

HISTORIC PRESERVATION BOARD
City of Fort Lauderdale
Monday, November 15, 2004- 5:00 P.M.
City Hall
First Floor Conference Room
100 North Andrews Avenue
Fort Lauderdale, Florida

<u>Board Members</u>	<u>Present / Absent</u>	<u>From January 2004</u>
Christopher Eck, Chair	P	9-1
Todd Fogel	P	9-1
Mary-Jane Graff	P	9-1
Bill Howard	P	3-1
Daryl Jolly	P	2-0
Margi Glavovic-Nothard	P	8-2
William Saunders, Vice Chair	P	9-1
Carolyn Dandy	P	9-1
Tom Welch	P	3-1
Clay Wieland	P	9-1
Edith Colden	A	0-1

Staff Present

James Cromar, Planner, Staff Liaison to HPB
Merrilyn Rathbun, Fort Lauderdale Historical Society, Consultant to HPB
Assistant City Attorney
Jamie Opperlee, Recording Secretary

Guests Present

Pat Jordan	Mary Ann McCartney
Susan Jordan	Steve Marshall
Gabriel Munoz	Michelle DiNardi-Rice
Shaun Marie Zahn	Nick Manos
Jay Hurley	Ina Blum
Chris Greenwood	J.D. Camp, Victoria Park Civic Assoc.
Kaizer Talib	

Call to Order

Chair Eck called the meeting of the Historic Preservation Board to order at approximately 5:03 p.m. Roll call was taken with the following Board Members being present: Ms. Dandy, Mr. Wieland, Ms. Graff, Mr. Saunders, Mr. Jolly, Mr. Fogel, Ms. Glavovic-Nothard, Mr. Welch, Mr. Howard, and Chair Eck.

Approval of Minutes – October 4, 2004 Meeting

Motion made by Ms. Graff, and seconded by Mr. Welch to approve the minutes of the October 4, 2004 meeting. In a voice vote, the motion was approved 9 – 0, with Ms. Glavovic-Nothard abstaining because she had not attended the meeting.

All individuals wishing to speak regarding the cases on tonight's agenda were sworn in.

I. Cases

- 1. Applicant: Bernadette Norris-Weeks Case No. 22-H-04**
Location: 401 NW 7th Avenue
Request: Historic Designation
Zoned: B-2
Legal: North Lauderdale. Block 19, lots 23 and 24, P.B. 1, P. 48

Mr. Cromar stated that he had spoken with someone from Ms. Weeks' office approximately ten days ago and had been told she would attend. Chair Eck suggested they postpone hearing the case until the applicant arrived.

Motion made by Ms. Glavovic-Nothard, and seconded by Mr. Saunders to postpone the public hearing of this case until later in the hearing. In a voice vote, the Board unanimously approved.

- 2. Applicant: Gabriel Munoz Case No. 24-H-04**
Location: 711 NE 17th Road
Request: Certificate of Appropriateness for Alteration:
▪ Construct addition to structure
▪ Install swimming pool in back yard
Zoned: RCS - 15
Legal: Victoria Courts. Court 2, Lot 9, together with easterly one-half of the vacated walk and park abutting on the west.
P.B. 9, P. 49

Mr. Cromar explained that this was one of eight properties in Victoria Courts, which had obtained historic designation as a group. He pointed out that since the Board members had received their packets and site designs, the project architect had made changes in response to the comments from the Historical Society consultant. Mr. Cromar asked the Chair if the Board wanted a presentation solely on the original submittal or on the revised design. Chair Eck confirmed that the Board would consider the new design tonight.

Ms. Rathbun described the significant historic details of the house: a clipped gable (jerkinhead) roof, overhanging eaves with decorative support brackets and exposed rafter ends, small dormers with louvered vents on the rear and wide arched windows on the rear and left elevations.

The applicant was requesting a COA for a two-story addition to the rear (non-street side) elevation of the historic cottage. Ms. Rathbun explained that the original design would replace the jerkinhead and decorative brackets and destroy much of the character of the historic structure. She continued, adding that on the north elevation, the historic structure would be completely absorbed into the new addition with no differentiation between the new and the old structures.

Ms. Rathbun said that the new design has been modified from the application package to expose more of the historic structure. She said that the street-side (east) façade, the north and south facades and the northwest and southwest corners of the historic cottage, including fenestration, remain and are visible in the revised design.

Ms. Rathbun noted that the new design would replace the shingle roof with metal. Two other homes in Victoria Courts had also done this and a metal roof was appropriate to the period during which the houses were built. Because the addition had the capability to radically change the historic appearance, an exterior addition should be considered only after it had been determined that the new use cannot be successfully met by altering non-character-defining interior spaces.

Mr. Kaizer Talib, the prospective buyer's architect, explained that the cottage was only 850 square feet and was not large enough for contemporary living. He presented new design plans that left the jerkinhead roof undisturbed and the north and south elevations unchanged.

Mr. Gabriel Munoz, applicant, stated that the cottage was "functionally obsolete" by today's standards. The property had been on the market for one year and no buyer was interested in the property without modification.

Ms. Mary Ann McCartney, the prospective buyer, explained that she and her husband wanted very much to live in the cottage and felt that Mr. Talib's design would maintain the historic character of the property. She cautioned that if they were not permitted to increase the square footage of the house they would not buy it.

Chair Christopher Eck proceeded to open the public hearing.

Mr. Pat Jordan, next-door neighbor of the Munoz house, explained that his wife had worked to obtain the historic designation for all of the cottages and every owner, including Mr. Munoz, had agreed at the time. He felt that Mr. Munoz might have over-priced the house and that was why he could not sell it. Mr. Jordan felt that the new design would affect the integrity of the house. If Mr. Munoz were permitted to construct this addition, the seven other owners, some of whom had restored their homes, would suffer financial hardship. It would also break up the cohesive design of the neighborhood.

Ms. Susan Jordan confirmed that not only the homes but also the sites were historically designated. To alter the appearance of one would impact all of the others. The buildings' design and rooflines were important architectural features. She reiterated that the addition would be out of scale and architecturally incompatible with the other cottages as well.

Ms. Jordan read a letter from another neighbor, Francis Mercer. Ms. Mercer's home had been damaged over a year ago by fire and she had been waiting to get approval from the City to rebuild her home. Ms. Mercer warned, "Monetary gain can be a strong persuader to become lax and ignore what should be preserved and handed down to other generations." Ms. Mercer asked the Board to "be fair to those still intent in preserving what was once a way of life and continues to endure through the effort of those that care and are not looking to make monetary gains by destroying something that could never be replaced."

Ms. Ina Blum, another neighbor, stated that she had restored her house without modification because of her love of the architecture. She admitted that she was torn between her love of her home as it was now and her wish for her children to be able to make more money from the sale of a larger house later on. She concluded that if she had to choose between her neighbor's desire to add to his property and her desire for privacy, she would choose her privacy.

Mr. J.D. Camp, Victoria Park Civic Association, stated that he was on the Zoning Committee and was opposed to the project. He felt this would drastically alter the overall feel of the area.

Mr. Munoz felt that the Jordans' objections to his plans were mainly due to a loss of three feet of encroachment on his property, and some possible impact on their privacy, not the historical impact.

There being no other individuals who wished to speak on this item, Chair Eck closed the public hearing and brought the discussion back to the Board.

Ms. Graff was opposed to the addition because she felt it would encroach upon the integrity of the historic district.

Mr. Howard said he agreed with Ms. Graff since the house was part of a designated group.

Mr. Saunders confirmed with Ms. Rathbun that the structure and site were historically designated. Ms. Glavovic-Nothard confirmed that Mr. Munoz had agreed with the historical designation but he restated his belief that the home was "functionally obsolete" because of its size. She then told Mr. Talib that it was difficult to judge the real impact of this project without a site plan of the entire area. Mr. Talib did not have a site plan for the area, but noted that only one facade could be seen from the street. He noted that the house was in a "very dilapidated" condition and if this work were not done, the next hurricane would probably take down the house. If that happened, Mr. Talib promised that since it had a duplex designation, he would buy it and put a duplex in the house's place.

Mr. Wieland agreed with the other Board members that since the area was designated, the addition should not be permitted. Mr. Welch agreed; he felt that to alter one house would harm the collective historic designation. Mr. Fogel felt the addition would make the house totally incompatible with the others. Mr. Jolly thought the owner should be ashamed for allowing the house to become dilapidated. He commented, "Demolition by neglect is not acceptable."

Chair Eck noted that historic buildings were not necessarily static; they could evolve, but change needed to be considered on a case-by-case basis. The issue was more about compatibility in scale and design. The question was whether the proposed change met the standards set in Ft. Lauderdale.

Motion made by Mr. Saunders, and seconded by Mr. Wieland to approve the application as presented. Roll call vote showed: Yeas: None. Nays: Ms. Dandy, Mr. Wieland, Ms. Graff, Mr. Saunders, Mr. Jolly, Mr. Fogel, Ms. Glavovic-Nothard, Mr. Welch, Mr. Howard, and Chair Eck. Motion failed 10-0.

Ms. Glavovic-Nothard asked if the Board could hear public comment on the Case 22-H-04. The Assistant City Attorney stated that they should not proceed in the property owner/applicant's absence.

- 3. Applicant: Solo Pizza, Inc. Case No. 5-H-04**
Location: 208 SW 2nd Street
Request: Certificate of Appropriateness for Alteration:
- Install portable (self-contained) ATM on west side of building
 - Construct small concrete pad
 - Provide electrical and phone connections
- Zoned: H - 1
Legal: Town of Fort Lauderdale. The East 0.30 feet of lots 1, 2, and 3, Less the North 20.00 feet and the South 15.00 feet, Block "C" and the West 25.00 feet of Lots 17, 18, and 19, Less the North 20.00 feet and the South 15.00 feet, Block "C" P.B. B, P. 40 (D)

Mr. Cromar explained that the owner of the Solo Trattoria/Limoncello Restaurant was requesting a COA for the addition of an ATM on the west side of the building.

Ms. Rathbun explained that the ATM would be situated on a concrete pad between the restaurant and the building just to the west and would not encroach on the pedestrian sidewalk.

Mr. Chris Greenwood, owner of Commercial ATM Enterprises, described the area where the ATM would be located. A metal security perimeter would be installed around the ATM as well. This would be the first 24-hour accessible ATM machine in the area. The unit's primary function was to dispense cash, but it had the capability to dispense theatre tickets as well.

Chair Christopher Eck proceeded to open the public hearing.

Mr. Jay Hurley, an attorney representing several area business owners, pointed out that there were currently eleven ATM's in this area, but all were located inside buildings. If this ATM were permitted, Mr. Hurley felt many other requests would come before the Board asking to locate more ATM's outdoors. He wondered if 24-hour ATM service was desirable for that area. Mr. Hurley cited Fort Lauderdale the list of permitted uses, according to the H-1 ordinance, Sec. 47-16.10, forbidding outdoor vending machines.

There being no other individuals who wished to speak on this item, Chair Eck closed the public hearing and brought the discussion back to the Board.

Ms. Graff agreed that the machine would conflict with the look of the historic neighborhood. Mr. Howard agreed and felt the machine should be put inside the restaurant.

Mr. Saunders stated that he could envision more applications for other types of vending machines all over the district. Ms. Glavovic-Nothard felt that in addition to the aesthetic issues, there were safety and maintenance concerns.

Mr. Wieland asked why the machine could not be placed inside the building. Mr. Welch was also concerned about the maintenance and safety issues and did not feel they had been addressed. Mr. Fogel was uncomfortable with the idea of dispensing cash on the street in that area. Mr. Jolly agreed with the other Board members.

Chair Eck felt the information provided with the application did not clearly depict how the unit would look. He suspected that the design would not be compatible with the surrounding buildings. He felt Mr. Greenwood should re-present the application package with these additions.

Motion made by Ms. Glavovic-Nothard, and seconded by Mr. Saunders to approve the application as presented. Roll call vote showed: Yeas: None. Nays: Ms. Dandy, Mr. Wieland, Ms. Graff, Mr. Saunders, Mr. Jolly, Mr. Fogel, Ms. Glavovic-Nothard, Mr. Welch, Mr. Howard, and Chair Eck. Motion failed 10-0.

1. Applicant: Bernadette Norris-Weeks Case No. 22-H-04
Location: 401 NW 7th Avenue
Request: Historic Designation
Zoned: B-2
Legal: North Lauderdale. Block 19, lots 23 and 24, P.B. 1, P. 48

Motion made by Ms. Glavovic-Nothard, and seconded by Mr. Saunders to defer the public hearing of case 22-H-04 until the applicant was present. In a voice vote, the Board unanimously approved.

II. Other Business

III. For the Good of the City

Mr. Cromar announced the name of newly appointed Board member Edith Colden, and that she had been unable to attend the meeting this evening.

Mr. Cromar reminded the Board that the City Commission would discuss the request for historic designation for the Needham House tomorrow evening, November 16, at 6:00 p.m. On Wednesday evening, November 17 at 6:30 p.m., the Planning and Zoning Board would consider the site plan and rezoning for the New River Trading Post.

2005 Calendar

Mr. Cromar stated that there were a few instances in 2005 when the Board's usual meeting date of the first Monday of each month would not work: July, September, and January, 2006. He provided a few alternatives and advised that the Board should decide which dates would work

best for them. The Board asked Mr. Cromar to provide them the alternative dates via e-mail so that they could review the options against their calendars.

Fort Lauderdale Beach Hotel

Ms. Glavovic-Nothard asked Mr. Cromar for an update on the Fort Lauderdale Beach Hotel. Mr. Cromar explained that the City Commission had recently approved the recent changes to the site plan. The developer had proposed some additional alterations to the façade and would present these changes to the HPB.

Mr. Cromar noted that there had been discussions regarding whether the developer would present additional information on the overall project's impact on historic resources, specifically the designated portion of the Lauderdale Beach Hotel structure. According to the City Code, the responsibility of the HPB is to review changes to the historic-designated portions of the site. The Lauderdale Beach Hotel site was an anomaly in that only part of the site and building were historically designated.

Ms. Glavovic-Nothard pointed out that the ordinance provided that the HPB evaluate a project's impact on the surrounding area.

Chair Eck noted that in the case of the Bonnet House, they had considered the impact on buildings within a certain radius of the site; they might do that here as well. Mr. Howard admitted to being uncertain about what they had approved based on the developer's proposal. Ms. Glavovic-Nothard felt they had not reviewed certain aspects with the understanding that the project would be brought before them again and they would have the opportunity to consider those aspects then. She was concerned now, as most of the building had been demolished.

Mr. Cromer clarified that the north, south, east, and portions of the west facades were designated. The HPB was responsible to issue COA's for changes to those portions that were designated.

Ms. Glavovic-Nothard asked that the minutes of the previous HPB meeting where they had agreed to defer some of their concerns be made available to them before this project came before them again.

700 and 712 Southwest 2nd Court

Mr. Fogel said he was concerned about the condition of these two buildings. The Assistant City Attorney stated that the City had valid liens on the properties totaling \$400,000. Outside council was now preparing to foreclose on the properties and the City anticipated lengthy litigation.

Mr. Saunders said he thought that the building at 700 could be restored; he added that he thought the one at 712 was beyond rehabilitation. He asked how the Board or the City could hurry the foreclosure process. Mr. Wieland confirmed with the Assistant City Attorney that when the property was foreclosed and sold, the bidder would pay off the liens. Whoever ultimately owned the property would then be responsible to restore it.

Ms. Glavovic-Nothard asked if other cities had contingencies for emergency intervention. Chair Eck confirmed that this was the case. During litigation, the City stabilized the property and the cost of the repairs was added to the liens and fines the property accrued. The Assistant City Attorney stated that this option was available as part of the code enforcement process, but it had never been done in this case.

Motion made by Mr. Fogel, and seconded by Mr. Saunders for the City to utilize the authority granted it by state statute to immediately stabilize the structure at 700 Southwest 2nd Court. In a voice vote, the Board unanimously approved.

Ms. Glavovic-Nothard asked for a report on this matter from the City Attorney's Office at their next meeting.

Ms. Graff announced that she had seen a flyer in Falls Church, Virginia listing the city's historic sites. She felt this would be an excellent idea for Fort Lauderdale to help create more interest in their sites.

There being no further business to come before this Board, the meeting was adjourned at approximately 6:50 p.m.

CHAIRMAN

Christopher Eck

ATTEST:

Jamie Opperlee, 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.
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