

City of Gainesville Department of Doing Planning Division

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

HISTORIC PRESERVATION BOARD STAFF REPORT

PUBLIC HEARING DATE:

ITEM NO:

PROJECT NAME AND NUMBER:

APPLICATION TYPE:

RECOMMENDATION:

CITY PROJECT CONTACT:

June 1, 2021

#2 under New Business

HP-21-00042, 236 NW 3rd Avenue

Quasi-Judicial: Review Installed fence

Staff recommends approval of the application,

Jason Simmons

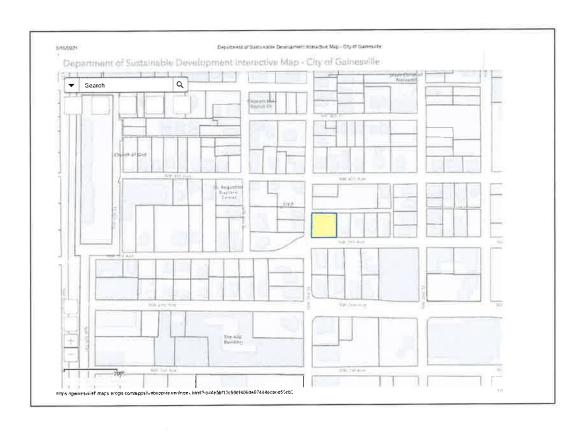


Figure 1: Location Map

APPLICATION INFORMATION:

Agent/Applicant: Nestor Perez

Property Owner(s): Nestor Perez

SITE INFORMATION:

Address: 236 NW 3rd Avenue

Parcel Number(s): 14248-000-000

Existing Use(s): Single-Family Residential

Zoning Designation(s): RC

Historic District Pleasant Street

Historic District Status: Contributing

Date of construction: c. 1930 ACPA, between 1903 and 1909 per

AL00854

PURPOSE AND DESCRIPTION:

Nestor Perez, owner. Certificate of Appropriateness to gain approval of installed fencing along the side and rear of a single-family dwelling. Located at 236 NW 3rd Avenue. This building is a contributing structure to the Pleasant Street Historic District.

STAFF REVIEW AND RECOMMENDATION:

EXISTING

The existing house is a two-story frame vernacular building that has aluminum siding, a portico on the south center side of the building, a screened-in porch on the southeast with one bay, a brick pier foundation, gable roof with hip roof secondary roof structures, composition shingles with a diamond pattern, and a chimney. The house has approximately 2,210 square feet of total floor area, with 1,810 square feet of heated area, on a 0.20 acre lot. The house was built between 1903 and 1909 according to the Florida Master Site File AL00854, while the Alachua County property appraiser indicates the house was built in 1930. It is a contributing structure to the Pleasant Street Historic District.

PROPOSED

The applicant is seeking the approval of a six foot tall wood picket fence that was installed without receiving a COA for the proposal. The owners have been cited by the Code Enforcement Division for a fence installation without receiving a COA. The front of the structure faces NW 3rd Avenue

with a highly visible side and rear yard on NW 3rd Street. This petition makes the request that the installed fence remain in place. The fence begins at a point almost 4 feet from the front wall plane of the house. It provides privacy to the back yard for the family on the west side and in the rear. The applicants feel that the fence is consistent with many other vertical wood picket fences found throughout the Pleasant Street neighborhood. The applicants consider the six foot high fence to be a privacy fence, requested to provide some useable private family area in the back yard (See Exhibit 2).

REVIEW

The six foot tall wood picket fence does not extend in to the front yard beyond the front wall of the house, but this property is a corner lot with a highly visible side and rear yard. The two sides of the fence on the west and the north, are highly visible from the right-of-way. The wood fence for the west elevation is not more than six feet in height and is an appropriate material. The rear elevation fencing meets the City of Gainesville's Historic Preservation Rehabilitation and Design Guidelines for fencing because it is constructed of wood and is no greater than six feet in height.

In the past the HPB has heard discussion about fencing on corner lots in the historic districts. 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. On this segment of NW 3rd Street, the east side of the street does not have a sidewalk. The six foot tall fence is approximately 39 inches off of the back of the curb. The corner lot is on the northeast corner of NW 3rd Avenue and NW 3rd Street. NW 3rd Avenue is a major east-west route through the neighborhood from NW 6th Street to the heart of downtown while NW 3rd Street is a way to get through the neighborhood from NW 8th Avenue to West University Avenue, meaning that this corner gets vehicle traffic as well as pedestrian traffic. The board should deliberate on the height issue of the fence located along the east side of NW 3rd Street.

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.

RECOMMENDATION

Staff recommends approval of the application.

LIST OF EXHIBITS:

<u>Exhibit 1</u> City Of Gainesville *Historic Preservation Rehabilitation and Design Guidelines:*

Fences and Garden Walls

Exhibit 2 COA Application with Pictures & Site Plan

Exhibit 3 Florida Master Site File AL00854

Exhibit 4 Pictures

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 premanufactured 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 rea- son. 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.

Guidelines for the Historic Districts are based on the U.S. Secretary of

the Interior's Standards for

Rehabilitation.

EXHIBIT

Telephone Number

E-Mail Address

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

	IS FORM		PROJECT TYP	E:					
Apply for ap located with Projects may re	n historic d	listricts.	New Construct	tion 🗌 Addit	ion 🗌 A	Iteration	☐ Dem	nolition	Fence
level review or			Relocation [Repair 🗌	Re-roof	Sign	Requ	est to lif	t demolition delay
Once application be reviewed for verified complete.	complete	ness. Once pice will be	☐ Other:			A	mendme	nt to COA	A (HP)
Type of Review	Fee	EZ Fee	APPROVAL TY	PF:	Sta	aff Approv	al		
Certificate of Appropriataness (COA); Staff	FREE	FREE	See <u>Certificate of Ap</u>		Bo	ard Appro	oval:	Concept	ual or 🗌 Final
Review			PROPERTY IN	FORMATION	: Property in	nformation	can be fou	und at the .	Alachua County
Certificate of Appropriateness (COA): Board Review - Single Family Structure or its Accessory Structure	\$127,50	\$63.75		☐ Northeast (I Heights (North) 🔲 Uni	versity He	eights (So		esant Street]Not in an HD
Certificate of Appropriateness (COA): Board Review – All Other Structures	\$638.25	\$319.13	Site Address 230 Parcel ID #(s) 14	6 NW 3rd Ave	e, Gaines	ville, FL			
After-the-Fect Certificate of Appropriateness (COA): if work begun prior to issuence of s	\$473.25 + above applicable fee	\$473.25 + above applicable fae	OWNER OF RECORD	As recorded with Alachua County Appraiser		APPLIO OR AG	ENT	will be rep an <u>Owner</u>	on owner. If an agent resenting the owner, 's <u>Authorization For</u> resentation form must d
COA			Owner(s) Name Nestor Perez			Applicant	Name		
BASIS I	FOR REVI		Company (if applic	able)		Company	(if applica	ible)	
Board review consistence Gainesville Co	y with the	City of	Street Address 236 NW 3rd Av	e		Street Ad	dress		
Land Develo applicable gu			City State Zip	00004		City State	Zip		

Historic Preserv	Historic Preservation Board Meetings are held the 1st Tuesday of the month at 5:30PM in the City Commission Chambers (200 E. University Ave.)											
Application	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov
Deadline	07	04	01	01	05	03	07	02	02	03	04	01
(12:30PM)	2020	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Meeting Date	05	02	02	06	04	01	06	03	07	05	02	07
	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021

Gainesville, FL 32601

perezn85@yahoo.com

Telephone Number

7726332131

E-Mail Address

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.



- 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, <u>Owner's</u>
 <u>Authorization for Agent</u>
 <u>Representation</u> form must be signed/notarized and submitted as part of the application;
- ☐ For window replacement, a <u>Window Survey</u> 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).

Submitting COA application for a wood fence addition to the back yard. The wood fence begins almost 4 ft from the front wall plane. It's 6 feet tall and adds privacy to our back yard for our family. It is consistant with many other vertical wood picket fences found in the Pleasant St neighborhood.

List proposed materials:

Project Scope	Manufacturer	Product Description	Color (Name/Number)
Exterior Fabric			
Doors			
Windows			
Roofing			
Fascia/Trim			
Foundation			
Shutters			
Porch/Deck			
Fencing	n/a	Wood picket fence	natural wood
Driveways/Sidewalks			
Signage			
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 <u>Guidelines</u>:
 □ Review the <u>Secretary of the Interior's Standards</u>:
- 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



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.

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.

RELOCATIONS (If Applicable)

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 30-4.28(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:

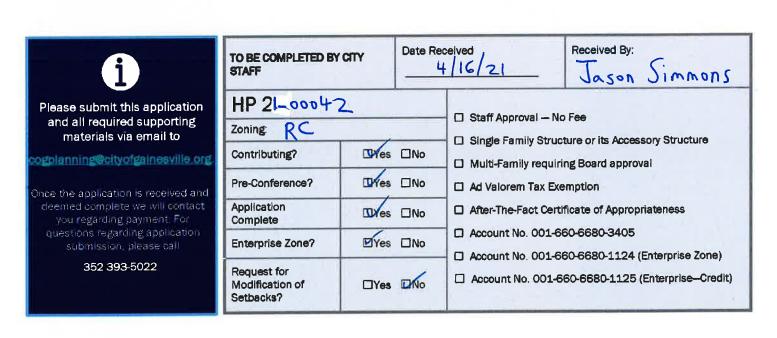
(select only those that apply)	Required	Existing	Proposed
Front, Side, Or Rear Building Setback Line			
Building Height			
Building Separation			
Floor Area Ration			
Maximum Lot Coverage			

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, exparte 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.

Nestor Perez	April 13th 2021
Applicant (Signature)	Date
Nestor Perez	
Applicant (Print)	



City of Gainesville

HISTORIC PRESERVATION BOARD (HPB)

Owner's Authorization for Agent Representation

Personally Known

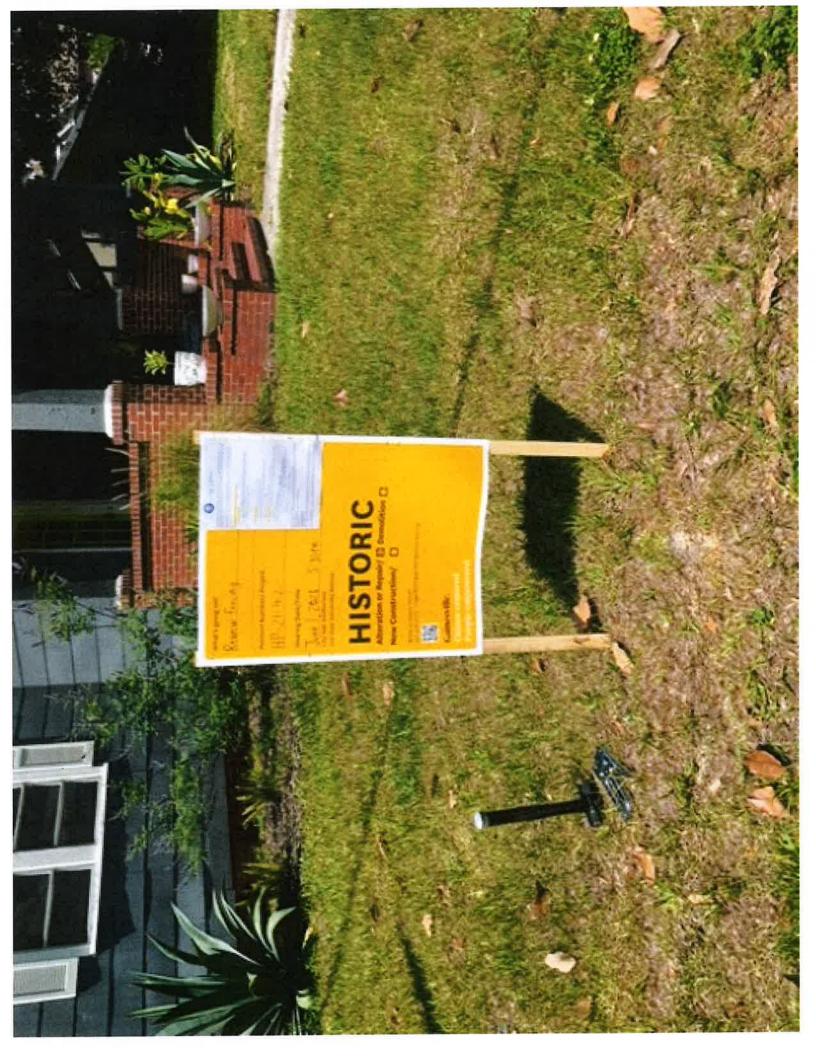
☐ Produced Identification

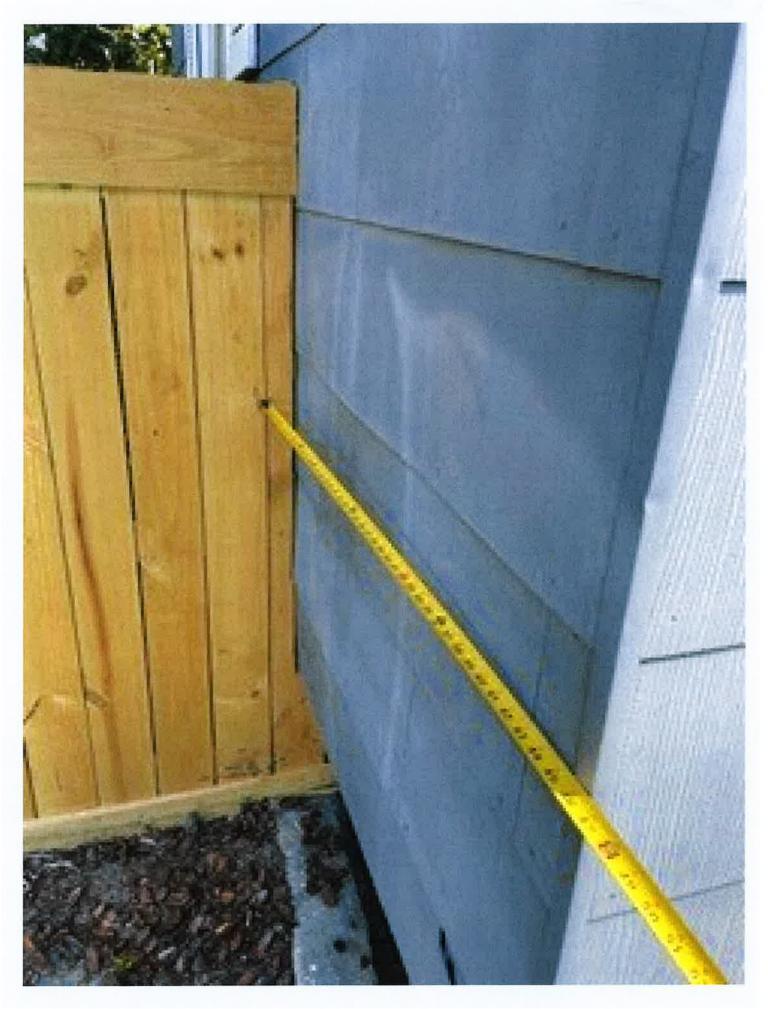
OR

Thomas Center - Building B 306 NE 6th Ave Gainesville, FL 32601 352,393,5022 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 Sworn to (or affirmed) and subscribed before me by means of \Box physical presence or \Box online notarization, this ______, day of _____, 20____, My Commission Expires Printed Name Notary Public

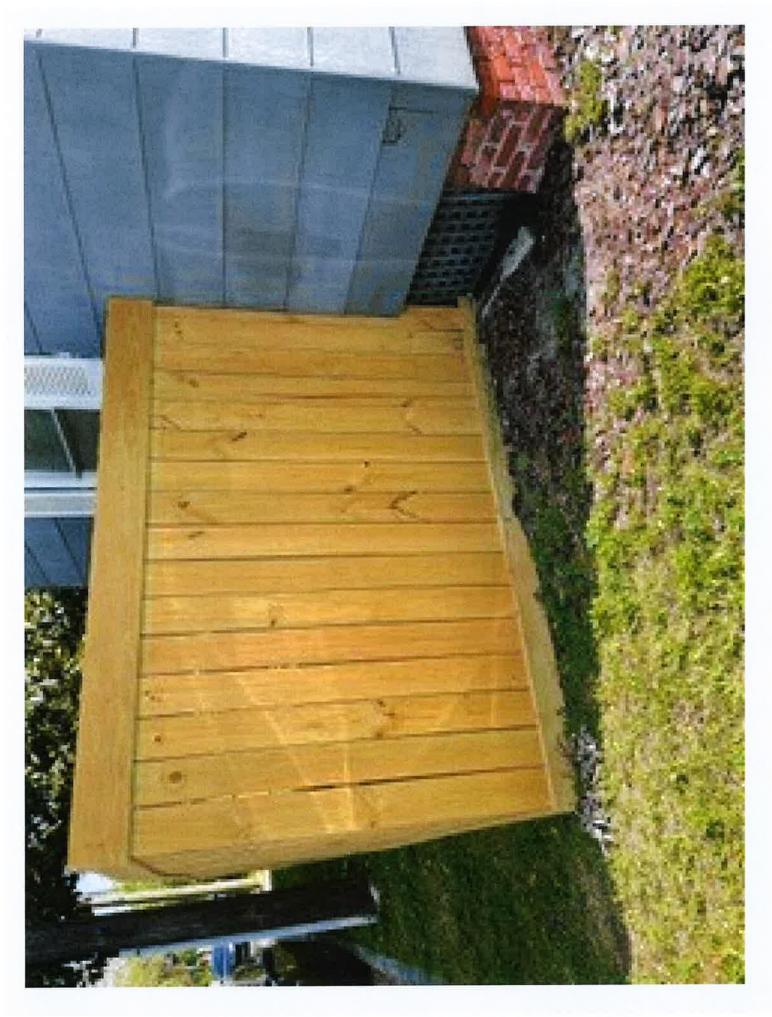
ID Produced: _____





Tuesday, April 13, 2021 5:46:28 PM - Perez Fence Off the Front - Windows Photo Viewer

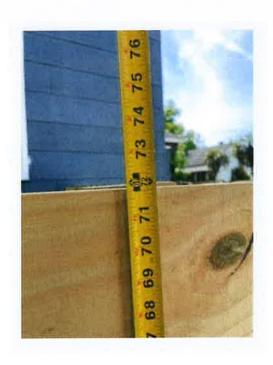


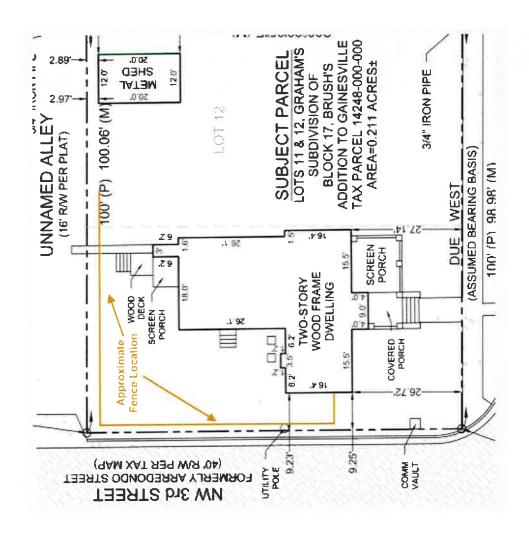


Tuesday, April 13, 2021 5:43:30 PM - Perez Fence Off the Front 2 - Windows Photo Viewer



Tuesday, April 13, 2021 5:41:43 PM - Perez Fence Height - Windows Photo Viewer





8 ALOO 854

STATE OF FLORIDA DEPARTMENT OF STATE Division of Archives, History

FLORIDA MASTER SITE FILE Site Inventory Form

FDAHRM

6UZ = and Records Management 1009 = =DS-HSP-3AAA Site No. . 820 = = 830 = Survey Date 8007Site Name 905 = =Address of Site: 236 NW 3rd Ave Instruction for locating 813 = =14248) (Tax no. 868 = = Location: Brush's Addition, Graham Subdv. = = 808County: Alachua Owner of Site: Name: Schaffer, N.C. Address: 236 NW 3rd Ave. 902 = =32601 Gainesville, Fla. 832 = = 848 = = Recording Date Type of Ownership _private_ Recorder: Name & TitleAnn DeRosa Byrne, (Consultant) 300 W. Peachtree St. The History Group Address: 818 = = Atlanta, Ga. 30308 Suite 16 DE Original Use private residence 838 = = Integrity of Site: Condition of Site: Present Use private residence850 = = Check One or More Check One Dates: Beginning 1903-1909 844 = = Culture/Phase American 840 = = 858 = =Altered ☐ Excellent 863 = = 858 = = Unaltered 863 = = **∡** Good Period 19th-20th century 845 = = Original Site 858 = = Fair 863 = = Restored () (Date:) 858 = = ☐ Deteriorated 863 = = Moved () (Date:)()858 = = 916 = =NR Classification Category: building Threats to Site: Check One or More)()878 = =☐ Transportation ()()()878 == ☐ Zoning()()() 878 = = ☐ Fill()()()878 = = Development ()()()878 = =Dredge ()()() 878 = = Deterioration ()()()878 = = ☐ Borrowing ()(878 = = Other (See Remarks Below): 910 = =Areas of Significance: <u>architecture</u>, local history Significance: This structure contributes to the character of the Pleasant It is an excellent example of the Street Historic District. This Baird rental house was built between 1903 frame vernacular. and 1909.

ARCHITECT	872 = =
BUILDER TATE THE REPLACE AND ACTION AND ADDRESS OF THE PROPERTY OF THE	874 = =
STYLE AND/OR PERIOD frame vernacular, I house	964 = =
PLAN TYPE single pile, central hall	966 = =
EXTERIOR FABRIC(S) metal: aluminum siding	854 = =
STRUCTURAL SYSTEM(S) wood frame: balloon PORCHES portico: south center; screened-in porch southeast, 1 bay	856 = =
PORCHES portico: south center; screened-in porch southeast, 1 bay	Alamitant.
* [15]	942 = =
FOUNDATION: piers: brick	942 = =
ROOF TYPE: gable	942 = =
SECONDARY ROOF STRUCTURE(S):portico: hip; porch: hip	942 = =
CHIMNEY LOCATION: north wall	942 = =
WINDOW TYPE: DHS, 2/2, wood	942 = =
CHIMNEY: brick	882 = =
ROOF SURFACING: composition shingle: diamond pattern	882 = =
ORNAMENT EXTERIOR:	882 = =
NO. OF CHIMNEYS 1 952 = NO. OF STORIES 2	950 = =
NO. OF DORMERS none	954 = =
Map Reference (incl. scale & date)	
THE COURSE OF STREET	809 = =
Latitude and Longitude:	
• , , , , , , , ,	800 = =
Site Size (Approx. Acreage of Property):	833 = =

LOCATI	ON SKE	TCH OR MAP		N
		\		
	51			G L
سلعنىنست		(76.7 N.V/.	3 ²¹ As	/ <u>E·</u>
3	e]			

Township	Range	Section	
105	20E	05	812 = =

UTM Coordinates:

Zone Easting Northing

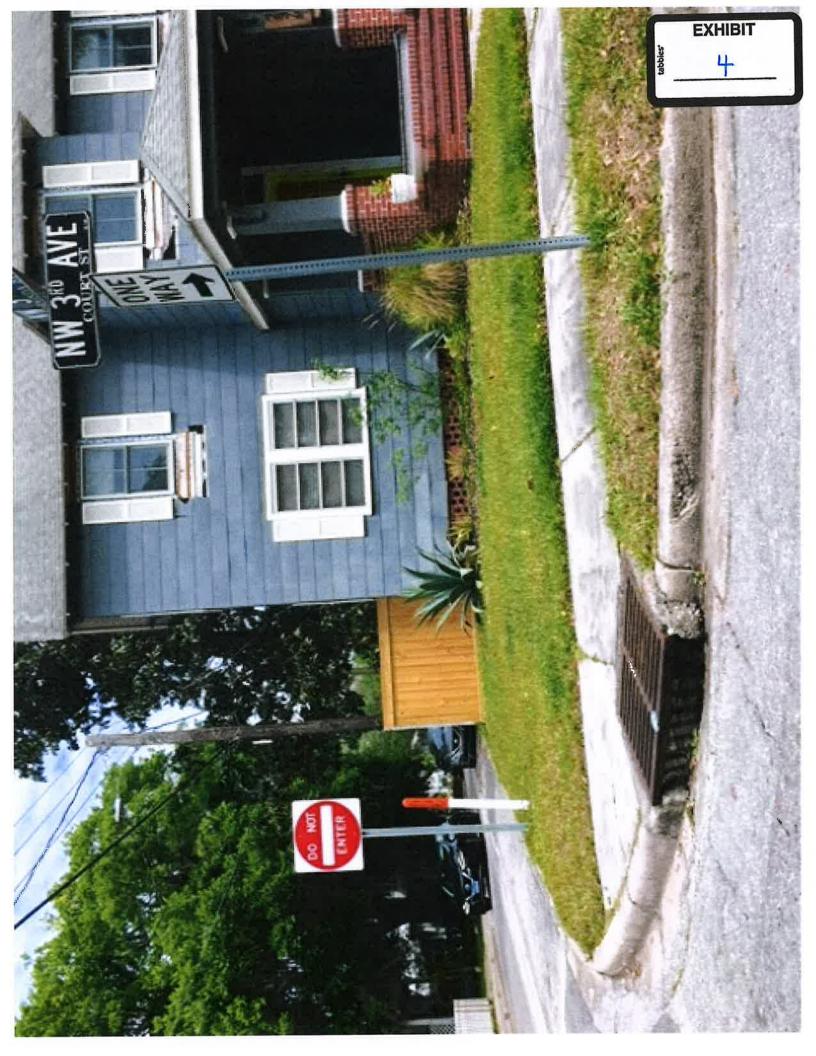
Photographic Records Numbers _

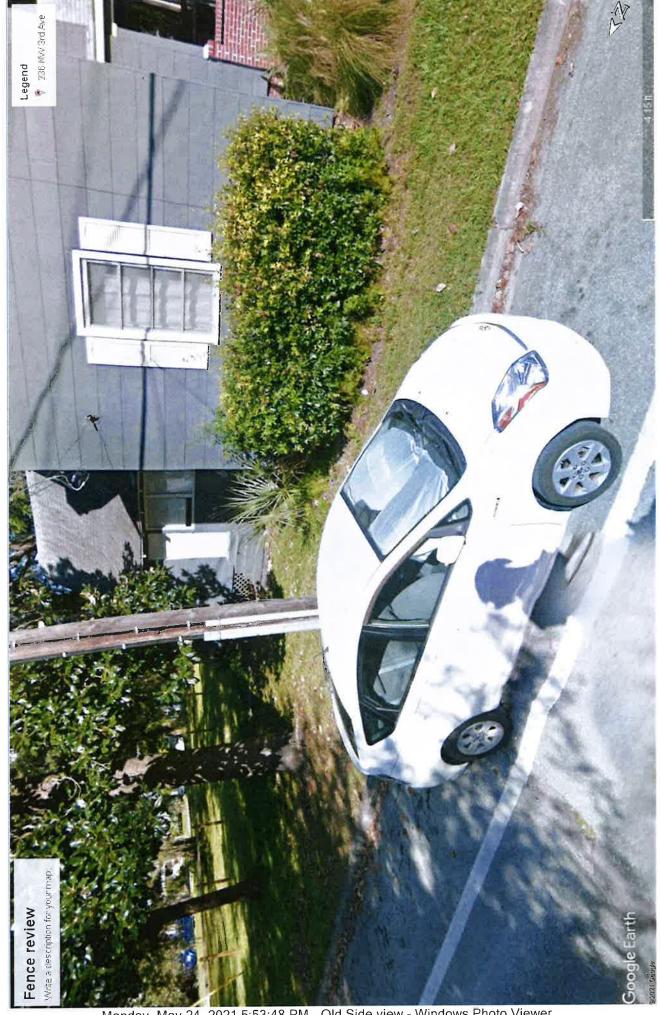
860 = =

Contact Print









Monday, May 24, 2021 5:53:48 PM - Old Side view - Windows Photo Viewer

