



Historic Preservation Services

Community Development & Neighborhood Services

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

preservation@fcgov.com



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READ BEFORE MEMORANDUM

Date: September 14, 2020

To: Mayor and Councilmembers

Thru: Darin Atteberry, City Manager ^{DS}
Kelly DiMartino, Deputy City Manager ^{DS}
Caryn Champine, Planning, Development & Transportation Director ^{DS}
Paul Sizemore, Community Development & Neighborhood Services Director ^{DS}

From: Karen McWilliams, Historic Preservation Manager ^{DS}
Jim Bertolini, Historic Preservation Planner ^{DS}

Re: Applicant Request for Appeal of Staff Decision – City Landmark at 126 S. Whitcomb

This item was initially on the Consent Calendar but is recommended for Discussion because the content of the motion for approval or denial to hear the appeal is distinct from typical Consent Calendar approvals.

This item is an appeal to the Landmark Preservation Commission (LPC) of a decision by Historic Preservation Services staff to deny a Certificate of Appropriateness to the owner/applicant for the Landmark Property at 126 S. Whitcomb Street. This appeal has been pending since August 26, 2020. These items are pressing and require prompt action because the owner is seeking to make modifications to the property as a result of the COVID-19 pandemic, specifically to expand at-home work, educational, and recreation space that would otherwise not be required on-site.

While LPC meetings have been generally authorized to occur using remote technology, certain types of quasi-judicial items are still required to be heard at in-person meetings. A quasi-judicial hearing is considered a “remote meeting” if one or more Council, board or commission member participates virtually. Due to the COVID-19 public health emergency, it could be many months before all Council, board, and commission members are once again comfortable attending meetings in-person. Ordinance No. 079, 2020, authorizes certain types of quasi-judicial items to be heard using remote technology, but specifically excludes decisions related to appeals (among other specified decisions).

This project is now “stalled” as the owner/applicant awaits an appeal of the staff decision to the LPC. The Ordinance does allow Council to consider, on a case-by-case basis, exceptions to that specific exclusion. Per the owner’s request, which includes COVID-19 related motivations to seek the appeal, staff is requesting permission to hold the appeal hearing before the LPC at the earliest possible date.