

#060944



CITY OF GAINESVILLE

Clerk of the Commission

February 16, 2007

Ms. Eveline Gillead
EFB Support Systems
1427 Park Avenue
Plainfield, New Jersey 07060

Re: Petition 9COA-07HPB

Dear Ms. Gillead:

The following agenda item will appear on the February 26, 2007, City Commission agenda. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Kurt Lannon".

Kurt Lannon
Clerk of the Commission

#060444

Denial of Appeal of decision on Petition 9COA-07HPB

On January 3, 2007, the Historic Preservation Board denied a request to demolish a structure at 506 N.W. 6th Avenue in the Pleasant Street Historic District. Notice of the Denial was forwarded by certified mail to the Petitioner and received on January 8, 2007, as evidenced by the Return Receipt. The Petitioner filed an appeal with the Clerk of the Commission and this letter was received on February 1, 2007. Per Section 30-112(d)(7)i, Code of Ordinances, any person aggrieved by a decision rendered by the historic preservation board may appeal the decision to the City Commission within 14 days from the date the decision by the historic preservation board is reduced to writing and served by certified or registered mail, return receipt requested, to such person. The Petitioner's appeal was not received within the 14-day time limit imposed by the ordinance.

Recommendation: Dismiss the appeal of Petition 9COA-07HPB as untimely filed. Authorize the Clerk of the Commission to execute an official notice to be forwarded to the Petitioner and maintained in the records of the historic preservation board.

OFFICIAL NOTICE

On _____, 2007, by a vote of _____,
the City Commission denied the Motion to Appeal filed in Petition 9COA-07HPB.

Kurt M. Lannon, Clerk of the Commission

cc: Historic Preservation Board
Petitioner

E. F. B. Support Systems
1427 Park Avenue
Plainfield, New Jersey 07060

Office: 908-754-2350

Fax: 908-754-2350

February 7, 2007

Mr. Kurt Lannon
Clerk of the Commission
P.O. Box 490
Station 18, P.O. Box 490
Gainesville, Florida 32602-0490

Re: **Petition 9COA-07HPB – Order To Show Cause**

Dear Sir:

Thank you very much for your kind consideration in granting me an opportunity to justify my reasons for not dismissing the appeal. These are the following reasons why I feel my appeal should not be dismissed as untimely:

1. Because I am an out-of-state resident (NJ). I'm not familiar with the rules, policies or procedures of the City of Gainesville, although three generations of my family have lived in Gainesville.
2. After filing my Petition 9COA-07HPB which was denied and returned to me on January 8th, giving me 14 days to appeal, I placed a call on January 29th Monday to Dee Henrich to get the name of the Clerk of Commission (MLK Holiday-January 15th).
3. Since my returned Petition only had Clerk of Commission -- no name, no phone number or directions on how to appeal their decision, I would have to gather that information from the only source that I knew: Dee Henrich (HPB) who I proceeded to call.
4. Ms. Henrich was out of the office that day (Monday, January 29th). I explained that I was trying to find out who the Clerk of Commission was and how to handle the appeal.
5. I was transferred to Ralph Hilliard, who was reluctant to give me any information, specifically when I told him it was for an appeal. Finally, after I identified him as one of the persons carbon copied on my letter from the HPB and could I find his name on the City's Website, he gave me Mr. Lannon's phone number.
6. January 30th, I called Dee Henrich and spoke directly to her. I told her that I wanted to make an appeal (she said it's too late). Then I asked, could she give me the Clerk of Commission's phone number and name (she said she did not know who he was) then gave me the main number to call.
7. I called the main number, told the receptionist I wanted the Clerk of Commission. She said she would transfer me to Dee Henrich, I told her I just spoke with Ms. Henrich and Ms. Henrich did not know who he was. The Receptionist was flabbergasted and said hold on I'll transfer you.
8. A young lady answered the phone, very pleasant voice, I asked, "Who is the Clerk of Commission." She put me on hold, I was disconnected.
9. I called back again, and finally was given Mr. Lannon's name and e-mail address.

I really understand that with all that's going on in the world you have to be very careful when speaking with someone over the phone. However, if someone asked you for the Clerk of Commission and seeks to file an appeal. That's not so mysterious. I could have had my appeal in on Monday, if only I would have gotten the correct information the first time I called.

Thank you for your kind consideration, I look forward to hearing from you.

Sincerely,

Eveline F. Gillead
E. F. B. Support Systems



CITY OF GAINESVILLE

Clerk of the Commission

Ms. Eveline Gillead
EFB Support Systems
1427 Park Avenue
Plainfield, New Jersey 07060

Re: Petition 9COA-07HPB
Order to Show Cause

Dear Ms. Gillead:

The City received your letter appealing the Historic Preservation Board's decision regarding the above-referenced petition on February 1, 2007. Because it appears to the City that your appeal was not timely filed within 14 days from the date the Board's decision was served by certified mail, please show cause within ten days from the date of this order why this appeal should not be dismissed as untimely. See Section 30-112(d)(7)i., Code of Ordinances

Failure to timely respond to this letter will result in the administrative dismissal of your appeal. Thank you very much.

Ordered this 6th day of February, 2007.

Sincerely

Kurt M. Lannon
Clerk of the Commission

KML/sdw

Cc: City Manager
City Attorney