



**Lake Park Town Commission, Florida**  
**Special Call Commission Meeting Minutes**  
**Appeal - 918 Park Avenue**

Commission Chamber, Town Hall, 535 Park Avenue, Lake Park, FL 33403  
February 27, 2024 at 6:30 PM

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<b>Roger Michaud</b>	—	<b>Mayor</b>
<b>Kimberly Glas Castro</b>	—	<b>Vice Mayor</b>
<b>Vacant</b>	—	<b>Commissioner</b>
<b>Mary Beth Taylor</b>	—	<b>Commissioner</b>
<b>Judith Thomas</b>	—	<b>Commissioner</b>
<b>John D’Agostino</b>	—	<b>Town Manager</b>
<b>Keith Davis</b>	—	<b>Town Commission Attorney</b>
<b>Thomas J. Baird.</b>	—	<b>Town Staff Attorney</b>
<b>Laura Weidgans</b>	—	<b>Deputy Town Clerk</b>

***PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person 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. Persons with disabilities requiring accommodations in order to participate in the meeting should contract the Town Clerk’s office by calling 881-3311 at least 48 hours in advance to request accommodations.***

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**CALL TO ORDER/ROLL CALL**

6:32 pm

PRESENT

Mayor Roger Michaud

Vice-Mayor Kimberly Glas-Castro

Commissioner Mary-Beth Taylor

Commissioner Judith Thomas

**PLEDGE OF ALLEGIANCE**

Led by Mr. John Linden

## **NEW BUSINESS:**

- 1. TOWN COMMISSION CONSIDERATION OF AN APPEAL, UNDER TOWN CODE CHAPTER 66, SECTION 66-14, OF THE DECISION BY THE HISTORIC PRESERVATION BOARD TO DENY A PETITION TO RESCIND THE LOCAL HISTORIC DESIGNATION OF THE ARNOLD BUILDING LOCATED AT 918 PARK AVENUE, FILED BY THE PROPERTY OWNER “THE ADLER AT LAKE PARK”.**

Mr. Nathan Nason, Attorney for the appellant, provided arguments in favor of a rescission of the historic designation of the property located at 918 Park Avenue (Exhibit A). He argued that the Historic Preservation Board failed to apply the correct standard mandated by Town Code. He went through the 6 criteria as illustrated in exhibit A and explained how the property failed to meet the criteria. He also discussed how the photos within the exhibit illustrate how the property had changed over time. He believes there was a procedural deficiency with how the property was originally designated in 1998. He stated that Town Code 66 allowed for the developer to put forward information to illustrate how the property would be developed and fit into the Town's Comprehensive Plan. He also stated that the Town Code allows for consideration of the structural integrity of the building. He is requesting that the Commission require the Historic Preservation Board to consider these components that were not considered prior to their decision.

Staff Attorney Thomas Baird provided arguments in support of the Commission upholding the Historic Preservation Board's decision and asked the Commission to affirm the Board's decision based on the substantial, competent evidence that was presented to the Board. He stated that the standards from Town Code 66.10 are not the correct set of standards to apply in this case. He stated that all parties in relation to the application for de-designation by Historic Preservation Board had used the standards in Town Code 66.9 and now in this appeal the Appellant is asking the Commission to apply the standards from Town Code 66.10. He also stated that even if the criteria from Town Code 66.10 were applied here, the property would still not meet the criteria for de-designation. Attorney Baird went on to say that the application does not meet the correct standard which is Town Code 66.9.(d)(7).

He stated that the Historic Preservation Board's order correctly found that the owner had not met the criteria based on evidence from the expert architect retained by the Town and from the staff report.

Attorney Nason provided a rebuttal. He spoke about the document that designation was based on in 1998 and that it was factually and demonstratively incorrect because it stated that the building retained most of its historical integrity, but this is not true. Attorney Nason stated that they did not apply the wrong standard as Attorney Baird claimed. He said the applicant came to the Board with the concept of demolishing the building. He quoted a section of the Town Code regarding a special Certificate of Appropriateness to demolish the building which is what they used for the basis of their application. He also stated that the criteria that Attorney Baird refers to were not met. He urged the Commission to see that the building has lost whatever historical significance it may once have had and to enter an order for de-designation.

#### **COMMISSIONER QUESTIONS:**

Commissioner Thomas thanked the attorneys for their presentations. She spoke about the designation and stated that in Town Code Section 66.9 there are 5 criteria. She stated that she believes the property meets several of those criteria.

Vice-Mayor Glas-Castro stated she does not believe it is up to them to question the decision in 1998 because it is a past action and was based on the information at the time. Commissioner Thomas and Mayor Michaud agreed that the property had not changed since 1998 and that the criteria has not changed.

Attorney Davis clarified Town Code 66.9 as it pertains to the criteria. He advised the Commission to decide if the criteria should fall under 66.9 or 66.10 and then to also determine if there was evidence to support the Historic Preservation Board's decision.

Mayor Michaud suggested an alternative of moving the historical structure to another site. Town Manager D'Agostino provided some details of how that could be done and believes that it is achievable. Commissioner Taylor spoke favorably of moving the historical structure.

Commissioner Thomas clarified the Commission options for action being to affirm, to modify or to reverse the decision of the Historic Preservation Board. She feels that a modification would be a wholly new decision of the Commission. Attorney Davis confirmed this to be correct and that a decision of what to do with the building would be a separate process. Vice-Mayor Glas-Castro stated that she believes the correct Town Code that should be applied is 66.9 which would lead her to uphold the decision of the Historic Preservation Board. She also believes that there should be some latitude to work with the property owner to see what some options could be. She stated that she would like to see staff work with the developer but does not believe they have enough information to modify the order. Town Manager D'Agostino suggested doing some research into the rehabilitation of the structure and the possible use of Tax Increment Financing (TIF). Vice-Mayor Glas-Castro asked if the applicant was free to apply for a Certificate of Appropriateness. Attorney Davis stated he did not see anything in the Town Code that would prohibit that action. Commissioner Taylor asked if the developer would consider contributing to the moving fund. Attorney Nason advised that his client would be open to that. Attorney Baird stated that this discussion was inappropriate as their action was only to affirm, modify or deny and any discussions about moving the building are wholly separate from this matter and should be discussed separately.

Motion to affirm the Historic Preservation Board's decision made by Commissioner Thomas, Seconded by Commissioner Taylor.

Voting Yea: Mayor Michaud, Vice-Mayor Glas-Castro, Commissioner Taylor, Commissioner Thomas.

#### **ADJOURNMENT:**

Motion made to adjourn by Vice-Mayor Glas-Castro, Seconded by Commissioner Thomas.

Voting Yea: Mayor Michaud, Vice-Mayor Glas-Castro, Commissioner Taylor, Commissioner Thomas.

Meeting adjourned 7:54 pm

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Mayor Roger D. Michaud

Town Seal

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Vivian Mendez, Town Clerk

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Laura Weidgans, Deputy Town Clerk

Approved on this \_\_\_\_\_ of \_\_\_\_\_, 2024