



AGENDA

Historic Preservation Board

5:30 PM – Wednesday, September 10, 2025 – City Hall

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

1. AGENDA UPDATES

2. APPROVAL OF MINUTES

[2.1](#) HPB Meeting Minutes for March 12, 2025

[2.2](#) HPB Meeting Minutes for May 14, 2025

3. AUDIENCE TO BE HEARD

4. NEW BUSINESS

[4.1](#) Historic Preservation Board Rules of Procedure

5. OLD BUSINESS

6. BOARD MEMBER REPORTS

7. STAFF REPORTS

[7.1](#) Overview of Florida Sunshine and Ethics Laws

[7.2](#) Presentation on Historic Preservation Board Powers and Duties

8. ADJOURNMENT

This Agenda is provided to the Board only as a guide, and in no way limits their consideration to the items contained hereon. The Board has the sole right to determine those items they will discuss, consider, act upon, or fail to act upon. Changes or amendments to this Agenda may occur at any time prior to, or during the scheduled meeting. It is recommended that if you have an interest in the meeting, you make every attempt to attend the meeting. This Agenda is provided only as a courtesy, and such provision in no way infers or conveys that the Agenda appearing here is, or will be the Agenda considered at the meeting.

If a person decides to appeal any decision made by the board with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she 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 (Florida Statutes, 286.0105). In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation to participate in this proceeding should contact the City Clerk 48 hours prior to any meeting so arrangements can be made. Telephone (352) 483-5430 for assistance.



MINUTES

Historic Preservation Board Meeting

5:30 PM – March 12, 2025 – City Hall

CALL TO ORDER: 5:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL:

PRESENT: Kirk Musselman, Monte Stamper, Dorothy Stevenson, Chairman
Kalus

ABSENT: Vice Chair Dina John

STAFF PRESENT: Mike Lane, Director of Development Services
Jeff Richardson, Deputy Director of Development Services
Kyle Wilkes, Senior Planner
Deanna Mikiska, Development Review Coordinator

OTHERS PRESENT: Cheyenne Rossi, HPB Attorney

1. AGENDA UPDATES

The application for Certificate of Appropriateness for a re-roof at 821 E Lemon Avenue (2025-COA-02) was withdrawn.

2. APPROVAL OF MINUTES

2.1 Approval of Minutes

November 13, 2024 Historic Preservation Board Meeting

Motion made by Ms. Stevenson, Seconded by Mr. Musselman, to approve the Minutes as submitted. The motion passed by a unanimous vote.

3. AUDIENCE TO BE HEARD: NONE

4. NEW BUSINESS

Chairman Kalus directed Senior Planner Kyle Wilkes to present 2025-COA-01 – 679 Key Avenue before the nomination and election of officers.

4.2 2025-COA-01 – 679 Key Avenue – Re-roof

Kyle Wilkes, Senior Planner, explained the requested Certificate of Appropriateness for a new roof at 679 Key Avenue (alt key #1189993). The lot is 0.37 acres, and the architectural style is Non-Contributing Structure. Future land use is Suburban Residential and the Design District is Urban Neighborhood. The primary structure was built in 2005 and is considered a non-contributing structure.

Motion made by Mr. Stamper, Seconded by Ms. Stevenson, to approve the application. The motion passed by a unanimous vote.

4.1 Election of Officers for 2025

Ms. Stevenson motioned for Mr. Matthew Kalus to continue as Chairman and Ms. Dina John to continue as Vice Chair. Mr. Musselman seconded the motion. The motion passed by a unanimous vote.

5. OLD BUSINESS

6. BOARD MEMBER REPORTS: NONE

7. STAFF REPORTS

Jeff Richardson notified the board that the Eustis City Clerk and Deputy City Manager are updating the board appointment schedule rotation and application process. When the updates are complete, the board members will be notified.

8. ADJOURNMENT: 5:40 p.m.

DEANNA MIKISKA
Development Review Coordinator

MATTHEW E. KALUS
Chairperson



MINUTES

Historic Preservation Board Meeting

5:30 PM – May 14, 2025 – City Hall

CALL TO ORDER: 5:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL:

PRESENT: Shannon Graves, Kirk Musselman, Derek Stewart

ABSENT: Chairman Matthew Kalus, Monte Stamper, Dorothy Stevenson

STAFF PRESENT: Mike Lane, Director of Development Services
Jeff Richardson, Deputy Director of Development Services
Kyle Wilkes, Senior Planner
Deanna Mikiska, Development Review Coordinator

OTHERS PRESENT: Cheyenne Rossi, HPB Attorney

1. AGENDA UPDATES

2. APPROVAL OF MINUTES

2.1 Approval of Minutes

March 12, 2025 Historic Preservation Board Meeting

Approval was held until the next meeting.

3. AUDIENCE TO BE HEARD: NONE

4. NEW BUSINESS

4.1 2025-COA-03 – 922 E Washington Ave – Modifications to Exterior Features (After the Fact)

Kyle Wilkes, Senior Planner, explained the requested Certificate of Appropriateness for exterior modifications (after-the-fact) at 922 E Washington Avenue (alt key # 1423627). The

lot is 1.00 acre, and the architectural style is classified as Framed Vernacular. Future Land Use is Suburban Residential (SR) and the Design District is Suburban Neighborhood. The primary structure was built in 1919.

Motion made by Mr. Musselman, Seconded by Ms. Graves, to approve the application with the following conditions:

- a) Stucco encasing for the asbestos siding of the primary and accessory structures is approved and may be completed.
- b) Addition of the front portico/porch may be completed with the addition of increased mass to all the columns and stucco/cement replacing the tile floor.
- c) The vergeboard trim may be removed.
- d) Shutters, in an appropriate style and color, will be reinstalled.

The motion passed by a unanimous vote.

4.2 2025-COA-04 – 830 E Lemon Avenue - Fence

Kyle Wilkes explained the requested Certificate of Appropriateness for a fence to be installed at 830 E Lemon Avenue (alt key # 1189853). The lot is 0.23 acres, and the architectural style is classified as Craftsman. Future Land Use is Suburban Residential (SR) and the Design District is Urban Neighborhood. The primary residence was built in 1924.

Motion made by Mr. Stewart, Seconded by Ms. Graves, to approve the application as presented for a wood grain natural, board-on-board fence with two gates. The motion passed by a unanimous vote.

5. OLD BUSINESS

6. BOARD MEMBER REPORTS: NONE

7. STAFF REPORTS

8. ADJOURNMENT: 6:15 p.m.

DEANNA MIKISKA
Development Review Coordinator

MATTHEW E. KALUS
Chairperson

City of Eustis Historic Preservation Board Rules of Procedure

Pursuant to City of Eustis Ordinance 95-27, the City of Eustis Historic Preservation Board (“Board”) hereby adopts the following Rules of Procedure:

1. Conduct of Meetings

All meetings of the Board shall be conducted in accordance with these Rules of Procedure. *Robert’s Rules of Order* may be used as guidance in matters of parliamentary procedure not otherwise addressed by these Rules but shall not be binding on the Board.

2. Participation in Activities

Board members are encouraged to participate in survey and planning activities undertaken by the City of Eustis in furtherance of historic preservation goals.

3. Agenda Preparation and Notice

The proposed agenda for each Board meeting shall be prepared by City staff and publicly noticed in advance by posting copies at City Hall and other locations where City ordinances are routinely posted.

4. Public Records

These Rules of Procedure constitute a public record and shall be available for public inspection consistent with the requirements of Chapter 119, Florida Statutes.

5. Quasi-Judicial Hearings

All quasi-judicial hearings conducted by the Board shall conform to the procedures set forth in the City’s Land Development Regulations.

6. Coordination with the State Historic Preservation Office

The Board shall coordinate with the State Historic Preservation Office as follows:

- a. Provide a copy of all duplicate inventory materials to the State Historic Preservation Office.
- b. Provide the State Historic Preservation Office with at least thirty (30) days’ prior notice of all Board meetings, except in the case of special meetings, in which case reasonable notice shall be given.
- c. Submit approved minutes of all Board meetings to the State Historic Preservation Office within thirty (30) days of approval. Minutes shall reflect attendance, actions taken, and any changes in Board membership.

- d. Notify the State Historic Preservation Office immediately upon the designation of new historic resources or alteration of existing designations.
- e. Forward to the State Historic Preservation Office proposed amendments to Ordinance 95-27 for review and comment at least thirty (30) days prior to final adoption.
- f. Submit an annual report to the State Historic Preservation Office and the Mayor of the City of Eustis on or before November 1 of each year, covering the preceding October 1 through September 30. At a minimum, such report shall include:
 - i. Amendments to these Rules of Procedure;
 - ii. The number of proposals and applications reviewed;
 - iii. New designations;
 - iv. Changes to Board membership, and updated résumés of Board members, as appropriate;
 - v. Amendments or proposed amendments to the Historic Preservation Ordinance;
 - vi. A summary of survey and inventory activities, including a description of the methodology utilized; and
 - vii. A program report on each grant-assisted activity.
- g. **Objections to Designation:** Objections by property owners to nomination of properties within proposed Historic Districts shall be notarized. *(Amended October 8, 1996)*
- h. **Attendance Requirements:** *(Amended July 8, 1997)*

A Board member who fails to attend three (3) consecutive meetings or more than fifty percent (50%) of meetings in any calendar year shall be subject to referral by the Chair to the Mayor and City Commission with a request for replacement.

If a member fails to attend two (2) consecutive meetings, or more than fifty percent (50%) of meetings in the prior calendar year, City staff shall place the matter on the next regular Board agenda for consideration. If the member attends the third scheduled meeting, the referral shall be withdrawn.

Final authority for removal or replacement of Board members rests exclusively with the City Commission pursuant to sec. 46-57, Chapter 46 of the City Code of Ordinances.

7. Quorum

A majority of the Board's authorized membership shall constitute a quorum. Quorum is calculated based upon the total number of seats established by ordinance, irrespective of whether all seats are filled. If quorum is lost during a meeting, the Board shall take no further official action until quorum is restored.

8. Conflict of Interest/Voting Abstention

Board members shall comply with the Code of Ethics for Public Officers and Employees, codified at Chapter 112, Part III, Florida Statutes. A member who has a voting conflict shall publicly disclose the conflict at the meeting prior to participation in discussion, abstain from voting, and file the required written memorandum of voting conflict with the City Clerk within fifteen (15) days, as required by Section 112.3143, Florida Statutes.

9. Recordkeeping and Minutes

The Board shall maintain minutes of all meetings in compliance with the Florida Sunshine Law (F.S. § 286.011) and the Public Records Law (F.S. Ch. 119). Minutes shall document attendance, motions, votes, and official actions. Approved minutes shall be forwarded to the State Historic Preservation Office within thirty (30) days of approval.

10. Tie Votes

In the event of a tie vote, the motion shall be deemed to have failed.

History:

Adopted July 23, 1996

Amended October 8, 1996 (Notarization of objections)

Amended July 8, 1997 (Attendance requirements)

Amended September 2025 (Quorum, conflict of interest, recordkeeping, tie votes)

Guidance on Quorum Amendments

Quorum Determination: Quorum is based upon the number of authorized seats, not merely the number of filled seats. For example, if the Board has seven seats but two are vacant, quorum remains four. This ensures consistency and prevents manipulation of quorum requirements through vacancies.

Loss of Quorum: If quorum is lost during a meeting, official action must cease immediately. The meeting may continue for purposes of discussion or public comment, but no binding votes or official actions may occur until quorum is reestablished.

RESOLUTION NUMBER 25-01**A RESOLUTION OF THE CITY OF EUSTIS HISTORIC PRESERVATION BOARD ADOPTING REVISED RULES OF PROCEDURE; PROVIDING FOR TRANSMITTAL TO THE CITY COMMISSION; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Eustis Historic Preservation Board (“Board”) was established pursuant to Ordinance Number 95-27 to advise the City Commission on matters relating to historic preservation and to carry out duties consistent with the Certified Local Government Program; and

WHEREAS, the Board adopted Rules of Procedure on July 23, 1996, which were subsequently amended on October 8, 1996, and July 8, 1997, to address notarization of property owner objections and member attendance requirements; and

WHEREAS, the Board has determined that additional revisions are necessary to address quorum requirements, conflict of interest and voting abstention, recordkeeping and minutes, procedures for tie votes, and the role of *Robert’s Rules of Order* as advisory guidance only; and

WHEREAS, the Board finds that adoption of the revised Rules of Procedure, attached hereto as *Exhibit A* and incorporated herein by reference, will promote transparency, compliance with Florida Statutes, and the efficient and orderly conduct of Board business.

NOW, THEREFORE, BE IT RESOLVED BY THE HISTORIC PRESERVATION BOARD OF THE CITY OF EUSTIS, FLORIDA, AS FOLLOWS:

Section 1. Adoption of Revised Rules of Procedure.

The Historic Preservation Board hereby adopts the revised Rules of Procedure attached hereto as *Exhibit A*. Said Rules supersede all prior versions and shall govern the proceedings of the Board unless and until amended in accordance with applicable law.

Section 2. Transmittal to City Commission.

City staff is hereby directed to transmit a copy of the revised Rules of Procedure to the City Commission for acknowledgment and for inclusion in the City’s Certified Local Government records.

Section 3. Effective Date.

This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 10th day of September, 2025, by the Historic Preservation Board of the City of Eustis, Florida.

**HISTORIC PRESERVATION BOARD
CITY OF EUSTIS, FLORIDA**

By: _____
Chair

ATTEST:

Recording Secretary

Exhibit A: Revised Rules of Procedure (as adopted September 2025)

City of Eustis



Municipal Government, Ethics, Sunshine Law and Public Records



Municipal
Government,
Art. VIII
Sec. 2(b)
FL Constitution

Municipalities shall have governmental, corporate and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by law.

Each municipal legislative body shall be elective.

Municipal charter is an essential and fundamental element of every Florida municipality as no municipal government may be created nor may exist without a charter. Due to their importance Charters cannot be changed by ordinance, without a public referendum.

A municipal charter must originate within the community and must be formally approved by a majority of the registered voters of the community. The charter is, in a sense, a compact among the residents of the community regarding the extent and form of government that they desire.

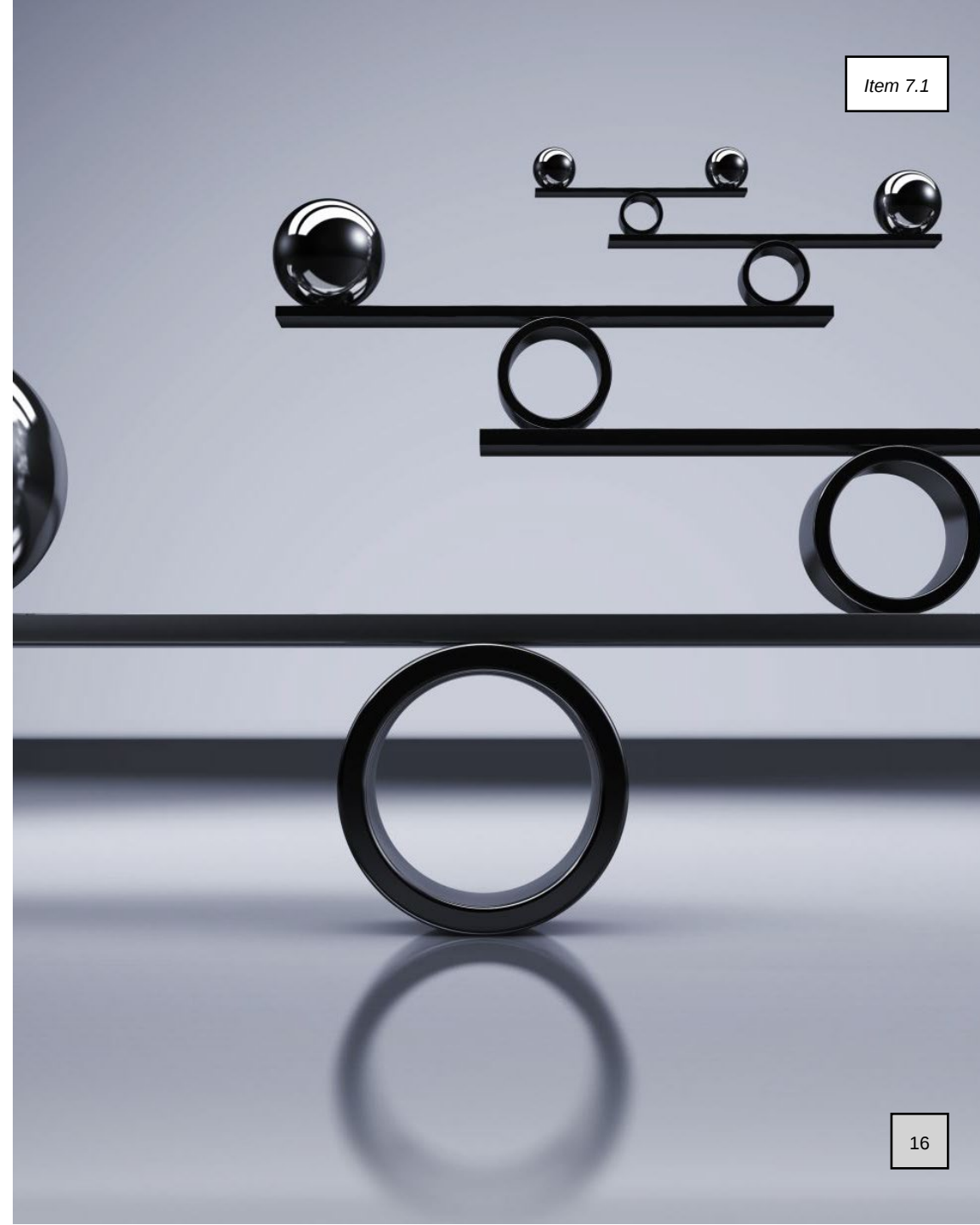
Municipal Charter



City of Eustis Charter

Questions?

Ethics



Item 7.1

Three Fundamental Principles of Florida Ethics Law

“A public office is a public trust”

Concern that public servants avoid any situation that “tempts to dishonor”

No one can serve two masters

Ethical Principles Declared by Law Chapter 112, Part III (Legislative Intent)

“It is declared to be the policy of the state that public officers and employees, state and local, are agents of the people and hold their positions for the benefit of the public.

...promoting the public interest and maintaining the respect of the people in their government must be of foremost concern.”

The Underlying Principle: Preventing/Avoiding a Conflict of Interest

That is: “a situation in which regard for a private interest tends to lead to disregard of a public duty or interest.”

Statutory Subjects - Chapter 112, part III

Solicitation or acceptance of gifts (bribes)

Unauthorized compensation (gift for influence)

Doing business with one's agency

Misuse of public position

Conflicting employment or contractual relationship

Disclosure or use of certain information

Voting conflicts

Restriction on employment of relatives (nepotism)

Illegal Gifts: Anything of Value that Could Have Influence

- **Prohibition on Solicitation or Acceptance of Gifts**

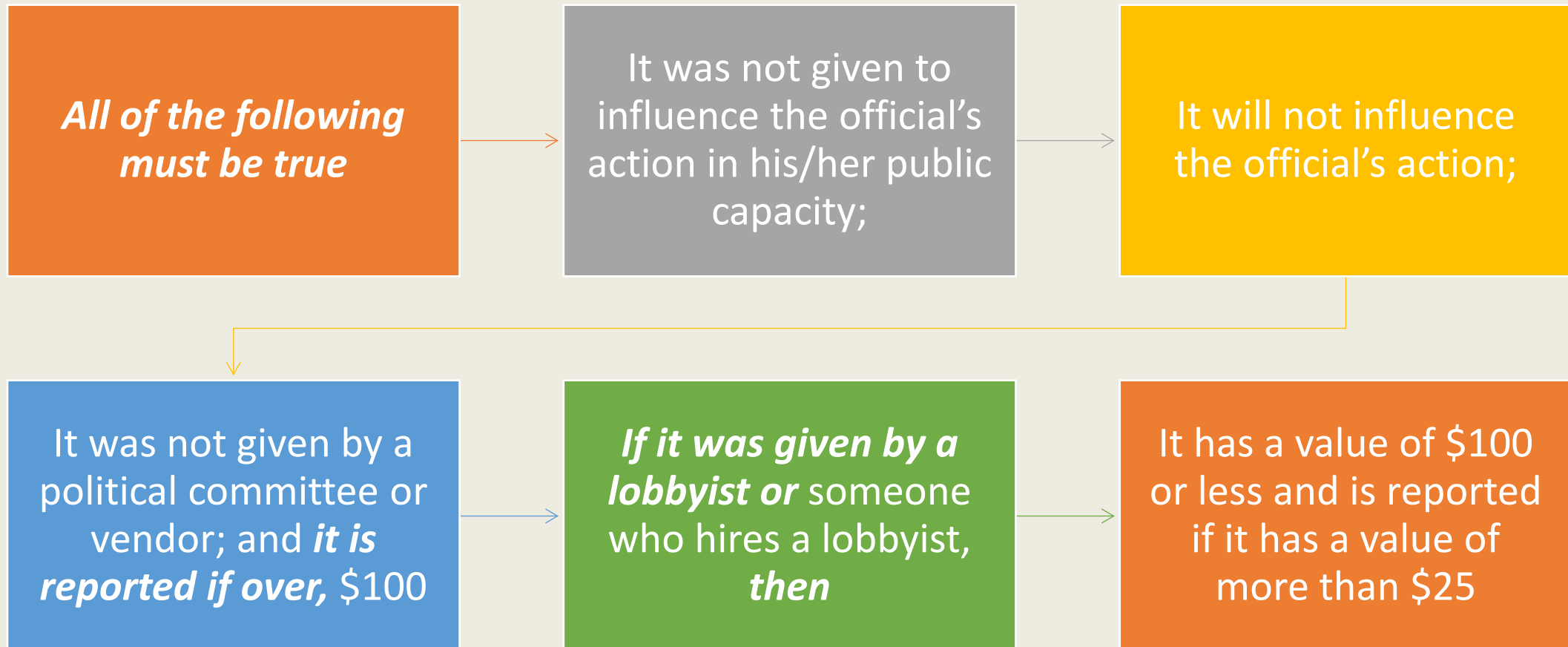
No public officer, employee ... or candidate ... shall solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor or service, based upon any understanding that the vote, official action or judgment of the public officer, employee, local government attorney or candidate would be influenced thereby.

Illegal Gifts: Anything of Value that Could Have Influence

- **Prohibition on Accepting Compensation Given to Influence a Vote**

No public officer, employee of an agency, or local government attorney or spouse or minor child shall accept any compensation, payment or thing of value when the person knows, or, with reasonable care, should know that it was given to influence a vote or other action.

Legal and Reportable Gifts



Gifts: Perception and Cure

Even if a particular gift is legal, consider carefully the public perception of that gift.

Curing an Improper Gift: pay the value of the gift to the giver within 90 days

Prohibition of Doing Business with One's Agency

An officer or employee, when acting in an official capacity, shall not, either directly or indirectly, purchase, rent or lease any realty, goods or services from any business entity of which the officer or employee, spouse or child is officer, partner, director or proprietor or in which he or she, spouse or child has a material interest. Nor shall a public officer or employee, acting in a private capacity, rent, lease or sell any realty, goods, or services to the municipality or any agency thereof.

Prohibition of Conflicting Employment or Contractual Relationships

No public officer or employee shall hold any employment or contractual relationship with any business entity or agency which is subject to the regulation of the agency of which one is an officer or employee or which does business with the said agency; nor shall an officer or employee have any employment or contractual relationship that will create a continuing or frequently recurring conflict between one's private interests and the performance of public duties or that would impede the full and faithful discharge of public duties. Reference Florida Statutes for exceptions to this standard.

Prohibition of Misuse of Public Position

A public officer, employee or local government attorney shall not corruptly use or attempt to use one's official position or any property or resource which may be within one's trust or perform official duties to secure a special privilege, benefit or exemption.

Prohibition of Misuse of Privileged Information

No public officer, employee of an agency or local government attorney shall disclose or use information not available to members of the general public and gained by reason of one's official position for one's personal gain or benefit or the personal gain or benefit of any other person or business entity.

Prohibition of Nepotism

Nepotism is the practice of showing favoritism to relatives, especially in the awarding of jobs. A municipal officer or employee vested with the power to appoint, employ, promote or advance individuals or to make recommendations concerning such shall not appoint, employ, promote, advance or advocate for such benefit to a position over which he or she exercises jurisdiction, any relative. "Relatives" includes parents; uncles, aunts and first cousins; siblings, their spouses and their children; spouses and their parents; children and their spouses; stepparents, step-siblings and stepchildren; and half-siblings.

Voting Conflicts of Interest: What to Do

Read agendas carefully. If you think you have a conflict of interest on an agenda item, it is best to contact the City attorney ahead of the meeting to discuss the matter.

If elected officials have a voting conflict, they must disclose the conflict verbally at the public meeting **PRIOR TO ANY VOTE**. Then, **ABSTAIN FROM VOTING** on the item, and **FILE THE CONFLICT FORM** with the person taking minutes.

If appointed officials have a voting conflict, they must disclose the conflict prior to the meeting (or at the meeting if not disclosed before), **ABSTAIN FROM VOTING** on the item, and **FILE THE CONFLICT FORM** with the person taking minutes.

Questions?

Purpose of Sunshine Law

Protects the public from “closed door” decision-making by providing a right of access to governmental proceedings of public boards and commissions at both state and local levels (Judiciary and Legislature not subject to the Sunshine Law).

Florida Constitution, Art. I, § 24 and § 286.011, Fla. Stat.:

“All meetings of any board or commission . . . at which official acts are to be taken are declared to be public meetings open to the public at all times, and no . . . formal action shall be considered binding except as taken or made at such meeting.”

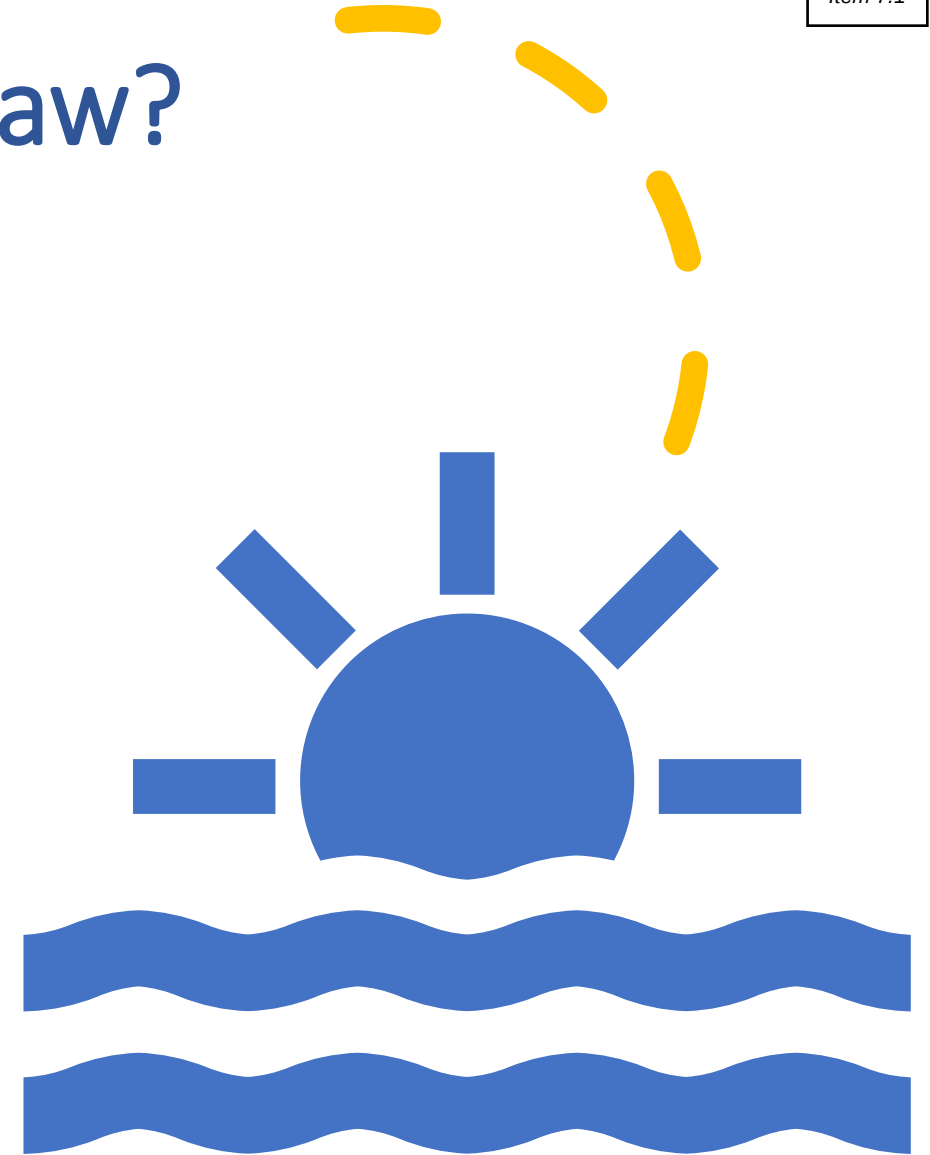
Who is covered by Sunshine Law?

Sunshine law applies to elected and appointed boards and commissions, regardless of the voting ability.



Also applies to:

- Advisory bodies, even if recommendations are not binding on agencies.
- Individual members appointed to negotiate, narrow decisions, or make decisions for the full board. [AGO 93-78]
- Private entities if they are acting as a replacement for the public agency.



Conducting Meetings In the Sunshine

Item 7.1



1. Open-meeting requirement



2. Advance Notice Requirement



3. Agenda



4. Minutes and Other Records

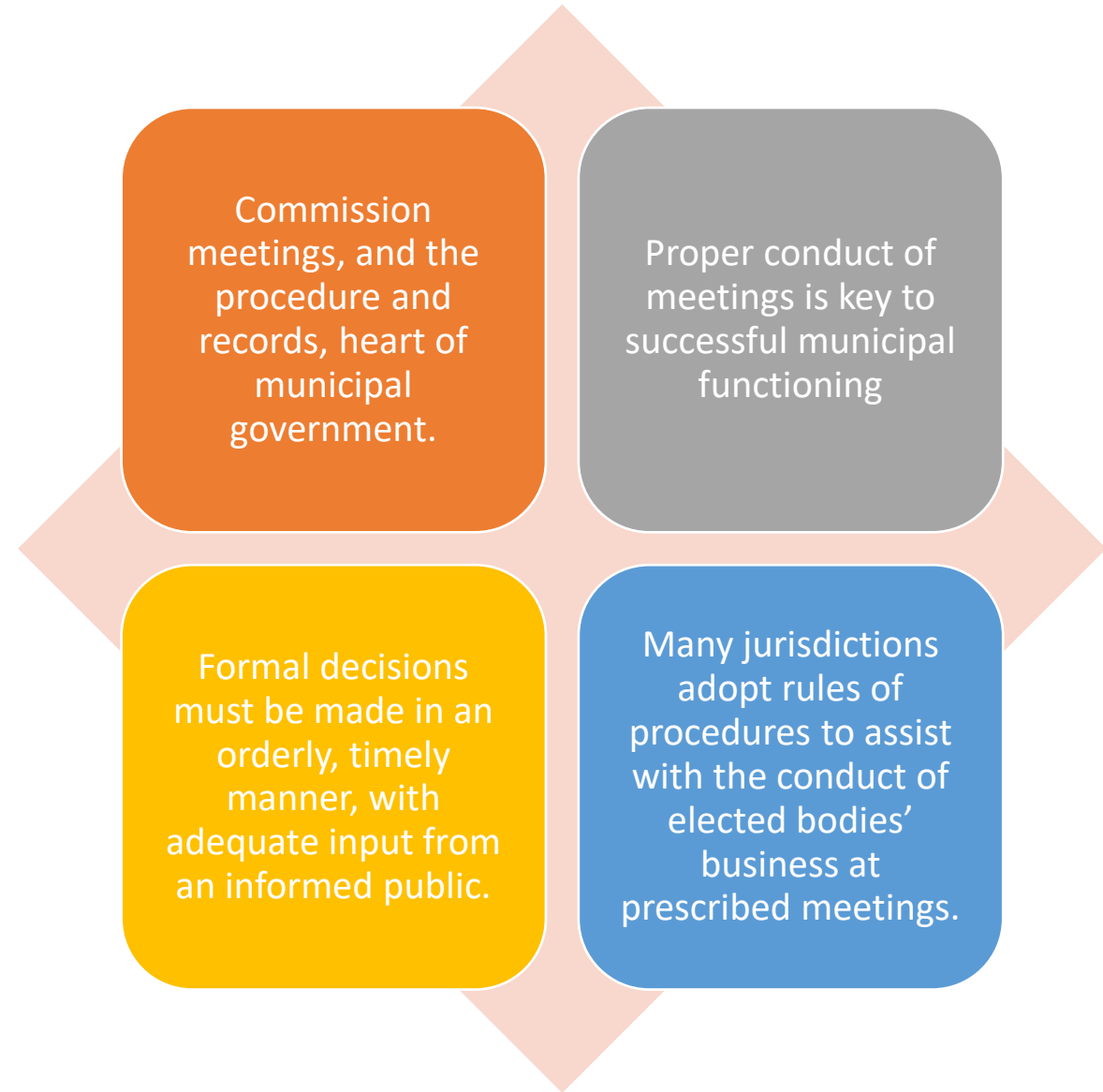


5. Parliamentary Procedures



6. Requirement to Vote

Polycymaking - Meetings



Meeting Types

Legislative

- Formal action may be taken on policy proposals in the form of adoption or rejection of proposed ordinances and resolutions.
- May be regular or special meetings.

Non-Legislative

- Workshops: informal discussion to achieve better understanding of topics; no action may be taken; straw poll ok; public input may be limited.

Open Meeting Requirement



Meetings/gatherings of two or more individuals to whom the public has delegated the conduct of public business are subject to Open Meetings Requirement



Use of non-members or staff to communicate information and/or thoughts is subject to the Open Meeting Requirement (use of conduit)

Public Meeting Requirement

A gathering or discussion, whether formal or casual, of two or more members of the same board or commission to discuss some matter on which *foreseeable action* will be taken by said governing body.



Communication may occur in any manner - through phone or e-mail communications, or exchanges during social events such as football games and neighborhood barbecues.



Two or more members of the same board or commission should not privately discuss issues relating to or that might come before their governing body with one another. Members must hold such conversations at a public meeting and on the record.

Public Meeting Requirement and Social Media



Social media sites “could easily become a forum” for board or commission members to discuss official issues that should be discussed at a public meeting.



Care should be taken to avoid posting position statements on issues that may come before their board or commission.



It is incumbent upon members to avoid any action that could be construed as an attempt to evade the requirements of the law.

Violation of Public Meeting Requirement

- ***Rackleff v. Bishop (1990)***: Jefferson County Commission meeting, Chairman recessed the public meeting for several minutes to get advice from the County Attorney. Two Commissioners joined the private, off-the-record conversation. Court: “The irony of a public meeting violation occurring during a duly noticed county commission meeting... is not lost upon the Court. However, the private confab... resulted in a clear violation of this statute.”
- **“Sunshine Law violation will cost Martin County taxpayers” – Treasure Coast Newspapers, 1.27.13**
 - Three school board members visited the District’s adult education school, touring classrooms and speaking with teachers and students, without providing any notice of their visit or having minutes taken. Fourth DCA held: “...defendant board members, without providing notice, conducted a meeting at the adult education school relating to matters on which foreseeable action would have been taken... Thus, a Sunshine Law violation occurred.”

Advance Notice

- Requires reasonable timely notice to the public so they can decide whether to attend a meeting.
- Reasonableness and timeliness depends on the circumstances.
- Notice does not necessarily require a newspaper advertisement and preparation of an agenda is not required.



Agenda

- Not Required but Recommended
- Consent Agenda
- New Business

Minutes Requirement



Written minutes must be taken and made available promptly. Sound recordings of minutes are not a substitute for written minutes.



Minutes need not be a transcript of each word spoken; a brief summary is sufficient.



Votes must be recorded in the minutes.

Public Comment

- Members of the public shall be provided an opportunity to address any appointed or elected body during the decision-making process and prior to the body taking official action.
- Boards are authorized to adopt rules or policies that:
 - provide time limits for speakers;
 - allow a representative of a group to speak, as opposed to all members;
 - provide forms for an individual to use to inform the board of a desire to be heard, to indicate his/her position and a representative; and
 - designate a specified period of time for public comment.



Requirement to Vote



Under Florida law, elected municipal officials have an



obligation to vote on all matters that come before



their board, unless there is a conflict of interest in law

Major Exemptions from Public Meetings Law

- Pending litigation
- settlement negotiations
- strategy sessions
- expenditures
- Labor negotiations-bargaining team
- Risk management committee
- Security system meeting
- Negotiation with a vendor

Parliamentary Procedures

May be established by Commission

Public has the right to hear all comments made by or to commissioners. Avoid private discussions.

Receipt of messages, private notes or emails during meetings must be avoided.

Time limits are permissible as long as they do not unreasonably restrict access.

The presiding officer can regulate comment to avoid repetitive, irrelevant or disruptive comments/behavior.

Prevention of Sunshine Law Violations

- Do not 'reply all' to e-mails from staff to entire board/committee (for example, e-mails sending out meeting agendas), as that creates the potential for Sunshine Law violations.
- If you have any questions about the meeting (i.e., questions about time, location, date, etc.), call or reply only to the staff member. If you have comments, an opinion or a position concerning something on the agenda, express them at the public hearing.
- Do not use "evasive devices" such as using staff, lobbyists or other means to seek other members' positions about issues.
- Do not circulate written reports/statements to elicit responses or positions of other board/committee members on issues.

Public Records



Public Records Act

- Access to Government Records is a Constitutional Right in Florida under Article I, § 24(a), Fla. Const.
- The Public Records Act (Chapter 119, Fla. Stat.) affords the right of access to public records to:
 - All “**documents**, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, **regardless of the physical form**, characteristics, or means of transmission,”
 - made or received *pursuant to law or ordinance or in connection with the transaction of official business*,
 - by any agency, which are used to perpetuate, communicate, or formalize knowledge.



Violation of Public Records Act

Raydient LLC v. Nassau County (2021)

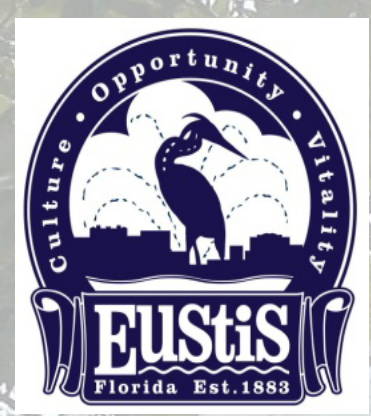
- The Court concluded the county violated Ch. 119, Fla. Stat., when it failed to provide text messages between county officials and employees in response to a public records request in a “reasonable and timely manner.” Specifically, the “**routine and indiscriminate destruction of text messages** by BOCC members and certain county employees, regardless of the content of each message violated § 119.021, Fla. Stat.,” requiring that records be kept in accordance with a retention schedule adopted by the Florida Department of State.
- “In addition to employees and officials indiscriminately deleting text messages after 30 days or an otherwise arbitrarily chosen period of time, the county violated the Public Records Act by **failing to undertake a reasonable search** for the requested public records.”
- “If public agency employees and officials transact public business on their **privately-owned accounts or devices**, then the agency has an affirmative duty in response to public records requests to do what is reasonably necessary to promptly retrieve any public documents from those employees or officials.”



Recommendations for Prevention of Public Records Act Violations

- Ensure staff retains a copy of any public record sent to you so you are free to dispose of your copy when you are done with it.
- If you receive any public record from a source other than staff, send the original or a copy to staff so that it can be kept in accordance with public records law.
- Conform to the deletion schedule as provided by the Florida Department of State. If unsure, consult with your attorney prior to deletion.
- If a record is available in a specific format, the records custodian cannot refuse providing the requestor with the record in the format requested or impose a requirement that the record be provided in an alternate format.

Questions?



City of Eustis

Development Services Department

Item 7.2

Historic Preservation Board Meeting

Historic Preservation Board Overview

September 10, 2025

5:30 p.m.

Presentation Overview

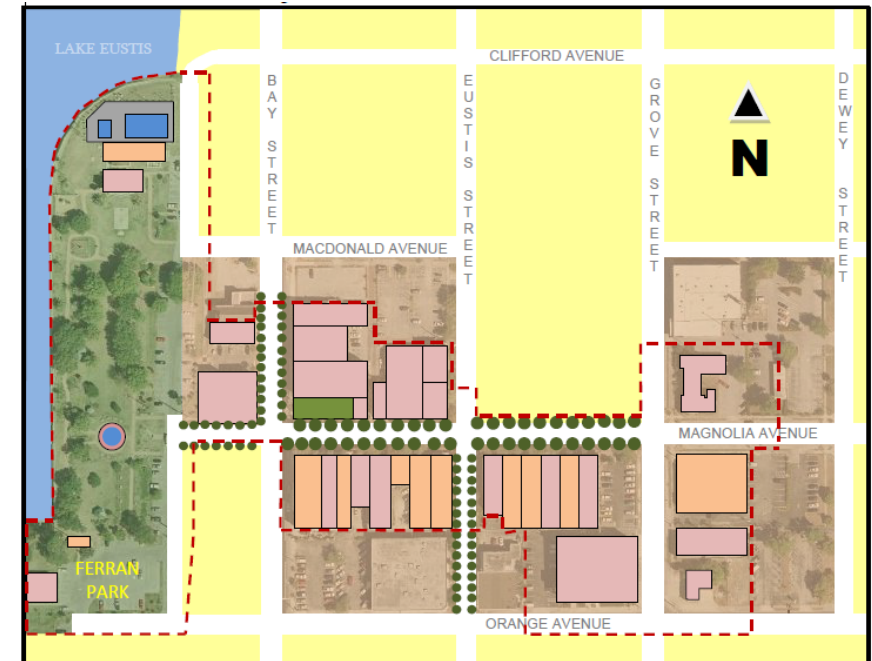
- Current Historic Districts
- Historic Preservation Board Overview & Composition
- HPB Powers & Duties
- Certificate of Appropriateness Review Criteria
- COA Exemptions/Administrative Approval
- Next Meeting Dates

Eustis Designates Two Historic Districts

Washington Avenue Commercial District



Eustis Downtown Commercial Historic District



HPB Board Overview & Composition

Historic Preservation
found in Division 46
of the Eustis Code of
Ordinances

Historic Preservation
established by
Ordinance 95-27

HPB composed of
five regular
members and one
alternate

Members serve
three-year terms.

HPB Board Overview & Composition (Cont'd)

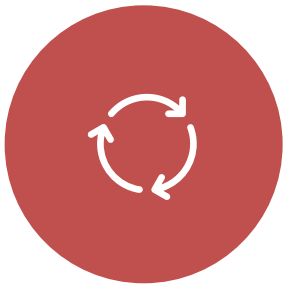
No HPB vacancy shall be greater than 60 days.

The HPB shall elect a Chairperson, Vice Chair and Secretary.

Report annually on its activities to City Commission.

(May establish ad hoc task forces for special activities, such as advocating for an historic district designation or landmark status for a structure.)

HPB Powers & Duties



*To meet at regular intervals, but **not less than four times** per year;*



Periodic survey and inventory of historic buildings, areas and archaeological sites in the city, which shall be compatible with the state master site file, and to plan for their preservation;



To identify potential landmarks and potential landmark sites and to make recommendations to the city commission as to whether those potential landmarks and landmark sites should be officially designated as landmarks and landmark sites;



To recommend that the city commission designate specified areas as historic districts and to identify which structures should be considered to be contributing structures;

HPB Powers & Duties (Cont'd)

- *To maintain and update a detailed inventory of the designated historic districts, landmarks and landmark sites within the city and a detailed inventory of potential landmarks and landmark sites, which inventories shall be open to the public for review;*
- *To develop specific guidelines for the alteration, construction, relocation or removal of designated property;*
- *To promulgate standards for architectural review which are consistent with standards for rehabilitation which have been or may be established by the United States Secretary of the Interior;*
- ***To approve or deny applications for certificate of appropriateness for alteration, construction, demolition, relocation or removal of landmarks, landmark sites and property in historic districts;***

HPB Powers & Duties (Cont'd)

- *To work with and advise the federal and state governments and other departments or boards of city government;*
- *To advise and assist property owners and other persons and groups, including neighborhood organizations, on physical and financial aspects of preservation, renovation, rehabilitation and reuse, and to advise and assist property owners in becoming eligible for federal and state tax incentives;*
- *To cooperate with and enlist the assistance of persons, organizations, corporations, foundations and public agencies in matters involving historic preservation, renovation, rehabilitation and reuse;*
- *To initiate plans for the preservation and rehabilitation of individual historic buildings;*

HPB Powers & Duties (Cont'd)

- *To undertake public information programs, including the preparation of publications and the placing of historic markers;*
- *To make recommendations to the city commission concerning the acquisition of or acceptance of development rights, facade easements, the imposition of other restrictions, and the negotiation of historical property contracts for the purposes of historic preservation;*
- *To review buildings which are owned by the city and which are at least 50 years old and considered for surplus by the city to determine their historical or architectural significance prior to sale by the city and to make recommendations concerning the disposition of properties considered to have historical or architectural significance;*
- *To review proposed capital improvement projects of the city and its independent agencies, or their agents or contractors, costing in excess of \$50,000.00 in an historic district or affecting a designated landmark or landmark site, however, capital improvement projects for the maintenance of existing facilities are exempted from this requirement;*

HPB Powers & Duties (Cont'd)



To conduct public hearings to consider historic preservation issues, the designation of landmarks, landmark sites, and historic districts, applications for certificate of appropriateness, and nominations to the National Register of Historic Places;



To make such rules and regulations as it deems necessary for the administration of ordinances for which it is responsible;



To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or to the implementation of the purpose of this chapter; and



Subject to city commission approval, to seek professional services and expertise when deemed necessary.

Certificate of Appropriateness Review Criteria

- **Scale.** The scale of the structure after alteration, construction or partial demolition shall be compatible with its architectural style and character and with surrounding structures in an historic district.
- **Directional expression.** Facades in historic districts shall blend with other structures with regard to directional expression. Structures in an historic district shall be compatible with the dominant horizontal or vertical expression of surrounding structures. The directional expression of a landmark after alteration, construction or partial demolition shall be compatible with its original architectural style and character.
- **Architectural details.** Architectural details, including materials and textures, shall be treated so as to make a landmark compatible with its original architectural style and character and to preserve and enhance the architectural style or character of a landmark or historic district. The board will give recommendations as to appropriate colors for any landmark or historic district.
- **Impact on archaeological sites.** New construction shall be undertaken in such a manner as to preserve the integrity of archaeological sites and landmark sites.

COA Review Criteria (Cont'd)

Height. The height of any proposed alteration or construction shall be compatible with the style and character of the landmark and with surrounding structures in an historic district.

Proportions of windows and doors. The proportions and relationships between doors and windows shall be compatible with the architectural style and character of the landmark and with surrounding structures in an historic district.

Relationship of building masses, setbacks and spaces. The relationship of a structure within an historic district to the open space between it and adjoining structures shall be compatible.

Roof shape. The design of the roof shall be compatible with the architectural style and character of the landmark and surrounding structures in an historic district.

Landscaping. Landscaping shall be compatible with the architectural character and appearance of the landmark and of surrounding structures and landscapes in an historic district.

COA Exemptions/Administrative Review (Cont'd)

- Repair of cornices using existing materials and duplicating the original design.
- Decks at the ground level and not visible from any street and which do not require alterations to any structure.
- Installation of new doors which are compatible in size and style with the original.
- Installation of fencing that is compatible with the historic character of the house.
- The painting of any material or surfaces other than unpainted masonry, stone, brick, terracotta and concrete in a color appropriate to the architectural style or period of original construction.

COA Exemptions/Administrative Review (Cont'd)

- The replacement of front porch columns with ones matching the original in style, size and material.
- The replacement of a roof with one of the same material and color.
- The repair of wooden siding with wood which duplicates the original appearance.
- Installation of skylights not visible from any street front.
- The replacement of windows with ones compatible in size and style with the original.
- Addition or replacement of window shutters if comparable with the historic character of the period and architecture.

COA Exemptions/Administrative Review (Cont'd)

- Board approval is not required for the repair and maintenance of any exterior building features when such work exactly reproduces the existing design and is executed in the existing material. Any staff decision may be appealed by the applicant to the board.
- A certificate of appropriateness will **not be required** for **general, occasional maintenance of any historic building, structures or sites or any structure within an historic district**. General occasional maintenance will include but not be limited to lawn and landscaping care and minor repair that restores or maintains the historic site or current character of the building or structure..
- Any city staff decision regarding routine alterations can be appealed by the applicant to the board.

COA Exemptions/Administrative Review (Cont'd)

- Any exterior alteration or new construction which is not visible from any street or roadway may receive immediate approval from the development services division without a public hearing when an applicant complies with the design guidelines of the board. Any staff decision may be appealed by the applicant to the board.
- The ordinance designating a landmark, landmark site or historic district may designate additional exceptions to a certificate of appropriateness.
- In any instance where a certificate of appropriateness for demolition has been denied, the applicant may reapply upon the expiration of 12 months from the date of the initial decision of the board denying the certificate of appropriateness, whether or not the applicant appeals the initial decision.
- City capital projects approved by the city commission and noticed to the board do not require a certificate of appropriateness.



Questions?

For Consideration

Remaining meeting dates for 2025:

Wednesday, September 10, 2025

Wednesday, November 12, 2025