



City of Stuart

A G E N D A
STUART COMMUNITY REDEVELOPMENT/HISTORIC PRESERVATION
BOARD
TO BE HELD NOVEMBER 6, 2019 AT 4:00 PM

121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994

COMMUNITY REDEVELOPMENT BOARD

Chairman - Chris Lewis
Vice Chairman - Frank Wacha
Board Member - Faye James
Board Member - Tom Campenni
Board Member - Pete Walson
Board Member - Cristina Maldonado
Board Member - Nathan Ritchey

ADMINISTRATIVE

Development Director, Kev Freeman
CRA Administrator, Pinal Gandhi-Savdas
Board Secretary, Jordan Pinkston

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation to attend this meeting should contact the City's ADA coordinator at 288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

1. Approval of CRB Minutes

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (5 min. max)

COMMENTS FROM THE BOARD MEMBERS

COMMUNITY REDEVELOPMENT BOARD

1. Resolution 11-2019 CRA - The Gilt Complex "The Artist's Manifesto" Mural
2. Resolution No. 12-2019 CRA - Mural Matching Grant Agreement between the CRA and The Gilt Complex
3. Resolution No 103-2019: Southwind Motel - Major Urban Code Conditional Use Density Increase for Apartment Use
4. Resolution No. 09-2019 Certificate of Designation for the Hull/Lane House

OTHER MATTERS BEFORE THE BOARD

HISTORIC PRESERVATION BOARD MATTERS

STAFF UPDATE

ADJOURNMENT

UPCOMING MEETINGS and EVENTS

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CRB/HPB Board**

Meeting Date: 11/6/2019

Prepared by: Jordan Pinkston

Title of Item:

Approval of CRB Minutes

Summary Explanation/Background Information on Agenda Request:

Funding Source:

N/A

Recommended Action:

Approve.

ATTACHMENTS:

Description	Upload Date	Type
▢ CRB Minutes 10.1.19	10/31/2019	Cover Memo



MINUTES

COMMUNITY REDEVELOPMENT/HISTORIC PRESERVATION BOARD

OCTOBER 1, 2019 AT 4:00PM
CITY COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994

COMMUNITY REDEVELOPMENT BOARD MEMBERS

Chair – Chris Lewis
Vice Chair – Frank Wacha
Board Member – Faye James
Board Member – Tom Campenni
Board Member – Pete Walson
Board Member – Cristina Maldonado
Board Member – Nathan Ritchey

ADMINISTRATIVE

Development Director, Kev Freeman
CRA Administrator, Pinal Gandhi-Savdas
Board Secretary, Jordan Pinkston

CALL TO ORDER  4:00 PM

ROLL CALL  4:00 PM

Present: Pete Walson, Frank Wacha, Faye James, Tom Campenni, Nathan Ritchey
Cristina Maldonado, Chris Lewis

APPROVAL OF MINUTES  4:00 PM

Motion: Action: Approve

Moved by: Tom Campenni

Seconded by: Frank Wacha

Motion passed unanimously.

APPROVAL OF AGENDA

Motion: Action: Approve

Moved by: Frank Wacha

Seconded by: Tom Campenni
Motion passed unanimously.

COMMENTS FROM THE PUBLIC (5 min. max): None.

COMMENTS FROM THE BOARD MEMBERS  **4:01 PM**

Faye James wanted to say that she appreciated the City Manager and staff coming out to the 10th Street meeting on September 17, 2019 to share their plans for 2020. She appreciated that they shared her ideas and recommendations with the public.

COMMUNITY REDEVELOPMENT BOARD

1. Proposed on-street parking change on SW Akron Ave.

PRESENTATION  **4:02 PM**

Tim Voelker, Assistant to Public Works Director and City Engineer

COMMENTS FROM THE BOARD MEMBERS:

Nathan Ritchey asked for confirmation that it was still going to be a two-way street.

Tim Voelker confirmed that it would still be a two-way street and there would be no on-street parking signs on the west side of the street and in front of some of the resident's homes.

Nathan Ritchey asked if parking would be allowed in either direction or if you were able to park north if you are heading south.

Tim Voelker confirmed that if you were heading south and wanted to park on-street you would have to turn around and head north.

Tom Campenni asked who initiated the request.

Tim Voelker said that it was back in November 2017 by code enforcement. He said there were notices sent out and it was put on hold when we got minimal push back, but it was brought back to our attention that residents want it by a letter of support.

Cristina Maldonado said that part of the purpose is for emergency vehicles, but this does not allow much room for a two-way street for an emergency vehicle. She said it only allows fourteen feet and is not very safe.

Tim Voelker said it was possible for a vehicle to stop and pull over to the side if there are spaces available.

Tom Campenni said that this is a problem everywhere and that this road has sidewalks that can be utilized too.

Nathan Ritchey said you currently have those problems on 6th street. He would be opposed to have it turned into a one-way street that would only go north. He personally uses that road to come from US1 to Colorado.

Frank Wacha said that he thinks it is a great plan.

Pete Walson asked how wide a lane had to be to make a two-way street.

Tim Voelker said that the minimum is 10 feet, ideally 12 feet.

Pete Walson asked why they care if cars park north or south.

Nathan Ritchey said it was because it is illegal to park a car facing in the opposite way of traffic.

Pete Walson asked what the name of the street was for sailfish circle. He said that Joan Jefferson Road has striping for parking, but the yellow line in the center of the road is not in the middle.

COMMENTS FROM THE PUBLIC (5 min. max): None.

MOTION:

Action: Approve.

Moved by: Frank Wacha

Seconded by: Tom Campenni

Motion passed unanimously.

OTHER MATTERS BEFORE THE BOARD: None.

STAFF UPDATE

Kev Freeman advised about the updates we are making to the City of Stuart Comprehensive Plan. With that there are a number of public outreach meetings, one of which is happening next Monday, October 7 in the Chamber at 4PM and encouraged the board to attend.

ADJOURNMENT **4:14 PM**

Motion: Action: Approve

Moved by: Tom Campenni

Seconded by: Frank Wacha

Motion passed unanimously.

Chris Lewis, Chair

Jordan Pinkston, Board Secretary

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CRB/HPB Board

Meeting Date: 11/6/2019

Prepared by: Pinal Gandhi-Savdas

Title of Item:

MINOR CONDITIONAL USE - THE GILT COMPLEX MURAL

RESOLUTION No. 11-2019 CRA; A RESOLUTION OF THE COMMUNITY REDEVELOPMENT BOARD OF THE CITY OF STUART, FLORIDA, GRANTING A MINOR URBAN CODE CONDITIONAL USE APPROVAL FOR PUBLIC ARTWORK (MURAL) NAMED 'THE ARTIST'S MANIFESTO' ON PROPERTY LOCATED AT 608 S COLORADO AVENUE, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; GRANTING APPROVAL TO PAINT MURAL ON THE EXTERIOR NORTH WALL OF THE GILT COMPLEX BUILDING; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The applicant is requesting approval of public artwork (mural) which requires a Minor Urban Code Conditional Use. The applicant is proposing mural to be painted on the exterior north wall of The Gilt Complex building located at 608 S. Colorado Avenue.

The mural named "The Artist's Manifesto" is designed by Bryan Johnson of Martin County High School. Amanda Jones, also of Martin County High School, is providing supervisory assistance. The mural will be painted by students from Martin County High School, Jensen Beach High School and Clark Advanced Learning Center, with student supervision provided by teachers from each of the schools.

The mural will feature an artist's manifesto in the center with two local artists to the right and left. The artists, from left to right, are Chris Kling, portrait and landscape artist; Ron Corbin, musician and the former music director of Opus, Martin County High School's choral group; Geoffrey Smith, sculptor; and, Mark Muller, culinary artist.

The design concept is to create a mural reminiscent of DaVinci sketchbook that is an ode to the arts community. The background color will be off-white, with line drawings of the artists and the manifesto in black. The mottled effect throughout will be in darker tone of the off-white color, to give the mural an "aged" appearance.

The mural is expected to begin in January 2020 and is expected to be completed in March 2020.

Funding Source:

N/A

Recommended Action:

In the case of a minor conditional use approval, the CRB is the final decision maker. Motion to approve the proposed mural subject to conditions contained in Resolution No. 11-2019.

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	10/28/2019	Backup Material

▣	Resolution No. 11-2019 Mural Conditional Use	10/28/2019	Resolution add to Y drive
▣	The Arts Council of Martin County Review	10/28/2019	Backup Material
▣	Application and supporting documents	10/28/2019	Backup Material
▣	Proof of Notification	10/28/2019	Backup Material
▣	Public Art Land Development Code	10/28/2019	Backup Material

CITY OF STUART
COMMUNITY REDEVELOPMENT BOARD
STAFF REPORT

MEETING DATE: November 6, 2019

TITLE OF ITEM: Request to consider a Minor Urban Code Conditional Use for the public artwork (mural) project called “The Artist’s Manifesto” on the north wall of The Gilt Complex building.
Property location: 608 S Colorado Avenue

APPLICANT: Duncan Hurd, Business Owner and James F. McMahon, Property Owner

PROJECT SUMMARY:

The applicant is requesting approval of public artwork (mural) which requires a Minor Urban Code Conditional Use. The applicant is proposing mural to be painted on the exterior north wall of The Gilt Complex building located at 608 S. Colorado Avenue.

The mural named “The Artist’s Manifesto” is designed by Bryan Johnson of Martin County High School. Amanda Jones, also of Martin County High School, is providing supervisory assistance. The mural will be painted by students from Martin County High School, Jensen Beach High School and Clark Advanced Learning Center, with student supervision provided by teachers from each of the schools.

The mural will feature an artist’s manifesto in the center with two local artists to the right and left. The artists, from left to right, are Chris Kling, portrait and landscape artist; Ron Corbin, musician and the former music director of Opus, Martin County High School’s choral group; Geoffrey Smith, sculptor; and, Mark Muller, culinary artist.

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The mural is expected to begin in January 2020 and is expected to be completed in March 2020.

GEOGRAPHIC & GENERAL FEATURES:

Zoning District: Urban Center (UC)

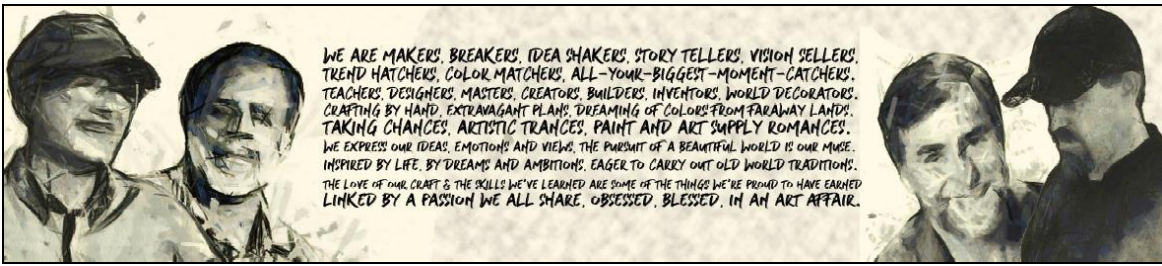
Future Land Use: Downtown Redevelopment

Existing Use: The Gilt Complex, Custom Framer & Art Restoration – Retail use

EXISTING CONDITION



PROPOSED MURAL



DETERMINATION OF COMPLIANCE WITH URBAN CODE CONDITIONAL USE REQUIREMENTS:

In accordance with Section 3.01.08 of the City of Stuart Land Development Code, and the Urban Code, an application for a minor urban code conditional use shall be made to construct and install a work of art. The application shall include the artist's resume and portfolio establishing the artist's credentials and abilities, a detailed description of the work of art, its proposed location on the development site and the cost evaluation as set forth below. Drawings and renderings depicting the artist(s) portfolio, the proposed work of art in terms of size/scale, color, shape, materials, and maintenance program shall be included in sufficient detail to provide the board with a clear understanding of the work of art proposed.

In the Land Development Code, public art is defined as an artistic work that is an expression of a historic person, place or event or an expression of an important local theme that is represented in good taste and craftsmanship. The work may be a fountain, mural, sculpture, painting or other generally acceptable art form as directed by the community redevelopment board. The work must be original, not reproducible, and must

be created individually by an artist or team of artists. Public art may be displayed in a public venue including public lobbies as approved by the community redevelopment board.

FACTORS TO BE CONSIDERED BY THE COMMUNITY REDEVELOPMENT BOARD:

The Community Redevelopment Board shall be governed by the following criteria in the exercise for their discretion to approve, approve with conditions or disapprove the proposed installation of public art. In specific cases, the board shall have the authority to exercise discretion and approve a proposal that proves to be an exceptional work of art yet does not meet all of the following criteria.

Mandatory Criteria

1. Whether the proposed art conforms to the definition of public art contained in section 3.01.08;
2. The proposed art meets or exceeds the valuation requirement as provided herein;
3. The proposed art meets the location requirements;
4. The proposed art is visible from a public right-of-way and will enrich the open space;
5. The proposed art is of exceptional quality and enduring value;
6. The proposed art is an appropriate scale to the development site;
7. The proposed art is compatible with the neighborhood and not injurious to the neighborhood or otherwise detrimental to the public welfare;
8. The proposed art work reflects cultural diversity;
9. The proposed art does not constitute a safety hazard;
10. The proposed art does not require extraordinary maintenance.

ATTACHED DOCUMENTS:

- Resolution No. 11-2019 w/ Exhibits
- Application and supporting documents
- Land Development Code, Section 3.01.08 on Public Art

ACTION REQUIRED TO BE TAKEN BY THE COMMUNITY REDEVELOPMENT BOARD:

The CRB is the decision maker in the review and recommendation process for public art submitted as a Minor Urban Code Conditional Use. The following recommendations are options for the CRB to take based on the proposal as submitted:

- i). Approval of the proposed public art as submitted by the applicant; or
- ii). Approval with conditions of the proposed public art proposal; or
- iii). Denial of the proposed public art proposal.



**BEFORE THE COMMUNITY REDEVELOPMENT BOARD
CITY OF STUART, FLORIDA**

RESOLUTION No. 11-2019 CRA

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT BOARD OF THE CITY OF STUART, FLORIDA, GRANTING A MINOR URBAN CODE CONDITIONAL USE APPROVAL FOR PUBLIC ARTWORK (MURAL) NAMED ‘THE ARTIST’S MANIFESTO’ ON PROPERTY LOCATED AT 608 S COLORADO AVENUE, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; GRANTING APPROVAL TO PAINT MURAL ON THE EXTERIOR NORTH WALL OF THE GILT COMPLEX BUILDING; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, pursuant to Section 3.01.08 of the Land Development Regulations of City of Stuart, James F. McMahon (The “Applicant”) filed an application on October 14, 2019 for a Minor Urban Code Conditional Use permit to implement the public artwork (mural) project called “The Artist’s Manifesto” on the exterior north wall of The Gilt Complex building located in the Urban Center (UC) zoning district within the City’s Community Redevelopment Area (CRA); and

WHEREAS, the Community Redevelopment Board held a properly noticed hearing on November 6, 2019, to consider the application for public artwork (mural) as a conditional use; and

WHEREAS, at a public hearing the applicant has shown by substantial competent evidence that the proposed development does not create any detrimental effects on adjacent properties, within three hundred (300) feet of the proposed location; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMUNITY REDEVELOPMENT BOARD OF THE CITY OF STUART, FLORIDA that:

SECTION 1: Subject to the conditions attached hereto, the Community Redevelopment Board hereby grants a Minor Urban Code Conditional Use Approval to James F. McMahon, property owner, and Duncan Hurd, the business owner of The Gilt Complex, as lessee of the property for mural located at 608 S Colorado Avenue, Stuart, Florida. This conditional use is not assignable or transferable.

SECTION 2: A legal description of the Property is set forth in **“Exhibit A”** of this Resolution. A map depicting the property and location of the public artwork (mural) is attached hereto as **“Exhibit B”** and made a part hereof by reference; and

SECTION 3: The Applicant shall operate in accordance with all conditions set forth in **“Exhibit C”**, as attached.

SECTION 4: The Community Redevelopment Board approves the proposed mural rendering attached hereto as **“Exhibit D”** and shall be deemed as part of the development conditions.

SECTION 5: This resolution shall take effect immediately upon its adoption.

Board Member _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Board Member _____, and upon being put to a roll call vote, the vote was as follows:

CHRIS LEWIS, CHAIR
FRANK WACHA, VICE CHAIR
FAYE JAMES, BOARD MEMBER
PETER WALSON, BOARD MEMBER
CRISTINA MALDONADO, BOARD MEMBER
TOM CAMPENNI, BOARD MEMBER
NATHAN RITCHEY, BOARD MEMBER

YES	NO	ABSENT

ADOPTED this _____ day of _____, 2019.

ATTEST:

MARY KINDEL
CITY CLERK

CHRIS LEWIS,
CHAIRMAN

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL MORTELL
CITY ATTORNEY

ACCEPTANCE AND AGREEMENT

BY SIGNING THIS ACCEPTANCE AND AGREEMENT, THE UNDERSIGNED HEREBY ACCEPTS AND AGREES TO ALL OF THE TERMS AND CONDITIONS CONTAINED IN THE FOREGOING RESOLUTION, AND ALL EXHIBITS, ATTACHMENTS AND DEVELOPMENT DOCUMENTS, INTENDING TO BE BOUND THEREBY, AND THAT SUCH ACCEPTANCE AND AGREEMENT IS DONE FREELY, KNOWINGLY, AND WITHOUT ANY RESERVATION, AND FOR THE PURPOSES EXPRESSED WITHIN THE FOREGOING RESOLUTION. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY, ITS CONDITIONS, AND THE DEVELOPMENT DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS RESOLUTION MAY BE AMENDED OR REPEALED BY THE CITY COMMISSION, AND THAT OTHER ADMINISTRATIVE ACTIONS AND PENALTIES MAY BE TAKEN AGAINST THE UNDERSIGNED, ITS SUCCESSORS OR ASSIGNS, BY THE CITY, INCLUDING BUT NOT LIMITED TO SANCTIONS DESCRIBED IN THIS RESOLUTION, CODE ENFORCEMENT ACTIONS, PERMIT AND LICENSING SUSPENSIONS OR REVOCATIONS, AND ANY OR ALL OTHER APPLICABLE CIVIL AND CRIMINAL ACTIONS.

IN WITNESS WHEREOF THE UNDERSIGNED HAS EXECUTED THIS ACCEPTANCE AND AGREEMENT:

WITNESSES:

Print Name: _____

By: _____
James F. McMahon, Property Owner

Print Name: _____

OWNERS ACKNOWLEDGMENT

The above Acceptance and Agreement of Resolution No. 11-2019 was acknowledged before me this _____ day of _____, 2019, by _____

Notary Public, State of Florida
My Commission Expires:
Notary Seal

Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

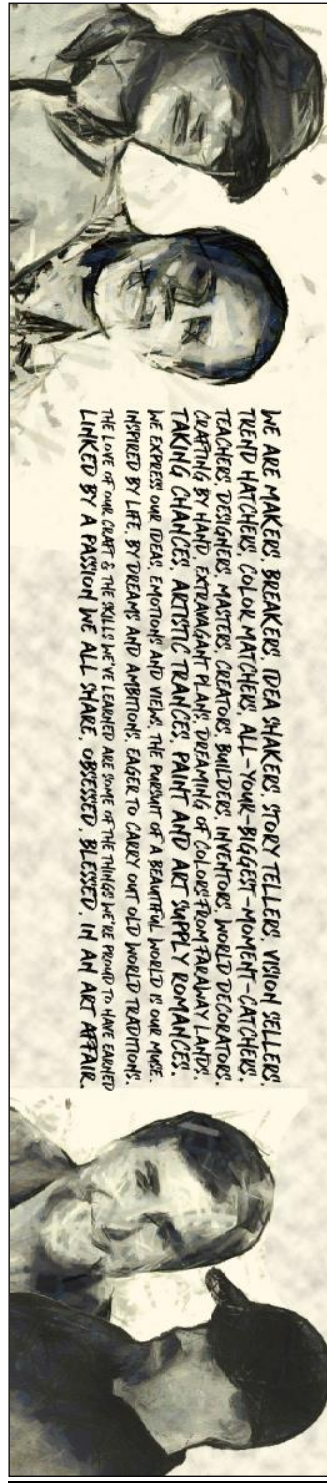
“Exhibit A”
Legal Description

FRAZIER ADDN LOT 2 & 3 BLK 23

“Exhibit C”
Conditions of Approval

- 1) The project shall comply with the attached mural rendering in Exhibit D.
- 2) The property owner shall be responsible for maintenance of artwork (mural) on The Gilt Complex building.

“Exhibit D”
Mural Rendering





*Inspiring participation and
passion for the arts in our
community*

DIRECTORS

Karen L. Barnes

Jeff Bowers

Gabriella Ferraro

Maria Miele

Terri Pettengill

EX-OFFICIO MEMBERS

Doug Smith

Martin County BOCC

Becky Bruner

City of Stuart

Anthony Anderson

Martin County School Board

Nancy K. Turrell

Executive Director

80 SE Ocean Boulevard

Stuart, FL 34994-2234

Phone: 772-287-6676

Fax: 772-288-5301

www.martinarts.org

info@martinarts.org

MEMORANDUM

TO: City of Stuart Community Redevelopment Agency Board
FR: Nancy K. Turrell, Executive Director
RE: Mural Application for The Gilt Complex
DT: October 25, 2019

Per our agreement, the proposal for the Mural Matching Grant Program at the Gilt Complex has been reviewed.

The Arts Council of Martin County is a long-time supporter of arts education in our community and believe giving opportunities like this to our high school students is an amazing opportunity for their future growth as individuals, and professional artists.

Our reviewers like to see the continuing interest along the Colorado corridor to have a growing number of murals present. The style portrayed in the proposed mural is contemporary and highlights living artists whose artistic efforts have shaped the arts community. It is a great tribute to the visual, performing and culinary arts that make our community special and unique.

The manifesto presents concepts for viewers to contemplate and engage with. To create civic dialogue through the ideas presented in text enriches the project's impact and presence in the community.

The track record of MCHS art teachers and students is superb. Their work on the Prescription Shop building is remarkable.

We couldn't be more supportive of this mural project.



STUART COMMUNITY REDEVELOPMENT AGENCY



MURAL MATCHING GRANT PROGRAM APPLICATION

APPLICANT INFORMATION

Name: DUNCAN HARRIS

Address: 608 COLORADO AVE, STUART FL 34994

Phone: 772-463-0125 Tax ID# 81-3798240

Email: DUNCAN@THEGILTComplex.com

Website: THEGILTComplex.com

ARTIST INFORMATION

Lead Artist Name: AMANDA JONES

Other Artists (if applicable): HIGH SCHOOLS OF MARTIN COUNTY

Address: MARTIN COUNTY HIGH SCHOOL
2801 S. KAWNER HWY, STUART, FL 34994

Phone: 772-219-1800 x 32837 Tax ID#

Email: JONESA@MARTIN.K12.FL.US

Website:

MURAL LOCATION INFORMATION

Name of Business: THE GILT COMPLEX

Type of Business: PICTURE FRAMER

Property Owner Name / Phone: JAMES McMAHON / 772-260-5513

Address of Proposed Project: 608 COLORADO AVE, STUART, FL 34994

MURAL PROJECT SUMMARY

Please provide project concept/description, mission statement and/or mural project name (include detailed summary on a separate attachment):

SEE ATTACHED

Total Project Cost:

\$ *4940.*

Matching Amount Requested:

\$ *2000.*

Additional Instructions: At least one month prior to submitting your Mural Matching Grant application, meet with the CRA Administrator for an initial review of the mural, location, funding and building owner's approval. Contact Pinal Gandhi-Savdas @ (772) 288-5375 or email at pgandhi@ci.stuart.fl.us

Submit a completed application package to City Hall located at 121 SW Flagler Avenue, Development Department's office, which includes the following:

- Completed Mural Matching Grant Application.
- Attach the completed Budget Worksheet (use template provided).
- Attach a copy of the Minor Conditional Use application submitted to the Development Department.
- Attach proof of ownership of the property or contract agreement for mural on private property.
- W-9 form (as applicable).
- Attach a copy of the liability insurance.
- Image(s) of a color rendering of proposed mural project.
- Image(s) of site and/or building/structure where the mural will be placed.
- Project timeline.
- If attaching panels to a wall, a materials list, drawing and attachment plans must be submitted, and a building permit may be required.
- Attach any other documentation requested by the CRA Administrator in the pre-application meeting.

The applicant is responsible for all Development Department application fees, public notice, building and other permits and fees which are associated with the proposed project. Questions, please call 772-288-5375.

MURAL MATCHING GRANT PROGRAM BUDGET WORKSHEET		
Project Expenses:	Notes	Amount
Artist Fees / <i>Supervision</i>		<i>\$2790.</i>
Assistant Fees		<i>600. - 600</i>
Supplies/Materials		<i>1000.</i>
Insurance		
Wall Preparation <i>(Base Coat- contractor)</i>		<i>\$600</i>
Scaffolding/Ladders/Lifts		
Sealing		
Maintenance		
Application Fees		<i>250.</i>
Public Notice/Posting Sign		<i>300.</i>
Other		
Total Budget		<i>\$4940.</i>
Match:	Notes	Amount
Cash		
Foundation Grants		
Business Donations		
Individual Donations		
Fundraisers		
Other		
Total Cash		
In-Kind:	Notes	Amount
Volunteer Time	Use IS Value*	
Donations of Materials		
Artist Fees	Donated by lead artist	
Assistant Fees		
Wall Preparation		
Publicity/Promotion		
Other		
Total In-Kind:		
Total Match:		<i>2,940</i>
Funding Request:		<i>2,000</i>
Does match equal or exceed funding request?		<i>exceed</i>

*Estimated value according to Independent Sector (IS), a coalition of charities, foundations, corporations, and individuals that publishes research important to the nonprofit sector.



**CITY OF STUART, FLORIDA
DEVELOPMENT DEPARTMENT
MURAL MINOR CONDITIONAL USE PERMIT**

Reviewed By: _____

Application must be legible with all relevant fields completed.

Project ID# _____
(Staff Entry)

Pre-App Conference Date: <u>N/A</u>	Application Date: <u>10/14/19</u>
Project Name: <u>THE ARTIST'S MANIFESTO</u>	
Parcel ID#	Project Address: <u>608 COLORADO</u>
Zoning/CRA Sub-district:	
Subdivision:	Lot(s):
Fee: <u>\$250.00</u> - Mural Minor Conditional Use Permit (Community Redevelopment Board) <i>(This does not include fees for public notice or any required recording fees)</i>	
A Mural Minor Conditional Use Permit shall be required for mural on public buildings and facilities within the Community Redevelopment Area and private properties limited to non-residential and mixed-use buildings and structures in the Urban Code District and East Stuart Code District located within the Community Redevelopment Area. For a Planned Unit Development (PUD), a minor amendment process for PUDs shall apply and the proposed mural shall be consistent with the terms and conditions of the Development Agreement.	
Submittal Requirements: A completed application form, one (1) copy of all documents on a PDF formatted disc, the payment of fees, and pertinent information as required below.	
Approving Authority: The Development Director is required to prepare a staff report and recommendation concerning this application for the Community Redevelopment Board (CRB) public hearing.	
Justification: Please provide justification supporting the request for a Mural Conditional Use Permit including artist's resume/portfolio, proposed location of mural (photos of exterior wall), dimensions of mural (size/scale), paint colors, type of paint or other material to be used, description of the proposed mural, color rendering/drawing, and maintenance program (use additional pages if needed).	
SEE ATTACHED	
(over)	

General Information
(Please Print or Type)

1. Property Owner, Lessee, Contract Purchaser, or Applicant (circle one):

Name:	JAMES F. McMAHON
Title:	PROPERTY OWNER
Company:	
Company Address:	57 S. SEWALLS POINT RD.

City/State/Zip Code:	STUART, FL 34996
Telephone Number:	772-287-4173
Facsimile Number:	
Email Address (optional):	

2. Agent of Record (if any): The following individual is designated as the Agent of Record for the property owner, lessee, or contract purchaser and should receive all correspondence related to the application review.

Name:	
Title:	
Company:	
Company Address:	

City/State/Zip Code:	
Telephone Number:	
Facsimile Number:	
Email Address (optional):	

3. The Undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all City expenses associated with the referenced application (s) including time spent by the City's consultants and further acknowledges that payment of consultant fees will be made prior to the receipt of the consultant comments.

Name:	DUNCAN HURD
Title:	BUSINESS OWNER
Company:	THE GILT COMPLEX
Company Address:	608 S. COLORADO AVE

City/State/Zip Code:	STUART, FL 34994
Telephone Number:	772-463-0125
Facsimile Number:	
Email Address (optional):	DUNCAN@THEGILT.COMPLEX.COM

I hereby certify that all information contained herein is true and correct.

4. Signed this 11 day of OCTOBER, 2019.

James F. McMahon

Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)

State of Florida, Martin County The foregoing instrument was acknowledged before me on this 11th day of

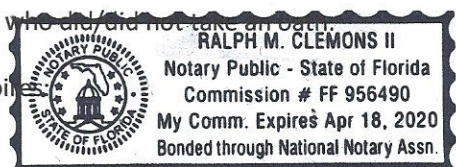
OCTOBER 2019 by JAMES F. McMAHON who is personally known to me, or who has produced

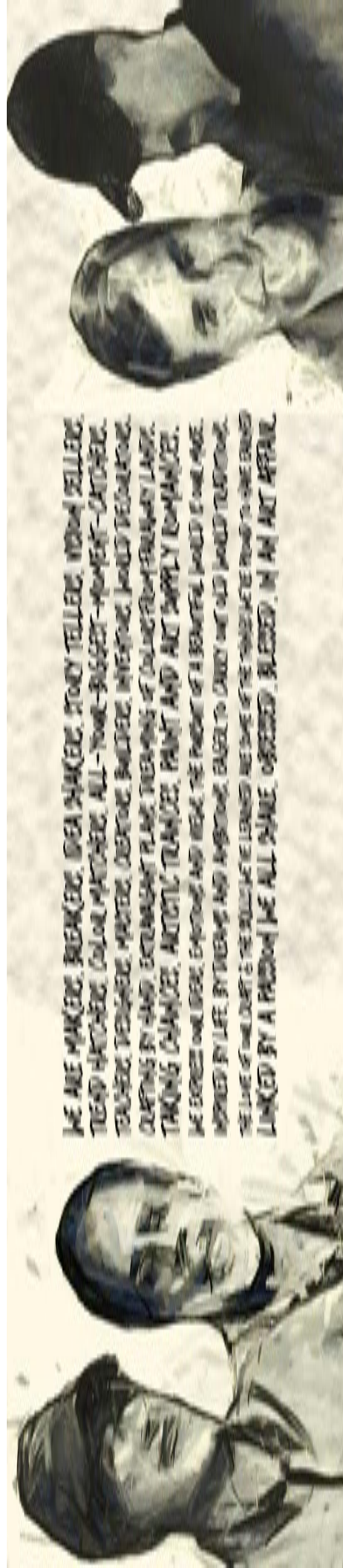
DUNCAN HURD

as identification and who did/did not take an oath.

Notary Signature

Commission expires





WE ARE MAKERS, BREAKERS, IDEA MAKERS, STORY TELLERS, WORD SELLERS,
TREAD HATCHERS, COLOR MATCHERS, ALL - YOUR - BIGGEST - MOMENT - CATCHERS,
TEACHERS, DESIGNERS, WRITERS, CREATORS, BUILDERS, INVESTORS, JEWEL DESIGNERS,
CRAFTING BY HAND, EXTRAORDINARY PLANE DESIGNERS OF DOLBY DIGITAL, LAMINATE,
TAKING CHANCES, ARTISTIC TRAVELERS, PAINT AND ART SUPPLY ROMANESCES,
WE EXPRESS OUR IDEAS, EMOTIONS AND VIEWS, THE PRODUCT OF A BEAUTIFUL, BEAUTIFUL, BEAUTIFUL,
INSPIRED BY LIFE, BY TRAVELING AND AMONGST, EAGER TO CARRY OUT OLD WORLD TRADITIONS,
THE LOVE OF OUR COUNTRY & THE WORLD, WE LEARNED AND SOME OF THE THINGS WE'RE PROUD TO HAVE EARNED
LINKED BY A PASSION, WE ALL SHARE, OBSESSED, BLESSED, IN AN ART APPRE.



Mural Project Summary

“The Artist’s Manifesto”

The 55’ wide by 12’ high mural, located on the outside north wall at 608 Colorado Avenue in downtown Stuart, features an artist’s manifesto in the center with two local artists to the right and left. The artists, from left to right, are: Chris Kling, portrait and landscape artist; Ron Corbin, musician and the former music director of Opus, Martin County High School’s choral group; Geoffrey Smith, sculptor; and, Mark Muller, culinary artist.

The design concept is to create a mural reminiscent of a DaVinci sketchbook that is an ode to the arts community. The background color will be off-white, with line drawings of the artists and the manifesto in black. The mottled effect throughout will be in a darker tone of the off-white color, to give the mural an “aged” appearance.

The mural was designed by Bryan Johnson of Martin County High School. Amanda Jones, also of Martin County High School, is providing supervisory assistance. The mural installation team will consist of students from Martin County High School, Jensen Beach High School and Clark Advanced Learning Center, with student supervision provided by art teachers from each of these schools. The mural installation is expected to begin in January 2020, and be completed by the end of February.

Draft
Mural Project Timeline

JANUARY 2020

Date	Task	Rotation of MCSD Employee Supervisor
3 Friday night (winter break) 7-10 PM	Large group projection and trace-out	1, 2, 3
4 Saturday (winter break) 1-5 PM	Clear coat primer	1
5 Sunday (winter break) 1-5 PM	Begin painting	2
11 Saturday 1-5 PM	painting	3
12 Sunday 1-5 PM	painting	1
16 Thursday 9 AM-12 PM	<i>*possible field trip (pending approval)</i>	1
17 Friday (no students at school) 7:30-3:30	<i>*possible painting day (pending approval)</i>	1, 2, 3
18 Saturday 1-5 PM	painting	2
19 Sunday 1-5 PM	painting	3
20 Monday (holiday) 9 AM- 2PM	painting	1
25 Saturday 1-5 PM	painting	2
26 Sunday 1-5 PM	painting	3

FEBRUARY 2020

Date	Task	Rotation of MCSD Employee Supervisor
1 Saturday 1-5 PM	painting	1
2 Sunday 1-5 PM	painting	2
8 Saturday 1-5 PM	Painting <i>*possible conflict with ArtsFest</i>	3
9 Sunday 1-5 PM	Painting <i>*possible conflict with ArtsFest</i>	1
15 Saturday 1-5 PM	painting	2
16 Sunday 1-5 PM	painting	3
17 Monday (holiday) 9 AM – 2 PM	painting	1
22 Saturday 1-5 PM	painting	2
23 Sunday 1-5 PM	Completion, finishing touches	1, 2, 3

MARCH 2020

Date	Task	Rotation of MCSD Employee Supervisor
7 Saturday 1-5 PM	Make-up days	1, 2, 3
8 Sunday 1-5 PM	Make-up days	1, 2, 3

City of Stuart
Development Department
121 SW Flagler Avenue
Stuart, FL 34994
Ph. 772-288-5300
Fax 772-288-5388

AFFIDAVIT ATTESTING TO NOTIFICATION

Duncan Hurd, being first duly sworn, deposes and says:

That I am the owner of the following described business which constitutes the location for which notification is required:

The Gilt Complex LLC
608 Colorado Avenue
Stuart, Fl 34994

That a copy of the notice was sent by regular U.S. Mail on October 16, 2019 to the property owners within 300 feet of the subject property.

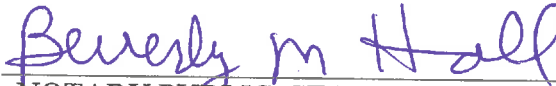
That a list of the property owners and their addresses is on file with the City of Stuart; and

That a photograph showing the placement of the notification sign be made a part of this Affidavit.



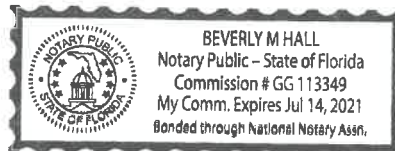
SIGNED *JD FLDL*

SWORN TO AND SUBSCRIBED before me this 24th day of Oct, 2019.



NOTARY PUBLIC, STATE OF FLORIDA:

My Commission Expires: 7-14-2021



Notice to Surrounding Property Owners

Subject: Public Hearing before the City of Stuart Community Redevelopment Board

Petitioner: Duncan Hurd, The Gilt Complex Building

Project Name: Wall Mural – ‘The Artist’s Manifesto’

Parcel ID #: 05-38-41-005-023-00020-6

Address of Property: 608 S Colorado Avenue, Stuart, Florida (please refer to the attached location map)

Proposed Request: Request for a Minor Urban Code Conditional Use Permit Application – consider public artwork (mural) on the exterior north wall of “The Gilt Complex” building in collaboration with Martin County High School. The property is situated within the City of Stuart Community Redevelopment Area.

Dear Property Owner:

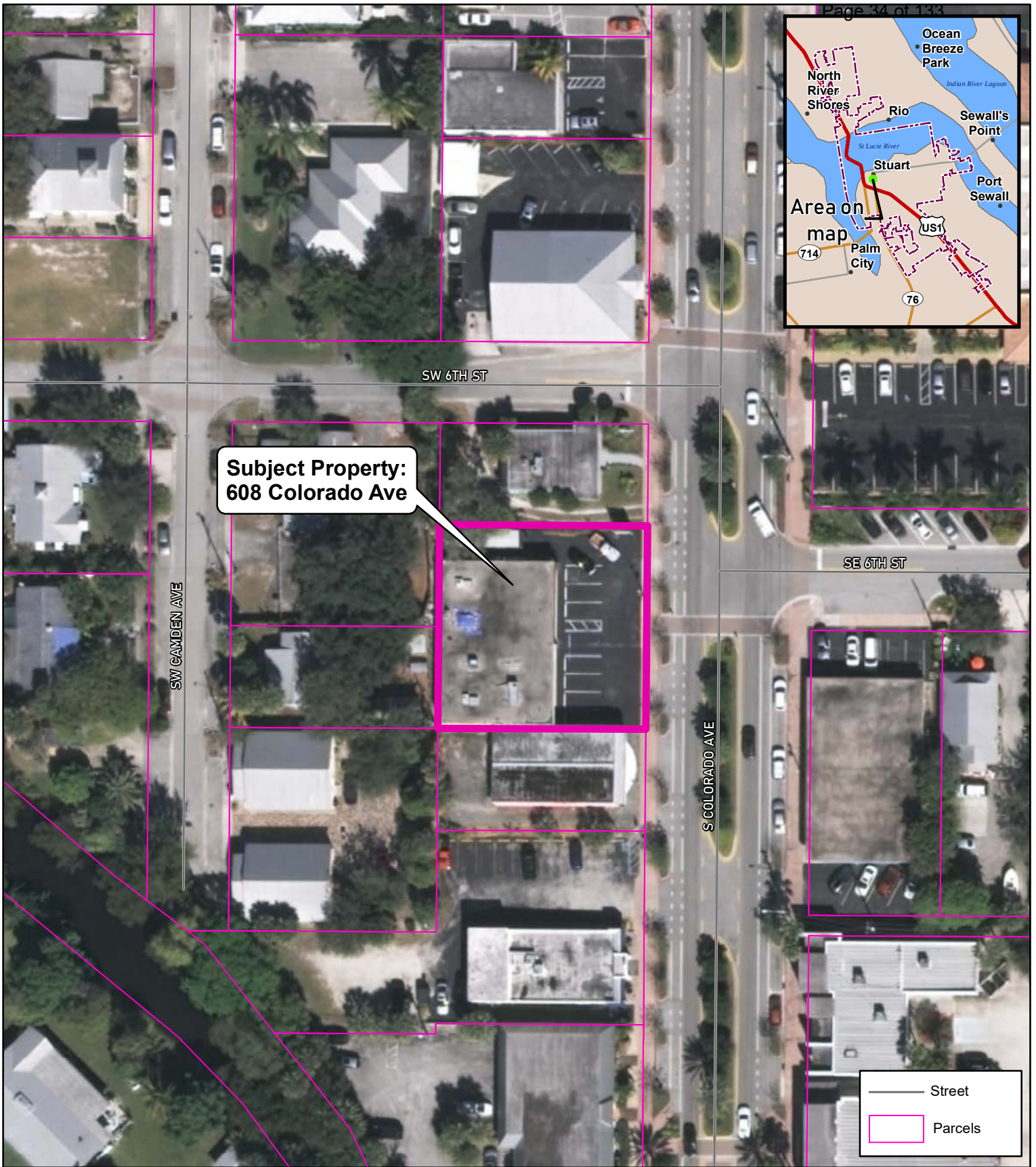
Please be advised that the City of Stuart will conduct a public hearing before the Community Redevelopment Board on **Wednesday, November 6, 2019 at 4:00 P.M.** to consider the above request.

The public hearing(s) will take place in the Stuart City Hall Commission Chambers, located at 121 S. W. Flagler Avenue in Stuart.

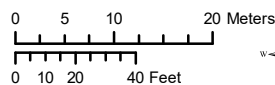
All interested parties and citizens may appear and be heard as to any and all matters pertinent to the request. A copy of the application is available for inspection at the Office of the City Development Department located at 121 S.W. Flagler Avenue in Stuart. If you have any questions regarding this notice, please feel free to call the CRA Administrator, Pinal Gandhi-Savdas, at (772) 283-2532, M-F 8:30 A.M. – 5:00 P.M.

Sincerely,

Duncan Hurd, Owner
The Gilt Complex



Notice of Public Hearing: 608 Colorado Avenue



Proposed Arts and Entertainment has been created by the City of Stuart Development Department as well as the Arts Council of Martin County. Aerial imagery source is ESRI, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, AeroGRID, IGN, and the GIS Users Community. This map is a conceptual planning tool only.

Owner	Mail Street	Mail City	Mail State	Mail Zip
100 MLK LI	100 SE MAI	STUART	FL	34994
3 ESQ LLC	PO BOX 80	STUART	FL	34995
BERNOT IN	301 SE HAF	STUART	FL	34996
BRAID CHR	606 SW CA	STUART	FL	34994
BUFFINGTC	PO BOX 88	STUART	FL	34995
CAMDEN A	630 S COLC	STUART	FL	34994
CARON P K	524 SW CA	STUART	FL	34994
CHASE JENI	649 SW CH	STUART	FL	34994
DIETZ CRAI	516 SW CA	STUART	FL	34994
EAST OCEA	155 SE ALA	STUART	FL	34996
GINDELE, F	5467 SW A	PALM CITY	FL	34990
GRAZI LEIF	PO BOX 18	STUART	FL	34995
GRIFFITH E	120 SW 6T	STUART	FL	34994
HENRY & M	4450 SW T	PALM CITY	FL	34990
HERBST KA	600 SW CA	STUART	FL	34994
HOUSING A	611 CHURC	STUART	FL	34994
KTJ PROPEI	622 S COLC	STUART	FL	34994
MACKNIGH	5835 GRAN	CORAL GAE	FL	33146
MATHEY, G	611 SW CA	STUART	FL	34994
MAUTZ, RC	633 CHANN	STUART	FL	34994
MCMAHON	57 S SEWA	STUART	FL	34996
MERKEL, JC	631 CHANN	STUART	FL	34994
MPW PROF	515 SW CA	STUART	FL	34994
REED SEAN	20 W 6TH S	STUART	FL	34994
RR REAL ES	5800 GRAT	SAGINAW	MI	48638
SHERRARD	2846 SW T	PALM CITY	FL	34990
TAYLOR AS	630 S COLC	STUART	FL	34994
TED GLASR	759 SE FED	STUART	FL	34994
TED GLASR	759 SE FED	STUART	FL	34994
TRAVIS LAV	609 SE KRU	STUART	FL	34996
TREASURE	PO BOX 99	STUART	FL	34995
UPTON PEI	1924 NW S	STUART	FL	34994
WEBER DA	904 SE MAI	STUART	FL	34996
WICKSTROI	516 SW CA	STUART	FL	34994
WOODLAN	8353 SE PA	HOBE SOU	FL	33455
ZWEBEN RI	532 S COLC	STUART	FL	34994







**BEFORE THE CITY COMMISSION OF
THE CITY OF STUART, FLORIDA
ORDINANCE NO. 2375-2018**

AN ORDINANCE OF THE CITY OF STUART, FLORIDA AMENDING CHAPTER 3, SECTION 3.01.08 -- "PUBLIC ART" OF THE CITY'S LAND DEVELOPMENT CODE THEREBY PROVIDING OPTIONS TO DEVELOPERS OF PROJECTS IN THE URBAN CODE DISTRICT TO CONTRIBUTE 100% OF THE PUBLIC ART FEE TO THE CITY'S PUBLIC ART TRUST FUND OR PROVIDE ON-SITE PUBLIC ARTWORK OR PAY A PORTION OF THE PUBLIC ART FEE AMOUNT TO PROVIDE ON-SITE PUBLIC ARTWORK AND THE REMAINDER TO THE CITY'S PUBLIC ART TRUST FUND; PROVIDING FOR AN EFFECTIVE DATE; CODIFICATION; AND FOR OTHER PURPOSES.

*** * * * ***

WHEREAS, the Stuart City Commission deems it in the Public's best interest to amend the Public Art section of the City's Land Development Code to provide options to developers of projects in the Urban Code District to contribute 100% of the public art fee to the City's Public Art Trust Fund or provide on-site public artwork or pay a portion of the public art fee amount to provide on-site public artwork and the remainder to the City's Public Art Trust Fund.

WHEREAS, the artwork which shall be installed as part of the development project within the Urban Code District is available to the public and will enrich the open space where it is located.

WHEREAS, the Public Art Trust will continue to enhance and enliven the Urban Code District to become a cultural destination.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1: Chapter 3, Section 3.01.08 – Public Art, of the City of Stuart Land Development Code, is amended as follows:

A. *Intent.* The intent of this section is to further the commitment of the city to the aesthetic enrichment of the Urban Code District through the private acquisition of works of art so that citizens and visitors to the Urban Code District of the city will be afforded an opportunity to enjoy and appreciate works of art.

B. *Applicability.* The provisions of this section shall apply to all new development and substantial renovations (as defined in chapter XII of this Code) in the Urban Code District with the exception of a duplex, single-family home and single-family home subdivisions.

C. *[Requirements for receiving building permit.]* All new development and renovation development pursuant to chapter XII shall elect one of the options listed below prior to the issuance of a building permit:

1. Provide work of art on the development site provided the work is an original and must be created individually by a professional artist or team of artists. Bronze sculptures in limited editions of not more than 50 in all sizes and materials by a single artist are allowed. The value of the work of art shall not be less than one percent of the vertical construction cost of the development. The nature of the work of art shall be proposed by the developer and shall be submitted to the city's community redevelopment board which shall review the proposal for conformity with the public art standards set forth below. An approved work of art shall be incorporated into the site plan, public lobby floor plan or the landscape plan for the development as part thereof.
2. Contribute an amount equal to or greater than 1 percent of the vertical construction cost in lieu of providing a work of art, a developer may pay the sum of 1 percent of the vertical construction cost into the public art trust fund described below. Such payment shall be made prior to issuance of a building permit for any portion of the development.
3. If the value of on-site work of art proposed on the development site is less than one percent of the vertical construction cost of the development, a developer may have an option to contribute the remaining balance of the public art fee to the public art trust fund as described below.

D. Performance security required.

1. If a work of art has not been approved by the community redevelopment board at the time of application for a building permit, the permit applicant shall provide a performance security bond or other surety acceptable to the city, in the amount of 1 percent of the value of the vertical construction which shall be posted until the work of art is approved by the community redevelopment board. The cost estimate or bid for work of art shall be provided by the artist or representative and accepted by the city. The surety may be extended no more than 12 months from the original surety expiration date. This surety shall be cancelled, or returned when the work of art has been approved by the community redevelopment board.

2. In the event an approved work of art has not been properly constructed and installed prior to the issuance of the first certificate of occupancy for any portion of the development, the permit applicant shall provide a performance security bond or other surety acceptable to the city, in the amount of 1 percent of the value of the vertical construction which shall be posted until the work of art is completed. The surety may be extended no more than 12 months from the original surety expiration date. This surety shall be cancelled, or returned when the work of art has been properly constructed and installed. The surety may be forfeited to the public art trust fund, and the developer and property owner cited with a code violation for failing to provide the required work of art.

E. Application for work of art for development projects. An application for a minor Urban Code conditional use shall be made to construct and install a work of art. The application shall include the artist's resume and portfolio establishing the artist's credentials and abilities, a detailed description of the work of art, its proposed location on the development site and the cost evaluation as set forth below. Drawings and renderings depicting the artist(s) portfolio, the proposed work of art in terms of size/scale, color, shape, materials, and maintenance program shall be included in sufficient detail to provide the board with a clear understanding of the work of art proposed.

F. Standards for work of art. The community redevelopment board shall be governed by the following criteria in the exercise of their discretion to approve, approve with conditions, or disapprove the proposed installation of public art. In specific cases, the board shall have the authority to exercise discretion and approve a proposal that proves to be an exceptional work of art yet does not meet all of the following criteria.

1. The proposed art conforms to the definition of public art contained in this section;
2. The proposed art meets or exceeds the valuation requirement as provided herein;
3. The proposed art meets the location requirements;

4. The proposed art is visible from a public right-of-way and will enrich the open space;
4. The proposed art is of exceptional quality and enduring value;
5. The proposed art is an appropriate scale to the development site;
6. The proposed art is compatible with the neighborhood and not injurious to the neighborhood or otherwise detrimental to the public welfare;
7. The proposed art work reflects cultural diversity;
8. The proposed art does not constitute a safety hazard;
9. The proposed art does not require extraordinary maintenance.

G. Maintenance of work of art. A work of art provided and located on public or private property pursuant to this section shall be and remain the sole property of the property owner. The property owner shall be responsible for maintenance and care of the public work of art. A constructed and installed work of art approved pursuant to this section shall be retained on site in its approved condition and location and shall not be removed, replaced or altered without prior approval of the community redevelopment board.

H. Removal or replacement. After a work of art has been approved by the community redevelopment board, such works of art shall be retained on site in its approved location and shall not be removed without prior approval of the community redevelopment board unless replaced with a reasonably equivalent replacement work of art, except when deemed to be unsafe by the building official, in which case it must be replaced within 12 months. This includes displacement damages by natural disasters, in which case the replacement timeframe shall be at the discretion of the development director.

I. Additional public works of art. Following the construction and installation of a required work of art approved pursuant to this section, additional works of art are encouraged and may be constructed and installed without the approval of the community redevelopment board.

J. Public art trust fund created.

1. There is hereby created a public art trust fund for the deposit of payments made in lieu of the construction and installation of a work of art as required in this section.

2. Funds in the public art trust fund shall be used solely for the selection, acquisition, transportation, installation, maintenance and promotion of works of art to be displayed in the city and all expenditures from the fund for such purposes shall be approved by the community redevelopment agency. The cost of insurance for public art located on property owned by the city may be paid with funds in the public art fund.

3. All works of art purchased with funds in the public art trust fund shall be and remain the sole property of the city.

4. The public art fund shall be kept in an interest bearing account, separate from general revenues and all accrued interest shall be deposited in the public art fund.

K. Process for Commissioning Artworks for Public Right-of-Way or Public Places.

1. *Artist Identification:* The community redevelopment board will make a recommendation to the community redevelopment agency on the selection process that will be used for each particular project. The options for selecting Artwork are:

- a. Direct Purchase – an existing Artwork is selected for a particular project.
- b. Commission Purchase (or Invitation) – Artist is chosen to create a site-specific work of art.
- c. Limited or Open Competition
 - 1) Limited – One or more Artists are invited to submit proposals for selection.
 - 2) Open – Any artist may apply subject to criteria established by the community redevelopment board in the “Call for Artists.”
 - 1. Request for Qualification (RFQ) may be used when the commissioning body is interested in a larger pool of applicants for a project. Applicants are asked to submit qualifying material only (resume, images of past work, letter of interest, etc.) that a panel will use to determine suitability for the project. Based on the qualifying materials submitted, the pool of applicants is narrowed by a panelist to 3-5 artists to move forward in the competition. Finalist may be asked to submit a more detailed proposal, visit the site or make a presentation.
 - 2. Request for Proposal (RFP) may be used to look for proposals for a specific project/site/theme. Artists are asked to submit qualification materials and a proposal for the project.

2. *Review of Submittals:* The community redevelopment board shall review the submittals and make a recommendation to the community redevelopment agency. The final selection may be made by the community redevelopment agency or the community redevelopment agency with one or more additional participants (referred to as “panelist”) as each project dictates. These may

include a representative of the site/building/community where the artwork to be located, a local artist (not eligible for commission) or outside art/public art expert, other experts in the area of architecture, landscape architecture, engineering, urban planner, etc.

3. *Review Process/Criteria:* The community redevelopment board and community redevelopment agency or panelist may review the submitted visual material simultaneously with the written material. Artists are selected to move forward in the process based on set criteria, which may include but not limited to:
 - a. Quality, creativity & strength of past work as indicated by visual materials submitted
 - b. Technical competence demonstrated by past work
 - c. Understanding of the project goals as indicated in the RFQ or RFP
 - d. Relevance of submitted materials to the project
 - e. Aptitude of planning and budgeting
 - f. Experience working on public art projects and demonstrated ability to adapt to meet the project goals as indicated in the RFQ or RFP
 - g. Commitment to participate with agency/community as part of the concept development
 - h. Local artist or previous experience working on public art within the city limits.
4. *Interview:* In the event the community redevelopment agency or panelist cannot make a unanimous decision, finalists may be invited to make a presentation to help finalize the decision. The criteria to select the artist for the project may include but not limited to:
 - a. Artistic excellence
 - b. Ability to relate the proposed artwork to the site
 - c. Experience with projects in similar scope and/or type
 - d. Knowledge of fabrication and installation of public art proposed
 - e. Ability to be an effective communicator, team player and work with diverse groups
 - f. Ability to be detail oriented, a problem solver, an efficient project manager with an understanding of schedules and budgets
 - g. Flexibility/openness of ideas
 - h. Presented budget in realistic and flexible
5. *Contracts:* The contract shall outline the responsibilities, obligations with respect to products and services being provided by the artist, and the conditions desired by the community redevelopment agency or panelist to successfully realize the artwork.

L. *Cost estimates required.* Cost estimates for determining valuation of art, posting of security or payment in lieu shall be required from the artist and/or contractor and be presented to city development staff prior to the community redevelopment board hearing.

M. *Final compliance.* The property owner will be in compliance with this section after the installation of the public art in accordance with the approved plans, inspection by city development staff and the submittal of five photographs of the artwork on the site and a notarized statement of costs expended that meets or exceeds the requirements.

SECTION 2: All ordinances or parts of ordinances herewith are hereby repealed to the extent of such conflict.

SECTION 3: If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

SECTION 4: The provisions of this ordinance shall be codified.

SECTION 5: This ordinance shall take effect upon adoption.

PASSED on First Reading this 10TH day of September, 2018.

Commissioner MEIER offered the foregoing ordinance and moved its adoption. The motion was seconded by Commissioner CLARKE and upon being put to a roll call vote, the vote was as follows:

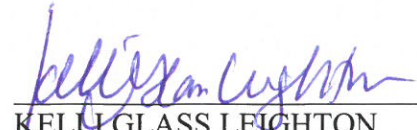
KELLI GLASS LEIGHTON, MAYOR
BECKY BRUNNER, VICE MAYOR
EULA CLARK, COMMISSIONER
MERRITT MATHESON, COMMISSIONER
MIKE MEIER, COMMISSIONER

YES	NO	ABSENT
Y		
Y		
Y		
Y		
Y		

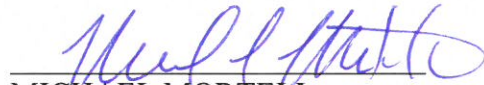
ADOPTED on Second Reading this 24th day of September, 2018.

ATTEST:


MARY R. KINDEL
CITY CLERK


KELLI GLASS LEIGHTON
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:


MICHAEL MORTELL
CITY ATTORNEY



CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CRB/HPB Board

Meeting Date: 11/6/2019

Prepared by: Pinal Gandhi-Savdas

Title of Item:

MURAL MATCHING GRANT AGREEMENT BETWEEN THE CRA AND THE GILT COMPLEX

RESOLUTION No. 12-2019 CRA; A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE BOARD CHAIR TO EXECUTE AN AGREEMENT BETWEEN THE STUART COMMUNITY REDEVELOPMENT AGENCY AND THE GILT COMPLEX, FOR A MURAL MATCHING GRANT IN THE AMOUNT OF \$2,000 TO INSTALL MURAL ON THE EXTERIOR NORTH WALL OF THE GILT COMPLEX BUILDING; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The Mural Matching Grant Program was approved by Resolution No. 09-2018 on September 24, 2018 to encourage and promote mural artwork on private and public properties within the Community Redevelopment Area.

Staff allocates \$20,000 in the CRA annual budget for the Mural Matching Grant Program. The program provides a reimbursement grant of up to \$2,000 of public funds per property to match private funds to pay for the mural on private property. The grant shall be available for private properties which may qualify for a reimbursement of 50% of the applicant's total project costs, not to exceed \$2,000.

The applicant is requesting a matching grant in the amount of \$2,000 for the proposed mural on The Gilt Complex building located at 608 S Colorado Avenue. The total cost for the mural is estimated at \$4,940. The applicant is requesting reimbursement of 50% of the total costs of the project, not to exceed \$2,000.

The attached grant agreement is between the CRA and the business owner for the reimbursement of the maximum grant award in the amount of \$2,000.

Funding Source:

Mural Matching Grant Award in the amount of \$2,000.

Recommended Action:

Recommend to the Community Redevelopment Agency to approve Resolution No. 12-2019 to award grant in the amount of \$2,000 for the mural at The Gilt Complex building.

ATTACHMENTS:

Description	Upload Date	Type
□ Resolution No. 12-2019	10/28/2019	Resolution add to Y drive
□ Grant Agreement	10/28/2019	Resolution add to Y drive
□ Attachment 1	10/28/2019	Resolution add to Y drive



**BEFORE THE COMMUNITY REDEVELOPMENT AGENCY
CITY OF STUART, FLORIDA**

RESOLUTION No. 12-2019 CRA

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE BOARD CHAIR TO EXECUTE AN AGREEMENT BETWEEN THE STUART COMMUNITY REDEVELOPMENT AGENCY AND THE GILT COMPLEX, FOR A MURAL MATCHING GRANT IN THE AMOUNT OF \$2,000 TO INSTALL MURAL ON THE EXTERIOR NORTH WALL OF THE GILT COMPLEX BUILDING; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the Community Redevelopment Agency approved the Mural Matching Grant Program by Resolution No. 09-2018 on September 24, 2019 to encourage and promote mural artwork on private properties and public buildings within the Community Redevelopment Area; and

WHEREAS, the Community Redevelopment Board approved the mural by Resolution No. 11-2019 on November 6, 2019, and

NOW THEREFORE, BE IT RESOLVED BY THE COMMUNITY REDEVELOPMENT BOARD OF THE CITY OF STUART, FLORIDA that:

SECTION 1: The Stuart Community Redevelopment Agency authorizes the Board Chairman to execute an agreement between the Stuart Community Redevelopment Agency and The Gilt Complex, to award a grant in the amount of \$2,000 to install a mural on the exterior north wall of The Gilt Complex building.

SECTION 2: This resolution shall take effect immediately upon its adoption.

Board Member _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Board Member _____, and upon being put to a roll call vote, the vote was as follows:

REBECCA S. BRUNER, CHAIR
EULA R. CLARKE, VICE CHAIR
MERRITT MATHESON, BOARD MEMBER
MIKE MEIER, BOARD MEMBER
KELLI GLASS LEIGHTON, BOARD MEMBER
PETE WALSON, EX-OFFICIO BOARD MEMBER
NATHAN RITCHEY, EX-OFFICIO BOARD MEMBER

YES	NO	ABSENT

ADOPTED this _____ day of _____, 2019.

ATTEST:

MARY KINDEL
CITY CLERK

REBECCA S. BRUNER
BOARD CHAIR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL MORTELL
CITY ATTORNEY

**MURAL MATCHING GRANT AGREEMENT BETWEEN STUART CRA AND
BUSINESS OWNER FOR INSTALLTION OF A MURAL IN
STUART COMMUNITY REDEVELOPMENT AREA**

THIS AGREEMENT ENTERED this 25th day of November 2019 by and between the City of Stuart Community Redevelopment Agency (hereinafter referred to as "CRA") and Duncan Hurd (hereinafter referred to as "Owner").

W I T N E S S E T H:

WHEREAS, in City of Stuart Chapter 62 of the City of Stuart Code of Ordinances, the City Commissioners delegated authority to the CRA to award and administer CRA grants including contracts with owners for CRA grants; and

WHEREAS, Owner has applied for a Mural Matching Grant in the amount of \$2,000.00 dollars; and

WHEREAS, the CRA has determined that Owner meets the eligibility requirements and was approved for a grant award in the amount of \$2,000.00 dollars on November 25, 2019 ("CRA Approval"), which is a minimum of 50 % of the costs to install the mural.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other valuable consideration, the parties agree as follows:

1. Owner acknowledges to the CRA that Owner has received a copy of the Stuart Community Redevelopment Agency Mural Matching Grant Program (hereinafter referred to as "Mural Program"), that Owner has read the guidelines and requirements for the Mural Program, and that Owner has had ample opportunity to discuss the Mural Program with Owner's counsel or advisor. Owner further acknowledges to the CRA that Owner understands and agrees to abide by all of the terms and conditions of the Mural Program. Owner agrees to the terms and conditions of the Mural Program, a copy of which is attached as "Attachment 1" and incorporated herein.

2. Owner is the record owner of property described as 608 S Colorado Avenue, Stuart, Florida.

3. Owner has agreed to install the mural on the north wall of the property pursuant to the grant application submitted to the CRA dated October 14, 2019. ("The Mural Program") attached hereto as "Attachment 1" and incorporated herein by reference.

4. Owner agrees to complete the mural within one year of the execution of this agreement. Owner also agrees to fund at least 100% of the costs of the mural.

5. CRA has approved a reimbursement to Owner in the amount of \$2,000.00 to be administered pursuant to the terms of this Agreement based on an estimated cost of \$4,940.00. If the actual costs to install the mural is less than the estimated costs for the mural, the reimbursement amount shall be reduced accordingly to equal the percent of the mural costs approved for funding by the CRA. In no case will the CRA/City of Stuart be obligated to fund anything in excess of the reimbursement amount.

6. Within forty-five (45) days after confirmation that the mural was installed pursuant to the terms of the approved application, Owner shall be issued a check in the amount of the grant or reduced amount required by paragraph 5. However, if Owner fails to install the mural pursuant to the terms of the approved application, or if the project is not completed within one year from the approval of the grant, or if Owner fails to fund at least 50% of the cost of the mural, the reimbursement shall be deemed revoked and Owner shall be entitled to no funding.

7. This Agreement shall be governed and construed pursuant to the laws of the State of Florida.

8. This Agreement contains the entire agreement of the parties and their representatives and agents, and incorporates all prior understandings or representations, whether oral or written. No change, modification or amendment, or any representation, promise or condition, or any waiver, to this Agreement shall be binding unless in writing and signed by a duly authorized officer of the party to be charged.

9. This Agreement is personal to Owner, and may not be assigned or transferred by Owner or to Owner's respective heirs, personal representatives, successors or assigns without the prior written consent of the CRA.

10. Reimbursement is subject to the availability of funds in the CRA Budget for the current fiscal year of the CRA.

11. If the project is not completed within one year from the approval of the grant, the grant award shall expire.

12. IN WITNESS WHEREOF, the parties have executed this Agreement on the date and year first written above.

OWNER(S):

(1) _____
Witness Signature

Printed/Typed Name

By: _____
James F. McMahon, Property Owner

Printed/Typed Name

(2) _____
Witness Signature

Printed/Typed Name

By: _____
Duncan Hurd, Business Owner

Printed/Typed Name

COMMUNITY REDEVELOPMENT AGENCY
STUART FLORIDA

Pinal Gandhi-Savdas, CRA Administrator

David Dyess, City Manager

APPROVED AS TO FORM AND CORRECTNESS:

Michael Mortell, City Attorney



STUART COMMUNITY REDEVELOPMENT AGENCY

MURAL MATCHING GRANT PROGRAM GUIDELINES AND APPLICATION

MISSION

The objective of the program is to use murals as a catalyst for redefining our area as a destination for arts and culture. Public art is an essential component to community revitalization. Art strengthens communities, drives tourism, and fosters an environment of creativity and innovation. Through this community revitalization effort, we aim to engage the creative sector to drive economic development in Downtown Stuart.

PROGRAM DESCRIPTION

The applicants are eligible to receive financial assistance, in the form of a 50/50 funds match, not to exceed \$2,000, for new mural artwork that are adjacent to the public right-of-way or surface parking lots, or visible from the public right-of way.

Murals that are funded by the Mural Matching Grant Program may be placed on public buildings and facilities within the Community Redevelopment Area. With the appropriate contractual agreements, the City may also fund murals which are placed on private property limited to non-residential and mixed-use buildings or structures in the Urban Code District and East Stuart Code District located within the Community Redevelopment Area (See attached Mural Project Area Map).

Murals are considered temporary works of art. Murals funded by the Mural Matching Grant Program shall be maintained for a minimum of 5 years and shall be the responsibility of the applicant and/or artist. An agreement, which will clarify terms and conditions of the commitments including maintenance, must be signed by the property owner and the artist. This ensures that murals will continue to look as their artists and designers intended, and it also ensures opportunities for new murals and mural artists that reflect the changing perspectives and styles of the community.

A mural may not use letters, words, numerals, figures, emblems, logos or any parts or combinations thereof to advertise goods, services or merchandise. Commercial signs are permitted through the City's Development Department.

ELIGIBILITY AND APPLICATION REQUIREMENTS

Anyone can propose a mural project including property owners, artists, organizations, neighborhood associations, and government agencies. Ideas for murals will be accepted from anyone, provided it complies with a Minor Conditional Use application review process, public art work criteria and public notice requirements in accordance with Section 3.01.08 and Section 11.02.00 of the City's Land Development Code, which shall be processed in conjunction with this grant application. Issuance of a Minor Conditional Use Approval shall be granted by the City's Community Redevelopment Board.

For a Planned Unit Development (PUD), a minor amendment process for PUDs shall apply and the proposed mural shall be consistent with the terms and conditions of the development agreement. Approval shall be granted by the City's Community Redevelopment Board and the City Commission. The Mural Matching Grant Program application shall be processed simultaneously with a Minor Conditional Use application approval process. Projects will be considered on a case-by-case basis, and any grant is contingent upon the approval by the Community Redevelopment Board. Approved projects will require a grant agreement, which will clarify terms and conditions of the commitments between the CRA and the applicant. The number of mural projects funded by the City will depend on the funding availability.

HOW THE MATCH WORKS

The City shall provide funding for no more than 50% of the total cost of the project, not to exceed \$2,000. Grant awards shall only be used for costs related to the mural project specified in the proposal. Grant awards shall be inclusive of artist's fees and related expense for design, supplies, insurance, transportation, installations, minor conditional use application fees/permits and public notification.

The applicant shall match the City grant through direct financial contributions, material donations (e.g. equipment, paint or other supplies) and/or volunteer time. The value of volunteer time is updated annually based on the State's wage calculation. In 2018, the value of a volunteer hour is \$24.69 per hour. Contact the CRA Administrator if you intend to use volunteer hours as part of your match.

APPLICATION PROCESS

1. Download an application from the City's website, www.cityofstuart.us or secure an application at City Hall, Development Department's office located on 121 SW Flagler Avenue, Downtown Stuart.
2. Review the application, and if you have any questions please call 772-288-5375.
3. Submit a completed application package to City Hall, Development Department's office, which includes the following:
 - Completed Mural Matching Grant Application
 - Attach a COMPLETED BUDGET WORKSHEET (use template provided).
 - Attach a copy of the Minor Conditional Use application submitted to the Development Department.
 - Attach proof of ownership of the property or contract agreement for mural on private property.
 - W-9 form (as applicable)
 - Attach a copy of the liability insurance
 - Image(s) of a color rendering of proposed mural project
 - Image(s) of site and/or building/structure where the mural will be placed.
 - Project timeline.
 - If attaching panels to a wall, a materials list, drawing and attachment plans must be submitted, and a building permit may be required.
 - Attach any other documentation requested by the CRA Administrator in the pre-application meeting.

The applicant is responsible for all Development Department application fees, public notice, building and other permits and fees which are associated with the proposed project.

REIMBURSEMENT PROCESS

Disbursement of grant funds shall only occur when the following documents are submitted and all other required conditions are met. Upon project completion, the applicant contacts the Development Department's office by calling 772-288-5375 with the project completion date.

The applicant submits a "reimbursement package" to the CRA which includes the following:

- Completed reimbursement form (provided by the CRA as part of the application);
- Copies of applicable invoices must show "paid in full"; (receipts must clearly show how the project was paid, i.e. check, cash must be made by cashier's check or credit)
- Proof of payment (which must be at least as much as the amount indicated in the application); and photos of mural.
- Final approval by the City staff or copies of final inspection if building permit required.

If the project is not completed within one year from the approval of the grant, the grant award shall expire.



STUART COMMUNITY REDEVELOPMENT AGENCY



MURAL MATCHING GRANT PROGRAM APPLICATION

APPLICANT INFORMATION

Name:	DUNCAN HARRIS	
Address:	608 COLORADO AVE, STUART, FL 34994	
Phone:	772-463-0125	Tax ID# 81-3798240
Email:	DUNCAN@THEGILTComplex.com	
Website:	THEGILTComplex.com	

ARTIST INFORMATION

Lead Artist Name:	AMANDA JONES	
Other Artists (if applicable):	HIGH SCHOOLS OF MARTIN COUNTY	
Address:	MARTIN COUNTY HIGH SCHOOL 2801 S. KAWNER HWY, STUART, FL 34994	
Phone:	772-219-1800 x 32837	Tax ID#
Email:	JONESA@MARTIN.K12.FL.US	
Website:		

MURAL LOCATION INFORMATION

Name of Business:	THE GILT COMPLEX
Type of Business:	PICTURE FRAMER
Property Owner Name / Phone:	JAMES McMAHON / 772-260-5513
Address of Proposed Project:	608 COLORADO AVE, STUART, FL 34994

MURAL PROJECT SUMMARY

Please provide project concept/description, mission statement and/or mural project name (include detailed summary on a separate attachment):

SEE ATTACHED

Total Project Cost:	\$ <i>4940.</i>
Matching Amount Requested:	\$ <i>2000.</i>

Additional Instructions: At least one month prior to submitting your Mural Matching Grant application, meet with the CRA Administrator for an initial review of the mural, location, funding and building owner's approval. Contact Pinal Gandhi-Savdas @ (772) 288-5375 or email at pgandhi@ci.stuart.fl.us

Submit a completed application package to City Hall located at 121 SW Flagler Avenue, Development Department's office, which includes the following:

- Completed Mural Matching Grant Application.
- Attach the completed Budget Worksheet (use template provided).
- Attach a copy of the Minor Conditional Use application submitted to the Development Department.
- Attach proof of ownership of the property or contract agreement for mural on private property.
- W-9 form (as applicable).
- Attach a copy of the liability insurance.
- Image(s) of a color rendering of proposed mural project.
- Image(s) of site and/or building/structure where the mural will be placed.
- Project timeline.
- If attaching panels to a wall, a materials list, drawing and attachment plans must be submitted, and a building permit may be required.
- Attach any other documentation requested by the CRA Administrator in the pre-application meeting.

The applicant is responsible for all Development Department application fees, public notice, building and other permits and fees which are associated with the proposed project. Questions, please call 772-288-5375.

MURAL MATCHING GRANT PROGRAM BUDGET WORKSHEET		
Project Expenses:	Notes	Amount
Artist Fees /supervision		\$2790.
Assistant Fees		600 600
Supplies/Materials		1000.
Insurance		
Wall Preparation (Base Coat- contractor)		\$600
Scaffolding/Ladders/Lifts		
Sealing		
Maintenance		
Application Fees		250.
Public Notice/Posting Sign		300.
Other		
Total Budget		\$4940.
Match:	Notes	Amount
Cash		
Foundation Grants		
Business Donations		
Individual Donations		
Fundraisers		
Other		
Total Cash		
In-Kind:	Notes	Amount
Volunteer Time	Use IS Value*	
Donations of Materials		
Artist Fees	Donated by lead artist	
Assistant Fees		
Wall Preparation		
Publicity/Promotion		
Other		
Total In-Kind:		
Total Match:		2,940
Funding Request:		2,000
Does match equal or exceed funding request?		exceed

*Estimated value according to Independent Sector (IS), a coalition of charities, foundations, corporations, and individuals that publishes research important to the nonprofit sector.



**CITY OF STUART, FLORIDA
DEVELOPMENT DEPARTMENT
MURAL MINOR CONDITIONAL USE PERMIT**

Reviewed By: _____

Application must be legible with all relevant fields completed.

Project ID# _____
(Staff Entry)

Pre-App Conference Date: <u>N/A</u>	Application Date: <u>10/14/19</u>
Project Name: <u>THE ARTIST'S MANIFESTO</u>	
Parcel ID#	Project Address: <u>608 COLORADO</u>
Zoning/CRA Sub-district:	
Subdivision:	Lot(s):
Fee: <u>\$250.00</u> - Mural Minor Conditional Use Permit (Community Redevelopment Board) <i>(This does not include fees for public notice or any required recording fees)</i>	
A Mural Minor Conditional Use Permit shall be required for mural on public buildings and facilities within the Community Redevelopment Area and private properties limited to non-residential and mixed-use buildings and structures in the Urban Code District and East Stuart Code District located within the Community Redevelopment Area. For a Planned Unit Development (PUD), a minor amendment process for PUDs shall apply and the proposed mural shall be consistent with the terms and conditions of the Development Agreement.	
Submittal Requirements: A completed application form, one (1) copy of all documents on a PDF formatted disc, the payment of fees, and pertinent information as required below.	
Approving Authority: The Development Director is required to prepare a staff report and recommendation concerning this application for the Community Redevelopment Board (CRB) public hearing.	
Justification: Please provide justification supporting the request for a Mural Conditional Use Permit including artist's resume/portfolio, proposed location of mural (photos of exterior wall), dimensions of mural (size/scale), paint colors, type of paint or other material to be used, description of the proposed mural, color rendering/drawing, and maintenance program (use additional pages if needed).	
SEE ATTACHED	
(over)	

General Information
(Please Print or Type)

1. Property Owner, Lessee, Contract Purchaser, or Applicant (circle one):

Name:	JAMES F. McMAHON
Title:	PROPERTY OWNER
Company:	
Company Address:	57 S. SEWALLS POINT RD.

City/State/Zip Code:	STUART, FL 34996
Telephone Number:	772-287-4173
Facsimile Number:	
Email Address (optional):	

2. Agent of Record (if any): The following individual is designated as the Agent of Record for the property owner, lessee, or contract purchaser and should receive all correspondence related to the application review.

Name:	
Title:	
Company:	
Company Address:	

City/State/Zip Code:	
Telephone Number:	
Facsimile Number:	
Email Address (optional):	

3. The Undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all City expenses associated with the referenced application (s) including time spent by the City's consultants and further acknowledges that payment of consultant fees will be made prior to the receipt of the consultant comments.

Name:	DUNCAN HURD
Title:	BUSINESS OWNER
Company:	THE GILT COMPLEX
Company Address:	608 S. COLORADO AVE

City/State/Zip Code:	STUART, FL 34994
Telephone Number:	772-463-0125
Facsimile Number:	
Email Address (optional):	DUNCAN@THEGILT.COMPLEX.COM

I hereby certify that all information contained herein is true and correct.

4. Signed this 11 day of OCTOBER, 2019.

James F. McMahon
Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)

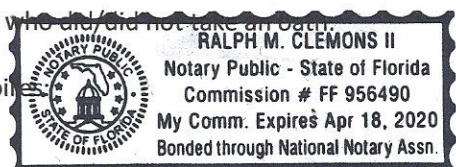
State of Florida, Martin County The foregoing instrument was acknowledged before me on this 11th day of

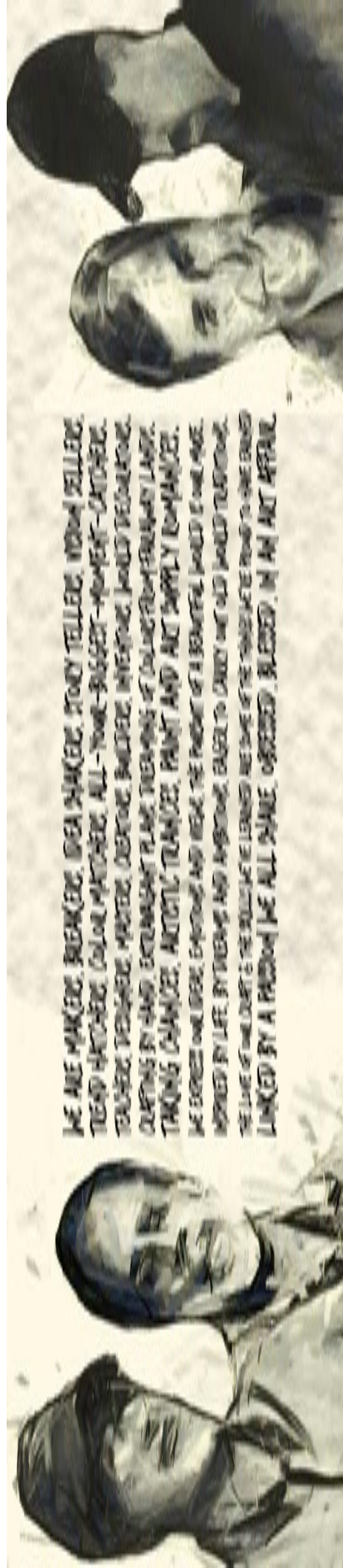
OCTOBER 2019 by JAMES F. McMAHON who is personally known to me, or who has produced

DUNCAN HURD as identification and who did/did not take an oath.

[Signature]
Notary Signature

Commission expires





WE ARE MAKERS, BREAKERS, IDEA MAKERS, STORY TELLERS, WORD SELLERS,
TREAD HATCHERS, COLOR MATCHERS, ALL - YOUR - BIGGEST - MOMENT - CATCHERS.
TEACHERS, DESIGNERS, WRITERS, CREATORS, BUILDERS, INVESTORS, JEWEL DESIGNERS,
CRAFTING BY HAND, EXTRAORDINARY PLANS, TREASURES OF COLORFUL, FANTASY LANDS,
TAKING CHANCES, ARTISTIC TRAVELERS, PAINT AND ART SUPPLY ROMANCIERS,
WE EXPRESS OUR IDEAS, EMOTIONS AND VIEWS, THE PRODUCT OF A BEAUTIFUL, WORLD OF OUR MADE,
INSPIRED BY LIFE, BY THINGS AND AMONGST, EAGER TO CARRY OUT OUR DREAMS,
THE LOVE OF OUR COUNTRY & THE WORLD WE'VE LEARNED ARE SOME OF THE THINGS WE'RE PRIDE TO HAVE EARNED
LINKED BY A PASSION WE ALL SHARE, OBSESSED, BLESSSED, IN AN ART AFFAIR.



Mural Project Summary

“The Artist’s Manifesto”

The 55’ wide by 12’ high mural, located on the outside north wall at 608 Colorado Avenue in downtown Stuart, features an artist’s manifesto in the center with two local artists to the right and left. The artists, from left to right, are: Chris Kling, portrait and landscape artist; Ron Corbin, musician and the former music director of Opus, Martin County High School’s choral group; Geoffrey Smith, sculptor; and, Mark Muller, culinary artist.

The design concept is to create a mural reminiscent of a DaVinci sketchbook that is an ode to the arts community. The background color will be off-white, with line drawings of the artists and the manifesto in black. The mottled effect throughout will be in a darker tone of the off-white color, to give the mural an “aged” appearance.

The mural was designed by Bryan Johnson of Martin County High School. Amanda Jones, also of Martin County High School, is providing supervisory assistance. The mural installation team will consist of students from Martin County High School, Jensen Beach High School and Clark Advanced Learning Center, with student supervision provided by art teachers from each of these schools. The mural installation is expected to begin in January 2020, and be completed by the end of February.

Draft
Mural Project Timeline

JANUARY 2020

Date	Task	Rotation of MCSD Employee Supervisor
3 Friday night (winter break) 7-10 PM	Large group projection and trace-out	1, 2, 3
4 Saturday (winter break) 1-5 PM	Clear coat primer	1
5 Sunday (winter break) 1-5 PM	Begin painting	2
11 Saturday 1-5 PM	painting	3
12 Sunday 1-5 PM	painting	1
16 Thursday 9 AM-12 PM	<i>*possible field trip (pending approval)</i>	1
17 Friday (no students at school) 7:30-3:30	<i>*possible painting day (pending approval)</i>	1, 2, 3
18 Saturday 1-5 PM	painting	2
19 Sunday 1-5 PM	painting	3
20 Monday (holiday) 9 AM- 2PM	painting	1
25 Saturday 1-5 PM	painting	2
26 Sunday 1-5 PM	painting	3

FEBRUARY 2020

Date	Task	Rotation of MCSD Employee Supervisor
1 Saturday 1-5 PM	painting	1
2 Sunday 1-5 PM	painting	2
8 Saturday 1-5 PM	Painting <i>*possible conflict with ArtsFest</i>	3
9 Sunday 1-5 PM	Painting <i>*possible conflict with ArtsFest</i>	1
15 Saturday 1-5 PM	painting	2
16 Sunday 1-5 PM	painting	3
17 Monday (holiday) 9 AM – 2 PM	painting	1
22 Saturday 1-5 PM	painting	2
23 Sunday 1-5 PM	Completion, finishing touches	1, 2, 3

MARCH 2020

Date	Task	Rotation of MCSD Employee Supervisor
7 Saturday 1-5 PM	Make-up days	1, 2, 3
8 Sunday 1-5 PM	Make-up days	1, 2, 3

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CRB/HPB Board

Meeting Date: 11/6/2019

Prepared by: Kev Freeman

Title of Item:

CHANGE OF USE TO ALLOW THE CONVERSION TO RESIDENTIAL APARTMENTS AT SOUTHWIND MOTEL, 603 SW FEDERAL HIGHWAY. (QUASI-JUDICIAL)(RC)

RESOLUTION NUMBER 103-2019: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO IOANNA LAS LLC, (CONTRACT PURCHASER) FOR THE PROPERTY LOCATED AT 603 SW FEDERAL HWY, TO ALLOW A DENSITY OF 24 UNITS PER ACRE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)(RC)

Summary Explanation/Background Information on Agenda Request:

This is a request to consider a Major Urban Code Conditional Use approval to allow a change of use from the existing 19 room hotel/motel use to 19 residential apartments. The conversion to residential will not increase the footprint of the building but will require an increase in density. Therefore, the applicant has requested a density of 24 units per acre. The maximum density allowed without City Commission approval is 15 dwelling units per acre.

The applicant is the contract purchaser of the property, located at 603 SW Federal Highway, and if granted, the conditional use would allow for the conversion of the existing hotel/motel use to residential apartments. Additional building permit and site plan application will be required to undertake construction and will need to comply with, fire, public works, building and zoning codes. These will be reviewed at staff level.

Funding Source:

N/A

Recommended Action:

Motion to find the application in compliance, subject to stated conditions or modifications, and forward the request to the City Commission for final action.

ATTACHMENTS:

Description	Upload Date	Type
▣ Staff Report	10/29/2019	Staff Report
▣ Resolution R103-2019	10/29/2019	DRAFT RESOLUTION
▣ Application Form	10/29/2019	Backup Material

CITY OF STUART, FLORIDA
COMMUNITY REDEVELOPMENT BOARD
STAFF REPORT

MEETING DATE: November 6th, 2019

PREPARED BY: Kev Freeman
 Development Director

PROJECT NAME: 603 Place – IONANNA LAS LCC

TITLE OF ITEM:

Request to consider a Major Urban Code Conditional Use approval to allow a change of use from the existing 19 room hotel/motel use to 19 residential apartments. The conversion to residential will not increase the footprint of the building but will require an increase in density. Therefore, the applicant has requested a density of 24 units per acre. The maximum density allowed without City Commission approval is 15 dwelling units per acre.



LOCATION OF APPLICATION SITE

I. APPLICATION SUMMARY

The applicant, IOANNA LAS, LLC, is requesting a major urban code conditional use approval as per Section 3.01.06 of the City of Stuart Land Development Code. The applicant is the contract purchaser of the property, located at 603 SW Federal Highway, and if granted, the conditional use would allow for the conversion of the existing hotel/motel use to residential apartments.

The applicant is required to request a Major Urban Code Conditional use due to the resultant residential density of 24 units per acre.

II. HISTORY

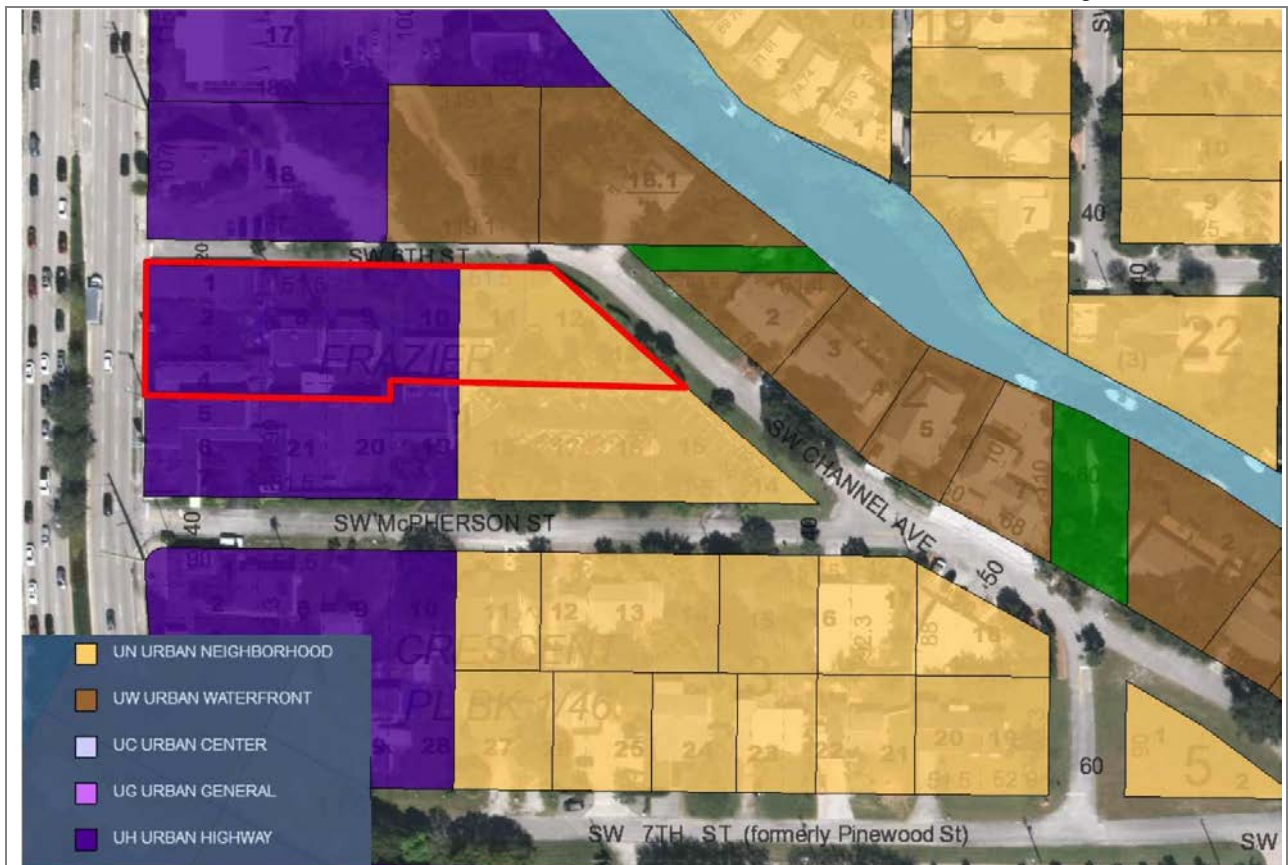
The property is currently known as the 'Southwind Motel'.

III. ZONING AND LAND USE

Site Location	603 SW Federal Hwy
Parcel Size (area)	0.82 Acres



Subject Property Land Use	Downtown Redevelopment	
Adjacent FLU (Future Land Use)	<i>North</i>	Downtown Redevelopment
	<i>South</i>	Downtown Redevelopment
	<i>East</i>	Downtown Redevelopment
	<i>West</i>	Commercial



Subject Zoning	Property	Overlay	Urban Highway/Urban Neighborhood
	<i>North</i>		Urban Neighborhood/Urban Waterfront
	<i>South</i>		Urban Highway/Urban Neighborhood
	<i>East</i>		Urban Waterfront/Public
	<i>West</i>		B-2 Business
Proposed Use			19 Residential apartments within the existing building footprint
Present Use			Hotel/Motel
Land Use Plan			Downtown Redevelopment
ROADWAY AND UTILITIES			
Street Functional Classifications			US-1
Utilities			The provision of water and sewer service to the new apartment use will be discussed at site plan review.

IV. EXISTING CONDITIONS:



VIEW FROM US-1



VIEW FROM SW 6th STREET

V. PUBLIC NOTIFICATION:

The legal notification requirements have been met for this request of a **Major Urban Code Conditional Use** approval. In accordance with the requirements set forth in Section 11 of the City of Stuart's Land Development Code. Documentation of the public notice is part of the record as well as on file within the City Development Department.



II. STANDARDS FOR URBAN CODE CONDITIONAL USE REVIEW: LAND DEVELOPMENT CODE – SECTION 3.01.06

- 1. The proposed use is not contrary to the established land uses in the immediate area.**

The property is situated within the City of Stuart Community Redevelopment Area (CRA). The list of permitted uses included in the Urban Code are applicable to all property situated within the CRA and includes residential uses. The proposed conversion to residential use will be in compliance with the uses list in the Urban Code and is consistent with the established land uses.

- 2. The proposed use would not significantly depart from the densities or intensities of use in the surrounding area and thereby increase or overtax the load on public facilities such as schools, utilities, and streets and other public infrastructure.**

Approval of the urban code conditional use would allow for the increase of density to 24 units per acre (19 units) which is currently not consistent with the surrounding area. However, due to the small nature of the site (0.82 acres) and previous use, would not increase or overtax the load on public utilities and facilities. The applicant is requesting a density that is allowed by an urban code conditional use in Chapter 2 (Densities and Intensities) of the Land Development Code.

- 3. The proposed use will not be contrary to the proposed land use plan and will not have an adverse effect on the goals, policies and objectives of the comprehensive plan.**

Approval of the urban code conditional use would not be contrary to the adopted land use plan or other relevant goals, objectives, and policies concerning residential use. The Downtown Future Land Use references individual projects and sites consisting of single uses.

- 4. The existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.**

There are no proposed changes to the existing district boundary.

- 5. The proposed use will not create or excessively increase traffic congestion or otherwise affect public safety.**

The proposed project will rely on existing infrastructure and is located within the Transportation Concurrency Exception Area (TCEA).

6. The proposed use will not create drainage or a storm water quality problem.

The conversion of the use of the site will be performed in accordance with approved building permits, which will meet applicable code to ensure that the required drainage and stormwater quality is obtained.

7. The proposed use will not significantly reduce light or air to adjacent areas.

The proposal will be a conversion of an existing single-story building that will utilize existing building footprint and structure.

8. The proposed use is less burdensome on neighboring properties and on public infrastructure than uses permitted by right in the district.

The uses are permitted throughout the CRA district.

9. The proposed use is not out of scale with the uses permitted by right in the district and with the existing uses in the neighborhood.

The use of the building will be in accordance with uses permitted within the Community Redevelopment Area.

10. There are no other adequate sites for the proposed use in districts in which the proposed use is permitted by right within the city.

The proposal is to convert an existing building.

IX. CONDITIONAL USE REVIEW FACTORS TO BE CONSIDERED BY THE DECISION MAKER: SEC. 11.01.10(G)(6)

In applying the above standards, the decision-maker will consider each of the following factors:

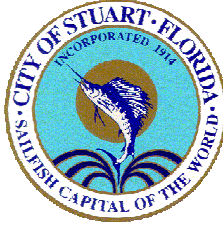
1. Ingress and egress to the property and the proposed structures to be located thereon, if any, including considerations of automotive and pedestrian safety and convenience, of traffic flow and control, and of access in case of fire or catastrophe.

The resultant site plan will be reviewed by Fire Department and Public Works reviewers and will be required to meet applicable access requirements.

VIII. STAFF RECOMMENDATION

Based upon compliance with the City of Stuart's Comprehensive Plan and the pertinent standards found within Section 3.01.06 of the City of Stuart's Urban Code, staff recommends **APPROVAL** of the applicant's request to consider a **MAJOR URBAN CODE CONDITIONAL USE** to allow an increase in density to 24 dwelling units per acre in accordance with the conditions attached the draft Resolution 103-2019.

Staff is requesting the Community Redevelopment Board consider the merits of the proposal and recommend the application be forwarded to the City Commission for final action.



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 77-2018

RESOLUTION NUMBER 103-2019: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO IOANNA LAS LLC, (CONTRACT PURCHASER) FOR THE PROPERTY LOCATED AT 603 SW FEDERAL HWY, TO ALLOW A DENSITY OF 24 UNITS PER ACRE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the City Commission of Stuart, Florida, has adopted and administers Section 3.01.06 of the Land Development Code; and

WHEREAS, the applicant, Spiro Laskaris of IOANNA LAS, LLC (The “Contract Purchaser”) filed an application on October 3rd, 2019, for a Major Urban Code Conditional Use Permit to allow a residential density of twenty-four (24) dwelling units per acre for the purpose of a change the use from hotel to residential apartments at the property known as Southwind Motel and located at 603 SW Federal Highway, Stuart, Florida.

WHEREAS, the City Commission held a properly noticed hearing on _____, to consider the application for an increase in residential density as a conditional use; and

WHEREAS, at a public hearing the applicant has shown by substantial competent evidence that the proposed use does not create any detrimental effects on adjacent properties, within three hundred (300) feet of the proposed location; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1: Subject to the conditions attached hereto, the City Commission hereby grants a Major Urban Code Conditional Use Approval to IOANNA LAS, LLC, as the contract purchaser of the property known as Southwind Motel at 603 SW Federal Highway, Stuart, Florida. This conditional use is not assignable or transferable.

SECTION 2: A legal description of the Property is set forth in **Exhibit A** of this Resolution. A map depicting the property and location of the property is attached hereto as **Exhibit B** and made a part hereof by reference; and

SECTION 3: The site is defined on the attached boundary survey dated October 12th, 2019 by Cristian Fenex and Associates, LLC and attached hereto as **Exhibit C**.

SECTION 4: This resolution shall take effect upon adoption.

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

REBECCA S. BRUNER, MAYOR
EULA R. CLARKE, VICE MAYOR
KELLI GLASS LEIGHTON, COMMISSIONER
MERRITT MATHESON, COMMISSIONER
MIKE MEIER, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of _____, 2019.

ATTEST:

MARY R. KINDEL
CITY CLERK

REBECCA S. BRUNER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL MORTELL
CITY ATTORNEY

STATE OF _____

COUNTY OF _____

ACCEPTANCE AND AGREEMENT

BY SIGNING THIS ACCEPTANCE AND AGREEMENT, THE UNDERSIGNED HEREBY ACCEPTS AND AGREES TO ALL OF THE TERMS AND CONDITIONS CONTAINED IN THE FOREGOING RESOLUTION, AND ALL EXHIBITS, ATTACHMENTS AND DEVELOPMENT DOCUMENTS, INTENDING TO BE BOUND THEREBY, AND THAT SUCH ACCEPTANCE AND AGREEMENT IS DONE FREELY, KNOWINGLY, AND WITHOUT ANY RESERVATION, AND FOR THE PURPOSES EXPRESSED WITHIN THE FOREGOING RESOLUTION. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY, ITS CONDITIONS, AND THE DEVELOPMENT DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS RESOLUTION MAY BE AMENDED OR REPEALED BY THE CITY COMMISSION, AND THAT OTHER ADMINISTRATIVE ACTIONS AND PENALTIES MAY BE TAKEN AGAINST THE UNDERSIGNED, ITS SUCCESSORS OR ASSIGNS, BY THE CITY, INCLUDING BUT NOT LIMITED TO SANCTIONS DESCRIBED IN THIS RESOLUTION, CODE ENFORCEMENT ACTIONS, PERMIT AND LICENSING SUSPENSIONS OR REVOCATIONS, AND ANY OR ALL OTHER APPLICABLE CIVIL AND CRIMINAL ACTIONS.

IN WITNESS WHEREOF THE UNDERSIGNED HAS EXECUTED THIS ACCEPTANCE AND AGREEMENT:

WITNESSES:

IOANNA LAS, LLC

Print Name: _____

By: _____
Spiro Lazkaris

Print Name: _____

OWNERS ACKNOWLEDGMENT

The above Acceptance and Agreement of Resolution No. 103-2019 was acknowledged before me this ____ day of _____, 2019, IOANNA LAS, LLC.

Notary Public, State of Florida

My Commission Expires:
Notary Seal

Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

Exhibit A – Legal Description

Lots 1, 2, 3, 4, 8, 9, 10, 11, 12, AND 13, AND THE NORTH 12.5 FEET OF LOTS 20 AND 21, BLOCK 1 FRAZIER CRESCENT SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 46, MARTIN COUNTY, FLORIDA PUBLIC RECORDS.

Exhibit B
Location Map

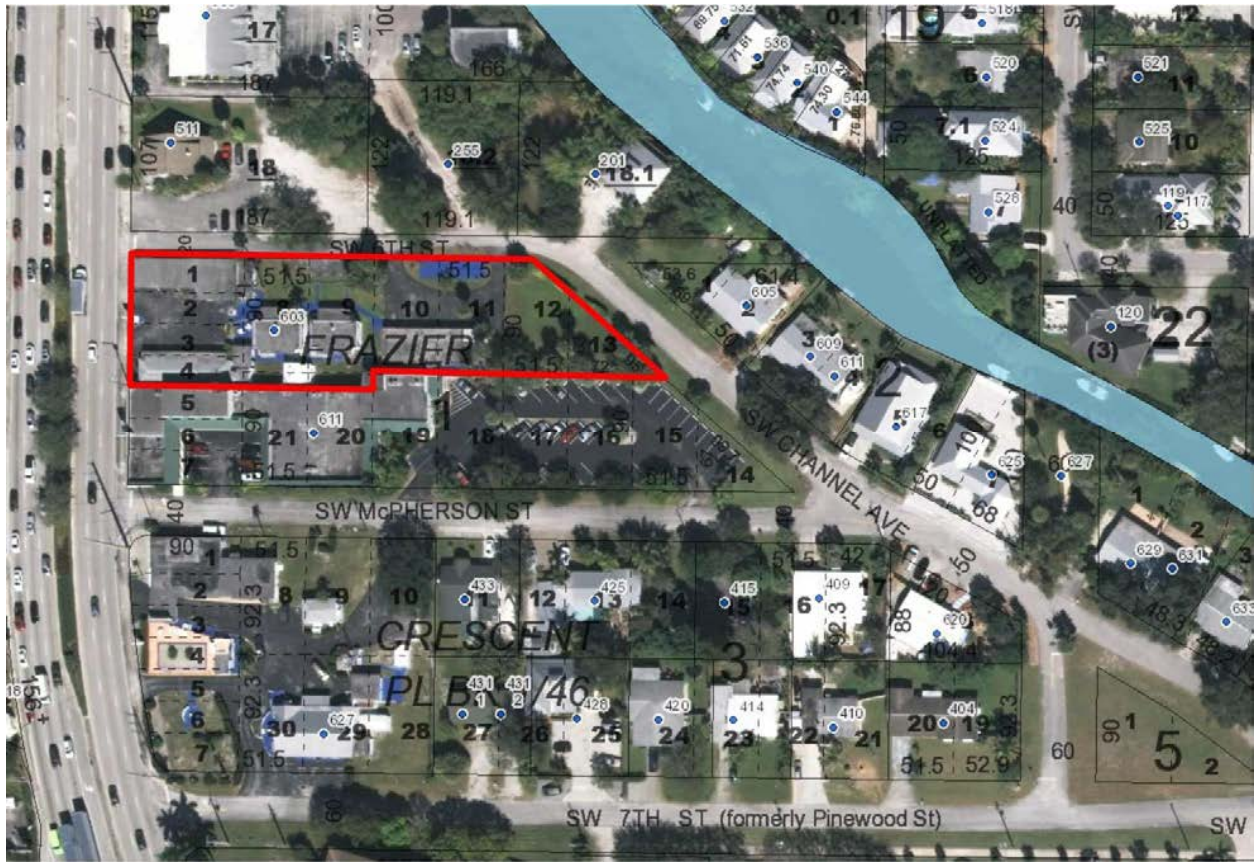


Exhibit C

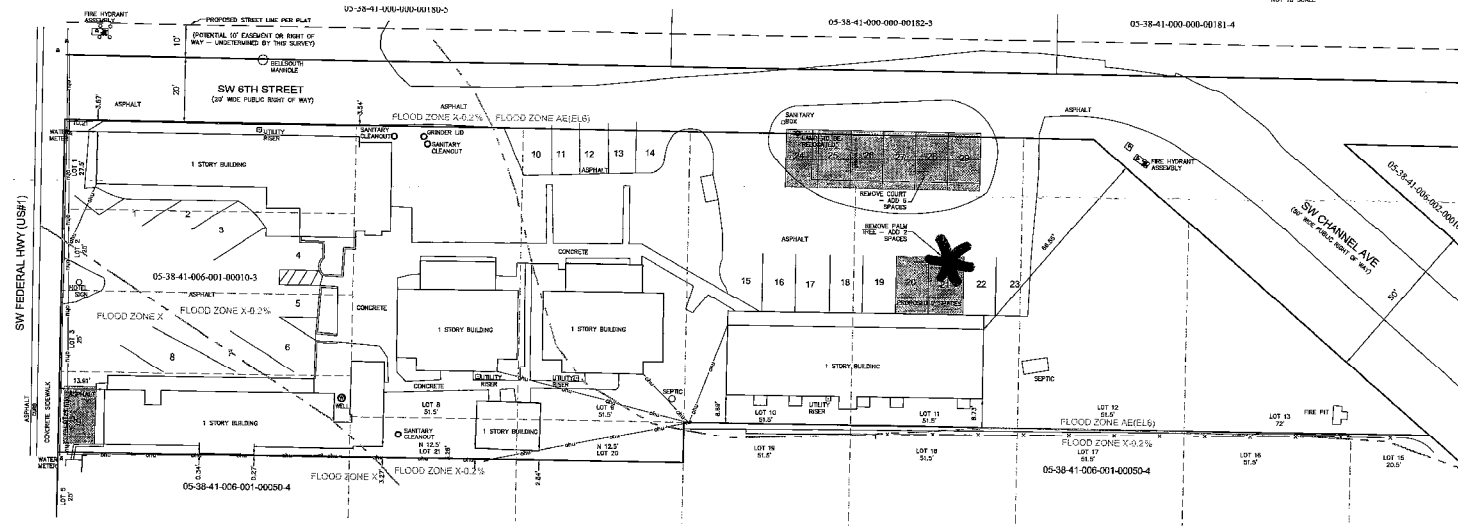
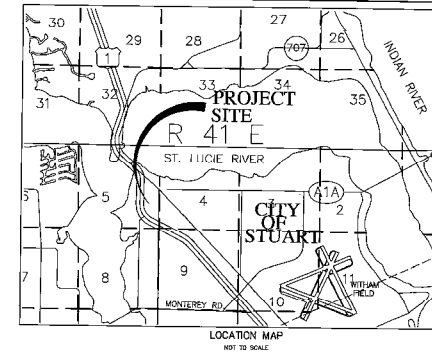
Conditions of Approval

1. The use of the site will be for residential apartments at a maximum density of 24 units per acre.
2. Building permits will not be issued until building permit applications, deemed sufficient for permit review under City codes and standards, for building improvements has been submitted.
3. Interior build-out construction plans will be subject to compliance with fire codes and standards.
4. A detailed site plan, which complies with City of Stuart Urban Code identifying; architectural improvements, landscaping, dumpster location and parking provision will be submitted and approved prior to certificate of occupancy.
5. A building permit shall be obtained no later than 12 months from the approval date of the major urban code conditional use and a certificate of occupancy shall be obtained no later than 30 months from the issuance of a building permit.
6. Prior to the certificate of occupancy, a dumpster enclosure will be required which will include provision for recycling. Detailed plans and location for the dumpster shall be delineated on the site plan.

Exhibit D

BOUNDARY SURVEY

SOUTHWIND MOTEL
603 SW FEDERAL HWY



PARKING SPACE NOTES:

THERE ARE 20 DESIGNATED PARKING SPACES, THERE IS 1 SPACE NOT DESIGNATED. THERE ARE 8 SPACES PROPOSED. THIS GIVES 28 TOTAL SPACES.
EXISTING SPACES 1 THROUGH 6, 10 THROUGH 18, 22 & 23.
NOT DESIGNATED, BUT EXISTING IS SPACE 9 (SHADED).
PROPOSED SPACES 20 & 21, 24 THROUGH 29 (SHADED).

SURVEYOR'S NOTES:

1. BEARINGS REFER TO STATE PLANE FLORIDA EAST ZONE 801, NAD83.
2. (P) = PLAT MEASUREMENT; (W) = FIELD MEASUREMENT; (C) = CALCULATED MEASUREMENT
3. PROPERTY LIES IN FLOOD ZONE X, X-0.2% & AE(1.6) PER FEMA MAP #220802146C, 3-18-15.
4. THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAYS, EASEMENTS, OR OTHER ENCUMBRANCES BY THIS FIRM.
5. UNDERGROUND UTILITIES WERE NOT LOCATED.
6. (E) = ELEVATION. ELEVATIONS REFER TO NAVD83.
7. (E) = CENTERLINE OF ROAD; R/W = RIGHT-OF-WAY; P.B. = PLAT BOOK & PAGE
8. (E) = UTILITY INSERT; W = WATER METER/VALVE; NAD83 = NORTH AMERICAN DATUM 1983
9. (E) = WOOD POWER POLE & GUY; ---(E)--- = OVERHEAD UTILITIES.

LEGAL DESCRIPTION

LOTS 1, 2, 3, 4, 5, 6, 10, 11, 12 AND 13, AND THE NORTH 12.5 FEET OF LOTS 20 AND 21, BLOCK 1, PRINCE CRESSENT SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 46, MARTIN COUNTY, FLORIDA PUBLIC RECORDS.

NOTES TO SCHEDULE B1 OF TITLE COMMITMENT #764709

EFFECTIVE DATE 10/12/2019 AT 11:00PM

- ITEMS 1 THROUGH 5: NOT A MATTER OF SURVEY
- ITEM 6: MATTERS OF PLAT SHOWN ON SURVEY
- ITEM 7: VARIANCE PER Q.R. BOOK 1636, PAGE 2405 DOES NOT AFFECT SUBJECT PROPERTY. VARIANCE PER Q.R. BOOK 1737, PAGE 2841 REFERS TO PROPOSED SECOND STORY ADDITION NOT PRESENT
- ITEM 8: NOT A MATTER OF SURVEY

CERTIFIED TO

REX HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY
JOSEPH D. GROSSO, JR., P.E.
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
CAMDEN GROUP, LLC

CHRISTIAN FENEX AND ASSOCIATES, LLC
PROFESSIONAL SURVEYING AND MAPPING
ENVIRONMENTAL CONSULTING
3401 SW 72ND AVE, PALM CITY, FLORIDA
P.O. BOX 2333, PALM CITY, FL 34981
PH: (772) 293-2877 FAX: FENEX@FENEXSOUTH.NET
LICENSED BUSINESS # 5658

FLORIDA REGISTRATION #3022
CHRISTIAN FENEX

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPING

KP



**CITY OF STUART, FLORIDA
DEVELOPMENT DEPARTMENT
URBAN CODE CONDITIONAL USE APPLICATION**

Reviewed By: _____

Application must be legible with all relevant fields completed.

Project ID# 219100001
(Staff Entry)

Pre-App Conference Date:	Application Date:
Project Name: <u>603 PLACE</u>	
Parcel ID# <u>05-38-41-006-001-00010-3</u>	Project Address: <u>603 SW Federal Hwy</u>
Zoning/CRA Sub-district:	
Subdivision:	Lot(s): <u>FRAZIER CRESCENT LOTS 1104 LOT 8013 10E + N 12.5' of LOTS 20+21</u>
Fee: \$1,574.00 – Major Urban Code Conditional Use Permit (Community Redevelopment Board and City Commission Approval) Fee: \$524.00 – Minor Urban Code Conditional Use Permit (Community Redevelopment Board) (This does not include fees that may be charged as a result of application reviews by the City's consultants or any required recording fees)	
A Minor Urban Code Conditional Use Permit shall be required for relief from the following regulations of the urban code; paint colors; public art, and architectural materials. A Major Urban Code Conditional Use Permit shall be required for relief from the following regulations of the urban code; density, permitted uses, setbacks, location of parking, location of buildings and structures, conflicts with utilities, curb cuts, historic buildings, pitched roofs in the old downtown district, number of stories, building height not to exceed 45 feet, parking located within a building envelope, location of a formula business, and architectural requirements.	
Submittal Requirements: A completed application form, one (1) copy of all documents on a PDF formatted disc electronically signed and sealed, the payment of fees, and pertinent information per application type as determined by the Development Director.	
Approving Authority: The Development Director is required to prepare a staff report and recommendation concerning this application for the Community Redevelopment Board (CRB) public hearing followed by a recommendation to the City Commission.	
Justification: Please provide justification supporting the request for an Urban Code Conditional Use Permit (include additional pages if needed). Allow a density increase to 24 dwelling units per acre to allow a Change of use from motel/hotel use to residential apartments	
(over)	

General Information
(Please Print or Type)

1. Property Owner, Lessee, Contract Purchaser, or Applicant (circle one):

Name:	SPIRO LASKARIS
Title:	
Company:	IOANNA LAS LLC
Company Address:	1177 NE KUBIN AVE

City/State/Zip Code:	JENSEN BEACH FL 34957
Telephone Number:	772-260-6925
Facsimile Number:	772-934-6491
Email Address (optional):	SPIRO.LASKARIS@gmail.com

2. Agent of Record (if any): The following individual is designated as the Agent of Record for the property owner, lessee, or contract purchaser and should receive all correspondence related to the application review.

Name:	
Title:	
Company:	
Company Address:	

City/State/Zip Code:	
Telephone Number:	
Facsimile Number:	
Email Address (optional):	

3. The Undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all City expenses associated with the referenced application (s) including time spent by the City's consultants and further acknowledges that payment of consultant fees will be made prior to the receipt of the consultant comments.

Name:	SPIRO LASKARIS
Title:	
Company:	IOANNA LAS LLC
Company Address:	1177 NE KUBIN AVE

City/State/Zip Code:	JENSEN BEACH FL 34957
Telephone Number:	772-260-6925
Facsimile Number:	
Email Address (optional):	SPIRO.LASKARIS@gmail.com

I hereby certify that all information contained herein is true and correct.

4. Signed this 3 day of Oct, 2019.

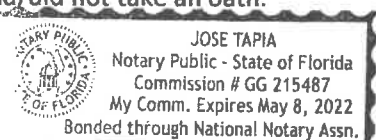
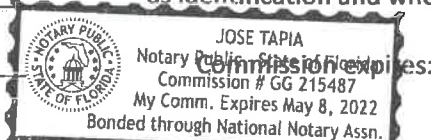
Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)

State of Florida, Martin County The foregoing instrument was acknowledged before me on this 3 day of Oct by Spiro Laskaris who is personally known to me, or who has produced

Known

as identification and who did/did not take an oath.

Notary Signature



CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CRB/HPB Board

Meeting Date: 11/6/2019

Prepared by: Pinal Gandhi-Savdas

Title of Item:

RESOLUTION No. 09-2019 CRA; A RESOLUTION APPROVING THE REQUEST FOR CERTIFICATE OF DESIGNATION FOR THE HULL / LANE HOUSE.

Summary Explanation/Background Information on Agenda Request:

The Hull / Lane House is located at 34 SE 5th Street and is part of the Woodlawn Park subdivision. The home was constructed in 1913 and is an example of Vernacular style structure popular from 1831 through 1930. The structure was included in the City of Stuart '1991 historic property survey' and deemed eligible to receive local register designation. The petition includes information including a copy of deed and map identifying the location of the property within the City of Stuart.

The petition provides narrative of historic significance of the structure. Currently, the building serves as a law firm of John Edgar Sherrard, P.A.

Funding Source:

N/A

Recommended Action:

Motion to approve Resolution No. 09-2019 for certificate of designation for the Hull / Lane House.

ATTACHMENTS:

	Description	Upload Date	Type
▣	Resolution No. 09-2019 Certificate of Designation	10/8/2019	Resolution add to Y drive
▣	Historic Designation Petition Application Package	10/8/2019	Backup Material
▣	Historic Preservation Ordinance	10/8/2019	Backup Material
▣	1991 Survey of Historic Properties	10/8/2019	Backup Material
▣	Photos	10/8/2019	Backup Material
▣	Proof of Notification	10/23/2019	Backup Material



**BEFORE THE STUART HISTORIC PRESERVATION BOARD
CITY OF STUART, FLORIDA**

**RESOLUTION NUMBER 09-2019 (CRA)
CERTIFICATE OF DESIGNATION**

**A RESOLUTION APPROVING THE REQUEST
FOR CERTIFICATE OF DESIGNATION FOR
THE HULL / LANE HOUSE**

WHEREAS, pursuant to Section 5.09.00.A of the City of Stuart Land Development Code, John Edgar Sherrard, has made application to the Stuart Historic Preservation Board for a Certificate of Designation for the structure located at 34 SE 5th Street, Stuart, FL 34994; and

WHEREAS, pursuant to Section 5.09.01.A.5 (f) of the City of Stuart Land Development Code, staff of the Development Department has prepared an investigation and designation report regarding the property proposed for designation; and

WHEREAS, pursuant to Section 5.09.01.A.5 (g) of the City of Stuart Land Development Code, Notice of the public hearing was published in a newspaper of general circulation at least 15 days prior to the public hearing; and

WHEREAS, pursuant to Section 5.09.01.A.5 (h) of the City of Stuart Land Development Code, the Historic Preservation Board held a public hearing on November 6, 2019 to consider the designation request for the property; and

WHEREAS, at the public hearing all interested parties were given an opportunity to be heard; and

WHEREAS, the Historic Preservation Board concluded that the property meets the criteria for designation.

**NOW, THEREFORE, BE IT RESOLVED BY THE HISTORIC PRESERVATION BOARD,
CITY OF STUART, FLORIDA, THAT:**

SECTION 1: Certificate of Designation is hereby approved for the structure located on the property known as the Hull/Lane House, which is currently located at 34 SE 5th Street, Stuart, FL 34994.

SECTION 2: Hull/Lane House is the second structure to be listed on the Stuart Historic Register.

Resolution No. 09-2019 Certificate of Designation
Hull/Lane House

SECTION 3: Pursuant to Section 5.09.01.A.5 (i) of the City of Stuart Land Development Code, the owner of property which qualifies for a Certificate of Designation shall be given the opportunity to accept or reject the designation.

SECTION 4: Upon acceptance of this Certificate of Designation by the property owner, this Resolution shall serve as a Certificate of Designation and be recorded in the Public Records of Martin County, and shall be shown on the Property Appraiser's records of this property.

Board Member _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Board Member _____, and upon being put to a roll call vote, the vote was as follows:

CHRIS LEWIS, CHAIR
FRANK WACHA, VICE CHAIR
FAYE JAMES, BOARD MEMBER
PETER WALSON, BOARD MEMBER
CRISTINA MALDONADO, BOARD MEMBER
TOM CAMPENNI, BOARD MEMBER
NATHAN RITCHEY, BOARD MEMBER

YES	NO	ABSENT

ADOPTED this 6th day of November, 2019.

ATTEST:

HISTORIC PRESERVATION BOARD,
CITY OF STUART, FLORIDA

MARY KINDEL
CITY CLERK

CHRIS LEWIS,
CHAIRMAN

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL
CITY ATTORNEY

Law Offices of
JOHN EDGAR SHERRARD, P.A.

34 S.E. Fifth Street
Stuart, Florida 34994-3010
Tel: (772) 283-9322
Fax: (772) 283-2928

BOARD CERTIFIED IN REAL ESTATE LAW
BOARD CERTIFIED IN MARITAL AND FAMILY LAW
FLORIDA SUPREME COURT CERTIFIED FAMILY MEDIATOR

E-mail: jesesq@bellsouth.net
E-Service: jesesqcd@bellsouth.net
website: www.johnsherrard.com

SEP - 5 2019

August 30, 2019

Martin County Historic Preservation Liaison
Department of Administration
2401 SE Monterey Road
Stuart, FL 34996

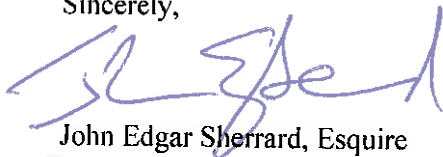
Re: 34 S.E. 5th Street, Stuart, FL 34994

Dear Sir/Madam,

Please find enclosed the Historic Designation Petition for Martin County, Florida, along with supporting documents. I am seeking a historic designation for the building located at 34 S.E. 5th Street, which is the location of my law practice. My wife and I have been long-time residents of Martin County, and I have been practicing law in Martin County since 1974.

Should you have any questions or require additional information, please do not hesitate to contact me at 772-283-9322.

Sincerely,



John Edgar Sherrard, Esquire

HISTORIC DESIGNATION PETITION FORM**CITY OF STUART, FLORIDA**

Site Name: law firm of John Edgar Sherrard, P.A.
 Site Address: 34 S.E. 5th Street, Stuart, FL 34994
 Name of Petitioner: John E. Sherrard, Esq.
 Mailing Address of Petitioner: 34 S.E. 5th Street, Stuart, FL 34994
 Daytime Telephone Number: 772-283-9322 office / 772-284-5815 cell
 Email address: jess@bellsouth.net

- If the petitioner is not the property owner, please attach owner's power of attorney authorizing the petitioner to act on the owner's behalf in reference to the property.
- Please attach a map identifying the location of the site within the City.
- Please attach a site plan identifying the location of the site on the parcel or parcels.
- Please attach a copy of the recorded deed for the parcel(s).
- Please attach a copy of the Master Site File, if any exists for the site.
- Please provide a detailed explanation of how the site meets the following criteria for designation as outlined in Section 5.09.00.A. City of Stuart Land Development Code.

Please provide proof or justification the site meets one or more of the following criteria:

1. Is significant in City of Stuart history, architecture, archeology or culture and possess an integrity of location, design, setting, materials, workmanship, or association; or
2. Is associated with distinctive elements of the cultural, social, political, economic, scientific, prehistoric, and architectural history that have contributed to the pattern of history in Martin County, South Florida, or the Nation; or
3. Is associated with the lives of persons significant in the City of Stuart's, the State of Florida's or the United States of America's past; or
4. Embodies the distinctive characteristics of a type, period, style, or method of construction or work of a master; or that possess high artistic value; or that represent a distinguishable entity whose components may lack individual distinction; or
5. Has yielded, or are likely to yield information in history, or prehistory; or
6. Is listed in the National Register of Historic Places.

Please return this form and all requested attachments to:

City Manager's Office
 Stuart City Hall
 121 SW Flagler Avenue
 Stuart, FL 34994
 (772) 600-1267

1000 0000 0000 0000 0000 0000 0000 0000

INSTR # 1515914
OR BK 01574 PG 0275
RECORDED 08/10/2001 11:18 AM
MARSHA EWING
MARTIN COUNTY-Florida
DOC TAX 0.70
RECORDED BY L. Wood

This Document Prepared By and Return to:
JOHN EDGAR SHERRARD, P.A.
Attorney at Law
34 East Fifth Street, Suite 1
Stuart, Florida 34994

Parcel ID Number:

Grantee #1 TIN:

Grantee #2 TIN:

Warranty Deed

This Indenture, Made this 8th day of August, 2001 A.D., Between
JOHN EDGAR SHERRARD, joined by his wife, PATRICIA A. SHERRARD
of the County of Martin, State of Florida, grantor, and
JOHN EDGAR SHERRARD and PATRICIA A. SHERRARD, his wife
whose address is: 2846 SW Turtlepoint Drive, Palm City, FL 34990
of the County of Martin, State of Florida, grantee.

Witnesseth that the GRANTOR, for and in consideration of the sum of

-----TEN DOLLARS (\$10)----- DOLLARS,
and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has
granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,
lying and being in the County of Martin, State of Florida to wit:
Lots 1, 2 and 3, Block 2, WOODLAWN PARK ADDITION TO STUART, FLORIDA,
according to the Plat thereof filed March 4, 1913, and recorded in
Plat Book 2, Page 84, Palm Beach County (now Martin County), Florida
public records.
Conveyance between related parties of unencumbered property,
therefore, minimum documentary stamps are affixed.

Subject to restrictions, reservations and easements of record, if
any, and taxes subsequent to 2000.

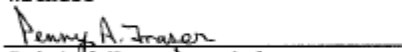
TITLE NOT EXAMINED BY SCRIVENER.

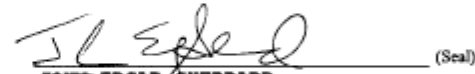
and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

In Witness Whereof, the grantor has hereunto set their hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:


Printed Name: BELINDA JOHNSON
Witness


Printed Name: Penny A. Fraser
Witness

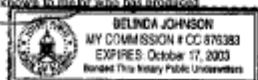
 (Seal)
JOHN EDGAR SHERRARD
P.O. Address: 2846 SW Turtlepoint Drive
Palm City, FL 34990
 (Seal)
PATRICIA A. SHERRARD
P.O. Address: 2846 SW Turtlepoint Drive
Palm City, FL 34990

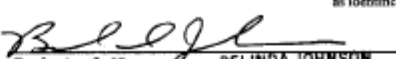
STATE OF Florida
COUNTY OF Martin

The foregoing instrument was acknowledged before me this 8th day of August, 2001 by
JOHN EDGAR SHERRARD, joined by his spouse, PATRICIA A. SHERRARD

who is personally known to me or who has produced

an identification.




Printed Name: BELINDA JOHNSON
Notary Public
My Commission Expires:

Hull/Lane House

John Sherrard's law office was the home of the B. F. and Lottie Hull who bought their lots from Margaret Frazier on February 28, 1913. This was the earliest purchase in Woodlawn Park other than one involving "Lucus the Land Man" who was in on the development. According to an article in the *Stuart Times*, the Hulls' home was complete in May 1913. Lottie and her husband sold their home to Mable Lane, whose husband, Alexis Leroy Lane, had one of the first boatyards on the St. Lucie River. Mable and "Roy" were divorced, remarried and divorced again according to their great-grandson, John Cooper, who also said his great grandfather was heavily involved in "booze-running" during the years of Prohibition. Mable mortgaged her home to Justinia Stypmann, widow of the German founder of Stuart, in 1922 and eventually lost her property. Dorothy and Frank Csongedi purchased the home through a Special Master's sale on January 6, 1939. Arthur Clonts was the Special Master. Frank Csongedi was a popular boat captain connected with the Pelican Hotel and the Sunrise Inn. After living in the house 13 years the Csongedis sold it to George and Ella Wolf, who also lived in the house for 13 years before selling it to Winifred B. Mills. Winifred who owned the house for 23 years before selling it to the present owner, in 1981. John Sherrard, Esq. has now owned the historic home at 34 SE 5th Street for three decades.

Summary by Sandra Thurlow, January 9, 2011

Stuart Times
 May 23, 1913
 WOODLAWN PARK

A visit to this pretty little suburb a few days ago revealed the fact that "Lucas the Land Man" is not doing things by halves and that clearing up the land, laying concrete sidewalks, grading roads and dozens of other matters are being attended to rightly. The park is now about cleared up and the cement sidewalks all laid. This is going to be Stuart's breathing spot and is appropriately named - "Stuart's Little Eden." Mr. Lucas has kept a force of men at work for a long time and is not through yet. He intends to make Woodlawn Park the prettiest suburban tract on the East Coast and one glance at it will prove to the most skeptical that he is keeping his word.

The home of Mr. and Mrs. B. F. Hull is finished and nicely painted and these good people are occupying it and are contented. The homes of W. A. Ball, J. W. Smith and others face the park and with other new buildings in contemplation lively times are looked for in Woodlawn Park this summer.

Some time in June Mr. Lucas intends to go north and remain for a few months and promises to boost Stuart every minute he is gone. He will take along a lot of literature and also extra copies of *The Times* and intends that thousands will know of Stuart and its pretty subdivision before the summer is over that know nothing of it now.

Stuart News

May 20, 1954. 8-A

Roy Lane Dies: Here 58 Years

Alexis Leroy Lane, 75, a resident of Stuart since 1898, died at Martin County Hospital Saturday about 2 a.m.

He was born in Lewiston, Me., Jan. 8, 1879. When he moved here he established the first boat yard in the area and became known as an expert on gasoline engines. He later operated a machine shop for several years on the Old Dixie south of Ulmer's Garage until it was destroyed by a hurricane.

Survivors include his widow, Anne; a son, S. E.; two daughters, Mrs. Wilson Pendarvis and Mrs. Kingsley Smith; six grandchildren, and four great-grandchildren, all of Stuart. Funeral services were conducted by the Rev. G. P. Huntington at Johns Funeral Home Tuesday afternoon at 4, and burial was in Fern Hill Cemetery.

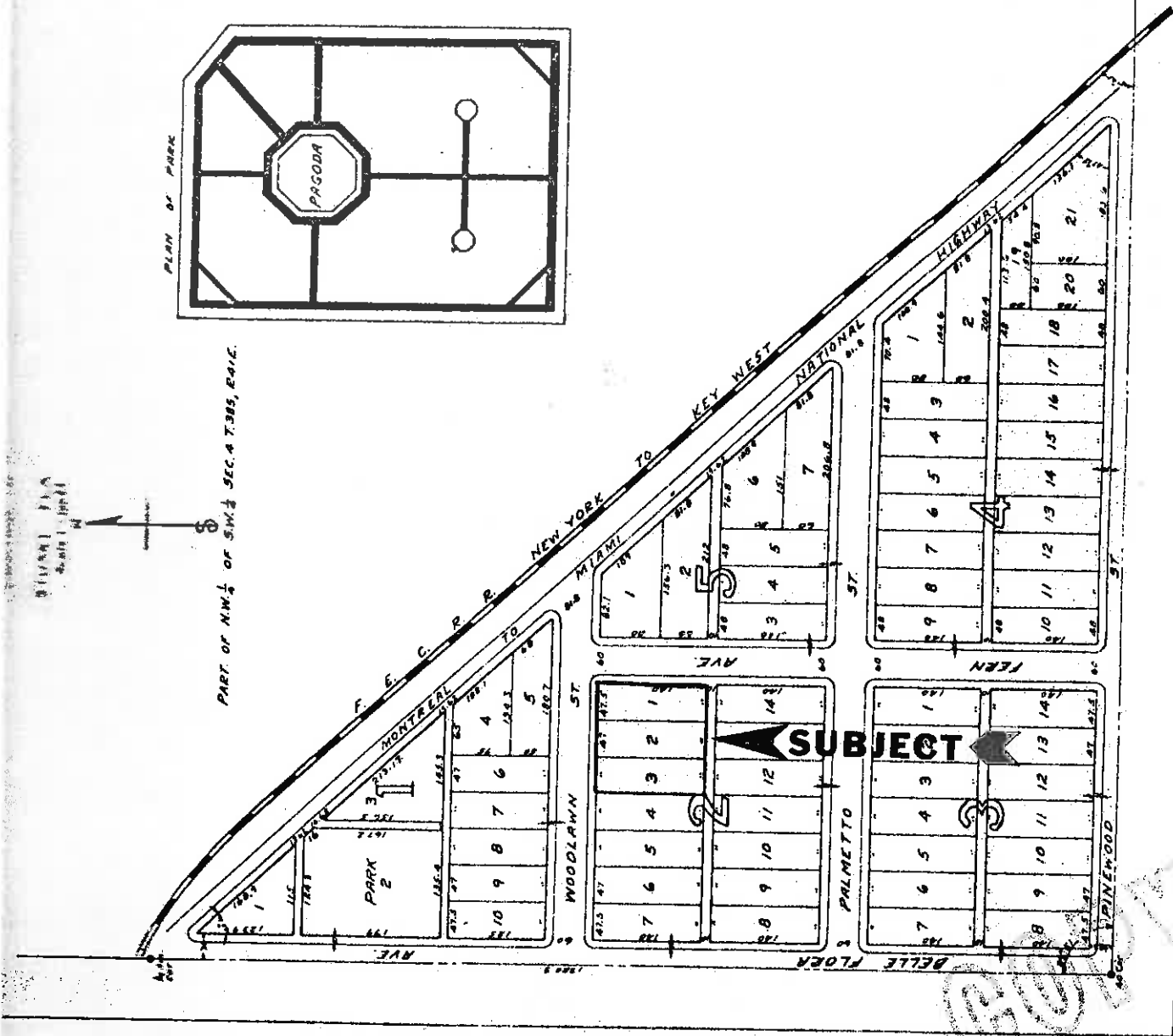
SITE ANALYSIS

Physical Characteristics

The site is a rectangular-shaped parcel with a total of 19,810 square feet. The site measurements are 141.5 ft. (Fifth Street) x 140 ft. (Delaware Avenue). The site has relatively flat topography with elevation being similar to other properties in this area.

The property that adjoins the subject property on the west side is a new strip shopping center.

COPY



THIS DAY PERSONALLY APPEARED MARGARET M. FEEZLER, LEGALLY TO AND BEFORE ME THAT HE EXECUTED THE INSTRUMENT FOR THE USES AND PURPOSES THEREIN EXPRESSED WHEREOF I HAVE HERETO SET MY HAND AND AFFIXED SEAL THIS 20th DAY OF FEBRUARY A.D. 1913

MY HAND AND SEAL THIS 20th DAY OF FEBRUARY A.D. 1913
 T. FLORIDA
 Margaret M. Feezler
 Notary Public

col
 col

ORIDA
 PALM BEACH

THIS DAY PERSONALLY APPEARED MARGARET M. FEEZLER, LEGALLY TO AND BEFORE ME THAT HE EXECUTED THE INSTRUMENT FOR THE USES AND PURPOSES THEREIN EXPRESSED WHEREOF I HAVE HERETO SET MY HAND AND AFFIXED SEAL THIS 20th DAY OF FEBRUARY A.D. 1913

NOTARY PUBLIC WILLIAM
 MY COMMISSION EXPIRES OCT 22-1913

PAGE 6

ORIDA
 PALM BEACH

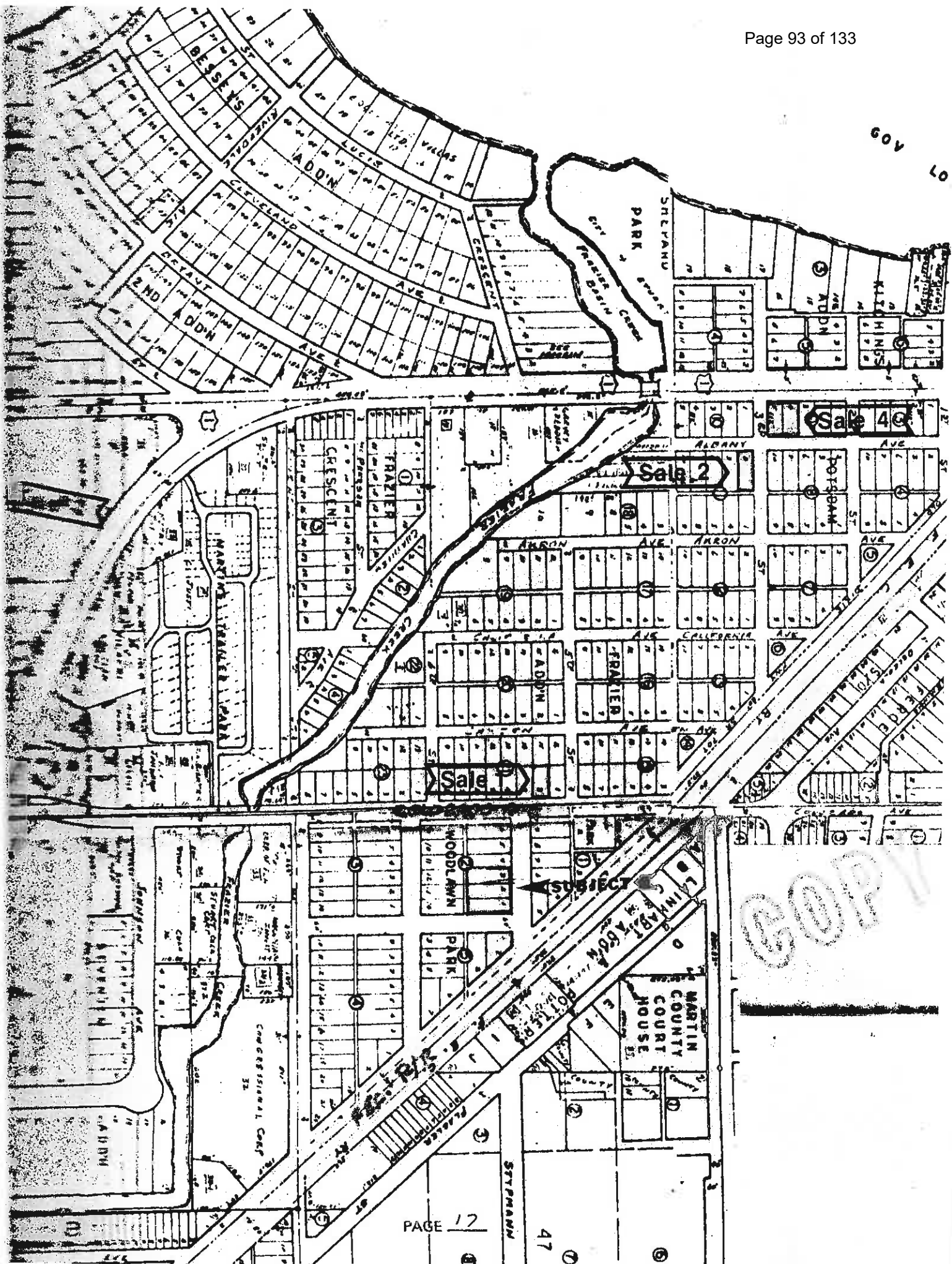
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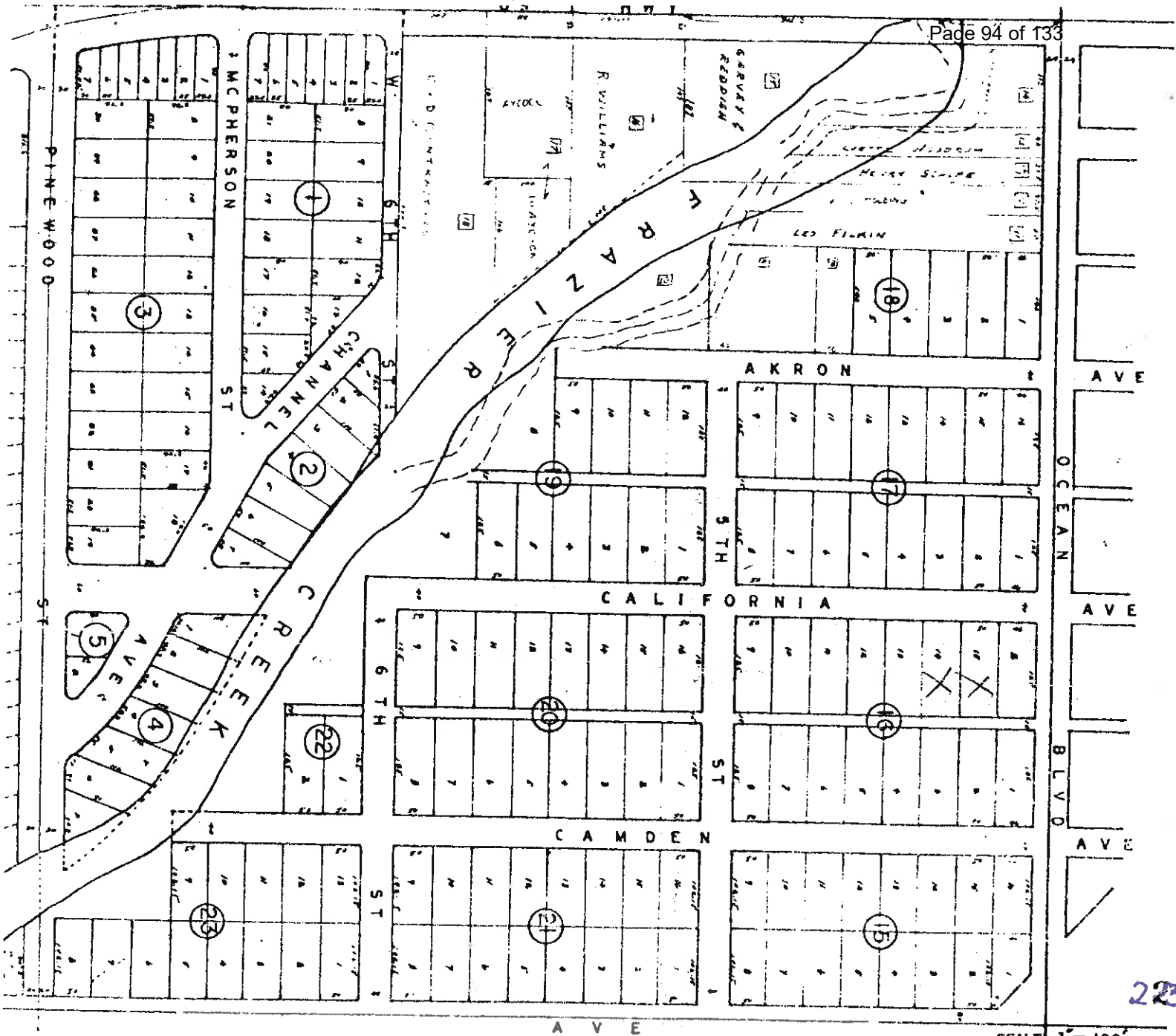
NOTARY PUBLIC WILLIAM
 MY COMMISSION EXPIRES OCT 22-1913

ORIDA
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THIS DAY PERSONALLY APPEARED MARGARET M. FEEZLER, LEGALLY TO AND BEFORE ME THAT HE EXECUTED THE INSTRUMENT FOR THE USES AND PURPOSES THEREIN EXPRESSED WHEREOF I HAVE HERETO SET MY HAND AND AFFIXED SEAL THIS 20th DAY OF FEBRUARY A.D. 1913

NOTARY PUBLIC WILLIAM
 MY COMMISSION EXPIRES OCT 22-1913





223

SCALE 1" = 100'

ASSESSMENT MAP
MARTIN COUNTY
FLORIDA



60V LOT

SECTION 5

TOWNSHIP 38

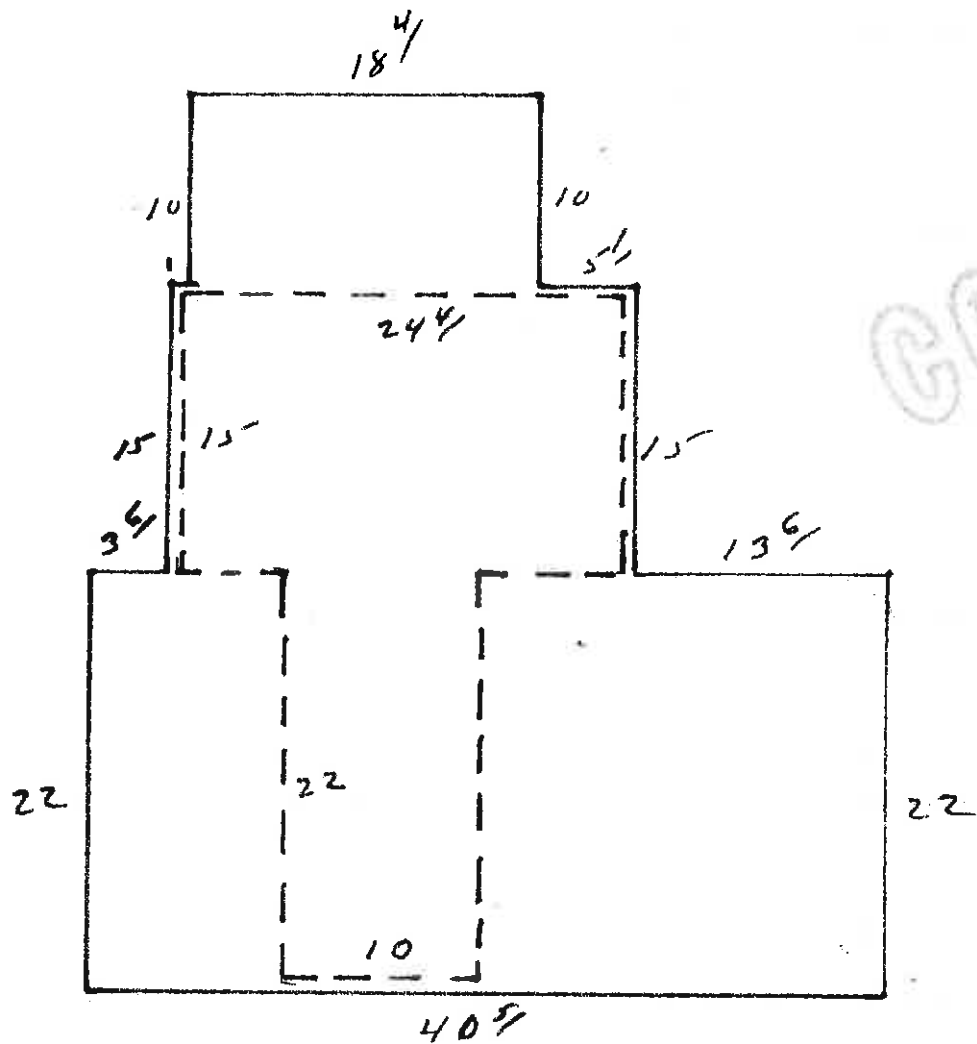
RANGE 41

DRAWN BY J. J. P.

DATE 10-1-12

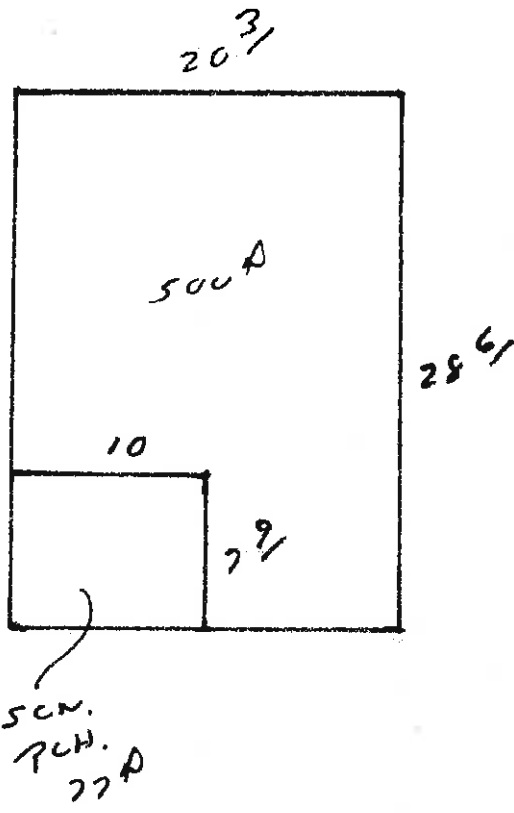
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--- SEC. FLOOR.
 — FIRST FLOOR.

2041 TOTAL LIVING.



COPY



Print-friendly story
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Celebrating Historic Downtown Stuart with the 22nd Annual Historic Home and Building Tour

Alice L. and Greg E. Luckhardt, a member of the Treasure Coast community. This story is neither endorsed by nor affiliated with this site.

Originally published 03:56 p.m., January 18, 2011

Updated 03:57 p.m., January 18, 2011

STUART — On Saturday, Feb. 12 from 10 a.m. to 4 p.m. the public is given the extraordinary opportunity to 'step-back' in time to see first-hand some of the homes, businesses and entertainment buildings that have served the residents and visitors of Stuart and Martin County alike for decades. The oldest commercial building dates to 1901 and the 'newest' structure was completed in 1926. All the homes and buildings are centered in the downtown Stuart section.

The annual tour is sponsored by the Stuart Heritage, Inc., which runs the Stuart Heritage Museum located in the Stuart Feed Store building and serves as the organization's major fundraising event of the year. The ticket donation is \$15 per ticket.

The eight homes and buildings can be visited in any order throughout the day and each visitor can stay as long as they like in each location. At the Lyric Theatre on Flagler Ave. there will be full tours of this 1926 entertainment center scheduled every half hour. Each visitor attending the historic home and building tour will also receive a complimentary brochure which provides historical information on all the tour stops plus pages of additional information on other historical buildings nearby.

There is parking all along Flagler Ave. and at Woodlawn Park near Confusion Corner and Colorado Ave. The Sailfish Shuttle tram will provide free transportation from the parking areas to the tour locations. Visitors can easily walk and enjoy experiencing the charming shops of the historical downtown streets of Flagler, St. Lucie, Osceola and Seminole. Light refreshments will be served during the day at the Stuart Heritage Museum.

Additional information and tickets are available at the Stuart Heritage Museum (772-220-4600). Tickets at \$15 each can also be purchased at the ReMax of Stuart office, Jensen Beach Travel, Beachfront Mann Realty, Salon NR of Palm City, The Travel Gallery of Hobe Sound and the Elliott Museum.

There will be a preview presentation of this year's Historic Homes and Buildings Tour at Stuart City Hall on Tuesday, Feb. 8, 2011 at 7 p.m. sponsored by the Stuart Heritage, Inc. The public is invited. Tickets will be available that night for purchase.

Everyone can show their support of the fine work done at the Stuart Heritage Museum by purchasing tickets and attending the Historic Home and Building Tour on Saturday, Feb. 12. This year's tour is dedicated to the late Christine Sawicki (1951 - 2011), President and CEO of the Stuart Heritage Inc.

The tour locations featured are:

Crary House at 171 S. W. Flagler Avenue which was built in 1926 on Cardinal Way in St. Lucie Estates off of East Ocean Blvd. and was moved in 2010 to Flagler Ave. to preserve the structure. It was the home to FL State Senator, Evans Crary, Sr. and his family. His grandson, Rick Crary, will be on hand to provide information on the house and his family.

Geo. W. Parks General Merchandise Store at 161 S. W. Flagler Avenue (Stuart Heritage Museum) was constructed in 1901 by George Parks. The general store was one of the first commercial buildings in Stuart. It is a wood frame vernacular style with a false front and a gabled tin roof. Since mid-century it has been known as the Stuart Feed Store. As of August 1992, the Stuart Heritage, Inc. has operated the Stuart Museum in the building.

Atwood / Parks House at 151 S. W. Flagler Avenue was built in 1903 in the traditional peaked-roofed Florida cracker-style by Noah Parks, a brother of George W. Parks, who operated the General Merchandise Store next door. In 1916, the home was brought by Calvin Atwood and used over the decades by three generations of Atwood family members. The building still has the peaked roof.

Lyric Theatre at 59 S. W. Flagler Avenue was the third theater owned by the Hancock family. The grand third Lyric was made of concrete in a Mediterranean Revival style with special Italian detailing. This new building in 1926 cost of \$100,000 and was a lavish and impressive theater for Stuart with wonderful acoustics. Behind the scenes and additional history will be offered by the Lyric for those on the Historic Homes and Buildings Tour every half-hour.

Platt / Porter House at 100 Colorado Avenue a 2-story house was built in 1904 for Francis Marion Platt. By 1908 the home was sold to Charles and Ethel Porter. The name 'Owl House' comes from the unique four-pointed gables which face the St. Lucie River. Designed by a former sea captain, such a configuration was created to protect the roof structure from hurricane winds. The grandson of Charles and Ethel Porter, Charles Porter, will offer up some interesting stories of the house and life in Stuart the day of the Tour at the Owl House.

Woodlawn Park subdivision dates back to 1913 and was part of the Frazier family homestead property. The Stuart Community Redevelopment Agency (CRA) in 2010 has made improvements in street lighting, sidewalks, water-sewage and landscaping for the Woodlawn Park area and neighborhood, located on East 5th and 6th Streets, just west of Confusion Corner and the railroad tracks. The following three places are featured in the Woodlawn Park subdivision.

Hull / Lane House at 34 SE 5th Street is part of the Woodlawn Park subdivision. The house was built for B. F. and Lottie Hull and they moved into the home by May 1913. Years later this 2-story home was sold to the Roy and Mabel Lane. Roy Lane, was a former fire chief for Stuart and owner of Lane's Garage. Presently the building serves as the law offices for John Sherrard. A Lane descendant, John Cooper, will be on hand at the house the day of the tour.

Harmony Healing Arts Center at 500 SE Dixie Highway is part of the Woodlawn Park section and was built in 1925. It was a commercial building, called the 'Bell Building' from the beginning and has been numerous businesses over the years. During a recent renovation a 12" x 12" Dade County pine support pillar that was not needed was made into a historical marker and placed outside the building. The building serves today as the offices for chiropractors, Drs. Randy and Bruce Hansbrough.

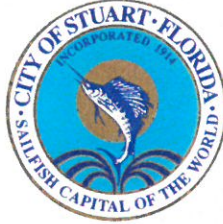
Clark Family Buildings at 26 E 6th Street are part of the Woodlawn Park subdivision. The property was purchased in 1925 by Emerson L. Clark, co-owner of the Stuart Hotel. The land was then sold in March 1926 to his brother, Earl Clark and a two-story building constructed and made into apartments. Earl Clark had his machine shop in the back garage building. The buildings presently belong to Michael Flaugh, a landscape architect. Lynne Fensterer, an artist, maintains a studio in the building.

This story is contributed by a member of the Treasure Coast community and is neither endorsed by nor affiliated with this site.



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**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

ORDINANCE NUMBER 2356-2017

AN ORDINANCE OF THE CITY OF STUART, FLORIDA, AMENDING CHAPTER V "RESOURCE PROTECTION RELATED DEVELOPMENT STANDARDS" THEREBY ESTABLISHING SECTION 5.09.07 ENTITLED "CITY SPONSORED HISTORIC SIGNS"; AND FURTHER CREATING A NEW SECTION OF CHAPTER V ENTITLED "5.09.00.A. HISTORIC PRESERVATION PROGRAM" THEREBY ESTABLISHING A STUART HISTORIC PRESERVATION BOARD; PROVIDING THAT THE STUART COMMUNITY REDEVELOPMENT BOARD SHALL ALSO SERVE AS THE STUART HISTORIC PRESERVATION BOARD; PROVIDING FOR THE DESIGNATION AND PROTECTION OF HISTORIC PROPERTIES; PROVIDING FOR THE REVIEW AND REGULATION OF ALTERATIONS, RELOCATIONS, AND DEMOLITIONS OF DESIGNATED HISTORIC PROPERTIES AND STRUCTURES; PROVIDING A MECHANISM FOR APPEAL OF DECISIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

*** * * * ***

WHEREAS, it is City's best interest to sponsor the installation of signs identifying historically significant properties; and

WHEREAS, the historic properties located within the City of Stuart are an important legacy to be valued and conserved for present and future generations; and

WHEREAS, the destruction of these historical resources will constitute a significant loss to the Quality of life, economy and cultural environment in the City of Stuart; and

WHEREAS, the establishment of a Stuart Historic Preservation Board to oversee the stewardship of historic properties designated under the Historic Preservation Program adopted by this Ordinance is in the Public's best interest;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, that:

SECTION 1: The Stuart Land Development Code is hereby amended as follows:

Chapter V

RESOURCE PROTECTION RELATED DEVELOPMENT STANDARDS

5.09.00

HISTORIC PRESERVATION

- Sec. 5.09.01. Thirty-day waiting period before demolishing a historic structure.
- Sec. 5.09.02. Ninety-day waiting period before demolishing a historic structure.
- Sec. 5.09.03. Risk to the public's health, safety and welfare.
- Sec. 5.09.04. Demolition by neglect; prohibited.
- Sec. 5.09.05. Tax exemptions for certain historic structures.
- Sec. 5.09.06. Hearing; provided
- Sec. 5.09.07. City Sponsored Historic Signs

5.09.00.A.

HISTORIC PRESERVATION PROGRAM

- Sec. 5.09.01.A.1. Purpose and Applicability.
- Sec. 5.09.01.A.2. Definitions.
- Sec. 5.09.01.A.3. Stuart Historic Preservation Board (SHPB).
- Sec. 5.09.01.A.4. Designation of individual sites, districts and archaeological ones.
- Sec. 5.09.01.A.5. Designation procedure.
- Sec. 5.09.01.A.6. Historic Preservation/GIS Overlay.
- Sec. 5.09.01.A.7. Certificate of appropriateness procedures.
- Sec. 5.09.01.A.8. Variances.
- Sec. 5.09.01.A.9. Maintenance of designated properties.
- Sec. 5.09.01.A.10. Demolition by neglect.
- Sec. 5.09.01.A.11. Certificates to dig.
- Sec. 5.09.01.A.12. Appeals.
- Sec. 5.09.01.A.13. Enforcement.
- Sec. 5.09.01.A.14. Incentives and conservation easements.
- Sec. 5.09.01.A.15. Tax exemptions for designated historic properties.
- Sec. 5.09.01.A.16. Procedure for review of nominations for the National Register of Historic Places.

CHAPTER V RESOURCE PROTECTION RELATED DEVELOPMENT STANDARDS

Sec. 5.09.07. City Sponsored Historic Signs

- A. Goals and objectives.** City Sponsored Historic Signs are intended to educate the public about the historic significance of various structures and places within the city. Uniform historic signs identify properties and places that are historically significant to the community, to improve public knowledge of our rich and diverse heritage, and to encourage citizens to promote the preservation of historic resources.
- B. Funding; installation, and maintenance.** City Sponsored Historic Signs shall be funded in accordance with a fee established by Resolution of the city commission from time to time. Installation will be performed by the City within public rights-of-way. An applicant can request installation on private property immediately adjacent to the public right-of-way. If installation on private property is proposed, it shall only occur upon the written approval of the City Manager, and the donation of an easement by the property owner for the erection of the sign. Upon erection, the sign shall become, and shall remain, the property of the City, and shall not be removed, without the approval of the City Manager. The City shall maintain the sign. Routine sign cleaning by the adjacent property owner is expected and appreciated.
- C. Qualification and eligibility.** The City Sponsored Historic Signs shall be available for any structure within the City which meets at least one of the following criteria:
- 1) The structure or site is listed on the National Historic Register (maintained by the US Department of Interior) or directly determined by the Secretary of the Interior (Ordinance No. 2210-2010).
 - 2) The structure or site is listed on the Florida Inventory of Historic Places, individually listed by local historic preservation programs that are approved by state, or directly by Secretary of the Interior (Ordinance No. 2210-2010).
 - 3) The structure or site is listed on the City of Stuart's 2013 update of the "1991 Historic Properties Survey" completed by Historic Properties, Inc., St. Augustine, Florida, maintained by the City Development Director (Ordinance No. 2210-2010).
 - 4) Other qualifications determined by the City Commission.
- D. Sign Design.**
- 1) The sign narrative should recognize the original property owner or such information that is relevant to the property's historic significance. The narrative should not recognize the current owner, nor should it provide directional information.
 - 2) Signs will be designed, approved and installed by the City of Stuart. The following are the dimensions of the signs:
 - (2) 24" x 18" permanent outdoor sign (double-sided)
 - (1) 4" x 4" x 8' blue pressure treated post

SAMPLE SIGN

**Editor's note:**

In addition to the Historic Preservation Program set forth below, there are other provisions in the City's Code of Ordinances and the Land Development Code relating to historic properties. The following list is provided as a cross-reference to these other provisions.

Chapter 10, City of Stuart Code of Ordinances, Sec. 10-57	1) Maintenance of historic buildings.
Chapter 3, City of Stuart Land Development Code, Sec. 3.01.03.F.1 (c); Sec. 3.01.03.F.7.; Sec. 3.01.06.A.2.; Sec. 3.01.06.A.17.; Sec. 3.02.03.A.; Sec. 3.02.06.G.; Sec. 3.02.12;	1) Parking credit for historic buildings in urban subdistricts. 2) Major and minor urban code conditional use for relief from urban code regulations to preserve historic buildings. 3) Preserving and restoring historic buildings in urban subdistricts and East Stuart. 4) Replication of historic buildings within same footprint in East Stuart.
Chapter 5, City of Stuart Land Development Code, Sec. 5.07.07.D.; Sec. 5.09.01 – Sec. 5.09.06	1) Variance for the repair, improvement, or rehabilitation of historic buildings. 2) Waiting period before demolishing historic buildings. 3) Maintaining historic buildings and determination of demolition due to neglect or lack of maintenance. 4) Incentives for historic buildings.

	5) Appeal/Hearing process for applications denied.
Chapter 8, City of Stuart Land Development Code, Sec. 8.00.04.B.; Sec. 8.03.02	1) Community Redevelopment Board review applications pertaining to historic buildings in urban sub-district. 2) Exceptions for discontinuing of nonconfirming use of land or vacant structures related to historic preservation.
Chapter 12, City of Stuart Land Development Code, Definitions containing the term historic:	Architectural character; East Stuart Code District Conditional Use; Environmentally sensitive area; Environmentally sensitive resources or resource area; Historic structure; Historic tree; Landmark or historic sign; Major Urban Code District Conditional Use; Museum; Public art; Replication; S.E. Ocean Boulevard Overlay Zone Major Conditional Use; Tree location map; Tree survey

5.09.00.A. HISTORIC PRESERVATION PROGRAM

Sec. 5.09.01.A.1. Purpose and Applicability.

- (a) The purpose of Section 5.09.00.A. is to establish procedures for organizing a Stuart Historic Preservation Board, for designating landmarks, sites, historic districts and archaeological sites, and for processing applications for designation, Certificates of Appropriateness, Certificates to Dig, and for the establishment and enforcement of program regulations.
- (b) Section 5.09.00.A. shall apply to the City of Stuart and to properties owned or leased by the City of Stuart within the city limits, which have been designated or hold a certificate of appropriateness or certificate to dig. Section 5.09.01.A.15, Tax exemptions for designated historic properties, shall also apply within the city limits of Stuart to the extent of any ad valorem taxes levied by the City Commission.
- (c) When any provision of Section 5.09.00.A. is in conflict with any other provision of the Land Development Code, or the Code, Section 5.09.00.A. shall prevail.

Sec. 5.09.01.A.2. Definitions. (To be applied only to this section and are separate and distinct from definitions in Chapter 12 of this Code.)

For the purposes of Section 5.09.00.A. the following words, terms and phrases shall have the meanings as set forth below:

Archaeological Geo-Environmental Zone. An area which is likely to yield information on the history and prehistory of Martin County. Zones are based on prehistoric settlement patterns in Martin County. Eleven zones have been identified for protection in an Archaeological Survey of Martin County (AHC Technical Report #124) prepared by the Archaeological and Historical Conservancy, Inc. (AHC) in September 1995, and again in June 1998 (revised October 1998), AHC Technical Report #213. The zones conform to natural physiographic features which were the focal points for prehistoric and historic activities.

Archaeological site. Those sites listed in an Archaeological Survey of Martin County (AHC Technical Report #124) prepared by the Archaeological and Historical Conservancy, Inc. (AHC) in September 1995, and again in June 1998 (revised October 1998), AHC Technical Report #213 and any sites identified by a

professional archaeologist during future archaeological surveys which meet the criteria for listing in the State of Florida Master Site File.

Architectural features. Architectural features shall include, but not be limited to the architectural style, scale, massing, siting, and general design of the structure. The general arrangement of the exterior of the building or structure including the type, style and color of roofs, windows, doors and appurtenances shall be regarded as architectural features. Architectural features shall also include, when applicable, interior spaces where interior designation has been given.

Building. As defined by the U.S. Department of the Interior, National Park Service, National Register of Historic Places, a building is created principally to shelter any form of human activity.

Certificate of appropriateness. A certificate, similar to a building permit, permitting certain alterations or improvements to a designated individual site or property in a designated historic district based on the guidelines for preservation approved by the SHPB.

Certificate to dig. A certificate, issued by the City of Stuart based on the guidelines for preservation approved by the SHPB. A Certificate to Dig authorizes certain excavations or ground disturbing activities that may affect known archaeological sites or may involve the discovery of as yet unknown archaeological sites within an archaeological zone.

Certificate of designation. A certificate issued by the SHPB recognizing properties designated pursuant to Section 5.09.00.A.

Demolition. The intended destructive removal of a building, in whole or in part, from its site.

Demolition by neglect. Neglect in the maintenance of any building or structure resulting in one or more of the following:

- A. The deterioration of a building(s) or structure, to the extent that it creates or permits a hazardous or unsafe condition as determined by the building official.
- B. The deterioration, as determined by the building official, of a building or structure, characterized by one or more of the following:
 - 1. Parts that may fall and injure persons or property;
 - 2. Deteriorated or inadequate foundation;
 - 3. Defective or deteriorated floor supports or floor supports insufficient to carry imposed loads safely;
 - 4. Walls or other vertical supports that split, lean, list or buckle due to defective material or deterioration;
 - 5. Walls or other vertical supports that are insufficient to carry imposed loads safely;
 - 6. Ceilings, roofs, ceiling and roof supports, or other horizontal parts of a structure which sag, split, or buckle due to defective material or deterioration or are insufficient to carry imposed loads safely;

7. Any fault, defect or condition in the building which renders the building or structure structurally unsafe or not properly water-tight
8. Unsafe electrical and/or mechanical conditions;
9. Water intrusion causing water damage to the interior of the building or structure caused by broken or missing windows, broken or missing doors and/or deterioration of roofing material; or
10. Excessive damage to exterior and interior wood framing, flooring systems, and finishes caused by termites, to the extent that the building or structure may be unsafe.

Design guidelines. Those guidelines established in "The Secretary of the Interior's Standards for the Treatment of Historic Properties, 1995."

Designated historic property. Any property or site awarded a certificate of designation by the Stuart Historic Preservation Board (SHPB).

Economic hardship. Proof that the owner cannot realize a reasonable return upon the value of the property and that an onerous and excessive financial burden upon the property would result.

Exterior. All outside surfaces of a building or structure.

Guidelines for preservation. Criteria published in The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

Historic District. A collection of archaeological sites, buildings, structures, landscape features, or other improvements that are concentrated in the same area and have been designated as a district pursuant to Section 5.09.00.A.

Historic marker. An official marker, whose size, design and descriptive wording and placement of location has been approved by the SHPB, and which complies with the state historic marker program specifications.

Historic resource. Any prehistoric or historic district, site, building, structure, object or other real or personal property of historical, architectural or archaeological value. The properties or 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 or culture of the city, county, the state or the United States of America.

Historic sites survey. A comprehensive survey compiled by the City of Stuart involving the identification, research, and documentation of buildings, sites, and structures of any historical, cultural, archaeological, or architectural importance in the City of Stuart.

Individual site. An archaeological site, building, structure, or other improvement that has been designated as an individual site pursuant to Section 5.09.00.A.

Interior. An area contained within the walls or confines of a building or structure.

Landscape feature. Any improvement or vegetation including, but not limited to walls, courtyards, fences, shrubbery, trees, sidewalks, planters, plantings, gates, street furniture, signs and exterior lighting used in landscaping.

Local register of historic landmarks. The master document created through the designation of various sites, buildings, structures, objects and districts.

National Register of Historic Places. A Federal listing maintained by the U.S. Department of the Interior, National Park Service, of buildings, sites, structures, objects, and districts that have attained a quality of significance as determined by the Historic Preservation Act of 1966 as amended.

Ordinary maintenance. Work done to prevent deterioration of a building or structure or decay of, or damage to, a building or structure or any part thereof by restoring the building or structure as nearly as practicable to its condition prior to such deterioration, decay or damage.

Site improvements. Site improvements shall include but are not limited to site regrading, subsurface alterations, fill deposition, paving, landscaping, walls, fences, courtyards, signs and exterior lighting.

Structure. Means anything constructed or erected on the ground or attached to anything constructed or erected on the ground as distinguished from a building.

Stuart Historic Preservation Board (SHPB). A board of citizens established for the purpose of assisting in the implementation of Section 5.09.00.A.

Treatments. Standards for four distinct, but interrelated, approaches to the preservation, rehabilitation, restoration or reconstruction of historic properties.

Sec. 5.09.01.A.3. Stuart historic preservation board.

(a) *Powers and duties.* There is hereby created a Stuart historic preservation board (SHPB). The powers and duties of the SHPB include, but are not limited to the following:

- (1) Adopt or amend rules of procedure not inconsistent with the LDC or F.S. ch. 267.
- (2) Designate individual sites, buildings, districts, and archaeological zones pursuant to Section 5.09.01.A.5.
- (3) Approve historical markers and issue certificates of designation.
- (4) Establish procedures for the issuance of certificates of appropriateness and certificates to dig.
- (5) Recommend zoning and building code amendments to the proper authorities.
- (6) Promote an awareness of the benefits of historic preservation and its benefits to the community.
- (7) Perform periodic updates to the historic architectural survey.
- (8) Perform periodic updates to the archaeological survey.
- (9) Record and maintain records of the SHPB's actions and decisions.

- (10) Provide an annual report to the City Commission.
- (11) Review, develop, and recommend ordinances to the City Commission that promote the preservation and rehabilitation of historic buildings.
- (12) Seek out worthy projects for matching grants-in-aid from sources which have as their purpose the preservation for public benefit of properties that are significant in American history, architecture, archaeology, and culture.
- (13) Review applications for all buildings, properties and sites in the City of Stuart nominated for listing on the National Register of Historic Places.
- (14) Establish criteria and procedures for the expedited review of certain projects by staff.
- (15) Seek expertise on proposals or matters requiring evaluation by a professional or a discipline not represented on the board.

(b) Membership appointment qualifications and terms.

- (1) In addition to its duties set forth in Section 8.00.04 of this Code, the Stuart Community Redevelopment Board (CRB) shall also serve as the Stuart Historic Preservation Board (SHPB) effective on a City-wide basis. Appointment of at least one member to the CRB/SHPB with architectural and/or historic preservation experience is encouraged but shall not be mandatory.

(c) Meetings.

- (1) Regular meetings of the SHPB shall be held as necessary to fulfill their duties.
- (2) Special meetings of the SHPB may be called by the chair.
- (3) No business shall be conducted by the SHPB without a quorum consisting of four members.
- (4) All actions of the SHPB require the affirmative vote of a majority of the members present.

(d) Staffing.

- (1) The City Manager shall designate staff for the Stuart Historic Preservation Board.
- (2) The City Attorney or designee shall serve as legal advisor to the SHPB.
- (3) The City Manager or designee shall make recommendations to the SHPB regarding zoning and planning issues, and design guidelines consistent with the Secretary of the Interior's Standards for Rehabilitation. In addition, the City Manager or designee shall administer staff review of applications for certificates of appropriateness and certificates to dig.

- (4) The Development Department shall identify applications for building permits submitted for buildings or structures identified on a historic site's survey and immediately notify the City Manager or designee of all such applications received. The Development Department may continue to review and evaluate any such application, but shall not issue the permit requested until the City Manager or designee has reviewed the application, evaluated the appropriateness of such building or structure for designation, consulted with local civic groups, public agencies, or interested citizens concerning potential designation of the building or structure, and notified the applicant and the property owner of the historic significance of the building or structure and of the opportunity to apply for designation pursuant to this chapter. The Development Department may act upon any such application upon receiving written notice from the City Manager or designee of the completion of such review, evaluation, consultation, and notification, or the expiration of 30 days from the date of receipt of the application, whichever occurs sooner.
- (5) The Building Division shall inspect all buildings and structures that have received certificates of appropriateness for compliance with the requirements of such certificates and of this chapter.
- (6) Nothing in this chapter shall limit the authority of the Building Official to enforce the provisions of this Code, and specifically the provisions concerning unsafe buildings or systems.
- (7) Information regarding exemptions to the State of Florida's handicap accessibility code shall be made available by the Building Official.
- (8) The City's Fire Marshall shall be authorized to make special exceptions for historic structures as provided in F.S. ch. 509, Part I, Public Lodging and Food Service Establishments, § 509.215(6) Fire Safety; and F.S. ch. 633, Fire Prevention and Control, § 633.022(2) Uniform fire safety standards, and § 633.025(5) Minimum fire safety standards.
- (e) *Ex parte communications.* Members of the SHPB shall comply with Florida law regarding ex parte communications when an action of the SHPB is considered a quasi-judicial proceeding.
- (f) *Voting conflicts.* Members of the SHPB shall comply with the provisions of F.S. § 112.2143, regarding voting conflicts.
- (g) *Financial disclosure.* Members of the SHPB shall comply with the provisions of F.S. § 112.3145, regarding financial disclosure.

Sec. 5.09.01.A.4. Designation of individual sites, buildings, districts and archaeological ones.

- (a) *Criteria.* The SHPB shall issue certificates of designation to designate historic sites, districts, places, buildings, structures, landscape features, archaeological sites, and other improvements or physical features that:
 - (1) Are significant in City of Stuart's history, architecture, archeology or culture and possess an integrity of location, design, setting, materials, workmanship, or association; or
 - (2) Are associated with distinctive elements of the cultural, social, political, economic, scientific, prehistoric, and architectural history that have contributed to the pattern of history in the City of Stuart, south Florida, the Nation; or

- (3) Are associated with the lives of persons significant in the City of Stuart's, the State of Florida's or the United States of America's past; or
 - (4) Embody the distinctive characteristics of a type, period, style, or method of construction or work of a master; or that possess high artistic value; or that represent a distinguishable entity whose components may lack individual distinction; or
 - (5) Have yielded, or are likely to yield information in history, or prehistory; or
 - (6) Are listed in the National Register of Historic Places.
- (b) Properties not generally considered; exceptions.* Certain properties which include cemeteries, birthplaces, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, properties commemorative in nature, and properties that have achieved significance within the last 50 years, will not normally be considered for designation. However, such properties will qualify if they are integral parts of districts that do meet the criteria, or if they fall within the following categories:
- (1) A religious property deriving primary significance from architectural or artistic distinction or historical importance; or
 - (2) A building or structure removed from its location but which is primarily significant for architectural value, or is the surviving structure most importantly associated with an historic event or person; or
 - (3) A birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his/her, productive life; or
 - (4) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, distinctive design features, or from association with historic events; or
 - (5) A property primarily commemorative in intent if design, age, tradition or symbolic value has invested it with its own historical significance; or
 - (6) A property or district achieving significance within the past 50 years if it is of exceptional importance.

Sec. 5.09.01.A.5. Designation procedure.

- (a) An historic designation petition shall be filed with the City of Stuart in a form approved by the SHPB and made available to the public. At a minimum, the petition shall include the following information:
 - (1) A copy of the recorded deed for each parcel;
 - (2) A detailed explanation of how the site meets the criteria of Section 5.09.01.A.4.;
 - (3) A copy of the Master Site File, if any exists for the site;
 - (4) A map identifying the location of the site within the city; and

- (5) A site plan identifying the location of the site on the parcel or parcels.
- (b) In reference to an individual property, the petition shall be filed by the owner of the subject property or other person having a power of attorney from the owner to file the petition and to act on behalf of the owner in reference to the petition.
- (c) In reference to an historic district, the petition shall be filed by a property owner in the proposed district or other person having a power of attorney to file the petition and to act on behalf of the owner in reference to the petition.
- (d) The SHPB shall consider the historic designation petition and either direct staff to begin the designation process or deny the petition.
- (e) Absent the filing of an historic designation petition, the SHPB may direct staff to begin the designation process for those archaeological zones and sites outlined in Technical Report #124 prepared by the Archaeological and Historical Conservancy, Inc. (AHC) in September 1995, and again in June 1998 (revised October 1998), AHC Technical Report #213. The SHPB may also direct staff to begin the designation process for any additional zones or sites included in any update of historical or archaeological surveys.
- (f) Upon being directed to begin the designation process, staff shall prepare an investigation and designation report. The format of these reports may vary according to the type of designation; however at a minimum all reports must address the following: the historical, cultural, architectural, or archaeological significance of the property or properties being considered for designation; a recommendation of boundaries for districts and archaeological zones and identification of boundaries of individual properties being considered; and where a district is proposed, the report shall identify those properties, if any, within the district which do not contribute to the period of significance. Upon completion of the report, the report shall be filed with the SHPB.
- (g) For each individual property, district, or archaeological zone proposed for designation, a public hearing must be held no sooner than 15 days or no later than 60 days from the date a designation report has been filed with the SHPB. Notice of the public hearing shall be published in a newspaper of general circulation at least 15 days prior to the public hearing.
- (h) The SHPB shall consider the designation request at a public hearing. The public hearing may be continued by the SHPB to a fixed date, time and place. After the conclusion of the public hearing, the SHPB shall approve, approve with modifications or deny the request for a certificate of designation by resolution which shall constitute the final action of the SHPB. Resolutions shall be recorded in the public records of Martin County and a copy provided to the applicant.
- (i) Owners of private or public property which qualifies for a certificate of designation shall be given the opportunity to accept or reject the designation. If the designation is rejected, the development of or improvements to the property will not be governed by the Section 5.09.00.A. and the property will not qualify for incentives for historical resources preservation provided in Sections 5.09.01.A.14. and 5.09.01.A.15. If a private property owner chooses to accept a certificate of designation, then the provisions of Section 5.09.00.A. shall apply to that property and the Certificate of Designation shall be recorded in the public records of Martin County, Florida and shall be shown in the Property Appraiser's records of those properties.

- (j) With the exception of active participants in the tax abatement program, for good cause shown, a participant in the historic site or building designation program may seek to withdraw from the program upon approval of the Stuart City Commission, provided a recommendation regarding said withdrawal request by the SHPB is first provided to the City Commission.

Sec. 5.09.01.A.6. Historic Preservation/GIS Overlay.

- (a) A Historic Preservation/GIS Overlay shall be created to depict the extent of designated properties in the City of Stuart.
- (b) The overlay will contain the name of the individual property, district, or zone as furnished by the SHPB.
- (c) An inventory by address, Master Site File number, and legal description will be maintained by the City of Stuart of all properties contained within the GIS Overlay.
- (d) Amendments to or rescission of the designation of individual properties, districts, and zones will be recorded as part of the overlay.

Sec. 5.09.01.A.7. Certificate of appropriateness procedure.

- (a) *Certificate required as prerequisite to alteration, etc.* A Certificate of appropriateness shall be required for designated properties prior to:
 - (1) Any material change or alteration in the exterior appearance of existing buildings, objects or structures;
 - (2) Demolition of any building, object or structure;
 - (3) The movement or relocation of any building object, or structure;
 - (4) Any new construction of principal or accessory buildings or structures;
 - (5) Disturbance of an archaeological site; or
 - (6) Division of a tract or parcel of a designated property into two or more lots.
- (b) *Application.* An application for a certificate of appropriateness shall be filed with the City of Stuart in a form approved by the SHPB. At a minimum the application must include: full plans and specifications; site plan and samples of materials to fully describe the proposed appearance, color, texture, or material, and architectural design of the buildings; and any outbuilding, wall, courtyard, fence, or landscape features. The applicant shall provide adequate information to enable the SHPB to visualize the effect of the proposed action on the applicant's building and its adjacent buildings and streetscapes. If an application involves a designated archaeological site the applicant shall provide full plans and specifications of work that may affect the surface and subsurface of the archaeological site. An applicant may request a pre-application meeting with the SHPB where the SHPB may provide informal comments regarding any proposed action that would require a Certificate of Appropriateness.

- (c) *Consideration by the SHPB.* The SHPB shall consider the application at a public meeting within 30 days of the application being deemed complete. Notice of the meeting shall be provided to the applicant. The SHPB may continue the meeting to a fixed date, time and place. After the conclusion of the public meeting the SHPB shall approve, approve with modifications or deny the request for a certificate of appropriateness by resolution which shall constitute the final action of the SHPB. Resolutions shall be recorded in the public records of Martin County. A copy of the resolution shall be provided to the applicant and the Building Division. The SHPB may establish a procedure for the administrative review and approval of an application for a certificate of appropriateness.
- (d) *Demolition.*
- (1) In addition to other applicable provisions of Section 5.09.00.A. the following criteria shall be utilized in evaluating applications for a certificate of appropriateness for demolition of designated properties:
- a. Is the structure of such interest or quality that it would reasonably meet national, state, or local criteria for designation?
 - b. Is the structure of such design, craftsmanship, or material that it could be reproduced only with great difficulty and/or expense?
 - c. Is the structure one of the last remaining examples of its kind in the neighborhood, the city, the county or the region?
 - d. Does the structure contribute significantly to the historic character of a designated district?
 - e. Would retention of the structure promote the general welfare of the city by providing an opportunity for study of local prehistory, history, architecture and design or by developing an understanding of the importance and value of a particular culture and heritage?
 - f. Are there definite plans for reuse of the property if the proposed demolition is carried out, and what will be the effect of those plans on the character of the surrounding area?
- (2) A certificate of appropriateness for demolition may be granted with a delayed effective date of up to six months. The effective date shall be determined by the SHPB based upon the relative significance of the structure and the probable time required to arrange an alternative to demolition. During the demolition delay period, the SHPB may take such steps as it deems necessary to preserve the structure. Such steps may include, but shall not be limited to consultation with civic groups, public agencies, and interested citizens, recommendations for acquisition of property by public or private bodies or agencies, and exploration of the possibility of moving one or more structures or other features, plus mitigation (salvage archaeology) as may be deemed necessary or desirable.
- (e) *Building permit not to be issued without certificate.* No building permit shall be issued by the City of Stuart Building Division for any designated property in the City of Stuart without a certificate of appropriateness. In addition, the building division shall issue stop work orders on any work performed on a designated property which is not in compliance with an issued certificate of appropriateness.

- (f) *Compliance of work with certificate standards.* All work performed pursuant to the issuance of any certificate of appropriateness shall conform to the requirements of the Certificate. The City Manager shall designate appropriate staff to make the necessary inspections and who shall be empowered to issue a stop work order if the performance of work on a designated property is not in compliance with the issued Certificate. No work shall proceed as long as a stop work order continues in effect. Copies of any inspection reports and stop work orders shall be furnished to the SHPB and the applicant. The building official shall be responsible for ensuring that any work not done in compliance with an issued certificate of appropriateness is corrected prior to rescinding the stop work order.
- (g) *Emergency, temporary measures.* For the purpose of remedying emergency conditions determined to be dangerous to life, health, or property, nothing contained herein shall prevent the making of any necessary repairs to a designated building or site. The owner of a building damaged by fire or natural calamity is permitted to stabilize the building immediately to prevent further damage and threat to public safety without SHPB approval. Further reconstruction or renovation shall require a certificate of appropriateness.

Sec. 5.09.01.A.8. Variances.

Where, by reason of particular site conditions and restraints, or because of unusual circumstances applicable solely to the particular applicant, strict enforcement of the provisions of Section 5.09.00.A. would result in economic hardship to the applicant, the SHPB may grant variances from the requirements of Section 5.09.00.A.

- (a) In any instance where there is a claim of economic hardship, the owner shall submit, by affidavit, to the SHPB at least 15 days prior to a regularly scheduled meeting of the SHPB, the following information:
 - 1. For all property:
 - 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;
 - b. Real estate taxes for the previous two years;
 - c. Annual debt service, if any, for the previous two years;
 - d. All appraisals obtained within the previous two years by the owner or applicant in connection with his purchase, financing, or ownership of the property;
 - e. Any listing of the property for sale or rent, price asked and offers received, if any;
 - f. Any consideration by the owner as to profitable adaptive uses for the property; and
 - g. Recent sales of similar properties in the immediate area.

2. For income producing property:
 - a. Annual gross income from the property for the previous two years;
 - b. Itemized operating and maintenance expenses for the previous two years; and
 - c. Annual cash flow, if any, for the previous two years.
- (b) The SHPB may require an applicant to furnish additional information by affidavit relevant to a determination of undue economic hardship. In the event that any of the required information cannot be obtained by the applicant, the applicant shall file with his affidavit a statement of the information which cannot be obtained and shall describe the reasons why such information cannot be obtained.
- (c) The SHPB shall not grant a variance unless it determines that:
 1. The variance is the minimum variance required to make reasonable use of the land, building or structure.
 2. The grant of the variance will be in harmony with the general purpose and intent of Section 5.09.00.A.

Sec. 5.09.01.A.9. Maintenance of designated properties.

Nothing in Section 5.09.00.A. shall be construed to prevent ordinary maintenance or repair of any exterior elements of a designated building, or structure, or object which does not involve a change of color, design, appearance or material, and which does not require a building permit.

Sec. 5.09.01.A.10. Demolition by neglect.

- (a) *Requirements.* Every owner of a designated site or of property within a designated historic district or archaeological zone, or of a building or other historic resource listed on the local register of historic landmarks shall keep in good repair:
 1. All of the exterior portions of such buildings or structures;
 2. All interior portions thereof which, if not so maintained, may cause such buildings or structures to deteriorate or become damaged or otherwise fall into a state of disrepair; and
 3. In addition, where the historic resource is an archaeological site, the owner shall be required to maintain his property in such a manner as not to adversely affect the archaeological integrity of the site.
- (b) *Determining neglect.* The SHPB may request that the City of Stuart Building Division conduct an inspection of a designated site, district or zone or resource listed on the local register of historic landmarks and file a complete report of existing conditions and remedies, to the SHPB. The City of Stuart Building Division shall make its determination based upon the definition of demolition by neglect in Section 5.09.01.A.2. as well as applicable building code requirements.

- (c) *Notification and enforcement.* Where the SHPB determines that properties within a designated historic district or a designated historic property lack maintenance and repair to such an extent as to detract from the desirable character of the district or resource, the SHPB shall notify the owner of record, by certified mail, within 30 days of such findings. The SHPB shall request the owner of the property to appear before the SHPB and the SHPB shall present ways to improve the condition of the property. If the owner fails to take action within a prescribed period of time, the SHPB may request that city staff initiate appropriate enforcement proceedings.
- (d) *Emergency conditions applicable to this part.* The Building Official shall immediately notify the SHPB of cases where there are emergency conditions dangerous to life, health or property affecting a designated building, structure or archeological site or property listed on the local register of historical landmarks. After consultation with the SHPB, the Building Official may order the remedying of the dangerous conditions.

Sec. 5.09.01.A.11. Certificates to dig.

- (a) *Certificates required for archaeological sites.* Within a designated archaeological site listed on the local register of historic sites no building permit shall be issued for new construction, filling, grading, grubbing, large scale digging, swimming pool excavation, the removal of trees, the planting of trees or any other ground disturbing activity that occurs at locations more than three inches below adjacent surrounding ground surface, encompasses a combined area of equal to or greater than 100 square feet, or which may disturb or reveal an interred archaeological site without the applicant first obtaining a certificate to dig.
- (b) *Application process.*
 1. An application for a certificate to dig shall be filed with the City of Stuart in a form approved by the SHPB. The City of Stuart may waive the requirement for a certificate to dig in those cases where alterations are regarded as minor or minimal such as, but not limited to: placement of irrigation systems, fence posts six inches or less in diameter, or ditches 12 inches or less in width and other minor or minimal alterations as determined by the criteria of the SHPB.
 2. Within 30 days of the application being deemed complete, staff shall approve, approve with modifications or deny the request for a Certificate to Dig. Such determination shall be based up on the designation report for the archaeological zone and any guidelines established by the SHPB. Approval of the request may be subject to specified conditions including but not limited to site inspections by staff and conditions regarding site excavation. The applicant shall agree to permit a city designated archaeologist to conduct excavations for the time of the application until the effective date. The determination by staff shall be reduced to writing and provided to the applicant.
 3. The applicant may request a review of the staff decision to the SHPB by filing a request within 30 days of the receipt of the determination. The SHPB shall consider such request at its next regularly scheduled meeting and approve, approve with modifications or deny the request by resolution which shall constitute the final action of the SHPB. Resolutions shall be recorded in the public records of Martin County. A copy of the resolution shall be provided to the applicant.
- (c) *Work to conform to certificate; stop work order.*
 1. All work performed pursuant to the issuance of a certificate to dig shall conform to the requirements of such certificate.

2. In the event that work is performed which is not in accordance with such certificate, the appropriate staff shall be empowered to issue a stop-work order and all work shall cease.

(d) *Ground disturbing activities.*

1. Ground disturbing activities shall be suspended within 100 feet of the discovery of any archaeological artifact or burial and the staff of the Stuart Historic Preservation Board shall be notified within 24 hours of the discovery. This suspension may last for up to 30 days from the date of notification to allow for an initial evaluation of significance by a professional archaeologist. If human skeletal remains are found, then F.S. § 872.05, as amended, shall control.
2. If the resource is found to be potentially significant, activities shall be further suspended for up to 30 days to allow for further evaluation by a professional archaeologist.
3. Ground disturbing activities shall be undertaken with caution in the surrounding area.

Sec. 5.09.01.A.12. Appeals.

Appeals of final actions of the SHPB shall be made to the City Commission in a manner provided for in section 8.07.00, Appeals and Hearing, LDC.

Sec. 5.09.01.A.13. Enforcement.

Enforcement of Section 5.09.00.A. shall be consistent with this Land Development Code.

Sec. 5.09.01.A.14. Incentives and conservation easements.

- (a) Properties designated as individual sites or as designated properties within a district or zone may be eligible for financial assistance set aside for historic preservation by the City of Stuart, or the State of Florida.
- (b) Owners are also encouraged to consider granting, selling, or leasing conservation easements, pursuant to F.S. ch. 704.
- (c) Upon compliance with all other provisions of this code, a residentially used historic resource located on a parcel of land within the Community Redevelopment Area, which has been designated, may be relocated to another parcel within the Community Redevelopment Area and may continue to be used for residential purposes.
- (d) The application, permit and other fees applicable to the relocation of a historic structure may be paid by the City of Stuart after review and recommendation by the Stuart Historic Preservation Board and approval by the City Commission. The approval shall be implemented through an agreement between the City of Stuart and the applicant including, but not limited to: 1) a project completion schedule and 2) the posting of a bond, letter of credit, or other form of security to guarantee the timely completion of the project based upon the cost of such completion.

Sec. 5.09.01.A.15. Tax exemptions for designated historic properties.

- (a) *Scope of tax exemptions.* A method is hereby created for the City Commission, in its discretion, to allow ad valorem tax exemptions for the restoration or rehabilitation of designated historic

properties. The exemption shall apply to up to 100 percent of the assessed value of all improvements to historic properties which result from restoration, or rehabilitation made in accordance with a Certificate of Appropriateness issued by the SHPB on or after October 1, 2017. The exemption applies only to taxes levied by the City Commission and not to taxes levied for the payment of bonds or to taxes authorized by a vote of the electors pursuant to Section 9(b) or Section 12, Article VII of the Florida Constitution. The exemption does not apply to personal property.

- (b) *Duration of tax exemptions.* Any exemption granted under Section 5.09.00.A. to a particular property shall remain in effect for up to ten years. In order to retain an exemption, however, the historic character of the property, and improvements which qualified the property for exemption, must be maintained over the period for which the exemption was granted.

- (c) *Eligible properties and improvements.*

1. Property is qualified for an exemption if at the time the exemption is granted, the property is:
 - a. Individually listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended; or
 - b. A contributing property to a national-register-listed district; or
 - c. Designated as a historic property, or as a contributing property to a historic district, under the terms of Section 5.09.00.A.
2. In order for an improvement to an historic property to qualify the property for an exemption, the improvement must:
 - a. Be consistent with the United States Secretary of the Interior's Standards of Rehabilitation; and
 - b. Be determined by the City of Stuart to meet criteria established in rules adopted by the Florida Division of Historical Resources.

- (d) *Applications.*

1. Any person, firm, or corporation that desires an ad valorem tax exemption for the improvement of an historic property must, in the year the exemption is desired to take effect, file with the City of Stuart a written application on a form prescribed by the Florida Division of Historical Resources. The application must include the following information:
 - a. The name of the property owner and the location of the historic property;
 - b. A description of the improvements to real property for which an exemption is requested and the date of commencement of construction of such improvements;
 - c. Proof, to the satisfaction of the City of Stuart, that the property to be rehabilitated or restored is an historic property under Section 5.09.00.A.;

- d. Proof, to the satisfaction of the City of Stuart, that the improvements to the property will be consistent with the United States Secretary of the Interior's Standards for Rehabilitation and will be made in accordance with guidelines developed by the Florida Division of Historical Resources;
 - e. Other information deemed appropriate by the Florida Division of Historical Resources, or requested by the City of Stuart; and
 - f. A completed application for a certificate of appropriateness for the qualifying restoration, or rehabilitation.
- (e) *Required covenant.* To qualify for an exemption, the property owner must enter into a covenant or agreement with the City of Stuart for the term for which the exemption is granted. The form of the covenant or agreement must be established by the Florida Division of Historical Resources 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, transferee, and the owner's 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).
- (f) *Review by the City of Stuart.* The City Manager or designee will review applications for exemptions and recommend that the City Commission either grant or deny the exemption. Such reviews must be conducted in accordance with rules adopted by the Florida Division of Historical Resources. The recommendation and the reasons therefore, must be provided to the applicant and to the City Commission before consideration of the application at public meeting of the City Commission.
- (g) *Approval by the City of Stuart.* A majority vote of the City Commission shall be required to approve a written application for exemption. Such exemption shall take effect on the January 1 following substantial completion of the improvement. The City Commission shall include the following in the resolution approving the application for exemption:
1. The name of the owner and the address of the historic property for which exemption is granted;
 2. The period of time for which the exemption will remain in effect and the expiration date of the exemption; and
 3. A finding that the historic or archaeological property meets the requirements of F.S. § 196.1997 and Section 5.09.00.A.

Sec. 5.09.01.A.16. Procedure for review of nominations for the National Register of Historic Places.

- (a) *Comment period.* In compliance with existing Federal regulations, appropriate local officials, owners of record, and applicants shall be given a minimum of 30 days and not more than 75 days prior to a SHPB meeting in which to comment on or object to the listing of a property in the National Register to be reviewed.

- (b) *Objections.* Objections by property owners must be notarized to prevent nomination to the National Register.

SECTION 2: All ordinances or parts of ordinances herewith are hereby repealed to the extent of such conflict.

SECTION 3: If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

SECTION 4: The provision of Sections 1 of this ordinance shall be codified.

SECTION 5: This ordinance shall take effect upon adoption.

PASSED on First Reading this 14th day of August, 2017.

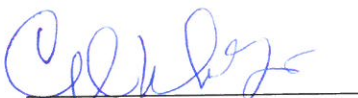
Commissioner CAMPENNI offered the foregoing ordinance and moved its adoption. The motion was seconded by Commissioner GLASS LEIGHTON, and upon being put to a roll call vote, the vote was as follows:

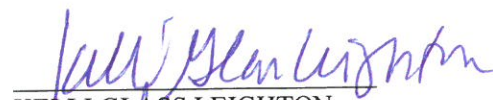
TROY A. MCDONALD, MAYOR
 KELLI GLASS-LEIGHTON, VICE MAYOR
 JEFFREY A. KRAUSKOPF, COMMISSIONER
 EULA R. CLARKE, COMMISSIONER
 THOMAS CAMPENNI, COMMISSIONER

YES	NO	ABSENT
X		
X		
X		
X		
X		

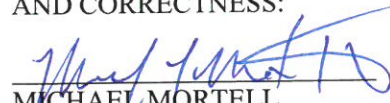
ADOPTED this 28th day of August, 2017.

ATTEST:


 CHERYL WHITE
 CITY CLERK


 KELLI GLASS LEIGHTON,
 VICE MAYOR

APPROVED AS TO FORM
 AND CORRECTNESS:


 MICHAEL MORTELL
 CITY ATTORNEY



STATE OF Florida:
 COUNTY OF Martin

HISTORIC PROPERTIES SURVEY
OF THE
CITY OF STUART, FLORIDA



HISTORIC PROPERTY ASSOCIATES, INC.
ST. AUGUSTINE, FLORIDA 32085
APRIL 1991

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APPENDIX A

Inventory of Buildings Surveyed

INVENTORY OF BUILDINGS SURVEYED IN STUART

RN	ADDRESS	STYLE	DATE	ORIGINAL USE	PRESENT USE
56.	501 West 1st Street	Frame Vernacular	c 1935	Private residence	Commercial
58.	601 West 1st Street	Frame Vernacular	1920	Private residence	Commercial
57.	605-09 West 1st Street	Bungalow	c 1920	Private residence	Private residence
61.	513 West 2nd Street	Colonial Revival ✓	1921	Private residence	Private residence
60.	515 West 2nd Street	Frame Vernacular	1920	Private residence	Commercial
281.	310 West 3rd Street	Frame Vernacular	1895	Religious	Commercial
62.	512 West 3rd Street	Bungalow	1918	Private residence	Private residence
63.	519 West 3rd Street	Colonial Revival ✓	1924	Private residence	Private residence
64.	521 West 3rd Street	Frame Vernacular	c 1926	Private residence	Private residence
55.	25 East 5th Street	Frame Vernacular	1943	Clinic-outpatient	Vacant
54.	26 East 5th Street	Frame Vernacular	c 1926	Private residence	Private residence
53.	34 East 5th Street	Frame Vernacular	1920	Private residence	Commercial
182.	608 East 5th Street	Bungalow	1934	Private residence	Private residence
183.	619 East 5th Street	Bungalow	1925	Private residence	Private residence
184.	639 East 5th Street	Frame Vernacular	1920	Private residence	Private residence
185.	700 East 5th Street	Bungalow	1912	Private residence	Private residence
186.	705 East 5th Street	Mediterranean Revival	c 1926	Private residence	Private residence
187.	709 East 5th Street	Mediterranean Revival	c 1926	Private residence	Private residence
188.	711 East 5th Street	Mediterranean Revival	1926	Private residence	Private residence
222.	800 East 5th Street	Frame Vernacular	c 1925	Private residence	Private residence
✓ 230.	1014 East 5th Street	Ranch	c 1925	Private residence	Private residence
107.	19 West 5th Street	Frame Vernacular	c 1926	Private residence	Commercial
106.	100 West 5th Street	Frame Vernacular	c 1926	Apartment	Commercial
83.	212 West 5th Street	Mediterranean Revival	1924	Apartment	Apartment
169.	599 East 6th Street	Frame Vernacular	c 1935	Private residence	Private residence
150.	1 East 7th Street	Bungalow	c 1920	Private residence	Private residence
151.	3 East 7th Street	Bungalow	c 1920	Private residence	Private residence
226.	1010 East 7th Street	Frame Vernacular	c 1925	Private residence	Private residence
256.	808 East 14th Street	Bungalow	1925	Private residence	Private residence
257.	815 East 14th Street	Bungalow	c 1925	Private residence	Private residence
258.	820 East 14th Street	Bungalow	c 1930	Private residence	Private residence
259.	827 East 14th Street	Mediterranean Revival	1922	Private residence	Private residence
260.	828 East 14th Street	Bungalow	c 1930	Private residence	Private residence
262.	841 East 14th Street	Frame Vernacular	c 1935	Private residence	Private residence

Inventory continued

229.	415 Coconut Avenue	Mediterranean Revival	c 1920	Private residence	Private residence
✓ 14.	100 Colorado Avenue	Masonry Vernacular	c 1915	Commercial	Private residence
13.	106 Colorado Avenue	Cape Cod	1934	Private residence	Private residence
16.	201 Colorado Avenue	Masonry Vernacular	1915	Apartment	Apartment
17.	211 Colorado Avenue	Masonry Vernacular	c 1926	Apartment	Apartment
111.	404 Colorado Avenue	Masonry Vernacular	c 1926	Commercial	Commercial
110.	502 Colorado Avenue	Bungalow	1927	Private residence	Commercial
29.	309 Denver Avenue	Frame Vernacular	c 1920	Private residence	Commercial
30.	313 Denver Avenue	Frame Vernacular	c 1920	Private residence	Commercial
31.	320 Denver Avenue	Frame Vernacular	c 1926	Private residence	Commercial
28.	301 Detroit Avenue	Bungalow	c 1926	Private residence	Private residence
27.	305 Detroit Avenue	Frame Vernacular	c 1935	Private residence	Commercial
50.	306 Detroit Avenue	Bungalow	c 1928	Private residence	Private residence
26.	309 Detroit Avenue	Frame Vernacular	c 1926	Private residence	Commercial
112.	11 South Dixie Highway	Masonry Vernacular	c 1915	Commercial	Commercial
40.	114 South Dixie Highway	Masonry Vernacular	1912	Commercial	Commercial
45.	200-10 South Dixie Highway	Masonry Vernacular	1924	Commercial	Commercial
96.	243 South Dixie Highway	Masonry Vernacular	c 1915	Commercial	Commercial
52.	500 South Dixie Highway	Masonry Vernacular	c 1926	Commercial	Commercial
156.	920 South Dixie Highway	Frame Vernacular	1918	Commercial	Commercial
246.	200 Dunscombe Road	Frame Vernacular	1918	Private residence	Private residence
154.	912 East Avenue	Frame Vernacular	c 1926	Private residence	Private residence
155.	916 East Avenue	Frame Vernacular	c 1926	Private residence	Private residence
245.	306 Egret Place	Colonial Revival ✓	1924	Private residence	Private residence
244.	320 Egret Place	Frame Vernacular	1923	Private residence	Private residence
114.	123 South Federal Highway	Masonry Vernacular	1926	Commercial	Commercial
115.	511 South Federal Highway	Bungalow	1910	Private residence	Commercial
138.	710 South Federal Highway	Mediterranean Revival	1923	Commercial	Commercial
7.	49 Flagler Avenue	Masonry Vernacular	c 1926	Commercial	Commercial
6.	53 Flagler Avenue	Masonry Vernacular	c 1926	Commercial	Commercial
3.	73 Flagler Avenue	Masonry Vernacular	1913	Commercial	Commercial
1.	101 Flagler Avenue	Frame Vernacular	1901	Commercial	Commercial
2.	105 Flagler Avenue	Frame Vernacular	1916	Private residence	Commercial
✓ 5.	216 Flagler Avenue	Beaux Arts	1926	Commercial	Commercial
208.	237 Flagler Avenue	Frame Vernacular	1928	Commercial	Commercial
51.	416 Flagler Avenue	Frame Vernacular	1917	Commercial	Commercial

Inventory continued

4.	615 Flagler Avenue	Masonry Vernacular	c 1915	Commercial	Commercial
236.	132 Flamingo Avenue	Mediterranean Revival	1924	Private residence	Private residence
225.	1017 Hall Avenue	Mediterranean Revival	c 1925	Private residence	Private residence
148.	521 Halpatiokee Street	Frame Vernacular	1935	Private residence	Private residence
147.	529 Halpatiokee Street	Frame Vernacular	c 1935	Private residence	Private residence
146.	548 Halpatiokee Street	Frame Vernacular	c 1935	Private residence	Private residence
144.	556 Halpatiokee Street	Frame Vernacular	1927	Private residence	Private residence
145.	557 Halpatiokee Street	Frame Vernacular	1924	Private residence	Private residence
234.	413 Hibiscus Avenue	Mediterranean Revival	c 1925	Private residence	Private residence
✓ 233.	416 Hibiscus Avenue	✓ Tudor Revival	1924	Private residence	Private residence
232.	424 Hibiscus Avenue	Mediterranean Revival	c 1925	Private residence	Private residence
231.	439 Hibiscus Avenue	Mediterranean Revival	1924	Private residence	Private residence
268.	104A Lonita Street	Mediterranean Revival	1921	Commercial	Commercial
253.	123 Martin Avenue	Mediterranean Revival	1924	Private residence	Private residence
252.	135 Martin Avenue	Bungalow	1921	Private residence	Private residence
251.	316 Martin Avenue	Mediterranean Revival	c 1925	Private residence	Private residence
152.	344 M.L. King Jr. Blvd.	Frame Vernacular	1930	Commercial	Commercial
160.	815 Nassau Avenue	Frame Vernacular	c 1926	Private residence	Private residence
161.	825 Nassau Avenue	Frame Vernacular	c 1926	Private residence	Private residence
162.	829 Nassau Avenue	Frame Vernacular	c 1940	Private residence	Private residence
25.	227 East Ocean Boulevard	Bungalow	c 1926	Private residence	Commercial
✓ 283.	100 East Ocean Boulevard	Art Deco	1937	Courthouse	Museum
✓ 193.	500 East Ocean Boulevard	Art Deco	1922	Education	Education
192.	600 East Ocean Boulevard	Mediterranean Revival	1925	Commercial	Commercial
190.	716 East Ocean Boulevard	Frame Vernacular	1913	Private residence	Private residence
76.	214 West Ocean Boulevard	Bungalow	c 1926	Private residence	Religious
73.	322 West Ocean Boulevard	Frame Vernacular	c 1935	Private residence	Private residence
72.	510 West Ocean Boulevard	Mediterranean Revival	1920	Apartment	Apartment
71.	512 West Ocean Boulevard	Mediterranean Revival	c 1926	Apartment	Apartment
70.	516 West Ocean Boulevard	Bungalow	1920	Private residence	Private residence
69.	521 West Ocean Boulevard	Bungalow	c 1915	Private residence	Private residence
68.	601 West Ocean Boulevard	Bungalow	1904	Private residence	Private residence
278.	500 Oleander Street	Mediterranean Revival	1923	Apartment	Commercial
✓ 250.	310 Oriole Avenue	✓ Minimal Traditional	1927	Private residence	Private residence

Inventory continued

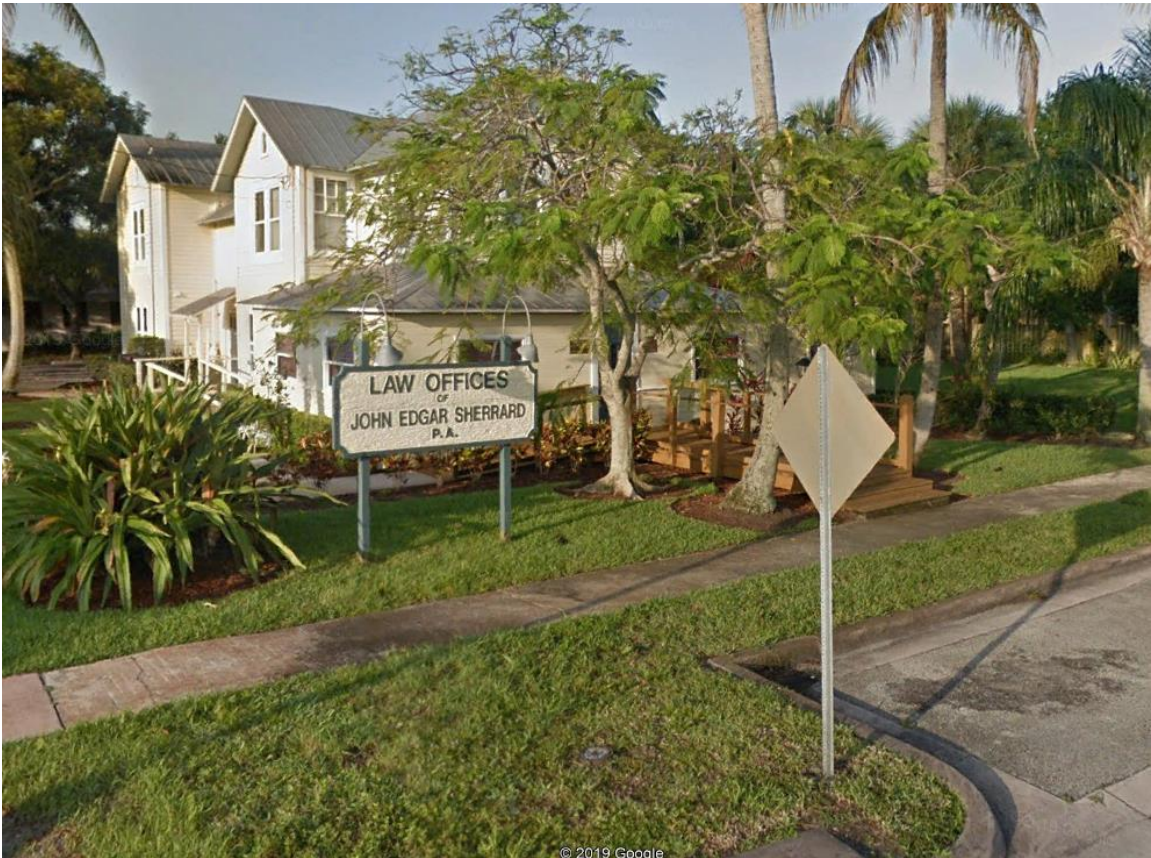
8.	13-31 Osceola Street	Mediterranean Revival	1925	Commercial	Commercial
32.	34 Osceola Street	Bungalow	1922	Private Residence	Commercial
48.	61 Osceola Street	Masonry Vernacular	1921	Bank	Bank
202.	215 Osceola Street	Frame Vernacular	c 1920	Private residence	Private residence
24.	309 Osceola Street	Mediterranean Revival	1926	Hotel	Hotel
201.	319 Osceola Street	Colonial Revival	1908	Private residence	Commercial
200.	321 Osceola Street	Bungalow	1912	Private residence	Private residence
199.	323 Osceola Street	Mediterranean Revival	1922	Private residence	Private residence
203.	332 Osceola Street	Frame Vernacular	c 1920	Private residence	Private residence
204.	416 Osceola Street	Frame Vernacular	c 1930	Private residence	Private residence
205.	418 Osceola Street	Frame Vernacular	c 1920	Private residence	Private residence
206.	424 Osceola Street	Bungalow	c 1920	Private residence	Private residence
207.	432 Osceola Street	Bungalow	1928	Private residence	Private residence
217.	1044 East Osceola Street	Mediterranean Revival	1923	Private residence	Private residence
216.	1066 East Osceola Street	Mediterranean Revival	1923	Private residence	Private residence
215.	1138 East Osceola Street	Mediterranean Revival	1921	Private residence	Private residence
227.	621 Palm Beach Road	Frame Vernacular	1943	Private residence	Private residence
255.	800 Pathfinder Avenue	Bungalow	1925	Private residence	Private residence
249.	200 Pelican Drive	Frame Vernacular	c 1935	Private residence	Private residence
247.	317 Pelican Drive	Bungalow	c 1925	Private residence	Private residence
275.	604 Poinsetta Street	Bungalow	1918	Private residence	Private residence
277.	406 North River Drive	Frame Vernacular	c 1935	Private residence	Private residence
276.	414 North River Drive	Frame Vernacular	c 1935	Private residence	Private residence
198.	451 Riverside Drive	Frame Vernacular	1892	Private residence	Private residence
197.	453 Riverside Drive	Frame Vernacular	1892	Private residence	Private residence
196.	471 Riverside Drive	Frame Vernacular	1892	Private residence	Private residence
195.	475 Riverside Drive	Frame Vernacular	1935	Private residence	Private residence
194.	477 Riverside Drive	International	1937	Private residence	Private residence
209.	1010 Riverside Drive	Bungalow	1925	Private residence	Private residence
210.	1013 Riverside Drive	Colonial Revival	1920	Private residence	Private residence
211.	1025 Riverside Drive	Bungalow	1920	Private residence	Private residence
212.	1045 Riverside Drive	Bungalow	1917	Private residence	Private residence
213.	1051 Riverside Drive	Bungalow	1917	Private residence	Private residence
240.	1329 Riverside Drive	Colonial Revival	1912	Private residence	Private residence
✓ 238.	1513 Riverside Drive	Minimal Traditional	1937	Private residence	Private residence
239.	1571 Riverside Drive	Bungalow	1938	Private residence	Private residence
237.	1680 Riverside Drive	Minimal Traditional	1928	Private residence	Private residence

Inventory continued

274.	546 Riverview Avenue	Frame Vernacular	c 1920	Private residence	Private residence
273.	550 Riverview Avenue	Frame Vernacular	c 1920	Private residence	Private residence
272.	552 Riverview Avenue	Bungalow	c 1920	Private residence	Private residence
38.	4 Seminole Street	Frame Vernacular	c 1935	Private residence	Private residence
15.	15 Seminole Street	Frame Vernacular	1913	Apartment	Apartment
37.	18 Seminole Street	Frame Vernacular	c 1926	Private residence	Private residence
36.	22 Seminole Street	Frame Vernacular	c 1930	Private residence	Private residence
39.	31-33 Seminole Street	Art Moderne	1939	Apartment	Apartment
18.	37 Seminole Street	Frame Vernacular	c 1935	Private residence	Private residence
34.	38 Seminole Street	Bungalow	c 1915	Private residence	Private residence
11.	41 Seminole Street	Bungalow	1913	Private residence	Private residence
33.	42 Seminole Street	Bungalow	1925	Private residence	Private residence
10.	45 Seminole Street	Bungalow	c 1915	Private residence	Private residence
19.	55 Seminole Street	Frame Vernacular	c 1920	Private residence	Commercial
20.	55 1/2 Seminole Street	Frame Vernacular	c 1915	Garage	Garage
22.	57 1/2 Seminole Street	Frame Vernacular	1915	Private residence	Private residence
21.	57 Seminole Street	Frame Vernacular	c 1926	Private residence	Private residence
9.	200 Seminole Street	Frame Vernacular	c 1920	Private residence	Commercial
12.	224 Seminole Street	Bungalow	1925	Private residence	Private residence
35.	315 Seminole Street	Frame Vernacular	1890	Private residence	Private residence
271.	507 Siesta Way	Frame Vernacular	1912	Private residence	Private residence
269.	511 Siesta Way	Frame Vernacular	c 1935	Private residence	Private residence
270.	515 Siesta Way	Frame Vernacular	1912	Private residence	Private residence
116.	111 St. Lucie Crescent	Frame Vernacular	c 1926	Private residence	Private residence
117.	524 St. Lucie Crescent	Mediterranean Revival	1927	Apartment	Apartment
118.	625 St. Lucie Crescent	Bungalow	1927	Private residence	Private residence
119.	629 St. Lucie Crescent	Frame Vernacular	c 1926	Private residence	Private residence
120.	635 St. Lucie Crescent	Frame Vernacular	c 1926	Private residence	Private residence
121.	637 St. Lucie Crescent	Bungalow	1930	Private residence	Private residence
122.	649 St. Lucie Crescent	Bungalow	1920	Private residence	Private residence
123.	701 St. Lucie Crescent	Frame Vernacular	c 1926	Private residence	Private residence
124.	705 St. Lucie Crescent	Frame Vernacular	c 1926	Private residence	Apartment
125.	709 St. Lucie Crescent	Colonial Revival	1939	Private residence	Private residence
140.	823 St. Lucie Crescent	Bungalow	c 1920	Private residence	Private residence
142.	901 St. Lucie Crescent	Bungalow	1922	Private residence	Private residence
141.	912 St. Lucie Crescent	Frame Vernacular	1902	Private residence	Private residence
143.	1005 St. Lucie Crescent	Frame Vernacular	1904	Private residence	Private residence
170.	604 Stypmann Boulevard	Frame Vernacular	c 1915	Private residence	Apartment
171.	612 Stypmann Boulevard	Colonial Revival	1938	Private residence	Private residence
172.	616 Stypmann Boulevard	Frame Vernacular	c 1935	Private residence	Private residence

Inventory continued

181.	621 Stypmann Boulevard	Frame Vernacular	c 1926	Private residence	Private residence
173.	624 Stypmann Boulevard	Bungalow	c 1920	Private residence	Private residence
180.	625 Stypmann Boulevard	Frame Vernacular	c 1926	Private residence	Private residence
179.	633 Stypmann Boulevard	Mediterranean Revival	c 1926	Private residence	Private residence
174.	636 Stypmann Boulevard	Frame Vernacular	1928	Private residence	Private residence
175.	640 Stypmann Boulevard	Frame Vernacular	c 1926	Private residence	Private residence
176.	704 Stypmann Boulevard	Frame Vernacular	c 1926	Private residence	Private residence
178.	705 Stypmann Boulevard	Frame Vernacular	1938	Private residence	Private residence
177.	712 Stypmann Boulevard	Mediterranean Revival	1924	Private residence	Private residence
167.	818 Tarpon Avenue	Bungalow	c 1926	Private residence	Private residence
168.	821 Tarpon Avenue	Frame Vernacular	c 1926	Private residence	Private residence
166.	833 Tarpon Avenue	Frame Vernacular	c 1926	Private residence	Private residence
165.	915 Tarpon Avenue	Frame Vernacular	c 1940	Private residence	Private residence
164.	937 Tarpon Avenue	Frame Vernacular	c 1940	Private residence	Private residence
163.	941 Tarpon Avenue	Frame Vernacular	c 1940	Private residence	Private residence







Traffic along Pennsylvania Avenue in Washington streaks past the Federal Bureau of Investigation headquarters building. Federal policies emphasizing privacy over disclosure and a complex web of government officials could undermine improvements in U.S. election systems occurs. (J. DAVID AKE/THE ASSOCIATED PRESS)

Election hacks: You may never know

By Colleen Long and Christina A. Cassidy
The Associated Press

WASHINGTON — If the FBI discovers that foreign hackers have infiltrated the networks of your county election office, you may not find out about it until after voting is over. And your governor and other state officials may be kept in the dark, too.

There's no federal law compelling state and local governments to share information when an election system is hacked. And federal policy keeps details secret by shielding the identity of all cyber victims regardless of whether election systems are involved. Election officials are in a difficult spot: If someone else's voting system is targeted, they want to know exactly what happened so they can protect their own system. Yet when their own systems are targeted, they may be cautious about disclosing details. They must balance the need for openness with worries over undermining any criminal

investigation. And they want to avoid chaos or confusion, the kind of disruption that hackers want. The secrecy surrounding foreign hacks is not a hypothetical issue. The public still doesn't know which Florida counties were breached by Russian agents in the 2016 election. Rick Scott, Florida's governor in 2016 and now a U.S. senator, was not told at the time and didn't learn most of the details until this year. And the threat to election systems is real. Federal officials believe Russian agents in 2016 searched for vulnerabilities within election systems in all 50 states. And the nation's intelligence chiefs warn that Russia and other nations remain interested in interfering in U.S. elections. Meanwhile, experts worry the White House hasn't highlighted the threat as President Donald Trump argues it's OK for foreign countries to provide damaging information on his political rivals, a matter now the subject of an impeachment inquiry led by House Democrats.

CBC: Trudeau will have minority government

The Associated Press

TORONTO — The Canadian Broadcasting Corporation was projecting late Monday that Justin Trudeau's Liberals will win a minority government in Canada's parliamentary elections.

Trudeau appealed to overcome a challenge from the rival Conservatives four years after he challenged his father's star power to become prime minister.

CBC projects Trudeau's Liberals won't win the majority of seats in Parliament and will have to rely on another party to pass legislation.

Handsome and charismatic, Trudeau reasserted liberalism in many times he has worn blackface.

Trudeau also was hurt by a scandal that erupted this year when his former attorney general said he pressured her to halt the prosecution of a Quebec company. Trudeau has

was most likely to win the

said he was standing up for jobs, but the damage the Liberals are strong, has the most seats.

Scheer has promised to end a national carbon tax and cut government spending, including foreign aid, by 25%. "That money belongs to you, not to them," Scheer said.

Trudeau embraced immigration at a time when the U.S. and other countries are closing their doors, and he legalized cannabis nationwide.

His efforts to strike a balance on the environment and the economy have been criticized by both the right and left. He brought in a carbon tax to fight climate change but rescued a stalled pipeline expansion project to get Alberta's oil to international markets.

His also negotiated a new free trade deal for Canada with the U.S. and Mexico amid threats by U.S. President Donald Trump to scrap it.

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raising major privacy concerns and questions about whether such data should be compelled even when a person is not suspected of a crime other than crossing the border illegally. Civil rights groups already have expressed concerns that data could be misused, and the new policy is likely to lead to legal action.

Justice officials hope to have a pilot program in place shortly after the 20-day comment period ends and expand from there, the official said. The new regulations are effective Tuesday.

Trump administration officials say they hope to solve more crimes committed by immigrants through the increased collection of DNA from a group that can often slip through the cracks. The Justice official also said it would be a deterrent — the latest step aimed at discouraging migrants from trying to enter the United States between official crossings by adding hurdles to the immigration process.

Currently, officials collect DNA on a much more limited basis — when a migrant is prosecuted in federal court for a criminal offense. That includes illegal crossing, a charge that has affected mostly single adults. Those accompanied by children generally aren't prosecuted because children can't be detained.

President Donald Trump and others in his

administration often single out crimes committed by immigrants as a reason for stricter border control. But multiple studies have found that people in the United States illegally are less likely to commit crime than U.S. citizens, and legal immigrants are even less likely to do so.

For example, a study last year in the journal Criminology found that from 1990 through 2014, states with bigger shares of migrants have lower crime rates.

Alex Nowrasteh, director of immigration studies at the Libertarian think tank Cato Institute, which has also studied the issue, said it was unnecessary.

"Fingerprints and current biometrics are more than sufficient to identify criminals and keep them out of the United States. Collecting DNA is expensive, will be done poorly, and doesn't make Americans any safer," he said.

Immigrant rights advocates were immediately critical. "This proposed change in policy is ... transparently xenophobic in its intention," said American Civil Liberties Union senior policy and advocacy attorney Naureen Shah.

"It seeks to miscast these individuals, many of whom are seeking a better life or safety, as threats to the country's security." Curbing immigration is Trump's signature issue, the FBI database, known as the Combined DNA Index System, has nearly 14 million convicted offender profiles, plus 3.6 million arrestee profiles, and 966,782 forensic profiles as of August 2019. The profiles in the database do not contain names or other personal identifiers to protect privacy; only an agency identifier, specimen identification number and DNA lab associated with the analysis. That way, when people aren't a match, their identification isn't exposed.

Trump's signature issue,

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Stuart Historic Preservation Board will conduct a public hearing on **Wednesday, November 6, 2019** to consider petition for dedication and protection of the historic structure under the Historic Preservation Program. The hearing will be conducted on **November 6, 2019** at 4:00 P.M. or as soon thereafter as the item may be heard in the Stuart Commission Chambers located at 121 SW Flagler Avenue, Stuart, FL, 34994.

The petition to be considered is:

1. Hull/Lane House, which now serves as a law firm of John Edgar Sherrard, P.A., at 34 SE 5th Street, Stuart, FL 34994.

All interested parties are invited to attend and be heard. Copies of the items will be available at the Stuart City Hall. Written comments may be directed to Pinhal Gandhi-Savdas, Historic Preservation Board Liaison, City of Stuart Community Redevelopment Agency at the following address: 121 SW Flagler Avenue, Stuart, FL 34994. For more information, contact the Community Redevelopment Agency at 772-283-2532.

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the City's ADA coordinator at (772) 288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

Mary Kindel, City Clerk
Publish: October 22, 2019

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