

FAQs from the Residents of Dunedin

Q1: Can my property be included in a historic district without my explicit consent or if I actively object?

After reviewing the ordinance, I understand the answer as follows:

YES - While the ordinance states that property owner-initiated applications for historic districts "must" be accompanied by "a petition signed by 100% of the property owners within the proposed historic district", there is a provision for the City Manager to initiate such a process. The ordinance allows initiation "by the city manager under circumstances in which a failure to designate a proposed district as a historic district would result in irreparable harm to the character of the City.

Q2: If the City Manager initiates a historic district that includes my property, what is the process, and what are my options if I object?

After reviewing the ordinance, I understand the answer as follows:

If the City Manager initiates an application for a historic district, they must compile the application, which then goes through staff review and recommendation to the Historic Preservation Committee (HPC). The HPC reviews the application to see if it meets the criteria and then makes a recommendation to the City Commission. The City Commission then holds public hearings and has the final decision to approve or deny the designation.

During this quasi-judicial process, property owners are provided notice of hearings and can present comments, call witnesses, and introduce evidence. **Residents have voiced concern that this places an undue burden on individual property owners to defend themselves against a designation they do not desire.**

Q3: How might a "moratorium" on building permits, triggered by a City Manager-initiated historic district application, affect my ability to repair or rebuild my home after a natural disaster, and what are the financial consequences?

After reviewing the ordinance, I understand the answer as follows:

According to the ordinance, "When a complete application... for designation of a historic district has been submitted, no permits shall be issued for any exterior alteration, new construction, demolition, or relocation on the property which is the subject of the recommendation until" the City Commission approves or denies the application, or the application is withdrawn.

This could lead to a moratorium on building activities, especially if homes are damaged by a natural disaster. This could mean a property owner is stuck without the ability to rebuild or perform significant repairs while the designation is pending.

Q4: Regarding the designation of a historic district, the ordinance mentions a 'significant concentration or continuity of sites, buildings, objects or structures united in past events or united in culture, architectural style, or aesthetically by plan or physical development'.

**Does this mean that a historic district does not have to be contiguous?
If they must be contiguous does that mean they need to be physically adjacent?**

After reviewing the ordinance, I understand the answer as follows:

- *The use of the disjunctive "or" between "concentration" and "continuity" suggests that a district does not exclusively need to be contiguous (showing "continuity"). It can instead be defined by a "significant concentration" of relevant properties that share historical, cultural, or architectural unity, even if they are not directly touching or forming an unbroken block.*
- *Blair Knighting, the consultant, described a historic district as a "puzzle," where "not one piece is significant on its own, but when it's together, when it's a puzzle, it's a historic district." This conceptual explanation suggests that the unifying factor of a district is the collective significance based on shared characteristics (e.g., culturally, architecturally, or locally significant) rather than a requirement for every property to be physically adjacent.*

Q5: What are the potential financial implications if my property is involuntarily designated as part of a historic district?

After reviewing the ordinance, I understand the answer as follows:

- *Increased Maintenance and Rebuilding Costs: Historic homes can be "more expensive to maintain" and "more expensive to rebuild" due to specific preservation requirements. Once designated, any exterior alterations, new construction, demolition, or relocation typically require a Certificate of Appropriateness (COA). This process may involve additional costs for hiring architects and obtaining specific materials or construction techniques.*
- *Legal Costs: If a property owner chooses to fight an involuntary designation, it could lead to court proceedings, potentially costing "hundreds, if not millions of dollars to defend" their home.*
- *Impact on Property Value and Flexibility: Designation could "wipe away much of the value of your property" and limit future flexibility in how they can use or modify their property.*

Q6: If I live in a historic district how will this impact my ability to secure homeowners insurance, and will I be required to get HO-8 coverage?

After reviewing the ordinance, I understand the answer as follows:

- *I understand that Insurance companies have been known to deny coverage for historic properties.*
- *For details about HO-8 - <https://www.kin.com/blog/ho8-policy/>*

Q7: Considering the approval of a historic district, what direct and indirect financial burdens does the City of Dunedin then incur for its origination and ongoing support, particularly when initial application fees may be waived for City-initiated designations, and how are these expenses budgeted and justified given the potential costs and limitations imposed on property owners?

Q8: Can you please walk through the following scenario? Have we correctly identified an instance where the city manager has the authority to start an application for a historic district, and the impact associated?

Imagine a small, geographically defined area in Dunedin, perhaps a cul-de-sac or a two-block stretch, that is characterized by a cohesive collection of well-preserved mid-century modern homes, all built around the same era (e.g., late 1960s to early 1970s). While none of these individual homes might meet the specific "Historic Landmark" criteria on their own (beyond being 50+ years old), collectively, their unique architectural style, consistent setbacks, and original landscape features create a distinctive "sense of place" and aesthetic character within the broader community.... This area might be informally recognized by local architecture enthusiasts or featured in local historical society tours as an example of a specific development period in Dunedin.

Now, consider a situation where someone purchases two of these mid-century modern homes. They announce plans to demolish both structures and replace them with larger, multi-story contemporary houses that are drastically different in scale, style, and materials from the surrounding homes. Their proposed designs are explicitly not compatible with the existing mid-century aesthetic of the street. A long-time resident of this micro-neighborhood, concerned about the rapid and incompatible changes, might approach the city and argue the following:

Claim of Irreparable Harm: The resident would claim that allowing these two demolitions and the construction of architecturally incongruous new homes would inflict "irreparable harm to the character of the City". They would argue that the unique, cohesive mid-century modern character of their street, which contributes to Dunedin's architectural diversity and heritage, would be permanently damaged and diminished. This is not just about two houses, but about the erosion of a specific, identifiable character that defines that small part of the city. The ordinance's purpose includes enhancing "the visual and aesthetic character, diversity and interest of the City" and preserving "the cultural, historical, architectural, or archaeological heritage of the city". The loss of these key contributing properties, even if they aren't individual landmarks, could be argued to harm the overall character of the neighborhood.

City Manager's Potential Action: Despite the general requirement for 100% property owner consent for homeowner-initiated historic district applications, the City Manager's ability to initiate a district "under circumstances in which a failure to designate a proposed district as a historic district would result in irreparable harm to the character of the City" comes into play. In this scenario, the City Manager could be persuaded that the imminent, incompatible demolition and redevelopment of even two key, character-defining properties within this small, cohesive area constitutes "irreparable harm" to a segment of the city's unique architectural and aesthetic heritage.

If the City Manager proceeds with initiating the historic district application for this micro-neighborhood, even if other residents of the street do not desire the designation, all properties within the proposed district would be subject to a "moratorium" on permits for exterior alteration, new construction, demolition, or relocation while the application is pending. This would force property owners to engage in a quasi-judicial process to defend their interests, potentially incurring costs for

legal counsel or architectural plans, and could limit their property rights, a concern voiced by residents during discussions of the ordinance.

The city manager already has much of the work completed for the application, for certain neighborhoods. As Dunedin's own consultant, Kimley-Horn, has surveyed the neighborhoods in three phases and mapped out proposed districts. That map was shown during the December 17 City Commission meeting.

- *City of Dunedin Work Session 12.17.2024 @2:52:52*
https://www.youtube.com/live/c18-NC7mrAl?si=i_KFshsLiKrdMnp1&t=10372
- *See page 6 of Historic Preservation Advisor Committee Review – Feb 27, 2020 -*
https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/3158088/Historic_Preservation_Advisory_Committee_Annual_Report_-_Combined.pdf

Are there any inaccuracies related to the scenario above?