

**HISTORIC PRESERVATION BOARD
CITY OF FORT LAUDERDALE
MONDAY, MARCH 1, 2004- 5:00 P.M.
CITY HALL
1st FLOOR CONFERENCE ROOM
100 N. ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA**

Cumulative Attendance

Present/Absent From January, 2004

Board Members

Christopher Eck	P	2-1
Todd Fogel	A	2-1
Mary-Jane Graff	A	2-1
Margi Glavovic-Nothard, Chair	P	2-1
Rachel Bach	A	2-1
William Saunders, Vice-Chair	P	3-0
Carolyn Dandy	P	3-0
Tom Tatum	P	3-0
Barbara Walker	P	2-1
Clay Wieland	P	3-0

Staff Present

James Cromar, Planner, Staff Liaison to HPB
Merrilyn Rathbun, Ft. Lauderdale Historical Society, Consultant to HPB
Assistant City Attorney
Margaret A. D'Alessio, Recording Secretary

Guests Present

Lee Williams	Lincoln Pasteur	Scott Backman
Scott Strawbridge	Nolan Haan	Joanne Nullen
Gerald Ficht	Gus Carbonell	

Call to Order

Chair Margi Glavovic-Nothard called the meeting of the Historic Preservation Board to order at approximately 5:07 p.m. Roll call was taken with the following Board Members being present: Carolyn Dandy, Christopher Eck, William Saunders, Tom Tatum, Barbara Walker, Clay Wieland and Margi Glavovic-Nothard.

All individuals wishing to speak in regard to the cases listed on the agenda were sworn in.

Approval of Minutes – February 2, 2004 Meeting

Motion made by William Saunders and seconded by Clay Wieland to approve the minutes of the February 2, 2004 meeting. Board unanimously approved.

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1. **Applicant:** Lee Williams **Case No. 4-H-04 (SB)**
Location: 1117 SW 1 Street
Request: Certificate of Appropriateness for Alteration:
 - Addition of screens on two (2) covered porchesZoned: RMM-25/Sailboat Bend Historic District Overlay
Legal: Waverly Place. Block 24, Lot 6 less the East 5.00' ft. and
Lots 7,8,9,10,11,12,13, and 14 and the South 1/2 of the vacated alley
lying North of and adjacent to said Lots 6-14.
P.B. 2, P. 19

James Cromar stated that this application was for a Certificate of Appropriateness for Alteration to a previously approved site plan for a multi-family building in the Sailboat Bend Historic District, and reminded the Board of the criteria they should consider when making their decision.

Merrilyn Rathbun, Consultant, stated that in 1997 the applicant received a COA to build an apartment building with fifteen (15) units on this property (Case No. 37-H-97). She stated that the applicant was returning before the Board to request a modification of the COA to amend the site plan with the addition of two porches to the north elevation of the proposed building, which would be screened in. She proceeded to refer the Board to Section 47-17.7. She added that the requested materials met the SBHD materials and design guidelines. She stated that the Board could approve the application, approve it with modifications, or deny the application.

Lee Williams, applicant, stated that he wanted to add a roofed deck.

William Saunders asked which buildings were the porches going to be constructed on. Mr. Williams replied they would be the east and west buildings.

Barbara Walker asked if the railing shown on the plans was to be added. Mr. Williams stated the railing would be added and would be enclosed by the screen.

Chair Margi Glavovic-Nothard asked which elevations were involved for the screened areas. James Cromar proceeded to show the elevations. Chair Margi Glavovic-Nothard asked for some further clarification of the railings to be installed. Mr. Williams explained that the railing would be incorporated into the screen itself and was required by law.

William Saunders asked if the applicant had received a permit for the trees that had been felled on the property. Mr. Williams replied that the permit had been posted on the site.

James Cromar stated that this matter was originally before the Board in 1997, and the applicant was now preparing to begin construction at the site. He stated the COAs did not have an expiration date and some site preparation was taking place at this time.

Chair Margi Glavovic-Nothard proceeded to open the public hearing. There being no individuals who wished to speak on this matter, the public hearing was closed and discussion was brought back to the Board.

Motion made by William Saunders and seconded by Christopher Eck to approve the application as submitted. Roll call showed: YEAS: Carolyn Dandy, Christopher Eck, Clay Wieland, Barbara Walker, William Saunders, Tom Tatum, and Margi Glavovic-Nothard. NAYS: None. Motion carried 7-0.

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forward to the City Commission with such recommendation.

William Saunders proceeded to withdraw his motion for deferral. He stated that it appeared if the building was not relocated, they did not want it designated historic. Mr. Backman confirmed and stated they were making a good faith effort to relocate the home, and it appeared that would happen, but the question was a matter of when. He stated they were requesting that this Board make the recommendation listed in the 1993 ordinance, and in the event the home was not relocated within a certain period of time, then they would return before the Board for designation. He stated he was concerned because the Code read that the designation attached to the underlying property.

William Saunders asked if a building was designated historic was the underlying property historic as well.

The Assistant City Attorney stated that this Board was to recommend that based on the presentation made, the home either met the criteria for historic designation or not. She stated that according to the Code, when the matter reached the Commission level, each designation of a landmark which was defined as a structure or site, it stated: "Each designation of a landmark shall automatically include the designation of the site upon which the landmark exists as a landmark site." She stated that included the actual landmark, related buildings, and the ground it was located on. She explained that the landmark site was to include the location of significant archaeological features or of an historical event, and shall include all significant trees, landscaping and vegetation as determined by this Board. She stated that within 90 days staff had to present the Board's recommendation to the City Commission, and at that point the applicant could request a deferral. She added that the applicant did not have to appear before this Board again.

Chair Margi Glavovic-Nothard stated that if an alternate property were not acquired, then the house would be designated on its existing site, if determined by the Commission.

James Cromar explained that staff would submit a memorandum to the Commission listing the item for their agenda.

Motion made by Tom Tatum and seconded by William Saunders to approve the application as presented.

Christopher Eck asked if the potential appraiser's site was within the City limits. Mr. Backman confirmed. Christopher Eck asked Nolan Haan about his experience in moving a house to another location.

Nolan Haan stated that he had moved the Oliver House and it had not been designated at its original location, but that the house was historic the moment it left the site. His impression was that the City did not want to get into a situation such as this one and he felt they were protecting themselves.

Tom Tatum amended his motion as follows:

Motion made by Tom Tatum and seconded by William Saunders to approve the application, including the criteria listed in Section 47-24.11.B.6 as described in detail in staff's report. Roll call showed: YEAS: Christopher Eck, Clay Wieland, Barbara Walker, William Saunders, Tom Tatum, Carolyn Dandy, and Margi Glavovic-Nothard. NAYS: None. Motion carried 7-0.

3. **Applicant:** **Gilda's Club of South Florida**
 Location: 119 Rose Drive
 Request: Certificate of Appropriateness for Alteration:
- Lower and refinish basement floor
 - Remove existing basement door and windows

Case No. 29-H-00(SB)

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- Install new French doors on rear (west) basement elevation
 - Construct retaining wall in rear garden
- Zoned: ROA
Legal: Placidena, Unit No. 1. Block 3, Lots 2 and 3 and a portion of Royal Drive (*now vacated) lying West of and adjacent to Lots 2 and 3 and East of Parcel #3 and Plat bounded on the North by the extension of the North boundary of Lot 3, Block 3; bounded on the South by the extension of the South line of Lot 2, Block 3; and bounded on the East by the West line of Royal Drive (now vacated) and bounded on the West by the East line of Tarpon River.
P.B. 3, P. 44

James Cromar announced that this was a request for a Certificate of Appropriateness for Alteration, and proceeded to remind the Board of the criteria to be considered in making their determination. He also proceeded to show photographs of the site.

Merrilyn Rathbun, Consultant, stated that this property was recommended for historic designation in November, 2000 and the City Commission had subsequently designated it. The following was a quotation from the consultant's memo from the November, 2000 HPB meeting:

"The Mediterranean Revival style house located at 119 Rose Drive located in the Placidena plat Unit One (a precursor of the later Croissant Park boom time development) met the criteria for historic designation, e and f of Section 47-24.11.6 of the ULDR.

"The house is shown on the 1928 Sanborn Fire Insurance map, it was probably built ca. 1926-1927, however, the property is not listed in the Fort Lauderdale City directories until 1936 and there are no City records on this property from those early years (1926 to 1936).

"In 1936 the property was owned by Mrs. Anna C. Williams who was listed as the vice-president of the Williams-McWilliams Ice Cream Company. Earlier, in 1926, the summer-fall issue of the Bell System Telephone Director listed a Stanley Williams at South Andrews Avenue and Roseway (Roseway was an earlier name for Rose Drive). Whether this is the same Williams family or if this is the same property, however, there is some reason to believe that the Williams's were the original owners. In 1940 the house was owned by E. Gex Williams, who was then president of the Williams-McWilliams Ice Cream Company. Mr. Williams was distinguished as the first to introduce the milk pasteurization process to Broward County; his son E. Gex Williams, Jr. was one of the founding partners of the engineering firm of Williams, Hatfield and Stoner."

Ms. Rathbun further stated that an unusual feature (in South Florida) of this historic house was the basement under the north wing of the building that extended beyond the house footprint. The house lot sloped down to the Tarpon River, which bordered the western edge of the property. The basement extension west façade was exposed and French doors led to the lawn. The portion of the basement under the house was presently used and would continue to be used as a crafts studio. Ms. Rathbun continued stating that the basement extension was presently unused. The applicant was requesting to lower the basement extension floor to allow the space to be used as a children's clubhouse and new doors would be installed.

Ms. Rathbun called the Board's attention to the criteria listed in Section 47-24.11.

The Secretary of Interior Guidelines state:

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"1. A property shall be used for its historic purpose or be placed in a new use that required minimal change to the defining characteristics of the building and its site and environment.

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided."

Ms. Rathbun further stated that the requested changes would not seriously impact the exterior appearance of the historic building. The new use would be appropriate. She stated that the Board could approve the application, approve it with modifications, or deny the application.

Scott Strawbridge stated that Joanne Nullen, President and CEO of Gilda's Club of South Florida, was with him this evening.

William Saunders clarified that they were going to dig the basement and shore up the foundation in order to make a playroom under the building. Mr. Strawbridge confirmed and stated there had been an issue regarding headroom and that was why they were lowering the floor.

Chair Margi Glavovic-Nothard proceeded to open the public hearing. There being no individuals who wished to speak on this matter, the public hearing was closed and discussion was brought back to the Board.

Motion made by Christopher Eck and seconded by William Saunders to approve the application as presented. Roll call showed: YEAS: Clay Wieland, Barbara Walker, William Saunders, Tom Tatum, Carolyn Dandy, Christopher Eck, and Margi Glavovic-Nothard. NAYS: None. Motion carried 7-0.

4.	Applicant:	<u>Lincoln & Tara Pasteur</u>	<u>Case No. 45-H-02(SB)</u>
	Location:	420 S.W. 12 Avenue (Seminole Drive)	
	Request:	Certificate of Appropriateness for Alteration: <ul style="list-style-type: none">• Removal of existing aluminum window coverings• Installation of four (4) windows to existing building• Installation of one (1) front exterior door to existing building• Installation of 2 feet of stucco fascia around perimeter of roofline of existing building	
	Zoned:	RS-8/Sailboat Bend Historic District Overlay	
	Legal:	<u>Waverly Place</u> , Block 105, Lots 5 and 6 P.B. 2, P. 19	

James Cromar stated that this Board had approved a COA for an expansion in the rear of the house at the September 15, 2003 meeting. He referred the Board to the criteria listed in Section 47-24.11.C and Section 47-17.

Merrilyn Rathbun, Consultant, stated that this home was a Lester Avery design built in 1954, well out of the SBHD period of significance, i.e. 1913 to 1940. It was not considered a contributing structure in the district.

Ms. Rathbun continued stating that the applicant was requesting approval to install four (4) new windows, one (1) new front door and two feet of stucco fascia to the roof perimeter of the existing building. The specified materials met the SBHD Materials and Design Guidelines in Section 47-17.7. She stated that the Board could approve the application, approve it with modifications, or deny the application.

Gerald Ficht stated he was the contractor for the project.

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William Saunders asked if they were going to alter the street elevation. Mr. Ficht replied they were not.

Chair Margi Glavovic-Nothard proceeded to open the public hearing. There being no individuals who wished to speak on this matter, the public hearing was closed and discussion was brought back to the Board.

Motion made by William Saunders and seconded by Clay Wieland to approve the application as presented.

Chair Margi Glavovic-Nothard clarified that the west elevation faced the street. Mr. Ficht confirmed that there were alterations proposed to this elevation. Chair Margi Glavovic-Nothard stated she still regretted that they were losing their mid-century modern buildings, and even though it was not a designated structure, it did provide a different variety of elevations for the community.

Roll call showed: YEAS: Barbara Walker, William Saunders, Tom Tatum, Carolyn Dandy, Christopher Eck, and Clay Wieland. NAYS: Margi Glavovic-Nothard. Motion carried 6-1.

Site Plan Review and Comments from HPB

Patricia D. Moss

(Case No. 8-H-04(SB))

1001 S.W. 4 Street

- Demolition of single two-story building
- New construction of nine (9) townhouses
- Request yard modifications – 15' front, 15' rear and 5' left side.

RML-25/Sailboat Bend Historic District Overlay

Town of Fort Lauderdale. Block A, Lot 14 Re-subdivision of Block 7

P.B. 1, P. 60

Chair Margi Glavovic-Nothard stated the Board was not to recommend any action regarding this project and were just reviewing the item.

James Cromar clarified that this was a presentation, and the applicant was requesting a review of the site plan and comments from this Board. He stated there were applicants seeing the process of review taking place regarding multi-family projects in the SBHD, and they wanted some initial review before finalizing their plans. He explained the Board would not be making any recommendation or taking a vote. He stated the applicant would appear before the Board at a later date to request a COA for demolition, and then for new construction.

Mr. Cromar stated that the applicant had also presented this information before the Development Review Committee (DRC), and the Sailboat Bend Civic Association. Therefore, they were getting perspective from three different bodies.

The Assistant City Attorney explained that this application was not ready for COA for demolition or new construction, and this was a "fishing trip" for the applicant to hear the Board's thoughts on this project. Regardless of what was said here tonight, there were no guarantees that a COA would be awarded later on in the future.

Chair Margi Glavovic-Nothard asked if it was appropriate to follow the Board's regular procedure in this matter. The Assistant City Attorney advised that the Board could follow their normal procedure.

James Cromar stated that the applicant was seeking comments from the Board. He explained they were proposing a townhouse project in the SBHD. He referred the Board to the criteria in Section 47-17 and Section 47-24.11C, along with Section 47-24.11.C.4.

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Merrilyn Rathbun, Consultant, stated that the applicant proposed to build a townhouse project with nine (9) units on 3 lots (Block 107, Lots 1, 3 and 5, Waverly Place) at 1001 – 1009 SW 4th Street. There are 3 structures on the building site, two of which are historic and listed on the Florida Master Site File.

Ms. Rathbun continued stating that the house at 1009 SW 4th Street (Lot 5) was shown on the 1924 Sanborn Fire Insurance Map for the City of Fort Lauderdale. According to the Master Site File record, the house was built ca. 1918-1920 for Joseph Fritsch, the owner of a local garage. She stated that the Site File described the building as follows:

“Architectural Description: This one-story wood frame apartment building is located at 1009 SW 4th Street. It is an example of Bungalow style architecture. The building has a rectangular plan and a gable roof. The exterior fabric is asbestos shingle and fenestration consists of double-hung sash windows with 1/1 lights. An entrance porch with a gable roof, square posts, and knee wall extends from the façade. Other notable architectural features include a continuous concrete block foundation.”

Ms. Rathbun stated that the architect for the project had addressed a letter to the Board in which he stated that this house would be demolished to make room for the new development. Mr. Carbonell noted in his letter that a number of additions had been made to the historic structure and much of the original character of the building had been removed or obscured. She stated further that the house at 1001 SW 4th Street (Lot 3) was also shown on the 1924 Sanborn map. The description from the Master Site File stated:

“Architectural Description: This one-story wood frame residential building is located at 1001 S.W. 4th Street. It is an example of the Frame Vernacular style of architecture. The building features a hip roof with exposed rafter ends, an end porch with a hip roof, square posts, and knee wall. The house has been altered from its original appearance by the application of aluminum siding and metal awning windows.”

Ms. Rathbun continued stating that the structure was probably built ca. 1925; the first resident listed in city directories was S.M. Leeper. The applicant planned to incorporate this building into the new project. A two-story addition would be constructed on the east elevation of the historic house, which would then be attached to the new town house structure by a small addition, recessed from the front of the structure. The house was on a corner lot and both the south and east facades faced the street, and for historic preservation purposes were considered primary elevations.

Ms. Rathbun proceeded to call the Board's attention to the criteria in Section 47-24.11. She stated that The Secretary of the Interior Standards stated:

“9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

New Additions

An attached exterior addition to a historic building expands its “outer limits” to create a new profile.”

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Because such an expansion has the capability to radically change the historic appearance, an exterior addition should be considered only after it has been determined that the new use cannot be successfully met by altering non-character-defining interior spaces.

If the new use cannot be met in this way, then an attached exterior addition is usually an acceptable alternative. New additions should be designed and constructed so that the character-defining features of the historic building are not radically changed, obscured, damaged, or destroyed in the process of rehabilitation. New design should always be clearly differentiated so that the addition does not appear to be part of the historic resource.

Ms. Rathbun continued stating that the east elevation of the house at 1001 SW 4th Street would be largely obscured by the proposed two-story addition. She stated that both primary elevations needed to be visible from the streets. The only portion of the historic structure that would be visible from SW 10th Avenue would be the side elevation of the front porch, and by preservation standards that was not acceptable.

Ms. Rathbun stated that the north side streetscape of SW 4th Avenue consisted of one- and two-story structures. Two historic houses were shown on the 1924 Sanborn map were still in existence, and a two-story wood frame building at 1017 SW 4th Street and a Belvedere bungalow at 1031 SW 4th Street. In recent years, other historic structures had been moved to the lots between those two historic houses.

Ms. Rathbun further stated that the applicant's proposal calls for a two-story townhouse complex with third-story belvederes. Building two, which faced SW 4th Street and incorporated the one-story historic house, presented a reasonably compatible (in size and massing) façade except for the three third-story belvederes. The architect may have been referencing the belvedere bungalow on the western corner of the block; however, the historic bungalow is only two stories with the belvedere. Although the third-story of the proposed project did fall within the height limitations of the SBHD, it was significantly taller than the nearby historic homes and would have an adverse impact on the historic streetscape.

Ms. Rathbun stated that the Board was to review and comment.

James Cromar stated that he wanted to remind Marilyn Rathbun that she was to comment about the second and third structure. Marilyn Rathbun stated that in regard to the house in the back, the applicant had not yet decided what to do with it. She added that she had not researched that house. James Cromar remarked that before this matter came back before the Board, there would be more information provided regarding that structure.

Gus Carbonell, on behalf of Saul Levy, stated that they had worked on this project for several months, and they had obtained feedback from the neighborhood, and now were presenting this project to this Board and DRC. He hoped they could arrive at a good project for everyone. He stated that in regard to other projects, they had heard concerns about garages facing the street, and therefore, they did away with the garages. He explained they had a paved alley that they were going to make look like a small street. He proceeded to show the site plan of the project.

Mr. Carbonell explained that there were presently 3 buildings on the site. He stated there was a one-story bungalow home on the site which was in very good shape and had not been modified much, other than the enclosure of the front and rear porch. He stated it was their intent to re-open the porch and have it relate more to the park that was directly across the street. He stated that the townhouse ordinance required that buildings have at least 3 units attached, and they were going to leave a gap and have a minimal addition that would be visible from the home and the 3 units to the left. He stated that landscaping would be placed between the two buildings and it would meet the technicality of having one building sharing a common wall.

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Mr. Carbonell stated there was another small structure on the site. He stated the building had a hip roof. He remarked that he was confused about the foundation because the consultant had referred to the building as one-story. He added that the floor was below grade and evidently had an oversized crawl space underneath. Ms. Rathbun stated that she had read from the report in the Master Site File that had been done on the survey. She added that it was one of the earlier surveys, and possibly other modifications had been made since that site file description had been filed in Tallahassee.

Mr. Carbonell further stated that their original intent was to demolish the one-bedroom apartment. He stated the second floor was in fair shape even though it had been modified substantially in the interior and the windows had been replaced with all types. He stated that two additions had been made to the building that detracted from the structure: one to the west and one to the north. He explained that the ground floor could have been on columns or piers and possibly there could have been a concrete foundation. He remarked that it was more like an oversized crawl space. He proceeded to show photographs of the house that was to be demolished. He then proceeded to show photographs of the new project.

Mr. Carbonell stated the neighborhood was concerned about losing the house with the crawl space, and they were looking to relocate the house either on the site or to another location in the SBHD. He stated that the neighborhood also stated they were too close to the west property line with the front building, and therefore, they were going to reduce the size of the units so as not to require a yard modification on the west side. He stated they were going back to a 10' setback, and the only yard modification they were going to request was 5' towards the alley and 10' towards the street. He stated the advantage of having the yard modification was that it would hide the garages and create the opening to the sidewalk.

Mr. Carbonell continued stating that there were homes on the other side of the park. He stated another issue mentioned was the size of the access to the roof. He stated they were attempting to create an enclosure for the stair and possibly an oversized structure to bring in more light to the interior. Comments were made that it appeared too bulky, and therefore, they committed to reduce them to the minimum size required. He added that the neighborhood did like the small towers, which they felt added character to the building. In order to orient the front yards to the street, there was no privacy for the residents, and therefore, the only private areas that could be incorporated were on the roof. He explained that they were using more stucco and materials that would be compatible with the neighborhood. He proceeded to show photographs of the trees along 4th Street. He added that the trees would remain on the site. He also showed the trees along 10th Avenue, which would also remain. He remarked that the existing trees would hide the complex.

Mr. Carbonell further stated that one of the alternatives they were considering was to reduce the addition to the main house so it would not obscure a lot of the east elevation. He stated they were considering retaining the building they had planned to demolish and use it for a smaller unit with the master bedroom on the second floor. He stated the existing home had asbestos shingles, and they could either repair them or attempt to replace it with something comparable.

Barbara Walker asked if the building with the garage would be on the 10th Avenue side where the fence was presently located. Mr. Carbonell explained that the building was where it presently sat. He explained further they had to maintain 20' from the fence to whatever building would be erected on 10th Avenue. Barbara Walker asked for some further clarification regarding the setbacks and spaces between the properties. Mr. Carbonell explained that the property had one folio number, and once they incorporated 3 lots it would be one parcel. Barbara Walker asked about the green space that would be available. James Cromar stated that in reviewing the survey, it was listed as one large lot and the new development plan would have to meet the landscaping requirements as set forth in the Code. He explained there were no requirements in the Code for the applicant to maintain the setbacks of the existing buildings. He stated they had to meet the Code as stated for the new development.

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Chair Margi Glavovic-Nothard stated that if these had been designated structures, then the site would have been part of the equation. James Cromar agreed there would be a different equation if there was a separate designation. He added they were part of the district. He further stated that in Section 47-21.10.A.3, it stated: "A minimum of 35% of the gross lot square footage shall be in landscaping maintained by an irrigation system."

Gus Carbonell explained that the site plan had almost 34% green area, which was large for a multi-family development. He pointed out that the zoning for the lot allowed for 16 units, but they decided that was too much density. He stated they were thinking about giving each unit a different color, along with architectural detailing that would distinguish it from the unit next door. He explained by placing most of the landscaping around the perimeter of the property, the perception from someone approaching the site would be one of a very lush development. He proceeded to show photographs of the fence on the site.

William Saunders stated he did not think one could differentiate the elevations of the existing buildings from the new ones. He reiterated that the existing buildings were to be incorporated into the project. Mr. Carbonell stated they wanted to incorporate them due to the townhouse ordinance in effect. He stated they preferred to keep them freestanding if possible. He stated that they wanted to take the existing one-story home, which was the focal point of the development, and make it more exposed to the exterior by reducing the unit to the east.

William Saunders stated that there needed to be a balance in the neighborhood between new and what was existing.

Chair Margi Glavovic-Nothard proceeded to open the public hearing. Individuals wishing to speak on this matter were sworn in.

Tom Tatum asked why individuals were being sworn and why was this matter being handled like a quasi-judicial hearing. He asked if that was the appearance this Board wanted to present. He stated that he thought this was to be an informal review.

The Assistant City Attorney agreed that it was to be an informal review and that was made clear at the beginning of the presentation. She stated that the applicant was aware that if the Board appeared to favor the project tonight, there was no guarantee that a COA would be issued later on. She stated that she was not sure why individuals were sworn in at these meetings.

Tom Tatum stated further that if there was to be a record, then nothing should be said regarding this project. He stated this was only to be a presentation, and he did not think anyone on the Board should comment any further about this project. He stated the Board was putting themselves in the position with comments made that could cause problems later on. He stated he was not going to make any further comments about the project, and was rather confused about what was taking place here.

Chair Margi Glavovic-Nothard stated that she had requested direction at the beginning of this presentation as to how to proceed with this matter. By default, it appeared the Board wished to proceed. She felt it was up to the Board to decide how to handle the matter. She stated she did not understand if someone came before the Board and asked them to review the project, that they should listen and not respond in any way.

The Assistant City Attorney stated that under "For the Good of the City" the Board could discuss this matter further. She felt this started with the Bonnet House project because it was a way for the property owner to begin the process before spending huge amounts of money. She felt it was up to the Board if they wanted to hear such matters, and if they chose to do so then they could be reviewed and commented on. She stated they had advised the applicant that nothing said in this meeting would be binding on their eventual application for a COA.

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Christopher Eck stated that he agreed with Tom Tatum and unless this was appropriate for the Board to consider, then he did not think it was timely for the Board to do this at this point. He stated the applicant had the guidelines, and he stated he would be baffled to see an application for the demolition of a contributing structure for the district, regardless of who the applicant was, without substantial consideration for why it should be demolished.

Chair Margi Glavovic-Nothard proceeded to ask the Board if they wanted to proceed with this matter.

Tom Tatum stated that his comment was not in reference to a willingness or lack thereof to proceed, but what procedural setting was the Board following in this matter. He felt this type of issue should be discussed under "For the Good of the City." He stated he was concerned whether procedurally this was correct.

Barbara Walker stated that maybe they should not swear the individuals in, and she remarked that they only wanted to move forward with the project.

Chair Margi Glavovic-Nothard stated she felt it was essential for them to distinguish when this Board was a quasi-judicial body. The Assistant City Attorney stated whether a proceeding was quasi-judicial or not was not up to the Board because it was due to the nature of the proceeding. She further stated it was up to the Board if they wanted to proceed with this matter. She proceeded to remind them they were an advisory board. Chair Margi Glavovic-Nothard added that on the Board's packages it stated "These items are quasi-judicial."

The Assistant City Attorney stated that the ordinance that set forth the Board's powers and duties stated: "You shall have the power to conduct public hearings to consider historic preservation issues."

Chair Margi Glavovic-Nothard stated she was going to stop this proceeding and have discussion resume under "For the Good of the City."

"For the Good of the City"

James Cromar stated that staff wanted to know about the usefulness of HPB review and comment procedures. He asked if the Board felt the reviews were useful and did they want to stand by a strict interpretation of its duties as stated in the Code. He stated that other applicants approached staff stating that they felt they could benefit from comments from this Board before proceeding with their projects.

William Saunders stated that these types of discussions without motions should come under "For the Good of the City," and therefore, no commitments could be misinterpreted. Tom Tatum stated they were a good idea and he agreed they should be discussed under "For the Good of the City." He added they needed to figure out what the rules were to be. He did not think they should go through a process hearing the presentation that could be misconstrued later on. Overall, he felt it was good to have such reviews.

James Cromar stated that in the Board's December meeting, an applicant had presented a project which was not on a historic site, nor was it a designated property, but was adjacent to one. He added there is a provision of the Comprehensive Plan that required such applicants to present their projects before this Board for review and comment.

Chair Margi Glavovic-Nothard stated that they needed to be more straightforward so appropriate procedures could be followed. She felt it was good for the community to supply their input regarding projects. She agreed that such projects should be discussed under "For the Good of the City." She also did not think that everything should be delivered as done in a formal application because that confuses the issue.

Christopher Eck stated that they were dealing with historic properties, and regardless of their location in the

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City, the Board was here to review such properties, along with the benefit they provided to the City and the public as a whole. He stated that when items were presented without an explanation of necessity of economic hardship and they were looking to demolish contributing structures regardless of their location, he did not want to consider those without further detailed information. He added that was one reason this project should not be considered at this time. He further stated that the Board's duties were requiring them to consider how to handle these items from various perspectives, and unless they were going to receive regular input, it was not proper for the Board to consider.

Chair Margi Glavovic-Nothard asked if the Board wanted to make a recommendation as to how to review such cases. She asked if they would like to review specific projects or not. She thought she had heard comments from two Board members that they preferred not to comment on specific projects. Mr. Eck explained it was difficult to provide comments since the projects were not in final form. He added that this referred to discussions the Board had held in the past, and if Mr. Cromar was able to fully devote his duties to historic preservation and was able to provide comments on a full-time basis, then it would be more appropriate because staff could work out many of these questions before their presentation. He stated that Mr. Cromar did not have that opportunity because it was not a full-time position. He asked if they were looking at these projects from the perspective of expediency. He explained their goal was to protect contributing structures and individually designated properties regardless of their location. He felt Tom Tatum was correct in saying that this project should not be considered by this Board at this point in time.

Barbara Walker reiterated that the Board was not asking to make a decision, but only to comment. Mr. Eck stated it could be interpreted that the Board was providing certain comments and was predisposed to a certain recommendation.

Tom Tatum asked if other boards made such reviews of projects outside of their formal procedure. The Assistant City Attorney stated that she did not know if other boards made such reviews. She stated that since this Board had very broad duties led her to believe the Board could make such reviews, but they were not obligated to do so.

Clay Wieland asked if the Board did not make such reviews, what would happen to the projects. The Assistant City Attorney stated that the cases presented to this Board had already gone through other reviews and were ready to begin construction and/or demolition if approved by the Board. She remarked that this project had not yet been reviewed and was not ready to move towards construction.

James Cromar reviewed the procedure that applications normally went through before being presented to this Board.

Tom Tatum explained that not all projects came back to this Board for further review or approval. He reiterated that due to comments made at this meeting, the applicant could leave and spend large amounts of money to reconfigure a project, and then come back for approval and be denied. The applicant could have thought the money was being well spent, changes were made, but there had been no guarantees only assumptions.

Chair Margi Glavovic-Nothard asked if the residents of SBHD had been in favor of this project.

Nolan Haan, Liaison to this Board from the SBHD, stated that the Association overwhelmingly had not been in favor of this project.

Don Wilkin, SBHD, stated that there had been differences of opinions from the Association.

Tom Tatum stated that Mr. Wilkin had raised an interesting issue because comments were being made as to the Association's support, but there was no testimony on record at the time of the vote.

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Barbara Walker stated that she felt such reviews were good and comments could be made to possibly help the applicant, and then a formal decision could be made later on during final presentation.

Clay Wieland asked if these type reviews fell within the administrative 15-day review. The Assistant City Attorney explained that these were not considered in that category since only formal applications were for administrative review.

Carolyn Dandy stated that until the Board had some clear direction, she did not think they should proceed with such reviews. Mr. Eck and Mr. Tatum agreed. William Saunders reiterated they could be discussed under "For the Good of the City."

Tom Tatum requested that further information be supplied at the Board's next meeting regarding this matter from the Assistant City Attorney.

Mr. Carbonell stated that he realized this was difficult for the Board and reiterated that developers also got frustrated due to the procedure for presentations. He reiterated they were only attempting to get the Board's comments so they would know how to proceed with the project.

Chair Margi Glavovic-Nothard felt that if the Board missed an opportunity to provide their comments regarding a project, they would be missing the key mission of the Board, but she was not sure if there would be any legal implications involved in such reviews. She felt the matter needed to be investigated further and a report provided to the Board. She stated if they would be putting the applicants in a bad position, then she would not be in support of such reviews.

Motion made by William Saunders and seconded by Tom Tatum to adjourn the meeting.

There being no further business to come before this Board, the meeting was adjourned at approximately 7:08 p.m.

CHAIRMAN

Margi Glavovic-Nothard

ATTEST:

Margaret D'Alessio
Recording Secretary

A mechanical recording is made of the foregoing proceedings, of which these minutes are part, and is on file in the Historic Preservation Offices for a period of two (2) years.