



CITY OF TITUSVILLE

HISTORIC PRESERVATION BOARD

AGENDA

Regular Meeting

August 3, 2026 - 1:00 PM

Council Chamber at City Hall

555 South Washington Avenue, Titusville, FL 32796

All persons who anticipate speaking on any Public Hearing item must fill out an Oath Card to be heard on that agenda item and sign the oath contained thereon. These cards are located on the table near the entrance to the Council Chamber or may be obtained from the Recording Secretary. This meeting will be conducted in accordance to the procedures adopted in Resolution #24-1997.

Those speaking in favor of a request will be heard first, those opposed will be heard second, and those who wish to make a public comment on the item will speak third. The applicant may make a brief rebuttal if necessary. A representative from either side, for or against, may cross-examine a witness.

Anyone who speaks is considered a witness. If you have photographs, sketches, or documents that you desire for the Commission to consider, they must be submitted into evidence and will be retained by the City. Please submit such exhibits to the Recording Secretary.

1. CALL TO ORDER

2. ROLL CALL

3. DETERMINATION OF A QUORUM

4. APPROVAL OF MINUTES

A. Minutes July 6, 2026

Approve Minutes

5. QUASI-JUDICIAL CONFIRMATION PROCEDURES

6. CONSENT AGENDA

7. OLD BUSINESS

8. NEW BUSINESS

A. Design Best Practices community training

No action is required.

B. Financial Hardship Criteria research

No action is requested

9. PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT

10. REPORTS

A. City Staff

1. Demolition ordinance

B. City Attorney

C. Chairman

D. Members

11. ADJOURNMENT

Any person who decides to appeal any decision of the Historic Preservation Board with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose, 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.

The City desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Chapter 286.26 Florida Statutes, should, at least 48 hours prior to the meeting, submit a written request to the chairperson that the physically handicapped person desires to attend the meeting.

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Members of the Historic Preservation Board
From: Bradley Parrish, Community Development Director
Subject: **Minutes July 6, 2026**
Department/Office: Planning

Recommended Action:

Approve Minutes

Summary Explanation & Background:

Minutes July 6, 2026

Alternatives:

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

1. 07.06.26 Minutes Draft

The Historic Preservation Board (HPB) of the City of Titusville, Florida met in regular session at City Hall in the Council Chamber, located at 555 South Washington Avenue, on Monday July 6, 2026 at 1:00 p.m.

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Chairman Kiesel called the meeting to order at 1:00 p.m. Present were, Vice Chairman Petyk, Member Shifalo, Member Gaetjens, Member Foster, Alternate Member Davis and Alternate Member Crofton. Secretary Adams and Member Jonas were absent. Also attending were Redevelopment Planner Sue Williams, Planner Tabitha Armstrong, Community Development Director Brad Parrish and Recording Secretary Laurie Dargie.

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Member Foster motioned to approve the regular minutes from the June 1, 2026 meeting with a correction. Member Davis seconded. There was a unanimous voice vote in favor.

Member Shifalo motioned to approve the annual workshop minutes from May 28, 2026 as presented. Vice Chairman Petyk seconded. There was a unanimous voice vote in favor.

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Old Business

Historic Preservation Demolition Ordinance

Community Development Director Brad Parrish gave an overview of the Historic Preservation Demolition Ordinance.

The Historic Preservation Board members had discussion with Mr. Parrish regarding the ordinance.

Chairman Kiesel asked if the official surveys that have been conducted include all of the structures within the City of Titusville limits. Chairman Kiesel said he would suggest looking into grant opportunities to have a survey done to ensure all structures within the City of Titusville's jurisdiction are captured on a survey.

Member Foster agrees that a survey should be done in all areas that have not been previously included in surveys.

Chairman Kiesel said that the Historic Preservation Board could potentially use their budget to help with a survey and look for grant resources.

Member Foster asked that the demolition application also include an area for the applicant to provide the plans for the property after demolition takes place. Member Foster said she would also like to know if materials are being salvaged from the properties.

Matthew Mahoney at 703 Indian River Avenue Titusville, Florida came to speak to the Historic Preservation Board. Mr. Mahoney stated he sent an email to Community Development Director Brad Parrish asking specific questions and Mr. Parrish provided answers. Mr. Parrish stated he forwarded

Draft

that email with the questions and his responses to the Historic Preservation Board members before today's meeting. Mr. Mahoney went over his questions and stated in detail some of his concerns relating to financial burden to the property owners, incentives for property owners to locally designate, grant opportunities to help historic homeowners and concerns about damage to his property from failed infrastructure causing sewage spills onto his property.

The Historic Preservation Board members had discussion with Mr. Mahoney and encouraged him to reach out to City Council about the failed infrastructure and sewage spill. Mr. Mahoney stated he has addressed City Council in the past and the city is already aware of the problem but nothing has been resolved.

Community Development Director Brad Parrish said he will look up other jurisdictions to see how they handle the financial burden/hardships on property owners relating to historic structures.

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Petitions & Request

None

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Reports

Member Shifalo said she spoke to the homeowner from the property that was recognized on Nelson Place. She said that they are interested in potentially being locally designated but wanted to have an in-depth meeting to better understand the restrictions of being locally designated. Mr. Parrish said that he or Sue Williams can meet with the homeowner. Member Shifalo said she will provide their contact information to staff.

Member Shifalo said she is attending the Preservation on Main Street (POMS) conference in July and will report back after the conference.

Member Foster said she would like the Historic Preservation Board to hold educational classes on different topics for the public to be able to attend. Member Foster said that the topics can be on local designations, what the Historic Preservation Board does, design and best practices, the Historic Preservation Ordinances, etc.

Redevelopment Planner Sue Williams said that there is a monthly meeting called Titusville Twilight which is an opportunity for the Historic Preservation Board to meet with the public and have conversations and educational opportunities.

Vice Chairman Petyk said that she has talked to Joe and Julie Phillips who now own the Brady House at 602 Indian River Avenue and they would like the designation plaque for the house. They would also like a copy of the Design Guidelines as they are interested in making some improvements.

Member Davis said he had a great time at the Florida Trust Conference and was appreciative of the recognition he received. Member Davis said he also attended the 2026 Black Cemetery Network Conference in May and provided a brief report on the conference.

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Adjournment 2:18pm

DRAFT

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Members of the Historic Preservation Board
From:
Subject: **Design Best Practices community training**
Department/Office: Community Development

Recommended Action:

No action is required.

Summary Explanation & Background:

Member Foster said she would like the Historic Preservation Board to hold educational classes on different topics for the public to be able to attend. Member Foster said that the topics can be on local designations, what the Historic Preservation Board does, design and best practices, the Historic Preservation Ordinances, etc.

Alternatives:

As the Board desires.

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

None

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Members of the Historic Preservation Board
From: Bradley Parrish, Community Development Director
Subject: **Financial Hardship Criteria research**
Department/Office: Community Development

Recommended Action:

No action is requested

Summary Explanation & Background:

On July 6, 2026, Matthew Mahoney at 703 Indian River Avenue stated his concerns relating to financial burden to property owners, incentives for property owners to locally designate, grant opportunities to help historic homeowners. Community Development Director Brad Parrish said he will look up other jurisdictions to see how they handle the financial burden/hardships on property owners relating to historic structures. Enclosed for discussion is information related to economic hardship criteria with examples from a few jurisdictions. The staff was unable to find economic hardship criteria with quantifiable thresholds. The City adopted a tax exemption program for historic preservation in 2019. The City does not have a program to reduce or eliminate permit fees nor a grant program for private property owners.

Alternatives:

As the Board desires.

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

1. economic-hardship-feasibility-and-related-standards-in-historic-preservation-law
2. Cottonwood, Arizona Economic hardship criteria

3. Dennison Texas Economic_hardship_criteria.



SHPO

State Historic Preservation Office
Michigan Historical Center
Department of History, Arts and Libraries

ECONOMIC HARDSHIP, FEASIBILITY AND RELATED STANDARDS IN HISTORIC PRESERVATION LAW

Authored by
Dragomir Cosanici and Nicholas L. Bozen,
Office of Regulatory Affairs, Department of History, Arts and Libraries

With enactment of the National Historic Preservation Act of 1966,¹ the legal stage was set for the effective preservation of historic resources in the United States. Catching the wave of the new federal impetus to protect historic properties, the State Legislature enacted Michigan's Local Historic Districts Act (the LHDA) in 1970.² The then new LHDA called for the creation of local historic districts and commissions to protect historic properties, and required the owners of properties within districts to apply to, and receive permission from, local commissions prior to performing work on their properties. When permission is denied, these same owners may challenge the commissions' decisions pursuant to provisions in the LHDA.³ At times, those challenges focus on economic feasibility and hardship issues. This article addresses the confusion that frequently surrounds the application of the various economic and/or finance related provisions found in historic preservation laws. Michigan and federal jurisprudence contain three distinctly different types of regulatory provisions addressing the economic and/or financial aspects of historic preservation projects: economic feasibility, economic hardship, and financial hardship. It is important to understand the differences and which to apply in an appeal.

1. ECONOMIC FEASIBILITY IN RESTORATION

To understand the first type, note must be made of §5(3) of the LHDA.⁴ This section provides that a historic district commission, when reviewing plans for restoration work in a historic district, must apply the U.S. Secretary of the Interior's Standards for Rehabilitation, as set forth in 36 C.F.R. Part 67.⁵ Regarding economics, 36 C.F.R. Part 67.7(b) expressly states

¹ 16 United States Code § 470 *et seq.* (1966).

² *Local Historic Districts Act*, Michigan Compiled Laws, § 399.201 *et seq.* (1970 Public Act 1969).

³ Michigan Compiled Laws, § 399.205(2).

⁴ Michigan Compiled Laws, § 399.205(3).

⁵ *Id.*

that the rehabilitation standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into account *economic* and technical *feasibility*.⁶

In denial and appeal settings, an owner, in order to establish economic non-feasibility for proposed restoration work in a rehabilitation project, must not only demonstrate the fact of significantly greater expense necessitated by using traditional materials rather modern counterparts, but the owner must also prove the unavailability of any reasonable, historically correct preservation methodology.⁷ An example of the lack of feasibility would involve a house sided with a unique circa 1920s stucco, when there was no longer any company in the state doing repair work on stucco homes. In such a case, siding the home with another historically correct material, such as wood, might be considered economically and technically feasible, whereas using stucco might not be viewed as feasible.

2. ECONOMIC HARDSHIP IN RESTORATION

A second type of historic preservation/economic provision involves “hardship” (as opposed to “feasibility”) in the context of a restoration project. In this regard, at least a few city ordinances contemplate the possibility of an owner avoiding the strict application of historic preservation/restoration standards, due to “economic hardship.” In the typical hardship case, an applicant has the right to apply for a “certificate of economic hardship” after a preservation commission has denied the owner’s request to alter a historic property in a non-historic manner. An example of such a provision can be found in the ordinances of the City of Ann Arbor.⁸ The Ann Arbor historic district ordinance provides that to support an application for relief on economic hardship grounds, the applicant must submit information sufficient to enable the decision-making body to render a decision. The type of information required is often spelled out in a preservation ordinance. The burden of obtaining and presenting sufficient information is on the applicant.

The exact legal meaning of the term, “economic hardship,” will depend on how the term is defined in a specific ordinance. Nevertheless, in the typical case, establishing economic hardship will usually require the property owner to demonstrate that he or she has been denied all reasonable beneficial use of, or return on, the property as a result of the denial of a permit (i.e., a certificate of appropriateness) for alteration.

“Hardship” is a concept common to many local historic preservation laws. Hardship provisions operate as a “safety valve,” to prevent the land use regulation of private property from becoming so burdensome as to approach a “taking” without adequate compensation, made illegal under the Fifth Amendment of the U.S. Constitution. For property owners, the definition of “hardship” often boils down to whether a historically significant home is capable of continued use as a home. Despite that standard, what many of the homeowners often assert as hardship does not, actually, interfere with the property’s use as a residence.

⁶ 36 C.F.R. § 67.7(b).

⁷ *Cates v Adrian Historic District Commission*, Docket No. 01-223-HP (Nov. 16, 2001).

⁸ 1994 Ann Arbor City Code, § 8-417.

For example, periodic painting, while a chore, does not prevent a house's use as a home. Similarly, having to put up and take down wooden storm windows, while perhaps a seasonal nuisance, does not prevent a property from functioning as a home. A 20-room mansion, however, could be infeasible as a residence in a modern day society, especially if the town's zoning did not allow conversion to a non-residential use.

In hardship cases, commissions sometimes receive conflicting information from experts, which requires them to evaluate contradictory information and in some instances to make specific determinations regarding the relative credibility or competency of experts.

When evaluating homeowner presentations of this type, commissions must consider five distinct questions:

- 1) *Is the information sufficient?* The application is never complete unless all the required information has been submitted.
- 2) *Is the information relevant?* Commissions may receive more information than they need, or they may get information that is not germane to the application, such as how much money a project could make if the historic property is demolished. The property owner is not entitled to the highest and best use of the property.
- 3) *Is the information competent?* Commissions must make assessments as to whether submitted information demonstrates what it purports to show.
- 4) *Is the information credible?* Commissions must determine whether submitted information is believable. For example, commissions must ascertain whether the applicants' figures make sense.
- 5) *Is the information consistent?* Commissions must look for inconsistencies in the statements made or the information submitted. Frequently, commissions will seek explanations regarding inconsistencies.⁹

3. FINANCIAL HARDSHIP IN DEMOLITION AND MOVING PROJECTS

Finally, §5(6) of the LHDA expressly addresses "financial hardship" in connection with requests for demolition or to move buildings (as opposed to restoration). This section allows a historic district commission to issue a "notice to proceed" to demolish a historic resource in circumstances where retaining the resource would cause "undue financial hardship" to the owner.¹⁰

To qualify for a notice to proceed with demolition under the "undue financial hardship" provision of the LHDA, a property owner must demonstrate all of the following: 1) that retaining the historic resource would cause the owner undue financial hardship when the hardship was

⁹ Julia Miller, Assessing Economic Hardship Claims Under Historic Preservation Ordinances, *TAR* January-February 2001.

¹⁰ Michigan Compiled Laws, § 399.205(6).

created by a governmental action, an act of God, or other events beyond the owner's control, 2) that the owner has attempted and exhausted all feasible alternatives which would eliminate the hardship, such as offering the resource for sale or moving it elsewhere within the historic district, and 3) that demolition is necessary to substantially improve or correct the undue financial hardship.¹¹ The burden of establishing undue financial hardship rests with the homeowner.

To do this, an owner must be prepared to disclose a reasonable amount of financial information such as the amount paid for the property, annual gross and net income from the property, real estate taxes for a four year period, mortgage balance, appraisals, etc. The owner must submit a comprehensive picture of income, expenses, and available financial resources.¹² The owner must also prove having attempted and exhausted all feasible alternatives in order to eliminate the hardship, including but not limited to attempting to raise capital such as bank financing, exploring the availability of Single Business or State Income Tax credits, offering the historic resource for sale, or moving it elsewhere within the same historic district.¹³ Finally, the homeowner must be able to prove that the desired demolition is necessary to correct the undue hardship.¹⁴

The undue financial hardship issue is frequently raised in the setting of an administrative appeal of a commission's denial of a demolition request. Appellants will fail at this level if they refuse to produce adequate evidence of hardship for the reviewing body. Again, appellants must prove "hardship" which is "financial" and is "undue," in that it was caused by events beyond the appellants' control.

CONCLUSION

In conclusion, it is important for the owners of properties located in historic districts to understand the distinctions between the three "financial" concepts found in Michigan's preservation laws and to know which of the three is applicable to their particular situation. If uncertain, applicants should consult legal counsel, meticulously document their financial/economic situation, and thoroughly follow the local, state and federal historic preservation rules and procedures that are applicable to their particular case.

¹¹ *St. Mary's Mercy Medical Center v. Grand Rapids Historic Preservation Commission*, Docket No. 99-98-HP (Oct. 28, 1999).

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

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FINDING OF HARDSHIP FOR DEMOLITION.

1.

ECONOMIC HARDSHIP CRITERIA FOR DEMOLITION OF HISTORIC STRUCTURES. Separate standards and application requirements may be established by the City for granting economic hardship relief for income-producing properties and for non-income producing properties. The Commission shall issue the Certificate of Appropriateness if the Commission finds, after review, that maintenance, use and/or alteration of the designated property in accordance with the requirements of this article would cause immediate and substantial hardship on the property owner/s based on one or more of the following issues:

a.

That a temporary delay period of up to ninety (90) days has elapsed and no reasonable alternative has been demonstrated by the applicant, the City, or any other interested parties;

b.

Is infeasible from a technical, mechanical, or structural standpoint;

c.

Would leave the property with no reasonable economic value because it would require an unreasonable expenditure taking in to account such factors as current market value, permitted uses of the property, and the cost of compliance with applicable local, state and federal requirements;

d.

Costs necessitated by the neglect or failure of the current owner/s to maintain the property need not be considered in making this finding; and/or

e.

The Commission finds that the demolition of a contributing property would not have a substantial adverse impact on the historic significance or integrity of a Historic Preservation Overlay District.

2.

LIMITATIONS ON ECONOMIC HARDSHIP CRITERIA. Demonstration of an economic hardship shall not be based on or include any of the following circumstances:

a.

Willful or negligent acts by the owner.

b.

Purchase of the property for substantially more than market value.

c.

Failure to perform normal maintenance and repairs.

d.

Failure to diligently solicit and retain tenants.

e.

Failure to provide normal improvements.

Sec. 30-8. Economic hardship criteria.

- (a) *For deviations.* If an application for COA is denied on the grounds that the proposed work will not comply with the criteria set forth in sections 30-5, and 30-6 above, and any design guidelines for the property, the owner shall have the right to seek deviations from the design guidelines and criteria on the basis of economic hardship. In order to be entitled to a deviation from the guidelines, the owner must prove by a preponderance of the evidence as referenced in the application for economic hardship that they will have no reasonable opportunity to recover the cost of the proposed work if they are required to perform the work in accordance with the criteria and design guidelines. If the HPB finds that the owner has failed to satisfy this burden of proof, the COA will be denied. If the HPB finds that the owner would have no reasonable opportunity to recover the cost of the proposed work if performed in accordance with the criteria and the design guidelines, the HPB shall grant a deviation from the criteria and any applicable design guidelines and may issue a COA for the required work, with or without conditions.

The HPB may consider the following factors in determining the extent of the deviation granted:

1. The cost to perform the work in compliance with the criteria and design guidelines;
 2. The value of the property;
 3. The extent to which a deviation is necessary to allow the owner a reasonable opportunity to recover the cost of the work;
 4. Whether granting the deviation will harm an existing or proposed historic or landmark district or structure or property designated with a high priority rating; and/or
 5. Whether the proposed work is in harmony with the spirit and purposes of this section.
- (b) *For demolition.* An applicant whose COA for a proposed demolition has been denied may apply for relief on the grounds of economic hardship. In order to prove the existence of hardship, the applicant must prove by a preponderance of the evidence as referenced in the application for economic hardship that:
1. The property is incapable of earning a reasonable return, regardless of whether that return represents the highest and best use.
 2. The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return;
 3. The property has been listed with a licensed realtor for no less than sixty (60) days; and/or
 4. The structure or property is in such a condition as to be irreparably damaged and, as such, poses a nuisance to the surrounding area and is a threat to the health, safety, and general welfare of the community in a manner consistent with the provisions of chapter 5, article VIII of this Code, as amended.

(Ord. No. 5330, § 2(Exh. A), 12-18-23)

Sec. 30-9. Economic hardship application procedure.

- (a) After receiving written notification from the HPB of the denial of a COA, an applicant may, within ten (10) working days, commence the hardship process by completing a request for economic hardship, unless the hardship application is filed simultaneously with the application for a COA. No consideration or action may be taken on the hardship application unless a denial of the COA has been issued. No building permit or demolition permit shall be issued unless the HPB makes a finding that a hardship exists.

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- (b) The HPB shall hold a public hearing on the hardship application at which an opportunity will be provided for proponents and opponents of the application to present their views. Notice of the hearing shall be mailed to the property owner(s).
 - (c) The HPB and the historic preservation officer, in consultation with local preservation groups and other interested parties, shall explore with the owner, or his designated representative, alternatives for the performance of the proposed work that will preserve the structure or property to the greatest extent possible, while being economically feasible.
 - (d) If a deviation is granted, the COA for the proposed work shall state the terms and conditions of the deviation.
 - (e) All deviations shall be in compliance with other city codes and ordinances.
 - (f) All decisions of the HPB shall be in writing. A copy shall be sent to the applicant and a copy filed with the city clerk's office for public inspection. The HPB's decision shall state the reasons for granting or denying the hardship application.
 - (g) The hardship determination may be appealed in accordance with section 30-15 herein.
 - (h) In the event of an unresolved difference of opinion existing between the HPB and the chief building official concerning the soundness of the structure and the appropriateness of demolition, the application shall be heard by the city council whose decision shall be final.

(Ord. No. 5330, § 2(Exh. A), 12-18-23)

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Members of the Historic Preservation Board
From: Bradley Parrish, Community Development Director
Subject: **Demolition ordinance**
Department/Office: Community Development

Recommended Action:

No action

Summary Explanation & Background:

The demolition ordinance and the results of the findings from the GIS division will be on the September 1 agenda for discussion.

On July 6, 2026, the Historic Preservation Board members had discussion with Mr. Parrish regarding the ordinance. Chairman Kiesel asked if the official surveys that have been conducted include all of the structures within the City of Titusville limits. Chairman Kiesel said he would suggest looking into grant opportunities to have a survey done to ensure all structures within the City of Titusville's jurisdiction are captured on a survey. Member Foster agrees that a survey should be done in all areas that have not been previously included in surveys. Chairman Kiesel said that the Historic Preservation Board could potentially use their budget to help with a survey and look for grant resources.

Alternatives:

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

None