

Property ownership has changed since the Midtown project approval. The current owner has submitted a Class III Site Plan Modification (2020-080) that proposes adjustments to approved site plan and COA. The site plan modification application is currently in the review process and will come before the Historic Preservation Board at a future meeting for consideration once the technical review comments are addressed.

A Structure Key Map is attached identifies the existing structures in the project area by letter for reference. The owner is not requesting demolition of any structures beyond the current site plan approval.

The current item before the board is a report from the Chief Building Official regarding Unsafe Structures for the Sundy Village property. The owner originally contacted the city on May 25, 2021, advising the City that five structures (Buildings H, W, X, Y, and Z) needed to be removed due to public safety concerns. On June 18, 2021, City staff, including representatives from Historic Preservation, Neighborhood & Community Services, and the Building Official toured the site to evaluate the condition of the structures. An analysis by a structural engineer was requested.

On August 16, 2021, the applicant submitted an evaluation of the condition of Buildings H, X, Y, and Z by McNamara Salvia structural engineers. Determination of unsafe and removal of Building W is no longer under consideration.

REVIEW AND ANALYSIS

Pursuant to LDR Section 4.5.1(G) - Unsafe buildings. In the event the Chief Building Official determines that any structure within a designated historic site or designated historic district is unsafe pursuant to the applicable Code of Ordinances, the Chief Building Official will provide the Board with a written statement, photographs, and statement from the property owner to be presented by the Chief Building Official at the next meeting. When appropriate and in accordance with applicable ordinances, the Chief Building Official will attempt to have the structure repaired rather than demolished, and will take into consideration any comments and recommendations by the Board. However, the provisions contained within subsection (A) of this section shall not apply to the Planning and Zoning Director's or designee's declaration that a building is unsafe, nor will the Chief Building Official be precluded from taking whatever steps, as may be required by applicable ordinances to protect the public health and safety of the community. The Board may also endeavor to negotiate with the owner and interested parties, provided such actions do not interfere with procedures in the applicable ordinances.

Pursuant to LDR Section 7.8.2 – Definitions - Unsafe Building or Structure.

- (A) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.**
- (B) Words not defined herein shall have the meanings stated in the Standard Building Code, Standard Mechanical Code, Standard Plumbing Code, Standard Gas Code, Standard Fire Codes (as adopted in 96.16), as those codes have been adopted and/or amended by the City or other applicable codes duly adopted and/or amended by the City.**

Any building or structure that has any of the following conditions, such that the life, health, property, or safety of the general public, building or structure occupants, or any others are endangered:

- (1) Whenever any means of egress or required egress or portion thereof is blocked, partially blocked, not of adequate size or not arranged or provided to provide a safe and unobstructed path of travel to the outside in case of fire or panic.
- (2) Whenever required fire doors, fire protection equipment, means of egress, closing devices, or fire resistance rating materials are in disrepair, in a dilapidated or nonworking condition or installed incorrectly or are inadequate.
- (3) Whenever the stress in any member of a building or structure or portion thereof, due to all imposed loads, including dead load, exceeds the working stress allowed in the Standard Building Code for new buildings.
- (4) Whenever a building, structure, or portion thereof has been damaged by fire, flood, earthquake, wind, or any other cause to the extent that the structural integrity of the building or structure is less than it was prior to the damage and is less than the minimum requirement established by the Standard Building Code for new buildings.
- (5) Whenever any exterior appendage or portion of a building or structure is not securely fastened, attached, or anchored such that it is capable of resisting wind, seismic, or similar loads as required by the Standard Building Code for new buildings.
- (6) Whenever, for any reason, a building, structure, or portion thereof is in a dilapidated condition due to lack of maintenance or is manifestly unsafe or unsanitary for the purpose for which it is actually being used or for the purpose for which it was designed to be used.
- (7) Whenever any building, structure, or portion thereof, as a result of decay, deterioration, dilapidation or any other reason is likely to fully or partially collapse.
- (8) Whenever any building, structure, or portion thereof has been constructed or maintained in violation of a specific requirement of the standard codes of the City.
- (9) Whenever any building, structure, or portion thereof is in a condition as to constitute a public nuisance such as, but not limited to, being left open and unattended, or being abandoned by its owners, or lacks security to prevent entry, or is without operational, electrical, water or sewer service, or lacks security to prevent entry or is left partially complete, but not guarded or not adequately guarded against unauthorized entry.
- (10) Whenever any building, structure, or portion thereof is unsafe, unsanitary, not provided with adequate egress, or which constitutes a fire or health hazard, or is otherwise dangerous to human life, or, which in relation to existing use, constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment.
- (11) Whenever a requirement is lacking and which is necessary for the strength or stability of an existing or proposed building or structure, or for the safety or health of the occupants thereof, such as, but not limited to, hot and cold water supply and electricity, and even if not specifically covered by this chapter or other codes, as determined by the Chief Building Official, in accord with the standards set forth herein.

Building H - Unsafe and Requires Removal

This building is designated to be reconstructed on the Sundy House property on the approved site plan. An ongoing historic resource survey noted the high quality of the original design and suggested building materials from the original structure should be salvaged, if possible.

Chief Building Official: The Building Official has inspected the structure and determined Building H has degraded beyond repair. Building H is unsafe in its current condition and needs to be removed.

Development Services Additional Comments: Removal and debris removal of Building H should occur as soon as possible, as Florida is currently within an active hurricane season. The reconstruction of Building H on the Sundy House property was submitted for building permit in 2020 as a residential structure (the permit should be for commercial construction); however, the

permit has stalled. The applicant should re-submit the building permit for the reconstructed structure and commence construction as soon as possible.

Building H



Building W - Unsafe and Needs Repairs: This building is approved for demolition in the current site plan. Demolishing this building was included in the applicant's original correspondence but has been removed after evaluation by the structural engineer.

Chief Building Official: This building has been allowed to deteriorate over the years. Water damage is impacting the front porch and a visible hole is in the roof in the rear room of the building. Building W is unsafe in its current condition and requires repair, particularly to the roof.

Development Services Additional Comments: The structure, which has clearly been occupied by vagrants, needs to be cleaned out, secured, and inspected regularly by the property owner for security purposes.

Building W



Building X - Unsafe and Needs Repairs: This building is approved for demolition in the current site plan.

Chief Building Official: This building has deteriorated over the years, including the front porch roof collapsing and the carport parapet separating from the structure. Water damage is visible in the front room and exterior stucco damage is evident. The foundation appears to be intact. Building X is unsafe in its current condition and requires repair.

Development Services Additional Comments: The structure, which has clearly been occupied by vagrants, needs to be cleaned out, secured, and inspected regularly by the property owner for security purposes.

Building X



Building Y - Unsafe and Needs Removal: This building is approved for demolition in the current site plan.

Chief Building Official: This building has collapsed and is no longer repairable. Building Y is unsafe in its current condition and should be removed.

Development Services Staff: Debris removal should occur as soon as possible, as Florida is currently in an active hurricane season.

Building Y



Building Z - Unsafe and Needs Repairs: This building is approved for demolition in the current site plan.

Chief Building Official: This building has been in generally good repair; however, a recent site inspection revealed a compromised roof and ongoing water damage accelerating the deterioration of the condition of the building. Building Z is unsafe in its current condition and requires repair.

Development Services Staff: The structure, which has been occupied by vagrants, needs to be cleaned out, secured, and inspected regularly by the property owner for security purposes.

Building Z



It is important to note, the following provisions of the LDR apply to all of the historic structures on the property:

Pursuant to LDR Section 4.5.1(F)(3) - Demolition shall not occur until a building permit has been issued for the alterations or redevelopment as described in the applicable Certificate of Appropriateness.

Pursuant to LDR Section 4.5.1(F)(4) - All structures approved for demolition and awaiting issuance of a building permit for the alterations or redevelopment shall be maintained so as to remain in a condition similar to that which existed at time that the Certificate of Appropriateness for demolition was approved unless the Chief Building Official determines that an unsafe building condition exists in accordance with [Section 4.5.3\(G\)](#).

During the site visit, the other historic structures on the site, including those approved to remain, to be relocated, and to be demolished, were inspected and the following observations were noted:

Building T: This building is approved for demolition in the current site plan. Staff did not have access to the interior of the structure. An exterior inspection did not indicate any structural issues. The building does not appear to be in an unsafe condition.

Building U – This building is approved for demolition in the current site plan. The building does not appear to be in an unsafe condition. There is evidence of termite infestation.

Building V - This building is approved for demolition in the current site plan. The building does not appear to be in an unsafe condition. The structure has damage to the exterior siding. The interior appears to be used for storage. There is evidence of termite infestation.

Building E1 - This building is approved for demolition in the current site plan.

Chief Building Official: This building is in disrepair. A hole in the roof allows water intrusion, increasing the deterioration of the structure. The exterior siding has areas of damage. There is evidence of termite infestation.

Building G-ACC - This building is approved for demolition in the current site plan. Staff did not have access to the interior of the structure.

The other buildings on the project site are slated to be preserved, either relocated within the project (Buildings A, B, C, D and F) or remaining in place (Buildings E and G). These buildings are the most important historic resources in the project and require improved, ongoing maintenance and security to prevent them from further deteriorating. Termite activity was noted in all the structures and should be addressed immediately. Building A, the Rectory, has a distinct odor that may be caused by water intrusion and should be further inspected and addressed. Building C was not accessible for inspection. Finally, Building F has evidence of water intrusion in the ceiling, which is degrading the historic materials. Roof repair is needed.

Additional photographs of the structures on the property are attached.

Building F



BOARD RECOMMENDATIONS & COMMENTS

- A. Pursuant to LDR Section 4.5.1(G) and LDR Chapter 7.8, provide comments and recommendations regarding the Chief Building Official's report of Unsafe Structure of the following buildings:
- Building H
 - Building X
 - Building Y
 - Building Z
 - Building E1
 - Building G-ACC

PUBLIC AND COURTESY NOTICES

 Courtesy Notices were provided to the following, at least 5 working days prior to the meeting:

 X Public notice mailers are not applicable to this application.
 X Agenda was posted on (8/25/21), 5 working days prior to meeting