



Legislation Text

File #: 160408., **Version:** 5

ORDER OF THE CITY COMMISSION - APPEAL OF HISTORIC PRESERVATION BOARD'S DECISION IN PETITION HP-16-89 (B)

The City Commission ratify the written order.

Petition HP-16-89, filed by property owner Carl Nelson ("Petitioner"), sought an after-the-fact Certificate of Appropriateness ("COA") for the installation of an aluminum fence on property located at 301 NW 2nd Street in the Pleasant Street Historic District. On August 31, 2016, the Petitioner was issued a Notice of Violation for installing a 60-inch high aluminum fence on his property without applying for or receiving a COA in accordance with the City of Gainesville Land Development Code. The Petitioner then applied for a COA, and on October 4, 2016, the Historic Preservation Board held a quasi-judicial hearing for Petition HP-16-89 and voted to approve the petition with the following two conditions: 1) the installed fence shall be altered to make it measure a height of no more than 40 inches, and 2) the Petitioner shall apply to the City for a COA for any future additions or alterations to the fence, including any installation of gates. Pursuant to Section 30-112(d)(7) of the Land Development Code, Petitioner appealed the Historic Preservation Board's decision to the City Commission. Accordingly, on December 1, 2016, the City Commission held a de novo quasi-judicial hearing for Petition HP-16-89 whereby it voted to amend the decision of the Historic Preservation Board. Section 30-112 of the Land Development Code requires the City Commission's order to be reduced to writing. Therefore, the members of the City Commission that were present and voted at the hearing on December 1, 2016, should vote to ratify the written order as an accurate reflection of the City Commission's decision.