



# **Planning & Historic Preservation Board Regularly Scheduled Meeting**

## **Minutes**

**Tuesday, February 22, 2022 at 7:00 pm**

### **1. Call to Order**

#### **Minutes:**

Chair Warren called the meeting to order at 7:00 pm

### **2. Invocation & Pledge of Allegiance to Flag**

### **3. Roll Call**

#### **Minutes:**

Board Members Present

Marian Baron, Vice Chair, Present

Stephen Elder, Present

James Gray, Present

Stephen "Dakota" Johnson, Present

Fro Warren, Chair

Attorney Walker, Present Administrator Owen, Present Deputy Clerk Polk, Present

### **4. Consent Agenda**

#### **Minutes:**

Motion made and seconded (Baron/Johnson) to separate the consent agenda; passed 5-0

#### **a. Agenda Approval**

##### **Minutes:**

Motion made and seconded (Baron/Elder) to approve the agenda as submitted; passed 5-0

#### **b. Minutes of Regular Meeting of January 25, 2022**

##### **Minutes:**

Marian Baron would like more information in the meeting minutes as she was opposing vote on the variance to build on a non-conforming lot and would like her reason clarified for the record.

Administrator Owen stated that staff will review the meeting recording and will bring the updated minutes to the next meeting.

Steve Elder disagrees with the process stating that this process of requiring a variance to build on a non conforming lot was done incorrectly years ago when Samuel Munch was our attorney.

Discussion ensued.

Attorney Walker was called upon to explain the non-conforming lots of record and he explained that you cannot just disappear them. He discussed what we can do to handle this process. 1. We can handle this by amending the land development regulations and size requirements by the lots. 2. We can handle it by the language in the LDR's as to how this is approaching the LDR's and he explained this at the last meeting, adding the fact that to do otherwise is to subject the town to the Burt Harris Act, when you disallow the use of the land. If you own a lot adjoining the non conforming lot then you must adjoin them.

Marian Baron stated that we have to determine if the motion and vote are based on the approval of a variance request as it is a lot of record.

Attorney Walker recommended that we do not approve the minutes today, allowing the staff to review the recording and add more detail to the minutes, and bring them to the next meeting for approval.

Motion made and seconded (Baron/Elder) to have town staff review the meeting recording for clarification of precedence and add more information to the minutes; passed 5-0

Administrator Owen questioned Attorney Walker regarding lots of records, would it still need a variance as it is already a lot of record if it could meet all of the other regulations? Attorney Walker responded that yes it does need to come before this board. Discussion ensued. Bud DesForges would like to come up with a better plan on dealing with these non conforming lots as it gets complicated. Stoney Slaton questioned if a special zoning for these lots of record can be established?

Attorney Walker stated that yes we can change our code after we find out how we want to handle these non conforming lots. There is an equitable element to this discussion as well that ought to be addressed as well.

Motion made and seconded (Elder/Johnson) to instruct the attorney to write us an addendum to our LDC to include the lots of records prior to August 25, 1992, that can be developed without a variance; Above motion amended

(Elder/Johnson) to only include non conforming undeveloped vacant lots which cannot be attached to the neighboring lots; passed 4-1(Baron opposed)

Discussion ensued. Marian Baron brought up Sec 1.03.02 should be discussed at length and she read this paragraph. "This paragraph is pertaining to structures and not the lot." Sec 1.03-03 Nonconforming lots.

Attorney Walker stated that if you give him instruction on a document, this board would go over it and make a recommendation to the commission . The commission would make a decision based on the P&HPB recommendation. The bottom line is to look at this area of the code and we need to address this section. We can put this concept to paper and then make a recommendation to

the commission.

Marian Baron questioned if we can consult with our land planner who has more experience. Administrator Owen recommends having our attorney write a resolution for your review and recommendation to the commission instead of consulting our land planner. Baron would like to have a joint meeting with the commission before we have our attorney make a draft resolution.

Public comments: Stoney Slaton agrees with others in this room and taking a recommendation to the commission is a good idea.

Bud DesForges agrees that a joint meeting is in order as the commission doesn't understand how often this happens and the importance.

Motion made (Baron) would like to request a joint meeting between the P&HPB and the Town Commission to discuss nonconforming lots and variances. At that point decide how we move forward. Motion dies for lack of a second.

Chair Warren will discuss this at the next commission meeting.

## **5. Organizational Meeting**

### **a. Town Administrator call for nominations for Chair**

#### **Minutes:**

Administrator Owen called for nominations for Chair. Steve Elder nominated Fro Warren for chair. Motion made to close nominations. Fro Warren is Chair.

### **b. Chair call for nominations for Vice Chair**

#### **Minutes:**

Chair Warren called for Nominations for Vice-Chair Steve Elder nominated Marian Baron. Motion made to close nominations. Marian Baron is Vice-Chair.

## **6. Citizen's Forum**

#### **Minutes:**

Bud DesForges, 554 NW Seminary Ave, reminded everyone of the April 9, 2022, 8 am - noon, Micanopy Great American Clean-up.

Stoney Slaton, 104 NE Seminary Ave, Fro thank you for being Chair and Marian for being vice-chair . Thank all of you for being on the board and being involved.

## **7. Public Hearings**

### **a. Certificate of Appropriateness - Shed**

Location: 712 NE Chokolka Blvd, Micanopy, FL 32667

#### **Minutes:**

Administrator Owen stated that we have been unable to contact Ms. Hollier to bring her into compliance. The next step is sending a certified letter and this may become an enforcement action.

## **8. New Business**

### **a. Stephen "Dakota" Johnson Resignation**

#### **Minutes:**

Stephen "Dakota" Johnson has submitted his resignation letter and our March

meeting will be his last.

The board is sorry to see Dakota go and we have enjoyed having him on our board. Dakota is moving to Arkansas and regretfully must resign.

## **9. Unfinished Business**

### **a. Historic Designation of Old Jail**

#### **Minutes:**

Administrator Owen discussed the process of designation of an historic structure. The commission would like to clean up the structure and add the jail to the local historic register. Discussion ensued at length. The board went over the check list from our Land Development Code (LDC), Article 3, Section 3.01.05 A. Local Register. Standards for designation to the local register for landmarks, archeological site, and historic districts.

Marian Baron stated that the commission would like to clean up the structure and have asked this board to investigate the cost of restoration.

During discussion it was determined that the old jail is already on the local registry and it is relevant to add it to the national registry.

The next step is determining how to restore the jail and the cost to do so.

Board Member Gray recommends demolishing the the jail as it is an eye sore and not structurally sound. The door is a gorgeous piece of history and should be put in our museum. The money would be better spent on recreation than on the jail.

Steve Elder would like Mr. Gray to share his credentials. Mr. Gray responded that first of all he is a farm boy and he spent 30 years working in architecture in Bloomington, Indiana. They were the high end firm in town, they never made mistakes because they put it together they way it was supposed to be done, in the authentic , make it last 100 years. He has 3 different degrees from Purdue University.

Marian Baron would like to follow through with the Commissions request.

Chair Warren would like to keep this on the agenda for next month.

## **10. Board Member Comments**

### **a. Marian Baron (Seat 1)**

#### **Minutes:**

Marian Baron has nothing to add at this time.

### **b. James Gray Seat 2)**

#### **Minutes:**

No comment.

### **c. Stephen (Dakota) Johnson (Seat 3)**

#### **Minutes:**

No Comment.

### **d. Stephen Elder (Seat 5)**

**Minutes:**

No Comment.

**11. Chair Fro Warren (Seat 4) Report**

**Minutes:**

He is very honored to be Chair again. He will endeavor to stay on top of things and be here as much as possible.

**12. Adjournment**

**Minutes:**

Chair Warren adjourned the meeting 8:24 pm

*PLEASE NOTE: PURSUANT TO SECTION 286.015, FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED DURING THIS MEETING, HE OR SHE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. IN ACCORDANCE WITH THE AMERICAN WITH DISABILITIES ACT, A PERSON WITH DISABILITIES NEEDING ANY SPECIAL ACCOMODATIONS TO PARTICIPATE IN TOWN MEETINGS SHOULD CONTACT THE TOWN ADMINISTRATOR, 706 NE CHOLOKKA BLVD., MICANOPY, FLORIDA 32667-0137, TELEPHONE (352) 466-3121.*

Contact: Sara Owen (townhall@micanopytown.com 352-466-3121) | Minutes published on 02/22/2022 at 1:45 PM

