

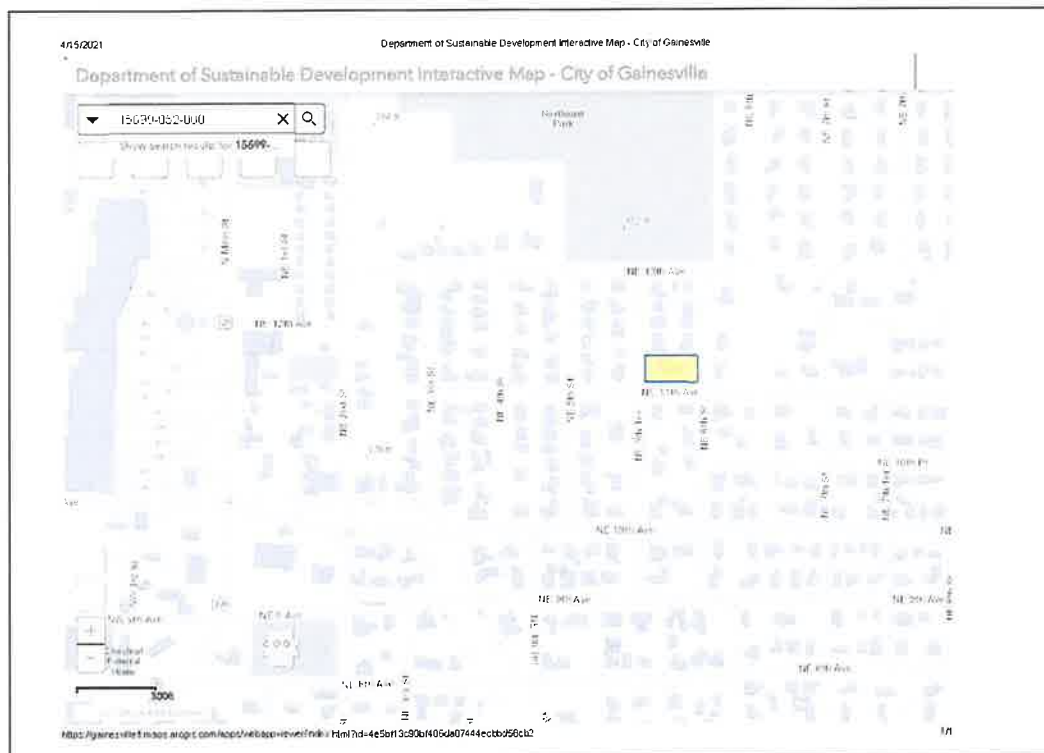


**City of Gainesville  
Department of Doing  
Planning Division**

PO Box 490, Station 11  
Gainesville, FL 32627-0490  
306 NE 6<sup>th</sup> Avenue  
P: (352) 334-5022  
F: (352) 334-2648

## HISTORIC PRESERVATION BOARD STAFF REPORT

<b>PUBLIC HEARING DATE:</b>	May 4, 2021
<b>ITEM NO:</b>	#2 under New Business
<b>PROJECT NAME AND NUMBER:</b>	HP-21-00035, 538 NE 11 <sup>th</sup> Avenue
<b>APPLICATION TYPE:</b>	Quasi-Judicial: Conceptual review of fencing proposals
<b>RECOMMENDATION:</b>	Staff recommends the board review the layouts and provide feedback.
<b>CITY PROJECT CONTACT:</b>	Jason Simmons



**Figure 1: Location Map**

**APPLICATION INFORMATION:**

**Agent/Applicant:** Jordan Burchell & Sam Moss  
**Property Owner(s):** Jordan Burchell & Sam Moss

**SITE INFORMATION:**

**Address:** 538 NE 11<sup>th</sup> Avenue  
**Parcel Number(s):** 10361-000-000  
**Existing Use(s):** Single-Family Residential  
**Zoning Designation(s):** RSF-3  
**Historic District** Northeast Residential  
**Historic District Status:** Contributing  
**Date of construction:** 1950 ACPA,

**PURPOSE AND DESCRIPTION:**

Jordan Burchell & Sam Moss, owners. Conceptual review for a Certificate of Appropriateness to install fencing on the property of an existing single-family dwelling. Located at 538 NE 11<sup>th</sup> Avenue. This building is a contributing structure to the Northeast Residential Historic District.

**STAFF REVIEW AND RECOMMENDATION:**

**EXISTING**

The existing structure is a one-story concrete block, Ranch-style house. It has approximately 2,367 square feet of total floor area and 1,952 square feet of heated area, on a 0.46 acre lot. The house was built in 1950 according to the Alachua County property appraiser. It is a contributing structure to the Northeast Residential Historic District. The long side of the house runs parallel to NE 11<sup>th</sup> Avenue, and the property occupies the entire frontage of the north side of NE 11<sup>th</sup> Avenue from NE 5<sup>th</sup> Terrace to NE 6<sup>th</sup> Street (See Exhibit 2). The front entry of the house is on the south elevation that faces NE 11<sup>th</sup> Avenue.

**PROPOSED**

The applicant is looking for a conceptual review of proposals to fence the property and change the orientation of the front of the property. They are hoping to get guidance and feedback on the project that is intended to enhance the visual appeal of 538 NE 11<sup>th</sup> Avenue and create more usable, private outdoor space. The house sits back almost 50 feet from the south property line,

indicating that the majority of space on the property will be difficult to make more private without coming into conflict with certain guidelines concerning fence location. The applicants want to install some form of privacy fencing/walls to create usable outdoor space as part of a larger landscaping project. The lot is highly visible from the street on three sides while the existing back yard is relatively small.

The applicants have several layouts where fencing and paver patios could be placed. Per the historic design guidelines for fences and walls, it is likely that they could create a 6 foot privacy fence in any of the configurations proposed. Therefore they are seeking guidance on: if it is possible to build outside of those guidelines, how the board would interpret the guidelines in this specific situation, and if layouts similar to the four that have been included here would be permissible.

Another aspect of the potential project that the applicants are seeking guidance on is changing the address of the home to a different street and, therefore, the allowable setbacks. They had been previously counseled when moving into the neighborhood that this could be an ideal way to make better use of the available space. This action would make the current "front yard" the "side yard" for purposes of calculating setbacks. They are interested in hearing the board's guidance on this idea and whether it is actually possible, and what might be the relevant restrictions.

There are conceptual layout sketches for the board to react to in rendering feedback and guidance. In general, patios would be paver material, driveways and sidewalks would be poured concrete constructed to match the mid-century / 50's ranch aesthetic of the home, fences would be set back to allow for attractive and Florida-friendly plantings in front of them along sidewalks and streets in a fashion similar to homes immediately surrounding the property. Fences might incorporate elements of the wood siding and Ocala block exterior of the home to compliment it's aesthetic. A variety of Florida-friendly plantings would be incorporated throughout the design to enhance the curb appeal of the property and the home itself. The applicants will establish beds and potentially incorporate more mature trees to add depth and dimension to the yard which is currently a fairly empty grass field. The applicants feel that doing so will better integrate the look and feel of the home with the surrounding properties and improve the presentation of the entire street.

Another layout option that has been submitted involves a circular drive on NE 5<sup>th</sup> Terrace side of the property and moving the main entrance of the house over to the 5<sup>th</sup> Terrace side. This orientation move would also need HPB approval as the main entrance design feature would be moving and altering the architectural character of the house. This layout would use fencing of varying heights and texture along NE 11<sup>th</sup> Avenue and NE 6<sup>th</sup> Street to add interest and create a combination of screening and view sheds into the yard. In this scenario there would be little to no fencing extending into the front yard.

## **REVIEW**

Regardless of any proposed change of orientation of the front of the building, there are still going to be highly visible side and rear yards where a six foot fence may not be in accordance with the guidelines. If what is now the front yard becomes a side yard, it still has a large frontage along NE

11<sup>th</sup> Avenue, where a privacy fence would be counter to the intent of the guidelines for where a privacy fence should be located. It should also be noted that driveway location is reviewed and approved by the Public Works department. They have looked at Layout D and have indicated that a circular driveway could not be approved as shown in the drawing and that there would need to be very unusual circumstances to allow for a circular driveway. The flow of traffic would have to be one-way on a circular driveway and the location as shown in the layout is too close to the intersection as it would interfere with the westbound vehicles stopping at the intersection by the stop bar.

In the past the HPB has heard discussion about fencing on corner lots in the neighborhood. Design considerations at these times included consideration of a six foot fence that was solid for four feet in height and then more of an open design for the remaining two feet in height, and location of the fence relative to the sidewalk. The layouts indicate that the proposed fencing appears to be several feet off of the sidewalk.

The Moss Burchell Residence Concept Plan in Exhibit 5 shows extensive proposed landscaping features for the yard, which currently is relatively sparse. The guidelines for landscape structures indicate that parks, streetscapes, lawns, and gardens are highly significant components of historic districts. The design of landscape features should complement the character of the principal structure. These features can be located in front, side, or rear yards and must be compatible with the scale, materials, style and detailing of the principal structure. The landscaping cannot obscure architectural details which are significant in defining the character of the historic structure.

#### **Basis for Approval – Secretary of the Interior’s Standards for Rehabilitation**

Consideration of a Certificate of Appropriateness application is pursuant to Section 30-3.5 of the Land Development Code and the Secretary of Interior’s Standards for Rehabilitation which serves as the basis for the City of Gainesville’s Historic Preservation Rehabilitation and Design Guidelines. The Historic Preservation Board shall adhere to the preservation principles of maintaining historic fabric and compatibility with surrounding properties.

Conceptual approvals are provided by the board as a courtesy to the applicant in an effort to allow comment from the board during the conceptual design process. The HPB will provide the applicant with feedback and guidance relating to the proposal. In all cases, the applicant must return to the HPB to seek final approval of their projects. There is no additional fee for this review above the Certificate of Appropriateness fee.

#### **RECOMMENDATION**

Staff recommends that the board review the various layout proposals and the ideas in general and provide feedback and guidance as to the recommended course of action.

<b>LIST OF EXHIBITS:</b>
--------------------------

- |                         |   |
|-------------------------|---|
| <b><u>Exhibit 1</u></b> | <b>City Of Gainesville <i>Historic Preservation Rehabilitation and Design Guidelines:</i><br/>Fences and Garden Walls; Landscape Structures</b> |
| <b><u>Exhibit 2</u></b> | <b>COA Application with Survey</b>  |
| <b><u>Exhibit 3</u></b> | <b>Pictures</b>   |
| <b><u>Exhibit 4</u></b> | <b>Applicants Attachment A with Layout Ideas</b>  |
| <b><u>Exhibit 5</u></b> | <b>Moss Burchell Residence Concept Plan</b>   |

## **Exhibit 1      Historic Preservation Rehabilitation and Design Guidelines**

THE **HISTORIC PRESERVATION REHABILITATION AND DESIGN GUIDELINES**, BASED ON THE SECRETARY OF INTERIOR STANDARDS FOR REHABILITATION, WHICH HAS BECOME THE AUTHORITATIVE GUIDELINES FOR REHABILITATION STATE:

### **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 (AASHTO) 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.

**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.

## **Landscape Structures**

### **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.*

Parks, streetscapes, lawns and gardens are highly significant components of historic districts. Built structures such as gazebos, pergolas, decks, patios, retaining walls and pools are often featured as principal elements in historic landscapes. Brick paved streets, patterned sidewalks, granite curbing and street trees are important urban design features.

### **Recommended**

1. The design of landscape features should complement the character of the principal structure.
2. Swimming pools should be located at the rear of a structure and not be visible from the front of the property.

### **Not Recommended**

1. Removing or altering historic landscape structures.
2. Adding new landscape features that obscure important architectural features of a historic structure.
3. The use of railroad ties as retaining walls.

### **Staff Approval Guidelines**

Landscape structures which meet all of the italicized conditions can be approved by staff:

*Can be located in front, side, or rear yard;*

*Are compatible with the scale, historic materials, style and detailing of the principal building; and*

*Do not obscure architectural details which are significant in defining the character of the historic structure.*

Swimming pools that meet all of the italicized conditions can be approved by staff:

*Sited behind the rear wall line of the principal building; and*



*The pool enclosure does not impact or obscure significant features of the building.*

### **Board Approval Guidelines**

Landscape structures should be constructed of materials that are compatible with and complement the design of the main structure.

A pool enclosure is acceptable provided that it is set to rear of the house and subordinate to the primary building. (See also "Auxiliary Structures.")

**HISTORIC PRESERVATION BOARD (HPB)****Certificate of Appropriateness (COA) Application**

Thomas Center - Building B  
306 NE 6th Ave Gainesville, FL 32601  
352.393.5022  
[www.cityofgainesville.org](http://www.cityofgainesville.org)

**USE THIS FORM TO**

Apply for approval for projects located within historic districts. Projects may require either a Board-level review or a Staff-level review.

**FEES**

Once application is submitted it will be reviewed for completeness. Once verified complete, an invoice will be emailed to the applicant.

Type of Review	Fee	EZ Fee
Certificate of Appropriateness (COA): Staff Review	FREE	FREE
Certificate of Appropriateness (COA): Board Review - Single Family Structure or its Accessory Structure	\$127.50	\$63.75
Certificate of Appropriateness (COA): Board Review - All Other Structures	\$638.25	\$319.13
After-the-Fact Certificate of Appropriateness (COA): If work begun prior to issuance of a COA	\$473.25 + above applicable fee	\$473.25 + above applicable fee

**BASIS FOR REVIEW**

All applications, whether Staff or Board review, are reviewed for consistency with the City of Gainesville Comprehensive Plan, Land Development Code, and applicable guidelines such as the Guidelines for the Historic Districts are based on the U.S. Secretary of the Interior's Standards for Rehabilitation.

**PROJECT TYPE:**

- ☐ New Construction    ☐ Addition    ☐ Alteration    ☐ Demolition    ☒ Fence  
☐ Relocation    ☐ Repair    ☐ Re-roof    ☐ Sign    ☐ Request to lift demolition delay  
☐ Other:    ☐ Amendment to COA (HP \_\_\_\_ - \_\_\_\_ )

**APPROVAL TYPE:**

See [Certificate of Appropriateness Matrix](#)

☐ Staff Approval

☒ Board Approval:    ☒ Conceptual    or    ☐ Final

**PROPERTY INFORMATION:** *Property information can be found at the [Alachua County Property Appraiser's Website](#)*

Historic District:    ☒ Northeast (Duckpond)    ☐ Southeast    ☐ Pleasant Street  
☐ University Heights (North)    ☐ University Heights (South)    ☐ Not in an HD

Site Address 538 NE 11th Ave. Gainesville, FL 32601

Parcel ID #(s) 10361-000-000

OWNER OF RECORD	As recorded with the <a href="#">Alachua County Property Appraiser</a>	APPLICANT OR AGENT	If other than owner. If an agent will be representing the owner, an <a href="#">Owner's Authorization For Agent Representation</a> form must be included
Owner(s) Name <b>Jordan Burchell, Sam Moss</b>		Applicant Name	
Company (if applicable)		Company (if applicable)	
Street Address <b>538 NE 11th Ave.</b>		Street Address	
City State Zip <b>Gainesville, FL</b>		City State Zip	
Telephone Number <b>352 442-2777</b>		Telephone Number	
E-Mail Address <b>jordan.burchel@gmail.com</b>		E-Mail Address	

Historic Preservation Board Meetings are held the 1<sup>st</sup> Tuesday of the month at 5:30PM in the City Commission Chambers (200 E. University Ave.)

Application Deadline (12:30PM)	Dec 07 2020	Jan 04 2021	Feb 01 2021	Mar 01 2021	Apr 05 2021	May 03 2021	Jun 07 2021	Jul 02 2021	Aug 02 2021	Sep 03 2021	Oct 04 2021	Nov 01 2021
Meeting Date	Jan 05 2021	Feb 02 2021	Mar 02 2021	Apr 06 2021	May 04 2021	Jun 01 2021	Jul 06 2021	Aug 03 2021	Sep 07 2021	Oct 05 2021	Nov 02 2021	Dec 07 2021

## IMPORTANT NOTES



### PRE-APPLICATION MEETING

To guide you through the process and to ensure that your application is properly processed, you'll need to meet with the Preservation Planner prior to submitting your application. This should be done prior to your anticipated submittal date to allow time for review.

Staff approval applications are accepted on a rolling basis and are generally completed within 5 business days. Please note that projects can only begin after receiving a Certificate of Appropriateness (COA) and a building permit (if required).



### CONCEPTUAL APPROVALS

Conceptual approvals are provided by the HPB as a courtesy to the applicant in an effort to allow comment from the Historic Preservation Board during the conceptual design process. The HPB will provide the applicant with feedback and guidance relating to the proposal. In all cases, the applicant must return to the HPB to seek final approval of their projects. There is no additional fee for this review above the Certificate of Appropriateness fee.



### APPLICATION REQUIREMENTS

- ☐ A complete/ signed application. (If all requirements are not submitted it could delay your approval);
- ☐ Proof of Ownership (copy of deed or tax statement);
- ☐ A current survey of the property, for new construction and any change to existing footprint. (no older than two years);
- ☐ 1 digital set of elevations & plans (to scale);
- ☐ Photographs;
- ☐ Any additional backup materials, as necessary;
- ☐ If applying as an agent, Owner's Authorization for Agent Representation form must be signed/ notarized and submitted as part of the application;
- ☐ For window replacement, a Window Survey must be completed.

## PROJECT DESCRIPTION

### 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).

### Conceptual Approval

First, we are excited to join the neighborhood! Second, we are hoping to get preliminary guidance/feedback on enhancing the visual appeal of 538 NE 11th Ave and creating more usable, private outdoor space. Because the house is situated so far back on the lot, the majority of the space on the property will be difficult to make more private without coming into conflict with some of the relevant guidelines and regulations noted by the historic preservation board as far as we understand and interpret them. Though a formal pre-application conference was not possible due to COVID-19, in conversations with personnel at the above noted number, we were encouraged to submit as much preliminary material as we could to solicit board feedback and guidance. Our hope is that with your guidance, we can work with our designer to tailor the project plan to your specifications.

Please see attachment A.

List proposed materials:

Project Scope	Manufacturer	Product Description	Color (Name/Number)
Exterior Fabric	N/A		
Doors	N/A		
Windows	N/A		
Roofing	N/A		
Fascia/Trim	N/A		
Foundation	N/A		
Shutters	N/A		
Porch/Deck	Custom	Mixed: Wood deck + paver	Coordinate with Owner
Fencing	Custom		Wood/ block
Driveways/Sidewalks	Custom	Poured Concrete Driveway	Coordinate with Owner
Signage	N/A		
Other			

**PLEASE SUBMIT ALL PRODUCT BROCHURES, PAINT COLOR SAMPLES, AND MATERIAL SAMPLES WITH YOUR APPLICATION.**



### DID YOU REMEMBER...

- ☐ Review the Historic District Application Checklist to ensure you are including all required materials. If all requirements are not submitted, it may delay your approval;
- ☐ Review the applicable [Guidelines](#);
- ☐ Review the [Secretary of the Interior's Standards](#);
- ☐ A pre-application meeting is required before a final application for Board Review can be processed. Please call 352 393-8686 to schedule an appointment.



Please see the City of Gainesville Code of Ordinances for detailed information:

- ☐ *Historic preservation/conservation overlay* – see Sec. 30-4.28.
- ☐ *Historic Preservation Board* – see Sec. 30-3.5.
- ☐ *Variances* – see Sec. 30-3.55.

The Code of Ordinances is available for review at

[www.municode.com](http://www.municode.com)



### APPEALS

**Board Decisions** - Persons with standing, as defined in Section 30-3.58(B) of the Land Development Code, may appeal a decision of the HPB, as outlined in Article III, Division 12 – *Appeals* of the land Development Code.

**Administrative Decisions** - Persons with standing, as defined in Section 30-3.57(B) of the Land Development Code, may appeal a decision of the HPB, as outlined in Article III, Division 12 – *Appeals* of the land Development Code.

### DEMOLITIONS (If Applicable)

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.

N/A

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.

N/A

### RELOCATIONS (If Applicable)

For relocations, address the context of the proposed future site and proposed measures to protect the physical integrity of the building.)

N/A

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.

N/A

### MODIFICATION OF EXISTING ZONING REQUIREMENTS (If Applicable)

Any change shall be based on competent demonstration by the petitioner of Section 30-4.28(D) of the Land Development Code.

Modification of dimensional requirements. To facilitate new construction, redevelopment, rehabilitation, or relocation of buildings or structures in historic districts or individually listed on the local register, the city manager or designee or the appropriate board within the development review process may determine dimensional requirements such as front, side, and rear setbacks, building height, separation between buildings, floor area ratios, and maximum lot coverage for buildings and structures based on historic development patterns. Any change shall be based on competent demonstration by the petitioner of the following:

- a. *The proposed development will not affect the public safety, health, or welfare of abutting property owners or the district;*
- b. *The proposed change is consistent with historic development, design patterns or themes in the historic district. Such patterns may include reduced front, rear, and side yard setbacks, maximum lot coverage and large floor area ratios;*
- c. *The proposal reflects a particular theme or design pattern that will advance the development pattern of the historic district; and*
- d. *The proposed complies with utility, stormwater, access requirements, and other requirements related to site design in the Land Development Code.*

Where the proposed modification would encroach into a side or rear yard setback that adjoins an existing lot, notice shall be provided to the adjacent property owner. Staff or the appropriate reviewing board will document the basis for its decision. If staff makes the decision, it will provide a written determination on the complete modification request within 21 calendar days of receiving the request. If the adjacent property owner objects to the encroachment in writing within 16 calendar days of the date from which the notice was mailed, the request shall be referred to the development review board, which shall review the request using the same standards in this section used by staff. If the decision is to be made by a board, the board shall hear the objection of the adjacent property owner as part of its public hearing. The remainder of the requirements, regulations and procedures set forth in this chapter shall remain applicable.

Modification of building code requirements. Structures and buildings listed individually on the local register or deemed contributing to the character of a district listed on the local register shall be deemed historic and entitled to modified enforcement of the standard codes where appropriate.

Please describe the requested zoning modification, addressing a through d above:

We are interested in obtaining guidance/feedback on changing the address of the house to redefine the side, back, and front yards and the relevant setbacks as a result. There is additional information in Attachment A.

The requested modification will change the following zoning or building requirement in this manner:

(select only those that apply)	Required	Existing	Proposed
<input checked="" type="checkbox"/> Front, Side, Or Rear Building Setback Line			
<input type="checkbox"/> Building Height			
<input type="checkbox"/> Building Separation			
<input type="checkbox"/> Floor Area Ratio			
<input type="checkbox"/> Maximum Lot Coverage			



## CERTIFICATION

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 have read and understand the following:

1. I/We hereby attest to the fact that the above supplied property address(es), 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 Department of Sustainable Development 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 the COA review time period will not commence until the application is deemed complete by staff and may take up to 10 days to process. I further understand that an incomplete application submittal may cause my application to be deferred to the next posted deadline date.
4. I/We understand that, for Board review cases, an agenda and staff report will be available on the City's website approximately one week before the Historic Preservation Board meeting.
5. I/We understand that the 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).
6. I/We understand 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 Building Department.
7. I/We understand that all changes to the approved scope of work stated in a COA have to be approved by the HPB before work commences on those changes. There will be no charge for a revision to a COA. Making changes that have not been approved can result in a Stop Work Order being placed on the entire project and/or additional fees/penalties.
8. I/We understand that any decision of the HPB may be appealed to the City Commission. Petitions to appeal shall be presented within thirty (30) days after the decision of the HPB; otherwise the decision of the HPB will be final.
9. I/We understand that Certificates of Appropriateness are only valid for **one (1) year** from issuance.

4/4/2021

**Applicant (Signature)**

Jordan Burchell, Sam Moss

**Date**

**Applicant (Print)**



Please submit this application and all required supporting materials via email to

[cogplanning@cityofgainesville.org](mailto:cogplanning@cityofgainesville.org)

Once the application is received and deemed complete we will contact you regarding payment. For questions regarding application submission, please call


352 393-5022

TO BE COMPLETED BY CITY STAFF		Date Received <b>4/5/21</b>	Received By: <b>Jason Simmons</b>
HP <b>21-00035</b>		<input type="checkbox"/> Staff Approval – No Fee <input checked="" type="checkbox"/> Single Family Structure or its Accessory Structure <input type="checkbox"/> Multi-Family requiring Board approval <input type="checkbox"/> Ad Valorem Tax Exemption <input type="checkbox"/> After-The-Fact Certificate of Appropriateness <input type="checkbox"/> Account No. 001-660-6680-3405 <input type="checkbox"/> Account No. 001-660-6680-1124 (Enterprise Zone) <input type="checkbox"/> Account No. 001-660-6680-1125 (Enterprise—Credit)	
Zoning: <b>RSF-3</b>			
Contributing?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Pre-Conference?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Application Complete	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Enterprise Zone?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Request for Modification of Setbacks?	<input type="checkbox"/> Yes <input type="checkbox"/> No		

## CERTIFICATION

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 have read and understand the following:

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5. I/We understand that the 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).
6. I/We understand 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 Building Department.
7. I/We understand that all changes to the approved scope of work stated in a COA have to be approved by the HPB before work commences on those changes. There will be no charge for a revision to a COA. Making changes that have not been approved can result in a Stop Work Order being placed on the entire project and/or additional fees/penalties.
8. I/We understand that any decision of the HPB may be appealed to the City Commission. Petitions to appeal shall be presented within thirty (30) days after the decision of the HPB; otherwise the decision of the HPB will be final.
9. I/We understand that Certificates of Appropriateness are only valid for one (1) year from issuance.

  
 Applicant (Signature)  
 Jordan Burchell, Sam Moss

4/4/2021

Date

Applicant (Print)



TO BE COMPLETED BY CITY STAFF		Date Received 4/5/21	Received By: Jason Simmons
HP 21-00035		<input type="checkbox"/> Staff Approval – No Fee <input checked="" type="checkbox"/> Single Family Structure or its Accessory Structure <input type="checkbox"/> Multi-Family requiring Board approval <input type="checkbox"/> Ad Valorem Tax Exemption <input type="checkbox"/> After-The-Fact Certificate of Appropriateness <input type="checkbox"/> Account No. 001-660-6680-3405 <input type="checkbox"/> Account No. 001-660-6680-1124 (Enterprise Zone) <input type="checkbox"/> Account No. 001-660-6680-1125 (Enterprise—Credit)	
Zoning: RSF-3			
Contributing?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Pre-Conference?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Application Complete	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Enterprise Zone?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Request for Modification of Setbacks?	<input type="checkbox"/> Yes <input type="checkbox"/> No		

# City of Gainesville

## DEPARTMENT OF SUSTAINABLE DEVELOPMENT

### HISTORIC PRESERVATION BOARD (HPB)

#### Owner's Authorization for Agent Representation

Thomas Center - Building B  
306 NE 6th Ave Gainesville, FL 32601  
352.393.5022  
[www.cityofgainesville.org](http://www.cityofgainesville.org)

**USE THIS FORM TO:** Grant an agent authorization to represent you in applying for applications to the City of Gainesville Department of Sustainable Development.

I /WE \_\_\_\_\_  
(print name of property owner(s))

hereby authorize: \_\_\_\_\_  
(print name of agent)

to represent me/us in processing an application for: \_\_\_\_\_  
(print type of application)

on our behalf. In authorizing the agent to represent me/us, I/we, as owner/owners, attest that the application is made in good faith and that any information contained in the application is accurate and complete.

\_\_\_\_\_  
(Signature of owner)

\_\_\_\_\_  
(Signature of owner)

\_\_\_\_\_  
(Print name of owner)

\_\_\_\_\_  
(Print name of owner)

STATE OF FLORIDA  
COUNTY OF ALACHUA

}  
ss

Sworn to (or affirmed) and subscribed before me by means of ☐ physical presence or ☐ online notarization,

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
My Commission Expires

☐ Personally Known  
OR

☐ Produced Identification ID Produced: \_\_\_\_\_







**Consideration: \$342,500.00**

Prepared by and return to:

**Denise Lowry Hutson**

**Attorney at Law**

**Salter Feiber, P.A.**

**3940 N.W. 16th Boulevard Bldg B**

**Gainesville, FL 32605**

**352-376-8201**

**File Number: 20-0473.3 KW**

[Space Above This Line For Recording Data]

## **Warranty Deed**

**This Warranty Deed** made on **June 29, 2020** between **Elizabeth Ann Franks**, an unmarried person whose post office address is **5417 Zinnia Street, Leesburg, FL 34748**, grantor, and **Jordan D. Burchell**, an unmarried person, and **Samantha L. Moss**, an unmarried person, as Joint Tenants with Right of Survivorship whose post office address is **538 NE 11th Avenue, Gainesville, FL 32601**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witneseth**, that said grantor, for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Alachua County, Florida** to-wit:

**Lots One (1) and Three (3), Block Five (5), Range 5, Elliot & L'Engles, according to the map or plat thereof as recorded in Deed Book J, Page 230, Public Records of Alachua County, Florida.**

**Parcel Identification Number: 10361-000-000**

**Subject to covenants, conditions, restrictions, easements, reservations, and limitations of record, if any.**

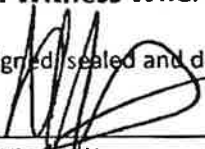
**Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.**

**To Have and to Hold**, the same in fee simple forever.

**And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2019.**

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

  
Witness Name: Denise Lowry Hutson

 (Seal)  
Elizabeth Ann Franks

  
Witness Name: Kristen Lee Ward

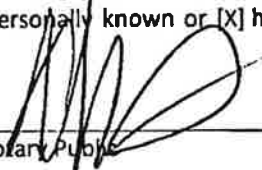
State of Florida  
County of Alachua

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 26 day of June, 2020 by Elizabeth Ann Franks, who ☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]



DENISE LOWRY HUTSON  
Commission # GG 250418  
Expires December 12, 2022  
Bonded Thru Budget Notary Services

  
Notary Public

Printed Name: Denise Lowry Hutson

My Commission Expires: \_\_\_\_\_

20204

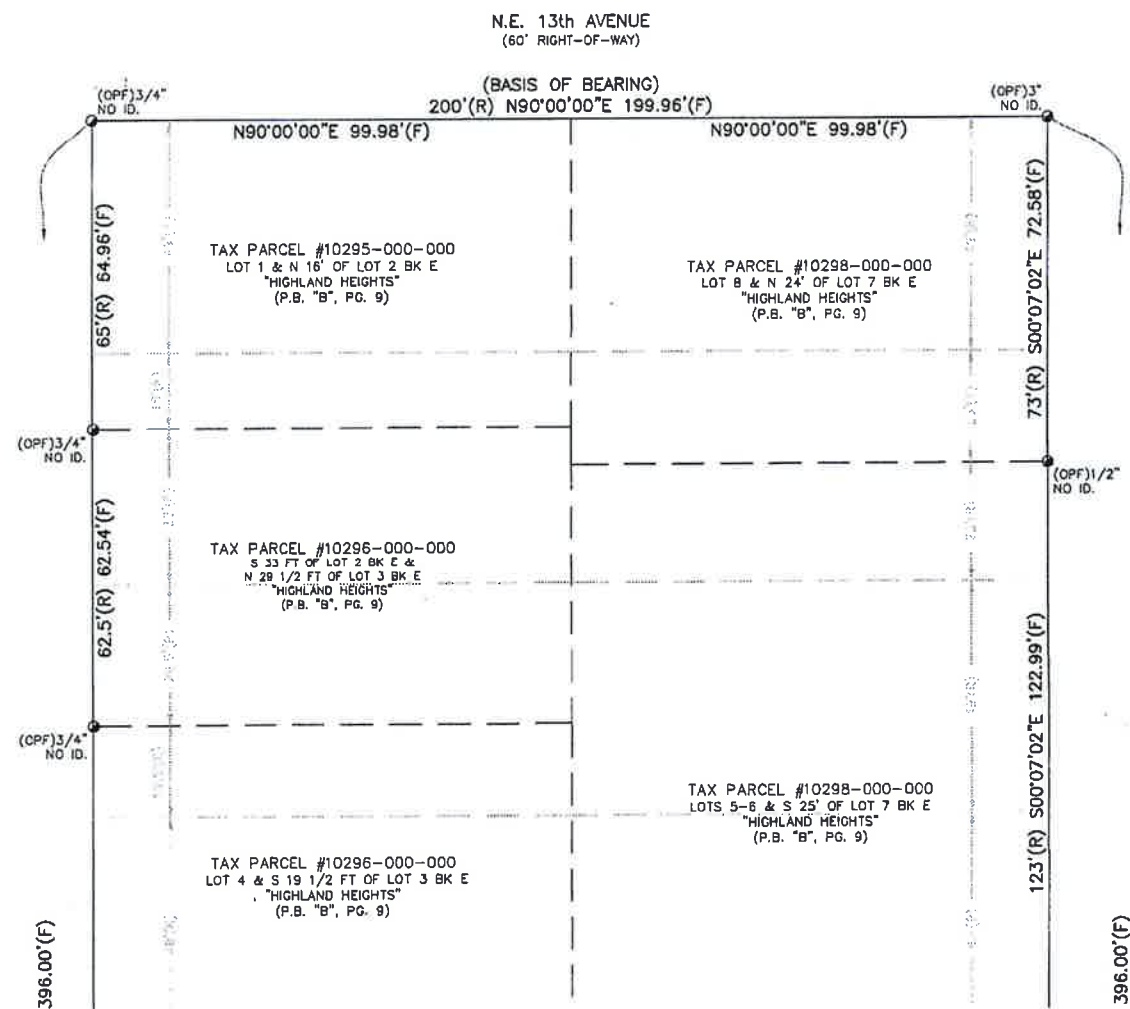
**BOUNDARY SURVEY**  
**TAX PARCEL #10361-000-000**  
**538 N.E. 11th AVENUE**  
**GAINESVILLE, FLORIDA 32601**  
**SECTION 33, TOWNSHIP 09 SOUTH, RANGE 20 EAST**  
**ALACHUA COUNTY, FLORIDA**

**LAND DESCRIPTION:** (OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY;  
COMMITMENT NUMBER: 885342; COMMITMENT DATE: MAY 15, 2020 @ 11:00 PM)

LOTS ONE (1) AND THREE (3), BLOCK FIVE (5), RANGE 5, ELLIOT & L'ENGLES,  
ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN DEED BOOK J,  
PAGE 230, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

**FLOOD ZONE:**

IT IS THE OPINION OF THIS LAND SURVEYOR BASED ON AN INTERPRETATION OF  
F.I.R.M. PANEL No. 312 OF 640, COMMUNITY PANEL No. "125107 0312 D" THAT THIS  
PROPERTY IS LOCATED IN FLOOD ZONE "X", (AREAS DETERMINED TO BE OUTSIDE THE  
0.2% ANNUAL CHANCE FLOOD PLAIN), MAP EFFECTIVE DATE JUNE 16, 2006.

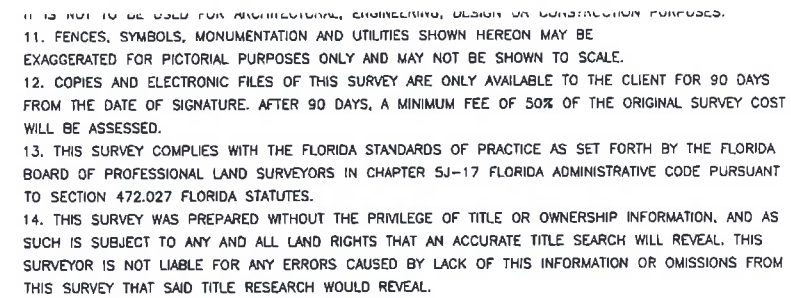


**LEGEND:**

- (R) RECORD MEASUREMENT
- (F) FIELD MEASUREMENT
- ID. IDENTIFICATION
- R/W RIGHT-OF-WAY
- P.B. PLAT BOOK
- D.B. DEED BOOK
- PG. PAGE
- BK BLOCK
- RG RANGE
- (OPF) OPEN PIPE FOUND
- (RCF) REBAR & CAP FOUND
- (RCS) REBAR & CAP SET
- ⊙ (NDF) NAIL & DISK FOUND
- ⊙ (NDS) NAIL & DISK SET
- AC AIR CONDITIONER
- EM ELECTRIC METER
- W WATER METER
- WOOD POWER POLE
- OE—OE— OVERHEAD ELECTRIC LINE
- X—X— FENCE LINE

**SURVEYOR'S NOTES:**

1. SURVEY BASED ON MONUMENTATION FOUND AND ACCEPTED AS PER  
(OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY; COMMITMENT NUMBER: 885342;  
COMMITMENT DATE: MAY 15, 2020 @ 11:00 PM).
2. BEARINGS ARE BASED ON A RECORDED CALL OF XXX FOR THE
3. THE DIGITAL SIGNATURE AND SEAL AS SHOWN ON THIS SURVEY  
ARE ONLY VALID FOR THIS ELECTRONIC PDF SURVEY FILE.
4. THE PRINTED SURVEY AND REPRODUCTIONS THEREOF ARE NOT VALID WITHOUT THE  
SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
5. UNLESS NOTED, NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS WERE LOCATED FOR THIS SURVEY.
6. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT-OF-WAYS,  
AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN.
7. ONLY ABOVE GROUND UTILITIES WERE LOCATED FOR THIS SURVEY.
8. NORTH ARROW IS BASED ON BEARING STRUCTURE.
9. CERTIFICATION IS NOT TRANSFERABLE.
10. THE PURPOSE OF THIS SURVEY IS TO SHOW BOUNDARY INFORMATION AND IMPROVEMENTS.



NE 13 AVE

N MAIN ST

NE 2 ST

NE 3 ST

NE 4 ST

NE 5 ST

NE 5 TER

NE 6 ST

NE 11 AVE

NE 10 PL

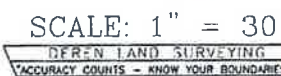
NE 9 AVE

NE 8 AVE

NE 7 ST

NE 7 TER

NE 8 ST



20204

DEREN  
LAND SURVEYING



PHONE: (352) 331-0010  
PHONE: (352) 336-3363  
FAX: (352) 336-1084  
DERENLANDSURVEYING.COM



## Fencing Concepts

Write a description for your map.

### Legend

 538 NE 11th Ave

tabbles

EXHIBIT

3



8.14 ft

Google Earth


© 2021 Google



## Fencing Concepts

Write a description for your map.

### Legend

 538 NE 11th Ave

Google Earth

© 2021 Google

6.83 ft





## Fencing Concepts

Write a description for your map.

Legend



538 NE 11th Ave

Google Earth

© 2021 Google

6.83 ft





## Fencing Concepts

Write a description for your map.

Legend

538 NE 11th Ave



Google Earth

© 2021 Google

7.38 ft





## Fencing Concepts

Write a description for your map.

### Legend

 538 NE 11th Ave






## Fencing Concepts

Write a description for your map.

### Legend

 538 NE 11th Ave



Google Earth

© 2021 Google

5.34 ft











## Attachment A

### Fencing

As part of the overall landscaping project, we aim to install some form of privacy fencing/walls to create usable outdoor space. Because the lot is highly visible from the road on three sides, and the existing back yard is relatively small, the design and scope of the fencing is the principal issue we are seeking the board's guidance on.

We've attached some rudimentary drawings of where fencing and paver patios could possibly go. Per the language from the Rehabilitation Guidelines for Fences and Garden Walls reproduced below, it would appear that we could not create a full height (6 Ft) privacy fence in any of the configurations proposed. We are therefore seeking guidance on: if it would be possible to build outside of those guidelines, how the board would interpret the guidelines in our specific case, and if layouts similar to those included above would be permissible, just not under the staff approval process.

*"Fences and walls extending into 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)...."*

### Design Assets

Our intention is obviously to have professionally prepared elevations, site plans, material samples, etc. for the board to officially review and approve at a later date – at this stage, per the instructions we received when calling the number referenced in the COA documentation, we are merely seeking guidance/feedback so that we can approach the design phase with a clear vision of what we would be able to do with this somewhat unique property.

### Change of Address and Resulting Setbacks

One further aspect of the potential effort we are seeking guidance on is changing the address of the home to a different street and, therefore, the allowable setbacks. We had been previously counseled when moving into the neighborhood that this could be an ideal way to make better use of the available space. In effect, this would make the current "front yard" the "side yard" for purposes of calculating setbacks. We are interested in hearing the board's guidance on this idea: if it is actually possible, the relevant restrictions, etc.



## Layout Ideas

These are merely conceptual layout sketches for the board to react to in rendering feedback and guidance. Generally speaking, patios would be paver material, driveways and sidewalks would be poured concrete constructed to match the mid-century / 50's ranch aesthetic of the home, fences would be set back to allow for attractive and Florida-friendly plantings in front of them along sidewalks and streets in a fashion similar to homes immediately surrounding the property. Fences might incorporate elements of the wood siding and Ocala block exterior of the home to compliment it's aesthetic.

A variety of Florida-friendly plantings would be incorporated throughout the design to vastly enhance the curb appeal of the property and the home itself. We will establish beds and potentially incorporate more mature trees to add depth and dimension to the yard which is currently a fairly empty grass field. Doing so will also better integrate the look and feel of the home with the surrounding properties and improve the presentation of the entire street.

## Layout A



Layout B



Layout C



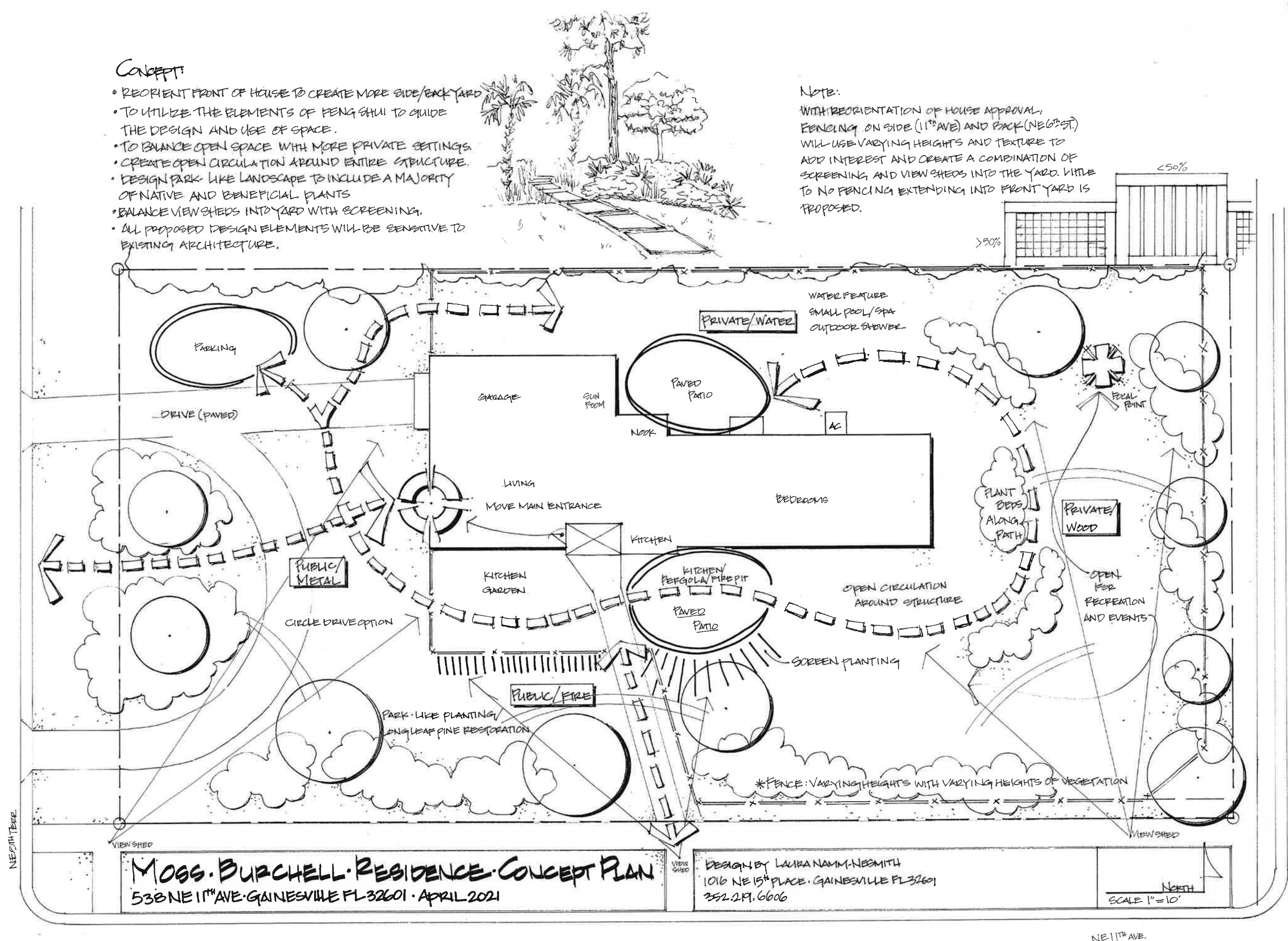


Layout D



- REORIENT FRONT OF HOUSE TO CREATE MORE SIDE/BACK YARD
- TO UTILIZE THE ELEMENTS OF FENG SHUI TO GUIDE THE DESIGN AND USE OF SPACE.
- TO BALANCE OPEN SPACE WITH MORE PRIVATE SETTINGS.
- CREATE OPEN CIRCULATION AROUND ENTIRE STRUCTURE.
- DESIGN PARK-LIKE LANDSCAPE TO INCLUDE A MAJORITY OF NATIVE AND BENEFICIAL PLANTS
- BALANCE VIEW SHEDS INTO YARD WITH SCREENING.
- ALL PROPOSED DESIGN ELEMENTS WILL BE SENSITIVE TO EXISTING ARCHITECTURE.

WITH REORIENTATION OF HOUSE APPROVAL, FENCING ON SIDE (1<sup>ST</sup> AVE) AND BACK (NE 6<sup>TH</sup> ST) WILL USE VARYING HEIGHTS AND TEXTURE TO ADD INTEREST AND CREATE A COMBINATION OF SCREENING AND VIEW SHEDS INTO THE YARD. LITTLE TO NO FENCING EXTENDING INTO FRONT YARD IS PROPOSED.



NE 11TH AVE.