

**Historic Preservation Board  
City of Fort Lauderdale  
Monday, April 3, 2006- 5:00 P.M.  
City Hall  
First Floor Conference Room  
100 North Andrews Avenue  
Fort Lauderdale, Florida**

<b>Board Members</b>	<b>Present/Absent</b>	<b>2006 Cumulative Attendance</b>		
		<b>P</b>	<b>A</b>	<b>Total</b>
Carolyn Dandy	P	4	0	4
Mary-Jane Graff	P	4	0	4
Nolan Haan	P	4	0	4
Bill Howard	A	3	1	4
Joanne Johnsen	P	1	0	1
Daryl Jolly, Vice Chair	P	4	0	4
Susan Jordan	P	4	0	4
Tom Welch	P	4	0	4
Clay Wieland	A	3	1	4
William Saunders, Chair	P	4	0	4

**Staff Present**

James Cromar, Staff Liaison to HPB  
Assistant City Attorney  
Merrilyn Rathbun, Fort Lauderdale Historical Society, Consultant to HPB  
Sandra Goldberg, Recording Secretary

**Call to Order**

Chair Saunders called the meeting of the Historic Preservation Board to order at 5:01 p.m.

**Approval of Minutes of March 2006 Meeting**

**Motion** made by Mr. Welch, seconded by Mr. Haan, to approve the minutes of the March 2006 meeting. Roll call vote showed: Yeas: Ms. Dandy, Ms. Graff, Mr. Haan, Ms. Johnsen, Mr. Jolly, Ms. Jordan, Mr. Welch, Chair Saunders. Nays: None. Board approved (8-0).

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

**I. Cases**

1. **Applicant:** Broward Trust for Historic Preservation **Case No. 3-H-06**  
**Location:** 2220 N. Atlantic Boulevard  
Ireland's Inn  
Request: Historic Designation  
Zoned: RMH-60  
Legal: Lauderdale Beach, Block 17, Lots 6-9, P.B. 4, P.2.

Mr. Cromar advised the Board that the property owner had requested a 30-day deferral that would effectively move the case onto the Board's May 1, 2006 agenda. Chair Saunders felt the owner had expressed valid reasons for deferral.

Mr. Jolly recused himself from this case due to a conflict.

Mr. Cromar confirmed that the applicant was not present and had informed staff that it did not object to deferral.

**Motion** made by Mr. Welch, and seconded by Mr. Haan to defer the case to the May 1, 2006 meeting. Roll call vote showed: Yeas: Ms. Dandy, Ms. Graff, Mr. Haan, Ms. Johnsen, Ms. Jordan, Mr. Welch, Chair Saunders. Nays: None. Board approved (7-0) with Mr. Jolly abstaining.

2.     **Applicant:**     Justin J. Mathurin                                     **Case No. 8-H-06 (SB)**  
Location:           225 SW 12 Avenue and 1204 SW 2 Court  
Request:            Certificate of Appropriateness for Demolition
- Multifamily residence at 225 SW 12 Avenue
  - Single-family house at 1204 SW 2 Court
- Zoned:              RML-25 (Sailboat Bend Historic District overlay)  
Legal:              Waverly Place, Block 110. Lots 25,26,27, and 28.  
                      P.B. 2, P. 19. D.

Mr. Cromar said that this case was a request for a Certificate of Appropriateness for Demolition of two separate structures, both of which were in the Sailboat Bend Historic District: a multifamily residence at 225 SW 12 Avenue, and a single-family house at 1204 SW 2 Court. He said that in addition to considering the SBHD Material and Design Guidelines in Section 47-17.7, the Board should consider the criteria for demolition in Section 47-24.11.C.4.c.i-iii. Mr. Cromar advised the Board to make separate motions for each COA.

Ms. Rathbun informed the Board that houses at 225 SW 12 Avenue and 1204 SW 2 Court both appeared on the 1928 Fort Lauderdale Sanborn Fire Insurance Map, so they were built during the period of significance for the SBHD.

Ms. Rathbun noted that from the photographs included with the application, it appeared that the frame house at 225 SW 12 Avenue was demolished and replaced with a one-story four-plex. She said that from the photographs, it appeared that the house at 1204 SW 2 Court been altered extensively and the frame porch had disappeared. She cited the provisions of the ULDR for the criteria for a COA for Demolition - Section 47-24.11.C.4.c.i-iii. Ms. Rathbun informed the Board that Criteria i. and ii. applied in this case.

The owner, Mr. Justin Mathurin, said that he wished to demolish the multi-unit dwelling to build another structure that would beautify the area. He hoped to bring architectural plans for the new building to the Board's next meeting.

Chair Saunders proceeded to open the public hearing.

Mr. Kona Gray, a Sailboat Bend resident, stated that he and his wife agreed with the demolition of the existing structure, but wanted more information on the new structure.

There being no one else from the public wishing to speak on the item, Chair Saunders brought the discussion back to the Board.

Chair Saunders asked Ms. Rathbun about the discrepancy in the Sanborn maps. Ms. Rathbun explained that it appeared the original frame house at 225 SW 12 Avenue was completely removed before the Sailboat Bend Historic District was created and several alterations had been made to the property that were not enhancements to the neighborhood.

Mr. Haan remarked that he had gone by the property. He said that as it existed, there were no historic qualities about it and he had no objection to demolition. Several Board members concurred.

**Motion** made by Mr. Haan, and seconded by Ms. Dandy to approve demolition of the multi-family residence at 225 SW 12 Avenue, based on Section 47-24.11.C.4.c.i and ii. Roll call vote showed: Yeas: Ms. Dandy, Ms. Graff, Mr. Haan, Ms. Johnsen, Mr. Jolly, Ms. Jordan, Mr. Welch, Chair Saunders. Nays: None. Board approved (8-0).

**Motion** made by Mr. Haan, seconded by Ms. Dandy, to approve demolition of the single-family residence at 1204 SW 2 Court, based on Section 47-24.11.C.4.c.i and ii. Roll call vote showed: Yeas: Ms. Dandy, Ms. Graff, Mr. Haan, Ms. Johnsen, Mr. Jolly, Ms. Jordan, Mr. Welch, Chair Saunders. Nays: None. Board approved (8-0).

- 3. Applicant:** Mary Ellen Clark and Amy Straut (donors) Case No. 9-H-06 (SB)  
Mitchell Lambert (recipient)
- Location: 213 SW 9 Avenue
- Request: Certificate of Appropriateness for Relocation:
- Relocation of one-story structure (approx. 490 sq. ft.) to 734 SW 2 Court
  - Request for yard modification
    - Rear yard (reduction from 15' to 5')
    - Side (corner) yard (reduction from to 12.5' to 5')
- Zoned: RML-25
- Legal: Waverly Place, Block 114, Lots 1-6 and ½ of vacated alley north of said Lots. P.B. 2 P. 19.D. and Bryan's Subdivision of Block 22, Lot 35, P.B. 1 P. 29. D.

Mr. Cromar explained that this case was a request for a Certificate of Appropriateness to relocate a one-story structure from 213 SW 9 Avenue to 734 SW 2 Court. Mr. Cromar advised the Board to consider the Material and Design Guidelines for the Sailboat Bend Historic District in Section 47-17.7, the application for yard and minimum distance separation reduction in Section 47-17.5, as well as the general criteria for a COA in Section 47-24.11.C.3.c.i, and the additional guidelines regarding relocation from Section 47-24.11.C.3.c.iv.

Mr. Haan recused himself from this case due to a conflict.

Ms. Rathbun explained that the cottage was shown on the 1937 Sanborn Fire Insurance Map but there was no Florida Master Site File for the building. She described the cottage as a one-story frame vernacular, side-gabled accessory structure that had been recently restored.

Ms. Rathbun continued that the applicant was requesting a COA to relocate the building to 734

SW 2 Court, one block east of its current site. She noted that another historic house at 215 SW 7 Avenue had already been approved for relocation to the same site. Ms. Rathbun said that she thought the lot was large enough to accommodate both the cottage and the historic house. She added that the historic house, which was built for Judge Fred Shippey, was a side gabled, wood frame structure with a shed roof dormer and hipped roof front porch. Ms. Rathbun explained that since the original survey in 1985, the front porch, which had been enclosed and given an exterior brick veneer, had been opened and restored to its probable original appearance with wood posts and balusters.

Ms. Rathbun cited the provisions of the ULDR for additional guidelines for a COA for Relocation - Section 47-24.11.C.3.c.iv.a-d. She explained that the siting of the cottage would be to the rear of the historic house, at the south end of the lot, and would face SW 8 Avenue. She stated that his relocation met the four criteria.

Ms. Rathbun cited the provisions of the ULDR - Section 47-17.5 for Application for yard and minimum distance separation reduction. She explained that the applicant was requesting two yard modifications: a rear setback reduction to 5 feet from 15 feet, and a side setback reduction to 5 feet from 12.5 feet. She said that the setback reductions would accommodate two mature oak trees on the property. Ms. Rathbun stated that the relocation was appropriate in the Sailboat Bend Historic District.

Mr. Mitchell Lambert, co-owner of 734 SW 2 Court, stated that the relocation would enhance the buildings' historic quality. He explained that Ms. Mary Ellen Clark had two historic cottages on a lot one block to the west of his property. He added that Ms. Clark wanted to sell her property to a developer, who in turn wanted to move the cottages to properties that would enhance Sailboat Bend. Mr. Lambert explained that the small cottage would move to his lot. He requested two setback modifications to preserve two large oak trees on the property. He informed the Board that the Planning and Zoning Board had already approved the setbacks and that they were consistent with other historical properties. He said that he thought the cottage would complement his main house and enhance the street.

Chair Saunders proceeded to open the public hearing. There being no members of the public wishing to speak on the item, Chair Saunders brought the discussion back to the Board.

Mr. Welch said that he thought this was an appropriate relocation that would save old structures that had a lot of character.

**Motion** made by Mr. Welch, and seconded by Ms. Graff to grant permission to relocate the structure located at 213 SW 9 Avenue to 734 SW 2 Court, as it met the criteria of Section 47-24.11.C.3.c.iv.a, b, c and d; and to approve the reduction of the side yard setback to 5 feet, based on Section 47-17.5.B.2 and the reduction of the rear yard setback to 5 feet, based on Section 47-17.5.B.3. Roll call vote showed: Yeas: Ms. Dandy, Ms. Graff, Ms. Johnsen, Mr. Jolly, Ms. Jordan, Mr. Welch, Chair Saunders. Nays: None. Board approved (7-0) with Mr. Haan abstaining.

4.     **Applicant:**     Mary Ellen Clark and Amy Straut (donors)     Case No.10-H-06 (SB)  
                          Alex Glass (recipient)  
           Location:     213 SW 9 Avenue  
           Request:     Certificate of Appropriateness for Relocation:

- Relocation of one-story structure (approx. 1440 sq. ft.) to 233 SW 9 Avenue
- Request for yard modification
  - Front yard (reduction from 25' to 15')

Zoned: RML-25

Legal: Waverly Place, Block 114, Lots 1-6 and ½ of vacated alley north of said Lots. P.B. 2 P. 19.D. and  
Waverly Place, Block 113, Lots 1-4, P.B. 2 P. 19 D.

Mr. Cromar informed the Board that this was a request for a COA for Relocation of a structure from 213 SW 9 Avenue to 233 SW 9 Avenue. There was also a request for a front yard setback from 25 feet to 15 feet. He advised the Board to consider the Material and Design Guidelines for the Sailboat Bend Historic District in Section 47-17.7, the application for yard and minimum distance separation reduction in Section 47-17.5, as well as the general criteria for a COA in Section 47-24.11.C.3.c.i, and the additional guidelines regarding relocation from Section 47-24.11.C.3.c.iv.

Mr. Haan recused himself from the case due to a conflict.

Ms. Rathbun informed the Board that the house was now located on the recipient's lot at 233 SW 9 Avenue. She noted that the house was moved to this location from 820 SW 4 Place years ago. She described the house as a one and a half-story massed plan, side gabled frame vernacular. Ms. Rathbun felt the house was important for its association with the Nininger family and also because it was a good example of houses built in the period of significance, 1913 to 1940, for the SBHD.

Ms. Rathbun explained that the house to be relocated from 213 SW 9 Avenue to 233 SW 9 Avenue was a circa 1925 frame vernacular with an irregular footprint and multiple gable roofs. Ms. Rathbun noted that the house has been recently restored and was a good example of houses built in the period of significance for the SBHD.

Ms. Rathbun continued that the applicant had included a location map showing both the donor site and the destination site, and a site plan of the destination site. She said that to accommodate the relocated house, a non-historic carport attached to the Nininger House would be removed.

Ms. Rathbun cited the provisions of the ULDR for additional guidelines for a COA for Relocation - Section 47-24.11.C.3.c.iv.a-d. Ms. Rathbun felt the proposed relocation met the four criteria.

Ms. Rathbun cited the provisions of the ULDR - Section 47-17.5 for Application for yard and minimum distance separation reduction. She noted that the applicant was asking for a front yard setback reduction from 25 feet to 15 feet. She said that she thought the request was appropriate under criteria 1 and 2. Ms. Rathbun said that she thought that the relocation was appropriate in the SBHD.

Mr. Cromar stated that the HPB's decision would be included in the applicant's case when it was sent to the Board of Adjustment.

Mr. Alex Glass, applicant, stated he had considered an addition to the house but felt that this would not have served the historic integrity of the house. Mr. Glass explained that Mary Ellen Clark was going to give him the house sitting one block north of his house. He said that he

thought that moving this house to the Ninger lot was the best use of the lot without interfering with the historical integrity. He added that this also allowed Ms. Clark to make the best use of her property, allowing her to sell it to a developer.

Mr. Glass explained that the front yard modification was in keeping with the current setback and maintained the eastward façade as it was now. He added that he was also requesting the side yard modification to 5 feet to allow the two structures to share an open courtyard. Mr. Glass remarked that both setback modifications were permitted under Section 47-17.B.2. He said that he thought that this was consistent with other houses and setbacks in the neighborhood. Mr. Glass said he was aware that they would be required to appear before the Board of Adjustment to approve the two structures on one lot. He said that he thought that a recommendation from the HPB would help to obtain approval from the Board of Adjustment.

Chair Saunders proceeded to open the public hearing. There being no members of the public wishing to speak on the item, Chair Saunders brought the discussion back to the Board.

Mr. Cromar said that the Board did not need to grant a side-yard reduction since the ULDR permits the proposed 5-foot side yard setback.

Mr. Welch said that he thought that the plan would give the home the proper setting and that it would be compatible with the neighborhood.

**Motion** made by Mr. Welch, seconded by Ms. Graff, to grant permission to relocate the structure located at 213 SW 9 Avenue as it met the criteria of Section 47-24.11.C. 3.c.4.a, b, c and d, and to approve the reduction of the front yard setback from 25 feet to 15 feet; based on Section 47-17.5.B.2, contingent upon approval by the Board of Adjustment. Roll call vote showed: Yeas: Ms. Dandy, Ms. Graff, Ms. Johnsen, Mr. Jolly, Ms. Jordan, Mr. Welch, Chair Saunders. Nays: None. Board approved (7-0) with Mr. Haan abstaining.

## **II. Other Business**

Presentation of the THKO office building proposal and its potential impact on the neighboring historic resources.

### **Las Olas and Andrews LLC.**

DRC Case No. 89-R-05

Zoned: RAC-CC

Location: 1 West Las Olas

Mr. Cromar informed the Board that this item pertained to the THKO Building, a proposed development at 1 West Las Olas. He said that pursuant to Objective 11, Policy 11.3 of the Historic Preservation Element of the Comprehensive Plan, all proposed impacts to historic resources shall be reported to the Historic Preservation Board for review and comment.

Mr. Cromar announced that Ms. Rathbun would fill in for Ellen Ugucconi from Janus Research, who could not attend.

Mr. Michael Madfis, architect for the project, presented a rendering and described the project. He explained that their consultant had confirmed that there would be no adverse impact from this project.

Chair Saunders said he liked the design, but wondered where the parking would be. Mr. Madfis stated that there was no parking at the site since the site was only 5,000 square feet. He said that parking would be leased at the nearby parking structure. He noted that in this zoning district, no parking was required.

Chair Saunders said that he thought that this project would be another asset to downtown. Mr. Haan said that he thought it was a very nice looking building.

Ms. Rathbun referred to Ms. Uguccioni's report, stating that she had found no impacts to the Bryan Building, Sweet Building, Weidling Building or McCrory Building. Ms. Rathbun said that the report stated that the THKO building base was distinguished with color and a metal grill, but that these treatments too vague to create a distinctive separation between the two stories.

Ms. Rathbun cited additional recommendations from Ms. Uguccioni:

- ❖ Consider other ways to make the building base stand out
- ❖ Consider a lighter blue window tint
- ❖ Explore some treatment to enliven the west and north facades

Ms. Rathbun concluded, stating that the proposed THKO Building had no effect on the historic character of the Bryan Building, but there may be opportunities to better integrate it into its proposed location.

Mr. Madfis agreed that his consultant would take note of these suggestions and would devise an appropriate solution.

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

Mr. Cromar introduced new Board member Joanne Johnsen.

Mr. Welch referred to the hearing at the last meeting for the designation application for the Jolly Roger. He remarked on the applicant's commentary regarding tangential issues such as economic vitality and structure of the property. He said that he thought that the Board should focus on designation based on specific criteria only.

The Assistant City Attorney noted that it was the property owner who was trying to make the point that the building was not designed by a master builder. Mr. Welch said that he thought perhaps they should limit the speaking time in the future. Chair Saunders noted that everyone who came before the Board must be afforded the opportunity to speak, and the Board should listen to it all in order to make their decision. The Assistant City Attorney stated that if they were to limit the time allotted for one party, that party could claim he or she was denied due process.

Chair Saunders pointed out that a group such as the Broward Trust could apply for historic designation for a building and the owner could have no say in the matter. He said that the owner was then forced to go to some lengths to prove that this action would harm him in order to prevent the designation. The Assistant City Attorney replied that the owner should address the criteria for designation only. She said it was irrelevant to bring up information demonstrating the designation was an economic hardship, since this was done during the application for Certificates of Appropriateness. She cautioned the Board against any time limit for the applicants or owners.

The Assistant City Attorney reminded the Board that allowing sufficient time for presentations helped decrease the likelihood that a decision would be overturned on appeal based on a denial of due process.

Mr. Welch said he had witnessed other Boards cautioning applicants not to discuss economic hardship before them as it was inappropriate and he felt they should remind applicants that they did not consider this in their decision.

Mr. Haan, referring to Mr. Glass's case, noted that the practice of placing multiple structures on single lots was only recently being restricted in Sailboat Bend. He asked the Assistant City Attorney if the Board could make a resolution that it was historically appropriate in Sailboat Bend for more than one historic house to occupy one lot. The Assistant City Attorney noted that the ordinance prohibited this and the HPB could not write or alter ordinances. She advised the Board to make a recommendation that the City Commission review the portion of the ordinance that prohibited this and perhaps create some form of special exception in Sailboat Bend only.

The Assistant City Attorney said that the Sailboat Bend Historic District Study contained the documentation of historical development patterns that served as the foundation for the SBHD Overlay District. She added that to change the SBHD ordinance language, the Sailboat Bend community would need to document a pattern of multiple primary structures on a single property. Mr. Cromar said that he had discussed the presumed pattern with several Sailboat Bend community members and asked them to provide addresses of properties that met this condition. He added that Board members should pass any addresses on to the Historical Society consultant Ms. Rathbun to determine whether there was a pattern of this type in Sailboat Bend.

There being no further business to come before the Board, the meeting was adjourned at 6:27 p.m.

Chairman

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William Saunders, Chair

Attest:

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Sandra Goldberg [for Jamie Opperlee, Recording Secretary]