Historic Preservation Commission
Wednesday, December 10, 2025 at 5:30 PM

City Commission Chambers
214 Sams Avenue, New Smyrna Beach, Florida 32168

1. CALL TO ORDER

A. Roll Call

2. APPROVAL OF MINUTES

2.A Consider the Approval of the Historic Preservation Commission September 17, 2025 Regular Meeting Minutes.

3. PUBLIC PARTICIPATION

4. NEW BUSINESS/DISCUSSION ITEMS

4.A Proposed Contributing Structure Preservation CRA Grant.

4.B 2025 Donnadine Miller Preservation Award Selection
Awards are given annually to one residential (single-family) and one non-residential property that promotes pride in the City's past and increases awareness and appreciation for buildings that contribute to the history and character of New Smyrna Beach. Buildings 50 years and older or sites associated with a historic event are eligible.

4.C Approval of the Historic New Smyrna Beach Preservation Commission 2026

regular meeting schedule.

4.D Selection of the 2026 Chairperson and Vice Chairperson

5. COMMITTEE COMMENTS

6. STAFF COMMENTS

6.A 2024-2025 Certified Local Government (CLG) Report.

7. ADJOURNMENT

Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the board, agency or commission of the City of New Smyrna Beach with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 410-2630, prior to the meeting.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

CONSIDER THE APPROVAL OF THE HISTORIC PRESERVATION COMMISSION SEPTEMBER 17, 2025 REGULAR MEETING MINUTES.

December 10, 2025

Background:
Florida Statutes require that minutes be prepared and approved for all meetings of the Historic Preservation Commission.

Findings:
Staff recommends the Historic Preservation Commission approve the minutes of the regular Historic Preservation Commission meeting held on September 17, 2025 Regular Meeting Minutes.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Stephanie Ferrara - Development Services Coordinator

Attachments:

September 17 2025 MEETING MINUTES 1.pdf

Historic Preservation Commission Special Meeting
Wednesday, September 17, 2025, at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the special meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, September 17, 2025, at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Vice-Chair Stephanie Rees called the meeting to order at 5:30 PM.

Roll Call

Attendee Name	Title	Status	Arrived
Dianne Bean	Member	Present	5:30 PM
Jana Caswell	Member	Absent	5:30 PM
Walter Bone	Vice Chairperson	Present	5:30 PM
Katherine Kaufman	Member	Present	5:30 PM
Stephanie Rees	Chairperson	Present	5:30 PM
Terry Bledsoe	Member	Present	5:30 PM
Angeline Barretta-Herman	Member	Present	5:30 PM

Also, presents were: Senior Planner Robert Mathen, Assistant City Attorney Shay McCurdy, and Board Secretary Stephanie Ferrara.

Changes to the Agenda.

Stephanie Ferrara, Board Secretary read for the record that Member Kate Kaufman abstained from a previous vote and submitted for 8B.

2. APPROVAL OF MINUTES

2.A Approval of the Historic Preservation Commission June 11, 2025, Regular Meeting Minutes.

Chair Rees asked the board if they had any additional questions or comments.

DRAFT

Member Barretta-Herman wanted to confirm the dated of when the Woman's Club received the Donnadine Miller Award. Staff will confirm and make the changes to the June 11, 2025 meeting minutes.

Motion:
Member Barretta-Herman motion to approve the June 11, 2025 Historic Preservation Commission regular meeting minutes, with changes, and as submitted. Vice-Chair Bone seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Barretta-Herman
SECONDER:	Bone
AYES:	Bean, Bone, Kaufman, Rees, Barretta-Herman, Bledsoe

3. PUBLIC PARTICIPATION

None.

4. NEW BUSINESS

4.A Introduction of New Commissioners

- Diane Bean
- Jana Caswell

4.B Assistant City Attorney Presentation

Shey McCurdy gave the following presentation

- Authority and guidelines for HPC
- Sections reviewed: 50-6, 50-7, 50-8, & 50-12
- Focus on exterior modification and contributing structures
- Importance of clear motions tied to Chapter 50 authority

4.C Historic Preservation Commission Open Discussion

CRA Grant Process:

- Only local landmarks require Certificate of Appropriateness for CRA grants.
- 17 properties currently designated as local landmarks.

Historic Survey Update:

- Last survey conducted in 2007.
- Interest in applying for grants to update the survey.
- Potential informal windshield survey discussed.

Plaque Program:

- Available for homes 50+ years old.
- Application through Stephanie Ferrara.

Donna Dean Miller Preservation Award:

- One application received.
- Deadline: October 31, 2025
- Goal: Select recipient at December meeting.

Meeting Frequency Proposal:

- Suggested schedule: Every other month starting February 2026.
- September excluded due to budget conflicts.
- Soft dates reserved for emergency meetings.

Historic Photo Contest:

- Proposal moved up the chain for review.
- Potential spring launch.

Charter Amendment Discussion

- Concerns raised about proposed changes to the city charter affecting HPC responsibilities.
- Commissioners encouraged to review city website for details.

5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

None.

6. REPORTS AND COMMUNICATIONS BY THE STAFF

None.

7. ADJOURNMENT

As there was no other business to discuss, Chair Rees declared the meeting adjourned at 6:45 P.M.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

PROPOSED CONTRIBUTING STRUCTURE PRESERVATION CRA GRANT.

December 10, 2025

Background:

Presenter: Samantha Bergeron, Economic Development Director and CRA Director, 210 Sams Avenue, New Smyrna Beach, Florida 32168.

Request: Review a proposed grant process and program that could help owners of a single-family home that is a contributing structure and located within the CRA district a matching facade grant.

Findings:

The City of New Smyrna Beach since 1986 has a long standing of historic preservation within the community.

The current City Charter under Section 6.03, states:

- The City of New Smyrna Beach, in order to preserve and enhance the historic quality of the city, foster economic development, manage growth, improve property values, and add to the quality of life of its citizens and visitors, shall strengthen the city's commitment to historic stewardship by:

  (d) Assist and facilitate owners of historic properties to access existing grant sources.

The Current City Code of Ordinances under Chapter 50, Historic Preservation, under Article I, states:

Sec. 50-1. - Intent.

- (a) The city commission finds there are buildings, landmarks, and sites within the city that have specific historic or aesthetic significance, and that the loss of these sites would cause an irreplaceable loss to the people of the city of the aesthetic, cultural and historic values represented by such sites. It is declared as a matter of public policy that protection, enhancement, perpetuation and use of such sites of

special historic or aesthetic interest or value is a public necessity and is required in the interests of the health, prosperity, safety and welfare of the people. and;

- (b) The recognition, protection, enhancement and use of such resources is a public purpose and is essential to the health, safety, morals, and economic, educational, cultural and general welfare of the public, since these efforts result in the enhancement of property values, the stabilization of neighborhoods and areas of the city, the increase of economic benefits to the city and its inhabitants, the promotion of local interests, the enrichment of human life in its educational and cultural dimensions serving spiritual as well as material needs, and the fostering of civic pride in the beauty and noble accomplishments of the past. and;

- (f) The policy of the city is to conserve the existing housing stock and extend the economic life of each housing unit through the rehabilitation of such units under housing and neighborhood development programs in selected areas.

A local grant program to preserve contributing structures can offer several advantages for the city. Here are some key benefits:

1. Cultural and Historical Preservation

- Protects the city's unique heritage and identity.
- Maintains architectural styles that reflect the community's history.

2. Economic Development

- Restored historic areas often attract tourism, boosting local businesses.
- Can increase property values in historic districts.
- Encourages investment in older neighborhoods, reducing blight.

3. Community Engagement

- Fosters pride among residents in their city's history.
- Provides opportunities for local contractors and preservation specialists.
- Strengthens partnerships between the City and property owners.

4. Sustainability

- Reusing existing structures reduces demolition waste and environmental impact.
- Supports adaptive reuse, which can meet modern needs while preserving

character.

The Planning Department has concluded that by creating a CRA funded matching grant program for contributing single-family homes that are also located within the CRA district would go a long way to meet the City Charter and intent of Chapter 50 of the City Code of Ordinances.

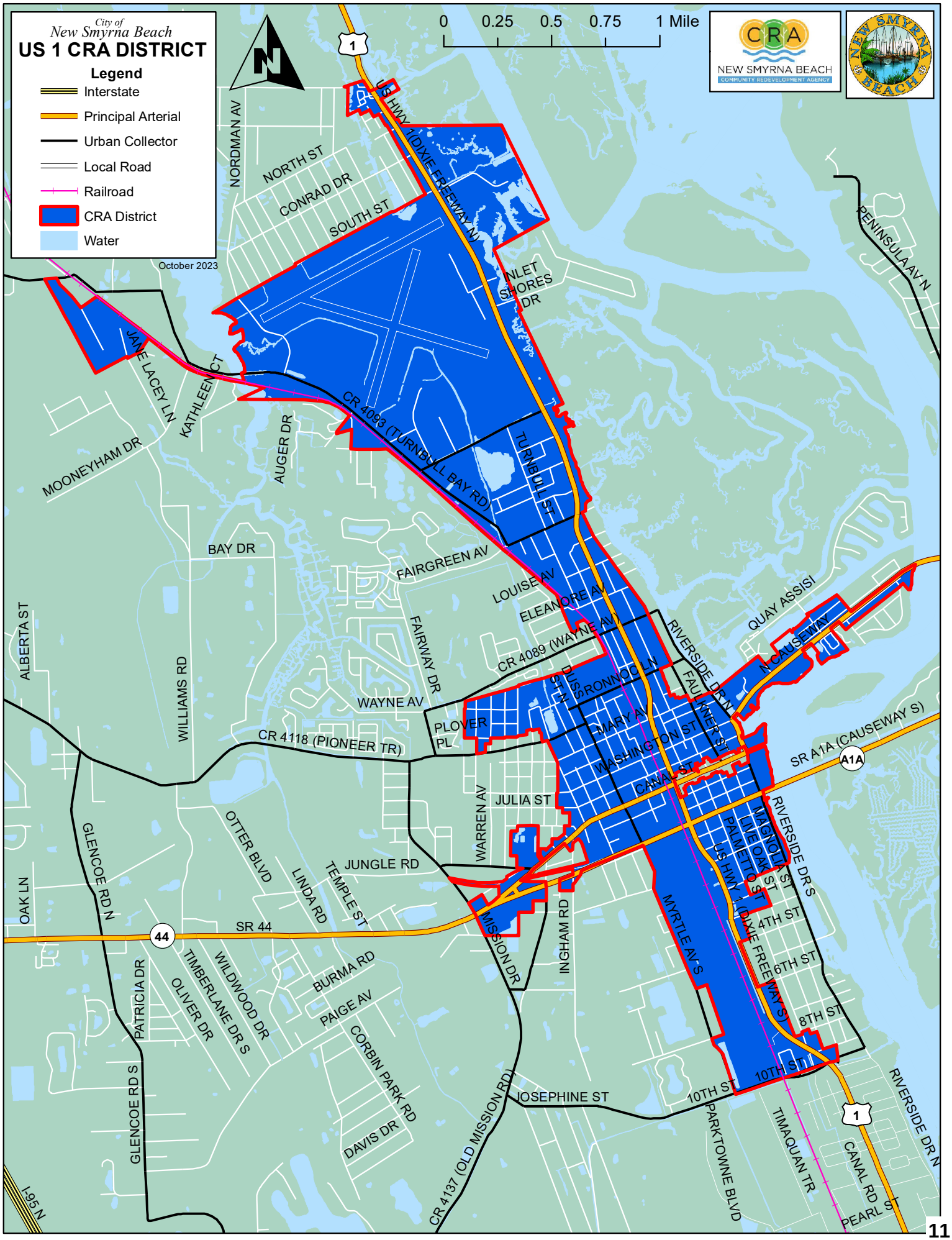
Fiscal Analysis:
Maximum $50,000.00 matching 50/50 reimbursement grant.

Strategic Plan Item:
No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

CRA District Map.pdf
New Smyrna Beach National Historic District Map 2025.pdf


City of
New Smyrna Beach
US 1 CRA DISTRICT
Legend
Interstate
Principal Arterial
Urban Collector
Local Road
Railroad
CRA District
Water
October 2023
0 0.25 0.5 0.75 1 Mile
CRA
NEW SMYRNA BEACH
COMMUNITY REDEVELOPMENT AGENCY
NEW SMYRNA BEACH
N
US HWY 1 (DIXIE FREEWAY N)
NORDMAN AV
NORTH ST
CONRAD DR
SOUTH ST
INLET SHORES DR
PENINSULA AV N
JANE LACEY LN
KATHLEEN CT
MOONEYHAM DR
AUGER DR
CR 4093 (TURNBULL BAY RD)
TURNBULL ST
BAY DR
FAIRGREEN AV
LOUISE AV
ELEANORE AV
CR 4089 (WAYNE AV)
QUAY ASSISI
N CAUSEWAY
RIVERSIDE DR N
ALBERTA ST
WILLIAMS RD
FAIRWAY DR
WAYNE AV
PLOVER PL
CR 4118 (PIONEER TR)
S CAUSEWAY
SONNY DO LN
FAULKNER ST
MARY AV
WASHINGTON ST
CANAL ST
SR A1A (CAUSEWAY S)
A1A
JULIA ST
WARREN AV
OTTER BLVD
GLENCOE RD N
OAK LN
JUNGLE RD
LINDA RD
TEMPLE ST
SR 44
44
MAGNOLIA ST
LIVE OAK ST
PALMETTO ST
US HWY 1 (DIXIE FREEWAY S)
RIVERSIDE DR S
4TH ST
6TH ST
8TH ST
10TH ST
MISSION DR
INGHAM RD
MYRTLE AV S
BURMA RD
PAIGE AV
CORBIN PARK RD
PATRICIA DR
OLIVER DR
TIMBERLANE DR S
WILDWOOD DR
GLENCOE RD S
DAVIS DR
JOSEPHINE ST
CR 4137 (OLD MISSION RD)
PARKTOWNE BLVD
TIMAQUAN TR
CANAL RD S
PEARL ST
I-95 N
1

ADDRESSES WITHIN THE NEW SMYRNA BEACH NATIONAL HISTORIC DISTRICT

SITUS_ADDR	431 CANAL ST	536 FAULKNER ST	403 MAGNOLIA ST	309 MURRAY ST	500 S RIVERSIDE DR
213 ALMA CT	500 CANAL ST	538 FAULKNER ST	405 MAGNOLIA ST	105 N ORANGE ST	502 S RIVERSIDE DR
214 ALMA CT	501 CANAL ST	542 FAULKNER ST	407 MAGNOLIA ST	115 N ORANGE ST	506 S RIVERSIDE DR
215 ALMA CT	505 CANAL ST	312 HILLMAN ST	409 MAGNOLIA ST	121 N ORANGE ST	510 S RIVERSIDE DR
218 ALMA CT	506 CANAL ST	314 HILLMAN ST	411 MAGNOLIA ST	201 N ORANGE ST	512 S RIVERSIDE DR
219 ALMA CT	508 CANAL ST	316 HILLMAN ST	415 MAGNOLIA ST	219 N ORANGE ST	600 S RIVERSIDE DR
204 ANDERSON ST	508 CANAL ST	318 HILLMAN ST	501 MAGNOLIA ST	307 N ORANGE ST	608 S RIVERSIDE DR
207 ANDERSON ST	509 CANAL ST	322 HILLMAN ST	504 MAGNOLIA ST	311 N ORANGE ST	616 S RIVERSIDE DR
209 ANDERSON ST	512 CANAL ST	110 JULIA ST	506 MAGNOLIA ST	312 N ORANGE ST	620 S RIVERSIDE DR
406 ANDERSON ST	515 CANAL ST	115 JULIA ST	509 MAGNOLIA ST	316 N ORANGE ST	700 S RIVERSIDE DR
204 ANDREWS ST	519 CANAL ST	132 JULIA ST	512 MAGNOLIA ST	320 N ORANGE ST	704 S RIVERSIDE DR
506 BALL ST	524 CANAL ST	136 JULIA ST	516 MAGNOLIA ST	323 N ORANGE ST	208 RONNOC LN
507 BALL ST	311 N DIXIE FREEWAY	138 JULIA ST	600 MAGNOLIA ST	324 N ORANGE ST	212 RONNOC LN
508 BALL ST	321 N DIXIE FREEWAY	140 JULIA ST	608 MAGNOLIA ST	400 N ORANGE ST	306 RONNOC LN
510 BALL ST	123 DOUGLAS ST	142 JULIA ST	610 MAGNOLIA ST	402 N ORANGE ST	110 RUSH ST
511 BALL ST	207 DOUGLAS ST	144 JULIA ST	611 MAGNOLIA ST	404 N ORANGE ST	204 RUSH ST
512 BALL ST	208 DOUGLAS ST	146 JULIA ST	616 MAGNOLIA ST	406 N ORANGE ST	206 RUSH ST
513 BALL ST	310 DOUGLAS ST	202 JULIA ST	701 MAGNOLIA ST	411 N ORANGE ST	208 RUSH ST
515 BALL ST	407 DOUGLAS ST	206 JULIA ST	703 MAGNOLIA ST	208 S ORANGE ST	209 RUSH ST
516 BALL ST	505 DOUGLAS ST	214 JULIA ST	705 MAGNOLIA ST	210 S ORANGE ST	210 RUSH ST
518 BALL ST	506 DOUGLAS ST	301 JULIA ST	206 MARSHALL ST	211 S ORANGE ST	211 RUSH ST
519 BALL ST	206 DOWNING ST	302 JULIA ST	207 MARSHALL ST	215 S ORANGE ST	303 RUSH ST
520 BALL ST	207 DOWNING ST	305 JULIA ST	208 MARSHALL ST	216 S ORANGE ST	304 RUSH ST
522 BALL ST	209 DOWNING ST	307 JULIA ST	209 MARSHALL ST	300 S ORANGE ST	305 RUSH ST
523 BALL ST	210 DOWNING ST	309 JULIA ST	210 MARSHALL ST	301 S ORANGE ST	306 RUSH ST
524 BALL ST	307 DOWNING ST	310 JULIA ST	212 MARSHALL ST	304 S ORANGE ST	307 RUSH ST
525 BALL ST	309 DOWNING ST	313 JULIA ST	213 MARSHALL ST	305 S ORANGE ST	308 RUSH ST
528 BALL ST	103 FAULKNER ST	101 LIVE OAK ST	215 MARSHALL ST	306 S ORANGE ST	309 RUSH ST
529 BALL ST	108 FAULKNER ST	106 LIVE OAK ST	102 MARY AV	307 S ORANGE ST	310 RUSH ST
530 BALL ST	115 FAULKNER ST	114 LIVE OAK ST	110 MARY AV	308 S ORANGE ST	311 RUSH ST
531 BALL ST	116 FAULKNER ST	118 LIVE OAK ST	118 MARY AV	314 S ORANGE ST	312 RUSH ST
532 BALL ST	117 FAULKNER ST	200 LIVE OAK ST	119 MARY AV	603 S ORANGE ST	314 RUSH ST
533 BALL ST	118 FAULKNER ST	204 LIVE OAK ST	204 MARY AV	605 S ORANGE ST	315 RUSH ST
534 BALL ST	119 FAULKNER ST	207 LIVE OAK ST	205 MARY AV	201 PALMETTO ST	400 RUSH ST
536 BALL ST	120 FAULKNER ST	211 LIVE OAK ST	206 MARY AV	204 PALMETTO ST	402 RUSH ST
537 BALL ST	121 FAULKNER ST	219 LIVE OAK ST	207 MARY AV	205 PALMETTO ST	404 RUSH ST
145 CANAL ST	124 FAULKNER ST	301 LIVE OAK ST	208 MARY AV	207 PALMETTO ST	112 SAMS AV
147 CANAL ST	200 FAULKNER ST	302 LIVE OAK ST	209 MARY AV	208 PALMETTO ST	120 SAMS AV
149 CANAL ST	301 FAULKNER ST	305 LIVE OAK ST	211 MARY AV	210 PALMETTO ST	130 SAMS AV
151 CANAL ST	303 FAULKNER ST	306 LIVE OAK ST	212 MARY AV	212 PALMETTO ST	132 SAMS AV
200 CANAL ST	311 FAULKNER ST	312 LIVE OAK ST	213 MARY AV	214 PALMETTO ST	134 SAMS AV
239 CANAL ST	312 FAULKNER ST	315 LIVE OAK ST	214 MARY AV	308 PALMETTO ST	136 SAMS AV
300 CANAL ST	313 FAULKNER ST	511 LIVE OAK ST	217 MARY AV	309 PALMETTO ST	137 SAMS AV
312 CANAL ST	315 FAULKNER ST	519 LIVE OAK ST	218 MARY AV	314 PALMETTO ST	138 SAMS AV
314 CANAL ST	316 FAULKNER ST	601 LIVE OAK ST	300 MARY AV	318 PALMETTO ST	139 SAMS AV
316 CANAL ST	317 FAULKNER ST	603 LIVE OAK ST	301 MARY AV	401 PALMETTO ST	210 SAMS AV
320 CANAL ST	321 FAULKNER ST	605 LIVE OAK ST	304 MARY AV	600 PALMETTO ST	214 SAMS AV
323 CANAL ST	401 FAULKNER ST	607 LIVE OAK ST	305 MARY AV	612 PALMETTO ST	107 WASHINGTON ST
327 CANAL ST	402 FAULKNER ST	617 LIVE OAK ST	308 MARY AV	300 N RIVERSIDE DR	109 WASHINGTON ST
328 CANAL ST	403 FAULKNER ST	111 S LIVE OAK ST	111 MURRAY ST	306 N RIVERSIDE DR	203 WASHINGTON ST
330 CANAL ST	405 FAULKNER ST	115 S LIVE OAK ST	115 MURRAY ST	312 N RIVERSIDE DR	210 WASHINGTON ST
334 CANAL ST	500 FAULKNER ST	207 LYTLE AV	120 MURRAY ST	318 N RIVERSIDE DR	212 WASHINGTON ST
399 CANAL ST	501 FAULKNER ST	305 LYTLE AV	205 MURRAY ST	400 N RIVERSIDE DR	213 WASHINGTON ST
400 CANAL ST	505 FAULKNER ST	307 LYTLE AV	207 MURRAY ST	500 N RIVERSIDE DR	215 WASHINGTON ST
401 CANAL ST	508 FAULKNER ST	311 LYTLE AV	210 MURRAY ST	504 N RIVERSIDE DR	219 WASHINGTON ST
402 CANAL ST	509 FAULKNER ST	407 LYTLE AV	211 MURRAY ST	508 N RIVERSIDE DR	221 WASHINGTON ST
405 CANAL ST	511 FAULKNER ST	407 LYTLE AV A	212 MURRAY ST	512 N RIVERSIDE DR	300 WASHINGTON ST
405 CANAL ST	512 FAULKNER ST	407 LYTLE AV B	214 MURRAY ST	516 N RIVERSIDE DR	301 WASHINGTON ST
412 CANAL ST	513 FAULKNER ST	407 LYTLE AV C	215 MURRAY ST	518 N RIVERSIDE DR	302 WASHINGTON ST
413 CANAL ST	514 FAULKNER ST	407 LYTLE AV D	216 MURRAY ST	520 N RIVERSIDE DR	303 WASHINGTON ST
417 CANAL ST	515 FAULKNER ST	407 LYTLE AV E	217 MURRAY ST	524 N RIVERSIDE DR	304 WASHINGTON ST
418 CANAL ST	522 FAULKNER ST	407 LYTLE AV F	218 MURRAY ST	526 N RIVERSIDE DR	305 WASHINGTON ST
419 CANAL ST	523 FAULKNER ST	407 LYTLE AV G	300 MURRAY ST	532 N RIVERSIDE DR	310 WASHINGTON ST
421 CANAL ST	524 FAULKNER ST	407 LYTLE AV H	302 MURRAY ST	408 S RIVERSIDE DR	312 WASHINGTON ST
424 CANAL ST	525 FAULKNER ST	305 MAGNOLIA ST	303 MURRAY ST	416 S RIVERSIDE DR	
427 CANAL ST	528 FAULKNER ST	315 MAGNOLIA ST	304 MURRAY ST	420 S RIVERSIDE DR	
430 CANAL ST	532 FAULKNER ST	317 MAGNOLIA ST	305 MURRAY ST	426 S RIVERSIDE DR	

0 100 200 300 400 500 Feet

REGISTERED WITH THE
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
DATE: MARCH 29,1990

October 2025

NEW SMYRNA BEACH NATIONAL HISTORIC DISTRICT

- LOCAL ROAD
- CORONADO NATIONAL HISTORIC DISTRICT
- CONTRIBUTING STRUCTURE
- PARCEL
- 221 ADDRESS NUMBER
- WATER

N

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THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

2025 DONNADINE MILLER PRESERVATION AWARD SELECTION

December 10, 2025

Background:

The city created the historic preservation award program in 2002. In 2009, the award program was renamed in memory of Donnadine Miller, who was an active volunteer and member of the community. Ms. Miller had served as Chair of the Historic New Smyrna Beach Preservation Commission; worked as an amateur archaeologist; and participated in numerous other historic preservation events and activities.

Findings:

While award recipients are encouraged to apply for local landmark designation, receiving an award does not place any restrictions on the property. At this time, since no non-residential applications were received, this Commission will be selecting a winner in the Residential category.

Fiscal Analysis:

The plaque for each award costs approximately $250 and is a budgeted item.

Strategic Plan Item:

No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

List of previous nominees-winners thru 2024.pdf
2025 Residential Award Application 622 Faulkner Street.pdf

INTEROFFICE MEMORANDUM
CITY OF NEW SMYRNA BEACH

To: Historic New Smyrna Beach Preservation Commission Members

From: Robert Mathen, Historic Preservation Officer

Subject: Previous Historic Preservation Award Nominees and Winners

Date: December 10, 2025

The Historic Preservation Award winner for **2002** was **508 North Riverside Drive**. The nominees for that year were:

508 North Riverside Drive
421 Canal Street
532 North Riverside Drive - Little River Inn
204 Flagler Avenue - Sweet Pea coffee shop

The Historic Preservation Award winner for **2003** was **213 Washington Street**. The nominees for that year were:

120 Sams Avenue
213 Washington Street
1000 South Riverside Drive
321 Washington Street - Long Board Inn
103 Flagler Avenue - Riverview Hotel

The Historic Preservation Award winner for **2004** was **426 South Riverside Drive**. The nominees for that year were:

120 Sams Avenue
301 South Orange Street
601 Faulkner Street
821 Live Oak Street
426 South Riverside Drive
101-109 N Orange Street

The Historic Preservation Award winner for **2005** was **601 Faulkner Street**. The nominees for that year were:

215 Murray Avenue
310 Washington Street
316 Flagler Avenue
600 South Riverside
601 Faulkner Street
115 Canal Street –

The Historic Preservation Award winner for **2006** was **701 Magnolia Street** for Residential and **314 North Duss Street** for Non-Residential. The nominees for that year were:

701 Magnolia Street
608 South Riverside Drive
314 North Duss Street - Black heritage Museum

The Historic Preservation Award winner for **2007** was **608 Magnolia Street** for Residential and **1650 Live Oak Street** for Non-Residential. The nominees for that year were:

315 Due East Street
608 Magnolia Street
1109 Magnolia Street
1110 Magnolia Street
1200 North Peninsula Avenue
Coronado Shuffleboard Courts
310-312 Julia Street
1650 Live Oak Street – St Pauls
310 Washington Street – Soundwave
500 South Riverside Drive

The Historic Preservation Award winner for **2008** was **1705 South Atlantic Avenue** for Residential and **412 Canal Street** for Non-Residential. The nominees for that year were:

1705 South Atlantic Avenue
412 Canal Street – Little Drugs

The Historic Preservation Award winner for **2009** was **1201 Magnolia Street** for Residential and **729 North Dixie Freeway** for Non-Residential. The nominees for that year were:

1201 Magnolia Street
411 Magnolia Street
516 Magnolia Street
610 Magnolia Street
729 North Dixie Freeway – Dairy Queen
145 Canal Street
616 South Riverside Street

The Historic Preservation Award winner for **2010** was **821 Live Oak Street** for Residential and **403 Magnolia Street** for Non-Residential. The nominees for that year were:

821 Live Oak Street
301 South Orange Street
614 Faulkner Street
Coronado Shuffle Board Courts
313 Julia Street
403 Magnolia Street – Women's Club

The Historic Preservation Award winner for **2011** was **405 Canal Street** for Non-Residential. The nominees for that year were:

405 Canal Street
223 Canal Street

The Historic Preservation Award winner for **2012** was **614 Faulkner Street** for Residential and **512 South Riverside Drive** for Non-Residential. The nominees for that year were:

512 North Riverside Drive
516 Magnolia Street
610 Magnolia Street
614 Faulkner Street
334 Canal Street
512 South Riverside Drive
115 Canal Street
223 Canal Street
223 Flagler Ave

The Historic Preservation Award winner for **2013** was **508 Ball Street** for Residential and **115 Canal Street** for Non-Residential. The nominees for that year were:

508 Ball Street
300 South Myrtle Avenue
512 North Peninsula Avenue
115 Canal Street
308 North Orange Street
315 Live Oak Street
504 Magnolia Street

The Historic Preservation Award winner for **2014** was **616 Magnolia Street** for Residential and **149 Canal Street** for Non-Residential. The nominees for that year were:

149 Canal Street
616 Magnolia Street
501 Faulkner Street
Flagler Avenue Shuffleboard

The Historic Preservation Award winner for **2015** was **306 North Riverside Drive** for Residential and **103 Flagler Avenue** for Non-Residential. The nominees for that year were:

103 Flagler Avenue
108 Esther Street
306 North Riverside Drive
512 North Riverside Drive
204 Flagler Avenue
112 Esther Street
317 Magnolia Street

The Historic Preservation Award winner for **2016** was **317 Magnolia Street** for Residential and **300 North Riverside Drive** for Non-Residential. The nominees for that year were:

212 Murray Street
213 Washington Street
317 Magnolia Street
916 South Riverside Drive
300 N Riverside Drive
313 Julia Street
405 Canal Street
519 Washington Street

The Historic Preservation Award winner for **2017** was **426 South Riverside Drive** for Residential and **103 Faulkner Street** for Non-Residential. The nominees for that year were:

426 South Riverside Drive	103 Faulkner Street Old Fire Station)
532 Ball Street	314 Flagler Avenue (Paradise Properties)
630 North Riverside Drive	916 S Riverside Drive (Black Dolphin Inn)

The Historic Preservation Award winner for **2018** was **411 Magnolia Street** for Residential and **208 Magnolia Street** for Non-Residential. The nominees for that year were:

206 Florida Ave	114 Live Oak St (La Abilies Tea Room))
212 Murray St	519 Washington St (St. Paul M E Church)
411 Magnolia St	916 S Riverside Dr (Black Dolphin Inn)
315 Live Oak St (Anders & Anders)	408 S Riverside Dr (Apartment Building)
208 Magnolia St (Old Gas Station)	1201 S Riverside Dr (Smyrna Yacht Club)

The Historic Preservation Award winner for **2019** was **206 Florida Avenue** for Residential and **916 South Riverside Drive** for Non-Residential. The nominees for that year were:

206 Florida Ave	315 Live oak Street (Anders & Anders)
108 Esther Street	916 S Riverside Dr (Black Dolphin Inn)
532 Ball Street	1201 South Riverside Drive (Smyrna Yacht
219 N Orange Street	Club)

The Historic Preservation Award winner for **2020** was **620 South Riverside Drive** for Residential and **1201 South Riverside Drive** for Non-Residential. The nominees for that year were:

408 N Riverside Dr	315 Live oak Street (Anders & Anders)
620 S Riverside Drive	1201 S Riverside Drive (Smyrna Yacht Club)

The Historic Preservation Award winner for **2021** was **210 Palmetto Street** for Residential and **214 Sams Avenue** for Non-Residential. The nominees for that year were:

408 North Peninsula Avenue	118 Faulkner Street
210 Palmetto Street	1000 South Riverside Drive
1115 Palmetto Street	214 Sams Avenue

The Historic Preservation Award winner for **2022** was **216 Florida Avenue** for Residential. No non-residential applications were submitted. The nominees for that year were:

118 Faulkner Street	216 Florida Avenue
1000 South Riverside Drive	

The Historic Preservation Award winner for **2023** was **809 E 24th Avenue** Residential and **423 Flagler Avenue** for Non-Residential. The nominees for that year were:

809 E 24th Avenue	423 Flagler Avenue

The Historic Preservation Award winner for **2024** was **402 Faulkner Street** Residential and **101 Canal Street** for Non-Residential. The nominees for that year were:

402 Faulkner Street	101 Canal Street

The Historic Preservation Award winner for **2025** was _____ Residential and _____ for Non-Residential. The nominees for that year were:

dotloop signature verification: dtlp.us/Uk8c-kXeJ-lRcG

Donnadine Miller Memorial Historic Preservation Award Nomination Form

☑ Residential (Single Family) ☐ Non-Residential

Building Address: 622 Faulkner Street, NSB, FL 32168

Year Built: 1920

Architectural Style (e.g. Vernacular/Spanish Eclectic/Craftsman):

Antebellum / Georgian / Plantation

***Please include a photograph of the front of the building.**

Description of the history of the building or site and why it is significant (attach additional sheets, if necessary):

Please see the attached history of 622 Faulkner Street.

dotloop signature verification: dtlp.us/Uk8c-kXeJ-lRcG

Property Owner: Debra and Tom Exum

Address: 622 Faulkner Street

Telephone: 407-341-3737

Nominator: Angeline Barretta-Herman

Address: 108 Esther Street

City/State/Zip: New Smyrna Beach, FL 32168

Telephone: 651-210-7187

E-mail Address: a9barrettahe@stthomas.edu

dotloop signature verification: dtlp.us/Uk8c-kXeJ-lRcG

Release Authority

The undersigned gives to the City of New Smyrna Beach the absolute and unqualified right to use in whole or in part, in whatever manner the City may desire, all submitted material.

Release authorized by:

Debra Exum

dotloop verified
06/10/25 10:27 AM EDT
RXS8-KHQQ-5VDB-VPJD

SIGNATURE OF OWNER

DEBRA EXUM

PRINT OR TYPE NAME

dotloop signature verification: dtlp.us/Uk8c-kXeJ-lRcG

Evaluation Criteria

Building Address:

_____

(This section to be filled out by the Historic Preservation Commission)

Historic Significance **30** _____

- Promotes and reflects the historic nature of New Smyrna Beach.
- Reflects the original architecture.
- Use of appropriate materials/colors.

Community Significance **20** _____

- Maintains and/or enhances aesthetics of the city, thus helping create civic pride and the prosperity and welfare of the City.
- Promotes sustainability and "green" design while preserving the historic character of the resource.

Charm **10** _____

- Aesthetic Value
- Use of native landscape material

The History of 622 Faulkner Street

Nestled in the heart of New Smyrna Beach, the historic home at 622 Faulkner Street boasts a legacy shaped by resilience, Southern charm, and civic leadership. Its story is deeply intertwined with the Gillespie family and the area's architectural and cultural heritage.

Origins and Architecture

Construction of the house began around 1920, nearly a decade before the onset of the Great Depression. Due to financial hardship, the original owner was forced to abandon the project, leaving behind an uninhabitable shell that sat vacant for nearly ten years.

In the early 1930s, James U. Gillespie and his wife, Hazel, purchased the structure and completed the home in their beloved Antebellum architectural style—an uncommon choice in New Smyrna Beach, where Spanish Colonial architecture was more typical. Inspired by Hazel's Southern heritage and a desire to evoke the grace and hospitality of the Old South, the Gillespie's believed that the stately symmetry, wide porches, and classical columns of Antebellum design offered not just timeless beauty, but a reflection of their values: tradition, dignity, and permanence. In doing so, they created a unique landmark that stood out amid the city's architectural landscape. Their vision brought life and Southern elegance to the abandoned frame, turning it into a distinctive residence that still stands apart today.

The Gillespie Legacy

James U. Gillespie hailed from Punxsutawney, Pennsylvania, famously known for its Groundhog Day celebration. His father, William Sr., was blinded at birth due to a botched medical procedure but overcame the challenge with a photographic memory and a brilliant legal mind. Inspired by his father, James pursued law and moved to New Smyrna Beach in the early 1920s to work under his influential cousin, Director of the Drainage Districts.

He initially stayed at the Alba Court Inn Hotel (now Alba Court Assisted Living), where he met Hazel Moore, a schoolteacher from Washington, Georgia. Their union was a blend of Northern tenacity and Southern grace, a combination that would later influence the home they built together on Faulkner Street.

After marrying in the mid-1920s, James and Hazel lived in nearby Edgewater. Like many during the Depression, James often walked miles to his law office at the Bank of New Smyrna Beach on Canal Street (now the New Smyrna Utilities Commission building). They welcomed their son, William "Bill" M. Gillespie, in 1928, followed by their daughter, Jane. As their family grew, they purchased and transformed the Faulkner Street home into a stately residence. Tragically, Jane passed away at 27 from complications related to diabetes.

Following in his father's footsteps, Bill became an attorney and served in the Florida House of Representatives from 1967 to 1972. In 1959, he met Sally Igo, a young woman from New Florence, Pennsylvania, who had studied theatre at the American Academy of Dramatic Arts in New York City. Sally had planned to return to New York after a year of teaching in New Smyrna Beach, but upon meeting Bill—whose quick wit and charm captivated her—those plans changed forever. They married the following year and began a partnership grounded in love and service.

A New Chapter: The Exum Restoration

After James and Hazel's passing in the early 1980s, the home was sold to Richard Brown, owner of Fox Firestone Bicycles. In 1998, it changed hands again to Stuart Madson, a fellow car enthusiast. Then, in 2006, Deb Exum knocked on the door after admiring the home's architectural beauty. Envisioning it as the perfect space for her grand piano, she and her husband, Dr. Tom Exum, returned the next day to meet Madson. After a lengthy conversation and heartfelt tour, they signed a purchase contract within two days.

Deb and Tom meticulously restored the home, including its stunning heart pine floors. They hoped to share the finished restoration with Bill Gillespie, but sadly, he passed away in 2008 before seeing the results. In 2009, they invited Sally Gillespie for a private tour, during which she shared invaluable stories about her family's life in the home.

Preserving the Charm

Over the years, Deb and Sally developed a close friendship, later serving together on the New Smyrna Historic Preservation Awards Board in 2021–2022. Sally played a pivotal role in helping Deb establish the Riverside Garden District in 2020, where 622 Faulkner Street remains the architectural and symbolic centerpiece.

© 2025, Debra S. Exum



622 Faulkner Street, New Smyrna Beach, Florida (2025)



Riverside Garden District Ribbon-Cutting

May 26th, 2021

L-R – Commissioner Mike Kolody, Dr. Randy Herman, Deb Exum (RGD Chair), Mayor Russ Owen, Sally Gillespie (RGD Consultant), Dr. Tom Exum, Commissioner Jason McGuirk,

Commissioner Randy Hartman, Pamela Ison (RGD Co-Chair),

City Manager, Khalid Resheidat



Riverside Garden District Ribbon-Cutting

May 26th, 2021

Pamela Ison (RGD Co-Chair), Sally Gillespie (RGD Consultant),

City Manager, Khalid Resheidat, Deb Exum (RGD Chair),

Carla Andersen (RGD Board Member), Mayor Russ Owen



New Smyrna Museum of History

Inaugural Preservation Awards 2022

PRESENTED BY THE NEW SMYRNA MUSEUM OF HISTORY PRESERVATION AWARDS COMMITTEE

NEW SMYRNA MUSEUM OF HISTORY PRESERVATION AWARDS BOARD MEMBERS



Debra S. Exum
Board Co-Chair



Greg Holbrook
Exec. Director, NSMoH



Dr. A. Barretta-Herman
Board Co-Chair



Dianne Bean
Board Member



Sally Gillespie
Board Member



Curtis Hodges
Board Member



Gwen Hughes
Board Member



Susan Neylon
Board Member

2021 | 2022

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

APPROVAL OF THE HISTORIC NEW SMYRNA BEACH PRESERVATION COMMISSION 2026 REGULAR MEETING SCHEDULE.

December 10, 2025

Background:

The Planning Department recommends the Historic New Smyrna Beach Preservation Commission to approve the 2026 regular meeting schedule as submitted.

Findings:

As requested, the meeting schedule has been modified from the 2025 meeting calendar. This new calendar represents a scheduled hard meeting every other month starting in February 2026. This will increase the hard scheduled meetings from 4 to 6 in 2026.

Fiscal Analysis:

N/A

Strategic Plan Item:

No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

HPC 2026 Regular Meeting Schedule.pdf

City of New Smyrna Beach

Development Services Department

Historic Preservation Commission
2026 Regular Meeting Schedule

MEETING DATES

The Historic Preservation Commission will meet bi-monthly on the 2nd Wednesday of each month at 5:30 p.m., with additional tentative meeting dates if necessary.

MEETING LOCATION

Unless otherwise advertised, the Historic Preservation Commission will meet at the City Commission Chambers, located at 214 Sams Avenue.

FEBRUARY 11, 2026
APRIL 8, 2026
JUNE 10, 2026
AUGUST 12, 2026
OCTOBER 14, 2026
DECEMBER 9, 2026
Tentative Meeting Dates if Necessary:
JANUARY 14, 2026
MARCH 11, 2026
MAY 13, 2026
JULY 8, 2026
SEPTEMBER 16, 2026
NOVEMBER 11, 2026

Department of Development Services
214 Sams Avenue
City of New Smyrna Beach, Florida 32168
Telephone: 386-410-2835
www.cityofnsb.com

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

SELECTION OF THE 2026 CHAIRPERSON AND VICE CHAIRPERSON

December 10, 2025

Background:

Conduct the nomination and election for the 2026 Historic New Smyrna beach Preservation Commission Chairperson and Vice Chairperson.

Fiscal Analysis:

N/A

Strategic Plan Item:

No

Staff Report Created By: Robert Mathen - Senior Planner

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

2024-2025 CERTIFIED LOCAL GOVERNMENT (CLG) REPORT.

December 10, 2025

Background:

As part of keeping the City of New Smyrna Beach in good standing with the Florida CLG Program, administrated under the Division of Historical Resources with the Florida Department of State, a yearly report is required to be submitted.

Fiscal Analysis:

N/A

Strategic Plan Item:

No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

2024-2025 CLG Annual Report Form with attachments-Part 1.pdf
2024-2025 CLG Annual Report Form with attachments Part 2.pdf

Florida CLG Program
Annual Report
October 1, 2024 – September 30, 2025

Pursuant to the Florida CLG Guidelines C.2.e, Certified Local Governments are required to submit an annual report summarizing local activities over the previous reporting year. The answers provided better inform our office on how we can assist our CLG communities and work jointly to improve performance.

Community	City of New Smyrna Beach
Submitted by	Robert Mathen, Senior Planner
Date	November 1, 2025

This report is due by November 30, 2025.
Please submit the completed annual report form and related materials to this office, either electronically to: CLG@dos.fl.gov

Or via mail to:
Attn: Tyler J. Smith
Certified Local Government (CLG) Coordinator
Bureau of Historic Preservation
R.A. Gray Building
500 S. Bronough Street
Tallahassee, FL 32399-0250

LOCAL LEGISLATION & COMMISSION

1. Were any amendments made to either the preservation ordinance or tax exemption ordinance?

   Yes ☐
   No ☒

   A. If so, please explain the nature of these changes:

   Click or tap here to enter text.

2. Were any amendments made to the rules of procedure?

   Yes ☐
   No ☒

   A. If so, please explain the nature of these changes:

   Click or tap here to enter text.

Please provide a copy of the revised legislation, if applicable.

3. List all board members, their profession, and length of service on the board:

Name	Profession	Years of Service
Stephanie Thomas-Rees	Architect	3-4 years
Angeline Barretta-Herman	Knowledgable/Interested Citizen	4+ or more years
Terry L Bledsoe	Lawyer	4+ or more years
Walter Bone	Architect	1-2 years
Katie L Kaufman	Architectural Historian	3-4 years
Dianne Bean	Knowledgable/Interested Citizen	Less than 1 year
Jana Caswell	Knowledgable/Interested Citizen	Less than 1 year

Please include the resumes of any new board members.

Katie Kaufman – Reappointed Member.
Dianne Bean – New Member
Jana Caswell - New Member

Please list below any additional staff that works with the CLG program.

Shane Corbin – Development Services Director
Stephanie Doster – Planning Manager
Robert Mathen, Senior Planner
Jesse Kobe – Capital Projects Director
Olivia Thomas – CIP & Grants Coordinator

PRESERVATION BOARD ACTIVITIES

4. Date and provider of last professional training session attended by Commission:

   October 9, 2025 & October 10, 2025. – Polk County History Center, Bartow, Florida. – DHR

5. Date and time of regularly scheduled Commission meetings:

   Quarterly, March, June, September, December -The Second Wednesday at 5:30p.m.

6. Please provide the dates of all Commission meetings held between October 1, 2024, and September 30, 2025:

   December 11, 2024, February 12, 2025, March 12, 2025, June 11, 2025, September 17, 2025

Please submit all meeting minutes and agendas, if not previously submitted.

Attached.

DESIGNATIONS

7. How many *individually listed* local designations are there in your community?

   16. Local Landmark Map attached.

8. Please list each district in your jurisdiction – locally listed and National Register listed. Identify the year it was listed and the year that area was re-surveyed. If the district or historic resource inventory has not been updated, please use "N/A" as a response:

Name of District	Local or National Designation	Year of Designation	Year Updated
New Smyrna Beach Historic District	National	1990	2008
Coronado Historic District	National	1997	2008
Click here to enter text.	Choose an item.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Choose an item.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Choose an item.	Click here to enter text.	Click here to enter text.

9. Please list any new designations during the reporting period:

Name and Address of Property	Property Type	Date of Listing	FMSF Submitted
Click here to enter text.	Choose an item.	Click here to enter text.	Choose an item.
Click here to enter text.	Choose an item.	Click here to enter text.	Choose an item.
Click here to enter text.	Choose an item.	Click here to enter text.	Choose an item.

Please submit local designation reports for newly designated resources, if available.

N/A

10. Number of Florida Master Site File forms submitted during reporting period:

    0

11. How many COAs (Certificates of Appropriateness) reviewed during reporting period?

    4

12. Number of Ad Valorem Tax exemption projects reviewed during reporting period (please indicate "N/A" if your community does not have an Ad Valorem Program):

    0

13. National Register nominations reviewed by Commission during reporting period:

    0

14. Number of Historic Rehabilitation tax credit projects reviewed during reporting period (please indicate "N/A" if your community does not have an Ad Valorem Program):

    0

15. Number of ADA projects reviewed by your office during the reporting period:

    0

GRANT PROJECTS

1. DHR grant projects completed since last annual report:

   0

2. DHR grant projects applied for during reporting period:

   0

SUPPLEMENTAL QUESTIONS

3. Are there any historic properties that you would like us to evaluate for National Register listing? If so, please list the property name and address.

   Not at this time.

4. What training topics would provide the most benefit for your Commissions and staff?

   Introduction to Historic Preservation

   Designating Resources

   Community Support

   Historic Preservation Benefits to the Community

5. What days of the week and what times of day are the best for your and your board members to attend online trainings?

   Not sure. I think I would have to have future dates and times to get a consensus from the Commission.

6. Please describe any significant problems encountered in the past year.

   Lack of participation from the general public.

7. What is one historic preservation success story your community has had in the past year?

   The city was able to appoint a full Historic Preservation Commission this year. This Commission now has seven (7) members. I think next year can be an exciting period for our city.

SUPPLEMENTAL DOCUMENTS

Please attach the following:

☒ A list and/or map of all individually designated properties and historic districts within your CLG
☐ A copy of the designation reports for any new locally designated properties
☒ **ALL** meeting minutes and agendas of the Commission (if not previously submitted)
☐ A copy of the amended ordinance(s)/rules of procedure (if applicable)
☒ Resumes of any new board members (If applicable)

ADDITIONAL COMMENTS:

I believe there may be interest from city staff, appointed officials, and elected officials in attending a regional training session. We did have some appointed members attend the session this year in Bartow, Florida. A closer session may give an opportunity for attendance by other local CLG members.

Historic Preservation Commission
Wednesday, December 11, 2024 at 5:30 PM

City Commission Chambers
214 Sams Avenue, New Smyrna Beach, Florida 32168

1. CALL TO ORDER

A. Roll Call

2. APPROVAL OF MINUTES

3. PUBLIC PARTICIPATION

4. NEW BUSINESS/DISCUSSION ITEMS

4.A DM-2-24: Review a request for a proposed demolition of a contributing structure in the Coronado National Historic District located at 300 North Pine Street.

4.B DM-3-24: Review a request for a proposed demolition of a contributing structure located at 304 Murray Street in the New Smyrna Beach National Registered Historic District.

4.C CA-2-24: Review an application for a Certificate of Appropriateness, to repaint the exterior of the Mary S. Harrell Black Heritage Museum and the Heritage House located at 314 North Duss Street.

4.D Approval of the Historic Preservation Commission 2025 Regular Meeting Schedule

4.E State Historic Marker Discussion for the New Smyrna Woman's Club located at 403 Magnolia Street.

4.F Local landmark Sign or Plaque Discussion.

5. COMMITTEE COMMENTS

6. STAFF COMMENTS

6.A 2023/2024 Florida Certified Local Government (CLG) Program Annual Report

7. ADJOURNMENT

Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the board, agency or commission of the City of New Smyrna Beach with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 410-2630, prior to the meeting.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

DM-2-24: REVIEW A REQUEST FOR A PROPOSED DEMOLITION OF A CONTRIBUTING STRUCTURE IN THE CORONADO NATIONAL HISTORIC DISTRICT LOCATED AT 300 NORTH PINE STREET.

December 11, 2024

Background:

Applicants: Ramin and Camille Ekbatani, 1492 Chippewa Lane, Geneva, Florida 32732.

Property Owner: Seminole Woods Holdings, LLC, 1809 East Broadway Street, Suite 119, Oviedo, Florida 32765.

Request: Approval for a demolition of a contributing structure in the Coronado National Registered Historic District.

Subject Area: The subject property consists of approximately 0.44 acres, and is zoned R-3A, (Single Family Residential), and is generally located on the northwest corner of Esther Street and North Pine Street addressed as 300 North Pine Street.

Parcel ID: 7455-12-00-0210

Exhibits used in the report:

Exhibit A: Location Map
Exhibit B: Aerial Map
Exhibit C: Building Condition Report
Exhibit D: District Map
Exhibit E: Sanborn Fire Map
Exhibit F: Florida Master Site Files

Findings:

The subject property located at 300 North Pine Street is 42-feet by 100 feet for approximately 4,200 ± square feet. A Location map and aerial map are attached as **Exhibits A & B**. The parcel currently has a 1 1/2 story single-family house.

The single-family house is a contributing structure located in the Coronado National Historic District however, the structure is not individually eligible for the National Registry of Historic Places. See **Exhibit E**. The 1988 and 1995 Florida Master Site File list the date of construction of the craftsman/bungalow designed single-family house as 1925 and the structure does show up on the 1930 Sanborn Fire maps. See **Exhibit G**.

This 1 ½ story single-family house has architectural features commonly found on a Craftsman/Bungalow style home. The single-family house has notable architectural features including a side gable roof with exposed rafter ends, shed dormer, end porch with tapered square columns on brick piers and double-hung sash windows with 1/1 lights.

The Florida Master Site File defines Bungalow as the most popular residential building design in Florida during the first three decades of the twentieth century. Its name was derived from the Bengalese bangla, a low house with porches, used as a wayside shelter by travelers in India during the eighteenth and nineteenth centuries. Although the name and some of the general characteristics of the Bungalow have their origins in India, the Japanese had the most profound influence on the style. Japanese construction techniques exhibited at the California Mid-Winter Exposition of 1894 emphasized the interplay of angles and planes and extensive display of structural members that became integral components of American Bungalow design.

The earliest American buildings which were consciously Bungalows appeared in California and New England in the 1890s. They generally were large residences designed by architects. However, by the turn of the century publications like Bungalow Magazine and The Craftsman flooded the building market with plans for inexpensive Bungalows. Featured in these magazines were articles about the economical use of space, interior decoration, and landscaping. It was this scaled down version of the Bungalow which became so pervasive in Florida during the early twentieth century.

The Bungalow is typically a one or one and one-half story building with a low-pitched gable (occasionally hipped) roof with wide unenclosed eave overhangs. The roof rafters are usually exposed, and false brackets or beams are commonly added under the gables. The porch is often the most dominant architectural feature of the Bungalow. They are generally either full or partial width, with the roof supported by tapered square columns that frequently extend to ground level or sit on massive brick piers.

First the commission shall review any application for demolition of a contributing building within the city's National Register of Historic Places Historic District to determine whether the building is historically significant. The building shall be considered historically significant if one or more of the following criteria are declared to be met by the commission:

- The building is historically or architecturally significant in terms of its period, style, method of building construction or use of indigenous materials; or
- The building is a significant reminder of the cultural, or architectural history of the city, state or nation; or
- The building is associated with a significant local, state or national event; or
- The building is associated with one or more significant historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the city, state or nation; or
- The building is one of a the few remaining examples of its period, style, or method of construction; or
- The building is identified with a person who significantly contributed to the development of the city, state or nation; or
- The building is identified as the work of a master builder, designer or architect whose individual work has influenced the development of the city, state or nation; or
- The building value is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance; or
- The building character is in a geographically definable area possessing a significant concentration or continuity of buildings united in past events or aesthetically by plan or physical development; or
- The building character is in an established and geographically definable neighborhood united in culture, architectural style or physical plan and development.

The structural engineer that performed the evaluation of the single-family house stated in the evaluation report, attached as **Exhibit C**, that the current single-family house is no longer historically significant due to the following:

- Many of the original building materials have been damaged or deteriorated.
- Many of the original building finishes have been damaged or deteriorated.
- the structure has widespread termite infestation.
- Due to the age of the structure, lead paint may be present.

In the building condition report, the structural engineer stated:

"The interior carpentry, including wood wall paneling and heart pine plank wood floors, is salvageable. The exterior aluminum siding is installed over what appears to be horizontal wood plank siding. Although original construction may have used horizontal plank siding or wood shingles, the material's origin and current condition are unknown. Due to the existence of WDOs and damage observed in other locations throughout the structure, it is expected that the concealed siding is in a similar condition."

If the commission finds that the building is historically significant the commission may, nevertheless, grant a demolition approval if it finds that one of the following circumstances is met:

(1) Undue economic hardship. In any instance where there is a claim of undue economic hardship, the property owner shall submit to the commission prior to the public hearing a report indicating the economic hardship and why the demolition should be allowed.

(2) Building condition. In any instance where there is a claim the building is not structurally sound and/or suitable for restoration, the applicant shall provide a written report signed by a licensed engineer or architect with experience in historic building restoration stating that the building is structurally unsound and unsuitable for restoration. The commission shall review the credentials of the licensed engineer or architect signing the report and shall find them experienced in historic restorations before the report is accepted. The applicant shall allow members of the commission and commission staff to inspect the interior and exterior of the building.

The structural engineer that performed the evaluation of the single-family house had the following stated comments in the evaluation report:

- The cost to renovate would be substantial and create an economic hardship that would preclude any reasonable and viable use of the property. Therefore, demolition is the only feasible option for redeveloping the property.
- We observed widespread damage from Wood Destroying Organisms, (WDO), signs of water intrusion including mold/fungal growth, impact damage from either storm debris and/or vandalism, and multiple other issues related to code-compliance.
- In addition, it is likely that an extensive amount of concealed damage also exists. These concerns pose long-term risks to the health of anyone who inhabits structure

in its current condition.

In the building condition report, the Engineer stated that "in its current condition, the building is unsuitable for habitation. The structural systems (foundation and load-bearing elements), fenestration components (windows and doors), building envelope (roof, siding, and soffits), electrical and plumbing systems, and fixtures and finishes would need to be replaced or modified to comply with the intent of the Florida Building Code. Any reuse of the building would require substantial repairs and improvements that would exceed its current value; therefore, it is not economically viable to renovate."

If the commission grants demolition approval for a historical building as provided in section 50-12(g), the commission shall condition approval on one or more of the following requirements:

- The commission shall require the applicant to provide a written and pictorial record of the building's history and architectural features for archival purposes, approved by the city. The record should include a narrative accompanied by relevant photographs, drawings, maps, and copies of original documents; or
- The commission shall require the applicant to design the replacement building(s) to meet the requirements of the Historic Preservation Design Guidelines for New Smyrna Beach and submit drawings of the proposed work, photographs of existing buildings or structures on adjacent properties and information about the building materials to be used for commission approval; or
- The commission may require that the owner allow archaeological study of the property before and/or during demolition if the property falls within the area demonstrated to have a medium or high probability to contain archaeological resources; or
- The commission may require that the owner allow salvage activities of the historic building provided the commission finds that there are salvageable materials within the building. Commission staff shall provide evidence to demonstrate that salvageable materials are within or on the building to be demolished; or
- The commission may require that the owner of a historically significant building meet any other condition that is reasonable to mitigate the demolition of the historic building.

As to the replacement structure, the applicant has proposed a two story replacement structure and the architecture of this proposed replacement structure is similar to the

current house. Staff would conclude that the architecture style of frame vernacular, Bungalow or Craftsman, would suite this section of the City as a replacement structure.

Recommendation:

The neighborhood buildings are a mixture of contributing structures. If the Historic New Smyrna Beach Preservation Commission finds that the structure meets the criteria of being a historically significant building, and if the application meets the criteria for building condition, staff would recommend the following conditions for the demolition of a contributing structure:

1. The applicant to provide a written and pictorial record of the building's history and architectural features for archival purposes, approved by the city. The record should include a narrative accompanied by relevant photographs, drawings, maps, and copies of original documents; and
2. The applicant shall design the replacement building to meet the requirements of the Historic Preservation Design Guidelines for New Smyrna Beach and submit drawings of the proposed work, photographs of existing buildings or structures on adjacent properties and information about the building materials to be used for commission approval; and
3. Because the property is located close to the city's archaeology zone II, the owner or future owner shall have an archaeological study of the building footprint during demolition.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

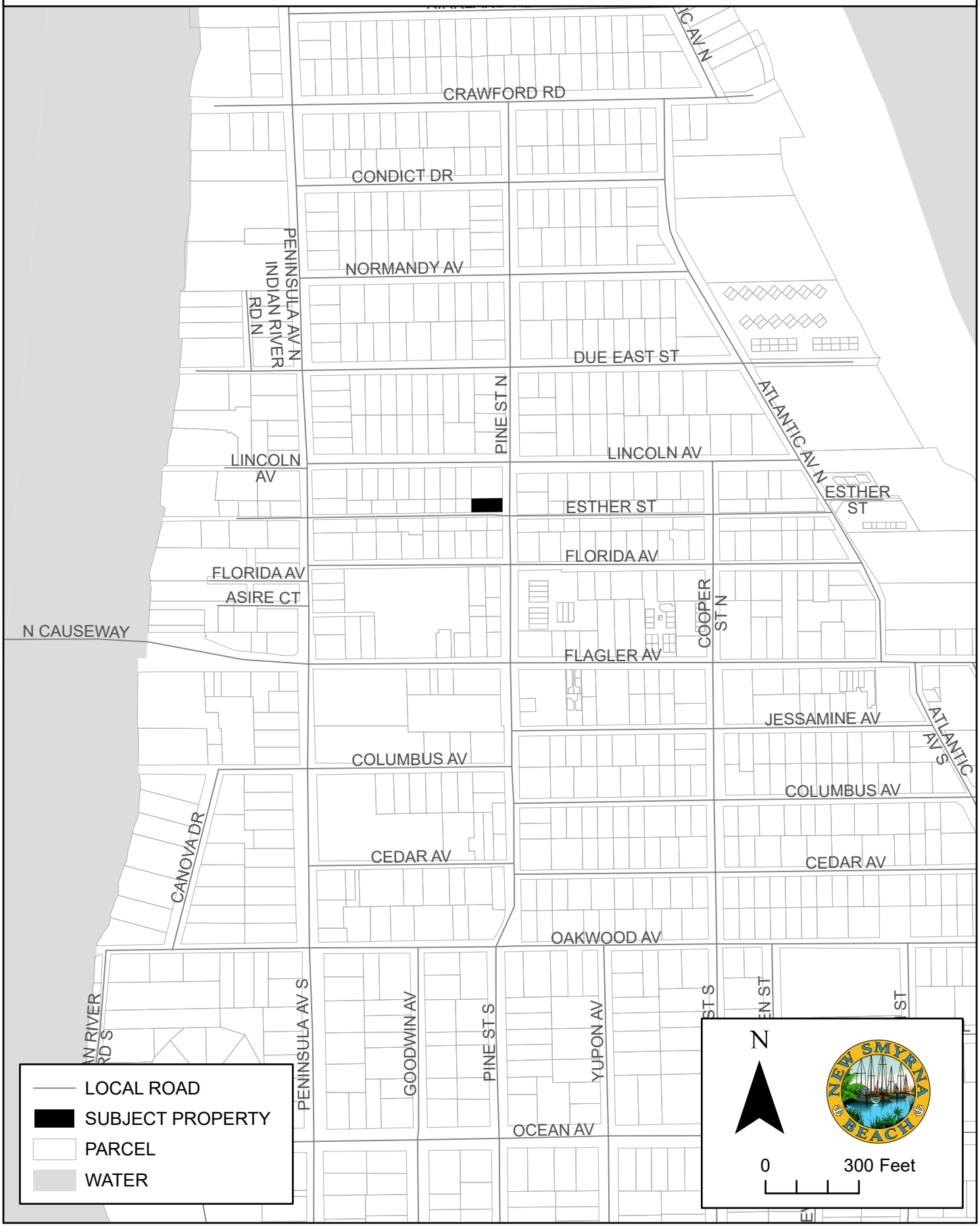
Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

Exhibit A Location Map.pdf
Exhibit B Aerial Map.pdf
Exhibit C Building Condition Report.pdf
Exhibit D Coronado National Historic District Map.pdf

Exhibit E 1930 Sanborn Fire map.pdf
Exhibit F Florida Master Site Files.pdf

DM-2-24: 300 N. PINE STREET
PARCEL: 7455-12-00-0210 LOCATION MAP



DM-2-24: 300 N. PINE STREET
PARCEL: 7455-12-00-0210 AERIAL MAP



CRA Charles R. Adams & Associates, Inc.
STRUCTURAL ENGINEERS
414 Canal Street - New Smyrna Beach, FL 32168 - 386.426.5583

Building Condition Evaluation for



Seminole Woods Holdings, LLC

300 North Pine Street
New Smyrna Beach, Florida 32169

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COMPREHENSIVE REPORT

Visual Inspection (Existing Structure)
Historical Preservation - Condition Evaluation
300 North Pine Street - New Smyrna Beach, FL 32169
CRA & Associates, Inc. Job ID#: 24-1112

REQUESTED BY

Mrs. Camille Ekbatani, Co-Owner
300 North Pine Street
New Smyrna Beach, FL 32169

SUBMITTED BY

Mr. Charles R. Adams, P.E. - F.L. # 15113
President - CRA & Associates, Inc.
Structural Engineers / Consultants
414 Canal Street - New Smyrna Beach, FL 32168

PREPARED BY

Mr. Jonathan A. Adams, B.S.E.T
Vice President - CRA & Associates, Inc.
Structural Engineers / Consultants
414 Canal Street - New Smyrna Beach, FL 32168

PROPERTY DATA

Address: 300 North Pine Street, New Smyrna Beach, FL 32169

Tax Parcel ID: 745-51-20-00210

Year of Construction: c. 1920

Style: Craftsman Bungalow



DEMOLITION REQUEST

We respectfully request approval, on behalf of Seminole Woods Holdings, LLC, to demolish the existing dilapidated structure in order to redevelop the property located at 300 North Pine Street. Redevelopment shall be consistent with the *City of New Smyrna Beach Historic Preservation Standards,* the *City of New Smyrna Beach Land Development Regulations*, and the *2023 Florida Building Code, Eighth Edition.*

BACKGROUND

The owners of 300 North Pine Street, Mr. & Mrs. Ekbatani, are requesting a Certificate of Appropriateness to demolish the existing structure on the southeast corner of Esther Street and North Pine Street in the Coronado Beach Historic District. The single-family residence was recently purchased by the Ekbatani family, with the intention of repairing and renovating the historic home. They were drawn to the beach bungalow by its charm and character, an attraction that grew even stronger when they learned of its history.

The home was built by the McBride family circa 1920 and remained in their descendants' possession for generations until the recent sale. Mr. David Spencer McBride and Ms. Susan Murphy, the previous owners, were the most recent family members to inherit the property. They wished to restore the structure to its original condition. However, due to the vast expenses associated with repair and financial constraints, they were unable to do so. They resided in the home for some time, but issues with water intrusion and the presence of various pests on the ground floor limited their use to the upper level. Tarps were installed on the unfinished ceiling and floor to prevent leaks and pest infestation from affecting their living space. Additionally, wood post shore0s were installed to stabilize the exposed rafters and prevent potential collapse due to excessive deflection caused by extensive age-related damage.

On June 26, 2024, the McBride family sold the property to the Ekbatani family. As previously mentioned, the new owners intended to repair and restore the home. Mr. and Mrs. Ekbatani had numerous contractors provide estimates for the various repairs and overdue maintenance requirements. With widespread damage apparent and the likelihood that the extent of these repairs was much greater than visible, renovating the structure was financially impractical. This was confirmed when multiple proposals were received, with estimates three times the typical cost for similar repairs. These increases were due to the contractors' expectations of an increased scope of work required after discovering concealed damage in adjacent elements.

Our office was contacted by Mrs. Camille Ekbatani regarding numerous concerns with the recently acquired property. We were subsequently hired to perform a comprehensive evaluation of the structure at 300 North Pine Street and provide a report with our observations, conclusions, and recommendations.

SUMMARY OF CONDITION

In its current condition, the building is unsuitable for habitation. The structural systems (foundation and load-bearing elements), fenestration components (windows and doors), building envelope (roof, siding, and soffits), electrical and plumbing systems, and fixtures and finishes would need to be replaced or modified to comply with the intent of the Florida Building Code. Any reuse of the building would require substantial repairs and improvements that would exceed its current value; therefore, it is not economically viable to renovate.

HISTORIC SIGNIFICANCE

The subject structure is a two-story, plus basement, Craftsman Bungalow single-family residence built circa 1920. The unfinished upper floor, which appears to have been intended for storage, is classified as a utility area. It is listed by Historic Property Associates, Inc., on a map prepared in September 1995, as a contributing structure to the Coronado Beach Historic District; but it is not individually listed on any available historic references, including the *1924 Sanborn Fire Insurance Maps*. The historic architectural significance of this structure has been considerably diminished over time. Many of the original building materials and finishes have been damaged and/or deteriorated and must be replaced. The interior carpentry, including wood wall paneling and heart pine plank wood floors, is salvageable. However, widespread deposits of large amounts of frass indicate significant ongoing termite infestation. The exterior aluminum siding is installed over what appears to be horizontal wood plank siding. Although original construction may have used horizontal plank siding or wood shingles, the material's origin and current condition are unknown. Due to the existence of WDOs and damage observed in other locations throughout the structure, it is expected that the concealed siding is in a similar condition. Additionally, due to the age of the structure, it is expected that lead-based paint is present, which would need to be professionally remediated.

OBSERVATIONS

On August 9, 2024 , our office conducted an on-site visual inspection of all components of the subject structure. The purpose of this visit was to investigate the structural integrity and viability of saving the existing construction.

We coordinated with the property owner, Mrs. Camille Ekbatani, to perform a visual inspection of the subject structure, document existing damage, estimate the probable cost of associated repairs, and identify any historic value that remains. We were provided access to the property and informed of the homeowner's concerns.

The building has not undergone age-related repairs for some time. Additionally, there are widespread signs of WDO (Wood Destroying Organisms) that appear untreated and remain active. As a result, exposure to the elements, active WDO, and ongoing water intrusion have contributed to the level of deterioration existing in many areas. It is apparent that repairs have been neglected for many years. The following list notes typical conditions encountered during our inspection of the subject structure:

Interior

- Exposed wood structural members exhibit significant damage in multiple locations.
- Exposed rafters in the upper level were improperly modified previously and require shoring to prevent potential roof failure.
- Several areas of the ceiling have visible water damage and/or high moisture content.
- Rotting wood and termite damage is visible in multiple locations throughout the interior of the subject structure.
- Cabinetry remaining in the kitchen has signs of rodent activity.
- Multiple locations with damage and/or deterioration provide direct means of access for rodents, insects, and other types of scavengers/pests to infest the interior of the structure.

- Various sections, of both trim & molding, require substantial repairs and/or replacement.
- All windows & doors are extensively damaged/deteriorated and require full replacement.
- Floors are sagging; with up to 3˚ (±1/2" per 1') of deflection in some locations.
- Several plug outlets appear to be non-functional and, in addition to the service panel(s) and wiring, will require replacement.
- PTAC units appear to be non-functional and will require replacement.

Exterior

- Several structural members, both of wood and concrete/masonry construction, are cracked or otherwise damaged.
- Several areas of the roof system, including framing, covering, soffits, and fascia, exhibit substantial damage and/or deterioration.
- Rotting wood and termite damage is visible in multiple locations.
- The mismatched siding requires substantial repair or total replacement.
- The front porch and the back porch stem walls & in-filled concrete slabs exhibit extensive cracking & differential settlement and will require demo and replacement.
- The front door is compromised and does not adequately secure the residence.
- All windows have broken glazing, and significantly deteriorated framing, leaving the structure exposed to the elements & inadequately secured from unauthorized entry and infestation.
- Any hazardous materials, including lead paint, asbestos, etc., must be professionally remediated.

PROPOSED USE

The owner intends to demolish the dilapidated structure and rebuild a home on the property in compliance with the *City of New Smyrna Beach Historic Preservation Standards,* the *City of New Smyrna Beach Land Development Regulations*, and the *2023 Florida Building Code, Eighth Edition.* The current concept for the new residence is included in the attached photographs.

If permitted to proceed as requested, after building the proposed modern beach bungalow, the Ekbatani family-husband Ramin, wife Camille, and their three young daughters-plan to keep the home for personal use. They are looking forward to frequent weekends spent relaxing in the sun, sand, and surf, while enjoying the unique local charm of the City of New Smyrna Beach.

Any intact materials from original construction will be salvaged and reused in the new construction, if feasible. Any remaining salvageable original building materials will be offered for sale or donated to the *Southeast Volusia Historic Preservation Society* and the *Historic New Smyrna Beach Preservation Commission.*

Additionally, the owners will provide the *Southeast Volusia Historic Preservation Society* and the *Historic New Smyrna Beach Preservation Commission* an opportunity to remove any remaining items from the home prior to demolition.

Lastly, historic records, including original construction photos, sketches, and various other priceless relics, shall be provided for examination, documentation, and/or reproduction, and may be offered for display with a mutually approved prior agreement.

ESTIMATE OF PROBABLE REPAIR COSTS

*(DENOTES: Based on ACTUAL June 2024 contractor estimates.)

• *Foundation & floor system repairs**	$	*44,031.00*
• *Roof framing & sheathing repairs**	$	*8 ,450.00*
• *Roof covering replacement**	$	*14 ,245.00*
• *Replacement of exterior siding**	$	*23,100.00*
• *Window replacement**	$	*35,475.00*
• *Replacement of soffit & fascia**	$	*11,408.00*
• *Exterior paint removal & replacement*	$	*5,500.00*
• *Porch & patio renovation*	$	*9,500.00*
• *Interior paneling removal & repair or replacement*	$	*8,000.00*
• *Insulation installation*	$	*3,500.00*
• *Interior paint removal & replacement*	$	*1,500.00*
• *Interior flooring removal & replacement*	$	*7,000.00*
• *Framing & finish trim replacement*	$	*4,000.00*
• *Interior door replacement*	$	*2,000.00*
• *PTAC replacement & retrofit*	$	*4,000.00*
• *Plumbing replacement & repairs*	$	*3,000.00*
• *Electrical rewiring, panel, & fixture replacement*	$	*9,500.00*
• *Cabinet & vanity replacement*	$	*6,000.00*
• *Appliance replacement*	$	*4,500.00*
• *Termite treatment / Pest control*	$	*7,600.00*
• *Mold, air quality testing, remediation*	$	*3,500.00*
• *Permitting, engineering/architectural fees**	$	*8,000.00*
• *Hazardous materials & construction debris disposal*	$	*6,000.00*
• ***TOTAL ESTIMATED RENOVATION COST***	***$***	***229,809.00***

CONCLUSIONS

Preliminary inspection identified several significant structural concerns. Although repair is possible, the cost to do so is prohibitive, and the likelihood of any original components remaining is minimal. Existing conditions were observed which jeopardize the building's structural integrity and cause the subject structure to be in non-compliance with the *2023 Florida Building Code, Existing Building, Eighth Edition.*

We observed widespread damage from WDO, signs of water intrusion including mold/fungal growth, impact damage from either storm debris and/or vandalism, and multiple other issues related to code-compliance. In addition, it is likely that an extensive amount of concealed damage also exists. These concerns pose long-term risks to the health of anyone who inhabits the structure in its current condition.

Although the owners were initially attempting to save this structure, it has proven to be impractical both logistically and financially. The estimated repair costs far exceed the fair market value of the structure. Furthermore, the possibility of preserving any remaining historic significance, if properly repaired, is quite unlikely. Therefore, we have concluded that repairing the subject structure is impractical, economically unviable, and would deprive the property owners of reasonable beneficial use of the property.

RECOMMENDATIONS

The recommendations contained herein are conceptual in nature and strictly intended to provide guidance, help navigate the Historic Preservation Society review process, and facilitate an informed decision and suitable outcome when requesting a Certificate of Appropriateness.

Based on our thorough examination of the subject structure, and review of actual estimates provided to the owner, it is our professional opinion that the cost to repair the building will far exceed its current value of approximately $139,000, as determined by the Volusia County Property Appraiser's website for the 2024 tax year.

We request prompt approval of the issuance of a Certificate of Appropriateness in order to proceed with demolition of the dilapidated structure and construction of a new residence, in compliance with the *City of New Smyrna Beach Historical Preservation Standards*, *City of New Smyrna Beach Land Development Regulations*, and the *2023 Florida Building Code, Eighth Edition.*

As previously stated, the cost to renovate would be substantial and create an economic hardship that would preclude any reasonable and viable use of the property. Therefore, demolition is the only feasible option for redeveloping the property. Any salvaged materials should be removed or made available for removal prior to demolition of the structure. Salvaged components or materials intended for reuse or repurposing must undergo termite treatment and careful inspection to ensure no active wood-destroying organisms (WDOs) remain before being introduced into a new structure. Ideally, any items removed from the property should be securely sealed on-site and remain sealed until treated for WDOs to prevent the accidental introduction of pests to other locations.

We have attached photographs showing the general condition of the structure, including examples of described observations. If you have any questions or require additional information, please feel free to contact our office.

Sincerely,



Charles R. Adams, P.E.
FL # 15113



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EKBATANI RESIDENCE PHOTO GROUP - 1 - (1-4)



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EKBATANI RESIDENCE PHOTO GROUP - 2 - (1-4)



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EKBATANI RESIDENCE PHOTO GROUP - 3 - (1-6)



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EKBATANI RESIDENCE PHOTO GROUP - 4 - (1-4)



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EKBATANI RESIDENCE PHOTO GROUP - 5 - (1-4)



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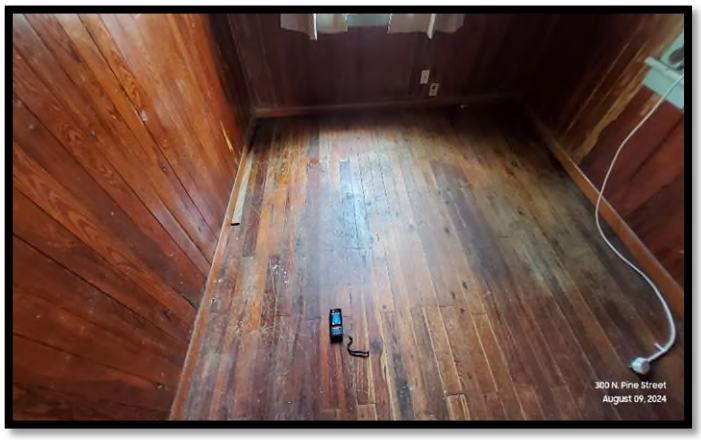
EKBATANI RESIDENCE PHOTO GROUP - 6 - (1-4)



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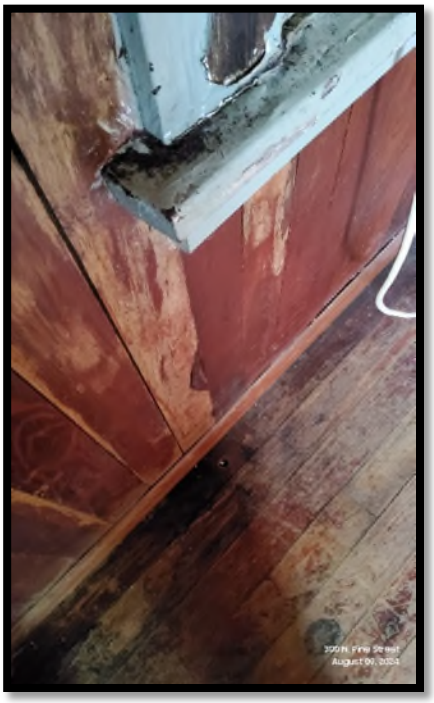
EKBATANI RESIDENCE PHOTO GROUP - 7 - (1-4)



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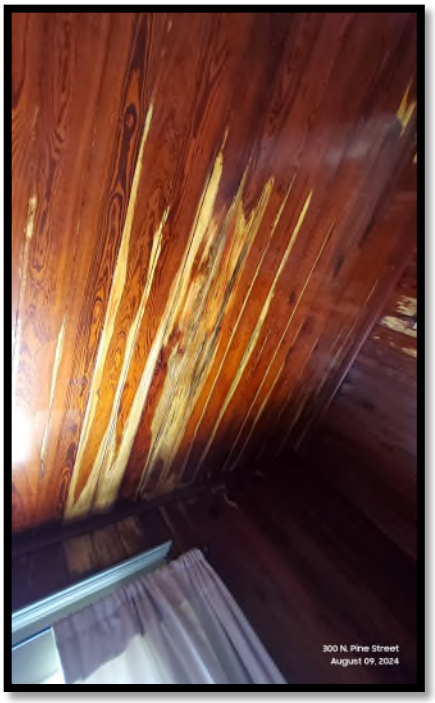

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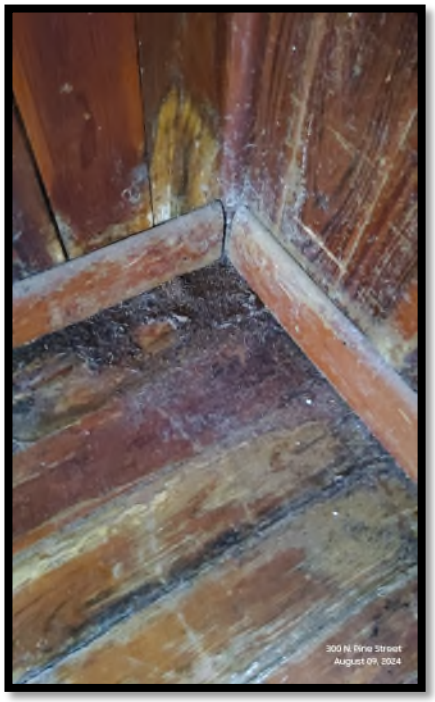

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EKBATANI RESIDENCE PHOTO GROUP - 8 - (1-6)



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EKBATANI RESIDENCE PHOTO GROUP - 9 - (1-6)



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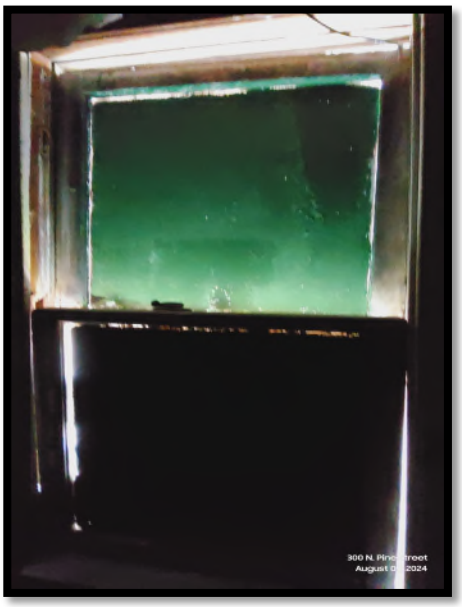

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EKBATANI RESIDENCE PHOTO GROUP - 10 - (1-6)



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EKBATANI RESIDENCE PHOTO GROUP - 11 - (1-6)



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EKBATANI RESIDENCE PHOTO GROUP - 12 - (1-4)



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EKBATANI RESIDENCE PHOTO GROUP - 13 - (1-4)



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EKBATANI RESIDENCE PHOTO GROUP - 14 - (1-4)



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EKBATANI RESIDENCE PHOTO GROUP - 15 - (1-4)



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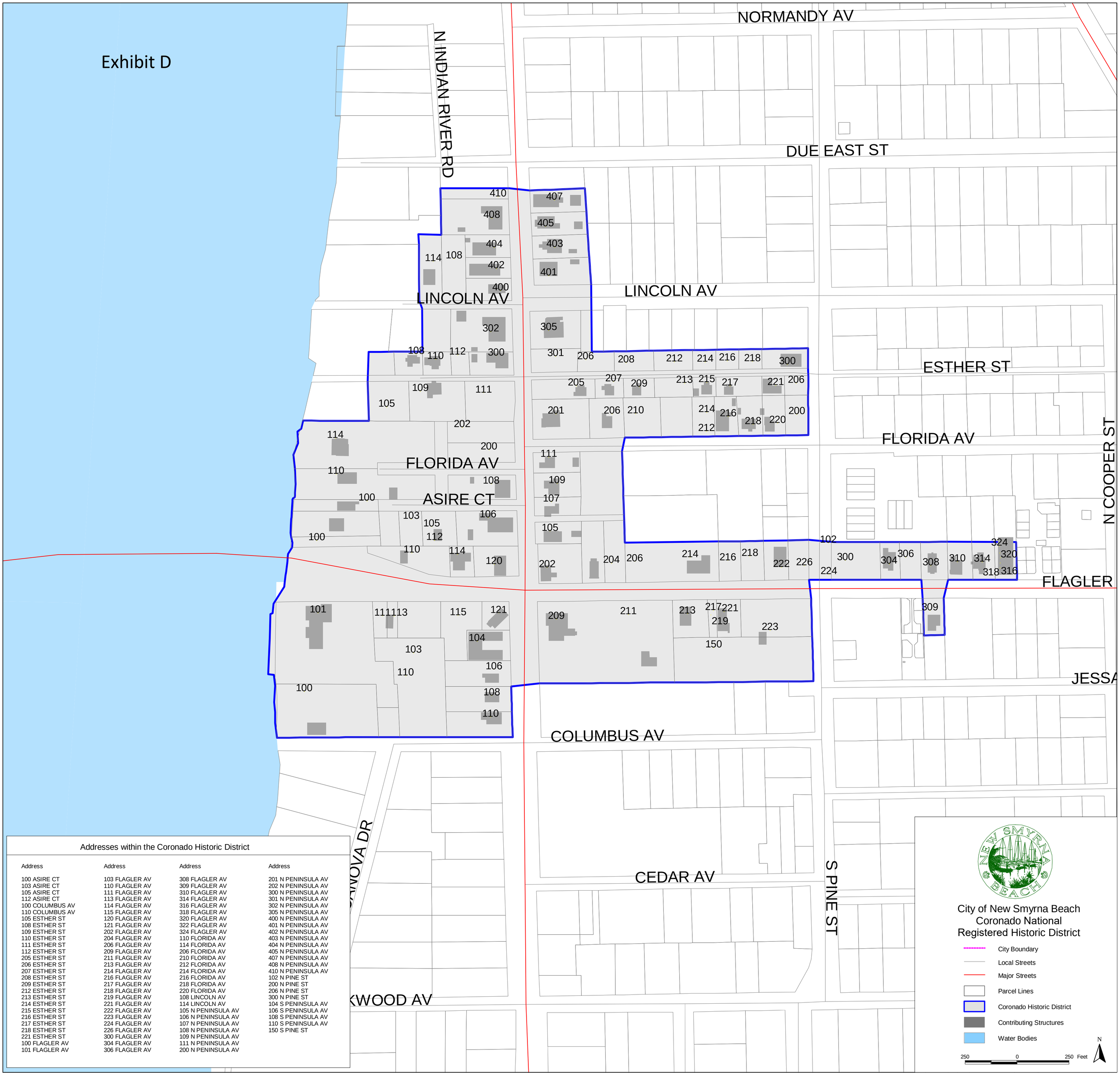
EKBATANI RESIDENCE PHOTO GROUP - 16 - (1-4)

Concept for the New Residence



Proposed at 300 N. Pine Street

Exhibit D



Addresses within the Coronado Historic District

Address	Address	Address	Address
100 ASIRE CT	103 FLAGLER AV	308 FLAGLER AV	201 N PENINSULA AV
103 ASIRE CT	110 FLAGLER AV	309 FLAGLER AV	202 N PENINSULA AV
105 ASIRE CT	111 FLAGLER AV	310 FLAGLER AV	300 N PENINSULA AV
112 ASIRE CT	113 FLAGLER AV	314 FLAGLER AV	301 N PENINSULA AV
100 COLUMBUS AV	114 FLAGLER AV	316 FLAGLER AV	302 N PENINSULA AV
110 COLUMBUS AV	115 FLAGLER AV	318 FLAGLER AV	305 N PENINSULA AV
105 ESTHER ST	120 FLAGLER AV	320 FLAGLER AV	400 N PENINSULA AV
108 ESTHER ST	121 FLAGLER AV	322 FLAGLER AV	401 N PENINSULA AV
109 ESTHER ST	202 FLAGLER AV	324 FLAGLER AV	402 N PENINSULA AV
110 ESTHER ST	204 FLAGLER AV	110 FLORIDA AV	403 N PENINSULA AV
111 ESTHER ST	206 FLAGLER AV	114 FLORIDA AV	404 N PENINSULA AV
112 ESTHER ST	209 FLAGLER AV	206 FLORIDA AV	405 N PENINSULA AV
205 ESTHER ST	211 FLAGLER AV	210 FLORIDA AV	407 N PENINSULA AV
206 ESTHER ST	213 FLAGLER AV	212 FLORIDA AV	408 N PENINSULA AV
207 ESTHER ST	214 FLAGLER AV	214 FLORIDA AV	410 N PENINSULA AV
208 ESTHER ST	216 FLAGLER AV	216 FLORIDA AV	102 N PINE ST
209 ESTHER ST	217 FLAGLER AV	218 FLORIDA AV	200 N PINE ST
212 ESTHER ST	218 FLAGLER AV	220 FLORIDA AV	206 N PINE ST
213 ESTHER ST	219 FLAGLER AV	108 LINCOLN AV	300 N PINE ST
214 ESTHER ST	221 FLAGLER AV	114 LINCOLN AV	104 S PENINSULA AV
215 ESTHER ST	222 FLAGLER AV	105 N PENINSULA AV	106 S PENINSULA AV
216 ESTHER ST	223 FLAGLER AV	106 N PENINSULA AV	108 S PENINSULA AV
217 ESTHER ST	224 FLAGLER AV	107 N PENINSULA AV	110 S PENINSULA AV
218 ESTHER ST	226 FLAGLER AV	108 N PENINSULA AV	150 S PINE ST
221 ESTHER ST	300 FLAGLER AV	109 N PENINSULA AV	
100 FLAGLER AV	304 FLAGLER AV	111 N PENINSULA AV	
101 FLAGLER AV	306 FLAGLER AV	200 N PENINSULA AV	

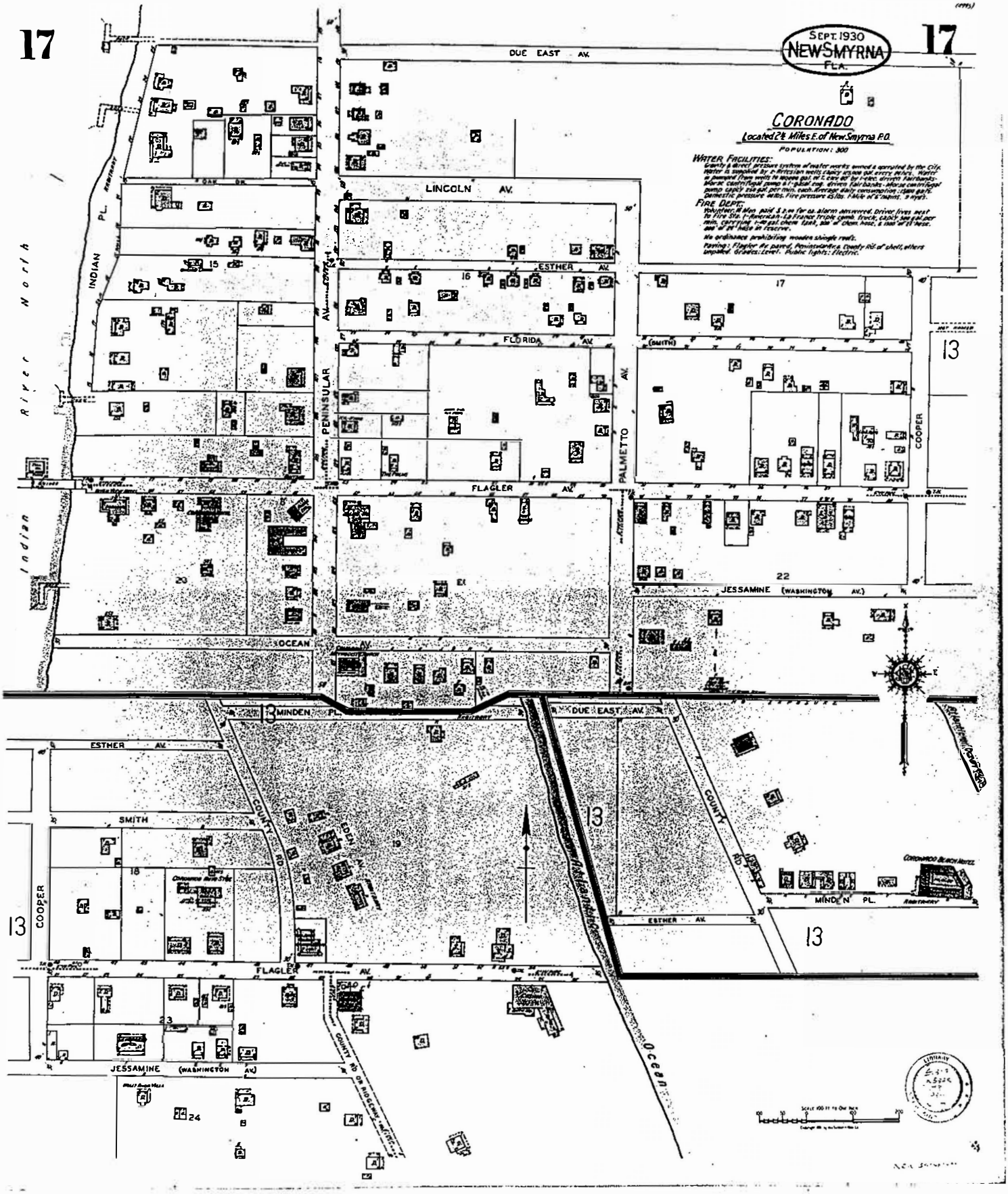
City of New Smyrna Beach
Coronado National
Registered Historic District

- City Boundary
- Local Streets
- Major Streets
- Parcel Lines
- Coronado Historic District
- Contributing Structures
- Water Bodies

N

250 0 250 Feet

Exhibit E


17
SEPT. 1930
NEW SMYRNA
FLA.
17
DUE EAST AV.
CORONADO
Located 2½ Miles E. of New Smyrna P.O.
POPULATION: 300
WATER FACILITIES:
FIRE DEPT:
LINCOLN AV.
ESTHER AV.
FLORIDA AV.
FLAGLER AV.
OCEAN AV.
INDIAN PL.
PENINSULAR AV.
PALMETTO AV.
COOPER
River
North
Indian
JESSAMINE (WASHINGTON AV.)
MINDEN PL.
DUE EAST AV.
ESTHER AV.
SMITH
COUNTY RD.
EDEN
FLAGLER AV.
JESSAMINE (WASHINGTON AV.)
Ocean
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24

Record no. 163

Page 1 **HISTORICAL STRUCTURE FORM** **Site 8**
X original **FLORIDA MASTER SITE FILE**
update

SITE NAME:
HISTORIC CONTEXTS: Boom Times
NAT. REGISTER CATEGORY: Building
OTHER NAMES OR MSF NOS:
COUNTY: Volusia **OWNERSHIP TYPE:** Private-Individual
PROJECT NAME: New Smyrna Beach Survey: CLG **DHR NO.** 0
LOCATION:
ADDRESS: 300 North Pine Street **CITY:** New Smyrna Beach
VICINITY OF/ROUTE TO:

SUBDIVISION: Krulder **BLOCK NO.** 2 **LOT NO.** 25
PLAT OR OTHER MAP: NSB Property Map/Volusia Ct CH
TOWNSHIP: 17 **RANGE:** 34 **SECTION:** 9 **1/4:** 0 **1/4 - 1/4:** 0
IRREGULAR SEC? X y n **LAND GRANT** Walker
USGS 7.5 MAP: New Smyrna Beach 1956 PR 1980
UTM: ZONE: 0 **EASTING:** 0 **NORTHING:** 0
COORDINATES: **LATITUDE:** 0 D 0 M 0 S **LONGITUDE:** 0 D 0 M 0 S

HISTORY
ARCHITECT:
BUILDER:
CONSTRUCTION DATE: c. 1925 **RESTORATION DATE(S):** / / / /
MODIFICATION DATE(S):
MOVE: DATE: **ORIG. LOCATION:**
ORIGINAL USE (S): Residence-private
PRESENT USE (S): Residence-private

DESCRIPTION
STYLE: Bungalow
PLAN: EXTERIOR: Rectangular
PLAN: INTERIOR: Unknown
NO. STORIES: 1.5 **OUTBLDGS:** 0 **PORCHES:** 1 **DORMERS** 1
STRUCTURAL SYSTEM(S): Wood; Balloon
EXTERIOR FABRIC(S): Aluminum siding
FOUNDATION: TYPE: Continuous **MATLS:** Unknown
INFILL:
PORCHES: E/end/shed roof on tapered columns/3 bays
ROOF: TYPE: Gable **SURFACING:** Composition shingle
SECONDARY STRUCS: Shed dormer
CHIMNEY: NO: 1 **MTLS:** Brick **LOCNS:** E;center;front slope
WINDOWS: DHS, 1/1

EXTERIOR ORNAMENT:
CONDITION: Good **SURROUNDINGS:** Residential
NARRATIVE:
See Continuation Sheet

ARCHAEOLOGICAL REMAINS AT THE SITE
FMSF ARCHAEOLOGICAL FORM COMPLETED? y X n **(If Y, ATTACH)**
ARTIFACTS OR OTHER REMAINS: None Observed

RECORDER'S EVALUATION OF SITE
AREAS OF SIGNIFICANCE: Architecture

ELIGIBLE FOR NAT. REGISTER?	**y**	**n**	**likely, need info**	**X insf info**
SIGNIF. AS PART OF DISTRICT?	**y**	**n**	**likely, need info**	**X insf info**
SIGNIFICANT AT LOCAL LEVEL?	y	**n**	**X likely, need info**	**insf info**

SUMMARY OF SIGNIFICANCE
See Continuation Sheet

* * DHR USE ONLY * * * * DHR USE ONLY * * * *
* DATE LISTED ON NR _____ *
* KEEPER DETERMINATION OF ELIG.(DATE): __YES _____ __NO _____ *
* SHPO EVALUATION OF ELIGIBILITY (DATE): __YES _____ __NO _____ *
* LOCAL DETERMINATION OF ELIG. (DATE): __YES _____ __NO _____ *
* OFFICE_____ *
* * DHR USE ONLY * * * * * * DHR USE ONLY * *

RECORDER INFORMATION: NAME: Stephen A. Olausen
DATE: 02/01/88 **AFFILIATION:** Historic Property Associates, Inc.

PHOTOGRAPHS
LOCATION OF NEGATIVES: Historic Property Associates, Inc.
NEGATIVE NUMBERS: 31

PHOTOGRAPH M A P

Attach a B/W photographic print here if available. Please label the print itself with at least: the FMSF site number (survey number or site name if not available), direction and date of photograph. Prints larger than contact size are preferable.

Statement of Significance

This one and one-half-story wood frame residential building is located at 300 N. Pine Street. It has Bungalow styling expressed by its side gable roof with exposed rafter ends; shed dormer; end porch with tapered square columns on brick piers; and double-hung sash windows with 1/1 lights.

The Bungalow was the most popular residential building design in Florida during the first three decades of the twentieth century. Its name was derived from the Bengalese bangla, a low house with porches, used as a wayside shelter by travellers in India during the eighteenth and nineteenth centuries. Although the name and some of the general characteristics of the Bungalow have their origins in India, the Japanese had the most profound influence on the style. Japanese construction techniques exhibited at the California Mid-Winter Exposition of 1894 emphasized the interplay of angles and planes and extensive display of structural members that became integral components of American Bungalow design.

The earliest American buildings which were consciously bungalows appeared in California and New England in the 1890s. They generally were large residences designed by architects. However, by the turn of the century publications like *Bungalow Magazine* and *The Craftsman* flooded the building market with plans for inexpensive bungalows. Featured in these magazines were articles about the economical use of space, interior decoration, and landscaping. It was this scaled down version of the Bungalow which became so pervasive in Florida during the early twentieth century.

The Bungalow is typically a one or one and one-half story building with a low-pitched gable (occasionally hipped) roof with wide unenclosed eave overhangs. The roof rafters are usually exposed and false brackets or beams are commonly added under the gables. The porch is often the most dominant architectural feature of the Bungalow. They are generally either full or partial width, with the roof supported by tapered square columns that frequently extend to ground level or sit on massive brick piers.

This building first appears on the 1930 Sanborn Fire Insurance map indicating that it was built sometime between the publication of that map and the previous one made for the area in 1924.[1]

This property is located within the corporate limits of New Smyrna Beach, the site of America's largest colonial enterprise, begun in 1768. Although the Turnbull colony was abandoned in 1777, some measure of settlement persisted, resulting from the presence of a coastal inlet in the vicinity. Resettlement began in earnest after the Civil War. The town was incorporated in 1887 and developed on the basis of a tourism, citrus, and commercial fishing economy. Rapid growth in the early twentieth century was spurred by the Florida East Coast Railroad. The City of New Smyrna Beach was expanded in 1947 to include the peninsula community of

Coronado Beach.

NOTES

[1] Sanborn Map Company, Fire Insurance Map of New Smyrna Beach, Volusia County, Florida (New York: 1895, 1901, 1906, 1912, 1916, 1924, and 1930).

RECORD NUMBER: 77
Page 1 HISTORICAL STRUCTURE FORM Site 8 _____
X original FLORIDA MASTER SITE FILE
update

SITE NAME: 300 North Pine Street
HISTORIC CONTEXTS: Boomtimes
NAT. REGISTER CATEGORY: Building
OTHER NAMES OR MSF NOS:
COUNTY: Volusia **OWNERSHIP TYPE:** Private, individual
PROJECT NAME: Re-survey of NSB Flagler Ave. Area: S+P **DHR NO.**
LOCATION:
ADDRESS: 300 North Pine Street
CITY: New Smyrna Beach
VICINITY OF/ROUTE TO: See attached map

SUB: Krudler Sub **BLOCK** **LOT** 23, 21
PLAT OR OTHER MAP: Volusia County Property Appraiser Map
TOWNSHIP: 17s **RANGE:** 34e **SECTION:** 55 **1/4:** **1/4-1/4:**
IRREGULAR SEC? X **y** **n** **LAND GRANT:** Walker Grant
USGS 7.5 MAP: New Smyrna Beach 1956 PR 1980
UTM: ZONE: **EASTING:** **NORTHING:**
COORDINATES: LATITUDE: D M S **LONGITUDE:** D M S

HISTORY
ARCHITECT: Unknown
BUILDER: Unknown
CONSTRUCTION DATE: c. 1925**RESTORATION DATE(S):**
MODIFICATION DATE(S):
MOVE: DATE: **ORIG. LOCATION:**
ORIGINAL USE (S): Residence
PRESENT USE (S): Residence

DESCRIPTION
STYLE: Craftsman
PLAN: EXTERIOR: Irregular
PLAN: INTERIOR: Unknown
NO. STORIES: 1.5 **OUTBLDGS:** 0 **PORCHES:** 1 **DORMERS:** 1
STRUCTURAL SYSTEM(S): Wood, balloon frame
EXTERIOR FABRIC(S): Aluminum siding
FOUNDATION: TYPE: Continuous
MATERIALS: Concrete
INFILL:
PORCHES: E/end/incorporated, tapered columns, piers, knee wall/3 bays
ROOF: TYPE: Gable
SURFACING: Composition shingle
SECONDARY STRUCS: Shed extension
CHIMNEY: NO.: 1
MATERIALS: Brick
LOCATIONS: Center ridge
WINDOWS: Metal sash

EXTERIOR ORNAMENT:
CONDITION: Fair
SURROUNDINGS: Residential
NARRATIVE:
See continuation sheet

RECORD NO: 77
Page 2 FMSF HISTORICAL STRUCTURE FORM Site 8 _____

ARCHAEOLOGICAL REMAINS AT THE SITE
FMSF ARCHAEOLOGICAL FORM COMPLETED? y X n
ARTIFACTS OR OTHER REMAINS: None observed

RECORDER'S EVALUATION OF SITE
AREAS OF SIGNIFICANCE: Architecture

ELIGIBLE FOR NAT. REGISTER?		y	X	n	**likely, need info**		**insf info**
SIGNIF. AS PART OF DISTRICT?	X	y		n	**likely, need info**		**insf info**
SIGNIFICANT AT LOCAL LEVEL?	X	y		n	**likely, need info**		**insf info**

SUMMARY OF SIGNIFICANCE
See continuation sheet

* * * * DHR USE ONLY * * * * * * * DHR USE ONLY * * * * * *
* DATE LISTED ON NR _____ *
* KEEPER DETERMINATION OF ELIG.(DATE): _YES _____ _NO _____ *
* SHPO EVALUATION OF ELIGIBILITY (DATE): _YES _____ _NO _____ *
* LOCAL DETERMINATION OF ELIG. (DATE): _YES _____ _NO _____ *
* OFFICE_____ *
* *
* * * * DHR USE ONLY * * * * * * * DHR USE ONLY * * * * * *

RECORDER INFORMATION: NAME: Stephen Olausen/Sidney Johnston
DATE: 05/15/95 **AFFILIATION:** Historic Property Associates

PHOTOGRAPHS
LOCATION OF NEGATIVES: Historic Property Associates
NEGATIVE NUMBERS: Roll 4, fr. 9

PHOTOGRAPH M A P

See Attachments



Architectural Description: This one-and-one-half-story wood balloon frame residence is located at 300 North Pine Street. It is an example of Craftsman architecture. The building has an irregular plan and a gable roof with a shed extension. Aluminum siding serves as the exterior wall fabric. A porch is incorporated under the roof and displays tapered columns, piers, and knee walls. A brick chimney pierces the center ridge of the roof and a continuous concrete foundation supports the building.

Architectural Context: Originating in Southern California, the Craftsman style was introduced by architects Charles Sumner Greene and Henry Mather Greene. Influenced greatly by the Arts and Crafts movement, Craftsman methods of wood framing emphasized the interplay of angles and planes and expressive display of structural members, which were intended to harmonize the house with its surroundings. The Greene brothers spread their design concepts throughout the country through articles in popular magazines, particularly *The Architect, House Beautiful, Good Housekeeping, Architectural Record, Country Life in America,* and *Ladies' Home Journal.*

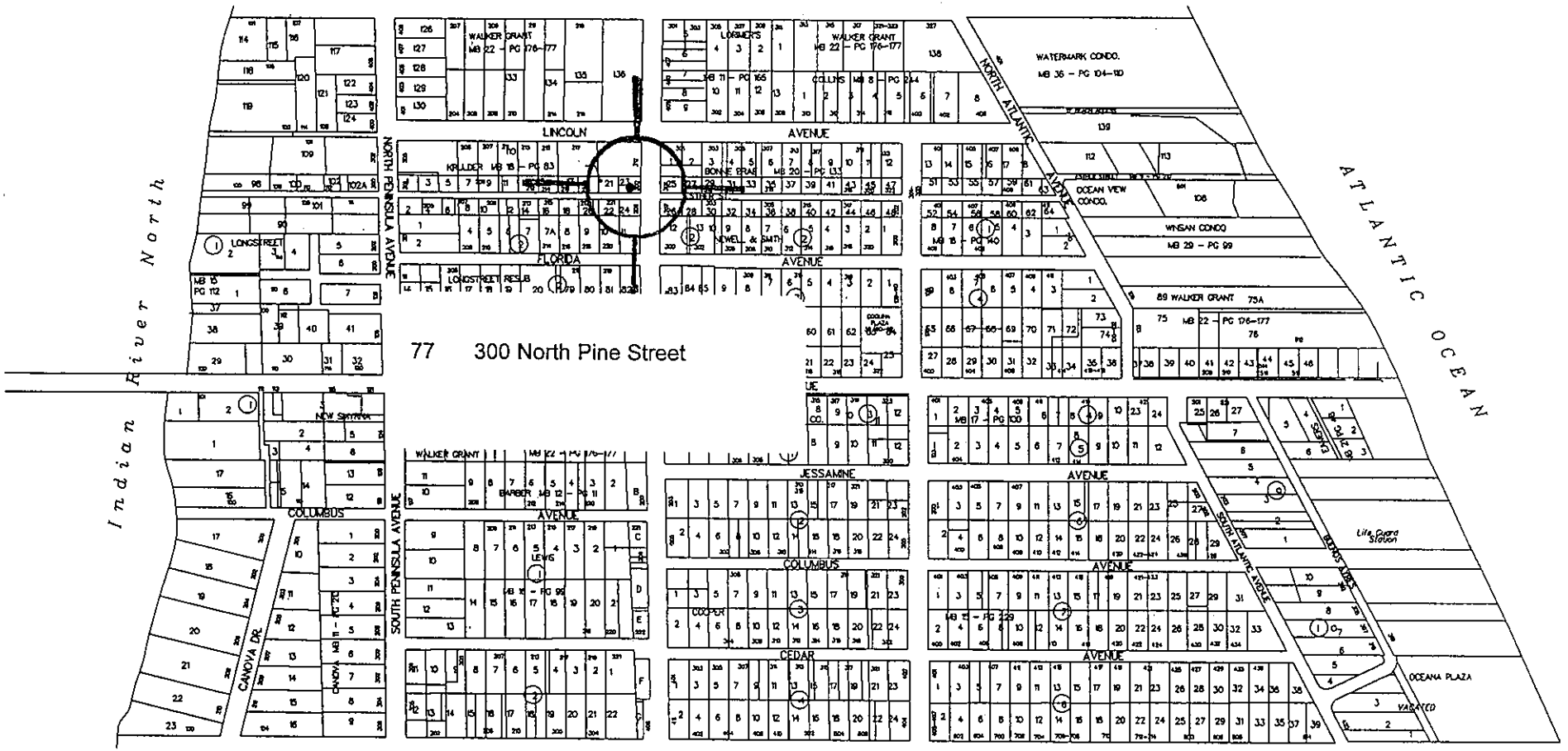
As a result, the Craftsman style became the most popular residential design in the country between about 1905 and the mid 1920s. Pattern books offered plans and pre-cut packages of lumber and detailing were available for construction by local labor. High-style interpretations are rare, although some are found in California where they have been synonymously labeled the Western Stick style. The style was particularly well suited for small single family dwellings commonly referred to as bungalows.

Typical features of Craftsman architecture include a low-pitched, gable roof (occasionally hipped) with wide, unenclosed eave overhangs. The roof rafters are exposed. Roof beams or triangular knee braces were often added under the gables. The porch is usually the most dominant architectural feature of the Craftsman style. They are either full or partial width, with the roof supported by tapered square columns that frequently extend to ground level or rest on massive brick or stone piers.

Historical Narrative: The building is located in the Krulder subdivision, which was platted by Catherine Krulder in 1924. The date of the subdivision, Sanborn Company maps prepared of the area between 1916 and 1938, and architectural evidence based on comparisons with buildings of similar size and design indicate the dwelling was constructed about 1925.

Historical Context: Historic Coronado Beach is located on a narrow peninsula that separates the Indian River from the Atlantic Ocean east of the mainland of New Smyrna Beach. Development there lagged until the 1890s, when the railroad reached New Smyrna and a wooden bridge was built to connect the mainland with the peninsula. A small commercial district emerged on Flagler Avenue, containing a hotel, post office, general store, and scattered residences. Other dwellings were built on surrounding streets and along the river and ocean. In 1900, the census bureau counted 175 residents. In the following decades new subdivisions offered numerous additional building lots, many of which filled with dwellings. Several large boarding houses were developed to cater to vacationers from central Florida and other regions. The City of Coronado Beach incorporated in 1924, near the height of the Florida land boom, when still more dwellings appeared along the streets of the seaside community. In 1930, the permanent population reached 224. During the Great Depression the economy was buoyed by the tourist and fishing industries. The Coronado Beach area of the City of New Smyrna Beach, set astride Florida's Atlantic coast, contains an important collection of historic buildings that contribute to Florida's architectural heritage.

New Smyrna Beach
Flagler Avenue Area Site Map



Florida Master Site File

HISTORICAL STRUCTURE FORM

Electronic Version 1.1.0

Site #8 VO02532
Recorder # 269
Field Date 1/14/2007
Form Date 2/1/2008
FormNo 200701
FormNo = Field Date (YYYYMM)

First Site Form Recorded for this Site? NO

GENERAL INFORMATION

Site Name (address if none) 300 N Pine St Multiple Listing (DHR only) _____
Other Names _____ >> _____
Survey or Project Name New Smyrna Beach Historic Structure Survey Survey# _____
National Register Category Building(s)

LOCATION & IDENTIFICATION

Address

Street No.	Direction	Street Name	Street Type	Direction Suffix
300	North	Pine	Street	

Cross Streets (nearest/ between) see attached map
City / Town (within 3 miles) New Smyrna Beach In Current City Limits? _____
County Volusia Tax Parcel #(s) 3417551000210
Subdivision Name _____ Block _____ Lot _____
Ownership _____
Name of Public Tract (e.g., park) _____
Route to (especially if no street address) see attached map

MAPPING

USGS 7.5' Map Name _____ Publication Date _____ >> NEW SMYRNA BEACH;1988
Township: _____ Range: _____ Section: _____ 1/4 section: _____ >> 17S ;34E ;55;UNSP
Irregular Section Name: _____
Landgrant _____
UTM: Zone _____ Easting _____ Northing _____
Plat or Other Map (map's name, location) _____

DESCRIPTION

Style Craftsman Other Style _____
Exterior Plan Irregular Other Exterior Plan _____
Number of Stories 2
Structural System(s) _____ >> Wood frame
Other Structural System(s) _____
Foundation Type(s) _____ >> Piers
Other Foundation Types _____
Foundation Material(s) _____ >> Concrete Block
Other Foundation Material(s) _____
Exterior Fabric(s) _____ >> Shingles-asbestos
Other Exterior Fabric(s) _____
Roof Type(s) _____ >> Gable
Other Roof Type(s) _____
Roof Material(s) _____ >> Asphalt Shingles
Other Roof Material(s) _____
Roof Secondary Structure(s) (dormers etc) _____ >> Shed dormer
Other Roof Secondary Structure(s) _____
Number of Chimneys 1
Chimney Material Brick
Other Chimney Material(s) _____
Chimney Location(s) east slope

HISTORICAL STRUCTURE FORM

8VO02532

DESCRIPTION (continued)

Window Descriptions: hopper; 1/1 double hung sash; metal sash

Main Entrance Description (stylistic details):

Porches: #open: 1 #closed: #incised: Location(s): east

Porch Roof Types(s): shed

Exterior Ornament:

Interior Plan: Other Interior Plan:

Condition: Deteriorated

Structure Surroundings

Commercial: SOME of this category Residential: SOME of this category

Institutional: Undeveloped:

Ancillary Features (Number / type of outbuildings, major landscape features):

Archaeological Remains (describe): none

If archaeological remains are present, was an Archaeological Site Form completed?

Narrative Description (optional): Displaying the influences of Craftsman architecture, the building retains many of its original architectural features.

HISTORY

Construction year: 1920

Architect (last name first): Builder (last name first):

Changes in Locations or Conditions

Type of Change	Year of Change	Date Change Noted	Description of Changes
>>			

Structure Use History

Use: Year Use Started: Year Use Ended: >> Private residence;;

Other Structure Uses:

Ownership History (especially original owner, dates, profession, etc.):

RESEARCH METHODS

Research Methods: >> FL Master Site File-Manuscripts

Other research methods:

SURVEYOR'S EVALUATION OF SITE

Potentially Eligible for a Local Register? NO Name of Local Register if Eligible:

Idividually Eligible for National Register? NO

Potential Contributor to NR District? YES

Area(s) of historical significance: >> Architecture

Other Historical Associations:

Explanation of Evaluation (required): Because the resource stands in a relatively dense concentration of historic buildings, it appears to contribute to a historic district. The resource lacks sufficient original architectural details to be individually eligible for the NRHP.

HISTORICAL STRUCTURE FORM

8VO02532

DOCUMENTATION (Photos, Plans, etc.)

Photographic Negatives or Other Collections Not Filed with FMSF, Including Field Notes, Plans, other Important Documents.

Document type: _____ Maintaining Organization: _____

File or Accession #: _____ Descriptive information: _____

>> _____

RECORDER INFORMATION

Recorder Name (Last, First) Marissa Gordon

Recorder Address / Phone 7220 Financial Way Suite 100, Jacksonville, FL 32256/ (904) 724-7333

Recorder Affiliation Environmental Services, Inc. Other Affiliation _____

Is a Text-Only Supplement File Attached (Surveyor Only)? _____

****** MASTER SITE FILE USE ONLY ******

SHPO's Evaluation of Resource

_____ Date _____

Cultural Resource Type: SS

Electronic Form Used: S110

Form Type Code: NORM

Form Quality Ranking: NEW

Form Status Code: SCAT

Supplement Information Status: NO SUPPLEMENT

Supplement File Status: NO SUPPLEMENT FILE

FMSF Staffer: _____

Computer Entry Date: 3/21/2008

Form Comments: _____

REQUIRED PAPER ATTACHMENTS	(1) USGS 7.5" MAP WITH STRUCTURE PINPOINTED IN RED
	(2) LARGE SCALE STREET OR PLAT MAP
	(3) PHOTO OF MAIN FACADE, B&W, AT LEAST 3"X5"



VO02532-200701

Supplementary Printout

> **USGS map name/year of publication or revision:**
NEW SMYRNA BEACH;1988

> **Township/Range/Section/Qtr:**
17S ;34E ;55;UNSP

> **Structural system(s):**
Wood frame

> **Foundation types:**
Piers

> **Foundation materials:**
Concrete Block

> **Exterior fabrics:**
Shingles-asbestos
Aluminum
Drop siding

> **Roof types:**
Gable

> **Roof materials:**
Asphalt Shingles

> **Roof secondary structures (dormers etc):**
Shed dormer

> **Change status/year changed/date noted/nature:**

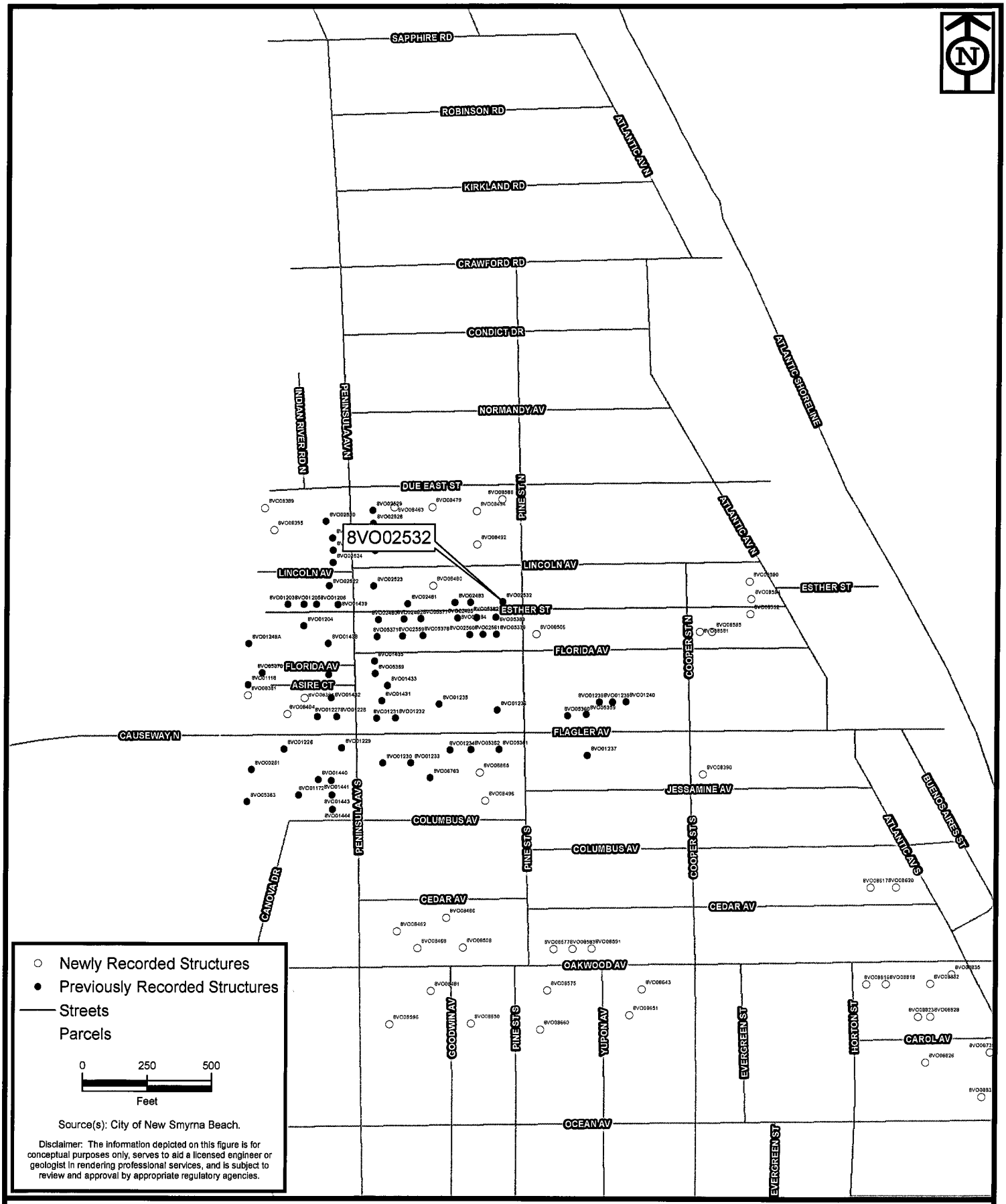
> **Original, intermediate, present uses/year started/year ended:**
Private residence;;

> **Research methods:**
FL Master Site File-Manuscripts
FL Master Site File-Cultural Resources
Newspaper files
Plat map
Examine local property records
Sanborn maps
FL Archives-not FMSF
Library research-local
Pedestrian

> **Area(s) of historical significance:**
Architecture

> **Repositories: Collection/Housed/Accession#/Describe**

> **[Other name(s)]:**



ENVIRONMENTAL SERVICES, INC.
7220 Financial Way, Suite 100
Jacksonville, Florida 32256
(904) 470-2200
(904) 470-2112 Fax
www.environmentalservicesinc.com

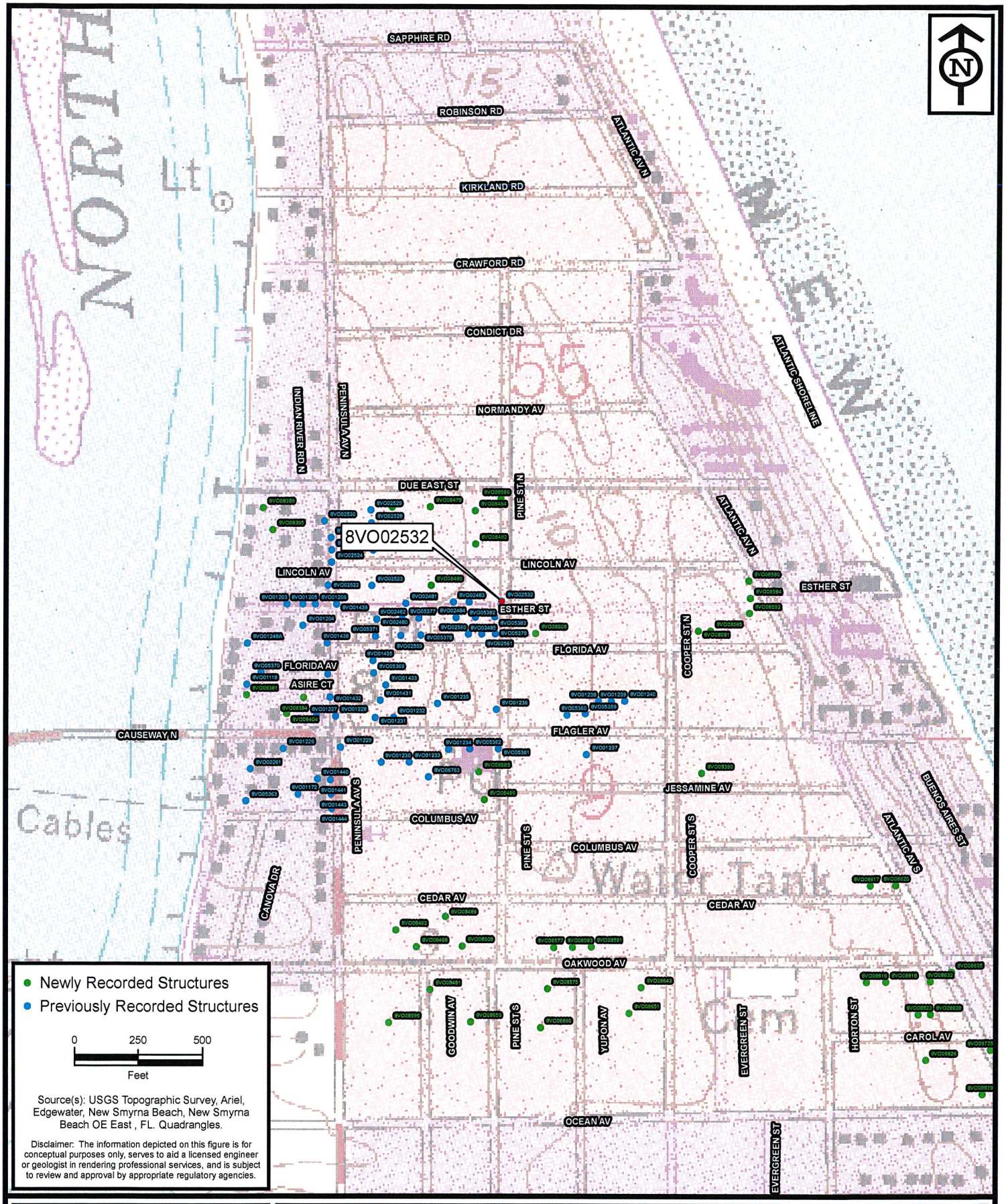
Street Map of Surveyed Historic Resources

New Smyrna Beach

Volusia County, Florida

Project:	EV07181.00
Date:	Mar. 2008
Drwn/Chkd:	JDS/JRN
FMSF #:	8VO02532

File: Q:\2007_Projects\EV_Projects\EV07181\geo_r02\figures\structures_streets_mapbook.mxd Printed: 03/25/2008 10:55 am



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Location Map of Surveyed Historic Resources

New Smyrna Beach

Volusia County, Florida

Project:	EV07181.00
Date:	Mar. 2008
Drwn/Chkd:	JDS/JRN
FMSF #:	8VO02532

File: Q:\2007_Projects\EV_Projects\EV07181\geo_r02\figures\structures_USGS_mapbook.mxd Printed: 03/25/2008 10:00 am

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

DM-3-24: REVIEW A REQUEST FOR A PROPOSED DEMOLITION OF A CONTRIBUTING STRUCTURE LOCATED AT 304 MURRAY STREET IN THE NEW SMYRNA BEACH NATIONAL REGISTERED HISTORIC DISTRICT.

December 11, 2024

Background:

Applicant and Property Owner: George Alan Forbes, 1006 Dunhurst Court, Longwood, Florida 32779

Request: Approval for a demolition of a contributing structure in the New Smyrna Beach National Registered Historic District.

Subject Area: The subject property consists of approximately 0.20 acres, and is zoned R-4, (Multi-Family Residential), and is generally located on the south side of Murray Street between North Orange Street and the Rust Street addressed as 304 Murray Street. A location map and aerial map is attached as **Exhibits A** and **B**.

Parcel ID: 7441-26-00-0180

Exhibits used in this report:

Exhibit A: Location Map

Exhibit B: Aerial Map

Exhibit C: Historic District Map

Exhibit D: 1986 Florida Master Site File Site Photos

Exhibit E: 2007/2008 Florida Master Site File

Exhibit F: Sanborn Fire Map

Exhibit G: Structural Engineering Report

Findings:

The subject property is approximately 53 feet by 170 feet for a total of 9,010 square feet. The parcel currently has a single-family house per the Volusia County Property Appraisers website. The single-family house is a contributing structure located in the New Smyrna Beach Historic District. See **Exhibit C**. However, the structure is not individually eligible for the National Registry of Historic Places. A copy of the 1986 Florida Master Site File is attached as **Exhibit D** and the 2007/2007 updated Florida Master Site File is attached as **Exhibit E**. The structure does show up on the 1912 Sanborn Fire map. See **Exhibit F**. The 1986 Florida Master Site File list the date of construction around 1912 and the updated 1997/1998 Florida Master Site File list the date of construction as 1910.

This one-story frame vernacular single-family house at 304 Murray Street has notable architectural features including symmetrical piercings on the front façade, gable roof, paired porch posts with trusses and ellipses between them. The structure does appear on the 1912 Sanborn Fire maps which suggests that the building was constructed after the J. R. Finegan, Chas Dougherty's subdivision that was platted in 1886.

The building located at 304 Murray Street is an example of Frame Vernacular architecture. Frame Vernacular refers to a simple wood frame building, which is the product of the builder's experience, available resources, and response to the environment. These buildings are typically rectangular, of balloon frame construction, and rest on piers. They are one or two stories in height, with one-story front porches, and gabled or hipped roofs with overhanging eaves. Horizontal weatherboard and drop siding are the most common exterior wall materials. Some early buildings feature vertical board and batten siding or wood shingles, while asbestos shingles are common to post-1930s construction or as resurfacing for older buildings. Wood double-hung sash windows are typical, although many have been replaced by aluminum awning windows and jalousies. Ornamentation is sparse, and includes shingles, corner boards, porch columns, brackets, rafter tails, vents in the gable ends, and oolitic limestone detailing.

First the commission shall review any application for demolition of a contributing building within the city's National Register of Historic Places Historic District to determine

whether the building is historically significant. The building shall be considered historically significant if one or more of the following criteria are declared to be met by the commission:

- The building is historically or architecturally significant in terms of its period, style, method of building construction or use of indigenous materials; or
- The building is a significant reminder of the cultural, or architectural history of the city, state, or nation; or
- The building is associated with a significant local, state, or national event; or
- The building is associated with one or more significant historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the city, state, or nation; or
- The building is one of the few remaining examples of its period, style, or method of construction; or
- The building is identified with a person who significantly contributed to the development of the city, state, or nation; or
- The building is identified as the work of a master builder, designer, or architect whose individual work has influenced the development of the city, state or nation; or
- The building value is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance; or
- The building character is in a geographically definable area possessing a significant concentration or continuity of buildings united in past events or aesthetically by plan or physical development; or
- The building character is in an established and geographically definable neighborhood united in culture, architectural style or physical plan and development.

The property owner has obtained the services of Joseph D. Hiller, a local structural engineer out of Port Orange, Florida. The Engineer that performed the evaluation of the single-family house stated in the report, attached as **Exhibit G**, that the current single-family house is no longer historically significant due to the following:

- Multiple modifications to the structure over time.
- Newer porch was installed.
- Some of the windows and doors have been replace around the 1970’s

The Planning Department also determined the following:

- That there is no evidence that the building was associated with a significant local. State, or national event or person.
- The building is not identified as the work of a master builder or architect.
- The building was not geographically defined as part of a significant concentration united by past events.

If the commission finds that the building is historically significant, the commission may, nevertheless, grant a demolition approval if it finds that one of the following circumstances is met:

- Undue economic hardship. In any instance where there is a claim of undue economic hardship, the property owner shall submit to the commission prior to the public hearing a report indicating the economic hardship and why the demolition should be allowed.

- Building condition. In any instance where there is a claim the building is not structurally sound and/or suitable for restoration, the applicant shall provide a written report signed by a licensed engineer or architect with experience in historic building restoration stating that the building is structurally unsound and unsuitable for restoration. The commission shall review the credentials of the licensed engineer or architect signing the report and shall find them experienced in historic restorations before the report is accepted. The applicant shall allow members of the commission and commission staff to inspect the interior and exterior of the building.

The Engineer that performed the evaluation of the single-family house had the following stated comments in the request letter:

- The building is in a notably poor condition, showing signs of termite damage, presenting numerous challenges that will impact any renovation or addition work. The previous renovation work and repairs did not properly address the structural deficiencies.
- The complexity of the renovation is compounded by the nature of previous modifications, which have further complicated the remodeling process.
- Structural deficiencies, including deteriorating foundation elements, insufficient roof support, and damage to load-bearing walls, will require extensive repairs.
- Additionally, the mechanical, electrical, and plumbing systems are outdated and not up to code, necessitating comprehensive upgrades. The building's finishes and insulation are also inadequate, requiring full-scale demolition and reconstruction to bring them up to modern standards.
- The extensive nature of the required repairs and the need for a complete overhaul of the building's systems suggest that the financial investment required would likely far exceed the building's overall value.
- Consequently, it is my professional opinion that repairing and renovating this structure would be cost-prohibitive.

In the building condition report, the Engineer stated that the building is in poor condition. " Several of the existing brick piers were structurally compromised along the interior bearing wall and at the rear corners of the main house. Many of the floor joists have signs of insect damage and wood rot. The perimeter rim joist spanning between the support piers and has been cut and improperly repaired. This perimeter tie beam supports the floor joists and provides lateral reinforcement to the structure. The interior bearing wall has subsided more than 1 inch. Other interior floor sections have subsided causing vertical cracking in the exterior wall."

As part of his report conclusion, Mr. Hiller stated, "Given the extent of the damage to the primary wood structure and the complexity of the required repairs, it is my professional opinion that the most prudent course of action would be to demolish the existing structure and replace it with a new build."

If the commission grants demolition approval for a historical building as provided in section 50-12(g), the commission shall condition approval on one or more of the following requirements:

- The commission shall require the applicant to provide a written and pictorial record of the building's history and architectural features for archival purposes, approved by the city. The record should include a narrative accompanied by relevant photographs, drawings, maps, and copies of original documents; or
- The commission shall require the applicant to design the replacement building(s) to meet the requirements of the Historic Preservation Design Guidelines for New Smyrna Beach and submit drawings of the proposed work, photographs of existing buildings or structures on adjacent properties and information about the building materials to be used for commission approval; or
- The commission may require that the owner allow archaeological study of the property before and/or during demolition if the property falls within the area demonstrated to have a medium or high probability to contain archaeological resources; or
- The commission may require that the owner allow salvage activities of the historic building provided the commission finds that there are salvageable materials within the building. Commission staff shall provide evidence to demonstrate that salvageable materials are within or on the building to be demolished; or
- The commission may require that the owner of a historically significant building meet any other condition that is reasonable to mitigate the demolition of the historic building.

As to the replacement structure, the property owner has not submitted any conceptual plans on a replacement structure.

Recommendation:

The neighborhood buildings are a mixture of contributing structures. If the Historic New Smyrna Beach Preservation Commission finds that the structure meets the criteria of being a historically significant building, or does not find that the structure meets the criteria of being a historic significant building, but the application meets the criteria for building condition, Staff would recommend the following conditions for the demolition of a contributing structure:

1. The owner or future owner provide to the best of their ability a written and pictorial

record of the building's history and architectural features for archival purposes, approved by the city. The record should include a narrative accompanied by relevant photographs, drawings, maps, and copies of original documents; and

1. The owner or future owner design the replacement building to meet the requirements of the Historic Preservation Design Guidelines for New Smyrna Beach and submit drawings of the proposed work to the Commission for review; and
2. The owner or future owner shall have an archaeological study of the building footprint during demolition because the property falls within the area demonstrated to have a medium or high probability to contain archaeological resources.

Fiscal Analysis:

N/A

Strategic Plan Item:

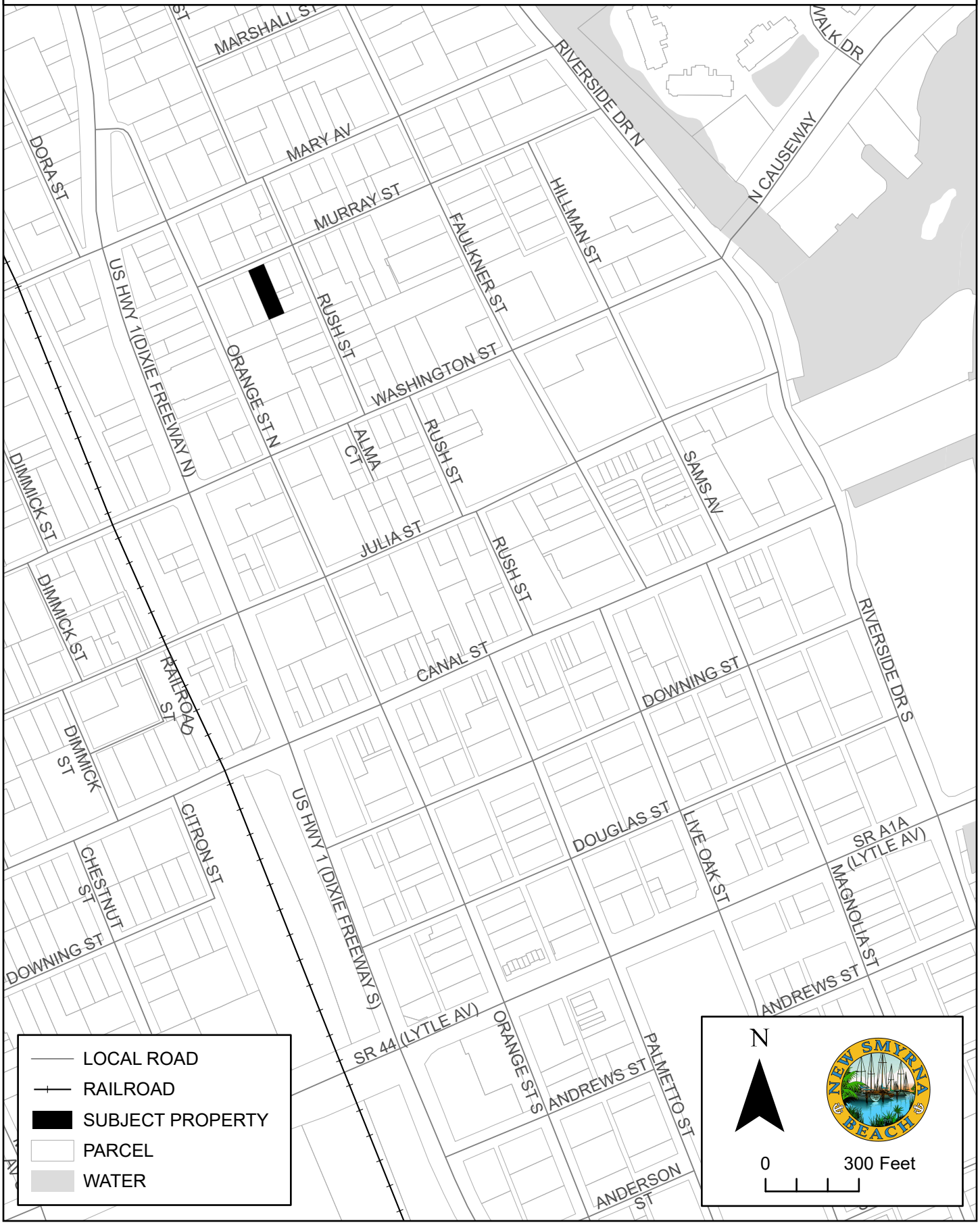
No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

Exhibit A Location Map.pdf
Exhibit B Aerial Map.pdf
Exhibit C New Smyrna Beach Historic District Map.pdf
Exhibit D 1986 Florida Master Site File.pdf
Exhibit E 2007-2008 Florida Master Site File.pdf
Exhibit F Sanborn Fire Map.pdf
Exhibit G Structural Evaluation Report.pdf

DM-3-24: 304 MURRAY STREET
PARCEL: 7441-26-00-0180 LOCATION MAP



DM-3-24: 304 MURRAY STREET
PARCEL: 7441-26-00-0180 AERIAL MAP



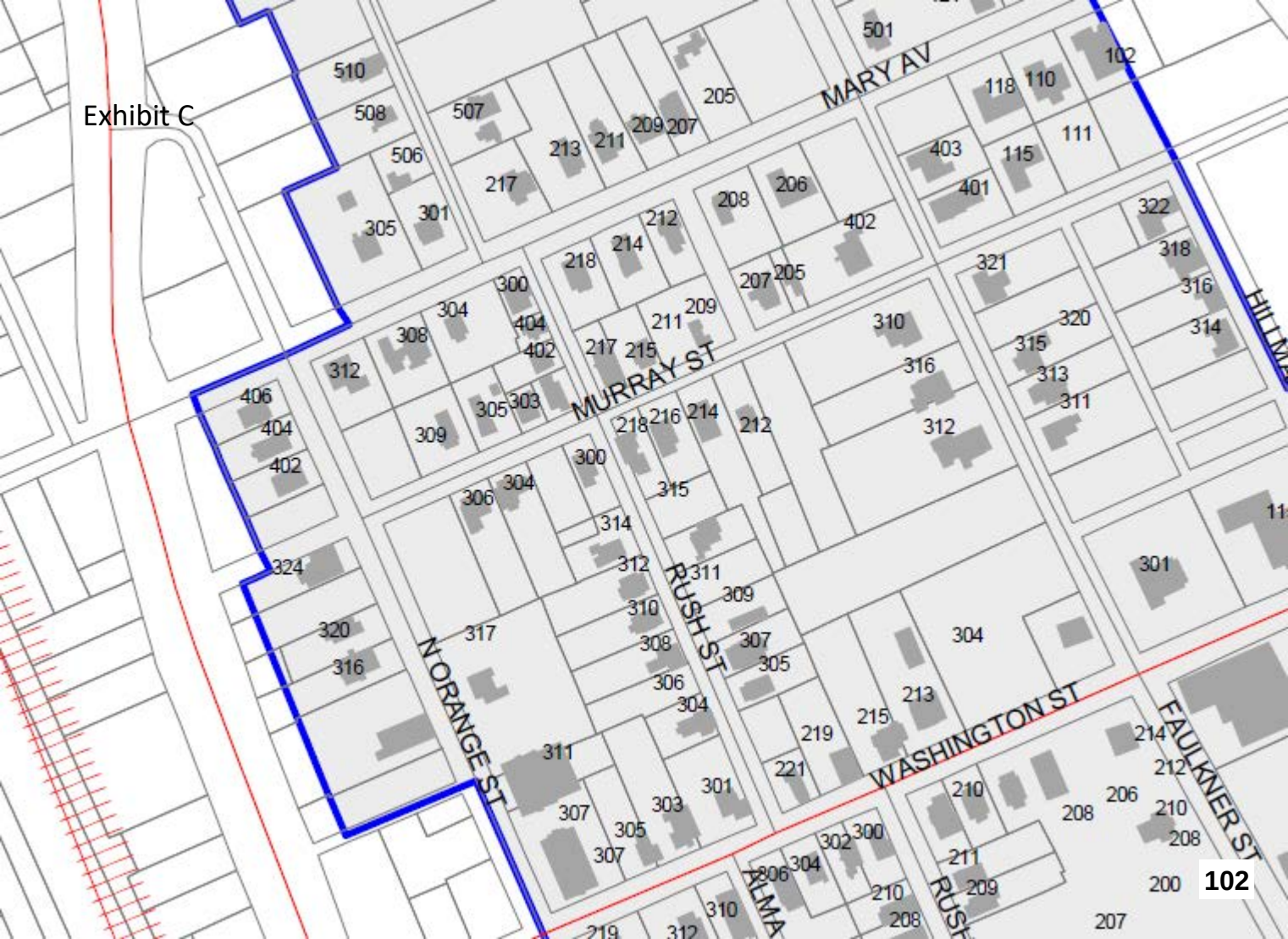


Exhibit C
MARY AV
MURRAY ST
RUSH ST
N ORANGE ST
WASHINGTON ST
FAULKNER ST
ALMA
102

FLORIDA MASTER SITE FILE
Site inventory Form

SITE NO.

SITE NAME: 304 Murray Street SURVEY DATE: 08/31/86
ADDRESS: 304 Murray Street
INSTRUCTIONS TO LOCATE:

LOCATION: Finnegan's 18
Subdivision Name Block No. Lot No.
COUNTY: Volusia
DISTRICT NAME IF APPLICABLE:
OWNER OF SITE: NAME: Paxton, Heywood H, Jr. & La Vonne
ADDRESS: 109 Desota Avenue
ADDRESS: New Smyrna Beach, Fl 32069
TYPE OF OWNERSHIP: Private RECORDING DATE: / /
RECORDER: NAME & TITLE: Historic Property Associates
ADDRESS: P.O. Box 1002
St. Augustine, FL

CONDITION OF SITE: Check One		INTEGRITY OF SITE: Check one or more	
			ORIGINAL USE residence
EXCELLENT	x	ALTERED	PRESENT USE residence
GOOD		UNALTERED	DATES c.+1912
x FAIR		ORIGINAL SITE	CULTURE/PHASE American
DETERIORATED		RESTORED: / /	PERIOD: 20th Century
		MOVED: / /	

NR CLASSIFICATION CATEGORY: DATE LISTED ON NR: / /

THREATS TO SITE: Check one or more

ZONING	TRANSPORTATION
DEVELOPMENT	FILL
x DETERIORATION	DREDGE
BORROWING	
OTHER (See Remarks Below)	

AREAS OF SIGNIFICANCE: Architecture

SIGNIFICANCE

See Continuation Sheet

RECORD NUMBER 264

ARCHITECT:

BUILDER:

STYLE AND/OR PERIOD: Frame Vernacular

PLAN TYPE: L-shape

EXTERIOR FABRIC(S): Wood:clapboard

STRUCTURAL SYSTEM(S): Wood:balloon

PORCHES: N/ 1-story gallery with paired squared posts with decorative wood work, 3 bays, access from N 2nd bay
ORIENTATION: N

FOUNDATION: Piers

ROOF TYPE: Gable

SECONDARY ROOF STRUCTURE(S): Cross Gable

CHIMNEY LOCATION: W:end,exterior,ridge

WINDOW TYPE: DHS,1/1,wood

CHIMNEY: Brick

ROOF SURFACING: Composition shingles,butt

ORNAMENT EXTERIOR:

NO. OF CHIMNEYS 1

NO. OF STORIES 1

NO. OF DORMERS:

OUTBUILDINGS:

SURROUNDINGS:
SITE SIZE (approx. acreage)

TOWNSHIP	RANGE	SECTION
17S	34E	41

UTM ZONE	UTM EASTING	UTM NORTHING

PHOTOGRAPHIC RECORDS NUMBERS:

CONTINUATION SHEET

Statement of Significance:

This one-story frame vernacular residence is located at 304 Murray Street. Notable architectural features include overall integrity, symmetrical piercings on the front (north) facade, and paired porch posts with trusses and elipses between them. Alterations include a replacement front door with a jalousie window.

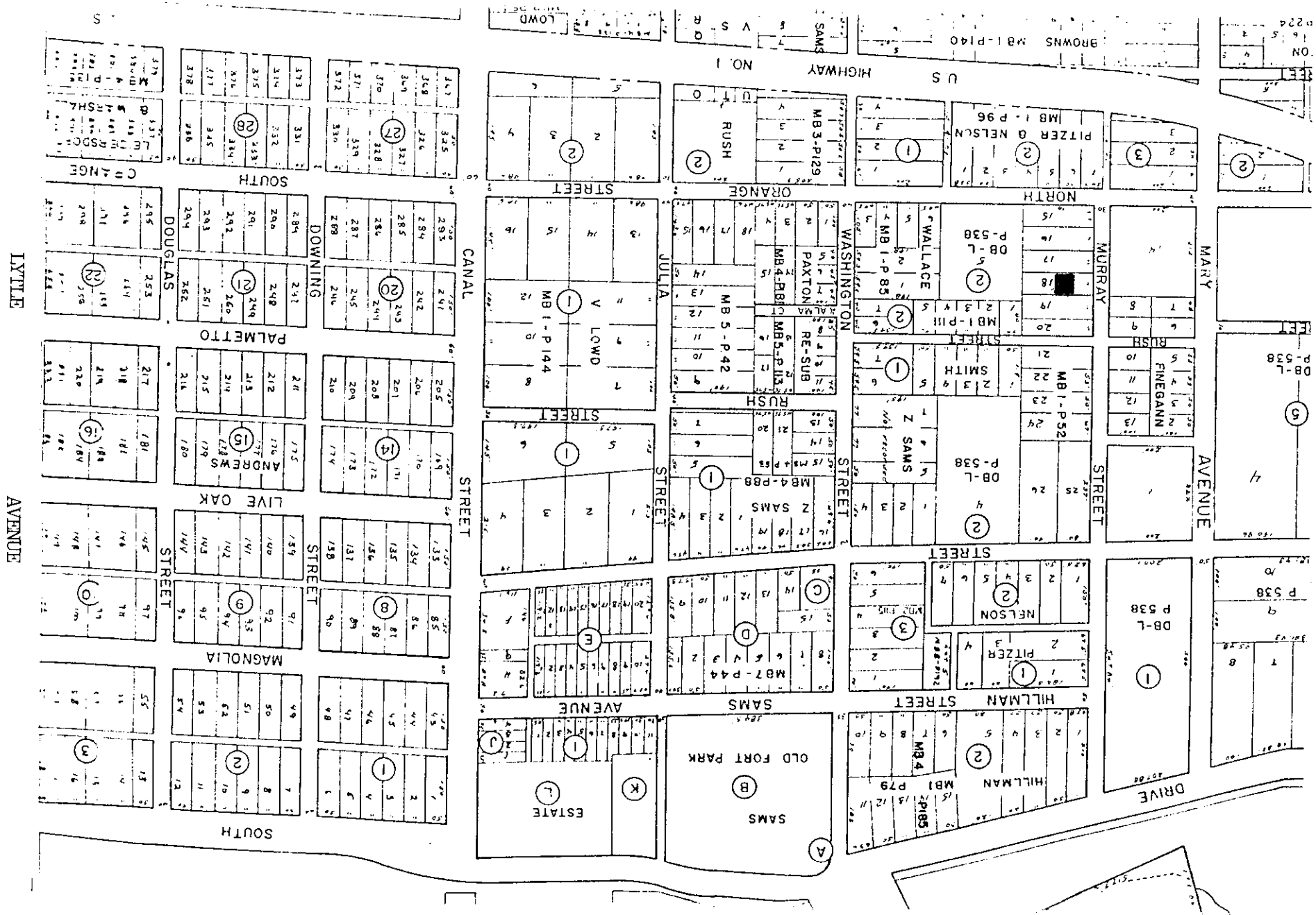
This building is located in the Finegan subdivision platted for J.R. Finegan in 1886. (1) Sanborn Maps indicate that this building was constructed in c. 1912. (2)

This property is located within the corporate limits of New Smyrna Beach, the site of America's largest colonial enterprise, begun in 1768. Although the Turnbull colony was abandoned in 1777, some measure of settlement persisted, resulting from the presence of a coastal inlet in the vicinity. Resettlement began in earnest after the Civil War. The town was incorporated in 1887 and developed on the basis of a tourism, citrus, and commercial fishing economy. Rapid growth in the early twentieth century was spurred by the Florida East Coast Railroad. The City of New Smyrna Beach was expanded in 1947 to include the peninsula community of Coronado Beach.

Footnotes

1. Map Book 12, p. 68, Attorneys' Title Services Inc., New Symrna Beach, Florida.
2. Sanborn Fire Insurance Maps 1906, 1912, 1916, 1924, 1930.

304 ~~Washington~~ Murray Street



106



Florida Master Site File

HISTORICAL STRUCTURE FORM

Electronic Version 1.1.0

Site # VO01358
Recorder # 123
Field Date 1/14/2007
Form Date 2/1/2008
FormNo 200701
FormNo = Field Date (YYYYMM)

First Site Form Recorded for this Site? NO

GENERAL INFORMATION

Site Name (address if none) 304 Murry
Multiple Listing (DHR only)
Other Names >>
Survey or Project Name New Smyrna Beach Historic Structure Survey
Survey#
National Register Category Building(s)

LOCATION & IDENTIFICATION

Address

Street No.	Direction	Street Name	Street Type	Direction Suffix
304		Murry	Street	

Cross Streets (nearest/ between) see attached map
City / Town (within 3 miles) New Smyrna Beach
In Current City Limits?
County Volusia
Tax Parcel #(s) 744126000180
Subdivision Name
Block
Lot
Ownership
Name of Public Tract (e.g., park)
Route to (especially if no street address) see attached map

MAPPING

USGS 7.5' Map Name
Publication Date >> NEW SMYRNA BEACH;1988
Township: Range: Section: 1/4 section: >> 17S ;34E ;41;UNSP
Irregular Section Name:
Landgrant
UTM: Zone Easting Northing
Plat or Other Map (map's name, location)

DESCRIPTION

Style Frame Vernacular
Other Style
Exterior Plan Irregular
Other Exterior Plan
Number of Stories 1
Structural System(s) >> Wood frame
Other Structural System(s)
Foundation Type(s) >> Piers
Other Foundation Types
Foundation Material(s) >> Brick
Other Foundation Material(s)
Exterior Fabric(s) >> Drop siding
Other Exterior Fabric(s)
Roof Type(s) >> Gable
Other Roof Type(s)
Roof Material(s) >> Composition shingles
Other Roof Material(s)
Roof Secondary Structure(s) (dormers etc) >> Flat extension
Other Roof Secondary Structure(s)
Number of Chimneys 1
Chimney Material Brick
Other Chimney Material(s)
Chimney Location(s) west exterior

HISTORICAL STRUCTURE FORM

8VO01358

DESCRIPTION (continued)

Window Descriptions casement; 1/1 double hung sash

Main Entrance Description (stylistic details)

Porches: #open 1 #closed #incised Location(s) north

Porch Roof Types(s) shed

Exterior Ornament

Interior Plan Other Interior Plan

Condition Fair

Structure Surroundings

Commercial: Residential: ALL this category

Institutional: Undeveloped:

Ancillary Features (Number / type of outbuildings, major landscape features)

Archaeological Remains (describe): none

If archaeological remains are present, was an Archaeological Site Form completed?

Narrative Description (optional) Displaying the influences of Frame Vernacular architecture, the building retains many of its original architectural features.

HISTORY

Construction year c1910

Architect (last name first): Builder (last name first):

Changes in Locations or Conditions

Type of Change	Year of Change	Date Change Noted	Description of Changes
>>			

Structure Use History

Use Year Use Started Year Use Ended >> Private residence;;

Other Structure Uses

Ownership History (especially original owner, dates, profession, etc.)

RESEARCH METHODS

Research Methods >> FL Master Site File-Manuscripts

Other research methods

SURVEYOR'S EVALUATION OF SITE

Potentially Eligible for a Local Register? NO Name of Local Register if Eligible

Idividually Eligible for National Register? NO

Potential Contributor to NR District? YES

Area(s) of historical significance >> Architecture

Other Historical Associations

Explanation of Evaluation (required) Because the resource stands in a relatively dense concentration of historic buildings, it appears to contribute to a historic district. The resource lacks sufficient original architectural details to be individually eligible for the NRHP.

HISTORICAL STRUCTURE FORM

8VO01358

DOCUMENTATION (Photos, Plans, etc.)

Photographic Negatives or Other Collections Not Filed with FMSF, Including Field Notes, Plans, other Important Documents.

Document type: _____ Maintaining Organization: _____

File or Accession #: _____ Descriptive Information: _____

>> _____

RECORDER INFORMATION

Recorder Name (Last, First) Marissa Gordon

Recorder Address / Phone 7220 Financial Way Suite 100, Jacksonville, FL 32256/ (904) 724-7333

Recorder Affiliation Environmental Services, Inc. Other Affiliation _____

Is a Text-Only Supplement File Attached (Surveyor Only)? _____

****** MASTER SITE FILE USE ONLY ******

SHPO's Evaluation of Resource

_____ Date _____

Cultural Resource Type: SS

Electronic Form Used: S110

Form Type Code: NORM

Form Quality Ranking: NEW

Form Status Code: SCAT

Supplement Information Status: NO SUPPLEMENT

Supplement File Status: NO SUPPLEMENT FILE

FMSF Staffer: _____

Computer Entry Date: 3/27/2008

Form Comments: _____

REQUIRED PAPER ATTACHMENTS	(1) USGS 7.5" MAP WITH STRUCTURE PINPOINTED IN RED
	(2) LARGE SCALE STREET OR PLAT MAP
	(3) PHOTO OF MAIN FACADE, B&W, AT LEAST 3"X5"

VO01358-200701

Supplementary Printout

> **USGS map name/year of publication or revision:**
NEW SMYRNA BEACH;1988

> **Township/Range/Section/Qtr:**
17S ;34E ;41;UNSP

> **Structural system(s):**
Wood frame

> **Foundation types:**
Piers

> **Foundation materials:**
Brick

> **Exterior fabrics:**
Drop siding

> **Roof types:**
Gable

> **Roof materials:**
Composition shingles

> **Roof secondary structures (dormers etc):**
Flat extension

> **Change status/year changed/date noted/nature:**

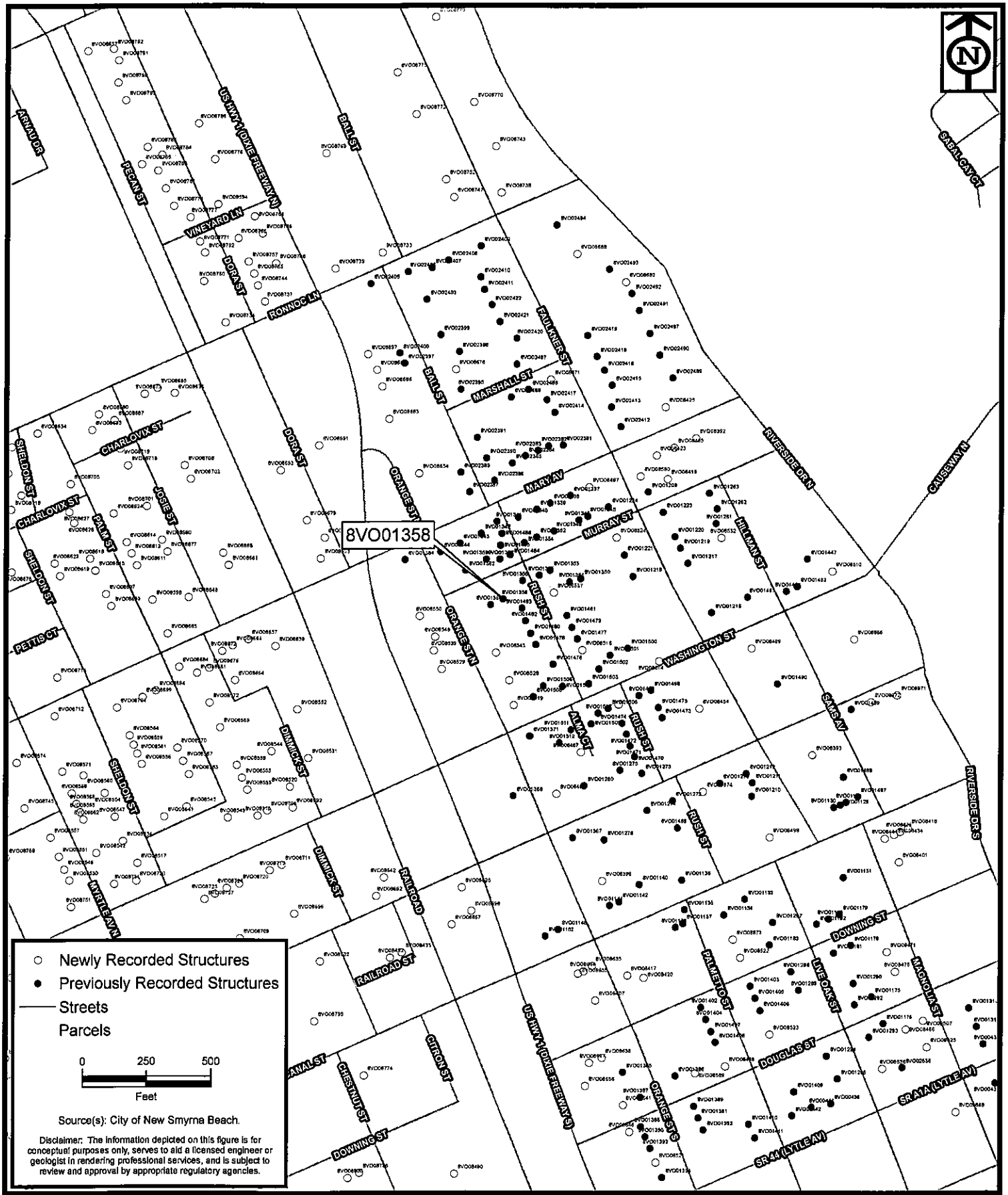
> **Original, intermediate, present uses/year started/year ended:**
Private residence;;

> **Research methods:**
FL Master Site File-Manuscripts
FL Master Site File-Cultural Resources
Newspaper files
Plat map
Examine local property records
Sanborn maps
FL Archives-not FMSF
Library research-local
Pedestrian

> **Area(s) of historical significance:**
Architecture

> **Repositories: Collection/Housed/Accession#/Describe**

> **[Other name(s)]:**



ENVIRONMENTAL SERVICES, INC.
7220 Financial Way, Suite 100
Jacksonville, Florida 32256
(904) 470-2200
(904) 470-2112 Fax
www.environmentalservicesinc.com

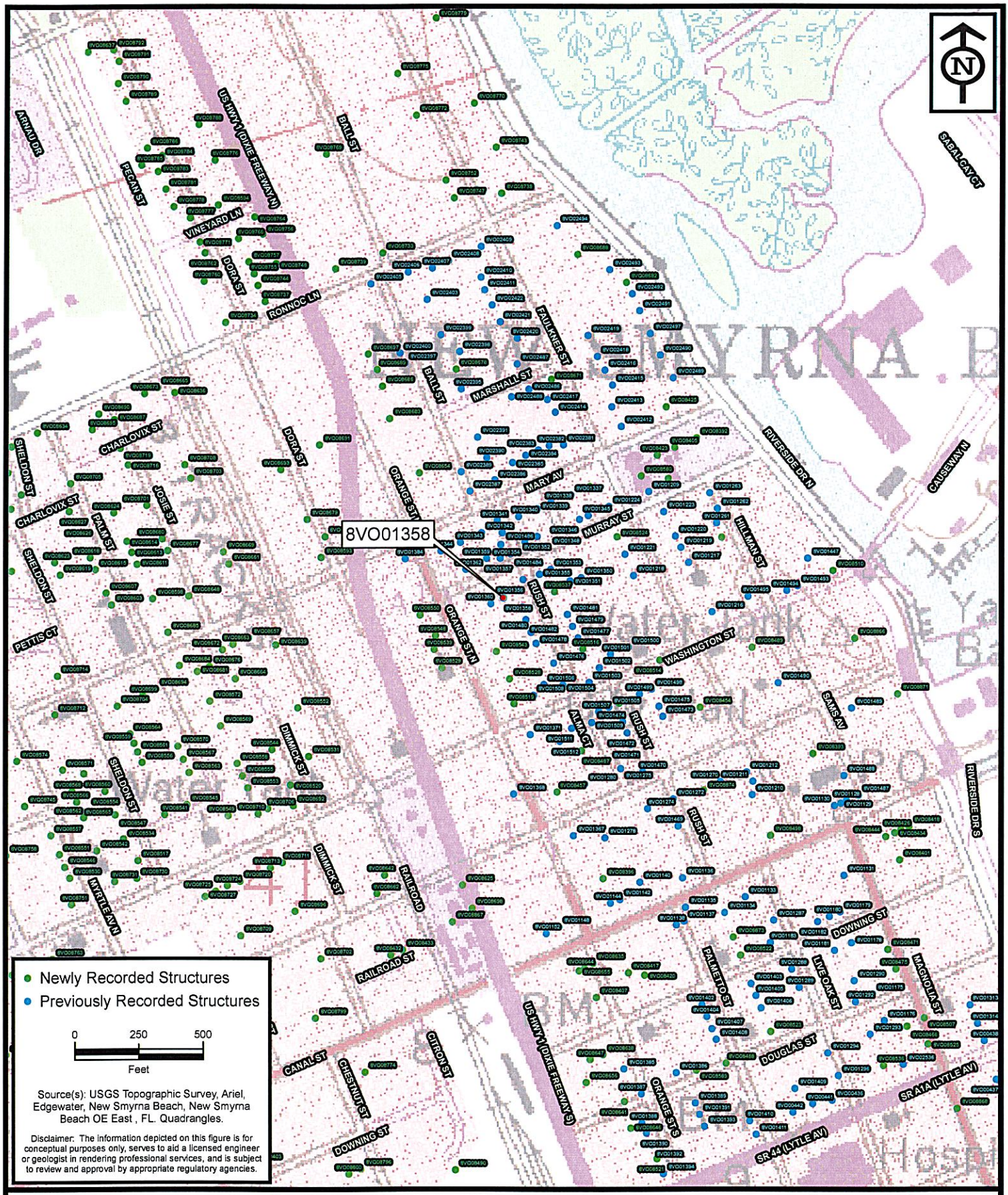
Street Map of Surveyed Historic Resources

New Smyrna Beach

Volusia County, Florida

Project:	EV07181.00
Date:	Mar. 2008
Drwn/Chkd:	JDS/JRN
FMSF #:	8VO01358

File: Q:\2007_Projects\EV_Projects\EV07181\geo_r02\figures\structures_streets_mapbook.mxd Printed: 03/25/2008 10:55 am



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Location Map of Surveyed Historic Resources

New Smyrna Beach

Volusia County, Florida

Project:	EV07181.00
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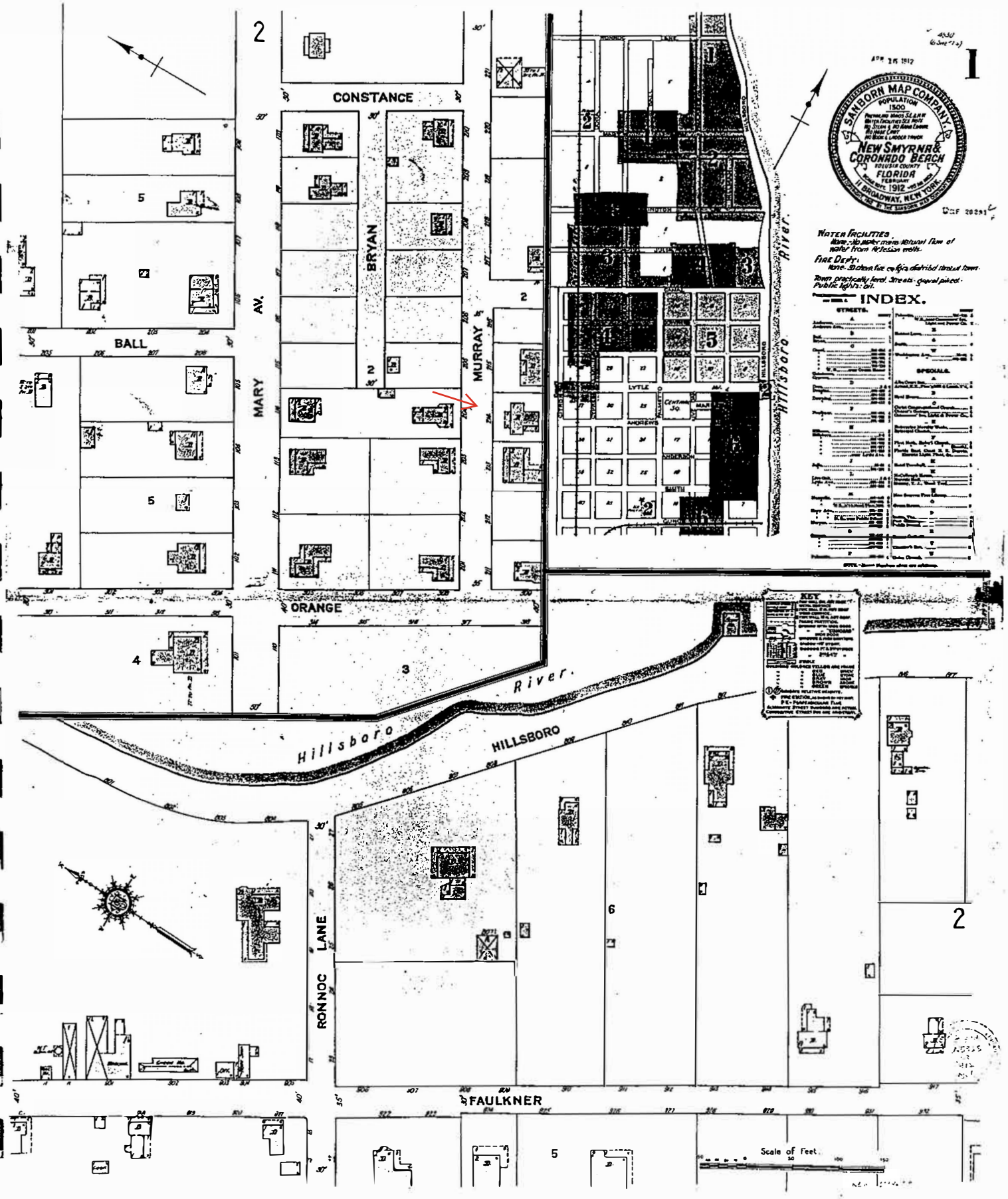
File: Q:\2007_Projects\EV_Projects\EV07181\geo_r02\figures\structures_USGS_mapbook.mxd Printed: 03/25/2008 10:00 am


CONSTANCE
BRYAN AV.
MARY
MURRAY
BALL
ORANGE
Hillsboro River
HILLSBORO
RONNOC LANE
FAULKNER
SAMBORN MAP COMPANY
NEW SMYRNA & CORONADO BEACH
VOLUSIA COUNTY
FLORIDA
1912
INDEX.
KEY
Scale of Feet

Joseph D. Hiller Engineering, LLC
Structural Engineering
P.O. Box 290855, Port Orange, FL 32129
Phone # (386) 248-1700
E-mail: hillerengineering@gmail.com

Exhibit G

Wednesday, July 31, 2024

Structural Condition Assessment Of Existing Building



Subject Property: 304 Murray Street
New Smyrna Beach, FL
32168

Joseph Hiller, P.E.
FL License #74583
P.O. Box 290855
Port Orange, FL 32129
Email:
hillerengineering@gmail.com

Introduction

An on-site structural inspection was conducted at the above referenced address on Wednesday, July 31 at 9:30am. The subject property was constructed in 1920 and is a one-story two-family wooden framed residence with wood floors and hardy panel siding in the Craftsman style. The structure's foundation is one of wood and brick piers and the roof cover is asphalt shingles on a gable type roof. The total SFLA is 1,154sq ft with a total building footprint of 1,280sq ft, with a front and a rear porch area.

The purpose of this inspection was to assess the structural condition of the building. The owner is requesting a Certificate of Appropriateness to demolish the existing structure located at 304 Murray St in New Smyrna Beach in order to redevelop the lot with a new single family home of similar size and style to the existing building in approximately the same location. The existing structure as it stands now has been modified from its original construction multiple times, and though the property is listed on the National Register of Historic Places, it has no notable historic significance.

Observations

The assessment of the building involved a comprehensive inspection of various elements, including the exterior materials and their condition, foundation system, interior arrangement of spaces, exterior doors and windows, load-bearing walls, interior details and materials, finishes, wall and floor framing, roof framing, and the fastening of structural components. This thorough evaluation revealed a range of significant issues, primarily resulting from multiple modifications made to the building over the years.



Joseph Hiller, P.E.
FL License #74583
P.O. Box 290855
Port Orange, FL 32129
Email:
hillerengineering@gmail.com

The interior walls and ceilings feature a mix of gypsum drywall and plaster finishes, while the exterior is clad in hardy panel siding. This siding likely conceals underlying imperfections in the building's exterior, which could be contributing to various structural problems. A newer roof system has been installed, yet it exhibits significant issues. Notably, the roof lacks proper tie-downs to the wall system and is sagging in areas due to settlement. Additionally, the absence of roof rafters and inadequately constructed additions further compromise the integrity of the roof.

Termite damage has been observed in several parts of the structure, indicating an ongoing infestation of wood-destroying organisms (WDOs).

The foundation itself comprises a mix of brick and wood piers, many of which are in various stages of decay. Supplemental CMU blocks and mechanical jacks have been used as temporary measures, but the floor remains uneven and slopes significantly in many rooms. Furthermore, the rim joists have been cut in places and left unrepaired, making them structurally inadequate.

Historically, it was common for pier footings in the early to mid-20th century to be placed on shallow concrete footings, bricks, or directly on the earth. Given this, any additions or renovations to the house would necessitate substantial improvements to the existing foundation system. This would include leveling the floor and ensuring compliance with current building codes and wind load requirements.

A newer wood porch added to the front of the house lacks adequate support piers and does not appear to be properly anchored to the main structure. The porch is currently supported by a cut 2x6 block set atop a concrete column, with no visible bolts or anchoring systems. This inadequate support poses a significant safety concern.

The existing windows and exterior doors offer minimal insulation value and should be replaced with energy-efficient models. While many of the windows were likely replaced around the 1970s, some remain original and are wood-framed, contributing to the building's inefficiency. Furthermore, the lack of flashing around the windows indicates insufficient protection against water damage, mold, and insect infestation.

Current building codes require buildings to have sufficient strapping, fastening, or tie-down systems to resist wind loads. Currently, the building has few, if any, such systems, necessitating significant retrofitting to comply with current standards. This will involve making extensive modifications to access hidden areas and installing impact-resistant glazing or protective systems for new doors and windows.

The plumbing system throughout the building is outdated and not up to code, with components varying in age depending on their location. Additionally, the building suffers from inadequate power service. Both systems will require comprehensive upgrades to meet contemporary standards and support the building's needs.

In summary, the assessment underscores a range of critical issues within the building, from structural and foundation problems to deficiencies in insulation and outdated systems. Addressing these concerns will involve extensive repairs and upgrades to ensure the building meets current safety, efficiency, and code standards.

Assessment of Structural Condition



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The building is in a notably poor condition, presenting numerous challenges that will impact any renovation or addition work. The previous renovation work and repairs did not properly address the structural deficiencies. The assessment highlights that significant repairs and interventions are needed across critical areas of the structure. The complexity of the renovation is compounded by the nature of previous modifications, which have further complicated the remodeling process.

The building’s condition affects multiple facets of its infrastructure. Structural deficiencies, including deteriorating foundation elements, insufficient roof support, and damage to load-bearing walls, will require extensive repairs. Additionally, the mechanical, electrical, and plumbing systems are outdated and not up to code, necessitating comprehensive upgrades. The building's finishes and insulation are also inadequate, requiring full-scale demolition and reconstruction to bring them up to modern standards.

Given these issues, even a moderate remodeling project would incur substantial costs. The extensive nature of the required repairs and the need for a complete overhaul of the building's systems suggest that the financial investment required would likely far exceed the building's overall value. Consequently, it is my professional opinion that repairing and renovating this structure would be cost-prohibitive. The combined expense of addressing the structural, mechanical, electrical, and plumbing deficiencies, along with the extensive demolition and reconstruction needed, makes it economically unfeasible to proceed with such a project.

Conclusion

During the assessment of the structural condition of the building, numerous deficiencies were identified that significantly impact its overall integrity and safety of this building. Several of the existing brick piers were structurally compromised along the interior bearing wall and at the rear corners of the main house. Many of the floor joists have signs of insect damage and wood rot. The perimeter rim joist spanning between the support piers and has been cut and improperly repaired. This perimeter tie beam supports the floor joists and provides lateral reinforcement to the structure. The interior bearing wall has subsided more than 1 inch. Other interior floor sections have subsided causing vertical cracking in the exterior wall.

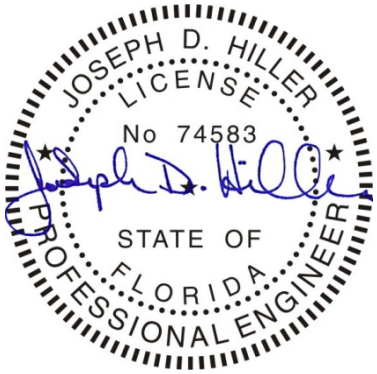
Given the extent of the damage to the primary wood structure and the complexity of the required repairs, it is my professional opinion that the most prudent course of action would be to demolish the existing structure and replace it with a new build.

We respectfully request approval to demolish the existing dilapidated structure in order to redevelop the property in a manner consistent with the *City of New Smyrna Beach Historic Preservation Standards, the City of New Smyrna Beach Land Development Regulations, and the 8th Edition Florida Building Code (2023).*

Please let me know if you have any questions or concerns regarding this report.

Sincerely,

Joseph D. Hiller, P.E.
Florida PE Lic# 74583





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PHOTOS

Exterior





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Interior







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THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

CA-2-24: REVIEW AN APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS, TO REPAINT THE EXTERIOR OF THE MARY S. HARRELL BLACK HERITAGE MUSEUM AND THE HERITAGE HOUSE LOCATED AT 314 NORTH DUSS STREET.

December 11, 2024

Background:

Applicant: Ann Harrell, 314 North Duss Street, New Smyrna Beach, Florida 32168.

Property Owner: Mary S. Harrell Black Heritage Museum, Inc., 314 North Duss Street, New Smyrna Beach, Florida 32168.

Request: Certificate of Appropriateness to repaint the Mary S. Harrell Black Heritage Museum and Heritage House.

Site: The parcel is zoned R-3, Single-Family Residential and contains approximately 0.33 acres of land located at the southwest corner of North Duss Street and Jefferson Street.

Exhibits used in this Report:

Exhibit A: Location Map
Exhibit B: Aerial Map
Exhibit C: Local Landmark Map
Exhibit D: Site Photos

Findings:

The Mary S. Harrell Black Heritage Museum has requested a Certificate of Appropriateness to repaint the Mary S. Harrell Black Heritage Museum and Heritage House.

To give some background on the museum, the facility was listed on the National Register of Historic Places in 2007 and was designated as a local landmark by the City Commission in 1994.

The building was originally the Sacred Heart Catholic Church built in 1899 and was first located about a mile away at 306 Faulkner Street. It was moved to its current location in 1956 and served as an African American church until desegregation occurred in 1969.

At this point, all parishioners were able to congregate together. The church was then used as a day care center for approximately 20 years. In 1989, the Catholic Church that owned the property decided to demolish the structure. As a community, New Smyrna Beach educator Mary Harrell and other citizens came together advocating the preservation of the structure and after 10 years of dedicated campaigning, the building was saved and restoration was completed in 1999.

Today, the church, (formally known as St. Rita's Church), functions as the Black Heritage Museum, which highlights and commemorates the rich African American History of the City of New Smyrna Beach. It is a wonderful addition to the Historic Westside Neighborhood in which it sits and an asset to the community as a whole.

The museum has applied for funding through the Community Redevelopment Agency, (CRA). One of the requirements of the CRA grant program is to receive a Certificate o Appropriateness. Section 50-8 of the City Code of Ordinances, new construction and/or alterations to landmark structures or landmark sites must receive a Certificate of Appropriateness from the Historic New Smyrna Beach Preservation Commission before a building permit can be issued.

1. The effect of the proposed work on the landmark or the property upon which such work is to be done;

- The repainting of these structures would be a part of routine maintenance to preserve the landmark structures.

2. The relationship between such work and other structures on the landmark site or other property in the historic district;

- The repainting of the structures would be a part of routine maintenance existing landmark structure. The current property is not located within a local historic district to preserve the landmark structures.

3. The extent to which the historic, architectural or archeological significance, architectural style, design, arrangement, texture, materials, and color of the landmark or the property will be affected;

- The repainting of the structures would be a part of routine maintenance existing landmark structure.

4. Whether the denial of a certificate of appropriateness would deprive the property owner of reasonable beneficial use of the property;

- A denial of this certificate of appropriateness would cause a deterioration of the building which could deprive the property owner of a future reasonable beneficial use of the building.

5. Whether the plans may be reasonably carried out by the applicant.

- With the grant dollars provided by the CRA and approved by the City Commission, the repainting project should be carried out by the applicant.

Recommendation:

The Planning Department has reviewed the application against the criteria under Section 50-8(d). Since the review has determined that the application would meet the required criteria, I would recommend the Historic New Smyrna Beach Preservation Commission to approve the requested Certificate of Appropriateness for repainting the Mary S. Harrell Black Heritage Museum and Heritage House the same paint color as existing on the two (2) buildings.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

Exhibit A Location Map.pdf
Exhibit B Aerial Map.pdf
Exhibit C 2023 Local Landmark Map.pdf
Exhibit D Site Photos.pdf

EXHIBIT A

CA-2-22: BLACK HERITAGE MUSEUM 314 N. DUSS STREET
PARCEL: 7418-08-17-0090 LOCATION MAP

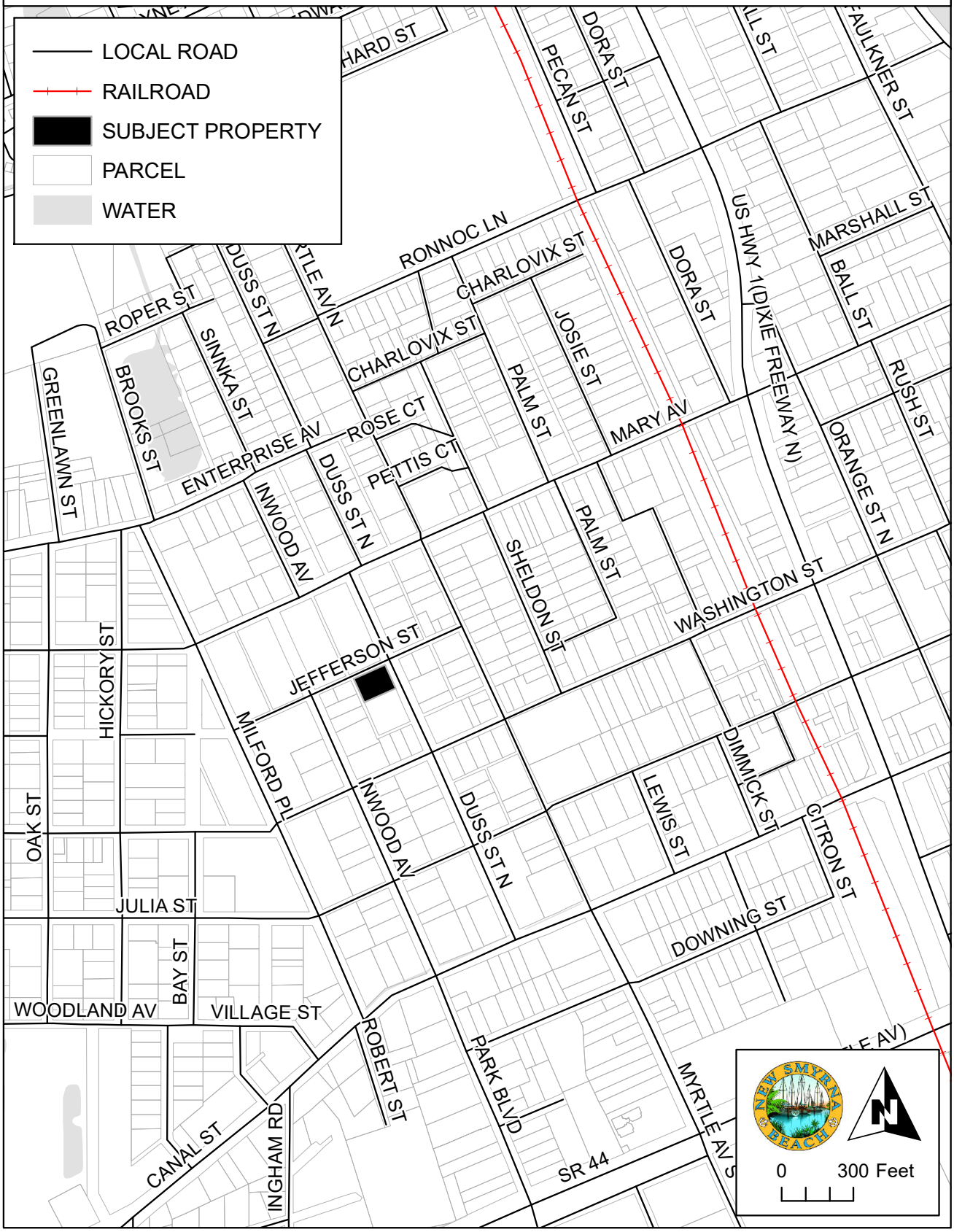
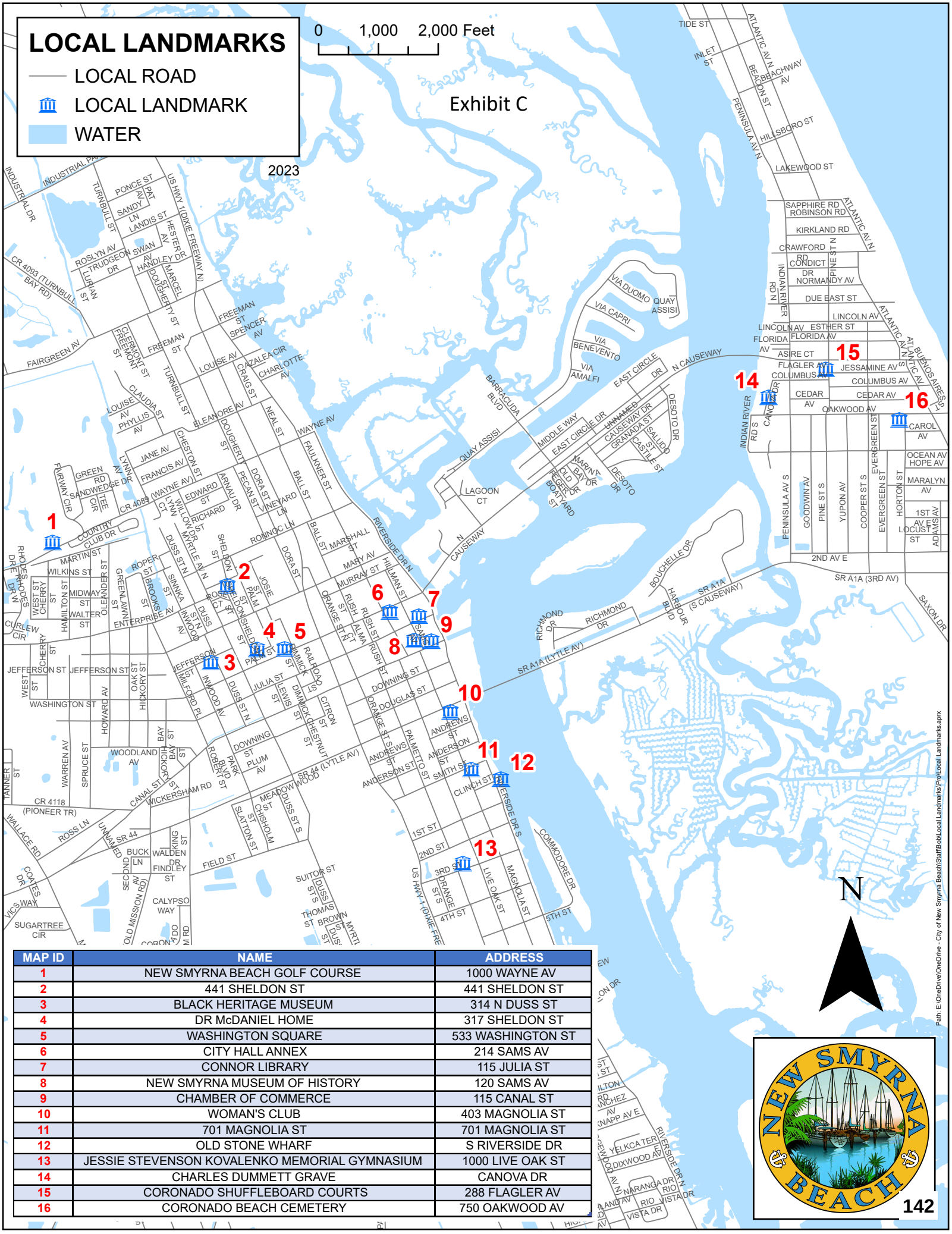


EXHIBIT B

CA-2-22: BLACK HERITAGE MUSEUM 314 N. DUSS STREET
PARCEL: 7418-08-17-0090 AERIAL MAP





MAP ID	NAME	ADDRESS
1	NEW SMYRNA BEACH GOLF COURSE	1000 WAYNE AV
2	441 SHELDON ST	441 SHELDON ST
3	BLACK HERITAGE MUSEUM	314 N DUSS ST
4	DR McDANIEL HOME	317 SHELDON ST
5	WASHINGTON SQUARE	533 WASHINGTON ST
6	CITY HALL ANNEX	214 SAMS AV
7	CONNOR LIBRARY	115 JULIA ST
8	NEW SMYRNA MUSEUM OF HISTORY	120 SAMS AV
9	CHAMBER OF COMMERCE	115 CANAL ST
10	WOMAN'S CLUB	403 MAGNOLIA ST
11	701 MAGNOLIA ST	701 MAGNOLIA ST
12	OLD STONE WHARF	S RIVERSIDE DR
13	JESSIE STEVENSON KOVALENKO MEMORIAL GYMNASIUM	1000 LIVE OAK ST
14	CHARLES DUMMETT GRAVE	CANOVA DR
15	CORONADO SHUFFLEBOARD COURTS	288 FLAGLER AV
16	CORONADO BEACH CEMETERY	750 OAKWOOD AV

Path: E:\OneDrive\OneDrive - City of New Smyrna Beach\Staff\Bob\Local Landmarks\Pro\Local Landmarks.aprx

Exhibit D






HERITAGE HOUSE


HERITAGE HOUSE

THE CITY OF NEW SMYRNA BEACH - DEVELOPMENTAL SERVICES

APPROVAL OF THE HISTORIC PRESERVATION COMMISSION 2025 REGULAR MEETING SCHEDULE

December 11, 2024

Background:
Staff recommends the Historic Preservation Commission approve the 2025 regular meeting schedule as submitted.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Stephanie Ferrara - Development Services Coordinator

Attachments:

HPC 2025 Regular Meeting Schedule.pdf

City of New Smyrna Beach

Development Services Department

Historic Preservation Commission
2025 Regular Meeting Schedule

MEETING DATES

The Historic Preservation Commission will meet quarterly on the 2nd Wednesday of each month at 5:30 p.m., with additional tentative meeting dates if necessary.

MEETING LOCATION

Unless otherwise advertised, the Historic Preservation Commission will meet at the City Commission Chambers, located at 214 Sams Avenue.

MARCH 12, 2025
JUNE 11, 2025
SEPTEMBER 10, 2025
DECEMBER 10, 2025
Tentative Meeting Dates if Necessary:
JANUARY 08, 2025
FEBRUARY 12, 2025
APRIL 09, 2025
MAY 14, 2025
JULY 09, 2025
AUGUST 13, 2025
OCTOBER 08, 2025
NOVEMBER 12, 2025

Department of Development Services
214 Sams Avenue
City of New Smyrna Beach, Florida 32168
Telephone: 386-410-2835
www.cityofnsb.com

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

STATE HISTORIC MARKER DISCUSSION FOR THE NEW SMYRNA WOMAN'S CLUB LOCATED AT 403 MAGNOLIA STREET.

December 11, 2024

Background:

The Florida Historical Marker Program is one of the Division of Historical Resources' most popular and visible public history programs.

It is designed to raise public awareness of Florida's rich cultural history and to enhance the enjoyment of our historic sites by citizens and tourists.

These markers allow us to tell the stories of the places and people who created the Florida that we all enjoy today, by identifying the churches, schools, archaeological sites, battlefields and homes that represent our past.

Findings:

The Florida Historical Markers Program recognizes historic resources that are significant in the areas of architecture, archaeology, and Florida history by promoting the placing of historic markers at sites of historical and visual interest to residents and visitors.

There are currently four (4) Florida State Markers within the city of New Smyrna Beach.

1. Gabordy Canal (South Riverside Drive)
2. Turnbull Grand Canal (State Road 44 and South Walker Drive)
3. Coronado Beach House (1705 South Atlantic Avenue)
4. St. Rita Colored Mission Church (314 North Duss Street)

The Woman's Club qualifies as a Florida Heritage Landmark under the Florida Historical Markers Program because it is a site associated with social history and architecture. Under the Historical Markers Program, a Standard Florida Historical Marker, giving the name and short history of the Woman's Club, could be obtained for approximately $2,500.00.

Magnolia Street would provide a good location for the placement of a historical marker, which would state the name and historical significance of the site.

Recommendation

The Planning Department recommends that the Historic New Smyrna Beach Preservation Commission recommend to the City Commission, with approval from the current property owner, a placement of a State of Florida historical marker at 403 Magnolia Street containing the following language:

The New Smyrna Woman's Club was organized in 1911 and in 1923 the clubhouse was constructed using the Mediterranean Revival/Mission style. In February 1924, the first event was a bazaar. The clubhouse served as the community's primary facility for social and cultural events. Musicals, flower shows, art exhibits, senior banquets, and lectures were held at this location. The Girls Reserve also used the clubhouse for meetings in the 1930's. The New Smyrna Woman's Club has remained an integral part of the community through its use not only for club meetings and receptions but for church services and recreational classes as well. In its heyday the New Smyrna Woman's Club had up to 300 members. The New Smyrna Woman's Club is one of the earliest clubs of its type in the area. The City purchased the Woman's Club in 1990 and use the facility as a venue to be leased out for meetings, weddings, and non-profit funding events. The building was listed on the National Register of Historic Places in 1989, received the Donnadine Miller Preservation award in 2010, and was designated as a local landmark in 2018. The building was sold by the city to the Karter Presley Lynaugh Trust in November 2024.

The maximum word count is 1,235 characters including letters, numbers, spaces, and punctuation. The above language contains 1,198 characters.

Fiscal Analysis:
The estimated cost of the State marker is $2,540.00.

Strategic Plan Item:
No

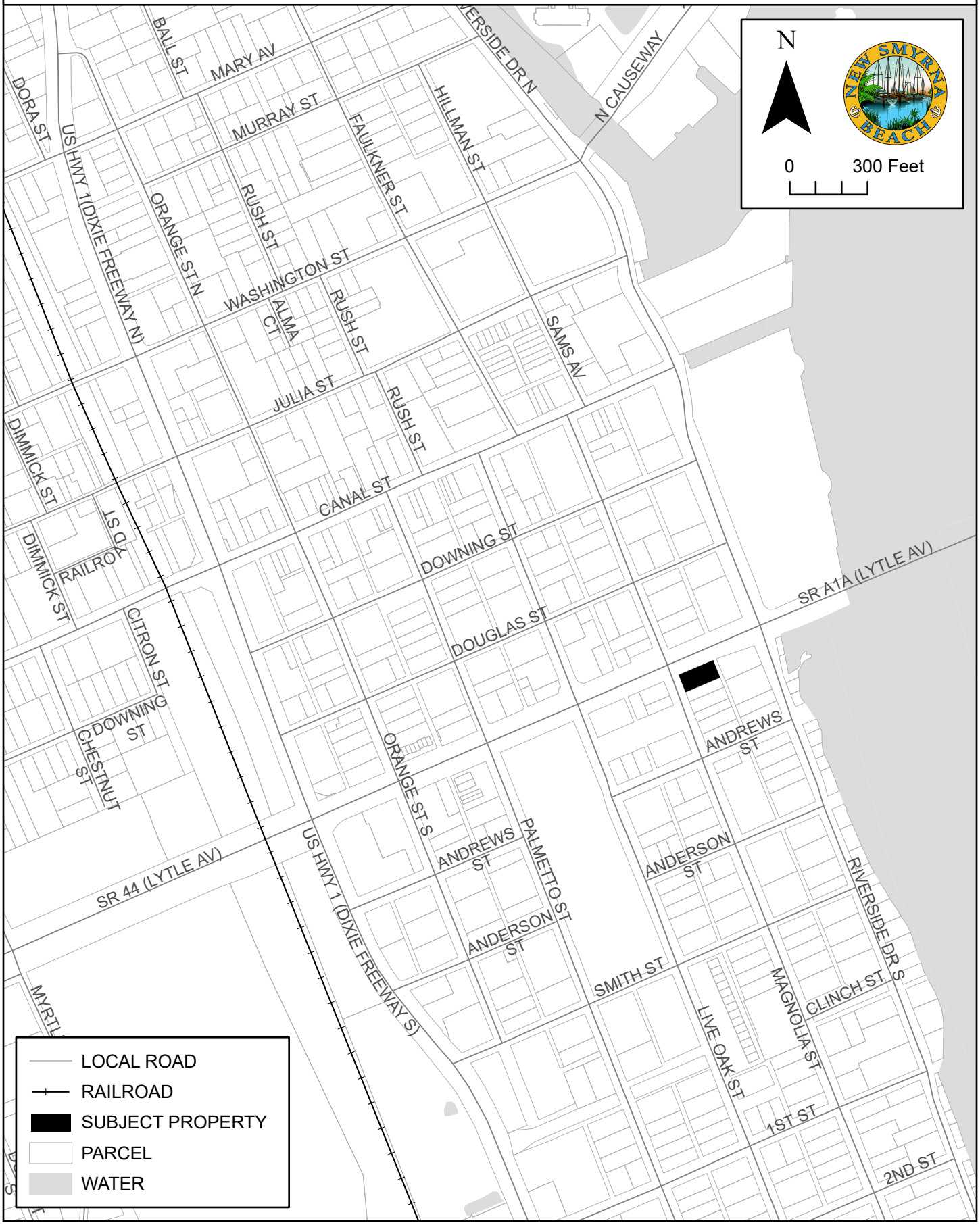
Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

Location Map.pdf
Aerial Map.pdf
Florida State Markers.pdf

Current NSB State Marker Map.pdf
Historical Markers FAQ.pdf

PARCEL: 7441-38-04-0610 LOCATION MAP



PARCEL: 7441-38-04-0610 AERIAL MAP

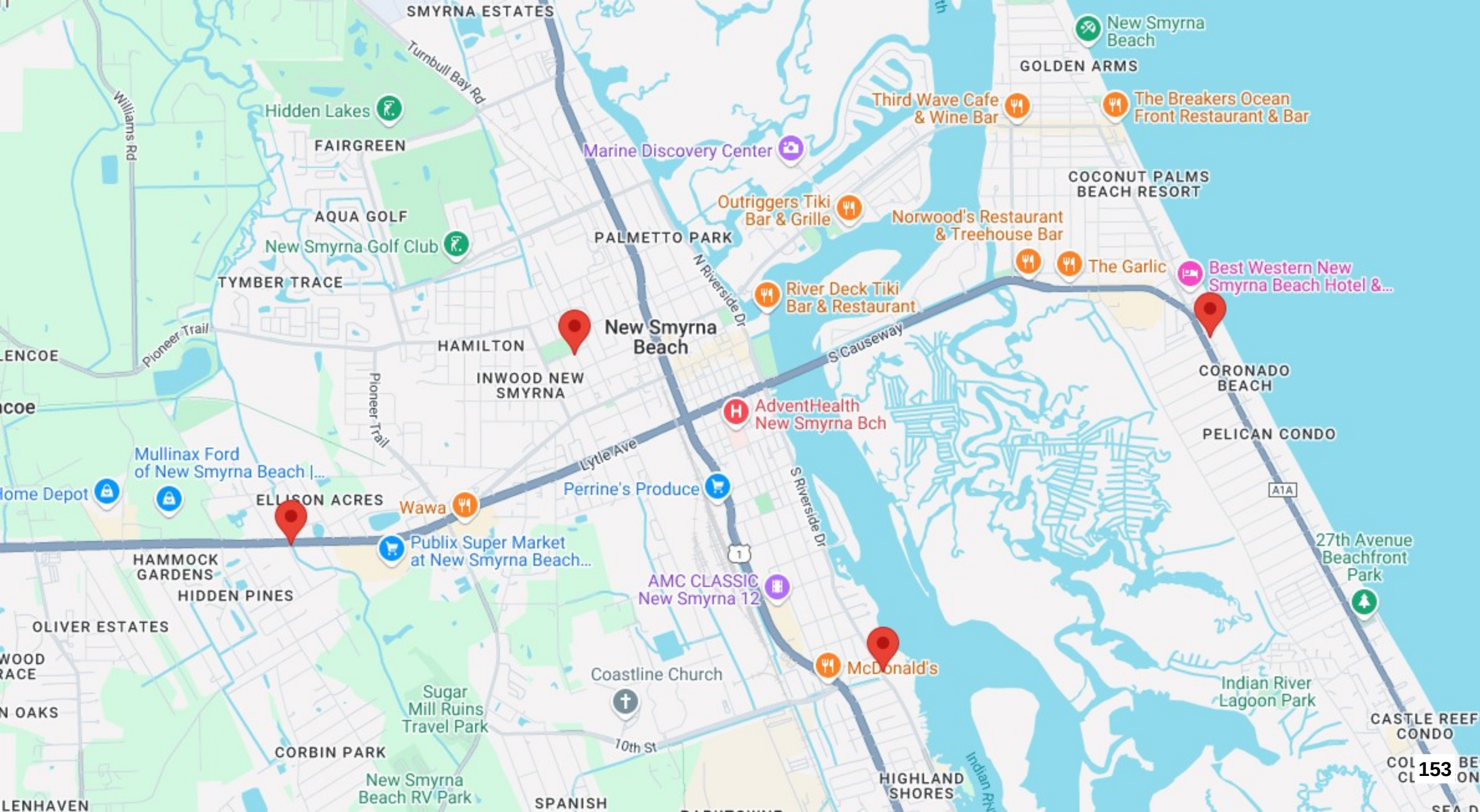



DOC THOMAS HOUSE
HOME OF TROPICAL AUDUBON SOCIETY


E.W.F. STIRRUP HOUSE


ORIGINAL
LINCOLN HIGH SCHOOL


OLD CAPITOL OF FLORIDA
The first two sessions of the territorial legislature were held at St. Augustine and Pensacola. The hazards of traveling between cities 400 miles apart prompted legislators in 1824 to locate a new capital at Tallahassee, between the two


SMYRNA ESTATES
Turnbull Bay Rd
Williams Rd
Hidden Lakes
FAIRGREEN
AQUA GOLF
New Smyrna Golf Club
TYMBER TRACE
Pioneer Trail
LENCOE
HAMILTON
INWOOD NEW SMYRNA
Pioneer Trail
New Smyrna Beach
PALMETTO PARK
N Riverside Dr
Marine Discovery Center
Outriggers Tiki Bar & Grille
Third Wave Cafe & Wine Bar
New Smyrna Beach
GOLDEN ARMS
The Breakers Ocean Front Restaurant & Bar
COCONUT PALMS BEACH RESORT
Norwood's Restaurant & Treehouse Bar
The Garlic
Best Western New Smyrna Beach Hotel &...
River Deck Tiki Bar & Restaurant
S Causeway
CORONADO BEACH
AdventHealth New Smyrna Bch
PELICAN CONDO
Lytle Ave
S Riverside Dr
A1A
Mullinax Ford of New Smyrna Beach |...
Home Depot
ELLISON ACRES
Wawa
Perrine's Produce
Publix Super Market at New Smyrna Beach...
HAMMOCK GARDENS
HIDDEN PINES
AMC CLASSIC New Smyrna 12
27th Avenue Beachfront Park
OLIVER ESTATES
McDonald's
Coastline Church
Indian River Lagoon Park
Sugar Mill Ruins Travel Park
CASTLE REEF CONDO
10th St
CORBIN PARK
New Smyrna Beach RV Park
HIGHLAND SHORES
SPANISH

Historical Markers

Q: How much does a Florida Historical Marker cost?
A: The cost of Florida Historical Markers is determined by the amount of text. For a single-sided marker with the same text on both sides of the marker, the cost is $2,540. For a double-sided marker with different text on both sides of the marker, the cost is $2,920. Costs are subject to change, and you will be notified of the current cost after your application is approved by the Florida Historical Marker Council.

Q: What is included in the cost of the marker?
A: The marker cost includes the sign, post, and shipping. There is an additional shipping cost for marker shipped to the Florida Keys.

Q: What are the dimensions of a historical marker?
A: Cast aluminum, text area is 30" high by 42" wide; dark blue background; letters and Florida Heritage emblem are white; comes with a 7' concrete post coated with brushed aluminum (three feet of the post goes into the ground). Markers weigh around 95lbs.



Q: How long does it take to produce a historical marker?
A: Marker production usually takes 20–24 weeks after the finalized text is submitted to the manufacturer. This estimate is based on the manufacturer's production backlog. At times of high production, it can take longer to receive your marker.

Q: What happens if I find a damaged historical marker?
A: If you encounter a damaged historical marker, please contact our office at (850)245-6333. We will need the location of the marker, and digital photos of the marker, if possible.

Q: What do I do if I have marker in need of restoration?
A: The Division of Historical Resources covers the restoration of all state historical markers. If you know of a marker in need of restoration, please contact our office at (850)245-6333.

Q: How much is shipping?
A: For most the state, there is no charge for shipping your historical marker. For the Florida Keys and other limited access areas, Sewah will cover $175 of the shipping costs but the applicant will be responsible for any additional shipping charge. Please inquire before ordering for a shipping quote.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

LOCAL LANDMARK SIGN OR PLAQUE DISCUSSION.

December 11, 2024

Background:

This year, the City golf course asked if there was an official sign or plaque that could be installed at the course since they had received the local landmark designation in 2020. They would prefer something that could be attached to a post.

Staff wanted to start the discussion with the Commission to see if there was interest of having a sign or plaque available to any property that received a Local Landmark designation from the City Commission.

An official sign or plaque would let the general public know if a property was a local landmark.

Currently there are 16 Local Landmark designated properties within the City limits..

Fiscal Analysis:

N/A

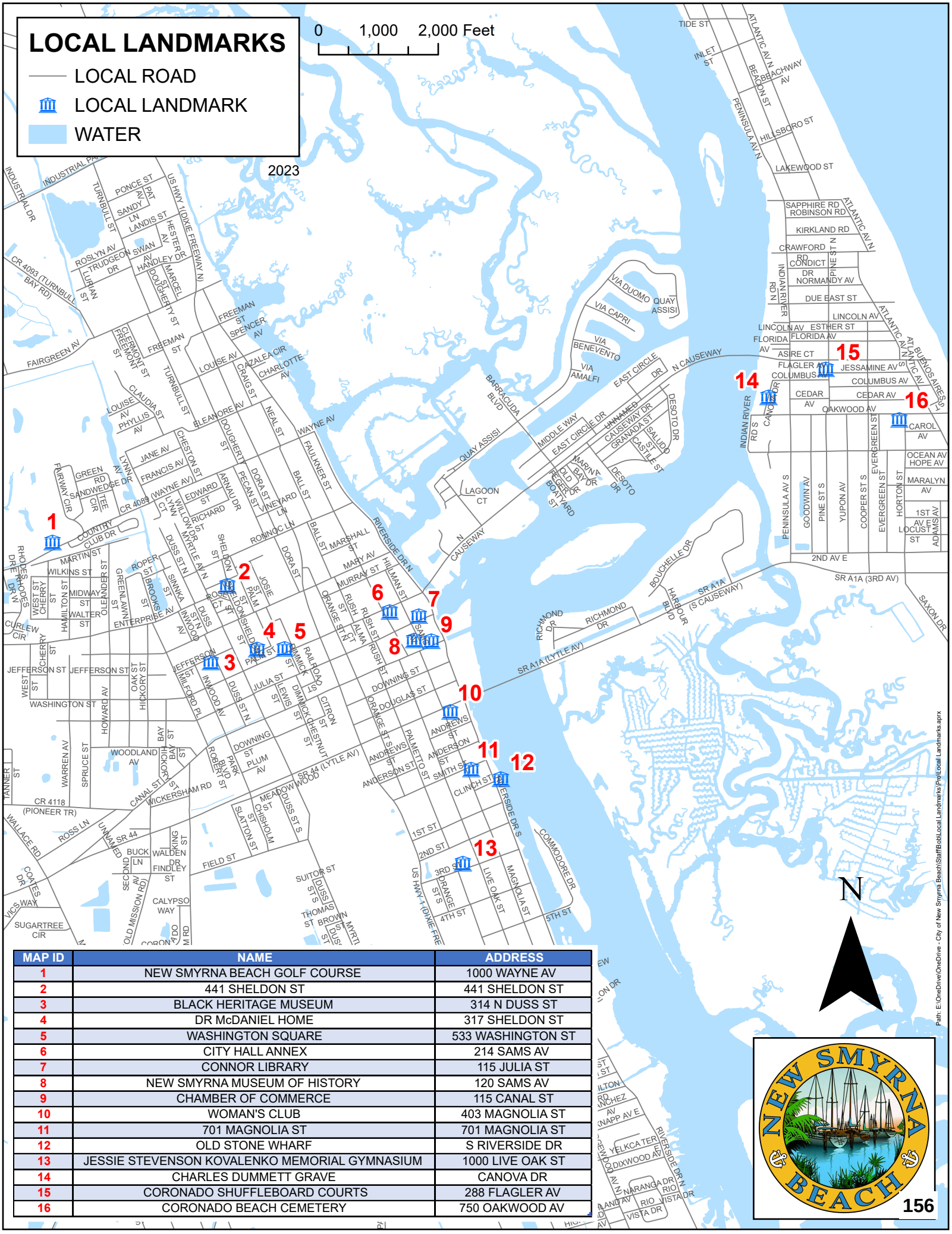
Strategic Plan Item:

No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

2023 Local Landmarks Map.pdf



MAP ID	NAME	ADDRESS
1	NEW SMYRNA BEACH GOLF COURSE	1000 WAYNE AV
2	441 SHELDON ST	441 SHELDON ST
3	BLACK HERITAGE MUSEUM	314 N DUSS ST
4	DR McDANIEL HOME	317 SHELDON ST
5	WASHINGTON SQUARE	533 WASHINGTON ST
6	CITY HALL ANNEX	214 SAMS AV
7	CONNOR LIBRARY	115 JULIA ST
8	NEW SMYRNA MUSEUM OF HISTORY	120 SAMS AV
9	CHAMBER OF COMMERCE	115 CANAL ST
10	WOMAN'S CLUB	403 MAGNOLIA ST
11	701 MAGNOLIA ST	701 MAGNOLIA ST
12	OLD STONE WHARF	S RIVERSIDE DR
13	JESSIE STEVENSON KOVALENKO MEMORIAL GYMNASIUM	1000 LIVE OAK ST
14	CHARLES DUMMETT GRAVE	CANOVA DR
15	CORONADO SHUFFLEBOARD COURTS	288 FLAGLER AV
16	CORONADO BEACH CEMETERY	750 OAKWOOD AV

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

2023/2024 FLORIDA CERTIFIED LOCAL GOVERNMENT (CLG) PROGRAM ANNUAL REPORT

December 11, 2024

Background:

The City of New Smyrna Beach became a Local Certified Government, (CLG), in 1986. A certified local government means that a municipal government that has made historic preservation a public policy through the passage of a historic preservation ordinance and has been certified by the National Park Service under 36-CFR 61.6.

Pursuant to the Florida CLG Guidelines C.2.e, Certified Local Governments are required to submit an annual report summarizing local activities over the previous reporting year. That report is filed with the Florida Secretary of State, Division of Historical Resources. The recipient of that report is Ruben A. Acosta, Bureau Chief, Historic Preservation.

The Planning Department has attached that submitted report, that was due on November 30, 2024 so the general public could review.

Fiscal Analysis:

N/A

Strategic Plan Item:

No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

2023-2024 CLG Annual Report Form.pdf
October 11, 2023 Agenda.pdf
October 11 2023 MEETING MINUTES.pdf
December 13, 2023 Agenda.pdf
February 7, 2024 Agenda.pdf
December 13 2023 MEETING MINUTES.pdf
Feb 7 2024 HPC MEETING MINUTES.pdf
June 12, 2024 Agenda.pdf
June 12 2024 MEETING MINUTES.pdf
July 10, 2024 Agenda.pdf
JULY 10 2024 - Summary of Actions.pdf
2023 Local Landmarks Map.pdf
Coronado Natiuonal Registered Historic District Map.pdf

New Smyrna Beach National Registered Historic District Map.pdf
Ordinance No. 45-24 Rezoning to Historic Building Overlay District - 403 Magnolia Street.pdf
Walter Bone Resume.pdf

Florida CLG Program
Annual Report
October 1, 2023 – September 30, 2024

Pursuant to the Florida CLG Guidelines C.2.e, Certified Local Governments are required to submit an annual report summarizing local activities over the previous reporting year. The answers provided better inform our office on how we can assist our CLG communities and work jointly to improve performance.

Community	New Smyrna Beach
Submitted by	Robert Mathen
Date	November 27, 2024

This report is due by November 30, 2024.
Please submit the completed annual report form and related materials to this office, either electronically to: CLG@dos.myflorida.com

Or via mail to:
Attn: Ruben A. Acosta
Bureau Chief, Historic Preservation
R.A. Gray Building
500 S. Bronough Street
Tallahassee, FL 32399-0250

LOCAL LEGISLATION & COMMISSION

1. Were any amendments made to either the preservation ordinance or tax exemption ordinance?

   Yes ☐
   No ☒

   A. If so, please explain the nature of these changes:

   Click or tap here to enter text.

2. Were any amendments made to the rules of procedure?

   Yes ☐
   No ☒

   A. If so, please explain the nature of these changes:

   Click or tap here to enter text.

Please provide a copy of the revised legislation, if applicable.

3. List all board members, their profession, and length of service on the board:

Name	Profession	Years of Service
Katie Kaufman	Architectural Historian	2-3 years
Terry Bledsoe	Lawyer	3-4 years
Walter Bone	Architect	Less than 1 year
Angel Barretta-Herman	Knowledgable/Interested Citizen	5 or more years
Stephanie Thomas-Rees	Architect	1-2 years
Click here to enter text.	Choose an item.	Choose an item.
Click here to enter text.	Choose an item.	Choose an item.

Please include the resumes of any new board members.
Walter Bone

Please list below any additional staff that works with the CLG program.

Shane Corbin
Stephanie Doster, Planning Manager
Robert Mathen, Historic Preservation Officer

PRESERVATION BOARD ACTIVITIES

4. Date and provider of last professional training session attended by Commission:

   0

5. Date and time of regularly scheduled Commission meetings:

   2nd Wednesday of March, June, September, & December. Special meetings are scheduled for the 2nd Wednesday of any other month

6. Please provide the dates of all Commission meetings held between October 1, 2023, and September 30, 2024:

   October 11, 2023, December 13, 2023, February 7, 2024, June 12, 2024, July 10, 2024

Please submit all meeting minutes and agendas, if not previously submitted.

DESIGNATIONS

7. How many *individually listed* local designations are there in your community?

   16

8. Please list each district in your jurisdiction – locally listed and National Register listed. Identify the year it was listed and the year that area was re-surveyed. If the district or historic resource inventory has not been updated, please use "N/A" as a response:

Name of District	Local or National Designation	Year of Designation	Year Updated
New Smyrna Beach Historic District	National	04-26-1990	2008
Coronado Historic District	National	02-21-1997	2008
	Choose an item.	Click here to enter text.	Click here to enter text.
	Choose an item.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Choose an item.	Click here to enter text.	Click here to enter text.

9. Please list any new designations during the reporting period:

Name and Address of Property	Property Type	Date of Listing	FMSF Submitted
Click here to enter text.	Choose an item.	Click here to enter text.	Choose an item.
Click here to enter text.	Choose an item.	Click here to enter text.	Choose an item.
Click here to enter text.	Choose an item.	Click here to enter text.	Choose an item.

Please submit local designation reports for newly designated resources, if available.

10. Number of Florida Master Site File forms submitted during reporting period:

    0

11. How many COAs (Certificates of Appropriateness) reviewed during reporting period?

    1

12. Number of Ad Valorem Tax exemption projects reviewed during reporting period (please indicate "N/A" if your community does not have an Ad Valorem Program):

    0

13. National Register nominations reviewed by Commission during reporting period:

    0

14. Number of Historic Rehabilitation tax credit projects reviewed during reporting period (please indicate "N/A" if your community does not have an Ad Valorem Program):

    0

15. Number of ADA projects reviewed by your office during the reporting period:

    0

GRANT PROJECTS

1. DHR grant projects completed since last annual report:

   0

2. DHR grant projects applied for during reporting period:

   0

SUPPLEMENTAL QUESTIONS

3. Are there any historic properties that you would like us to evaluate for National Register listing? If so, please list the property name and address.
   0
4. What training topics would provide the most benefit for your Commissions and staff?

   Basic Knowledge

5. What days of the week and what times of day are the best for you and your board members to attend online trainings?
   Not sure.

6. Please describe any significant problems encountered in the past year.

   None

7. What is one historic preservation success story your community has had in the past year?

   Added the Historic Building Overlay District to the Women's Club. This property is owned by the City and is listed as a local landmark and is listed on the National Register. (1989). This Overlay will allow for historic uses that are not a permitted use under the current modern zoning district. Ordinance attached.

SUPPLEMENTAL DOCUMENTS

Please attach the following:

☒ A list and/or map of all individually designated properties and historic districts within your CLG
☐ A copy of the designation reports for any new locally designated properties
☒ **ALL** meeting minutes and agendas of the Commission (if not previously submitted)
☐ A copy of the amended ordinance(s)/rules of procedure (if applicable)
☒ Resumes of any new board members (If applicable)

ADDITIONAL COMMENTS:

Click here to enter text.

Historic Preservation Commission
Wednesday, October 11, 2023 at 5:30 PM

City Commission Chambers
214 Sams Avenue, New Smyrna Beach, Florida 32168

1. CALL TO ORDER

A. Roll Call

2. APPROVAL OF MINUTES

3. PUBLIC PARTICIPATION

4. NEW BUSINESS/DISCUSSION ITEMS

4.A Partnership with "Friends of NSB Parks" to memorialize and beautify Watch and Warn Monument at Columbus Ave Park.

5. COMMITTEE COMMENTS

6. STAFF COMMENTS

7. ADJOURNMENT

Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the board, agency or commission of the City of New Smyrna Beach with respect to any matter considered at this meeting, a record of the

proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 410-2630, prior to the meeting.

THE CITY OF NEW SMYRNA BEACH - MAINTENANCE OPERATIONS

PARTNERSHIP WITH "FRIENDS OF NSB PARKS" TO MEMORIALIZE AND BEAUTIFY WATCH AND WARN MONUMENT AT COLUMBUS AVE PARK.

October 11, 2023

Background:

This is a project that we are working with the "Friends of NSB Parks" to bring the watchtower and watch/warn monument by showing the citizens of NSB the historical importance that this park represents. We will do this by beautifying the entire park area and locating and exposing the sidewalks and cisterns. We will be adding irrigation, plants, sod, fencing, benches and a memorial using the portions of the original metal stairs.

Findings:

Staff is seeking a positive recommendation of from the Historic New Smyrna Beach Preservation Commission for the City Commission to approve the proposed beautification project.

Fiscal Analysis:

-

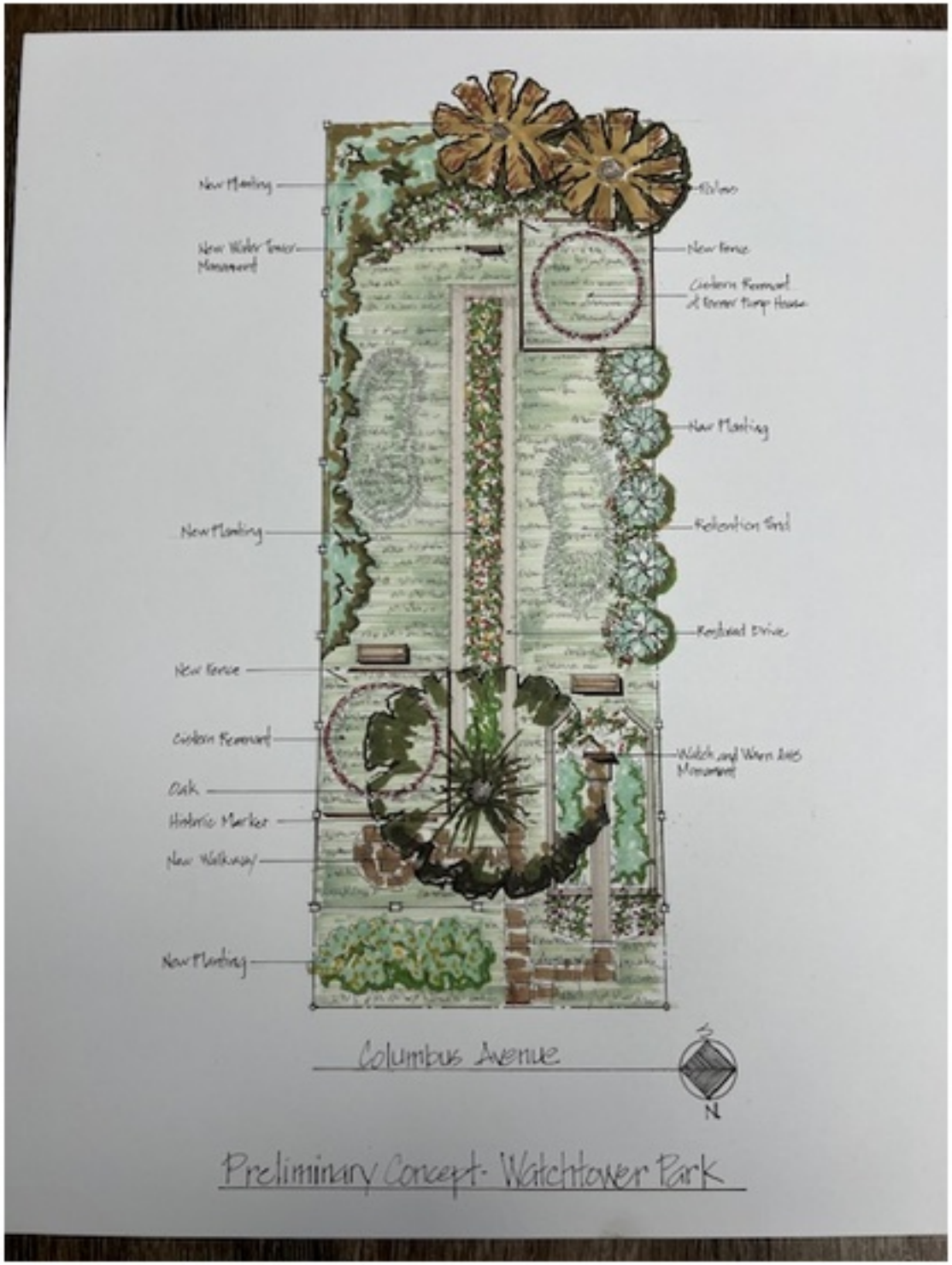
Strategic Plan Item:

No

Staff Report Created By: Robert Mathen - Planner II

Attachments:

Columbus Park Watchtower.jpg


New Planting
New Water Tower Monument
New Fence
Cistern Remnant & Former Pump House
New Planting
New Planting
Retention Pond
Redbud Drive
New Fence
Cistern Remnant
Welch and Wren Arts Monument
Oak
Historic Marker
New Walkway
New Planting
Columbus Avenue
N
Preliminary Concept- Watchtower Park

Historic Preservation Commission Special Meeting
Wednesday, October 11, 2023, at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the special meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, October 11, 2023, at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Chair Mahood called the meeting to order at 5:30 PM.

Roll Call

Attendee Name	Title	Status	Arrived
Katherine Kaufman	Member	Absent	5:30 PM
Stephanie Rees	Vice Chairperson	Absent	5:30 PM
Douglas Toth	Member	Present	5:30 PM
Terry Bledsoe	Member	Present	5:30 PM
Angeline Barretta-Herman	Member	Present	5:30 PM
Lianne Bennett	Member	Absent	5:30 PM
Joanna Mahood	Chairperson	Present	5:30 PM

Also present were: Senior Planner Robert Mathen, Assistant City Attorney Shey McCurdy, and Board Secretary Stephanie Ferrara.

2. APPROVAL OF MINUTES

None.

3. PUBLIC PARTICIPATION

None.

4. NEW BUSINESS

4.A Partnership with "Friends of NSB Parks" to memorialize and beautify Watch and Warn Monument at Columbus Ave Park

David Ray, the Director of Maintenance Operation, outlined his request to recommend approval to City Commission for a beautification project at the Watch and Warn Monument at Columbus Avenue Park.

Member Barretta-Herman inquired about the expense for maintenance.

Mr. Ray stated that the estimated cost for maintenance would be $5-$7,000. He further stated that this is within his budget for the year.

Chair Mahood commented about the need for the monument to be cleaned and refurbished.

Sharon Adams, Friends of NSB Parks, spoke about the current proposal which included a new fence and landscaping. Ms. Adams commented about refurbishing the monument.

Member Bledsoe commented about the name of the park "Watch and Warn". Mr. Ray stated that it will likely remain and not change.

Chair Mahood opened the meeting for Public Participation. As no citizens wished to speak, Chair Mahood closed Public Participation.

Chair Mahood asked the Board if they had any additional questions or comments.

Motion:
Member Bledsoe moved to recommend approval to City Commission, as submitted and in addition, cleaning/refurbishing the monument and landscaping the area of the monument. Member Barretta-Herman seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Bledsoe
SECONDER:	Barretta-Herman
AYES:	Toth, Bledsoe, Barretta-Herman, Mahood

5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

None.

6. REPORTS AND COMMUNICATIONS BY THE STAFF

None.

7. ADJOURNMENT

As there was no other business to discuss, Chair Mahood declared the meeting adjourned at 5:53 P.M.

Historic Preservation Commission
Wednesday, December 13, 2023 at 5:30 PM

City Commission Chambers
214 Sams Avenue, New Smyrna Beach, Florida 32168

1. CALL TO ORDER

A. Roll Call

2. APPROVAL OF MINUTES

2.A Approval for Historic Preservation Commission September 20, 2023 and October 11, 2023 Regular Meeting Minutes.

3. PUBLIC PARTICIPATION

4. NEW BUSINESS/DISCUSSION ITEMS

4.A VS-1-23: Review a request, to designate an existing pole sign as a vintage sign on property located at1103 North Dixie Freeway.

4.B VS-2-23: Review a request, to designate an existing pole sign as a vintage sign on property located at 1115 North Dixie Freeway.

4.C Approval of the Historic Preservation Commission 2024 Regular Meeting Schedule

4.D Selection of the 2024 Chairperson and Vice Chairperson for the Historic Preservation Commission

5. COMMITTEE COMMENTS

6. STAFF COMMENTS

6.A 2022-2023 Certified Local Government (CLG) yearly report

7. ADJOURNMENT

Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the board, agency or commission of the City of New Smyrna Beach with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 410-2630, prior to the meeting.

THE CITY OF NEW SMYRNA BEACH - DEVELOPMENTAL SERVICES

APPROVAL FOR HISTORIC PRESERVATION COMMISSION SEPTEMBER 20, 2023 AND OCTOBER 11, 2023 REGULAR MEETING MINUTES.

December 13, 2023

Background:

Florida Statutes require that minutes be prepared and approved of all meetings of the Historic Preservation Commission.

Findings:

Staff recommends the Historic Preservation Commission approves the minutes held on September 20, 2023 and October 11, 2023.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Stephanie Ferrara - Development Services Coordinator

Attachments:

Sept 20 2023 MEETING MINUTES.pdf
October 11 2023 MEETING MINUTES.pdf

Historic Preservation Commission Regular Meeting
Wednesday, September 20, 2023, at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the regular meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, September 20, 2023, at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Chair Mahood called the meeting to order at 5:30 PM.

Roll Call

Attendee Name	Title	Status	Arrived
Katherine Kaufman	Member	Present	5:30 PM
Stephanie Rees	Vice Chair-Person	Present	5:30 PM
Douglas Toth	Member	Present	5:30 PM
Terry Bledsoe	Member	Present	5:30 PM
Angeline Barretta-Herman	Member	Present	5:30 PM
Lianne Bennett	Member	Present	5:30 PM
Joanna Mahood	Chair-Person	Present	5:30 PM

Also present were: Senior Planner Robert Mathen, Assistant City Attorney Shey McCurdy, and Board Secretary Stephanie Ferrara.

Senior Planner Robert Mathen stated that agenda item 4.A has been removed under new business.

2. APPROVAL OF MINUTES

2.A Approval of the Historic Preservation Commission June 14, 2023, Regular Meeting Minutes

Chair Mahood asked the Board if they had any additional questions or comments.

DRAFT

Motion:
Member Barretta-Herman moved to approve the June 14, 2023, regular meeting minutes, as submitted. Vice Chair Rees seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Barretta-Herman
SECONDER:	Rees
AYES:	Kaufman, Rees, Toth, Bledsoe, Barretta-Herman, Bennett, Mahood

3. PUBLIC PARTICIPATION

None.

4. NEW BUSINESS

4.A Status Update to Woman's Club

This item was removed from the agenda.

4.B Status Update to Old Fort Wall

The City Capital Improvements Project Manager, Jesse Kobe, provide a status update to the repairs to Old Fort Wall. (The Power-Point presentation is attached)

Chair Mahood asked the Board if they had any questions for Mr. Koby.

Member Barretta-Herman inquired about the location of the Old Fort Wall on one of the slides.

Member Bennett asked Mr. Kobe if Rebecca Harris was updating the Florida Master Site file and the deadline for the report.

Mr. Koby stated that he would need to get with Rebecca Harris regarding the update to the Florida Master Site file. He stated further that the deadline for the report would be the completion of the project.

Vice-Chair Rees inquired about the current budget for the project and would the public have access to the Wall during the curing process.

Mr. Koby stated the budget for the project was reduced based on the design change. Further he stated, it would not be open to the public during the time of curing.

Vice-Chair Rees suggested to inform the public regarding the status of project. Mr. Koby stated that he will be speaking to the City's Public Information Officer regarding her request.

Member Toth commented about the history and mystery of the Old Fort Wall.

Chair Mahood commented about the pile of fill and will it be backfilled. Mr. Koby stated that it will be backfilled, and the pile of dirt should be gone by November.

Chair Mahood opened the meeting for Public Participation. As no citizens wished to speak, Chair Mahood closed Public Participation.

Chair Mahood asked the Board if they had any additional questions or comments.

Member Barretta-Herman requested public signage regarding progress and timing of the project.

4.C **<u>New Smyrna Museum of History Presentation</u>**

Greg Holbrook, Executive Director of the New Smyrna Museum of History, presented a Power-Point presentation about the history of New Smyrna Beach. (The Power-Point presentation is attached)

Chair Mahood asked the Board if they had any questions for Mr. Holbrook.

Member Bennett asked Mr. Holbrook who's taking care of the lab and artifacts. Mr. Holbrook stated that at this time Staff working at the Museum.

Chair Mahood opened the meeting for Public Participation.

Commissioner Martin commented about the Utopia Committee of Florida.

Chair Mahood closed Public Participation.

Chair Mahood asked the Board if they had any additional questions or comments.

Vice-Chair Rees asked if there was anything the HPC could do to help the Museum. Mr. Holbrook stated that he will take her request to Staff and get back with the board.

Mr. Holbrook commented about the City's archaeological contracts.

4.D 2023 Donnadine Miller Preservation Award Applications

Robert Mathen discussed the 2023 Donnadine Miller Historic Preservation Award. He stated that there were no applications so far and the deadline is the end of December.

5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

Member Barretta-Herman commented about the City Commission will be presenting options on the Woman's Club on October 2nd.

Member Bennett stated that she would be presenting at the Archaeological Conference in Pensacola, Florida.

6. REPORTS AND COMMUNICATIONS BY THE STAFF

None.

7. ADJOURNMENT

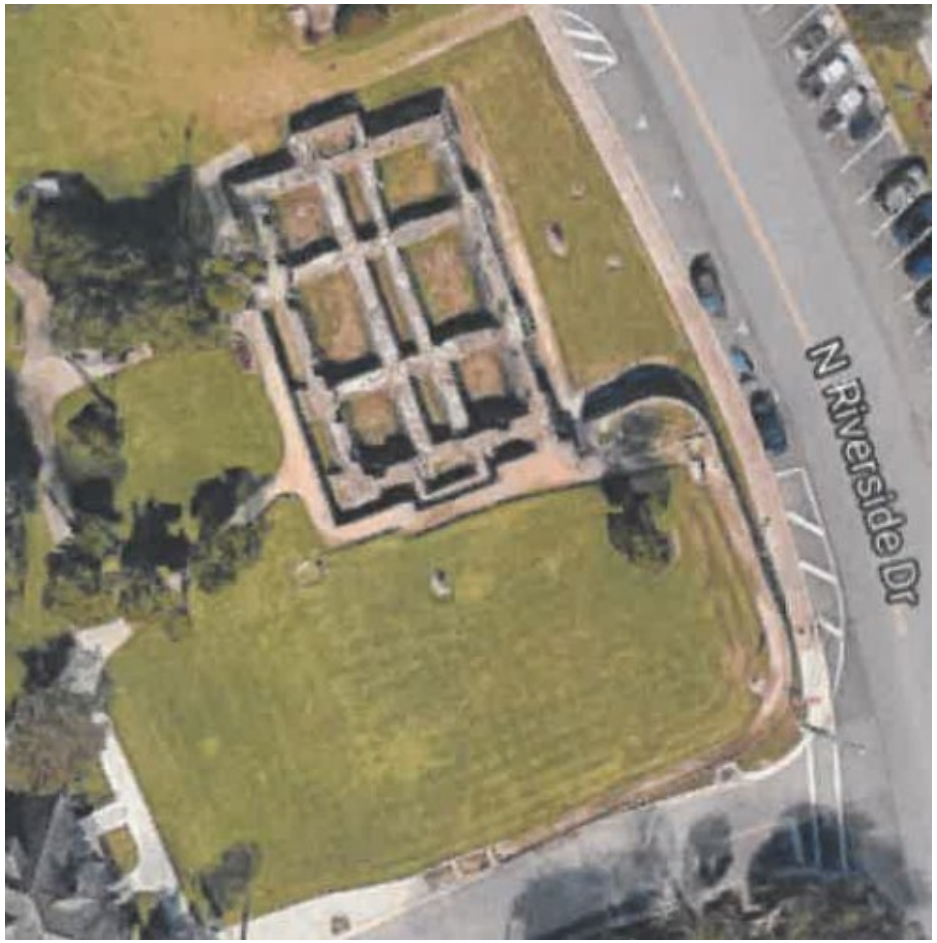
As there was no other business to discuss, Chair Mahood declared the meeting adjourned at 6:31 P.M.

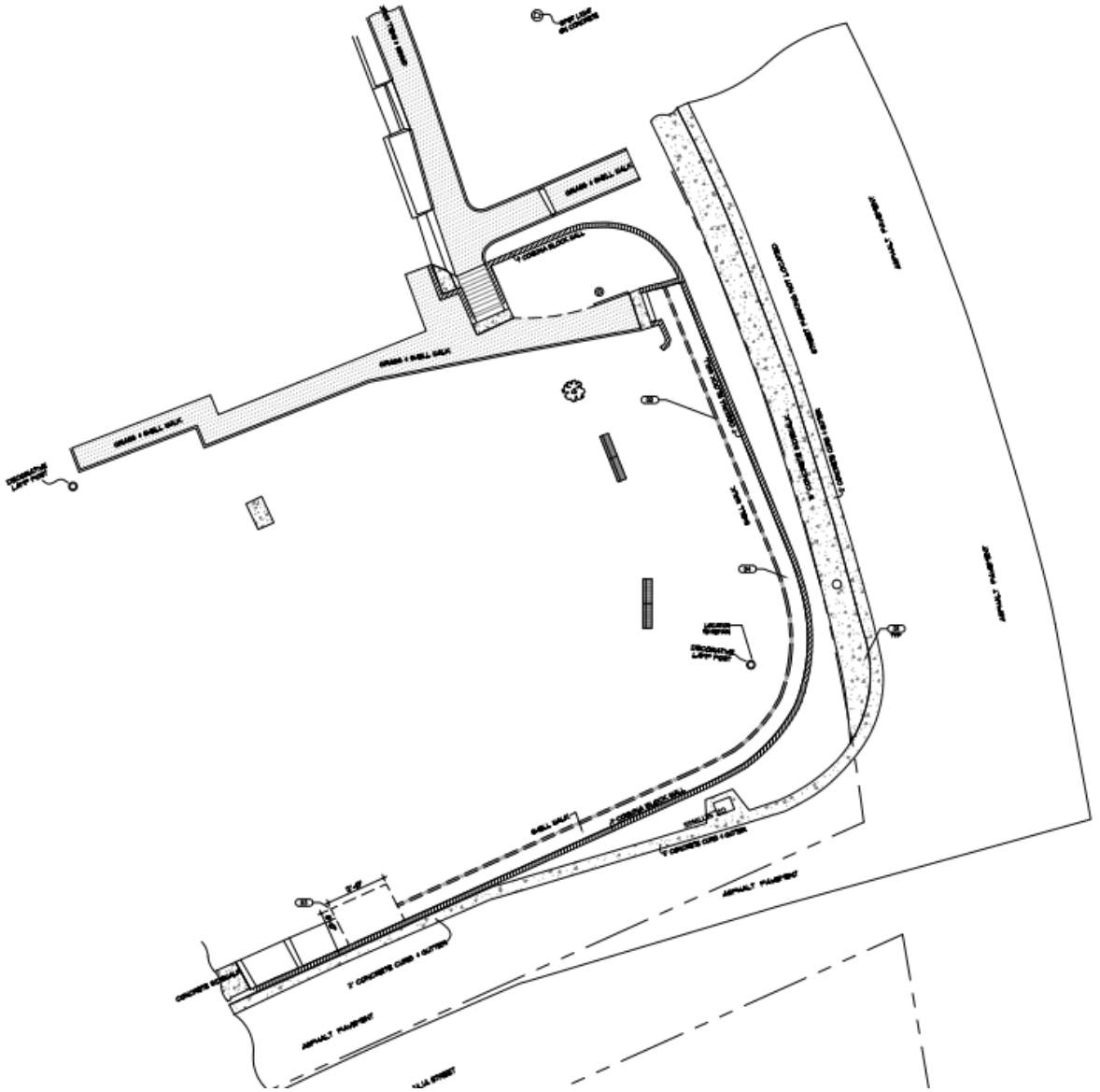
Capital Improvement Projects: Old Fort Wall

Project Overview:
Scope of work: Add a new structural wall behind the historic stone wall (est built in 1933), which includes a dewatering system, make repairs on the front side of the wall, along with having Archeological services provided by the City of NSB.

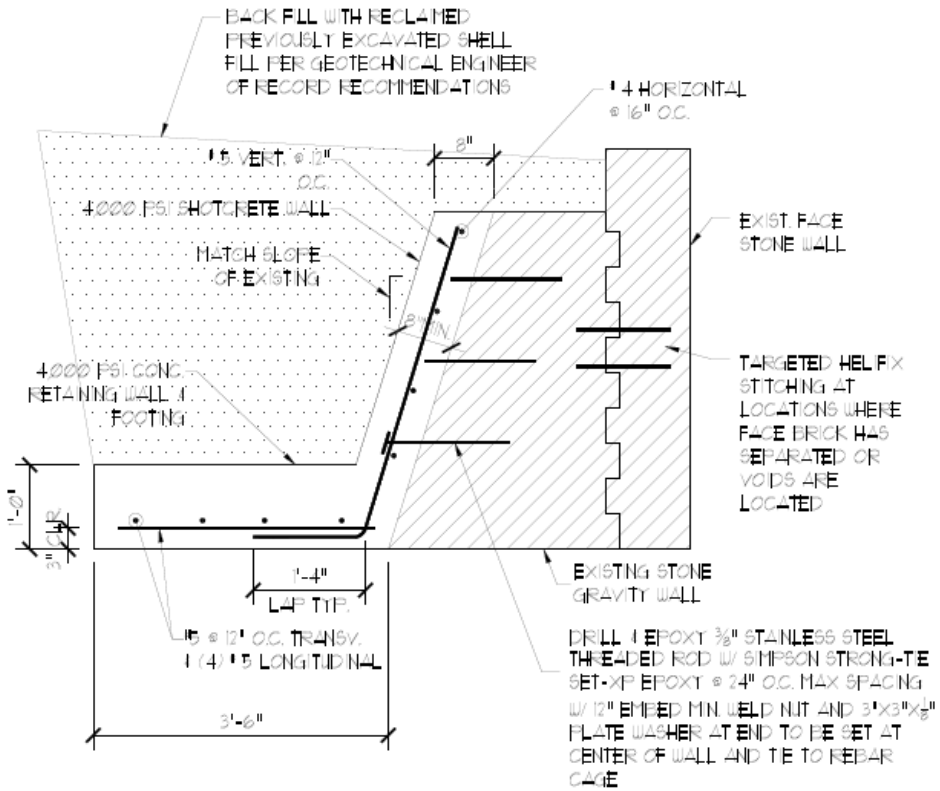


Old Fort Wall Top Down View





Old Fort Wall Structural Wall



SLOPED CANTILEVER RETAINING WALL DETAIL



Archaeological Investigations at 8VO105 Old Fort Mound

- Project 1—North Mound for Utilities Upgrade 2021-2023
- Project 2—South Mound for City of NSB Historic Coquina Wall rehabilitation 2021-



The boat is moored in front of Capt. Frank Sams's home, located out of the picture to the left. The building pictured, at one time a tearoom, was located on what became the south corner of North Riverside Drive and Julia Street. The Old Fort is in the background. The city market is in the distance, and Berry's Bridge can be seen to the far right of the picture.

Prehistoric Data



North Mound—exists today below surface elevation.

Intentional shell mound construction



Prehistoric Data

- Large amount of environmental data collected concerning what prehistoric people ate and how the interacted with their environment
- New evidence for a particular mollusk resource used in East Central Florida for food (Giant Eastern Spiny Murex)



Archaeological Data

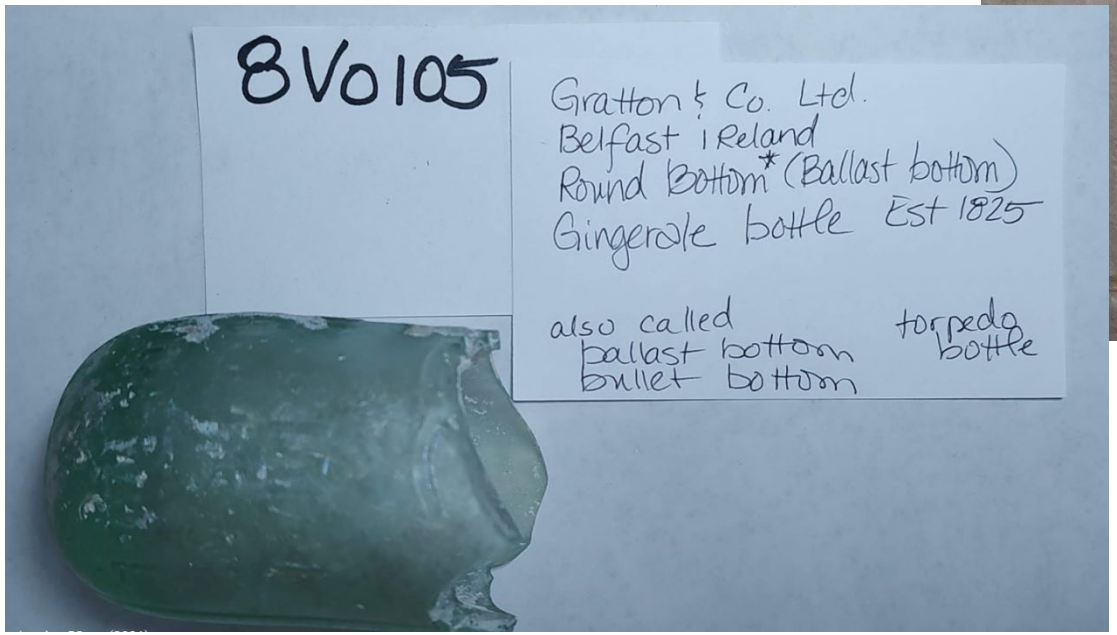


- Large amount of prehistoric and historic pottery that indicates the continued occupation of this mound from about AD 500 until the 20th Century

Archaeological Data







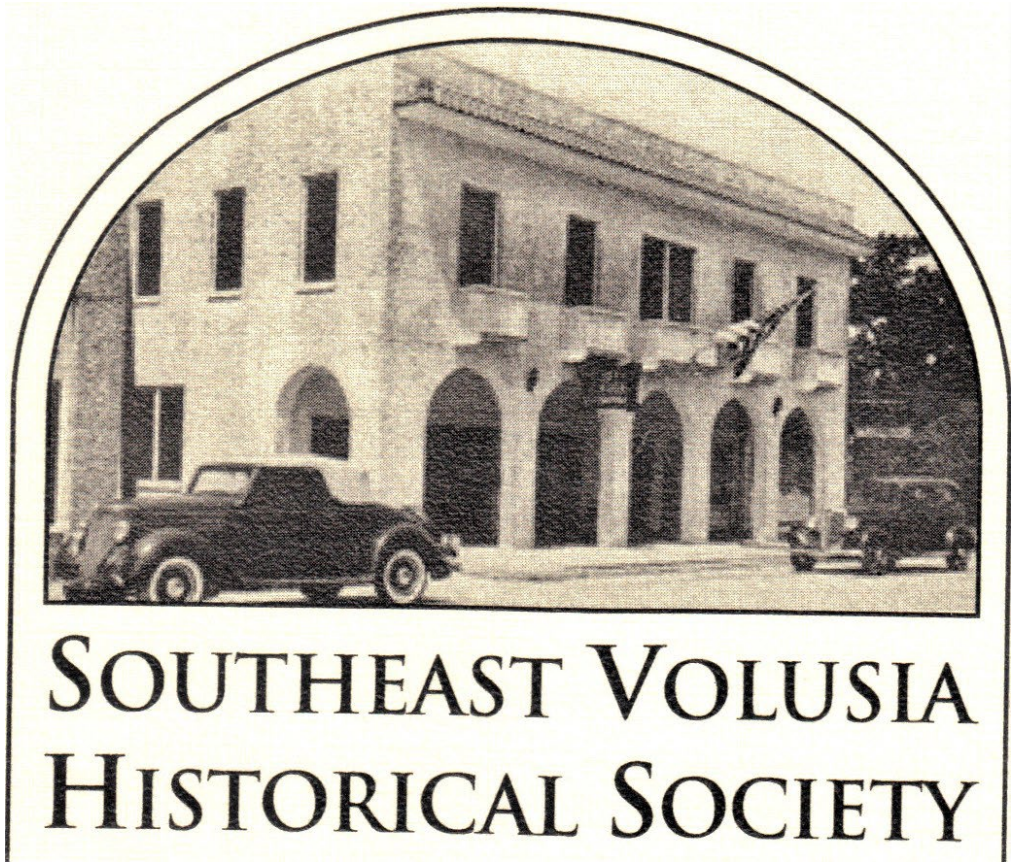
To be continued….

• Large archaeological report to be created based on both projects and historic excavation reexamination

•Creation of Shell Mound interpretive panel on site with support of committee and City to provide public dissemination of findings

•Digital content around findings—follow @nsbarchaeology on Instagram or Facebook for artifacts and field findings.

•Questions? Contact Rebecca Harris sari.rharris@gmail.com



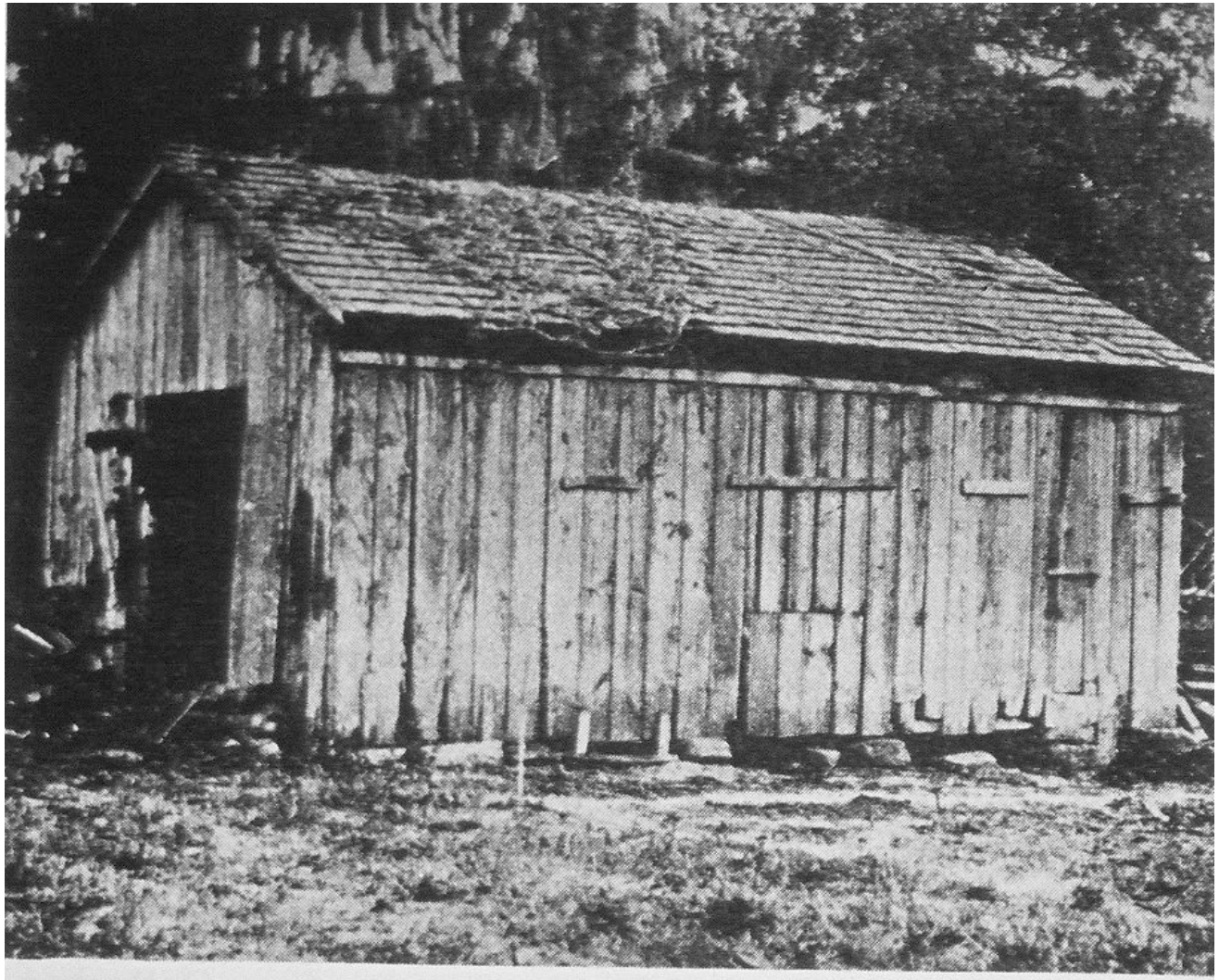
Incorporated in 1982

Historic Connor Library Museum 1994





The old New Smyrna Beach Post Office was built in 1926 on the site of the first schoolhouse built in Volusia County.



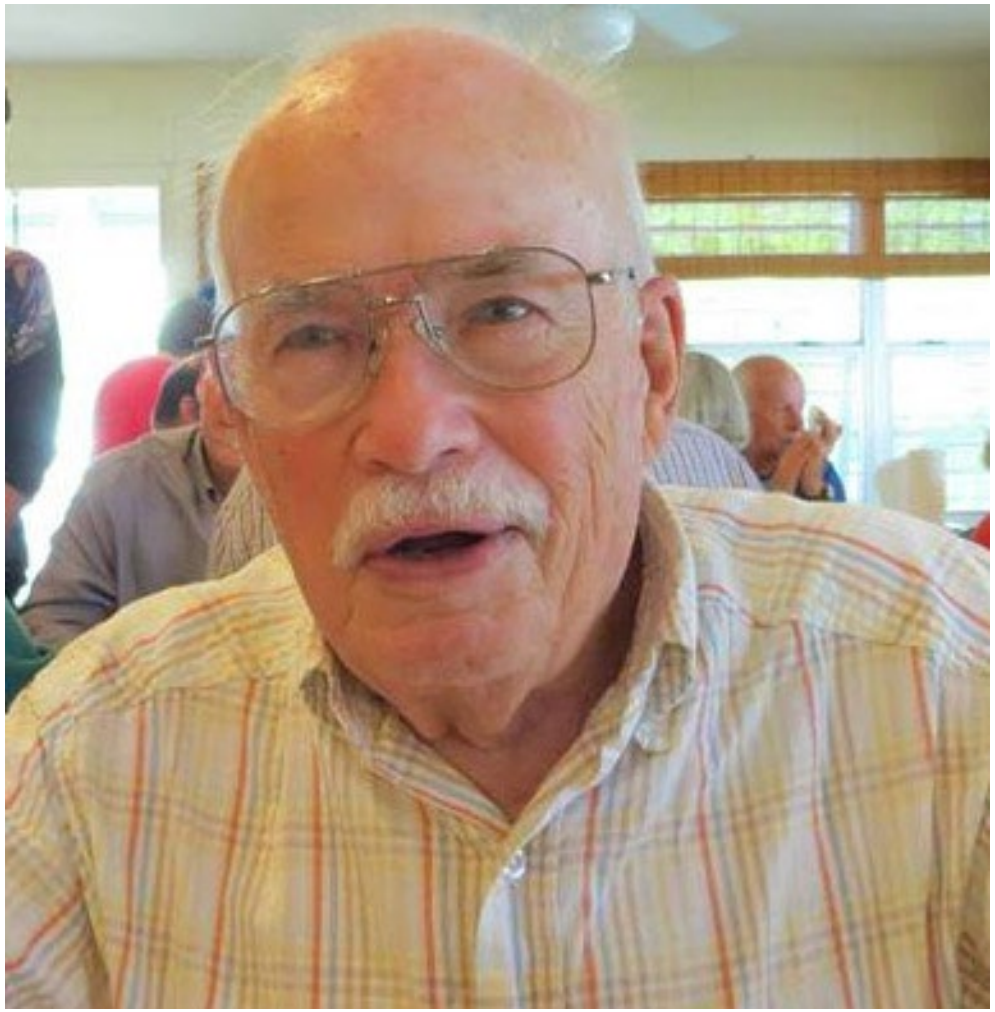
Welcome to school in 1872

VOLUSIA COUNTY'S FIRST SCHOOL


MUSEUM



Dorothy “Dot” Moore
Located first Turnbull settlers
home site.



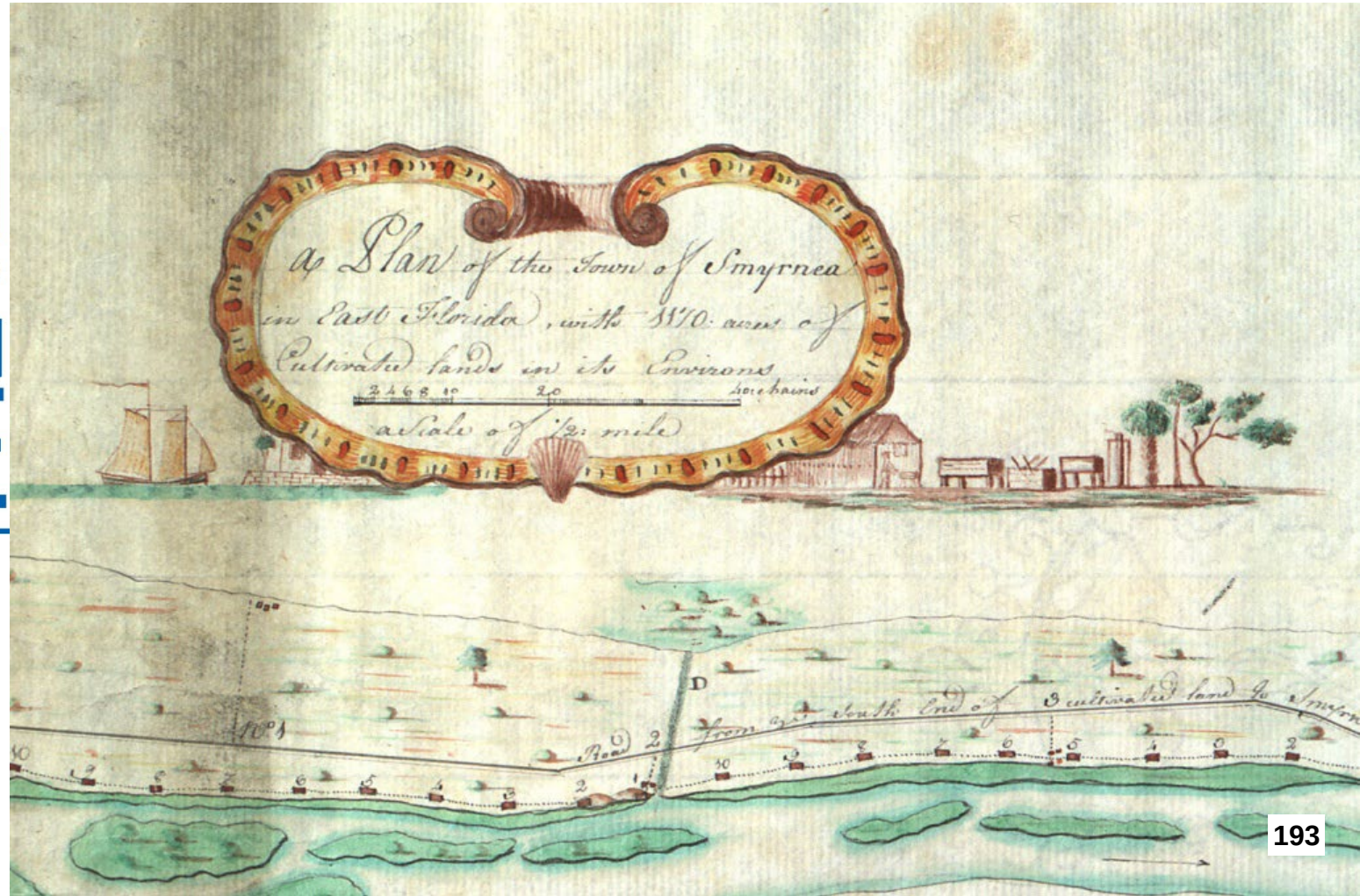
Dr. Roger Grange
Professor Emeritus
University of South Florida
Anthropology Department

Dundee City Council

www.dundeecity.gov.uk

CHANGING FOR THE FUTURE

2003 Duncan Archives share Turnbull's handwritten letter and maps to Sir William Duncan.



The New Smyrna Settlement

The British Settlement of Smyrnéa






First Spanish Period
1512-1763
Pre-History







Today & Looking Forward









YouTube

NEW SMYRNA MUSEUM OF HISTORY

Featured Content

The Florida East Coast Railway in New Smyrna
Episode 1 – the Early Years of Steam
Episode 2 – the Modern Era of Diesel
Tracking History, New Smyrna's First Railway
Old Days / Old Ways 3-part series w/ Lois Tipton
A Walk Down Canal Street – 1960s

Veteran's History Project



20 Episodes

Museum Programs
18 Episodes

Archaeology Works
6 Episodes

New Smyrna Beach Hi-Lights
10 Episodes



Collection Digitization work ongoing.

Working with city contract archaeologist working on Old Fort Park site.

Continue to capture veteran's interviews, 20 submitted to Library of congress 25 captured.

Developing video project on the past, present & future of our museum building.

Video Vault series and continued YouTube Channel development.

Expansion of museum programming to attract younger families as members and visitors.

Museum renovation and gallery update planning.

Applied for our first Florida State Cultural Programming Grant & Private Foundation Grant

Thursday, October 12
@ 6:30 PM

New Smyrna Museum of History 120 Sams Ave.,
New Smyrna Beach FL 32168



U-Boats, Orange Groves, and Saboteurs, Florida in WW2

Join us as Ryan Lowry with Patriot Preservation LLC shares the story of how Florida was impacted by World War 2.

PATRIOT PRESERVATION



“Living the Dream, New Smyrna Beach Florida”
Presented by author Cathy Rose Rader

Matinee Program Wednesday, October 25th @ 2PM

Join us for this special program with author Cathy Rader as she shares stories about her popular coffee table book, “Living the Dream, New Smyrna Beach”. Learn about the inspiration, the artists who contributed, and the journey that brought this wonderful time-capsule of our local area into existence.

Night at the Museum

Saturday, October 28, 2023 • 5:30 - 9:00 PM

Edward Jones®
MAKING SENSE OF INVESTING
Robert Alonzo

551 E. 3rd Ave.
New Smyrna Beach
FL 32169
386-409-2104



SoNapa Grille
Taste-Toast-Together

SAXMAN FUQUA

New Smyrna Beach Brewing Co.

COLT'S PIG STAND
EST. 2006







HIKING THROUGH HISTORY

Retracing a Minorcan Odyssey with Ryan Brennan

Thursday, November 9th @ 6:30PM

Join us as Ryan shares his inspiration and experiences from his first walk to St. Augustine and what he hopes to accomplish as he moves forward with a short documentary film project to capture the story of New Smyrna's Minorcan Coummunity.as they escaped to St. Augustine over 250 years ago.


NEW SMYRNA
MUSEUM
OF HISTORY

Historic Preservation Commission Special Meeting
Wednesday, October 11, 2023, at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the special meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, October 11, 2023, at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Chair Mahood called the meeting to order at 5:30 PM.

Roll Call

Attendee Name	Title	Status	Arrived
Katherine Kaufman	Member	Absent	5:30 PM
Stephanie Rees	Vice Chairperson	Absent	5:30 PM
Douglas Toth	Member	Present	5:30 PM
Terry Bledsoe	Member	Present	5:30 PM
Angeline Barretta-Herman	Member	Present	5:30 PM
Lianne Bennett	Member	Absent	5:30 PM
Joanna Mahood	Chairperson	Present	5:30 PM

Also present were: Senior Planner Robert Mathen, Assistant City Attorney Shey McCurdy, and Board Secretary Stephanie Ferrara.

2. APPROVAL OF MINUTES

None.

3. PUBLIC PARTICIPATION

None.

4. NEW BUSINESS

DRAFT

4.A Partnership with "Friends of NSB Parks" to memorialize and beautify Watch and Warn Monument at Columbus Ave Park

David Ray, the Director of Maintenance Operation, outlined his request to recommend approval to City Commission for a beautification project at the Watch and Warn Monument at Columbus Avenue Park.

Member Barretta-Herman inquired about the expense for maintenance.

Mr. Ray stated that the estimated cost for maintenance would be $5-$7,000. He further stated that this is within his budget for the year.

Chair Mahood commented about the need for the monument to be cleaned and refurbished.

Sharon Adams, Friends of NSB Parks, spoke about the current proposal which included a new fence and landscaping. Ms. Adams commented about refurbishing the monument.

Member Bledsoe commented about the name of the park "Watch and Warn". Mr. Ray stated that it will likely remain and not change.

Chair Mahood opened the meeting for Public Participation. As no citizens wished to speak, Chair Mahood closed Public Participation.

Chair Mahood asked the Board if they had any additional questions or comments.

Motion:
Member Bledsoe moved to recommend approval to City Commission, as submitted and in addition, cleaning/refurbishing the monument and landscaping the area of the monument. Member Barretta-Herman seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Bledsoe
SECONDER:	Barretta-Herman
AYES:	Toth, Bledsoe, Barretta-Herman, Mahood

5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

None.

6. REPORTS AND COMMUNICATIONS BY THE STAFF

None.

7. ADJOURNMENT

As there was no other business to discuss, Chair Mahood declared the meeting adjourned at 5:53 P.M.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

VS-1-23: REVIEW A REQUEST, TO DESIGNATE AN EXISTING POLE SIGN AS A VINTAGE SIGN ON PROPERTY LOCATED AT1103 NORTH DIXIE FREEWAY.

December 13, 2023

Background:

Applicant: Chris Pappas, P. O. Box 1946, New Smyrna Beach, Florida 32170

Property Owner: Chris Pappas Trust, Chris Pappas Rev Living Trust, Soula Pappas Trust, Soula Pappas Rev Living Trust, P. O. Box 1946, New Smyrna Beach, Florida 32170

Request: Approval of an existing pole sign to be designated as a Vintage Sign.

Subject Area: The subject property contains approximately 0.40 ± acres, is zoned B-3, Highway Service Business District, and is generally located on the east side of North Dixie Freeway, north of Turnbull Bay Road.

Tax ID #: 7438-11-00-0100

Findings:

Exhibits used for this report:

Exhibit A: Location Map

Exhibit B: Aerial Map

Exhibit C: Letter of Request

Exhibit D: Current Site Photo

Exhibit E: Original 1991 Sign Permit

Exhibit F: 2023 Sign Permit Application

Exhibit G: Old Business Flyer

Exhibit H: Applicant Provided Sign Photos

Exhibit I: Replacement Sign Drawings

The subject property has a one (1) story commercial building containing a restaurant constructed around 1965 per the Volusia County Property Appraisers website. The building is not a contributing structure and is not located in one (1) of the City's two (2) national registered historic districts.

This application is not for the building, but the existing pole sign located in front of the restaurant. The pole sign has been in its current location since 1991. This year the sign needed some repair, and an electric permit was obtained by the sign company. The sign company had to remove the sign cabinet and had to refurbish or restored and reinstalled. A Vintage Sign is "Any sign 30 years or older that is designated as such by the Historic New Smyrna Beach Preservation Commission."

The Sign company did re-install the sign cabinet on the pole and then applied for a building permit for the sign itself. That permit has not been issued based on the outcome of this request.

In the 1950's, sign makers began using plastic materials in sign construction on a regular basis. By the 1960's signs were commonly produced with combinations of neon and plastic. By the 1970's backlit plastic signs had become a standard. These signs were lighter, easier, and cheaper to produce. Plexiglas was a shatterproof acrylic material that was developed after World War II.

Plastic face signs were not as highly valued as neon signs. Many wonderful one-of-a -kind plastic faced signs have been cast aside by business owners who believed they were not worth repairing or replacing with a similar sign. Older plastic faced signs are disappearing at a faster rate than heavier neon signs. In addition, many mid-century plastic panels have become brittle and often shatter during removal.

The new and improved Pappas Restaurant drive-in pole sign combines the use of a mid-century plastic faced style pole sign with the use of neon on the edges. The replacement sign cabinet has been constructed to resemble the original sign, but does meet the current Florida Building Code including the wind code.

Under the City Land Development Regulation 205.00, Sign Regulations Definitions: Vintage Sign, “Any sign 30 years old or older that is designated as such by the Historic New Smyrna Beach Preservation Commission.” This regulation was adopted under Ordinance number 108-11. Under the Land Development Regulation 604.12.F.(10), “Vintage Signs that do not comply with the sign regulations outlined in this section may be removed and replaced, provided approval is obtained from the Historic New Smyrna Beach Preservation Commission.” This regulation was adopted under Ordinance number 33-18.

Currently the City Land Development Regulation 604.12.H requires that all commercial private pole sign must be removed by November 29, 2024, and no new pole sign permits can be issued. Ordinance number 108-11 was adopted November 29, 2011. The applicant has requested that his pole sign be deemed a vintage sign by this Commission so the pole sign would not have to be removed.

Vintage signs delight us with designs and connections to the past. They bear witness to a time when nearly all businesses were mom and pop stores. Each business would have a sign that were unique works of art and craftmanship. Years past, American streets, specially US-1, by night were magical wonderlands of light, color, and movement.

Today, most downtowns have been stripped of these signs. However, even in the smallest of towns there are usually a few old signs that still cling to their past, despite the modernization and changes of signs.,

Recommendation

After reviewing this application and doing research from books like “Vintage Signs of America”, written by Debra Jane Seltzer, and the website Roadside Architecture, the Planning Department has concluded that this sign, even though it has been retrofitted by a professional sign company, and all parts of the sign may not be 30 years old or older, still resembles sign designs from the past. The Planning Department recommends the Historic New Smyrna Beach Preservation Commission designate the pole sign located at 1103 North Dixie Freeway, known as Pappas Drive-In Restaurant pole sign, as a Vintage Sign thus saving this pole sign for future generations to enjoy.

Fiscal Analysis:
N/A

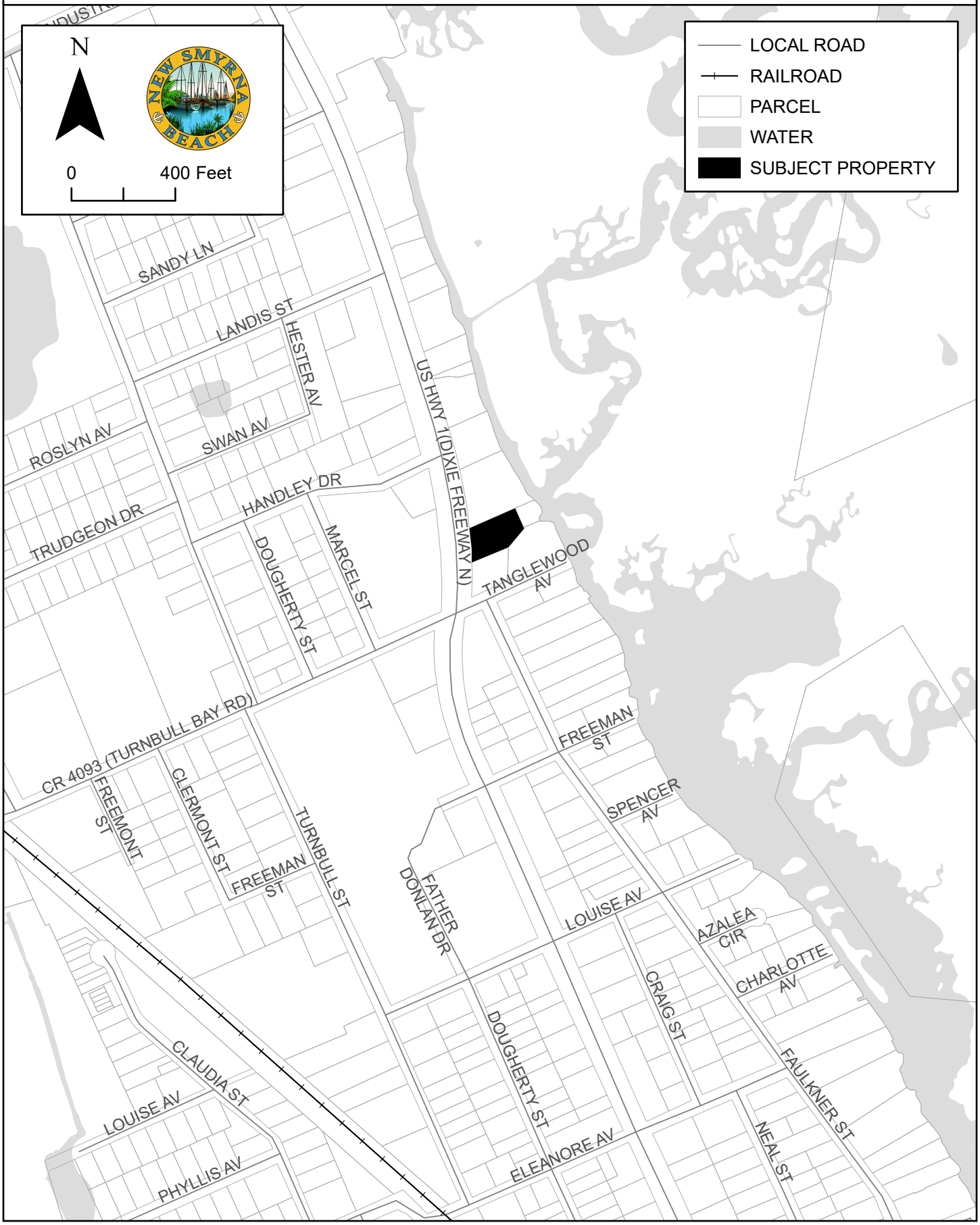
Strategic Plan Item:
No

Staff Report Created By: Robert Mathen - Planner II

Attachments:

VS-1-23 Exhibit A Location Map.pdf
VS-1-23 Exhibit B Aerial Map.pdf
VS-1-23 Exhibit C Letter of Request.pdf
VS-1-23 Exhibit D Current Photos.pdf
VS-1-23 Exhibit E Original 1991 Sign Permit.pdf
VS-1-23 Exhibit F Current Building Permit Application.pdf
VS-1-23 Exhibit G Old Business Flyer.pdf
VS-1-23 Exhibit H Applicant Provided Site Photos.pdf
VS-1-23 Exhibit I Replacement Sign Drawings.pdf

VS-1-23: 1103 NORTH DIXIE FREEWAY
PARCEL: 7438-11-00-0100 LOCATION MAP



VS-1-23: 1103 NORTH DIXIE FREEWAY
PARCEL: 7438-11-00-0100 AERIAL MAP



EXHIBIT C

Pappas Enterprises, Inc.

Pappas Plaza Atlantic Plaza 612 Professional Plaza

PO Box 1946 New Smyrna Beach, FL 32170
Office: 386.409.0505 Cell: 386.314.4727

October 16, 2023

This letter is written to the New Smyrna Beach Preservation Commission to request that the Pappas Drive In Restaurant Sign be designated a Vintage Sign in accordance with the following criteria:

1. The Pappas Drive In Restaurant Sign was updated and installed in 1991.

2. The sign is in good working condition; taken apart for repairs, keeping the same integral parts and design after Hurricane Ian.

3. The sign is unique and originally associated with a New Smyrna Beach Local Business: Pappas Drive In Restaurant.

In 1973, Chris Pappas bought Draper's Restaurant at 1103 N. Dixie Freeway, New Smyrna Beach, FL 32168. The name was changed to Pappas Drive In Restaurant. The existing Famous Burger sign was kept in place.

The first remodeling of the restaurant took place in 1976, which transformed it from an eight stool, 2 table restaurant to a 42 seat capacity level. The second expansion took place in 1982 which increased the restaurant to a 92 seating capacity.

In 1991 the Famous Burger sign was changed to a new updated Pappas Drive In neon sign, which in turn led to even more of a significant presence for the New Smyrna Beach area. The sign improved visibility for the hometown restaurant. Locals and tourists visiting New Smyrna Beach Florida from across the United States continue to associate Pappas Drive In Restaurant with New Smyrna Beach Florida.

The sign has retained its character defining features that have historical significance to the overall design. This sign is uniquely associated with Pappas Drive In Restaurant, a local New Smyrna Beach Restaurant for over 50 years.

EXHIBIT D


PAPPAS
DRIVE IN
Breakfast, Lunch & Dinner
FAMOUS BURGERS
Curb Service
OPEN 7 DAYS 6A -9P
WELCOME
BIKERS
CURB
Service
pepsi


PAPPAS
DRIVE IN
Breakfast, Lunch & Dinner
FAMOUS BURGERS
Curb Service
OPEN 7 DAYS 6A -9P
WELCOME
BIKERS

EXHIBIT E

CITY OF NEW SMYRNA BEACH, FL
BUILDING PERMIT

PERMIT # 18336

DATE 6/10/91

RECEIPT NUMBER

JOB ADDRESS 1203 N DIXIE TAX PARCEL NUMBER

JOB NAME TAPPAS DRIVE IN

OWNERS NAME CHRIS TAPPAS PHONE

ADDRESS: STREET CITY STATE ZIP

FEE SIMPLE TITLEHOLDERS NAME
(IF OTHER THAN OWNER)

ADDRESS: STREET CITY STATE ZIP

CONTRACTORS NAME DON BELL SIGNS STATE LIC.# PHONE

ADDRESS: STREET 365 OAK PLACE CITY FORT ORANGE STATE ZIP

BONDING COMPANY

ADDRESS: STREET CITY STATE ZIP

ARCHITECT/ENGINEERS NAME STATE LIC.# PHONE

ADDRESS: STREET CITY STATE ZIP

MORTGAGE LENDERS NAME

ADDRESS: STREET CITY STATE ZIP

BUILDING

NEW ADDITION REMODEL OTHER 98.325

RESIDENTIAL # OF UNITS # OF STORIES SQ. FT. LIVING SQ. FT. OTHER TOTAL SQ. FT.

COMMERCIAL # OF UNITS # OF STORIES TOTAL SQ. FT.

ESTIMATED CONSTRUCTION COST $ 1,500 BUILDING PERMIT FEE $ 23.80

10 JUN 1991 CITY OF NEW SMYRNA BEACH PAGE 1
210 SAMS AVENUE2
NEW SMYRNA BEACH, FLORIDA 32168

Received:
From: DON BELL & COMPANY
Dust: Ref#:

Receipt#: 25642
RCP-DATE: 06-10-91
By.....: FS
DRW: 002-8

CODE	CODE-DESCRIPTION	RECEIPT-DESCRIPTION	RCP-AMOUNT
SP	SIGN PERMITS	18336	23.80

CK: 3287 23.80

TOTAL-DUE..: 23.80
TENDERED...: 23.80
CHANGE.....: 0.00

C.

TOTAL GAS FEE $

STATE RADON .01 PER SQ. FT. $ .80

TOTAL FEE $ 23

GENERAL DESCRIPTION OF WORK BEING DONE Remove 1 Sign

ELECTRICAL CONTRACTOR _____ STATE LIC. # _____

EW _____ ADDITION _____ REMODEL _____ OTHER _____

EW RESIDENTIAL # OF UNITS _____ X _____ PER UNIT = FEE $_____

ERVICE SIZE _____ X .50 PER AMP = _____ $_____

NO. SUB PANELS X $10.00 = _____ $_____

ADDITIONS & REMODELING-# INSPECTIONS REQUIRED _____ X $10.00 = _____ $_____

MISCELLANEOUS _____ PERMIT FEE $20.00 $_____

TOTAL ELECTRICAL FEE $_____

MECHANICAL CONTRACTOR _____ STATE LIC. # _____

NEW _____ ADD ON _____ REPAIR _____

AIR CONDITION TONS _____ EER _____ COP _____ HEAT-GAS _____ ELECT. _____

KW _____ OIL _____ BTU/HR _____ TOTAL COST $_____

MAKE & MODEL _____ FEE $ _____ PERMIT FEE $20.00 $_____

TOTAL MECHANICAL FEE $ _____

GAS CONTRACTOR _____ STATE LIC. # _____

FIRST APPLIANCE _____ $10.00 $_____

OF ADDITIONAL GAS APPLIANCES _____ X $ 3.00 $_____

PERMIT FEE $20.00 $_____

TOTAL GAS FEE $_____

STATE RADON .01 PER SQ. FT. $ 23.80

TOTAL FEE $ 23

GENERAL DESCRIPTION OF WORK BEING DONE Remove old sign & 30 sq ft Advertising face sign replace with new 30 sq ft Advertising face & 10 sq ft changeable copy

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuanc of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit ma be required for ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS, and AIR CONDITIONERS, FENCES, ETC OWNERS AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating constructic and zoning.

WARNING TO OWNERS: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS T YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTIC OF COMMENCEMENT.

SIGNATURE _____ OWNER OR AGENT

DATE _____

NOTARY AS TO OWNER OR AGENT _____

MY COMMISSION EXPIRES _____

APPLICATION APPROVED BY _____

SIGNATURE _____ CONTRACTOR

DATE 6/10/99

NOTARY AS TO CONTRACTOR _____

MY COMMISSION EXPIRES _____

BUILDING OFFICIAL _____

Date Submitted 3/26/91

CITY OF NEW SMYRNA BEACH, FLORIDA
CERTIFICATE OF ZONING

BUILDING OR RESIDENCE INFORMATION:

Property Owner: CHRIS PAPPAS Phone: 904-427-0633

Property Address: 1103 N. DIXIE FREEWAY N.S.BCH, FL 32168

Check One: ( ) Residential (X) Business ( ) Industrial ( ) Other

City Location:

(Example: East side of Magnolia between Second & Third)

Name of Business: PAPPAS DRIVE IN - Rest -

APPLICANT INFORMATION:

Name: CHRIS PAPPAS

Address: 18 FAIRGREEN AV N.S.BCH FL

REQUIRED ZONING:

Zoning District: B-3 Setbacks: Front Side Rear Side/Corner

Reason for Permit: New SIGN - Replacement for existing pole sign. current number of signs is less than 3. approx square footage of SIGN is 78 ft. This sign will be placed in the same location as the existing pole sign.

COMMERCIAL OR INDUSTRIAL BUILDING CHANGE IN USE:

Previous Use: Proposed Use:

PLOT PLAN

Street Name .
Depth of Lot feet.

Front Lot Line feet.
Street Name

SEE ATTACHED

Street Name .

The above information is true and correct to the best of my knowledge

Depth of Lot _____ feet.

Street Name _____ Front Lot Line _____ feet.

SEE ATTACHED

Street Name _____.

The above information is true and correct to the best of my knowledge.

Applicant Signature _____ Date 3/26/91

A certificate of zoning is hereby issued confirming that said use conforms with City zoning regulations.

Zoning Technician _____ Date 3/26/91

White Copy - Planning and Zoning Department
Yellow Copy - Present to Building Department
Pink Copy - Retained by Applicant

Revised November 12, 1987

DON BELL AND COMPANY
CREATIVE SIGNAGE
365 Oak Place, Port Orange, Florida 32127

Buyer: Pappas Restaurant Date: 5-13-91
Street/P.O. Box: 1103 North Dixie Freeway
City, State: New Smyrna Beach, FL. Zip: 32168
JOB NAME:
Address:
City, State: Zip:

PROPOSAL / CONTRACT

SUPPLY LABOR, MATERIAL & NECESSARY EQUIPMENT TO PERFORM THE FOLLOWING

Fabrication and Installation Of One (1) Double Faced Pylon Sign Per Don Bell & Company Design # 3929 R-7.

Remove Existing Pylon Sign Including Footer

LUMP SUM COMPLETE INCLUDING SALES TAX

063. Allen BBP

THIS PROPOSAL DOES NOT INCLUDE CHANGEABLE COPY LETTERS (UNLESS SPECIFIED ABOVE), DE-ENERGIZING OF OVERHEAD POWER LINES WHERE [illegible] CUSTOMERS OUTSIDE OF FLORIDA ARE RESPONSIBLE FOR PAYMENT OF SALES TAX IN THEIR APPROPRIATE STATE. COSTS INCURRED [illegible] PROPOSAL FOR CONDITIONS ABOVE OR HIDDEN/UNDERGROUND OBSTRUCTIONS WILL BE BILLED ADDITIONAL TO THE AMOUNT OF THIS [illegible] IT IS EXPRESSLY AGREED AND UNDERSTOOD THAT PRIMARY ELECTRIC SERVICE, PHONE LINES AND HOOK UPS ARE THE [illegible] AND THIS CONTRACT BECOMES DUE AND PAYABLE UPON INSTALLATION OF THE SIGN DISPLAY REGARDLESS OF THE EX[illegible] [illegible] HAVE BEEN COMPLETED. IN ADDITION, IF ELECTRICAL AND/OR PHONE SERVICE IS NOT IN PLACE AT TIME OF DISPLAY INSTALLATION, A FEE [illegible] MAY BE CHARGED. CUSTOMER NEEDED SUCH SERVICE IS INSTALLED WITHIN 30 DAYS FROM DATE OF DISPLAY INSTALLATION. IF THIS CONTRACT INCLUDES AN ELECTRONIC MESSAGE CENTER OR TIME AND TEMPERATURE DISPLAY CUSTOMER AGREES TO INSTALL, AT CUSTOMER'S EXPENSE, PRIMARY ELECTRICAL SURGE SUPPRESSION AND DISPLAY [illegible] DEVICES SPECIFIED BY DON BELL & COMPANY.

DON BELL & COMPANY AGREES TO FURNISH LABOR, MATERIALS AND NECESSARY EQUIPMENT COMPLETE IN ACCORDANCE WITH THE ABOVE SPECIFICATIONS AND CUSTOMER APPROVED PRINT # 3929 R-7, WHICH HEREBY BECOMES A PART OF THIS CONTRACT FOR THE PRICE OF $ 11,500.00. THIS PRICE IS / IS NOT (CHECK ONE) INCLUSIVE OF STATE SALES TAX. COST OF [illegible] ADDITIONAL AND WILL BE ADDED TO INVOICE. ALL OVERDUE PAYMENTS SHALL BEAR INTEREST AT 1½% PER MONTH.

DOWN PAYMENT $ 5750.00 (3,000.00 PD); BALANCE UPON INSTALLATION.

Due $ 2750.00

THIS PROPOSAL WILL REMAIN VALID FOR ____ DAYS FROM THIS DATE.

[illegible] warrants this display to be free of defects in material and/or workmanship [illegible] period of 90 days from the installation date, excluding incandescent lamps.

[illegible] installed in a workmanlike manner according to standard practices. Any alteration [illegible] from these specifications involving extra cost will become an extra charge over and above the Agreement to customer. All agreements contingent upon strikes, accidents or delays beyond the control of Don Bell & Company. Our workers are fully covered by compensation insurance. The above sign remains the property of Don Bell & Company, and can be removed from premises by Don Bell & Company unless payment is made in full upon installation. In the event of sign removal due to non payment the Buyer shall pay all costs of removal and the costs of any subsequent reinstallation of said display.

In the event Don Bell & Company shall institute any suit or action for the enforcement of any of the obligations of the customer hereunder, including the payment of damages, customer agrees to pay, in addition to the amounts found due from customer, reasonable attorney's fees and court costs. Venue of any such suit or action shall be in any court in the County of Volusia, State of Florida, having jurisdiction over the subject matter. Both parties hereto waive all rights to change the venue of any action or trial thereof.

THIS CONTRACT SUPERSEDES ANY WRITTEN OR ORAL AGREEMENT NOT EXPRESSLY STIPULATED IN THIS CONTRACT.

In the event the sign display cannot be installed due to any delay for causes beyond the control of Seller, the Contract Price shall become immediately due and payable less the costs of installation. All overdue payments shall bear interest at the rate of 1½% per month.

CONTRACT ACCEPTANCE: The above prices, specifications and conditions are satisfactory and are hereby accepted. Don Bell & Company is hereby authorized to do the work as specified. Payment will be made as outlined herein.

CUSTOMER SIGNATURE ➡ [signature]

Customer Name: ~~Chris Pappas~~

Date 5/16/91 Title OWNER

Personal Guarantee

Salesperson [signature]
Brenda Bell Pettigrew

Accepted By: Allen Williams Don Bell & Company

Date

THIS CONTRACT IS VALID ONLY AFTER ACCEPTANCE BY AN OFFICER OF DON BELL & COMPANY

DON BELL AND COMPANY
CREATIVE SIGNAGE
365 Oak Place, Port Orange, Florida 32127

PROPOSAL / CONTRACT

Buyer: Pappas Drive In Date: 12-4-91
Street/P.O. Box: 1103 North Dixie Freeway
City, State: New Smyrna Beach, FL. Zip: 32168
JOB NAME: Pappas Drive In Restaurant
Address: 1103 North Dixie Freeway
City, State: New Smyrna Beach, FL. Zip: 32168

SUPPLY LABOR, MATERIAL & NECESSARY EQUIPMENT TO PERFORM THE FOLLOWING:

Fabricate and Install 60 Feet Of Aqua Neon Onto Existing Main Pylon Sign.

THIS PROPOSAL DOES NOT INCLUDE CHANGEABLE COPY LETTERS (UNLESS SPECIFIED ABOVE), DE-ENERGIZING OF OVERHEAD POWER LINES WHERE APPLICABLE, **CUSTOMERS OUTSIDE OF FLORIDA ARE RESPONSIBLE FOR PAYMENT OF SALES TAX IN THEIR APPROPRIATE STATE.** COSTS INCURRED AS A RESULT OF ABNORMAL SOIL CONDITIONS ROCK, AND/OR UNDERGROUND OBSTRUCTIONS WILL BE BILLED ADDITIONAL TO THE AMOUNT OF THIS CONTRACT. **ADDITIONALLY, IT IS EXPRESSLY AGREED AND UNDERSTOOD THAT PRIMARY ELECTRIC SERVICE, PHONE LINES AND HOOK UPS ARE THE BUYER'S RESPONSIBILITY AND THE CONTRACT BECOMES DUE AND PAYABLE UPON INSTALLATION OF THE SIGN DISPLAY REGARDLESS OF THE EXISTENCE OF SAME.** IN THE EVENT, HOWEVER, THAT ELECTRICAL AND/OR PHONE SERVICE IS NOT IN PLACE AT TIME OF DISPLAY INSTALLATION, A TEN (10%) PERCENT RETAINAGE MAY BE HELD BY CUSTOMER UNTIL SUCH SERVICE IS INSTALLED. IN NO EVENT MAY SUCH RETAINAGE HOLD BACK EXCEED FORTY-FIVE (45) DAYS FROM DATE OF DISPLAY INSTALLATION. **IF THIS CONTRACT INCLUDES AN ELECTRONIC MESSAGE CENTER OR TIME AND TEMPERATURE DISPLAY CUSTOMER AGREES TO INSTALL, AT CUSTOMER'S EXPENSE, PRIMARY ELECTRICAL SURGE SUPPRESSION AND DISPLAY GROUNDING DEVICES SPECIFIED BY DON BELL & COMPANY.**

SPECIFICATIONS AND CUSTOMER APPROVED PRINT # _____, WHICH HEREBY BECOMES A PART OF THIS CONTRACT
SALE PRICE $ 750.00 THIS PRICE ☐IS ☐IS NOT (CHECK ONE) INCLUSIVE OF STATE SALES TAX
COST OF PERMIT ACQUISITION AND ENGINEERING FEES WILL BE ADDED TO INVOICE. ALL OVERDUE PAYMENTS SHALL BEAR INTEREST AT 1½% PER MONTH.
DOWN PAYMENT $ 375.00 **; BALANCE UPON INSTALLATION.**
THIS PROPOSAL WILL REMAIN VALID FOR _____ DAYS FROM THIS DATE.

Don Bell & Company warrants this display to be free of defects in material and/or workmanship for a period of 90 days from the installation date, excluding incandescent lamps.

All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviation from above specifications involving extra cost will become an extra charge over and above this Agreement to customer. All agreements contingent upon strikes, accidents or delays beyond the control of Don Bell & Company. Our workers are fully covered by workman's compensation insurance. The above sign remains the property of Don Bell & Company and can be removed from premises by Don Bell & Company unless payment is made in full upon installation. In the event of sign removal due to non-payment the Buyer shall pay all costs of removal and the costs of any subsequent reinstallation of said display.

If, for any reason, Don Bell & Company shall institute any suit or action for the enforcement of any of the obligations of the customer hereunder, including the payment of damages, customer agrees to pay, in addition to the amounts found due from customer, reasonable attorney's fees and court costs. Venue of any such suit or action shall be in any court in Volusia County, Florida, having jurisdiction over the subject matter. Both parties hereby waive all rights to change the venue of any action or trial thereof.

THIS CONTRACT SUPERSEDES ANY WRITTEN OR ORAL AGREEMENT NOT EXPRESSLY STIPULATED IN THIS CONTRACT.

In the event the sign display cannot be installed due to any delay for causes beyond the control of Seller the Contract Price shall become immediately due and payable, less the costs of installation. All ovedue payments shall bear interest at the rate of 1½% per month.

CONTRACT ACCEPTANCE: The above prices, specifications and conditions are satisfactc and are hereby accepted. Don Bell & Company is hereby authorized to do the work as specifie Payment will be made as outlined herein.

CUSTOMER SIGNATURE ➡ _____

Customer Name _____

Date _____ Title _____

Personal Guarantee _____

Salesperson _____

Accepted By: Brenda Bell Pettigrew Title _____

Don Bell & Company Contractor #29894

THIS CONTRACT IS VALID ONLY AFTER ACCEPTANCE BY AN OFFICER OF DON BELL & COMPANY

EXHIBIT F

BUILDING PERMIT APPLICATION

☐ Residential 1 and 2 Units (Single Family/Duplex) ☐ Residential 3 or more Units (Multi-family) ☐ Commercial

JOB LOCATION

Parcel/Folio: 743811 000 130

Job Address: 1103 N Dixie Freeway FEMA: BFE: _____ Flood Zone: _____

Owner's Name: Pappas Chris Trust Owner's Address: P.O. Box 1946 NSB, FL 32170

Owner's Phone No: 386-409-0505 Owner's E-Mail: Cpapas39e gmail.com

CONTRACTOR INFORMATION

☒ Contractor ☐ Design Professional ☐ Owner/Builder

License # State Cert/Reg # ES0000146 Qualifier: Cecil J. Ward

Company Name: Don Bell Signs Address: 365 Oak Place Port Orange, FL

Contractor's Phone: 900-824-0080 Fax: 386-763-4728 E-Mail: Mhanson@donbellsigns.com

TYPE OF BUILDING PERMIT

- ☐ Alteration
- ☐ Demolition
- ☐ Door/Window
- ☐ New Construction
- ☐ Addition
- ☐ Fence
- ☐ Tree
- ☐ Pavers
- ☒ Sign
- ☐ Shed
- ☐ Screen Eng.
- ☐ Electrical
- ☐ Plumbing
- ☐ Gas
- ☐ Mechanical
- ☐ Re-roof
- ☐ Solar
- ☐ Pool
- ☐ Shutters
- ☐ Marine
- ☐ Driveway & Patio
- ☐ Miscellaneous _____

TYPE OF FIRE PERMIT

- ☐ Fire Alarm
- ☐ Fire Pumps
- ☐ Fire Sprinkler System
- ☐ Fossil Fuel Storage System
- ☐ Hoods
- ☐ Suppression
- ☐ Spray Booths
- ☐ Tents
- ☐ Underground Fire Line
- ☐ Standpipes

CONSTRUCTION TYPES

- ☐ Non-sprinkler ☐ Sprinkler
- ☐ IA
- ☐ IB
- ☐ IIA
- ☐ IIB
- ☐ IIIA
- ☐ IIIB
- ☐ IVA
- ☐ IVB
- ☐ VA
- ☐ VB

PROJECT INFORMATION

Description of Work: Remove hurricane damaged cabinet, refurbish, & replace.

Project Name: _____ Declared Value: 15,000.00

NEW & ALTERATION WORK AREA – SQ.FT.

Residential: Living: _____ Non-Living: _____

TOTAL SQ. FT. _____

Commercial: Interior: _____ Exterior: _____

TOTAL SQ. FT. _____

SUBCONTRACTORS

	LICENSE #	BUSINESS NAME	LICENSE HOLDER NAME
ELECTRICAL			
MECHANICAL			
PLUMBING			
ROOFING			
SPECIALITY			

NOTICE: UNDER PENALTY OF PERJURY, THE CONTRACTOR IS DECLARING THAT ALL THE INFORMATION CONTAINED IN THIS BUILDING PERMIT APPLICATION IS TRUE AND CORRECT.

SIGN INFORMATION

Describe Type and Size(s) Proposed: _____

Linear Front Footage of Building: ± 50' Distance from Front Property Line: _____ Total Area of Existing On-Site Sign(s): _____

Total Area of Existing Off-Site Sign(s): _____ Total Area of Proposed Sign(s): 84 SF

DEMOLITION INFORMATION		
	By executing your signature below, you verify that the utilities have been disconnected from the referenced structure	
	UTILITY COMMISSION - SEWER DIVISION:_____	DATE: _____
	WATER DIVISION:_____	DATE: _____
	ELECTRIC DIVISION:_____	DATE: _____
	GAS COMPANY: FLORIDA PUBLIC SERVICE:_____	DATE: _____

REQUIRED ACCESS FOR INSPECTIONS NOTICE:

Issuance of this building permit automatically conveys to the City of New Smyrna Beach, and/or its authorized agents, the authority to enter the premises at reasonable hours for the purposes of inspecting the project for adherence to the terms of the permit, until such time as the project is complete **AND** the final inspections are approved.

NOTICE OF COMMENCEMENT INFORMATION:

If the cost of the proposed work has a value of $2,500 or more ($7,500 for HVAC) a Notice of Commencement must be recorded with the Volusia County Clerk of Courts. A copy of the recorded Notice of Commencement must be posted on the job site prior to receiving an inspection.

WARNING TO OWNER: ***YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT***

OWNER'S AFFIDAVIT
OWNER/BUILDER USE ONLY

I CERTIFY THAT ALL THE FOREGOING INFORMATION IS ACCURATE AND THAT ALL WORK WILL BE DONE IN COMPLIANCE WITH LL APPLICABLE LAWS REGULATING CONSTRUCTION AND ZONING.

Florida Statutes, 489.103(7):
State law requires construction to be done by licensed contractors. You have applied for a permit under an exemption to that law. The exemption allows you, as the owner of your property, to act as your own contractor with certain restrictions even though you do not lane a license. You must provide direct, onsite supervision of the construction yourself. You may build or improve a one-family or two-family residence or a farm building. You may also build or improve a commercial building, provided your costs do not exceed $75,000. The building or residence must be for your own use or occupancy. It may not be built or substantially improved for sale or lease. If you sell or lease a building you have built or substantially improved yourself within 1 year after construction is complete, the law will presume that you built or substantially improved it for sale or lease, which is a violation of this exemption. You may not hire an unlicensed person to act as your contractor or to supervise people working on your building. It is your responsibility to make sure that people employed by you have licensed required by state law and by county or municipal licensing ordinances. You may not delegate the responsibility for supervising work to a licensed contractor who is not licensed to perform the work being done. Any person working on your building who is not licensed must work under your direct supervision and must be employed by you, which means that you must deduct F.I.C.A. and withholding tax and provide workers' compensation for that employee, all as prescribed by law. Your construction must comply with all applicable laws, ordinances, building codes, and zoning regulations.

Signature: OWNER/BUILDER _____ DATE 6/6/23

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 6 day of June, 2023.
By Chris Pappas who is personally known to me or who has produced _____ as identification, and who did not take an oath.

Kelly S. Kleis
Notary Public

KELLY S. KLEIS
MY COMMISSION # HH28137
EXPIRES: August 04, 2024

CONTRACTOR/AGENT/OWNER AFFIDAVIT

The undersigned states and affirms that he/she is the owner of the property or has been authorized to act by the owner under the legal description of property to be used for the proposed construction as described, and that, if the owner, the building is for his/her own use and occupancy and is not being built or offered for sale or lease.

Contractor/Agent Signature: _____ Print Name: _____ Date: _____

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this _____ day of _____, 20___.
By _____ who is personally known to me or who has produced _____ as identification, and who did not take an oath.

_____ Notary Public

Building Department
210 Sams Avenue
New Smyrna Beach, Florida 32168
Phone: (386) 424-2141
Fax: (386) 424-2143
www.cityofnsb.com

Notice of Commencement

Form bd-1004

State of Florida
County of Volusia
Tax Parcel Number: 743816000130

Permit No: _____

The UNDERSIGNED hereby gives notice that improvements will be made to certain real property, and in accordance with Chapter 713, Florida Statutes, the following information is provided in this Notice of Commencement.

1. Description of Property: (Legal description of the property, and street address if available)
S 120.5 Ft of W 130 Ft on N/L 134 Ft of W/S 5 E of SR Sub of Todd Hull Grant, per Or 4114 Pg 1642

FOR CLERK'S OFFICE USE ONLY

2. General description of improvements:

3. Owner Information:
   a. Name and Address: Pappas Chris Trust 1163 N. Dixie Fwy
   b. Interest in Property: Owner
   c. Name and Address of Fee Simple Titleholder (if other than owner) NA

4. Contractor:
   a. Name and Address: Dog Ball Signs 365 Cook Place
   b. Phone & Fax Numbers: 386-788-8884 386-763-4728

5. Surety:
   a. Name and Address: _____
   b. Phone & Fax Numbers: _____

6. Lender:
   a. Name and Address: _____
   b. Phone & Fax Numbers: _____

7. Persons within the State of Florida designated by Owner upon whom notices or other documents may serve as provided by Section 713.13(1)(b), Florida Statutes:
   a. Name and Address: _____
   b. Phone & Fax Numbers: _____

8. In addition to himself, Owner designates _____ to receive a copy of the Lienor's Notice as provided in Section 713.13(1)(b). Florida Statutes
   a. Name and Address: _____
   b. Phone & Fax Numbers: _____

9. Expiration date of Notice of Commencement (the expiration date is 1 year from the date of recording unless a different date is specified _____

WARNING TO OWNER: ANY PAYMENTS MADE BY THE OWNER AFTER THE EXPIRATION OF THE NOTICE OF COMMENCEMENT ARE CONSIDERED IMPROPER PAYMENTS UNDER CHAPTER 713, PART 1,SECTION 713.13, FLORIDA STATUTES, AND CAN RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

X _____ Signature of Owner

PAPPAS CHRIS
Print Name of Owner

State of Florida, County of Volusia
Affirmed and subscribed before me this 6 day of June, 2023 by Chris Pappas, who is personally known to me or who has produced _____ (type of ID) as identification.

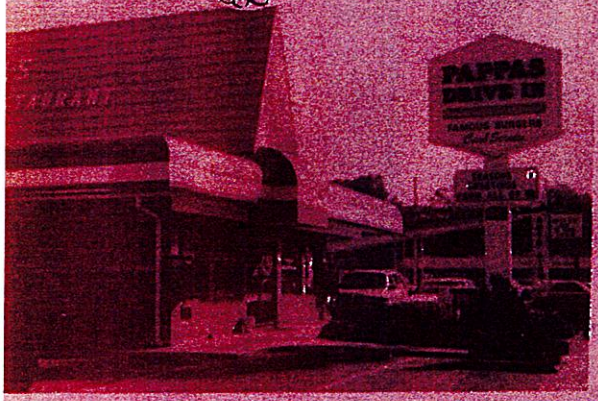
Kelly S. Klees
Signature of Notary Public State of Florida

KELLY S. KLEES
Print, Type or Stamp Name of Notary

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION # HH28137
EXPIRES: August 04, 2024

EXHIBIT G

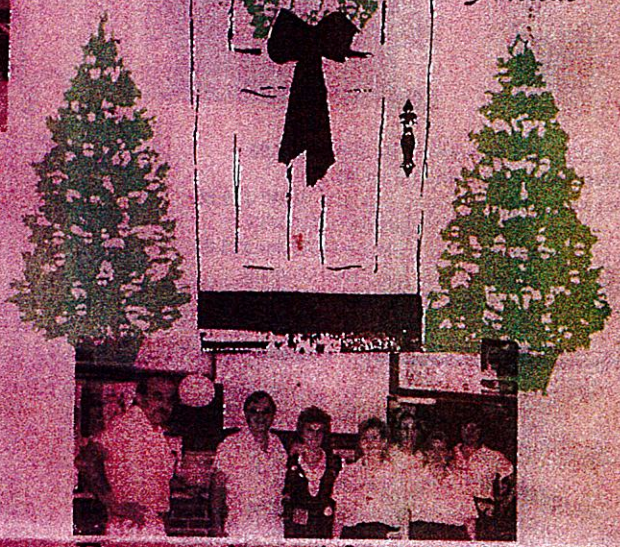




Through this door pass the finest people in the world

our Customers

our Friends



All of Us at

PAPPAS DRIVE-IN N.A. RESTAURANT

Join in wishing you a Happy Holiday

and a New Year

filled with Health, Happiness

and Prosperity



For service with a smile, good food, and fresh brewed coffee, this holiday season or anytime, head to New Smyrna Beach landmark Pappas restaurant. Chris Pappas, his wife Soula, and brother Steve have offered New Smyrna Beach good workers, great homemade food, and a clean attractive family atmosphere since 1973. Pappas is the perfect spot to stop and talk with friends, or take advantage of their curb service and take-out is available. Pappas and their "Famous Burger" has expanded operations five times due to the popularity of their homestyle cooking. Stop in for breakfast, lunch or dinner, seven days a week. Pappas is conveniently located on U. S. 1, 1103 North Dixie Freeway. Look for their famous red roof.

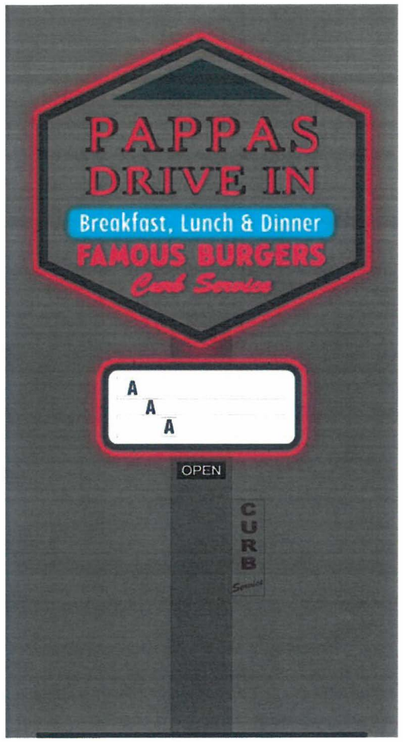
EXHIBIT H


PAPPAS
DRIVE IN & RESTAURANT
PAPPAS
DRIVE IN


PAPPAS
DRIVE IN
FAMOUS BURGERS
Curb Service
EARLY BIRD SPC
FREE DESSERT
4 TO 630
Open
CURB
PAPPAS
RESTAURANT
1103
pepsi

Scope of Work:

Don Bell Signs to fabricate & install:
(2) new internally illuminated D/F cabinets on to existing 12" pipe & pylon cover as specified.



Simulated Nightview: NTS

COLOR SCHEDULE

Blue	Red	Lt Gray
PMS 299	PMS 186	*(TBD)*

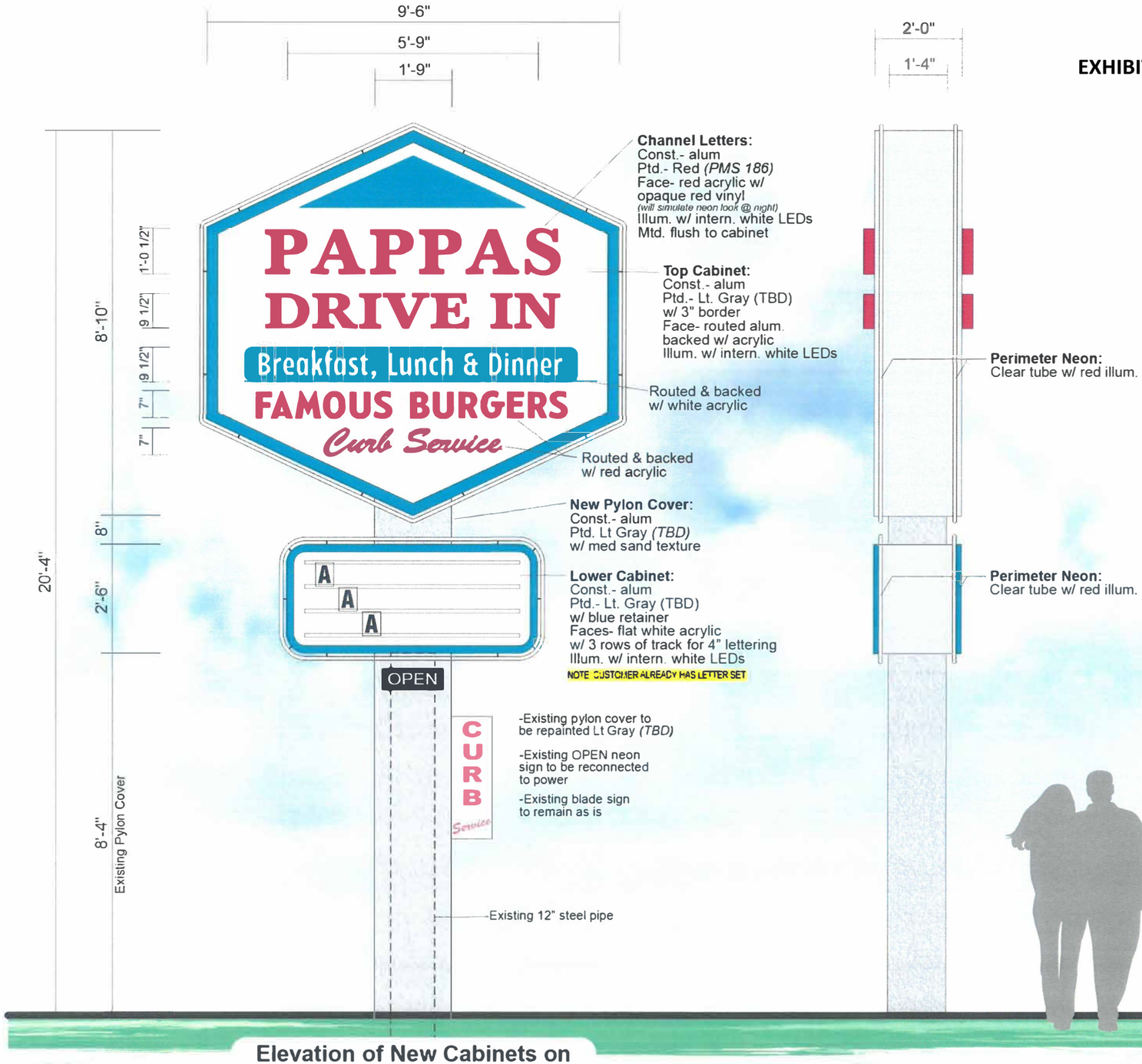
Note: *The color on your computer screen or printer output may vary. Please consult the specifications in this drawing and proper color guide for accurate color depiction.*

All signage to be installed in compliance with National Electrical Code - NEC 2017.

All signage to be constructed and installed with ETL standards.

Electrical Requirements: (__) 20 amp circuit(s) @ 120v

PRIMARY ELECTRIC BY OTHERS



Elevation of New Cabinets on Existing Pipe & Pylon Cover

(1) Req'd Scale:⅜"=1'

EXHIBIT I

PAPPAS DRIVE IN

DESIGN #: 2200748
DATE: 01.12.23
DRAWN BY: Andrew

Revisions / Date / Initials

ETL Acct. #115459
UL 48 Listed Signage
All Sign Components shall be UL listed and Recognized in the SAM Manual
All Wiring shall be at least 90° C rated

ACCOUNT #115459

☐ 120 Volt
☐ 277 Volt

SHEET 1

ACCOUNT: Pappas Drive In
STREET: 1103 N Dixie Freeway
CITY: New Smyrna STATE: FL
SALES REP: Jim Wetherell
SCALE: As Noted
FILE NAME:
PROGRAM: CorelDRAW
FONTS USED:
CUSTOMER APPROVAL: DATE:

Note: Primary power & signage lighting control by others. The primary power must be located within 5' of applicable signs installation location.

All penetrations to have bushings

PRIMARY ELECTRIC BY OTHERS

This design (except registered or existing trademarks) is the property of DON BELL SIGNS LLC and shall not be reproduced or copied in whole or in part without the written permission of the above named owner.

DON BELL SIGNS LLC
365 OAK PLACE
PORT ORANGE, FL 32127
386-788-8084
800-824-0080

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

VS-2-23: REVIEW A REQUEST, TO DESIGNATE AN EXISTING POLE SIGN AS A VINTAGE SIGN ON PROPERTY LOCATED AT 1115 NORTH DIXIE FREEWAY.

December 13, 2023

Background:

Applicant: Chris Pappas, P. O. Box 1946, New Smyrna Beach, Florida 32170

Property Owner: Chris Pappas Trust, Chris Pappas Rev Living Trust, Soula Pappas Trust, Soula Pappas Rev Living Trust, P. O. Box 1946, New Smyrna Beach, Florida 32170

Request: Approval of an existing pole sign to be designated as a Vintage Sign.

Subject Area: The subject property contains approximately 1.2 ± acres, is zoned B-3, Highway Service Business District, and is generally located on the east side of North Dixie Freeway, north of Turnbull Bay Road.

Tax ID #: 7438-01-00-0010

Findings:

Exhibits used for this report:

Exhibit A: Location Map

Exhibit B: Aerial Map

Exhibit C: Letter of Request

Exhibit D: Letter to Commission

Exhibit E: Applicant Site Photo

Exhibit F: Original 1984 Sign Plan

Exhibit G: Old News Article

Exhibit H: Greek Column Examples

The subject property has a one (1) story commercial building containing a commercial shopping center that was constructed around 1986 per the Volusia County Property Appraisers website. The building is not a contributing structure and is not located in one (1) of the City's two (2) national registered historic districts.

This application is not for the building, but the existing Greek influenced pole sign located in front of the commercial shopping center. The pole sign has been in its current location since 1986. A Vintage Sign is "Any sign 30 years or older that is designated as such by the Historic New Smyrna Beach Preservation Commission." This sign is approximately 37 years old.

The pole sign is a one-of-a-kind sign as it was designed after the Greek heritage of Mr. Pappas. The Greek Influences can be seen with the triangle top that includes historic Greek illustrations. There are three (3) styles of Greek columns. The Doric order, Ionic order, and the Corinthian order. The three (3) columns on this sign seem to represent the Corinthian Order. The Corinthian order style tended to be slender and elegant. The most striking element of the Corinthian order was its very decorative capital with a design of scrolls and leaves.

Mr. Pappas has supplied a letter of request, supplying the age and some history of the sign. He also supplied a letter listing his civic accomplishments in New Smyrna Beach. An old news article showing the grand opening of the shopping center has also been submitted.

Under the City Land Development Regulation 205.00, Sign Regulations Definitions: Vintage Sign, "Any sign 30 years old or older that is designated as such by the Historic New Smyrna Beach Preservation Commission." Under the Land Development Regulation 604.12.F.(10), "Vintage Signs that do not comply with the sign regulations outlined in this section may be removed and replaced, provided approval is obtained from the Historic New Smyrna Beach Preservation Commission." This regulation was adopted under Ordinance number 33-18.

Currently the City Land Development Regulation 604.12.H requires that all commercial private pole sign must be removed by November 29, 2024, and currently, no new pole sign permits can be issued. The applicant has requested that his pole sign be designated as a vintage sign by this Commission so the pole sign would not have to be removed in

2024.

Vintage signs delight us with designs and connections to the past. They bear witness to a time when nearly all businesses were mom and pop stores. Each business would have a sign that was unique works of art and craftmanship. Years past, American streets, specially US-1, by night were magical wonderlands of light and color.

Today, most downtowns have been stripped of these signs. However, even in the smallest of towns there are usually a few old signs that still cling to their past, despite the modernization and changes of signs.

Recommendation

After reviewing this application and doing research from books like “Vintage Signs of America”, written by Debra Jane Seltzer, and the website Roadside Architecture, the Planning Department has concluded that this sign, still reminds us of signs from the past and meets the criteria of being 30 years or older. The Planning Department recommends the Historic New Smyrna Beach Preservation Commission, designate the Greek style triple pole sign located at 1115 North Dixie Freeway, known as Pappas Plaza pole sign, as a Vintage Sign thus saving this pole sign for future generations to enjoy.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

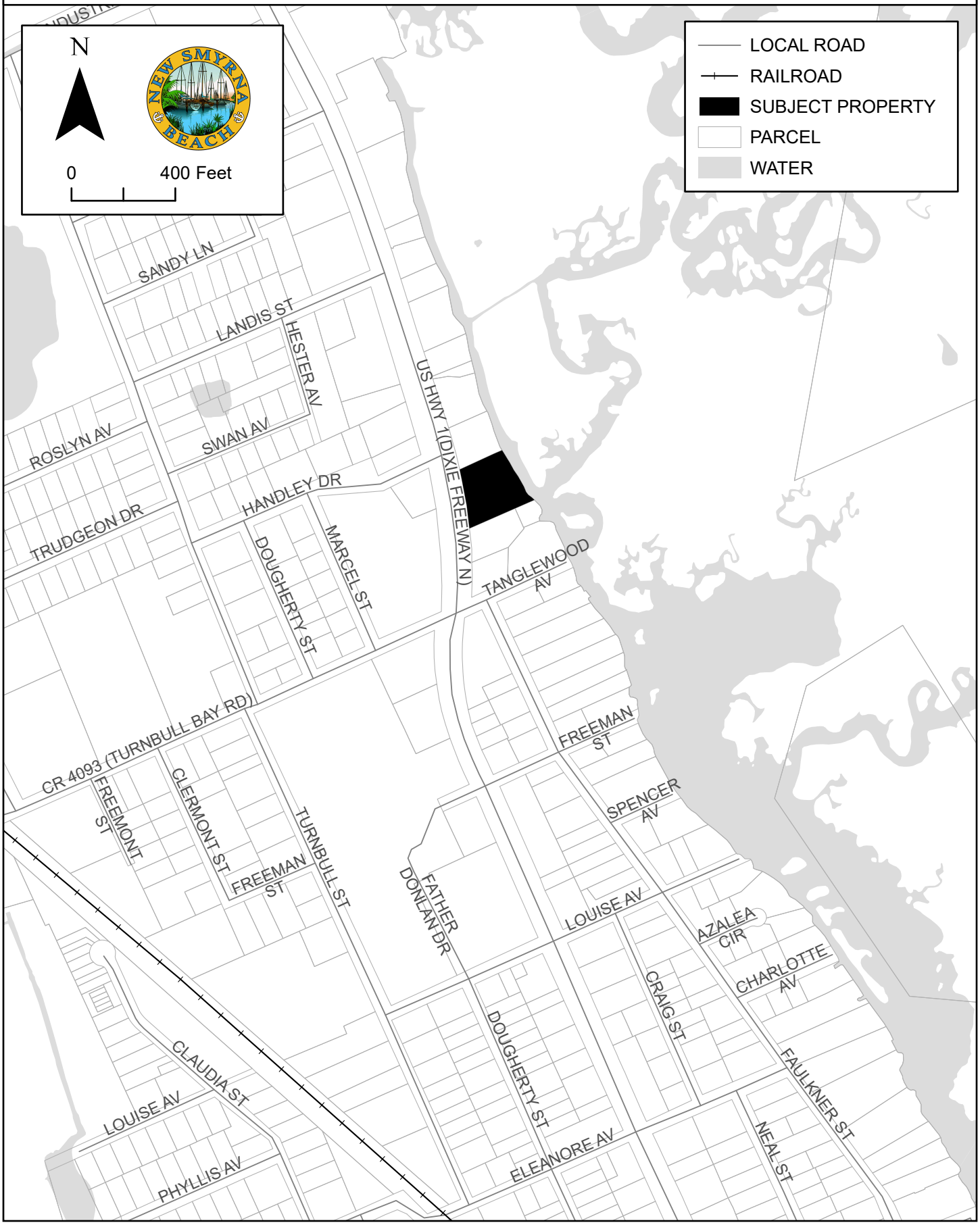
Staff Report Created By: Robert Mathen - Planner II

Attachments:

VS-2-23 Exhibit A Location Map.pdf
VS-2-23 Exhibit B Aerial Map.pdf
VS-2-23 Exhibit C Letter of Request.pdf
VS-2-23 Exhibit D Letter to Commissioners.pdf
VS-2-23 Exhibit E Applicant Site Photo.pdf
VS-2-23 Exhibit F Original 1984 Sign Plan.pdf
VS-2-23 Exhibit G Old News Article.pdf
VS-2-23 Exhibit H Greek Columns.pdf

EXHIBIT A

VS-2-23: 1115 NORTH DIXIE FREEWAY
PARCEL: 7438-01-00-0010 LOCATION MAP



VS-2-23: 1115 NORTH DIXIE FREEWAY
PARCEL: 7438-01-00-0010 AERIAL MAP



EXHIBIT C

Pappas Enterprises, Inc.

Pappas Plaza Atlantic Plaza 612 Professional Plaza

PO Box 1946 New Smyrna Beach, FL 32170
Office: 386.409.0505 Cell: 386.314.4727

October 16, 2023

This letter is written to the New Smyrna Beach Preservation Commission to request that the Pappas Plaza Sign be designated as a Vintage Sign in accordance with the following criteria:

1. The Pappas Plaza was built in 1985 by Chris and Soula Pappas.

2. The sign is in good working condition.

3. The sign is uniquely associated with a New Smyrna Beach Local Business: Pappas Plaza.

In 1985, Chris and Soula Pappas broke ground at 1145 N. Dixie Freeway, New Smyrna Beach Florida 32168 to build Pappas Plaza, a new retail plaza featuring 14 specialty shops owned and operated by local small business owners.The Plaza is next door to Pappas Drive In Restaurant, which they have owned since 1973.

Through the development of Pappas Plaza, they brought increased revenue to the City of New Smyrna Beach, along with increased employment opportunities for local residents. The Pappas Plaza Sign at this property is similar in style to the sign for the Pappas Drive In Restaurant. Both signs exhibit a unique design that encompasses their Greek Heritage.

This sign is over 30 years old and has become known as a signature look for the Pappas's businesses in the New Smyrna Beach area.

EXHIBIT D

Pappas Enterprises, Inc.

Pappas Plaza Atlantic Plaza 612 Professional Plaza

PO Box 1946 New Smyrna Beach, FL 32170
Office: 386.409.0505 Cell: 386.314.4727

October 16, 2023

To the New Smyrna Beach Preservation Commission:

As many of you are aware, Chris Pappas has been an outstanding citizen of New Smyrna Beach for more than 50 years. Since immigrating to the United States and finally landing in New Smyrna Beach, Chris and his wife Soula have worked from the "ground up" to build successful businesses which bear their Family Name. These businesses have helped New Smyrna Beach increase tax revenue while providing many employment opportunities for its local citizens.

Over his fifty plus years of residency, Chris Pappas has served on many of the town's committees, bank committees, and other organizations here in New Smyrna Beach.

Chris Pappas served on the AHEPA committee that was instrumental in bringing the Smyrna Memorial to Riverfront Park to New Smyrna Beach. This park brings recognition of those courageous pioneers seeking a new beginning and a better life for themselves and their families in New Smyrna Beach Florida.

Chris and Soula's flagship restaurant, Pappas Family Drive In Restaurant, is a staple in the New Smyrna Beach community. It is known far and wide to many tourists who make it a point to come to the restaurant whenever they are visiting Florida. The neon signs for both the Pappas Restaurant and Pappas Plaza were uniquely designed to show their Greek Heritage and are a familiar and welcoming beacon to all. Both signs have been in place for over 30 years and should be designated as significant local landmarks in the New Smyrna Beach area.

"Design & Technology Under One Roof"

New Smyrna Beach Design Center

421 Canal Street, New Smyrna Beach

ROOM SERVICE Design

386.847.4891

Interior Decorating
Furniture
Accessories
Window Treatments
Custom Bedding

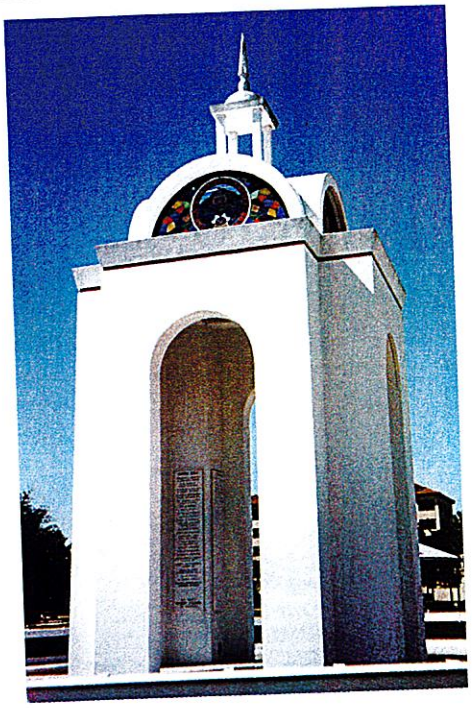
NEW WAY TECHNOLOGIES, LLC

386.409.0515

Whole House
Audio/Video Systems
Home Automation
Home Theaters
Home Computer Networking

THANKS CHRIS

Back in 1972 Chris Pappas arrived in Daytona Beach where he opened a nightclub. Five months later he moved to New Smyrna Beach and bought the Restaurant known as "Drapers." Shortly thereafter, Chris changed the name to Pappas Drive In, which he has owned for 29 years. However, his dream was to improve the stone monument that sits across the street from City Hall. It was then that Chris Pappas and Vic McDonald went to then-Mayor George Musson and City Manager, Frank Roberts to get approval for the monument. After 10 years, with help from Eddie Xepapas, the monument was finished and is located at Riverside Park





Members of the board of directors of the New Smyrna Memorial, Inc. From left to right: Chris Pappas, Peter Klonaris, Ted Iltsopoulos, Sam Constant, John Alexander, John Condorodis, Spiro Kostarides, Lambros Papalambros, Ted Fundoukos, Gus Laskos, Dino Rizopoulos.

mittee for an outstanding job."

Rizopoulos, president of AHEPA New Smyrna Memorial, Inc., a nonprofit foundation, also addressed the audience and eulogized the trailblazers.

"The Memorial is truly a structure of exceptional beauty and a proud part of our history," said Rizopoulos, who also presented Mayor Vandergrifft with a plaque in appreciation of the city's support throughout the project's undertaking.

"The city of New Smyrna Beach welcomes this Memorial and its added historical importance to this area," said Mayor Vandergrifft.

A Commitment to Medical Research

Over its history, the AHEPA family has demonstrated a commitment to finding cures to deadly diseases that affect our community by raising funds for medical research or establishing medical registries. AHEPA family national projects such as the Bone Marrow Registry, the Greek Children's Fund, the LAM Foundation, and the Cooley's Anemia Foundation all work toward this goal.

Lymphangioleimyomatosis (LAM) is a progressive, fatal lung disease that strikes young women in the prime of their lives. The LAM Foundation is a nonprofit, volunteer organization devoted to finding a cure for LAM.

On April 1, 2001, the District No. 5 AHEPA and Daughters of Penelope Cancer Research Foundation raised $13,000 to benefit the LAM Foundation, a Daughters of Penelope National Project, and the AHEPA Fifth District Cancer Research Foundation. The money was raised from a Daughters of Penelope Fifth District Fashion Show.

"Monies collected for the Cancer Research Foundation help support various research grants for various types of cancer, like breast, prostate, and colon, among others. Funds also help with bone marrow and stem cell research," said Foundation Chairwoman Martina Harris, Past District Governor. "These are cancers which are non-partisan and can affect each and every one of us whether it is a friend, family member, or colleague."

"I'd like to thank the committee members who all graciously gave their time and energies toward organizing a successful fashion show," said Grand Secretary Evellyn Tsiadis, chairwoman of the fashion show.

Greek Children's Fund Donates $80,000

The Greek Children's Cancer Fund is proud to announce the recent donation of $30,000 to the Memorial Sloan Kettering Cancer Center and $50,000 to Schneiders Children's Hospital, the eighth largest children's hospital in the country treating all childhood illnesses.

These funds are part of the organization's proceeds from its annual dinner-dance held last December and represents an ongoing effort to help various Greek patients and their families who are being treated at these hospitals.

"The donation to Memorial Sloan Kettering is in addition to the $125,000 that was raised and donated to it as a result of a telethon that was hosted last October," said Chris Coroneos, AHEPA chairman, Greek Children's Fund, and past district governor.

Ahepan Stanley Matthews founded The Greek Children's Cancer Fund at Memorial Sloan Kettering Cancer Center in 1983. According to Coroneos, Sloan Kettering and other area hospitals use the Fund as a "model" program for other ethnic groups to follow.

"The Fund became an AHEPA national project in 1997 and has benefited greatly from the generosity of many Ahepans and AHEPA chapters," said Coroneos.

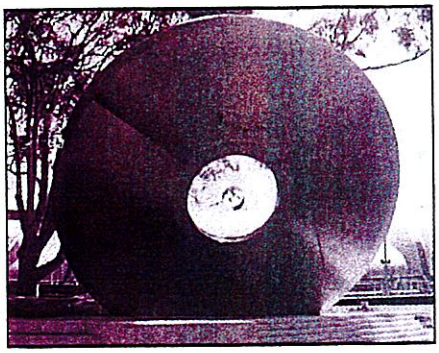
Bone Marrow Registry Tests 88 Students

On April 6, 2001, the AHEPA Bone Marrow Registry conducted a donor drive at Fordham University, Bronx, N.Y., in conjunction with the Rose Hill Blood Drive Committee.

"This is an event that Fordham hosts twice a year, once in the fall and once in the spring," said Angelo Pantazes, vice chairman, AHEPA Bone Marrow Donor Registry. "Dean of Student Services Gregory Pappas was instrumental in assisting the AHEPA Registry to gain access to the blood drive."

The mission of the AHEPA Registry is to register as many people as possible into a database to enable AHEPA to assist more people in their fight against leukemia.

A total of 88 Fordham students gave blood and virtually all of them attending that day opted to also become a potential bone marrow donor, added Pantazes.



"Discobolos" was erected on the Olympic precinct by the Hellenes of Australia in 2000.

Games by erecting the "Discobolos" sculpture, created by Robrt Owens. It was unveiled by His Excellency, the Honorable Sir William Deane, Governor General of Australia, on August 13, 2000. The Hellenes had the distinction of being the only ethnic community permitted to establish a permanent art piece on the Olympic precinct. "Discobolos" is the second part of a trilogy of sculptures to honor the spirit of the Olympic Games which began with the "Tribute" in Atlanta, and will conclude with "Kyklos" in Athens, 2004.

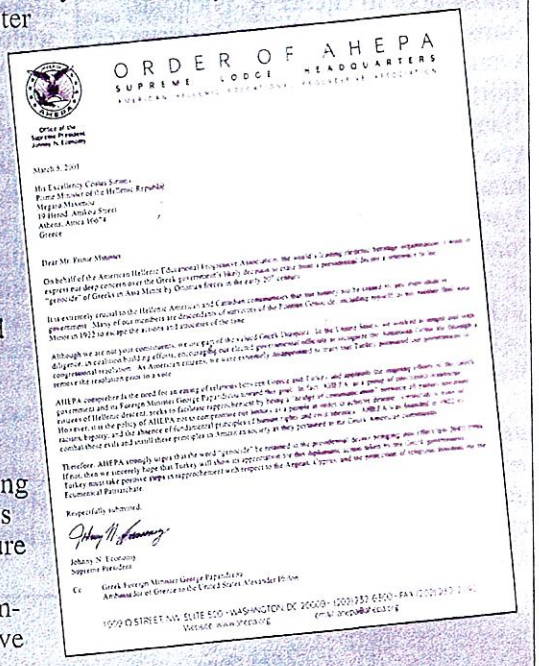
In his remarks following the presentation of the plaque, Vanos said, "The Hellenes of Australia have proven themselves to be what we knew they were when we started this project in 1997, charitable, caring and proud. We had a dream, and you helped us achieve that dream, leaving a "Tribute" for all future generations to view and admire.

Vanos praised the patrons who made "Discobolos" a reality, including Peter N. Manettas AM, Nick and Nasoula Balagiannis, and AHEPA NSW, Inc., the largest organizational donor. Patrons and Gold recognized by having an olive or cypress tree dedicated in their name.

"Only monumental buildings and sculptures will outlive us," said the of Greece Consul General Rose Ieremia.

AHEPA Expresses Concern To Greek Government Over "Genocide" Removal From Decree

AHEPA expressed its concern over the Greek government's likely decision to erase from a presidential decree a reference to the "genocide" of Greeks in Asia Minor by Ottoman forces in the early 20th century, announced Supreme President Johnny N. Economy. In a letter delivered to Greek Prime Minister Costas Simitis Monday, March 5, 2001, AHEPA made clear its policy is not to compromise history in order to achieve rapprochement.



ORDER OF AHEPA
SUPREME LODGE HEADQUARTERS

"It is extremely crucial to the Hellenic American and Canadian communities that our history not be erased by any individual or government," said Economy, whose mother fled Asia Minor in 1922.

Also, Economy raised the issue with Culture Minister Evangelos Venizelos in a meeting held last Friday. The decree was drafted in the Ministry of Culture in 1998.

"AHEPA applauds the members of our community who have expressed their concern and dismay to the Greek government via e-mail and letters," said Economy. "We hope to see the same energy and vigor directed to Congress, encouraging representatives to co-sponsor new legislation introduced in the 107th Congress and encouraging them to join the Hellenic Caucus."

NATIONAL

New Smyrna Memorial Dedicated

By Harold Creticos

The atmosphere was filled with emotion for an historic event to dedicate the Smyrna Memorial at Riverfront Park, New Smyrna Beach, Fla., Nov. 18.

In 1768, 1,225 of the original 1,403 Mediterranean colonists arrived at Mosquito Inlet (New Smyrna Beach) from their native lands as indentured servants seeking freedom. Instead, however, they were enslaved for a period of ten years. By 1778, there were only 419 men, women, and children still alive consisting of Greek, Minorcan, and Italian families.

His Grace Bishop Alexios of Atlanta opened the ceremony and spoke eloquently about the historical importance of the New Smyrna Colony and the memorial dedicated in their honor.

"Those early courageous pioneers crossed a vast ocean to come to a distant and promising land in search of a new beginning and a better life for themselves and their families," said His Grace. "I urge those present to make the effort to relate to the hardships and sacrifices involved in such a journey."

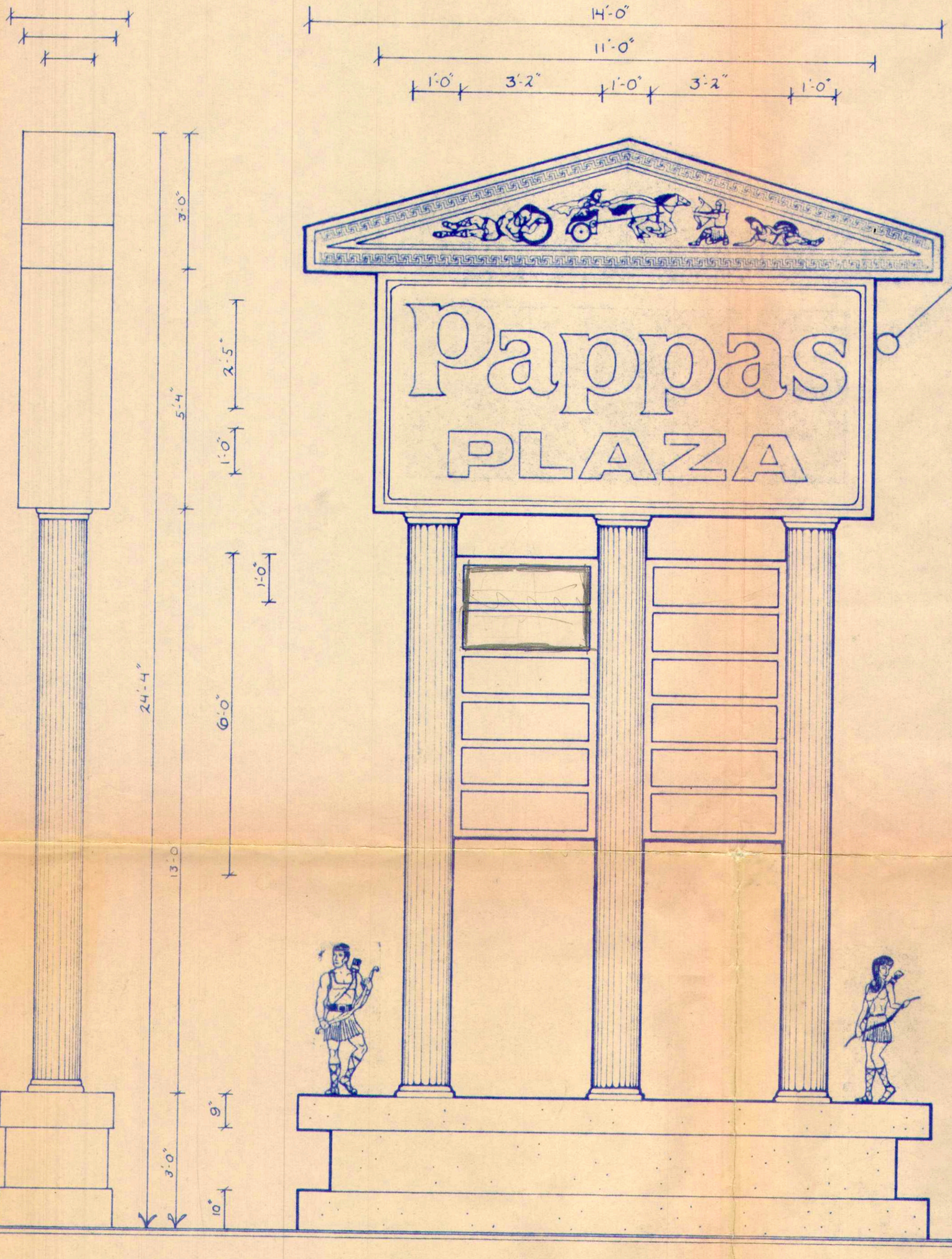
Other dignitaries who spoke were: Supreme President Johnny N. Economy, Daughters of Penelope Grand Governor Joanne Sackedis, Honorable James Vandergrifft, mayor of New Smryna Beach, and the Honorable Dimitris Makrinikolas, consul general of Greece.

"The dedication of the New Smyrna Memorial is a wonderful accomplishment for AHEPA and all Hellenes," said Economy. "My sincere congratulations to Brother Constantine Rizopoulos and his com-

EXHIBIT E



EXHIBIT F



(2) FLOOD FIXTURES TO BE SUPPLIED BY CUSTOMER. TO BE INSTALLED BY DON BELL & CO. AT THE TIME OF CABINET FABRICATION.

SPECIFICATIONS

DOUBLE FACE INTERNALLY ILLUMINATED SIGN
HIGH OUTPUT ILLUMINATION
ALUMINUM CABINETS W/2" RETAINERS FINISHED WHITE
MAIN ID SIGN FACES - MOULDED PANFORMED "DR" 3/16" PLEX FACES W/EMBOSSED COPY
"ROOF" FACES - FLAT PLEX FACES W/NON-EMBOSSED COPY
TENANT PANEL FACES - TIGHT PANFORMED "DR" WHITE PLEX FACES (TENANT COPY & BORDERS TO BE VINYL DIE CUT BLK ON CLEAR PLEX PANELS MOUNTED FLUSH TO PLEX FACES)
WHITE ALUMINUM PRE-FABRICATED COLUMNS
ALUMINUM BASE SPRAYED W/SYNTHETIC STUCCO FINISHED WHITE
STATUES BY OTHERS

MAIN ID FACE COLORS -

"PAPPAS PLAZA" - HUNTER GREEN #720 W/ WHITE BACKGROUND
"PAN EDGE": #535 UNIQUE RED

"ROOF" FACE COLORS -

"PIPEING" DESIGN - #535 UNIQUE RED
"BORDER" - DK BRONZE
"TOP LEFT FIGURES":
CLOTHING - 535 UNIQUE RED
TRIM & CAPE - #325 YELLOW GOLD
"TOP RIGHT FIGURES -
CLOTHING - #495 REFLEX BLUE
TRIM & CAPE - #325 YELLOW GOLD
ALL SANDLES, HELMETS, SHIELDS, BOW, CARRIAGE AND REINS - DK BRONZE
HORSE MANE & HARNESS - BLACK
HORSE - MED BRONZE
BODYS - FLESH

PAPPAS PLAZA - NEW SMYRNA

DRAWN JEFF
CHECKED PAPPAS PLAZA
DATE 11-20-84
SCALE 1/2" = 1'-0"
JOB NO. 179 R5
SHEET
OF SHEETS

don bell & company
daytona beach

REVISIONS BY

EXHIBIT G



ife, Soula, and Effie, Christina

NEW SMYRNA BEACH Mayor George Musson and plaza owner Chris Pappas cut the ribbon to start the Grand Opening, while his family, Chamb officials and well-wishers look on.

Pappas Plaza grand opening was gr

BY ROGER RACINE

There are grand openings and then there are grand openings.

Last weekend's Grand Opening of Pappas Plaza was something special.

But that shouldn't come as a surprise to anyone who knows Chris Pappas and his family. Raised from hearty Greek stock, they firmly believe that sound planning and good hard work will eventually bring success — and, for them, it has.

Pappas started what is now known as Pappas Drive-In Restaurant in 1973. It was known then as Whattaburger, and was relatively small — eight stools around the serving bar, eight chairs around several tables in the dining room, and 10 parking spaces outside. In 1976, the establishment was expanded to 48 seats; and in 1982, to 92 seats.

Now, he has opened Pappas Plaza, 1145 N. Dixie Freeway, featuring 11 specialty shops; and plans are to expand that in the not-too-distant future.

The Grand Opening was held from 10 a.m. to 4 p.m., Dec. 6, and an estimated 3,000-plus customers are thought to have taken advantage of the free entertainment, food and beverages. Entertainment was provided by Valerie and the Rockettes, the New Smyrna Beach Square Dancers, The Volusia Aces Barbershop Quartet, and the Sterling band.

J.D. Rib Cage supplied turkey, barbecued ribs and fish; and free Cokes were handed out all day long.

Drawings for gift certificates from the plaza's merchants were held every half hour.

Pappas left his homeland of Greece and resettled in Australia in 1967. In 1971, he arrived in America and managed a restaurant in Indiana. A year later he was in Ormond Beach where he owned and operated a night club. A year after that he moved to New Smyrna Beach and opened his Whataburger.

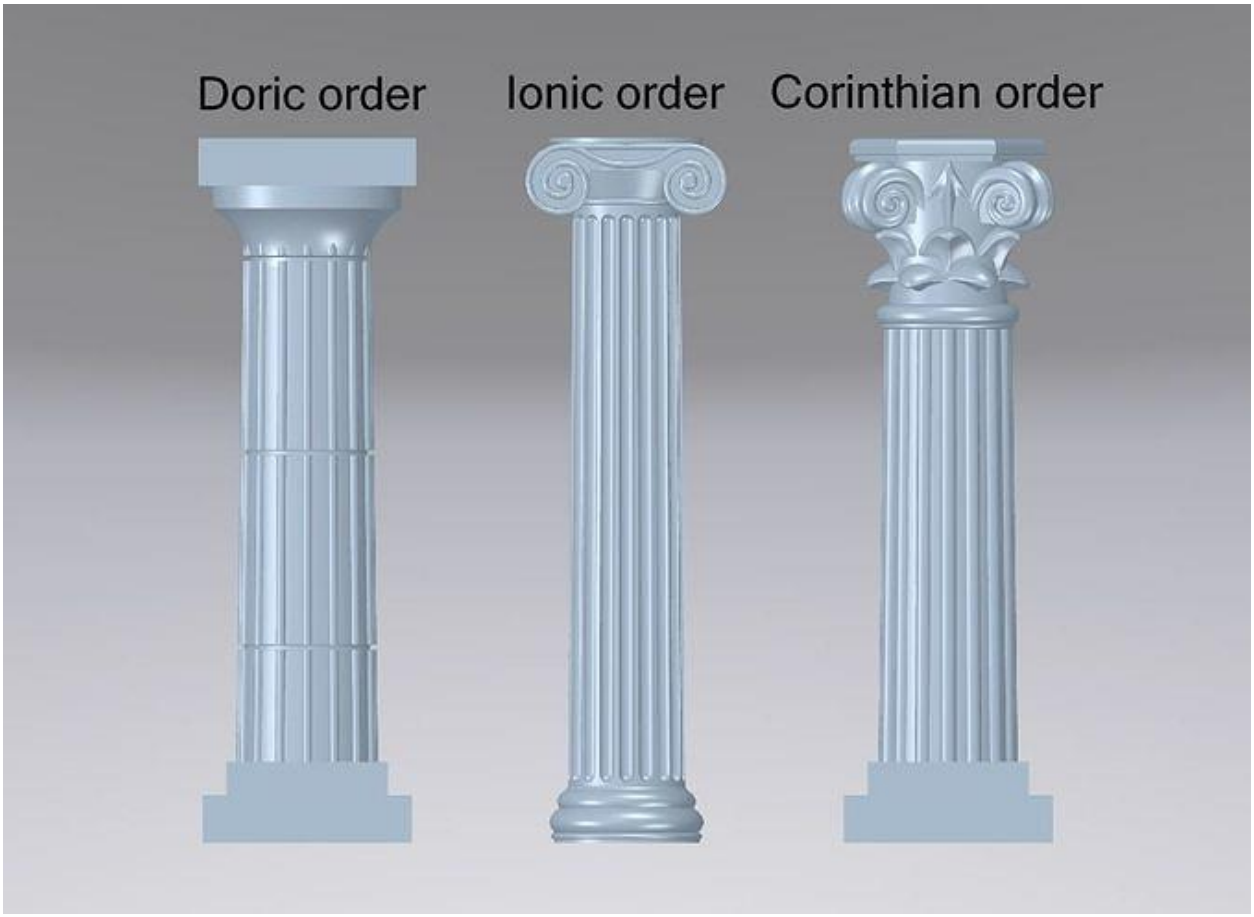
To what does Pappas attribute his success? "Good planning and hard work," he said, adding that it's normal for him to put in an average 14- to 16-hour day. But, he says he enjoys it.

His wife, Soula, handles most of the cooking duties dur his brother Steve t shift. Chris is re business dealings and his eldest dau out at the cash r summer.

"I'd like all thre to get involved business," Pappas what you're doin money in it. Ame country in the wor and you're good a can be a success."

EXHIBIT H

Greek Column Styles



THE CITY OF NEW SMYRNA BEACH - DEVELOPMENTAL SERVICES

APPROVAL OF THE HISTORIC PRESERVATION COMMISSION 2024 REGULAR MEETING SCHEDULE

December 13, 2023

Background:
Staff recommends the Historic Preservation Commission approve the 2024 regular meeting schedule as submitted.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Stephanie Ferrara - Development Services Coordinator

Attachments:

HPC 2024 Regular Meeting Schedule.pdf

City of New Smyrna Beach

Development Services Department

Historic Preservation Commission
2024 Regular Meeting Schedule

MEETING DATES

The Historic Preservation Commission will meet quarterly on the 2nd Wednesday of each month at 5:30 p.m., with additional tentative meeting dates if necessary.

MEETING LOCATION

Unless otherwise advertised, the Historic Preservation Commission will meet at the City Commission Chambers, located at 214 Sams Avenue.

MARCH 13, 2024
JUNE 12, 2024
SEPTEMBER 11, 2024
DECEMBER 11, 2024
Tentative Meeting Dates if Necessary:
JANUARY 10, 2024
FEBRUARY 14, 2024
APRIL 10, 2024
MAY 8, 2024
JULY 10, 2024
AUGUST 14, 2024
OCTOBER 9, 2024
NOVEMBER 13, 2024

Department of Development Services
214 Sams Avenue
City of New Smyrna Beach, Florida 32168
Telephone: 386-410-2835
www.cityofnsb.com

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

SELECTION OF THE 2024 CHAIRPERSON AND VICE CHAIRPERSON FOR THE HISTORIC PRESERVATION COMMISSION

December 13, 2023

Background:

Conduct the nomination and election for the 2024 Historic Preservation Commission Chairperson and Vice Chairperson.

Fiscal Analysis:

N/A

Strategic Plan Item:

No

Staff Report Created By: Stephanie Ferrara - Development Services Coordinator

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

2022-2023 CERTIFIED LOCAL GOVERNMENT (CLG) YEARLY REPORT

December 13, 2023

Background:

The City of New Smyrna Beach became a Local Certified Government, (CLG), in 1986. A certified local government means that a municipal government that has made historic preservation a public policy through the passage of a historic preservation ordinance and has been certified by the National Park Service under 36-CFR 61.6.

Pursuant to the Florida CLG Guidelines C.2.e, Certified Local Governments are required to submit an annual report summarizing local activities over the previous reporting year. That report is filed with the Florida Secretary of State, Division of Historical Resources. The recipient of that report is Ruben A. Acosta, Bureau Chief, Historic Preservation.

The Planning Department has attached that submitted report, that was due on November 30, 2023 so the general public could review.

Fiscal Analysis:

N/A

Strategic Plan Item:

No

Staff Report Created By: Robert Mathen - Planner II

Attachments:

2022-2023 Full CLG Annual Report.pdf

Florida CLG Program
Annual Report
October 1, 2022 – September 30, 2023

Pursuant to the Florida CLG Guidelines C.2.e, Certified Local Governments are required to submit an annual report summarizing local activities over the previous reporting year. The answers provided better inform our office on how we can assist our CLG communities and work jointly to improve performance.

Community	City of New Smyrna Beach
Submitted by	Robert Mathen
Date	November 30, 2023

This report is due by November 30, 2023.

Please submit the completed annual report form and related materials to this office, either electronically to: CLG@dos.myflorida.com

Or via mail to:
Attn: Ruben A. Acosta
Bureau Chief, Historic Preservation
R.A. Gray Building
500 S. Bronough Street
Tallahassee, FL 32399-0250

LOCAL LEGISLATION & COMMISSION

1. Were any amendments made to either the preservation ordinance or tax exemption ordinance?

   Yes ☐
   No ☒

   A. If so, please explain the nature of these changes:

   Click or tap here to enter text.

2. Were any amendments made to the rules of procedure?

   Yes ☐
   No ☒

   A. If so, please explain the nature of these changes:

   Click or tap here to enter text.

Please provide a copy of the revised legislation, if applicable.

3. List all board members, their profession, and length of service on the board:

Name	Profession	Years of Service
Joanna Mahood	Knowledgable/Interested Citizen	3-4 years
Terry L Bledsoe	Lawyer	3-4 years
Stephanie Thomas-Rees	Architect	1-2 years
Douglas Toth	Other	1-2 years
Lianne Bennett	Historian	5 or more years
Angeline Barretta-Herman	Knowledgable/Interested Citizen	5 or more years
Katie L Kaufman	Other	1-2 years

Please include the resumes of any new board members.

PRESERVATION BOARD ACTIVITIES

4. Date and provider of last professional training session attended by Commission:

   None

5. Date and time of regularly scheduled Commission meetings:

   5:30 pm on the Second Wednesday/Quarterly

6. Please provide the dates of all Commission meetings held between October 1, 2022, and September 30, 2023:

   October 12, 2022 / December 14, 2022 / March 8, 2023 / June 14, 2023 / September 20, 2023

Please submit all meeting minutes and agendas, if not previously submitted.
Attached.

DESIGNATIONS

7. How many *individually listed* local designations are there in your community?

   16

8. Please list each district in your jurisdiction – locally listed and National Register listed. Identify the year it was listed and the year that area was re-surveyed. If the district or historic resource inventory has not been updated, please use "N/A" as a response:

Name of District	Local or National Designation	Year of Designation	Year Updated
New Smyrna Beach Historic District	National	04-26-1990	2008
Coronado Historic District	National	02-21-1997	2008
Turnbull Canal System	National	08-24-2007	N/A
The Women's Club	Both	04-11-1989	N/A
St. Rita's Colored Catholic Mission	Both	03-02-2007	N/A
Old Fort Park Archaeological Site	National	05-28-2008	N/A
El Real Retiro (Handley House)	National	08-05-1987	N/A

9. Please list any new designations during the reporting period:

Name and Address of Property	Property Type	Date of Listing	FMSF Submitted
441 Sheldon Street (Local Landmark)	Building	Local Listing 8-22-2023	No
Click here to enter text.	Choose an item.	Click here to enter text.	Choose an item.
Click here to enter text.	Choose an item.	Click here to enter text.	Choose an item.

Please submit local designation reports for newly designated resources, if available.
Attached.

10. Number of Florida Master Site File forms submitted during reporting period:

    0

11. How many COAs (Certificates of Appropriateness) reviewed during reporting period?

    2

12. Number of Ad Valorem Tax exemption projects reviewed during reporting period (please indicate "N/A" if your community does not have an Ad Valorem Program):

    0

13. National Register nominations reviewed by Commission during reporting period:

    0

GRANT PROJECTS

14. DHR grant projects completed since last annual report:

    0

15. DHR grant projects applied for during reporting period:

    0

SUPPLEMENTAL QUESTIONS

16. Are there any historic properties that you would like us to evaluate for National Register listing? If so, please list the property name and address.

    No

17. What training topics would provide the most benefit for your Commissions and staff?

    Basic Knowledge

18. Please describe any significant problems encountered in the past year.

    None

19. What is one historic preservation success story your community has had in the past year?

    A new Local Landmark was designated by the Commission. (441 Sheldon St.)

SUPPLEMENTAL DOCUMENTS

Please attach the following:

☒ A list and/or map of all individually designated properties and historic districts within your CLG
☒ A copy of the designation reports for any new locally designated properties
☒ **ALL** meeting minutes and agendas of the Commission (if not previously submitted)
☐ A copy of the amended ordinance(s)/rules of procedure (if applicable)
☒ Resumes of any new board members (If applicable)

ADDITIONAL COMMENTS:

Currently, Staff has hired a consultant to review and update our current Historic Preservation Ordinance. A final draft has been reviewed and accepted by the Historic Preservation Commission. A public Meeting is scheduled for December 5, 2023 to get public input. Before a new ordinance is sent to the City Commission for adoption, the final draft and proposed ordinance will be sent to your department for a final formal review.

Boards & Commissions Application

Profile

Katie
First Name

Kaufman
Last Name

ktphoto@aol.com
Email Address

402 Faulkner Street
Home Address

Suite or Apt

New Smyrna Beach
City

FL
State

32168
Postal Code

Home: (407) 808-1606
Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Facilities Advisory Committee: Submitted

Are you registered to vote in the City of New Smyrna Beach?

◉ Yes ○ No

What zone do you live in? *

☑ Zone 1

If you need assistance finding your zone visit:

Find My District

How long have you been a New Smyrna Beach resident?

9 Months

Have you ever been convicted of a felony as defined by FS 775.08? Please note that for the purposes of this question, any person who is found guilty or pleads guilty or nolo contendere ("no contest") shall be deemed to have been convicted, notwithstanding a suspension of sentence or a withholding of adjudication.

○ Yes ◉ No

If yes, please provide amplifying information.

Educational Background

High School

Lyman High School, Longwood Florida

College(s)

SCC Lake Mary FL/FTU Orlando (UCF)

Degrees held

Kaufman_Application.pdf
Upload a Resume

Work Experience

Self Employed
Employer

Photographer
Job Title

Please describe your work experience, if any.

I have 15 years experience as an architectural designer/draftsman, specializing in residential remodeling, commercial and residential landscape and hardscape design and stormwater/wastewater engineering drafting. I have 30 years exp. as a photographer and own my own business specializing in family portraits, special events and individual portraits servicing the same clients for thirty years.

Community Involvement

Are you currently serving on another City of New Smyrna Beach Board?

(•) Yes ( ) No

If yes, which Board and when were you appointed?

Historic Preservation Board, Fall of 2022

Please describe any community board, groups or events you have been involved with:

I am a member of the New Smyrna Beach Rotary Club, serving on the Community Service Committee and I am appointed to the Rotary Club's Board as of June 2023. I volunteered time as the photographer for the College Park (Orlando) parade of historical homes.

Do you have any financial interests or business ties that could potentially come before the Board(s) you selected during your term?

( ) Yes (•) No

If yes, please provide amplifying information.

Have you had official business before the Board(s) you selected within the last five (5) years?

○ Yes ◉ No

If yes, please provide amplifying information.

Interests & Experiences

Please tell us about yourself and why are you interested in serving on a board(s)?

I recently purchased an historical home and have lived in other homes built in the 1920's. One for 18 years and the other for 23 years. I have a passion for architecture and the preservation of the beauty they provide to the community. I am very interested in landscaping and beautification of the community.

References

Name of Reference #1

Debbie Gunter

Address of Reference #1

210 Quay Assisi, NSB 32169

Telephone Number of Reference #1

407-257-5924

Email address of reference #1

debbie@community-paper.com

Nature of your relationship (business/personal).

personal / business

Name of Reference #2

Steven Gunter

Address of Reference #2

2318 Quay Assisi NSB 32169

Telephone Number of Reference #2

407-592-0696

Email Address of Reference #2

sguntergreenside@aol.com

Nature of your relationship (business/personal).

Personal

Name of Reference #3

Tom Cook

Address of Reference #3

2305 Edgewater Dr. #1205 Orlando FL 32804

Telephone Number of Reference #3

407-963-9862

Email address of Reference #3

tecook@cfl.rr.com

Nature of your relationship (business/personal).

business and personal

City of New Smyrna Beach, Florida

Boards & Commissions Application

Profile

Prefix | Katie (First Name) | L. (Middle Initial) | Kaufman (Last Name)

Ktphoto@aol.com
Email Address

402 Faulkner St.
Home Address

Suite or Apt

New Smyrna Beach
City

Fl.
State

32168
Postal Code

407-808-1606
Primary Phone

Alternate Phone

Which Boards would you like to apply for?

- ☐ Airport Advisory Board Regular
- ☐ Animal Control Board
- ☐ Building Trades Examining Board
- ☐ Code Enforcement
- ☐ Community Development Block Grant Advisory Board
- ☐ Fire Pension Board
- ☑ Historic Preservation Commission
- ☐ Housing Authority
- ☐ Investment Committee
- ☐ Personnel Board
- ☐ Planning & Zoning Board
- ☐ Police Pension Board
- ☐ Turnbull Creek Land Preservation Committee
- ☐ Utilities Commission
- ☐ Youth Council Task Force

Are you registered to vote in the City of New Smyrna Beach?

☑ Yes ○ No

What zone do you live in? *

None Selected

If you need assistance finding your zone visit:

Find My District

How long have you been a New Smyrna Beach resident? 6 mo.

Have you ever been convicted of a felony as defined by FS 775.08? Please note that for the purposes of this question, any person who is found guilty or pleads guilty or nolo contendere ("no contest") shall be deemed to have been convicted, notwithstanding a suspension of sentence or a withholding of adjudication.

○ Yes ✓ No

If yes, please provide amplifying information.

Educational Background

High School Lyman High School, Longwood, Fl.

College(s) SCC Lake Mary, Fl. / FTU Orlando (UCF)

Degrees held

Upload a Resume

Work Experience

Self Employed — Employer

Photographer — Job Title

Please describe your work experience, if any. 15 years experience as a Architectural Designer/Draftsman. 29 years exp. as a photographer. Always remained interested in design.

Community Involvement

Are you currently serving on another Board?

○ Yes ✓ No

If yes, which Board and when were you appointed?

Please describe any community groups or events you have been involved with:

Volunteered time as the photographer for the College Park (Orlando) Parade of Historical Homes.

Do you have any financial interests or business ties that could potentially come before the Board(s) you selected during your term?

○ Yes ✓ No

If yes, please provide amplifying information.

Have you had official business before the Board(s) you selected within the last five (5) years?

○ Yes ✓ No

If yes, please provide amplifying information.

Interests & Experiences

Please tell us about yourself and why are you interested in serving on a board(s)? I recently purchased an historical home and have lived in two other homes built in the 1920's. One for 18 yrs and the other for 23 years. I have a passion for architecture and the preservation of the beauty they provide to the community.

References

Name of Reference #1 Debbie Gunter

Address of Reference #1 218 Quay Assisi, NSB. 32169

Telephone Number of Reference #1 407-257-5924

Email address of reference #1 Debbie@community-paper.com

Nature of your relationship (business/personal). business & personal

Name of Reference #2 Steve Gunter

Address of Reference #2 218 Quay Assisi, NSB. 32169

Telephone Number of Reference #2 407-592-0696

Email Address of Reference #2 Sguntergreenside@aol.com

Nature of your relationship (business/personal). personal

Name of Reference #3 Tom Cook

Address of Reference #3 2305 Edgewater Dr. #1205
Orlando, Fl. 32804

Telephone Number of Reference #3 407-963-9862

Email address of Reference #3 tecook@cfl.rr.com

Nature of your relationship (business/personal). business and personal.

Historic Preservation Commission Regular Meeting
Wednesday, October 12, 2022 at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the regular meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, October 12, 2022 at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Chair Mahood called the meeting to order at 5:30 PM.

Roll Call

Attendee Name	Title	Status	Arrived
Katherine Kaufman	Member	Absent	-------
Stephanie Rees	Member	Absent	-------
Douglas Toth	Member	Present	5:30 PM
Terry Bledsoe	Member	Present	5:30 PM
Angeline Barretta-Herman	Member	Present	5:30 PM
Lianne Bennett	Member	Absent	5:30 PM
Joanna Mahood	Chair Person	Present	5:30 PM

Also present were: Senior Planner Robert Mathen, Assistant City Attorney Shey McCurdy, and Board Secretary Stephanie Ferrara.

Senior Planner Robert Mathen stated that there were changes to the Agenda.

2. APPROVAL OF MINUTES

2.A Approval of the Historic Preservation Commission December 8, 2021, April 13, 2022 and June 8, 2022 Regular Meeting Minutes

Chair Mahood asked the Board if they had any changes to the December 8, 2021, April 13, 2022 and June 8, 2022 meeting minutes.

June 8, 2022 Meeting Minutes - Changed Member Bennett to be present, not absent.

Motion:

Member Bledsoe moved to approve the December 8, 2021, April 13, 2022 and June 8, 2022 regular meeting minutes with the above minor change and as submitted. Member Toth seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Bledsoe
SECONDER:	Toth
AYES:	Toth, Bledsoe, Barretta-Herman, Bennett, Mahood

3. PUBLIC PARTICIPATION

None.

4. NEW BUSINESS

4.A Historic Preservation – Chapter 50

Robert Mathen, Senior Planner, outlined Staff's request to seek a positive recommendation to submit the final draft of Chapter 50 to City Commission.

Chair Mahood opened the meeting for Public Participation.

Sally Gillespie, 610 N Peninsula, provided the board with comments as it pertains to Chapter 50. She stated that she was representing the Executive Committee of the New Smyrna Beach Residents Coalition. Ms. Gillespie stated that currently local districts have not been established. She expressed her concerns of the added pressures of obtaining homeowners insurance for local home owners. She commented on National Registered Districts not having restraints. Ms. Gillespie shared her concerns about the proposed demolition process. She stated that Historic Districts are economically driven for the City of New Smyrna Beach.

Chair Mahood closed Public Participation.

Chair Mahood asked the Board if they had any additional questions or comments.

Discussion ensued with the board members regarding the final draft of Chapter 50.

Member Bledsoe asked for clarification on new state requirements as it pertains to the demolition process.

Robert Mathen explained that the City does have two National Registered Historic Districts. Currently the proposed update would still require the HPC to review applications for demolition of a contributing in either of the National Registered Districts. This may change because State's Certification requirement are expected to change.

Member Barretta-Herman commented about Historic homes outside the district that could receive landmark designation.

Member Bennett wanted to add and include cemeteries as archaeological resources. She request to change the word Indian to Native American.

Chair Mahood stated that local districts might be more effective in the future due to the changes in the way National Districts will operate.

Member Toth recommended that the board review the high points within the draft and provide staff with additional comments.

The Board agreed to continue the agenda item and for staff to bring back a final draft for review.

Motion:
Member Bennett moved to continue the agenda item to the December 14, 2022 HPC meeting. Member Barretta-Herman seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Bennett
SECONDER:	Barretta-Herman
AYES:	Toth, Bledsoe, Barretta-Herman, Bennett, Mahood

5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

None.

6. REPORTS AND COMMUNICATIONS BY THE STAFF

Stephanie Ferrara, Board Secretary, requested the board members to submit comments and/or changes to her office by October 28, 2022.

7. ADJOURNMENT

As there was no other business to discuss, Chair Mahood declared the meeting adjourned at 7:10 P.M.

THE CITY OF NEW SMYRNA BEACH - DEVELOPMENTAL SERVICES

CHAPTER 50, HISTORIC PRESERVATION

October 12, 2022

Background:

Applicant: City of New Smyrna Beach, Planning Department.

Request: Review of a proposed update to Chapter 50 of the City Code of Ordinances.

Findings:

Exhibits used in this report:

Exhibit A: Proposed update to Chapter 50.
Exhibit B: Proposed update to Chapter 50 Clean.
Exhibit C: Public Meeting Presentation.

Chapter 50 was adopted under Ordinance number 13-86 on April 16, 1986. This ordinance created the original framework for the current historic preservation ordinance. This ordinance created the Historic New Smyrna Beach Preservation Commission and provided procedures for designating historic landmarks, landmarks sites, and historic districts. This ordinance was created, so the City of New Smyrna Beach could qualify for the designation as a Certified Local Government, (CLG). The City of New Smyrna Beach was one of the first six local governments to be certified by the State of Florida.

The Historic New Smyrna Beach Preservation Commission requested Staff to review and possible update Chapter 50, Historic Preservation, in the City Code of Ordinances. Staff issued a request to the three (3) contracted Planning Consultants that the City has. Staff selected S&ME due to their recent historic district planning experience. The City consultant, S&ME first met with City Staff and later met with the Historic New Smyrna Beach Preservation Commission on July 14, 2021 and the City Commission on September 14, 2021 to receive initial input on updating Chapter 50, Historic Preservation of the City Code of Ordinances.

Staff provided the Historic Preservation Commission a draft from S&ME on January 12, 2022 to review and supply comments on that draft. Staff reviewed verbal and written comments from the Historic Preservation Commissioners and submitted that draft and Historic Preservation Commissioners comments to the City Legal Department and City Manager's Office for review.

Since this proposed regulation update has received a lot of public interest, Staff also decided to have a public meeting on August 17, 2022 to discuss the proposed amendment. Staff did invite the Chairperson of the Historic Preservation Commission to this public meeting since she was nominated by the Historic Preservation Commission to be the liaison to Staff. Staff did create a power point to help facilitate the meeting which has been attached as **Exhibit C**.

The City has reviewed all comments and some may have been installed into the proposed update. The final draft has to meet the intentions of the City's Comprehension Plan including Element IV, Property Rights and Element XIII, Historical and Archaeological Preservation. There is a fine line that Staff is negotiating between the wants of the general public and the rights of the individual property owner.

Most of the proposed updates would separate out multiple processes and slim line procedures. Some of the proposed updates include:

1. The relocation and clarification of the current definitions.
2. Update the name of the Historic New Smyrna Beach Preservation Commission to Historic Preservation Board.
3. Separate the regulations for local landmarks and local historic districts.
4. Create a minor and major Certificate of Appropriateness.
5. Establish a preservation standard and guideline.
6. Establish an exterior material standard but allow for a modern material that is more efficient but would not change the architectural style of the structure.
7. Clarify standards for new construction.
8. Clarify procedures for any proposed demolition of a contributing structure.
9. Set new penalties for non-compliance with Chapter 50.
10. Update the Property Tax Exemption to meet current State Statues.

Most of the changes deal with future local historic districts and existing local landmarks. Currently, the City does not have any local historic districts, so most of the proposed regulations would not affect any current resident or property owner unless the structure or site is a local landmark. But the City does have two National Registered Historic Districts. Currently the proposed update would still require the Historic Preservation Board to review applications for demolition of a contributing structure in either of the National Registered Districts but that may have to be removed from the final draft as the State's certification requirements are expected to change.

Any privately owned local landmark including the local landmarks owned by the City will have to apply for a Certificate of Appropriateness for any exterior renovations. Minor exterior changes would be reviewed by Staff but extensive exterior renovations would

have to be reviewed by the Historic Preservation Board.

Staff is also reviewing a possible text amendment to the City's Land Development Regulations at it pertains to building height and prohibiting the aggregation of parcels to create larger parcels in the National Registered Historic Districts. Staff would allow for a waiver process.

Staff is seeking guidance for a final draft. Once the final draft has been completed, Staff will submit the final draft to this Commission for a positive recommendation to the City Commission. Before a final draft can be submitted to the City Commission, Staff is required to submit a final draft to the State of Florida, Historic Resources for a review to verify that the amendment would still meet the minimum standard for a Certified Local Government.

Fiscal Analysis:
N/A

Strategic Plan Item:
Yes

Staff Report Created By: Robert Mathen - Planner II

Attachments:

Exhibit A Ch 50 NSB Historic Preservation v6 CA-RM 10-3-2022 review.pdf
Exhibit B Ch 50 NSB Historic Preservation v6 CA-RM 10-3-2022 review Clean.pdf
Exhibit C Chapter 50 Presentation.pdf

Chapter 50 HISTORIC PRESERVATION[1]

ARTICLE I. IN GENERAL

Sec. 50-1. Intent.

(a) The city commission finds there are buildings, landmarks, and sites within the city that have specific historic or aesthetic significance, and that the loss of these sites would cause an irreplaceable loss to the citizenspeople of the city. of the aesthetic, cultural and historic values represented by such sites. It is declared, as a matter of public policy, that protection, enhancement, perpetuation and use of such sites of special historic or aesthetic interest or value is a public necessity and is required in the interests of the health, prosperity, safety and welfare of the people.

(b) The recognition, protection, enhancement and use of such resources is a public purpose and is essential to the health, safety, morals, and economic, educational, cultural and general welfare of the public, since these efforts result in the enhancement of property values, the stabilization of neighborhoods and areas of the city, the increase of economic benefits to the city and its inhabitants, the promotion of local interests, the enrichment of human life in its educational and cultural dimensions serving spiritual as well as material needs, and the fostering of civic pride in the beauty and noble accomplishments of the past.

(c) The city commission desires to take advantage of all available state and federal laws and programs that may assist in the development or redevelopment of the city.

(d) The federal government has established a program of matching grants-in-aid for projects having as their purpose the preservation for public benefit of properties that are significant in American history, architecture, archeology and culture, as well as other -

(e) There are other federal programs providing moneys for projects involving the rehabilitation of existing districts, sites, buildings, structures, objects and areas.

(ef) The policy of the city is to conserve the existing housing stock and extend the economic life of each housing unit through the rehabilitation of such units under housing and neighborhood development programs in selected areas.

(fg) Inherent in the enactment and implementation of these federal programsmandates is the policy of the United States government that the spirit and direction of the nation are founded upon and reflected in its historic past; that the historical and cultural foundations of the nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people; that in the face of the ever-increasing expansionstensions of urban centers, highways, and residential, commercial and industrial developments, the present governmental and non-governmental programs and activities are inadequate to ensure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our nation.

(hg) It is the will of the people of the state as expressed in Fla. Const., art. II, § 7, that the state's natural resources and scenic beauty be conserved and protected.

[1]Cross reference(s)—Buildings and building regulations, ch. 26Cross reference(s)—; environment, ch. 38Cross reference(s)—; planning and development, ch. 62Cross reference(s)—; taxation, ch. 74Cross reference(s)—.

(~~i~~h) It is the will of the state legislature as expressed in F.S. ch. 267, that the state's historic sites and properties, buildings, artifacts, treasure troves and objects of antiquity that have scientific or historic value, or are of interest to the public, be protected and preserved.

~~(Code 1975, § 14½-1)~~

Sec. 50-2. Purpose.

The city commission declares its intention to ~~qualify as a certified local government with the state division of archives, history and records management, and to~~ comply with the rules and regulations of the certified local government program established by the state ~~d~~Division of Historical Resources~~archives, history and records management pursuant to that program~~. The purpose of this chapter is to promote the health, morals, economic, educational, aesthetic, cultural and general welfare of the public through the:

(1) Identification, protection, enhancement, perpetuation and use of districts, sites, buildings, structures, objects and areas that are reminders of past eras, events and persons important in local, state or national history, or that provide significant examples of architectural styles of the past, or that are unique and irreplaceable assets to the city and its neighborhoods, or that provide this and future generations examples of the physical surroundings in which past generations lived; and

(2) Enhancement of property values, the stabilization of neighborhoods and business centers of the city, the increase of economic and financial benefits to the city and its inhabitants, and the promotion of local interests; and

(3) Preservation and enhancement of varied architectural styles, reflecting the city's cultural, social, economic, political and architectural history; and

(4) Enrichment of human life in its educational and cultural dimensions in order to serve spiritual as well as material needs by fostering knowledge of the living heritage of the past.

~~(Code 1975, § 14½-2)~~

Sec. 50-3. Definitions.

For the purpose of this chapter, certain words and terms used herein shall be interpreted to have the meanings as defined below, except where the context clearly indicates a different meaning. Where words or terms are not defined in this section, they shall assume the meaning as indicated in Merriam-Webster's Collegiate Dictionary, as amended. Words used in the present tense include the future; the singular number includes the plural and the plural includes the singular. The word "shall" is mandatory and the word "may" is permissive. The word "used" or "occupied" includes the words "intended, designated or arranged to be used or occupied." The word "land" includes the word "marsh," "water" or "swamp."

~~The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

Alteration means any act that changes the exterior features of a locally designated property, including ~~. For the purpose of this chapter, *alteration* also includes~~ relocation and demolition.

Archaeological resource means any prehistoric or historic district, site building, object, or other real or personal property of historical, architectural or archaeological value. The resources may include, but are not limited to, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, treasure troves, artifacts, or other objects with intrinsic historical or archaeological value, or any part thereof relating to the history, government, and culture of the city, the State of Florida, or the United States of America.

Archaeological site means a location which has yielded or may yield information on history or pre-history. Archaeological sites may be found within archaeological zones, historic sites, historic districts and other areas of the city. Archaeological sites are evidenced by the presence of artifacts and features above or below the ground surface indicating the past use of a location by people.

Archaeological zone means a geographical area which has or may reasonably be expected to yield information on local history based upon broad prehistoric or historic settlement patterns.

Artifact means objects which are the product of human modification or objects which have been transported to a site by people.

Assessed value means the total value of a tax parcel, excluding the value of land, as determined by the Property Appraiser for the County of Volusia.

Board means the Historic New Smyrna Beach Preservation Board.

Building means any combination of materials capable and intended of being used as a shelter for persons for residential or non-residential purposes.

Certified local government means a municipal government that has made historic preservation a public policy through the passage of a historic preservation ordinance and has been certified by the national Park Service under 36 CFR 61.6.~~government meeting the requirements of the National Historic Preservation Act Amendments of 1980 (PL 96-515) and the implementing regulations of the U.S. Department of the Interior and the state.~~

Certificate of appropriateness means a permit ~~written document,~~ issued by the City allowing for ~~pursuant to this chapter, permitting~~ specified alterations, demolition, new construction, or other work to a locally designated building, site, or structure. ~~local landmark or to a building, object, site or structure within a designated local district.~~

~~*Commission* means the Historic New Smyrna Beach Preservation Commission.~~

~~*Contributing property* means a building, object, site or structure in a historic district that contributes to the district's historical significance pursuant to this chapter.~~*City archaeologist* means the individual or group in charge of assessing the archaeological resources of New Smyrna Beach and directing or coordinating, monitoring, testing and salvage excavations of these resources. The individual may either be a city employee, or may be an individual or corporation employed on a contract basis to perform the duties of the city archaeologist.

Contributing structure means a building, property, or site which adds to the historical architectural qualities, historic associations, or archaeological values for which a historic district is significant because (1) it was present during the period of significance and possesses historic integrity reflecting its character at that time, (2) is capable of yielding important information about the period, or (3) it independently meets the National Register of Historic Places criteria for evaluation set forth in 36 CFR Part 60.4.

Curation means the long-term management and preservation of archaeological materials and their associated documentation.

Curation facility means a designated repository for archaeological materials which can provide accountable, professional curation of collections in a secure, climate-controlled environment on a long-term basis.

~~*Decision or recommendation* means, when referring to the commission, the executive action taken by the commission on an application for a designation or a certificate of appropriateness regardless of whether that decision or recommendation is immediately reduced to writing.~~

~~*Demolition* means any act that destroys in whole or in part a landmark, landmark site or building or structure in an historic district or on a landmark site.~~ *Demolition* means the act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction. Removing portions of a building that destroy the original character of the building also constitutes demolition.

Demolition by neglect means the absence of work in maintaining, repairing, or securing a contributing building or structure in a historic district that results in deterioration of an exterior feature of the building or structure or the loss of the structural integrity of the building or structure.

~~*Documentation* means photographs, slides, drawings, plans or written descriptions.~~ *Disturbance* means the digging, excavating, or other such ground altering activities on or below the ground surface, which impact more than 25 square feet either separately or cumulatively.

Documentation means photographs, slides, drawings, plans or written descriptions.

Emergency situation means any case where the city building official determines that there are emergency situations or conditions dangerous to life, health, or property. In such situations, the official may order the remedying of the situation or condition. The city building official shall promptly notify the city archaeologist and the city manager if such a situation or condition occurs.

~~*Historic property* means any site, building, structure, or other real or personal property of historic, architectural, or archaeological value, and designated as such by the City Commission.~~

~~*Historic district* means a geographically definable area designated as such by the city commission.~~

~~*Historic district* means a geographically definable area, urban or rural, possessing a significant concentration, linkage or continuity of sites, buildings, structures, objects or areas, that are united by past events or aesthetically or plan or physical development. A district also may be comprised of individual resources that are separated geographically but are linked by association or history.~~

Local landmark means a ~~prehistoric or historic district,~~ site, building, ~~or~~ structure, object, landscape feature or other real or personal property of historical, architectural or archaeological value and designated as such by the city commission~~City pursuant to this chapter~~~~meeting one or more of the criteria contained in section 50-7~~. ~~A landmark shall include the location of significant archeological features or of an historical event.~~

~~*Landmark site* means the land on which a landmark and related buildings and structures are located and the land that provides the grounds, the premises or the setting for the landmark.~~ *Local historic district* means a geographically definable area designated as such by the city commission.

Local Register of Historic Places means the list of locally designated landmarks and districts.

Monitoring means observation of disturbances to determine if archaeological resources exist in an area, or when such resources are known to exist, the observation, recording and incidental recovery of site features and materials to preserve a record of the affected portion of the site. When monitoring indicates that a site has little archaeological significance, no further archaeological excavation shall occur. However, if monitoring indicates that a site is archaeologically significant, further excavation shall occur.

Museum means a permanent, nonprofit organization, serving an educational or aesthetic purpose, that acquires, interprets and cares for tangible objects, and prepares exhibits for the public on a regular basis.

National Register of Historic Places means the official listing of culturally significant buildings, structures, objects, sites and districts in the United States maintained by the U.S. Department of Interior.

~~*Local register* means a~~the ~~list of locally designated landmarks~~way by which to identify and classify various sites, buildings and objects as historic and/or architecturally significant.

Non-contributing property means a building, object, site or structure that does not add to a district's historical significance ~~pursuant to this chapter~~.

Premises means the parcel of land upon which a demolished significant building was located and all abutting parcels of land under common ownership or control on or before the date the demolition was approved.

Preservation exemption covenant means an executed Florida DOS Form No. HR3E111292, providing for covenants on properties that have benefitted from the tax exemption to maintain the architectural historical integrity of the building or structure for the duration of the tax exemption period.

Qualifying improvement means any change in the condition of an eligible property brought about by the expenditure of labor and purchase that results in restoration, renovation or rehabilitation of said property in keeping with the design criteria established for the purposes of this exemption. This shall include, specifically, interior or exterior work, and the construction of additions or accessory buildings or structures.

Repository means a place used for the permanent curation of archaeological collections that provides, at a minimum, (1) physical security, (2) climate control, (3) fire suppression, (4) collection monitoring, and (5) access by qualified researchers. The repository must have adequate space and resources dedicated to the purpose of curation, and must be organized to allow controlled access, efficient collection and retrieval, and optimum preservation. Professional staff and disaster management plans are essential. Collections should be isolated from work areas and people to the greatest extent possible. In New Smyrna Beach, the Southeast Volusia Historical Society, Inc. will act as the repository for all archaeological artifacts discovered on public property.

Salvage archaeology means the archaeological excavation of a site prior to its destruction by construction, erosion, vandalism, or any other form of site disturbance. Archaeological salvage excavations will be concentrated only within the areas to be disturbed in order to save site data which would be lost due to the disturbance, and the extent of the excavations may vary, depending on the significance of the site, time constraints, and the degree of evidence of archaeological resources, at the direction of the city archaeologist.

Super majority means, for a seven-member body, a requirement of five votes when all members are present, ~~a requirement of five votes,~~ or four votes when less than seven members are present~~, a requirement of four votes~~.

Significant building means any building within the city which the board determines to be in the public interest to be preserved or rehabilitated, and whose demolition would be detrimental to the historical and/or architectural heritage and resources of the city.

Testing means surface or subsurface excavation, or the use of remote sensing techniques, to determine the type and extent of the archaeological site. Testing may include auguring and establishing archaeological excavation units and requires the screening of excavated material for artifact recovery. When necessary, archaeological salvage excavations may take place following, or in conjunction with, the testing procedures. ~~The following words and phrases when used in this chapter shall have the following meanings:~~

~~*Assessed value.* The total value of a tax parcel, excluding the value of land, as determined by the Property Appraiser for the County of Volusia, and shown on the property tax bill sent to the owner of record by the County of Volusia.~~

~~*Contributing property.* A building, site, structure, or object which adds to the historical architectural qualities, historic associations, or archaeological values for which a district is significant because (1) it was present during the period of significance and possesses historic integrity reflecting its character at that time, (2) is capable of yielding important information about the period, or (3) it independently meets the National Register of Historic Places criteria for evaluation set forth in 36 CFR Part 60.4, incorporated herein by reference.~~

~~*Preservation exemption covenant.* The historic preservation property tax exemption covenant form identified as Florida DOS Form No. HR3E111292, which provides that those benefitting from the tax exemption agree to maintain the architectural historical integrity of the building or structure for the duration of the tax exemption period.~~

~~*Qualifying improvement.* Any change in the condition of an eligible property brought about by the expenditure of labor and purchase that results in restoration, renovation or rehabilitation of said property in keeping with the design criteria established for the purposes of this exemption. This shall include, specifically, interior or exterior work, and the construction of additions or accessory buildings or structures.~~

~~(Code 1975, § 14½-3)~~

~~Cross reference(s)—Definitions generally, § 1-2Cross reference(s)—.~~

~~Sec. 50-4. Penalty.~~

~~**Any person violating any of the provisions of this chapter shall be punished as provided in section 1-14. The citizen code enforcement board shall review any violation of this chapter in accordance with the board's procedures.**~~

~~**(Code 1975, § 14½-10)**~~

~~Sec. 50-5. Civil penalties.~~

~~**In addition to the penalties provided in section 50-4, any person who violates any provision of this chapter shall forfeit and pay to the city civil penalties equal to the fair market value of any property demolished or destroyed in violation of this chapter or the cost to repair or rehabilitate any property that is altered in violation of this chapter. In lieu of a monetary penalty, any person altering property in violation of the provisions of this chapter may be required to repair or restore any such property.**~~

~~(Code 1975, § 14½-11)~~

Sec. 50-~~4~~6. Historic preservation board~~commission~~.

(a) *Creation.* There is created the Historic ~~New Smyrna Beach~~ Preservation Board~~Commission~~ by the City Commission.

(b) *Purpose.* The Historic Preservation Board shall have the following powers and duties:~~commission is established to seek the accomplishment of the following municipal purposes:~~

(1) The board~~commission~~ shall take action necessary and appropriate to accomplish the purposes of this chapter. These actions may include, but are not limited to:

a. Continuing the survey and inventory of historic buildings and areas and archeological sites and planning for their preservation;

b. Recommending the local designation of historic districts and individual landmarks and landmark sites;

c. Regulating alterations, demolitions, relocations and new construction to locally designated property;

d. Adopting guidelines for ~~changes~~ alterations to locally designated property;

e. Coordinating the historic preservation work of the city by working with and advising the federal, state and county governments and other city departments or advisory boards;

f. Advising and assisting property owners and other persons and groups, including neighborhood organizations who are interested in historic preservation;

g. Initiating plans for the preservation and rehabilitation of individual historic buildings; ~~and~~

h. Educating citizens on the signs of demolition by neglect; ~~and~~

i. Undertaking educational programs, including the preparations of publications and the placing of historic markers.

(2) The boardcommission shall review all nominations of local property in the city to the National Register of Historic Places following the regulations of the state historic preservation office. Following a public hearing with public notice of no less than 30 days, the commissionboard shall consider the nomination. When necessary, the commissionboard shall seek expert advice before evaluating the nomination. The commissionboard shall forward to the state historic preservation officer its action on the nomination and any related the recommendations of the local officials.

When a property owner objects to having property nominated to the National Register, a notarized written statement must be submitted to the commissionboard before the nomination is considered. The commissionboard may then either continue its review, forwarding its recommendation to the state historic preservation officer and noting the owner's objection, or it may cease any further review process and notify the state historic preservation officer of the property owner's objection to the proposed listing. The commissionboard shall not recommend inclusion on the National Register of Historic Places registry over objection of the owner except by a super- majority vote.

(3) In the development of the certified local government program, the city commission may ask the commission to perform other responsibilities that may be delegated to the city under the National Historic Preservation Act.

(43) The commissionboard shall conduct at least four public hearings a year to consider historic preservation issues. The commissionboard shall recommend to the city commission the local designation of landmarks, landmark sites and historic districts. Applicants shall be given written notification of the commissionboard's decisions. The commissionboard shall prepare and keep on file available for public inspection a written annual report of its historic preservation activities, cases, decisions, qualifications of members and other historic preservation work.

(54) The boardcommission shall receive assistance in the performance of its historic preservation responsibilities from the planning department, which shall provide expertise in historic preservation or a closely related field. Other city staff members may be asked to assist the commissionboard by providing technical advice or helping in the administration of this chapter.

(65) The commissionboard shall review the historic preservation element of the comprehensive plan at least every five years and shall make recommendations to the local planning agency and the city commission regarding changes to the historic preservation element.

(76) The commissionboard shall coordinate its activities with the community redevelopment agency, the state historic preservation officer, the New Smyrna Museum of Historyand, and the Southeastwest Volusia Historical Society.

(87) The commissionboard shall assist the city staff in preparing applications for grant awards for historic preservation and historic survey activities.

(98) The area of geographic responsibility for the commissionboard shall be coterminous with the boundaries of the city.

(109) The commissionboard is encouraged to be represented at pertinent informational or educational meetings, workshops and conferences relating to preservation activities.

(c) *Membership.* The commissionboard shall consist of seven members who shall be residents of the city except that no more than three members may be residents within the annexation area identified in the city's Interlocal Service Agreement with the County of Volusia. In the event of a vacancy on the commissionboard, the city commission shall Prior to appointment, the city commission shall solicit any nominations from the Southeast

Volusia Historical Society and ~~.~~appoint a new member within 60 days to serve out the remainder of the term. Members shall serve on the ~~commission~~board at the pleasure of the city commission.

(d) *Term.* The ~~commission~~board members shall be appointed for staggered terms of three ~~-~~years by the city commission.

(e) *Qualifications.* The ~~commission~~board members shall be composed of lay and professional members in accordance with the criteria set forth by the certified local government program. To the extent available, members shall be professionals from the disciplines of architecture, history, architectural history, archaeology, or other historic-related fields such as urban planning, American studies, American civilization, cultural geography or cultural anthropology. Lay persons who have demonstrated special interest, experience or knowledge in history, architecture or related disciplines shall make up the balance of the ~~commission~~board membership. An up-to-date resume of ~~commission~~board members shall be kept as a public record. ~~Prior to appointment, the city commission shall solicit nominations from the Southeast Volusia Historical Society.~~

(f) *Procedures.* ~~The commission shall hold at least four meetings each year, which shall be public meetings. Meetings shall have a previously advertised agenda and shall be open to public participation. All records of the commission, including its rules of procedure, minutes and inventory, shall be public records open to inspection by the public. The commission shall adopt rules of procedure for use in all its meetings, and the city manager shall provide staff assistance. The commission shall have the following reporting requirements:~~

(1) The ~~commission~~board shall elect a chair and vice-chair from its membership. The chair and vice-chair will serve terms of one year each. Nothing will prevent the board from electing the chair and vice-chair for additional terms. The chair will preside over the board and will have the right to vote. In the absence or disability of the chair, the vice-chair will perform the duties of the chair.

(2) The planning manager or designee shall act as the city historic preservation officer. A staff person from the planning and engineering department shall serve as secretary of the board.

(3) Four members ~~A majority~~ of the board shall~~(four) will~~ constitute a quorum.

(4) The ~~commission~~board shall hold at least four meetings each year, which shall be public meetings. Meetings shall have a previously advertised agenda and shall be open to public participation. All records of the ~~commission~~board, including its rules of procedure, minutes and inventory, shall be public records open to inspection by the public. The ~~commission~~board shall adopt rules of procedure for use in all its meetings and the planning manager or designee shall provide staff assistance. The ~~commission~~board shall submit to the state preservation officer ~~have~~ the following items~~reporting requirements~~:

a. Thirty days advance notice of each meeting.~~It shall provide the state preservation officer with 30 days' notice prior to each meeting, following its first meeting.~~

b. ~~It~~M~~ shall submit m~~inutes of each meeting ~~to the state historic preservation officer~~ within 30 days of holding the meeting.

c. R~~It shall submit r~~ecords of board member ~~the~~ attendance ~~for the review of commission members to the state historic preservation officer~~ within 30 days of each meeting.

d. P~~It shall submit p~~ublic attendance figures of each meeting ~~to the state historic preservation officer~~ within 30 days of each meeting.

e. C~~It shall notify the state historic preservation officer of c~~hanges in ~~commission~~board membership within 30 days of action.

f. A~~It shall notify the state historic preservation officer of all~~ll local historic designations or alterations to existing designations.

g. An~~It shall submit an~~ annual report by November 1 covering the previous October 1 through September 30, which shall include:

1. Any changes in the rules of procedure; and
2. Number of proposals reviewed; and
3. Designations or listings; and
4. Changes to ~~commission~~board; and
5. Revised resumes of ~~commission~~board members as appropriate; and
6. Review of survey and inventory activity with the description of the system used; and
7. Program report on each grant-assisted activity.

ARTICLE II. HISTORIC DESIGNATION AND PROTECTION~~(Code 1975, § 14½-4; Ord. No. 43-13, § 1, 6-11-2013)~~

Sec. 50-~~5~~57. Local d~~D~~esignation of ~~local~~ landmarks~~, landmark sites and historic districts~~[LEA1].

(a) *Authorized.* Upon recommendation of the historic preservation ~~commission~~board, the city commission may locally designate by ordinance individual ~~local~~ landmarks~~, landmark sites and historic districts~~. ~~Each designation of a local landmark shall include a designation of a landmark site~~[LEA2].

(b) *Owner consent.* The local designation of a ~~local~~ landmark requires owner consent at the time of designation. However, ~~W~~when a property proposed for local designation has multiple owners, and any of them ~~an owner~~ object~~s~~ to ~~an application involving~~ the designation ~~of property, other than an historic district~~, approval by the historic preservation ~~commission~~board and city commission shall require a super~~-~~majority vote[LEA3].

(~~b~~c) *Application requirements.*

(1) Consideration of the local designation of a landmark ~~and landmark site or an historic district~~ shall be initiated by the filing of an application for local designation by the property owner(s) or authorized agent~~, any resident of the city or any organization in the city, and~~ or the city. The historic preservation ~~commission~~board is authorized to initiate the local designation process pursuant to this section. ~~However, no property, site, building, structure, object, landscape feature or other real or personal property will be designated as a historic landmark without the written consent of the property owners.~~ The city shall charge a fee for each application that reflects processing costs for the application, except such fee shall be waived for city-initiated applications. The applicant shall complete an application form provided by the planning department, which shall include:

a. A written description of the architectural, historical or archeological significance of the ~~proposed~~ landmark proposed for designation ~~and landmark site or buildings in the proposed historic district~~ and specifically addressing and documenting how the proposed designation meets the criteria ~~those related points~~ contained in this chapter; and

b. Date of construction of the structure(s) on the property and the names of former owners; and

c. Photographs of the property; and

d. Legal description and map of the property to be locally designated or the site upon which the landmark is located ~~as a landmark, landmark site or historic district~~.

~~(2) On applications for the designation of historic districts, the applicant shall also submit:~~

~~a. Evidence of the approval of the district from two-thirds of the property owners; and~~

~~b. A written description of the boundaries of the district.~~

(~~3~~2) The planning~~city~~ manager or his designee shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

(~~c~~d) *Public hearings for designations.* The historic preservation ~~commission~~board shall schedule a public hearing on the proposed local designation within 60 days of the submission of a completed application. Notice of the public hearing and notice to the owner shall be given in accordance with the land development regulations ~~zoning code~~ and shall clearly state ~~clearly~~ the location of the landmark ~~site~~ to be considered for local designation~~boundaries for a proposed historic district~~.

(~~d~~e) *Criteria for local designation ~~of property~~.* The historic preservation ~~commission~~board shall recommend the local designation of ~~property as~~ a landmark that is significant in the city's history, architecture, archaeology and culture, and that possesses integrity of location, design, setting, materials, workmanship or association~~;~~

and that meets ~~, landmark site or historic district after the public hearing based upon~~ one or more of the following criteria[LEA4]:

(~~2~~1) Is associated with events that have made a significant contribution to the broad patterns of our local, state or national history;~~Its location is a site of a significant local, state or national event;~~

(~~3~~2) Is associated with the lives of persons significant in our past; ~~It is identified with a person who significantly contributed to the development of the city, state or nation;~~

(~~6~~3) Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; ~~It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials;~~

(~~1~~4) Has yielded, or may be likely to yield, information important in prehistory or history~~Its value is a significant reminder of the cultural or archeological heritage of the city, state or nation~~; ~~and/or~~

(5) Is listed in the National Register of Historic Places as established by the National Historic Preservation Act of 1966, ~~(~~as amended~~)~~.

~~(2) Its location is a site of a significant local, state or national event;~~

~~(3) It is identified with a person who significantly contributed to the development of the city, state or nation;~~

~~(4) It is identified as the work of a master builder, designer or architect whose individual work has influenced the development of the city, state or nation;~~

~~(5) Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance;~~

~~(6) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials;~~

~~(7) Its character is a geographically definable area possessing a significant concentration, or continuity of sites, buildings, objects or structures united in past events or aesthetically by plan or physical development; or~~

~~(8) Its character is an established and geographically definable neighborhood, united in culture, architectural style or physical plan and development.~~

(~~e~~f) *Historic Preservation ~~Commission~~Board recommendation~~decision~~.* After evaluating the testimony, survey information and other material presented at the public hearing, the historic preservation ~~commission~~board shall~~, within 60 days,~~ make its recommendation to the city commission with a written report on the landmark ~~property or area~~ under consideration. ~~Applications for designation shall be approved or denied.~~ The historic preservation ~~commission~~board may vote to defer its recommendation ~~decision~~ for an additional 30 days, if additional information is needed to satisfy the established review criteria. If the historic preservation ~~commission~~board recommends a local designation, it shall explain how the proposed landmark ~~or historic district~~ qualified for designation under the criteria contained in this section. This evaluation may include references to other buildings ~~and areas~~ in the city and shall identify the significant features of the proposed landmark~~ or historic district~~. The report shall include a discussion on the relationship between the proposed local designation and existing and future plans for the development of the city. The planning department shall promptly notify the ~~applicant and the~~ property owner or authorized representative of the historic preservation ~~commission~~board recommendation~~decision~~.

~~(f) *Appeals to city commission.* Any person may appeal the commission's decision to the city commission within 15 days of the decision[LEA5].~~

(g) *City commission review and designation.* The city commission shall approve, modify, or ~~disapprove~~ deny the proposed local designation within 60 days of the historic preservation ~~commission~~board recommendation. If a local designation is made, the zoning map ~~comprehensive plan, including the future~~ land use map ~~series,~~ shall be amended to identify the local designation. ~~contain the designation in accordance with state law.~~ The planning department shall notify each applicant and property owner of the decision relating to the property within 30 days of the city commission action and shall arrange that the local designation of a property as a landmark ~~or as a part of an historic district~~ be recorded in the official record books of the county.

(h) *Amendments and rescissions.* The local designation of any landmark ~~and landmark site or historic district~~ may be amended or rescinded through the same procedure utilized for the original ~~description~~designation.

~~(Code 1975, § 14½-5)~~

Sec. 50-~~6~~8. Local d~~D~~esignation of ~~h~~historic districts.

(a) *Authorized.* Upon recommendation of the historic preservation ~~commission~~board, the city commission may locally designate by ordinance ~~local~~ historic districts. Each locally designated district must include a list of contributing and non-contributing buildings.

(b) *Owner consent.* Local historic district designation does not require the consent of all owners, but shall be supported by 51% of the property owners in the proposed district. W~~However, w~~ritten owner consent shall be required for the designation of each *contributing* structures[LEA6] within the proposed district.

(c) *Application requirements.*

(1) Consideration of the local designation of a ~~local~~ historic district shall be initiated by the filing of an application for designation by a property owner within the proposed district or authorized representative, any resident or organization in the city, or the city. The city shall charge a fee for each application that reflects processing costs for the application, except such fee shall be waived for city-initiated applications. The applicant shall complete an application form provided by the planning department, which shall include:

a. A written description of the architectural, historical or archeological significance of the buildings within the proposed historic district and specifically addressing and documenting how the proposed designation meets the criteria contained in this chapter;

b. A map showing the proposed district boundary and buildings to be designated as *contributing properties* ~~(as defined in this chapter)~~. The number of *contributing* structures must comprise at least 50 percent of the total structures in the proposed district;

c. Date of construction of the contributing structures within the proposed district and the names of former owners;

d. Photographs of the contributing sites~~/buildings~~ within the proposed district;

~~e. Evidence of support for the district from at least 30 percent of the property owners; and~~

~~f~~e. A written description of the boundaries of the proposed district.

(2) The planning ~~city~~ manager or ~~his~~ designee shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

(d) *Public hearings for local designations.* The historic preservation ~~commission~~board shall schedule a public hearing on the proposed district designation. Notice of the public hearing and notice to the owners within the proposed district shall be given in accordance with the land development regulations ~~zoning code~~ and shall clearly state the boundaries for the~~a~~ proposed ~~historic~~ district.

(e) *Criteria for local designation of a historic district ~~property~~*. The historic preservation ~~commission~~board shall recommend the local designation of ~~local~~ historic districts that meet the established review criteria set forth in the preceding section. ~~criteria stated in Section 50-7.d.~~

(f) *Board~~Commission~~ recommendation~~decision~~*. After evaluating the testimony, survey information and other material presented at the public hearing, the historic preservation ~~commission~~board shall make its recommendation to the city commission with a written report on the area under consideration. The historic preservation board may vote to defer its recommendation for an additional 30 days, if additional information is needed to satisfy the established review criteria. If the historic preservation board recommends local designation, it shall explain how the proposed historic district qualified for designation under the established review set forth above. ~~The historic preservation commission may vote to defer its decision for an additional 30 days. If the historic preservation commission recommends a designation, it shall explain how the proposed historic district qualified for designation under the criteria contained in this section.~~ This evaluation may include references to other areas in the city and shall identify the significant features of the proposed historic district. The report shall include a discussion on the relationship between the proposed designation and existing and future plans for the development of the city. The planning department shall promptly notify the applicant and property owners within the district ~~and property owners within the district~~ of the board~~commission~~ recommendation~~decision~~.

(g) *City commission review and designation.* The city commission shall approve, modify, or deny the proposed designation within 60 days of the historic preservation board~~commission~~ recommendation. If a designation is made, ~~the~~ the zoning map shall be amended to identify the local designation. The planning department shall notify each applicant and property owner of the decision within 30 days of the city commission action and shall arrange that the local designation of the historic district be recorded in the official record books of the county.

~~comprehensive plan, including the future land use map series, shall be amended to contain the district designation in accordance with state law. The planning department shall notify each applicant and property owner of the decision within 30 days of the city commission action and shall arrange that the designation of a historic district be recorded in the official record books of the county.~~

(h) *Amendments and rescissions.* The local designation of any historic district or contributing status of a property may be amended or rescinded through the same procedure utilized for the original designation. The rescission of any contributing structure~~s~~ shall not require a change to the boundaries of a designated historic district.

Sec. 50-789. Certificate of Appropriateness~~Approval of changes to landmarks, landmark sites and property in historic districts~~.

(a) *Certificate of appropriateness required.* No person may undertake the following actions without ~~affecting a designated local landmark, a designated landmark site or a contributing or not contributing property~~[LEA7] ~~in a designated local historic district without~~ first obtaining a certificate of appropriateness ~~from the commission~~:

- Disturbance of an ~~alterations of an aa~~rcheological site, or~~or~~
- ~~E~~the exterior part of a building, ~~or structure or site,~~
- rection of an addition to a local landmark, or
- New construction within a locally designated historic district,~~new construction,~~ or
- Relocation, demolition, or material alteration of the exterior features of a local landmark or a contributing building within a locally designated historic district. ~~or~~

~~relocation.~~

(1) ~~———~~Exterior features include, but shall not be limited to, the architectural style, scale, massing, siting, general design and general arrangement of the exterior of the building or structure, including landscape features, site improvements, and the type, style and material ~~and color~~ of roofs, windows, doors, siding, masonry, porches, storefronts and other architectural features. ~~It shall also include landscape features and site improvements.~~

(2) ~~———~~Review of ~~a~~ new construction and alterations to locally designated landmarks~~buildings and structures~~ shall be limited to exterior changes visible to the public ~~visible to the public~~from a public right-of-way.

(3) Whenever an~~y~~ alteration is performed ~~, a new construction, demolition or relocation is undertaken on a designated landmark, a designated landmark site or a property in a designated historic district~~ without a certificate of appropriateness, the chief building official is authorized to issue a stop work order.

(~~2~~4) A certificate of appropriateness shall be required in addition to any other required building permits ~~required by law~~. The issuance of a certificate of appropriateness ~~from the commission~~ shall not relieve the property owner of the duty to comply with all other state and local laws and regulations.

(~~3~~5) Ordinary repairs and maintenance that are otherwise permitted by law may be undertaken without a certificate of appropriateness provided this work ~~on a designated landmark, a designated landmark site, or a property in a designated historic district~~ does not alter the exterior appearance of the building, structure or archeological site, or alter elements significant to its architectural or historic integrity.

~~(4) No certificate of appropriateness for alteration, new construction, demolition or relocation pursuant to the provisions of this chapter shall be effective for a period of 15 days subsequent to the commission's decision. If during that 15-day period an appeal is made to the city commission, the decision of the commission shall automatically be stayed pending city review.~~

(b) ~~*L*~~*Major and minor certificates of appropriateness~~*evel of review*~~. ~~Based on the type of alteration proposed, the application for a Certificate of Appropriateness (COA) may be approved by staff or the Commission.~~

(1) ~~***Standard***~~ *Minor c~~C~~ertificate of a~~A~~ppropriateness.* A minor c~~Standard C~~ertificate of a~~A~~ppropriateness is reviewed and approved by staff and is required for work that is deemed to have a minimal impact to the subject resource such that the work will result in the preservation of the original appearance and will meet the Secretary of the Interior's Standards for Rehabilitation and the applicable standards of ~~contained in this~~ Chapter. E~~E~~xamples of work that may be considered to have minimal impact include, but are not limited to, minor alterations to the rear of a historic structure that is not visible from the public right-of-way, ~~or the~~ construction of a ground-level deck to the rear of a historic structure that does not obscure architectural features ~~and that is easily removable~~, ~~.~~installation of a canvas awning or canopy, repair of a cornice using existing materials and duplicating the original design, installation of new doors, windows, or roofs that are compatible in size and style with the original architecture of the building, fencing located behind any street façade, painting of any exterior material or surfaces other than unpainted masonry, stone, brick, terra cotta, or concrete, installation of skylights, repair or replacement of siding with siding that duplicates the appearance of the original, and installation of signs on commercial property.

(2) *Major* ~~***Special***~~ *certificate of ~~historic~~ appropriateness.* A major~~special~~ certificate of historic appropriateness is reviewed and approved by the historic preservation board and is required for additions to a local landmark, new construction in a local historic district, exterior alterations of a local landmark or contributing structure in a local historic district, demolitions of a local landmark or a contributing structure in a local historic district, or any other work ~~work~~ on a local landmark or contributing structure in a local historic district that does not constitute ordinary maintenance or repair and is deemed to have more than a minimal impact to the subject resource.

(c~~b~~) *Application procedures for certificates of appropriateness.*

(1) The applicant shall complete an application ~~form~~ provided by the planning department~~building department~~ containing, in part, the following information:

a. Drawings of the proposed work;

b. Photographs of the existing building or structure and adjacent properties; and

c. Information about the building materials to be used.

(~~1~~2) Each application for a certificate of appropriateness shall be accompanied by the required fee.

(~~2~~3) The planning~~city~~ manager shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

(4) If the application is deemed complete ~~by the City Manager~~, ~~T~~the planning manager~~chief building official~~ shall forward the application to the reviewing entity ~~Historic Preservation Officer, if the application qualifies as a Standard COA, or the historic preservation commission, each application for a permit that would authorize an alteration, new construction, demolition or relocation affecting a designated landmark, a designated landmark site, or a property in a designated historic district if the application is determined to be a Special COA,~~ for consideration at ~~review during~~ a public hearing. ~~The applicant shall complete an application form provided by the building department containing in part the following information:~~

~~a. Drawings of the proposed work;~~

~~b. Photographs of the existing building or structure and adjacent properties; and~~

~~c. Information about the building materials to be used.~~

(d~~c~~) *Review of minor c~~Standard C~~ertificates of a~~A~~ppropriateness*. The h~~H~~istoric p~~P~~reservation o~~Off~~fficer reviews and issues minor~~standard~~ certificates of appropriateness, subject to the criteria contained in subsection (f~~e~~) below. A decision to approve, ~~deny or~~ approve with conditions, or deny shall be made and communicated in writing to the applicant within 10 days from receipt of a complete application. The officer's ~~HPO~~ decision may be appealed to the historic preservation ~~commission~~board within 30 days of the officer's findings. The appeal is reviewed by the historic preservation ~~commission~~board as a s~~S~~pecial c~~C~~ertificate of a~~A~~ppropriateness and an additional application fee is required.~~(2) The city manager shall determine when an application is complete and may request additional information when such application is determined to be incomplete.~~

(e) *Review of major ~~Special C~~certificates of a~~A~~ppropriateness~~Public hearings for certificates of appropriateness~~*. The historic preservation ~~commission~~board shall hold a public hearing on each major~~Special~~ c~~c~~Certificate of a~~a~~Appropriateness within 30 days after receipt of a completed application. The ~~commission~~board shall approve, approve with conditions, or deny~~disapprove~~ each application, based on the criteria contained in sub~~this~~ section (f~~e~~). The ~~commission~~board shall make its decision at a public hearing, but no later than 60 days after an application is presented to the board.~~act within 60 days after the close of the public hearing.~~ If the ~~commission~~board fails to make a decision ~~decide an application~~ within the specified time period, the application shall be deemed approved.

~~(4)~~ No certificate of appropriateness for alteration, new construction, demolition or relocation pursuant to the provisions of this chapter shall be effective for a period of 15 days subsequent to the ~~commission~~board's decision. If during that 15-day period an appeal by an aggrieved party is made to the city commission, the decision of the ~~commission~~board shall automatically be stayed pending city commission review and determination. ~~pending city commission review.~~

(df) *General cCriteria for granting certificates of appropriateness.* In approving or denying applications for certificates of appropriateness for alterations, new construction, demolition or relocation, the reviewing officer or board Historic Preservation Officer and historic preservation commission shall use consider the following general guidelinescriteria:

(1) The effect of the proposed work on the local landmark or the contributing structure property upon which such work is to be done;

(2) The relationship between such work and other structures on the local landmark site or and surrounding properties in the local historic districtor other property in the historic district;

(3) The extent to which the historic, architectural or archeological significance, architectural style, design, arrangement, texture, materials and color of the landmark or the property will be affected;

(43) Whether the denial of a certificate of appropriateness would deprive the property owner of reasonable beneficial use of property beneficial use of his property; and

(54) Whether the plans may be reasonably carried out by the applicant.; and

(65) Compliance with the standards contained in Section 50-810.

(ig) *Appeals to city commission.* Within 15 days of the historic preservation commissionboard decision, any aggrieved person may appeal to the city commission any decision of the commissionboard on an application for a certificate of appropriateness. The city commission shall approve, approve with conditions modifications, or denyisapprove the application at a public hearing within 60 days after receiving the appeal.

(jh) *Emergency conditions; designated properties.* In any case where the chief building official determines that there are emergency conditions dangerous to life, health or property affecting a local landmark, a landmark site, or a contributing structure in a local property in an historic district, the official may order the remedying of these conditions without the approval of the commissionboard or issuance of a required certificate of appropriateness. The chief building official shall promptly notify the chair of the commissionboard of the action being taken.

(Code 1975, § 14½-6)

Sec. 50-810. Certificate of appropriateness review criteria. Standards for rehabilitation, additions, new construction and relocation

An application for a Minor or Major Certificate of Appropriateness shall be reviewed and decided in accordance with the following criteria:

(a) *Secretary of the Interiors' Standards for Rehabilitation*Treatment of Historic Properties.

Preservation is the main focus of the historic preservation standards contained in this chapter. However, when repair or replacement of deteriorated features is necessary, or alterations and additions are planned, rehabilitation is the appropriate treatment[LEA8].

(ea) *General standards for rehabilitation*Additional guidelines for alterations. All applications shall meet the US Secretary of Interior standards for Rehabilitation (restated below) and the additional standards contained in this section.

(1) In approving or denying applications for certificates of appropriateness for alterations, the commission shall also use the following additional guidelines, which are based on the United States Secretary of the Interior's Standards for Historic Preservation Projects.

(21) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment. Every reasonable

~~effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure or site and its environment, or to use a property for its originally intended purpose.~~

(~~3~~2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.~~The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.~~

(~~4~~3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.~~All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier appearance shall be discouraged.~~

(~~5~~4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.~~Changes that may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.~~

(~~6~~5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved. ~~Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure or site shall be treated with sensitivity.~~

(~~7~~6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.~~Deteriorated architectural features shall be repaired rather than replaced, wherever possible. If replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.~~

(~~8~~7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.~~The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building material shall not be undertaken.~~

(~~9~~8) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.~~Every reasonable effort shall be made to protect and preserve archeological resources affected by or adjacent to any acquisition, protection, stabilization, preservation, rehabilitation, restoration or reconstruction project.~~

(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

(10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(b) *Additional standards for rehabilitation*. The rehabilitation of a local landmark or a contributing structure in a ~~alteration of~~ local historic ~~landmarks and properties within locally designated historic~~ district~~s~~ shall comply with subsection (a) of this Section, as well as the following general standards: New Smyrna Beach Historic Preservation Design Guidelines.~~the United States Secretary of the Interior's Standards for the Treatment of Historic Properties and the following general standards (refer to subsection (c) for the addition of accessibility ramps, solar panels and mechanical equipment):~~

(1) ~~*Non-Contributing Structures*. Alterations to non-contributing structures within a local district shall be reviewed for their compatibility with the massing and scale of the original structure and the existing contributing structures in the district. The design of non-contributing structures may be of any architectural style but shall not create a false historical appearance.~~

~~(2)~~ *Storefronts*. The materials, composition, proportion, and features (e.g., windows, entries, transoms, bulkheads) of commercial storefronts shall be preserved and shall not be covered with added elements. Glass shall remain transparent.

(~~3~~2) *Awnings and canopies*. Maintain and repair as needed. Replacement awnings or canopies must resemble the original in structure, dimensions and materials. The use of pent roofs (a more permanent awning that typically uses clay tile, metal or shingles instead of fabric) is not allowed.

(~~4~~3) *Building materials*. Exterior façade materials (e.g., siding, wall finish, accents) shall be maintained and repaired when deteriorated. If replacement is necessary, the new materials must match or mimic the existing. The use of aluminum, ~~vinyl~~ vinyl~~or composite/fiber cement siding, simulated stone or brick products~~, and glass block (unless original to the building) shall not be permitted.

(~~5~~4) *Building colors*. Building colors should be consistent with the schemes typically attributed to the building architectural style.

(~~6~~5) *Roofs*. The roof shape and elements (e.g., dormers, eaves, and parapets) shall be preserved. The use of colorized metal roofing materials shall be prohibited.

(~~7~~6) *Entries and doors*. Existing entries and their decorative elements shall be preserved. Replacement doors must match or mimic the original in dimensions, shape, configuration, and material when possible. Trim boards, sidelights, and transom lights, and any other architectural elements, if present, shall be preserved.

(~~8~~7) *Windows*. The windows on historic buildings, if they haven't already been modified, must be retained, properly maintained and repaired. If replacement is necessary, the new windows and associated elements (e.g., frames, panes, lintels, sills, etc.) shall match or mimic the original in placement, shape, dimensions, orientation, and type (e.g., double hung, casement, etc.). If it is suspected that the existing windows do not match the original windows (based on the style of the building) the applicant must consult with city staff to find the most appropriate type of window for the building style. ~~Snap-on grilles-between-glass muntins shall not be allowed.~~

(~~9~~8) *Window shutters*. Replacement shutters shall match the original in size, type, design and materials when possible (including hardware). New shutters shall only be allowed if appropriate to the building style (e.g., Bahama shutters shall not be added to a Folk Victoria house). New and replacement shutters do not need to be operational but must be proportionate to the window (each shutter must have a width that equals one half of the window width).

(~~10~~9) *Hurricane shutters*. Traditional window shutters, when present, are the first line of defense against hurricanes. If not present or not operable, the use of temporary/removable protection elements (e.g., plywood, metal screens, ~~impact~~and impact resistant fabric screens) over windows and gable vents is permitted. Fasteners and tacks must be painted the same color as the surface where they are installed, shall not cause permanent damage to the building, and shall not remove or hide character-defining

features of the building. Accordion and roll-up shutters, which fold or roll to the side or top when not in use and remain permanently attached to the building, are not permitted.

(~~11~~10) *Porches*. Existing porches that are open or screened shall not be enclosed. Open porches may be screened as long as the porch elements (e.g., columns, railings, beams) are not modified or obscured.

(~~12~~11) *Foundations*. Foundations must be repaired to maintain the original function and appearance. Foundation enclosures may be replaced if deteriorated beyond repair with enclosures that match the original in terms of placement, material and appearance. The enclosures shall be located between piers instead of covering them.

(~~13~~12) *Architectural details*. Where deteriorated, architectural details (e.g., brick or tile work, medallions, chimneys, attic vents, roof brackets, exposed rafters, railings and balustrades, etc.) shall be repaired if damaged. If replacement is necessary, the replacement feature shall match the original in design, shape, dimensions and materials. Architectural details shall not be covered by other elements added to the façade.

(~~14~~13) *Privacy fences and walls*. Existing fences and walls must be properly maintained and repaired. If replacement is necessary, the fence/wall must be consistent with the style of the main building. Chain link~~and plastic/vinyl~~ fences shall be prohibited.

(~~15~~14) *Accessory structures*. Existing accessory structures that are part of the designated site are also subject to a Certificate of Appropriateness if altered. All applicable provisions in this subsection (b) shall apply.

(~~16~~15) *Parking and driveways*. Paved areas should remain unchanged in terms of size/extent. Adaptive reuse, however, may require substantial changes to paving (e.g., converting a single-family site to a restaurant use). This must be done in a manner that preserves the character of the original function of the site (e.g., not allowing paved areas immediately adjacent to the building).

(~~17~~16) *Signs*. If possible, the original sign board/structures shall be preserved with only the sign copy changing. New signs shall not cover architectural features (e.g., windows, details, trims).

(~~f~~c) *Additional ~~guidelines~~ standards for additions and new construction*. ~~In approving or denying applications for certificates of appropriateness for new construction, the commission shall also use the following additional guidelines:~~ Additions to designated local historic landmarks and contributing structures in a local historic district, and any new construction in a local historic district s~~The~~hall comply with subsection (a) of this Section, as well as the following general standards:

~~following additional standards shall apply to additions to designated local historic landmarks, additions to structures within local historic districts, and to new construction within designated local historic districts:~~

(1) *Volume scale and massing*. The scale and massing of additions and new structures must be similar to the contributing structures in the historic district. Any new structure which exceeds 50 linear feet along any street frontage must provide a projection or recess at least 3 feet deep to minimize the scale of the building.

(~~1~~2) *Building height*. ~~The height of proposed building shall be visually compatible with adjacent buildings~~The maximum height of additions and new buildings must comply with the requirements of the zoning district but shall not overwhelm the existing structures on the subject site or surrounding sites. In order to accommodate changes in height permitted by the district, an additional 10-foot setback must be provided for every floor above the height of the surrounding structures. The step backs may be provided per floor or for the entire building.~~;~~

~~(2) The relationship of the width of the building to the height of the front elevation shall be visually compatible to buildings and places to which it is visually related;~~

(3) *Building placement*. The proposed setbacks for additions and new construction shall be made consistent with the predominant setbacks in the same block provided that the setbacks comply with the zoning district regulations. Additionally, new buildings and additions must replicate the building orientation that is predominant along the same block. For instance, residential buildings tend to locate the narrow part of the building along the street and the front façade is parallel to the street.

(4) *Roofs*. Roof types, shapes and pitch on additions and new buildings must be similar to the roof characteristics of the subject structure and surrounding buildings in the historic district.

(5) *Architectural style*. Additions must respect the architectural style of the existing building but not create a false historical appearance. Similarly, new construction may use any architectural style, but shall not duplicate historic styles. If a particular style is selected for inspiration, it must be a style that appears in the historic district.

(~~3~~6) *Fenestration*. ~~The relationship of the width of the windows to height of windows in a building shall be visually compatible with buildings and places to which the building is visually related;~~ Fenestration refers to the pattern of windows and doors that provide façade transparency and interest. The facades facing a street must contain fenestration that resembles the historic patterns in the district. Windows (other than storefront display windows) must have a vertical emphasis similar to the windows found on contributing buildings in the historic district and must include prominent window frames, sills and lintels.

~~(4) The relationship of solids to voids in the front facade of a building shall be visually compatible with buildings and places to which it is visually related;~~

~~(5) The relationship of building to open space between it and adjoining buildings shall be visually compatible to the buildings and places to which it is visually related;~~

(~~6~~7) *Entrances*. ~~The relationship of entrance and porch projections to sidewalks of a building shall be visually compatible to the buildings and places to which it is visually related;~~ New buildings must provide the main entrance facing the street. Commercial buildings in storefront areas must respect the pattern of storefronts. Residential buildings must provide a porch, portico, stoop or other architectural feature consistent with the predominant style in the district.

(~~7~~8) *Building materials and colors*. ~~The relationship of the materials, texture and color of the facade of a building shall be visually compatible with the predominant materials used in the buildings to which it is visually related;~~ The materials and colors used on additions and new construction must be similar to the materials and textures of the original structure and the contributing structures in the district. Prohibited materials include unfinished block, textured plywood, aluminum or vinyl siding~~, faux brick or stone~~.

~~(8) The roof shape of a building shall be visually compatible with the buildings to which it is visually related;~~

(9) *Façade ornamentation*. Features such as awnings, canopies, shutters, and similar must be in character with the style of the existing building and the other buildings in the district. Awnings must follow the shape of the door and window opening. Shutters do not need to be operational but must be proportionate to the window (each shutter must have a width that equals one half of the window width).

(~~9~~10) *Privacy fences and walls*. ~~Appurtenances of a building such as walls, wrought iron fences, evergreens, landscape masses, building facades, etc., shall, if necessary, form cohesive walls of enclosures along a street, to ensure visual compatibility of the building to the buildings and places to which it is visually related;~~ The materials and colors of privacy fences and walls must be coordinated with the main structure. Chain link fences visible from a public right-of-way or space are prohibited[LEA9].

~~(10) The size of a building, the mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with the buildings and places to which it is visually related; and~~

~~(11) A building shall be visually compatible with the buildings and places to which it is visually related in its directional character, whether this be vertical character, horizontal character or nondirectional character.~~

(11) *Accessory structures*. The introduction of accessory structures, if not visible from the public right-of-way do not require a Certificate of Appropriateness if they meet the requirements of the Land Development Regulations~~Section ## of the LDC~~. If visible from the public-right-of-way, they must complement the style, materials and colors of the building.

(12) *Signs*. Proposed signs shall meet the requirements of the Land Development Regulations and ~~Chapter ##,~~ must be compatible with the design of the structure and shall not cover architectural details or features.

(13) *Accessibility ramps*. Compliance with health and safety codes and ADA access requirements must be carried out with minimum impact on the historic character of buildings. Therefore, where possible, they should be located on the side or rear elevation, shall not cover any architectural details, shall be installed in a manner that if removed, there will not be damage to the building, and must incorporate materials and colors that are consistent with eh building.

(14) *Mechanical equipment*. Rooftop equipment must be screened so that it is not visible from the public right-of-way. Ground level equipment must be located to the side or rear of the building and must be screened by fencing or landscaping.

(15) *Solar panels*. When added to an existing buildings or sites, they shall not be visible from the public right-of-way (may be placed on flat roofs behind parapets, or the back side of sloped roofs).

~~(g) *Additional requirements for* ***demolitions*** [LEA10].~~

~~(1) No certificate of appropriateness for demolitions shall be issued by the commission until the applicant has demonstrated that no other feasible alternative to demolition can be found. The commission may ask interested individuals and organizations for assistance in seeking an alternative to demolition. On all demolition applications, the commission shall study the question of economic hardship for the applicant and shall determine whether the landmark or the property in the historic district can be put to reasonable beneficial use without the approval of the demolition application. In the case of an income-producing building, the commission shall also determine whether the applicant can obtain a reasonable return from the existing building. The commission may ask applicants for additional information to be used in making these determinations, including but not limited to evidence that the plans for a new building on the site will be implemented. If the applicant fails to establish the lack of a reasonable beneficial use or the lack of a reasonable return, the commission shall deny the demolition application.~~

~~(2) The commission may grant a certificate of appropriateness for demolition even though the designated landmark, designated landmark site or property within the designated historic district has reasonable beneficial use if the commission determines that the property no longer contributes to an historic district or no longer has significance as an historic, architectural or archeological landmark, that the demolition of the designated property is required by a community redevelopment plan or the comprehensive plan.~~

(d~~h~~) *Additional guidelines for relocation.* ~~***relocation.***~~ The relocation ~~When an applicant seeks to obtain a certificate of appropriateness for the relocation~~ of a local landmark, a contributing ~~building or~~ structure in a local historic district~~on a landmark site, or a building or structure in an historic district~~, or ~~wishes to~~ relocating ~~e~~ a ~~building or~~ structure to a local landmark site or local ~~to a property in an~~ historic district, shall comply with subsection (a) of this Section, as well as the following general standards:

~~the commission shall also consider the following:~~

(1) The contribution the building or structure makes to its present setting;

(2) Whether there are definite plans for the site to be vacated;

(3) Whether the building or structure can be moved without significant damage to its physical integrity; and

(4) The compatibility of the building or structure to its proposed site and adjacent properties.

~~(i) *Appeals to city commission.* Within 15 days of the commission decision, any person may appeal to the city commission any decision of the commission on an application for a certificate of appropriateness. The city commission shall approve, approve with modifications, or disapprove the application within 60 days after receiving the appeal.~~

~~(j) *Emergency conditions; designated properties.* In any case where the chief building official determines that there are emergency conditions dangerous to life, health or property affecting a landmark, a landmark site, or a property in an historic district, the official may order the remedying of these conditions without the approval of the commission or issuance of a required certificate of appropriateness. The chief building official shall promptly notify the chair of the commission of the action being taken.~~

~~(Code 1975, § 14½-6)~~

Sec. 50-99~~11~~. Emergency actions; non-designated properties.

The city commission may call an emergency meeting to review a threat to a property that has not yet been designated by the city but appears to be eligible for designation. The city commission may request that a stop work order be issued by the chief building official for a 30-day period in order to provide time to negotiate with the property owner to remove the threat to the property; the city commission shall seek alternatives that will remove the threat to the property. During the 30-day period the city commission may initiate steps to designate the property under the provisions of this chapter.

~~(Code 1975, § 14½-7)~~

Sec. 50-102~~0~~. Conformity with the certificate of appropriateness.

All work performed pursuant to a certificate of appropriateness shall conform to all provisions of such certificate. It shall be the responsibility of the building department to inspect from time to time any work being performed to assure such compliance. In the event work is not being performed ~~not~~ in accordance with such certificate, the chief building official is authorized to issue a stop work order. No additional work shall be undertaken as long as such stop work order remains~~shall continue~~ in effect.

~~(Code 1975, § 14½-8)~~

Sec. 50-113~~1~~. Maintenance and repair of local landmarks and contributing structures in a local historic district. ~~, landmark sites and property in historic districts.~~

(a) Every owner of a local landmark~~, a landmark site~~ or a contributing building ~~property~~ in a local~~n~~ historic district shall keep in good repair:

(1) All of the exterior portions of such buildings or structures;

(2) All interior portions that, if not so maintained, may cause such buildings or structures to deteriorate or to become damaged or otherwise to fall into a state of disrepair; and

(3) In addition, where the landmark is an archeological site, the owner shall be required to maintain his property in such a manner so as not to adversely affect the archeological integrity of the site.

(b) The ~~commission~~board may refer violations of this section to the building department for enforcement proceedings on any ~~building or~~ structure designated under this chapter so that such ~~building or~~ structure shall be preserved in accordance with the purposes of this chapter.

(c) The provisions of this section shall be in addition to the provisions of the building code requiring such ~~b~~buildings and structures to be kept in good repair.

~~(Code 1975, § 14½-9)~~

Sec. 50-1242. Demolition delay~~Historic building demolition~~.

(a) ~~*Historic Building Demolition Ordinance.* This section shall be known and cited as the City of New Smyrna Beach Historic Building Demolition Ordinance.~~

~~(b) *Finding.* It is the finding of the City Commission of the City of New Smyrna Beach, Florida, that New Smyrna Beach contains many important historical buildings. Further, in the preservation and understanding of the importance of the historic buildings within New Smyrna Beach there is a direct relationship to the economic well-being of the city and the present and future needs, public health, safety, morals and general welfare of the citizens of the incorporated area of New Smyrna Beach, Florida, as well as visitors to and residents of New Smyrna Beach.~~

~~(c) *Purpose.* This section is adopted for the purpose of preserving and protecting significant buildings within the city, which constitute or reflect distinctive features of the architectural, cultural, political, economic, or social history of the city; to encourage owners of such buildings to seek out persons who might be willing to purchase, preserve, rehabilitate, relocate or restore such buildings rather than demolish them.~~

~~(d) *Definitions.* For the purpose of this section, certain words and terms used herein shall be interpreted to have the meanings as defined below. Where words or terms are not defined in this section, they shall assume the meaning as indicated in Webster's Ninth New Collegiate Dictionary. Words used in the present tense include the future; the singular number includes the plural and the plural includes the singular. The word "shall" is mandatory and the word "may" is permissive. The word "used" or "occupied" includes the words "intended, designated or arranged to be used or occupied." The word "land" includes the word "marsh," "water" or "swamp."~~

~~*Building.* Any combination of materials capable and intended of being used as a shelter for persons for residential or non-residential purposes.~~

~~*Commission.* The Historic New Smyrna Beach Preservation Commission.~~

~~*Contributing building.* A building recognized as a contributing building within one of the city's National Register of Historic Places historic districts as noted on attached maps labeled as exhibits A and B.~~

~~*Demolition.* The act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction. Removing portions of a building that destroy the original character of the building also constitutes demolition.~~

~~*Demolition by neglect.* The absence of work in maintaining, repairing, or securing a contributing building or structure in a historic district that results in deterioration of an exterior feature of the building or structure or the loss of the structural integrity of the building or structure.~~

~~*Demolition permit.* The permit issued by the city building department as required by the state building code for the demolition or removal of a building or structure.~~

~~*Significant building.* Any building within the city which the commission determines, as provided in section 50-12(g), to be in the public interest to be preserved or rehabilitated, and whose demolition would be detrimental to the historical and/or architectural heritage and resources of the city.~~

~~(e)~~ *Regulated buildings.* This section applies to all contributing buildings within the city's ~~two~~ National Register of Historic Places Hhistoric D-districts ~~as shown on exhibits A* and B*~~.

(b~~f~~) *Notice.* Notice of a public hearing to consider any proposal to demolish a contributing building located in one of the city's nationally recognized historic districts ~~as indicated in section 50-12(e)~~ shall be made by staff, at the applicant's expense,~~the commission staff~~ in a ~~New Smyrna Beach new~~newspaper of general circulation in the city at least 30 days prior to the hearing. The owner or authorized representative of the owner of the building proposed for demolition shall notify all property owners within 150 feet of the subject property of the ~~proposed~~ public hearing. The notice shall be sent by United States Postal Service certified mail "return receipt requested" to each property owner no less than 15 days prior to the advertised public hearing and shall indicate the property address of the building proposed for demolition and the location, date and time of the public hearing.

(c~~g~~) ~~*Commission*~~*Board review.* The ~~commission~~board shall review any application for demolition of a contributing building within the city's National Register of Historic Places Historic District at its next public hearing with notice given as provided in this section~~section 50-12(f)~~ to determine whether the building is historically significant ~~as defined in this section~~. The building shall be considered historically significant if one or more of the following criteria are declared to be met by the board:

(1) The building is historically or architecturally significant in terms of its period, style, method of building construction or use of indigenous materials; or

(2) The building is a significant reminder of the cultural, or architectural history of the city, state or nation; or

(3) The building is associated with a significant local, state or national event; or

(4) The building is associated with one or more significant historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the city, state or nation; or

(5) The building is one of the few remaining examples of its period, style, or method of construction; or

(6) The building is identified with a person who significantly contributed to the development of the city, state or nation; or

(7) The building is identified as the work of a master builder, designer or architect whose individual work has influenced the development of the city, state or nation; or

(8) The building value is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance; or

(9) The building character is in a geographically definable area possessing a significant concentration or continuity of buildings united in past events or aesthetically by plan or physical development; or

(10) The building character is in an established and geographically definable neighborhood united in culture, architectural style or physical plan and development.

The board shall not consider the request until the applicant has provided the information to explain why the building is not considered significant, or if significant, why it should be demolished. The board shall issue no demolition approval until the applicant has demonstrated that no other feasible alternative to demolition can be found. The board may ask interested individuals and organizations for assistance in seeking an alternative to demolition.

~~The commission shall also consider information submitted by the applicant, as provided in sections 50-12(g) and (h). The commission shall not consider the request until the applicant has provided the information as outlined in sections 50-12(h) and (i) to explain why the building is not considered significant or if significant, why it should be demolished. The commission shall issue no demolition approval until the applicant has demonstrated that~~

~~no other feasible alternative to demolition can be found. The commission may ask interested individuals and organizations for assistance in seeking an alternative to demolition.~~

~~The building shall be considered historically significant if one or more of the following criteria are declared to be met by the commission:~~

~~(1) The building is historically or architecturally significant in terms of its period, style, method of building construction or use of indigenous materials; or~~

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~~(3) The building is associated with a significant local, state or national event; or~~

~~(4) The building is associated with one or more significant historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the city, state or nation; or~~

~~(5) The building is one of a the few remaining examples of its period, style, or method of construction; or~~

~~(6) The building is identified with a person who significantly contributed to the development of the city, state or nation; or~~

~~(7) The building is identified as the work of a master builder, designer or architect whose individual work has influenced the development of the city, state or nation; or~~

~~(8) The building value is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance; or~~

~~(9) The building character is in a geographically definable area possessing a significant concentration or continuity of buildings united in past events or aesthetically by plan or physical development; or~~

~~(10) The building character is in an established and geographically definable neighborhood united in culture, architectural style or physical plan and development.~~

(d~~h~~) *Demolition of significant buildings.* If the ~~commission~~board finds that the building is historically significant the ~~commission~~board may, nevertheless, grant a demolition approval if it finds that one of the following circumstances is met:

(1) *Undue economic hardship.* In any instance where there is a claim of undue economic hardship, the property owner shall submit to the ~~commission~~board prior to the public hearing a report indicating the economic hardship and why the demolition should be allowed. The report shall include the following:

a. The amount paid for the property, the date of purchase and the party from whom purchased;

b. The assessed value of the land and improvements thereon, according to the two most recent assessments;

c. Real estate taxes for the previous two years;

d. Annual debt service, or mortgage payments, if any, for the previous two years;

e. All appraisals (if any) obtained within the previous two years by the owner(s) or applicant(s) in connection with the purchase, financing or ownership of the property;

f. Any listing of the property for sale or rent, price asked and offers received, if any; and

g. Any consideration by the owner as to profitable adaptive uses for the property, including but not limited to possible fair market rents for the property if it were rented or leased in its current condition.

The ~~commission~~board may require that an applicant furnish such additional information as the ~~commission~~board believes is relevant to the ~~commission~~board's determination of any alleged undue economic hardship. The ~~commission~~board may also require, in appropriate circumstances, that information be furnished under oath.

In the event that any of the required information is not reasonable available to the property owner and cannot be obtained by the property owner, the property owner shall file with the~~his/her/their~~ affidavit a statement of the information which cannot be obtained and the reasons why such information cannot be reasonable obtained. Where such unobtainable information concerns required financial information, the property owner will submit a statement describing estimates which shall be as accurate as feasible.

(2) *Building condition.* In any instance where there is a claim the building is not structurally sound and/or suitable for restoration, the applicant shall provide a written report signed by a licensed engineer or architect with experience in historic building restoration stating that the building is structurally unsound and unsuitable for restoration. The ~~commission~~board shall review the credentials of the licensed engineer or architect signing the report and shall find them experienced in historic restorations before the report is accepted. The applicant shall allow members of the ~~commission~~board and ~~commission~~board staff to inspect the interior and exterior of the building.

(3) *Lack of alternative to demolition.* In any instance where there is a claim of no other alternative to demolition, the applicant shall provide written documentation of attempts to sell the building at a reasonable and comparable amount or to offer it without charge to purchasers willing to move the building to another location and preserve, rehabilitate, relocate or restore the building. A reasonable and comparable sales price shall be indicated by providing evidence such as recent appraisals, comparable values of properties similar to the building proposed to be demolished or other evidence the ~~commission~~board deems acceptable.

(e~~i~~) *Conditions of demolition approval.* If the ~~commission~~board grants demolition approval for a contributing building listed on the National Register, ~~historical building as provided in section 50-12(g),~~ the ~~commission~~board may~~shall~~ condition approval on one or more of the following requirements:

(1) The ~~commission~~board shall require the applicant to provide a written and pictorial record of the building's history and architectural features for archival purposes, approved by the city. The record should include a narrative accompanied by relevant photographs, drawings, maps, and copies of original documents; or

(2) The board

~~(2) The commission shall require the applicant to design the replacement building(s) to meet the requirements of the Historic Preservation Design Guidelines for New Smyrna Beach and submit drawings of the proposed work, photographs of existing buildings or structures on adjacent properties and information about the building materials to be used for commission approval; or~~

~~(3) The commission~~ may require that the owner allow archaeological study of the property before and/or during demolition if the property falls within the area demonstrated to have a medium or high probability to contain archaeological resources; or

(3~~4~~) The ~~commission~~board may require that the owner allow salvage activities of the historic building provided the ~~commission~~board finds that there are salvageable materials within the building. ~~Commission~~Board staff shall provide evidence to demonstrate that salvageable materials are within or on the building to be demolished; or

(4~~5~~) The ~~commission~~board may require that the owner of a historically significant building meet any other condition that is reasonable to mitigate the demolition of the historic building.

(fj) *De~~molition de~~lay.* Should the ~~commission~~board determine that a building is historically significant and does not meet at least one of the circumstances allowing demolition of a historically significant structure, the ~~commission~~board shall provide for a demolition delay effective date of up to 120 days from the date of its decision~~the application~~. The purpose for the delay is for city staff~~the commission staff~~ to invite the owner of record of the building to participate in an investigation of alternatives to demolition including, but not limited to, incorporation of the building into the future development of the site; adaptive reuse of the building; utilization of financial incentives to rehabilitate the building; seeking a new owner willing to purchase and preserve, restore or rehabilitate the building; or moving the building. The city will provide the applicant resource assistance including but not limited to potential grant sources, tax relief measures, possible lenders, and available insurers. Once the delay period has ended and if the owner is still seeking demolition of the historically significant structure, the owner shall appear before the ~~commission~~board at a meeting adhering to the notice requirements of this section ~~50-12(f)~~ and present a case as to why the demolition should be granted. The ~~commission~~board shall again consider the reasons for demolition of a historically significant building and must ~~as indicated in section 50-12(h). The commission shall~~ approve the demolition provided any board-imposed conditions of approval ~~t~~contained ~~he condition~~in~~s of~~ subsection (e)(1)-(3) have been satisfied~~50-12(i) subsections (1) through (4) are complied with~~.

Sec. 50-13. Demolition by neglect.

(a~~k~~) *Demolition by neglect.* The owner of a contributing ~~building or~~ structure within an National Register Historic District ~~historic district~~ shall comply with all applicable codes, laws and regulations governing the maintenance of property in order to preserve such structures ~~. It is the intent of this section to preserve~~ from deliberate or inadvertent neglect of the exterior features of such structures, or the interior ~~features of buildings and structures designated as contributing or significant and the interior~~ portions thereof when such maintenance is necessary to prevent deterioration and decay of the exterior. All such ~~buildings or~~ structures shall be preserved against such decay and deterioration and free from structural defects through prompt corrections of any of the following defects:

(1) Facades that may fall and injure persons or property;

(2) Deteriorated or inadequate foundation, defective or deteriorated flooring or floor supports, deteriorated walls or other vertical structural supports;

(3) Members of ceilings, roofs, ceiling and roof supports or other horizontal members that sag, split or buckle due to defective material or deterioration;

(4) Deteriorated or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors;

(5) Defective or insufficient weather protection for exterior wall covering, including lack of paint or weathering due to lack of paint or other protective covering; or

(6) Any fault or defect in the building that renders it not properly watertight or structurally unsafe.

~~(l) *Non-compliance.*~~

~~(1) The commission, building official and code enforcement officer are each authorized to institute any and all proceedings in law or equity, as they deem necessary and appropriate to obtain compliance with the requirements of this section, or to prevent a violation thereof.~~

~~(2) No building permit shall be issued with respect to any premises upon which a significant building has been voluntarily demolished in violation of this section for a period of 22 months after the date of the completion of such demolition. As used herein "premises" includes the parcel of land upon which the demolished significant building was located and all abutting parcels of land under common ownership or control on or subsequent to the date this section was approved.~~

(3) Upon a determination of the commission that a building is a preferably preserved significant building, the owner shall be responsible for properly securing the building, if vacant, to the satisfaction of the building official and/or code enforcement officer.

(4) Anyone who demolishes a building or structure identified in section 50-12(e) without first obtaining, and complying fully with the provisions of, a demolition permit shall be subject to a fine of up to $5,000.00.

Sec. 50-14. Appeals. (m) *Appeals to the city commission.* Within 15 days of the commissionboard decision regarding demolition or demolition by neglect of any contributing structure within a National Register Historic District, any affected person with standing may appeal to the city commission any decision of the commission on an application for a demolition. . The city commission shall consider the appeal and approve, approve with conditions, or disapprove the application at a public hearing, but no later than within 60 days after hearing the appealafter receiving the appeal. The city commission shall only approve the demolition of a contributing building if they determine that the request complies with subsections (g)—(j) the applicable review criteriaof this section.

(n) *Withholding of demolition permit.* The demolition permit shall be withheld until the procedural requirements of subsections (f) through (j) inclusive have been satisfied.

(Code 1975, § 14½-12; Ord. No. 86-05, §§ 1—14, 1-24-2006)

***Note—** Exhibits A and B, referenced above, are not set out herein, but are on file and available for inspection in the city offices.

Sec. 50-1553. Archaeological preservation.

(a) *Findings.* It is the finding of the city commission that the city contains many historical and archaeological areas of international, national, and local importance, from all period of history, including pre-Columbian Indian villages, and British settlements. Further, in the preservation and understanding of historical importance of New Smyrna Beach there is a direct relationship to the economic well-being of the City of New Smyrna Beach and the present and future needs, public health, safety, morals and general welfare of the citizens of the incorporated area of New Smyrna Beach, Florida, as well as visitors to and residents of New Smyrna Beach.

(b) *Definitions.* For the purpose of this chapter, certain words and terms used herein shall be interpreted to have the meanings as defined below. Where words or terms are not defined, they shall have their ordinarily accepted meaning or such as the context may imply. Words used in the present tense include the future; the singular number includes the plural and the plural includes the singular. The word "shall" is mandatory and the word "may" is permissive. The words "used" or "occupied" include the words "intended, designed or arranged to be used or occupied." The word "land" includes the word "marsh," "water" or "swamp." The word "map" shall mean the archaeological base map of the City of New Smyrna Beach, Florida, and the word "city" shall mean the City of New Smyrna Beach, Florida.

(1) *Archaeological site* means a location which has yielded or may yield information on history or pre-history. Archaeological sites may be found within archaeological zones, historic sites, historic districts and other areas of the city. Archaeological sites are evidenced by the presence of artifacts and features above or below the ground surface indicating the past use of a location by people.

(2) *Archaeological zone* means a geographical area which has or may reasonably be expected to yield information on local history or pre-history based upon broad prehistoric or historic settlement patterns.

(3) *Artifact* means objects which are the product of human modification or objects which have been transported to a site by people.

(4) *City archaeologist* means the individual or group in charge of assessing the archaeological resources of New Smyrna Beach and directing or coordinating, monitoring, testing and salvage excavations of these resources.

The individual may either be a city employee, or may be an individual or corporation employed on a contract basis to perform the duties of the city archaeologist.

(5) *City-owned property* shall mean property owned in fee or maintained by the City of New Smyrna Beach, and any property dedicated to the public use.

(6) *Curation* means the long-term management and preservation of archaeological materials and their associated documentation.

(7) *Curation facility* means a designated repository for archaeological materials which can provide accountable, professional curation of collections in a secure, climate-controlled environment on a long-term basis.

(8) *Archaeological resource* means any prehistoric or historic district, site building, object, or other real or personal property of historical, architectural or archaeological value. The properties may include, but are not limited to, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, treasure troves, artifacts, or other objects with intrinsic historical or archaeological value, or any part thereof relating to the history, government, and culture of the city, the State of Florida, or the United States of America.

(9) *Disturbance* means the digging, excavating, or other such ground altering activities on or below the ground surface, which impact more than 25 square feet either separately or cumulatively.

(10) *Monitoring* means observation of disturbances to determine if archaeological resources exist in an area, or when such resources are known to exist, the observation, recording and incidental recovery of site features and materials to preserve a record of the affected portion of the site. When monitoring indicates that a site has little archaeological significance, no further archaeological excavation shall occur. However, if monitoring indicates that a site is archaeologically significant, further excavation shall occur.

(11) *Museum* means a permanent, nonprofit organization, essentially educational and often aesthetic in purpose, that acquires, interprets and cares for tangible objects, and prepares exhibits for the public on a regular basis.

(12) *National Register of Historic Places* means the official listing of culturally significant buildings, structures, objects, sites and districts in the United States maintained by the U.S. Department of Interior.

(13) *Repository* means a place or places used for the permanent curation of archaeological collections that must provide, at a minimum, (1) physical security, (2) climate control, (3) fire suppression, (4) collection monitoring, and (5) access by qualified researchers. These requirements demand adequate space and resources dedicated to the purpose of curation. Curation space within a repository must be organized to allow controlled access, efficient collection and retrieval, and optimum preservation. A professional staff, safe and secure storage, effective fire protection, and disaster and pets management plans are essential. Collections should be isolated from work areas and people to the greatest extent possible. In New Smyrna Beach, the Southeast Volusia Historical Society, Inc. will act as the repository for all archaeological artifacts discovered on public property.

(14) *Salvage archaeology* means the archaeological excavation of a site prior to its destruction by construction, erosion, vandalism, or any other form of site disturbance. Archaeological salvage excavations will be concentrated only within the areas to be disturbed in order to save site data which would be lost due to the disturbance, and the extent of the excavations may vary, depending on the significance of the site, time constraints, and the degree of evidence of archaeological resources, at the direction of the city archaeologist.

(15) *Testing* means surface or subsurface excavation, or the use of remote sensing techniques, to determine the type and extent of the archaeological site. Testing may include auguring and establishing archaeological excavation units and requires the screening of excavated material for artifact recovery. When necessary, archaeological salvage excavations may take place following, or in conjunction with, the testing procedures.

(16) *Emergency situation* means any case where the city building official determines that there are emergency situations or conditions dangerous to life, health, or property. In such situations, he or she may order the

~~remedying of the situation or condition. The city building official shall promptly notify the city archaeologist and the city manager if such a situation or conditions occur.~~

~~(c)~~ *Archaeological zones.* In order to regulate and restrict disturbances ~~as hereinafter provided in this chapter~~, and to determine the extent of archaeological investigation and excavations that may be required in a given area, the incorporated area of New Smyrna Beach, Florida, is hereby divided into zones as shown on the archaeological base map entitled, "Archaeological Base Map for New Smyrna Beach, Florida," more particularly described as:

*See Exhibit "AA" attached hereto and by reference made a part hereof.

Archaeological zones shall be updated on the base map as additional sites are documented. Zones as delineated on the base map are as follows with titles and abbreviations as indicated:

(1) *Archaeological zone I* is comprised of those areas within the city where there are known significant archaeological sites.

(2) *Archaeological zone II* is comprised of those areas that have a medium or high probability of containing archaeological resources as determined by The Search for Turnbull's Colony, an Archaeological Survey~~.~~, a report by Southeast Archaeological Research, Inc., dated June 1999.

(b~~d~~) *Interpretation of zone boundaries.* Where uncertainty exists as to the boundaries of zones as shown on the archaeological base map for New Smyrna Beach, Florida, the following rules shall apply:

(1) Boundaries indicated as approximating center lines of streets, highways or alleys shall be construed to follow such centerlines;

(2) Boundaries indicated as approximately following platted lot lines shall be construed to follow such lot lines;

(3) Boundaries indicated as approximately following city limits shall be construed to follow such city limits;

(4) Boundaries indicated as following railway lines shall be construed to be midway between the main tracks;

(5) Boundaries indicated as following shorelines shall be construed to follow the mean high water line. In the event of a change in shorelines, the boundaries shall be construed to move with the change except where such moving would change the archaeological status of a lot or parcel. In such case the boundary shall be interpreted in such a manner as to avoid changing the archaeological status of such lot or parcel;

(6) Boundaries indicated as parallel to or extensions of beaches indicated in subsections (1) through (5) above shall be so construed. The distance not specifically indicated on the archaeological base map shall be determined by the scale of the map.

(7) Where physical or cultural features existing on the ground are not in agreement with those shown on the archaeological base map or in other circumstances not covered by subsections (1) through (6) above, the city archaeologist shall interpret the zoning boundaries.

(c~~e~~) *Zone regulations.* On city-owned or maintained property, within archaeological zones I and II, the conduct of any ground disturbances on, or activities taking place at or below the present surface of the ground, shall be in compliance with the following regulations:

(1) All proposed disturbances on city-owned or maintained property, including but not limited to those by the utilities commission, telephone, cable, and gas companies, the department of transportation, city contractors, and city subcontractors shall be reported to the city archaeologist before those disturbances take place. Furthermore, this chapter will apply only to city-owned or maintained properties within the boundaries of the proposed disturbances. Any additional archaeological testing or excavation by the city

archaeologist, within areas outside the proposed disturbances, may be conducted only with written permission of the property owner.

(2) Within archaeological zones I and II, disturbances on city-owned or maintained properties shall be subject to intensive archaeological salvage excavations, to be conducted by the city archaeologist prior to any underground disturbance, building construction, or utility excavation, and paid for by the entity initiating the disturbance. The extent of the archaeological salvage excavations by the city archaeologist will be dependent on the extent of the proposed area of construction disturbance and the significance of the archaeological resource.

(3) Within archaeological zones I and II, the city archaeologist will be authorized to delay the proposed construction work or major disturbance for up to four weeks. The city manager, or his or her designee may grant additional time, if needed. Early notification of and by the city archaeologist, prior to any disturbances occurring, may minimize or eliminate the need for work delays. The applicant will be informed of any delays.

(4) Any disturbances on city-owned or maintained property, which are required to deal with an emergency situation, shall not be subject to the regulations of this chapter.

(df) *Excavations on public property.* No individual shall be allowed to disturb or remove artifacts from public property without the written permission of the city archaeologist, the city manager, or his or her designee.

(eg) *Ownership of artifacts.* Artifacts uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring of city-owned or maintained properties shall remain the property of the city. If additional archaeological testing or excavation by the city archaeologist is permitted within areas outside the proposed disturbances and artifacts uncovered, the city shall obtain written permission from the property owner to analyze, catalog, record, and conserve the artifacts for long-term storage, care, protection, and preservation.

(fh) *Curation of artifacts.* Artifacts uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring shall be washed, if the city archaeologist deems appropriate, cataloged, analyzed, recorded, and conserved by the city archaeologist. The Southeast Volusia Historical Society, Inc.y will be the repository for artifacts discovered on city-owned or maintained properties.

(gi) *Human remains.* Human skeletal remains, uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring shall be coordinated with the local medical examiner, the city, city archaeologist, and the state archaeologist. Such remains shall be dealt with in accordance with the provisions of F.S. ch. 872, as amended, and are not subject to private ownership. Such material shall be sensitively treated and, following its analysis by a physical anthropologist, shall be curated at a designated repository or appropriately buried.

(hj) *City archaeologist.* The city manager or his or her designee shall appoint a city archaeologist who shall meet the city's requirements and the standards for membership by the register of professional archaeologists and shall have a demonstrated background in historic and prehistoric archaeology. The city archaeologist shall review all applicable ground disturbances on city-owned or maintained property in archaeological zones I and II; shall conduct such testing, excavations, or monitoring as shall be required by this chapter; shall prepare or oversee preparation of a final report on all projects, which report shall meet the guidelines established for archaeological reports by the department of state, division of historical resources, and be in accordance with the Cultural Resource Management Standards and Operations Manual; shall record archaeological sites and develop strategies for preservation of the archaeological resources of New Smyrna Beach; and shall participate in the planning state of applicable projects, to minimize the potential impacts on archaeological sites by any activities proposed for such sites; and shall maintain and update the archaeological base map; and shall advise the city manager concerning archaeological issues.

Sec. 50-16. Penalty.

(a) *Non-compliance with regulations applicable to local landmarks, local historic districts, and archaeological preservation.* Any person violating any of the provisions of this chapter shall be punished as provided in section 1-14. The code compliance board shall review any violation of this chapter. Additionally, the city has the option to require any person who violates any provision of this chapter to forfeit and pay to the city civil penalties equal to the fair market value of any property demolished or destroyed in violation of this chapter or the cost to repair or rehabilitate any property that is altered in violation of this chapter. In lieu of a monetary penalty, any person altering property in violation of the provisions of this chapter may be required to repair or restore any such property.

(b) *Non-compliance with regulations applicable to contributing structures in National Register Historic Districts.*

(1) The board, building official and code compliance~~enforcement~~ officer are each authorized to institute any and all proceedings in law or equity, as they deem necessary and appropriate to obtain compliance or to prevent a violation thereof.

(2) No building permit shall be issued with respect to any premises upon which a significant building has been voluntarily demolished for a period of 22 months after the date of the completion of such demolition.

(3) Upon a determination of the board that a building is a preferably preserved significant building, the owner shall be responsible for properly securing the building, if vacant, to the satisfaction of the city.

(4) Anyone who demolishes a contributing structure without first obtaining a demolition permit and fully complying with the permit requirements shall be subject to a fine of up to $25,000.00.

~~(Ord. No. 133-05, §§ 1—8, 1-24-2006; Ord. No. 98-07, § 1, 10-23-2007)~~

~~Editor's note(s)—Ord. No. 133-05, §§ 1—8, adopted Jan. 24, 2006, set out provisions that were not specifically amendatory. At the editor's discretion, said provisions have been included as § 50-13Editor's note(s)—. Editor's note(s)—*Exhibit A, referenced above, is not set out herein, but is on file and available for inspection in the city offices.~~

~~Secs. 50-164—50-30. Reserved.~~

ARTICLE II. PROPERTY TAX EXEMPTION[2]

Sec. 50-1731. Intent.

~~(a) Certain historic resources located within the City of New Smyrna Beach, are both publicly and privately owned; are individual properties and districts associated with past events and persons important in local, state and national history; are significant examples of an architectural style or building type; and have yielded or are~~

[2]~~Editor's note(s)—Ord. No. 62-01, § 1, adopted Jan. 8, 2001, set out provisions designated as Ch. 51Editor's note(s)—, §§ 51-1—51-11. For purposes of classification and with the concurrence of the city these provisions have been included in Ch. 50Editor's note(s)—, §§ 50-31Editor's note(s)——50-41.~~

~~Cross reference(s)—Taxation, ch. 74Cross reference(s)—.~~

likely to yield important information which cannot be retrieved from the written record on the lifestyles of past inhabitants.

(b) The preservation of these historic sites enhances the lives of citizens, promotes community understanding, educates school children, and attracts visitors who contribute to the economy of the City of New Smyrna Beach, and it is in the interest of public health, safety and welfare.

(c) The State of Florida has enacted legislation implementing the provisions of the State Constitution to specifically provide for ad valorem tax exemptions for historic properties.

(d) The city commission desires to take advantage of all available state and federal programs that may assist in the preservation of historic properties.

(Ord. No. 62-01, § 1, 1-8-2002)

Sec. 50-1832. Purpose.

The purpose of the historic property tax exemption is to:

(a) Provide a positive financial incentive for the designation of local landmarks, landmark sites and local historic districts within the City of New Smyrna Beach as provided in [the] New Smyrna Beach Code of Ordinances, § 50-7, Designation of landmarks, landmark sites and historic districts;

(b) Encourage more restoration, rehabilitation and renovation of designated historic buildings and structures in New Smyrna Beach;

(c) Stabilize and improve property values, and enhance the property tax base of the City of New Smyrna Beach, by encouraging improvement of designated historic buildings and structures; and

(d) Improve the appearance of designated historic districts and landmarks in the City of New Smyrna Beach, thereby enhancing their appeal as places to live, work and visit.

(Ord. No. 62-01, § 1, 1-8-2002)

Sec. 50-1933. Definitions.

The following words and phrases when used in this chapter shall have the following meanings:

Assessed value. **The total value of a tax parcel, excluding the value of land, as determined by the Property Appraiser for the County of Volusia, and shown on the property tax bill sent to the owner of record by the County of Volusia.**

Contributing property. **A building, site, structure, or object which adds to the historical architectural qualities, historic associations, or archaeological values for which a district is significant because (1) it was present during the period of significance and possesses historic integrity reflecting its character at that time, (2) is capable of yielding important information about the period, or (3) it independently meets the National Register of Historic Places criteria for evaluation set forth in 36 CFR Part 60.4, incorporated herein by reference.**

Preservation exemption covenant. **The historic preservation property tax exemption covenant form identified as Florida DOS Form No. HR3E111292, which provides that those benefitting from the tax exemption agree to maintain the architectural historical integrity of the building or structure for the duration of the tax exemption period.**

Qualifying improvement. **Any change in the condition of an eligible property brought about by the expenditure of labor and purchase that results in restoration, renovation or rehabilitation of said property in keeping with the design criteria established for the purposes of this exemption. This shall include, specifically, interior or exterior work, and the construction of additions or accessory buildings or structures.**

(Ord. No. 62-01, § 1, 1-8-2002)

Cross reference(s)—Definitions generally, § 1-2Cross reference(s)—.

Sec. 50-34. Historic preservation property tax exemption.

The owners of qualifying properties who have met all requirements outlined in this chapter shall receive an exemption of 100 percent of the increase in assessed value of ad valorem taxes levied by the City of New Smyrna Beach which result from the restoration, renovation or rehabilitation of such buildings or structure for the duration of the exemption period. The amount of exemption shall be determined by the property appraiser for the County of Volusia based on the typical post-construction inspection and appraisal. The historic preservation property tax exemption for a specific property shall be granted, upon review and consideration, by resolution of the city commission.

The tax exemptions allowed herein apply only to the ad valorem taxes assessed by the City of New Smyrna Beach. The exemption does not apply to taxes levied for the payment of bonds, to taxes authorized by a vote of the

electors pursuant to Fla. Const., art. VII, § 9(b) or § 12, or to improvements made prior to October 1, 2022~~November 27, 2001~~.

~~(Ord. No. 62-01, § 1, 1-8-2002)~~

Sec. 50-20~~35~~. Eligible property for tax exemption.

The following real property in the City of New Smyrna Beach is eligible for the historic preservation property tax exemption ~~as defined herein~~, provided it meets such criteria on the date the historic preservation property tax exemption is granted by the city commission.

Property is qualified for an exemption under this section if~~:~~.

(1) At the time the exemption is granted, the property:

a. Is individually listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended; or

b. Is a contributing structure in ~~property to~~ a N~~n~~ational Register Historic District~~ register listed district~~; or

c. Is designated by the city as a local historic landmark ~~historic property, or~~ or a~~s a~~ contributing structure~~property~~ in a local ~~to a~~ historic district~~, under the terms of the city's preservation ordinance~~; and,

(2) The D~~d~~ivision of H~~h~~istorical R~~r~~esources or the Historic Preservation Board, whichever is applicable, has certified to the City of New Smyrna Beach~~local governing authority~~ that the property for which an exemption is requested satisfies paragraph (1) above.

~~State law reference(s)—F.S. § 196.1997(11).~~

~~Ord. No. 62-01, § 1, 1-8-2002)~~

~~Sec. 50-36. Exemption period for tax exemption.~~

~~The exemption granted shall remain in effect for ten years with respect to any particular property, regardless of any change in the authority of the city to grant such exemptions or any change in ownership of the property. In order to retain the exemption, however, the historic character of the property, and improvements which qualified the property for an exemption, must be maintained over the period for which the exemption is granted.~~

~~The exemption period shall begin on January 1 after all three of the following events have occurred: (1) issuance of a certificate of occupancy by the City of New Smyrna Beach; (2) final approval of the restoration, renovation or rehabilitation work has been granted by the City Commission of the City of New Smyrna Beach; and (3) written notice stating the exemption is in effect has been forwarded by the City of New Smyrna Beach and received by the property appraiser for the County of Volusia.~~

~~(Ord. No. 62-01, § 1, 1-8-2002)~~

Sec. 50-21~~37~~. Overview of tax exemption application and review procedures.~~Application for tax exemption.~~

~~Applications for ad valorem tax exemptions for historic properties shall be made in accordance with F.S. § 196.1997(8) and Fla. Admin. Code R. 1A-38.003.~~

An application for a tax exemption shall be made in accordance with F.S. § 196.1997(8) and Fla. Admin. Code R. 1A-38.003, as amended. [MS11]A pre-construction application and a completed work application must be submitted for review by the Historic Preservation Board, in accordance with the rules adopted by the Department

of State. The board shall make recommendations to the city commission as to whether the applications should be granted or denied, along with reasons for such recommendations. The city commission shall review the applications, along with the board's recommendations. Approval of any application by the city commission shall be by resolution and shall contain the name of the owner and the address of the historic property for which the exemption is granted, the period of time for which the exemption will remain in effect and the expiration date of the exemption, a finding that the historic property meets the requirements of F.S. § 196.1997, and shall be accompanied by a historic preservation exemption covenant as further detailed below.

Sec. 50-22. Pre-construction application.

For any tax exemption to be considered by the City of New Smyrna Beach, the owner of record of the property seeking the exemption must fill out an approved pre-construction application obtained from the city. The application must contain all the information that is required by the Florida Department of State, Division of Historical Resources, promulgated in accordance with Rule 1A-38, Florida Administrative Code, and shall include additional information regarding the documentation of the cost of the qualifying improvements. Any improvements made prior to the pre-construction application shall not be eligible for the exemption.

The pre-construction application shall be filed with the City of New Smyrna Beach before any work begins, and shall include but is not limited to the following:

(a) Information sufficient to determine if the subject property is an eligible property;

(b) Information sufficient to determine if the proposed project will be a qualifying improvement;

(c) Photographs documenting the property prior to any improvements;

(d) Information outlining construction estimates for the proposed project; and

(e) A copy of the latest tax bill issued by the Property Appraiser for the County of Volusia

If the proposed work involves exterior work which requires a certificate of appropriateness, then in addition to the criteria listed above, the proposed work will be reviewed in accordance with sections 50-7 and 50-8. The pre-construction application and the certificate of appropriateness may be reviewed simultaneously, however no pre-construction application shall be approved until the certificate of appropriateness had been approved.

Sec. 50-23. Review of pre-construction applications.

The pre-construction application shall be reviewed at any regular or special meeting of the Historic Preservation Board. The board shall determine the following:

(a) whether the proposed project will be a qualifying improvement; and

(b) whether the work, as proposed, is in compliance with the applicable historic review standards.[MS12]

If the Historic Preservation Board, by majority vote, finds that the proposed project is a qualifying improvement and the proposed work is in compliance with the historic review standards then the pre-construction application shall be approved.

If the Historic Preservation Commission finds that the proposed project is not a qualifying improvement or is not in compliance with the historic review standards then the board shall advise the applicant as to changes necessary to make it a qualifying improvement or how to bring the project in compliance with applicable historic review standards. The applicant may resubmit the pre-construction application for further consideration at a subsequent meeting of the board.

Sec. 50-24. Review of completed work.

Once the proposed work is completed then the applicant shall submitted a completed work application for review by the historic preservation officer. The application shall be reviewed within 30 days of submission to determine if the completed work is consistent with the pre-construction application. If the historic preservation officer determines that the completed work is consistent with the pre-construction application then the officer will inform the applicant in writing of the decision and the item will be placed on the next scheduled meeting of the board. The board shall review the application and vote in favor of a recommendation of approval of the tax exemption to the city commission if staff makes a recommendation that the completed work is consistent with the pre-construction application and the board's own review determines the work is consistent with the pre-construction application.

If the historic preservation officer finds that the completed project is not consistent with the pre-construction application, then the officer shall inform the applicant in writing of the changes necessary to make it consistent with the pre-construction application. The applicant will have 60 days to bring the work into compliance. After 60 days, regardless of whether the applicant has made any necessary changes to the completed work, the applicant shall have the application for completed work presented to the board with the officer's recommendation and the board can determine if the completed work is consistent with the pre-construction application. If the board determines that the completed work is consistent with the pre-construction application then the board shall, by a majority vote, recommend approval of the tax exemption to the city commission.

If, after the application is presented to the board, a majority vote determines the completed work presented is not consistent with the pre-construction application then the board shall deny the tax exemption. The historic preservation officer will provide written notice to the applicant as to the reason for the denial and recommend changes to the project that will make it a qualifying improvement and consistent with the pre-construction application. Any denial may be appealed to the city commission within 30 days of the denial. The city commission will review the appeal to determine if the completed work is consistent with the pre-construction application. ~~(Ord. No. 62-01, § 1, 1-8-2002)~~

~~Sec. 50-38. Review of applications for tax exemption.~~

~~The New Smyrna Beach Historic Preservation Commission is designated pursuant to F.S. § 196.1997(6) to review applications for exemptions. Said review shall be in accordance with the rules adopted by the department of state.~~

~~(Ord. No. 62-01, § 1, 1-8-2002)~~

~~Sec. 50-39. Approval of tax exemption for historic preservation.~~

~~Approval of an applications for ad valorem tax exemptions for historic property shall be by resolution of the city commission. Said resolution shall contain the items required by F.S. § 196.1997(10).~~

~~(Ord. No. 62-01, § 1, 1-8-2002)~~

~~Sec. 50-40. Historic preservation exemption covenant.~~

~~To qualify for an exemption, the property owner must enter into a covenant or agreement with the city for the term for which the exemption is granted. The form of the covenant or agreement must be established by the department of state and must require that the character of the property, and the qualifying improvements to the property, be maintained during the period that the exemption is granted. The covenant or agreement shall be binding on the current property owner, transferees, and their heirs, successors, or assigns. Violation of the covenant or agreement results in the property owner being subject to the payment of the differences between the total amount of taxes which would have been due in March in each of the previous years in which the covenant or agreement was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in F.S. § 212.12(3).~~

(Ord. No. 62-01, § 1, 1-8-2002)

Sec. 50-41. Notice to property appraiser.

Within three working days following adoption of a resolution by the city commission granting the historic preservation property tax exemption, the development services director shall cause the transmittal of a copy of the resolution, the preservation exemption covenant, and the final application to the property appraiser for Volusia County, with instructions that the property appraiser provide the historic preservation property tax exemption to the applicant.

Sec. 50-2536. Exemption period for tax exemption.

The tax exemption granted shall remain in effect for ten years with respect to any particular property, regardless of any change in the authority of the city to grant such exemptions or any change in ownership of the property. However, to In order to retain the exemption, however, the historic character of the property, and the qualified improvements which qualified the property for an exemption, must be maintained over the period for which the exemption is granted.

The exemption period shall begin on January 1 after all three of the following events have occurred: (1) issuance of a certificate of occupancy by the City of New Smyrna Beach; (2) final approval of the restoration, renovation or rehabilitation work has been granted by the cCity cCommission of the City of New Smyrna Beach; and (3) written notice stating the exemption is in effect has been forwarded by the City of New Smyrna Beach and received by the property appraiser for the County of Volusia.

Sec. 50-26. Historic preservation exemption covenant.

To receive an approved tax exemption, the property owner must enter into a covenant with the city for the term for which the exemption is granted. The form of the covenant shall be established by the Department of State and must require that the character of the property, and the qualifying improvements to the property, be maintained during the entire exemption period. The covenant shall be binding on the current property owner, transferees, and their heirs, successors, or assigns. Violation of the covenant results in the property owner being subject to the payment of the differences between the total amount of taxes which would have been due in March in each of the previous years in which the covenant was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in F.S. § 212.12(3).

Sec. 50-2741. Notice to property appraiser.

Within three working days following adoption of a resolution by the city commission granting the historic preservation property tax exemption, the historic preservation officer development services director shall cause the transmittal of a copy of the resolution, the preservation exemption covenant, and the final application to the property appraiser for Volusia County, with instructions that the property appraiser provide the historic preservation property tax exemption to the applicant.

Sec. 50-28. Revocation proceedings.

The historic preservation officer may initiate proceedings to revoke the tax exemption at any time if the property owner, or any subsequent owner or successor in interest to the property, violates the covenant, fails to maintain the qualifying property according to the terms, conditions and standards of the covenant, the historic character of the property and improvements which qualified the property for the exemption are not maintained or if the qualifying property has been damaged by accidental or natural causes to the extent that the historic integrity of the features, materials, appearances, workmanship and environment, or archeological integrity which made it eligible for listing or designation have been lost or damaged so that restoration is not possible. Proceeding under

this section may also be initiated following a finding by the Code Compliance Board or Special Magistrate finding the property in violation of any city code.

The historic preservation officer shall provide written notice to the current owner of record at least ten days prior to any public hearing on the matter. Once notice is provided, by either posting or US certified mail to the current owner of record, a hearing will be held before the historic preservation board in which the board will review the current state of the qualifying improvements and make a recommendation to the city commission. The city commission will review the board recommendation and make a determination as to whether the exemption should be revoked.

Upon a determination by the city commission that the tax exemption shall be revoked, the historic preservation officer shall provide written notice of the decision to the owner of record as well as the property appraiser of Volusia County. The notice to the owner of record shall be accompanied by the reason and recommendation for changes to the property that may result in reinstatement of the exemptions.

The property appraiser, upon receipt of the notice of revocation, shall discontinue the tax exemption on the property as of January 1st of the year following receipt of the notice.

Sec 50-29. Reinstatement after revocation.

A property may be reinstated for a tax exemption after revocation by satisfying the recommendations for changes to the property as provided in the written notice by the historic preservation officer or by bringing the property into compliance for any outstanding code violations. The process for reinstatement shall follow the review procedure applicable to the completed work application. If approved, the tax exemption shall be reinstated for the remaining unexpired term of the initial exemption period.

~~(Ord. No. 62-01, § 1, 1-8-2002)~~

ARTICLE IV~~II~~. HISTORIC PRESERVATION GRANT PROGRAM

Sec. 50-30~~42~~. Established.

There is hereby established a historic preservation grant program for owners of contributing structures in either a National Register historic district or a local historic district. ~~buildings as defined in section 50-12(d).~~

~~(Ord. No. 20-12, § 1, 4-24-2012)~~

Sec. 50-31~~43~~. Eligibility.

The owner of any contributing building which had been condemned by the building trades board under chapter 26, article X, may apply to the historic preservation ~~commission~~board for a grant for repair or rehabilitation of the building, as follows:

(1) The program is open to any resident of the City of New Smyrna Beach who owns and occupies a contributing structure.

(2) Qualifications are based on both family size and annual household incomes that do not exceed 120 percent of the Volusia County median income, as shown below:

	1 person	2 persons	3 persons	4 persons	5 persons	6 persons	7 persons	8 persons
Low/Mod Income	$39,982	$45,730	$51,415	$68,520	$61,723	$66,283	$70,844	$75,404

The income guidelines are to be adjusted every two years in relationship to the Consumer Price Index. Household income will be established by the total annual household income and assets of all persons identified on the title of the property, plus all persons 18 years of age or older living in the home.

(3) Exterior property improvements are eligible, including exterior paint, window and screen repairs, garage door and exterior door repairs, deadbolts, disabled access, exterior electrical and plumbing repair and weatherization.

(4) The work must ~~will~~ be completed by a licensed contractor.

(5) The following restrictions apply:

a. Upgrades and remodeling are not allowable.

b. The home cannot be listed for sale or be in jeopardy of foreclosure.

c. The home must be owner occupied.

d. Replacement is only allowable if repair is not possible.

~~(Ord. No. 20-12, § 1, 4-24-2012)~~

Sec. 50-3244. Review of application.

The ~~commission~~board shall~~, at a public hearing,~~ review the application for a grant at a public hearing.~~under this article.~~ The application shall include, at a minimum, the following:

(1) Proof of ownership of the property to be repaired.

(2) The order of the building trades board requiring demolition or repair of the property.

(3) Description of proposed repairs, with a cost estimate and timetable for repairs.

(4) Proof that the applicant meets the eligibility requirements of section 50-3142.

The ~~commission~~board may approve, deny, or approve with conditions, the application. The action of the ~~commission~~board shall constitute final administrative action.

~~(Ord. No. 20-12, § 1, 4-24-2012)~~

Sec. 50-3345. Procedure after approval of grant; grant limits.

(a) If a grant to repair or rehabilitate a contributing building is approved by the ~~commission~~board, a copy of the action taken and the application shall be forwarded to the building official, who may issue a permit for the work to be performed in accordance with the action of the ~~commission~~board. The owner shall comply with all laws and ordinances pertaining to the repair or construction.

(b) The grant amount shall not exceed the city's cost of demolition of the structure or building as ordered by the building trades board. The grant funds shall be taken from budgeted demolition funds, if there are sufficient funds in that account.

(c) The order of the building trades board shall be stayed during the time of application for the grant and during repair of the building, provided the owner obtains all required permits within the time ordered by the ~~commission~~board, and work progresses as required by law and ordinance. After repairs are completed the order of the building trades board shall be deemed satisfied.

(d) If repairs are not completed ~~per section 50-44(3)~~, the city is entitled to a lien in the amount of the grant funds dispersed to owner, as provided in chapter 26~~section 26-797(e)~~ of this c~~C~~ode.

~~(Ord. No. 20-12, § 1, 4-24-2012)~~

Chapter 50 HISTORIC PRESERVATION

ARTICLE I. IN GENERAL

Sec. 50-1. Intent.

(a) The city commission finds there are buildings, landmarks, and sites within the city that have specific historic or aesthetic significance, and that the loss of these sites would cause an irreplaceable loss to the citizens of the city. It is declared, as a matter of public policy, that protection, enhancement, perpetuation and use of such sites of special historic or aesthetic interest or value is a public necessity and is required in the interests of the health, prosperity, safety and welfare of the people.

(b) The recognition, protection, enhancement and use of such resources is a public purpose and is essential to the health, safety, morals, and economic, educational, cultural and general welfare of the public, since these efforts result in the enhancement of property values, the stabilization of neighborhoods and areas of the city, the increase of economic benefits to the city and its inhabitants, the promotion of local interests, the enrichment of human life in its educational and cultural dimensions serving spiritual as well as material needs, and the fostering of civic pride in the beauty and noble accomplishments of the past.

(c) The city commission desires to take advantage of all available state and federal laws and programs that may assist in the development or redevelopment of the city.

(d) The federal government has established a program of matching grants-in-aid for projects having as their purpose the preservation for public benefit of properties that are significant in American history, architecture, archeology and culture, as well as other federal programs providing moneys for projects involving the rehabilitation of existing districts, sites, buildings, structures, objects and areas.

(e) The policy of the city is to conserve the existing housing stock and extend the economic life of each housing unit through the rehabilitation of such units under housing and neighborhood development programs in selected areas.

(f) Inherent in the enactment and implementation of these federal programs is the policy of the United States government that the spirit and direction of the nation are founded upon and reflected in its historic past; that the historical and cultural foundations of the nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people; that in the face of the ever-increasing expansions of urban centers, highways, and residential, commercial and industrial developments, the present governmental and non-governmental programs and activities are inadequate to ensure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our nation.

(g) It is the will of the people of the state as expressed in Fla. Const., art. II, § 7, that the state's natural resources and scenic beauty be conserved and protected.

(h) It is the will of the state legislature as expressed in F.S. ch. 267, that the state's historic sites and properties, buildings, artifacts, treasure troves and objects of antiquity that have scientific or historic value, or are of interest to the public, be protected and preserved.

Sec. 50-2. Purpose.

The city commission declares its intention to comply with the rules and regulations of the certified local government program established by the state Division of Historical Resources. The purpose of this chapter is to promote the health, morals, economic, educational, aesthetic, cultural and general welfare of the public through the:

(1) Identification, protection, enhancement, perpetuation and use of districts, sites, buildings, structures, objects and areas that are reminders of past eras, events and persons important in local, state or national history, or that provide significant examples of architectural styles of the past, or that are unique and

irreplaceable assets to the city and its neighborhoods, or that provide this and future generations examples of the physical surroundings in which past generations lived; and

(2) Enhancement of property values, the stabilization of neighborhoods and business centers of the city, the increase of economic and financial benefits to the city and its inhabitants, and the promotion of local interests; and

(3) Preservation and enhancement of varied architectural styles, reflecting the city's cultural, social, economic, political and architectural history; and

(4) Enrichment of human life in its educational and cultural dimensions in order to serve spiritual as well as material needs by fostering knowledge of the living heritage of the past.

Sec. 50-3. Definitions.

For the purpose of this chapter, certain words and terms used herein shall be interpreted to have the meanings as defined below, except where the context clearly indicates a different meaning. Where words or terms are not defined in this section, they shall assume the meaning as indicated in Merriam-Webster's Collegiate Dictionary, as amended. Words used in the present tense include the future; the singular number includes the plural and the plural includes the singular. The word "shall" is mandatory and the word "may" is permissive. The word "used" or "occupied" includes the words "intended, designated or arranged to be used or occupied." The word "land" includes the word "marsh," "water" or "swamp."

Alteration means any act that changes the exterior features of a locally designated property, including relocation and demolition.

Archaeological resource means any prehistoric or historic district, site building, object, or other real or personal property of historical, architectural or archaeological value. The resources may include, but are not limited to, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, treasure troves, artifacts, or other objects with intrinsic historical or archaeological value, or any part thereof relating to the history, government, and culture of the city, the State of Florida, or the United States of America.

Archaeological site means a location which has yielded or may yield information on history or pre-history. Archaeological sites may be found within archaeological zones, historic sites, historic districts and other areas of the city. Archaeological sites are evidenced by the presence of artifacts and features above or below the ground surface indicating the past use of a location by people.

Archaeological zone means a geographical area which has or may reasonably be expected to yield information on local history based upon broad prehistoric or historic settlement patterns.

Artifact means objects which are the product of human modification or objects which have been transported to a site by people.

Assessed value means the total value of a tax parcel, excluding the value of land, as determined by the Property Appraiser for the County of Volusia.

Board means the Historic New Smyrna Beach Preservation Board.

Building means any combination of materials capable and intended of being used as a shelter for persons for residential or non-residential purposes.

Certified local government means a municipal government that has made historic preservation a public policy through the passage of a historic preservation ordinance and has been certified by the national Park Service under 36 CFR 61.6.

Certificate of appropriateness means a permit issued by the City allowing for specified alterations, demolition, new construction, or other work to a locally designated building, site, or structure.

City archaeologist means the individual or group in charge of assessing the archaeological resources of New Smyrna Beach and directing or coordinating, monitoring, testing and salvage excavations of these resources. The individual may either be a city employee, or may be an individual or corporation employed on a contract basis to perform the duties of the city archaeologist.

Contributing structure means a building, property, or site which adds to the historical architectural qualities, historic associations, or archaeological values for which a historic district is significant because (1) it was present during the period of significance and possesses historic integrity reflecting its character at that time, (2) is capable of yielding important information about the period, or (3) it independently meets the National Register of Historic Places criteria for evaluation set forth in 36 CFR Part 60.4.

Curation means the long-term management and preservation of archaeological materials and their associated documentation.

Curation facility means a designated repository for archaeological materials which can provide accountable, professional curation of collections in a secure, climate-controlled environment on a long-term basis.

Demolition means the act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction. Removing portions of a building that destroy the original character of the building also constitutes demolition.

Demolition by neglect means the absence of work in maintaining, repairing, or securing a contributing building or structure in a historic district that results in deterioration of an exterior feature of the building or structure or the loss of the structural integrity of the building or structure.

Disturbance means the digging, excavating, or other such ground altering activities on or below the ground surface, which impact more than 25 square feet either separately or cumulatively.

Documentation means photographs, slides, drawings, plans or written descriptions.

Emergency situation means any case where the city building official determines that there are emergency situations or conditions dangerous to life, health, or property. In such situations, the official may order the remedying of the situation or condition. The city building official shall promptly notify the city archaeologist and the city manager if such a situation or condition occurs.

Local landmark means a site, building, structure, object, landscape feature or other real or personal property of historical, architectural or archaeological value and designated as such by the city commission.

Local historic district means a geographically definable area designated as such by the city commission.

Local Register of Historic Places means the list of locally designated landmarks and districts.

Monitoring means observation of disturbances to determine if archaeological resources exist in an area, or when such resources are known to exist, the observation, recording and incidental recovery of site features and materials to preserve a record of the affected portion of the site. When monitoring indicates that a site has little archaeological significance, no further archaeological excavation shall occur. However, if monitoring indicates that a site is archaeologically significant, further excavation shall occur.

Museum means a permanent, nonprofit organization, serving an educational or aesthetic purpose, that acquires, interprets and cares for tangible objects, and prepares exhibits for the public on a regular basis.

National Register of Historic Places means the official listing of culturally significant buildings, structures, objects, sites and districts in the United States maintained by the U.S. Department of Interior.

Non-contributing property means a building, object, site or structure that does not add to a district's historical significance.

Premises means the parcel of land upon which a demolished significant building was located and all abutting parcels of land under common ownership or control on or before the date the demolition was approved.

Preservation exemption covenant means an executed Florida DOS Form No. HR3E111292, providing for covenants on properties that have benefitted from the tax exemption to maintain the architectural historical integrity of the building or structure for the duration of the tax exemption period.

Qualifying improvement means any change in the condition of an eligible property brought about by the expenditure of labor and purchase that results in restoration, renovation or rehabilitation of said property in keeping with the design criteria established for the purposes of this exemption. This shall include, specifically, interior or exterior work, and the construction of additions or accessory buildings or structures.

Repository means a place used for the permanent curation of archaeological collections that provides, at a minimum, (1) physical security, (2) climate control, (3) fire suppression, (4) collection monitoring, and (5) access by qualified researchers. The repository must have adequate space and resources dedicated to the purpose of curation, and must be organized to allow controlled access, efficient collection and retrieval, and optimum preservation. Professional staff and disaster management plans are essential. Collections should be isolated from work areas and people to the greatest extent possible. In New Smyrna Beach, the Southeast Volusia Historical Society, Inc. will act as the repository for all archaeological artifacts discovered on public property.

Salvage archaeology means the archaeological excavation of a site prior to its destruction by construction, erosion, vandalism, or any other form of site disturbance. Archaeological salvage excavations will be concentrated only within the areas to be disturbed in order to save site data which would be lost due to the disturbance, and the extent of the excavations may vary, depending on the significance of the site, time constraints, and the degree of evidence of archaeological resources, at the direction of the city archaeologist.

Super majority means, for a seven-member body, a requirement of five votes when all members are present, or four votes when less than seven members are present.

Significant building means any building within the city which the board determines to be in the public interest to be preserved or rehabilitated, and whose demolition would be detrimental to the historical and/or architectural heritage and resources of the city.

Testing means surface or subsurface excavation, or the use of remote sensing techniques, to determine the type and extent of the archaeological site. Testing may include auguring and establishing archaeological excavation units and requires the screening of excavated material for artifact recovery. When necessary, archaeological salvage excavations may take place following, or in conjunction with, the testing procedures.

Sec. 50-4. Historic preservation board.

(a) *Creation.* There is created the Historic Preservation Board by the City Commission.

(b) *Purpose.* The Historic Preservation Board shall have the following powers and duties:

(1) The board shall take action necessary and appropriate to accomplish the purposes of this chapter. These actions may include, but are not limited to:

a. Continuing the survey and inventory of historic buildings and areas and archeological sites and planning for their preservation;

b. Recommending the local designation of historic districts and individual landmarks and landmark sites;

c. Regulating alterations, demolitions, relocations and new construction to locally designated property;

d. Adopting guidelines for alterations to locally designated property;

e. Coordinating the historic preservation work of the city by working with and advising the federal, state and county governments and other city departments or advisory boards;

f. Advising and assisting property owners and other persons and groups, including neighborhood organizations who are interested in historic preservation;

g. Initiating plans for the preservation and rehabilitation of individual historic buildings;

h. Educating citizens on the signs of demolition by neglect;

i. Undertaking educational programs, including the preparations of publications and the placing of historic markers.

(2) The board shall review all nominations of property in the city to the National Register of Historic Places following the regulations of the state historic preservation office. Following a public hearing with public notice of no less than 30 days, the board shall consider the nomination. When necessary, the board shall seek expert advice before evaluating the nomination. The board shall forward to the state historic preservation officer its action on the nomination and any related recommendations.

When a property owner objects to having property nominated to the National Register, a notarized written statement must be submitted to the board before the nomination is considered. The board may then either continue its review, forwarding its recommendation to the state historic preservation officer and noting the owner's objection, or it may cease any further review process and notify the state historic preservation officer of the property owner's objection to the proposed listing. The board shall not recommend inclusion on the National Register of Historic Places over objection of the owner except by a super-majority vote.

(3) The board shall conduct at least four public hearings a year to consider historic preservation issues. The board shall recommend to the city commission the local designation of landmarks, landmark sites and historic districts. Applicants shall be given written notification of the board's decisions. The board shall prepare and keep on file available for public inspection a written annual report of its historic preservation activities, cases, decisions, qualifications of members and other historic preservation work.

(4) The board shall receive assistance in the performance of its historic preservation responsibilities from the planning department, which shall provide expertise in historic preservation or a closely related field. Other city staff members may be asked to assist the board by providing technical advice or helping in the administration of this chapter.

(5) The board shall review the historic preservation element of the comprehensive plan at least every five years and shall make recommendations to the local planning agency and the city commission regarding changes to the historic preservation element.

(6) The board shall coordinate its activities with the community redevelopment agency, the state historic preservation officer, the New Smyrna Museum of History, and the Southeast Volusia Historical Society.

(7) The board shall assist the city staff in preparing applications for grant awards for historic preservation and historic survey activities.

(8) The area of geographic responsibility for the board shall be coterminous with the boundaries of the city.

(9) The board is encouraged to be represented at pertinent informational or educational meetings, workshops and conferences relating to preservation activities.

(c) *Membership.* The board shall consist of seven members who shall be residents of the city except that no more than three members may be residents within the annexation area identified in the city's Interlocal Service Agreement with the County of Volusia. In the event of a vacancy on the board, the city commission shall solicit any nominations from the Southeast Volusia Historical Society and appoint a new member within 60 days to serve out the remainder of the term. Members shall serve on the board at the pleasure of the city commission.

(d) *Term.* The board members shall be appointed for staggered terms of three years by the city commission.

(e) *Qualifications.* The board members shall be composed of lay and professional members in accordance with the criteria set forth by the certified local government program. To the extent available, members shall be professionals from the disciplines of architecture, history, architectural history, archaeology, or other historic-related fields such as urban planning, American studies, American civilization, cultural geography or cultural anthropology. Lay persons who have demonstrated special interest, experience or knowledge in history, architecture or related disciplines shall make up the balance of the board membership. An up-to-date resume of board members shall be kept as a public record.

(f) *Procedures.*

(1) The board shall elect a chair and vice-chair from its membership. The chair and vice-chair will serve terms of one year each. Nothing will prevent the board from electing the chair and vice-chair for additional terms. The chair will preside over the board and will have the right to vote. In the absence or disability of the chair, the vice-chair will perform the duties of the chair.

(2) The planning manager or designee shall act as the city historic preservation officer. A staff person from the planning and engineering department shall serve as secretary of the board.

(3) Four members of the board shall constitute a quorum.

(4) The board shall hold at least four meetings each year, which shall be public meetings. Meetings shall have a previously advertised agenda and shall be open to public participation. All records of the board, including its rules of procedure, minutes and inventory, shall be public records open to inspection by the public. The board shall adopt rules of procedure for use in all its meetings and the planning manager or designee shall provide staff assistance. The board shall submit to the state preservation officer the following items:

a. Thirty days advance notice of each meeting.

b. Minutes of each meeting within 30 days of holding the meeting.

c. Records of board member attendance within 30 days of each meeting.

d. Public attendance figures of each meeting within 30 days of each meeting.

e. Changes in board membership within 30 days of action.

f. All local historic designations or alterations to existing designations.

g. An annual report by November 1 covering the previous October 1 through September 30, which shall include:

1. Any changes in the rules of procedure; and

2. Number of proposals reviewed; and

3. Designations or listings; and

4. Changes to board; and

5. Revised resumes of board members as appropriate; and

6. Review of survey and inventory activity with the description of the system used; and

7. Program report on each grant-assisted activity.

ARTICLE II. HISTORIC DESIGNATION AND PROTECTION

Sec. 50-5. Local designation of landmarks.

(a) *Authorized.* Upon recommendation of the historic preservation board, the city commission may locally designate by ordinance individual landmarks.

(b) *Owner consent.* The local designation of a landmark requires owner consent at the time of designation. However, when a property proposed for local designation has multiple owners, and any of them object to the designation, approval by the historic preservation board and city commission shall require a super-majority vote.

(c) *Application requirements.*

(1) Consideration of the local designation of a landmark shall be initiated by the filing of an application for local designation by the property owner(s) or authorized agent or the city. The historic preservation board is authorized to initiate the local designation process pursuant to this section. The city shall charge a fee for each application that reflects processing costs for the application, except such fee shall be waived for city-initiated applications. The applicant shall complete an application form provided by the planning department, which shall include:

a. A written description of the architectural, historical or archeological significance of the landmark proposed for designation and specifically addressing and documenting how the proposed designation meets the criteria contained in this chapter; and

b. Date of construction of the structure(s) on the property and the names of former owners; and

c. Photographs of the property; and

d. Legal description and map of the property to be locally designated or the site upon which the landmark is located.

(2) The planning manager or his designee shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

(d) *Public hearings for designations.* The historic preservation board shall schedule a public hearing on the proposed local designation within 60 days of the submission of a completed application. Notice of the public hearing and notice to the owner shall be given in accordance with the land development regulations and shall clearly state the location of the landmark to be considered for local designation.

(e) *Criteria for local designation.* The historic preservation board shall recommend the local designation of a landmark that is significant in the city's history, architecture, archaeology and culture, and that possesses integrity of location, design, setting, materials, workmanship or association, and that meets one or more of the following criteria:

(1) Is associated with events that have made a significant contribution to the broad patterns of our local, state or national history;

(2) Is associated with the lives of persons significant in our past;

(3) Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction;

(4) Has yielded, or may be likely to yield, information important in prehistory or history;

(5) Is listed in the National Register of Historic Places as established by the National Historic Preservation Act of 1966, as amended.

(f) *Historic Preservation Board recommendation.* After evaluating the testimony, survey information and other material presented at the public hearing, the historic preservation board shall make its recommendation to the city commission with a written report on the landmark under consideration. The historic preservation board may vote to defer its recommendation for an additional 30 days, if additional information is needed to satisfy the established review criteria. If the historic preservation board recommends a local designation, it shall explain how the proposed landmark qualified for designation under the criteria contained in this section. This evaluation may include references to other buildings in the city and shall identify the significant features of the proposed landmark. The report shall include a discussion on the relationship between the proposed local designation and existing and future plans for the development of the city. The planning department shall promptly notify the property owner or authorized representative of the historic preservation board recommendation.

(g) *City commission review and designation.* The city commission shall approve, modify, or deny the proposed local designation within 60 days of the historic preservation board recommendation. If a local designation is made, the zoning map shall be amended to identify the local designation. The planning department shall notify each applicant and property owner of the decision relating to the property within 30 days of the city commission action and shall arrange that the local designation of a property as a landmark be recorded in the official record books of the county.

(h) *Amendments and rescissions.* The local designation of any landmark may be amended or rescinded through the same procedure utilized for the original designation.

Sec. 50-6. Local designation of historic districts.

(a) *Authorized.* Upon recommendation of the historic preservation board, the city commission may locally designate by ordinance historic districts. Each locally designated district must include a list of contributing and non-contributing buildings.

(b) *Owner consent.* Local historic district designation does not require the consent of all owners, but shall be supported by 51% of the property owners in the proposed district. Written owner consent shall be required for the designation of each *contributing* structure within the proposed district.

(c) *Application requirements.*

(1) Consideration of the local designation of a historic district shall be initiated by the filing of an application for designation by a property owner within the proposed district or authorized representative, any resident or organization in the city, or the city. The city shall charge a fee for each application that reflects processing costs for the application, except such fee shall be waived for city-initiated applications. The applicant shall complete an application form provided by the planning department, which shall include:

a. A written description of the architectural, historical or archeological significance of the buildings within the proposed historic district and specifically addressing and documenting how the proposed designation meets the criteria contained in this chapter;

b. A map showing the proposed district boundary and buildings to be designated as *contributing properties*. The number of *contributing* structures must comprise at least 50 percent of the total structures in the proposed district;

c. Date of construction of the contributing structures within the proposed district and the names of former owners;

d. Photographs of the contributing sites within the proposed district;

e. A written description of the boundaries of the proposed district.

(2) The planning manager or designee shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

(d) *Public hearings for local designations.* The historic preservation board shall schedule a public hearing on the proposed district designation. Notice of the public hearing and notice to the owners within the proposed district shall be given in accordance with the land development regulations and shall clearly state the boundaries for the proposed district.

(e) *Criteria for local designation of a historic district.* The historic preservation board shall recommend the local designation of historic districts that meet the established review criteria set forth in the preceding section.

(f) *Board recommendation.* After evaluating the testimony, survey information and other material presented at the public hearing, the historic preservation board shall make its recommendation to the city commission with a written report on the area under consideration. The historic preservation board may vote to defer its recommendation for an additional 30 days, if additional information is needed to satisfy the established review criteria. If the historic preservation board recommends local designation, it shall explain how the proposed historic district qualified for designation under the established review set forth above. This evaluation may include references to other areas in the city and shall identify the significant features of the proposed historic district. The report shall include a discussion on the relationship between the proposed designation and existing and future plans for the development of the city. The planning department shall promptly notify the applicant and property owners within the district of the board recommendation.

(g) *City commission review and designation.* The city commission shall approve, modify, or deny the proposed designation within 60 days of the historic preservation board recommendation. If a designation is made, the zoning map shall be amended to identify the local designation. The planning department shall notify each applicant and property owner of the decision within 30 days of the city commission action and shall arrange that the local designation of the historic district be recorded in the official record books of the county.

(h) *Amendments and rescissions.* The local designation of any historic district or contributing status of a property may be amended or rescinded through the same procedure utilized for the original designation. The rescission of any contributing structure shall not require a change to the boundaries of a designated historic district.

Sec. 50-7. Certificate of Appropriateness.

(a) *Certificate of appropriateness required.* No person may undertake the following actions without first obtaining a certificate of appropriateness:

- Disturbance of an archeological site, or
- Erection of an addition to a local landmark, or
- New construction within a locally designated historic district, or
- Relocation, demolition, or material alteration of the exterior features of a local landmark or a contributing building within a locally designated historic district.

(1) Exterior features include, but shall not be limited to, the architectural style, scale, massing, siting, general design and general arrangement of the exterior of the building or structure, including landscape features, site improvements, and the type, style and material of roofs, windows, doors, siding, masonry, porches, storefronts and other architectural features.

(2) Review of new construction and alterations to locally designated landmarks shall be limited to exterior changes visible to the public from a public right-of-way.

(3) Whenever an alteration is performed without a certificate of appropriateness, the chief building official is authorized to issue a stop work order.

(4) A certificate of appropriateness shall be required in addition to any other required building permits. The issuance of a certificate of appropriateness shall not relieve the property owner of the duty to comply with all other state and local laws and regulations.

(5) Ordinary repairs and maintenance that are otherwise permitted by law may be undertaken without a certificate of appropriateness provided this work does not alter the exterior appearance of the building, structure or archeological site, or alter elements significant to its architectural or historic integrity.

(b) *Major and minor certificates of appropriateness.*

(1) *Minor certificate of appropriateness.* A minor certificate of appropriateness is reviewed and approved by staff and is required for work that is deemed to have a minimal impact to the subject resource such that the work will result in the preservation of the original appearance and will meet the Secretary of the Interior's Standards for Rehabilitation and the applicable standards of Chapter. Examples of work that may be considered to have minimal impact include, but are not limited to, minor alterations to the rear of a historic structure that is not visible from the public right-of-way, construction of a ground-level deck to the rear of a historic structure that does not obscure architectural features, installation of a canvas awning or canopy, repair of a cornice using existing materials and duplicating the original design, installation of new doors, windows, or roofs that are compatible in size and style with the original architecture of the building, fencing located behind any street façade, painting of any exterior material or surfaces other than unpainted masonry, stone, brick, terra cotta, or concrete, installation of skylights, repair or replacement of siding with siding that duplicates the appearance of the original, and installation of signs on commercial property.

(2) *Major certificate of appropriateness.* A major certificate of historic appropriateness is reviewed and approved by the historic preservation board and is required for additions to a local landmark, new construction in a local historic district, exterior alterations of a local landmark or contributing structure in a local historic district, demolitions of a local landmark or a contributing structure in a local historic district, or any other work on a local landmark or contributing structure in a local historic district that does not constitute ordinary maintenance or repair and is deemed to have more than a minimal impact to the subject resource.

(c) *Application procedures for certificates of appropriateness.*

(1) The applicant shall complete an application provided by the planning department containing, in part, the following information:

a. Drawings of the proposed work;

b. Photographs of the existing building or structure and adjacent properties; and

c. Information about the building materials to be used.

(2) Each application for a certificate of appropriateness shall be accompanied by the required fee.

(3) The planning manager shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

(4) If the application is deemed complete, the planning manager shall forward the application to the reviewing entity for consideration at a public hearing.

(d) *Review of minor certificates of appropriateness*. The historic preservation officer reviews and issues minor certificates of appropriateness, subject to the criteria contained in subsection (f) below. A decision to approve, approve with conditions, or deny shall be made and communicated in writing to the applicant within 10 days from receipt of a complete application. The officer’s decision may be appealed to the historic preservation board within 30 days of the officer's findings. The appeal is reviewed by the historic preservation board as a special certificate of appropriateness and an additional application fee is required.

(e) *Review of major certificates of appropriateness.* The historic preservation board shall hold a public hearing on each major certificate of appropriateness within 30 days after receipt of a completed application. The board shall approve, approve with conditions, or deny each application, based on the criteria contained in subsection (f). The board shall make its decision at a public hearing, but no later than 60 days after an application is

presented to the board. If the board fails to make a decision within the specified time period, the application shall be deemed approved.

No certificate of appropriateness for alteration, new construction, demolition or relocation pursuant to the provisions of this chapter shall be effective for a period of 15 days subsequent to the board's decision. If during that 15-day period an appeal by an aggrieved party is made to the city commission, the decision of the board shall automatically be stayed pending city commission review and determination.

(f) *Criteria for granting certificates of appropriateness.* In approving or denying applications for certificates of appropriateness, the reviewing officer or board shall consider the following criteria:

(1) The effect of the proposed work on the local landmark or the contributing structure upon which such work is to be done;

(2) The relationship between such work and other structures on the local landmark or surrounding properties in the local historic district;

(3) Whether the denial of a certificate of appropriateness would deprive the property owner of reasonable beneficial use of property;

(4) Whether the plans may be reasonably carried out by the applicant; and

(5) Compliance with the standards contained in Section 50-8.

(g) *Appeals to city commission.* Within 15 days of the historic preservation board decision, any aggrieved person may appeal to the city commission any decision of the board on an application for a certificate of appropriateness. The city commission shall approve, approve with conditions, or deny the application at a public hearing within 60 days after receiving the appeal.

(h) *Emergency conditions.* In any case where the chief building official determines that there are emergency conditions dangerous to life, health or property affecting a local landmark, or a contributing structure in a local historic district, the official may order the remedying of these conditions without the approval of the board or issuance of a required certificate of appropriateness. The chief building official shall promptly notify the chair of the board of the action being taken.

Sec. 50-8. Certificate of appropriateness review criteria.

An application for a Minor or Major Certificate of Appropriateness shall be reviewed and decided in accordance with the following criteria:

(a) *Secretary of the Interiors' Standards for Rehabilitation*.

(1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

(2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

(3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

(4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

(5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

(6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color,

texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

(7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

(8) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

(10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(b) *Additional standards for rehabilitation*. The rehabilitation of a local landmark or a contributing structure in a local historic district shall comply with subsection (a) of this Section, as well as the following general standards: New Smyrna Beach Historic Preservation Design Guidelines.

(1) *Storefronts*. The materials, composition, proportion, and features (e.g., windows, entries, transoms, bulkheads) of commercial storefronts shall be preserved and shall not be covered with added elements. Glass shall remain transparent.

(2) *Awnings and canopies*. Maintain and repair as needed. Replacement awnings or canopies must resemble the original in structure, dimensions and materials. The use of pent roofs (a more permanent awning that typically uses clay tile, metal or shingles instead of fabric) is not allowed.

(3) *Building materials*. Exterior façade materials (e.g., siding, wall finish, accents) shall be maintained and repaired when deteriorated. If replacement is necessary, the new materials must match or mimic the existing. The use of aluminum, vinyl, and glass block (unless original to the building) shall not be permitted.

(4) *Building colors*. Building colors should be consistent with the schemes typically attributed to the building architectural style.

(5) *Roofs*. The roof shape and elements (e.g., dormers, eaves, and parapets) shall be preserved. The use of colorized metal roofing materials shall be prohibited.

(6) *Entries and doors*. Existing entries and their decorative elements shall be preserved. Replacement doors must match or mimic the original in dimensions, shape, configuration, and material when possible. Trim boards, sidelights, and transom lights, and any other architectural elements, if present, shall be preserved.

(7) *Windows*. The windows on historic buildings, if they haven't already been modified, must be retained, properly maintained and repaired. If replacement is necessary, the new windows and associated elements (e.g., frames, panes, lintels, sills, etc.) shall match or mimic the original in placement, shape, dimensions, orientation, and type (e.g., double hung, casement, etc.). If it is suspected that the existing windows do not match the original windows (based on the style of the building) the applicant must consult with city staff to find the most appropriate type of window for the building style.

(8) *Window shutters*. Replacement shutters shall match the original in size, type, design and materials when possible (including hardware). New shutters shall only be allowed if appropriate to the building style (e.g., Bahama shutters shall not be added to a Folk Victoria house). New and replacement shutters do not need to be operational but must be proportionate to the window (each shutter must have a width that equals one half of the window width).

(9) *Hurricane shutters*. Traditional window shutters, when present, are the first line of defense against hurricanes. If not present or not operable, the use of temporary/removable protection elements (e.g., plywood, metal screens, and impact resistant fabric screens) over windows and gable vents is permitted. Fasteners and tacks must be painted the same color as the surface where they are installed, shall not cause permanent damage to the building, and shall not remove or hide character-defining features of the building. Accordion and roll-up shutters, which fold or roll to the side or top when not in use and remain permanently attached to the building, are not permitted.

(10) *Porches*. Existing porches that are open or screened shall not be enclosed. Open porches may be screened as long as the porch elements (e.g., columns, railings, beams) are not modified or obscured.

(11) *Foundations*. Foundations must be repaired to maintain the original function and appearance. Foundation enclosures may be replaced if deteriorated beyond repair with enclosures that match the original in terms of placement, material and appearance. The enclosures shall be located between piers instead of covering them.

(12) *Architectural details*. Where deteriorated, architectural details (e.g., brick or tile work, medallions, chimneys, attic vents, roof brackets, exposed rafters, railings and balustrades, etc.) shall be repaired if damaged. If replacement is necessary, the replacement feature shall match the original in design, shape, dimensions and materials. Architectural details shall not be covered by other elements added to the façade.

(13) *Privacy fences and walls*. Existing fences and walls must be properly maintained and repaired. If replacement is necessary, the fence/wall must be consistent with the style of the main building. Chain link fences shall be prohibited.

(14) *Accessory structures*. Existing accessory structures that are part of the designated site are also subject to a Certificate of Appropriateness if altered. All applicable provisions in this subsection (b) shall apply.

(15) *Parking and driveways*. Paved areas should remain unchanged in terms of size/extent. Adaptive reuse, however, may require substantial changes to paving (e.g., converting a single-family site to a restaurant use). This must be done in a manner that preserves the character of the original function of the site (e.g., not allowing paved areas immediately adjacent to the building).

(16) *Signs*. If possible, the original sign board/structures shall be preserved with only the sign copy changing. New signs shall not cover architectural features (e.g., windows, details, trims).

(c) *Additional standards for additions and new construction*. Additions to designated local historic landmarks and contributing structures in a local historic district, and any new construction in a local historic district shall comply with subsection (a) of this Section, as well as the following general standards:

(1) *Volume scale and massing*. The scale and massing of additions and new structures must be similar to the contributing structures in the historic district. Any new structure which exceeds 50 linear feet along any street frontage must provide a projection or recess at least 3 feet deep to minimize the scale of the building.

(2) *Building height*. The maximum height of additions and new buildings must comply with the requirements of the zoning district but shall not overwhelm the existing structures on the subject site or surrounding sites. In order to accommodate changes in height permitted by the district, an additional 10-foot setback must be provided for every floor above the height of the surrounding structures. The step backs may be provided per floor or for the entire building.

(3) *Building placement*. The proposed setbacks for additions and new construction shall be made consistent with the predominant setbacks in the same block provided that the setbacks comply with the zoning district regulations. Additionally, new buildings and additions must replicate the building orientation that is predominant along the same block. For instance, residential buildings tend to locate the narrow part of the building along the street and the front façade is parallel to the street.

(4) *Roofs*. Roof types, shapes and pitch on additions and new buildings must be similar to the roof characteristics of the subject structure and surrounding buildings in the historic district.

(5) *Architectural style*. Additions must respect the architectural style of the existing building but not create a false historical appearance. Similarly, new construction may use any architectural style, but shall not duplicate historic styles. If a particular style is selected for inspiration, it must be a style that appears in the historic district.

(6) *Fenestration*. Fenestration refers to the pattern of windows and doors that provide façade transparency and interest. The facades facing a street must contain fenestration that resembles the historic patterns in the district. Windows (other than storefront display windows) must have a vertical emphasis similar to the windows found on contributing buildings in the historic district and must include prominent window frames, sills and lintels.

(7) *Entrances*. New buildings must provide the main entrance facing the street. Commercial buildings in storefront areas must respect the pattern of storefronts. Residential buildings must provide a porch, portico, stoop or other architectural feature consistent with the predominant style in the district.

(8) *Building materials and colors*. The materials and colors used on additions and new construction must be similar to the materials and textures of the original structure and the contributing structures in the district. Prohibited materials include unfinished block, textured plywood, aluminum or vinyl siding.

(9) *Façade ornamentation*. Features such as awnings, canopies, shutters, and similar must be in character with the style of the existing building and the other buildings in the district. Awnings must follow the shape of the door and window opening. Shutters do not need to be operational but must be proportionate to the window (each shutter must have a width that equals one half of the window width).

(10) *Privacy fences and walls*. The materials and colors of privacy fences and walls must be coordinated with the main structure. Chain link fences visible from a public right-of-way or space are prohibited.

(11) *Accessory structures*. The introduction of accessory structures, if not visible from the public right-of-way do not require a Certificate of Appropriateness if they meet the requirements of the Land Development Regulations. If visible from the public-right-of-way, they must complement the style, materials and colors of the building.

(12) *Signs*. Proposed signs shall meet the requirements of the Land Development Regulations and must be compatible with the design of the structure and shall not cover architectural details or features.

(13) *Accessibility ramps*. Compliance with health and safety codes and ADA access requirements must be carried out with minimum impact on the historic character of buildings. Therefore, where possible, they should be located on the side or rear elevation, shall not cover any architectural details, shall be installed in a manner that if removed, there will not be damage to the building, and must incorporate materials and colors that are consistent with eh building.

(14) *Mechanical equipment*. Rooftop equipment must be screened so that it is not visible from the public right-of-way. Ground level equipment must be located to the side or rear of the building and must be screened by fencing or landscaping.

(15) *Solar panels*. When added to an existing buildings or sites, they shall not be visible from the public right-of-way (may be placed on flat roofs behind parapets, or the back side of sloped roofs).

(d) *Additional guidelines for relocation.* The relocation of a local landmark, a contributing structure in a local historic district, or relocating a structure to a local landmark site or local historic district, shall comply with subsection (a) of this Section, as well as the following general standards:

(1) The contribution the building or structure makes to its present setting;

(2) Whether there are definite plans for the site to be vacated;

(3) Whether the building or structure can be moved without significant damage to its physical integrity; and

(4) The compatibility of the building or structure to its proposed site and adjacent properties.

Sec. 50-9. Emergency actions; non-designated properties.

The city commission may call an emergency meeting to review a threat to a property that has not yet been designated by the city but appears to be eligible for designation. The city commission may request that a stop work order be issued by the chief building official for a 30-day period in order to provide time to negotiate with the property owner to remove the threat to the property; the city commission shall seek alternatives that will remove the threat to the property. During the 30-day period the city commission may initiate steps to designate the property under the provisions of this chapter.

Sec. 50-10. Conformity with the certificate of appropriateness.

All work performed pursuant to a certificate of appropriateness shall conform to all provisions of such certificate. It shall be the responsibility of the building department to inspect from time to time any work being performed to assure such compliance. In the event work is not being performed in accordance with such certificate, the chief building official is authorized to issue a stop work order. No additional work shall be undertaken as long as such stop work order remains in effect.

Sec. 50-11. Maintenance and repair of local landmarks and contributing structures in a local historic district.

(a) Every owner of a local landmark or a contributing building in a local historic district shall keep in good repair:

(1) All of the exterior portions of such buildings or structures;

(2) All interior portions that, if not so maintained, may cause such buildings or structures to deteriorate or to become damaged or otherwise to fall into a state of disrepair; and

(3) In addition, where the landmark is an archeological site, the owner shall be required to maintain his property in such a manner so as not to adversely affect the archeological integrity of the site.

(b) The board may refer violations of this section to the building department for enforcement proceedings on any structure designated under this chapter so that such structure shall be preserved in accordance with the purposes of this chapter.

(c) The provisions of this section shall be in addition to the provisions of the building code requiring such buildings and structures to be kept in good repair.

Sec. 50-12. Demolition delay.

(a) *Regulated buildings.* This section applies to all contributing buildings within the city's National Register of Historic Places Historic Districts.

(b) *Notice.* Notice of a public hearing to consider any proposal to demolish a contributing building located in one of the city's nationally recognized historic districts shall be made by staff, at the applicant's expense, in a newspaper of general circulation in the city at least 30 days prior to the hearing. The owner or authorized representative of the owner of the building proposed for demolition shall notify all property owners within 150 feet of the subject property of the public hearing. The notice shall be sent by United States Postal Service certified mail "return receipt requested" to each property owner no less than 15 days prior to the advertised public hearing and shall indicate the property address of the building proposed for demolition and the location, date and time of the public hearing.

(c) *Board review.* The board shall review any application for demolition of a contributing building within the city's National Register of Historic Places Historic District at its next public hearing with notice given as provided in this section to determine whether the building is historically significant. The building shall be considered historically significant if one or more of the following criteria are declared to be met by the board:

(1) The building is historically or architecturally significant in terms of its period, style, method of building construction or use of indigenous materials; or

(2) The building is a significant reminder of the cultural, or architectural history of the city, state or nation; or

(3) The building is associated with a significant local, state or national event; or

(4) The building is associated with one or more significant historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the city, state or nation; or

(5) The building is one of the few remaining examples of its period, style, or method of construction; or

(6) The building is identified with a person who significantly contributed to the development of the city, state or nation; or

(7) The building is identified as the work of a master builder, designer or architect whose individual work has influenced the development of the city, state or nation; or

(8) The building value is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance; or

(9) The building character is in a geographically definable area possessing a significant concentration or continuity of buildings united in past events or aesthetically by plan or physical development; or

(10) The building character is in an established and geographically definable neighborhood united in culture, architectural style or physical plan and development.

The board shall not consider the request until the applicant has provided the information to explain why the building is not considered significant, or if significant, why it should be demolished. The board shall issue no demolition approval until the applicant has demonstrated that no other feasible alternative to demolition can be found. The board may ask interested individuals and organizations for assistance in seeking an alternative to demolition.

(d) *Demolition of significant buildings.* If the board finds that the building is historically significant the board may, nevertheless, grant a demolition approval if it finds that one of the following circumstances is met:

(1) *Undue economic hardship.* In any instance where there is a claim of undue economic hardship, the property owner shall submit to the board prior to the public hearing a report indicating the economic hardship and why the demolition should be allowed. The report shall include the following:

a. The amount paid for the property, the date of purchase and the party from whom purchased;

b. The assessed value of the land and improvements thereon, according to the two most recent assessments;

c. Real estate taxes for the previous two years;

d. Annual debt service, or mortgage payments, if any, for the previous two years;

e. All appraisals (if any) obtained within the previous two years by the owner(s) or applicant(s) in connection with the purchase, financing or ownership of the property;

f. Any listing of the property for sale or rent, price asked and offers received, if any; and

g. Any consideration by the owner as to profitable adaptive uses for the property, including but not limited to possible fair market rents for the property if it were rented or leased in its current condition.

The board may require that an applicant furnish such additional information as the board believes is relevant to the board's determination of any alleged undue economic hardship. The board may also require, in appropriate circumstances, that information be furnished under oath.

In the event that any of the required information is not reasonable available to the property owner and cannot be obtained by the property owner, the property owner shall file with the affidavit a statement of the information which cannot be obtained and the reasons why such information cannot be reasonable obtained. Where such unobtainable information concerns required financial information, the property owner will submit a statement describing estimates which shall be as accurate as feasible.

(2) *Building condition.* In any instance where there is a claim the building is not structurally sound and/or suitable for restoration, the applicant shall provide a written report signed by a licensed engineer or architect with experience in historic building restoration stating that the building is structurally unsound and unsuitable for restoration. The board shall review the credentials of the licensed engineer or architect signing the report and shall find them experienced in historic restorations before the report is accepted. The applicant shall allow members of the board and board staff to inspect the interior and exterior of the building.

(3) *Lack of alternative to demolition.* In any instance where there is a claim of no other alternative to demolition, the applicant shall provide written documentation of attempts to sell the building at a reasonable and comparable amount or to offer it without charge to purchasers willing to move the building to another location and preserve, rehabilitate, relocate or restore the building. A reasonable and comparable sales price shall be indicated by providing evidence such as recent appraisals, comparable values of properties similar to the building proposed to be demolished or other evidence the board deems acceptable.

(e) *Conditions of demolition approval.* If the board grants demolition approval for a contributing building listed on the National Register, the board may condition approval on one or more of the following requirements:

(1) The board shall require the applicant to provide a written and pictorial record of the building's history and architectural features for archival purposes, approved by the city. The record should include a narrative accompanied by relevant photographs, drawings, maps, and copies of original documents; or

(2) The board may require that the owner allow archaeological study of the property before and/or during demolition if the property falls within the area demonstrated to have a medium or high probability to contain archaeological resources; or

(3) The board may require that the owner allow salvage activities of the historic building provided the board finds that there are salvageable materials within the building. Board staff shall provide evidence to demonstrate that salvageable materials are within or on the building to be demolished; or

(4) The board may require that the owner of a historically significant building meet any other condition that is reasonable to mitigate the demolition of the historic building.

(f) *Delay.* Should the board determine that a building is historically significant and does not meet at least one of the circumstances allowing demolition of a historically significant structure, the board shall provide for a demolition delay effective date of up to 120 days from the date of its decision. The purpose for the delay is for city staff to invite the owner of record of the building to participate in an investigation of alternatives to demolition including, but not limited to, incorporation of the building into the future development of the site; adaptive reuse of the building; utilization of financial incentives to rehabilitate the building; seeking a new owner willing to purchase and preserve, restore or rehabilitate the building; or moving the building. The city will provide the applicant resource assistance including but not limited to potential grant sources, tax relief measures, possible lenders, and available insurers. Once the delay period has ended and if the owner is still seeking demolition of the historically significant structure, the owner shall appear before the board at a meeting adhering to the notice requirements of this section and present a case as to why the demolition should be granted. The board shall again consider the reasons for demolition of a historically significant building and must approve the demolition provided any board-imposed conditions of approval contained in subsection (e)(1)-(3) have been satisfied.

Sec. 50-13. Demolition by neglect.

(a) *Demolition by neglect.* The owner of a contributing structure within an National Register Historic District shall comply with all applicable codes, laws and regulations governing the maintenance of property in order to preserve such structures from deliberate or inadvertent neglect of the exterior features of such structures, or the interior portions thereof when such maintenance is necessary to prevent deterioration and decay of the exterior. All such structures shall be preserved against such decay and deterioration and free from structural defects through prompt corrections of any of the following defects:

(1) Facades that may fall and injure persons or property;

(2) Deteriorated or inadequate foundation, defective or deteriorated flooring or floor supports, deteriorated walls or other vertical structural supports;

(3) Members of ceilings, roofs, ceiling and roof supports or other horizontal members that sag, split or buckle due to defective material or deterioration;

(4) Deteriorated or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors;

(5) Defective or insufficient weather protection for exterior wall covering, including lack of paint or weathering due to lack of paint or other protective covering; or

(6) Any fault or defect in the building that renders it not properly watertight or structurally unsafe.

Sec. 50-14. Appeals. Within 15 days of the board decision regarding demolition or demolition by neglect of any contributing structure within a National Register Historic District, any affected person with standing may appeal to the city commission. The city commission shall consider the appeal and approve, approve with conditions, or disapprove the application at a public hearing, but no later than 60 days after hearing the appeal. The city commission shall only approve the demolition of a contributing building if they determine that the request complies with the applicable review criteria.

Sec. 50-15. Archaeological preservation.

(a) *Archaeological zones.* In order to regulate and restrict disturbances, and to determine the extent of archaeological investigation and excavations that may be required in a given area, the incorporated area of New Smyrna Beach, Florida, is hereby divided into zones as shown on the archaeological base map entitled, "Archaeological Base Map for New Smyrna Beach, Florida," more particularly described as:

*See Exhibit "A" attached hereto and by reference made a part hereof.

Archaeological zones shall be updated on the base map as additional sites are documented. Zones as delineated on the base map are as follows with titles and abbreviations as indicated:

(1) *Archaeological zone I* is comprised of those areas within the city where there are known significant archaeological sites.

(2) *Archaeological zone II* is comprised of those areas that have a medium or high probability of containing archaeological resources as determined by The Search for Turnbull's Colony, an Archaeological Survey, a report by Southeast Archaeological Research, Inc., dated June 1999.

(b) *Interpretation of zone boundaries.* Where uncertainty exists as to the boundaries of zones as shown on the archaeological base map for New Smyrna Beach, Florida, the following rules shall apply:

(1) Boundaries indicated as approximating center lines of streets, highways or alleys shall be construed to follow such centerlines;

(2) Boundaries indicated as approximately following platted lot lines shall be construed to follow such lot lines;

(3) Boundaries indicated as approximately following city limits shall be construed to follow such city limits;

(4) Boundaries indicated as following railway lines shall be construed to be midway between the main tracks;

(5) Boundaries indicated as following shorelines shall be construed to follow the mean high water line. In the event of a change in shorelines, the boundaries shall be construed to move with the change except where such moving would change the archaeological status of a lot or parcel. In such case the boundary shall be interpreted in such a manner as to avoid changing the archaeological status of such lot or parcel;

(6) Boundaries indicated as parallel to or extensions of beaches indicated in subsections (1) through (5) above shall be so construed. The distance not specifically indicated on the archaeological base map shall be determined by the scale of the map.

(7) Where physical or cultural features existing on the ground are not in agreement with those shown on the archaeological base map or in other circumstances not covered by subsections (1) through (6) above, the city archaeologist shall interpret the zoning boundaries.

(c) *Zone regulations.* On city-owned or maintained property, within archaeological zones I and II, the conduct of any ground disturbances on, or activities taking place at or below the present surface of the ground, shall be in compliance with the following regulations:

(1) All proposed disturbances on city-owned or maintained property, including but not limited to those by the utilities commission, telephone, cable, and gas companies, the department of transportation, city contractors, and city subcontractors shall be reported to the city archaeologist before those disturbances take place. Furthermore, this chapter will apply only to city-owned or maintained properties within the boundaries of the proposed disturbances. Any additional archaeological testing or excavation by the city archaeologist, within areas outside the proposed disturbances, may be conducted only with written permission of the property owner.

(2) Within archaeological zones I and II, disturbances on city-owned or maintained properties shall be subject to intensive archaeological salvage excavations, to be conducted by the city archaeologist prior to any underground disturbance, building construction, or utility excavation, and paid for by the entity initiating the disturbance. The extent of the archaeological salvage excavations by the city archaeologist will be dependent on the extent of the proposed area of construction disturbance and the significance of the archaeological resource.

(3) Within archaeological zones I and II, the city archaeologist will be authorized to delay the proposed construction work or major disturbance for up to four weeks. The city manager, or his or her designee may grant additional time, if needed. Early notification of and by the city archaeologist, prior to any disturbances occurring, may minimize or eliminate the need for work delays. The applicant will be informed of any delays.

(4) Any disturbances on city-owned or maintained property, which are required to deal with an emergency situation, shall not be subject to the regulations of this chapter.

(d) *Excavations on public property.* No individual shall be allowed to disturb or remove artifacts from public property without the written permission of the city archaeologist, the city manager, or his or her designee.

(e) *Ownership of artifacts.* Artifacts uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring of city-owned or maintained properties shall remain the property of the city. If additional archaeological testing or excavation by the city archaeologist is permitted within areas outside the proposed disturbances and artifacts uncovered, the city shall obtain written permission from the property

owner to analyze, catalog, record, and conserve the artifacts for long-term storage, care, protection, and preservation.

(f) *Curation of artifacts.* Artifacts uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring shall be washed, if the city archaeologist deems appropriate, cataloged, analyzed, recorded, and conserved by the city archaeologist. The Southeast Volusia Historical Society will be the repository for artifacts discovered on city-owned or maintained properties.

(g) *Human remains.* Human skeletal remains, uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring shall be coordinated with the local medical examiner, the city, city archaeologist, and the state archaeologist. Such remains shall be dealt with in accordance with the provisions of F.S. ch. 872, as amended, and are not subject to private ownership. Such material shall be sensitively treated and, following its analysis by a physical anthropologist, shall be curated at a designated repository or appropriately buried.

(h) *City archaeologist.* The city manager or his or her designee shall appoint a city archaeologist who shall meet the city's requirements and the standards for membership by the register of professional archaeologists and shall have a demonstrated background in historic and prehistoric archaeology. The city archaeologist shall review all applicable ground disturbances on city-owned or maintained property in archaeological zones I and II; shall conduct such testing, excavations, or monitoring as shall be required by this chapter; shall prepare or oversee preparation of a final report on all projects, which report shall meet the guidelines established for archaeological reports by the department of state, division of historical resources, and be in accordance with the Cultural Resource Management Standards and Operations Manual; shall record archaeological sites and develop strategies for preservation of the archaeological resources of New Smyrna Beach; and shall participate in the planning state of applicable projects, to minimize the potential impacts on archaeological sites by any activities proposed for such sites; and shall maintain and update the archaeological base map; and shall advise the city manager concerning archaeological issues.

Sec. 50-16. Penalty.

(a) *Non-compliance with regulations applicable to local landmarks, local historic districts, and archaeological preservation.* Any person violating any of the provisions of this chapter shall be punished as provided in section 1-14. The code compliance board shall review any violation of this chapter. Additionally, the city has the option to require any person who violates any provision of this chapter to forfeit and pay to the city civil penalties equal to the fair market value of any property demolished or destroyed in violation of this chapter or the cost to repair or rehabilitate any property that is altered in violation of this chapter. In lieu of a monetary penalty, any person altering property in violation of the provisions of this chapter may be required to repair or restore any such property.

(b) *Non-compliance with regulations applicable to contributing structures in National Register Historic Districts.*

(1) The board, building official and code compliance officer are each authorized to institute any and all proceedings in law or equity, as they deem necessary and appropriate to obtain compliance or to prevent a violation thereof.

(2) No building permit shall be issued with respect to any premises upon which a significant building has been voluntarily demolished for a period of 22 months after the date of the completion of such demolition.

(3) Upon a determination of the board that a building is a preferably preserved significant building, the owner shall be responsible for properly securing the building, if vacant, to the satisfaction of the city.

(4) Anyone who demolishes a contributing structure without first obtaining a demolition permit and fully complying with the permit requirements shall be subject to a fine of up to $25,000.00.

ARTICLE III. PROPERTY TAX EXEMPTION

Sec. 50-17. Intent.

The State of Florida has enacted legislation implementing the provisions of the State Constitution to specifically provide for ad valorem tax exemptions for historic properties. The city commission desires to take advantage of all available state and federal programs that may assist in the preservation of historic properties.

Sec. 50-18. Purpose.

The purpose of the historic property tax exemption is to:

(a) Provide a positive financial incentive for the designation of local landmarks and local historic districts within the City of New Smyrna Beach;

(b) Encourage more restoration, rehabilitation and renovation of designated historic buildings and structures in New Smyrna Beach;

(c) Stabilize and improve property values, and enhance the property tax base of the City of New Smyrna Beach, by encouraging improvement of designated historic buildings and structures; and

(d) Improve the appearance of designated historic districts and landmarks in the City of New Smyrna Beach, thereby enhancing their appeal as places to live, work and visit.

Sec. 50-19. Historic preservation property tax exemption.

The owners of qualifying properties who have met all requirements outlined in this chapter shall receive an exemption of 100 percent of the increase in assessed value of ad valorem taxes levied by the City of New Smyrna Beach which result from the restoration, renovation or rehabilitation of such buildings or structure for the duration of the exemption period. The amount of exemption shall be determined by the property appraiser for the County of Volusia based on the typical post-construction inspection and appraisal. The tax exemptions allowed herein apply only to the ad valorem taxes assessed by the City of New Smyrna Beach. The exemption does not apply to taxes levied for the payment of bonds, to taxes authorized by a vote of the electors pursuant to Fla. Const., art. VII, § 9(b) or § 12, or to improvements made prior to October 1, 2022.

Sec. 50-20. Eligible property for tax exemption.

The following real property in the City of New Smyrna Beach is eligible for the historic preservation property tax exemption, provided it meets such criteria on the date the historic preservation property tax exemption is granted by the city commission.

Property is qualified for an exemption under this section if:

(1) At the time the exemption is granted, the property:

   a. Is individually listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended; or

   b. Is a contributing structure in a National Register Historic District; or

   c. Is designated by the city as a local historic landmark or a contributing structure in a local historic district; and,

(2) The Division of Historical Resources or the Historic Preservation Board, whichever is applicable, has certified to the City of New Smyrna Beach that the property for which an exemption is requested satisfies paragraph (1) above.

Sec. 50-21. Overview of tax exemption application and review procedures.

An application for a tax exemption shall be made in accordance with F.S. § 196.1997(8) and Fla. Admin. Code R. 1A-38.003, as amended. A pre-construction application and a completed work application must be submitted for review by the Historic Preservation Board, in accordance with the rules adopted by the Department of State. The board shall make recommendations to the city commission as to whether the applications should be granted or denied, along with reasons for such recommendations. The city commission shall review the applications, along with the board's recommendations. Approval of any application by the city commission shall be by resolution and shall contain the name of the owner and the address of the historic property for which the exemption is granted, the period of time for which the exemption will remain in effect and the expiration date of the exemption, a finding that the historic property meets the requirements of F.S. § 196.1997, and shall be accompanied by a historic preservation exemption covenant as further detailed below.

Sec. 50-22. Pre-construction application.

For any tax exemption to be considered by the City of New Smyrna Beach, the owner of record of the property seeking the exemption must fill out an approved pre-construction application obtained from the city. The application must contain all the information that is required by the Florida Department of State, Division of Historical Resources, promulgated in accordance with Rule 1A-38, Florida Administrative Code, and shall include additional information regarding the documentation of the cost of the qualifying improvements. Any improvements made prior to the pre-construction application shall not be eligible for the exemption.

The pre-construction application shall be filed with the City of New Smyrna Beach before any work begins, and shall include but is not limited to the following:

(a) Information sufficient to determine if the subject property is an eligible property;

(b) Information sufficient to determine if the proposed project will be a qualifying improvement;

(c) Photographs documenting the property prior to any improvements;

(d) Information outlining construction estimates for the proposed project; and

(e) A copy of the latest tax bill issued by the Property Appraiser for the County of Volusia

If the proposed work involves exterior work which requires a certificate of appropriateness, then in addition to the criteria listed above, the proposed work will be reviewed in accordance with sections 50-7 and 50-8. The pre-construction application and the certificate of appropriateness may be reviewed simultaneously, however no pre-construction application shall be approved until the certificate of appropriateness had been approved.

Sec. 50-23. Review of pre-construction applications.

The pre-construction application shall be reviewed at any regular or special meeting of the Historic Preservation Board. The board shall determine the following:

(a) whether the proposed project will be a qualifying improvement; and

(b) whether the work, as proposed, is in compliance with the applicable historic review standards.

If the Historic Preservation Board, by majority vote, finds that the proposed project is a qualifying improvement and the proposed work is in compliance with the historic review standards then the pre-construction application shall be approved.

If the Historic Preservation Commission finds that the proposed project is not a qualifying improvement or is not in compliance with the historic review standards then the board shall advise the applicant as to changes necessary to make it a qualifying improvement or how to bring the project in compliance with applicable historic review

standards. The applicant may resubmit the pre-construction application for further consideration at a subsequent meeting of the board.

Sec. 50-24. Review of completed work.

Once the proposed work is completed then the applicant shall submitted a completed work application for review by the historic preservation officer. The application shall be reviewed within 30 days of submission to determine if the completed work is consistent with the pre-construction application. If the historic preservation officer determines that the completed work is consistent with the pre-construction application then the officer will inform the applicant in writing of the decision and the item will be placed on the next scheduled meeting of the board. The board shall review the application and vote in favor of a recommendation of approval of the tax exemption to the city commission if staff makes a recommendation that the completed work is consistent with the pre-construction application and the board's own review determines the work is consistent with the pre-construction application.

If the historic preservation officer finds that the completed project is not consistent with the pre-construction application, then the officer shall inform the applicant in writing of the changes necessary to make it consistent with the pre-construction application. The applicant will have 60 days to bring the work into compliance. After 60 days, regardless of whether the applicant has made any necessary changes to the completed work, the applicant shall have the application for completed work presented to the board with the officer's recommendation and the board can determine if the completed work is consistent with the pre-construction application. If the board determines that the completed work is consistent with the pre-construction application then the board shall, by a majority vote, recommend approval of the tax exemption to the city commission.

If, after the application is presented to the board, a majority vote determines the completed work presented is not consistent with the pre-construction application then the board shall deny the tax exemption. The historic preservation officer will provide written notice to the applicant as to the reason for the denial and recommend changes to the project that will make it a qualifying improvement and consistent with the pre-construction application. Any denial may be appealed to the city commission within 30 days of the denial. The city commission will review the appeal to determine if the completed work is consistent with the pre-construction application.

Sec. 50-25. Exemption period for tax exemption.

The tax exemption granted shall remain in effect for ten years with respect to any particular property, regardless of any change in the authority of the city to grant such exemptions or any change in ownership of the property. However, to retain the exemption the historic character of the property and the qualified improvements must be maintained over the period for which the exemption is granted.

The exemption period shall begin on January 1 after all three of the following events have occurred: (1) issuance of a certificate of occupancy by the City of New Smyrna Beach; (2) final approval of the restoration, renovation or rehabilitation work has been granted by the city commission; and (3) written notice stating the exemption is in effect has been forwarded by the City of New Smyrna Beach and received by the property appraiser for the County of Volusia.

Sec. 50-26. Historic preservation exemption covenant.

To receive an approved tax exemption, the property owner must enter into a covenant with the city for the term for which the exemption is granted. The form of the covenant shall be established by the Department of State and must require that the character of the property, and the qualifying improvements to the property, be maintained during the entire exemption period. The covenant shall be binding on the current property owner, transferees, and their heirs, successors, or assigns. Violation of the covenant results in the property owner being subject to the payment of the differences between the total amount of taxes which would have been due in March in each of the

previous years in which the covenant was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in F.S. § 212.12(3).

Sec. 50-27. Notice to property appraiser.

Within three working days following adoption of a resolution by the city commission granting the historic preservation property tax exemption, the historic preservation officer shall cause the transmittal of a copy of the resolution, the preservation exemption covenant, and the final application to the property appraiser for Volusia County, with instructions that the property appraiser provide the historic preservation property tax exemption to the applicant.

Sec. 50-28. Revocation proceedings.

The historic preservation officer may initiate proceedings to revoke the tax exemption at any time if the property owner, or any subsequent owner or successor in interest to the property, violates the covenant, fails to maintain the qualifying property according to the terms, conditions and standards of the covenant, the historic character of the property and improvements which qualified the property for the exemption are not maintained or if the qualifying property has been damaged by accidental or natural causes to the extent that the historic integrity of the features, materials, appearances, workmanship and environment, or archeological integrity which made it eligible for listing or designation have been lost or damaged so that restoration is not possible. Proceeding under this section may also be initiated following a finding by the Code Compliance Board or Special Magistrate finding the property in violation of any city code.

The historic preservation officer shall provide written notice to the current owner of record at least ten days prior to any public hearing on the matter. Once notice is provided, by either posting or US certified mail to the current owner of record, a hearing will be held before the historic preservation board in which the board will review the current state of the qualifying improvements and make a recommendation to the city commission. The city commission will review the board recommendation and make a determination as to whether the exemption should be revoked.

Upon a determination by the city commission that the tax exemption shall be revoked, the historic preservation officer shall provide written notice of the decision to the owner of record as well as the property appraiser of Volusia County. The notice to the owner of record shall be accompanied by the reason and recommendation for changes to the property that may result in reinstatement of the exemptions.

The property appraiser, upon receipt of the notice of revocation, shall discontinue the tax exemption on the property as of January 1st of the year following receipt of the notice.

Sec 50-29. Reinstatement after revocation.

A property may be reinstated for a tax exemption after revocation by satisfying the recommendations for changes to the property as provided in the written notice by the historic preservation officer or by bringing the property into compliance for any outstanding code violations. The process for reinstatement shall follow the review procedure applicable to the completed work application. If approved, the tax exemption shall be reinstated for the remaining unexpired term of the initial exemption period.

ARTICLE IV. HISTORIC PRESERVATION GRANT PROGRAM

Sec. 50-30. Established.

There is hereby established a historic preservation grant program for owners of contributing structures in either a National Register historic district or a local historic district.

Sec. 50-31. Eligibility.

The owner of any contributing building which had been condemned by the building trades board under chapter 26, article X, may apply to the historic preservation board for a grant for repair or rehabilitation of the building, as follows:

(1) The program is open to any resident of the City of New Smyrna Beach who owns and occupies a contributing structure.

(2) Qualifications are based on both family size and annual household incomes that do not exceed 120 percent of the Volusia County median income, as shown below:

	1 person	2 persons	3 persons	4 persons	5 persons	6 persons	7 persons	8 persons
Low/Mod Income	$39,982	$45,730	$51,415	$68,520	$61,723	$66,283	$70,844	$75,404

The income guidelines are to be adjusted every two years in relationship to the Consumer Price Index. Household income will be established by the total annual household income and assets of all persons identified on the title of the property, plus all persons 18 years of age or older living in the home.

(3) Exterior property improvements are eligible, including exterior paint, window and screen repairs, garage door and exterior door repairs, deadbolts, disabled access, exterior electrical and plumbing repair and weatherization.

(4) The work must be completed by a licensed contractor.

(5) The following restrictions apply:

a. Upgrades and remodeling are not allowable.

b. The home cannot be listed for sale or be in jeopardy of foreclosure.

c. The home must be owner occupied.

d. Replacement is only allowable if repair is not possible.

Sec. 50-32. Review of application.

The board shall review the application for a grant at a public hearing. The application shall include, at a minimum, the following:

(1) Proof of ownership of the property to be repaired.

(2) The order of the building trades board requiring demolition or repair of the property.

(3) Description of proposed repairs, with a cost estimate and timetable for repairs.

(4) Proof that the applicant meets the eligibility requirements of section 50-31.

The board may approve, deny, or approve with conditions, the application. The action of the board shall constitute final administrative action.

Sec. 50-33. Procedure after approval of grant; grant limits.

(a) If a grant to repair or rehabilitate a contributing building is approved by the board, a copy of the action taken and the application shall be forwarded to the building official, who may issue a permit for the work to be performed in accordance with the action of the board. The owner shall comply with all laws and ordinances pertaining to the repair or construction.

(b) The grant amount shall not exceed the city's cost of demolition of the structure or building as ordered by the building trades board. The grant funds shall be taken from budgeted demolition funds, if there are sufficient funds in that account.

(c) The order of the building trades board shall be stayed during the time of application for the grant and during repair of the building, provided the owner obtains all required permits within the time ordered by the board, and work progresses as required by law and ordinance. After repairs are completed the order of the building trades board shall be deemed satisfied.

(d) If repairs are not completed, the city is entitled to a lien in the amount of the grant funds dispersed to owner, as provided in chapter 26 of this code.

Historic Preservation

Code of Ordinances, Chapter 50




WOMAN'S CLUB OF NEW SMYRNA
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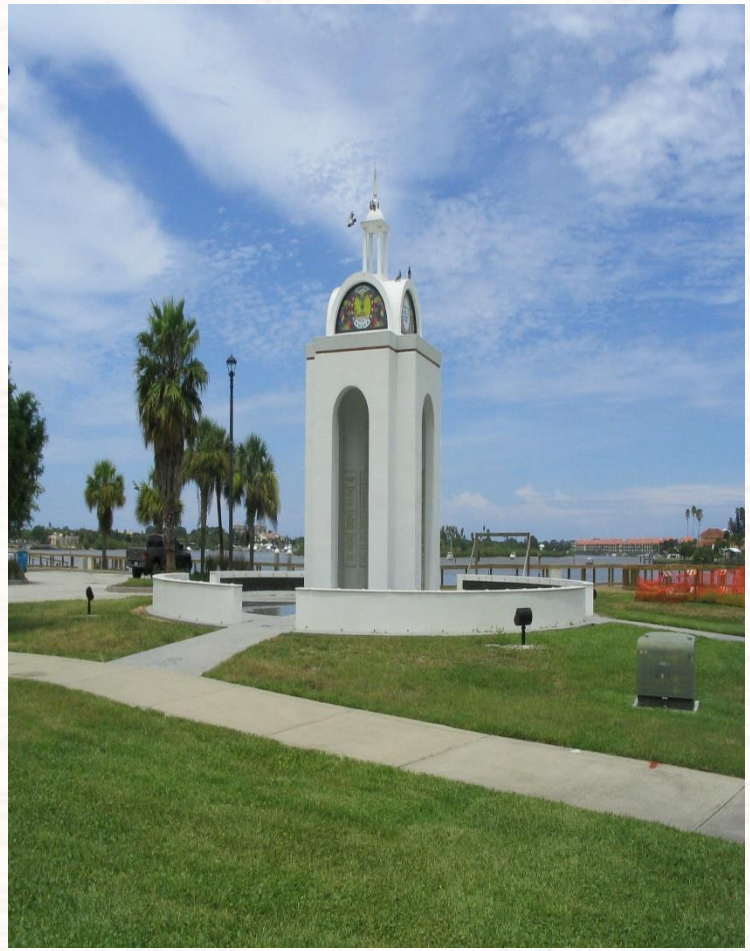
Proposed Updates to Chapter 50, Historic Preservation

- History of Chapter 50
- Proposed Update to Chapter 50
- How will these proposed updates effect current properties



History of Chapter 50

Ordinance 13-86, adopted on April 16, 1986 created the original framework for the current Historic Preservation Ordinance.

This ordinance created the Historic New Smyrna Beach Preservation Commission and provided procedures for designating historic landmarks, landmarks sites, and historic districts.

This ordinance was created, so the City of New Smyrna Beach could qualify for the designation as a Certified Local Government, (CLG). The City of New Smyrna Beach was one of the first six local governments to be certified by the State of Florida.

The 1986 inaugural list of Certified Local Governments:

City of New Smyrna Beach
City of Miami
City of St. Petersburg
City of Gainesville
City of St. Augustine
City of Coral Cables

Proposed Updates to Chapter 50

- Relocate and clarify all of the current definitions throughout the code into one location and add proposed definitions. This format should allow for the general public to more easily find the definitions;

No functional changes to process or procedures

- Update the name of the Historic New Smyrna Beach Preservation Commission to Historic Preservation Board. This proposed title would be consistent with other Preservation Boards throughout the State of Florida. This would also eliminate any confusion with the City Commission;

- Separate the regulation for local landmarks and local historic districts. These two designations may have separate criteria, requirements, and paths. By separating these types of requests, it should make it easier to understand the process of designating a local landmark and designating a local historic district;

No functional changes to process or procedures

Proposed Updates to Chapter 50

- Separate the minor and major requirements and path for a certificate of appropriateness, by allowing Staff to review and approve minor upgrades and renovations to local landmarks and contributing structures in any future local historic district. This should reduce permit processing time. However, major renovations and new construction in a future local historic district, or a local landmark, would still be reviewed by the Historic Preservation Board;

  Simplified process by which minor projects may be approved.

- Establish a preservation standard and guideline for renovations to any contributing structure in a future local historic district or new construction in a future local historic district. Staff supports using the New Smyrna Beach Historic Preservation Design Guidelines that were prepared by Historic Property Associates, Inc.;

  Would adopt a design standard to utilize local criteria for redevelopment projects.

Proposed Updates to Chapter 50

- Renovations should have materials that match the existing, however, design regulations would allow for a modern material that would mimic the original material. The use of vinyl or aluminum siding would be prohibited but wood or cement siding would be allowed;

  Part of design standards process that allows for lower cost alternatives to meet historical guidelines.

- New construction and building standards have been updated and clarified. This update would involve the building heights, massing, and placement of new structures based on the neighboring structure trend. This update should enhance any new building or addition based on the existing elements of the neighborhood;

  Requires review of new structures to meet consistency with neighboring buildings.

Proposed Updates to Chapter 50

- Procedures for any proposed demolition of a contributing structure has been clarified including the required criteria;

No functional change to existing process.

- Penalties is a new section for non-compliance with Chapter 50 and establishes civil penalties and can allow for delay of future permits; and

New Section of the Code.

- Property Tax Exemption has been updated to meet State Statues and to include eligible properties, review procedures, application requirements, covenant, and revocation.

Expanded opportunities for existing exemptions.

Proposed Amendments to Land Development Regulation

- Update Land Development Regulation Section 504.02 by prohibiting aggregation of parcels to create larger parcels in the National Registered Historic Districts.

New Section of the Code.

- Update Land Development Regulation Section 504.02 by establishing a new building height restriction in the National Registered Historic Districts.

New Section of the Code.

- Establishing a waiver process for either of the new above proposed development regulations.

New Section of the Code.

How will these proposed updates effect current properties?

Most of the changes deal with future local historic districts and landmarks. Currently, the City does not have any local historic districts, so most of the proposed regulations would not affect any current resident or property owner.

But the City does have two National Registered Historic Districts. The proposed update would still require the Historic Preservation Board to review applications for demolition of a contributing structure.

The proposed Land Development Regulation would restrict the process of aggregating parcels, and limiting building heights in either one of those two National Registered Historic Districts.

Any privately owned local landmark including the local landmarks owned by the City will have to apply for a Certificate of Appropriateness for any exterior renovations. Minor exterior changes would be reviewed by Staff but extensive exterior renovations would have to be reviewed by the Historic Preservation Board.





Questions?

Historic Preservation Commission Regular Meeting
Wednesday, December 14, 2022 at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the regular meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, December 14, 2022 at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Chair Mahood called the meeting to order at 5:30 PM.

Roll Call

Attendee Name	Title	Status	Arrived
Katherine Kaufman	Member	Present	5:30 PM
Stephanie Rees	Member	Present	5:30 PM
Douglas Toth	Member	Present	5:30 PM
Terry Bledsoe	Member	Present	5:30 PM
Angeline Barretta-Herman	Member	Present	5:30 PM
Lianne Bennett	Member	Present	5:30 PM
Joanna Mahood	Chair Person	Present	5:30 PM

Also present were: Senior Planner Robert Mathen, Assistant City Attorney Shey McCurdy, and Board Secretary Cindy Langdon.

Senior Planner Robert Mathen requested agenda item 4.B to be heard first under new business. The Board had no objections to Staff's request.

2. APPROVAL OF MINUTES

2.A Approval of the Historic Preservation Commission October 12, 2022 Regular Meeting Minutes

Chair Mahood asked the Board if they had any changes to the October 12, 2022 meeting minutes.

DRAFT

Motion:

Member Barretta-Herman moved to approve the October 12, 2022 regular meeting minutes with the above minor change and as submitted. Member Toth seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Barretta-Herman
SECONDER:	Toth
AYES:	Kaufman, Rees, Toth, Bledsoe, Barretta-Herman, Bennett, Mahood

3. PUBLIC PARTICIPATION

Sally Gillespie, 610 N Peninsula, representing the New Smyrna Beach Residents Coalition. Ms. Gillespie thanked Mr. Mathen for meeting with her to discuss changes of Chapter 50. She was pleased to see the added references to the National Historic District. She further stated that this change would carry benefits to homeowners without the potential insurance coverage concerns local districts may bring.

4. NEW BUSINESS

4.A Historic Preservation – Chapter 50

Robert Mathen, Senior Planner, outlined Staff's request to seek a positive recommendation to submit the final draft of Chapter 50 to City Commission. Mr. Mathen indicated that the final comments from the Board Members were minor in nature and could incorporated prior to presenting it to the City Commission.

Member Barretta Herman asked for clarification as to the impact of changing from Commission to Board. Staff indicated the primary reason was to differentiate from the City Commission to reduce confusion. Furthermore, the responsibility and authority would remain the same.

Chair Mahood opened the meeting for Public Participation.

Roberta Gibson-Minor, 2839 S. Asciano CT., thanked staff. She stated two positive changes to Chapter 50. First, reducing required approval by districts from 60% to 50% + 1 and second, adding a 22 month building delay penalty to the Demolition by Neglect.

Jesse Romero, 708 S. Cooper Street, stated that this was his first time at this meeting. He stated that he agreed with Ms. Gibson-Minor on increasing the penalty fees.

Chair Mahood closed Public Participation.

Discussion ensued with the board regarding the number of public meetings. Staff stated that a minimum of four meetings would be held with the ability to add additional meetings as needed. The board agreed to change the word "hearing" to "meeting".

Chair Mahood asked the Board if they had any additional questions or comments.

Member Toth expressed concerns with the wording "any style in the district" and asked staff to review the wording.

Motion:
Member Bledsoe moved to recommend approval to City Commission for Chapter 50, with amendments. Member Bennett seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Bledsoe
SECONDER:	Bennett
AYES:	Kaufman, Rees, Toth, Bledsoe, Barretta-Herman, Bennett, Mahood

4.B. CA-2-2022: 314 North Duss Street, Mary S Harrell Black Heritage Museum

Robert Mathen, Senior Planner, outlined the applicant's request Certificate of Appropriateness for new construction on an existing local land site.

Member Rees asked about the 2 options that were provided in the packet. Mr. Mathen stated that he did not know which option the applicant preferred. Mr. Mathen stated that staff preferred option 1.

Member Barretta-Herman suggested that the Applicant considered attaching the accessory building to the existing building.

Chair Mahood asked if the applicant would like to speak.

Ann W. Harrell, 314 North Duss Street, Executive Director to the Museum. She stated that attaching the building was not an option. She stated that need for the building for storage of the Exhibits.

Member Kaufman suggested to the applicant to have the pitch of the roof match the existing building.

Chair Mahood opened the meeting for Public Participation. As no one wished to speak, Chair Mahood closed Public Participation.

Chair Mahood asked the Board if they had any additional questions or comments.

Chair Mahood asked that they were going to have to remove the tree in order to build the structure. Mr. Mathen stated that the will not be removed. Chair Mahood agreed with option 1.

Motion:

Member Rees moved to approve Certificate of Appropriateness for Mary S. Harrell Black Heritage Museum, as submitted. Member Bennent seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Rees
SECONDER:	Bennett
AYES:	Kaufman, Rees, Toth, Bledsoe, Barretta-Herman, Bennett, Mahood

4.C Approval of the Historic Preservation Commission 2023 Regular Meeting Schedule

Motion:
Member Barretta-Herman moved to continue the agenda item to the December 14, 2022 HPC meeting. Member Bennett seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Barretta-Herman
SECONDER:	Bennett
AYES:	Kaufman, Rees, Toth, Bledsoe, Barretta-Herman, Bennett, Mahood

4.D Selection of the 2023 Chairperson and Vice Chairperson

Conduct the nomination and election for the 2023 Historic Preservation Commission Chairperson and Vice Chairperson.

Chairperson – Joanna Mahood
Vice Chairperson – Stephanie Rees

5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

None.

6. REPORTS AND COMMUNICATIONS BY THE STAFF

6.A. 2021-2022 CLG Annual Report

7. ADJOURNMENT

As there was no other business to discuss, Chair Mahood declared the meeting adjourned at 7:02 P.M.

THE CITY OF NEW SMYRNA BEACH - DEVELOPMENTAL SERVICES

CHAPTER 50, HISTORIC PRESERVATION

December 14, 2022

Background:

Applicant: City of New Smyrna Beach, Planning Department.

Request: Review of a proposed update to Chapter 50 of the City Code of Ordinances.

Findings:

Exhibits used in this report:

Exhibit A: Proposed update to Chapter 50.
Exhibit B: Proposed update to Chapter 50 Clean.

Chapter 50 was adopted under Ordinance number 13-86 on April 16, 1986. This ordinance created the original framework for the current historic preservation ordinance. This ordinance created the Historic New Smyrna Beach Preservation Commission and provided procedures for designating historic landmarks, landmarks sites, and historic districts. This ordinance was created, so the City of New Smyrna Beach could qualify for the designation as a Certified Local Government, (CLG). The City of New Smyrna Beach was one of the first six local governments to be certified by the State of Florida.

The Historic New Smyrna Beach Preservation Commission requested Staff to review and possible update Chapter 50, Historic Preservation, in the City Code of Ordinances. Staff issued a request to the three (3) contracted Planning Consultants that the City has. Staff selected S&ME due to their recent historic district planning experience. The City consultant, S&ME first met with City Staff and later met with the Historic New Smyrna Beach Preservation Commission on July 14, 2021 and the City Commission on September 14, 2021 to receive initial input on updating Chapter 50, Historic Preservation of the City Code of Ordinances.

Staff provided the Historic Preservation Commission a draft from S&ME on January 12, 2022 to review and supply comments on that draft. Staff reviewed verbal and written comments from the Historic Preservation Commissioners and submitted that draft and Historic Preservation Commissioners comments to the City Legal Department and City Manager's Office for review.

Since this proposed regulation update has received a lot of public interest, Staff also

decided to have a public meeting on August 17, 2022 to discuss the proposed amendment. Staff did invite the Chairperson of the Historic Preservation Commission to this public meeting since she was nominated by the Historic Preservation Commission to be the liaison to Staff.

The City has reviewed all comments and some may have been installed into the proposed update. The final draft has to meet the intentions of the City's Comprehension Plan including Element IV, Property Rights and Element XIII, Historical and Archaeological Preservation. There is a fine line that Staff is negotiating between the wants of the general public and the rights of the individual property owner.

Most of the proposed updates would separate out multiple processes and slim line procedures. Some of the proposed updates include:

1. The relocation and clarification of the current definitions.
2. Update the name of the Historic New Smyrna Beach Preservation Commission to Historic Preservation Board.
3. Separate the regulations for local landmarks and local historic districts.
4. Create a minor and major Certificate of Appropriateness.
5. Establish a preservation standard and guideline.
6. Establish an exterior material standard but allow for a modern material that is more efficient but would not change the architectural style of the structure.
7. Clarify standards for new construction.
8. Clarify procedures for any proposed demolition of a contributing structure.
9. Set new penalties for non-compliance with Chapter 50.
10. Update the Property Tax Exemption to meet current State Statues.

Most of the changes deal with future local historic districts and existing local landmarks. Currently, the City does not have any local historic districts, so most of the proposed regulations would not affect any current resident or property owner unless the structure or site is a local landmark. But the City does have two National Registered Historic Districts. Currently the proposed update would still require the Historic Preservation Board to review applications for demolition of a contributing structure in either of the National Registered Districts but that may have to be removed from the final draft as the State's certification requirements are expected to change.

Any privately owned local landmark including the local landmarks owned by the City will have to apply for a Certificate of Appropriateness for any exterior renovations. Minor exterior changes would be reviewed by the historic preservation officer, and any extensive exterior renovations would have to be reviewed by the Historic Preservation Board.

Staff is also reviewing a possible text amendment to the City's Land Development Regulations at it pertains to building height and prohibiting the aggregation of parcels to create larger parcels in the National Registered Historic Districts. Staff would allow for a waiver process.

Staff is seeking a final review and possible positive recommendtation to the City Commission for approval. Before an ordinance can be submitted to the City Commission, Staff is required to submit the proposed ordinance to the State of Florida, Department of Historic Resources for a review to verify that the amendment would still meet the minimum standard for a Certified Local Government designation.

Fiscal Analysis:
N/A

Strategic Plan Item:
Yes

Staff Report Created By: Robert Mathen - Planner II

Attachments:

Exhibit A Chapter 50 HISTORIC PRESERVATION v7 CA-RM 11-15-2022 Clean.pdf

Chapter 50 HISTORIC PRESERVATION[1]

ARTICLE I. IN GENERAL

Sec. 50-1. Intent.

(a) The city commission finds there are buildings, landmarks, and sites within the city that have specific historic or aesthetic significance, and that the loss of these sites would cause an irreplaceable loss to the citizens of the city. It is declared as a matter of public policy that protection, enhancement, perpetuation and use of such sites of special historic or aesthetic interest or value is a public necessity and is required in the interests of the health, prosperity, safety and welfare of the people.

(b) The recognition, protection, enhancement and use of such resources is a public purpose and is essential to the health, safety, morals, and economic, educational, cultural and general welfare of the public, since these efforts result in the enhancement of property values, the stabilization of neighborhoods and areas of the city, the increase of economic benefits to the city and its inhabitants, the promotion of local interests, the enrichment of human life in its educational and cultural dimensions serving spiritual as well as material needs, and the fostering of civic pride in the beauty and noble accomplishments of the past.

(c) The city commission desires to take advantage of all available state and federal laws and programs that may assist in the development or redevelopment of the city.

(d) The federal government has established a program of matching grants-in-aid for projects having as their purpose the preservation for public benefit of properties that are significant in American history, architecture, archeology and culture as well as other programs providing moneys for projects involving the rehabilitation of existing districts, sites, buildings, structures, objects and areas.

(e) The policy of the city is to conserve the existing housing stock and extend the economic life of each housing unit through the rehabilitation of such units under housing and neighborhood development programs in selected areas.

(f) Inherent in the enactment and implementation of these federal programs is the policy of the United States government that the spirit and direction of the nation are founded upon and reflected in its historic past; that the historical and cultural foundations of the nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people; that in the face of the ever-increasing expansions of urban centers, highways, and residential, commercial and industrial developments, the present governmental and nongovernmental programs and activities are inadequate to ensure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our nation.

(g) It is the will of the people of the state as expressed in Fla. Const., art. II, § 7, that the state's natural resources and scenic beauty be conserved and protected.

(h) It is the will of the state legislature as expressed in F.S. ch. 267, that the state's historic sites and properties, buildings, artifacts, treasure troves and objects of antiquity that have scientific or historic value, or are of interest to the public, be protected and preserved.

Sec. 50-2. Purpose.

The city commission declares its intention to comply with the rules and regulations of the certified local government program established by the State Division of Historical Resources. The purpose of this chapter is to promote the health, morals, economic, educational, aesthetic, cultural and general welfare of the public through the:

(1) Identification, protection, enhancement, perpetuation and use of districts, sites, buildings, structures, objects and areas that are reminders of past eras, events and persons important in local, state or national history, or that provide significant examples of architectural styles of the past, or that are unique and irreplaceable assets to the city and its neighborhoods, or that provide this and future generations examples of the physical surroundings in which past generations lived; and

(2) Enhancement of property values, the stabilization of neighborhoods and business centers of the city, the increase of economic and financial benefits to the city and its inhabitants, and the promotion of local interests; and

(3) Preservation and enhancement of varied architectural styles, reflecting the city's cultural, social, economic, political and architectural history; and

(4) Enrichment of human life in its educational and cultural dimensions in order to serve spiritual as well as material needs by fostering knowledge of the living heritage of the past.

Sec. 50-3. Definitions.

For the purpose of this chapter, certain words and terms used herein shall be interpreted to have the meanings as defined below, except where the context clearly indicates a different meaning. Where words or terms are not defined in this section, they shall assume the meaning as indicated in Merriam-Webster's Collegiate Dictionary, as amended. Words used in the present tense include the future; the singular number includes the plural and the plural includes the singular. The word "shall" is mandatory and the word "may" is permissive. The word "used" or "occupied" includes the words "intended, designated or arranged to be used or occupied." The word "land" includes the word "marsh," "water" or "swamp."

Alteration means any act that changes the exterior features of a locally designated property, including relocation and demolition.

Archaeological resource means any prehistoric or historic district, site building, object, or other real or personal property of historical, architectural or archaeological value. The resources may include, but are not limited to, monuments, memorials, Native American habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, artifacts, or other objects with intrinsic historical or archaeological value, or any part thereof relating to the history, government, and culture of the city, the State of Florida, or the United States of America.

Archaeological site means a location which has yielded or may yield information on history or pre-history. Archaeological sites may be found within archaeological zones, historic sites, historic districts and other areas of the city. Archaeological sites are evidenced by the presence of artifacts and features above or below the ground surface indicating the past use of a location by people.

Archaeological zone means a geographical area which has or may reasonably be expected to yield information on local history based upon broad prehistoric or historic settlement patterns.

Artifact means objects which are the product of human modification or objects which have been transported to a site by people.

Assessed value means the total value of a tax parcel, excluding the value of land, as determined by the Property Appraiser for the County of Volusia.

Board means the Historic New Smyrna Beach Preservation Board.

Building means any combination of materials capable and intended of being used as a shelter for persons for residential or non-residential purposes.

Certified local government means a municipal government that has made historic preservation a public policy through the passage of a historic preservation ordinance and has been certified by the National Park Service under 36-CFR 61.6.

Certificate of appropriateness means a permit, issued by the City allowing for specified alterations, demolition, new construction, or other work to a locally designated building, site, or structure.

City archaeologist means the individual or group in charge of assessing the archaeological resources of New Smyrna Beach and directing or coordinating, monitoring, testing and salvage excavations of these resources. The individual may either be a city employee, or may be an individual or corporation employed on a contract basis to perform the duties of the city archaeologist.

Contributing structure means a building, property, or site which adds to the historical architectural qualities, historic associations, or archaeological values for which a historic district is significant because (1) it was present during the period of significance and possesses historic integrity reflecting its character at that time, (2) is capable of yielding important information about the period, or (3) it independently meets the National Register of Historic Places criteria for evaluation set forth in 36 CFR Part 60.4.

Curation means the long-term management and preservation of archaeological materials and their associated documentation.

Curation facility means a designated repository for archaeological materials which can provide accountable, professional curation of collections in a secure, climate-controlled environment on a long-term basis.

Demolition means the act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction. Removing portions of a building that destroy the original character of the building also constitutes demolition.

Demolition by neglect means the absence of work in maintaining, repairing, or securing a contributing building or structure in a historic district that results in deterioration of an exterior feature of the building or structure or the loss of the structural integrity of the building or structure.

Disturbance means the digging, excavating, or other such ground altering activities on or below the ground surface, which impact more than 25 square feet either separately or cumulatively.

Documentation means photographs, slides, drawings, plans or written descriptions.

Emergency situation means any case where the city building official determines that there are emergency situations or conditions dangerous to life, health, or property. In such situations, the official may order the remedying of the situation or condition. The city building official shall promptly notify the city archaeologist and the city manager if such a situation or condition occurs.

Historic Preservation Officer means the Development Services Director or their designee that would enforce the provision of this chapter as it pertains to historic preservation.

Local landmark means a building, structure, object, landscape feature, or other real or personal property of historical, architectural, or archaeological value and designated as such by the City Commission.

Local historic district means a geographically definable area designated as such by the city commission.

Local Register of Historic Places means the list of locally designated landmarks and districts.

Monitoring means observation of disturbances to determine if archaeological resources exist in an area, or when such resources are known to exist, the observation, recording and incidental recovery of site features and materials to preserve a record of the affected portion of the site. When monitoring indicates that a site has little archaeological significance, no further archaeological excavation shall occur. However, if monitoring indicates that a site is archaeologically significant, further excavation shall occur.

Museum means a permanent, nonprofit organization, serving an educational or aesthetic purpose, which acquires, interprets and cares for tangible objects, and prepares exhibits for the public on a regular basis.

National Register of Historic Places means the official listing of culturally significant buildings, structures, objects, sites and districts in the United States maintained by the U.S. Department of Interior.

Non-contributing property means a building, object, site or structure that does not add to a district's historical significance

Premises means the parcel of land upon which a demolished significant building was located and all abutting parcels of land under common ownership or control on or before the date the demolition was approved.

Preservation exemption covenant means an executed Florida DOS Form No. HR3E111292, providing for covenants on properties that have benefitted from the tax exemption to maintain the architectural historical integrity of the building or structure for the duration of the tax exemption period.

Qualifying improvement means any change in the condition of an eligible property brought about by the expenditure of labor and purchase that results in restoration, renovation or rehabilitation of said property in keeping with the design criteria established for the purposes of this exemption. This shall include, specifically, interior or exterior work, and the construction of additions or accessory buildings or structures.

Repository means a place used for the permanent curation of archaeological collections that provides, at a minimum, (1) physical security, (2) climate control, (3) fire suppression, (4) collection monitoring, and (5) access by qualified researchers. The repository must have adequate space and resources dedicated to the purpose of curation, and must be organized to allow controlled access, efficient collection and retrieval, and optimum preservation. Professional staff and disaster management plans are essential. Collections should be isolated from work areas and people to the greatest extent possible. In New Smyrna Beach, the Southeast Volusia Historical Society, Inc. will act as the repository for all archaeological artifacts discovered on public property.

Salvage archaeology means the archaeological excavation of a site prior to its destruction by construction, erosion, vandalism, or any other form of site disturbance. Archaeological salvage excavations will be concentrated only within the areas to be disturbed in order to save site data which would be lost due to the disturbance, and the extent of the excavations may vary, depending on the significance of the site, time constraints, and the degree of evidence of archaeological resources, at the direction of the city archaeologist.

Super majority means, for a seven-member body, a requirement of five votes when all members are present, or four votes when less than seven members are present.

Significant building means any building within the city which the board determines to be in the public interest to be preserved or rehabilitated, and whose demolition would be detrimental to the historical and/or architectural heritage and resources of the city.

Testing means surface or subsurface excavation, or the use of remote sensing techniques, to determine the type and extent of the archaeological site. Testing may include auguring and establishing archaeological excavation units and requires the screening of excavated material for artifact recovery. When necessary, archaeological salvage excavations may take place following, or in conjunction with, the testing procedures.

Sec. 50-4. Historic preservation board.

(a) *Creation.* There is created the Historic Preservation Board by the City Commission.

(b) *Purpose.* The Historic Preservation Board shall have the following powers and duties:

(1) The Historic Preservation Board shall take action necessary and appropriate to accomplish the purposes of this chapter. These actions may include but are not limited to:

a. Continuing the survey and inventory of historic buildings and areas and archeological sites and planning for their preservation;

b. Recommending the designation of local historic districts and individual landmarks and landmark sites;

c. Regulating alterations, demolitions, relocations and new construction to locally designated property;

d. Adopting guidelines for alterations to locally designated property;

e. Coordinating the historic preservation work of the city by working with and advising the federal, state and county governments and other city departments or advisory boards;

f. Advising and assisting property owners and other persons and groups, including neighborhood organizations who are interested in historic preservation;

g. Initiating plans for the preservation and rehabilitation of individual historic buildings;

h. Educating citizens on the signs of demolition by neglect;

i. Undertaking educational programs, including the preparations of publications and the placing of historic markers.

(2) The board shall review all nominations of property to the National Register of Historic Places following the regulations of the state historic preservation office. Following a public hearing with public notice of no less than 30 days, the board shall consider the nomination. When necessary, the commission shall seek expert advice before evaluating the nomination. The commission shall forward to the state historic preservation officer its action on the nomination and the recommendations of the local officials.

When a property owner objects to having property nominated to the National Register, a notarized written statement must be submitted to the board before the nomination is considered. The commission may then either continue its review, forwarding its recommendation to the state historic preservation officer and noting the owner's objection, or it may cease any further review process and notify the state historic preservation officer of the property owner's objection to the proposed listing. The board shall not recommend inclusion on the National Register of Historic Places over objection of the owner except by a super - majority vote.

(3) The board shall conduct at least four public hearings a year to consider historic preservation issues. The board shall recommend to the city commission the local designation of landmarks, landmark sites and historic districts. Applicants shall be given written notification of the board’s decisions. The board shall prepare and keep on file available for public inspection a written annual report of its historic preservation activities, cases, decisions, qualifications of members and other historic preservation work.

(4) The board shall receive assistance in the performance of its historic preservation responsibilities from the planning department, which shall provide expertise in historic preservation or a closely related

field. Other city staff members may be asked to assist the board by providing technical advice or helping in the administration of this chapter.

(5) The board shall review the historic preservation element of the comprehensive plan at least every five years and shall make recommendations to the local planning agency and the city commission regarding changes to the historic preservation element.

(6) The board shall coordinate its activities with the community redevelopment agency, the state historic preservation officer, the New Smyrna beach Museum of History, and the Southeast Volusia Historical Society.

(7) The board shall assist the city staff in preparing applications for grant awards for historic preservation and historic survey activities.

(8) The area of geographic responsibility for the board shall be coterminous with the boundaries of the city.

(9) The board is encouraged to be represented at pertinent informational or educational meetings, workshops and conferences relating to preservation activities.

(c) *Membership.* The board shall consist of seven members who shall be residents of the city. In the event of a vacancy on the commission, the city commission shall appoint a new member within 60 days to serve out the remainder of the term. Members shall serve on the board at the pleasure of the city commission.

(d) *Term.* The board members shall be appointed for staggered terms of three years by the city commission.

(e) *Qualifications.* The board members shall be composed of lay and professional members in accordance with the criteria set forth by the certified local government program. To the extent available, members shall be professionals from the disciplines of architecture, history, architectural history, archaeology, or other historic-related fields such as urban planning, American studies, American civilization, cultural geography or cultural anthropology. Lay persons who have demonstrated special interest, experience or knowledge in history, architecture or related disciplines shall make up the balance of the board membership. An up-to-date resume of board members shall be kept as a public record.

(f) *Procedures.* The board shall have the following procedures:

(1) The board shall elect a chair and vice-chair from its membership. The chair and vice-chair will serve terms of one year each. Nothing will prevent the board from electing the chair and vice-chair for additional terms. The chair will preside over the board and will have the right to vote. In the absence or disability of the chair, the vice-chair will perform the duties of the chair.

(2) The development services director or designee shall act as the city historic preservation officer. A staff person from the planning and engineering department shall serve as secretary of the board.

(3) Four members of the board (four) shall constitute a quorum.

(4) The board shall hold at least four meetings each year, which shall be public meetings. Meetings shall have a previously advertised agenda and shall be open to public participation. All records of the board, including its rules of procedure, minutes and inventory, shall be public records open to inspection by the public. The board shall adopt rules of procedure for use in all its meetings and the planning manager or designee shall provide staff assistance. The board shall submit to the state preservation officer the following reporting items:

a. Thirty days advance notice of each meeting.

b. Minutes of each meeting within 30 days of holding the meeting.

c. Records of board member attendance within 30 days of each meeting.

d. Public attendance figures of each meeting within 30 days of each meeting.

e. Changes in board membership within 30 days of action.

f. All local historic designations or alterations to existing designations.

g. An annual report by November 1 covering the previous October 1 through September 30, which shall include:

1. Any changes in the rules of procedure; and

2. Number of proposals reviewed; and

3. Designations or listings; and

4. Changes to boards; and

5. Revised resumes of board members as appropriate;

6. Review of survey and inventory activity with the description of the system used; and

7. Program report on each grant-assisted activity.

ARTICLE II. HISTORIC DESIGNATION AND PROTECTION

Sec. 50-5. Local designation of landmarks.

(a) *Authorized.* Upon recommendation of the historic preservation board, the city commission may locally designate by ordinance individual landmarks.

(b) Owner consent. The local designation of a landmark requires owner consent at the time of designation. However, when a property proposed for local designation has multiple owners, and any of them objects to the designation, approval by the board and city commission shall require a super-majority vote.

(c) *Application requirements.*

(1) Consideration of the local designation of a landmark shall be initiated by the filing of an application for local designation by the property owner(s) or authorized agent, or the city. The board is authorized to initiate the local designation process pursuant to this section. The city shall charge a fee for each application that reflects processing costs for the application, except such fee shall be waived for city-initiated applications. The applicant shall complete an application form provided by the planning department, which shall include:

a. A written description of the architectural, historical or archeological significance of the landmark proposed for designation and specifically addressing and documenting how the proposed designation meets the criteria contained in this chapter; and

b. Date of construction of the structure(s) on the property and the names of former owners; and

c. Photographs of the property; and

d. Legal description and map of the property to be locally designated or the site upon which the landmark is located.

(2) The historic preservation officer shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

(d) *Public hearings for designations.* The board shall schedule a public hearing on the proposed local designation within 60 days of the submission of a completed application. Notice of the public hearing shall be mailed certified mail by the applicant to the property owner 15 days prior to the scheduled board meeting.

(e) *Criteria for local designation.* The board shall recommend the local designation of a landmark, that is significant in the City's history, architecture, archaeology and culture, and that possesses integrity of location, design, setting, materials, workmanship, or association and that meets one or more of the following criteria:

(1) Is associated with events that have made a significant contribution to the broad patterns of our local, state, or national history; n

(2) Is associated with the lives of persons significant in our past;

(3) Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction;

(4) Has yielded, or may be likely to yield, information important in prehistory or history;

(5) Is listed in the National Register of Historic Places as established by the National Historic Preservation Act of 1966, (as amended.

(f) *Board recommendation.* After evaluating the testimony, survey information and other material presented at the public hearing, the board shall, within 60 days, make its recommendation to the city commission with a written report on the landmark under consideration. The board may vote to defer its recommendation for an additional 30 days, if additional information is needed to satisfy the established review criteria. If the board recommends a local designation, it shall explain how the proposed landmark qualifies for designation under the criteria contained in this section. This evaluation may include references to other buildings in the city and shall identify the significant features of the proposed landmark. The report shall include a discussion on the relationship between the proposed local designation and existing and future plans for the development of the city. The planning department shall promptly notify the property owner or authorized represented of the board recommendation.

(g) *City commission review and designation.* The city commission shall approve, modify or deny the proposed local designation within 60 days of the board recommendation. If a local designation is made, the zoning map, shall be amended to identify the local designation. The planning department shall notify each applicant and property owner of the decision relating to the property within 30 days of the city commission action and shall arrange that the local designation of a property as a landmark be recorded in the official record books of the county.

(h) *Amendments and rescissions.* The local designation of any landmark may be amended or rescinded through the same procedure utilized for the original designation.

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Sec. 50-6. Local designation of historic districts.

(a) *Authorized.* Upon recommendation of the board, the city commission may locally designate by ordinance historic districts. Each locally designated district must include a list of contributing and non-contributing buildings.

(b) *Owner consent.* Local historic district designation does not require the consent of all owners, but shall be supported by over 50% of the property owners in the proposed district. Written owner consent shall be required for the designation of each *contributing* structure within the proposed district.

(c) *Application requirements.*

(1) Consideration of the local designation of a historic district shall be initiated by the filing of an application for designation by a property owner within the proposed district or authorized representative, any resident or organization in the city, or the city. The city shall charge a fee for each application that reflects processing costs for the application, except such fee shall be waived for city-

initiated applications. The applicant shall complete an application form provided by the planning department, which shall include:

a. A written description of the architectural, historical or archeological significance of the buildings within the proposed historic district and specifically addressing and documenting how the proposed designation meets the criteria contained in this chapter;

b. A map showing the proposed district boundary and buildings to be designated as *contributing properties*. The number of *contributing* structures must comprise at least 50 percent of the total structures in the proposed district; if the district falls below 50% of contributing structures at any time in the future, the local designated historic district can remain in place as long as at least one contributing structure is in existence.

c. Date of construction of the contributing structures within the proposed district and the names of former owners;

d. Photographs of the contributing sites within the proposed district; e.A written description of the boundaries of the proposed district.

(2) The planning manager or designee shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

(d) *Public hearings for local designations.* The board shall schedule a public hearing on the proposed district designation. Notice of the public hearing and notice to the owners within the proposed district shall be mailed certified mail by the applicant within 15 days of the public hearing and shall clearly state the boundaries for the proposed district.

(e) *Criteria for local designation of a historic district.* The board shall recommend the local designation of historic districts that meet the established review criteria set forth in the preceding section.

(f) *Board recommendation.* After evaluating the testimony, survey information and other material presented at the public hearing, the board shall make its recommendation to the city commission with a written report on the area under consideration. The board may vote to defer its recommendation for an additional 30 days, if additional information is needed to satisfy the established review criteria. If the board recommends local designation, it shall explain how the proposed historic district qualified for designation under the established review set forth above. This evaluation may include references to other areas in the city and shall identify the significant features of the proposed historic district. The report shall include a discussion on the relationship between the proposed designation and existing and future plans for the development of the city. The planning department shall promptly notify the applicant and property owners within the district of the board recommendation.

(g) *City commission review and designation.* The city commission shall approve, modify, or deny the proposed designation within 60 days of the board recommendation. If a designation is made, the zoning map shall be amended to identify the local designation. The planning department shall notify each applicant and property owner of the decision within 30 days of the city commission action and shall arrange that the local designation of the historic district be recorded in the official record books of the county.

h) *Amendments and rescissions.* The local designation of any historic district or contributing status of a property may be amended or rescinded through the same procedure utilized for the original designation. The rescission of any contributing structure shall not require a change to the boundaries of a designated historic district.

Sec. 50-7. Certificate of Appropriateness.

(a) *Certificate of appropriateness required.* No person may undertake the following actions without first obtaining a certificate of appropriateness:

- Disturbance of an archeological site, or

- recession of an addition to a local landmark, or
- New construction within a locally designated historic district, or
- Relocation, demolition, or material alteration of the exterior features of a local landmark or a contributing building within a locally designated historic district.

(1) Exterior features include, but shall not be limited to, the architectural style, scale, massing, siting, general design and general arrangement of the exterior of the building or structure, including landscape features, site improvements, and the type, style and material of roofs, windows, doors, siding, masonry, porches, storefronts and other architectural features.

(2) Review of new construction and alterations to locally designated landmarks shall be limited to exterior changes visible to the public from a public right-of-way.

(3) Whenever any alteration is performed, without a certificate of appropriateness, the chief building official is authorized to issue a stop work order.

(4) A certificate of appropriateness shall be required in addition to any other required building. The issuance of a certificate of appropriateness shall not relieve the property owner of the duty to comply with all other state and local laws and regulations.

(5) Ordinary repairs and maintenance that are otherwise permitted by law may be undertaken without a certificate of appropriateness provided this work does not alter the exterior appearance of the building, structure or archeological site, or alter elements significant to its architectural or historic integrity.

(b) Major and minor certificates of appropriateness.

(1) Minor certificate of appropriateness. A minor certificate of appropriateness is reviewed and approved by the historic preservation officer and is required for work that is deemed by the historic preservation officer to have minimal impact to the subject resource such that the work will result in the preservation of the original appearance and will meet the Secretary of the Interior's Standards for Rehabilitation and the New Smyrna Beach Preservation Guidelines. Examples of work that may be considered to have minimal impact include, but are not limited to, minor alterations to the rear of a historic structure that is not visible from the public right-of-way, construction of a ground-level deck to the rear of a historic structure that does not obscure architectural features, installation of a canvas awning or canopy, repair of a cornice using existing materials and duplication the original design, installation of new doors, windows, or roofs that are compatible in size and mimic with the original architecture of the building, fencing located behind any street façade, painting of any exterior material or surfaces other than unpainted masonry, stone, brick, terra cotta, or concrete, installation of skylights, repair or replacement of siding with siding that duplicates the appearance of the original, and installation of signs on commercial property.

(2) Major certificate of appropriateness. A major certificate of appropriateness is reviewed and approved by the historic preservation board and is required for additions to a local landmark, new construction in a local historic district, exterior alterations of a local landmark or contributing structure in a local historic district, demolitions of a local landmark or a contributing structure in a local historic district, or any other work on a local landmark or contributing structure in a local historic district that does not constitute ordinary maintenance or repair and is deemed to have more than a minimal impact to the subject resource.

(c) *Application procedures for certificates of appropriateness.*

(1) The applicant shall complete an application form provided by the planning department containing in part the following information:

a. Drawings of the proposed work;

b. Photographs of the existing building or structure and adjacent properties; and

c. Information about the building materials to be used.

(2) Each application for a certificate of appropriateness shall be accompanied by the required fee.

(3) The historic preservation officer shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

(d) *Review of minor certificates of appropriateness.* The historic preservation officer reviews and issues minor certificates of appropriateness, subject to the criteria contained in subsection (f) below. A decision to approve, approve with conditions, or deny shall be made and communicated in writing to the applicant within 10 business days from the receipt of a complete application. The officer's decision may be appealed to the historic preservation board within 30 business days of the officer's findings. The appeal is reviewed by the historic preservation board as a special certificate of appropriateness and an additional application fee may be required.

(e) *Review of major certificates of appropriateness.* The historic preservation board shall hold a public hearing on each major certificate of appropriateness within 30 days after receipt of a completed application. The commission shall approve, approve with conditions, or deny each application, based on the criteria contained in sub section f. The board shall make its decision at a public hearing, but no later than 60 days after an application is presented to the board. If the board fails to make a decision within the specified time period, the application shall be deemed approved.

No certificate of appropriateness for alteration, new construction, demolition, or relocation pursuant to the provisions of this chapter shall be effective for a period of 15 calendar days subsequent to the board's decision. If during that 15 day period an appeal by an aggrieved party is made to the city commission, the decision of the board shall automatically be stayed pending city commission review and determination.

(f) *Criteria for granting certificates of appropriateness.* In approving or denying applications for certificates of appropriateness, the historic preservation officer or board shall consider the following criteria:

(1) The effect of the proposed work on the local landmark or the contributing structure upon which such work is to be done;

(2) The relationship between such work and other structures on the local landmark or surrounding properties in the local historic district;

(3) Whether the denial of a certificate of appropriateness would deprive the property owner of reasonable beneficial use of property; and

(4) Whether the plans may be reasonably carried out by the applicant; and

(5) Compliance with the standards contained in Section 50-8.

(g) *Appeals to city commission.* Within 15 calendar days of the historic preservation board decision, any aggrieved person may appeal to the city commission any decision of the board on an application for a certificate of appropriateness. The city commission shall approve, approve with conditions, or deny the application at a public hearing within 60 days after receiving the appeal.

(h) *Emergency conditions*. In any case where the chief building official determines that there are emergency conditions dangerous to life, health, or property affecting a local landmark, or a contributing structure in a local historic district, the official may order the remedying of these conditions without the approval of the board or issuance of a required certificate of appropriateness. The chief building official shall promptly notify the chair of the board of the action being taken.

Sec. 50-8. Certificate of appropriateness review criteria.

An application for a Minor or Major Certificate of Appropriateness shall be reviewed and decided in accordance with the following criteria:

(a) *Secretary of the Interiors' Standards for Rehabilitation.*

(1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

(2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and space that characterize a property shall be avoided. Alternate modern materials may be used if historic architecture will not be changed. All replacement materials shall meet the Florida Building Code, as amended.

(3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

(4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

(5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

(6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall mimic the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence. If replacement of windows, exterior doors, siding, or roofing materials is proposed, the replacement shall minim the original architecture even if modern material will be used. All exterior materials must meet the Florida Building Code, as amended.

(7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

(8) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. All exterior materials must meet the Florida Building Code, as amended.

(10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(b) *Additional standards for rehabilitation.* The rehabilitation of a local landmark or a contributing structure in a local historic district shall comply with subsection (a) of this Section, as well as the following general standards: New Smyrna Beach Historic Preservation Design Guidelines:

(1) *Storefronts.* The materials, composition, proportion, and features (e.g., windows, entries, transoms, bulkheads) of commercial storefronts shall be preserved and shall not be covered with added elements. Glass shall remain transparent.

(2) *Awnings and canopies*. Maintain and repair as needed. Replacement awnings or canopies must resemble the original in structure, dimensions and materials. The use of pent roofs (a more permanent awning that typically uses clay tile, metal or shingles instead of fabric) are not allowed. All awnings and canopies must meet the Florida Building Code, as amended.

(3) *Building materials.* Exterior façade materials (e.g., siding, wall finish, accents) shall be maintained and repaired when deteriorated. If replacement is necessary, the new materials must match or mimic the existing. The use of aluminum, vinyl composite, and glass block (unless original to the building) shall not be permitted. All exterior materials must meet the Florida Building Code, as amended.

(4) *Building colors*. Building colors should be consistent with the schemes typically attributed to the building architectural style.

(5) *Roofs*. The roof shape and elements (e.g., dormers, eaves, and parapets) shall be preserved. The use of colorized metal roofing materials shall be prohibited. All exterior roofing materials must meet the Florida Building Code, as amended.

(6) *Entries and doors*. Existing entries and their decorative elements shall be preserved. Replacement doors must match or mimic the original in dimensions, shape, configuration, and material when possible. Trim boards, sidelights, and transom lights, and any other architectural elements, if present, shall be preserved. All exterior replacement doors must meet the Florida Building Code, as amended.

(7) *Windows*. The windows on historic buildings, if they haven't already been modified, must be retained, properly maintained and repaired. If replacement is necessary, the new windows and associated elements (e.g., frames, panes, lintels, sills, etc.) shall match or mimic the original in placement, shape, dimensions, orientation, and type (e.g., double hung, casement, etc.). If it is suspected that the existing windows do not match the original windows (based on the style of the building) the applicant must consult with city staff to find the most appropriate type of window for the building style. All replacement windows must meet the Florida Building Code, as amended.

(8) *Window shutters.* Replacement shutters shall match the original in size, type, design and materials when possible (including hardware). New shutters shall only be allowed if appropriate to the building style (e.g., Bahama shutters shall not be added to a Folk Victoria house). New and replacement shutters do not need to be operational but must be proportionate to the window (each shutter must have a width that equals one half of the window width).

(9) *Hurricane shutters.* Traditional window shutters, when present, are the first line of defense against hurricanes. If not present or not operable, the use of temporary/removable protection elements (e.g., plywood, metal screens, impact and impact resistant fabric screens) over windows and gable vents is permitted. Fasteners and tacks must be painted the same color as the surface where they are installed, shall not cause permanent damage to the building, and shall not remove or hide character-defining features of the building. Accordion and roll-up shutters, which fold or roll to the side or top when not in use and remain permanently attached to the building, are not permitted. All proposed hurricane shutters must meet the Florida Building Code, as amended.

(10) *Porches.* Existing porches that are open or screened shall not be enclosed. Open porches may be screened as long as the porch elements (e.g., columns, railings, beams) are not modified or obscured.

(11) *Foundations.* Foundations must be repaired to maintain the original function and appearance. Foundation enclosures may be replaced if deteriorated beyond repair with enclosures that match the original in terms of placement, material and appearance. The enclosures shall be located between piers instead of covering them.

(12) *Architectural details.* Where deteriorated, architectural details (e.g., brick or tile work, medallions, chimneys, attic vents, roof brackets, exposed rafters, railings and balustrades, etc.) shall be repaired if damaged. If replacement is necessary, the replacement feature shall match or mimic the original in design, shape, dimensions and materials. Architectural details shall not be covered by other elements added to the façade.

(13) *Privacy fences and walls.* Existing fences and walls must be properly maintained and repaired. If replacement is necessary, the fence/wall must be consistent with the style of the main building. Chain link fences in a front yard shall be prohibited.

(14) *Accessory structures.* Existing accessory structures that are part of the designated site are also subject to a Certificate of Appropriateness if altered. All applicable provisions in this subsection (b) shall apply.

(15) *Signs.* If possible, the original sign board/structures shall be preserved with only the sign copy changing. New signs shall not cover architectural features (e.g., windows, details, trims).

(c) *Additional standards for additions and new construction*. Additions to designated local historic landmarks and contributing structures in a local historic district, and any new construction in a local historic district shall comply with subsection (a) of this Section, as well as the following general standards:

(1) *Volume scale and massing*. The scale and massing of additions and new structures must be similar to the contributing structures in the historic district. Any new structure which exceeds 50 linear feet along any street frontage must provide a projection or recess at least 3 feet deep to minimize the scale of the building.

(2) *Building height*. The maximum height of additions and new buildings must comply with the requirements of the zoning district but shall not overwhelm the existing structures on the subject site or surrounding sites. In order to accommodate changes in height permitted by the district, an additional 10-foot setback must be provided for every floor above the height of the surrounding structures. The step backs may be provided per floor or for the entire building.

(3) *Building placement*. The proposed setbacks for additions and new construction shall be made consistent with the predominant setbacks in the same block provided that the setbacks comply with the zoning district regulations. Additionally, new buildings and additions must replicate the building orientation that is predominant along the same block. For instance, residential buildings tend to locate the narrow part of the building along the street and the front façade is parallel to the street.

(4) *Roofs*. Roof types, shapes and pitch on additions and new buildings must be similar to the roof characteristics of the subject structure and surrounding buildings in the historic district.

(5) *Architectural style*. Additions must respect the architectural style of the existing building but not create a false historical appearance. Similarly, new construction may use any architectural style, but shall not duplicate historic styles. If a particular style is selected for inspiration, it must be a style that appears in the historic district.

(6) *Fenestration*. Fenestration refers to the pattern of windows and doors that provide façade transparency and interest. The facades facing a street must contain fenestration that resembles the historic patterns in the district. Windows (other than storefront display windows) must have a vertical emphasis similar to the windows found on contributing buildings in the historic district and must include prominent window frames, sills and lintels.

(7) *Entrances*. New buildings must provide the main entrance facing the street. Commercial buildings in storefront areas must respect the pattern of storefronts. Residential buildings must provide a porch, portico, stoop or other architectural feature consistent with the predominant style in the district.

(8) *Building materials and colors*. The materials and colors used on additions and new construction must be similar to the materials and textures of the original structure and the contributing structures in the district. Prohibited materials include unfinished block, textured plywood, aluminum or vinyl siding.

(9) *Façade ornamentation*. Features such as awnings, canopies, shutters, and similar must be in character with the style of the existing building and the other buildings in the district. Awnings must follow the shape of the door and window opening. Shutters do not need to be operational but must be

proportionate to the window (each shutter must have a width that equals one half of the window width).

(10) *Privacy fences and walls*. The materials and colors of privacy fences and walls must be coordinated with the main structure. Chain link fences visible from a public right-of-way or space are prohibited.

(11) *Accessory structures*. The introduction of accessory structures, if not visible from the public right-of-way do not require a Certificate of Appropriateness if they meet the requirements of the Land Development Regulations. If visible from the public-right-of-way, they must complement the style, materials and colors of the building.

(12) *Signs*. Proposed signs shall meet the requirements of the Land Development Regulations and must be compatible with the design of the structure and shall not cover architectural details or features.

(13) *Accessibility ramps*. Compliance with health and safety codes and ADA access requirements must be carried out with minimum impact on the historic character of buildings. Therefore, where possible, they should be located on the side or rear elevation, shall not cover any architectural details, shall be installed in a manner that if removed, there will not be damage to the building, and must incorporate materials and colors that are consistent with eh building.

(14) *Mechanical equipment*. Rooftop equipment must be screened so that it is not visible from the public right-of-way. Ground level equipment must be located to the side or rear of the building and must be screened by fencing or landscaping.

(15) *Solar panels*. When added to an existing buildings or sites, they shall not be visible from the public right-of-way (may be placed on flat roofs behind parapets, or the back side of sloped roofs).

(d) *Additional guidelines for relocation*. The relocation of a local landmark, a contributing structure in a local historic district or relocating a structure to a local landmark site or local historic district, shall comply with subsection (a) of this Section, as well as the following general standards:

(1) The contribution the building or structure makes to its present setting;

(2) Whether there are definite plans for the site to be vacated;

(3) Whether the building or structure can be moved without significant damage to its physical integrity; and

(4) The compatibility of the building or structure to its proposed site and adjacent properties.

Sec. 50-9. Emergency actions; non-designated properties.

The city commission may call an emergency meeting to review a threat to a property that has not yet been designated by the city but appears to be eligible for designation. The city commission may request that a stop work order be issued by the chief building official for a 30-day period in order to provide time to negotiate with the property owner to remove the threat to the property; the city commission shall seek alternatives that will remove the threat to the property. During the 30-day period the city commission may initiate steps to designate the property under the provisions of this chapter.

Sec. 50-10. Conformity with the certificate of appropriateness.

All work performed pursuant to a certificate of appropriateness shall conform to all provisions of such certificate. It shall be the responsibility of the building department to inspect from time to time any work being performed to assure such compliance. In the event work is not being performed in accordance with such certificate,

the chief building official is authorized to issue a stop work order. No additional work shall be undertaken as long as such stop work order remains in effect.

Sec. 50-11. Maintenance and repair of local landmarks and contributing structures in a local historic district.

(a) Every owner of a local landmark or a contributing structure in a local historic district shall keep in good repair:

(1) All of the exterior portions of such buildings or structures;

(2) All interior portions that, if not so maintained, may cause such buildings or structures to deteriorate or to become damaged or otherwise to fall into a state of disrepair; and

(3) In addition, where the landmark is an archeological site, the owner shall be required to maintain his property in such a manner so as not to adversely affect the archeological integrity of the site.

(b) The board may refer violations of this section to the code compliance department for enforcement proceedings on any structure designated under this chapter so that such structure shall be preserved in accordance with the purposes of this chapter.

(c) The provisions of this section shall be in addition to the provisions of the building code requiring such buildings and structures to be kept in good repair.

Sec. 50-12. Demolition delay.

(a) *Regulated buildings.* This section applies to all contributing buildings within the city's National Register of Historic Places Historic Districts.

(b) *Notice.* Notice of a public hearing to consider any proposal to demolish a contributing building located in one of the city's nationally registered historic districts shall be made by the historic preservation officer, at the applicants expense, in a newspaper of general circulation in the city at least 30 days prior to the hearing. The owner or authorized representative of the owner of the building proposed for demolition shall notify all property owners within 150 feet of the subject property of the public hearing. The notice shall be sent by United States Postal Service certified mail "return receipt requested" to each property owner no less than 15 days prior to the advertised public hearing and shall indicate the property address of the building proposed for demolition and the location, date and time of the public hearing.

(c) *Board review.* The board shall review any application for demolition of a contributing building within the city's National Register of Historic Places Historic District at its next public hearing with notice given as provided in this section to determine whether the building is historically significant. The building shall be considered historical significant if one or more of the following criteria are declared to be met by the board:

(1) The building is historically or architecturally significant in terms of its period, style, method of building construction or use of indigenous materials; or

(2) The building is a significant reminder of the cultural, or architectural history of the city, state or nation; or

(3) The building is associated with a significant local, state or national event; or

(4) The building is associated with one or more significant historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the city, state or nation; or

(5) The building is one of the few remaining examples of its period, style, or method of construction; or

(6) The building is identified with a person who significantly contributed to the development of the city, state or nation; or

(7) The building is identified as the work of a master builder, designer or architect whose individual work has influenced the development of the city, state or nation; or

(8) The building value is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance; or

(9) The building character is in a geographically definable area possessing a significant concentration or continuity of buildings united in past events or aesthetically by plan or physical development; or

(10) The building character is in an established and geographically definable neighborhood united in culture, architectural style or physical plan and development.

The board shall not consider the request until the applicant has provided the information to explain why the building is not considered significant, or if significant, why it should be demolished. The board shall issue no demolition approval until the applicant has demonstrated that no other feasible alternative to demolition can be found. The board may ask interested individuals and organizations for assistance in seeking an alternative to demolition.

(d) *Demolition of significant buildings.* If the board finds that the building is historically significant the board may, nevertheless, grant a demolition approval if it finds that one of the following circumstances is met:

(1) *Undue economic hardship.* In any instance where there is a claim of undue economic hardship, the property owner shall submit to the board prior to the public hearing a report indicating the economic hardship and why the demolition should be allowed. The report shall include the following:

a. The amount paid for the property, the date of purchase and the party from whom purchased;

b. The assessed value of the land and improvements thereon, according to the two most recent assessments;

c. Real estate taxes for the previous two years;

d. Annual debt service, or mortgage payments, if any, for the previous two years;

e. All appraisals (if any) obtained within the previous two years by the owner(s) or applicant(s) in connection with the purchase, financing or ownership of the property;

f. Any listing of the property for sale or rent, price asked and offers received, if any; and

g. Any consideration by the owner as to profitable adaptive uses for the property, including but not limited to possible fair market rents for the property if it were rented or leased in its current condition.

The board may require that an applicant furnish such additional information as the board believes is relevant to the commission's determination of any alleged undue economic hardship. The board may also require, in appropriate circumstances, that information be furnished under oath.

In the event that any of the required information is not reasonable available to the property owner and cannot be obtained by the property owner, the property owner shall file with the affidavit a statement of the information which cannot be obtained and the reasons why such information cannot be reasonable obtained. Where such unobtainable information concerns required financial information, the property owner will submit a statement describing estimates which shall be as accurate as feasible.

(2) *Building condition.* In any instance where there is a claim the building is not structurally sound and/or suitable for restoration, the applicant shall provide a written report signed by a licensed engineer or

architect with experience in historic building restoration stating that the building is structurally unsound and unsuitable for restoration. The board shall review the credentials of the licensed engineer or architect signing the report and shall find them experienced in historic restorations before the report is accepted. The applicant shall allow members of the board and the historic preservation officer to inspect the interior and exterior of the building.

(3) *Lack of alternative to demolition.* In any instance where there is a claim of no other alternative to demolition, the applicant shall provide written documentation of attempts to sell the building at a reasonable and comparable amount or to offer it without charge to purchasers willing to move the building to another location and preserve, rehabilitate, relocate or restore the building. A reasonable and comparable sales price shall be indicated by providing evidence such as recent appraisals, comparable values of properties similar to the building proposed to be demolished or other evidence the board deems acceptable.

(e) *Conditions of demolition approval.* If the board grants demolition approval for a contributing structure listed on a National Registered Historic District, the board may condition approval on one or more of the following requirements:

(1) The board shall require the applicant to provide a written and pictorial record of the building's history and architectural features for archival purposes, approved by the city. The record should include a narrative accompanied by relevant photographs, drawings, maps, and copies of original documents; or

(2) The board may require that the owner allow archaeological study of the property before and/or during demolition if the property falls within the area demonstrated to have a medium or high probability to contain archaeological resources; or

(3) The board may require that the owner allow salvage activities of the contributing structure provided the board finds that there are salvageable materials within the building. The historic preservation officer shall provide evidence to demonstrate that salvageable materials are within or on the building to be demolished; or

(4) The board may require that the owner of a contributing structure meet any other condition that is reasonable to mitigate the demolition of the historic building.

(f) *Delay.* Should the board determine that a building is historically significant and does not meet at least one of the circumstances allowing demolition of a contributing structure, the board shall provide for a demolition delay effective date of up to 120 days from the date of its decision. The purpose for the delay is for the historic preservation officer to invite the owner of record of the building to participate in an investigation of alternatives to demolition including, but not limited to, incorporation of the building into the future development of the site; adaptive reuse of the building; utilization of financial incentives to rehabilitate the building; seeking a new owner willing to purchase and preserve, restore or rehabilitate the building; or moving the building. The historic preservation officer will provide the applicant resource assistance including but not limited to potential grant sources and tax relief measures. Once the delay period has ended and if the owner is still seeking demolition of the contributing structure, the owner shall appear before the board at a meeting adhering to the notice requirements of this section and present a case as to why the demolition should be granted. The board shall again consider the reasons for demolition of a historically significant building and must approve the demolition provided any board-imposed conditions of approval contained in subsection (e)(1)-(3) have been satisfied.

Sec. 50-13. Demolition by neglect.

(a) *Demolition by neglect.* The owner of a contributing structure within a National Registered Historic District shall comply with all applicable codes, laws and regulations governing the maintenance of property in order to preserve such structures from deliberate or inadvertent neglect of the exterior features of such structures or the interior portions thereof when such maintenance is necessary to prevent deterioration and decay of

the exterior. All such structures shall be preserved against such decay and deterioration and free from structural defects through prompt corrections of any of the following defects:

(1) Facades that may fall and injure persons or property;

(2) Deteriorated or inadequate foundation, defective or deteriorated flooring or floor supports, deteriorated walls or other vertical structural supports;

(3) Members of ceilings, roofs, ceiling and roof supports or other horizontal members that sag, split or buckle due to defective material or deterioration;

(4) Deteriorated or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors;

(5) Defective or insufficient weather protection for exterior wall covering, including lack of paint or weathering due to lack of paint or other protective covering; or

(6) Any fault or defect in the building that renders it not properly watertight or structurally unsafe.

Sec. 50-14. Appeals.

(a) Within 15 days of the board decision, regarding demolition or demolition by neglect of any contributing structure within a National Registered Historic District, any affected person with standing may appeal to the city commission. The city commission shall consider the appeal and approve, approve with conditions, or deny the application at a public hearing, but no later than 60 days after-hearing the appeal. The city commission shall only approve the demolition of a contributing structure if they determine that the request complies with the applicable review criteria.

Sec. 50-15. Archaeological preservation.

(a) *Archaeological zones.* In order to regulate and restrict disturbances as hereinafter provided in this chapter, and to determine the extent of archaeological investigation and excavations that may be required in a given area, the incorporated area of New Smyrna Beach, Florida, is hereby divided into zones as shown on the archaeological base map entitled, "Archaeological Base Map for New Smyrna Beach, Florida," more particularly described as:

*See Exhibit "A" attached hereto and by reference made a part hereof.

Archaeological zones shall be updated on the base map as additional sites are documented. Zones as delineated on the base map are as follows with titles and abbreviations as indicated:

(1) *Archaeological zone I* is comprised of those areas within the city where there are known significant archaeological sites.

(2) *Archaeological zone II* is comprised of those areas that have a medium or high probability of containing archaeological resources as determined by The Search for Turnbull's Colony, an Archaeological Survey, a report by Southeast Archaeological Research, Inc., dated June 1999.

(b) *Interpretation of zone boundaries.* Where uncertainty exists as to the boundaries of zones as shown on the archaeological base map for New Smyrna Beach, Florida, the following rules shall apply:

(1) Boundaries indicated as approximating center lines of streets, highways or alleys shall be construed to follow such centerlines;

(2) Boundaries indicated as approximately following platted lot lines shall be construed to follow such lot lines;

(3) Boundaries indicated as approximately following city limits shall be construed to follow such city limits;

(4) Boundaries indicated as following railway lines shall be construed to be midway between the main tracks;

(5) Boundaries indicated as following shorelines shall be construed to follow the mean high water line. In the event of a change in shorelines, the boundaries shall be construed to move with the change except where such moving would change the archaeological status of a lot or parcel. In such case the boundary shall be interpreted in such a manner as to avoid changing the archaeological status of such lot or parcel;

(6) Boundaries indicated as parallel to or extensions of beaches indicated in subsections (1) through (5) above shall be so construed. The distance not specifically indicated on the archaeological base map shall be determined by the scale of the map.

(7) Where physical or cultural features existing on the ground are not in agreement with those shown on the archaeological base map or in other circumstances not covered by subsections (1) through (6) above, the city archaeologist shall interpret the zoning boundaries.

(c) *Zone regulations.* On city-owned or maintained property, within archaeological zones I and II, the conduct of any ground disturbances on, or activities taking place at or below the present surface of the ground, shall be in compliance with the following regulations:

(1) All proposed disturbances on city-owned or maintained property, including but not limited to those by the utilities commission, telephone, cable, and gas companies, the department of transportation, city contractors, and city subcontractors shall be reported to the city archaeologist before those disturbances take place. Furthermore, this chapter will apply only to city-owned or maintained properties within the boundaries of the proposed disturbances. Any additional archaeological testing or excavation by the city archaeologist, within areas outside the proposed disturbances, may be conducted only with written permission of the property owner.

(2) Within archaeological zones I and II, disturbances on city-owned or maintained properties shall be subject to intensive archaeological salvage excavations, to be conducted by the city archaeologist prior to any underground disturbance, building construction, or utility excavation, and paid for by the entity initiating the disturbance. The extent of the archaeological salvage excavations by the city archaeologist will be dependent on the extent of the proposed area of construction disturbance and the significance of the archaeological resource.

(3) Within archaeological zones I and II, the city archaeologist will be authorized to delay the proposed construction work or major disturbance for up to four weeks. The city manager, or his or her designee may grant additional time, if needed. Early notification of and by the city archaeologist, prior to any disturbances occurring, may minimize or eliminate the need for work delays. The applicant will be informed of any delays.

(4) Any disturbances on city-owned or maintained property, which are required to deal with an emergency situation, shall not be subject to the regulations of this chapter.

(d) *Excavations on public property.* No individual shall be allowed to disturb or remove artifacts from public property without the written permission of the city archaeologist, the city manager, or his or her designee.

(e) *Ownership of artifacts.* Artifacts uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring of city-owned or maintained properties shall remain the property of the city. If additional archaeological testing or excavation by the city archaeologist is permitted within areas outside the proposed disturbances and artifacts uncovered, the city shall obtain written permission from the property owner to analyze, catalog, record, and conserve the artifacts for long-term storage, care, protection, and preservation.

(f) *Curation of artifacts.* Artifacts uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring shall be washed, if the city archaeologist deems appropriate, cataloged, analyzed, recorded, and conserved by the city archaeologist. The Southeast Volusia Historical Society, Inc. will be the repository for artifacts discovered on city-owned or maintained properties.

(g) *Human remains.* Human skeletal remains, uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring shall be coordinated with the local medical examiner, the city, city archaeologist, and the state archaeologist. Such remains shall be dealt with in accordance with the provisions of F.S. ch. 872, as amended, and are not subject to private ownership. Such material shall be sensitively treated and, following its analysis by a physical anthropologist, shall be curated at a designated repository or appropriately buried.

(h) *City archaeologist.* The city manager or his or her designee shall appoint a city archaeologist who shall meet the city's requirements and the standards for membership by the register of professional archaeologists and shall have a demonstrated background in historic and prehistoric archaeology. The city archaeologist shall review all applicable ground disturbances on city-owned or maintained property in archaeological zones I and II; shall conduct such testing, excavations, or monitoring as shall be required by this chapter; shall prepare or oversee preparation of a final report on all projects, which report shall meet the guidelines established for archaeological reports by the department of state, division of historical resources, and be in accordance with the Cultural Resource Management Standards and Operations Manual; shall record archaeological sites and develop strategies for preservation of the archaeological resources of New Smyrna Beach; and shall participate in the planning state of applicable projects, to minimize the potential impacts on archaeological sites by any activities proposed for such sites; and shall maintain and update the archaeological base map; and shall advise the city manager concerning archaeological issues.

Sec. 50-16. Penalty.

(a) *Non-compliance with regulations applicable to local landmarks, local historic districts, and archaeological preservation.* Any person violating any of the provisions of this chapter shall be punished as provided in section 1-14. The code compliance board shall review any violation of this chapter. Additionally, the city has the option to require any person who violates any provision of this chapter to forfeit and pay to the city civil penalties equal to the fair market value of any property demolished or destroyed in violation of this chapter or the cost to repair or rehabilitate any property that is altered in violation of this chapter. In lieu of a monetary penalty, any person altering property in violation of the provisions of this chapter may be required to repair or restore any such property.

(b) *Non-compliance with regulations applicable to contributing structures in National Register Historic Districts.*

(1) The board, building official and code compliance officer are each authorized to institute any and all proceedings in law or equity, as they deem necessary and appropriate to obtain compliance or to prevent a violation thereof.

(2) No building permit shall be issued with respect to any premises upon which a significant building has been voluntarily demolished for a period of 22 months after the date of the completion of such demolition.

(3) Upon a determination of the board that a building is a preferably preserved significant building, the owner shall be responsible for properly securing the building, if vacant, to the satisfaction of the city.

(4) Anyone who demolishes a contributing structure without first obtaining a demolition permit and fully complying with the permit requirements shall be subject to a fine of up to $25,000.00.

ARTICLE III. PROPERTY TAX EXEMPTION[2]

Sec. 50-17. Intent.

(a) The State of Florida has enacted legislation implementing the provisions of the State Constitution to specifically provide for ad valorem tax exemptions for historic properties.

(b) The city commission desires to take advantage of all available state and federal programs that may assist in the preservation of historic properties.

Sec. 50-18. Purpose.

The purpose of the historic property tax exemption is to:

(a) Provide a positive financial incentive for the designation of local landmarks and local historic districts within the City of New Smyrna Beach;

(b) Encourage more restoration, rehabilitation and renovation of contributing structures in New Smyrna Beach;

(c) Stabilize and improve property values, and enhance the property tax base of the City of New Smyrna Beach, by encouraging improvement of contributing structures; and

(d) Improve the appearance of designated local historic districts and local landmarks in the City of New Smyrna Beach, thereby enhancing their appeal as places to live, work and visit.

Sec. 50-19. Historic preservation property tax exemption.

The owners of qualifying properties who have met all requirements outlined in this chapter shall receive an exemption of 100 percent of the increase in assessed value of ad valorem taxes levied by the City of New Smyrna Beach which result from the restoration, renovation or rehabilitation of such buildings or structure for the duration of the exemption period. The amount of exemption shall be determined by the property appraiser for the County of Volusia based on the typical post-construction inspection and appraisal.

The tax exemptions allowed herein apply only to the ad valorem taxes assessed by the City of New Smyrna Beach. The exemption does not apply to taxes levied for the payment of bonds, to taxes authorized by a vote of the electors pursuant to Fla. Const., art. VII, § 9(b) or § 12, or to improvements made prior to October 1, 2022.

Sec. 50-20. Eligible property for tax exemption.

The following real property in the City of New Smyrna Beach is eligible for the historic preservation property tax exemption, provided it meets such criteria on the date the historic preservation property tax exemption is granted by the city commission.

Property is qualified for an exemption under this section if;

(1) At the time the exemption is granted, the property:

a. Is individually listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended; or

b. Is a contributing structure in a National Registered Historic District; or

c. Is designated by the city as a local historic landmark or as a contributing structure in a local historic district; and,

(2) The Division of Historical Resources or the Historic Preservation Board, whichever is applicable, has certified to the City of New Smyrna Beach that the property for which an exemption is requested satisfies paragraph (1) above.

Sec. 50-21. Overview of tax exemption application and review procedures.

An application for a tax exemption shall be made in accordance with F.S. § 196.1997(8) and Fla. Admin. Code R. 1A-38.003, as amended. A pre-construction application and a completed work application must be submitted for review by the Historic Preservation Board, in accordance with the rules adopted by the Department of State. The board shall make recommendations to the city commission as to whether the applications should be granted or denied, along with reasons for such recommendations. The city commission shall review the applications, along with the board's recommendations. Approval of any application by the city commission shall be by resolution and shall contain the name of the owner and the address of the historic property for which the exemption is granted, the period of time for which the exemption will remain in effect and the expiration date of the exemption, a finding that the historic property meets the requirements of F.S. § 196.1997, and shall be accompanied by a historic preservation exemption covenant as further detailed below.

Sec. 50-22. Pre-construction application.

For any tax exemption to be considered by the City of New Smyrna Beach, the owner of record of the property seeking the exemption must fill out an approved pre-construction application obtained from the city. The application must contain all the information that is required by the Florida Department of State, Division of Historical Resources, promulgated in accordance with Rule 1A-38, Florida Administrative Code, and shall include additional information regarding the documentation of the cost of the qualifying improvements. Any improvements made prior to the pre-construction application shall not be eligible for the exemption.

The pre-construction application shall be filed with the City of New Smyrna Beach before any work begins, and shall include but is not limited to the following:

(a) Information sufficient to determine if the subject property is an eligible property;

(b) Information sufficient to determine if the proposed project will be a qualifying improvement;

(c) Photographs documenting the property prior to any improvements;

(d) Information outlining construction estimates for the proposed project; and

(e) A copy of the latest tax bill issued by the Property Appraiser for the County of Volusia

If the proposed work involves exterior work which requires a certificate of appropriateness, then in addition to the criteria listed above, the proposed work will be reviewed in accordance with sections 50-7 and 50-8. The pre-construction application and the certificate of appropriateness may be reviewed simultaneously, however no pre-construction application shall be approved until the certificate of appropriateness had been approved.

Sec. 50-23. Review of pre-construction applications.

The pre-construction application shall be reviewed at any regular or special meeting of the Historic Preservation Board. The board shall determine the following:

(a) whether the proposed project will be a qualifying improvement; and

(b) whether the work, as proposed, is in compliance with the applicable historic review standards.

If the Historic Preservation Board, by majority vote, finds that the proposed project is a qualifying improvement and the proposed work is in compliance with the historic review standards then the pre-construction application shall be approved.

If the Historic Preservation Commission finds that the proposed project is not a qualifying improvement or is not in compliance with the historic review standards then the board shall advise the applicant as to changes necessary to make it a qualifying improvement or how to bring the project in compliance with applicable historic review standards. The applicant may resubmit the pre-construction application for further consideration at a subsequent meeting of the board.

Sec. 50-24. Review of completed work.

Once the proposed work is completed then the applicant shall submitted a completed work application for review by the historic preservation officer. The application shall be reviewed within 30 days of submission to determine if the completed work is consistent with the pre-construction application. If the historic preservation officer determines that the completed work is consistent with the pre-construction application then the officer will inform the applicant in writing of the decision and the item will be placed on the next scheduled meeting of the board. The board shall review the application and vote in favor of a recommendation of approval of the tax exemption to the city commission if staff makes a recommendation that the completed work is consistent with the pre-construction application and the board's own review determines the work is consistent with the pre-construction application.

If the historic preservation officer finds that the completed project is not consistent with the pre-construction application, then the officer shall inform the applicant in writing of the changes necessary to make it consistent with the pre-construction application. The applicant will have 60 days to bring the work into compliance. After 60 days, regardless of whether the applicant has made any necessary changes to the completed work, the applicant shall have the application for completed work presented to the board with the officer's recommendation and the board can determine if the completed work is consistent with the pre-construction application. If the board determines that the completed work is consistent with the pre-construction application then the board shall, by a majority vote, recommend approval of the tax exemption to the city commission.

If, after the application is presented to the board, a majority vote determines the completed work presented is not consistent with the pre-construction application then the board shall deny the tax exemption. The historic preservation officer will provide written notice to the applicant as to the reason for the denial and recommend changes to the project that will make it a qualifying improvement and consistent with the pre-construction application. Any denial may be appealed to the city commission within 30 days of the denial. The city commission will review the appeal to determine if the completed work is consistent with the pre-construction application.

Sec. 50-25. Exemption period for tax exemption.

The tax exemption granted shall remain in effect for ten years with respect to any particular property, regardless of any change in the authority of the city to grant such exemptions or any change in ownership of the property. However, to retain the exemption, the historic character of the property, and the qualified improvements must be maintained over the period for which the exemption is granted.

The exemption period shall begin on January 1 after all three of the following events have occurred: (1) issuance of a certificate of occupancy by the City of New Smyrna Beach; (2) final approval of the restoration, renovation or rehabilitation work has been granted by the city commission; and (3) written notice stating the exemption is in effect has been forwarded by the City of New Smyrna Beach and received by the property appraiser foe the County of Volusia.

Sec. 50-26. Historic preservation exemption covenant.

To receive an approved tax exemption, the property owner must enter into a covenant with the city for the term for which the exemption is granted. The form of the covenant shall be established by the Department of State and must require that the character of the property, and the qualifying improvements to the property, be maintained during the entire exemption period. The covenant shall be binding on the current property owner, transferees, and their heirs, successors, or assigns. Violation of the covenant results in the property owner being subject to the payment of the differences between the total amount of taxes which would have been due in March in each of the previous years in which the covenant was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in F.S. § 212.12(3).

Sec. 50-27. Notice to property appraiser.

Within three working days following adoption of a resolution by the city commission granting the historic preservation property tax exemption, the historic preservation officer shall cause the transmittal of a copy of the resolution, the preservation exemption covenant, and the final application to the property appraiser for Volusia County, with instructions that the property appraiser provide the historic preservation property tax exemption to the applicant.

Sec. 50-28. Revocation proceedings.

The historic preservation officer may initiate proceedings to revoke the tax exemption at any time if the property owner, or any subsequent owner or successor in interest to the property, violates the covenant, fails to maintain the qualifying property according to the terms, conditions and standards of the covenant, the historic character of the property and improvements which qualified the property for the exemption are not maintained or if the qualifying property has been damaged by accidental or natural causes to the extent that the historic integrity of the features, materials, appearances, workmanship and environment, or archeological integrity which made it eligible for listing or designation have been lost or damaged so that restoration is not possible. Proceeding under this section may also be initiated following a finding by the Code Compliance Board or Special Magistrate finding the property in violation of any city code.

The historic preservation officer shall provide written notice to the current owner of record at least ten days prior to any public hearing on the matter. Once notice is provided, by either posting or US certified mail to the current owner of record, a hearing will be held before the historic preservation board in which the board will review the current state of the qualifying improvements and make a recommendation to the city commission. The city commission will review the board recommendation and make a determination as to whether the exemption should be revoked.

Upon a determination by the city commission that the tax exemption shall be revoked, the historic preservation officer shall provide written notice of the decision to the owner of record as well as the property

appraiser of Volusia County. The notice to the owner of record shall be accompanied by the reason and recommendation for changes to the property that may result in reinstatement of the exemptions.

The property appraiser, upon receipt of the notice of revocation, shall discontinue the tax exemption on the property as of January 1st of the year following receipt of the notice.

Sec 50-29. Reinstatement after revocation.

A property may be reinstated for a tax exemption after revocation by satisfying the recommendations for changes to the property as provided in the written notice by the historic preservation officer or by bringing the property into compliance for any outstanding code violations. The process for reinstatement shall follow the review procedure applicable to the completed work application. If approved, the tax exemption shall be reinstated for the remaining unexpired term of the initial exemption period.

ARTICLE IV. HISTORIC PRESERVATION GRANT PROGRAM

Sec. 50-30. Established.

There is hereby established a historic preservation grant program for owners of contributing structures in either a National Registered Historic District or a Local Historic District.

Sec. 50-31. Eligibility.

The owner of any contributing building which had been condemned by the building trades board under chapter 26, article X, may apply to the historic preservation board for a grant for repair or rehabilitation of the building, as follows:

(1) The program is open to any resident of the City of New Smyrna Beach who owns and occupies a contributing structure.

(2) Qualifications are based on both family size and annual household incomes that do not exceed 120 percent of the Volusia County median income, as shown below:

	1 person	2 persons	3 persons	4 persons	5 persons	6 persons	7 persons	8 persons
Low/Mod Income	$39,982	$45,730	$51,415	$68,520	$61,723	$66,283	$70,844	$75,404

The income guidelines are to be adjusted every two years in relationship to the Consumer Price Index. Household income will be established by the total annual household income and assets of all persons identified on the title of the property, plus all persons 18 years of age or older living in the home.

(3) Exterior property improvements are eligible, including exterior paint, window and screen repairs, garage door and exterior door repairs, deadbolts, disabled access, exterior electrical and plumbing repair and weatherization.

(4) The work must be completed by a licensed contractor.

(5) The following restrictions apply:

a. Upgrades and remodeling are not allowable.

b. The home cannot be listed for sale or be in jeopardy of foreclosure.

c. The home must be owner occupied.

d. Replacement is only allowable if repair is not possible.

Sec. 50-32. Review of application.

The board shall review the application for a grant at a public hearing. The application shall include, at a minimum, the following:

(1) Proof of ownership of the property to be repaired.

(2) The order of the building trades board requiring demolition or repair of the property.

(3) Description of proposed repairs, with a cost estimate and timetable for repairs.

(4) Proof that the applicant meets the eligibility requirements of section 50-31.

The board may approve, deny, or approve with conditions the application. The action of the board shall constitute final administrative action.

Sec. 50-33. Procedure after approval of grant; grant limits.

(a) If a grant to repair or rehabilitate a contributing building is approved by the board, a copy of the action taken and the application shall be forwarded to the building official, who may issue a permit for the work to be performed in accordance with the action of the board. The owner shall comply with all laws and ordinances pertaining to the repair or construction.

(b) The grant amount shall not exceed the city's cost of demolition of the structure or building as ordered by the building trades board. The grant funds shall be taken from budgeted demolition funds, if there are sufficient funds in that account.

(c) The order of the building trades board shall be stayed during the time of application for the grant and during repair of the building, provided the owner obtains all required permits within the time ordered by the board, and work progresses as required by law and ordinance. After repairs are completed the order of the building trades board shall be deemed satisfied.

(d) If repairs are not completed, the city is entitled to a lien in the amount of the grant funds dispersed to owner, as provided in section 26 of this code.

THE CITY OF NEW SMYRNA BEACH - DEVELOPMENTAL SERVICES

CA-2-2022: 314 NORTH DUSS STREET, MARY S HARRELL BLACK HERITAGE MUSEUM

December 14, 2022

Background:

Applicant: Ann W. Harrell, 314 North Duss Street, New Smyrna Beach, Florida 32168

Request: Certificate of Appropriateness for new construction on an existing local landmark site.

Findings:

Exhibits attached to this report:

Exhibit A: Location Map
Exhibit B: Aerial Map
Exhibit C: Landmark Map
Exhibit D Site Plan
Exhibit E: Site Photos
Exhiibt F: 2007 National Register Application

The Mary S. Harrell Black Heritage Museum has requested a Certificate of Appropriateness to construct a new accessary building for the museum.

To give some background on the museum, the facility was listed on the National Register of Historic Places in 2007 and was designated as a local landmark by the City Commission in 1994. The building was originally the Sacred Heart Catholic Church built in 1899 and was first located about a mile away at 306 Faulkner Street. It was moved to its current location in 1956 and served as an African American church until desegregation occurred in 1969. At this point, all parishioners were able to congregate together. The church was then used as a day care center for approximately 20 years. In 1989, the Catholic Church that owned the property decided to demolish the structure. As a community, New Smyrna Beach educator Mary Harrell, the Black Heritage Festival, and other citizens came together advocating the preservation of the structure and after 10 years of dedicated campaigning, the building was saved and restoration was completed in 1999.

Today, the church, (formally known as St. Rita's Church), functions as the Black Heritage Museum, which highlights and commemorates the rich African American History of the City of New Smyrna Beach. It is a wonderful addition to the Historic Westside

Neighborhood in which it sits and an asset to the community as a whole.

Under Section 50-8 of the City Code of Ordinances, new construction and/or alterations to landmark structures or landmark sites must receive a Certificate of Appropriateness from the Historic New Smyrna Beach Preservation Commission before a building permit can be issued.

Under Section 50-8(d) is the general criteria and guidelines for granting certificates of appropriateness. The criteria and response from Staff is listed below:

1. The effect of the proposed work on the landmark or the property upon which such work is to be done;
- The proposed accessary structure will allow for expanded services for the current museum. The proposed work should not negatively affect the current landmark structure.

2. The relationship between such work and other structures on the landmark site or other property in the historic district;
- The materials and architecture selected would be similar to the existing landmark structure. The current property is not located within a local historic district.

3. The extent to which the historic, architectural or archeological significance, architectural style, design, arrangement, texture, materials, and color of the landmark or the property will be affected;
- The proposed accessary structure is similar to the existing museum in architecture and should enhance the property.

4. Whether the denial of a certificate of appropriateness would deprive the property owner of reasonable beneficial use of the property;
- The proposed accessory structure is small in size compared to the existing structure. Staff would assume that if a certificate of appropriateness was denied, based on the criteria that has been met above, a denial could deprive the property owner of reasonable beneficial use of the property.

5. Whether the plans may be reasonably carried out by the applicant.
- The property owner has been planning on this proposed accessary structure for at least 4 or more years and has recently been awarded a Grant from the State of Florida, Division of Arts and Culture to proceed with the project.

Under Section 50-8(f) is the additional guidelines for new construction. The additional guidelines and responses from Staff is listed below:

1. The height of the proposed building shall be visually compatible with adjacent buildings;

- The proposed accessary structure will be less in height than the current museum building.

2. The relationship of the width of the building to the height of the front elevation shall be visually compatible to buildings and places to which it is visually related;

- Based on the proposed site plan, Option 1 would be more compatible to the existing museum building.

3. The relationship of the width of the windows to the height of the windows in a building shall be visually compatible with buildings and places to which the building is visually related;

- The proposed windows shown on the site plan would be compatible with the existing museum. The proposed windows would be taller than the width of the window.

4. The relationship of solids to voids in the front facade of a building shall be visually compatible with buildings and places to which it is visually related;

- Lap siding with a shake siding is proposed on the accessary structure. This would be visually compatible to the existing museum building.

5. The relationship of building to open space between it and the adjoining buildings shall be visually compatible to the buildings and places to which it is visually related;

- The proposed accessary structure is planned to be located to the southwest part of the property. Since the proposed accessary structure would be located closer to the rear side of the museum building, is should be visually compatible to the existing museum building.

6. The relationship of entrance and porch projections to sidewalks of a building shall be visually compatible to the buildings and places to which it is visually related;

- The proposed accessary structure will mimic the entrance projection style of the existing museum building.

7. The relationship of the materials, texture and color of the facade of a building shall be visually compatible with the predominant materials used in the buildings to which it is visually related;

- The applicant proposes to use materials, textures, and colors that will be visually compatible to the existing museum building.

8. The roof shape of a building shall be visually compatible with the buildings to which it is visually related;

- Option 1 would be very compatible with the existing roof shape of the existing museum but option 2 would be acceptable since on historic properties, it is not uncommon for different structures to have different roof styles. Primary structures may have a more expensive gable, hip, or pyramid style and accessary structures may have a low pitch or flat roof style.

9. Appurtenances of a building such as walls, wrought iron fences, evergreens, landscape masses, building facades, etc., shall, if necessary, form a cohesive walls of enclosure along a street, to ensure visual compatibililty of the building to the buildings and places to which it is visually related;

- The proposed accessary structure will be located further back from the street than the primary building. But the proposed facade is similar to the existing museum building.

10. The size of a building, mass of a building in relation to open spaces, the windows, door openings, porches, and balconies shall be visually compatible with the buildings and places to which it is visually related;

- The proposed windows, doors, entry porch of the proposed accessary structures will be visually compatible to the existing primary structure.

11. A building shall be visually compatible with the buildings and places to which it is visually related in its directional character, whether this be vertical character, horizontal charcter or non-directional character.

- The vertical and horizontal character will be visually compatible to the primary structure.

The proposed accessary structure could serve as an administrative office, storage area, or display area. The applicant can answer questions about any proposed use of the space, but if you have visited the museum recently, additional space is needed.

Staff has reviewed the proposed accessary structure against the criteria and guidelines under Section 50-8(d) and Section 50-8(f). Since Staff would concur that the application would meet the required criteria and guidelines, I would recommend the Historic New Smyrna Beach Preservation Commission to approve the requested Certificate of Appropriateness for the proposed accessary structure.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Robert Mathen - Planner II

Attachments:

CA-2-22 Exhibit A Location Map.pdf
CA-2-22 Exhibit B Aerial Map.pdf
CA-2-22 Exhibit C 2022 Local Landmarks Map.pdf
CA-2-22 Exhibit D SITE PLAN.pdf
CA-2-22 Exhibit E Site Photos.pdf
CA-2-22 Exhibit F 2007 National Register Application.pdf

EXHIBIT A

CA-2-22: BLACK HERITAGE MUSEUM 314 N. DUSS STREET
PARCEL: 7418-08-17-0090 LOCATION MAP

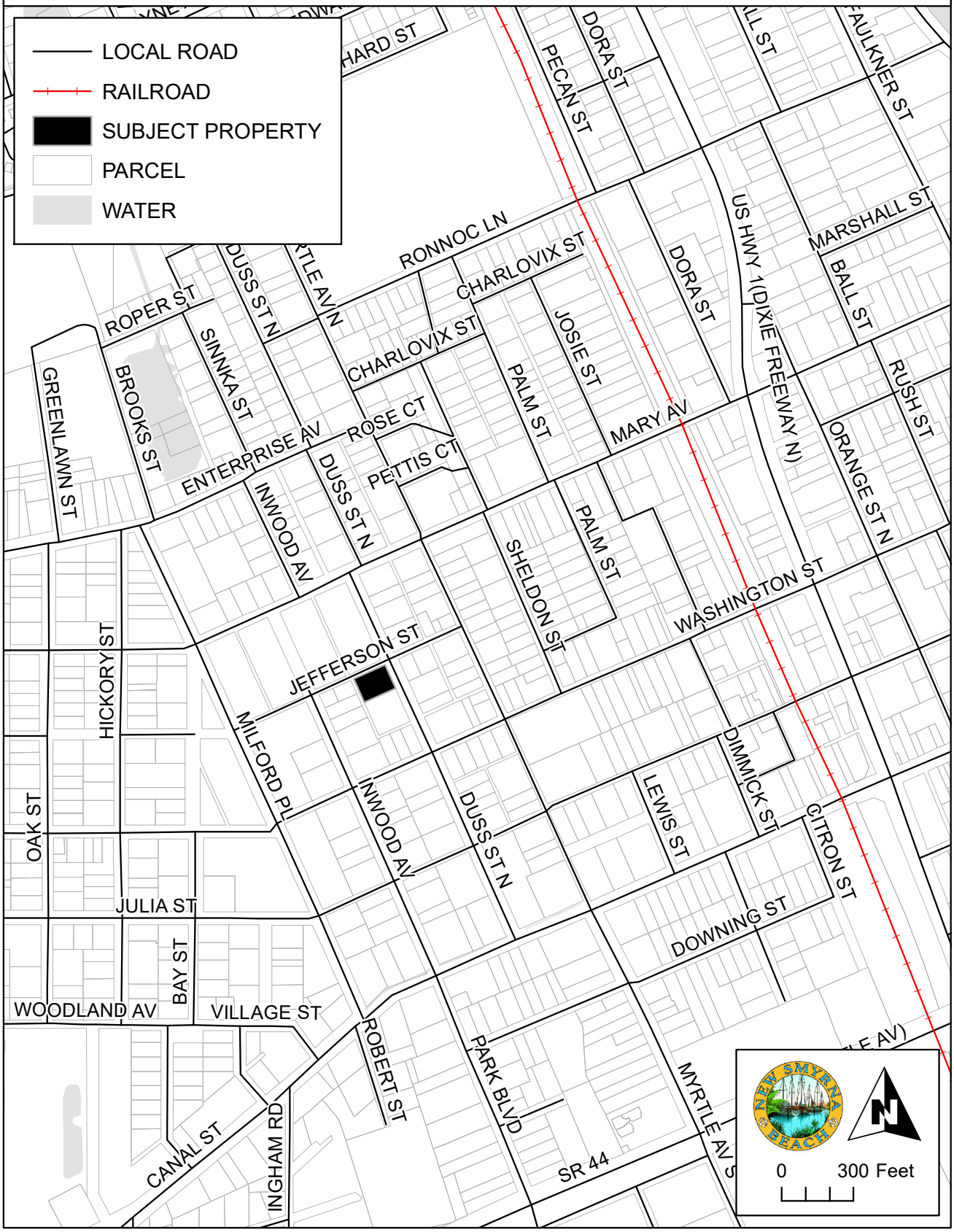
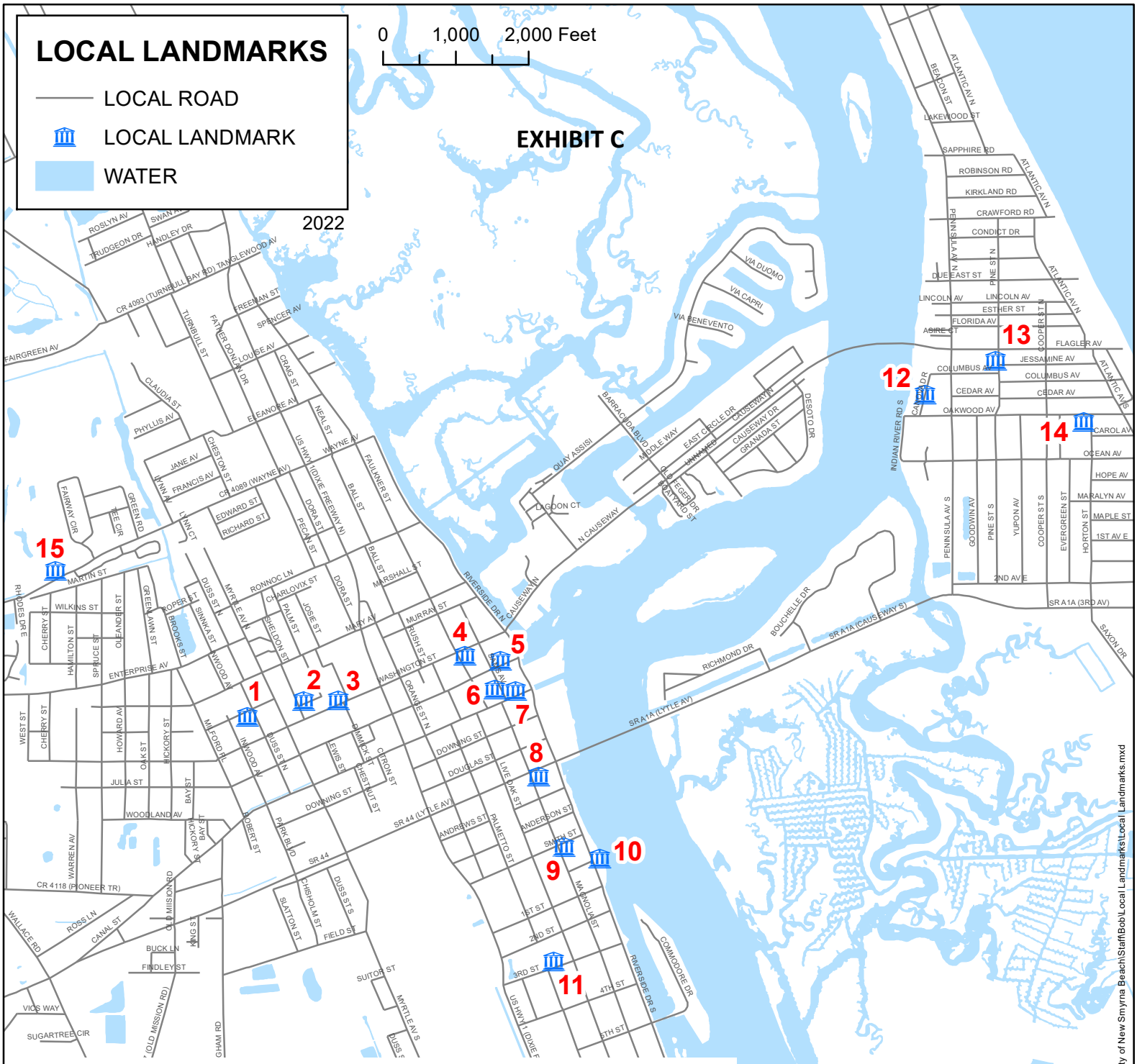


EXHIBIT B

CA-2-22: BLACK HERITAGE MUSEUM 314 N. DUSS STREET
PARCEL: 7418-08-17-0090 AERIAL MAP





MAP ID	NAME	ADDRESS
1	BLACK HERITAGE MUSEUM	314 N DUSS ST
2	DR McDANIEL HOME	317 SHELDON ST
3	WASHINGTON SQUARE	533 WASHINGTON ST
4	CITY HALL ANNEX	214 SAMS AV
5	CONNOR LIBRARY	115 JULIA ST
6	NEW SMYRNA MUSEUM OF HISTORY	120 SAMS AV
7	CHAMBER OF COMMERCE	115 CANAL ST
8	WOMAN'S CLUB	403 MAGNOLIA ST
9	701 MAGNOLIA ST	701 MAGNOLIA ST
10	OLD STONE WHARF	S RIVERSIDE DR
11	JESSIE STEVENSON KOVALENKO MEMORIAL GYMNASIUM	1000 LIVE OAK ST
12	CHARLES DUMMETT GRAVE	CANOVA DR
13	CORONADO SHUFFLEBOARD COURTS	288 FLAGLER AV
14	CORONADO BEACH CEMETERY	750 OAKWOOD AV
15	NEW SMYRNA BEACH GOLF COURSE	1000 WAYNE AV

storage building addition to the
Black Heritage Museum

314 North Duss Street, New Smyrna Beach Florida 32168

project scope

THIS PROJECT CONSISTS OF A NEW FREE-STANDING BUILDING FOR MISC. STORAGE AND EQUIPMENT TO MAINTAIN THE EXISTING HISTORICAL BUILDING THAT SERVES AS THE LOCAL BLACK HERITAGE MUSEUM.

legal description

LOTS 9 & 10 BLK 17 SAWOOD NEW SMYRNA PER OR 4423 PG 3004

R-5 ZONING

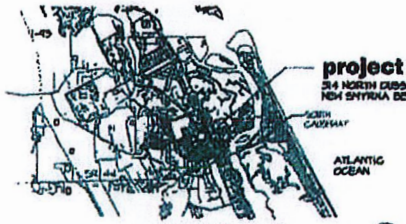
20' FRONT
10' CORNER
7.5' SIDE / REAR

HALL OPENING CALCULATIONS < 10%

30' LONG X 10' HIGH = 300 SF
30 SF OF OPENINGS ALLOWED

3'0" X 6'8" DOOR = 20 SF
2'0" X 5'0" WINDOW = 3 SF
2'0" X 5'0" WINDOW = 3 SF

TOTAL PROPOSED = 30 SF



project location map

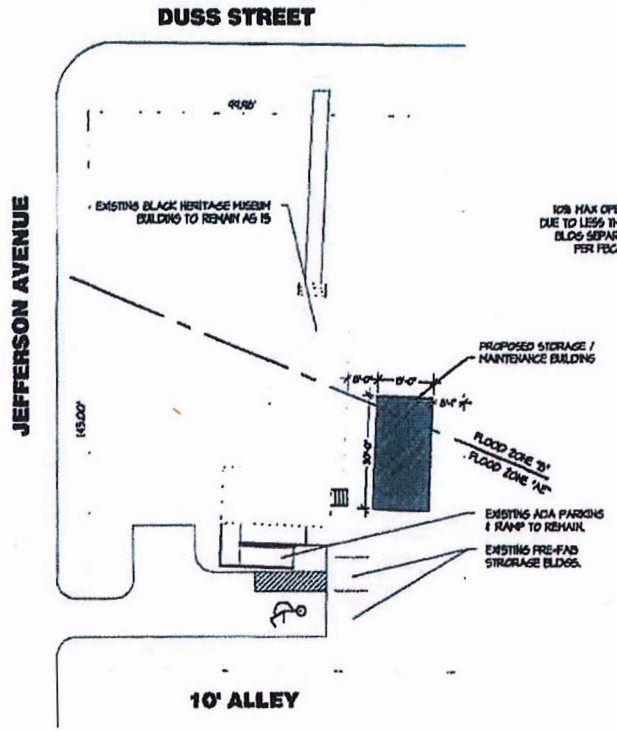


tom desimone, aia
ARCHITECT
STATE OF FLORIDA . AR 97192

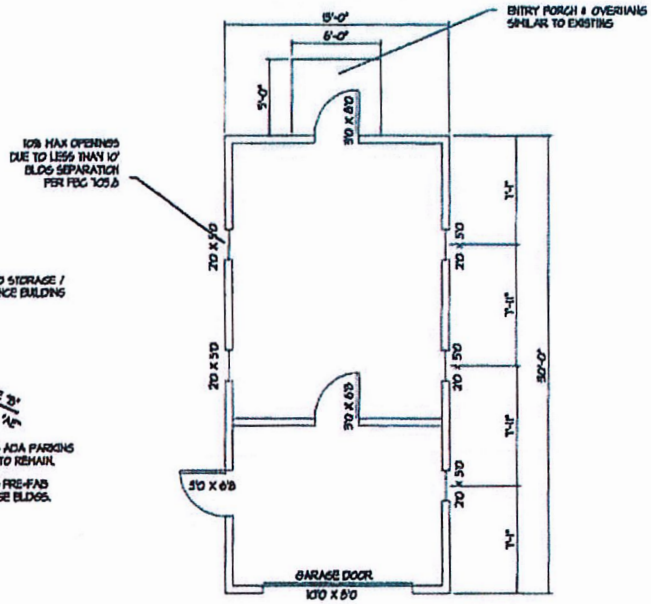
FREE STANDING ADDITION TO THE

BLACK HERITAGE MUSEUM

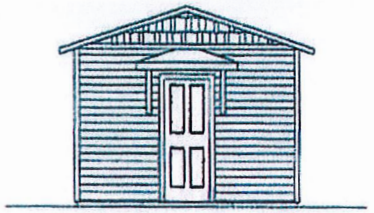
NEW SMYRNA BEACH, FLORIDA



SITE PLAN 1/16"=1'-0"



A FLOOR PLAN 1/4"=1'-0"



OPTION 2 1/4"=1'-0"



OPTION 1 1/4"=1'-0"

29 APRIL 2019

drawn by

checked by
TD

PLANS & SECTIONS

1/4"=1'-0"

A1

sheet of

NOTE: DRAWING IS TO SCALE @ 22"X 34"

EXHIBIT E





EXHIBIT E



EXHIBIT F

2280

NPS Form 10-900
(Rev. 10-90

OMB No. 1024-0018

United States Department of the Interior
National Park Service

NATIONAL REGISTER OF HISTORIC PLACES REGISTRATION FORM

RECEIVED 2280
MAR - 2 2007
NAT. REGISTER OF HISTORIC PLACES
NATIONAL PARK SERVICE

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in How to Complete the National Register of Historic Places Registration Form (National Register Bulletin 16A). Complete each item by marking "x" in the appropriate box or by entering the information requested. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. Place additional entries and narrative items on continuation sheets (NPS Form 10-900a). Use a typewriter, word processor, or computer, to complete all items.

1. Name of Property

historic name ST. RITA'S COLORED CATHOLIC MISSION

other names/site number FMSF#7672

2. Location

street & number 314 Duss Street N/A ☐ not for publication

city or town New Smyrna Beach N/A ☐ vicinity

state Florida code FL county Volusia code 127 zip code 32168

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this ☒ nomination ☐ request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property ☒ meets ☐ does not meet the National Register criteria. I recommend that this property be considered significant ☐ nationally ☐ statewide ☒ locally. (☐ See continuation sheet for additional comments.)

Barbara E. Mattick / DSHPO 2/22/2007
Signature of certifying official/Title Date

Florida Department of State, Division of Historical Resources, Bureau of Historic Preservation
State or Federal agency and bureau

In my opinion, the property ☐ meets ☐ does not meet the National Register criteria. (☐See continuation sheet for additional comments.)

Signature of certifying official/Title Date

State or Federal agency and bureau

4. National Park Service Certification

I hereby certify that the property is:

☑ entered in the National Register
☐ See continuation sheet

☐ determined eligible for the National Register
☐ See continuation sheet.

☐ determined not eligible for the National Register
☐ See continuation sheet.

☐ removed from the National Register.

☐ other, (explain) _____

for Daniel J. Vivian 4/13/07
Signature of the Keeper Date of Action

5. Classification

Ownership of Property
(Check as many boxes as apply)

- ☒ private
- ☐ public-local
- ☐ public-State
- ☐ public-Federal

Category of Property
(Check only one box)

- ☒ buildings
- ☐ district
- ☐ site
- ☐ structure
- ☐ object

Number of Resources within Property
(Do not include any previously listed resources in the count)

Contributing	Noncontributing	
1	0	buildings
0	0	sites
0	0	structures
0	0	objects
1	0	total

Name of related multiple property listings
(Enter "N/A" if property is not part of a multiple property listing.)

"N/A"

Number of contributing resources previously listed in the National Register

0

6. Function or Use

Historic Functions
(Enter categories from instructions)

RELIGION: church

Current Functions
(Enter categories from instructions)

RECREATION AND CULTURE: museum

7. Description

Architectural Classification
(Enter categories from instructions)

Late 19th & 20th Century Revival/ Late Gothic Revival

Materials
(Enter categories from instructions)

foundation CONCRETE
walls WOOD
roof WOOD
other

Narrative Description
(Describe the historic and current condition of the property on one or more continuation sheets.)

8. Statement of Significance

Applicable National Register Criteria
(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

☒ **A** Property is associated with events that have made a significant contribution to the broad patterns of our history.

☐ **B** Property is associated with the lives of persons significant in our past.

☒ **C** Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.

☐ **D** Property has yielded, or is likely to yield information important in prehistory or history.

Criteria Considerations
(Mark "x" in all the boxes that apply.)

Property is:

☒ **A** owned by a religious institution or used for religious purposes.

☒ **B** removed from its original location.

☐ **C** a birthplace or grave.

☐ **D** a cemetery.

☐ **E** a reconstructed building, object, or structure.

☐ **F** a commemorative property.

☒ **G** less than 50 years of age or achieved significance within the past 50 years

Areas of Significance
(Enter categories from instructions)

ETHNIC HERITAGE: Black
ARCHITECTURE

Period of Significance

1899 - 1924
1956 - 1969

Significant Dates

1899
1956

Significant Person

N/A

Cultural Affiliation

N/A

Architect/Builder

unknown

Narrative Statement of Significance
(Explain the significance of the property on one or more continuation sheets.)

9. Major Bibliographical References

Bibliography
Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

Previous documentation on file (NPS):

☐ preliminary determination of individual listing (36 CFR 36) has been requested
☐ previously listed in the National Register
☐ previously determined eligible by the National Register
☐ designated a National Historic Landmark
☐ recorded by Historic American Buildings Survey
_____

☐ recorded by Historic American Engineering Record
_____

Primary location of additional data:

☒ State Historic Preservation Office
☐ Other State Agency
☐ Federal agency
☐ Local government
☐ University
☐ Other

Name of Repository

_____

10. Geographical Data

Acreage of Property less than one acre

UTM References
(Place additional references on a continuation sheet.)

	Zone	Easting	Northing
1	17	506500	3210500
2			
3			
4			

☐ See continuation sheet

Verbal Boundary Description
(Describe the boundaries of the property on a continuation sheet.)

Boundary Justification
(Explain why the boundaries were selected on a continuation sheet.)

11. Form Prepared By

name/title Johnston, Sidney/Robert O. Jones, Historic Preservationist

organization Bureau of Historic Preservation date February 2007

street & number 500 South Brounough Street telephone 850-245-6333

city or town Tallahassee state FL zip code 32399-0250

Additional Documentation

Submit the following items with the completed form:

Continuation Sheets

Maps

A **USGS map** (7.5 or 15 minute series) indicating the property's location.

A **Sketch map** for historic districts and properties having large acreage or numerous resources.

Photographs

Representative **black and white photographs** of the property.

Additional items
(check with the SHPO or FPO for any additional items)

Property Owner

(Complete this item at the request of SHPO or FPO.)

name Black Heritage Festival of New Smyrna Beach

street & number 314 North Duss Street telephone 386-424-0008

city or town New Smyrna Beach state FL zip code 32168

Paperwork Reduction Act Statement: This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and amend listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C. 470 *et seq.*).

Estimated Burden Statement: Public reporting burden for this form is estimated to average 18.1 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Chief, Administrative Services Division, National Park Service, P.O. Box 37127, Washington, DC 20013-7127; and the Office of Management and Budget, Paperwork Reductions Projects (1024-0018), Washington, DC 20503.

SUMMARY

St. Rita's Colored Catholic Mission is located at 314 North Duss Street in New Smyrna Beach, Volusia County, Florida. It is the oldest surviving church in the city, and the small church is an example of Carpenter Gothic architecture, a variant of the Late Gothic Revival genre. Built in 1899 as Sacred Heart Catholic Church on Faulkner Street, it was moved to its present site in 1956. The building contains approximately 1,200 square feet of interior floor space. The building has an irregular plan with a steeply-pitched front-facing gable roof surfaced with wood shake shingles. It has a small tower/belfry with a flared hip roof, incised into the eastern end of the roof ridge. The wood frame structural system is surfaced with decorative wood shingles, drop siding, and corner-boards. Large decorative brackets support a hip roof that protects the east, main entrance. A small gable extension is at the west elevation which contains the chancel for the church. Approximately the same size as the chancel extension is a cross-gable northern extension at the northwest corner that contained the sacristy. Fenestration is balanced within the body of the church and asymmetrical in the sacristy. Windows are filled with 2/2 and 1/1 double-hung wooden sashes set in pointed arch surrounds. A concrete block pier foundation system supports the building with wood lattice between the piers. During rehabilitation in 1999 and prior to its use as a museum, the northern extension was lengthened by 4 feet.

St. Rita's was rescued from demolition by New Smyrna Beach educator Mary Harrell and the Black Heritage Festival, Incorporated. The historic church currently serves as the Black Heritage Museum to illustrate the history of New Smyrna Beach's historically black Westside community, and St. Rita's Colored Catholic Mission. Well-designed and well-preserved, the building contributes to the sense of time, place, and historical development of the architecture, ethnic heritage, and religion in the City of New Smyrna Beach, through its location, design, materials, workmanship, feeling, and association. Retaining its late nineteenth century character to a high degree, the building provides important architectural and ethnic heritage links to New Smyrna Beach.

SETTING

Located in coastal southeast Volusia County, New Smyrna Beach is approximately twenty miles south of Daytona Beach, and twenty-five miles east of DeLand, the seat of government of Volusia County. Settled as the British Turnbull Colony in 1768 and incorporated as a town in 1888, New Smyrna Beach has a population of 20,048 (2000). The primary thoroughfares include United States Highway 1, historically known as the Dixie Highway, that runs in a north/south alignment west of the New Smyrna Beach Historic District (NR 1990). The other primary thoroughfare into the city is State Road 44, which extends east-to-west, and is locally known as Canal Street. The Florida East Coast (FEC) Railway's tracks run west of and parallel to United States Highway 1.

New Smyrna Beach's historically black Westside Community is west of the FEC tracks and is divided by State Road 44. The St. Rita's Church is five blocks west of the railroad tracks and three blocks north of Canal Street. The building faces east toward Duss Street. A recently established Pettis Park is to the north. At the southeast corner of the park is "Heritage House," an early twentieth century Shotgun type dwelling that was moved to the

site for use as a museum to depict a traditional African-American home early in the previous century. Several buildings both historic and non-historic are located in the immediate neighborhood. A temporary storage shed stands to the west behind St. Rita's. Landscaping consists of live oak trees and shrubs.

PHYSICAL DESCRIPTION

Exterior

The exterior walls of St. Rita's are surfaced with horizontal wooden siding. The roof is surfaced with cedar shake shingles. Windows are filled with 2/2 double-hung wooden sashes set in pointed arch surrounds. The foundation is of concrete block piers.

The east façade (Photo #1) has a belfry within a square tower with louvered vents, a flared hip roof, and tapered sides joining with the roof slopes. The gable end is accented with wood shingles cut in chisel, fish scale, rectangular, and saw tooth patterns (Photo #2). A window composed of a pair of narrow 1/1 wooden sashes separated by a mullion is located within the gable. A pair of paneled wooden doors are centrally located and provide the main entrance. They are accessed by a wooden porch, and four steps with wooden handrails. Long brackets support a hip roof that shelters the porch. A window is within the walls on either side of the doors. A rectangular window with 2/2 wooden sash is visible within the north extension wall.

The south elevation (Photo #3) contains three windows evenly distributed within the main building block. Set back from the line of the wall is the gable extension that contains the chancel. The chancel's wall contains one window.

The west, rear elevation (Photo #4) has a louvered vent within the peak of the gable. The sanctuary extension is to the north, with a single door where the two building sections join. The door is accessed by a wooden ramp and protected by a small shed roof.

The north elevation (Photo #5) has three windows set in the main building block, and the gable end of the north cross-gable extension at the northwest corner. The extension gable end contains a louvered vent within the peak of the gable, and a single window in the wall.

Interior

The interior has wooden floors, walls, and ceiling. The walls and ceiling are covered with beaded tongue and groove boards. The interior contains approximately 1,200 square feet of floor space currently used for museum display and office spaces. The interior contains the nave or main building block; the chancel, a short extension that sheltered the altar; and the sacristy that has support/office spaces. The ceiling is canted and rises approximately fifteen feet. The original doors have been replaced to meet security and code requirements.

The main (east) entrance opens into the original nave (Photo #6) that is forty feet in length. Providing natural cross-ventilation and interior lighting, six windows open along the north and south walls, and two windows flank the entry doors. The narrow sash window within the gable is incised above the ceiling and finished with a boxed opening that leads to the belfry (Photo #7). The west end of the nave narrows and opens into the chancel extension that measures approximately fourteen feet long (Photo #8). At the narrowing, the short west walls of the nave each contain a niche. The chancel has the same canted ceiling configuration as the nave. The south chancel wall has one window, and the north wall has an entrance into the sacristy. The sacristy has been divided into a vestibule, bathroom (Photo #9), and office (Photo #10).

ALTERATIONS

As built in 1899, St. Rita's Church consisted of the nave portion of the building. The chancel was added about 1913 and the sacristy about 1924. The church was moved from its original site at 306 Faulkner Street to this Duss Street location in 1956. Within the last decade the original front and rear doors were replaced. During the rehabilitation into the museum in 1999, the sacristy was extended four feet, and two walls divided the sacristy into three spaces. The walls of the chancel and sacristy were finished in smooth plaster. Modern lighting was installed.

SUMMARY

St. Rita's Colored Catholic Mission is nominated to the National Register for local significance under Criteria A and C in the areas of Ethnic Heritage, Black and Architecture, and Criteria Considerations A, B and G. The building possesses significance for its contribution to the civil rights movement, integration, and religious outreach in New Smyrna Beach in the 1950s and 1960s which extends into the period less than fifty years ago. Built in 1899 as Sacred Heart Catholic Church, the building was relocated fifty years ago, in 1956, by the St. Augustine Catholic Diocese and the Sacred Heart congregation. It was relocated from its original site on Faulkner Street in a white neighborhood of New Smyrna Beach to its present site in the city's historically black Westside neighborhood. Building upon its earlier success with a black Catholic mission known as Madonna House, the diocese relocated the building for the expressed intentions of enlarging the African-American Catholic congregation in New Smyrna Beach and preserving the building from demolition. At that time, the diocese renamed the building St. Rita's Colored Mission. Because the 1899 church was moved to its present site in 1956, it possesses historic significance beginning with that date in association with the community's Ethnic Heritage. In 1969, after the city's Catholics integrated to worship in a single sanctuary, the nineteenth-century building was used to house a clinic and day care center. The 1899 building, with additions in 1913 and 1924, is significant as an excellent example of a Carpenter Gothic church within the context of the Late Gothic Revival genre. The design of the building is consistent with national and statewide trends in architecture.

HISTORIC CONTEXT

Westside Community & New Smyrna Beach

The historic Westside community in the City of New Smyrna Beach occupies a relatively late role in the history of Florida. Although the Turnbull Colony and several Spanish land grants were located across the site of the latter-day community, the faint outlines of the Westside settlement did not begin to form until the 1880s. The community developed largely around two large homesteads of Charles Dougherty and Morrison Lewis. A third property owner, John Sheldon's family, began living in New Smyrna in 1883. Sheldon's son, Rodolphus, began investing in property in the Westside community in the 1880s. In 1888, he opened a subdivision that provided four blocks bounded by Mary, Myrtle, and Washington streets, a central feature in the Westside community.[1]

Charles Dougherty, a native of Athens, Georgia, also developed property. Educated at the University of Virginia, Dougherty arrived in Volusia County in 1871 to supervise his father's landholdings. He inherited his father's estate in 1873 and over the following decades acquired still more tracts in coastal Volusia County, most of which he subdivided. Dougherty initially made his base of operations at Port Orange, but moved to New Smyrna in the 1880s. Dougherty eventually owned homes in Daytona Beach and Port Orange, as well as a residence on the west

1 Pleasant Daniel Gold, *A History of Volusia County, Florida* (Daytona Beach: P. D. Gold, 1927),162; Zelia Sweett and J.C. Marsden *New Smyrna, Florida: Its History and Antiquities* (New Smyrna: Zelia Sweett and J.C. Marsden, 1925), 37-41; Michael Schene, *Hopes, Dreams, and Promises: A History of Volusia County, Florida* (Daytona Beach: News-Journal Corporation, 1976), 104; Map Book 6, p. 8, Volusia County Courthouse; Works Progress Administration, *Florida: A Guide to the Southernmost State* (New York: Oxford University Press, 1939), 21, 24.

bank of the Indian River in New Smyrna.2 In 1883, he subdivided his holdings into twelve blocks. One of New Smyrna's largest nineteenth century plats, the subdivision furnished a plan for development north of the nascent downtown west to Myrtle Avenue. In the Westside community, the subdivision's blocks were designed for homesteads, farms, and groves rather than for dwellings and suburban development. Neatly dividing the subdivision in half, Mary Avenue led to Enterprise Road, which made the former a significant artery west of town.3

In 1883, Dougherty sold five acres to immigrant Gustavus Spleiss. A native of Danzig, Germany, Spleiss was impressed with Florida's natural beauty and remained to develop a business. He periodically invested in land and sold property to churches and prospective homeowners in the Westside community. In 1920, his heirs opened Spleiss's subdivision. Dougherty also sold property to George Pitzer and Robert Nelson, which they divided into a large subdivision. The Pitzer and Nelson development presaged a re-division of Dougherty's plan, which created near frenzied activity between 1905 and the 1920s. Dougherty's activities and land sales encouraged neighboring landholders to sell and divide their land. To the west of Dougherty's subdivision lay Morrison Lewis's homestead. A native of Ohio, Lewis had acquired the property in 1881. He built a home and planted citrus. He sold some of the land to Henry Fisher and Samuel Whitney, each of whom planted citrus groves. In 1890, Lewis sold most of his remaining holdings to A. Eltinge Anderson who divided the property into tracts of various sizes.4

Although relatively little construction occurred in these formative years of platting the Westside community, the subdivisions set the stage for later developers to open still smaller subdivisions suitable for creating a suburb west of New Smyrna's downtown. Consequently, the Westside community was subjected to an organic process of development, resulting in a patchwork of subdivisions leaving only the faint outlines of the overall plan provided by Dougherty. The resulting organization of streets and relatively small lots influenced the development of the neighborhood.

The arrival of the Blue Spring, Orange City & Atlantic Railroad (BSOC&A) in 1886 linked New Smyrna, with the St. Johns River, and the villages of Lake Helen, and Orange City, in west Volusia County. Its arrival initiated a new era in New Smyrna's growth, encouraging settlement and bringing winter visitors. Few ships could then navigate the shifting bars and tides at nearby Mosquito Inlet, which was later renamed Ponce DeLeon Inlet. In 1887, the population of New Smyrna stood at 150 and the following year the town boasted nearly eighty buildings, including forty-one dwellings, three general stores, and two churches. The cultivation of oranges, commercial fishing, and tourism were principal economic activities. Residents incorporated the Town of New Smyrna, in 1887, and in 1890 the population reached 287.5

2*New Smyrna News,* October 15, 1915; Deed Book M, p. 187, Deed Book O, p. 25, Volusia County Courthouse; Schene, *Volusia County,* 143; T. E. Fitzgerald, *Volusia County: Past and Present* (Daytona Beach: Observer Press, 1937), 173-174.

3J. M. Hawks, *East Coast of Florida* (Lynn: Lewis & Winship, 1887), 81; Deed Book L, p. 538, Deed Book Y, p. 200-203, Volusia County Courthouse.

4*New Smyrna News,* 16 January 1914; Hawks, *East Coast of Florida,* 81; Map Book 1, p. 96, Map Book 2, p. 32, Map Book 5, p. 182, Deed Book O, p. 635-636, Deed Book W, p. 168-176, Deed Book 17, p. 754, Deed Book 54, p. 456, Volusia County Courthouse.

5Volusia County Commission, *A Pamphlet, Historical and Descriptive of Volusia County* (Jacksonville: DaCosta Printing and Publishing

African-American settlers began to arrive, looking for work, and began to build a community. Some settled in the Westside community, which then was part of a larger region known as New Smyrna's "Cotton Shed Hammock." The hammock's naming probably dates to the Civil War, when smugglers stored cotton bales in the hammock for safe keeping. By 1885, about ten African-American families resided in the town. Most were Floridians, such as W. Carter and M. Alexander, who were servants for merchant P.N. Bryan. Albert and Roberta Boardman, Molly Richson, and L. Lillian worked at F.W. Sams' Ocean House. A native of Nassau, Leo Rhodes was one of the town's few black farmers. F. Bolden of Alabama also owned a farm, and H. Clark, Nelson Cogswell, and George Baker found work on farms, for the railroad, and in the citrus industry.6

More development seemed assured for New Smyrna in 1892 with the arrival of the Florida East Coast (FEC) Railway. Its owner, Henry Flagler had ambitious plans for Florida's east coast, as he had demonstrated in St. Augustine, where he inspired an architectural renaissance through the construction of ostentatious hotels designed for northern tourists. Flagler extended the line along the east coast, reaching Daytona, in 1892, and crossing the rails of the BSOC&A at New Smyrna, in September 1892. In 1893, Flagler integrated the shortline into his expanding rail system. He pushed farther south and in 1894 reached Palm Beach, and Miami, in early 1896. Although Flagler never developed a grand hotel at New Smyrna, the town soon became a division center servicing locomotives and quartering personnel. Despite the new railroad, economic progress soon languished as freezes in the winter of 1894-1895 devastated orange groves throughout much of Florida, and sent the economy into a downward spiral. Still, the arrival of the FEC in New Smyrna improved access to the area, and the company's infrastructure served as catalyst for development.7

Even before the arrival of the railroad, sufficient numbers of settlers had arrived to establish one of New Smyrna's oldest African-American religious institutions, Mt. Calvary Baptist Church. The Reverend Richard Singleton helped organize the congregation in 1886, which soon constructed a sanctuary on Washington Avenue. In 1894, trustees O.J. Anderson, Nelson Cogswell, and S.P. Pratt of the newly-established St. Paul's M.E. Church acquired property from undertaker Gus Spleiss for $200. The congregation constructed a sanctuary at 519 Washington Street several years later. The development of the churches marked Washington Avenue as an early important social and religious center in the Westside community.8

House, 1888), 22-24; Works Progress Administration, *Florida,* 87; Bureau of the Census, Thirteenth Census, *Population* (Washington, D.C.: GPO, 1913), 310.

6Florida State Census, 1885, Tenth Precinct, Volusia County, FL; Hawks, *East Coast of Florida,* 76-78; Map Book 4, p. 115 Volusia County Courthouse.

7Edward Akin, *Henry Flagler: Rockefeller Partner & Florida Baron* (Kent and London: Kent State University Press, 1988), 141, 144, 162; Rowland Rerick, ed., *Memoirs of Florida* 2 vols., (Atlanta: Southern Historical Association, 1902), 1: 265-267; George Pettengill, "The Story of the Florida Railroads, 1834-1903," *Railway and Locomotive Historical Society* 86 (June 1952), 104-105.

8Deed Book 54, p. 456, Volusia County Courthouse; Census Bureau, Twelfth Census, 1900, Enumerated Schedules, Tenth Precinct, Volusia County, FL; the cornerstones of both churches reveal details of the early history of the respective churches.

By 1900, about fifty African-American families lived in New Smyrna. Born a slave in Florida, Leroy Chisholm became an early success story in the community. He and his wife, Cecelia, arrived about 1903. A barber, Chisholm operated his own business, and periodically invested in property in New Smyrna and elsewhere in east Volusia County. He acquired land south of the downtown, and built a home on South Hillsboro Drive. His investments grew and soon he owned several commercial buildings and dwellings in the Westside community. A public school built on Washington Avenue about 1915 was named for him after his death in November 1925.9

The Westside community was on both sides of the railroad tracks, although the largest part spread west of the mainline. Even then, the community had many of the trappings of a suburban neighborhood with churches, dwellings, and stores. Residents of the first decade of the twentieth century included August Mills and Henry Mitchell, teamsters who delivered goods by buckboard. Preachers included Walter Brown, George Crawford, Charles Holly, and Oscar Jackson. Pastor Richard Morgan had several daughters; one, Mary, earned a living as an artist, and a son, Berr Morgan, worked as a printer. Moses Person was a merchant who attained prominence in the community. The original name of Sheldon Street was Person Street with the redesignation occurring about 1925. George Alright was the sole black teacher in New Smyrna in the opening decade of the twentieth century. Many residents worked for the railroad. Some early buildings were constructed by Henry Powell, a house carpenter from Alabama.10

Between the late 1890s and World War I, the so-called "Progressive Era" was characterized by reform movements in business, education, government, and labor. The Progressive Era wrought substantial changes on Florida's landscape, and New Smyrna experienced renewed development. The most tangible legacies of the era include land reclamation throughout the peninsula and a building boom across the state. New Smyrna shared in the period of growth and expanded significantly. In 1901, the name Hillsborough River was changed to Indian River and an inland waterway provided access to Jacksonville. The town was reincorporated as a city in 1903, and a shell road linked New Smyrna with Daytona, fifteen miles to the north. The population of the city reached 543 in 1900, more than doubled to 1,121 in 1910, and advanced to 2,007 in 1920.11

New Smyrna emerged as a railroad center with a roundhouse, shops, and turntable, and a new branch line encouraged development. The roundhouse and shops expanded over time, requiring new laborers, many of them African-American residents, to maintain the rolling stock and locomotives. In 1910, encouraged by reclamation efforts in south Florida and bumper agriculture harvests, the FEC began construction of its Okeechobee branch. Beginning at New Smyrna, the new line paralleled the railroad's existing tracks, but ran inland through the

9Census Bureau, Twelfth Census, 1900, Enumerated Schedules, Tenth Precinct, Volusia County, FL; Deed Book 35, p. 197, Deed Book 36, p. 360, 448, Deed Book 54, p. 124, 142, Deed Book 57, p. 174, 474, 508, Deed Book 58, p. 538, Deed Book 62, p. 590, Probate Docket Book A, p. 867, Volusia County Courthouse.

10Census Bureau, Twelfth Census, 1900, Enumerated Schedules, Tenth Precinct, Volusia County, FL; Sanborn Map Company, *Fire Insurance Map of New Smyrna* (New York: Sanborn Company), 1916, 1924, 1930.

11Schene, *Volusia,* 122-123; Census Bureau, Thirteenth Census, 1910, *Population* (Washington, 1913), 310; Bureau of the Census, Fifteenth Census, 1930, *Population* (Washington, 1931), 214.

Kissimmee River Valley to Lake Okeechobee. The construction prompted the company to increase its presence in New Smyrna by adding more employees and quarters west of its New Smyrna shops.12

Sparked by an influx of settlers and expansion of the rail industry, new subdivisions in the Westside community addressed some of New Smyrna's pressing housing needs. The largest of those, Inwood, opened in 1912. Developed by Electa Gifford and Anna Miller of Rockville Centre, Nassau County, New York, the subdivision occupied much of the former homestead of Morrison Lewis. Gifford and Miller named the streets of the subdivision for local heritage, families, native trees, and presidents. Gifford and Miller named Duss Street for J. S. Duss, a conductor of the Metropolitan Opera of New York, who first visited New Smyrna in 1906 and made the coastal town his winter residence. Duss still composed music in the 1920s, and occasionally entertained local audiences. By 1925, Gifford and Miller had sold most of their New Smyrna properties. The platting of Inwood with its streets and infrastructure provided tangible signs of a suburban character on the Westside community.13

By 1910, nearly eighty houses dotted the community and approximately 300 people lived there. Many buildings were assembled by Westside carpenters Edward Davis, William Goodwin, David Livingston, Birch Stover, and brick mason William Brown lived there and built much in New Smyrna. Women worked as dressmakers, laundresses, and waitresses; others stayed home to raise their families. Emily Davis was a nurse. By 1915, the sanctuary of St. Paul's M.E. Church had become too small for its congregation. Several mortgages secured by the trustees assisted in the rebuilding and expansion of the sanctuary. A one-story public school and Mt. Olive Primitive Baptist Church were built on Washington Avenue.14

Many residents worked skilled railroad jobs, such as fireman, machinist, or boilermaker. Porters worked at the depot, on passenger trains, and at area hotels. The citrus industry also provided employment, and a few people labored in turpentine camps. Charles Braswell owned a barber shop and James Daley served as pastor of the A.M.E. Church.15 Willie Master, James NewKirk, and Peter Page owned restaurants and Eric Meeks operated a tailor shop. Ned Johnson opened an automotive repair shop. Helen Meeks, Frances Munas, Lillian Pearsall, Ellen Sharpe, and Clara Wallace taught school and Emily Davis, Ellen Peterson, and Mary Jane Little worked as nurses. Pastors included John Johnson at the Baptist Church and Doshier Joyner at St. Paul's M.E. Church. The vast majority of the approximately 550 people who resided in the Westside community were natives of Florida and

12Allen Morris, *Florida Place Names* (Coral Gables: University of Miami Press, 1974), 75-76, 152; Seth Bramson, *Speedway to Sunshine: The Story of the Florida East Coast Railway* (Ontario: Boston Mills Press, 1984), 92-93, 132; Robert Mann, *Rails 'Neath the Palms* (Burbank: Darwin Publications), 18-20; Sanborn Map Company, *Fire Insurance Map of New Smyrna,* 1906.

13*New Smyrna News,* 2 February 1917, 3 April 1925; Map Book 4, p. 115, Deed Book 59, p. 279, Deed Book 60, p. 170, Volusia County Courthouse.

14Mortgage Book 21, p. 382, 388, Volusia County Courthouse; Census Bureau, Thirteenth Census, 1910, Enumerated Schedules, Tenth precinct, Volusia County, FL.

15Mortgage Book 21, p. 382, 388, Volusia County Courthouse; Census Bureau, Thirteenth Census, 1910, Enumerated Schedules, Tenth precinct, Volusia County, FL.

Georgia. Some were from Alabama, North Carolina, and South Carolina, and a few were from Tennessee and New Jersey.16

In the 1920s, the nation entered a period of dramatic economic expansion. In Florida, a land boom began in early 1921, and property values rose quickly. Although the boom started in south Florida, particularly Miami, no part of the state escaped the trend. In virtually every city and town new subdivisions were platted and lots sold and resold for quick profits. Sharing in the growth, Volusia County property assessments increased nearly three-fold from $11 million in 1917 to $28 million by 1927. New Smyrna's population soared, rising from 2,007 in 1920 to 4,330 at the peak of the boom. The railroad upgraded its New Smyrna shops in 1925 at a cost of $1,000,000. The largest single employer in the city, the FEC employed nearly 1,000 New Smyrna residents. A new city hall and post office were constructed and plans were unveiled for a deep sea port in 1926. The chamber of commerce reported nearly 150 residences under construction in 1927.17

New subdivisions were opened by Gus Spleiss's heirs; businessman E. Kirby Lowd; Norman S. Colee, assistant cashier of the state bank; merchant Rodolphus Sheldon; and William Behne, vice president of the chamber of commerce. These landholders had acquired property in the Westside decades earlier. By 1927, Norman Colee had sold nearly half of his properties along Duss Street north of Enterprise Avenue. Some investors developed houses for speculation or rental income, but few large-scale developments were apparent. Most investments came from small ventures consisting of two or three houses. F.M. Simkins, a road builder who lived along the river, built a house on Duss Street in the Colee subdivision and Charles Clark, the vice-president of East Coast Milling Company, developed a dwelling in the 400 block of North Myrtle Avenue. One of the largest investments came from the E.W. Bond Company of Lake Helen that built four small dwellings at the corner of Enterprise Avenue and Duss Street.18

By 1924, the Westside community contained nearly 250 buildings, most of those residences. The growth prompted the local school trustees to expand their education facilities. In June 1926, the New Smyrna architectural firm of Shappell & Weller drafted the plans for a school and the Lewis Construction Company completed the building in

16Census Bureau, Fourteenth Census, 1920, Enumerated Schedules, Tenth precinct, Volusia County, FL.; Sanborn Map Company, *Fire Insurance Map of New Smyrna,* 1912, 1916.

17*New Smyrna News,* 15 August 1924, 29 May 1925; Florida Department of State, *Florida, An Advancing State, 1907-1927* (Tallahassee, 1928), 14-16, 104, 266; Census Bureau, Fifteenth Census, 1930, *Population,* 214.

18Rerick, *Memoirs of Florida,* 2: 438-439; *Florida Agriculturist,* 1 January 1898; Record of Incorporations Book 1, p. 12-13, Judgment Book 2, p. 125, 1925 tax roll, Volusia County Courthouse; *Volusia County Record,* 5 December 1896, 8, 13, 29 August 1913; *New Smyrna Observer,* 7 March 1936; *New Smyrna News,* 16 January 1914; Sanborn Map Company, *Fire Insurance Map of New Smyrna,* 1924, 1930, 1938; Plat Book 5, p. 182, Plat Book 6, p. 8, 22, 45, Plat Book 20, p. 82, 1927 tax rolls, Volusia County Courthouse; R.L. Polk, *Volusia County Directory* (Jacksonville, 1924), 537, 540; Census Bureau, Fourteenth Census, 1920, Enumerated Schedules, Tenth precinct, Volusia County, FL.

1927. Initially referred to as the Mary Avenue School, the building was renamed Chisholm Academy in recognition of community leader Leroy Chisholm about 1935.[19]

In 1925, Florida's speculative land bubble began to deflate, in part, because bank deposits began to decline, and, in part, because in August the FEC announced an embargo on freight shipments to south Florida, where ports and rail terminals were clogged with unused building materials. Bankers and businessmen throughout the nation had begun to complain about transfers of money to Florida. Newspapers suggested fraud in land sales. Large bank withdrawals followed in early 1926, during the traditional season for winter tourists and speculators. By the close of the year forty Florida banks had collapsed. Real estate assessments declined by $182,000,000 between 1926 and 1928. The Great Depression descended upon Florida three years in advance of the rest of the country.[20]

Development slowed in New Smyrna Beach, where many residents faced unemployment. Placed in receivership in 1931, the FEC implemented several cost cutting measures. In 1932, the company discontinued train service between New Smyrna Beach and Orange City, and abandoned the line in 1934. A tourist camp built for New Smyrna's visitors was dismantled, in part, to compel vacationing motorists to support hotel owners and the emerging motor and tourist courts that began to populate major highways. Most of the buildings in New Smyrna's former tourist camp were removed to new locations, including the Westside community where they provided permanent housing.[21]

The municipal government briefly experimented with developing property in the Westside community. In 1940, city manager W.E. Swoope supervised the platting of the so-called Municipal subdivision, itself a replat of an older development in the community. By 1942, several lots had been sold and a Luna Puckett had constructed a home. Some construction stemmed from the activities of religious institutions such as Mt. Zion Methodist Church at the corner of Enterprise Avenue and Sinnka Street. Another church, Pleasant Grove Baptist Church, was built at 214 North Myrtle Avenue. This church was organized in 1941, and was built during the tenure of the Reverend C.W. Carr.[22]

Racial Issues

Being a small-town neighbor in the shadow of world famous Daytona Beach, New Smyrna Beach shared many of the best and worst characteristics of its larger sister city. In the 1930s, both beaches were off-limits to African-Americans who had to vacation at nearby Bethune Beach in south Volusia County, or American Beach, in Nassau County. Beyond those recreational amenities, Daytona Beach was a closed society to blacks. In the 1930s, African-Americans constituted approximately thirty percent of the population of Volusia County.

19Minute Book 5, July 9, 1925, June 17, 1926, Volusia County School Board, DeLand, FL; Deed Book 171, p. 454, Volusia County Courthouse; Sanborn Map Company, *Fire Insurance Map of New Smyrna,* 1924, 1930, 1938.

20Tebeau, *Florida,* 385-87.

21Bramson, *FEC,* 19, 107, 117-118, 126-127; Sanborn Map Company, *Fire Insurance Map of New Smyrna,* 1924, 1930, 1938.

22Plat Book 8, p. 164, 1940, 1942 tax rolls, Volusia County Courthouse; Sanborn Map Company, *Fire Insurance Map of New Smyrna,* 1930, 1938.

Denied access to adequate education, health care, public facilities, and recreational opportunities, blacks often endured the highest degree of discrimination in the urban centers of Daytona Beach, DeLand, and New Smyrna Beach. Additionally, Florida was the most lynch-prone state in the South with at least one extra-legal killing of a black citizen every year, except in 1933. Writing in 1935, college president and black leader Mary McLeod Bethune expressed her "...dislike to have thinking negroes all over the country and world to feel that after 30 years of work and struggle in a community like this [Daytona Beach] that we have not yet awakened the confidence and interest in our white constituency to use their influence to help us provide cultural advantages."

Racial change arrived in New Smyrna Beach, largely through the efforts of persons working in the fields of education, law, and religion. In 1954, the U. S. Supreme Court handed down its *Oliver Brown et al.* v. *Board of Education of Topeka, Kansas,* decision, thereby ending the legality of segregation in America's public schools. Despite the ruling, educational integration came slowly to New Smyrna Beach, and Volusia County. As late as August 1957, a KKK parade of seventy-six automobiles had toured Volusia County, beginning in DeLand and concluding in New Smyrna Beach in an effort to recruit new members.23 In 1960, the NAACP filed a suit with the support of thirty-four East Volusia County residents to integrate the county's public schools. Formal school integration did not occur until 1970, but only after an order from a federal district court in Jacksonville. In 1960, among the first signs of educational integration in New Smyrna Beach was the newly-organized Sacred Heart Parish School accepting black children into its classrooms.

Catholic Ministries

Sacred Heart Catholic Church began in 1889, as a mission of St. Peter's Catholic Church in DeLand under the direction of Father John O'Boyle. Eleven years later, after worshipping in the homes of various parishioners, the congregation built its first sanctuary in 1899, at 306 Faulkner Street, three blocks north of downtown and two blocks east of the Indian River. The church was located on property donated by Charles Dougherty. Initially a simple rectangular church with an entrance porch and a belfry, the wood-frame sanctuary was expanded over time with a chancel about 1913, and then a sacristy about 1924. Early pastors serving the church included Thomas Comber, Michael Curley, Joseph Downey, and M. J. Mullally. Perhaps the most renowned of the early pastors was Curley. A native of Ireland, he was ordained in Rome, in 1904, and arrived in DeLand later that year. Curley later rose to distinction as the bishop of St. Augustine, where over a ten year period he helped organize ten new churches in the St. Augustine Diocese. In 1921, he became archbishop of Baltimore. Several of Curley's mission churches, including St. Mary Catholic Church in Korona, built in 1914, and St. Mary Catholic Church in Rockledge, built in 1917, displayed similar features of the original Sacred Heart church in New Smyrna Beach.24

23*New Smyrna Beach News,* 1 August 1957, 1 May, 17 August 1969; *Daytona Beach Evening News,* 1 April 1969; Old Sacred Heart/St. Rita's Mission files, Black Heritage Museum.

24Charles Gallagher, *Cross & Crozier: The History of the Diocese of St. Augustine* (St. Augustine: Diocese of St. Augustine, 1999), 61-63, 111; Jane Quinn, ed., *The Catholic Presence in Central Florida* (Orlando: Orlando Diocesan Council of Catholic Women, 1988), 1-3, 71-72.

In 1939, the diocese appointed Father Joseph Driscoll as pastor of Sacred Heart. In 1941, the white congregation of the Sacred Heart Catholic Church on Faulkner Street adopted the Westside community as a mission. That year, under the leadership of Father Joseph Driscoll, three sisters from Our Lady of Christian Doctrine in Nyack, New York, arrived to serve in the mission in a 1920s-era boarding house at 436 North Myrtle Avenue at the corner of Enterprise Avenue. The converted building contained a chapel and social hall with rooms for other parish activities. The diocese adopted the name Madonna House in honor of an older, well-known settlement house on Cherry Street in New York City.25 The diocese named the chapel St. Rita for the "Patron Saint of the Impossible." Madonna House became a Christian social center that provided assistance to black families. The building and its religious applications served as one of the earliest tangible actions toward pursuing equality and civil rights in New Smyrna Beach.26

At New Smyrna Beach, Sister Mary Aimee served as the first superior with Sisters Mary Rose and Clare visiting residents, teaching kindergarten, and tending to some of the other needs of residents. Initially, the three sisters and their mission survived with $45 per month contributed by the diocese. In addition, Southern Bakery donated five loaves of bread each morning, the Nordmann family provided fresh citrus, and Wipperman's Meat Market provided chickens. Other support came from a retired Navy nurse who provided chocolate syrup to make chocolate milk for the children. A retired Michigan priest, Father Peschong, and his sister, Kate, who lived in New Smyrna Beach, provided the mission with fresh fish each Wednesday and Friday. Father John Connell celebrated the first mass in St. Rita's chapel on 25 December 1941. Later, Sister Genevieve Stanislaus became the superior of the convent and Madonna House. Outraged and provoked by the blatant racism and discrimination still apparent in New Smyrna Beach - especially at the railroad station, public benches, and restaurants in the downtown - Stanilus sat on "colored only" benches at the depot, accompanied black children to the beach, and sat in the rear of buses. Sister Cunningham arrived in 1944 and later recalled some of the deplorable living conditions experienced by many of the Westside residents. Social mores and Jim Crow legislation prevented the sisters from residing in the black community. Still, providing education, food, and spiritual guidance to the Westside community's children, the sisters maintained a presence in the neighborhood between 1941 and 1969.27

HISTORIC SIGNIFICANCE

In 1956, when the Sacred Heart congregation built a new church near United States Highway 1, the St. Augustine Diocese, Sacred Heart clergy and laity, and Madonna House's clergy, sisters, and laity worked together to relocate the older, abandoned sanctuary into the Westside community. The move expanded the

25 Founded in 1902, the Sisters of Our Lady of Christian Doctrine had been organized to minister to thousands of Catholic immigrants who lived in the Lower East Side of New York City in the early twentieth century. After successfully establishing Madonna House on 69th Street, the sisters assisted Catholics in other regions of the country, including the dioceses of Charleston, Chicago, and St. Augustine.

26Old Sacred Heart/St. Rita's Mission files, Black Heritage Museum.

27*New Smyrna Beach News,* 1 May 1969; Old Sacred Heart/St. Rita's Mission files, Black Heritage Museum.

Catholic presence in the community. In March 1956, Father Thomas Wright of Sacred Heart requested the diocese approve the relocation of the sanctuary to Duss Street, which he described as a "...merely overgrown path..." He indicated that the lots contemplated for the placement of the church did not support any buildings and would have to be cleared of "very dense palmetto growth." Indeed, as late as 1930 not a single building occupied the block into which the sanctuary would be moved. The site was located two blocks southwest of Madonna House, providing for a short walk between the facilities. Later that year, C. E. Bower & Son of Orlando, transported the building to the new site, a move that extended across approximately ten blocks, including United States Highway 1 and the FEC tracks. The Robert L. Arnau Construction Company prepared the Duss Street site, built the new foundation system, removed and replaced the belfry before and after the move, and installed new steps. A member of Sacred Heart Catholic Church, Arnau had moved from Jacksonville to New Smyrna Beach in 1944 and supervised the construction of the new Sacred Heart Church in 1956. During the era, he served several terms on the New Smyrna Beach city commission and then as mayor in 1958 and 1959.[28]

Father Raymond Schantz served as priest at Madonna House/St. Rita's Chapel in the mid-1950s and conducted the first mass in the relocated church in late 1956. Two years later, the mission built a concrete block social center to the south of the church, a facility that included a kindergarten and nursery. By then, the congregation had grown to about twenty families who celebrated baptisms, confirmations, Communion, along with Friday fish dinners and making repairs to the aging sanctuary. Providing a transition from the Madonna House Chapel to the St. Rita's Mission Church, Montez James, a teacher in the Westside community who helped with the development of a new Chisholm High School, served as the organist in both facilities. Another parishioner, Maggie Lovelace regularly worshipped at St. Rita's Mission and would later work in the Sacred Heart Catholic School cafeteria. In 1957, Winvull Robinson, a black teenager at St. Rita's Mission, asked Sister Margaret Regina if he could join the church. She indicated that he would have to prove his intentions by attending mass every Sunday. Robinson appeared for every mass, attended catechism classes, and then joined the church while in his senior year at Chisholm High School. Later, Robinson earned a medical degree and was hired to head the Psychiatric Department at Lincoln Hospital in the Bronx. About 1958, the diocese sold Madonna House, which reverted to a lodging house for Westside's residents. Over the next several years, various priests were appointed to relatively brief tenures at St. Rita's Mission, including James Murphy, Thomas Radley, Francis Salmon, and Francis Walsh. In 1969, New Smyrna's Catholics integrated, prompting the closing of St. Rita's Mission. In all, between 1941 and 1969, approximately twenty priests and thirty sisters had worked and worshipped in New Smyrna Beach's Westside community. Drawing its roots to the 1940s, St. Rita's Colored Catholic Mission was one of the first central Florida black Catholic churches organized with the assistance and support of whites late in the Jim Crow period and during the era of integration. In the mid-1950s, the relocation of the former white church into the African-American community indicated a lessening of those tensions and the formation of cracks in the wall of segregation. Still, given the climate of intolerance in Volusia County, no

28*New Smyrna Beach News,* 12 April 1956, 30 August 1958, 17 October 1991; Old Sacred Heart/St. Rita's Mission files, Black Heritage Museum.

small amount of courage attended those actions.[29] In contrast to Mary McLeod Bethune's experience, the black citizens of New Smyrna Beach in the early 1940s and middle of the1950s "awakened the confidence and interest" of the city's white Catholics, as evidenced by their instituting Madonna House Mission and then relocating the former Sacred Heart Church into their community.[30]

Integration of the Sacred Heart Catholic Church followed in 1969, after which the Catholic diocese converted the former St. Rita's Mission into a neighborhood clinic and day care facility, which was sponsored by the Southeast Volusia Democratic Women's Club. St. Rita's served that function until the late-1980s, when it was abandoned. In 1991, brush was cleared from the property and the Catholic diocese intended to use the building for a heritage center and place for public meetings. Those plans languished and, after several years the city condemned the church. Responding to the threat of imminent destruction, several residents acted to preserve St. Rita's. Retired educator and long-time resident Mary Harrell took a leadership role in rescuing the building. Harrell helped organize the Old Sacred Heart/St. Rita's Restoration Committee and worked with the City of New Smyrna Beach, American Association of University Women, Southeast Volusia Historical Society, and Sacred Heart Catholic Church to save it. In 1997, the committee received a grant for $27,500 from the Bureau of Historic Preservation to restore the building. In 1999, upon the 100th anniversary of the building, the committee received an additional grant for $70,000 to complete the restoration. That year, the Catholic Diocese of Orlando deeded the building to the Black Heritage Festival of New Smyrna Beach, a non-profit organization, which completed the restoration, installed exhibits in the building, and opened the Black Heritage Museum that year. A museum celebrated the centennial of the sanctuary on December 11, 1999.[31]

ARCHITECTURAL CONTEXT

The Gothic Revival Style was a popular style in America between 1840 and 1860. The revival was developed in England early in the nineteenth century, and within a couple of decades arrived in the United States. Richard Upjohn and Alexander Jackson Davis employed the style for ecclesiastical buildings. Examples of the style range from Upjohn's masterpiece, Trinity Church in New York City (1839-1846), to his smaller Carpenter Gothic version of St. Luke's in Clermont, New York (1857). The style gained popularity through pattern books, which showed the suitability for domestic applications. Domestic versions include Davis's Glen Ellen in Baltimore, Maryland (1832). The Gothic Revival experienced a renaissance in the late nineteenth and early twentieth centuries known as the Late Gothic Revival. Buildings that embody the style from this later period typically displayed more refined proportions and historically accurate treatments. Few residential models appeared in Florida and most were built in older communities.

29Old Sacred Heart/St. Rita's Mission files, Black Heritage Museum; *New Smyrna Beach News,* 1 May 1969.

30Robert E. Snyder, "Daytona Beach: A Closed Society," *Florida Historical Quarterly* 81 (Fall 2002), 164-165, 184-185.

31*New Smyrna Beach News,* 1 August 1957, 1 May, 17 August 1969; *Daytona Beach Evening News,* 1 April 1969; Old Sacred Heart/St. Rita's Mission files, Black Heritage Museum.

Frame Gothic Revival churches, commonly known as Carpenter Gothic, are the most distinctive variety of Florida's Gothic Revival buildings. The majority of these churches represent an early settlement period in Florida's history which was also a period of active mission building by main stream denominations. The late nineteenth century was a time of popularity for the Gothic Revival Style in the United States. Many rural builders were assisted by popular magazines that disseminated information about building trends and styles throughout the country, and railroads that provided affordable distribution of manufactured building products. The denominations with liturgical traditions, specifically Catholics and Episcopalians, had a tradition of building in the Gothic form because it embodied their form of worship. The Gothic form contained a rectangular nave for the congregation. The congregation faced an altar which was sheltered within a distinct extension, the chancel. A side sacristy off of the chancel housed the priests' vestments and altar service was stored. Features of Carpenter Gothic construction included steeply pitched roofs, pointed windows that often included leaded or stained glass. Additional preferred features included belfries or steeples that gave a distinct church appearance, or a laterally attached tower that could contain a belfry and/or a narthex or vestibule. In keeping with true Gothic construction methods, many were built with post and beam timber construction that often left exposed truss work. Decorative vergeboards were sometimes included.

ARCHITECTURAL SIGNIFICANCE

St. Rita's is executed in the Late Gothic Revival, Carpenter Gothic Style, and is an important architectural landmark in the Westside community of New Smyrna Beach. The building contains a nave, and extensions for a chancel and sacristy. Its distinctive belfry and pointed arch moldings on the windows represent distinctive Gothic architectural characteristics. The exterior wood shingles in the gable end are an expression of local sensibility. The church was built on piers to promote air circulation, a common practice in Florida. St. Rita's is a well-proportioned, detailed example of a late nineteenth century church, and the building retains its historic architectural integrity and character to a high degree.

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United States Department of the Interior
National Park Service

NATIONAL REGISTER OF HISTORIC PLACES CONTINUATION SHEET

VERBAL BOUNDARY DESCRIPTION

The boundary encloses a parcel decribed as lots 9 & 10, block 17, Inwood New Smyrna per OR 4423/3064, otherwise known as 314 North Duss Street. Containing less than one acre, the parcel identification number is 7418-08-17-0090 by the Volusia County property appraiser. See the scaled site plan.

BOUNDARY JUSTIFICATION

The boundary encloses the property historically associated with the St. Rita's Mission since its relocation to this site in 1956.

United States Department of the Interior
National Park Service

NATIONAL REGISTER OF HISTORIC PLACES CONTINUATION SHEET

Section number Photo Page 1 **ST. RITA'S COLORED CATHOLIC MISSION, NEW SMYRNA BEACH, VOLUSIA CO., FL**

PHOTOGRAPHIC LIST

1. 314 North Duss Street, New Smyrna Beach
2. Volusia County, Florida
3. Sidney Johnston
4. April 2006
5. Johnston, DeLand
6. Front, east façade and south elevation, looking northwest
7. Photo #1 of 10

Items 1 – 5 are the same for the remaining photographs.

6. Façade detail and belfry, facing west
7. Photo #2 of 10

6. South elevation and west elevation, looking north east
7. Photo #3 of 10

6. West, rear elevation, looking northeast
7. Photo #4 of 10

6. North elevation, and east façade, looking southwest
7. Photo #5 of 10

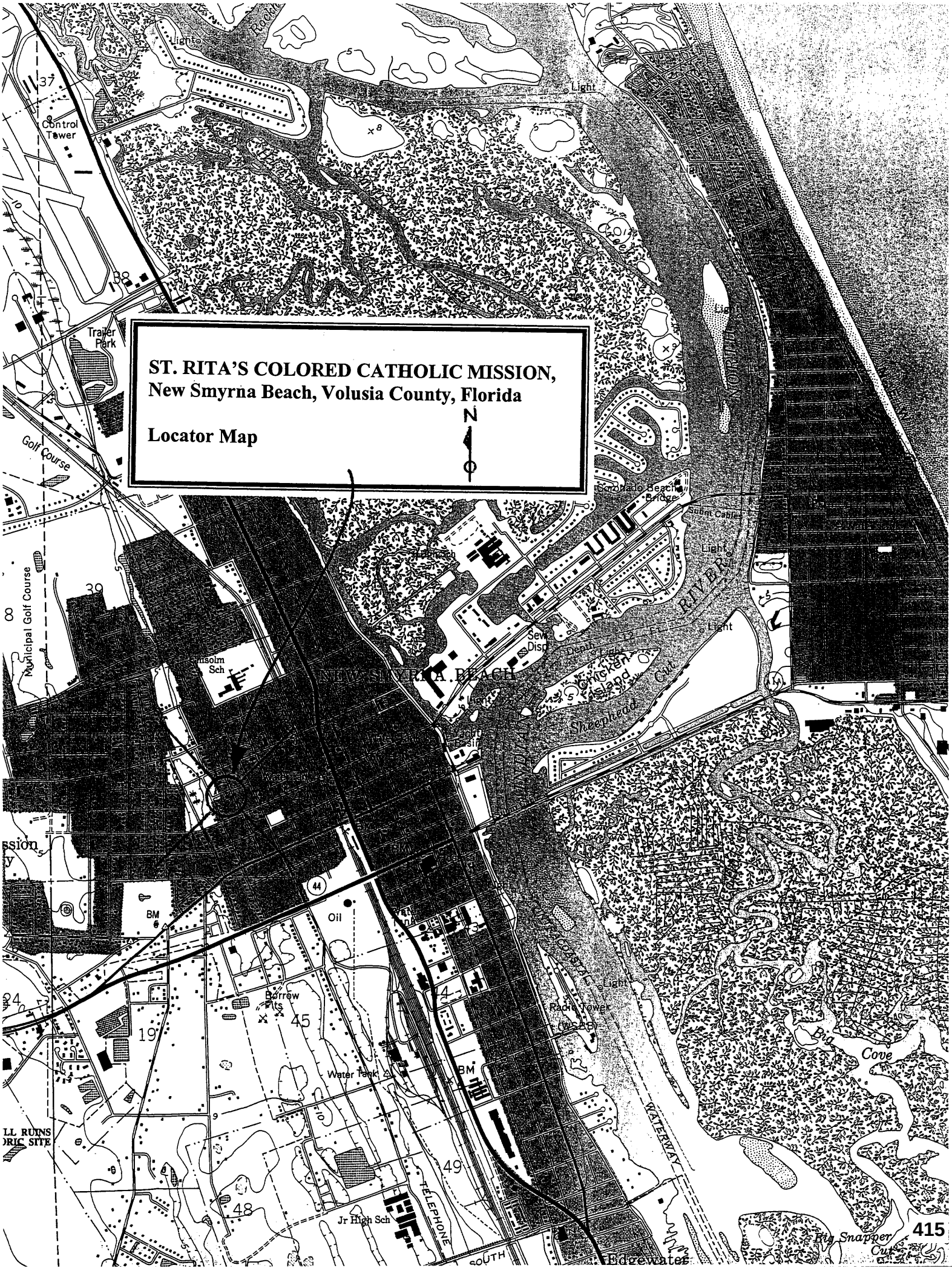
6. Nave, looking east
7. Photo #6 of 10

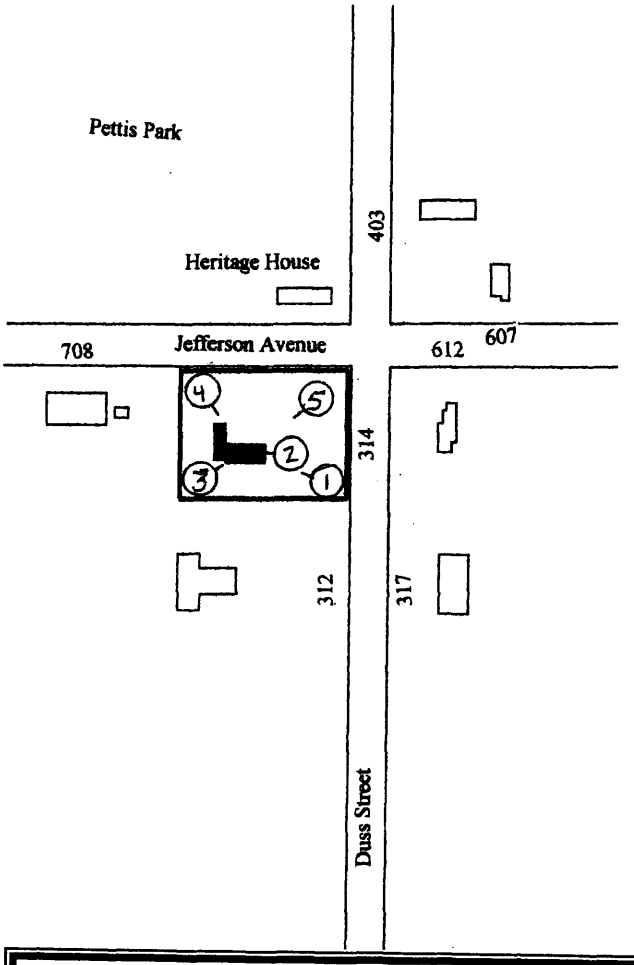
6. Window with incised ceiling and access to belfry, looking east
7. Photo #7 of 10

6. Nave, looking west
7. Photo #8 of 10

6. Sacristy vestibule and restroom door, looking east
7. Photo #9 of 10

6. Sacristy office, looking east
7. Photo #10 of 10


ST. RITA'S COLORED CATHOLIC MISSION,
New Smyrna Beach, Volusia County, Florida
Locator Map
N
Control Tower
Trailer Park
Golf Course
Municipal Golf Course
Light
Rocks
Causeway
Coronado Beach Bridge
Submt Cables
Sewage Disp
Depth 12 Ft
Chicken Island Cut
Sheephead Cut
NEW SMYRNA BEACH
Insolm Sch
Oil
BM
Borrow Pits
Water Tank
Radio Tower (WSBB)
Big Cove
WATERWAY
TELEPHONE
Jr High Sch
Big Snapper Cut
Edgewater
SOUTH
LL RUINS
ORIC SITE

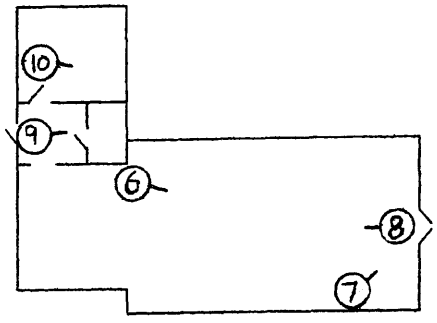


ST. RITA'S COLORED CATHOLIC MISSION
New Smyrna Beach, Volusia Co., Florida

SITE PLAN

N ↑
Contributing Resource ■
Photograph Arrow ♂

0 100' 200'

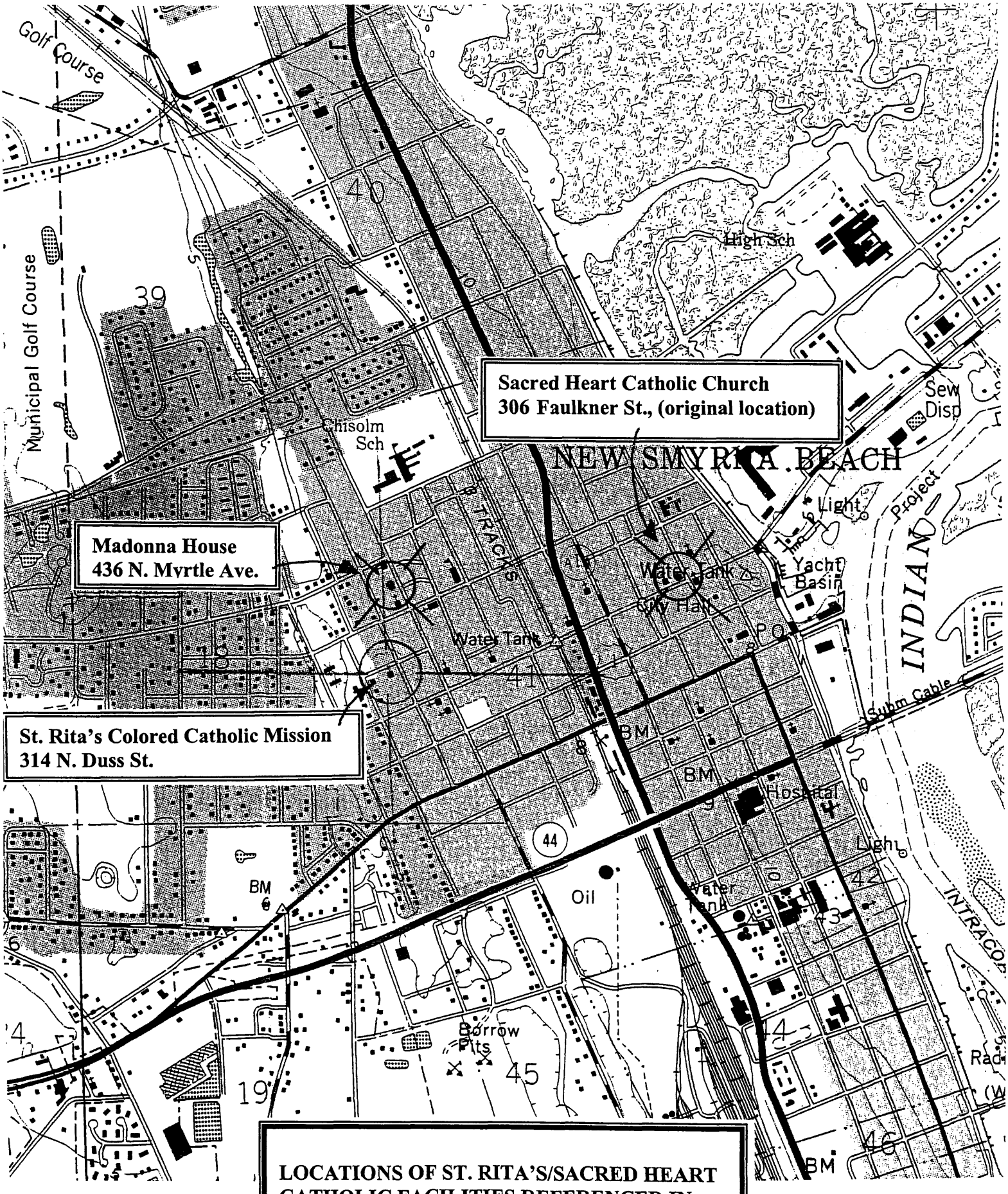


ST. RITA'S COLORED CATHOLIC MISSION
New Smyrna Beach, Volusia Co., Florida

FLOOR PLAN

N ↑
Photograph Arrow ♂

0 15' 30'


Golf Course
Municipal Golf Course
High Sch
Sacred Heart Catholic Church
306 Faulkner St., (original location)
Chisolm Sch
NEW SMYRNA BEACH
Madonna House
436 N. Myrtle Ave.
Water Tank
City Hall
Yacht Basin
Light
Project
INDIAN
Water Tank
Subm Cable
St. Rita's Colored Catholic Mission
314 N. Duss St.
BM
Hospital
Oil
Borrow Pits
INTRACOP
LOCATIONS OF ST. RITA'S/SACRED HEART CATHOLIC FACILITIES REFERENCED IN NOMINATION

THE CITY OF NEW SMYRNA BEACH - DEVELOPMENTAL SERVICES

APPROVAL OF THE HISTORIC PRESERVATION COMMISSION 2023 REGULAR MEETING SCHEDULE

December 14, 2022

Background:
Staff recommends the Historic Preservation Commission approve the 2023 regular meeting schedule as submitted.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Stephanie Ferrara - Development Services Coordinator

Attachments:

HPC 2023 REG MEETING DATES.pdf

City of New Smyrna Beach
Historic Preservation Commission
2023 Regular Meeting Schedule

MEETING DATES

The Historic Preservation Commission will meet quarterly on the 2nd Wednesday of each month at 5:30 p.m., with additional tentative dates shown.

MEETING LOCATION

Unless otherwise advertised, the Historic Preservation Commission will meet at the City Commission Chambers, located at 214 Sams Avenue.

*JANUARY 11, 2023 (tentative)
*FEBRUARY 8, 2023 (tentative)
MARCH 8, 2023
*APRIL 12, 2023 (tentative)
*MAY 10, 2023 (tentative)
JUNE 14, 2023
*JULY 12, 2023 (tentative)
*AUGUST 9, 2023 (tentative)
SEPTEMBER 13, 2023
*OCTOBER 11, 2023 (tentative)
*NOVEMBER 8, 2023 (tentative)
DECEMBER 13, 2023

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

SELECTION OF THE 2023 CHAIRPERSON AND VICE CHAIRPERSON

December 14, 2022

Background:

Conduct the nomination and election for the 2023 Historic Preservation Commission Chairperson and Vice Chairperson.

Fiscal Analysis:

N/A

Strategic Plan Item:

No

Staff Report Created By: Stephanie Ferrara - Development Services Coordinator

Historic Preservation Commission Regular Meeting
Wednesday, March 8, 2023 at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the regular meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, March 8, 2023 at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Chair Mahood called the meeting to order at 5:30 PM.

Roll Call

Attendee Name	Title	Status	Arrived
Katherine Kaufman	Member	Present	5:30 PM
Stephanie Rees	Member	Present	5:30 PM
Douglas Toth	Member	Present	5:30 PM
Terry Bledsoe	Member	Absent	----------
Angeline Barretta-Herman	Member	Present	5:30 PM
Lianne Bennett	Member	Late	5:40 PM
Joanna Mahood	Chair Person	Present	5:30 PM

Also present were: Senior Planner Robert Mathen, City Attorney Carrie Avallone, and Board Secretary Stephanie Ferrara.

Senior Planner Robert Mathen stated that there were changes to the Agenda. Mr. Mathen introduced Shane Corbin as the new Director of Development Services.

2. APPROVAL OF MINUTES

2.A Approval of the Historic Preservation Commission December 14, 2022 Regular Meeting Minutes

December meeting minutes will be at the next meeting for approval.

DRAFT

3. PUBLIC PARTICIPATION

Caron Abbott, 200 N. Peninsula Ave, stated that she didn't know that her house was on the agenda and would like to be notified of the same.

Nelson McDonald, 257 Minorca Beach Way, spoke in support of the height restrictions.

4. NEW BUSINESS

4.A ZT-08-22: HEIGHT RESTRICTIONS AND AGGREGATION OF PARCELS IN A NATIONAL REGISTERED HISTORIC DISTRICT:

Robert Mathen, Senior Planner, provided background and an update to the board regarding the proposed text amendment.

Member Barretta-Herman wanted clarification as to changes within the zoning district as it pertains to the lot widths and setbacks. Mr. Mathen stated no changes have been made.

Mr. Mathen explained the waiver process.

Carrie Avallone, City Attorney, addressed the board with their concerns from a legal point of view.

4.B COA-1-22: CITY CODE OF ORDINANCES, CHAPTER 50, HISTORIC PRESERVATION:

Robert Mathen, Senior Planner, provided background and an update to the board regarding Chapter 50.

Member Barretta-Herman spoke about a letter that she received in opposition of Chapter 50.

4.C 200 North Peninsula Ave:

Robert Mathen, Senior Planner, provided the board the status of the demolition of a non-contributing structure.

4.D **Current Local Landmark Map:**

Staff provided the Board with a copy of the City's Landmark Map for their records.

Chair Mahood suggested we look at the Airport as a Local Landmark.

5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

Member Barretta-Herman – spoke about the upcoming New Smyrna Beach Coalition Home Tour.

Member Bennett stated that it was Archology month.

Chair Mahood encouraged the board member to submit their goals to Staff.

6. REPORTS AND COMMUNICATIONS BY THE STAFF

None.

7. ADJOURNMENT

As there was no other business to discuss, Chair Mahood declared the meeting adjourned at 6:02 P.M.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

ZT-8-22: HEIGHT RESTRICTIONS AND AGGREGATION OF PARCELS IN A NATIONAL REGISTERED HISTORIC DISTRICT

March 8, 2023

Background:

Applicant: City of New Smyrna Beach, Planning Department.

Request: Discussion of proposed Zoning Text Amendments to the City Land Development Regulations.

Findings:

Staff wanted to notify the Historic New Smyrna Beach Preservation Commission of the status of the proposed Land Development Regulations.

The proposed amendments would limit the building height and aggregation of parcels to create larger parcels with the intent to build a larger structure that may not fit in either National Registered Historic Districts.

The next step in the process would be to schedule a special meeting with the general public and possible City Commission to entertain an ordinance to include the proposed update to the City Land Development Regulations.

At its regular scheduled meeting on January 9, 2023 the Planning and Zoning Board voted, 4-1, to give a positive recommendation to the City Commission to **approve** the requested Zoning Text amendment to the City Land Development Regulation.

No motion is required by the Historic New Smyrna Beach Preservation Commission for any proposed amendment to the City Land Development Regulations.

Once the City Manager's Office has decided on a location, date, and type of meeting, Staff will mail out notification letters to all property owners that have properties located within either of the current National Registered Historic Districts. An agenda would be posted on the City Website and social media platforms.

Fiscal Analysis:

N/A

Strategic Plan Item:

No

Staff Report Created By: Robert Mathen - Planner II

Attachments:

Proposed Text Amendment Height-Combination 2-02-23 DraftV3.docx

504.02. *Specific regulations by district.* The regulations for each zoning district are set forth in the following schedule. No lot shall be developed except to conform to the respective district requirements unless a variance has been granted in conformance with this LDR.

R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT

Dimensional requirements.

Minimum lot size.

Area: 12,000 feet

Depth: 120 feet

Width: 100 feet

Properties located in a National Registered Historic District cannot aggregate additional parcels to create a larger parcel.

Owners may request waiver from these regulations by requesting a Certificate of Appropriateness (COA) from the Historic Preservation Board. After reviewed by the Board, the Waiver must be reviewed by the Commission and approved by a simple majority vote of the Commission if COA was issued by the Historic Preservation Board or super-majority if the COA was denied.

Minimum yard size.

Front yard: 35 feet, or as required per [sub] section 504.01M. of this LDR

Rear yard: Ten feet

Side yard: 20 feet total, no side less than 8

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Dimensional requirements.

Minimum lot size.

Area: 8,625 square feet

Depth: 115 feet

Width: 75 feet

Properties located in a National Registered Historic District cannot aggregate additional parcels to create a larger parcel.

Owners may request waiver from these regulations by requesting a Certificate of Appropriateness (COA) from the Historic Preservation Board. After reviewed by the Board, the Waiver must be reviewed by the Commission and approved by a simple majority vote of the Commission if COA was issued by the Historic Preservation Board or super-majority if the COA was denied.

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R-3A, SINGLE-FAMILY AND TWO-FAMILY (ZERO LOT LINE) RESIDENTIAL DISTRICT

Dimensional requirements.

Single-family dwellings.

Minimum lot size.

Area: 5,000 square feet

Depth: 100 feet

Width: 50 feet

Properties located in a National Registered Historic District cannot aggregate additional parcels to create a larger parcel.

Owners may request waiver from these regulations by requesting a Certificate of Appropriateness (COA) from the Historic Preservation Board. After reviewed by the Board, the Waiver must be reviewed by the Commission and approved by a simple majority vote of the Commission if COA was issued by the Historic Preservation Board or super-majority if the COA was denied.

Two-family dwellings.

Minimum lot size.

Area: 10,000 square feet

Depth: 100 feet

Width: 100 feet

Properties located in a National Registered Historic District cannot aggregate additional parcels to create a larger parcel.

Owners may request waiver from these regulations by requesting a Certificate of Appropriateness (COA) from the Historic Preservation Board. After reviewed by the Board, the Waiver must be reviewed by the Commission and approved by a simple majority vote of the Commission if COA was issued by the Historic Preservation Board or super-majority if the COA was denied.

Two-family dwellings—East of Atlantic Avenue.

Minimum lot size.

Area: 7,500 square feet

Depth: 100 feet

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Width: 75 feet

Properties located in a National Registered Historic District cannot aggregate additional parcels to create a larger parcel.

Owners may request waiver from these regulations by requesting a Certificate of Appropriateness (COA) from the Historic Preservation Board. After reviewed by the Board, the Waiver must be reviewed by the Commission and approved by a simple majority vote of the Commission if COA was issued by the Historic Preservation Board or super-majority if the COA was denied.

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Dimensional requirements.

Single-family dwellings detached and duplexes.

Minimum lot size.

Single-family dwellings detached.

Area: 5,000 square feet

Depth: 100 feet

Width: 50 feet

Properties located in a National Registered Historic District cannot aggregate additional parcels to create a larger parcel.

Owners may request waiver from these regulations by requesting a Certificate of Appropriateness (COA) from the Historic Preservation Board. After reviewed by the Board, the Waiver must be reviewed by the Commission and approved by a simple majority vote of the Commission if COA was issued by the Historic Preservation Board or super-majority if the COA was denied.

Duplex.

Area: 7,500 square feet

Depth: 100 feet

Width: 75 feet

Properties located in a National Registered Historic District cannot aggregate additional parcels to create a larger parcel.

Owners may request waiver from these regulations by requesting a Certificate of Appropriateness (COA) from the Historic Preservation Board. After reviewed by the Board, the Waiver must be reviewed by the Commission and approved by a simple majority vote of the Commission if COA was issued by the Historic Preservation Board or super-majority if the COA was denied.

Multifamily dwellings.

Minimum project site dimensions.

Width: 100 feet

Depth: 100 feet

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Properties located in a National Registered Historic District cannot aggregate additional parcels to create a larger parcel, except already existing buildings may combine into one building provided the original outside facade remains unchanged.

Owners may request waiver from these regulations by requesting a Certificate of Appropriateness (COA) from the Historic Preservation Board. After reviewed by the Board, the Waiver must be reviewed by the Commission and approved by a simple majority vote of the Commission if COA was issued by the Historic Preservation Board or super-majority if the COA was denied.

Maximum principal building height.

Single-family dwellings detached and attached and duplexes.

Three stories.

Maximum height: 35 feet.

Multifamily dwellings.

Four stories.

Maximum height: 45 feet.

Properties located within a National Registered Historic District cannot exceed three (3) stories or 35 feet in height for new construction or additions unless the structure or a portion of the proposed footprint of the structure, is utilized to provide required vehicle parking.

Owners may request waiver from these regulations by requesting a Certificate of Appropriateness (COA) from the Historic Preservation Board. After reviewed by the Board, the Waiver must be reviewed by the City Commission and approved by a simple majority vote of the Commission if COA was issued by Historic Preservation Board or super-majority if the COA was denied.

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Dimensional requirements.

Single-family dwellings detached and duplexes.

Minimum lot size.

Single-family dwelling detached.

Area: 5,000 square feet

Depth: 100 feet

Width: 50 feet

Properties located in a National Registered Historic District cannot aggregate additional parcels to create a larger parcel.

Owners may request waiver from these regulations by requesting a Certificate of Appropriateness (COA) from the Historic Preservation Board. After reviewed by the Board, the Waiver must be reviewed by the Commission and approved by a simple majority vote of the Commission if COA was issued by the Historic Preservation Board or super-majority if the COA was denied.

Duplex.

Area: 7,500 square feet

Depth: 100 feet

Width: 75 feet

Properties located in a National Registered Historic District cannot aggregate additional parcels to create a larger parcel.

Owners may request waiver from these regulations by requesting a Certificate of Appropriateness (COA) from the Historic Preservation Board. After reviewed by the Board, the Waiver must be reviewed by the Commission and approved by a simple majority vote of the Commission if COA was issued by the Historic Preservation Board or super-majority if the COA was denied.

Multifamily dwelling.

Minimum project site dimensions.

Width: 100 feet

Depth: 100 feet

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Properties located in a National Registered Historic District cannot aggregate additional parcels to create a larger parcel, except already existing buildings may combine into one building provided the original outside facade remains unchanged.

Owners may request waiver from these regulations by requesting a Certificate of Appropriateness (COA) from the Historic Preservation Board. After reviewed by the Board, the Waiver must be reviewed by the Commission and approved by a simple majority vote of the Commission if COA was issued by the Historic Preservation Board or super-majority if the COA was denied.

Maximum principal building height.

Eight stories.

Maximum building height: 80 feet.

Properties located within a National Registered Historic District cannot exceed three (3) stories or 35 feet in height for new construction or additions unless the structure or a portion of the proposed footprint of the structure, is utilized to provide required vehicle parking.

Owners may request waiver from these regulations by requesting a Certificate of Appropriateness (COA) from the Historic Preservation Board. After reviewed by the Board, the Waiver must be reviewed by the Commission and approved by a simple majority vote of the Commission if COA was issued by the Historic Preservation Board or super-majority if the COA was denied.

Nine stories, provided all of the first story of the building, or that portion of the first story of a building containing nine stories, is used for off-street parking, excluding elevator shafts; maintenance, and utility equipment rooms; laundry rooms; and storage rooms, restricted to owner or tenant usage.

Maximum building height with garage parking: 95 feet.

Properties located within a National Registered Historic District cannot exceed four (4) stories or 45 feet in height for new construction or additions provided all of the first story of the building, or that portion of the first story of a building containing four stories, is used for off-street parking, excluding elevator shafts; maintenance, and utility equipment rooms; laundry rooms; and storage rooms, restricted to owner or tenant usage.

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Owners may request waiver from these regulations by requesting a Certificate of Appropriateness (COA) from the Historic Preservation Board. After reviewed by the Board, the Waiver must be reviewed by the City Commission and approved by a simple majority vote of the Commission if COA was issued by Historic Preservation Board or super-majority if the COA was denied.

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MU, MIXED USE DISTRICT
(CENTRAL BUSINESS DISTRICT)

Dimensional requirements.

Minimum lot size.

Area: None

Depth: None

Width: 50 feet

Properties located in a National Registered Historic District cannot aggregate additional parcels to create a larger parcel, except already existing buildings may combine into one building provided the original outside facade remains unchanged.

Owners may request waiver from these regulations by requesting a Certificate of Appropriateness (COA) from the Historic Preservation Board. After reviewed by the Board, the Waiver must be reviewed by the Commission and approved by a simple majority vote of the Commission if COA was issued by the Historic Preservation Board or super-majority if the COA was denied.

Maximum principal building height.

Beachside: Three stories or 42 feet maximum

Mainland: 72 feet maximum

Properties located within a National Registered Historic District cannot exceed three (3) stories or 35 feet in height for new construction or additions unless the structure or a portion of the proposed footprint of the structure, is utilized to provide required vehicle parking.

Owners may request waiver from these regulations by requesting a Certificate of Appropriateness (COA) from the Historic Preservation Board. After reviewed by the Board, the Waiver must be reviewed by the City Commission and approved by a simple majority vote of the Commission if COA was issued by Historic Preservation Board or super-majority if the COA was denied.

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Dimensional requirements.

Minimum lot size.

Area: 10,000 square feet

Width: 75 feet

Depth: None

Properties located in a National Registered Historic District cannot aggregate additional parcels to create a larger parcel, except already existing buildings may combine into one building provided the original outside facade remains unchanged.

Owners may request waiver from these regulations by requesting a Certificate of Appropriateness (COA) from the Historic Preservation Board. After reviewed by the Board, the Waiver must be reviewed by the Commission and approved by a simple majority vote of the Commission if COA was issued by the Historic Preservation Board or super-majority if the COA was denied.

Maximum principal building height.

35 feet except adult congregate living facilities.

Adult congregate living facilities: Eight stories, not to exceed 92 feet.

Properties located within a National Registered Historic District cannot exceed three (3) stories or 35 feet in height for new construction or additions unless the structure or a portion of the proposed footprint of the structure, is utilized to provide required vehicle parking.

Owners may request waiver from these regulations by requesting a Certificate of Appropriateness (COA) from the Historic Preservation Board. After reviewed by the Board, the Waiver must be reviewed by the City Commission and approved by a simple majority vote of the Commission if COA was issued by Historic Preservation Board or super-majority if the COA was denied.

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B-6A, LIMITED MEDICAL-PROFESSIONAL DISTRICT

Dimensional requirements.

Minimum lot size.

Area: 10,000 square feet

Width: 75 feet

Depth: None

Properties located in a National Registered Historic District cannot aggregate additional parcels to create a larger parcel, except already existing buildings may combine into one building provided the original outside facade remains unchanged.

Owners may request waiver from these regulations by requesting a Certificate of Appropriateness (COA) from the Historic Preservation Board. After reviewed by the Board, the Waiver must be reviewed by the City Commission and approved by a simple majority vote of the Commission if COA was issued by Historic Preservation Board or super-majority if the COA was denied.

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THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

COA-1-22: CITY CODE OF ORDINANCES, CHAPTER 50, HISTORIC PRESERVATION

March 8, 2023

Background:
Chapter 50 and Open Discussion

Findings:
Staff wanted to notify the Commission of the status of the Chapter 50 update. Attached is a letter from the State of Florida, Bureau of Historic Preservation, notifying the City of New Smyrna Beach that they have completed their review of the proposed updates to the City Code of Ordinances, Chapter 50, Historic Preservation.

The next step in the process would be to schedule a special meeting with the general public and possible City Commission to entertain an ordinance to include the proposed update to the City Code of Ordinances, Chapter 50, Historic Preservation.

Once the City Manager's Office has decided on a location, date, and type of meeting, Staff will mail out notification letters to all property owners that have properties located within either of the current National Registered Historic Districts. An agenda would be posted on the City Website and social media platforms.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Robert Mathen - Planner II

Attachments:

Signed State Review letter.pdf
Chapter 50 HISTORIC PRESERVATION v7 CA-RM 11-15-2022 Clean.docx

FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

February 16, 2023

Mr. Robert Mathen
Senior Planner & Historic Preservation Officer
City of New Smyrna Beach
210 Sams Avenue
New Smyrna Beach, Florida 32168

Re: New Smyrna Beach Historic Preservation Ordinance Amendments

Dear Mr. Mathen,

Thank you for the submission of the proposed changes to the New Smyrna Beach Historic Preservation Ordinance on December 29, 2022. Upon review of the proposed changes, we conclude that the proposed amendments are acceptable as they are in agreement with the Florida Certified Local Government Guidelines.

Please feel free to contact me at 850.245.6364 or Ruben.Acosta@dos.myflorida.com if you have any questions or concerns.

Sincerely,

Ruben A. Acosta
Bureau Chief
Bureau of Historic Preservation

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Chapter 50 HISTORIC PRESERVATION[1]

ARTICLE I. IN GENERAL

Sec. 50-1. Intent.

(a) The city commission finds there are buildings, landmarks, and sites within the city that have specific historic or aesthetic significance, and that the loss of these sites would cause an irreplaceable loss to the citizens of the city. It is declared as a matter of public policy that protection, enhancement, perpetuation and use of such sites of special historic or aesthetic interest or value is a public necessity and is required in the interests of the health, prosperity, safety and welfare of the people.

(b) The recognition, protection, enhancement and use of such resources is a public purpose and is essential to the health, safety, morals, and economic, educational, cultural and general welfare of the public, since these efforts result in the enhancement of property values, the stabilization of neighborhoods and areas of the city, the increase of economic benefits to the city and its inhabitants, the promotion of local interests, the enrichment of human life in its educational and cultural dimensions serving spiritual as well as material needs, and the fostering of civic pride in the beauty and noble accomplishments of the past.

(c) The city commission desires to take advantage of all available state and federal laws and programs that may assist in the development or redevelopment of the city.

(d) The federal government has established a program of matching grants-in-aid for projects having as their purpose the preservation for public benefit of properties that are significant in American history, architecture, archeology and culture as well as other programs providing moneys for projects involving the rehabilitation of existing districts, sites, buildings, structures, objects and areas.

(e) The policy of the city is to conserve the existing housing stock and extend the economic life of each housing unit through the rehabilitation of such units under housing and neighborhood development programs in selected areas.

(f) Inherent in the enactment and implementation of these federal programs is the policy of the United States government that the spirit and direction of the nation are founded upon and reflected in its historic past; that the historical and cultural foundations of the nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people; that in the face of the ever-increasing expansions of urban centers, highways, and residential, commercial and industrial developments, the present governmental and nongovernmental programs and activities are inadequate to ensure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our nation.

(g) It is the will of the people of the state as expressed in Fla. Const., art. II, § 7, that the state's natural resources and scenic beauty be conserved and protected.

(h) It is the will of the state legislature as expressed in F.S. ch. 267, that the state's historic sites and properties, buildings, artifacts, treasure troves and objects of antiquity that have scientific or historic value, or are of interest to the public, be protected and preserved.

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Sec. 50-2. Purpose.

The city commission declares its intention to comply with the rules, regulations, and guidelines of the certified local government program established by the State Division of Historical Resources. The purpose of this chapter is to promote the health, morals, economic, educational, aesthetic, cultural and general welfare of the public through the:

(1) Identification, protection, enhancement, perpetuation and use of districts, sites, buildings, structures, objects and areas that are reminders of past eras, events and persons important in local, state or national history, or that provide significant examples of architectural styles of the past, or that are unique and irreplaceable assets to the city and its neighborhoods, or that provide this and future generations examples of the physical surroundings in which past generations lived; and

(2) Enhancement of property values, the stabilization of neighborhoods and business centers of the city, the increase of economic and financial benefits to the city and its inhabitants, and the promotion of local interests; and

(3) Preservation and enhancement of varied architectural styles, reflecting the city's cultural, social, economic, political and architectural history; and

(4) Enrichment of human life in its educational and cultural dimensions in order to serve spiritual as well as material needs by fostering knowledge of the living heritage of the past.

Sec. 50-3. Definitions.

For the purpose of this chapter, certain words and terms used herein shall be interpreted to have the meanings as defined below, except where the context clearly indicates a different meaning. Where words or terms are not defined in this section, they shall assume the meaning as indicated in Merriam-Webster's Collegiate Dictionary, as amended. Words used in the present tense include the future; the singular number includes the plural and the plural includes the singular. The word "shall" is mandatory and the word "may" is permissive. The word "used" or "occupied" includes the words "intended, designated or arranged to be used or occupied." The word "land" includes the word "marsh," "water" or "swamp."

Alteration means any act that changes the exterior features of a locally designated property, including relocation and demolition.

Archaeological resource means any prehistoric or historic district, site building, object, or other real or personal property of historical, architectural or archaeological value. The resources may include, but are not limited to, monuments, memorials, Native American habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, artifacts, or other objects with intrinsic historical or archaeological value, or any part thereof relating to the history, government, and culture of the city, the State of Florida, or the United States of America.

Archaeological site means a location which has yielded or may yield information on history or pre-history. Archaeological sites may be found within archaeological zones, historic sites, historic districts and other areas of the city. Archaeological sites are evidenced by the presence of artifacts and features above or below the ground surface indicating the past use of a location by people.

Archaeological zone means a geographical area which has or may reasonably be expected to yield information on local history based upon broad prehistoric or historic settlement patterns.

Artifact means objects which are the product of human modification or objects which have been transported to a site by people.

Assessed value means the total value of a tax parcel, excluding the value of land, as determined by the Property Appraiser for the County of Volusia.

Board means the Historic New Smyrna Beach Preservation Board.

Building means any combination of materials capable and intended of being used as a shelter for persons for residential or non-residential purposes.

Certified local government means a municipal government that has made historic preservation a public policy through the passage of a historic preservation ordinance and has been certified by the National Park Service under 36-CFR 61.6.

Certificate of appropriateness means a permit, issued by the City allowing for specified alterations, demolition, new construction, or other work to a locally designated building, site, or structure.

City archaeologist means the individual or group in charge of assessing the archaeological resources of New Smyrna Beach and directing or coordinating, monitoring, testing and salvage excavations of these resources. The individual may either be a city employee, or may be an individual or corporation employed on a contract basis to perform the duties of the city archaeologist.

Contributing structure means a building, property, or site which adds to the historical architectural qualities, historic associations, or archaeological values for which a historic district is significant because (1) it was present during the period of significance and possesses historic integrity reflecting its character at that time, (2) is capable of yielding important information about the period, or (3) it independently meets the National Register of Historic Places criteria for evaluation set forth in 36 CFR Part 60.4.

Curation means the long-term management and preservation of archaeological materials and their associated documentation.

Curation facility means a designated repository for archaeological materials which can provide accountable, professional curation of collections in a secure, climate-controlled environment on a long-term basis.

Demolition means the act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction. Removing portions of a building that destroy the original character of the building also constitutes demolition.

Demolition by neglect means the absence of work in maintaining, repairing, or securing a contributing building or structure in a historic district that results in deterioration of an exterior feature of the building or structure or the loss of the structural integrity of the building or structure.

Disturbance means the digging, excavating, or other such ground altering activities on or below the ground surface, which impact more than 25 square feet either separately or cumulatively.

Documentation means photographs, slides, drawings, plans or written descriptions.

Emergency situation means any case where the city building official determines that there are emergency situations or conditions dangerous to life, health, or property. In such situations, the official may order the remedying of the situation or condition. The city building official shall promptly notify the city archaeologist and the city manager if such a situation or condition occurs.

Historic Preservation Officer means the Development Services Director or their designee that would enforce the provision of this chapter as it pertains to historic preservation.

Local landmark means a building, structure, object, landscape feature, or other real or personal property of historical, architectural, or archaeological value and designated as such by the City Commission.

Local historic district means a geographically definable area designated as such by the city commission.

Local Register of Historic Places means the list of locally designated landmarks and districts.

Monitoring means observation of disturbances to determine if archaeological resources exist in an area, or when such resources are known to exist, the observation, recording and incidental recovery of site features and materials to preserve a record of the affected portion of the site. When monitoring indicates that a site has little archaeological significance, no further archaeological excavation shall occur. However, if monitoring indicates that a site is archaeologically significant, further excavation shall occur.

Museum means a permanent, nonprofit organization, serving an educational or aesthetic purpose, which acquires, interprets and cares for tangible objects, and prepares exhibits for the public on a regular basis.

National Register of Historic Places means the official listing of culturally significant buildings, structures, objects, sites and districts in the United States maintained by the U.S. Department of Interior.

Non-contributing property means a building, object, site or structure that does not add to a district's historical significance

Person with standing means a person or party that can show an injury in fact, causation, or redressability to a claim.

Premises means the parcel of land upon which a demolished significant building was located and all abutting parcels of land under common ownership or control on or before the date the demolition was approved.

Preservation exemption covenant means an executed Florida DOS Form No. HR3E111292, providing for covenants on properties that have benefitted from the tax exemption to maintain the architectural historical integrity of the building or structure for the duration of the tax exemption period.

Qualifying improvement means any change in the condition of an eligible property brought about by the expenditure of labor and purchase that results in restoration, renovation or rehabilitation of said property in keeping with the design criteria established for the purposes of this exemption. This shall include, specifically, interior or exterior work, and the construction of additions or accessory buildings or structures.

Repository means a place used for the permanent curation of archaeological collections that provides, at a minimum, (1) physical security, (2) climate control, (3) fire suppression, (4) collection monitoring, and (5) access by qualified researchers. The repository must have adequate space and resources dedicated to the purpose of curation, and must be organized to allow controlled access, efficient collection and retrieval, and optimum preservation. Professional staff and disaster management plans are essential. Collections should be isolated from work areas and people to the greatest extent possible. In New Smyrna Beach, the Southeast Volusia Historical Society, Inc. will act as the repository for all archaeological artifacts discovered on public property.

Salvage archaeology means the archaeological excavation of a site prior to its destruction by construction, erosion, vandalism, or any other form of site disturbance. Archaeological salvage excavations will be concentrated only within the areas to be disturbed in order to save site data which would be lost due to the disturbance, and the extent of the excavations may vary, depending on the significance of the site, time constraints, and the degree of evidence of archaeological resources, at the direction of the city archaeologist.

Super majority means, for a seven-member body, a requirement of five votes when all members are present, or four votes when less than seven members are present.

Significant building means any building within the city which the board determines to be in the public interest to be preserved or rehabilitated, and whose demolition would be detrimental to the historical and/or architectural heritage and resources of the city.

Testing means surface or subsurface excavation, or the use of remote sensing techniques, to determine the type and extent of the archaeological site. Testing may include auguring and establishing archaeological excavation units and requires the screening of excavated material for artifact recovery. When necessary, archaeological salvage excavations may take place following, or in conjunction with, the testing procedures.

Sec. 50-4. Historic preservation board.

(a) *Creation.* There is created the Historic Preservation Board by the City Commission.

(b) *Purpose.* The Historic Preservation Board shall have the following powers and duties:

(1) The Historic Preservation Board shall take action necessary and appropriate to accomplish the purposes of this chapter. These actions may include but are not limited to:

a. Continuing the survey and inventory of historic buildings and areas and archeological sites and planning for their preservation;

b. Recommending the designation of local historic districts and individual landmarks and landmark sites;

c. Regulating alterations, demolitions, relocations and new construction to locally designated property;

d. Adopting guidelines for alterations to locally designated property;

e. Coordinating the historic preservation work of the city by working with and advising the federal, state and county governments and other city departments or advisory boards;

f. Advising and assisting property owners and other persons and groups, including neighborhood organizations who are interested in historic preservation;

g. Initiating plans for the preservation and rehabilitation of individual historic buildings;

h. Educating citizens on the signs of demolition by neglect;

i. Undertaking educational programs, including the preparations of publications and the placing of historic markers.

(2) The board shall review all nominations of property to the National Register of Historic Places following the regulations of the state historic preservation office. Following a public hearing with public notice of no less than 30 days, the board shall consider the nomination. When necessary, the commission shall seek expert advice before evaluating the nomination. The commission shall forward to the state historic preservation officer its action on the nomination and the recommendations of the local officials.

When a property owner objects to having property nominated to the National Register, a notarized written statement must be submitted to the board before the nomination is considered. The commission may then either continue its review, forwarding its recommendation to the state historic preservation officer and noting the owner's objection, or it may cease any further review process and notify the state historic preservation officer of the property owner's objection to the proposed listing. The board shall not recommend inclusion on the National Register of Historic Places over objection of the owner except by a super - majority vote.

(3) The board shall conduct at least four public hearings a year to consider historic preservation issues. The board shall recommend to the city commission the local designation of landmarks, landmark sites and historic districts. Applicants shall be given written notification of the board’s decisions. The board shall prepare and keep on file available for public inspection a written annual report of its historic preservation activities, cases, decisions, qualifications of members and other historic preservation work.

(4) The board shall receive assistance in the performance of its historic preservation responsibilities from the planning department, which shall provide expertise in historic preservation or a closely related field. Other city staff members may be asked to assist the board by providing technical advice or helping in the administration of this chapter.

(5) The board shall review the historic preservation element of the comprehensive plan at least every five years and shall make recommendations to the local planning agency and the city commission regarding changes to the historic preservation element.

(6) The board shall coordinate its activities with the community redevelopment agency, the state historic preservation officer, the New Smyrna beach Museum of History, and the Southeast Volusia Historical Society.

(7) The board shall assist the city staff in preparing applications for grant awards for historic preservation and historic survey activities.

(8) The area of geographic responsibility for the board shall be coterminous with the boundaries of the city.

(9) The board is encouraged to be represented at pertinent informational or educational meetings, workshops and conferences relating to preservation activities.

(c) *Membership.* The board shall consist of seven members who shall be residents of the city. In the event of a vacancy on the commission, the city commission shall appoint a new member within 60 days to serve out the remainder of the term. Members shall serve on the board at the pleasure of the city commission.

(d) *Term.* The board members shall be appointed for staggered terms of three years by the city commission.

(e) *Qualifications.* The board members shall be composed of lay and professional members in accordance with the criteria set forth by the certified local government program. To the extent available, members shall be professionals from the disciplines of architecture, history, architectural history, archaeology, or other historic-related fields such as urban planning, American studies, American civilization, cultural geography or cultural anthropology. Lay persons who have demonstrated special interest, experience or knowledge in history, architecture or related disciplines shall make up the balance of the board membership. An up-to-date resume of board members shall be kept as a public record.

(f) *Procedures.* The board shall have the following procedures:

(1) The board shall elect a chair and vice-chair from its membership. The chair and vice-chair will serve terms of one year each. Nothing will prevent the board from electing the chair and vice-chair for additional terms. The chair will preside over the board and will have the right to vote. In the absence or disability of the chair, the vice-chair will perform the duties of the chair.

(2) The development services director or designee shall act as the city historic preservation officer. A staff person from the planning and engineering department shall serve as secretary of the board.

(3) Four members of the board (four) shall constitute a quorum.

(4) The board shall hold at least four meetings each year, which shall be public meetings. Meetings shall have a previously advertised agenda and shall be open to public participation. All records of the board, including its rules of procedure, minutes and inventory, shall be public records open to inspection by the public. The board shall adopt rules of procedure for use in all its meetings and the planning manager or designee shall provide staff assistance. The board shall submit to the state preservation officer the following reporting items:

a. Thirty days advance notice of each meeting.

b. Minutes of each meeting within 30 days of holding the meeting.

c. Records of board member attendance within 30 days of each meeting.

d. Public attendance figures of each meeting within 30 days of each meeting.

e. Changes in board membership within 30 days of action.

f. All local historic designations or alterations to existing designations.

g. An annual report by November 1 covering the previous October 1 through September 30, which shall include:

1. Any changes in the rules of procedure; and

2. Number of proposals reviewed; and

3. Designations or listings; and

4. Changes to boards; and

5. Revised resumes of board members as appropriate;

6. Review of survey and inventory activity with the description of the system used; and

7. Program report on each grant-assisted activity.

ARTICLE II. HISTORIC DESIGNATION AND PROTECTION

Sec. 50-5. Local designation of landmarks.

(a) *Authorized.* Upon recommendation of the historic preservation board, the city commission may locally designate by ordinance individual landmarks.

(b) Owner consent. The local designation of a landmark requires owner consent at the time of designation. However, when a property proposed for local designation has multiple owners, and any of them objects to the designation, approval by the board and city commission shall require a super-majority vote.

(c) *Application requirements.*

(1) Consideration of the local designation of a landmark shall be initiated by the filing of an application for local designation by the property owner(s) or authorized agent, or the city. The board is authorized to initiate the local designation process pursuant to this section. The city shall charge a fee for each application that reflects processing costs for the application, except such fee shall be waived for city-initiated applications. The applicant shall complete an application form provided by the planning department, which shall include:

a. A written description of the architectural, historical or archeological significance of the landmark proposed for designation and specifically addressing and documenting how the proposed designation meets the criteria contained in this chapter; and

b. Date of construction of the structure(s) on the property and the names of former owners; and

c. Photographs of the property; and

d. Legal description and map of the property to be locally designated or the site upon which the landmark is located.

(2) The historic preservation officer shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

(d) *Public hearings for designations.* The board shall schedule a public hearing on the proposed local designation within 60 days of the submission of a completed application. Notice of the public hearing shall be mailed certified mail by the applicant to the property owner 15 days prior to the scheduled board meeting.

(e) *Criteria for local designation.* The board shall recommend the local designation of a landmark, that is significant in the City's history, architecture, archaeology and culture, and that possesses integrity of location, design, setting, materials, workmanship, or association and that meets one or more of the following criteria:

(1) Is associated with events that have made a significant contribution to the broad patterns of our local, state, or national history; n

(2) Is associated with the lives of persons significant in our past;

(3) Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction;

(4) Has yielded, or may be likely to yield, information important in prehistory or history;

(5) Is listed in the National Register of Historic Places as established by the National Historic Preservation Act of 1966, (as amended.

(f) *Board recommendation.* After evaluating the testimony, survey information and other material presented at the public hearing, the board shall, within 60 days, make its recommendation to the city commission with a written report on the landmark under consideration. The board may vote to defer its recommendation for an additional 30 days, if additional information is needed to satisfy the established review criteria. If the board recommends a local designation, it shall explain how the proposed landmark qualifies for designation under the criteria contained in this section. This evaluation may include references to other buildings in the city and shall identify the significant features of the proposed landmark. The report shall include a discussion on the relationship between the proposed local designation and existing and future plans for the development of the city. The planning department shall promptly notify the property owner or authorized represented of the board recommendation.

(g) *City commission review and designation.* The city commission shall approve, modify or deny the proposed local designation within 60 days of the board recommendation. If a local designation is made, the zoning map, shall be amended to identify the local designation. The planning department shall notify each applicant and property owner of the decision relating to the property within 30 days of the city commission action and shall arrange that the local designation of a property as a landmark be recorded in the official record books of the county.

(h) *Amendments and rescissions.* The local designation of any landmark may be amended or rescinded through the same procedure utilized for the original designation.

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Sec. 50-6. Local designation of historic districts.

(a) *Authorized.* Upon recommendation of the board, the city commission may locally designate by ordinance historic districts. Each locally designated district must include a list of contributing and non-contributing buildings.

(b) *Owner consent.* Local historic district designation does not require the consent of all owners, but shall be supported by over 50% plus one of the property owners in the proposed district. Written owner consent shall be required for the designation of each *contributing* structure within the proposed district.

(c) *Application requirements.*

(1) Consideration of the local designation of a historic district shall be initiated by the filing of an application for designation by a property owner within the proposed district or authorized representative, any resident or organization in the city, or the city. The city shall charge a fee for each application that reflects processing costs for the application, except such fee shall be waived for city-initiated applications. The applicant shall complete an application form provided by the planning department, which shall include:

a. A written description of the architectural, historical or archeological significance of the buildings within the proposed historic district and specifically addressing and documenting how the proposed designation meets the criteria contained in this chapter;

b. A map showing the proposed district boundary and buildings to be designated as *contributing properties*. The number of *contributing* structures must comprise at least 50 percent of the total structures in the proposed district; if the district falls below 50% of contributing structures at any time in the future, the local designated historic district can remain in place as long as at least one contributing structure is in existence.

c. Date of construction of the contributing structures within the proposed district and the names of former owners;

d. Photographs of the contributing sites within the proposed district; e.A written description of the boundaries of the proposed district.

(2) The planning manager or designee shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

(d) *Public hearings for local designations.* The board shall schedule a public hearing on the proposed district designation. Notice of the public hearing and notice to the owners within the proposed district shall be mailed certified mail by the applicant within 15 days of the public hearing and shall clearly state the boundaries for the proposed district.

(e) *Criteria for local designation of a historic district.* The board shall recommend the local designation of historic districts that meet the established review criteria set forth in the preceding section.

(f) *Board recommendation.* After evaluating the testimony, survey information and other material presented at the public hearing, the board shall make its recommendation to the city commission with a written report on the area under consideration. The board may vote to defer its recommendation for an additional 30 days, if additional information is needed to satisfy the established review criteria. If the board recommends local designation, it shall explain how the proposed historic district qualified for designation under the established review set forth above. This evaluation may include references to other areas in the city and shall identify the significant features of the proposed historic district. The report shall include a discussion on the relationship between the proposed designation and existing and future plans for the development of the city. The planning department shall promptly notify the applicant and property owners within the district of the board recommendation.

(g) *City commission review and designation.* The city commission shall approve, modify, or deny the proposed designation within 60 days of the board recommendation. If a designation is made, the zoning map shall be amended to identify the local designation. The planning department shall notify each applicant and property owner of the decision within 30 days of the city commission action and shall arrange that the local designation of the historic district be recorded in the official record books of the county.

h) *Amendments and rescissions.* The local designation of any historic district or contributing status of a property may be amended or rescinded through the same procedure utilized for the original designation. The rescission of any contributing structure shall not require a change to the boundaries of a designated historic district.

Sec. 50-7. Certificate of Appropriateness.

(a) *Certificate of appropriateness required.* No person may undertake the following actions without first obtaining a certificate of appropriateness:

- Disturbance of an archeological site, or
- recession of an addition to a local landmark, or
- New construction within a locally designated historic district, or
- Relocation, demolition, or material alteration of the exterior features of a local landmark or a contributing building within a locally designated historic district.

(1) Exterior features include, but shall not be limited to, the architectural style, scale, massing, siting, general design and general arrangement of the exterior of the building or structure, including landscape features, site improvements, and the type, style and material of roofs, windows, doors, siding, masonry, porches, storefronts and other architectural features.

(2) Review of new construction and alterations to locally designated landmarks shall be limited to exterior changes visible to the public from a public right-of-way.

(3) Whenever any alteration is performed, without a certificate of appropriateness, the chief building official is authorized to issue a stop work order.

(4) A certificate of appropriateness shall be required in addition to any other required building. The issuance of a certificate of appropriateness shall not relieve the property owner of the duty to comply with all other state and local laws and regulations.

(5) Ordinary repairs and maintenance that are otherwise permitted by law may be undertaken without a certificate of appropriateness provided this work does not alter the exterior appearance of the building, structure or archeological site, or alter elements significant to its architectural or historic integrity.

(b) Minor and major certificates of appropriateness.

(1) Minor certificate of appropriateness. A minor certificate of appropriateness is reviewed and approved by the historic preservation officer and is required for work that is deemed by the historic preservation officer to have minimal impact to the subject resource such that the work will result in the preservation of the original appearance and will meet the Secretary of the Interior's Standards for Rehabilitation and the New Smyrna Beach Preservation Guidelines. Examples of work that may be considered to have minimal impact include, but are not limited to, minor alterations to the rear of a historic structure that is not visible from the public right-of-way, construction of a ground-level deck to the rear of a historic structure that does not obscure architectural features, installation of a canvas awning or canopy, repair of a cornice using existing materials or duplication of the original design, installation of new doors, windows, or roofs that are compatible in size and mimic with the original architecture of the building, fencing located behind any street façade, painting of any exterior material or surfaces other than unpainted masonry, stone, brick, terra cotta, or concrete, installation of skylights, repair or replacement of siding with siding that duplicates the appearance of the original, and installation of signs on commercial property. Original materials should be used when possible but materials that mimic the architecture and meet the Florida Building Code, as amendment, will be allowed.

(2) Major certificate of appropriateness. A major certificate of appropriateness is reviewed and approved by the historic preservation board and is required for additions to a local landmark, new construction in a local historic district, exterior alterations of a local landmark or contributing structure in a local historic district, demolitions of a local landmark or a contributing structure in a local historic district, or any other work on a local landmark or contributing structure in a local historic district that does not constitute ordinary maintenance or repair and is deemed to have more than a minimal impact to the

subject resource. Original materials should be used when possible but materials that mimic the architecture and meet the Florida Building Code, as amendment, will be allowed.

(c) *Application procedures for certificates of appropriateness.*

(1) The applicant shall complete an application form provided by the planning department containing in part the following information:

a. Drawings of the proposed work;

b. Photographs of the existing building or structure and adjacent properties; and

c. Information about the building materials to be used.

(2) Each application for a certificate of appropriateness shall be accompanied by the required fee.

(3) The historic preservation officer shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

(d) *Review of minor certificates of appropriateness.* The historic preservation officer reviews and issues minor certificates of appropriateness, subject to the criteria contained in subsection (f) below. A decision to approve, approve with conditions, or deny shall be made and communicated in writing to the applicant within 10 business days from the receipt of a complete application. The officer's decision may be appealed to the historic preservation board within 30 business days of the officer's findings. The appeal is reviewed by the historic preservation board as a special certificate of appropriateness and an additional application fee may be required.

(e) *Review of major certificates of appropriateness.* The historic preservation board shall hold a public hearing on each major certificate of appropriateness within 30 days after receipt of a completed application. The commission shall approve, approve with conditions, or deny each application, based on the criteria contained in sub section f. The board shall make its decision at a public hearing, but no later than 60 days after an application is presented to the board. If the board fails to make a decision within the specified time period, the application shall be deemed approved.

No certificate of appropriateness for alteration, new construction, demolition, or relocation pursuant to the provisions of this chapter shall be effective for a period of 15 calendar days subsequent to the board's decision. If during that 15 day period an appeal by an aggrieved party is made to the city commission, the decision of the board shall automatically be stayed pending city commission review and determination.

(f) *Criteria for granting certificates of appropriateness.* In approving or denying applications for certificates of appropriateness, the historic preservation officer or board shall consider the following criteria:

(1) The effect of the proposed work on the local landmark or the contributing structure upon which such work is to be done;

(2) The relationship between such work and other structures on the local landmark or surrounding properties in the local historic district;

(3) Whether the denial of a certificate of appropriateness would deprive the property owner of reasonable beneficial use of property; and

(4) Whether the plans may be reasonably carried out by the applicant; and

(5) Compliance with the standards contained in Section 50-8.

(g) *Appeals to city commission.* Within 15 calendar days of the historic preservation board decision, any aggrieved person may appeal to the city commission any decision of the board on an application for a

certificate of appropriateness. The city commission shall approve, approve with conditions, or deny the application at a public hearing within 60 days after receiving the appeal.

(h) *Emergency conditions*. In any case where the chief building official determines that there are emergency conditions dangerous to life, health, or property affecting a local landmark, or a contributing structure in a local historic district, the official may order the remedying of these conditions without the approval of the board or issuance of a required certificate of appropriateness. The chief building official shall promptly notify the chair of the board of the action being taken.

Sec. 50-8. Certificate of appropriateness review criteria.

An application for a Minor or Major Certificate of Appropriateness shall be reviewed and decided in accordance with the following criteria:

(a) *Secretary of the Interiors' Standards for Rehabilitation.*

(1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

(2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and space that characterize a property shall be avoided. Alternate modern materials may be used if historic architecture will not be changed. All replacement materials shall meet the Florida Building Code, as amended.

(3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

(4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

(5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

(6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall mimic the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence. If replacement of windows, exterior doors, siding, or roofing materials is proposed, the replacement shall minim the original architecture even if modern material will be used. All exterior materials must meet the Florida Building Code, as amended.

(7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

(8) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. All exterior materials must meet the Florida Building Code, as amended.

(10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(b) *Additional standards for rehabilitation.* The rehabilitation of a local landmark or a contributing structure in a local historic district shall comply with subsection (a) of this Section, as well as the following general standards of the New Smyrna Beach Historic Preservation Design Guidelines:

(1) *Storefronts.* The materials, composition, proportion, and features (e.g., windows, entries, transoms, bulkheads) of commercial storefronts shall be preserved and shall not be covered with added elements. Glass shall remain transparent.

(2) *Awnings and canopies*. Maintain and repair as needed. Replacement awnings or canopies must resemble the original in structure, dimensions and materials. The use of pent roofs (a more permanent awning that typically uses clay tile, metal or shingles instead of fabric) are not allowed. All awnings and canopies must meet the Florida Building Code, as amended.

(3) *Building materials.* Exterior façade materials (e.g., siding, wall finish, accents) shall be maintained and repaired when deteriorated. If replacement is necessary, the new materials must match or mimic the existing. The use of aluminum, vinyl composite, and glass block (unless original to the building) shall not be permitted. All exterior materials must meet the Florida Building Code, as amended.

(4) *Building colors*. Building colors should be consistent with the schemes typically attributed to the building architectural style.

(5) *Roofs*. The roof shape and elements (e.g., dormers, eaves, and parapets) shall be preserved. The use of colorized metal roofing materials shall be prohibited. All exterior roofing materials must meet the Florida Building Code, as amended.

(6) *Entries and doors*. Existing entries and their decorative elements shall be preserved. Replacement doors must match or mimic the original in dimensions, shape, configuration, and material when possible. Trim boards, sidelights, and transom lights, and any other architectural elements, if present, shall be preserved. All exterior replacement doors must meet the Florida Building Code, as amended.

(7) *Windows*. The windows on historic buildings, if they haven't already been modified, must be retained, properly maintained and repaired. If replacement is necessary, the new windows and associated elements (e.g., frames, panes, lintels, sills, etc.) shall match or mimic the original in placement, shape, dimensions, orientation, and type (e.g., double hung, casement, etc.). If it is suspected that the existing windows do not match the original windows (based on the style of the building) the applicant must consult with city staff to find the most appropriate type of window for the building style. All replacement windows must meet the Florida Building Code, as amended.

(8) *Window shutters.* Replacement shutters shall match the original in size, type, design and materials when possible (including hardware). New shutters shall only be allowed if appropriate to the building style (e.g., Bahama shutters shall not be added to a Folk Victoria house). New and replacement shutters do not need to be operational but must be proportionate to the window (each shutter must have a width that equals one half of the window width).

(9) *Hurricane shutters.* Traditional window shutters, when present, are the first line of defense against hurricanes. If not present or not operable, the use of temporary/removable protection elements (e.g., plywood, metal screens, impact and impact resistant fabric screens) over windows and gable vents is permitted. Fasteners and tacks must be painted the same color as the surface where they are installed, shall not cause permanent damage to the building, and shall not remove or hide character-defining features of the building. Accordion and roll-up shutters, which fold or roll to the side or top when not in use and remain permanently attached to the building, are not permitted. All proposed hurricane shutters must meet the Florida Building Code, as amended.

(10) *Porches.* Existing porches that are open or screened shall not be enclosed. Open porches may be screened as long as the porch elements (e.g., columns, railings, beams) are not modified or obscured.

(11) *Foundations.* Foundations must be repaired to maintain the original function and appearance. Foundation enclosures may be replaced if deteriorated beyond repair with enclosures that match the original in terms of placement, material and appearance. The enclosures shall be located between piers instead of covering them.

(12) *Architectural details.* Where deteriorated, architectural details (e.g., brick or tile work, medallions, chimneys, attic vents, roof brackets, exposed rafters, railings and balustrades, etc.) shall be repaired if damaged. If replacement is necessary, the replacement feature shall match or mimic the original in design, shape, dimensions and materials. Architectural details shall not be covered by other elements added to the façade.

(13) *Privacy fences and walls.* Existing fences and walls must be properly maintained and repaired. If replacement is necessary, the fence/wall must be consistent with the style of the main building. Chain link fences in a front yard shall be prohibited.

(14) *Accessory structures.* Existing accessory structures that are part of the designated site are also subject to a Certificate of Appropriateness if altered. All applicable provisions in this subsection (b) shall apply.

(15) *Signs.* If possible, the original sign board/structures shall be preserved with only the sign copy changing. New signs shall not cover architectural features (e.g., windows, details, trims).

(c) *Additional standards for additions and new construction*. Additions to designated local historic landmarks and contributing structures in a local historic district, and any new construction in a local historic district shall comply with subsection (a) of this Section, as well as the following general standards:

(1) *Volume scale and massing*. The scale and massing of additions and new structures must be similar to the contributing structures in the historic district. Any new structure which exceeds 50 linear feet along any street frontage must provide a projection or recess at least 3 feet deep to minimize the scale of the building.

(2) *Building height*. The maximum height of additions and new buildings must comply with the requirements of the zoning district but shall not overwhelm the existing structures on the subject site or surrounding sites. In order to accommodate changes in height permitted by the district, an additional 10-foot setback must be provided for every floor above the height of the surrounding structures. The step backs may be provided per floor or for the entire building.

(3) *Building placement*. The proposed setbacks for additions and new construction shall be made consistent with the predominant setbacks in the same block provided that the setbacks comply with the zoning district regulations. Additionally, new buildings and additions must replicate the building orientation that is predominant along the same block. For instance, residential buildings tend to locate the narrow part of the building along the street and the front façade is parallel to the street.

(4) *Roofs*. Roof types, shapes and pitch on additions and new buildings must be similar to the roof characteristics of the subject structure and surrounding buildings in the historic district.

(5) *Architectural style*. Additions must respect the architectural style of the existing building but not create a false historical appearance. Similarly, new construction may use any architectural style, but shall not duplicate historic styles. If a particular style is selected for inspiration, it must be a style that appears in the historic district.

(6) *Fenestration*. Fenestration refers to the pattern of windows and doors that provide façade transparency and interest. The facades facing a street must contain fenestration that resembles the historic patterns in the district. Windows (other than storefront display windows) must have a vertical emphasis similar to the windows found on contributing buildings in the historic district and must include prominent window frames, sills and lintels.

(7) *Entrances*. New buildings must provide the main entrance facing the street. Commercial buildings in storefront areas must respect the pattern of storefronts. Residential buildings must provide a porch, portico, stoop or other architectural feature consistent with the predominant style in the district.

(8) *Building materials and colors*. The materials and colors used on additions and new construction must be similar to the materials and textures of the original structure and the contributing structures in the district. Prohibited materials include unfinished block, textured plywood, aluminum or vinyl siding.

(9) *Façade ornamentation*. Features such as awnings, canopies, shutters, and similar must be in character with the style of the existing building and the other buildings in the district. Awnings must follow the shape of the door and window opening. Shutters do not need to be operational but must be proportionate to the window (each shutter must have a width that equals one half of the window width).

(10) *Privacy fences and walls*. The materials and colors of privacy fences and walls must be coordinated with the main structure. Chain link fences visible from a public right-of-way or space are prohibited.

(11) *Accessory structures*. The introduction of accessory structures, if not visible from the public right-of-way do not require a Certificate of Appropriateness if they meet the requirements of the Land Development Regulations. If visible from the public-right-of-way, they must complement the style, materials and colors of the building.

(12) *Signs*. Proposed signs shall meet the requirements of the Land Development Regulations and must be compatible with the design of the structure and shall not cover architectural details or features.

(13) *Accessibility ramps*. Compliance with health and safety codes and ADA access requirements must be carried out with minimum impact on the historic character of buildings. Therefore, where possible, they should be located on the side or rear elevation, shall not cover any architectural details, shall be installed in a manner that if removed, there will not be damage to the building, and must incorporate materials and colors that are consistent with eh building.

(14) *Mechanical equipment*. Rooftop equipment must be screened so that it is not visible from the public right-of-way. Ground level equipment must be located to the side or rear of the building and must be screened by fencing or landscaping.

(15) *Solar panels*. When added to an existing buildings or sites, they shall not be visible from the public right-of-way (may be placed on flat roofs behind parapets, or the back side of sloped roofs).

(d) *Additional guidelines for relocation*. The relocation of a local landmark, a contributing structure in a local historic district or relocating a structure to a local landmark site or local historic district, shall comply with subsection (a) of this Section, as well as the following general standards:

(1) The contribution the building or structure makes to its present setting;

(2) Whether there are definite plans for the site to be vacated;

(3) Whether the building or structure can be moved without significant damage to its physical integrity; and

(4) The compatibility of the building or structure to its proposed site and adjacent properties.

Sec. 50-9. Emergency actions; non-designated properties.

The city commission may call an emergency meeting to review a threat to a property that has not yet been designated by the city but appears to be eligible for designation. The city commission may request that a stop work order be issued by the chief building official for a 30-day period in order to provide time to negotiate with the property owner to remove the threat to the property; the city commission shall seek alternatives that will remove

the threat to the property. During the 30-day period the city commission may initiate steps to designate the property under the provisions of this chapter.

Sec. 50-10. Conformity with the certificate of appropriateness.

All work performed pursuant to a certificate of appropriateness shall conform to all provisions of such certificate. It shall be the responsibility of the building department to inspect from time to time any work being performed to assure such compliance. In the event work is not being performed in accordance with such certificate, the chief building official is authorized to issue a stop work order. No additional work shall be undertaken as long as such stop work order remains in effect.

Sec. 50-11. Maintenance and repair of local landmarks and contributing structures in a local historic district.

(a) Every owner of a local landmark or a contributing structure in a local historic district shall keep in good repair:

(1) All of the exterior portions of such buildings or structures;

(2) All interior portions that, if not so maintained, may cause such buildings or structures to deteriorate or to become damaged or otherwise to fall into a state of disrepair; and

(3) In addition, where the landmark is an archeological site, the owner shall be required to maintain his property in such a manner so as not to adversely affect the archeological integrity of the site.

(b) The board may refer violations of this section to the code compliance department for enforcement proceedings on any structure designated under this chapter so that such structure shall be preserved in accordance with the purposes of this chapter.

(c) The provisions of this section shall be in addition to the provisions of the building code requiring such buildings and structures to be kept in good repair.

Sec. 50-12. Demolition delay.

(a) *Regulated buildings.* This section applies to all contributing buildings within the city's National Register of Historic Places Historic Districts.

(b) *Notice.* Notice of a public hearing to consider any proposal to demolish a contributing building located in one of the city's nationally registered historic districts shall be made by the historic preservation officer, at the applicants expense, in a newspaper of general circulation in the city at least 30 days prior to the hearing. The owner or authorized representative of the owner of the building proposed for demolition shall notify all property owners within 150 feet of the subject property of the public hearing. The notice shall be sent by United States Postal Service certified mail "return receipt requested" to each property owner no less than 15 days prior to the advertised public hearing and shall indicate the property address of the building proposed for demolition and the location, date and time of the public hearing.

(c) *Board review.* The board shall review any application for demolition of a contributing building within the city's National Register of Historic Places Historic District at its next public hearing with notice given as provided in

this section to determine whether the building is historically significant. The building shall be considered historical significant if one or more of the following criteria are declared to be met by the board:

(1) The building is historically or architecturally significant in terms of its period, style, method of building construction or use of indigenous materials; or

(2) The building is a significant reminder of the cultural, or architectural history of the city, state or nation; or

(3) The building is associated with a significant local, state or national event; or

(4) The building is associated with one or more significant historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the city, state or nation; or

(5) The building is one of the few remaining examples of its period, style, or method of construction; or

(6) The building is identified with a person who significantly contributed to the development of the city, state or nation; or

(7) The building is identified as the work of a master builder, designer or architect whose individual work has influenced the development of the city, state or nation; or

(8) The building value is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance; or

(9) The building character is in a geographically definable area possessing a significant concentration or continuity of buildings united in past events or aesthetically by plan or physical development; or

(10) The building character is in an established and geographically definable neighborhood united in culture, architectural style or physical plan and development.

The board shall not consider the request until the applicant has provided the information to explain why the building is not considered significant, or if significant, why it should be demolished. The board shall issue no demolition approval until the applicant has demonstrated that no other feasible alternative to demolition can be found. The board may ask interested individuals and organizations for assistance in seeking an alternative to demolition.

(d) *Demolition of significant buildings.* If the board finds that the building is historically significant the board may, nevertheless, grant a demolition approval if it finds that one of the following circumstances is met:

(1) *Undue economic hardship.* In any instance where there is a claim of undue economic hardship, the property owner shall submit to the board prior to the public hearing a report indicating the economic hardship and why the demolition should be allowed. The report shall include the following:

a. The amount paid for the property, the date of purchase and the party from whom purchased;

b. The assessed value of the land and improvements thereon, according to the two most recent assessments;

c. Real estate taxes for the previous two years;

d. Annual debt service, or mortgage payments, if any, for the previous two years;

e. All appraisals (if any) obtained within the previous two years by the owner(s) or applicant(s) in connection with the purchase, financing or ownership of the property;

f. Any listing of the property for sale or rent, price asked and offers received, if any; and

g. Any consideration by the owner as to profitable adaptive uses for the property, including but not limited to possible fair market rents for the property if it were rented or leased in its current condition.

The board may require that an applicant furnish such additional information as the board believes is relevant to the commission's determination of any alleged undue economic hardship. The board may also require, in appropriate circumstances, that information be furnished under oath.

In the event that any of the required information is not reasonable available to the property owner and cannot be obtained by the property owner, the property owner shall file with the affidavit a statement of the information which cannot be obtained and the reasons why such information cannot be reasonable obtained. Where such unobtainable information concerns required financial information, the property owner will submit a statement describing estimates which shall be as accurate as feasible.

(2) *Building condition.* In any instance where there is a claim the building is not structurally sound and/or suitable for restoration, the applicant shall provide a written report signed by a licensed engineer or architect with experience in historic building restoration stating that the building is structurally unsound and unsuitable for restoration. The board shall review the credentials of the licensed engineer or architect signing the report and shall find them experienced in historic restorations before the report is accepted. The applicant shall allow members of the board and the historic preservation officer to inspect the interior and exterior of the building.

(3) *Lack of alternative to demolition.* In any instance where there is a claim of no other alternative to demolition, the applicant shall provide written documentation of attempts to sell the building at a reasonable and comparable amount or to offer it without charge to purchasers willing to move the building to another location and preserve, rehabilitate, relocate or restore the building. A reasonable and comparable sales price shall be indicated by providing evidence such as recent appraisals, comparable values of properties similar to the building proposed to be demolished or other evidence the board deems acceptable.

(e) *Conditions of demolition approval.* If the board grants demolition approval for a contributing structure listed on a National Registered Historic District, the board may condition approval on one or more of the following requirements:

(1) The board shall require the applicant to provide a written and pictorial record of the building's history and architectural features for archival purposes, approved by the city. The record should include a narrative accompanied by relevant photographs, drawings, maps, and copies of original documents; or

(2) The board may require that the owner allow archaeological study of the property before and/or during demolition if the property falls within the area demonstrated to have a medium or high probability to contain archaeological resources; or

(3) The board may require that the owner allow salvage activities of the contributing structure provided the board finds that there are salvageable materials within the building. The historic preservation officer shall provide evidence to demonstrate that salvageable materials are within or on the building to be demolished; or

(4) The board may require that the owner of a contributing structure meet any other condition that is reasonable to mitigate the demolition of the historic building.

(f) *Delay.* Should the board determine that a building is historically significant and does not meet at least one of the circumstances allowing demolition of a contributing structure, the board shall provide for a demolition delay effective date of up to 120 days from the date of its decision. The purpose for the delay is for the historic preservation officer to invite the owner of record of the building to participate in an investigation of alternatives to demolition including, but not limited to, incorporation of the building into the future development of the site; adaptive reuse of the building; utilization of financial incentives to rehabilitate the building; seeking a new owner willing to purchase and preserve, restore or rehabilitate the building; or moving the building. The historic preservation officer will provide the applicant resource assistance including but not limited to potential grant sources and tax relief measures. Once the delay period has ended and if the owner is still seeking demolition of the contributing structure, the owner shall appear before the board at a meeting

adhering to the notice requirements of this section and present a case as to why the demolition should be granted. The board shall again consider the reasons for demolition of a historically significant building and must approve the demolition provided any board-imposed conditions of approval contained in subsection (e)(1)-(3) have been satisfied.

Sec. 50-13. Demolition by neglect.

(a) *Demolition by neglect.* The owner of a contributing structure within a National Registered Historic District shall comply with all applicable codes, laws and regulations governing the maintenance of property in order to preserve such structures from deliberate or inadvertent neglect of the exterior features of such structures or the interior portions thereof when such maintenance is necessary to prevent deterioration and decay of the exterior. All such structures shall be preserved against such decay and deterioration and free from structural defects through prompt corrections of any of the following defects:

(1) Facades that may fall and injure persons or property;

(2) Deteriorated or inadequate foundation, defective or deteriorated flooring or floor supports, deteriorated walls or other vertical structural supports;

(3) Members of ceilings, roofs, ceiling and roof supports or other horizontal members that sag, split or buckle due to defective material or deterioration;

(4) Deteriorated or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors;

(5) Defective or insufficient weather protection for exterior wall covering, including lack of paint or weathering due to lack of paint or other protective covering; or

(6) Any fault or defect in the building that renders it not properly watertight or structurally unsafe.

Sec. 50-14. Appeals.

(a) Within 15 days of the board decision, regarding demolition or demolition by neglect of any contributing structure within a National Registered Historic District, any affected person with standing may appeal to the city commission. The city commission shall consider the appeal and approve, approve with conditions, or deny the application at a public hearing, but no later than 60 days after-hearing the appeal. The city commission shall only approve the demolition of a contributing structure if they determine that the request complies with the applicable review criteria.

Sec. 50-15. Archaeological preservation.

(a) *Archaeological zones.* In order to regulate and restrict disturbances as hereinafter provided in this chapter, and to determine the extent of archaeological investigation and excavations that may be required in a given area, the incorporated area of New Smyrna Beach, Florida, is hereby divided into zones as shown on the archaeological base map entitled, "Archaeological Base Map for New Smyrna Beach, Florida," more particularly described as:

*See Exhibit "A" attached hereto and by reference made a part hereof.

Archaeological zones shall be updated on the base map as additional sites are documented. Zones as delineated on the base map are as follows with titles and abbreviations as indicated:

(1) *Archaeological zone I* is comprised of those areas within the city where there are known significant archaeological sites.

(2) *Archaeological zone II* is comprised of those areas that have a medium or high probability of containing archaeological resources as determined by The Search for Turnbull's Colony, an Archaeological Survey, a report by Southeast Archaeological Research, Inc., dated June 1999.

(b) *Interpretation of zone boundaries.* Where uncertainty exists as to the boundaries of zones as shown on the archaeological base map for New Smyrna Beach, Florida, the following rules shall apply:

(1) Boundaries indicated as approximating center lines of streets, highways or alleys shall be construed to follow such centerlines;

(2) Boundaries indicated as approximately following platted lot lines shall be construed to follow such lot lines;

(3) Boundaries indicated as approximately following city limits shall be construed to follow such city limits;

(4) Boundaries indicated as following railway lines shall be construed to be midway between the main tracks;

(5) Boundaries indicated as following shorelines shall be construed to follow the mean high water line. In the event of a change in shorelines, the boundaries shall be construed to move with the change except where such moving would change the archaeological status of a lot or parcel. In such case the boundary shall be interpreted in such a manner as to avoid changing the archaeological status of such lot or parcel;

(6) Boundaries indicated as parallel to or extensions of beaches indicated in subsections (1) through (5) above shall be so construed. The distance not specifically indicated on the archaeological base map shall be determined by the scale of the map.

(7) Where physical or cultural features existing on the ground are not in agreement with those shown on the archaeological base map or in other circumstances not covered by subsections (1) through (6) above, the city archaeologist shall interpret the zoning boundaries.

(c) *Zone regulations.* On city-owned or maintained property, within archaeological zones I and II, the conduct of any ground disturbances on, or activities taking place at or below the present surface of the ground, shall be in compliance with the following regulations:

(1) All proposed disturbances on city-owned or maintained property, including but not limited to those by the utilities commission, telephone, cable, and gas companies, the department of transportation, city contractors, and city subcontractors shall be reported to the city archaeologist before those disturbances take place. Furthermore, this chapter will apply only to city-owned or maintained properties within the boundaries of the proposed disturbances. Any additional archaeological testing or excavation by the city archaeologist, within areas outside the proposed disturbances, may be conducted only with written permission of the property owner.

(2) Within archaeological zones I and II, disturbances on city-owned or maintained properties shall be subject to intensive archaeological salvage excavations, to be conducted by the city archaeologist prior to any underground disturbance, building construction, or utility excavation, and paid for by the entity initiating the disturbance. The extent of the archaeological salvage excavations by the city archaeologist will be dependent on the extent of the proposed area of construction disturbance and the significance of the archaeological resource.

(3) Within archaeological zones I and II, the city archaeologist will be authorized to delay the proposed construction work or major disturbance for up to four weeks. The city manager, or his or her designee may grant additional time, if needed. Early notification of and by the city archaeologist, prior to any disturbances occurring, may minimize or eliminate the need for work delays. The applicant will be informed of any delays.

(4) Any disturbances on city-owned or maintained property, which are required to deal with an emergency situation, shall not be subject to the regulations of this chapter.

(d) *Excavations on public property.* No individual shall be allowed to disturb or remove artifacts from public property without the written permission of the city archaeologist, the city manager, or his or her designee.

(e) *Ownership of artifacts.* Artifacts uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring of city-owned or maintained properties shall remain the property of the city. If additional archaeological testing or excavation by the city archaeologist is permitted within areas outside the proposed disturbances and artifacts uncovered, the city shall obtain written permission from the property owner to analyze, catalog, record, and conserve the artifacts for long-term storage, care, protection, and preservation.

(f) *Curation of artifacts.* Artifacts uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring shall be washed, if the city archaeologist deems appropriate, cataloged, analyzed, recorded, and conserved by the city archaeologist. The Southeast Volusia Historical Society, Inc. will be the repository for artifacts discovered on city-owned or maintained properties.

(g) *Human remains.* Human skeletal remains, uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring shall be coordinated with the local medical examiner, the city, city archaeologist, and the state archaeologist. Such remains shall be dealt with in accordance with the provisions of F.S. ch. 872, as amended, and are not subject to private ownership. Such material shall be sensitively treated and, following its analysis by a physical anthropologist, shall be curated at a designated repository or appropriately buried.

(h) *City archaeologist.* The city manager or his or her designee shall appoint a city archaeologist who shall meet the city's requirements and the standards for membership by the register of professional archaeologists and shall have a demonstrated background in historic and prehistoric archaeology. The city archaeologist shall review all applicable ground disturbances on city-owned or maintained property in archaeological zones I and II; shall conduct such testing, excavations, or monitoring as shall be required by this chapter; shall prepare or oversee preparation of a final report on all projects, which report shall meet the guidelines established for archaeological reports by the department of state, division of historical resources, and be in accordance with the Cultural Resource Management Standards and Operations Manual; shall record archaeological sites and develop strategies for preservation of the archaeological resources of New Smyrna Beach; and shall participate in the planning state of applicable projects, to minimize the potential impacts on archaeological sites by any activities proposed for such sites; and shall maintain and update the archaeological base map; and shall advise the city manager concerning archaeological issues.

Sec. 50-16. Penalty.

(a) *Non-compliance with regulations applicable to local landmarks, local historic districts, and archaeological preservation.* Any person violating any of the provisions of this chapter shall be punished as provided in section 1-14. The code compliance board shall review any violation of this chapter. Additionally, the city has the option to require any person who violates any provision of this chapter to forfeit and pay to the city civil penalties equal to the fair market value of any property demolished or destroyed in violation of this chapter or the cost to repair or rehabilitate any property that is altered in violation of this chapter. In lieu of a monetary penalty, any person altering property in violation of the provisions of this chapter may be required to repair or restore any such property.

(b) *Non-compliance with regulations applicable to contributing structures in National Register Historic Districts.*

(1) The board, building official and code compliance officer are each authorized to institute any and all proceedings in law or equity, as they deem necessary and appropriate to obtain compliance or to prevent a violation thereof.

(2) No building permit shall be issued with respect to any premises upon which a significant building has been voluntarily demolished for a period of 22 months after the date of the completion of such demolition.

(3) Upon a determination of the board that a building is a preferably preserved significant building, the owner shall be responsible for properly securing the building, if vacant, to the satisfaction of the city.

(4) Anyone who demolishes a contributing structure without first obtaining a demolition permit and fully complying with the permit requirements shall be subject to a fine of up to $25,000.00.

ARTICLE III. PROPERTY TAX EXEMPTION[2]

Sec. 50-17. Intent.

(a) The State of Florida has enacted legislation implementing the provisions of the State Constitution to specifically provide for ad valorem tax exemptions for historic properties.

(b) The city commission desires to take advantage of all available state and federal programs that may assist in the preservation of historic properties.

Sec. 50-18. Purpose.

The purpose of the historic property tax exemption is to:

(a) Provide a positive financial incentive for the designation of local landmarks and local historic districts within the City of New Smyrna Beach;

(b) Encourage more restoration, rehabilitation and renovation of contributing structures in New Smyrna Beach;

(c) Stabilize and improve property values, and enhance the property tax base of the City of New Smyrna Beach, by encouraging improvement of contributing structures; and

(d) Improve the appearance of designated local historic districts and local landmarks in the City of New Smyrna Beach, thereby enhancing their appeal as places to live, work and visit.

Sec. 50-19. Historic preservation property tax exemption.

The owners of qualifying properties who have met all requirements outlined in this chapter shall receive an exemption of 100 percent of the increase in assessed value of ad valorem taxes levied by the City of New Smyrna

Beach which result from the restoration, renovation or rehabilitation of such buildings or structure for the duration of the exemption period. The amount of exemption shall be determined by the property appraiser for the County of Volusia based on the typical post-construction inspection and appraisal.

The tax exemptions allowed herein apply only to the ad valorem taxes assessed by the City of New Smyrna Beach. The exemption does not apply to taxes levied for the payment of bonds, to taxes authorized by a vote of the electors pursuant to Fla. Const., art. VII, § 9(b) or § 12, or to improvements made prior to October 1, 2022.

Sec. 50-20. Eligible property for tax exemption.

The following real property in the City of New Smyrna Beach is eligible for the historic preservation property tax exemption, provided it meets such criteria on the date the historic preservation property tax exemption is granted by the city commission.

Property is qualified for an exemption under this section if;

(1) At the time the exemption is granted, the property:

a. Is individually listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended; or

b. Is a contributing structure in a National Registered Historic District; or

c. Is designated by the city as a local historic landmark or as a contributing structure in a local historic district; and,

(2) The Division of Historical Resources or the Historic Preservation Board, whichever is applicable, has certified to the City of New Smyrna Beach that the property for which an exemption is requested satisfies paragraph (1) above.

Sec. 50-21. Overview of tax exemption application and review procedures.

An application for a tax exemption shall be made in accordance with F.S. § 196.1997(8) and Fla. Admin. Code R. 1A-38.003, as amended. A pre-construction application and a completed work application must be submitted for review by the Historic Preservation Board, in accordance with the rules adopted by the Department of State. The board shall make recommendations to the city commission as to whether the applications should be granted or denied, along with reasons for such recommendations. The city commission shall review the applications, along with the board's recommendations. Approval of any application by the city commission shall be by resolution and shall contain the name of the owner and the address of the historic property for which the exemption is granted, the period of time for which the exemption will remain in effect and the expiration date of the exemption, a finding that the historic property meets the requirements of F.S. § 196.1997, and shall be accompanied by a historic preservation exemption covenant as further detailed below.

Sec. 50-22. Pre-construction application.

For any tax exemption to be considered by the City of New Smyrna Beach, the owner of record of the property seeking the exemption must fill out an approved pre-construction application obtained from the city. The application must contain all the information that is required by the Florida Department of State, Division of Historical Resources, promulgated in accordance with Rule 1A-38, Florida Administrative Code, and shall include additional information regarding the documentation of the cost of the qualifying improvements. Any improvements made prior to the pre-construction application shall not be eligible for the exemption.

The pre-construction application shall be filed with the City of New Smyrna Beach before any work begins, and shall include but is not limited to the following:

(a) Information sufficient to determine if the subject property is an eligible property;

(b) Information sufficient to determine if the proposed project will be a qualifying improvement;

(c) Photographs documenting the property prior to any improvements;

(d) Information outlining construction estimates for the proposed project; and

(e) A copy of the latest tax bill issued by the Property Appraiser for the County of Volusia

If the proposed work involves exterior work which requires a certificate of appropriateness, then in addition to the criteria listed above, the proposed work will be reviewed in accordance with sections 50-7 and 50-8. The pre-construction application and the certificate of appropriateness may be reviewed simultaneously, however no pre-construction application shall be approved until the certificate of appropriateness had been approved.

Sec. 50-23. Review of pre-construction applications.

The pre-construction application shall be reviewed at any regular or special meeting of the Historic Preservation Board. The board shall determine the following:

(a) whether the proposed project will be a qualifying improvement; and

(b) whether the work, as proposed, is in compliance with the applicable historic review standards.

If the Historic Preservation Board, by majority vote, finds that the proposed project is a qualifying improvement and the proposed work is in compliance with the historic review standards then the pre-construction application shall be approved.

If the Historic Preservation Commission finds that the proposed project is not a qualifying improvement or is not in compliance with the historic review standards then the board shall advise the applicant as to changes necessary to make it a qualifying improvement or how to bring the project in compliance with applicable historic review standards. The applicant may resubmit the pre-construction application for further consideration at a subsequent meeting of the board.

Sec. 50-24. Review of completed work.

Once the proposed work is completed then the applicant shall submitted a completed work application for review by the historic preservation officer. The application shall be reviewed within 30 days of submission to determine if the completed work is consistent with the pre-construction application. If the historic preservation officer determines that the completed work is consistent with the pre-construction application then the officer will inform the applicant in writing of the decision and the item will be placed on the next scheduled meeting of the board. The board shall review the application and vote in favor of a recommendation of approval of the tax exemption to the city commission if staff makes a recommendation that the completed work is consistent with the pre-construction application and the board's own review determines the work is consistent with the pre-construction application.

If the historic preservation officer finds that the completed project is not consistent with the pre-construction application, then the officer shall inform the applicant in writing of the changes necessary to make it consistent with the pre-construction application. The applicant will have 60 days to bring the work into compliance. After 60 days, regardless of whether the applicant has made any necessary changes to the completed work, the applicant shall have the application for completed work presented to the board with the officer's recommendation and the board can determine if the completed work is consistent with the pre-construction application. If the board determines that the completed work is consistent with the pre-construction application then the board shall, by a majority vote, recommend approval of the tax exemption to the city commission.

If, after the application is presented to the board, a majority vote determines the completed work presented is not consistent with the pre-construction application then the board shall deny the tax exemption. The historic preservation officer will provide written notice to the applicant as to the reason for the denial and recommend

changes to the project that will make it a qualifying improvement and consistent with the pre-construction application. Any denial may be appealed to the city commission within 30 days of the denial. The city commission will review the appeal to determine if the completed work is consistent with the pre-construction application.

Sec. 50-25. Exemption period for tax exemption.

The tax exemption granted shall remain in effect for ten years with respect to any particular property, regardless of any change in the authority of the city to grant such exemptions or any change in ownership of the property. However, to retain the exemption, the historic character of the property, and the qualified improvements must be maintained over the period for which the exemption is granted.

The exemption period shall begin on January 1 after all three of the following events have occurred: (1) issuance of a certificate of occupancy by the City of New Smyrna Beach; (2) final approval of the restoration, renovation or rehabilitation work has been granted by the city commission; and (3) written notice stating the exemption is in effect has been forwarded by the City of New Smyrna Beach and received by the property appraiser foe the County of Volusia.

Sec. 50-26. Historic preservation exemption covenant.

To receive an approved tax exemption, the property owner must enter into a covenant with the city for the term for which the exemption is granted. The form of the covenant shall be established by the Department of State and must require that the character of the property, and the qualifying improvements to the property, be maintained during the entire exemption period. The covenant shall be binding on the current property owner, transferees, and their heirs, successors, or assigns. Violation of the covenant results in the property owner being subject to the payment of the differences between the total amount of taxes which would have been due in March in each of the previous years in which the covenant was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in F.S. § 212.12(3).

Sec. 50-27. Notice to property appraiser.

Within three working days following adoption of a resolution by the city commission granting the historic preservation property tax exemption, the historic preservation officer shall cause the transmittal of a copy of the resolution, the preservation exemption covenant, and the final application to the property appraiser for Volusia County, with instructions that the property appraiser provide the historic preservation property tax exemption to the applicant.

Sec. 50-28. Revocation proceedings.

The historic preservation officer may initiate proceedings to revoke the tax exemption at any time if the property owner, or any subsequent owner or successor in interest to the property, violates the covenant, fails to maintain the qualifying property according to the terms, conditions and standards of the covenant, the historic character of the property and improvements which qualified the property for the exemption are not maintained or if the qualifying property has been damaged by accidental or natural causes to the extent that the historic integrity of the features, materials, appearances, workmanship and environment, or archeological integrity which made it eligible for listing or designation have been lost or damaged so that restoration is not possible. Proceeding under this section may also be initiated following a finding by the Code Compliance Board or Special Magistrate finding the property in violation of any city code.

The historic preservation officer shall provide written notice to the current owner of record at least ten days prior to any public hearing on the matter. Once notice is provided, by either posting or US certified mail to the current owner of record, a hearing will be held before the historic preservation board in which the board will review the current state of the qualifying improvements and make a recommendation to the city commission. The city

commission will review the board recommendation and make a determination as to whether the exemption should be revoked.

Upon a determination by the city commission that the tax exemption shall be revoked, the historic preservation officer shall provide written notice of the decision to the owner of record as well as the property appraiser of Volusia County. The notice to the owner of record shall be accompanied by the reason and recommendation for changes to the property that may result in reinstatement of the exemptions.

The property appraiser, upon receipt of the notice of revocation, shall discontinue the tax exemption on the property as of January 1st of the year following receipt of the notice.

Sec 50-29. Reinstatement after revocation.

A property may be reinstated for a tax exemption after revocation by satisfying the recommendations for changes to the property as provided in the written notice by the historic preservation officer or by bringing the property into compliance for any outstanding code violations. The process for reinstatement shall follow the review procedure applicable to the completed work application. If approved, the tax exemption shall be reinstated for the remaining unexpired term of the initial exemption period.

ARTICLE IV. HISTORIC PRESERVATION GRANT PROGRAM

Sec. 50-30. Established.

There is hereby established a historic preservation grant program for owners of contributing structures in either a National Registered Historic District or a Local Historic District.

Sec. 50-31. Eligibility.

The owner of any contributing building which had been condemned by the building trades board under chapter 26, article X, may apply to the historic preservation board for a grant for repair or rehabilitation of the building, as follows:

(1) The program is open to any resident of the City of New Smyrna Beach who owns and occupies a contributing structure.

(2) Qualifications are based on both family size and annual household incomes that do not exceed 120 percent of the Volusia County median income, as shown below:

	1 person	2 persons	3 persons	4 persons	5 persons	6 persons	7 persons	8 persons
Low/Mod Income	$39,982	$45,730	$51,415	$68,520	$61,723	$66,283	$70,844	$75,404

The income guidelines are to be adjusted every two years in relationship to the Consumer Price Index. Household income will be established by the total annual household income and assets of all persons identified on the title of the property, plus all persons 18 years of age or older living in the home.

(3) Exterior property improvements are eligible, including exterior paint, window and screen repairs, garage door and exterior door repairs, deadbolts, disabled access, exterior electrical and plumbing repair and weatherization.

(4) The work must be completed by a licensed contractor.

(5) The following restrictions apply:

a. Upgrades and remodeling are not allowable.

b. The home cannot be listed for sale or be in jeopardy of foreclosure.

c. The home must be owner occupied.

d. Replacement is only allowable if repair is not possible.

Sec. 50-32. Review of application.

The board shall review the application for a grant at a public hearing. The application shall include, at a minimum, the following:

(1) Proof of ownership of the property to be repaired.

(2) The order of the building trades board requiring demolition or repair of the property.

(3) Description of proposed repairs, with a cost estimate and timetable for repairs.

(4) Proof that the applicant meets the eligibility requirements of section 50-31.

The board may approve, deny, or approve with conditions the application. The action of the board shall constitute final administrative action.

Sec. 50-33. Procedure after approval of grant; grant limits.

(a) If a grant to repair or rehabilitate a contributing building is approved by the board, a copy of the action taken and the application shall be forwarded to the building official, who may issue a permit for the work to be performed in accordance with the action of the board. The owner shall comply with all laws and ordinances pertaining to the repair or construction.

(b) The grant amount shall not exceed the city's cost of demolition of the structure or building as ordered by the building trades board. The grant funds shall be taken from budgeted demolition funds, if there are sufficient funds in that account.

(c) The order of the building trades board shall be stayed during the time of application for the grant and during repair of the building, provided the owner obtains all required permits within the time ordered by the board, and work progresses as required by law and ordinance. After repairs are completed the order of the building trades board shall be deemed satisfied.

(d) If repairs are not completed, the city is entitled to a lien in the amount of the grant funds dispersed to owner, as provided in section 26 of this code.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

200 NORTH PENINSULA AVENUE

March 8, 2023

Background:

During the December 14, 2022 Historic New Smyrna Beach Preservation Commission meeting, Staff gave a status of a demolition of a non-contributing structure in the Coronado National Registered Historic District located at 200 North Peninsula Avenue.

A permit for new construction was issued by the City Building Department and Staff has attached those building plans and Class I site plan for information purposes.

Findings:

The proposed new construction, by Hickson Construction, would be a two story single family house and single story detached garage with Hardie Board exterior treatments.

Most of the first floor windows are design as a 3/1 or 2/1, single hung window that would mimic an older style of double hung window used in this area on older homes. The second floor proposed windows are 3/1, 2/1, or casement windows. The first floor front and rear doors are a French style double door. The second floor doors are single doors that match the first floor doors in design.

The proposed metal roof, brick chimney, and two story front porch would give the appearance of frame vernacular architecture which is a style that would fit in the National Registered Historic District. Also the detached garage used similar materials as the main house.

There is no required motion for this new construction, Staff just wanted to make the Commission aware of the replacement structure.

Fiscal Analysis:

N/A

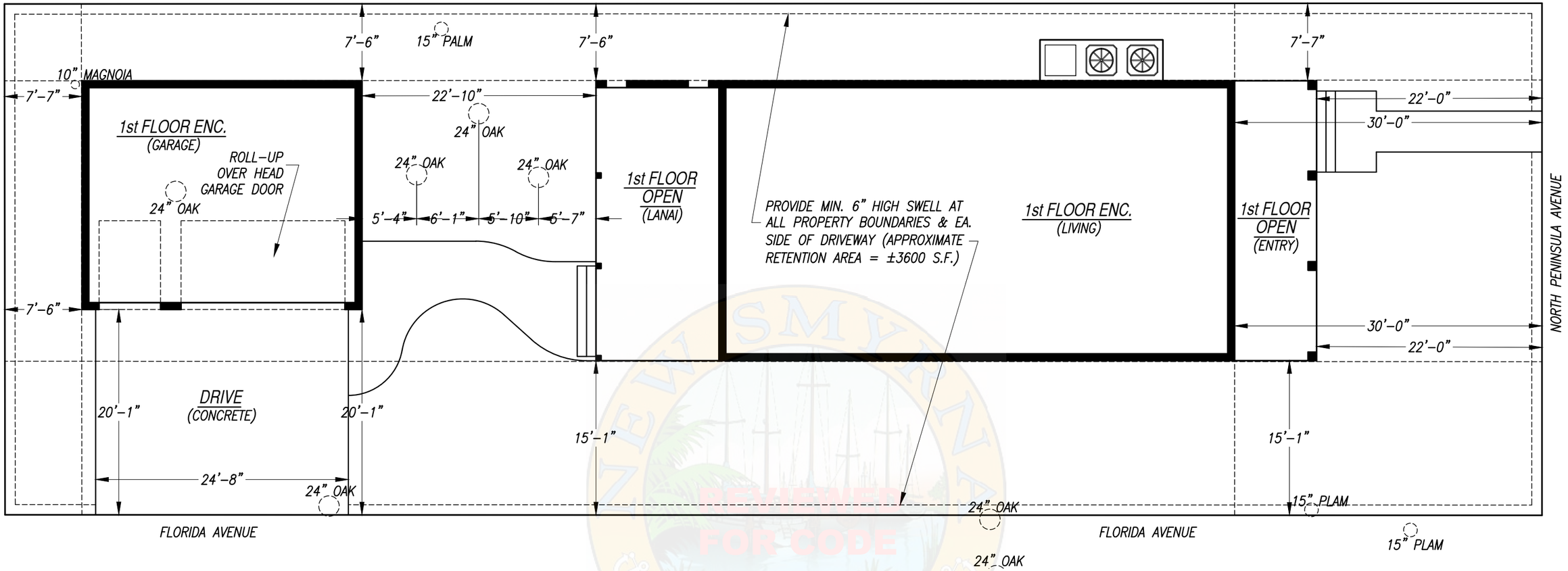
Strategic Plan Item:

No

Staff Report Created By: Robert Mathen - Planner II

Attachments:

SITE PLAN.pdf
200 N Peninsula Avenue Proposed House.pdf



SITE PLAN

(REFERENCE ONLY)

SCALE: 1" = 10'-0"

ZONING APPROVED
MINDY BODIEN
07/20/2022 10:16:49 AM

AREA TABULATIONS

LOT AREA:	7,493 S.F.
BUILDING FOOTPRINT(S) :	2,533 S.F.
DRIVES AND WALKS:	860 S.F.
POOL/DECK:	N/A
TOTAL IMPERVIOUS:	3393 S.F.
BUILDING IMPERVIOUS:	33.8%
TOTAL IMPERVIOUS:	45.3%

RETENTION CALCULATONS

RA REQUIRED:
7,493 (TOTAL LOT AREA) / 12 = 624 S.F.

NOTE: RA DEPTH TO BE A MIN. OF 6" W/ 6:1 (OR FLATTER) SLOPED SIDES. SIDES MUST BE STABILIZED

PROVIDE MIN. 6" HIGH SWELL AT PERIMETER OF PROPERTY, AND EACH SIDE OF DRIVEWAY

TOTAL RA PROVIDED = ±3600 S.F.

ALL STORM WATER RUN-OFF TO BE DIRECTED TO THE RETENTION AREAS. ALL STORM WATER RETENTION AREAS TO BE LOCATED WITHIN THE PROPERTY BOUNDARIES.

PROJECT INFORMATION:

Dave & Caron Abbott

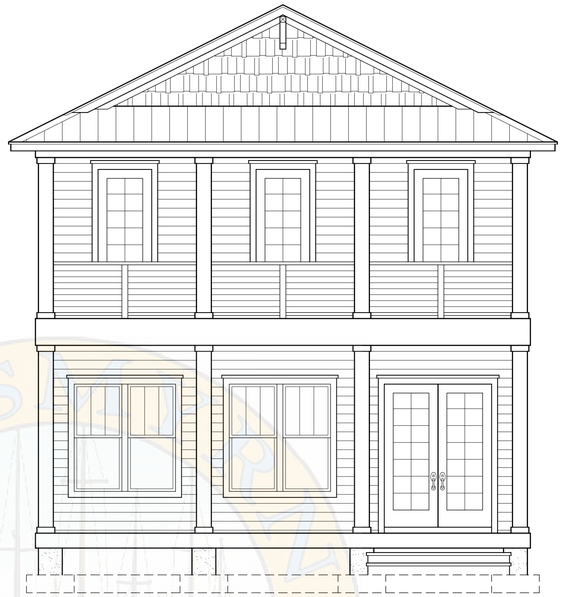
200 N. Peninsula Ave.
New Smyrna Beach FL

REVIEWED FOR CODE COMPLIANCE

WALL OPENING SCHEDULE (WINDOWS & DOORS)

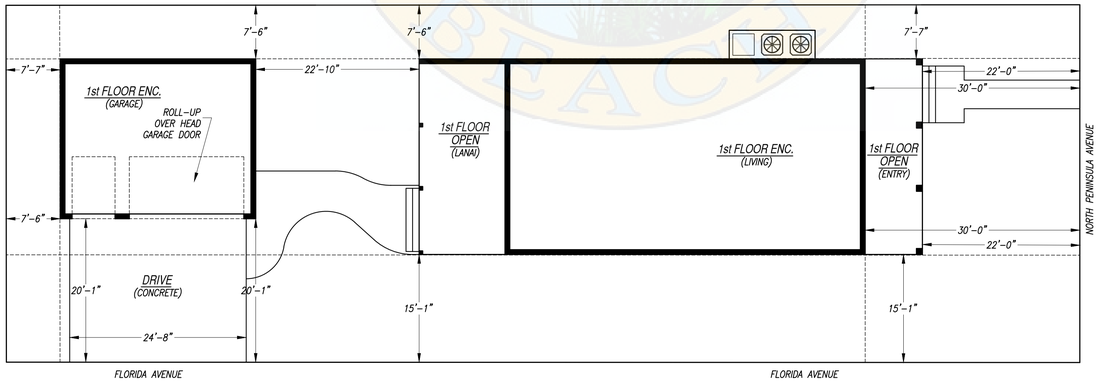
OPENING NO.	DESCRIPTION	T. WIDTH	T. HEIGHT	D FROM C	AREA (S.F.)	ZONE	LINTEL/HEADER TYPE
1	(2) H.D.	6'-0"	8'-0"	2.0	48.0	5	7'-6" - 8F16 1T/1B LINTEL
2	S.H.	2'-0"	4'-0"	30.3	8.0	4	3'-6" - 8F16 1T/1B LINTEL
3	S.H.	2'-0"	4'-0"	27.3	8.0	4	3'-6" - 8F16 1T/1B LINTEL
4	S.H.	2'-8"	6'-0"	3.3	16.0	5	4'-0" - 8F16 1T/1B LINTEL
5	S.H.	2'-8"	6'-0"	6.3	16.0	4	4'-0" - 8F16 1T/1B LINTEL
6	(2) H.D.	5'-4"	8'-0"	9.3	42.7	4	6'-6" - 8F16 1T/1B LINTEL
7	S.H.	2'-8"	6'-0"	34.0	16.0	4	4'-0" - 8F16 1T/1B LINTEL
8	S.H.	2'-8"	6'-0"	30.7	16.0	4	4'-0" - 8F16 1T/1B LINTEL
9	S.H.	2'-8"	6'-0"	27.7	16.0	4	4'-0" - 8F16 1T/1B LINTEL
10	F.G.	2'-0"	2'-0"	21.3	4.0	4	3'-6" - 8F16 1T/1B LINTEL
11	F.G.	2'-0"	2'-0"	12.0	4.0	4	3'-6" - 8F16 1T/1B LINTEL
12	S.H.	2'-8"	6'-0"	2.0	16.0	5	4'-0" - 8F16 1T/1B LINTEL
13	S.H.	2'-8"	6'-0"	5.0	16.0	4	4'-0" - 8F16 1T/1B LINTEL
14	S.H.	2'-8"	6'-0"	10.7	16.0	4	4'-0" - 8F16 1T/1B LINTEL
15	S.H.	2'-8"	6'-0"	13.7	16.0	4	4'-0" - 8F16 1T/1B LINTEL
16	H.D.	3'-0"	8'-0"	3.3	24.0	5	3'-3" - (2) 2"x12" HEADER
17	H.D.	3'-0"	8'-0"	12.2	24.0	4	3'-3" - (2) 2"x12" HEADER
18	H.D.	3'-0"	8'-0"	3.3	24.0	5	3'-3" - (2) 2"x12" HEADER
19	F.G.	2'-0"	2'-0"	16.0	4.0	4	2'-3" - (2) 2"x12" HEADER
20	F.G.	2'-0"	2'-0"	20.0	4.0	4	2'-3" - (2) 2"x12" HEADER
21	F.G.	2'-0"	2'-0"	24.0	4.0	4	2'-3" - (2) 2"x12" HEADER
22	S.H.	2'-8"	6'-0"	18.2	16.0	4	2'-11" - (2) 2"x12" HEADER
23	S.H.	2'-8"	6'-0"	15.2	16.0	4	2'-11" - (2) 2"x12" HEADER
24	S.H.	2'-8"	6'-0"	6.3	16.0	4	2'-11" - (2) 2"x12" HEADER
25	S.H.	2'-8"	6'-0"	3.3	16.0	5	2'-11" - (2) 2"x12" HEADER
26	H.R.	3'-0"	2'-0"	7.5	6.0	4	3'-3" - (2) 2"x12" HEADER
27	S.H.	2'-0"	5'-0"	20.0	10.0	4	2'-3" - (2) 2"x12" HEADER
28	S.H.	2'-0"	5'-0"	9.5	10.0	4	2'-3" - (2) 2"x12" HEADER

NOTES:
1. OPENING NO.: SEE FLOOR PLAN FOR OPENING NUMBER, DETAILS, AND LOCATION.
2. DESCRIPTION: S.H.=SINGLE HUNG, D.H.=DOUBLE HUNG, H.R.=HORIZONTAL ROLLER, F.G.=FIXED GLASS, G.B.=GLASS BLOCK, S.G.D.=SLIDING GLASS DOOR, H.D.=HINGED DOOR, O.D.=OVER-HEAD DOOR.
   (EXAMPLE OF COMBINATIONS: (2)S.H.+F.G = (2) SINGLE HUNG WINDOWS W/ FIXED GLASS ABOVE)
3. T. WIDTH: APPROXIMATE TOTAL WIDTH OF ALL THE COMPONENTS OF ANY ONE OPENING GIVEN IN FEET AND INCHES.
4. T. HEIGHT: APPROXIMATE TOTAL HEIGHT OF ALL THE COMPONENTS OF ANY ONE OPENING GIVEN IN FEET AND INCHES.
5. D OF C: THE DISTANCE FROM THE NEAREST OVERALL RECTANGULAR CORNER OF THE STRUCTURE GIVEN IN DECIMAL FEET. (HORIZONTAL OR VERTICAL LINEAR DISTANCE TO BEGINNING OF OPENING)
6. SEE ENGINEER'S DESIGN STATEMENT FOR SPECIFIC APPLICABLE PRESSURES. (DETERMINED PER ANALYITICAL METHOD OR ASCE-7).



RESIDENCE FOR DAVE & CARON ABBOTT

200 N. PENINSULA AVE., NEW SMYRNA BEACH FL



SITE PLAN

(REFERENCE ONLY)

SCALE: 1" = 10'-0"

ZONING APPROVED
MINDY BODIEN
07/20/2022 10:17:25 AM

SHEET INDEX

SHEET NO.	DESCRIPTION
A1	INDEX, AREAS, BUILDING ENVELOPE, & GEN. NOTES
A2	FOUND. PLAN, FOOTING DTLS., & STRUCTURAL DTLS.
B1	1ST & 2ND FLOOR PLANS
C1	EXTERIOR ELEVATIONS
D1	STRUCTURAL NOTES
D2	ROOF PLAN & DETAILS
D3	WALL SECTIONS & STRUCTURAL DETAILS
E1	1ST & 2ND FLOOR ELECT. PLAN & ELECT. PANEL
F1	DETACHED GARAGE PLANS, ELEVATIONS, & DETAILS

OTHER DOCUMENTS INCLUDED FOR PERMITTING:

1. DESIGN STATEMENT BY LICENSED ENGINEER OR ARCHITECT.
2. STRUCTURAL ANCHOR SCHEDULE BY LICENSED ENGINEER OR ARCHITECT.
3. SITE PLAN SURVEY AND ELEVATIONS BY LICENSED CIVIL ENGINEER.
4. ENERGY EFFICIENCY CALCULATIONS BY HVAC CONTRACTOR OR INSULATION INSTALLER. (J-FORM AND EPI-FORM)

BUILDING ENVELOPE

MODEL NUMBER	2527 - DETACH
BUILDING TYPE	C.M.U/FRAME - S.F.
TOTAL SQUARE FOOTAGE UNDER ROOF	3903.6
TOTAL WIDTH OF STRUCTURE	27'-4"
TOTAL DEPTH OF STRUCTURE	70'-4"
TOTAL HEIGHT OF STRUCTURE	29'-2"
MEAN ROOF HEIGHT	25'-4"
ROOF SYSTEM RISE/RUN	6/12

AREAS

AREAS AS DRAWN:	
FIRST FLOOR LVG.	1375.8
SECOND FLOOR LVG.	1152.0
ENTRY PORCH	218.7
BALCONY PORCH	218.7
LANAI	328.0
GARAGE	610.4
TOTAL OF:	
LIVING (A/C)	2527.8
SLAB	2532.9
UNDER ROOF	3903.6
PERIMETER	294.7'

ZONING APPROVED
MINDY BODIEN
07/20/2022 10:17:07 AM

WIND LOADS (PSF) ON COMPONENTS & CLADDING

ROOF ZONE	1=19.09/-49.76	1_OH=9.60/-59.24	1_OHS=9.60/-64.57
	2e=19.09/-49.76	2e_OH=9.60/-59.24	2e_OHS=9.60/-64.57
	2n=19.09/-69.52	2n_OH=9.60/-82.79	2n_OHS=9.60/-88.12
	2r=19.09/-69.52	2r_OH=9.60/-82.79	2r_OHS=9.60/-88.12
	3e=19.09/-69.52	3e_OH=9.60/-92.22	3e_OHS=9.60/-97.55
	3r=19.09/-77.98	3r_OH=9.60/-95.79	3r_OHS=9.60/-101.13
WALL ZONE	4 = 34.95/-37.91		5 = 34.95/-46.80
GARAGE DOORS	8'-10" W = 29.72/-36.34		16'-18" W = 28.80/-34.49
NOTE: SHUTTERS/IMPACT GLASS REQUIRED			

GENERAL CONTRACTOR:

HICKSON CONSTRUCTION COMPANY, INC.

"Fine Custom Home and Commercial Construction"

RESIDENTIAL - COMMERCIAL - CGC 041621

MICHAEL L. HICKSON, (386) 428-7401
P.O. Box 1202, New Smyrna Bch., FL 32127

DESIGN & DOCUMENTION:

MuelTech, Inc.

PLAN DESIGNS, DRAWINGS, AND DRAWING DETAILS

Phone: (386) 214-2453
Email: MuelTech@gmail.com

PROJECT INFORMATION:

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New Smyrna Beach FL

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Risk Category = II
Wind Exposure Classification = D
Floor Live Load = 40 psf (min.)
Roof Live Load = 20 psf (min.)
Design Soil Bearing = 2000 P.S.F. (min.)

Wind Loads on Components and Cladding: See "Wind Loads (psf) on Components & Cladding" table on sheet A1

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1)	07/07/22	FINAL

DRAWN BY: M.S.M.
ORIGIN DATE: 02/15/22
ISSUED FOR: CONSTRUCTION
SHEET NUMBER: A1 OF 9

DANIEL JOHNS ENGINEERING
FL PE # 54037
3869 S. NOVA ROAD
PORT ORANGE FL 32127

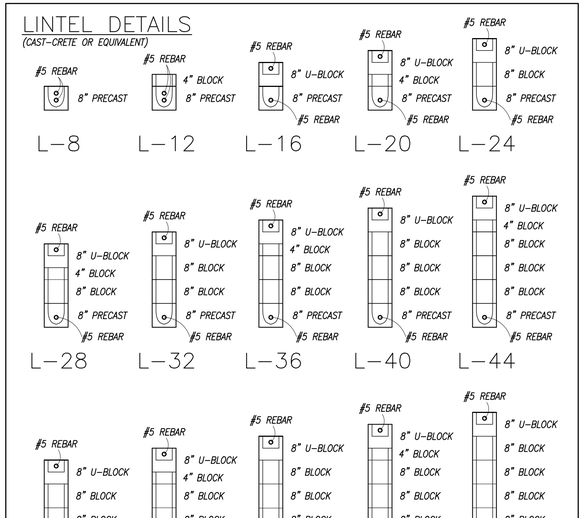
DANIEL JOHNS LICENSE No. 54037 STATE OF FLORIDA PROFESSIONAL ENGINEER

Digitally signed by Daniel Johns, P.E.
Date: 2022.07.05 15:27:50 -04'00'

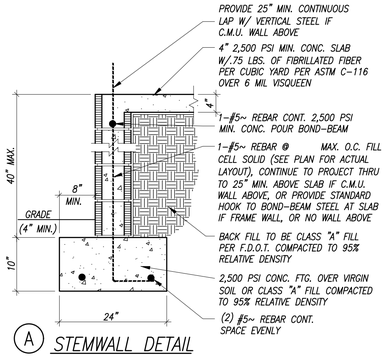
NEW SMYRNA BEACH
REVIEWED FOR CODE COMPLIANCE

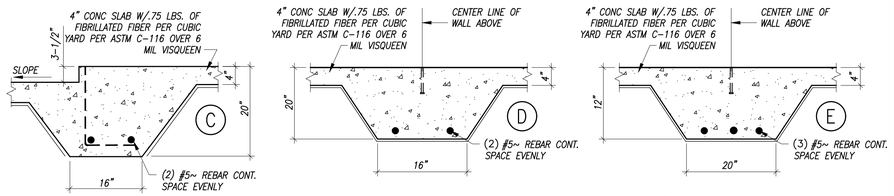
LINTEL DETAILS

(CAST-CRETE OR EQUIVALENT)



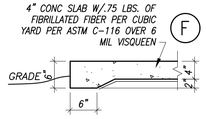
NOTE: TOP AND BOTTOM COURSES OF LINTELS TO BE REINFORCED W/ (1) #5 REBAR RUNNING CONTINUOUS AND HORIZONTAL, AND TO BE CONCRETE FILLED FROM BOND-BEAM TO PRECAST LINTEL.





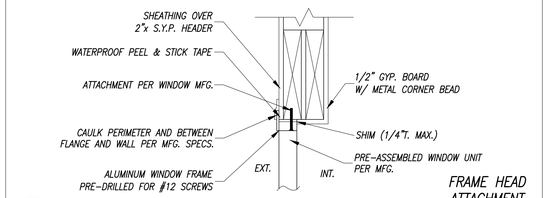
FOOTING DETAILS

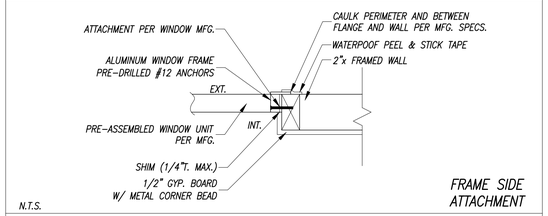
SCALE: 3/4" = 1'-0"

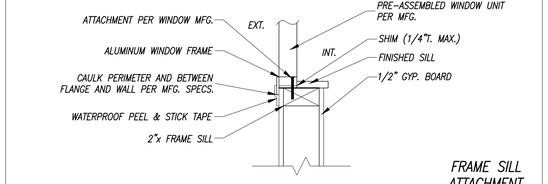


NOTE TO SOIL CONDITIONS:
PROJECT DESIGNER AND ENGINEER OF RECORD STRONGLY RECOMMEND GEOTECHNICAL SOILS TESTING PRIOR TO THE START OF CONSTRUCTION IN ORDER TO IDENTIFY ANY SUB-SURFACE ISSUE WHICH MAY IMPACT SOIL BEARING CAPACITY AND ULTIMATELY FOUNDATION DESIGN. CONTRACTOR TO VERIFY SOIL DENSITY MEETS OR EXCEEDS 95% MODIFIED PROCTOR DENSITY PRIOR TO CONCRETE PLACEMENT. THE PROJECT DESIGNER AND THE ENGINEER OF RECORD WILL BE HELD HARMLESS AND NOT BE RESPONSIBLE IN ANY MANNER FOR ANY SORT OF STRUCTURAL FAILURE, REGARDLESS OF SCOPE, RELATED IN ANY WAY TO SUBSURFACE SOIL CONDITIONS.

FRAME WINDOW ATTACHMENT DETAILS

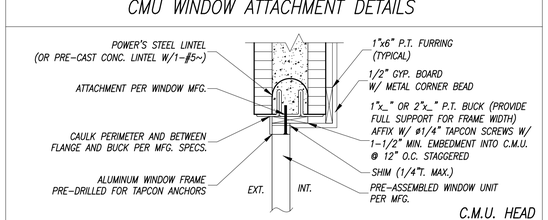


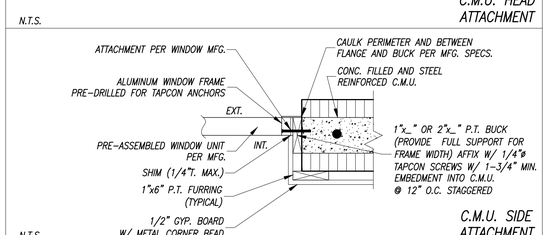


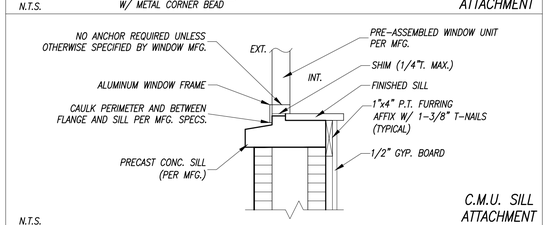


NOTE: VERTICAL AND/OR HORIZONTAL MULLION BARS FOR MULTIPLE UNIT INSTALLATION SHALL PROVIDE STRUCTURAL SUPPORT AND BE ANCHORED TO FRAME SUBSTRATE PER MANUFACTURER SPECIFICATIONS

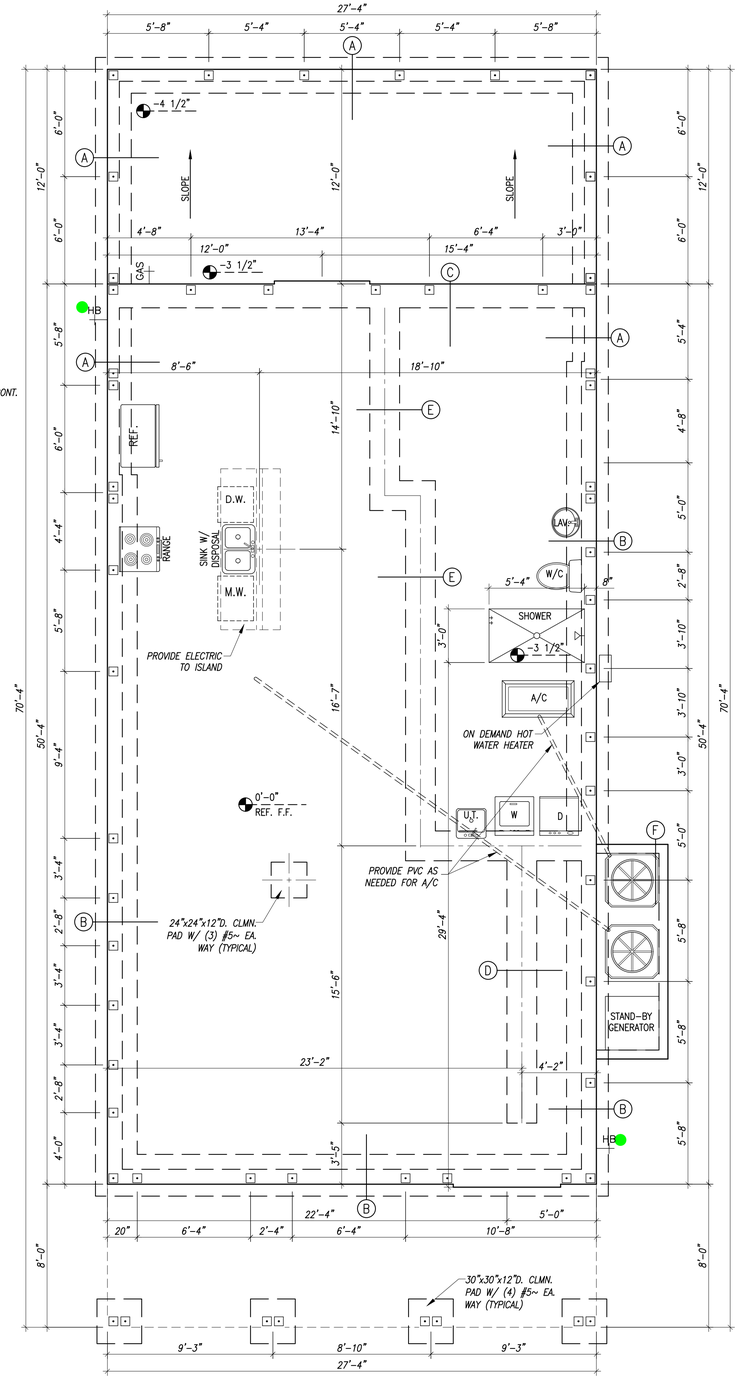
CMU WINDOW ATTACHMENT DETAILS







NOTES:
1) TAPCONS SPECIFIED ARE REQUIRED NO CLOSER THAN 2", OR MORE THAN 4" FROM ENDS, AND ARE TO BE SPACED EQUIDISTANT ALONG BALANCE OF THE BUCK.
2) MINIMUM FASTENERS FOR TOP BUCK = TWO (2) & MINIMUM FASTENERS FOR SIDE BUCK (EACH) = THREE (3).
3) TAPCON ANCHORS SPECIFIED ASSUME EDGE DISTANCE AND SPACING BETWEEN ANCHORS FOR FULL CAPACITY, ADDITIONAL ANCHORS MAY BE REQUIRED IF REDUCTIONS ARE APPLICABLE.
4) VERTICAL AND/OR HORIXONTAL MULLION BARS FOR MULTIPLE UNIT INSTALLATION SHALL PROVIDE STRUCTURAL SUPPORT AND BE ANCHORED TO C.M.U. SUBSTRATE PER MANUFACTURER SPECIFICATIONS.



FOUNDATION PLAN

SCALE: 1/4" = 1'-0"

GENERAL CONTRACTOR:

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"Fine Custom Home and Commercial Construction"

RESIDENTIAL - COMMERCIAL - CBC 041621

MICHAEL L. HICKSON, (386) 428-7401
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PLAN DESIGNS, DRAWINGS, AND DRAWING DETAILS

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Wind Exposure Classification = D
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Design Soil Bearing = 2000 P.S.F. (min.)

Wind Loads on Components and Cladding: See "Wind Loads (psf) on Components & Cladding" table on sheet A1

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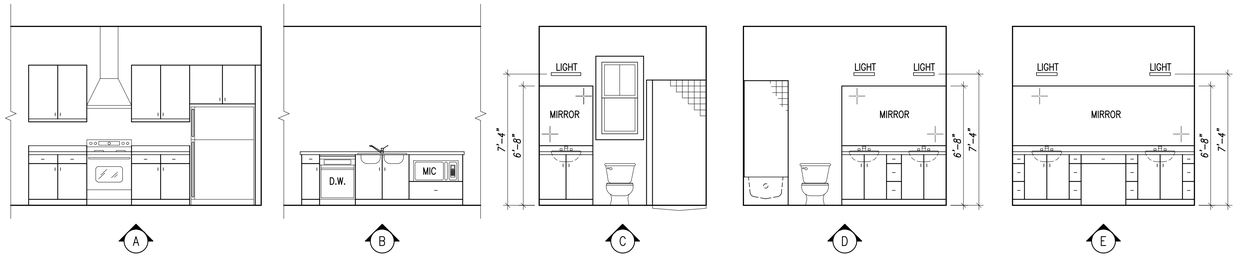
DRAWN BY: M.S.M.
ORIGIN DATE: 02/15/22
ISSUED FOR: CONSTRUCTION
SHEET NUMBER: A2 OF 9

DANIEL JOHNS ENGINEERING
FL PE # 54037
3869 S. NOVA ROAD
PORT ORANGE FL 32127

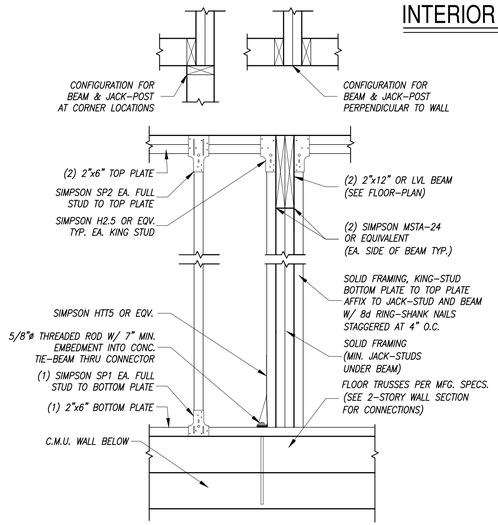


AREAS

AREAS AS DRAWN:	
FIRST FLOOR LVG.	1375.8
SECOND FLOOR LVG.	1152.0
ENTRY PORCH	218.7
BALCONY PORCH	218.7
LANAI	328.0
GARAGE	610.4
TOTAL OF:	
LIVING (A/C)	2527.8
SLAB	2532.9
UNDER ROOF	3903.6
PERIMETER	294.7'

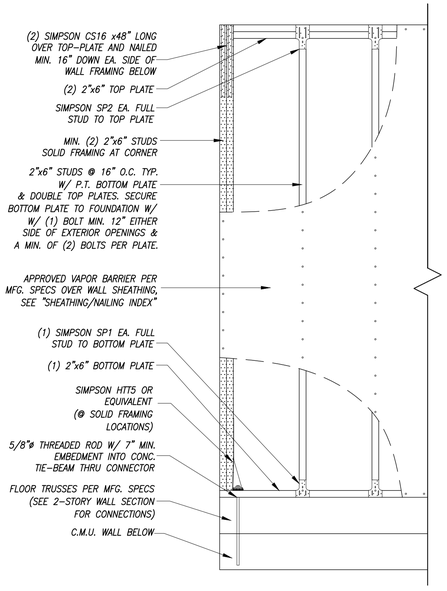
INTERIOR ELEVATIONS

SCALE: 1/4" = 1'-0"



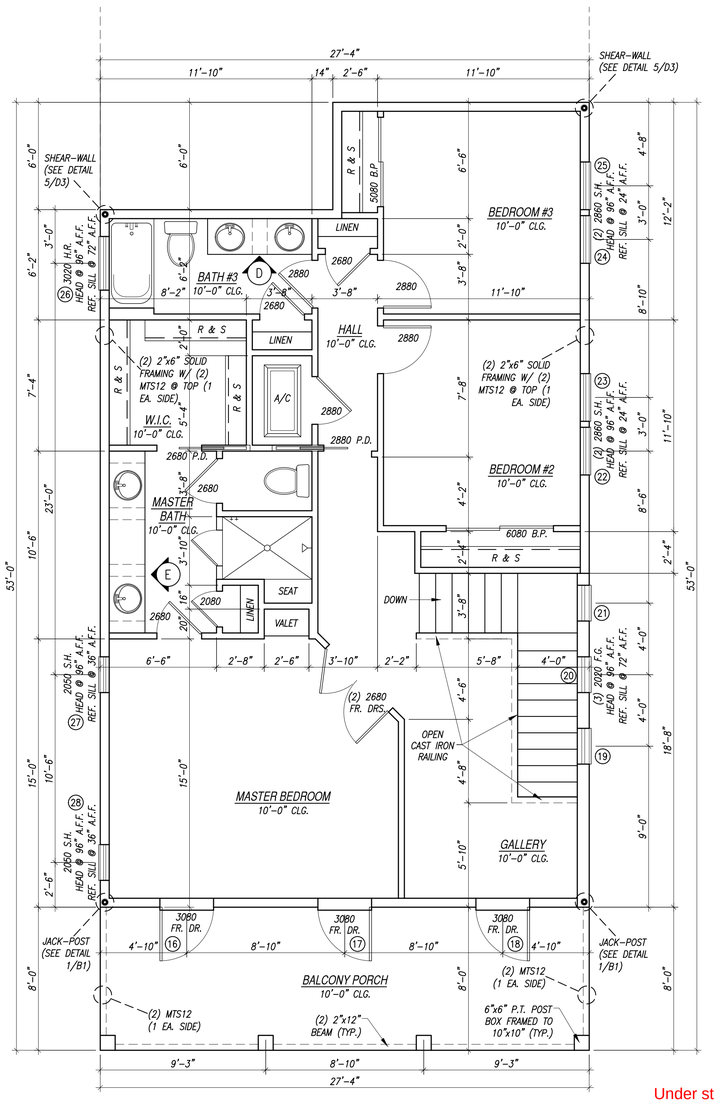
1 B1 JACK-POST DETAIL

SCALE: 3/4"=1'-0"



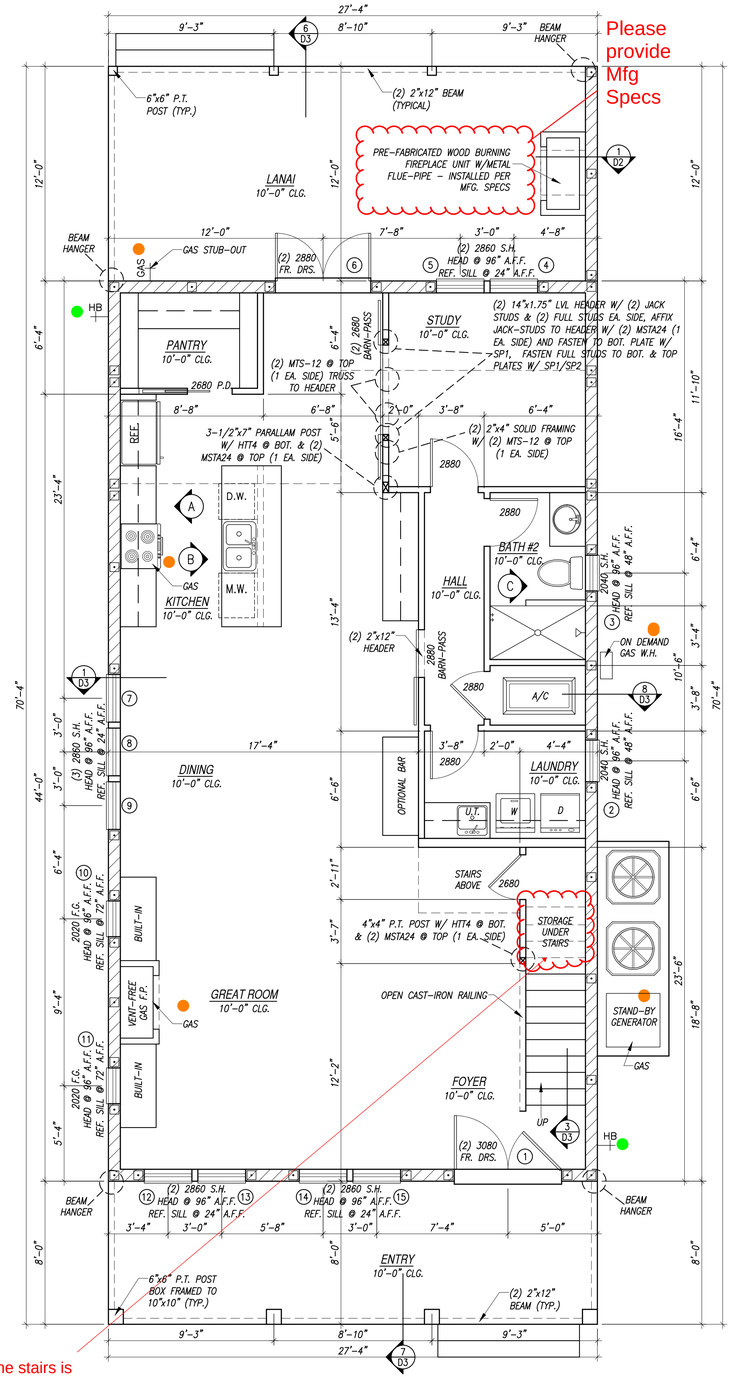
2 B1 SHEARWALL DETAIL

SCALE: 3/4"=1'-0"



2nd FLOOR PLAN

SCALE: 1/4" = 1'-0"



1st FLOOR PLAN

SCALE: 1/4" = 1'-0"

Under stair protection. If area under the stairs is used as an area of storage the underside of the stairs shall be protected with min ½" drywall. FBC R 302.7.

NOTE TO INSULATION:

C.M.U. WALLS: R-6 INSULATION - PRESCRIPTIVE REQUIREMENT OR AS PRESCRIBED IN ENERGY CALCULATIONS (SEPARATE DOCUMENT PROVIDED BY OTHERS)

FRAME WALLS: R-13 INSULATION - PRESCRIPTIVE REQUIREMENT OR AS PRESCRIBED IN ENERGY CALCULATIONS (SEPARATE DOCUMENT PROVIDED BY OTHERS)

ATTIC SPACES: R-38 INSULATION - PRESCRIPTIVE REQUIREMENT OR AS PRESCRIBED IN ENERGY CALCULATIONS (SEPARATE DOCUMENT PROVIDED BY OTHERS)

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Wind Loads on Components and Cladding: See "Wind Loads (psf) on Components & Cladding" table on sheet A1

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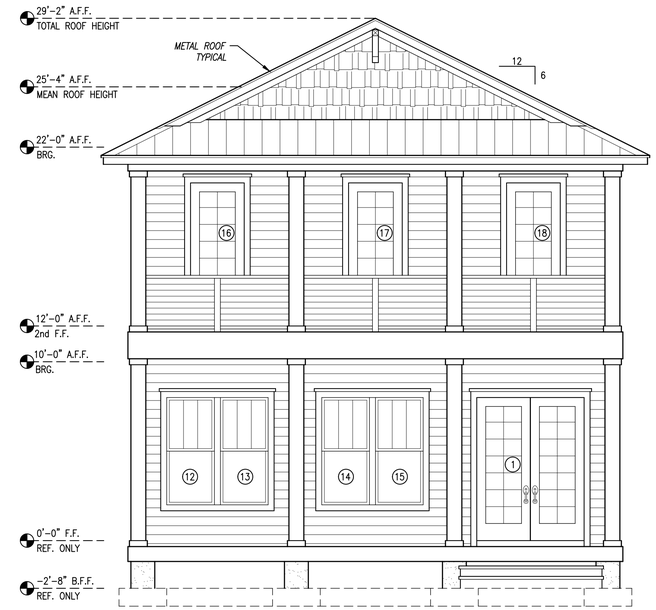
SHEET NUMBER: B1 OF 9

DANIEL JOHNS ENGINEERING
FL PE # 54037
3869 S. NOVA ROAD
PORT ORANGE FL 32127



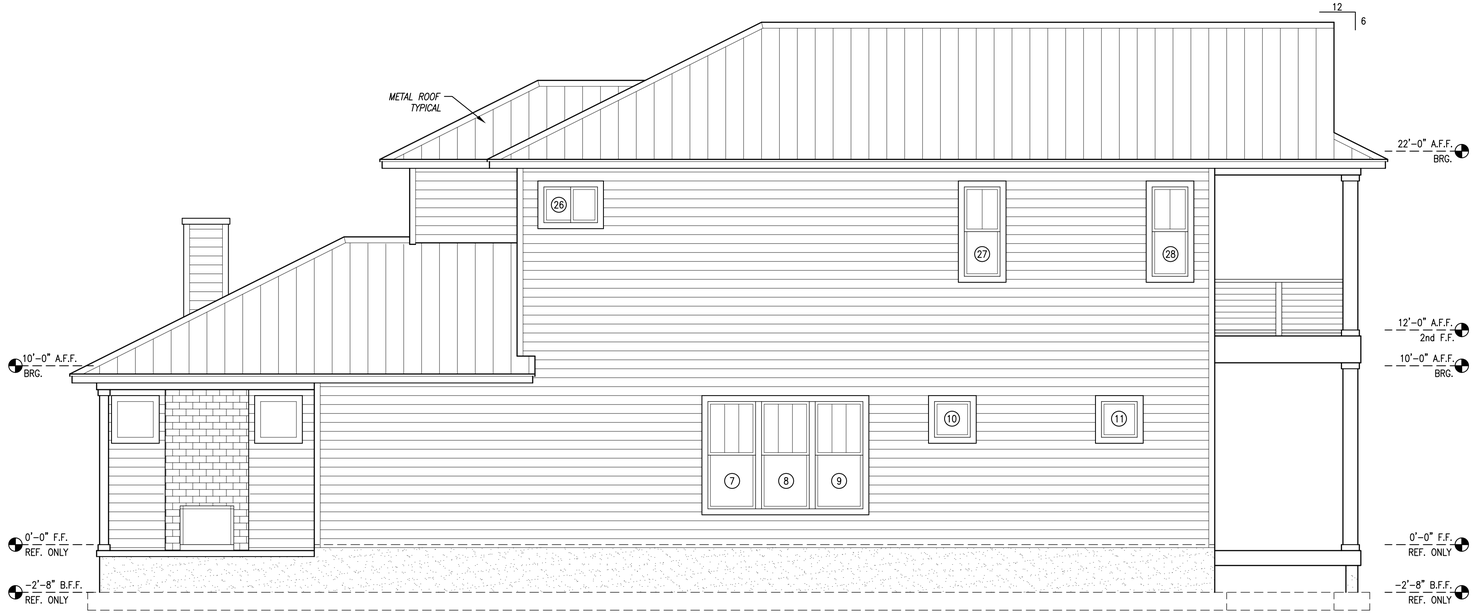
RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



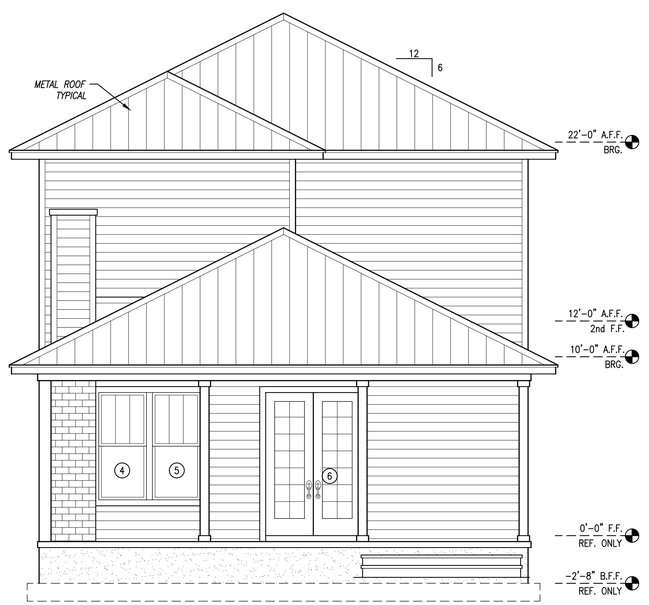
FRONT ELEVATION

SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"

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HICKSON CONSTRUCTION COMPANY, INC.
"Fine Custom Home and Commercial Construction"
RESIDENTIAL - COMMERCIAL - CGC 041621

MICHAEL L. HICKSON, (386) 428-7401
P.O. Box 1202, New Smyrna Bch., FL 32127

STRUCTURAL NOTES

DESIGN STATEMENT:

THESE PERMIT DOCUMENTS HAVE BEEN GENERATED IN ACCORDANCE WITH THE FLORIDA BUILDING CODE – SEVENTH ADDITION (2020) RESIDENTIAL

GENERAL NOTES:

1. NOTES ARE GENERAL AND INCLUDED TO PROVIDE TYPICAL GUIDANCE. SOME NOTES MAY NOT BE APPLICABLE TO SPECIFIC PROJECT. PLEASE CONSULT ENGINEER IF NECESSARY TO ELIMINATE AND/OR MODIFY NOTES.
2. SPECIFICATIONS SHALL PREDOMINATE OVER NOTES. NOTES SHALL PREDOMINATE OVER DRAWINGS. WRITTEN DIMENSIONS SHALL PREDOMINATE OVER SCALE OF DRAWINGS
3. INSTALLATIONS OF MATERIALS AND ASSEMBLIES SHALL MEET OR EXCEED MANUFACTURER'S BEST RECOMMENDATIONS
4. DESIGN BASED ON INFORMATION SUPPLIED, WHICH IS PRESUMED TO BE ACCURATE AND COMPLETE
5. ALL NOTES SHALL BE CONSIDERED AS TYPICAL (TYP) UNLESS NOTED OTHERWISE (UNO)
6. ALL REASONABLE ATTEMPTS HAVE BEEN MADE TO VERIFY EXISTING CONDITIONS AND ADAPT DESIGN ACCORDINGLY.
7. DRAWINGS ARE PROVIDED TO CONVEY DESIGN INTENT, BUT NOT SUBSTITUTE FOR SPECS, SHOP DRAWINGS, ETC. OF SUBCONTRACTORS AND/OR SUPPLIERS
8. GENERAL CONTRACTOR OR OWNER BUILDER SHALL PROVIDE CONSTRUCTION WHICH CONFORMS WITH ALL PERTAINING REGULATIONS, CODES AND LOCAL JURISDICTIONS OF SUCH
9. GENERAL CONTRACTOR OR OWNER BUILDER SHALL VERIFY EXISTING CONDITIONS AND NOTIFY THE ENGINEER OF RECORD OF ANY DISCREPANCIES OR CHANGES (IN WRITING) PRIOR TO CONSTRUCTION.
10. INSTALL GUARDRAIL SYSTEM (36" MIN. HEIGHT W/ PICKETS @ LESS THAN 4" MAX CLEAR SPACE AND BOTTOM RAIL WITH 2" MAX SPACE) TO WITHSTAND A 200 LB CONCENTRATED HORIZONTAL LOAD APPLIED TO A 1 SQ FT AREA AS WELL AS A 200 LB POINT LOAD AT ANY POINT ALONG TOP OF GUARDRAIL WITH STRUCTURES THAT HAVE AN ADJACENT GRADE OF 30" OR GREATER TO PROVIDE GUARDRAIL
11. NO STRUCTURAL MEMBER SHALL BE CUT, NOTCHED OR OTHERWISE REDUCED IN STRENGTH UNO
12. ALL SECTIONS AND DETAILS SHALL BE CONSTRUED TO BE TYPICAL OR SIMILAR UNLESS ANOTHER SECTION OR DETAIL IS NOTED

CONCRETE & REINFORCING:

1. CONCRETE WORK AND REINFORCEMENT SHALL CONFORM TO THE CURRENT EDITION OF ACI 318 BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE
2. ALL CONCRETE AND GROUT SHALL HAVE THE FOLLOWING PROPERTIES:

LOCATION	28 DAY STRENGTH	SLUMP	COARSE AGGREGATE(S)
FOUNDATIONS BELOW GRADE	2500 PSI	4" +/– 1"	1"
SLAB ON GRADE	2500 PSI	4" +/– 1"	3/8" & 1"
FILLED CMU CELLS, PRECAST LINTELS & BOND BEAM GROUT (ASTM C476)	3000 PSI	8" TO 11"	COARSE GROUT 3/8" FINE GROUT NONE

3. REBAR SHALL CONFORM TO ASTM–615 GRADE 60. WELDED WIRE FABRIC SHALL CONFORM TO ASTM A–185 AND SHALL BE LAPPED MINIMUM ONE MESH + 2" WHERE SPLICED. ALL REINFORCING SHOULD BE DOMESTICALLY PRODUCED.
4. ALL FOUNDATIONS SHOULD BE CENTERED BENEATH VERTICAL SUPPORTING ELEMENTS TO EVENLY DISTRIBUTE LOAD INTO FOOTING UNO
5. SPLICES AND ANCHORAGE OF REINFORCING SHALL BE AS FOLLOWS:
   a. WELDED WIRE FABRIC: MINIMUM ONE MESH + 2"
   b. ALL OTHER: 48 BAR DIA (12" MIN)
   c. REINFORCEMENT IN WALLS, FOOTINGS, AND BEAMS SHALL BE CONTINUOUS AND LAPPED 48 BAR DIA AT SPLICE. HOOK AND LAP ALL CORNER AND INTERSECTING BARS
6. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS, ELEVATIONS, EXISTING CONDITIONS AND FUTURE LOCATIONS PRIOR TO INSTALLING CONCRETE
7. COVER FOR REINFORCING SHALL BE AS FOLLOWS:

CONCRETE CAST AGAINST AND PERMANENTLY EXPOSED TO EARTH	3"
CONCRETE EXPOSED TO EARTH OR WEATHER	
#6 THROUGH #18	2"
#5 BAR, W31, WIRE AND SMALLER	1.5"
CONCRETE NOT EXPOSED TO EARTH	
SLABS, WALLS, JOISTS (#3 THROUGH #11)	0.75"
BEAMS, COLUMNS: PRIMARY REINFORCEMENT, TIES, STIRRUPS, SPIRALS	1.5"

MASONRY:

1. ALL CMU WALLS ARE TO BE BUILT AS SHEAR WALL OR SHEAR WALL SEGMENT. PROVIDE ONE SOLID CELL AT CORNERS, ENDS OF WALLS, ADJACENT TO WINDOWS/DOORS, ETC.
2. MASONRY CONSTRUCTION MATERIALS AND INSPECTIONS SHALL CONFORM TO THE LATEST EDITION OF THE ACI BUILDING CODE REQUIREMENTS FOR CONCRETE MASONRY STRUCTURES (ACI 530/ASCE5/TMS 402–02). SPECIFICATIONS FOR MASONRY STRUCTURES (ACI 530.1/ASCE 6/TMS 602–02) ASTM C476. ASTM C1019, AND NCMA TEK 107.
3. CONCRETE BLOCKS SHALL CONFORM TO ASTM C–90. (f'm – 1500 PSI) (1900 PSI ON THE NET AREA)
4. MORTAR SHALL COMPLY WITH ASTM C270, TYPE S FOR TYPICAL WALLS (COMPRESSIVE STRENGTH= 2100 PSI AT 28 DAYS. SITE TESTED MORTAR CUBES SHALL ACHIEVE A MINIMUM OF 80% OF THE DESIGN COMPRESSIVE STRENGTH)
5. BLOCK SHALL BE FREE OF MOISTURE BEFORE GROUTING
6. VERTICAL REINFORCING MUST HAVE A MINIMUM CLEARANCE OF 1/2" TO INSIDE FACE. VERTICAL REINFORCEMENT IN WALLS SHALL BE SECURED AND LATERALLY SUPPORTED AGAINST DISPLACEMENT AT INTERVALS NOT EXCEEDING 192X(BARDIAMETER) OR 10 FT (WHICHEVER IS LESS) WHENEVER A CLEAN–OUT IS REQUIRED. SEE GROUTING DETAIL NOT FOR CLEAN–OUT REQUIREMENTS.
7. GROUT SHALL BE IN ACCORDANCE WITH ASTM C476 AND THESE DRAWINGS.
8. GROUT PLACEMENT STOPPED FOR (1) HOUR OR MORE SHOULD BE STOPPED 1–1/2" BELOW THE TOP OF THE MASONRY UNIT TO PROVIDE A KEY FOR SUBSEQUENT GROUTING.
9. TYPICAL HORIZONTAL/VERTICAL REINFORCING SIZE AND SPACING SHALL BE ABOVE AND BELOW ALL WALL OPENINGS.
10. TEMPORARY BRACING AND SHORING OF WALL S TO PROVIDE STABILITY DURING CONSTRUCTION SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
11. PROVIDE DRILLED PRECAST U–LINTELS WITH REINFORCING PER SCHEDULE. LINTELS SHALL HAVE MINIMUM UNFILLED CAPACITY OF 400 LB/LF AND BEAR NOMINAL 8" (MIN. 8") EACH END ON A GROUT FILLED CELL.
12. STOPPING AND RESUMING WORK: RACK BACK 1/2 – UNIT LENGTH IN EACH CORE. DO NOT TOOTH. CLEAN EXPOSED SURFACES OF SET MASONRY. REMOVE LOOSE MASONRY UNITS AND MORTAR PRIOR TO LAYING FRESH MASONRY.
13. DO NOT APPLY UNIFORM LOADS TO MASONRY WALLS FOR (3) DAYS MIN. AFTER CELLS ARE FILLED
14. DO NOT APPLY CONCENTRATED LOADS TO MASONRY WALLS FOR (7) DAYS MIN. AFTER CELLS ARE FILLED
15. EXTEND ALL VERTICAL WALL REINFORCEMENT TO WITHIN 2" OF TOP OF WALL OR BEAM UNLESS NOTED OTHERWISE. TERMINATE REINFORCING WITH STANDARD ACI 90 DEGREE HOOK IF ROOF JOISTS AND/OR TRUSSES BEAR ON TOP OF WALL.

LINTEL NOTES:

1. LINTELS SPECIFIED BASED ON SAFE WORKING LOADS PROVIDED BY CAST–CRETE (OR EQUIVALENT). ALTERNATIVE MANUFACTURERS ARE ALLOWED IF CAPACITY OF SUBSTITUTION MEET OR EXCEED SPECIFIED PRODUCT.

VENTILATION:

1. ALL VENTILATION TO COMPLY WITH APPLICABLE BUILDING CODE

EXTERIOR COVERINGS:

2. ALL DECORATIVE CEMENTITIOUS COATING (INCLUDING STUCCO) PER MFG. SPECIFICATIONS, TO PROVIDE WATERPROOF BARRIER w/ BOND BREAK
3. STUCCO ON METAL LATHE WILL BE A MINIMUM OF 7/8" THICK IN ACCORDANCE WITH ASTMC926
4. STUCCO MUST EXTEND A MINIMUM OF 1" BELOW THE SOLE PLATE REQUIRED PER ASTM C1603. AS SUCH SLAB MUST BE A MINIMUM OF 8" ABOVE GRADE FOR TERMITE IN ACCORDANCE WITH APPLICABLE BUILDING CODE – SECTION R703
5. PROVIDE 1/2" EXTERIOR DRYWALL OR 1/4" HARDI BOARD ON ALL EXTERIOR CEILINGS SURFACED WITH 1/4" CEMENTITIOUS COATING (TYP)

FOUNDATION:

1. CLEAN FILL OR STABILIZED EXISTING SOIL, COMPACTED TO 95% MODIFIED PROCTOR DENSITY PER ASTM.
2. SUBTERRANEAN TERMITE PROTECTION PER APPLICABLE BUILDING CODE IS REQUIRED
3. ALL FILL AREAS OF THE FOOTING/SLAB AREA SHALL BE FDOT CLASS "A" AND SHALL BE COMPACTED IN A MAXIMUM OF 12" LIFTS TO 95% MODIFIED PROCTOR DENSITY
4. ALL FOOTINS/SLAB AREAS SHALL HAVE A MINIMUM SOIL BEARING CAPACITY OF 2000 PSF
5. CONCRETE IN SLABS AND FOOTINGS SHALL BE A MINIMUM OF 6" ABOVE FINISHED GRADE
6. FOOTINGS SHALL BE REINFORCED WITH, GRADE 60 BARS AS INDICATED. ALL BARS SHALL CONFORM TO ASTM SERIAL DESIGNATION A305, BE CLEAN, AND FREE FROM RUST AND SCALE SPLICES SHALL OVERLAP A MINIMUM OF 25"
7. ALL FLOOR SLABS SHALL BE MINIMUM OF 4" THICK CONCRETE REINFORCED WITH 6"X6"X10/10 WWM ON 6 MIL POLYETHYLENE VAPOR BARRIER.
8. EXTEND SLAB AND PROVIDE RECESS PER MFG SPECS TO RECEIVE SLIDING GLASS DOOR TACKS. SEE PLAN FOR LOCATIONS.
9. EXTEND SLAP FOR THRESHOLD PER MFG. SPECS AT ALL DOOR OPENINGS. SEE PLAN FOR LOCATIONS.
10. MISSING EMBEDDED STEEL MAY BE INSTALLED AS FOLLOWS W/ SIMPSON SET XP EPOXY; DRILL 3/4" FOR #5 OR 5/8" FOR #4 TO MINIMUM DEPTH OF 6" VON OR SPECIFIED BY MFG OR ENGINEER. CLEAN HOLE W/ OIL–FREE DOWEL, ROTATING SLOWLY, UNTIL FULLY SEATED, ALLOW TO CURE FOR 24 HOURS BEFORE APPLYING LOAD. ENGINEER SHOULD BE CONTACTED IF CONSECUTIVE EMBEDDED STEEL IS MISSING.
11. REFER TO ENGINEERS ANNOTATION, COMMENTS, DESIGN STATEMENT OR ANCHOR SCHEDULE FOR LOCATIONS OF EMBEDDED ANCHORS PRIOR TO INSTALLING CONCRETE. FOOTER AND WALL HEIGHT MAY BE STEPPED TO ADJUST FOR GRADE WHERE WALL HEIGHT OR FOOTER ELEVATION IS STEPPED – PROVIDED THAT CONTINUOUS HORIZONTAL REINFORCEMENT IS ALSO STEPPED FOUNDATION PLAN INDICATES REQUIRED LOCATIONS OF VERTICAL REINFORCEMENT AND FILLED CELLS.
12. ADDITIONAL VERTICAL REINFORCEMENT IS REQUIRED FOR STEM WALLS > (X) BLOCKS HIGH RETAINING SOIL.
13. ADDITIONS/EXPANSIONS – ELEVATION OF NEW FOOTING SHOULD BE POSITIONED AT SAME ELEVATION OR LOWER AS NOT TO INTRODUCE NEW LOADING ON EXISTING FOOTINGS

WOOD/LUMBER NOTES:

1. MOISTURE CONTENT <19% FOR LUMBER AND <16% FOR GLUE LAMINATED TIMBER
2. ALL LOAD BEARING OR STRUCTURAL WOOD ROOF FRAMING MEMBERS TO BE #2 S.Y.P MIN. UNLESS NOTED OTHERWISE
3. NON–LOAD BEARING INTERIOR WALLS CAN BE #2 S.P.F.
4. ALL EXTERIOR WOOD FRAME WALLS ARE TO BE BUILT AS SHEAR WALL OR SHEAR WALL SEGMENT. USE 15/32" CDX PLYWOOD WITH SPECIES OF PLIES HAVING g>/= 0.49 AND BE ATTACHED TO STUDS PER "SHEATHING NAILING SHCEDULE" U.N.O. TO ACHIEVE SHEAR WALL REQUIREMENTS
5. ALL EXTERIOR WALLS REQUIRE CONTINUOUS STRAPPING AS SHOWN
6. ALL DOUBLE TOP PLATES AT THE SHEAR AND BEARING WALLS SHALL HAVE MIN 4'–0" OVERLAP AND BE NAILED TOGETHER PER "SHEATHING NAILING SCHEDULE"

FRAMING TYPE / NAILING (NUMBER & TYPE) / NAIL SPACING:

DESCRIPTION	NAILING	SPACING
WALL FRAMING		
TOP PLATE TO TOP PLATE (FACE NAILED)	2–16d	PER FOOT
TOP PLATE AT INTERSECTIONS (FACE NAILED)	4–16d	PER FOOT
STUD–TO–STUD (FACE NAILED)	2–16d	24" O.C.
TOP OF BOTTOM PLATE TO STUD (END NAILED)		SEE DRAWINGS
BOTTOM PLATE TO FLOOR JOIST, BANDJOIST, ENDJOIST, OR BLOCKING (FACE NAILED)	2–16d	PER FOOT
HEADER TO HEADER (FACE NAILED)	16d	16" O.C. ALONG EDGES
ROOF FRAMING		
RAFTER TO TOP PLATE / CEILING JOIST TO TOP PLATE / CEILING JOIST TO PARALLEL RAFTER / CEILING JOISTS LAPS OVER PARTITIONS / COLLAR TIE TO RAFTER		SEE DRAWINGS
BLOCKING TO RAFTER	2–8d	EACH END
RIM BOARD TO RAFTER	2–16d	EACH END
ROOF SHEATHING		
WOOD STRUCTURAL PANELS	8d RING–SHANK	PER DRAWINGS
WALL SHEATHING		
WOOD STRUCTURAL PANELS	10d RING–SHANK	PER DRAWINGS
DIAGONAL BOARD SHEATHING, 1"x6", 1"x8"	2–8d	PER SUPPORT
GYPSUM BOARD / HARDI BOARD / PARTICLE BOARD PANELS		PER MFG SPECS
FLOOR FRAMING		
JOIST TO SILL	4–8d	PER JOIST
BRIDGING TO JOIST (TOE NAILED)	2–8d	EACH END
BLOCKING TO JOIST (TOE NAILED)	2–8d	EACH END
BLOCKING TO SILL OR TOP PLATE (TOE NAILED)	3–16d	EACH BLOCK
LEDGER STRIP TO BEAM (FACE NAILED)	3–16d	EACH JOIST
JOIST ON LEDGER TO BEAM (TOE NAILED)	3–8d	PER JOIST
BAND JOIST TO JOIST (END NAILED)	3–16d	PER JOIST
BAND JOIST TO SILL OR TOP PLATE (TOE NAILED)	2–16d	PER FOOT
FLOOR SHEATHING		
WOOD STRUCTURAL PANEL <1"	8d	6" EDGE/12" FIELD
DIAGONAL BOARD SHEATHING 1"x6" OR 1"x8"	2–8d	PER SUPPORT
DIAGONAL BOARD SHEATHING 1"x10" OR WIDER	3–8d	PER SUPPORT
CEILING SHEATHING		
GYPSUM WALLBOARD	5D COOLERS	7" EDGE/10" FIELD

CONNECTION HARDWARE:

1. ALL CONNECTION HARDWARE TO BE SIMPSON (OR EQUIVALENT) AND INSTALLED PER MANUF. RECOMMENDATIONS.
2. ALL CONCRETE ANCHORS TO MEET CRITICAL EDGE DISTANCES AND SPACING TO ACHIEVE FULL CAPACITY UNLESS SPECIFICALLY NOTED OTHERWISE
3. CONTINUOUS STRAPPING REQUIRED FOR EXTERIOR STUD FRAMED STRUCTURES – SEE DETAILS
4. CONCRETE ANCHORS MAY BE USED TO ADD STRAP IF EMBEDMENT WAS MISSED AT CONCRETE POUR – ADDED STRAP MUST MEET OR EXCEED ORIGINAL SPECIFIED
5. IF J–BOLT IS MISSING USE 5/8" TITEN HD WITH 2" PAN WASHER WITH 5" MINIMUM EMBEDMENT. (ENGINEER SHOULD BE CONTACTED IF CONSECUTIVE EMBEDDED STEEL IS MISSING).

TRUSSES:

1. TRUSSES TO BE DESIGNED AND CERTIFIED FOR WIND LOADS BY TRUSS MFG.
2. TRUSSES TO BE INSTALLED PER MANUF INSTALLATION INSTRUCTIONS
3. TRUSS SUPPORTS TO BE SPECIFIED BY TRUSS MFG. ALL ROOF TRUSS HANGERS TO BE SIMPSON HUS26 OR EQUIVALENT UNLESS OTHERWISE NOTED. ALL FLOOR TRUSS HANGERS TO BE SIMPSON THA422 OR EQUIVALENT UNLESS OTHERWISE NOTED.
4. UPLIFT RESISTANCE TO BE INSTALLED AS NOTED IN DRAWINGS
5. REFER TO HIB 91 (RECOMMENDATIONS FOR HANDLING, INSTALLATION, AND TEMPORARY BRACING) REFERENCE TO ENGINEERED DRAWINGS FOR PERMANENT BRACING REQUIRED.

ROOFING:

1. ALL ROOF STRUCTURE MEMBERS (INCLUDING: SOFFIT, FASCIA, FLASHING, DRIP–EDGE, MOISTURE BARRIERS, SHINGLES, TILE AND METAL SHEATHING) SHALL BE INSTALLED IN COMPLIANCE WITH APPLICABLE BUILDING CODE
2. FASTENERS: TO BE CORROSION RESISTANT CONFORMING TO THE APPLICABLE BUILDING CODE SECTIONS R904 & R905 AND ALL CODES REFERENCED WITHIN
3. ALL APPROVED ROOF COVERINGS ARE TO CONFORM TO THE APPLICABLE BUILDING CODE SECTIONS R904 & R905 AND SUBSECTIONS RESPECTIVELY AND TO ALL CODES REFERENCED WITHIN.
4. ROOFING TO BE INSTALLED PER MANUF. RECOMMENDATIONS OVER 30 LB FELT OR SYNTHETIC UNDERLAYMENT OVER 19/32" (5/8" NOMINAL) PLYWOOD OR O.S.B. SHEATHING.

RENOVATIONS/ADDITIONS – BRACING/SUPPORT OF EXISTING STRUCTURE:

1. BRACING/SUPPORT OF EXISTING STRUCTURE IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR. BRACING/SUPPORT SHOULD NOT BE REMOVED UNTIL REPAIR DETAILS ARE COMPLETE EXTERIOR FINISHES:
2. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR REMOVAL OF EXISTING EXTERIOR/INTERIOR COVERINGS TO ENSURE ATTACHMENT TO EXISTING STRUCTURE IS INSTALLED WITH FASTENER EMBEDMENT/PENETRATION AS SPECIFIED
3. APPROPRIATE SEQUENCING IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR U.N.O.

ELECTRICAL NOTES:

1. ALL ELECTRICAL SERVICE TO BE PERFORMED BY A LICENSED FLORIDA ELECTRICIAN. PANEL LOCATION TO BE DETERMINED BY BUILDER AND ELECTRICIAN.
2. ALL SMOKE DETECTORS TO BE INTERCONNECTED PER LATEST NFPA
3. CIRCUITS FOR OUTLETS AND SMOKE DETECTORS TO HAVE AFCI PROTECTION PER LATEST APPLICABLE NEC & NFP
4. SUPPORT BOXES FOR CEILING FANS TO BE LISTED IN NEC
5. CIRCUITS REQUIRE TAMPER RESISTANT RECEPTACLES UNLESS ABOVE 66" A.F.F. OR IF BEHIND MAJOR ELECTRICAL APPLIANCES PER LATEST NEC
6. FOR ADDITIONS AND ALTERATIONS – SMOKE DETECTORS WILL BE INSTALLED IN ANY EXISTING RESIDENCE IF NOT CURRENTLY INSTALLED AS REQUIRED PER THE APPLICABLE BUILDING CODE SECTION R314
7. FOR ADDITIONS AND ALTERATIONS – CARBON MONOXIDE DETECTORS WILL BE INSTALLED IN ANY EXISTING RESIDENCE IF NOT CURRENTLY INSTALLED AS REQUIRED PER THE APPLICABLE BUILDING CODE – SECTION 315

WINDOWS & DOORS:

1. PRESSURES ON EXTERIOR OPENINGS HAVE BEEN PROVIDED IN DRAWINGS. ATTACHMENT TO STRUCTURE PER MANUFACTURER'S RECOMMENDATIONS TO RESIST LOADING (CONSIDERING EDGE DISTANCE REDUCTIONS) IS REQUIRED
2. ALL FIXED GLASS AND/OR OPERABLE WINDOWS OR OTHER GLAZING TO BE SAFETY GLASS AS REQUIRED AND DEFINED IN THE FBC – RESIDENTIAL SECTION R308
3. ALL BEDROOM WINDOW SHALL MEET MINIMUM EGRESS REQUIREMENT PER APPLICABLE BUILDING CODE SECTION R310. FOR FRONT ENTRY USE 3'–0" MINIMUM DOOR OR (2) 3'–0" DOORS UNLESS

RESIDENTIAL WOOD DECKS:

1. DECK SURFACES >30" FROM GRADE REQUIRE MIN. 36" TALL GUARDRAIL
2. GUARD RAIL TO RESIST 200 LB CONCENTRATED LOADS SPECIFIED BY IBC/IRC
3. OPENING SHALL NOT ALLOW PASSAGE OF A 4" DIAMETER SPHERE
4. DIAGONAL BRACING REQUIRED FOR DECKS >2' ABOVE GRADE
5. WOOD: ALL LUMBER TO BE #2 GRADE SYP – PRESSURE TREATED (PT)
   a. MINIMUM POST REQUIREMENTS: 6x6 FOR DECK SUPPORT, 4x4 GUARD POST
6. DECKING
   a. 5/4" RADIUS EDGE SOUTHERN PINE DECKING OR EQUIVALENT
   b. ATTACHMENT: (2)–8d RINK SHANK OR (2) #8 SCREWS
   c. ORIENTATION: PERPENDICULAR OR 45 DEGREES TO JOISTS
   d. BEARING ON 3 JOISTS MINIMUM
7. FASTENERS
   a. NAILS: ASTM F 167 – THREADED NAILS INCLUDING HELICAL (SPIRAL) AND ANNULAR (RING SHANK)
   b. SCREWS ANSI/ASME B18.6.1
   c. ½" BOLTS/LAGS PER NAS/ASME B18.2.1 – EDGE DISTANCE AND SPACING BASED ON DIA.
   d. CORROSION RESISTANCE FOR SCREWS, BOLTS & NAILS: HOT DIPPED GALVANIZED; STAINLESS
   e. HANGERS AND ANCHORS: GALVANIZED OR STAINLESS
   f. SALTWATER EXPOSURE: STAINLESS
   g. FLASHING: NOMINAL 0.019" MIN.

GENERAL CONTRACTOR:

HICKSON CONSTRUCTION COMPANY, INC.
"Fine Custom Home and Commercial Construction"
RESIDENTIAL - COMMERCIAL - CGC 041621
MICHAEL L. HICKSON , (386) 428-7401
P.O. Box 1202, New Smyrna Bch., FL 32127

DESIGN & DOCUMENTION:

MuelTech, Inc.
PLAN DESIGNS, DRAWINGS, AND DRAWING DETAILS
Phone: (386) 214-2453
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PROJECT INFORMATION:

Dave & Caron Abbott
200 N. Peninsula Ave.
New Smyrna Beach FL

These plans have been designed in accordance with the Florida Building Code – Seventh Edition (2020) Residential, including the codes referenced therein, and with ASCE 7–16 for an enclosed structure (Int. Pressure Coefficient +/–0.18)

Wind Design Speed = 140 mph
Risk Category = II
Wind Exposure Classification = D
Floor Live Load = 40 psf (min.)
Roof Live Load = 20 psf (min.)
Design Soil Bearing = 2000 P.S.F. (min.)

Wind Loads on Components and Cladding: See "Wind Loads (psf) on Components & Cladding" table on sheet A1

NO.	DATE	REVISION
1)	07/07/22	FINAL

DRAWN BY: M.S.M.
ORIGIN DATE: 02/15/22
ISSUED FOR: CONSTRUCTION
SHEET NUMBER: D1 OF 9

DANIEL JOHNS ENGINEERING
FL PE # 54037
3869 S. NOVA ROAD
PORT ORANGE FL 32127

NOTE TO CONNECTIONS/STRAPPING:
UNLESS OTHERWISE SPECIFIED, ALL TRUSS CONNECTIONS ARE AS FOLLOWS:

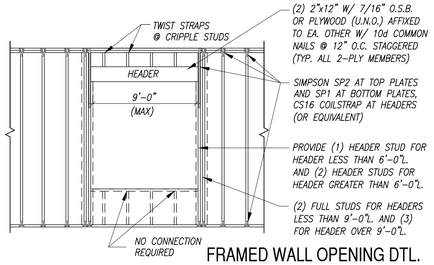
1-PLY TRUSS TO FRAME WALL = (1) SIMPSON MTS12 W/ 14-10d NAILS
2-PLY TRUSS TO FRAME WALL = (2) SIMPSON MTS12 W/ 14-10d NAILS (EA. MTS12) FRAME WALL TO FLOOR JOIST = CS16 MIN. 40" LONG OR MSTA30 NAILED EQUALLY SPACED ON TRUSS & WALL @ 48" O.C. MIN.

1-PLY TRUSS TO C.M.U.. WALL = (1) HETA20 W/ 9-10d NAILS
2-PLY TRUSS TO C.M.U. WALL = (2) HETA20 W/ 12-16d NAILS (EA. HETA20)

*WHEN USING HTT, MGT, OR VGT, CONNECTOR SHALL BE ANCHORED TO C.M.U. (SOLID CONCRETE FILL) W/ #5/8" ANCHOR BOLT, DRILLED & EPOXIED W/ SIMPSON SET ANCHORING ADHESIVE W/ 7" MIN. EMBEDMENT

*UNLESS OTHERWISE NOTED: HTT-4 TO FRAMING TO HAVE (18) .162"x2-1/2" NAILS, HTT-5 TO FRAMING TO HAVE (26) .162"x2-1/2" NAILS, AND MGT TO FRAMING TO HAVE (22) .148"x3" NAILS

FOR CONTACT WITH ALL PRESSURE TREATED WOOD: USE SIMPSON ZMAX HOT-DIPPED GALVANIZED (HDG) CONNECTORS WITH HDG FASTENERS WHICH MEET OR EXCEED ASTM A153 REQUIREMENTS



FRAMED WALL OPENING DTL.

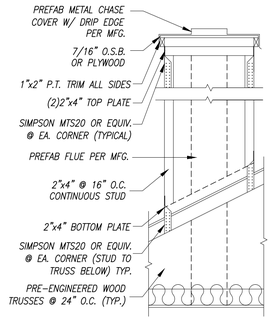
SCALE: 1/4"=1'-0"

NOTE TO INSULATION:

C.M.U. WALLS: R-6 INSULATION - PRESCRIPTIVE REQUIREMENT OR AS PRESCRIBED IN ENERGY CALCULATIONS (SEPARATE DOCUMENT PROVIDED BY OTHERS)

FRAME WALLS: R-13 INSULATION - PRESCRIPTIVE REQUIREMENT OR AS PRESCRIBED IN ENERGY CALCULATIONS (SEPARATE DOCUMENT PROVIDED BY OTHERS)

ATTIC SPACES: R-38 INSULATION - PRESCRIPTIVE REQUIREMENT OR AS PRESCRIBED IN ENERGY CALCULATIONS (SEPARATE DOCUMENT PROVIDED BY OTHERS)

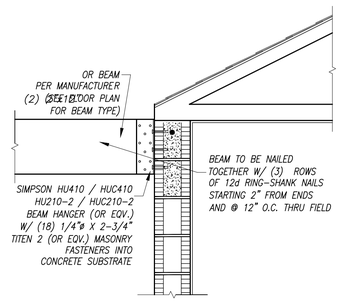


1 D2 CHIMNEY FRAMING DTL.

SCALE: 3/4" = 1'-0"

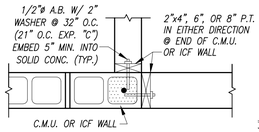
SHEATHING/NAILING INDEX				
LOCATION (ZONE)	EXP.	NAIL	O.C. EDGE	O.C. FIELD
ROOF-EDGE/CORNER	C/D	8d	4"	6"
ROOF-INTERIOR	C	8d	6"	6"
ROOF-INTERIOR	D	8d	4"	6"
WALL-EDGE/CORNER	C/D	8d	4"	6"
WALL-INTERIOR	C	8d	6"	6"
WALL-INTERIOR	D	8d	4"	6"

NOTES:
1. ROOF SHEATHING TO BE MIN. 19/32" (5/8" NOMINAL) PLYWOOD OR OSB, SPAN RATED 40/20
2. ROOF SHEATHING NAILS TO BE RING-SHANK-03 (2-12"x.131") OR RSRS-4 (3"x.120")
3. WALL SHEATHING TO BE MIN. 15/32" (1/2" NOMINAL) PLYWOOD OR OSB, SPAN RATED 32/16
4. WALL SHEATHING NAILS TO BE 8d COMMON NAILS
5. EDGE/CORNER TO BE FIRST FULL SHEET (4') FROM ANY EDGE/CORNER, (E.G.. FROM FASCIA HIP, OR RIDGE)



BEAM HANGER DTL.

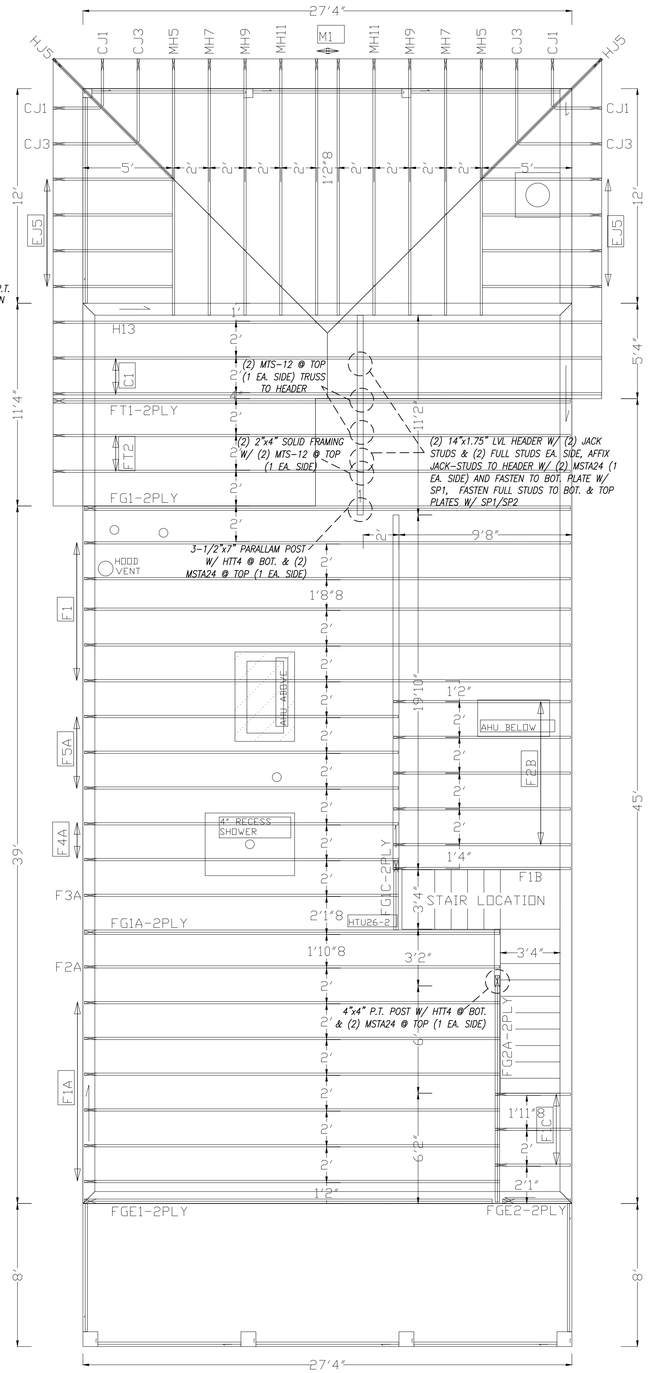
SCALE: 3/4"=1'-0"



J-BOLT DTL.

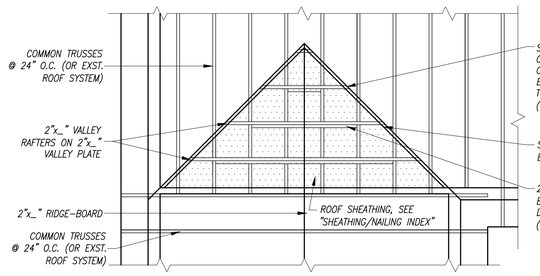
SCALE: 3/4"=1'-0"

NOTE TO WALL & ROOF SHEATHING:
HUBER ZIP SYSTEM SHEATHING (STRUCTURAL 1 RATED PANEL) MAY BE USED AS AN ACCEPTABLE SUBSTITUTION FOR EXTERIOR WALL & ROOF SHEATHING AFFIXED IN ACCORDANCE WITH THE FASTENING TYPE AND PATTERN SPECIFIED IN THE "SHEATHING NAIL INDEX". ALL HUBER COMPONENTS ARE TO BE INSTALLED PER THE MFG RECOMMENDATIONS TO MEET THE NECESSARY STRUCTURAL AND WATERPROOFING REQUIREMENTS



1st FLOOR TRUSS SYSTEM PLAN

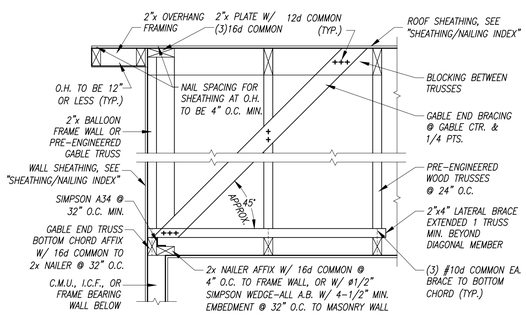
SCALE: 1/4" = 1'-0"



VALLEY FRAMING MEMBERS SIZE & SPACING			
SPAN	SIZE	SPACING	RIDGE BOARD & VALLEY PLATES
TO 9'-6" MAX.	2" x 6"	24" O.C.	2" x 8"
TO 11'-8" MAX.	2" x 6"	16" O.C.	2" x 8"
9'-6" - 12'-1" MAX.	2" x 8"	24" O.C.	2" x 10"
11'-8" - 14'-9" MAX.	2" x 8"	16" O.C.	2" x 10"
12'-1" - 14'-4" MAX.	2" x 10"	24" O.C.	2" x 12"
14'-9" - 17'-6" MAX.	2" x 10"	16" O.C.	2" x 12"
*ALL MEMBERS TO BE MIN #2SYP			

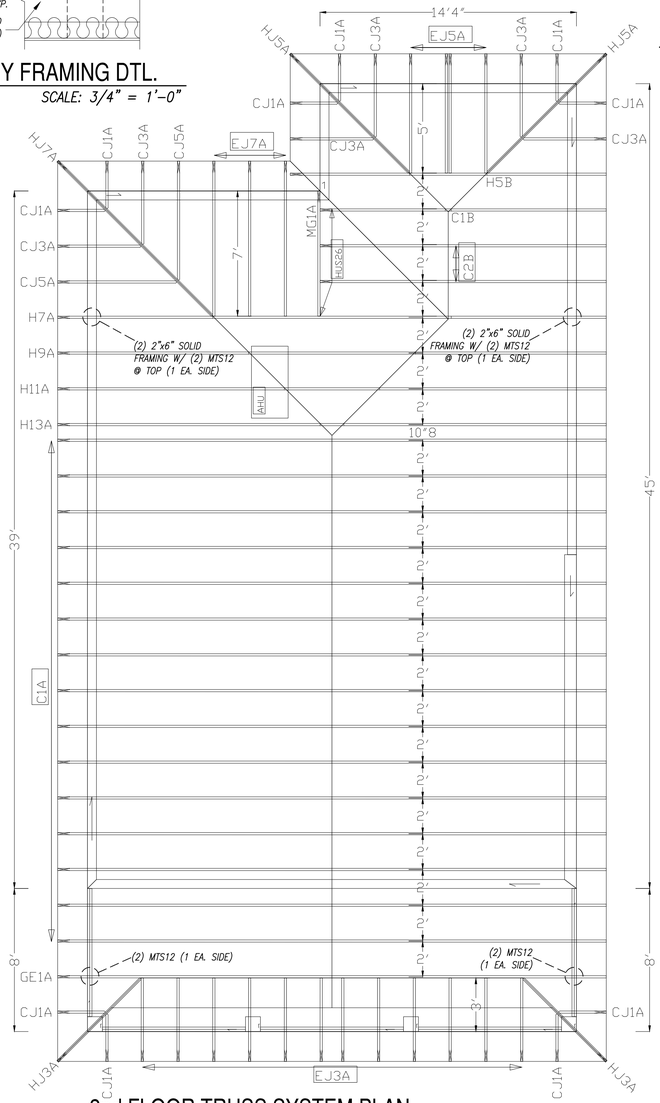
TYPICAL VALLEY FRAMING

SCALE: 3/4" = 1'-0"



GABLE END BRACING DTL.

SCALE: 3/4" = 1'-0"



2nd FLOOR TRUSS SYSTEM PLAN

SCALE: 1/4" = 1'-0"

PROJECT INFORMATION:
Dave & Caron Abbott
200 N. Peninsula Ave.
New Smyrna Beach FL

DESIGN & DOCUMENTION:
MuelTech, Inc.
PLAN DESIGNS, DRAWINGS, AND DRAWING DETAILS
Phone: (386) 214-2453
Email: MuelTech@gmail.com

GENERAL CONTRACTOR:
HICKSON CONSTRUCTION COMPANY, INC.
"Fine Custom Home and Commercial Construction"
RESIDENTIAL - COMMERCIAL - C6C 041621
MICHAEL L. HICKSON , (386) 428-7401
P.O. Box 1202, New Smyrna Bch., FL 32127

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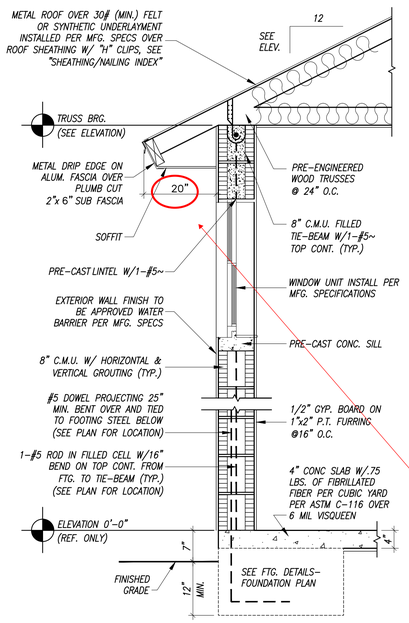
Wind Design Speed = 140 mph
Risk Category = II
Wind Exposure Classification = D
Floor Live Load = 40 psf (min.)
Roof Live Load = 20 psf (min.)
Design Soil Bearing = 2000 P.S.F. (min.)

Wind Loads on Components and Cladding: See "Wind Loads (psf) on Components & Cladding" table on sheet A1

NO.	DATE	REVISION
1)	07/07/22	FINAL

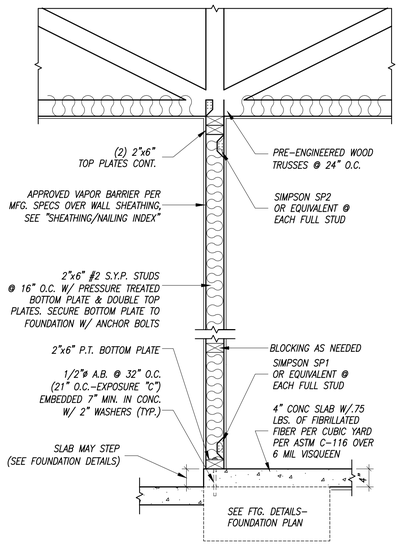
DRAWN BY: M.S.M.
ORIGIN DATE: 02/15/22
ISSUED FOR: CONSTRUCTION
SHEET NUMBER: D2 OF 9

DANIEL JOHNS ENGINEERING
FL PE # 54037
3869 S. NOVA ROAD
PORT ORANGE FL 32127



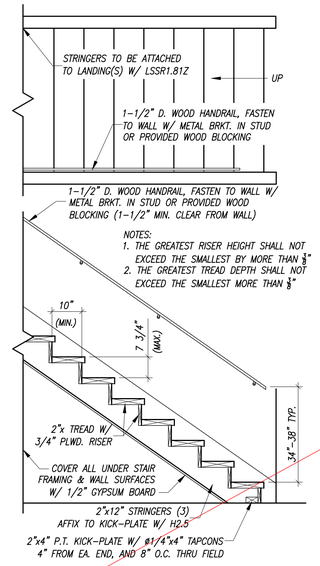
1 D3 TYP. WINDOW WALL SECTION

SCALE: 3/4"=1'-0"



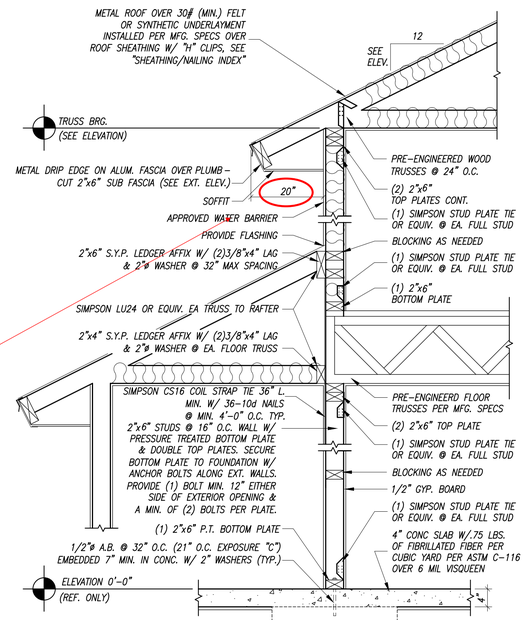
2 D3 TYP. INT. BEARING WALL SECTION

SCALE: 3/4"=1'-0"



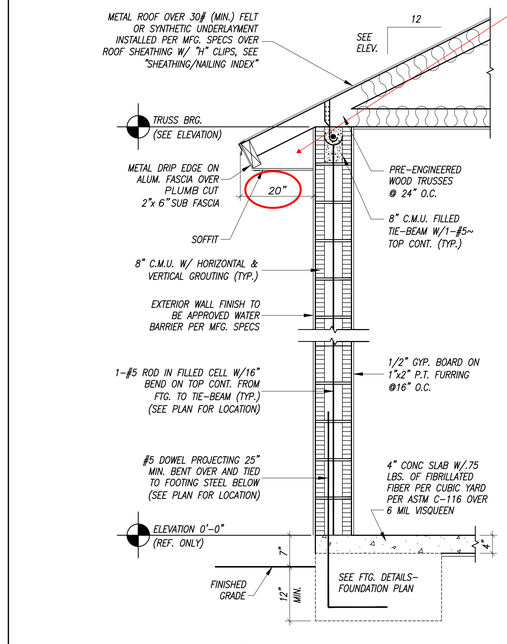
3 D3 STAIR RISER DETAIL

SCALE: 1/2"=1'-0"



4 D3 INT. 2-STORY BRG.

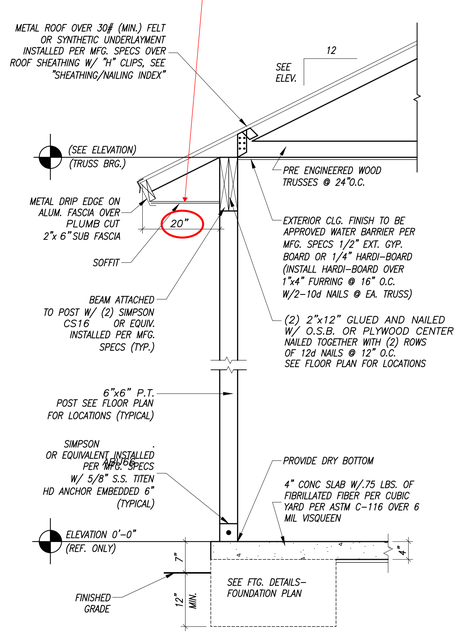
SCALE: 3/4"=1'-0"



5 D3 TYP. C.M.U. WALL SECTION

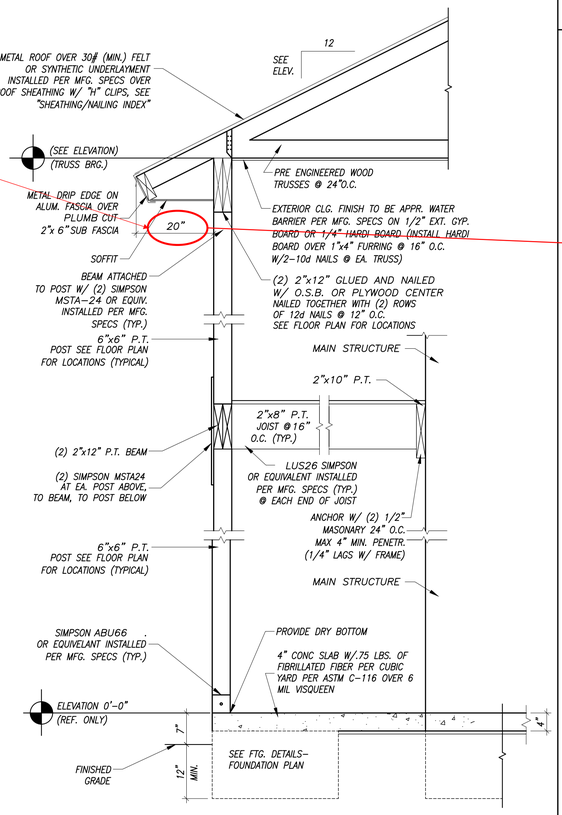
SCALE: 3/4"=1'-0"

New section added to FBC 2020 7th Edition. Section R704 Soffits. Note Soffits will comply with this added Code Reference.



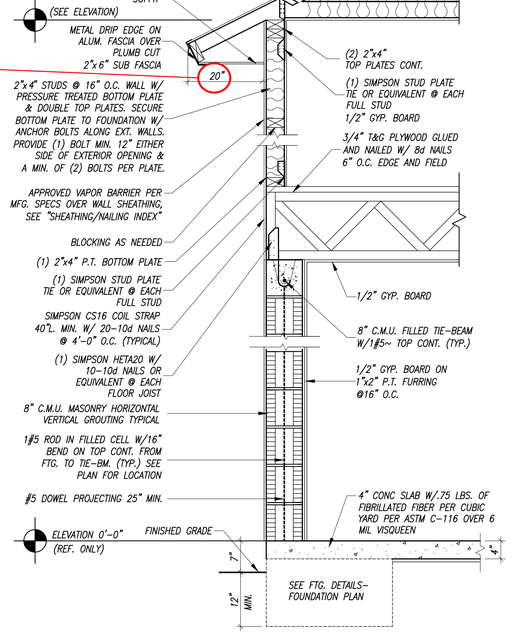
6 D3 REAR PORCH SECTION

SCALE: 3/4"=1'-0"



7 D3 PAD/PIER PORCH SECTION

SCALE: 3/4"=1'-0"



8 D3 TYP. 2-STORY WALL SECTION

SCALE: 3/4"=1'-0"

GENERAL CONTRACTOR:

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RESIDENTIAL - COMMERCIAL - c&c 041621

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P.O. Box 1202, New Smyrna Bch., FL 32127

DESIGN & DOCUMENTION:

MuelTech, Inc.

PLAN DESIGNS, DRAWINGS, AND DRAWING DETAILS

Phone: (386) 214-2453
Email: MuelTech@gmail.com

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Wind Loads on Components and Cladding: See "Wind Loads (psf) on Components & Cladding" table on sheet A1

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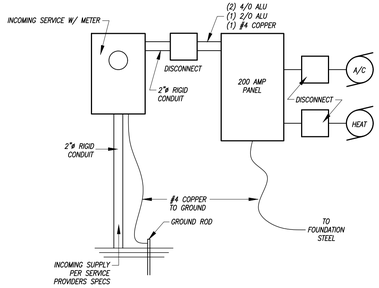
DRAWN BY: M.S.M.
ORIGIN DATE: 02/15/22
ISSUED FOR: CONSTRUCTION
SHEET NUMBER: D3 OF 9

DANIEL JOHNS ENGINEERING
FL PE # 54037
3869 S. NOVA ROAD
PORT ORANGE FL 32127

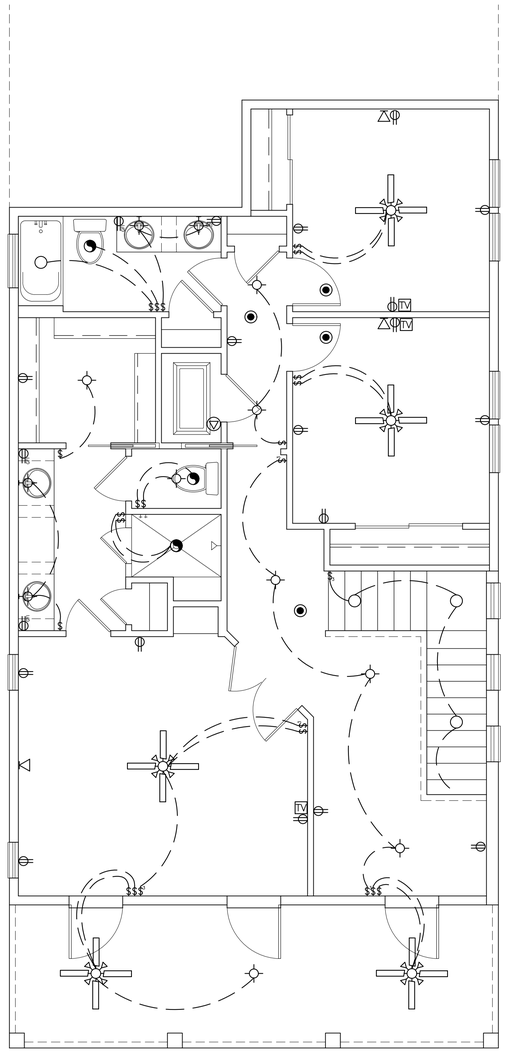


ELECTRICAL RISER DIAGRAM

SCALE: N.T.S.

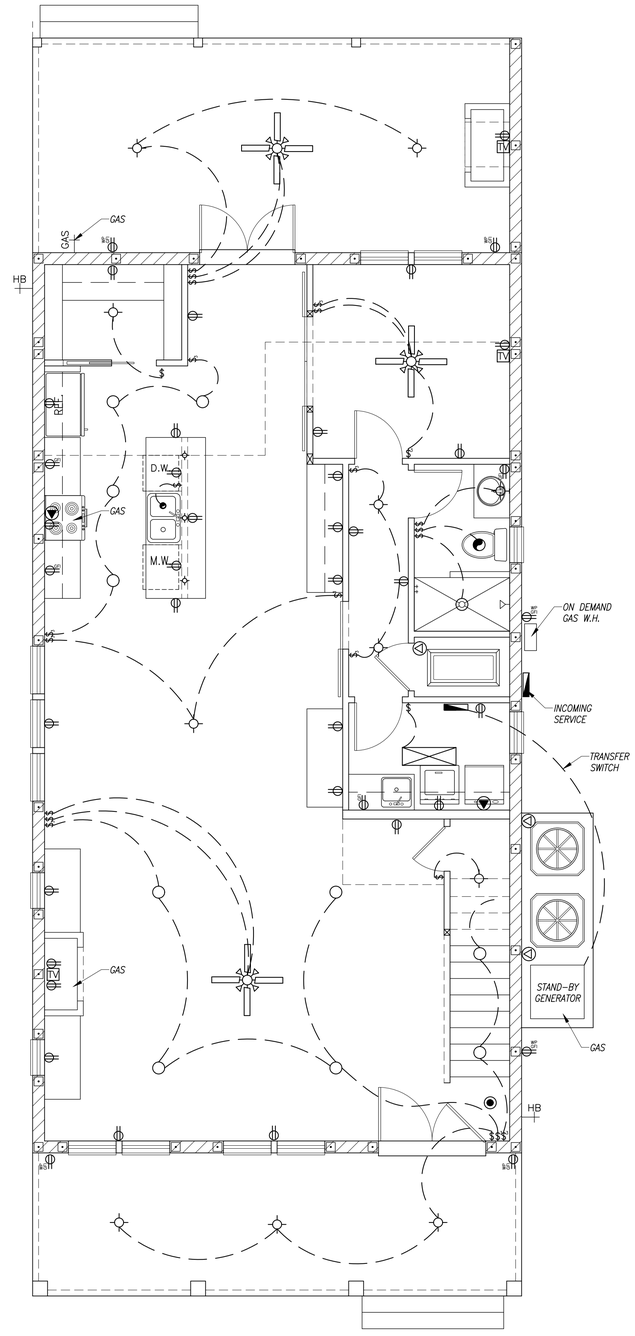
ELECTRICAL SYMBOL KEY

- = DUPLEX OUTLET
- = HALF SWITCHED OUTLET
- = GROUND FAULT DUPLEX OUTLET
- = WATERPROOF GROUND FAULT
- = 220 VOLT OUTLET
- = 220 VOLT DISCONNECT
- = CEILING FIXTURE
- = PENDANT LIGHT
- = FLOOR OUTLET
- = EXHAUST FAN
- = GARBAGE DISPOSAL
- = RECESSED CANLIGHT
- = EYEBALL SPOT
- = WALL MOUNT FIXTURE
- = WALL SCONCE
- SD = SMOKE DETECTOR
- J = JUNCTION BOX
- = FLOODLIGHT
- S = SWITCH
- $_3$ = THREE-WAY SWITCH
- = PANEL
- = FLUORESCENT FIXTURE
- = FLUORESCENT SINGLE TUBE
- = UNDER CABINET FLUORESCENT
- = CEILING FAN
- = CEILING FAN W/LIGHT
- = PHONE
- TV = T.V.
- = GARAGE DOOR OPENER



2nd FLOOR ELECTRICAL PLAN

SCALE: 1/4" = 1'-0"



1st FLOOR ELECTRICAL PLAN

SCALE: 1/4" = 1'-0"

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DANIEL JOHNS ENGINEERING
FL PE # 54037
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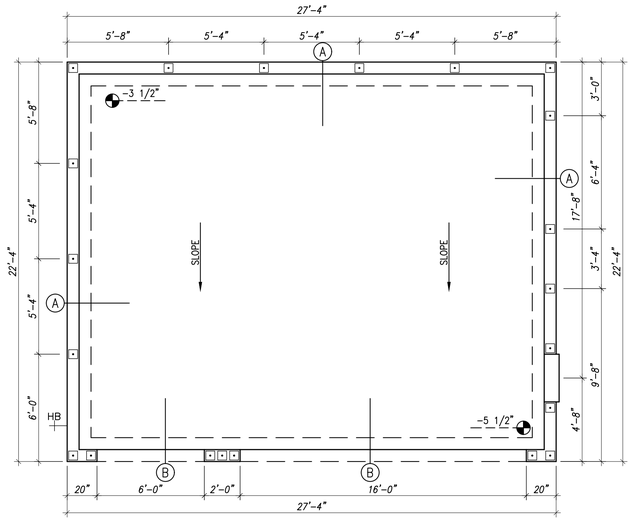
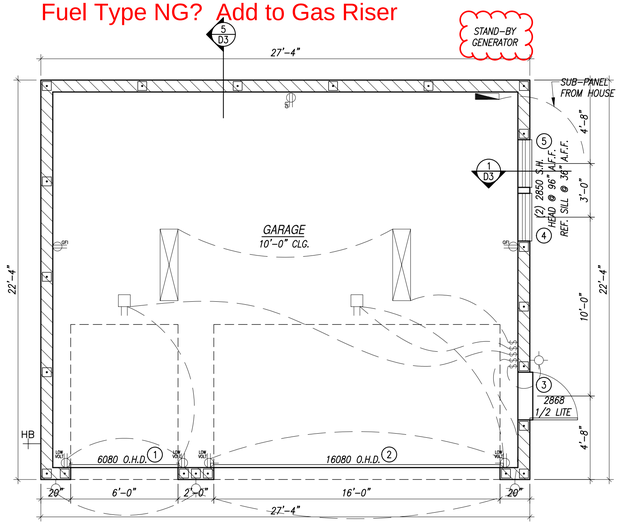
Is this a 2nd Generator [Stand Alone] for garage only?
Fuel Type NG? Add to Gas Riser

Need Truss Package and Layout for these trusses. If hand framed, then please indicate and provide details.



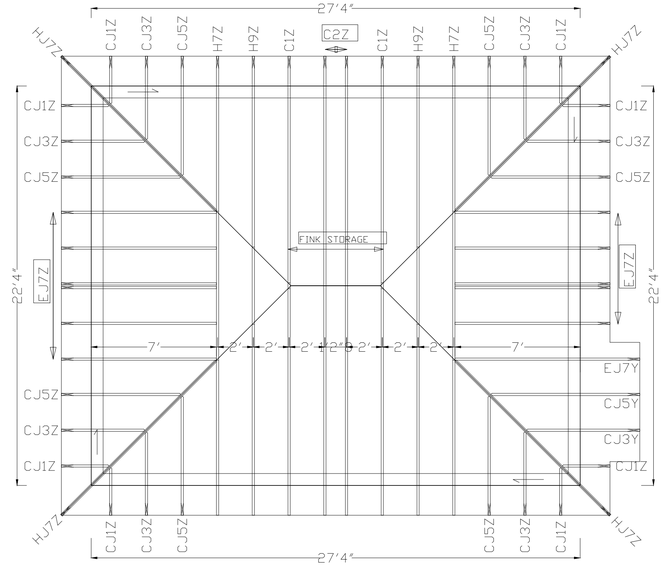
FOUNDATION PLAN

SCALE: 1/4" = 1'-0"



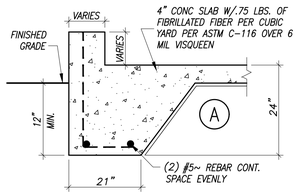
FLOOR PLAN w/ ELECTRICAL

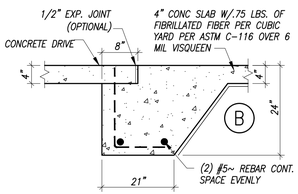
SCALE: 1/4" = 1'-0"

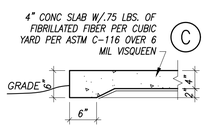


ROOF PLAN

SCALE: 1/4" = 1'-0"



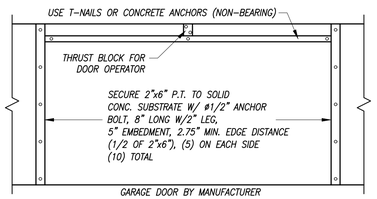




FOOTING DETAILS

SCALE: 3/4" = 1'-0"

AREAS	
AREAS AS DRAWN:	
DETACHED GARAGE	610.4
TOTAL OF:	
LIVING	610.4
SLAB	610.4
UNDER ROOF	610.4
PERIMETER	99.3'



O.H.D. BUCK DTL.

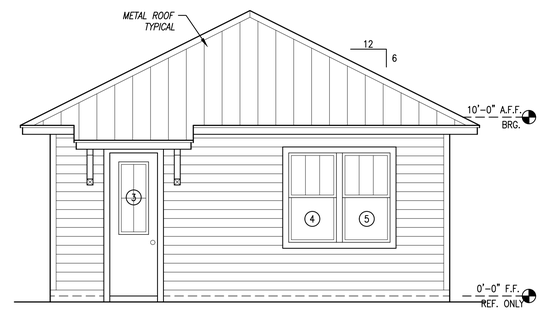
SCALE: 1/4"=1'-0"

BUILDING ENVELOPE	
MODEL NUMBER	610 - DETACH GAR.
BUILDING TYPE	C.M.U - S.F.
TOTAL SQUARE FOOTAGE UNDER ROOF	610.4
TOTAL WIDTH OF STRUCTURE	27'-4"
TOTAL DEPTH OF STRUCTURE	22'-4"
TOTAL HEIGHT OF STRUCTURE	15'-11"
MEAN ROOF HEIGHT	12'-9"
ROOF SYSTEM RISE/RUN	6/12

WALL OPENING SCHEDULE (WINDOWS & DOORS)

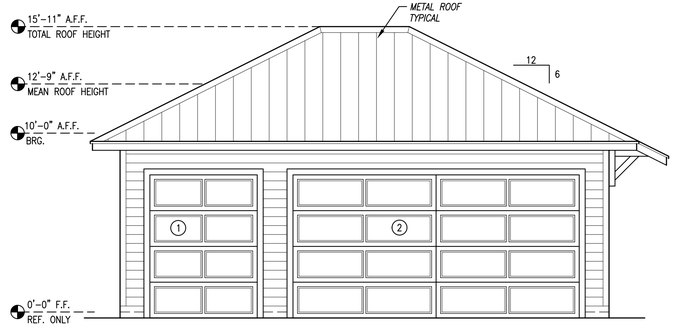
OPENING NO.	DESCRIPTION	T. WIDTH	T. HEIGHT	D FROM C	AREA (S.F.)	ZONE	LINTEL/HEADER TYPE
1	O.H.D.	6'-0"	8'-0"	1.7	48.0	5	7'-6" - 8F16 1T/1B LINTEL
2	O.H.D.	16'-0"	8'-0"	1.7	128.0	5	17'-4" - 8F16 1T/1B LINTEL
3	H.D.	2'-8"	6'-8"	3.3	17.8	5	4'-0" - 8F16 1T/1B LINTEL
4	S.H.	2'-8"	5'-0"	6.3	13.3	4	4'-0" - 8F16 1T/1B LINTEL
5	S.H.	2'-8"	5'-0"	3.3	13.3	5	4'-0" - 8F16 1T/1B LINTEL

NOTES:
1. OPENING NO.: SEE FLOOR PLAN FOR OPENING NUMBER, DETAILS, AND LOCATION.
2. DESCRIPTION: S.H.=SINGLE HUNG, D.H.=DOUBLE HUNG, H.R.=HORIZONTAL ROLLER, F.G.=FIXED GLASS, G.B.=GLASS BLOCK, S.G.D.=SLIDING GLASS DOOR, H.D.=HINGED DOOR, O.D.=OVER-HEAD DOOR.
   (EXAMPLE OF COMBINATIONS: (2)S.H.+F.G = (2) SINGLE HUNG WINDOWS W/ FIXED GLASS ABOVE)
3. T. WIDTH: APPROXIMATE TOTAL WIDTH OF ALL THE COMPONENTS OF ANY ONE OPENING GIVEN IN FEET AND INCHES.
4. T. HEIGHT: APPROXIMATE TOTAL HEIGHT OF ALL THE COMPONENTS OF ANY ONE OPENING GIVEN IN FEET AND INCHES.
5. D OF C: THE DISTANCE FROM THE NEAREST OVERALL RECTANGULAR CORNER OF THE STRUCTURE GIVEN IN DECIMAL FEET. (HORIZONTAL OR VERTICAL LINEAR DISTANCE TO BEGINNING OF OPENING)
6. SEE ENGINEER'S DESIGN STATEMENT FOR SPECIFIC APPLICABLE PRESSURES. (DETERMINED PER ANALYITICAL METHOD OR ASCE-7).



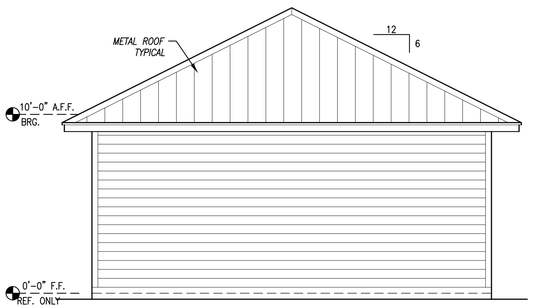
RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



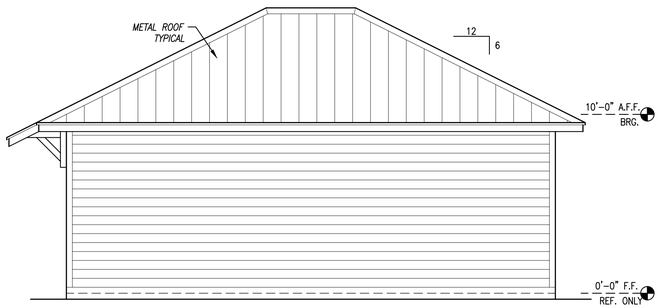
FRONT ELEVATION

SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"

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DANIEL JOHNS ENGINEERING
FL PE # 54037
3869 S. NOVA ROAD
PORT ORANGE FL 32127

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

CURRENT LOCAL LANDMARK MAP

March 8, 2023

Background:
Current Local Landmark Map

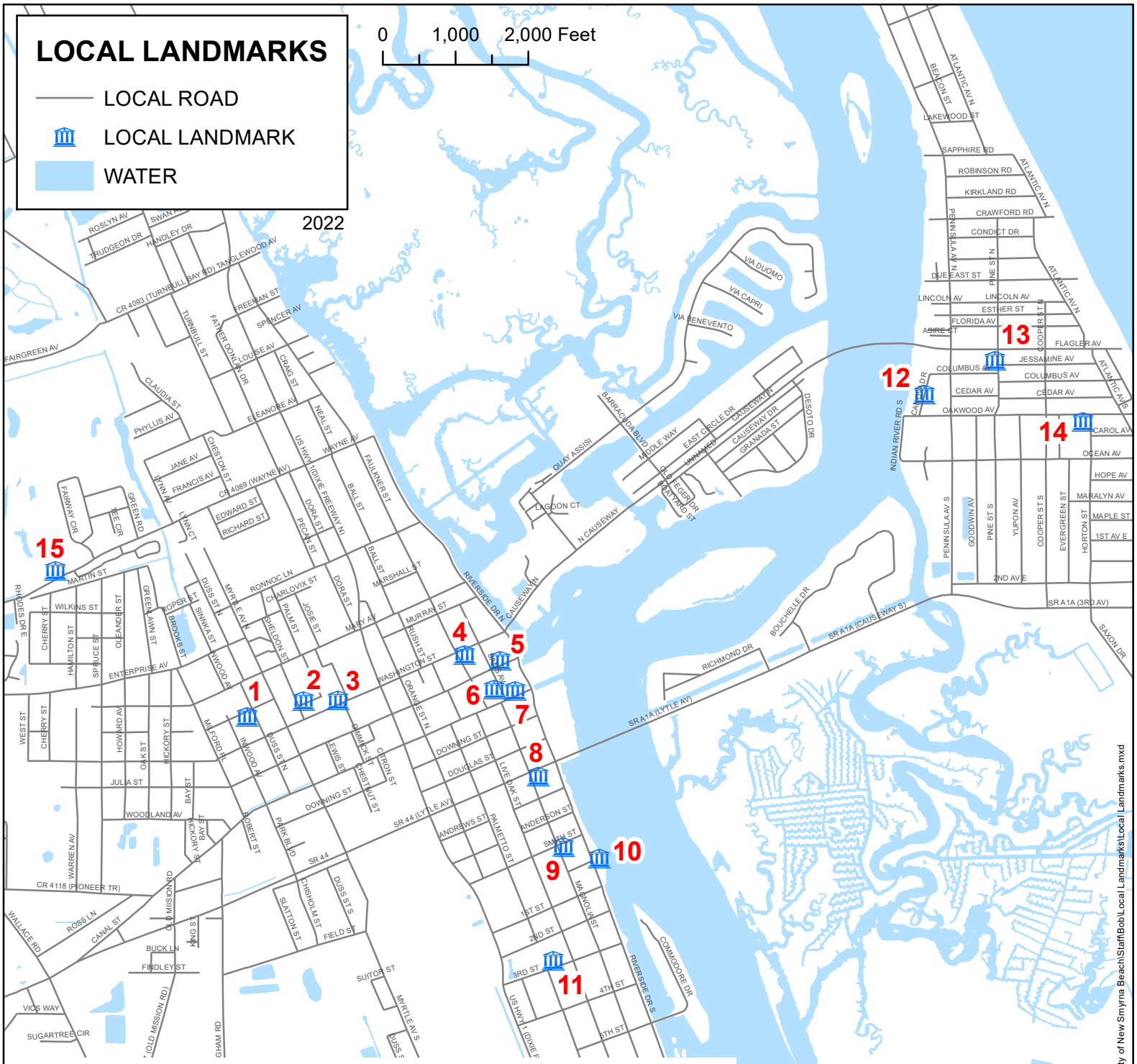
Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Robert Mathen - Planner II

Attachments:

2022 Local Landmarks Map.pdf



MAP ID	NAME	ADDRESS
1	BLACK HERITAGE MUSEUM	314 N DUSS ST
2	DR McDANIEL HOME	317 SHELDON ST
3	WASHINGTON SQUARE	533 WASHINGTON ST
4	CITY HALL ANNEX	214 SAMS AV
5	CONNOR LIBRARY	115 JULIA ST
6	NEW SMYRNA MUSEUM OF HISTORY	120 SAMS AV
7	CHAMBER OF COMMERCE	115 CANAL ST
8	WOMAN'S CLUB	403 MAGNOLIA ST
9	701 MAGNOLIA ST	701 MAGNOLIA ST
10	OLD STONE WHARF	S RIVERSIDE DR
11	JESSIE STEVENSON KOVALENKO MEMORIAL GYMNASIUM	1000 LIVE OAK ST
12	CHARLES DUMMETT GRAVE	CANOVA DR
13	CORONADO SHUFFLEBOARD COURTS	288 FLAGLER AV
14	CORONADO BEACH CEMETERY	750 OAKWOOD AV
15	NEW SMYRNA BEACH GOLF COURSE	1000 WAYNE AV

Historic Preservation Commission Regular Meeting
Wednesday, June 14, 2023, at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the regular meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, June 14, 2023, at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Chair Mahood called the meeting to order at 5:30 PM.

Roll Call

Attendee Name	Title	Status	Arrived
Katherine Kaufman	Member	Present	5:30 PM
Stephanie Rees	Vice Chair-Person	Present	5:30 PM
Douglas Toth	Member	Present	5:30 PM
Terry Bledsoe	Member	Present	5:30 PM
Angeline Barretta-Herman	Member	Present	5:30 PM
Lianne Bennett	Member	Absent	----------
Joanna Mahood	Chair-Person	Present	5:30 PM

Also present were: Senior Planner Robert Mathen, Assistant City Attorney Shey McCurdy, and Board Secretary Stephanie Ferrara.

Senior Planner Robert Mathen stated that there were changes to the agenda.

2. APPROVAL OF MINUTES

2.A Approval of the Historic Preservation Commission December 14, 2022, and March 8, 2023, Regular Meeting Minutes

Chair Mahood asked the Board if they had any additional questions or comments.

DRAFT

Motion:

Member Toth moved to approve the December 14, 2022, March 8, 2023, and June 8, 2022, regular meeting minutes, as submitted. Member Barretta-Herman seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Toth
SECONDER:	Barretta-Herman
AYES:	Kaufman, Rees, Toth, Bledsoe, Barretta-Herman, Mahood

3. PUBLIC PARTICIPATION

None.

4. NEW BUSINESS

4.A LD-1-23: Local Landmark Designation of the Oak Grove Church of Apostolic Faith Located at 441 Sheldon Street.

Robert Mathen, Senior Planner, outlined the Applicant's request to Designate the Oak Grove Church of Apostolic Faith, located at 441 Sheldon Street, as a Local Landmark.

Member Barretta-Herman inquired about the regulation of maintenance of local landmark. Mr. Mathen stated that city local landmarks are maintained by the city. Any private property local landmarks are to be maintained by the property owner.

Member Toth commented about the condition of the Church.

Chair Mahood asked if the Applicant would like to speak.

Linda C. Temmer-Baker, 400 Howard Street, Applicant, provided background information regarding the history of the Oak Grove Church of Apostolic Faith.

Chair Mahood asked the applicant if there were any plans for restoration for the church.

Ms. Temmer-Baker stated that she is working with Habitat and hoping for Grants.

Discussion ensued with the applicant regarding the condition of inside of the building and resources to restore the building.

Chair Mahood opened the meeting for Public Participation. As no citizens wished to speak, Chair Mahood closed Public Participation.

Chair Mahood asked the Board if they had any additional questions or comments.

Motion:
Member Barretta-Herman moved to recommend approval to City Commission for LD-1-23: Local Landmark Designation of the Oak Grove Church of Apostolic Faith located at 441 Sheldon Street, as submitted. Member Kaufman seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Barretta-Herman
SECONDER:	Kaufman
AYES:	Kaufman, Rees, Toth, Bledsoe, Barretta-Herman, Mahood

5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

Member Barretta-Hermen requested Ms. Temmer-Baker to update the board with the restoration progress.

Member Toth went over proposed goals and stated the following:
Integrating communications onto the City's webpage such as updating the City's webpage, adding links for maps and adding pictures of the type of materials that the city would deem acceptable to use when renovating your house.

Mr. Mathen stated that staff was currently updating the City's webpage.

Chair Mahood suggested using paper materials such as pamphlets and to provide current and correct information to the public.

Member Kaufman suggested a calendar contest for the public. They would submit historic pictures for the calendar.

Member Barretta-Herman wanted to thank the Daytona New Journal for the article about Old Fort Park. Member Barretta-Herman announced that she was in the process of finding homes for the 2024 Home Tour. She also mentioned that the New Smyrna Beach Residence Coalition was conducting a Historic Preservation Seminar on September 13, 2023.

The Assistant City Manager, Ron Niebert discussed the status of Chapter 50. He further stated that the Commission would be provided a copy of the current language, the proposed language, and a summary of the changes. He indicated that they would have a public workshop to discuss the proposed changes. A public hearing for Chapter 50 has yet to be determined.

Vice Chair Rees asked if steps were missed, did the board submit the proposed changes to the State prematurely. Furthermore, she asked If changes were made by the Commission, would it need to go back to the State.

Mr. Mathen stated that he would check and confirm with the State's Historic Preservation Officer. It was his understanding that at this point the State would just need the approved ordinance.

Ms. McCurdy stated that if there were any substantial changes, then yes, it would need to go back to the State for review.

Member Barretta-Herman stated how important it was to keep our certified local government.

Member Bledsoe stated that it took the board two years to make the proposed changes to Chapter 50. She also mentioned that the city hired a professional consultant to review and make changes to Chapter 50.

6. REPORTS AND COMMUNICATIONS BY THE STAFF

Robert Mathen stated that the city was seeking applications for the Donnadine Miller Award.

Discussion ensued with Ms. McCurdy and the Board Members regarding workshop dates and procedures of holding a workshop.

7. ADJOURNMENT

As there was no other business to discuss, Chair Mahood declared the meeting adjourned at 6:35 P.M.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

LD-1-23: REVIEW AND GIVE A RECOMMENDATION TO THE CITY COMMISSION ON A LOCAL LANDMARK DESIGNATION OF THE OAK GROVE CHURCH OF APOSTOLIC FAITH LOCATED AT 441 SHELDON STREET.

June 14, 2023

Background:

Applicant: Mrs. Linda C. Teemer - Baker, 400 Howard Street, New Smyrna Beach, Florida 32168.

Property Owner: Oak Grove Church of Apostolic Faith, P. O. Box 1897, New Smyrna Beach, Florida, 32170.

Request: Approval of a Local Landmark Designation for the building and site located at 441 Sheldon Street.

Subject Area: The subject property contains approximately 0.28 acres, is zoned R-3, Single Family Residential, and is generally located on the northeast corner of Charlovix Street and Sheldon Street.

Tax ID #: 7441-06-00-0080

Findings:

Exhibits used in this report:

Exhibit A: Location Map

Exhibit B: Aerial Map

Exhibit C: Applicant History Report

Exhibit D: Site Photos

Exhibit E: Historic Photos
Exhibit F: Church Anniversary

Based on the applicant's submittal, the original meeting of church members was in the late 1920s. This original revival was in form of a small tent under the oak trees.

The pioneers of the church were called Elders. The original pioneers were Elder Hall, Elder Williams, Elder McCoy, and Elder Frazier.

Elder Frazier and his wife, Queen Frazier, along with early pioneers Elder Bell and his wife, Elder Murphy and his wife, and Elder Teemer and his wife constructed the first Oak Grove Church in late 1930's.

In the early 1933, the church members invited Bishop Samuel J. Grimes, the longest serving Bishop in Pentecostal Assemblies of the World, (P.A.W.). After his arrival, the Florida State Council board of directors was established. The directors included Elder Johnson, acting chairperson of the Florida State Council, Miss Emma Hall, the secretary, and Miss Maddie Rogers, chairperson of the Missions Department. The first annual Florida State Council meeting was held in Tarpon Springs. Bishop Grime and all the other cabinet members were present at that meeting.

In 1960, District Elder Thomas Teemer and his wife Catherine Teemer became pastors of the Oak Grove Pentecostal Church in New Smyrna Beach. He was the master builder and architectural designer of the current location of the Oak Grove Church of the Apostolic Faith that was constructed in 1971. Some of the architecture elements of the church include stained-glass windows and a portico facing the west side of the building.

In 1984, the church changed its name from Oak Grove Pentecostal Holiness Church to the Oak Grove Church of the Apostolic Faith. The congregation celebrated the 58th anniversary in 1987.

Under Section 50-7, Criteria for designation of property. The Historic New Smyrna Beach Preservation Commission shall recommend the designation of property as a landmark and landmark site after the public hearing based upon one or more of the following criteria:

(1) Its value is a significant reminder of the cultural or archeological heritage of the city, state or nation;

(2) Its location is a site of a significant local, state or national event;

(3) It is identified with a person who significantly contributed to the development of the city, state or nation;

(4) It is identified as the work of a master builder, designer or architect whose individual work has influenced the development of the city, state or nation;

(5) Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance;

(6) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials;

(7) Its character is a geographically definable area possessing a significant concentration, or continuity of sites, buildings, objects or structures united in past events or aesthetically by plan or physical development; or

(8) Its character is an established and geographically definable neighborhood, united in culture, architectural style or physical plan and development.

If the property and structure receives the Landmark designation by the City Commission, the property structure would be subject to Section 50-8 of the City Code of Ordinances as it pertains to exterior renovations facing a public road.

Recommendation

Due to the history, architectural value to the City and the neighborhood, and the historic value of the church to the community, and possibly meeting criteria (1), (5), and (6), Staff recommends the Historic New Smyrna Beach Preservation Commission to give a positive

recommendation to the City Commission to designate the Oak Grove Church of the Apostolic Faith located at 441 Sheldon Street as a Local Landmark.

Fiscal Analysis:
N/A

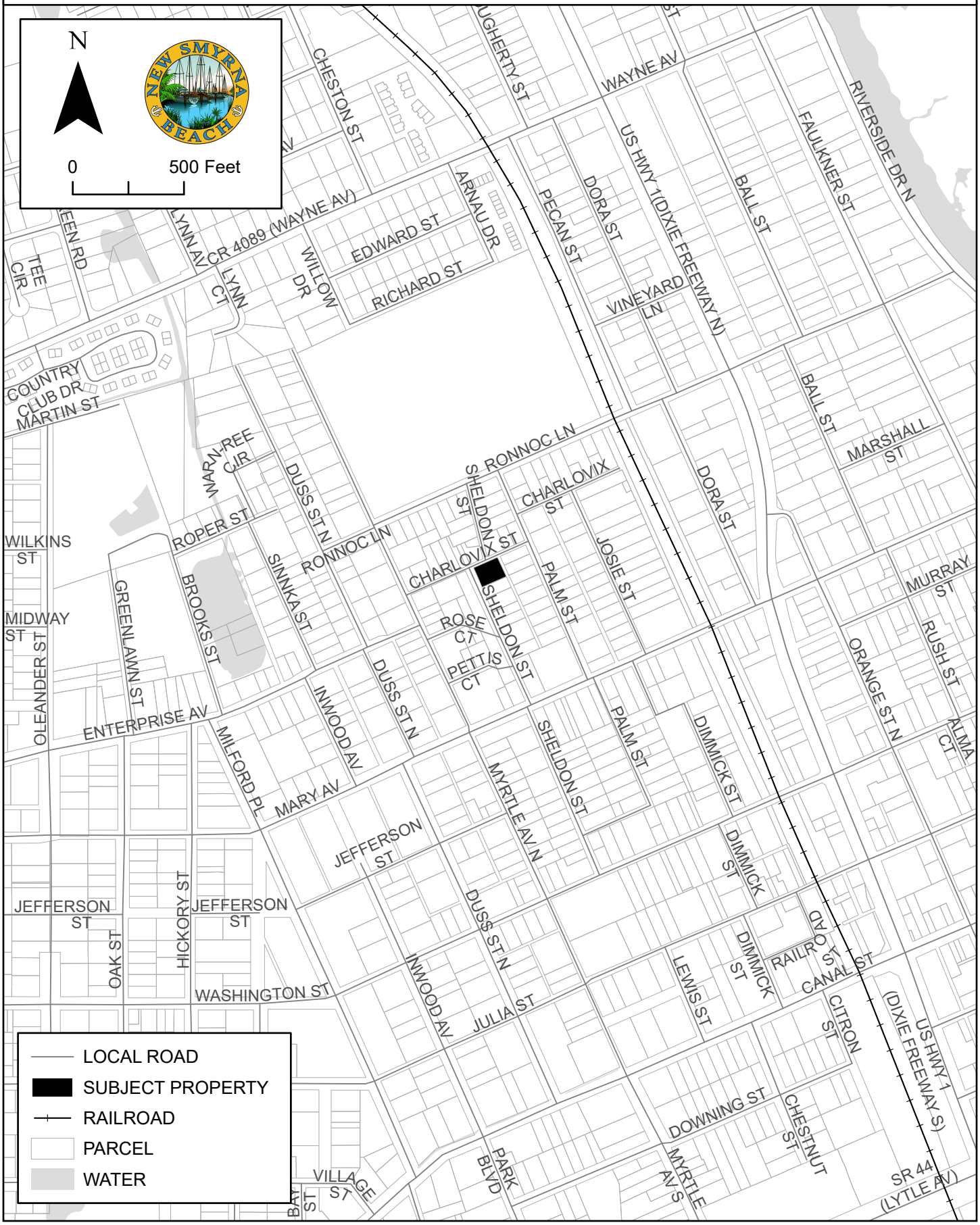
Strategic Plan Item:
No

Staff Report Created By: Robert Mathen - Planner II

Attachments:

LD-1-23 Exhibit A Location Map.pdf
LD-1-23 Exhibit B Aerial Map.pdf
LD-1-23 Exhibit C Applicants Submittal.pdf
LD-1-23 Exhibit D Site Photos.pdf
LD-1-23 Exhibit E Historic Photos.pdf
LD-1-23 Exhibit F 1987 58th Church Anniversary.pdf

LD-1-23: 441 SHELDON STREET
PARCEL: 7441-06-00-0080 LOCATION MAP



LD-1-23: 441 SHELDON STREET
PARCEL: 7441-06-00-0080 AERIAL MAP



EXHIBIT C

Oak Grove Church of the Apostolic Faith Church of New Smyrna Beach, Florida

Pastor The late Honorable Elder Thomas Teemer

In the late 1920s, a prominent Pentecostal Apostolic pioneer Mother Bond arrived in New Smyrna Beach, Florida quoting Acts 2:38 states, "Peter said to them, Repent, and be baptized every one of you in the name of Jesus Christ, and you shall receive the gift of the Holy Spirit." A massive revival ensued in a small tent surrounded by lovely oak trees. That day, the big mission began amid Oak Trees with the revival's blessing.

Participants of this monumental endeavor, referred to as "Pioneers," were men guided by St. Matthew 12:18. " Here is my servant, whom I have chosen, the one I love, with whom I am well pleased. I will put my spirit on him, and he will announce my judgment to all people." The pioneers included Elder Hall, Elder, Williams, Elder McCoy, and Elder Frazier.

Elder Frazier and his wife, Queen Frazier, along with early pioneers such as Elder and Mrs. Bell, Elder, and Mrs. Murphy, and Elder and Mrs. Teemer, constructed the Oak Grove Church in late 1930.

Elder Frazier, a pioneer, discovered interesting information and an announcement from a man named Bishop Grime in early 1933. After hearing about Bishop Grime, the Pentecostal Assemblies of the World, P. A. W. Inc., excitement swelled. Elder Frazier encouraged Bishop Grime to visit New Smyrna Beach, Florida, in response to a request from church members. As soon as he arrived, the Florida State Council was established near New Smyrna Beach under the majestic oak trees. The development of the Florida State Council board of directors includes Elder Johnson, the acting chairman of the Florida State Council; Miss Emma Hall, the secretary; and Miss Maddie Rogers, the chairperson of the Missions Department.

Pastor Elder Frazier oversaw the mission's continuation for many years. As the church gained adherents. In 1953, Mrs. Queen Frazier departed this life to be with the Lord. Therefore, Elder Frazier married Sara Teemer. The mission welcomed Elder Lawson and his wife. Elder Frazier moved from his worldly labor to his heavenly reward with the Lord on December 28, 1969, while ministering in the pulpit of Oak Grove Church.

Early in 1960, District Elder Thomas Teemer and his wife Catherine Teemer became pastors of the Oak Grove Pentecostal Church in New Smyrna Beach, Florida. He was the master builder and architectural designer of the Oak Grove Church of the Apostolic Faith. Separating itself from the Florida State Council, the Church became an independent entity. Elder Thomas Teemer also constructed a three-bedroom winter home for Bishop and Mrs. Grime. In early 1971, he constructed the Shady Grove Pentecostal Church near Mt. Dora, Florida. He was the architect and builder of numerous New Smyrna Beach, Florida projects.

Elder Thomas Teemer was well-known and esteemed for his leadership, compassionate and soothing counsel, and vast biblical knowledge. His spiritual influence spans worldwide and will be greatly missed among followers and the local community. Elder Thomas Teemer, 90, transitioned this earth onto a heaven-waiting reward on Saturday, September 21, 2013, at his home. Pastor Thomas Teemer was respectfully known as "The Good Shepherd" (St. John 10:11 KJV).

Oak Grove Church of the Apostolic Faith is a historic church located at 441 Sheldon St. in New Smyrna Beach, Florida. The church has a rich history dating back to its establishment in the early 20th century, and it has been an integral part of the local community ever since.

The church building is a beautiful example of historic architecture, featuring classic design elements such as stained-glass windows, and an impressive entrance portico. The church is currently undergoing renovations to restore it to its former glory, ensuring that future generations can continue to appreciate its beauty and significance.

Oak Grove Church of the Apostolic Faith is a 501(c)3 organization, owned and operated by the executive board members of the church. The church is committed to serving the community and providing a welcoming and inclusive environment for all who seek spiritual guidance and support.

The church is in the heart of New Smyrna Beach, a coastal city in Volusia County, Florida. The church is easily accessible from major roads and highways and is a popular destination for both local residents and visitors to the area.

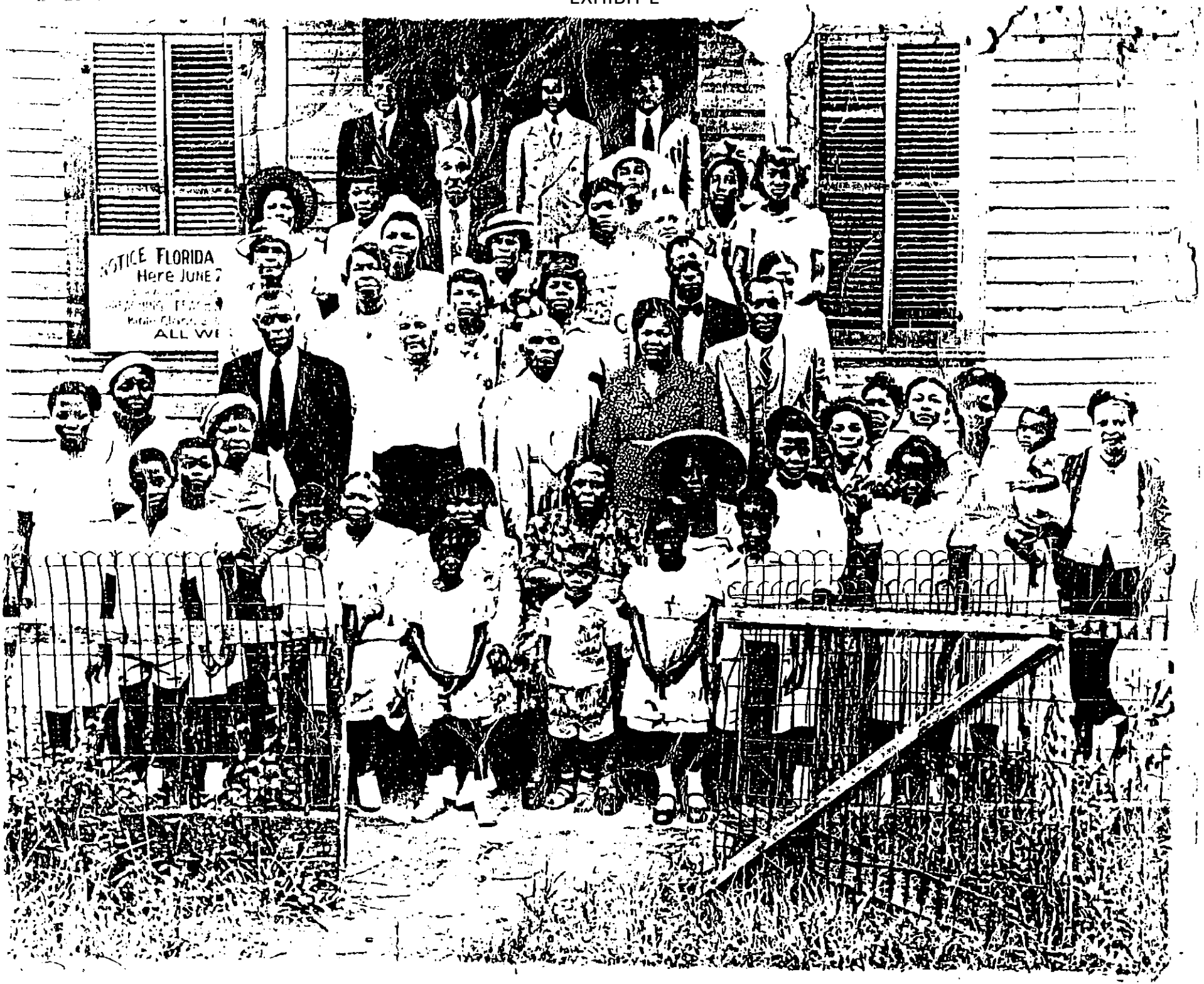
Oak Grove Church of the Apostolic Faith is a cherished landmark in the New Smyrna Beach community and an important symbol of faith and community service.




OAK GROVE CHURCH OF APOSTOLIC FAITH



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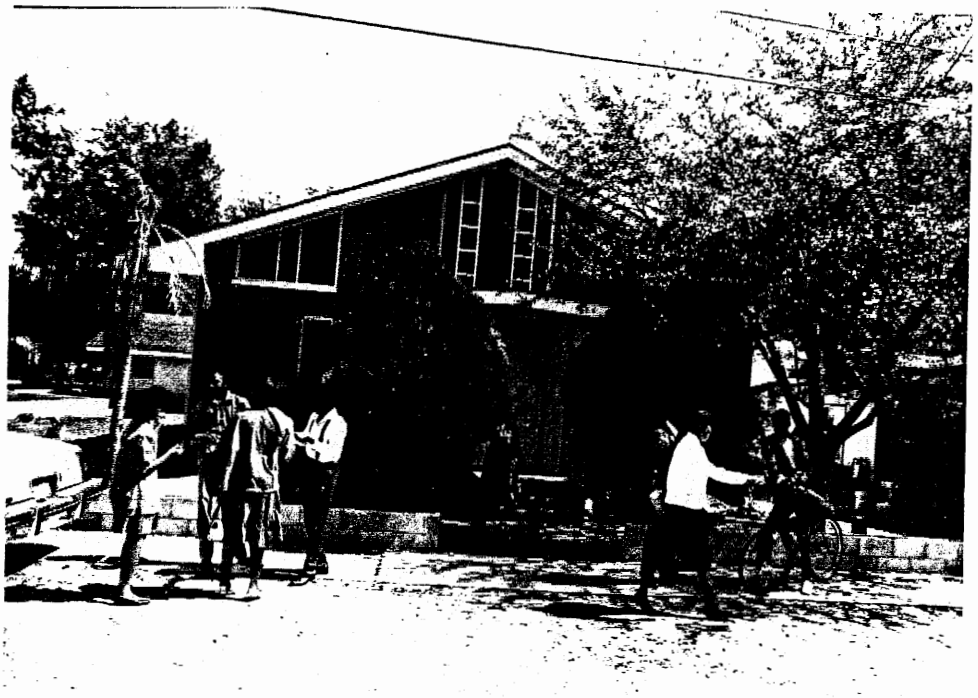
OAK GROVE CHURCH
OF
THE APOSTOLIC FAITH
58 th CHURCH ANNIVERSARY



Sunday April 5, 1987
3:00 P. M.
Elder Thomas Teemer, Pastor
441 Sheldon Street
New Smyrna Beach, Florida

OAK GROVE - CHURCH ANNIVERSARY

" I will give you pastors According to mine heart and shall feed you with knowledge and Understanding."

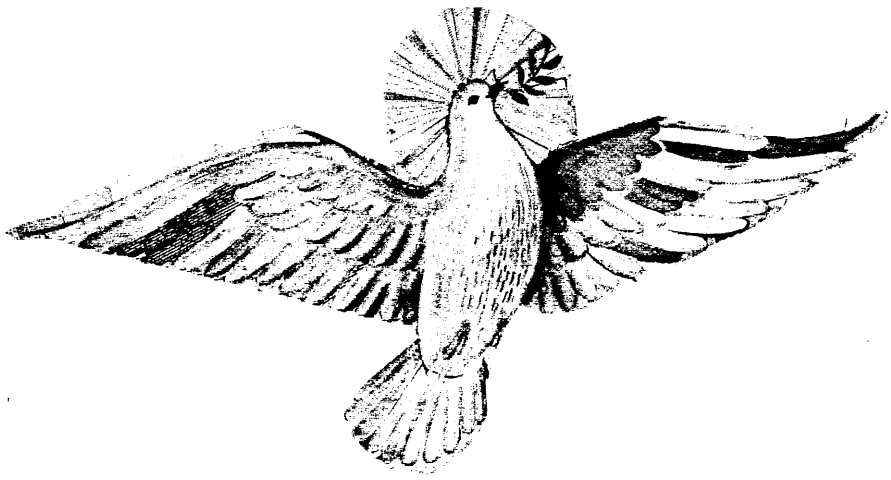
Jer. 3:15



Elder & Mother Thomas Teemer

Fame and favor do not come to you as to others. But be patient and faithful for the promise is that if you serve God to the limit of your capacity eternal brilliance will be yours. Your unnoticed work has the promise of unfading glory. Make full proof of thy ministry.

II Timothy 4-5



Historic Preservation Commission Regular Meeting
Wednesday, October 12, 2022 at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the regular meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, October 12, 2022 at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Chair Mahood called the meeting to order at 5:30 PM.

Roll Call

Attendee Name	Title	Status	Arrived
Katherine Kaufman	Member	Absent	-------
Stephanie Rees	Member	Absent	-------
Douglas Toth	Member	Present	5:30 PM
Terry Bledsoe	Member	Present	5:30 PM
Angeline Barretta-Herman	Member	Present	5:30 PM
Lianne Bennett	Member	Absent	5:30 PM
Joanna Mahood	Chair Person	Present	5:30 PM

Also present were: Senior Planner Robert Mathen, Assistant City Attorney Shey McCurdy, and Board Secretary Stephanie Ferrara.

Senior Planner Robert Mathen stated that there were changes to the Agenda.

2. APPROVAL OF MINUTES

2.A Approval of the Historic Preservation Commission December 8, 2021, April 13, 2022 and June 8, 2022 Regular Meeting Minutes

Chair Mahood asked the Board if they had any changes to the December 8, 2021, April 13, 2022 and June 8, 2022 meeting minutes.

June 8, 2022 Meeting Minutes - Changed Member Bennett to be present, not absent.

Motion:

Member Bledsoe moved to approve the December 8, 2021, April 13, 2022 and June 8, 2022 regular meeting minutes with the above minor change and as submitted. Member Toth seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Bledsoe
SECONDER:	Toth
AYES:	Toth, Bledsoe, Barretta-Herman, Bennett, Mahood

3. PUBLIC PARTICIPATION

None.

4. NEW BUSINESS

4.A Historic Preservation – Chapter 50

Robert Mathen, Senior Planner, outlined Staff's request to seek a positive recommendation to submit the final draft of Chapter 50 to City Commission.

Chair Mahood opened the meeting for Public Participation.

Sally Gillespie, 610 N Peninsula, provided the board with comments as it pertains to Chapter 50. She stated that she was representing the Executive Committee of the New Smyrna Beach Residents Coalition. Ms. Gillespie stated that currently local districts have not been established. She expressed her concerns of the added pressures of obtaining homeowners insurance for local home owners. She commented on National Registered Districts not having restraints. Ms. Gillespie shared her concerns about the proposed demolition process. She stated that Historic Districts are economically driven for the City of New Smyrna Beach.

Chair Mahood closed Public Participation.

Chair Mahood asked the Board if they had any additional questions or comments.

Discussion ensued with the board members regarding the final draft of Chapter 50.

Member Bledsoe asked for clarification on new state requirements as it pertains to the demolition process.

Robert Mathen explained that the City does have two National Registered Historic Districts. Currently the proposed update would still require the HPC to review applications for demolition of a contributing in either of the National Registered Districts. This may change because State's Certification requirement are expected to change.

Member Barretta-Herman commented about Historic homes outside the district that could receive landmark designation.

Member Bennett wanted to add and include cemeteries as archaeological resources. She request to change the word Indian to Native American.

Chair Mahood stated that local districts might be more effective in the future due to the changes in the way National Districts will operate.

Member Toth recommended that the board review the high points within the draft and provide staff with additional comments.

The Board agreed to continue the agenda item and for staff to bring back a final draft for review.

Motion:
Member Bennett moved to continue the agenda item to the December 14, 2022 HPC meeting. Member Barretta-Herman seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Bennett
SECONDER:	Barretta-Herman
AYES:	Toth, Bledsoe, Barretta-Herman, Bennett, Mahood

5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

None.

6. REPORTS AND COMMUNICATIONS BY THE STAFF

Stephanie Ferrara, Board Secretary, requested the board members to submit comments and/or changes to her office by October 28, 2022.

7. ADJOURNMENT

As there was no other business to discuss, Chair Mahood declared the meeting adjourned at 7:10 P.M.

THE CITY OF NEW SMYRNA BEACH - DEVELOPMENTAL SERVICES

CHAPTER 50, HISTORIC PRESERVATION

October 12, 2022

Background:

Applicant: City of New Smyrna Beach, Planning Department.

Request: Review of a proposed update to Chapter 50 of the City Code of Ordinances.

Findings:

Exhibits used in this report:

Exhibit A: Proposed update to Chapter 50.
Exhibit B: Proposed update to Chapter 50 Clean.
Exhibit C: Public Meeting Presentation.

Chapter 50 was adopted under Ordinance number 13-86 on April 16, 1986. This ordinance created the original framework for the current historic preservation ordinance. This ordinance created the Historic New Smyrna Beach Preservation Commission and provided procedures for designating historic landmarks, landmarks sites, and historic districts. This ordinance was created, so the City of New Smyrna Beach could qualify for the designation as a Certified Local Government, (CLG). The City of New Smyrna Beach was one of the first six local governments to be certified by the State of Florida.

The Historic New Smyrna Beach Preservation Commission requested Staff to review and possible update Chapter 50, Historic Preservation, in the City Code of Ordinances. Staff issued a request to the three (3) contracted Planning Consultants that the City has. Staff selected S&ME due to their recent historic district planning experience. The City consultant, S&ME first met with City Staff and later met with the Historic New Smyrna Beach Preservation Commission on July 14, 2021 and the City Commission on September 14, 2021 to receive initial input on updating Chapter 50, Historic Preservation of the City Code of Ordinances.

Staff provided the Historic Preservation Commission a draft from S&ME on January 12, 2022 to review and supply comments on that draft. Staff reviewed verbal and written comments from the Historic Preservation Commissioners and submitted that draft and Historic Preservation Commissioners comments to the City Legal Department and City Manager's Office for review.

Since this proposed regulation update has received a lot of public interest, Staff also decided to have a public meeting on August 17, 2022 to discuss the proposed amendment. Staff did invite the Chairperson of the Historic Preservation Commission to this public meeting since she was nominated by the Historic Preservation Commission to be the liaison to Staff. Staff did create a power point to help facilitate the meeting which has been attached as **Exhibit C**.

The City has reviewed all comments and some may have been installed into the proposed update. The final draft has to meet the intentions of the City's Comprehension Plan including Element IV, Property Rights and Element XIII, Historical and Archaeological Preservation. There is a fine line that Staff is negotiating between the wants of the general public and the rights of the individual property owner.

Most of the proposed updates would separate out multiple processes and slim line procedures. Some of the proposed updates include:

1. The relocation and clarification of the current definitions.
2. Update the name of the Historic New Smyrna Beach Preservation Commission to Historic Preservation Board.
3. Separate the regulations for local landmarks and local historic districts.
4. Create a minor and major Certificate of Appropriateness.
5. Establish a preservation standard and guideline.
6. Establish an exterior material standard but allow for a modern material that is more efficient but would not change the architectural style of the structure.
7. Clarify standards for new construction.
8. Clarify procedures for any proposed demolition of a contributing structure.
9. Set new penalties for non-compliance with Chapter 50.
10. Update the Property Tax Exemption to meet current State Statues.

Most of the changes deal with future local historic districts and existing local landmarks. Currently, the City does not have any local historic districts, so most of the proposed regulations would not affect any current resident or property owner unless the structure or site is a local landmark. But the City does have two National Registered Historic Districts. Currently the proposed update would still require the Historic Preservation Board to review applications for demolition of a contributing structure in either of the National Registered Districts but that may have to be removed from the final draft as the State's certification requirements are expected to change.

Any privately owned local landmark including the local landmarks owned by the City will have to apply for a Certificate of Appropriateness for any exterior renovations. Minor exterior changes would be reviewed by Staff but extensive exterior renovations would

have to be reviewed by the Historic Preservation Board.

Staff is also reviewing a possible text amendment to the City's Land Development Regulations at it pertains to building height and prohibiting the aggregation of parcels to create larger parcels in the National Registered Historic Districts. Staff would allow for a waiver process.

Staff is seeking guidance for a final draft. Once the final draft has been completed, Staff will submit the final draft to this Commission for a positive recommendation to the City Commission. Before a final draft can be submitted to the City Commission, Staff is required to submit a final draft to the State of Florida, Historic Resources for a review to verify that the amendment would still meet the minimum standard for a Certified Local Government.

Fiscal Analysis:
N/A

Strategic Plan Item:
Yes

Staff Report Created By: Robert Mathen - Planner II

Attachments:

Exhibit A Ch 50 NSB Historic Preservation v6 CA-RM 10-3-2022 review.pdf
Exhibit B Ch 50 NSB Historic Preservation v6 CA-RM 10-3-2022 review Clean.pdf
Exhibit C Chapter 50 Presentation.pdf

Chapter 50 HISTORIC PRESERVATION[1]

ARTICLE I. IN GENERAL

Sec. 50-1. Intent.

(a) The city commission finds there are buildings, landmarks, and sites within the city that have specific historic or aesthetic significance, and that the loss of these sites would cause an irreplaceable loss to the citizenspeople of the city. of the aesthetic, cultural and historic values represented by such sites. It is declared, as a matter of public policy, that protection, enhancement, perpetuation and use of such sites of special historic or aesthetic interest or value is a public necessity and is required in the interests of the health, prosperity, safety and welfare of the people.

(b) The recognition, protection, enhancement and use of such resources is a public purpose and is essential to the health, safety, morals, and economic, educational, cultural and general welfare of the public, since these efforts result in the enhancement of property values, the stabilization of neighborhoods and areas of the city, the increase of economic benefits to the city and its inhabitants, the promotion of local interests, the enrichment of human life in its educational and cultural dimensions serving spiritual as well as material needs, and the fostering of civic pride in the beauty and noble accomplishments of the past.

(c) The city commission desires to take advantage of all available state and federal laws and programs that may assist in the development or redevelopment of the city.

(d) The federal government has established a program of matching grants-in-aid for projects having as their purpose the preservation for public benefit of properties that are significant in American history, architecture, archeology and culture, as well as other -

(e) There are other federal programs providing moneys for projects involving the rehabilitation of existing districts, sites, buildings, structures, objects and areas.

(ef) The policy of the city is to conserve the existing housing stock and extend the economic life of each housing unit through the rehabilitation of such units under housing and neighborhood development programs in selected areas.

(fg) Inherent in the enactment and implementation of these federal programsmandates is the policy of the United States government that the spirit and direction of the nation are founded upon and reflected in its historic past; that the historical and cultural foundations of the nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people; that in the face of the ever-increasing expansionstensions of urban centers, highways, and residential, commercial and industrial developments, the present governmental and non-governmental programs and activities are inadequate to ensure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our nation.

(hg) It is the will of the people of the state as expressed in Fla. Const., art. II, § 7, that the state's natural resources and scenic beauty be conserved and protected.

[1]Cross reference(s)—Buildings and building regulations, ch. 26Cross reference(s)—; environment, ch. 38Cross reference(s)—; planning and development, ch. 62Cross reference(s)—; taxation, ch. 74Cross reference(s)—.

(~~i~~h) It is the will of the state legislature as expressed in F.S. ch. 267, that the state's historic sites and properties, buildings, artifacts, treasure troves and objects of antiquity that have scientific or historic value, or are of interest to the public, be protected and preserved.

~~(Code 1975, § 14½-1)~~

Sec. 50-2. Purpose.

The city commission declares its intention to ~~qualify as a certified local government with the state division of archives, history and records management, and to~~ comply with the rules and regulations of the certified local government program established by the state ~~d~~Division of Historical Resources~~archives, history and records management pursuant to that program~~. The purpose of this chapter is to promote the health, morals, economic, educational, aesthetic, cultural and general welfare of the public through the:

(1) Identification, protection, enhancement, perpetuation and use of districts, sites, buildings, structures, objects and areas that are reminders of past eras, events and persons important in local, state or national history, or that provide significant examples of architectural styles of the past, or that are unique and irreplaceable assets to the city and its neighborhoods, or that provide this and future generations examples of the physical surroundings in which past generations lived; and

(2) Enhancement of property values, the stabilization of neighborhoods and business centers of the city, the increase of economic and financial benefits to the city and its inhabitants, and the promotion of local interests; and

(3) Preservation and enhancement of varied architectural styles, reflecting the city's cultural, social, economic, political and architectural history; and

(4) Enrichment of human life in its educational and cultural dimensions in order to serve spiritual as well as material needs by fostering knowledge of the living heritage of the past.

~~(Code 1975, § 14½-2)~~

Sec. 50-3. Definitions.

For the purpose of this chapter, certain words and terms used herein shall be interpreted to have the meanings as defined below, except where the context clearly indicates a different meaning. Where words or terms are not defined in this section, they shall assume the meaning as indicated in Merriam-Webster's Collegiate Dictionary, as amended. Words used in the present tense include the future; the singular number includes the plural and the plural includes the singular. The word "shall" is mandatory and the word "may" is permissive. The word "used" or "occupied" includes the words "intended, designated or arranged to be used or occupied." The word "land" includes the word "marsh," "water" or "swamp."

~~The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

Alteration means any act that changes the exterior features of a locally designated property, including ~~. For the purpose of this chapter, *alteration* also includes~~ relocation and demolition.

Archaeological resource means any prehistoric or historic district, site building, object, or other real or personal property of historical, architectural or archaeological value. The resources may include, but are not limited to, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, treasure troves, artifacts, or other objects with intrinsic historical or archaeological value, or any part thereof relating to the history, government, and culture of the city, the State of Florida, or the United States of America.

Archaeological site means a location which has yielded or may yield information on history or pre-history. Archaeological sites may be found within archaeological zones, historic sites, historic districts and other areas of the city. Archaeological sites are evidenced by the presence of artifacts and features above or below the ground surface indicating the past use of a location by people.

Archaeological zone means a geographical area which has or may reasonably be expected to yield information on local history based upon broad prehistoric or historic settlement patterns.

Artifact means objects which are the product of human modification or objects which have been transported to a site by people.

Assessed value means the total value of a tax parcel, excluding the value of land, as determined by the Property Appraiser for the County of Volusia.

Board means the Historic New Smyrna Beach Preservation Board.

Building means any combination of materials capable and intended of being used as a shelter for persons for residential or non-residential purposes.

Certified local government means a municipal government that has made historic preservation a public policy through the passage of a historic preservation ordinance and has been certified by the national Park Service under 36 CFR 61.6.~~government meeting the requirements of the National Historic Preservation Act Amendments of 1980 (PL 96-515) and the implementing regulations of the U.S. Department of the Interior and the state.~~

Certificate of appropriateness means a permit ~~written document,~~ issued by the City allowing for ~~pursuant to this chapter, permitting~~ specified alterations, demolition, new construction, or other work to a locally designated building, site, or structure. ~~local landmark or to a building, object, site or structure within a designated local district.~~

~~*Commission* means the Historic New Smyrna Beach Preservation Commission.~~

~~*Contributing property* means a building, object, site or structure in a historic district that contributes to the district's historical significance pursuant to this chapter.~~*City archaeologist* means the individual or group in charge of assessing the archaeological resources of New Smyrna Beach and directing or coordinating, monitoring, testing and salvage excavations of these resources. The individual may either be a city employee, or may be an individual or corporation employed on a contract basis to perform the duties of the city archaeologist.

Contributing structure means a building, property, or site which adds to the historical architectural qualities, historic associations, or archaeological values for which a historic district is significant because (1) it was present during the period of significance and possesses historic integrity reflecting its character at that time, (2) is capable of yielding important information about the period, or (3) it independently meets the National Register of Historic Places criteria for evaluation set forth in 36 CFR Part 60.4.

Curation means the long-term management and preservation of archaeological materials and their associated documentation.

Curation facility means a designated repository for archaeological materials which can provide accountable, professional curation of collections in a secure, climate-controlled environment on a long-term basis.

~~*Decision or recommendation* means, when referring to the commission, the executive action taken by the commission on an application for a designation or a certificate of appropriateness regardless of whether that decision or recommendation is immediately reduced to writing.~~

~~*Demolition* means any act that destroys in whole or in part a landmark, landmark site or building or structure in an historic district or on a landmark site.~~ *Demolition* means the act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction. Removing portions of a building that destroy the original character of the building also constitutes demolition.

Demolition by neglect means the absence of work in maintaining, repairing, or securing a contributing building or structure in a historic district that results in deterioration of an exterior feature of the building or structure or the loss of the structural integrity of the building or structure.

~~*Documentation* means photographs, slides, drawings, plans or written descriptions.~~ *Disturbance* means the digging, excavating, or other such ground altering activities on or below the ground surface, which impact more than 25 square feet either separately or cumulatively.

Documentation means photographs, slides, drawings, plans or written descriptions.

Emergency situation means any case where the city building official determines that there are emergency situations or conditions dangerous to life, health, or property. In such situations, the official may order the remedying of the situation or condition. The city building official shall promptly notify the city archaeologist and the city manager if such a situation or condition occurs.

~~*Historic property* means any site, building, structure, or other real or personal property of historic, architectural, or archaeological value, and designated as such by the City Commission.~~

~~*Historic district* means a geographically definable area designated as such by the city commission.~~

~~*Historic district* means a geographically definable area, urban or rural, possessing a significant concentration, linkage or continuity of sites, buildings, structures, objects or areas, that are united by past events or aesthetically or plan or physical development. A district also may be comprised of individual resources that are separated geographically but are linked by association or history.~~

Local landmark means a ~~prehistoric or historic district,~~ site, building~~, or~~ structure, object, landscape feature or other real or personal property of historical, architectural or archaeological value and designated as such by the city commission~~City pursuant to this chapter~~~~meeting one or more of the criteria contained in section 50-7~~. ~~A landmark shall include the location of significant archeological features or of an historical event.~~

~~*Landmark site* means the land on which a landmark and related buildings and structures are located and the land that provides the grounds, the premises or the setting for the landmark.~~ *Local historic district* means a geographically definable area designated as such by the city commission.

Local Register of Historic Places means the list of locally designated landmarks and districts.

Monitoring means observation of disturbances to determine if archaeological resources exist in an area, or when such resources are known to exist, the observation, recording and incidental recovery of site features and materials to preserve a record of the affected portion of the site. When monitoring indicates that a site has little archaeological significance, no further archaeological excavation shall occur. However, if monitoring indicates that a site is archaeologically significant, further excavation shall occur.

Museum means a permanent, nonprofit organization, serving an educational or aesthetic purpose, that acquires, interprets and cares for tangible objects, and prepares exhibits for the public on a regular basis.

National Register of Historic Places means the official listing of culturally significant buildings, structures, objects, sites and districts in the United States maintained by the U.S. Department of Interior.

~~*Local register* means athe list of locally designated landmarksway by which to identify and classify various sites, buildings and objects as historic and/or architecturally significant.~~

Non-contributing property means a building, object, site or structure that does not add to a district's historical significance~~ pursuant to this chapter~~.

Premises means the parcel of land upon which a demolished significant building was located and all abutting parcels of land under common ownership or control on or before the date the demolition was approved.

Preservation exemption covenant means an executed Florida DOS Form No. HR3E111292, providing for covenants on properties that have benefitted from the tax exemption to maintain the architectural historical integrity of the building or structure for the duration of the tax exemption period.

Qualifying improvement means any change in the condition of an eligible property brought about by the expenditure of labor and purchase that results in restoration, renovation or rehabilitation of said property in keeping with the design criteria established for the purposes of this exemption. This shall include, specifically, interior or exterior work, and the construction of additions or accessory buildings or structures.

Repository means a place used for the permanent curation of archaeological collections that provides, at a minimum, (1) physical security, (2) climate control, (3) fire suppression, (4) collection monitoring, and (5) access by qualified researchers. The repository must have adequate space and resources dedicated to the purpose of curation, and must be organized to allow controlled access, efficient collection and retrieval, and optimum preservation. Professional staff and disaster management plans are essential. Collections should be isolated from work areas and people to the greatest extent possible. In New Smyrna Beach, the Southeast Volusia Historical Society, Inc. will act as the repository for all archaeological artifacts discovered on public property.

Salvage archaeology means the archaeological excavation of a site prior to its destruction by construction, erosion, vandalism, or any other form of site disturbance. Archaeological salvage excavations will be concentrated only within the areas to be disturbed in order to save site data which would be lost due to the disturbance, and the extent of the excavations may vary, depending on the significance of the site, time constraints, and the degree of evidence of archaeological resources, at the direction of the city archaeologist.

Super majority means, for a seven-member body, a requirement of five votes when all members are present, ~~a requirement of five votes,~~ or four votes when less than seven members are present~~, a requirement of four votes~~.

Significant building means any building within the city which the board determines to be in the public interest to be preserved or rehabilitated, and whose demolition would be detrimental to the historical and/or architectural heritage and resources of the city.

Testing means surface or subsurface excavation, or the use of remote sensing techniques, to determine the type and extent of the archaeological site. Testing may include auguring and establishing archaeological excavation units and requires the screening of excavated material for artifact recovery. When necessary, archaeological salvage excavations may take place following, or in conjunction with, the testing procedures. ~~The following words and phrases when used in this chapter shall have the following meanings:~~

~~*Assessed value.* The total value of a tax parcel, excluding the value of land, as determined by the Property Appraiser for the County of Volusia, and shown on the property tax bill sent to the owner of record by the County of Volusia.~~

~~*Contributing property.* A building, site, structure, or object which adds to the historical architectural qualities, historic associations, or archaeological values for which a district is significant because (1) it was present during the period of significance and possesses historic integrity reflecting its character at that time, (2) is capable of yielding important information about the period, or (3) it independently meets the National Register of Historic Places criteria for evaluation set forth in 36 CFR Part 60.4, incorporated herein by reference.~~

~~*Preservation exemption covenant.* The historic preservation property tax exemption covenant form identified as Florida DOS Form No. HR3E111292, which provides that those benefitting from the tax exemption agree to maintain the architectural historical integrity of the building or structure for the duration of the tax exemption period.~~

~~*Qualifying improvement.* Any change in the condition of an eligible property brought about by the expenditure of labor and purchase that results in restoration, renovation or rehabilitation of said property in keeping with the design criteria established for the purposes of this exemption. This shall include, specifically, interior or exterior work, and the construction of additions or accessory buildings or structures.~~

~~(Code 1975, § 14½-3)~~

~~Cross reference(s)—Definitions generally, § 1-2Cross reference(s)—.~~

~~Sec. 50-4. Penalty.~~

~~**Any person violating any of the provisions of this chapter shall be punished as provided in section 1-14. The citizen code enforcement board shall review any violation of this chapter in accordance with the board's procedures.**~~

~~**(Code 1975, § 14½-10)**~~

~~Sec. 50-5. Civil penalties.~~

~~**In addition to the penalties provided in section 50-4, any person who violates any provision of this chapter shall forfeit and pay to the city civil penalties equal to the fair market value of any property demolished or destroyed in violation of this chapter or the cost to repair or rehabilitate any property that is altered in violation of this chapter. In lieu of a monetary penalty, any person altering property in violation of the provisions of this chapter may be required to repair or restore any such property.**~~

~~(Code 1975, § 14½-11)~~

Sec. 50-~~4~~6. Historic preservation board~~commission~~.

(a) *Creation.* There is created the Historic ~~New Smyrna Beach~~ Preservation Board~~Commission~~ by the City Commission.

(b) *Purpose.* The Historic Preservation Board shall have the following powers and duties:~~commission is established to seek the accomplishment of the following municipal purposes:~~

(1) The board~~commission~~ shall take action necessary and appropriate to accomplish the purposes of this chapter. These actions may include, but are not limited to:

a. Continuing the survey and inventory of historic buildings and areas and archeological sites and planning for their preservation;

b. Recommending the local designation of historic districts and individual landmarks and landmark sites;

c. Regulating alterations, demolitions, relocations and new construction to locally designated property;

d. Adopting guidelines for ~~changes~~ alterations to locally designated property;

e. Coordinating the historic preservation work of the city by working with and advising the federal, state and county governments and other city departments or advisory boards;

f. Advising and assisting property owners and other persons and groups, including neighborhood organizations who are interested in historic preservation;

g. Initiating plans for the preservation and rehabilitation of individual historic buildings; ~~and~~

h. Educating citizens on the signs of demolition by neglect; ~~and~~

i. Undertaking educational programs, including the preparations of publications and the placing of historic markers.

(2) The boardcommission shall review all nominations of local property in the city to the National Register of Historic Places following the regulations of the state historic preservation office. Following a public hearing with public notice of no less than 30 days, the commissionboard shall consider the nomination. When necessary, the commissionboard shall seek expert advice before evaluating the nomination. The commissionboard shall forward to the state historic preservation officer its action on the nomination and any related the recommendations of the local officials.

When a property owner objects to having property nominated to the National Register, a notarized written statement must be submitted to the commissionboard before the nomination is considered. The commissionboard may then either continue its review, forwarding its recommendation to the state historic preservation officer and noting the owner's objection, or it may cease any further review process and notify the state historic preservation officer of the property owner's objection to the proposed listing. The commissionboard shall not recommend inclusion on the National Register of Historic Places registry over objection of the owner except by a super- majority vote.

(3) In the development of the certified local government program, the city commission may ask the commission to perform other responsibilities that may be delegated to the city under the National Historic Preservation Act.

(43) The commissionboard shall conduct at least four public hearings a year to consider historic preservation issues. The commissionboard shall recommend to the city commission the local designation of landmarks, landmark sites and historic districts. Applicants shall be given written notification of the commissionboard's decisions. The commissionboard shall prepare and keep on file available for public inspection a written annual report of its historic preservation activities, cases, decisions, qualifications of members and other historic preservation work.

(54) The boardcommission shall receive assistance in the performance of its historic preservation responsibilities from the planning department, which shall provide expertise in historic preservation or a closely related field. Other city staff members may be asked to assist the commissionboard by providing technical advice or helping in the administration of this chapter.

(65) The commissionboard shall review the historic preservation element of the comprehensive plan at least every five years and shall make recommendations to the local planning agency and the city commission regarding changes to the historic preservation element.

(76) The commissionboard shall coordinate its activities with the community redevelopment agency, the state historic preservation officer, the New Smyrna Museum of Historyand, and the Southeastwest Volusia Historical Society.

(87) The commissionboard shall assist the city staff in preparing applications for grant awards for historic preservation and historic survey activities.

(98) The area of geographic responsibility for the commissionboard shall be coterminous with the boundaries of the city.

(109) The commissionboard is encouraged to be represented at pertinent informational or educational meetings, workshops and conferences relating to preservation activities.

(c) *Membership.* The commissionboard shall consist of seven members who shall be residents of the city except that no more than three members may be residents within the annexation area identified in the city's Interlocal Service Agreement with the County of Volusia. In the event of a vacancy on the commissionboard, the city commission shall Prior to appointment, the city commission shall solicit any nominations from the Southeast

Volusia Historical Society and ~~.~~appoint a new member within 60 days to serve out the remainder of the term. Members shall serve on the ~~commission~~board at the pleasure of the city commission.

(d) *Term.* The ~~commission~~board members shall be appointed for staggered terms of three ~~-~~years by the city commission.

(e) *Qualifications.* The ~~commission~~board members shall be composed of lay and professional members in accordance with the criteria set forth by the certified local government program. To the extent available, members shall be professionals from the disciplines of architecture, history, architectural history, archaeology, or other historic-related fields such as urban planning, American studies, American civilization, cultural geography or cultural anthropology. Lay persons who have demonstrated special interest, experience or knowledge in history, architecture or related disciplines shall make up the balance of the ~~commission~~board membership. An up-to-date resume of ~~commission~~board members shall be kept as a public record. ~~Prior to appointment, the city commission shall solicit nominations from the Southeast Volusia Historical Society.~~

(f) *Procedures.* ~~The commission shall hold at least four meetings each year, which shall be public meetings. Meetings shall have a previously advertised agenda and shall be open to public participation. All records of the commission, including its rules of procedure, minutes and inventory, shall be public records open to inspection by the public. The commission shall adopt rules of procedure for use in all its meetings, and the city manager shall provide staff assistance. The commission shall have the following reporting requirements:~~

(1) The ~~commission~~board shall elect a chair and vice-chair from its membership. The chair and vice-chair will serve terms of one year each. Nothing will prevent the board from electing the chair and vice-chair for additional terms. The chair will preside over the board and will have the right to vote. In the absence or disability of the chair, the vice-chair will perform the duties of the chair.

(2) The planning manager or designee shall act as the city historic preservation officer. A staff person from the planning and engineering department shall serve as secretary of the board.

(3) Four members ~~A majority~~ of the board shall~~(four) will~~ constitute a quorum.

(4) The ~~commission~~board shall hold at least four meetings each year, which shall be public meetings. Meetings shall have a previously advertised agenda and shall be open to public participation. All records of the ~~commission~~board, including its rules of procedure, minutes and inventory, shall be public records open to inspection by the public. The ~~commission~~board shall adopt rules of procedure for use in all its meetings and the planning manager or designee shall provide staff assistance. The ~~commission~~board shall submit to the state preservation officer ~~have~~ the following items~~reporting requirements~~:

a. Thirty days advance notice of each meeting.~~It shall provide the state preservation officer with 30 days' notice prior to each meeting, following its first meeting.~~

b. ~~It~~M~~ shall submit m~~inutes of each meeting ~~to the state historic preservation officer~~ within 30 days of holding the meeting.

c. R~~It shall submit r~~ecords of board member ~~the~~ attendance ~~for the review of commission members to the state historic preservation officer~~ within 30 days of each meeting.

d. P~~It shall submit p~~ublic attendance figures of each meeting ~~to the state historic preservation officer~~ within 30 days of each meeting.

e. C~~It shall notify the state historic preservation officer of c~~hanges in ~~commission~~board membership within 30 days of action.

f. A~~It shall notify the state historic preservation officer of all~~ll local historic designations or alterations to existing designations.

g. An~~It shall submit an~~ annual report by November 1 covering the previous October 1 through September 30, which shall include:

1. Any changes in the rules of procedure; and
2. Number of proposals reviewed; and
3. Designations or listings; and
4. Changes to ~~commission~~board; and
5. Revised resumes of ~~commission~~board members as appropriate; and
6. Review of survey and inventory activity with the description of the system used; and
7. Program report on each grant-assisted activity.

ARTICLE II. HISTORIC DESIGNATION AND PROTECTION~~(Code 1975, § 14½-4; Ord. No. 43-13, § 1, 6-11-2013)~~

Sec. 50-~~5~~57. Local d~~D~~esignation of ~~local~~ landmarks~~, landmark sites and historic districts~~[LEA1].

(a) *Authorized.* Upon recommendation of the historic preservation ~~commission~~board, the city commission may locally designate by ordinance individual ~~local~~ landmarks~~, landmark sites and historic districts~~. ~~Each designation of a local landmark shall include a designation of a landmark site~~[LEA2].

(b) *Owner consent.* The local designation of a ~~local~~ landmark requires owner consent at the time of designation. However, ~~W~~when a property proposed for local designation has multiple owners, and any of them ~~an owner~~ object~~s~~ to ~~an application involving~~ the designation ~~of property, other than an historic district~~, approval by the historic preservation ~~commission~~board and city commission shall require a super~~-~~majority vote[LEA3].

(~~b~~c) *Application requirements.*

(1) Consideration of the local designation of a landmark ~~and landmark site or an historic district~~ shall be initiated by the filing of an application for local designation by the property owner(s) or authorized agent~~, any resident of the city or any organization in the city, and~~ or the city. The historic preservation ~~commission~~board is authorized to initiate the local designation process pursuant to this section. ~~However, no property, site, building, structure, object, landscape feature or other real or personal property will be designated as a historic landmark without the written consent of the property owners.~~ The city shall charge a fee for each application that reflects processing costs for the application, except such fee shall be waived for city-initiated applications. The applicant shall complete an application form provided by the planning department, which shall include:

a. A written description of the architectural, historical or archeological significance of the ~~proposed~~ landmark proposed for designation ~~and landmark site or buildings in the proposed historic district~~ and specifically addressing and documenting how the proposed designation meets the criteria ~~those related points~~ contained in this chapter; and

b. Date of construction of the structure(s) on the property and the names of former owners; and

c. Photographs of the property; and

d. Legal description and map of the property to be locally designated or the site upon which the landmark is located ~~as a landmark, landmark site or historic district~~.

~~(2) On applications for the designation of historic districts, the applicant shall also submit:~~

~~a. Evidence of the approval of the district from two-thirds of the property owners; and~~

~~b. A written description of the boundaries of the district.~~

(~~3~~2) The planning~~city~~ manager or his designee shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

(~~c~~d) *Public hearings for designations.* The historic preservation ~~commission~~board shall schedule a public hearing on the proposed local designation within 60 days of the submission of a completed application. Notice of the public hearing and notice to the owner shall be given in accordance with the land development regulations ~~zoning code~~ and shall clearly state ~~clearly~~ the location of the landmark ~~site~~ to be considered for local designation~~boundaries for a proposed historic district~~.

(~~d~~e) *Criteria for local designation ~~of property~~.* The historic preservation ~~commission~~board shall recommend the local designation of ~~property as~~ a landmark that is significant in the city's history, architecture, archaeology and culture, and that possesses integrity of location, design, setting, materials, workmanship or association~~;~~

and that meets ~~, landmark site or historic district after the public hearing based upon~~ one or more of the following criteria[LEA4]:

(~~2~~1) Is associated with events that have made a significant contribution to the broad patterns of our local, state or national history;~~Its location is a site of a significant local, state or national event;~~

(~~3~~2) Is associated with the lives of persons significant in our past; ~~It is identified with a person who significantly contributed to the development of the city, state or nation;~~

(~~6~~3) Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; ~~It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials;~~

(~~1~~4) Has yielded, or may be likely to yield, information important in prehistory or history~~Its value is a significant reminder of the cultural or archeological heritage of the city, state or nation~~; ~~and/or~~

(5) Is listed in the National Register of Historic Places as established by the National Historic Preservation Act of 1966, ~~(~~as amended~~)~~.

~~(2) Its location is a site of a significant local, state or national event;~~

~~(3) It is identified with a person who significantly contributed to the development of the city, state or nation;~~

~~(4) It is identified as the work of a master builder, designer or architect whose individual work has influenced the development of the city, state or nation;~~

~~(5) Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance;~~

~~(6) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials;~~

~~(7) Its character is a geographically definable area possessing a significant concentration, or continuity of sites, buildings, objects or structures united in past events or aesthetically by plan or physical development; or~~

~~(8) Its character is an established and geographically definable neighborhood, united in culture, architectural style or physical plan and development.~~

(~~e~~f) *Historic Preservation ~~Commission~~Board recommendation~~decision~~.* After evaluating the testimony, survey information and other material presented at the public hearing, the historic preservation ~~commission~~board shall~~, within 60 days,~~ make its recommendation to the city commission with a written report on the landmark ~~property or area~~ under consideration. ~~Applications for designation shall be approved or denied.~~ The historic preservation ~~commission~~board may vote to defer its recommendation ~~decision~~ for an additional 30 days, if additional information is needed to satisfy the established review criteria. If the historic preservation ~~commission~~board recommends a local designation, it shall explain how the proposed landmark ~~or historic district~~ qualified for designation under the criteria contained in this section. This evaluation may include references to other buildings ~~and areas~~ in the city and shall identify the significant features of the proposed landmark~~ or historic district~~. The report shall include a discussion on the relationship between the proposed local designation and existing and future plans for the development of the city. The planning department shall promptly notify the ~~applicant and the~~ property owner or authorized representative of the historic preservation ~~commission~~board recommendation~~decision~~.

~~(f) *Appeals to city commission.* Any person may appeal the commission's decision to the city commission within 15 days of the decision[LEA5].~~

(g) *City commission review and designation.* The city commission shall approve, modify, or ~~disapprove~~ deny the proposed local designation within 60 days of the historic preservation ~~commission~~board recommendation. If a local designation is made, the zoning map ~~comprehensive plan, including the future~~ land use map series, shall be amended to identify the local designation. ~~contain the designation in accordance with state law.~~ The planning department shall notify each applicant and property owner of the decision relating to the property within 30 days of the city commission action and shall arrange that the local designation of a property as a landmark ~~or as a part of an historic district~~ be recorded in the official record books of the county.

(h) *Amendments and rescissions.* The local designation of any landmark ~~and landmark site or historic district~~ may be amended or rescinded through the same procedure utilized for the original ~~description~~designation.

~~(Code 1975, § 14½-5)~~

Sec. 50-~~6~~8. Local d~~D~~esignation of ~~h~~historic districts.

(a) *Authorized.* Upon recommendation of the historic preservation ~~commission~~board, the city commission may locally designate by ordinance ~~local~~ historic districts. Each locally designated district must include a list of contributing and non-contributing buildings.

(b) *Owner consent.* Local historic district designation does not require the consent of all owners, but shall be supported by 51% of the property owners in the proposed district. W~~However, w~~ritten owner consent shall be required for the designation of each *contributing* structures[LEA6] within the proposed district.

(c) *Application requirements.*

(1) Consideration of the local designation of a ~~local~~ historic district shall be initiated by the filing of an application for designation by a property owner within the proposed district or authorized representative, any resident or organization in the city, or the city. The city shall charge a fee for each application that reflects processing costs for the application, except such fee shall be waived for city-initiated applications. The applicant shall complete an application form provided by the planning department, which shall include:

a. A written description of the architectural, historical or archeological significance of the buildings within the proposed historic district and specifically addressing and documenting how the proposed designation meets the criteria contained in this chapter;

b. A map showing the proposed district boundary and buildings to be designated as *contributing properties* ~~(as defined in this chapter)~~. The number of *contributing* structures must comprise at least 50 percent of the total structures in the proposed district;

c. Date of construction of the contributing structures within the proposed district and the names of former owners;

d. Photographs of the contributing sites~~/buildings~~ within the proposed district;

~~e. Evidence of support for the district from at least 30 percent of the property owners; and~~

~~f~~e. A written description of the boundaries of the proposed district.

(2) The planning ~~city~~ manager or ~~his~~ designee shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

(d) *Public hearings for local designations.* The historic preservation ~~commission~~board shall schedule a public hearing on the proposed district designation. Notice of the public hearing and notice to the owners within the proposed district shall be given in accordance with the land development regulations ~~zoning code~~ and shall clearly state the boundaries for the~~a~~ proposed ~~historic~~ district.

(e) *Criteria for local designation of a historic district ~~property~~*. The historic preservation ~~commission~~board shall recommend the local designation of ~~local~~ historic districts that meet the established review criteria set forth in the preceding section. ~~criteria stated in Section 50-7.d.~~

(f) *Board~~Commission~~ recommendation~~decision~~*. After evaluating the testimony, survey information and other material presented at the public hearing, the historic preservation ~~commission~~board shall make its recommendation to the city commission with a written report on the area under consideration. The historic preservation board may vote to defer its recommendation for an additional 30 days, if additional information is needed to satisfy the established review criteria. If the historic preservation board recommends local designation, it shall explain how the proposed historic district qualified for designation under the established review set forth above. ~~The historic preservation commission may vote to defer its decision for an additional 30 days. If the historic preservation commission recommends a designation, it shall explain how the proposed historic district qualified for designation under the criteria contained in this section.~~ This evaluation may include references to other areas in the city and shall identify the significant features of the proposed historic district. The report shall include a discussion on the relationship between the proposed designation and existing and future plans for the development of the city. The planning department shall promptly notify the applicant and property owners within the district ~~and property owners within the district~~ of the board~~commission~~ recommendation~~decision~~.

(g) *City commission review and designation.* The city commission shall approve, modify, or deny the proposed designation within 60 days of the historic preservation board~~commission~~ recommendation. If a designation is made, ~~the~~ the zoning map shall be amended to identify the local designation. The planning department shall notify each applicant and property owner of the decision within 30 days of the city commission action and shall arrange that the local designation of the historic district be recorded in the official record books of the county.

~~comprehensive plan, including the future land use map series, shall be amended to contain the district designation in accordance with state law. The planning department shall notify each applicant and property owner of the decision within 30 days of the city commission action and shall arrange that the designation of a historic district be recorded in the official record books of the county.~~

(h) *Amendments and rescissions.* The local designation of any historic district or contributing status of a property may be amended or rescinded through the same procedure utilized for the original designation. The rescission of any contributing structure~~s~~ shall not require a change to the boundaries of a designated historic district.

Sec. 50-789. Certificate of Appropriateness~~Approval of changes to landmarks, landmark sites and property in historic districts~~.

(a) *Certificate of appropriateness required.* No person may undertake the following actions without ~~affecting a designated local landmark, a designated landmark site or a contributing or not contributing property~~[LEA7] ~~in a designated local historic district without~~ first obtaining a certificate of appropriateness ~~from the commission~~:

- Disturbance of an ~~alterations of an aa~~rcheological site, or~~or~~
- ~~E~~the exterior part of a building, ~~or structure or site,~~
- rection of an addition to a local landmark, or
- New construction within a locally designated historic district,~~new construction,~~ or
- Relocation, demolition, or material alteration of the exterior features of a local landmark or a contributing building within a locally designated historic district. ~~or~~

~~relocation.~~

(1) ~~———~~Exterior features include, but shall not be limited to, the architectural style, scale, massing, siting, general design and general arrangement of the exterior of the building or structure, including landscape features, site improvements, and the type, style and material ~~and color~~ of roofs, windows, doors, siding, masonry, porches, storefronts and other architectural features. ~~It shall also include landscape features and site improvements.~~

(2) ~~———~~Review of ~~a~~ new construction and alterations to locally designated landmarks~~buildings and structures~~ shall be limited to exterior changes visible to the public ~~visible to the public~~from a public right-of-way.

(3) Whenever an~~y~~ alteration is performed ~~, a new construction, demolition or relocation is undertaken on a designated landmark, a designated landmark site or a property in a designated historic district~~ without a certificate of appropriateness, the chief building official is authorized to issue a stop work order.

(~~2~~4) A certificate of appropriateness shall be required in addition to any other required building permits ~~required by law~~. The issuance of a certificate of appropriateness ~~from the commission~~ shall not relieve the property owner of the duty to comply with all other state and local laws and regulations.

(~~3~~5) Ordinary repairs and maintenance that are otherwise permitted by law may be undertaken without a certificate of appropriateness provided this work ~~on a designated landmark, a designated landmark site, or a property in a designated historic district~~ does not alter the exterior appearance of the building, structure or archeological site, or alter elements significant to its architectural or historic integrity.

~~(4) No certificate of appropriateness for alteration, new construction, demolition or relocation pursuant to the provisions of this chapter shall be effective for a period of 15 days subsequent to the commission's decision. If during that 15-day period an appeal is made to the city commission, the decision of the commission shall automatically be stayed pending city review.~~

(b) ~~*L*~~*Major and minor certificates of appropriateness~~*evel of review*~~. ~~Based on the type of alteration proposed, the application for a Certificate of Appropriateness (COA) may be approved by staff or the Commission.~~

(1) ~~***Standard***~~ *Minor c~~C~~ertificate of a~~A~~ppropriateness.* A minor c~~Standard C~~ertificate of a~~A~~ppropriateness is reviewed and approved by staff and is required for work that is deemed to have a minimal impact to the subject resource such that the work will result in the preservation of the original appearance and will meet the Secretary of the Interior's Standards for Rehabilitation and the applicable standards of ~~contained in this~~ Chapter. E~~E~~xamples of work that may be considered to have minimal impact include, but are not limited to, minor alterations to the rear of a historic structure that is not visible from the public right-of-way, ~~or the~~ construction of a ground-level deck to the rear of a historic structure that does not obscure architectural features ~~and that is easily removable~~, ~~.~~installation of a canvas awning or canopy, repair of a cornice using existing materials and duplicating the original design, installation of new doors, windows, or roofs that are compatible in size and style with the original architecture of the building, fencing located behind any street façade, painting of any exterior material or surfaces other than unpainted masonry, stone, brick, terra cotta, or concrete, installation of skylights, repair or replacement of siding with siding that duplicates the appearance of the original, and installation of signs on commercial property.

(2) *Major* ~~***Special***~~ *certificate of ~~historic~~ appropriateness.* A major~~special~~ certificate of historic appropriateness is reviewed and approved by the historic preservation board and is required for additions to a local landmark, new construction in a local historic district, exterior alterations of a local landmark or contributing structure in a local historic district, demolitions of a local landmark or a contributing structure in a local historic district, or any other work ~~work~~ on a local landmark or contributing structure in a local historic district that does not constitute ordinary maintenance or repair and is deemed to have more than a minimal impact to the subject resource.

(c~~b~~) *Application procedures for certificates of appropriateness.*

(1) The applicant shall complete an application ~~form~~ provided by the planning department~~building department~~ containing, in part, the following information:

a. Drawings of the proposed work;

b. Photographs of the existing building or structure and adjacent properties; and

c. Information about the building materials to be used.

(~~1~~2) Each application for a certificate of appropriateness shall be accompanied by the required fee.

(~~2~~3) The planning~~city~~ manager shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

(4) If the application is deemed complete ~~by the City Manager~~, ~~T~~the planning manager~~chief building official~~ shall forward the application to the reviewing entity ~~Historic Preservation Officer, if the application qualifies as a Standard COA, or the historic preservation commission, each application for a permit that would authorize an alteration, new construction, demolition or relocation affecting a designated landmark, a designated landmark site, or a property in a designated historic district~~ if the application is ~~determined to be a Special COA,~~ for consideration at ~~review during~~ a public hearing. ~~The applicant shall complete an application form provided by the building department containing in part the following information:~~

~~a. Drawings of the proposed work;~~

~~b. Photographs of the existing building or structure and adjacent properties; and~~

~~c. Information about the building materials to be used.~~

(d~~c~~) *Review of minor c~~Standard C~~ertificates of a~~A~~ppropriateness*. The h~~H~~istoric p~~P~~reservation o~~Off~~fficer reviews and issues minor~~standard~~ certificates of appropriateness, subject to the criteria contained in subsection (f~~e~~) below. A decision to approve, ~~deny or~~ approve with conditions, or deny shall be made and communicated in writing to the applicant within 10 days from receipt of a complete application. The officer's ~~HPO~~ decision may be appealed to the historic preservation ~~commission~~board within 30 days of the officer's findings. The appeal is reviewed by the historic preservation ~~commission~~board as a s~~S~~pecial c~~C~~ertificate of a~~A~~ppropriateness and an additional application fee is required.~~(2) The city manager shall determine when an application is complete and may request additional information when such application is determined to be incomplete.~~

(e) *Review of major ~~Special C~~certificates of a~~A~~ppropriateness~~Public hearings for certificates of appropriateness~~*. The historic preservation ~~commission~~board shall hold a public hearing on each major~~Special~~ c~~c~~ertificate of ~~a~~aAppropriateness within 30 days after receipt of a completed application. The ~~commission~~board shall approve, approve with conditions, or deny~~disapprove~~ each application, based on the criteria contained in sub~~this~~ section (f~~e~~). The ~~commission~~board shall make its decision at a public hearing, but no later than 60 days after an application is presented to the board.~~act within 60 days after the close of the public hearing.~~ If the ~~commission~~board fails to make a decision ~~decide an application~~ within the specified time period, the application shall be deemed approved.

~~(4)~~ No certificate of appropriateness for alteration, new construction, demolition or relocation pursuant to the provisions of this chapter shall be effective for a period of 15 days subsequent to the ~~commission~~board's decision. If during that 15-day period an appeal by an aggrieved party is made to the city commission, the decision of the ~~commission~~board shall automatically be stayed pending city commission review and determination. ~~pending city commission review.~~

(df) *General cCriteria for granting certificates of appropriateness.* In approving or denying applications for certificates of appropriateness for alterations, new construction, demolition or relocation, the reviewing officer or board Historic Preservation Officer and historic preservation commission shall use consider the following general guidelinescriteria:

(1) The effect of the proposed work on the local landmark or the contributing structure property upon which such work is to be done;

(2) The relationship between such work and other structures on the local landmark site or and surrounding properties in the local historic districtor other property in the historic district;

(3) The extent to which the historic, architectural or archeological significance, architectural style, design, arrangement, texture, materials and color of the landmark or the property will be affected;

(43) Whether the denial of a certificate of appropriateness would deprive the property owner of reasonable beneficial use of property beneficial use of his property; and

(54) Whether the plans may be reasonably carried out by the applicant.; and

(65) Compliance with the standards contained in Section 50-810.

(ig) *Appeals to city commission.* Within 15 days of the historic preservation commissionboard decision, any aggrieved person may appeal to the city commission any decision of the commissionboard on an application for a certificate of appropriateness. The city commission shall approve, approve with conditions modifications, or denyisapprove the application at a public hearing within 60 days after receiving the appeal.

(jh) *Emergency conditions; designated properties.* In any case where the chief building official determines that there are emergency conditions dangerous to life, health or property affecting a local landmark, a landmark site, or a contributing structure in a local property in an historic district, the official may order the remedying of these conditions without the approval of the commissionboard or issuance of a required certificate of appropriateness. The chief building official shall promptly notify the chair of the commissionboard of the action being taken.

(Code 1975, § 14½-6)

Sec. 50-810. Certificate of appropriateness review criteria. Standards for rehabilitation, additions, new construction and relocation

An application for a Minor or Major Certificate of Appropriateness shall be reviewed and decided in accordance with the following criteria:

(a) *Secretary of the Interiors' Standards for Rehabilitation Treatment of Historic Properties.*

Preservation is the main focus of the historic preservation standards contained in this chapter. However, when repair or replacement of deteriorated features is necessary, or alterations and additions are planned, rehabilitation is the appropriate treatment[LEA8].

(ea) *General standards for rehabilitation Additional guidelines for alterations.* All applications shall meet the US Secretary of Interior standards for Rehabilitation (restated below) and the additional standards contained in this section.

(1) In approving or denying applications for certificates of appropriateness for alterations, the commission shall also use the following additional guidelines, which are based on the United States Secretary of the Interior's Standards for Historic Preservation Projects.

(21) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment. Every reasonable

~~effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure or site and its environment, or to use a property for its originally intended purpose.~~

(~~3~~2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.~~The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.~~

(~~4~~3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.~~All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier appearance shall be discouraged.~~

(~~5~~4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.~~Changes that may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.~~

(~~6~~5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved. ~~Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure or site shall be treated with sensitivity.~~

(~~7~~6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.~~Deteriorated architectural features shall be repaired rather than replaced, wherever possible. If replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.~~

(~~8~~7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.~~The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building material shall not be undertaken.~~

(~~9~~8) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.~~Every reasonable effort shall be made to protect and preserve archeological resources affected by or adjacent to any acquisition, protection, stabilization, preservation, rehabilitation, restoration or reconstruction project.~~

(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

(10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(b) *Additional standards for rehabilitation*. The rehabilitation of a local landmark or a contributing structure in a ~~alteration of~~ local historic ~~landmarks and properties within locally designated historic~~ district~~s~~ shall comply with subsection (a) of this Section, as well as the following general standards: New Smyrna Beach Historic Preservation Design Guidelines.~~the United States Secretary of the Interior's Standards for the Treatment of Historic Properties and the following general standards (refer to subsection (c) for the addition of accessibility ramps, solar panels and mechanical equipment):~~

(1) ~~*Non-Contributing Structures*. Alterations to non-contributing structures within a local district shall be reviewed for their compatibility with the massing and scale of the original structure and the existing contributing structures in the district. The design of non-contributing structures may be of any architectural style but shall not create a false historical appearance.~~

~~(2)~~ *Storefronts*. The materials, composition, proportion, and features (e.g., windows, entries, transoms, bulkheads) of commercial storefronts shall be preserved and shall not be covered with added elements. Glass shall remain transparent.

(~~3~~2) *Awnings and canopies*. Maintain and repair as needed. Replacement awnings or canopies must resemble the original in structure, dimensions and materials. The use of pent roofs (a more permanent awning that typically uses clay tile, metal or shingles instead of fabric) is not allowed.

(~~4~~3) *Building materials*. Exterior façade materials (e.g., siding, wall finish, accents) shall be maintained and repaired when deteriorated. If replacement is necessary, the new materials must match or mimic the existing. The use of aluminum, ~~vinyl~~ vinyl~~or composite/fiber cement siding, simulated stone or brick products~~, and glass block (unless original to the building) shall not be permitted.

(~~5~~4) *Building colors*. Building colors should be consistent with the schemes typically attributed to the building architectural style.

(~~6~~5) *Roofs*. The roof shape and elements (e.g., dormers, eaves, and parapets) shall be preserved. The use of colorized metal roofing materials shall be prohibited.

(~~7~~6) *Entries and doors*. Existing entries and their decorative elements shall be preserved. Replacement doors must match or mimic the original in dimensions, shape, configuration, and material when possible. Trim boards, sidelights, and transom lights, and any other architectural elements, if present, shall be preserved.

(~~8~~7) *Windows*. The windows on historic buildings, if they haven't already been modified, must be retained, properly maintained and repaired. If replacement is necessary, the new windows and associated elements (e.g., frames, panes, lintels, sills, etc.) shall match or mimic the original in placement, shape, dimensions, orientation, and type (e.g., double hung, casement, etc.). If it is suspected that the existing windows do not match the original windows (based on the style of the building) the applicant must consult with city staff to find the most appropriate type of window for the building style. ~~Snap-on grilles-between-glass muntins shall not be allowed.~~

(~~9~~8) *Window shutters*. Replacement shutters shall match the original in size, type, design and materials when possible (including hardware). New shutters shall only be allowed if appropriate to the building style (e.g., Bahama shutters shall not be added to a Folk Victoria house). New and replacement shutters do not need to be operational but must be proportionate to the window (each shutter must have a width that equals one half of the window width).

(~~10~~9) *Hurricane shutters*. Traditional window shutters, when present, are the first line of defense against hurricanes. If not present or not operable, the use of temporary/removable protection elements (e.g., plywood, metal screens, ~~impact~~and impact resistant fabric screens) over windows and gable vents is permitted. Fasteners and tacks must be painted the same color as the surface where they are installed, shall not cause permanent damage to the building, and shall not remove or hide character-defining

features of the building. Accordion and roll-up shutters, which fold or roll to the side or top when not in use and remain permanently attached to the building, are not permitted.

(~~11~~10) *Porches*. Existing porches that are open or screened shall not be enclosed. Open porches may be screened as long as the porch elements (e.g., columns, railings, beams) are not modified or obscured.

(~~12~~11) *Foundations*. Foundations must be repaired to maintain the original function and appearance. Foundation enclosures may be replaced if deteriorated beyond repair with enclosures that match the original in terms of placement, material and appearance. The enclosures shall be located between piers instead of covering them.

(~~13~~12) *Architectural details*. Where deteriorated, architectural details (e.g., brick or tile work, medallions, chimneys, attic vents, roof brackets, exposed rafters, railings and balustrades, etc.) shall be repaired if damaged. If replacement is necessary, the replacement feature shall match the original in design, shape, dimensions and materials. Architectural details shall not be covered by other elements added to the façade.

(~~14~~13) *Privacy fences and walls*. Existing fences and walls must be properly maintained and repaired. If replacement is necessary, the fence/wall must be consistent with the style of the main building. Chain link~~and plastic/vinyl~~ fences shall be prohibited.

(~~15~~14) *Accessory structures*. Existing accessory structures that are part of the designated site are also subject to a Certificate of Appropriateness if altered. All applicable provisions in this subsection (b) shall apply.

(~~16~~15) *Parking and driveways*. Paved areas should remain unchanged in terms of size/extent. Adaptive reuse, however, may require substantial changes to paving (e.g., converting a single-family site to a restaurant use). This must be done in a manner that preserves the character of the original function of the site (e.g., not allowing paved areas immediately adjacent to the building).

(~~17~~16) *Signs*. If possible, the original sign board/structures shall be preserved with only the sign copy changing. New signs shall not cover architectural features (e.g., windows, details, trims).

(~~f~~c) *Additional ~~guidelines~~ standards for additions and new construction*. ~~In approving or denying applications for certificates of appropriateness for new construction, the commission shall also use the following additional guidelines:~~ Additions to designated local historic landmarks and contributing structures in a local historic district, and any new construction in a local historic district s~~The~~hall comply with subsection (a) of this Section, as well as the following general standards:

~~following additional standards shall apply to additions to designated local historic landmarks, additions to structures within local historic districts, and to new construction within designated local historic districts:~~

(1) *Volume scale and massing*. The scale and massing of additions and new structures must be similar to the contributing structures in the historic district. Any new structure which exceeds 50 linear feet along any street frontage must provide a projection or recess at least 3 feet deep to minimize the scale of the building.

(~~1~~2) *Building height*. ~~The height of proposed building shall be visually compatible with adjacent buildings~~The maximum height of additions and new buildings must comply with the requirements of the zoning district but shall not overwhelm the existing structures on the subject site or surrounding sites. In order to accommodate changes in height permitted by the district, an additional 10-foot setback must be provided for every floor above the height of the surrounding structures. The step backs may be provided per floor or for the entire building.~~;~~

~~(2) The relationship of the width of the building to the height of the front elevation shall be visually compatible to buildings and places to which it is visually related;~~

(3) *Building placement*. The proposed setbacks for additions and new construction shall be made consistent with the predominant setbacks in the same block provided that the setbacks comply with the zoning district regulations. Additionally, new buildings and additions must replicate the building orientation that is predominant along the same block. For instance, residential buildings tend to locate the narrow part of the building along the street and the front façade is parallel to the street.

(4) *Roofs*. Roof types, shapes and pitch on additions and new buildings must be similar to the roof characteristics of the subject structure and surrounding buildings in the historic district.

(5) *Architectural style*. Additions must respect the architectural style of the existing building but not create a false historical appearance. Similarly, new construction may use any architectural style, but shall not duplicate historic styles. If a particular style is selected for inspiration, it must be a style that appears in the historic district.

(~~3~~6) *Fenestration*. ~~The relationship of the width of the windows to height of windows in a building shall be visually compatible with buildings and places to which the building is visually related;~~ Fenestration refers to the pattern of windows and doors that provide façade transparency and interest. The facades facing a street must contain fenestration that resembles the historic patterns in the district. Windows (other than storefront display windows) must have a vertical emphasis similar to the windows found on contributing buildings in the historic district and must include prominent window frames, sills and lintels.

~~(4) The relationship of solids to voids in the front facade of a building shall be visually compatible with buildings and places to which it is visually related;~~

~~(5) The relationship of building to open space between it and adjoining buildings shall be visually compatible to the buildings and places to which it is visually related;~~

(~~6~~7) *Entrances*. ~~The relationship of entrance and porch projections to sidewalks of a building shall be visually compatible to the buildings and places to which it is visually related;~~ New buildings must provide the main entrance facing the street. Commercial buildings in storefront areas must respect the pattern of storefronts. Residential buildings must provide a porch, portico, stoop or other architectural feature consistent with the predominant style in the district.

(~~7~~8) *Building materials and colors*. ~~The relationship of the materials, texture and color of the facade of a building shall be visually compatible with the predominant materials used in the buildings to which it is visually related;~~ The materials and colors used on additions and new construction must be similar to the materials and textures of the original structure and the contributing structures in the district. Prohibited materials include unfinished block, textured plywood, aluminum or vinyl siding~~, faux brick or stone~~.

~~(8) The roof shape of a building shall be visually compatible with the buildings to which it is visually related;~~

(9) *Façade ornamentation*. Features such as awnings, canopies, shutters, and similar must be in character with the style of the existing building and the other buildings in the district. Awnings must follow the shape of the door and window opening. Shutters do not need to be operational but must be proportionate to the window (each shutter must have a width that equals one half of the window width).

(~~9~~10) *Privacy fences and walls*. ~~Appurtenances of a building such as walls, wrought iron fences, evergreens, landscape masses, building facades, etc., shall, if necessary, form cohesive walls of enclosures along a street, to ensure visual compatibility of the building to the buildings and places to which it is visually related;~~ The materials and colors of privacy fences and walls must be coordinated with the main structure. Chain link fences visible from a public right-of-way or space are prohibited[LEA9].

~~(10) The size of a building, the mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with the buildings and places to which it is visually related; and~~

~~(11) A building shall be visually compatible with the buildings and places to which it is visually related in its directional character, whether this be vertical character, horizontal character or nondirectional character.~~

(11) *Accessory structures*. The introduction of accessory structures, if not visible from the public right-of-way do not require a Certificate of Appropriateness if they meet the requirements of the Land Development Regulations~~Section ## of the LDC~~. If visible from the public-right-of-way, they must complement the style, materials and colors of the building.

(12) *Signs*. Proposed signs shall meet the requirements of the Land Development Regulations and ~~Chapter ##,~~ must be compatible with the design of the structure and shall not cover architectural details or features.

(13) *Accessibility ramps*. Compliance with health and safety codes and ADA access requirements must be carried out with minimum impact on the historic character of buildings. Therefore, where possible, they should be located on the side or rear elevation, shall not cover any architectural details, shall be installed in a manner that if removed, there will not be damage to the building, and must incorporate materials and colors that are consistent with eh building.

(14) *Mechanical equipment*. Rooftop equipment must be screened so that it is not visible from the public right-of-way. Ground level equipment must be located to the side or rear of the building and must be screened by fencing or landscaping.

(15) *Solar panels*. When added to an existing buildings or sites, they shall not be visible from the public right-of-way (may be placed on flat roofs behind parapets, or the back side of sloped roofs).

~~(g) *Additional requirements for **demolitions*** [LEA10].~~

~~(1) No certificate of appropriateness for demolitions shall be issued by the commission until the applicant has demonstrated that no other feasible alternative to demolition can be found. The commission may ask interested individuals and organizations for assistance in seeking an alternative to demolition. On all demolition applications, the commission shall study the question of economic hardship for the applicant and shall determine whether the landmark or the property in the historic district can be put to reasonable beneficial use without the approval of the demolition application. In the case of an income-producing building, the commission shall also determine whether the applicant can obtain a reasonable return from the existing building. The commission may ask applicants for additional information to be used in making these determinations, including but not limited to evidence that the plans for a new building on the site will be implemented. If the applicant fails to establish the lack of a reasonable beneficial use or the lack of a reasonable return, the commission shall deny the demolition application.~~

~~(2) The commission may grant a certificate of appropriateness for demolition even though the designated landmark, designated landmark site or property within the designated historic district has reasonable beneficial use if the commission determines that the property no longer contributes to an historic district or no longer has significance as an historic, architectural or archeological landmark, that the demolition of the designated property is required by a community redevelopment plan or the comprehensive plan.~~

(d~~h~~) *Additional guidelines for relocation.* ~~***relocation.***~~ The relocation ~~When an applicant seeks to obtain a certificate of appropriateness for the relocation~~ of a local landmark, a contributing ~~building or~~ structure in a local historic district~~on a landmark site, or a building or structure in an historic district~~, or ~~wishes to~~ relocating ~~e~~ a ~~building or~~ structure to a local landmark site or local ~~to a property in an~~ historic district, shall comply with subsection (a) of this Section, as well as the following general standards:

~~the commission shall also consider the following:~~

(1) The contribution the building or structure makes to its present setting;

(2) Whether there are definite plans for the site to be vacated;

(3) Whether the building or structure can be moved without significant damage to its physical integrity; and

(4) The compatibility of the building or structure to its proposed site and adjacent properties.

~~(i) *Appeals to city commission.* Within 15 days of the commission decision, any person may appeal to the city commission any decision of the commission on an application for a certificate of appropriateness. The city commission shall approve, approve with modifications, or disapprove the application within 60 days after receiving the appeal.~~

~~(j) *Emergency conditions; designated properties.* In any case where the chief building official determines that there are emergency conditions dangerous to life, health or property affecting a landmark, a landmark site, or a property in an historic district, the official may order the remedying of these conditions without the approval of the commission or issuance of a required certificate of appropriateness. The chief building official shall promptly notify the chair of the commission of the action being taken.~~

~~(Code 1975, § 14½-6)~~

Sec. 50-99~~11~~. Emergency actions; non-designated properties.

The city commission may call an emergency meeting to review a threat to a property that has not yet been designated by the city but appears to be eligible for designation. The city commission may request that a stop work order be issued by the chief building official for a 30-day period in order to provide time to negotiate with the property owner to remove the threat to the property; the city commission shall seek alternatives that will remove the threat to the property. During the 30-day period the city commission may initiate steps to designate the property under the provisions of this chapter.

~~(Code 1975, § 14½-7)~~

Sec. 50-1020. Conformity with the certificate of appropriateness.

All work performed pursuant to a certificate of appropriateness shall conform to all provisions of such certificate. It shall be the responsibility of the building department to inspect from time to time any work being performed to assure such compliance. In the event work is not being performed ~~not~~ in accordance with such certificate, the chief building official is authorized to issue a stop work order. No additional work shall be undertaken as long as such stop work order remains~~shall continue~~ in effect.

~~(Code 1975, § 14½-8)~~

Sec. 50-113~~1~~. Maintenance and repair of local landmarks and contributing structures in a local historic district. ~~, landmark sites and property in historic districts.~~

(a) Every owner of a local landmark~~, a landmark site~~ or a contributing building ~~property~~ in a local~~n~~ historic district shall keep in good repair:

(1) All of the exterior portions of such buildings or structures;

(2) All interior portions that, if not so maintained, may cause such buildings or structures to deteriorate or to become damaged or otherwise to fall into a state of disrepair; and

(3) In addition, where the landmark is an archeological site, the owner shall be required to maintain his property in such a manner so as not to adversely affect the archeological integrity of the site.

(b) The ~~commission~~board may refer violations of this section to the building department for enforcement proceedings on any ~~building or~~ structure designated under this chapter so that such ~~building or~~ structure shall be preserved in accordance with the purposes of this chapter.

(c) The provisions of this section shall be in addition to the provisions of the building code requiring such ~~b~~buildings and structures to be kept in good repair.

~~(Code 1975, § 14½-9)~~

Sec. 50-1242. Demolition delay~~Historic building demolition~~.

(a) ~~*Historic Building Demolition Ordinance.* This section shall be known and cited as the City of New Smyrna Beach Historic Building Demolition Ordinance.~~

~~(b) *Finding.* It is the finding of the City Commission of the City of New Smyrna Beach, Florida, that New Smyrna Beach contains many important historical buildings. Further, in the preservation and understanding of the importance of the historic buildings within New Smyrna Beach there is a direct relationship to the economic well-being of the city and the present and future needs, public health, safety, morals and general welfare of the citizens of the incorporated area of New Smyrna Beach, Florida, as well as visitors to and residents of New Smyrna Beach.~~

~~(c) *Purpose.* This section is adopted for the purpose of preserving and protecting significant buildings within the city, which constitute or reflect distinctive features of the architectural, cultural, political, economic, or social history of the city; to encourage owners of such buildings to seek out persons who might be willing to purchase, preserve, rehabilitate, relocate or restore such buildings rather than demolish them.~~

~~(d) *Definitions.* For the purpose of this section, certain words and terms used herein shall be interpreted to have the meanings as defined below. Where words or terms are not defined in this section, they shall assume the meaning as indicated in Webster's Ninth New Collegiate Dictionary. Words used in the present tense include the future; the singular number includes the plural and the plural includes the singular. The word "shall" is mandatory and the word "may" is permissive. The word "used" or "occupied" includes the words "intended, designated or arranged to be used or occupied." The word "land" includes the word "marsh," "water" or "swamp."~~

~~*Building.* Any combination of materials capable and intended of being used as a shelter for persons for residential or non-residential purposes.~~

~~*Commission.* The Historic New Smyrna Beach Preservation Commission.~~

~~*Contributing building.* A building recognized as a contributing building within one of the city's National Register of Historic Places historic districts as noted on attached maps labeled as exhibits A and B.~~

~~*Demolition.* The act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction. Removing portions of a building that destroy the original character of the building also constitutes demolition.~~

~~*Demolition by neglect.* The absence of work in maintaining, repairing, or securing a contributing building or structure in a historic district that results in deterioration of an exterior feature of the building or structure or the loss of the structural integrity of the building or structure.~~

~~*Demolition permit.* The permit issued by the city building department as required by the state building code for the demolition or removal of a building or structure.~~

~~*Significant building.* Any building within the city which the commission determines, as provided in section 50-12(g), to be in the public interest to be preserved or rehabilitated, and whose demolition would be detrimental to the historical and/or architectural heritage and resources of the city.~~

~~(e)~~ *Regulated buildings.* This section applies to all contributing buildings within the city's ~~two~~ National Register of Historic Places Hhistoric D-districts ~~as shown on exhibits A* and B*~~.

(b~~f~~) *Notice.* Notice of a public hearing to consider any proposal to demolish a contributing building located in one of the city's nationally recognized historic districts ~~as indicated in section 50-12(e)~~ shall be made by staff, at the applicant's expense,~~the commission staff~~ in a ~~New Smyrna Beach new~~newspaper of general circulation in the city at least 30 days prior to the hearing. The owner or authorized representative of the owner of the building proposed for demolition shall notify all property owners within 150 feet of the subject property of the ~~proposed~~ public hearing. The notice shall be sent by United States Postal Service certified mail "return receipt requested" to each property owner no less than 15 days prior to the advertised public hearing and shall indicate the property address of the building proposed for demolition and the location, date and time of the public hearing.

(c~~g~~) ~~*Commission*~~*Board review.* The ~~commission~~board shall review any application for demolition of a contributing building within the city's National Register of Historic Places Historic District at its next public hearing with notice given as provided in this section~~section 50-12(f)~~ to determine whether the building is historically significant ~~as defined in this section~~. The building shall be considered historically significant if one or more of the following criteria are declared to be met by the board:

(1) The building is historically or architecturally significant in terms of its period, style, method of building construction or use of indigenous materials; or

(2) The building is a significant reminder of the cultural, or architectural history of the city, state or nation; or

(3) The building is associated with a significant local, state or national event; or

(4) The building is associated with one or more significant historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the city, state or nation; or

(5) The building is one of the few remaining examples of its period, style, or method of construction; or

(6) The building is identified with a person who significantly contributed to the development of the city, state or nation; or

(7) The building is identified as the work of a master builder, designer or architect whose individual work has influenced the development of the city, state or nation; or

(8) The building value is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance; or

(9) The building character is in a geographically definable area possessing a significant concentration or continuity of buildings united in past events or aesthetically by plan or physical development; or

(10) The building character is in an established and geographically definable neighborhood united in culture, architectural style or physical plan and development.

The board shall not consider the request until the applicant has provided the information to explain why the building is not considered significant, or if significant, why it should be demolished. The board shall issue no demolition approval until the applicant has demonstrated that no other feasible alternative to demolition can be found. The board may ask interested individuals and organizations for assistance in seeking an alternative to demolition.

~~The commission shall also consider information submitted by the applicant, as provided in sections 50-12(g) and (h). The commission shall not consider the request until the applicant has provided the information as outlined in sections 50-12(h) and (i) to explain why the building is not considered significant or if significant, why it should be demolished. The commission shall issue no demolition approval until the applicant has demonstrated that~~

~~no other feasible alternative to demolition can be found. The commission may ask interested individuals and organizations for assistance in seeking an alternative to demolition.~~

~~The building shall be considered historically significant if one or more of the following criteria are declared to be met by the commission:~~

~~(1) The building is historically or architecturally significant in terms of its period, style, method of building construction or use of indigenous materials; or~~

~~(2) The building is a significant reminder of the cultural, or architectural history of the city, state or nation; or~~

~~(3) The building is associated with a significant local, state or national event; or~~

~~(4) The building is associated with one or more significant historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the city, state or nation; or~~

~~(5) The building is one of a the few remaining examples of its period, style, or method of construction; or~~

~~(6) The building is identified with a person who significantly contributed to the development of the city, state or nation; or~~

~~(7) The building is identified as the work of a master builder, designer or architect whose individual work has influenced the development of the city, state or nation; or~~

~~(8) The building value is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance; or~~

~~(9) The building character is in a geographically definable area possessing a significant concentration or continuity of buildings united in past events or aesthetically by plan or physical development; or~~

~~(10) The building character is in an established and geographically definable neighborhood united in culture, architectural style or physical plan and development.~~

(d~~h~~) *Demolition of significant buildings.* If the ~~commission~~board finds that the building is historically significant the ~~commission~~board may, nevertheless, grant a demolition approval if it finds that one of the following circumstances is met:

(1) *Undue economic hardship.* In any instance where there is a claim of undue economic hardship, the property owner shall submit to the ~~commission~~board prior to the public hearing a report indicating the economic hardship and why the demolition should be allowed. The report shall include the following:

a. The amount paid for the property, the date of purchase and the party from whom purchased;

b. The assessed value of the land and improvements thereon, according to the two most recent assessments;

c. Real estate taxes for the previous two years;

d. Annual debt service, or mortgage payments, if any, for the previous two years;

e. All appraisals (if any) obtained within the previous two years by the owner(s) or applicant(s) in connection with the purchase, financing or ownership of the property;

f. Any listing of the property for sale or rent, price asked and offers received, if any; and

g. Any consideration by the owner as to profitable adaptive uses for the property, including but not limited to possible fair market rents for the property if it were rented or leased in its current condition.

The ~~commission~~board may require that an applicant furnish such additional information as the ~~commission~~board believes is relevant to the ~~commission~~board's determination of any alleged undue economic hardship. The ~~commission~~board may also require, in appropriate circumstances, that information be furnished under oath.

In the event that any of the required information is not reasonable available to the property owner and cannot be obtained by the property owner, the property owner shall file with the~~his/her/their~~ affidavit a statement of the information which cannot be obtained and the reasons why such information cannot be reasonable obtained. Where such unobtainable information concerns required financial information, the property owner will submit a statement describing estimates which shall be as accurate as feasible.

(2) *Building condition.* In any instance where there is a claim the building is not structurally sound and/or suitable for restoration, the applicant shall provide a written report signed by a licensed engineer or architect with experience in historic building restoration stating that the building is structurally unsound and unsuitable for restoration. The ~~commission~~board shall review the credentials of the licensed engineer or architect signing the report and shall find them experienced in historic restorations before the report is accepted. The applicant shall allow members of the ~~commission~~board and ~~commission~~board staff to inspect the interior and exterior of the building.

(3) *Lack of alternative to demolition.* In any instance where there is a claim of no other alternative to demolition, the applicant shall provide written documentation of attempts to sell the building at a reasonable and comparable amount or to offer it without charge to purchasers willing to move the building to another location and preserve, rehabilitate, relocate or restore the building. A reasonable and comparable sales price shall be indicated by providing evidence such as recent appraisals, comparable values of properties similar to the building proposed to be demolished or other evidence the ~~commission~~board deems acceptable.

(e~~i~~) *Conditions of demolition approval.* If the ~~commission~~board grants demolition approval for a contributing building listed on the National Register, ~~historical building as provided in section 50-12(g),~~ the ~~commission~~board may~~shall~~ condition approval on one or more of the following requirements:

(1) The ~~commission~~board shall require the applicant to provide a written and pictorial record of the building's history and architectural features for archival purposes, approved by the city. The record should include a narrative accompanied by relevant photographs, drawings, maps, and copies of original documents; or

(2) The board

~~(2) The commission shall require the applicant to design the replacement building(s) to meet the requirements of the Historic Preservation Design Guidelines for New Smyrna Beach and submit drawings of the proposed work, photographs of existing buildings or structures on adjacent properties and information about the building materials to be used for commission approval; or~~

~~(3) The commission~~ may require that the owner allow archaeological study of the property before and/or during demolition if the property falls within the area demonstrated to have a medium or high probability to contain archaeological resources; or

(3~~4~~) The ~~commission~~board may require that the owner allow salvage activities of the historic building provided the ~~commission~~board finds that there are salvageable materials within the building. ~~Commission~~Board staff shall provide evidence to demonstrate that salvageable materials are within or on the building to be demolished; or

(4~~5~~) The ~~commission~~board may require that the owner of a historically significant building meet any other condition that is reasonable to mitigate the demolition of the historic building.

(fj) *De~~molition de~~lay.* Should the ~~commission~~board determine that a building is historically significant and does not meet at least one of the circumstances allowing demolition of a historically significant structure, the ~~commission~~board shall provide for a demolition delay effective date of up to 120 days from the date of its decision~~the application~~. The purpose for the delay is for city staff~~the commission staff~~ to invite the owner of record of the building to participate in an investigation of alternatives to demolition including, but not limited to, incorporation of the building into the future development of the site; adaptive reuse of the building; utilization of financial incentives to rehabilitate the building; seeking a new owner willing to purchase and preserve, restore or rehabilitate the building; or moving the building. The city will provide the applicant resource assistance including but not limited to potential grant sources, tax relief measures, possible lenders, and available insurers. Once the delay period has ended and if the owner is still seeking demolition of the historically significant structure, the owner shall appear before the ~~commission~~board at a meeting adhering to the notice requirements of this section ~~50-12(f)~~ and present a case as to why the demolition should be granted. The ~~commission~~board shall again consider the reasons for demolition of a historically significant building and must ~~as indicated in section 50-12(h). The commission shall~~ approve the demolition provided any board-imposed conditions of approval ~~t~~contained ~~he condition~~in~~s of~~ subsection (e)(1)-(3) have been satisfied~~50-12(i) subsections (1) through (4) are complied with~~.

Sec. 50-13. Demolition by neglect.

(ak) *Demolition by neglect.* The owner of a contributing ~~building or~~ structure within an National Register Historic District ~~historic district~~ shall comply with all applicable codes, laws and regulations governing the maintenance of property in order to preserve such structures ~~. It is the intent of this section to preserve~~ from deliberate or inadvertent neglect of the exterior features of such structures, or the interior ~~features of buildings and structures designated as contributing or significant and the interior~~ portions thereof when such maintenance is necessary to prevent deterioration and decay of the exterior. All such ~~buildings or~~ structures shall be preserved against such decay and deterioration and free from structural defects through prompt corrections of any of the following defects:

(1) Facades that may fall and injure persons or property;

(2) Deteriorated or inadequate foundation, defective or deteriorated flooring or floor supports, deteriorated walls or other vertical structural supports;

(3) Members of ceilings, roofs, ceiling and roof supports or other horizontal members that sag, split or buckle due to defective material or deterioration;

(4) Deteriorated or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors;

(5) Defective or insufficient weather protection for exterior wall covering, including lack of paint or weathering due to lack of paint or other protective covering; or

(6) Any fault or defect in the building that renders it not properly watertight or structurally unsafe.

~~(l) *Non-compliance.*~~

~~(1) The commission, building official and code enforcement officer are each authorized to institute any and all proceedings in law or equity, as they deem necessary and appropriate to obtain compliance with the requirements of this section, or to prevent a violation thereof.~~

~~(2) No building permit shall be issued with respect to any premises upon which a significant building has been voluntarily demolished in violation of this section for a period of 22 months after the date of the completion of such demolition. As used herein "premises" includes the parcel of land upon which the demolished significant building was located and all abutting parcels of land under common ownership or control on or subsequent to the date this section was approved.~~

(3) Upon a determination of the commission that a building is a preferably preserved significant building, the owner shall be responsible for properly securing the building, if vacant, to the satisfaction of the building official and/or code enforcement officer.

(4) Anyone who demolishes a building or structure identified in section 50-12(e) without first obtaining, and complying fully with the provisions of, a demolition permit shall be subject to a fine of up to $5,000.00.

Sec. 50-14. Appeals. (m) *Appeals to the city commission.* Within 15 days of the commissionboard decision regarding demolition or demolition by neglect of any contributing structure within a National Register Historic District, any affected person with standing may appeal to the city commission any decision of the commission on an application for a demolition. . The city commission shall consider the appeal and approve, approve with conditions, or disapprove the application at a public hearing, but no later than within 60 days after hearing the appealafter receiving the appeal. The city commission shall only approve the demolition of a contributing building if they determine that the request complies with subsections (g)—(j) the applicable review criteriaof this section.

(n) *Withholding of demolition permit.* The demolition permit shall be withheld until the procedural requirements of subsections (f) through (j) inclusive have been satisfied.

(Code 1975, § 14½-12; Ord. No. 86-05, §§ 1—14, 1-24-2006)

***Note—** Exhibits A and B, referenced above, are not set out herein, but are on file and available for inspection in the city offices.

Sec. 50-1553. Archaeological preservation.

(a) *Findings.* It is the finding of the city commission that the city contains many historical and archaeological areas of international, national, and local importance, from all period of history, including pre-Columbian Indian villages, and British settlements. Further, in the preservation and understanding of historical importance of New Smyrna Beach there is a direct relationship to the economic well-being of the City of New Smyrna Beach and the present and future needs, public health, safety, morals and general welfare of the citizens of the incorporated area of New Smyrna Beach, Florida, as well as visitors to and residents of New Smyrna Beach.

(b) *Definitions.* For the purpose of this chapter, certain words and terms used herein shall be interpreted to have the meanings as defined below. Where words or terms are not defined, they shall have their ordinarily accepted meaning or such as the context may imply. Words used in the present tense include the future; the singular number includes the plural and the plural includes the singular. The word "shall" is mandatory and the word "may" is permissive. The words "used" or "occupied" include the words "intended, designed or arranged to be used or occupied." The word "land" includes the word "marsh," "water" or "swamp." The word "map" shall mean the archaeological base map of the City of New Smyrna Beach, Florida, and the word "city" shall mean the City of New Smyrna Beach, Florida.

(1) *Archaeological site* means a location which has yielded or may yield information on history or pre-history. Archaeological sites may be found within archaeological zones, historic sites, historic districts and other areas of the city. Archaeological sites are evidenced by the presence of artifacts and features above or below the ground surface indicating the past use of a location by people.

(2) *Archaeological zone* means a geographical area which has or may reasonably be expected to yield information on local history or pre-history based upon broad prehistoric or historic settlement patterns.

(3) *Artifact* means objects which are the product of human modification or objects which have been transported to a site by people.

(4) *City archaeologist* means the individual or group in charge of assessing the archaeological resources of New Smyrna Beach and directing or coordinating, monitoring, testing and salvage excavations of these resources.

The individual may either be a city employee, or may be an individual or corporation employed on a contract basis to perform the duties of the city archaeologist.

(5) *City-owned property* shall mean property owned in fee or maintained by the City of New Smyrna Beach, and any property dedicated to the public use.

(6) *Curation* means the long-term management and preservation of archaeological materials and their associated documentation.

(7) *Curation facility* means a designated repository for archaeological materials which can provide accountable, professional curation of collections in a secure, climate-controlled environment on a long-term basis.

(8) *Archaeological resource* means any prehistoric or historic district, site building, object, or other real or personal property of historical, architectural or archaeological value. The properties may include, but are not limited to, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, treasure troves, artifacts, or other objects with intrinsic historical or archaeological value, or any part thereof relating to the history, government, and culture of the city, the State of Florida, or the United States of America.

(9) *Disturbance* means the digging, excavating, or other such ground altering activities on or below the ground surface, which impact more than 25 square feet either separately or cumulatively.

(10) *Monitoring* means observation of disturbances to determine if archaeological resources exist in an area, or when such resources are known to exist, the observation, recording and incidental recovery of site features and materials to preserve a record of the affected portion of the site. When monitoring indicates that a site has little archaeological significance, no further archaeological excavation shall occur. However, if monitoring indicates that a site is archaeologically significant, further excavation shall occur.

(11) *Museum* means a permanent, nonprofit organization, essentially educational and often aesthetic in purpose, that acquires, interprets and cares for tangible objects, and prepares exhibits for the public on a regular basis.

(12) *National Register of Historic Places* means the official listing of culturally significant buildings, structures, objects, sites and districts in the United States maintained by the U.S. Department of Interior.

(13) *Repository* means a place or places used for the permanent curation of archaeological collections that must provide, at a minimum, (1) physical security, (2) climate control, (3) fire suppression, (4) collection monitoring, and (5) access by qualified researchers. These requirements demand adequate space and resources dedicated to the purpose of curation. Curation space within a repository must be organized to allow controlled access, efficient collection and retrieval, and optimum preservation. A professional staff, safe and secure storage, effective fire protection, and disaster and pets management plans are essential. Collections should be isolated from work areas and people to the greatest extent possible. In New Smyrna Beach, the Southeast Volusia Historical Society, Inc. will act as the repository for all archaeological artifacts discovered on public property.

(14) *Salvage archaeology* means the archaeological excavation of a site prior to its destruction by construction, erosion, vandalism, or any other form of site disturbance. Archaeological salvage excavations will be concentrated only within the areas to be disturbed in order to save site data which would be lost due to the disturbance, and the extent of the excavations may vary, depending on the significance of the site, time constraints, and the degree of evidence of archaeological resources, at the direction of the city archaeologist.

(15) *Testing* means surface or subsurface excavation, or the use of remote sensing techniques, to determine the type and extent of the archaeological site. Testing may include auguring and establishing archaeological excavation units and requires the screening of excavated material for artifact recovery. When necessary, archaeological salvage excavations may take place following, or in conjunction with, the testing procedures.

(16) *Emergency situation* means any case where the city building official determines that there are emergency situations or conditions dangerous to life, health, or property. In such situations, he or she may order the

~~remedying of the situation or condition. The city building official shall promptly notify the city archaeologist and the city manager if such a situation or conditions occur.~~

~~(c)~~ *Archaeological zones.* In order to regulate and restrict disturbances ~~as hereinafter provided in this chapter~~, and to determine the extent of archaeological investigation and excavations that may be required in a given area, the incorporated area of New Smyrna Beach, Florida, is hereby divided into zones as shown on the archaeological base map entitled, "Archaeological Base Map for New Smyrna Beach, Florida," more particularly described as:

*See Exhibit "AA" attached hereto and by reference made a part hereof.

Archaeological zones shall be updated on the base map as additional sites are documented. Zones as delineated on the base map are as follows with titles and abbreviations as indicated:

(1) *Archaeological zone I* is comprised of those areas within the city where there are known significant archaeological sites.

(2) *Archaeological zone II* is comprised of those areas that have a medium or high probability of containing archaeological resources as determined by The Search for Turnbull's Colony, an Archaeological Survey~~.~~, a report by Southeast Archaeological Research, Inc., dated June 1999.

(b~~d~~) *Interpretation of zone boundaries.* Where uncertainty exists as to the boundaries of zones as shown on the archaeological base map for New Smyrna Beach, Florida, the following rules shall apply:

(1) Boundaries indicated as approximating center lines of streets, highways or alleys shall be construed to follow such centerlines;

(2) Boundaries indicated as approximately following platted lot lines shall be construed to follow such lot lines;

(3) Boundaries indicated as approximately following city limits shall be construed to follow such city limits;

(4) Boundaries indicated as following railway lines shall be construed to be midway between the main tracks;

(5) Boundaries indicated as following shorelines shall be construed to follow the mean high water line. In the event of a change in shorelines, the boundaries shall be construed to move with the change except where such moving would change the archaeological status of a lot or parcel. In such case the boundary shall be interpreted in such a manner as to avoid changing the archaeological status of such lot or parcel;

(6) Boundaries indicated as parallel to or extensions of beaches indicated in subsections (1) through (5) above shall be so construed. The distance not specifically indicated on the archaeological base map shall be determined by the scale of the map.

(7) Where physical or cultural features existing on the ground are not in agreement with those shown on the archaeological base map or in other circumstances not covered by subsections (1) through (6) above, the city archaeologist shall interpret the zoning boundaries.

(c~~e~~) *Zone regulations.* On city-owned or maintained property, within archaeological zones I and II, the conduct of any ground disturbances on, or activities taking place at or below the present surface of the ground, shall be in compliance with the following regulations:

(1) All proposed disturbances on city-owned or maintained property, including but not limited to those by the utilities commission, telephone, cable, and gas companies, the department of transportation, city contractors, and city subcontractors shall be reported to the city archaeologist before those disturbances take place. Furthermore, this chapter will apply only to city-owned or maintained properties within the boundaries of the proposed disturbances. Any additional archaeological testing or excavation by the city

archaeologist, within areas outside the proposed disturbances, may be conducted only with written permission of the property owner.

(2) Within archaeological zones I and II, disturbances on city-owned or maintained properties shall be subject to intensive archaeological salvage excavations, to be conducted by the city archaeologist prior to any underground disturbance, building construction, or utility excavation, and paid for by the entity initiating the disturbance. The extent of the archaeological salvage excavations by the city archaeologist will be dependent on the extent of the proposed area of construction disturbance and the significance of the archaeological resource.

(3) Within archaeological zones I and II, the city archaeologist will be authorized to delay the proposed construction work or major disturbance for up to four weeks. The city manager, or his or her designee may grant additional time, if needed. Early notification of and by the city archaeologist, prior to any disturbances occurring, may minimize or eliminate the need for work delays. The applicant will be informed of any delays.

(4) Any disturbances on city-owned or maintained property, which are required to deal with an emergency situation, shall not be subject to the regulations of this chapter.

(df) *Excavations on public property.* No individual shall be allowed to disturb or remove artifacts from public property without the written permission of the city archaeologist, the city manager, or his or her designee.

(eg) *Ownership of artifacts.* Artifacts uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring of city-owned or maintained properties shall remain the property of the city. If additional archaeological testing or excavation by the city archaeologist is permitted within areas outside the proposed disturbances and artifacts uncovered, the city shall obtain written permission from the property owner to analyze, catalog, record, and conserve the artifacts for long-term storage, care, protection, and preservation.

(fh) *Curation of artifacts.* Artifacts uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring shall be washed, if the city archaeologist deems appropriate, cataloged, analyzed, recorded, and conserved by the city archaeologist. The Southeast Volusia Historical Society, Inc.y will be the repository for artifacts discovered on city-owned or maintained properties.

(gi) *Human remains.* Human skeletal remains, uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring shall be coordinated with the local medical examiner, the city, city archaeologist, and the state archaeologist. Such remains shall be dealt with in accordance with the provisions of F.S. ch. 872, as amended, and are not subject to private ownership. Such material shall be sensitively treated and, following its analysis by a physical anthropologist, shall be curated at a designated repository or appropriately buried.

(hj) *City archaeologist.* The city manager or his or her designee shall appoint a city archaeologist who shall meet the city's requirements and the standards for membership by the register of professional archaeologists and shall have a demonstrated background in historic and prehistoric archaeology. The city archaeologist shall review all applicable ground disturbances on city-owned or maintained property in archaeological zones I and II; shall conduct such testing, excavations, or monitoring as shall be required by this chapter; shall prepare or oversee preparation of a final report on all projects, which report shall meet the guidelines established for archaeological reports by the department of state, division of historical resources, and be in accordance with the Cultural Resource Management Standards and Operations Manual; shall record archaeological sites and develop strategies for preservation of the archaeological resources of New Smyrna Beach; and shall participate in the planning state of applicable projects, to minimize the potential impacts on archaeological sites by any activities proposed for such sites; and shall maintain and update the archaeological base map; and shall advise the city manager concerning archaeological issues.

Sec. 50-16. Penalty.

(a) *Non-compliance with regulations applicable to local landmarks, local historic districts, and archaeological preservation.* Any person violating any of the provisions of this chapter shall be punished as provided in section 1-14. The code compliance board shall review any violation of this chapter. Additionally, the city has the option to require any person who violates any provision of this chapter to forfeit and pay to the city civil penalties equal to the fair market value of any property demolished or destroyed in violation of this chapter or the cost to repair or rehabilitate any property that is altered in violation of this chapter. In lieu of a monetary penalty, any person altering property in violation of the provisions of this chapter may be required to repair or restore any such property.

(b) *Non-compliance with regulations applicable to contributing structures in National Register Historic Districts.*

(1) The board, building official and code compliance~~enforcement~~ officer are each authorized to institute any and all proceedings in law or equity, as they deem necessary and appropriate to obtain compliance or to prevent a violation thereof.

(2) No building permit shall be issued with respect to any premises upon which a significant building has been voluntarily demolished for a period of 22 months after the date of the completion of such demolition.

(3) Upon a determination of the board that a building is a preferably preserved significant building, the owner shall be responsible for properly securing the building, if vacant, to the satisfaction of the city.

(4) Anyone who demolishes a contributing structure without first obtaining a demolition permit and fully complying with the permit requirements shall be subject to a fine of up to $25,000.00.

~~(Ord. No. 133-05, §§ 1—8, 1-24-2006; Ord. No. 98-07, § 1, 10-23-2007)~~

~~Editor's note(s)—Ord. No. 133-05, §§ 1—8, adopted Jan. 24, 2006, set out provisions that were not specifically amendatory. At the editor's discretion, said provisions have been included as § 50-13Editor's note(s)—. Editor's note(s)—*Exhibit A, referenced above, is not set out herein, but is on file and available for inspection in the city offices.~~

~~Secs. 50-164—50-30. Reserved.~~

ARTICLE II. PROPERTY TAX EXEMPTION[2]

Sec. 50-1731. Intent.

~~(a) Certain historic resources located within the City of New Smyrna Beach, are both publicly and privately owned; are individual properties and districts associated with past events and persons important in local, state and national history; are significant examples of an architectural style or building type; and have yielded or are~~

[2]~~Editor's note(s)—Ord. No. 62-01, § 1, adopted Jan. 8, 2001, set out provisions designated as Ch. 51Editor's note(s)—, §§ 51-1—51-11. For purposes of classification and with the concurrence of the city these provisions have been included in Ch. 50Editor's note(s)—, §§ 50-31Editor's note(s)——50-41.~~

~~Cross reference(s)—Taxation, ch. 74Cross reference(s)—.~~

likely to yield important information which cannot be retrieved from the written record on the lifestyles of past inhabitants.

(b) The preservation of these historic sites enhances the lives of citizens, promotes community understanding, educates school children, and attracts visitors who contribute to the economy of the City of New Smyrna Beach, and it is in the interest of public health, safety and welfare.

(c) The State of Florida has enacted legislation implementing the provisions of the State Constitution to specifically provide for ad valorem tax exemptions for historic properties.

(d) The city commission desires to take advantage of all available state and federal programs that may assist in the preservation of historic properties.

(Ord. No. 62-01, § 1, 1-8-2002)

Sec. 50-1832. Purpose.

The purpose of the historic property tax exemption is to:

(a) Provide a positive financial incentive for the designation of local landmarks, landmark sites and local historic districts within the City of New Smyrna Beach as provided in [the] New Smyrna Beach Code of Ordinances, § 50-7, Designation of landmarks, landmark sites and historic districts;

(b) Encourage more restoration, rehabilitation and renovation of designated historic buildings and structures in New Smyrna Beach;

(c) Stabilize and improve property values, and enhance the property tax base of the City of New Smyrna Beach, by encouraging improvement of designated historic buildings and structures; and

(d) Improve the appearance of designated historic districts and landmarks in the City of New Smyrna Beach, thereby enhancing their appeal as places to live, work and visit.

(Ord. No. 62-01, § 1, 1-8-2002)

Sec. 50-1933. ~~Definitions.~~

~~**The following words and phrases when used in this chapter shall have the following meanings:**~~

~~***Assessed value.* The total value of a tax parcel, excluding the value of land, as determined by the Property Appraiser for the County of Volusia, and shown on the property tax bill sent to the owner of record by the County of Volusia.**~~

~~***Contributing property.* A building, site, structure, or object which adds to the historical architectural qualities, historic associations, or archaeological values for which a district is significant because (1) it was present during the period of significance and possesses historic integrity reflecting its character at that time, (2) is capable of yielding important information about the period, or (3) it independently meets the National Register of Historic Places criteria for evaluation set forth in 36 CFR Part 60.4, incorporated herein by reference.**~~

~~***Preservation exemption covenant.* The historic preservation property tax exemption covenant form identified as Florida DOS Form No. HR3E111292, which provides that those benefitting from the tax exemption agree to maintain the architectural historical integrity of the building or structure for the duration of the tax exemption period.**~~

~~***Qualifying improvement.* Any change in the condition of an eligible property brought about by the expenditure of labor and purchase that results in restoration, renovation or rehabilitation of said property in keeping with the design criteria established for the purposes of this exemption. This shall include, specifically, interior or exterior work, and the construction of additions or accessory buildings or structures.**~~

~~**(Ord. No. 62-01, § 1, 1-8-2002)**~~

~~**Cross reference(s)—Definitions generally, § 1-2Cross reference(s)—.**~~

~~Sec. 50-34.~~ Historic preservation property tax exemption.

The owners of qualifying properties who have met all requirements outlined in this chapter shall receive an exemption of 100 percent of the increase in assessed value of ad valorem taxes levied by the City of New Smyrna Beach which result from the restoration, renovation or rehabilitation of such buildings or structure for the duration of the exemption period. The amount of exemption shall be determined by the property appraiser for the County of Volusia based on the typical post-construction inspection and appraisal. ~~The historic preservation property tax exemption for a specific property shall be granted, upon review and consideration, by resolution of the city commission.~~

The tax exemptions allowed herein apply only to the ad valorem taxes assessed by the City of New Smyrna Beach. The exemption does not apply to taxes levied for the payment of bonds, to taxes authorized by a vote of the

electors pursuant to Fla. Const., art. VII, § 9(b) or § 12, or to improvements made prior to October 1, 2022~~November 27, 2001~~.

~~(Ord. No. 62-01, § 1, 1-8-2002)~~

Sec. 50-20~~35~~. Eligible property for tax exemption.

The following real property in the City of New Smyrna Beach is eligible for the historic preservation property tax exemption ~~as defined herein~~, provided it meets such criteria on the date the historic preservation property tax exemption is granted by the city commission.

Property is qualified for an exemption under this section if~~:~~.

(1) At the time the exemption is granted, the property:

a. Is individually listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended; or

b. Is a contributing structure in ~~property to~~ a N~~n~~ational Register Historic District~~ register listed district~~; or

c. Is designated by the city as a local historic landmark ~~historic property, or~~ or a~~s a~~ contributing structure~~property~~ in a local ~~to a~~ historic district~~, under the terms of the city's preservation ordinance~~; and,

(2) The D~~d~~ivision of H~~h~~istorical R~~r~~esources or the Historic Preservation Board, whichever is applicable, has certified to the City of New Smyrna Beach~~local governing authority~~ that the property for which an exemption is requested satisfies paragraph (1) above.

~~State law reference(s)—F.S. § 196.1997(11).~~

~~Ord. No. 62-01, § 1, 1-8-2002)~~

~~Sec. 50-36. Exemption period for tax exemption.~~

~~The exemption granted shall remain in effect for ten years with respect to any particular property, regardless of any change in the authority of the city to grant such exemptions or any change in ownership of the property. In order to retain the exemption, however, the historic character of the property, and improvements which qualified the property for an exemption, must be maintained over the period for which the exemption is granted.~~

~~The exemption period shall begin on January 1 after all three of the following events have occurred: (1) issuance of a certificate of occupancy by the City of New Smyrna Beach; (2) final approval of the restoration, renovation or rehabilitation work has been granted by the City Commission of the City of New Smyrna Beach; and (3) written notice stating the exemption is in effect has been forwarded by the City of New Smyrna Beach and received by the property appraiser for the County of Volusia.~~

~~(Ord. No. 62-01, § 1, 1-8-2002)~~

Sec. 50-21~~37~~. Overview of tax exemption application and review procedures.~~Application for tax exemption.~~

~~Applications for ad valorem tax exemptions for historic properties shall be made in accordance with F.S. § 196.1997(8) and Fla. Admin. Code R. 1A-38.003.~~

An application for a tax exemption shall be made in accordance with F.S. § 196.1997(8) and Fla. Admin. Code R. 1A-38.003, as amended. [MS11]A pre-construction application and a completed work application must be submitted for review by the Historic Preservation Board, in accordance with the rules adopted by the Department

of State. The board shall make recommendations to the city commission as to whether the applications should be granted or denied, along with reasons for such recommendations. The city commission shall review the applications, along with the board's recommendations. Approval of any application by the city commission shall be by resolution and shall contain the name of the owner and the address of the historic property for which the exemption is granted, the period of time for which the exemption will remain in effect and the expiration date of the exemption, a finding that the historic property meets the requirements of F.S. § 196.1997, and shall be accompanied by a historic preservation exemption covenant as further detailed below.

Sec. 50-22. Pre-construction application.

For any tax exemption to be considered by the City of New Smyrna Beach, the owner of record of the property seeking the exemption must fill out an approved pre-construction application obtained from the city. The application must contain all the information that is required by the Florida Department of State, Division of Historical Resources, promulgated in accordance with Rule 1A-38, Florida Administrative Code, and shall include additional information regarding the documentation of the cost of the qualifying improvements. Any improvements made prior to the pre-construction application shall not be eligible for the exemption.

The pre-construction application shall be filed with the City of New Smyrna Beach before any work begins, and shall include but is not limited to the following:

(a) Information sufficient to determine if the subject property is an eligible property;

(b) Information sufficient to determine if the proposed project will be a qualifying improvement;

(c) Photographs documenting the property prior to any improvements;

(d) Information outlining construction estimates for the proposed project; and

(e) A copy of the latest tax bill issued by the Property Appraiser for the County of Volusia

If the proposed work involves exterior work which requires a certificate of appropriateness, then in addition to the criteria listed above, the proposed work will be reviewed in accordance with sections 50-7 and 50-8. The pre-construction application and the certificate of appropriateness may be reviewed simultaneously, however no pre-construction application shall be approved until the certificate of appropriateness had been approved.

Sec. 50-23. Review of pre-construction applications.

The pre-construction application shall be reviewed at any regular or special meeting of the Historic Preservation Board. The board shall determine the following:

(a) whether the proposed project will be a qualifying improvement; and

(b) whether the work, as proposed, is in compliance with the applicable historic review standards.[MS12]

If the Historic Preservation Board, by majority vote, finds that the proposed project is a qualifying improvement and the proposed work is in compliance with the historic review standards then the pre-construction application shall be approved.

If the Historic Preservation Commission finds that the proposed project is not a qualifying improvement or is not in compliance with the historic review standards then the board shall advise the applicant as to changes necessary to make it a qualifying improvement or how to bring the project in compliance with applicable historic review standards. The applicant may resubmit the pre-construction application for further consideration at a subsequent meeting of the board.

Sec. 50-24. Review of completed work.

Once the proposed work is completed then the applicant shall submitted a completed work application for review by the historic preservation officer. The application shall be reviewed within 30 days of submission to determine if the completed work is consistent with the pre-construction application. If the historic preservation officer determines that the completed work is consistent with the pre-construction application then the officer will inform the applicant in writing of the decision and the item will be placed on the next scheduled meeting of the board. The board shall review the application and vote in favor of a recommendation of approval of the tax exemption to the city commission if staff makes a recommendation that the completed work is consistent with the pre-construction application and the board's own review determines the work is consistent with the pre-construction application.

If the historic preservation officer finds that the completed project is not consistent with the pre-construction application, then the officer shall inform the applicant in writing of the changes necessary to make it consistent with the pre-construction application. The applicant will have 60 days to bring the work into compliance. After 60 days, regardless of whether the applicant has made any necessary changes to the completed work, the applicant shall have the application for completed work presented to the board with the officer's recommendation and the board can determine if the completed work is consistent with the pre-construction application. If the board determines that the completed work is consistent with the pre-construction application then the board shall, by a majority vote, recommend approval of the tax exemption to the city commission.

If, after the application is presented to the board, a majority vote determines the completed work presented is not consistent with the pre-construction application then the board shall deny the tax exemption. The historic preservation officer will provide written notice to the applicant as to the reason for the denial and recommend changes to the project that will make it a qualifying improvement and consistent with the pre-construction application. Any denial may be appealed to the city commission within 30 days of the denial. The city commission will review the appeal to determine if the completed work is consistent with the pre-construction application. ~~(Ord. No. 62-01, § 1, 1-8-2002)~~

~~Sec. 50-38. Review of applications for tax exemption.~~

~~The New Smyrna Beach Historic Preservation Commission is designated pursuant to F.S. § 196.1997(6) to review applications for exemptions. Said review shall be in accordance with the rules adopted by the department of state.~~

~~(Ord. No. 62-01, § 1, 1-8-2002)~~

~~Sec. 50-39. Approval of tax exemption for historic preservation.~~

~~Approval of an applications for ad valorem tax exemptions for historic property shall be by resolution of the city commission. Said resolution shall contain the items required by F.S. § 196.1997(10).~~

~~(Ord. No. 62-01, § 1, 1-8-2002)~~

~~Sec. 50-40. Historic preservation exemption covenant.~~

~~To qualify for an exemption, the property owner must enter into a covenant or agreement with the city for the term for which the exemption is granted. The form of the covenant or agreement must be established by the department of state and must require that the character of the property, and the qualifying improvements to the property, be maintained during the period that the exemption is granted. The covenant or agreement shall be binding on the current property owner, transferees, and their heirs, successors, or assigns. Violation of the covenant or agreement results in the property owner being subject to the payment of the differences between the total amount of taxes which would have been due in March in each of the previous years in which the covenant or agreement was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in F.S. § 212.12(3).~~

(Ord. No. 62-01, § 1, 1-8-2002)

Sec. 50-41. Notice to property appraiser.

Within three working days following adoption of a resolution by the city commission granting the historic preservation property tax exemption, the development services director shall cause the transmittal of a copy of the resolution, the preservation exemption covenant, and the final application to the property appraiser for Volusia County, with instructions that the property appraiser provide the historic preservation property tax exemption to the applicant.

Sec. 50-2536. Exemption period for tax exemption.

The tax exemption granted shall remain in effect for ten years with respect to any particular property, regardless of any change in the authority of the city to grant such exemptions or any change in ownership of the property. However, to In order to retain the exemption, however, the historic character of the property, and the qualified improvements which qualified the property for an exemption, must be maintained over the period for which the exemption is granted.

The exemption period shall begin on January 1 after all three of the following events have occurred: (1) issuance of a certificate of occupancy by the City of New Smyrna Beach; (2) final approval of the restoration, renovation or rehabilitation work has been granted by the cCity cCommission of the City of New Smyrna Beach; and (3) written notice stating the exemption is in effect has been forwarded by the City of New Smyrna Beach and received by the property appraiser for the County of Volusia.

Sec. 50-26. Historic preservation exemption covenant.

To receive an approved tax exemption, the property owner must enter into a covenant with the city for the term for which the exemption is granted. The form of the covenant shall be established by the Department of State and must require that the character of the property, and the qualifying improvements to the property, be maintained during the entire exemption period. The covenant shall be binding on the current property owner, transferees, and their heirs, successors, or assigns. Violation of the covenant results in the property owner being subject to the payment of the differences between the total amount of taxes which would have been due in March in each of the previous years in which the covenant was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in F.S. § 212.12(3).

Sec. 50-2741. Notice to property appraiser.

Within three working days following adoption of a resolution by the city commission granting the historic preservation property tax exemption, the historic preservation officer development services director shall cause the transmittal of a copy of the resolution, the preservation exemption covenant, and the final application to the property appraiser for Volusia County, with instructions that the property appraiser provide the historic preservation property tax exemption to the applicant.

Sec. 50-28. Revocation proceedings.

The historic preservation officer may initiate proceedings to revoke the tax exemption at any time if the property owner, or any subsequent owner or successor in interest to the property, violates the covenant, fails to maintain the qualifying property according to the terms, conditions and standards of the covenant, the historic character of the property and improvements which qualified the property for the exemption are not maintained or if the qualifying property has been damaged by accidental or natural causes to the extent that the historic integrity of the features, materials, appearances, workmanship and environment, or archeological integrity which made it eligible for listing or designation have been lost or damaged so that restoration is not possible. Proceeding under

this section may also be initiated following a finding by the Code Compliance Board or Special Magistrate finding the property in violation of any city code.

The historic preservation officer shall provide written notice to the current owner of record at least ten days prior to any public hearing on the matter. Once notice is provided, by either posting or US certified mail to the current owner of record, a hearing will be held before the historic preservation board in which the board will review the current state of the qualifying improvements and make a recommendation to the city commission. The city commission will review the board recommendation and make a determination as to whether the exemption should be revoked.

Upon a determination by the city commission that the tax exemption shall be revoked, the historic preservation officer shall provide written notice of the decision to the owner of record as well as the property appraiser of Volusia County. The notice to the owner of record shall be accompanied by the reason and recommendation for changes to the property that may result in reinstatement of the exemptions.

The property appraiser, upon receipt of the notice of revocation, shall discontinue the tax exemption on the property as of January 1st of the year following receipt of the notice.

Sec 50-29. Reinstatement after revocation.

A property may be reinstated for a tax exemption after revocation by satisfying the recommendations for changes to the property as provided in the written notice by the historic preservation officer or by bringing the property into compliance for any outstanding code violations. The process for reinstatement shall follow the review procedure applicable to the completed work application. If approved, the tax exemption shall be reinstated for the remaining unexpired term of the initial exemption period.

~~(Ord. No. 62-01, § 1, 1-8-2002)~~

ARTICLE IV~~II~~. HISTORIC PRESERVATION GRANT PROGRAM

Sec. 50-30~~42~~. Established.

There is hereby established a historic preservation grant program for owners of contributing structures in either a National Register historic district or a local historic district. ~~buildings as defined in section 50-12(d).~~

~~(Ord. No. 20-12, § 1, 4-24-2012)~~

Sec. 50-31~~43~~. Eligibility.

The owner of any contributing building which had been condemned by the building trades board under chapter 26, article X, may apply to the historic preservation ~~commission~~board for a grant for repair or rehabilitation of the building, as follows:

(1) The program is open to any resident of the City of New Smyrna Beach who owns and occupies a contributing structure.

(2) Qualifications are based on both family size and annual household incomes that do not exceed 120 percent of the Volusia County median income, as shown below:

	1 person	2 persons	3 persons	4 persons	5 persons	6 persons	7 persons	8 persons
Low/Mod Income	$39,982	$45,730	$51,415	$68,520	$61,723	$66,283	$70,844	$75,404

The income guidelines are to be adjusted every two years in relationship to the Consumer Price Index. Household income will be established by the total annual household income and assets of all persons identified on the title of the property, plus all persons 18 years of age or older living in the home.

(3) Exterior property improvements are eligible, including exterior paint, window and screen repairs, garage door and exterior door repairs, deadbolts, disabled access, exterior electrical and plumbing repair and weatherization.

(4) The work must ~~will~~ be completed by a licensed contractor.

(5) The following restrictions apply:

a. Upgrades and remodeling are not allowable.

b. The home cannot be listed for sale or be in jeopardy of foreclosure.

c. The home must be owner occupied.

d. Replacement is only allowable if repair is not possible.

~~(Ord. No. 20-12, § 1, 4-24-2012)~~

Sec. 50-3244. Review of application.

The ~~commission~~board shall~~, at a public hearing,~~ review the application for a grant at a public hearing.~~under this article.~~ The application shall include, at a minimum, the following:

(1) Proof of ownership of the property to be repaired.

(2) The order of the building trades board requiring demolition or repair of the property.

(3) Description of proposed repairs, with a cost estimate and timetable for repairs.

(4) Proof that the applicant meets the eligibility requirements of section 50-3142.

The ~~commission~~board may approve, deny, or approve with conditions, the application. The action of the ~~commission~~board shall constitute final administrative action.

~~(Ord. No. 20-12, § 1, 4-24-2012)~~

Sec. 50-3345. Procedure after approval of grant; grant limits.

(a) If a grant to repair or rehabilitate a contributing building is approved by the ~~commission~~board, a copy of the action taken and the application shall be forwarded to the building official, who may issue a permit for the work to be performed in accordance with the action of the ~~commission~~board. The owner shall comply with all laws and ordinances pertaining to the repair or construction.

(b) The grant amount shall not exceed the city's cost of demolition of the structure or building as ordered by the building trades board. The grant funds shall be taken from budgeted demolition funds, if there are sufficient funds in that account.

(c) The order of the building trades board shall be stayed during the time of application for the grant and during repair of the building, provided the owner obtains all required permits within the time ordered by the ~~commission~~board, and work progresses as required by law and ordinance. After repairs are completed the order of the building trades board shall be deemed satisfied.

(d) If repairs are not completed ~~per section 50-44(3)~~, the city is entitled to a lien in the amount of the grant funds dispersed to owner, as provided in chapter 26~~section 26-797(e)~~ of this c~~C~~ode.

~~(Ord. No. 20-12, § 1, 4-24-2012)~~

Chapter 50 HISTORIC PRESERVATION

ARTICLE I. IN GENERAL

Sec. 50-1. Intent.

(a) The city commission finds there are buildings, landmarks, and sites within the city that have specific historic or aesthetic significance, and that the loss of these sites would cause an irreplaceable loss to the citizens of the city. It is declared, as a matter of public policy, that protection, enhancement, perpetuation and use of such sites of special historic or aesthetic interest or value is a public necessity and is required in the interests of the health, prosperity, safety and welfare of the people.

(b) The recognition, protection, enhancement and use of such resources is a public purpose and is essential to the health, safety, morals, and economic, educational, cultural and general welfare of the public, since these efforts result in the enhancement of property values, the stabilization of neighborhoods and areas of the city, the increase of economic benefits to the city and its inhabitants, the promotion of local interests, the enrichment of human life in its educational and cultural dimensions serving spiritual as well as material needs, and the fostering of civic pride in the beauty and noble accomplishments of the past.

(c) The city commission desires to take advantage of all available state and federal laws and programs that may assist in the development or redevelopment of the city.

(d) The federal government has established a program of matching grants-in-aid for projects having as their purpose the preservation for public benefit of properties that are significant in American history, architecture, archeology and culture, as well as other federal programs providing moneys for projects involving the rehabilitation of existing districts, sites, buildings, structures, objects and areas.

(e) The policy of the city is to conserve the existing housing stock and extend the economic life of each housing unit through the rehabilitation of such units under housing and neighborhood development programs in selected areas.

(f) Inherent in the enactment and implementation of these federal programs is the policy of the United States government that the spirit and direction of the nation are founded upon and reflected in its historic past; that the historical and cultural foundations of the nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people; that in the face of the ever-increasing expansions of urban centers, highways, and residential, commercial and industrial developments, the present governmental and non-governmental programs and activities are inadequate to ensure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our nation.

(g) It is the will of the people of the state as expressed in Fla. Const., art. II, § 7, that the state's natural resources and scenic beauty be conserved and protected.

(h) It is the will of the state legislature as expressed in F.S. ch. 267, that the state's historic sites and properties, buildings, artifacts, treasure troves and objects of antiquity that have scientific or historic value, or are of interest to the public, be protected and preserved.

Sec. 50-2. Purpose.

The city commission declares its intention to comply with the rules and regulations of the certified local government program established by the state Division of Historical Resources. The purpose of this chapter is to promote the health, morals, economic, educational, aesthetic, cultural and general welfare of the public through the:

(1) Identification, protection, enhancement, perpetuation and use of districts, sites, buildings, structures, objects and areas that are reminders of past eras, events and persons important in local, state or national history, or that provide significant examples of architectural styles of the past, or that are unique and

irreplaceable assets to the city and its neighborhoods, or that provide this and future generations examples of the physical surroundings in which past generations lived; and

(2) Enhancement of property values, the stabilization of neighborhoods and business centers of the city, the increase of economic and financial benefits to the city and its inhabitants, and the promotion of local interests; and

(3) Preservation and enhancement of varied architectural styles, reflecting the city's cultural, social, economic, political and architectural history; and

(4) Enrichment of human life in its educational and cultural dimensions in order to serve spiritual as well as material needs by fostering knowledge of the living heritage of the past.

Sec. 50-3. Definitions.

For the purpose of this chapter, certain words and terms used herein shall be interpreted to have the meanings as defined below, except where the context clearly indicates a different meaning. Where words or terms are not defined in this section, they shall assume the meaning as indicated in Merriam-Webster's Collegiate Dictionary, as amended. Words used in the present tense include the future; the singular number includes the plural and the plural includes the singular. The word "shall" is mandatory and the word "may" is permissive. The word "used" or "occupied" includes the words "intended, designated or arranged to be used or occupied." The word "land" includes the word "marsh," "water" or "swamp."

Alteration means any act that changes the exterior features of a locally designated property, including relocation and demolition.

Archaeological resource means any prehistoric or historic district, site building, object, or other real or personal property of historical, architectural or archaeological value. The resources may include, but are not limited to, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, treasure troves, artifacts, or other objects with intrinsic historical or archaeological value, or any part thereof relating to the history, government, and culture of the city, the State of Florida, or the United States of America.

Archaeological site means a location which has yielded or may yield information on history or pre-history. Archaeological sites may be found within archaeological zones, historic sites, historic districts and other areas of the city. Archaeological sites are evidenced by the presence of artifacts and features above or below the ground surface indicating the past use of a location by people.

Archaeological zone means a geographical area which has or may reasonably be expected to yield information on local history based upon broad prehistoric or historic settlement patterns.

Artifact means objects which are the product of human modification or objects which have been transported to a site by people.

Assessed value means the total value of a tax parcel, excluding the value of land, as determined by the Property Appraiser for the County of Volusia.

Board means the Historic New Smyrna Beach Preservation Board.

Building means any combination of materials capable and intended of being used as a shelter for persons for residential or non-residential purposes.

Certified local government means a municipal government that has made historic preservation a public policy through the passage of a historic preservation ordinance and has been certified by the national Park Service under 36 CFR 61.6.

Certificate of appropriateness means a permit issued by the City allowing for specified alterations, demolition, new construction, or other work to a locally designated building, site, or structure.

City archaeologist means the individual or group in charge of assessing the archaeological resources of New Smyrna Beach and directing or coordinating, monitoring, testing and salvage excavations of these resources. The individual may either be a city employee, or may be an individual or corporation employed on a contract basis to perform the duties of the city archaeologist.

Contributing structure means a building, property, or site which adds to the historical architectural qualities, historic associations, or archaeological values for which a historic district is significant because (1) it was present during the period of significance and possesses historic integrity reflecting its character at that time, (2) is capable of yielding important information about the period, or (3) it independently meets the National Register of Historic Places criteria for evaluation set forth in 36 CFR Part 60.4.

Curation means the long-term management and preservation of archaeological materials and their associated documentation.

Curation facility means a designated repository for archaeological materials which can provide accountable, professional curation of collections in a secure, climate-controlled environment on a long-term basis.

Demolition means the act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction. Removing portions of a building that destroy the original character of the building also constitutes demolition.

Demolition by neglect means the absence of work in maintaining, repairing, or securing a contributing building or structure in a historic district that results in deterioration of an exterior feature of the building or structure or the loss of the structural integrity of the building or structure.

Disturbance means the digging, excavating, or other such ground altering activities on or below the ground surface, which impact more than 25 square feet either separately or cumulatively.

Documentation means photographs, slides, drawings, plans or written descriptions.

Emergency situation means any case where the city building official determines that there are emergency situations or conditions dangerous to life, health, or property. In such situations, the official may order the remedying of the situation or condition. The city building official shall promptly notify the city archaeologist and the city manager if such a situation or condition occurs.

Local landmark means a site, building, structure, object, landscape feature or other real or personal property of historical, architectural or archaeological value and designated as such by the city commission.

Local historic district means a geographically definable area designated as such by the city commission.

Local Register of Historic Places means the list of locally designated landmarks and districts.

Monitoring means observation of disturbances to determine if archaeological resources exist in an area, or when such resources are known to exist, the observation, recording and incidental recovery of site features and materials to preserve a record of the affected portion of the site. When monitoring indicates that a site has little archaeological significance, no further archaeological excavation shall occur. However, if monitoring indicates that a site is archaeologically significant, further excavation shall occur.

Museum means a permanent, nonprofit organization, serving an educational or aesthetic purpose, that acquires, interprets and cares for tangible objects, and prepares exhibits for the public on a regular basis.

National Register of Historic Places means the official listing of culturally significant buildings, structures, objects, sites and districts in the United States maintained by the U.S. Department of Interior.

Non-contributing property means a building, object, site or structure that does not add to a district's historical significance.

Premises means the parcel of land upon which a demolished significant building was located and all abutting parcels of land under common ownership or control on or before the date the demolition was approved.

Preservation exemption covenant means an executed Florida DOS Form No. HR3E111292, providing for covenants on properties that have benefitted from the tax exemption to maintain the architectural historical integrity of the building or structure for the duration of the tax exemption period.

Qualifying improvement means any change in the condition of an eligible property brought about by the expenditure of labor and purchase that results in restoration, renovation or rehabilitation of said property in keeping with the design criteria established for the purposes of this exemption. This shall include, specifically, interior or exterior work, and the construction of additions or accessory buildings or structures.

Repository means a place used for the permanent curation of archaeological collections that provides, at a minimum, (1) physical security, (2) climate control, (3) fire suppression, (4) collection monitoring, and (5) access by qualified researchers. The repository must have adequate space and resources dedicated to the purpose of curation, and must be organized to allow controlled access, efficient collection and retrieval, and optimum preservation. Professional staff and disaster management plans are essential. Collections should be isolated from work areas and people to the greatest extent possible. In New Smyrna Beach, the Southeast Volusia Historical Society, Inc. will act as the repository for all archaeological artifacts discovered on public property.

Salvage archaeology means the archaeological excavation of a site prior to its destruction by construction, erosion, vandalism, or any other form of site disturbance. Archaeological salvage excavations will be concentrated only within the areas to be disturbed in order to save site data which would be lost due to the disturbance, and the extent of the excavations may vary, depending on the significance of the site, time constraints, and the degree of evidence of archaeological resources, at the direction of the city archaeologist.

Super majority means, for a seven-member body, a requirement of five votes when all members are present, or four votes when less than seven members are present.

Significant building means any building within the city which the board determines to be in the public interest to be preserved or rehabilitated, and whose demolition would be detrimental to the historical and/or architectural heritage and resources of the city.

Testing means surface or subsurface excavation, or the use of remote sensing techniques, to determine the type and extent of the archaeological site. Testing may include auguring and establishing archaeological excavation units and requires the screening of excavated material for artifact recovery. When necessary, archaeological salvage excavations may take place following, or in conjunction with, the testing procedures.

Sec. 50-4. Historic preservation board.

(a) *Creation.* There is created the Historic Preservation Board by the City Commission.

(b) *Purpose.* The Historic Preservation Board shall have the following powers and duties:

(1) The board shall take action necessary and appropriate to accomplish the purposes of this chapter. These actions may include, but are not limited to:

a. Continuing the survey and inventory of historic buildings and areas and archeological sites and planning for their preservation;

b. Recommending the local designation of historic districts and individual landmarks and landmark sites;

c. Regulating alterations, demolitions, relocations and new construction to locally designated property;

d. Adopting guidelines for alterations to locally designated property;

e. Coordinating the historic preservation work of the city by working with and advising the federal, state and county governments and other city departments or advisory boards;

f. Advising and assisting property owners and other persons and groups, including neighborhood organizations who are interested in historic preservation;

g. Initiating plans for the preservation and rehabilitation of individual historic buildings;

h. Educating citizens on the signs of demolition by neglect;

i. Undertaking educational programs, including the preparations of publications and the placing of historic markers.

(2) The board shall review all nominations of property in the city to the National Register of Historic Places following the regulations of the state historic preservation office. Following a public hearing with public notice of no less than 30 days, the board shall consider the nomination. When necessary, the board shall seek expert advice before evaluating the nomination. The board shall forward to the state historic preservation officer its action on the nomination and any related recommendations.

When a property owner objects to having property nominated to the National Register, a notarized written statement must be submitted to the board before the nomination is considered. The board may then either continue its review, forwarding its recommendation to the state historic preservation officer and noting the owner's objection, or it may cease any further review process and notify the state historic preservation officer of the property owner's objection to the proposed listing. The board shall not recommend inclusion on the National Register of Historic Places over objection of the owner except by a super-majority vote.

(3) The board shall conduct at least four public hearings a year to consider historic preservation issues. The board shall recommend to the city commission the local designation of landmarks, landmark sites and historic districts. Applicants shall be given written notification of the board's decisions. The board shall prepare and keep on file available for public inspection a written annual report of its historic preservation activities, cases, decisions, qualifications of members and other historic preservation work.

(4) The board shall receive assistance in the performance of its historic preservation responsibilities from the planning department, which shall provide expertise in historic preservation or a closely related field. Other city staff members may be asked to assist the board by providing technical advice or helping in the administration of this chapter.

(5) The board shall review the historic preservation element of the comprehensive plan at least every five years and shall make recommendations to the local planning agency and the city commission regarding changes to the historic preservation element.

(6) The board shall coordinate its activities with the community redevelopment agency, the state historic preservation officer, the New Smyrna Museum of History, and the Southeast Volusia Historical Society.

(7) The board shall assist the city staff in preparing applications for grant awards for historic preservation and historic survey activities.

(8) The area of geographic responsibility for the board shall be coterminous with the boundaries of the city.

(9) The board is encouraged to be represented at pertinent informational or educational meetings, workshops and conferences relating to preservation activities.

(c) *Membership.* The board shall consist of seven members who shall be residents of the city except that no more than three members may be residents within the annexation area identified in the city's Interlocal Service Agreement with the County of Volusia. In the event of a vacancy on the board, the city commission shall solicit any nominations from the Southeast Volusia Historical Society and appoint a new member within 60 days to serve out the remainder of the term. Members shall serve on the board at the pleasure of the city commission.

(d) *Term.* The board members shall be appointed for staggered terms of three years by the city commission.

(e) *Qualifications.* The board members shall be composed of lay and professional members in accordance with the criteria set forth by the certified local government program. To the extent available, members shall be professionals from the disciplines of architecture, history, architectural history, archaeology, or other historic-related fields such as urban planning, American studies, American civilization, cultural geography or cultural anthropology. Lay persons who have demonstrated special interest, experience or knowledge in history, architecture or related disciplines shall make up the balance of the board membership. An up-to-date resume of board members shall be kept as a public record.

(f) *Procedures.*

(1) The board shall elect a chair and vice-chair from its membership. The chair and vice-chair will serve terms of one year each. Nothing will prevent the board from electing the chair and vice-chair for additional terms. The chair will preside over the board and will have the right to vote. In the absence or disability of the chair, the vice-chair will perform the duties of the chair.

(2) The planning manager or designee shall act as the city historic preservation officer. A staff person from the planning and engineering department shall serve as secretary of the board.

(3) Four members of the board shall constitute a quorum.

(4) The board shall hold at least four meetings each year, which shall be public meetings. Meetings shall have a previously advertised agenda and shall be open to public participation. All records of the board, including its rules of procedure, minutes and inventory, shall be public records open to inspection by the public. The board shall adopt rules of procedure for use in all its meetings and the planning manager or designee shall provide staff assistance. The board shall submit to the state preservation officer the following items:

a. Thirty days advance notice of each meeting.

b. Minutes of each meeting within 30 days of holding the meeting.

c. Records of board member attendance within 30 days of each meeting.

d. Public attendance figures of each meeting within 30 days of each meeting.

e. Changes in board membership within 30 days of action.

f. All local historic designations or alterations to existing designations.

g. An annual report by November 1 covering the previous October 1 through September 30, which shall include:

1. Any changes in the rules of procedure; and

2. Number of proposals reviewed; and

3. Designations or listings; and

4. Changes to board; and

5. Revised resumes of board members as appropriate; and

6. Review of survey and inventory activity with the description of the system used; and

7. Program report on each grant-assisted activity.

ARTICLE II. HISTORIC DESIGNATION AND PROTECTION

Sec. 50-5. Local designation of landmarks.

(a) *Authorized.* Upon recommendation of the historic preservation board, the city commission may locally designate by ordinance individual landmarks.

(b) *Owner consent.* The local designation of a landmark requires owner consent at the time of designation. However, when a property proposed for local designation has multiple owners, and any of them object to the designation, approval by the historic preservation board and city commission shall require a super-majority vote.

(c) *Application requirements.*

(1) Consideration of the local designation of a landmark shall be initiated by the filing of an application for local designation by the property owner(s) or authorized agent or the city. The historic preservation board is authorized to initiate the local designation process pursuant to this section. The city shall charge a fee for each application that reflects processing costs for the application, except such fee shall be waived for city-initiated applications. The applicant shall complete an application form provided by the planning department, which shall include:

a. A written description of the architectural, historical or archeological significance of the landmark proposed for designation and specifically addressing and documenting how the proposed designation meets the criteria contained in this chapter; and

b. Date of construction of the structure(s) on the property and the names of former owners; and

c. Photographs of the property; and

d. Legal description and map of the property to be locally designated or the site upon which the landmark is located.

(2) The planning manager or his designee shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

(d) *Public hearings for designations.* The historic preservation board shall schedule a public hearing on the proposed local designation within 60 days of the submission of a completed application. Notice of the public hearing and notice to the owner shall be given in accordance with the land development regulations and shall clearly state the location of the landmark to be considered for local designation.

(e) *Criteria for local designation.* The historic preservation board shall recommend the local designation of a landmark that is significant in the city's history, architecture, archaeology and culture, and that possesses integrity of location, design, setting, materials, workmanship or association, and that meets one or more of the following criteria:

(1) Is associated with events that have made a significant contribution to the broad patterns of our local, state or national history;

(2) Is associated with the lives of persons significant in our past;

(3) Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction;

(4) Has yielded, or may be likely to yield, information important in prehistory or history;

(5) Is listed in the National Register of Historic Places as established by the National Historic Preservation Act of 1966, as amended.

(f) *Historic Preservation Board recommendation.* After evaluating the testimony, survey information and other material presented at the public hearing, the historic preservation board shall make its recommendation to the city commission with a written report on the landmark under consideration. The historic preservation board may vote to defer its recommendation for an additional 30 days, if additional information is needed to satisfy the established review criteria. If the historic preservation board recommends a local designation, it shall explain how the proposed landmark qualified for designation under the criteria contained in this section. This evaluation may include references to other buildings in the city and shall identify the significant features of the proposed landmark. The report shall include a discussion on the relationship between the proposed local designation and existing and future plans for the development of the city. The planning department shall promptly notify the property owner or authorized representative of the historic preservation board recommendation.

(g) *City commission review and designation.* The city commission shall approve, modify, or deny the proposed local designation within 60 days of the historic preservation board recommendation. If a local designation is made, the zoning map shall be amended to identify the local designation. The planning department shall notify each applicant and property owner of the decision relating to the property within 30 days of the city commission action and shall arrange that the local designation of a property as a landmark be recorded in the official record books of the county.

(h) *Amendments and rescissions.* The local designation of any landmark may be amended or rescinded through the same procedure utilized for the original designation.

Sec. 50-6. Local designation of historic districts.

(a) *Authorized.* Upon recommendation of the historic preservation board, the city commission may locally designate by ordinance historic districts. Each locally designated district must include a list of contributing and non-contributing buildings.

(b) *Owner consent.* Local historic district designation does not require the consent of all owners, but shall be supported by 51% of the property owners in the proposed district. Written owner consent shall be required for the designation of each *contributing* structure within the proposed district.

(c) *Application requirements.*

(1) Consideration of the local designation of a historic district shall be initiated by the filing of an application for designation by a property owner within the proposed district or authorized representative, any resident or organization in the city, or the city. The city shall charge a fee for each application that reflects processing costs for the application, except such fee shall be waived for city-initiated applications. The applicant shall complete an application form provided by the planning department, which shall include:

a. A written description of the architectural, historical or archeological significance of the buildings within the proposed historic district and specifically addressing and documenting how the proposed designation meets the criteria contained in this chapter;

b. A map showing the proposed district boundary and buildings to be designated as *contributing properties*. The number of *contributing* structures must comprise at least 50 percent of the total structures in the proposed district;

c. Date of construction of the contributing structures within the proposed district and the names of former owners;

d. Photographs of the contributing sites within the proposed district;

e. A written description of the boundaries of the proposed district.

(2) The planning manager or designee shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

(d) *Public hearings for local designations.* The historic preservation board shall schedule a public hearing on the proposed district designation. Notice of the public hearing and notice to the owners within the proposed district shall be given in accordance with the land development regulations and shall clearly state the boundaries for the proposed district.

(e) *Criteria for local designation of a historic district.* The historic preservation board shall recommend the local designation of historic districts that meet the established review criteria set forth in the preceding section.

(f) *Board recommendation.* After evaluating the testimony, survey information and other material presented at the public hearing, the historic preservation board shall make its recommendation to the city commission with a written report on the area under consideration. The historic preservation board may vote to defer its recommendation for an additional 30 days, if additional information is needed to satisfy the established review criteria. If the historic preservation board recommends local designation, it shall explain how the proposed historic district qualified for designation under the established review set forth above. This evaluation may include references to other areas in the city and shall identify the significant features of the proposed historic district. The report shall include a discussion on the relationship between the proposed designation and existing and future plans for the development of the city. The planning department shall promptly notify the applicant and property owners within the district of the board recommendation.

(g) *City commission review and designation.* The city commission shall approve, modify, or deny the proposed designation within 60 days of the historic preservation board recommendation. If a designation is made, the zoning map shall be amended to identify the local designation. The planning department shall notify each applicant and property owner of the decision within 30 days of the city commission action and shall arrange that the local designation of the historic district be recorded in the official record books of the county.

(h) *Amendments and rescissions.* The local designation of any historic district or contributing status of a property may be amended or rescinded through the same procedure utilized for the original designation. The rescission of any contributing structure shall not require a change to the boundaries of a designated historic district.

Sec. 50-7. Certificate of Appropriateness.

(a) *Certificate of appropriateness required.* No person may undertake the following actions without first obtaining a certificate of appropriateness:

- Disturbance of an archeological site, or
- Erection of an addition to a local landmark, or
- New construction within a locally designated historic district, or
- Relocation, demolition, or material alteration of the exterior features of a local landmark or a contributing building within a locally designated historic district.

(1) Exterior features include, but shall not be limited to, the architectural style, scale, massing, siting, general design and general arrangement of the exterior of the building or structure, including landscape features, site improvements, and the type, style and material of roofs, windows, doors, siding, masonry, porches, storefronts and other architectural features.

(2) Review of new construction and alterations to locally designated landmarks shall be limited to exterior changes visible to the public from a public right-of-way.

(3) Whenever an alteration is performed without a certificate of appropriateness, the chief building official is authorized to issue a stop work order.

(4) A certificate of appropriateness shall be required in addition to any other required building permits. The issuance of a certificate of appropriateness shall not relieve the property owner of the duty to comply with all other state and local laws and regulations.

(5) Ordinary repairs and maintenance that are otherwise permitted by law may be undertaken without a certificate of appropriateness provided this work does not alter the exterior appearance of the building, structure or archeological site, or alter elements significant to its architectural or historic integrity.

(b) *Major and minor certificates of appropriateness.*

(1) *Minor certificate of appropriateness.* A minor certificate of appropriateness is reviewed and approved by staff and is required for work that is deemed to have a minimal impact to the subject resource such that the work will result in the preservation of the original appearance and will meet the Secretary of the Interior's Standards for Rehabilitation and the applicable standards of Chapter. Examples of work that may be considered to have minimal impact include, but are not limited to, minor alterations to the rear of a historic structure that is not visible from the public right-of-way, construction of a ground-level deck to the rear of a historic structure that does not obscure architectural features, installation of a canvas awning or canopy, repair of a cornice using existing materials and duplicating the original design, installation of new doors, windows, or roofs that are compatible in size and style with the original architecture of the building, fencing located behind any street façade, painting of any exterior material or surfaces other than unpainted masonry, stone, brick, terra cotta, or concrete, installation of skylights, repair or replacement of siding with siding that duplicates the appearance of the original, and installation of signs on commercial property.

(2) *Major certificate of appropriateness.* A major certificate of historic appropriateness is reviewed and approved by the historic preservation board and is required for additions to a local landmark, new construction in a local historic district, exterior alterations of a local landmark or contributing structure in a local historic district, demolitions of a local landmark or a contributing structure in a local historic district, or any other work on a local landmark or contributing structure in a local historic district that does not constitute ordinary maintenance or repair and is deemed to have more than a minimal impact to the subject resource.

(c) *Application procedures for certificates of appropriateness.*

(1) The applicant shall complete an application provided by the planning department containing, in part, the following information:

a. Drawings of the proposed work;

b. Photographs of the existing building or structure and adjacent properties; and

c. Information about the building materials to be used.

(2) Each application for a certificate of appropriateness shall be accompanied by the required fee.

(3) The planning manager shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

(4) If the application is deemed complete, the planning manager shall forward the application to the reviewing entity for consideration at a public hearing.

(d) *Review of minor certificates of appropriateness*. The historic preservation officer reviews and issues minor certificates of appropriateness, subject to the criteria contained in subsection (f) below. A decision to approve, approve with conditions, or deny shall be made and communicated in writing to the applicant within 10 days from receipt of a complete application. The officer’s decision may be appealed to the historic preservation board within 30 days of the officer's findings. The appeal is reviewed by the historic preservation board as a special certificate of appropriateness and an additional application fee is required.

(e) *Review of major certificates of appropriateness.* The historic preservation board shall hold a public hearing on each major certificate of appropriateness within 30 days after receipt of a completed application. The board shall approve, approve with conditions, or deny each application, based on the criteria contained in subsection (f). The board shall make its decision at a public hearing, but no later than 60 days after an application is

presented to the board. If the board fails to make a decision within the specified time period, the application shall be deemed approved.

No certificate of appropriateness for alteration, new construction, demolition or relocation pursuant to the provisions of this chapter shall be effective for a period of 15 days subsequent to the board's decision. If during that 15-day period an appeal by an aggrieved party is made to the city commission, the decision of the board shall automatically be stayed pending city commission review and determination.

(f) *Criteria for granting certificates of appropriateness.* In approving or denying applications for certificates of appropriateness, the reviewing officer or board shall consider the following criteria:

(1) The effect of the proposed work on the local landmark or the contributing structure upon which such work is to be done;

(2) The relationship between such work and other structures on the local landmark or surrounding properties in the local historic district;

(3) Whether the denial of a certificate of appropriateness would deprive the property owner of reasonable beneficial use of property;

(4) Whether the plans may be reasonably carried out by the applicant; and

(5) Compliance with the standards contained in Section 50-8.

(g) *Appeals to city commission.* Within 15 days of the historic preservation board decision, any aggrieved person may appeal to the city commission any decision of the board on an application for a certificate of appropriateness. The city commission shall approve, approve with conditions, or deny the application at a public hearing within 60 days after receiving the appeal.

(h) *Emergency conditions.* In any case where the chief building official determines that there are emergency conditions dangerous to life, health or property affecting a local landmark, or a contributing structure in a local historic district, the official may order the remedying of these conditions without the approval of the board or issuance of a required certificate of appropriateness. The chief building official shall promptly notify the chair of the board of the action being taken.

Sec. 50-8. Certificate of appropriateness review criteria.

An application for a Minor or Major Certificate of Appropriateness shall be reviewed and decided in accordance with the following criteria:

(a) *Secretary of the Interiors' Standards for Rehabilitation*.

(1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

(2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

(3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

(4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

(5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

(6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color,

texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

(7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

(8) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

(10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(b) *Additional standards for rehabilitation*. The rehabilitation of a local landmark or a contributing structure in a local historic district shall comply with subsection (a) of this Section, as well as the following general standards: New Smyrna Beach Historic Preservation Design Guidelines.

(1) *Storefronts*. The materials, composition, proportion, and features (e.g., windows, entries, transoms, bulkheads) of commercial storefronts shall be preserved and shall not be covered with added elements. Glass shall remain transparent.

(2) *Awnings and canopies*. Maintain and repair as needed. Replacement awnings or canopies must resemble the original in structure, dimensions and materials. The use of pent roofs (a more permanent awning that typically uses clay tile, metal or shingles instead of fabric) is not allowed.

(3) *Building materials*. Exterior façade materials (e.g., siding, wall finish, accents) shall be maintained and repaired when deteriorated. If replacement is necessary, the new materials must match or mimic the existing. The use of aluminum, vinyl, and glass block (unless original to the building) shall not be permitted.

(4) *Building colors*. Building colors should be consistent with the schemes typically attributed to the building architectural style.

(5) *Roofs*. The roof shape and elements (e.g., dormers, eaves, and parapets) shall be preserved. The use of colorized metal roofing materials shall be prohibited.

(6) *Entries and doors*. Existing entries and their decorative elements shall be preserved. Replacement doors must match or mimic the original in dimensions, shape, configuration, and material when possible. Trim boards, sidelights, and transom lights, and any other architectural elements, if present, shall be preserved.

(7) *Windows*. The windows on historic buildings, if they haven't already been modified, must be retained, properly maintained and repaired. If replacement is necessary, the new windows and associated elements (e.g., frames, panes, lintels, sills, etc.) shall match or mimic the original in placement, shape, dimensions, orientation, and type (e.g., double hung, casement, etc.). If it is suspected that the existing windows do not match the original windows (based on the style of the building) the applicant must consult with city staff to find the most appropriate type of window for the building style.

(8) *Window shutters*. Replacement shutters shall match the original in size, type, design and materials when possible (including hardware). New shutters shall only be allowed if appropriate to the building style (e.g., Bahama shutters shall not be added to a Folk Victoria house). New and replacement shutters do not need to be operational but must be proportionate to the window (each shutter must have a width that equals one half of the window width).

(9) *Hurricane shutters*. Traditional window shutters, when present, are the first line of defense against hurricanes. If not present or not operable, the use of temporary/removable protection elements (e.g., plywood, metal screens, and impact resistant fabric screens) over windows and gable vents is permitted. Fasteners and tacks must be painted the same color as the surface where they are installed, shall not cause permanent damage to the building, and shall not remove or hide character-defining features of the building. Accordion and roll-up shutters, which fold or roll to the side or top when not in use and remain permanently attached to the building, are not permitted.

(10) *Porches*. Existing porches that are open or screened shall not be enclosed. Open porches may be screened as long as the porch elements (e.g., columns, railings, beams) are not modified or obscured.

(11) *Foundations*. Foundations must be repaired to maintain the original function and appearance. Foundation enclosures may be replaced if deteriorated beyond repair with enclosures that match the original in terms of placement, material and appearance. The enclosures shall be located between piers instead of covering them.

(12) *Architectural details*. Where deteriorated, architectural details (e.g., brick or tile work, medallions, chimneys, attic vents, roof brackets, exposed rafters, railings and balustrades, etc.) shall be repaired if damaged. If replacement is necessary, the replacement feature shall match the original in design, shape, dimensions and materials. Architectural details shall not be covered by other elements added to the façade.

(13) *Privacy fences and walls*. Existing fences and walls must be properly maintained and repaired. If replacement is necessary, the fence/wall must be consistent with the style of the main building. Chain link fences shall be prohibited.

(14) *Accessory structures*. Existing accessory structures that are part of the designated site are also subject to a Certificate of Appropriateness if altered. All applicable provisions in this subsection (b) shall apply.

(15) *Parking and driveways*. Paved areas should remain unchanged in terms of size/extent. Adaptive reuse, however, may require substantial changes to paving (e.g., converting a single-family site to a restaurant use). This must be done in a manner that preserves the character of the original function of the site (e.g., not allowing paved areas immediately adjacent to the building).

(16) *Signs*. If possible, the original sign board/structures shall be preserved with only the sign copy changing. New signs shall not cover architectural features (e.g., windows, details, trims).

(c) *Additional standards for additions and new construction*. Additions to designated local historic landmarks and contributing structures in a local historic district, and any new construction in a local historic district shall comply with subsection (a) of this Section, as well as the following general standards:

(1) *Volume scale and massing*. The scale and massing of additions and new structures must be similar to the contributing structures in the historic district. Any new structure which exceeds 50 linear feet along any street frontage must provide a projection or recess at least 3 feet deep to minimize the scale of the building.

(2) *Building height*. The maximum height of additions and new buildings must comply with the requirements of the zoning district but shall not overwhelm the existing structures on the subject site or surrounding sites. In order to accommodate changes in height permitted by the district, an additional 10-foot setback must be provided for every floor above the height of the surrounding structures. The step backs may be provided per floor or for the entire building.

(3) *Building placement*. The proposed setbacks for additions and new construction shall be made consistent with the predominant setbacks in the same block provided that the setbacks comply with the zoning district regulations. Additionally, new buildings and additions must replicate the building orientation that is predominant along the same block. For instance, residential buildings tend to locate the narrow part of the building along the street and the front façade is parallel to the street.

(4) *Roofs*. Roof types, shapes and pitch on additions and new buildings must be similar to the roof characteristics of the subject structure and surrounding buildings in the historic district.

(5) *Architectural style*. Additions must respect the architectural style of the existing building but not create a false historical appearance. Similarly, new construction may use any architectural style, but shall not duplicate historic styles. If a particular style is selected for inspiration, it must be a style that appears in the historic district.

(6) *Fenestration*. Fenestration refers to the pattern of windows and doors that provide façade transparency and interest. The facades facing a street must contain fenestration that resembles the historic patterns in the district. Windows (other than storefront display windows) must have a vertical emphasis similar to the windows found on contributing buildings in the historic district and must include prominent window frames, sills and lintels.

(7) *Entrances*. New buildings must provide the main entrance facing the street. Commercial buildings in storefront areas must respect the pattern of storefronts. Residential buildings must provide a porch, portico, stoop or other architectural feature consistent with the predominant style in the district.

(8) *Building materials and colors*. The materials and colors used on additions and new construction must be similar to the materials and textures of the original structure and the contributing structures in the district. Prohibited materials include unfinished block, textured plywood, aluminum or vinyl siding.

(9) *Façade ornamentation*. Features such as awnings, canopies, shutters, and similar must be in character with the style of the existing building and the other buildings in the district. Awnings must follow the shape of the door and window opening. Shutters do not need to be operational but must be proportionate to the window (each shutter must have a width that equals one half of the window width).

(10) *Privacy fences and walls*. The materials and colors of privacy fences and walls must be coordinated with the main structure. Chain link fences visible from a public right-of-way or space are prohibited.

(11) *Accessory structures*. The introduction of accessory structures, if not visible from the public right-of-way do not require a Certificate of Appropriateness if they meet the requirements of the Land Development Regulations. If visible from the public-right-of-way, they must complement the style, materials and colors of the building.

(12) *Signs*. Proposed signs shall meet the requirements of the Land Development Regulations and must be compatible with the design of the structure and shall not cover architectural details or features.

(13) *Accessibility ramps*. Compliance with health and safety codes and ADA access requirements must be carried out with minimum impact on the historic character of buildings. Therefore, where possible, they should be located on the side or rear elevation, shall not cover any architectural details, shall be installed in a manner that if removed, there will not be damage to the building, and must incorporate materials and colors that are consistent with eh building.

(14) *Mechanical equipment*. Rooftop equipment must be screened so that it is not visible from the public right-of-way. Ground level equipment must be located to the side or rear of the building and must be screened by fencing or landscaping.

(15) *Solar panels*. When added to an existing buildings or sites, they shall not be visible from the public right-of-way (may be placed on flat roofs behind parapets, or the back side of sloped roofs).

(d) *Additional guidelines for relocation.* The relocation of a local landmark, a contributing structure in a local historic district, or relocating a structure to a local landmark site or local historic district, shall comply with subsection (a) of this Section, as well as the following general standards:

(1) The contribution the building or structure makes to its present setting;

(2) Whether there are definite plans for the site to be vacated;

(3) Whether the building or structure can be moved without significant damage to its physical integrity; and

(4) The compatibility of the building or structure to its proposed site and adjacent properties.

Sec. 50-9. Emergency actions; non-designated properties.

The city commission may call an emergency meeting to review a threat to a property that has not yet been designated by the city but appears to be eligible for designation. The city commission may request that a stop work order be issued by the chief building official for a 30-day period in order to provide time to negotiate with the property owner to remove the threat to the property; the city commission shall seek alternatives that will remove the threat to the property. During the 30-day period the city commission may initiate steps to designate the property under the provisions of this chapter.

Sec. 50-10. Conformity with the certificate of appropriateness.

All work performed pursuant to a certificate of appropriateness shall conform to all provisions of such certificate. It shall be the responsibility of the building department to inspect from time to time any work being performed to assure such compliance. In the event work is not being performed in accordance with such certificate, the chief building official is authorized to issue a stop work order. No additional work shall be undertaken as long as such stop work order remains in effect.

Sec. 50-11. Maintenance and repair of local landmarks and contributing structures in a local historic district.

(a) Every owner of a local landmark or a contributing building in a local historic district shall keep in good repair:

(1) All of the exterior portions of such buildings or structures;

(2) All interior portions that, if not so maintained, may cause such buildings or structures to deteriorate or to become damaged or otherwise to fall into a state of disrepair; and

(3) In addition, where the landmark is an archeological site, the owner shall be required to maintain his property in such a manner so as not to adversely affect the archeological integrity of the site.

(b) The board may refer violations of this section to the building department for enforcement proceedings on any structure designated under this chapter so that such structure shall be preserved in accordance with the purposes of this chapter.

(c) The provisions of this section shall be in addition to the provisions of the building code requiring such buildings and structures to be kept in good repair.

Sec. 50-12. Demolition delay.

(a) *Regulated buildings.* This section applies to all contributing buildings within the city's National Register of Historic Places Historic Districts.

(b) *Notice.* Notice of a public hearing to consider any proposal to demolish a contributing building located in one of the city's nationally recognized historic districts shall be made by staff, at the applicant's expense, in a newspaper of general circulation in the city at least 30 days prior to the hearing. The owner or authorized representative of the owner of the building proposed for demolition shall notify all property owners within 150 feet of the subject property of the public hearing. The notice shall be sent by United States Postal Service certified mail "return receipt requested" to each property owner no less than 15 days prior to the advertised public hearing and shall indicate the property address of the building proposed for demolition and the location, date and time of the public hearing.

(c) *Board review.* The board shall review any application for demolition of a contributing building within the city's National Register of Historic Places Historic District at its next public hearing with notice given as provided in this section to determine whether the building is historically significant. The building shall be considered historically significant if one or more of the following criteria are declared to be met by the board:

(1) The building is historically or architecturally significant in terms of its period, style, method of building construction or use of indigenous materials; or

(2) The building is a significant reminder of the cultural, or architectural history of the city, state or nation; or

(3) The building is associated with a significant local, state or national event; or

(4) The building is associated with one or more significant historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the city, state or nation; or

(5) The building is one of the few remaining examples of its period, style, or method of construction; or

(6) The building is identified with a person who significantly contributed to the development of the city, state or nation; or

(7) The building is identified as the work of a master builder, designer or architect whose individual work has influenced the development of the city, state or nation; or

(8) The building value is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance; or

(9) The building character is in a geographically definable area possessing a significant concentration or continuity of buildings united in past events or aesthetically by plan or physical development; or

(10) The building character is in an established and geographically definable neighborhood united in culture, architectural style or physical plan and development.

The board shall not consider the request until the applicant has provided the information to explain why the building is not considered significant, or if significant, why it should be demolished. The board shall issue no demolition approval until the applicant has demonstrated that no other feasible alternative to demolition can be found. The board may ask interested individuals and organizations for assistance in seeking an alternative to demolition.

(d) *Demolition of significant buildings.* If the board finds that the building is historically significant the board may, nevertheless, grant a demolition approval if it finds that one of the following circumstances is met:

(1) *Undue economic hardship.* In any instance where there is a claim of undue economic hardship, the property owner shall submit to the board prior to the public hearing a report indicating the economic hardship and why the demolition should be allowed. The report shall include the following:

a. The amount paid for the property, the date of purchase and the party from whom purchased;

b. The assessed value of the land and improvements thereon, according to the two most recent assessments;

c. Real estate taxes for the previous two years;

d. Annual debt service, or mortgage payments, if any, for the previous two years;

e. All appraisals (if any) obtained within the previous two years by the owner(s) or applicant(s) in connection with the purchase, financing or ownership of the property;

f. Any listing of the property for sale or rent, price asked and offers received, if any; and

g. Any consideration by the owner as to profitable adaptive uses for the property, including but not limited to possible fair market rents for the property if it were rented or leased in its current condition.

The board may require that an applicant furnish such additional information as the board believes is relevant to the board's determination of any alleged undue economic hardship. The board may also require, in appropriate circumstances, that information be furnished under oath.

In the event that any of the required information is not reasonable available to the property owner and cannot be obtained by the property owner, the property owner shall file with the affidavit a statement of the information which cannot be obtained and the reasons why such information cannot be reasonable obtained. Where such unobtainable information concerns required financial information, the property owner will submit a statement describing estimates which shall be as accurate as feasible.

(2) *Building condition.* In any instance where there is a claim the building is not structurally sound and/or suitable for restoration, the applicant shall provide a written report signed by a licensed engineer or architect with experience in historic building restoration stating that the building is structurally unsound and unsuitable for restoration. The board shall review the credentials of the licensed engineer or architect signing the report and shall find them experienced in historic restorations before the report is accepted. The applicant shall allow members of the board and board staff to inspect the interior and exterior of the building.

(3) *Lack of alternative to demolition.* In any instance where there is a claim of no other alternative to demolition, the applicant shall provide written documentation of attempts to sell the building at a reasonable and comparable amount or to offer it without charge to purchasers willing to move the building to another location and preserve, rehabilitate, relocate or restore the building. A reasonable and comparable sales price shall be indicated by providing evidence such as recent appraisals, comparable values of properties similar to the building proposed to be demolished or other evidence the board deems acceptable.

(e) *Conditions of demolition approval.* If the board grants demolition approval for a contributing building listed on the National Register, the board may condition approval on one or more of the following requirements:

(1) The board shall require the applicant to provide a written and pictorial record of the building's history and architectural features for archival purposes, approved by the city. The record should include a narrative accompanied by relevant photographs, drawings, maps, and copies of original documents; or

(2) The board may require that the owner allow archaeological study of the property before and/or during demolition if the property falls within the area demonstrated to have a medium or high probability to contain archaeological resources; or

(3) The board may require that the owner allow salvage activities of the historic building provided the board finds that there are salvageable materials within the building. Board staff shall provide evidence to demonstrate that salvageable materials are within or on the building to be demolished; or

(4) The board may require that the owner of a historically significant building meet any other condition that is reasonable to mitigate the demolition of the historic building.

(f) *Delay.* Should the board determine that a building is historically significant and does not meet at least one of the circumstances allowing demolition of a historically significant structure, the board shall provide for a demolition delay effective date of up to 120 days from the date of its decision. The purpose for the delay is for city staff to invite the owner of record of the building to participate in an investigation of alternatives to demolition including, but not limited to, incorporation of the building into the future development of the site; adaptive reuse of the building; utilization of financial incentives to rehabilitate the building; seeking a new owner willing to purchase and preserve, restore or rehabilitate the building; or moving the building. The city will provide the applicant resource assistance including but not limited to potential grant sources, tax relief measures, possible lenders, and available insurers. Once the delay period has ended and if the owner is still seeking demolition of the historically significant structure, the owner shall appear before the board at a meeting adhering to the notice requirements of this section and present a case as to why the demolition should be granted. The board shall again consider the reasons for demolition of a historically significant building and must approve the demolition provided any board-imposed conditions of approval contained in subsection (e)(1)-(3) have been satisfied.

Sec. 50-13. Demolition by neglect.

(a) *Demolition by neglect.* The owner of a contributing structure within an National Register Historic District shall comply with all applicable codes, laws and regulations governing the maintenance of property in order to preserve such structures from deliberate or inadvertent neglect of the exterior features of such structures, or the interior portions thereof when such maintenance is necessary to prevent deterioration and decay of the exterior. All such structures shall be preserved against such decay and deterioration and free from structural defects through prompt corrections of any of the following defects:

(1) Facades that may fall and injure persons or property;

(2) Deteriorated or inadequate foundation, defective or deteriorated flooring or floor supports, deteriorated walls or other vertical structural supports;

(3) Members of ceilings, roofs, ceiling and roof supports or other horizontal members that sag, split or buckle due to defective material or deterioration;

(4) Deteriorated or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors;

(5) Defective or insufficient weather protection for exterior wall covering, including lack of paint or weathering due to lack of paint or other protective covering; or

(6) Any fault or defect in the building that renders it not properly watertight or structurally unsafe.

Sec. 50-14. Appeals. Within 15 days of the board decision regarding demolition or demolition by neglect of any contributing structure within a National Register Historic District, any affected person with standing may appeal to the city commission. The city commission shall consider the appeal and approve, approve with conditions, or disapprove the application at a public hearing, but no later than 60 days after hearing the appeal. The city commission shall only approve the demolition of a contributing building if they determine that the request complies with the applicable review criteria.

Sec. 50-15. Archaeological preservation.

(a) *Archaeological zones.* In order to regulate and restrict disturbances, and to determine the extent of archaeological investigation and excavations that may be required in a given area, the incorporated area of New Smyrna Beach, Florida, is hereby divided into zones as shown on the archaeological base map entitled, "Archaeological Base Map for New Smyrna Beach, Florida," more particularly described as:

*See Exhibit "A" attached hereto and by reference made a part hereof.

Archaeological zones shall be updated on the base map as additional sites are documented. Zones as delineated on the base map are as follows with titles and abbreviations as indicated:

(1) *Archaeological zone I* is comprised of those areas within the city where there are known significant archaeological sites.

(2) *Archaeological zone II* is comprised of those areas that have a medium or high probability of containing archaeological resources as determined by The Search for Turnbull's Colony, an Archaeological Survey, a report by Southeast Archaeological Research, Inc., dated June 1999.

(b) *Interpretation of zone boundaries.* Where uncertainty exists as to the boundaries of zones as shown on the archaeological base map for New Smyrna Beach, Florida, the following rules shall apply:

(1) Boundaries indicated as approximating center lines of streets, highways or alleys shall be construed to follow such centerlines;

(2) Boundaries indicated as approximately following platted lot lines shall be construed to follow such lot lines;

(3) Boundaries indicated as approximately following city limits shall be construed to follow such city limits;

(4) Boundaries indicated as following railway lines shall be construed to be midway between the main tracks;

(5) Boundaries indicated as following shorelines shall be construed to follow the mean high water line. In the event of a change in shorelines, the boundaries shall be construed to move with the change except where such moving would change the archaeological status of a lot or parcel. In such case the boundary shall be interpreted in such a manner as to avoid changing the archaeological status of such lot or parcel;

(6) Boundaries indicated as parallel to or extensions of beaches indicated in subsections (1) through (5) above shall be so construed. The distance not specifically indicated on the archaeological base map shall be determined by the scale of the map.

(7) Where physical or cultural features existing on the ground are not in agreement with those shown on the archaeological base map or in other circumstances not covered by subsections (1) through (6) above, the city archaeologist shall interpret the zoning boundaries.

(c) *Zone regulations.* On city-owned or maintained property, within archaeological zones I and II, the conduct of any ground disturbances on, or activities taking place at or below the present surface of the ground, shall be in compliance with the following regulations:

(1) All proposed disturbances on city-owned or maintained property, including but not limited to those by the utilities commission, telephone, cable, and gas companies, the department of transportation, city contractors, and city subcontractors shall be reported to the city archaeologist before those disturbances take place. Furthermore, this chapter will apply only to city-owned or maintained properties within the boundaries of the proposed disturbances. Any additional archaeological testing or excavation by the city archaeologist, within areas outside the proposed disturbances, may be conducted only with written permission of the property owner.

(2) Within archaeological zones I and II, disturbances on city-owned or maintained properties shall be subject to intensive archaeological salvage excavations, to be conducted by the city archaeologist prior to any underground disturbance, building construction, or utility excavation, and paid for by the entity initiating the disturbance. The extent of the archaeological salvage excavations by the city archaeologist will be dependent on the extent of the proposed area of construction disturbance and the significance of the archaeological resource.

(3) Within archaeological zones I and II, the city archaeologist will be authorized to delay the proposed construction work or major disturbance for up to four weeks. The city manager, or his or her designee may grant additional time, if needed. Early notification of and by the city archaeologist, prior to any disturbances occurring, may minimize or eliminate the need for work delays. The applicant will be informed of any delays.

(4) Any disturbances on city-owned or maintained property, which are required to deal with an emergency situation, shall not be subject to the regulations of this chapter.

(d) *Excavations on public property.* No individual shall be allowed to disturb or remove artifacts from public property without the written permission of the city archaeologist, the city manager, or his or her designee.

(e) *Ownership of artifacts.* Artifacts uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring of city-owned or maintained properties shall remain the property of the city. If additional archaeological testing or excavation by the city archaeologist is permitted within areas outside the proposed disturbances and artifacts uncovered, the city shall obtain written permission from the property

owner to analyze, catalog, record, and conserve the artifacts for long-term storage, care, protection, and preservation.

(f) *Curation of artifacts.* Artifacts uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring shall be washed, if the city archaeologist deems appropriate, cataloged, analyzed, recorded, and conserved by the city archaeologist. The Southeast Volusia Historical Society will be the repository for artifacts discovered on city-owned or maintained properties.

(g) *Human remains.* Human skeletal remains, uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring shall be coordinated with the local medical examiner, the city, city archaeologist, and the state archaeologist. Such remains shall be dealt with in accordance with the provisions of F.S. ch. 872, as amended, and are not subject to private ownership. Such material shall be sensitively treated and, following its analysis by a physical anthropologist, shall be curated at a designated repository or appropriately buried.

(h) *City archaeologist.* The city manager or his or her designee shall appoint a city archaeologist who shall meet the city's requirements and the standards for membership by the register of professional archaeologists and shall have a demonstrated background in historic and prehistoric archaeology. The city archaeologist shall review all applicable ground disturbances on city-owned or maintained property in archaeological zones I and II; shall conduct such testing, excavations, or monitoring as shall be required by this chapter; shall prepare or oversee preparation of a final report on all projects, which report shall meet the guidelines established for archaeological reports by the department of state, division of historical resources, and be in accordance with the Cultural Resource Management Standards and Operations Manual; shall record archaeological sites and develop strategies for preservation of the archaeological resources of New Smyrna Beach; and shall participate in the planning state of applicable projects, to minimize the potential impacts on archaeological sites by any activities proposed for such sites; and shall maintain and update the archaeological base map; and shall advise the city manager concerning archaeological issues.

Sec. 50-16. Penalty.

(a) *Non-compliance with regulations applicable to local landmarks, local historic districts, and archaeological preservation.* Any person violating any of the provisions of this chapter shall be punished as provided in section 1-14. The code compliance board shall review any violation of this chapter. Additionally, the city has the option to require any person who violates any provision of this chapter to forfeit and pay to the city civil penalties equal to the fair market value of any property demolished or destroyed in violation of this chapter or the cost to repair or rehabilitate any property that is altered in violation of this chapter. In lieu of a monetary penalty, any person altering property in violation of the provisions of this chapter may be required to repair or restore any such property.

(b) *Non-compliance with regulations applicable to contributing structures in National Register Historic Districts.*

(1) The board, building official and code compliance officer are each authorized to institute any and all proceedings in law or equity, as they deem necessary and appropriate to obtain compliance or to prevent a violation thereof.

(2) No building permit shall be issued with respect to any premises upon which a significant building has been voluntarily demolished for a period of 22 months after the date of the completion of such demolition.

(3) Upon a determination of the board that a building is a preferably preserved significant building, the owner shall be responsible for properly securing the building, if vacant, to the satisfaction of the city.

(4) Anyone who demolishes a contributing structure without first obtaining a demolition permit and fully complying with the permit requirements shall be subject to a fine of up to $25,000.00.

ARTICLE III. PROPERTY TAX EXEMPTION

Sec. 50-17. Intent.

The State of Florida has enacted legislation implementing the provisions of the State Constitution to specifically provide for ad valorem tax exemptions for historic properties. The city commission desires to take advantage of all available state and federal programs that may assist in the preservation of historic properties.

Sec. 50-18. Purpose.

The purpose of the historic property tax exemption is to:

(a) Provide a positive financial incentive for the designation of local landmarks and local historic districts within the City of New Smyrna Beach;

(b) Encourage more restoration, rehabilitation and renovation of designated historic buildings and structures in New Smyrna Beach;

(c) Stabilize and improve property values, and enhance the property tax base of the City of New Smyrna Beach, by encouraging improvement of designated historic buildings and structures; and

(d) Improve the appearance of designated historic districts and landmarks in the City of New Smyrna Beach, thereby enhancing their appeal as places to live, work and visit.

Sec. 50-19. Historic preservation property tax exemption.

The owners of qualifying properties who have met all requirements outlined in this chapter shall receive an exemption of 100 percent of the increase in assessed value of ad valorem taxes levied by the City of New Smyrna Beach which result from the restoration, renovation or rehabilitation of such buildings or structure for the duration of the exemption period. The amount of exemption shall be determined by the property appraiser for the County of Volusia based on the typical post-construction inspection and appraisal. The tax exemptions allowed herein apply only to the ad valorem taxes assessed by the City of New Smyrna Beach. The exemption does not apply to taxes levied for the payment of bonds, to taxes authorized by a vote of the electors pursuant to Fla. Const., art. VII, § 9(b) or § 12, or to improvements made prior to October 1, 2022.

Sec. 50-20. Eligible property for tax exemption.

The following real property in the City of New Smyrna Beach is eligible for the historic preservation property tax exemption, provided it meets such criteria on the date the historic preservation property tax exemption is granted by the city commission.

Property is qualified for an exemption under this section if:

(1) At the time the exemption is granted, the property:

   a. Is individually listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended; or

   b. Is a contributing structure in a National Register Historic District; or

   c. Is designated by the city as a local historic landmark or a contributing structure in a local historic district; and,

(2) The Division of Historical Resources or the Historic Preservation Board, whichever is applicable, has certified to the City of New Smyrna Beach that the property for which an exemption is requested satisfies paragraph (1) above.

Sec. 50-21. Overview of tax exemption application and review procedures.

An application for a tax exemption shall be made in accordance with F.S. § 196.1997(8) and Fla. Admin. Code R. 1A-38.003, as amended. A pre-construction application and a completed work application must be submitted for review by the Historic Preservation Board, in accordance with the rules adopted by the Department of State. The board shall make recommendations to the city commission as to whether the applications should be granted or denied, along with reasons for such recommendations. The city commission shall review the applications, along with the board's recommendations. Approval of any application by the city commission shall be by resolution and shall contain the name of the owner and the address of the historic property for which the exemption is granted, the period of time for which the exemption will remain in effect and the expiration date of the exemption, a finding that the historic property meets the requirements of F.S. § 196.1997, and shall be accompanied by a historic preservation exemption covenant as further detailed below.

Sec. 50-22. Pre-construction application.

For any tax exemption to be considered by the City of New Smyrna Beach, the owner of record of the property seeking the exemption must fill out an approved pre-construction application obtained from the city. The application must contain all the information that is required by the Florida Department of State, Division of Historical Resources, promulgated in accordance with Rule 1A-38, Florida Administrative Code, and shall include additional information regarding the documentation of the cost of the qualifying improvements. Any improvements made prior to the pre-construction application shall not be eligible for the exemption.

The pre-construction application shall be filed with the City of New Smyrna Beach before any work begins, and shall include but is not limited to the following:

(a) Information sufficient to determine if the subject property is an eligible property;

(b) Information sufficient to determine if the proposed project will be a qualifying improvement;

(c) Photographs documenting the property prior to any improvements;

(d) Information outlining construction estimates for the proposed project; and

(e) A copy of the latest tax bill issued by the Property Appraiser for the County of Volusia

If the proposed work involves exterior work which requires a certificate of appropriateness, then in addition to the criteria listed above, the proposed work will be reviewed in accordance with sections 50-7 and 50-8. The pre-construction application and the certificate of appropriateness may be reviewed simultaneously, however no pre-construction application shall be approved until the certificate of appropriateness had been approved.

Sec. 50-23. Review of pre-construction applications.

The pre-construction application shall be reviewed at any regular or special meeting of the Historic Preservation Board. The board shall determine the following:

(a) whether the proposed project will be a qualifying improvement; and

(b) whether the work, as proposed, is in compliance with the applicable historic review standards.

If the Historic Preservation Board, by majority vote, finds that the proposed project is a qualifying improvement and the proposed work is in compliance with the historic review standards then the pre-construction application shall be approved.

If the Historic Preservation Commission finds that the proposed project is not a qualifying improvement or is not in compliance with the historic review standards then the board shall advise the applicant as to changes necessary to make it a qualifying improvement or how to bring the project in compliance with applicable historic review

standards. The applicant may resubmit the pre-construction application for further consideration at a subsequent meeting of the board.

Sec. 50-24. Review of completed work.

Once the proposed work is completed then the applicant shall submitted a completed work application for review by the historic preservation officer. The application shall be reviewed within 30 days of submission to determine if the completed work is consistent with the pre-construction application. If the historic preservation officer determines that the completed work is consistent with the pre-construction application then the officer will inform the applicant in writing of the decision and the item will be placed on the next scheduled meeting of the board. The board shall review the application and vote in favor of a recommendation of approval of the tax exemption to the city commission if staff makes a recommendation that the completed work is consistent with the pre-construction application and the board's own review determines the work is consistent with the pre-construction application.

If the historic preservation officer finds that the completed project is not consistent with the pre-construction application, then the officer shall inform the applicant in writing of the changes necessary to make it consistent with the pre-construction application. The applicant will have 60 days to bring the work into compliance. After 60 days, regardless of whether the applicant has made any necessary changes to the completed work, the applicant shall have the application for completed work presented to the board with the officer's recommendation and the board can determine if the completed work is consistent with the pre-construction application. If the board determines that the completed work is consistent with the pre-construction application then the board shall, by a majority vote, recommend approval of the tax exemption to the city commission.

If, after the application is presented to the board, a majority vote determines the completed work presented is not consistent with the pre-construction application then the board shall deny the tax exemption. The historic preservation officer will provide written notice to the applicant as to the reason for the denial and recommend changes to the project that will make it a qualifying improvement and consistent with the pre-construction application. Any denial may be appealed to the city commission within 30 days of the denial. The city commission will review the appeal to determine if the completed work is consistent with the pre-construction application.

Sec. 50-25. Exemption period for tax exemption.

The tax exemption granted shall remain in effect for ten years with respect to any particular property, regardless of any change in the authority of the city to grant such exemptions or any change in ownership of the property. However, to retain the exemption the historic character of the property and the qualified improvements must be maintained over the period for which the exemption is granted.

The exemption period shall begin on January 1 after all three of the following events have occurred: (1) issuance of a certificate of occupancy by the City of New Smyrna Beach; (2) final approval of the restoration, renovation or rehabilitation work has been granted by the city commission; and (3) written notice stating the exemption is in effect has been forwarded by the City of New Smyrna Beach and received by the property appraiser for the County of Volusia.

Sec. 50-26. Historic preservation exemption covenant.

To receive an approved tax exemption, the property owner must enter into a covenant with the city for the term for which the exemption is granted. The form of the covenant shall be established by the Department of State and must require that the character of the property, and the qualifying improvements to the property, be maintained during the entire exemption period. The covenant shall be binding on the current property owner, transferees, and their heirs, successors, or assigns. Violation of the covenant results in the property owner being subject to the payment of the differences between the total amount of taxes which would have been due in March in each of the

previous years in which the covenant was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in F.S. § 212.12(3).

Sec. 50-27. Notice to property appraiser.

Within three working days following adoption of a resolution by the city commission granting the historic preservation property tax exemption, the historic preservation officer shall cause the transmittal of a copy of the resolution, the preservation exemption covenant, and the final application to the property appraiser for Volusia County, with instructions that the property appraiser provide the historic preservation property tax exemption to the applicant.

Sec. 50-28. Revocation proceedings.

The historic preservation officer may initiate proceedings to revoke the tax exemption at any time if the property owner, or any subsequent owner or successor in interest to the property, violates the covenant, fails to maintain the qualifying property according to the terms, conditions and standards of the covenant, the historic character of the property and improvements which qualified the property for the exemption are not maintained or if the qualifying property has been damaged by accidental or natural causes to the extent that the historic integrity of the features, materials, appearances, workmanship and environment, or archeological integrity which made it eligible for listing or designation have been lost or damaged so that restoration is not possible. Proceeding under this section may also be initiated following a finding by the Code Compliance Board or Special Magistrate finding the property in violation of any city code.

The historic preservation officer shall provide written notice to the current owner of record at least ten days prior to any public hearing on the matter. Once notice is provided, by either posting or US certified mail to the current owner of record, a hearing will be held before the historic preservation board in which the board will review the current state of the qualifying improvements and make a recommendation to the city commission. The city commission will review the board recommendation and make a determination as to whether the exemption should be revoked.

Upon a determination by the city commission that the tax exemption shall be revoked, the historic preservation officer shall provide written notice of the decision to the owner of record as well as the property appraiser of Volusia County. The notice to the owner of record shall be accompanied by the reason and recommendation for changes to the property that may result in reinstatement of the exemptions.

The property appraiser, upon receipt of the notice of revocation, shall discontinue the tax exemption on the property as of January 1st of the year following receipt of the notice.

Sec 50-29. Reinstatement after revocation.

A property may be reinstated for a tax exemption after revocation by satisfying the recommendations for changes to the property as provided in the written notice by the historic preservation officer or by bringing the property into compliance for any outstanding code violations. The process for reinstatement shall follow the review procedure applicable to the completed work application. If approved, the tax exemption shall be reinstated for the remaining unexpired term of the initial exemption period.

ARTICLE IV. HISTORIC PRESERVATION GRANT PROGRAM

Sec. 50-30. Established.

There is hereby established a historic preservation grant program for owners of contributing structures in either a National Register historic district or a local historic district.

Sec. 50-31. Eligibility.

The owner of any contributing building which had been condemned by the building trades board under chapter 26, article X, may apply to the historic preservation board for a grant for repair or rehabilitation of the building, as follows:

(1) The program is open to any resident of the City of New Smyrna Beach who owns and occupies a contributing structure.

(2) Qualifications are based on both family size and annual household incomes that do not exceed 120 percent of the Volusia County median income, as shown below:

	1 person	2 persons	3 persons	4 persons	5 persons	6 persons	7 persons	8 persons
Low/Mod Income	$39,982	$45,730	$51,415	$68,520	$61,723	$66,283	$70,844	$75,404

The income guidelines are to be adjusted every two years in relationship to the Consumer Price Index. Household income will be established by the total annual household income and assets of all persons identified on the title of the property, plus all persons 18 years of age or older living in the home.

(3) Exterior property improvements are eligible, including exterior paint, window and screen repairs, garage door and exterior door repairs, deadbolts, disabled access, exterior electrical and plumbing repair and weatherization.

(4) The work must be completed by a licensed contractor.

(5) The following restrictions apply:

a. Upgrades and remodeling are not allowable.

b. The home cannot be listed for sale or be in jeopardy of foreclosure.

c. The home must be owner occupied.

d. Replacement is only allowable if repair is not possible.

Sec. 50-32. Review of application.

The board shall review the application for a grant at a public hearing. The application shall include, at a minimum, the following:

(1) Proof of ownership of the property to be repaired.

(2) The order of the building trades board requiring demolition or repair of the property.

(3) Description of proposed repairs, with a cost estimate and timetable for repairs.

(4) Proof that the applicant meets the eligibility requirements of section 50-31.

The board may approve, deny, or approve with conditions, the application. The action of the board shall constitute final administrative action.

Sec. 50-33. Procedure after approval of grant; grant limits.

(a) If a grant to repair or rehabilitate a contributing building is approved by the board, a copy of the action taken and the application shall be forwarded to the building official, who may issue a permit for the work to be performed in accordance with the action of the board. The owner shall comply with all laws and ordinances pertaining to the repair or construction.

(b) The grant amount shall not exceed the city's cost of demolition of the structure or building as ordered by the building trades board. The grant funds shall be taken from budgeted demolition funds, if there are sufficient funds in that account.

(c) The order of the building trades board shall be stayed during the time of application for the grant and during repair of the building, provided the owner obtains all required permits within the time ordered by the board, and work progresses as required by law and ordinance. After repairs are completed the order of the building trades board shall be deemed satisfied.

(d) If repairs are not completed, the city is entitled to a lien in the amount of the grant funds dispersed to owner, as provided in chapter 26 of this code.

Historic Preservation

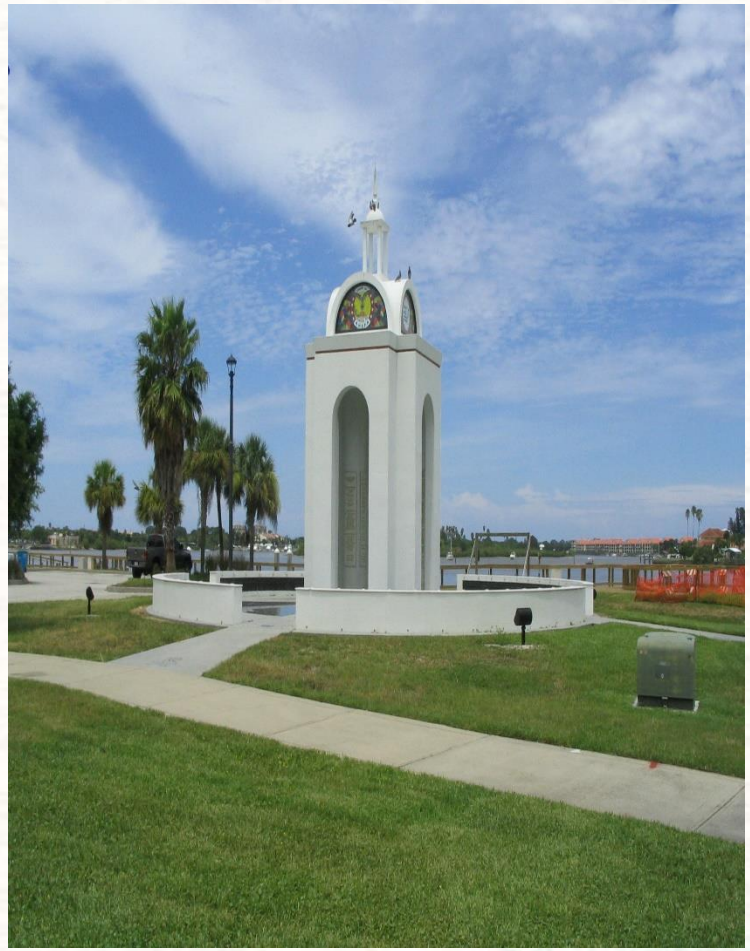
Code of Ordinances, Chapter 50




WOMAN'S CLUB OF NEW SMYRNA
403

Proposed Updates to Chapter 50, Historic Preservation

- History of Chapter 50
- Proposed Update to Chapter 50
- How will these proposed updates effect current properties



History of Chapter 50

Ordinance 13-86, adopted on April 16, 1986 created the original framework for the current Historic Preservation Ordinance.

This ordinance created the Historic New Smyrna Beach Preservation Commission and provided procedures for designating historic landmarks, landmarks sites, and historic districts.

This ordinance was created, so the City of New Smyrna Beach could qualify for the designation as a Certified Local Government, (CLG). The City of New Smyrna Beach was one of the first six local governments to be certified by the State of Florida.

The 1986 inaugural list of Certified Local Governments:

City of New Smyrna Beach
City of Miami
City of St. Petersburg
City of Gainesville
City of St. Augustine
City of Coral Cables

Proposed Updates to Chapter 50

- Relocate and clarify all of the current definitions throughout the code into one location and add proposed definitions. This format should allow for the general public to more easily find the definitions;

No functional changes to process or procedures

- Update the name of the Historic New Smyrna Beach Preservation Commission to Historic Preservation Board. This proposed title would be consistent with other Preservation Boards throughout the State of Florida. This would also eliminate any confusion with the City Commission;

- Separate the regulation for local landmarks and local historic districts. These two designations may have separate criteria, requirements, and paths. By separating these types of requests, it should make it easier to understand the process of designating a local landmark and designating a local historic district;

No functional changes to process or procedures

Proposed Updates to Chapter 50

- Separate the minor and major requirements and path for a certificate of appropriateness, by allowing Staff to review and approve minor upgrades and renovations to local landmarks and contributing structures in any future local historic district. This should reduce permit processing time. However, major renovations and new construction in a future local historic district, or a local landmark, would still be reviewed by the Historic Preservation Board;

  Simplified process by which minor projects may be approved.

- Establish a preservation standard and guideline for renovations to any contributing structure in a future local historic district or new construction in a future local historic district. Staff supports using the New Smyrna Beach Historic Preservation Design Guidelines that were prepared by Historic Property Associates, Inc.;

  Would adopt a design standard to utilize local criteria for redevelopment projects.

Proposed Updates to Chapter 50

- Renovations should have materials that match the existing, however, design regulations would allow for a modern material that would mimic the original material. The use of vinyl or aluminum siding would be prohibited but wood or cement siding would be allowed;

  Part of design standards process that allows for lower cost alternatives to meet historical guidelines.

- New construction and building standards have been updated and clarified. This update would involve the building heights, massing, and placement of new structures based on the neighboring structure trend. This update should enhance any new building or addition based on the existing elements of the neighborhood;

  Requires review of new structures to meet consistency with neighboring buildings.

Proposed Updates to Chapter 50

- Procedures for any proposed demolition of a contributing structure has been clarified including the required criteria;

No functional change to existing process.

- Penalties is a new section for non-compliance with Chapter 50 and establishes civil penalties and can allow for delay of future permits; and

New Section of the Code.

- Property Tax Exemption has been updated to meet State Statues and to include eligible properties, review procedures, application requirements, covenant, and revocation.

Expanded opportunities for existing exemptions.

Proposed Amendments to Land Development Regulation

- Update Land Development Regulation Section 504.02 by prohibiting aggregation of parcels to create larger parcels in the National Registered Historic Districts.

New Section of the Code.

- Update Land Development Regulation Section 504.02 by establishing a new building height restriction in the National Registered Historic Districts.

New Section of the Code.

- Establishing a waiver process for either of the new above proposed development regulations.

New Section of the Code.

How will these proposed updates effect current properties?

Most of the changes deal with future local historic districts and landmarks. Currently, the City does not have any local historic districts, so most of the proposed regulations would not affect any current resident or property owner.

But the City does have two National Registered Historic Districts. The proposed update would still require the Historic Preservation Board to review applications for demolition of a contributing structure.

The proposed Land Development Regulation would restrict the process of aggregating parcels, and limiting building heights in either one of those two National Registered Historic Districts.

Any privately owned local landmark including the local landmarks owned by the City will have to apply for a Certificate of Appropriateness for any exterior renovations. Minor exterior changes would be reviewed by Staff but extensive exterior renovations would have to be reviewed by the Historic Preservation Board.





Questions?

Historic Preservation Commission
Wednesday, October 12, 2022 at 5:30 PM

City Commission Chambers
214 Sams Avenue, New Smyrna Beach, Florida 32168

1. CALL TO ORDER

A. Roll Call

2. APPROVAL OF MINUTES

2.A Approval for Historic Preservation Commission April 13, 2022 and June 8, 2022 Regular Meeting Minutes.

3. PUBLIC PARTICIPATION

4. NEW BUSINESS/DISCUSSION ITEMS

4.A Chapter 50, Historic Preservation

5. COMMITTEE COMMENTS

6. STAFF COMMENTS

7. ADJOURNMENT

Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the board, agency or commission of the City of New Smyrna Beach with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 410-2630, prior to the meeting.

Historic Preservation Commission
Wednesday, December 14, 2022 at 5:30 PM

City Commission Chambers
214 Sams Avenue, New Smyrna Beach, Florida 32168

1. CALL TO ORDER

A. Roll Call

2. APPROVAL OF MINUTES

2.A Approval for Historic Preservation Commission October 12, 2022 Regular Meeting Minutes.

3. PUBLIC PARTICIPATION

4. NEW BUSINESS/DISCUSSION ITEMS

4.A Chapter 50, Historic Preservation

4.B CA-2-2022: 314 North Duss Street, Mary S Harrell Black Heritage Museum

4.C Approval of the Historic Preservation Commission 2023 Regular Meeting Schedule

4.D Selection of the 2023 Chairperson and Vice Chairperson

5. COMMITTEE COMMENTS

6. STAFF COMMENTS

6.A 2021-2022 CLG Annual Report

7. ADJOURNMENT

Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the board, agency or commission of the City of New Smyrna Beach with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 410-2630, prior to the meeting.

Historic Preservation Commission
Wednesday, March 8, 2023 at 5:30 PM

City Commission Chambers
214 Sams Avenue, New Smyrna Beach, Florida 32168

1. CALL TO ORDER

A. Roll Call

2. APPROVAL OF MINUTES

2.A Approval for Historic Preservation Commission December 14, 2022 Regular Meeting Minutes.

3. PUBLIC PARTICIPATION

4. NEW BUSINESS/DISCUSSION ITEMS

4.A ZT-8-22: Height Restrictions and Aggregation of parcels in a National Registered Historic District

4.B COA-1-22: City Code of Ordinances, Chapter 50, Historic Preservation

4.C 200 North Peninsula Avenue

5. COMMITTEE COMMENTS

6. STAFF COMMENTS

6.A Current Local Landmark Map

7. ADJOURNMENT

Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the board, agency or commission of the City of New Smyrna Beach with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 410-2630, prior to the meeting.

Historic Preservation Commission
Wednesday, June 14, 2023 at 5:30 PM

City Commission Chambers
214 Sams Avenue, New Smyrna Beach, Florida 32168

1. CALL TO ORDER

A. Roll Call

2. APPROVAL OF MINUTES

2.A Approval for Historic Preservation Commission December 14, 2022 and March 8, 2023 Regular Meeting Minutes.

3. PUBLIC PARTICIPATION

4. NEW BUSINESS/DISCUSSION ITEMS

4.A LD-1-23: Review and give a recommendation to the City Commission on a Local Landmark designation of the Oak Grove Church of Apostolic Faith located at 441 Sheldon Street.

5. COMMITTEE COMMENTS

6. STAFF COMMENTS

7. ADJOURNMENT

Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the board, agency or commission of the City of New Smyrna Beach with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 410-2630, prior to the meeting.

Historic Preservation Commission
Wednesday, September 20, 2023 at 5:30 PM

City Commission Chambers
214 Sams Avenue, New Smyrna Beach, Florida 32168

1. CALL TO ORDER

A. Roll Call

2. APPROVAL OF MINUTES

2.A Approval for Historic Preservation Commission June 14, 2023 Regular Meeting Minutes.

3. PUBLIC PARTICIPATION

4. NEW BUSINESS/DISCUSSION ITEMS

4.A Status Update to Old Fort Wall

4.B New Smyrna Museum of History Presentation

4.C 2023 Donnadine Miller Preservation Award Applications

5. COMMITTEE COMMENTS

6. STAFF COMMENTS

7. ADJOURNMENT

Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the board, agency or commission of the City of New Smyrna Beach with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 410-2630, prior to the meeting.

ORDINANCE NO. 54-23

AN ORDINANCE OF THE CITY OF NEW SMYRNA BEACH, DESIGNATING THE OAK GROVE CHURCH OF APOSTOLIC FAITH LOCATED AT 441 SHELDON STREET AS A HISTORIC LANDMARK IN THE CITY OF NEW SMYRNA BEACH; PROVIDING FOR PUBLIC HEARING; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of New Smyrna Beach Historic Preservation Commission has submitted a recommendation to the City Commission that the Oak Grove Church of Apostolic Faith located at 441 Sheldon Street be designated as a historic landmark in the City of New Smyrna Beach; and

WHEREAS, the church originally met in the late 1920s under a small tent beneath the oak trees; and

WHEREAS, the first structure of Oak Grove Church was constructed in the late 1930s by the original and early Elders; and

WHEREAS, in 1971, District Elder Thomas Teemer, a master builder and architectural designer reconstructed the church to include stained glass windows and a portico facing the west side of the building; and

WHEREAS, in 1984, the church changed its name from Oak Grove Pentecostal Holiness Church to Oak Grove Church of the Apostolic Faith; and

WHEREAS, City staff finds that the church is a significant reminder of a past cultural use of the property, that the building is recognized for the quality of its architecture, and has distinguishing characteristics of a past architectural style and method of construction; and

WHEREAS, the City Commission deems it is in the best interests of the citizens of the City of New Smyrna Beach to designate the Oak Grove Church of Apostolic Faith as a historic landmark in the City of New Smyrna Beach.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF NEW SMYRNA BEACH, FLORIDA:

SECTION 1: ***Findings.*** The City Commission hereby finds that the Oak Grove Church of Apostolic Faith meets the criteria for designation as a historic landmark in the City because it is a significant reminder of a past cultural use of the property, is a building recognized for the quality of its architecture, distinguishing characteristics of a past architectural style, and due to its method of construction, as established in Section 50-7, City Code.

SECTION 2: ***Designation.*** In accordance with the New Smyrna Beach Code of Ordinances, Chapter 50, Historic Preservation, Section 50-7, Designation of Landmarks, Landmark Sites and Historic Districts, the City of New Smyrna Beach hereby designates the Oak Grove Church of Apostolic Faith as a historic landmark in the City of New Smyrna Beach, said landmark being more particularly described as shown in Exhibit "A", attached.

SECTION 3: ***Public Hearing.*** That the public hearing considering the adoption of this ordinance shall be held at 6:30 p.m. on August 22, 2023, in the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida, after notice published pursuant to §166.041(3)(a), F.S.

SECTION 4: ***Conflicting Ordinances.*** That all ordinances or parts thereof that are in conflict with this ordinance shall be and the same are hereby rescinded and repealed.

SECTION 5: ***Severability.*** That if any section, sentence, clause or phrase of this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 6: ***Effective Date.*** That this ordinance shall take effect immediately upon its final adoption.

APPROVED AS TO FORM AND CORRECTNESS:

Carrie Avallone

CARRIE AVALLONE
City Attorney

DATE: 8/1/2023

EXHIBIT "A"

LEGAL DESCRIPTION

Address:
441 Sheldon Street, New Smyrna Beach, Florida 32168

Parcel Number
7441-06-00-0080

AltKey Number:
3872801

Metes and Bounds:
LOTS 8 & 9, Frank W. Sams SUBDIVISION of land in Lots 5 and 7, Block 4 of C. Daugherty New Smyrna, according to the map or plat thereof, as recorded in Map Book 16, Page 82, of the Public Records of Volusia County, Florida.




OAK GROVE CHURCH OF APOSTOLIC FAITH

Ordinance No. 54-23 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Regular Meeting on August 8, 2023, and read by title only. The Second Reading and Public Hearing of the proposed Ordinance would be conducted at the Regular Meeting on August 22, 2023.

Ordinance No. 54-23 was read by title only at the Regular Meeting held by the City Commission on August 22, 2023, Motion was made by Commissioner Martin, and seconded by Commissioner McGuirk, that Ordinance No. 54-23 be adopted on second and final reading, the vote thereon being as follows:

MAYOR FRED E. CLEVELAND	Yes
COMMISSIONER JASON MCGUIRK	Yes
COMMISSIONER LISA MARTIN	Yes
COMMISSIONER VALLI PERRINE	Yes
VICE MAYOR RANDY HARTMAN	Yes

The City Clerk noted the passage of Ordinance No. 54-23 in the minutes of this meeting by its title only and recorded the same in full in the Ordinance Records of the City.

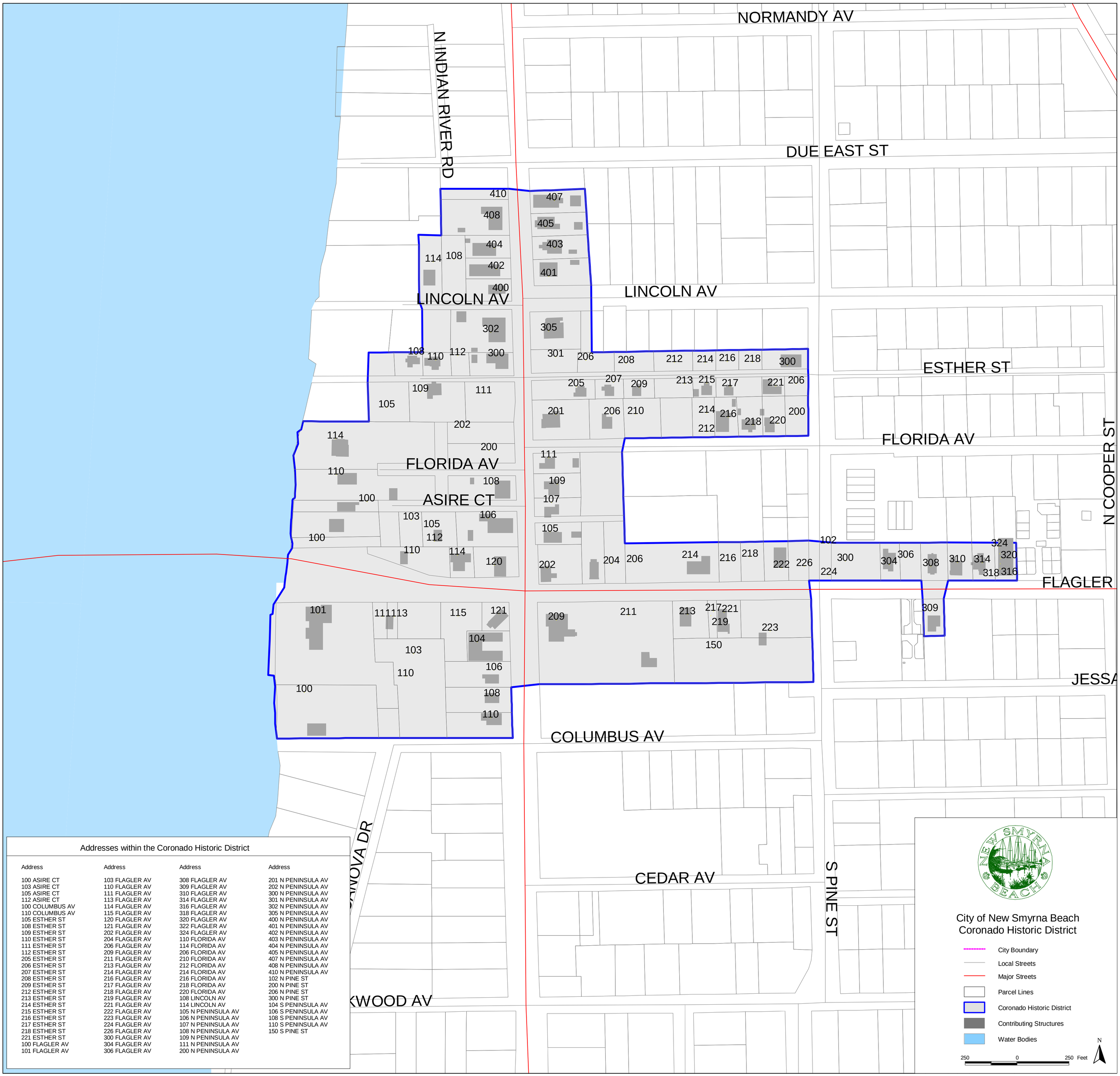
The Mayor of the City of New Smyrna Beach has hereunto set his official signature, duly attested by the City Clerk, and has caused the Official Seal of said City to be hereunto affixed for the purpose of authenticity as required by law.

As Mayor of the City of New Smyrna Beach, Florida

(OFFICIAL SEAL)

As City Clerk of the City of New Smyrna Beach, Florida

ORDINANCE NO. 54-23



Addresses within the Coronado Historic District

Address	Address	Address	Address
100 ASIRE CT	103 FLAGLER AV	308 FLAGLER AV	201 N PENINSULA AV
103 ASIRE CT	110 FLAGLER AV	309 FLAGLER AV	202 N PENINSULA AV
105 ASIRE CT	111 FLAGLER AV	310 FLAGLER AV	300 N PENINSULA AV
112 ASIRE CT	113 FLAGLER AV	314 FLAGLER AV	301 N PENINSULA AV
100 COLUMBUS AV	114 FLAGLER AV	316 FLAGLER AV	302 N PENINSULA AV
110 COLUMBUS AV	115 FLAGLER AV	318 FLAGLER AV	305 N PENINSULA AV
105 ESTHER ST	120 FLAGLER AV	320 FLAGLER AV	400 N PENINSULA AV
108 ESTHER ST	121 FLAGLER AV	322 FLAGLER AV	401 N PENINSULA AV
109 ESTHER ST	202 FLAGLER AV	324 FLAGLER AV	402 N PENINSULA AV
110 ESTHER ST	204 FLAGLER AV	110 FLORIDA AV	403 N PENINSULA AV
111 ESTHER ST	206 FLAGLER AV	114 FLORIDA AV	404 N PENINSULA AV
112 ESTHER ST	209 FLAGLER AV	206 FLORIDA AV	405 N PENINSULA AV
205 ESTHER ST	211 FLAGLER AV	210 FLORIDA AV	407 N PENINSULA AV
206 ESTHER ST	213 FLAGLER AV	212 FLORIDA AV	408 N PENINSULA AV
207 ESTHER ST	214 FLAGLER AV	214 FLORIDA AV	410 N PENINSULA AV
208 ESTHER ST	216 FLAGLER AV	216 FLORIDA AV	102 N PINE ST
209 ESTHER ST	217 FLAGLER AV	218 FLORIDA AV	200 N PINE ST
212 ESTHER ST	218 FLAGLER AV	220 FLORIDA AV	206 N PINE ST
213 ESTHER ST	219 FLAGLER AV	108 LINCOLN AV	300 N PINE ST
214 ESTHER ST	221 FLAGLER AV	114 LINCOLN AV	104 S PENINSULA AV
215 ESTHER ST	222 FLAGLER AV	105 N PENINSULA AV	106 S PENINSULA AV
216 ESTHER ST	223 FLAGLER AV	106 N PENINSULA AV	108 S PENINSULA AV
217 ESTHER ST	224 FLAGLER AV	107 N PENINSULA AV	110 S PENINSULA AV
218 ESTHER ST	226 FLAGLER AV	108 N PENINSULA AV	150 S PINE ST
221 ESTHER ST	300 FLAGLER AV	109 N PENINSULA AV	
100 FLAGLER AV	304 FLAGLER AV	111 N PENINSULA AV	
101 FLAGLER AV	306 FLAGLER AV	200 N PENINSULA AV	

City of New Smyrna Beach
Coronado Historic District

- City Boundary
- Local Streets
- Major Streets
- Parcel Lines
- Coronado Historic District
- Contributing Structures
- Water Bodies

N

250 0 250 Feet

Addresses within the Mainland Historic District

Address	Address	Address	Address	Address	Address	Address
213 ALMA CT	330 CANAL ST	208 FAULKNER ST	112 LIVE OAK ST	119 MARY AV	400 N ORANGE ST	210 S ORANGE ST
214 ALMA CT	331 CANAL ST	210 FAULKNER ST	114 LIVE OAK ST	121 MARY AV	402 N ORANGE ST	211 S ORANGE ST
219 ALMA CT	332 CANAL ST	212 FAULKNER ST	115 LIVE OAK ST	204 MARY AV	404 N ORANGE ST	215 S ORANGE ST
204 ANDERSON ST	334 CANAL ST	214 FAULKNER ST	150 LIVE OAK ST	205 MARY AV	406 N ORANGE ST	216 S ORANGE ST
207 ANDERSON ST	399 CANAL ST	301 FAULKNER ST	200 LIVE OAK ST	206 MARY AV	300 N RIVERSIDE DR	300 S ORANGE ST
209 ANDERSON ST	400 CANAL ST	303 FAULKNER ST	204 LIVE OAK ST	207 MARY AV	306 N RIVERSIDE DR	301 S ORANGE ST
404 ANDERSON ST	401 CANAL ST	304 FAULKNER ST	207 LIVE OAK ST	208 MARY AV	312 N RIVERSIDE DR	304 S ORANGE ST
406 ANDERSON ST	402 CANAL ST	310 FAULKNER ST	211 LIVE OAK ST	209 MARY AV	500 N RIVERSIDE DR	305 S ORANGE ST
106 ANDREWS ST	405 CANAL ST	311 FAULKNER ST	219 LIVE OAK ST	211 MARY AV	504 N RIVERSIDE DR	306 S ORANGE ST
204 ANDREWS ST	412 CANAL ST	312 FAULKNER ST	301 LIVE OAK ST	212 MARY AV	508 N RIVERSIDE DR	307 S ORANGE ST
506 BALL ST	413 CANAL ST	313 FAULKNER ST	302 LIVE OAK ST	213 MARY AV	512 N RIVERSIDE DR	308 S ORANGE ST
507 BALL ST	417 CANAL ST	315 FAULKNER ST	306 LIVE OAK ST	214 MARY AV	516 N RIVERSIDE DR	314 S ORANGE ST
508 BALL ST	418 CANAL ST	316 FAULKNER ST	312 LIVE OAK ST	217 MARY AV	518 N RIVERSIDE DR	603 S ORANGE ST
510 BALL ST	419 CANAL ST	317 FAULKNER ST	315 LIVE OAK ST	218 MARY AV	520 N RIVERSIDE DR	605 S ORANGE ST
511 BALL ST	421 CANAL ST	320 FAULKNER ST	511 LIVE OAK ST	300 MARY AV	524 N RIVERSIDE DR	408 S RIVERSIDE DR
512 BALL ST	424 CANAL ST	321 FAULKNER ST	519 LIVE OAK ST	301 MARY AV	526 N RIVERSIDE DR	416 S RIVERSIDE DR
513 BALL ST	426 CANAL ST	401 FAULKNER ST	601 LIVE OAK ST	304 MARY AV	532 N RIVERSIDE DR	420 S RIVERSIDE DR
515 BALL ST	427 CANAL ST	402 FAULKNER ST	603 LIVE OAK ST	305 MARY AV	113 PALMETTO ST	426 S RIVERSIDE DR
516 BALL ST	431 CANAL ST	403 FAULKNER ST	605 LIVE OAK ST	308 MARY AV	200 PALMETTO ST	500 S RIVERSIDE DR
518 BALL ST	500 CANAL ST	405 FAULKNER ST	607 LIVE OAK ST	312 MARY AV	201 PALMETTO ST	502 S RIVERSIDE DR
519 BALL ST	501 CANAL ST	500 FAULKNER ST	617 LIVE OAK ST	111 MURRAY ST	204 PALMETTO ST	506 S RIVERSIDE DR
520 BALL ST	505 CANAL ST	501 FAULKNER ST	150 LYTLE AV	115 MURRAY ST	205 PALMETTO ST	508 S RIVERSIDE DR
522 BALL ST	506 CANAL ST	505 FAULKNER ST	207 LYTLE AV	120 MURRAY ST	207 PALMETTO ST	512 S RIVERSIDE DR
523 BALL ST	508 CANAL ST	508 FAULKNER ST	305 LYTLE AV	205 MURRAY ST	208 PALMETTO ST	600 S RIVERSIDE DR
524 BALL ST	509 CANAL ST	509 FAULKNER ST	307 LYTLE AV	207 MURRAY ST	210 PALMETTO ST	608 S RIVERSIDE DR
525 BALL ST	512 CANAL ST	511 FAULKNER ST	311 LYTLE AV	209 MURRAY ST	212 PALMETTO ST	616 S RIVERSIDE DR
528 BALL ST	515 CANAL ST	512 FAULKNER ST	407 LYTLE AV	210 MURRAY ST	214 PALMETTO ST	620 S RIVERSIDE DR
529 BALL ST	519 CANAL ST	513 FAULKNER ST	303 MAGNOLIA ST	211 MURRAY ST	215 PALMETTO ST	700 S RIVERSIDE DR
530 BALL ST	524 CANAL ST	514 FAULKNER ST	315 MAGNOLIA ST	212 MURRAY ST	308 PALMETTO ST	704 S RIVERSIDE DR
531 BALL ST	123 DOUGLAS ST	519 FAULKNER ST	317 MAGNOLIA ST	214 MURRAY ST	309 PALMETTO ST	112 SAMS AV
532 BALL ST	207 DOUGLAS ST	522 FAULKNER ST	403 MAGNOLIA ST	215 MURRAY ST	314 PALMETTO ST	120 SAMS AV
533 BALL ST	208 DOUGLAS ST	523 FAULKNER ST	405 MAGNOLIA ST	216 MURRAY ST	318 PALMETTO ST	137 SAMS AV
534 BALL ST	310 DOUGLAS ST	524 FAULKNER ST	407 MAGNOLIA ST	217 MURRAY ST	608 PALMETTO ST	139 SAMS AV
536 BALL ST	407 DOUGLAS ST	525 FAULKNER ST	409 MAGNOLIA ST	218 MURRAY ST	610 PALMETTO ST	150 SAMS AV
537 BALL ST	505 DOUGLAS ST	528 FAULKNER ST	411 MAGNOLIA ST	300 MURRAY ST	612 PALMETTO ST	210 SAMS AV
145 CANAL ST	506 DOUGLAS ST	532 FAULKNER ST	415 MAGNOLIA ST	302 MURRAY ST	208 RONNOC LN	214 SAMS AV
147 CANAL ST	206 DOWNING ST	536 FAULKNER ST	501 MAGNOLIA ST	303 MURRAY ST	212 RONNOC LN	104 SMITH ST
149 CANAL ST	207 DOWNING ST	538 FAULKNER ST	504 MAGNOLIA ST	304 MURRAY ST	306 RONNOC LN	107 WASHINGTON ST
151 CANAL ST	209 DOWNING ST	542 FAULKNER ST	506 MAGNOLIA ST	305 MURRAY ST	110 RUSH ST	109 WASHINGTON ST
200 CANAL ST	210 DOWNING ST	312 HILLMAN ST	509 MAGNOLIA ST	306 MURRAY ST	204 RUSH ST	115 WASHINGTON ST
201 CANAL ST	211 DOWNING ST	314 HILLMAN ST	512 MAGNOLIA ST	309 MURRAY ST	206 RUSH ST	203 WASHINGTON ST
203 CANAL ST	307 DOWNING ST	316 HILLMAN ST	516 MAGNOLIA ST	311 N DIXIE FREEWAY	208 RUSH ST	206 WASHINGTON ST
215 CANAL ST	309 DOWNING ST	318 HILLMAN ST	600 MAGNOLIA ST	321 N DIXIE FREEWAY	209 RUSH ST	208 WASHINGTON ST
217 CANAL ST	10 FAULKNER ST	322 HILLMAN ST	608 MAGNOLIA ST	521 N DIXIE FREEWAY	210 RUSH ST	210 WASHINGTON ST
219 CANAL ST	30 FAULKNER ST	115 JULIA ST	610 MAGNOLIA ST	103 N ORANGE ST	211 RUSH ST	212 WASHINGTON ST
221 CANAL ST	50 FAULKNER ST	160 JULIA ST	611 MAGNOLIA ST	105 N ORANGE ST	304 RUSH ST	213 WASHINGTON ST
223 CANAL ST	80 FAULKNER ST	202 JULIA ST	616 MAGNOLIA ST	107 N ORANGE ST	305 RUSH ST	215 WASHINGTON ST
225 CANAL ST	100 FAULKNER ST	206 JULIA ST	701 MAGNOLIA ST	115 N ORANGE ST	306 RUSH ST	219 WASHINGTON ST
227 CANAL ST	102 FAULKNER ST	207 JULIA ST	703 MAGNOLIA ST	121 N ORANGE ST	307 RUSH ST	221 WASHINGTON ST
229 CANAL ST	103 FAULKNER ST	214 JULIA ST	705 MAGNOLIA ST	201 N ORANGE ST	308 RUSH ST	300 WASHINGTON ST
231 CANAL ST	104 FAULKNER ST	301 JULIA ST	206 MARSHALL ST	213 N ORANGE ST	309 RUSH ST	301 WASHINGTON ST
237 CANAL ST	106 FAULKNER ST	302 JULIA ST	207 MARSHALL ST	215 N ORANGE ST	310 RUSH ST	302 WASHINGTON ST
239 CANAL ST	108 FAULKNER ST	305 JULIA ST	208 MARSHALL ST	219 N ORANGE ST	311 RUSH ST	303 WASHINGTON ST
300 CANAL ST	110 FAULKNER ST	307 JULIA ST	209 MARSHALL ST	307 N ORANGE ST	312 RUSH ST	304 WASHINGTON ST
312 CANAL ST	112 FAULKNER ST	310 JULIA ST	210 MARSHALL ST	311 N ORANGE ST	314 RUSH ST	305 WASHINGTON ST
314 CANAL ST	116 FAULKNER ST	313 JULIA ST	211 MARSHALL ST	312 N ORANGE ST	315 RUSH ST	306 WASHINGTON ST
316 CANAL ST	118 FAULKNER ST	101 LIVE OAK ST	212 MARSHALL ST	316 N ORANGE ST	400 RUSH ST	307 WASHINGTON ST
319 CANAL ST	120 FAULKNER ST	106 LIVE OAK ST	213 MARSHALL ST	317 N ORANGE ST	402 RUSH ST	310 WASHINGTON ST
320 CANAL ST	122 FAULKNER ST	108 LIVE OAK ST	102 MARY AV	320 N ORANGE ST	404 RUSH ST	312 WASHINGTON ST
323 CANAL ST	124 FAULKNER ST	110 LIVE OAK ST	110 MARY AV	323 N ORANGE ST	208 S ORANGE ST	
328 CANAL ST	200 FAULKNER ST	111 LIVE OAK ST	118 MARY AV	324 N ORANGE ST	209 S ORANGE ST	

New Smyrna Beach
Historic District

City Boundary
Local Streets
Major Streets
Parcel Lines
Mainland Historic District
Contributing Structures
Water Bodies

250 0 250 Feet

N

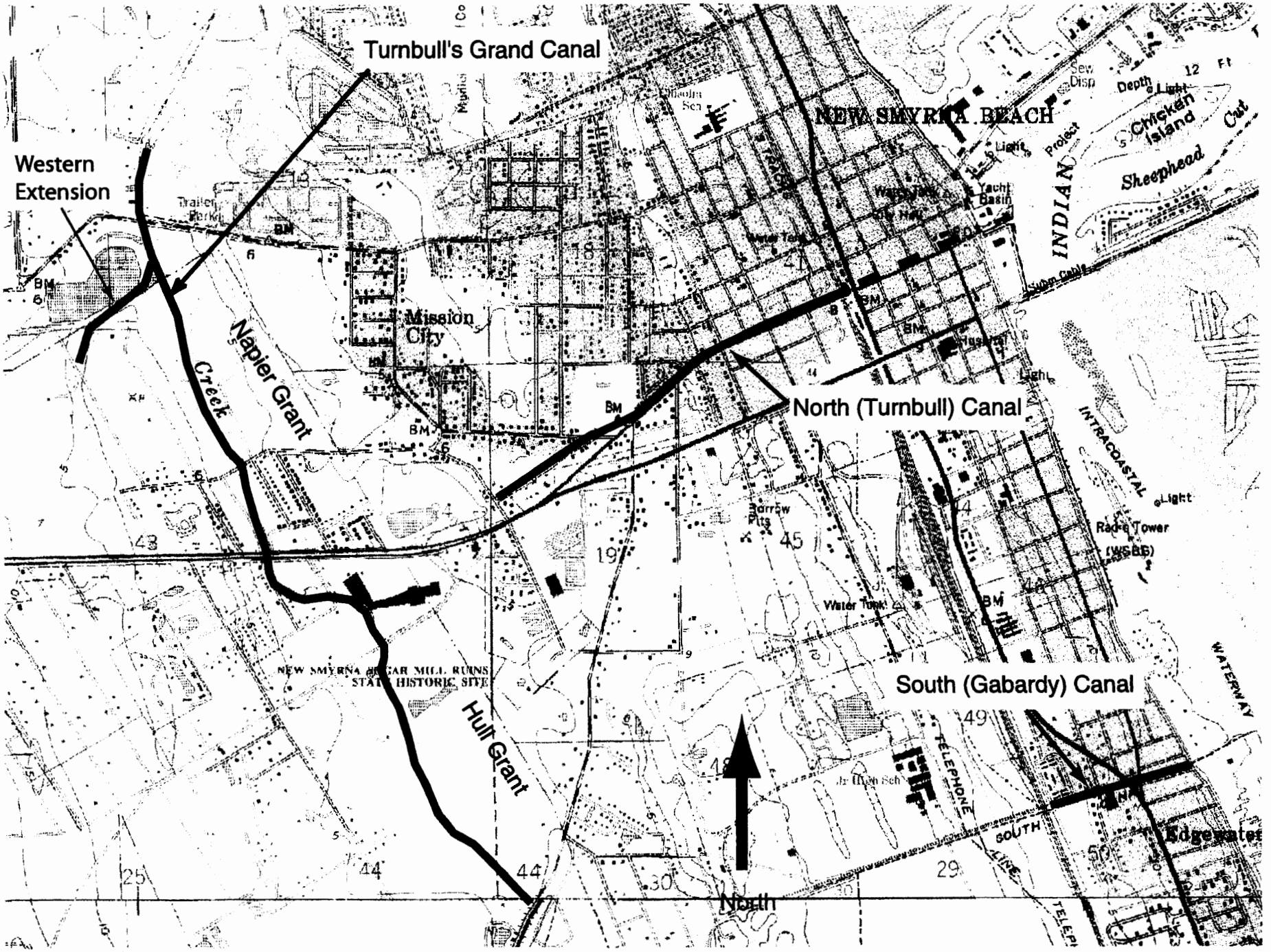
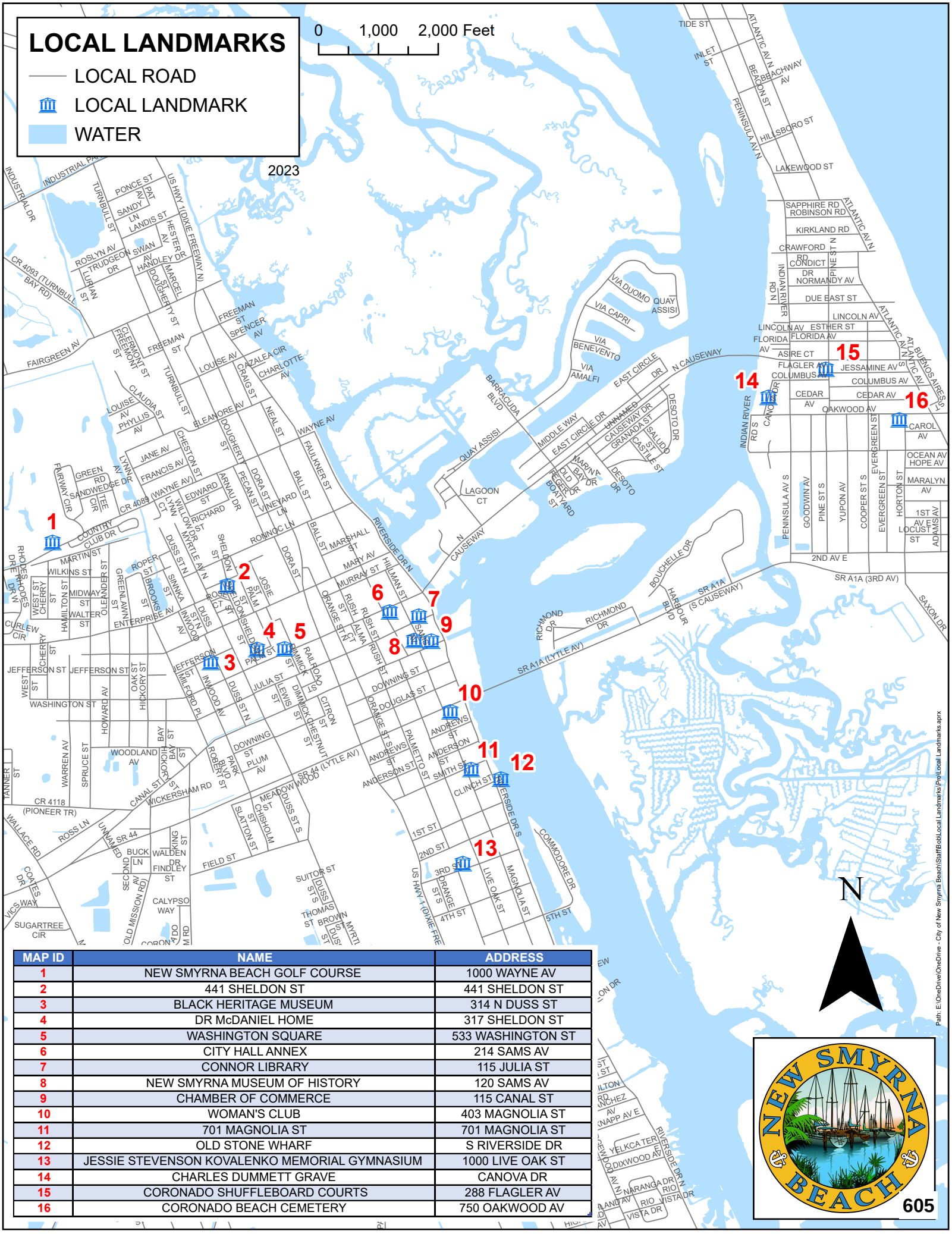


Figure 1. USGS 7.5' New Smyrna Beach and Edgewater quadrangle maps showing preserved segments of the Turnbull Canal System.



MAP ID	NAME	ADDRESS
1	NEW SMYRNA BEACH GOLF COURSE	1000 WAYNE AV
2	441 SHELDON ST	441 SHELDON ST
3	BLACK HERITAGE MUSEUM	314 N DUSS ST
4	DR McDANIEL HOME	317 SHELDON ST
5	WASHINGTON SQUARE	533 WASHINGTON ST
6	CITY HALL ANNEX	214 SAMS AV
7	CONNOR LIBRARY	115 JULIA ST
8	NEW SMYRNA MUSEUM OF HISTORY	120 SAMS AV
9	CHAMBER OF COMMERCE	115 CANAL ST
10	WOMAN'S CLUB	403 MAGNOLIA ST
11	701 MAGNOLIA ST	701 MAGNOLIA ST
12	OLD STONE WHARF	S RIVERSIDE DR
13	JESSIE STEVENSON KOVALENKO MEMORIAL GYMNASIUM	1000 LIVE OAK ST
14	CHARLES DUMMETT GRAVE	CANOVA DR
15	CORONADO SHUFFLEBOARD COURTS	288 FLAGLER AV
16	CORONADO BEACH CEMETERY	750 OAKWOOD AV

Historic Preservation Commission
Wednesday, February 7, 2024 at 5:30 PM

City Commission Chambers
214 Sams Avenue, New Smyrna Beach, Florida 32168

1. CALL TO ORDER

A. Roll Call

2. APPROVAL OF MINUTES

3. PUBLIC PARTICIPATION

4. NEW BUSINESS/DISCUSSION ITEMS

4.A CA-1-2024: Review the proposed exterior renovation on a Local Landmark located at 441 Sheldon Street.

5. COMMITTEE COMMENTS

6. STAFF COMMENTS

7. ADJOURNMENT

Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the board, agency or commission of the City of New Smyrna Beach with respect to any matter considered at this meeting, a record of the

proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 410-2630, prior to the meeting.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

CA-1-2024: REVIEW THE PROPOSED EXTERIOR RENOVATION ON A LOCAL LANDMARK LOCATED AT 441 SHELDON STREET.

February 7, 2024

Background:

Applicant: Linda C. Teemer-Baker, 400 Howard Avenue, New Smyrna Beach, Florida 32168.

Property Owner: Oak Grove Church of Apostolic Faith of New Smyrna Beach FL INC, P. O. Box 1897, New Smyrna Beach, Florida 32170.

Request: Certificate of Appropriateness for replacement of roof shingles, exterior doors, and exterior windows on a Local Landmark.

Subject Area: The subject property consists of approximately 0.28 acres, and is zoned R-3, Single Family Residential, and is generally located on the southeast corner of Sheldon Street and Charlovix Street.

Parcel ID: 7441-06-00-0080

Findings:

Exhibits used in this report:

Exhibit A: Location Map

Exhibit B: Aerial Map

Exhibit C: Applicant Request Letter

Exhibit D: Product Sample

Exhibit E: Site Photos

Exhibit F: Local Landmark Designation Ordinance

The subject property currently has one (1) story commercial building that contains a place of worship. Based on the applicant's submittal, the original meeting of church members was in the 1920s. This original revival was in form of a small tent under the oak trees.

The pioneers of the church were called Elders. The original pioneers were Elder Hall, Elder Williams, Elder McCoy, and Elder Frazier. Elder Frazier and his wife, Queen Frazier, along with early pioneers Elder Bell and his wife, Elder Murphy and his wife, and Elder Teemer and his wife constructed the Oak Grove Church in late 1930.

In early 1933, the church members invited Bishop Samuel J. Grimes, the longest serving Bishop in Pentecostal Assemblies of the World, (P.A.W.). After his arrival, the Florida State Council board of directors was established. The directors included Elder Johnson, acting chairperson of the Florida State Council, Miss Emma Hall, the secretary, and Miss Maddie Rogers, chairperson of the Missions Department.

In 1960, District Elder Thomas Teemer and his wife Catherine Teemer became pastors of the Oak Grove Pentecostal Church in New Smyrna Beach. He was the master builder and architectural designer of the current location of the Oak Grove Church of the Apostolic Faith. Some of the architecture elements of the church include stained-glass windows and a portico facing the west side of the building.

This mid-century masonry vernacular building was constructed around 1972 per the Volusia County Property Appraisers website. Notable architectural features include a brick veneer on the west side of the building with a pedestrian portico. Masonry walls, gable roof with shingles, and aluminum framed single hung and fixed windows, which were common during this period of time. The building was designated as a local landmark by the City Commission on August 22, 2023.

The applicant has proposed installing a wood fence, security cameras, security lighting, two (2) sheds, shingle roof, commercial entry doors, and a mixture of window replacement choices. All materials will require a building permit and meet the currently adopted Florida Building Code, Fire Prevention Code, and National Electric Code. The applicant has also applied for a Community Redevelopment Agency, (CRA) grant. The grant applicant will be reviewed by the City Commission on February 27, 2024.

Recommendation

Staff believes that the installation of new roof shingles, replacement of windows, and a new commercial single and double entry door on this designated local landmark would be consisted with the type and period of architecture and would create a safer and more secured building also increasing the value of the building with the following conditions:

1. Any other exterior modifications, demolitions or new construction in the future would need to come before this Commission to apply for a Certificate of Appropriateness.

2. All other applicable Land Development Regulations are complied with.

Fiscal Analysis:
N/A

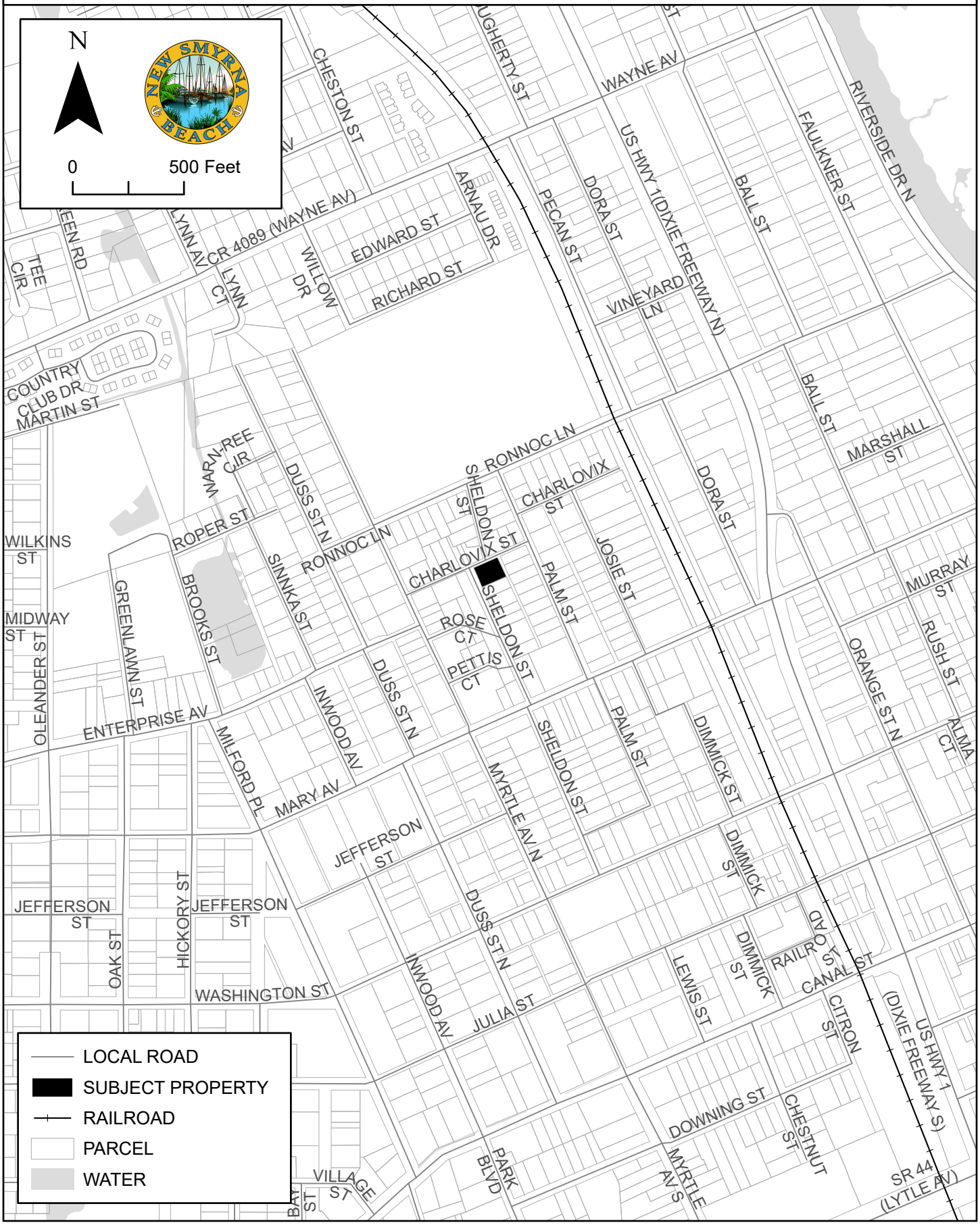
Strategic Plan Item:
No

Staff Report Created By: Robert Mathen - Planner II

Attachments:

CA-1-24 Exhibit A Location Map.pdf
CA-1-24 Exhibit B Aerial Map.pdf
CA-1-24 Exhibit C Applicant Request Letter.pdf
CA-1-24 Exhibit D Product Samples.pdf
CA-1-24 Exhibit E Site Photos.pdf
CA-1-24 Exhibit F Ordinance No. 54-23 Historic Local Landmark.pdf

CA-1-24: 441 SHELDON STREET
PARCEL: 7441-06-00-0080 LOCATION MAP



CA-1-24: 441 SHELDON STREET
PARCEL: 7441-06-00-0080 AERIAL MAP





Oak Grove Church of the Apostolic Faith of New Smyrna Beach, FL
441 Sheldon Street
New Smyrna Beach, Florida, 32168

Subject: A Call to Preserve Our Heritage

Dear Historic Commission,

I am writing passionately to advocate for your support in the crucial mission to save Oak Grove Church. This historic landmark holds immense significance for our community and its cultural heritage.

Oak Grove Church has been an integral part of our town's history for centuries and stands as a symbol of unity, strength, and resilience. The church has witnessed generations of families come together, celebrating joyous occasions and finding solace during times of hardship. Its breathtaking architecture, with its age-old oak trees surrounding the structure, has graced our town's landscape for decades, providing a serene and spiritual atmosphere for those who visit.

Unfortunately, this cherished landmark now faces the threat of deterioration and potential closure. The ravages of time and financial challenges have put Oak Grove Church at risk. The significant expenses required for its restoration and maintenance have exceeded the resources of the church's congregation, making it imperative for us to seek external support.

To achieve our restoration goals and address the urgent repair needs of Oak Grove Church, we are seeking assistance with the following:

Wood Fencing

One utility shed

One 20 by 24 shed

- Landscaping

Motion sensor lighting

A camera security system

Artificial grass

replacement of 12 windows and three doors

Facade Enhancement: New roofing, upgrading the church's exterior by repainting and repairing damaged areas, and adding decorative elements to create a visually appealing and inviting entrance.

Landscaping and Outdoor Areas: Improving the church grounds by landscaping, adding greenery, seating areas, and signage to enhance overall curb appeal.

The church is where your generous contribution can make an enormous difference. By donating to Save Oak Grove Church, you will play an instrumental role in preserving our shared history and culture for future generations to cherish and appreciate. Your contribution will help fund the much-needed restoration work, ensuring the church's structural integrity and remaining a safe and welcoming place for all.

I kindly request that you join us in this noble endeavor to save Oak Grove Church. Together, we can protect and breathe new life into this iconic landmark, ensuring it stands tall and robust for future generations.

Thank you for taking the time to consider this proposal and for your potential contribution to saving Oak Grove Church. With your support, we can make a lasting difference in the lives of our community members and preserve our treasured heritage for future generations. Your support means the world to us and will be an enduring testament to your commitment to preserving our shared legacy.

With sincere gratitude,

Mrs. Linda Teemer-Baker
President, Save Oak Grove Church Committee

Here is your CDF Quote: QB-09296801

Quoted: 2024-01-26

EXHIBIT D

Ships in **20 Business Days** or **Less!**

Linda Teemer-Baker
+1-386-693-6141
lindateemer@hotmail.com
Ship to: 32168 FL



Job Name: Oak Grove Church

Total Price: $7,797.28

Main Entrance

Package Total: $2,291.00 x1 $2,291.00

Double Storefront Door	$1,813.00	x1	$1,813.00

Door Only, Storefront, 6'0" X 7'0", Aluminum Pre-Finished, 10" Bottom Rail, Deadbolt & Push / Pull Handle, Continuous Hinge, 1" Insulated Glass, #8 Right Hand Reverse Active - Double Storefront Door

Storefront Frame	$318.00	x1	$318.00

Frame Only, Storefront, 6'0" X 7'0", 4-1/2" Depth, Aluminum Pre-Finished, Prep for Deadbolt & Push / Pull Handle, Continuous Hinge, ADA Threshold, #8 Right Hand Reverse Active - Storefront Frame

Door Closer	$80.00	x2	$160.00

Door Closer, Grade 2, (2-5), Aluminum - Hardware



Door Package 3

Package Total: $901.09 x5 $4,505.45

Single Hollow Metal Door	$384.00	x5	$1,920.00
3'0" Width, 7'0" Height, 35-3/4" x 83-1/4" Actual Size, Polystyrene Core, Galvannealed, #2 Right Hand, 18 Gauge, Steelcraft Hinge, 161 Lock Prep			
Door Fire Label	$12.60	x5	$63.00
APPLY 60 MINUTE FIRE RATED LABEL TO DOOR - Door Prep			
Hinge Locations	$0.00	x5	$0.00
Steelcraft Hinge & Strike Locations			
Louver Kit Installed	$338.00	x5	$1,690.00
Fusible Link Metal Louver, 12" X 12", Grey, 90 Minute Fire Rated, Installed In Door - Door Insert			
Hinges	$9.50	x15	$142.50
Non-Removable Pin, 4-1/2" X 4-1/2", Ball Bearing, 26D, (075049) - Hardware			
Passage	$51.99	x5	$259.95
Passage Lever, Grade 2, Closet, Non-keyed, US26D, (129002) - Hardware			
Closer	$86.00	x5	$430.00
Door Closer, Grade 1, (1-4), Aluminum - Hardware			





Model# 106586

6 ft. H x 8 ft. W Pressure-Treated Pine Board-on-Board Dog Ear Wood Fence Panel

Everbilt
Black Decorative Gate Hinge and Latch Set
$28.27



Hampton 4 in. x 4 in. Pressure-Treated Wood Pine Pyramid Post Cap byUnbranded
$8.98

Post cap fits a 4 in. x 4 in. wood fence post
Treated to protect against decay and rot



Ring Quick Release Rechargeable Battery Pack
Qty: 1
$34.99



Ring Smart Lighting Black Motion Activated Outdoor Integrated LED Spotlight Battery
Qty: 1
$39.99



Ring
Smart Lighting Black Motion Activated Outdoor Integrated LED Floodlight Wired
Fixture Color/Finish: Black
Lumens: 2000
Pack Size: 1 Pack



Ring
Video Doorbell Wired - Smart WiFi Doorbell Camera with 2-Way Talk, Night Vision and Motion Detection

Model #B08CKHPP52



Frequently Bought Together
Select
This Item
Smart Lighting Black Motion Activated Outdoor Integrated LED Floodlight Wired Ring

Smart Lighting Black Motion Activated Outdoor Integrated LED Floodlight Wired
(324)
$69.99
Select
Top Rated
White Smart Lighting Bridge
Ring

White Smart Lighting Bridge
(134)
$49.99
Select
Floodlight Cam Wired Plus - Smart Security Video Camera with 2 LED Lights, 2-Way Talk, Color Night Vision, Black

Ring

Floodlight Cam Wired Plus - Smart Security Video Camera with 2 LED Lights, 2-Way Talk, Color Night Vision, Black
(792)
$199.99
Select
Video Doorbell Wired - Smart WiFi Doorbell Camera with 2-Way Talk, Night Vision and Motion Detection



49.97 X 4= 199.98

Frequently Bought Together
Select
This Item
MaxDetect 240-Degree White Motion Activated Wired Outdoor 2-Head Dusk-to-Dawn LED Security Flood Light 1400 Lumens
Defiant

MaxDetect 240-Degree White Motion Activated Wired Outdoor 2-Head Dusk-to-Dawn LED Security Flood Light 1400 Lumens
(124)
$49.97

6 in. Long Nose Pliers
(207)
$6.97
1/3



$218.66($8.82 /sq.ft.)
$239.66 Save $21.00 (9%)
(18)
Model# PAMS64BN
Patiowell
6 ft. W x 4 ft. D Outdoor Storage Brown Metal Shed with Sloping Roof and Double Lockable Door (24.8 sq. ft.)



$218.66($8.82 /sq.ft.)
$239.66 Save $21.00 (9%)
(18)
Model# PAMS64BN
Patiowell
6 ft. W x 4 ft. D Outdoor Storage Brown Metal Shed with Sloping Roof and Double Lockable Door (24.8 sq. ft.)



X 2

$88.00 - $143.18
(251)
Model# AMHMF1427B
TAFCO WINDOWS
14 in. x 27 in. Mobile Home Single Hung Aluminum Window – Gray

8 **76 ½ X 36**
2 **31 X 81**
The CGI® Sentinel Series 238SN impact resistant casement window offers clean lines and quality aluminum construction. Hurricane proof glass and aesthetically pleasing matching sight lines let you use these casement windows interchangeably throughout your home.



2 **50 X 36**

$345.00
(5)
Model# ADHIB3236G
TAFCO WINDOWS
32 in. x 36 in. Double Hung Aluminum Window with Low-E Glass, Grids and Screen, Brown



2 **74 X 38**



36X36
25 ½ X 36
18 ½ X 26 ½
36 X 38 ½

$154.00 - $209.00
(382)
Model# 70 SLIDER BUCK
American Craftsman
30.75 in. x 18.25 in. 70 Series Low-E Argon Glass Sliding White Vinyl Replacement Window, Screen Incl

EXHIBIT E









EXHIBIT F

ORDINANCE NO. 54-23

AN ORDINANCE OF THE CITY OF NEW SMYRNA BEACH, DESIGNATING THE OAK GROVE CHURCH OF APOSTOLIC FAITH LOCATED AT 441 SHELDON STREET AS A HISTORIC LANDMARK IN THE CITY OF NEW SMYRNA BEACH; PROVIDING FOR PUBLIC HEARING; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of New Smyrna Beach Historic Preservation Commission has submitted a recommendation to the City Commission that the Oak Grove Church of Apostolic Faith located at 441 Sheldon Street be designated as a historic landmark in the City of New Smyrna Beach; and

WHEREAS, the church originally met in the late 1920s under a small tent beneath the oak trees; and

WHEREAS, the first structure of Oak Grove Church was constructed in the late 1930s by the original and early Elders; and

WHEREAS, in 1971, District Elder Thomas Teemer, a master builder and architectural designer reconstructed the church to include stained glass windows and a portico facing the west side of the building; and

WHEREAS, in 1984, the church changed its name from Oak Grove Pentecostal Holiness Church to Oak Grove Church of the Apostolic Faith; and

WHEREAS, City staff finds that the church is a significant reminder of a past cultural use of the property, that the building is recognized for the quality of its architecture, and has distinguishing characteristics of a past architectural style and method of construction; and

WHEREAS, the City Commission deems it is in the best interests of the citizens of the City of New Smyrna Beach to designate the Oak Grove Church of Apostolic Faith as a historic landmark in the City of New Smyrna Beach.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF NEW SMYRNA BEACH, FLORIDA:

SECTION 1: ***Findings.*** The City Commission hereby finds that the Oak Grove Church of Apostolic Faith meets the criteria for designation as a historic landmark in the City because it is a significant reminder of a past cultural use of the property, is a building recognized for the quality of its architecture, distinguishing characteristics of a past architectural style, and due to its method of construction, as established in Section 50-7, City Code.

SECTION 2: ***Designation.*** In accordance with the New Smyrna Beach Code of Ordinances, Chapter 50, Historic Preservation, Section 50-7, Designation of Landmarks, Landmark Sites and Historic Districts, the City of New Smyrna Beach hereby designates the Oak Grove Church of Apostolic Faith as a historic landmark in the City of New Smyrna Beach, said landmark being more particularly described as shown in Exhibit "A", attached.

SECTION 3: ***Public Hearing.*** That the public hearing considering the adoption of this ordinance shall be held at 6:30 p.m. on August 22, 2023, in the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida, after notice published pursuant to §166.041(3)(a), F.S.

SECTION 4: ***Conflicting Ordinances.*** That all ordinances or parts thereof that are in conflict with this ordinance shall be and the same are hereby rescinded and repealed.

SECTION 5: ***Severability.*** That if any section, sentence, clause or phrase of this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 6: ***Effective Date.*** That this ordinance shall take effect immediately upon its final adoption.

APPROVED AS TO FORM AND CORRECTNESS:

Carrie Avallone

CARRIE AVALLONE
City Attorney

DATE: 8/1/2023

EXHIBIT "A"

LEGAL DESCRIPTION

Address:
441 Sheldon Street, New Smyrna Beach, Florida 32168

Parcel Number
7441-06-00-0080

AltKey Number:
3872801

Metes and Bounds:
LOTS 8 & 9, Frank W. Sams SUBDIVISION of land in Lots 5 and 7, Block 4 of C. Daugherty New Smyrna, according to the map or plat thereof, as recorded in Map Book 16, Page 82, of the Public Records of Volusia County, Florida.




OAK GROVE CHURCH OF APOSTOLIC FAITH





Ordinance No. 54-23 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Regular Meeting on August 8, 2023, and read by title only. The Second Reading and Public Hearing of the proposed Ordinance would be conducted at the Regular Meeting on August 22, 2023.

Ordinance No. 54-23 was read by title only at the Regular Meeting held by the City Commission on August 22, 2023, Motion was made by Commissioner Martin, and seconded by Commissioner McGuirk, that Ordinance No. 54-23 be adopted on second and final reading, the vote thereon being as follows:

MAYOR FRED E. CLEVELAND	Yes
COMMISSIONER JASON MCGUIRK	Yes
COMMISSIONER LISA MARTIN	Yes
COMMISSIONER VALLI PERRINE	Yes
VICE MAYOR RANDY HARTMAN	Yes

The City Clerk noted the passage of Ordinance No. 54-23 in the minutes of this meeting by its title only and recorded the same in full in the Ordinance Records of the City.

The Mayor of the City of New Smyrna Beach has hereunto set his official signature, duly attested by the City Clerk, and has caused the Official Seal of said City to be hereunto affixed for the purpose of authenticity as required by law.

As Mayor of the City of New Smyrna Beach, Florida

(OFFICIAL SEAL)

As City Clerk of the City of New Smyrna Beach, Florida

ORDINANCE NO. 54-23

Historic Preservation Commission Special Meeting
Wednesday, December 13, 2023, at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the special meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, December 13, 2023, at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Chair Mahood called the meeting to order at 5:30 PM.

Roll Call

Attendee Name	Title	Status	Arrived
Katherine Kaufman	Member	Present	5:30 PM
Stephanie Rees	Vice Chairperson	Absent	5:30 PM
Douglas Toth	Member	Present	5:30 PM
Terry Bledsoe	Member	Present	5:30 PM
Angeline Barretta-Herman	Member	Absent	5:30 PM
Lianne Bennett	Member	Present	5:30 PM
Joanna Mahood	Chairperson	Present	5:30 PM

Also present were: Senior Planner Robert Mathen, Assistant City Attorney Shey McCurdy, and Board Secretary Stephanie Ferrara.

No Changes to the Agenda.

2. APPROVAL OF MINUTES

2.A Approval for the Historic Preservation Commission September 20, 2023, and October 11, 2023, Regular Meeting Minutes.

Chair Mahood asked the Board if there were any changes to the September 20, 2023, and October 11, 2023, Regular Meeting Minutes.

DRAFT

Motion:
Member Bledsoe moved to approve the September 20, 2023, and October 11, 2023, Regular Meeting Minutes, as submitted. Member Toth seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Bledsoe
SECONDER:	Toth
AYES:	Kaufman, Toth, Bledsoe, Bennett, Mahood

3. PUBLIC PARTICIPATION

None.

4. NEW BUSINESS

4.A VS-1-23: Review a request, to designate an existing pole sign as a vintage sign on property located at 1103 North Dixie Freeway

Robert Mathen, Senior Planner, outlined the applicant's request for approval of an existing pole sign to be designated as a Vintage Sign.

Chris Pappas, Application and Owner, spoke about the history of the restaurant and requested approval for the vintage sign.

Chair Mahood opened the meeting for Public Participation. As no citizens wished to speak, Chair Mahood closed Public Participation.

Chair Mahood asked the Board if they had any additional questions or comments.

Motion:
Member Bledsoe moved to approve VS-1-23 for property located 1103 N. Dixie Freeway, as submitted. Member Bennett seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Bledsoe
SECONDER:	Bennett
AYES:	Kaufman, Toth, Bledsoe, Bennett, Mahood

4.B **VS-2-23: Review a request, to designate an existing pole sign as a vintage sign on property located at 1115 North Dixie Freeway**

Robert Mathen, Senior Planner, outlined the applicant's request for approval of an existing pole sign to be designated as a Vintage Sign.

Chris Pappas, Application and Owner, spoke about the history of the restaurant and requested approval for the vintage sign.

Chair Mahood opened the meeting for Public Participation. As no citizens wished to speak, Chair Mahood closed Public Participation.

Chair Mahood asked the Board if they had any additional questions or comments.

Motion:
Member Bledsoe moved to approve VS-2-23 for property located 1115 N. Dixie Freeway, as submitted. Member Bennett seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Bledsoe
SECONDER:	Bennett
AYES:	Kaufman, Toth, Bledsoe, Bennett, Mahood

4.C **Approval of the Historic Preservation Commission 2024 Regular Meeting Schedule**

Chair Mahood asked the Board if they had any additional questions or comments.

Motion:
Member Bennett moved to approve the Historic Preservation Commission 2024 Meeting Schedule, as submitted. Member Kaufman seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Bennett
SECONDER:	Kaufman
AYES:	Kaufman, Toth, Bledsoe, Bennett, Mahood

4.D Selection of the 2024 Chairperson and Vice Chairperson for the Historic Preservation Commission

Chairperson – Joanna Mahood, unanimous.
Vice-Chairperson – Stephanie Rees, unanimous.

5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

Member Kaufman commented about the Donnadine Miller Award.

Chair Mahood inquired about putting signs at City's local landmarks. Mr. Mathen stated that staff would look into her request.

Member Toth requested an update as to the status of Chapter 50. Mr. Mathen stated that the City Manager will be scheduling a Workshop with City Commission.

Chair Mahood commented about the RPF for the Woman's Club.

Member Toth asked if the State maintains a list of all Local District on their website. Mr. Mathen stated yes.

6. REPORTS AND COMMUNICATIONS BY THE STAFF

6.A 2022-2023 Certified Local Government (CLG) yearly report

7. ADJOURNMENT

As there was no other business to discuss, Chair Mahood declared the meeting adjourned at 6:08 P.M.

Historic Preservation Commission Special Meeting
Wednesday, February 7, 2024, at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the special meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, February 7, 2024, at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Chair Mahood called the meeting to order at 5:30 PM.

Roll Call

Attendee Name	Title	Status	Arrived
Katherine Kaufman	Member	Absent	
Stephanie Rees	Vice Chairperson	Absent	
Douglas Toth	Member	Present	5:30 PM
Terry Bledsoe	Member	Present	5:30 PM
Angeline Barretta-Herman	Member	Present	5:30 PM
Lianne Bennett	Member	Present	5:30 PM
Joanna Mahood	Chairperson	Present	5:30 PM

Also present were: Senior Planner Robert Mathen, Assistant City Attorney Shey McCurdy, and Board Secretary Stephanie Ferrara.

No Changes to the Agenda.

2. APPROVAL OF MINUTES

None.

3. PUBLIC PARTICIPATION

None.

4. NEW BUSINESS

DRAFT

4.A CA-1-2024: Review of proposed exterior renovation on a Local Landmark Located at 441 Sheldon Street

Robert Mathen, Senior Planner, outlined the applicant's request for a Certificate of Appropriateness for replacement of roof shingles, exterior doors and exterior windows on a Local Landmark

Linda C. Teemer-Baker, 400 Howard Avenue, Applicant, commented that the replacement of the of roof shingles, exterior doors and exterior windows would be consistent with the period of architecture of that time. Ms. Teemer-Baker spoke about the history of the building.

Chair Mahood opened the meeting for Public Participation. As no citizens wished to speak, Chair Mahood closed Public Participation.

Chris Edwards, Economic Development Director, commented in support of this request and the grant that would be awarded to help restore the building.

Chair Mahood asked the Board if they had any additional questions or comments.

Motion:
Member Bennett moved to approve CA-1-24 for property located 441 Sheldon Street, as submitted. Member Barretta-Herman seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Bennett
SECONDER:	Barretta-Herman
AYES:	Toth, Bledsoe, Barretta-Herman, Bennett, Mahood

5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

Member Barretta-Herman commented about the Woman's Club. She announced the 6th annual Home Tours.

6. REPORTS AND COMMUNICATIONS BY THE STAFF

None.

7. ADJOURNMENT

As there was no other business to discuss, Chair Mahood declared the meeting adjourned at 6:08 P.M.

Historic Preservation Commission
Wednesday, June 12, 2024 at 5:30 PM

City Commission Chambers
214 Sams Avenue, New Smyrna Beach, Florida 32168

1. CALL TO ORDER

A. Roll Call

2. APPROVAL OF MINUTES

3. PUBLIC PARTICIPATION

4. NEW BUSINESS/DISCUSSION ITEMS

4.A HBOD-1-24: Review a rezoning request to add the Historic Building Overlay District, (HBOD) to a property located at 403 Magnolia Street known as the Woman's Club.

4.B 2023 Donnadine Miller Preservation Award Selection
Awards are given annually to one residential (single-family) and one non-residential property that promotes pride in the City's past and increases awareness and appreciation for buildings that contribute to the history and character of New Smyrna Beach. Buildings 50 years and older or sites associated with a historic event are eligible.

5. COMMITTEE COMMENTS

6. STAFF COMMENTS

6.A 2022-2023 CLG Annual Report Letter

6.B 2024 Donnadine Miller Preservation Award Application

7. ADJOURNMENT

Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the board, agency or commission of the City of New Smyrna Beach with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 410-2630, prior to the meeting.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

HBOD-1-24: REVIEW A REZONING REQUEST TO ADD THE HISTORIC BUILDING OVERLAY DISTRICT, (HBOD) TO A PROPERTY LOCATED AT 403 MAGNOLIA STREET KNOWN AS THE WOMAN'S CLUB.

June 12, 2024

Background:

Applicant: Curtis Hodges for the Karter Presley Lynaugh Trust, 620 South Riverside Drive, New Smyrna Beach, Florida 32168.

Property Owner: City of New Smyrna Beach, Khalid Resheidat, City Manager 210 Sams Avenue, New Smyrna Beach, Florida 32168.

Request: Approval of a rezoning to add the Historic Building Overlay District, (HBOD), in order to continue a non-conforming use of Venue, without the required onsite parking at 403 Magnolia Street.

Subject Area: The subject building was constructed in 1924. The subject property consists of approximately 0.26 ± acres, is zoned R-5, Multi-Family, and is generally located on the east side of Magnolia Street, south of the Lytle Avenue overpass, on property addressed as 403 Magnolia Street. This building is known as the Woman's Club. (see location and aerial map attached as **Exhibits A and B**).

Tax ID #: 7441-38-04-0610.

Exhibits Used in this Report:

Exhibit A: Location Map
Exhibit B: Aerial Map
Exhibit C: HBOD Regulations
Exhibit D: R-5 Zoning Regulations
Exhibit E: Past Photos

Exhibit F: Current Photos
Exhibit G: 1986 Florida Master Site File
Exhibit H: 1989 National Register of Historic Places Application
Exhibit I: Plan for Development
Exhibit J: City Comprehensive Plan Review
Exhibit K: HBOD Map
Exhibit L: Legal Description

Findings:

In 2000, the City amended the *Land Development Regulations,* (LDR) to establish a Historic Building Overlay District (HBOD) zoning classification. The HBOD is specifically intended to assist in the reuse of historic structures that may be threatened as a result of zoning or other development restrictions. The overlay is also intended to promote the preservation, restoration, and reuse of historic structures by exempting underlying zoning districts use and district regulations. See **Exhibit C** for a copy of the HBOD regulations. The underling zoning of R-5, Multi-Family Residential is attached as **Exhibit D**. The current R-5, Multi-Family zoning district does not include venue as a permitted , conditional, or special exception use. The HBOD allows a historic property to be reused for any purpose the City and owner agree upon. Past and historic photos of the subject building are attached as **Exhibit E** with current photos of the subject building attached as **Exhibit F.**

The 1983 Florida Master Site File number 8V0437 listed the architecture as of Mediterranean Revival/Spanish Mission Style. The New Smyrna Beach Woman's Club was organized in 1911. The following year the club was federated, and in 1917 became incorporated.

In the early years, the club held its meetings Saturday afternoons at Gabriel Gomez's store at 409 ½ Magnolia. To raise money for a clubhouse building, teas were organized for the Saturday afternoon meetings and the ladies of the neighboring Rio Vista resort hotel were invited. Under the club leadership of Mrs. Jim Marshall, the teas, often complete with violin and piano concerts by Mary Conner, the school music teacher, were successful. By 1918 the sum of $1,200.00 was attained, enough to buy portions of lots 61 and 62 at the intersection of Lytle Avenue and Magnolia Street. This property was purchased from W. P. Shryock, owner of the general merchandise store adjacent to this property on the east.

In February of 1922 the members of the New Smyrna Woman's Club were invited to the opening of the New Daytona Beach Woman's Club building (since destroyed). This led to increase interest in a permanent clubhouse for New Smyrna. On February 5, 1923, a building committee was formed at the regular meeting of the New Smyrna Beach Woman's Club to select plans for the new clubhouse. In early May of 1923, plans were accepted for the new building. The total was to be $10,000. Eight local businessmen in the community donated $100.00 each, bringing the total to $3,000. By December, the lot was cleared, and Mr. E. M. Webster of Fidelity Bank made an offer of a loan to the club for the remaining construction money.

The plans for the building were completed by Phillip H. Reed, a local carpenter and builder. Mr. Reed also worked on several other commercial buildings and private residences, including an addition to the home of Mrs. Mary (Conner) Vaughn at 209 Lytle Avenue. Mr. William H. Berger, husband of the secretary of the club, and Colonel Joseph Bird, both offered their services to supervise the construction of the building.

The New Smyrna Beach Woman's Club was built in the Mediterranean Revival/ Mission style. Other buildings in the area were constructed in the similar styles but the New Smyrna Beach Woman's Club is unusual in that the west and north exterior walls extend out from the roof line. An arcaded porch extends from the west side of the building. The building lacks the extensive decorations as often seen on other Mediterranean Revival buildings.

In early February 1924, the first event was a bazaar, which was held in the nearly completed Woman's Club building. A newspaper account of the event described the new building as being attractive with a green and white color scheme throughout. The unfinished interior walls were decorated with bamboo, palms, and moss. The furniture was on loan from Sumner Furniture Company. The bazaar was a success, with $940.00 received from receipts. The club also raised money to pay for the building by such events as May Day festivals. A suite of furniture was donated by the winner of a raffle art the Victoria Theater in New Smyrna to help furnish the building.

The New Smyrna Beach Woman's Club was active in several functions of the community. In the 1920's the club participated in a city beautification program in conjunction with the Exchange Club and the Chamber of Commerce. The purpose of this program was to make New Smyrna a more attractive town, especially to incoming northern visitors.

The members also donated the use of their clubhouse for the honor society and senior banquets. The clubhouse served as the community's primary facility for social and cultural events. Musicals, flower shows, art exhibits and lectures were held at this location. Such organizations as the Girls Reserve also used the clubhouse for meetings in the 1930's. Political gatherings were held in the building, such as receptions for gubernatorial aspirant Fred O. (Bud) Dickerson, Jr., former Comptroller of Florida. In more recent years, the New Smyrna Beach Woman's Club has remained an integral part of the community through its use not only for club meetings and receptions but for church services and recreational classes as well.

On January 23, 1934, a fire broke out in the Kitchen, the result of a kerosene stove accidentally left burning by the girl reserves. The building was saved but the roof, interior, and furnishings were damaged. The club hired Harry M. Griffin, a Daytona Beach architect to perform the renovations. He was one of the most important architects in Florida from 1925 to the late 1950's. Mr. Griffin was the architect for the following projects in the Daytona Beach area: Daytona Beach Post Office, Junior and Senior high schools, the Tides apartments, a YMCA building, college buildings, the News-Journal building, the Peninsula Woman's Club, Cornelia Young Library, New Smyrna Yacht Club, and the Florida State Hospital in Chattahoochee Florida. After the renovations, the clubhouse continued to serve as a social center for New Smyrna.

In its hay day the New Smyrna Beach Woman's Club had up to 300 members. The New Smyrna Beach Woman's Club is one of the earliest clubs of its type in the area. The City purchased the Woman's Club in 1990 and use the facility as a venue to be leased out for meetings, weddings, and non-profit funding events like the Lions Club, Cheeseburgers in Paradise.

Per information from the 1986 Florida Master Site File, **Exhibit G**, and the 1989 United State Department of the Interior, National Park Service, National Register of Historic Places application, **Exhibit H**, the building at 403 Magnolia Street was constructed in

1924 with an architecture style of Spanish Mission. The building in the past, has received many designations and awards. The building was placed on the United States Department of the Interior, National Park Service's National Register of Historic Places in 1989. The building is also a contributing structure within the New Smyrna Beach National Registered Historic District. This National Registered Historic District was established on April 26, 1990. The Building was awarded the Donnadine Miller Preservation award in 2010 and was designated as a Local Landmark by the City of New Smyrna Beach in 2018.

The City hired the architecture firm of Bentley Architects & Engineers Inc, to design the rehabilitation of the Woman's Club building at 403 Magnolia Street. A contractor was selected via a bid process and the renovation was started. During the renovation, the contractor discovered additional damage to the structure that would cause an additional estimated cost in the millions to restore the building. The City Commission decided to halt the construction and reevaluate the building to determine the future direction of this building.

The City Commission decided to end the contract with the contractor and place the property for sale with conditions. Proposals for the purchase were received by the City under RFP 06-24-CRA and Karter, Presley, Lynaugh, Trust was selected as the purchaser. The proposed purchaser has submitted a plan for development and site plan, attached as **Exhibit I**, with a proposed timeline for the renovation of the Woman's Club.

The Planning Department reviewed the City Comprehensive Plan for consistency with this application. Under Element XIII, Historical and Archaeological Preservation, and Element XV Economic Development and have found that this application meets the following goals, objectives, and policies. See **Exhibit J**.

Element XIII

- Objective 5, Policies b, c, d, and f.
- Objective 7, Policies c and e.

Element XV

- Objective 4, Policies a and b.

The application is required to be placed for multiple public hearing with the Historic New Smyrna Beach Preservation Commission, Planning and Zoning Board, and City Commission. The Planning and Zoning Board shall provide recommendations on the physical development of the site and the expected impact on adjacent properties and the neighborhood. The Historic New Smyrna Beach Preservation Commission shall provide its recommendation as to the historic and architectural significance of the building and site. The city commission shall approve the ordinance establishing the historic overlay

district and plan for the development of the property if both the district and plan are consistent with the city's comprehensive plan, compatible with the surrounding neighborhood, and are reasonably necessary to preserve the historic resource.

Properties that have been approved through the Historic Building Overlay District application process are as follows:

- South Riverside Drive Indian River Lodge (Medical Office and Assisted Living Facility) Sunset 2004
- 532 North Riverside Drive (Assisted Living Facility Use)
- 223 Crawford Road (Bed and Breakfast Use)
- 801 North Atlantic Avenue (5 Unit Short-Term Rental Building Use)

See **Exhibit K** for a location map for current HBOD properties.

Recommendations:

The Planning Department reviewed the City Comprehensive Plan for consistency with this application. The Planning Department has found that the application is consistent with Element XIII, Historical and Archaeological Preservation, and Element XV Economic Development. Staff would suggest a State of Florida marker be placed along Magnolia Street acknowledging the Woman's Club, similar to the marker for the Gabordy Canal on Riverside Drive and Turnbull Grand Canal on State Road 44.

The Planning Department is seeking a positive recommendation from the Planning and Zoning Board to the City Commission, that the application meets physical development of the site and the expected impact on adjacent properties and the neighborhood.

The Planning Department is also seeking a positive recommendation from the Historic New Smyrna Beach Preservation Commission to the City Commission, that the building and site does have historic and architectural significance.

Fiscal Analysis:

The estimated property tax that would be collected based on the 2023 tax role:

General Fund - $2,550.29
New Smyrna Beach I&S 2005 - $109.75
New Smyrna Beach I&S 2018 - $57.18

Strategic Plan Item:

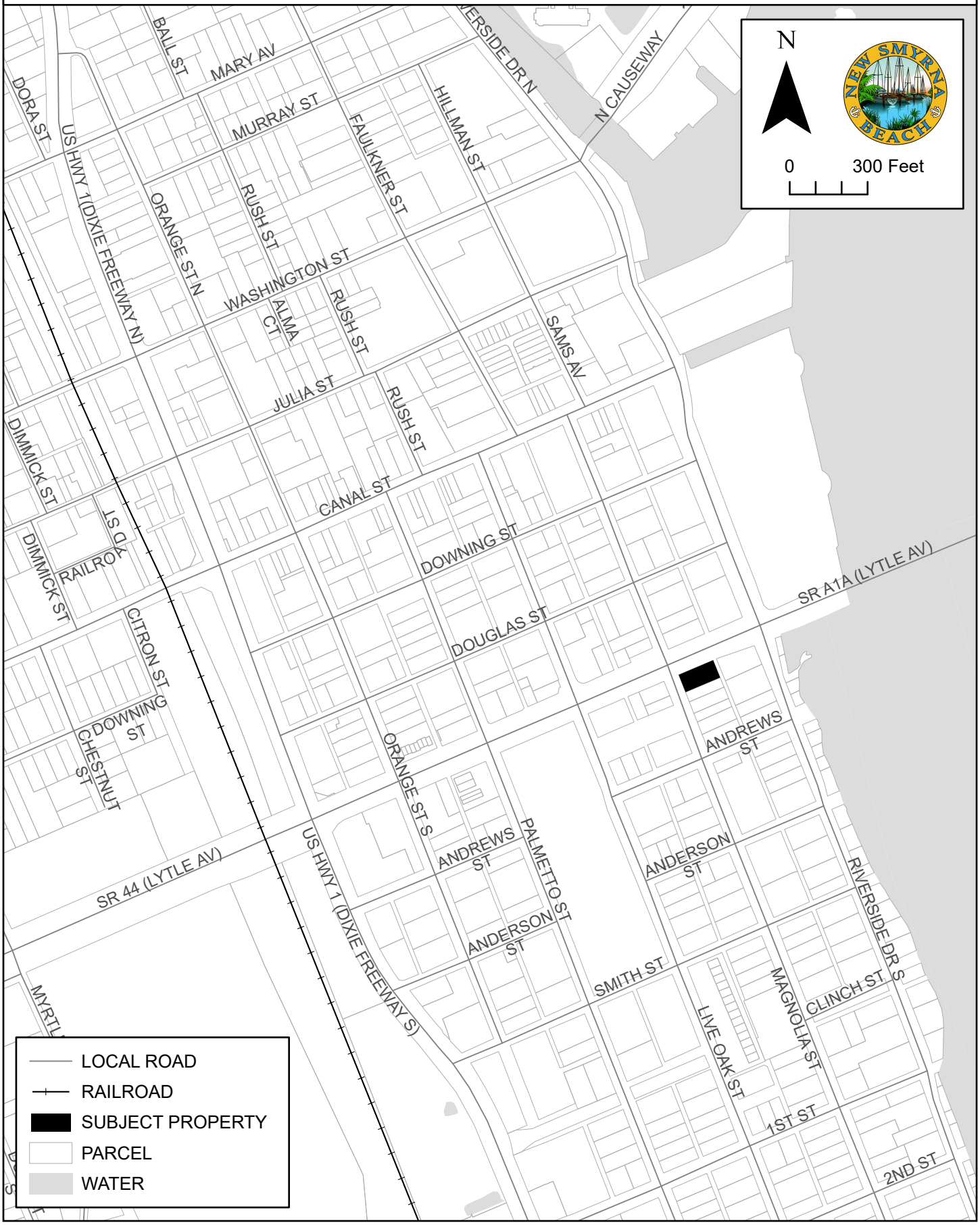
No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

Exhibit A Location Map.pdf
Exhibit B Aerial Map.pdf
Exhibit C HBOD Zoning Regulation.pdf
Exhibit D City R-5 Zoning.pdf
Exhibit E Woman's Club Past Photos.pdf
Exhibit F 2024 Woman's Club Photos.pdf
Exhibit G 1986 Florida Master Site File.pdf
Exhibit H National Registered Application 1989.pdf
Exhibit I Plan for Development.pdf
Exhibit J Comprehensive Plan Review.pdf
Exhibit K HBOD Location Map.pdf
Exhibit L Legal Description.pdf

HBOD-1-24: 403 MAGNOLIA STREET
PARCEL: 7441-38-04-0610 LOCATION MAP



HBOD-1-24: 403 MAGNOLIA STREET
PARCEL: 7441-38-04-0610 AERIAL MAP



EXHIBIT C

HBOD, HISTORIC BUILDING OVERLAY DISTRICT

Intent. The intent of the HBOD, Historic Building Overlay District is to provide re-use opportunities for significant historic structures located in zoning districts wherein the evolution of zoning use restrictions and other zoning regulations have over the years either rendered the historic structures completely unusable, or significantly limited any practical uses of the historic structures. This overlay district seeks to promote the preservation, restoration and reuse of historic and architecturally significant structures by exempting these historic structures from the underlying zoning district's use and district regulations, so long as, these structures are redeveloped under plans for redevelopment that ensure that these structures are compatible with their surrounding neighborhoods.

District regulations. Buildings listed on the National Register of Historic Places, buildings eligible for listing on the National Register of Historic Places, properties containing a structure identified as a contributing structure in the city's historic districts, and properties that have been designated as local landmarks in this overlay district are exempt from all of the underlying zoning district's land use and other district regulations, so long as, each deviation from the normally applicable land use and other district regulations is consistent with the city's comprehensive plan, compatible with the surrounding neighborhood, and reasonably necessary to preserve the historic resource. No property in this overlay district may deviate from the underlining [underlying] zoning district's regulations without first submitting a plan for the development of the property to the city and obtaining a determination from the city commission that each proposed deviation from the underlying zoning district's land use and other district regulations as shown on the plan for the development of the property is consistent with the city's comprehensive plan, compatible with the surrounding neighborhood, and is reasonably necessary to preserve the historic resource. The city commission shall approve the establishment of historic overlay districts and plans for the development of the properties by ordinance in the same manner it approves rezonings. A historic overlay district and plan for the development of the property once approved may only be amended by ordinance in the same manner as a rezoning. All development on properties within this district shall be in accordance with the approved plan for the development of the property or comply with the underlying zoning district's regulations.

Application. Persons seeking approval of a historic building overlay district zoning and a plan for the development of the property shall make application to the development services department. The application shall be on forms provided by the development services department and shall include all of the below information and any other information the applicant feels is relevant:

(1) Plan for development of the property.

(2) Legal description.

(3) Proposed use.

(4) Statement as to why the proposed use cannot be accommodated under the existing zoning.

(5) A site plan showing property boundaries, the location of all existing and proposed buildings, parking, buffers, and any other essential elements of the proposed site use.

(6) An elevation of the building showing the building height, how the structure is to be preserved and how any proposed additions will continue the historic character of the structure.

(7) A schedule showing the timing of proposed improvements.

The development services department shall review the application and determine if the application is complete. Once the development services department has determined the application is complete, it shall transmit the application to the planning and zoning board and the historic preservation commission for their reviews and recommendations to the city commission. The planning and zoning board shall provide recommendations on the physical development of the site and the expected impact on adjacent properties and the neighborhood. The historic preservation commission shall provide its recommendation as to the historic and architectural significance of the building and site. Upon the planning and zoning board and the historic preservation commission completing their reviews and recommendations, the application shall be transmitted to the city commission for its consideration.

Approval of the historic overlay district and plan for development. The city commission shall approve the ordinance establishing the historic overlay district and plan for the development of the property if both the district and plan are consistent with the city's comprehensive plan, compatible with the surrounding neighborhood, and are reasonably necessary to preserve the historic resource. The property's approved plan for the development of the property shall constitute the property's zoning district's regulations. The city commission shall not establish a historic overlay district without at the same time approving a plan for the development of the property. The city commission shall establish a time certain for completion of development on the property in accordance with the approved plan for the development of the property. The historic overlay district shall be automatically repealed and the approved plan for the development of the property shall automatically expire without requiring any further action by the city in the event that the property owner fails to complete the redevelopment of the property and secure a certificate of occupancy for the property prior to the date set by the city commission for completion of the development of the property.

R-5, MULTIFAMILY RESIDENTIAL DISTRICT

Intent. The R-5, Multifamily Residential District is a high density multiple-family residential district that permits mixed housing. It is suitable for large and small land parcels and is a buffer between single-family and business districts and for older residential areas. In addition, the district is designed to preserve ocean views and breezes, enhance roadside appearance and encourage well-planned projects.

Permitted uses.

Playfields

Playgrounds

Public parks

Recreation buildings and complexes for residents and guests of a residential development

Single-family dwellings detached and attached

Duplex and multifamily dwellings including townhouses, apartments, and condominiums

Permitted accessory uses.

Garages

Gazebos

Incidental uses

On-site rental or manager's office for community association members' properties. Community association means a residential homeowners association in which membership is a condition of ownership of a unit in a planned unit development, or of a lot for a home or mobile home, or of a townhouse, villa, condominium, cooperative, or other residential unit which is part of a residential development scheme and which is authorized to impose a fee which may become a lien on the parcel. The following limitations shall be placed on the aforesaid rental or manager's office:

(1)

Said rental or manager's office may not be used in any way to promote the rental of or conduct transactions for the rental of noncommunity association members' properties;

(2)

The aforesaid rental or manager's office may only be used to rent or manage community association members properties that are located on the same site that the rental or manager's office is located;

(3)

Said rental or manager's office staffing be limited to two persons either working full- or part-time to handle rental of association members' properties and one person working full- or part-time to act as clerical assistant;

(4)

Said rental or manager's office shall be allowed to erect a sign to comply with F.S. § 475.22.

On-site temporary sales and brokerage offices and display models for residential dwelling units that are newly constructed, that have never been occupied for residential purposes, and have never been sold.

On-site temporary sales and brokerage structures to be used as a sales office for dwelling units planned to be constructed or under construction. The following limitations and regulations shall be placed on the aforedescribed on-site sales and brokerage offices and temporary sales and brokerage structures:

(1)

Said sales and brokerage offices shall only be used to promote the sales of newly constructed dwelling units (to wit: units that have never previously been occupied for residential purposes or never sold by the developer) and part of an approved site plan located on the same site as the office;

(2)

Said sales and brokerage offices shall only be used to sell residential dwelling units located on the same site as the sales office;

(3)

Said sales and brokerage offices may only have one sign not to exceed ten square feet in area in addition to the allowable signs indicated in [sub]section 604.14 of this LDR;

(4)

Said sales and brokerage offices shall be allowed within a development upon issuance of a certificate of occupancy for the

offices by the development division director or his/her designee and said sales office must be removed from the site upon the issuance of a certificate of occupancy for the last building to be constructed within a development; and

(5)

The following additional limitations and regulations shall be placed on the aforedescribed on-site temporary sales and brokerage structures:

(a)

Said sales and brokerage structures shall have a minimum floor area of 300 square feet and shall not have been formerly a travel trailer, camper, recreational vehicle or tractor-trailer trailer;

(b)

The perimeter of the area between the ground and floor level of the sales and brokerage structures shall be enclosed with ornamental skirting;

(c)

Said sales and brokerage structures must be located on the site such that it meets the minimum setback requirements;

(d)

A minimum of three parking spaces must be provided for the sales and brokerage structures or the minimum number of parking spaces required for an office, whichever is greater. Said parking spaces and access aisle must meet the requirements of [sub]section 604.10 within this LDR except an alternate surfacing agent, such as shell or mulch, may be used;

(e)

A minimum ten-foot-wide and six-foot-high natural vegetative buffer shall be maintained along the front, side and rear of the sales and brokerage structure, parking area and any accessory structures. Should no buffer exist, a ten-foot-wide buffer, meeting the requirements of [sub]section 604.05 E.(1) must be planted along the front, sides and rear of the sales and brokerage structure, parking area and accessory structures. Buffer areas are not required to be irrigated with an underground automatic system but must be regularly irrigated to maintain the vegetation;

(f)

No sales and brokerage structure shall be allowed on a site until all permits as required by all federal, state, and county agencies have been secured; and the site plan for the proposed permanent use has been approved; and a class I site plan has been approved for the use of a temporary sales and brokerage structure; and

(g)

Said sales and brokerage structures shall not remain on a site longer than one year from the date a certificate of occupancy is issued for said sales office or until a certificate of occupancy is issued for the first building within the development, whichever comes first. Upon removal of the sales and brokerage structure, the developer may maintain an on-site temporary sales and brokerage office within the dwelling unit(s).

Permitted home occupations

Storage sheds

Swimming pools, private, provided a principal structure exists and the pool is located behind the front plane of the principal structure. Corner lots will be considered to have two front planes, one on each street. If a structure is not constructed squarely on a parcel, the swimming pool must be located at or behind the most restrictive front plane of the principal structure.

Uses customarily associated with the permitted principal uses

Special exceptions. Special exception uses shall be located at least 25 feet from all property lines and off-street parking areas abutting residential property shall be screened by a buffer meeting the requirements of this LDR.

Adult congregate living facilities

Child day care on church property, subject to the following additional conditions:

(1)

The church property shall be located on and be accessible by an arterial or collector roadway.

(2)

Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.

(3)

Play areas shall be located within all applicable setback dimensions.

(4)

The church property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.

Churches

Day care centers subject to compliance with the F.A.C. Child Care Standards and any amendments adopted thereto

Facilities owned and/or operated by federal, state, county or municipal government, except country clubs and golf courses

Garage apartments

Nursing homes

Public and private schools

Schools

Semipublic and public clubs including halls and lodges.

Dimensional requirements.

Single-family dwellings detached and duplexes.

Minimum lot size.

Single-family dwelling detached.

Area: 5,000 square feet

Depth: 100 feet

Width: 50 feet

Duplex.

Area: 7,500 square feet

Depth: 100 feet

Width: 75 feet

Minimum yard size.

Front yard: 20 feet or as required per [sub]section 504.01M. of this LDR

Rear yard: 7.5 feet

Side yard: 7.5 feet

Corner lots.

(1)

Parcels which front on two streets shall provide a 20-foot front yard on the street frontage with driveway access and a ten-foot front yard on the other street or as required per [sub]section 504.01M. of this LDR.

(2)

Parcels fronting on three streets shall provide a 20-foot front yard on the street frontage with driveway access and a ten-foot front yard on the remaining streets or as required per [sub]section 504.01M. of this LDR.

Minimum floor area.

600 square feet of livable area for single-family dwellings detached.

1,100 square feet of livable area for duplexes.

Maximum principal building height.

Three stories.

Maximum height: 35 feet.

Maximum building coverage. The total area covered with buildings on any lot shall not exceed 40 percent of the total lot area.

Screen enclosures. As an exception to the maximum building coverage provision any parcel may be allowed an additional ten percent building coverage for only a screen pool enclosure if the following conditions are met:

1.

A screen pool enclosure shall only cover the swimming pool and surrounding pool deck and shall have a roof and walls consisting entirely of screening; and

2.

There shall be no variances granted to exceed the maximum building coverage or additional coverage allowed for screen enclosures.

Maximum impervious lot coverage. The total area of the lot that may be covered with impervious material is 60 percent.

Multifamily dwelling.

Minimum project site dimensions.

Width: 100 feet

Depth: 100 feet

Maximum dwelling unit density for all dwelling units. Twelve dwelling units per acre beachside and 18 units per acre mainland. No less than 3,630 square feet of lot area for each beachside dwelling unit and 2,420 square feet for each mainland dwelling unit.

Minimum building separation. Where two or more multifamily dwellings, single-family dwellings attached or detached, duplexes, apartments, condominiums, [or] townhouses are built on one parcel there shall be a separation of at least 20 feet between the buildings plus 1.5 additional feet for each five feet of building height over 20 feet. When buildings vary in height, said distance to be based on the highest building. (For example: The distance between a 20-foot-tall and 25-foot-tall building shall be 21.5 feet.)

Streets. Public and private streets shall be constructed in accordance with city subdivision regulations.

Minimum yard requirements.

Front: 20 feet, plus 1.5 feet for every five feet over 30 feet in building height, or as required per [sub]-section 504.01M. of this LDR

Rear: 20 feet, plus 1.5 feet for every five feet over 30 feet in building height

Side:

(1)

For projects with six or fewer units, the minimum side setback shall be ten feet on each side, plus 1.5 feet for each five feet over 30 feet in building height;

(2)

For projects with more than six units but fewer than 12, the minimum side setback shall be 15 feet on each side, plus 1.5 feet for each five feet over 30 feet in building height; and

(3)

For projects with 12 or more units, the minimum side setback shall be 20 feet on each side, plus 1.5 feet for each five feet over 30 feet in building height.

Waterfront: 20 feet on river or canal measured from bulkhead or mean high water line

Any yard in 25 in project over ten acres: 25 feet plus 1.5 feet for each five feet over 30 feet in building height or as required per [sub]section 504.01M. of this LDR

Minimum requirements for townhouses and townhouse lots.

All lots shall be adjacent to a public right-of-way or common area.

Lots shall have a minimum width of 20 feet where a living unit is to be located.

Lot frontage along a right-of-way or common area shall be a minimum of ten feet.

Front setback shall be 20 feet or as required per [sub]section 504.01M. of this LDR.

Side setbacks shall be zero feet.

Rear setbacks shall be 20 feet except if there is a landscaped common area behind the townhome and there is a minimum distance of 20 feet from the project boundary line and the dwelling unit or accessory structures.

Minimum floor area for all dwelling units subject to multifamily development requirements.

Single-family dwellings detached. 600 square feet of livable area for one and two-bedroom single-family dwelling units; 1,200 square feet of livable area for a three-bedroom single-family dwelling unit; and 1,300 square feet of livable area for a four-bedroom single-family dwelling unit.

Duplexes (combined units). 1,100 square feet of livable area.

Townhouses, apartments, and condominiums.

450 square feet of livable area for a one-bedroom unit;

550 square feet of livable area for a two-bedroom unit; and

700 square feet of livable area for a three-bedroom unit.

Maximum building length and width. Building facades parallel to the street upon which the building fronts, or parallel to the oceanfront, shall not exceed 150 feet in length. No building constructed after the effective date of this LDR shall have a dimension which exceeds 200 feet.

Maximum principal building height.

Eight stories.

Maximum building height: 80 feet.

Nine stories, provided all of the first story of the building, or that portion of the first story of a building containing nine stories, is used for off-street parking, excluding elevator shafts; maintenance, and utility equipment rooms; laundry rooms; and storage rooms, restricted to owner or tenant usage.

Maximum building height with garage parking: 95 feet.

Maximum lot coverage by all buildings.

Height of Buildings (stories)	Maximum percentage of covered [area] (includes all solid roofed areas)
1	35
2	30
3	28
4	26
5	24

6	21
7	18
8	15
9	15

Maximum impervious lot coverage. The total area of the lot that may be covered with impervious material is 60 percent.

Through lots. Through lots shall provide a 20-foot front yard on each street or as required per [sub]section 504.01M. of this LDR.

Atypical lots. Visibility triangles shall be established at the rear corners of an atypical lot. The visibility triangles shall be those areas formed by a line connecting the points 30 feet from the intersection of the side and rear lot line, along the side lot line, and 30 feet from the intersection of the side and rear lot line along the rear lot line; no principal or accessory structure having a height over four feet, except for incidental uses, shall protrude into the area of a visibility triangle.

Building projections. There shall be no building projections into any required yard except for eaves with a maximum projection of 42 inches, but no closer than five feet to a property line; and those structures allowed in [sub]section 804.03.

Off-street parking. Multifamily projects which include different zoning districts, and where the multifamily portion of the development constitutes the principal use of the overall project, may utilize property in the nonmultifamily zoning district for accessory major recreational equipment parking, as long as such property is located within the project boundaries. The parking shall be developed in accordance with all applicable requirements of the land development regulations.

Covered off-street garage parking. Covered off-street garage parking may be provided either within or outside of the principal building(s). If the entire first story of the principal building(s) is used only for covered off-street garage parking, the principal building(s) may be nine stories but shall not exceed a maximum building height of 95 feet. If covered off-street garage parking is provided outside the outer walls of the principal

building(s), it may be considered open landscaped area if it has a landscaped periphery and the roof is used for recreation purposes. Covered off-street garage parking located outside the principal building(s) and considered open landscaped area is not included in the maximum percentage lot coverage calculation for solid roofed areas. Landscaping shall be provided as required in this LDR.

Visibility at intersections. Visibility at intersections shall be provided as required in this LDR.

Buffers for multifamily development. Landscaped or natural vegetative buffers shall be provided as indicated in [sub]section 604.05 and as follows:

(1) Along the front, rear, and side lot lines where off-street parking areas are located, the buffer shall be a minimum of seven feet wide; and

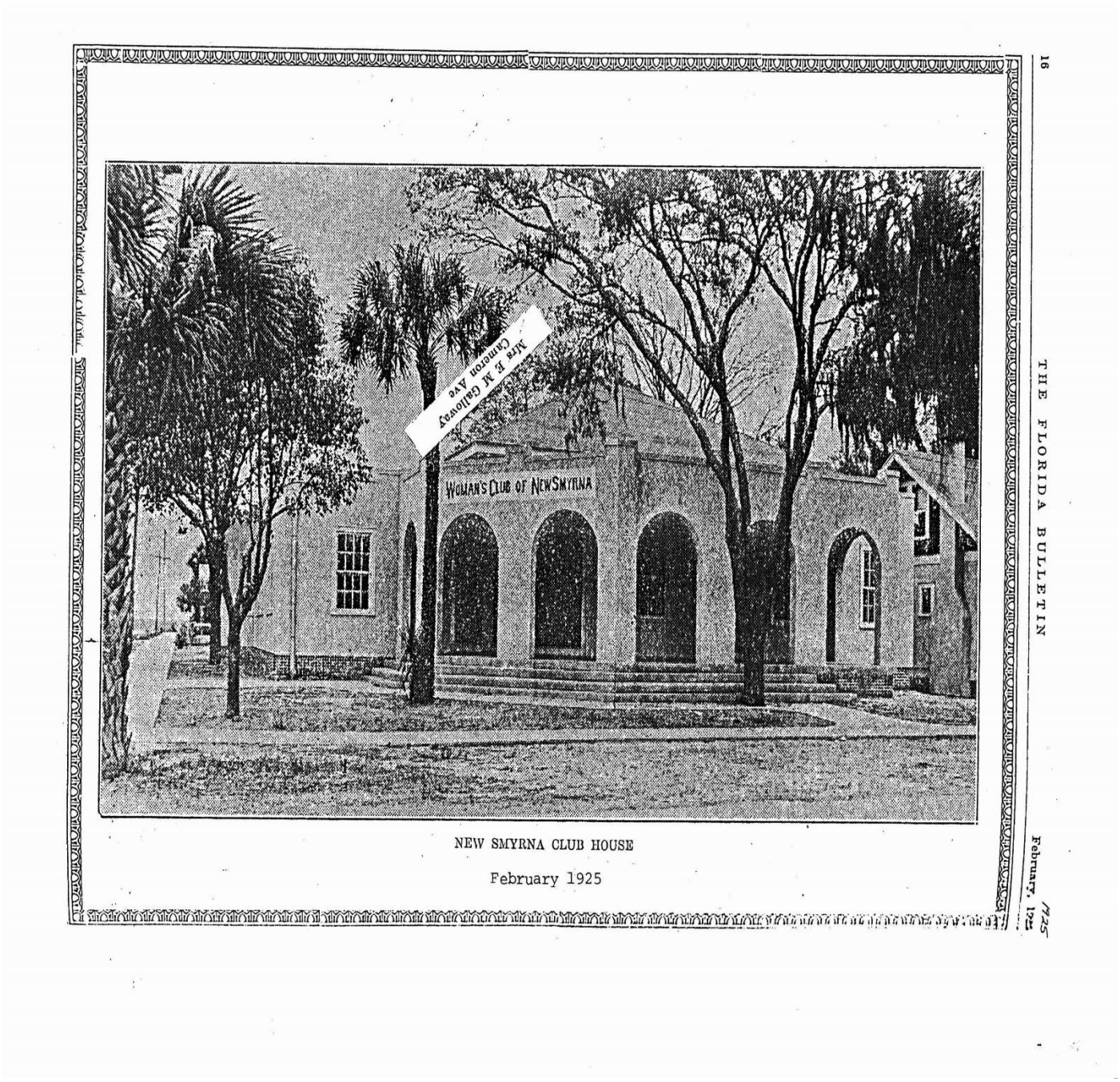
(2) Adjacent to or facing a single-family residential district or use, the buffer shall be a minimum of 20 feet wide from the property line.

Landscaping. A landscape plan is required as described in this LDR.

Deed covenants. The developer shall supply, in writing, all covenants and restrictions that will govern the maintenance of the common open space and other aspects of the project that are necessary for welfare of the project and consistent with the best interest of New Smyrna Beach. Such legal instruments shall be submitted with the site plan and approved by the city legal department prior to the issuance of a building permit by the chief building official.

Use of recreational amenities and/or commonly-owned facilities incidental to commercial and residential living accommodations. Use of all recreational amenities and/or commonly-owned facilities by the owner, the owner's guests, lessees, or invitees, shall be limited to that period of time concurrent with the owner's exclusive right of use, possession, and occupancy of the residential unit. It shall be unlawful for any person to represent by contract for purchase, promotional material, advertising, or any other public statement that amenities and/or commonly-owned facilities, may be used contrary to the requirements of the New Smyrna Beach Land Development Regulations. This subsection does not prohibit the establishment of permitted accessory uses at commonly owned facilities if such uses are in compliance with all the other requisites required by the New Smyrna Beach land development regulations.

Exhibit E Past Photos

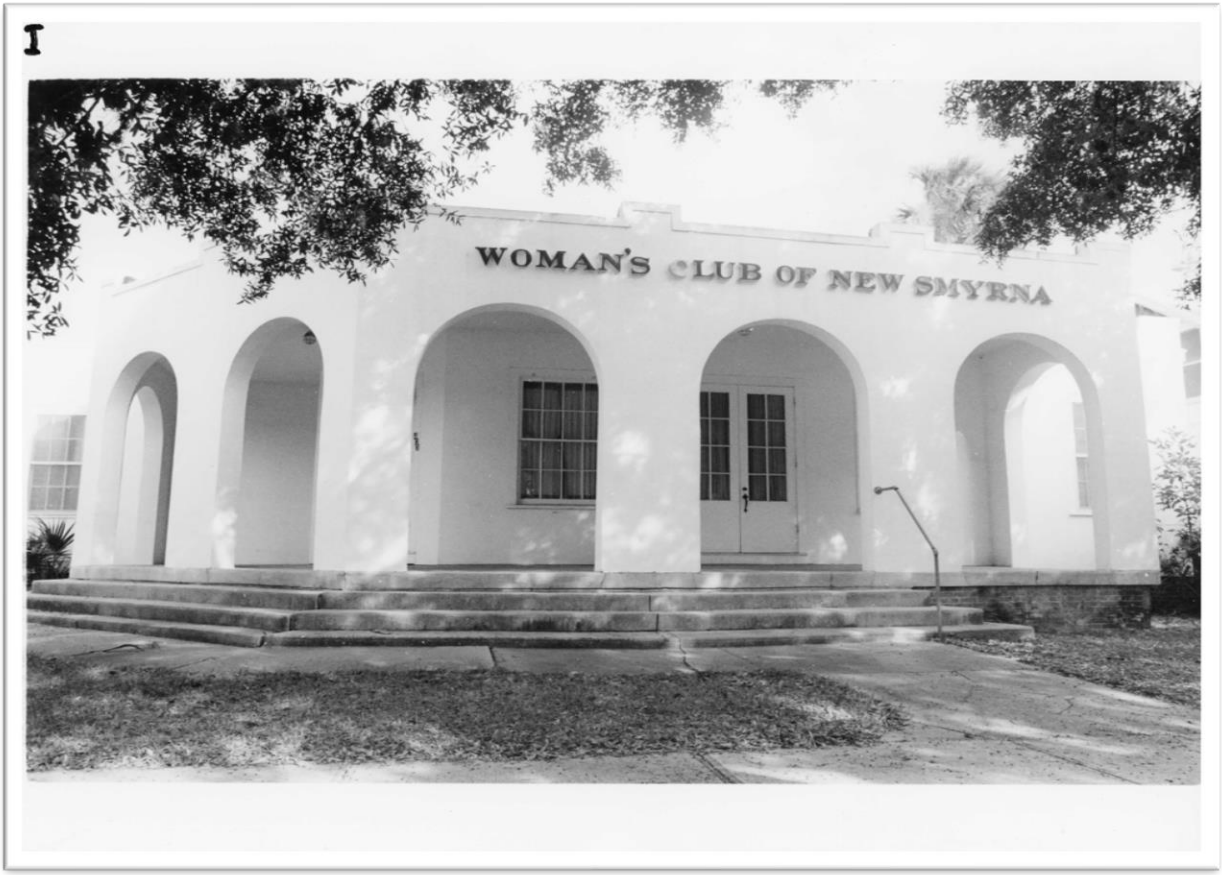


NEW SMYRNA CLUB HOUSE

February 1925



Woman’s Club First Annual Flower Show c. 1927



Woman’s Club 1980’s

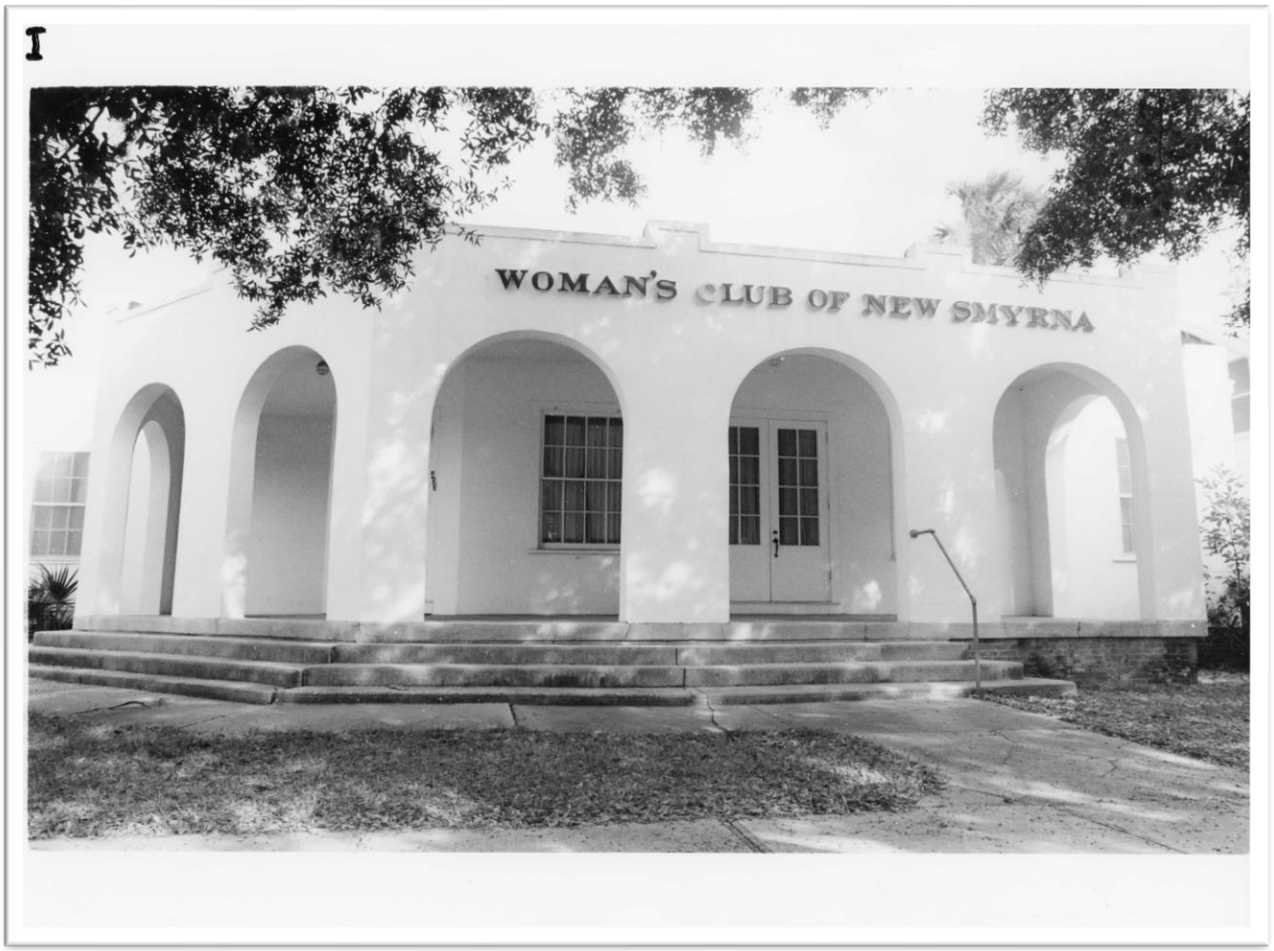


Corner of Lytle Avenue and Magnolia Street prior to overpass installed 1980's.



Auditorium Photos 1980's

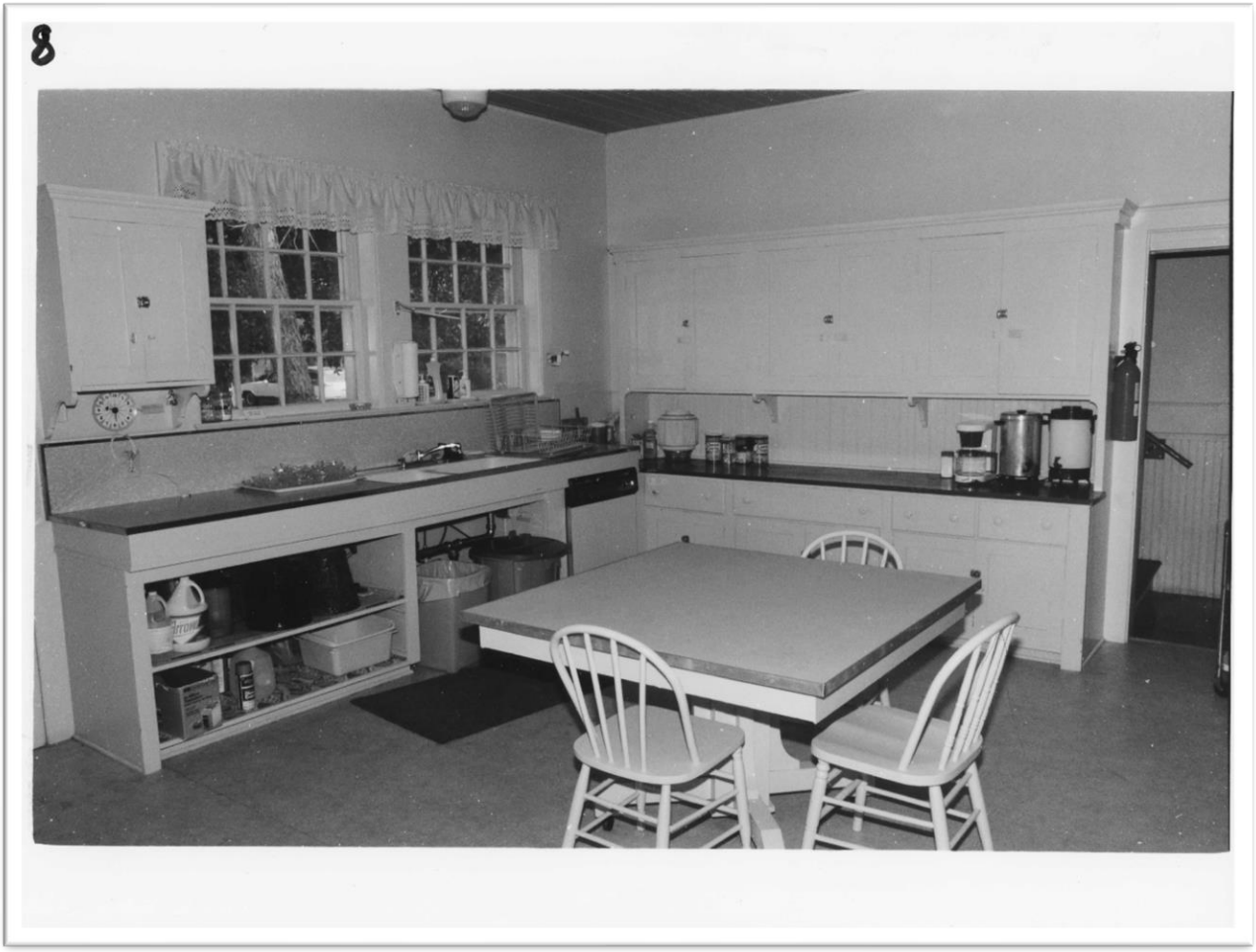




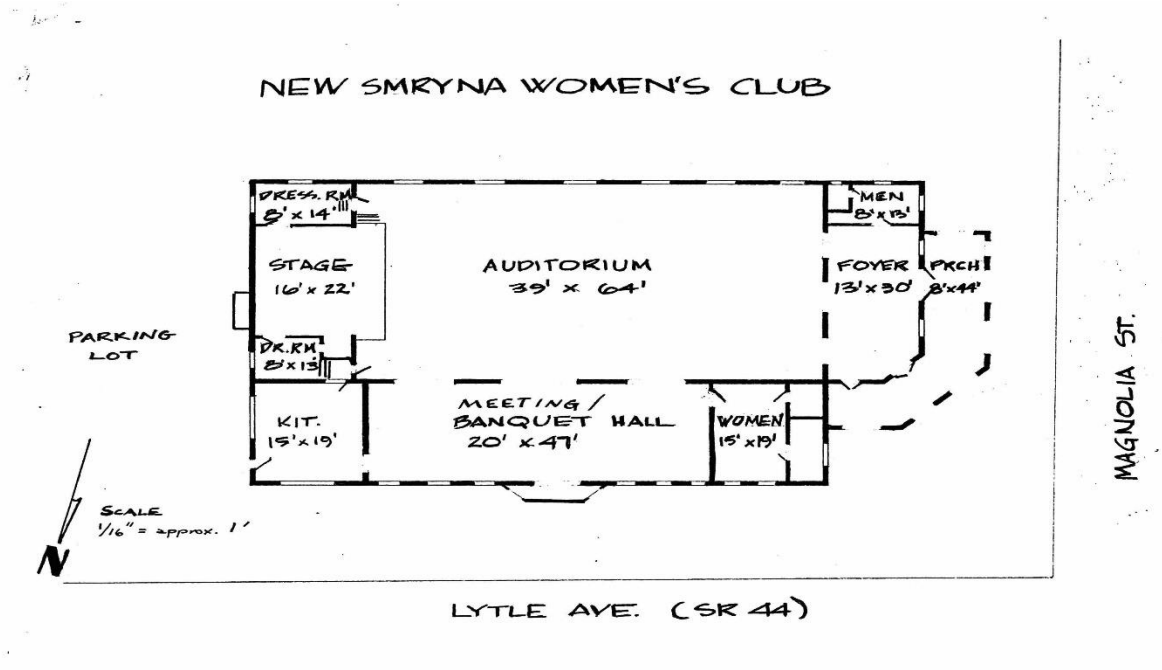
Woman’s Club Exterior 1980’s



Woman’s Club Banquet Hall Photo 1980’s



Woman's Club Kitchen Photo 1980's





Woman's Club c. 2010





Woman's Club 2010



EXHIBIT F



2024 Woman's Club Photo



2024 Woman's Club Photo



2024 Woman’s Club Photo

415

SANBORN MAP RESEARCH FORM

Address: 403 Magnolia

Legal Description: Subdivision _____ Block _____ Lot ____

Earliest series on which bldg. appears.: 1924

Address changes: _____

Street name changes: _____

Additional information (name of building, date of construction etc.: _____

FLORIDA MASTER SITE FILE
Site inventory Form

SITE NO.

SITE NAME: 403 Magnolia St. (Womans Club) SURVEY DATE: 08/31/86
ADDRESS: 403 Magnolia Street
INSTRUCTIONS TO LOCATE:

LOCATION: Andrews 4 61,62
Subdivision Name Block No. Lot No.
COUNTY: Volusia
DISTRICT NAME IF APPLICABLE:
OWNER OF SITE: NAME: Womans Club
ADDRESS: 403 Magnolia Street
ADDRESS: New Smyrna Beach, FL 32069
TYPE OF OWNERSHIP: Private RECORDING DATE: / /
RECORDER: NAME & TITLE: Historic Property Associates
ADDRESS: P.O. Box 1002
St. Augustine, FL

CONDITION OF SITE: Check One	INTEGRITY OF SITE: Check one or more	
		ORIGINAL USE
EXCELLENT	ALTERED	PRESENT USE
GOOD	UNALTERED	DATES c.+1924
FAIR	ORIGINAL SITE	CULTURE/PHASE American
DETERIORATED	RESTORED: / /	PERIOD: 20th Century
	MOVED: / /	

NR CLASSIFICATION CATEGORY: DATE LISTED ON NR: / /

THREATS TO SITE: Check one or more

ZONING	TRANSPORTATION
DEVELOPMENT	FILL
DETERIORATION	DREDGE
BORROWING	
OTHER (See Remarks Below)	

AREAS OF SIGNIFICANCE: Architecture

SIGNIFICANCE

See Continuation Sheet

RECORD NUMBER 415

ARCHITECT:

BUILDER:

STYLE AND/OR PERIOD:

PLAN TYPE:

EXTERIOR FABRIC(S):

STRUCTURAL SYSTEM(S):

PORCHES:

ORIENTATION:

FOUNDATION:

ROOF TYPE:

SECONDARY ROOF STRUCTURE(S):

CHIMNEY LOCATION:

WINDOW TYPE:

CHIMNEY:

ROOF SURFACING:

ORNAMENT EXTERIOR:

NO. OF CHIMNEYS

NO. OF STORIES

NO. OF DORMERS:

OUTBUILDINGS:

SURROUNDINGS:
SITE SIZE (approx. acreage)

TOWNSHIP	RANGE	SECTION
17S	34E	41

UTM ZONE	UTM EASTING	UTM NORTHING

PHOTOGRAPHIC RECORDS NUMBERS:

CONTINUATION SHEET

Statement of Significance:

This one-story frame residence is located at 403 Magnolia Street. Notable architectural features include Spanish Mission styling evidenced by the arcaded porch with a flat roof and encastleated parapet, stucco finish, and casement windows. Alterations include all Spanish style additions built to the original hip roof house.

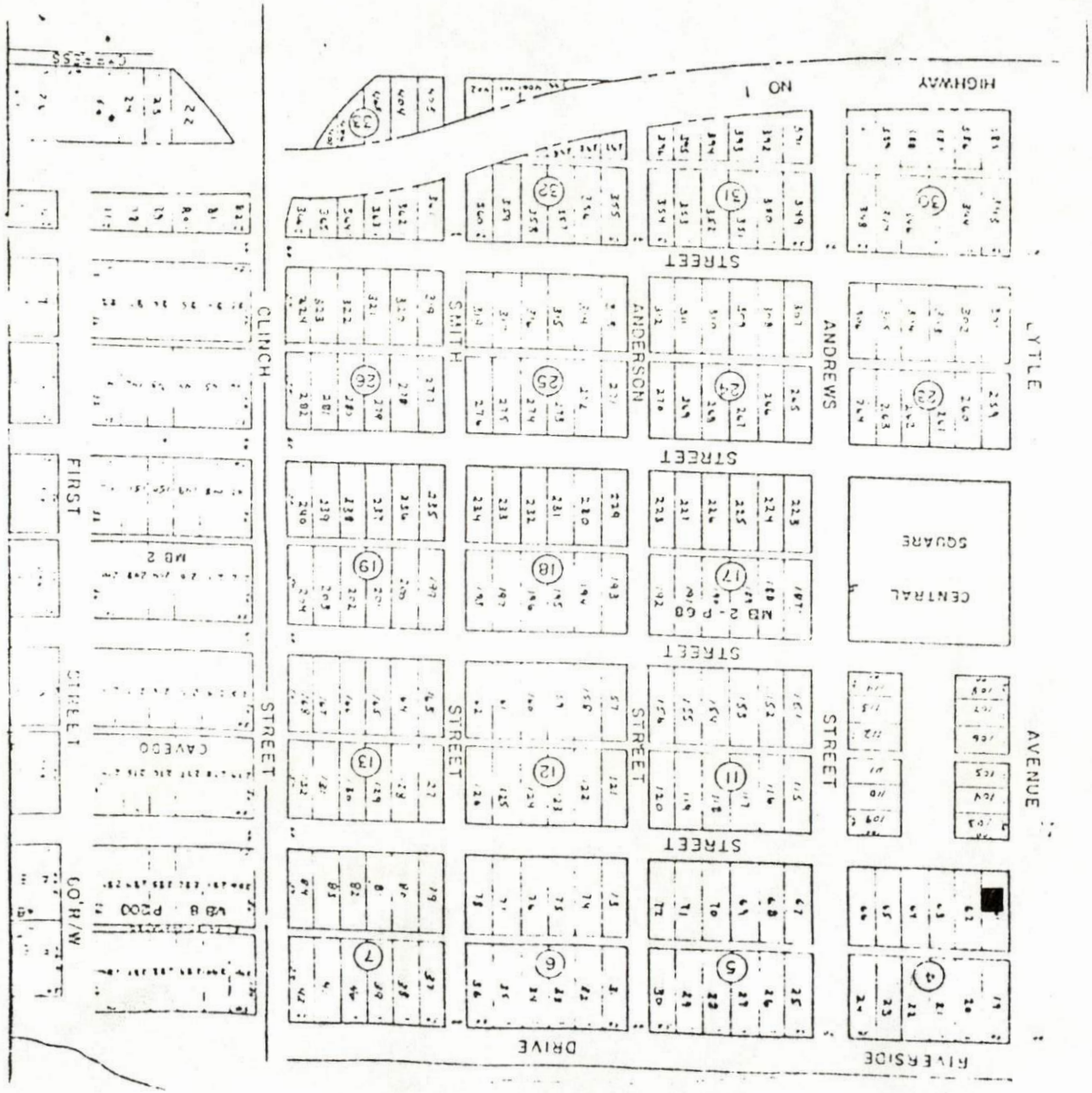
This building is located in the Andrews subdivision platted for Richard S. Andrews in 1895.(1) Sanborn Maps indicate that this building was constructed in c. 1924.(2)

The property is located within the corporate limits of New Smyrna Beach, the site of America's largest colonial enterprise, begun in 1768. Although the Turnbull colony was abandoned in 1777, some measure of settlement persisted, resulting from the presence of a coastal inlet in the vicinity. Resettlement began in earnest after the Civil War. The town was incorporated in 1887 and developed on the basis of a tourism, citrus, and commercial fishing economy. Rapid growth in the early twentieth century was spurred by the Florida East Coast Railroad. The City of New Smyrna Beach was expanded in 1947 to include the peninsula community of Coronado Beach.

Footnotes

1. Map Book 17, p. 79, Attorneys' Title Services Inc., New Smyrna Beach, Florida.
2. Sanborn Fire Insurance Maps 1906, 1912, 1916, 1924, 1930.

403 Magnolia Street




MAGNOLIA

NPS Form 10-900
(Rev. 8-86)

EXHIBIT H 410

OMB No. 1024-0018

United States Department of the Interior
National Park Service

National Register of Historic Places Registration Form

APR 11 1989
NATIONAL REGISTER

This form is for use in nominating or requesting determinations of eligibility for individual properties or districts. See instructions in *Guidelines for Completing National Register Forms* (National Register Bulletin 16). Complete each item by marking "x" in the appropriate box or by entering the requested information. If an item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, styles, materials, and areas of significance, enter only the categories and subcategories listed in the instructions. For additional space use continuation sheets (Form 10-900a). Type all entries.

1. Name of Property

historic name Woman's Club of New Smyrna
other names/site number 8Vo437

2. Location

street & number 403 Magnolia Street N/A ☐ not for publication
city, town New Smyrna Beach N/A ☐ vicinity
state Florida code FL county Volusia code 127 zip code 32069

3. Classification

Ownership of Property	Category of Property	Number of Resources within Property	
		Contributing	Noncontributing
☒ private	☒ building(s)	1	____ buildings
☐ public-local	☐ district	____	____ sites
☐ public-State	☐ site	____	____ structures
☐ public-Federal	☐ structure	____	____ objects
	☐ object	1	0 Total

Name of related multiple property listing: N/A

Number of contributing resources previously listed in the National Register 0

4. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act of 1966, as amended, I hereby certify that this ☒ nomination ☐ request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property ☒ meets ☐ does not meet the National Register criteria. ☐ See continuation sheet.

Signature of certifying official — Date 3/30/89

Florida State Historic Preservation Officer
State or Federal agency and bureau

In my opinion, the property ☐ meets ☐ does not meet the National Register criteria. ☐ See continuation sheet.

Signature of commenting or other official — Date

State or Federal agency and bureau

5. National Park Service Certification

I, hereby, certify that this property is:

☒ entered in the National Register. ☐ See continuation sheet.
☐ determined eligible for the National Register. ☐ See continuation sheet.
☐ determined not eligible for the National Register.
☐ removed from the National Register.
☐ other, (explain:) _____

Entered in the National Register — 5/11/89

Signature of the Keeper — Date of Action

6. Function or Use

Historic Functions (enter categories from instructions)

Social: Clubhouse

Current Functions (enter categories from instructions)

Social: Clubhouse

7. Description

Architectural Classification (enter categories from instructions)

Mediterranean Revival

Materials (enter categories from instructions)

foundation Brick
walls Stucco
roof Asphalt
other

Describe present and historic physical appearance.

(PLEASE SEE CONTINUATION SHEETS)

☒ See continuation sheet

Summary:

The Woman's Club of New Smyrna is a 1924/1934 one-story, stuccoed, concrete block building with Mediterranean Revival style influences. It is basically rectangular in plan. Although built in 1924, the interior was not completed until 1934. The main block of the building has a low hipped roof. A flat roofed area extends out from the main block on the west and north sides. There is one exterior chimney on the north side. The Mediterranean Revival influence is seen in the stylistic details of a small arched loggia on its main facade, and a parapet surrounding the flat roof.

The interior is divided into four main spaces: a foyer, an auditorium, a meeting room, and a kitchen. There are also men's and women's rest rooms, and a half basement under the entire clubhouse. The building has had few alterations since its interior was completed in 1934, and has its original 8/8 and 4/4 wood sash windows.

Setting:

The clubhouse is located in the center of New Smyrna Beach in Volusia County on the east coast of Florida. It is at the corner of Magnolia Street and Lytle Avenue, in a residential area at the center of the community. It is surrounded on three sides by large oak trees; the fourth side has a parking lot. Its setting has not changed significantly since the club was built (Photo 9).

Present Physical Appearance:

EXTERIOR

The Woman's Club of New Smyrna is a very simple, one-story, concrete block, stuccoed building, deriving its Mediterranean Revival style from a clipped, arched loggia on its facade, and a simple parapet with widely spaced merlons at the roof on the main facade and north elevation, the sides most visible from the street. The low hipped main roof is covered with diamond patterned asphalt shingles. The flat roof is covered with asphalt.

The main entrance on the west side has double doors with eight fixed lights in each door, and is sheltered by a loggia with seven arches; it is clipped on the north end (Photo 1).

The building is virtually devoid of any other architectural detailing, and windows and entrances are the main architectural features on the other elevations. Almost all of the windows are 8/8 wood sash (Photo 2). There are, however, 4/4 fixed light windows at the east end of the north elevation (kitchen) (Photo 3), and at the ground level of the east elevation (basement). An entrance at the north end of the east elevation, sheltered with a shed roof, accesses the kitchen. There is also a sunken entrance to a coquina rock half cellar in the center of this elevation (Photo 4).

There are also 4/4 fixed light windows on either side of the projecting chimney in the center of the north elevation. They are placed at an angle, forming a three sided cant bay with the chimney in the center (Photo 3).

INTERIOR

The interior has four major spaces: 1) a foyer at the west end, 2) an auditorium with a stage and two dressing rooms on either side of a stage at the east end, 3) a meeting hall that parallels the north elevation, and 4) a kitchen immediately east of the meeting hall in the northeast corner of the building. There are also men's and women's rest rooms. In keeping with the simple exterior, the interior of the building is almost austere, with little ornamentation. Its most distinctive interior features include the ceiling in the auditorium, a decorative proscenium, and a large coquina fireplace in the meeting hall.

Three segmental arches lead from the foyer to the auditorium which is dominated by the stage at the east end of the hall. Doors at either end of the east wall lead to dressing rooms on either side of the stage. Evenly spaced 8/8 wood sash windows are on the south wall. The most distinctive decorative features are exposed pecky cypress beams with carved wave motif brackets at their north and

south ends, two octagonal vents in the ceiling, and the proscenium with scalloped corners (Photos 5 & 6).

Three more segmental arches lead into the adjoining meeting hall on the north side of the building. The dominant feature of the room is a large coquina fireplace in the center of the north wall. It is set into a bay with 4/4 sash windows at an angle on either side (Photo 7). A door in the southwest corner of the room leads to the women's rest room area, and another door in the southeast corner leads to the kitchen in the northeast corner of the building (Photo 8).

Alterations:

When the clubhouse was opened for use in 1924, its interior was left unfinished. A fire in 1934 damaged the interior to such an extent that Harry M. Griffin was hired to design the interior finishes which remain unaltered. Only a few alterations, none of them structural, have been performed since that time: a heating system was installed in 1961, a plywood ceiling was installed in the kitchen in 1975, and ceiling fans were added to the auditorium in 1979. The roof was replaced in 1982. Aside from other maintenance, the 1924 exterior remains virtually untouched.

8. Statement of Significance

Certifying official has considered the significance of this property in relation to other properties:

☐ nationally ☐ statewide ☒ locally

Applicable National Register Criteria ☒ A ☐ B ☒ C ☐ D

Criteria Considerations (Exceptions) ☐ A ☐ B ☐ C ☐ D ☐ E ☐ F ☐ G

Areas of Significance (enter categories from instructions)	Period of Significance	Significant Dates
Social History	1924-1939	1924
Architecture		1934

Cultural Affiliation

N/A

Significant Person

N/A

Architect/Builder

Read, Philip H.

Griffin, Harry M.

State significance of property, and justify criteria, criteria considerations, and areas and periods of significance noted above.

(PLEASE SEE CONTINUATION SHEETS)

☒ See continuation sheet

9. Major Bibliographical References

[x] See continuation sheet

Previous documentation on file (NPS):

- [ ] preliminary determination of individual listing (36 CFR 67) has been requested
- [ ] previously listed in the National Register
- [x] previously determined eligible by the National Register
- [ ] designated a National Historic Landmark
- [ ] recorded by Historic American Buildings Survey # _____
- [ ] recorded by Historic American Engineering Record # _____

Primary location of additional data:

- [x] State historic preservation office
- [ ] Other State agency
- [ ] Federal agency
- [ ] Local government
- [ ] University
- [ ] Other

Specify repository: _____

10. Geographical Data

Acreage of property Less than 1 acre

UTM References

	Zone	Easting	Northing
A	17	507670	3210260
B			
C			
D			

[ ] See continuation sheet

Verbal Boundary Description

Lot 61, Block 4 of Andrews Addition to the City of New Smyrna and according to map or plat of record in Volusia County Public Records at Deland, Florida in Section 41, Township 17 South, Range 34 East (said plat also known as Andrew's Property, New Smyrna, as recorded in Map 2, Page 68 said County & State) also N ½ Lot 62.

[ ] See continuation sheet

Boundary Justification

The boundary includes the lots that have historically been associated with the property.

[ ] See continuation sheet

11. Form Prepared By

name/title Barbara E. Mattick, Historic Sites Specialist
organization Bureau of Historic Preservation date March 1989
street & number R.A. Gray Bldg., 500 S. Bronough Street telephone (904) 487-2333
city or town Tallahassee state Florida zip code 32399-0250

Summary:

The Woman's Club of New Smyrna is significant under Criterion A for its continued service to the local community as a social center since its construction in 1924. It is significant under Criterion C as a vernacular building which displays an unusual application of Mediterranean Revival architectural elements and employs rare building materials and features. It is also architecturally significant because of its association with Harry M. Griffin, one of the most important architects in Florida from 1925 to the late 1950s. The building was determined eligible for listing in the National Register of Historic Places under Criteria A and C on October 18, 1984.

Contexts for Criterion A:

NEW SMYRNA BEACH

The area of New Smyrna Beach was the site of one of the earliest European settlements in Florida. It was occupied by Spanish missionaries to the Timucuan Indians in the First Spanish Period (1565-1763), and was the site of the Andrew Turnbull colony from 1767 to 1776, during the British Period (1763-1783). Turnbull, a Scottish doctor, attempted to establish a colony, New Smyrna, using Minorcan, Greek, and Italian indentured workers. The colonists raised indigo, sugar, and fruit. Conflicts between Turnbull, the governor of East Florida, and the colonists led to the disintegration of the settlement.

There was little activity in the area again until 1803 when Spanish land grants spurred settlement again. Timber cutters came to the Mosquito Inlet to cut live oak for ship building. The Second Seminole War (1835-1842) prevented any great development, however, and the settlement remained a small hamlet from 1821 to 1865. During the Civil War, it was the site of Confederate salt works and home for some Confederate blockade runners.

Settlement increased after the war, and by 1869, New Smyrna was a travel base for the area, with ships docking three times a week. A school was built in 1872, and a union church was established in 1875. In the 1880s railroads further opened up the Florida peninsula to tourists. In

1886 the small village had a population of 150. Its industries were orange cultivation, honey production, and fishing. It was also known as a winter and summer resort. In 1887, the Blue Springs, Orange City and Atlantic Railroad was completed, linking the east coast with the St. Johns River and making New Smyrna even more accessible. The railroad reached New Smyrna itself in 1892, drawing more people to the village. Growth was further engendered with the building of the Conner Bridge which connected New Smyrna to the beach in 1893. A lighthouse was built on the Mosquito Inlet (now called Ponce de Leon Inlet), and New Smyrna was incorporated. The population supported two churches, two stores, two hotels, a meat market, and a school.

By 1911, the population was 750. There were six churches, five hotels, a bank, and a newspaper. The community began to grow; seven years later, there were 2,500 citizens, and by 1926 there were 8,000. The Florida East Coast Railroad bought the old rail line in the 1930s, established repair shops in New Smyrna, and was the major employer by the 1940s. The community's name was changed from New Smyrna to New Smyrna Beach in 1937. The area still depends on tourism, agriculture, and commercial fishing.

WOMAN'S CLUBS

Woman's clubs were formed in the United States in response to women's desires for intellectual stimulation and out of an awareness of and willingness to meet community needs. Until 1889, such groups were strictly local organizations. The Sorosis Club celebrated its twenty-first anniversary in 1889 by convening a meeting of women's groups from across the country. The result was the creation of the General Federation of Women's Clubs.

Florida's first such club for women was organized in Green Cove Springs in 1887. The goal of its members, mostly winter residents, was village improvement through the introduction of order and cleanliness, and the provision of a "social centre for intelligent intercourse of women with one another." The group was incorporated in April 1889 as "The Ladies' Improvement Association of Green Cove Springs, Florida." After solving the village's immediate health problems, the club took up other objectives, such as

literary pursuits, the creation of parks, and the digging of wells.

Meanwhile, other clubs had been established in Florida, and on February 21, 1895, the Florida Federation of Women's Clubs was created in Green Cove Springs. There were six charter members: the clubs in Palmetto, Green Cove Springs, Orange City, Crescent City, Fairfield, and Tarpon Springs. Clubs pursued various activities depending upon their community's needs, but many chose the establishment of libraries as a major project. In 1898, five woman's clubs in Florida had established libraries. Over the years the clubs have contributed greatly to the welfare of their communities in other ways as well, providing cultural activities, support of the war effort during the World Wars, and ministering to the needs of the poor and disadvantaged and children. The Florida Federation was admitted to the General Federation of Women's Clubs January 25, 1898, and was incorporated April 12, 1915. The Florida Federation remains an active organization with a membership of over 30,000 women, and publishes the quarterly magazine, Florida Clubwoman.

Historic Significance:

The Woman's Club of New Smyrna was organized in May 1911 at the home of Mrs. H.T. Hofreiter and met in various places for the next several years. In 1916, the group started a building fund. Through various projects, including teas and violin and piano concerts, $1,200 was raised, enabling the club to purchase a lot at the corner of Magnolia Avenue and Lytle Avenue in 1920. In 1923, a committee was formed to raise $10,000 for a building. Eight local businessmen each donated $100, and the Fidelity Bank made a "liberal loan offer" for the balance.

Plans for the building were completed by Philip H. Read, a local carpenter and builder. He also worked on several other commercial buildings and private residences, including an addition to the home of Mrs. Mary Vaughn at 209 Lytle Avenue (8Vo435). William H. Berger, husband of the secretary of the club, and Colonel Joseph Bird, both "having much experience in this line," offered their services gratis to supervise the construction of the building.

The club's first event in their building was a bazaar/flower show on February 22, 1924. The interior was unfinished, and remained so for the next ten years. A newspaper account of the bazaar described the new building as being attractive with a green and white color scheme throughout. The unfinished interior walls were decorated with bamboo, palms and moss. Furniture was borrowed from a local furniture company. More funds to pay for the building were raised through May Day festivals, and a suite of furniture was donated by a local citizen.

The New Smyrna woman's club members held the same social concerns as members of other woman's clubs throughout the state. Some of their earliest meetings were concerned with child welfare, and in 1923 they took steps to provide lunches to school children. Also in the 1920s, the club participated in a city beautification program in conjunction with the Exchange Club and the Chamber of Commerce. The purpose of this program was to make New Smyrna more attractive, especially to incoming northern visitors.

The building has been used as the meeting place for the woman's club since its construction, but has also served as the community's primary facility for social and cultural events. Musicals were conducted for the community there in 1924. In 1933, the club sponsored flower shows, art exhibits, and lectures. The members also donated the use of their clubhouse for high school honor society and senior banquets. The Girls Reserve also used the building for meetings in the 1930s.

On January 23, 1934, a fire broke out in the kitchen, the result of a kerosene stove accidentally left burning by the Girl Reserves. The interior of the building had never been completed, and it was thought that the fire ignited the exposed lath of the kitchen wall. The building was saved, but the roof, interior, and furnishings were damaged. Harry M. Griffin, the noted Daytona Beach architect, was hired to perform renovations, and his work enable the clubhouse to continue to serve as a social center for New Smyrna.

Contexts for Criterion C:

MEDITERRANEAN REVIVAL ARCHITECTURE

The Mediterranean Revival Style generally refers to a style derived from a combination of architectural elements borrowed from countries and cultures surrounding the Mediterranean Sea, particularly Spain and Italy. This practice became popular in the late 1910s as part of the increased national interest in historical styles and architecture. Interest in such styles was especially fostered by the Panama-California Exposition in San Diego in 1915. The style, so suitable for Florida's Mediterranean-like climate and Spanish history, became extremely popular in Florida and is closely associated with the Florida Land Boom of the 1920s.

General design characteristics include features taken from the Mission, Spanish Colonial Revival and Italian Renaissance styles: Moorish columns; low pitched, clay tile, gable and hip or flat parapeted roofs; stucco exteriors with terra cotta decorative features; and multi-level plans. Loggias and arcades are common features with cartouches, tile, and terra cotta insets. Highly decorated door and window surrounds are common.

HARRY M. GRIFFIN:

Harry Milton Griffin (1890-1979) was one of the foremost architects in Florida from the 1920s to the late 1950s. He was born in Connersville, Indiana, where he completed his early schooling. After high school, he studied at the Herron Art Institute in Indianapolis, and spent two-and-a-half years at the University of Illinois. He began his architectural practice in Connersville in 1912. By 1917, his firm was well established through the success of his designs for residential, commercial, and manufacturing buildings, and schools. After serving in World War I from 1917-1918, he resumed his practice in Connersville until 1925, specializing in school buildings.

In 1925 Griffin vacationed in Daytona Beach, Florida, and decided to stay. There he developed a large general practice. His commissions in Daytona Beach included: post

offices and junior and senior high schools, the Tides Apartment, Johnston's Restaurant, a YMCA building, college buildings, the News-Journal Building, the Peninsula Woman's Club, and the S. Cornelia Young Library. He also designed the New Smyrna Yacht Club, and buildings for the Florida State Hospital in Chattahoochee, and for the federal government.

Griffin was active in professional organizations. He served as president of the Indiana Society of Architects in 1924; was a member of the State Board of Architects of Florida from 1934 to 1939, and president in 1940; was president of the Daytona Beach chapter of the American Institute of Architects in 1947, and afterward vice president. He also served on the Daytona Beach Park Board. Griffin retired in the late 1950s and died in 1979.

Architectural Significance:

The Woman's Club of New Smyrna is architecturally significant because of some unusual architectural features, and as a work associated with Harry M. Griffin. The building was initially designed in 1924 by a local contractor, Philip H. Read. Although extremely simple, the building displays some distinctive architectural features. In the meeting room there is a large fireplace made of coquina rock, commonly used in the 1920s, but now a rare and protected natural substance. A basement, also of coquina rock, extends under the entire building. Basements, especially those that extend under an entire building, are rare in Florida due to the high water table near the coasts and limestone formations. In addition, the building's design is unusual in that a flat roof extends out on the north and west sides from the hipped roof of the main block, creating the illusion that there is a courtyard behind the exterior north wall.

Griffin's interior designs for the building, executed in 1934 after a fire, were actually the first interior finishes applied to the clubhouse which had been built in 1924. Blueprints for his work show that the building's interior finishes were completed with virtually no change to the main structure itself. Philip H. Read's signature on the blueprints indicates that he was on the renovation

committee, so the interior finishes designed by Griffin are probably faithful to the original architect's intent.

Griffin's work included the installation of new cabinets, counters, doors and woodwork in the kitchen where the fire began. The auditorium was refinished with a new plaster wall and windows on the south side, a new insulation board ceiling, and two octagonal ceiling vents. He replaced the square entrances to the auditorium with open plastered arches, and redesigned the proscenium. Probably the most distinctive feature he added to the auditorium was pecky cypress beams with crested brackets. He also remodeled the women's rest room area.

BOOKS

Croly, Jane C. The History of the Woman's Club Movement in America. New York: Henry G. Allen & Co., 1898.

Dovell, Junius. Florida, Historic, Dramatic, Contemporary. Vol. IV. New York: Lewis Historical Publishing Company, Inc., 1952.

Gold, Pleasant Daniel. History of Volusia County, Florida. DeLand, Fla.: E.O. Painter Printing Co., 1927.

Hebel, Ianthe Bond, ed. Centennial History of Volusia County, Florida 1854-1954. Daytona Beach, Fla.: College Publishing Co., 1955.

R.L. Polk & Co.'s Florida Gazetteer and Business Directory, 1911-1912. Jacksonville,, Fla.: R.L. Polk & Co., 1911.

R.L. Polk & Co.'s Florida State Gazetteer and Business Directory, 1918. Jacksonville, Fla.: R.L. Polk & Co., 1918.

Richards, John R., Comp. South Publishing Company's Florida State Gazetteer and Business Directory, Vol. 1, 1886-7. New York: South Publishing Co., 1886.

PERIODICALS

The Florida Bulletin (Published by the Florida Federation of Woman's Clubs), February 1925.

New Smyrna Beach News, "'Florida's Smartest Little City' Has Rich Historic Background," November 21, 1947.

New Smyrna Daily News, [1923-1934].

News & Observer (New Smyrna Beach), "Fate of Woman's Club building still uncertain," April 15, 1984.

UNPUBLISHED

Griffin, Harry M. Blueprints for "Alterations and Additions for the New Smyrna Women's Club, New Smyrna, Florida," [1934].

1 1) Woman's Club of New Smyrna, 403 Magnolia Street
2) New Smyrna Beach, Volusia County, Florida
3) Gary Luther, Historic New Smyrna Beach Preservation Commission
4) February 1988
5) Woman's Club of New Smyrna
6) Main entrance, west elevation, camera facing east
7) Photo 1 of 9

Items 1-5 are the same for photographs 2-8.

2 6) South elevation, camera facing northwest
7) Photo 2 of 9

3 6) North elevation, camera facing southwest
7) Photo 3 of 9

4 6) East elevation, camera facing west
7) Photo 4 of 9

5 6) Auditorium, showing stage, camera facing east
7) Photo 5 of 9

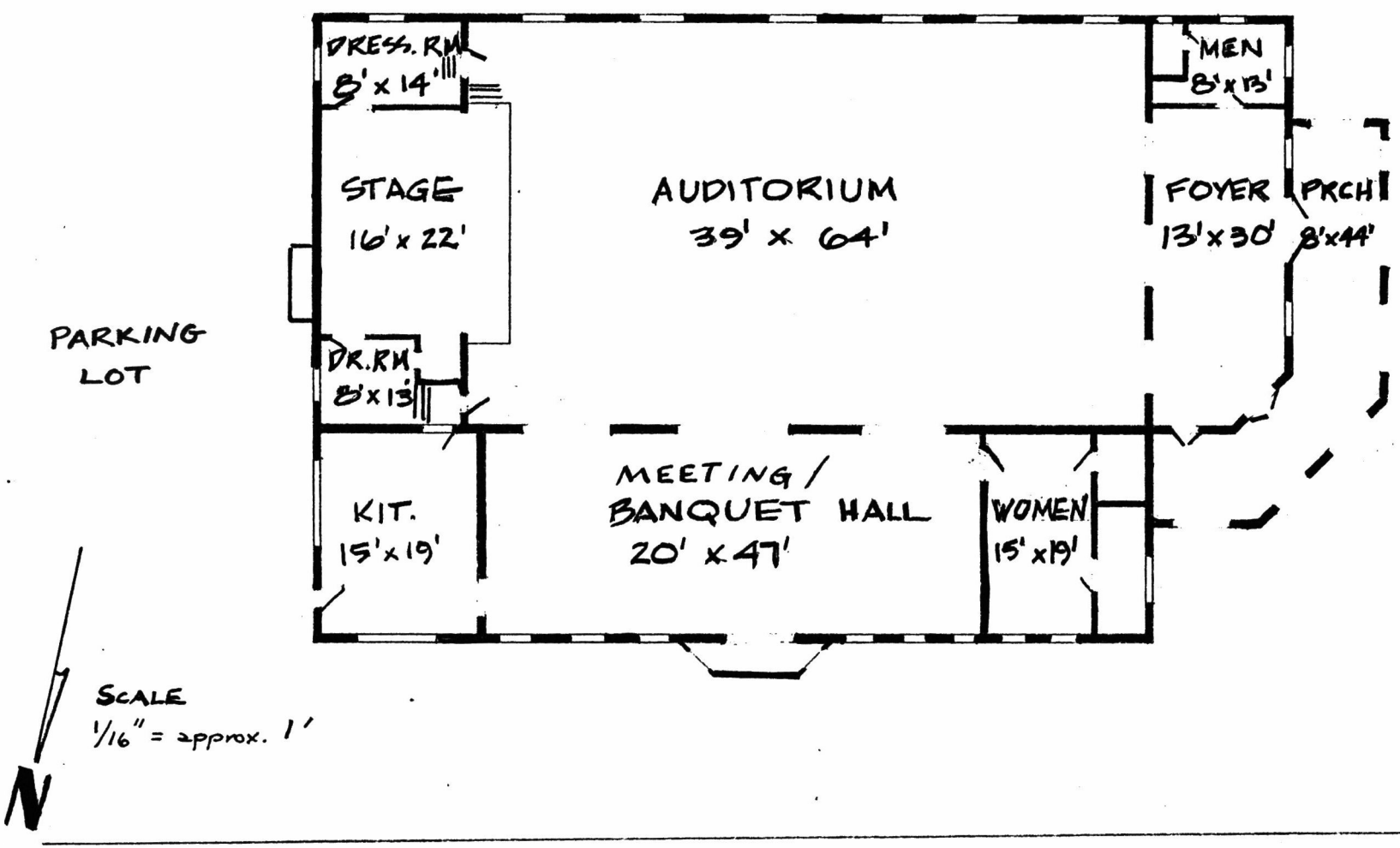
6 6) Auditorium, camera facing west
7) Photo 6 of 9

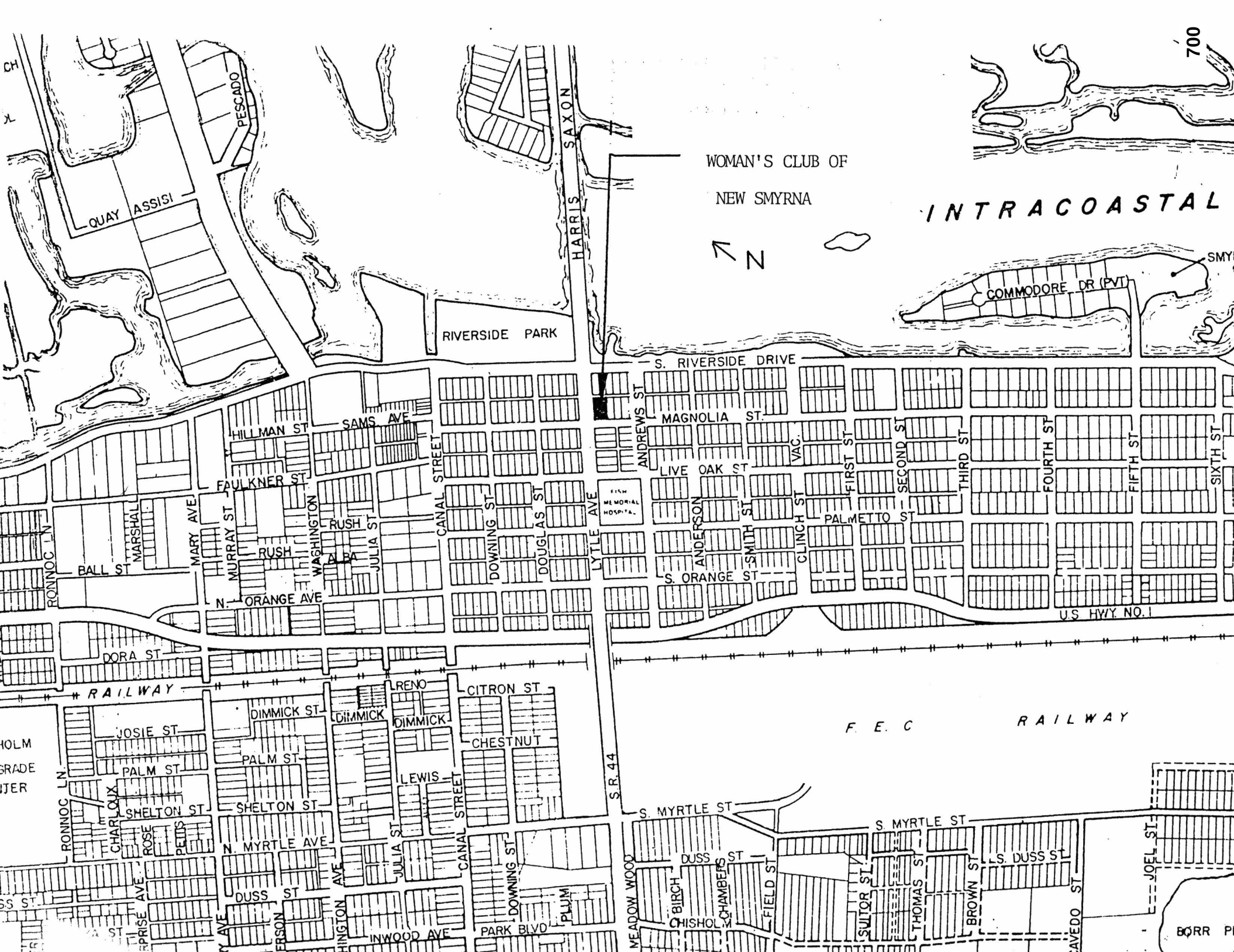
7 6) Meeting hall, camera facing west
7) Photo 7 of 9

8 6) Kitchen, camera facing southeast
7) Photo 8 of 9

9 1) Woman's Club of New Smyrna, 403 Magnolia Street
2) New Smyrna Beach, Volusia County, Florida
3) Mary Anne Peters
4) 1983
5) Florida Department of Transportation
6) North and west elevations, camera facing southeast
7) Photo 9 of 9

NEW SMRYNA WOMEN'S CLUB




700
WOMAN'S CLUB OF
NEW SMYRNA
INTRACOASTAL
N
QUAY ASSISI
PESCADO
SAXON
HARRIS
RIVERSIDE PARK
COMMODORE DR (PVT)
S. RIVERSIDE DRIVE
HILLMAN ST
SAMS AVE
ANDREWS ST
MAGNOLIA ST.
VAC.
FIRST ST
SECOND ST
THIRD ST
FOURTH ST
FIFTH ST
SIXTH ST
LIVE OAK ST
FAULKNER ST
MARSHALL
MARY AVE
MURRAY ST
WASHINGTON
RUSH
JULIA ST
CANAL STREET
DOWNING ST
DOUGLAS ST
LYTLE AVE
MEMORIAL HOSPITAL
ANDERSON
SMITH ST
CLINCH ST
PALMETTO ST
S. ORANGE ST
RONNOC LN
BALL ST
N. ORANGE AVE
U.S HWY NO. 1
DORA ST
RAILWAY
F. E. C
RAILWAY
RENO
CITRON ST
DIMMICK ST
DIMMICK
DIMMICK
CHESTNUT
JOSIE ST
PALM ST
PALM ST
LEWIS
CHARLOUX
SHELTON ST
SHELTON ST
ROSE
PETTIS
N. MYRTLE AVE
S.R.44
S. MYRTLE ST
S MYRTLE ST
DUSS ST
S. DUSS ST
INWOOD AVE
PARK BLVD
PLUM
MEADOW WOOD
BIRCH
CHISHOLM
CHAMBERS
FIELD ST
SUTTON ST
THOMAS ST
BROWN ST
CAVEDO ST
JOEL ST
BORR PL

NEW SMYRNA CLUB HOUSE

February 1925

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES
EVALUATION/RETURN SHEET

REQUESTED ACTION: NOMINATION

PROPERTY NAME: Woman's Club of New Smyrna

MULTIPLE NAME:

STATE & COUNTY: FLORIDA, Volusia

DATE RECEIVED: 4/11/89 DATE OF PENDING LIST: 4/25/89
DATE OF 16TH DAY: 5/11/89 DATE OF 45TH DAY: 5/26/89
DATE OF WEEKLY LIST:

REFERENCE NUMBER: 89000410

NOMINATOR: STATE

REASONS FOR REVIEW:

APPEAL:	N	DATA PROBLEM:	N	LANDSCAPE:	N	LESS THAN 50 YEARS:	N
OTHER:	N	PDIL:	N	PERIOD:	N	PROGRAM UNAPPROVED:	N
REQUEST:	N	SAMPLE:	N	SLR DRAFT:	N	NATIONAL:	N

COMMENT WAIVER: N

✓ ACCEPT ___RETURN ___REJECT 5/11/89 DATE

ABSTRACT/SUMMARY COMMENTS:

RECOM./CRITERIA_____
REVIEWER_____
DISCIPLINE_____
DATE_____

DOCUMENTATION see attached comments Y/N see attached SLR Y/N

CLASSIFICATION

___count ___resource type

STATE/FEDERAL AGENCY CERTIFICATION

FUNCTION

___historic ___current

DESCRIPTION

___architectural classification
___materials
___descriptive text

SIGNIFICANCE

Period Areas of Significance--Check and justify below

Specific dates Builder/Architect
Statement of Significance (in one paragraph)

___summary paragraph
___completeness
___clarity
___applicable criteria
___justification of areas checked
___relating significance to the resource
___context
___relationship of integrity to significance
___justification of exception
___other

BIBLIOGRAPHY

GEOGRAPHICAL DATA

___acreage ___verbal boundary description
___UTMs ___boundary justification

ACCOMPANYING DOCUMENTATION/PRESENTATION

___sketch maps ___USGS maps ___photographs ___presentation

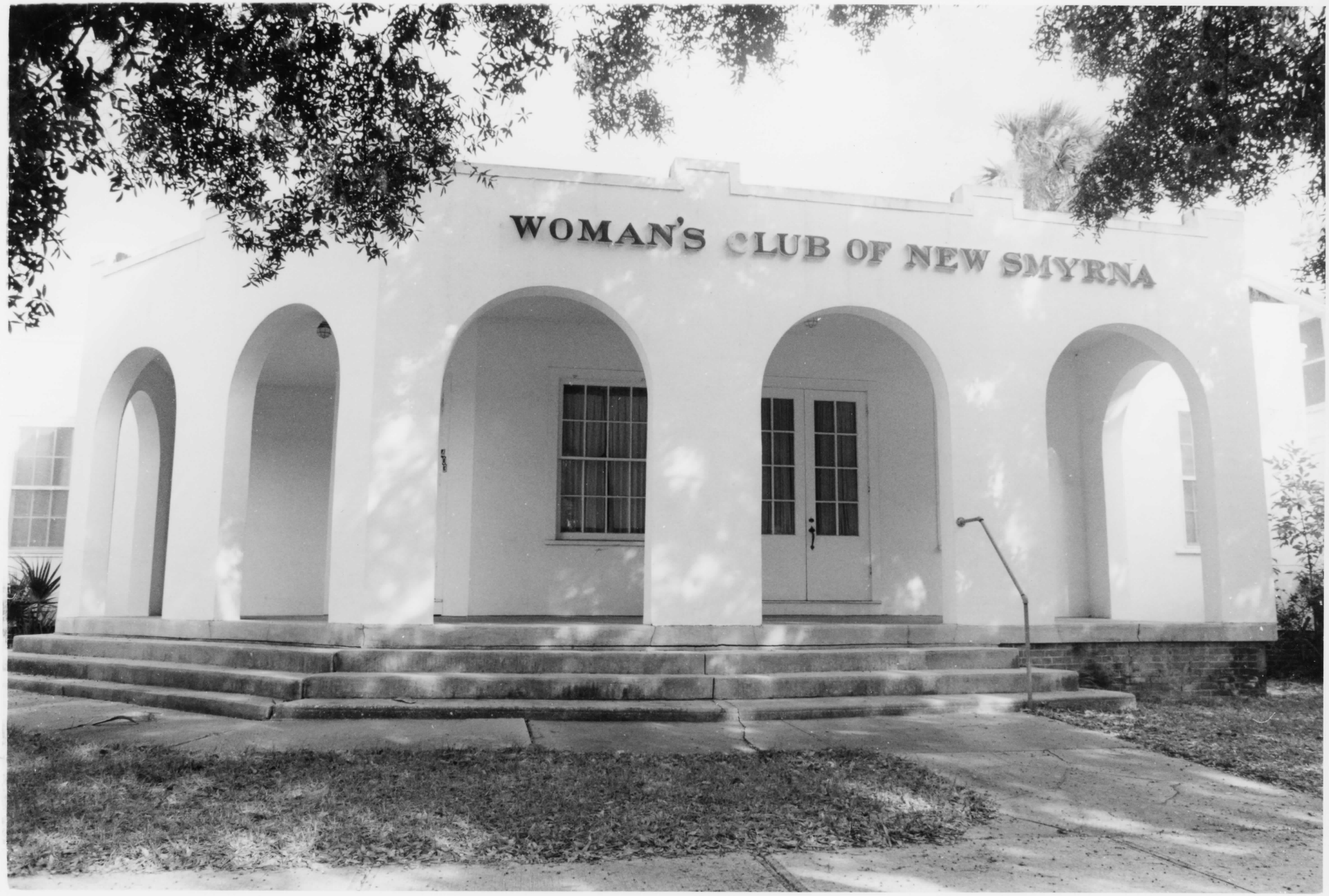
OTHER COMMENTS

Questions concerning this nomination may be directed to

_____ Phone _____

Signed _____ Date _____

I



704

1 Woman's Club of New Smyrna

New Smyrna Beach, Volusia Co., FL

2



706

2 Woman's Club of New Smyrna

New Smyrna Beach, Volusia Co., FL

3



708

3 Woman's Club of New Smyrna

New Smyrna Beach, Volusia Co., FL

4



710

4 Woman's Club of New Smyrna
New Smyrna Beach, Volusia Co., FL

5



712

5

Woman's Club of New Smyrna

New Smyrna Beach, Volusia Co., FL

6



714

6 Woman's Club of New Smyrna

New Smyrna Beach, Volusia Co., FL

7

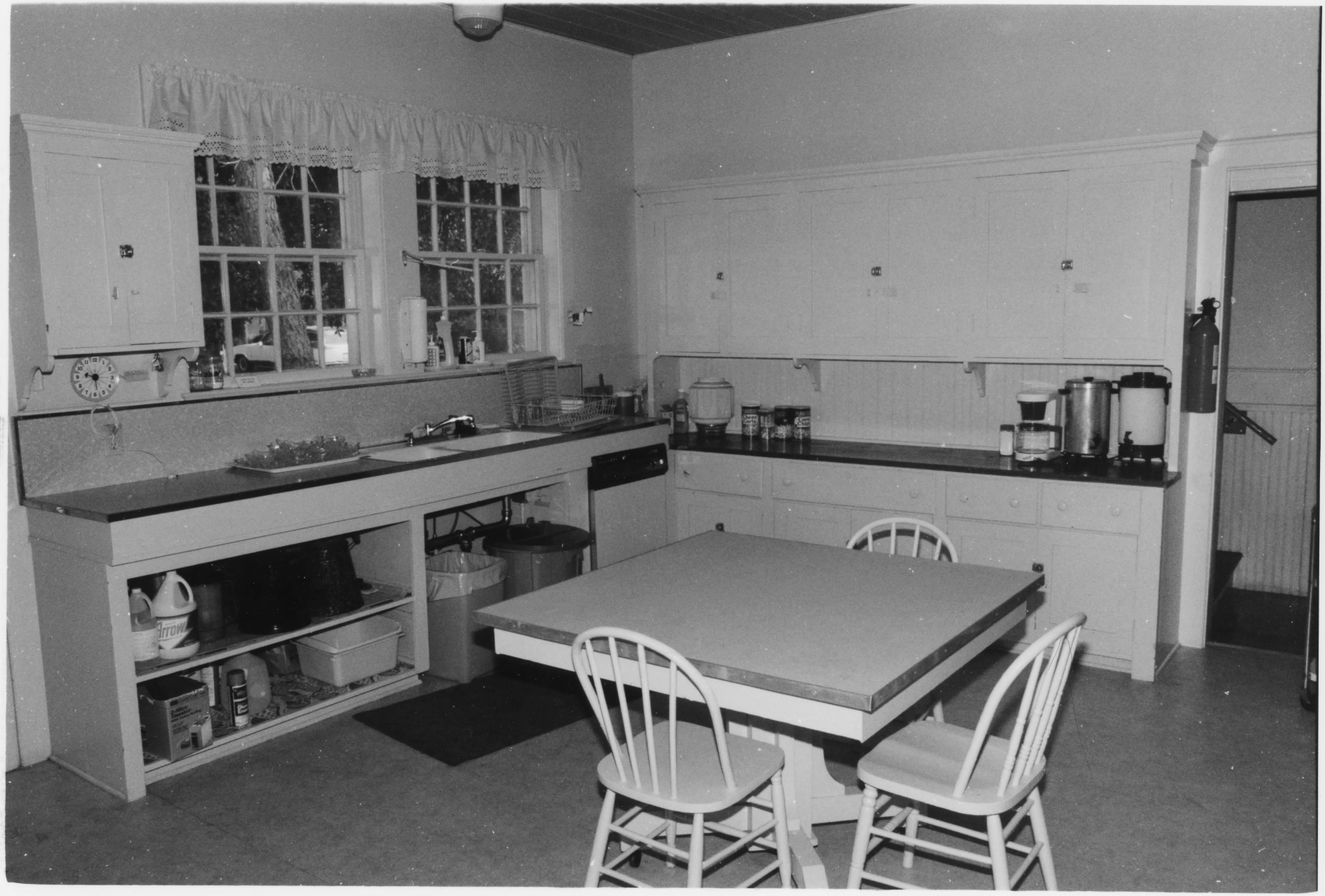


716

7 Woman's Club of New Smyrna

New Smyrna Beach, Volusia Co., FL

8



718

8 Woman's Club of New Smyrna

New Smyrna Beach, Volusia Co., FL



720

9 Woman's Club of New Smyrna
New Smyrna Beach, Volusia Co., FL

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

NEW SMYRNA BEACH QUADRANGLE
FLORIDA—VOLUSIA CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)
SW/4 PORT ORANGE 15' QUADRANGLE

4742 II NE (DAYTONA BEACH)
4842 III NW (PORT ORANGE)
4742 II SE (SAMSULA)
4841 IV NW (EDGEWATER)
4841 IV NE (LAKE ASHBY)
4841 I NE (ARIEL)

81°00′ 29°07′30″ 57′30″ 80°52′30″ 29°00′
501 000m E. 503 505 507 508 55′ 509 510 511
530 000 FEET
1 740 000 FEET
3221 000m N. 3220 3219 3218 3217 3216 3215 3214 3212 3211 3210 3209 000m N.
1 700 000 FEET
T. 16 S. T. 17 S.
R. 33 E. R. 34 E.
5′ 2′30″

DAYTONA BEACH 6 MI.
DE LAND 20 MI. 3.6 MI. TO FLA. 415
10 MI. TO FLA. 400
DE LAND 20 MI. SAMSULA 4 MI.
3.8 MI. TO FLA. 442
ARIEL 7.4 MI. TITUSVILLE 30 MI.
TURTLE MOUND 5.5 MI.

Allandale
Port Orange
Wilbur-By-The-Sea
Wilbur Bay
Fozzard Cr
Sutton 2
Harper Parks
Trailer Park
Piles
Rose Bay
Rose (C)
Daggett Island
Mill Creek
Tennile Creek
Dead End Ck
Oak Cr
Ponce Inlet
Live Oak Point
Lost Cr
RIVER
Blind Spruce Cr
Piddler Island
Spruce Creek
Project Depth 12 Feet
Strickland Bay
Odyssey 2 (C)
U S COAST GUARD RESERVATION
Lighthouse (C)
Ponce de Leon Inlet
Lookout Tower
Gimlet (C)
U S COAST GUARD RES
Bass Flats
Rockhouse Cr
Bradduck Creek
Ponce de Leon Cut
Turnbull Bay
Murray Creek
Spruce Creek
Ruins
Isleboro
NEW SMYRNA BEACH
NEW SMYRNA BEACH MUNICIPAL AIRPORT
Control Tower
Golf Course
Municipal Golf Course
Glencoe
Mission City
Chisolm High Sch
Trailer Park
Water Tank (C)
Water Tank (F)
City Hall
P.O.
Hospital
Yacht Basin
Oil
Borrow Pits
Radio Tower (WSBB)
Coronado Beach Bridge
Subm Cables
Water Tank (C)
Cem
Hunter Creek
Smyrna Creek
Cook Creek
Inlet Cr
Chicken Island Cut
Sheephead Cr
Callalasa Cr
Big Cove
Big Snapper Cut
Little Snapper Cut
Browns Bay
Edgewater
ATLANTIC OCEAN
INTRACOASTAL WATERWAY
HALIFAX
EAST COAST
FLORIDA
CANAL
REDLAND CANAL
TELEPHONE LINE
3 TRACKS
Sand
SMYRNA BEACH
NORTH NEW SMYRNA BEACH
INDIAN RIVER
BOUNDARY CITY
BOUNDARY AREA
CABLE
STATE RES.

WOMAN'S CLUB OF NEW SMYRNA
New Smyrna Beach, Volusia Co., FL

Zone	Easting	Northing
17	507670	3210260

Mapped by U. S. Coast and Geodetic Survey
Edited and published by the Geological Survey

Control by USC&GS (C), USCE (E), and Florida Geodetic Survey (F)

Culture and drainage compiled from aerial photographs taken 1952 and 1956
Topography by planetable surveys 1952. Field check 1956
Hydrography from USC&GS charts 843 (1957), 1244 (1958), 1245 (1958), and supplementary information

Polyconic projection
10,000-foot grid based on Florida coordinate system, east zone
1000-meter Universal Transverse Mercator grid ticks, zone 17, shown in blue. 1927 North American Datum
To place on the predicted North American Datum 1983 move the projection lines 26 meters south and 19 meters west as shown by dashed corner ticks

There may be private inholdings within the boundaries of the National or State reservations shown on this map

MN GN 2½° 44 MILS 0°02′ 1 MIL
UTM GRID AND 1980 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

Red tint indicates area in which only landmark buildings are shown

Dashed land lines indicate approximate locations

Revisions shown in purple compiled by the Geological Survey from aerial photographs taken 1977 and other source data
This information not field checked. Map edited 1980

SCALE 1:24 000
1 0 1 MILE
1000 0 1000 2000 3000 4000 5000 6000 7000 FEET
1 .5 0 1 KILOMETER

CONTOUR INTERVAL 5 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929
DEPTH CURVES AND SOUNDINGS IN FEET—DATUM IS MEAN LOW WATER
THE RELATIONSHIP BETWEEN THE TWO DATUMS IS VARIABLE
SHORELINE SHOWN REPRESENTS THE APPROXIMATE LINE OF MEAN HIGH WATER
THE MEAN RANGE OF TIDE IS APPROXIMATELY 3 FEET

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

FLORIDA
QUADRANGLE LOCATION
Purple tint indicates extension of urban areas

Florida Engineering Services Corporation
515 North Adams Street
Tallahassee, Florida 32301
904-222-1441
MAP AGENT

ROAD CLASSIFICATION
Heavy-duty — Light-duty
Medium-duty — Unimproved dirt
Interstate Route — U. S. Route — State Route

NEW SMYRNA BEACH, FLA.
SW/4 PORT ORANGE 15′ QUADRANGLE
N2900—W8052.5/7.5

1956
PHOTOREVISED 1980
DMA 4842 III SW—SERIES V847

USC&GS T-9913

INTERIOR—GEOLOGICAL SURVEY, RESTON, VIRGINIA—1981

Florida House of Representatives

T. K. Wetherell
Representative, 29th District

Reply to:
☐ 315 Orange Avenue
Daytona Beach, FL 32014
(904) 257-1980 Daytona Beach
736-2700 x 4315 West Volusia
423-3300 x 4315 South Volusia
Suncom 380-3760
☐ 218 The Capitol
Tallahassee, FL 32399-1300
(904) 488-9873

October 19, 1987

Committees

Appropriations
Education Subcommittee, Chairman
Rules & Calendar
Regulated Industries & Licensing
Transportation
Governmental Operations
Ethics & Elections

Joint Legislative Auditing
Volusia County Legislative Delegation, Chairman

Dr. W. Carl Shiver
Historic Sites Specialist
Division of Historical Resources
R. A. Gray Building
Tallahassee, Florida 32399-0250

Dear Dr. Shiver:

It is my understanding that an effort is being made to place the New Smyrna Beach Woman's Club on the Historical Registry. The purpose of this letter is to support that effort.

The building is a Mediterranean structure built in 1924 and has served as a community focal point for years. The building is in need of repairs and placement on the Registry might serve as a catalyst for the county to support matching grants or other donations.

Accordingly, I urge you to consider making every effort possible to help the community save the structure.

Sincerely,

T. K. WETHERELL
State Representative
District 29

TKW/ekd

cc: Mrs. Edward T. Kenny

Florida House of Representatives

Samuel P. Bell, III
Representative, 28th District

Reply to:
☑ Post Office Box 191
150 Magnolia Avenue
Daytona Beach, FL 32015
(904) 258-6789
☐ 219 The Capitol
Tallahassee, FL 32399-1300
(904) 488-0580

October 19, 1987

Committees

Appropriations, Chairman
Commerce
Finance & Taxation
Health Care
Insurance
Rules & Calendar

Mr. Frederick P. Gaske
Historic Preservation Planner
Division of Historical Resources
R. A. Gray Building
Tallahassee, Florida 32399-0250

RE: Historic Woman's Club in
New Smyrna Beach, Florida

Dear Mr. Gaske:

Please accept this letter as strong support for the application to have the Women's Club approved for registration in the National Registry of Historic Places. The Women's Club has served the southeast Volusia community for over 64 years and has played an important role in the community's development over many years.

Thank you for your careful consideration.

Sincerely,

Samuel P. Bell III

SPB:mem
cc: Dr. W. Carl Shiver, PhD
Mrs. Edward T. Kenny

City of New Smyrna Beach

Office of:
CITY CLERK

TELEPHONE:
(AREA CODE) 904/427-4166

October 22, 1987

Mr. Frederick P. Gaske
Grants-in-Aid
Historic Preservation Planner
Division of Historical Resources
R. A. Gray Building
Tallahassee, FL 32399-0250

Dear Mr. Gaske:

I am writing in reference to a grant application for the "New Smyrna Beach Woman's Club" building located on the corner of Lytle and Magnolia Streets in New Smyrna Beach, Florida.

This beautiful old building has been a landmark of history in New Smyrna Beach and the Volusia County area. It was built to serve as a cultural and social center for many civic and social events from the early 1900's until the present time.

The main function was always to provide a meeting place for the Woman's Club of this area. In fact my mother was a member there from the early 1930's until her death in 1979. She and thousands of other ladies in our area dearly loved this fine old building.

The New Smyrna Beach Woman's Club unfortunately is not quite as affluent as of right now as it was in past history and does need help to make repairs and restoration to this historic landmark.

I certainly would endorse and encourage the Division of Historical Resources to help fund the restoration of this building through your grants program. There is no other structure that I can think of that would be anymore worthy of your consideration.

If I or the City of New Smyrna Beach can provide any further information on this project, please feel free to contact us at any time.

Sincerely,

George E Musson

George E. Musson
Mayor

GEM/sc

cc: Mrs. Edward Kenny, Chairman
Preservation Committee
Woman's Club of New Smyrna



SOUTHEAST VOLUSIA HISTORICAL SOCIETY, INC.
P.O. BOX 968
NEW SMYRNA BEACH, FLORIDA 32070

October 22, 1987

DISCOVERING OUR HERITAGE

BOARD OF DIRECTORS

George Wolsfelt
President
Telephone: (904) 427-2251

Dorothy Moore
Vice President

Madalon Reichold
Secretary

Leila Wilsey
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Harold Cardwell
Curator

Priscilla Cardwell
Director

Ray Goodrich
Director

Lilly Goodrich
Director

Euda Conely
Director

Julianne Griffin Kirk
Director

Norman Orel
Director

L.J. Sweett
Director

Mrs. A.T. Perttola, Pres.,
Woman's Club of New Smyrna
325 North Causeway B-304
New Smyrna Beach, Fla. 32069

TO WHOM IT MAY CONCERN:

We, the SOUTHEAST VOLUSIA HISTORICAL SOCIETY, believe the Woman's Club of New Smyrna Beach has worked and served its Community well.

With this in mind - We agree their building should be placed on the HISTORICAL REGISTERY and a Grant in their behalf be considered, to up-date their property so-as to continue their Service to the Community and their Club.

Thank you in advance,

George Wolsfelt

George Wolsfelt, President

GW:mrr

City of New Smyrna Beach

October 28, 1987

TELEPHONE:
(AREA CODE) 904/427-4166

Mr. Frederick P. Gaske
Historic Preservation Planner
Division of Historical Resources
R.A. Gray Building
Tallahassee, Fl. 32399-0250

Dear Mr. Gaske:

The Historic New Smyrna Beach Preservation Commission unanimously supports the nomination of the Women's Club of New Smyrna Beach to the National Registry of Historic Places.

Celebrating its 75th anniversary, the Women's Club has been continuously active in community affairs, donating time and funds to numerous worthy causes. Political gatherings, weddings, USO dance hall during World War II, independent churches, Boy and Girl Scouts, and many clubs have been granted use of the facility through the years.

The Women's Club has come a long way from their first meeting in 1911 conducted above Dohn's Livery stable at the corner of Canal and Faulkner Streets. Today, their Mediterranean style club building, constructed in 1924, is endangered by the Lytle Avenue high-rise bridge scheduled to begin construction in 1988. With judicious restoration the building can be of community benefit to future generations as well.

With 75 years of service, the Women's Club membership roster reads like a census and Who's Who of New Smyrna Beach women. Since it has touched and improved so many lives here, we urge you to support this National Registry nomination.



Sincerely,

Gary Luther
Vice Chairman/Acting Chairman
Historic New Smyrna Beach
Preservation Commission

GL/ck

Copy

Florida House of Representatives

Jack Ascherl
Representative, 30th District

Reply to:
☐ Post Office Box 368
New Smyrna Beach, FL
32070
(904) 423-5225
☐ 434 House Office Building
Tallahassee, FL
32399-1300
(904) 488-6653

Committees

Community Affairs, Vice Chairman
Finance & Taxation
Natural Resources
Criminal Justice
Chairman, Volusia County Legislative Delegation

October 28, 1987

Mr. Frederick P. Gaske
Historic Preservation Planner
Division of Historical Resources
R. A. Gray Building
Tallahassee, FL 32399-0250

Dear Mr. Gaske:

Documentation has been submitted to the Department to have the Womens' Club in New Smyrna Beach placed on the National Registry.

The building is in the classic Mediterranean style and was built in 1924. The location is the corner of Magnolia and Lytle Avenue in New Smyrna Beach. The building has served our community for 64 years and a large number of people in our community have been associated with it.

I support the request for a historic designation and would appreciate your consideration.

Very truly yours,

Jack Ascherl
Representative
District 30

BILL CHAPPELL
4TH DISTRICT, FLORIDA

COMMITTEE:
APPROPRIATIONS

SUBCOMMITTEES:
DEFENSE
(CHAIRMAN)

ENERGY AND WATER
DEVELOPMENT

Congress of the United States
House of Representatives
Washington, DC 20515

2468 RAYBURN OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-4035

DISTRICT OFFICES:
575 NORTH HALIFAX AVENUE
DAYTONA BEACH, FL 32018
(904) 253-7632

8789 SAN JOSE BOULEVARD
SUITE 4
JACKSONVILLE, FL 32217
(904) 731-4236

October 29, 1987

Mrs. Edward T. Kenny
Chairman, Preservation Committee
Women's Club of New Smyrna
1833 North Peninsula Avenue
New Smyrna Beach, Florida 32069

RE: Admin. - State of Florida - Preservation & Restoration Grants - Women's Club of New Smyrna - Kenny

Dear Mrs. Kenny:

Thank you for your recent letter concerning the preservation and restoration of the Women's Club of New Smyrna's building which is located in New Smyrna Beach.

It was my pleasure to forward letters of support for your endeavors to both Mr. Frederick Gaske and Dr. W. Carl Shiver in Tallahassee. If further information is received in my office, I will be back in touch with you. In the interim, please be assured of my continued interest in this matter.

Again, thank you for contacting me for it is only through such information that I can best represent my constituents.

With kind regards,

Sincerely,

Bill Chappell

BILL CHAPPELL
Congressman

BC:grf

PLEASE RESPOND TO:

☐ WASHINGTON ☐ DAYTONA BEACH ☐ JACKSONVILLE

Woman's Club of New Smyrna

403 Magnolia Street New Smyrna Beach Florida 32069

March 21, 1988

Keeper, National Register of Historic Places
National Park Service
U.S. Department of the Interior
Washington, D.C. 20240

Enclosed are copies of letters written in support of the nomination of The Woman's Club of New Smyrna to the National Register of Historic Places.

Please add to our file with the recommendations of the Florida National Register Review Board.

We are looking forward to a favorable decision from your department.

Sincerely,

Betty Kenny

Betty Kenny (Mrs E T)
Chairman
Preservation Committee

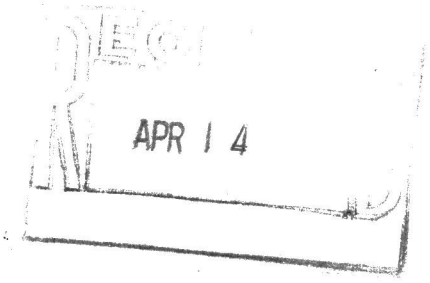
MAR 25 1988

County of Volusia
Florida

COUNTY COUNCIL
P.O. Box 429
DeLand, Fla. 32721-0429

March 31, 1988

The Keeper of the National
Register of Historic Places
National Park Service
U.S. Department of Interior
Washington, D.C. 20420



Re: New Smyrna Beach Women's Club

Gentlemen:

On February 15, 1988, Volusia County was informed that the Florida National Register Review Board had recommended that the New Smyrna Beach Women's Club be formally nominated for listing in the National Register of Historic Places. I am familiar with this nomination and whole-heartedly support it.

Early in 1984, representatives of the Florida Department of Transportation conducted a study of the Lytle Avenue area of New Smyrna Beach in preparation of its design for a new bridge across the Intracoastal Waterway. Pursuant to that study, a number of potentially historic sites in the area were analyzed. The New Smyrna Beach Women's Club was one of those sites. On July 19, 1984, George W. Percy, State Historic Preservation Officer, wrote to the Federal Highway Administration informing them that his office considered the New Smyrna Beach Women's Club to be of historic significance. Mr. Percy indicated that the building was of a Mediterranean Revival/Mission Style that was constructed in 1924 and had sustained only minor alterations. The significance of the building is that it has served important community functions throughout its history as a meeting place for academic, civic, religious, political and social affairs. Mr. Percy indicated at that time that he felt that the site was worthy of listing in the National Register of Historic Places. As part of the review process, The Keeper of the National Register, on October 18, 1984, issued a determination of eligibility notification that the New Smyrna Beach Women's Club was eligible for listing on the National Register of Historic Places.

In 1985, the City of New Smyrna Beach began its historic preservation program; and in July of 1986, it was determined to be a certified local government for historic preservation. The Historic Preservation Commission of the City of New Smyrna Beach has endorsed the New Smyrna Beach Women's Club as a site to be listed in the National Register of Historic Places.

COUNTY COUNCIL MEMBERS

Clay Henderson - At Large | Big John - At Large | Alice Cycler - District #1
Frank T. Bruno, Jr. - District #2 | Jerome N. Doliner - District #3 | Judith Conte - District #4 | Roy M. Schleicher - District #5

The New Smyrna Beach Women's Club is clearly eligible for listing in the National Register of Historic Places. There is significant public support for this listing. Accordingly, I fully support the nomination of the New Smyrna Beach Women's Club for inclusion in the National Register of Historic Places.

Very truly yours,

Clay Henderson
County Council Member

CH/md
89/4/CC3

cc: Ms. Peg Perttola
New Smyrna Beach Women's Club
403 Magnolia Street
New Smyrna Beach, FL 32069

FLORIDA DEPARTMENT OF STATE
Jim Smith
Secretary of State
DIVISION OF HISTORICAL RESOURCES
R.A. Gray Building
500 South Bronough
Tallahassee, Florida 32399-0250
Director's Office (904) 488-1480
Telecopier Number (FAX) (904) 488-3353

March 31, 1989

Ms. Carol D. Shull, Chief of Registration
National Register of Historic Places
Department of the Interior, NPS
P.O. Box 37127
Washington D.C. 20013-7127

APR 11 1989
NATIONAL REGISTER

Dear Ms. Shull:

Enclosed are the completed National Register Nomination forms and supporting documentation for the following properties:

Woman's Club of New Smyrna, New Smyrna Beach, Volusia County

Please do not hesitate to contact us at (904) 487-2333 if you have any questions or require any additional information.

Sincerely,

George W. Percy
State Historic
Preservation Officer

GWP:bem

Enclosures

Law Offices of

Gillespie and Gillespie, P. A.

Telephone (904) 428-2416

W. M. Gillespie (1879-1932)
J. U. Gillespie (1916-1981)
William M. Gillespie

Gillespie Building, 233 North Causeway
P. O. Drawer 580
New Smyrna Beach, Florida 32070-0580

April 12, 1988

Keeper, National Register of Historic Places
National Park Service
U. S. Department of the Interior
Washington, D. C. 20240

Re: Woman's Club of New Smyrna

Gentlemen:

The Woman's Club of New Smyrna Beach is a magnificent old structure in the City of New Smyrna Beach and should be included in the National Register of Historic Places. This venerable old structure has served this city and the organization that owns it for more than half a century. The architecture is magnificent and it is a credit to this city.

Trusting this letter will assist you in arriving at a proper designation for this historic landmark, I remain

Sincerely yours,

W. M. GILLESPIE.

WMG/org

cc: Woman's Club of New Smyrna
403 Magnolia Street
New Smyrna Beach, Florida 32069

RECEIVED
APR 15

THE WOMAN'S CLUB
403 Magnolia Street



Karter Presley Lynaugh Trust
Carl Curtis Hodges, Trustee
620 S. Riverside Drive
New Smyrna Beach, Florida 32168
Phone: 321-303-6195
Email: cchodges@gmail.com

1. **Plan for Development**

   Please see attached Conceptual Plan and Vision.

2. **Legal Description**

   LOT 61 & N 1/2 OF LOT 62 BLK 4 ANDREWS NEW SMYRNA PER OR 3491 PG 1058.

3. **Proposed Use**

   Small boutique venue for wedding and corporate events.

4. **Statement as to why the proposed use cannot be accommodated under the existing zoning.**

   The current use of the property is zoned R-5/Government Building. Currently the City rents this facility to non-profit organizations for special events and to residents for all types of gatherings. We are requesting to rezone the building to HBOD to continue the use as a venue.

5. **A Site Plan Showing Property Boundaries, The Location of all Existing and Proposed Building, Parking, Buffers, and Any other Essential Elements of the Proposed Site Use:**

   Please see attached Site Plan.

6. **An Elevation pf the Building Showing the Building Height, How the Structure is to be Preserved and How any Proposed Additions will Continue the Historic Character of the Structure:**

   Please see attached Site Plan.

7. **A schedule showing the timing of proposed improvements.**

   The following timeline below for the restoration and stabilization of the building:

   - Final Design of the Building - 1 year
   - Permitting of the Building - 1 year
   - Construction of the Building - 3 years

   Total of 5 years

Summary

New Smyrna Beach prides itself on being a charming, coastal community and the City celebrated its British Colonial Settlement's 250. It is rich in history, has a thriving artist community and is surrounded by many natural preserve areas. The City of New Smyrna Beach is known for its laid-back attitude; safe, wide, white-sand beaches; and eclectic mix of history, culture, and the arts and nature.

The Woman's Club of New Smyrna is a historic building that has been used by the community as a social gathering place for over 94 years.

The Woman's Club of New Smyrna is listed on the National Register of Historic Places, a designated Local Historic Landmark and it is a significant structure that needs to be preserved. The Property meets the criteria for the HBOD designation because:

1. The property is on the National Register of Historic Places designation;
2. There is a plan to continue using the property for a venue;
3. The NSB Comprehensive Plan supports designating the property as HBOD;
4. The use is compatible with the neighborhood; and
5. This property fits exactly into the reason why the HBOD designation was incorporated into the Land Development Regulations as a way to feasibly preserve historic structures.

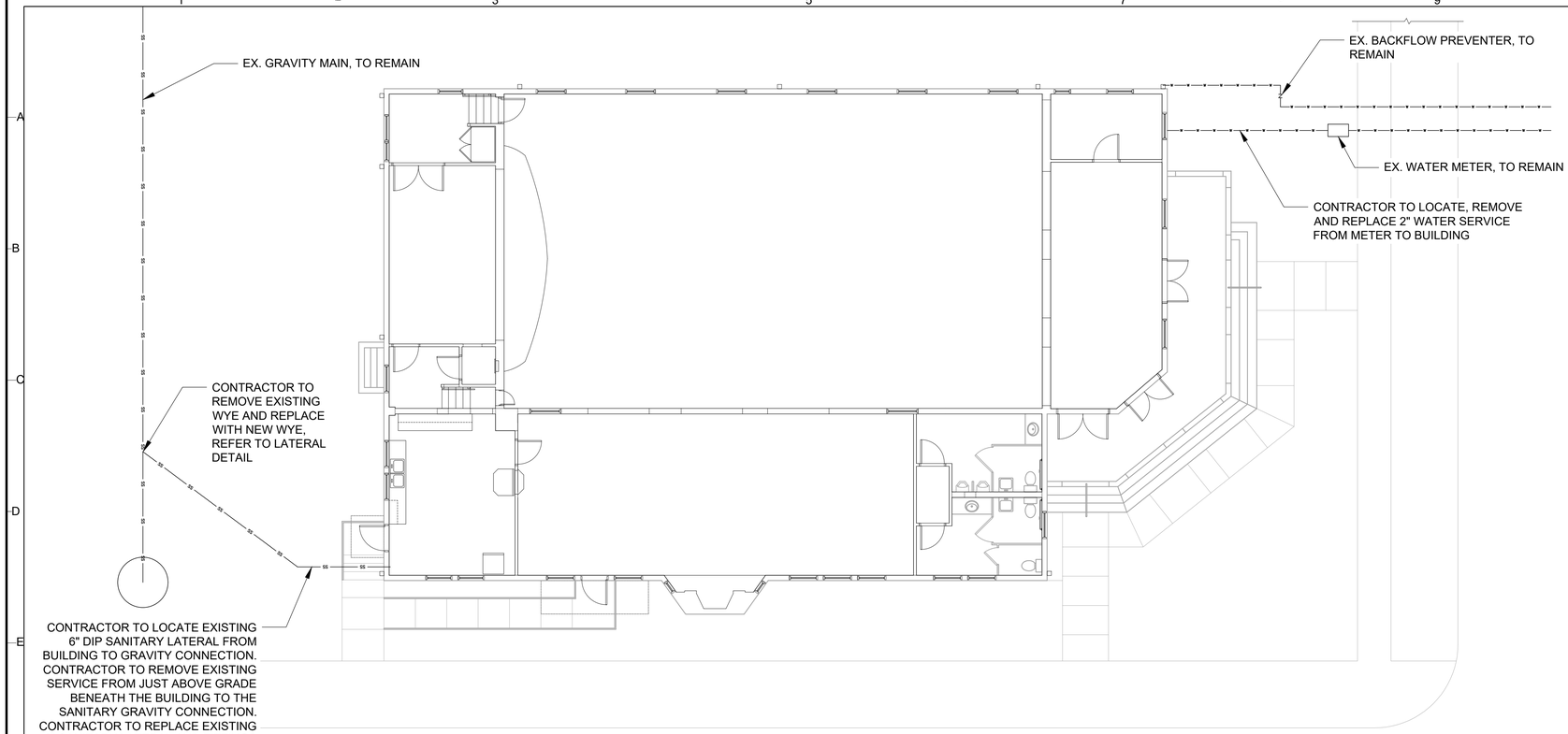
Conceptual Plan and Vision NSB Women's Club

Our bid is represented by Curtis and Harrison Hodges on behalf of the Karter Presley Lynaugh Trust. Curtis has been a resident of New Smyrna for the past fifteen years and has a resume founded in construction specializing in restoration. He successfully ran a construction and renovation company out of Orlando for over 45 years. His achievements include renovating and working on over 100 schools in Orange County and over a few hundred homes in the greater Orlando area. Locally Curtis has rejuvenated over a dozen homes in New Smyrna and helped the city with the New Smyrna Museum of History. He also served on the New Smyrna Beach historical preservation board for approximately two years. Curtis is now aiming his sights here on this project to restore this building to its proper state for a thriving events venue to serve the people of New Smyrna.

Our vision for the property is to restore it back to its former glory as a small boutique venue. Nestled near the larger venues it will provide a more intimate feel for weddings and corporate events. My son, Harrison Hodges, will accompany me on this business venture as he has ample experience in catering and venues. He worked for Dubsdread Golf Course in Orlando for over four years as their banquet Captain. He is 33 years old and manages multiple businesses and has always had a passion to own a venue. With my expertise in renovation and his management experience we believe we can create a renaissance of restoration to the Women's Club. Our business model will consist of completing the build out and restoration. Once complete we will work on setting up a wedding/corporate venue rental. We will only be interested in managing the building. We will have vendors for outside catering, valet parking, décor, etc. that we will partner with from the local community. At the venue we intend to have staff to manage the sales of the venue and available to show it. We envision the venue to target more budget friendly brides and events. We see this space to be utilized by local clubs, corporate events, awards banquets for our local schools and community. We want to celebrate and honor the past while adding the flair of the future to bring this property to a new high.

What you get with a "Curtis" is committed to seeing this project through to the end and in a timely manner. He will treat this project as a reflection of himself and skills. He is meticulous to attention and will spare no expense as he has done with his residence at 620 S Riverside Dr. Above all he understands the value and respect for how this building needs to be restored to remain an icon to our community.

The property is also close to home for Curtis. He lives just a few blocks away and it will be a personal mission for him. He is already an established entrepreneur and at this stage of his career he is looking to build his legacy here in New Smyrna. What better way, than to leave it better than the way he found it. His purpose is simple use his own resources to better his own neighborhood so that he can have a greater sense of pride for where he lives.



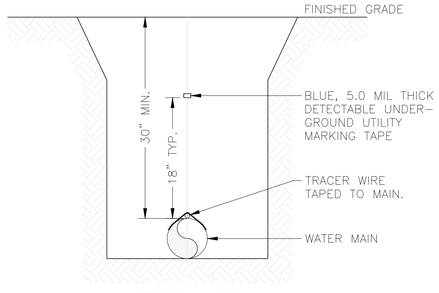
1 C-101 SITE PLAN
SCALE: 1/8"=1'-0"

NOTES:
1. ALL UTILITY WORKS PREFORMED, TRENCHING METHODS, MATERIALS UTILIZED, AND TRACER WIRE PLACEMENT ARE TO BE IN ACCORDANCE WITH THE UTILITIES COMMISSION CITY OF NEW SMYRNA BEACH. DETAILS AND SPECIFICATIONS CAN BE FOUND AT: https://www.ucnsb.org/m/main-menu/2007
2. UTILITIES SHOWN ARE ASSUMED LOCATIONS BASED ON PLANS PROVIDED BY NEW SMYRNA BEACH AND UTILIZING NEW SMYRNA BEACH CITIZEN SELF SERVICE GIS.
3. AS-BUILT PLANS SHOWING THE UTILITIES ARE NOT AVAILABLE. CONTRACTOR TO VERIFY ALL EXISTING UTILITIES AND SERVICES VERTICALLY AND HORIZONTALLY PRIOR TO MOBILIZATION OR EXCAVATION.
4. NO ADDITIONAL UTILITY IMPACTS OTHER THEN NOTED HEREIN ARE PROPOSED. CONTRACTOR TO SUPPORT AND PROTECT ALL EXISTING UTILITIES IF ENCOUNTERED. CONTRACTOR TO NOTIFY NEW SMYRNA BEACH, THE UAO AND EOR IF ADDITIONAL FACILITIES ARE ENCOUNTERED.
5. CONTRACTOR TO ENSURE DEPTH OF FIRE LINE AND THAT FIRE LINES CAN REMAIN IN PLACE DURING CONSTRUCTION. CONTRACTOR TO NOTIFY NEW SMYRNA BEACH AND EOR IF THERE IS A CONFLICT WITH THE EXISTING LINES AND STEM WALL SYSTEM.
6. REFER TO AFP1.01.
7. REFER TO STRUCTURAL PLANS FOR STEM WALL CONSTRUCTION DESIGN AND PHASING.
8. CONTRACTOR TO PERFORM ALLEY BORING CORE PRIOR TO PAVING. CONTRACTOR TO MATCH EXISTING PAVEMENT SECTION.
9. CONTRACTOR TO SAW CUT EXISTING PAVEMENT AT A CLEAN EDGE AND LEVEL ALL FINISH COURSE TO MATCH EXISTING GRADES AND SLOPE.
10. ALL DISTURBED AREAS TO BE SET BACK TO EXISTING GRADE AND SODDED OUTSIDE OF PAVEMENT LIMITS.
11. CONTRACTOR TO MAINTAIN EXISTING GRADES AND POSITIVE DRAINAGE DURING CONSTRUCTION.
12. CONTRACTOR TO UTILIZE STREET SWEEPING DURING CONSTRUCTION AS AN EROSION CONTROL/SOIL TRACKING PREVENTION METHOD AS NECESSARY.

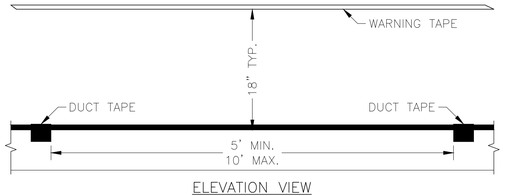
OTHER PIPE	HORIZONTAL SEPARATION	CROSSING	JOINT SPACING AT CROSSINGS (FULL JOINT CENTERED)
STORM SEWER, STORMWATER FORCE MAIN, RECLAIMED WATER REGULATED UNDER FAC 62-610 PART III	WATER MAIN; 3 FT MINIMUM	WATER MAIN; 12 INCHES IS THE MINIMUM EXCEPT FOR STORM SEWER, THEN 6 INCHES IS THE MINIMUM AND 12 INCHES IS PREFERRED	ALTERNATE 3 FT MINIMUM; WATER MAIN
VACUUM SANITARY SEWER	WATER MAIN; 10 FT PREFERRED 3 FT MINIMUM	WATER MAIN; 6 INCHES IS THE MINIMUM; 12 INCHES IS PREFERRED	ALTERNATE 3 FT MINIMUM; WATER MAIN
GRAVITY OR PRESSURE SANITARY SEWER, SANITARY SEWER FORCE MAIN, RECLAIMED WATER NOT REGULATED UNDER FAC 62-610 PART III	WATER MAIN; 10 FT PREFERRED 6 FT MINIMUM	WATER MAIN; 12 INCHES IS THE MINIMUM EXCEPT FOR GRAVITY SEWER, THEN 6 INCHES IS THE MINIMUM AND 12 INCHES IS PREFERRED	ALTERNATE 6 FT MINIMUM; WATER MAIN

NOTES:
1. LOCATION OF PUBLIC WATER SYSTEM MAINS IN ACCORDANCE WITH FAC RULE 62-555.314.
2. WATER MAIN SHOULD CROSS ABOVE OTHER PIPE. WHEN WATER MAIN MUST BE BELOW OTHER PIPE, THE MINIMUM SEPARATION IS 12 INCHES.
3. IN ADDITION TO FAC RULE 62-555.314, THE UCNSB REQUIRES THAT ALL OTHER UTILITY SEPARATIONS SHALL BE 1 FOOT VERTICALLY ON CROSSINGS AND 3 FEET PARALLEL.

2 C-101 UTILITY SEPARATION
SCALE: NTS



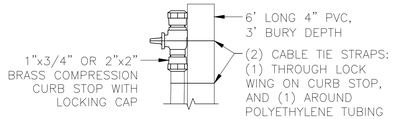
SECTION VIEW



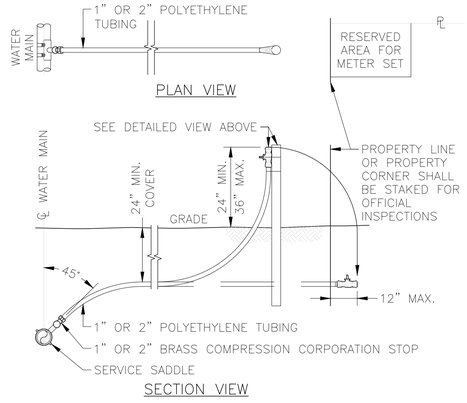
ELEVATION VIEW

NOTES:
1. ALL PIPE SHALL REQUIRE #14 GAUGE (AWG) HIGH-STRENGTH COPPER CLAD STEEL CONDUCTOR (HS-CCS) TRACER WIRE COATED WITH A 30 MIL THICK, HIGH DENSITY POLYETHYLENE (HDPE) INSULATION, AND RATED FOR DIRECT BURIAL USE AT 30 VOLTS LOCATED DIRECTLY ABOVE THE CENTERLINE OF THE PIPE AND TAPED TO THE PIPE AT 5 FT. TO 10 FT. INTERVALS.
2. AT RESTRAINED JOINTS, WRAP TRACER WIRE AROUND ONE LUG.

5 C-101 PIPE LOCATING WIRE AND TAPE
SCALE: NTS



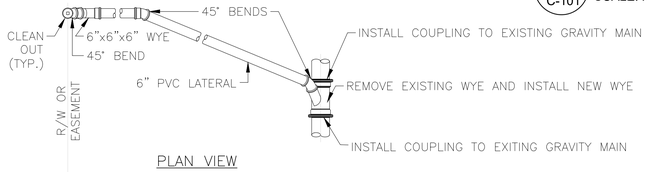
DETAILED VIEW



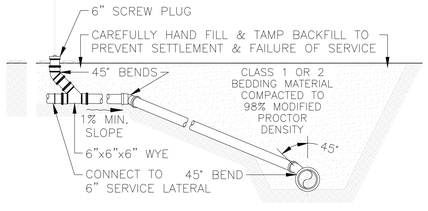
SECTION VIEW

NOTES:
1. APPLIES TO NEW CONSTRUCTION ONLY.
2. ALL FITTINGS SHALL BE LEAD FREE BRASS.
3. ATTACH WATER SERVICE TO POST AS SHOWN ABOVE.

4 C-101 1" OR 2" SHORT SIDE WATER SERVICES STUB OUT
SCALE: NTS



PLAN VIEW



SECTION VIEW

3 C-101 SEWER LATERAL
SCALE: NTS

NO.	DESCRIPTION	DATE	BY
	REVISIONS		

SCALE: AS NOTED
DRAWN BY: AG
PROJ. MANAGER: BDD
PROJ. #: 2016.035.B
DATE: 05-10-22
ISSUED FOR: ☐ PRELIMINARY ☐ PERMITTING ■ BIDDING ☐ FINAL ☐ CONSTRUCTION ☐ RECORD DWG

BRENTON D. DAILEY LICENSE NO. 81028 STATE OF FLORIDA PROFESSIONAL ENGINEER
NOT VALID UNLESS SIGNED & SEALED BY A REGISTERED ENGINEER

BPE CA NO.: 00005898
BPA&ID CA NO.: AAC002023
BENTLEY
651 WEST WARREN AVENUE
SUITE 200
LONGWOOD, FLORIDA 32750
T 407.331.6116
WWW.BAEONLINE.COM

BUILDING REHABILITATION
FOR
WOMAN'S CLUB OF NEW SMYRNA
403 MAGNOLIA STREET
NEW SMYRNA BEACH, FLORIDA

SITE PLAN

SHEET NO
C-101
29 OF 29

739

XIII HISTORICAL AND ARCHAEOLOGICAL PRESERVATION ELEMENT

OBJECTIVE:

5. Preserve privately owned historical and archaeological resources through use and reuse as an alternative to demolition and redevelopment.

POLICIES:

b. Remove obstacles to the rehabilitation, use, or reuse of historic properties. Included, but not limited to this, are granting variances, liberal interpretation of codes, and providing code exemptions for historical buildings.

c. Provide incentives to assist in preserving, using, and or reusing historical properties. Included, but not limited to this, are tax relief and exemptions, technical assistance, transfer of development rights, and grant acquisition.

d. Provide flexibility in zoning regulations and applications to preserve, use, and or reuse historical properties.

f. Encourage relocation or reuse of historic buildings where applicable to preserve the historic character of the buildings.

OBJECTIVE:

7. Employ historical and archaeological preservation as a means to strengthen the local economy through increased tourism and local visitation at historical and archaeological sites.

POLICIES:

c. Promote the development of historical and archaeological resources for public visitation and involvement.

d. Designate the Southeast Volusia New Smyrna Historic Society Museum of History as the headquarters for archaeological and historical tourism.

e. Promote the City as a destination for cultural tourism.

XV ECONOMIC DEVELOPMENT ELEMENT

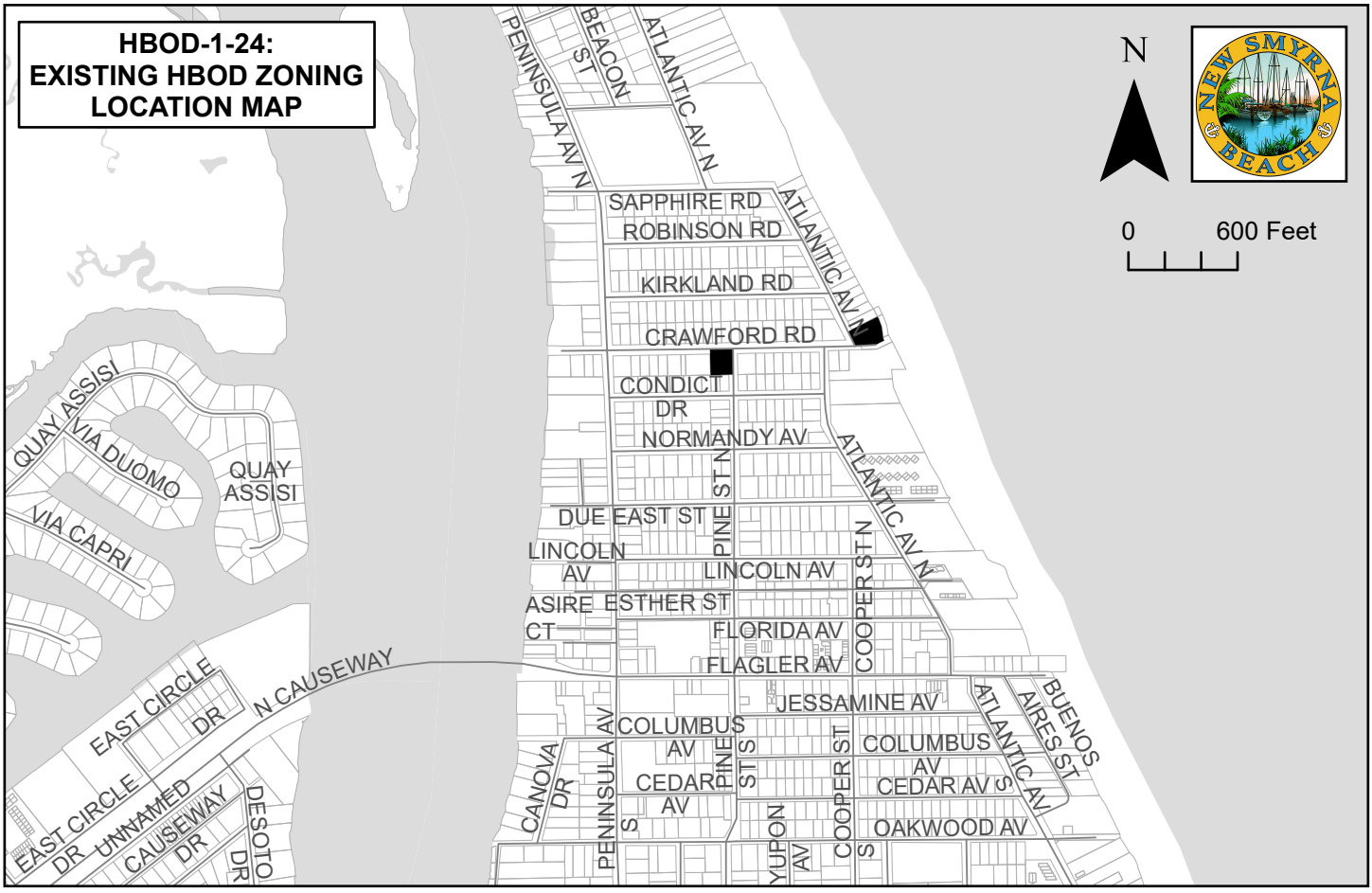
OBJECTIVE:

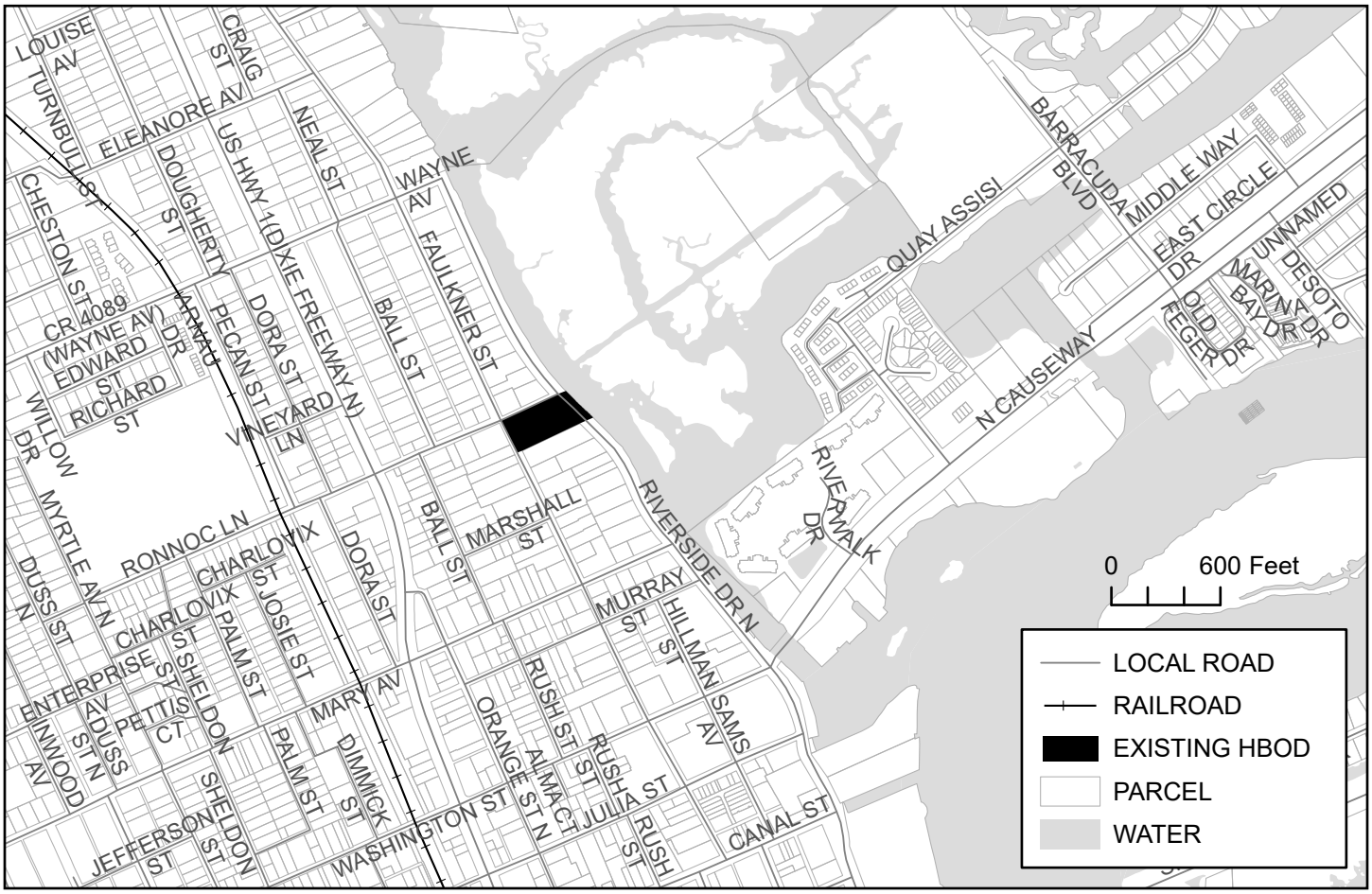
4. Expand Tourism. Support efforts to expand tourism through venues and support systems.

POLICIES:

a. Stimulate the private development of short-term hotel accommodation space as well as convention services and facilities.

b. Encourage the expansion of existing events and development of new events, which are compatible with the vision and mission of the city.


HBOD-1-24:
EXISTING HBOD ZONING
LOCATION MAP
N
NEW SMYRNA BEACH
0
600 Feet
PENINSULA AV N
BEACON ST
ATLANTIC AV N
SAPPHIRE RD
ROBINSON RD
KIRKLAND RD
CRAWFORD RD
CONDICT DR
NORMANDY AV
DUE EAST ST
LINCOLN AV
ASIRE CT
ESTHER ST
FLORIDA AV
FLAGLER AV
JESSAMINE AV
COLUMBUS AV
CEDAR AV
OAKWOOD AV
YUPON AV
PINE ST N
COOPER ST N
ATLANTIC AV
BUENOS AIRES ST
QUAY ASSISI
VIA DUOMO
VIA CAPRI
QUAY ASSISI
EAST CIRCLE DR
N CAUSEWAY
UNNAMED CAUSEWAY DR
DESOTO DR
CANOVA DR
PENINSULA AV S
PINE ST S
COOPER ST S


LOUISE AV
TURNBULL ST
CRAIG ST
ELEANORE AV
DOUGHERTY ST
US HWY 1 (DIXIE FREEWAY N)
NEAL ST
WAYNE AV
FAULKNER ST
CHESTON ST
CR 4089 (WAYNE AV)
EDWARD ST
RICHARD ST
ARNAUD DR
PECAN ST
DORA ST
BALL ST
VINEYARD LN
WILLOW DR
MYRTLE AV N
RONNOC LN
CHARLOVIX ST
JOSIE ST
PALM ST
SHELDON ST
DUSS ST N
ENTERPRISE AV
PETTIS CT
MARY AV
DIMMICK ST
JEFFERSON ST
WASHINGTON ST
MARSHALL ST
RIVERSIDE DR N
MURRAY ST
HILLMAN ST
SAMS AV
ORANGE ST N
ALMA CT
RUSH ST
JULIA ST
CANAL ST
RIVERWALK DR
QUAY ASSISI
BARRACUDA BLVD
MIDDLE WAY
EAST CIRCLE DR
UNNAMED
DESOTO DR
MARINA BAY DR
OLD FEGER DR
N CAUSEWAY
0
600 Feet
LOCAL ROAD
RAILROAD
EXISTING HBOD
PARCEL
WATER

Legal Description

Address:
403 Magnilia Street, New Smyrna Beach Florida 32168

Parcel Number:
7441-38-04-0610

ALT KEY
3879201

Legal Description, per William M. Gillespie of Gillespie & Gillespie, PA:
Lot 61 and the North Half of Lot 62 of Block 4 of Andrews Addition to the City of New Smyrna, according to plat of record in Map Book 2, Page 68, Public Records of Volusia County, Florida.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

2023 DONNADINE MILLER PRESERVATION AWARD SELECTION

June 12, 2024

Background:

The City created the Historic preservation award program in 2002. In 2009, the award program was renamed in memory of Donnadine Miller, who was an active volunteer and member of the community. Ms. Miller had served as Chair of the Historic New Smyrna Beach Preservation Commission; worked as an amateur archaeologist; and participated in numerous other historic preservation events and activities.

Findings:

While award recipients are encouraged to apply for local landmark designation, receiving an award does not place any restrictions on the property. At this time, the Commission will be selecting a winner in the Non-Residential and Residential category.

Fiscal Analysis:

The plaque for the award costs approximately $250 and is a budgeted item.

Strategic Plan Item:

No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

Exhibit A List of previous nominees-winners thru 2022.pdf
Exhibit B 423 Flagler Avenue Application.pdf
Exhibit C 809 E 24th Avenue Application.pdf

INTEROFFICE MEMORANDUM
CITY OF NEW SMYRNA BEACH

To: Historic New Smyrna Beach Preservation Commission Members

From: Robert Mathen, Historic Preservation Officer

Subject: Previous Historic Preservation Award Nominees and Winners

Date: January 1, 2024

The Historic Preservation Award winner for **2002** was **508 North Riverside Drive**. The nominees for that year were:

508 North Riverside Drive
421 Canal Street
532 North Riverside Drive - Little River Inn
204 Flagler Avenue - Sweet Pea coffee shop

The Historic Preservation Award winner for **2003** was **213 Washington Street**. The nominees for that year were:

120 Sams Avenue
213 Washington Street
1000 South Riverside Drive
321 Washington Street - Long Board Inn
103 Flagler Avenue - Riverview Hotel

The Historic Preservation Award winner for **2004** was **426 South Riverside Drive**. The nominees for that year were:

120 Sams Avenue
301 South Orange Street
601 Faulkner Street
821 Live Oak Street
426 South Riverside Drive
101-109 N Orange Street

The Historic Preservation Award winner for **2005** was **601 Faulkner Street**. The nominees for that year were:

215 Murray Avenue
310 Washington Street
316 Flagler Avenue
600 South Riverside
601 Faulkner Street
115 Canal Street –

The Historic Preservation Award winner for **2006** was **701 Magnolia Street** for Residential and **314 North Duss Street** for Non-Residential. The nominees for that year were:

701 Magnolia Street	314 North Duss Street - Black heritage
608 South Riverside Drive	Museum

The Historic Preservation Award winner for **2007** was **608 Magnolia Street** for Residential and **1650 Live Oak Street** for Non-Residential. The nominees for that year were:

315 Due East Street	Coronado Shuffleboard Courts
608 Magnolia Street	310-312 Julia Street
1109 Magnolia Street	1650 Live Oak Street – St Pauls
1110 Magnolia Street	310 Washington Street – Soundwave
1200 North Peninsula Avenue	500 South Riverside Drive

The Historic Preservation Award winner for **2008** was **1705 South Atlantic Avenue** for Residential and **412 Canal Street** for Non-Residential. The nominees for that year were:

1705 South Atlantic Avenue	412 Canal Street – Little Drugs

The Historic Preservation Award winner for **2009** was **1201 Magnolia Street** for Residential and **729 North Dixie Freeway** for Non-Residential. The nominees for that year were:

1201 Magnolia Street	729 North Dixie Freeway – Dairy Queen
411 Magnolia Street	145 Canal Street
516 Magnolia Street	616 South Riverside Street
610 Magnolia Street	

The Historic Preservation Award winner for **2010** was **821 Live Oak Street** for Residential and **403 Magnolia Street** for Non-Residential. The nominees for that year were:

821 Live Oak Street	Coronado Shuffle Board Courts
301 South Orange Street	313 Julia Street
614 Faulkner Street	403 Magnolia Street – Women's Club

The Historic Preservation Award winner for **2011** was **405 Canal Street** for Non-Residential. The nominees for that year were:

405 Canal Street	223 Canal Street

The Historic Preservation Award winner for **2012** was **614 Faulkner Street** for Residential and **512 South Riverside Drive** for Non-Residential. The nominees for that year were:

512 North Riverside Drive
516 Magnolia Street
610 Magnolia Street
614 Faulkner Street
334 Canal Street
512 South Riverside Drive
115 Canal Street
223 Canal Street
223 Flagler Ave

The Historic Preservation Award winner for **2013** was **508 Ball Street** for Residential and **115 Canal Street** for Non-Residential. The nominees for that year were:

508 Ball Street
300 South Myrtle Avenue
512 North Peninsula Avenue
115 Canal Street
308 North Orange Street
315 Live Oak Street
504 Magnolia Street

The Historic Preservation Award winner for **2014** was **616 Magnolia Street** for Residential and **149 Canal Street** for Non-Residential. The nominees for that year were:

149 Canal Street
616 Magnolia Street
501 Faulkner Street
Flagler Avenue Shuffleboard

The Historic Preservation Award winner for **2015** was **306 North Riverside Drive** for Residential and **103 Faulkner Street** for Non-Residential. The nominees for that year were:

103 Flagler Avenue
108 Esther Street
306 North Riverside Drive
512 North Riverside Drive
204 Flagler Avenue
112 Esther Street
317 Magnolia Street

The Historic Preservation Award winner for **2016** was 317 Magnolia Street for Residential and 300 North Riverside Drive for Non-Residential. The nominees for that year were:

212 Murray Street
213 Washington Street
317 Magnolia Street
916 South Riverside Drive
300 N Riverside Drive
313 Julia Street
405 Canal Street
519 Washington Street

The Historic Preservation Award winner for **2017** was 426 South Riverside Drive for Residential and 103 Faulkner Street for Non-Residential. The nominees for that year were:

426 South Riverside Drive	103 Faulkner Street Old Fire Station)
532 Ball Street	314 Flagler Avenue (Paradise Properties)
630 North Riverside Drive	916 S Riverside Drive (Black Dolphin Inn)

The Historic Preservation Award winner for **2018** was 411 Magnolia Street for Residential and 208 Magnolia Street for Non-Residential. The nominees for that year were:

206 Florida Ave	114 Live Oak St (La Abilies Tea Room))
212 Murray St	519 Washington St (St. Paul M E Church)
411 Magnolia St	916 S Riverside Dr (Black Dolphin Inn)
315 Live Oak St (Anders & Anders)	408 S Riverside Dr (Apartment Building)
208 Magnolia St (Old Gas Station)	1201 S Riverside Dr (Smyrna Yacht Club)

The Historic Preservation Award winner for **2019** was 206 Florida Avenue for Residential and 916 South Riverside Drive for Non-Residential. The nominees for that year were:

206 Florida Ave	315 Live oak Street (Anders & Anders)
108 Esther Street	916 S Riverside Dr (Black Dolphin Inn)
532 Ball Street	1201 South Riverside Drive (Smyrna Yacht
219 N Orange Street	Club)

The Historic Preservation Award winner for **2020** was 620 South Riverside Drive for Residential and 1201 South Riverside Drive for Non-Residential. The nominees for that year were:

408 N Riverside Dr	315 Live oak Street (Anders & Anders)
620 S Riverside Drive	1201 S Riverside Drive (Smyrna Yacht Club)

The Historic Preservation Award winner for **2021** was 210 Palmetto Street for Residential and 214 Sams Avenue for Non-Residential. The nominees for that year were:

408 North Peninsula Avenue	118 Faulkner Street
210 Palmetto Street	1000 South Riverside Drive
1115 Palmetto Street	214 Sams Avenue

The Historic Preservation Award winner for **2022** was 216 Florida Avenue for Residential. No non-residential applications were submitted. The nominees for that year were:

118 Faulkner Street
1000 South Riverside Drive
216 Florida Avenue

Donnadine Miller Memorial Historic Preservation Award Nomination Form

☐ Residential (Single Family) ☒ Non-Residential

Building Address: 423 Flagler Avenue, New Smyrna Beach, Fl. 32169

Year Built: 1956

Architectural Style:

☐ Vernacular ☐ Spanish Eclectic ☐ Craftsman ☐ Other: Mid-Century

***Please include a photograph of the front of the building.**

Description of the history of the building or site and why it is significant:

"I'm proud it's located right in the center of the city", says owner, Ginny Stephens. We tell people "find Old Florida Here!" and that we have "Motor Lodge Charm with Boutique Service!Ž

Definitely a property that promotes pride in the New Smyrna Beach's past. Droves of people, tourists and locals alike, who walk down Flagler Avenue stop in and tell owners, Terry and Ginny, they stayed at the Seahorse as children and teenagers, and have such fond memories of beach weekends with parents, grandparents and cousins. They are so glad to see it's character has been enhanced with many updates and improvements while preserving the charm of old New Smyrna Beach. People who stay here, or just stop in to view a room often mention their fondness for the tile roof, terrazzo floors and knotty pine walls. Regular customers have even designed and printed a bumper sticker of Sammy, the Stephens dog. Ginny says, "I would go out on a limb and say I cannot think of another building the general public feels more appreciation for!".

I appreciate the fact that, while being updated, the original architecture, details and general esthetic remains as it was when built in 1956. I feel that Seahorse Inn's main appeal for so many that come and stay again and again is it's history and nostalgia in being an iconic landmark for New Smyrna Beach. I think The Seahorse Inn is a wonderful nomination for the Donnadine Miller Memorial Historic Preservation Award

Property Owner(s)Name: Terry and Virginia Stephens, Proprietors

Owner(s) Address: 423 Flagler Avenue, New Smyrna Beach, Fl 32169

Owner(s) Phone Number: 304-813-5740

Owner(s) Email Address: cbterrystephens@gmail.com

Email Applications to: Rmathen@cityofnsb.com

Fill out only if you are nominating a property

Nominator Name: Katie Kaufman

Nominator Address: 402 Faulkner St.

City/State/Zip: New Smyrna Beach, Fl. 32168

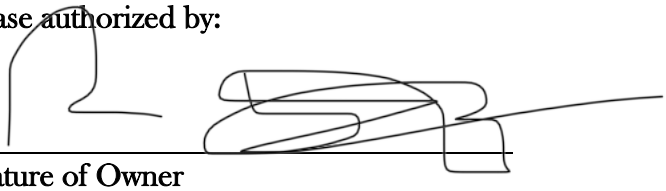
Telephone: 407-808-1606

Email Address: ktphoto@aol.com

Release Authority

The undersigned gives the City of New Smyrna Beach the absolute and unqualified right to use in whole or in part, in whatever manner the City may desire, all submitted material.

Release authorized by:



Signature of Owner

12/11/2023

Date

Terry Stephens

Print or Type Name

Evaluation Criteria

Building Address:

423 Flagler Avenue

(This section to be filled out by the Historic Preservation Commission)

Historic Significance **30** _____

- Promotes and reflects the historic nature of New Smyrna Beach.
- Reflects the original architecture.
- Use of appropriate materials/colors.

Community Significance **20** _____

- Maintains and/or enhances aesthetics of the city, thus helping create civic pride and the prosperity and welfare of the City.
- Promotes sustainability and "green" design while preserving the historic character of the resource.

Charm **10** _____

- Aesthetic Value
- Use of native landscape material

History of what we now know as The Seahorse Inn

Ben Ward was a citrus grower from Oviedo, Fla., then a small Central Florida town an hour west of New Smyrna Beach. A self-made entrepreneur who moved from Georgia as a young man in the 1920s to work in a sawmill in Geneva, Fla., Ward had a shrewd eye for property and he knew growth in Central Florida was a certainty. He began acquiring property over the next several decades, and at various times, was a celery farmer, peanut farmer, builder/operator of a gas station in the heart of Oviedo, and an apartment developer. Ward also planted several hundred acres of orange, grapefruit and tangerine groves in and around Oviedo and Geneva. Initially, he and his wife, Willie Lee, and two sons, Ben and Bob, lived on a homestead in the heart of the family's Oviedo citrus groves. They later moved into Oviedo proper.

In the late 40s, with an eye on development, Ward made his first New Smyrna Beach property purchase, an apartment building north of Flagler Ave., a few blocks from the beach. In 1956 he began building the Ward Motel; 41 units lining both sides of Flagler to nearly its easternmost point. The motels boasted air conditioning, "Beautyrest beds" and ceramic tile baths. All during the motel construction, locals told Ward he was "crazy" to think anyone would come to stay. In 1950, Ward and his wife moved from Oviedo to New Smyrna Beach, purchasing a large two-story house on a hill near his motels and overlooking the beach. He sold the Flagler properties to a nephew in 1967, who eventually sold it to Major League Baseball's second baseman Davey Johnson, who renamed it the "Second Sack Motel." When Johnson sold the property, the new owners changed the name to The Seahorse Inn.

In 2001 the Corradi family sold the motel to Richard Severance, who had lived in New Smyrna Beach, but had moved to Ohio. He operated that motel for 20 years until Terry and Virginia Stephens purchased it in May of 2001. At the time of the purchase, the property had been in a decline for a number of years. It faced increased competition as the Hampton Inn and then the Marriott opened on Flagler Avenue. The roof had been failing for years and many rooms were not rented if rain was in the forecast. Ceilings in rooms had fallen in and other damage from the leaking roof ensued. Boards from the soffit and fascia had fallen and it was just being patched together. Windows were falling out and many of the doors had rusted badly. The property was a little scary at night because of poor lighting and there were often unsavory characters in residence, although a core of loyal customers remained.

Things started to change when the Stephens arrived and today the motel has a good reputation and is bright, cheerful and clean, while the staff is very welcoming and friendly. It has become a proud part of the Flagler Avenue business district.




KARD MOTELS
KARD MOTELS







WARD MOTEL
Corner of Columbus & Buenos Aires
On The Ocean — New Smyrna Beach, Fla.
Located on the World's Safest Beach - cross ventilated rooms - overnight and weekly - Beautyrest Mattresses - Tile Baths - Near Restaurants - [redacted] - Telephone: Garden 8-8081.

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POST CARD

1961 Easter Seals HELP CRIPPLED CHILDREN EASTER SEALS

NEW SMYRNA FLA
8-PM
MAR 18
1961

Mr & Mrs R. Klindt family.
Cassville.
Wisconsin.

Donnadine Miller Memorial Historic Preservation Award Nomination Form

☑ Residential (Single Family) ☐ Non-Residential

Building Address:

809 E. 24th Ave NSB 32169

Year Built: 1955

Architectural Style (e.g. Vernacular/Spanish Eclectic/Craftsman): **(Please include a photograph of the front of the building.)**

Periwinkle / Bungalow

Description of the history of the building or site and why it is significant (attach additional sheets, if necessary):

Property Owner: Marie Bushey

Address: 809 E. 24th Ave NSB 32169

Telephone: 407 448 0583

Nominator: Marie Bushey

Address: 809 E. 24th Ave

City/State/Zip: NSB FL 32169

Telephone: 407 448 0583

E-mail Address: mbushey32169@Gmail.com

Evaluation Criteria

Building Address:

809 East 24th Avenue

(This section to be filled out by the Historic Preservation Commission)

Historic Significance **30** _____

- Promotes and reflects the historic nature of New Smyrna Beach.
- Reflects the original architecture.
- Use of appropriate materials/colors.

Community Significance **20** _____

- Maintains and/or enhances aesthetics of the city, thus helping create civic pride and the prosperity and welfare of the City.
- Promotes sustainability and "green" design while preserving the historic character of the resource.

Charm **10** _____

- Aesthetic Value
- Use of native landscape material



Photo Credit: Marie Bushey taken at sunset Indian River Lagoon Park

Donnadine Miller Memorial Historic Preservation Residential Nomination

Residential

809 E. 24th Avenue New Smyrna Beach, FL 32169

Nominator: Marie Bushey

Property Owner: Marie Bushey



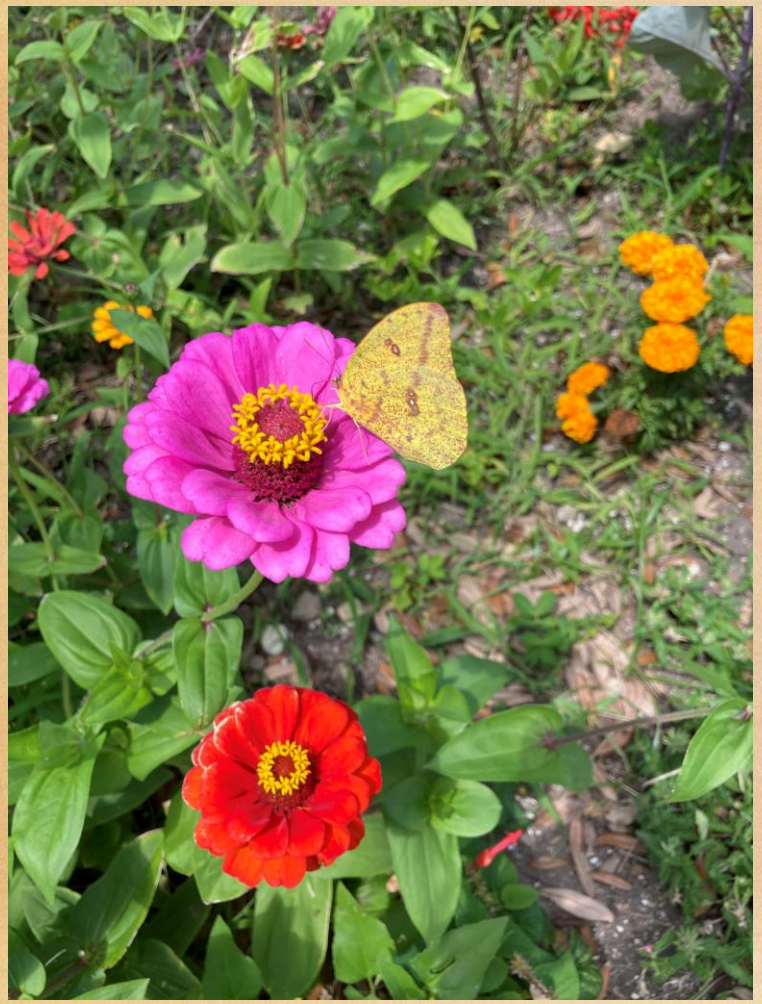
762

809 East Twenty-Fourth Avenue front of home





Back yard and historic Live Oak Trees



Butterfly Garden



Vegetable Garden

Thank you

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

2022-2023 CLG ANNUAL REPORT LETTER

June 12, 2024

Background:

The Planning Department has received a letter from the State of Florida, Division of Historical Resources, to acknowledge that the City of New Smyrna Beach is in "Good Standing" with the Certified local Government status.

Fiscal Analysis:

N/A

Strategic Plan Item:

No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

CLG Annual Report Letter.pdf

FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

April 23, 2024

Mr. Robert Mathen
210 Sams Avenue
New Smyrna Beach, FL 32168

Re: CLG Annual Report Review

Dear Mr. Mathen,

Thank you for submitting the Certified Local Government (CLG) Annual Report for New Smyrna Beach in accordance with our mutual CLG agreement. Your annual report has been received and reviewed as of February 23, 2023. Our office has determined that your community is in good standing in the CLG program and eligible for the CLG match waiver for small matching grants in the current grant cycle. Thank you for being an active member of Florida's CLG Program. Our office looks forward to continuing to work with you to support the preservation of New Smyrna Beach's historic resources.

Sincerely,

Ruben A. Acosta
Chief, Bureau of Historic Preservation

RAA/kl

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

2024 DONNADINE MILLER PRESERVATION AWARD APPLICATION

June 12, 2024

Background:

Staff has supplied the 2024 Donnadine Miller Preservation Award application.

If any member of the public or property owner that wished to nominate a property, please complete the application and submit with photos and any history of the property.

Application will be accepted till October 31, 2024.

Fiscal Analysis:

Awards cost are estimated at $250.00.

Strategic Plan Item:

No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

Donnadine Miller Preservation Award Application 2024.pdf

Donnadine Miller

Memorial Historic Preservation Award

Submission Deadline: October 31, 2024



The annual Donnadine Miller Memorial Historical Preservation Award promotes the awareness and appreciation of buildings and sites in New Smyrna Beach that contribute to the City's heritage and character. This award program reflects New Smyrna Beach's pride in its past. The Historic New Smyrna Beach Preservation Commission will select the winner based on the attached evaluation criteria, and the Mayor and City Commission will present the award, a bronze plaque (date to be announced), to coincide with the celebration of Florida Heritage Week in March 2024. Nominations are accepted in both the residential and non-residential categories.

Nominations should be submitted no later than 5:00 p.m. on Thursday, October 31, 2024.

Submit nominations to:

Preservation Awards Coordinator

Robert Mathen, Historic Preservation Officer

210 Sams Avenue New Smyrna Beach, FL 32168

386-410-2835

Nomination forms available at:

- www.cityofnsb.com
- City Hall Annex, 214 Sams Avenue
- New Smyrna Museum of History, 120 Sams Avenue

Donnadine Miller Memorial Historic Preservation Award Nomination Form

☐ Residential (Single Family) ☐ Non-Residential

Building Address: _____

Year Built: _____

Architectural Style (e.g. Vernacular/Spanish Eclectic/Craftsman):

_____

***Please include a photograph of the front of the building.**

Description of the history of the building or site and why it is significant (attach additional sheets, if necessary):

Property Owner: _____

Address: _____

Telephone: _____

Nominator: _____

Address: _____

City/State/Zip: _____

Telephone: _____

E-mail Address: _____

Release Authority

The undersigned gives to the City of New Smyrna Beach the absolute and unqualified right to use in whole or in part, in whatever manner the City may desire, all submitted material.

Release authorized by:

_____

SIGNATURE OF OWNER

_____

PRINT OR TYPE NAME

Evaluation Criteria

Building Address:

_____

(This section to be filled out by the Historic Preservation Commission)

Historic Significance **30** _____

- Promotes and reflects the historic nature of New Smyrna Beach.
- Reflects the original architecture.
- Use of appropriate materials/colors.

Community Significance **20** _____

- Maintains and/or enhances aesthetics of the city, thus helping create civic pride and the prosperity and welfare of the City.
- Promotes sustainability and "green" design while preserving the historic character of the resource.

Charm **10** _____

- Aesthetic Value
- Use of native landscape material

Historic Preservation Commission Special Meeting
Wednesday, June 12, 2024, at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the special meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, June 12, 2024, at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Vice-Chair Stephanie Rees called the meeting to order at 5:30 PM.

Roll Call

Attendee Name	Title	Status	Arrived
Walter Bone	Member	Present	5:30 PM
Katherine Kaufman	Member	Present	5:30 PM
Stephanie Rees	Vice Chairperson	Present	5:30 PM
Terry Bledsoe	Member	Present	5:30 PM
Angeline Barretta-Herman	Member	Present	5:30 PM
Joanna Mahood	Chairperson	Absent	5:30 PM

Also present were: Senior Planner Robert Mathen, Assistant City Attorney Shey McCurdy, and Board Secretary Stephanie Ferrara.

No Changes to the Agenda.

2. APPROVAL OF MINUTES

None.

3. PUBLIC PARTICIPATION

None.

DRAFT

4. NEW BUSINESS

4.A HBOD-1-24: Review a rezoning request to add the Historic Building Overlay District, (HBOD) to a property located at 403 Magnolia Street known as the Woman's Club.

Robert Mathen, Senior Planner, outlined the applicant's request to rezone and add Historic Building Overlay District, HBOD, in order to continue a non-conforming use of Venue, without the required onsite parking at 403 Magnolia Street.

Member Bledsoe asked staff how the overlay works. Mr. Mathen stated that the overlay would codify the existing use as a venue.

Curtis Hodges for the Karter Presley Lynaugh Trust, 620 South Riverside Drive, Application and Owner, commented on preserving the building and keeping the use as a venue.

Member Bledsoe asked Mr. Hodges if he plans on doing a restoration or demolition of the property. Mr. Hodges stated that he plans to restore the building.

Member Barretta-Herman asked if he plans to document the process. Mr. Hodges stated that he would be documenting the process.

Vice-Chair Rees opened the meeting for Public Participation.

Jill Ascherl, 405 Magnolia Steet, commented in support of the request and the timeframe of construction.

Vice-Chair Rees closed Public Participation.

Vice-Chair Rees asked the Board if they had any additional questions or comments.

The Historic Preservation Board members commented in support of the Applicant's request to add Historic Building Overlay to the property located at 403 Magnolia Street.

Motion:
Member Barretta-Herman moved to recommend approval to City Commission for HBOD-1-23 for property located 403 Magnolia Street, as submitted. Member Bledsoe seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Barretta-Herman
SECONDER:	Bledsoe
AYES:	Bone, Kaufman, Rees, Bledsoe, Barretta-Herman

4.B 2023 Donnadine Miller Preservation Award Selection

Robert Mathen, Senior Planner, outlined the City's request to award 2023 Donnadine Miller Preservation Award to property addresses 423 Flagler Avenue and 809 E 24th Avenue.

Vice-Chair Rees opened the meeting for Public Participation.

Marie Bushey, 809 E 24th Avenue, commented about the improvements on the home and preserving periwinkles.

Vice-Chair Rees closed Public Participation.

Residential
809 E 24th Avenue

Non-Resident
Seahorse Inn - 423 Flagler Avenue

Vice-Chair Rees asked the Board if they had any additional questions or comments.

Member Barretta-Herman commented about preserving periwinkles. The board members echoed her comments.

Motion - 423 Flagler Avenue:
Member Kaufman moved to approve and award the 2023 Donnadine Miller Preservation Award 423 Flagler Avenue. Member Bone seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Kaufman
SECONDER:	Bone
AYES:	Bone, Kaufman, Rees, Bledsoe, Barretta-Herman

Motion - 809 E 24th Avenue:
Member Bledsoe moved to approve and award the 2023 Donnadine Miller Preservation Award 809 E 24th Avenue and 423 Flagler Avenue. Member Barretta-Herman seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Bledsoe
SECONDER:	Barretta-Herman
AYES:	Bone, Kaufman, Rees, Bledsoe, Barretta-Herman

5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

Barretta-Herman commented about highlighting and/or a formal presentation for the awards. Mr. Mathen stated that staff presents the Donnadine Miller Preservation Awards at City Commission meeting.

6. REPORTS AND COMMUNICATIONS BY THE STAFF

6.A 2022-2023 Certified Annual Report Letter

6.B 2024 Donnadine Miller Preservation Award Application

7. ADJOURNMENT

As there was no other business to discuss, Vice-Chair Rees declared the meeting adjourned at 6:36 P.M.

Historic Preservation Commission
Wednesday, July 10, 2024 at 5:30 PM

City Commission Chambers
214 Sams Avenue, New Smyrna Beach, Florida 32168

1. CALL TO ORDER

A. Roll Call

2. APPROVAL OF MINUTES

3. PUBLIC PARTICIPATION

4. NEW BUSINESS/DISCUSSION ITEMS

4.A DM-1-24: Review a request for a proposed demolition of a contributing structure in the Coronado National Historic District located at 110 Florida Avenue.

5. COMMITTEE COMMENTS

6. STAFF COMMENTS

7. ADJOURNMENT

Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the board, agency or commission of the City of New Smyrna Beach with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 410-2630, prior to the meeting.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

DM-1-24: REVIEW A REQUEST FOR A PROPOSED DEMOLITION OF A CONTRIBUTING STRUCTURE IN THE CORONADO NATIONAL HISTORIC DISTRICT LOCATED AT 110 FLORIDA AVENUE.

July 10, 2024

Background:

Applicant and property Owners: Selby and Catherine Sullivan, 110 Florida Avenue, New Smyrna Beach, Florida 32169.

Request: Approval for a demolition of a contributing structure in the Coronado National Registered Historic District.

Subject Area: The subject property consists of approximately 0.44 acres, and is zoned R-2, (Single Family Residential), and is generally located on the south side of Florida Avenue between North Peninsula Avenue and the Indian River addressed as 110 Florida Avenue.

Parcel ID: 7455-11-01-0010

Exhibits used in the report:

Exhibit A: Location Map
Exhibit B: Aerial Map
Exhibit C: Applicants Request Letter
Exhibit D: Building Condition Report
Exhibit E: Site Photos
Exhibit F: District Map
Exhibit G: Sanborn Fire Map

Findings:

The subject property is located at 110 Florida Avenue and contains approximately 19,330 ± square feet. A Location map and aerial map is attached as **Exhibits A & B**. The parcel currently has a single-family house and a detached garage. The single-family house is a

contributing structure located in the Coronado National Historic District however, the structure is not individually eligible for the National Registry of Historic Places. See **Exhibit F**. The Florida Master Site File list the date of construction of the craftsman designed single-family house as 1913 and the structure does show up on the 1916 Sanborn Fire maps. See **Exhibit G**.

First the commission shall review any application for demolition of a contributing building within the city's National Register of Historic Places Historic District to determine whether the building is historically significant. The building shall be considered historically significant if one or more of the following criteria are declared to be met by the commission:

- The building is historically or architecturally significant in terms of its period, style, method of building construction or use of indigenous materials; or
- The building is a significant reminder of the cultural, or architectural history of the city, state or nation; or
- The building is associated with a significant local, state or national event; or
- The building is associated with one or more significant historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the city, state or nation; or
- The building is one of a the few remaining examples of its period, style, or method of construction; or
- The building is identified with a person who significantly contributed to the development of the city, state or nation; or
- The building is identified as the work of a master builder, designer or architect whose individual work has influenced the development of the city, state or nation; or
- The building value is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance; or
- The building character is in a geographically definable area possessing a significant concentration or continuity of buildings united in past events or aesthetically by plan or physical development; or
- The building character is in an established and geographically definable neighborhood united in culture, architectural style or physical plan and development.

The Architect that performed the evaluation of the single-family house stated in the request letter, attached as **Exhibit C**, that the current single-family house is no longer historically significant due to the following:

- Modification to the structure over time.

- The building is not historically or architecturally significant in its method of construction, materials period, or style.
- The building is not associated with a significant local. state, or national event or person.
- The building is not identified as the work of a master builder or architect.
- The building does not retain sufficient elements of its architectural significance.
- The building was not geographically defined as part of a significant concentration united by past events.
- The building is largely isolated from the surrounding neighborhood due to its waterfront location and placement at the end of a lane with limited access and visibility.

In the building condition report, the architect stated:

"The historical architectural significance of this building was never as an individual house, rather it was as part of a larger geographical area. The earliest photos available in the master site file show that the original core of the house is what was representative of the simple vernacular Craftsman style. The porch additions on the front and rear, enclosure of the original front porch, powder room addition, and the large south addition have all significantly diminished the architectural significance of the building. Furthermore, the additions and modifications were completed in varying levels of materials, construction types and craftsmanship. While these changes were separately completed in concert with the original core, its significance to the district is already almost entirely diminished. Given the extent and intrusiveness of the required repairs, there would be virtually no historic value to the remodeled building. It should be noted that the owners want to construct the new building in the same style as the existing house with similar architectural features and the modern equivalent of materials."

If the commission finds that the building is historically significant the commission may, nevertheless, grant a demolition approval if it finds that one of the following circumstances is met:

(1) Undue economic hardship. In any instance where there is a claim of undue economic hardship, the property owner shall submit to the commission prior to the public hearing a report indicating the economic hardship and why the demolition should be allowed.

(2) Building condition. In any instance where there is a claim the building is not structurally sound and/or suitable for restoration, the applicant shall provide a written report signed by a licensed engineer or architect with experience in historic building restoration stating that the building is structurally unsound and unsuitable for restoration. The commission shall review the credentials of the licensed engineer or architect signing the report and shall find them experienced in historic restorations before the report is accepted. The applicant shall allow members of the commission and commission staff to inspect the interior and exterior of the building.

The Architect that performed the evaluation of the single-family house had the following stated comments in the request letter:

- The economic viability of improving the building in its current configuration has been virtually eliminated due to a variety of factors outside of the current owner's control.
- The multiple additions and modifications of the building over the years have eroded any historical significance and made maintenance, much less improvements, unaffordable.
- The cost to remodel the existing building would far exceed the combined costs of demolition and new construction.

In the building condition report, the Architect started that the building is in fair condition. "Since there has been no major renovation work in more than 20 years, any renovation or addition work will require substantial repairs and interventions into critical areas of the building. Moreover, the nature of previous additions and modifications have increased the complexity associated with any remodel work. The owners want to build an addition and remodel several areas of the home. However, even in areas that are not directly part of the planned work, the building's structural, mechanical, electrical, plumbing, and finishes will be significantly affected, and demolition will be required across the entire building."

"After the owners met with contractors to discuss the scope of renovations, both contractors independently stated that the cost of repairs and renovations would exceed the value of the building. The concern with both contractors was that the complexity, time, and materials involved in working around the remaining building elements was simply too expensive to be a viable option. It is also clear that even a moderate remodel project would lead to substantial costs due to the age, nature, and condition of the building."

If the commission grants demolition approval for a historical building as provided in section 50-12(g), the commission shall condition approval on one or more of the following requirements:

- The commission shall require the applicant to provide a written and pictorial record of the building's history and architectural features for archival purposes, approved by the city. The record should include a narrative accompanied by relevant photographs, drawings, maps, and copies of original documents; or
- The commission shall require the applicant to design the replacement building(s) to meet the requirements of the Historic Preservation Design Guidelines for New Smyrna Beach and submit drawings of the proposed work, photographs of existing buildings or structures on adjacent properties and information about the building materials to be used for commission approval; or
- The commission may require that the owner allow archaeological study of the property before and/or during demolition if the property falls within the area demonstrated to have a medium or high probability to contain archaeological resources; or
- The commission may require that the owner allow salvage activities of the historic building provided the commission finds that there are salvageable materials within the building. Commission staff shall provide evidence to demonstrate that salvageable materials are within or on the building to be demolished; or
- The commission may require that the owner of a historically significant building meet any other condition that is reasonable to mitigate the demolition of the historic building.

As to the replacement structure, the applicant has proposed a two story replacement structure and the architecture of this proposed replacement structure would have to be approved by the Historic New Smyrna Beach Preservation Commission. Staff believes that a building that uses the architecture of frame vernacular, Bungalow, Craftsman, Colonial Revival, or Dutch Revival would suite this section of the City as a replacement structure.

Recommendation

The neighborhood buildings are a mixture of contributing structures. If the Historic New

Smyrna Beach Preservation Commission finds that the structure meets the criteria of being a historically significant building, or does not find that the structure meets the criteria of being a historic significant building, and if the application meets the criteria for building condition, Staff would recommend the following conditions for the demolition of a contributing structure:

1. The applicant to provide a written and pictorial record of the building's history and architectural features for archival purposes, approved by the city. The record should include a narrative accompanied by relevant photographs, drawings, maps, and copies of original documents; and
2. The applicant to design the replacement building(s) to meet the requirements of the Historic Preservation Design Guidelines for New Smyrna Beach and submit drawings of the proposed work; and
3. The owner or future owner shall have archaeological study of the building footprint during demolition.

Proposed replacement structure:

The replacement structure does seem to meet the Historic Preservation Design Guidelines for architectural design and would seem to be compatible with the surrounding structures.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

Exhibit A Location Map.pdf

Exhibit B Aerial Map.pdf
Exhibit C LETTER OF REQUEST 050924.pdf
Exhibit D Building Condition Report.pdf
Exhibit E Site Photos.pdf
Exhibit F Coronado National Historic District Map.pdf
Exhibit G 1916 Sanborn Fire Map.jpg

Exhibit A

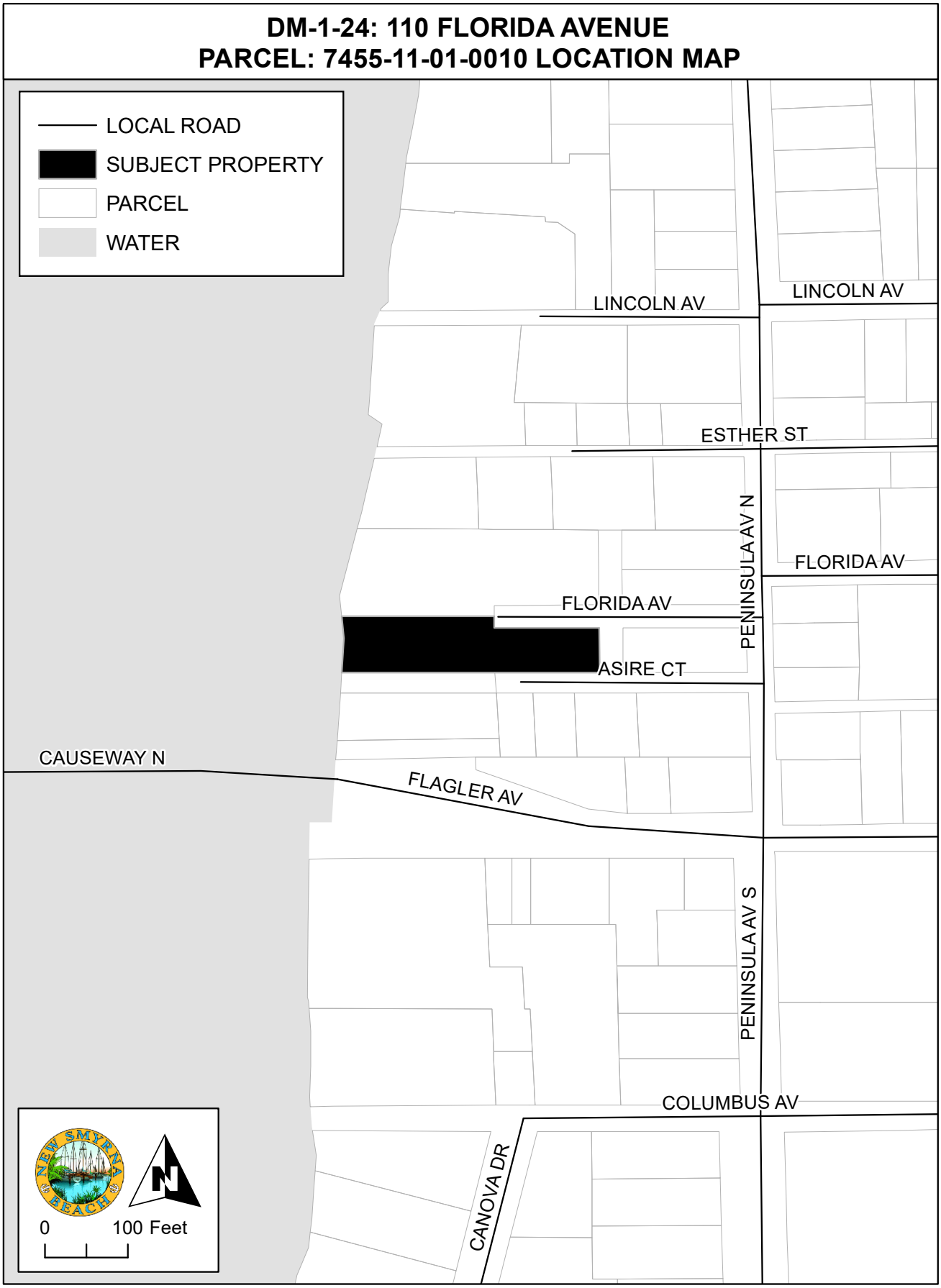

DM-1-24: 110 FLORIDA AVENUE
PARCEL: 7455-11-01-0010 LOCATION MAP
LOCAL ROAD
SUBJECT PROPERTY
PARCEL
WATER
LINCOLN AV
LINCOLN AV
ESTHER ST
PENINSULA AV N
FLORIDA AV
FLORIDA AV
ASIRE CT
CAUSEWAY N
FLAGLER AV
PENINSULA AV S
COLUMBUS AV
CANOVA DR
0
100 Feet

Exhibit B

DM-1-24: 110 FLORIDA AVENUE PARCEL: 7455-11-01-0010 LOCATION MAP



RATLIFF
architecture | urban design
132 Canal Street New Smyrna Beach, FL 32168

Exhibit C

May 9, 2024

Robert Mathen, Senior Planner
City of New Smyrna Beach Planning
214 Sams Avenue
New Smyrna Beach, FL 32168

Re: 110 Florida Avenue HPC Demolition Request

Dear Mr. Mathen:

Please accept the attached Demolition Application and Building Condition Report for the above referenced property. Selby Sullivan, owner, has completed the application and I am providing responses to Section 50-12 (g) and 50-12 (h) of the Code.

Sec. 50-12 (g) – The building is not historically significant and does not meet the criteria for significance established in items 1-10. Specifically, due to the many modifications to the building over time, the building is not historically or architecturally significant in its method of construction, materials period or style. The building is not associated with a significant local, state or national event/person. Additionally, the building is not identified with a person that significantly contributed to the development of the city, state or nation nor is it identified as the work of a master builder or architect.

The building does not retain sufficient elements of its architectural significance nor was the building geographically defined as part of a significant concentration united by past events. Finally, the building is largely isolated from the surrounding neighborhood due to its waterfront location and placement at the end of a lane with limited access and visibility.

Sec. 50-12 (h) – The economic viability of improving the building in its current configuration has been virtually eliminated due to a variety of factors outside the current owners' control. The multiple additions and modifications to the building over the years have eroded any historical significance and made maintenance, much less improvements, unaffordable. The attached Building Condition Report details specific hinderances to improving the various systems and components of the building. In short, the costs to remodel the existing building would far exceed the combined costs of demolition and new construction. Please let me know if I can provide any additional information.

Sincerely,

Ian C Ratliff

Ian Ratliff, Principal Architect
Ratliff Architecture + Urban Design, pl

386.957.1419 ian@ratliffarchitecture.com

Exhibit D

Building Condition Report

for

110 Florida Avenue

prepared by

Ratliff Architecture + Urban Design, pl

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PROJECT DATA

Address: 110 Florida Avenue

Parcel Number: 745511010010

Construction Date: c. 1913 (original portion)

Style: Craftsman

Master Site File #: VO05370



Location Map

REQUEST

To demolish the existing building in order to redevelop the lot with a new single family home consistent with the City of New Smyrna Beach Historic Preservation Standards and similar in style and detail to the existing house.

INTRODUCTION

The owners of 110 Florida Avenue, Selby and Catherine Sullivan, are requesting a Certificate of Appropriateness to demolish the existing single family home. The Sullivans acquired the house in 2020 after the death of Catherine's parents, who owned the house since approximately 1991. The Sullivan's originally hired Ratliff Architecture to design an addition to the front of the house. After developing a design, the Sullivan's began interviewing contractors to complete the project. After examining the house, two different contractors advised the Sullivan's that the existing building had been modified to such an extent that the cost of the addition and associated remodel to the existing building would far exceed the building's value. Furthermore, both contractors stated that the condition of the building's structural and mechanical, electrical, plumbing systems were too compromised to warrant any major renovation/addition to the building. The owners' desire is to build a new home in accordance with the City of New Smyrna Beach Historic Preservation Standards and that reflects the Craftsman style of the original home. Following is a report as to the building's condition, contribution to the historic district, and economic viability for reuse.

PROJECT OBJECTIVES

The objectives of the proposed project are to demolish the existing building and construct a new home of similar size and style to the existing building in approximately the same location. The new home would be designed according to the form, details, and materials identified with the Craftsman style and the new home would be designed to meet the requirements of the New Smyrna Beach Historic Preservation Standards.

HISTORY

The existing building is one and one-half story frame house built circa 1913 in the Craftsman style. It currently comprises approximately 1,660 square feet of conditioned living area on the first floor and approximately 786 square feet of living space on the second floor. A rear screened porch exists on the west (rear) side of the house and a front porch is present on the east (front) side.

This building is listed as a contributing structure of the Coronado Historic District but is not individually listed.

Three historical structure reports have been filed for this building, the most recent in 2007/8, then earlier reports in 1995 and 1986. All reports list the condition of the building as good or excellent. None of the reports listed the

building as a warranting individual listing status and based on an examination of the photos in the master site files and of the building itself, there have been multiple significant additions and modifications to the building over the years.

The current front porch and powder room are both additions. A portion of the existing dining room was originally part of a front porch and the rear porch is also not original to the house. The entire south portion of the existing house, which nearly doubled the footprint, was an addition in the early 1990's. Many changes have occurred to the exterior roof finishes and configurations. The southern chimney was demolished down to the roof line. A pier foundation system is used for the original portion of the building while newer additions utilize a stem wall concrete footing or piers (porches). All historic structure reports are included in the appendix. The building is currently occupied by the applicants.

Building Photographs

Following are photographs of the building exterior in its present condition.



Southeast (front and left) Façade



West (rear) Façade



North (right) Façade

EXISTING CONDITION

Ian Ratliff, Architect surveyed the existing condition of the building on multiple occasions between 2023 and April of 2024. The survey included an inspection of the exterior materials and their condition, the foundation system, the interior arrangement of spaces, exterior doors and windows, interior details and materials, finishes, wall and floor framing, roof framing, and fastening of structural components.

Exterior

The exterior walls are finished with a combination of wood lap siding, painted cedar shingles, fiber cement shingles, striated concrete block (rear porch column bases), coquina blocks (original foundation perimeter), brick (chimneys), and wood and fiber cement trim. The variety of different wall finishes are evidence of the adaptions that have occurred over time. The only original finishes would be the coquina block base, where it has not been covered, and portions of painted shingle and lap siding on the original core of the building. All of the additions have newer finishes.

Approximately half of the windows in the building may be original, all remaining windows and all exterior doors have been replaced over time. None of the windows or exterior doors on the rear of the building are original to the house due to additions. The upper sashes of the windows in the dormers appear similar to those in early photos but the lower sashes are different, which means the windows have most likely been altered or replaced. It is unclear what the original back wall configuration of the house was as it has been significantly altered by the rear porch and southern additions. There is evidence of wood rot on the north wall and at the southwest corner of the siding.

The current roof finish is standing seam metal, but it has had asphalt shingles and there is mention in early site file reports that the roof finish may have been metal tiles. The gable roof has several different pitches, but the original portion has a steep 10:12 at the main portion with a lower 2:12 at the shed dormers.

The front porch has wood columns, a wood baluster, and wood decking but it is not original to the house. The original porch was inset in a portion of the existing dining room. Similarly, the rear porch was an addition, but it is unclear when it was added to the building. Both roofs over the front and rear porches were also additions. The condition of both porches is generally fair although it is likely that the foundations are not built to current standards.

The foundation of the original portion of the building is a raised pier system with a mostly continuous coquina block perimeter. The foundations of the additions are a combination of concrete block stem wall and piers with shallow or no footings. There are numerous areas in the house with bows or soft spots. Many early foundation and framing systems used lumber sizes and spacings that do not

meet current codes. It was common the early through the mid 20th century for pier footings to be placed on very shallow concrete footings, bricks or directly on the earth. Any addition or renovation work to the house would require significant improvements to the existing foundation system to provide a level working surface for construction and to facilitate compliance with current codes and wind loads.



Photograph of rear addition foundation.

Interior Materials



The interior walls and ceilings are a mix of gypsum drywall and plaster finishes. Plumbing leaks have resulted in damage to portions of the kitchen ceiling where water pooled from a leak on the second floor.

On the second floor, there are low spots in the northwest bedroom, most likely indicating insufficient framing.

Photograph of ceiling damage at the kitchen.

Photograph of stairway.



The existing stair has several major code compliance issues. The riser heights are not consistent at each flight or over the entire stair run. A continuous handrail does not exist on either stair flight. The existing guard rail at the stair side and the second floor landing is lower than the building code minimum of 36". Also, there is inadequate headroom where the stair passes through the second floor.

The existing stair will need to be replaced and reconfigured and/or relocated, in order to comply with current stairway regulations. This is a major modification as circulation between floors will be affected on both floors.

Interior architectural casework is present in some areas of the building but due to the many alterations, there is not a consistent detail for baseboards and door/window trim. Some interior doors may be original.

Energy Efficiency

Insulation is not evident in any of the original exterior walls, ceilings or floors. Any modification to the building will require compliance with current energy codes. No water/vapor resistive barrier is present on any of the exterior walls. A water resistive barrier is required at walls and the roof and would need to be added as part of the scope of work to remodel the existing building. All existing windows and exterior doors have virtually no insulating value and would need to be replaced with new energy efficient models.

Wind Protection

Current building codes require that a building have adequate strapping, fastening, or tie-downs to resist wind loads. Essentially, this means that the roof is tied to the walls, then to the floors, and ultimately to the foundation. This building is located in the highest wind exposure category (Category D) and must be designed to resist 140 mph winds. Currently, the building has few if any tie-down systems to resist wind loading and would need to be retrofitted with an appropriate system as part of any work done to the building. This is essential to protect the building, the safety of its inhabitants, and the surrounding properties. Retrofitting the building with an appropriate wind-load resisting system would require significant modifications to the building to access hidden areas. These would occur at all wall/ceiling connections, and all wall to floor/foundation intersections. Similarly, new doors and windows would need to have either impact resistant glazing or a system to protect the openings.

Structural Systems

The foundation system was described earlier on this report. Wall framing is mostly likely 2”x4”. However, the spacing and method of nailing/fastening the framing is unknown. Most frame buildings now are constructed of 2”x6” lumber spaced at 16” centers with mechanical fasteners tying the walls to the sill and top plates. Any work that uncovers sub-standard wall framing would need to be replaced and fastened to current standards. Roof framing on the original building portion is clearly below current standards and as noted earlier, lacks tie downs to the wall systems. Again, any remodeling that impacts the roof framing would require retrofitting of the roof framing. Problems that were evident with the floor framing have been described earlier.

Mechanical, Electrical, Plumbing Systems

The existing electrical system service was upgraded in 2021 but the electrician indicated to the owners that there were significant problems with the wiring and electrical infrastructure that needed to be addressed.

The building has a heat pump HVAC system with an air handler located in the partial basement and both condensing units located on the south side of the building. One of the units was manufactured in 2019 and the other in 2010. Floor vents provide supply to both floors. While the system is operational, this system would not meet current requirements of the Florida Mechanical Code or the Florida Energy Code.

The plumbing system has components of varying age, based on which part of the building it is located. The crawl space and partial basement does provide access to some of the plumbing systems. As noted earlier in the report, there have been significant leaks in the sanitary system of the second floor that has caused damage. The owners have also described other plumbing issues throughout the

older portions of the house. Due to the extensive renovation work that would be required to other parts and systems of the house, it may be more cost effective to replace the majority or all of the plumbing system.

OVERALL ASSESMENT OF CONDITION

The building is in fair condition. Since there has been no major renovation work in more than 20 years, any renovation or addition work will require substantial repairs and interventions into critical areas of the building. Moreover, the nature of previous additions and modifications have increased the complexity associated with any remodel work. The owners want to build an addition and remodel several areas of the home. However, even in areas that are not directly part of the planned work, the building's structural, mechanical, electrical, plumbing, and finishes will be significantly affected, and demolition will be required across the entire building.

After the owners met with contractors to discuss the scope of renovations, both contractors independently stated that the cost of repairs and renovations would exceed the value of the building. The concern with both contractors was that the complexity, time, and materials involved in working around the remaining building elements was simply too expensive to be a viable option. It is also clear that even a moderate remodel project would lead to substantial costs due to the age, nature, and condition of the building.

EVALUATION OF SIGNIFICANCE

The historical architectural significance of this building was never as an individual house, rather it was as part of a larger geographical area. The earliest photos available in the master site file show that the original core of the house is what was representative of the simple vernacular Craftsman style. The porch additions on the front and rear, enclosure of the original front porch, powder room addition, and the large south addition have all significantly diminished the architectural significance of the building. Furthermore, the additions and modifications were completed in varying levels of materials, construction types and craftsmanship. While these changes were separately completed in concert with the original core, its significance to the district is already almost entirely diminished. Given the extent and intrusiveness of the required repairs, there would be virtually no historic value to the remodeled building. It should be noted that the owners want to construct the new building in the same style as the existing house with similar architectural features and the modern equivalent of materials.

ECONOMIC HARDSHIP AND REASONABLE BENEFICIAL USES

The economic hardship of repairing the building to current building code standards is genuine and is more expensive than its entire replacement. Due to current conditions in the building industry and the extent of the required repairs, it is not feasible to itemize repair costs for this project. Construction costs for new construction in this type of project begin at approximately $225-$250 per square foot for any space under roof. Costs for renovation work cannot use a per square foot multiplier but would be for more expensive than new construction. Also, new construction would also allow for more efficiency in the design that will help reduce building costs.

Value and Estimated Costs of Repair

Following is a summary of the current value of the property and building along with the estimated cost of repairs. Values listed below were taken from the Volusia County Property Appraiser's website. The repair estimates assume reuse of the building as a single family home. It is also noted that the costs listed below do not include any items that may be uncovered during construction. Any such items would be additional costs and must be added to the list below. Denial of the demolition request would deprive the owner of a reasonable beneficial use of the property and would result in a deterioration of the existing building.

This report was produced by Ian Ratliff, Architect, Reg. No AR94377 of Ratliff Architecture + Urban Design, pl.



Ian Ratliff, Architect

May 6, 2024
Date

APPENDIX

Florida Master Site File

VO 5370

FLORIDA DEPARTMENT OF STATE
Jim Smith
Secretary of State
DIVISION OF HISTORICAL RESOURCES
R.A. Gray Building
500 South Bronough
Tallahassee, Florida 32399-0250
Director's Office (904) 488-1480
Telecopier Number (FAX) (904) 488-3353

November 29, 1993

Mr. Walter H. Glenn, Jr.
110 Florida Avenue
New Smyrna Beach, Florida 32619

Re: 110 Florida Avenue

Dear Mr. Glenn:

Thank you for the Preliminary Site Information Questionnaire on the above referenced property. Based on the information you have provided, it is our opinion that this property should be considered for listing in the National Register of Historic Places.

I have enclosed a Florida National Register Proposal form and instructions for its preparation.

You should study both the form and the instructions carefully before you attempt to fill out any information. It is essential that you understand what kind of information is required and how it is recorded in order to avoid wasted time and effort. There are several points that must be emphasized.

First is the need for complete and accurate documentation. This applies to the physical description as well as the statement of significance. We need as much specific information as you can provide regarding original construction, alterations, and uses of the property, as well as the historical events, developments, and persons with whom it has been associated.

Second, graphics can be extremely helpful. Current photographs, including overall views and close up shots of important details are required. Historic photographs should be included whenever they are available. Sketch plans or diagrams of sites, interior floor plans, etc., should be carefully and accurately drawn, although not necessarily to scale.

Archaeological Research Florida Folklife Programs Historic Preservation Museum of Florida History

VO3370

Third, site location and boundary information must be precise and accurate. Where street addresses are not applicable, location should be indicated by specific references to identifiable landmarks. Site boundaries should encompass only the site or property specifically identified and described in the nomination proposal.

Finally, the eligibility of the property for National Register listing depends on two essential points: 1) its "site integrity" or the extent to which the property retains the physical character and appearance of its period of significance, and 2) its association with significant historic events, developments, or personalities as reflected in its present condition and appearance.

Obviously, preparation of the nomination proposal will require detailed investigation of both the physical development of the property itself and the broader historic context in which that development occurred. The information obtained must then be incorporated into narrative texts in the physical description and significance statement sections of the proposal form. While this is not a simple task, I am sure that the instruction booklet will provide ample guidance in most cases. However, should you need additional information or clarification, please do not hesitate to call me. I will be happy to help in any way I can.

A single copy of the proposal should be submitted to us as soon as you have it completed in draft form. Footnotes, photographs, and site and floor plans should accompany the draft proposal. This will enable us to give you our comments and to suggest any revisions that we feel may be necessary before you prepare the final document and make the copies of the proposal necessary for distribution to the Review Board. At that point, we should also be able to schedule the proposal for presentation to the Review Board.

We appreciate your interest in nominating this property and look forward to receiving the nomination proposal.

Sincerely,

W. Carl Shiver
Historic Sites Specialist

WCS:bm
Enclosures

V05370

NATIONAL REGISTER OF HISTORIC PLACES
PRELIMINARY SITE INFORMATION QUESTIONNAIRE

BUREAU OF HISTORIC PRESERVATION

FLORIDA DEPARTMENT OF STATE - JIM SMITH - SECRETARY OF STATE

This questionnaire is intended only to provide preliminary information about the property to the Bureau of Historic Preservation.

INCLUDE AT LEAST ONE PHOTOGRAPH OF THE PROPERTY WITH THIS PRELIMINARY QUESTIONNAIRE

1. Name and Location (County) of Property

110 Florida Ave. New Smyrna Beach Fl. 32169 – Volusia

70 Ft of Lot 1 & Lot 8 & Rio Rts Blk 1 Longstaff Sub Walker per OR 3667 Pg 941

2. Name and Address of Owner

Walter & Carolyn Glenn, Jr.
110 Florida Ave.
New Smyrna Beach, Fl 32169

3. Date of Construction or Significant Historic Associations 1913

4. Type of Property:
   - ____ Archaeological Site
   - X Residential Building
   - ____ Public Building
   - ____ Commercial Building
   - ____ Other (Describe)

5. Original Use: Single Family Home

6. Present Use: Same

7. Physical Description (Indicate Basic Design and Construction, and General Condition at Present Time)

Home is early Florida (1913) style – Construction of wood, with metal (tin) shingles (small 12" squares) sits on Coquina Pillars – Home has been restored as original.

8. Why is the Property Significant:

This Home is significant because of construction style and materials used, early fisherman's Home. Care has been taken to preserve this Home as built original windows & doors. Roof repaired as original – Siston still in place

9. Enclosures:
   - ____ Photos
   - ____ Location Map

Received NOV 1993 Survey & Registration

10. Name and Address of Person Submitting:

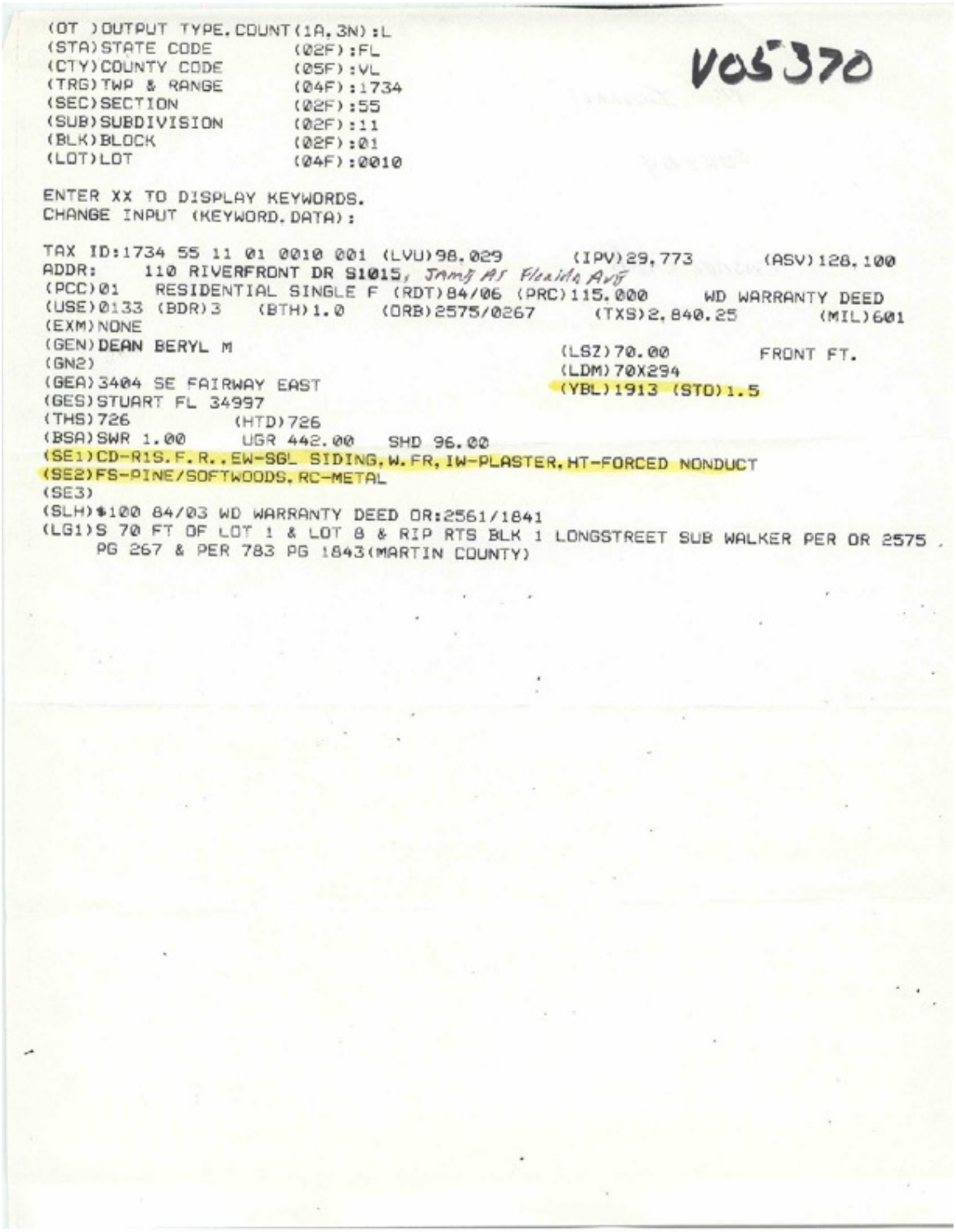
Walter H. Glenn, Jr.
110 Florida Ave
New Smyrna Beach, Fl. 32169

11. Telephone Number 904-426-6204 H.
813-626-7006 W

Date: 10/23/93 Signature: Walter H. Glenn

BUREAU OF HISTORIC PRESERVATION - R. A. GRAY BUILDING
500 SOUTH BRONOUGH STREET - TALLAHASSEE, FLORIDA 32399-0250
TELEPHONE (904) 487-2333

HR3E060389



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(CTY)COUNTY CODE         (05F):VL
(TRG)TWP & RANGE         (04F):1734
(SEC)SECTION             (02F):55
(SUB)SUBDIVISION         (02F):11
(BLK)BLOCK               (02F):01
(LOT)LOT                 (04F):0010

ENTER XX TO DISPLAY KEYWORDS.
CHANGE INPUT (KEYWORD,DATA):

TAX ID:1734 55 11 01 0010 001 (LVU)98,029      (IPV)29,773      (ASV)128,100
ADDR:     110 RIVERFRONT DR S1015, JAMS AS Florida Ave
(PCC)01   RESIDENTIAL SINGLE F (RDT)84/06 (PRC)115.000     WD WARRANTY DEED
(USE)0133 (BDR)3   (BTH)1.0   (ORB)2575/0267     (TXS)2,840.25      (MIL)601
(EXM)NONE
(GEN)DEAN BERYL M                                  (LSZ)70.00        FRONT FT.
(GN2)                                              (LDM)70X294
(GEA)3404 SE FAIRWAY EAST                          (YBL)1913 (STD)1.5
(GES)STUART FL 34997
(THS)726          (HTD)726
(BSA)SWR 1.00     UGR 442.00   SHD 96.00
(SE1)CD-RIS.F.R.,EW-SGL SIDING,W.FR,IW-PLASTER,HT-FORCED NONDUCT
(SE2)FS-PINE/SOFTWOODS,RC-METAL
(SE3)
(SLH)$100 84/03 WD WARRANTY DEED OR:2561/1841
(LG1)S 70 FT OF LOT 1 & LOT 8 & RIP RTS BLK 1 LONGSTREET SUB WALKER PER OR 2575
     PG 267 & PER 783 PG 1843(MARTIN COUNTY)
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V05370

V05370

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(OT )OUTPUT TYPE,COUNT(1A,3N):L,999

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(TRB)TWP & RANGE       (04F):1734

(SEC)SECTION           (02F):55

(SUB)SUBDIVISION       (02F):11

(BLK)BLOCK             (02F):01

(LOT)LOT               (04F):0010

ENTER XX TO DISPLAY KEYWORDS.
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TAX ID:1734 55 11 01 0010 001 (LVU)111,099      (IPV)48,291       (ASV)159,390
ADDR:    110 RIVERFRONT DR S1015
(PCC)01   RESIDENTIAL SINGLE F (RDT)91/07 (PRC)235,000     WD WARRANTY DEED
(USE)0133 (BDR)3   (BTH)2.0   (ORB)3667/0941      (TXS)3,066.58       (MIL)601
(EXM)01-HOMESTEAD
(GEN)GLENN WALTER H JR & CAROLYN P            (LSZ)70.00         FRONT FT.
(GN2)                                         (LDM)70X294
(GEA)110 FLORIDA AVENUE                       (YBL)1913 (STO)1.0
(GES)NEW SMYRNA BEACH FL 321692526
(THS)1,240        (HTD)1,240
(BSA)SWR 70.00    BH1 253.00   BDK 366.00   UGR 442.00   SHD 96.00
(SE1)CD-R1S.F.R.,EW-SGL SIDING,W.FR,IW-DRYWALL,HT-FORCED DUCTED
(SE2)AC-AIR CONDITIONED,FS-CARPET,RC-METAL
(SE3)
(SLH)$115,000 84/06 WD WARRANTY DEED OR:2575/0267
(LG1)S 70 FT OF LOT 1 & LOT 8 & RIP RTS BLK 1 LONGSTREET SUB WALKER PER OR 3667
     PG 941 & COPY OF D/C OR 3667 PG 940
```

Florida Master Site File

HISTORICAL STRUCTURE FORM

Electronic Version 1.1.0

Site # 8 V005370
Recorder # 280
Field Date 1/14/2007
Form Date 2/1/2008
FormNo 200701
FormNo = Field Date (YYYYMM)

First Site Form Recorded for this Site? NO

GENERAL INFORMATION

Site Name (address if none) River House Multiple Listing (DHR only)
Other Names >>
Survey or Project Name New Smyrna Beach Historic Structure Survey Survey#
National Register Category Building(s)

LOCATION & IDENTIFICATION

Address

Street No.	Direction	Street Name	Street Type	Direction Suffix
110		Florida	Avenue	

Cross Streets (nearest/ between) see attached map
City / Town (within 3 miles) New Smyrna Beach In Current City Limits?
County Volusia Tax Parcel #(s) 34175511010010
Subdivision Name Block Lot
Ownership
Name of Public Tract (e.g., park)
Route to (especially if no street address) see attached map

MAPPING

USGS 7.5' Map Name Publication Date >> NEW SMYRNA BEACH;1988
Township: Range: Section: 1/4 section: >> 17S ;34E ;55;UNSP
Irregular Section Name:
Landgrant
UTM: Zone Easting Northing
Plat or Other Map (map's name, location)

DESCRIPTION

Style Craftsman Other Style
Exterior Plan Irregular Other Exterior Plan
Number of Stories 2
Structural System(s) >> Wood frame
Other Structural System(s)
Foundation Type(s) >> Unknown
Other Foundation Types
Foundation Material(s) >> Unspecified
Other Foundation Material(s)
Exterior Fabric(s) >> Drop siding
Other Exterior Fabric(s)
Roof Type(s) >> Gable
Other Roof Type(s)
Roof Material(s) >> Composition shingles
Other Roof Material(s)
Roof Secondary Structure(s) (dormers etc) >> Shed dormer
Other Roof Secondary Structure(s)
Number of Chimneys 1
Chimney Material Brick
Other Chimney Material(s)
Chimney Location(s) south exterior

Page 1 of 3

HISTORICAL STRUCTURE FORM

8VO05370

DESCRIPTION (continued)

Window Descriptions 1/1 double hung sash

Main Entrance Description (stylistic details)

Porches: #open ____ #closed 1 #incised ____ Location(s) west

Porch Roof Types(s) shed

Exterior Ornament

Interior Plan ____ Other Interior Plan ____

Condition Good

Structure Surroundings

Commercial: SOME of this category Residential: SOME of this category

Institutional: ____ Undeveloped: ____

Ancillary Features (Number / type of outbuildings, major landscape features)

Archaeological Remains (describe): none

If archaeological remains are present, was an Archaeological Site Form completed? ____

Narrative Description (optional) Displaying the influences of Craftsman architecture, the building retains many of its original architectural features.

HISTORY

Construction year 1913

Architect (last name first): ____ Builder (last name first): ____

Changes in Locations or Conditions

Type of Change	Year of Change	Date Change Noted	Description of Changes
>>			

Structure Use History

Use ____ Year Use Started ____ Year Use Ended ____ >> Private residence;;

Other Structure Uses ____

Ownership History (especially original owner, dates, profession, etc.)

RESEARCH METHODS

Research Methods ____ >> FL Master Site File-Manuscripts

Other research methods

SURVEYOR'S EVALUATION OF SITE

Potentially Eligible for a Local Register? NO Name of Local Register if Eligible

Idividually Eligible for National Register? NO

Potential Contributor to NR District? YES

Area(s) of historical significance ____ >> Architecture

Other Historical Associations

Explanation of Evaluation (required) Because the resource stands in a relatively dense concentration of historic buildings, it appears to contribute to a historic district. The resource lacks sufficient original architectural details to be individually eligible for the NRHP.

Page 2 of 3

HISTORICAL STRUCTURE FORM

8VO05370

DOCUMENTATION (Photos, Plans, etc.)

Photographic Negatives or Other Collections Not Filed with FMSF, including Field Notes, Plans, other Important Documents.

Document type: _____ Maintaining Organization: _____

File or Accession #: _____ Descriptive Information: _____

>> _____

RECORDER INFORMATION

Recorder Name (Last, First) Marissa Gordon

Recorder Address / Phone 7220 Financial Way Suite 100, Jacksonville, FL 32256/ (904) 724-7333

Recorder Affiliation Environmental Services, Inc. Other Affiliation _____

Is a Text-Only Supplement File Attached (Surveyor Only)? _____

****** MASTER SITE FILE USE ONLY ******

SHPO's Evaluation of Resource

_____ Date _____

Cultural Resource Type: SS

Electronic Form Used: S110

Form Type Code: NORM

Form Quality Ranking: NEW

Form Status Code: SCAT

Supplement Information Status: NO SUPPLEMENT

Supplement File Status: NO SUPPLEMENT FILE

FMSF Staffer: _____

Computer Entry Date: 3/21/2008

Form Comments: _____

REQUIRED PAPER ATTACHMENTS	(1) USGS 7.5" MAP WITH STRUCTURE PINPOINTED IN RED
	(2) LARGE SCALE STREET OR PLAT MAP
	(3) PHOTO OF MAIN FACADE, B&W, AT LEAST 3"X5"

Page 3 of 3

VO05370-200701

Supplementary Printout

> **USGS map name/year of publication or revision:**
NEW SMYRNA BEACH;1988

> **Township/Range/Section/Qtr:**
17S ;34E ;55;UNSP

> **Structural system(s):**
Wood frame

> **Foundation types:**
Unknown

> **Foundation materials:**
Unspecified

> **Exterior fabrics:**
Drop siding

> **Roof types:**
Gable

> **Roof materials:**
Composition shingles

> **Roof secondary structures (dormers etc):**
Shed dormer
Shed extension

> **Change status/year changed/date noted/nature:**

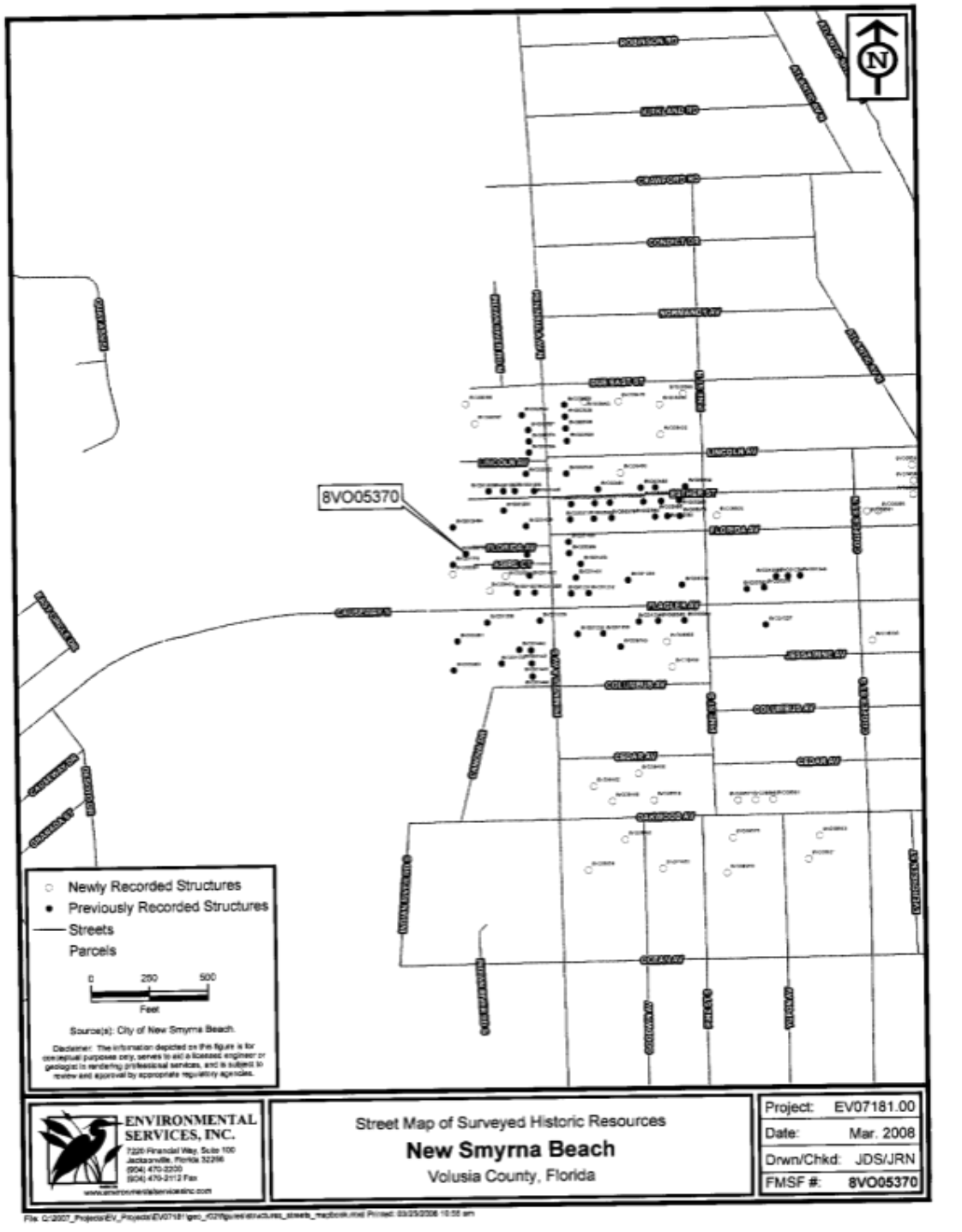
> **Original, intermediate, present uses/year started/year ended:**
Private residence;;

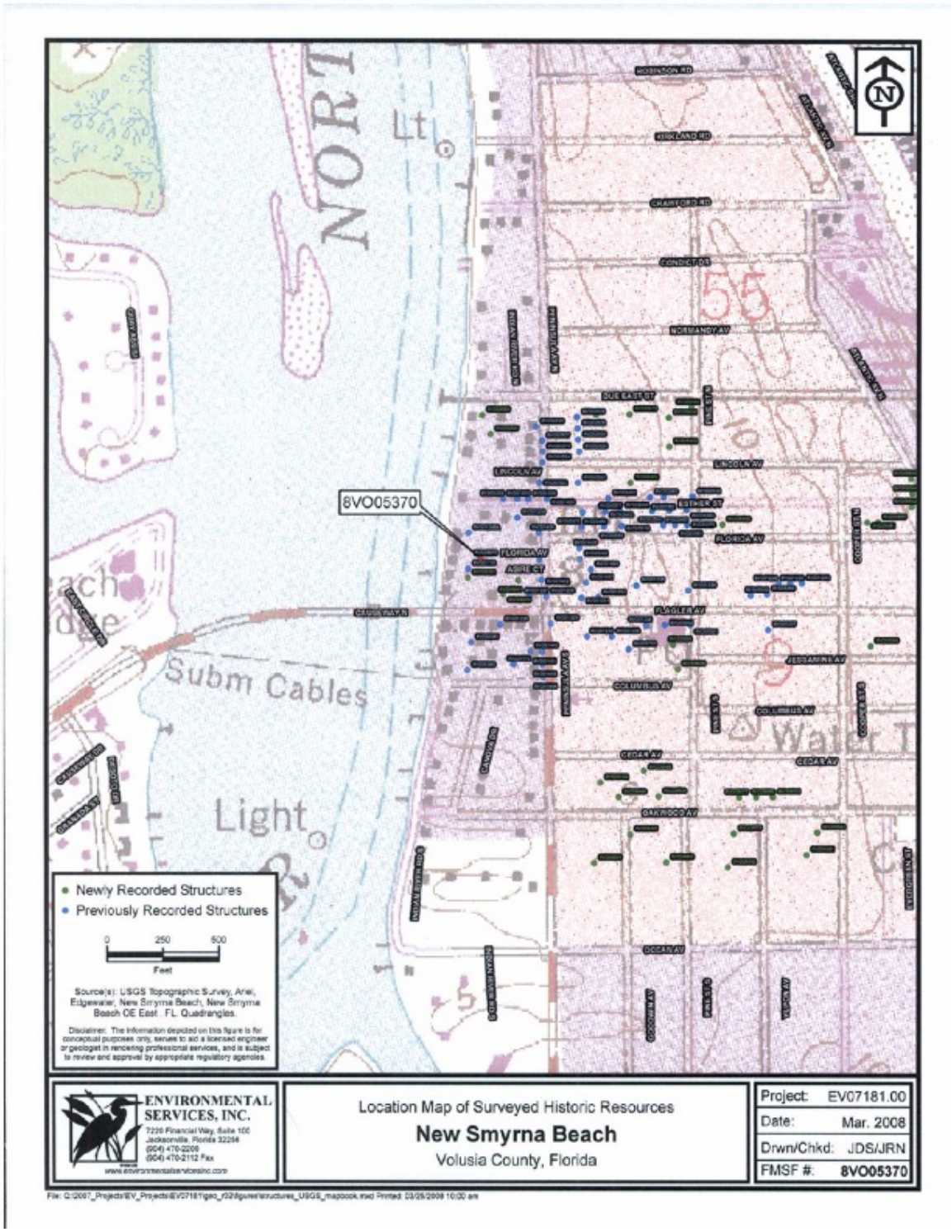
> **Research methods:**
FL Master Site File-Manuscripts
FL Master Site File-Cultural Resources
Newspaper files
Plat map
Examine local property records
Sanborn maps
FL Archives-not FMSF
Library research-local
Pedestrian

> **Area(s) of historical significance:**
Architecture

> **Repositories: Collection/Housed/Accession#/Describe**

> **[Other name(s)]:**


8VO05370
Newly Recorded Structures
Previously Recorded Structures
Streets
Parcels
0 250 500
Feet
Source(s): City of New Smyrna Beach.
ENVIRONMENTAL SERVICES, INC.
7220 Financial Way, Suite 100
Jacksonville, Florida 32256
(904) 470-2200
(904) 470-2112 Fax
Street Map of Surveyed Historic Resources
New Smyrna Beach
Volusia County, Florida
Project: EV07181.00
Date: Mar. 2008
Drwn/Chkd: JDS/JRN
FMSF #: 8VO05370


8VO05370
Subm Cables
Light
Newly Recorded Structures
Previously Recorded Structures
0
250
500
Feet
Source(s): USGS Topographic Survey, Ariel, Edgewater, New Smyrna Beach, New Smyrna Beach OE East , FL Quadrangles.
Disclaimer: The information depicted on this figure is for conceptual purposes only, serves to aid a licensed engineer or geologist in rendering professional services, and is subject to review and approval by appropriate regulatory agencies.
ENVIRONMENTAL SERVICES, INC.
7220 Financial Way, Suite 100
Jacksonville, Florida 32256
(904) 470-2200
(904) 470-2112 Fax
www.environmentalservicesinc.com
Location Map of Surveyed Historic Resources
New Smyrna Beach
Volusia County, Florida
Project: EV07181.00
Date: Mar. 2008
Drwn/Chkd: JDS/JRN
FMSF #: 8VO05370

RECORD NUMBER: 54
Page 1 HISTORICAL STRUCTURE FORM Site # 105370
X original FLORIDA MASTER SITE FILE
update

Mull List # 7046

SITE NAME: River House
HISTORIC CONTEXTS: Spanish-American War
NAT. REGISTER CATEGORY: Building
OTHER NAMES OR MSF NOS:
COUNTY: Volusia OWNERSHIP TYPE: Private, individual
PROJECT NAME: Re-survey of NSB Flagler Ave. Area: S+P DHR NO. 4033
LOCATION:
ADDRESS: 110 Florida Avenue
CITY: New Smyrna Beach
VICINITY OF/ROUTE TO: See attached map

SUB: Longstreet Sub BLOCK 1 LOT 2
PLAT OR OTHER MAP: Volusia County Property Appraiser Map
TOWNSHIP: 17s RANGE: 34e SECTION: 55 1/4: 1/4-1/4:
IRREGULAR SEC? X y n LAND GRANT: Walker Grant
USGS 7.5 MAP: New Smyrna Beach 1956 PR 1980
UTM: ZONE: EASTING: NORTHING:
COORDINATES: LATITUDE: D M S LONGITUDE: D M S

HISTORY
ARCHITECT: Unknown
BUILDER: Unknown
CONSTRUCTION DATE: c. 1913 RESTORATION DATE(S):
MODIFICATION DATE(S):
MOVE: DATE: ORIG. LOCATION:
ORIGINAL USE (S): Residence
PRESENT USE (S): Residence

DESCRIPTION
STYLE: Craftsman
PLAN: EXTERIOR: Irregular
PLAN: INTERIOR: Unknown
NO. STORIES: 1.5 OUTBLDGS: 2 PORCHES: 1 DORMERS: 2
STRUCTURAL SYSTEM(S): Wood, balloon frame
EXTERIOR FABRIC(S): Wood, drop siding and wood shingle
FOUNDATION: TYPE: Continuous
MATERIALS: Concrete
INFILL:
PORCHES: W/end/shed roof, square posts, balustrade/3 bays
ROOF: TYPE: Gable
SURFACING: Metal, pressed shingle
SECONDARY STRUCS: Gable extension
CHIMNEY: NO.: 2
MATERIALS: Brick
LOCATIONS: N; ridge; S; end, exterior
WINDOWS: Double-hung sash, 4/1 lights; Casement, Queen Anne

EXTERIOR ORNAMENT:
CONDITION: Excellent
SURROUNDINGS: Residential
NARRATIVE:
See continuation sheet

RECORD NO: 54
Page 2 **FMSF HISTORICAL STRUCTURE FORM** **Site #** 05370

ARCHAEOLOGICAL REMAINS AT THE SITE
FMSF ARCHAEOLOGICAL FORM COMPLETED? y X n
ARTIFACTS OR OTHER REMAINS: None observed

RECORDER'S EVALUATION OF SITE
AREAS OF SIGNIFICANCE: Architecture

ELIGIBLE FOR NAT. REGISTER?	y	X n	**likely, need info**	**insf info**
SIGNIF. AS PART OF DISTRICT?	X y	n	**likely, need info**	**insf info**
SIGNIFICANT AT LOCAL LEVEL?	X y	n	**likely, need info**	**insf info**

SUMMARY OF SIGNIFICANCE
See continuation sheet

* * * * DHR USE ONLY * * * * * * * DHR USE ONLY * * * * * *
* DATE LISTED ON NR _____ *
* KEEPER DETERMINATION OF ELIG.(DATE): _YES ____ _NO ____ *
* SHPO EVALUATION OF ELIGIBILITY (DATE): _YES ____ _NO ____ *
* LOCAL DETERMINATION OF ELIG. (DATE): _YES ____ _NO ____ *
* OFFICE_____ *
* *
* * * * DHR USE ONLY * * * * * * * DHR USE ONLY * * * * * *

RECORDER INFORMATION: **NAME:** Stephen Olausen/Sidney Johnston
DATE: 05/15/95 **AFFILIATION:** Historic Property Associates

PHOTOGRAPHS
LOCATION OF NEGATIVES: Historic Property Associates
NEGATIVE NUMBERS: Roll 3, fr. 10

PHOTOGRAPH M A P

See Attachments

8V05370

RN 54 CONTINUATION SHEET

Architectural Description: This one-and-one-half-story wood balloon frame residence is located at 110 Florida Avenue. It is an example of Craftsman architecture. The building has an irregular plan and a gable roof with a gable extension. Wood drop siding and wood shingle serve as the exterior wall fabrics and double-hung sash and casement windows admit natural interior lighting. An end porch displays a shed roof with square posts and balustrades. Brick chimneys pierce the roof and a continuous concrete foundation supports the building.

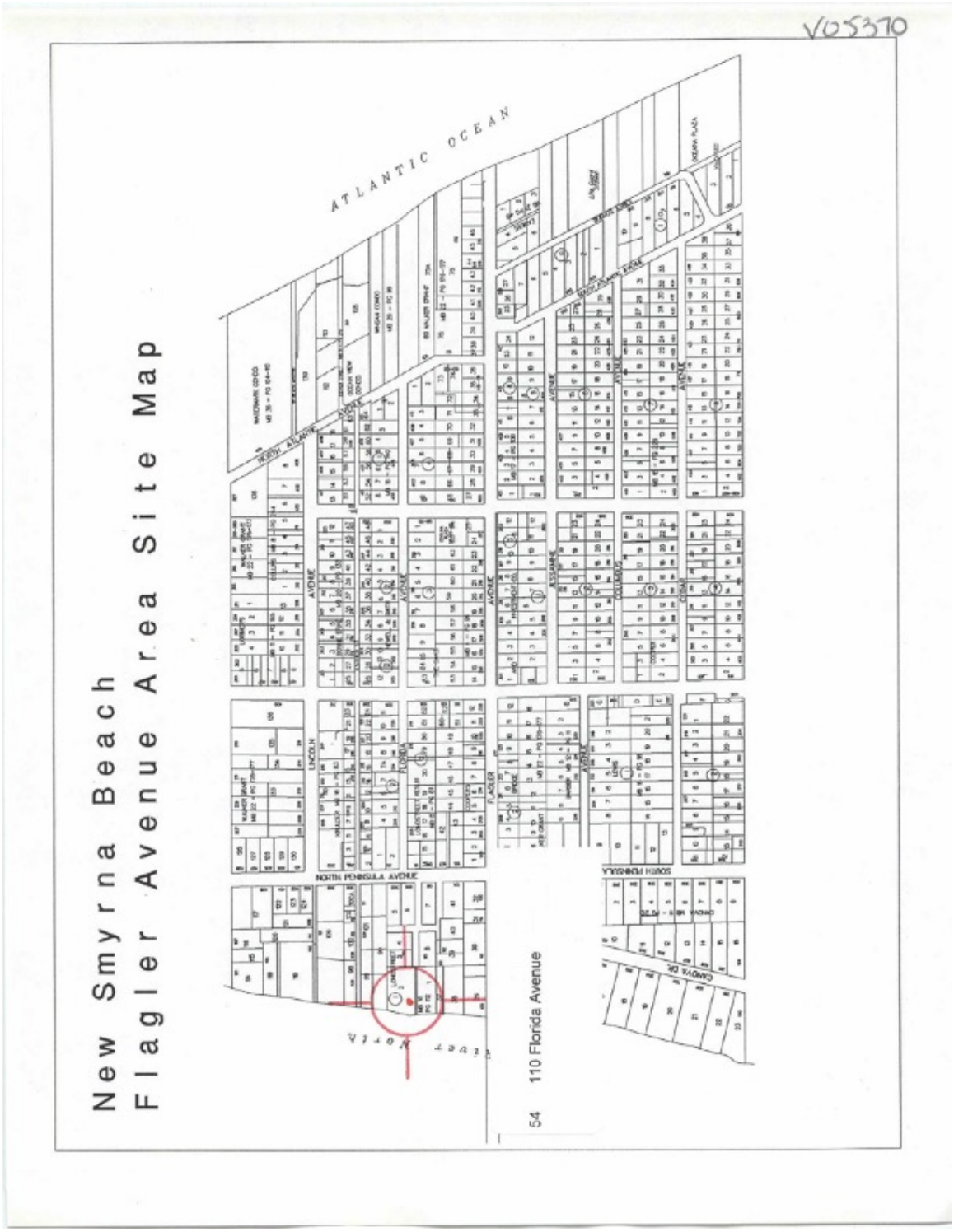
Architectural Context: Originating in Southern California, the Craftsman style was introduced by architects Charles Sumner Greene and Henry Mather Greene. Influenced greatly by the Arts and Crafts movement, Craftsman methods of wood framing emphasized the interplay of angles and planes and expressive display of structural members, which were intended to harmonize the house with its surroundings. The Greene brothers spread their design concepts throughout the country through articles in popular magazines, particularly *The Architect, House Beautiful, Good Housekeeping, Architectural Record, Country Life in America,* and *Ladies' Home Journal.*

As a result, the Craftsman style became the most popular residential design in the country between about 1905 and the mid 1920s. Pattern books offered plans and pre-cut packages of lumber and detailing were available for construction by local labor. High-style interpretations are rare, although some are found in California where they have been synonymously labeled the Western Stick style. The style was particularly well suited for small single family dwellings commonly referred to as bungalows.

Typical features of Craftsman architecture include a low-pitched, gable roof (occasionally hipped) with wide, unenclosed eave overhangs. The roof rafters are exposed. Roof beams or triangular knee braces were often added under the gables. The porch is usually the most dominant architectural feature of the Craftsman style. They are either full or partial width, with the roof supported by tapered square columns that frequently extend to ground level or rest on massive brick or stone piers.

Historical Narrative: The building is located in the Longstreet subdivision of lots 5 and 6, block 1, Alden subdivision of the Walker Grant, which was platted by H.C. Longstreet in 1913. The date of the subdivision, Sanborn Company maps prepared of the area between 1916 and 1938, and architectural evidence based on comparisons with buildings of similar size and design indicate the dwelling was constructed about 1913. Tax roll research historically associates the house with Watson and Read.

Historical Context: Historic Coronado Beach is located on a narrow peninsula that separates the Indian River from the Atlantic Ocean east of the mainland of New Smyrna Beach. Development there lagged until the 1890s, when the railroad reached New Smyrna and a wooden bridge was built to connect the mainland with the peninsula. A small commercial district emerged on Flagler Avenue, containing a hotel, post office, general store, and scattered residences. Other dwellings were built on surrounding streets and along the river and ocean. In 1900, the census bureau counted 175 residents. In the following decades new subdivisions offered numerous additional building lots, many of which filled with dwellings. Several large boarding houses were developed to cater to vacationers from central Florida and other regions. The City of Coronado Beach incorporated in 1924, near the height of the Florida land boom, when still more dwellings appeared along the streets of the seaside community. In 1930, the permanent population reached 224. During the Great Depression the economy was buoyed by the tourist and fishing industries. The Coronado Beach area of the City of New Smyrna Beach, set astride Florida's Atlantic coast, contains an important collection of historic buildings that contribute to Florida's architectural heritage.


V053370
New Smyrna Beach
Flagler Avenue Area Site Map
ATLANTIC OCEAN
NORTH ATLANTIC AVENUE
NORTH PENINSULA AVENUE
SOUTH PENINSULA
CANOVA DR
54 110 Florida Avenue


V05370
54 110 Florida Avenue
8V05370
NORTH
SMYRNA BEACH
W. SMYRNA BEACH
INDIAN
Sheephead
Big Cove
NEW SMYRNA BEACH, FLA.
SW/4 PORT ORANGE 15' QUADRANGLE
N2900—W8052.5/7.5
1956
PHOTOREVISED 1980
DMA 4842 III SW—SERIES V847

FLORIDA MASTER SITE FILE
Site inventory Form

VO 5370

SITE NO. ~~8V01180~~

SITE NAME: 110 Asire Court
ADDRESS: 110 Asire Court
INSTRUCTIONS TO LOCATE:

SURVEY DATE: 08/31/86

2180

LOCATION: Longstreet Subdivision Name | 1 Block No. | 1,8 Lot No.
COUNTY: Volusia
DISTRICT NAME IF APPLICABLE:
OWNER OF SITE: NAME: Dean, Ted & Beryl M.
ADDRESS: 3404 SE Fairway East
ADDRESS: Stuart, FL
TYPE OF OWNERSHIP: Private
RECORDING DATE: / /
RECORDER: NAME & TITLE: Historic Property Associates
ADDRESS: P.O. Box 1002
St. Augustine, FL

CONDITION OF SITE: Check One		INTEGRITY OF SITE: Check one or more	
			ORIGINAL USE residence
EXCELLENT	x	ALTERED	PRESENT USE residence
x GOOD		UNALTERED	DATES c.+1910
FAIR		ORIGINAL SITE	CULTURE/PHASE American
DETERIORATED		RESTORED: / /	PERIOD: 20th Century
		MOVED: / /	

NR CLASSIFICATION CATEGORY:
DATE LISTED ON NR: / /

THREATS TO SITE: Check one or more

ZONING	TRANSPORTATION
DEVELOPMENT	FILL
DETERIORATION	DREDGE
BORROWING	
OTHER (See Remarks Below)	

AREAS OF SIGNIFICANCE: Architecture

SIGNIFICANCE

See Continuation Sheet

SEE SITE FILE STAFF FOR ORIGINAL PHOTO(S) OR MAP(S)

~~V0H20~~
V05370

RECORD NUMBER 47

ARCHITECT:

BUILDER:

STYLE AND/OR PERIOD: Frame Vernacular

PLAN TYPE: Square

EXTERIOR FABRIC(S): Wood:drop siding

STRUCTURAL SYSTEM(S): Wood:balloon

PORCHES: W/1-story end with tapering square wood columns,
brick piers
ORIENTATION: W

FOUNDATION: Ctoninuous:stone

ROOF TYPE: Gable

SECONDARY ROOF STRUCTURE(S): Dormer:shed

CHIMNEY LOCATION: SE:end,exterior,rear slope # N:ridge

WINDOW TYPE: DHS,4/1,wood,grouped (3)

CHIMNEY: Brick

ROOF SURFACING: Metal,sheet

ORNAMENT EXTERIOR:

NO. OF CHIMNEYS 2

NO. OF STORIES 11/2

NO. OF DORMERS: 2

OUTBUILDINGS:

SURROUNDINGS:
SITE SIZE (approx. acreage)

TOWNSHIP	RANGE	SECTION
17S	34E	9

UTM ZONE	UTM EASTING	UTM NORTHING

PHOTOGRAPHIC RECORDS NUMBERS:

V

V01120
V05370

CONTINUATION SHEET

Statement of Significance:

This one and one-half story frame vernacular residence is located at 110 Asire Court. Features of note include a steeply pitched gable roof, shed dormers on the front (east) and rear (west) roof slopes, exposed rafter tails and knee braces under the gable eaves. This house has a commanding view of the Indian River. Alterations include screening of the front porch.

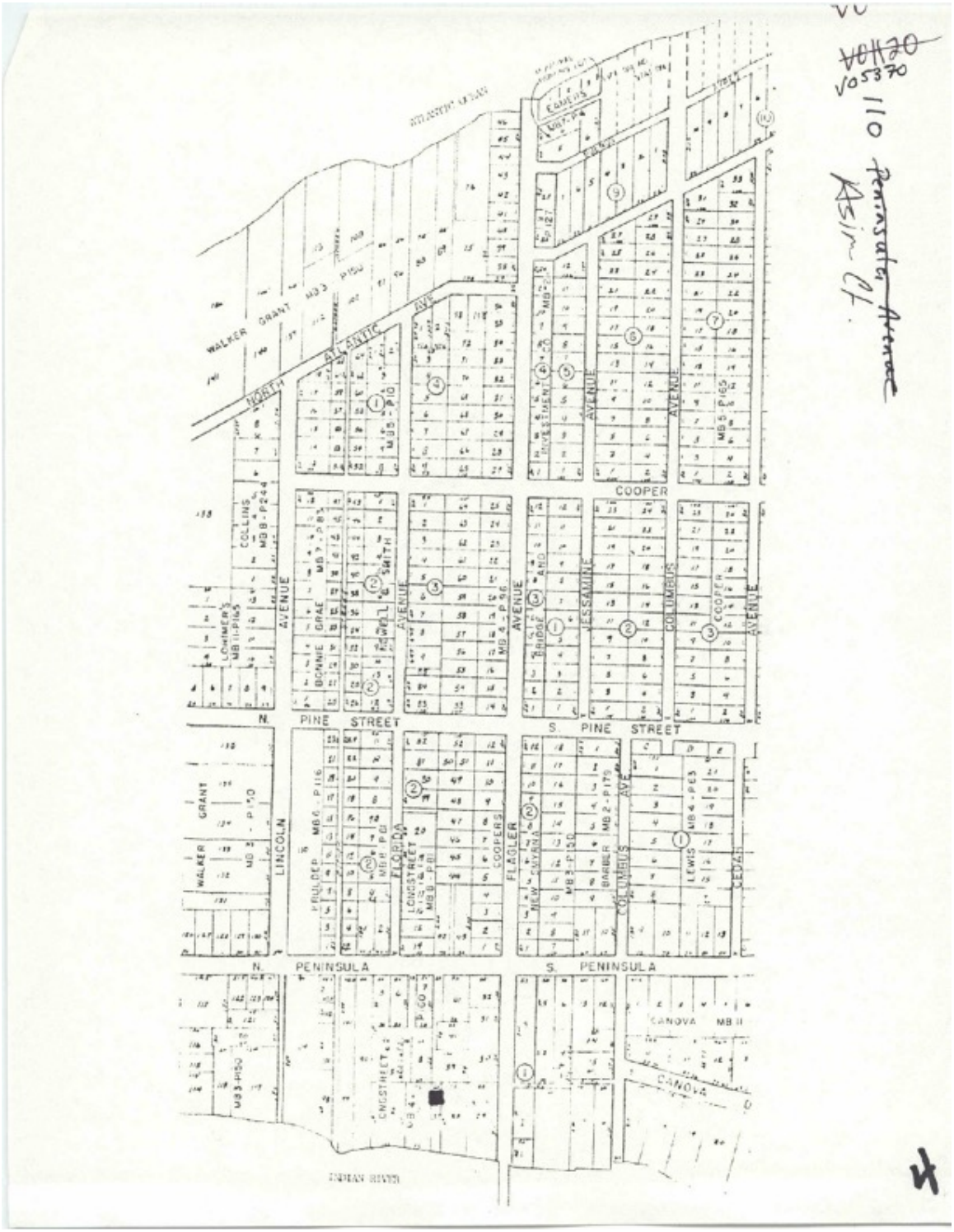
This building is located in the Longstreet subdivision platted for H.C. Longstreet in 1911. (1) Sanborn Maps indicate that this building was constructed prior to 1916. (2) Architectural comparison to other buildings of similar size and design in the survey area suggest that the construction date is c. 1910.

This property is located within the corporate limits of New Smyrna Beach, the site of America's largest colonial enterprise, begun in 1768. Although the Turnbull colony was abandoned in 1777, some measure of settlement persisted, resulting from the presence of a coastal inlet in the vicinity. Resettlement began in earnest after the Civil War. The town was incorporated in 1887 and developed on the basis of a tourism, citrus, and commercial fishing economy. Rapid growth in the early twentieth century was spurred by the Florida East Coast Railroad. The City of New Smyrna Beach was expanded in 1947 to include the peninsula community of Coronado Beach.

Footnotes

1. Map Book 15, p. 112, Attorney's Title Services Inc., New Symrna Beach, Florida.
2. Sanborn Fire Insurance Maps 1912, 1916, 1924, 1930.

3


VO5370
110 Peninsula Avenue
Assr Of.
4
ATLANTIC AVE
NORTH
WALKER GRANT MB 3 P150
COOPER
AVENUE
COLLINS MB 8-P244
LOMBARD'S MB 11-P65
BONNIE BRAE
POWELL SMITH
MB 7-P84
MB 4-P96
JESSAMINE
COLUMBUS
N. PINE STREET
S. PINE STREET
GRANT
WALKER
MB 3 - P150
LINCOLN
PRUDEL
MB 6 - P116
FLORIDA
LONGSTREET
COOPERS
FLAGLER
MB 2-P175
BARBER
LEWIS
MB 4 - P65
CEDAR
N. PENINSULA
S. PENINSULA
CANOVA
MB 11
CANOVA
MB 3-P150
INDIAN RIVER




V05370
PSIQ



OHIO
V0 5328
47
198608
5



199505

54 110 Florida Avenue

8V05370



Volusia County Property Appraiser Valuation

Tax Year:	2024 Working	2023 Final	2022 Final
Valuation Method:	1-Market Oriented	1-Market Oriented	1-Market Oriented
Improvement Value:	Cost	Cost	Cost
Land Value:	$452,859	$451,584	$344,020
Just/Market Value:	$1,911,800	$1,469,400	$1,070,450
	$2,364,659	$1,920,984	$1,414,470

Back to Top

Working Tax Roll Values by Taxing Authority

Values shown below are the 2024 WORKING TAX ROLL VALUES that are subject to change until certified. Millage Rates below that are used in the calculation of the Estimated Taxes are the 2023 FINAL MILLAGE RATES. The Just/Market listed below is not intended to represent the anticipated selling price of the property and should not be relied upon by any individual or entity as a determination of current market value.

Tax Authority		Just/Market Value	Assessed Value	Ex/10CAP	Taxable Value	Millage Rate	Estimated Taxes
0017	CAPITAL IMPROVEMENT	$2,364,659	$1,500,365	$25,000	$1,475,365	1.5000	$2,213.05
0012	DISCRETIONARY	$2,364,659	$1,500,365	$25,000	$1,475,365	0.7480	$1,103.57
0011	REQ LOCAL EFFORT	$2,364,659	$1,500,365	$25,000	$1,475,365	3.1610	$4,663.63
0050	GENERAL FUND	$2,364,659	$1,500,365	$50,000	$1,450,365	3.3958	$4,925.15
0053	LAW ENFORCEMENT FUND	$2,364,659	$1,500,365	$50,000	$1,450,365	1.4541	$2,108.98
0055	LIBRARY	$2,364,659	$1,500,365	$50,000	$1,450,365	0.4209	$610.46
0520	MOSQUITO CONTROL	$2,364,659	$1,500,365	$50,000	$1,450,365	0.1781	$258.31
0530	PONCE INLET PORT AUTHORITY	$2,364,659	$1,500,365	$50,000	$1,450,365	0.0692	$100.37
0058	VOLUSIA ECHO	$2,364,659	$1,500,365	$50,000	$1,450,365	0.2000	$290.07
0057	VOLUSIA FOREVER	$2,364,659	$1,500,365	$50,000	$1,450,365	0.2000	$290.07
0065	FLORIDA INLAND NAVIGATION DISTRICT	$2,364,659	$1,500,365	$50,000	$1,450,365	0.0288	$41.77
0120	SOUTH EAST VOLUSIA HOSPITAL AUTHORITY	$2,364,659	$1,500,365	$50,000	$1,450,365	0.8162	$1,183.79
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$2,364,659	$1,500,365	$50,000	$1,450,365	0.1793	$260.05
0271	NEW SMYRNA BCH I&S 2005	$2,364,659	$1,500,365	$50,000	$1,450,365	0.1900	$275.57
0272	NEW SMYRNA BCH I&S 2018	$2,364,659	$1,500,365	$50,000	$1,450,365	0.0990	$143.59
0270	NEW SMYRNA BEACH	$2,364,659	$1,500,365	$50,000	$1,450,365	4.4150	$6,403.36
						17.0554	$24,871.78

Non-Ad Valorem Assessments

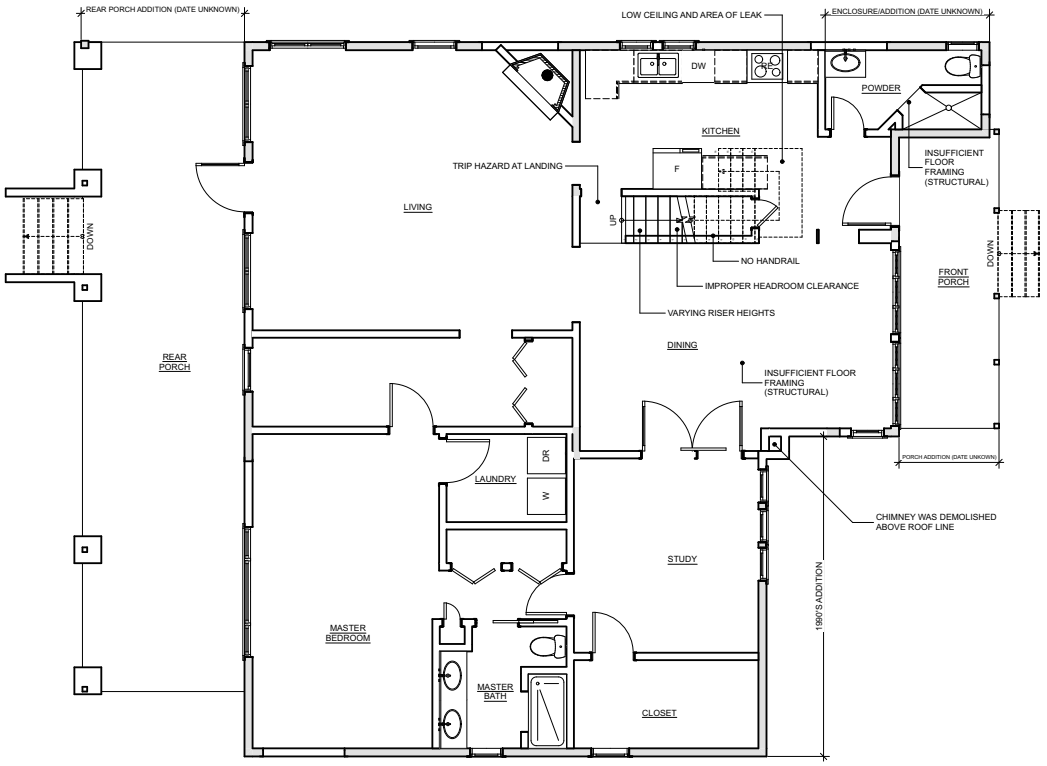
Project	#Units	Rate	Amount
6012-NSB STORMWATER	1.00	$95.00	$101.00

Estimated Ad Valorem Tax:	$24,871.78
Estimated Non-Ad Valorem Tax:	$101.00
Estimated Taxes:	**$24,972.78**
Estimated Tax Amount without SOH/10CAP ⓘ	$40,431.21

Floor Plan

PROJECT DATA

LOT AREA:	19,289 SF
EXISTING 1ST FLOOR CONDITIONED AREA:	1,660 SF
EXISTING 2ND FLOOR CONDITIONED AREA:	786 SF



1ST FLOOR EXISTING PLAN

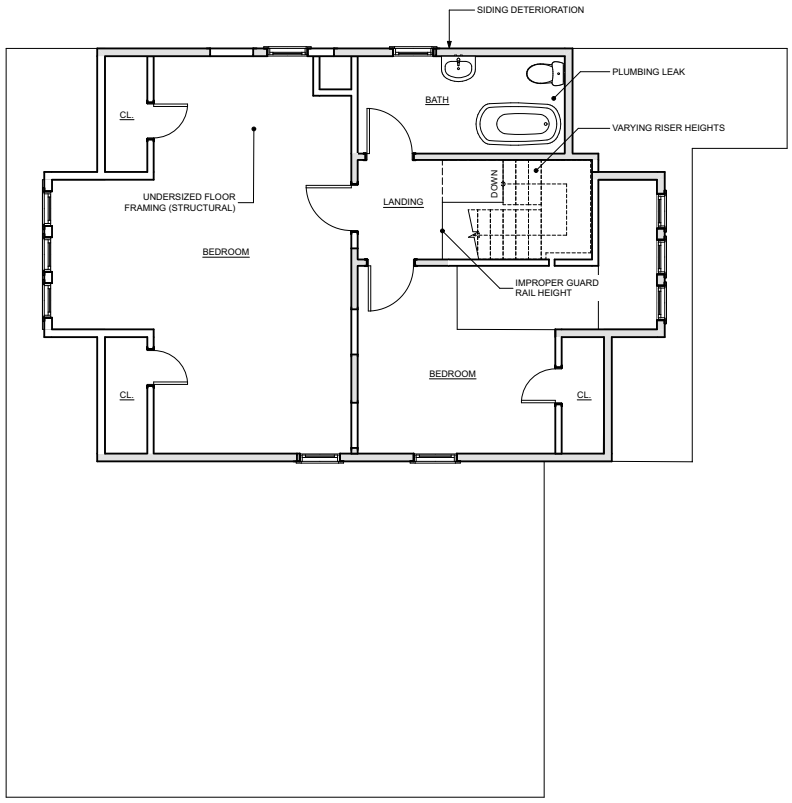
NOT TO SCALE

DATE: 5/06/2024	PROJECT: **110 FLORIDA AVENUE**	RATLIFF architecture + urban design, PL
SHEET: **A-1**	DESCRIPTION: Building condition report	132 Canal Street New Smyrna Beach, FL 386.957.1419 AA26002012

Floor Plan

PROJECT DATA

LOT AREA:	19,289 SF
EXISTING 1ST FLOOR CONDITIONED AREA:	1,660 SF
EXISTING 2ND FLOOR CONDITIONED AREA:	786 SF



2ND FLOOR EXISTING PLAN

NOT TO SCALE

DATE: 5/06/2024	PROJECT: **110 FLORIDA AVENUE**	RATLIFF architecture + urban design, PL
SHEET: **A-2**	DESCRIPTION: Building condition report	132 Canal Street New Smyrna Beach, FL 386.957.1419 AA26002012



FRONT ELEVATION CONCEPT

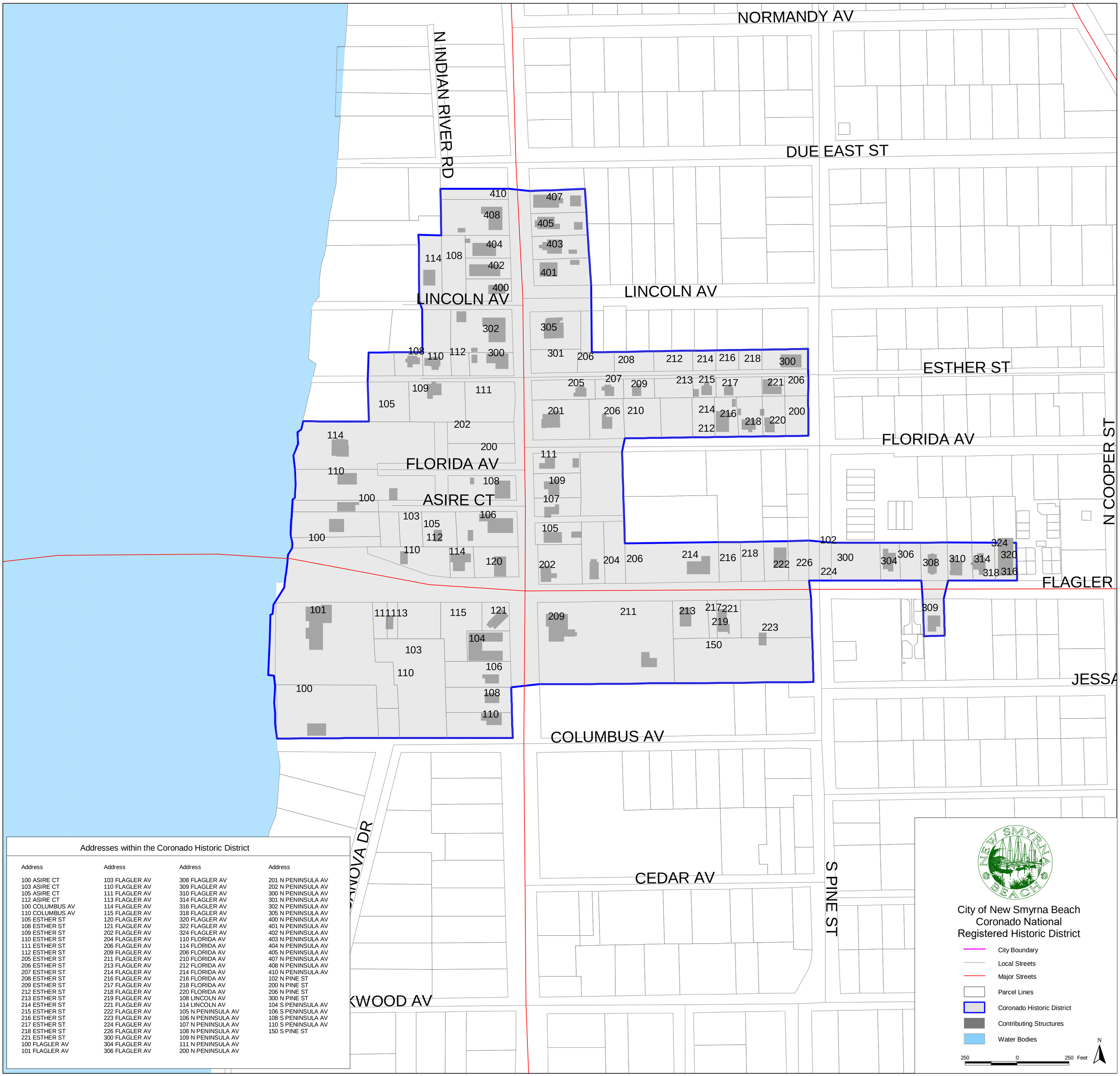
NOT TO SCALE

DATE: 5/06/2024	PROJECT: **110 FLORIDA AVENUE**	RATLIFF architecture + urban design, PL
SHEET: **A-3**	DESCRIPTION: Building condition report	132 Canal Street New Smyrna Beach, FL 386.957.1419 AA26002012

Exhibit E







Addresses within the Coronado Historic District

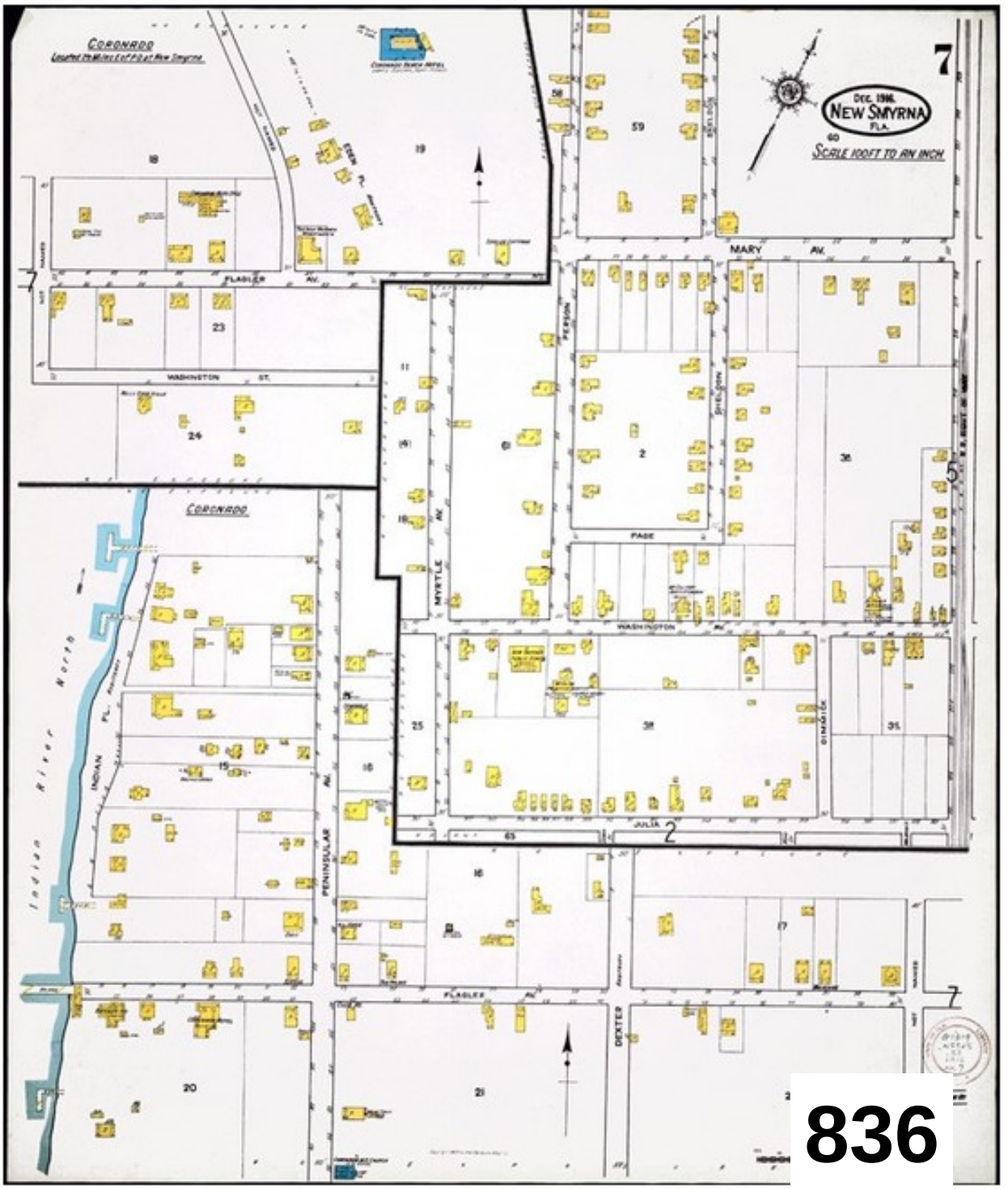
Address	Address	Address	Address
100 ASIRE CT	103 FLAGLER AV	308 FLAGLER AV	201 N PENINSULA AV
103 ASIRE CT	110 FLAGLER AV	309 FLAGLER AV	202 N PENINSULA AV
105 ASIRE CT	111 FLAGLER AV	310 FLAGLER AV	300 N PENINSULA AV
112 ASIRE CT	113 FLAGLER AV	314 FLAGLER AV	301 N PENINSULA AV
100 COLUMBUS AV	114 FLAGLER AV	316 FLAGLER AV	302 N PENINSULA AV
110 COLUMBUS AV	115 FLAGLER AV	318 FLAGLER AV	305 N PENINSULA AV
105 ESTHER ST	120 FLAGLER AV	320 FLAGLER AV	400 N PENINSULA AV
108 ESTHER ST	121 FLAGLER AV	322 FLAGLER AV	401 N PENINSULA AV
109 ESTHER ST	202 FLAGLER AV	324 FLAGLER AV	402 N PENINSULA AV
110 ESTHER ST	204 FLAGLER AV	110 FLORIDA AV	403 N PENINSULA AV
111 ESTHER ST	206 FLAGLER AV	114 FLORIDA AV	404 N PENINSULA AV
112 ESTHER ST	209 FLAGLER AV	206 FLORIDA AV	405 N PENINSULA AV
205 ESTHER ST	211 FLAGLER AV	210 FLORIDA AV	407 N PENINSULA AV
206 ESTHER ST	213 FLAGLER AV	212 FLORIDA AV	408 N PENINSULA AV
207 ESTHER ST	214 FLAGLER AV	214 FLORIDA AV	410 N PENINSULA AV
208 ESTHER ST	216 FLAGLER AV	216 FLORIDA AV	102 N PINE ST
209 ESTHER ST	217 FLAGLER AV	218 FLORIDA AV	200 N PINE ST
212 ESTHER ST	218 FLAGLER AV	220 FLORIDA AV	206 N PINE ST
213 ESTHER ST	219 FLAGLER AV	108 LINCOLN AV	300 N PINE ST
214 ESTHER ST	221 FLAGLER AV	114 LINCOLN AV	104 S PENINSULA AV
215 ESTHER ST	222 FLAGLER AV	105 N PENINSULA AV	106 S PENINSULA AV
216 ESTHER ST	223 FLAGLER AV	106 N PENINSULA AV	108 S PENINSULA AV
217 ESTHER ST	224 FLAGLER AV	107 N PENINSULA AV	110 S PENINSULA AV
218 ESTHER ST	226 FLAGLER AV	108 N PENINSULA AV	150 S PINE ST
221 ESTHER ST	300 FLAGLER AV	109 N PENINSULA AV	
100 FLAGLER AV	304 FLAGLER AV	111 N PENINSULA AV	
101 FLAGLER AV	306 FLAGLER AV	200 N PENINSULA AV	

City of New Smyrna Beach
Coronado National
Registered Historic District

- City Boundary
- Local Streets
- Major Streets
- Parcel Lines
- Coronado Historic District
- Contributing Structures
- Water Bodies

N

250 0 250 Feet


CORONADO
7
DEC. 1916.
NEW SMYRNA
FLA.
SCALE 100FT TO AN INCH
MARY AV.
FLAGLER AV.
WASHINGTON ST.
PERSON
MYRTLE AV.
PAGE
WASHINGTON AV.
JULIA
PENINSULAR AV.
DEXTER
FLAGLER AV.
INDIAN RIVER NORTH
INDIAN PL.
CORONADO

836

CITY OF NEW SMYRNA BEACH
HISTORIC PRESERVATION COMMISSION
REGULAR MEETING

SUMMARY OF ACTION

WEDNESDAY, JULY 10, 2024 – 5:32 P.M.

OPENING OF MEETING:

1.A Call to Order:
5:30 p.m.

Roll Call:
Walter Bone - PRESENT
Katherine Kaufman - PRESENT
Stephanie Rees – PRESENT
Terry Bledsoe - ABSENT
Angeline Barretta-Herman– PRESENT

APPROVAL OF THE AGENDA:
No Changes to the Agenda.

2.A APPROVAL OF MINUTES:
Approved with a vote with a vote 4-0.

3.A PUBLIC PARTICIPATION:

None.

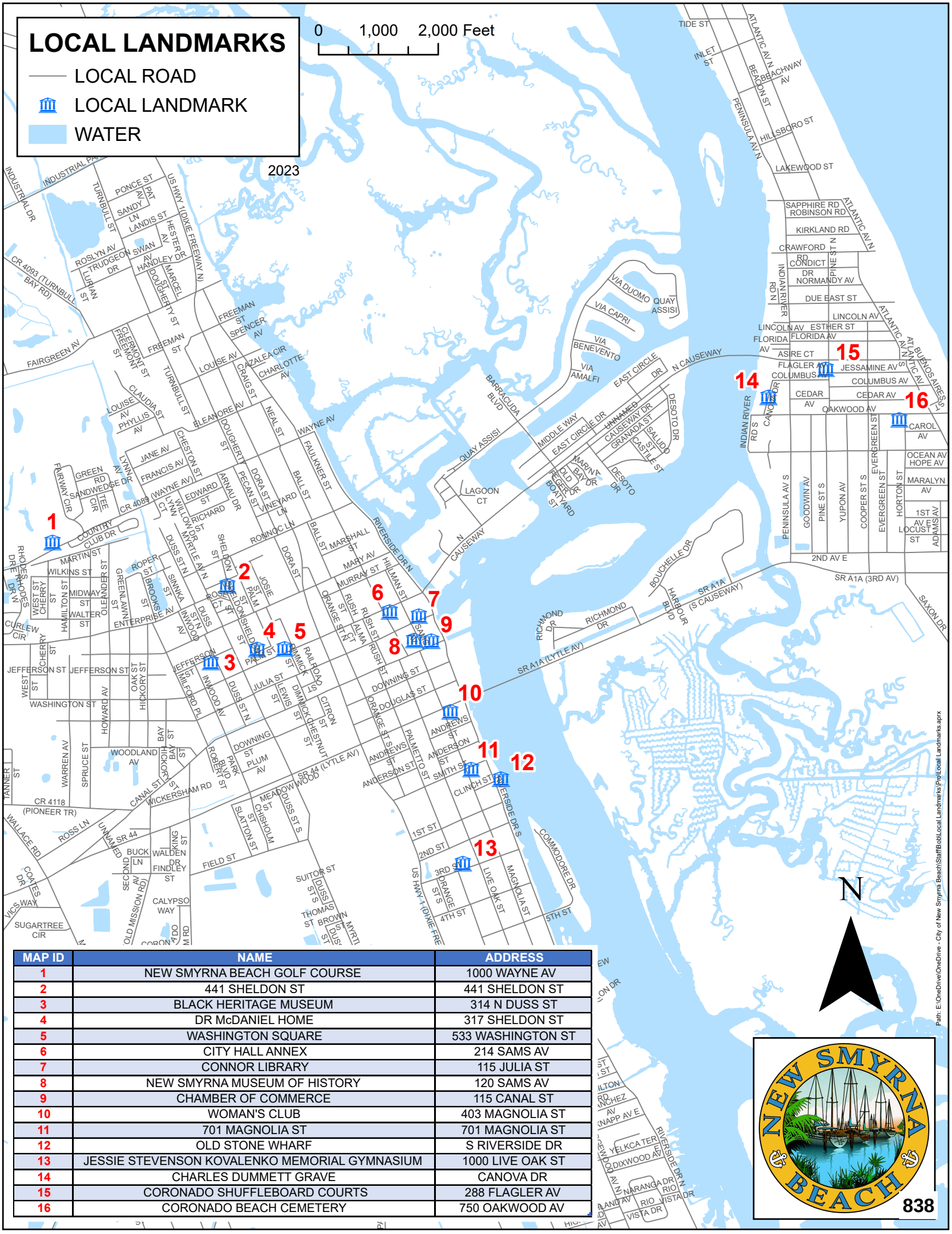
4. NEW BUSINESS:

4.A DM-1-24: 110 Florida Ave
Approved with a vote with a vote 4-0.

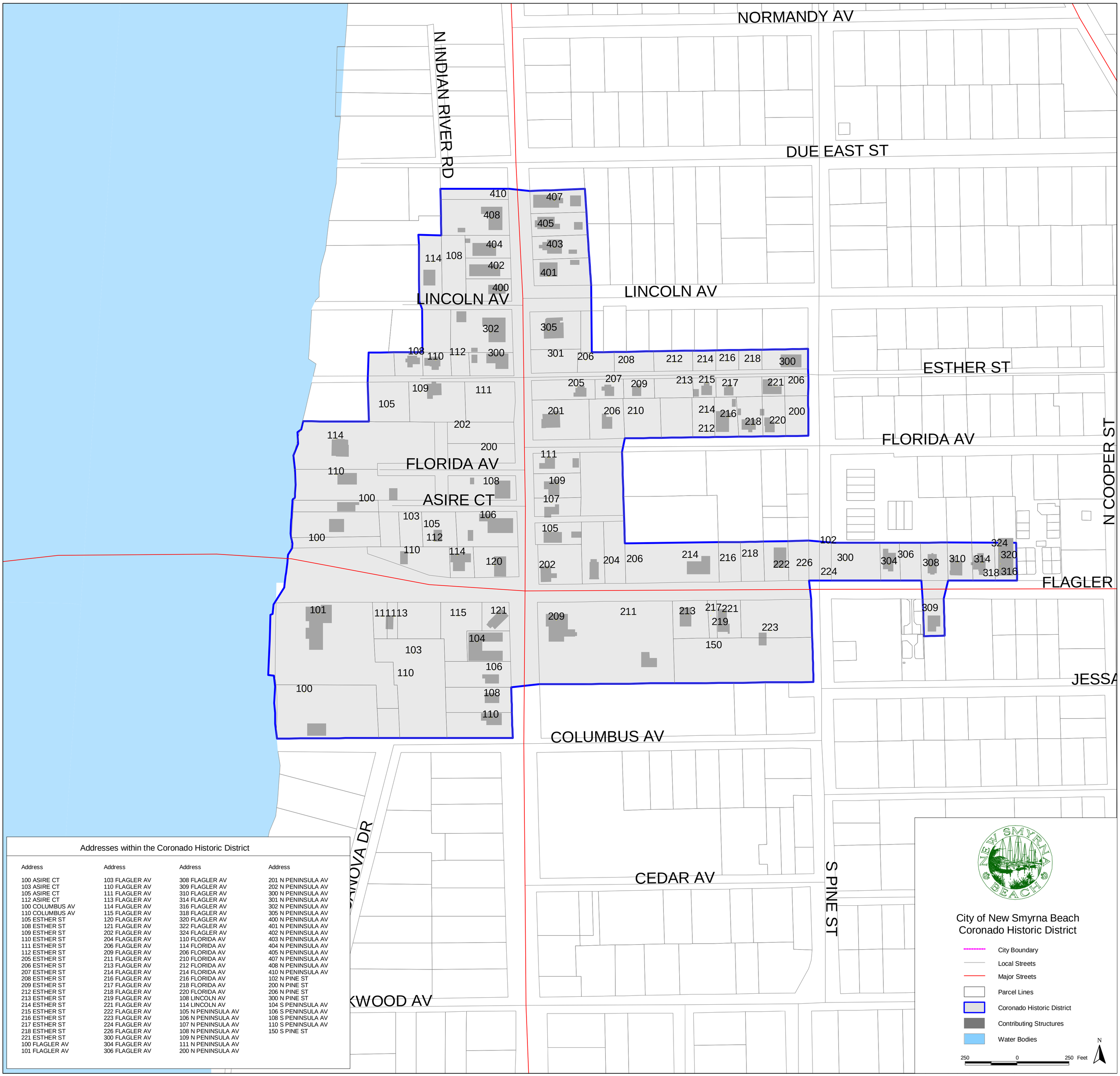
5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD:

6. REPORTS AND COMMUNICATIONS BY THE STAFF:

ADJOURNMENT:
6:26 p.m.



MAP ID	NAME	ADDRESS
1	NEW SMYRNA BEACH GOLF COURSE	1000 WAYNE AV
2	441 SHELDON ST	441 SHELDON ST
3	BLACK HERITAGE MUSEUM	314 N DUSS ST
4	DR McDANIEL HOME	317 SHELDON ST
5	WASHINGTON SQUARE	533 WASHINGTON ST
6	CITY HALL ANNEX	214 SAMS AV
7	CONNOR LIBRARY	115 JULIA ST
8	NEW SMYRNA MUSEUM OF HISTORY	120 SAMS AV
9	CHAMBER OF COMMERCE	115 CANAL ST
10	WOMAN'S CLUB	403 MAGNOLIA ST
11	701 MAGNOLIA ST	701 MAGNOLIA ST
12	OLD STONE WHARF	S RIVERSIDE DR
13	JESSIE STEVENSON KOVALENKO MEMORIAL GYMNASIUM	1000 LIVE OAK ST
14	CHARLES DUMMETT GRAVE	CANOVA DR
15	CORONADO SHUFFLEBOARD COURTS	288 FLAGLER AV
16	CORONADO BEACH CEMETERY	750 OAKWOOD AV



Addresses within the Coronado Historic District

Address	Address	Address	Address
100 ASIRE CT	103 FLAGLER AV	308 FLAGLER AV	201 N PENINSULA AV
103 ASIRE CT	110 FLAGLER AV	309 FLAGLER AV	202 N PENINSULA AV
105 ASIRE CT	111 FLAGLER AV	310 FLAGLER AV	300 N PENINSULA AV
112 ASIRE CT	113 FLAGLER AV	314 FLAGLER AV	301 N PENINSULA AV
100 COLUMBUS AV	114 FLAGLER AV	316 FLAGLER AV	302 N PENINSULA AV
110 COLUMBUS AV	115 FLAGLER AV	318 FLAGLER AV	305 N PENINSULA AV
105 ESTHER ST	120 FLAGLER AV	320 FLAGLER AV	400 N PENINSULA AV
108 ESTHER ST	121 FLAGLER AV	322 FLAGLER AV	401 N PENINSULA AV
109 ESTHER ST	202 FLAGLER AV	324 FLAGLER AV	402 N PENINSULA AV
110 ESTHER ST	204 FLAGLER AV	110 FLORIDA AV	403 N PENINSULA AV
111 ESTHER ST	206 FLAGLER AV	114 FLORIDA AV	404 N PENINSULA AV
112 ESTHER ST	209 FLAGLER AV	206 FLORIDA AV	405 N PENINSULA AV
205 ESTHER ST	211 FLAGLER AV	210 FLORIDA AV	407 N PENINSULA AV
206 ESTHER ST	213 FLAGLER AV	212 FLORIDA AV	408 N PENINSULA AV
207 ESTHER ST	214 FLAGLER AV	214 FLORIDA AV	410 N PENINSULA AV
208 ESTHER ST	216 FLAGLER AV	216 FLORIDA AV	102 N PINE ST
209 ESTHER ST	217 FLAGLER AV	218 FLORIDA AV	200 N PINE ST
212 ESTHER ST	218 FLAGLER AV	220 FLORIDA AV	206 N PINE ST
213 ESTHER ST	219 FLAGLER AV	108 LINCOLN AV	300 N PINE ST
214 ESTHER ST	221 FLAGLER AV	114 LINCOLN AV	104 S PENINSULA AV
215 ESTHER ST	222 FLAGLER AV	105 N PENINSULA AV	106 S PENINSULA AV
216 ESTHER ST	223 FLAGLER AV	106 N PENINSULA AV	108 S PENINSULA AV
217 ESTHER ST	224 FLAGLER AV	107 N PENINSULA AV	110 S PENINSULA AV
218 ESTHER ST	226 FLAGLER AV	108 N PENINSULA AV	150 S PINE ST
221 ESTHER ST	300 FLAGLER AV	109 N PENINSULA AV	
100 FLAGLER AV	304 FLAGLER AV	111 N PENINSULA AV	
101 FLAGLER AV	306 FLAGLER AV	200 N PENINSULA AV	

City of New Smyrna Beach
Coronado Historic District

- City Boundary
- Local Streets
- Major Streets
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- Water Bodies

N

250 0 250 Feet

Addresses within the Mainland Historic District

Address	Address	Address	Address	Address	Address	Address
213 ALMA CT	330 CANAL ST	208 FAULKNER ST	112 LIVE OAK ST	119 MARY AV	400 N ORANGE ST	210 S ORANGE ST
214 ALMA CT	331 CANAL ST	210 FAULKNER ST	114 LIVE OAK ST	121 MARY AV	402 N ORANGE ST	211 S ORANGE ST
219 ALMA CT	332 CANAL ST	212 FAULKNER ST	115 LIVE OAK ST	204 MARY AV	404 N ORANGE ST	215 S ORANGE ST
204 ANDERSON ST	334 CANAL ST	214 FAULKNER ST	150 LIVE OAK ST	205 MARY AV	406 N ORANGE ST	216 S ORANGE ST
207 ANDERSON ST	399 CANAL ST	301 FAULKNER ST	200 LIVE OAK ST	206 MARY AV	300 N RIVERSIDE DR	300 S ORANGE ST
209 ANDERSON ST	400 CANAL ST	303 FAULKNER ST	204 LIVE OAK ST	207 MARY AV	306 N RIVERSIDE DR	301 S ORANGE ST
404 ANDERSON ST	401 CANAL ST	304 FAULKNER ST	207 LIVE OAK ST	208 MARY AV	312 N RIVERSIDE DR	304 S ORANGE ST
406 ANDERSON ST	402 CANAL ST	310 FAULKNER ST	211 LIVE OAK ST	209 MARY AV	500 N RIVERSIDE DR	305 S ORANGE ST
106 ANDREWS ST	405 CANAL ST	311 FAULKNER ST	219 LIVE OAK ST	211 MARY AV	504 N RIVERSIDE DR	306 S ORANGE ST
204 ANDREWS ST	412 CANAL ST	312 FAULKNER ST	301 LIVE OAK ST	212 MARY AV	508 N RIVERSIDE DR	307 S ORANGE ST
506 BALL ST	413 CANAL ST	313 FAULKNER ST	302 LIVE OAK ST	213 MARY AV	512 N RIVERSIDE DR	308 S ORANGE ST
507 BALL ST	417 CANAL ST	315 FAULKNER ST	306 LIVE OAK ST	214 MARY AV	516 N RIVERSIDE DR	314 S ORANGE ST
508 BALL ST	418 CANAL ST	316 FAULKNER ST	312 LIVE OAK ST	217 MARY AV	518 N RIVERSIDE DR	603 S ORANGE ST
510 BALL ST	419 CANAL ST	317 FAULKNER ST	315 LIVE OAK ST	218 MARY AV	520 N RIVERSIDE DR	605 S ORANGE ST
511 BALL ST	421 CANAL ST	320 FAULKNER ST	511 LIVE OAK ST	300 MARY AV	524 N RIVERSIDE DR	408 S RIVERSIDE DR
512 BALL ST	424 CANAL ST	321 FAULKNER ST	519 LIVE OAK ST	301 MARY AV	526 N RIVERSIDE DR	416 S RIVERSIDE DR
513 BALL ST	426 CANAL ST	401 FAULKNER ST	601 LIVE OAK ST	304 MARY AV	532 N RIVERSIDE DR	420 S RIVERSIDE DR
515 BALL ST	427 CANAL ST	402 FAULKNER ST	603 LIVE OAK ST	305 MARY AV	113 PALMETTO ST	426 S RIVERSIDE DR
516 BALL ST	431 CANAL ST	403 FAULKNER ST	605 LIVE OAK ST	308 MARY AV	200 PALMETTO ST	500 S RIVERSIDE DR
518 BALL ST	500 CANAL ST	405 FAULKNER ST	607 LIVE OAK ST	312 MARY AV	201 PALMETTO ST	502 S RIVERSIDE DR
519 BALL ST	501 CANAL ST	500 FAULKNER ST	617 LIVE OAK ST	111 MURRAY ST	204 PALMETTO ST	506 S RIVERSIDE DR
520 BALL ST	505 CANAL ST	501 FAULKNER ST	150 LYTLE AV	115 MURRAY ST	205 PALMETTO ST	508 S RIVERSIDE DR
522 BALL ST	506 CANAL ST	505 FAULKNER ST	207 LYTLE AV	120 MURRAY ST	207 PALMETTO ST	512 S RIVERSIDE DR
523 BALL ST	508 CANAL ST	508 FAULKNER ST	305 LYTLE AV	205 MURRAY ST	208 PALMETTO ST	600 S RIVERSIDE DR
524 BALL ST	509 CANAL ST	509 FAULKNER ST	307 LYTLE AV	207 MURRAY ST	210 PALMETTO ST	608 S RIVERSIDE DR
525 BALL ST	512 CANAL ST	511 FAULKNER ST	311 LYTLE AV	209 MURRAY ST	212 PALMETTO ST	616 S RIVERSIDE DR
528 BALL ST	515 CANAL ST	512 FAULKNER ST	407 LYTLE AV	210 MURRAY ST	214 PALMETTO ST	620 S RIVERSIDE DR
529 BALL ST	519 CANAL ST	513 FAULKNER ST	303 MAGNOLIA ST	211 MURRAY ST	215 PALMETTO ST	700 S RIVERSIDE DR
530 BALL ST	524 CANAL ST	514 FAULKNER ST	315 MAGNOLIA ST	212 MURRAY ST	308 PALMETTO ST	704 S RIVERSIDE DR
531 BALL ST	123 DOUGLAS ST	519 FAULKNER ST	317 MAGNOLIA ST	214 MURRAY ST	309 PALMETTO ST	112 SAMS AV
532 BALL ST	207 DOUGLAS ST	522 FAULKNER ST	403 MAGNOLIA ST	215 MURRAY ST	314 PALMETTO ST	120 SAMS AV
533 BALL ST	208 DOUGLAS ST	523 FAULKNER ST	405 MAGNOLIA ST	216 MURRAY ST	318 PALMETTO ST	137 SAMS AV
534 BALL ST	310 DOUGLAS ST	524 FAULKNER ST	407 MAGNOLIA ST	217 MURRAY ST	608 PALMETTO ST	139 SAMS AV
536 BALL ST	407 DOUGLAS ST	525 FAULKNER ST	409 MAGNOLIA ST	218 MURRAY ST	610 PALMETTO ST	150 SAMS AV
537 BALL ST	505 DOUGLAS ST	528 FAULKNER ST	411 MAGNOLIA ST	300 MURRAY ST	612 PALMETTO ST	210 SAMS AV
145 CANAL ST	506 DOUGLAS ST	532 FAULKNER ST	415 MAGNOLIA ST	302 MURRAY ST	208 RONNOC LN	214 SAMS AV
147 CANAL ST	206 DOWNING ST	536 FAULKNER ST	501 MAGNOLIA ST	303 MURRAY ST	212 RONNOC LN	104 SMITH ST
149 CANAL ST	207 DOWNING ST	538 FAULKNER ST	504 MAGNOLIA ST	304 MURRAY ST	306 RONNOC LN	107 WASHINGTON ST
151 CANAL ST	209 DOWNING ST	542 FAULKNER ST	506 MAGNOLIA ST	305 MURRAY ST	110 RUSH ST	109 WASHINGTON ST
200 CANAL ST	210 DOWNING ST	312 HILLMAN ST	509 MAGNOLIA ST	306 MURRAY ST	204 RUSH ST	115 WASHINGTON ST
201 CANAL ST	211 DOWNING ST	314 HILLMAN ST	512 MAGNOLIA ST	309 MURRAY ST	206 RUSH ST	203 WASHINGTON ST
203 CANAL ST	307 DOWNING ST	316 HILLMAN ST	516 MAGNOLIA ST	311 N DIXIE FREEWAY	208 RUSH ST	206 WASHINGTON ST
215 CANAL ST	309 DOWNING ST	318 HILLMAN ST	600 MAGNOLIA ST	321 N DIXIE FREEWAY	209 RUSH ST	208 WASHINGTON ST
217 CANAL ST	10 FAULKNER ST	322 HILLMAN ST	608 MAGNOLIA ST	521 N DIXIE FREEWAY	210 RUSH ST	210 WASHINGTON ST
219 CANAL ST	30 FAULKNER ST	115 JULIA ST	610 MAGNOLIA ST	103 N ORANGE ST	211 RUSH ST	212 WASHINGTON ST
221 CANAL ST	50 FAULKNER ST	160 JULIA ST	611 MAGNOLIA ST	105 N ORANGE ST	304 RUSH ST	213 WASHINGTON ST
223 CANAL ST	80 FAULKNER ST	202 JULIA ST	616 MAGNOLIA ST	107 N ORANGE ST	305 RUSH ST	215 WASHINGTON ST
225 CANAL ST	100 FAULKNER ST	206 JULIA ST	701 MAGNOLIA ST	115 N ORANGE ST	306 RUSH ST	219 WASHINGTON ST
227 CANAL ST	102 FAULKNER ST	207 JULIA ST	703 MAGNOLIA ST	121 N ORANGE ST	307 RUSH ST	221 WASHINGTON ST
229 CANAL ST	103 FAULKNER ST	214 JULIA ST	705 MAGNOLIA ST	201 N ORANGE ST	308 RUSH ST	300 WASHINGTON ST
231 CANAL ST	104 FAULKNER ST	301 JULIA ST	206 MARSHALL ST	213 N ORANGE ST	309 RUSH ST	301 WASHINGTON ST
237 CANAL ST	106 FAULKNER ST	302 JULIA ST	207 MARSHALL ST	215 N ORANGE ST	310 RUSH ST	302 WASHINGTON ST
239 CANAL ST	108 FAULKNER ST	305 JULIA ST	208 MARSHALL ST	219 N ORANGE ST	311 RUSH ST	303 WASHINGTON ST
300 CANAL ST	110 FAULKNER ST	307 JULIA ST	209 MARSHALL ST	307 N ORANGE ST	312 RUSH ST	304 WASHINGTON ST
312 CANAL ST	112 FAULKNER ST	310 JULIA ST	210 MARSHALL ST	311 N ORANGE ST	314 RUSH ST	305 WASHINGTON ST
314 CANAL ST	116 FAULKNER ST	313 JULIA ST	211 MARSHALL ST	312 N ORANGE ST	315 RUSH ST	306 WASHINGTON ST
316 CANAL ST	118 FAULKNER ST	101 LIVE OAK ST	212 MARSHALL ST	316 N ORANGE ST	400 RUSH ST	307 WASHINGTON ST
319 CANAL ST	120 FAULKNER ST	106 LIVE OAK ST	213 MARSHALL ST	317 N ORANGE ST	402 RUSH ST	310 WASHINGTON ST
320 CANAL ST	122 FAULKNER ST	108 LIVE OAK ST	102 MARY AV	320 N ORANGE ST	404 RUSH ST	312 WASHINGTON ST
323 CANAL ST	124 FAULKNER ST	110 LIVE OAK ST	110 MARY AV	323 N ORANGE ST	208 S ORANGE ST	
328 CANAL ST	200 FAULKNER ST	111 LIVE OAK ST	118 MARY AV	324 N ORANGE ST	209 S ORANGE ST	

City of New Smyrna Beach
Mainland Historic District

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250 0 250 Feet

N

ORDINANCE NO. 45-24

AN ORDINANCE OF THE CITY OF NEW SMYRNA BEACH REZONING 0.3± ACRES OF PROPERTY LOCATED AT 403 MAGNOLIA STREET TO ADD THE HISTORIC BUILDING OVERLAY DISTRICT (HBOD); PROVIDING FOR A QUASI-JUDICIAL PUBLIC HEARING; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Curtis Hodges, for the Karter Presley Lynaugh Trust, 620 South Riverside Drive, New Smyrna Beach, Florida 32168, applicant on behalf of the City of New Smyrna Beach, 210 Sams Avenue, New Smyrna Beach, Florida 32168, property owner, has initiated a request for the establishment of a Historic Building Overlay District in order to continue a non-conforming but historical use of venue, without the required onsite parking at 403 Magnolia Street; and

WHEREAS, this is an ordinance initiated by other then the City of New Smyrna Beach that changes the actual zoning map designation for a parcel of land; and

WHEREAS, the Planning and Zoning Board, at its regular scheduled meeting on June 3, 2024, by a vote of 6-0, recommended that the City Commission approve the requested rezoning; and

WHEREAS, the City Commission finds that the requested rezoning is consistent with the City Comprehensive Plan; and

WHEREAS, the City Commission finds that the applicant has complied with the procedural requirements of Land Development Regulations for rezoning the subject property; and

WHEREAS, the City Commission deems it is in the best interests of the citizens of the City of New Smyrna Beach to rezone said property as more particularly described hereinafter.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF NEW SMYRNA BEACH, FLORIDA:

SECTION 1: ***Establishment of Historic Building Overlay District.*** That the land located in the City of New Smyrna Beach, Florida, described as:

> Lot 61 and the North Half of Lot 62 of Block 4 of Andrews Addition to the City of New Smyrna, according to plat of record in Map Book 2, Page 68, Public Records of Volusia County, Florida.

shall be and the same is hereby established as a Historic Building Overlay Zoning District pursuant to Section 504.02 of the Land Development Regulations.

SECTION 2: ***Approval of Plan for Development.*** That the Plan for Development described as:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF

is hereby approved.

SECTION 3: ***Quasi-Judicial Public Hearing.*** It is hereby found that a quasi-judicial public hearing held by the City Commission to consider adoption of this ordinance on September 10, 2024 at 6:30 p.m. in the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida, to consider the rezoning request in accordance with *Bd. of Cty. Com'rs of Brevard v. Snyder*, 627 So.2d 469 (Fla. 1993) in a manner to insure that all parties are provided an opportunity to be heard, present evidence and cross-examine witnesses, and to be informed of all the facts upon which the Commission's decision on the rezoning is based, after notice published at least 10 days prior to hearing, is deemed to comply with §166.041(3)(a), Fla.Stat.

SECTION 4: ***Conflicting Ordinances.*** That all ordinances or parts thereof that are in conflict with this ordinance shall be and the same are hereby rescinded and repealed.

SECTION 5: ***Severability***. If any section, subsection, sentence, clause, phrase, provision, or word of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then such invalidity or unconstitutionality shall not be held to invalidate or impair the validity, force, or effect of any other remaining provisions of this Ordinance.

SECTION 6: ***Effective Date***. That this ordinance shall become effective upon final adoption.

APPROVED AS TO FORM AND CORRECTNESS:

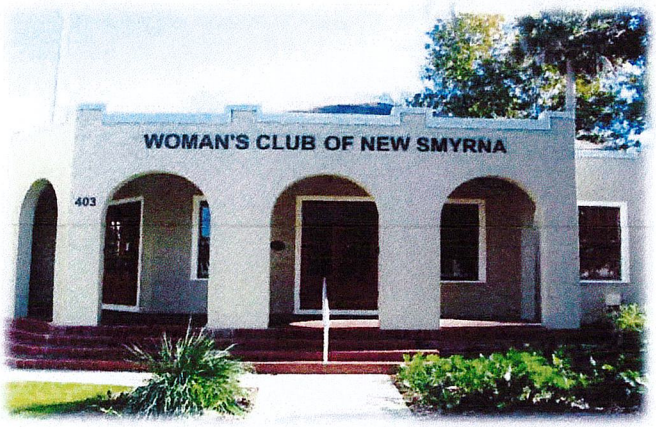
Carrie Avallone

CARRIE AVALLONE
City Attorney

Date: 9/6/2024

THE WOMAN'S CLUB

403 Magnolia Street



Karter Presley Lynaugh Trust
Carl Curtis Hodges, Trustee
620 S. Riverside Drive
New Smyrna Beach, Florida 32168
Phone: 321-303-6195
Email: cchodges@gmail.com

1. **Plan for Development**

   Please see attached Conceptual Plan and Vision.

2. **Legal Description**

   LOT 61 & N 1/2 OF LOT 62 BLK 4 ANDREWS NEW SMYRNA PER OR 3491 PG 1058.

3. **Proposed Use**

   Small boutique venue for wedding and corporate events.

4. **Statement as to why the proposed use cannot be accommodated under the existing zoning.**

   The current use of the property is zoned R-5/Government Building. Currently the City rents this facility to non-profit organizations for special events and to residents for all types of gatherings. We are requesting to rezone the building to HBOD to continue the use as a venue.

5. **A Site Plan Showing Property Boundaries, The Location of all Existing and Proposed Building, Parking, Buffers, and Any other Essential Elements of the Proposed Site Use:**

   Please see attached Site Plan.

6. **An Elevation pf the Building Showing the Building Height, How the Structure is to be Preserved and How any Proposed Additions will Continue the Historic Character of the Structure:**

   Please see attached Site Plan.

7. **A schedule showing the timing of proposed improvements.**

   The following timeline below for the restoration and stabilization of the building:

   - Final Design of the Building - 1 year
   - Permitting of the Building - 1 year
   - Construction of the Building - 3 years

   Total of 5 years

Summary

New Smyrna Beach prides itself on being a charming, coastal community and the City celebrated its British Colonial Settlement's 250. It is rich in history, has a thriving artist community and is surrounded by many natural preserve areas. The City of New Smyrna Beach is known for its laid-back attitude; safe, wide, white-sand beaches; and eclectic mix of history, culture, and the arts and nature.

The Woman's Club of New Smyrna is a historic building that has been used by the community as a social gathering place for over 94 years.

The Woman's Club of New Smyrna is listed on the National Register of Historic Places, a designated Local Historic Landmark and it is a significant structure that needs to be preserved. The Property meets the criteria for the HBOD designation because:

1. The property is on the National Register of Historic Places designation;
2. There is a plan to continue using the property for a venue;
3. The NSB Comprehensive Plan supports designating the property as HBOD;
4. The use is compatible with the neighborhood; and
5. This property fits exactly into the reason why the HBOD designation was incorporated into the Land Development Regulations as a way to feasibly preserve historic structures.

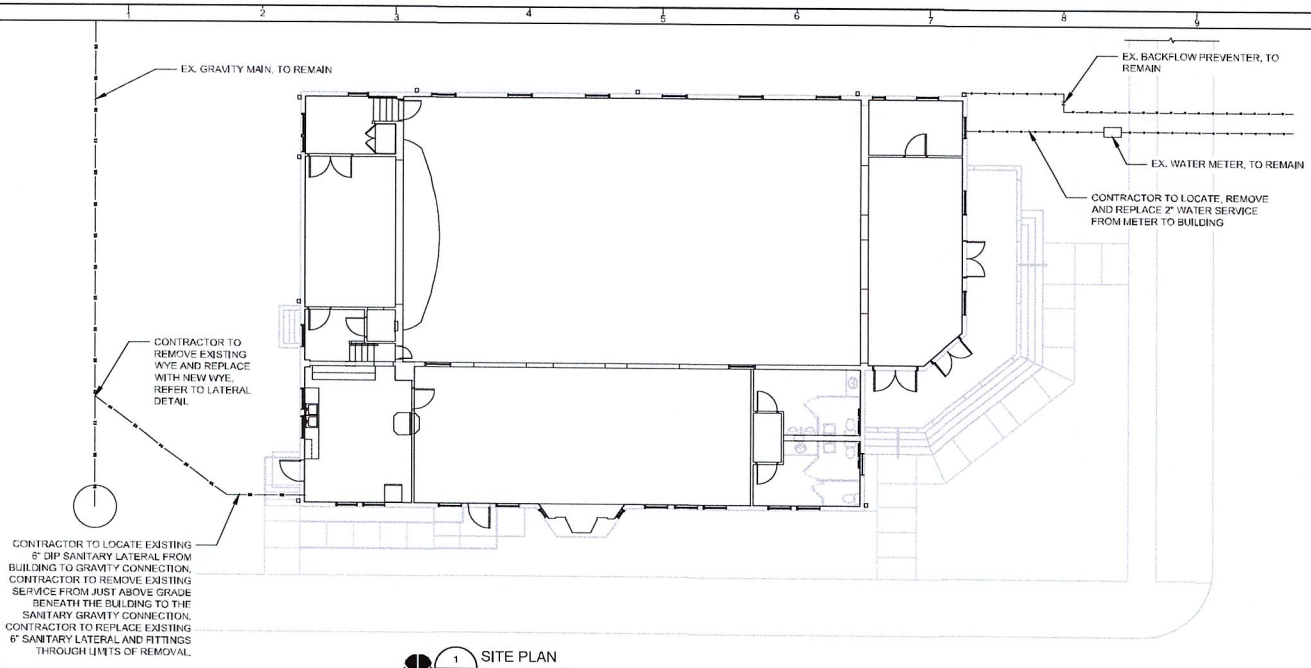
Conceptual Plan and Vision NSB Women's Club

Our bid is represented by Curtis and Harrison Hodges on behalf of the Karter Presley Lynaugh Trust. Curtis has been a resident of New Smyrna for the past fifteen years and has a resume founded in construction specializing in restoration. He successfully ran a construction and renovation company out of Orlando for over 45 years. His achievements include renovating and working on over 100 schools in Orange County and over a few hundred homes in the greater Orlando area. Locally Curtis has rejuvenated over a dozen homes in New Smyrna and helped the city with the New Smyrna Museum of History. He also served on the New Smyrna Beach historical preservation board for approximately two years. Curtis is now aiming his sights here on this project to restore this building to its proper state for a thriving events venue to serve the people of New Smyrna.

Our vision for the property is to restore it back to its former glory as a small boutique venue. Nestled near the larger venues it will provide a more intimate feel for weddings and corporate events. My son, Harrison Hodges, will accompany me on this business venture as he has ample experience in catering and venues. He worked for Dubsdread Golf Course in Orlando for over four years as their banquet Captain. He is 33 years old and manages multiple businesses and has always had a passion to own a venue. With my expertise in renovation and his management experience we believe we can create a renaissance of restoration to the Women's Club. Our business model will consist of completing the build out and restoration. Once complete we will work on setting up a wedding/corporate venue rental. We will only be interested in managing the building. We will have vendors for outside catering, valet parking, décor, etc. that we will partner with from the local community. At the venue we intend to have staff to manage the sales of the venue and available to show it. We envision the venue to target more budget friendly brides and events. We see this space to be utilized by local clubs, corporate events, awards banquets for our local schools and community. We want to celebrate and honor the past while adding the flair of the future to bring this property to a new high.

What you get with a "Curtis" is committed to seeing this project through to the end and in a timely manner. He will treat this project as a reflection of himself and skills. He is meticulous to attention and will spare no expense as he has done with his residence at 620 S Riverside Dr. Above all he understands the value and respect for how this building needs to be restored to remain an icon to our community.

The property is also close to home for Curtis. He lives just a few blocks away and it will be a personal mission for him. He is already an established entrepreneur and at this stage of his career he is looking to build his legacy here in New Smyrna. What better way, than to leave it better than the way he found it. His purpose is simple use his own resources to better his own neighborhood so that he can have a greater sense of pride for where he lives.



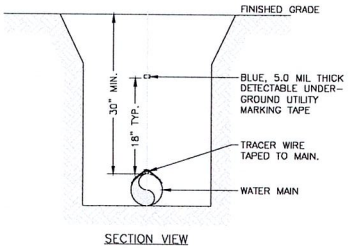
1 / C-101 SITE PLAN
SCALE: 1/8"=1'-0"

NOTES:
1. ALL UTILITY WORKS PREFORMED, TRENCHING METHODS, MATERIALS UTILIZED, AND TRACER WIRE PLACEMENT ARE TO BE IN ACCORDANCE WITH THE UTILITIES COMMISSION CITY OF NEW SMYRNA BEACH. DETAILS AND SPECIFICATIONS CAN BE FOUND AT: https://www.ucnsb.org/m/main-menu/2007
2. UTILITIES SHOWN ARE ASSUMED LOCATIONS BASED ON PLANS PROVIDED BY NEW SMYRNA BEACH AND UTILIZING NEW SMYRNA BEACH CITIZEN SELF SERVICE GIS.
3. AS-BUILT PLANS SHOWING THE UTILITIES ARE NOT AVAILABLE. CONTRACTOR TO VERIFY ALL EXISTING UTILITIES AND SERVICES VERTICALLY AND HORIZONTALLY PRIOR TO MOBILIZATION OR EXCAVATION.
4. NO ADDITIONAL UTILITY IMPACTS OTHER THEN NOTED HEREIN ARE PROPOSED. CONTRACTOR TO SUPPORT AND PROTECT ALL EXISTING UTILITIES IF ENCOUNTERED. CONTRACTOR TO NOTIFY NEW SMYRNA BEACH, THE UAO AND EOR IF ADDITIONAL FACILITIES ARE ENCOUNTERED.
5. CONTRACTOR TO ENSURE DEPTH OF FIRE LINE AND THAT FIRE LINES CAN REMAIN IN PLACE DURING CONSTRUCTION. CONTRACTOR TO NOTIFY NEW SMYRNA BEACH AND EOR IF THERE IS A CONFLICT WITH THE EXISTING LINES AND STEM WALL SYSTEM.
6. REFER TO AFP1.01.
7. REFER TO STRUCTURAL PLANS FOR STEM WALL CONSTRUCTION DESIGN AND PHASING.
8. CONTRACTOR TO PERFORM ALLEY BORING CORE PRIOR TO PAVING. CONTRACTOR TO MATCH EXISTING PAVEMENT SECTION.
9. CONTRACTOR TO SAW CUT EXISTING PAVEMENT AT A CLEAN EDGE AND LEVEL ALL FINISH COURSE TO MATCH EXISTING GRADES AND SLOPE.
10. ALL DISTURBED AREAS TO BE SET BACK TO EXISTING GRADE AND SODDED OUTSIDE OF PAVEMENT LIMITS.
11. CONTRACTOR TO MAINTAIN EXISTING GRADES AND POSITIVE DRAINAGE DURING CONSTRUCTION.
12. CONTRACTOR TO UTILIZE STREET SWEEPING DURING CONSTRUCTION AS AN EROSION CONTROL/SOIL TRACKING PREVENTION METHOD AS NECESSARY.

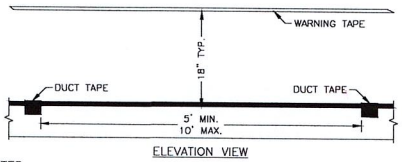
OTHER PIPE	HORIZONTAL SEPARATION	CROSSING	JOINT SPACING AT CROSSINGS (FULL JOINT CENTERED)
STORM SEWER, STORMWATER FORCE MAIN, RECLAIMED WATER REGULATED UNDER FAC 62-610 PART III	WATER MAIN; 3 FT MINIMUM	WATER MAIN; 12 INCHES IS THE MINIMUM EXCEPT FOR STORM SEWER, THEN 6 INCHES IS THE MINIMUM AND 12 INCHES IS PREFERRED	ALTERNATE 3 FT MINIMUM; WATER MAIN
VACUUM SANITARY SEWER	WATER MAIN; 10 FT PREFERRED 6 FT MINIMUM	WATER MAIN; 6 INCHES IS THE MINIMUM; 12 INCHES IS PREFERRED	ALTERNATE 3 FT MINIMUM; WATER MAIN
GRAVITY OR PRESSURE SANITARY SEWER, SANITARY SEWER FORCE MAIN, RECLAIMED WATER NOT REGULATED UNDER FAC 62-610 PART III	WATER MAIN; 10 FT PREFERRED 6 FT MINIMUM	WATER MAIN; 12 INCHES IS THE MINIMUM EXCEPT FOR GRAVITY SEWER, THEN 6 INCHES IS THE MINIMUM AND 12 INCHES IS PREFERRED	ALTERNATE 6 FT MINIMUM; WATER MAIN

NOTES:
1. LOCATION OF PUBLIC WATER SYSTEM MAINS IN ACCORDANCE WITH FAC RULE 62-555.314.
2. WATER MAIN SHOULD CROSS ABOVE OTHER PIPE. WHEN WATER MAIN MUST BE BELOW OTHER PIPE, THE MINIMUM SEPARATION IS 12 INCHES.
3. IN ADDITION TO FAC RULE 62-555.314, THE UCNSB REQUIRES THAT ALL OTHER UTILITY SEPARATIONS SHALL BE 1 FOOT VERTICALLY ON CROSSINGS AND 3 FEET PARALLEL.

2 / C-101 UTILITY SEPARATION
SCALE: NTS



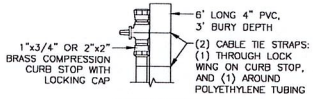
SECTION VIEW



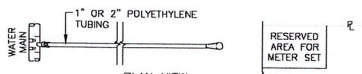
ELEVATION VIEW

NOTES:
1. ALL PIPE SHALL REQUIRE #14 GAUGE (AWG) HIGH-STRENGTH COPPER CLAD STEEL CONDUCTOR (HS-CCS) TRACER WIRE COATED WITH A 30 MIL THICK, HIGH DENSITY POLYETHYLENE (HDPE) INSULATION, AND RATED FOR DIRECT BURIAL USE AT 30 VOLTS LOCATED DIRECTLY ABOVE THE CENTERLINE OF THE PIPE AND TAPED TO THE PIPE AT 5 FT. TO 10 FT. INTERVALS.
2. AT RESTRAINED JOINTS, WRAP TRACER WIRE AROUND ONE LUG.

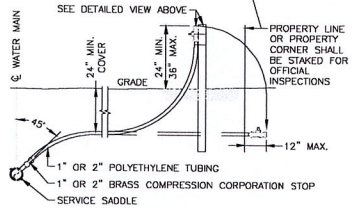
5 / C-101 PIPE LOCATING WIRE AND TAPE
SCALE: NTS



DETAILED VIEW



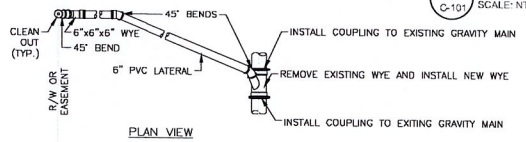
PLAN VIEW



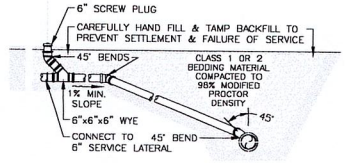
SECTION VIEW

NOTES:
1. APPLIES TO NEW CONSTRUCTION ONLY.
2. ALL FITTINGS SHALL BE LEAD FREE BRASS.
3. ATTACH WATER SERVICE TO POST AS SHOWN ABOVE.

4 / C-101 1" OR 2" SHORT SIDE WATER SERVICES STUB OUT
SCALE: NTS



PLAN VIEW



SECTION VIEW

3 / C-101 SEWER LATERAL
SCALE: NTS

BY | DESCRIPTION | NO. | DATE
CONSTRUCTION | RECORD DWG | PERMITTING | BIDDING | FINAL | PRELIMINARY

CAD FILE: AS NOTED
DRAWN BY: AG
PROJ. MANAGER: BJD
PROJ. #: 2016.035.B
DATE: 05-19-22
ISSUED FOR:

BRENTON D. DAILEY LICENSE NO. 81028 STATE OF FLORIDA PROFESSIONAL ENGINEER
NOT VALID UNLESS SIGNED & SEALED BY A FLORIDA REGISTERED ENGINEER

BPE CA NO.: 00005898
BPA&ID CA NO.: AAC002023
BENTLEY
651 WEST WARREN AVENUE
SUITE 200
LONGWOOD, FLORIDA 32750
T 407.331.6116
WWW.BAEONLINE.COM

BUILDING REHABILITATION
FOR
WOMAN'S CLUB OF NEW SMYRNA
251 MAGNOLIA STREET
NEW SMYRNA BEACH, FLORIDA

SITE PLAN

SHEET NO. C-101
29 OF 29

Ordinance No. 45-24 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Regular Meeting on June 25, 2024, and read by title only. The Second Reading and Public Hearing of the proposed Ordinance would be conducted at the Regular Meeting on September 10, 2024.

Ordinance No. 45-24 was read by title only at the Regular Meeting held by the City Commission on September 10, 2024, Motion was made by Commissioner McGuirk, and seconded by Commissioner Hartman, that Ordinance No. 45-24 be adopted on second and final reading, the vote thereon being as follows:

MAYOR FRED E. CLEVELAND	Yes
COMMISSIONER JASON MCGUIRK	Yes
COMMISSIONER LISA MARTIN	Yes
VICE MAYOR VALLI PERRINE	No
COMMISSIONER RANDY HARTMAN	Yes

The City Clerk noted the passage of Ordinance No. 45-24 in the minutes of this meeting by its title only and recorded the same in full in the Ordinance Records of the City.

The Mayor of the City of New Smyrna Beach has hereunto set his official signature, duly attested by the City Clerk, and has caused the Official Seal of said City to be hereunto affixed for the purpose of authenticity as required by law.

As Mayor of the City of New Smyrna Beach, Florida

(OFFICIAL SEAL)

As City Clerk of the City of New Smyrna Beach, Florida

ORDINANCE NO. 45-24

Boards & Commissions Application

Profile

Walter
First Name

Bone
Last Name

wbone63@gmail.com
Email Address

607 DOWNING STREET
Home Address

Ste 200
Suite or Apt

NEW SMYRNA BEACH
City

FL
State

32168
Postal Code

Home: (423) 956-7934
Primary Phone

Home: (423) 956-7934
Alternate Phone

Which Boards would you like to apply for?

Historic Preservation Commission: Submitted

Are you registered to vote in the City of New Smyrna Beach?

◉ Yes ○ No

What zone do you live in? *

☑ Zone 4

If you need assistance finding your zone visit:

Find My District

How long have you been a New Smyrna Beach resident?

3 months

Have you ever been convicted of a felony as defined by FS 775.08? Please note that for the purposes of this question, any person who is found guilty or pleads guilty or nolo contendere ("no contest") shall be deemed to have been convicted, notwithstanding a suspension of sentence or a withholding of adjudication.

○ Yes ◉ No

If yes, please provide amplifying information.

Educational Background

High School

EC Glass HS, Lynchburg, VA

College(s)

Mississippi State University

Degrees held

Bachelor of Landscape Architecture, 1988

WalterBone-2024-03.pdf
Upload a Resume

Work Experience

Cuhaci Peterson Architects
Employer

Landscape Architect
Job Title

Please describe your work experience, if any.

Highly knowledgeable licensed landscape architect with experience designing projects within budget and project deadlines. Reliable and good communicator with strong background from concept design through construction documentation. Driven to push creative limits with cutting edge design concepts for any project type. Proficient in independently handling projects from concept design to construction completion, coordinating the efforts of contractors, engineers, specialty consultants, and government agencies. Served on the Design Review Commission for the City of Lakeland, TN reviewing, approving, approving with comments and rejecting proposed land development projects by developers. My work was internationally based from 2007-2019 with projects in North America, Middle East, Southeast Asia and China. Project types include municipal infrastructure, environmental planning + design, hotels + streetscapes, resorts, theme parks, mixed use/commercial and urban planning + design projects winning awards on 2 continents. I have extensive experience in construction management inclusive of hotel resorts, theme, water, infrastructure + municipal infrastructure projects and high-end residential projects.

Community Involvement

Are you currently serving on another City of New Smyrna Beach Board?

○ Yes ◉ No

If yes, which Board and when were you appointed?

Please describe any community board, groups or events you have been involved with:

Member of the Design Review Commission for Lakeland, TN

Do you have any financial interests or business ties that could potentially come before the Board(s) you selected during your term?

○ Yes ◉ No

If yes, please provide amplifying information.

Have you had official business before the Board(s) you selected within the last five (5) years?

○ Yes ◉ No

If yes, please provide amplifying information.

Interests & Experiences

Please tell us about yourself and why are you interested in serving on a board(s)?

As a landscape architect, my experience and interest in preserving tradition and historic structures influences my designs. My wife and I bought an historic home at 607 Downing Street, built in 1910 and we have a strong interest in preserving it's original design and garden.

References

Name of Reference #1

Juan Gimeno, AIA, VP Of Design

Address of Reference #1

2600 Maitland Center Pkwy Ste 200 Maitland, FL

Telephone Number of Reference #1

(407) 661-9100

Email address of reference #1

juan.gimeno@c-p.com

Nature of your relationship (business/personal).

Business

Name of Reference #2

Josh Inman, AIA, COO

Address of Reference #2

2600 Maitland Center Pkwy Ste 200 Maitland, FL

Telephone Number of Reference #2

(407) 661-9100

Email Address of Reference #2

josh.inman@c-p.com

Nature of your relationship (business/personal).

Business

Name of Reference #3

Josh Cady

Address of Reference #3

Reagan Realty 200 Booth Rd Ormond Beach, FL 32174

Telephone Number of Reference #3

386-871-5020

Email address of Reference #3

joshua.cady@1stclassre.com

Nature of your relationship (business/personal).

Business

Historic Preservation Commission Special Meeting
Wednesday, December 11, 2024, at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the special meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, December 11, 2024, at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Vice-Chair Stephanie Rees called the meeting to order at 5:30 PM.

Roll Call

Attendee Name	Title	Status	Arrived
Walter Bone	Member	Present	5:30 PM
Katherine Kaufman	Member	Present	5:30 PM
Stephanie Rees	Vice Chairperson	Present	5:30 PM
Terry Bledsoe	Member	Absent	5:30 PM
Angeline Barretta-Herman	Member	Present	5:30 PM

Also present were: Senior Planner Robert Mathen, Assistant City Attorney Shey McCurdy, and Board Secretary Stephanie Ferrara.

No Changes to the Agenda.

2. APPROVAL OF MINUTES

None.

3. PUBLIC PARTICIPATION

None.

4. NEW BUSINESS

4.A DM-1-24: 110 Florida Ave

Robert Mathen, Senior Planner, outlined the applicant's request to rezone and add Historic Building Overlay District, HBOD, in order to continue a non-conforming use of Venue, without the required onsite parking at 403 Magnolia Street.

Member Bledsoe asked staff how the overlay works. Mr. Mathen stated that the overlay would codify the existing use as a venue.

Curtis Hodges for the Karter Presley Lynaugh Trust, 620 South Riverside Drive, Application and Owner, commented on preserving the building and keeping the use as a venue.

Member Bledsoe asked Mr. Hodges if he plans on doing a restoration or demolition of the property. Mr. Hodges stated that he plans to restore the building.

Member Barretta-Herman asked if he plans to document the process. Mr. Hodges stated that he would be documenting the process.

Vice-Chair Rees opened the meeting for Public Participation.

Jill Ascherl, 405 Magnolia Steet, commented in support of the request and the timeframe of construction.

Vice-Chair Rees closed Public Participation.

Vice-Chair Rees asked the Board if they had any additional questions or comments.

The Historic Preservation Board members commented in support of the Applicant's request to add Historic Building Overlay to the property located at 403 Magnolia Street.

Motion:
Member Barretta-Herman moved to recommend approval to City Commission for HBOD-1-23 for property located 403 Magnolia Street, as submitted. Member Bledsoe seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Barretta-Herman
SECONDER:	Bledsoe
AYES:	Bone, Kaufman, Rees, Bledsoe, Barretta-Herman

4.B 2023 Donnadine Miller Preservation Award Selection

Robert Mathen, Senior Planner, outlined the City's request to award 2023 Donnadine Miller Preservation Award to property addresses 423 Flagler Avenue and 809 E 24th Avenue.

Vice-Chair Rees opened the meeting for Public Participation.

Marie Bushey, 809 E 24th Avenue, commented about the improvements on the home and preserving periwinkles.

Vice-Chair Rees closed Public Participation.

Residential
809 E 24th Avenue

Non-Resident
Seahorse Inn - 423 Flagler Avenue

Vice-Chair Rees asked the Board if they had any additional questions or comments.

Member Barretta-Herman commented about preserving periwinkles. The board members echoed her comments.

Motion - 423 Flagler Avenue:

Member Kaufman moved to approve and award the 2023 Donnadine Miller Preservation Award 423 Flagler Avenue. Member Bone seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Kaufman
SECONDER:	Bone
AYES:	Bone, Kaufman, Rees, Bledsoe, Barretta-Herman

Motion - 809 E 24th Avenue:

Member Bledsoe moved to approve and award the 2023 Donnadine Miller Preservation Award 809 E 24th Avenue and 423 Flagler Avenue. Member Barretta-Herman seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Bledsoe
SECONDER:	Barretta-Herman
AYES:	Bone, Kaufman, Rees, Bledsoe, Barretta-Herman

5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

Barretta-Herman commented about highlighting and/or a formal presentation for the awards. Mr. Mathen stated that staff presents the Donnadine Miller Preservation Awards at City Commission meeting.

6. REPORTS AND COMMUNICATIONS BY THE STAFF

6.A 2022-2023 Certified Annual Report Letter

6.B 2024 Donnadine Miller Preservation Award Application

7. ADJOURNMENT

As there was no other business to discuss, Vice-Chair Rees declared the meeting adjourned at 6:36 P.M.

Historic Preservation Commission
Wednesday, February 12, 2025 at 5:30 PM

City Commission Chambers
214 Sams Avenue, New Smyrna Beach, Florida 32168

1. CALL TO ORDER

A. Roll Call

2. APPROVAL OF MINUTES

3. PUBLIC PARTICIPATION

4. NEW BUSINESS/DISCUSSION ITEMS

4.A DM-2-24: Review a request for a replacement structure in the Coronado National Historic District located at 300 North Pine Street.

4.B DM-3-24: Review a request for a proposed demolition of a contributing structure located at 304 Murray Street in the New Smyrna Beach National Registered Historic District.

5. COMMITTEE COMMENTS

6. STAFF COMMENTS

7. ADJOURNMENT

Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the board, agency or commission of the City of New Smyrna Beach with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 410-2630, prior to the meeting.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

DM-2-24: REVIEW A REQUEST FOR A REPLACEMENT STRUCTURE IN THE CORONADO NATIONAL HISTORIC DISTRICT LOCATED AT 300 NORTH PINE STREET.

February 12, 2025

Background:

Applicants: Ramin and Camille Ekbatani, 1492 Chippewa Lane, Geneva, Florida 32732.

Property Owner: Seminole Woods Holdings, LLC, 1809 East Broadway Street, Suite 119, Oviedo, Florida 32765.

Request: Approval for a replacement structure in the Coronado National Registered Historic District.

Subject Area: The subject property consists of approximately 0.44 acres, and is zoned R-3A, (Single Family Residential), and is generally located on the northwest corner of Esther Street and North Pine Street addressed as 300 North Pine Street.

Parcel ID: 7455-12-00-0210

Exhibits used in the report:

Exhibit A: Location Map
Exhibit B: Aerial Map
Exhibit C: Neighborhood Photos
Exhibit D: Inspiration House
Exhibit E: Replacement Struture Plans
Exhibit F: Old Photos

Findings:

The subject property located at 300 North Pine Street is 42-feet by 100 feet for approximately 4,200 ± square feet. A Location map and aerial map are attached as **Exhibits A** & **B**.

The previous single-family house was a contributing structure located in the Coronado

National Historic District. On December 11, 2024, the Historic New Smyrna Beach Preservation Commission voted, 5-0, to approve the demolition of the contributing structure based on the building condition and the evaluation report provided by a structural engineer. One of the conditions of the demolition approval was that the replacement building to meet the requirements of the Historic Preservation Design Guidelines for New Smyrna Beach and submit drawings of the proposed work, photographs of existing buildings or structures on adjacent properties and information about the building materials to be used for commission approval.

The previous 1 1/2 story single-family house had architectural features commonly found on a Craftsman/Bungalow style home. The single-family house has notable architectural features including a side gable roof with exposed rafter ends, shed dormer, end porch with tapered square columns on brick piers and double-hung sash windows with 1/1 lights.

Staff has provided photos of neighboring single-family houses. These photos are provided as part of a condition and review of the proposed replacement structure. see **Exhibit C**.

As to the replacement structure, the property owners were inspired by a 2-story single-family house that was seen in another town. See **Exhibit D**. The applicant has proposed a two-story single-family house with the architecture style of frame vernacular. The proposed single-family house would incorporate the following features, See **Exhibit E**:

1. Open front porch.
2. Open second floor open porch.
3. Round smooth style non-tapered columns on both porches.
4. Picket style banisters.
5. Lap siding around entire home.
6. Shake style siding on both gable ends.
7. Multi-light window designs.
8. Architecture shingles.
9. Rear shed roof porch with a round smooth style non-tapered column.
10. Exterior window shutter accents.

The first floor would contain a covered front porch, living room, dining room, kitchen, laundry facilities, a powder room, and rear covered porch. The second floor would contain a front covered balcony, master bedroom with ensuite bathroom, two additional bedrooms and a hall bathroom.

Staff would conclude that the architecture style of frame vernacular would suite this section of the city as a replacement structure. The exterior materials used on the facades that face the public roads would be consistent with the Historic Preservation Design Guidelines for New Smyrna Beach.

Recommendation:

The neighborhood buildings are a mixture of contributing structures with different architecture styles. Most of the immediate neighboring homes are one (1) story homes but two (2) and three (3) story homes and townhomes are within viewing distance from this property. The Planning Department recommends that the Historic New Smyrna Beach Preservation Commission approve the proposed replacement single-family house as part of a previous approved demolition condition.

Fiscal Analysis:
N/A

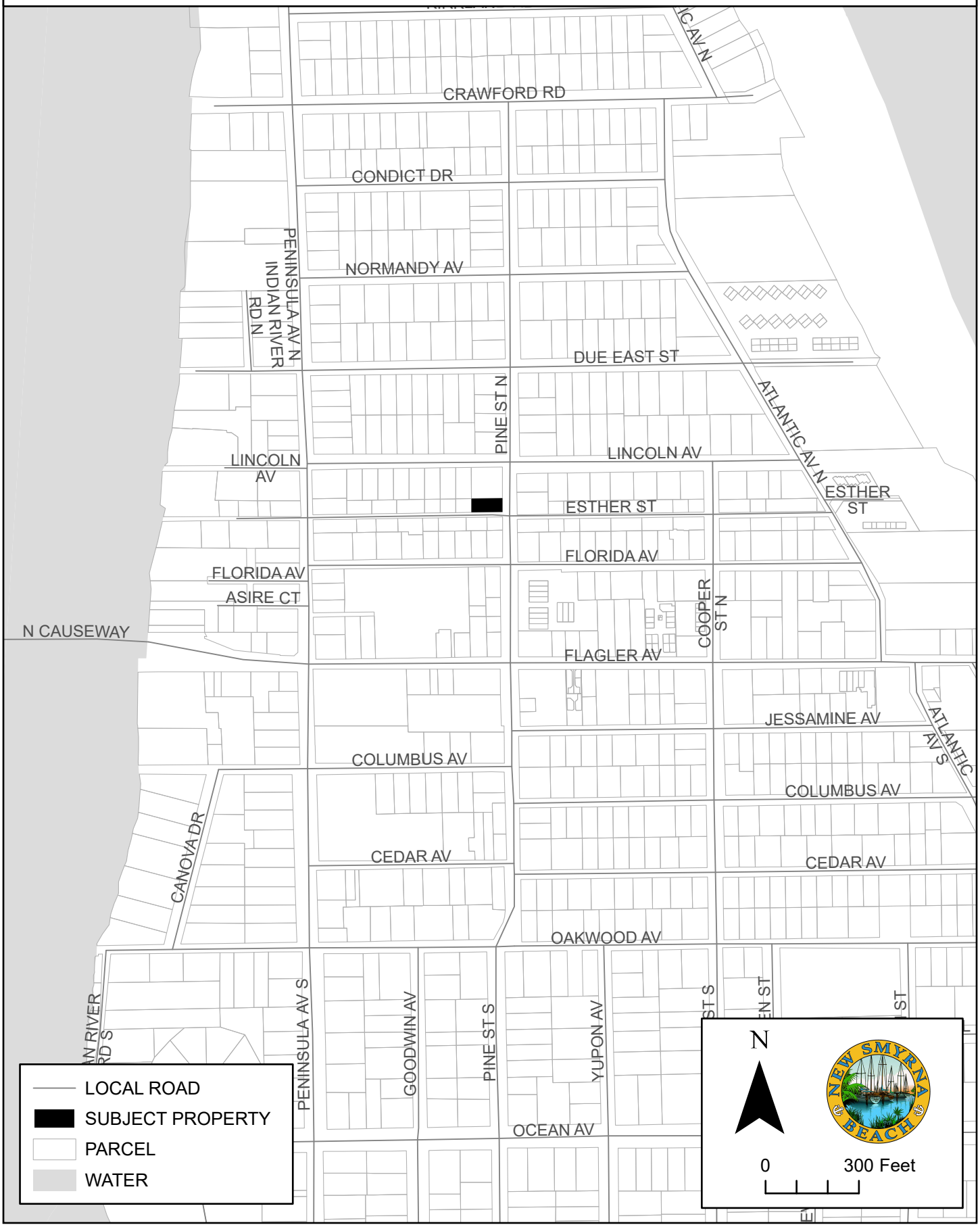
Strategic Plan Item:
No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

Exhibit A Location Map.pdf
Exhibit B Aerial Map.pdf
Exhibit C Neighborhood Site Photos.pdf
Exhibit D Inspiration House.pdf
Exhibit E Proposed Single-Family House 1.08.25.pdf
Exhibit F Old Photos.pdf

DM-2-24: 300 N. PINE STREET
PARCEL: 7455-12-00-0210 LOCATION MAP



DM-2-24: 300 N. PINE STREET
PARCEL: 7455-12-00-0210 AERIAL MAP



Exhibit C











Exhibit C







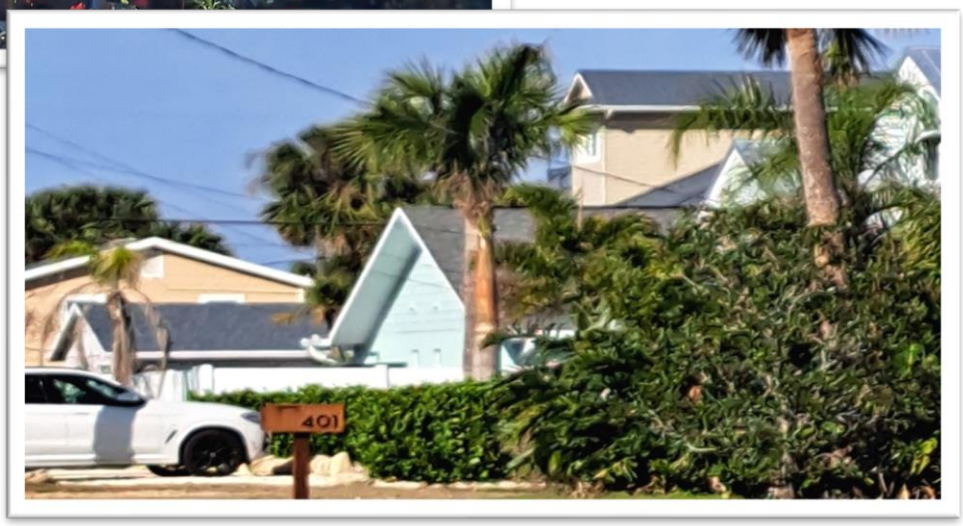


Exhibit D



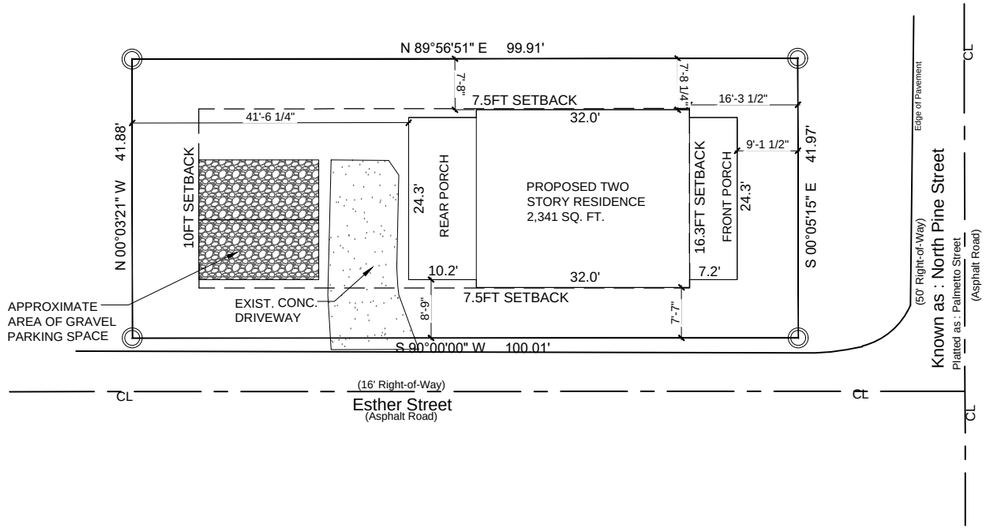
BUILDING DATA

- 2023 FLORIDA BUILDING CODE RESIDENTIAL, 8th EDITION
- NFPA-70 (NEC), 2020 EDITION
- 2023 FBC RESIDENTIAL 8th EDITION - PLUMBING

NOTE:
SITE PLAN CREATED FROM OWNER PROVIDED SURVEY. DBSS, INC. IS NOT RESPONSIBLE FOR SURVEY ERRORS.

EKBATANI RESIDENCE
300 N. PINE STREET
NEW SYMRNA BEACH, FL 32169

Exhibit E



SITE PLAN
1"=10'-0"

NORTH

LEGAL DESCRIPTION:

LOT 21 AND 23, MAP OF KRULDER'S SUBDIVISION PART OF LOT 6, BLOCK 1, GEO. J. ALDEN'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE 116, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

IMPERVIOUS AREA CALC.'S

IMPERVIOUS AREA	1,275 SQ. FT.
TOTAL LOT AREA	4,192 SQ. FT.
IMPERVIOUS %	30 %

DRAWING INDEX

C	COVER SHEET & SITE PLAN
GN	GENERAL NOTES
01	1ST FLOOR PLAN
1.1	1ST FLOOR DIMENSION PLAN
02	2ND FLOOR PLAN
2.1	2ND FLOOR DIMENSION PLAN
03	EXTERIOR ELEVATIONS & STAIR SECTION
04	EXTERIOR ELEVATIONS & STAIR SECTION
05	1ST FLOOR ELECTRICAL PLAN
06	2ND FLOOR ELECTRICAL PLAN
S1	FOUNDATION PLAN
S2	1ST FLOOR FRAMING PLAN
S3	2ND FLOOR FRAMING PLAN
S4	LINTEL PLAN
SD1	DETAIL SHEET
SD2	DETAIL SHEET

REV.	DESCRIPTION	DATE

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY SCOTT A. SANTOMAURO ON THE DATE ADJACENT TO THE SEAL.

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

SCOTT A. SANTOMAURO LICENSE No 65513 STATE OF FLORIDA PROFESSIONAL ENGINEER

SCOTT A. SANTOMAURO, M.S.,P.E.
FLORIDA REG. #65513

SHEET TITLE
COVER SHEET & SITE PLAN

CA#27371
PHONE: 321.251.6006
3662 AVALON PARK EAST BLVD. SUITE 2072
ORLANDO, FL. 32828

DBSS INC.
Engineering and Design Services

PROJECT
EKBATANI RESIDENCE
300 N PINE ST.
NEW SYMRNA BEACH, FL 32169

DESIGN	DRAWN AC/SAM
CHECKED SSPE	
JOB	DBSS - EKBATANI
SCALE	AS NOTED
DATE	01.08.2025

SHT 1 OF 16

C

THIS STRUCTURE IS DESIGNED TO WITHSTAND 140 MPH (V_{ult}) WINDS PER THE FLORIDA BUILDING CODE RESIDENTIAL 2023, 8th EDITION (REF. ASCE-7-22) AND IS CERTIFIED AS SUCH.

GENERAL NOTES

DESIGN REQUIREMENTS

DESIGN LIVE LOADS(MINIMUM):
A. ROOFS - 20 PSF
B. ATTIC WITHOUT STORAGE - 10 PSF
C. ATTIC WITH LIMITED STORAGE - 20 PSF
D. SLEEPING ROOM (FLOOR) - 30 PSF
E. ROOMS OTHER THAN SLEEPING ROOM (FLOOR) - 40 PSF
F. BALCONIES - 40 PSF
G. STAIRS - 40 PSF
H. GUARDRAILS AND HANDRAILS - 200 LBS. CONCENTRATED LOAD IN ANY DIRECTION
I. GUARDRAILS IN-FILL COMPONENTS - 50 LBS (TO SQUARE FOOT AREA)

WIND DESIGN LOAD INFORMATION-
(PER FBCR 2023 8TH EDITION R301, REF. ASCE 7-22)
BASIC WIND SPEED (Vult) = 140 MPH (3 SECOND GUST)
(Vasd) = 109 MPH (3 SECOND GUST)
BUILDING CATEGORY = II (ASCE 7-22)
WIND EXPOSURE(ALL SIDES) =B (ASCE 7-22)
INTERNAL PRESSURE COEFFICIENTS (ASCE 7-22)
ENCLOSED BUILDINGS = +/-0.18
PARTIALLY ENCLOSED BUILDINGS = +/-0.55
(NOTE: COEFFICIENTS FOR PARTIALLY ENCLOSED STRUCTURES ARE APPLIED WHEN DESIGN OF MEMBER(S) FALLS UNDER ASCE 7-22 DEFINITIONS CLASSIFYING AS SUCH)

ALL COMPONENTS AND CLADDING NOT SPECIFIED ON PLANS SHALL BE DESIGNED TO WITHSTAND THE FOLLOWING PRESSURES (ASD):

FOR WALL LOCATIONS: +21.2 PSF, -28.3 PSF
FOR ROOF LOCATIONS: +12.8 PSF, -61.9 PSF

PREFABRICATED WOOD TRUSSES

1. ALL PREFABRICATED WOOD TRUSSES SHALL BE SECURELY FASTENED TO THEIR SUPPORTING WALLS OR BEAMS WITH HURRICANE CLIPS OR ANCHORS.
2. TRUSSES SHALL BE DESIGNED BY MWFRS METHODOLOGY FOR LONG SPAN TRUSSES TO DETERMINE UPLIFT AND REACTION VALUES. MEMBER AND PLATE DESIGN TO BE CALCULATED BY COMPONENTS AND CLADDING METHOD UNLESS SPECIFIED OTHERWISE BY TRUSS ENGINEER OF RECORD
3. PREFABRICATED WOOD TRUSSES SHALL BE DESIGNED IN ACCORDANCE WITH THE LATEST EDITION OF THE "NATIONAL DESIGN SPECIFICATION FOR STRESS-GRADE LUMBER AND ITS FASTENERS" AS RECOMMENDED BY THE NATIONAL FOREST PRODUCTS ASSOCIATION.
4. TRUSS MEMBERS AND CONNECTIONS SHALL BE PROPORTIONED (WITH A MAXIMUM ALLOWABLE STRESS INCREASE FOR LOAD DURATION OF 25%) TO WITHSTAND DESIGN LOADS.
5. BRIDGING FOR PRE-ENGINEERED TRUSSES SHALL BE AS REQUIRED BY TRUSS MANUFACTURER UNLESS NOTED ON PLANS
6. TRUSS ELEVATIONS AND SECTIONS ARE FOR GENERAL CONFIGURATION OF TRUSSES ONLY. WEB MEMBERS ARE NOT SHOWN BUT SHALL BE DESIGNED BY TRUSS MANUFACTURER IN ACCORDANCE WITH THE DESIGN LOADS.

   TRUSS DESIGN LOADS :
   TOP CHORD : LL = 20 PSF
   (TRUSS MNF. MAY TAKE REDUCTION FOR 6:12 SLOPES OR GREATER)
   DL = 10 PSF (SHINGLE TYPE ROOF COVER)
   DL = 10 PSF (METAL TYPE ROOF COVER)
   DL = 20 PSF (TILE TYPE ROOF COVER)
   DL = 10 PSF (LOW SLOPING MEMBRANE TYPE ROOF COVER)
   DL = 14 PSF AT OVERBUILT
   BOTTOM CHORD : LL = 10 PSF
   BOTTOM CHORD : DL = 10 PSF (15 PSF FOR PLASTER CEILING)
   WIND LOAD : SEE DESIGN REQUIREMENTS
7. THE TRUSS MANUFACTURER SHALL DETERMINE ALL SPANS, WORKING POINTS, BEARING POINTS, AND SIMILAR CONDITIONS. TRUSS SHOP DRAWINGS SHALL SHOW ALL TRUSSES, ALL BRACING MEMBERS, AND ALL TRUSS TO TRUSS HANGERS.
8. PROVIDE ADDITIONAL BRACING AND BLOCKING PER BCSI-1-03 AND TRUSS MANUFACTURER'S DRAWINGS

BOLTS AND THREADED RODS

1. ALL BOLTS & THREADED RODS TO BE ASTM A307 OR BETTER (U.N.O.)
2. ALL THREADED RODS USED AS ANCHOR BOLTS TO BE F1554 GRADE 36.

WOOD CONSTRUCTION

1. WOOD CONSTRUCTION SHALL CONFORM TO THE NFPA "NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION", LATEST EDITION.(NDS)
2. ALL EXTERIOR WOOD STUD WALLS, BEARING WALLS, SHEAR WALLS AND MISC. STRUCTURAL WOOD FRAMING MEMBERS (I.E. BLOCKING OR GABLE END BRACING) SHALL BE SPRUCE PINE FIR OR EQUIVALENT. NO. 2 GRADE SHALL BE USED REGARDLESS OF SPECIES.
3. ALL 2X8's OR DEEPER MEMBERS TO BE SOUTHERN PINE NO. 2 GRADE
4. ALL ROOF FRAMING MEMBERS (I.E. TOP & BOTTOM CHORD, WEBS) TO BE SOUTHERN PINE NO. 2 GRADE U.N.O.
5. PRESERVATIVE-TREATED WOOD WITH FIELD-CUT ENDS, NOTCHES AND DRILLED HOLES SHALL BE FIELD TREATED IN ACCORDANCE WITH AWPA M4
6. USE OF PRESERVATIVE-TREATED WOOD OR NATURAL DURABLE WOOD SHALL BE PROVIDED IN THE FOLLOWING LOCATIONS PER FBCR R317:
   A. JOISTS WHEN CLOSER THAN 18" OR GIRDERS CLOSER THAN 12" FROM GRADE
   B. FRAMING MEMBERS THAT REST ON CONCRETE OR MASONRY EXTERIOR FOUNDATIONS LESS THAN 8" FROM GRADE
   C. SILLS AND SLEEPERS ON CONCRETE SLAB THAT IS IN DIRECT CONTACT WITH THE GROUND (UNLESS SEPARATED BY MOISTURE BARRIER)
   D. ENDS OF GIRDERS ENTERING CONCRETE OR MASONRY WALLS HAVING CLEARANCES OF LESS THAN 1/2" ON TOPS, SIDES AND ENDS
   E. SIDING, SHEATHING AND WALL FRAMING ON EXTERIOR OF BUILDING HAVING LESS THAN 6" FROM GRADE OR 2", MEASURED VERTICALLY, FROM CONCRETE SLAB, STEP OR SIMILAR HORIZONTAL SURFACE EXPOSED TO WEATHER
   F. FURRING STRIPS OR FRAMING MEMBERS ATTACHED DIRECTLY TO THE INTERIOR SIDE OF THE EXTERIOR MASONRY OR CONCRETE WALLS BELOW GRADE (UNLESS SEPARATED BY MOISTURE BARRIER)
   G. MEMBERS IN CONTACT WITH GROUND OR EMBEDDED IN CONCRETE EXPOSED TO WEATHER SHALL BE APPROVED PRESSURE-PRESERVATIVE-TREATED WOOD SUITABLE FOR GROUND CONTACT
   H. MEMBERS EXPOSED TO WEATHER WITHOUT ADEQUATE PROTECTION FROM A ROOF, EAVE, OVERHANG OR OTHER COVERING THAT WOULD PREVENT MOISTURE ACCUMULATION ON THE SURFACE OR JOINTS BETWEEN MEMBERS

*NOTE: USE PRESERVATIVE-TREATED LUMBER OR A MOISTURE BARRIER FOR ALL WOOD IN CONTACT WITH CONCRETE OR MASONRY.

MASONRY WALL CONSTRUCTION

1. HOLLOW LOAD BEARING UNITS SHALL BE NORMAL WEIGHT, GRADE N, TYPE 2, CONFORMING TO ASTM C90, WITH A MINIMUM NET COMPRESSIVE STRENGTH OF 2000 PSI (fm = 1500 PSI)
2. MORTAR SHALL BE TYPE M OR S, CONFORMING TO ASTM C270
3. HEAD MORTAR JOINTS AT PRECAST WINDOW SILLS TO BE NO MORE THAN 1".
4. COARSE GROUT SHALL CONFORM TO ASTM C476 WITH A MAXIMUM AGGREGATE SIZE OF 3/8" AND A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI.
5. VERTICAL REINFORCEMENT SHALL BE AS NOTED ON THE DRAWINGS WITH CELLS FILLED WITH COARSE GROUT.
6. VERTICAL REINFORCEMENT SHALL BE HELD IN POSITION AT THE TOP AND BOTTOM AND AT A MAXIMUM SPACING OF 8'-0" U.N.O. REINFORCEMENT SHALL BE PLACED IN THE CENTER OF THE MASONRY CELL TYPICAL UNLESS OTHERWISE NOTED.
7. REINFORCING STEEL SHALL BE LAPPED MINIMUM 25" UNLESS NOTED OTHERWISE ON THE DRAWINGS.
8. HOOKS AT TOP & BOTTOM OF VERTICAL REINFORCING BARS TO BOND BEAM AND FOOTING TO BE NO LESS THAN 12 BAR DIAMETERS EXCLUDING BEND
9. EXPANSION TYPE ANCHORS ARE NOT TO BE USED IN BOND BEAM (U.N.0). EMBEDDED ANCHORS OR EPOXY FASTENED STUDS SHALL BE USED (U.N.O.)

FOUNDATIONS

1. SOIL TO BE COMPACTED TO AT LEAST 95% UNDER SLABS AND 95% UNDER FOOTINGS OF MAX. DRY DENSITY AS DETERMINED BY ASTM- 1557 (MODIFIED PROCTOR)
2. THE FOUNDATION OF THIS STRUCTURE HAS BEEN DESIGNED TO AN ALLOWABLE BEARING CAPACITY OF 2000 PSF. IT IS THE OWNER/ CONTRACTORS RESPONSIBILITY TO VERIFY THAT THE BUILDING SITE WILL MEET THIS STANDARD WITH REGARDS TO SETTLEMENT AND SUPPORT.
3. PROVIDE TERMITE TREATED SOIL IN ACCORDANCE W/ SECTION R318 OF THE FBCR CODE. IN LIEU OF TREATING THE SOIL, BORA-CARE TERMITICIDE MAY BE APPLIED TO WOOD COMPONENTS IN ACCORDANCE TO W/ MANUFACTURER'S INSTRUCTIONS, PURSUANT TO SECTION R318 OF THE FBCR CODE.

CAST IN PLACE CONCRETE

1. ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH "THE BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE" ACI 318 LATEST EDITION AND "SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS," ACI 301.
2. ALL REINFORCING STEEL SHALL BE NEW DOMESTIC DEFORMED BILLET STEEL CONFORMING TO ASTM A-61 GRADE 60.
3. HORIZONTAL FOOTING BARS SHALL BE BENT MIN. 48 BAR DIAMETERS (EXCLUDING BEND) AROUND CORNERS OR #5 CORNER BARS WITH MIN. 30" LAP EXCLUDING BEND AT EACH END SHALL BE PROVIDED.
4. MINIMUM LAP SPLICES ON ALL REINFORCING BARS SHALL BE 48 BAR DIAMETERS.
5. WELDED WIRE FABRIC SHALL CONFORM TO ASTM A-185 FOR 6x6xW1.4xW1.4 WWF SHALL BE LAPPED AT LEAST 6" & CONTAIN AT LEAST ONE CROSS WIRE WITHIN THE 6". FIBERMIX OF EQUAL SPECIFICATIONS MAY BE USED IN LIEU OF WWF.
6. ALL CONCRETE SHALL HAVE THE FOLLOWING PROPERTIES:

LOCATION	28 DAY STRENGTH	MAX. W/CM RATIO	AIR ENTRAINMENT	MAX. AGGREGATE
FOUNDATIONS AND STEPS	2500 PSI	0.58	N/A	1"
SLAB ON GRADE (RESIDENTIAL/COMMERCIAL)	2500 PSI	0.58	N/A	1"
(INDUSTRIAL)	3000 PSI	0.58	N/A	3/8"
BEAMS, TIE BEAMS, COLUMNS, PEDESTALS AND PIERS	4000 PSI	0.58	N/A	3/8"

NOTES:
- MINIMUM SLUMP OF 4" (+/-1")

ABBREVIATIONS

A.B.	Anchor Bolt	Comp.	A/C Compressor/Heat Pump	Epx.	Epoxy	Hgt.	Height	P.L.	Parallam	T.B.D.	To Be Determined
Abv.	Above	Conn.	Connection	Ext.	Exterior	Horz.	Horizontal	PLF	Pounds per linear foot	Temp.	Tempered
A/C	Air-Conditioner	Cont.	Continuous	Exist.	Existing	H.R.	Horizontal Roller	Plt.	Plate	Thk.	Thick
Adj.	Adjustable	D	Dryer	F.B.C.	Florida Bldg. Code	Int.	Interior	PSF	Pounds per square foot	T.O.B.	Top of Block
A.F.F.	Above Finished Floor	Dbl.	Double	F.B.C.R.	Florida Bldg. Code Resid.	Jal.	Jalousie	P.T.	Pressure Treated	T.O.M.	Top of Masonry
A.H.U.	Air Handler Unit	Deco.	Decorative	F.F.	Finished Floor	K.S.	Knee Space	Pwd.	Powder Room	T.O.P.	Top of Plate
Alum.	Aluminum	Ded.	Dedicated Outlet	F.G.	Fixed Glass	Lav.	Lavatory	Reinf.	Reinforcement	T.O.W.	Top of Wall
Approx.	Approximate	Dia.	Diameter	Flr.	Floor	L.L.	Live Load	Ref.	Refrigerator	Trans.	Transom Window
B.F.	Bifold Door	Disp.	Disposal	Fnd.	Foundation	L.T.	Laundry Tub	Req'd.	Required	Typ.	Typical
B.F.F.	Below Finished Floor	D.L.	Dead Load	F/P	Fireplace	Max	Maximum	R & Sh	Rod and Shelf	UCL	Under Cabinet Lighting
Bot.	Bottom	Dtl.	Detail	Ft.	Foot / Feet	Manuf.	Manufacturer	S.D.	Smoke Detector	U.N.O.	Unless Noted Otherwise
B.P.	Bypass door	D.W.	Dishwasher	Ftg.	Footing	M.C.	Medicine Cabinet	Sh.	Shelves	Vert.	Vertical
Brg.	Bearing	Ea.	Each	F.V.	Field Verify	Micro.	Microwave	S.H.	Single Hung	V.I.F	Verify In Field
Bldg.	Building	Elec.	Electrical	Galv.	Galvanized	Min.	Minimum	S.L.	Side Lights	W.	Washer
Cant.	Cantilever	E.W.	Each Way	G.C.	General Contractor	Mono	Monolithic	S.P.F.	Spruce Pine Fir	w/	With
Cir.	Circle	Embed.	Embedment	G.F.I.	Ground Fault Interrupter	N.T.S.	Not to Scale	Specs.	Specification	W.C.	Water Closet
Clg.	Ceiling	E.O.R.	Engineer on Record	HB	Hose Bibb	Opt.	Optional	Sq. Ft.	Square Ft.	W.H.	Water Heater
Co.	Carbon Monoxide	Elev.	Elevation	H.C.	Half Circle	O.S.B.	Oreinted Strand Board	Sq.	Square		
Col.	Column	EQ.	Equal	Hdr.	Header	Ped.	Pedestal	S.Y.P.	Southern Yellow Pine		

THIS STRUCTURE IS DESIGNED TO WITHSTAND 140 MPH (V=) WINDS PER THE FLORIDA BUILDING CODE RESIDENTIAL 2023, 8th EDITION (REF. ASCE-7-22) AND IS CERTIFIED AS SUCH.

REV.	DESCRIPTION	DATE

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SCOTT A. SANTOMAURO LICENSE No 65513 STATE OF FLORIDA PROFESSIONAL ENGINEER

SCOTT A. SANTOMAURO, M.S.,P.E.
FLORIDA REG. #65513

SHEET TITLE: GENERAL NOTES

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SUITE 2072
ORLANDO, FL. 32828

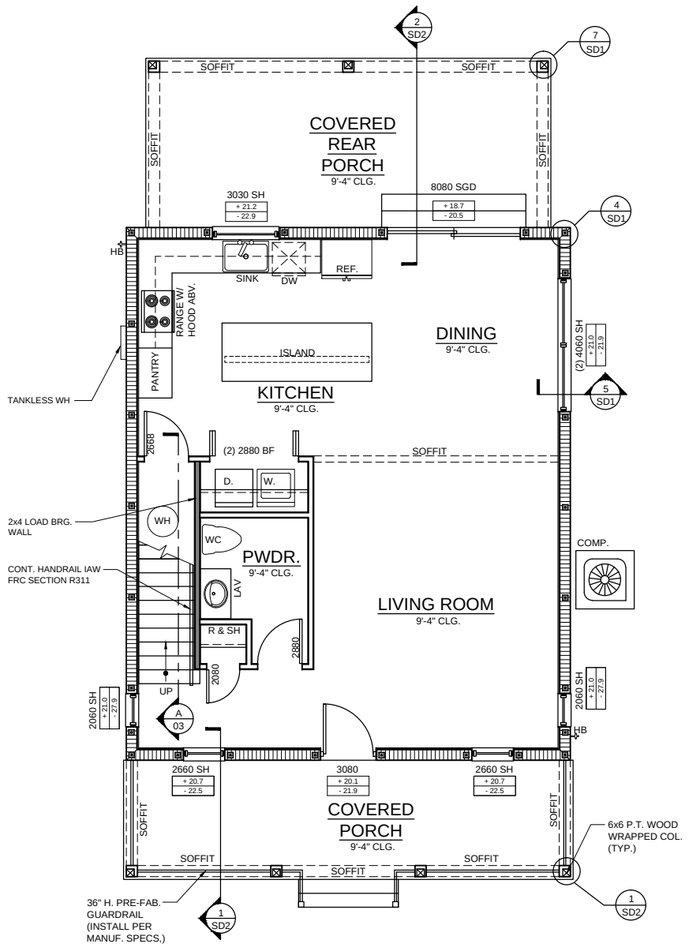
DBSS INC.
Engineering and Design Services

PROJECT
EKBATANI RESIDENCE
300 N PINE ST.
NEW SYMRNA BEACH, FL 32169

DESIGN	DRAWN AC/SAM
CHECKED SSPE	
JOB	DBSS - EKBATANI
SCALE	AS NOTED
DATE	01.08.2025

SHT 2 OF 16

GN



FLOOR PLAN NOTES:

1. WINDOW AND DOOR SUPPLIERS SHALL PROVIDE CURRENT ROUGH OPENING INFO WHICH SHALL HAVE PRECEDENCE OVER THE WINDOW AND DOOR SCHEDULES ON PLAN. WINDOWS & DOORS TO COMPLY WITH 2023 FBC, 8TH EDITION, ENERGY EFFICIENCY CODE.
2. DO NOT SCALE PLANS. DIMENSIONS ARE TO BE FOLLOWED AS NOTED.
3. G.C. TO VERIFY ALL DIMENSIONS WITH FIXTURES TO BE INSTALLED TO ENSURE COMPLIANCE
4. H.V.A.C. SYSTEM TO BE SIZED AND DESIGNED BY H.V.A.C. CONTRACTOR. G.C. TO ENSURE THAT A PROPER THERMAL ENVELOPE IS PROVIDED AND INSTALLED PER THE CURRENT EDITION OF THE FLORIDA BUILDING CODE. THIS INCLUDES SPACES BETWEEN NEW AND EXISTING CONSTRUCTION AS REQUIRED.
5. REFER TO FLOOR PLAN FOR CEILING HEIGHTS
6. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS AT SITE BEFORE PROCEEDING WITH ANY WORK
7. NOTES INDICATING TYPICAL CONDITIONS SHALL APPLY TO ALL LIKE AREAS UNLESS NOTED OTHERWISE
8. IF WATER BASED CEILING TEXTURE IS USED, PROVIDE 1/2" GYPSUM BOARD FOR 16" O.C. FRAMING OR 5/8" GYPSUM BOARD FOR 24" O.C. FRAMING (1/2" SAG-RESISTANT GYPSUM BOARD MAY BE USED I.L.O. OF 5/8" GYPSUM).
9. ANCHOR THE CONDENSER UNIT TO SLAB USING 1/4"x1-1/4" TAPCONS TO ATTACH 4" 'L' BRACKETS INTO THE PAD AND THEN USE 3/4" LONG HEX SCREWS (2) ON EACH CORNER TO ATTACH THE 'L' BRACKETS TO THE EQUIPMENT.
10. G.C. TO VERIFY WITH WINDOW MANUFACTURER THAT ALL WINDOWS MARKED AS EGRESS HAVE A NET CLEAR OPENING OF 5 S.F. IF LOCATED AT GRADE FLOOR, OR 5.7 S.F. AT OTHER FLOORS (I.E. 2ND FLOOR). A 24" MINIMUM CLEAR OPENING HEIGHT AND A 20" MINIMUM CLEAR WIDTH ARE REQUIRED.
11. PROVIDE WINDOW GUARDS THAT COMPLY WITH ASTM F2090 FOR OPERABLE WINDOWS LOCATED MORE THAN 72" ABOVE THE FINISHED GRADE OR SURFACE BELOW, AND IF THE LOWEST PART OF THE CLEAR OPENING OF THE WINDOW IS LOCATED WITHIN 24" OF THE FINISH FLOOR OF THE ROOM.
12. EXTERIOR GLAZED OPENINGS LOCATED IN WINDBORNE DEBRIS REGIONS SHALL BE PROTECTED PER FBCR 2023 SEC. R301.2.1.2
13. PROVIDE DRAFTSTOPPING IN FLOOR CEILING ASSEMBLIES OF COMBUSTIBLE CONSTRUCTION SO EACH SPACE DOES NOT EXCEED 1,000 SQ. FT. PER FBCR 2023, 8TH EDITION, SEC. R302.12.
14. PROVIDE FIREBLOCKING IN ALL LOCATIONS AS REQUIRED PER FBCR 2023, 8TH EDITION, SEC. R302.11.

SQ.FT. CALC'S

1ST FLOOR LIVING	867 SQ. FT.
2ND FLOOR LIVING	853 SQ. FT.
TOTAL LIVING	1,720 SQ. FT.
FRONT PORCH	194 SQ. FT.
REAR PORCH	240 SQ. FT.
BALCONY	187 SQ. FT.
TOTAL UNDER ROOF	2,341 SQ. FT.

DOOR/ FRAME
WINDOW SIZE LEGEND

XXXX

WIDTH (X'-X")
HEIGHT (X'-X")

NOTE:
G.C TO FIELD VERIFY WINDOW/ DOOR SIZES PRIOR TO WINDOW/ DOOR PURCHASE.

LEGEND

- HATCH INDICATES CMU WALL T.O.W. @9'-4" A.F.F.
- HATCH INDICATES 2x6 (U.N.O.) FRAMING (LOAD BRG.) STUDS @16" O.C. PROVIDE MID-SPAN BLOCKING FOR INT. WALL PER DTL. 4/SD2
- 2x4 (U.N.O.) NON-LOAD BEARING FRAME WALL STUDS @ 24" O.C. REFER TO DTL. 5/SD2
- INDICATES GROUT FILLED CELL WITH (1) VERT. #5 CONT. FTG. TO BOND BEAM (8'-0" O.C. MAX U.N.O.)(REFER TO NOTES ON COVER SHEET)
- + XX.X / - XX.X — COMPONENT DESIGN PRESSURE (p_{net})

LOCATIONS OF REINFORCEMENTS MAY BE VARIED BY CONTRACTOR +/- 8" TO AVOID BLOCK WEBS AND/OR OTHER IMPEDIMENTS

1ST FLOOR PLAN

1/4"=1'-0"

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FLORIDA REG. #65513

SHEET TITLE: 1ST FLOOR PLAN

PROJECT
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300 N PINE ST.
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PHONE: 321.251.6006
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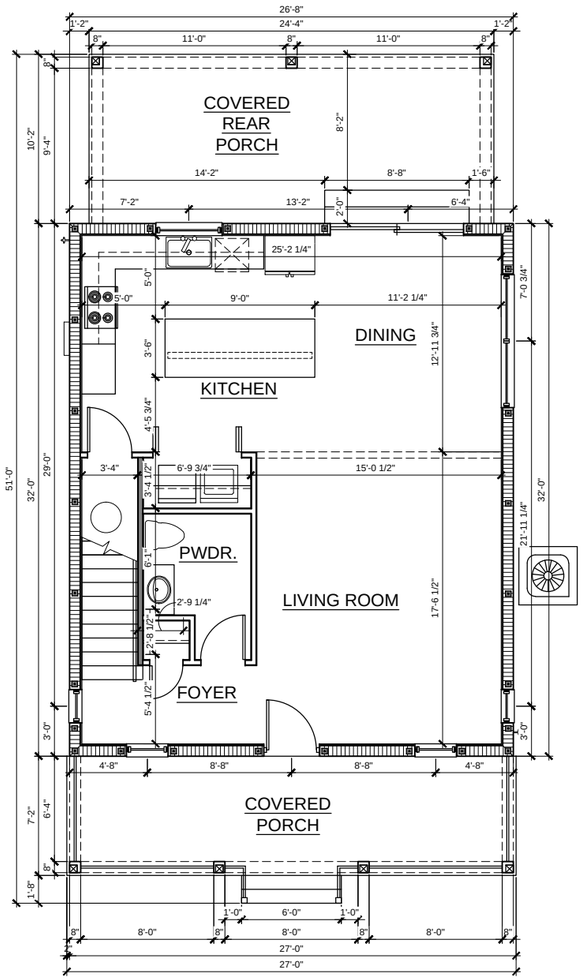
SUITE 2072
ORLANDO, FL. 32828

DESIGN	DRAWN AC/SAM
CHECKED SSPE	
JOB	DBSS - EKBATANI
SCALE	AS NOTED
DATE	01.08.2025

SHT 3 OF 16

01

THIS STRUCTURE IS DESIGNED TO WITHSTAND 140 MPH (V_{ult}) WINDS PER THE FLORIDA BUILDING CODE RESIDENTIAL 2023, 8th EDITION (REF. ASCE-7-22) AND IS CERTIFIED AS SUCH.



NOTE:
ALL INTERIOR DIMENSIONS ARE TO FINISHED WALL

LOCATIONS OF REINFORCEMENTS MAY BE VARIED BY CONTRACTOR +/- 8" TO AVOID BLOCK WEBS AND/OR OTHER IMPEDIMENTS

1ST FLOOR DIMESNION PLAN

1/4"=1'-0"

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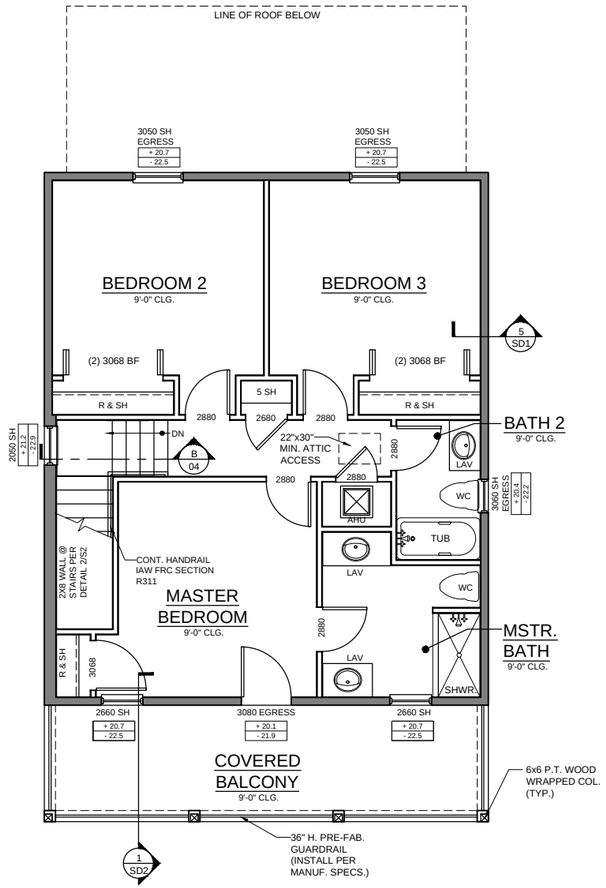
SHT 4 OF 16

1.1



NOTE:
REFER TO SHEET 01 FOR NOTES & LEGENDS.

2ND FLOOR PLAN

1/4"=1'-0"

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SHT 5 OF 16

02

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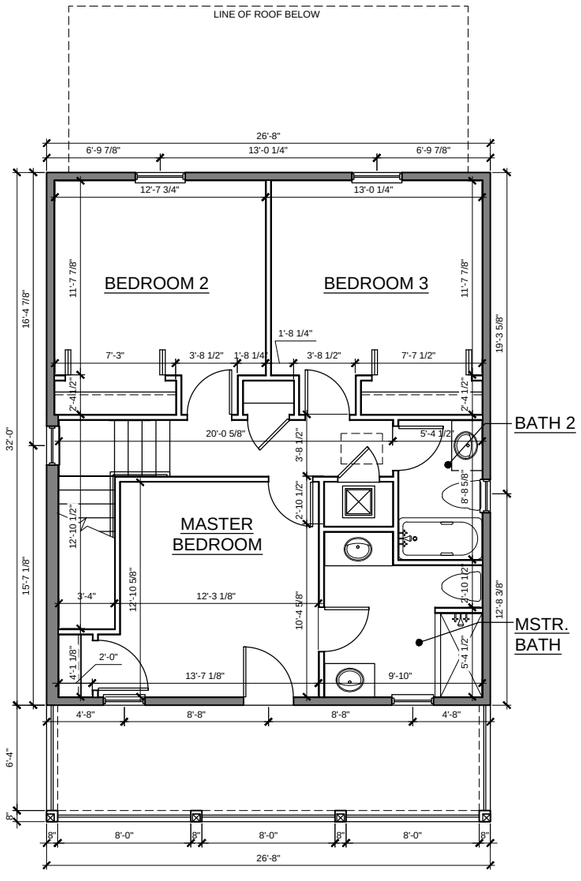

NOTE:
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2ND FLOOR DIMENSION PLAN

1/4"=1'-0"

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2ND FLOOR
DIMENSION PLAN

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SHT 6 OF 16

2.1

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NOTES:
STAIRWAY CONSTRUCTION TO CONFORM TO FBRC 2023 8th EDITION SECTION R311

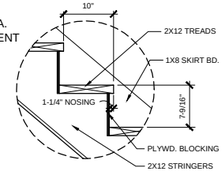
TREADS & RISERS:
- MAX. HGT. OF RISER TO BE 7-3/4".
- ALL TREADS LESS THAN 11" IN DEPTH SHALL HAVE APPROX. 1" OF NOSING.
- ALL SOLID RISERS TO HAVE A NOSING NOT LESS THAN 3/4" IN DEPTH AND NOT GREATER THAN 1-1/4"
- 3/8" MAX. VARIATION IN ANY RISER/TREAD
- MIN. DEPTH OF THREAD TO BE 10"

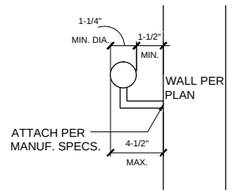
18 Risers @7-9/16"
17 Treads @10" Include 1-1/4" Nosing

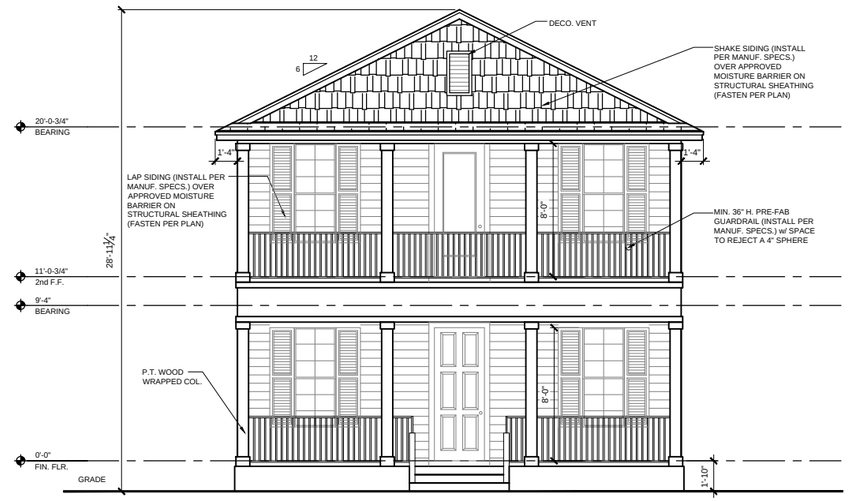
HANDRAIL:
- HAND RAIL CIRCULAR CROSS SECTION DIA. TO BE 1 1/4" - 2" OR TO PROVIDE EQUIVALENT GRASPABILITY.
- 34"-38" HANDRAIL HGT.

CLEARANCE:
- HEADROOM CLEARANCE MIN. 6'-8"

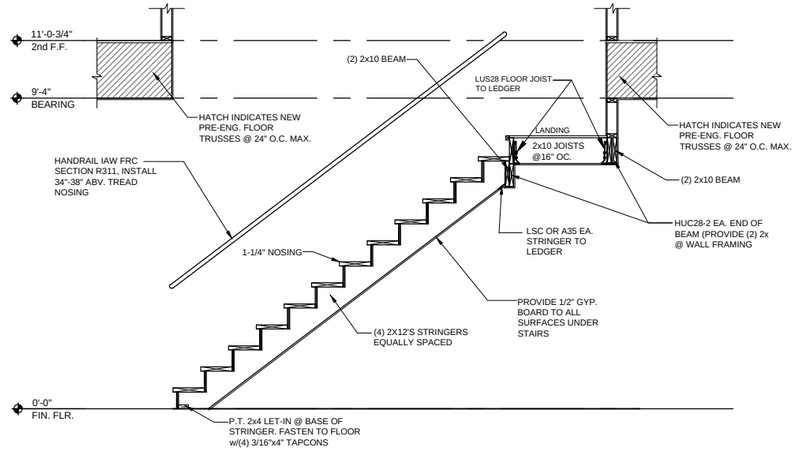
WINDERS:
- MIN. 6" WIDE @NARROW END
- MIN. 11" WIDTH @12" FROM NARROW END



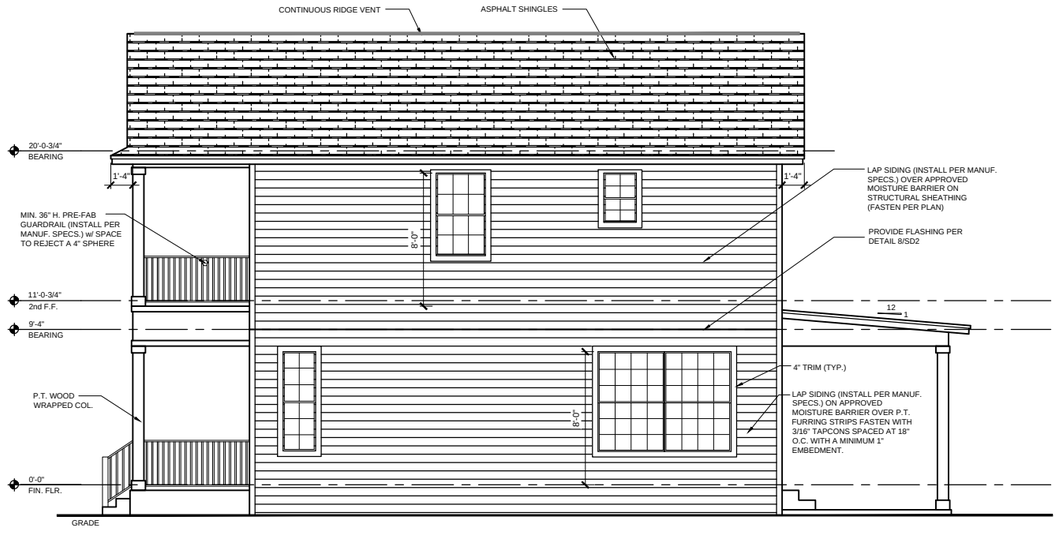




FRONT ELEVATION
1/4"=1'-0"



Ⓐ STAIR SECTION
1/2"=1'-0"



RIGHT ELEVATION
1/4"=1'-0"

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SCOTT A. SANTOMAURO LICENSE No 65513 STATE OF FLORIDA PROFESSIONAL ENGINEER

SCOTT A. SANTOMAURO, M.S.,P.E.
FLORIDA REG. #65513

SHEET TITLE
EXTERIOR ELEVATIONS

CA#27371
PHONE: 321.251.6006
3662 AVALON PARK EAST BL.VD.
SUITE 2073
ORLANDO, FL. 32828

DBSS INC.
Engineering and Design Services

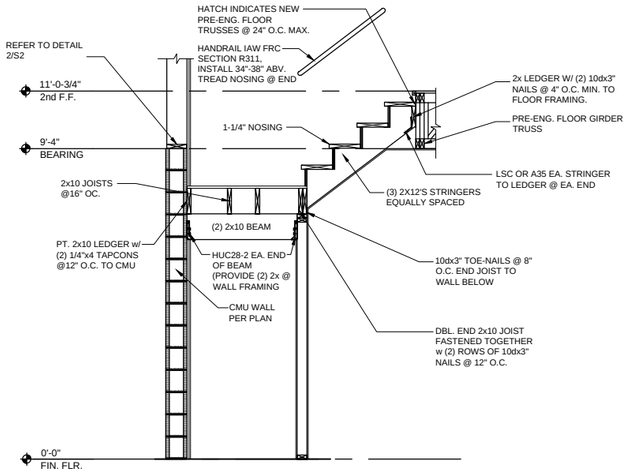
PROJECT
EKBATANI RESIDENCE
300 N PINE ST.
NEW SYMRNA BEACH, FL 32169

DESIGN	DRAWN AC/SAM
CHECKED SSPE	
JOB	DBSS - EKBATANI
SCALE	AS NOTED
DATE	01.08.2025

SHT 7 OF 16

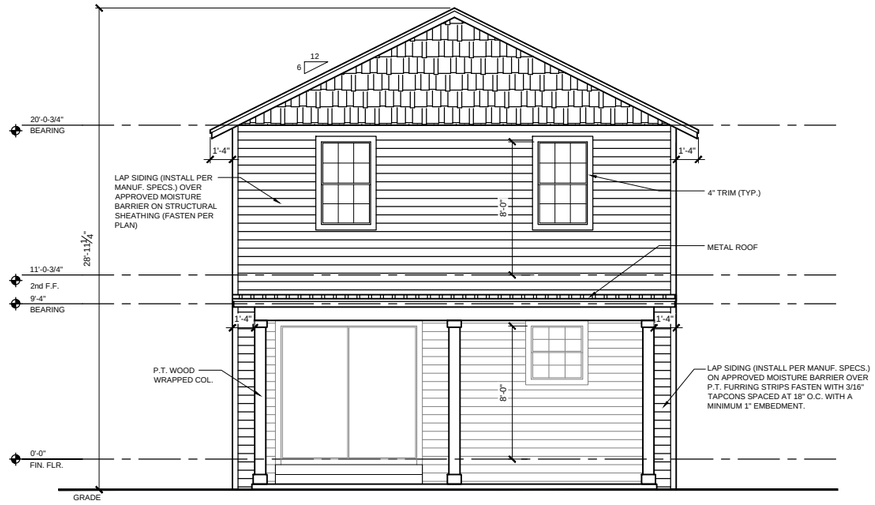
03

THIS STRUCTURE IS DESIGNED TO WITHSTAND 140 MPH (V_{ult}) WINDS PER THE FLORIDA BUILDING CODE RESIDENTIAL 2023, 8th EDITION (REF. ASCE-7-22) AND IS CERTIFIED AS SUCH.



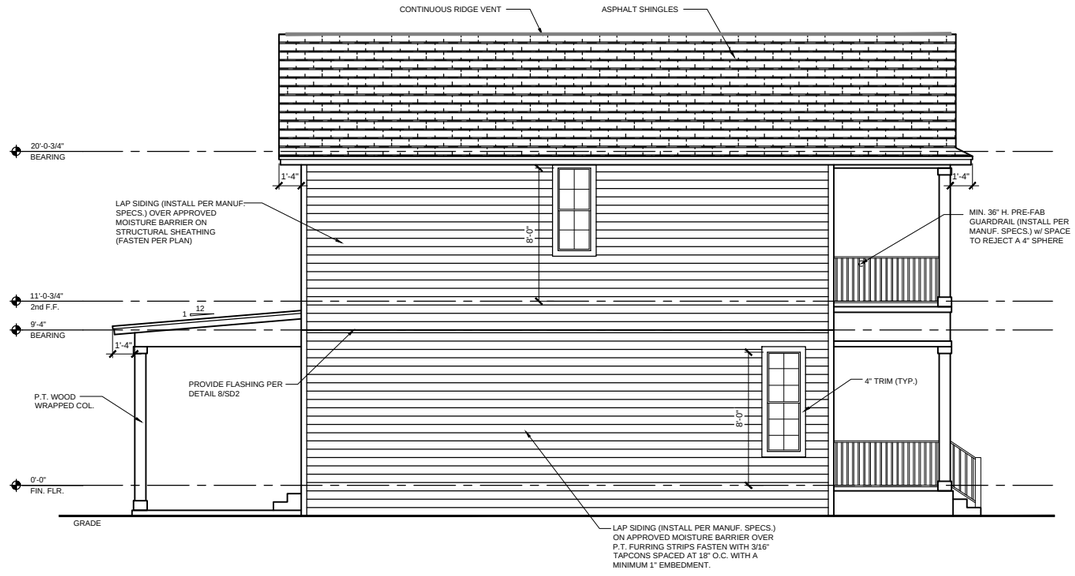
Ⓑ STAIR SECTION

1/2"=1'-0"



REAR ELEVATION

1/4"=1'-0"



LEFT ELEVATION

1/4"=1'-0"

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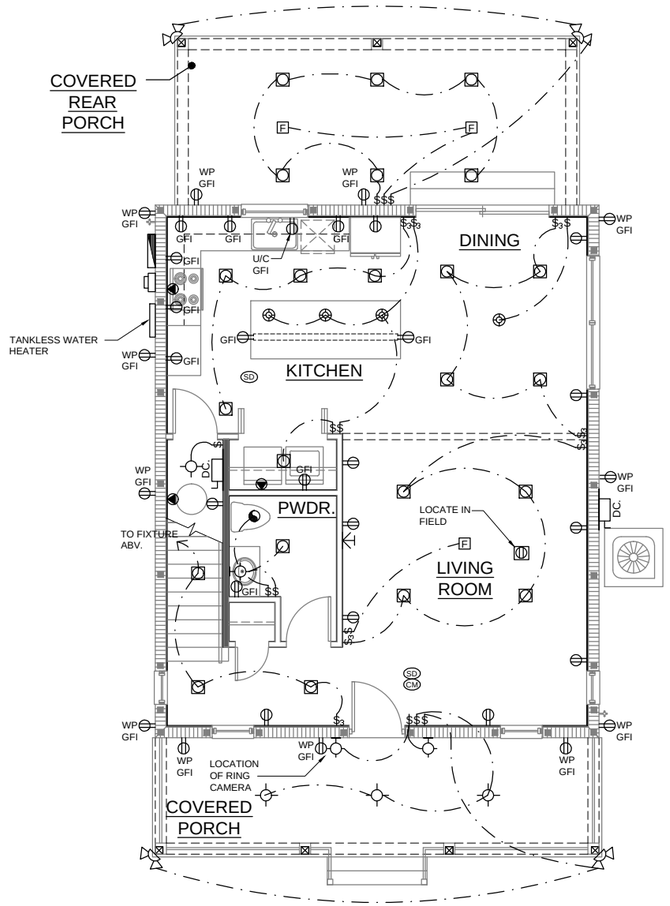
SHT 8 OF 16

04

ELECTRICAL LEGEND

$	SWITCH, SINGLE POLE		OUTLET 110-115, CEILING MOUNTED	E	LIGHT FIXTURE, RECESSED EYEBALL, ADJUSTABLE
$3	SWITCH, THREE WAY		OUTLET 110-115, FLOOR MOUNTED	PC	LIGHT FIXTURE, LAMP HOLDER W/ PULL CHAIN
$4	SWITCH, FOUR WAY		OUTLET 220-240, SPECIAL PURPOSE		LIGHT FIXTURE, FLUORESCENT FIXTURE
$D	SWITCH, SINGLE POLE 120V DIMMER		OUTLET 110-115, QUAD		LIGHT FIXTURE, FLOOD LIGHTS
$3D	SWITCH ,THREE WAY 120V DIMMER		LIGHT FIXTURE, CEILING MOUNTED		TELEVISION OUTLET
	OUTLET 110-115		LIGHT FIXTURE, WALL MOUNTED		TELEPHONE OUTLET
G.F.I.	OUTLET 110-115, GROUND FAULT CIRCUIT INTERRUPTER		LIGHT FIXTURE, HANGING		INTERCOM
			LIGHT FIXTURE, RECESSED		CHIMES
WP G.F.I.	OUTLET 110-115, WATER PROOF G.F.I.	VP	LIGHT FIXTURE, RECESSED VAPOR PROOF	SD	SMOKE DETECTOR
	OUTLET 110-115, SPLIT WIRED		LIGHT FIXTURE, TRACK	CM	CARBON MONOXIDE DETECTOR

	EXHAUST FAN
	GARBAGE DISPOSAL
DC	DISCONNECT SWITCH
	ELECTRICAL PANEL
F	CEILING FAN / LIGHT COMBO, INSTALLED
P	CEILING FAN, PREWIRED
J	JUNCTION BOX
T	DIGITAL THERMOSTAT
	METER
	PUSH BUTTON



1ST FLOOR ELECTRICAL PLAN

1/4"=1'-0"

ELECTRICAL NOTES:

1. THIS ELECTRICAL PLAN IS TO BE USED FOR PLACEMENT PURPOSES ONLY. DESIGN AND CALCULATIONS TO BE THE RESPONSIBILITY OF THE ELECTRICAL CONTRACTOR.
2. LOCATION OF EXISTING UNDERGROUND UTILITY LINES AND STRUCTURES SHALL BE DETERMINED AND VERIFIED IN THE FIELD PRIOR TO COMMENCING WORK, ELECTRICAL CONTRACTOR SHALL BE RESPONSIBLE FOR HIS DAMAGE TO OTHER TRADES.
3. ELECTRICAL BOXES INSTALLED IN FLOORS, WALLS, OR CEILINGS SHALL BE MOUNTED FLUSH WITH FINISHED SURFACE AND CONDUITS AND/OR CABLES SHALL BE CONCEALED UNLESS OTHERWISE NOTED.
4. EXTERIOR, KITCHEN, COUNTER, DISHWASHER, BATHROOM OR ANY OUTLETS WITHIN 6' OF A SINK ARE GFI.
5. ALL SMOKE DETECTORS TO BE INSTALLED PER NEC 2020 & SECTIONS R314 OF THE 2023 FLORIDA BUILDING CODE (RESIDENTIAL), 8th EDITION.
6. ALL 120-VOLT, SINGLE PHASE 15-20 AMP BRANCH CIRCUITS THAT SUPPLY OUTLETS IN KITCHENS, FAMILY ROOMS, DINING ROOMS, LIVING ROOMS, PARLORS, LIBRARIES, DENS, BEDROOMS, SUNROOMS, RECREATION ROOMS, CLOSETS, HALLWAYS, LAUNDRY AREAS, OR SIMILAR ROOMS OR AREAS PER NEC 210.12(A) SHALL BE PROTECTED BY ANY OF THE MEANS DESCRIBED IN THE 2020 NEC SECTION 210.12(A)(1-6)
7. ALL ELECTRICAL WORK AND APPLIANCES SHALL CONFORM TO NEC 2020.
8. EXCEPTIONS FROM GFI REQUIREMENTS SHALL BE PERMITTED PROVIDED LOCATION WHERE EXCEPTION IS DESIRED IS ALLOWED PER NEC 2020.
9. CARBON MONOXIDE ALARMS PER SECTIONS R315 OF THE 2023 FLORIDA BUILDING CODE (RESIDENTIAL), 8th EDITION. ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING, BE INTERCONNECTED AND HAVE BATTERY BACKUP. A SINGLE COMBO DETECTOR MAY BE USED ILO INDIVIDUAL SMOKE & CARBON MONOXIDE DETECTORS.
10. PER NEC 2020 SECTION 406.12. PROVIDE TAMPER-RESISTANT RECEPTACLES IN ALL AREAS AS SPECIFIED IN SECTION 210.52, FOR ALL NON-LOCKING TYPE 125-VOLT,15-20 AMP RECEPTACLES.
11. VERIFY LOCATION OF ALL COMPONENTS w/ HOMEOWNER PRIOR TO COMMENCEMENT OF WORK
12. ALL OUTLETS TO BE TAMPER RESISTANT
13. ALL WIRING IS TO BE #14 AWG OR LARGER (SIZE PER NEC) SOLID COPPER TYPE THHN AND ELECTRICAL SERVICE WIRING IS TO BE TYPE THW OR THWN.
14. ALL WIRING IS TO BE SHEATHED NM OR NMC WHERE REQ'D (ROMEX)
15. USE CLAMPING TYPE ROMEX CONNECTORS AT EACH BOX.
16. EACH CIRCUIT IS TO HAVE CONTINUOUS SOLID COPPER BARE GROUND WIRE CONNECTED TO EQUIPMENT GROUND BAR IN THE MAIN DISTRIBUTION PANEL. ALTERNATE INSTALLATION OF A GREEN PIGTAIL FROM THE GROUND SCREW TO THE LUG ON THE BOX WHERE THE GREEN GROUND WIRE IS CONNECTED. (IF METAL BOX)
17. A SURGE PROTECTOR SHALL BE INSTALLED AT THE SERVICE ENTRANCE PER, NEC SECTION 230.67(A)-(D) 2020

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FLORIDA REG. #65513

SHEET TITLE: 1ST FLOOR ELECTRICAL PLAN

CA#27371
PHONE: 321.251.6006
3662 AVALON PARK EAST BLVD.
SUITE 2072
ORLANDO, FL. 32828

DBSS INC.
Engineering and Design Services

PROJECT
EKBATANI RESIDENCE
300 N PINE ST.
NEW SYMRNA BEACH, FL 32169

DESIGN	DRAWN AC/SAM
CHECKED	SSPE
JOB	DBSS - EKBATANI
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DATE	01.08.2025

SHT 9 OF 16

05

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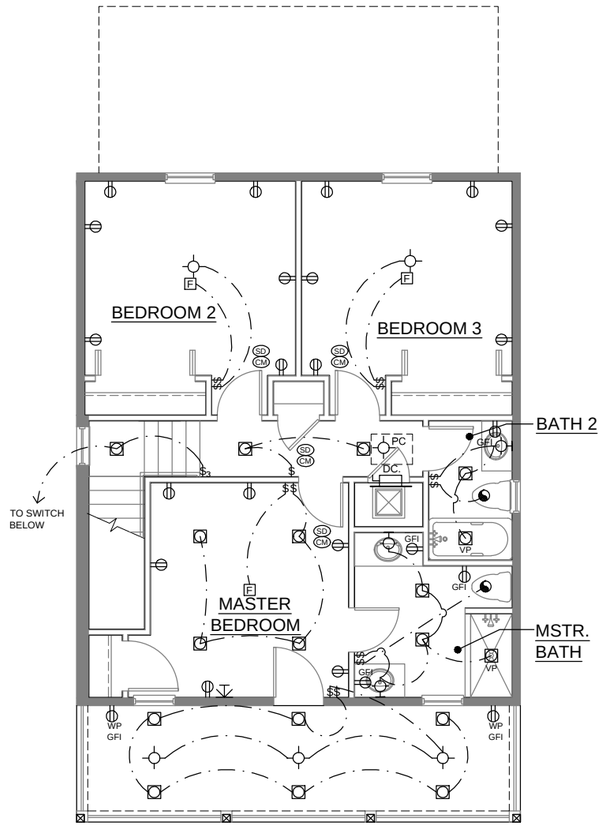

2ND FLOOR ELECTRICAL PLAN

1/4"=1'-0"

ELECTRICAL LEGEND

- $ — SWITCH, SINGLE POLE
- $3 — SWITCH, THREE WAY
- $4 — SWITCH, FOUR WAY
- $D — SWITCH, SINGLE POLE 120V DIMMER
- $D3 — SWITCH ,THREE WAY 120V DIMMER
- OUTLET 110-115
- G.F.I. — OUTLET 110-115, GROUND FAULT CIRCUIT
- INTERRUPTER
- WP G.F.I. — OUTLET 110-115, WATER PROOF G.F.I.
- OUTLET 110-115, SPLIT WIRED
- OUTLET 110-115, CEILING MOUNTED
- OUTLET 110-115, FLOOR MOUNTED
- OUTLET 220-240, SPECIAL PURPOSE
- OUTLET 110-115, QUAD
- LIGHT FIXTURE, CEILING MOUNTED
- LIGHT FIXTURE, WALL MOUNTED
- LIGHT FIXTURE, HANGING
- LIGHT FIXTURE, RECESSED
- VP — LIGHT FIXTURE, RECESSED VAPOR PROOF
- LIGHT FIXTURE, TRACK
- E — LIGHT FIXTURE, RECESSED EYEBALL, ADJUSTABLE
- PC — LIGHT FIXTURE, LAMP HOLDER W/ PULL CHAIN
- LIGHT FIXTURE, FLUORESCENT FIXTURE
- LIGHT FIXTURE, FLOOD LIGHTS
- TELEVISION OUTLET
- TELEPHONE OUTLET
- INTERCOM
- CHIMES
- SD — SMOKE DETECTOR
- CM — CARBON MONOXIDE DETECTOR
- EXHAUST FAN
- GARBAGE DISPOSAL
- DC. — DISCONNECT SWITCH
- ELECTRICAL PANEL
- F — CEILING FAN, INSTALLED
- P — CEILING FAN, PREWIRED
- J — JUNCTION BOX
- T — DIGITAL THERMOSTAT
- METER

NOTE:
REFER TO SHEET 05 FOR ELECTRICAL NOTES.

REV.	DESCRIPTION	DATE

SHEET TITLE
2ND FLOOR ELECTRICAL PLAN

PROJECT
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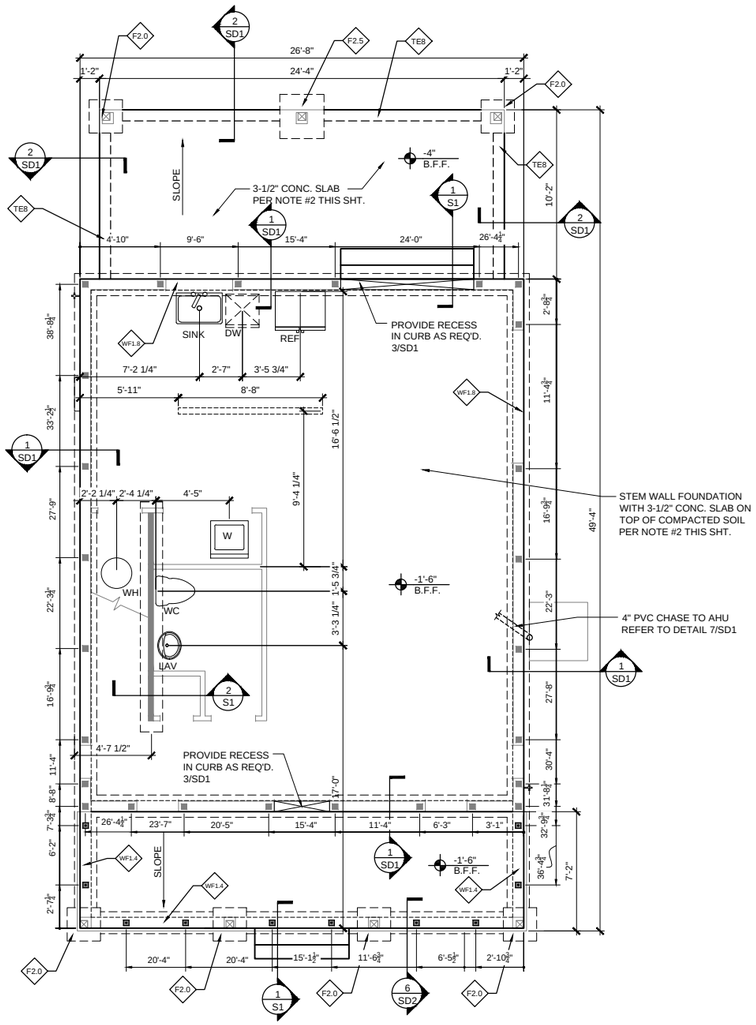
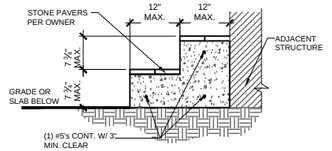
SHT 10 OF 16

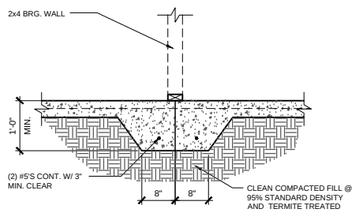
06



TREADS & RISERS:
-MAX. HGT. OF RISER TO BE 7-3/4".
-MIN. DEPTH OF TREAD TO BE 10"
-ALL SOLID RISERS TO HAVE A NOSING NOT LESS THAN 3/4" IN DEPTH AND NOT GREATER THAN 1-1/4"
-ALL TREADS MINIMUM 11" IN DEPTH NOT REQUIRED TO HAVE A NOSING.



① CONC. STEPS. DTL. 1"=1'-0"



② FOOTING SECTION @ INT. BRG. 3/4"=1'-0"

FOUNDATION PLAN

1/4"=1'-0"

FOUNDATION NOTES:

1. PROVIDE MIN. 6 MIL. APPROVED VAPOR BARRIER. ALL JOINTS TO BE LAPPED MIN. 6" AND SEALED.
2. PROVIDE 3-1/2" CONC. SLAB W/ 6x6xW1.4xW1.4 WELDED WIRE MESH PLACED AT MID DEPTH ON 6 MIL. VAPOR BARRIER ON 4" MIN. TERMITE TREATED COMPACTED FILL (FIBER MESH MAY BE USED ILO WWM, WHEN FIBER MESH. MEETS OR EXCEEDS SPECIFICATIONS SET FORTH IN THE FBCR 2023 8th EDITION).
3. VERT. #5 BAR TO BE HOOKED AT TOP & BOTTOM (FTG. & BOND BEAM ENDS) W/MIN. 12 BAR DIAMETER LEGS EXCLUDING BEND @ EA. END. LAP SPLICES SHALL BE NO LESS THAN 25".
4. CONSULT W/MAN. SPECIFICATIONS PRIOR TO POURING OR RECESSING DOOR SILLS.
5. EXTERIOR SLABS SHALL SLOPE 1/4" PER FOOT AWAY FROM HOUSE.
6. CONTROL JOINTS (IF SHOWN) ARE NOT REQUIRED BY CODE BUT ARE SUGGESTED (ESPECIALLY WHEN USING FIBER REINF. CONC.) CONTROL JOINTS TO BE SAW CUT A DEPTH OF 1/4 OF THE THICKNESS OF THE SLAB (BETWEEN 4 TO 12 HOURS AFTER FINISH) FILL CUT W/ APPROVED JOINT MATERIAL OR USE ALTERNATE APPROVED METHOD.

▦ INDICATES GROUT FILLED CELL WITH (1) VERT. #5 CONT. FTG. TO BOND BEAM (8'-0" O.C. MAX U.N.O.)(REFER TO NOTES)

PAD FOOTING SCHEDULE

TAG	W	W	D	REBAR EA. WAY		
F2.0	24"	X 24"	X 12"	3		
F2.5	32"	X 32"	X 12"	4		

FOOTING SCHEDULE

TAG	W	D	REBAR	DETAIL
TE8	8"	X 8"	1	2/SD1
WF1.0	20"	X 10"	3	1/SD1
WF1.4	16"	X 8"	2	6/SD2
F1.4	16"	X 8"	2	2/S1

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SHEET TITLE
FOUNDATION PLAN

CA#27371
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3662 AVALON PARK EAST BLVD.
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SHT 11 OF 16

S1

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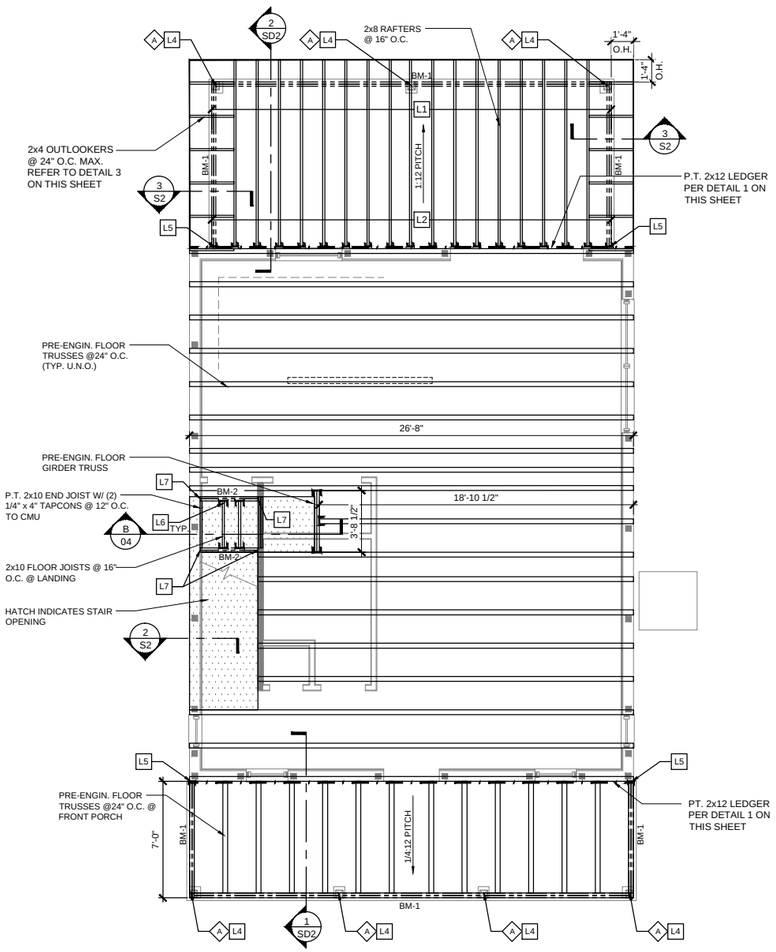
NOTE:
THESE PLANS ARE NOT TO BE USED FOR TRUSS FABRICATION. CONTRACTOR TO FIELD VERIFY TRUSS SPANS, OVERHANGS, SLOPES AND OTHER TRUSS GEOMETRY PRIOR TO TRUSS PURCHASE/ FABRICATION. DBSS INC. IS NOT RESPONSIBLE FOR TRUSS GEOMETRY AND/OR MEASUREMENT ERRORS



2ND FLOOR FRAMING PLAN

1/4"=1'-0"

SIMPSON HARDWARE NOTES:

1. SEE "INSTRUCTIONS TO THE INSTALLER" IN SIMPSON STRONG-TIE WOOD CONSTRUCTION CONNECTOR'S CURRENT MANUAL & READ ALL PAGES OF GENERAL NOTES.
2. FILL ALL HOLES IN STRAPS (U.N.O.) TYPICAL TO OBTAIN MAXIMUM UPLIFT.
3. FOR MISLOCATED EMBEDDED ANCHOR GREATER THAN 1/8" BUT LESS THAN 1-1/2" FROM FACE OF TRUSS / RAFTER, INSTALL WOOD SHIMS AND USE 10DX3" NAILS IN LIEU OF 10DX1-1/2" NAILS (MATCH QTY. OF FASTENERS) OR PROVIDE NEW ANCHOR PER NOTE 4.
4. FOR MISLOCATED EMBEDDED ANCHOR MORE THAN 1-1/2" FROM FACE OF TRUSS/ RAFTER, SIMPSON MTSM16 MAY BE FASTENED TO BOND BEAM W/ (4)1/4"X2-1/4" TAPCONS AND (7)10DX1-1/2" NAILS TO TRUSS. THIS IS GOOD FOR UP TO 875 LBS. OF UPLIFT. (2)MTSM16S CAN BE USED FOR UPLIFT TO MAX. 1,750 LBS.
5. CONTRACTOR IS RESPONSIBLE TO VERIFY THE CHEMICAL CONTENT OF ANY TREATED LUMBER AND TO SUPPLY PROPERLY COATED CONNECTORS AS REQ'D. REFER TO THE SIMPSON STRONG TIE MANUAL REGARDING CORROSION INFORMATION FOR ADDITIONAL GUIDANCE. USE Z MAX COATED CONNECTORS FOR ALL EXPOSED COMPONENTS

CONNECTOR LEGEND

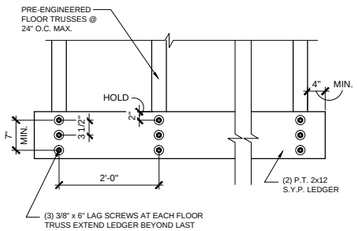
- ALL TRUSS TO FRAME CONN. TO BE H10A (USE H10-2 FOR 2-PLY) (U.N.O.)
- ALL HIP TRUSS TO FRAME CONN. TO BE SIMPSON MTS16 (U.N.O.)
- ALL TRUSS TO TRUSS CONN. DESIGN BY TRUSS MANUF.
- ALL TRUSS TO MASONRY CONN. TO BE SIMPSON META16 (U.N.O.)

L1	H2.5A OR H10A RAFTER TO BEAM
L2	(2) A35's (ONE EA. SIDE) RAFTER TO LEDGER
L3	META16
L4	(2) HTS20S OR LSTA24 BEAM TO POST BELOW AND ABU66Z POST TO FOOTING
L5	MBHA 3.56/11.25 w/ 3/4" ALL THREAD ROD (MIN. 5" EMBED.) @ TOP AND FACE DRILL & EPOXY w/ SIMPSON SET EPX.
L6	LUS28 EA. END OF FLOOR JOIST
L7	HUC28-2 EA. END OF BEAM. PROVIDE DBL. STUD AT WALL FRAMING

BEAM SCHEDULE

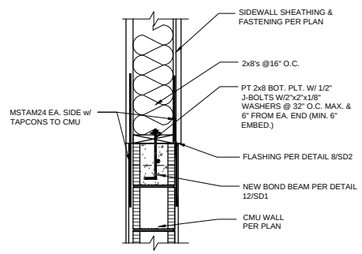
TAG	MEMBER	FASTENER	QTY & SPACING	TOP OF BEAM
BM-1	(2) 2x12 w/ 1/2" SPACER	10d NAILS	(2) ROWS 12" O.C.	9'-4"
BM-2	(2) 2x10	10d NAILS	(2) ROWS 12" O.C.	V.I.F.

NOTE:
1. 2-PLY BEAMS: INSTALL NAILS IN LOADED PLY WHEN APPLICABLE
2. 3-PLY BEAMS: INSTALL NAILS FROM BOTH SIDES PER SPACING ABOVE
3. NAILS: 10D = 0.148 X 3", 16D = 0.162 X 3-1/2"
4. NAILS FASTENED IN PRESERVATIVE-TREATED WOOD OR FIRE-RETARDANT-TREATED WOOD SHALL BE HOT DIPPED ZINC-COATED GALVANIZED STEEL OR STAINLESS STEEL.



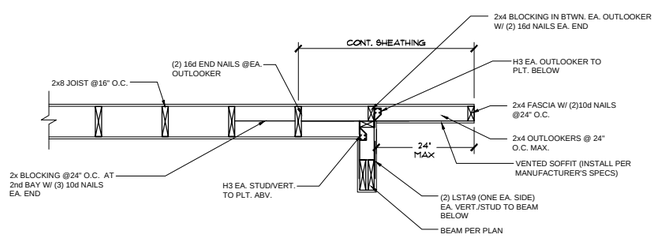
1 STAGGERED LEDGER DETAIL

3/4"=1'-0"



2 FRAME TO CMU CONNECTION @ STAIRS

3/4"=1'-0"



3 REAR PORCH GABLE END DETAIL

3/4"=1'-0"

FRAMING NOTES:

1. THE ROOF PLAN DEPICTED IS NOT INTENDED TO SERVE AS A TRUSS DESIGN.
2. TOP PLATE HEIGHTS VARY. SEE BUILDING SECTIONS, WALL SECTIONS AND ELEVATIONS FOR BEARING HEIGHTS.
3. TRUSS SPACING SHALL BE 24" O.C. MAX. UNLESS OTHERWISE NOTED. CONVENTIONAL FRAMING SHALL BE 16" O.C. MAX. OR AS OTHERWISE NOTED.
4. FRAME WALLS UP TO UNDERSIDE OF ROOF TRUSSES AT ALL NON-BEARING WALLS AND AT VOLUME AREA UNLESS NOTED OTHERWISE.
5. ALIGN TRUSSES AND HAND FRAMING SO ALL GYPSUM WALL BOARD WILL BE CONTINUOUS FROM FLOOR TO CEILING.
6. TRUSS MANUFACTURER TO INSURE DESIGN CONSIDERATION TO THE FOLLOWING ADDITIONAL LOADS:
   A) ALL CEILING HUNG SOFFITS AND SOFFITS WITH CABINETS AS SHOWN ON PLANS.
   B) ATTIC LOCATED HVAC UNITS AS SHOWN ON PLANS.
7. REFER TO MANUFACTURER SPECIFICATIONS FOR INSTALLATION REQUIREMENTS OF ALL HARDWARE BEFORE INSTALLATION.
8. PROVIDE BRACING AND BLOCKING PER BCSI-2018 IN ADDITION TO BRACING AND BLOCKING SHOWN ON PLANS.
9. GC TO VERIFY OVERHANGS, SLOPES, AND OTHER TRUSS GEOMETRY BEFORE TRUSS PURCHASE.
10. PROVIDE DRAFT STOP EVERY 1,000 SQ.FT. PER CODE (FBC-R302.12) IN FLOOR SYSTEM.

SHEATHING:

SIDEWALL:
ALL SHEATHING TO BE MIN. 15/32" PLYWOOD OR 7/16" O.S.B. AND SHALL BE NAILED WITH (2)ROWS @ 3" O.C. AT TOP AND (1)ROW AT BOTTOM OF WALL, 6" O.C. ALL OTHER EDGES AND 12" IN FIELD. BLOCKING SHALL BE PLACED AT ALL SHEATHING JOINTS, REFER TO DETAIL SHEET.

NAILS:
NAILS USED IN ALL SHEATHING APPLICATIONS SHALL BE MIN. 8d RING-SHANK (MIN. 0.113 SHANK DIA.) HAND OR GUN DRIVEN NAILS W/ HEAD SIZE OF 0.28" MIN. WHERE THE SHEATHING THICKNESS IS 15/32 INCHES AND LESS, SHEATHING SHALL BE FASTENED WITH 2-3/8"×0.113" NAILS. WHERE THE SHEATHING THICKNESS IS GREATER THAN 15/32 INCHES, SHEATHING SHALL BE FASTENED WITH 2-1/2"×0.131" NAILS.

FLOORING GENERAL NOTES

1. FLOOR TRUSS HANGERS SUPPLIED & ENGINEERED BY FLOOR TRUSS COMPANY
2. REFER TO TRUSS MAN. DRAWINGS FOR TRUSS DESIGNATIONS

FLOORING NAILING SCHEDULE

FLOOR SHEATHING TO BE 3/4" PLYWOOD (U.N.O.) WITH LONG DIMENSION PERPENDICULAR TO SUPPORT (FLOOR TRUSSES)

NAILS: NAILS USED IN ALL FLOOR SHEATHING APPLICATIONS SHALL BE MIN. 8d RING-SHANK (MIN. 0.113 SHANK DIA. x 2-3/8" LONG) HAND OR GUN DRIVEN NAILS W/ HEAD SIZE OF 0.28" MIN. SPACING SHALL BE 6" ON EDGES AND 12" IN FIELD.

COLUMN SCHEDULE

A	6X6 P.T. SYP. NO.2 POST

NOTE:
1. 2X SCABS MAY BE ADDED TO COLUMNS FOR UPLIFT CONNECTOR INSTALLATION. PROVIDE (2) ROWS OF 10D NAILS @ 8" O.C. SCAB TO COLUMN
2. PROVIDE SOLID BLOCKING (SAME SPEC. AS COL.), DIRECTLY BENEATH COL., IN FLOOR SYSTEM FOR POINT LOAD TRANSFER. (ONLY WHERE APPLICABLE.)

NOTE:
NAILS, BOLTS, SCREWS AND CONNECTORS FASTENED IN PT. OR FIRE-RETARDANT-TREATED WOOD SHALL BE HOT DIPPED ZINC-COATED GALVANIZED STEEL, STAINLESS STEEL, SILICON BRONZE OR COPPER.

PRODUCT APPROVAL CHART

SIMPSON CONNECTOR	FLORIDA PRODUCT APPROVAL #
H10A	FL10446.7, 10456.3
H1	
H10-2	
H2.5A	FL10456.3
H3	
H4	
HTS (ALL)	FL10456.6
LTS (ALL)	FL10456.7
MTS (ALL)	FL10456.8
SSP	FL10446.2
ABA (ALL)	FL10860.2
HGA10	FL10446.8
LTT19	FL11496.7
LSTA (ALL)	FL10852.6, FL13872.5, FL13872.6, FL13872.9
LSU (ALL)	FL10447.5
MTSM16	FL11473.12
HGAM10	FL11473.5
LUS (ALL)	FL10655.30, FL10655.31, FL10655.32
HUS (ALL)	FL10531.26, FL10655.25, FL10655.26

REV.	DESCRIPTION	DATE

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY SCOTT A. SANTOMAURO ON THE DATE ADJACENT TO THE SEAL.

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SCOTT A. SANTOMAURO LICENSE No 65513 STATE OF FLORIDA PROFESSIONAL ENGINEER

SCOTT A. SANTOMAURO, M.S.,P.E.
FLORIDA REG. #65513

SHEET TITLE
2ND FLOOR FRAMING PLAN

PROJECT
EKBATANI RESIDENCE
300 N PINE ST.
NEW SYMRNA BEACH, FL 32169

DBSS INC.
Engineering and Design Services
CA#27371
PHONE: 321.251.6006
3662 AVALON PARK EAST BLVD.
SUITE 2072
ORLANDO, FL. 32828

DESIGN	DRAWN AC/SAM
CHECKED SSPE	
JOB	DBSS - EKBATANI
SCALE	AS NOTED
DATE	01.08.2025

SHT 12 OF 16

S2

THIS STRUCTURE IS DESIGNED TO WITHSTAND 140 MPH (V_{ult}) WINDS PER THE FLORIDA BUILDING CODE RESIDENTIAL 2023, 8th EDITION (REF. ASCE-7-22) AND IS CERTIFIED AS SUCH.

SIMPSON HARDWARE NOTES:

1. SEE "INSTRUCTIONS TO THE INSTALLER" IN SIMPSON STRONG-TIE WOOD CONSTRUCTION CONNECTOR'S CURRENT MANUAL & READ ALL PAGES OF GENERAL NOTES.
2. FILL ALL HOLES IN STRAPS (U.N.O.) TYPICAL TO OBTAIN MAXIMUM UPLIFT.
3. FOR MISLOCATED EMBEDDED ANCHOR GREATER THAN 1/8" BUT LESS THAN 1-1/2" FROM FACE OF TRUSS / RAFTER, INSTALL WOOD SHIMS AND USE 10DX3" NAILS IN LIEU OF 10DX1-1/2" NAILS (MATCH QTY. OF FASTENERS) OR PROVIDE NEW ANCHOR PER NOTE 4.
4. FOR MISLOCATED EMBEDDED ANCHOR MORE THAN 1-1/2" FROM FACE OF TRUSS/ RAFTER, SIMPSON MTSM16 MAY BE FASTENED TO BOND BEAM W/ (4)1/4"X2-1/4" TAPCONS AND (7)10DX1-1/2" NAILS TO TRUSS. THIS IS GOOD FOR UP TO 875 LBS. OF UPLIFT. (2)MTSM16S CAN BE USED FOR UPLIFT TO MAX. 1,750 LBS.
5. CONTRACTOR IS RESPONSIBLE TO VERIFY THE CHEMICAL CONTENT OF ANY TREATED LUMBER AND TO SUPPLY PROPERLY COATED CONNECTORS AS REQ'D. REFER TO THE SIMPSON STRONG TIE MANUAL REGARDING CORROSION INFORMATION FOR ADDITIONAL GUIDANCE. USE Z MAX COATED CONNECTORS FOR ALL EXPOSED COMPONENTS

COLUMN SCHEDULE

A	6X6 PT SYP. NO.2 POST

NOTE:
1. 2X SCABS MAY BE ADDED TO COLUMNS FOR UPLIFT CONNECTOR INSTALLATION. PROVIDE (2) ROWS OF 10D NAILS @ 8" O.C. SCAB TO COLUMN
2. PROVIDE SOLID BLOCKING (SAME SPEC. AS COL.), DIRECTLY BENEATH COL., IN FLOOR SYSTEM FOR POINT LOAD TRANSFER. (ONLY WHERE APPLICABLE.)

BEAM SCHEDULE

TAG	MEMBER	FASTENER	QTY & SPACING	TOP OF BEAM
BM-1	(2) 2x12 w/ 1/2" SPACER	10d NAILS	(2) ROWS 12" O.C.	9'-0"

NOTE:
1. 2-PLY BEAMS: INSTALL NAILS IN LOADED PLY WHEN APPLICABLE
2. 3-PLY BEAMS: INSTALL NAILS FROM BOTH SIDES PER SPACING ABOVE
3. NAILS: 10D = 0.148 X 3", 16D = 0.162 X 3-1/2"
4. NAILS FASTENED IN PRESERVATIVE-TREATED WOOD OR FIRE-RETARDANT-TREATED WOOD SHALL BE HOT DIPPED ZINC-COATED GALVANIZED STEEL OR STAINLESS STEEL.

NOTE:
THESE PLANS ARE NOT TO BE USED FOR TRUSS FABRICATION. CONTRACTOR TO FIELD VERIFY TRUSS SPANS, OVERHANGS, SLOPES AND OTHER TRUSS GEOMETRY PRIOR TO TRUSS PURCHASE/ FABRICATION. DBSS INC. IS NOT RESPONSIBLE FOR TRUSS GEOMETRY AND/OR MEASUREMENT ERRORS

CONNECTOR LEGEND

- ALL TRUSS TO FRAME CONN. TO BE H10A (USE H10-2 FOR 2-PLY) (U.N.O.)
- ALL HIP TRUSS TO FRAME CONN. TO BE SIMPSON MTS16 (U.N.O.)
- ALL TRUSS TO TRUSS CONN. DESIGN BY TRUSS MANUF.
- ALL TRUSS TO MASONRY CONN. TO BE SIMPSON META16 (U.N.O.)

L1	H10A
L2	HGA10KT 6" FROM ENDS & @32" O.C.
L3	(2) HTS20S OR LSTA24 BEAM TO POST BELOW AND POST TO BEAM BELOW
L4	HUC412

HEADER SCHEDULE

TAG	HEADER	FASTENERS (U.N.O.)	# OF JACK STUDS EA. END OF HEADER (U.N.O.)
H2x8	(2) 2X8's w/ 1/2" SPACER	(6) 16d END NAIL BYPASS STUD TO HDR @ EA. END	1

NOTE:
1. REFER TO DETAIL FOR BYPASS STUD QTY. INFO.
2. HEADER SIZES SHOWN ARE MINIMUM REQ'D. PER LOCATION. LARGER HEADERS MAY BE USED WITHOUT APPROVAL FROM DESIGN PROFESSIONAL. SEE BOX HEADER DETAIL BELOW FOR ASSEMBLY REQ. WHERE WIDTH OF WALL IS GREATER THAN 4"

NOTE:
NAILS, BOLTS, SCREWS AND CONNECTORS FASTENED IN PT. OR FIRE-RETARDANT-TREATED WOOD SHALL BE HOT DIPPED ZINC-COATED GALVANIZED STEEL, STAINLESS STEEL, SILICON BRONZE OR COPPER.

NOTE:
X-BRACES ARE TO BE INSTALLED AT 45° ANGLES PER DETAIL. LINES SHOWN ON THIS PLAN ARE ONLY TO REPRESENT LOCATION, NOT NUMBER OF BAYS CROSSED OR ACTUAL LENGTH.

FRAMING NOTES:

1. THE ROOF PLAN DEPICTED IS NOT INTENDED TO SERVE AS A TRUSS DESIGN.
2. TOP PLATE HEIGHTS VARY. SEE BUILDING SECTIONS, WALL SECTIONS AND ELEVATIONS FOR BEARING HEIGHTS.
3. TRUSS SPACING SHALL BE 24" O.C. MAX. UNLESS OTHERWISE NOTED. CONVENTIONAL FRAMING SHALL BE 16" O.C. MAX. OR AS OTHERWISE NOTED.
4. FRAME WALLS UP TO UNDERSIDE OF ROOF TRUSSES AT ALL NON-BEARING WALLS AND AT VOLUME AREA UNLESS NOTED OTHERWISE.
5. ALIGN TRUSSES AND HAND FRAMING SO ALL GYPSUM WALL BOARD WILL BE CONTINUOUS FROM FLOOR TO CEILING.
6. TRUSS MANUFACTURER TO INSURE DESIGN CONSIDERATION TO THE FOLLOWING ADDITIONAL LOADS:
   A) ALL CEILING HUNG SOFFITS AND SOFFITS WITH CABINETS AS SHOWN ON PLANS.
   B) ATTIC LOCATED HVAC UNITS AS SHOWN ON PLANS.
7. REFER TO MANUFACTURER SPECIFICATIONS FOR INSTALLATION REQUIREMENTS OF ALL HARDWARE BEFORE INSTALLATION.
8. PROVIDE BRACING AND BLOCKING PER BCSI-2018 IN ADDITION TO BRACING AND BLOCKING SHOWN ON PLANS.
9. GC TO VERIFY OVERHANGS, SLOPES, AND OTHER TRUSS GEOMETRY BEFORE TRUSS PURCHASE.
10. PROVIDE DRAFT STOP EVERY 1,000 SQ.FT. PER CODE (FBC-R302.12) IN FLOOR SYSTEM.

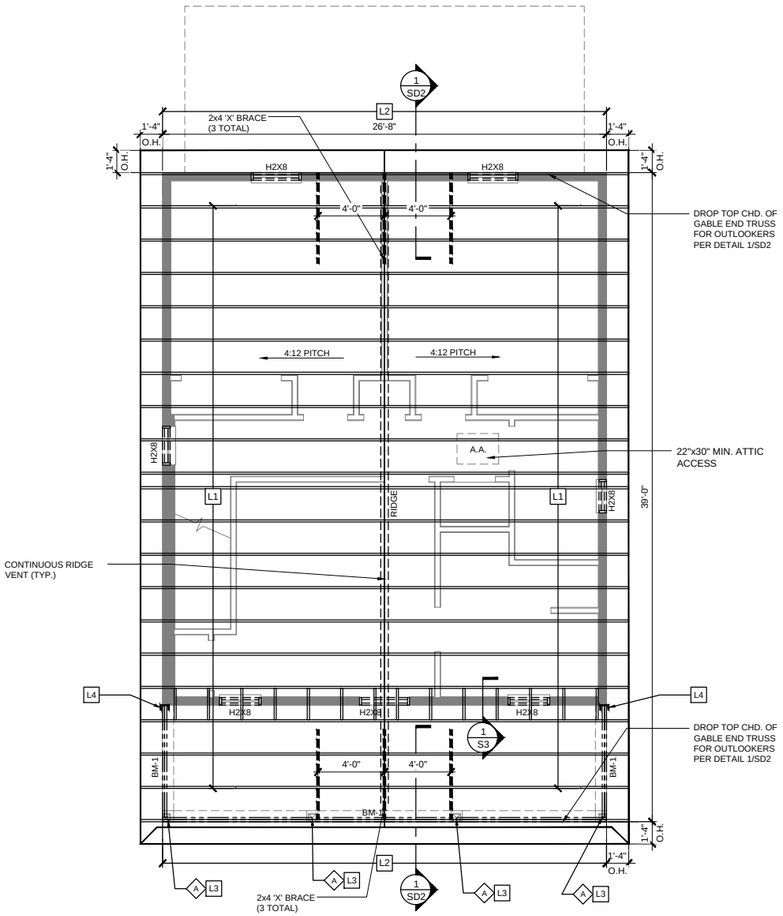
SHEATHING:

ROOFS:
ROOF SHEATHING TO BE 7/16" O.S.B. OR 15/32" (MIN.) PLYWOOD. REFER TO DETAIL SHEET FOR NAILING PATTERN SHEATHING TO BE PLACED WITH LONG DIMENSION PERPENDICULAR TO SUPPORTS (TRUSSES). PROVIDE PLY CLIPS @24" O.C. MAX. AT ALL UNSUPPORTED ROOF SHEATHING JOINTS. 2x4 BLOCKING, w/ (2) 10d NAILS EA. END, SHALL BE USED @ALL UNSUPPORTED HIP AND RIDGE AREAS.

SIDEWALL:
ALL SHEATHING TO BE MIN. 15/32" PLYWOOD OR 7/16" O.S.B. AND SHALL BE NAILED WITH (2)ROWS @ 3" O.C. AT TOP AND (1)ROW AT BOTTOM OF WALL, 6" O.C. ALL OTHER EDGES AND 12" IN FIELD. BLOCKING SHALL BE PLACED AT ALL SHEATHING JOINTS, REFER TO DETAIL SHEET.

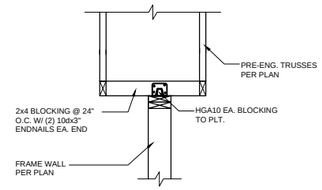
GABLE ENDS:
ALL SHEATHING TO BE MIN. 15/32" PLYWOOD OR 7/16" O.S.B. AND SHALL BE NAILED 6" O.C. ON EDGES AND 12" IN FIELD. BLOCKING SHALL BE PLACED AT ALL SHEATHING JOINTS.

NAILS:
NAILS USED IN ALL SHEATHING APPLICATIONS SHALL BE MIN. 8d RING-SHANK (MIN. 0.113 SHANK DIA.) HAND OR GUN DRIVEN NAILS W/ HEAD SIZE OF 0.28" MIN. WHERE THE SHEATHING THICKNESS IS 15/32 INCHES AND LESS, SHEATHING SHALL BE FASTENED WITH 2-3/8"×0.113" NAILS. WHERE THE SHEATHING THICKNESS IS GREATER THAN 15/32 INCHES, SHEATHING SHALL BE FASTENED WITH 2-1/2"×0.131" NAILS.



ROOF FRAMING PLAN

1/4"=1'-0"



1 EXT. WALL BRACE DETAIL

3/4"=1'-0"

PRODUCT APPROVAL CHART

SIMPSON CONNECTOR	FLORIDA PRODUCT APPROVAL #
H10A	FL10446.7, 10456.3
H1	FL10456.3
H10-2	
H2.5A	
H3	
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LUS (ALL)	FL10655.30, FL10655.31, FL10655.32
HUS (ALL)	FL10531.26, FL10655.25, FL10655.26

ROOF VENT CALCULATION

FORMULA
1 SQUARE INCH VENT FOR EVERY 300 SQUARE INCHES OF CEILING
*144 SQ. IN. = 1 SQ. FT.
BLDG. CEILING (SF) X 144 = BLDG. (SQ. IN.)
BLDG (SQ.IN.) / 300 = SQ. IN. OF VENT REQUIRED SQ. IN. OF VENT REQUIRED / 2 = 50% AT RIDGE & 50% AT EAVES.

CALCULATION: 2ND FLOOR

CEILING AREA = 800 SQ. FT.
800 SQ. FT. x 144 =115200 SQ. IN.
115200/ 300 = 384 SQ. IN. OF VENT REQUIRED
384 SQ. IN. / 2 = 192 SQ. IN.
192 SQ. IN. (0.7 SQ FT.) OF VENT AT RIDGE AND
192 SQ. IN. (0.7 SQ. FT.) OF VENT AT EAVES REQUIRED

REQUIRED VENTILATION

IF OFF-RIDGE VENTS ARE CHOSEN, PROVIDE (2) 4'-0" VENTS OR AS REQUIRED BY MANUF. SPECS.

IF CONTINUOUS RIDGE VENTS ARE CHOSEN, G.C. TO CALCULATE LINEAR FEET NEEDED BASED ON MANUF. SPECS. (APPROX. 11 LINEAR FEET G.C. TO VERIFY)

NOTE:
1. VENTILATION TO MEET OR EXCEED REQUIREMENTS IN FBCR 2023, 8TH EDITION.
2. ROOF VENTS SHOWN ON PLAN REPRESENT AN ESTIMATE OF THE NUMBER REQUIRED VENTS NEED. OFF-RIDGE VENTS ARE BASED ON AN AVERAGE NET FREE AREA OF A TYPICAL VENT (104 SQ. IN.) CONT. RIDGE VENTS ARE BASED ON AN AVERAGE NET FREE AREA OF 18 SQ. IN. PER LINEAR FOOT.
3. ACTUAL QUANTITY MAY VARY DEPENDING ON THE ACTUAL NET FREE AREA PROVIDED BY THE CONTRACTOR-SELECTED ROOF VENT MODEL. THE AGGREGATE FREE AREA OF ALL THE ROOF VENTS COMBINED, MUST MEET THE ABOVE MINIMUM CRITERIA AS CALCULATED.
4. VENTS SHOWN ON PLANS ARE TO INDICATE POSSIBLE LOCATIONS AND DO NOT REPRESENT ANY ATTEMPT TO DICTATE LOCATIONS OR CALCULATIONS.

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SCOTT A. SANTOMAURO, M.S., P.E.
FLORIDA REG. #65513

SHEET TITLE: ROOF FRAMING PLAN

CA#27371
PHONE: 321.251.6006
3662 AVALON PARK EAST BLVD. SUITE 2072
ORLANDO, FL. 32828

DBSS INC.
Engineering and Design Services

PROJECT
EKBATANI RESIDENCE
300 N PINE ST.
NEW SYMRNA BEACH, FL 32169

DESIGN	DRAWN AC/SAM
CHECKED SSPE	
JOB	DBSS - EKBATANI
SCALE	AS NOTED
DATE	01.08.2025

SHT 13 OF 16

S3

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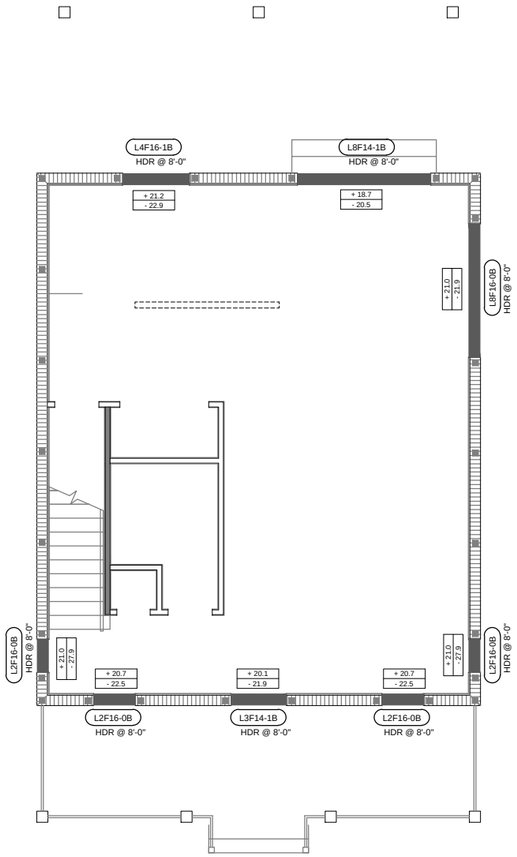


LINTEL PLAN

1/4"=1'-0"

LEGEND

HATCH INDICATES NEW CMU WALL T.O.W. @9'-4" A.F.F.

NOTE:
G.C. TO VERIFY ALL HEADER HEIGHTS WITH WINDOW/DOOR MANUFACTURER PRIOR TO INSTALLING HEADERS

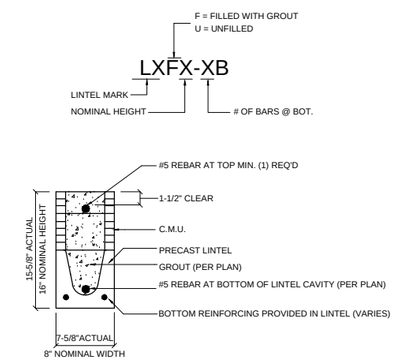
PRECAST NOTES:

1. PROVIDE FULL MORTAR HEAD AND BED JOINTS.
2. SHORE LINTELS AS REQUIRED PRIOR TO INSTALLING BLOCK ABOVE.
3. INSTALLATION OF LINTEL MUST COMPLY WITH THE ARCHITECTURAL AND/OR STRUCTURAL DRAWINGS.
4. LINTELS ARE MANUFACTURED WITH 5-1/2" LONG NOTCHES AT THE ENDS TO ACCOMMODATE VERTICAL CELL REINFORCING AND GROUTING.
5. ALL LINTELS MEET OR EXCEED L/360 VERTICAL DEFLECTION, EXCEPT LINTELS 17'-4" AND LONGER WITH A NOMINAL HEIGHT OF 8" MEET OR EXCEED L/180.
6. BOTTOM FIELD ADDED REBAR TO BE LOCATED AT THE BOTTOM OF THE LINTEL CAVITY.
7. 7/32" DIAMETER WIRE STIRRUPS ARE WELDED TO THE BOTTOM STEEL FOR MECHANICAL ANCHORAGE.
8. CAST-IN-PLACE CONCRETE MAY BE PROVIDED IN COMPOSITE LINTEL IN LIEU OF CONCRETE MASONRY UNITS.
9. SAFE LOAD RATINGS BASED ON RATIONAL DESIGN ANALYSIS PER ACI 318 AND ACI 530
10. BLOCK MASON TO VERIFY LINTEL DEPTHS W/ R.O. PRIOR TO INSTALLATION. CONTACT E.O.R. IF DISCREPANCY EXIST.

SAFE LOAD TABLE NOTES:

1. ALL VALUES BASED ON MINIMUM 4" BEARING. EXCEPTION: SAFE LOADS FOR UNFILLED LINTELS MUST BE REDUCED BY 20% IF BEARING LENGTH IS LESS THAN 6-1/2". SAFE LOADS FOR ALL RECESSED LINTELS BASED ON 8" NOMINAL BEARING.
2. N.R. = NOT RATED.
3. SAFE LOADS ARE TOTAL SUPERIMPOSED ALLOWABLE LOAD ON THE SECTION SPECIFIED.
4. SAFE LOADS BASED ON GRADE 40 OR GRADE 60 FIELD REBAR.
5. ADDITIONAL LATERAL LOAD CAPACITY CAN BE OBTAINED BY THE DESIGNER BY PROVIDING ADDITIONAL REINFORCED MASONRY ABOVE THE PRECAST LINTEL.
6. ONE #7 REBAR MAY BE SUBSTITUTED FOR TWO #5 REBARS IN 8" LINTELS ONLY.
7. THE DESIGNER MAY EVALUATE CONCENTRATED LOADS FROM THE SAFE LOAD TABLES BY CALCULATING THE MAXIMUM RESISTING MOMENT AND SHEAR AT D-AWAY FROM THE FACE OF SUPPORT.
8. FOR COMPOSITE LINTEL HEIGHTS NOT SHOWN, USE SAFE LOAD FROM NEXT LOWER HEIGHT.
9. ALL SAFE LOADS IN UNITS OF POUNDS PER LINEAR FOOT.

TYPE DESIGNATION



PRECAST LINTEL LOAD TABLE(COMPOSITE W/(1)#5 TOP & BOTTOM GROUT FILLED SOLID)

LOADS LISTED BELOW HAVE BEEN CALCULATED OR COMPILED FROM DATA FROM THE FOLLOWING APPROVED MAN.
CAST-CRETE, QUALITY PRECAST CO., LOTT'S CONCRETE, AND FLORIDA ROCK IND.

MARK	MAX. CLR. OPENING	6" DEEP	14" DEEP	22" DEEP	38" DEEP	8" DEEP	16" DEEP	24" DEEP	32" DEEP
L1	1'-6"	3984	3665	X	X	3166	6039	9004	10000
L2	2'-4"	2745	3665	X	X	3166	6039	9004	10000
L3	3'-4"	1384	3665	X	2000	1974	4616	7269	9924
L4	4'-6"	1025	3960	2000	X	1060	2483	3913	5350
L5	5'-4"	X	X	X	X	1261	2653	4049	4849
L6	6'-4"	524	N/A	X	X	1055	2542	4029	5047
L8	8'-4"	340	N/A	X	X	635	1534	2436	3127
L9	9'-0"	293	N/A	X	X	483	1170	1857	2404
L10	10'-0"	212	N/A	X	X	483	1170	1857	2555
L11	11'-0"	171	N/A	X	X	488	1224	1966	2721
L12	12'-0"	128	N/A	X	X	419	1053	1692	2341
L13	12'-8"	N/A	N/A	X	X	419	1053	1692	2341
L14	13'-4"	N/A	N/A	X	X	334	842	1352	1879
L16	16'-0"	N/A	N/A	X	X	272	611	988	1380
L18	18'-0"	N/A	N/A	X	X	240	611	1400	1980
L20	20'-0"	N/A	N/A	X	X	183	610	1300	1831
L21	20'-8"	N/A	N/A	X	X	183	610	1300	1831
L22	22'-8"	N/A	N/A	X	X	130	470	1250	1831

1) FOR HEADER DEPTHS DEEPER THAN 32", USE VALUES FOR 32" DEEP HEADER
2) FOR HEADER DEPTHS NOT LISTED ON CHART, USE THE VALUES FOR THE NEXT DEPTH DOWN.
(ex. L3F12 = L3F8)

REV.	DESCRIPTION	DATE

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SHEET TITLE: LINTEL PLAN

CA#27371
PHONE: 321.251.6006
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DBSS INC.
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PROJECT
EKBATANI RESIDENCE
300 N PINE ST.
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DESIGN	DRAWN AC/SAM
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SHT 14 OF 16

S4

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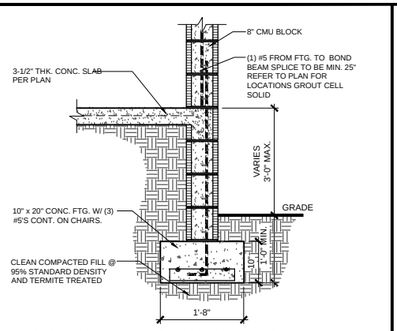
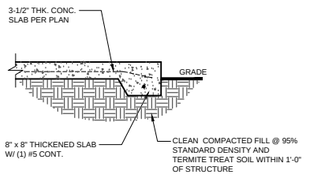


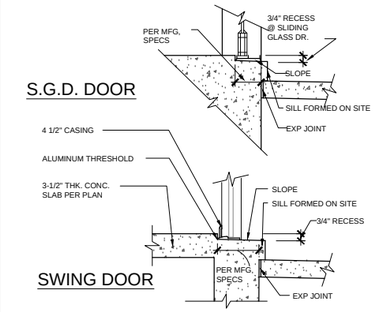
1 MONOLITHIC FOOTING w/ CMU BLOCK

3/4"=1'-0"



2 THICKENED EDGE DETAIL

3/4"=1'-0"



3 EXTERIOR DOOR POURED SILLS

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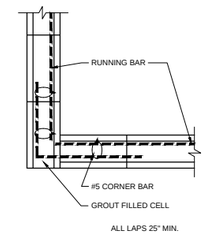
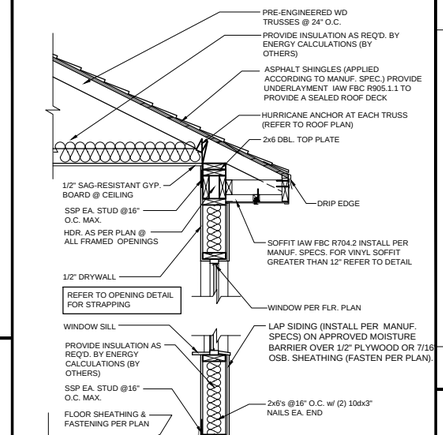


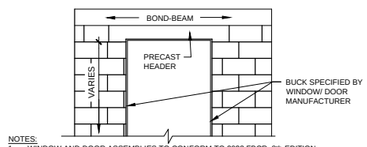
4 TYP. CORNER WALL REINFORCING

N.T.S.



5 TYP. CMU WALL SECTION TWO STORY

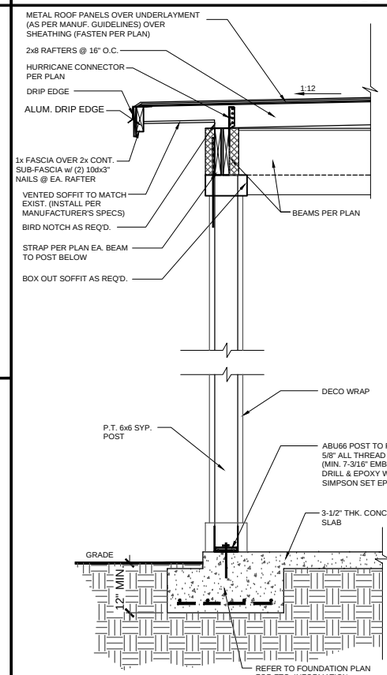
3/4"=1'-0"



NOTES:
1. WINDOW AND DOOR ASSEMBLIES TO CONFORM TO 2023 FBCR, 8th EDITION
2. 2X PT BUCKS/NAILERS SHALL EXTEND BEYOND INTERIOR FACE OF WINDOW. FASTEN BUCK TO MASONRY W/ (1) ROW OF 3/16"X4" TAPCONS 6" FROM ENDS AND 16" O.C. MAX. TAPCONS TO BE 1 1/2" MIN. FROM EDGE OF BUCK
3. BUCKS LESS THAN 2X TO BE FASTENED W/CUT NAILS OR EQUIVALENT, STRUCTURAL CONNECTION OF WINDOW TO STRUCTURE BY OTHERS IN THIS CASE.
4. ADDITIONAL 2X WOOD BUCK MATERIAL MAY BE ADDED TO EXISTING 2X BUCKED OPENING, USE (3) ROWS OF 10dX3" NAILS STAGGERED @12" O.C. @EA. SUCCESSIVE BUCK
5. MIXING OF 1X AND 2X BUCKS SHALL BE PERMITTED FOR THE SAME OPENING IF WINDOW MANUFACTURER AND PLAN REQUIREMENTS (FASTENING) ARE MET.
6. ADDITIONAL WOOD BUCK MATERIAL MAY BE FASTENED TO 2X BUCK W/ (2) ROWS OF 8d NAILS @16" O.C. FASTEN WINDOW TO 2X PER WINDOW MANUFACTURER'S SPECS.

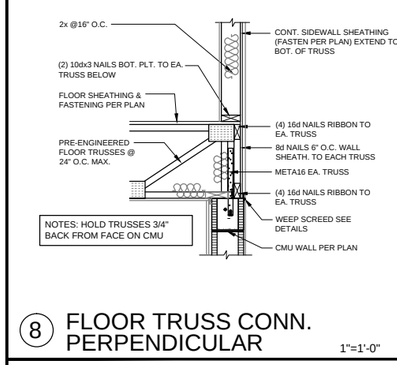
6 WINDOW / DOOR BUCK DETAIL

N.T.S.



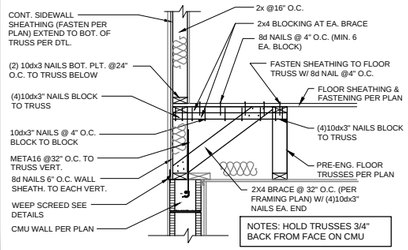
7 COLUMN SECTION @ REAR PORCH

3/4"=1'-0"



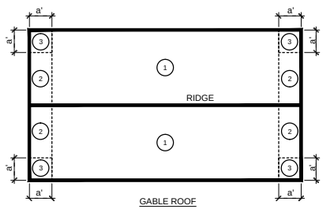
8 FLOOR TRUSS CONN. PERPENDICULAR

1"=1'-0"



9 FLOOR TRUSS CONN. PARALLEL

1"=1'-0"



ROOF NAILING PATTERN		
ZONE:	1	8d RING-SHANK @6" O.C. EDGES & 6" O.C. FIELD
ZONE:	2	8d RING-SHANK @6" O.C. EDGES & 6" O.C. FIELD
ZONE:	3	8d RING-SHANK @6" O.C. EDGES & 6" O.C. FIELD

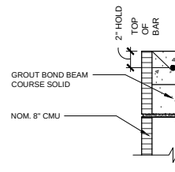
NOTE: ALL ROOF SHEATHING JOINTS TO BE STAGGERED

ASCE 7-22 EDGE ZONE CALCULATOR

		Where 'a' = 10% x 'D'	Where 'a' = 40% x 'H'
D	Least Horizontal Dimension (Text) (Include Overhang)	35.00	3.5
H	Ridge Height (Text)	15.00	5
h2	Eave Height (Text)	10.00	4% of 'D'
h	Mean Roof Height (Text)	12.50	1.4
		smaller	4.0
		USE	3.5 FT for a'

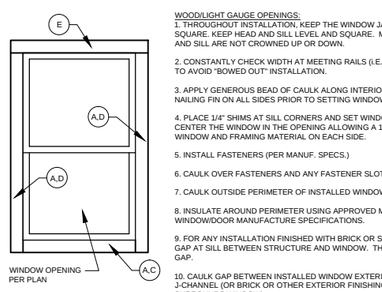
11 ROOF NAILING SCHEDULE DETAIL

N.T.S.



12 BOND BEAM DETAIL

1-1/2"=1'-0"



WOOD/LIGHT GAUGE OPENINGS:
1. THROUGHOUT INSTALLATION, KEEP THE WINDOW JAMBS PLUMB AND SQUARE. KEEP HEAD AND SILL LEVEL AND SQUARE. MAKE SURE HEAD AND SILL ARE NOT CROWNED UP OR DOWN.

2. CONSTANTLY CHECK WIDTH AT MEETING RAILS (I.E. DOUBLE HUNGS) TO AVOID "BOWED OUT" INSTALLATION.

3. APPLY GENEROUS BEAD OF CAULK ALONG INTERIOR SURFACE OF NAILING FIN ON ALL SIDES PRIOR TO SETTING WINDOW INTO OPENING.

4. PLACE 1/4" SHIMS AT SILL CORNERS AND SET WINDOW INTO SHIMS. CENTER THE WINDOW IN THE OPENING ALLOWING A 1/4" GAP BETWEEN WINDOW AND FRAMING MATERIAL ON EACH SIDE.

5. INSTALL FASTENERS (PER MANUF. SPECS.)

6. CAULK OVER FASTENERS AND ANY FASTENER SLOTS NOT USED.

7. CAULK OUTSIDE PERIMETER OF INSTALLED WINDOW.

8. INSULATE AROUND PERIMETER USING APPROVED MATERIALS PER WINDOW/DOOR MANUFACTURE SPECIFICATIONS.

9. FOR ANY INSTALLATION FINISHED WITH BRICK OR STONE, ALLOW 1/4" GAP AT SILL BETWEEN STRUCTURE AND WINDOW. THEN, CAULK THIS GAP.

10. CAULK GAP BETWEEN INSTALLED WINDOW EXTERIOR PERIMETER AND J-CHANNEL (OR BRICK OR OTHER EXTERIOR FINISHING MATERIAL WHICH SURROUNDS WINDOW).

FLASHING SEQUENCE:
A) APPLY BOTTOM PIECE OF SELF-ADHESIVE TYPE FLASHING OVER ALL OF ROUGH OPENING.

B) SET WINDOW UNIT.

C) APPLY 2ND BOTTOM PIECE OF SELF-ADHESIVE TYPE FLASHING OVER NAILING FIN AND BLDG. PAPER.

D) APPLY SIDE STRIPS OF SELF-ADHESIVE TYPE FLASHING.

E) APPLY TOP PIECE OF SELF-ADHESIVE TYPE FLASHING.

NOTE:
SELF-ADHESIVE TYPE FLASHING IS A GENERIC TERM. SEE SPECIFICATIONS FOR MATERIAL TO BE USED.

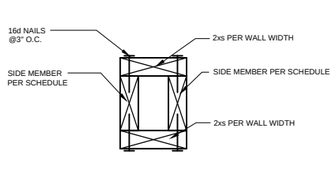
MASONRY OPENINGS:
1. OPENINGS FOR DOORS & WINDOWS AND OTHER PENETRATIONS TO BE PROTECTED WITH PROTECTO WRAP LWM200 OR EQUIVALENT WATER PROOFING MEMBRANE INSTALLED PER MANUFACTURER SPECIFICATIONS.

2. EXTERIOR SILLS SHALL SLOPE AWAY FROM OPENINGS AS REQ'D. TO PREVENT WATER INTRUSION INTO STRUCTURE.

3. WINDOWS/DOORS/CLADDING TO BE INSTALLED & SEALED AS PER COMPONENT MANUFACTURER SPECIFICATIONS.

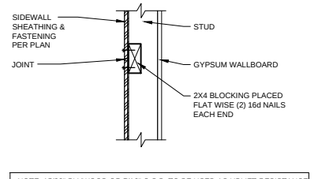
10 OPENING FLASHING DTL.

N.T.S.



13 BOX HEADER DETAIL

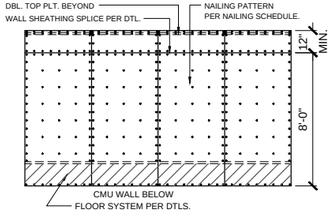
N.T.S.



NOTE: 15/32" PLYWOOD OR 7/16" O.S.B. TO BE USED AS UPLIFT RESISTANCE NO OTHER FASTENERS REQ'D. EXCEPT AS NOTED ON PLANS IN TWO STORY FRAME APPLICATIONS, SHEATHING SHALL EXTEND MIN. 1'-0" W/O BREAK ABV. SECOND FLOOR BOTTOM PLT. TO 1'-0" BELOW FIRST FLOOR TOP PLT.

14 WALL SHEATHING BLOCKING DETAIL

1-1/2"=1'-0"



NOTE: ACTUAL NUMBER OF FASTENERS NOT SHOWN

NOTE:
1/2" PLYWOOD OR 7/16" O.S.B. TO BE USED AS UPLIFT RESISTANCE NO OTHER FASTENERS REQ'D. EXCEPT AS NOTED ON PLANS

15 SHEATHING ELEVATION DETAIL

N.T.S.

THIS STRUCTURE IS DESIGNED TO WITHSTAND 140 MPH (V_{ult}) WINDS PER THE FLORIDA BUILDING CODE RESIDENTIAL 2023, 8th EDITION (REF. ASCE-7-22) AND IS CERTIFIED AS SUCH.

REV.	DESCRIPTION	DATE

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY SCOTT A. SANTOMAURO ON THE DATE ADJACENT TO THE SEAL.

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SCOTT A. SANTOMAURO · LICENSE · No 65513 · STATE OF FLORIDA · PROFESSIONAL ENGINEER

SCOTT A. SANTOMAURO, M.S.,P.E.
FLORIDA REG. #65513

SHEET TITLE: DETAILS

CA#27371
PHONE: 321.251.6006
3662 AVALON PARK EAST BLVD.
SUITE 207
ORLANDO, FL. 32828

DBSS INC. *Engineering and Design Services*

PROJECT
EKBATANI RESIDENCE
300 N PINE ST.
NEW SYMRNA BEACH, FL 32169

DESIGN	DRAWN AC/SAM
CHECKED	SSPE
JOB	DBSS - EKBATANI
SCALE	AS NOTED
DATE	01.08.2025

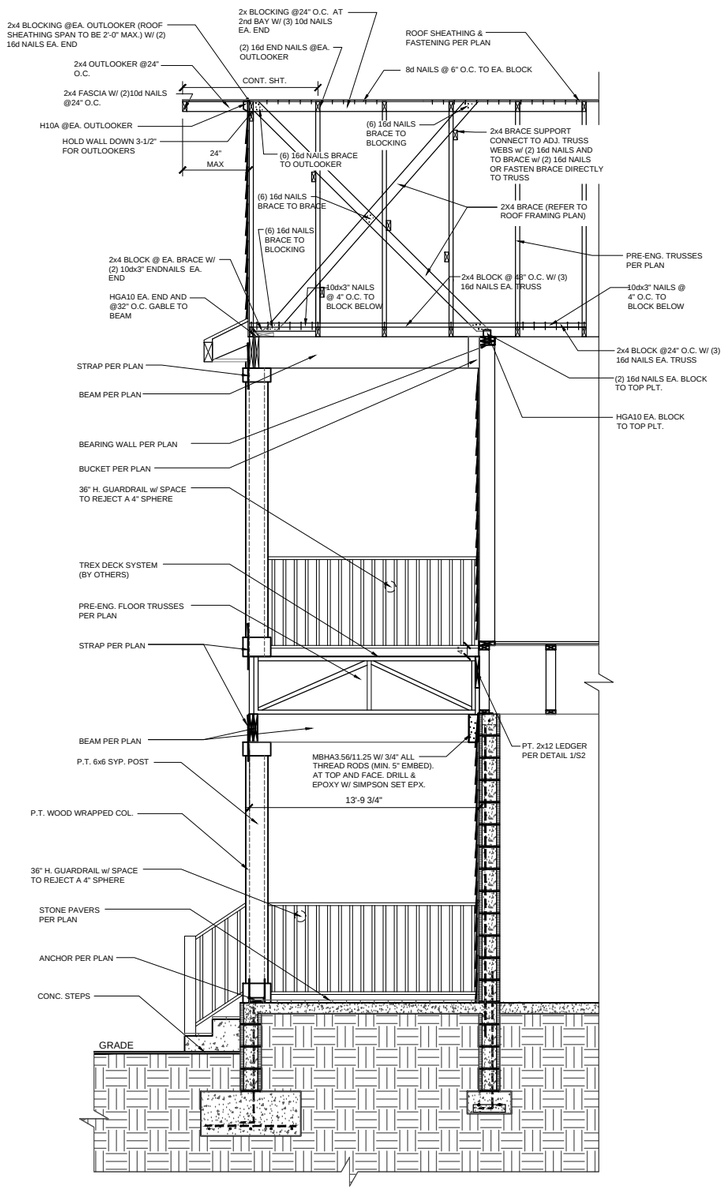
SHT 15 OF 16

SD1

NOTE:
2x4 BRACE 45^ FROM HORIZONTAL (+/- 10^) REFER TO FRAMING PLAN FOR LOCATION.

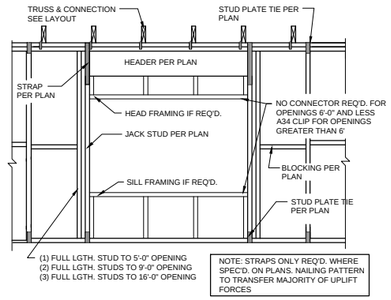
NOTE:
REFER TO TRUSS MANUFACTURERS DRAWINGS AND BCSI 1-03 FOR ADDITIONAL BLOCKING AND BRACING REQUIREMENTS

THE NUMBER OF TRUSS BAYS X-BRACE CROSSES SHALL BE DETERMINED BY THE ANGLE SPECIFIED IN THIS DETAIL ACTUAL NUMBER OF BAYS NOT REPRESENTED



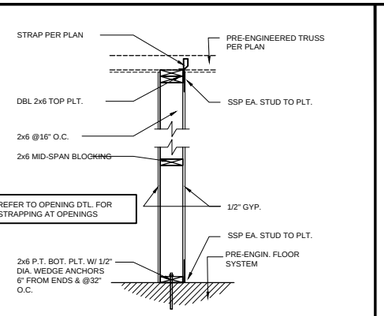
1 FRONT SECTION FRAMING DETAIL

N.T.S.



3 HEADER CONNECTION DETAIL (FRAME WALL)

1/2"=1'-0"



4 BRG. WALL w/ UPLIFT FRAMING DETAIL

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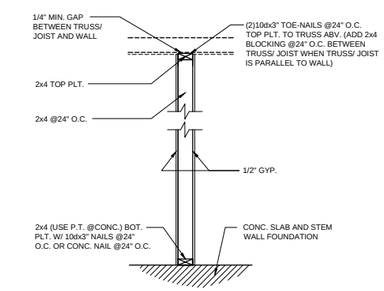

5 INT. NON LOAD BRG. WALL FRAMING DETAIL

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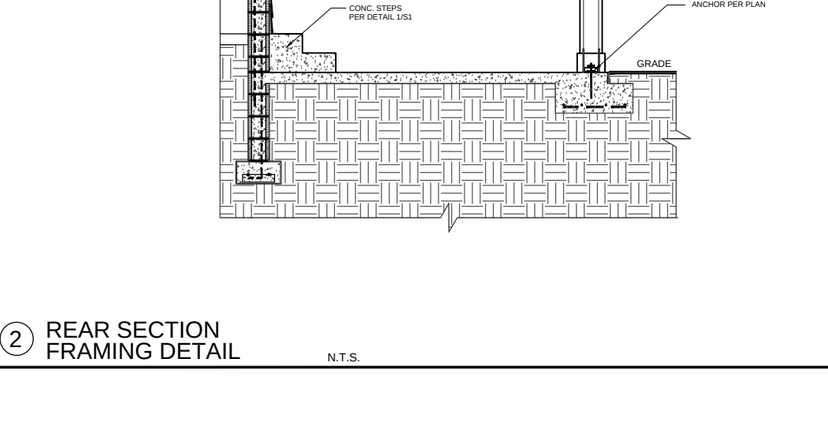

2 REAR SECTION FRAMING DETAIL

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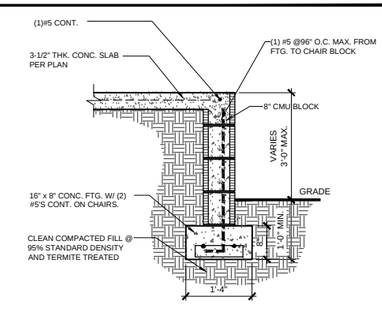
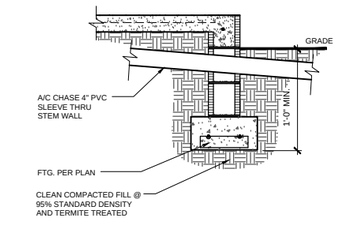


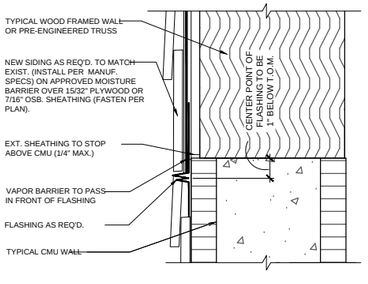
6 PORCH STEMWALL FOUNDATION DETAIL

3/4" = 1'-0"



7 STEMWALL FOUNDATION DETAIL w/ A/C CHASE

3/4" = 1'-0"



8 WEEP SCREED DETAIL

N.T.S.

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EKBATANI RESIDENCE
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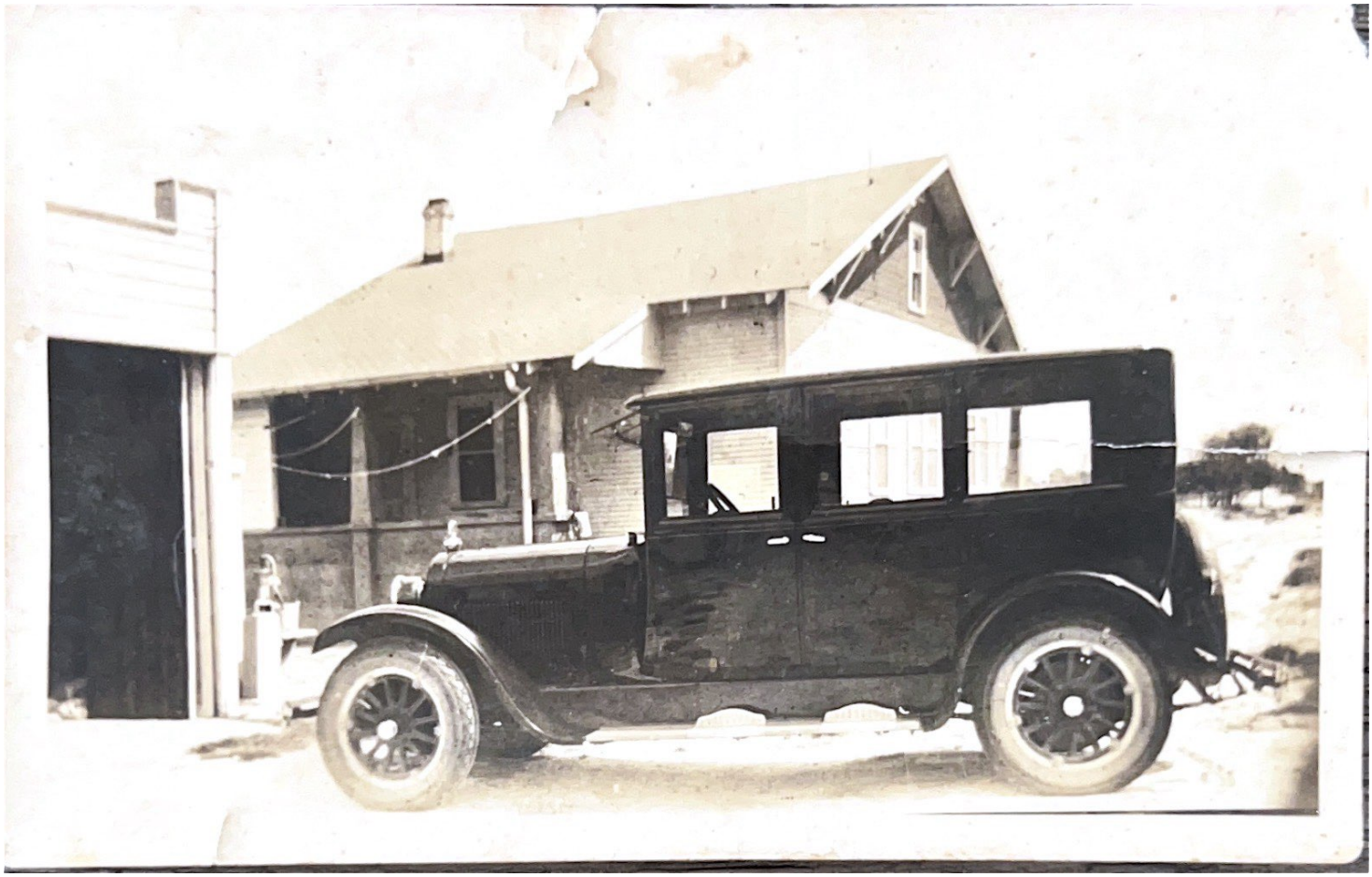
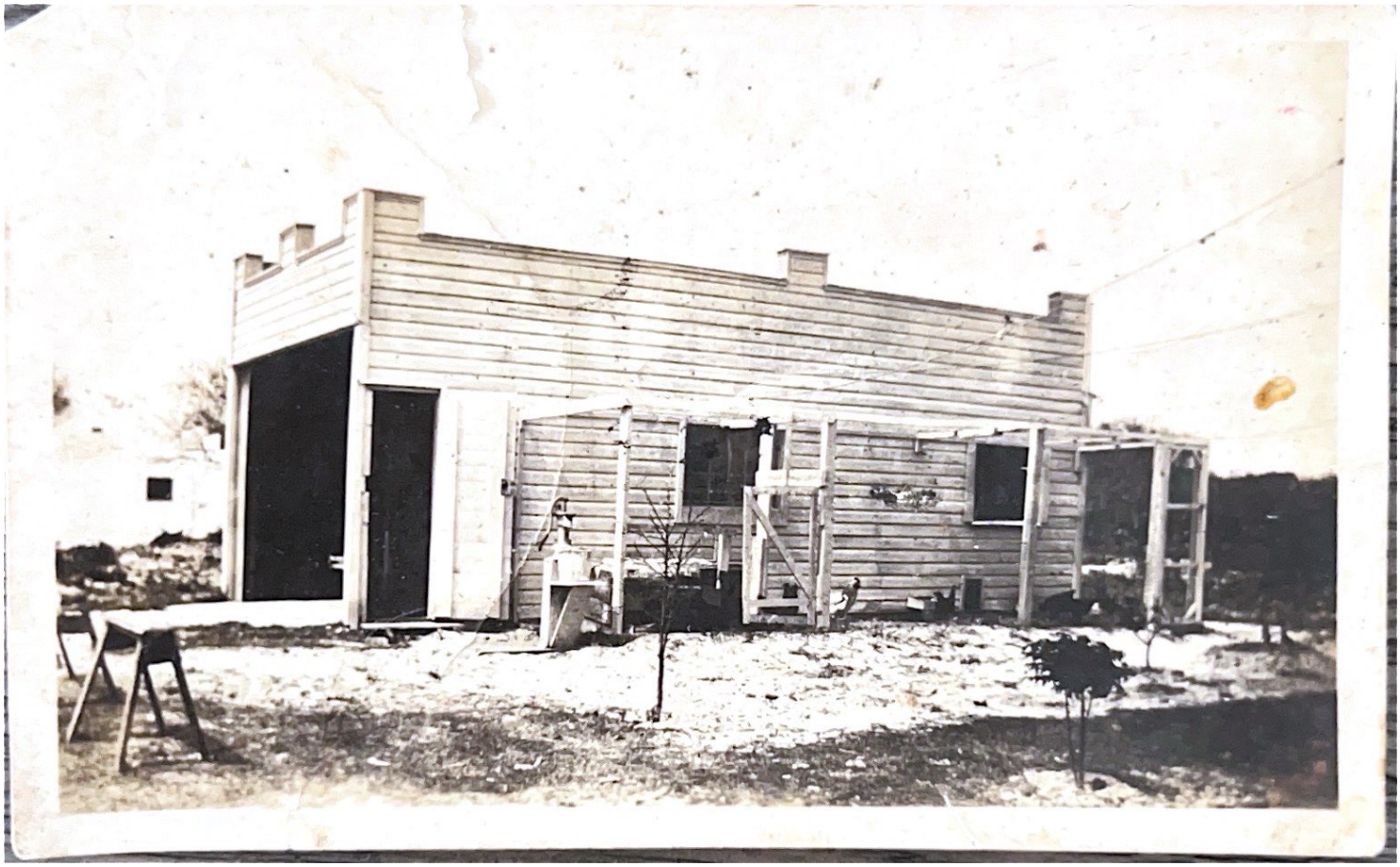
DESIGN	DRAWN AC/SAM
CHECKED SSPE	
JOB	DBSS - EKBATANI
SCALE	AS NOTED
DATE	01.08.2025

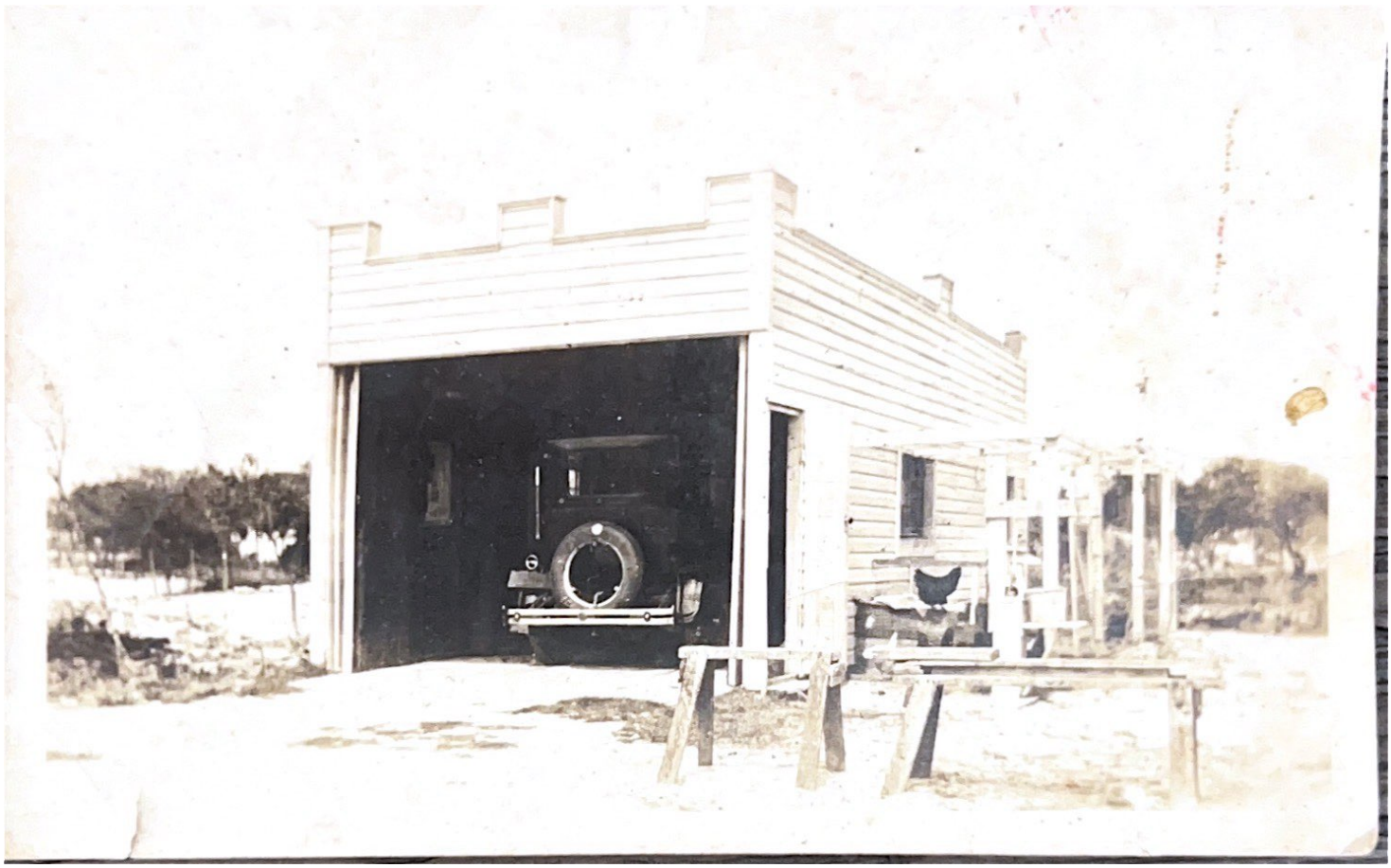
SHT 16 OF 16

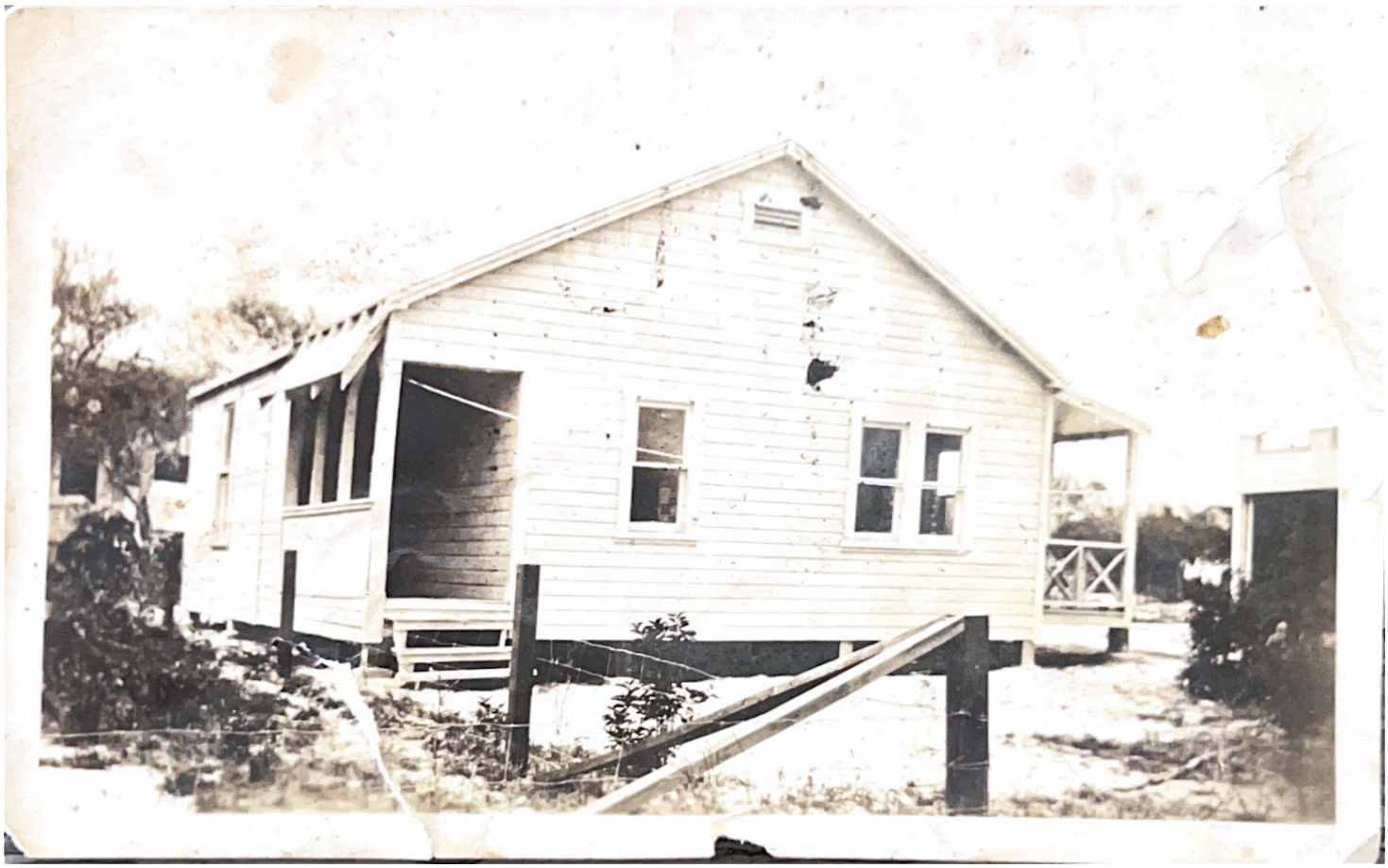
SD2

Exhibit F











THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

DM-3-24: REVIEW A REQUEST FOR A PROPOSED DEMOLITION OF A CONTRIBUTING STRUCTURE LOCATED AT 304 MURRAY STREET IN THE NEW SMYRNA BEACH NATIONAL REGISTERED HISTORIC DISTRICT.

February 12, 2025

Background:

Applicant and Property Owner: George Alan Forbes, 1006 Dunhurst Court, Longwood, Florida 32779

Request: Approval for a replacement structure in the New Smyrna Beach National Registered Historic District.

Subject Area: The subject property consists of approximately 0.20 acres, and is zoned R-4, (Multi-Family Residential), and is generally located on the south side of Murray Street between North Orange Street and the Rust Street addressed as 304 Murray Street. A location map and aerial map is attached as **Exhibits A** and **B**.

Parcel ID: 7441-26-00-0180

Exhibits used in this report:

Exhibit A: Location Map

Exhibit B: Aerial Map

Exhibit C: Neighboring House Photos

Exhibit D: Proposed Struture

Findings:

The previous single-family house was a contributing structure located in the New Smyrna Beach National Historic District. On December 11, 2024, the Historic New Smyrna Beach Preservation Commission voted, 5-0, to approve the demolition of the contributing structure based on the building condition and the evaluation report provided by a structural engineer. One of the conditions of the demolition approval was that the replacement building meets the requirements of the Historic Preservation Design Guidelines for New Smyrna Beach and submit drawings of the proposed work, photographs of existing buildings or structures on adjacent properties and information about the building materials to be used for commission approval.

The previous 1 story single-family house had architectural features commonly found on a frame vernacular style home. The single-family house has notable architectural features including a including symmetrical piercings on the front façade, gable roof, paired porch posts with trusses and ellipses between them.

Staff has provided photos of neighboring single-family houses. These photos are provided as part of a condition and review of the proposed replacement structure. See **Exhibit C**.

As to the replacement structure, see **Exhibit D**, the applicant has proposed a two-story single-family house and rear garage with the architecture style of frame vernacular. The proposed single-family house would incorporate the following features:

1. Open front porch with a round smooth style non-tapered column.
2. Open rear porch.
3. Round smooth style non-tapered columns on both porches.
4. Picket style banisters.
5. Lap siding around entire home.
6. Shake style siding on both gable ends.
7. Multi-light window designs.
8. Metal roofing.
9. Rear second floor balcony with a round smooth style non-tapered column.
10. Exterior window shutter accents.

The garage will incorporate some of the same exterior materials as the house.

The first floor of the house would contain a covered front entry, great room/dining room combo, kitchen, laundry facilities, a powder room, and rear covered patio. The second floor would contain a rear covered balcony, master bedroom with ensuite bathroom, two

additional bedrooms and a hall bathroom.

The first floor of the garage would contain 2 1/2 car garage and powder room. The second floor would contain a guest room with balcony, living room, bathroom, and kitchenette. The main house and garage would be connected by a covered breezeway.

Staff would conclude that the architecture style of frame vernacular would suite this section of the city as a replacement structure. The exterior materials used on the facades that face the public roads would be consistent with the Historic Preservation Design Guidelines for New Smyrna Beach.

Recommendation:

The neighborhood buildings are a mixture of contributing structures with different architecture styles. Three (3) of the eight (8) neighboring homes are two (2) story while the other five (5) homes are one (1) story homes. One of the existing two (2) story homes has a two (2) story garage with additional living space on the second floor. The proposed two (2) story home with a two (2) story garage will create a more even number of two (2) story homes. The Planning Department recommends that the Historic New Smyrna Beach Preservation Commission approve the proposed replacement single-family house as part of a condition of the previous approved demolition.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

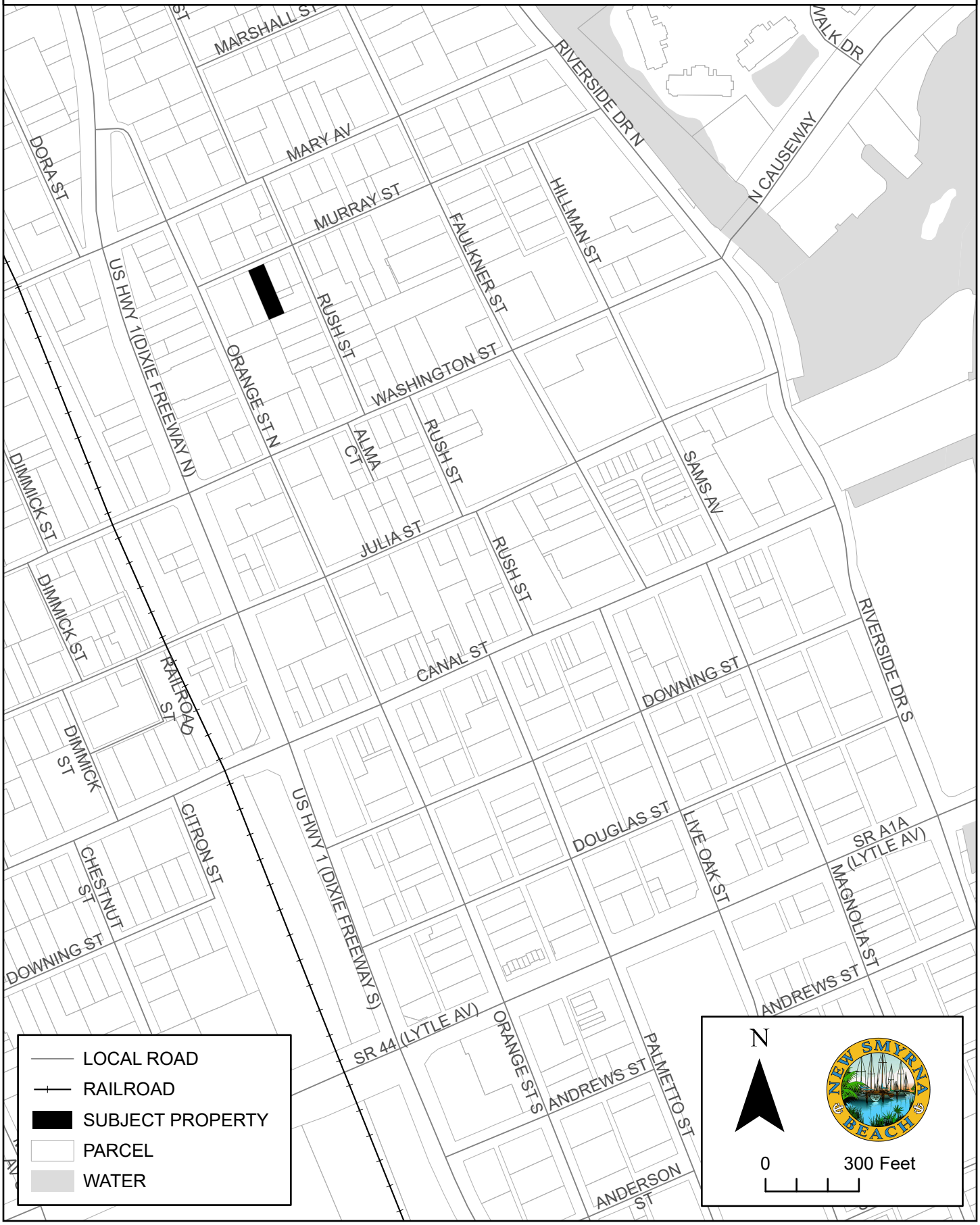
Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

Exhibit A Location Map.pdf
Exhibit B Aerial Map.pdf
Exhibit C Neighboring Home Photos.pdf
Exhibit D Proposed Forbes Residence 121724[41].pdf

Exhibit A

DM-3-24: 304 MURRAY STREET
PARCEL: 7441-26-00-0180 LOCATION MAP



DM-3-24: 304 MURRAY STREET
PARCEL: 7441-26-00-0180 AERIAL MAP



Exhibit C







Exhibit C







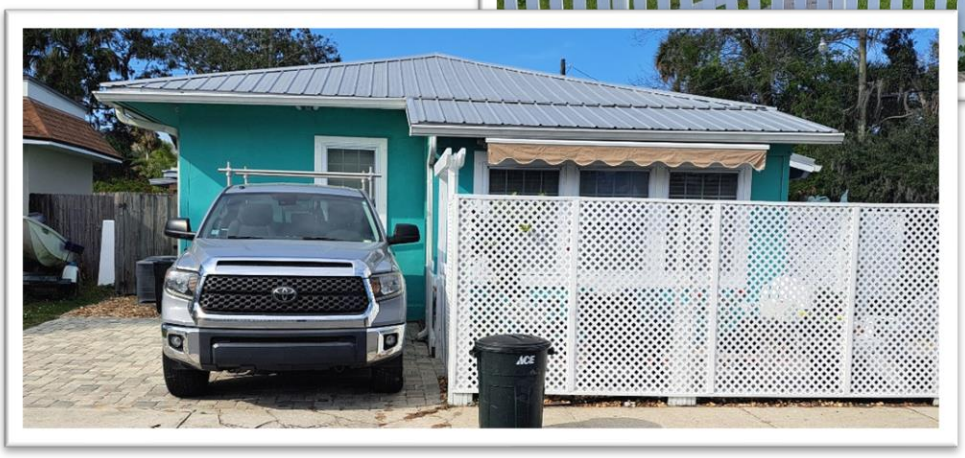
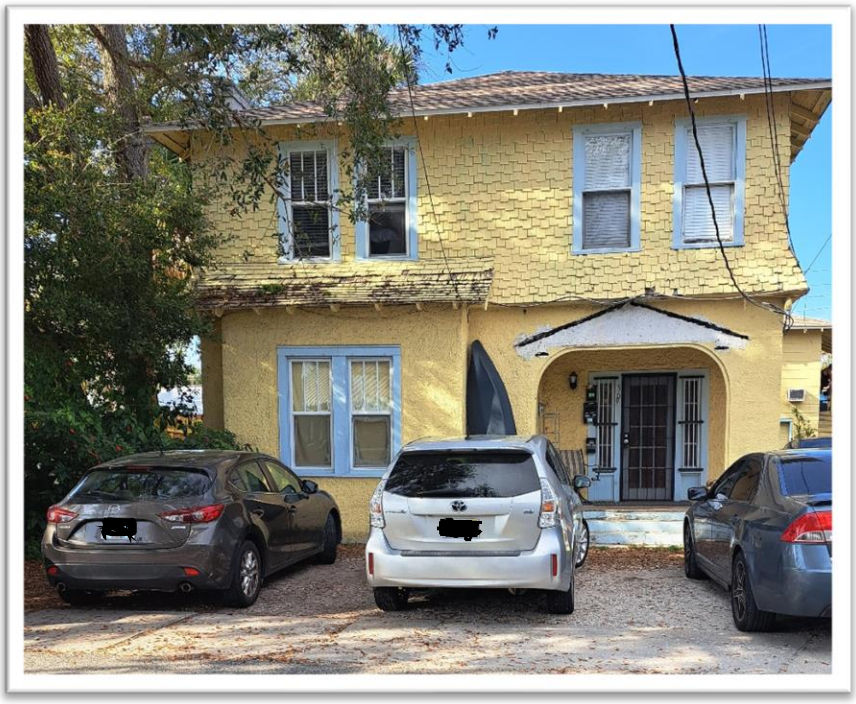


Exhibit C



GENERAL NOTES:

- NO STRUCTURAL CHANGES FROM THE APPROVED PLANS SHALL BE MADE IN THE FIELD UNLESS, PRIOR TO MAKING CHANGES, A WRITTEN APPROVAL IS OBTAINED FROM THE ENGINEER / ARCHITECT OF RECORD. IF CHANGES ARE MADE WITHOUT WRITTEN APPROVAL, SUCH CHANGES SHALL BE THE LEGAL AND FINANCIAL RESPONSIBILITY OF THE CONTRACTORS INVOLVED, and SHALL BE THE RESPONSIBILITY OF SAID PARTIES TO REPLACE OR REPAIR THE CONDITION AS DIRECTED BY THE ENGINEER.
- CONNECT A/C UNIT TO CONCRETE SLAB w/ (1) USP AC3 ANGLE CLIP OR SIMILAR AT FOUR CORNERS USING (1) 3/16" TAPCON, MIN. OF 2" LENGTH INTO CONCRETE AND (2) #8 METAL SCREWS INTO A/C UNIT FRAME (LOCATION TO BE DETERMINED BY A/C CONTRACTOR) PER CLIP
- ELECTRIC SERVICE GROUND TO BE BONDED TO FOOTING STEEL
- CONTRACTOR TO VERIFY ALL HOSE BIBB LOC. & TYPE
- CONTRACTOR TO ROUGH IN A/H CHASE A/O DRAIN LINES, & CONDUITS AS NEEDED
- CONTRACTOR TO VERIFY A/O PROVIDE FOR SLAB RECESSES, SILLS & CURB REQUIREMENTS @ ALL DOORS
- RECESS SHOWERS TO HAVE THICKENED EDGES AND REINFORCEMENT TO BE DETER BY GENERAL CONTRACTOR
- CONTRACTOR TO DETERMINE ANY SLOPE OF SLAB REQUIREMENTS
- BOTTOM OF FOOTING MIN 12" BELOW FINISH GRADE
- CONSTRUCTION PLANS MUST BE DESIGNED IN ACCORDANCE WITH THE 2023 FLORIDA BUILDING CODE 8TH EDITION RESIDENTIAL AND INCLUDE THE APPLICABLE WIND CRITERIA (ULTIMATE DESIGN WIND SPEED (VULT) AND 3-SECOND GUST/NOMINAL WIND SPEED (VASD) BOTH IN MILES PER HOUR, WIND EXPOSURE AND RISK CATEGORY) (FBC-RESIDENTIAL 301).

A. FLOOR PLAN:

A.1. WINDOW, DOOR AND PANEL CRITERIA:
- *A.1.1. GARAGE DOOR TO BE CERTIFIED BY MFR. AND DESIGNED PER WIND SPEED AND EXPOSURE BEING BUILT*
- *A.1.2. ALL DOORS TO BE 6'-0" TALL U.N.O. OR PER BUILDER/CLIENT*

A.1.3. ALL EXTERIOR DOOR MATERIALS SHALL BE ABLE TO RESIST THE LOADING REQUIREMENTS OF THE FBC SECTION 1609.1 *AND DESIGNED PER WIND SPEED AND EXPOSURE BEING BUILT*. THE CONTRACTOR IS REQUIRED TO PROVIDE DOCUMENTATION FOR DOORS DEMONSTRATING COMPLIANCE WITH THESE SPECIFICATIONS.

A.1.4. THE MANUFACTURER'S SPECIFICATIONS AND TEST RESULTS FOR THE REFERENCED WINDOWS, SGD, DOORS AND PANELS IN REGARDS TO COMPLIANCE WITH FLORIDA BUILDING CODE SECTION 1609 *AND DESIGNED PER WIND SPEED AND EXPOSURE BEING BUILT*, 3-SECOND GUST, WIND LOAD HAVE BEEN REVIEWED AND ACCEPTED BY THE ENGINEER OF RECORD FOR USE ON THIS PROJECT WHEN INSTALLED IN ACCORDANCE WITH THESE PLANS AND MANUFACTURER'S SPECIFICATIONS.

A.2. SAG RESISTANT DRYWALL ON ALL CEILINGS.

A.3. OPENINGS FROM A PRIVATE GARAGE DIRECTLY INTO A ROOM USED FOR SLEEPING PURPOSES SHALL NOT BE PERMITTED. OTHER OPENINGS BETWEEN THE GARAGE AND RESIDENCE SHALL BE EQUIPPED WITH SOLID WOOD DOORS NOT LESS THAN 1-3/8" THICK, SOLID OR HONEYCOMB CORE STEEL DOORS NOT LESS THAN 1-3/8" THICK, OR 20-MINUTE FIRE-RATED DOORS.

A.4. DUCTS IN THE GARAGE AND DUCTS PENETRATING THE WALLS OR CEILINGS SEPARATING THE DWELLING FROM THE GARAGE SHALL BE CONSTRUCTED OF A MIN. NO. 26 GAGE SHEET STEEL OR OTHER APPROVED MATERIAL AND SHALL HAVE NO OPENINGS INTO GARAGE.

A.5. THE GARAGE SHALL BE SEPARATED FROM THE RESIDENCE AND ITS ATTIC BY NOT LESS THAN 1/2 INCH GYPSUM BOARD APPLIED TO THE GARAGE SIDE. GARAGES BENEATH HABITABLE ROOMS SHALL BE SEPARATED FROM ALL HABITABLE ROOMS ABOVE BY NOT LESS THAN 5/8 INCH TYPE "X" GYPSUM BOARD OR EQUIVALENT. WHERE THE SEPARATION IS A FLOOR-CEILING ASSEMBLY, THE STRUCTURE SUPPORTING THE SEPARATION SHALL ALSO BE PROTECTED BY NOT LESS THAN 1/2 INCH GYPSUM BOARD OR EQUIVALENT

A.6. C.M.U. WALL SYSTEM SEGMENTS WHICH HAVE AN UNINTERRUPTED LENGTH OF 12'-0" OR MORE SHALL BE CONSIDERED SHEAR WALL SWS = SHEAR WALL SEGMENTS

A.7. FRAME WALL SEGMENTS WHICH HAVE AN UNINTERRUPTED LENGTH OF 12'-0" OR MORE SHALL BE CONSIDERED SHEAR WALL SWS = SHEAR WALL SEGMENTS

A.8. COLUMNS SHALL BE CONSTRUCTED OF STANDARD MASONRY UNITS OR PILASTER BLOCK OR MAY BE CAST IN PLACE CONCRETE. MAXIMUM COLUMN HEIGHT SHALL BE 12 FEET TO TOP OF BOND BEAM. COLUMNS SHALL CONTAIN A MINIMUM OF FOUR VERTICAL BARS, ONE IN EACH CORNER.

A.9. BATHROMS:
- *A.9.1. ALL TUB & SHOWER UNITS WILL HAVE ANTI-SCALDING DEVICES INSTALLED.*
- *A.9.2. ALL BATHROOM VANITIES SHALL BE 34" HEIGHT, U.N.O.*

B. FOUNDATION:

B.1. FLOOR SLAB OF PLANT MIX CONCRETE 2500 P.S.I. 4" THICK WITH FIBER-MESH REINFORCEMENT WITH 6 MIL. POLY. VAPOR BARRIER OVER COMPACTED CLEAN FILL OR, FLOOR SLAB OF PLANT MIX CONCRETE 2500 P.S.I. x 4" THICK WITH 6x6 10/10 GAUGE REINFORCING MAT. WITH MIN. 1" COVER WITH 6 MIL. POLY. VAPOR BARRIER OVER COMPACTED CLEAN FILL

B.2. AS AN ALTERNATE, A 6x6 NO. 10 WELDED WIRE FABRIC EXTENDING A MIN. OF 10" INTO SLAB AND 6" INTO CHAIR BLOCK OR TOP COURSE.

B.3. SOIL TESTING IS RECOMMENDED

B.4. FOOTINGS SHALL BEAR ON UNDISTURBED SOIL A/O PROPERLY COMPACTED FILL (2000 PSF MIN.). FILL MATERIAL SHALL BE COMPACTED TO 95% DENSITY OF A STANDARD PROCTOR. TO BE VERIFIED BY GENERAL CONTRACTOR / OWNER.

B.5. NO WOOD GRADE STAKES PERMITTED

B.6. TERMITE TREATMENT TO BE APPLIED BY EITHER TREATED SOIL, BORA-CARE APPLICATION S PER. MANUFACTURER SPEC'S. CERTIFICATE OF APPLICATION MUST BE MADE AVAILABLE AT TIME OF INSPECTION TO PROVIDE APPLICATION USED.

B.7. FOR ALL STEMWALLS GREATER THAN 35" IN HEIGHT PLEASE REFER TO STEMWALL SIZING CHART AT FOUNDATION SHEET FOR FOOTER AND STEEL REINFORCEMENT SPECIFICS. ADDITIONALLY IT IS REQUIRED TO PLACE (1) #3 REBAR 4' O.C. HOOKED INTO BOND BEAM AND TIED OFF TO REINFORCEMENT LOCATED IN TOP COURSE / BOND BEAM WHILE ALSO EXTENDING A MIN. OF 12" INTO SLAB.

B.8. A SOIL OR WASTE PIPE OR A BUILDING DRAIN PASSING UNDER A FOOTING OR THROUGH A FOUNDATION WALL SHALL BE PROVIDED WITH A RELIEVING ARCH, OR THERE SHALL BE BUILT INTO THE MASONRY WALL WITH AN IRON PIPE SLEEVE (TWO PIPE SIZES) GREATER THAN THE PIPE PASSING THROUGH

B.9. THE OUTER BAR OF FOUNDATION STEEL SHALL BE CONTINUOUS AROUND CORNERS USING CORNER BARS OR BY BENDING THE BAR IN ACCORDANCE WITH 100.3.4. IN BOTH CASES, THE MINIMUM BAR LAP SHALL BE 25 INCHES.

B.10. STEMWALLS SHALL BE AS THICK OR THICKER THAN THE WALL SUPPORTED ABOVE, BUT IN NO CASE LESS THAN 8 INCHES THICK, AND SHALL HAVE SAME VERTICAL REINFORCING AS THE WALL ABOVE.

B.11. ALL FOOTING DOWEL BARS SHALL HAVE A STANDARD 90 DEGREE HOOK AND SHALL BE EMBEDDED A MINIMUM OF 6 INCHES INTO ALL FOOTINGS; DOWEL BARS SHALL LAP VERTICAL WALL REINFORCEMENT A MINIMUM OF 25 INCHES.

B.12. MINIMUM CONCRETE COVER OVER REINFORCING BARS SHALL BE:
- B.12.1. 3 INCHES IN FOUNDATIONS WHERE CONCRETE IS CAST AGAINST AND PERMANENTLY IN CONTACT WITH THE EARTH.
- B.12.2. 1-1/2 INCHES FOR No. 5 AND SMALLER BARS, AND 2 INCHES FOR No. 6 AND LARGER BARS WHERE CONCRETE IS FORMED AND WILL BE EXPOSED TO THE WEATHER.
- B.12.3. IN NARROW FOOTINGS WHERE INSUFFICIENT WIDTH IS AVAILABLE TO ACCOMMODATE A STANDARD 90 DEGREE HOOK, PROVIDE THE REQUIRED CONCRETE COVER. THE HOOK SHALL BE ROTATED IN THE HORIZONTAL DIRECTION UNTIL THE REQUIRED CONCRETE COVER IS ACHIEVED.

B.13. CONNECTION OF COLUMNS TO THE FOUNDATION BELOW AND TO THE BOND BEAM AT THE TOP SHALL BE AS FOLLOWS:
- B.13.1. 8x8 INCH COLUMN; TWO NO. 5 STANDARD 90 HOOK INTO THE SUPPORT AT THE BOTTOM AND INTO THE BOND BEAM AT THE TOP.
- B.13.2. 8x16 INCH COLUMN; TWO NO. 5 STANDARD 90 HOOKS (ONE IN EACH CELL) BOTH AT THE BOTTOM AND INTO THE BOND BEAM AT THE TOP.
- B.13.3. 12x12 INCH COLUMN AND 16x16 INCH COLUMN; FOUR NO. 5 STANDARD 90 HOOKS (ONE AT EACH VERTICAL BAR) EXTENDING FROM THE FOUNDATION AND SPLICED WITH THE VERTICAL COLUMN REINFORCEMENT FOR THE BOTTOM; THREE NO. 5 STANDARD 90 HOOKS INTO THE BOND BEAM AT TOP, MINIMUM, AND EACH SPLICED INTO A VERTICAL COLUMN BAR FOR CORNER COLUMNS; & TWO NO. 5 STANDARD 90 HOOKS INTO THE BOND BEAM AT THE TOP EACH SPLICED TO SEPARATE VERTICAL COLUMN BARS FOR COLUMNS NOT LOCATED IN A CORNER.

B. MORTAR:

B.1. SHALL BE EITHER TYPE M OR S IN ACCORDANCE WITH ASTM C 270

B.2. ALL MORTAR JOINTS FOR HOLLOW UNIT MASONRY SHALL EXTEND THE FULL WIDTH OF FACE SHELLS. MORTAR JOINTS FOR SOLID MASONRY SHALL BE FULL HEAD AND BED JOINTS.

B.3. BED JOINTS SHALL BE 3/8 INCH (+ 1/8 INCH) THICK. HEAD JOINTS SHALL BE 3/8 INCH (+ 3/8 INCH OR -1/4 INCH) THICK.

B.4. THE BED JOINT OF THE STARTING COURSE PLACED OVER FOOTINGS SHALL BE PERMITTED TO VARY IN THICKNESS FROM A MINIMUM OF 1/4 INCH TO A MAXIMUM OF 3/4 INCH.

C. GROUT:

C.1. SHALL HAVE A MAXIMUM COARSE AGGREGATE SIZE OF 3/8 INCH PLACED AT AN 8 TO 11 INCH SLUMP AND HAVE A MINIMUM SPECIFIED COMPRESSIVE STRENGTH OF 2500 PSI AT 28 DAYS WHEN TESTED IN ACCORDANCE WITH ASTM C 1019, OR SHALL BE IN ACCORDANCE WITH ASTM C 476.

C.2. LONGITUDINAL WIRES OF JOINT REINFORCEMENT SHALL BE FULLY EMBEDDED IN MORTAR OR GROUT WITH A MINIMUM COVER OF $\frac{1}{2}$" INCH WHEN EXPOSED TO EARTH OR WEATHER AND $\frac{5}{8}$" INCH WHEN NOT EXPOSED TO EARTH OR WEATHER.

D. CONCRETE:

D.1. SHALL HAVE A MINIMUM SPECIFIED COMPRESSIVE STRENGTH OF 2500 PSI FOR FOOTINGS & SLAB U.N.O. (3000 PSI TIE BEAMS) AT 28 DAYS PER ACI 318, SECTION 5.3. INSTALLATION OF CONCRETE SHALL BE PER ACI 318, SECTION 5.10.

D.2. FOR CAST-IN-PLACE BOND BEAMS WHERE CONCRETE IS NOT EXPOSED TO WEATHER, THE MINIMUM CONCRETE COVER FOR REINFORCING SHALL BE 1 1/2 INCHES REGARDLESS OF BAR SIZE

D.3. FOR CAST-IN-PLACE BOND BEAMS WHERE CONCRETE IS EX- POSED TO WEATHER, THE MINIMUM CONCRETE COVER FOR REINFORCING SHALL BE: 1 1/2 INCHES FOR NO. 5 BARS AND SMALLER, 2 INCHES FOR NO. 6 BARS AND LARGER.

E. REINFORCING STEEL:

E.1. SHALL BE MINIMUM GRADE 60 AND IDENTIFIED IN ACCORDANCE WITH ASTM A 615, A 616, A 617, OR A 706.

E.2. REINFORCING STEEL SHALL BE NO. 5 BARS WITH Fy=60 KSI. EXCEPTION: WHERE TWO NO. 5 BARS ARE REQUIRED WITHIN THE SAME GROUTED MASONRY CELL OR BOND BEAM, ONE NO. 7 BAR MAY BE SUBSTITUTED.

E.3. REINFORCEMENT BARS EMBEDDED IN GROUTED MASONRY CELLS SHALL HAVE A MINIMUM CLEAR DISTANCE OF 1/4 INCH FOR FINE GROUT OR 1/2 INCH FOR COARSE GROUT BETWEEN REINFORCING BARS AND ANY FACE OF A CELL.

E.4. REINFORCING BARS USED IN MASONRY WALLS SHALL HAVE A MASONRY COVER (INCLUDING GROUT) OF NOT LESS THAN: 2 INCHES FOR MASONRY UNITS WITH FACE EXPOSED TO EARTH OR WEATHER. 1 1/2 INCH FOR MASONRY UNITS NOT EXPOSED TO EARTH OR WEATHER.

E.5. CLEARANCE FROM THE VERTICAL BAR TO THE MASONRY FACE SHALL BE 1/2 INCH. MINIMUM COVER FOR CAST IN PLACE COLUMNS SHALL BE 1-1/2 INCHES OVER THE COLUMN TIES

E.6. REINFORCEMENT MAY BE BENT IN THE SHOP OR IN THE FIELD IF:
- E.6.1. ALL REINFORCEMENT IS BENT COLD.
- E.6.2. THE DIAMETER OF THE BEND, MEASURED ON THE INSIDE OF THE BAR, IS NOT LESS THAN SIX BAR DIAMETERS.
- E.6.3. REINFORCEMENT PARTIALLY EMBEDDED IN CONCRETE SHALL NOT BE FIELD BENT. EXCEPTION: WHERE BENDING IS NECESSARY TO ALIGN DOWEL BARS WITH A VERTICAL CELL, BARS PARTIALLY EMBEDDED IN CONCRETE SHALL BE PERMITTED TO BE BENT AT A SLOPE OF NOT MORE THAN 1 INCH OF HORIZONTAL DISPLACEMENT TO 6 INCHES OF VERTICAL BAR LENGTH.

E.7. WHEN TWO BARS ARE REQUIRED IN THE SAME CELL OR BOND BEAM, THEY MAY BE BUNDLED.

E.8. SPLICES SHALL BE LAP SPLICES, AND DICTATED AS SUCH
- E.8.1. NON-CONTACT LAP SPLICES MAY BE USED PROVIDED REINFORCING BARS ARE NOT SPACED FARTHER APART THAN 5 INCHES FOR NO. 5 BARS AND 7 INCHES FOR NO. 7 BARS.
- E.8.2. SPLICE LENGTHS SHALL BE A MINIMUM OF 25 INCHES FOR NO. 5 BARS (40 BAR DIAMETERS). SPLICES OF A NO. 5 BAR WITH ONE NO. 7 BAR SHALL BE A MINIMUM OF 25 INCHES, AND TWO NO. 5 BARS WITH ONE NO. 7 BAR SHALL BE A MINIMUM OF 35 INCHES.

F. GALVANIZATION:

F.1. METAL ACCESSORIES FOR USE IN EXTERIOR WALL CONSTRUCTION AND NOT DIRECTLY EXPOSED TO THE WEATHER SHALL BE GALVANIZED IN ACCORDANCE WITH ASTM A 153, CLASS B-2. METAL ACCESSORIES FOR USE IN INTERIOR WALL CONSTRUCTION SHALL BE MILL GALVANIZED IN ACCORDANCE WITH ASTM A 641, CLASS 1.

G. METAL ACCESSORIES:

G.1. JOINT REINFORCEMENT, ANCHORS, TIES, AND WIRE FABRIC SHALL CONFORM TO THE FOLLOWING STANDARDS: 1. ASTM A 82 FOR JOINT REINFORCEMENT AND WIRE ANCHORS AND TIES. 2. ASTM A 36 FOR PLATE, HEADED AND BENT BAR ANCHORS. 3. ASTM A 366 FOR SHEET METAL ANCHORS AND TIES.

G.2. UNLESS OTHERWISE STATED, SIZES GIVEN FOR NAILS ARE COMMON WIRE NAILS. FOR EXAMPLE, 8D = 2 1/2 INCHES LONG X 0.131-INCH DIAMETER. SEE TABLE 8.8A IN THE NATIONAL DESIGN SPECIFICATIONS FOR WOOD CONSTRUCTION.

H. MASONRY:

H.1. LATERAL TIES OF A MINIMUM 1/4 INCH DIAMETER SHALL BE USED TO ENCLOSE VERTICAL COLUMN REINFORCEMENT AS FOLLOWS:
- H.1.1. MAXIMUM VERTICAL SPACING OF LATERAL TIES SHALL NOT EXCEED THE LEAST NOMINAL CROSS SECTIONAL DIMENSION OF THE COLUMN.
- H.1.2. LATERAL TIES MAY BE PLACED IN THE MORTAR JOINTS (PROVIDED THEY ARE NO LARGER THAN 1/4 INCH DIAMETER) OR IN THE GROUT.
- H.1.3. THE BOTTOM LATERAL TIES SHALL BE LOCATED VERTICALLY NOT MORE THAN ONE-HALF THE LATERAL TIE SPACING ABOVE THE TOP OF THE FOOTING, SLAB, OR BEAM IN ANY STORY. THE TOP LATERAL TIE SHALL NOT BE MORE THAN ONE-HALF THE LATERAL TIE SPACING BELOW THE LOWEST HORIZONTAL REINFORCEMENT IN THE BEAM ABOVE.
- H.1.4. CONCRETE MASONRY UNITS SHALL BE HOLLOW OR SOLID UNIT MASONRY IN ACCORDANCE WITH ASTM C 90 AND SHALL HAVE A MINIMUM NET AREA COMPRESSIVE STRENGTH OF 1900 PSI. CMU MATERIALS AND CONSTRUCTION SHALL COMPLY WITH "SPECIFICATION FOR MASONRY STRUCTURES" ACI 530.1/ASCE 6-05/TMS 602-05; PART 2 & 3
- H.1.5. MASONRY WALLS SHALL BE RUNNING BOND OR STACK BOND CONSTRUCTION. WHEN MASONRY UNITS ARE LAID IN STACK BOND, S-GAGE (MINIMUM) HORIZONTAL JOINT REINFORCEMENT, IN ADDITION TO REQUIRED VERTICAL REINFORCEMENT, SHALL BE PLACED IN BED JOINTS AT NOT MORE THAN 16 INCHES ON CENTER.

I. LUMBER:

I.1. ALL LVL BEAM LUMBER SHALL HAVE A MINIMUM FLEXURAL STRENGTH, Fb, OF 2,850 PSI AND MODULUS OF ELASTICITY, E, OF 2,000,000 PSI.

J. FRAMING:

J.1. INTERIOR BEARING WALLS: BOTTOM CONNECTORS SHALL HAVE THE SAME OR GREATER UPLIFT VALUE AS THE TOP CONNECTOR.

J.2. ALL INTERIOR FRAME BEARING WALLS AND ALL EXTERIOR FRAME WALLS SHALL BE ANCHORED TO THE ABUTTING CMU WALL WITH (3) 1/2"x5" STANDARD HOOK ANCHOR BOLTS EMBEDDED IN GROUTED CELLS. THE FLOOR P.T. PLATE SHALL BE ANCHORED WITH 1/2" x 10" A.B. OR WEDGE ANCHOR (RED HEAD) @ 24" o.c.

J.3. WHENEVER A GIRDER TRUSS BEARS ON A FRAME BEARING WALL, IT SHALL BE SUPPORTED BY A MINIMUM OF AN EQUAL NUMBER OF STUDS AS PLIES IN THE GIRDER.

J.4. REBARS MAY BE DRILLED AND EPOXIED W/ MIN. 5" EMBEDMENT.

J.5. FOR MISSING OR MISLOCATED STRAPS TO CMU (1) MSTA-16 WITH (4) 1/4"x2-1/4" TAPCONS CAN BE SUBSTITUTED PROVIDED UPLIFT FOR TRUSS IS LESS THAN 860lbs. LIMIT TWO TRUSSES ADJACENT WITHOUT ENGINEERING MODIFICATIONS.

J.6. ALL INTERIOR BEARING WALLS TO BE #2 KD SYP OR #2 SPF UNLESS NOTED OTHERWISE.

J.7. ALL TRUSS CONNECTORS ARE TO BE SIMPSON STRONG-TIE. U.N.O.

J.8. EACH FLOOR TRUSS ATTACHED TO CMU. WITH (1) HETA-16 OR (1) MTS-12 AT FRAME CONNECTION (U.N.O.)

J.9. EACH ROOF TRUSS / RAFTER AT CMU. TO BE ATTACHED WITH (1) HETA-16 (U.N.O.) SEE CONNECTOR SCHEDULE BELOW FOR NAILING REQUIRED.

J.10. EACH ROOF TRUSS / RAFTER AT FRAME CONNECTION TO BE (1) MTS-12 (U.N.O.)

J.11. ENDJACKS AND CORNER SETS MAY BE (1) H-2.5 (U.N.O.)

J.12. AT ALL 2 STORY BEARING WALL LOCATIONS 2ND STORY FRAME WALL STUDS TO BE ATTACHED TO FLOOR TRUSSES BELOW WITH MSTA-30 OR HTS-20 CONNECTORS @ 48" O.C. (U.N.O.)

J.13. ALL P.T. LUMBER TO HAVE SIMPSON Z-MAX CONNECTORS WITH GALVANIZED FASTENERS PER ASTM-A153.

J.14. TRUSSES SHALL BE DESIGNED AND SEALED BY THE TRUSS MANUFACTURER'S PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF FLORIDA, AND SHALL CONFORM WITH THE TPI DESIGN SPECIFICATIONS FOR METAL PLATE CONNECTED TRUSSES.

J.15. TRUSS MANUFACTURER TO VERIFY ALL TRUSS SPANS, SLOPES, BEARING POINTS, & DIMENSIONS BEFORE FABRICATION. ALSO, TRUSS MANUFACTURER TO PROVIDE SHOP DRAWINGS TO DESIGNER OR ENGINEER BEFORE FABRICATION.

J.16. ALL ROOF PITCHES ARE TO BE SET AS INDICATED ON PLANS AND ELEVATIONS (OR BY EXISTING CONDITION).

J.17. TOP PLATE HEIGHTS VARY. SEE TRUSS LAYOUT, BUILDING SECTIONS, WALL SECTIONS, & ELEVATIONS FOR BEARING HEIGHTS.

J.18. TRUSS SPACING SHALL BE 24" O.C. (U.N.O.) CONVENTIONAL FRAMING SHALL BE 16" O.C. (U.N.O.)

J.19. TRUSS MANUFACTURER TO PROVIDE ALL GABLE END TRUSSES WITH INTERMEDIATE STUD MEMBERS @ 16" O.C.

J.20. WOOD MEMBERS THICKER THAN THOSE SPECIFIED MAY BE USED AS LONG AS THE LENGTH OF THE 3/16" TAPCONS IS SUFFICIENT TO OBTAIN A MIN. OF 1-3/8" PENETRATION INTO THE CMU OR TIE BEAM.

J.21. ALL FRAMING LUMBER SHALL BE S. PINE, OR S-P-F, GRADE 2 OR BETTER WITH A MINIMUM Fb OF 1800 PSI. ALL LUMBER USED FOR BEAMS SHALL BE HEM-FIR, S. PINE, OR S-P-F, GRADE 2 OR BETTER WITH A MINIMUM Fb OF 1700 PSI.

J.22. OVERHANGS WILL VARY. SEE TRUSS LAYOUT, ROOF LAYOUT, & EXTERIOR ELEVATIONS. ALL OVERHANGS GREATER THAN 18" SHALL BE TACKED ON IN THE FIELD.

J.23. FRAME WALLS UP TO UNDERSIDE OF ROOF TRUSSES AT ALL NON BEARING WALLS AND AT VOLUME AREAS (U.N.O.).

J.24. ALIGN TRUSSES AND HAND FRAMING SO AS ALL GYPSUM WALL BOARD TO BE CONTINUOUS FROM FLOOR TO CEILING.

J.25. TRUSS MANUFACTURER TO ENSURE DESIGN CONSIDERATION TO THE FOLLOWING ADDITIONAL LOADS:
- J.25.1. ALL CEILING HUNG SOFFITS AND SOFFITS w/ CABINETS AS SHOWN ON PLANS.
- J.25.2. ATTIC LOCATED HVAC. UNITS AS SHOWN ON PLANS.
- J.25.3. LIGHTING & PLUMBING LAYOUTS.

K. ROOF / WALL SHEATHING:

K.1. ROOF SHEATHING TO BE 19/32" CDX 40/20 SPAN RATING FOR ALL EXPOSURE C DESIGNATED PROJECTS UP TO 170 MPH WIND SPEED ALONG WITH ALL TILE ROOF APPLICATIONS IN EXPOSURE B OR C AREAS UP TO 170 MPH WIND SPEED. ROOF SHEATHING OF 7/16" OSB 24/16 SPAN RATING IS ACCEPTABLE FOR SHINGLE/METAL ROOF SYSTEMS IN EXPOSURE B DESIGNATED AREAS UP TO 140 MPH WIND SPEED AND 15/32" CDX 32/16 SPAN RATING IS ACCEPTABLE FOR SHINGLE/METAL ROOF SYSTEMS IN EXPOSURE B DESIGNATED AREAS UP TO 150 MPH WIND SPEEDS. ROOF SHEATHING TO BE 19/32" CDX 40/20 SPAN RATING FOR ALL EXPOSURE D DESIGNATED PROJECTS UP TO 160 MPH WIND SPEED. NAILING FOR 19/32" ROOF SHEATHING TO BE 2 ½" X 131" OR 3" X .120 RING SHANK NAILS. ROOF SHEATHING OF 15/32" OR LESS TO BE NAILED WITH 2 3/8" X .113" RING SHANK NAILS. REFER TO DETAIL 21/D-02 FOR ROOF SHEATHING NAILING REQUIREMENTS.ALL ROOF SHEATHING SHALL BE STAGGERED WITH THE LONG DIMENSION PERPENDICULAR TO THE FRAMING.

WALL SHEATHING TO BE 15/32" OSB OR ½" CDX WITH MINIMUM SPAN RATING OF 32/16 INSTALLED WITH STRENGTH AXIS PERPENDICULAR TO SUPPORTS NAILED WITH 8D COMMON NAILS @ 6" OC IN THE FIELD AND 4" OC AT EDGES

K.2. (U.N.O.)
- WITHOUT STRUCTURAL SHEATHING: EXTERIOR BEARING WALLS TO BE 2x (SEE FLOOR PLAN) #2 SPF, OR #2 SYP. @ 16" O.C. w/ SP2 AT TOP AND SP1 BOTTOM OF EACH FULL LENGTH STUD. ADDITIONALLY MSTA-30 @ 48" O.C. ARE REQUIRED FOR FASTENING SECOND STORY FRAME WALLS TO FLOOR TRUSSES IN 2 STORY APPLICATIONS.
- K.2.2. WITH STRUCTURAL SHEATHING: EXTERIOR BEARING WALLS TO BE 2x (SEE FLOOR PLAN) #2 SPF, OR #3 SYP. @ 16" O.C. w/ SP2 AT TOP AND SP1 AT BOTTOM @ 16" O.C. PROVIDE 1/2" NOMINAL EXTERIOR BEGINNING AT THE BOTTOM OF THE STRUCTURAL SHEATHING, FLOOR SYSTEM AND EXTEND A MIN. OF 24" ABOVE THE SOLE PLATE OF THE SECOND FLOOR STUDWALL. NAIL w/ 8d x 2 1/2" @ 4" O.C. AT THE PERIMETERS & 6" O.C. IN THE FIELD AND A MIN. OR 6 NAILS IN THE STUD ABOVE. ADDITIONALLY MSTA-30 @ 48" O.C. ARE REQUIRED FASTENING SECOND STORY FRAME WALL TO FLOOR TRUSSES IN 2 STORY APPLICATIONS.
- K.2.3. TWO LAYERS OF FELT (OR) ONE LAYER OF HOUSE WRAP AND ONE LAYER OF FELT IS REQUIRED BEHIND STUCCO. THE USE OF AN APPROVED ZIP WALL SYSTEM CAN ALSO BE USED IN PLACE OF FELT OR HOUSE WRAP APPLICATION (PER SECTION FBC R703.2)

L. ELECTRICAL:

L.1. OWNER / BUILDER TO VERIFY EXACT LOCATION OF ANY FLOOR OUTLETS IN FIELD.

L.2. LOCATION OF FIXTURES AND / OR OUTLETS ARE SUGGESTED LOCATIONS AND MEET MOST LOCAL CODE REQUIREMENTS. ADDITIONS OR ADJUSTMENTS MAY BE MADE BETWEEN THE OWNER AND BUILDER IN THE FIELD.

L.3. ALL OUTLETS OVER COUNTERTOPS TO BE 42" A.F.F. (U.N.O.).

L.4. ALL SMOKE DETECTORS ARE TO BE HARD WIRED AND INTERCONNECTED.

L.5. 6' H. VANITY LIGHTS IN MASTER BATHROOM.

L.6. 7' H. VANITY LIGHTS IN ALL OTHER BATHROOMS.

L.7. ALL OUTLETS TO BE AFCI. PROTECTED PER NEC 210.12.

L.8. ALL RECEPTACLES TO BE TAMPER PROOF.

L.9. ELECTRICAL PLAN IS INTENDED TO SHOW LIGHTING AND CONVENIENCE OUTLETS ONLY.

L.10. IT IS THE ELECTRICAL CONTRACTORS RESPONSIBILITY TO VERIFY THE REQUIREMENT AND LOCATIONS OF ALL ELECTRICAL EQUIPMENT, (INCLUDING KITCHEN EQUIPMENT) AND PROVIDE AND INSTALL COMPLETE ELECTRICAL SERVICE AS REQUIRED.

L.11. PER NFPA 72 REQUIREMENTS ALL HOUSES WITH A LARGE NUMBER OF BEDROOMS IN NO CASE SHALL THERE BE MORE THAN 18 INITIATING DEVICES BE INTERCONNECTED OF WHICH 12 CAN BE SMOKE ALARMS WHERE THE INTERCONNECTING MEANS IS NOT SUPERVISED. ONCE THESE LIMITS (MORE THAN 12 SMOKE ALARMS OR CARBON MONOXIDE ALARMS COMBINATION) HAVE BEEN EXCEEDED A FIRE ALARM MONITORING SYSTEM SHOULD BE INSTALLED.

GENERAL CORRECTION NOTES:

1. ONE SIMPSON RFB44x10 MAY BE SUBSTITUTED FOR $\frac{5}{8}$" ANCHOR BOLTS WHEN NECESSARY. IF MORE THAN (2) ADJACENT SUBSTITUTIONS ARE REQUIRED, CONTACT ENGINEER OF RECORD FOR APPROVAL.
1. MISSED HURRICANE STRAPS FOR CONCRETE BEAMS - USE SIMPSON MTSM-20 WITH (7) 10d IN TRUSS AND (4) 1/4"x1-3/4" TITEN FASTENERS IN CONCRETE FOR UPLIFTS UP TO 860 LBS.; USE SIMPSON HTSM-20 WITH (10) 10d NAILS IN TRUSS AND (4) 1/4"x1-3/4" TITEN FASTENERS IN CONCRETE FOR UPLIFTS UP TO 1175 LBS.
2. MISSED DOWELS - SET $\frac{3}{4}$" DIAMETER, 33" LENGTH DOWEL INTO 3/4"x 6" HOLE; SET IN SIMPSON SET EPOXY OR EQUIVALENT.
3. FIBERMESH FIBER REINFORCED CONCRETE MAY BE USED IN LIEU OF THE 6x6/10/10 WELDED WIRE MESH REINFORCEMENT IN CONCRETE FLOOR SLABS.

Exhibit D



Owner:
Forbes Residence
304 Murray Street
New Smyrna Beach, FL 32168

DOOR KEY:

DOOR SIZE CALLOUT:

20 = 2'-0"	40 B.F. = 4'-0" BIFOLD
24 = 2'-4"	50 B.F. = 5'-0" BIFOLD
26 = 2'-6"	60 B.F. = 6'-0" BIFOLD
28 = 2'-8"	
30 = 3'-0"	

* ALL INTERIOR DOOR HEIGHTS ARE TO BE DETERMINED BY THE BUILDER.

WINDOW KEY:

WINDOW SIZE CALLOUT:
2040 = 2'-0" x 4'-0"
2050 = 2'-0" x 5'-0"
2060 = 2'-0" x 6'-0"

* ALL WINDOW CALLOUTS ARE MEASURED IN FEET & INCHES AS PER THE EXAMPLE TABLE ABOVE.

* ALL OPERABLE WINDOWS LOCATED MORE THAN 72" ABV. SURFACE BELOW SHALL HAVE THE LOWEST PORTION OF WINDOW CLEAR OPENING A MIN. OF 24" ABOVE FINISHED FLOOR BEING SERVER PER (FBC-R312.2).

ABBREVIATIONS:

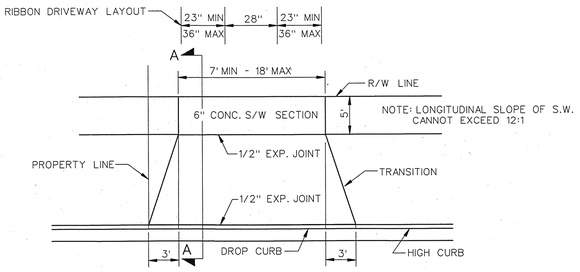
- 2- INDICATES NUMBER OF DOORS.
- 2- INDICATES NUMBER OF WINDOWS.
- MT - METAL THRESHOLD
- FR - FRENCH DOORS
- SL - SIDE LIGHT
- FG - FIXED GLASS
- TR - TRANSOM
- GB - GLASS BLOCK
- PKT - POCKET DOOR
- OBS - OBSCURED GLASS
- TEMP - TEMPERED GLASS
- SH - SINGLE HUNG
- DH - DOUBLE HUNG
- HR - HORIZONTAL ROLLER
- BP - BYPASS
- BF - BIFOLD
- TYP. - TYPICAL
- SPECIALTY WINDOWS/DOORS, FIXED GLASS WINDOWS, AND TRANSOMS ARE NOTED ON PLANS.

FBC CODE COMPLIANCE:

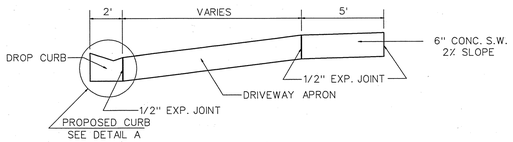
DESIGN REQUIREMENTS
A. ROOF LIVE LOAD IS 20 PSF
B. FLOORS LIVE LOAD IS 40 PSF, BALCONIES, DECKS, STAIRS, LIVE LOAD IS 60PSF

NOTE: THIS STRUCTURE HAS BEEN DESIGNED TO MEET OR EXCEED REQUIREMENTS OF THE (2023) FLORIDA BUILDING CODE (8TH EDITION)

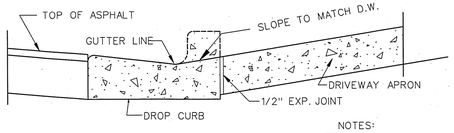
1. WIND EXPOSURE - CATEGORY (D)
2. ULTIMATE WIND SPEED - 139MPH, NOMINAL WIND SPEED - 108MPH.
3. WIND IMPORTANCE FACTOR - 1.0
4. INTERNAL PRESSURE COEFFICIENT- .18
5. MAXIMUM PRESSURE FOR COMPONENTS AND CLADDING, 29.7 p.s.f./-39.6 p.s.f. UNLESS N



RESIDENTIAL DRIVEWAY APRON
N.T.S.



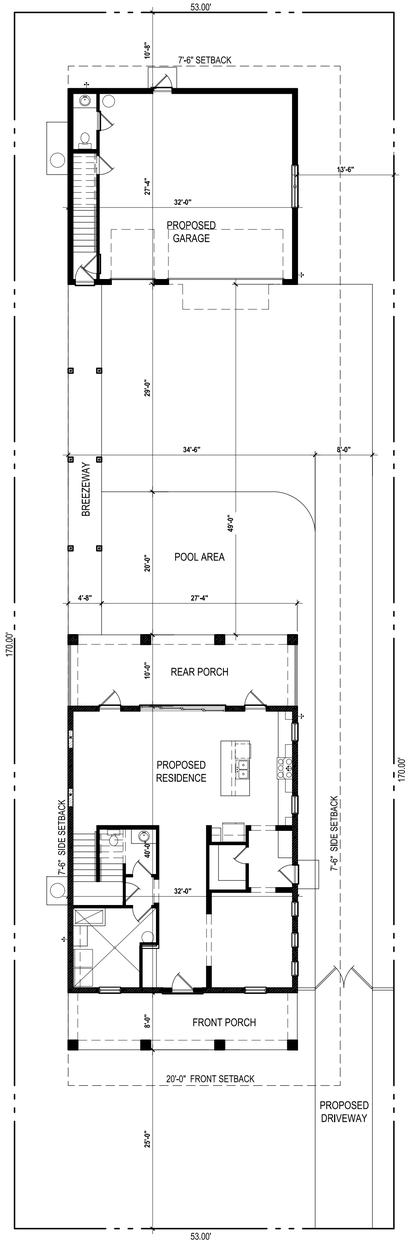
SECTION A-A
N.T.S.

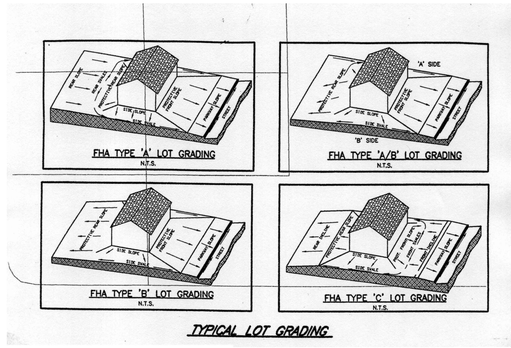


DETAIL A
N.T.S.

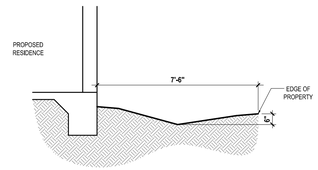
NOTES:

1. 3000 PSI CLASS 1 CONCRETE REQUIRED
2. EXISTING HIGH CURB SHALL BE REMOVED AND REPLACED WITH DROP CURB
3. 6" S.W. SECTION SHALL BE INSTALLED THROUGH DRIVEWAY





TYPICAL LOT GRADING



GENERAL NOTES KEY:

THIS IS NOT A SURVEY, DESIGNER, ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY. THE OWNER AND CONTRACTOR ARE TOTALLY RESPONSIBLE FOR PLACING THE BUILDING ON THE PROPERTY.

POOL DESIGN AND LOCATION SHOWN ARE ONLY SUGGESTED. THE OWNER AND CONTRACTOR ARE RESPONSIBLE FOR FINAL POOL DESIGN AND LOCATION.

LANDSCAPING DESIGN BY OTHERS.

DESIGNER, ASSUMES NO RESPONSIBILITY FOR SEPTIC DESIGN OR LOCATION. SEPTIC IF SHOWN ON PLANS IS PER BUILDER OR OWNER REQUIREMENTS. SEPTIC SYSTEMS ARE TO BE DESIGNED AND LOCATED PER DEPT. OF HEALTH REQUIREMENTS OR AS PER GOVERNING CODES.

NOTE:
THE DRAINAGE MUST BE DIRECTED TOWARDS A DRAINAGE EASEMENT WITH A POSITIVE OUTFALL OR TO THE ROADWAY R/W. INCREASE OR CREATION OF "WATER PONDING" TO ADJACENT PROPERTIES IS PROHIBITED.

NOTE:
PROPOSED IMPROVEMENTS WILL HAVE MINIMAL IMPACT TO EXISTING RUNOFF DRAINAGE PATTERNS. NO FILL WILL BE IMPORTED TO SITE EXCEPT FOR RESIDENCE FOUNDATION.

SITE COVERAGE DATA:

TOTAL SITE:	9,010 SQ. FT.
IMPERVIOUS MAX. ALLOWED:	60% = 5,406 SQ. FT.
MAX. BUILDING COVERAGE:	40% = 3,604 SQ. FT.

IMPERVIOUS AREA (60% MAX. PERMITTED

FIRST FLOOR:	1,280 SQ. FT.
COVERED PATIO:	320 SQ. FT.
COVERED ENTRY:	256 SQ. FT.
DETACHED GARAGE:	875 SQ. FT.
A/C PADS / STOOPS:	12 SQ. FT.
DRIVE / WALKWAY:	1,702 SQ. FT.
POOL / DECK:	300 SQ. FT.
TOTAL:	4,745 SQ. FT. = 52.6%

BUILDING COVERAGE (40% MAX. PERMITTED

FIRST FLOOR:	1,280 SQ. FT.
COVERED ENTRY:	256 SQ. FT.
COVERED PATIO:	320 SQ. FT.
BREEZEWAY:	201 SQ. FT.
DETACHED GARAGE:	875 SQ. FT.
TOTAL:	2,932 SQ. FT. = 32.5%

Site Plan

SCALE: 1" = 10'-0"

DON BOLDEN ENG., Inc.
Don Bolden, P.E.
Florida Registration #47524
Certificate of Authorization #26030
P.O. Box 530783
DeBary, FL 32753

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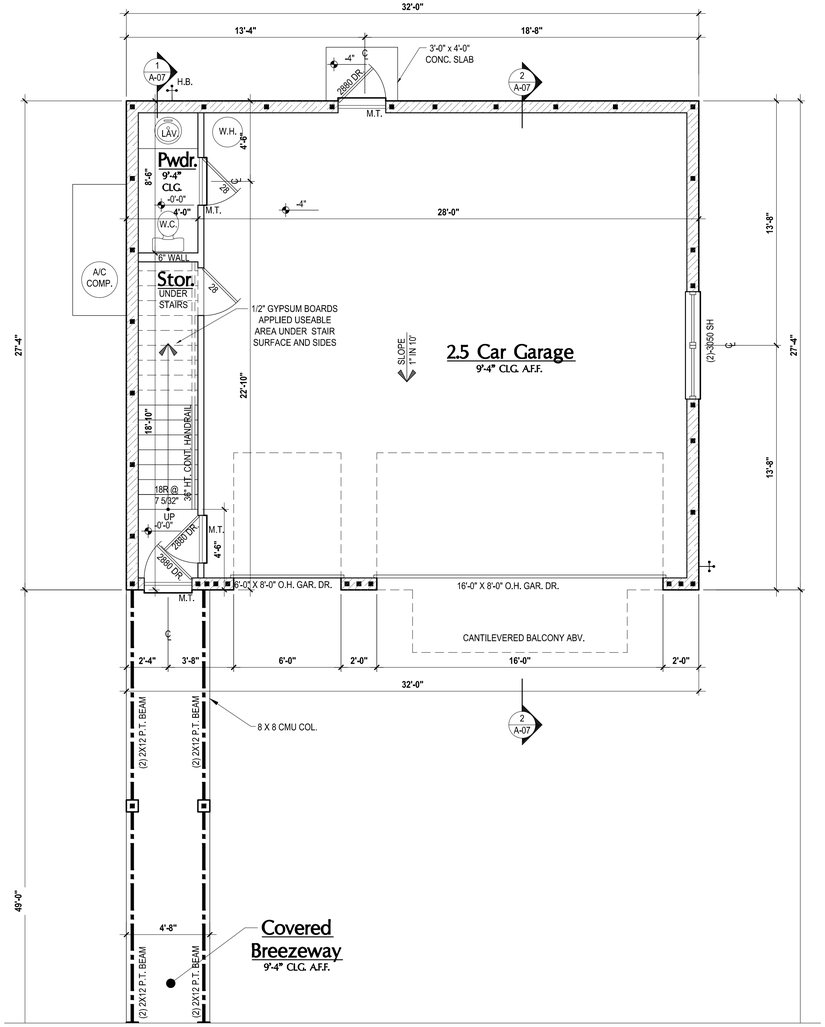
RLB HOME DESIGN
ADDITIONS • REMODELS
MEMBER AIBD AMERICAN INSTITUTE of BUILDING DESIGN

Forbes Residence
304 Murray Street
New Smyrna Beach, FL 32168

ISSUE DATE	06/13/24
REVISIONS	
PROJECT:	00-0000
SCALE:	AS NOTED
DRAWN BY:	RLB
DESIGNED BY:	RLB

SITE PLAN
S-01

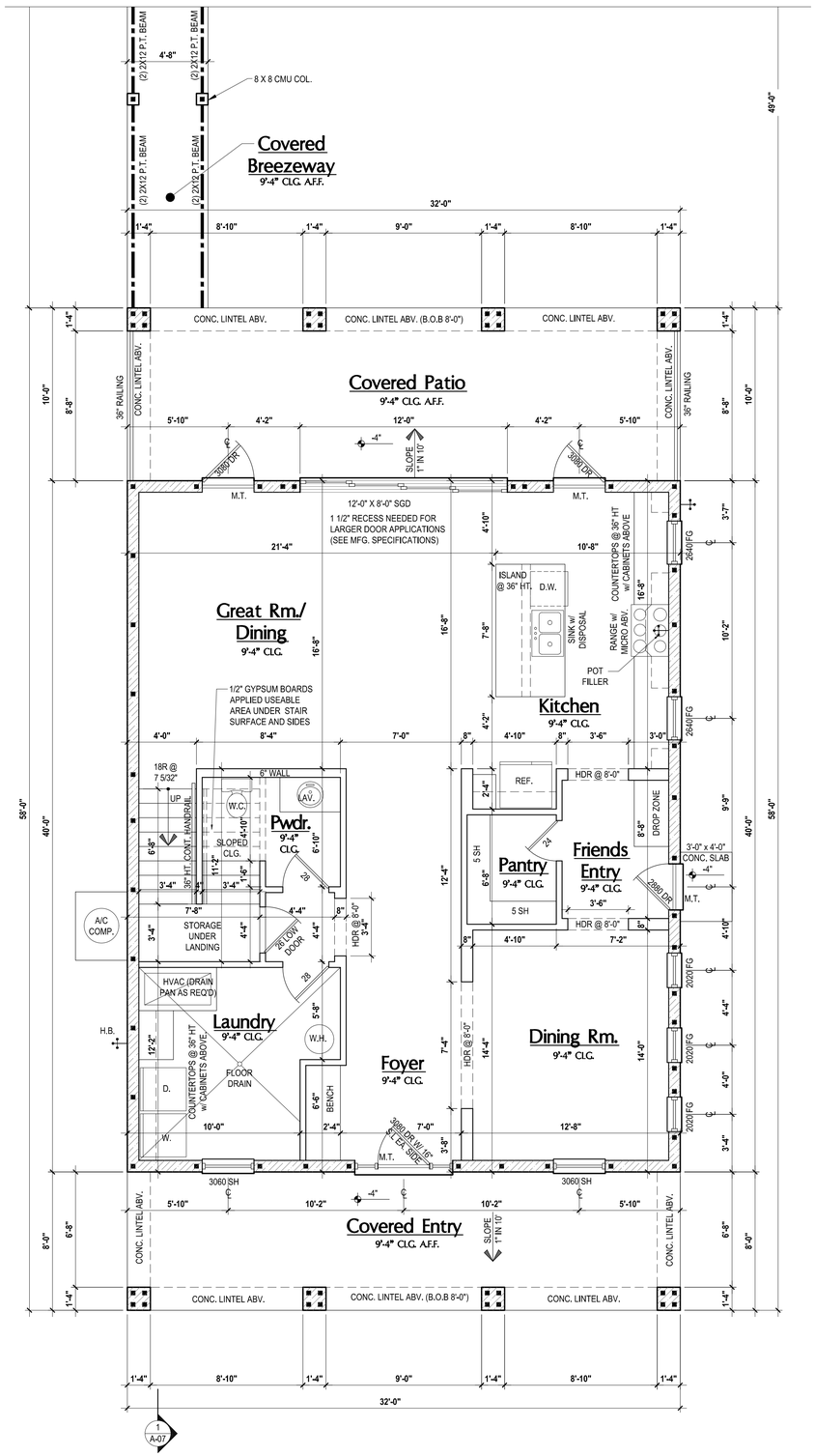


First Floor @ Detached Garage

SCALE: 1/4" = 1'-0"

Area Tabulations

Living +/-:		
Bonus:	788	sf
Detached Garage:	875	sf
Total Area +/-:	1,663	sf



JACK POST SCHEDULE

JP1	(2) 2x STUDS w/ SP4 OR SP6 AT BOTTOM OF EACH STUD & (2) MTS-12 AT TOP.
JP2	(3) 2x STUDS WITH HTT-4 AT BOTTOM w/ 5/8" A.B. DRILLED AND EPOXIED MIN. 5" (TO CMU OR CONCRETE BELOW) & (2) HTS-20 AT TOP.
JP3	3 1/2"x7" 1.8E PARALLAM PSL COLUMN WITH HTT-5 AT BOTTOM w/ 5/8" A.B. DRILLED AND EPOXIED MIN 5" (TO CMU OR CONCRETE BELOW) & (4) HTS-20 AT TOP.
JP4	5 1/4"x5 1/4" 1.8E PARALLAM PSL COLUMN WITH HTT-5 AT BOTTOM w/ 5/8" A.B. DRILLED AND EPOXIED MIN 5" (TO CMU OR CONCRETE BELOW) & (4) HTS-20 AT TOP.
JP5	(3) 2x STUDS W/ (2) MSTA-24 TO FLOOR SYSTEM BELOW AT BOTTOM & (2) HTS-20 AT TOP.
JP6	3 1/2" x 5 1/4" 1.8E PARALLAM PSL COLUMN WITH HTT-5 AT BOTTOM w/ 5/8" A.B. DRILLED AND EPOXIED MIN 5" (TO CMU OR CONCRETE BELOW) & (2) HTS-20 AT TOP TO TRUSS.
JP7	3 1/2" x 5 1/4" 1.8E PARALLAM PSL COLUMN w/ (4) MTS-24 AT BOTTOM TO FLOOR SYSTEM & (2) HTS-20 AT TOP TO TRUSS.
JP8	5 1/4" x 5 1/4" 1.8E PARALLAM PSL COLUMN w/ (4) HTS-20 AT TOP & (2) MSTA-36 AT BOTTOM TO JACK POST BELOW.
JP9	3 1/2" x 7" 1.8E PARALLAM PSL COLUMN w/ (2) HTS-20 AT TOP AND (2) MSTA-24 FROM POST TO GIRDER.
JP10	5 1/4" x 5 1/4" 1.8E PARALLAM PSL COLUMN WITH HTT-5 AT BOTTOM w/ 5/8" A.B. DRILLED AND EPOXIED MIN 5" (TO CMU OR CONCRETE BELOW) & (2) MSTA-36 AT TOP FASTENED THROUGH FLOOR TO JACK POST ABV.
JP11	5 1/4" x 7" 1.8E PARALLAM PSL COLUMN w/ (2) HTT-5 AT BOTTOM w/ 5/8" A.B. DRILLED AND EPOXIED MIN 5" (TO CMU OR CONCRETE BELOW) & (4) HTS-20 AT TOP TO TRUSS.
JP12	P.T. 6x6 WOOD POST WITH HTT-5 AT BOTTOM w/ 5/8" A.B. DRILLED AND EPOXIED MIN 5" (TO CMU OR CONCRETE BELOW) & (2) MSTA-30 FROM POST TO HEADER ON EACH SIDE.
JP13	P.T. 6x6 WOOD POST EXTENDING CONTINUOUSLY TO CMU COLUMN BELOW w/ ABU-66 AT BOTTOM OF EACH POST TO CMU AND (2) MSTA-24 FROM POST TO EACH BEAM AT TOP.
JP14	5 1/4" x 7" 1.8E PARALLAM PSL COLUMN w/ (4) MSTA-36 AT BOTTOM FASTENED TO JACK POST BELOW & (4) HTS-20TO TRUSS.
JP15	5 1/4" x 7" 1.8E PARALLAM PSL COLUMN w/ (2) HTT-5 AT BOTTOM w/ 5/8" A.B. DRILLED AND EPOXIED MIN 5" (TO CMU OR CONCRETE BELOW) & (4) MSTA-36 AT TOP TO JACK POST ABV.
JP16	7" x 7" 2.0 PARALLAM PSL COLUMN w/ (2) HTT-5 AT BOTTOM - (CONCRETE BELOW) & (2) MSTA-48 AT TOP TO TRUSS.
*	WHERE APPLICABLE, PROVIDE #15 FELT (MOISTURE BARRIER) BETWEEN WOOD POST & CONCRETE / MASONRY - OPTIONAL BARRIER: PROVE P.T. 2X MATERIAL BETWEEN WOOD POSTS (w/ HTT-5) WITH A (MIN) 5" A.B. EMBEDMENT.

SPECIAL HEADERS:

H-1 -(2) 1 3/4" x 12" L.V.L HEADER SUPPORTED ON EA. SIDE BY (3) 2x JACK STUDS WITH (3) 2x FULL LENGTH STUDS ADJACENT, USE SP1 @ BOTTOM OF EACH STUD & (2) MSTA-24 FROM STUD TO HEADER AT TOP ON EACH SIDE.

H-2 - (2) 2"x12" BEAM WITH 1/2" PLYWOOD FLITCH SUPPORTED ON EACH SIDE WITH (2) 2x JACK STUDS WITH (2) 2x FULL LENGTH STUDS ADJACENT, USE SP1 / SP4 / SP6 / SP8 @ BOTTOM OF EACH STUD & (2) MSTA-24 FROM STUD TO HEADER AT TOP ON EACH SIDE WITH SP2 / SP4 / SP6 / SP8 AT THE TOP OF EACH FULL LENGTH STUD

ABBREVIATIONS:
2- INDICATES NUMBER OF DOORS.
2- INDICATES NUMBER OF WINDOWS.
MT - METAL THRESHOLD
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BP - BYPASS
BF - BIFOLD
TYP. - TYPICAL
- SPECIALTY WINDOWS/DOORS, FIXED GLASS WINDOWS, AND TRANSOMS ARE NOTED ON PLANS.

NOTES:
1. *GARAGE DOOR TO BE CERTIFIED BY MFR. WIND-BORNE DEBRIS AREA.*
2. *ALL TUB & SHOWER UNITS WILL HAVE ANTI-SCALDING DEVICES INSTALLED.*
3. *ALL DOORS TO BE 8'-0" TALL U.N.O. OR PER BUILDER / CLIENT.*
4. *ALL BATHROOM VANITIES SHALL BE 34" HEIGHT UNLESS NOTED OTHERWISE.*
5. SAG RESISTANT DRYWALL ON ALL CEILINGS.
6. C.M.U. WALL SYSTEM SEGMENTS WHICH HAVE AN UNINTERRUPTED LENGTH OF 12'-0" OR MORE SHALL BE CONSIDERED SHEAR WALL SWS = SHEAR WALL SEGMENTS
7. FRAME WALL SEGMENTS WHICH HAVE AN UNINTERRUPTED LENGTH OF12'-0" OR MORE SHALL BE CONSIDERED SHEAR WALL SWS = SHEAR WALL SEGMENTS

DWELLING / GARAGE SEPARATION: R302.6

- OPENING BETWEEN GARAGE AND RESIDENCE SHALL BE EQUIPPED WITH A 20 MIN. FIRE RATED SOLID WOOD OR HONEYCOMB CORE STEEL DOOR NOT LESS THAN 1 3/8" THICKNESS AS PER FBC-R302.5.1.
- 1/2" GYPSUM BOARD APPLIED TO THE GARAGE SIDE OF WALL TO UNDERSIDE OF DECKING.
- 5/8" TYPE X DRYWALL ON CEILING BELOW ANY HABITABLE SPACE
- 1/2" GYPSUM BOARD APPLIED TO ACCESSIBLE AREA UNDER STAIR SURFACE AND SIDES.

BRG. HT. LEGEND

■ - INDICATES A CONCRETE FILLED CELL WITHIN AN 8" CMU WALL CONTAINING (1) VERT. #5 REBAR CONT. FROM FOUNDATION SLAB TO BOND BEAM. PROVIDE A MIN. OF 25" LAP ON ALL STEEL REINFORCING BARS.

- INDICATES BEARING WALL

2-STORY CMU 20'-0" BRG. HT.

Area Tabulations

Living +/-:		
First Floor:	1,280	sf
Second Floor:	1,197	sf
Total Living +/-:	2,477	sf
Covered Entry:	256	sf
Covered Patio:	320	sf
Covered Balcony:	320	sf
Breezeway:	229	sf
Total Area +/-:	3,602	sf

First Floor

SCALE: 1/4" = 1'-0"

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ISSUE DATE	06/13/24
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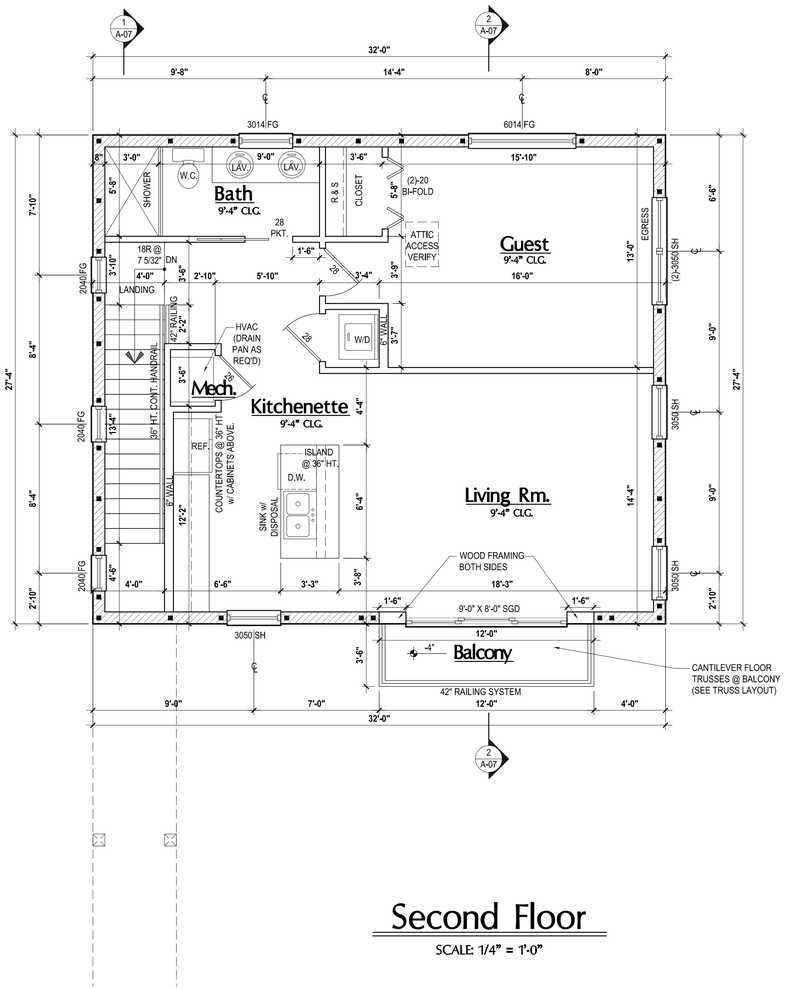
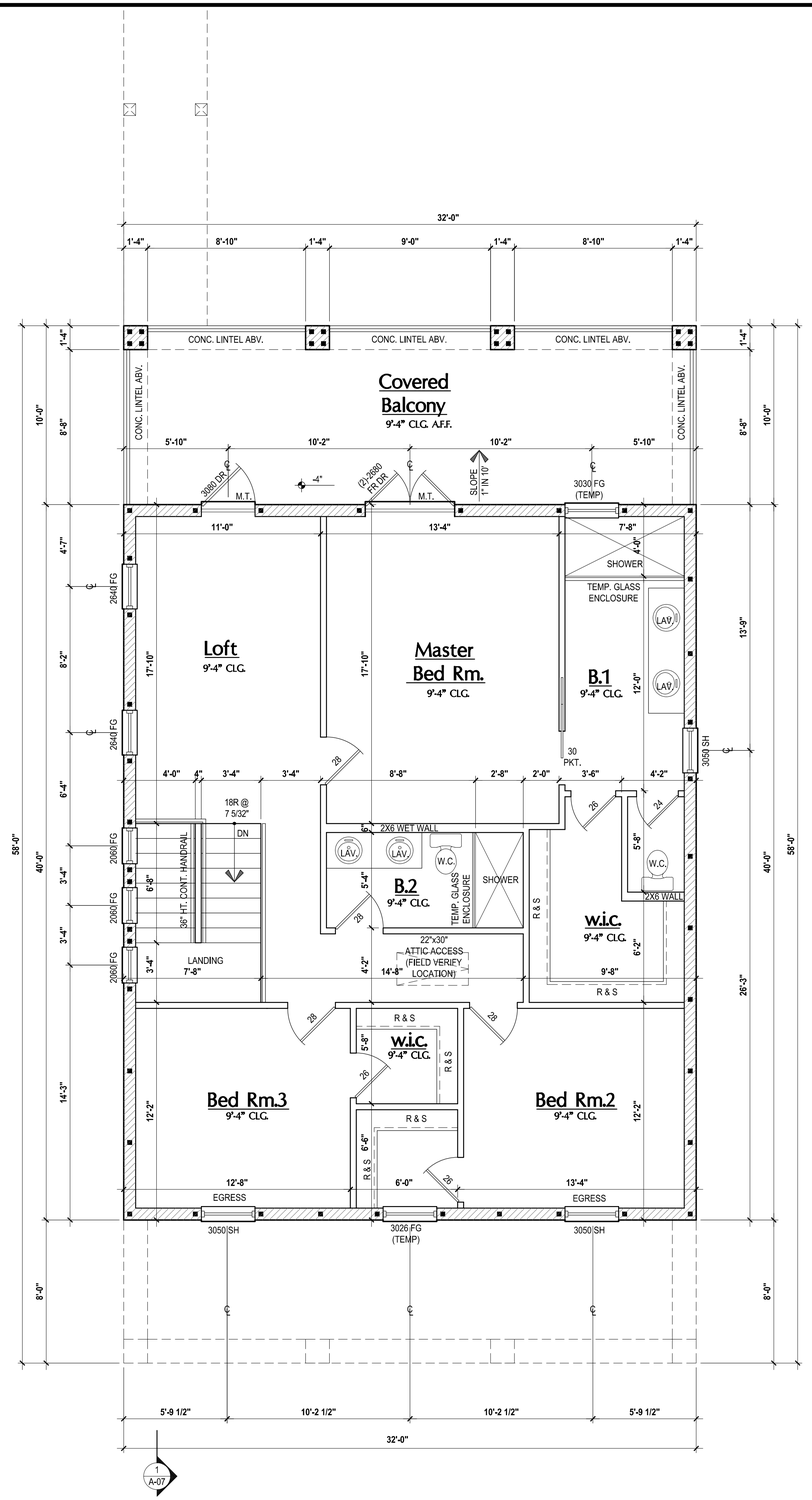
PROJECT:	00-0000
SCALE:	AS NOTED
DRAWN BY:	RLB
DESIGNED BY:	RLB

FIRST FLOOR
A-01



Second Floor

SCALE: 1/4" = 1'-0"



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4. *ALL BATHROOM VANITIES SHALL BE 34" HEIGHT UNLESS NOTED OTHERWISE.*
5. SAG RESISTANT DRYWALL ON ALL CEILINGS.
6. C.M.U. WALL SYSTEM SEGMENTS WHICH HAVE AN UNINTERRUPTED LENGTH OF 12'-0" OR MORE SHALL BE CONSIDERED SHEAR WALL SWS = SHEAR WALL SEGMENTS
7. FRAME WALL SEGMENTS WHICH HAVE AN UNINTERRUPTED LENGTH OF12'-0" OR MORE SHALL BE CONSIDERED SHEAR WALL SWS = SHEAR WALL SEGMENTS

DWELLING / GARAGE SEPARATION: R302.6

- OPENING BETWEEN GARAGE AND RESIDENCE SHALL BE EQUIPPED WITH A 20 MIN. FIRE RATED SOLID WOOD OR HONEYCOMB CORE STEEL DOOR NOT LESS THAN 1 3/8" THICKNESS AS PER FBC-R302.5.1.
- 1/2" GYPSUM BOARD APPLIED TO THE GARAGE SIDE OF WALL TO UNDERSIDE OF DECKING.
- 5/8" TYPE X DRYWALL ON CEILING BELOW ANY HABITABLE SPACE
- 1/2" GYPSUM BOARD APPLIED TO ACCESSIBLE AREA UNDER STAIR SURFACE AND SIDES.

BRG. HT. LEGEND

■ **- INDICATES A CONCRETE FILLED CELL WITHIN AN 8" CMU WALL CONTAINING (1) VERT. #5 REBAR CONT. FROM FOUNDATION SLAB TO BOND BEAM. PROVIDE A MIN. OF 25" LAP ON ALL STEEL REINFORCING BARS.**

- INDICATES BEARING WALL

2-STORY CMU 20'-0" BRG. HT.

Second Floor

SCALE: 1/4" = 1'-0"

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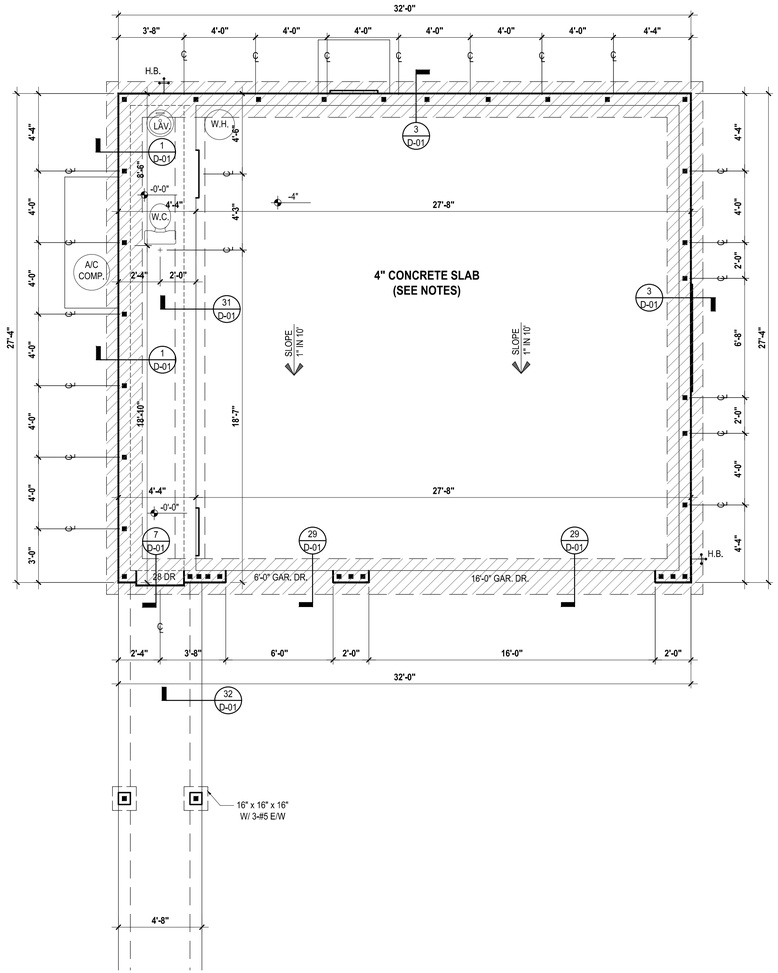
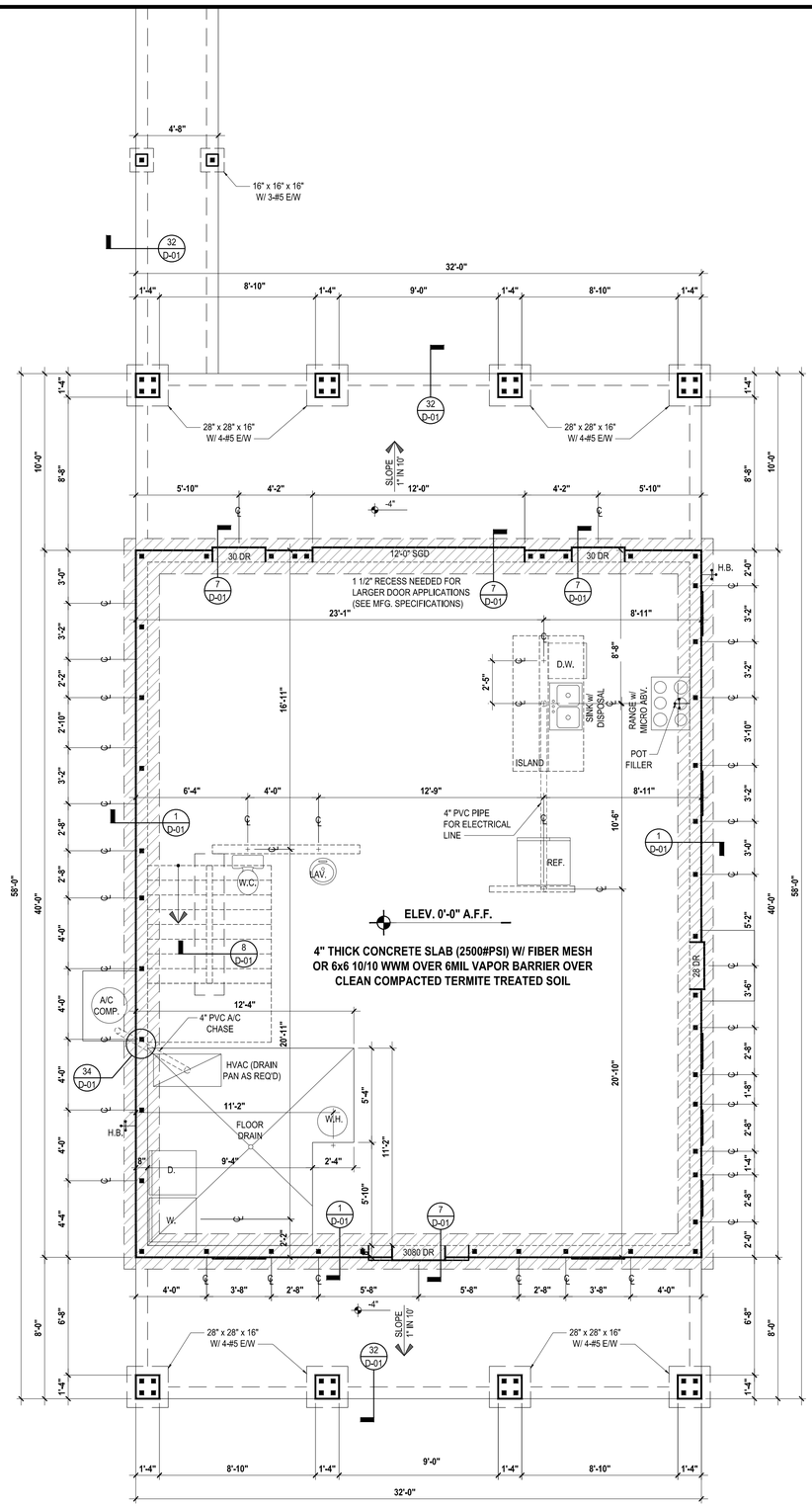
SECOND FLOOR
A-02





LEGEND

▨ - INDICATES AREA OF TWO STORY BEARING FOOTING

■ - INDICATES A CONCRETE FILLED CELL OF 8" CMU. WALL WITH (1) #5 REBAR VERT. CONT. FROM FOUNDATION TO BOND BEAM. PROVIDE A MIN. OF 25" LAP ON ALL STEEL REINFORCING BARS.

- FLOOR SLAB OF PLANT MIX CONCRETE 2500 P.S.I. 4" THICK WITH FIBER-MESH REINFORCEMENT OVER TERMITE TREATED SOIL WITH 6 MIL. POLYETHYLENE VAPOR BARRIER OVER COMPACTED CLEAN FILL.
  OR
  FLOOR SLAB OF PLANT MIX CONCRETE 2500 P.S.I. 4" THICK WITH 6x6 10/10 GAUGE REINFORCING MAT. WITH MIN. 1" COVER. TERMITE TREATED SOIL WITH MIL. POLYETHYLENE VAPOR BARRIER OVER COMPACTED CLEAN FILL.

NO WOOD GRADE STAKES PERMITTED

STEEL AND CONCRETE REINFORCEMENT:

1. ALL REBAR OVERLAPS FOR VERT. & HORIZ. REINF. TO HAVE MIN. 25" OVERLAP AT ALL CORNERS & WHERE HORIZ. REINF. STOPS & STARTS. PER (FBC-R403)
2. ALL VERT. STEEL EXTENDING INTO FOOTERS TO HAVE MIN. 8" HOOK & OVERLAP w/ HORIZ. FOOTER STEEL. PER SECTION (FBC-R 608.5.4).
3. ALL STEEL REINFORCEMENT REBAR USED FOR CONCRETE BEAMS & ALL CMU WALL TO BE MIN. 60,000 PSI.
4. ALL CONCRETE TO BE MINIMUM STRENGTH OF 3000 PSI W/ MAX AGGREGATE SIZE OF 3/8"

STEMWALL HEIGHT:	BACKFILL NOTE:	FOOTING (SEE DETAIL)		VERTICAL # 5 REBAR & POURED CELL SPACING	LINTEL COURSE w/ #5 ~	CONTINUOUS w/ #5
		A	B			
36" TO 48"	BACKFILL AFTER 7 DAYS	12"	28"	48" O.C.	AT TOP	(3) #5 EVENLY SPACED
49" TO 60"	BACKFILL AFTER 14 DAYS	12"	32"	32" O.C.	MID HT. AND AT TOP	(4) #5 EVENLY SPACED
61" TO 72"	BACKFILL AFTER 14 DAYS	12"	36"	24" O.C.	MID HT. AND AT TOP	(5) #5 EVENLY SPACED

B STEMWALL SIZING CHART FOR STEMWALL HEIGHT ABOVE 35"

STEMWALL NOTES:

FOR ALL STEM WALLS OVER 35" KEY SLAB TO STEM WALL BY PROVIDING 1-#3 REBAR @ 48" O.C. HOOKED MIN 8" INTO STEM WALL AND TIED OFF TO HORIZONTAL STEEL IN TOP COURSE OR COURSE JUST BELOW AND EXTENDING MIN 12" INTO SLAB. AS AN ALTERNATE TO OR PLACE 6x6 NO. 10 WELDED WIRE FABRIC EXTENDING A MIN. OF 10' INTO SLAB AND 6" INTO BOND BEAM / CHAIR BLOCK.

ALL STEM WALLS TO BE FILLED SOLID WITH 3000 PSI CONCRETE WITH 3/8" MAXIMUM AGGREGATE SIZE

Foundation

SCALE: 1/4" = 1'-0"

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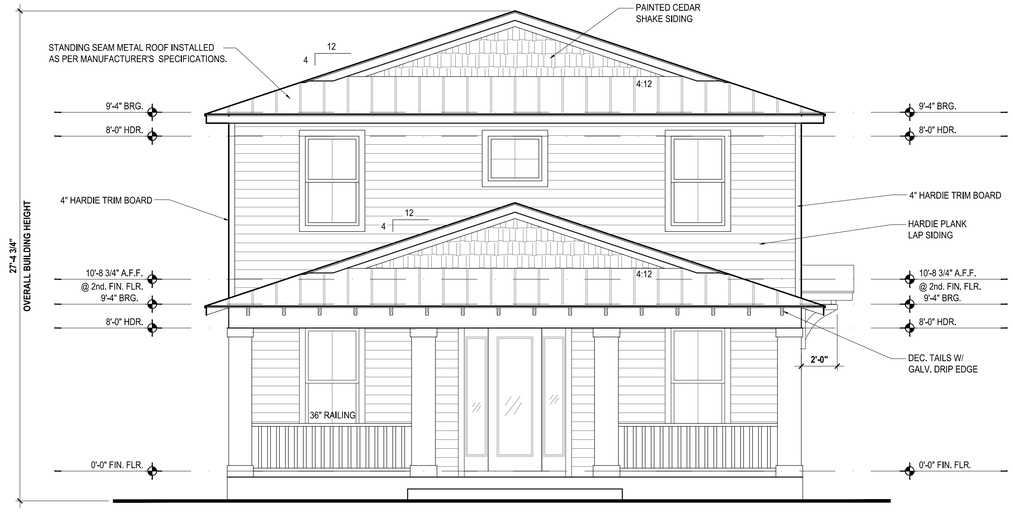
FOUNDATION PLAN

A-03



Rear Elevation

SCALE: 1/4" = 1'-0"

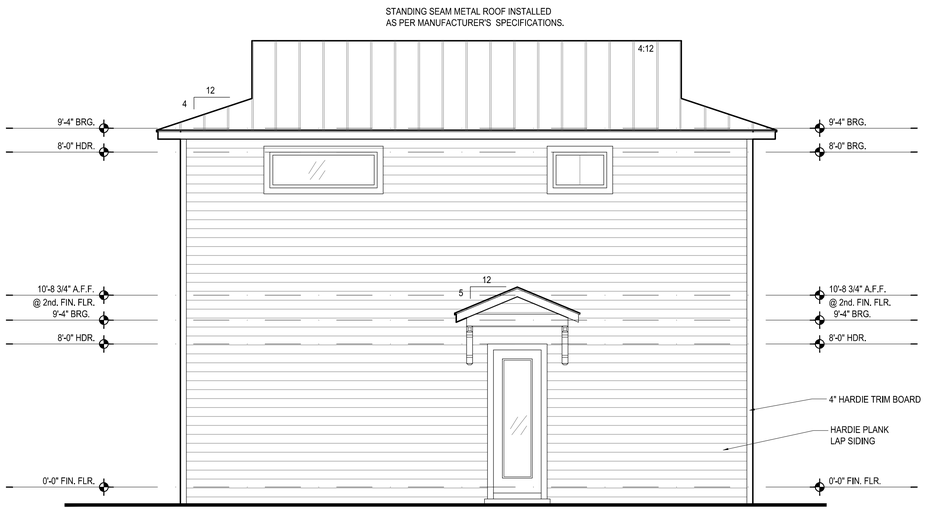


Front Elevation

SCALE: 1/4" = 1'-0"

NOTE:

ALL SIDING PRODUCTS TO BE INSTALLED PER MANUFACTURES SPECIFICATIONS



Rear Elevation@ Detached Garage

SCALE: 1/4" = 1'-0"



Front Elevation@ Detached Garage

SCALE: 1/4" = 1'-0"

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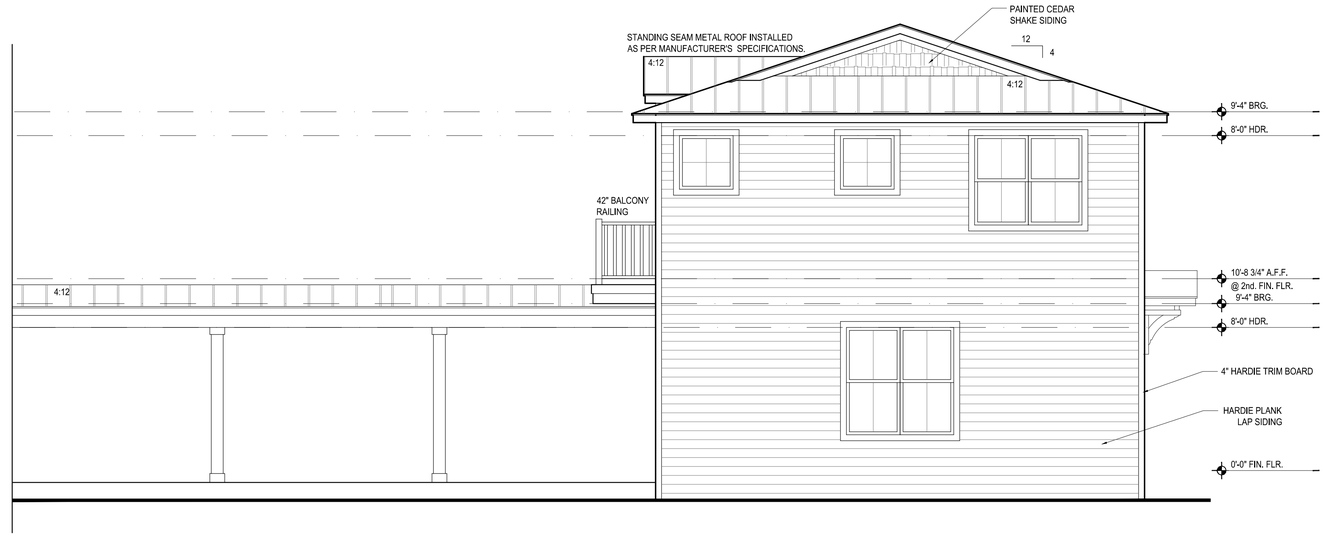
ELEVATIONS
A-04



Right Elevation

SCALE: 1/4" = 1'-0"

NOTE:

ALL SIDING PRODUCTS TO BE INSTALLED PER MANUFACTURES SPECIFICATIONS



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ELEVATIONS

A-05



Left Elevation

SCALE: 1/4" = 1'-0"

NOTE:

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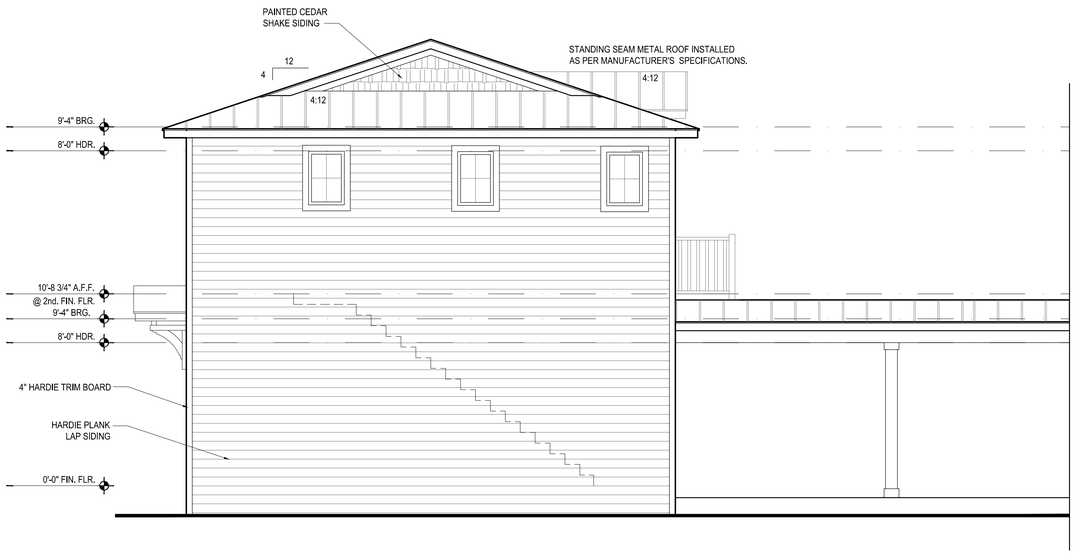

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ELEVATIONS

A-06

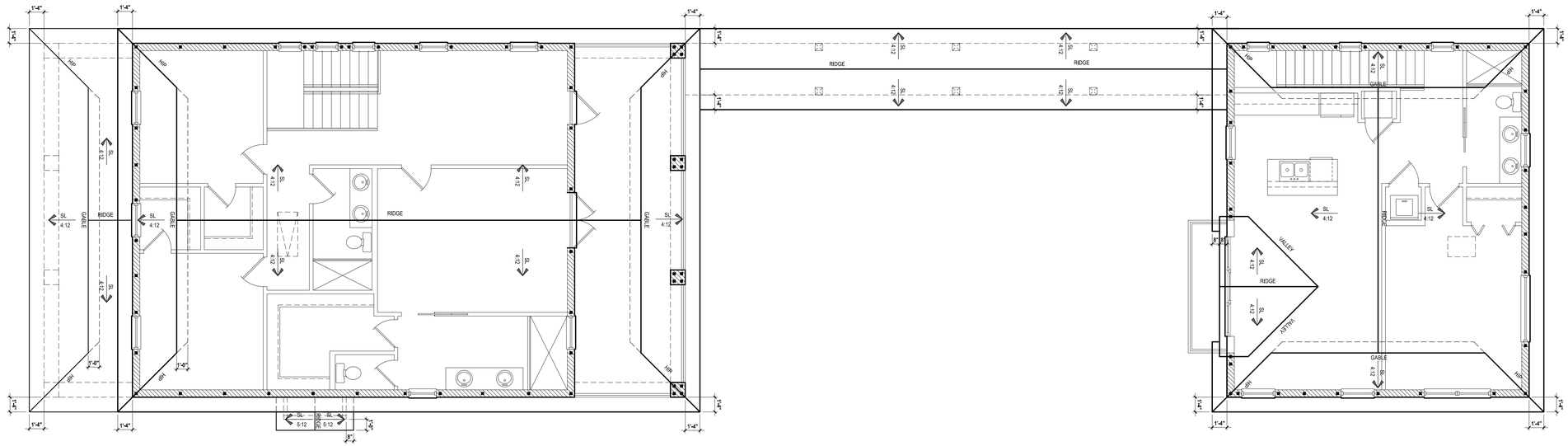
ATTIC VENT CALC'S.

VENT CALCULATIONS:
ROOF AREA: 6,811 SQ. FT.

AV VOLUME = (6,811/300) = 22.703 SQ. FT. / 2 = 11,35 SQ. FT.
11.35 x 144 = 1634,64 SQ. IN.
1634,64 SQ. IN / 98.75" = 17 VENTS NEEDED

AV REQUIRED: 17 VENTS NEEDED

NOTE:
AS AN ALTERNATE TO TYP. ROOF INSUL. & VENTING A CLOSED ATTIC SYSTEM MAY BE SUBSTITUTED USING AN ICYNENE OR SIMM. PRODUCT AND MUST MEET OR EXCEED THE REQUIREMENTS OF THE FLORIDA BUILDING CODE.



Roof Layout

SCALE: 3/16" = 1'-0"

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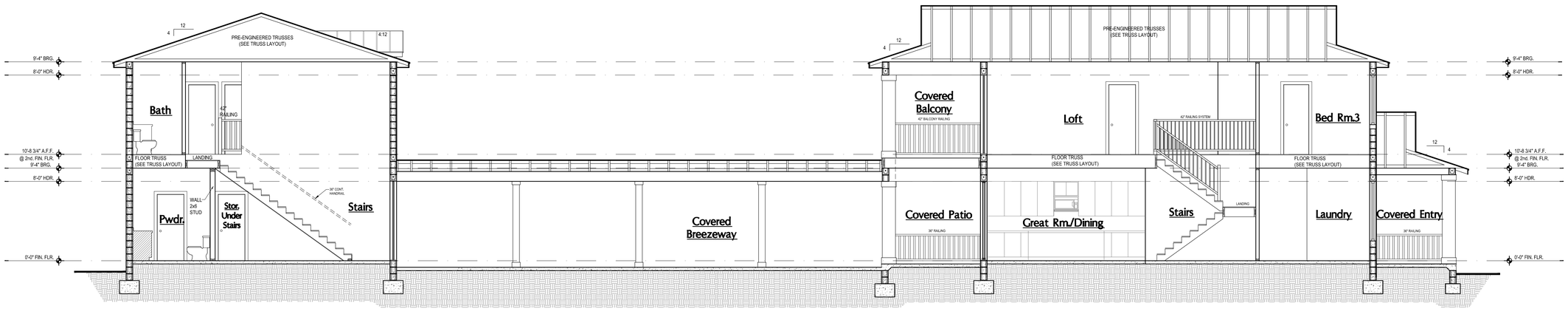
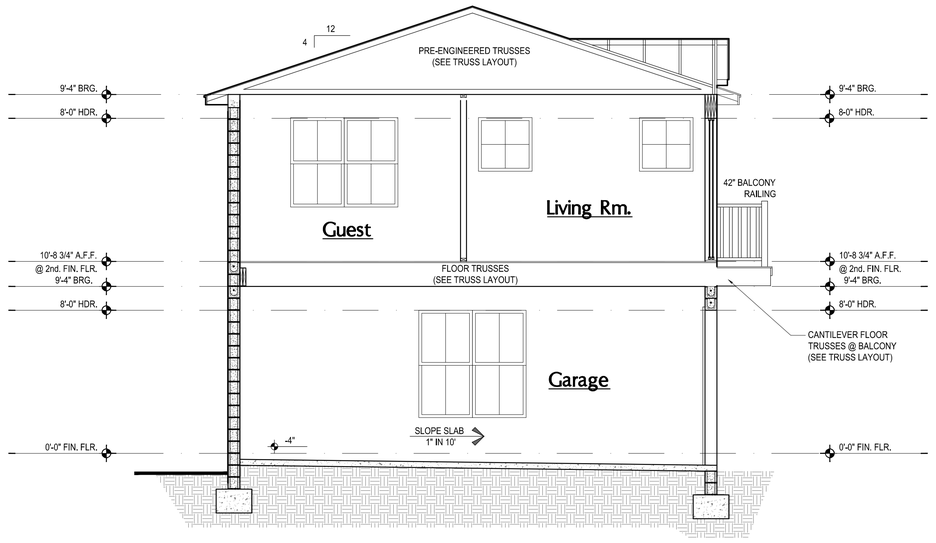
ROOF LAYOUT
A-07



1 A-07 **Building Section**

SCALE: 3/16" = 1'-0"



2 A-07 **Building Section**

SCALE: 1/4" = 1'-0"

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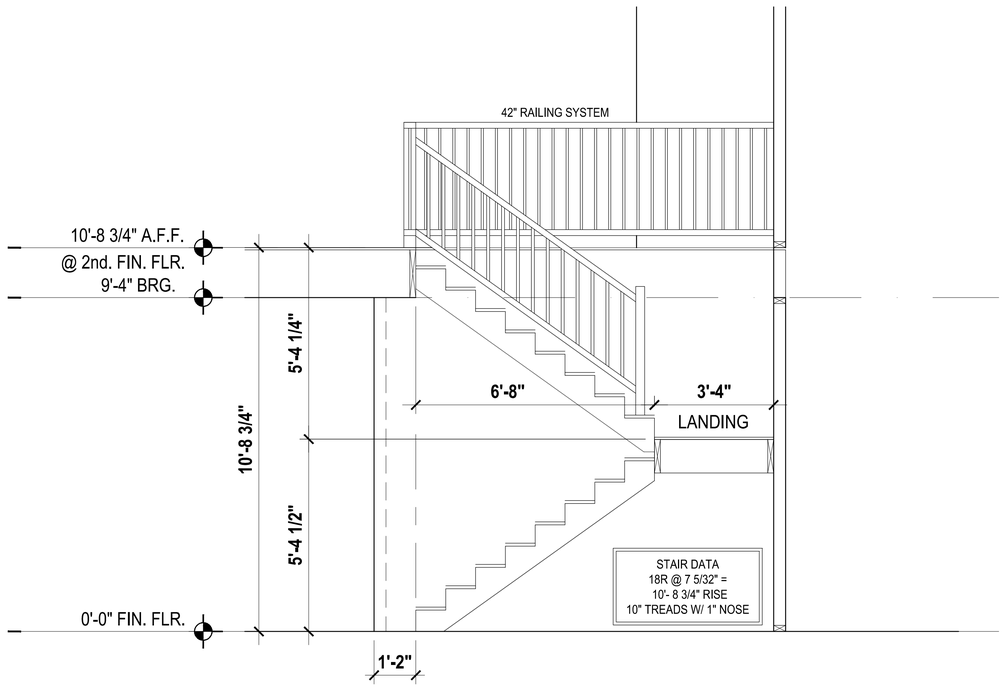
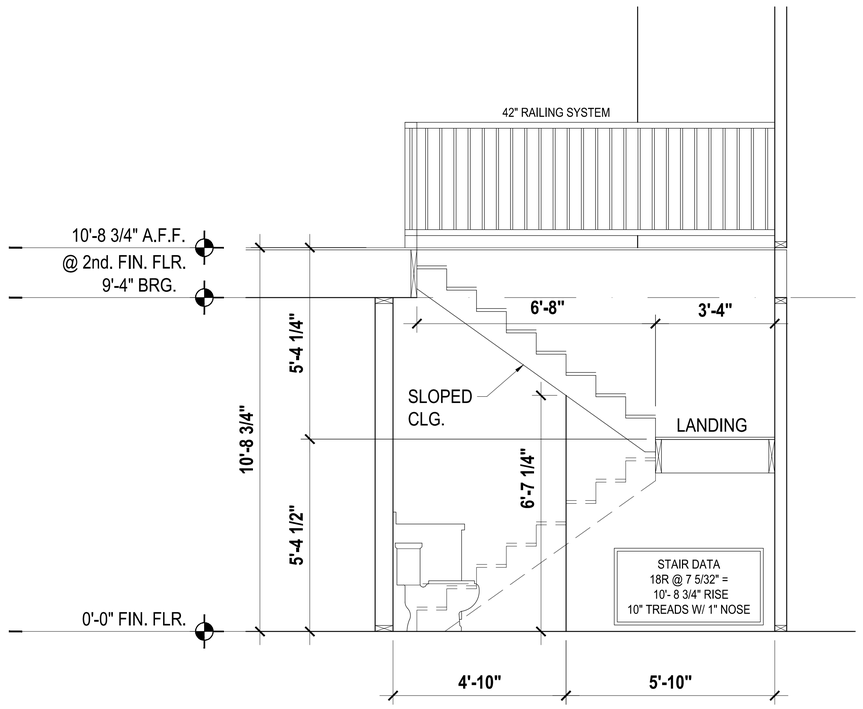
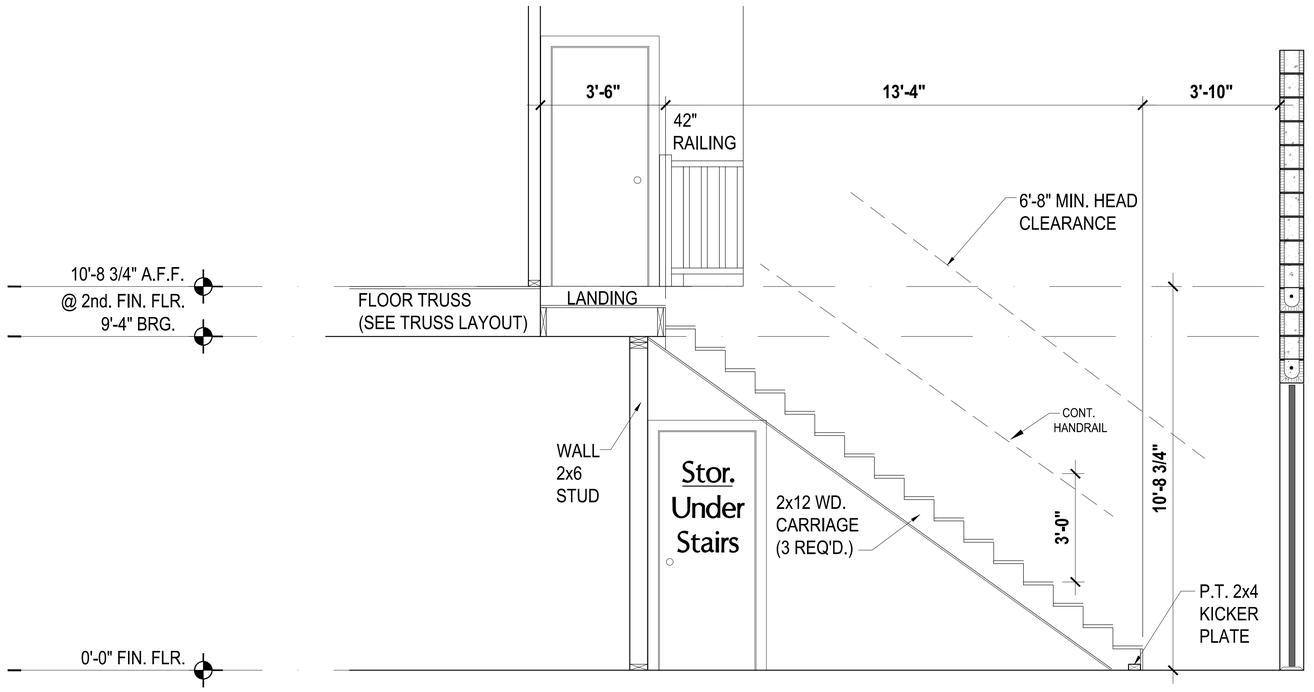
SECTIONS
A-08







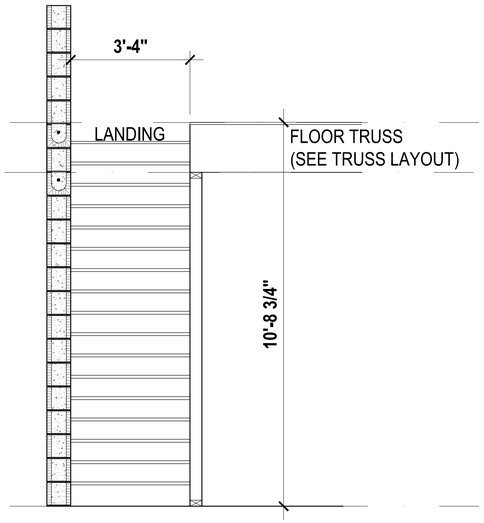
STAIR RAILING AND STAIR GUARD RAILING SHALL BE CONSTRUCTED TO WITHSTAND A CONCENTRATED LOAD OF 200 POUNDS APPLIED AT ANY POINT ALONG THE RAIL IN ANY DIRECTION. IT MUST ALSO WITHSTAND A UNIFORM LOAD, NOT CONCURRENTLY WITH THE CONCENTRATED LOAD, OF 50 POUNDS PER LINEAR FOOT APPLIED ALONG THE RAIL IN ANY DIRECTION. INTERMEDIATE RAILS AND POSTS (IN FILL) SHALL WITHSTAND A HORIZONTAL LOAD OF 200 POUNDS APPLIED AGAINST ANY ONE SQUARE FOOT AREA, NOT CONCURRENTLY WITH OTHER LOADS.

THE STAIR HANDRAILS SHALL HAVE A CIRCULAR DIAMETER BETWEEN 1-1/4" TO 2" OR A NONCIRCULAR CROSS SECTION WITH EQUIVALENT GRASPILITY AND BE CONTINUOUS WITHOUT OBSTRUCTIONS.

NOTE:
CONTRACTOR TO FIELD MEASURE PRIOR TO STAIR CONSTRUCTION. ANY CHANGES SHALL BE REPORTED TO DESIGNER.

STAIR RAILING TO BE DESIGNED AS SUCH A 4" SPHERE CAN NOT PASS THROUGH.

STAIR DATA
18R @ 7 5/32" =
10'- 8 3/4" RISE
10" TREADS W/ 1" NOSE



Stair Sections

SCALE: 1/2" = 1'-0"

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SECTIONS
A-09

SAFE GRAVITY LOADS FOR 8" PRECAST & PRESTRESSED U-LINTELS

LENGTH \ TYPE			8U8	8F8-0B	8F12-0B	8F16-0B	8F20-0B	8F24-0B	8F28-0B	8F32-0B
				8F8-1B	8F12-1B	8F16-1B	8F20-1B	8F24-1B	8F28-1B	8F32-1B
3'-6"	(42")	PRECAST	2231	3069	3719	5163	6607	8054	9502	10951
				3069	4605	6113	7547	8974	10394	11809
4'-0"	(48")	PRECAST	1966	2561	2751	3820	4890	5961	7034	8107
				2693	4605	6113	7547	8974	10394	11809
4'-6"	(54")	PRECAST	1599	1969	2110	2931	3753	4576	5400	6224
				2189	4375	6113	7547 (7)	8672 (7)	10294	11809
5'-4"	(64")	PRECAST	1217	1349	1438	1999	2560	3122	3686	4249
				1663	3090	5365	7547 (36)	7385 (19)	8733 (19)	10127 (19)
5'-10"	(70")	PRECAST	1062	1105	1173	1631	2090	2549	3009	3470
				1451	2622	4360	6168 (45)	6036 (19)	7181 (19)	8328 (20)
6'-6"	(78")	PRECAST	908	1238	2177	3480	4784	3707	4383	5061
				1238	2177	3480	5361	8360	10394 (37)	8825 (16)
7'-6"	(90")	PRECAST	743	1011	1729	2637	3605	2698	3191	3685
				1011	1729	2637	3898	5681	8467 (44)	6472 (15)
9'-4"	(112")	PRECAST	554	699	1166	1625	2564	3486	2818	3302
				752	1254	1643	2564	3486	4705 (37)	6390 (47)
10'-6"	(126")	PRECAST	475	535	892	1247	2093	2777	2163	2536
				643	1058	1533	2093	2781	3643 (38)	4754 (45)
11'-4"	(136")	PRECAST	362	582	845	1366	1846	2423	3127	4006
				582	945	1366	1846	2423	3127	4006
12'-0"	(144")	PRECAST	297	540	873	1254	1684	2193	2805	3552
				540	873	1254	1684	2193	2805	3552
13'-4"	(160")	PRECAST	296	471	755	1075	1428	1838	2316	2883
				471	755	1075	1428	1838	2316	2883
14'-0"	(168")	PRECAST	279	424	706	1002	1326	1697	2127	2630
				442	706	1002	1326	1697	2127	2630
14'-8"	(176")	PRESTRESSED	N.R.	NR	NR	NR	NR	NR	NR	NR
				458	783	1370	1902	2245	2517	2712
15'-4"	(184")	PRESTRESSED	N.R.	NR	NR	NR	NR	NR	NR	NR
				412	710	1250	1733	2058	2320	2513
17'-4"	(208")	PRESTRESSED	N.R.	NR	NR	NR	NR	NR	NR	NR
				300	548	950	1326	1609	1849	2047
19'-4"	(232")	PRESTRESSED	N.R.	NR	NR	NR	NR	NR	NR	NR
				235	420	750	1037	1282	1515	1716
21'-4"	(256")	PRESTRESSED	N.R.	NR	NR	NR	NR	NR	NR	NR
				180	340	598	845	1114	1359	1468
22'-0"	(264")	PRESTRESSED	N.R.	NR	NR	NR	NR	NR	NR	NR
				165	315	550	784	1047	1285	1399
24'-0"	(288")	PRESTRESSED	N.R.	NR	NR	NR	NR	NR	NR	NR
				129	250	450	654	884	1092	1222

(#) THE NUMBERS IN PARENTHESIS ARE PERCENT REDUCTIONS FOR GRADE 40 FIELD ADDED REBAR.

SAFE UPLIFT LOADS FOR 8" PRECAST & PRESTRESSED U-LINTELS

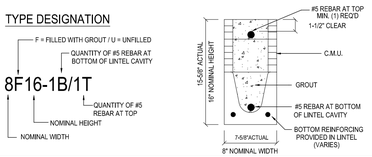
LENGTH \ TYPE			8F8-1T	8F12-1T	8F16-1T	8F20-1T	8F24-1T	8F28-1T	8F32-1T
			8F8-2T	8F12-2T	8F16-2T	8F20-2T	8F24-2T	8F28-2T	8F32-2T
3'-6"	(42")	PRECAST	1569	2655	3524	4394	5263	6132	7001
			1569	2655	3524	4394	5263	6132	7001
4'-0"	(48")	PRECAST	1363	2305	3060	3815	4570	5325	6079
			1363	2305	3060	3815	4570	5325	6079
4'-6"	(54")	PRECAST	1207	2040	2707	3375	4043	4711	5379
			1207	2040	2707	3375	4043	4711	5379
5'-4"	(64")	PRECAST	1016	1715 (11)	2276 (4)	2838	3399	3961	4522
			1016	1715	2276	2838	3399	3961	4522
5'-10"	(70")	PRECAST	909	1567 (18)	2080 (13)	2593 (9)	3107	3620 (4)	4133 (3)
			929	1567	2080	2593	3107	3620	4133
6'-6"	(78")	PRECAST	835 (12)	1407 (26)	1868 (21)	2329	2790 (18)	3251 (14)	3712 (12)
			835	1407	1868	2329	2790	3251	3712
7'-6"	(90")	PRECAST	727 (23)	1065 (28)	1624 (13)	2027 (28)	2426 (26)	2827 (25)	3228 (24)
			727	1224	1624	2025	2426	2827	3228
9'-4"	(112")	PRECAST	591	708 (42)	1056 (35)	1474 (34)	1815 (34)	2157 (34)	2500 (34)
			591	865	1316	1643	1969	2294	2619
10'-6"	(126")	PRECAST	530	575 (23)	916 (33)	1188 (33)	1461 (33)	1736 (33)	2011 (33)
			530	695	1180 (8)	1472 (4)	1763 (2)	2055	2346
11'-4"	(136")	PRECAST	474	504 (23)	800 (32)	1037 (32)	1274 (32)	1513 (32)	1753 (32)
			474	607	1042 (10)	1372 (11)	1643 (8)	1915 (6)	2187 (5)
12'-0"	(144")	PRECAST	470	458 (23)	724 (31)	938 (32)	1153 (32)	1369 (32)	1585 (32)
			470	550	940 (10)	1302 (15)	1560 (13)	1818 (11)	2075 (10)
13'-4"	(160")	PRECAST	418 (15)	386 (22)	607 (30)	785 (30)	964 (30)	1143 (31)	1323 (31)
			428	460	780 (9)	1159 (21)	1418 (20)	1653 (19)	1887 (17)
14'-0"	(168")	PRECAST	384 (15)	358 (21)	560 (29)	724 (30)	889 (30)	1054 (30)	1220 (30)
			410	425	717 (9)	1063 (21)	1358 (23)	1582 (22)	1807 (21)
14'-8"	(176")	PRESTRESSED	239	334 (21)	520 (29)	672 (29)	825 (29)	978 (29)	1131 (30)
			246	395	663 (6)	980 (20)	1303 (28)	1518 (25)	1734 (24)
15'-4"	(184")	PRESTRESSED	224	313 (20)	486 (28)	627 (29)	769 (29)	911 (29)	1054 (29)
			230	368	616 (9)	908 (20)	1240 (28)	1460 (27)	1668 (26)
17'-4"	(208")	PRESTRESSED	187	263 (19)	405 (26)	521 (27)	638 (27)	756 (27)	873 (27)
			192	306	506 (6)	740 (19)	1005 (27)	1271 (31)	1473 (31)
19'-4"	(232")	PRESTRESSED	162	229 (17)	348 (25)	447 (25)	547 (25)	647 (25)	747 (25)
			166	263	429 (8)	623 (18)	841 (26)	1059 (30)	1227 (30)
21'-4"	(256")	PRESTRESSED	142	204 (18)	307 (23)	393 (23)	480 (23)	568 (24)	655 (24)
			142	232	373 (7)	537 (17)	721 (25)	905 (29)	1048 (29)
22'-0"	(264")	PRESTRESSED	137	197 (15)	295 (22)	379 (23)	462 (23)	546 (23)	630 (23)
			137	223	358 (7)	513 (17)	688 (24)	863 (28)	999 (28)
24'-0"	(288")	PRESTRESSED	124	179 (14)	267 (21)	342 (21)	416 (21)	492 (21)	567 (22)
			124	202	319 (7)	455 (16)	606 (23)	757 (27)	876 (27)

(#) THE NUMBERS IN PARENTHESIS ARE PERCENT REDUCTIONS FOR GRADE 40 FIELD ADDED REBAR.

SAFE GRAVITY LOADS FOR 8" PRECAST w/ 2" RECESS DOOR U-LINTELS

FOR REFERENCE ONLY

TYPE DESIGNATION



LENGTH \ TYPE			8RU6	8RF6-0B	8RF10-0B	8RF14-0B	8RF18-0B	8RF22-0B	8RF26-0B	8RF30-0B
				8RF6-1B	8RF10-1B	8RF14-1B	8RF18-1B	8RF22-1B	8RF26-1B	8RF30-1B
4'-4"	(52")	PRECAST	1635	1749	3355	3280	4349	5421	6493	7567
				1891	3699	5206	6639	8060	9479	10893
4'-6"	(54")	PRECAST	1494	1596	3063	2992	3968	4944	5924	6904
				1756	3699	5206	6639	8060	9479	10893
5'-8"	(68")	PRECAST	866	920	1770	1716	2277	2839	3402	3966
				1167	2481	4561	6389	8060 (34)	7917 (19)	9311 (19)
5'-10"	(70")	PRECAST	810	859	1653	1601	2124	2649	3174	3700
				1113	2342	4242	6639 (10)	8060 (28)	7402 (19)	8706 (19)
6'-8"	(80")	PRECAST	797	901	1825	3120	5048	7747	9448	7360
				901	1825	3120	5048	7915	9479	10893 (32)
7'-6"	(90")	PRECAST	669	755	1490	2459	3776	5743	7239	5623
				755	1490	2459	3776	5743	8998 (19)	10893 (46)
9'-8"	(116")	PRECAST	411	466	999	1568	2253	3129	4091	3146
				526	999	1568	2253	3129	4150	5891 (47)

(#) THE NUMBERS IN PARENTHESIS ARE PERCENT REDUCTIONS FOR GRADE 40 FIELD ADDED REBAR.

SAFE UPLIFT LOADS FOR 8" PRECAST w/ 2" RECESS DOOR U-LINTELS

LENGTH \ TYPE			8RF6-1T	8RF10-1T	8RF14-1T	8RF18-1T	8RF22-1T	8RF26-1T	8RF30-1T
			8RF6-2T	8RF10-2T	8RF14-2T	8RF18-2T	8RF22-2T	8RF26-2T	8RF30-2T
4'-4"	(52")	PRECAST	905	1668	2362	3056	3751	4445	5140
			905	1668	2362	3056	3751	4445	5140
4'-6"	(54")	PRECAST	867	1604	2272	2939	3607	4275	4943
			867	1604	2272	2939	3607	4275	4943
5'-8"	(68")	PRECAST	675	1269 (16)	1797	2326	2854 (2)	3382	3911
			675	1269	1797	2326	2854	3382	3911
5'-10"	(70")	PRECAST	655	1207 (16)	1746 (11)	2289 (7)	2773 (5)	3286 (3)	2799 (1)
			655	1233	1746	2259	2773	3286	2799
6'-8"	(80")	PRECAST	570	929	1530 (22)	1980 (19)	2429 (16)	2879 (15)	3329 (14)
			570	960	1530	1980	2429	2879	3329
7'-6"	(90")	PRECAST	506	742 (16)	1364 (30)	1765 (27)	2166 (25)	2567 (24)	2968 (23)
			506	898	1364	1765	2166	2567	2968
9'-8"	(116")	PRECAST	395	468 (15)	884 (32)	1222 (33)	1540 (34)	1859 (34)	2180 (34)
			395	560	1072	1386	1701	2016	2331

(#) THE NUMBERS IN PARENTHESIS ARE PERCENT REDUCTIONS FOR GRADE 40 FIELD ADDED REBAR.

MATERIALS

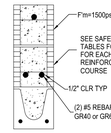
1. fc' precast lintel = 4000 psi
2. Fc prestressed lintel = 6000 psi
3. Grout per ASTM C476 fg = 3000 psi w/ maximum 3/8 inch aggregate & 8 to 11 inch slump
4. Concrete Masonry Units (CMU) per ASTM C90 w/minimum net area compressive strength = 2000 psi
5. Rebar per ASTM A615 grade 60
6. Prestressing strand per ASTM A416 grade 270 low relaxation
7. Mortar per ASTM C270 type M or S

GENERAL NOTES

1. Provide full mortar bed and head joints.
2. Shore filled lintels as required.
3. Installation of lintel must comply with the architectural and/or structural documents.
4. U-Lintels are manufactured with 5 1/2" long notches at the ends to accomodate vertical cell reinforcing and grouting.
5. Reference the CAST-CRETE Load Deflection Graph brochure for lintel deflection information.
6. Bottom field added rebar to be located at the bottom of the lintel cavity.
7. 7/32" diameter wire stirrups are welded to the bottom steel for mechanical anchorage.
8. Cash-in-place concrete may be provided in composite lintel in lieu of concrete masonry units.
9. Safe load rating based on rational design analysis per ACI 318 and ACI 530
10. The exterior surface of lintels installed in exterior coating of stucco applied in accordance with ASTM C-296 or other concrete masonry walls shall have a approved coating.
11. Lintels loaded simultaneously with vertical (gravity or uplift) and horizontal (lateral) loads should be checked for the combined loading with the following equation:

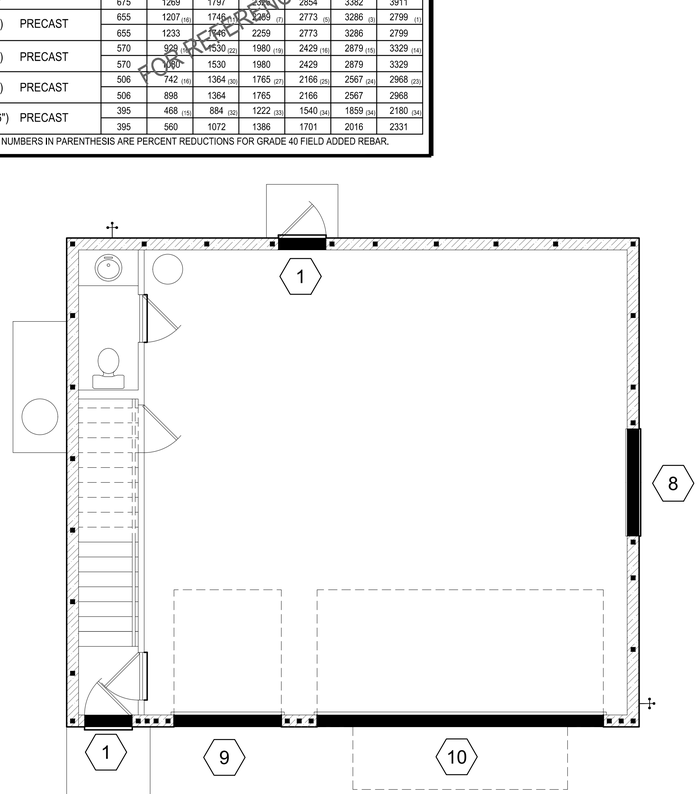
$$\frac{\text{Applied vertical load}}{\text{Safe vertical load}} + \frac{\text{Applied horizontal load}}{\text{Safe horizontal load}} \leq 1.0$$

12. Additional lateral load capacity can be obtained by the designer by providing additional reinforced concrete masonry above the lintel. See detail at right:



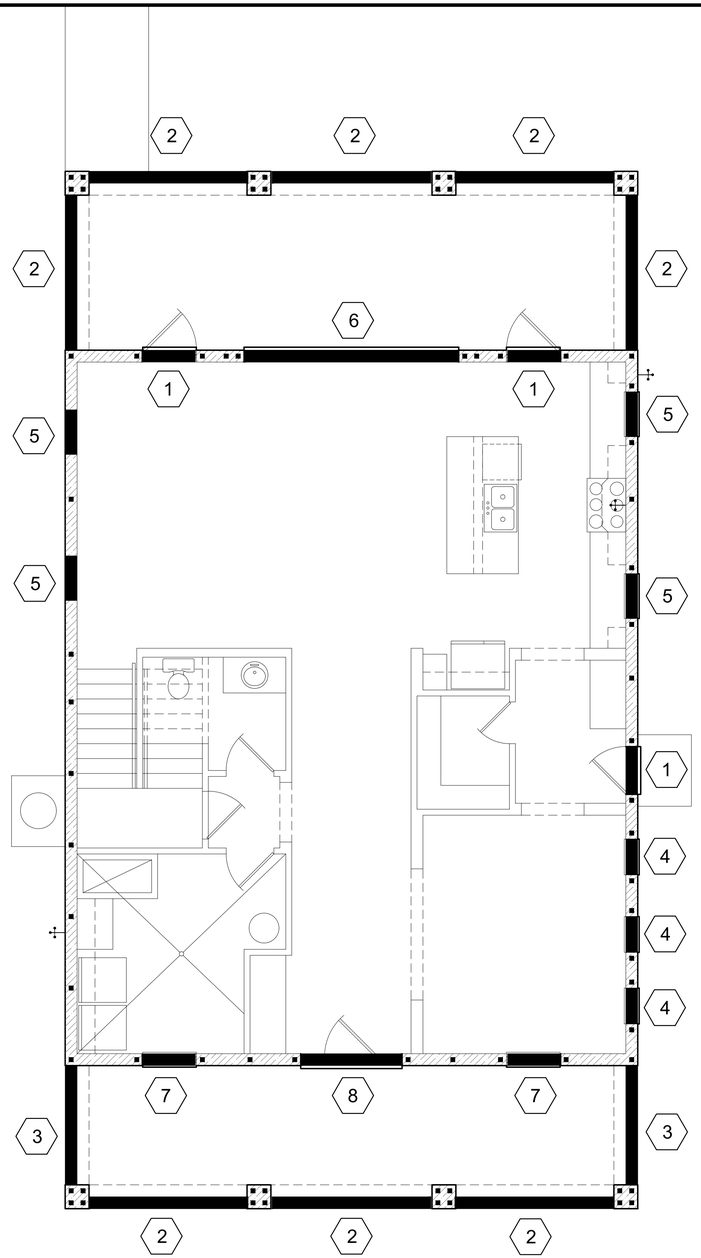
SAFE LOAD TABLE NOTES

1. All values based on minimum 4 inch nominal bearing.
   Exception: Safe loads for unfilled lintels must be reduced by 20% if bearing length is less than 6 1/2 inches.
2. N.R. = Not Rated
3. Safe loads are superimposed allowable loads.
4. Safe loads based on grade 40 or grade 60 field rebar.
5. One #7 rebar may be substituted for two #5 rebars in 8" lintels only
6. The designer may evaluate concentrated loads from the safe load tables by calculating the maximum resisting moment and shear at d-away from face of support.
7. For composite lintel heights not shown, use safe load from next lower height shown.
8. For lintels lengths not shown, use safe load from next longest length shown
9. All safe loads in units of pounds per linear foot
10. All safe loads based on simply supported span.
11. The number in the the parenthesis indicates the percent reduction for grade 40 field added rebar.
    Example 7'-6" lintel type 8F32-1B safe gravity load = 6472(15) w/ 15% reduction 6472 (.85) = 5501 plf



First Floor-Detached Garage

SCALE: 1/4" = 1'-0"



First Floor

SCALE: 1/4" = 1'-0"

1. CODES:
   1.1. FLORIDA RESIDENTIAL CODE 2023 (8TH EDITION)
   1.2. BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE (ACI 318).
   1.3. AMERICAN SOCIETY OF CIVIL ENGINEERS MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES (ASCE 7-22).
2. CONCRETE:
   2.1. CONCRETE COMPRESSIVE STRENGTH AT 28 DAYS:
   2.1.1. PRECAST WITH STANDARD REINFORCEMENT-4,000 PSI
   2.1.2. PRECAST WITH PRE-STRESSED REINFORCEMENT-6,000 PSI
   2.1.3. GROUT FOR ALL FILLED PRECAST LINTELS PER ASTM C-476 TO BE MINIMUM 3000 PSI WITH MAX 3/8" AGGREGATE AND 8" TO 11" SLUMP
3. REINFORCING BARS:
   3.1. STEEL PLACED IN PRECAST LINTEL AT TIME OF FABRICATION ASTM A615 (GRADE 60)
   3.2. STEEL IN LINTEL AND KNOCKOUT BLOCK (PLACED IN FIELD) ASTM A615 (GRADE 60)
   3.3. PRE-STRESSED STRANDS ASTM A416 7-WIRE STRESS RELIEVED 270 KSI
   3.4. DETAIL REINFORCEMENT AN ACCORDANCE WITH ACI 315
   3.5. CONCRETING OPERATIONS SHALL COMPLY WITH ACI STANDARDS.
4. MASONRY:
   4.1. DESIGN AND CONSTRUCTION SHALL CONFORM TO THE SPECIFICATION OF THE NATIONAL CONCRETE MASONRY ASSOCIATION AND ACI 530-02.
   4.2. MINIMUM MASONRY UNIT STRENGTH: fm 2,000 PSI
   4.3. MORTAR SHALL BE TYPE S "" NOTE IT IS THE CONTRACTOR'S RESPONSIBILITY TO REVIEW ALL DRAWINGS BEFORE CONSTRUCTION BEGINS.
5. STRUCTURAL:
   5.1. SAFE LOAD VALUES ARE BASED ON LINTELS HAVING A BEARING OF 8" (WITH A MINIMUM ACCEPTABLE BEARING OF 4" PER FLORIDA RESIDENTIAL CODE 2023 (8TH EDITION).
   5.2. FOR LINTELS THAT HAVE GREATER THAN A 14'-0" CLEAR SPAN A TEMPORARY SUPPORT SHALL BE PROVIDED AND THE TEMPORARY SUPPORT SHALL NOT BE REMOVED UNIT 21 DAYS AFTER GROUT PLACEMENT.

1.) VERIFY ALL WINDOW OPENINGS WITH MANUFACTURERS PRIOR TO MASONRY WORK TO CONFIRM OPENING SIZE AND ACTUAL LINTEL LENGTH.

LINTEL SCHEDULE:

LINTEL #:	LENGTH:	TYPE	COMMENTS
1	4'-4"	8RF14-1B/1T	MODIFY AS REQ'D
2	10'-6"	8F16-1B/1T	MODIFY AS REQ'D
3	9'-4"	8F16-1B/1T	MODIFY AS REQ'D
4	3'-6"	8F16-1B/1T	MODIFY AS REQ'D
5	4'-0"	8F16-1B/1T	MODIFY AS REQ'D
6	13'-4"	8F16-1B/1T	MODIFY AS REQ'D
7	4'-6"	8F16-1B/1T	MODIFY AS REQ'D
8	7'-6"	8F16-1B/1T	MODIFY AS REQ'D
9	7'-6"	8F40-1B/1T	MODIFY AS REQ'D
10	17'-4"	8F40-1B/1T	PRESTRESSED

Lintel Plan

SCALE: 1/4" = 1'-0"

DON BOLDEN ENG., Inc.
Don Bolden, P.E.
Florida Registration #47524
Certificate of Authorization #26030
P.O. Box 530783
DeBary, FL 32753

When plans have been electronically signed & sealed by Don Bolden, PE, using a digital signature & a raised seal printed copies of this document are not considered Signed & Sealed. Signature must be verified on any electronic copies

RLB HOME DESIGN ADDITIONS • REMODELS

MEMBER AIBD AMERICAN INSTITUTE of BUILDING DESIGN

Forbes Residence
304 Murray Street
New Smyrna Beach, FL 32168

ISSUE DATE	06/13/24
REVISIONS	
PROJECT:	00-0000
SCALE:	AS NOTED
DRAWN BY:	RLB
DESIGNED BY:	RLB

LINTEL PLAN

L-01

SAFE GRAVITY LOADS FOR 8" PRECAST & PRESTRESSED U-LINTELS

LENGTH / TYPE	8U8	8F8-0B / 8F8-1B	8F12-0B / 8F12-1B	8F16-0B / 8F16-1B	8F20-0B / 8F20-1B	8F24-0B / 8F24-1B	8F28-0B / 8F28-1B	8F32-0B / 8F32-1B
		SAFE LOAD - POUNDS PER LINEAR FOOT						
3'-6" (42") PRECAST	2231	3069	3719	5163	6607	8054	9502	10951
		3069	4605	6113	7547	8974	10394	11809
4'-0" (48") PRECAST	1966	2561	2751	3820	4890	5961	7034	8107
		2693	4605	6113	7547	8974	[illegible]	11809
4'-6" (54") PRECAST	1599	1969	2110	2931	3753	4576	5400	6224
		2189	4375	6113	7547 (7)	8672	[illegible]	11809
5'-4" (64") PRECAST	1217	1349	1438	1999	2560	[illegible]	3686	4249
		1663	3090	5365	7547 (36)	[illegible] (19)	8733 (19)	10127 (19)
5'-10" (70") PRECAST	1062	1105	1173	1631	2090	2549	3009	3470
		1451	2622	4360	[illegible] (45)	6036 (19)	7181 (19)	8328 (20)
6'-6" (78") PRECAST	908	1238	2177	3480	[illegible]	3707	4383	5061
		1238	2177	3480	5281	8360	10394 (37)	8825 (14)
7'-6" (90") PRECAST	743	1011	1729	[illegible]	[illegible]	2698	3191	3685
		1011	1729	[illegible]	3898	5681	8467 (44)	6472 (15)
9'-4" (112") PRECAST	554	699	[illegible]	[illegible]	2564	3486	2818	3302
		752	[illegible]	[illegible]	2564	3486	4705 (37)	6390 (47)
10'-6" (126") PRECAST	475	535	[illegible]	1247	2093	2777	2163	2536
		[illegible]	[illegible]	1533	2093	2781	3643 (38)	4754 (45)
11'-4" (136") PRECAST	362	582	[illegible]	1366	1846	2423	3127	4006
		[illegible]	945	1366	1846	2423	3127	4006
12'-0" (144") PRECAST	[illegible]	540	873	1254	1684	2193	2805	3552
		[illegible]	873	1254	1684	2193	2805	3552
13'-4" (160") PRECAST	[illegible]	471	755	1075	1428	1838	2316	2883
		471	755	1075	1428	1838	2316	2883
14'-0" (168") PRECAST	279	424	706	1002	1326	1697	2127	2630
		442	706	1002	1326	1697	2127	2630
14'-8" (176") PRESTRESSED	N.R.	NR	NR	NR	NR	NR	NR	NR
		458	783	1370	1902	2245	2517	2712
15'-4" (184") PRESTRESSED	N.R.	NR	NR	NR	NR	NR	NR	NR
		412	710	1250	1733	2058	2320	2513
17'-4" (208") PRESTRESSED	N.R.	NR	NR	NR	NR	NR	NR	NR
		300	548	950	1326	1609	1849	2047
19'-4" (232") PRESTRESSED	N.R.	NR	NR	NR	NR	NR	NR	NR
		235	420	750	1037	1282	1515	1716
21'-4" (256") PRESTRESSED	N.R.	NR	NR	NR	NR	NR	NR	NR
		180	340	598	845	1114	1359	1468
22'-0" (264") PRESTRESSED	N.R.	NR	NR	NR	NR	NR	NR	NR
		165	315	550	784	1047	1285	1399
24'-0" (288") PRESTRESSED	N.R.	NR	NR	NR	NR	NR	NR	NR
		129	250	450	654	884	1092	1222

(#) THE NUMBERS IN PARENTHESIS ARE PERCENT REDUCTIONS FOR GRADE 40 FIELD ADDED REBAR.

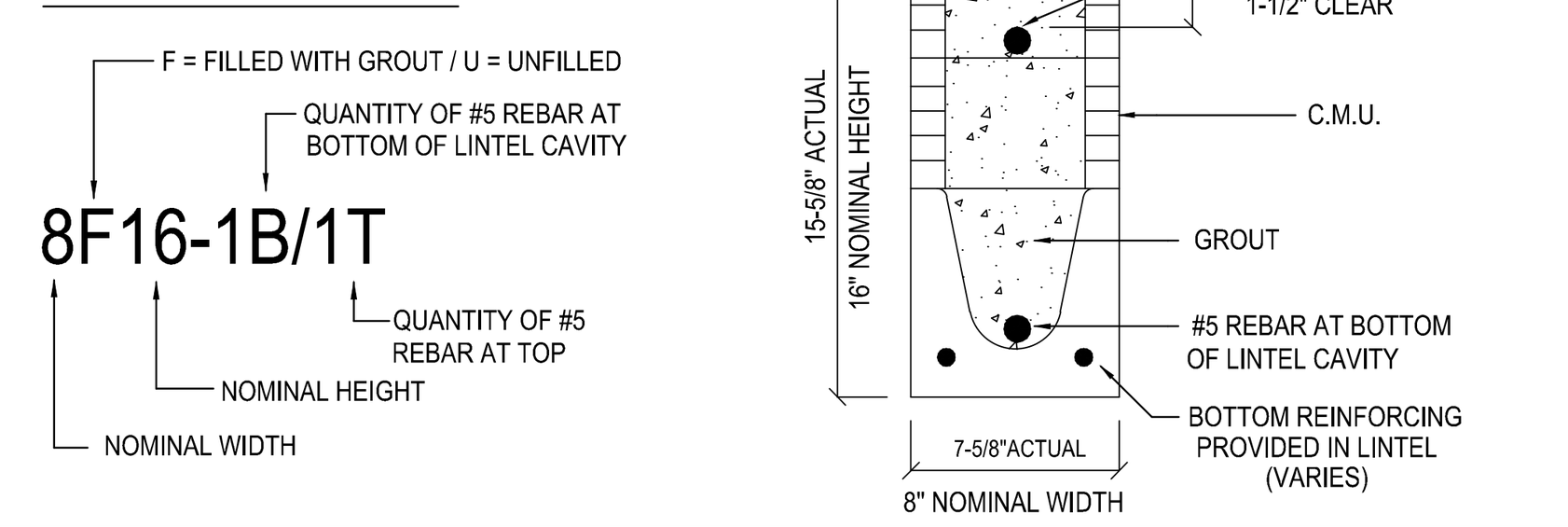
SAFE UPLIFT LOADS FOR 8" PRECAST & PRESTRESSED U-LINTELS

LENGTH / TYPE	8F8-1T / 8F8-2T	8F12-1T / 8F12-2T	8F16-1T / 8F16-2T	8F20-1T / 8F20-2T	8F24-1T / 8F24-2T	8F28-1T / 8F28-2T	8F32-1T / 8F32-2T
	SAFE LOAD - POUNDS PER LINEAR FOOT						
3'-6" (42") PRECAST	1569	2655	3524	4394	5263	6132	7001
	1569	2655	3524	4394	5263	6132	7001
4'-0" (48") PRECAST	1363	2305	3060	3815	4570	5325	6079
	1363	2305	3060	3815	4570	5325	6079
4'-6" (54") PRECAST	1207	2040	2707	3375	4043	4711	5379
	1207	2040	2707	3375	4043	[illegible]	5379
5'-4" (64") PRECAST	1016	1715 (11)	2276 (4)	2838	[illegible]	[illegible]	4522
	1016	1715	2276	2838	[illegible]	3961	4522
5'-10" (70") PRECAST	909	1567 (18)	2080 (13)	2593 (9)	[illegible]	3620 (4)	4133 (3)
	929	1567	2080	[illegible]	3107	3620	4133
6'-6" (78") PRECAST	835 (12)	1407 (26)	1868 (21)	[illegible]	[illegible] (16)	3251 (14)	3712 (12)
	835	1407	1868	2329	2790	3251	3712
7'-6" (90") PRECAST	727 (23)	1065 (26)	1624 (31)	[illegible] (28)	2426 (26)	2827 (25)	3228 (24)
	727	1224	[illegible]	2025	2426	2827	3228
9'-4" (112") PRECAST	591	708 [illegible]	[illegible]	1474 (34)	1815 (34)	2157 (34)	2500 (34)
	591	[illegible]	[illegible]	1643	1969	2294	2619
10'-6" (126") PRECAST	530	575 (24)	916 (33)	1188 (33)	1461 (33)	1736 (33)	2011 (33)
	530	[illegible]	1180 (8)	1472 (4)	1763 (2)	2055	2346
11'-4" (136") PRECAST	[illegible]	504 (23)	800 (32)	1037 (32)	1274 (32)	1513 (32)	1753 (32)
	[illegible]	607	1042 (10)	1372 (11)	1643 (8)	1915 (6)	2187 (5)
12'-0" (144") PRECAST	470 [illegible]	458 (23)	724 (31)	938 (32)	1153 (32)	1369 (32)	1585 (32)
	470	550	940 (10)	1302 (15)	1560 (13)	1818 (11)	2075 (10)
13'-4" (160") PRECAST	418 (15)	386 (22)	607 (30)	785 (30)	964 (30)	1143 (31)	1323 (31)
	428	460	780 (9)	1159 (21)	1418 (20)	1653 (19)	1887 (17)
14'-0" (168") PRECAST	384 (15)	358 (21)	560 (29)	724 (30)	889 (30)	1054 (30)	1220 (30)
	410	425	717 (9)	1063 (21)	1358 (23)	1582 (22)	1807 (21)
14'-8" (176") PRESTRESSED	239	334 (21)	520 (29)	672 (29)	825 (29)	978 (29)	1131 (30)
	246	395	663 (9)	980 (20)	1303 (26)	1518 (25)	1734 (24)
15'-4" (184") PRESTRESSED	224	313 (20)	486 (28)	627 (29)	769 (29)	911 (29)	1054 (29)
	230	368	616 (9)	908 (20)	1240 (28)	1460 (27)	1668 (26)
17'-4" (208") PRESTRESSED	187	263 (19)	405 (26)	521 (27)	638 (27)	756 (27)	873 (27)
	192	306	506 (8)	740 (19)	1005 (27)	1271 (31)	1473 (31)
19'-4" (232") PRESTRESSED	162	229 (17)	348 (25)	447 (25)	547 (25)	647 (25)	747 (25)
	166	263	429 (8)	623 (18)	841 (26)	1059 (30)	1227 (30)
21'-4" (256") PRESTRESSED	142	204 (16)	307 (23)	393 (23)	480 (23)	568 (24)	655 (24)
	142	232	373 (7)	537 (17)	721 (25)	905 (29)	1048 (29)
22'-0" (264") PRESTRESSED	137	197 (15)	295 (22)	379 (23)	462 (23)	546 (23)	630 (23)
	137	223	358 (7)	513 (17)	688 (24)	863 (28)	999 (28)
24'-0" (288") PRESTRESSED	124	179 (14)	267 (21)	342 (21)	416 (21)	492 (21)	567 (22)
	124	202	319 (7)	455 (16)	606 (23)	757 (27)	876 (27)

(#) THE NUMBERS IN PARENTHESIS ARE PERCENT REDUCTIONS FOR GRADE 40 FIELD ADDED REBAR.

SAFE GRAVITY LOADS FOR 8" PRECAST w/ 2" RECESS DOOR U-LINTELS

TYPE DESIGNATION



MATERIALS

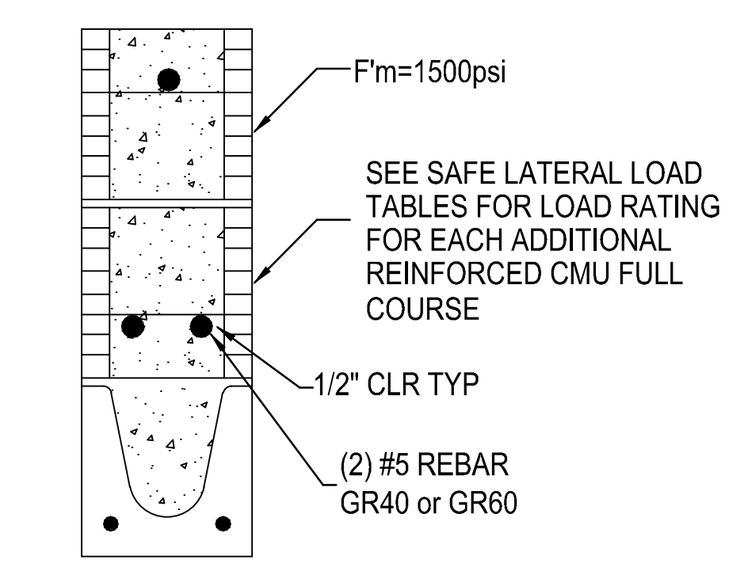
1. f'c 8" precast lintel = 4000 psi
2. f'c prestressed lintel = 6000 psi
3. Grout per ASTM C476 f'g = 3000 psi w/ maximum 3/8 inch aggregate & 8 to 11 inch slump
4. Concrete Masonry Units (CMU) per ASTM C90 w/minimum net area compressive strength = 2000 psi
5. Rebar per ASTM A615 grade 60
6. Prestressing strand per ASTM A416 grade 270 low relaxation
7. Mortar per ASTM C270 type M or S

GENERAL NOTES

1. Provide full mortar bed and head joints.
2. Shore filled lintels as required.
3. Installation of lintel must comply with the architectural and/or structural documents.
4. U-Lintels are manufactured with 5 1/2" long notches at the ends to accomodate vertical cell reinforcing and grouting.
5. Reference the CAST-CRETE Load Deflection Graph brochure for lintel deflection information.
6. Bottom field added rebar to be located at the bottom of the lintel cavity.
7. 7/32" diameter wire stirrups are welded to the bottom steel for mechanical anchorage.
8. Cast-in-place concrete may be provided in composite lintel in lieu of concrete masonry units.
9. Safe load rating based on rational design analysis per ACI 318 and ACI 530
10. The exterior surface of lintels installed in exterior concrete masonry walls shall have a coating of stucco applied in accordance with ASTM C-296 or other approved coating.
11. Lintels loaded simultaneously with vertical (gravity or uplift) and horizontal (lateral) loads should be checked for the combined loading with the following equation:

$$\frac{\text{Applied vertical load}}{\text{Safe vertical load}} + \frac{\text{Applied horizontal load}}{\text{Safe horizontal load}} \leq 1.0$$

12. Additional lateral load capacity can be obtained by the designer by providing additional reinforced concrete masonry above the lintel. See detail at right:



SAFE LOAD TABLE NOTES

1. All values based on minimum 4 inch nominal bearing. Exception: Safe loads for unfilled lintels must be reduced by 20% if bearing length is less than 6 1/2 inches.
2. N.R. = Not Rated
3. Safe loads are superimposed allowable loads.
4. Safe loads based on grade 40 or grade 60 field rebar.
5. One #7 rebar may be substituted for two #5 rebars in 8" lintels only
6. The designer may evaluate concentrated loads from the safe load tables by calculating the maximum resisting moment and shear at d-away from face of support.
7. For composite lintel heights not shown, use safe load from next lower height shown.
8. For lintels lengths not shown, use safe load from next longest length shown
9. All safe loads in units of pounds per linear foot
10. All safe loads based on simply supported span.
11. The number in the the parenthesis indicates the percent reduction for grade 40 field added rebar. Example 7'-6" lintel type 8F32-1B safe gravity load = 6472(15) w/ 15% reduction 6472 (.85) = 5501 plf

LENGTH / TYPE	8RU6	8RF6-0B / 8RF6-1B	8RF10-0B / 8RF10-1B	8RF14-0B / 8RF14-1B	8RF18-0B / 8RF18-1B	8RF22-0B / 8RF22-1B	8RF26-0B / 8RF26-1B	8RF30-0B / 8RF30-1B
		SAFE LOAD - POUNDS PER LINEAR FOOT						
4'-4" (52") PRECAST	1635	1749	3355	3280	4349	5421	6493	7567
		1891	3699	5206	6639	8060	[illegible]	10893
4'-6" (54") PRECAST	1494	1596	3063	2992	3968	[illegible]	5924	6904
		1756	3699	5206	6639	8060	9479	10893
5'-8" (68") PRECAST	866	920	1770	1716	[illegible]	2839	3402	3966
		1167	2481	4567	[illegible]	8060 (34)	7917 (19)	9311 (19)
5'-10" (70") PRECAST	810	859	1653	[illegible]	2124	2649	3174	3700
		1113	[illegible]	4242	6639 (10)	8060 (39)	7402 (19)	8706 (19)
6'-8" (80") PRECAST	797	901	[illegible]	3120	5048	7747	9448	7360
		[illegible]	1825	3120	5048	7915	9479	10893 (32)
7'-6" (90") PRECAST	669	[illegible]	1490	2459	3776	5743	7239	5623
		755	1490	2459	3776	5743	8998 (19)	10893 (48)
9'-8" (116") PRECAST	411	466	999	1568	2253	3129	4091	3146
		526	999	1568	2253	3129	4150	5891 (47)

(#) THE NUMBERS IN PARENTHESIS ARE PERCENT REDUCTIONS FOR GRADE 40 FIELD ADDED REBAR.

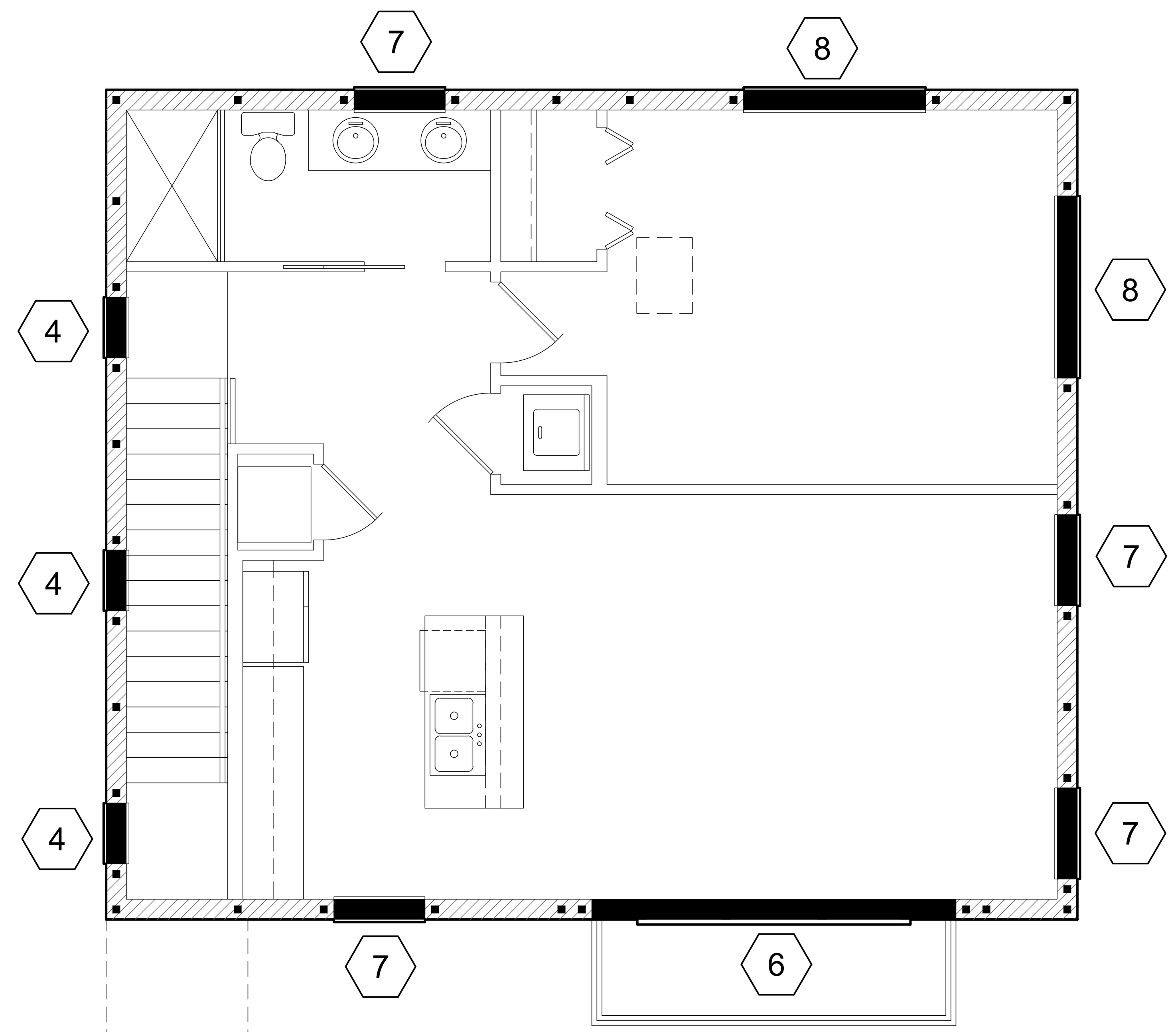
SAFE UPLIFT LOADS FOR 8" PRECAST w/ 2" RECESS DOOR U-LINTELS

LENGTH / TYPE	8RF6-1T / 8RF6-2T	8RF10-1T / 8RF10-2T	8RF14-1T / 8RF14-2T	8RF18-1T / 8RF18-2T	8RF22-1T / 8RF22-2T	8RF26-1T / 8RF26-2T	8RF30-1T / 8RF30-2T
	SAFE LOAD - POUNDS PER LINEAR FOOT						
4'-4" (52") PRECAST	905	1668	2362	3056	3751	4445	5140
	905	1668	2362	3056	3751	4445	5140
4'-6" (54") PRECAST	867	1604	2272	2939	3607	[illegible]	4943
	867	1604	2272	2939	[illegible]	4275	4943
5'-8" (68") PRECAST	675	1269 (16)	1797	2326 [illegible]	[illegible] (2)	3382	3911
	675	1269	1797	[illegible]	2854	3382	3911
5'-10" (70") PRECAST	655	1207 (16)	[illegible]	[illegible] (7)	2773 (5)	3286 (3)	2799 (1)
	655	1233	[illegible]	2259	2773	3286	2799
6'-8" (80") PRECAST	570	[illegible]	1530 (22)	1980 (19)	2429 (16)	2879 (15)	3329 (14)
	570	[illegible]	1530	1980	2429	2879	3329
7'-6" (90") PRECAST	506	742 (16)	1364 (30)	1765 (27)	2166 (25)	2567 (24)	2968 (23)
	506	898	1364	1765	2166	2567	2968
9'-8" (116") PRECAST	395	468 (15)	884 (32)	1222 (33)	1540 (34)	1859 (34)	2180 (34)
	395	560	1072	1386	1701	2016	2331

(#) THE NUMBERS IN PARENTHESIS ARE PERCENT REDUCTIONS FOR GRADE 40 FIELD ADDED REBAR.

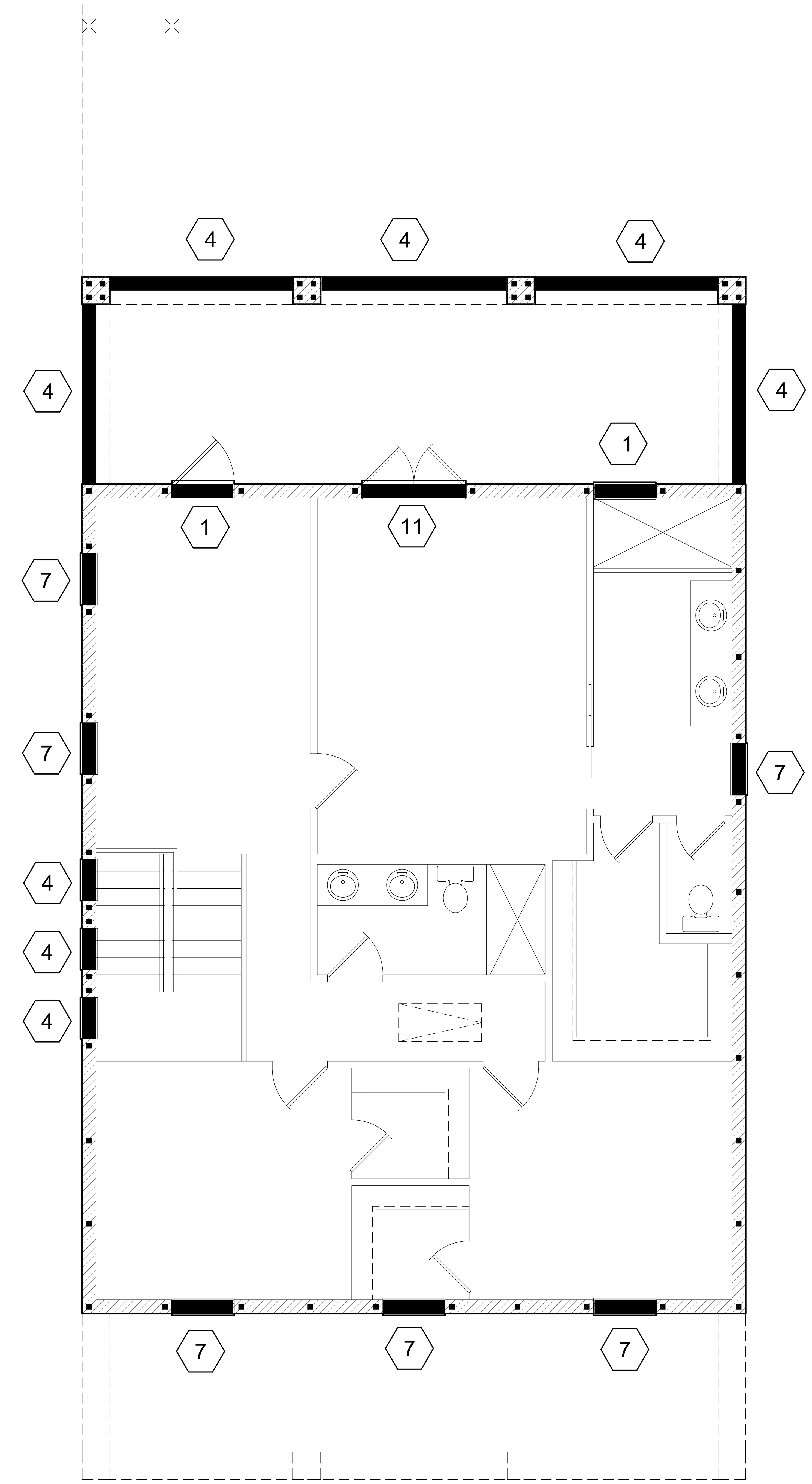
1. CODES:
   1.1. FLORIDA RESIDENTIAL CODE 2023 (8TH EDITION)
   1.2. BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE (ACI 318).
   1.3. AMERICAN SOCIETY OF CIVIL ENGINEERS MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES (ASCE 7-22).
2. CONCRETE:
   2.1. CONCRETE COMPRESSIVE STRENGTH AT 28 DAYS:
      2.1.1. PRECAST WITH STANDARD REINFORCEMENT-4,000 PSI
      2.1.2. PRECAST WITH PRE-STRESSED REINFORCEMENT-6,000 PSI
      2.1.3. GROUT FOR ALL FILLED PRECAST LINTELS PER ASTM C-476 TO BE MINIMUM 3000 PSI WITH MAX 3/8" AGGREGATE AND 8" TO 11" SLUMP
3. REINFORCING BARS:
   3.1. STEEL PLACED IN PRECAST LINTEL AT TIME OF FABRICATION ASTM A615 (GRADE 60)
   3.2. STEEL IN LINTEL AND KNOCKOUT BLOCK (PLACED IN FIELD) ASTM A615 (GRADE 60)
   3.3. PRE-STRESSED STRANDS ASTM A416 7-WIRE STRESS RELIEVED 270 KSI
   3.4. DETAIL REINFORCEMENT AN ACCORDANCE WITH ACI 315
   3.5. CONCRETING OPERATIONS SHALL COMPLY WITH ACI STANDARDS.
4. MASONRY:
   4.1. DESIGN AND CONSTRUCTION SHALL CONFORM TO THE SPECIFICATION OF THE NATIONAL CONCRETE MASONRY ASSOCIATION AND ACI 530-02.
   4.2. MINIMUM MASONRY UNIT STRENGTH: fm 2,000 PSI
   4.3. MORTAR SHALL BE TYPE S ** NOTE IT IS THE CONTRACTOR'S RESPONSIBILITY TO REVIEW ALL DRAWINGS BEFORE CONSTRUCTION BEGINS.
5. STRUCTURAL:
   5.1. SAFE LOAD VALUES ARE BASED ON LINTELS HAVING A BEARING OF 8" (WITH A MINIMUM ACCEPTABLE BEARING OF 4" PER FLORIDA RESIDENTIAL CODE 2023 (8TH EDITION),
   5.2. FOR LINTELS THAT HAVE GREATER THAN A 14'-0" CLEAR SPAN A TEMPORARY SUPPORT SHALL BE PROVIDED AND THE TEMPORARY SUPPORT SHALL NOT BE REMOVED UNIT 21 DAYS AFTER GROUT PLACEMENT.

1.) VERIFY ALL WINDOW OPENINGS WITH MANUFACTURERS PRIOR TO MASONRY WORK TO CONFIRM OPENING SIZE AND ACTUAL LINTEL LENGTH.



Second Floor-Detached Garage

SCALE: 1/4" = 1'-0"



Second Floor

SCALE: 1/4" = 1'-0"

LINTEL SCHEDULE:

LINTEL #:	LENGTH:	TYPE	COMMENTS
1	4'-4"	8RF14-1B/1T	MODIFY AS REQ'D
2	10'-6"	8F16-1B/1T	MODIFY AS REQ'D
3	9'-4"	8F16-1B/1T	MODIFY AS REQ'D
4	3'-6"	8F16-1B/1T	MODIFY AS REQ'D
5	4'-0"	8F16-1B/1T	MODIFY AS REQ'D
6	13'-4"	8F16-1B/1T	MODIFY AS REQ'D
7	4'-6"	8F16-1B/1T	MODIFY AS REQ'D
8	7'-6"	8F16-1B/1T	MODIFY AS REQ'D
9	7'-6"	8F40-1B/1T	MODIFY AS REQ'D
10	17'-4"	8F40-1B/1T	PRESTRESSED
11	6'-8"	8RF14-1B/1T	MODIFY AS REQ'D

Lintel Plan

SCALE: 1/4" = 1'-0"

DON BOLDEN ENG., Inc.
Don Bolden, P.E.
Florida Registration #47524
Certificate of Authorization #26030
P.O. Box 530783
DeBary, FL 32753

When plans have been electronically signed & sealed by Don Bolden, PE. using a digital signature ILO a raised seal printed copies of this document are not considered Signed & Sealed. Signature must be verified on any electronic copies.

RLB HOME DESIGN
ADDITIONS • REMODELS

MEMBER
AMERICAN INSTITUTE of BUILDING DESIGN

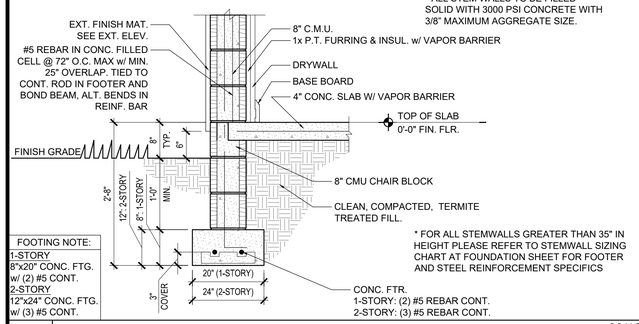
Forbes Residence
304 Murray Street
New Smyrna Beach, FL 32168

ISSUE DATE 06/13/24

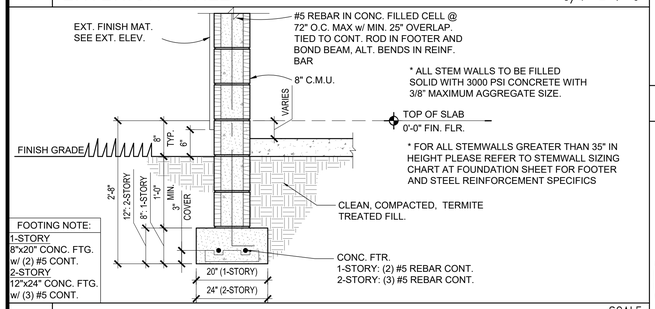
REVISIONS

PROJECT: 00-0000
SCALE: AS NOTED
DRAWN BY: RLB
DESIGNED BY: RLB

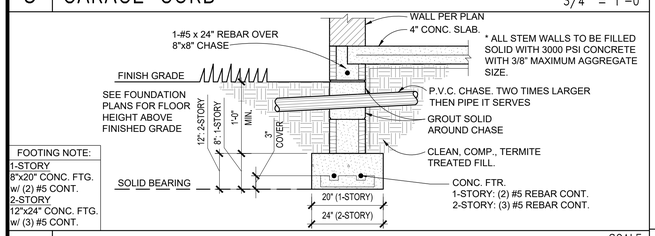
LINTEL PLAN
L-02



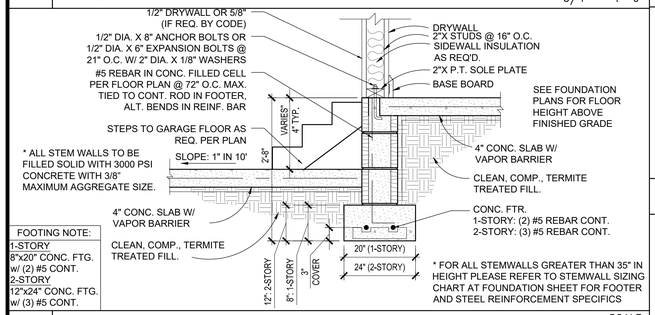
1 EXTERIOR WALL — SCALE: 3/4" = 1'-0"



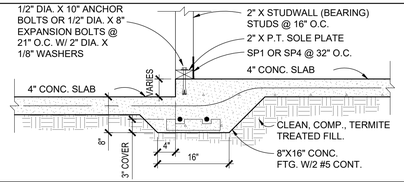
3 GARAGE CURB — SCALE: 3/4" = 1'-0"



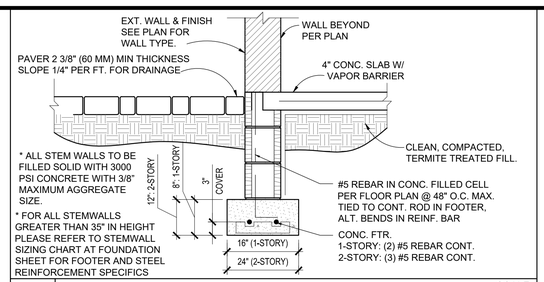
34 UTILITY CHASE — SCALE: 3/4" = 1'-0"



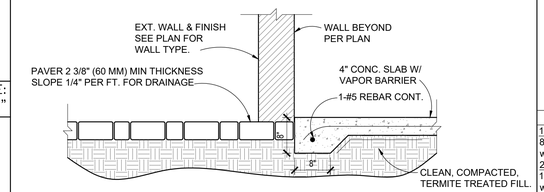
4A GARAGE FOOTER DETAIL — SCALE: 3/4" = 1'-0"



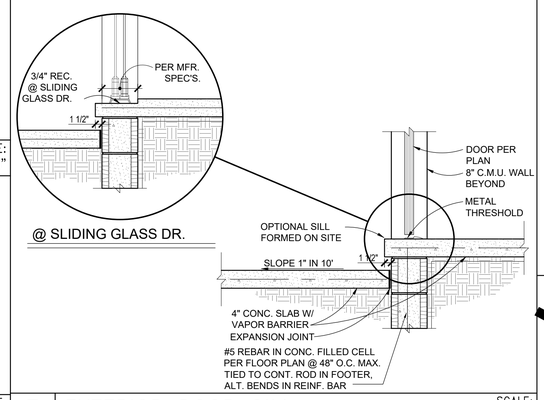
31 STEP IN SLAB, BEARING — SCALE: 3/4" = 1'-0"



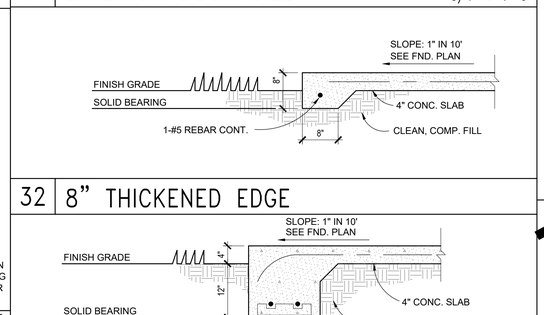
29A GARAGE DOOR FOOTING @ STEM — SCALE: 3/4" = 1'-0"



29 GARAGE DOOR FOOTING @ MONO — SCALE: 3/4" = 1'-0"

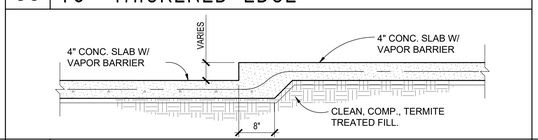


7 EXTERIOR DOOR SILL — SCALE: 3/4" = 1'-0"

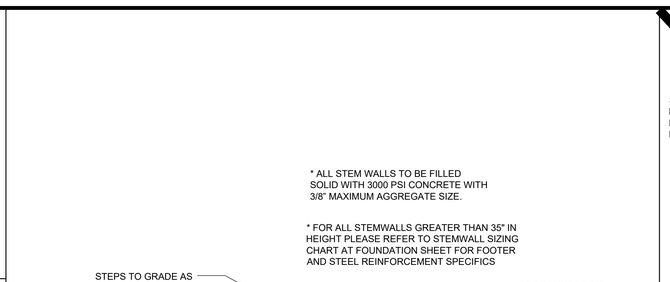


32 8" THICKENED EDGE

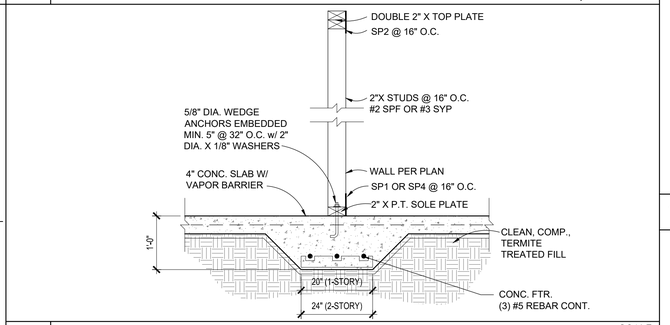
33 16" THICKENED EDGE



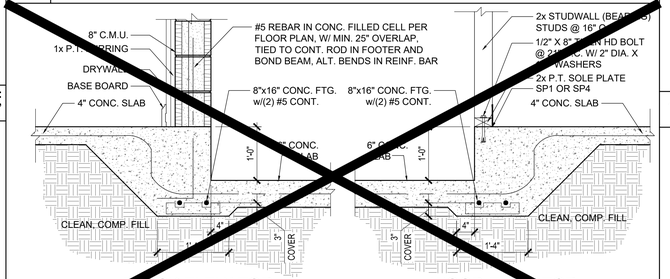
30 STEP IN SLAB, NON-BEARING — SCALE: 3/4" = 1'-0"



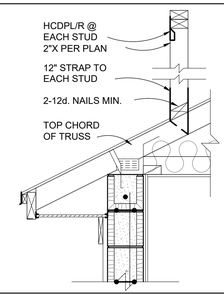
6B RAISED PORCH FOOTER — SCALE: 3/4" = 1'-0"



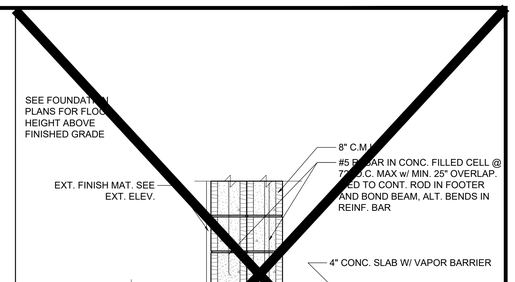
8 INTERIOR BEARING — SCALE: 3/4" = 1'-0"



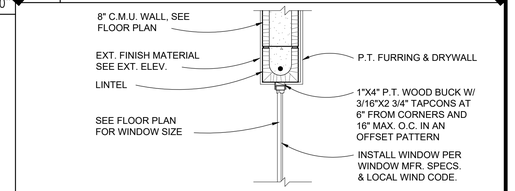
28 ELEVATOR PIT DETAIL — SCALE: 3/4" = 1'-0"



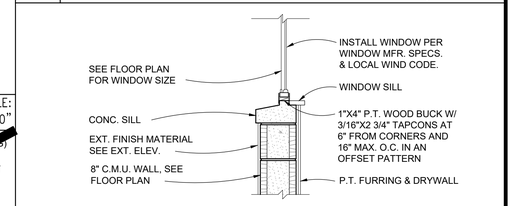
49 CRIPPLE WALL ON TRUSS — SCALE: 3/4" = 1'-0"



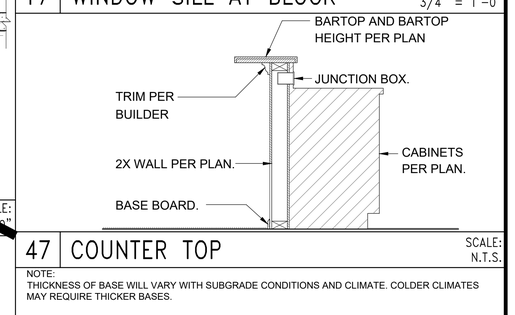
18B DBL. WALL — SCALE: 3/4" = 1'-0"



18 WINDOW HEAD AT BLOCK — SCALE: 3/4" = 1'-0"

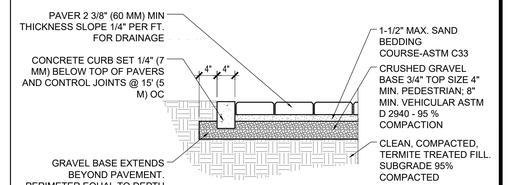


17 WINDOW SILL AT BLOCK — SCALE: 3/4" = 1'-0"



47 COUNTER TOP — SCALE: N.T.S.

NOTE:
THICKNESS OF BASE WILL VARY WITH SUBGRADE CONDITIONS AND CLIMATE. COLDER CLIMATES MAY REQUIRE THICKER BASES.



PAVER DETAIL — SCALE: N.T.S.

DON BOLDEN ENG., Inc.
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Certificate of Authorization #26030
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DeBary, FL 32753

When plans have been electronically signed & sealed by Don Bolden, PE, using a digital signature &/O a raised seal printed copies of this document are not considered Signed & Sealed. Signature must be verified on any electronic copies.

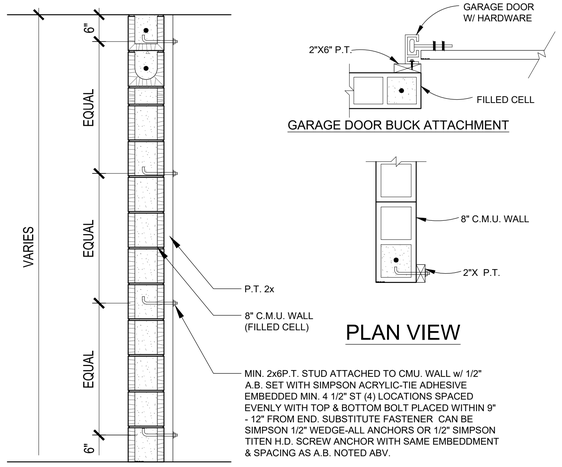
RLB HOME DESIGN ADDITIONS • REMODELS

MEMBER AIBD AMERICAN INSTITUTE of BUILDING DESIGN

Forbes Residence
304 Murray Street
New Smyrna Beach, FL 32168

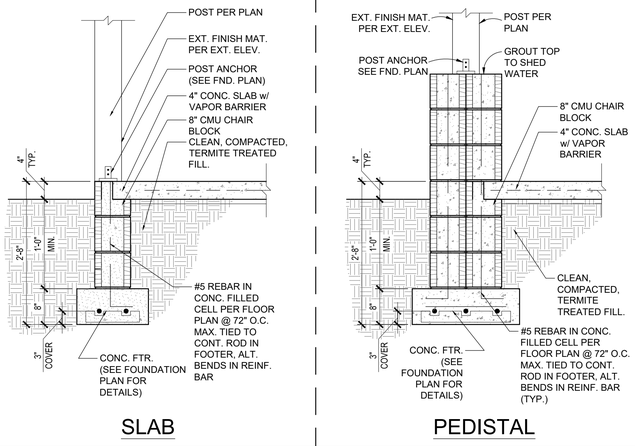
ISSUE DATE	06/13/24
REVISIONS	
PROJECT:	00-0000
SCALE:	AS NOTED
DRAWN BY:	RLB
DESIGNED BY:	RLB

DETAILS
D-01



43 MASONRY/FRAME ATTACHMENT

SCALE: 3/4" = 1'-0"

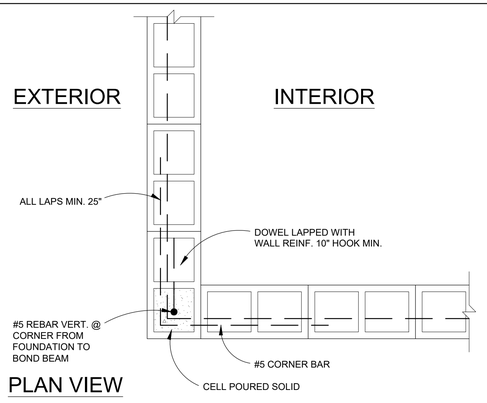


56 POST/FOOTING CONNECTION

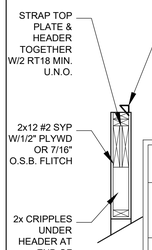
SCALE: 3/4" = 1'-0"

42 CORNER VERT. WALL REINF.

SCALE: 3/4" = 1'-0"



MINIMUM WALL AND HEADER STUD REQUIREMENTS



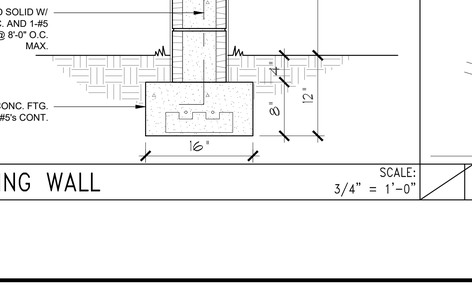
Maximum Header Span (ft.)					
3'	6'	9'	12'	15'	18'
Number of Header Studs Supporting End of Header					
1*	1	2	2	2	2

Unsupported Wall Height	Stud Spacing	Number of Full-Length Studs at Each End of Header					
10' or less	12 in.	2	2	3	3	3	3
	16 in.	2	2	3	3	3	3
	24 in.	1	2	2	2	2	2
greater than 10'	12 in.	2	2	3	4	5	5
	16 in.	2	2	3	3	4	4
	24 in.	1	2	2	2	3	3

* The header stud shall not be required if the header is supported by a suitable framing anchor.

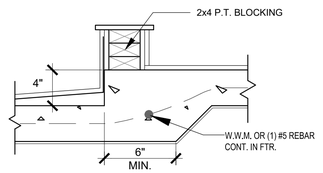
46 HEADER DETAIL

SCALE: N.T.S.



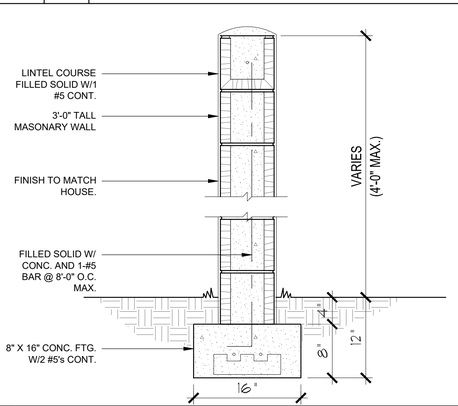
41 STEP DOWN TIE BEAM

SCALE: 3/4" = 1'-0"



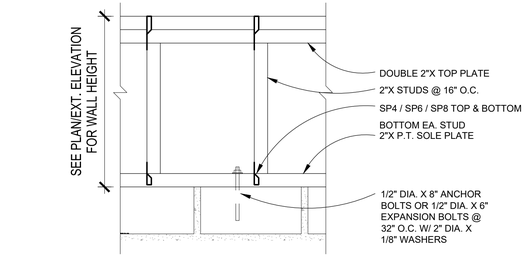
14 SUNKEN SHOWER

SCALE: 3" = 1'-0"



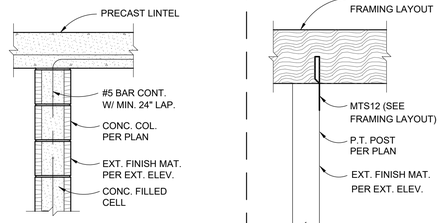
57 WING WALL

SCALE: 3/4" = 1'-0"



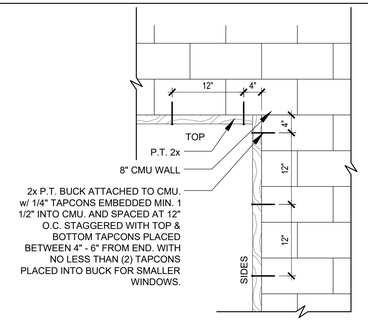
50 KNEEWALL TO MASONRY

SCALE: 3/4" = 1'-0"



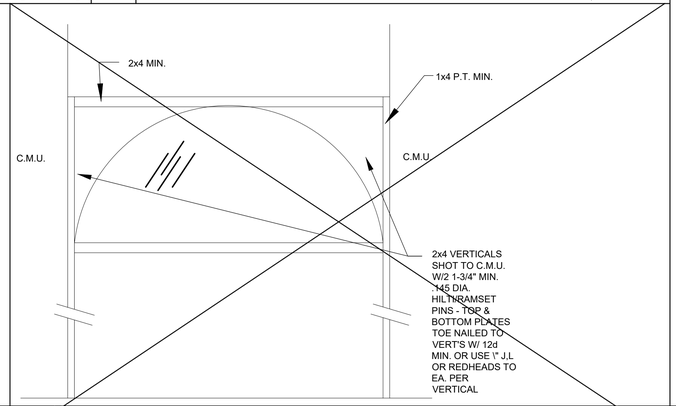
55 POST/BEAM CONNECTION

SCALE: 3/4" = 1'-0"



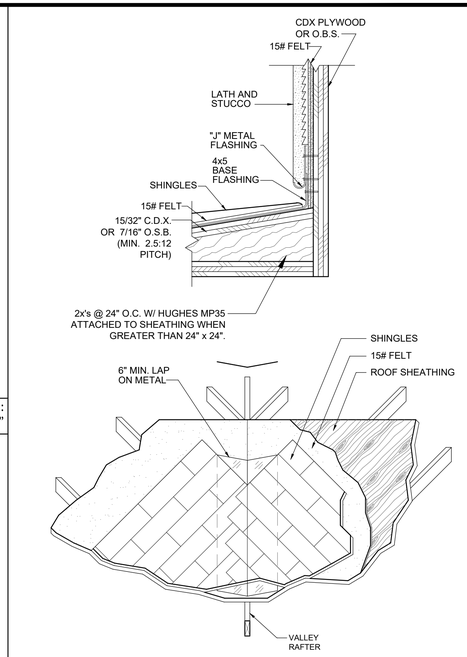
DOOR/WINDOW BUCK

SCALE: 3/4" = 1'-0"



ARCH OPENING AT BLOCK

SCALE: 3/4" = 1'-0"



10 CRICKET/FLASHING DETAIL

SCALE: N.T.S.

21 ROOF SHEATHING/NAILING SCHEDULE

SCALE: N.T.S.

ROOF SHEATHING
THICKNESS AND SPAN RATING (ASSUME 24" O.C. RAFTER / TRUSS SPACING

EXPOSURE B:
- UP TO 140 MPH: 7/16" 24/16 SPAN RATING
- UP TO 150 MPH: 15/32" 32/16 SPAN RATING
- UP TO 180 MPH: 19/32" 40/20 SPAN RATING

EXPOSURE C:
- UP TO 130 MPH: 15/32" 32/16 SPAN RATING
- UP TO 170 MPH: 19/32" 40/20 SPAN RATING

EXPOSURE D:
- UP TO 160 MPH: 19/32" 40/20 SPAN RATING
- UP TO 180 MPH: 23/32" 48/24 SPAN RATING

ROOF SHEATHING - NAILING PATTERNS

EXPOSURE B:
- UP TO 180 MPH: 6" EDGES AND 6" FIELD

EXPOSURE C:
- UP TO 160 MPH: 6" EDGES AND 6" FIELD
- UP TO 180 MPH: 4" EDGES AND 4" FIELD

EXPOSURE D:
- UP TO 140 MPH: 6" EDGES AND 6" FIELD
- UP TO 180 MPH: 4" EDGES AND 4" FIELD

ROOF SHEATHING FASTENINGS

ROOF SHEATHING THICKNESS 15/32" AND LESS, SHEATHING SHALL BE FASTENED WITH ASTM F1667 RSRS-01 (2 3/8" X .113") NAILS.

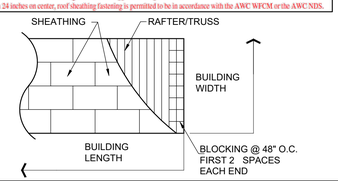
ROOF SHEATHING THICKNESS IS GREATER THAN 15/32", SHEATHING SHALL BE FASTENED WITH ASTM F1667 RSRS-03 (2 1/2" X 0.131") NAILS OR ASTM F1667 RSRS-04 (3" X .120") NAILS.

RSRS-01, RSRS-03, AND RSRS-04 ARE RING SHANK ROOF SHEATHING NAILS MEETING THE SPECIFICATIONS IN ASTM F1667.

TABLE R803.2.1
ROOF SHEATHING ATTACHMENT[a, b]

Rafter/Truss Spacing 24 in. o.c.	WIND SPEED													
	115 mph		120 mph		130 mph		140 mph		150 mph		160 mph		170 mph		180 mph	
	E	F	E	F	E	F	E	F	E	F	E	F	E	F	E	F
Exposure B																
Rafter/Truss SG = 0.42	6	6	6	6	6	6	6	6	6	4	4	4	4	4	4	4
Rafter/Truss SG = 0.49	6	12	6	12	6	6	6	6	6	6	6	6	6	6	6	6
Exposure C																
Rafter/Truss SG = 0.42	6	6	6	6	6	6	4	4	4	4	4	4	3	3	3	3
Rafter/Truss SG = 0.49	6	6	6	6	6	6	6	6	6	6	6	6	4	4	4	4
Exposure D																
Rafter/Truss SG = 0.42	6	6	6	6	4	4	4	4	4	4	3	3	3	3	3	3
Rafter/Truss SG = 0.49	6	6	6	6	6	6	6	6	6	6	6	6	4	4	4	4

E = Nail spacing along panel edges (inches)
F = Nail spacing along intermediate supports in the panel field (inches)
a. For sheathing located a minimum of 4 feet from the perimeter edge of the roof, including 4 foot on each side of ridges and hips, nail spacing is permitted to be 6 inches on center along panel edges and 6 inches on center along intermediate supports in the panel field.
b. Where rafter/truss spacing is less than 24 inches on center, roof sheathing fastening is permitted to be in accordance with the AWC WFCM or the AWC NDS.



DON BOLDEN ENG., Inc.
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RLB HOME DESIGN
ADDITIONS • REMODELS

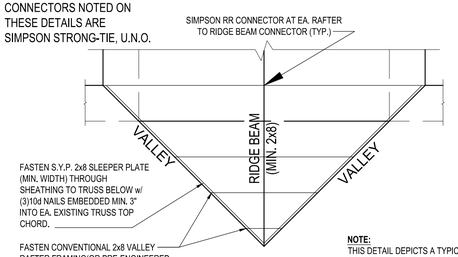
MEMBER AIBD AMERICAN INSTITUTE of BUILDING DESIGN

Forbes Residence
304 Murray Street
New Smyrna Beach, FL 32168

ISSUE DATE	06/13/24
REVISIONS	
PROJECT:	00-0000
SCALE:	AS NOTED
DRAWN BY:	RLB
DESIGNED BY:	RLB

DETAILS
D-02

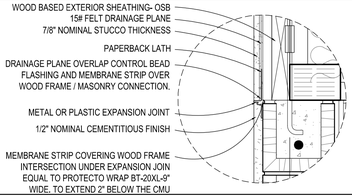
NOTE:
CONNECTORS NOTED ON
THESE DETAILS ARE
SIMPSON STRONG-TIE, U.N.O.



NOTE:
THIS DETAIL DEPICTS A TYPICAL VALLEY CONDITION AND IS NOT SPECIFIC WITH REGARD TO SIZE OF FRAMING MEMBERS.

TYP. VALLEY CONNECTION

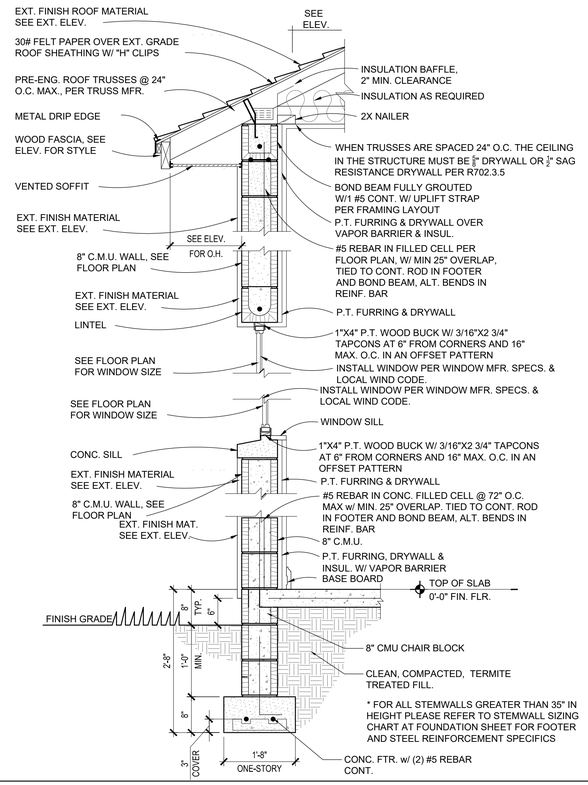
SCALE: N.T.S.



20 BOND BREAK/FLASHING

SCALE: 4" = 1'-0"

TRUSS NOTE:
BOTTOM CHORD MAY BE SLOPED-SEE FLR. PLAN
/TRUSS LAYOUT FOR CEILING CONDITIONS-TYP.

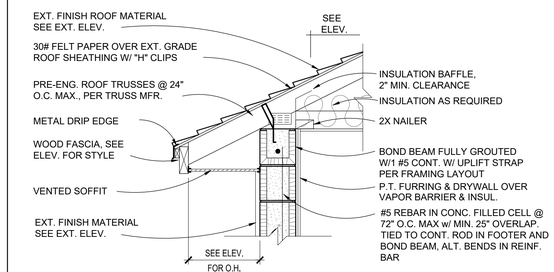


21 ONE-STORY EXT. WALL

SCALE: 3/4" = 1'-0"

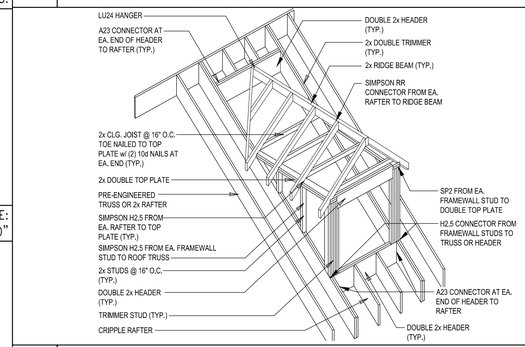
BOTTOM CHORD MAY BE SLOPED-SEE FLR. PLAN
/TRUSS LAYOUT FOR CEILING CONDITIONS-TYP.

TRUSS NOTE:



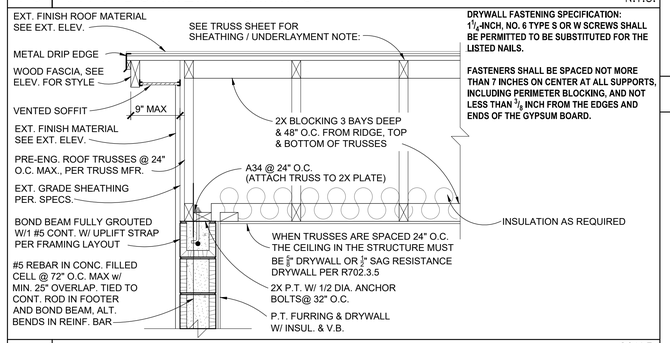
13 TRUSS AT BLOCK

SCALE: N.T.S.



70 TYP. DORMER FRAMING

SCALE: N.T.S.

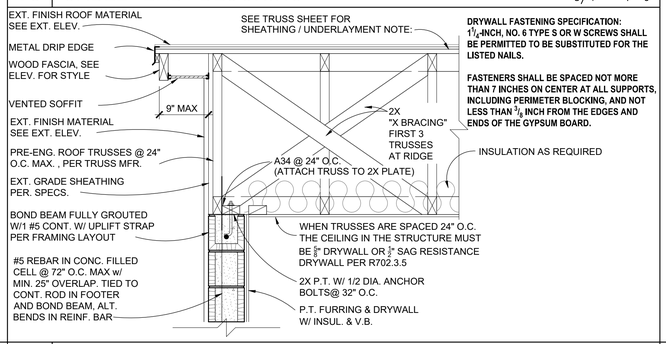


DRYWALL FASTENING SPECIFICATION:
1 1/4-INCH, NO. 6 TYPE S OR W SCREWS SHALL BE PERMITTED TO BE SUBSTITUTED FOR THE LISTED NAILS.

FASTENERS SHALL BE SPACED NOT MORE THAN 7 INCHES ON CENTER AT ALL SUPPORTS, INCLUDING PERIMETER BLOCKING, AND NOT LESS THAN 3/8 INCH FROM THE EDGES AND ENDS OF THE GYPSUM BOARD.

15 GABLE END BLOCKING

SCALE: 3/4" = 1'-0"



DRYWALL FASTENING SPECIFICATION:
1 1/4-INCH, NO. 6 TYPE S OR W SCREWS SHALL BE PERMITTED TO BE SUBSTITUTED FOR THE LISTED NAILS.

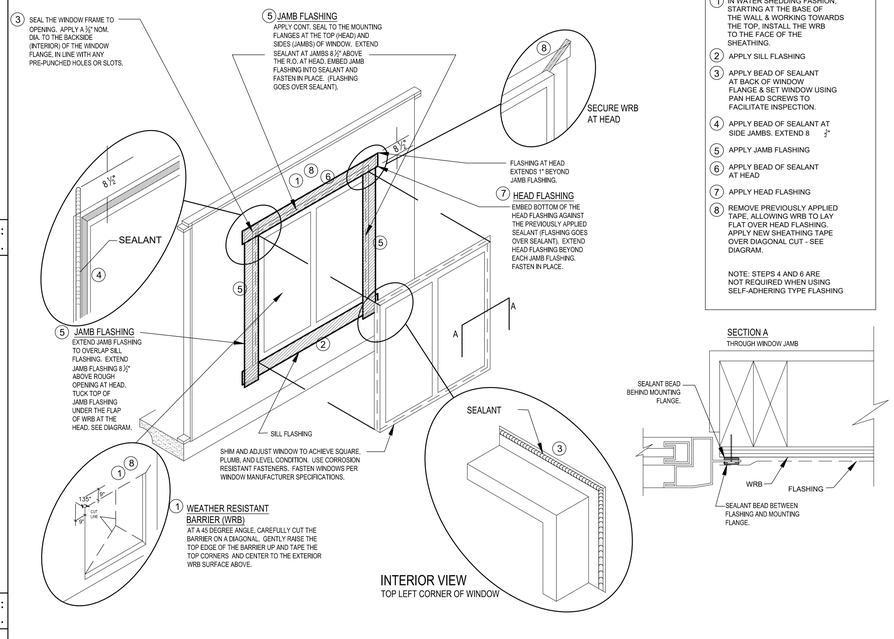
FASTENERS SHALL BE SPACED NOT MORE THAN 7 INCHES ON CENTER AT ALL SUPPORTS, INCLUDING PERIMETER BLOCKING, AND NOT LESS THAN 3/8 INCH FROM THE EDGES AND ENDS OF THE GYPSUM BOARD.

16 GABLE AT BLOCK

SCALE: 3/4" = 1'-0"

WINDOW INSTALLATION (METHOD A-1) (ASTM E 2112-01)

WEATHER RESITIVE BARRIER (WRB) APPLIED PRIOR TO THE WINDOW INSTALLATION.
FLASHING APPLIED OVER THE FACE OF THE MOUNTING FLANGE.



STEPS:

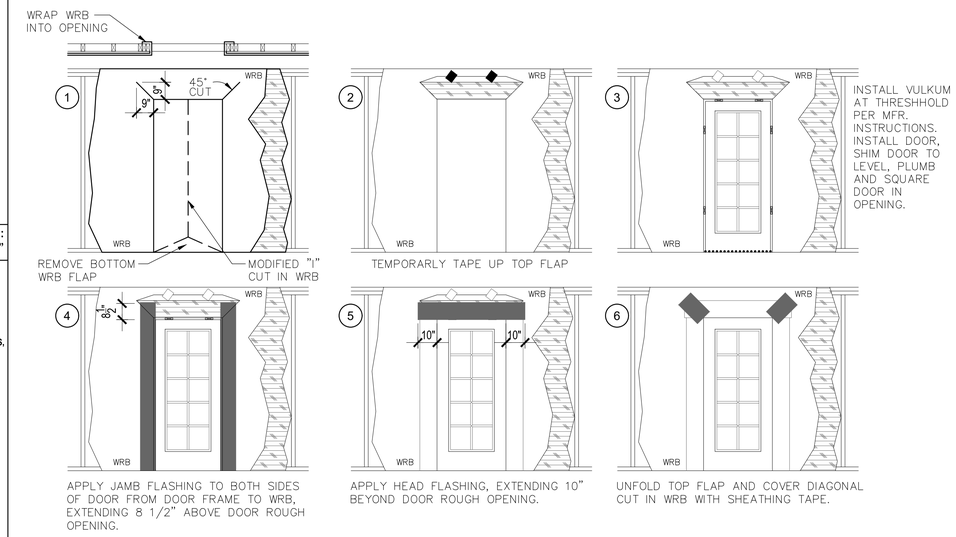
1. IN WATER SHEDDING FASHION, STARTING AT THE BASE OF THE WALL & WORKING TOWARDS THE TOP, INSTALL THE WRB TO THE FACE OF THE SHEATHING.
2. APPLY SILL FLASHING
3. APPLY BEAD OF SEALANT AT BACK OF WINDOW FLANGE & SET WINDOW USING PAN HEAD SCREWS TO FACILITATE INSPECTION.
4. APPLY BEAD OF SEALANT AT SIDE JAMBS. EXTEND 8 1/2"
5. APPLY JAMB FLASHING
6. APPLY BEAD OF SEALANT AT HEAD
7. APPLY HEAD FLASHING
8. REMOVE PREVIOUSLY APPLIED TAPE. ALLOWING WRB TO LAY FLAT OVER HEAD FLASHING. APPLY NEW SHEATHING TAPE OVER DIAGONAL CUT - SEE DIAGRAM.

NOTE: STEPS 4 AND 6 ARE NOT REQUIRED WHEN USING SELF-ADHERING TYPE FLASHING

NOTE:
ALL FLASHING WILL BE SELF ADHEARING AND ROLLED SMOOTH & FLAT WITH A J-ROLLER.

WINDOW FLASHING "METHOD A-1"

SCALE: N.T.S.



NOTE:
ALL FLASHING WILL BE SELF ADHEARING AND ROLLED SMOOTH & FLAT WITH A J-ROLLER.

EXTERIOR DOOR FLASHING

SCALE: N.T.S.

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REVISIONS	
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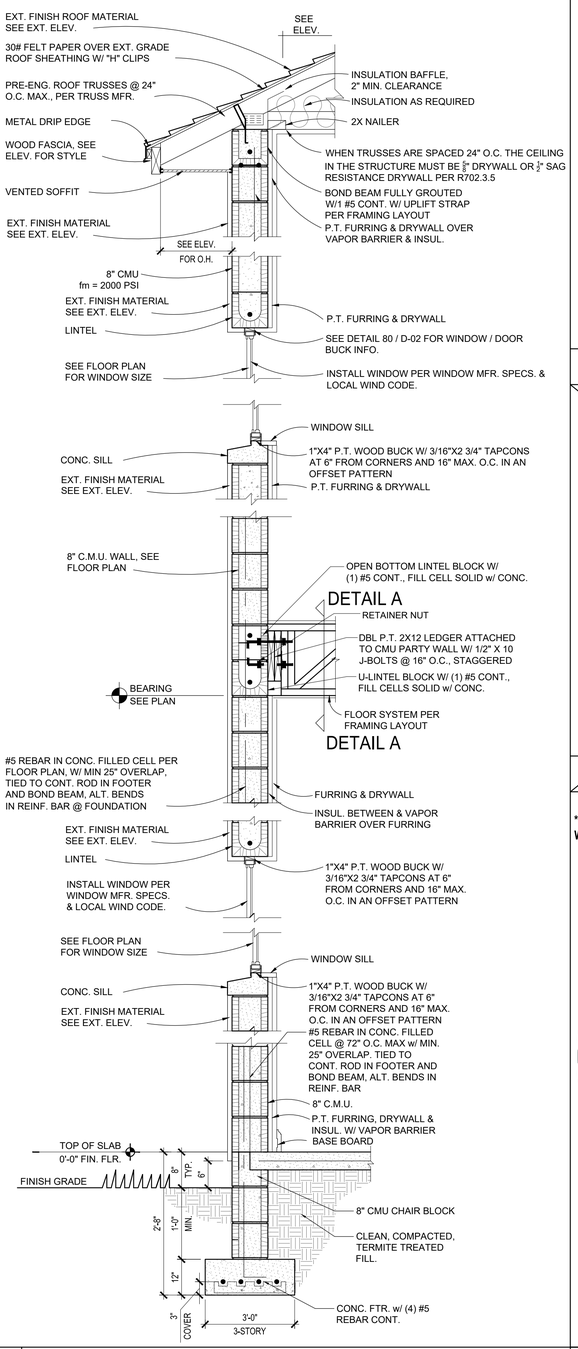
SCALE:	AS NOTED
DRAWN BY:	RLB
DESIGNED BY:	RLB

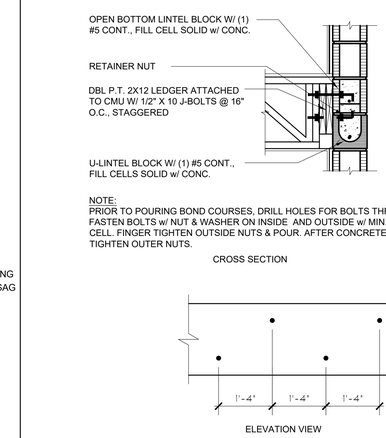
DETAILS
D-03

TRUSS NOTE:

BOTTOM CHORD MAY BE SLOPED-SEE FLR. PLAN
/TRUSS LAYOUT FOR CEILING CONDITIONS-TYP.



21 | 2-STORY EXT. WALL — SCALE: 3/4" = 1'-0"



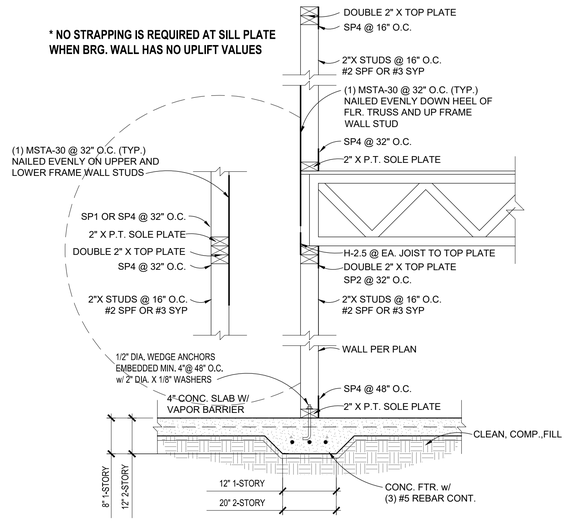
A | LEDGER DETAIL @ FLOOR TRUSS

NOT USED

- MISSED LINTEL STRAPS FOR MASONRY CONSTRUCTION MAY BE SUBSTITUTED w/ SIMPSON MTSM-16 SECURED TO BLOCK w/ (4) 1/4" X 2 1/4" TAPCONS & (7) 10d NAILS TO TRUSS (FOR UPLIFTS LESS THAN 860#). USE (2) MTSM-16 FOR UPLIFTS GREATER THAN 860#, BUT LESS THAN 1720#. NO MORE THAN 10 STRAPS MAY BE SUBSTITUTED OR NO MORE THAN 3 IN A ROW. IF GIRDER TRUSS CONNECTIONS ARE MISSED, CONTACT ENGINEER FOR SUBSTITUTION.
- MISSED J-BOLTS FOR FRAMED EXTERIOR/ BEARING WALLS MAY BE SUBSTITUTED w/ 1/2" DIA. x 7" LONG WEDGE ANCHORS (REDHEADS).
- MISSED DOWELS MAY BE SUBSTITUTED w/ A #5 REBAR DRILLED IN A 3/4" DIA. x 6" DEEP HOLE FILLED SET IN w/ UNITEX PROPOXY 300, SIMPSON SET, ETF ADHESIVES, OR SIMILAR ADHESIVE.
- BLOCK WALL OVERHANGING SLAB CONDITION:
  - •• UP TO 7/8" - NO REPAIR NECESSARY
  - •• 7/8" TO 1 1/4" - ADD FILLED CELL (NO VERTICAL STEEL) MIDPOINT OF WALL BETWEEN EXISTING FILLED CELLS (WITH STEEL) IN AREAS AFFECTED 1 1/4"+ - REQUIRE SPECIAL ENGINEERING LETTER
- PENETRATION OF PLUMBING PIPES/DRYER VENTS THRU PLATES OF A LOAD BEARING WALL MAY OCCUR PROVIDED DBL. STUDS ARE ADDED ON EITHER SIDE OF PENETRATION WITHIN 3" AND TRUSS/ FLOOR TRUSS IS NO CLOSER THAN 3" FROM PENETRATION. ADD (1) MTS12 @ TOP AND BOTTOM PLATE
- INTERIOR BEARING WALL BOTTOM P.T. PLATE MAY BE SHOT W/ 2-]" MIN. .145 DIA. HILTE / RAMSET PINS @15" O.C. MAX. IN LIEU OF \" ANCHOR BOLTS
- ALL INTERIOR BEARING WALLS TO BE #3 KD SYP OR #2 SPF, U.N.O.

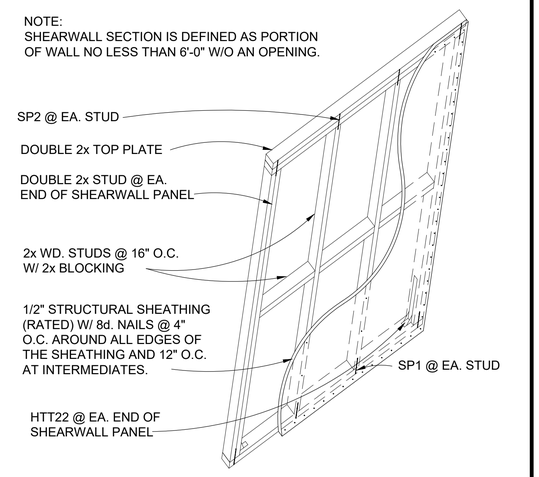
FIELD REPAIR NOTES — SCALE: N.T.S.

*** NO STRAPPING IS REQUIRED AT SILL PLATE WHEN BRG. WALL HAS NO UPLIFT VALUES**



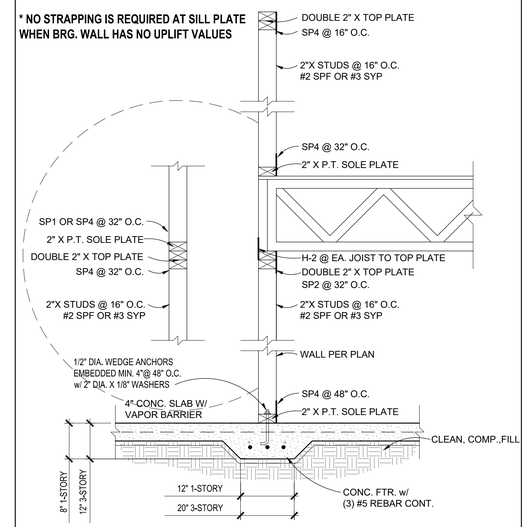
8 | TWO-STORY INT. BRG. WALL — SCALE: 3/4" = 1'-0"

NOTE:
SHEARWALL SECTION IS DEFINED AS PORTION OF WALL NO LESS THAN 6'-0" W/O AN OPENING.

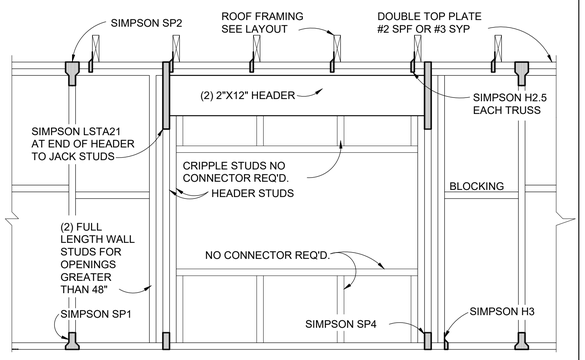


11 | SHEARWALL PANEL — SCALE: N.T.S.

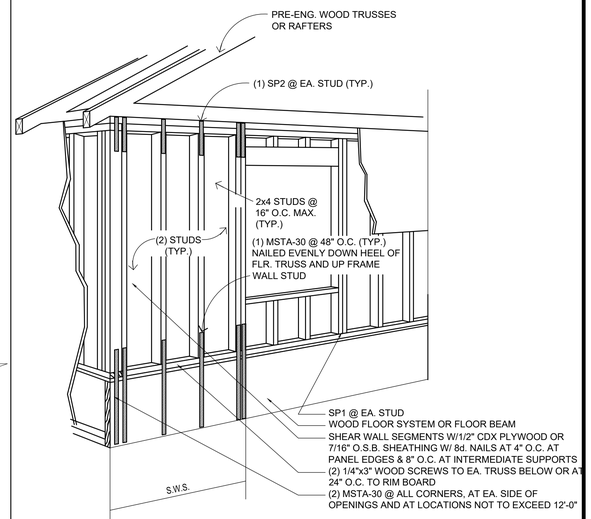
*** NO STRAPPING IS REQUIRED AT SILL PLATE WHEN BRG. WALL HAS NO UPLIFT VALUES**



8 | INT. BRG. WALL — SCALE: 3/4" = 1'-0"



45 | BEARING OPENING WOOD FRAME — SCALE: 3/4" = 1'-0"



60 | SHEAR WALL @ FLOOR TRUSS — SCALE: N.T.S.

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Forbes Residence
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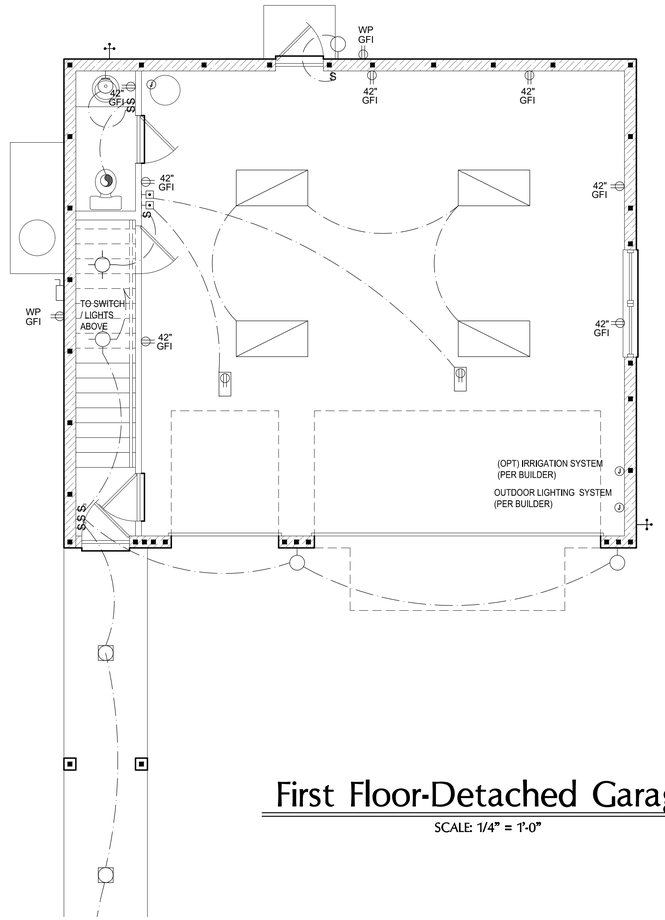
New Smyrna Beach, FL 32168

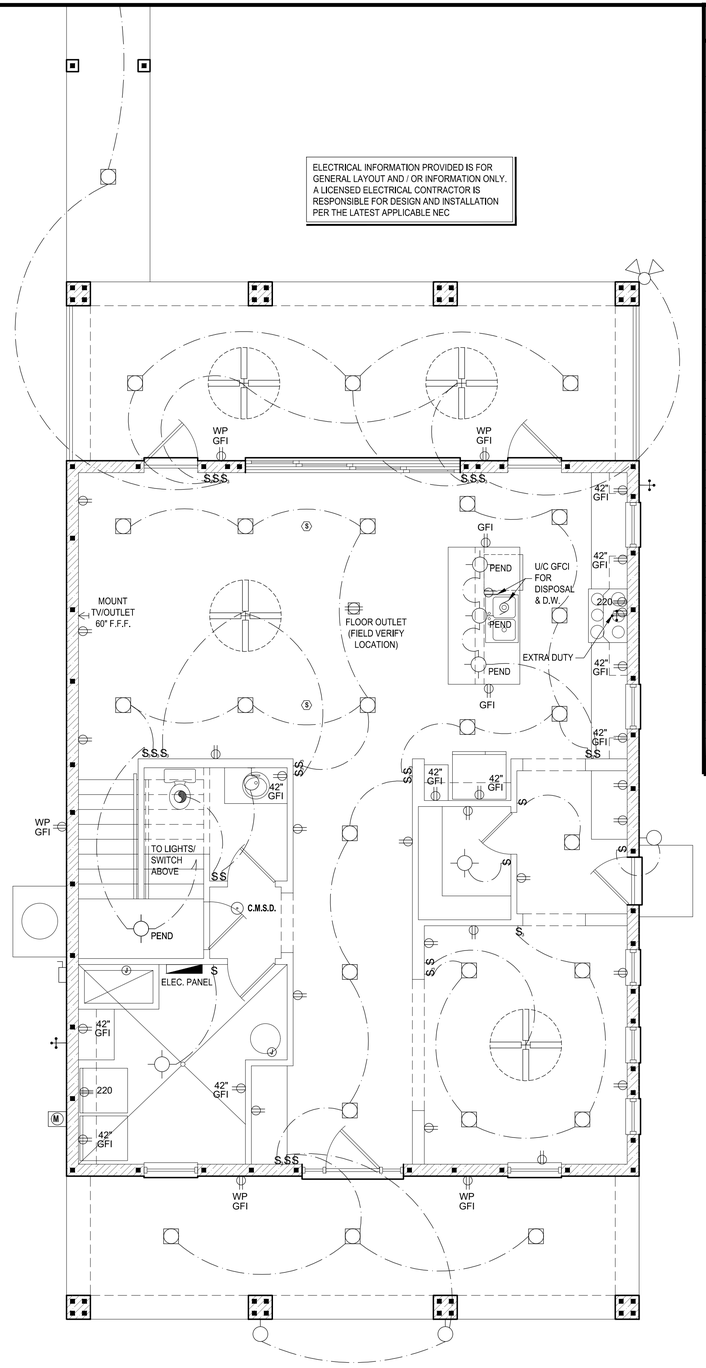
ISSUE DATE	06/13/24
REVISIONS	
PROJECT:	00-0000
SCALE:	AS NOTED
DRAWN BY:	RLB
DESIGNED BY:	RLB

DETAILS
D-04



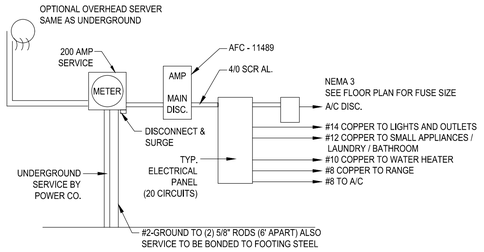
First Floor-Detached Garage

SCALE: 1/4" = 1'-0"



First Floor

SCALE: 1/4" = 1'-0"



NOTE:
ALL ELECTRICAL WORK AND MATERIAL PROVIDED SHALL COMPLY WITH THE FLORIDA BUILDING CODE, (2023) THE ABOVE ELECTRICAL LAYOUT IS FOR BID PURPOSE ONLY.

200 AMP ELECTRICAL RISER

ELECTRICAL LEGEND :

	CEILING MOUNTED LIGHT
PC	PULL CHAIN LIGHT
	RECESSED LIGHT
	WALL MOUNTED LIGHT
	WALL WASH RECESSED
	DUPLEX RECEPTACLE
	220 V RECEPTACLE
	1/2 HOT, 1/2 SWITCHED
WP	WATER PROOF RECEPTACLE
	FLOOR RECEPTACLE
	PRE-WIRE FOR CLG. FAN
GFI	GROUND FAULT INTERRUPT
S	WALL SWITCH
S_3	3-WAY SWITCH
S_D	DIMMER SWITCH
	TELEPHONE JACK
	CABLE JACK
	PRE-WIRE GARAGE DOOR OPENER
	FLUORESCENT LIGHT
	ELECTRICAL PANEL
	CHIME
	DOOR BELL / GARAGE DOOR SWITCH
	DISCONNECT SWITCH
M	ELECTRICAL METER
S.D.	SMOKE DETECTOR
C.M.S.D.	CARBON MONOXIDE / SMOKE DETECTOR
	CEILING FAN
	WALL SCONCE
	CHANDELIER
	SPOT LIGHT
	FLUSH MOUNT FLUORESCENT LIGHT
	FAN / LIGHT COMBINATION
	GARBAGE DISPOSAL MOTOR
S	SPEAKER
J	JUNCTION BOX
L.V.	LOW VOLTAGE
V.P.	VAPOR PROOF
A.F.	ARC FAULT PROTECTION

ELECTRICAL NOTES:

1. BUILDER TO VERIFY EXACT LOCATION OF FLOOR OUTLETS IN FIELD.
2. ALL OUTLETS ARE TO BE AFCI PROTECTED.
3. ALL 15A AND 20A 120V BRANCH CIRCUITS WILL BE AFCI PROTECTED.
4. ALL 15A AND 20A 120V BRANCH CIRCUITS LOCATED IN THE GARAGE AND LAUNDRY WILL BE GFCI PROTECTED,
5. ALL GARAGE BAYS WILL HAVE DEDICATED GFCI OUTLET.
6. ALL OUTLETS LOCATED IN THE KITCHEN AND BATHROOMS ARE TO BE GFCI PROTECTED,
7. DW, AND GARBAGE DISPOSAL ARE TO BE GFCI PROTECTED.
8. EXCEPTIONS TO THE GFCI STIPULATION WILL BE ALLOWED ONLY IF ALLOWED PER CURRENT NFPA / NEC.
9. OUTLETS LOCATED IN THE LAUNDRY ARE TO BE GFCI AND AFCI PROTECTED.
10. OUTLETS LOCATED WITHIN 6'-0" OF A WET AREA ARE TO BE GFCI PROTECTED.
11. ALL OUTLETS OVER COUNTERTOPS TO BE 42" A.F.F. (U.N.O.).
12. ALL SMOKE/CARBON MONOXIDE DETECTORS ARE TO BE HARD WIRED, INTERCONNECTED AND AFCI PROTECTED.
13. 8'-0" HEIGHT VANITY LIGHTS IN MASTER BATHROOM AND 7'-0" IN ALL OTHER BATHROOMS.
14. INSTALL (4) CONDUCTORS TO ALL COOKING UNITS AND DRYERS.
15. ALL LAMPS SHALL HAVE AN EFFICACY OF AT LEAST 45 LUMENS PER WATT OR SHALL UTILIZE LAMPS WITH AN EFFICACY OF NOT LESS THAN 65 LUMENS PER WATT.
16. ALL OUTLETS TO BE TAMPER RESISTANT.

NOTES:

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- LOCATION OF FIXTURES AND / OR OUTLETS ARE SUGGESTED LOCATIONS AND MEET MOST LOCAL CODE REQUIREMENTS. ADDITIONS OR ADJUSTMENTS MAY BE MADE BETWEEN THE OWNER AND BUILDER IN THE FIELD.
- ALL ELECTRICAL WORK AND APPLIANCES ARE IN FULL COMPLIANCE WITH N.F.P.A., 2020 N.E.C., F.B.C. 8TH EDITION (2023) RESIDENTIAL, AND ALL APPLICABLE LOCAL STANDARDS, CODES, AND ORDINANCES.
- VARIOUS SYMBOLS ON ELECTRICAL LEGEND MAY OR MAY NOT BE USED ON THIS PLAN.
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- ALL BATHROOMS AT LEAST ONE RECEPTACLE OUTLET SHALL BE INSTALLED WITHIN 3 FT OF THE OUTSIDE EDGE OF EACH BASIN. THE RECEPTACLE OUTLET SHALL BE LOCATED ON A WALL OR PARTITION THAT IS ADJACENT TO THE BASIN OR BASIN COUNTERTOP, LOCATED ON THE COUNTERTOP, OR INSTALLED ON THE SIDE OR FACE OF THE BASIN CABINET PER NEC ARTICLE 210-52 (D)

Electrical Layout

SCALE: 1/4" = 1'-0"

DON BOLDEN ENG., Inc.
Don Bolden, P.E.
Florida Registration #47524
Certificate of Authorization #26030
P.O. Box 530783
DeBary, FL 32783

When plans have been electronically signed & sealed by Don Bolden, PE, using a digital signature &/O a raised seal printed copies of this document are not considered Signed & Sealed. Signature must be verified on any electronic copies

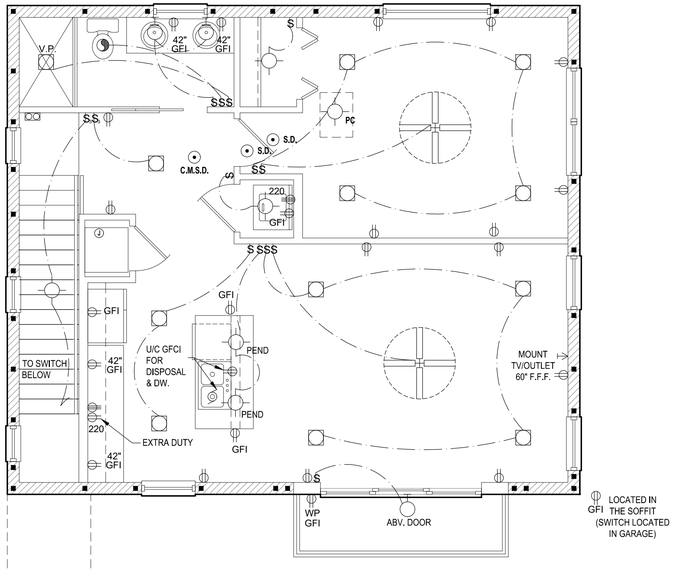
RLB HOME DESIGN ADDITIONS • REMODELS

MEMBER AIBD AMERICAN INSTITUTE of BUILDING DESIGN

Forbes Residence
304 Murray Street
New Smyrna Beach, FL 32168

ISSUE DATE	06/13/24
REVISIONS	
PROJECT:	00-0000
SCALE:	AS NOTED
DRAWN BY:	RLB
DESIGNED BY:	RLB

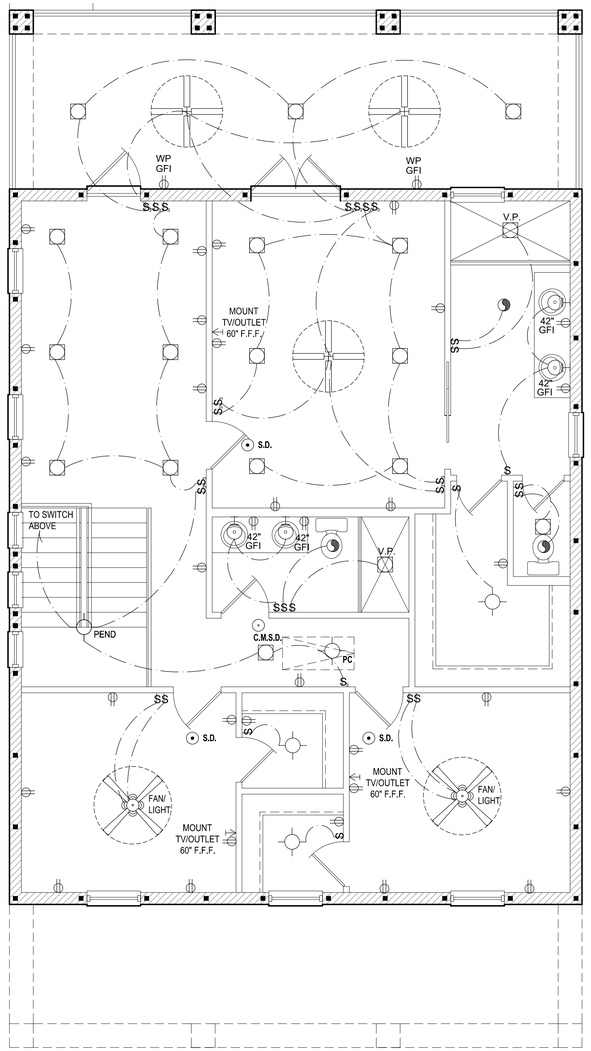
ELECTRICAL LAYOUT
E-01



Second Floor-Detached Garage

SCALE: 1/4" = 1'-0"

ELECTRICAL INFORMATION PROVIDED IS FOR GENERAL LAYOUT AND / OR INFORMATION ONLY. A LICENSED ELECTRICAL CONTRACTOR IS RESPONSIBLE FOR DESIGN AND INSTALLATION PER THE LATEST APPLICABLE NEC



Second Floor

SCALE: 1/4" = 1'-0"

ELECTRICAL LEGEND :

	CEILING MOUNTED LIGHT
PC	PULL CHAIN LIGHT
	RECESSED LIGHT
	WALL MOUNTED LIGHT
	WALL WASH RECESSED
	DUPLEX RECEPTACLE
	220 V RECEPTACLE
	1/2 HOT, 1/2 SWITCHED
WP	WATER PROOF RECEPTACLE
	FLOOR RECEPTACLE
	PRE-WIRE FOR CLG. FAN
GFI	GROUND FAULT INTERRUPT
S	WALL SWITCH
S_3	3-WAY SWITCH
S_D	DIMMER SWITCH
	TELEPHONE JACK
	CABLE JACK
	PRE-WIRE GARAGE DOOR OPENER
	FLUORESCENT LIGHT
	ELECTRICAL PANEL
	CHIME
	DOOR BELL / GARAGE DOOR SWITCH
	DISCONNECT SWITCH
M	ELECTRICAL METER
S.D.	SMOKE DETECTOR
C.M.S.D.	CARBON MONOXIDE / SMOKE DETECTOR
	CEILING FAN
	WALL SCONCE
	CHANDELIER
	SPOT LIGHT
	FLUSH MOUNT FLUORESCENT LIGHT
	FAN / LIGHT COMBINATION
	GARBAGE DISPOSAL MOTOR
S	SPEAKER
J	JUNCTION BOX
L.V.	LOW VOLTAGE
V.P.	VAPOR PROOF
A.F.	ARC FAULT PROTECTION

ELECTRICAL NOTES:

1. BUILDER TO VERIFY EXACT LOCATION OF FLOOR OUTLETS IN FIELD.
2. ALL OUTLETS ARE TO BE AFCI PROTECTED.
3. ALL 15A AND 20A 120V BRANCH CIRCUITS WILL BE AFCI PROTECTED.
4. ALL 15A AND 20A 120V BRANCH CIRCUITS LOCATED IN THE GARAGE AND LAUNDRY WILL BE GFCI PROTECTED,
5. ALL GARAGE BAYS WILL HAVE DEDICATED GFCI OUTLET.
6. ALL OUTLETS LOCATED IN THE KITCHEN AND BATHROOMS ARE TO BE GFCI PROTECTED.
7. DW, AND GARBAGE DISPOSAL ARE TO BE GFCI PROTECTED.
8. EXCEPTIONS TO THE GFCI STIPULATION WILL BE ALLOWED ONLY IF ALLOWED PER CURRENT NFPA / NEC.
9. OUTLETS LOCATED IN THE LAUNDRY ARE TO BE GFCI AND AFCI PROTECTED.
10. OUTLETS LOCATED WITHIN 6'-0" OF A WET AREA ARE TO BE GFCI PROTECTED.
11. ALL OUTLETS OVER COUNTERTOPS TO BE 42" A.F.F. (U.N.O.).
12. ALL SMOKE/CARBON MONOXIDE DETECTORS ARE TO BE HARD WIRED, INTERCONNECTED AND AFCI PROTECTED.
13. 8'-0" HEIGHT VANITY LIGHTS IN MASTER BATHROOM AND 7'-0" IN ALL OTHER BATHROOMS.
14. INSTALL (4) CONDUCTORS TO ALL COOKING UNITS AND DRYERS.
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SCALE: 1/4" = 1'-0"

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RLB HOME DESIGN ADDITIONS • REMODELS

MEMBER AIBD AMERICAN INSTITUTE of BUILDING DESIGN

Forbes Residence
304 Murray Street
New Smyrna Beach, FL 32168

ISSUE DATE	06/13/24
REVISIONS	
PROJECT:	00-0000
SCALE:	AS NOTED
DRAWN BY:	RLB
DESIGNED BY:	RLB

ELECTRICAL LAYOUT
E-02

Historic Preservation Commission Special Meeting
Wednesday, February 12, 2025, at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the special meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, February 12, 2025, at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Vice Chairperson Terry Bledsoe called the meeting to order at 5:30 PM.

Roll Call

Attendee Name	Title	Status	Arrived
Walter Bone	Member	Present	5:30 PM
Katherine Kaufman	Member	Present	5:30 PM
Stephanie Rees	Chairperson	Absent	
Terry Bledsoe	Vice Chairperson	Present	5:30 PM
Angeline Barretta-Herman	Member	Present	5:30 PM

Also, present were: Senior Planner Robert Mathen, Assistant City Attorney Shey McCurdy, and Board Secretary Stephanie Ferrara.

No Changes to the Agenda.

2. APPROVAL OF MINUTES

None.

3. PUBLIC PARTICIPATION

None.

4. NEW BUSINESS

4.A DM-2-24: 300 North Pine Street

Robert Mathen, Senior Planner, outlined the applicant's submittal of the proposed replacement structure for 300 North Pine Street.

Member Barretta-Herman asked if the structure is 28 feet in height.

Katie Kaufman asked about the columns. She also asked about window size facing the roadways.

Member Barretta-Herman asked about light and cross sections of lighting thru the house.

Property owner responded about location windows facing the front yard. The reason for having no windows is based on the location of the interior stairs. She also gave comments about the proposed landscaping.

Member Kaufman commented on widow size and the applicant responded.

Vice Chairperson Bledsoe asked about historic photos on previous house and previous proposed elevations..

Member Bone commented about proposed window width.

Property owner gave information about the current demolition and noted about artifacts found.

Vice Chairperson Bledsoe opened the meeting for Public Participation.

Deb Dugas, 200 N Pine Street. She started that the neighborhood was excited to see the replacement house.

Rebecca Harris, Director of SARI, stated she was hired to do the archelogy monitoring. She stated that the new house would fit in the neighborhood.

Vice Chairperson Bledsoe closed Public Participation.

Vice Chairperson Bledsoe asked the Commission if they had any additional questions or comments.

Motion:
Member Barretta-Herman moved to approve the replacement structure as submitted. Member Bone seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Barretta-Herman
SECONDER:	**Bone**
AYES:	Bone, Kaufman, Bledsoe, Barretta-Herman

4.B DM-3-24: 304 Murray Street

Robert Mathen, Senior Planner, outlined the applicant's submittal of the proposed replacement structure at 304 Murray Street.

Member Barretta-Herman asked about the proposed metal roof material.

Member Kaufman asked about the pitch of the roof. She explained that the pitch of the proposed roof may need to have a 6/12 pitch roof.

Member Bone commented on the roof pitch.

The property owner responded to a question to the breezeway from the house to the rear garage, stem wall foundation.

Member Bone asked about elevation of the rear garage and breezeway.

Member Bone and Member Barretta-Herman talked about drainage.

Property owner responded about drainage plan.

Member Barretta-Herman asked if the property was located within a flood zone.

Member Kaufman asked property owner about size and types of columns and pitch of roof compared to neighboring homes.

Member Barretta-Herman asked about driveway width.

Member Kaufman asked about side door facing driveway.

Senior Planner Mathen responded to Commission that the Commissioners should only be concerned about the facades facing the road. He said that the minimum driveway width required is 8-foot wide. He stated that the property owner has proposed to shift the house to the east to accommodate a better turning radius to the rear garage. Step pitch is 7/11 ratio.

Member Barretta-Herman asked about floor drain in laundry room.

Member Bone responded about this practice in other countries

Property owner responded to concerns.

Vice-Chair Bledsoe opened the meeting for Public Participation.

No Comments from public.

Vice-Chair Bledsoe closed Public Participation.

Vice-Chair Bledsoe asked the Commission if they had any additional questions or comments.

Motion:

Member Kaufman moved to approve the replacement structure as submitted with a recommendation that the roof pitch increased to a 6/12 pitch minimum and minimize the column size. Member Barretta-Herman seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Kaufman
SECONDER:	Barretta-Herman
AYES:	Bone, Kaufman, Bledsoe, Barretta-Herman

5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

Barretta-Herman commented about the City Commission meeting about 3 historic trees to be removed next to the State Road 44 ABC Liquor Store. She asked about VOTRAN stopping at new proposed medical center. She talked about parking under elevated buildings.

6. REPORTS AND COMMUNICATIONS BY THE STAFF

7. ADJOURNMENT

As there was no other business to discuss, Vice-Chair Rees declared the meeting adjourned at 6:18 P.M.

Historic Preservation Commission
Wednesday, March 12, 2025 at 5:30 PM

City Commission Chambers
214 Sams Avenue, New Smyrna Beach, Florida 32168

1. CALL TO ORDER

A. Roll Call

2. APPROVAL OF MINUTES

2.A Consider the Approval of the Historic Preservation Commission July 10, 2024, August 14, 2024 and December 11, 2024 Regular Meeting Minutes.

3. PUBLIC PARTICIPATION

4. NEW BUSINESS/DISCUSSION ITEMS

4.A VS-1-24: Conduct a public hearing to review a request, from the property owner, to designate the existing Dairy Queen pole sign located 729 North Dixie Freeway at as a vintage sign.

4.B Selection of the 2025 Chairperson and Vice Chairperson

5. COMMITTEE COMMENTS

6. STAFF COMMENTS

6.A 2023-2024 Certified Local Government Letter

6.B DM-3-24/CPA-2-25: 304 Murray Street Archaeological Monitoring Report

7. ADJOURNMENT

Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the board, agency or commission of the City of New Smyrna Beach with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 410-2630, prior to the meeting.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

CONSIDER THE APPROVAL OF THE HISTORIC PRESERVATION COMMISSION JULY 10, 2024, AUGUST 14, 2024 AND DECEMBER 11, 2024 REGULAR MEETING MINUTES.

March 12, 2025

Background:
Florida Statutes require that minutes be prepared and approved for all meetings of the Planning and Zoning Board.

Findings:
Staff recommends the Planning and Zoning Board approve the minutes of the regular Planning and Zoning Board meeting held on July 10, 2024, August 14, 2024 and December 11, 2024 Regular Meeting Minutes.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Stephanie Ferrara - Development Services Coordinator

Attachments:

Aug 14 2024 MEETING MINUTES.pdf

Historic Preservation Commission Special Meeting
Wednesday, August 14, 2024, at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the special meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, August 14, 2024, at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Vice-Chair Stephanie Rees called the meeting to order at 5:30 PM.

Roll Call

Attendee Name	Title	Status	Arrived
Walter Bone	Member	Absent	5:30 PM
Katherine Kaufman	Member	Absent	5:30 PM
Stephanie Rees	Vice Chairperson	Present	5:30 PM
Terry Bledsoe	Member	Present	5:30 PM
Angeline Barretta-Herman	Member	Present	5:30 PM

Also present were: Senior Planner Robert Mathen, Assistant City Attorney Shey McCurdy, and Board Secretary Stephanie Ferrara.

Chair Mahood stated that they did not have quorum therefore the meeting was cancelled.

2. APPROVAL OF MINUTES

None.

3. PUBLIC PARTICIPATION

None.

4. NEW BUSINESS

DRAFT

4.A DM-2-24: 300 Pine Street

MEETING WAS CANCELLED.

5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

None.

6. REPORTS AND COMMUNICATIONS BY THE STAFF

6.A 2019-2024 Permitted City Wide Single-Family Demolition List

7. ADJOURNMENT

As there was no other business to discuss, Vice-Chair Rees declared the meeting adjourned at 5:33 P.M.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

VS-1-24: CONDUCT A PUBLIC HEARING TO REVIEW A REQUEST, FROM THE PROPERTY OWNER, TO DESIGNATE THE EXISTING DAIRY QUEEN POLE SIGN LOCATED 729 NORTH DIXIE FREEWAY AT AS A VINTAGE SIGN.

March 12, 2025

Background:

Applicant: Jason McGuirk, P. O. Box 629, New Smyrna Beach, Florida 32170

Property Owner: 729 Enterprises INC, P. O. Box 629, New Smyrna Beach, Florida 32170

Request: Approval of an existing pole sign to be designated as a Vintage Sign.

Subject Area: The subject property contains approximately 0.51 ± acres, is zoned B-3, Highway Service Business District, and is generally located on the southeast corner of North Dixie Freeway and Eleanore Avenue.

Tax ID #: 7440-06-09-0090

Exhibits used for this report:

Exhibit A: Location Map

Exhibit B: Aerial Map

Exhibit C: Letter of Request

Exhibit D: 1950's Photo

Exhibit E: Applicant Provided Sign Photos

Exhibit F: Roadside Architecture Photos

Findings:

The subject property has a one (1) story commercial building containing a restaurant constructed around 1953 per the Volusia County Property Appraisers website. The building is not contributing structure and is not located in one (1) of the City's two (2) historic districts but did receive the 2009 Donnadine Miller Historic Preservation Award.

This application is not for the building, but the existing pole sign located in front of the restaurant. The pole sign has been in its current location since the 1980's.

Under the City Land Development Regulation 205.00, Sign Regulations Definitions: Vintage Sign, "Any sign 30 years old or older that is designated as such by the Historic New Smyrna Beach Preservation Commission." This regulation was adopted under Ordinance number 108-11. Ordinance number 108-11 was adopted November 29, 2011.

Under the Land Development Regulation 604.12.F.(10), "Vintage Signs that do not comply with the sign regulations outlined in this section may be removed and replaced, provided approval is obtained from the Historic New Smyrna Beach Preservation Commission." This regulation was adopted under Ordinance number 33-18.

Currently the City Land Development Regulation 604.12.H requires that all commercial private pole sign must be removed by November 29, 2025, and no new pole sign permits can be issued. This regulation was adopted under Ordinance number 31-21.The applicant has requested that his pole sign be deemed a vintage sign by this Commission so the pole sign would not have to be removed.

Under the Land Development Regulation Section 604.12.H.(5), Applications for the designation of a vintage signs shall be reviewed and approved by the Historic New Smyrna Beach Preservation Commission at a public hearing in accordance with the following criteria: Staff evaluation will be in **Bold**.

1. The sign must be at least 30 years old at the time of application; and
- **The sign is at least 30 years old. This criterion has been met.**

2. The sign is in good structural and working condition; and
- **The sign is in good structural and working condition. This criterion has been met.**

3. The sign meets two or more of the following criteria:

  - The sign is one that demonstrates a past style of architecture; an example of technology, craftsmanship or design of the period when it was constructed. (e.g. satellite signs, roto-spheres, donut signs, clock signs, paint can signs, opal glass signs, retro pole signs, neon signs, character signs, etc.); or
- **The sign demonstrates a past style of architecture. The sign is an example of a retro quick service restaurant sign. This criterion has been met.**

  - The sign uses historic sign materials or means of illumination (e.g. exposed integral incandescent lighting, or exposed neon lighting); or
- **Historic materials or means of illumination may have not been used.**

  - The sign has retained the majority of its character-defining features (i.e. materials, technologies, structure, colors, shapes, symbols, text, typography, and/or artwork) that have historical significance, are integral to the overall sign design, or convey historical or regional context; or
- **The sign has retained the majority of its character-defining features. This type of signage are not being used in new Dairy Queen restaurants. Many of old Dairy Queen restaurants have replace with modern signs. This criterion has been met.**

  - The sign exemplifies the cultural, economic, and historic heritage of the City; or
- **This sign exemplifies the historic heritage of the city. Small roadside quick service restaurants in the city have been replaced with larger and more modern quick service restaurants. This criterion has been met.**

  - The sign exhibits aesthetic quality, creativity, or innovation; or
- **The sign may not exhibit aesthetic quality, creativity, or innovation.**

  - The sign is unique, was originally associated with a local business or local or regional chain, there is academic research, including, but not limited to, sign industry journals, articles, or books to support its significance, or it is a surviving example of a once common sign type that is no longer common.

- **The sign is unique since most of these signs have been removed or replaced around the country. Only a handful of these old dairy queen pole signs with the retro logos still exist. The Planning Department did research the book "Vintage Signs of America" and the website www.RoadsideArchitecture.com and found that many of these types of signs no longer exist. This criterion has been met.**

After evaluating the application to the required criteria, the Planning Departments evaluation was that the application meets criteria 1, 2, and under 3, at least four (4) addition criteria.

Vintage signs delight us with designs and connections to the past. They bear witness to a time when nearly all businesses were mom and pop stores. Each business would have a sign that were unique works of art and craftmanship. Years past, American streets, especially US-1, by night were magical wonderlands of light, color, and movement.

Today, most downtowns have been stripped of these signs. However, even in the smallest of towns there are usually a few old signs that still cling to their past, despite the modernization and changes of signs.,

Recommendation

After reviewing this application against the required criteria under section 604.12.H.(5), and doing research from books like "Vintage Signs of America", written by Debra Jane Seltzer, and the website www.RoadsideArchetecture.com, the Planning Department has concluded that this sign, meets the required criteria and can still remind citizens of signs from the past. Staff recommends the Historic New Smyrna Beach Preservation Commission designate the pole sign located at 729 North Dixie Freeway, known as the Dairy Queen pole sign, as a Vintage Sign thus saving this pole sign for future generations to enjoy.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

Exhibit A Location Map.pdf
Exhibit B Aerial Map.pdf
Exhibit C Letter of Request.pdf
Exhibit D 1950's Photo.pdf
Exhibit E Applicant Photos.pdf
Exhibit F Roadside Architecture Photos.pdf

VS-1-24: 729 N. DIXIE FREEWAY
PARCEL: 7440-06-09-0090 LOCATION MAP

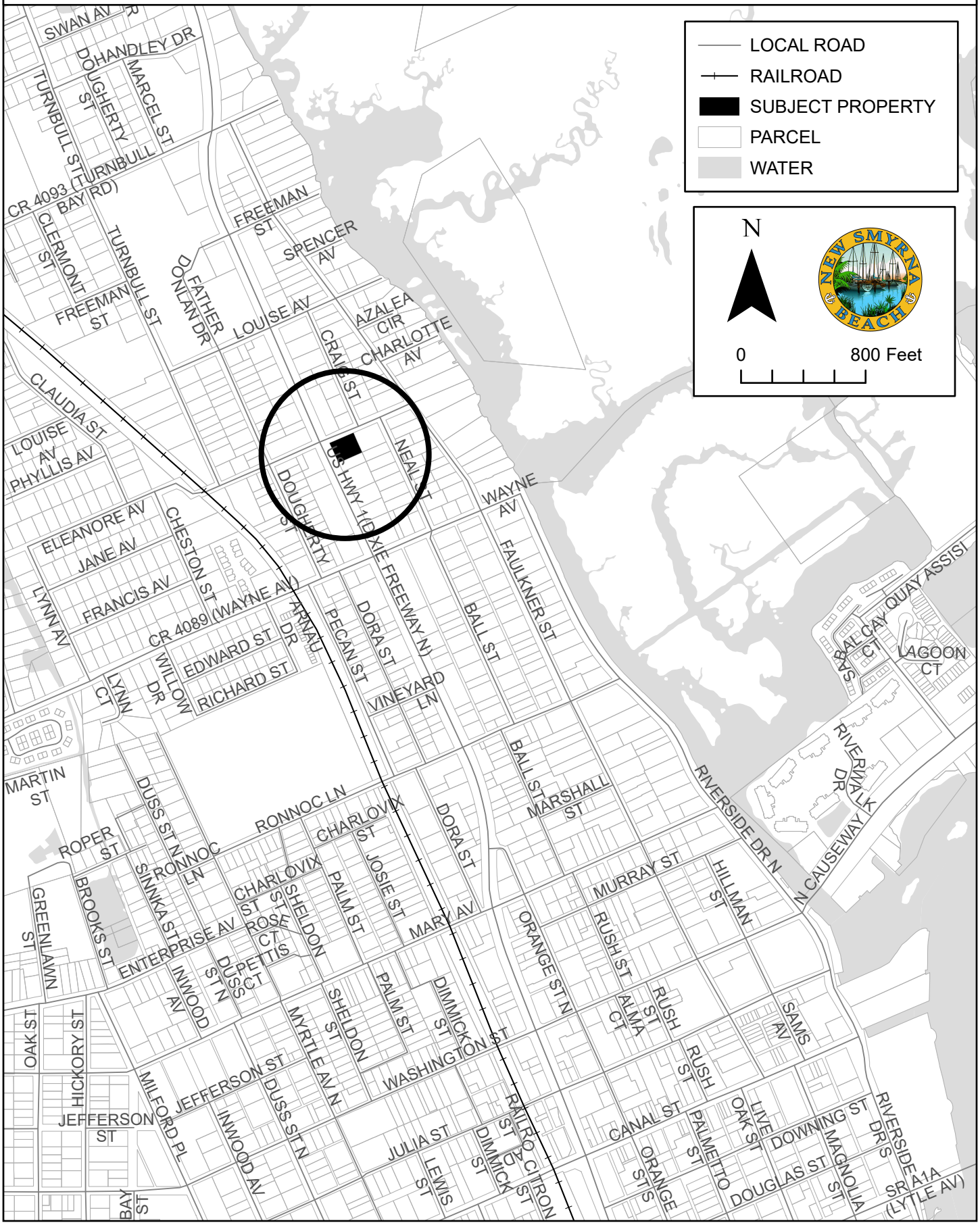


Exhibit B

VS-1-24: 729 N. DIXIE FREEWAY
PARCEL: 7440-06-09-0090 AERIAL MAP

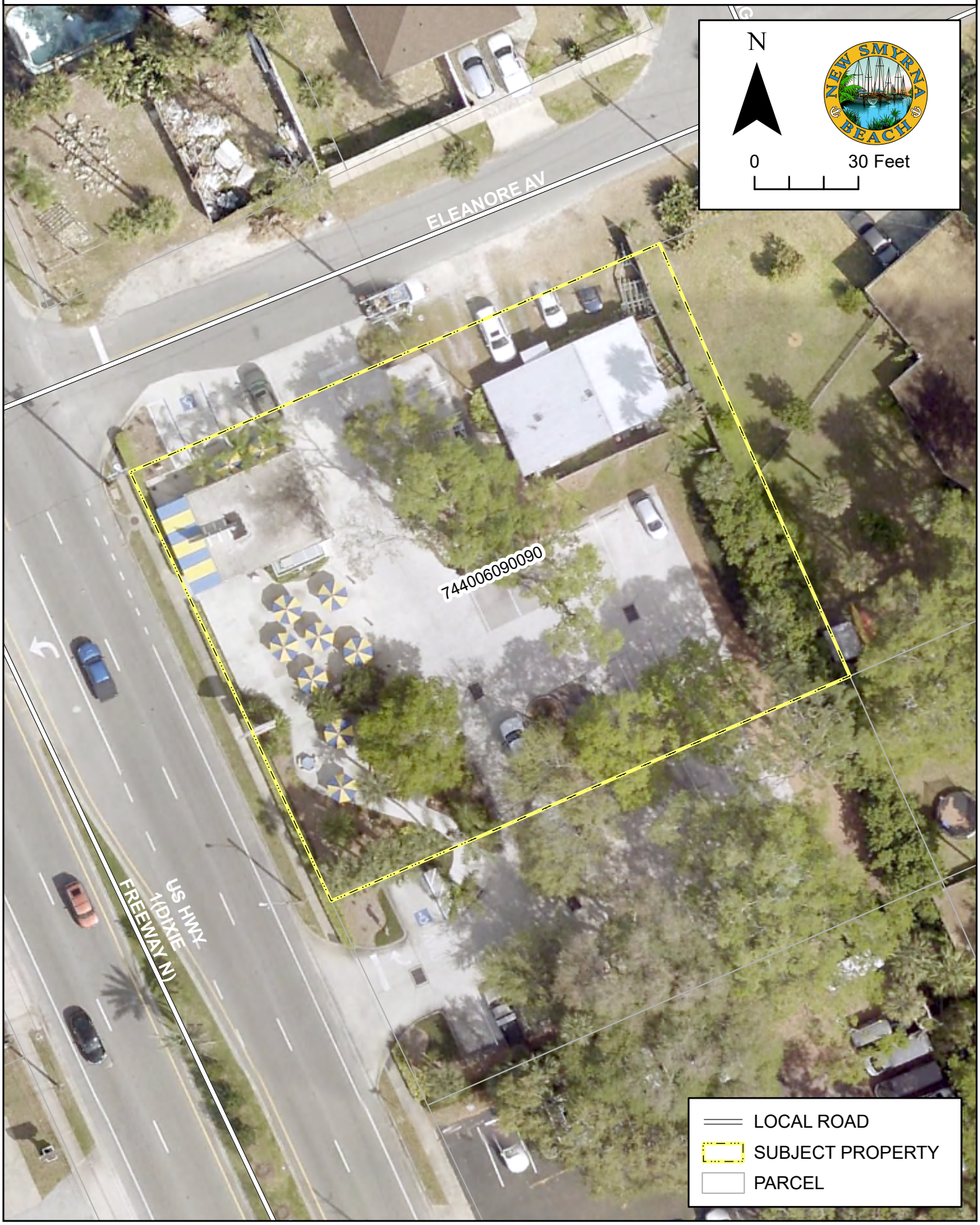


Exhibit C

Dairy Queen of New Smyrna

729 North Dixie Freeway. New Smyrna Beach, FL 32168.
Phone386-428-8066 E-mail: dqnsb@yahoo.com

TO: New Smyrna Beach Planning Department & Historic Preservation Commission.
FROM: Dairy Queen New Smyrna Beach – Jason McGuirk, Owner.
DATE: December 2, 2024
RE: Vintage Sign Designation for Dairy Queen Pole Sign.

Your support for the vintage sign designation for the Dairy Queen of New Smyrna's pole sign would be very much appreciated. The Dairy Queen was established in 1953 by Mary McGuirk and is in its third generation of McGuirk family ownership. Opened on the north side of town to cater to the "highway culture" before the interstate system was created, the Dairy Queen was one of the first businesses travelers would see coming into town headed south on US-1 (United States Highway-1).

Pole signs were common for many businesses, but were particularly common in the growing restaurant/fast food industry through the 1940s to 1980's. Many of these signs were elaborately designed and have become iconic over the decades with very few still in existence. Over the past 20 plus years books and websites have been written and created dedicated to the lost art and history of these signs. This specific sign was designed in the 1970's and has been on site since the early 1980s.

Dairy Queen of New Smyrna Beach is an iconic Dairy Queen, famous around the country for maintaining its historic integrity. While the grounds went through an extensive remodel in 2007, the building's historic integrity was maintained, winning the Donnadine Miller Historic Preservation Award in 2009. Each year the Dairy Queen gets thousands of visitors eager to see, or experience again, the vintage Dairy Queen. The pole sign is a vitally important part of maintaining the historic integrity, charm and experience of the Dairy Queen. We hope to have your support and thank you for your consideration.

Exhibit D



Exhibit E





Mary McGrath
1975


ONLY 58¢
OLD FASHION DAY
THURS. SM CONE 10¢
OPEN 11 - 11




DAIRY QUEEN
Dairy Queen
HOT DOGS
HOT DOG SPECIAL TUESDAY


Dairy Queen
HOT DOGS
All Beef
HOT DOG SPECIAL TUESDAY



This Dairy Queen is in Detroit Michigan. The pole sign closely resembles the pole sign at the Dairy Queen that is in New Smyrna Beach. Unfortunately, this pole sign was removed in 2018.

Photo was obtained from www.RoadsideArchitecture.com.







These photos of the New Smyrna Beach Dairy Queen. This Dairy Queen opened in 1953. It features an old rooftop sign as well as a freestanding pole sign. The rooftop sign was refurbished sometime after 2007. There is now only a singular "DQ" on the cone.

Photo and description were obtained from www.RoadsideArchitecture.com.

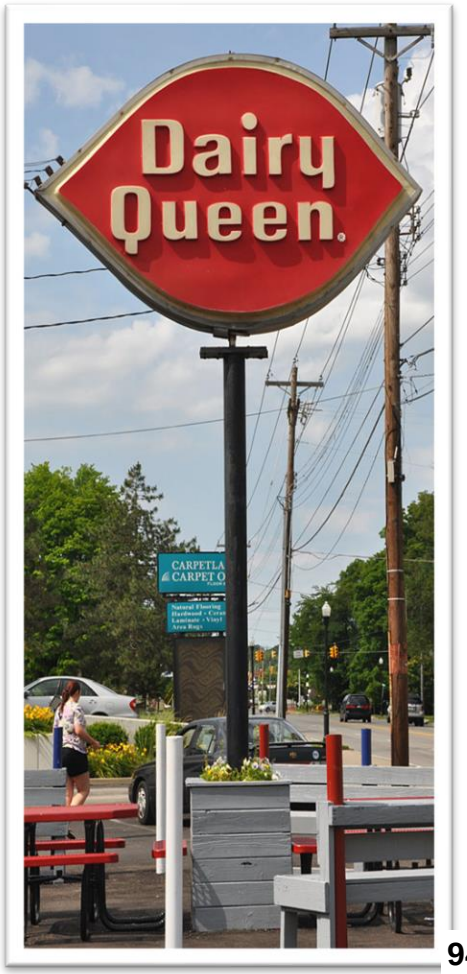




This Dairy Queen in St. Joseph, MO opened in 1947. While now sided over and featuring a peaked roof, it still has the original neon sign. The plastic pole sign is a rare survivor. Most of those panels have been replaced with versions reading "DQ" or replaced entirely with DQ swoosh logo signs.

Photo and description were obtained from www.RoadsideArchitecture.com.





This Dairy Queen in Cincinnati, OH opened in 1947. Has the original neon sign. The plastic pole sign is a rare survivor. Most of those panels have been replaced with versions reading "DQ" or replaced entirely with DQ swoosh logo signs.

Photo and description were obtained from www.RoadsideArchitecture.com.





This Dairy Queen in Sanford, FL opened in 1953. The plastic pole sign is a rare survivor. Most of those panels have been replaced with versions reading "DQ" or replaced entirely with DQ swoosh logo signs.

Photo and description were obtained from www.RoadsideArchitecture.com.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

SELECTION OF THE 2025 CHAIRPERSON AND VICE CHAIRPERSON

March 12, 2025

Background:

Conduct the nomination and election for the 2025 Historic Preservation Commission Chairperson and Vice Chairperson.

Fiscal Analysis:

N/A

Strategic Plan Item:

No

Staff Report Created By: Stephanie Ferrara - Development Services Coordinator

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

2023-2024 CERTIFIED LOCAL GOVERNMENT LETTER

March 12, 2025

Background:

The Planning Department filed the yearly Certified Local Government report to the Florida Department of Historical Resources.

The 2023/2024 report was filed on November 27, 2024. That report was reviewed by the State of Florida and the reviewing department issued a letter of "Good Standing".

Fiscal Analysis:

N/A

Strategic Plan Item:

No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

CLG Good Standing Letter New Smyrna Beach.pdf

FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

February 5, 2025

Mr. Robert Mathen
210 Sams Avenue
New Smyrna Beach, FL 32168

Re: CLG Annual Report Review

Dear Mr. Mathen,

Thank you for submitting the Certified Local Government (CLG) Annual Report for New Smyrna Beach in accordance with our mutual CLG agreement. Your annual report has been received and reviewed as of January 31, 2025. Our office has determined that your community is in good standing in the CLG program and eligible for the CLG match waiver for small matching grants in the current grant cycle. Thank you for being an active member of Florida's CLG Program. Our office looks forward to continuing to work with you to support the preservation of New Smyrna Beach's historic resources.

Sincerely,

Dr. Kyra Lucas
Supervisor, Survey & Registration
Bureau of Historic Preservation

KNL/tjs

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

DM-3-24/CPA-2-25: 304 MURRAY STREET ARCHAEOLOGICAL MONITORING REPORT

March 12, 2025

Background:

On December 11,2025 the Historic New Smyrna Beach Preservation Commission approved the demolition of a contributing structure located at 304 Murray Street.

Part of the condition of the approval, was a requirement of an archaeological report from a licensed archaeologist. Rebecca L. Harris, a Registered Professional Archaeologist, and founder and Executive Director of Smyrnea Archaeological Research Institute, (SARI), Completed the attached report.

Findings:

Exhibit A: Archaeological monitoring Report

Fiscal Analysis:

No cost to the City of New Smyrna Beach.

Strategic Plan Item:

No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

Monitoring Report_304 Murray.pdf

SARI was contracted by Property Owner, Alan Forbes of New Smyrna Beach, Florida in December 2024 for the purpose of archaeological monitoring during the demolition of a residential structure located at 304 Murray Street within *The New Smyrna Beach Historic District*. This work was completed as requested by the Historic Preservation Commission of New Smyrna Beach under their remit established by the City of New Smyrna Beach, Code of Ordinances, Chapter 50.

The New Smyrna Beach Historic District
Florida Master Site Number/Resource Group: 8Vo3132
National Park Service, National Register of Historic Places: #970000714

This historic district, established in 1990, includes 100 acres and 312 contributing structures centered around the historic downtown business district on Canal Street. These structures represent a mix of commercial and residential buildings as well as a number of architectural styles prominent in the early part of the 20th Century. The boundaries as designated in the NRHP listing lies between Ronnoc Lane on the north and Smith Street on the south. The Indian River forms a natural eastern boundary and US 1 provides the western extent for this resource.

309 Downing Street
Florida Master Site File Number 8VO1358
Property 744126000180
NSB Building Department Permit #DEMR-00030-2024 IVR Number: 28167

304 Murray was a contributing structure to the above resource group and recorded in 2007 as part of the *New Smyrna Beach Historic Structure Survey*. This structure was constructed between 1910-1912 and demolished January, 2025.

> *Statement of Significance:*
> *This one-story frame vernacular residence is located at 304 Murray Street. Notable architectural features include overall integrity, symmetrical piercings on the front (north) façade, and paired porch posts with trusses and ellipses between them.*

Archaeologists were present during mechanical demolition and visually monitored all ground disturbances over two days, including the removal of several mature trees, from February 10-12, 2025. Cultural materials observed were limited to items dating from the 20th Century through modern era. This piece of property was remarkably devoid of older historic artifacts that are often encountered and widely found throughout the

historic districts in the form of refuse pits that were used prior to the establishment of regular trash service (post 1930s).

Conclusions: No prehistoric cultural materials were encountered. Historic cultural materials were limited to items manufactured in the 20th Century through the modern era. Cultural materials were observed to be low density in nature across the property and nothing of significance was encountered or collected for further analysis.

An updated FMSF form will be completed to explain the nature of the structure; it's architectural and cultural history and its subsequent demolition.

SARI will provide the Historic New Smyrna Beach Preservation Commission a written report of these findings.

Smyrnéa Archaeological Research Institute, INC. is a registered 501c3, not-for-profit scientific organization that was founded in 2017. SARI focuses exclusively on heritage resources in New Smyrna and surrounding areas. SARI is under the direction of Registered Professional Archaeologist (15702), Rebecca L. Harris.

SMYRNÉA ARCHAEOLOGICAL RESEARCH INSTITUTE
TECHNICAL BRIEF: MONITORING REPORT 2021.02
304 Murray Street, New Smyrna Beach, Florida



Smyrnéa Archaeological Research Institute, INC. is a registered 501c3, not-for-profit scientific organization that was founded in 2017. SARI focuses exclusively on heritage resources in New Smyrna and surrounding areas. SARI is under the direction of Registered Professional Archaeologist (15702), Rebecca L. Harris.

Historic Preservation Commission Special Meeting
Wednesday, March 12, 2025, at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the special meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, March 12, 2025, at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Vice-Chair Stephanie Rees called the meeting to order at 5:32 PM.

Roll Call

Attendee Name	Title	Status	Arrived
Walter Bone	Member	Present	5:30 PM
Katherine Kaufman	Member	Present	5:30 PM
Stephanie Rees	Vice Chairperson	Present	5:30 PM
Terry Bledsoe	Member	Present	5:30 PM
Angeline Barretta-Herman	Member	Absent	5:30 PM

Also present were: Senior Planner Robert Mathen, Assistant City Attorney Grant Day, and Board Secretary Stephanie Ferrara.

No Changes to the Agenda.

2. APPROVAL OF MINUTES

2.A Approval of the Historic Preservation Commission August 14, 2024, Regular Meeting Minutes.

Chair Rees asked the board if they had any additional questions or comments.

Motion:
Member Bledsoe motion to approve August 14, 2024, Historic Preservation Commission regular meeting minutes, as submitted. Member Bone seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Bledsoe
SECONDER:	Bone
AYES:	Bone, Kaufman, Rees, Barretta-Herman, Bledsoe

3. PUBLIC PARTICIPATION

None.

4. NEW BUSINESS

4.A VS-1-24: 729 North Dixie Freeway – Dairy Queen

Robert Mathen, Senior Planner, outlined the applicant's request to Approval of an existing pole sign to be designated as a Vintage Sign.

The subject property has a one (1) story commercial building containing a restaurant constructed around 1953 per the Volusia County Property Appraisers website. The building is not contributing structure and is not located in one (1) of the City's two (2) historic districts but did receive the 2009 Donnadine Miller Historic Preservation Award. This application is not for the building, but the existing pole sign located in front of the restaurant. The pole sign has been in its current location since the 1980's.

Under the City Land Development Regulation 205.00, Sign Regulations Definitions: Vintage Sign, "Any sign 30 years old or older that is designated as such by the Historic New Smyrna Beach Preservation Commission." This regulation was adopted under Ordinance number 108-11. Ordinance number 108-11 was adopted November 29, 2011.
After evaluating the application to the required criteria, the Planning

Vice-Chair Rees opened the meeting for Public Participation. As no citizens wished to speak, Vice-Chair Rees closed Public Participation.

Vice-Chair Rees asked the Board if they had any additional questions or comments.

Motion:
Member Bone moved to approve VS-1-24: 729 North Dixie Freeway – Dairy Queen, as submitted. Member Bledsoe seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Bone
SECONDER:	Kaufman
AYES:	Bone, Kaufman, Rees, Bledsoe

4.B Selection of the 2025 Chairperson and Vice Chairperson

Chairperson – Stephanie Rees – Approved by Unanimous Consent

Vice Chairperson – Walter Bone – Approved by Unanimous Consent

5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

None.

6. REPORTS AND COMMUNICATIONS BY THE STAFF

6.A 2023-2024 Certified Annual Report Letter

6.B DM-3-24/CPA-2-25: 304 Murry Street Archaeological Monitoring Report

7. ADJOURNMENT

As there was no other business to discuss, Chair Rees declared the meeting adjourned at 6:07 P.M.

Historic Preservation Commission
Wednesday, June 11, 2025 at 5:30 PM

City Commission Chambers
214 Sams Avenue, New Smyrna Beach, Florida 32168

1. CALL TO ORDER

A. Roll Call

2. APPROVAL OF MINUTES

2.A Consider the Approval of the Historic Preservation Commission July 10, 2024 and March 12, 2025 Regular Meeting Minutes.

3. PUBLIC PARTICIPATION

4. NEW BUSINESS/DISCUSSION ITEMS

4.A CA-3-25: Review an application for a Certificate of Appropriateness for the proposed building facade and exterior repairs at 403 Magnolia Street.

4.B 2025 Donnadine Miller Preservation Award Selection
Awards are given annually to one residential (single-family) and one non-residential property that promotes pride in the City's past and increases awareness and appreciation for buildings that contribute to the history and character of New Smyrna Beach. Buildings 50 years and older or sites associated with a historic event are eligible.

5. COMMITTEE COMMENTS

6. STAFF COMMENTS

7. ADJOURNMENT

Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the board, agency or commission of the City of New Smyrna Beach with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 410-2630, prior to the meeting.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

CONSIDER THE APPROVAL OF THE HISTORIC PRESERVATION COMMISSION JULY 10, 2024 AND MARCH 12, 2025 REGULAR MEETING MINUTES.

June 11, 2025

Background:
Florida Statutes require that minutes be prepared and approved for all meetings of the Planning and Zoning Board.

Findings:
Staff recommends the Planning and Zoning Board approve the minutes of the regular Planning and Zoning Board meeting held on July 10, 2024 and March 12, 2025 Regular Meeting Minutes.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Stephanie Ferrara - Development Services Coordinator

Attachments:

July 10 2024 MEETING MINUTES1.pdf
March 12 2025 MEETING MINUTES.pdf

Historic Preservation Commission Special Meeting
Wednesday, July 10, 2024, at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the special meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, July 10, 2024, at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Vice-Chair Stephanie Rees called the meeting to order at 5:30 PM.

Roll Call

Attendee Name	Title	Status	Arrived
Walter Bone	Member	Present	5:30 PM
Katherine Kaufman	Member	Present	5:30 PM
Stephanie Rees	Vice Chairperson	Present	5:30 PM
Terry Bledsoe	Member	Absent	5:30 PM
Angeline Barretta-Herman	Member	Present	5:30 PM

Also present were: Senior Planner Robert Mathen, Assistant City Attorney Shey McCurdy, and Board Secretary Stephanie Ferrara.

No Changes to the Agenda.

2. APPROVAL OF MINUTES

None.

3. PUBLIC PARTICIPATION

None.

4. NEW BUSINESS

DRAFT

4.A DM-1-24: 110 Florida Ave

Robert Mathen, Senior Planner, outlined the applicant's request to Approval for a demolition of a contributing structure in the Coronado National Registered Historic District at 110 Florida Ave.

Staff recommend the following conditions for the demolition of a contributing structure: The applicant to provide a written and pictorial record of the building's history and architectural features for archival purposes, approved by the city. The record should include a narrative accompanied by relevant photographs, drawings, maps, and copies of original documents; and the applicant to design the replacement building(s) to meet the requirements of the Historic Preservation Design Guidelines for New Smyrna Beach and submit drawings of the proposed work; and the owner or future owner shall have archaeological study of the building footprint during demolition. Proposed replacement structure: The replacement structure does seem to meet the Historic Preservation Design Guidelines for architectural design and would seem to be compatible with the surrounding structures.

Vice-Chair Rees asked of the applicant would like to speak.

Ian Ratliff, of Ratliff Architecture and Urban Design, outlined his observation and evaluation of the structure. He stated that the structure no longer is historically or architecturally significant based on his evaluation.

Applicant and property Owners: Selby and Catherine Sullivan, 110 Florida Avenue, New Smyrna Beach, Florida 32169, commented on the request to for demolition of the structure. She provided background information about the property.

Discussion ensued with the commissions and Mr. Ratliff regarding the request for demolition.

Vice-Chair Rees opened the meeting for Public Participation. As no one wished to speak, Vice-Chair Rees closed Public Participation.

Vice-Chair Rees asked the Board if they had any additional questions or comments.

Motion:
Member Barretta-Herman moved to approve **DM-1-24: 110 Florida Ave**, as submitted and with staff's conditions. Member Bone seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUSLY]**
MOVER:	Barretta-Herman
SECONDER:	Bone
AYES:	Bone, Kaufman, Rees, Barretta-Herman

5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

6. REPORTS AND COMMUNICATIONS BY THE STAFF

NONE.

7. ADJOURNMENT

As there was no other business to discuss, Vice-Chair Rees declared the meeting adjourned at 6:26 P.M.

Historic Preservation Commission Special Meeting
Wednesday, March 12, 2025, at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the special meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, March 12, 2025, at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Vice-Chair Stephanie Rees called the meeting to order at 5:32 PM.

Roll Call

Attendee Name	Title	Status	Arrived
Walter Bone	Member	Present	5:30 PM
Katherine Kaufman	Member	Present	5:30 PM
Stephanie Rees	Vice Chairperson	Present	5:30 PM
Terry Bledsoe	Member	Present	5:30 PM
Angeline Barretta-Herman	Member	Absent	5:30 PM

Also present were: Senior Planner Robert Mathen, Assistant City Attorney Grant Day, and Board Secretary Stephanie Ferrara.

No Changes to the Agenda.

2. APPROVAL OF MINUTES

2.A Approval of the Historic Preservation Commission August 14, 2024, Regular Meeting Minutes.

Chair Rees asked the board if they had any additional questions or comments.

Motion:
Member Bledsoe motion to approve August 14, 2024, Historic Preservation Commission regular meeting minutes, as submitted. Member Bone seconded the motion, and the motion carried unanimously.

DRAFT

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Bledsoe
SECONDER:	Bone
AYES:	Bone, Kaufman, Rees, Barretta-Herman, Bledsoe

3. PUBLIC PARTICIPATION

None.

4. NEW BUSINESS

4.A VS-1-24: 729 North Dixie Freeway – Dairy Queen

Robert Mathen, Senior Planner, outlined the applicant's request to Approval of an existing pole sign to be designated as a Vintage Sign.

The subject property has a one (1) story commercial building containing a restaurant constructed around 1953 per the Volusia County Property Appraisers website. The building is not contributing structure and is not located in one (1) of the City's two (2) historic districts but did receive the 2009 Donnadine Miller Historic Preservation Award. This application is not for the building, but the existing pole sign located in front of the restaurant. The pole sign has been in its current location since the 1980's.

Under the City Land Development Regulation 205.00, Sign Regulations Definitions: Vintage Sign, "Any sign 30 years old or older that is designated as such by the Historic New Smyrna Beach Preservation Commission." This regulation was adopted under Ordinance number 108-11. Ordinance number 108-11 was adopted November 29, 2011.
After evaluating the application to the required criteria, the Planning

Vice-Chair Rees opened the meeting for Public Participation. As no citizens wished to speak, Vice-Chair Rees closed Public Participation.

Vice-Chair Rees asked the Board if they had any additional questions or comments.

Motion:
Member Bone moved to approve VS-1-24: 729 North Dixie Freeway – Dairy Queen, as submitted. Member Bledsoe seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Bone
SECONDER:	Kaufman
AYES:	Bone, Kaufman, Rees, Bledsoe

4.B Selection of the 2025 Chairperson and Vice Chairperson

Chairperson – Stephanie Rees – Approved by Unanimous Consent

Vice Chairperson – Terry Bledsoe – Approved by Unanimous Consent

5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

None.

6. REPORTS AND COMMUNICATIONS BY THE STAFF

6.A 2023-2024 Certified Annual Report Letter

6.B DM-3-24/CPA-2-25: 304 Murry Street Archaeological Monitoring Report

7. ADJOURNMENT

As there was no other business to discuss, Chair Rees declared the meeting adjourned at 6:07 P.M.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

CA-3-25: REVIEW AN APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR THE PROPOSED BUILDING FACADE AND EXTERIOR REPAIRS AT 403 MAGNOLIA STREET.

June 11, 2025

Background:

Applicant: Carl Curtis Hodges, 620 South Riverside Drive, New Smyrna Beach, Florida 32168.

Property owner: Karter Presley Lynaugh Trust, 403 Magnolia Street, New Smyrna Beach, Florida 32168.

Request: The property owner requests a review and approval of a Certificate of Appropriateness for facade repairs and upgrades to the building located at 403 Magnolia Street.

Parcel Number: 7441-38-04-0610

Exhibits Used in this Report:

Exhibit A: Elevations
Exhibit B: Applicant provided photos
Exhibit C: CRA grant application
Exhibit D: Landscape plant list

Findings:

The Woman's Club located at 403 Magnolia Street was designated as a Local Landmark by the City Commission in 2018 and received the 2010 Donnadine Miller Historic Memorial Preservation Award. The City of New Smyrna Beach purchased the property from the Woman's Club of New Smyrna Beach in 1990. The current property owner purchased the property from the City in 2024.

Just to give some history of this property:

The New Smyrna Beach Woman’s Club was organized in 1911. The following year the club was federated, and in 1917 became incorporated.

In the early years, the club held its meetings on Saturday afternoons at Gabriel Gomez's store at 409 ½ Magnolia St. To raise money for a clubhouse building, "teas" were organized on Saturday afternoon and the ladies of the neighboring Rio Vista resort hotel were invited. Under the club leadership of Mrs. Jim Marshall, the teas were often complimented with violin and piano concerts by Mary Conner, the school music teacher. By 1918 the sum of $1,200.00 was attained, enough to buy portions of lots 61 and 62 at the intersection of Lytle Avenue and Magnolia Street. This property was purchased from W. P. Shryock, owner of the general merchandise store adjacent to this property on the east.

In February of 1922 the members of the New Smyrna Woman's Club were invited to the opening of the New Daytona Beach Woman's Club. This building has since destroyed. This led to increase interest in a permanent clubhouse for New Smyrna. On February 5, 1923, a building committee was formed at the regular meeting of the New Smyrna Woman's Club to select plans for the new clubhouse. In early May of 1923, plans were accepted for the new building. The total cost was estimated at $10,000. Wight, and other businessmen in the community, donated $100.00 each, bringing the total to $3,000. By December, the lot was cleared, and Mr. E. M. Webster of Fidelity Bank made an offer of a loan to the club for the remaining construction money.

The plans for the building were completed by Phillip H. Reed, a local carpenter and builder. Mr. Reed also worked on several other commercial buildings and private residences, including an addition to the home of Mrs. Mary (Conner) Vaughn at 209 Lytle Avenue. Mr. William H. Berger, husband of the secretary of the club, and Colonel Joseph Bird, both offered their services to supervise the construction of the building.

The New Smyrna Beach Woman's Club was built in the Mediterranean Revival/Mission style. Other buildings in the area were constructed in the similar styles, but the New Smyrna Beach Woman's Club is unusual in that the west and north exterior walls extend out from the roof line. An arcaded porch extends from the west side of the building. The building lacks the extensive decorations as often seen on other Mediterranean Revival buildings.

In early February 1924, the first event was a bazaar, which was held in the nearly completed Woman's Club building. A newspaper account of the event described the new building as being attractive with a green and white color scheme throughout. The unfinished interior walls were decorated with bamboo, palms, and moss. The furniture was on loan from Sumner Furniture Company. The bazaar was a success, with $940.00 received from receipts. The club also raised money to pay for the building by such events as May Day festivals. A suite of furniture was donated by the winner of a raffle at the Victoria Theater in New Smyrna to help furnish the building.

The New Smyrna Woman's Club was active in several functions of the community. In the 1920's the club participated in a city beautification program in conjunction with the Exchange Club and the Chamber of Commerce. The purpose of this program was to make New Smyrna a more attractive town, especially to incoming northern visitors.

The members also donated the use of their clubhouse for the honor society and senior banquets. Such organizations as the Girls Reserve also used the clubhouse for meetings in the 1930's. Political gatherings were held in the building, such as receptions for gubernatorial aspirant Fred O. (Bud) Dickerson, Jr., former Comptroller of Florida. In more recent years, the New Smyrna Beach Woman's Club has remained an integral part of the community through its use not only for club meetings and receptions but for church services and recreational classes as well.

In its hay day the New Smyrna Beach Woman's Club had up to 300 members. The New Smyrna Beach Woman's Club is one of the earliest clubs of its type in the area.

The building is located next to the overpass to the South Causeway what was Lytle Avenue and is in the New Smyrna Beach Historic District. This district is listed on the National Register of Historic Places with the Department of the Interior as of April 26, 1990.

The previous property owner did receive a Certificate of Appropriateness in 2022 for the foundation and interior repairs. The current property owner has updated the foundation and interior repairs based on that previous Certificate of Appropriateness.

Now, the property owner is requesting a Certificate of Appropriateness to upgrade the exterior facade. See **Exhibit A**. The applicant has provided photos of the exterior of the building attached as **Exhibit B**. The applicant also has applied for a Community Redevelopment Agency (CRA) grant to help pay for repairs and upgrades to the building. See **Exhibit C**. The applicant has also supplied the Commission with a landscaping list of plant material. See **Exhibit D**.

Recommendation:

Tonight's request is for the Commission to review the proposed elevation repairs and modifications and make a motion to approve a Certificate of Appropriateness.

Because the renovations will assure that the building will retain its historic elevation and architecture, the building can be admired by the general public, and the building will be saved for future generations to see, the Planning Department recommends the Historic

New Smyrna Beach Preservation Commission to **approve** a Certificate of Appropriateness for the proposed elevations with new stucco with white paint, exterior doors, wood handicap accessible deck with lattice screen, proposed awnings, and proposed landscaping.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

Exhibit A Elevations.pdf
Exhibit B Existing Exterior Photos.pdf
Exhibit C Large Scale Facade Improvement Commercial Grant Agreement - Curtis Hodges - 403 Magnolia St.pdf
Exhibit D Landscape- Plant List.pdf

Exhibit A



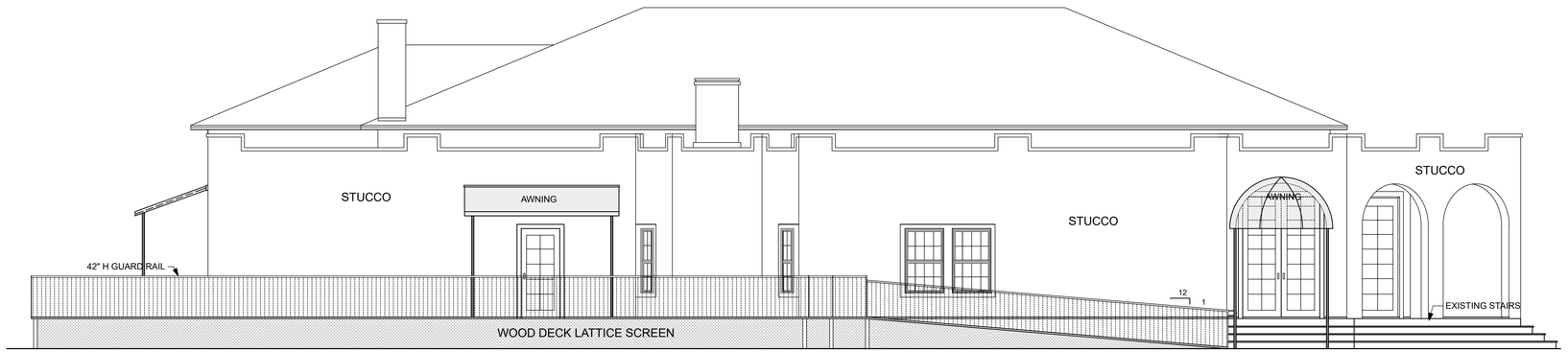
WEST ELEVATION

0 4' 8' 12'



EAST ELEVATION

0 4' 8' 12'



NORTH ELEVATION

0 4' 8' 12'

403 MAGNOLIA STREET
NEW SMYRNA BEACH (5/7/2025)

EXISTING EXTERIOR
403 MAGNOLIA STREET
NEW SMYRNA BEACH, FL 32168

Exhibit B





EXISTING EXTERIOR
403 MAGNOLIA STREET
NEW SMYRNA BEACH, FL 32168





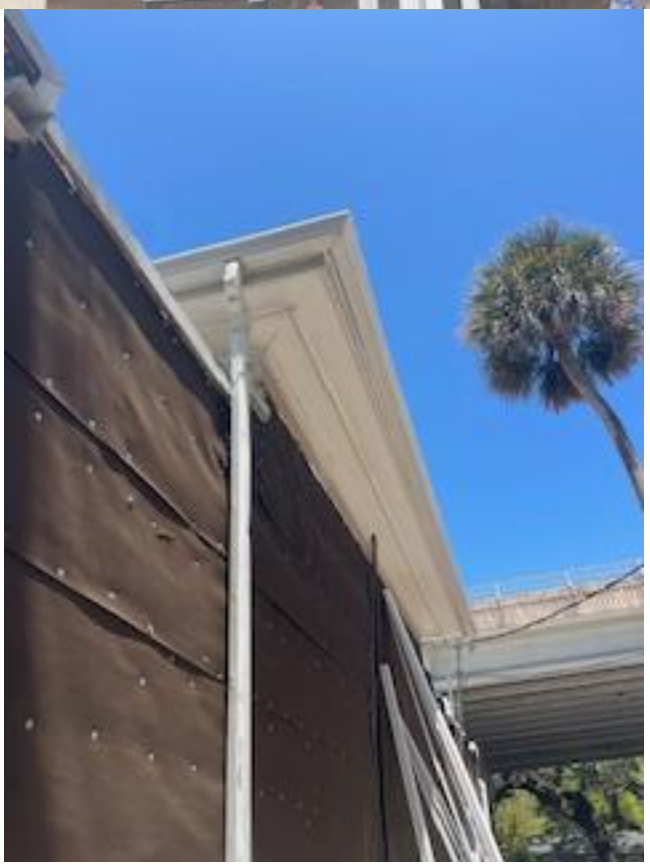
EXISTING EXTERIOR
403 MAGNOLIA STREET
NEW SMYRNA BEACH, FL 32168





EXISTING EXTERIOR
403 MAGNOLIA STREET
NEW SMYRNA BEACH, FL 32168





EXISTING EXTERIOR
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NEW SMYRNA BEACH
COMMUNITY REDEVELOPMENT AGENCY

Community Redevelopment Agency of the City of New Smyrna Beach

Large Scale Commercial Improvement Grant Program

The Large Scale Commercial Façade / Property Improvement 50-50 Matching Grant Program provides commercial property owners with financial assistance (up to $100,000) to improve the EXTERIOR appearance of their properties with commercial frontage along the US 1 corridor and the Historic Westside area of the CRA District.

Eligibility Highlights:

- Commercial properties located within the CRA District on US1 (Dixie Freeway) and / or within the Historic Westside. Map Link
- Receive up to $100,000 based on 50-50 matching, reimbursement basis
- All proposed exterior improvements must be approved by the CRA Board prior to starting work
- Funding can be used for exterior renovation, restoration, rehabilitation, and land-scaping improvements
- All work must be done in compliance with applicable City of New Smyrna Beach Building and Land Development Regulations
- All Contractors must be licensed in the State of Florida
- Funding is not guaranteed
- Application and details available at www.cityofnsb.com

Contact:
Samantha Bergeron, CRA/Economic Development Director
210 Sams Avenue
New Smyrna Beach, FL 32168
386-424-2160
sbergeron@cityofnsb.com

Large Scale Commercial Façade / Property Improvement 50-50 Matching Grant Program Overview

Awards up to $100,000/Applicant (50-50 Matching) (as funds are available)

PROGRAM DESCRIPTION:

The Large-Scale Commercial Façade / Property Improvement 50-50 Matching Grant Program awards funds for EXTERIOR ONLY improvements to commercial businesses and properties that are located within the CRA District of the city's Community Redevelopment Agency of the City of New Smyrna Beach (CRA) area.

These improvements can include, but are not limited to façade painting, parking lot resurfacing, signage, landscaping, etc. Maximum CRA grant awards cannot exceed $100,000 per applicant. The Large-Scale Commercial Façade / Property Improvement 50-50 Matching Grant was created to encourage and incentivize the redevelopment of commercial buildings and properties with commercial frontage within the CRA District / Area. The program allows the CRA to fund grant recipients or grantees on a reimbursement basis for 50% of the cost to enhance commercial facades and property improvements up to $100,000.

For example: For a CRA Grant Recipient to receive the full $100,000 CRA reimbursement grant, the applicant must spend a minimum $200,000 on eligible exterior commercial façade/property improvement items. Once the required documentation has been submitted to CRA staff for approval and the project obtains necessary regulatory approval, the $100,000 is reimbursed to the recipient.

To be considered, commercial property or business owners within the CRA District must submit a completed application accompanied by at least (3) estimates from licensed general contractors. Other estimates may be acceptable depending upon the type of improvement proposed; please contact the CRA/Economic Development Department regarding your specific proposal to determine if quotes from other licensed businesses or companies would be accepted prior to obtaining the estimates.

PROGRAM RULES:

The following rules are intended to inform a potential grant applicant of the extent and scope of the program. The purpose of the program is to encourage commercial property owners to upgrade their properties by improving the external appearance of their business and to encourage businesses to invest in the growth of their business within the CRA District. The result will halt deterioration, stabilize property values, improve and upgrade the appearance of the area, and facilitate and encourage redevelopment activity within the CRA District.

1. The program is available only for property located within the CRA commercial frontage. **Click the link below to see if your address is in the CRA Grants' Targeted Area:**
https://www.cityofnsb.com/1364/CRA-Grant-Program-Details

2. All proposed exterior façade/property improvements using CRA funds must be approved by the CRA Board before proceeding.

3. The program is for commercial properties and businesses only. Residentially zoned properties are NOT eligible (this includes multi-family units, apartment buildings and duplexes). The property owner must be the applicant. However, if the property is currently leased to a tenant, then the Application and Agreement must be jointly executed by both the owner and the tenant.

Eligible Properties include:
Commercial and Industrial Properties

Eligible Businesses include:

- Aerospace
- Aviation
- Light Industry (including Manufacturing)
- Creative Class, including High Tech
- Professional Office
- Healthcare
- Retail
- Restaurant

4. Eligible exterior Commercial Façade/Property Improvements for this program include:

- Painting
- Shutters
- Roof Repair
- Awnings/canopies
- Decorative exterior facade improvements
- Exterior doors/windows
- Landscaping around the building
- Irrigation
- Parking lot re-paving, re-sealing, re-striping
- Exterior lighting
- Patio or decks connected to the building
- Exterior wall repairs (e.g., stucco, brick or wood repairs and replacement)
- ADA improvements
- Signage
- Fencing (excluding chain link, barbed wire, and wood panels)
- Demolition of structure and (re)sodding of vacant property

- Public utilities and infrastructure required for business or commercial property
- Professional Design Assistance
- Exterior Security Features

Ineligible expenses include:

- Installation of trash receptacles
- Where a property is not currently in compliance, landscape material and work required to come into compliance with the City of New Smyrna Beach's Code of Ordinances or Land Development Regulations. Improvements made prior to grant approval
- Interior renovations
- Non fixed improvements
- Inventory or equipment
- Sweat equity (i.e., payment for applicant's own labor and performance for renovation or new construction work.
- Business payroll
- General periodic maintenance

5. All work must be done in compliance with applicable City of New Smyrna Beach Building Codes and Land Development Regulations. All contractors must be licensed in Florida. Please contact the City of New Smyrna Beach Development Services Department at (386) 410-2800 regarding the proposed work to schedule a Pre-Application Meeting prior to submitting a Large-Scale Commercial Facade Property Improvement Grant Application.

6. Grant funds will be reimbursed exclusively for approved work, approved change orders and only for work that has been performed after the grantee has received notification that the Grant Application has been approved by the CRA Board. Any work completed prior to receiving grant approval is ineligible for reimbursement.

7. The Large-Scale Commercial Façade Improvement 50-50 Matching Grant Program is only available to applicants who have not previously participated in the program

APPLICATION PROCESS:

1. An applicant seeking a project grant may secure an application from the Community Redevelopment Agency of the City of New Smyrna Beach (CRA) located at 210 Sams Avenue New Smyrna Beach, FL 32168, phone (386)-424-2160 or download the application from Community Redevelopment | New Smyrna Beach, FL - Official Website (cityofnsb.com)

2. The CRA will administer the Large-Scale Commercial Façade / Property Improvement 50-50 Matching Grant Program and funding. In addition to the appropriate City of New Smyrna Beach building inspections, the CRA will inspect the work to determine the satisfactory completion of the work.

3. Applicants may not have any outstanding City of New Smyrna Beach liens against their property. If an Applicant has an outstanding City of New Smyrna Beach lien against the property, the grant will not be awarded until the complete satisfaction of the lien.

4. If the application and documentation is complete and meets the criteria of the program, the applicant will receive a grant agreement and affidavit for signature and notary. The complete package will be submitted to the CRA Board for approval at the next scheduled CRA Board meeting.

5. Application to this Program is not a guarantee of funding. Funding is at the sole discretion of the CRA Board. Applications will be scored, ranked and presented to the CRA Board for final approval. The total available program funding is subject to change.

REIMBURSEMENT PROCESS:

1. Grant Payments — Subject to the terms and conditions of the Grant Agreement, reimbursement will be made within approximately ninety (90) days from the CRA receiving the following:

a) Detailed invoices, copy of processed or cancelled check and proof of payment for Eligible Reimbursable Costs

b) Building Department Inspection forms and completed final inspections.

2. Alternatively, it is within the CRA/Economic Development Director's discretion to authorize that partial grant payments be issued on a draw schedule to facilitate the timely completion of some of the approved projects.

3. Site Visits — CRA staff will conduct a site visit before grant payment is made to verify that the business is in operation. Staff may also conduct unannounced site visits periodically to ensure compliance with the terms of the grant agreement. Staff will complete a final inspection prior to issuing final payment.

4. Reporting — by accepting the grant, the applicant agrees to comply with any reporting procedures deemed necessary by CRA staff to verify that the required job positions are properly fulfilled and maintained. Reporting may include, but is not limited to, payroll records, work schedules, and reporting forms.

5. The CRA will release funds to the client on a reimbursement basis at the completion of the entire project.

6. The CRA staff will perform monitoring exercises at least once a year to record the applicant's compliance with the grant's requirements. The monitor will formally report the applicant's level of compliance to the CRA Director and will also report any corrective action plans that the applicant has committed to implementing to achieve the agreed upon compliance goals in the grant agreement. Staff will review the documents provided. If everything is in order, the project will be declared completed and process payment to the applicant for the amount allowed by the Grant Agreement.

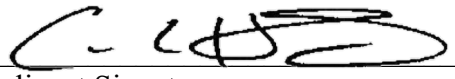
I have read, understand, and accept the program overview and guidelines set forth above for the Large-Scale Commercial Façade / Property Improvement 50-50 Matching Grant Program.

403 MAGNOLIA STREET, NEW SMYRNA BEACH, FL 32168

Property Address City, State, Zip Code

CARL CURTIS HODGES

Applicant Name **(Please Print)**



Applicant Signature

APPLICATION CHECKLIST

Every application package must include ALL the following items before it will be processed and considered for approval.

☐ TAB 1: Written detailed description of the improvements to be done to the property

☐ TAB 2: W9 Form (attached)

☐ TAB 3: Copy of Business Tax Identification

☐ TAB 4: Copy of Occupational Licenses

☐ TAB 5: Copy of Warranty Deed,

☐ TAB 6: Copy of Lease (if applicable),

☐ TAB 7: Copy of Property Appraisal Records (paid property taxes)

☐ TAB 8: Plans or sketches (if applicable)

☐ TAB 9: Rendering of completed project (needed for presentation purposes)

☐ TAB 10: Site plan and plant list for landscape projects

☐ TAB 11: Third-party cost estimates from three (3) Florida licensed contractors

☐ TAB 12: Estimated timeline or project schedule

☐ TAB 13: Evidence of financial ability to pay for the project (approved loan, cash account, line of credit, etc.)

☐ TAB 14: Completed Application

☐ TAB 15: Completed Checklist

ALL DOCUMENTS ALONG WITH COMPLETED APPLICATIONS SHOULD BE PROPERLY LABELED AND INSERTED INTO A MULTI PART PRONGED FOLDER. PARTIAL SUBMISSIONS WILL NOT BE REVIEWED OR ACCEPTED.

Large Scale Commercial Facade/Property Improvement 50-50 Matching Grant Program Application

1. APPLICANT

Name: CARL CURTIS HODGES

Address: 620 S. Riverside Drive

City, State: New Smyrna Beach

Zip Code: 32168 Phone Number: 321-303-6195

E-mail: cchodges@gmail.com

2. BUILDING TO BE IMPROVED/PROPERTY INFORMATION

Owner: CARL C HODGES, TRUSTEE, KARTER PRESLEY LYNAUGH TRUST

Address: 403 MAGNOLIA STREET

City, State: New Smyrna Beach, FL

Zip Code: 32168

3. OWNER TYPE:

TRUST

☐ Individual ☐ Partnership ☐ LLC

☐ Sole Proprietorship ☐ Corporation ☐ Non-Profit

4. OWNER OF PROPERTY (if not the applicant)

Name: _____

Address: _____

City, State: _____

Zip Code: _____ Phone Number: _____

E-mail: _____

5. **PROJECT INFORMATION (PLEASE TYPE OR WRITE**

Project Description

Exterior improvements include: new stucco, painting, awnings, exterior doors, landscaping, irrigation, landscape lighting, ADA ramps, underground utlities including 400 amp service.

Project Schedule: May 1- September 15 for completion

Select all applicable ambitioned improvements in the property.

IMPROVEMENT	COST	IMPROVEMENT	COST
☒ Painting	$32,900	☐ Exterior lighting	
☐ Shutters		☒ Patio or decks connected to the building	$25,640
☐ Roof Repair		☒ Exterior wall repairs (e.g. stucco, brick, or wood repairs and replacement)	$57,400
☒ Awnings/canopies	$17,200	☒ ADA improvements	
☒ Decorative exterior facade improvements	$9,820	☐ Signage	
☒ Exterior doors/windows	$11,200	☐ Fencing (excluding chain link, barbed wire, and wood panels)	
☒ Landscaping around the building	$13,800	☐ Demolition of structure	
☒ Irrigation		☒ Public Utilities and Infrastructure relative to business or commercial property	$12,200
☐ Parking lot repaving, resealing, restriping		☐ Exterior Security Features	
☒ Professional Design Assistance	$18,016	**ESTIMATED TOTAL IMPROVEMENT COST:**	$198,176

Large Scale Commercial Facade/Property Improvement 50-50 Matching Grant Program Application

Name of **LICENSED** General Contractor for the Project: Laura Hodges- Certified General Contractor 1518602

Address of General Contractor: 620 S. Riverside Drive

City, State New Smyrna Beach, FL Zip Code 32168

Phone Number of General Contractor: 407-702-3342

Email for General Contractor: greentechnologyconstructionllc@gmail.com

Estimated Total Project Cost: $198,176 Grant Amount Requested: $99,088

6. **SOURCES OF FUNDING**
REGIONS BANK- BUSINESS BANKING ACCOUNT

7. **APPLICATION AGREEMENT**

I (we), the applicant(s) understand that the intent of this application is only for purposes of prequalifying for a Large-Scale Commercial Facade/Property Improvement 50-50 Matching Grant and does not guarantee acceptance or approval and no commitment is hereby made on the part of either the applicant or the Community Redevelopment Agency of the City of New Smyrna Beach (CRA).

I (we) certify that to the best of my (our) knowledge, all the information in this application and all information furnished in support of this application is true and correct. Any property assisted under this program will not be used for any illegal or restricted purposes. Any intentionally false or fraudulent statement or supporting documents will constitute cancellation of my (our) application. The CRA is hereby authorized to verify any of the information provided and to inspect the property prior to approval.

I authorize the City of New Smyrna Beach and the CRA or its agents to take photos of myself and myself and business to be used to promote the program.

CARL CURTIS HODGES

Applicant Name **(Please Print)**

Applicant Signature 4/24/25 Date

Applicant Name **(Please Print)**

Applicant Signature Date

Form **W-9**
(Rev. March 2024)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Go to *www.irs.gov/FormW9* for instructions and the latest information.

Give form to the requester. Do not send to the IRS.

Before you begin. For guidance related to the purpose of Form W-9, see *Purpose of Form*, below.

Print or type. See ***Specific Instructions*** on page 3.

1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.)

THE MAGNOLIA NSB LLC

2 Business name/disregarded entity name, if different from above.

3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor ☐ C corporation ☐ S corporation ☐ Partnership ☐ Trust/estate

☑ LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) . . . . .

Note: Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner.

☐ Other (see instructions)

3b If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions . . . . . ☐

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any)

Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any)

(Applies to accounts maintained outside the United States.)

5 Address (number, street, and apt. or suite no.). See instructions.

620 S. RIVERSIDE DRIVE

6 City, state, and ZIP code

NEW SMYRNA BEACH FL 32168

Requester's name and address (optional)

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. See also *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

			–		–				

or

Employer identification number

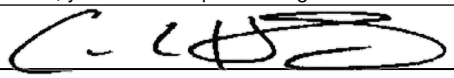
3	3	–	1	6	0	6	2	8	0

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and, generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here **Signature of U.S. person**  **Date** 2/1/2025

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9*.

What's New

Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they

Prepared by and Return To:
Teresa Prompovitch
Professional Title Agency, a division of LandCastle Title Group, LLC
313 Julia Street
New Smyrna Beach, FL 32168

Order No.: N[redacted]

APN/Parcel ID(s): 744138040610

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made this November 4, 2024, by City of New Smyrna Beach Florida municipal corporation having its principal place of business at 210 Sams Avenue, New Smyrna Beach, FL 32168, hereinafter called the grantor, and Carl C. Hodges, Trustee of The Karter Presley Lynaugh Trust under Agreement dated March 5, 2015with Full power and authority is granted to said trustee to protect, conserve, convey, sell, lease, encumber, or otherwise to manage and dispose of the real property described herein.
whose post office address is 620 S. Riverside Drive, New Smyrna Beach, FL 32168, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representative and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That the grantor, for and in consideration of the sum of $10.00 and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all the certain land situated in County of Volusia, State of Florida, viz:

Lot 61 and the North Half of Lot 62 of Block 4 of ANDREWS ADDITION TO THE CITY OF NEW SMYRNA, according to plat of record in Map Book 2, Page 68, Public Records of Volusia County, Florida.

See Exhibit "A" for Restrictive Covenants

The City of New Smyrna Beach specifically waives any and all rights to and is specifically not reserving any interest in phosphate, minerals, metals or petroleum.

Subject to encumbrances, easements and restrictions of record and taxes accruing subsequently to 2023.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the same in Fee Simple forever.

SPECIAL WARRANTY DEED
(continued)

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in Fee Simple; that the grantor has good right and lawful authority to sell and convey said land; and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said grantor.

SPECIAL WARRANTY DEED
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Signed, Sealed and Delivered in the presence of:

Witness Signature

Teresa A. Prompovitch
Print Name

Address: 313 Julia Street
New Smyrna Beach, FL 32168

Witness Signature

Linda Ramsey
Print Name

Address: 313 Julie St.
New Smyrna Beach, FL 32168

City of New Smyrna Beach

BY: _____ MAYOR
Fred E. Cleveland, Mayor

Address: 210 Sams Avenue
New Smyrna Beach, FL 32168

State of Florida
County of Volusia

The foregoing instrument was acknowledged before me by means of [X] physical presence or [ ] online notarization, this 4th day of November, 2024, by Fred E. Cleveland, Mayor of City of New Smyrna Beach, to me known to be the person(s) described in or who has/have produced Drivers Licenst as identification and who executed the foregoing instrument and he/she/they acknowledged that he/she/they executed the same.

NOTARY PUBLIC
My Commission Expires:

TERESA A. PROMPOVITCH
Notary Public - State of Florida
Commission # HH 221861
My Comm. Expires Mar 21, 2026
Bonded through National Notary Assn.

EXHIBIT "A"

RESTRICTIVE COVENANTS
Project Name: City of New Smyrna Beach Woman's Club Stabilization and Restoration
Grant Number: #22.h.sc.900.011

THESE COVENANTS are entered into this 12th day of September, 2024, by City of New Smyrna Beach, Florida, hereinafter referred to as the Owner, and shall be effective for a period of five (5) years from the date of recordation in **the Office of the Clerk of the Circuit Court of Volusia County, Florida**.

WHEREAS, the Owner is the fee simple titleholder of the Property located at 430 Magnolia Street (**Project Address**), **City of New Smyrna Beach, Volusia County**, Florida, as described in Exhibit A, attached to and made a part hereof, and

WHEREAS, the City of New Smyrna Beach, Florida, is to receive grant assistance funds administered by the State of Florida, Department of State, Division of Historical Resources, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, hereinafter referred to as the Department, in the amount of $600,000.00, to be used for the purposes set forth in the grant agreement by the Owner of the property as described in Exhibit A; and

Now THEREFORE, as part of the consideration for the State grant, and in accordance with section [redacted] Florida Statutes, the **City of New Smyrna Beach, Florida** hereby makes and declares the following restrictive covenants which shall run with the title to said Property and be binding on the **City of New Smyrna Beach, Florida** and, if any, its heirs, successors in title, legal representatives and assigns, for a period stated in the preamble above:

1. The **City of New Smyrna Beach, Florida** grants to the Department a security interest in the Property in the amount of $391,460.15, for a period of five (5) years from the date of recordation of these Restrictive covenants.
2. The **City of New Smyrna Beach, Florida** agrees not to sell, transfer, mortgage, or assign its interest in the real property unless the Department of State approves the sale, transfer, mortgage, or assignment. The Department may require the entity acquiring an interest in the real property to assume the obligations of this Restrictive Covenant as a condition of approval.
3. The **City of New Smyrna Beach, Florida** agrees to use the real property subject to the terms of this Restrictive Covenant for the purposes set forth in the legislative appropriation awarding the grant funds to the Owner and in accordance with the grant agreement entered into by the Owner and the Department of State in furtherance of said legislative appropriation.
4. The **City of New Smyrna Beach, Florida** agrees that the Department, its agents and its designees shall have the right to inspect the Property at all reasonable times in order to ascertain whether the conditions of the Grant Award Agreement and these covenants are being observed.
5. The Owner agrees to record these covenants with **Office of the Clerk of the Circuit Court of Volusia County, Florida** prior to the release of the first installment of grant funds, and shall pay any and all expenses associated with their filing and recording.
6. The **City of New Smyrna Beach, Florida** agrees that these restrictions shall encumber the property for a period of **five (5)** years from the date of recordation, and that if a restriction is violated within the **5 year** period, the Department shall be entitled to liquidated damages in the amount of $391,460.15.

7. If the **City of New Smyrna Beach, Florida** violates any part of these Restrictive Covenants, then the **City of New Smyrna Beach, Florida** will be in default and the Department shall have the right to exercise the following rights:
    a. The Department shall have the right to declare the liquidated damages described in paragraph 6, plus interest at the statutory rate from the time of the **City of New Smyrna Beach, Florida** receipt of the grant funds, and attorneys' fees and other expenses incurred by the Department in the enforcement of these Restrictive Covenants, to be immediately due and payable without notice or demand on the **City of New Smyrna Beach, Florida**, which notice or demand are hereby expressly waived by the **City of New Smyrna Beach, Florida**, and upon the making of any such declaration, the entire amount shall become immediately due and payable;
    b. The Department may enforce its security interest in the Property to collect the entire amount described in paragraph 7a. through foreclosure proceedings or any other manner allowed by law;
    c. In the event of any litigation between the parties under these Restrictive Covenants, the prevailing party shall be entitled to reasonable attorneys', paralegals' and para-professionals' fees and court costs at all trial and appellate levels;
    d. All cash proceeds received by the Department in respect of any sale of, collection from, or other realization upon all or any part of the Property and all payments made in respect of the Property and received by the Department may, in the discretion of the Department, be held by the Department as collateral for the security interest plus interest, costs and fees, or may be applied (after payment to the Department of the reasonable expenses, including attorneys' fees and legal expenses, incurred by the Department in retaking, foreclosing, collecting, selling, or disposing of the Property) at any time in whole or part by the Department against all or any part of the Obligations in such order as the Department shall elect. Any surplus of such payments held by the Department and remaining after payment in full of all of the Obligations shall be paid over to the **City of New Smyrna Beach, Florida** or to whomsoever may be lawfully entitled to receive such surplus. The **City of New Smyrna Beach, Florida** shall remain liable for any obligations remaining unpaid.
8. The Department acknowledges and agrees that any liens or lien rights it may have or it may be entitled to in property owned by the **City of New Smyrna Beach, Florida** are and shall be subordinate to the lien rights of any and all lienholders whose liens were recorded before this document's date of recordation. Under no circumstance shall the Department's liens or lien rights be subordinated to any lienholders other than those whose liens were recorded before this document's date of recordation.
9. The **City of New Smyrna Beach, Florida** agrees that the Department shall incur no tax liability as a result of these restrictive covenants.

IN WITNESS WHEREOF, the **City of New Smyrna Beach, Florida** has read these Restrictive Covenants and has hereto affixed their signature.

WITNESSES:

Witness Signature

Witness Name Typed/Printed

210 Sams Ave
Witness Address

New Smyrna Beach FL 32168
City State Zip

Witness Signature

Patrica C. Huffman
Witness Name Typed/Printed

210 Sams Ave.
Witness Address

NSB FL 32168
City State Zip

OWNER Signature

KEVIN COWPER / CITY MANAGER
Owner Name and Title Typed/Printed

210 SAMS AVENUE
Owner Address

New Smyrna Beach, FL 32168
City State Zip

The State of Florida
County of VOLUSIA

The foregoing instrument was acknowledged before me by means of ☑ physical presence or ☐ online notarization, this 12 day of September, 2024,
by KEVIN COWPER (Name) as City MANAGER (Type of Authority, e.g., Officer)
for CITY OF NEW SMYRNA BEACH (Name of Corporation/Partnership)

~~Personally Known~~ OR Produced Identification
Type of Identification Produced _____

Notary Public Signature – State of Florida
TAMMY M. KOSOROK
Print, Type, or Stamp Commissioned Name of Notary Public

[SEAL]

TAMMY M. KOSOROK
Commission # HH 056990
Expires February 25, 2025
Bonded Thru Troy Fain Insurance 800-385-7019

EXHIBIT "A"

LOT 61 & N ½ OF LOT 62 BLK 4 ANDREWS NEW SMYRNA BEACH PER OR 3491 PG 1058

PARCEL ID :744138040610

WILL ROBERTS TAX COLLECTOR SERVING VOLUSIA COUNTY

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

2024 Paid Real Estate

PROPERTY ADDRESS: 403 MAGNOLIA ST, NEW SMYRNA BEACH, 32168

LEGAL DESCRIPTION: LOT 61 & N 1/2 OF LOT 62 BLK 4 ANDREWS NEW SMYRNA PER OR 349 1 PG 1058

Paid By PROFESSIONAL TITLE AGE $99.84
11/08/2024
Receipt # 117-24-0000558

HODGES CARL C TR
KARTER PRESLEY LYNAUGH TRUST 3-5-15
620 S RIVERSIDE DR
NEW SMYRNA BEACH, FL 32168

PARCEL:	744138040610
ALTERNATE KEY :	3879201
MILLAGE CODE:	601
TAX YEAR:	2024

Pay Online

DON'T SELL-GOVT OWNED PAY IN U.S. DOLLARS DRAWN FROM A U.S. BANK.

Pay online at vctaxcollector.org/pay
WALK-IN CUSTOMERS PLEASE BRING ENTIRE NOTICE

TAXES BECOME DELINQUENT APRIL 1

If Postmarked By	Nov 30, 2024				
Discount					
Please Pay	$0.00				

AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE	ASSESSED VALUE	EXEMPTION	TAXABLE VALUE	TAX AMOUNT
VOLUSIA COUNTY GENERAL FUND	3.20070	423,048	423,048	0	0.00
VOLUSIA COUNTY PUBLIC SAFETY FUND	1.59940	423,048	423,048	0	0.00
VOLUSIA COUNTY LIBRARY	0.38910	423,048	423,048	0	0.00
VOLUSIA FOREVER	0.20000	423,048	423,048	0	0.00
VOLUSIA ECHO	0.20000	423,048	423,048	0	0.00
VOLUSIA COUNTY MOSQUITO CONTROL	0.16470	423,048	423,048	0	0.00
PONCE INLET PORT AUTHORITY	0.06920	423,048	423,048	0	0.00
SCHOOL	5.28500	594,955	594,955	0	0.00
NEW SMYRNA BEACH I&S 2018	0.08950	423,048	423,048	0	0.00
NEW SMYRNA BEACH	4.63700	423,048	423,048	0	0.00
NEW SMYRNA BEACH I&S 2005	0.00000	423,048	423,048	0	0.00
ST JOHNS WATER MANAGEMENT DIST	0.17930	423,048	423,048	0	0.00
FLORIDA INLAND NAVIGATION DIST	0.02880	423,048	423,048	0	0.00
SOUTHEAST VOLUSIA HOSPITAL AUTHORITY	0.75060	423,048	423,048	0	0.00

TOTAL MILLAGE RATE: 16.79330 **TOTAL TAXES:** $0.00

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	TELEPHONE	RATE PER UNIT	AMOUNT
NSB STORMWATER	386-410-2650	104.00	104.00

TOTAL ASSESSMENTS: $104.00

TOTAL COMBINED TAXES AND ASSESSMENTS: $104.00

PLEASE RETAIN TOP PORTION FOR YOUR RECORDS

Will Roberts - Tax Collector
123 W. Indiana Ave., Room 103
DeLand, FL 32720
(386) 736-5938 | taxcollector@vctaxcollector.org

PAY IN U.S. DOLLARS DRAWN ON A U.S. BANK

Pay online at vctaxcollector.org/pay
2024 Paid Real Estate

PARCEL:	744138040610
ALTERNATE KEY :	3879201
TAX YEAR:	2024

PROPERTY ADDRESS:
403 MAGNOLIA ST, NEW SMYRNA BEACH, 32168

HODGES CARL C TR
KARTER PRESLEY LYNAUGH TRUST 3-5-15
620 S RIVERSIDE DR
NEW SMYRNA BEACH, FL 32168

Please do not staple, tape, or paperclip your payment to this stub. **TAXES BECOME DELINQUENT APRIL 1**

If Postmarked By	Nov 30, 2024				
Please Pay	$0.00				

TaxSys

PLEASE DO NOT WRITE ON THIS STUB

Receipt # 117-24-0000558
Paid 11/08/2024

$ **995**

Estimate

Estimate #525
Date: April 23, 2025

620 S. Riverside Drive
New Smyrna Beach, FL 32168
407-702-3342
CGC 1518602
Email: greentechnologyconstructionllc@gmail.com

To:

Curtis Hodges
The Magnolia NSB LLC
403 Magnolia Street
New Smyrna Beach, FL 32168

For:

Exterior renovations. Scope of work listed below.

DESCRIPTION	AMOUNT
1. INSTALL TWO NEW FBC COMPLIANT EXTERIOR 36" X 8' FIBERGLASS DOORS WITH ¾ LIGHT AND COMMERCIAL GRADE HARDWARE TO MATCH EXISTING DOORS.	$11,200
2. BUILD HANDICAP RAMP ON THE NORTH SIDE OF THE BUILDING, APPROX. 32'X 4'. CONSTRUCT AN 8'X 30' DECK, BUILT WITH PT POST AND TREX DECKING. DIG ALL FOOTERS, INCLUDING INSPECTIONS. BUILD A 25'X 12' ON REAR OF BUILDING.	$25,640
3. AWNING- FABRICATE AND INSTALL AWNING AT NORTH HANDICAP ENTRY, REAR ENTRY, NORTH WALKWAY AT RAMP.	$17,200
4. DEMO ALL TILE ON FRONT PORCH AREA. INSTALL 1/2" DENSDECK OVER CRACKED CONCRETE. INSTALL TILE AND PROVIDE ALL MATERIAL AND LABOR.	$9,820
5. INSTALL NEW 400 AMP SERVICE ON EAST OF BUILDING. DIG APPROX. 60' TRENCH, 3' DEEP TO PROVIDE UNDERGROUND UTLITIES PER NSB UTILITY CODE.	$12,200
6. STUCCO- INSTALL WIRE AND EXPANSION JOINTS ON ALL SIDE OF EXTERIOR. INSTALL 4" BAND ON WINDOWS AND DOORS. INSTALL SCRATCH COAT OVER ARCHES AND FINAL COAT WITH FIBERGLASS MESH, TO PREVENT CRACKING.	$57,400
7.LANDSCAPING/IRRIGATION- INSTALL NEW IRRIGATION SYSTEM ON THREE SIDES OF BUILDING. PROVIDE SWALES TO PREVENT WATER FROM EXITING PROPERTY. INSTALL 15, 6' HEDGES ON THE NORTH SIDE OF BUILDING NEAR NEW DECK. INSTALL ONE MAGNOLIA TREE IN FRONT. PROVIDE NEW MULCH AND ROCK IN BED AREAS. INSTALL NATIVE FLORIDIAN LANDSCAPING NEAR SIDEWALKS. INSTALL NEW EXTERIOR LANDSCAPE LIGHTING	$13,800
8. PAINTING- INSTALL EXTERIOR PAINT PRIMER OVER NEW STUCCO. PROVIDE TWO COATS OF SHERWIN WILLIAMS PREMIUM LOX PAINT. INCLUDES ALL EXTERIOR TRIM AND DOORS. DOES NOT INCLUDE PAINTING DECK.	$32,900
9. OVERHEAD AND PROFIT.	$18,016
TOTAL	**$198,176**

Estimate must be approved within 45 days for current pricing. We look forward to working with you.

HODGES BROTHERS ROOFING LLC
6249 All American Blvd
Orlando, FL 328104301 US
+14076500013
roofing@hodgesbrothers.net

Estimate

ADDRESS	SHIP TO		
The Magnolia NSB LLC	The Magnolia NSB LLC	ESTIMATE	2248
403 Magnolia Street	403 Magnolia Street	DATE	04/17/2025
New Smyrna Beach, FL 32168	New Smyrna Beach, FL 32168	EXPIRATION DATE	05/17/2025
United States	United States		

ACTIVITY	QTY	RATE	AMOUNT
DESCRIPTION Remove all tile from exterior steps and install back with new tile	1	10,400.00	10,400.00
DESCRIPTION Install stucco on exterior of building	1	60,000.00	60,000.00
DESCRIPTION Install new irrigation, landscape lighting and landscaping. Include 36' trees down the north side of building.	1	14,200.00	14,200.00
DESCRIPTION Paint exterior of building over new stucco. Include on coat of primer and two coat of premium grade Sherwin-Williams paint.	1	32,000.00	32,000.00
DESCRIPTION Build deck on north side of building with 30' handicap ramp, dimensions 8'x 30'. Build deck on east side of building 12' x25'. Work includes concrete footers, handrails and Trex material for decking	1	26,000.00	26,000.00
DESCRIPTION Install two exterior doors, 3'x8' doors with trim, with impact glass.	1	12,400.00	12,400.00
DESCRIPTION Dig and install underground utilities with 400amp service on east side of building	1	11,800.00	11,800.00
DESCRIPTION Install three exterior awnings, at rear, side and front entryways.	1	18,300.00	18,300.00
DESCRIPTION Overhead and profit	1	18,510.00	18,510.00

CCC 1331801
CGC 1518169

SUBTOTAL	203,610.00
TAX	0.00

997

TOTAL	**$203,610.00**

Accepted By

Accepted Date 04/17/2025

REGIONS

Regions Bank
New Smyrna Main
900 North Dixie Fwy.
New Smyrna Beach, FL 32168

CARL C HODGES
620 S RIVERSIDE DR
NEW SMYRNA BEACH FL 32168-7366

REGIONS PREFERRED BANKING

ACCOUNT # [redacted]96872

092
Cycle 07
Enclosures 0
Page 1 of 2

PREMIUM MONEY MARKET
March 15, 2025 through April 15, 2025

SUMMARY

Beginning Balance	**$319,675.59**		Minimum Balance	$319,675
Deposits & Credits	$0.00	+	Average Balance	$319,675
Net Interest Earned	$965.52	+	Annual Percentage Yield Earned	3.50%
Withdrawals	$0.00	–	Interest This Period	$965.52
Fees	$0.00	–	Average Collected Balance	$319,675.59
Automatic Transfers	$0.00	+	2025 YTD Interest	$2,318.36
Checks	$0.00	–		
Ending Balance	**$320,641.11**			

INTEREST

04/15	Interest Payment	965.52

	Total For This Statement Period	Total Calendar Year-to-Date
Total Overdraft Fees (may include waived fees)	0.00	0.00
Total Returned Item Fees (may include waived fees)	0.00	0.00

DAILY BALANCE SUMMARY

Date	Balance
04/15	320,641.11

You may request account disclosures containing terms, fees, and rate information (if applicable) for your account by contacting any Regions office.

2025 Regions Bank Member FDIC. All loans subject to credit approval.

ARTHOUSE LANDSCAPE

Missy Doxey
321-689-4671
melissahuerta380@gmail
.com
1411 Magnolia St
New Smyrna Beach
Florida 32168

To Laura and Curtis
Hodges

Magnolia House
403 Magnolia Street
New Smyrna Beach
Florida
4/26/25

Landscape, Irrigation,
Install Proposal

Description	Quantity	Cost
Irrigation install, 3 Zones, New Clock	1	$3,800.00
Drain Cover	1	$100.00
River Rock beige/white	600 Sq Ft	$2,400.00
D.B. Blanchard Magnolia Tree 14'-15'	1	2300.00
Areca Palm	2	450.00
Black Cypress Mulch		570.00
Purple Fountain Grass 1 gal.	15	195.00
Large "Queen Emma" Crinum Lily	3	465.00
Cocoplum 3 Gal 40' foot hedge	27	592.00
Muhly Grass 3 gal.	10	220.00
Clusia 3'-4'	9	810.00
Coontie 3 gal	9	270.00
Peanut Grass 1/2 gal	30	330.00
Sod 540 sq ft		750.00
Clusia 4'-5'	30	5700.00
Existing planting demo		200.00
Tree Transport		400.00
		$19,552.00
*Plant material includes labor cost		

Thank you for your consideration.

Sincerely yours, Missy Doxey, Alonzo Lopez

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

2025 DONNADINE MILLER PRESERVATION AWARD SELECTION

June 11, 2025

Background:

The city created the historic preservation award program in 2002. In 2009, the award program was renamed in memory of Donnadine Miller, who was an active volunteer and member of the community. Ms. Miller had served as Chair of the Historic New Smyrna Beach Preservation Commission; worked as an amateur archaeologist; and participated in numerous other historic preservation events and activities.

Findings:

While award recipients are encouraged to apply for local landmark designation, receiving an award does not place any restrictions on the property. At this time, the Commission will be selecting a winner in the Residential and Non-Residential category.

Fiscal Analysis:

The plaque for each award costs approximately $250 and is a budgeted item.

Strategic Plan Item:

No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

List of previous nominees-winners thru 2024.pdf
Application 402 Faulkner Street.pdf
Application 101 Canal Street.pdf

INTEROFFICE MEMORANDUM
CITY OF NEW SMYRNA BEACH

To: Historic New Smyrna Beach Preservation Commission Members

From: Robert Mathen, Historic Preservation Officer

Subject: Previous Historic Preservation Award Nominees and Winners

Date: June 8, 2025

The Historic Preservation Award winner for **2002** was **508 North Riverside Drive**. The nominees for that year were:

508 North Riverside Drive
421 Canal Street
532 North Riverside Drive - Little River Inn
204 Flagler Avenue - Sweet Pea coffee shop

The Historic Preservation Award winner for **2003** was **213 Washington Street**. The nominees for that year were:

120 Sams Avenue
213 Washington Street
1000 South Riverside Drive
321 Washington Street - Long Board Inn
103 Flagler Avenue - Riverview Hotel

The Historic Preservation Award winner for **2004** was **426 South Riverside Drive**. The nominees for that year were:

120 Sams Avenue
301 South Orange Street
601 Faulkner Street
821 Live Oak Street
426 South Riverside Drive
101-109 N Orange Street

The Historic Preservation Award winner for **2005** was **601 Faulkner Street**. The nominees for that year were:

215 Murray Avenue
310 Washington Street
316 Flagler Avenue
600 South Riverside
601 Faulkner Street
115 Canal Street –

The Historic Preservation Award winner for **2006** was **701 Magnolia Street** for Residential and **314 North Duss Street** for Non-Residential. The nominees for that year were:

701 Magnolia Street
608 South Riverside Drive
314 North Duss Street - Black heritage Museum

The Historic Preservation Award winner for **2007** was **608 Magnolia Street** for Residential and **1650 Live Oak Street** for Non-Residential. The nominees for that year were:

315 Due East Street
608 Magnolia Street
1109 Magnolia Street
1110 Magnolia Street
1200 North Peninsula Avenue
Coronado Shuffleboard Courts
310-312 Julia Street
1650 Live Oak Street – St Pauls
310 Washington Street – Soundwave
500 South Riverside Drive

The Historic Preservation Award winner for **2008** was **1705 South Atlantic Avenue** for Residential and **412 Canal Street** for Non-Residential. The nominees for that year were:

1705 South Atlantic Avenue
412 Canal Street – Little Drugs

The Historic Preservation Award winner for **2009** was **1201 Magnolia Street** for Residential and **729 North Dixie Freeway** for Non-Residential. The nominees for that year were:

1201 Magnolia Street
411 Magnolia Street
516 Magnolia Street
610 Magnolia Street
729 North Dixie Freeway – Dairy Queen
145 Canal Street
616 South Riverside Street

The Historic Preservation Award winner for **2010** was **821 Live Oak Street** for Residential and **403 Magnolia Street** for Non-Residential. The nominees for that year were:

821 Live Oak Street
301 South Orange Street
614 Faulkner Street
Coronado Shuffle Board Courts
313 Julia Street
403 Magnolia Street – Women's Club

The Historic Preservation Award winner for **2011** was **405 Canal Street** for Non-Residential. The nominees for that year were:

405 Canal Street
223 Canal Street

The Historic Preservation Award winner for **2012** was **614 Faulkner Street** for Residential and **512 South Riverside Drive** for Non-Residential. The nominees for that year were:

512 North Riverside Drive
516 Magnolia Street
610 Magnolia Street
614 Faulkner Street
334 Canal Street
512 South Riverside Drive
115 Canal Street
223 Canal Street
223 Flagler Ave

The Historic Preservation Award winner for **2013** was **508 Ball Street** for Residential and **115 Canal Street** for Non-Residential. The nominees for that year were:

508 Ball Street
300 South Myrtle Avenue
512 North Peninsula Avenue
115 Canal Street
308 North Orange Street
315 Live Oak Street
504 Magnolia Street

The Historic Preservation Award winner for **2014** was **616 Magnolia Street** for Residential and **149 Canal Street** for Non-Residential. The nominees for that year were:

149 Canal Street
616 Magnolia Street
501 Faulkner Street
Flagler Avenue Shuffleboard

The Historic Preservation Award winner for **2015** was **306 North Riverside Drive** for Residential and **103 Faulkner Street** for Non-Residential. The nominees for that year were:

103 Flagler Avenue
108 Esther Street
306 North Riverside Drive
512 North Riverside Drive
204 Flagler Avenue
112 Esther Street
317 Magnolia Street

The Historic Preservation Award winner for **2016** was **317 Magnolia Street** for Residential and **300 North Riverside Drive** for Non-Residential. The nominees for that year were:

212 Murray Street
213 Washington Street
317 Magnolia Street
916 South Riverside Drive
300 N Riverside Drive
313 Julia Street
405 Canal Street
519 Washington Street

The Historic Preservation Award winner for **2017** was **426 South Riverside Drive** for Residential and **103 Faulkner Street** for Non-Residential. The nominees for that year were:

426 South Riverside Drive	103 Faulkner Street Old Fire Station)
532 Ball Street	314 Flagler Avenue (Paradise Properties)
630 North Riverside Drive	916 S Riverside Drive (Black Dolphin Inn)

The Historic Preservation Award winner for **2018** was **411 Magnolia Street** for Residential and **208 Magnolia Street** for Non-Residential. The nominees for that year were:

206 Florida Ave	114 Live Oak St (La Abilies Tea Room))
212 Murray St	519 Washington St (St. Paul M E Church)
411 Magnolia St	916 S Riverside Dr (Black Dolphin Inn)
315 Live Oak St (Anders & Anders)	408 S Riverside Dr (Apartment Building)
208 Magnolia St (Old Gas Station)	1201 S Riverside Dr (Smyrna Yacht Club)

The Historic Preservation Award winner for **2019** was **206 Florida Avenue** for Residential and **916 South Riverside Drive** for Non-Residential. The nominees for that year were:

206 Florida Ave	315 Live oak Street (Anders & Anders)
108 Esther Street	916 S Riverside Dr (Black Dolphin Inn)
532 Ball Street	1201 South Riverside Drive (Smyrna Yacht
219 N Orange Street	Club)

The Historic Preservation Award winner for **2020** was **620 South Riverside Drive** for Residential and **1201 South Riverside Drive** for Non-Residential. The nominees for that year were:

408 N Riverside Dr	315 Live oak Street (Anders & Anders)
620 S Riverside Drive	1201 S Riverside Drive (Smyrna Yacht Club)

The Historic Preservation Award winner for **2021** was **210 Palmetto Street** for Residential and **214 Sams Avenue** for Non-Residential. The nominees for that year were:

408 North Peninsula Avenue	118 Faulkner Street
210 Palmetto Street	1000 South Riverside Drive
1115 Palmetto Street	214 Sams Avenue

The Historic Preservation Award winner for **2022** was **216 Florida Avenue** for Residential. No non-residential applications were submitted. The nominees for that year were:

118 Faulkner Street	216 Florida Avenue
1000 South Riverside Drive	

The Historic Preservation Award winner for **2023** was **809 E 24th Avenue** Residential and **423 Flagler Avenue** for Non-Residential. The nominees for that year were:

809 E 24th Avenue	423 Flagler Avenue

No **2024** awards were issued.

The Historic Preservation Award winner for **2025** was _____ Residential and _____ for Non-Residential. The nominees for that year were:

402 Faulkner Street	101 Canal Street

Donnadine Miller Memorial Historic Preservation Award Nomination Form

☐ Residential (Single Family) ☒ Non-Residential

Building Address: 423 Flagler Avenue, New Smyrna Beach, Fl. 32169

Year Built: 1956

Architectural Style:

☐ Vernacular ☐ Spanish Eclectic ☐ Craftsman ☐ Other: Mid-Century

*Please include a photograph of the front of the building.

Description of the history of the building or site and why it is significant:

"I'm proud it's located right in the center of the city", says owner, Ginny Stephens. We tell people "find Old Florida Here!" and that we have "Motor Lodge Charm with Boutique Service!"

Definitely a property that promotes pride in the New Smyrna Beach's past. Droves of people, tourists and locals alike, who walk down Flagler Avenue stop in and tell owners, Terry and Ginny, they stayed at the Seahorse as children and teenagers, and have such fond memories of beach weekends with parents, grandparents and cousins. They are so glad to see it's character has been enhanced with many updates and improvements while preserving the charm of old New Smyrna Beach. People who stay here, or just stop in to view a room often mention their fondness for the tile roof, terrazzo floors and knotty pine walls. Regular customers have even designed and printed a bumper sticker of Sammy, the Stephens dog. Ginny says, "I would go out on a limb and say I cannot think of another building the general public feels more appreciation for!".

I appreciate the fact that, while being updated, the original architecture, details and general esthetic remains as it was when built in 1956. I feel that Seahorse Inn's main appeal for so many that come and stay again and again is it's history and nostalgia in being an iconic landmark for New Smyrna Beach. I think The Seahorse Inn is a wonderful nomination for the Donnadine Miller Memorial Historic Preservation Award.

Property Owner(s)Name: Terry and Virginia Stephens, Proprietors

Owner(s) Address: 423 Flagler Avenue, New Smyrna Beach, Fl 32169

Owner(s) Phone Number: 304-813-5740

Owner(s) Email Address: cbterrystephens@gmail.com

Email Applications to: Rmathen@cityofnsb.com

Fill out only if you are nominating a property

Nominator Name: Nelson McDonald

Nominator Address: 1331 Saxon Dr.

City/State/Zip: New Smyrna Beach, Fl. 32169

Telephone: 202-615-5540

Email Address: nelson.mcdonald@gmail.com

Release Authority

The undersigned gives the City of New Smyrna Beach the absolute and unqualified right to use in whole or in part, in whatever manner the City may desire, all submitted material.

Release authorized by:

K. Kaufman

Signature of Owner

12/13/2023

Date

Katherine L. Kaufman

Print or Type Name

Donnadine Miller Award – Nominee: Katie Kaufman, 402 Faulkner St.













Exhibit 1 - 1986 State Master Site File

SANBORN MAP RESEARCH FORM

Address: 402 Faulkner

Legal Description: Subdivision_____ Block____ Lot____

Earliest series on which bldg. appears.: 1912

Address changes:_____

Street name changes:_____

Additional information (name of building, date of construction etc.:_____

FLORIDA MASTER SITE FILE
Site inventory Form

SITE NO.

SITE NAME: 402 Faulkner SURVEY DATE: 08/31/86
ADDRESS: 402 Faulkner
INSTRUCTIONS TO LOCATE:

LOCATION: Finnegans 1
Subdivision Name Block No. Lot No.
COUNTY: Volusia
DISTRICT NAME IF APPLICABLE:
OWNER OF SITE: NAME: Cook, Thomas and Irma
ADDRESS: 472 De Soto Dr.
ADDRESS: New Smyrna Beach, FL 32069
TYPE OF OWNERSHIP: Private RECORDING DATE: / /
RECORDER: NAME & TITLE: Historic Property Associates
ADDRESS: P.O. Box 1002
St. Augustine, FL

CONDITION OF SITE: Check One	INTEGRITY OF SITE: Check one or more	
		ORIGINAL USE residence
x EXCELLENT	x ALTERED	PRESENT USE residence
GOOD	UNALTERED	DATES c.+1912
FAIR	x ORIGINAL SITE	CULTURE/PHASE American
DETERIORATED	RESTORED: / /	PERIOD: 20th Century
	MOVED: / /	

NR CLASSIFICATION CATEGORY: DATE LISTED ON NR: / /

THREATS TO SITE: Check one or more

ZONING	TRANSPORTATION
DEVELOPMENT	FILL
DETERIORATION	DREDGE
BORROWING	
OTHER (See Remarks Below)	

AREAS OF SIGNIFICANCE: Architecture

SIGNIFICANCE

See Continuation Sheet

RECORD NUMBER 149

ARCHITECT:

BUILDER:

STYLE AND/OR PERIOD: Frame Verancular

PLAN TYPE: Rectangular

EXTERIOR FABRIC(S): Wood:drop siding # Alternating shingle

STRUCTURAL SYSTEM(S): Wood:balloon

PORCHES: SE/1-story vernada with tuscan columns,7-bays,
access from N,6th bay
ORIENTATION: E

FOUNDATION: Piers:brick

ROOF TYPE: Gable

SECONDARY ROOF STRUCTURE(S): Cross Gable

CHIMNEY LOCATION: Center,ridge

WINDOW TYPE: DHS,1/1,wood

CHIMNEY: Brick

ROOF SURFACING: Composition shingles:diamond

ORNAMENT EXTERIOR:

NO. OF CHIMNEYS 1

NO. OF STORIES 21/2

NO. OF DORMERS:

OUTBUILDINGS:

SURROUNDINGS:
SITE SIZE (approx. acreage)

TOWNSHIP	RANGE	SECTION
17S	34E	41

UTM ZONE	UTM EASTING	UTM NORTHING

PHOTOGRAPHIC RECORDS NUMBERS:

CONTINUATION SHEET

Statement of Significance:

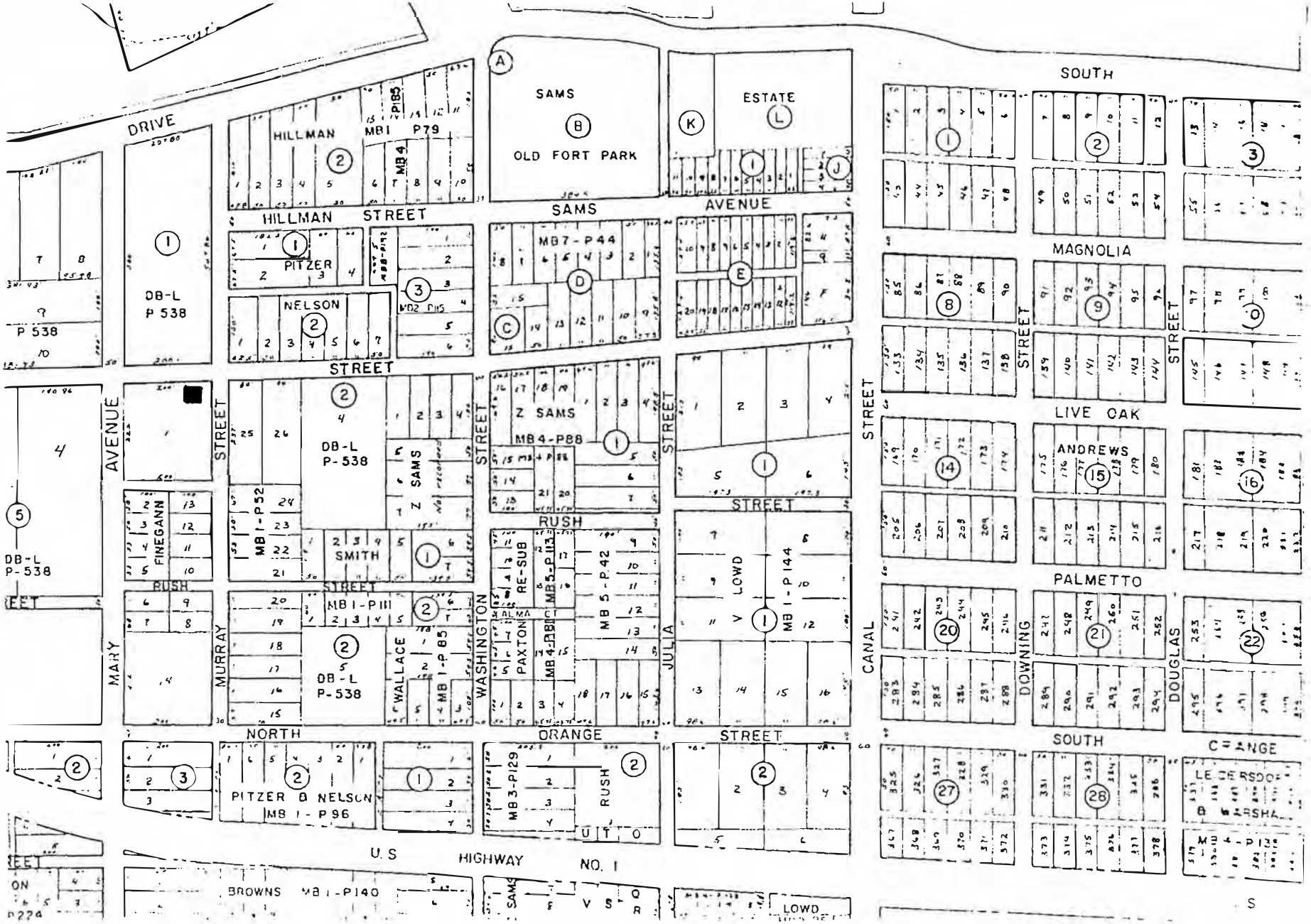
This two and one-half story frame vernacular residence is located at 402 Faulkner Street. Notable architectural traits include alternate shingle siding on the second story, drop siding on the first story, knee braces under the gable eaves and a wraparound veranda. This house is similar in size and design to 412 Mary Avenue. Alterations include enclosure of the south and northeast bays of the veranda, addition of a sunroom over the sixth bay of the veranda, and a carport has been added to the north side of the house.

This building is located in the Finegan subdivision, platted for J.R. Finegan in 1886.(1) Sanborn Maps indicate that this building was constructed in c. 1912.(2)

This property is located within the corporate limits of New Smyrna Beach, the site of America's largest colonial enterprise, begun in 1768. Although the Turnbull colony was abandoned in 1777, some measure of settlement persisted, resulting from the presence of a coastal inlet in the vicinity. Resettlement began in earnest after the Civil War. The town was incorporated in 1887 and developed on the basis of a tourism, citrus, and commercial fishing economy. Rapid growth in the early twentieth century was spurred by the Florida East Coast Railroad. The City of New Smyrna Beach was expanded in 1947 to include the peninsula community of Coronado Beach.

Footnotes

1. Map Book 12, p. 68, Attorneys' Title Services Inc., New Symrna Beach, Florida.
2. Sanborn Fire Insurance Maps 1906, 1912, 1916, 1924, 1930.



402 Faulkner Street

Exhibit 2 - 2007 State Master Site File

Florida Master Site File

HISTORICAL STRUCTURE FORM

Electronic Version 1.1.0

Site #8 VO01224
Recorder # 51
Field Date 1/14/2007
Form Date 2/1/2008
FormNo 200701
FormNo = Field Date (YYYYMM)

First Site Form Recorded for this Site? NO

GENERAL INFORMATION

Site Name (address if none) 402 Faulkner
Multiple Listing (DHR only)
Other Names >>
Survey or Project Name New Smyrna Beach Historic Structure Survey
Survey#
National Register Category Building(s)

LOCATION & IDENTIFICATION

Address

Street No.	Direction	Street Name	Street Type	Direction Suffix
402		Faulkner	Street	

Cross Streets (nearest/ between) see attached map
City / Town (within 3 miles) New Smyrna Beach
In Current City Limits?
County Volusia
Tax Parcel #(s) 744126000011
Subdivision Name
Block
Lot
Ownership Private Individual
Name of Public Tract (e.g., park)
Route to (especially if no street address) see attached map

MAPPING

USGS 7.5' Map Name
Publication Date
>> NEW SMYRNA BEACH;1988
Township:
Range:
Section:
1/4 section:
>> 17S ;34E ;41;UNSP
Irregular Section Name:
Landgrant
UTM: Zone
Easting
Northing
Plat or Other Map (map's name, location)

DESCRIPTION

Style Victorian (Italianate)
Other Style
Exterior Plan Irregular
Other Exterior Plan
Number of Stories 2
Structural System(s)
>> Wood frame
Other Structural System(s)
Foundation Type(s)
>> Piers
Other Foundation Types
Foundation Material(s)
>> Unspecified
Other Foundation Material(s)
Exterior Fabric(s)
>> Wood shingles
Other Exterior Fabric(s)
Roof Type(s)
>> Gable
Other Roof Type(s)
Roof Material(s)
>> Composition shingles
Other Roof Material(s)
Roof Secondary Structure(s) (dormers etc)
>>
Other Roof Secondary Structure(s)
Number of Chimneys 1
Chimney Material Brick
Other Chimney Material(s)
Chimney Location(s) center ridge

HISTORICAL STRUCTURE FORM

8VO01224

DESCRIPTION (continued)

Window Descriptions 1/1 double hung sash; fixed

Main Entrance Description (stylistic details)

Porches: #open 1 #closed #incised Location(s) east

Porch Roof Types(s) hip

Exterior Ornament wrap around porch

Interior Plan Other Interior Plan

Condition Excellent

Structure Surroundings

Commercial: Residential: ALL this category

Institutional: Undeveloped:

Ancillary Features (Number / type of outbuildings, major landscape features)

Archaeological Remains (describe): none

If archaeological remains are present, was an Archaeological Site Form completed?

Narrative Description (optional) Displaying the influences of Victorian architecture, the building retains many of its original architectural features.

HISTORY

Construction year 1920

Architect (last name first): Builder (last name first):

Changes in Locations or Conditions

Type of Change	Year of Change	Date Change Noted	Description of Changes
>>			

Structure Use History

Use Year Use Started Year Use Ended >> Private residence;;

Other Structure Uses

Ownership History (especially original owner, dates, profession, etc.)

RESEARCH METHODS

Research Methods >> FL Master Site File-Manuscripts

Other research methods

SURVEYOR'S EVALUATION OF SITE

Potentially Eligible for a Local Register? NO Name of Local Register if Eligible

Idividually Eligible for National Register? NO

Potential Contributor to NR District? YES

Area(s) of historical significance >> Architecture

Other Historical Associations

Explanation of Evaluation (required) Because the resource stands in a relatively dense concentration of historic buildings, it appears to contribute to a historic district. The resource lacks sufficient original architectural details to be individually eligible for the NRHP.

HISTORICAL STRUCTURE FORM

8VO01224

DOCUMENTATION (Photos, Plans, etc.)

Photographic Negatives or Other Collections Not Filed with FMSF, Including Field Notes, Plans, other Important Documents.

Document type: _____ Maintaining Organization: _____

File or Accession #: _____ Descriptive Information: _____

>> _____

RECORDER INFORMATION

Recorder Name (Last, First) Marissa Gordon

Recorder Address / Phone 7220 Financial Way Suite 100, Jacksonville, FL 32256/ (904) 724-7333

Recorder Affiliation Environmental Services, Inc. Other Affiliation _____

Is a Text-Only Supplement File Attached (Surveyor Only)? _____

****** MASTER SITE FILE USE ONLY ******

SHPO's Evaluation of Resource

_____ Date _____

Cultural Resource Type: SS

Electronic Form Used: S110

Form Type Code: NORM

Form Quality Ranking: NEW

Form Status Code: SCAT

Supplement Information Status: NO SUPPLEMENT

Supplement File Status: NO SUPPLEMENT FILE

FMSF Staffer: _____

Computer Entry Date: 2/4/2008

Form Comments: _____

REQUIRED PAPER ATTACHMENTS	(1) USGS 7.5" MAP WITH STRUCTURE PINPOINTED IN RED
	(2) LARGE SCALE STREET OR PLAT MAP
	(3) PHOTO OF MAIN FACADE, B&W, AT LEAST 3"X5"

VO01224-200701

Supplementary Printout

> **USGS map name/year of publication or revision:**
NEW SMYRNA BEACH;1988

> **Township/Range/Section/Qtr:**
17S ;34E ;41;UNSP

> **Structural system(s):**
Wood frame

> **Foundation types:**
Piers

> **Foundation materials:**
Unspecified

> **Exterior fabrics:**
Wood shingles
Drop siding

> **Roof types:**
Gable

> **Roof materials:**
Composition shingles

> **Roof secondary structures (dormers etc):**

> **Change status/year changed/date noted/nature:**

> **Original, intermediate, present uses/year started/year ended:**
Private residence;;

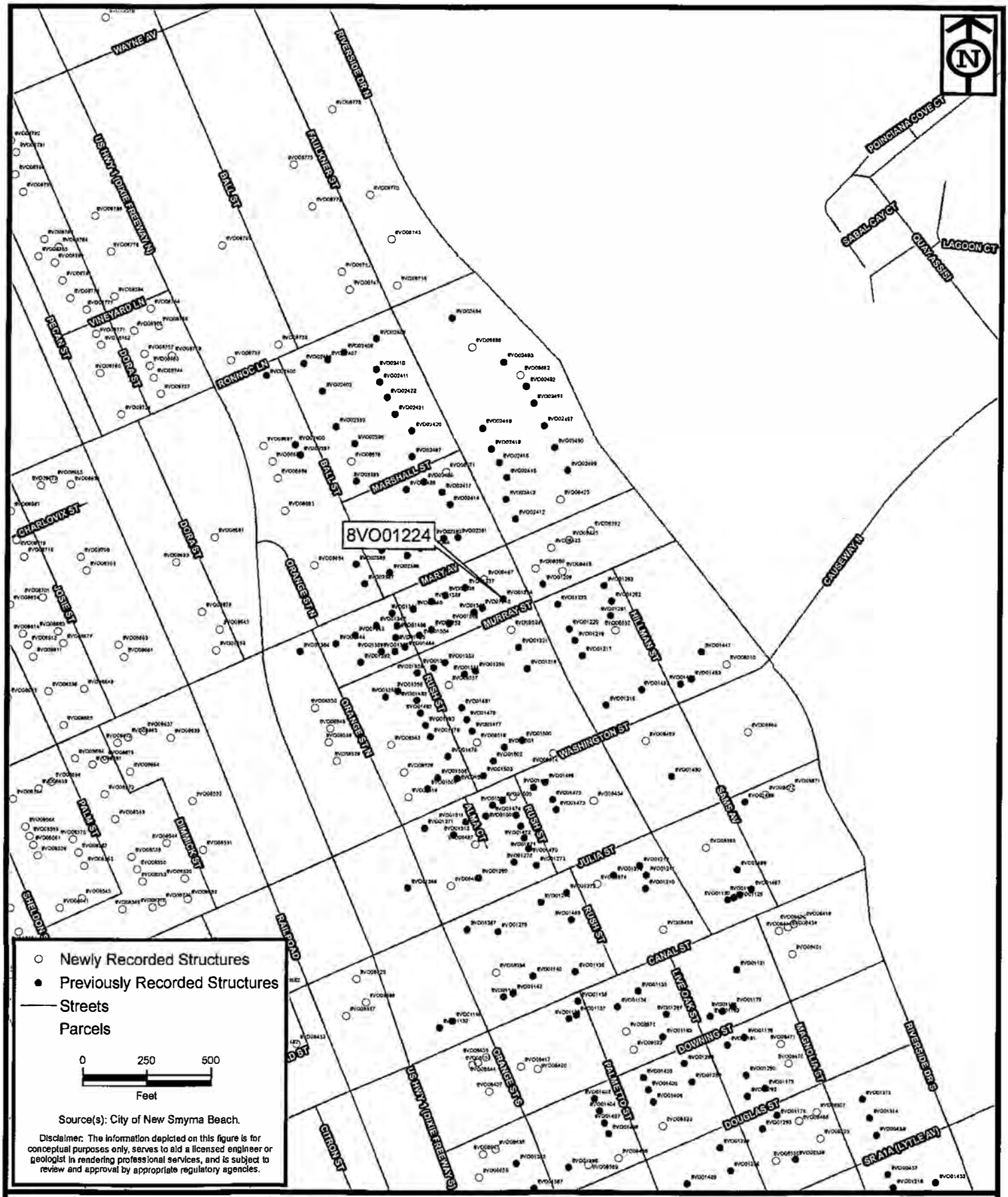
> **Research methods:**
FL Master Site File-Manuscripts
FL Master Site File-Cultural Resources
Newspaper files
Plat map
Examine local property records
Sanborn maps
FL Archives-not FMSF
Library research-local
Pedestrian

> **Area(s) of historical significance:**
Architecture
Commerce

> **Repositories: Collection/Housed/Accession#/Describe**

> **[Other name(s)]:**

1019



ENVIRONMENTAL SERVICES, INC.
7220 Financial Way, Suite 100
Jacksonville, Florida 32256
(904) 470-2200
(904) 470-2112 Fax
www.environmentalservicesinc.com

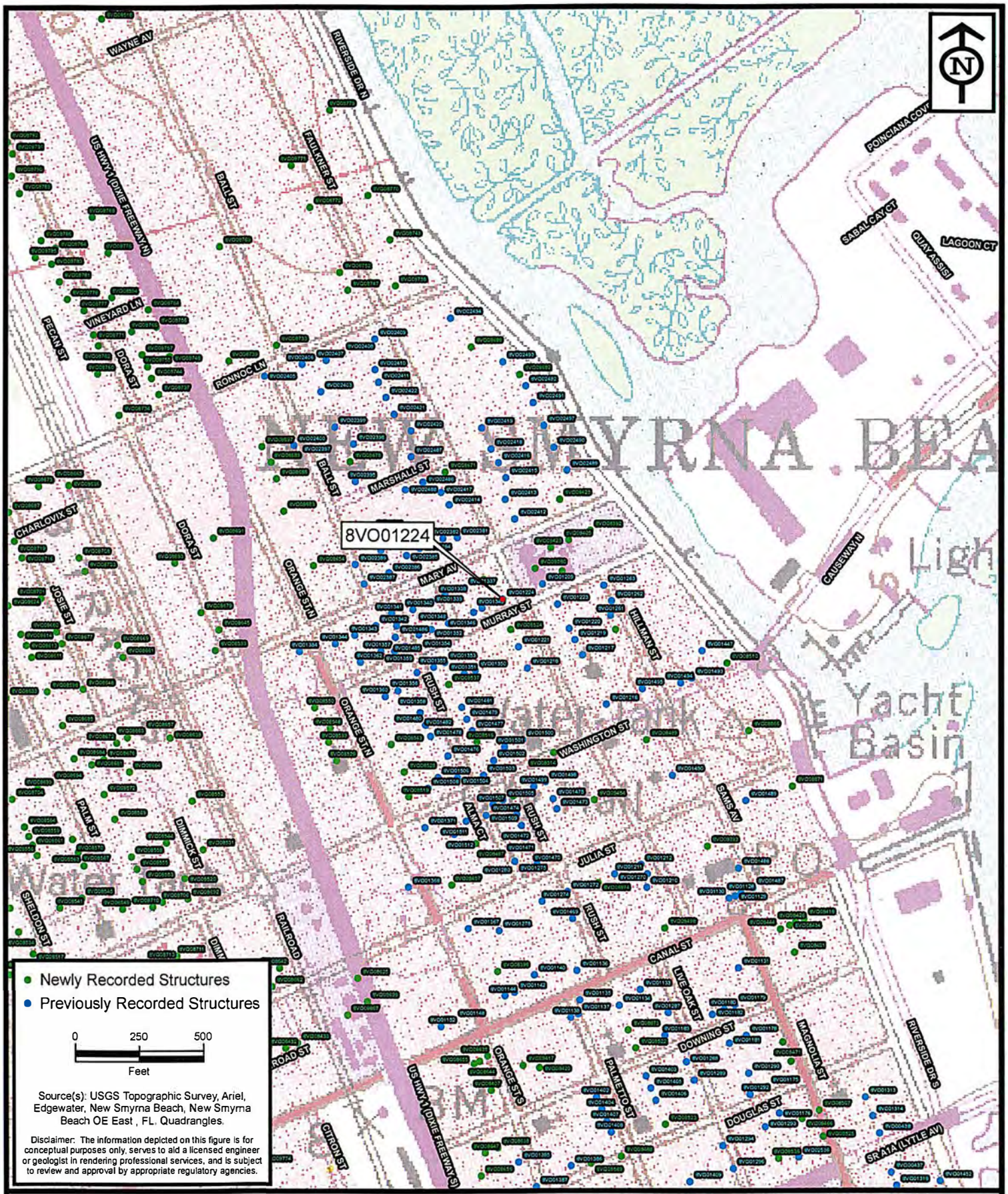
Street Map of Surveyed Historic Resources

New Smyrna Beach

Volusia County, Florida

Project:	EV07181.00
Date:	Mar. 2008
Drwn/Chkd:	JDS/JRN
FMSF #:	8VO01224

File: Q:\2007_Projects\EV_Projects\EV07181\geo_r02\figures\structures_streets_mapbook.mxd Printed: 03/25/2008 10:55 am



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Location Map of Surveyed Historic Resources

New Smyrna Beach

Volusia County, Florida

Project:	EV07181.00
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FMSF #:	8VO01224

File: Q:\2007_Projects\EV_Projects\EV07181\geo_r02\figures\structures_USGS_mapbook.mxd Printed: 03/25/2008 10:00 am

Donnadine Miller Memorial Historic Preservation Award Nomination Form

☐ Residential (Single Family) ■ Non-Residential

Building Address: 101 Canal Street, New Symrna Beach, FL 32168

Year Built: 1957

Architectural Style:

☐ Vernacular ☐ Spanish Eclectic ☐ Craftsman ☒ Other: Midcentury Modern

***Please include a photograph of the front of the building.**

Description of the history of the building or site and why it is significant:

101 Canal Street has a rich and varied history that reflects the evolving needs of its community. Originally opened as a pharmacy, insurance agency, law firm. Then later becoming an Auto Tag Office. Now, the building has undergone a remarkable transformation, emerging as a mid-century modern real estate company. This internationally renowned real estate firm ~~boasts~~ demonstrates luxury appeal and a commitment to exemplary customer service, the firm treats every home as if it were a mansion, continuing the site's legacy of excellence and adaption.

Property Owner(s)Name: 101 Canal LLC

Owner(s) Address: 101 Canal Street, New Smyrna Beach, FL 32168

Owner(s) Phone Number: 407-448-2733

Owner(s) Email Address: admin@realtyflgroup.com

Email Applications to: Rmathen@citvofnsb.com

Side | Before

Front / Before

Front / After



Side / After

ENGEL&VÖLKERS®

Dear Members of the New Smyrna Beach Historic Preservation Committee,

Thank you for the opportunity to engage with our community's preservation efforts. We are especially grateful to Angeline Herman for inspiring us to apply for the Donnadine Miller Memorial Historic Preservation Award.

New Smyrna Beach's rich history is an honor to help preserve, and Angeline's guidance deepened our appreciation for its unique history and heritage. Your dedication ensures that future generations will continue to enjoy the historic charm that defines our area that we call home.

Thank you again for considering us for this honor, and please extend our gratitude to Angeline Herman. We look forward to future collaborations in preserving New Smyrna Beach's History.

Sincerly,
"The Canal"

101 Canal Street, New Smyrna Beach, FL 32168
NewSmyrnaBeach.evrealestate.com
(386) 213-6899

Historic Preservation Commission Special Meeting
Wednesday, June 11, 2025, at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the special meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, June 11, 2025, at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Vice-Chair Stephanie Rees called the meeting to order at 5:30 PM.

Roll Call

Attendee Name	Title	Status	Arrived
Walter Bone	Member	Present	5:30 PM
Katherine Kaufman	Member	Present	5:30 PM
Stephanie Rees	Vice Chairperson	Present	5:30 PM
Terry Bledsoe	Member	Present	5:30 PM
Angeline Barretta-Herman	Member	Present	5:30 PM

Also present were: Senior Planner Robert Mathen, Assistant City Attorney Grant Day, and Board Secretary Stephanie Ferrara.

No Changes to the Agenda.

2. APPROVAL OF MINUTES

2.A Approval of the Historic Preservation Commission July 10, 2024, and March 12, 2025, Regular Meeting Minutes.

Chair Rees asked the board if they had any additional questions or comments.

Member Bledsoe requested the March 12, 2025, meeting minutes, change to reflect Walter Bone as Vice Chair and not Terry Bledsoe.

Motion:

Member Barretta-Herman motion to approve July 10, 2024, with no changes and March 12, 2025, with the requested changes, Historic Preservation Commission regular meeting minutes and as submitted. Member Kaufman seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Bledsoe
SECONDER:	Bone
AYES:	Bone, Kaufman, Rees, Barretta-Herman, Bledsoe

3. PUBLIC PARTICIPATION

None.

4. NEW BUSINESS

4.A CA-03-25: 403 Magnolia Street

Robert Mathen, Senior Planner, outlined the applicant's Carl Curtis Hodges, 620 South Riverside Drive, New Smyrna Beach, Florida 32168 and property owner: Karter Presley Lynaugh Trust, 403 Magnolia Street, New Smyrna Beach, Florida 32168, request: The property owner requests a review and approval of a Certificate of Appropriateness for facade repairs and upgrades to the building located at 403 Magnolia Street.

Staff recommended the Commission to review the proposed elevation repairs and modifications and make a motion to approve a Certificate of Appropriateness. The renovations will assure that the building will retain its historic elevation and architecture, the building can be admired by the general public, and the building will be saved for future generations to see, the Planning Department recommends the Historic New Smyrna Beach Preservation Commission to approve a Certificate of Appropriateness for the proposed elevations with new stucco with white paint, exterior doors, wood handicap accessible deck with lattice screen, proposed awnings, and proposed landscaping.

Member Barretta-Herman inquired about the date the building was designated a local landmark, to which Mr. Mathen responded that it was designated in 201.

Chair Rees asked about the work being done on the property and the process for obtaining approval of a Certificate of Appropriateness.

Mr. Mathen stated that a demolition permit was issued to assess the extent of the damage. They discovered water damage followed by some termite damage. The applicant then applied for a grant, which included funding for the stucco work and white exterior paint for the building.

Chair Rees inquired about the newly installed windows, expressing concern that they did not aesthetically match the building. Member Kaufman voiced the same concerns.

Mathen stated that the windows were not a part of this request for approval.

Barretta-Herman voiced her support for the applicant's request.

Chair Rees asked if the applicant would like to speak.

Harrison Hodges spoke about the history of the building, sharing his background and passion for the renovation of historic building structures.

The board members raised their concerns and questioned whether the windows met the architectural standards at that time. Mr. Hodges stated that he would discuss their concerns with his father.

Chair Rees opened the meeting for Public Participation. As no citizens wished to speak, Vice-Chair Rees closed Public Participation.

Chair Rees asked the Board if they had any additional questions or comments.

Motion:
Member Barretta-Herman moved to approve CA-03-25: 403 Magnolia Street, as submitted. Vice-Chair Bone seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Barretta-Herman
SECONDER:	Bone
AYES:	Bone, Barretta-Herman, Kaufman, Rees, Bledsoe

4.B 2025 Donnadine Miller Preservation Award

Residential: 402 Faulkner Street

Member Kaufman from abstained voting.

Motion:
Member Barretta-Herman moved to approve 2024 Donnadine Miller Preservation Award for 402 Faulkner Street, as submitted. Vice-Chair Bone seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Barretta-Herman
SECONDER:	Bone
AYES:	Bone, Barretta-Herman, Rees, Bledsoe

Non-Residential: 101 Canal Street

Motion:
Member Bledsoe moved to approve 2024 Donnadine Miller Preservation Award for 101 Canal Street, with the condition that the owner has the choice to change the date of the award to 2025 if so desired and as submitted. Member Barretta-Herman seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Bledsoe
SECONDER:	Barretta-Herman
AYES:	Bone, Barretta-Herman, Kaufman, Rees, Bledsoe

5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

None.

6. REPORTS AND COMMUNICATIONS BY THE STAFF

7. ADJOURNMENT

As there was no other business to discuss, Chair Rees declared the meeting adjourned at 6:42 P.M.

Historic Preservation Commission
Wednesday, September 17, 2025 at 5:30 PM

City Commission Chambers
214 Sams Avenue, New Smyrna Beach, Florida 32168

1. CALL TO ORDER

A. Roll Call

2. APPROVAL OF MINUTES

2.A Consider the Approval of the Historic Preservation Commission June 11, 2025 Regular Meeting Minutes.

3. PUBLIC PARTICIPATION

4. NEW BUSINESS/DISCUSSION ITEMS

4.A Historic Preservation Commission Open Discussion

4.B New Commissioners.

5. COMMITTEE COMMENTS

6. STAFF COMMENTS

6.A 2025 Donnadine Miller Preservation Award Applications.

7. ADJOURNMENT

Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the board, agency or commission of the City of New Smyrna Beach with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 410-2630, prior to the meeting.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

CONSIDER THE APPROVAL OF THE HISTORIC PRESERVATION COMMISSION JUNE 11, 2025 REGULAR MEETING MINUTES.

September 17, 2025

Background:
Florida Statutes require that minutes be prepared and approved for all meetings of the Historic Preservation Commission.

Findings:
Staff recommends the Historic Preservation Commission approve the minutes of the regular Historic Preservation Commission meeting held on June 11, 2025 Regular Meeting Minutes.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Stephanie Ferrara - Development Services Coordinator

Attachments:

June 11 2025 MEETING MINUTES.pdf

Historic Preservation Commission Special Meeting
Wednesday, June 11, 2025, at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the special meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, June 11, 2025, at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Vice-Chair Stephanie Rees called the meeting to order at 5:30 PM.

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Stephanie Rees	Vice Chairperson	Present	5:30 PM
Terry Bledsoe	Member	Present	5:30 PM
Angeline Barretta-Herman	Member	Present	5:30 PM

Also present were: Senior Planner Robert Mathen, Assistant City Attorney Grant Day, and Board Secretary Stephanie Ferrara.

No Changes to the Agenda.

2. APPROVAL OF MINUTES

2.A Approval of the Historic Preservation Commission July 10, 2024, and March 12, 2025, Regular Meeting Minutes.

Chair Rees asked the board if they had any additional questions or comments.

Member Bledsoe requested the March 12, 2025, meeting minutes, change to reflect Walter Bone as Vice Chair and not Terry Bledsoe.

Motion:

Member Barretta-Herman motion to approve July 10, 2024, with no changes and March 12, 2025, with the requested changes, Historic Preservation Commission regular meeting minutes and as submitted. Member Kaufman seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Bledsoe
SECONDER:	Bone
AYES:	Bone, Kaufman, Rees, Barretta-Herman, Bledsoe

3. PUBLIC PARTICIPATION

None.

4. NEW BUSINESS

4.A CA-03-25: 403 Magnolia Street

Robert Mathen, Senior Planner, outlined the applicant's Carl Curtis Hodges, 620 South Riverside Drive, New Smyrna Beach, Florida 32168 and property owner: Karter Presley Lynaugh Trust, 403 Magnolia Street, New Smyrna Beach, Florida 32168, request: The property owner requests a review and approval of a Certificate of Appropriateness for facade repairs and upgrades to the building located at 403 Magnolia Street.

Staff recommended the Commission to review the proposed elevation repairs and modifications and make a motion to approve a Certificate of Appropriateness. The renovations will assure that the building will retain its historic elevation and architecture, the building can be admired by the general public, and the building will be saved for future generations to see, the Planning Department recommends the Historic New Smyrna Beach Preservation Commission to approve a Certificate of Appropriateness for the proposed elevations with new stucco with white paint, exterior doors, wood handicap accessible deck with lattice screen, proposed awnings, and proposed landscaping.

Member Barretta-Herman inquired about the date the building was designated a local landmark, to which Mr. Mathen responded that it was designated in 201.

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Chair Rees inquired about the newly installed windows, expressing concern that they did not aesthetically match the building. Member Kaufman voiced the same concerns.

Mathen stated that the windows were not a part of this request for approval.

Barretta-Herman voiced her support for the applicant's request.

Chair Rees asked if the applicant would like to speak.

Harrison Hodges spoke about the history of the building, sharing his background and passion for the renovation of historic building structures.

The board members raised their concerns and questioned whether the windows met the architectural standards at that time. Mr. Hodges stated that he would discuss their concerns with his father.

Chair Rees opened the meeting for Public Participation. As no citizens wished to speak, Vice-Chair Rees closed Public Participation.

Chair Rees asked the Board if they had any additional questions or comments.

Motion:
Member Barretta-Herman moved to approve CA-03-25: 403 Magnolia Street, as submitted. Vice-Chair Bone seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Barretta-Herman
SECONDER:	Bone
AYES:	Bone, Barretta-Herman, Kaufman, Rees, Bledsoe

4.B 2025 Donnadine Miller Preservation Award

Residential: 402 Faulkner Street

Member Kaufman from abstained voting.

Motion:
Member Barretta-Herman moved to approve 2024 Donnadine Miller Preservation Award for 402 Faulkner Street, as submitted. Vice-Chair Bone seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Barretta-Herman
SECONDER:	Bone
AYES:	Bone, Barretta-Herman, Rees, Bledsoe

Non-Residential: 101 Canal Street

Motion:
Member Bledsoe moved to approve 2024 Donnadine Miller Preservation Award for 101 Canal Street, with the condition that the owner has the choice to change the date of the award to 2025 if so desired and as submitted. Member Barretta-Herman seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Bledsoe
SECONDER:	Barretta-Herman
AYES:	Bone, Barretta-Herman, Kaufman, Rees, Bledsoe

5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

None.

6. REPORTS AND COMMUNICATIONS BY THE STAFF

7. ADJOURNMENT

As there was no other business to discuss, Chair Rees declared the meeting adjourned at 6:42 P.M.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

HISTORIC PRESERVATION COMMISSION OPEN DISCUSSION

September 17, 2025

Background:
Open Discussion

Findings:
The Planning Department wanted to give each Commissioner an opportunity to discuss any issue that would pertain to Historic Preservation within the City of New Smyrna Beach.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Robert Mathen - Senior Planner

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

NEW COMMISSIONERS.

September 17, 2025

Background:
The Planning Department wanted to introduce and welcome two new Commissioners and one reappointed Commissioner.

Findings:
The City Commission appointed two new Commissioners to the Historic New Smyrna Beach Preservation Commission.

The first Commissioner that was appointed is Dianne Bean.
The second Commissioner that was appointed is Jana Caswell.

The City Commission also reappointed Katie Kaufman to a second term.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

Dianne Bean.pdf
Jana Caswell.pdf
Katie Kaufman.pdf

Boards & Commissions Application

Profile

Dianne
First Name

Bean
Last Name

beanlucky@aol.com
Email Address

304 Cedar Ave
Home Address

Suite or Apt

New Smyrna Beach
City

FL
State

32169
Postal Code

Mobile: (407) 948-2616
Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Historic Preservation Commission: Submitted

Are you registered to vote in the City of New Smyrna Beach?

◉ Yes ○ No

What zone do you live in? *

☑ Zone 1

If you need assistance finding your zone visit:

Find My District

How long have you been a New Smyrna Beach resident?

14 years full time 23 part time

Have you ever been convicted of a felony as defined by FS 775.08? Please note that for the purposes of this question, any person who is found guilty or pleads guilty or nolo contendere ("no contest") shall be deemed to have been convicted, notwithstanding a suspension of sentence or a withholding of adjudication.

○ Yes ◉ No

If yes, please provide amplifying information.

Educational Background

High School

Coral shores high school

College(s)

University of Florida and UCF

Degrees held

BA MA Post Bac

Upload a Resume

Work Experience

I am now retired
Employer

Retired
Job Title

Please describe your work experience, if any.

While I started my career as a history teacher, the majority of my career was spent as a manager for Educational technology companies. Orange County Schools 1975-1982 Prescription Learning Technology trainer Computer Curriculum Corporation Sales Representative Jostens Learning Regional Sales manager Princeton Review Regional Manager ACT Testing Company Sales Director Retired 2015

Community Involvement

Are you currently serving on another City of New Smyrna Beach Board?

○ Yes ◉ No

If yes, which Board and when were you appointed?

Please describe any community board, groups or events you have been involved with:

Volunteer for Historic Preservation Award Committee, Campaign Manager for City Commissioner, Precinct Council Woman Volusia County, Volunteer for Historic Neighborhood Designation Committee, Volunteer for voting polls New Smyrna Beach and Volusia County

Do you have any financial interests or business ties that could potentially come before the Board(s) you selected during your term?

○ Yes ◉ No

If yes, please provide amplifying information.

Have you had official business before the Board(s) you selected within the last five (5) years?

○ Yes ◉ No

If yes, please provide amplifying information.

Interests & Experiences

Please tell us about yourself and why are you interested in serving on a board(s)?

I have personally renovated 5 historic homes. I have always had a significant interest in historic preservation and have volunteered two of my homes for historic home tours. One of my renovations was published in several Orlando publications. As you can see from my volunteer activities, I am involved in helping to promote historic homes in our communities. My travels often include visiting other communities historic areas and buildings.

References

Name of Reference #1 (Please do not list current elected officials)

Deb Exum

Address of Reference #1

622 Faulker Street New Smyrna Beach, Fl. 32168

Telephone Number of Reference #1

407-341-3737

Email address of reference #1

debexumrealestate@gmail

Nature of your relationship (business/personal).

persoal

Name of Reference #2 (Please do not list current elected officials)

Jean Gillum

Address of Reference #2

1000 S. Riverside Drive NSB, Fl. 32168

Telephone Number of Reference #2

321-947-0912

Email Address of Reference #2

jean@realty-doctors.com

Nature of your relationship (business/personal).

personal

Name of Reference #3 (Please do not list current elected officials)

Curtis Hodges

Address of Reference #3

620 S Riverside Drive NSB Fl. 32168

Telephone Number of Reference #3

3213036195

Email address of Reference #3

lhodges@hodgesbrothers.net

Nature of your relationship (business/personal).

personal

Boards & Commissions Application

Profile

Jana
First Name

Caswell
Last Name

jana.caswell@yahoo.com
Email Address

1104 N Peninsula Ave
Home Address

Suite or Apt

New Smyrna Beach
City

FL
State

32169
Postal Code

Home: (407) 256-3470
Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Historic Preservation Commission: Submitted

Are you registered to vote in the City of New Smyrna Beach?

(•) Yes ( ) No

What zone do you live in? *

[x] Zone 2

If you need assistance finding your zone visit:

Find My District

How long have you been a New Smyrna Beach resident?

8 years

Have you ever been convicted of a felony as defined by FS 775.08? Please note that for the purposes of this question, any person who is found guilty or pleads guilty or nolo contendere ("no contest") shall be deemed to have been convicted, notwithstanding a suspension of sentence or a withholding of adjudication.

( ) Yes (•) No

If yes, please provide amplifying information.

Educational Background

High School

JP Taravella High, Coral Springs, FL

College(s)

American University, Washington, DC

Degrees held

Bachelor of Arts

JC_resume__25.docx
Upload a Resume

Work Experience

Retired
Employer

Human Resources executive
Job Title

Please describe your work experience, if any.

Human Resources executive and consultant, specializing in Employee and Labor Relations, Leadership coaching and strategic thinking.

Community Involvement

Are you currently serving on another City of New Smyrna Beach Board?

○ Yes ◉ No

If yes, which Board and when were you appointed?

Please describe any community board, groups or events you have been involved with:

Board member, Marine Discovery Center; volunteer with various organizations

Do you have any financial interests or business ties that could potentially come before the Board(s) you selected during your term?

○ Yes ◉ No

If yes, please provide amplifying information.

Have you had official business before the Board(s) you selected within the last five (5) years?

○ Yes ◉ No

If yes, please provide amplifying information.

Interests & Experiences

Please tell us about yourself and why are you interested in serving on a board(s)?

I'm thrilled and blessed to have made New Smyrna my home. After renovating several historic properties in Orlando, my husband and I moved here almost nine years ago when we purchased a historic home that we planned to renovate. Sadly, we were unable to save the original structure as it was too far compromised, but we are extremely proud of the hard work we put in to salvage construction components and rebuild a modern version of the original home. We learned a lot through trial and error. The process brought us a deep appreciation of the importance of retaining the history and character of the area we have come to love and want to preserve and protect, while balancing the realties of growth that NSB must embrace.

References

Name of Reference #1 (Please do not list current elected officials)

Chad Truxall

Address of Reference #1

Marine Discovery Center 520 Barracuda Boulevard New Smyrna Beach, Florida

Telephone Number of Reference #1

(386) 428-4828

Email address of reference #1

chad@marinediscovery.org

Nature of your relationship (business/personal).

business

Name of Reference #2 (Please do not list current elected officials)

Liz Jones

Address of Reference #2

314 Canal Street New Smyrna Beach, FL 32168

Telephone Number of Reference #2

386-576-6730

Email Address of Reference #2

natureinbeauty@icloud.com

Nature of your relationship (business/personal).

Business

Name of Reference #3 (Please do not list current elected officials)

Paige Gehris

Address of Reference #3

208 Canova Drive New Smyrna Beach, FL 32169

Telephone Number of Reference #3

386-314-9823

Email address of Reference #3

paige.gehris@gmail.com

Nature of your relationship (business/personal).

Personal

Joanna (Jana) Caswell
Jana.caswell@yahoo.com
(407)256-3470

PROFESSIONAL EXPERIENCE

2C HR Solutions **January 2014 - Present**

Principal

Consulting practice focused on enabling companies to maximize the potential of their Human Capital. Areas of expertise include; executive coaching, vulnerability assessments, leadership training, effective communications, employee relations, labor relations, investigations, compliance, and talent acquisition.

People Results **August 2018 – July 2025**

Labor and Employee Relations Consultant

Assist in the development and facilitation of positive employee relations and union avoidance training, including labor relations fundamentals, environmental assessments, task force preparedness and campaign strategy.

Smokey Bones Bar and Fire Grill **August – December 2015**

Interim Vice President of Human Resources

Reporting directly to Company CEO, responsibilities included leadership of Human Resources function, representation on the Executive Leadership team and supporting seamless relocation of company headquarters.

Positive Management Leadership (PML) **February 2014 – April 2023**

Leadership Consultant

Prepare leaders across a variety of industries to be more engaged, productive, and focused on employee engagement, resulting in enhanced business performance and strong, value-based employment cultures.Develop and deliver training presentations, feedback sessions, and coaching models.

Darden Restaurants **September 1995 – December 2014**

The Olive Garden, Red Lobster, Longhorn Steakhouse, Bahama Breeze, Season's 52, The Capital Grille, Eddie V's, Yard House

Labor Relations Consultant January 2014-December 2014

Retained contractually as an independent consultant to provide labor relations leadership and proactive strategic guidance to Darden's Employment Practices function.

Vice President, Strategic Employment Practices October 2012 –December 2013

Labor Relations, Human Resources compliance and Alternative Dispute Process leadership across the enterprise.

***Accomplishments*:**

- Built and implemented business continuity plans and labor relations training to protect the organization in the event of third party disruption to operations, resulting in maintaining union-free status across the enterprise;
- Led the development of, and engaged operational support to,implement predictive analytics tool used to identify and target lagging key performance indicators (KPI's);
- Provided organizational subject matter expert ise on external factors affecting the business such as NLRB updates, union facts and trends, alternative labor movement, etc.resulting in engaged and prepared business leaders
- Led development and implementation of wage and hour compliance tools and investigations of infractions, resulting in early resolution of cases, minimization of financial impact, and effective disciplinary action;
- Provided subject matter expertise and partnered with legal team to address EEOC, class action and litigation on wide variety of employment cases, ensuring early resolution and minimal financial impact to the business;

- Led Darden's Alternative Dispute Resolution process, encompassing peer review, mediation, and arbitration processes for 190,000 employees. Results include lower than industry average numbers of legal cases and minimal legal costs per employee

Vice President, Strategic Employment Practices May 2008 – October 2012

Responsible for building structure, developing framework, and leading newly created "Center of Excellence" for Employee Relations and Corporate Security functions across all business units, encompassing over 2000 restaurants and 190,000 employees across the United States and Canada and franchise operations in Latin America and the Middle East. Strategic accountability for leveraging brand resources across the enterprise to safeguard company assets, values, and human resource commitments, while maximizing efficiency and minimizing legal risk. COE accountability includes stewardship of core values, legal compliance, life safety, dispute resolution, management of organized labor issues, training, employee satisfaction, investigations, and other human resource generalist functions and initiatives. Manage staff of 42 exempt and non-exempt individuals and $6,000,000 budget

The Olive Garden, Bahama Breeze and Smokey Bones BBQ Restaurants October 2003 – May 2008

Senior Director, Employee Relations

Responsible for directing new company-wide initiative to consolidate like departments in various business units in order to gain efficiencies and enable rapid growth of new business acquisitions. Lead development of common practices and policies, including gaining executive support across business units for change and consistency. Additionally responsible for all employee relations activities of three business units, including legal compliance, dispute resolution, union avoidance, training, employee satisfaction, investigations and other human resource generalist functions.

Smokey Bones BBQ & Sports Bar

Senior Director, Human Resources December 1999 – October 2003

Generalist functions for start-up company with responsibility for hiring operations management and office support as well as training initiatives at all levels of the organization. Serving as part of executive team charged with development and rapid roll out of new restaurant concept. Worked closely with all functional teams on business initiatives related to this rapid expansion including budgeting, security, workflow processes, menu development and design, marketing, and design and construction. Specifically responsible for concept leadership on employment, training, employee relations and legal compliance. Reporting directly to company President with dotted line reporting to SVP Human Resources for Darden Restaurants. Also responsible for implementation of corporate HR initiatives, including diversity training, HRIS redesign, payroll, benefits, recruiting, and training.

The Olive Garden Italian Restaurants

Director, Employee Relations February 1997 - December 1999

Responsible for all areas of employee relations for over 50,000 exempt and non-exempt employees in 48 states. Accountability for ensuring legal compliance, EEO practices, wage and benefit administration, various training initiatives and maintenance and integrity of corporate open door policy. Oversaw employment litigation including attorney demand letters, EEOC charges, lawsuit activity and organized labor campaigns. Directed several strategic business initiatives, including closing under performing units. Manage staff of eight and $2.2 million budget. Hired in September 1995 as Employee Relations representative, promoted to department Manager in May 1996 and to Director in February 1997.

Manager, Employee Relations May 1996 – February 1997

Employee Relations Representative September 1995 – May 1996

Hyatt Hotels and Resorts November 1992 - September 1995

Hyatt Regency New Brunswick, New Jersey

Assistant Director of Human Resources February 1994 – September 1995

Complete employment and benefits duties for all employees at 350 room property. Responsibility for ensuring compliance with state and federal regulations in regard to areas such as OSHA, EEO and ADA. Coordination of employee relations activities including employee satisfaction measurements, management incentive programs, employee counseling/discipline, recruiting, and employee recognition programs. Implemented and facilitated hotel participation in various community outreach programs. Named “Manager of the Year”, 1994. Named 1994 Honoree of YWCA “Tribute to Women in Industry” program.

Employment and Benefits Manager September 1993 - February 1994

Primary responsibilities included recruiting, interviewing, and selecting exempt and non-exempt employees. Administered all corporate benefits including 401(k), retirement, and medical/dental plans. Conducted various training and orientation activities for Spanish speaking employees.

Hyatt Regency Bethesda, Maryland

Employment Manager November 1992 - September 1993

Directed staffing of all levels of employees for 500 room property. Trained management staff on performance management. Developed and implemented various training programs for employees. Conducted Spanish language classes for management team.

Educational Field Studies, Inc. Chantilly, Virginia

Director of Operations August 1988 - November 1992

Developed and directed corporate training and development, including recruiting, hiring, supervision and coordination of staff on a national level. Researched and designed international language immersion programs. Liaison between clients, independent contractors and vendors. Hired as an independent contractor, then promoted to Manager of Operations. Promoted to Director of Operations in August, 1990.

EDUCATION

American University, Washington, DC 1986 - 1988
B.A. International Studies

Stetson University, DeLand, Florida 1984 - 1985
Year Abroad Program in Madrid, Spain

ADDITIONAL

Fluent in Spanish
Association for Talent Development (ATD) Certified Coach
Board Member The Marine Discovery Center, New Smyrna Beach;
Private Pilot's License
Community volunteer with The Adult Literacy League; \
Former Board Member of “Franklin’s Friends”, CUE, Inc and The SPCA of Central Florida (now Pet Alliance of Central Florida)

Boards & Commissions Application

Profile

Katie
First Name

Kaufman
Last Name

katieknsb@gmail.com
Email Address

402 Faulkner Street
Home Address

Suite or Apt

New Smyrna Beach
City

FL
State

32168
Postal Code

Home: (407) 808-1606
Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Historic Preservation Commission: Submitted

Are you registered to vote in the City of New Smyrna Beach?

(•) Yes ( ) No

What zone do you live in? *

[x] Zone 1

If you need assistance finding your zone visit:

Find My District

How long have you been a New Smyrna Beach resident?

3 1/2 years

Have you ever been convicted of a felony as defined by FS 775.08? Please note that for the purposes of this question, any person who is found guilty or pleads guilty or nolo contendere ("no contest") shall be deemed to have been convicted, notwithstanding a suspension of sentence or a withholding of adjudication.

( ) Yes (•) No

If yes, please provide amplifying information.

I've enjoyed serving on the Historic Preservation Commission. I feel that I can contribute to the board and would like to serve for another term.

Educational Background

High School

Lyman High School, Longwood Florida

College(s)

SCC Lake Mary FL/FTU Orlando (UCF)

Degrees held

Kaufman_Application.pdf
Upload a Resume

Work Experience

Self Employed
Employer

Photographer and Interior Designer
Job Title

Please describe your work experience, if any.

I have 15 years experience as an architectural designer/draftsman, specializing in residential remodeling, commercial and residential landscape and hardscape design and stormwater/wastewater engineering drafting. I have 30 years exp. as a photographer and own my own business specializing in family portraits, special events and individual portraits servicing the same clients for thirty years. I have recently started an interior design business.

Community Involvement

Are you currently serving on another City of New Smyrna Beach Board?

○ Yes ◉ No

If yes, which Board and when were you appointed?

Please describe any community board, groups or events you have been involved with:

I am a member of the New Smyrna Beach Rotary Club and was elected Rotarian of the Year '25. I am serving as the Fundraising Chair and I am appointed to the Rotary Club's Board as of June 2023. I volunteered time as the photographer for the College Park (Orlando) parade of historical homes.

Do you have any financial interests or business ties that could potentially come before the Board(s) you selected during your term?

○ Yes ◉ No

If yes, please provide amplifying information.

Have you had official business before the Board(s) you selected within the last five (5) years?

○ Yes ◉ No

If yes, please provide amplifying information.

Interests & Experiences

Please tell us about yourself and why are you interested in serving on a board(s)?

I own a historical home and have lived in other homes built in the 1920's. One for 18 years and the other for 23 years. I have a passion for architecture and the preservation of the beauty they provide to the community. I am very interested in landscaping and beautification of the community.

References

Name of Reference #1 (Please do not list current elected officials)

Debbie Gunter

Address of Reference #1

210 Quay Assisi, NSB 32169

Telephone Number of Reference #1

407-257-5924

Email address of reference #1

debbie@community-paper.com

Nature of your relationship (business/personal).

personal / business

Name of Reference #2 (Please do not list current elected officials)

Steven Gunter

Address of Reference #2

2318 Quay Assisi NSB 32169

Telephone Number of Reference #2

407-592-0696

Email Address of Reference #2

sguntergreenside@aol.com

Nature of your relationship (business/personal).

Personal

Name of Reference #3 (Please do not list current elected officials)

Nelson McDonald

Address of Reference #3

517 Buttonwood Lane, NSB 32168

Telephone Number of Reference #3

202-615-5540

Email address of Reference #3

nelson.mcdonald@gmail.com

Nature of your relationship (business/personal).

business and personal

City of New Smyrna Beach, Florida

Boards & Commissions Application

Profile

Prefix	First Name	Middle Initial	Last Name
	Katie	L.	Kaufman

Email Address: Ktphoto@aol.com

Home Address: 402 Faulkner St.

Suite or Apt:

City: New Smyrna Beach

State: Fl.

Postal Code: 32168

Primary Phone: 407-808-1606

Alternate Phone:

Which Boards would you like to apply for?

- ☐ Airport Advisory Board Regular
- ☐ Animal Control Board
- ☐ Building Trades Examining Board
- ☐ Code Enforcement
- ☐ Community Development Block Grant Advisory Board
- ☐ Fire Pension Board
- ☑ Historic Preservation Commission
- ☐ Housing Authority
- ☐ Investment Committee
- ☐ Personnel Board
- ☐ Planning & Zoning Board
- ☐ Police Pension Board
- ☐ Turnbull Creek Land Preservation Committee
- ☐ Utilities Commission
- ☐ Youth Council Task Force

Are you registered to vote in the City of New Smyrna Beach?

☑ Yes ○ No

What zone do you live in? *

None Selected

If you need assistance finding your zone visit:

Find My District

How long have you been a New Smyrna Beach resident? 6 mo,

Have you ever been convicted of a felony as defined by FS 775.08? Please note that for the purposes of this question, any person who is found guilty or pleads guilty or nolo contendere ("no contest") shall be deemed to have been convicted, notwithstanding a suspension of sentence or a withholding of adjudication.

○ Yes ✓ No

If yes, please provide amplifying information.

Educational Background

High School Lyman High School, Longwood, Fl.

College(s) SCC Lake Mary, Fl. / FTU Orlando (UCF)

Degrees held

Upload a Resume

Work Experience

Self Employed — Employer

Photographer — Job Title

Please describe your work experience, if any. 15 years experience as a Architectural Designer/Draftsman. 29 years exp. as a photographer. Always remained interested in design.

Community Involvement

Are you currently serving on another Board?

○ Yes ✓ No

If yes, which Board and when were you appointed?

Please describe any community groups or events you have been involved with:

Volunteered time as the photographer for the College Park (Orlando) Parade of Historical Homes.

Do you have any financial interests or business ties that could potentially come before the Board(s) you selected during your term?

○ Yes ✓ No

If yes, please provide amplifying information.

Have you had official business before the Board(s) you selected within the last five (5) years?

○ Yes ✓ No

If yes, please provide amplifying information.

Interests & Experiences

Please tell us about yourself and why are you interested in serving on a board(s)? I recently purchased an historical home and have lived in two other homes built in the 1920's. One for 18 yrs and the other for 23 years. I have a passion for architecture and the preservation of the beauty they provide to the community.

References

Name of Reference #1 Debbie Gunter

Address of Reference #1 218 Quay Assisi, NSB. 32169

Telephone Number of Reference #1 407-257-5924

Email address of reference #1 Debbie@community-paper.com

Nature of your relationship (business/personal). business & personal

Name of Reference #2 Steve Gunter

Address of Reference #2 218 Quay Assisi, NSB. 32169

Telephone Number of Reference #2 407-592-0696

Email Address of Reference #2 Sguntergreenside@aol.com

Nature of your relationship (business/personal). personal

Name of Reference #3 Tom Cook

Address of Reference #3 2305 Edgewater Dr. #1205
Orlando, Fl. 32804

Telephone Number of Reference #3 407-963-9862

Email address of Reference #3 tecook@cfl.rr.com

Nature of your relationship (business/personal). business and personal.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

2025 DONNADINE MILLER PRESERVATION AWARD APPLICATIONS.

September 17, 2025

Background:

The Planning Department has received one application for the residential category. We have not received any applications for the non-residential category.

Findings:

The Planning Department has set a 2025 preservation award application deadline of Friday October 31, 2025. This deadline would give time to have a selection during the December 10, 2025, Historic New Smyrna Beach Preservation Commission agenda.

Please submit a full completed application with a written historic of the property and exterior and interior photos. Completed applications have the best chance on winning.

Fiscal Analysis:

N/A

Strategic Plan Item:

No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

Donnadine Miller Preservation Award Application 2025.pdf

Donnadine Miller

Memorial Historic Preservation Award

Submission Deadline: October 31, 2025



The annual Donnadine Miller Memorial Historical Preservation Award promotes the awareness and appreciation of buildings and sites in New Smyrna Beach that contribute to the City's heritage and character. This award program reflects New Smyrna Beach's pride in its past. The Historic New Smyrna Beach Preservation Commission will select the winner based on the attached evaluation criteria, and the Mayor and City Commission will present the award, a bronze plaque (date to be announced). Nominations are accepted in both the residential and non-residential categories.

Nominations should be submitted no later than 5:00 p.m. on Friday, October 31, 2025.

Submit nominations to:

Preservation Awards Coordinator

Robert Mathen, Historic Preservation Officer

210 Sams Avenue New Smyrna Beach, FL 32168

386-410-2835

Nomination forms available at:

- www.cityofnsb.com
- City Hall Annex, 214 Sams Avenue
- New Smyrna Museum of History, 120 Sams Avenue

Donnadine Miller Memorial Historic Preservation Award Nomination Form

☐ Residential (Single Family) ☐ Non-Residential

Building Address: _____

Year Built: _____

Architectural Style (e.g. Vernacular/Spanish Eclectic/Craftsman):

_____

***Please include a photograph of the front of the building.**

Description of the history of the building or site and why it is significant (attach additional sheets, if necessary):

Property Owner: _____

Address: _____

Telephone: _____

Nominator: _____

Address: _____

City/State/Zip: _____

Telephone: _____

E-mail Address: _____

Release Authority

The undersigned gives to the City of New Smyrna Beach the absolute and unqualified right to use in whole or in part, in whatever manner the City may desire, all submitted material.

Release authorized by:

_____

SIGNATURE OF OWNER

_____

PRINT OR TYPE NAME

Evaluation Criteria

Building Address:

_____

(This section to be filled out by the Historic Preservation Commission)

Historic Significance **30** _____

- Promotes and reflects the historic nature of New Smyrna Beach.
- Reflects the original architecture.
- Use of appropriate materials/colors.

Community Significance **20** _____

- Maintains and/or enhances aesthetics of the city, thus helping create civic pride and the prosperity and welfare of the City.
- Promotes sustainability and "green" design while preserving the historic character of the resource.

Charm **10** _____

- Aesthetic Value
- Use of native landscape material

Historic Preservation Commission Special Meeting
Wednesday, September 17, 2025, at 5:30 PM
MINUTES

1. CALL TO ORDER

Having been duly advertised as required by law, the special meeting of the Historic Preservation Commission of the City of New Smyrna Beach, Florida, was held on Wednesday, September 17, 2025, at the City Commission Chambers, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Chairperson Stephanie Rees called the meeting to order at 5:30 PM.

Roll Call

Attendee Name	Title	Status	Arrived
Walter Bone	Vice Chairperson	Present	5:30 PM
Katherine Kaufman	Member	Present	5:30 PM
Stephanie Rees	Chairperson	Present	5:30 PM
Terry Bledsoe	Member	Present	5:30 PM
Angeline Barretta-Herman	Member	Present	5:30 PM
Dianne Bean	Member	Present	5:30PM
Jana Caswell	Member	Absent	

Also, present were: Senior Planner Robert Mathen, Assistant City Attorney Shey McCurdy, and Deputy City Clerk Kohn Evans.

No Changes to the Agenda.

2. APPROVAL OF MINUTES

2.A Approval of the Historic Preservation Commission June 11, 2025, Regular Meeting Minutes.

Chair Rees asked the board if they had any additional questions or comments.

Motion:
Member Barretta-Herman motion to approve June 11, 2025, Preservation Commission regular meeting minutes and as submitted. Member Kaufman seconded the motion, and the motion carried unanimously.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Barretta-Herman
SECONDER:	Kaufman
AYES:	Bone, Kaufman, Rees, Barretta-Herman, Bledsoe, Bean

3. PUBLIC PARTICIPATION

None.

4. NEW BUSINESS

4.A Introduction of New Commissioners

- Diane Bean
- Jana Caswell

4.B Assistant City Attorney Presentation

Shey McCurdy gave the following presentation

- Authority and guidelines for HPC
- Sections reviewed: 50-6, 50-7, 50-8, & 50-12
- Focus on exterior modification and contributing structures
- Importance of clear motions tied to Chapter 50 authority

5. DISCUSSION ITEMS

- **CRA Grant Process**
  - Only local landmarks require Certificate of Appropriateness for CRA grants.
  - 17 properties currently designated as local landmarks.

- **Historic Survey Update:**
  - Last survey conducted in 2007
  - Interest in applying for grants to update the survey
  - Potential information windshield survey discussed

- **Plaque Program:**
  - Available for homes 50+ years old.
  - Application through Stephanie Ferrara.

- **Donnadine Miller Preservation Award:**
  - One application received.
  - Deadline: October 31, 2025
  - Goal: Select recipient at December meeting.

- **Meeting Frequency Proposal:**
  - Suggested schedule: Every other month starting February 2026.
  - September excluded due to budget conflicts.
  - Soft dates reserved for emergency meetings.

- **Historic Photo Contest:**
  - Proposal moved up the chain for review.
  - Potential spring launch.

Charter Amendment Discussion

- Concerns raised about proposed changes to the city charter affecting HPC responsibilities.
- Staff noted no comment, awaiting voter decision.
- Commissioners encouraged to review city website for details.

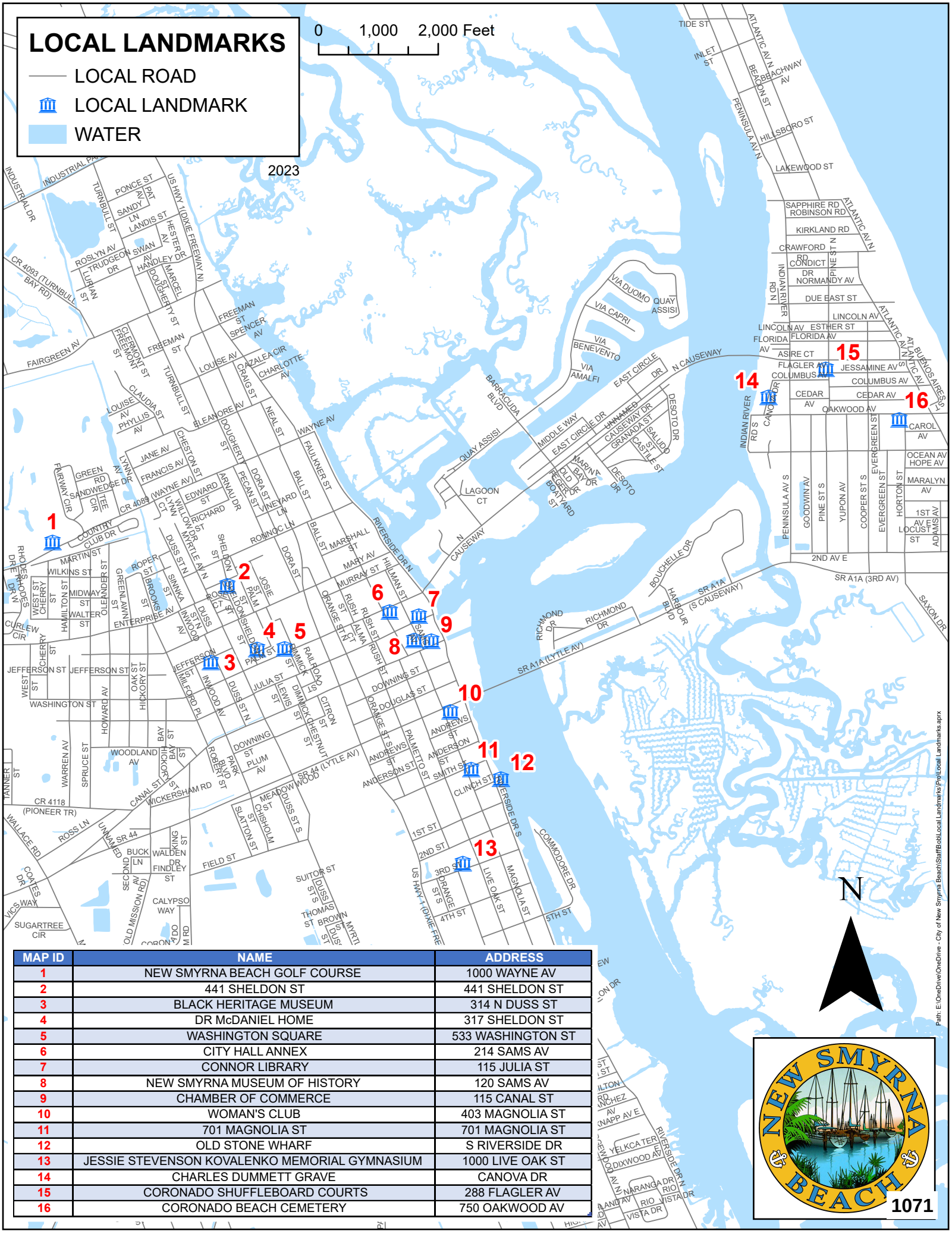
5. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

None.

6. REPORTS AND COMMUNICATIONS BY THE STAFF

7. ADJOURNMENT

As there was no other business to discuss, Chair Rees declared the meeting adjourned at 6:45 P.M.



MAP ID	NAME	ADDRESS
1	NEW SMYRNA BEACH GOLF COURSE	1000 WAYNE AV
2	441 SHELDON ST	441 SHELDON ST
3	BLACK HERITAGE MUSEUM	314 N DUSS ST
4	DR McDANIEL HOME	317 SHELDON ST
5	WASHINGTON SQUARE	533 WASHINGTON ST
6	CITY HALL ANNEX	214 SAMS AV
7	CONNOR LIBRARY	115 JULIA ST
8	NEW SMYRNA MUSEUM OF HISTORY	120 SAMS AV
9	CHAMBER OF COMMERCE	115 CANAL ST
10	WOMAN'S CLUB	403 MAGNOLIA ST
11	701 MAGNOLIA ST	701 MAGNOLIA ST
12	OLD STONE WHARF	S RIVERSIDE DR
13	JESSIE STEVENSON KOVALENKO MEMORIAL GYMNASIUM	1000 LIVE OAK ST
14	CHARLES DUMMETT GRAVE	CANOVA DR
15	CORONADO SHUFFLEBOARD COURTS	288 FLAGLER AV
16	CORONADO BEACH CEMETERY	750 OAKWOOD AV

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N

0 50 100 150 200 Feet

ADDRESSES WITHIN THE CORONADO NATIONAL HISTORIC DISTRICT

99 LINCOLN AV	115 FLAGLER AV	108 LINCOLN AV
100 ASIRE CT	120 FLAGLER AV	203 LINCOLN AV
103 ASIRE CT	121 FLAGLER AV	103 N PENINSULA AV
105 ASIRE CT	202 FLAGLER AV	106 N PENINSULA AV
100 COLUMBUS AV	204 FLAGLER AV	107 N PENINSULA AV
110 COLUMBUS AV	206 FLAGLER AV	108 N PENINSULA AV
105 DUE EAST ST	213 FLAGLER AV	109 N PENINSULA AV
105 ESTHER ST	214 FLAGLER AV	111 N PENINSULA AV
108 ESTHER ST	216 FLAGLER AV	200 N PENINSULA AV
109 ESTHER ST	217 FLAGLER AV	201 N PENINSULA AV
110 ESTHER ST	218 FLAGLER AV	202 N PENINSULA AV
111 ESTHER ST	221 FLAGLER AV	300 N PENINSULA AV
112 ESTHER ST	222 FLAGLER AV	301 N PENINSULA AV
205 ESTHER ST	223 FLAGLER AV	302 N PENINSULA AV
206 ESTHER ST	224 FLAGLER AV	305 N PENINSULA AV
207 ESTHER ST	300 FLAGLER AV	400 N PENINSULA AV
208 ESTHER ST	304 FLAGLER AV	401 N PENINSULA AV
209 ESTHER ST	306 FLAGLER AV	402 N PENINSULA AV
212 ESTHER ST	308 FLAGLER AV	403 N PENINSULA AV
213 ESTHER ST	309 FLAGLER AV	404 N PENINSULA AV
214 ESTHER ST	310 FLAGLER AV	405 N PENINSULA AV
215 ESTHER ST	314 FLAGLER AV	407 N PENINSULA AV
216 ESTHER ST	316 FLAGLER AV	408 N PENINSULA AV
217 ESTHER ST	110 FLORIDA AV	410 N PENINSULA AV
218 ESTHER ST	114 FLORIDA AV	200 N PINE ST
221 ESTHER ST	206 FLORIDA AV	206 N PINE ST
100 FLAGLER AV	210 FLORIDA AV	300 N PINE ST
100 FLAGLER AV	212 FLORIDA AV	101 S PENINSULA AV
101 FLAGLER AV	214 FLORIDA AV	104 S PENINSULA AV
110 FLAGLER AV	216 FLORIDA AV	106 S PENINSULA AV
111 FLAGLER AV	218 FLORIDA AV	108 S PENINSULA AV
113 FLAGLER AV	220 FLORIDA AV	110 S PENINSULA AV
114 FLAGLER AV	101 LINCOLN AV	150 S PINE ST

REGISTERED WITH THE
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
DATE: MARCH 29,1990

INDIAN RIVER RD N
DUE EAST ST
LINCOLN AV
PENINSULA AV N
PINE ST N
ESTHER ST
FLORIDA AV
ASIRE CT
N CAUSEWAY
FLAGLER AV
PENINSULA AV S
PINE ST S
JESSAMINE AV
COLUMBUS AV
CANOVA DR

October 2025

CORONADO NATIONAL HISTORIC DISTRICT

- LOCAL ROAD
- CORONADO NATIONAL HISTORIC DISTRICT
- CONTRIBUTING STRUCTURE
- PARCEL
- 221 ADDRESS NUMBER
- WATER

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ADDRESSES WITHIN THE NEW SMYRNA BEACH NATIONAL HISTORIC DISTRICT

SITUS_ADDR	431 CANAL ST	536 FAULKNER ST	403 MAGNOLIA ST	309 MURRAY ST	500 S RIVERSIDE DR
213 ALMA CT	500 CANAL ST	538 FAULKNER ST	405 MAGNOLIA ST	105 N ORANGE ST	502 S RIVERSIDE DR
214 ALMA CT	501 CANAL ST	542 FAULKNER ST	407 MAGNOLIA ST	115 N ORANGE ST	506 S RIVERSIDE DR
215 ALMA CT	505 CANAL ST	312 HILLMAN ST	409 MAGNOLIA ST	121 N ORANGE ST	510 S RIVERSIDE DR
218 ALMA CT	506 CANAL ST	314 HILLMAN ST	411 MAGNOLIA ST	201 N ORANGE ST	512 S RIVERSIDE DR
219 ALMA CT	508 CANAL ST	316 HILLMAN ST	415 MAGNOLIA ST	219 N ORANGE ST	600 S RIVERSIDE DR
204 ANDERSON ST	508 CANAL ST	318 HILLMAN ST	501 MAGNOLIA ST	307 N ORANGE ST	608 S RIVERSIDE DR
207 ANDERSON ST	509 CANAL ST	322 HILLMAN ST	504 MAGNOLIA ST	311 N ORANGE ST	616 S RIVERSIDE DR
209 ANDERSON ST	512 CANAL ST	110 JULIA ST	506 MAGNOLIA ST	312 N ORANGE ST	620 S RIVERSIDE DR
406 ANDERSON ST	515 CANAL ST	115 JULIA ST	509 MAGNOLIA ST	316 N ORANGE ST	700 S RIVERSIDE DR
204 ANDREWS ST	519 CANAL ST	132 JULIA ST	512 MAGNOLIA ST	320 N ORANGE ST	704 S RIVERSIDE DR
506 BALL ST	524 CANAL ST	136 JULIA ST	516 MAGNOLIA ST	323 N ORANGE ST	208 RONNOC LN
507 BALL ST	311 N DIXIE FREEWAY	138 JULIA ST	600 MAGNOLIA ST	324 N ORANGE ST	212 RONNOC LN
508 BALL ST	321 N DIXIE FREEWAY	140 JULIA ST	608 MAGNOLIA ST	400 N ORANGE ST	306 RONNOC LN
510 BALL ST	123 DOUGLAS ST	142 JULIA ST	610 MAGNOLIA ST	402 N ORANGE ST	110 RUSH ST
511 BALL ST	207 DOUGLAS ST	144 JULIA ST	611 MAGNOLIA ST	404 N ORANGE ST	204 RUSH ST
512 BALL ST	208 DOUGLAS ST	146 JULIA ST	616 MAGNOLIA ST	406 N ORANGE ST	206 RUSH ST
513 BALL ST	310 DOUGLAS ST	202 JULIA ST	701 MAGNOLIA ST	411 N ORANGE ST	208 RUSH ST
515 BALL ST	407 DOUGLAS ST	206 JULIA ST	703 MAGNOLIA ST	208 S ORANGE ST	209 RUSH ST
516 BALL ST	505 DOUGLAS ST	214 JULIA ST	705 MAGNOLIA ST	210 S ORANGE ST	210 RUSH ST
518 BALL ST	506 DOUGLAS ST	301 JULIA ST	206 MARSHALL ST	211 S ORANGE ST	211 RUSH ST
519 BALL ST	206 DOWNING ST	302 JULIA ST	207 MARSHALL ST	215 S ORANGE ST	303 RUSH ST
520 BALL ST	207 DOWNING ST	305 JULIA ST	208 MARSHALL ST	216 S ORANGE ST	304 RUSH ST
522 BALL ST	209 DOWNING ST	307 JULIA ST	209 MARSHALL ST	300 S ORANGE ST	305 RUSH ST
523 BALL ST	210 DOWNING ST	309 JULIA ST	210 MARSHALL ST	301 S ORANGE ST	306 RUSH ST
524 BALL ST	307 DOWNING ST	310 JULIA ST	212 MARSHALL ST	304 S ORANGE ST	307 RUSH ST
525 BALL ST	309 DOWNING ST	313 JULIA ST	213 MARSHALL ST	305 S ORANGE ST	308 RUSH ST
528 BALL ST	103 FAULKNER ST	101 LIVE OAK ST	215 MARSHALL ST	306 S ORANGE ST	309 RUSH ST
529 BALL ST	108 FAULKNER ST	106 LIVE OAK ST	102 MARY AV	307 S ORANGE ST	310 RUSH ST
530 BALL ST	115 FAULKNER ST	114 LIVE OAK ST	110 MARY AV	308 S ORANGE ST	311 RUSH ST
531 BALL ST	116 FAULKNER ST	118 LIVE OAK ST	118 MARY AV	314 S ORANGE ST	312 RUSH ST
532 BALL ST	117 FAULKNER ST	200 LIVE OAK ST	119 MARY AV	603 S ORANGE ST	314 RUSH ST
533 BALL ST	118 FAULKNER ST	204 LIVE OAK ST	204 MARY AV	605 S ORANGE ST	315 RUSH ST
534 BALL ST	119 FAULKNER ST	207 LIVE OAK ST	205 MARY AV	201 PALMETTO ST	400 RUSH ST
536 BALL ST	120 FAULKNER ST	211 LIVE OAK ST	206 MARY AV	204 PALMETTO ST	402 RUSH ST
537 BALL ST	121 FAULKNER ST	219 LIVE OAK ST	207 MARY AV	205 PALMETTO ST	404 RUSH ST
145 CANAL ST	124 FAULKNER ST	301 LIVE OAK ST	208 MARY AV	207 PALMETTO ST	112 SAMS AV
147 CANAL ST	200 FAULKNER ST	302 LIVE OAK ST	209 MARY AV	208 PALMETTO ST	120 SAMS AV
149 CANAL ST	301 FAULKNER ST	305 LIVE OAK ST	211 MARY AV	210 PALMETTO ST	130 SAMS AV
151 CANAL ST	303 FAULKNER ST	306 LIVE OAK ST	212 MARY AV	212 PALMETTO ST	132 SAMS AV
200 CANAL ST	311 FAULKNER ST	312 LIVE OAK ST	213 MARY AV	214 PALMETTO ST	134 SAMS AV
239 CANAL ST	312 FAULKNER ST	315 LIVE OAK ST	214 MARY AV	308 PALMETTO ST	136 SAMS AV
300 CANAL ST	313 FAULKNER ST	511 LIVE OAK ST	217 MARY AV	309 PALMETTO ST	137 SAMS AV
312 CANAL ST	315 FAULKNER ST	519 LIVE OAK ST	218 MARY AV	314 PALMETTO ST	138 SAMS AV
314 CANAL ST	316 FAULKNER ST	601 LIVE OAK ST	300 MARY AV	318 PALMETTO ST	139 SAMS AV
316 CANAL ST	317 FAULKNER ST	603 LIVE OAK ST	301 MARY AV	401 PALMETTO ST	210 SAMS AV
320 CANAL ST	321 FAULKNER ST	605 LIVE OAK ST	304 MARY AV	600 PALMETTO ST	214 SAMS AV
323 CANAL ST	401 FAULKNER ST	607 LIVE OAK ST	305 MARY AV	612 PALMETTO ST	107 WASHINGTON ST
327 CANAL ST	402 FAULKNER ST	617 LIVE OAK ST	308 MARY AV	300 N RIVERSIDE DR	109 WASHINGTON ST
328 CANAL ST	403 FAULKNER ST	111 S LIVE OAK ST	111 MURRAY ST	306 N RIVERSIDE DR	203 WASHINGTON ST
330 CANAL ST	405 FAULKNER ST	115 S LIVE OAK ST	115 MURRAY ST	312 N RIVERSIDE DR	210 WASHINGTON ST
334 CANAL ST	500 FAULKNER ST	207 LYTLE AV	120 MURRAY ST	318 N RIVERSIDE DR	212 WASHINGTON ST
399 CANAL ST	501 FAULKNER ST	305 LYTLE AV	205 MURRAY ST	400 N RIVERSIDE DR	213 WASHINGTON ST
400 CANAL ST	505 FAULKNER ST	307 LYTLE AV	207 MURRAY ST	500 N RIVERSIDE DR	215 WASHINGTON ST
401 CANAL ST	508 FAULKNER ST	311 LYTLE AV	210 MURRAY ST	504 N RIVERSIDE DR	219 WASHINGTON ST
402 CANAL ST	509 FAULKNER ST	407 LYTLE AV	211 MURRAY ST	508 N RIVERSIDE DR	221 WASHINGTON ST
405 CANAL ST	511 FAULKNER ST	407 LYTLE AV A	212 MURRAY ST	512 N RIVERSIDE DR	300 WASHINGTON ST
405 CANAL ST	512 FAULKNER ST	407 LYTLE AV B	214 MURRAY ST	516 N RIVERSIDE DR	301 WASHINGTON ST
412 CANAL ST	513 FAULKNER ST	407 LYTLE AV C	215 MURRAY ST	518 N RIVERSIDE DR	302 WASHINGTON ST
413 CANAL ST	514 FAULKNER ST	407 LYTLE AV D	216 MURRAY ST	520 N RIVERSIDE DR	303 WASHINGTON ST
417 CANAL ST	515 FAULKNER ST	407 LYTLE AV E	217 MURRAY ST	524 N RIVERSIDE DR	304 WASHINGTON ST
418 CANAL ST	522 FAULKNER ST	407 LYTLE AV F	218 MURRAY ST	526 N RIVERSIDE DR	305 WASHINGTON ST
419 CANAL ST	523 FAULKNER ST	407 LYTLE AV G	300 MURRAY ST	532 N RIVERSIDE DR	310 WASHINGTON ST
421 CANAL ST	524 FAULKNER ST	407 LYTLE AV H	302 MURRAY ST	408 S RIVERSIDE DR	312 WASHINGTON ST
424 CANAL ST	525 FAULKNER ST	305 MAGNOLIA ST	303 MURRAY ST	416 S RIVERSIDE DR	
427 CANAL ST	528 FAULKNER ST	315 MAGNOLIA ST	304 MURRAY ST	420 S RIVERSIDE DR	
430 CANAL ST	532 FAULKNER ST	317 MAGNOLIA ST	305 MURRAY ST	426 S RIVERSIDE DR	

0 100 200 300 400 500 Feet

REGISTERED WITH THE
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
DATE: MARCH 29,1990

October 2025

NEW SMYRNA BEACH NATIONAL HISTORIC DISTRICT

- LOCAL ROAD
- CORONADO NATIONAL HISTORIC DISTRICT
- CONTRIBUTING STRUCTURE
- PARCEL
- 221 ADDRESS NUMBER
- WATER

N

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Boards & Commissions Application

Profile

Katie
First Name

Kaufman
Last Name

katieknsb@gmail.com
Email Address

402 Faulkner Street
Home Address

Suite or Apt

New Smyrna Beach
City

FL
State

32168
Postal Code

Home: (407) 808-1606
Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Historic Preservation Commission: Submitted

Are you registered to vote in the City of New Smyrna Beach?

◉ Yes ○ No

What zone do you live in? *

☑ Zone 1

If you need assistance finding your zone visit:

Find My District

How long have you been a New Smyrna Beach resident?

3 1/2 years

Have you ever been convicted of a felony as defined by FS 775.08? Please note that for the purposes of this question, any person who is found guilty or pleads guilty or nolo contendere ("no contest") shall be deemed to have been convicted, notwithstanding a suspension of sentence or a withholding of adjudication.

○ Yes ◉ No

If yes, please provide amplifying information.

I've enjoyed serving on the Historic Preservation Commission. I feel that I can contribute to the board and would like to serve for another term.

Educational Background

High School

Lyman High School, Longwood Florida

College(s)

SCC Lake Mary FL/FTU Orlando (UCF)

Degrees held

Kaufman_Application.pdf
Upload a Resume

Work Experience

Self Employed
Employer

Photographer and Interior Designer
Job Title

Please describe your work experience, if any.

I have 15 years experience as an architectural designer/draftsman, specializing in residential remodeling, commercial and residential landscape and hardscape design and stormwater/wastewater engineering drafting. I have 30 years exp. as a photographer and own my own business specializing in family portraits, special events and individual portraits servicing the same clients for thirty years. I have recently started an interior design business.

Community Involvement

Are you currently serving on another City of New Smyrna Beach Board?

○ Yes ◉ No

If yes, which Board and when were you appointed?

Please describe any community board, groups or events you have been involved with:

I am a member of the New Smyrna Beach Rotary Club and was elected Rotarian of the Year '25. I am serving as the Fundraising Chair and I am appointed to the Rotary Club's Board as of June 2023. I volunteered time as the photographer for the College Park (Orlando) parade of historical homes.

Do you have any financial interests or business ties that could potentially come before the Board(s) you selected during your term?

○ Yes ◉ No

If yes, please provide amplifying information.

Have you had official business before the Board(s) you selected within the last five (5) years?

○ Yes ◉ No

If yes, please provide amplifying information.

Interests & Experiences

Please tell us about yourself and why are you interested in serving on a board(s)?

I own a historical home and have lived in other homes built in the 1920's. One for 18 years and the other for 23 years. I have a passion for architecture and the preservation of the beauty they provide to the community. I am very interested in landscaping and beautification of the community.

References

Name of Reference #1 (Please do not list current elected officials)

Debbie Gunter

Address of Reference #1

210 Quay Assisi, NSB 32169

Telephone Number of Reference #1

407-257-5924

Email address of reference #1

debbie@community-paper.com

Nature of your relationship (business/personal).

personal / business

Name of Reference #2 (Please do not list current elected officials)

Steven Gunter

Address of Reference #2

2318 Quay Assisi NSB 32169

Telephone Number of Reference #2

407-592-0696

Email Address of Reference #2

sguntergreenside@aol.com

Nature of your relationship (business/personal).

Personal

Name of Reference #3 (Please do not list current elected officials)

Nelson McDonald

Address of Reference #3

517 Buttonwood Lane, NSB 32168

Telephone Number of Reference #3

202-615-5540

Email address of Reference #3

nelson.mcdonald@gmail.com

Nature of your relationship (business/personal).

business and personal

City of New Smyrna Beach, Florida

Boards & Commissions Application

Profile

Prefix: | First Name: Katie | Middle Initial: L. | Last Name: Kaufman

Email Address: Ktphoto@aol.com

Home Address: 402 Faulkner St. | Suite or Apt:

City: New Smyrna Beach | State: Fl. | Postal Code: 32168

Primary Phone: 407-808-1606 | Alternate Phone:

Which Boards would you like to apply for?

- ☐ Airport Advisory Board Regular
- ☐ Animal Control Board
- ☐ Building Trades Examining Board
- ☐ Code Enforcement
- ☐ Community Development Block Grant Advisory Board
- ☐ Fire Pension Board
- ☑ Historic Preservation Commission
- ☐ Housing Authority
- ☐ Investment Committee
- ☐ Personnel Board
- ☐ Planning & Zoning Board
- ☐ Police Pension Board
- ☐ Turnbull Creek Land Preservation Committee
- ☐ Utilities Commission
- ☐ Youth Council Task Force

Are you registered to vote in the City of New Smyrna Beach?

- ✓ Yes
- ○ No

What zone do you live in? *

None Selected

If you need assistance finding your zone visit:

Find My District

How long have you been a New Smyrna Beach resident? 6 mo,

Have you ever been convicted of a felony as defined by FS 775.08? Please note that for the purposes of this question, any person who is found guilty or pleads guilty or nolo contendere ("no contest") shall be deemed to have been convicted, notwithstanding a suspension of sentence or a withholding of adjudication.

○ Yes ✓ No

If yes, please provide amplifying information.

Educational Background

High School Lyman High School, Longwood, Fl.

College(s) SCC Lake Mary, Fl. / FTU Orlando (UCF)

Degrees held

Upload a Resume

Work Experience

Self Employed — Employer

Photographer — Job Title

Please describe your work experience, if any. 15 years experience as a Architectural Designer/Draftsman. 29 years exp. as a photographer. Always remained interested in design.

Community Involvement

Are you currently serving on another Board?

○ Yes ✓ No

If yes, which Board and when were you appointed?

Please describe any community groups or events you have been involved with:

Volunteered time as the photographer for the College Park (Orlando) Parade of Historical Homes.

Do you have any financial interests or business ties that could potentially come before the Board(s) you selected during your term?

○ Yes ✓ No

If yes, please provide amplifying information.

Have you had official business before the Board(s) you selected within the last five (5) years?

○ Yes ✓ No

If yes, please provide amplifying information.

Interests & Experiences

Please tell us about yourself and why are you interested in serving on a board(s)? I recently purchased an historical home and have lived in two other homes built in the 1920's. One for 18 yrs and the other for 23 years. I have a passion for architecture and the preservation of the beauty they provide to the community.

References

Name of Reference #1 Debbie Gunter

Address of Reference #1 218 Quay Assisi, NSB. 32169

Telephone Number of Reference #1 407-257-5924

Email address of reference #1 Debbie@community-paper.com

Nature of your relationship (business/personal). business & personal

Name of Reference #2 Steve Gunter

Address of Reference #2 218 Quay Assisi, NSB. 32169

Telephone Number of Reference #2 407-592-0696

Email Address of Reference #2 Sguntergreenside@aol.com

Nature of your relationship (business/personal). personal

Name of Reference #3 Tom Cook

Address of Reference #3 2305 Edgewater Dr. #1205
Orlando, Fl. 32804

Telephone Number of Reference #3 407-963-9862

Email address of Reference #3 tecook@cfl.rr.com

Nature of your relationship (business/personal). business and personal.

Boards & Commissions Application

Profile

Jana
First Name

Caswell
Last Name

jana.caswell@yahoo.com
Email Address

1104 N Peninsula Ave
Home Address

Suite or Apt

New Smyrna Beach
City

FL
State

32169
Postal Code

Home: (407) 256-3470
Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Historic Preservation Commission: Submitted

Are you registered to vote in the City of New Smyrna Beach?

◉ Yes ○ No

What zone do you live in? *

☑ Zone 2

If you need assistance finding your zone visit:

Find My District

How long have you been a New Smyrna Beach resident?

8 years

Have you ever been convicted of a felony as defined by FS 775.08? Please note that for the purposes of this question, any person who is found guilty or pleads guilty or nolo contendere ("no contest") shall be deemed to have been convicted, notwithstanding a suspension of sentence or a withholding of adjudication.

○ Yes ◉ No

If yes, please provide amplifying information.

Educational Background

High School

JP Taravella High, Coral Springs, FL

College(s)

American University, Washington, DC

Degrees held

Bachelor of Arts

JC_resume__25.docx
Upload a Resume

Work Experience

Retired
Employer

Human Resources executive
Job Title

Please describe your work experience, if any.

Human Resources executive and consultant, specializing in Employee and Labor Relations, Leadership coaching and strategic thinking.

Community Involvement

Are you currently serving on another City of New Smyrna Beach Board?

○ Yes ◉ No

If yes, which Board and when were you appointed?

Please describe any community board, groups or events you have been involved with:

Board member, Marine Discovery Center; volunteer with various organizations

Do you have any financial interests or business ties that could potentially come before the Board(s) you selected during your term?

○ Yes ◉ No

If yes, please provide amplifying information.

Have you had official business before the Board(s) you selected within the last five (5) years?

○ Yes ◉ No

If yes, please provide amplifying information.

Interests & Experiences

Please tell us about yourself and why are you interested in serving on a board(s)?

I'm thrilled and blessed to have made New Smyrna my home. After renovating several historic properties in Orlando, my husband and I moved here almost nine years ago when we purchased a historic home that we planned to renovate. Sadly, we were unable to save the original structure as it was too far compromised, but we are extremely proud of the hard work we put in to salvage construction components and rebuild a modern version of the original home. We learned a lot through trial and error. The process brought us a deep appreciation of the importance of retaining the history and character of the area we have come to love and want to preserve and protect, while balancing the realties of growth that NSB must embrace.

References

Name of Reference #1 (Please do not list current elected officials)

Chad Truxall

Address of Reference #1

Marine Discovery Center 520 Barracuda Boulevard New Smyrna Beach, Florida

Telephone Number of Reference #1

(386) 428-4828

Email address of reference #1

chad@marinediscovery.org

Nature of your relationship (business/personal).

business

Name of Reference #2 (Please do not list current elected officials)

Liz Jones

Address of Reference #2

314 Canal Street New Smyrna Beach, FL 32168

Telephone Number of Reference #2

386-576-6730

Email Address of Reference #2

natureinbeauty@icloud.com

Nature of your relationship (business/personal).

Business

Name of Reference #3 (Please do not list current elected officials)

Paige Gehris

Address of Reference #3

208 Canova Drive New Smyrna Beach, FL 32169

Telephone Number of Reference #3

386-314-9823

Email address of Reference #3

paige.gehris@gmail.com

Nature of your relationship (business/personal).

Personal

Joanna (Jana) Caswell
Jana.caswell@yahoo.com
(407)256-3470

PROFESSIONAL EXPERIENCE

2C HR Solutions **January 2014 - Present**

Principal

Consulting practice focused on enabling companies to maximize the potential of their Human Capital. Areas of expertise include; executive coaching, vulnerability assessments, leadership training, effective communications, employee relations, labor relations, investigations, compliance, and talent acquisition.

People Results **August 2018 – July 2025**

Labor and Employee Relations Consultant

Assist in the development and facilitation of positive employee relations and union avoidance training, including labor relations fundamentals, environmental assessments, task force preparedness and campaign strategy.

Smokey Bones Bar and Fire Grill **August – December 2015**

Interim Vice President of Human Resources

Reporting directly to Company CEO, responsibilities included leadership of Human Resources function, representation on the Executive Leadership team and supporting seamless relocation of company headquarters.

Positive Management Leadership (PML) **February 2014 – April 2023**

Leadership Consultant

Prepare leaders across a variety of industries to be more engaged, productive, and focused on employee engagement, resulting in enhanced business performance and strong, value-based employment cultures.Develop and deliver training presentations, feedback sessions, and coaching models.

Darden Restaurants **September 1995 – December 2014**

The Olive Garden, Red Lobster, Longhorn Steakhouse, Bahama Breeze, Season's 52, The Capital Grille, Eddie V's, Yard House

Labor Relations Consultant January 2014-December 2014

Retained contractually as an independent consultant to provide labor relations leadership and proactive strategic guidance to Darden's Employment Practices function.

Vice President, Strategic Employment Practices October 2012 –December 2013

Labor Relations, Human Resources compliance and Alternative Dispute Process leadership across the enterprise.

***Accomplishments*:**

- Built and implemented business continuity plans and labor relations training to protect the organization in the event of third party disruption to operations, resulting in maintaining union-free status across the enterprise;
- Led the development of, and engaged operational support to,implement predictive analytics tool used to identify and target lagging key performance indicators (KPI's);
- Provided organizational subject matter expert ise on external factors affecting the business such as NLRB updates, union facts and trends, alternative labor movement, etc.resulting in engaged and prepared business leaders
- Led development and implementation of wage and hour compliance tools and investigations of infractions, resulting in early resolution of cases, minimization of financial impact, and effective disciplinary action;
- Provided subject matter expertise and partnered with legal team to address EEOC, class action and litigation on wide variety of employment cases, ensuring early resolution and minimal financial impact to the business;

- Led Darden's Alternative Dispute Resolution process, encompassing peer review, mediation, and arbitration processes for 190,000 employees. Results include lower than industry average numbers of legal cases and minimal legal costs per employee

Vice President, Strategic Employment Practices May 2008 – October 2012

Responsible for building structure, developing framework, and leading newly created "Center of Excellence" for Employee Relations and Corporate Security functions across all business units, encompassing over 2000 restaurants and 190,000 employees across the United States and Canada and franchise operations in Latin America and the Middle East. Strategic accountability for leveraging brand resources across the enterprise to safeguard company assets, values, and human resource commitments, while maximizing efficiency and minimizing legal risk. COE accountability includes stewardship of core values, legal compliance, life safety, dispute resolution, management of organized labor issues, training, employee satisfaction, investigations, and other human resource generalist functions and initiatives. Manage staff of 42 exempt and non-exempt individuals and $6,000,000 budget

The Olive Garden, Bahama Breeze and Smokey Bones BBQ Restaurants October 2003 – May 2008

Senior Director, Employee Relations

Responsible for directing new company-wide initiative to consolidate like departments in various business units in order to gain efficiencies and enable rapid growth of new business acquisitions. Lead development of common practices and policies, including gaining executive support across business units for change and consistency. Additionally responsible for all employee relations activities of three business units, including legal compliance, dispute resolution, union avoidance, training, employee satisfaction, investigations and other human resource generalist functions.

Smokey Bones BBQ & Sports Bar

Senior Director, Human Resources December 1999 – October 2003

Generalist functions for start-up company with responsibility for hiring operations management and office support as well as training initiatives at all levels of the organization. Serving as part of executive team charged with development and rapid roll out of new restaurant concept. Worked closely with all functional teams on business initiatives related to this rapid expansion including budgeting, security, workflow processes, menu development and design, marketing, and design and construction. Specifically responsible for concept leadership on employment, training, employee relations and legal compliance. Reporting directly to company President with dotted line reporting to SVP Human Resources for Darden Restaurants. Also responsible for implementation of corporate HR initiatives, including diversity training, HRIS redesign, payroll, benefits, recruiting, and training.

The Olive Garden Italian Restaurants

Director, Employee Relations February 1997 - December 1999

Responsible for all areas of employee relations for over 50,000 exempt and non-exempt employees in 48 states. Accountability for ensuring legal compliance, EEO practices, wage and benefit administration, various training initiatives and maintenance and integrity of corporate open door policy. Oversaw employment litigation including attorney demand letters, EEOC charges, lawsuit activity and organized labor campaigns. Directed several strategic business initiatives, including closing under performing units. Manage staff of eight and $2.2 million budget. Hired in September 1995 as Employee Relations representative, promoted to department Manager in May 1996 and to Director in February 1997.

Manager, Employee Relations May 1996 – February 1997

Employee Relations Representative September 1995 – May 1996

Hyatt Hotels and Resorts November 1992 - September 1995

Hyatt Regency New Brunswick, New Jersey

Assistant Director of Human Resources February 1994 – September 1995

Complete employment and benefits duties for all employees at 350 room property. Responsibility for ensuring compliance with state and federal regulations in regard to areas such as OSHA, EEO and ADA. Coordination of employee relations activities including employee satisfaction measurements, management incentive programs, employee counseling/discipline, recruiting, and employee recognition programs. Implemented and facilitated hotel participation in various community outreach programs. Named “Manager of the Year”, 1994. Named 1994 Honoree of YWCA “Tribute to Women in Industry” program.

Employment and Benefits Manager September 1993 - February 1994

Primary responsibilities included recruiting, interviewing, and selecting exempt and non-exempt employees. Administered all corporate benefits including 401(k), retirement, and medical/dental plans. Conducted various training and orientation activities for Spanish speaking employees.

Hyatt Regency Bethesda, Maryland

Employment Manager November 1992 - September 1993

Directed staffing of all levels of employees for 500 room property. Trained management staff on performance management. Developed and implemented various training programs for employees. Conducted Spanish language classes for management team.

Educational Field Studies, Inc. Chantilly, Virginia

Director of Operations August 1988 - November 1992

Developed and directed corporate training and development, including recruiting, hiring, supervision and coordination of staff on a national level. Researched and designed international language immersion programs. Liaison between clients, independent contractors and vendors. Hired as an independent contractor, then promoted to Manager of Operations. Promoted to Director of Operations in August, 1990.

EDUCATION

American University, Washington, DC 1986 - 1988
B.A. International Studies

Stetson University, DeLand, Florida 1984 - 1985
Year Abroad Program in Madrid, Spain

ADDITIONAL

Fluent in Spanish
Association for Talent Development (ATD) Certified Coach
Board Member The Marine Discovery Center, New Smyrna Beach;
Private Pilot's License
Community volunteer with The Adult Literacy League; \
Former Board Member of “Franklin’s Friends”, CUE, Inc and The SPCA of Central Florida (now Pet Alliance of Central Florida)

Boards & Commissions Application

Profile

Dianne
First Name

Bean
Last Name

beanlucky@aol.com
Email Address

304 Cedar Ave
Home Address

Suite or Apt

New Smyrna Beach
City

FL
State

32169
Postal Code

Mobile: (407) 948-2616
Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Historic Preservation Commission: Submitted

Are you registered to vote in the City of New Smyrna Beach?

(•) Yes ( ) No

What zone do you live in? *

[x] Zone 1

If you need assistance finding your zone visit:

Find My District

How long have you been a New Smyrna Beach resident?

14 years full time 23 part time

Have you ever been convicted of a felony as defined by FS 775.08? Please note that for the purposes of this question, any person who is found guilty or pleads guilty or nolo contendere ("no contest") shall be deemed to have been convicted, notwithstanding a suspension of sentence or a withholding of adjudication.

( ) Yes (•) No

If yes, please provide amplifying information.

Educational Background

High School

Coral shores high school

College(s)

University of Florida and UCF

Degrees held

BA MA Post Bac

Upload a Resume

Work Experience

I am now retired
Employer

Retired
Job Title

Please describe your work experience, if any.

While I started my career as a history teacher, the majority of my career was spent as a manager for Educational technology companies. Orange County Schools 1975-1982 Prescription Learning Technology trainer Computer Curriculum Corporation Sales Representative Jostens Learning Regional Sales manager Princeton Review Regional Manager ACT Testing Company Sales Director Retired 2015

Community Involvement

Are you currently serving on another City of New Smyrna Beach Board?

○ Yes ◉ No

If yes, which Board and when were you appointed?

Please describe any community board, groups or events you have been involved with:

Volunteer for Historic Preservation Award Committee, Campaign Manager for City Commissioner, Precinct Council Woman Volusia County, Volunteer for Historic Neighborhood Designation Committee, Volunteer for voting polls New Smyrna Beach and Volusia County

Do you have any financial interests or business ties that could potentially come before the Board(s) you selected during your term?

○ Yes ◉ No

If yes, please provide amplifying information.

Have you had official business before the Board(s) you selected within the last five (5) years?

○ Yes ◉ No

If yes, please provide amplifying information.

Interests & Experiences

Please tell us about yourself and why are you interested in serving on a board(s)?

I have personally renovated 5 historic homes. I have always had a significant interest in historic preservation and have volunteered two of my homes for historic home tours. One of my renovations was published in several Orlando publications. As you can see from my volunteer activities, I am involved in helping to promote historic homes in our communities. My travels often include visiting other communities historic areas and buildings.

References

Name of Reference #1 (Please do not list current elected officials)

Deb Exum

Address of Reference #1

622 Faulker Street New Smyrna Beach, Fl. 32168

Telephone Number of Reference #1

407-341-3737

Email address of reference #1

debexumrealestate@gmail

Nature of your relationship (business/personal).

persoal

Name of Reference #2 (Please do not list current elected officials)

Jean Gillum

Address of Reference #2

1000 S. Riverside Drive NSB, Fl. 32168

Telephone Number of Reference #2

321-947-0912

Email Address of Reference #2

jean@realty-doctors.com

Nature of your relationship (business/personal).

personal

Name of Reference #3 (Please do not list current elected officials)

Curtis Hodges

Address of Reference #3

620 S Riverside Drive NSB Fl. 32168

Telephone Number of Reference #3

3213036195

Email address of Reference #3

lhodges@hodgesbrothers.net

Nature of your relationship (business/personal).

personal