

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **RESOLUTION 2024-67-A**

5 A RESOLUTION DENYING THE APPEAL OF A FINAL ORDER
6 OF THE JACKSONVILLE HISTORIC PRESERVATION
7 COMMISSION DENYING APPLICATION FOR CERTIFICATE
8 OF APPROPRIATENESS COA-23-29677, AS REQUESTED BY
9 TINA SNOW ON BEHALF OF THE OWNERS, MARK DOUGLAS
10 PROTHEROE AND DAVID TROY HUGHES, SEEKING
11 AFTER-THE-FACT APPROVAL OF A WHOLESALE WINDOW
12 REPLACEMENT ON A CONTRIBUTING STRUCTURE IN THE
13 RIVERSIDE/AVONDALE HISTORIC DISTRICT AT 1764
14 GREENWOOD AVENUE (R.E. NO. 092666-0000) IN
15 COUNCIL DISTRICT 7, PURSUANT TO CHAPTER 307
16 (HISTORIC PRESERVATION AND PROTECTION), PART 2
17 (APPELLATE PROCEDURE), *ORDINANCE CODE*; ADOPTING
18 RECOMMENDED FINDINGS AND CONCLUSIONS OF THE LAND
19 USE AND ZONING COMMITTEE; PROVIDING FOR NOTICE;
20 PROVIDING AN EFFECTIVE DATE.

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22 **WHEREAS**, Mark Douglas Protheroe and David Troy Hughes, owners
23 of property located at 1764 Greenwood Avenue in the Riverside/Avondale
24 Historic District in Council District 7 (the "Subject Property"),
25 submitted Application for Certificate of Appropriateness COA-23-29677
26 requesting after-the-fact approval of a wholesale window replacement
27 on a contributing structure located on the Subject Property; and

28 **WHEREAS**, by Final Order dated October 11, 2023, the
29 Jacksonville Historic Preservation Commission denied Application for
30 Certificate of Appropriateness COA-23-29677, requesting
31 after-the-fact approval of a wholesale window replacement on a

1 contributing structure; and

2 **WHEREAS**, on October 31, 2023, pursuant to Section 307.201,
3 *Ordinance Code*, Tina Snow, on behalf of Mark Douglas Protheroe and
4 David Troy Hughes, filed a Notice of Appeal appealing the Jacksonville
5 Historic Preservation Commission's Final Order denying Application
6 for Certificate of Appropriateness COA-23-29677; and

7 **WHEREAS**, the Notice of Appeal was timely filed and the
8 appellant has standing to appeal; now therefore

9 **BE IT RESOLVED** by the Council of the City of Jacksonville:

10 **Section 1. Adoption of recommended findings and**
11 **conclusions.** The Council has reviewed the record of proceedings for
12 the Appeal of the Final Order denying Application for Certificate of
13 Appropriateness COA-23-29677. The record of proceedings is **On File**
14 in the City Council Legislative Services Division and the Planning
15 and Development Department. After reviewing the record of
16 proceedings, the recommended findings and conclusions of the Land Use
17 and Zoning Committee are hereby adopted by the Council. Based on the
18 competent, substantial evidence in the record of proceedings,
19 including the Planning and Development Department Staff Report, the
20 testimony of speakers and the record of proceedings before the
21 Jacksonville Historic Preservation Commission, the appeal is denied,
22 the Historic Preservation Commission Final Order denying Application
23 for Certificate of Appropriateness COA-23-29677 is upheld, and
24 Application for Certificate of Appropriateness COA-23-29677 is
25 denied. Pursuant to Section 166.033, *Florida Statutes*, the Council
26 hereby finds:

27 (1) This Resolution shall serve as written notice of the
28 Council's action to the appellant/applicant, Tina Snow, and the owners
29 of the property that is the subject of Certificate of Appropriateness
30 COA-23-29677, Mark Douglas Protheroe and David Troy Hughes.

31 (2) Based on a review and application of the criteria listed

1 in Section 307.106, *Ordinance Code*, pertaining to requests for
2 alterations to a contributing structure within a historic district,
3 and the competent, substantial evidence in the record of proceedings,
4 Application for Certificate of Appropriateness COA-23-29677 does not
5 sufficiently demonstrate a basis for granting the request for
6 alterations to the subject contributing structure located in the
7 Riverside/Avondale Historic District. This Resolution is the final
8 action of the Council.

9 **Section 2. Notice.** Legislative Services is hereby directed
10 to mail a copy of this Resolution, as adopted, to the
11 appellant/applicant for Certificate of Appropriateness COA-23-29677,
12 the property owners Mark Douglas Protheroe and David Troy Hughes, and
13 any other parties who testified before the Land Use and Zoning
14 Committee, or who otherwise filed a qualifying written statement as
15 defined in Section 307.202(c), *Ordinance Code*.

16 **Section 3. Effective Date.** The adoption of this Resolution
17 shall be deemed to constitute a quasi-judicial action of the City
18 Council and shall become effective upon the signature by the Council
19 President and Council Secretary.

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21 Form Approved:

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23 /s/ Mary E. Staffopoulos

24 Office of General Counsel

25 Legislation Prepared By: Mary E. Staffopoulos

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