

RESOLUTION OF THE HISTORIC PRESERVATION BOARD OF
THE TOWN OF FORT MYERS BEACH FLORIDA
RESOLUTION NUMBER 2013-001
HDD2012-0001 – ‘The Big M’ Roof Sign

WHEREAS, applicant Emily McDaniel, authorized agent and manager for the subject property, is requesting designation for a historically significant sign under Section 30-57 of the Town of Fort Myers Beach Land Development Code; and

WHEREAS, the applicant has indicated that the STRAP number for the subject property is 24-46-23-W3-00027.0000 and the legal description of the subject property is attached as *Exhibit A*; and

WHEREAS, the subject property is located at 450 Harbor Court Fort Myers Beach, FL 33931, is zoned Commercial Marine on the Official Zoning Map, and is in the “Marina” category on the Future Land Use Map of the Comprehensive Plan of the Town of Fort Myers Beach, Florida; and

WHEREAS, a public hearing on this matter was legally advertised and held before the Historic Preservation Board (HPB) on October 9, 2012 and was continued to a date certain of February 12, 2013; and

WHEREAS, a public hearing on this matter was legally advertised and held before the HPB on February 12, 2013; and

WHEREAS, at the hearing the HPB gave full and complete consideration to the request of Applicant, recommendations of staff, the documents in the file, and the testimony of all interested persons, as required by Fort Myers Beach Land Development Code (LDC) Section 30-57.

IT IS HEREBY RESOLVED BY THE HPB OF THE TOWN OF FORT MYERS BEACH, FLORIDA, as follows:

Based upon the presentations by the applicant, staff, and other interested persons at the hearing, and review of the application and the standards for granting designation as a historically significant sign, the HPB recommends the following findings of fact and conclusions for consideration by the Town Council:

The HPB recommends that the Town Council **APPROVE/DENY** the applicant’s request for designation as a historically significant sign.

RECOMMENDED FINDINGS AND CONCLUSIONS:

In accordance with the requirements of LDC Sections 30-57(b) for designating a sign as historically significant, the HPB recommends that the Town Council make the following findings and reach the following conclusions:

1. Whether the sign is associated with historic person(s), event(s), or location(s);
AYE/NAY
2. Whether the sign provides significant evidence of the history of the product, business or service represented;
AYE/NAY
3. Whether the sign is characteristic of a specific historic period;
AYE/NAY
4. Whether the sign is an outstanding example of the art of sign-making, through its craftsmanship, use of materials, and/or design; and
AYE/NAY
5. Whether the sign is a local landmark that is popularly recognized as a focal point in the community.
AYE/NAY

The foregoing Resolution was adopted by the HPB upon a motion by HPB Member _____ and seconded by HPB Member _____, and upon being put to a vote, the result was as follows:

Jane Plummer, Chair	AYE/NAY	Joanne Shamp, Vice Chair	AYE/NAY
Al Durrett, Member	AYE/NAY	John Kakatsch, Member	AYE/NAY
Hank Zuba, Member	AYE/NAY	Alan Smith, Member	AYE/NAY
Jim Steele	AYE/NAY		

DULY PASSED AND ADOPTED THIS **12th** day of **OCTOBER, 2013**.

By: _____
Hank Zuba, LPA Chair

Approved as to legal sufficiency:

By: _____
Fowler, White, Boggs
LPA Attorney

ATTEST:

By: _____
Michelle Mayher
Town Clerk



Town of Fort Myers Beach

Memorandum

To: Local Planning Agency
From: Leslee Chapman, Zoning Coordinator
CC: Walter Fluegel, Community Development Director
Date: February 1, 2013
Re: HDD2012-0001, The Big M roof sign

As requested by Staff at the October meeting, LPA voted to continue case HDD2012-0001, 'The Big M' roof sign, to the February 12 meeting.

This continuance was suggested by Staff and approved by LPA with the understanding that the additional time would allow the applicant to conduct further research into the historical significance of the sign and to provide additional historical evidence to strengthen the justification for the request.

Staff must review all applications for designation as a historically significant sign by the following section of Chapter 30.

Sec. 30-57. Designation of Historically Significant Signs. Any existing sign may be nominated for designation as historically significant as provided herein.

(a) *Nomination of a sign for designation as historically significant shall be made on an application provided by the director. The application should document the historical background of the sign.*

(b) *The historic preservation board will hold a public hearing on the nomination and will use the historic preservation element of the town's comprehensive plan as a guideline to consider the nomination. The following criteria will be considered where applicable:*

- (1) *Whether the sign is associated with historic person(s), event(s), or location(s);*
- (2) *Whether the sign provides significant evidence of the history of the product, business or service represented;*
- (3) *Whether the sign is characteristic of a specific historic period;*
- (4) *Whether the sign is an outstanding example of the art of sign-making, through its craftsmanship, use of materials, and/or design; and*
- (5) *Whether the sign is a local landmark that is popularly recognized as a focal point in the community.*

(c) The historic preservation board will, after hearing public comment, vote to recommend that the Town Council either approve or deny historically significant status to the nominated sign.

(d) Following the historic preservation board public hearing, the Town Council will hold a public hearing to consider the nomination. In order to approve the designation of a sign as historically significant, the Town Council must find that the sign meets one or more of the criteria in § 30-57(b) and is consistent with the Town comprehensive plan historic preservation element.

(e) A sign that has been designated historically significant may remain as a legal non-conforming sign notwithstanding the provisions of §30-56 (non-conforming signs). If a sign that has been designated as historically significant is damaged or destroyed, it may be reconstructed, but such reconstruction must duplicate in all respects the sign that was damaged or destroyed.

Following the October LPA meeting Staff did not hear from the applicant until Ms. McDaniel replied to a December email from Staff, where she indicated that she would be in touch. No further communication was received from the applicant until a second Staff email was sent, this time in late January, reminding Ms. McDaniel of the February hearing date. There was a back and forth email discussion as to what needed to be provided for case HDD2012-0001 (and VAR2011-0007) however, at the time of these emails the submittal deadline for packet materials had expired.

The burden of proof in establishing the justification for granting designation as a historically significant sign lies with the applicant. As such, Staff can only evaluate the application based upon the information provided by the applicant. The applicant's request is probably best considered under the provision of 30-57(b)(5) and possibly (b)(2) if there is enough evidence to support it. Specifically, Staff is looking for more confirmation as to the historic nature of the roof sign, particularly if there is photographic evidence of the sign dating back to the late 1960s. However, with no additional information provided for Staff review, Staff recommends that the LPA **DENY** HDD2012-0001 for the 'The Big M' roof sign to be designated as a historically significant sign.



Town of Fort Myers Beach

Memorandum

To: Local Planning Agency
From: Leslee Chapman, Zoning Coordinator
CC: Walter Fluegel, Community Development Director
Date: October 3, 2012
Re: HDD2012-0001, The Big M roof sign

As directed by the LPA at the August 14th hearing, the applicant for the Moss Marine sign variance (VAR2011-0007) applied for designation for a Historically Significant Sign per LDC Section 30-57 for the roof sign on one of their storage barns. That request and justification will be heard under case number HDD2012-0001.

However, upon review of the request (see attached), Staff has determined that there is not sufficient information provided for Staff to evaluate the historic merits of the roof sign. Staff must review the request based on the provisions found here:

Sec. 30-57. Designation of Historically Significant Signs. Any existing sign may be nominated for designation as historically significant as provided herein.

(a) Nomination of a sign for designation as historically significant shall be made on an application provided by the director. The application should document the historical background of the sign.

(b) The historic preservation board will hold a public hearing on the nomination and will use the historic preservation element of the town's comprehensive plan as a guideline to consider the nomination. The following criteria will be considered where applicable:

- (1) Whether the sign is associated with historic person(s), event(s), or location(s);
- (2) Whether the sign provides significant evidence of the history of the product, business or service represented;
- (3) Whether the sign is characteristic of a specific historic period;
- (4) Whether the sign is an outstanding example of the art of sign-making, through its craftsmanship, use of materials, and/or design; and
- (5) Whether the sign is a local landmark that is popularly recognized as a focal point in the community.

(c) The historic preservation board will, after hearing public comment, vote to recommend that the Town Council either approve or deny historically significant status to the nominated sign.

(d) Following the historic preservation board public hearing, the Town Council will hold a public hearing to consider the nomination. In order to approve the designation of a sign as historically significant, the Town Council must find that the sign meets one or more of the criteria in § 30-57(b) and is consistent with the Town comprehensive plan historic preservation element.

(e) A sign that has been designated historically significant may remain as a legal non-conforming sign notwithstanding the provisions of §30-56 (non-conforming signs). If a sign that has been designated as historically significant is damaged or destroyed, it may be reconstructed, but such reconstruction must duplicate in all respects the sign that was damaged or destroyed.

The applicant's request is probably best considered under the provision of 30-57(b)(5) and possibly (b)(2) if there is enough evidence to support it. Specifically, Staff is looking for more confirmation as to the historic nature of the roof sign, particularly if there is photographic evidence of the sign dating back to the late 1960s.

Staff is requesting that LPA continue the application request to allow the applicant time to conduct further research on the historic nature of the roof sign. Staff recommends at continuance to the December 11, 2012 LPA meeting with materials due to Staff by November 13, 2012.



Town of Fort Myers Beach
2523 Estero Blvd
Fort Myers Beach Fl

Re : Moss Marine "Big M" Roof Sign Designation of Historically Significant sign
Strap # 24-46-23-W3-00027.0000

450 Harbor Ct.
Fort Myers Beach Fl, 33931

450 Harbor Ct
Fort Myers Beach Fl
T 239-765-6677
F 239-765-6612
www.mossmarine.com

To Whom it May Concern,

Please accept this letter as our formal request to have the roof sign on our a/b barn deemed historical significant to the Town of Fort Myers Beach. We believe that the roof sign qualifies for this historic designation under the provisions found in Chapter 30, Section 30-57(b)2 of the Town's Land Development Code.

Attached is an informational history of the property, which should help determine if we qualify for such determination.

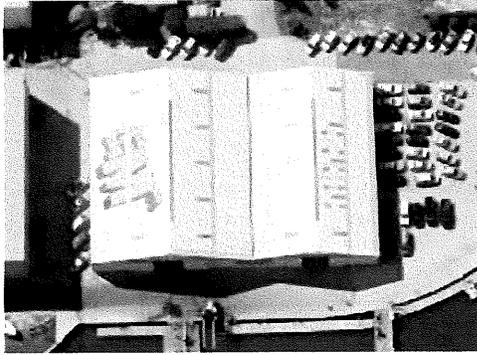
Sincerely yours,

Emily McDaniel

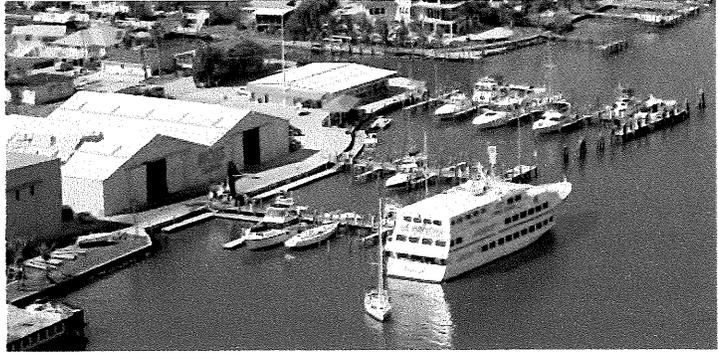
Emily McDaniel

For George Freeland and Moss Marine

Moss Marine aka “The Big M”



Direct overhead view



View from the Mantanzas pass bridge

The Original “Moss Marina” was started by the Moss Family in 1969. The original Moss Marina owners, John P & Betty B Moss, husband & wife, purchased the original property on December 22, 1966 from Arrow Structures, Inc., followed by the purchase of an additional adjoining parcel in January 11, 1967. They filed a notice of commencement to construct a storage marina, a sales office and docks on March 25, 1968 and so became “MOSS MARINA”. The Moss Family had the original “Big M” painted on the roof of the storage barns shortly after construction because it is what the locals nick named the marina based on the “big M” shape of the storage barns. It has remained the nick name of Moss Marine ever since and the “Big M” on the roof has been repainted a time or two, but remains the original format the Moss Family put place in the late 60’s

The property has changed hands a few times since its origin; the sale from the Moss Family to Texar Enterprises on November 3, 1977, the sale from Texar Enterprises to Carl G Dubois on December 28, 1978, the sale from Carl Dubois to current owner George Freeland on January 31st 1983. All the while, keeping the original Moss Marina name, the “big M” nickname & Company Logo.

There are not many people who grew up here, or have even visited here in the last 40+ years that don’t recognize the “big M” on the roof of our barns when you head onto the beautiful Fort Myers Beach.

So you can see why we consider the roof top sign to be quite iconic to the Fort Myers Beach area and a landmark to those who live here and have been coming to Fort Myers Beach since the late 60’s.

Thank you for considering our application for historic preservation.