

**MINUTES OF THE REGULAR MEETING** of the Historic Preservation Board of the City of Orange City, Florida, conducted on Thursday, February 15, 2007 at the Council Chambers, 201 North Holly Avenue, Orange City, Florida.

**1. CALL TO ORDER/ROLL CALL**

Chairman Morin called the meeting to order at 7:02 p.m. and roll call was taken.

**PRESENT:** Boardmembers: Gerald Morin; Robert Reid; Ann Lindsay; Marilyn Meyers and James Rader; staff liaison Elaine Wilson.

**ABSENT:** Linda Higgins; Diana Tappan

**2. APPROVAL OF MINUTES dated January 18, 2007.**

Boardmember Rader made a motion to accept the minutes; Boardmember Reid seconded. The members unanimously accepted the minutes.

**3. CITIZEN COMMENTS**

None

**4. DISCUSSION — HISTORIC PRESERVATION ORDINANCE**

Ms. Wilson said the attorney was coming from Orlando to attend the meeting. He would be discussing the draft of the ordinance along the lines of historic easements on a voluntary basis.

Ms. Wilson said she believes this is something the City Council could approve without going to a referendum, which means something gets done without more cost and without taking the possible risk of not passing the ordinance.

Chairman Morin was concerned about the 5 acres on Volusia Avenue. Ms. Wilson said he can only approach the owner and convince them to do right thing.

Chairman Morin asked why the memorial was being relocated. Members said it was to restore the original look of the City hall area. It being set up at Rotary Park will have more exposure and more room to hold ceremonies.

Boardmember Lindsay would like to see the picnic shelter upgraded with brick to match the town hall and make it look elegant with special landscaping.

Michael Colgan, attorney on behalf of City Attorney Bill Reischmann, arrived to discuss the proposed Historic Preservation Ordinance. The ordinance amends the existing historic preservation code to allow the City to accept historic preservation easements. The historic preservation easement gives the City a flexible tool to balance the desire to protect structures of historical or architectural significance with the need to encourage optimal use of historic properties.

Florida Statutes provides the ability for cities to accept preservation easements, which are voluntary. Owners can decide to give them to cities or certain non-profit organizations to promote certain goals. Generally they are used for environmental protection but they can also be used for historic and architectural protection of buildings.

A landowner who wishes to participate in this program would go to an attorney and get an opinion letter that the property has no other encumbrances on it. If there is a mortgage with the bank's or any other property owner, approval must be obtained. An easement limits the ways in which a landowner can modify or demolish the historic structure on their property without approval of the City. It would not be a specific path over the land, just restrictions that the owner voluntarily places upon himself or herself or people who buy the property later. It would pass from a seller to a buyer.

Chairman Morin asked if those limitations and restrictions have been worked out yet. Mr. Colgan said they are part of the existing code. It would provide the city with the ability to say that you could not modify or demolish the property and any attempt to do so would require City approval before it goes forward. It gives the City the ability to enforce these voluntary restrictions on the property.

Mr. Colgan said the easement provides a tax benefit. The owner is in essence giving the gift to the City, which can be claimed as a deduction on federal taxes.

Chairman Morin would like to include a tax abatement for restoration of a property for expenses that exceed 15% of the total property value. Mr. Colgan said that could be worked in.

Vice Chairman Reid asked if the criteria would be specified in the ordinance in order to receive the tax break. Mr. Colgan explained that the basic idea would be to have the easement being granted to the City appraised; then its value would be a deductible toward the owner's income. There would be no need for other provisions or conditions.

Boardmember Reid did some research regarding the grant monies and there were certain criteria or certificates needed to receive the grant or tax breaks. This historic easement ordinance sounds much easier to get people to participate, he said.

## **5. DISCUSSION – 125<sup>th</sup> CELEBRATION**

Boardmember Reid mentioned to Mrs. LaFleur last month to update the website regarding the City celebration and posting souvenir items for sale such as the t-shirt etc. He said the update had been done.

## **6. BOARD COMMENTS**

Vice Chairman Reid said he believes the Historic Preservation Board meeting should be posted on the City changeable sign and there should be mention of their meetings along with posting a phone number for inviting comments from the citizens on the website calendar. Ms. Wilson suggested he approach the City Council.

He said the City Council does not respond to emails.

Boardmember Meyers asked what their part was for the City celebration. It was suggested that she contact the committee for the City celebration to find out what they have slated for the Board. Boardmember Lindsay stated they could be in the parade. She is helping serve lunch and the tour of historic homes. Vice Chairman Reid suggested they dress for the appropriate times, set up a table or booth with historic information and hand out water. *Correction Noted: Meyers should be Lindsay 3/15/07 and Lindsay should be Meyers.*

Boardmember Meyers asked if Code Enforcement had been sent to Kenny's Groceries to clean up their sign. Ms. Wilson said yes. *Correction Noted: Meyers should be Lindsay 3/15/07*

**7. STAFF COMMENTS**

Ms. Wilson said she emailed the City Clerk asking about expirations in terms for the historic board. She said that elections for Chairman and officers will be on next month's agenda.

Boardmember Meyers asked when they were going to start removing homes and doing the work on Rhode Island for the new high school. Ms. Wilson said the road has to be complete when the school opens which is to be August of 2008. The middle school will be built afterward. They've already started construction on the middle and high schools.

Ms. Wilson stated that they are making progress on getting sidewalks installed where they hadn't been in at the elementary school. The delay on Blue Springs has to do with the securing of the right-of-way. There are two lots left to do final paperwork there. A sidewalk is to be done on Sparkman.

**8. ADJOURNMENT**

Chairman Morin adjourned the meeting at 8:00 p.m. Next regular meeting is March 15, 2007.

Respectfully submitted,

Francine Hamanne  
Development Services

These minutes approved "*with corrections noted*" by the Historic Preservation Board members on this \_\_\_\_\_ day of \_\_\_March\_\_\_, 2007