

**TO:** Historic Preservation Board

**Item Number: 2**

**FROM:** Planning & Development Services  
Department Staff

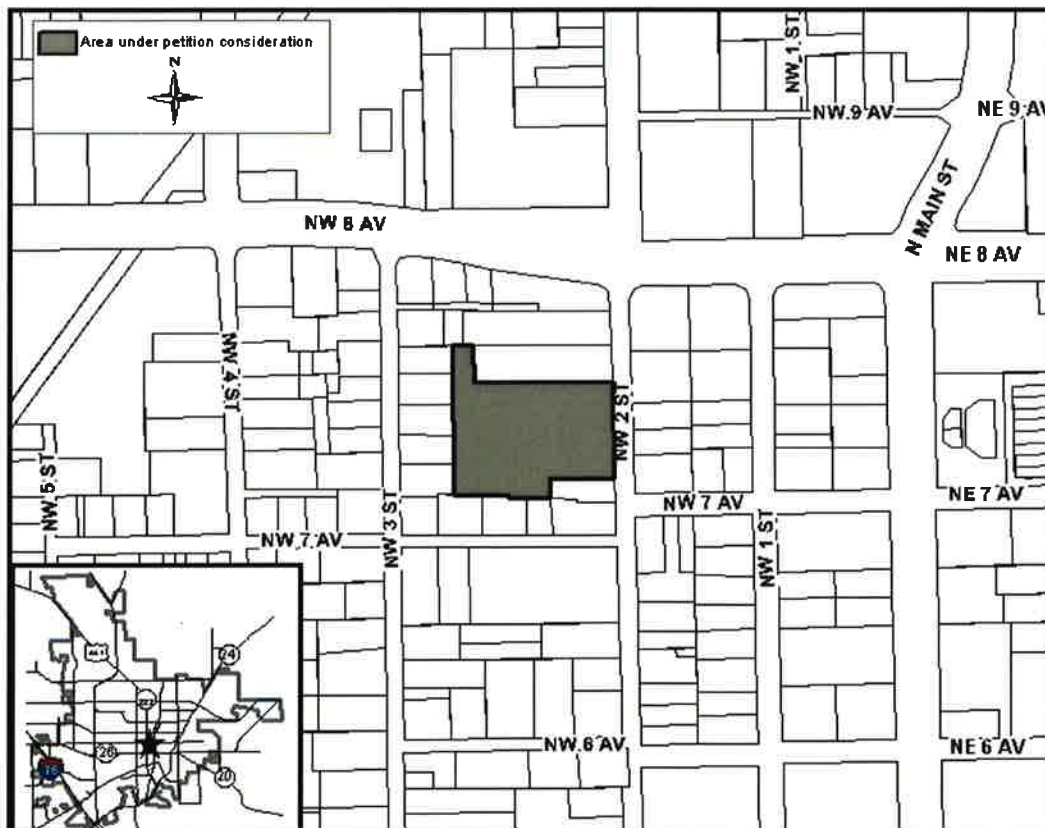
**DATE:** November 1, 2016

**SUBJECT:** Petition HP-16-96. Mt. Pleasant United Methodist Church, owner. After-the-fact COA for installation of 48" chain link fence. Located at 630 NW 2nd Street. The empty lot is non-contributing to the Pleasant Street Historic District.

### Recommendation

Staff recommends approval of Petition HP-16-96 with the following condition:

That planting material be installed along the full length of the fence for future growth on the fence. Plantings shall have a three-foot growth height within three years.



### **Project Description**

The property is located at 630 NW 2nd Street and is zoned RC. The parcel (14381-000-000) is located in the Pleasant Street Historic District and is 1.298 acres. The property is an empty lot used for church parking and is non-contributing to the historic district.

The applicant has installed a 48" high chain link fence along the north and west property lines. The north property line is approximately 280' in length starting on NW 2<sup>nd</sup> Street and running west. The west property line is approximately 260' in length and starts approximately 70' north of NW 7<sup>th</sup> Avenue and running north.

### **Background**

The applicant was given a Code Violation on August 30, 2016, for installation of a fence in a historic district without Certificate of Appropriateness. The Corrective Action is noted as "Apply and receive a Certificate of Appropriateness from the City or remove fence."

### **Basis for Staff Recommendation**

The staff's recommendation for conditional approval is based on the *Secretary of the Interior's Standards* and the *City of Gainesville Historic Preservation Rehabilitation and Design Guidelines: Fences and Garden Walls*:

### **Applicable Secretary Standards**

*2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.*

*9. New additions, exterior alterations or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.*

*Fences and walls that are designed to permit the passage of light and air are preferred over totally solid construction. Recommended fence and wall materials are wood, stone, masonry, and metal used separately or in combinations. Fences designed with more than two materials are not recommended. Owner designed solutions are recommended over pre-manufactured fences such as "stockade" fencing due to its ubiquitous use and lack of detailing. Vinyl and recycled prefabricated fence materials are also discouraged for the same reason. The board may approve selected use of these materials on a case-by-case basis. Finish, appropriate detail and compatibility with existing architecture are significant factors to be considered.*

*Grid wire fencing supported by metal, wood or masonry piers is acceptable if used as a support for plant materials. Fences should be coordinated with landscaping elements. Taller fences should be placed adjacent to taller landscape elements.*

***Recommended***

1. *Utilize custom-design fences or walls over pre-fabricated constructions.*
2. *Use design, scale and materials compatible with the context.*
3. *Design features such as vertical accent elements or tapering picket heights to offset repetition of fences.*

***Not Recommended***

1. *Use of stockade style fencing.*
2. *Use of chain link fencing.*
3. *Use of vinyl fencing.*

The use of chain link fencing is not recommended in the historic district. However, the fencing is not highly visible from the street, due to its location on the side and rear sides of the property, setback from the NW 2<sup>nd</sup> Street, its openness, low height and surrounding vegetation. The fencing is not detracting from a contributing building on the empty lot and does not negatively impact the historic character of the lot or building. The chain link fence could also be a vehicle for landscape planting, similar to grid wire fencing. Planting recommendations typically include a three-foot growth height within three years.

As the board may approve the use of chain link fencing on a case-by-case basis, it is staff's recommendation that the Board take into consideration these factors when determining approval or removal of the chain link fence. An appropriate condition of approval for the district could include requiring installation of plant material to grow on the fence.

Respectfully submitted,



Andrew Persons  
Interim Principal Planner

Prepared by:



Cleary Larkin, AIA  
Planner

**List of Exhibits**

- |                  |  |
|------------------|--|
| <b>Exhibit 1</b> | <b>Photos</b>  |
| <b>Exhibit 2</b> | <b>Code Violation/ COA Application</b>   |
| <b>Exhibit 3</b> | <b><i>City of Gainesville Historic Preservation Rehabilitation and Design Guidelines:<br/>Northeast, Southeast, &amp; Pleasant Street Historic Districts</i></b> |

## Exhibit 1- Photos



Top: The lot is used for church parking at the corner of NW 2<sup>nd</sup> Street and NW 7<sup>th</sup> Avenue and is a grassy empty lot on the remainder of the parcel. The existing gate and post/ chain fences are not part of the violation or application.

## Exhibit 1- Photos



Top: View of the north property line to the right and the west property line at the rear/ left.  
Bottom: View of the west property line at the rear.



### CITY OF GAINESVILLE

*Department of Neighborhood Improvement  
Code Enforcement Division*

#### Notice of Violation LAND DEVELOPMENT CODE

CE CASE NO: CE-16-02298  
PROPERTY LOCATION: 630 NW 2ND ST

TAX CODE NO: 14381000000  
OWNER/AGENT: MT PLEASANT UNITED METHODIST  
OWNER ADDRESS: 630 NW 2ND ST  
Gainesville, FL 32601

**MANNER OF SERVICE:** Check appropriate method: \_\_\_\_\_ Time Delivered or Posted: \_\_\_\_\_ a.m. / p.m.

☐ **Certified Mail Return Receipt Requested**    ☐ **Personally delivered**    ☐ **Posted to premises  
& First Class Mail**

INSPECTION DATE: 09/23/2016  
ISSUANCE DATE: 09/23/2016  
VIOLATIONS TO BE CORRECTED BY: 12/30/2016

As owner or agent of the above property you are hereby notified that the property address and/or business activity referenced above, in which you have an interest, located in the City of Gainesville, Florida, has been found to be in violation of the Code of Ordinances of the City of Gainesville by reason of the attached Exhibit "A".

Appeals of the Interpretation of this Ordinance may be made by any person aggrieved or affected by any notice or decision, which has been issued in connection with the enforcement of sections 30-58 (revocation), 30-85, 30-252, 30-303, 30-310, 30-311, or 30-315 through 30-347 excluding 30-316(a) and (b). Such appeals shall be taken within twenty (20) days from the date of this notice. A petition may be filed in the Planning Department with the Clerk of the Board of Adjustment, 306 NE 6th Avenue, 1st Floor.

Failure to comply with this Notice of Violation within the timeframe prescribed above will result in your case being referred to the Gainesville Code Enforcement Special Magistrate. If you are found guilty of any of the referenced violations you may be fined up to \$1000.00 daily for a first time offense and \$5000.00 a day for a repeat offense, and the City shall be entitled to recover all costs incurred in prosecuting the case before the Special Magistrate.

If you have any questions regarding the abatement of this violation, please contact me at (352) 334-5030. I will be happy to discuss your options.

Issued By:

Greta Moreau  
Code Enforcement Officer  
Phone # (352) 334-5030  
PCID#CH30-2003

P.O. Box 490, Station 10A • 306 NE 6th Avenue • Gainesville, Florida 32627-0490  
(352) 334-5030 • Fax: (352) 334-2239 • [www.cityofgainesville.org](http://www.cityofgainesville.org)

### Exhibit "A"

CE-16-02298 09/23/2016

LAND DEVELOPMENT CODE VIOLATION(S)

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#### VIOLATIONS

#### SECTION | SPECIFICATIONS

Violation of Section 30-112(d)(5), City of Gainesville Code of Ordinances; A certificate of appropriateness must be obtained before making certain alterations, described below as regulated work items, to contributing structures within a local register district and structures listed individually on the local register. 1. Abrasive cleaning. Cleaning of exterior walls by blasting with abrasive materials. 2. Awnings or canopies. Installation or removal of wood or metal awnings or wood or metal canopies. 3. Decks. Installation of all decks above the first-floor level and/or on the front of the structure. 4. Exterior doors and door frames. Installation of an exterior door or door frame, or the infill of an existing door opening. 5. Exterior walls. Installation or removal of any exterior wall, including the enclosure of any porch or other outdoor area. 6. Fencing. The installation or relocation of wood, chainlink, masonry (garden walls) or wrought iron fencing, or the removal of masonry (garden walls) or wrought iron fencing. 7. Fire escapes, exterior stairs and ramps for the handicapped. The installation or removal of all fire escapes, exterior stairs or ramps for the handicapped. 8. Painting. Painting unpainted masonry, including stone, brick, terracotta and concrete. 9. Porch fixtures. Installation or removal of railings or other wood, wrought iron or masonry detailing. 10. Roofs. Installation of new materials, or removal of existing materials. 11. Security grilles. Installation or removal of security grilles, except that in no case shall permission to install such grilles be completely denied. 12. Siding. Installation of new materials, or removal of existing materials. 13. Skylights. Installation or removal of skylights. 14. Screen windows and doors. Installation of screen windows or screen doors. 15. Windows and window frames. Installation of a window or window frame or the infill of an existing window opening. d. In addition to the foregoing, a certificate of appropriateness must be obtained from the historic preservation board to: 1. Erect a new building, structure, fence or parking lot within a district listed on the local register. 2. Demolish a building, structure or object listed individually on the local register, or designated as contributing to a district listed on the local register. 3. Relocate a building, structure or object listed individually on the local register, or designated as contributing to a district listed on the local register. 4. Increase the size of a noncontributing structure within a district listed in the local register by constructing an addition, adding an additional floor, or enclosing one or more porches, carports or any other architectural features that will increase the size of the structure or change the roof form.

DESCRIPTION: INSTALLED CHAIN LINK FENCING WITHOUT A CERTIFICATE OF APPROPRIATENESS

CORRECTIVE ACTION: APPLY AND OBTAIN A CERTIFICATE OF APPROPRIATENESS, OR REMOVE FENCE

CITY OF  
**GAINESVILLE**  
FLORIDA

HISTORIC  
PRESERVATION BOARD

COA APPLICATION ■ REQUIREMENTS

Planning & Development Services 306 N.E. 6th Avenue  
Gainesville, Florida 32601

352.334.5022 Fax 352.334.3259

www.cityofgainesville.org/planningdepartment

**REQUIREMENTS**

CONTACT THE HISTORIC  
PRESERVATION OFFICE FOR A  
PRE-APPLICATION CONFERENCE  
334.5022

REVIEW THE CHECKLIST FOR A  
COMPLETE SUBMITTAL (If all  
requirements are not submitted it  
could delay your approval.)

PLEASE PROVIDE ONE (1) DISK OR  
USB FLASH DRIVE CONTAINING  
ALL OF THE FOLLOWING:

1 ORIGINAL SET OF PLANS TO  
SCALE SHOWING ALL DIMENSIONS  
AND SETBACKS.

LIST IN DETAIL YOUR PROPOSED  
REPAIR AND/OR RENOVATION

A SITE PLAN OR CERTIFIED  
SURVEY

PHOTOGRAPHS OF EXISTING  
CONDITIONS

ANY ADDITIONAL BACKUP  
MATERIALS AS NECESSARY

AFTER THE PRE-CONFERENCE,  
TURN IN YOUR COMPLETED COA  
APPLICATION TO THE PLANNING  
OFFICE (RM 210, THOMAS CENTER-  
B), PAY APPROPRIATE FEES, AND  
PICK UP PUBLIC NOTICE SIGN TO BE  
POSTED 10 DAYS IN ADVANCE OF  
THE MEETING.

MAKE SURE YOUR APPLICATION  
HAS ALL THE REQUIREMENTS.

FAILURE TO COMPLETE THE  
APPLICATION AND SUBMIT THE  
NECESSARY DOCUMENTATION WILL  
RESULT IN DEFERRAL OF YOUR  
PETITION TO THE NEXT MONTHLY

RECEIVED

STAMP

PROJECT TYPE: Addition ☐ Alteration ☐ Demolition ☐ New Construction ☐ Relocation ☐  
Repair ☐ Fence ☒ Re-roof ☐ Other ☐

**PROJECT LOCATION:**

Historic District: Pleasant St

Site Address: 627 NW 2nd St /

Tax Parcel # 14199-000-000

630 NW 2nd St. (vacant)

14301-000-000

**OWNER**

Mt. Pleasant United Methodist Church

Owner(s) Name

630 NW 2nd St.

Corporation or Company

**APPLICANT OR AGENT**

Applicant Name

Geraldine McClellan

Corporation or Company

Street Address

Street Address

City State Zip

352-372-4872

Home Telephone Number

City State Zip

Home Telephone Number

Cell Phone Number

Cell Phone Number

Fax Number

Fax Number

E-Mail Address

E-Mail Address

**TO BE COMPLETED BY CITY STAFF**

(PRIOR TO SUBMITTAL)

Fee: \$

EZ Fee: \$

HP # 16-00096 / 16-00097

Contributing Y ☐ N ☒

Zoning RC

Pre-Conference Y ☐ N ☐

Application Complete Y ☐ N ☐

Enterprise Zone Y ☐ N ☐

Request for Modification of Setbacks

Y ☐ N ☐

☐ Staff Approval—No Fee (HP Planner Initial \_\_\_\_\_)

☐ Single-Family requiring Board approval (See Fee Schedule)

☐ Multi-Family requiring Board approval (See Fee Schedule)

☐ Ad Valorem Tax Exemption (See Fee Schedule)

☒ After-The-Fact Certificate of Appropriateness (See Fee Schedule)

☐ Account No. 001-660-6680-3405

☐ Account No. 001-660-6680-1124 (Enterprise Zone)

☐ Account No. 001-660-6680-1125 (Enterprise—Credit)

Received By \_\_\_\_\_

Date Received \_\_\_\_\_

## Exhibit 2- COA Application

DID YOU REMEMBER?	
CHECK YOUR ZONING AND SETBACKS FOR COMPLIANCE	<b>OVERVIEW</b> The Historic Preservation Board (HPB) is an advisory board to the City of Gainesville's Commission composed of citizens who voluntarily, without compensation commit their time and expertise to the stewardship of historic resources in our community.
REVIEW THE HISTORIC PRESERVATION REHABILITATION AND DESIGN GUIDELINES	The HPB approval is a procedure which occurs for alterations, construction, restorations, or other significant changes to the appearance of an structure in Gainesville's Historic Districts which have an impact on the significant historical, architectural, or cultural materials of the structure and/or the district. The City's historic review guidelines are available online at <a href="http://www.cityofgainesville.org/planningdepartment">www.cityofgainesville.org/planningdepartment</a> and within the Land Development Code, Section 30-112.
REVIEW THE SECRETARY OF INTERIOR'S STANDARDS FOR REHABILITATION	After submission of an application, the Historic Preservation Planner prepares a written recommendation for the board meeting which addresses whether the proposed changes are compatible with the criteria of the SECRETARY OF INTERIOR'S STANDARDS FOR REHABILITATION and the City of Gainesville's HISTORIC, PRESERVATION REHABILITATION, AND DESIGN GUIDELINES. Once staff has prepared and completed the staff report, an Agenda of the proposed meeting and the staff report will be posted online approximately 5 to 7 days prior to the HPB meeting and can be found at <a href="http://www.cityofgainesville.org/planningdepartment">www.cityofgainesville.org/planningdepartment</a> — Citizen Advisory Boards — Historic Preservation Board.
CHECK TO SEE IF YOU WOULD BE ELIGIBLE FOR A TAX EXEMPTION FOR REHABILITATION OF A HISTORIC PROPERTY	Public notice signage is required to be posted at the property by the applicant no later than 10 day s prior to the scheduled Historic Preservation Board meeting. The notarized <i>Public Notice Signage Affidavit</i> must be submitted once the sign is posted.
THE HPB MEETINGS ARE HELD MONTHLY AT CITY HALL, 200 EAST UNIVERSITY AVE, GAINESVILLE, FL 32601, CITY HALL AUDITORIUM AT 5:30PM. THE SCHEDULE OF MEETINGS IS AVAILABLE ON THE PLANNING DEPARTMENT WEBSITE.	The applicant and/or owner of the property should be present at the Historic Preservation Board meeting and be prepared to address inquiries from the board members and/or the general public. The HPB meeting is a quasi-judicial public hearing with procedural requirements. The review body may approve, approve with conditions, or deny projects. It is not necessary for owners to be present at the HPB meeting if your COA has been staff approved.
THE HISTORIC PRESERVATION OFFICE STAFF CAN PROVIDE ASSISTANCE AND GUIDANCE ON THE HP BOARD'S REVIEW PROCESS, AND ARE AVAILABLE TO MEET WITH PROPERTY OWNERS OR AGENTS. IF YOU NEED ASSISTANCE, PLEASE CONTACT THE HISTORIC PRESERVATION PLANNER AT (352) 334-5022 OR (352) 334-5023.	In addition to a Certificate of Appropriateness (COA), a building permit may be required for construction from the Building Department. This is a separate process with submittal requirements. Building permits will not be issued without proof of a COA and the Historic Preservation Planner signing the building permit. After the application approval, the COA is valid for one year. Please post the CERTIFICATE OF APPROPRIATENESS at or near the front of the building.
<b>PERSONS WITH DISABILITIES AND CONTACT INFORMATION</b> PERSONS WITH DISABILITIES WHO REQUIRE ASSISTANCE TO PARTICIPATE IN THE MEETING ARE REQUESTED TO NOTIFY THE EQUAL OPPORTUNITY DEPARTMENT AT 334-5051 (TDD 334-2069) AT LEAST 48 HOURS PRIOR TO THE MEETING DATE. FOR ADDITIONAL INFORMATION, PLEASE CALL 334-5022.	<b>CERTIFICATION</b> BY SIGNING BELOW, I CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AT THE TIME OF THE APPLICATION. I ACKNOWLEDGE THAT I UNDERSTAND AND HAVE COMPLIED WITH ALL OF THE SUBMITTAL REQUIREMENTS AND PROCEDURES AND THAT THIS APPLICATION IS A COMPLETE SUBMITTAL. I FURTHER UNDERSTAND THAT AN INCOMPLETE APPLICATION SUBMITTAL MAY CAUSE MY APPLICATION TO BE DEFERRED TO THE NEXT POSTED DEADLINE DATE.  1. I/We hereby attest to the fact that the above supplied parcel number(s) and legal description(s) is (are) the true and proper identification of the area of this petition. 2. I/We authorize staff from the Planning and Development Services Department to enter onto the property in question during regular city business hours in order to take photos which will be placed in the permanent file. 3. I/We understand that Certificates of Appropriateness are only valid for one year from issuance. 4. It is understood that the approval of this application by the Historic Preservation Board or staff in no way constitutes approval of a Building Permit for construction from the City of Gainesville's Building Department. 5. The COA review time period will not commence until your application is deemed complete by staff and may take up to 10 days to process. 6. Historic Preservation Board meetings are conducted in a quasi-judicial hearing and as such ex-parte communications are prohibited (Communication about your project with a Historic Preservation Board member).
	<b>SIGNATURES</b> Owner _____ Date _____ Applicant or Agent <u><i>David A. Kent</i></u> Date <u>10/14/16</u> 2

PROJECT DESCRIPTION

1. DESCRIBE THE EXISTING CONDITIONS AND MATERIALS Describe the existing structure(s) on the subject property in terms of the construction materials and site conditions as well as the surrounding context.

After-the-Fact COA BOARD REVIEW:

Installation of 48" tall chain link fence along East side of Fellowship hall (NW 7th Ave), Along North & South sides of Fellowship hall (NW 2nd St) & Along North/West side of empty lot (NW 2nd St, lot # 14381-000-000. See Code Violation for 14381-000-000.

2. DESCRIBE THE PROPOSED PROJECT AND MATERIALS Describe the proposed project in terms of size, affected architectural elements, materials, and relationship to the existing structure(s). Attach further description sheets, if needed.

DEMOLITIONS AND RELOCATIONS (If Applicable)

Especially important for demolitions, please identify any unique qualities of historic and/or architectural significance, the prevalence of these features within the region, county, or neighborhood, and feasibility of reproducing such a building, structure, or object. For demolitions, discuss measures taken to save the building/structure/object from collapse. Also, address whether it is capable of earning a reasonable economic return on its value. For relocations, address the context of the proposed future site and proposed measures to protect the physical integrity of the building.) Additional criteria for relocations and demolitions: Please describe the future planned use of the subject property once vacated and its effect on the historic context.

MODIFICATION OF EXISTING ZONING REQUIREMENTS (If Applicable)

Any change shall be based on competent demonstration by the petitioner of Section 30-112(d)(4)b.  
Please describe the zoning modification and attach completed, required forms.

### **City of Gainesville *Historic Preservation Rehabilitation and Design Guidelines: Northeast, Southeast, & Pleasant Street Historic Districts***

#### **FENCES AND GARDEN WALLS**

##### **Applicable Secretary Standards**

*2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.*

*9. New additions, exterior alterations or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.*

Fences, walls and hedges can define the private landscape of personal property and make the spatial order of the district visible. Fences and walls designed in this manner combine personal expression with civic order.

The term “fence” generally applies to a lightweight construction of wood or metal whereas “wall” applies to a more substantial barrier constructed of stone or masonry. Hedges are lines of enclosure constructed of natural material such as shrubs or flowers. Trees may also be used to define space in the landscape.

Fences and walls that are designed to permit the passage of light and air are preferred over totally solid construction. Recommended fence and wall materials are wood, stone, masonry, and metal used separately or in combinations. Fences designed with more than two materials are not recommended. Owner designed solutions are recommended over pre-manufactured fences such as “stockade” fencing due to its ubiquitous use and lack of detailing. Vinyl and recycled prefabricated fence materials are also discouraged for the same reason. The board may approve selected use of these materials on a case-by-case basis. Finish, appropriate detail and compatibility with existing architecture are significant factors to be considered.

Grid wire fencing supported by metal, wood or masonry piers is acceptable if used as a support for plant materials.

Fences should be coordinated with landscaping elements. Taller fences should be placed adjacent to taller landscape elements.

Applicants who live on corner lots must design fences to comply with the City’s intersection visibility requirements. The State of Florida’s Department of Transportation and the City of Gainesville have adopted The American Association of State Highway and Transportation Officials (AAASHTO) guidelines for determining visibility at intersections. If you have any questions concerning the requirements, call the City of Gainesville’s Public Works.

##### **Recommended**

1. Utilize custom-design fences or walls over pre-fabricated constructions.
2. Use design, scale and materials compatible with the context.
3. Design features such as vertical accent elements or tapering picket heights to offset repetition of fences.

##### **Not Recommended**

1. Use of stockade style fencing.
2. Use of chain link fencing.
3. Use of vinyl fencing.

## Exhibit 3- Design Guidelines

### Staff Approval Guidelines

Fences and walls extending in to the front yard beyond the front wall of the house or with a highly-visible side or rear yard must meet the following conditions:

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

*No greater than 48 inches tall if mostly open (i.e., 50% or more transparent);*

*No greater than 36 inches tall if mostly closed (i.e., 50% or more 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 AASHTO Standards.*

*New construction should include fence-lines/walls when adjacent to historic properties with fence-lines and walls.*

*Fences in backyards shall be no more than six feet in height and constructed of wood or masonry; and*

*Picket designs should draw inspiration from architectural elements of the historic structure.*

### Board Approval Guidelines

None required if all conditions are met.