

NOVEMBER 21, 2005

The Historic Preservation Board, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Monday, November 21, 2005, at 4:02 p.m.

Present were:

Ellen Bell, Chairman
Bill Burger, First Vice-Chairman
Margaret Moore, Third Vice-Chairman
Karen Malesky (Entered during meeting)
Dick Wooten

Absent were:

Allen G. Garner, Second Vice-Chairman
Elisabeth Stone

Also present were:

Maureen Sikora, Assistant County Attorney
Susan Romine, Board Records Supervisor,
representing R. B. Shore, Clerk of Circuit Court

All witnesses and staff giving testimony were duly sworn.

AGENDA

The agenda of November 21, 2005.

[HP20051121DOC001](#)

MINUTES

Motion was made by Mr. Burger, seconded by Ms. Moore, and carried 4 to 0, to approve the minutes of October 3, 2005.

[HP20051121DOC002](#)

CERTIFICATE OF APPROPRIATENESS

HPBCOA-05-08 BOWMAN DOCK

Request: Certificate of Appropriateness to allow a 356-square foot replacement dock at 1620 Bayshore Drive, Terra Ceia.

If approved, staff recommended 4 Stipulations.

Michael Wood, Planning Department, stated the dock would replace a dilapidated wooden dock in Tillet's Bayou. The boardwalk would be four feet wide and 59 feet long, with a ten-foot by 16-foot platform.

Discussion: Whether a map shows the location on Tillet's Bayou; location of the dock was checked when the permit request was submitted to the Building Department; etc.

(Enter Ms. Malesky)

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, the Historic Preservation Administrator, and the Coastal Resource Management Department, Mr. Wooten moved to APPROVE the Certificate of Appropriateness to allow construction of a 356-square foot dock at 1620 Bayshore Drive, Terra Ceia, with Stipulations 1 through 4. The motion was seconded by Mr. Burger.

Mr. Wood corrected the square footage to 396 square feet.

Mr. Burger moved to amend the motion from 356 square feet to 396 square feet and add the following language to Stipulation 2:

...along any part of the dock, **boardwalk**, or pilings.

The motion to amend was seconded by Ms. Malesky, and carried 5 to 0.

The main motion as amended carried 5 to 0.

[HP20051121DOC003](#)

HPBCOA-05-07 NELSON DOCK

Request: Certificate of Appropriateness to allow a four-foot wide, 417-foot dock, davit, and boardwalk perpendicular to the shoreline with a 16,000-pound boatlift at 145 Horseshoe Loop Road, Terra Ceia.

If approved, staff recommended 4 Stipulations.

Mr. Wood corrected the total square footage to 1,800 square feet and stated there is a four-foot wide 300-foot boardwalk running through the upland portion and mangrove fringe. He stated the dock is 110 feet by four feet, and the platform is 16 feet by ten feet. Mr. Wood also noted the request for the boatlift, which does not include any decking, just poles for the davit.

Discussion: Dock is only visible from the water; ten docks in the area all characterized by wooden construction, small boat davits, no handrails, and no lighting; dock extends 110 feet into the water beyond the mean high water line; other docks in the area range from 170 to 330 feet beyond the mean high water line; etc.

Randall A. Nelson, property owner, requested a minimum amount of lighting on the boardwalk and dock for safety reasons. He stated a cradle lift would be installed for a 24-foot boat.

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, Historic Preservation Administrator, and Coastal Resources Management Department, Mr. Burger moved to APPROVE the Certificate of Appropriateness to allow construction of a dock, access boardwalk, and boatlift, being a total of 1,800 square feet on the property located at 145 Horseshoe Loop Road, in Terra Ceia with Stipulations 1 through 4. The motion was seconded by Ms. Malesky, and carried to 5 to 0. [HP20051121DOC004](#)

BLUE HERON

Mr. Burger noted the issue of a limited number of boat slips at the Blue Heron Development dock came before the Historic Preservation Board and was approved (HPBCOA-00-04). It was brought to his attention that prospective buyers of all 13 units are being told they will be able to have their own boat slip. He recalled only six slips were approved for the project. [HP20051121DOC005](#)

HISTORIC PRESERVATION BOARD - DUTIES

Mr. Wood provided the Board with a summary of their duties, which included Section 306 of the Land Development Code (LDC) and the Historic Element of the Comprehensive Plan. He referred to a Site Predictive Map done by Piper Archaeology.

Discussion: It does not appear that the Board has the authority to initiate action; there are latitudes in the (LDC); Board has a duty regarding archaeological and historic resources; dots on Piper map represent master site file findings planners refer to when projects are submitted; when a site assessment is required; a consultant is hired to assist staff if needed; the Comprehensive Plan is undergoing amendment; additional landmark mapping is required in the coastal area; there is funding in the Planning Department budget for site assessments; how Board members enact their powers to prevent illegal activity from occurring; report violations to Code Enforcement or Citizens Action Center; Statute deals with human remains, not archaeological or historic sites without human remains; there are areas in the county where the appropriate archaeological surveys were not done and projects have been approved on sites that needed protection; all cultural resource matters need to be addressed by Ordinance, etc.

Maureen Sikora, Assistant County Attorney, stated Florida Statutes are often violated, not County Ordinances, and should be reported to the proper law enforcement authority. Stop Work Orders can be issued by the Planning Department and posted on property if a violation of County Ordinances occurs.

Mr. Burger submitted a copy of a Sarasota County Ordinance regarding cultural resources and requested a work session to discuss the issues. Motion was made by Mr. Burger, seconded by Ms. Malesky, and carried 5 to 0, to hold a work session to discuss pertinent issues and a possible Ordinance.

Discussion: Several historic districts in the County; many historic structures in Terra Ceia are outside the designated historic district; in Cortez, resources are in the boundaries of the historic district; hold a joint meeting with the County Commission; Board is not considered a State Certified designated Board for Historic Preservation; State Historic Preservation Officer has to sign off on items from this Board; invite Cathy Slusser, Clerk's Historic Resources Division, to work session; invite a representative from the Sarasota History Center; cannot disturb historical or archaeological resources on property if human remains are present per Florida Statute; without human remains, there is no protection without an Ordinance; mapping and data collection will be required to complete the survey; Historic Preservation Forum March 16, 2006, at the Crosley Estate; etc. [HP20051121DOC006](#)

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Adj: 5:05 p.m.
/sgr/pat

Minutes Approved: March 20, 2006