

**BEFORE THE CITY COMMISSION  
CITY OF GAINESVILLE, FLORIDA**

**IN THE MATTER OF a Certificate of Appropriateness for demolition of a single-family dwelling that is located at 1227 NW 4<sup>th</sup> Avenue and is a contributing structure in the University Heights Historic District North.**

**PETITION HP-15-02.**

**ORDER**

**Statement of the Petition**

Petition HP-15-02, filed by Causseaux, Hewett, & Walpole, Inc., agent for RBL Parcel D, LLC (“Petitioner”), seeks a Certificate of Appropriateness (“COA”) to demolish a vacant, existing single-family dwelling that is located at 1227 NW 4<sup>th</sup> Avenue and is a contributing structure in the University Heights Historic District North. On February 3, 2015, the Historic Preservation Board of the City of Gainesville held a quasi-judicial hearing for Petition HP-15-02 and voted to deny the petition. Pursuant to Section 30-112(d)(7) of the Land Development Code, Petitioner has appealed the Historic Preservation Board’s decision to the City Commission. Accordingly, on April 2, 2015, the City Commission held a *de novo* quasi-judicial hearing for Petition HP-15-02 whereby it could affirm, amend, or reverse the decision of the Historic Preservation Board.

**Decision Criteria**

The City Commission’s decision in this matter shall be in accordance with the following decision criteria specified in Subsection 30-112(d)(6)c. of the Land Development Code:

- c. *Demolition.* A decision approving or denying a Certificate of Appropriateness for the demolition of buildings, structures or objects other than those in the Pleasant Street Historic District shall be guided by:
  1. The historic or architectural significance of the building, structure or object;
  2. The importance of the building, structure or object to the ambience of a district;
  3. The difficulty or the impossibility of reproducing such a building, structure or object because of its design, texture, material, detail or unique location;
  4. Whether the building, structure or object is one of the last remaining examples of its kind in the neighborhood, the county or the region;
  5. Whether there are definite plans for reuse of the property if the proposed demolition is carried out, and what the effect of those plans on the character of the surrounding area would be;

6. Whether reasonable measures can be taken to save the building, structure or object from collapse; and
7. Whether the building, structure or object is capable of earning reasonable economic return on its value.

### **Findings of Fact**

Based upon the evidence presented at the quasi-judicial hearing and included within the entire record of this proceeding, the following findings of fact are made:

1. The subject property consists of approximately 0.31 acres located at 1227 NW 4<sup>th</sup> Avenue, and is part of a proposed development area for a mixed-use infill project located on NW 13<sup>th</sup> Street that would allow for residential, commercial, and office uses.
2. Located on the subject property is a vacant, existing, three bedroom, two bathroom single-family dwelling with a reported date of construction of 1933.
3. The structure has been vacant since 2007.
4. The structure is a contributing structure within the University Heights Historic District North, and contributes in scale and character to the Fifth Avenue neighborhood.
5. The structure is a common bond brick house, masonry vernacular style, period revival cottage with classical tendencies, including the door surround made up of two Corinthian pilasters with entablature.
6. Several materials within the structure are salvageable, including the oak hardwood floors, kitchen cabinets, doors, windows, and tiles.
7. The structure is not one of the last remaining examples of its kind in the neighborhood, the county or the region.
8. The Petitioner submitted a structural assessment of the house produced by Southard Engineering, Inc., a structural engineering firm, which contained a summary of recommendations stating: "In summary the cost of bringing this building up to a standard where by which it could be habitable again far exceeds the value of the entire building and most likely the cost of building an entirely new building. I strongly recommend condemnation of the building and that it tore down [sic]. In its current condition the building presents a health hazard to any occupants. This building is not a suitable candidate for building relocation."
9. Attila Bodo, P.E., a structural engineer with Bodo & Associates, Inc., from Gainesville, Florida, testified that he concurs with the report by Southard Engineering, Inc., and believes that the structure is in very poor condition, is unsafe, and should be demolished.
10. Kyle Cheshire, a licensed building contractor, testified that he estimates it would cost approximately \$175,000 to \$250,000 to renovate the subject structure to a livable condition.

**Discussion**

The subject structure is a “contributing structure” within the University Heights Historic District North and therefore has historic and architectural significance and is important to the character of the historic district. However, the structure is not one of the last remaining examples of its kind in the neighborhood, the county or the region. In addition, the structure is significantly deteriorated and is not in a livable condition. Due to the structure’s poor condition and the significant estimated cost of renovation, the subject structure is incapable of earning a reasonable economic return on its value and no reasonable measures can be taken to save the structure from collapse. However, the structure does include materials that are worthy of being salvaged for reuse. Finally, there are definite plans for reuse of the property after demolition, which includes an approved Planned Development with conditions to protect the character of the surrounding area.

**Order**

REVERSED. Based upon the competent, substantial evidence received and included within the record, the City Commission, by a vote of 6-0, reverses the Historic Preservation Board’s decision regarding Petition HP-15-02 and thereby grants the Petitioner a COA for demolition pursuant to the decision criteria specified in Subsection 30-112(d)(6)c. of the Land Development Code, with the condition that the Petitioner recycle salvageable materials from the structure for reuse to the extent feasible.

Entered this 16<sup>th</sup> day of April, 2015.

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EDWARD B. BRADY  
MAYOR

Attest:

Approved as to form and legality:

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KURT M. LANNON  
CLERK OF THE COMMISSION

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NICOLLE M. SHALLEY  
CITY ATTORNEY