

1 Introduced and amended by the Land Use and Zoning Committee:  
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4 **RESOLUTION 2023-14-A**

5 A RESOLUTION GRANTING THE APPEAL OF A FINAL  
6 ORDER OF THE JACKSONVILLE HISTORIC PRESERVATION  
7 COMMISSION DENYING APPLICATION FOR CERTIFICATE  
8 OF APPROPRIATENESS COA-22-28217, AS REQUESTED BY  
9 KIMBERLY SIMON BAKER, SEEKING APPROVAL TO  
10 REPLACE AN EXISTING SHINGLE ROOF WITH A SILVER  
11 METAL ROOF (REROOF) ON A CONTRIBUTING STRUCTURE  
12 IN THE RIVERSIDE/AVONDALE HISTORIC DISTRICT AT  
13 1968 MORNINGSIDE STREET (R.E. NO. 092736-0000)  
14 IN COUNCIL DISTRICT 14, PURSUANT TO CHAPTER 307  
15 (HISTORIC PRESERVATION AND PROTECTION), PART 2  
16 (APPELLATE PROCEDURE), *ORDINANCE CODE*; ADOPTING  
17 RECOMMENDED FINDINGS AND CONCLUSIONS OF THE LAND  
18 USE AND ZONING COMMITTEE; PROVIDING FOR NOTICE;  
19 PROVIDING AN EFFECTIVE DATE.  
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21 **WHEREAS**, Kimberly Simon Baker, owner of property located at 1968  
22 Morningside Street in the Riverside/Avondale Historic District in  
23 Council District 14 (the "Subject Property"), submitted Application  
24 for Certificate of Appropriateness COA-22-28217 requesting to replace  
25 an existing shingle roof with a silver metal roof (reroof) on a  
26 contributing structure located on the Subject Property; and

27 **WHEREAS**, by Final Order dated November 15, 2022, the  
28 Jacksonville Historic Preservation Commission denied Application for  
29 Certificate of Appropriateness COA-22-28217, requesting to replace  
30 an existing shingle roof with a silver metal roof (reroof) on a  
31 contributing structure; and

1           **WHEREAS**, on December 5, 2022, pursuant to Section 307.201,  
2 *Ordinance Code*, Ian Baker, on behalf of Kimberly Simon Baker, filed  
3 a Notice of Appeal appealing the Jacksonville Historic Preservation  
4 Commission's Final Order denying Application for Certificate of  
5 Appropriateness COA-22-28217; and

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

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

9           **Section 1. Adoption of recommended findings and**  
10 **conclusions.** The Council has reviewed the record of proceedings for  
11 the Appeal of the Final Order denying Application for Certificate of  
12 Appropriateness COA-22-28217. The record of proceedings is **On File**  
13 in the City Council Legislative Services Division and the Planning  
14 and Development Department. After reviewing the record of  
15 proceedings, the recommended findings and conclusions of the Land Use  
16 and Zoning Committee are hereby adopted by the Council. Based on the  
17 competent, substantial evidence in the record of proceedings, the  
18 appeal is granted, the Historic Preservation Commission Final Order  
19 denying Application for Certificate of Appropriateness COA-22-28217  
20 is overturned, and Application for Certificate of Appropriateness  
21 COA-22-28217 is approved. Pursuant to Section 166.033, *Florida*  
22 *Statutes*, the Council hereby finds:

23           (1) This Resolution shall serve as written notice of the  
24 Council's action to grant the appeal and approve COA-22-28217 to the  
25 appellant, Ian Baker, and the applicant for Certificate of  
26 Appropriateness COA-22-28217, Kimberly Simon Baker.

27           (2) Based on a review and application of the criteria listed  
28 in Section 307.106, *Ordinance Code*, pertaining to requests for  
29 alterations to a contributing structure within a historic district,  
30 and the competent, substantial evidence in the record of proceedings,  
31 Application for Certificate of Appropriateness COA-22-28217

1 sufficiently demonstrates a basis for granting the request for  
2 alterations to the subject contributing structure located in the  
3 Riverside/Avondale Historic District. This Resolution is the final  
4 action of the Council.

5 **Section 2. Notice.** Legislative Services is hereby directed  
6 to mail a copy of this Resolution, as adopted, to the appellant,  
7 applicant for Certificate of Appropriateness COA-22-28217, and any  
8 other parties who testified before the Land Use and Zoning Committee,  
9 or who otherwise filed a qualifying written statement as defined in  
10 Section 307.202(c), *Ordinance Code*.

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

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16 Form Approved:

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18           /s/ Mary E. Staffopoulos          

19 Office of General Counsel

20 Legislation Prepared by: Mary E. Staffopoulos

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