

MANATEE COUNTY HISTORIC PRESERVATION BOARD  
CERTIFICATE OF APPROPRIATENESS  
HPB/COA-03-02

FILED FOR RECORD  
R. B. SHORE  
2003 OCT 10 AM 8:09

PROJECT NAME: ALBERT AND WENDY GAGNE  
LOCATION: 4516 121<sup>ST</sup> STREET COURT WEST, CORTEZ

CLERK OF THE CIRCUIT COURT  
MANATEE CO. FLORIDA

This is to certify that the Historic Preservation Board of Manatee County met in Regular Session on September 29, 2003, and reviewed the request for the above-named project.

The Board found the construction of a three foot chain link fence in the rear and side yards around a single family residence to be in substantial compliance with the Board's adopted guidelines.

This Certificate of Appropriateness to allow a three foot chain link fence in the rear and side yards around a single family residence is APPROVED, subject to the following stipulations.

1. Any historical or archaeological resources discovered during development activities shall be immediately reported to the Florida Division of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the resources must be completed before resource disturbing activities are allowed to continue.
2. The chain link fence shall be constructed at a height no greater than four feet.
3. The chain link fence shall not extend past the front of the house.

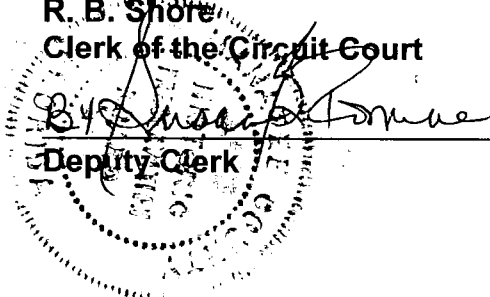
APPROVED THIS 29<sup>TH</sup> DAY OF SEPTEMBER, 2003.

HISTORIC PRESERVATION BOARD  
MANATEE COUNTY, FLORIDA

ATTEST:

BY: Allen Garner  
Chairman

R. B. Shore  
Clerk of the Circuit Court

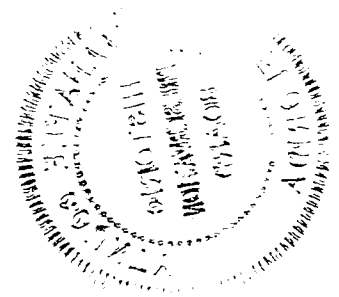


R. B. Shore  
Deputy Clerk

HPB/COA-03-02

10-10-03 QA

CC: Troy Salisbury } Planning  
Kim Sparks }



**HISTORIC PRESERVATION BOARD**

**DATE: 9/29/03**

**STAFF REPORT FOR FILE NO. HPBCOA - 03 - 02  
BUILDING PERMIT APPLICATION #03041245**

**REQUEST:** Certificate of Appropriateness to allow a three foot chain link fence in the rear and side yards around a single family residence.

BP Application #03041245  
Property Owner: Albert & Wendy Gagne

**PROPERTY INFORMATION:** Location: 4516 121<sup>st</sup> Street Court West  
Cortez, Florida 34215

Zoning: RSF-6  
Future Land Use Category: Res-6/HA

**YEAR BUILT:** 1921

**FLORIDA MASTER SITE FILE:** YES

**RECOMMENDED MOTION:**

After consideration of comments made and evidence presented during the consideration of this matter, the Manatee County Comprehensive Plan, and the Manatee County Land Development Code, I move to APPROVE the Certificate of Appropriateness to allow a chain link fence within the Cortez historic district, with stipulation 1 through 3.

1. Any historical or archaeological resources discovered during development activities shall be immediately reported to the Florida Division of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the resources must be completed before resource disturbing activities are allowed to continue.
2. The chain link fence shall be constructed at a height no greater than four feet.
3. The chain link fence shall not extend past the front of the house.

**General Criteria for Granting Certificates of Appropriateness**

In approving or denying applications for Certificates of Appropriateness for alterations, new construction, demolition, or relocation, the Historic Preservation Board shall use the following general guidelines:

- (1) The effect of the proposed work on the Historical and Archaeological Overlay District or historic landmark upon which such work is to be done;
- (2) The relationship between such work and other structures in the Historical and Archaeological Overlay District or on the historic landmark;
- (3) The extent to which the historic, architectural, or archaeological significance, architectural style, design, arrangement, texture, materials and color of the historic landmark or Historical and Archaeological Overlay District will be affected;
- (4) Whether the denial of a Certificate of Appropriateness would deprive the property owner of reasonable beneficial use of his property;
- (5) Whether the plans may be reasonably carried out by the applicant.

**Additional Guidelines for Alterations**

In approving or denying applications for Certificates of Appropriateness for alterations, the Historic Preservation Board shall also use the following additional guidelines which are based on the United States Secretary of the Interior's Standards for Historic Preservation projects.

- (1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

**APPLIES: Yes**

**MEETS GUIDELINE: Yes**

**COMMENTS:**

**The property and surrounding area is residential and will remain residential.**

- (2) The historic characters of a property shall be retained and preserved. The removal of historic materials of alteration of features and spaces that characterize a property shall be avoided.

**APPLIES: Yes**

**MEETS GUIDELINE: Yes**

**COMMENTS:**

**The historical characteristics of the property will remain the same. There will be no removal of historic materials or alteration of features and spaces.**

- (3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features of architectural elements from other buildings, shall not be undertaken.

**APPLIES: Yes MEETS GUIDELINE: N/A**

**COMMENTS:**

**Chain link fences have been determined to be consistent within the Cortez Design Guidelines and Vision Plan. The fence is consistent with the historical nature of the house and Cortez Village.**

- (4) Most properties change over time; those changes have acquired historic significance in their own right shall be retained and preserved.

**APPLIES: No MEETS GUIDELINE: N/A**

**COMMENTS:**

- (5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

**APPLIES: Yes MEETS GUIDELINE: Yes**

**COMMENTS:**

**The historic characteristics of the residential structure will not be altered.**

- (6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

**APPLIES: No MEETS GUIDELINE: N/A**

**COMMENTS:**

- (7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

**APPLIES: No MEETS GUIDELINE: N/A**

**COMMENTS:**

- (8) Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

**APPLIES: Yes MEETS GUIDELINE: Yes**

**COMMENTS:**

**There are no known historical or archeological resources affected by the project. Stipulation #1 shall apply if any archeological resources are uncovered.**

- (9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

**APPLIES: Yes MEETS GUIDELINE: Yes**

**COMMENTS:**

**The addition of the fence does not alter the historic characteristics of the existing structure, and is compatible in massing, scale and features. Fences in general are limited in numbers throughout the village and are varied in construction materials.**

- (10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

**APPLIES: Yes MEETS GUIDELINE: Yes**

**COMMENTS:**

**Removal of this addition will not deteriorate the historical value of the residential structure.**

**Additional Guidelines for New Construction**

In approving or denying applications for Certificates of Appropriateness for new construction, the Historic Preservation Board shall also use the following additional guidelines:

- (1) The height of the proposed building or structure shall be visually compatible with adjacent buildings and structures.

**APPLIES: Yes MEETS GUIDELINE: Yes**

**COMMENTS:**

**The height of the fence is consistent with other existing fences in the district and is allowed under the Cortez Design Guidelines.**

- (2) The relationship of the width of the building to the height of the front elevation shall be visually compatible to buildings and places to which it is visually related.

**APPLIES: No**                                      **MEETS GUIDELINE: N/A**  
**COMMENTS:**

- (3) The relationship of the width of the windows to the height of the windows in a building shall be visually compatible with buildings and places to which the building is visually related.

**APPLIES: No**                                      **MEETS GUIDELINE: N/A**  
**COMMENTS:**

- (4) The relationship of solids and voids in the front facade of a building shall be visually compatible with buildings and places to which it is visually related.

**APPLIES: No**                                      **MEETS GUIDELINE: N/A**  
**COMMENTS:**

- (5) The relationship of the building or structure to open space between it and adjoining buildings shall be visually compatible to the buildings and places to which it is visually related.

**APPLIES: Yes**                                      **MEETS GUIDELINE: Yes**  
**COMMENTS:**

**The fence, in the rear and side yards only, is consistent in relationship to the residential structure and similar to other fences and buildings in the district.**

- (6) The relationship of entrance and porch projections to sidewalks of a building shall be visually compatible to the buildings and places to which it is visually related.

**APPLIES: No**                                      **MEETS GUIDELINE: N/A**  
**COMMENTS:**

- (7) The relationship of the materials, texture and color of the facade of a building shall be visually compatible with the predominant materials used in the buildings to which it is visually related.

**APPLIED: Yes**                                      **MEETS GUIDELINE: Yes**  
**COMMENTS:**

**The chain link fence is installed along the property boundary, and the height of the fence is three feet. Chain link fences have been determined compatible by the Cortez Design Guidelines and Vision Plan. Limiting the fences to the side and rear yards**

**maintains the front of the residence in an open manner consistent with the general openness in the village.**

- (8) The roof shape of a building shall be visually compatible with the buildings to which it is visually related.

**APPLIED: No**

**MEETS GUIDELINE: N/A**

**COMMENTS:**

- (9) Appurtenances of a building such as walls, wrought iron, fences, evergreen, landscape masses, building facades, shall, if necessary, form cohesive walls of enclosures along a street, to insure visual compatibility of the building to the buildings and places to which it is visually related.

**APPLIED: Yes**

**MEETS GUIDELINE: Yes**

**COMMENTS:**

**The fence does provide a cohesive enclosure to the property, but does not extend past the front of the house. Limiting the fences to the side and rear yards maintains the front of the residence in an open manner consistent with the general openness in the village.**

- (10) The size of a building, the mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with the buildings and places to which it is visually related.

**APPLIED: No**

**MEETS GUIDELINE: N/A**

**COMMENTS:**

- (11) A building shall be visually compatible with the buildings and places to which it is visually related in the directional character, whether this be vertical character, horizontal character or nondirectional character.

**APPLIED: Yes**

**MEETS GUIDELINE: Yes**

**COMMENTS:**

**The proposed fence is consistent with other chain link fences in the area. The use of a chain link fence provides a better flow of sea breezes throughout Cortez.**

**Attachments:**

1. BP Application # COA-03-02
2. Supplementary Information for Applications for Historic Preservation Certificates of Appropriateness





**MANATEE COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
LAND DEVELOPMENT APPLICATION  
SUPPLEMENTARY INFORMATION  
FOR APPLICATIONS**



**FOR HISTORIC PRESERVATION CERTIFICATES OF APPROPRIATENESS**

(To be filed in conjunction with applications for Preliminary Site Plan, Final Site Plans, Building Permits)

FOR STAFF USE ONLY

FILE NUMBER:

FILE NAME:

PERMIT 03041245

**1. Location of Property**

Historic Vista Protection Areas (LDC Section 720)

Desoto National Memorial Park      Yes  No   
Gamble Plantation State Historical Site      Yes  No

Historical and Archaeological Overlay District (LDC Section 604.6 These implement Historic Resources Overlay Districts of the Comprehensive Plan 2.2.2.5

Cortez Fishing Village      Yes  No   
Palma Sola Park      Yes  No   
Whitfield Estates      Yes  No   
Terra Ceia      Yes  No   
Other      Yes  No

Is the subject property/site a Historic Landmark? Yes  No  (Note: The answer may be yes whether or not it is located within a Historic Vista Protection Area or a Historic and Archaeological Overlay District).

**2. Existing Conditions**

a. Please describe the character of the building or site in its present condition, include the date structure was built, condition of roof, treatment of windows, ceilings and note whether significant alterations have occurred since the original construction (include black/white photo of existing exterior elevations and appropriate architectural drawings). If parts of the structure were constructed at different times, please indicate when each part was built. Also, please indicate if the current structure has been constructed on a historic foundation. Or, if site is archaeological, include a list of cultures associated with the site and describe the current conditions of the site including any disturbances (Attach separate sheets if necessary)

HOUSE WOOD FRAME. SHINGLE ROOF.  
NO CAR GARAGE.

b. Is the structure, property, or part thereof on the Florida Master File? (Yes/No/Unknown) u. If so, please attach a copy of the Florida Master Site File form as recorded at the Florida Department of State, Division of Historical Resources.

c. Is the structure, property, or part thereof eligible for list or listed on the National Register of Historic Places? (Yes/No/Unknown) yes If so, please attach a copy of the nomination to the National Register of Historic Places.

**PLANNING  
APR 23 2003  
DEPARTMENT**

3. **Proposed Changes**

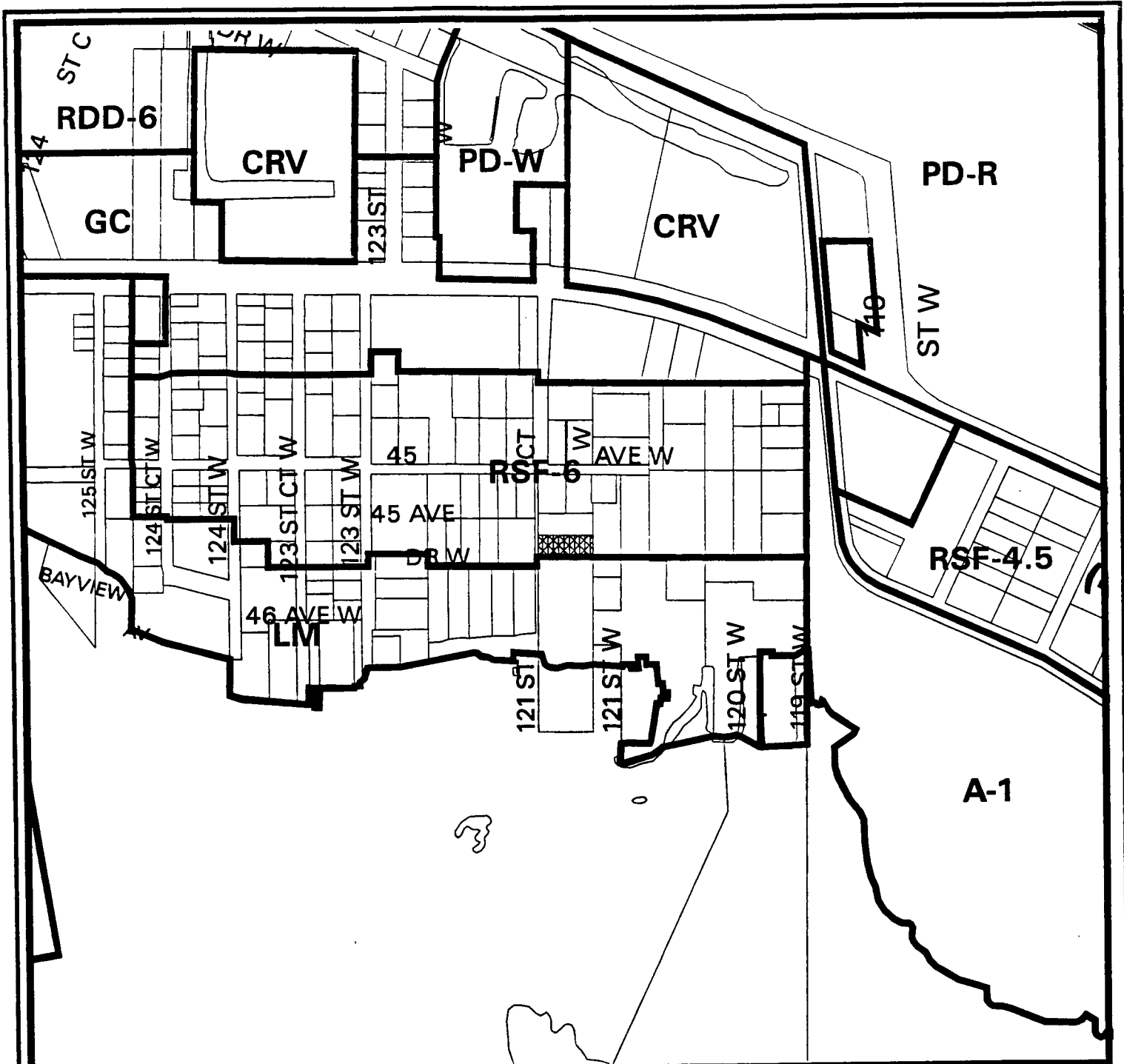
Please describe the change to be made/work to be done. At a minimum, the information must include drawings of the proposed work showing elevations, and information about the building materials and colors to be used. Construction drawings should be submitted if applying for a building permit.

INSTALL 210' OF CHAIN LINK FENCE 3' HIGH.  
1-3X6 DOUBLE DRIVE 1-3X3 WALK GATE

4. **Additional Required Information:**

Please describe the historical or archaeological resources located within a 1000 ft. radius of the subject property. (Attach separate sheets if necessary).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Project Number:** 4516 121st Court West  
**Proposed Use:** N/A  
**Proposed Zoning:** N/A  
**Existing Zoning:** RSF-6  
**Existing FLUC:** RES-6  
**Flood Zone:** AE  
**Floodway:** NO  
**Acreage:** 0.25  
**Drainage Basin:** SARASOTA BAY  
**Commissioner:** Jane von Hahmann  
**Map Prepared:** June 27, 2003  
**Requested By:** Albert Gagne  
**Section:** 3 Township: 35 Range: 16

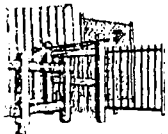
**Tax I.D.:** 767150000



**Manatee County  
 Zoning  
 Staff Report Map**  
 1 inch = 400'

**Overlays:**  
 ST, AI, HA, WR, RV: HA  
 Watershed: NONE  
 Coastal Hazard: Not Available  
 Special Areas: NONE  
 State? NO  
 Coastal High Hazard Line





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106 Chauncey • Bradenton, FL 34208



HP EXHIBIT T3  
tabbies HPBCOA-03-02  
Gagne  
Sketch 9/29/03

- Top Rail of Fence to Follow Ground
- Be Level With Ground
- Be Level With Highest Grade

WAG

*Wendy Gagne*

ADDRESS *7516 121st St. Ct. W.*

CITY *BRADENTON, FL.*

JOB NAME AND LOCATION \_\_\_\_\_ PHONE *761-0299*

Total Height 3'

Post Spaced 10'

Style Fence Chain Link

Gauge  8  11 1/2  Reg.

Knuckled

Safeguard  X X X

Top Rail \_\_\_\_\_ O.D.

Line Post 1 5/8 O.D.

End Post 2 1/2 O.D.

Corner Post 2 1/2 O.D.

Walk Gate Post 2 1/2 O.D.

Drive Gate Post N/A. O.D.

Gate Frames 1 3/8 O.D.

PROPOSAL 3126103. DATE SOLD \_\_\_\_\_ SALESMAN *Raul*

INSTALL.

210' OF CHAIN LINK FENCE 3' HIGH.

GAUDETIZE 11 1/2 GAUGE.

5 - 2 1/2 END POST.

1 - 6X3 SWING. GATE.

1 - 3X3 WALK GATE. (CUSTOMER GATE).

\*ALL POST SET IN CONCRETE.

882.-

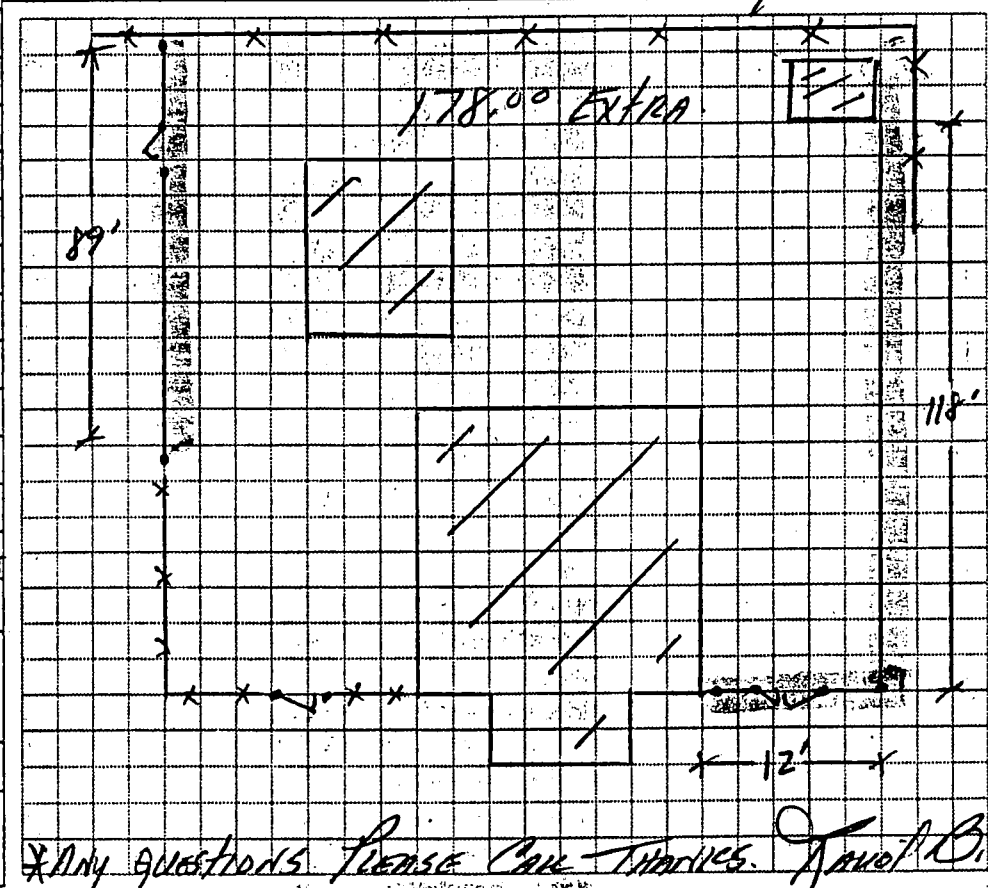
PERMIT INCLUDE IN PRICE.

CANDY \_\_\_\_\_

I hereby acknowledge this satisfactory completion of the above described work.

CUSTOMER \_\_\_\_\_ DATE \_\_\_\_\_

MECHANIC	HOURS	DATE COMPLETED	PERMIT
			<u>YES.</u>



\*ANY QUESTIONS PLEASE CALL THOMAS. RAUL

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. All fence lines are to be marked by the customer and are the customer's responsibility. All underground lines are to be marked by customer and are the customer's responsibility. Customer agrees to provide adequate access for trucks, equipment and personnel. Customer also agrees to furnish electricity, if needed, to complete the job. Attorney's fees & cost; in connection with any litigation arising out of this contract, the prevailing party shall be entitled to recover all costs, including reasonable attorney's fees.

- A late payment charge of 1 1/2% (18% per annum) will be added to any balance due remaining unpaid 30 days after due date.

- A cancellation fee based on 10% of the Cash Price may be charged or deducted from the paid Down Payment upon notice to the Seller of the Buyer(s) intent to cancel this contract prior to commencement of work by Seller.

- If Seller incurs under ground obstructions which Buyer(s) has failed to inform Seller of in writing or by physically marking, such as rock, Seller shall have the option to terminate this contract and be paid by Buyer(s) for the installation of the fence up to the point of termination or continue with the work after renegotiation of the Cash Price with Buyer(s). This contract may be assigned by the Seller, without notice to the Buyer(s), and when assigned shall be free from any defense, counterclaim or cross claim by Buyer(s). The rights and privileges of the Seller under this Contract shall inure to the benefit of its successors and assigns. The duties and obligations of the Buyer(s) shall bind his heirs, personal representative, successors, and assigns.

Once Proposal is Accepted Please Pay Upon Completion

LEO MILLS-PSM 1735  
 620 8TH. AVE. WEST  
 PALMETTO, FL 34221  
 PHONE: 941-722-2460  
 FAX: 941-722-9840

# Leo Mills & Associates, Inc.

LICENSED BUSINESS NO. 613  
 LAND PLANNING & SURVEYING  
 MEMBER

FLORIDA SURVEYING AND MAPPING SOCIETY

MANASOTA CHAPTER SURVEYING AND MAPPING SOCIETY

LEO MILLS, JR.-PSM 3513  
 22 N. POLK AVE.  
 ARCADIA, FL 34266  
 PHONE: 941-993-4141  
 FAX: 941-993-2646

LOTS ... see description below ..... BLOCK .....  
 Subdivision .....  
 According to the Plats thereof recorded in Plat Book No. .... Page .....  
 Section ... 3 ... Township ... 35 ... South, Range ... 16 ... East  
 Public Records of ... Manatee ... County, Florida  
 For the exclusive use of ... Albert F. Wendy Gagne .....

**SURVEYOR'S CERTIFICATE**  
 I, The Undersigned Professional Surveyor and Mapper; do hereby certify that this map meets or exceeds the minimum technical standards for surveying in the state of Florida.  
 (Chapter 61G17-6, F.A.C.)

By ... Leo Mills .....

Registered State of Florida Professional Surveyor and Mapper No. ... 1735 .....  
 Date ... 12-30-96 .....

Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.

**DESCRIPTION:**

COMMENCE AT A POINT 8 1/2 CHAINS SOUTH AND 9 1/2 CHAINS WEST OF THE NORTHEAST CORNER OF U.S. GOVERNMENT LOT 3 IN SECTION 3, TOWNSHIP 35 SOUTH, RANGE 16 EAST; RUN THENCE SOUTH 3 CHAINS TO THE POINT OF BEGINNING; RUN THENCE SOUTH 1 CHAIN; THENCE WEST 2 1/2 CHAINS; THENCE NORTH 1 CHAIN; THENCE EAST 2 1/2 CHAINS TO THE POINT OF BEGINNING.

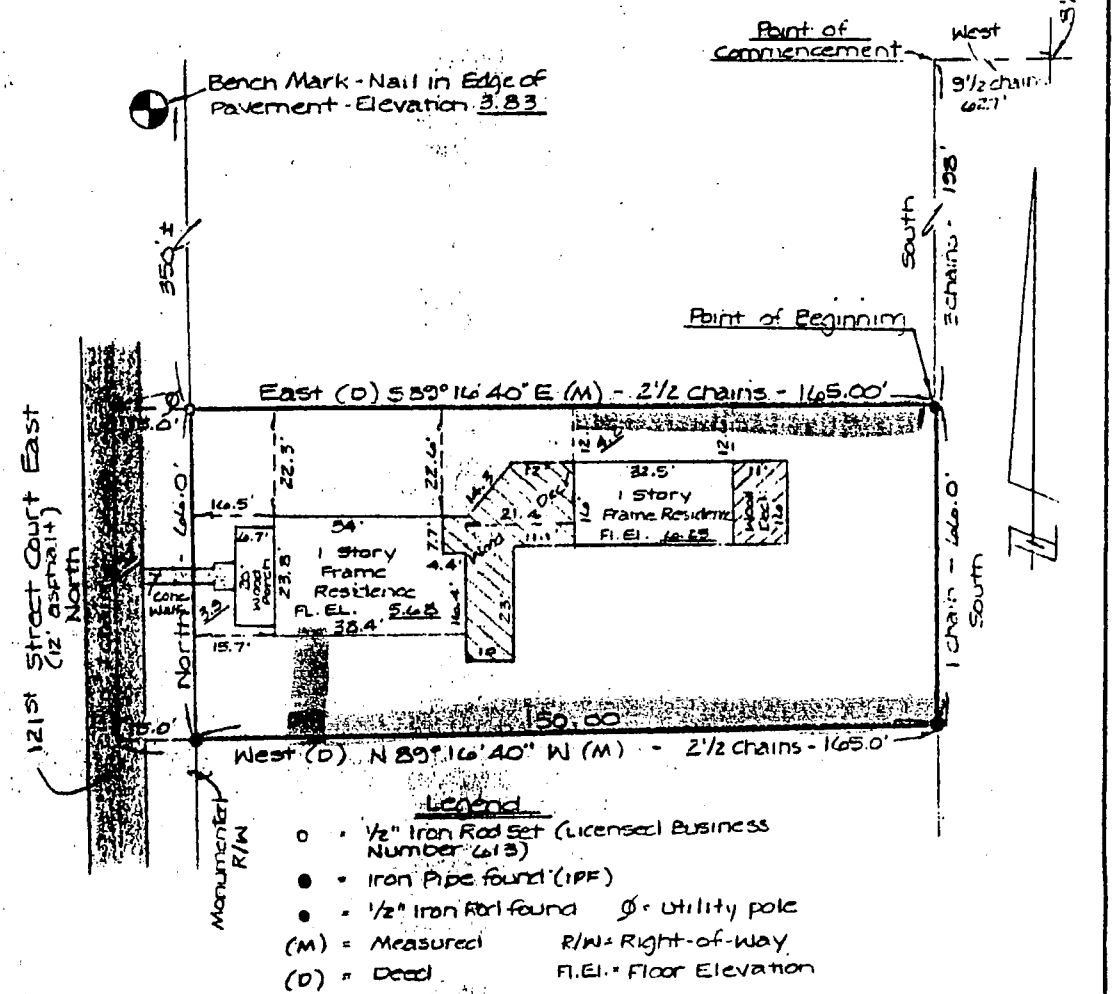
**NOTES:**

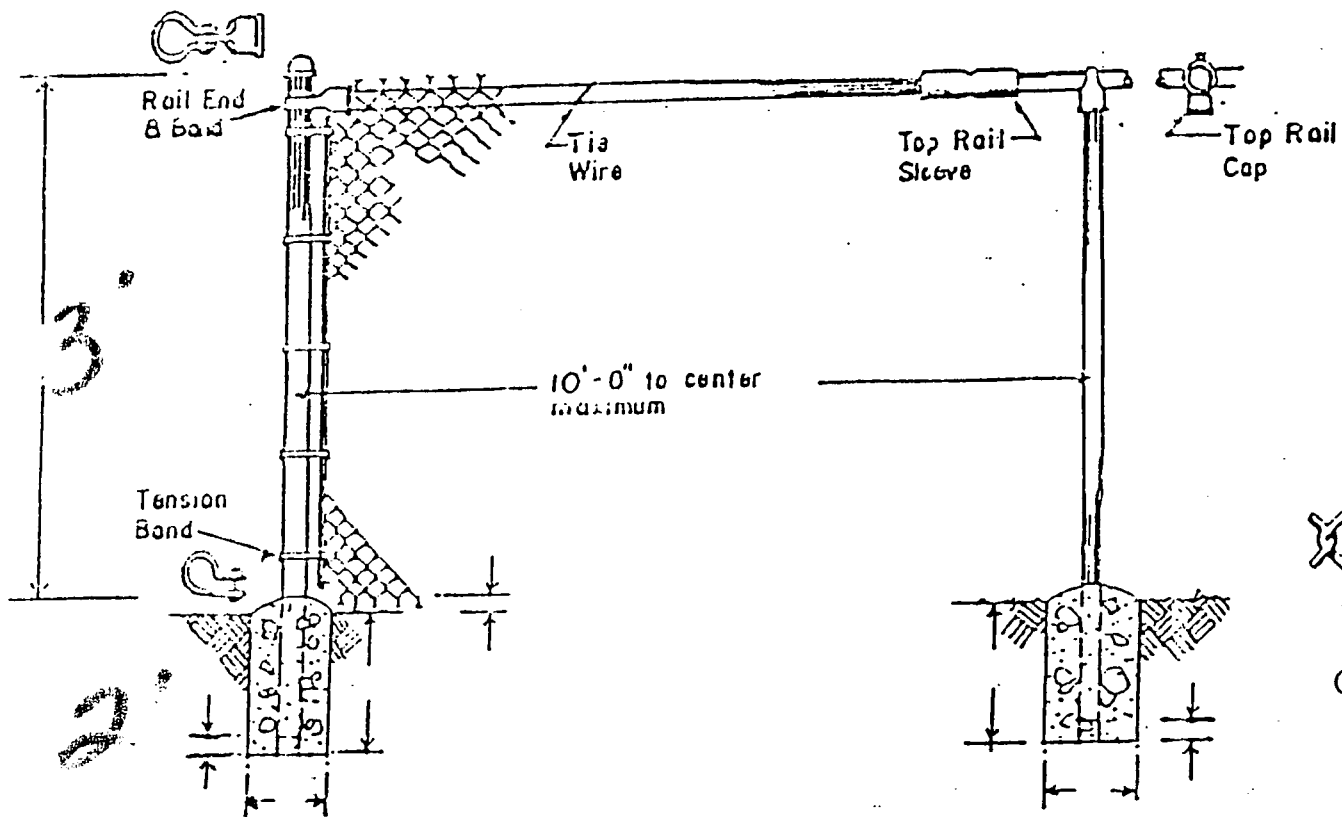
1. BEARINGS SHOWN HEREON REFER TO THE EAST RIGHT-OF-WAY LINE OF 121st STREET COURT EAST BEING ASSUMED AS "SOUTH"
2. UNDERGROUND ENCROACHMENTS OR IMPROVEMENTS, IF ANY, NOT LOCATED FOR PURPOSES OF THIS SURVEY.
3. THE SUBJECT LAND LIES IN SOME "A-13" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NUMBER 120153-0308-C (DATED 7/15/92). SUBJECT TO VERIFICATION.

Boundary Survey  
Address:  
4516 121st Street Ct W

certify to:  
 - Albert F Wendy Gagne  
 - Equity Title/Southeast  
 - USF Federal Credit Union

NE. Corner of U.S. Government Lot 3





Shop  
5515 15th St. E.  
Bradenton, FL 34203

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Fax (941) 748-4913

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2315 12th Ave. W.  
ED HALLER Bradenton, FL 34205

TERMINAL POST		LINE POST		TOP RAIL	
Size	Wt. per ft.	Size	Wt. per ft.	Size	Wt. per ft.
2.5		1.5/8		1.3/4	

Size is outside dimension

\* Weight is pounds per linear foot



tabbles  
HP EXHIBIT 75  
HPBC04-03-02  
GAONE  
Photos 9/29/03

















