



# CITY OF WINTER GARDEN

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## OFFICE OF THE CITY CLERK

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### CITY COMMISSION AND ARCHITECTURAL REVIEW AND HISTORICAL PRESERVATION BOARD WORKSHOP MINUTES

September 17, 2009

A **WORKSHOP** of the Winter Garden City Commission and the Architectural Review and Historical Preservation Board (ARHPB) was called to order by Mayor Pro-Tem H. Gerald Jowers 6:02 p.m. at City Hall Commission Chambers, 300 West Plant Street, Winter Garden, Florida. The invocation and Pledge of Allegiance were given.

#### **City Commission Present:**

Mayor Pro-Tem H. Gerald Jowers, Commissioners Harold L. Boulter, Bob Buchanan, and Colin Sharman (*arrived at 6:14 p.m.*)

**Absent:** Mayor John Rees

#### **ARHPB Board Members Present:**

Chairman John Murphy, Michael Morrissey, Christopher Lee, Buddy Nash, and Chuck Simikian

**Absent:** Board Members Cathy Klauzowski and Timothy Keating

**Also Present:** City Manager Mike Bollhoefer, Assistant City Clerk Angee Grimmage, Police Chief George Brennan, Finance Director Robin Hayes, Fire Chief John Williamson, Information Technology Director Bob Reilly, Human Resources Director Frank Gilbert, Community Development Director Tim Wilson, Economic Development Director Dolores Key, Community Relations Manager Andrea Vaughn, and Building Official Skip Lukert

#### **Opening Comments**

City Manager Bollhoefer stated this joint workshop was scheduled to allow the City Commission and the ARHPB the opportunity to discuss the progress made thus far and for questions and comments regarding the proposed manual and ordinance. In addition, this workshop will allow the City Commission to discuss with the ARHPB their thoughts regarding the direction the board is going. Mr. Bollhoefer recognized Community Development Director Wilson to give a PowerPoint presentation (*see attached Exhibit A*).

#### **PowerPoint Presentation by City Staff**

Mr. Wilson stated that he is presenting the accomplishments made to date by the ARHPB on drafting a manual (five sections) and an ordinance. This workshop is an opportunity to jointly discuss the material being presented. A significant factor is the board has established the study boundary area that coincides with the proposed ordinance. For the most part, the ordinance addresses the exteriors of buildings as they relate to expansion, new construction, additions or

replacements. He also noted that with the rewrite of the sign code, it will include a section specific to the downtown area.

He shared that there has been discussions about needing to still work within the community to include a significant amount of public education and outreach on historic preservation. The City does have the heritage and historic foundations to assist us, but there will be more done to make it easily understood. The next step is to try and determine whether or not the board is heading in the right direction or are there other things they need to be looking at. There has not yet been any legal review of the draft documents.

Mr. Wilson displayed examples of encouraged and discouraged design standards for porches and balconies (*see attached Exhibit B*). Commissioner Sharman asked which photos were examples of discouraged porches and balconies. Mr. Wilson replied that the discouraged photos were not illustrated. Mr. Bollhoefer added that they will be included but will be of examples from outside the city as to not embarrass or insult our citizens.

Commissioner Sharman noted that screen enclosures are intentionally being limited. Mr. Wilson responded that the preference is to have open front porches; side or rear areas could be screened. However, if someone wants to enclose the front porch, they could request a special review.

Commissioner Buchanan asked if there was a dollar amount used for determining whether a project is considered maintenance versus an addition. Mr. Bollhoefer stated that he questions what is or is not considered maintenance. Mr. Wilson responded that right now it not cost based. Currently, the building code does have rules on dollar amount thresholds, but the board has tried to list the issues by topic starting on page 25. In a couple of cases they tried to use square footage, but mostly it is done by identifying the scope of the work. It may not be a bad idea to include some type of a cost formula as well.

In conclusion, Mr. Wilson displayed an example of store front facades which generated some discussion (*see attached Exhibit C*).

### **Discussion on Downtown Historic Architectural Manual and proposed Ordinance 09-60**

Board Chairman Murphy acknowledged the ARHPB and staff for all of their hard work in drafting the ordinance. Even after bringing the document down to 30 plus pages, it is still not as user friendly. The design standards manual helps a person quickly find what they are looking for and to understand by the examples given. He is proud of the work that the board was able to accomplish and is happy to be at the next step of reviewing it with the City Commission.

City Manager Bollhoefer asked if the ordinance contains language that allows changes to be made by resolution. Mr. Wilson stated that the manual is to be adopted by reference and could include a footnote on how revisions are made. Mr. Bollhoefer recommended changing this from an ordinance to a resolution with changes being done by resolution.

Mayor Pro-Tem Jowers stated that he fears using an ordinance and guidelines may become set in stone by those who may come in the future. These should be guidelines that are changeable with the circumstances. He is in favor of the manual.

There was discussion on how these guidelines would be used in the event of a hurricane and if someone needed to replace pre-existing screened porch. Someone could maintain what they currently have which means they could replace it. Commissioner Sharman asked about the earlier reference to a dollar amount triggering the need for a building permit and whether it would fall under this ordinance versus someone not needing to pull a building permit might fall under the definition of maintenance. Mr. Wilson replied that if no permit is needed, it is not the intent to go in and deal with issues that don't need a permit. The gray area is that they may need a permit according to the building code, but the ordinance may not require a review. Someone needing a residential permit and a review, based on the certain defined level, will either go to the staff or to the board. Most commercial projects will come to the board; maintenance only will be exempt.

Board Member Morrissey noted that paint colors were also considered for which a building permit is not required.

Mr. Wilson noted that every current color conforms. If they repaint what they have, they will not have a problem. There is a large range of colors in the historic pallet to select from; with the exception of fluorescent and bright colors. It will be important to get the message out.

Mr. Bollhoefer stated that the board has done a good job on balancing the owner's rights. Looking at the other examples you can see just how much more rigid the others are than this board is recommending.

Commissioner Sharman asked about what code enforcement action will be included.

Mr. Wilson replied that work performed without a permit would fall under code enforcement action. Deviations should be identified as part of the inspection process.

Board Chairman Murphy noted a provision being included for demotion by neglect; defined as destruction of a building or structure through abandonment or lack of maintenance.

Mr. Bollhoefer pointed out that the board has discussed changing the board's membership to include a residential owner as a member. Mr. Wilson added that once the boundaries are set maybe the board would be better served with a resident from the area. The board discussed possible candidates and determined that the new member must live within the historic district.

### **Public input**

Mayor Pro-Tem Jowers invited public comments at this time. Hearing and seeing none, he closed public comments.

**Direction from the City Commission on proceeding with the proposed Architectural Overlay Ordinance 09-60 and Downtown Historic Architectural Manual**

In closing, there was discussion on having the City's legal counsel review the ordinance and possibly discussing it at the next City Commission meeting on Monday, September 21, 2009.

The workshop concluded at 6:49 p.m.

**ATTEST:**

**APPROVED:**

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City Clerk Kathy Golden, CMC

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MAYOR JOHN REES

APPROVED:

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JOHN MURPHY, CHAIRMAN

**Exhibits attached include:**

- A - PowerPoint presentation (27 pages)
- B - "Porches and Balconies" (1 page)
- C - "Store Front / Facades" (1 page)