

RESOLUTION OF THE HISTORIC PRESERVATION BOARD OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER HPB 2009-XX
"SEVEN SEAS": NEWTON PARK PROPERTY

A RESOLUTION OF THE HISTORIC PRESERVATION BOARD OF FORT MYERS BEACH, FLORIDA:

WHEREAS, the Local Planning Agency of the Town of Fort Myers Beach, Florida, serves as the historic preservation board for the Town of Fort Myers Beach ("HPB") pursuant to Chapter 22, Article II, Division 2, Section 22-71 and Chapter 30, Section 30-56(b) of the Land Development Code ("LDC") of the Town of Fort Myers Beach; and

WHEREAS, the HPB is vested with the power, authority and jurisdiction to designate, regulate and administer historical, cultural, archaeological, and architectural resources in the Town, pursuant to LDC Section 22-71; and

WHEREAS, the HPB has the power and duty to designate eligible historic resources; evaluate the significance and eligibility of historic resources for designation pursuant to Chapter 22 of the LDC; approve, deny or approve with conditions applications for special certificates of appropriateness applicable to historic resources designated pursuant to Chapter 22; and to record and maintain records of the actions and decisions of the HPB, pursuant to Section 22-74 of the LDC; and

WHEREAS, Section 22-103(a)(1) of the LDC requires the HPB to issue a special certificate of appropriateness prior to initiation of any work involving alteration, demolition, relocation, reconstruction, excavation or new construction which will result in a change to the original appearance of a designated historic resource; and

WHEREAS, Section 22-103(a)(3) of the LDC states that a special certificate of appropriateness may also be issued to reverse or modify the director's decision regarding an application for a regular certificate of appropriateness; and

WHEREAS, the Town of Fort Myers Beach ("applicant") is the owner of the structure called the "Seven Seas" on the Newton Park Property, with a physical address of 4650 Estero Boulevard, Fort Myers Beach, Lee County, Florida 33931 and a STRAP Number of 29-46-24-W3-0080H.0010 and with a legal description as set forth on **Exhibit "A"**, which is hereby incorporated by reference (the "subject property"); and

WHEREAS, the Town HPB designated the "Seven Seas" as an historic resource on March 10, 2009 via HPB Resolution 2009- 07, pursuant to LDC Chapter 22, Article II, Division 3; and

WHEREAS, the Town Department of Community Development has received an application from the owner's representative for a special certificate of appropriateness (SCA) for restoration of the 1953/54 portion of structure, and renovation and repair of the 1960 portion to accommodate restroom and bathhouse facilities; and

WHEREAS, a public hearing on the application for a SCA was legally advertised and held before the HPB on March 24, 2009, with the affidavit of notice being attached hereto as Exhibit "B" and hereby incorporated by reference; and

WHEREAS, at such hearing, the HPB gave full and complete consideration to the application for a special certificate of appropriateness, recommendations of staff, the documents in the file, and the testimony of all interested persons.

NOW, THEREFORE BE IT RESOLVED BY THE HISTORIC PRESERVATION BOARD OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AS FOLLOWS:

The HPB **APPROVES/DENIES** the issuance of a special certificate of appropriateness for the "Seven Seas" structure renovations and alterations in accordance with the following findings of fact and conclusions of law inclusive of the criteria for issuance of a special certificate of appropriateness as provided in LDC Section 22-101(b), including the Secretary of the Interior's *Standards for Rehabilitation*, 36 CFR § 67.7, and the specific guidelines provided in the resolution that designated the "Seven Seas" property an historic resource:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The property **WILL / WILL NOT** 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.

*The use of the property will be changed from a vacant home to a community meeting building. The former uses of the rooms in the building are shown on the floor plan attached as **Exhibit "C."** The proposed new uses of the rooms in the building following the renovation project are shown on the floor plan attached as **Exhibit "D."** The exterior appearance of the Seven Seas House will be altered minimally, primarily with the addition of a disability access ramp to the 1960 addition for compliance with the Americans with Disabilities Act.*

The interior of the original home requires minor modifications to the bathroom and kitchen to make the building functional as a meeting space. The defining characteristics of the original home's interior, such as the yellow pine wood flooring, wood trim, exposed rafters, and wood cabinetry, are to remain intact. The lanai will remain structurally unchanged, although its use will be changed to a picnic pavilion.

The 1960 addition will require some renovations to serve the new public nature of the building, but will not impact the defining characteristics of the building. A foyer will be added, serving as a waiting area for the renovations to include new bathrooms and bathhouse.

2. The historic character of the subject property **WILL / WILL NOT** be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property **WILL / WILL NOT** be avoided.

The exterior of the home will retain its present character, with the exception of the addition of the disability access ramp to the 1960 addition for ADA compliance. The interior modifications will preserve distinctive features rather than altering or removing them.

3. The subject property **WILL / WILL NOT** be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, **WILL / WILL NOT** be undertaken.

The Seven Seas House will remain as a physical record of its time, place, and use. It will remain beachside, and will retain the materials and craftsmanship that make it distinctive. Removal of historic finishes and elements is not proposed. No conjectural features or elements borrowed from other buildings are proposed to be added.

4. Most properties change over time; those changes that have acquired historic significance in their own right **WILL / WILL NOT** be retained and preserved.

The only major change made to this structure during its history was the addition of the 1960 guest quarters/real estate office. The exterior of this addition will be retained in its present condition, except for the addition of the disability access ramp. The interior modifications will not remove changed features that have gained historic significance in their own right.

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property **WILL / WILL NOT** be preserved.

The restoration work proposed will not destroy features, finishes, and construction techniques or craftsmanship that are distinctive to this historic property. Distinctive finishes and features are to be preserved rather than removed.

6. Deteriorated historic features **WILL / WILL NOT** be repaired rather than replaced. When the severity of deterioration requires replacement of a distinctive feature, the new feature **WILL / WILL NOT** match the old in design, color, texture, or visual qualities and, where possible, materials. Replacement of missing features **WILL / WILL NOT** be substantiated by documentary, physical, or pictorial evidence.

No missing historic features are planned to be replaced. Cabinetry in the kitchen is to be preserved even as the use of the kitchen is altered. Proposed altered restroom fixtures are not distinctive.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials, **WILL / WILL NOT** be used. The surface cleaning of structures, if appropriate, **WILL / WILL NOT** be undertaken using the gentlest means possible.

Chemical or physical treatments such as sandblasting, which could damage historic materials, are not proposed to be used.

8. Significant archaeological resources affected by a project **WILL / WILL NOT** be protected and preserved. If such resources must be disturbed, mitigation measures **WILL / WILL NOT** be undertaken.

There are no known archaeological resources on this site and the site is not within a sensitive area identified in LDC Section 22-106 and figure 22-1. Excavation is not proposed.

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

The only new exterior construction will be the addition of the disability access ramp to the 1960 addition. The disability access ramp is to be compatible with the massing, size, scale, and architectural features of the property, and will be clearly differentiated from the existing structure to protect the integrity of the property.

10. New additions and adjacent or related new construction **WILL / WILL NOT** 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 new construction to be undertaken will not be done in such a manner as to impair the form and integrity of the historic property and its environment in the event the disability access ramp is removed. The form of the "Seven Seas" structure will remain essentially the same after the addition, and would remain essentially the same if the addition were later removed.

11. Town Historic Preservation Board Resolution 2009-07 designating the "Seven Seas" an historical resource contains specific guidelines for historic preservation treatments of five (5) features. The proposed alteration, demolition, relocation, reconstruction, excavation, or new construction **WILL / WILL NOT** meet the specific guidelines of the designating resolution, specifically:

- a. Interior cabinetry: Preserve natural wood or replace with similar natural wood.

Removal of cabinetry is not proposed.

- b. Exposed structural and nonstructural interior wood finishes: Preserve natural wood or replace with similar natural wood where exposed.

Removal or alteration of interior exposed natural wood is not proposed.

- c. Exterior wood: Preserve natural wood or replace with similar natural wood.

*Removal or alteration of exterior natural wood is not proposed.
Refinishing of exterior wood will restore the historic appearance of the natural wood.*

- d. Ventilation features: Maintain appearance of visible openings following rehabilitation.

Removal or covering existing ventilation features is not proposed.

- e. Interior flooring: Preserve natural wood or replace with similar natural wood

Replacement or removal of existing wood flooring is not proposed.

The foregoing Resolution was adopted by the HPB upon a motion by HPB Member _____ and seconded by HPB Member _____ and upon being put to a vote, the result was as follows:

Joanne Shamp, Chair _____
Evie Barnes _____
Alan Mandel _____
Joe Yerkes _____

Dennis Weimer, Vice Chair _____
Rochelle Kay _____
Bill Van Duzer _____

DULY PASSED AND ADOPTED THIS 24th day of March, 2009.

HISTORIC PRESERVATION BOARD OF THE TOWN OF FORT MYERS BEACH

By: _____
Joanne Shamp, Chair

ATTEST:

By: _____
Michelle Mayher, Town Clerk

Approved as to Legal Sufficiency:

Anne Dalton, Esquire
HPB Attorney