

070196



# CITY OF GAINESVILLE

*Clerk of the Commission*

June 15, 2007

The Wheelbarrow and the Car  
Mr. Reid Fogler  
P.O. Box 1309  
Gainesville, FL 32602  
Facsimile 352-371-3316

Dear Mr. Fogler,

Please be advised that your appeal will be heard at the July 9, 2007 City Commission Meeting. Your item will be scheduled under "Scheduled Evening Agenda Items", and that section of the agenda begins at 6:00 pm or as soon thereafter as may be heard.

If you have additional materials or evidence you would like to include with this appeal, please provide them to the Clerk's Office by 5:00 pm on June 27, 2007.

Thank you for your attention in this matter, and should you have any questions please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Kurt Lannon", is written over a horizontal line.

Kurt Lannon  
Clerk of the Commission

CC: D. Henrichs/ Historic Preservation Board  
Tom Sanders  
Ralph Hilliard  
John Wachtel

2007 JUN 15 PM 12: 37

IN RE: PETITION 36COA-07HPB  
CITY OF GAINESVILLE  
HISTORIC PRESERVATION BOARD

NOTICE OF APPEAL

1. Pursuant to subsection 30-112(7)(i), City Code, City of Gainesville, Wheelbarrow and Car, Inc., having been denied its application for a Certificate of Appropriateness for that property located at 1102 SW 6<sup>th</sup> Avenue, 1116 SW 6<sup>th</sup> Avenue, and garage behind 1101 SW 5<sup>th</sup> Avenue, Gainesville, Florida, by a vote of the City of Gainesville Historic Preservation Board, in session, on June 12, 2007, hereby files its Notice of Appeal to the City of Gainesville, City Commission, within 14 days from the date of the decision of the Historic Preservation Board was reduced to writing and served by certified or registered mail, return receipt requested, to Wheelbarrow and Car, Inc.

2. Pursuant to the above noted subsection, this has been filed with the Clerk of the City Commission.

3. A concise statement of the reasons or grounds for appeal is as follows:

a. The decision was inconsistent with the provisions of s. 30-112, and other pertinent provisions of the City Code.

b. The decision was inconsistent with the City of Gainesville Comprehensive Land Use Plan.

c. The decision was inconsistent with Wheelbarrow and Car's rights pursuant to the U.S. and Florida Constitutions as well as s. 70.001, Fla. Stat. (including the Bert J. Harris Act).

WHEELBARROW & CAR, INC.

By:  6/15/07

President WHEELBARROW & CAR, INC

Reid R Fogler

Post Office Box 1309

Gainesville, FL 32602

Telephone No. (352)376-0768

Facsimile No. (352)371-3316



# CITY OF GAINESVILLE

Department of Community Development

CITY OF GAINESVILLE  
CITY COMMISSION

2007 JUN 13 PM 4:13

June 13, 2007

The Wheelbarrow and the Car  
P.O. Box 1309  
Gainesville, Florida 32602

**Petition 36COA-07HPB.** Demolition of 1102 S.W. 6<sup>th</sup> Avenue, 1116 S.W. 6<sup>th</sup> Avenue, and the garage behind 1101 S.W. 5<sup>th</sup> Avenue. The proposal includes replacing the historic structures with structures ranging in height from three to four-stories. Wheelbarrow & the Car, Inc., Owners. Richardo Callivino Agent.

Dear Mr. Wells The Losen,

The Historic Preservation Board heard the above-cited item at its June 12, 2007 public meeting. The Board DENIED as submitted the request for new construction in the University Heights Historic District-South.

The recommendation is based on the following findings as stated in Section 30-112 of the Land Development Code:

(6) *Criteria.*

- a. *Generally.* The decision on all certificates of appropriateness, except those for demolition or relocation, shall be guided by the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings and the following visual compatibility standards:
  1. *Height.* Height shall be visually compatible with adjacent buildings.
  2. *Proportion of building, structure or object's front facade.* The width of building, structure or object to the height of the front elevation shall be visually compatible to buildings and places to which it is visually related.
  3. *Proportion of openings within the facility.* The relationship of the width of the windows in a building, structure or object shall be visually compatible with buildings and places to which the building, structure or object is visually related.
  4. *Rhythm of solids to voids in front facades.* The relationship of solids to voids in the front facade of a building, structure or object shall be visually compatible with buildings and places to which it is visually related.
  5. *Rhythm of buildings, structures, objects or parking lots on*


- streets.* The relationship of the buildings, structures, objects or parking lots to open space between it and adjoining buildings and places shall be visually compatible to the buildings and places to which it is visually related.
6. *Rhythm of entrance and porch projection.* The relationship of entrances and projections to sidewalks of a building, structure, object or parking lot shall be visually compatible to the buildings and places to which it is visually related.
  7. *Relationship of materials, texture and color.* The relationship of materials, texture and color of a parking lot or of the facade of a building, structure or object shall be visually compatible with the predominant materials used in the buildings to which it is visually related.
  8. *Roof shapes.* The roof shape of the building, structure or object shall be visually compatible with the buildings to which it is visually related.
  9. *Walls of continuity.* Appurtenances of a building, structure, object or parking lot such as walls, fences and landscape masses shall, if necessary, form cohesive walls of enclosure along a street, to ensure visual compatibility of the building, structure, object or parking lot to the building and places to which it is visually related.
  10. *Scale of building.* The size of the building, structure, object or parking lot; the building mass of the building, structure, object or parking lot in relation to open space; and the windows, door openings, porches and balconies shall be visually compatible with the buildings and places to which it is visually related.
  11. *Directional expression of front elevation.* A building, structure, object or parking lot shall be visually compatible with the buildings and places to which it is visually related in its directional character.

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 letter should be addressed to Kurt Lannon, Clerk of the Commission, P.O. 490, Mail Station 18, and Gainesville, Florida 32601. Mr. Lannon phone number is 352-334-5015. The notice shall set forth concisely the 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,

A handwritten signature in black ink, appearing to read "D. Henrichs", with a long horizontal flourish extending to the right.

D. Henrichs  
Historic Preservation Planner

Cc: Historic Preservation Board

Tom Saunders  
Ralph Hilliard  
John Wachtel  
Kurt Lannon