



CITY OF TITUSVILLE

HISTORIC PRESERVATION BOARD

AGENDA

Regular Meeting

September 2, 2025 - 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 August 4, 2025**
Approve Minutes
5. **QUASI-JUDICIAL CONFIRMATION PROCEDURES**
6. **CONSENT AGENDA**
7. **OLD BUSINESS**
8. **NEW BUSINESS**

A. COA 3-2025 - 126 Grannis Avenue - Carter House

Conduct a public hearing and consider the proposed Certificate of Appropriateness request per the recommendation of the Historic Preservation Officer.

B. Senate Bill 582 - Unlawful Demolition of Historic Structures

Informational

C. Mid-Century Modern Structures

As the Board Desires.

9. PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT

10. REPORTS

A. City Staff

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 August 4, 2025**
Department/Office: Planning

Recommended Action:

Approve Minutes

Summary Explanation & Background:

Minutes August 4, 2025

Alternatives:

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

1. 08.04.25 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 August 4, 2025 at 1:00 p.m.

XXX

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

XXX

Member Foster motioned to approve the regular minutes from the June 2, 2025 meeting as presented. Secretary Adams seconded. There was a unanimous voice vote in favor.

XXX

New Business

SpaceX Starship Superheavy Programmatic Agreement Specific to Kennedy Space Center/LC-39A

Redevelopment Planner Sue Williams gave an overview of what this item is about.

Ms. Williams said that a list of the historical structures was provided to Kennedy Space Center for monitoring. There were fifteen structures that were provided.

The results of the monitoring will be provided from all subject sites.

The Historic Preservation Board members had discussion.

Mayor Andrew Connors of Titusville came to speak. Mayor Connors said he has contacts with SpaceX and he the opportunity to meet them in person. Mayor Connors said that if there is any data that the Board believes they might have to let him know and he would reach out to his contacts to see about obtaining this. Mayor Connors said he was approached by a Council Member at Cape Canaveral to join as equal partners to do a study lead by an outside higher educational institution to do monitoring studies of our own structures. This monitoring would provide data before launch and after launch. Mayor Connors said this could help protect our structures and provide proof if there might be a claim due to damage.

The Historic Preservation Board Members had discussion with Mayor Connors.

XXX

Old Business

None

XXX

Petitions & Request

None

XXX

Reports

Planner Tabitha Armstrong will be presenting the Joynerville and Beyond project at the September 2025 American Planning Association Conference along with Community Development Director Brad Parrish and Member Kirk Davis.

Planner Tabitha Armstrong gave an update regarding the summer youth interns that were able to work within the Planning Department this summer. The interns read through the Joynerville and Beyond report and they were very much engaged in the history of this project and provided some feedback on how the youth can be involved in this project.

The Historic Preservation Board discussed the September 2025 meeting date and requested that it be scheduled for September 3, 2025.

Member Kirk Davis spoke about a graph about Starship landing and had questions about the graph. The Historic Preservation Board members had discussion. Ms. Williams said she will bring up the concerns with the landings going over populated areas.

XXX

Adjournment 2:46pm

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Members of the Historic Preservation Board
From: Sue Williams, Redevelopment Planner
Subject: **COA 3-2025 - 126 Grannis Avenue - Carter House**
Department/Office: Community Development

Recommended Action:

Conduct a public hearing and consider the proposed Certificate of Appropriateness request per the recommendation of the Historic Preservation Officer.

Summary Explanation & Background:

North Brevard Charities, the property owner, has applied for a Certificate of Appropriateness (COA) to install gutters and downspouts on the building at 126 Grannis Avenue, located at the corner of South Grannis Avenue and Blanton Street. The property, known as the Carter House, is designated as a local historic landmark.

Under Section 29-119 of the City's Land Development Code, no designated building, structure, object, or landscape feature may be erected, altered, restored, rehabilitated, renovated, excavated, relocated, or demolished without an approved COA. Section 29-119 (g) requires a Standard COA, which is reviewed administratively, if the work proposed is deemed to have a minimal impact on the historic resource or for in-kind replacements (e.g. minor alterations to the rear of a historic building, not visible from the public right-of-way). A Special COA is required for material alterations, relocation, addition, new construction, or demolition of a designated historic resource. Special COAs are reviewed by the Historic Preservation Board at a public hearing. Because the proposed project introduces a new design element to the building facades, it requires a Special COA.

A copy of the Historic Preservation Officer's Report and analysis is attached for the Board's review. The Historic Preservation Officer recommends the following:

1. Approval of the gutters and downspouts along the west and north faces because it will have minimal impact on the historic resource.
2. Denial of the request to install gutters and downspouts along the edges of the wrap-around porch because the elements will be placed in the most visible part of the house (street-facing facades), will introduce an element not commonly associated with the Craftsman Bungalow style, and would obscure the exposed

rafters that are characteristic of this style.

The Historic Preservation Officer will have a presentation at the September 2, 2025, Historic Preservation Board meeting.

Alternatives:

The Board shall approve, deny, or approve with conditions, subject to the acceptance of those conditions by the applicant.

Item Budgeted:

Historic Preservation Board budget.

Source/Use of Funds/Budget Book Page:

Historic Preservation Board budget.

Strategic Plan:

This action addresses the City of Titusville's Goal 5.b to continue the effectiveness of current advisory boards.

Strategic Plan Impact:

This action ensures the changes to historic buildings are reviewed, considering potential impacts on the historic structure.

ATTACHMENTS:

1. 126 Grannis_Gutters COA_v2

TO: City of Titusville Historic Preservation Board
FROM: Patricia A. Tyjeski, AICP, Project Manager/Historic Preservation Officer
CC: Brad Parrish, AICP, Community Development Director
DATE: September 2, 2025
SUBJECT: 126 Grannis Avenue, Certificate of Appropriateness - Gutters

North Brevard Charities, the property owner, has applied for a Certificate of Appropriateness (COA) to install gutters and downspouts on the building at 126 Grannis Avenue, located at the corner of South Grannis Avenue and Blanton Street. The property, known as the Carter House, is designated as a local historic landmark.

Figure 1: Location

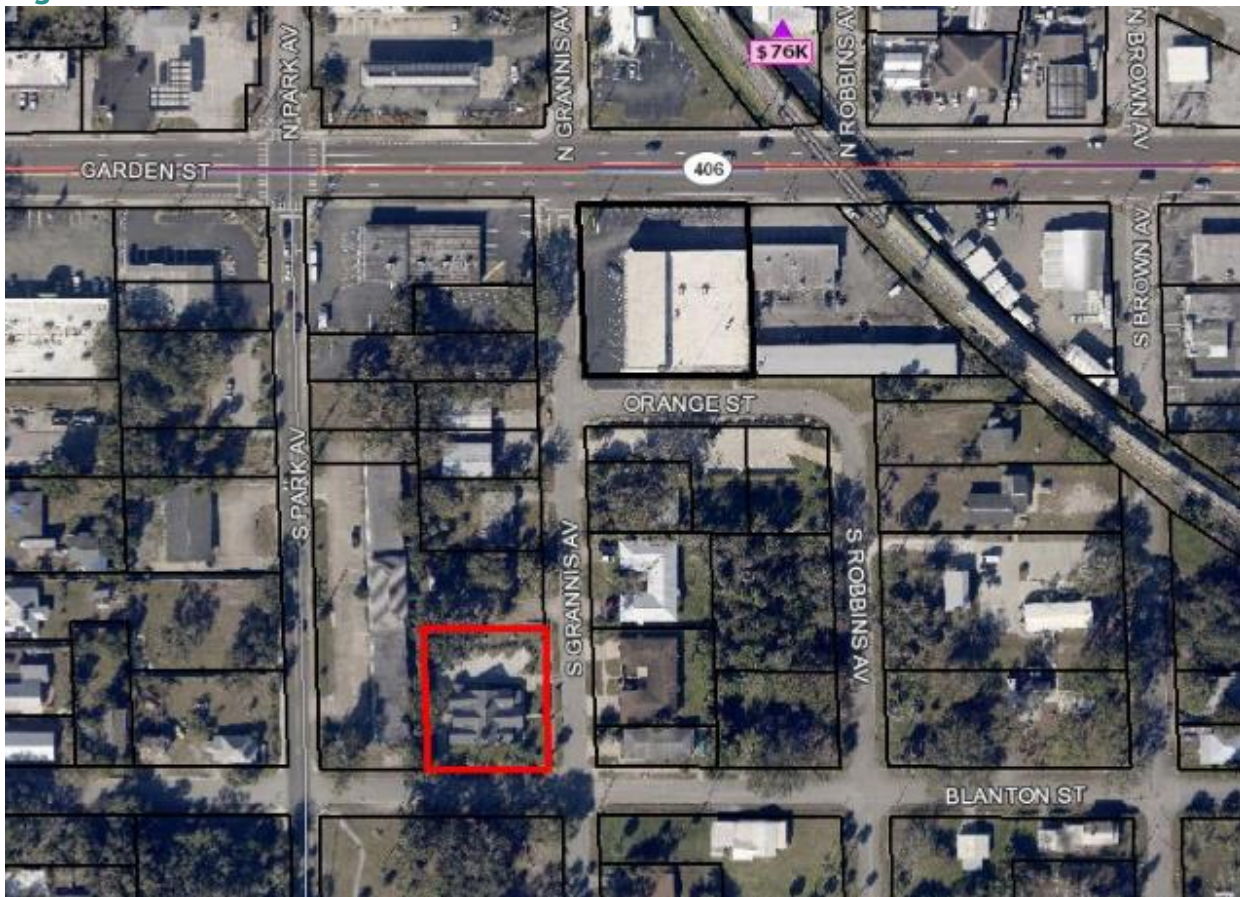


Figure 3. Location of Proposed Gutters and Downspouts - Facades

East façade:



South façade:



North façade:



North façade:

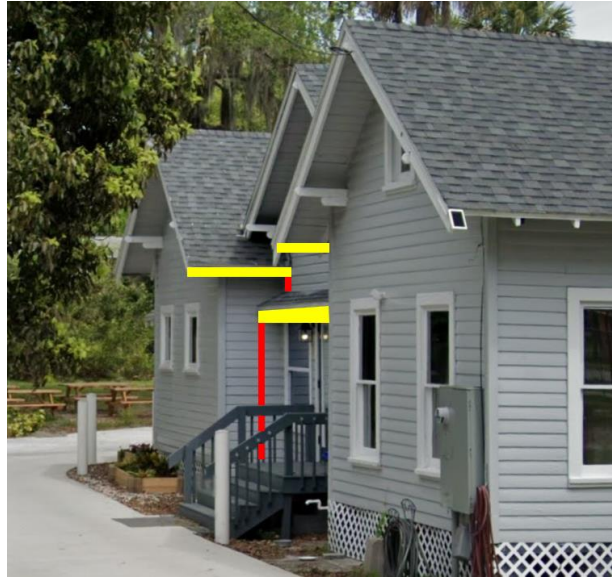
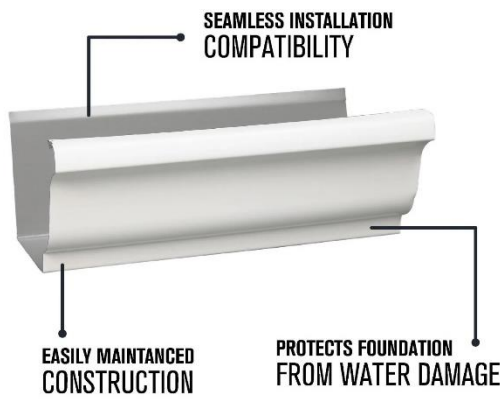


Figure 4. Gutter Style



Amerimax
K-STYLE GUTTER



BACKGROUND:

The Carter House is listed on the City Register and on the Brevard County Register of Historic Buildings. It was built circa 1915 in the Craftsman Bungalow architectural style. The house is named after its former owner, General Carter, who served on the Titusville City Council and was also Mayor of the City. The Carter House is now owned by North Brevard Charities Sharing Center and is used by the Boys and Girls Club of Central Florida.

The house and site have undergone substantial improvements since it was acquired by North Brevard Charities Sharing Center. **Figure 5** shows the state of the building in 2016 compared to the current condition. The applicant has previously applied for four Standard Certificates of Appropriateness (COA): Exterior paint color (November 2019), partial window replacements (November 2019), site landscaping (May 2020), shed replacement (January 2022). In 2020, the applicant applied for a Special COA to build an ADA ramp on the north side of the building and parking lot and associated landscaping on the north side of the lot.

Figure 5: East-Façade - Main Entrance (2016 & 2025)



REVIEW CRITERIA

A Special COA is required for this proposal as it introduces a new element to the building facades. The *U.S. Secretary of the Interior Standards for Rehabilitation*, as adopted by reference in Section 29-199(i) of the City of Titusville Land Development Code, serves as the primary guideline for reviewing the proposed installation of gutters and downspouts on each of the four facades. The Rehabilitation standards most relevant to this application state:

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

- (5) *Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be retained and preserved.*
- (6) *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.*
- (7) *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.*

The Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings state that the following activities are not recommended:

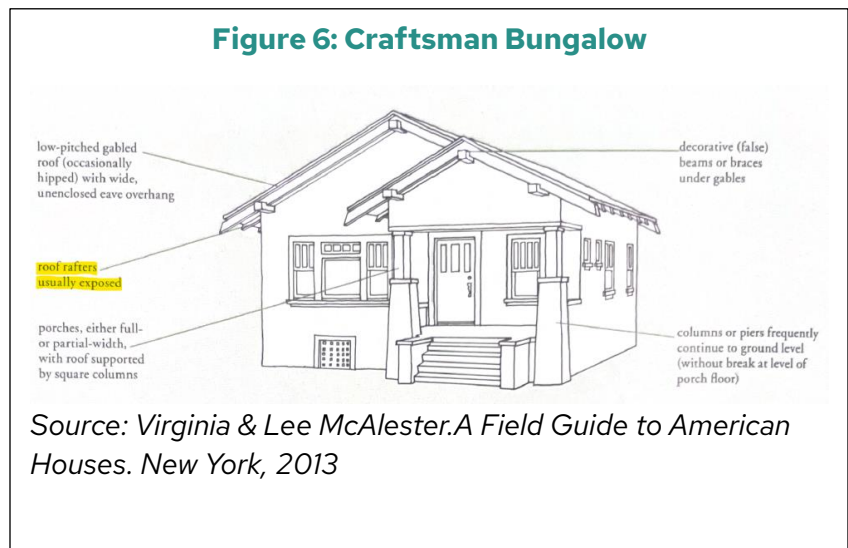
- Removing a major portion of the roof or roofing material that is repairable, then reconstructing it with new material in order to create a uniform, or "improved" appearance.
- Introducing a new roof feature that is incompatible in size, scale, material, or color.
- Stripping the roof of sound historic material such as slate, clay tile, wood, or metal.

The Rehabilitation Guidelines recommend the following:

- Identifying, retaining, and preserving roofs and their functional and *decorative features* that are important in defining the overall historic character of the building. The form of the roof (gable, hipped, gambrel, flat, or mansard) is significant, as are its decorative and functional features (such as cupolas, cresting, parapets, monitors, chimneys, weather vanes, dormers, ridge tiles, and snow guards), roofing material (such as slate, wood, clay tile, metal, roll roofing, or asphalt shingles), and size, color, and patterning.

ANALYSIS

The proposed gutters would introduce an architectural element not currently present and not typically associated with the Craftsman Bungalow style. While their installation would not require the removal of historic materials, the gutters would obscure character-defining elements, specifically the exposed rafters along the roof edges. As a result, the gutters proposed for the east and south facades would have a negative impact on the building's historic character.



In contrast, the gutters proposed for the north and west façades will not be visible from the public right-of-way and, therefore, would not diminish the historic integrity of the house.

RECOMMENDATION

Based on the above analysis, the Historic Preservation Officer recommends the following:

1. **Approval of the gutters and downspouts along the west and north façades** because it will have a minimal impact on the historic resource.
2. **Denial of the request to install gutters and downspouts along the edges of the wrap-around porch** because the elements will be placed in the most visible part of the house (street-facing façades), will introduce an element not commonly associated with the Craftsman Bungalow style, and would obscure the exposed rafters that are characteristic of this style.

ATTACHMENTS:

- Application Packet
- Florida Master Site File (draft, never submitted to the state)



Received
8/4/2025

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS (COA)
FOR HISTORIC RESOURCES

Submittal Requirements

Each applicant is encouraged to meet with staff and/or the Historic Preservation Officer prior to submitting an application so the process and requirements in Chapter 48 of the Titusville City Code can be discussed. Additional items may be required for submittal on a case-by-case basis depending on the alteration or new construction request for the historic resource.

- Completed application including notarized signatures from all property owners.
- A letter describing the proposed alterations or additions to the designated historic resource.
- Plans of the proposed project including all affected elevations.
- Photographs of the property including all elevations.
- Material samples.

Historic Property Information

Address: 126 Grannis Avenue Titusville, FL 32796

Tax Account Number(s): _____

Name of Historic Resource/District (if applicable): _____

Property Owner Information

Name(s): NORTH BREVARD CHARITIES

Address: 4475 S. Hopkins Avenue Titusville, FL 32780

Telephone/E-mail: 321-269-6555 mwatson@northbrevardcharities.org

Applicant Information

Name: Boys & Girls Club - Erin Harvey

Relationship to Owner: Tenant

Address: 101 E. Colonial Drive Orlando, FL 32801

Telephone/E-mail: 407.625.4668 eharvey@bgccf.org

STAFF USE ONLY	
Application No. <u>COA 3-2025</u>	Date Received: <u>8/4/2025</u>
Type of Certificate	<input type="checkbox"/> Standard COA <input checked="" type="checkbox"/> Special COA
Decision (see attached report)	<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Signature/Date of Final Action	_____/____/____
Comments:	

9

Property Owner(s) Signatures

Each property owner shall obtain a notarized signature to complete this application. Attach additional pages as necessary.

Signed and sealed in the presence of:

[Signature]
Signature of Witness #1

Sandy Thomas
Name Printed/Typed

[Signature]
Signature of Witness #2

Kiauna Carbin
Name Printed/Typed

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing Owner Consent was acknowledged before me this 24TH day of July 2025 by Monifa Watson, who is personally known to me OR who has produced _____ as identification.

(SEAL)



Signed and sealed in the presence of:

Signature of Witness #1

Name Printed/Typed

Signature of Witness #2

Name Printed/Typed

STATE OF _____
COUNTY OF _____

The foregoing Owner Consent was acknowledged before me this _____ day of _____ 20____, by _____, who is personally known to me OR who has produced _____ as identification.

(SEAL)

OWNER 1:

NORTH BREVARD CHARITIES
Owner 1 Printed Name

[Signature]
Owner 1 Signature

Lomika Hardy
Notary Public

OWNER 2:

Owner 2 Printed Name

Owner 2 Signature

Notary Public



This is the South Facing side—Blanton
The Yellow is where the (White) gutters will run along the edge of the roof.
The Red lines are the (White) downspouts that will run along the white existing posts.





This is the best picture I could get of the North facing side of the house. Above the handicap ramp there will be a gutter along the edge of the roof. It will have a downspout to the next section of gutters along the porch roof over top the handicap ramp with a downspout that will flow into the pervious pavement and gravel area.

I could not get a photo of the West facing side. There is a small porch with a few steps and a double door. There is a short overhang roof (does not cover the entire porch). The gutters will run along the overhang with downspouts on both sides running down the corners.

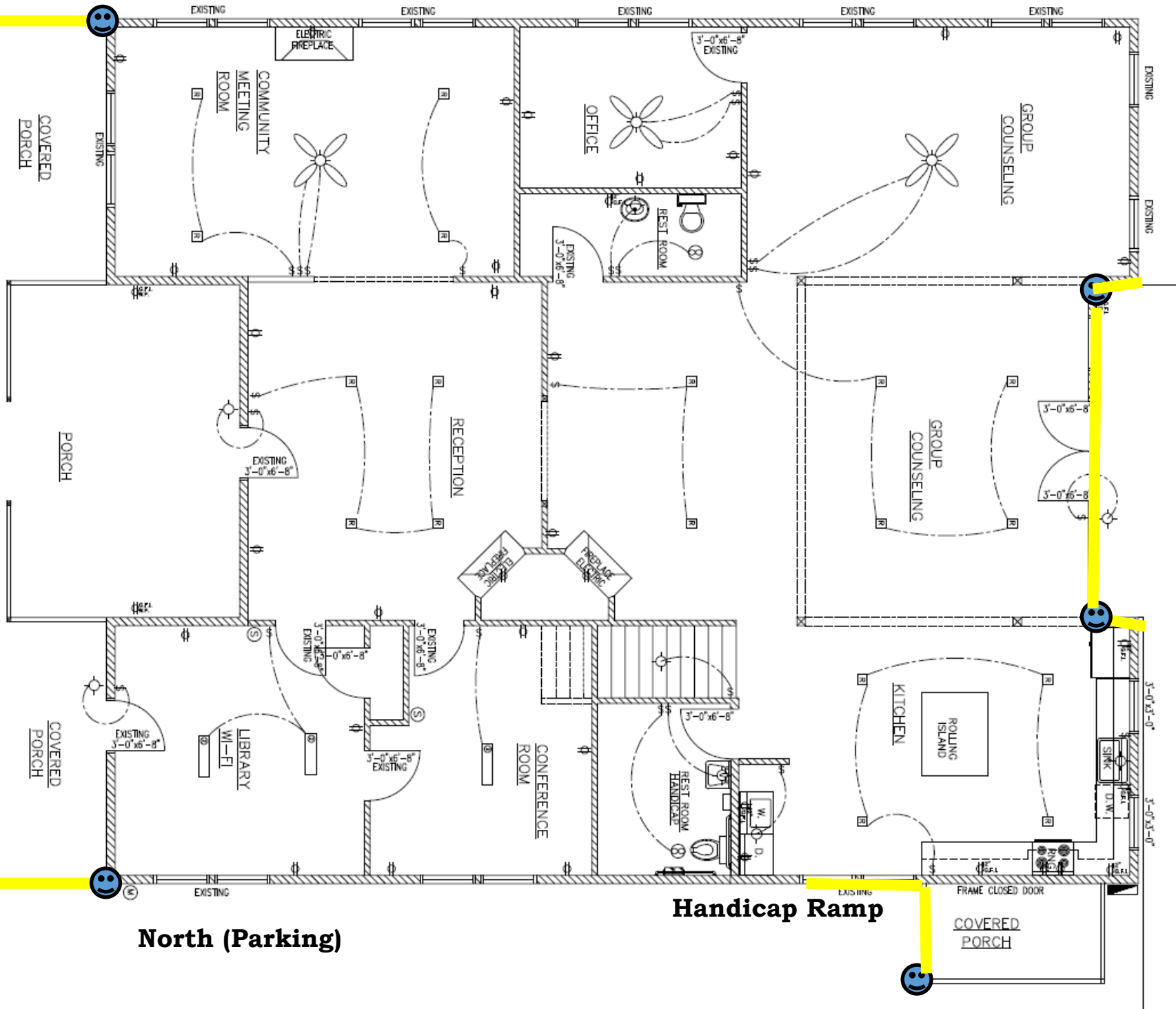
South (Blanton Rd)

EAST (Grannis Ave)

WEST

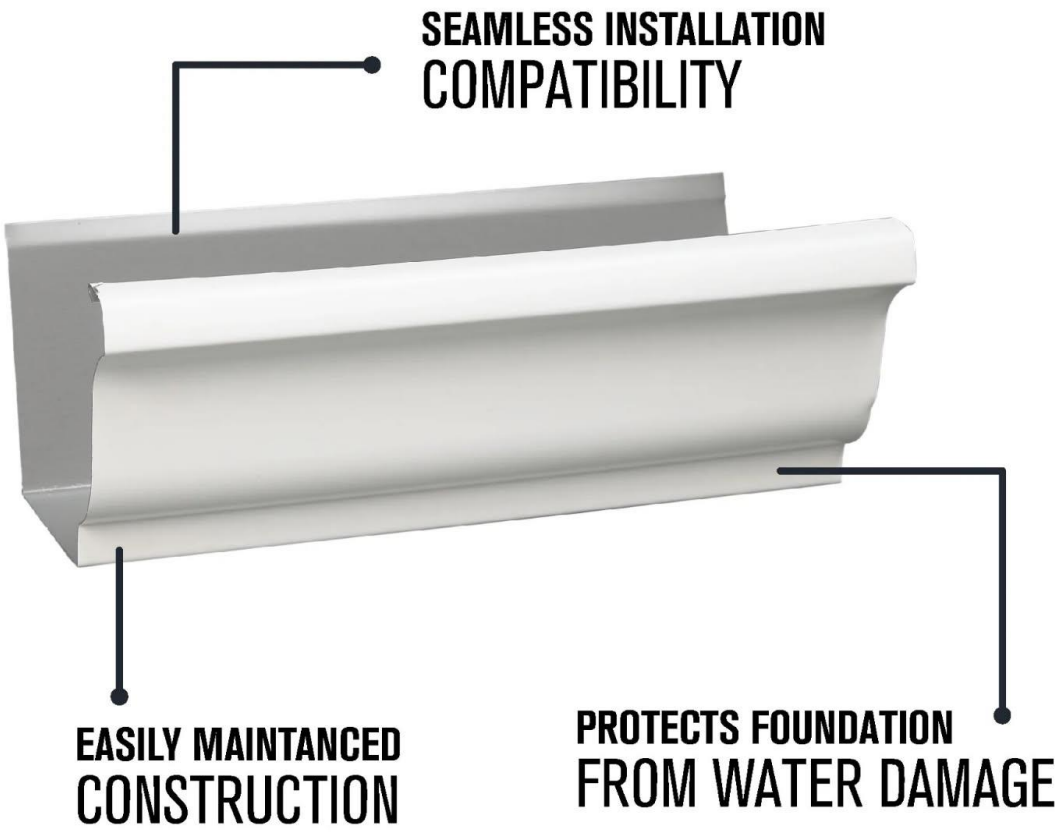
North (Parking)

Handicap Ramp



FI FCTI





Amerimax[®]
K-STYLE GUTTER

K-STYLE GUTTER

FLORIDA MASTER SITE FILE
Site Inventory Form

SITE NO.:

RECORD NUMBER: 164

SITE NAME:

SURVEY DATE: / /

ADDRESS: 126 Grannis Ave.

INSTRUCTIONS TO LOCATE:

LOCATION: #AU Park Addition
Subdivision Name

6 22
Block No. Lot No.

COUNTY: Brevard

DISTRICT NAME IF APPLICABLE:

OWNER OF SITE: NAME: Carter, Winnifred M. Et Al

ADDRESS: 126 S. Grannis Avenue
Titusville, FL

TYPE OF OWNERSHIP: private

RECORDING DATE: / /

RECORDER: NAME & TITLE: Historic Property Associates

ADDRESS: P.O. Box 1002
St. Augustine

CONDITION OF SITE:

INTEGRITY OF SITE:

Check One

Check one or more

EXCELLENT

x ALTERED

ORIGINAL USE: residence

GOOD

UNALTERED

PRESENT USE: residence

x FAIR

ORIGINAL SITE

DATES: c. 1915

DETERIORATED

RESTORED: / /

CULTURE/PHASE: American

MOVED: / /

PERIOD: 20th Century

NR CLASSIFICATION CATEGORY: building

DATE LISTED ON NR: / /

THREATS TO SITE: Check one or more

ZONING

TRANSPORTATION

DEVELOPMENT

FILL

DETERIORATION

DREDGE

BORROWING

OTHER (See Remarks Below)

AREAS OF SIGNIFICANCE: architecture

SIGNIFICANCE

See Continuation Sheet

RECORD NUMBER: 164

ARCHITECT:

BUILDER:

STYLE AND/OR PERIOD: Bungalow

PLAN TYPE: Irregular

EXTERIOR FABRIC(S): Wood:weatherboard

STRUCTURAL SYSTEM(S): Wood:balloon

PORCHES: E/1-story end posrch w/7 bays,hip roof w/ center gable extending,sq. cols.,knee wall,access E 4th bay

ORIENTATION: E

FOUNDATION: Continuous:

ROOF TYPE: Gable

SECONDARY ROOF STRUCTURE(S): Cross gable

WINDOW TYPE: DHS,1/1,wood

ROOF SURFACING: Composition shingles:butt

ORNAMENT EXTERIOR:

CHIMNEY: Brick

CHIMNEY LOCATION: S:end,ext.;front slope # W:offset;rear slope

NO. OF CHIMNEYS: 2 **NO. OF STORIES:** 1.5

NO. OF DORMERS: 0 **OUTBUILDINGS:**

SURROUNDINGS:

SITE SIZE (approx. acreage):

TOWNSHIP	RANGE	SECTION
22S	35E	3

UTM ZONE	UTM EASTING	UTM NORTHING
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PHOTOGRAPHIC RECORDS NUMBERS:

CONTINUATION SHEET

Statement of Significance

This large, rambling one-story wood frame vernacular residential building is located on an elevated corner lot at 126 Grahnis Avenue. It has Bungalow styling expressed by its moderately-pitched side gable roof with exposed rafter ends and purlins and three parallel front-facing gable extensions. Another rear gable extension gives the building an unusual and irregular plan. The center front-facing gable has triple double-hung windows and extends over a hip roof end porch. The porch roof is supported by square columns and a knee wall runs between the supports. There are two prominent brick chimneys with corbelled caps offset on the west slope of the roof and on the exterior of the south side. The building has been altered by the enclosure of the north east bay of the porch with metal awning windows.

This building is located in the park Addition to Titusville platted in 1913. It appears on the 1920 Sanborn Fire Insurance map, the first one to cover that area of the city. Architectural evidence based on comparisons with buildings of similar size and design indicates that it was built c. 1915.¹

Titusville, the Brevard County seat, is named for Colonel Henry T. In 1867 Titus founded the early settlement which developed into the city. Titusville's early economy was based on the citrus and commercial fishing industries. Once accessible only by boat and roads that were little more than sand trails, the relative isolation of Titusville was ended with the introduction of rail service on the Atlantic Coast, St. John's, and Indian River Railroad line in 1885. Growth of the community was insured when Henry Flagler extended his Jacksonville, Tampa, and Key West Railway from New Smyrna to Titusville in 1893. The historic buildings in Titusville date from circa 1880 until the collapse of the Florida Land Boom in 1926. They are associated with events and individuals who shaped the development of the community and embody a number of significant architectural styles, including the Queen Anne, Spanish Revival, Bungalow, and Beaux-Arts. Most are, however, simple masonry or frame vernacular designs.

NOTES

¹Plat of Park Addition to Titusville, 1913, Brevard County Plat Book 2, p. 12; Sanborn Map Company, Fire Insurance Map for Titusville (New York: 1893, 1899, 1903, 1908, 1915, 1920, 1926).

164

ADDRESS: 126 GRADY'S AVE
 CONDITION: Excellent Good Fair Deteriorated
 INTEGRITY: Altered Unaltered Original Site Restored Moved
 PRESENT USE: Private Residence Commercial Educational Religious
 Industrial Government Park Other
 ORIGINAL USE: RR
 THREATS TO SITE: Zoning Development Deterioration Borrowing
 Transportation Fill Dredge Other

STYLE: Frame Vernacular Masonry Vernacular Bungalow Other

PLAN: Square Rectangular L-shape T-shape U-Shape Other Irregular

EXTERIOR FABRIC(S): Wood weatherboard drop siding clapboard
 board and batten other
 Brick: running common English Flemish Stack English cross
 Concrete: block, plain block, rusticated poured, smooth poured, textured
 Stone: veneer granite marble, uncoursed/rubble/ashlar
 Stucco: textured rough cast shell dash Other:

STRUCTURAL SYSTEM(S): Wood balloon braced platform
 Masonry: brick concrete block concrete cast-in-place
 Metal: steel, skeleton cast iron, skeleton, wrought iron, skeleton

PORCHES: Location: E Type: entrance end tiered gallery stoop
 portico veranda balcony No. stories: 1 No. bays: 7 Access E 4th St
 arch. features Hip roof w/ center gable extension; square columns; knee wall

ORIENTATION: N S E W

FOUNDATION: Support: Piers Continuous Slab
 Materials: brick concrete block concrete, poured stone other
 Infill: lattice brick concrete stone board and batten
 pierced/continuous

ROOF TYPE: hip gable shed gambrel flat, built-up/parapet other

SECONDARY ROOF STRUCTURES: Dormer: eyebrow flat gable hip shed
Cross Gable Dome-drum/lattern Cupola Belvedere Steeple Tower-pavilion/cone
 Turret-pavilion/cone Deck Bellcote Scuttle

CHIMNEY: N S E W; Center Offset End, interior End, exterior; ridge
front-slope rear-slope lateral slope Additional 2 w/ offset rear slope

WINDOW TYPE: Sash HS SHS THS casement awning jalousie ribbon
 No. of Lights: 1/1 Material: Wood metal Configuration: bay (shape:
 paired grouped (no.) ribbon (for continuous bands)
 Palladian bullseye lancet Other

CHIMNEY: stone(type) brick concrete tile concreteblock

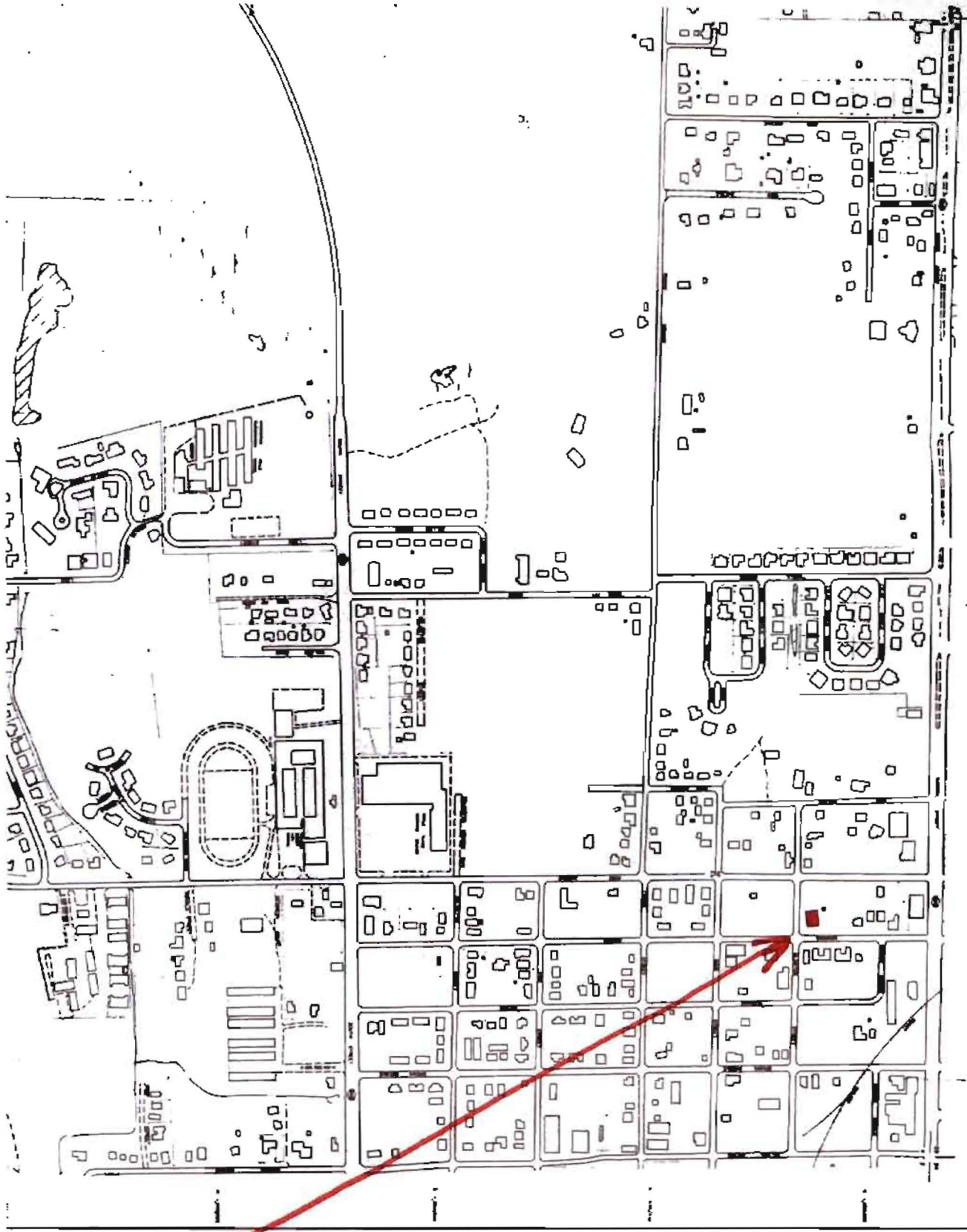
ROOF SURFACING: wood shingles slate shingles: patterned/variegated
Composition shingles cut diamond variegated; built-up Tile: barrel pentil
 Spanish flat Metal, sheet: 3-V-crimp 5-V-crimp corrugated et. seam

ORNAMENT EXTERIOR: stone(type) brick(color) Tile: Polychromatic
 Terra-cotta(color) wood metal concrete

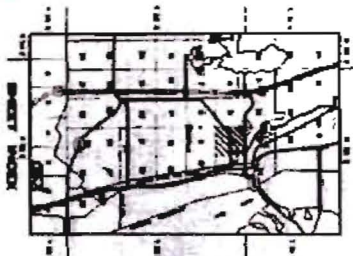
No. chimneys 2 No. stories 1 1/2 No. dormers 0

ARCHITECTURAL SIGNIFICANCE: large rambling Bungalow; AP side gable w/ parallel
front cross gables + rear gable extension; Exp. raft + pullicar; Center gable front
 LOCATION SIGNIFICANCE: large corner lot - elevated
 SIGNIFICANT ALTERATIONS: NE corner of porch enclosed w/ Metal Awning

Extends over Hip roof end porch on square cols w/ knee wall; it has a stepped tripla window.
Prominent chimneys with corb brick caps locate w offset S end ext.



126 GRAMMIS AVE.
GRAMMIS



NICKERL & ASSOCIATES, INC.
 PROJECT NO. _____
 SHEET NO. _____
 DATE _____

(64)

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Members of the Historic Preservation Board
From: Bradley Parrish, Community Development Director
Subject: **Senate Bill 582 - Unlawful Demolition of Historic Structures**
Department/Office: Planning

Recommended Action:

Informational

Summary Explanation & Background:

Senate Bill 582 - Unlawful Demolition of Historic Structures

Alternatives:

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

1. SB 582
2. Law
3. Bill Analysis

SB 582 - Unlawful Demolition of Historic Structures

What the Law Does

- Authorizes local code enforcement boards or special magistrates to impose higher fines for illegal demolition.
- Applies specifically to properties listed on the National Register of Historic Places or contributing structures in registered districts.
- Fines may exceed usual statutory limits but cannot surpass **20% of the property's market value** before demolition.
- Demolition must be **willful, knowing, and not due to a natural disaster** to qualify for the enhanced penalty.

Effective Date: July 1, 2025

SB 582 - Implications for Local Governments

- Encourages **stricter protection of historic resources**.
- Requires local boards/magistrates to **assess valuation and intent**, demanding more comprehensive enforcement and legal diligence.
- Empowers localities with a **stronger deterrent** against unauthorized demolition, aligning with preservation goals.

SB 582 - Administrative & Planning Toolbox

- Tool to help preserve historic buildings from “demolition by neglect.”
- Application:
 - Only applies to National Historic Register, i.e. Secretary of the Interior Standards and Guidelines, National Historic Preservation Act of 1966 qualified and registered sites.
 - Listing on Florida Master File Site **IS NOT** the same.
 - Should check the designation of all properties you want to protect
- Should establish guidelines with Building Department on Demolition Permit reviews for historic structures, either by SOP or ordinance.
- Maintain database (Excel or GIS) of all historic sites. Review and update with property appraiser data annually.
- Review Code Enforcement and Fines portions of your code
 - Some codes have “maximum limits” and may need amendment
 - Anchor a “maximum penalty” clause in Land Use Element or Historic Preservation Element
 - Consider establishing regular review periods of condition in order to demonstrate “willful” and “knowing”
 - Leverage other tools, i.e. tax credits, etc.

Additional Bills to Note

Some will be covered more in-depth in future a webinars or at conference

2025582er

1
2 An act relating to unlawful demolition of historical
3 buildings and structures; amending s. 162.09, F.S.;
4 authorizing a code enforcement board or special
5 magistrate to impose a fine that exceeds certain
6 limits for the unlawful demolition of certain
7 historical buildings or structures under certain
8 circumstances; providing that such fine may not exceed
9 a certain percentage of just market valuation;
10 providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Paragraph (e) is added to subsection (2) of
15 section 162.09, Florida Statutes, to read:

16 162.09 Administrative fines; costs of repair; liens.—

17 (2)

18 (e) For the demolition of a building or structure that is
19 individually listed in the National Register of Historic Places
20 as defined in s. 267.021 or is a contributing resource to a
21 National Register-listed district, a code enforcement board or
22 special magistrate may impose a fine that exceeds the limits of
23 this subsection if the code enforcement board or special
24 magistrate finds, based on competent substantial evidence, that
25 the demolition of the building or structure was knowing and
26 willful and was not permitted or the result of a natural
27 disaster. A fine imposed pursuant to this paragraph may not
28 exceed 20 percent of the fair or just market valuation of the
29 property before demolition of the building or structure, as

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30 determined by the property appraiser.

31 Section 2. This act shall take effect July 1, 2025.

CHAPTER 2025-87

Senate Bill No. 582

An act relating to unlawful demolition of historical buildings and structures; amending s. 162.09, F.S.; authorizing a code enforcement board or special magistrate to impose a fine that exceeds certain limits for the unlawful demolition of certain historical buildings or structures under certain circumstances; providing that such fine may not exceed a certain percentage of just market valuation; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (e) is added to subsection (2) of section 162.09, Florida Statutes, to read:

162.09 Administrative fines; costs of repair; liens.—

(2)

(e) For the demolition of a building or structure that is individually listed in the National Register of Historic Places as defined in s. 267.021 or is a contributing resource to a National Register-listed district, a code enforcement board or special magistrate may impose a fine that exceeds the limits of this subsection if the code enforcement board or special magistrate finds, based on competent substantial evidence, that the demolition of the building or structure was knowing and willful and was not permitted or the result of a natural disaster. A fine imposed pursuant to this paragraph may not exceed 20 percent of the fair or just market valuation of the property before demolition of the building or structure, as determined by the property appraiser.

Section 2. This act shall take effect July 1, 2025.

Approved by the Governor May 23, 2025.

Filed in Office Secretary of State May 23, 2025.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Rules

BILL: SB 582

INTRODUCER: Senator Leek

SUBJECT: Unlawful Demolition of Historical Buildings and Structures

DATE: March 31, 2025 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Shuler</u>	<u>Fleming</u>	<u>CA</u>	Favorable
2.	<u>McVaney</u>	<u>McVaney</u>	<u>GO</u>	Favorable
3.	<u>Shuler</u>	<u>Yeatman</u>	<u>RC</u>	Favorable

I. Summary:

SB 582 authorizes a code enforcement board or special magistrate to impose increased fines for the demolition of a structure listed on the National Register of Historic Places. To impose the fine, the demolition of the historic structure must have been knowing and willful, not permitted, and not the result of a natural disaster.

The bill is not expected to have a significant impact on state and local government revenues and expenditures.

The bill takes effect July 1, 2025.

II. Present Situation:

County and Municipal Code Enforcement

Code enforcement is a function of local government and affects people's daily lives. Its purpose is to enhance the quality of life and economy of local government by protecting the health, safety, and welfare of the community.¹ Chapters 125, 162, and 166 of the Florida Statutes² provide counties and municipalities with a mechanism to enforce their codes and ordinances. These statutes provide non-binding, permissible code enforcement mechanisms that may be used by local governments in any combination they choose, and they may enforce their codes by any other means.³

¹ Section 162.02, F.S.

² Chapter 125, Part II, F.S. (county self-government), ch. 162, Part I, F.S. (the Code Enforcement Boards Act), ch. 162, Part II, F.S. (supplemental procedures for county or municipal code or ordinance enforcement procedures), and s. 166.0415, F.S. (city ordinance enforcement).

³ Sections 125.69(4)(k), 162.13, 162.21(8), and 166.0415(7), F.S.

Code Enforcement Boards Act (Part I, Ch. 162, F.S.)

The Local Government Code Enforcement Boards Act (Act), located in Part I of ch. 162, F.S., allows each county and municipality to create by ordinance one or more local government code enforcement boards.⁴ A code enforcement board is an administrative board made up of members appointed by the governing body of a county or municipality with the authority to hold hearings and impose administrative fines and other noncriminal penalties for violations of county or municipal codes or ordinances.⁵ Members of the enforcement boards⁶ must be residents of the respective municipality or county and, whenever possible, must include an architect, a businessperson, an engineer, a general contractor, a subcontractor, and a realtor.⁷

Code enforcement boards have the power to:

- Adopt rules for the conduct of its hearings;
- Subpoena alleged violators, witnesses, and evidence to its hearings;
- Take testimony under oath; and
- Issue orders that have the force of law to command steps necessary to bring a violation into compliance.⁸

Section 162.06, F.S., establishes the procedures for local governments to address violations of various codes using a code enforcement board. It begins with the county or municipal code inspector⁹ who initiates code enforcement procedures by notifying the violator and giving him or her reasonable time to correct the violation.¹⁰ If the violation continues to exist after such time period as specified by the code inspector,¹¹ then the inspector will notify the code enforcement board and request a hearing.¹²

In each case heard before a code enforcement board, the case is presented, and testimony is taken, from both the code inspector and alleged violator.¹³ At the conclusion of the hearing, the board issues findings of fact and provides an order stating the proper relief granted.¹⁴ All final administrative orders of the code enforcement board may be appealed to the circuit court 30 days after execution of the order.¹⁵

⁴ Section 162.03, F.S.

⁵ Sections 162.02 and 162.05(1), F.S.

⁶ Code enforcement boards are either five-member or seven-member boards. If a local government has a population over 5,000 persons, the board must be a seven-member board. Section 162.05, F.S.

⁷ Section 162.05(2), F.S.

⁸ Section 162.08, F.S.

⁹ Section 162.04(2), F.S., defines the term “code inspector” to mean “any authorized agent or employee of the county or municipality whose duty it is to assure code compliance.”

¹⁰ Section 162.06(2), F.S.

¹¹ The code inspector does not need to provide the violator reasonable time to remedy the violation if it is a repeat violation; the violation presents a serious threat to the public health, safety, and welfare; or the violation is irreparable or irreversible in nature. Sections. 162.06(3) and (4), F.S.

¹² Section 162.06(2), F.S. A hearing may also be called by written notice signed by at least three members of a seven-member enforcement board or signed by at least two members of a five-member enforcement board. Section 162.07(1), F.S.

¹³ Section 162.07(2)-(3), F.S.

¹⁴ Section 162.07(4), F.S.

¹⁵ Section 162.11, F.S.

As an alternative to a code enforcement board, the Act allows counties and municipalities to adopt an alternate code enforcement system that gives code enforcement officials or special magistrates the authority to hold hearings and assess fines against violators of respective codes or ordinances.¹⁶ Each of these methods are offered by statute as devices to be used at the local governments' discretion, but a local government may use any method they choose to enforce codes and ordinances.¹⁷

Administrative Fines for Code Enforcement Violations

A code enforcement board may, upon notification by the code inspector that repairs have not been completed by a specified date or upon finding that repeat violations have occurred, order violators to pay a fine for each day of the continued violation.¹⁸ If the violation presents a serious threat to the public health, safety, and welfare, the code enforcement board must notify the local governing body, which may make all reasonable repairs to bring the property in compliance and charge the violator the reasonable cost of those repairs in addition to the fine imposed.¹⁹ If, after due notice and hearing, a code enforcement board finds a violation to be irreparable or irreversible in nature, it may order the violator to pay a fine.²⁰

Administrative fines may not exceed \$250 per day for a first violation and may not exceed \$500 per day for a repeat violation.²¹ If the board finds the violation is irreparable or irreversible in nature, the board may impose a fine of up to \$5,000.²² When determining the amount of the fine, the board may consider the following factors:

- The gravity of the violation.
- Any actions taken by the violator to correct the violation.
- Any previous violations committed by the violator.²³

A code enforcement board may choose to reduce the amount of the fine initially imposed.²⁴

A county or municipality with a population of 50,000 or greater may adopt, by a majority vote plus one of the entire governing body, an ordinance that allows code enforcement boards or special magistrates to impose fines in excess of the above limits.²⁵ The ordinance may provide for fines of up to \$1,000 per day per violation for a first violation, \$5,000 per day per violation for a repeat violation, and up to \$15,000 per violation if the code enforcement board or special

¹⁶ Section 162.03, F.S.

¹⁷ The Attorney General has opined that "once a municipality has adopted the procedures of Chapter 162, Florida Statutes, to enforce its municipal codes and ordinances, it may not alter or amend those statutorily prescribed procedures but must utilize them as they are set forth in the statutes." Op. Att'y Gen. 2000-53 (2000). A local government may, however, maintain a ch. 162, F.S., code enforcement board and still decide to enforce a particular violation by bringing a charge in county court, or any other means provided by law. *Goodman v. Cnty. Court in Broward Cnty., Fla.* 711 So. 2d 587 (Fla 4th DCA 1998).

¹⁸ Section 162.09(1), F.S.

¹⁹ *Id.*

²⁰ *Id.*

²¹ Section 162.09(2)(a), F.S.

²² *Id.*

²³ Section 162.09(2)(b), F.S.

²⁴ Section 162.09(2)(c), F.S.

²⁵ Section 162.09(2)(d), F.S.

magistrate finds the violation to be irreparable or irreversible in nature.²⁶ In addition to such fines, a code enforcement board or special magistrate may impose additional fines to cover all costs incurred by the local government in enforcing its codes and all costs of repairs.²⁷ Any ordinance imposing such fines must include criteria to be considered by the code enforcement board or special magistrate in determining the amount of the fines.²⁸

A certified copy of an order imposing a fine, including any repair costs incurred by the local government, may be recorded in the public records and constitutes a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.²⁹ Upon petition to the circuit court, the order is enforceable in the same manner as a court judgment, including execution and levy against the personal property of the violator, but such order cannot be deemed to be a court judgment except for enforcement purposes.³⁰ A lien arising from such a fine runs in favor of the local governing body, and the local governing body may execute a satisfaction or release of lien entered.³¹

National Register of Historic Places

The National Register of Historic Places,³² under the National Park Service is the official list of the Nation's historic places worthy of preservation is “part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America’s historic and archeological resources.”³³ The program reviews property nominations and lists eligible properties in the National Register; offers guidance on evaluating, documenting, and listing historic places; and helps qualified historic properties receive preservation benefits and incentives.³⁴

In Florida, there are more than 1,700 properties and districts listed on the National Register.³⁵ Nominations for those properties must be submitted to the National Park Service through the Florida Department of State’s Division of Resources, following a review and recommendation by the Florida National Register Review Board.³⁶ Listing in the National Register does not, in itself, impose any obligation on the property owner, or restrict the owner's basic right to use and dispose of the property as he or she sees fit, but does encourage the preservation of significant historic resources.³⁷

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

²⁹ Section 162.09(3), F.S.

³⁰ *Id.*

³¹ *Id.*

³² 54 U.S.C. ch. 3021.

³³ U.S. Department of the Interior, National Park Service, National Register of Historic Places, *What is the National Register of Historic Places?*, <https://www.nps.gov/subjects/nationalregister/what-is-the-national-register.htm> (last visited Mar. 21, 2025).

³⁴ *Id.*

³⁵ Fla. Dep’t of State, *National Register of Historic Places*, <https://dos.myflorida.com/historical/preservation/national-register/> (last visited Mar. 21, 2025).

³⁶ *Id.*

³⁷ *Id.*

Demolition Permits

It is unlawful for a person, firm, or corporation to construct, erect, alter, repair, secure, or demolish any building without first obtaining a building permit from the local government or from such persons as may, by resolution or regulation, be directed to issue such permit, upon the payment of reasonable fees as set forth in a schedule of fees adopted by the enforcing agency.³⁸ The enforcing agency may revoke any such permit if the demolition is in violation of, or not in conformity with, the provisions of the Building Code.³⁹

A local law, ordinance, or regulation may not prohibit or otherwise restrict the ability of a private property owner to obtain a building permit to demolish his or her single-family residential structure provided that such structure is located in a coastal high-hazard area, moderate flood zone, or special flood hazard area according to a Flood Insurance Rate Map issued by the Federal Emergency Management Agency for the purpose of participating in the National Flood Insurance Program if the lowest finished floor elevation of such structure is at or below base flood elevation as established by the Building Code or a higher base flood elevation as may be required by local ordinance, whichever is higher, provided the permit complies with all applicable Building Code, Fire Prevention Code, and local amendments to such codes.⁴⁰

However, a local law, ordinance, or regulation may restrict demolition permits for certain designated historic structures:

- Structure designated on the National Register of Historic Places;
- Privately owned single-family residential structure designated historic by a local, state, or federal governmental agency on or before January 1, 2022; or
- Privately owned single-family residential structure designated historic after January 1, 2022, by a local, state, or federal governmental agency with the consent of its owner.⁴¹

III. Effect of Proposed Changes:

SB 582 authorizes a code enforcement board or special magistrate to impose a fine that exceeds the limits specified in s. 162.09, F.S., for the demolition of a structure that is individually listed on the National Register of Historic Places or is a contributing resource to a district listed on the National Register. To impose the fine, a code enforcement board or special magistrate must find, based on competent substantial evidence, that the demolition of the historic structure was knowing and willful and not permitted or the result of a natural disaster. The fine may not exceed 20 percent of the fair or just market value of the property as determined by the property appraiser.

The bill takes effect July 1, 2025.

³⁸ Section 553.79(1)(a), F.S.

³⁹ *Id.*

⁴⁰ Section 553.79(25)(a), F.S.

⁴¹ Section 553.79(25)(d), F.S.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

Not applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditures of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

None identified.

C. Trust Funds Restrictions:

None identified.

D. State Tax or Fee Increases:

Article VII, s. 19 of the State Constitution requires that legislation that increases or creates taxes or fees be passed by a 2/3 vote of each chamber in a bill with no other subject. The bill does not increase or create new taxes or fees. Thus, the constitutional requirements related to new or increased taxes or fees do not apply.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None identified.

B. Private Sector Impact:

None identified.

C. Government Sector Impact:

Local governments may receive increased revenues from additional fines for the demolition of buildings listed on the National Register without permits.

VI. Technical Deficiencies:

None identified.

VII. Related Issues:

None identified.

VIII. Statutes Affected:

This bill substantially amends section 162.09 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Members of the Historic Preservation Board
From: Sue Williams, Redevelopment Planner
Subject: **Mid-Century Modern Structures**
Department/Office: Community Development

Recommended Action:

As the Board Desires.

Summary Explanation & Background:

At the April 7, 2025 Historic Preservation Board (HPB) meeting, Member Shifalo said she would like the Historic Preservation Board to explore the mid-century modern structures in the City of Titusville since there was such a large growth of this as part of Titusville's history.

At the June 2, 2025, Historic Preservation Board (HPB) meeting, Member Shifalo spoke about the Mid-Century Modern structures and asked for feedback from the Historic Preservation Board regarding the timeframe she should be researching. Member Shifalo said she still needs time to research the historical resources and bring back additional information regarding this era. Member Foster said that the Architectural Design Guidelines have some information regarding these structures. The Historic Preservation Board members decided that the research should be focused on the 1950's, 1960's and 1970's, the typical contemporary modern structures. Member Shifalo said she would continue her research and bring back additional information at a future meeting. This is on this agenda for further discussion.

Alternatives:

As the Board Desires

Item Budgeted:

N/A

Source/Use of Funds/Budget Book Page:

N/A

Strategic Plan:

This action addresses the City of Titusville's Goal 5.b to continue the effectiveness of

current advisory boards.

Strategic Plan Impact:

This action ensures the continuing efforts of the Historic Preservation Board to recognize historic structures.

ATTACHMENTS:

None