

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT: Briefing on the requirements of the Historic Preservation Grant S0559.

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Dan Matthys CONTACT: Cathleen Consoli EXT. 7377

Agenda Date: 5-10-05 Regular Consent Work Session Briefing
Public Hearing – 1:30 Public Hearing – 7:00

MOTION/RECOMMENDATION:

Direct staff to begin drafting a Historic Preservation Ordinance as required by the Grant Agreement with the State of Florida, Division of Historical Resources, which contain criteria recommended by staff.

Unincorporated Seminole County

Cathleen Consoli, Senior Planner

BACKGROUND:

In 1994, Seminole County conducted an archeological and historic structures survey for the unincorporated area. Based on a need to update this survey, staff applied for a State grant. In August 2003, the Division of Historical Resources, Florida Department of State awarded a match-in-kind grant in the amount of \$15,000 to the Board of County Commissioners to conduct a survey of historic (fifty years old or greater) structures in the East Rural Area of the County and to prepare a historic preservation ordinance. The current survey is an update to the 1994 survey and focuses on the core of Geneva (see map attached). The County's consultant, Land Design Innovations, Inc. (LDI) is conducting the survey of approximately 90 structures. The survey includes Florida Master Site file forms, location maps and photographs.

Current Policies, Codes and Regulations:

The County oversees historic preservation in the three ways described below:

Currently, the Seminole County Comprehensive Plan, SCCP, contains Policies in the Design Element Objective 7 relating to public awareness and enjoyment of historical resources. These policies require updating the listing of historical sites in the County. The Housing Element directs the County to assist property owners in the identification of historically significant housing and aid them in obtaining grant monies applicable to these structures. The SCCP also guides the County's Historical Commission, an established advisory committee to the County Commission, to continue to provide a historic register to identify significant historic resources (Policy DES 7.2).

Reviewed by:
Co Atty: _____
DFS: _____
Other: _____
DCM: _____
CM: _____
File No. bpdp01

Chapter 50 of the Land Development Code requires County review of proposed development to ensure that listed historic structures are identified. If listed structures are impacted, the applicant is required to notify the Division of Historical Resources. The County may issue a final development order only after the applicant has entered into a binding agreement with the Division stipulating the course of action requested in accordance with law.

The Seminole County Code establishes the Historical Commission, its procedures and its advisory capacity to the BCC. The proposed criteria in this report were presented to the Historical Commission for its review at its April 21, 2005 meeting.

STAFF RECOMMENDATION:

Provide direction to staff pertaining to the preservation of historical resources and the placement of proposed criteria into a draft historic preservation ordinance as required by the grant agreement with the State of Florida, Division of Historical Resources.

Staff recommends the following actions and corresponding criteria be placed in a forthcoming ordinance:

1. Define criteria used by the Historical Commission to determine historical significance and to recommend if a historic structure should be identified as local historic landmark.
2. Define criteria with used by the Historical Commission to review and make recommendations to the Board of County Commissioners (BCC) on requests for demolition or modifications to historic structures. This review provides the opportunity for the County to evaluate the historical value of the structure and for the property owners to investigate other means of protecting the structure. It is possible that the structure may be sold and relocated, rehabilitated or reconstructed to fit the contemporary needs of the owners. This review also allows for a thorough documentation of the structure if it is to be demolished, preserving an accurate record.)
3. Establish County review procedures for applications to demolish or modify historical structures.
4. Allow the Planning Manager to waive certain code requirements such as setbacks and parking, through administrative waivers, to save a historic structure.

Next Steps

A draft ordinance incorporating the recommended criteria will be submitted to the State along with the additional required documentation related to the survey prior to June 30, 2005. Staff will work with the Land Development Code consultants to bring the ordinance back to the BCC incorporating their requested changes and/or additions.

Attachments: Survey Area map
Proposed Criteria

Proposed Criteria

A. Criteria: Local Historic Landmark

The following criteria could be used to recommend a structure as a local historic landmark.

The Historical Commission of Seminole County may recommend to the Board of County Commissioners that structures be identified as Historic Landmarks if the structure is at least fifty (50) years old or older and it is of exceptional significance based on the following criteria:

1. Historical, architectural and/or cultural significance
2. Suitability for preservation or restoration
3. Educational value
4. Requested by the owner or legally authorized representative

Staff is not recommending the creation of historic districts in unincorporated areas of the County.

B. Criteria: Review of Demolition Requests for Listed Historic Structures or Local Historic Landmarks

The Historical Commission should consider the following criteria when reviewing a demolition request of a listed historic structure or designated local historic landmark:

1. Whether or not the structure is of such interest or quality that it would reasonably meet national standards for additional designation on the National Register of Historic Places or as a National Landmark.
2. Whether or not the structure is one of the last remaining examples of its kind in the County or region.
3. Whether or not the retention of the structure would promote the general welfare of the County by providing an opportunity for the study of local history, architecture or design.
4. Whether or not the definite plans for reuse of the property exist and the plans will have a positive effect on the character of the surrounding area.
5. Whether or not a reasonable effort was made to relocate the structure.
6. Whether or not the structure is determined to be unsafe by the Building Official of Seminole County.
7. Whether or not the structure has not been significantly altered from its original architectural style.

C. Criteria: New Construction, Additions and Alterations to Listed Historic Structures or Local Historic Landmarks

The Historical Commission shall consider the following criteria when reviewing requests for new construction, additions or alterations to a listed historical structure or a local historic landmark:

1. Whether or not the removal of historic materials or alterations of exterior features that characterize a property could be avoided.

2. Most properties change over time; whether or not those changes that have acquired historic significance in their own right should be retained and preserved.
3. Whether or not the distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a historic property should be preserved.
4. New additions, exterior alterations or related new construction should not destroy historic materials that characterize the property. The new work should be compatible with the massing, size and scale to protect the historical integrity of the structure and its environment.

Proposed Review Process

Currently, exterior renovations and demolition applications for structures in unincorporated Seminole County are handled by the County Building Division. Permit applications are reviewed for zoning, flood prone, addressing and site plan requirements. During the existing review process, structures listed with the State through a Master Site File Form or structures identified by the Historical Commission as local historic landmarks would be included in the County Geographical Information System (GIS).

If the permit request is to demolish or renovate an identified historical resource, a flag staff would inform the applicant of the historic nature of the structure and that review by the Historic Commission and the BCC is required prior to the issuance of building permits. The result of this review is a recommendation regarding the preservation of the structure's historic qualities. Any activity requiring a building permit that may change the exterior appearance of an identified historic structure but does not include painting, general maintenance or interior remodeling would be subject to this review procedure. This review may result in recommendations such as a delay of demolition for a defined period of time.

In addition to existing building permit requirements, a completed form explaining the request, pictures of the existing structure and proposed elevations of new construction, if applicable, will be required. Staff will prepare a report using the adopted criteria and present the information to the Historical Commission at a public meeting. The request before the Historical Commission will be for recommendations regarding the demolition or major renovation to an identified historic structure. The proposed criteria will be the foundation for the Commission findings and recommendations to the BCC.

The recommendations and findings of the Historical Commission will be presented to the BCC as a regular agenda item. The Board of County Commissioners will consider the recommendations of the Historical Commission and may direct staff to work with the applicant regarding preservation grants, salvage opportunities, acquisition or donation of the structure. The building permit review process will continue during the review although no final building permits may be issued until the County Commission has reviewed the request.

Contents of Typical Historical Preservation Ordinances in the State:

The most basic definition of Historic Preservation is the identification, protection, and enhancement of historic resources. A local historic preservation ordinance is a method of protecting a community's historic resources. A Historic Preservation Ordinance **can**:

1. Provide a policy for the protection of historic resources
2. Establish an objective and process for designating historic properties
3. Protect the integrity of designated historic properties by requiring design review
4. Authorize design guidelines for new development within historic districts to ensure that it is not destructive to the area's historic character
5. Stabilize declining neighborhoods and protect and enhance property values

A Historic Preservation Ordinance **does not**:

1. Require that historic properties be opened for tours
2. Restrict the sale of a property
3. Require improvements, changes, or restoration of a property
4. Prevent new construction within historic districts

A typical historic preservation ordinance includes the following methods for preservation:

1. Designation of a Historical Commission
2. Criteria for designation of landmarks and/or districts
3. Procedures and criteria for nominations and designation of landmarks
4. Types of actions reviewable by the commission and the legal effect of the review
5. The criteria applied by the commission to the action reviewed
6. Consideration of the economic effect of designation or review of an action
7. Procedures for appeals from a commission decision
8. Fines and penalties for violation of ordinance provisions

Included are proposed criteria for the existing Historical Commission, an advisory board to the BCC, to use to nominate structures as local historic landmarks. Criteria are also provided for the Commission to use to review demolition requests of a listed structure or local historic landmark. Finally, proposed criteria used to review major alterations to these structures are outlined. Based on direction from the Board, the criteria would be placed in a proposed ordinance and become part of the current regulations governing historic structures.

Preliminary Survey Results:

According to the preliminary report of the Geneva Core survey, 92 structures were inventoried on Florida Master Site File Forms. The State requires that all previously listed surveys be re-surveyed to maintain and update the inventory of historic structures. At this time, seven structures that were to be surveyed have been demolished. Most structures in the survey area are single family homes. Many changes to the structures have been made that are not consistent with their original style including new metal windows, enclosed porches and additions. The styles of the structures are vernacular which refers to local building style using local materials and traditional methods of construction and ornamentation. Public comments received during the Rural Lands Study conducted by the Planning Division indicate an appreciation and a desire to preserve and enhance local history. Interests range from historic districts to financial aide or incentives for property owners trying to improve historic structures. The East Rural Area contains approximately 176 structures built prior to 1955. Approximately 86 structures remain to be surveyed in the East Rural Area outside the Geneva area.

Local Historic Preservation Efforts:

The cities of Longwood and Sanford each have a Historic Preservation Board and districts that utilize the outline above. To support the preservation program, major changes to structures within the districts are guided by design criteria. Many jurisdictions, including the City of Orlando, have a staff member designated as a Historic Preservation Officer to review and make determinations regarding historic resources.

The Building Department of the City of Leesburg reviews all demolition permit requests. If demolition to a historical structure is requested, the applicant must fill out a form that identifies property and structure information and asks questions specific to the nature of the request. Placards are placed on historical properties for public notice and comment if major changes such as demolition to an historic structure are requested.

The proposed criteria listed earlier for review of demolition and major changes are taken from the Secretary of the Interior's Standards for Rehabilitation created by the National Park Service. The Certificate of Appropriateness is the tool used to review demolition or other major change to historical structures. The intent of the Standards is to assist the long-term preservation of a property's significance through the preservation of historic materials and features. The City of Sanford requires approval of a Certificate of Appropriateness by the Historical Preservation Board prior to modification, demolition or removal of a historic structure. A 180 day waiting period is enacted if a Certificate of Appropriateness is approved to allow the owner or another party to find a means of preserving the structure including the acquisition by gift, purchase or exchange.

Volusia County requires a Certificate of Appropriateness for demolition on structures built prior to January 1, 1946. This certificate also is used to evaluate major alterations proposed by an applicant to an identified historic structure, such as an addition of a porch. Volusia County has also enacted a Historic Preservation Tax Exemption Ordinance which authorizes exemptions from ad valorem taxes of up to 100% of the assessed value of all improvements to historic properties which result from the restoration, renovation or rehabilitation of the property.

Historic Structures Survey Map 2005

*Seminole County East Rural Area
Historic Preservation Opportunity*

Legend	
	Census Tract 212.01, Group 2 (Approximates Central Geneva)
	East Rural Area

