

HISTORIC PRESERVATION BOARD
City of Fort Lauderdale
Monday, February 7, 2005- 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 2005</u>
Christopher Eck, Chair	P	1-1
Todd Fogel	P	2-0
Mary-Jane Graff	A	1-1
Bill Howard	P	2-0
Daryl Jolly	P	2-0
Margi Nothard	P	2-0
William Saunders, Vice Chair (5:40)	P	2-0
Carolyn Dandy	P	2-0
Tom Welch	P	2-0
Clay Wieland	A	1-1
Edith Colden	A	1-1

Staff Present

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

Guests Present

Greg Parker	Robert Allica
Terry Paterson	Trish Blanchard
Mark Filman	David Walley
Jeff Moos	Ron Mastriana
Leo Hansen	Nick Carter
Don Wilkin	Chuck Willard
Guy Erdman	John Kleinedler
Jeff Cobella	Ron Bonikowske
Paul Boggess	Rich Lundin
Richard Locke	Charles Jordan
Pieter Coetzee	Veronica Sazera
James Dcozek	Clint Cropper

Call to Order

Chair Eck called the meeting of the Historic Preservation Board to order at approximately 5:11 p.m. Roll call was taken with the following Board Members being present: Ms. Dandy, Mr. Jolly, Mr. Fogel, Ms. Nothard, Mr. Welch, Mr. Howard, and Chair Eck.

Approval of Minutes January 3, 2005 Meeting

Motion made by Ms. Nothard, and seconded by Ms. Dandy to approve the minutes of the January 3, 2005 meeting. In a voice vote, the motion was approved unanimously.

Ms. Nothard pointed out that she had noticed a spelling error to be corrected.

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

I. Cases

- 1. Owner: Gregg Parker Case No. 1-H-04**
Location: 1711 Northeast 7th Street
Request: Certificate of Appropriateness for Alteration:
 - Construction of 6' PVC fence and 6' wood fence to enclose pool
 - Replace garage door
 - Replace front doorZoned: RCS-15
Legal: Victoria Courts. Court 2, the South two (2) feet of Lot 10 and all of Lot 11, together with easterly one-half of that vacated and abandoned "walk" lying immediately West of and adjacent to the South two (2) feet of Lot 10 and all of Lot 11.
P.B. 9, P.49.

Mr. Cromar explained that Greg Parker, the owner, was requesting a Certificate of Appropriateness (COA) for Alterations to install a fence around a new swimming pool, and for a new front door and garage door. The property was one of the eight Victoria Court houses with historic designation as a group.

Ms. Rathbun explained that the house was part of the Victoria Court Multiple Property historic designation. The owner was requesting replacement of the existing garage door with a code-approved door of similar design. He was also asking to replace the existing front door with a decorative screen door. The swimming pool fence was required by City code. The owner was also requesting approval of a six-foot louvered PVC fence, which would be located on the north, west and (partially) on the south borders of the lot.

Ms. Rathbun felt the Board should consider Section 47-24.11. criteria: The effect of the proposed work on the landmark or the property upon which such work is to be done; the relationship between such work and other structures on the landmark site or other property in the historic district; the extent to which the historic, architectural, or archeological significance, architectural style, design, arrangement, texture, materials and color of the landmark or the property will be affected; whether the denial of a certificate of appropriateness would deprive the property owner of all reasonable beneficial use of his property; whether the plans may be reasonably carried out by the applicant; whether the plans comply with the "United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings."

Mr. Gregg Parker, the property owner, stated he felt the fence design was appropriate and noted that he had found someone who could repair the garage door, so he no longer needed approval to replace the garage door.

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

Mr. Fogel commented that he appreciated the detail of Mr. Parker's application.

Motion made by Ms. Nothard, and seconded by Mr. Fogel to approve the application with the garage door modifications stated by applicant. In a voice vote, the motion passed unanimously.

- 2. Owner: Burr Randall Dawsey Case No. 12-H-04 (SB)**
Townhomes at Waverly Road
Location: 1101-1113 Waverly Road
Request: Certificate of Appropriateness for Demolition:
▪ Demolition of four (4) one-story, multi-family buildings
Certificate of Appropriateness for New construction:
▪ Six three-story townhouse units
Zoned: RML – 25 / Sailboat Bend Historic District Overlay
Legal: Waverly Place, Block 105, Lot 21, 22, 23, and 24.
P.B. 2, P. 19 (D).

Mr. Cromar explained that the Townhomes at Waverly Road project was requesting two COAs. The first was for demolition of four (4) existing one-story multi-family buildings. The second request was for a COA for New Construction of six (6) three-story townhouse units. The proposed buildings did comply with the required setbacks, and the application did not include a request for yard setback modifications.

Ms. Rathbun explained that the four buildings were designed by Fort Lauderdale architect Robert Hansen and were built in 1946. This was not in the period of significance for SBHD (1913-1940) so the buildings were considered non-contributing in the district. Ms. Rathbun felt that items 4.c.i and 4.c.ii of Section 47-24.11.C applied in this case: The designated property no longer contributed to a Historic District, and the property or building no longer had significance as an historic architectural or archeological landmark.

The owner was requesting approval for six three-story town homes on a triangular lot facing Waverly Road in the SBHD. The project called for yard reductions of twenty (20) feet in the front and rear, ten feet (10) left side, and twenty five (25) feet right side. The architect designed the project in a neo-vernacular style compatible with the design standards of the SBHD. Ms. Rathbun described the design specifications and materials to be utilized and noted that the materials met the SBHD Materials and Design Guidelines

Ms. Rathbun then explained how the buildings would be situated on the property and noted that she thought the required twenty-five foot setback on the east side of his property should mitigate

any impact the mass of the buildings would have on existing (contributing) properties to the east on Waverly Road and SW 4th Street.

Mr. Robert Allica, project architect, explained the landscape plan for the project and pointed out that the new buildings had been broken up to look less imposing on the property. He and his client had met with the civic board and received input regarding the color scheme and fenestration, but they had not yet met with the civic association. Mr. Allica noted that the buildings had been situated in consideration of pedestrian traffic in the area.

Mr. Paterson stated that they had worked on the project for three years and had tried to take into account the wishes of neighbors.

Chair Christopher Eck proceeded to open the public hearing.

Mr. Charles Jordan, Broward Trust for Historic Preservation and Sailboat Bend resident, stated that at the Broward Trust's last meeting, they had opposed this buildings' demolition. He had sent a memo to Mr. Cromar regarding this, requesting that the memo be forwarded to all HPB members. In this case, the existing buildings did contribute to the scale and architectural style and provided a link between pre- and post-war building methods and scales of construction.

Mr. Jordan took issue with Ms. Rathbun's opinion that the buildings were non-contributing. Section 47-17.7, Section a, paragraph 1 dealt with guidelines for new construction compatibility; it did not reference whether or not a property contributed to a district. He encouraged the board to interpret the code rather than this section of Ms. Rathbun's report. Determining whether a building contributed to a district or not entailed looking at the architecture, the pattern of development, the buildings' situation on the property, the streetscape, and other issues as well as the federal age guideline of buildings aged fifty years and over. Buildings with important architectural heritage or features would be worth saving even if less than fifty years old.

Mr. Jordan noted that the code anticipated the pressures of development seen in this project and the code was put in place to prevent this type of development in this district particularly where it deals with historic buildings. He asked the Board not to allow the demolition.

Mr. Chuck Willard of the Sailboat Bend Civic Association stated that the association had created the neighborhood master plan in order to preserve the neighborhood. In the last 4 or 5 years there had been a development invasion. Mr. Willard wanted to maintain the neighborhood feeling that currently existed there.

Richard Loch, an original committee of Sailboat Bend Civic Association, gave some statistics regarding all of the buildings that existed in the neighborhood in 1990. 45% of the total 550 buildings in Sailboat Bend were considered historic at the time. 63% of the buildings were single-family homes with at least 50% open space on the lot. All of the single-family homes had been considered contributing or complementary to the district. Mr. Loch felt that if development of town homes were not halted, half of the homes in Sailboat Bend would be town homes. He felt town homeowners would not care about the historic district since they did not live in an historic home.

Mr. Saunders arrived at 5:40 p.m.

Mr. Paul Boggess stated that the two structures the owner wanted to demolish were unique. He also did not understand how the Board could approve any three-story structures in the historic district.

Mr. Rich Lundin wanted to know if the footprint of the building was right up to the setback. He felt the structures were beautiful but would be overbearing on that piece of property. He felt that they would not be able to retain the historic feeling of Sailboat Bend if developers were allowed to erect three-story buildings.

Ms. Veronica Sazera, Sailboat Bend resident, stated that the property owner was very nice and had tried to work with the residents to design new buildings that would be acceptable. She was concerned with both the owner's right to make money from his property and the neighbors' rights to maintain their historic neighborhood as they wanted.

Ms. Trish Blanchard, a realtor from Boca Raton, stated she had lived in Sailboat Bend 21 years ago. She felt that many of the homes in Sailboat Bend were maintained but many were not. She stated that she believed in nature and preservation but also that change was constant.

Master C. Sazera, Sailboat Bend resident, stated that the new building plans were nice, but he wondered why it had to be built in his neighborhood and asked that it be built elsewhere.

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. Nothard noted that she lived in Sailboat Bend and had seen many of the emails that were circulating about this project. She felt this property was in a place that was a sort of gateway to Sailboat Bend. She asked for further clarification from the Assistant City Attorney regarding the significant dates.

The assistant City Attorney stated that the dates in the study used to create the Sailboat Bend Historic District were 1913 to 1939. This was the "period of significance" for the Sailboat Bend Historic District. This property therefore fell outside of the period of significance for the Sailboat Bend study. Later on in the ordinance, the date of 1940 was used in the Section relating to material and design guidelines applying to new construction. The criteria for demolition did not mention dates or ages of property.

Ms. Nothard asked if there was any ability to expand the framework of the dates to accommodate the passage of time. The Assistant City Attorney stated that this issue had come up in the past few years and the ordinance did not make such a provision. There had been some discussion suggesting that the ordinance be changed to be compatible with the national 50 year standard but this recommendation had not officially been made.

Mr. Howard felt that the building was historic and unique and did contribute to the historic district by being complementary to it.

Mr. Saunders stated he had read Ms. Rathbun's notes, had viewed the property over the weekend and had seen the site and building plans. Mr. Saunders was concerned about the garages that faced Waverly Road. He also noted the huge trees on the property that the developer stated would be saved. Mr. Saunders pointed out that even though zoning permitted 35 feet in height, the neighborhood frowned upon three-story buildings.

Mr. Allica said the project had been designed with the existing trees in mind. The landscaping covered 52% of the lot. He noted that the project was sold out in its first version. The historical significance of the neighborhood and the trees had been major selling points. The building touched the setback requirements approximately one-third of the time; everything else fell behind the setbacks. Mr. Saunders asked if Mr. Allica had met with the neighborhood association about this project. Mr. Allica stated that the timing was off but they had met with the civic board and received their input. They were scheduled to meet with the civic association on February 21.

Mr. Welch felt that the structures were still too massive for the surrounding neighborhood and was concerned the project would appear out of place.

Mr. Jolly stated that he too had seen the emails regarding this project. He was also on the Broward Trust but was not involved in the decision Mr. Jordan referred to in his email. At the Sailboat Bend Civic Board meeting, the main discussion had been about the new building design, not demolition. He felt that not everyone there had been in favor of the project.

Mr. Jolly said he lived very near the existing building and felt it contributed. He asked the Assistant City Attorney if the code referred back to and was guided by the original study. Mr. Jolly read from the study, "Many of these post-1940 structures are a useful and necessary part of Sailboat Bend and quantify these as existing structures, making up 11.2% of the approximate number of structures."

The Assistant City Attorney said she didn't know what Mr. Jolly was reading, but the ordinance stated that guidelines were created from the Sailboat Bend Historic Study. Mr. Jolly felt the existing building could be considered contributing based on the study's words, not based on the dates of significance.

Mr. Fogel stated he was not convinced that the buildings were not contributing. He asked Ms. Rathbun's opinion on the buildings' significance notwithstanding the significant dates. Ms. Rathbun stated that if these buildings were being presented for consideration for historic designation in any neighborhood outside Sailboat Bend, she would look at the request with considerable interest. Robert Hansen was a significant architect in Fort Lauderdale. Since she was bound by the 1913 to 1939 rule, some things could not be considered. Mr. Fogel felt they would be setting a bad precedent to follow strict dates. He felt the buildings were not worthy of demolition, so he would not even consider the new construction.

Chair Eck stated he shared some of his fellow Board members' concerns regarding the primary issue of demolition. Concerning the criteria for demolition, the stipulation that the "designated property no longer contributes" implied that the property had once contributed. They were now

discussing whether the property had every actually contributed. He felt the Board could not know what the consultants who created the report in 1990 intended.

Chair Eck also differed with Ms. Rathbun regarding the meaning of the demolition criteria and the significance of Robert Hansen, the architect of the existing buildings. He suggested that the Board examine the Sailboat Bend Historic District Report prior to making a final decision on this project. The Board could then consider how that report related to the criteria spelled out in the code. He also wished to obtain information about Robert Hansen to consider his contribution.

Ms. Nothard felt it reasonable to challenge the notion that the buildings and site were not architecturally significant. She did not believe the Board had been given sufficient proof that the redevelopment was of major benefit to the historic district. It therefore did not meet the criteria for demolition.

Mr. Saunders felt the Board must rely on the advice of Ms. Rathbun and the Assistant City Attorney.

Mr. Allica sated that they came into the project knowing the sensitivity of the neighborhood. They had understood from the beginning, based on meetings with City staff, that demolition was to be allowed as the property and buildings were outside the historic designation. This discussion was therefore startling.

Motion made by Mr. Fogel, and seconded by Mr. Saunders to approve the application for a certificate of appropriateness for demolition. In a roll call vote the motion failed 1 to 7 as follows: Yeas: Mr. Saunders. Nays: Ms. Dandy, Mr. Jolly, Mr. Fogel, Ms. Nothard, Mr. Welch, Mr. Howard and Chair Eck.

Motion made by Mr. Fogel, and seconded by Mr. Saunders to approve the application for a certificate of appropriateness for new construction. In a roll call vote the motion failed 1 to 7 as follows: Yeas: Mr. Saunders. Nays: Ms. Dandy, Mr. Jolly, Mr. Fogel, Ms. Nothard, Mr. Welch, Mr. Howard and Chair Eck.

Chair Eck requested that prior to their March meeting, City staff provide the members of the Board with copies of the Sailboat Bend Historic District report from 1990 so the Board could discuss the interplay between that and the district guidelines as they were encompassed by the ordinances pertaining to Sailboat Bend.

3.	Owner:	Brent A. Williams	Case No. 1-H-05 (SB)
		Brenwill Flats	
	Location:	1123 West Las Olas Boulevard	
	Request:	Certificate of Appropriateness for Demolition: <ul style="list-style-type: none">▪ Demolition of one (1) single-family residence Certificate of appropriateness for New Construction: <ul style="list-style-type: none">▪ Three three-story residential units	
	Zoned:	RML-25 / Sailboat Bend Historic District Overlay	
	Legal:	<u>Waverly Place</u> . Block 111, Lots 11 to 14, less North 37.5'. P.B. 2. P. 19 (D).	

Mr. Cromar explained that the owner was requesting two COAs for Brenwill Flats at 1123 West Las Olas Boulevard. The first was for a COA for Demolition of an existing one-story single-family building. The second was for a COA for New Construction of three (3) three-story townhouse units. The proposed buildings complied with the required setbacks, and the application did not include a request for yard setback modifications.

Ms. Rathbun stated that the 1928 Sanborn Fire Insurance Map and the 1963 (updated) Sanborn Map for the City of Fort Lauderdale showed three wood frame structures at this address. Two of these structures had since been removed from the site. The remaining house's footprint resembled that of the house shown at the rear of the lot on the 1928 map. This building may have been moved forward when the other two structures were removed.

Ms. Rathbun added that nothing at this address was listed on the City of Fort Lauderdale historic surveys, the Florida Master Site File or in the SBHD Study, but the houses were listed under the addresses 230 and 232 Southwest 12th Avenue. It was uncertain if the remaining house was one of the houses shown on the 1928 Sanborn map. There was some anecdotal evidence that the house had been moved to its present position, but it was never indicated whether it was moved from another location or within the lot. The house was vernacular in style, characteristic of building styles in the early period of this district.

Since the owner had requested demolition for the existing building, Ms. Rathbun stated that the Board needed to consider Section 47-24.11.C regarding the criteria for demolition: The designated property no longer contributed to an historic district, the property or building no longer had significance as an historic architectural or archeological landmark, or the demolition or redevelopment project was of major benefit to an historic district.

The applicant had also requested a Certificate of Approval for a three-story, three unit town home project. Ms. Rathbun then described the design specifications and materials to be utilized in the town homes' construction.

Mr. Ron Mastriana, attorney for the owner, stated that he and Leo Hansen had been working on the project for over a year, trying to create a project that was appropriate for the neighborhood.

Mr. Leo Hansen, architect, explained that his client had originally planned to remodel the home, but several alterations to the original structure had been made over the years, such as the removal of the original cypress siding, replacement of doors and windows, installation of air conditioning units, and remodeling of the bathrooms and kitchen. The flooring was in such a state of disrepair that it could not be restored and some interior walls had been replaced by paneling and drywall. Even if an attempt were made to restore the structure, the house was only about 1,000 square feet, and Mr. Hansen stated that "the people that would have the money to buy that kind of lot can't live in a thousand square feet these days."

The town homes designed for the project was three-story and designed to appear as two-story, single-family residences. Mr. Hansen explained the construction of the house and noted that parking was at the rear of the buildings, which maintained the existing pedestrian neighborhood character.

Chair Christopher Eck proceeded to open the public hearing.

Mr. Boggess noted that the 1990 Sailboat Bend survey did not include any buildings west of 11th Avenue. Many of the buildings considered for the historic district were not on the survey. Mr. Boggess was opposed to any three-story buildings; he felt they did not belong in the neighborhood.

Mr. Don Wilkin, Sailboat Bend resident, stated that he had assisted in authoring the original ordinance. He felt they must go back occasionally and reaffirm the basis for the ordinance and the design guidelines. Mr. Wilkin felt that this was an obvious contributing structure in the neighborhood.

Mr. James Douglas, who lived right next door to the property, stated that the property had been in good condition, but the owners had not maintained it since the last hurricane.

Mr. Jordan stated that the Broward Trust felt they should not be trading an historic building for another project. He complimented Mr. Hansen for the design but said he wanted to maintain the integrity of the district. He noted that Robert Hansen had assisted in preparation of the Sailboat Bend study. The study recognized that in order for the neighborhood to continue as a historic district, they must protect the buildings that were original. Mr. Jordan did not believe this property met the criteria for demolition which stipulated that the building no longer contributed to the historic district.

As to whether the redevelopment project was of major benefit to the historic district, Mr. Jordan said this was the decision to be made by the Board: Did the benefit of this project outweigh the historic value of the existing building?

Mr. Guy Erdman, who lived across the street from this property, stated he had begun with the same situation when he purchased his home and had successfully remodeled. He felt this house could be remodeled as well.

Mr. Mark Filman, neighbor, stated that he was a bit resentful that they needed to keep coming to Board meetings for projects like this. His own home had undergone successful extensive restoration.

Mr. Clint Cropper, neighbor, stated that he had bought his house a year ago and restored it. He felt the existing house was beautiful and could be restored to become an amazing, historic home.

Mr. David Walley stated that Sailboat Bend was already one of the most densely populated areas of Fort Lauderdale; he wondered if they should be building more multiple family dwellings here. He asked why no one was demolishing older homes and building new one or two-story single-family homes. He suggested that some of the shotgun style multiple unit apartment buildings be demolished and replaced with town homes.

Ms. Sazera felt that unfortunately, some of the older homes were falling into the hands of developers; she hoped that the word would spread that this was an historic neighborhood that should be protected and maintained.

Mr. Nick Carter, neighbor, stated that he had recently restored his house. He thought this house was not in particularly bad shape. He remarked on the number of American visitors to England and Europe who were fascinated by older architecture and he felt this was because "anything here that's not spic and span is just being torn down, and if that continues, you'll have no history."

Mr. Mastriana felt it was not clear that this house was indeed historic. He felt the argument here was not about this structure, it was about the RML zoning that allowed 25 units to the acre. Mr. Mastriana felt the project would add a lot to the neighborhood.

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. Dandy felt the Board needed clear, unified descriptions of what was acceptable to meet the Sailboat Bend criteria.

Ms. Nothard asked Ms. Rathbun if she had visited the house in question and Ms. Rathbun said she had not, but this style of house was built from the early twentieth century until the early 1970s; Ms. Rathbun could not accurately guess the age of this particular house. Ms. Nothard asked Mr. Hansen if he had done research to determine the building's age. Mr. Hansen said the oldest record he found in the Fort Lauderdale microfilm records related to a foundation repair in 1945.

Ms. Nothard felt the existing building's character seemed emblematic of Sailboat Bend and acknowledged that this issue was separate from discussion about the building's structural integrity. She felt it would go against the intention of the ordinance, which was to save the character of the neighborhood.

Mr. Saunders asked Ms. Rathbun if she felt the existing home contributed to the neighborhood. Ms. Rathbun wished that she could identify the house on the Sanborn map; she had questions about this house since it was not visible on the map. Mr. Saunders said he was surprised the developer had proposed this project as he felt Ms. Rathbun's comments intimated that the existing building was contributing. Mr. Saunders had been prepared to suggest that the developer redesign the project leaving the existing structure as it was and juxtaposing it with new buildings.

Mr. Welch felt the structure did contribute to the area and thought the house was probably 60 years old at least. He would rather see a project that retained the original structure and added some new construction.

Mr. Jolly announced that he had received a copy of an email sent to Mayor Naugle and Commissioner Hutchinson from Mr. Brent Williams. In the letter, Mr. Williams referred to his discussions with other property owners regarding their property rights and their thoughts to sue

the Historic Preservation Board. Mr. Jolly informed Mr. Williams that he was on the Historic Preservation Board and could not comment on his project. Mr. Jolly asked the Assistant City Attorney what protection the members of the HPB had against being sued individually. The Assistant City Attorney informed him that the City of Fort Lauderdale would be the defendant in any lawsuit.

Mr. Jolly complimented Mr. Hansen on the new building's design, but stated he felt the existing home was contributing. He also noted that other home in the area in worse shape had been successfully restored. Mr. Jolly took exception to remarks that no one wanted to live in 1000 square foot house and noted that some 700 square foot studio apartments were currently being sold for \$250,000 and someone had offered \$2,500 per month rent for a 900 square foot house that Mr. Jolly owned on West Las Olas.

Mr. Fogel said he was not convinced that this house lacked historic significance. He did not feel the applicant had given the Board sufficient information to convince them that the house should be torn down.

Mr. Saunders stated he did not intend to be "intimidated by some oaf that's going to threaten me with a lawsuit or the rest of this Board, or the City, because of a decision or a choice that we make."

Mr. Fogel wanted to point out that what was happening on the Lennar project was very different from this project. The Lennar property had been 13 vacant acres and no historic structures had been lost. It was unfair to think that approval of the Lennar project would mean other projects now had carte blanche. Ms. Nothard noted the HPB had voted 10 – 0 against the Lennar project; the City Commission had made the final decision to allow the project.

Chair Eck stated that he too, was not convinced that the existing home did not meet guidelines set for the Sailboat Bend Historic District. He complimented Mr. Hansen on the project's design but noted that he was not convinced that demolition should be allowed on the existing structure.

Motion made by Mr. Fogel, and seconded by Mr. Saunders to approve the application for a certificate of appropriateness for demolition. In a roll call vote the motion failed 0 to 8 as follows: Yeas: None. Nays: Mr. Saunders, Ms. Dandy, Mr. Jolly, Mr. Fogel, Ms. Nothard, Mr. Welch, Mr. Howard and Chair Eck.

Motion made by Mr. Fogel, and seconded by Mr. Saunders to approve the application for a certificate of appropriateness for new construction. In a roll call vote the motion failed 0 to 8 as follows: Yeas: None. Nays: Mr. Saunders, Ms. Dandy, Mr. Jolly, Mr. Fogel, Ms. Nothard, Mr. Welch, Mr. Howard and Chair Eck.

II. **Other Business - None**

III. **For the Good of the City**

Ms. Nothard advised members of the public who were present that if there was interest in changing the existing ordinance, they should make recommendations to the HPB.

Mr. Fogel advised members of the public that they might not understand the position the Board was put in and what weighed on them in making their decisions. The Board might appear as scapegoats or bad guys in some of the decisions. He thanked the neighbors for appearing and encouraged them to come speak about issues they felt strongly about.

Chair Eck remarked that all government was "of the people" and if the public had a desire to change something that the City used for guidelines in making decisions, members of the public should speak to their Commissioners and petition the City Commission with their proposals.

Mr. Cromar announced that the Mayor had his State of the City address this evening at Joseph C. Carter Park and an advisory board reception would follow but was unsure of this event was still going on.

Mr. Cromar informed the Board that the City Commission would review the recommendation for historic designation for the property at 401 Northwest 7th Avenue on February 15 at 6 p.m. This proposal had come before the HPB in January.

Mr. Cromar announced that Mike Ceisielski, former liaison to the HPB, would now work with Mr. Cromar in assisting the HPB.

Mr. Cromar advised that the owner of the Sailboat Landing property on Southwest 4th Court that had come before the HPB in January had cancelled the project and there was a new owner.

Pursuant to the Board's request in January, Mr. Cromar had provided Board members with a checklist of items to be included with applications. Staff had recently determined that from now on, applicants would be required to provide the same documentation needed for a Development Review Committee review.

Chair Eck felt that in addition, if there was additional information to be obtained from City records, that information should also be included in applications. Applicants could be advised by City staff where to seek this information.

Chair Eck suggested that the Board have a workshop at their March meeting regarding the Sailboat Bend Historic District guidelines and the applicable ordinances. He asked Mr. Cromar to forward this information to Board members in advance of the next meeting.

Mr. Fogel asked the Assistant City Attorney what latitude Ms. Rathbun had in making her recommendation; did she have the ability to investigate the issues further if she had questions. The Assistant City Attorney replied that Ms. Rathbun was permitted to do whatever she deemed necessary to investigate each case.

There being no further business to come before this Board, the meeting was adjourned at approximately 7:52 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.