencing on vacant property within an historic district; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Recommendation: The City Commission (1) approve Petition 12TCH-01 PB, and (2) adopt the proposed ordinance.

Staff has examined the review process for fences installed on vacant land in the historic districts, and is proposing an amendment to the Land Development Code to provide for the Historic Preservation Board (HPB) review of applications for fencing on vacant property. The HPB presently only has review of regulated work items such as fences to contributing structures within a local register district and structures listed individually on the local register, and not review authority over fences on vacant properties within an historic district.

The City of Gainesville's Historic Preservation/conservation districts are regulated by Section 30-112. The addition of the word fence in Sec. 30-112(d)(5)d.1., would require fencing on vacant property to be reviewed by the Historic Preservation Board for appropriateness within the district to ensure a sympathetic addition and maintain the character of the historic district.

Public notice was published in the Gainesville Sun on January 30, 2001. The Plan Board held a public hearing February 15, 2001. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 12TCH-01 PB. Plan Board vote 6-0.

Fiscal Note. None

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Patricia M. Carter, Sr. Assistant City Attorney

Approved and Submitted by: Marion J. Radson
Marion J. Radson, City Attorney

MJR:PMC:sw

PASSED ON FIRST READING BY A VOTE OF 5-0.