

CITY OF JACKSONVILLE
HISTORIC PRESERVATION
COMMISSION

Proceedings held on Wednesday, August 23, 2017,
commencing at 3:08 p.m., Ed Ball Building, 214 North
Hogan Street, Conference Room 1002, 1st Floor,
Jacksonville, Florida, before Matthew S. McKinney, a
Notary Public in and for the State of Florida at Large.

PRESENT:

SEARCY CARR DANNHEIM, Chairman
JACK C. DEMETREE, III, Commission Member
RYAN P. DAVIS, Commission Member
DAVID B. CASE, Commission Member
ANDRES LOPERA, Commission Member
MAIJU STANSEL, Commission Member

ALSO PRESENT:

SONDRA FETNER, Office of General Counsel
GLORIA BLAKE, Planning and Development Dept.
LISA SHEPPARD, Planning and Development Dept.
BLAIR MULLINS, Planning and Development Dept.

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1 Commissioner.
2 THE CHAIRMAN: Okay. And first thing we
3 need to do is approve the minutes of the last
4 meeting.
5 Oh, sorry. Okay. First of all, if you
6 need to talk, could you go out in the hallway.
7 And we have a court reporter, so when you --
8 when you're speaking on an item, could you
9 please speak slowly and speak into the
10 microphone. And if you plan to speak on an
11 issue, could you fill out a speaker card, and
12 the rules of how this works are on the back of
13 the cards. And when you fill out your card,
14 just leave it on the corner of Ms. Blake's
15 desk.
16 Everybody has three minutes to speak, and
17 Mrs. Blake will let you know when the time is
18 up. If you have anything to present with
19 your -- when you do your presentation, please
20 be aware that any photos and things like that
21 will be -- become part of the public record,
22 and you'll need to leave a -- you'll need to
23 have a copy. If you need a copy, then please
24 keep it for your records, and we can get
25 copies.

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1 PROCEEDINGS
2 August 23, 2017 3:08 p.m.
3 - - -
4 THE CHAIRMAN: I'd like to welcome
5 everyone to the August 23rd, 2017, meeting of
6 the Jacksonville Historic Preservation
7 Commission. And it is 3:05, let the record
8 show. And we have a quorum, so can we start
9 with some introductions?
10 MS. SHEPPARD: Lisa Sheppard, historic
11 preservation section of the Planning
12 Department, staff.
13 MS. MULLINS: Blair Mullins, staff,
14 historic preservation section.
15 MS. FETNER: Sondra Fetner, Office of
16 General Counsel.
17 COMMISSIONER DAVIS: Ryan Davis, Historic
18 Commission.
19 COMMISSIONER LOPERA: Andres Lopera,
20 Commissioner.
21 THE CHAIRMAN: Searcy Dannheim, Chairman,
22 Jacksonville Historic Preservation Commission.
23 COMMISSIONER CASE: David Case,
24 Commissioner.
25 COMMISSIONER STANSEL: Maiju Stansel,
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1 And the first break will be at 5:00 p.m.,
2 and then we'll take a 10-minute break every two
3 hours after that.
4 Now we will look at the minutes from our
5 July 26 meeting. Do I have a motion?
6 COMMISSIONER CASE: Madam Chairman, I move
7 that we approve the minutes of the July 26,
8 2017, meeting.
9 COMMISSIONER DAVIS: Second.
10 THE CHAIRMAN: Okay. With a motion and a
11 second, we will approve the minutes of the
12 July --
13 MS. FETNER: You have to --
14 THE CHAIRMAN: Oh, yeah. Everyone in
15 favor?
16 MS. FETNER: Well, so you have to -- and
17 if there's anyone who would like to speak about
18 the minutes, we have a motion and a second.
19 Discussion -- anyone who would like to speak
20 from the public, now's the time to do so, and
21 then we'll vote.
22 THE CHAIRMAN: Okay. So do we open the
23 public hearing?
24 MS. FETNER: There's no public hearing.
25 THE CHAIRMAN: Okay. So does anyone have
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1 a question or anything to say about the
2 minutes?
3 COMMISSION MEMBERS: (No response.)
4 AUDIENCE MEMBERS: (No response.)
5 THE CHAIRMAN: Okay. So we will take a
6 vote. All those in favor.
7 COMMISSION MEMBERS: Aye.
8 THE CHAIRMAN: All those opposed.
9 COMMISSION MEMBERS: (No response.)
10 THE CHAIRMAN: So hearing none, we will
11 approve the minutes from the July 26, 2017,
12 meeting.
13 First, we will look at the deferred items.
14 There have been a couple of additions to these
15 deferred items. The first one is COA-17-131,
16 2500 College Street, Lot A; Number 2,
17 COA-17-132, 2500 College Street, Lot B. The
18 third item on our deferred items, which is an
19 addition, is COA-17-804. The address is 1647
20 North Laura Street; this was Number 4 on the
21 regular agenda. And then Number 4 is
22 COA-17-730.
23 Is anyone here to speak on any of these
24 deferred items?
25 AUDIENCE MEMBERS: (No response.)
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1 THE CHAIRMAN: Okay.
2 MS. FETNER: Gloria, can you just make
3 sure no one is here to speak on Item 17-804 and
4 17-730, please?
5 Thank you.
6 MS. BLAKE: We do have a Robert that does
7 not have an application number, Overman.
8 What application are you here to speak on,
9 sir?
10 AUDIENCE MEMBER: All I got is an address.
11 MS. BLAKE: Okay. What is the address of
12 the item?
13 He's not here to speak on any of the items
14 in question.
15 MS. FETNER: Okay. Thank you.
16 MS. BLAKE: You're welcome.
17 THE CHAIRMAN: Okay. So do we declare any
18 ex parte on this one?
19 MS. FETNER: No, just --
20 THE CHAIRMAN: Just defer? Okay.
21 So hearing none, I'll close the public
22 hearing?
23 MS. FETNER: There's no public hearing
24 open.
25 THE CHAIRMAN: Okay. So we will go ahead
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1 and defer the items that I just mentioned and
2 move on to the second item, which is our
3 Consent Agenda.
4 Do any commissioners have any ex parte
5 communication on any of these consents?
6 MS. FETNER: Madam Chairman, I need you to
7 read out the agenda items.
8 THE CHAIRMAN: Okay.
9 MS. FETNER: Numbers as well as the
10 addresses for the record, and so that way the
11 audience can hear what is being voted on
12 consent.
13 THE CHAIRMAN: Okay.
14 MS. FETNER: And I do believe there's one
15 item on the Consent Agenda that someone would
16 like to speak on.
17 THE CHAIRMAN: Okay. Good. And there's
18 one that was just removed from that Consent
19 Agenda.
20 So the items on the Consent Agenda:
21 COA-17-575, 1652 North Market Street; we just
22 deferred Number 2; so Number 3 is COA-17-744,
23 322 West 5th Street; then COA-17-786, 2831
24 Green Street, Lot 10; COA-17-787, 2830 Green
25 Street, Lot 16; COA-17-788, 2824 Green Street,
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1 Lot 17; Number 7 is COA-17-789, 2848 Green
2 Street, Lot 13; COA-17-790, 2842 Green Street,
3 Lot 14; COA-17-791, Ernest Street, Lot 4;
4 COA-17-792, Ernest Street, Lot 1; and COA-17 --
5 oh, that one moved. Sorry. That was deferred.
6 Then COA-17-808, 3835 Riverside Avenue.
7 MS. FETNER: Those --
8 THE CHAIRMAN: Did I jump ahead? Oh,
9 sorry. Okay. What was it?
10 MS. FETNER: It stops at COA-17-792,
11 Ernest Street, Lot 1.
12 THE CHAIRMAN: Okay. Got it. Okay.
13 MS. BLAKE: Madam Chairman, I have a
14 speaker card for COA-17-786 that is on the
15 Consent Agenda.
16 THE CHAIRMAN: Okay. Thank you.
17 MS. BLAKE: You're welcome.
18 THE CHAIRMAN: So we will open the public
19 hearing on the Consent Agenda. If there's
20 anyone to speak on an item, could you please
21 come forward?
22 (Audience member approaches the podium.)
23 MS. BLAKE: Will you please state your
24 name and address for the record?
25 AUDIENCE MEMBER: Sure. Adrienne Burke,
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1 2623 Herschel Street, Jacksonville, 32204.
2 MS. BLAKE: Would you raise your right
3 hand, please?
4 MS. BURKE: (Complies.)
5 MS. BLAKE: Do you affirm that the
6 testimony you're about to give is the truth,
7 the whole truth, and nothing but the truth?
8 MS. BURKE: I do.
9 MS. BLAKE: Thank you.
10 MS. BURKE: Thank you.
11 Good afternoon, Commissioners. Thank you.
12 I just wanted to really quickly comment on --
13 you have a slate of houses on the Consent
14 Agenda on Green Street, and that's part of the
15 new Green Hills subdivision project in
16 Riverside.
17 And I just wanted to, on the record, let
18 you guys know that we have been working with
19 that applicant since the beginning of that
20 project and the zoning process. We really
21 appreciate them coming to the table and being
22 so willing to work with Riverside Avondale
23 Preservation and walk through everything and be
24 accommodating.
25 So I just wanted to, on the record, say
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1 that and let you guys know that we support the
2 project. We support the designs, really
3 appreciate the attention to detail to vary the
4 structures so that it's not cookie-cutter house
5 after house. They've done really good work
6 with the windows and the doors and the siding
7 and the materials, so we are looking forward to
8 seeing this project complete.
9 Thank you.
10 THE CHAIRMAN: Thank you.
11 Is there anyone else here to speak on any
12 of the items on the Consent Agenda?
13 AUDIENCE MEMBERS: (No response.)
14 MS. FETNER: You could close it.
15 THE CHAIRMAN: We'll close the public
16 hearing.
17 And do any commissioners have any ex parte
18 to declare?
19 COMMISSION MEMBERS: (No response.)
20 THE CHAIRMAN: Okay. Hearing none, I will
21 take a motion -- I'll entertain a motion to
22 approve the Consent Agenda.
23 COMMISSIONER CASE: Madam Chairman, I move
24 that we approve the Consent Agenda as modified.
25 COMMISSIONER DAVIS: Second.
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1 THE CHAIRMAN: Okay. We've had a motion
2 and a second to approve the Consent Agenda as
3 modified.
4 And all those in favor?
5 COMMISSION MEMBERS: Aye.
6 THE CHAIRMAN: Those opposed?
7 COMMISSION MEMBERS: (No response.)
8 THE CHAIRMAN: Hearing none, we approve
9 the Consent Agenda.
10 And moving along to -- okay. Number D is
11 deferred items to be heard. Is anyone here to
12 speak on COA-17-477?
13 (Audience member approaches the podium.)
14 MS. FETNER: Madam Chairman, I'm sorry.
15 Ma'am, could you please sit down?
16 Thank you.
17 First, we're going to have the staff give
18 the report. And then after the staff gives the
19 report, then the applicant and anyone else
20 who'd like to speak will come up.
21 MS. SHEPPARD: I guess just to clarify,
22 the applicant was not at the last meeting. We
23 just wanted to make sure that she was here
24 before we went into the presentation.
25 This application is for a fence. It is a
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1 corner lot property. You can see on the screen
2 where the red arrow is, and the fence that's
3 being proposed is for the side and rear yard on
4 this corner lot.
5 Here's a picture of the front of the
6 property. You can see the corner lot location.
7 This view is from the side. You'll notice that
8 in the pictures, there are some existing
9 masonry columns that are already onsite. I'm
10 not sure when they date to, but they are
11 something that's there.
12 It was the applicant's wish to do a 6-foot
13 fence along the property line as we're seeing
14 here in the photo and then to do an 8-foot
15 fence along the rear property line. This view
16 that you're seeing on the screen is a little
17 farther down the side street, James Street,
18 looking back at the house that fronts James
19 Street and the view of the rear of the
20 property.
21 Here's some close-ups that are a little
22 bit easier to look at of the existing columns.
23 So you can tell that the columns that are --
24 I'm not sure of the exact height of the
25 columns, but they are a little taller.
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1 And the issue that we have with this is
2 that to do a 6-foot fence along the property
3 line, that's in conflict with the zoning code
4 as well as our design regulations and the
5 fencing supplement that the Commission adopted
6 years ago, so we are recommending that the
7 application be conditioned to be in compliance
8 with what we would normally approve, which
9 would be a 4-foot in that location with a --
10 along the side property line, and a 6-foot
11 along the rear property line.
12 And so the actual -- sorry. So the actual
13 condition would be that the proposed 6-foot
14 fence along James Street should be lowered to
15 4 feet or moved back to the rear corner of the
16 primary structure. That's the other option
17 that our supplement gives us, which is, instead
18 of having it at the property line, you can go
19 off of the back corner of a house straight back
20 to the rear property line at the 6-foot level,
21 and so that would be the condition there.
22 And as far as the rear property line, the
23 design regulations only allow for 6 feet in
24 that location. There have been a couple of
25 exceptions, but they are related to separation
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1 of uses that abuts a commercial property, that
2 a lot of times as a requirement they would have
3 a buffer requirement of a larger fence. So,
4 again, on that rear property line, it would be
5 no higher than 6 feet.
6 That's the end of our report.
7 THE CHAIRMAN: Okay. Should I do ex parte
8 first?
9 MS. FETNER: No. You could open it up for
10 the -- open the public hearing and have the
11 applicant come.
12 THE CHAIRMAN: Okay. We'd like to open
13 the public hearing and have the applicant
14 return. I'm sorry about that.
15 (Audience member approaches the podium.)
16 MS. BLAKE: So, ma'am, did you fill out a
17 speaker card?
18 AUDIENCE MEMBER: No. I've never done
19 this before. I don't know.
20 MS. BLAKE: Oh, it's quite all right. We
21 have plenty of them for you. Please come on
22 up.
23 AUDIENCE MEMBER: Okay.
24 MS. BLAKE: If you will state your name
25 and address for the record.
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1 AUDIENCE MEMBER: Hi. I'm Sheri. My
2 address is 2790 Post Street, and the reason I'm
3 asking for the higher --
4 MS. BLAKE: Ma'am, after your name and
5 address, I need to swear you in.
6 MS. RICE: Okay.
7 MS. BLAKE: I'm going to help you through
8 this. We've got it.
9 MS. RICE: Okay.
10 MS. BLAKE: All right. If you'll raise
11 your right hand, please.
12 MS. RICE: (Complies.)
13 MS. BLAKE: Do you affirm that the
14 testimony you're about to give is the truth,
15 the whole truth, and nothing but the truth?
16 MS. RICE: I do.
17 MS. BLAKE: Thank you.
18 Now you may continue.
19 MS. RICE: Thank you.
20 The reason why I'm asking for a higher
21 fence than 4 foot is because my daughter's
22 Jeep -- she parks right there behind the fence.
23 It's been broken into three times, and I've had
24 petty theft. Like, my lawnmower's been stolen;
25 my weed eater's been stolen, and I don't think
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1 a 4-foot fence is enough deterrent to prevent
2 that.
3 And, also, putting the fence behind the
4 barriers or the columns is kind of going to
5 look odd, you know, to have the barriers and
6 then the fence. And, also, if you see where my
7 Jeep is, that's the right side of the house.
8 On the left side of the house, there's already
9 an 8-foot fence there separating me and the
10 next house over.
11 So it's 8-foot, then it's 6-foot, and now
12 you're recommending 4-foot, so I'd have three
13 different levels of fencing. And I would just
14 like to get the 8-foot to match the left side
15 in the back and a 6-foot right there where we
16 drive.
17 Thank you.
18 MS. BLAKE: Ma'am, may I get you to fill
19 this out for me before you leave? They may
20 have some more questions for you.
21 THE CHAIRMAN: Does anybody have any
22 questions of the applicant?
23 MS. FETNER: Not yet. If you ask if
24 anyone from the public...
25 THE CHAIRMAN: Okay. Does anyone from the
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1 public have anything else to say on this
2 particular item?
3 AUDIENCE MEMBERS: (No response.)
4 THE CHAIRMAN: Hearing none, so...
5 MS. FETNER: Can I ask a question, Madam
6 Chair?
7 THE CHAIRMAN: Uh-huh.
8 MS. FETNER: When were the piers
9 constructed?
10 MS. RICE: I have no idea. I moved in in
11 October, and they were pre-existing.
12 MS. FETNER: They were pre-existing?
13 Okay. Thank you.
14 THE CHAIRMAN: Do we have a picture of any
15 of the other elevations to see the different
16 levels of the fence? If you see the one that
17 has the 8-foot that you're speaking of --
18 MS. RICE: It's in front of my daughter's
19 Jeep, and the black Jeep is right in front of
20 that.
21 THE CHAIRMAN: Okay.
22 MS. RICE: And then you can see that's
23 8-foot, then it drops down to 6-foot.
24 THE CHAIRMAN: On the side of the Jeep?
25 MS. RICE: Yes. I mean, if I go to the
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1 side of the house, I guess I'd have to pay to
2 get the columns knocked down. I don't...
3 MS. FETNER: If no one else on the board
4 has questions of the applicant, you can close
5 the public hearing and then entertain a motion.
6 THE CHAIRMAN: Okay.
7 MS. FETNER: And then once discussion
8 starts, then you can call her back up if you
9 have more questions or if you have questions
10 for staff.
11 THE CHAIRMAN: Okay. So at this point, if
12 no one has any other questions, we'll close the
13 public hearing.
14 And would anyone like to make a motion?
15 COMMISSIONER CASE: Madam Chairman, I move
16 that we approve COA-17-477 with staff's
17 conditions.
18 COMMISSIONER DEMETREE: I second.
19 THE CHAIRMAN: Okay. With a motion and a
20 second, is there discussion? Anybody?
21 COMMISSIONER DEMETREE: Through the Chair,
22 I've got a question for staff. Any idea when
23 these columns came to be or if there was a
24 pre-existing fence?
25 MS. SHEPPARD: I do not. I don't have any
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1 more information in the file regarding the age
2 of the columns. I will say that the fence
3 behind it, fencing is not a permitted activity,
4 so it could have gone in without review. It
5 could be pre-dating the district. We have that
6 situation quite a bit when it comes to fencing,
7 but we've been pretty consistent as far as
8 applying the design regulations in the
9 supplement.
10 COMMISSIONER DAVIS: Just so I understand,
11 is the intent to put the fencing between the
12 existing columns or --
13 MS. RICE: Yes.
14 COMMISSIONER DAVIS: -- you said behind
15 it?
16 MS. RICE: Between the existing columns.
17 COMMISSIONER DAVIS: Okay. So utilize
18 those as part of the fence?
19 MS. RICE: Yes.
20 COMMISSIONER DAVIS: Okay. Just throwing
21 it out there, I mean, it would seem like that
22 last column on the left, like if you were going
23 to break it, you know, 6-foot to 4-foot, 4-foot
24 would seem like a pretty natural place to do it
25 and stay within the guidelines. And, you know,
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1 you still get the 6-foot in the back. I mean,
2 you know, there's existing guidelines that it's
3 not, like, up to us. We just kind of have to
4 apply those, so I'm just kind of trying to
5 think through solutions for you.
6 COMMISSIONER CASE: Through the Chair,
7 is -- you're asking for a fence. Is the fence
8 starting and stopping at what appears to be an
9 existing driveway?
10 MS. RICE: The fence would go from the
11 corner of the house to the column there, then
12 from this column to that column, and then there
13 would --
14 COMMISSIONER CASE: So there's going to be
15 an opening where that car is driving in and
16 out; is that correct?
17 MS. RICE: Well, there would be a fence
18 there, but it would be a gate.
19 COMMISSIONER CASE: Well, that's what I'm
20 getting to.
21 MS. RICE: Okay.
22 COMMISSIONER CASE: So we've not talked
23 about the gate at all, but do we have any idea
24 what the gate looks like? Do we know what kind
25 of wall is going to go there, what kind of
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1 fence? And how high is the gate?
 2 THE CHAIRMAN: Have you-all talked with
 3 this applicant about the pictures of the design
 4 and so forth of the gate and the fence?
 5 MS. RICE: The gate would be 6 feet.
 6 Pretty much that whole side is -- would be the
 7 gate. I mean, you'd have a -- what do you call
 8 it? A petition or -- I just call it a
 9 petition. And then another petition and
 10 then --
 11 MS. BLAKE: Excuse me, ma'am. Can I get
 12 you to step over a little bit and talk into
 13 that microphone, please?
 14 Thank you.
 15 MS. RICE: Sure.
 16 I was just saying that pretty much the
 17 whole area there is a driveway, so you'd have a
 18 panel and a panel and then the gate in the
 19 middle, and the gate would also be 6-foot.
 20 COMMISSIONER CASE: And what would the
 21 gates be made of?
 22 MS. RICE: Wood.
 23 COMMISSIONER CASE: So they'd be solid?
 24 MS. RICE: Yes, board on board or
 25 whatever.
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1 COMMISSIONER STANSEL: They would match
 2 the fence?
 3 MS. RICE: Yes.
 4 COMMISSIONER DEMETREE: So through the
 5 Chair, does the gate fall under the same
 6 regulations as the fence?
 7 MS. SHEPPARD: Yes.
 8 Through the Chair, we applied the same.
 9 And part of the logic in not wanting a solid
 10 fence of that height in that location is that
 11 you start blocking the view of adjacent
 12 structures, and the design regulations are very
 13 specific that side elevations should be
 14 4-foot -- I'm sorry -- street elevations should
 15 be 4-foot. Side and rear can go up to 6 feet,
 16 but that's contemplating an interior lot.
 17 So the supplement basically addressed that
 18 concern, is how do we address or how do we
 19 apply the design regulations to a corner-lot
 20 situation. And that was a special committee of
 21 the Commission that put that together a number
 22 of years ago, and it was officially adopted by
 23 this board. That would give an option of a
 24 4-foot at the property line or stepping it back
 25 10 feet or at the back corner of the house if
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1 it's -- as another option.
 2 MS. RICE: I don't think that's 10 feet.
 3 COMMISSIONER LOPERA: Through the Chair,
 4 I'm sorry. Did you say it's the -- if they
 5 moved it 10 feet off of the property line, they
 6 could go higher?
 7 COMMISSIONER CASE: Uh-huh.
 8 MS. SHEPPARD: The reference to 10 feet is
 9 related to what the zoning code said. When the
 10 Commission was studying how to apply it on a
 11 corner-lot situation, the zoning code basically
 12 referenced that in a situation of a corner lot,
 13 you basically have two front yards. And on the
 14 second front yard, being the side you were
 15 supposed to recess it half of the required
 16 front yard, which is normally 20 feet, so
 17 that's how the 10 feet comes up.
 18 We wanted to make sure, since a lot of the
 19 houses in the historic district may even be
 20 closer to the property line inside that
 21 10 feet -- and we didn't want somebody's back
 22 door being on the wrong side of the fence -- so
 23 we have allowed the fence to go off of the back
 24 corner, which a lot of times is less than
 25 10 feet from the property line, giving them a
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1 little bit of leeway as far as that goes.
 2 In this particular situation, just so you
 3 know, if you were to approve it, she will still
 4 have to go through an Administrative Deviation
 5 process to get it approved under zoning for
 6 that location.
 7 COMMISSIONER LOPERA: Through the Chair,
 8 could the owner presumably start the fence at
 9 the back corner of the house at 6 feet and then
 10 put the gate there, so further in? So leave
 11 all the three columns in place, and then that
 12 way she can get her 6-foot-high fence, but just
 13 the side yard would not be fenced at all
 14 basically, and then that way it would protect
 15 the owner's belongings as well as the cars.
 16 COMMISSIONER CASE: Through the Chair,
 17 that is the option that staff gave.
 18 MS. SHEPPARD: That is the option.
 19 COMMISSIONER LOPERA: That is? Okay.
 20 Great. That's all I wanted to know.
 21 Thank you.
 22 MS. SHEPPARD: It just doesn't -- through
 23 the Chair, that doesn't utilize the columns at
 24 that point.
 25 COMMISSIONER LOPERA: Right, okay.
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1 THE CHAIRMAN: Okay. If there's no
2 further discussion or questions, I'll entertain
3 a motion.

4 MS. FETNER: Madam Chair, there's already
5 a motion and a second on the table.

6 THE CHAIRMAN: Okay. So we can vote,
7 right?

8 COMMISSIONER LOPERA: Well, so without
9 amending -- sorry. Through the Chair, without
10 amending the motion then, what I just mentioned
11 is an option for the owner, to just go through
12 the Administrative Deviation process to have
13 the gate start at the back corner of the
14 house -- or the gate, and a 6-foot-tall gate
15 and fence start at the back corner of the house
16 and go all the way to the back of the yard,
17 which would be the right side of that photo.

18 COMMISSIONER CASE: Through the Chair,
19 that was the condition that staff gave.

20 COMMISSIONER LOPERA: That's -- okay.
21 Sorry.

22 MS. SHEPPARD: To read it again, through
23 the Chair, the recommended condition is that
24 the proposed 6-foot fence along James Street
25 shall be lowered to 4 feet or moved back to the
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1 rear corner of the primary structure, at which
2 case it would -- it doesn't go into detail, but
3 it would extend from that back corner to the
4 back property line with the gate.

5 COMMISSIONER LOPERA: At the 6-foot
6 height?

7 MS. SHEPPARD: At the 6-foot height --

8 COMMISSIONER LOPERA: Okay.

9 MS. SHEPPARD: -- in that back corner.

10 COMMISSIONER LOPERA: Okay. Is that
11 something that we would need to amend to this,
12 or is that understood?

13 MS. FETNER: No. That is in the
14 conditions stated in the staff report.

15 COMMISSIONER LOPERA: Okay.

16 THE CHAIRMAN: Okay. Should we ask
17 another question of the applicant?

18 MS. FETNER: Only if you have another
19 question for the applicant. If you don't, you
20 can go ahead and vote or amend. It's the
21 pleasure of the Commission.

22 THE CHAIRMAN: Okay. Well, I just -- I
23 guess I would like to ask the applicant to make
24 sure -- because I know there was some time that
25 you-all were not in communication with the
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1 office. And I just wanted to make sure that
2 you were clear on these allowances and -- from
3 the staff report.

4 MS. RICE: I think I'm clear. I think
5 it's just a little bit odd to have the fence
6 behind the columns. And then wouldn't the
7 concrete slab have to be busted to put the
8 support down for the fence, or no? I don't
9 know that kind of stuff.

10 COMMISSIONER DEMETREE: Through the Chair,
11 have you looked at the gate other than being
12 solid wood? Because I -- I look at this
13 thinking, okay, a 6-foot fence from the back
14 fence to the columns. But if the gate wasn't
15 solid wood, if it was some sort of see-through
16 surface, that to me seems a lot more reasonable
17 than to have, you know, 6-foot, then 6-foot, to
18 not be able to see through. I think it kind of
19 takes care of some of the problem.

20 Have you looked at any other materials on
21 this?

22 MS. RICE: Aluminum. It was twice the
23 price, and I think I still couldn't go any
24 higher than the wood.

25 COMMISSIONER DEMETREE: I mean, I think it
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1 would have to still be a -- an Administrative
2 Deviation for you to do that anyway. That
3 might be something to look at.

4 MS. FETNER: Through the Chair, just so
5 that everyone's aware, you-all are making a
6 decision whether or not -- where she can put
7 the fence and what height. So whatever you
8 decide today is pretty much going to direct the
9 Administrative Deviation, the planning
10 administrator, on how to go.

11 So if you say this specific fence at this
12 distance, I don't believe that you'll be
13 overturned by the Administrative Deviation, but
14 they do want you to have that decision first
15 here for this particular instance. So if you
16 are considering a different material fence at
17 the location the piers are now, you can, of
18 course, condition that if that's something that
19 you'd like to do, or however -- you know,
20 however you want to handle it.

21 COMMISSIONER DEMETREE: Well, that's --
22 you know, that's kind of my point. I think
23 wood from that back fence to the columns and
24 then wood on the other side of the driveway is
25 fine. But if you had some sort of see-through
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1 material for the gate, I'd be okay with a
2 6-foot gate.
3 COMMISSIONER CASE: Through the Chair, I'm
4 very nervous about doing anything other than
5 what the fence regulations call for because
6 it's going to be setting a precedent that is
7 going to allow others to deviate from our
8 standards and our regulations.
9 So I would not be in favor of approving
10 anything other than what we have already
11 approved and is already part of the fence
12 regulations and the overlay, regardless of the
13 material.
14 THE CHAIRMAN: So should we restate the
15 motion?
16 MS. FETNER: I don't believe you have to.
17 You can just call the question.
18 THE CHAIRMAN: Okay. So we will take a
19 vote on the motion to approve COA-17-477 with
20 the conditions of the staff report.
21 All those in favor?
22 COMMISSION MEMBERS: Aye.
23 THE CHAIRMAN: Those opposed?
24 COMMISSION MEMBERS: (No response.)
25 THE CHAIRMAN: Okay. With that, the
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1 motion carries. The COA-17-477 is adopted with
2 recommendations and conditions of the staff
3 report.
4 The next item is -- well, there are no
5 condemned or historic designations, so we are
6 going to move on to the general COAs,
7 certificates of appropriateness, beginning with
8 COA-17-678, 3723 Park Street. The request is
9 for demolition. And do we do ex parte now or?
10 MS. FETNER: No. This request has been --
11 there's been a request to withdraw this item.
12 THE CHAIRMAN: Okay.
13 MS. FETNER: So it's withdrawn.
14 THE CHAIRMAN: Okay. So this is off
15 completely?
16 MS. FETNER: Yeah.
17 COMMISSIONER CASE: Call for a motion to
18 withdraw.
19 MS. FETNER: Through the Chair, you don't
20 need a motion to withdraw.
21 THE CHAIRMAN: So -- okay. Never mind.
22 Number 2, COA-17-797, 1776 Challen Avenue.
23 Do we have a --
24 MS. MULLINS: Yes, we have a staff report.
25 So the property is located at 1776 Challen
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1 Avenue. You can see on your map it's on the
2 corner of Challen and Riverside, where
3 Riverside and Oak split, a very visible corner
4 location. Here is a close-up with a Sanborn
5 map. As you can see, it's very unique even
6 from the floor plan situation.
7 These are some older photos of the house.
8 The structure was actually a local landmark
9 before the district was in place, so it was
10 pretty significant. It's not only a
11 contributing structure to the district; it's
12 also a local landmark. And as you can see,
13 these are just older photos.
14 If you notice -- you might notice on the
15 left of the parapet, the Mission-style parapet,
16 there's not a tower. Currently, there is. A
17 year or two after the building was built, the
18 tower was built by the homeowners for a -- as
19 you can see, here's the photo of the house now
20 with the tower on the left.
21 The tower was built for a very famous
22 actor and singer, Elsie Janis, who was a family
23 member. So this house really does have a lot
24 of significance locally, and also
25 architecturally, it's a very significant
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1 Mission-style structure. As you can see, the
2 parapet is very traditional, Mission style.
3 And here is the location. As you can see
4 on the left of this picture, this is where
5 Riverside and Oak split, so it is on this very
6 prominent, very beautiful corner lot. Here's
7 the -- some pictures of the house as it is now.
8 As you can see, this is from right on the --
9 I'm standing right on the corner of the lot.
10 And this is -- I wish my -- this is a
11 Riverside-Avondale elevation, a lot of tree
12 coverage; she's got some landscaping, so -- and
13 then this is the same elevation, just a
14 different view.
15 And then here, as you can see, there is
16 the historic garage. So the request is to
17 demolish the historic garage -- it is in
18 deteriorated condition -- and reconstruct it as
19 part of a rear addition. So the garage will be
20 attached now to this rear addition.
21 So here's another view of the house.
22 Here's the existing proposed site plans. The
23 addition will be attached at the rear, will
24 follow the rear property line and will have
25 almost like a little courtyard in the middle.
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1 So it will kind of wrap around, but it will not
2 be attached along that Riverside-Avondale
3 elevation. So here is -- as you can see, the
4 top elevation is the existing; the below is the
5 proposed.
6 So staff recommendation is denial due to
7 the massive height of the addition. As you can
8 see, the addition is taller than even the tower
9 that was the historic tower and is much taller
10 than the parapet wall. It is staff's opinion
11 that once this addition is installed, that
12 parapet feature will be lost to the addition.
13 It won't be as prominent, which is one of the
14 key character-defining features of Mission
15 style. So that's the reason why it's not.
16 And, you know, it is a landmark structure. The
17 integrity of the style will be compromised due
18 to the addition.
19 And here are some -- and this is the
20 existing and proposed rear elevation. And then
21 here is the -- the plans are -- do say "left"
22 when it's really "right," so I just corrected
23 that here. So the top, that's the existing
24 right elevation which faces Riverside-Avondale.
25 This will be the new proposed. You see where
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1 the garage is. They're reconstructing the
2 garage. They're just attaching it to the
3 addition and moving it forward slightly on
4 Riverside-Avondale.
5 And then here's the left addition that
6 is -- and the left addition is extremely close
7 to the multi-family to the left of the house.
8 So there's not much visibility on the left
9 elevation. And then here's some floor plans.
10 I would love to answer any questions.
11 THE CHAIRMAN: Okay. Does anybody have
12 any ex parte communication to declare at this
13 point in time?
14 COMMISSION MEMBERS: (No response.)
15 THE CHAIRMAN: Hearing none, so we'll --
16 do we ask questions of the staff first?
17 MS. FETNER: Unless anyone on the board
18 has a question related to the -- specifically
19 directed to the report that was given, I would
20 suggest opening the public hearing and allowing
21 the applicant to speak and then any other
22 speakers who have submitted cards on this item.
23 MS. MULLINS: Oh, you do have -- sorry to
24 interrupt. Through the Chair, there is an
25 e-mail in front of you from a neighbor in
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1 opposition. I believe the neighbor is in the
2 audience as well.
3 AUDIENCE MEMBER: There are two neighbors
4 who object.
5 THE CHAIRMAN: Okay.
6 MS. FETNER: Open the public hearing.
7 THE CHAIRMAN: Okay. We will open the
8 public hearing on this item and let the
9 applicant come forward, please.
10 (Audience member approaches the podium.)
11 MS. BLAKE: Sir, if you would please step
12 to the microphone, state your name and address
13 for the record.
14 AUDIENCE MEMBER: My name is David
15 Rinzler. My address is 6944 St. Augustine
16 Road, Jacksonville, Florida 32217.
17 MS. BLAKE: Would you raise your right
18 hand, please.
19 MR. RINZLER: (Complies.)
20 MS. BLAKE: Do you affirm that the
21 testimony you're about to give is the truth,
22 the whole truth, and nothing but the truth?
23 MR. RINZLER: I do.
24 MS. BLAKE: Thank you.
25 MR. RINZLER: As I stated, my name is
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1 David Rinzler. I'm a building contractor in
2 Jacksonville. My company's been in business in
3 Jacksonville for a little over 40 years. I am
4 going to be the contractor of record to do the
5 addition to the Harris residence.
6 I first want to say that the elevation
7 that's being shown, that shows the second-story
8 version making the parapet virtually disappear,
9 is not correct in the way that it's being
10 depicted here. You're looking at a
11 two-dimensional drawing as if you were standing
12 12 feet in the air looking straight at the
13 building.
14 You'll be able to see, with some visual
15 aids that we have brought with us, that that is
16 really not a correct interpretation of the new
17 addition. The architectural team that did the
18 architecture is here to make a presentation
19 also. The --
20 THE CHAIRMAN: Excuse me. So you've read
21 the staff report? I just forgot to ask you.
22 MR. RINZLER: I have, yes.
23 THE CHAIRMAN: Okay.
24 MR. RINZLER: I have it in my hand as a
25 matter of fact, and I'm going to make some
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1 reference to that if that's okay.
2 THE CHAIRMAN: Absolutely. Please
3 continue.
4 MR. RINZLER: Some of the staff report
5 information that's written is not exactly
6 correct. Some of the square footages are not
7 exactly as they are. They've taken some
8 liberty with adding a garage to the addition
9 and adding the square footage up and then
10 leaving the garage out of the existing square
11 footage, but that's not really that important.
12 The staff report suggests that we're going
13 to use just standard CMU block for the
14 addition, which is not the case. CMU is a
15 construction term that we're using on the
16 plans. The new addition will be constructed of
17 the exact materials, like-kind materials that
18 the existing structure is made out of. You
19 cannot buy coquina like it's built out of now,
20 but it will be similar to the addition that was
21 made to the residence 15 years ago in terms of
22 the -- there's some columns that were built
23 along the Challen Avenue and Riverside to build
24 a fence, and those simulate the existing
25 building very well. And that's what we plan to
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1 use.
2 It states that the entire facade of the
3 addition is visible from that corner where
4 the -- of Challen and Riverside. And again,
5 with the visual aids which we'll show you in
6 just a few minutes, you'll see that very little
7 of it is visible from that corner at all. The
8 owner has taken great care of the house as
9 she's owned it, has spent a lot of time, effort
10 and money to restore the house over the years,
11 and the addition -- the proposed addition will
12 have the same thought and the same character as
13 the existing structure.
14 I think we have a great presentation here,
15 and I would like for you guys to see all that.
16 Any questions for me?
17 THE CHAIRMAN: Any questions?
18 COMMISSIONER LOPERA: Not yet.
19 MR. RINZLER: Okay. Thank you.
20 MS. BLAKE: Right on time.
21 AUDIENCE MEMBER: Is this the appropriate
22 time to pass out some graphics to each of you?
23 MS. MULLINS: Gloria.
24 AUDIENCE MEMBER: And is there a way that
25 I can plug something in and show a little
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1 presentation for you guys? Is that possible?
2 MS. MULLINS: It is possible, but you
3 should have done this ahead of time.
4 AUDIENCE MEMBER: We're from Winter Park,
5 so...
6 AUDIENCE MEMBER: Thank you for bearing
7 with us for just a second.
8 MS. BLAKE: Sir?
9 AUDIENCE MEMBER: Yes?
10 MS. BLAKE: If you'll give me your name.
11 AUDIENCE MEMBER: Yes. David Stone.
12 MS. BLAKE: Wait a minute. I just want to
13 get your cards ready.
14 MR. STONE: Okay. Yes. David Stone, Phil
15 Kean Design Group, and this is Phil Kean behind
16 me.
17 MS. BLAKE: All right. I just want to
18 keep this thing in order.
19 MR. STONE: Thank you very much.
20 MS. BLAKE: All right. Blair, let me know
21 when you're ready. You know, technology does
22 not like to support us sometimes. So if you
23 guys will be patient with us, we'd appreciate
24 that.
25 MR. STONE: Definitely.
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1 MS. FETNER: Through the Chair, I put a
2 copy of what was submitted to the Commission
3 right here by Lisa's desk in case anyone in the
4 public wanted to see it.
5 MR. STONE: Yeah, it's what we're going to
6 bring up. We just wanted to give everybody the
7 opportunity.
8 THE CHAIRMAN: Thank you.
9 MS. BLAKE: Sir, in the essence of time,
10 if you can state your name and address, we can
11 take care of a few housekeeping rules here.
12 MR. STONE: Yes. So my name is David
13 Stone. I work at 912 West Fairbanks Avenue,
14 Winter Park, Florida, and I am part of Phil
15 Kean Design Group.
16 MS. BLAKE: If you'll raise your right
17 hand, please.
18 MR. STONE: (Complies.)
19 MS. BLAKE: Do you affirm that the
20 testimony you're about to give is the truth,
21 the whole truth, and nothing but the truth?
22 MR. STONE: Yes, ma'am.
23 MS. BLAKE: Okay.
24 MR. STONE: So I'll go ahead and just get
25 started a little bit for you guys while she
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1 pulls that up, hopefully.
2 No?
3 MS. MULLINS: Yeah, I mean, there's not
4 enough space on any of our drives.
5 MR. STONE: Okay. Yeah. Let me just open
6 it up over here. Hold on.
7 So that's fine. I'll do it here. And
8 I'll just show you guys from here, if you don't
9 mind me getting fairly close.
10 COMMISSIONER DAVIS: That's fine.
11 MS. BLAKE: There's just a lot of wires up
12 there, and we would not want you to --
13 MS. MULLINS: Maybe we can just kind of
14 take a break for five minutes.
15 THE CHAIRMAN: Okay.
16 MS. MULLINS: I mean, let me just --
17 because I'm going to have to -- we're
18 controlling that computer by this computer, so
19 I'll have to put it on that computer.
20 THE CHAIRMAN: Okay. It's 3:55. Can we
21 meet at 4:00 o'clock? Okay.
22 (Brief recess.)
23 THE CHAIRMAN: We're ready to resume the
24 meeting.
25 MR. STONE: So, again, my name is David
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1 Stone, and I'm one of the architects on the
2 project working with Phil Kean Design Group.
3 So what I have showing here is -- I just want
4 to walk you through a couple of existing images
5 of the house alongside the renderings that
6 you're seeing. Yeah, I can talk a little bit
7 louder.
8 THE CHAIRMAN: Or just even slow down a
9 tad, maybe.
10 MR. STONE: Can do.
11 THE CHAIRMAN: Thank you.
12 MR. STONE: So this is the existing front
13 corner of the house. As we click through
14 these, you'll see an existing photo and then a
15 rendering. As you can see, that elevation that
16 you were looking at in two dimensions doesn't
17 really depict what we're going to see in three
18 dimensions.
19 Because the reality is that addition, this
20 addition we're making, is 30 feet back from
21 that parapet. So that parapet wall's still
22 going to stay intact. As I click through here,
23 there's the very front. There's that existing
24 parapet wall. That's what that's going to look
25 like with the addition behind it. So you can
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1 see, zero change there.
2 The corner, this is one of the most -- the
3 points of contention and one of the prominent
4 points in the community, obviously. So that's
5 the existing. Here is the new. The only piece
6 that's actually altering is you can see a
7 little piece of the roof peeking up right
8 there. That's all that you're going to see
9 from that corner.
10 Continuing around, we're keeping in the
11 same tradition of the existing home, continuing
12 to keep the same materiality, the same exist --
13 the same style that's currently there.
14 This is the existing garage. You can see
15 the lush landscape around it. That lush
16 landscape will remain, so most of this will
17 actually disappear a little bit as well. But
18 you will see a little bit of that addition
19 above it. Continuing down around the corner,
20 this is that addition that we're talking about.
21 This is the other corner along the front.
22 And that -- obviously, if you were to remove
23 all of the trees, that's what it would look
24 like, but also there's no -- this is not
25 exactly what you would see given the fact that
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1 that building is actually closer to it. That
2 three-story structure to the left there is
3 actually closer. So it -- I mean, you can see
4 from that that you're not really going to see
5 that.
6 So to sort of close my piece and give it
7 back over to Phil, I just want to give you guys
8 an idea of sort of what it looks like. There's
9 a quick little fly-around video that will show
10 you what it looks like as you walk around this
11 property at person-height so that you can see
12 that it's not going to overbear the existing
13 structure. And that's all I have to say.
14 Any questions? And I'll leave this on
15 loop for you guys.
16 THE CHAIRMAN: Okay. Does anyone have any
17 questions before we open up the public hearing?
18 MS. FETNER: This is the public hearing.
19 MR. STONE: Yeah, Phil Kean with Phil Kean
20 Design Group is here as well to speak.
21 (Audience member approaches the podium.)
22 MS. BLAKE: Sir, if you'll kindly state
23 your name and address for the record.
24 AUDIENCE MEMBER: Phil Kean, 912 West
25 Fairbanks Avenue, Winter Park, Florida.
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1 MS. BLAKE: If you'll raise your right
2 hand, please.
3 MR. KEAN: (Complies.)
4 MS. BLAKE: Do you affirm that the
5 testimony you're about to give is the truth,
6 the whole truth, and nothing but the truth?
7 MR. KEAN: Yes, I do.
8 MS. BLAKE: Thank you.
9 MR. KEAN: Thank you for letting us show
10 you our graphics.
11 I am an architect. I also sit on a
12 historic review board in Winter Park, Florida,
13 and have lived in multiple historic homes, so
14 when Ginger contacted me to work on this
15 project, we really were very conscious of the
16 site and how to minimize its impact from the
17 street.
18 So the -- and she has a house that doesn't
19 have a master bedroom. She can't even put a
20 king-sized bed in any room. And we sort of
21 came up with this area of the yard that was
22 sort of as far removed from the corner as
23 possible to do a bedroom addition for her and
24 actually have some good space for her to use.
25 So that was one of the criteria.
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1 Also, being that she loved this old house,
2 we wanted to make sure that the architecture
3 was consistent with the original structure, so
4 the garage addition and all the additions use
5 the same language that the original house had.
6 So the idea was that it was a series of -- so
7 you had the original towers, so the addition
8 was another little tower that you could -- but
9 it was back in the back, and so that was the
10 idea of the concept.
11 And then we created it around the
12 courtyard, and so it's only attached at about
13 20 feet. The whole addition has about a
14 20-foot attachment. And it's as minimally
15 invasive as possible to the existing structure,
16 so really nothing's been removed. It's just
17 where it attaches.
18 And we're actually using an existing
19 window structure to move from one space to the
20 other. So it was -- it's also, structurally --
21 and the integrity of the original home has been
22 minimized as far as its invasiveness of that
23 structure. We really made the ceiling heights
24 very low so that that structure was as low as
25 it could possibly sit on that site and still
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1 have a hip roof that was in character with the
2 original house.
3 COMMISSIONER DAVIS: What are the ceiling
4 heights?
5 MR. KEAN: They're like 8-8 on the first
6 floor. Actually, the second floor is like 8-8,
7 and the first floor sort of matches the
8 original house, which I think might be 9 feet.
9 But it's really to make it feel like it's part
10 of the original structure, so the doors and
11 windows match; the materials on the exterior
12 match; the parapet of the original garage is
13 the same inspiration, proportion of doors and
14 windows match. So it's really thoughtfully
15 executed. I know that Ginger really likes it,
16 and I do too.
17 So thank you. I've got one second.
18 MS. BLAKE: All right. Madam Chairman, I
19 have three other speaker cards for this item.
20 THE CHAIRMAN: Okay. So the next person
21 that would like to speak on this item, could
22 you come forward?
23 MS. FETNER: Gloria, could you call out
24 who's speaking in the order that you have it
25 there, please?
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1 Thank you.
2 MS. BLAKE: Yes, ma'am. John -- I can't
3 get the last name.
4 AUDIENCE MEMBER: Gallagher.
5 MS. BLAKE: Okay. There you go.
6 AUDIENCE MEMBER: Sorry for my writing.
7 MS. BLAKE: That's quite all right. If
8 you would step to the microphone, please state
9 your name and address for the record.
10 (Audience member approaches the podium.)
11 AUDIENCE MEMBER: John Gallagher, 3418
12 Riverside Avenue, Jacksonville, Florida.
13 MS. BLAKE: Do you affirm -- raise your --
14 MR. GALLAGHER: (Complies.)
15 MS. BLAKE: -- that the testimony you're
16 about to give is the truth, the whole truth,
17 and nothing but the truth?
18 MR. GALLAGHER: I do.
19 MS. BLAKE: Thank you.
20 MR. GALLAGHER: Okay. Thank you for
21 allowing me to speak.
22 I wish I had more than three minutes
23 because I think this warrants a lot more than
24 three minutes, but I understand your
25 procedures. I'm the neighbor that lives right
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1 next door to this, that would be most impacted
2 by this project.
3 The other neighbor that's directly within
4 the sight line across the street, who is
5 secondarily impacted, is an elderly gentleman
6 who's lived in the house on Riverside where it
7 meets with Oak for many years. He's currently
8 suffering from vertigo and cannot be here.
9 I spoke with him yesterday, and he
10 authorized me to enter his objections to this
11 project on his behalf. His name is Jeff
12 Freidenberg, and he lives at 3405 Riverside
13 Avenue, but I think he also has an Oak Street
14 address. I couldn't really discern whether he
15 lives on Oak or Riverside, but he lives right
16 where it bisects.
17 This is a 1909 house. It's the oldest
18 house in Avondale. It's a landmark structure.
19 The applicant is asking to nearly double the
20 size of this house. I moved here from New
21 Orleans, and I lived in a historic district
22 there where I renovated an 1830 house. I lived
23 there for 35 years.
24 An application like this -- I know the
25 preservation standards of every city are
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1 different, but an application like this would
2 not even be submitted. It would be so absurd
3 that it would be laughable. Now, I know the
4 standards are different in Jacksonville, but I
5 just find the application outrageous, that this
6 could be allowed to be done to a historic
7 landmark structure.
8 It also sets -- I'm an attorney, and it
9 also sets a bad legal precedent. If an
10 applicant is allowed to double the size of a
11 landmark structure just because they want to
12 live in a large house, what's to stop me from
13 saying, "Well, I don't like the square footage
14 of my house. I want to add on to it and double
15 the size"?"
16 Every person in Riverside and Avondale
17 would then be free to apply to the courts and
18 say, "Well, you allowed this to happen to a
19 landmark structure, so the scrutiny should be
20 lower for designated structures that aren't
21 landmark structures -- or lesser designated
22 structures."
23 The application -- although there's some
24 talk about what the actual square footage is,
25 it's apparently about going from 2500 square
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1 foot to 4903, so that's basically putting
2 another house right on top of the house that's
3 there. The other thing is I bought the house
4 two years ago largely because it's beautiful
5 and, secondarily, because it has back yard
6 total privacy.
7 We can go in the back yard, play with our
8 dogs, our pets, and nobody can peer in and look
9 in. When this happens, if this is allowed to
10 happen, I'm going to have neighbors peering in,
11 although I like my next-door neighbors, and the
12 privacy will be destroyed. There's not enough
13 setback on the property line. There's not the
14 required 10 feet. I think there's 1 or 2 feet
15 between my property line and the applicant, so
16 I won't even be able to plant trees to block
17 this out or to shield myself from --
18 (Timer notification.)
19 MR. GALLAGHER: Oh, okay. I knew that was
20 going to happen.
21 THE CHAIRMAN: You can finish your
22 statement.
23 MR. GALLAGHER: Okay. This application
24 was never discussed with me. I learned about
25 it by walking my dog the other night, seeing
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1 the sign. It also wasn't discussed with
2 Mr. Freidenberg. So I'm kind of caught of
3 guard. I haven't had a chance to review the
4 plans. But I just think from a precedent
5 standpoint, if this is approved, then it will
6 render this board toothless. People will just
7 go to court and say, "Well, you allowed this to
8 happen to a landmark, so we want to do it."
9 And the courts will say, "Yeah, go ahead."
10 I think that's what we're faced with here
11 if this is approved or any variation of this is
12 approved.
13 So thank you.
14 THE CHAIRMAN: Thank you.
15 MS. BLAKE: Ginger Harris?
16 (Audience member approaches the podium.)
17 MS. BLAKE: If you'll please state your
18 name and address for the record.
19 AUDIENCE MEMBER: Ginger Harris, 1776
20 Challen Avenue.
21 MS. BLAKE: Raise your right hand, please.
22 MS. HARRIS: (Complies.)
23 MS. BLAKE: Do you affirm that the
24 testimony you're about to give is the truth,
25 the whole truth, and nothing but the truth?
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1 MS. HARRIS: Yes.
2 MS. BLAKE: Thank you.
3 MS. HARRIS: Thank you.
4 I'm the owner of 1776 Challen, the
5 beautiful house, the landmark, and it wasn't
6 always so beautiful. So when I bought the
7 house 20 years ago, it wasn't beautiful at all.
8 The roof was caved in. There was radiators,
9 plumbing coming through the ceiling, nothing
10 like that, so part of the beauty is what I have
11 done to it. I can't take away that it's a
12 landmark for the city, and I'm proud of that.
13 I would do nothing to compromise the integrity
14 of my home at all.
15 So I've gone to great lengths to hire an
16 architect firm that's very familiar with the
17 historical and bringing me the materials that I
18 need and working with. When we considered the
19 addition, we did consider our neighbors. We
20 considered the lot size and what we need as
21 homeowners, that we deserved to have our space
22 that we want because we do pay our taxes and we
23 do own our home.
24 And in that, we were not compromising what
25 brought to the historical guidelines. So in
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1 that, a lot of the report is not 100 percent
2 accurate, and I think that's why we're here
3 today, to try to say what we're actually doing
4 and what it shows.
5 When we talk about the elevations and that
6 it's going to take away from the facade, I
7 would not want to take away from the facade. I
8 wouldn't want to take it away even on the
9 garage. And from that, I went up on the roof
10 Sunday, and the chimney is 6-foot tall, that
11 sits in the center of our house.
12 So when you're -- the first thing when
13 you're sitting in the front, wherever that
14 elevation is, you don't even see that chimney.
15 So the only time you even catch part of the
16 elevation is on that corner of Riverside and
17 Oak. And in that, there's -- it's going to be
18 30 inches higher than the chimney. So my
19 neighbor's home, which is condos next door, is
20 3 feet -- I mean, it's probably 30 feet higher.
21 It's a three-story building.
22 And then I have two neighbors. I have a
23 neighbor behind me that has a garage that will
24 still be an apartment -- will be taller than my
25 addition, so it's not even the taller addition.
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1 And then I have this neighbor's house that is
2 to the side of us. And where I do respect
3 people's privacy, there's no way anybody can
4 plant fencing in between us or anything else,
5 nor has anyone tried. So the addition comes to
6 the back of the house, and his part is at my
7 garage.
8 But in saying that, we -- again, if you
9 look at the pictures and you take the
10 elevation, we are not massive, as it was put,
11 on the addition. I guess I'll leave that for
12 now and let the next person speak, and then I'm
13 sure you-all will have some questions.
14 Thanks.
15 THE CHAIRMAN: Thank you.
16 COMMISSIONER STANSEL: Thank you.
17 MS. BLAKE: Rick Beaver?
18 (Audience member approaches the podium.)
19 MR. BEAVER: Good afternoon. Rick Beaver,
20 3338 Riverside Avenue.
21 MS. BLAKE: Do you affirm that the
22 testimony you're about to give is the truth,
23 the whole truth, and nothing but the truth?
24 MR. BEAVER: I do.
25 MS. BLAKE: Thank you.
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1 MR. BEAVER: I am also a neighbor that
2 lives directly across the street on the corner
3 of Riverside and Challen, and my wife and I
4 have probably more of a visual look at this
5 house because that's what I look at. When I'm
6 in the kitchen, I'm looking straight across. I
7 see the entire face of 1776 Challen. It's a
8 great home.
9 I think Ginger said it best, is that when
10 she bought the home, it was in total disrepair.
11 The integrity that the house has today is
12 because she recreated it, and I really respect
13 her for that. I have had the opportunity to
14 review the plans. Because I knew that this was
15 happening, my wife and I wanted to know what
16 was going to go across the street from us.
17 Because, again, like you say, we look at it.
18 We see more of that house than Ginger does.
19 So I was able to look at the plans, and I
20 think there is a little misrepresentation on
21 the site plans, because when you do -- when I
22 saw that site plan, I was like, "Wow, that's
23 not the visual that you will see if you're
24 standing on the street."
25 So I'm here to speak in favor of the
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1 project. I think that Ginger will create a
2 home for her to give her the square footage
3 that she deserves. I've been in the house.
4 The rooms are small. You know, the rooms were
5 much smaller back then than they are today, but
6 she also deserves to have a modern type of
7 house. But she's going to create that modern
8 home with the exterior structure of the look
9 that the house has today and continue to
10 protect the integrity of that house.

11 And the visual that was -- that I just saw
12 these in the last -- I saw site plans, but I
13 saw this visual today. If you're standing in
14 my yard looking at her house, you will see a
15 very small portion of the roof of the new
16 addition. And I do believe that that should be
17 taken into consideration because the historic
18 district and RAP does protect our neighborhood,
19 but when someone works painstakingly to create
20 a look that you're looking at right now, I
21 think they deserve the opportunity to live in a
22 home that they want to live in, especially when
23 they basically have very little impact from an
24 eye standpoint on the neighborhood.

25 Thank you very much.

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1 the yard space, so we're not at all opposed to
2 an addition on the structure. Preservation is
3 a balance between new and old. We get that.

4 This is a really significant structure in
5 the district. You know, being so old, it is --
6 predates development of Avondale, and the
7 construction history of the building's actually
8 really unique. We're lucky to have so much
9 history about this property. So because of
10 that, because it's also a local landmark and
11 it's on a corner lot, the design is
12 particularly important as far as an addition
13 goes.

14 A couple main concerns that I had about it
15 and relayed them to the homeowner is about the
16 height. I mean, if you're looking at this from
17 a purely Secretary of Interior standards
18 perspective, height and massing of an addition
19 is really critical. So it just really does not
20 comply with the standards to have a taller
21 building and add a significant amount of square
22 footage. So those are my main concerns about
23 it. I do think that, as far as having an
24 addition goes, the courtyard option is really
25 good because you're not impacting the majority

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1 THE CHAIRMAN: Okay. Thank you-all,
2 speakers.

3 MS. FETNER: There's --

4 THE CHAIRMAN: Is there another one?

5 MS. BLAKE: Okay. Come on down.

6 (Ms. Burke approaches the podium.)

7 MS. BLAKE: And, Adrienne, you've already
8 been sworn in, so you can go ahead and proceed
9 with your testimony.

10 MS. BURKE: Okay.

11 MS. BLAKE: Just give your name and
12 address.

13 MS. BURKE: Sure. Adrienne Burke, 2623
14 Herschel Street with RAP.

15 I had a chance to speak with the applicant
16 earlier today and got a lot more information on
17 the project, so that was really helpful, and
18 got a background of what she has done to
19 improve the property, and so very grateful at
20 RAP for our historic homeowners who take care
21 of their properties and really make sure that
22 they stick around for the future.

23 So definitely not opposed to an addition
24 on this structure. An addition is a by-right
25 option that a property owner has, and she has

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1 of the rear of the structure.

2 I did have a question about the garage.

3 It sounds like it is historic, although not
4 quite sure on the construction date. It sounds
5 like it has to be reconstructed anyways, so not
6 as concerned about that. Did offer the
7 suggestion of maybe a way to break the massing
8 was you could move the garage and keep it
9 detached, but I don't know if that works with
10 their project.

11 A couple other comments I had were on the
12 left elevation, adjacent to the condominium
13 building, possibly bumping in that wall plane
14 where they're connecting the addition so that
15 it's not using that same wall plane that
16 clearly delineates where the addition is going,
17 adding windows to the rear elevation to reduce
18 the size of that blank wall, and the owner
19 indicated she was open to those suggestions.
20 So, overall, support an addition, just a couple
21 concerns about this one in particular and some
22 possible changes.

23 Thank you.

24 THE CHAIRMAN: Thank you.

25 So are we ready to entertain a motion?

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1 MS. FETNER: Are there any other speakers
2 who would like to speak on this matter in the
3 audience?
4 AUDIENCE MEMBERS: (No response.)
5 MS. FETNER: And also the applicant has a
6 chance to respond to any of the speakers in
7 opposition. So if the applicant would like to
8 speak on that, because this is a quasi-judicial
9 hearing, she has --
10 MS. HARRIS: Can he go?
11 MS. FETNER: Yes.
12 MS. HARRIS: Okay.
13 AUDIENCE MEMBER: I would like to just say
14 one quick thing about the opposition that
15 Mr. Gallagher has relative to the privacy in
16 his yard. We purposefully did not put windows
17 facing that yard. That was one of the main
18 reasons.
19 So there's -- it's not interrupting the
20 privacy. It's not really taking away from the
21 privacy of his back yard. He has a garage that
22 is pretty much right against the property line
23 on the side that's in question, and we are
24 going to back our garage up to -- really, where
25 the current garage is now is where the new
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1 garage is going to be, but it will be pushed
2 forward toward Riverside Avenue to be in plane
3 with the front of the existing house now, and
4 part of the addition is going to be on top of
5 that. But just in reference to the -- to
6 losing the privacy part of it, I beg to differ
7 there.
8 And then with regard -- there's been a lot
9 of talk about the doubling of the size of the
10 house. It's not doubling the size of the
11 usable square footage of the house. It is by
12 no means a large addition. The current house
13 is about 2300 square feet of living space as
14 we've surveyed it, and the 4900 square feet
15 that people are referring to is the new -- is
16 the existing house, the new addition, and the
17 new garage all bundled together.
18 So I can't regurgitate the exact square
19 footage numbers right now, and I don't want to
20 minimize the fact that it is a sizable
21 addition. But, again, we've done a lot of
22 thinking about how to make it least impactful
23 as possible.
24 COMMISSIONER DAVIS: What ballpark was the
25 heating and cooling --
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1 AUDIENCE MEMBER: Today?
2 COMMISSIONER DAVIS: Of the proposed
3 structure.
4 AUDIENCE MEMBER: The proposed heated?
5 What's the proposed square footage heated? The
6 addition is about 1900 square feet.
7 COMMISSIONER DAVIS: Okay. Thanks.
8 AUDIENCE MEMBER: Thank you.
9 MR. GALLAGHER: May I respond?
10 MS. BLAKE: Huh-uh.
11 THE CHAIRMAN: Can we have more
12 discussion? There's another --
13 MR. GALLAGHER: Just 30 seconds.
14 MS. FETNER: I'm sorry. There's
15 no rebuttal -- we have to keep it formal,
16 quasi-judicial. So if one of the commission
17 members has a question for you, they can call
18 you up.
19 If there's no other speakers, you can
20 close the public hearing, entertain a motion,
21 and then begin your discussion.
22 COMMISSIONER CASE: Through the Chair, I
23 have a question for the applicant, but it's
24 probably best answered by one of the
25 architects.
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1 THE CHAIRMAN: Okay.
2 COMMISSIONER CASE: I'm looking at the
3 proposed first-floor plan. And the elevations
4 and the photographs would infer that the
5 finished floor of the house is -- looks like it
6 could be 30 inches or more above grade. Would
7 that be correct?
8 MR. KEAN: It's -- the finished floor is
9 the same as the existing, so there's no steps.
10 COMMISSIONER CASE: Yes, but the existing
11 is how far above the current grade?
12 MR. KEAN: About 30 inches.
13 COMMISSIONER CASE: That's what I was
14 guessing.
15 MR. KEAN: Yeah.
16 COMMISSIONER CASE: So on your floor plan,
17 we're not showing any steps to get you down to
18 grade.
19 MR. KEAN: We have -- if you look at
20 the -- if you look right here in the back,
21 there's a little -- there's steps that go from
22 the courtyard down to the grade there.
23 COMMISSIONER CASE: Okay.
24 MR. KEAN: And then in the front there's
25 steps that take you -- the existing house has
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1 steps. And then on the side of the family room
2 where the patio is, it's just a raised patio
3 without a step going down to the yard.
4 COMMISSIONER CASE: So you're filling the
5 courtyard up to almost finished floor height --
6 MR. KEAN: Yes.
7 COMMISSIONER CASE: -- is what you're
8 saying?
9 MR. KEAN: Yes, so that it's -- it will
10 have a tree in it and things like that.
11 COMMISSIONER CASE: I think you testified
12 before that you thought the ceiling in the
13 house was like 9-4.
14 MR. KEAN: Yeah. I can't see it.
15 COMMISSIONER CASE: And I know we're
16 looking at a very small thing, but it appears
17 to say 10 feet for the first floor.
18 MR. KEAN: It would be what the existing
19 is.
20 COMMISSIONER CASE: You're showing 10 feet
21 there, which is also 10 -- looks like 10-4 or
22 something. It's very small.
23 MR. KEAN: Yeah. Let me see.
24 COMMISSIONER CASE: And then you've got a
25 floor truss space which appears to be maybe
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1 16 inches, and then the second floor is
2 10 feet, not --
3 MR. KEAN: Yeah, I was wrong. Sorry about
4 that.
5 COMMISSIONER CASE: So I guess the point
6 I'm trying to make is essentially to the bottom
7 of the eave of the proposed addition, we're
8 looking at an elevation of somewhere in the
9 neighborhood of 22 feet or so, correct?
10 MR. KEAN: There's a dimension right here.
11 So it says total height from the ground is 28.
12 COMMISSIONER CASE: Yeah. 28 feet to the
13 eaves?
14 MR. KEAN: No. To the top, to the very
15 peak.
16 MS. BLAKE: Gentlemen, if you can speak
17 one at a time so the court reporter can do his
18 job.
19 Thank you.
20 COMMISSIONER CASE: So approximately what
21 is it to the bottom of the eave?
22 MR. KEAN: Eaves, let's see. 20 --
23 COMMISSIONER CASE: Bottom of the soffit
24 from grade.
25 MR. KEAN: Probably 22, 22ish.
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1 COMMISSIONER CASE: Yeah, that's what I
2 was guessing.
3 MR. KEAN: Roughly.
4 COMMISSIONER CASE: Okay. So it's hard to
5 tell from this survey, but how far is that rear
6 elevation off the property line?
7 MR. KEAN: It's in line with the existing
8 garage, so I believe that -- do we have a
9 survey on this? 2-feet-6.
10 COMMISSIONER CASE: Okay. And the depth
11 of the overhang is what?
12 MR. KEAN: It's the same as the existing,
13 I believe. Let's see if there's a -- if
14 there's not a dimension on there. I'm going to
15 assume it's not overhanging or else --
16 COMMISSIONER CASE: Well, that's my point.
17 MR. KEAN: Yeah.
18 COMMISSIONER CASE: Just looking at and
19 eyeballing the overhang on the house, it would
20 appear that the overhang is over the property
21 line on that south elevation. And we're
22 looking at a wall that's essentially 22-plus
23 feet high, 30 inches off the property line;
24 that's pretty impactful to anybody, whether
25 it's a direct neighbor or whatever. That's my
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1 real concern.
2 I don't have a problem with the square
3 footage. I'm having more of a problem with the
4 height of the mass in relationship to the
5 property line and the adjacent neighbors. And
6 I think part of that could be solved by either
7 stepping it back, giving a little bit more
8 setback on that side regardless of what the
9 existing garage is since it's being
10 reconstructed. I don't know if zoning will
11 allow you to put it back in the same position
12 anyway.
13 MR. KEAN: This is the -- do we have a
14 picture? Do you have a picture of that side?
15 I think we just took a picture of the wall
16 that's 2 feet from the other property line. I
17 think Ginger took it this afternoon just in
18 case this question came up.
19 COMMISSIONER CASE: I don't know what the
20 current setback is for that lot today. Once
21 that garage is being demolished, would they be
22 required or allowed to put it back on the same
23 spot, or would they have to conform to today's
24 setback?
25 COMMISSIONER DAVIS: Since it's detached,
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1 it would be treated as an accessory structure.
2 COMMISSIONER CASE: Well, it's detached
3 now. But once it's attached, it's part of the
4 main building, and it may not comply with the
5 setback standards.
6 MS. FETNER: Through the Chair, the
7 setbacks in the Historic Riverside Avondale
8 Overlay allow for -- you look at adjacent
9 structures for setbacks, and also they do give
10 some consideration to the existing structure
11 before. So they aren't held to the same
12 setbacks as the general code. It's within the
13 Overlay, and I believe this has been
14 investigated by the staff with the zoning
15 department.
16 MS. MULLINS: It's essentially -- what
17 they do is they kind of go over the average of
18 the house, the building to the right and across
19 the street. The building to the right has a
20 zero setback and then, you know, who knows
21 across the street; it could be 5, maybe 7. And
22 then they can be within 5 feet of that average,
23 so 2.6 would probably end up being okay in
24 terms of zoning. Again, the design regulations
25 do talk about setbacks and is it compatible, so
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1 you can address that with your decision.
2 COMMISSIONER CASE: Okay. Well, you see
3 what I'm getting at?
4 MR. KEAN: Yes, I do.
5 COMMISSIONER CASE: You've got a
6 22-foot-high wall 2-and-a-half feet from a
7 property line. That's pretty overwhelming.
8 And especially if the overhang is -- looks like
9 it could be as much as 4 feet, that would put
10 it over the property line.
11 MR. KEAN: I don't know if that garage had
12 that kind of overhang. I think that's the
13 overhang we were looking at. You're right. It
14 needs to be addressed.
15 COMMISSIONER CASE: It looks like it had a
16 parapet, the original garage.
17 MR. KEAN: Yeah, it did have a parapet.
18 COMMISSIONER CASE: Yeah.
19 MR. KEAN: And it will have a parapet, the
20 new garage. This is just a photograph of the
21 house or the building next to that -- this back
22 here is the side that would be adjacent to that
23 wall. And there's no windows on that side, so
24 it's a -- it's exactly the wall that you're
25 talking about. It's a 20-plus-foot wall that
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1 has no windows on it, that faces her back yard,
2 which is part of the reason that that was put
3 in that spot, so that it sort of created a --
4 it wasn't impacting the neighbor because
5 they're not looking into that and that wall
6 doesn't really look into their yard either.
7 But I totally understand that overhang.
8 COMMISSIONER CASE: Have we looked
9 at another -- you know, to reduce the mass and
10 reduce the height? Right now, it appears that
11 you've got a 10-foot flat ceiling on the second
12 floor?
13 MR. KEAN: Yeah.
14 COMMISSIONER CASE: Have we looked at
15 maybe dropping it to 8 and doing a vaulted
16 ceiling or something that has a pitched ceiling
17 to reduce?
18 MR. KEAN: Would you be open to that?
19 COMMISSIONER CASE: I'm just bringing it
20 up.
21 MR. KEAN: That would be a -- I mean, I --
22 COMMISSIONER CASE: You know, to bring it
23 down but use that space.
24 MR. KEAN: Yeah, get a little angle up in
25 there. She has beams in the rest of the house,
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1 so that would be in keeping with the
2 architecture of the original structure.
3 COMMISSIONER CASE: Yeah. But you can
4 still do that with a hip ceiling. You can
5 still retain all the beams. But that would be
6 a tool to reduce the apparent mass. Just a
7 suggestion.
8 MR. KEAN: No, I think that's a good one.
9 COMMISSIONER CASE: I am concerned about
10 the roof overhang as it relates to setback.
11 MR. KEAN: It could be that -- especially
12 on that side, we could do a parapet like we're
13 doing on the garage so that it doesn't -- it
14 just goes up, and the roof dives into that so
15 that there's no overhang at all on that side.
16 That could be easily accomplished without
17 compromising the aesthetic of the architecture.
18 COMMISSIONER CASE: Those are all the
19 questions I had.
20 THE CHAIRMAN: Do we need a motion? Okay.
21 MR. KEAN: Thank you.
22 COMMISSIONER CASE: Thank you.
23 THE CHAIRMAN: So I think we need a motion
24 just to begin our discussion. Do I have a
25 motion to accept the application with staff
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1 conditions?
2 COMMISSIONER DAVIS: I think we've --
3 MS. FETNER: There are no staff
4 conditions. Currently, the staff
5 recommendation is to deny.
6 THE CHAIRMAN: Oh, okay. So do we have a
7 motion to --
8 COMMISSIONER DAVIS: Just for the purposes
9 of discussion, I'll make a motion to deny.
10 COMMISSIONER DEMETREE: Second.
11 THE CHAIRMAN: Okay. So...
12 COMMISSIONER DEMETREE: We can discuss.
13 THE CHAIRMAN: Discussions on this item.
14 COMMISSIONER DAVIS: I mean, you know, it
15 looks like it's -- it looks like the design is
16 really well done and it keeps in character with
17 the house. Like, I don't think we could -- I
18 don't think we could ask for a better design,
19 you know, if we're trying to accomplish this
20 square footage and, like, the whole courtyard.
21 I mean, everything is fantastic.
22 But I would agree with David and Adrienne.
23 I just -- I think it's overshooting it on the
24 size of the addition. It's just -- it's a big
25 change to a landmark structure. I mean, I
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1 would love to see it pass and happen, but I
2 think it -- I think it takes going back to the
3 drawing board.
4 THE CHAIRMAN: Okay.
5 COMMISSIONER CASE: I mean, personally, I
6 would like to -- I would kind of hope that they
7 would maybe request a deferral and maybe look
8 at some options to slightly reduce the overall
9 mass of the house and double-check the
10 overhangs and whatnot as it relates to setback.
11 And it would be nice if the addition was no
12 higher than the highest part of the existing
13 residence, which would be the tower, and that
14 appears like it would be dropping it down maybe
15 2 feet. That would be my hope.
16 COMMISSIONER LOPERA: Yeah. Through the
17 Chair, thank you, Mr. Kean and Mr. Stone, for
18 providing the plans for us.
19 And, yeah, I disagree with Ryan. I don't
20 think it has to be completely scrapped. But I
21 do agree with David that I think that the
22 overall height is very important. Even though
23 you cannot see it from the street, as soon as
24 we approve allowing someone to do it, to build
25 something higher than anything else that's
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1 already existing, it's going to set a
2 precedent.
3 And this commission has approved large
4 additions to the back, to the rear of existing
5 structures, large two-story additions to the
6 back of existing two-story buildings, so I
7 don't have an issue with that as much as I do
8 with the two-story addition being higher than
9 everything else. Because even though you can't
10 see it from the street, the people next door in
11 a three-story structure or a two-story
12 structure near it, they will be able to see
13 completely across. They will be able to see
14 that the new addition is higher than the
15 existing -- than the highest ridge on the
16 existing structure.
17 And I think there are some things that you
18 can do for that. You can -- like David said,
19 you can either use a cathedral ceiling or you
20 can vault ceiling, and you can drop another
21 12 inches if you need to just to add a few more
22 bearing walls there. So there's multiple
23 options to reduce the overall height. And then
24 that would go a long ways as far as, you know,
25 fixing some of these amassing issues.
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1 THE CHAIRMAN: Is there somebody --
2 MS. MULLINS: Did you need to speak?
3 MS. HARRIS: We would like to request a
4 deferral.
5 MS. BLAKE: Excuse me. Whoever's
6 speaking, you need to come to the microphone,
7 please and thank you.
8 MS. HARRIS: Yes, we would like to request
9 a deferral on this.
10 THE CHAIRMAN: Okay. So do we amend?
11 MS. FETNER: You're supposed to defer
12 motions. So if there's a motion on the table,
13 what I recommend is that you make a motion to
14 defer, have a second, and then vote on that.
15 COMMISSIONER CASE: I guess I move that we
16 accept the applicant's deferral, request for
17 deferral.
18 COMMISSIONER DEMETREE: I would second
19 that.
20 THE CHAIRMAN: Okay. We have a motion and
21 a second to accept the deferral of this
22 applicant.
23 MS. FETNER: And discussion -- you need to
24 open it up for discussion.
25 THE CHAIRMAN: Okay. We need to open it
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1 up for discussion.
2 MR. KEAN: Can I --
3 THE CHAIRMAN: Sure.
4 MR. KEAN: Okay. All the --
5 MS. FETNER: I'm sorry, sir. They have to
6 vote on this deferral, please.
7 COMMISSIONER LOPERA: We're voting on the
8 deferral, and then we can discuss?
9 COMMISSIONER CASE: Right, correct.
10 MS. FETNER: So you can discuss right now
11 and then vote.
12 COMMISSIONER LOPERA: Are you-all okay
13 with -- through the Chair, are you-all okay
14 with giving them some direction at least?
15 Because I do agree with David.
16 COMMISSIONER CASE: I think we kind of
17 did.
18 COMMISSIONER LOPERA: Okay.
19 THE CHAIRMAN: And I had another question
20 about the windows. If the wall is being -- if
21 they are going to alter their current design, I
22 wondered if you-all at the staff level would
23 have an opinion about inputting windows.
24 MS. MULLINS: Where?
25 THE CHAIRMAN: Where there are none now.
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1 MS. MULLINS: We can review the design,
2 you know, and give you comments on the
3 new design once it gets -- if they redesign it.
4 It's kind of a moot point right now.
5 THE CHAIRMAN: Okay.
6 MS. MULLINS: For sure, we can definitely
7 give you comments on window placement.
8 THE CHAIRMAN: All right. Thank you.
9 So is there any more discussion or
10 questions?
11 COMMISSION MEMBERS: (No response.)
12 THE CHAIRMAN: So we would like to vote on
13 the motion to accept the deferral of this
14 application COA-17-797. All those in favor?
15 COMMISSION MEMBERS: Aye.
16 THE CHAIRMAN: And those opposed?
17 COMMISSION MEMBERS: (No response.)
18 THE CHAIRMAN: Okay. So deferred.
19 MR. KEAN: Thank you.
20 THE CHAIRMAN: Thank you.
21 And it is 4:41. Do we have time to -- I
22 think we do, since we took an early break.
23 So the next item on the addition -- on the
24 agenda is COA-17-798, 3944 Herschel Street.
25 Do we have a staff report?
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1 MS. MULLINS: We do. Hang on one second.
2 There should be an addendum, a little extra
3 piece that didn't quite make it into the book.
4 It's kind of an extra little packet for you.
5 Give me one second.
6 I do have a correction on the staff
7 report. Mr. McEachin, the planner, accidentally
8 put 3955 instead of 3944 for the address, so I
9 would like the record to show that that's the
10 wrong address on the report.
11 Okay. The request --
12 COMMISSIONER CASE: Excuse me. The
13 property was posted correctly, though?
14 MS. MULLINS: It was definitely posted
15 correctly. It was on the agenda correctly.
16 COMMISSIONER CASE: Okay.
17 MS. MULLINS: Just the report is
18 incorrect, so I apologize for that.
19 So this is the structure. It is on
20 Herschel Street. It's right next to a --
21 almost like a parking lot, a little -- as you
22 can see, these are the Google street views.
23 This is the front elevation. It does have a
24 6-foot fence in compliance. As you can see,
25 it's kind of a like a multi-family
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1 noncontributing 1970s-ish with a parking area
2 in front.
3 The right elevation of this house, you can
4 see, is pretty visible because of that parking
5 area. The request is to -- as you can see,
6 here's kind of more of a close-up. See where
7 the cars are parked? In that right area, they
8 would like to take these two historic windows
9 out and install sliding glass doors.
10 Typically, we're a lot more flexible on
11 that rear half. But because it's so visible
12 and if that fence was gone it would be
13 extremely visible, we did recommend that
14 instead of using the sliders, they use typical
15 French door-style doors instead of the more
16 modern sliders. The modern sliders are usually
17 reserved -- rarely on the rear because it is a
18 more modern treatment. French doors are pretty
19 typical for the district. And that's our goal,
20 is to kind of keep compatible with the historic
21 district.
22 In addition, they're also going to do a
23 deck, but we would approve that
24 administratively. We just kept it in this
25 application. And the applicant, for their
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1 reasons, would like to do the sliders instead
2 of the French doors, and that's why they're
3 here.
4 COMMISSIONER LOPERA: I have a question
5 for the staff.
6 MS. MULLINS: Yes, sir?
7 COMMISSIONER LOPERA: Did you just mention
8 it was built in '72?
9 MS. MULLINS: No. The house to the right,
10 the buildings to the right. Sorry. I was
11 talking about the noncontributing to the right.
12 COMMISSIONER LOPERA: Sorry.
13 THE CHAIRMAN: Okay. No more questions.
14 The applicant, would you like to come
15 forward?
16 (Audience member approaches the podium.)
17 MS. BLAKE: If you would please state your
18 name and address for the record.
19 AUDIENCE MEMBER: Steve Brogdon, 6919
20 Distribution Avenue South, Jacksonville.
21 MS. BLAKE: Would you raise your right
22 hand, please?
23 MR. BROGDON: (Complies.)
24 MS. BLAKE: Do you affirm that the
25 testimony you're about to give is the truth,
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1 the whole truth, and nothing but the truth?
2 MR. BROGDON: I will.
3 MS. BLAKE: Thank you.
4 MS. FETNER: Madam Chair, can you please
5 open the public hearing?
6 THE CHAIRMAN: Oh, yes.
7 MS. FETNER: Thank you.
8 THE CHAIRMAN: Let's open the public
9 hearing and hear what this applicant has to
10 say.
11 And I'd just like to ask: Have you read
12 the staff report?
13 MR. BROGDON: I have.
14 THE CHAIRMAN: Okay. Go ahead.
15 MR. BROGDON: Sorry we didn't have
16 rendered drawings like the last guys did, but
17 we're a lit bit on a budget here, which is
18 actually kind of why we want to go with the
19 sliding glass doors instead of the French
20 doors. So this right here, if you look at the
21 two windows, it's approximately 10 feet wide.
22 With French doors, you're looking at about
23 7 feet for, like, typical French doors.
24 So if you were to remove these two
25 windows, you're going to be doing a lot of
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1 patchwork on the outside and on the inside.
2 And with our custom-made glass doors from Eagle
3 View Windows, we actually can custom-make that
4 to put perfectly in between those two windows,
5 which would minimize the amount of work that we
6 have to do on the inside and the outside of the
7 house, which would minimize their contract with
8 us.
9 The reason we want to put it on the side
10 of the house is it's actually -- there was an
11 addition put at the rear of the house that
12 prevents, I guess, guests and everybody from
13 accessing the back yard without having to walk
14 through the master bedroom. So it kind of
15 helps with privacy, so that's why we kind of
16 wanted to stay on the rear of the house, and
17 this was the best option that we saw in getting
18 to the rear of the house -- or in the back
19 yard.
20 THE CHAIRMAN: Okay. Any questions for
21 the applicant?
22 COMMISSIONER CASE: Just a comment, and
23 I'll hold the comment.
24 THE CHAIRMAN: Okay.
25 MS. FETNER: Are there any other speakers?
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1 MS. BLAKE: Yes, ma'am.
2 (Audience member approaches the podium.)
3 MS. BLAKE: If you'll state your name and
4 address for the record.
5 AUDIENCE MEMBER: Sarah Neiheisel. My
6 address is 3944 Herschel Street, Jacksonville,
7 Florida 32205.
8 MS. BLAKE: Would you raise your right
9 hand, please?
10 MS. NEIHEISEL: (Complies.)
11 MS. BLAKE: Do you affirm that the
12 testimony you're about to give is the truth,
13 the whole truth, and nothing but the truth?
14 MS. NEIHEISEL: Yes, ma'am.
15 MS. BLAKE: Thank you.
16 MS. NEIHEISEL: Afternoon everyone.
17 My name is Sarah Neiheisel. I'm the
18 resident and homeowner. My husband and I are a
19 military family who moved to Jacksonville in
20 the last two years or so. We rented for almost
21 a year in the Riverside neighborhood and just
22 fell in love with the historic district. We
23 really do appreciate the historic character of
24 our house.
25 Our opposition to French doors was not
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1 initial. Originally, that was our idea. The
2 reason we're opposed to them at this point in
3 time is twofold, one being that it really kind
4 of blew up our budget. We originally
5 intended -- let's look at putting in French
6 doors because there's an addition in the back
7 of the house that really kind of throws off the
8 traditional layout.

9 Our guests, if they want to come through
10 to the back door or back yard, need to come
11 through the master bedroom, so it's kind of
12 awkward when you're having a barbecue and, to
13 get from the back yard to the kitchen, they are
14 parading through the master bedroom. So we
15 said, "Well, let's put in some French doors and
16 a patio that wraps to the back, which would
17 allow us to kind of restore that traditional
18 layout."

19 That was way outside what we could afford
20 as a couple in our early 20s trying to kind of
21 save for the future, so Mr. Brogdon was kind
22 enough to present us with some alternatives,
23 that being the sliding glass door. And what we
24 went with, rather than kind of a traditional
25 one-way sliding glass door, is sort of four

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1 panels where the center two will be opening in
2 kind of a double-door fashion, which helped us
3 out with the budget because we have to do less
4 patchwork. It fits between the existing
5 windows when they are removed.

6 Our second opposition to French doors is
7 that it really kind of throws off the spacing
8 in the kitchen. We have a laundry room door
9 that's very close inside these windows. That
10 right-hand window, just inside there's a
11 laundry room door that opens outwards, and then
12 a few feet past that you'll have the master
13 bedroom door that also opens outward into the
14 kitchen.

15 The issue we run into with French doors is
16 that if they open inwards, it makes it pretty
17 tough to fit a kitchen table in that space.
18 There's no formal dining room, so that's really
19 the only place for a kitchen table. If they
20 open outward -- we had to greatly reduce the
21 size of the deck in order to bring it within
22 our budget. So if they're opening outward, we
23 really kind of lose all of the space of the
24 deck.

25 So the reason we went with the

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1 sliding-door option is because we felt like it
2 preserved that double-door type of feel that
3 you would get with French doors, but it allows
4 us to afford it and use the space properly.

5 So thank you.

6 THE CHAIRMAN: Did anyone have a question?

7 MS. MULLINS: Just through the Chair, the
8 condition reads that the door design shall have
9 a traditional proportion which may involve
10 adjustments, such as sidelights and transoms,
11 to fill that space. We knew that that was one
12 of the issues, was filling that space, and we
13 conditioned that they can allow for the
14 transoms or sidelights if that was needed and
15 maybe a transom if they needed the header
16 height too, so just FYI.

17 THE CHAIRMAN: Thank you.

18 Okay. Is there anyone else to speak on
19 this item or any questions?

20 AUDIENCE MEMBERS: (No response.)

21 THE CHAIRMAN: Okay. Seeing no one, I'll
22 close the public hearing and entertain a
23 motion.

24 COMMISSIONER CASE: Madam Chairman, I move
25 that we approve COA-17-798 with staff's

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1 recommendations.

2 COMMISSIONER DEMETREE: Second.

3 THE CHAIRMAN: Okay. Having a motion and
4 a second, we'll entertain a discussion now.

5 COMMISSIONER DAVIS: Is it visible from
6 the street?

7 MS. MULLINS: Like I said, it's slightly
8 visible from the street. There is a fence that
9 does block it. As you can see from -- let me
10 try to get back to these kind of Google street
11 views. You can see -- here's the Google street
12 view. Those cars -- it's right above those
13 cars.

14 So if the fence was ever taken down --
15 which, you know, fences are always temporary.
16 That's what we always kind of assume when we
17 make our recommendations, that the fence is not
18 there or that that tree is not there, because
19 those do come down and they're not permanent.

20 COMMISSIONER LOPERA: Through the Chair,
21 are there any sliding glass doors on the
22 building already?

23 MS. MULLINS: Not that I know of. I mean,
24 that would be a question for the applicant.

25 MS. NEIHEISEL: There are currently no

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1 sliding glass doors.
2 COMMISSIONER LOPERA: Okay.
3 COMMISSIONER CASE: Well, my comment would
4 be in the same place as between the two windows
5 as they were talking about a sliding glass
6 door. My initial thought was, well, why
7 couldn't they do a pair of French doors in the
8 center and two fixed sidelights on either side
9 that would virtually do the exact same thing
10 that the sliders would do, and that way you
11 could also have raised muntins that would have
12 similar proportions to the existing in the
13 historic house.
14 COMMISSIONER DEMETREE: Through the Chair,
15 I think we're getting in my opinion a little
16 bit nit-picky on this. It's hardly visible
17 from the street. I'm perfectly okay with the
18 sliding glass doors, personally.
19 THE CHAIRMAN: Can I ask a question of the
20 staff? Are there any -- are there either any
21 limitations in terms of the standards of French
22 doors or are there suggestions of maybe more
23 cost-effective French door options? Like, I
24 know there's -- certainly, there's a scale, but
25 I wondered if you-all might be able to help
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1 provide them with, you know -- because is the
2 French door option --
3 MS. MULLINS: We typically don't get into
4 costs.
5 THE CHAIRMAN: Okay.
6 COMMISSIONER CASE: Have we determined
7 what this sliding glass door material would be,
8 since this is a historic house? Are we
9 conditioning that this be wood or fiberglass or
10 vinyl or aluminum or what?
11 COMMISSIONER DAVIS: They're requesting
12 vinyl.
13 MR. BROGDON: It will be vinyl.
14 COMMISSIONER CASE: We don't generally
15 approve vinyl windows in an existing historic
16 house, do we?
17 COMMISSIONER LOPERA: I have a question
18 through the Chair --
19 COMMISSIONER CASE: My question's for
20 staff.
21 MS. MULLINS: So your question's a little
22 different. So, typically, if they're replacing
23 a wood window with a window, it needs to go
24 back with in-kind. This would be a different
25 situation because they're taking out historic
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1 wood windows and putting in doors, so I think
2 we tend to be a little bit more flexible on the
3 door material, you know.
4 I think Lisa had a comment.
5 MS. SHEPPARD: Through the Chair, the
6 design regulations do allow for alternative
7 materials for doors, but usually that's in
8 conjunction with a traditionally-styled door.
9 So you're looking at a clad door design that
10 might very well be wood in a historic setting
11 or originally.
12 So this is -- part of the reason for our
13 recommendation was to get away from what's a
14 very contemporary design being introduced on a
15 historic structure. The other thing is that
16 usually on a slider -- and I don't think we
17 have actual (inaudible), so this might be a
18 question for the applicant.
19 The other thing you get with the French
20 door is you get that grid pattern that is also
21 very much in keeping with the windows of the
22 house versus just two single-light designs that
23 would be in a typical slider situation.
24 COMMISSIONER CASE: Question for the
25 builder. The sliding glass doors that you're
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1 requesting to use, it appears that there are
2 four panels, center opening. Are those
3 available with a simulated divided light?
4 MR. BROGDON: Yes.
5 COMMISSIONER CASE: Okay.
6 THE CHAIRMAN: Okay. So is there --
7 COMMISSIONER CASE: I think I would -- I
8 could probably be swayed to support a sliding
9 glass door provided it is the four-center
10 opening and provided, if and only if, it has
11 simulated divided lights inside and out.
12 COMMISSIONER DEMETREE: I would support
13 that.
14 COMMISSIONER DAVIS: I think that makes
15 sense.
16 MS. FETNER: We would need a motion to
17 amend.
18 COMMISSIONER CASE: I realize that, yeah.
19 THE CHAIRMAN: Okay. Any more questions
20 or conversation about this item before we -- so
21 do we need to vote on the current motion?
22 MS. FETNER: No. You need a motion to
23 amend if you would like to amend it.
24 COMMISSIONER CASE: Does any other
25 commissioners have any --
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1 THE CHAIRMAN: Well, I just have to say
2 that, if I may, that even though the current
3 fence is maybe not likely to last forever, with
4 an addition like this, with a deck and -- I
5 would highly doubt that they would just
6 completely remove the fence altogether, for
7 privacy and everything. So I'm considering
8 that too as a -- along with the divided light
9 option of the sliders.
10 Can we condition anything as --
11 COMMISSIONER CASE: Madam Chairman, I move
12 that we amend the original motion to allow a
13 sliding glass door, center opening, four
14 panels, with simulated divided lights.
15 COMMISSIONER DEMETREE: I'll second that.
16 THE CHAIRMAN: Okay. So we have a motion
17 to amend the application to allow for a
18 four-panel opening with simulated divided
19 light.
20 MS. FETNER: Through the Chair, are you
21 wanting to keep the second condition, "The door
22 design shall have traditional proportions which
23 may involve adjustments such as sidelights and
24 transoms," or would you like to remove that
25 addition as part of the amendment?
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1 COMMISSIONER CASE: Well, that's part of
2 the simulated divided light. But, yes, we
3 could keep proportions similar to the existing
4 windows.
5 MS. FETNER: So is it your intention to
6 change out Condition 1 so that it says, "have
7 a" -- "shall have a center opening with four
8 panels with simulated divided lights," and then
9 keep Condition Number 2 as is?
10 COMMISSIONER CASE: Correct.
11 MS. FETNER: Thank you.
12 COMMISSIONER CASE: That's correct.
13 MS. SHEPPARD: Through the Chair, just so
14 staff understands the motion, so this would be
15 on a sliding -- like, three of them would be
16 moving or four of them are --
17 COMMISSIONER CASE: No. You'd have four
18 panels. The two middle panels would open and
19 stack against the two side ones, and then the
20 reason for that is because you're going to see
21 the thickness of the styles that would
22 replicate what you would see in a French door.
23 MS. SHEPPARD: So the -- you're doubling
24 up on the framing basically?
25 COMMISSIONER CASE: Yes. It's going to
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1 look more like a traditional French door.
2 MS. SHEPPARD: Versus conditioning that
3 the framing include like a style -- something
4 that would be more in keeping with the style
5 that's --
6 COMMISSIONER CASE: Right. It's going to
7 automatically do that by that configuration.
8 THE CHAIRMAN: Do you-all have any
9 questions before we -- okay. So we have a
10 motion.
11 COMMISSIONER DEMETREE: I second.
12 THE CHAIRMAN: And a second. All those in
13 favor?
14 COMMISSION MEMBERS: Aye.
15 THE CHAIRMAN: All those opposed?
16 COMMISSION MEMBERS: (No response.)
17 THE CHAIRMAN: Okay. The motion -- the
18 amendment to the motion carries, and we have
19 approved COA --
20 MS. FETNER: I'm sorry. The motion that
21 you just passed was just the amendment, so now
22 you have to move it as amended, please.
23 THE CHAIRMAN: Okay. We just --
24 COMMISSIONER LOPERA: I'd like to make a
25 motion.
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1 MS. FETNER: I'm sorry. You don't have to
2 make a motion. All you have to do is vote on
3 it.
4 COMMISSIONER LOPERA: Oh, okay.
5 MS. FETNER: The motion's on the table.
6 Remember, you have the big motion and the
7 little motion. You just passed the little
8 motion; now you're passing the big motion.
9 THE CHAIRMAN: So we will vote. All those
10 in favor?
11 COMMISSION MEMBERS: Aye.
12 THE CHAIRMAN: And opposed?
13 COMMISSION MEMBERS: (No response.)
14 THE CHAIRMAN: All right. The motion
15 carries. So we will take a 10-minute break --
16 15-minute break until 5:15.
17 (Brief recess.)
18 THE CHAIRMAN: Okay. We are ready to
19 restart the meeting with the next item on the
20 agenda. It's going to be, if I haven't moved
21 my sheet again, COA-17-808, 3835 Riverside
22 Avenue.
23 First of all, do any commission members
24 have any ex parte communications on this item?
25 If so, declare it now, please.
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1 COMMISSION MEMBERS: (No response.)
2 THE CHAIRMAN: Hearing none, we will ask
3 for the staff report.

4 MS. SHEPPARD: Through the Chair, this
5 application is for a window replacement,
6 replacing eight windows on the structure. This
7 situation is a little unique in the respect
8 that early on in the COA process for Riverside
9 Avondale, or I guess in general back when I
10 first started with the City, the ordinance and
11 staff's interpretation of what we were able to
12 do at the staff level was different than what
13 it is today.

14 And this particular owner submitted an
15 application for a window replacement on this
16 structure -- sorry. Here's the structure that
17 we're talking about. They were approved for
18 select window replacement. Some of the windows
19 being replaced were not original, and then
20 there were a few that were. What was allowed
21 to go back was not absolutely matching what was
22 being replaced, which is very different than,
23 you know, how we approach things today. But
24 we've now kind of started a process on this
25 house for replacing a large amount of casement

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1 windows with sash-style windows that replicated
2 the number of divided light -- the pattern,
3 like the number of lights in the opening but
4 not the style of the window.

5 So that's an existing condition on this
6 structure, having had that approval at the
7 staff level. It did not come to the
8 Commission. It was something done by us. In
9 time since then, the Commission has looked at
10 the interpretation that staff had at that time
11 and clarified, and we review things much
12 differently today as far as window replacement.

13 But I wanted to give you that background
14 because you've got this already -- you've got a
15 clad window design that's like a 4-over-4 that
16 was replicating what was the 8-wide casement
17 that was previously on that in a couple
18 different locations. That's not occurring on
19 the front elevation. That's on the sides and
20 rear.

21 And what they're coming to us this time
22 around, since this was -- at that point in
23 time, we were allowed to do window replacement
24 at the staff level up to 25 percent, so that's
25 how we had a number of windows replaced at that

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1 point. They're coming to us for eight
2 additional windows this time, and they want to
3 replicate what had already been approved for
4 the structure in the past, but they are
5 proposing to change windows on the front
6 elevation this time.

7 Staff went out to the location and looked
8 at the windows. We do feel like they are
9 potentially able to be repaired just based on
10 our general understanding of windows and
11 comparing them to other windows that we've
12 dealt with. The applicants did provide
13 testimony -- and they're here today, obviously,
14 to speak -- that they have had these windows
15 repaired previously, not by somebody that we're
16 familiar with, but somebody that did that type
17 of work, so they want to go forward with their
18 replacement using this product that had been
19 previously approved.

20 Staff's position is that we could support
21 this under a number of conditions; first and
22 foremost, that the three original casement
23 windows on the front dormer, which is three
24 windows that they are proposing to replace,
25 that those be preserved and repaired, and this

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1 is very typical of how we deal with window
2 replacement.

3 If we're looking at a situation where
4 it's, you know, kind of an even split as far as
5 whether all the windows qualify for replacement
6 or the number's under the design regulations,
7 they actually say that if a certain percent of
8 the windows are beyond repair or missing, then
9 you can look at wholesale replacement. They're
10 not asking for wholesale replacement.

11 But if we applied that formula to the
12 situation, they're pretty much right on the
13 edge as far as making that finding because so
14 many have already been replaced. So we're
15 approaching this as let's preserve the front as
16 much as possible and design and materials and
17 historic fabric and provide some flexibility on
18 the sides and rear where that's already
19 occurred.

20 So the condition was that the three
21 casement windows on the front be preserved,
22 that the replacement shall be limited to the
23 five original windows located on the rear
24 dormer and the west elevation, and that the
25 replacement of the remaining original windows

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1 would need to be under a separate COA.
2 They're not proposing to replace any. It
3 was just clarifying that. And depending on
4 what comes out of this particular COA would
5 determine how we would handle that, if it would
6 be something that we would do at the staff
7 level or something that would come back to the
8 Commission. And then the normal window
9 conditions as far as fitting the opening and
10 being recessed into the wall plane.
11 And Number 5 is specific to the grid
12 pattern of the replacement windows, matching
13 that found on the original, using the exterior
14 muntins. To clarify, the intent of that is
15 that we are saying on the sides and rear, that
16 they can use this product that was previously
17 approved by staff in those locations, matching
18 the number of lights basically. I'm not sure
19 if how that's worded is exactly saying that, so
20 you may want to wordsmith that a little bit if
21 you're not comfortable with how it's currently
22 written.
23 And then, of course, that the trim be
24 retained or replicated if necessary. So I just
25 want to give you a little bit of background on
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1 that. Again, we're just trying to preserve the
2 current appearance of the front, and there are
3 some specifics as far as how these windows
4 function that the applicant can speak to.
5 MS. FETNER: Through the Chair, before we
6 move forward, the materials that are being
7 approved for the windows that are allowed to be
8 replaced, they're not specified in the
9 conditions. Is it because it's what's being
10 requested?
11 MS. SHEPPARD: They were previously
12 approved for an aluminum casement -- I'm
13 sorry -- aluminum clad sash style, and that's
14 what we are approving. I believe it's bicolor.
15 AUDIENCE MEMBER: They're wood -- wood
16 interior. I'm sorry.
17 MS. SHEPPARD: Wood on the inside, clad on
18 the outside.
19 MS. FETNER: Sorry. Can you say that
20 again?
21 MS. SHEPPARD: Wood on the inside and clad
22 on the outside.
23 Here's a close-up of the windows that have
24 been previously approved for the structure.
25 And these do have the exterior muntin to them
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1 as I understand it, so it meets that detail
2 that we normally look for. But as you can
3 tell, it's a sash style versus a casement,
4 which today we would say you need to match the
5 design of the window as well. And here's a
6 close-up of those.
7 And I'll go back to the very first
8 picture, which is the close-up of the windows
9 that they're wanting to replace or at least
10 five of them. There's a total of eight. The
11 ones at the top of the screen are the ones that
12 staff was most concerned about, which are
13 facing the street, Windows 4 and 5; and then 6,
14 7, and 8 are on the sides and rear. But as you
15 can tell, they're a casement-style window.
16 MS. FETNER: I think it might be a typo in
17 the report, and I'm sorry to not ask you this
18 beforehand. On Page 3 under the first bullet,
19 you reference seven windows, and I wasn't sure
20 if that needed to be eight just for the purpose
21 of the staff report to be correct.
22 MS. SHEPPARD: Page 3 --
23 MS. FETNER: Of your staff report in the
24 first bullet.
25 MS. SHEPPARD: The first full bullet?
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1 MS. FETNER: First full bullet. It's in
2 the -- it's in the -- starting on the end of
3 the fourth line, the beginning of the sentence
4 starting on the fourth line.
5 MS. SHEPPARD: That's in reference to what
6 has already been replaced, what I was
7 referencing in my presentation. The COA that
8 was approved back in 2003 was originally for
9 nine existing windows, seven of which were
10 historic casements and two of which were not
11 historic.
12 MS. FETNER: Okay. So these are for -- so
13 does this paragraph reference the current
14 request?
15 MS. SHEPPARD: The first part of it I
16 believe does, but that last sentence is just
17 clarifying that we've already approved the
18 replacement of nine windows using a double-hung
19 4-over-4 sash, and that was done
20 administratively. So that's the clarification
21 at the end.
22 MS. FETNER: Okay. So where you're
23 talking about the testimony of the applicant
24 that the seven windows allow water penetration,
25 that's related to the original removed windows?
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1 MS. SHEPPARD: Let me read the whole --
2 sorry.
3 MS. FETNER: That's okay.
4 MS. SHEPPARD: Unfortunately, I was not
5 the one that wrote the report, so I just want
6 to read it real quick.
7 MS. FETNER: Because it reads to me like
8 that should just say eight, but...
9 MS. SHEPPARD: Okay. You know, I would --
10 just to make sure that we're clear on the
11 record, we may want to get that clarified from
12 the applicant. The application is for eight
13 windows, and I can't tell -- I know that 4 and
14 5 in the dormer on the back are for the
15 upstairs bedroom, I believe, as well as the
16 three on the front, which is a total of five.
17 I'm not sure where the other -- there
18 might be a single window that's not associated
19 with the bedroom, and that's why he broke it up
20 the way that he did, but I would let them
21 clarify if all the windows being proposed to
22 replace are all related to the master or if
23 it's just seven of them that are related to the
24 master.
25 MS. FETNER: The applicant is shaking her
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1 head yes, that they're all related to the
2 master.
3 MS. SHEPPARD: So then that would be eight
4 versus seven.
5 MS. FETNER: Okay. I will make that note
6 in the staff report that will be attached, just
7 so that we have it -- since it is an exhibit,
8 we want to make sure that it's correct.
9 You may proceed. Sorry.
10 THE CHAIRMAN: Okay. Was that the end of
11 your staff report, Lisa?
12 MS. SHEPPARD: Yes.
13 THE CHAIRMAN: Okay. Great. At this
14 point we'll open the public hearing. And is
15 the applicant --
16 AUDIENCE MEMBER: Yes.
17 THE CHAIRMAN: Would you like to come
18 forward, please?
19 Thank you.
20 (Audience member approaches the podium.)
21 MS. BLAKE: Would you please state your
22 name and address for the record?
23 AUDIENCE MEMBER: Yes. Susan Poole, 3835
24 Riverside Avenue, Jacksonville, Florida 32205.
25 MS. BLAKE: Would you raise your right
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1 hand, please?
2 MS. POOLE: (Complies.)
3 MS. BLAKE: Do you affirm that the
4 testimony you're about to give is the truth,
5 the whole truth, and nothing but the truth?
6 MS. POOLE: I do.
7 MS. BLAKE: Thank you.
8 MS. POOLE: Thank you-all for hearing me
9 this afternoon. The reason we're trying to
10 replace all eight of the windows as opposed to
11 the recommendation of just the five is we have
12 kind of a unique situation. All of our windows
13 open inward into the house. None of them open
14 exteriorly.
15 So when you open the windows, five of them
16 are 20 inches wide. The three across the front
17 that we're needing to replace also are 24
18 inches wide. So they open inward towards the
19 room, and right now none of them are workable.
20 They're all inoperable. We've already had them
21 restored once by Mr. Roy, who was recommended
22 from the Riverside Avondale Preservation, and
23 they're all back in the state of nonoperable.
24 Mr. McEachin had come out to our home. He
25 had taken interior pictures. From the
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1 exterior, they look very nice because they're
2 painted and we try to keep our house in good
3 condition, but inside you can see that they're
4 all wonky. If it rains, rain comes in through
5 the windows. And they're not operable, so I
6 can't even open them.
7 He was a witness to that. We sat there
8 and tried to pull them open. And the only way
9 we can get them open is my husband has to climb
10 up on the roof, go outside, and try to hit
11 around the wood part to come in. Well, then
12 that allows all the dirt and the water and
13 anything else that's on the exterior of the
14 window to come inside. We've looked at other
15 options, but there really weren't any.
16 Because if we try to get windows that open
17 outward -- all these windows are on the second
18 floor, and that is our master bedroom. The
19 three windows across the front side are over in
20 our actual sleeping area of our bedroom. And
21 we have carpeting in there, so like I said,
22 when it rains, if it hits against the front
23 windows, the rain comes in. If we tried to
24 open them, if we could, the dirt -- we can't
25 get ventilation up there. That room gets over
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1 100 degrees upstairs. And so we have a
2 separate A/C unit, central air unit for up
3 there that we have to keep running all the time
4 because of the heat.
5 The other situation -- it's like I said,
6 you can't put any furniture closer than
7 24 inches to the wall where any of these
8 windows are, or 20 inches on the sides, and
9 they're just inoperable. And the last time we
10 did get them open, some wood is actually coming
11 out from the bottom of the window. The
12 replacements that we've already done -- we've
13 spent the last seven months with our
14 contractor, the window contractor, to find
15 exact replicas of the windows we've already
16 done because the company that did them before
17 is no longer making them.
18 And if you looked at the pictures where
19 they showed the window replacements, the only
20 difference you can tell from the street would
21 be the small bar in between where they're
22 double-hung now instead of being the single.
23 Well, we're going to -- and we don't have
24 screens on the upstairs windows because we
25 can't get them open anyway, so these would have
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1 the screens. Well, from the street level, it's
2 really hard to tell that they're not the
3 original 4-over-4 windows or -- I guess they're
4 called casement style.
5 The other thing is, the portion of
6 Riverside Avenue --
7 (Timer notification.)
8 COMMISSIONER DEMETREE: Finish your
9 thought.
10 MS. POOLE: Can I finish?
11 THE CHAIRMAN: Yes, you may.
12 MS. POOLE: Okay. The portion of
13 Riverside Avenue that I live on is only five
14 houses long. It's a single street in front of
15 us, and the only house that faces us is the
16 rear of the house across the street. That
17 homeowner included a letter. He had no
18 objection to it.
19 None of the other houses -- or it isn't
20 visible because those are the rears -- excuse
21 me -- of all the houses in front of us, and the
22 side west-view windows -- I think that's 6, 7,
23 and 8 -- and the ones in the back are not
24 visible from either home. And the home to the
25 side of me, the green one there, is my sister's
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1 home, and you can't see any of those windows in
2 the rear from the street at all.
3 Okay. Thank you.
4 THE CHAIRMAN: Thank you.
5 Okay. Is there anybody else here to speak
6 on this item?
7 AUDIENCE MEMBERS: (No response.)
8 THE CHAIRMAN: Okay. Hearing none, the
9 public hearing -- we'll close the public
10 hearing and entertain a motion to --
11 COMMISSIONER CASE: Madam Chairman, I move
12 that we approve COA-17-808 with staff's
13 conditions.
14 COMMISSIONER DEMETREE: I'll second.
15 THE CHAIRMAN: Okay.
16 COMMISSIONER CASE: I did have a question
17 for the applicant.
18 (Ms. Poole approaches the podium.)
19 COMMISSIONER CASE: Did your window
20 contractor investigate the option of doing a
21 casement window instead of a double- or a
22 single-hung?
23 MS. POOLE: From what I understand, yes,
24 sir. He's been looking for the last seven
25 months to try to replicate the windows that
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1 we've already had replaced so we can keep the
2 consistency of the windows.
3 And the other reason is the windows, like
4 I said, from opening out, he would have to
5 change the outside exterior look, my
6 understanding, from the windows. But the ones
7 we have now that we are wanting to replace are
8 completely wood on the inside. They would
9 have, I guess, the vinyl aluminum clad on the
10 outside with the muntin; you know, and we had
11 to order them custom-made because of the size
12 of the windows but also to have them painted
13 black to keep with the integrity of the rest of
14 the windows in the home.
15 COMMISSIONER CASE: Shouldn't -- I don't
16 see why -- if he's going to get a custom-size
17 window, I don't understand why he couldn't get
18 a custom-size casement.
19 MS. POOLE: I'm not -- because they're
20 in-swing.
21 COMMISSIONER CASE: I mean, you would want
22 them to be out-swing, no question about it, but
23 I'm just fuzzy on why he -- why an out-swing
24 casement couldn't work in that same opening.
25 MS. POOLE: I'm not sure if they were
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1 trying to -- the manufacturers -- it was
2 difficult to find a manufacturer to replicate
3 the windows that we've previously had replaced.
4 Because the original manufacturer was JELD-WEN,
5 and they don't do these kind of windows
6 anymore. So we had to go with Lincoln Windows,
7 and they said they can make them match
8 identically to the previous replacements. And
9 then, like I said, as far as the out-swing on
10 that, how do you put screens?
11 COMMISSIONER CASE: They're on the inside.
12 MS. POOLE: Oh, okay. Is there some kind
13 of control or something to open them from the
14 inside?
15 COMMISSIONER CASE: Yeah, a crank.
16 MS. POOLE: Oh, okay. See, I'm not that
17 familiar with them. I was trying to keep the
18 windows to look exactly like they did. And
19 like I said, from the street level you can't
20 really tell that they would be replacements
21 with the screens in front of them, so...
22 COMMISSIONER CASE: Okay.
23 MS. POOLE: Thank you.
24 COMMISSIONER CASE: Thank you.
25 MS. SHEPPARD: Through the Chair, just to
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1 clarify, staff is -- I mean, obvious -- the
2 casement look is mostly what we've been trying
3 to concentrate on. We've obviously had
4 situations where we've replicated that look
5 through a fixed or -- so, I mean, the fact that
6 it would go out versus in, if that's easier to
7 get, you know, I think that that meets the
8 intent of the standards as far as the
9 appearance goes.
10 THE CHAIRMAN: Okay. Are there any other
11 comments from the commissioners?
12 COMMISSION MEMBERS: (No response.)
13 THE CHAIRMAN: So -- okay.
14 COMMISSIONER DAVIS: You said that they --
15 based on what's already been proposed, they
16 would qualify for wholesale window replacement?
17 MS. SHEPPARD: We looked at it two
18 different ways, looking at the overall number
19 of windows, which was 34, how many had been
20 previously replaced, how many were nonoriginal,
21 and what was left.
22 And in one situation we took out those
23 that weren't even on the table to be replaced,
24 and we found that that would make that 50
25 percent. As well as looking at the overall --
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1 if we did just a 50 percent of the 34, I think
2 they're off by two for making the wholesale
3 replacement.
4 If you look at it from subtracting out the
5 11 that they're not talking about dealing with,
6 then they definitely make it at that point if
7 they're not touching the -- if there's six
8 windows on the front elevation, they're not
9 touching those at all, then they would easily
10 make, for this particular application, that 50
11 percent rule. So very close on if we look at
12 it wholistically, and definitely making it if
13 we're just dealing with the ones that they're
14 asking for.
15 COMMISSIONER DAVIS: On the three in the
16 bedroom, given that, I would be inclined to
17 want to allow them to replace them, just even
18 like -- they're completely not functional. I
19 mean, if they're not keeping out water, what
20 are they doing?
21 COMMISSIONER DEMETREE: Yeah, I definitely
22 agree on replacing the windows.
23 David, question for you, really. So the
24 double-hungs that they're currently using, do
25 you think you could find that casement window
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1 to match? Is that something you think is
2 possible? Because, I mean, that makes sense to
3 me.
4 COMMISSIONER CASE: If it's a custom
5 window.
6 COMMISSIONER DEMETREE: Yeah. It's custom
7 regardless.
8 COMMISSIONER CASE: Yeah. It shouldn't
9 make any difference whether it's a casement or
10 a double-hung. I mean, the only -- the only
11 difference that you're going to see is an
12 out-swing casement that's going to have a
13 reveal from the front casing a little different
14 than one that's an in-swing.
15 In-swing window's going to appear slightly
16 more recessed because the sash is -- you don't
17 have a double sash, you know. And in an
18 in-swing casement, the sash is going to be on
19 the inner side of the jam, whereas an out-swing
20 is going to be on the outer. That's really the
21 only difference. You know, it's a coin toss.
22 COMMISSIONER DAVIS: I mean --
23 COMMISSIONER DEMETREE: I'd like to hear
24 if you have a thought on that one way or the
25 other.
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1 MS. POOLE: And the other reason is the
2 manufacturers will not manufacture the windows
3 with black exteriors. This was the only way we
4 could get them with a black exterior.
5 Otherwise, they would be brown, that
6 brown-bronze looking. And they said they could
7 not be painted because the paint would just
8 peel off of them, so that's why we went with
9 this particular identical replacement.
10 COMMISSIONER CASE: So they can do a black
11 double-hung, but they can't do a black
12 casement?
13 MS. POOLE: From what I understand where
14 he looked around -- I don't know all the
15 details on it, but that's what they said when
16 he was looking around to find replacement
17 windows. And with the companies, they said
18 they could only do the black on this
19 particular, that the other ones came in bronze
20 and that we couldn't have them painted because
21 the paint would not stay on them.
22 COMMISSIONER DAVIS: They're nice looking
23 windows.
24 COMMISSIONER CASE: They are.
25 THE CHAIRMAN: So -- okay. So does
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1 someone want to amend the motion? We will
2 entertain an amendment to the motion. Should
3 we restate the current motion?
4 COMMISSIONER DAVIS: I'll go for it. I
5 would make a motion to amend COA-17-808,
6 eliminating Conditions Number 1 and Number 2 --
7 sorry -- eliminating Condition Number 1 and
8 striking the first sentence from Condition
9 Number 2.
10 THE CHAIRMAN: Okay.
11 MS. FETNER: I think the staff might
12 have --
13 MS. SHEPPARD: The second part of Number 2
14 kind of goes without saying. It's just kind of
15 clarifying that they need a second COA since
16 this one was only specific to eight windows.
17 COMMISSIONER DAVIS: Right.
18 MS. SHEPPARD: So as your -- sorry.
19 Through the Chair, the intent of your motion
20 would be to allow for the replacement of the
21 windows on the front elevation, the three in
22 the dormer as well. Are you saying to allow
23 for changing the style or to replicate the
24 style, just allowing them a new window?
25 COMMISSIONER DAVIS: To allow the
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1 double-hung.
2 COMMISSIONER DEMETREE: I'll second that.
3 MS. FETNER: Through the Chair, did they
4 propose a specific window? It's not in the --
5 is it in the --
6 COMMISSIONER CASE: Uh-huh.
7 MS. FETNER: So would you be able to
8 condition it on the windows that were proposed
9 and leave it at that, or do you need the other
10 conditions? I guess it's a question for staff.
11 COMMISSIONER CASE: Could we maybe
12 recondition it so that the owner has the option
13 of using an out-swing casement window if they
14 can be manufactured?
15 COMMISSIONER DEMETREE: I think it's good.
16 COMMISSIONER CASE: And so they can -- the
17 first choice would be casement, and if they
18 can't make the casement, then the double-hung.
19 Could we formulate it and then amend it --
20 MS. FETNER: That could be a friendly
21 amendment.
22 COMMISSIONER CASE: Yeah.
23 MS. FETNER: So you're saying either the
24 out-swing casement or the double-hung?
25 COMMISSIONER DEMETREE: Right, with the
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1 out-swing casement being the first choice.
2 MS. FETNER: So I just want to warn you
3 that having those types of conditions are very
4 hard to enforce on legal's end, so either -- I
5 want you to say A or B really or allow it to
6 the discretion of the applicant, just because
7 it's hard for enforcement to say -- or for
8 enforcement to prove that they were unable to
9 find A. Do you get what I'm saying?
10 COMMISSIONER DEMETREE: I do.
11 MS. SHEPPARD: So just allow for both.
12 COMMISSIONER DEMETREE: I would allow for
13 both.
14 THE CHAIRMAN: Okay. So how would that
15 read? We are --
16 MS. FETNER: You're allowing for --
17 COMMISSIONER CASE: Either/or.
18 MS. FETNER: Either/or, double-hung or --
19 COMMISSIONER CASE: Out-swing casement.
20 MS. FETNER: -- the out-swing casement.
21 And it would be the double-hung windows that
22 were proposed by the applicant.
23 COMMISSIONER DEMETREE: Uh-huh.
24 THE CHAIRMAN: Okay. So --
25 MS. FETNER: Windows. I'm sorry. I said
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1 "doors." I meant windows.
2 THE CHAIRMAN: Okay. So is that the
3 motion? Do we have a second?
4 COMMISSIONER DEMETREE: Yes, second.
5 THE CHAIRMAN: Okay. All those in favor?
6 COMMISSION MEMBERS: Aye.
7 THE CHAIRMAN: Opposed?
8 COMMISSION MEMBERS: (No response.)
9 THE CHAIRMAN: Okay. So the amended
10 motion carries.
11 MS. FETNER: Can you make another motion
12 to pass as amended, please?
13 THE CHAIRMAN: Do we have a motion to --
14 COMMISSIONER CASE: I move that we approve
15 COA-17-808 as amended.
16 COMMISSIONER DAVIS: Second.
17 THE CHAIRMAN: All those in favor?
18 COMMISSION MEMBERS: Aye.
19 THE CHAIRMAN: Opposed?
20 COMMISSION MEMBERS: (No response.)
21 THE CHAIRMAN: Hearing none, the motion is
22 passed.
23 And we are on to the next, COA-17-810,
24 321 East 5th Street, and we have an additional
25 packet here that you-all should have a copy of,
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1 and thank you.
2 Is there a staff report on this item?
3 MS. MULLINS: Yes. Yes, we have a staff
4 report.
5 Okay. So this should be -- we should all
6 be on the same page, 810, 321 East 5th Street.
7 It should be in the -- it should be in your
8 book.
9 THE CHAIRMAN: It's in the book. I just
10 didn't --
11 COMMISSIONER DEMETREE: That's for later.
12 MS. MULLINS: Okay. In the essence of
13 time, essentially the applicant is in agreeance
14 with all of our conditions except for -- he is
15 putting a metal roof on, and he wants to use
16 solar panels. Our solar panel conditions are
17 really kind of set up for a shingle roof, not a
18 metal roof, and that was -- all of these kind
19 of solar panel conditions were set up by the
20 solar panel committee that we had maybe a year
21 or two ago to address solar panels, to allow
22 for solar panels forward of the 50 percent of
23 the -- the front 50 percent of the building.
24 So the front 50 percent of the building,
25 solar panels have to follow -- if you're going
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1 to put solar panels on the front 50 percent of
2 the building, you have to follow all these kind
3 of conditions. You know, the wires have to be
4 hidden, and the main thing is that the solar
5 panels need to match the color of the roof so
6 they kind of blend.
7 Well, with a metal roof, it's a little
8 difficult, and so the applicant would like to
9 talk to the Commission about what kind of
10 thoughts you had on what type of solar panels.
11 We did suggest the roll type where you kind of
12 stick them on in between the grooves. I think
13 that was not acceptable to the applicant, so
14 the applicant's just here to kind of talk.
15 So all the other conditions are good
16 except for these solar panel conditions. We
17 just need to kind of clarify what the
18 Commission would like in terms of solar panels
19 for the metal roof.
20 THE CHAIRMAN: Okay. Great. I just need
21 to confirm, if there has been any ex parte
22 communication on this item, you need to declare
23 it now.
24 COMMISSION MEMBERS: (No response.)
25 THE CHAIRMAN: Hearing none, would the
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1 applicant like to come forward?
2 (Audience member approaches the podium.)
3 THE CHAIRMAN: Hi.
4 MS. BLAKE: Would you please state your
5 name and address for the record?
6 AUDIENCE MEMBER: Jacob Felton, 319 East
7 6th Street, Jacksonville, Florida 32206.
8 MS. BLAKE: Would you raise your right
9 hand, please?
10 MR. FELTON: (Complies.)
11 MS. BLAKE: Do you affirm that the
12 testimony you're about to give is the truth,
13 the whole truth, and nothing but the truth?
14 MR. FELTON: I do.
15 MS. BLAKE: Thank you.
16 THE CHAIRMAN: Hi. Have you read the
17 staff report?
18 MR. FELTON: Yes, ma'am, I have.
19 THE CHAIRMAN: Great. Okay. Go ahead.
20 MR. FELTON: I can't really sum it up
21 better than Blair. I know this is more of a
22 discourse, and that's not usually how this
23 works. But if anybody has any thoughts off the
24 bat, I'd love to hear them.
25 THE CHAIRMAN: Do we need to open the
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1 public hearing?
2 MS. FETNER: Yes. Did you not? Okay.
3 The public hearing is open.
4 THE CHAIRMAN: Yes.
5 COMMISSIONER CASE: Question. What color
6 of metal roof are we talking about?
7 MR. FELTON: We are talking about
8 Galvalume, so no color really.
9 COMMISSIONER CASE: Silver?
10 MR. FELTON: Silver. No paint.
11 COMMISSIONER CASE: And you can't find a
12 solar panel that will do, like, a metal finish
13 frame or anything like that?
14 MR. FELTON: I can. I actually e-mailed
15 one to Mr. McEachin. But my understanding was
16 when you're looking at it, no matter what kind
17 of frame you have, solar cells are black, they
18 just are, or dark blue if they're
19 multicrystalline.
20 So, yeah, you can get silver rails,
21 silver, you know, trim. There are actually
22 panels that have no trim now. There's panels
23 that have just glass on both sides and clear
24 EVA, so it's -- they call them see-through, but
25 of course the cells are still black. So there
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1 are options there that I'm willing to
2 entertain, but I just -- I was a little unsure
3 of where you guys would fall with the black
4 solar cells.
5 COMMISSIONER CASE: Question for staff. I
6 mean, to my knowledge, all solar panels are
7 either black or appear to be black. How can
8 that match the color of the roof? Was that the
9 intent of the solar committee?
10 MS. MULLINS: Yes.
11 COMMISSIONER CASE: So basically you're
12 saying, if you have solar panels, you can only
13 put a black roof on?
14 MS. SHEPPARD: There are different colors
15 by different manufacturers. Certainly, there
16 might be more one than another. But, I mean,
17 that was something that was contemplated in the
18 discussion, and that in order to make it blend,
19 that it might be appropriate to do a roof
20 replacement as part of the project, which makes
21 sense in this. If you think of it as you're
22 now putting something on top of the roof, you
23 know, you'd want to do one before the other
24 anyway. So in a lot of cases, you're looking
25 at a reroofing situation to begin with if
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1 you've got an existing structure.
2 I will say that I believe that the
3 guidance for the solar panels, it's -- usually
4 we were looking at -- when we were applying all
5 those conditions, it was related to solar
6 panels that were more forward on the house. So
7 at the halfway mark, if they were kind of the
8 last 50 percent of the house and therefore less
9 visible, then there was more flexibility to it.
10 In this particular case, based on what
11 you're seeing on the screen, the proposal is
12 dealing with the accessory structure, which
13 happens to be beside the house. This is an
14 existing situation. So in order to fall
15 outside of having to do all those conditions --
16 I mean, if you pulled back the first two
17 panels, you know, you're almost at that 50
18 percent at that point. And it's on the
19 accessory structure versus the main structure,
20 so you may want to take that into consideration
21 as far as a possibility of getting outside of
22 what we would normally require because of the
23 placement, if it was scaled back a little bit
24 as far as the number goes.
25 COMMISSIONER CASE: The solar panels that
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1 we're seeing, what exposure are they?
2 MR. FELTON: East.
3 COMMISSIONER CASE: East?
4 MR. FELTON: Yeah, slightly, slightly
5 southeast, which is why I went with the east
6 and not the west, because it's about 5 degrees
7 tilted to the northeast. So going with that, I
8 see what we're getting at with that, and I'm
9 totally open to it. If we did do that, I would
10 probably just throw some on the other side of
11 the garage as well, on the west side.
12 Personally, I think that we're just trying
13 to fit the situation into the pre-existing
14 rules at that point. Because, personally, I
15 think it would look better to have just one
16 whole face of the roof covered, one roof plane
17 covered and the other not, as opposed to having
18 one, like, two-thirds covered with panels and
19 the other one, like, one-third covered with
20 panels just because they're meeting this rule,
21 so...
22 COMMISSIONER CASE: It would appear that
23 if you were to -- if you were to place those
24 panels on the west side -- it looks like you
25 were showing panels on let's call it the left
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1 side of the garage, and it appeared there were
2 some panels on the left side of the one-story
3 portion, which I guess is what you're calling a
4 study; is that correct?

5 MR. FELTON: Yeah, we'll call it the
6 study.

7 COMMISSIONER CASE: Okay. Wouldn't it be
8 better from an efficiency standpoint to move,
9 say, 50 percent of the panels that are on
10 the -- I mean -- I'm sorry -- the right side of
11 the garage, in other words on the east side, to
12 either the west side of the garage or the west
13 side of the study? Because that's where you're
14 going to get more intensive sunlight,
15 especially in the afternoon. That's just food
16 for thought.

17 MR. FELTON: I ran the numbers with
18 (inaudible). It's kind of a wash, so --
19 there's also some shading from the higher ridge
20 of the house on the west side, so I would want
21 to stick to just the ridge line, closer to the
22 ridge line on the garage. I'm definitely open
23 to that, to get it behind that 50 percent of
24 the house.

25 COMMISSIONER CASE: Yeah, that's where I'm
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1 trying to get you to.

2 MR. FELTON: I could definitely do that.
3 It would make installation a little bit more
4 difficult. And I think if you're looking at it
5 this way, you have solar panels here, I can see
6 them; now I can't. There's nothing, as opposed
7 to solar panels here, solar panels there. So I
8 leave -- leave that up to you, though. That's
9 your decision.

10 COMMISSIONER STANSEL: I would think --
11 through the Chair, I would think if you can get
12 it behind that 50 percent line, that would
13 benefit you greatly. I think that -- and,
14 staff, please correct me if I'm wrong. I was
15 not part of the solar panel committee.

16 I think the goal is that it's not viewable
17 from the street as you walk down the street.
18 So if you get it behind that line, then you're
19 walking down the street, you're not catching a
20 bunch of solar panels at the front of the house
21 that don't blend with the roof, so the passerby
22 doesn't necessarily see as many solar panels.

23 Is that the gist of what we were trying to
24 achieve with that?

25 MS. SHEPPARD: Certainly. And, I mean,
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1 it's not going to be that they're invisible.

2 COMMISSIONER STANSEL: Right.

3 MS. SHEPPARD: I mean, because obviously
4 that deals with setbacks and everything else.

5 The properties are pretty tight in the
6 Springfield Historic District as far as the
7 setback. So when you get past that halfway,
8 then it's certainly not something that's as
9 evident or as obvious once you're recessed.

10 And it's -- that was also in keeping with how
11 we had been dealing with something like a...

12 MR. FELTON: Solar hot water heater?

13 MS. SHEPPARD: No, not a solar, but a
14 window in the roof.

15 COMMISSION MEMBERS: Skylight.

16 MS. SHEPPARD: Skylight, thank you.

17 The design regulations didn't address
18 solar panels because it kind of predated that
19 whole -- you know, it's kind of a new thing,
20 but it did talk about how to address something
21 like a skylight. And so we were -- we've been
22 approving solar panels in less obvious
23 locations and stuff.

24 The solar committee was basically
25 trying to -- if somebody wanted to really

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1 maximize their solar and put it in a more

2 visible location, what are the type of things
3 that they could do to allow it to blend more.

4 Because there might be a situation where it's
5 the front elevation literally facing the
6 street, and so things like matching the tone of
7 the roof, using ones that have less white
8 framing, making sure that they're minimal
9 clearance and that they're hiding the wiring,
10 all those things go towards making it blend
11 easier within the existing environment.

12 I don't think that we really contemplated
13 using a solar panel on a metal roof, which is,
14 you know, why it seems out of place in this
15 particular situation. The best that we came up
16 with at that point -- and this was based on the
17 consultant that we were dealing with who had
18 actually done a commercial metal roof, and
19 their client wanted to do the kind of
20 peel-and-stick solar that worked really well
21 between the seams. And so that was the only
22 reference in that committee to what would be
23 the best option in that situation.

24 COMMISSIONER STANSEL: Thank you.

25 MR. FELTON: And I can speak to that as
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1 well. First, I am not attached to the metal
2 roof for the garage. Currently, it has a
3 shingle roof, three tabs, and I would
4 definitely go with, like, a black architectural
5 shingle if, you know, I could cover the whole
6 thing with solar panels, because I would rather
7 have the solar panels than the metal roof. I
8 only designed it with a metal roof because it's
9 closer to the main house roof planes, and I
10 thought we may as well use the same material.
11 As far as the rollable panels,
12 unfortunately, those are designed for standing
13 seam metal roofs, and this is a 5V crimp, so it
14 wouldn't fit. So in that case, I would have to
15 do a standing seam which would look similar to
16 the 5V crimp, but it still wouldn't be the
17 same, so...

18 COMMISSIONER CASE: And the existing house
19 has a 5V crimp on it now?
20 MR. FELTON: It does. I just replaced it.
21 COMMISSIONER CASE: And that's what was on
22 it originally?
23 MR. FELTON: Yes.
24 COMMISSIONER LOPERA: Well, I don't think
25 we'll be able to hide the solar panels any way

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1 you look at it. I'm okay with it as is. I
2 think we're just -- I mean, we're playing with
3 a metal roof. You're matching a metal roof on
4 the garage. It's matching the house. It's
5 just one of those things where it like -- it's
6 like trying to hide a skylight. It's a hole in
7 the roof.
8 So I don't have any issues with it. I
9 think if the numbers work to your benefit to
10 give you some solar advantage, to reduce your
11 green -- or to, yeah, reduce your green
12 footprint, I'm okay with it.
13 Carbon footprint is what I meant, for the
14 record. You want to increase your green
15 footprint.
16 COMMISSIONER CASE: You'd have to bulldoze
17 the house to do that.
18 COMMISSIONER LOPERA: Could I make a
19 motion?
20 COMMISSIONER DEMETREE: Sure.
21 COMMISSIONER LOPERA: Then I would like to
22 make a motion to amend COA-17-810.
23 MS. FETNER: Wait a second. This is your
24 first motion, so just make your motion as you
25 want it to be. Make your motion as you want

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1 your vote to be -- or the application for
2 the --
3 COMMISSIONER LOPERA: Okay. Then I'd like
4 to make a motion to approve COA-17-810 with
5 staff conditions and to approve the drawings as
6 is.
7 MS. FETNER: Okay. Do you -- you're just
8 talking about the solar panels?
9 COMMISSIONER LOPERA: The solar panels,
10 yes.
11 MS. FETNER: So you want to keep staff
12 Conditions A, B, and C --
13 COMMISSIONER LOPERA: Yes, correct.
14 MS. FETNER: -- as stated, and then for D
15 you would like for the solar panels to be as
16 requested by the applicant?
17 COMMISSIONER LOPERA: Yes, as requested by
18 the applicant.
19 MS. FETNER: Okay. So through the staff,
20 would those conditions still apply or would you
21 just strike Conditions 1 through 6 related to
22 the conditions?
23 MS. MULLINS: I would just strike 1
24 through 6. If they're going to approve as
25 requested, just strike all the solar panel

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1 conditions.
2 MS. FETNER: Okay. That's what we'll do
3 if you vote on it.
4 COMMISSIONER LOPERA: Yeah. Then I would
5 like to strike Conditions 1 through 6 on
6 COA-17-810 and approve as is.
7 COMMISSIONER DEMETREE: I'll second.
8 MS. FETNER: Okay. We have a second.
9 THE CHAIRMAN: Okay. So we will vote?
10 MS. FETNER: You have to discuss.
11 THE CHAIRMAN: Oh, we do have to discuss.
12 Okay. Is there any discussion on this?
13 I'm trying to think back to that --
14 COMMISSIONER LOPERA: Through the Chair, I
15 do want to make sure that -- the panels, will
16 they be 6 inches off the roof?
17 MR. FELTON: Yeah, they'll be less than
18 6 inches.
19 COMMISSIONER LOPERA: Okay. So,
20 basically, you would need these things as far
21 as they would be frameless as well?
22 MR. FELTON: I can go with a silver frame,
23 black frame, or no frame at all and just have
24 glass. It's up to you guys.
25 COMMISSIONER LOPERA: Okay. As long as it

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1 matches the panel color, that's okay. Will
2 there be any grids in your panels?
3 MR. FELTON: I haven't chosen final panels
4 yet. I'm not going to be starting to pull
5 permits until next spring because I'll be out
6 of the country, and then I won't be pulling
7 permits for the solar panels probably for at
8 least a year.
9 COMMISSIONER LOPERA: Okay.
10 MR. FELTON: So, you know, it's kind of a
11 dynamic market right now. A lot of new things
12 are coming out.
13 COMMISSIONER LOPERA: Yeah, I understand.
14 MR. FELTON: But I'll run -- like
15 everything else, other conditions, final
16 material selections, obviously I'll run that
17 through the Department.
18 COMMISSIONER LOPERA: Okay.
19 COMMISSIONER DAVIS: I mean, it seems like
20 it's really good to keep as many of the
21 conditions as possible with the current solar
22 guidelines. I mean, really we're just talking
23 about eliminating -- requiring --
24 COMMISSIONER STANSEL: Number 3.
25 COMMISSIONER LOPERA: Yeah, so basically
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1 approving him to put them all on the same side
2 the way he has it drawn, except for instead of
3 there being black asphalt shingles, he can put
4 them on the galvanized metal roof.
5 MS. FETNER: Could I make a suggestion
6 that maybe you just take out Condition Number
7 2, which is "the solar panel shall be the same
8 color as the roof shingle color. If this is an
9 issue," yadda yadda.
10 COMMISSIONER LOPERA: That's a great idea.
11 MS. FETNER: Okay. So can someone make a
12 motion to amend to put back in staff
13 conditions, less Condition Number 2, please?
14 COMMISSIONER LOPERA: I'd like to make a
15 motion to amend COA-17-810 and to put back in
16 staff Conditions 1 through 6 except for staff
17 Condition 2, to strike staff Condition 2.
18 COMMISSIONER DEMETREE: I'll second.
19 THE CHAIRMAN: Okay. So can we vote now?
20 MS. FETNER: You have discussion. You're
21 done discussing?
22 THE CHAIRMAN: Is there any more
23 discussion?
24 COMMISSION MEMBERS: (No response.)
25 THE CHAIRMAN: Hearing none, we'll take a
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1 vote. All those in favor?
2 COMMISSION MEMBERS: Aye.
3 THE CHAIRMAN: And opposed?
4 COMMISSION MEMBERS: (No response.)
5 THE CHAIRMAN: The motion carries. So we
6 have approved -- we have approved COA-17-810 --
7 COMMISSIONER LOPERA: Now we vote on it.
8 MS. FETNER: Yes, you're going to vote on
9 the full amendment. And before you vote on it,
10 I just need to make one clarification in the
11 staff report. There is -- on the staff report,
12 it mentions a recommendation for a pedestrian
13 walkway, I believe. It's the last thing on
14 there.
15 COMMISSIONER STANSEL: It's a door.
16 MS. FETNER: That's supposed to be a
17 suggestion and not a recommendation. I just
18 want to make sure it's clear that that was
19 intended to be a suggestion.
20 THE CHAIRMAN: Okay. Where is that?
21 MS. FETNER: It's on Page 2 after the
22 solar panel conditions.
23 THE CHAIRMAN: Okay. Got it. Okay. So
24 we are now --
25 COMMISSIONER LOPERA: Excuse me. Through
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1 the Chair, Sondra, does that mean we have to
2 add?
3 MS. FETNER: No. It was just a typo. I
4 just wanted it on the record for the applicant
5 to hear. Now you just vote on the main motion
6 as amended.
7 THE CHAIRMAN: So all those in favor --
8 wait. Do I need to restate this?
9 MS. FETNER: You're just voting on the
10 motion as amended.
11 THE CHAIRMAN: Okay. All those in favor?
12 COMMISSION MEMBERS: Aye.
13 THE CHAIRMAN: And any opposed?
14 COMMISSION MEMBERS: (No response.)
15 THE CHAIRMAN: Okay. The motion carries.
16 Now we are moving on to Certificate of
17 Appropriateness that were initiated without a
18 COA, and the first, COA-17-740, 1436 Rensselaer
19 Avenue.
20 Do we have a staff report?
21 MS. SHEPPARD: Yes. This application is
22 for window replacement. It's after the fact.
23 The window replacement was already initiated by
24 the applicant. As you can see on the screen,
25 this is a picture of the house. It is a
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1 contributing structure even though it has had
2 some alterations to it.
3 As you can tell from the screen, the
4 porch, there's been a partial enclosure on it,
5 and there are windows associated with that
6 enclosure that were jalousie as well as a side
7 porch that you can tell at the right end of the
8 screen that were also jalousie. The remaining
9 windows, I believe, were all wood 6-over-6 as
10 seen in the photo there.
11 Obviously, when the work started, the
12 intent of the applicant was to replace them
13 all, and so they ended up in a dumpster as we
14 understand from our enforcement officer. And
15 the application is for replacing all of the
16 windows on the structure. It's -- as far as
17 looking at the counts, we don't have -- because
18 the windows have been removed, we do not have
19 the benefit of being able to tell what's --
20 what was repaired and what's not, at least, you
21 know, specific to all of the windows.
22 Obviously, the jalousie windows would have
23 been a later addition as part of the
24 alterations or enclosing those traditionally
25 open spaces, so we didn't have any issue with
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1 replacing of the jalousie. The main thing was,
2 you know, the historic windows. And so the
3 condition was that the historic windows that
4 were removed, they be put back and restored,
5 and I don't know the ability to do that by the
6 applicant. They will have to speak to that.
7 But that is -- if that was something that
8 could be done, then that is certainly our
9 condition because that would basically reverse
10 the violation as far as we're concerned, and
11 then we could support the replacement of the
12 windows in the two enclosed areas.
13 Other two conditions relate -- are typical
14 conditions as far as being recessed within the
15 wall plane and that any pair have a mullion.
16 Given the windows have already been removed,
17 I'm not sure -- if they were to say that they
18 couldn't restore one of the historic windows,
19 we're going to have to look at those on a
20 case-by-case basis, which I think is what
21 Number 4 was referencing.
22 I'm a little confused because it
23 references vinyl or vinyl clad. Usually we
24 condition that it match the historic window at
25 that point if it was removed inappropriately,
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1 so that's something that you may want to look
2 at. I believe the product is a 1-over-1 as
3 seen -- this is the -- as it looks today with a
4 1-over-1. So we have a loss of the 6-over-6
5 light pattern on the front, and so one of the
6 conditions speaks to they need to have a
7 6-over-6 pattern.
8 Now, the 1-over-1 here, based on Condition
9 Number 1, those would be going back to the
10 historic 6-over-6 wood. What would be 6-over-6
11 under Condition 2 would be the -- where they
12 replaced the jalousie, those would also be
13 6-over-6 that would be matching the historic
14 windows on the structure.
15 COMMISSIONER CASE: Question. Do we know
16 how many of the original windows were actually
17 removed?
18 MS. SHEPPARD: They do have a window
19 survey. And I apologize. It does not look
20 like this got into the book. But according to
21 the survey, there's a total of 16 windows, 8 of
22 which were historic, and those are related to
23 the actual -- not the porches. And then the
24 other 8 windows are pertaining to the, you
25 know, the jalousie in the enclosed porch areas.
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1 So if you -- if you only look at the
2 historic structure that would have had windows,
3 then from this it appears that they were all
4 historic 6-over-6. And I can pass around the
5 window survey if you-all want to look at it,
6 since it's not in the book.
7 COMMISSIONER CASE: No, it's in the book.
8 MS. SHEPPARD: I'm talking about the
9 pictures.
10 COMMISSIONER CASE: Oh.
11 MS. SHEPPARD: The pictures aren't in
12 there. So does that answer your question?
13 According to the survey, all the ones that were
14 actually on the interior structure, not the
15 porches, would have been the historic ones.
16 COMMISSIONER CASE: So those were the ones
17 that have already been replaced or starting to
18 be replaced?
19 MS. SHEPPARD: I don't know at the point
20 that they were stopped. I think that they were
21 pretty far along. We can look at the pictures
22 here. These are kind of a combination of
23 before and after, but you see the windows in
24 the dumpster here.
25 Okay. So it looks like there's at least
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1 two that they had not replaced yet. But you
2 may want to get some testimony from the actual
3 applicant. Unfortunately, I was not the staff
4 person that went into the field to look at it,
5 so I don't want to speak out of turn. You may
6 want to direct some of those questions to them.
7 COMMISSIONER LOPERA: Through the Chair,
8 so who prepared the window survey form?
9 MS. SHEPPARD: That would have been
10 supplied by them.
11 COMMISSIONER LOPERA: Okay.
12 MS. SHEPPARD: Staff goes -- after
13 receiving the window survey that outlines what
14 they believe to be the conditions, then we go
15 in the field and look at them in person. And
16 sometimes we may have to correct in the report
17 something that we see is inaccurate. They may
18 say that something's beyond repair, but we feel
19 that it is. But it's just their, you know,
20 submittal on what they believe to be the case.
21 THE CHAIRMAN: Okay. Let's open the
22 public hearing. And if there are no more
23 questions of staff, then we'll see if the
24 applicant...
25 (Audience member approaches the podium.)
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1 AUDIENCE MEMBER: I'm the installer on the
2 job.
3 MS. BLAKE: Would you please state your
4 name and address for the record?
5 AUDIENCE MEMBER: Robert Overman, 3625
6 Dellwood Avenue.
7 MS. BLAKE: Would you raise your right
8 hand, please?
9 MR. OVERMAN: (Complies.)
10 MS. BLAKE: Do you affirm that the
11 testimony you're about to give is the truth,
12 the whole truth, and nothing but the truth?
13 MR. OVERMAN: Yes, ma'am.
14 MS. BLAKE: Thank you.
15 MR. OVERMAN: Yeah. We was in the process
16 of installing and swapping them out, and we got
17 shut down. And like I said, there's eight
18 wooden windows in the original house, and
19 everything else is jalousie. So you got eight
20 jalousies, eight wood windows. I still have
21 the original windows if you would rather we
22 just put them back, or we can swap them out
23 with the vinyl, however you want to do it. I
24 can get cladding. I can get, like, aluminum
25 cladding with exterior grids, vinyl. You can
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1 get wood. Wood's a little expensive.
2 But number one, the biggest thing is there
3 was only eight wooden windows in the original
4 house. Everything else was, you know,
5 aluminum/jalousie. So, I mean, if you want me
6 to put the original windows back in, I can do
7 that very easily, but --
8 COMMISSIONER CASE: I'll speak for the
9 Commission and staff. In an ideal world,
10 that's what we would like because --
11 MR. OVERMAN: But there's only one
12 problem, you know. You've still got eight
13 windows that's not going to match.
14 COMMISSIONER CASE: Well, that's going to
15 be the second part of the solution. But I
16 think it's -- and I'm -- in this case, I'm just
17 speaking for myself. As long as you were to
18 put back and restore the existing windows, I
19 don't think I or any of our commission members
20 would have any problem changing out the
21 jalousies to match the wood windows, whether
22 they're vinyl or aluminum clad. Anybody can
23 correct me if I'm wrong, but our first
24 choice would be to --
25 MR. OVERMAN: To be perfectly honest with
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1 you, you know as well as I do, in old wood
2 windows, single-panel, it's not very energy
3 efficient. So, I mean, we're not -- if we're
4 going to go ahead and change out half the
5 windows with energy-efficient windows, why not
6 change out the other half?
7 COMMISSIONER CASE: Well, I would argue
8 that a single pane window is not necessarily
9 energy inefficient. You have to remember that
10 80 percent of the heat loss and heat gain is
11 through the roof, not through the windows or
12 the walls. So that's an argument that could be
13 made. And there are other options with an
14 operable window by putting in another pane of
15 glass, like a storm window on the inside or the
16 outside, depending on the design of the window,
17 if you're trying to get a second layer of
18 glass.
19 MR. OVERMAN: Well, I don't think that's
20 going to fly.
21 COMMISSIONER CASE: But I would be in
22 favor of allowing you to change out the
23 jalousie windows provided that the original
24 windows are restored and put back in place.
25 MR. OVERMAN: All right.
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1 COMMISSIONER CASE: That's my thought.
2 MR. OVERMAN: Yeah.
3 COMMISSIONER LOPERA: Excuse me, sir. Out
4 of curiosity, the company that you were working
5 for, did they mention anything about the
6 Historical Preservation Commission?
7 MR. OVERMAN: Not at all.
8 COMMISSIONER LOPERA: So you were just
9 hired to go in and replace the windows?
10 MR. OVERMAN: I was hired to tear out and
11 replace.
12 COMMISSIONER CASE: Did anybody get a
13 permit or attempt to get a permit?
14 MR. OVERMAN: I don't pull permits. Yeah.
15 I'm an installer.
16 COMMISSIONER LOPERA: Yeah, you're a
17 subcontractor.
18 MR. OVERMAN: I'm not a contractor.
19 COMMISSIONER CASE: Got you.
20 COMMISSIONER LOPERA: Thank you.
21 MR. OVERMAN: All right.
22 THE CHAIRMAN: Is there anyone else that
23 would like to speak on this particular item?
24 Please come forward.
25 AUDIENCE MEMBERS: (No response.)
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1 THE CHAIRMAN: Seeing none, I'll close the
2 public hearing.
3 MS. BLAKE: Madam Chairman, I had another
4 card, but apparently they may have left.
5 THE CHAIRMAN: Okay. Should we enter
6 the --
7 MS. FETNER: Can you say who it was?
8 MS. BLAKE: Looks like Lane Manis,
9 M-a-n-i-s, maybe.
10 COMMISSIONER CASE: That's not for this
11 item.
12 MS. BLAKE: Is this 740?
13 AUDIENCE MEMBER: I wrote the wrong number
14 down, obviously.
15 MS. BLAKE: Oh, okay. Well, thank you.
16 My eyes didn't fail me.
17 AUDIENCE MEMBER: No, mine did.
18 THE CHAIRMAN: Okay. So --
19 COMMISSIONER CASE: Madam Chairman, I move
20 that we approve COA-17-740 with staff
21 conditions.
22 COMMISSIONER DAVIS: Second.
23 THE CHAIRMAN: Great. Okay. So we have a
24 motion and a second. Is there any discussion
25 on this item?
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1 COMMISSIONER LOPERA: I would like to
2 discuss something. I thought with these after
3 the fact, that you either approve as
4 constructed or fully deny it.
5 MS. FETNER: So with this one, it's a
6 little bit different because all of the windows
7 are still there. So the staff has pretty much
8 made the recommendation that they cannot
9 replace the windows because the windows are
10 there and they were able to do the survey. So
11 we can go forward with that and end up at the
12 same place as the staff.
13 But since the windows are there and you're
14 able to determine should they be replaced or
15 not, staff's recommending they cannot be
16 replaced.
17 COMMISSIONER LOPERA: Got it.
18 MS. FETNER: So they're always a little
19 tricky. Something on the staff report I just
20 want to bring your attention to, there was an
21 addition -- an additional paragraph put in here
22 I think by the staff that drafted this report.
23 It's after Paragraph Number 2. That has to be
24 stricken. It's dealing with porte-cochères, so
25 that will be stricken. It's just an error.
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1 THE CHAIRMAN: Okay. So that whole
2 paragraph?
3 MS. FETNER: Yes.
4 COMMISSIONER LOPERA: Porte-cochères
5 (pronouncing)?
6 MS. FETNER: Porte-cochères, sorry.
7 COMMISSIONER LOPERA: For the record.
8 COMMISSIONER CASE: In other words, the
9 drive-through carport.
10 MS. FETNER: Yes, carport.
11 MS. SHEPPARD: So just to clarify
12 what's -- because the conditions on here don't
13 necessarily match with some of the discussion.
14 The jalousie were replaced with 1-over-1, so
15 they would need to be replacing those again --
16 COMMISSIONER CASE: With a 6-over-6.
17 MS. SHEPPARD: -- with a 6-over-6 if this
18 was adopted. And if -- and I just want to make
19 sure that you're okay. If there is a window
20 that is determined to be beyond repair, if --
21 you know, make sure that you're okay with a
22 vinyl-vinyl clad or if you wanted to go back
23 with wood on the main house if the rest of them
24 are going to be wood, or you want to leave that
25 up to staff?
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1 COMMISSIONER CASE: I'm going to leave
2 that up to staff, your best judgment.
3 MS. FETNER: Can I make a suggestion, if
4 you would like to leave it up to staff, that
5 you change the word "may" to "shall" in
6 Number 4? It says, "Any windows found to be
7 beyond repair may be reviewed by staff." I
8 would like for that to say "shall be reviewed
9 by staff," so I'd appreciate an amendment.
10 THE CHAIRMAN: Okay.
11 COMMISSIONER DEMETREE: I'll amend
12 COA-17-740 to agree with staff recommendations
13 and by adding the word "shall" in the place of
14 "may" in Bullet Point 4.
15 THE CHAIRMAN: Is there a second?
16 COMMISSIONER CASE: Second.
17 THE CHAIRMAN: Okay. All of those in
18 favor?
19 COMMISSION MEMBERS: Aye.
20 THE CHAIRMAN: Opposed?
21 COMMISSION MEMBERS: (No response.)
22 THE CHAIRMAN: Okay. The motion carries.
23 We have approved COA-17-740 with staff
24 conditions and changing the wording in
25 Condition Number 4.

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1 And next on the list is COA-17-746, 324
2 East 3rd --
3 MS. SHEPPARD: 796.
4 THE CHAIRMAN: What did I say?
5 COMMISSIONER CASE: You said "four"
6 instead of "nine."
7 THE CHAIRMAN: Oh, okay. Sorry about
8 that. COA-17-796, 324 East 3rd Street.
9 Do we have a staff report?
10 MS. SHEPPARD: Yes, we do. One second.
11 Hello. This application is also for work
12 after the fact. It is for an arbor that was
13 constructed not on the property, but in the
14 right-of-way in front of the house. And
15 because of the placement in the right-of-way,
16 which is not something that -- not a place that
17 we would normally see an arbor or that's
18 contemplated in design regulations or any of
19 the administrative rule review matrix, we're
20 recommending denial.
21 We are suggesting that it potentially be
22 relocated to the rear yard where we would have
23 just done it administratively. Based on the
24 site, I don't think that there's room to put it
25 at the side of the structure just because the

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1 setbacks are pretty small, but that would have
2 been another potential location depending on
3 the lot, which you can see the screen, where
4 this is. It's kind of mid-block, and it's
5 beside an existing alley that is used. A lot
6 of the alleys in Springfield are, and this is
7 one that's definitely in use.
8 Here is the existing structure. You can
9 see how it extends basically from the sidewalk
10 to the curb at the street. I mean, the design
11 is, you know, very traditional as far as that
12 goes. I mean, this is a feature that, you
13 know, if it was in the back or, like I said, on
14 the rear yard or the back of the house, we
15 would have been able to do it at the staff
16 level.
17 But we had an issue with it being in a
18 nontraditional location. We had an issue with
19 it given the size of it. This is not like a
20 simple two-post type of arbor that you might
21 see associated with a fence. I think it's
22 12 feet in length, that whole distance of the
23 right-of-way area which is normally, under the
24 design regulations, traditionally just a green
25 space. Most of our applications are for simple

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1 walkways and something at the ground level, not
2 something that's three-dimensional of this
3 size.
4 And this is from the other side of the
5 street. Doing work in a right-of-way like this
6 requires a right-of-way permit. In order to
7 get a right-of-way permit, you have to have a
8 COA, so that's why it's before you. They can't
9 really start that process. In order to get
10 something like this approved, it's our
11 understanding that you would have to get a
12 revocable permit because this is not
13 something -- it's kind of outside the norm, so
14 they would have to take responsibility if there
15 was any work that had to be done in the
16 right-of-way. You know, the City's not going
17 to say, "We're going to rebuild this for you."
18 They would have to, however, move it and do any
19 kind of repairs. So that is a second layer to
20 the right-of-way permit that would normally be
21 required.
22 There's also some code related to the site
23 visibility, and we felt that it didn't really
24 meet those either. That's not something that's
25 necessarily something that you-all normally

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1 deal with, but it was just additional
2 information that we felt was outside of the
3 norm. It's supposed to be set back from that
4 curb. And because there's an alley going
5 beside it and you basically have kind of an
6 intersection at where that alley meets the
7 street, there is a -- kind of a site triangle
8 that comes into play as well.
9 So because of the size and the location
10 and these other related codes, we didn't feel
11 that we could approve it and are recommending
12 denial.
13 THE CHAIRMAN: Okay. Any questions of the
14 staff before we open the public hearing?
15 COMMISSION MEMBERS: (No response.)
16 THE CHAIRMAN: Hearing none, we will open
17 the public hearing and call the applicant.
18 (Audience member approaches the podium.)
19 AUDIENCE MEMBER: Hey, good evening. My
20 name is Victor LeTourneaut. I reside at 324
21 East 3rd Street.
22 MS. BLAKE: Do you affirm that the
23 testimony you're about to give is the truth,
24 the whole truth, and nothing but the truth?
25 MR. LeTOURNEAUT: I do.
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1 MS. BLAKE: Thank you.
2 MR. LeTOURNEAUT: Good evening. I wish
3 this wasn't on the record because me arguing
4 over a pergola, being 20 years in the Marine
5 Corps, my buddies will laugh at me. But I've
6 been married 30 years with my wife, and I
7 learned that you either can be happy or you can
8 be right, but you can't be both. So I'm
9 arguing for the pergola.
10 COMMISSIONER LOPERA: Could you speak into
11 the microphone, please?
12 MR. LeTOURNEAUT: Oh, okay. Never had
13 that question before, but if you need me to.
14 Listen, I moved into Jacksonville to this house
15 about two years ago. I renovated with
16 TerraWise. David was my developer, and we went
17 net-zero. There's nothing really on that
18 street that's existing -- four houses, but only
19 two are being occupied. Mine took 15 months to
20 renovate.
21 I want to add that I don't agree with
22 this. I've been investing money into the
23 community. I put my house up, closed on
24 September 15th. My house was in the historical
25 tour in November, December, whatever it was;
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1 had over 800 people. We've been adding to the
2 value of that property and my block.
3 Could I have access to my slides? This
4 report identifies some safety concerns, view
5 blocking. Well, my F-350 pretty much blocks
6 when I park in front of it, you know, but --
7 I'm sorry. I did have a PowerPoint here.
8 MS. FETNER: Can you stop the clock,
9 Gloria, please?
10 MS. MULLINS: Sorry about that. I didn't
11 put it in your folder. I put it in someone
12 else's. And you can search.
13 MR. LeTOURNEAUT: Okay. I want to control
14 the flipping.
15 MS. MULLINS: All right. Hold on. All
16 right. Let me see here.
17 MR. LeTOURNEAUT: The first couple slide's
18 just showing my own historical data of what the
19 property looked like before we renovated it and
20 what we did. Again, this is some Google Earth.
21 If you'll notice --
22 MS. MULLINS: I think you got a little --
23 it's doing it -- it wants to do its own thing
24 here.
25 MR. LeTOURNEAUT: It is.
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1 MS. MULLINS: Yeah. I don't know why
2 it -- why is it -- let's try this.
3 MR. LeTOURNEAUT: Okay. All right. Let
4 me go arrow back. It's not working.
5 All right.
6 MS. MULLINS: It may be a little slow.
7 MR. LeTOURNEAUT: It's a little slow.
8 MS. FETNER: You can use the spacebar too.
9 MS. MULLINS: If he wants to go back --
10 MR. LeTOURNEAUT: I was just trying to
11 get -- anyway. Some historical; it was
12 actually converted to three apartments before
13 we renovated it back to the original, built in
14 1902. As you can see, totally gutted
15 everything off the back. There was nothing
16 there. The alleyway, which is City-maintained,
17 well, I maintain it, to include -- we did
18 irrigation in the front.
19 That house, talk about safety and code
20 violations. You can see the house porch next
21 to me is about to fall onto my thing. So to
22 me, that's a safety concern, but somehow my
23 pergola -- it is big, it sticks out -- that's a
24 safety concern.
25 If you notice this driveway, I paid to
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1 repair that, and the City is supposed to
2 maintain that. So, again, I did it not for my
3 own benefit, but I did it for everybody else
4 that lives on Liberty Street that does not have
5 same-side street parking. I renovated that. I
6 created the curb. Before that, it was just
7 puddled up with just mud.

8 If you'll also notice the 310, which is to
9 the right, they have the bushes growing
10 (inaudible), but that obstructs view more than
11 my pergola does. Again, planted that tree.
12 Again, this is -- that other tree that's
13 further down the street, that's something new
14 there that's after my pergola was up. Also,
15 there's 4-by-4 railroad ties that are being
16 built up there. Probably catch that in another
17 slide. As you see there, this is all stuff
18 after that's being built. Those trees are new
19 there also. That obstructs views. This is my
20 backyard. And again, if you notice, there's a
21 pergola in the front of the property adjoining
22 to it, you know.

23 So I just want to argue that I invested in
24 this. I continue to invest. I don't want to
25 do commercial properties since being here, so.

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1 (Timer notification.)
2 MR. LeTOURNEAUT: I'm beeped out.
3 THE CHAIRMAN: You can finish.
4 COMMISSIONER STANSEL: You can keep going
5 if you've got more.

6 MR. LeTOURNEAUT: I'm just saying -- I'll
7 just finish my slideshow here that I've got it
8 going. But these are my code and safety,
9 that's just so I can look out my door and see
10 next door. Across the street, weeds are
11 growing, can't even see the sidewalk. That's
12 my neighbor. This is an alleyway that's
13 supposed to be maintained. I'm maintaining my
14 own alleyway. This is a public sidewalk where
15 -- you know, where you walk under there, that's
16 not condemned.

17 These are other neighborhoods. I'm not
18 searching. It's just right around where I
19 live, other properties. Again, on the
20 right-of-way, a turtle. Yeah, turtles go back,
21 you know, tens of thousands of years and it
22 could be considered historical, but that's on
23 the right-of-way.

24 If no historical thing -- again, nothing
25 against David or TerraWise -- that's one of his

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1 homes -- but that's not modern. That's just
2 across the street from me; again, that's not
3 historical. That's on the right-of-way in the
4 City right-of-way. That's two different
5 locations. One bike is red; one bike is blue.
6 It's above 4 feet.

7 Trees. Okay. You know, it's still --
8 what I'm saying is I need a revocable permit in
9 order -- I'll pull it if the City needs to tear
10 it up, which two weeks ago they did. They had
11 to extend a sewer line on the right-hand side
12 of my property. And no issues because, again,
13 we renovated. I knew it was there. Sprinkler
14 system, everything was in there.

15 So I appreciate the opportunity to be
16 considered for the COA so I can get a
17 revocable. Again, I don't mind tearing the
18 structure down, you know, if work needs to be
19 done. But again, I've been adding to my
20 community. I've invested in my community. And
21 if I can't see it on one of these old
22 streets -- there's nothing else on that block
23 in this building.

24 Thank you for your time.

25 THE CHAIRMAN: Thank you. Have we opened
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1 the public hearing?
2 COMMISSIONER DEMETREE: Yeah.
3 THE CHAIRMAN: Is there anyone else to
4 speak on this item?
5 MS. BLAKE: Oh, yes.
6 (Audience member approaches the podium.)
7 MS. BLAKE: Can I have your name, please?
8 AUDIENCE MEMBER: Tico Goines.
9 MS. BLAKE: Okay. State your name and
10 address for the record, Tico.

11 MR. GOINES: Tico Goines at 4500
12 Baymeadows Road, Jacksonville, Florida.

13 MS. BLAKE: Raise your right hand, please.

14 MR. GOINES: (Complies.)

15 MS. BLAKE: Do you affirm that the
16 testimony you're about to give is the truth,
17 the whole truth, and nothing but the truth?

18 MR. GOINES: I do.

19 MS. BLAKE: Thank you.

20 MR. GOINES: Good evening. I don't want
21 to take up much of your time, especially since
22 my client laid it out for us already. When it
23 came to our client's attention that he needed a
24 permit for this structure, it was already
25 built.

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1 So he came and advised us or hired us to
2 administrate the process, which I've been
3 working with Blair and Lisa with, on getting --
4 the first thing I did was to -- went to the
5 right-of-way department, since that's what the
6 violation stated. And they told me that -- to
7 fill out the application. But as I was there,
8 I showed them the pictures of the structure and
9 explained the case with them. And they told
10 me, "Okay. No problem. Your client will have
11 to take full responsibility and liability of
12 the structure, but first you need a revocable
13 permit."

14 Okay. But we found out later that in
15 order to get the revocable permit, we need the
16 COA, and that's why we're here today. Lisa and
17 Blair have been working with me back and forth
18 on straightening out this situation, which in
19 the future we know the process and can get it
20 straight.

21 My client has invested in other properties
22 around that community, more in the business
23 district side, which I'm going to be working
24 with them closely to fulfill the obligations in
25 the future for the future properties. The

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1 handout that -- I don't know if you gave it to
2 them already -- that we brought in, it just
3 addresses some of the issues that the staff has
4 addressed with the property, with specifically
5 being in the right-of-way. And like I say,
6 we've already spoken with that department and
7 have an agreement that we're going to follow
8 their recommendation but just need to get past
9 the COA.

10 And also, with safety, with the
11 visibility, because of the architectural
12 structure of it, you can see from all four
13 sides through it. And it was made for that
14 reason, so it wouldn't block any vision from
15 any cars coming up and down the alley.

16 And that's about it. We're trying to --
17 the reason, I believe, his wife wanted it
18 there, to bring attention to the house because
19 they put so much into it. And they're very
20 proud of it, and they're still continuing
21 putting into it and want to, like he said,
22 encourage other neighbors to also invest in the
23 community.

24 Thank you.
25 COMMISSIONER STANSEL: Thank you.
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1 THE CHAIRMAN: Thank you.
2 And is there anyone else to speak on this
3 item?

4 (Audience member approaches the podium.)

5 MS. BLAKE: If you would please state your
6 name and address for the record.

7 AUDIENCE MEMBER: My name is Lane Manis.
8 My address is 1448 North Liberty Street,
9 Jacksonville, Florida 32206.

10 MS. BLAKE: Would you raise your right
11 hand, please?

12 MS. MANIS: (Complies.)

13 MS. BLAKE: Do you affirm that the
14 testimony you're about to give is the truth,
15 the whole truth, and nothing but the truth?

16 MS. MANIS: I do.

17 MS. BLAKE: Thank you.

18 MS. MANIS: Thank you.

19 Yes. My name's Lane Manis. I'm a
20 resident, and my husband and I went through the
21 correct rules and regulations when we rehabbed
22 our home seven years ago. One of the things
23 that we learned back then was you don't ask
24 forgiveness; you have to get permission before
25 you can proceed further when you live in a

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1 historic district. There are rules that you
2 have to follow.

3 Mr. Lopera mentioned it a while ago. You
4 know, if people aren't required to follow the
5 rules, what good are having rules? If you
6 don't want to follow the rules, move some place
7 where there are no rules. Go to Mandarin, you
8 know, whatever. But, you know, this is not to
9 be neighbor against neighbor. This is to
10 preserve the historic aspects of our
11 neighborhood.

12 I drove through Springfield today and
13 looked everywhere on almost all the streets.
14 There's not one pergola in the right-of-way.
15 There's no pergolas in the right-of-way. Maybe
16 there's a turtle. There's lots of trees, but
17 those were planted by the City. But, you know,
18 looking at -- looking at this, I mean, I was
19 hoping that SPAR was going to be here, our
20 executive director was going to be here, to
21 help reiterate that this structure is not
22 appropriate for the historic district.

23 If you can pull back up a picture of what
24 it looks like, I mean, it's an Italianate-type
25 pergola, and this is not an Italianate-type

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1 house. But, you know, the scale is wrong, the
2 size is wrong, the rock is wrong. You know, we
3 don't have rocks like that in Florida. But,
4 you know, the whole point of having the
5 right-of-way is for the City. The City has to
6 have access to that.

7 And again, going back to the rules, I'm a
8 realtor. Not one of my clients buys something
9 in the neighborhood, either Springfield,
10 Riverside, Avondale, without signing a historic
11 district addendum. And when Springfield
12 started revitalizing several years ago, the
13 Florida real estate -- or North Florida, they
14 created this document. Every person who buys
15 in Springfield or a historic district is
16 required to sign this. Now, there may be some
17 builders who aren't giving these. Obviously
18 for, you know, the flippers, they're not
19 getting them.

20 But it's -- you know, there are rules.
21 You have to follow the rules set forth by the
22 Historic Preservation Commission, which is
23 overseen by the National Park Service. So we
24 had to follow the rules. We continue to have
25 to follow the rules. And if there are not

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1 going to be any rules, if everybody can just
2 come and pay a fine and get their way, then
3 let's just get rid of all the rules.

4 Thank you very much.

5 THE CHAIRMAN: Thank you.

6 MS. BLAKE: Madam Chairman, I have two
7 other cards, one in opposition and one in
8 support. They indicated -- they both have
9 left, but they do put some comments on their
10 cards.

11 THE CHAIRMAN: All right.

12 MS. BLAKE: Do you want to hear them?

13 MS. FETNER: Yes, you can read them.

14 MS. BLAKE: All right. One is Kenny
15 Logsdon, 437 East 3rd Street, and he is in
16 opposition. He says, "It is too large for the
17 road, and it is not in character with the
18 area."

19 The second one is a David Shatner from
20 1321 North Main Street. He says, "As a
21 business owner in Springfield and owner of
22 several vacant lots and new homes under
23 construction, I support this application. It
24 is tastefully done, and it adds to the beauty
25 of this street and house. I had to leave. I

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1 can't speak."

2 That's it.

3 THE CHAIRMAN: Thank you.

4 MS. FETNER: Just a reminder that the
5 applicant has a chance to counter the -- anyone
6 in opposition.

7 THE CHAIRMAN: Okay. Would you like to?
8 (Mr. LeTourneaut approaches the podium.)

9 MR. LeTOURNEAUT: Sure. First of all, I'm
10 enjoyed to meet my neighbors for the first time
11 in this official capacity. You know, I don't
12 know the name or anything like that, but I will
13 say that when you sign a house, how many
14 documents do you sign? I'm not denying that
15 there might have been that. I might have
16 signed it. David's pretty efficient. But when
17 you're closing on a house and you're signing on
18 a house and then when you want to just get in
19 there, you don't know these things, okay?
20 That's not an excuse.

21 I will add, being a realtor, that I have
22 single-handedly increased the value of the
23 houses in my neighborhood, and we can't deny
24 that fact per square foot, what I've put in
25 there. So again, this is a great opportunity

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1 to meet -- you know, this is not a great
2 opportunity to meet my neighbors or people come
3 over here and say, "Hey, you need to do this."
4 I never got that, you know. And again, you
5 know, I'm sensitive to my community. I'm
6 invested in my community, you know, and I want
7 it to prosper.

8 Again, I had an open house. 800-something
9 people came through. The pergola wasn't up by
10 no means. But I'm kind of disappointed this is
11 the way I meet my neighbors. But, hey, I can I
12 guess also come back for fencing, you know,
13 whatever.

14 But I appreciate the time.

15 THE CHAIRMAN: Thank you.

16 Do we have any -- I don't know if this is
17 something that was entered into the public
18 record, but I was just wondering if there was
19 any comment from SPAR, why they're not able to
20 be here.

21 MS. MULLINS: She was not able to meet
22 with our monthly design review. She was --

23 MS. BLAKE: Blair, can you use the
24 microphone? It's hard to hear you.

25 MS. MULLINS: Sorry about that. I thought

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1 I was as loud as him.
2 MS. BLAKE: No, you're not.
3 MS. MULLINS: She missed our monthly
4 meeting. She was out of town, I think, and
5 then requested a list of the applications for
6 Springfield, and I informed her of the
7 applications in Springfield and asked if she
8 wanted to meet. So, I mean, she has access to
9 the stuff online just like everyone else. I
10 can't speak to why she's not here.
11 THE CHAIRMAN: All right.
12 MS. SHEPPARD: Through the Chair, just a
13 couple of clarifications. I wanted to make
14 sure that it was in the record because we don't
15 get this very often. This was something that
16 was -- this was not something that Martin
17 caught in the field as part of his enforcement
18 duties. This was something that was actually
19 called in and followed up on. It was initially
20 entered into the Care system as a right-of-way
21 issue and then later added as a historic
22 certificate of appropriateness violation
23 because there was no COA on file.
24 And the -- I mentioned before that we do
25 have the ability to do some arbors or pergolas
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1 at the staff level under the matrix. We limit
2 their placement because we -- obviously,
3 something of this size, if you're putting it in
4 the front yard, which is where we normally
5 review things, you have -- there's a very big
6 ability to block the historic structure.
7 In this case, this is a contributing
8 structure to the historic district. So just
9 like we deal with fence heights, trying to
10 limit those so it doesn't distract from the
11 historic residence, you've -- you know, this
12 being of the size that it is in front of the
13 structure, albeit in the right-of-way, you
14 know, that's kind of the thought process as far
15 as our review of these things.
16 COMMISSIONER LOPERA: Through the Chair,
17 would you guys have approved it in the front
18 yard?
19 MS. SHEPPARD: Nothing of that -- well, it
20 would not have been -- they couldn't have
21 gotten zoning approval for putting it in the
22 front yard. If they had put it in the yard,
23 they would have had to meet zoning
24 requirements, which require things be -- you
25 have to meet certain setbacks.
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1 COMMISSIONER LOPERA: Right.
2 MS. SHEPPARD: And so it's kind of a fluke
3 situation dealing with the right-of-way because
4 they're not necessarily looking at the same --
5 with the setbacks, even though it's in front,
6 yes. If it was in the front yard, they would
7 have had to recess this at least 20 feet, and
8 so you would have had a zoning issue there.
9 It's something that you would have to get an
10 administrative deviation for.
11 COMMISSIONER LOPERA: Okay.
12 MS. FETNER: Can I ask a question? Just
13 through the Chair, putting aside all zoning
14 issues, setback issues, because that's really
15 not the purview of this Commission, what would
16 staff have done if it was brought to you as an
17 application, not considering zoning or anything
18 like that?
19 MS. SHEPPARD: Sure. I'm sorry. Through
20 the Chair, well, A, I'm not sure that it would
21 fit in its current size. It's 12 feet. I'm
22 not sure if the setback even would allow for
23 that. But again, scale and blocking the
24 historic structure would have been our -- I
25 mean, it would have had to come to the
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1 Commission because it's outside of what we
2 could do at the staff level, and we wouldn't
3 have recommended approval on it based on its
4 placement and size.
5 COMMISSIONER CASE: Question for staff.
6 When the rehab was done on the original house,
7 I presume the COA was applied for and approved?
8 MS. SHEPPARD: Yes. I did look at the
9 COAs for the rehab of the structure. It was
10 done by David Shatner or TerraWise, one of the
11 speaker cards. At that time the owner was
12 listed as TerraWise, so back in like 2014.
13 COMMISSIONER DEMETREE: Question for staff
14 also. Have you approved anything like this
15 before as far as in the right-of-way?
16 MS. SHEPPARD: We've never had -- we don't
17 get very many things in the right-of-way to
18 begin with, just because there's so much
19 limitation on what you can -- they want to see
20 there, and you have to do the revocable. In
21 the 20 -- well, 19 years that I've been here, I
22 can't think of anything that's of this
23 three-dimension. Usually, when they've come
24 up, it's somebody wanted a parking pad,
25 something that's kind of more at the ground
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1 level. We may have done some planters,
2 something like that, but nothing that was --
3 that you would walk through, something of this
4 height and size.

5 THE CHAIRMAN: Lisa, do you know if the
6 fencing is historic, or was it -- do you know
7 if it was part of the 2014 COA?

8 MS. SHEPPARD: I believe the picture
9 that -- he had a picture in here of before the
10 work was done, and I don't believe it had the
11 fence at that point in time. I also wanted to
12 mention that the other things that he pointed
13 out in the pictures, as far as what's to both
14 sides of him, to my knowledge we don't have
15 COAs on that work as well. So they're just --
16 unfortunately, you know, there's violations out
17 there, and we don't know about them until
18 they're called in or identified.

19 So this was a picture of -- I'm not sure
20 if this was from the Florida master site file,
21 but obviously it had a completely different
22 fence at that point in time. And we're not
23 aware of any historic examples of this type of
24 structure and certainly of this size in the
25 right-of-way or the front yard.

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1 is not supposed to be neighbor against
2 neighbor. This is our neighborhood. This is
3 my community. This is my home. If the
4 pergola's allowed, then does that mean that I
5 can put a freestanding garage in so I can park
6 off the street? Because it's got four legs and
7 it's open all the way around. So just a
8 question. Will that be allowed if this is
9 approved?

10 MS. FETNER: Would the applicant like to
11 counter?

12 (Mr. LeTourneaut approaches the podium.)

13 MR. LeTOURNEAUT: I would kindly support
14 my neighbor if it was in good taste and it
15 added value, it doesn't depreciate the value of
16 her house or that of the company. Again, I
17 point out to, you know, all these -- if I can
18 get into these slides here, you know, that's
19 what it looked like before, and I've added
20 value to it. You know, again, my tax value,
21 it's like \$335,000 from 12,000. You know, it's
22 not an eyesore. Look at the picket fence
23 there. You tell me it doesn't match with that?

24 You know, again, I encourage my neighbors
25 to improve on their property. If you can see

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1 THE CHAIRMAN: Okay. Any more questions
2 or any more discussion before we close the
3 public hearing?

4 COMMISSION MEMBERS: (No response.)

5 THE CHAIRMAN: Okay. Hearing none, we
6 close --

7 MS. MANIS: Can I say something again?

8 MS. FETNER: No, I'm sorry.

9 MS. MANIS: Okay. That's what I thought.

10 THE CHAIRMAN: Sorry. That was my fault.

11 MS. FETNER: I mean, you can say
12 something, but he's going to have the
13 opportunity to counter. So it's up to you. If
14 you would like to speak, you can speak, but
15 you --

16 COMMISSIONER DEMETREE: I don't think you
17 can do that again.

18 MS. FETNER: No, but this would be the
19 last time because typically we don't allow
20 that. And we're going to limit you to --

21 MS. MANIS: 30 seconds.

22 MS. FETNER: Okay. And he's going to
23 counter.

24 (Ms. Manis approaches the podium.)

25 MS. MANIS: That's fine. And again, this

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1 those trees over there that have been planted
2 and then you can see those railroad ties, and
3 then coming back to the other side, my neighbor
4 put a beautiful pergola over there in the
5 front. Yeah, it's, granted, not that big as
6 mine -- I don't want to talk, you know -- but I
7 think it's within taste.

8 But, you know, I'll support my neighbor if
9 they want to do something to their property
10 that adds value, that's not, you know, a
11 degenerate looking piece of the thing there.

12 Thank you.

13 COMMISSIONER LOPERA: Question for the
14 staff. Did that come through the COA, the
15 pergola, or do we have any --

16 MS. SHEPPARD: To my knowledge, no. I
17 mean, it is -- it's hard to tell from this
18 photo, but that is in the side yard. It's not
19 in front of the structure.

20 COMMISSIONER LOPERA: Oh, okay.

21 MS. SHEPPARD: It's in front of -- I think
22 there's a garage or a secondary structure
23 that's back behind it, and they've got like a
24 garden space in that side yard. That is a --
25 more of the size that we would normally be

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1 dealing with at the staff level if, you know,
 2 they did come in, and then that would at
 3 least be within the realm of possibility of
 4 something that we could consider at the staff
 5 level.
 6 COMMISSIONER LOPERA: Okay. I also
 7 noticed the big rock in the front, that wasn't
 8 anywhere on here. Can that stay?
 9 MS. SHEPPARD: We have -- I guess that's
 10 probably more of a question for you guys than
 11 us. We cannot review rocks as part of -- you
 12 know, we don't normally deal with landscaping
 13 except for something that is more of a
 14 permanent nature. You know, that's a question
 15 that could be posed to you, is that something
 16 that you would want us to review.
 17 THE CHAIRMAN: Okay. Let's close the
 18 public hearing.
 19 Does anybody have any discussion?
 20 MS. FETNER: We have to have a motion.
 21 COMMISSIONER LOPERA: I'd like to make a
 22 motion that we deny COA-17-796.
 23 COMMISSIONER CASE: Second.
 24 THE CHAIRMAN: Okay.
 25 COMMISSIONER CASE: I will institute
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1 some -- or instigate some discussion. I
 2 applaud Mr. LeTourneaut for the work that he's
 3 put into it and the investment that he's made
 4 in the community. I applaud him for his
 5 efforts, but unfortunately I cannot support the
 6 location of the pergola in the public
 7 right-of-way.
 8 The -- to staff's comments, it is awfully
 9 massive in scale and size and proportion to the
 10 existing historic residence. Your eye is drawn
 11 to that more than to the house, really, and I'm
 12 just not in favor. Historically, nothing would
 13 have been there other than grass and trees and
 14 an occasional utility pole, and that's all that
 15 should be on any of those right-of-ways.
 16 That's City property, and they're the ones that
 17 are supposedly in charge of maintaining it.
 18 So unfortunately, as much as I appreciate
 19 the work that he's done, in this case I can't
 20 support it in that location. If he wants to
 21 move it to the back yard, all the power to him,
 22 but I don't think there should be anything in
 23 any of these right-of-ways other than grass and
 24 a tree.
 25 THE CHAIRMAN: I would just add that
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1 perhaps -- I mean, in my experience, although
 2 the City's supposed to maintain the
 3 right-of-ways, it's usually left up to the
 4 homeowners. So in that situation, if you
 5 wanted to plant trees or flower beds or
 6 whatever, you can usually do that, or bushes or
 7 something. So, I mean, I don't know. I would
 8 be okay with the rock staying.
 9 I agree, the pergola should probably be
 10 moved and would probably be more -- maybe be
 11 able to find more use and, you know, it would
 12 probably be more convenient to both you and as
 13 well as more usability in a different area of
 14 the property or perhaps one of your other
 15 properties that you -- but, I mean, I'm okay
 16 with the rock.
 17 COMMISSIONER CASE: I'm not even in favor
 18 of the rock. Grass, grass and trees. And
 19 there's regulations for trees that get put in
 20 the right-of-way. Correct me if I'm wrong, but
 21 I think you have to maintain a clear trunk type
 22 of 6 feet for a tree in the right-of-way. And
 23 that's for safety so that when you're driving
 24 your car, you can see through and underneath
 25 the canopy of the tree.
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1 COMMISSIONER DAVIS: Sondra, are we
 2 talking about the rock?
 3 MS. FETNER: The rock was not included in
 4 the application.
 5 COMMISSIONER CASE: No, it's not.
 6 COMMISSIONER DAVIS: We're not sure what
 7 to do with rocks. Are we talking about the
 8 pavers?
 9 MS. FETNER: No, I don't think you're
 10 talking about the pavers either.
 11 COMMISSIONER DEMETREE: We're just talking
 12 pergola?
 13 MS. SHEPPARD: Just the vertical
 14 structure.
 15 COMMISSIONER DAVIS: What about the
 16 pavers?
 17 MS. SHEPPARD: No.
 18 COMMISSIONER DAVIS: Those are -- okay. I
 19 don't want to --
 20 COMMISSIONER DEMETREE: Let's just leave
 21 it.
 22 MS. FETNER: Just focus on the pergola.
 23 COMMISSIONER DAVIS: I would -- with all
 24 due respect, beautiful job with the house, but
 25 I would agree with the others.
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1 COMMISSIONER DEMETREE: Yeah. Through the
2 Chair, I actually like the rock. And I like
3 the tree, and I like the landscape job. And I
4 actually like the pergola, but David's point to
5 it draws your eye before the house -- and
6 looking back at this picture, I think it's a
7 great point. I think it does kind of take away
8 from the beautiful job you've done to your
9 house because you do see that pergola, and it
10 dominates kind of your view of the house.
11 Yeah. As much as I like it, I'm going to
12 have to, you know, support moving it probably,
13 you know, to the back yard.
14 THE CHAIRMAN: So do we have a motion?
15 COMMISSIONER LOPERA: I already have a
16 motion on the floor. We need a second.
17 THE CHAIRMAN: Is there any more
18 discussion?
19 COMMISSION MEMBERS: (No response.)
20 THE CHAIRMAN: Okay. So we have a motion
21 to deny this application. All those in favor?
22 COMMISSION MEMBERS: Aye.
23 THE CHAIRMAN: And anyone opposed?
24 COMMISSION MEMBERS: (No response.)
25 THE CHAIRMAN: Okay. So the motion
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1 carries to deny COA-17-796.
2 And now we are moving on. We have no
3 appeals, no OOAs or minor mods.
4 Do we have any additional public comments
5 at this point?
6 AUDIENCE MEMBERS: (No response.)
7 THE CHAIRMAN: Seeing none, we will move
8 on to Item L, new business, the election of
9 vacant officer positions.
10 MS. MULLINS: I think -- okay. I think we
11 were going to ask JC if you would like to move
12 up from secretary to vice chair.
13 MS. BLAKE: Blair, if you're going to
14 speak, can you use the mike, please?
15 MS. MULLINS: I'm sorry. Sondra, is that
16 what we're doing here?
17 MS. FETNER: Sorry. I was in the process
18 of finding out how we can get a copy of the
19 real estate form that she mentioned with the
20 notice, because it would be very helpful in my
21 appeals. So that's why I wasn't up here.
22 COMMISSIONER CASE: I recall the first
23 time I was chair, I actually wrote a letter
24 that was distributed to -- I believe it was all
25 the property owners and realtors advising them
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1 that they were living in a historic district
2 and that all proposed changes had to come
3 before the Department.
4 COMMISSIONER LOPERA: I'll send that to
5 you. I'm under contract on a house in this
6 area. I'll send that to you.
7 MS. FETNER: Please. That would be very
8 helpful.
9 COMMISSIONER DAVIS: It's not like -- it's
10 just a notice that --
11 MS. FETNER: Right.
12 COMMISSIONER DAVIS: It's not -- there's
13 nothing official about it?
14 MS. FETNER: You know, it will just help
15 me in my proof problem. When they try to claim
16 ignorance, you know, I can say X, Y and Z
17 happened.
18 COMMISSIONER DAVIS: Right.
19 MS. FETNER: The chances of all three
20 failing are very slim. So I've just been
21 running into that issue.
22 So getting back to our agenda with
23 elections, as you know, Commissioner Hackley
24 resigned. So she was supposed to be the vice
25 chair, and Commissioner Demetree is the
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1 secretary. So before we vote on replacing
2 Cora's position -- or sorry -- former
3 Commissioner Hackley's position, you know, if
4 Commissioner Demetree would like to move up to
5 vice chair, we'll have an election on that.
6 COMMISSIONER CASE: Can I nominate,
7 renominate?
8 MS. FETNER: You can, yes.
9 COMMISSIONER CASE: Okay.
10 MS. FETNER: Do you accept the nomination?
11 COMMISSIONER DEMETREE: Sure.
12 COMMISSIONER CASE: So I would nominate JC
13 as vice chair, and I would nominate Ryan as the
14 secretary.
15 MS. FETNER: Okay. Do you accept?
16 COMMISSIONER DAVIS: Sure.
17 MS. FETNER: Does anyone else have any
18 other nominations? Are there any other
19 nominations out there?
20 COMMISSIONER LOPERA: Aren't all the
21 positions filled?
22 MS. FETNER: Yes, but you can nominate --
23 COMMISSIONER DAVIS: Oh, we've got an
24 election?
25 (Simultaneous speaking.)
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1 MS. BLAKE: Okay. You guys are talking
 2 over each other, and he's still trying to do
 3 his thing. Please.
 4 MS. FETNER: So you both win by a
 5 landslide.
 6 THE CHAIRMAN: So for the record, we have
 7 a new secretary, Ryan Davis, our secretary, and
 8 JC Demetree is the vice chair.
 9 MS. FETNER: Let's just -- just for --
 10 Blair just brought it up, if you have to vote.
 11 I'm not sure. It doesn't really make sense if
 12 they accept the nomination, but just to be
 13 safe. So it would be a motion to approve that
 14 slate.
 15 THE CHAIRMAN: Okay.
 16 COMMISSIONER CASE: I move that we approve
 17 the slate for vice chair and secretary.
 18 COMMISSIONER DEMETREE: Second.
 19 THE CHAIRMAN: All those in favor?
 20 COMMISSION MEMBERS: Aye.
 21 THE CHAIRMAN: Those opposed?
 22 COMMISSION MEMBERS: (No response.)
 23 THE CHAIRMAN: Hearing none, you're
 24 approved.
 25 And there's no more business on this
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1 CERTIFICATE OF REPORTER
 2
 3 STATE OF FLORIDA)
 4 COUNTY OF DUVAL)
 5
 6 I, MATTHEW MCKINNEY, Florida Professional Reporter,
 7 certify that I was authorized to and did
 8 stenographically report the foregoing proceedings and
 9 that the transcript is a true and complete record of my
 10 stenographic notes.
 11
 12 DATED this 2nd day of August, 2017.
 13
 14
 15
 16
 17 _____
 Matthew McKinney, FPR
 18
 19
 20
 21
 22
 23
 24
 25 Diane M. Tropa, Inc., P.O. Box 2375, Jacksonville, FL 32203
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1 agenda, so have a blessed evening and we are
 2 adjourned.
 3 (The above proceedings were adjourned at
 4 7:19 p.m.)
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