

MINUTES OF MEETING OF THE BELLEAIR HISTORIC PRESERVATION BOARD HELD AT TOWN HALL ON MARCH 25, 2014 AT 4:00 PM.

MEMBERS PRESENT: David Hutcheson, Chairman
Don White, Vice Chairman
Kathy Gaston
Nancy Reardon
Peter Marich (arrived at 4:30 P.M.)

MEMBERS ABSENT: Andrea Ayers-Layman
Cliff Zurkan

OTHERS PRESENT: Micah Maxwell, Town Manager
Kevin Piccarreto, Commissioner Advisor

Quorum present with Mr. Hutcheson presiding; the meeting was called to order at 4:05 p.m.

APPROVAL OF MINUTES

Mr. Hutcheson stated that the board had for consideration the approval of minutes of the October 29, 2013 meeting.

Discussion ensued regarding making changes of the minutes regarding duplication of a paragraph and spelling of a name.

Ms. Reardon moved to approve the minutes of the October 29, 2013 meeting as amended. Motion was seconded by Ms. Reardon and approved unanimously.

CITIZEN'S COMMENTS

LaVonne, Johnson, 222 Belleview Blvd., spoke in favor of saving the Belleview Biltmore Hotel; spoke about the Belleair County Club and the proposed parking lot; spoke about the proposed buyer and future plans of the hotel property; stated that town's alliance should be for the preservation of the hotel.

Town Manager Micah Maxwell stated that the board should refrain from discussing any future site plan for the Biltmore Hotel; stated that the board would likely see a site plan and it would be under a quasi-judicial process and all of the rules should be followed.

Steve Johnson, 1717 Indian Rocks Road, stated that he did not know why the Country Club needed those particular acres for parking; stated that they could double deck their lot or use some other land; questioned the board regarding the hotel property.

Mr. Maxwell stated that those questions asked by Mr. Johnson were pertained to an active lawsuit; that the board should refrain from discussion.

CITIZEN'S COMMENTS, cont.

Rae Clair Johnson made some clarifications regarding a previous statement concerning the expense to save the hotel; spoke about the engineering reports that showed the decline of the hotel; spoke about studies that were done by the town; spoke about the potential of demolition by neglect occurring to the hotel; spoke about KAWA and Legg Mason; spoke about the marketing of the hotel property; spoke about the economy and financing options; inquired about the board member's certification training and qualifications.

Discussion ensued regarding the board's qualifications and duties; regarding the hotel.

Mr. Hutcheson spoke about the current economy and market; stated that the board makes recommendations to the commission on items coming before the board based on facts and the information provided to the board on those items.

Discussion ensued regarding the economic feasibility of the hotel.

Doris Hanson, South Garden 6, Belleview Blvd., #803, stated that she had been to a number of meeting in the last 6 months; state that this was the first time, she thought that the board had met; inquired as to whether the board had made a recommendation to the commission regarding the hotel.

Mr. Maxwell stated that the board would review their roles and responsibilities later on in the meeting; stated that there has never been a complete application for special certificate of appropriateness; that the special certificate of appropriateness had never been achieved in order to go forward to the historic preservation board level; stated that the review for the special certificate of appropriateness was quasi-judicial and would be based on evidence; that there would be a quasi-judicial evidence based hearing for both the historic preservation board and the commission.

Discussion ensued regarding the review for special certificate of appropriateness as it pertained to the historic preservation board.

Karman Hayes, 220 Belleview Blvd., unit 107, stated that the financial situation was one of the reasons why someone had not be able to restore the hotel in last few years; spoke about the Vinoy Hotel; stated that she has been a real estate broker in the state of Florida for over 30 years; that the banks were starting to be more realistic; that there were going to be some opportunities for financing; spoke about the commission and the RM-10 designation; spoke about the presentation to the RPD and the hotel property.

Charlotte Dillion, 220 Belleview Blvd., unit #102, thanked the board for their time in serving on the board; stated that the hotel was very unique; stated that she lived part of the year near the Biltmore property located in Ashville, NC; inquired as to how many units would be built on the hotel property; spoke about the current vacant units in the condominiums located around the hotel property; stated that there should not be a rush into anything with the hotel.; spoke about the plans and the proposed parking lot.

DISCUSSION OF DUTIES AND RESPONSIBILITIES OF THE HISTORIC PRESERVATION BOARD

Mr. Maxwell stated that the town commission had asked that staff review with each of the advisory boards for the town their duties and responsibilities; stated that each of the boards has some either resolution or code section that pertained to each of the boards; that the historic preservation board was also referred to in the land development code; that part of that duty was the engagement in the special certificate of appropriateness process; that he provided the code section that defined the duties of the board in Chapter 66-135 and had provided a summary of each of those duties; stated that this was a chance for this board and other boards to ask or recommend or request changes, modifications or recommend that those duties not modified; that the commission would be discussing this in May; that it was his hope for the board to have some conversation at the meeting tonight and then provide them time to consider those and then in April come back and have a second conversation, if that was required; provided a brief review of the duties and responsibilities stated in Chapter 66-135, 1-9.

Mr. Hutcheson stated that he did not have any specific questions regarding the duties of the board; asked if anyone else on the board had any questions.

Commissioner Piccarreto inquired as to whether this was a good time to review "Sunshine Law."

Mr. Maxwell stated that staff would be reviewing "Sunshine Law" as the appointments for board members were done annually; that this discussion would be done in the near future; asked if the members had any questions regarding "Sunshine Law."

Mr. White stated that the board had discussed "Sunshine Law" many times in the past.

Mr. Hutcheson stated that the board meetings are open to the public for anyone to come to the board meetings; stated the board members do not talk about issues at hand unless it is done at a public meeting.

Mr. Maxwell provided a brief review of Resolution No. 95-13 which referred to all of the advisory boards and commission advisors; spoke about the commission advisors role with the board; stated that if there were any questions on this discussion, to please contact him either by email or call him and staff could bring this back next month.

Rae Claire Johnson, 1717 Indian Rocks Rd., inquired as to the reading of the code and if there were any changes to Chapter 66-135.

Mr. Maxwell stated that what was read was not the exact language of Chapter 66-135; that he was reading from the summary sheet; stated that there were no present changes to that section of the code and the commission and staff had not brought forth any changes; that staff wanted to get some input from the board; that this item was not driven by the issues from the hotel; that it was brought up in relation to first, the finance and planning and zoning boards and then through the remaining advisory boards.

Rae Claire Johnson, 1717 Indian Rocks Rd., inquired as to the rules of attendance for board members.

DISCUSSION OF DUTIES AND RESPONSIBILITIES, cont.

Discussion ensued regarding the number of meetings a board member should attend; regarding board members speaking out at a commission meeting.

Rae Claire Johnson spoke about a statement that a board member had made at a past commission meeting; inquired as to board duties and violations in regarding to the statement made by a board member; regarding updating the rules and regulations for the board.

Commissioner Piccarreto stated that it would be best not to speak for member that was absent at this time; stated that the town manager and town attorney could speak to that issue.

Mr. Maxwell stated that town attorney David Ottinger would be responsible for the review of a complaint regarding a board member; that there are some guidelines for attendance that existed; that should a complaint come forward about a board member it would go to the town attorney and would be discussed at that point.

Mr. Hutcheson stated that this board has had good attendance for the meetings; that they were all voluntary members; stated that he thought that it was three meetings that a board member could miss.

Suzy Metcalf, deputy town clerk stated that the number in question was that a member should not miss three consecutive meetings.

Mr. Hutcheson inquired from the board members if they had any questions or comments for staff regarding the rules and duties of the board.

UPDATE ON THE CLG APPLICATION PROCESS

Deputy town clerk, Suzy Metcalf provided a brief update on the Certified Local Government application process; stated that she had spoken with Michael Zimny, with the State Bureau of Historic Preservation who was in charge of the certified local government program; stated that he had completed his initial review of the application and he had stated that everything looked great; that he would be completing one more look-through and if everything was in order he would then provide the town a letter of congratulations along with an agreement that would need to be approved by the commission; that the board would have to abide by those rules and duties as stipulated in the agreement.

Mr. Maxwell stated that the boards' rules and duties were already consistent as part of that agreement; stated that they have not changed anything since staff first started this process and changed our code.

Ms. Metcalf stated that once the State received the sign agreement they would forward the application on the National Park Service; stated that the Parks review process would take approximately 45 days; stated that Mr. Zimny had said that he had four applications on his desk and that ours' was the only one at this time that was ready to go forward; stated that Mr. Zimny was very pleased with the application and was happy to see that there was an architect on the HPB board as well as an historian.

OTHER BUSINESS

There was no other business.

COMMISSION ADVISOR'S REPORT

Commissioner Piccarreto stated that since the board last meeting he did report back to the commission the unanimous decision to move forward with Ordinance No. 489 that was approved; stated that he had also pointed out some issues and ideas that the members had and that the commission was in support of their recommendations; stated that Micah Maxwell, David Ottinger, Mr. Healey and himself had met with a representative from the State of Florida Historic Preservation department and also with a gentleman from the Florida Trust to discuss what had been going on so far in town based on what they had to read in the newspapers and the media; they were not able to gain access to the Belleview Biltmore Hotel to view the building; that at the end of their meeting, the group went over to the property and walked around the perimeter and took pictures; stated that other than those items, there had not been any other issues with the historic preservation ordinance; he thanked each of the board members for their hard work, service and dedication to the town; that this was a volunteer board that made decisions based on information presented; that to cast some type of suspicions as to what the board members' motives were would not be appropriate; inquired as to whether there were any permits or applications pending for review.

ADJOURNMENT

There being no further business to come before the board the meeting was adjourned in due form at 5:06 p.m.

APPROVED:

Chairman