

MINUTES OF A REGULAR MEETING
ARCHITECTURAL REVIEW BOARD
VENICE, FLORIDA

April 8, 2010

A Regular Meeting of the Architectural Review Board (ARB) was held this date in Council Chambers. Chair David Sherman called the meeting to order at 9:00 a.m.

I. ROLL CALL

The following Board members were present: Chair David Sherman, Vice Chair Jon Steketee, Jon Barrick, Mark Beebe, Robert Brooke, Morgan Skoegard and Ex-Officio Council Member Jim Bennett. Ruth Ann Dearybury was absent.

Also present: City Attorney Wayne Hall, Planner Roger Clark and Recording Secretary Susan Schult.

Mr. Skoegard and Mr. Barrick introduced themselves and gave brief personal and professional histories.

II. APPROVAL OF MINUTES

Mr. Steketee **moved** the Minutes of the Regular Meeting held on September 10, 2009, be approved as written. **Seconded** by Mr. Beebe. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

Mr. Beebe **moved** the Minutes of the Regular Meeting held on September 24, 2009, be approved as written. **Seconded** by Mr. Steketee. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

Mr. Steketee **moved** the Minutes of the Regular Meeting held on October 13, 2009, be approved as written. **Seconded** by Mr. Beebe. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

III. ELECTION OF OFFICERS

Mr. Beebe **moved** the board retain the officers elected in 2009 for the 2010 meetings. **Seconded** by Mr. Brooke. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

IV. WORKSHOP

Mr. Hall reviewed the standards of the ARB ordinance that was originally adopted in 1987, the reasoning for reevaluating the standards, stated the ordinance was changed in 2001 to include ARB review of renovations requiring a building permit on exterior work, and in 2008 the ordinance was changed to state the trigger for non conforming buildings is the cost of the exterior renovations must exceed 50 percent of the value of the existing structure.

He mentioned the Pineapples project on the corner of U.S. Business 41 and Miami Avenue that was recently determined unreviewable by the board and does not conform to the Italian Renaissance theme, and reviewed the aspects of the case pertaining to the cost of repairs and the value of the building, which prompted the board to reevaluate the standards.

Discussion followed regarding stores along Venice Avenue in need of repair, owners not being financially able to comply with the historic standards, closer monitoring of front façades, current code allowing windows and doors to be replaced like for like without ARB review, the Pineapples project being at the entrance to the Historic District of the city, average cost of permits, the building department requiring eight sets of plans for ARB, the application fee for ARB review, the goal of the board to review front façades, not requiring all renovations in the Venetian Theme to come before the board, challenge in determining the front façade compliance trigger, implementing a variance on full compliance, economic factors in granting a variance, builders who are not familiar with the ARB guidelines, 50 percent of the value of the structure not being a viable trigger, major roofing changes prompting review, whether a change of stucco should be under review, no enforcement of board decisions, including windows, doors and stucco in façade compliance, realtors not notifying buyers of the Historic District regulations, past realtor education from board members on the guidelines, full disclosure being a federal law, building massing, challenges with people not making needed repairs because of compliance costs, compliance in the Historic Districts, second floor apartments in downtown complying with historic regulations, past cases, and interim approvals with the retirement of the building official.

Mr. Clark stated the current situation is being discussed between the city manager and the general manager of development services regarding ARB case determinations, and contracting North Port Building Official Scott Williams through an interlocal agreement between the cities.

Discussion continued regarding the building official's role in determining the ARB case load, making it easier to obtain a permit, timeframe and cost to obtain a permit for a hot water heater or air conditioner, home improvements in Dade County over \$150 requiring a permit, revenue generated by permit and contractor fees, current process on ARB approvals in determining which cases go before the board, whether all like for like cases can be exempt, awning cases coming before the board, requiring a percentage or square foot calculation in determining a trigger, having the trigger at 25 percent and using the variance procedure, the individuality of non conforming structures, roof alterations, taking roof pitch into consideration, homeowners of historic properties that replace like for like, but do not use original building materials, and single family homes in the theme district being exempt.

Mr. Hall summarized the suggestions from the board as any alteration to a roof, non-conforming façade change trigger being a 25% change, and a change in architectural elements including windows, doors, awnings, building form, massing and color would require review.

Discussion continued regarding roof exposure included in the front façade, what is visibly seen from the street, identifying storefronts, and nothing in the guidelines pertaining to frame color.

Mr. Bennett talked about architectural review in other cities, and suggested council be advised of the legal basis for any code changes.

Discussion followed regarding taking a walking tour of buildings downtown, reviewing photographs first, Mr. Beebe and Mr. Sherman selecting and photographing buildings for board review and discussion, whether the city should compare the city ordinance with other city architectural review ordinances, whether there should be a permit required for color changes, requiring a permit for a radical change of color in the Historic or Venetian Theme Districts, the permit triggering enforcement, and the current approved ARB color palette.

Mr. Hall stated he will not be drafting language pertaining to color due to the lack of a consensus, talked about having architectural inspections, queried staff on the current process for the oversight of ARB approvals, and stressed someone needs to ensure compliance with ARB decisions.

Discussion followed regarding having the applicant appear before the board when the project is completed to ensure compliance, the last project by Mr. Hibner being different from what was approved, withholding the Certificate of Occupancy (CO) or final inspection until there is an inspection for architectural compliance, and having the ARB approved plans on the job site.

Mr. Clark stated all site and development sample architectural features approved by the Planning Commission are kept on file, the building department sends out a final request for all departments to do their final inspections, and explained the follow up inspection procedure for architectural style before the CO is issued.

Discussion continued regarding holding the CO, having a system to monitor unapproved changes, the guidelines not being code, color samples being required as part of the record, the planning department process on colors that have changed, administrative decisions made by staff and the chair, and the board continuing this discussion at the May 13, 2010 meeting.

In response to questions on ethics compliance, Mr. Hall stated Mr. Beebe could not represent a client on a case before the board, stated a member of Mr. Beebe's firm may be able to make the presentation, and recommended Mr. Beebe meet with the city Compliance Officer Isaac Turner.

V. ADJOURNMENT

There being no further business to come before this Board, the meeting was adjourned at 10:57 a.m.

(Approved by the Chairman and the Recording Secretary at the May 13, 2010 regular meeting.)