

**Historic Preservation Board  
City of Fort Lauderdale  
Monday, September 17, 2007 - 5:00 P.M.  
City Hall  
First Floor Conference Room  
100 North Andrews Avenue  
Fort Lauderdale, Florida**

<u>Board Members</u>	<u>Attendance</u>	<u>Cumulative Attendance</u>	
		<u>Present</u>	<u>Absent</u>
Nolan Haan, Chair	P	7	0
Daryl Jolly, Vice Chair	P	5	2
Jay Adams [5:20]	P	4	2
Andy Cole	P	3	0
Carolyn Dandy	P	5	2
Mary-Jane Graff	A	6	1
Pat Hale	A	5	1
Marie Harrison	P	1	1
Joanne Johnsen	A	6	1
Susan Jordan	P	6	1
Clay Wieland	P	6	0

**City Staff**

Michael Ceisielski, Staff Liaison to the HPB  
Assistant City Attorney  
Pat Garbe Morillo, Staff Liaison to the HPB  
Stacey Hines Ramsey  
Merrilyn Rathbun, Fort Lauderdale Historical Society, Consultant to HPB  
Liz Rivera, Recording Secretary

**Guests**

Bernard Petreccia	David Parker
Chris Palamara	Paul Bogges
Alyssa Plummer	Sandra Castille
Louis Aurigemma	

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For the Good of the City

## Call to Order

Chair Haan called the meeting of the Historic Preservation Board to order at 5:00 p.m.

All members of the public wishing to address the Board on any item were sworn in.

## Approval of Minutes of August 2007 Meeting

**Motion** made by Ms. Johnsen, seconded by Mr. Wieland, to approve the minutes of the Board's August 2007 meeting. In a voice vote, the motion was approved unanimously.

### I. Cases

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1. **Applicant:** Bernard Petreccia **Case No. 8-H-07 (SB)**  
**Owner:** Bernard Petreccia  
**Location:** 11 SW 11th Street  
**Request:** Certificate of Appropriateness for Demolition  
    • Demolition of three (3) structures.  
**Zoned:** RMM-25 (Sailboat Bend Historic District)  
**Legal:** Lots 1, 2, 3, 4, 5, and east 5' of Lot 6 and south ½ of vacated alley, Block 124, Waverly Place, P.B. 2, P. 19D.

Ms. Morillo stated this was a request for a Certificate of Appropriateness (COA) for Alteration for Demolition of the three (3) houses. She advised the Board to consider Section 47-24.11.C.4.c.i-iii. of the ULDR of the City of Fort Lauderdale, and the General Criteria for a COA in Section 47-24.11.C.3.c.i. a-f. of the ULDR of the City of Fort Lauderdale when considering whether to grant a Certificate of Appropriateness for a Demolition.

Ms. Rathbun explained the applicant was requesting demolition of three houses under Section 47-24.11.C of the ULDR of the City of Fort Lauderdale:

#### Section 47-24.11.C

##### Demolition

##### Criteria—Demolition

- i. The designated property no longer contributes to a Historic District
- ii. The property or building no longer has significance as a historic architectural or archeological landmark; or
- iii. The demolition or redevelopment project is of major benefit to a historic district

Ms. Rathbun informed the Board that the property at the southeast corner of SW 11th Street and SW 11th Avenue was the site of three one-story folk houses. A four-square

hipped roof frame vernacular house with a large enclosed porch, with a clipped gable roof appeared on the 1928 Sanborn Fire Insurance Map for Fort Lauderdale. The other two houses were: a wood framed, side gabled cottage at the south west corner and a hipped roof concrete vernacular house at the north west corner of the lot. Ms. Rathbun stated all three houses appeared on the (updated) 1937 Fort Lauderdale Sanborn Map.

Ms. Rathbun explained that all three structures retained much of their original character. She noted that none of the houses was listed in the City's historic surveys or on the FMSF, but all three were built during the period of significance (1913 to 1940) for the Sailboat Bend Historic District and were considered significant within the SBHD. Ms. Rathbun informed the Board that the first two criteria, i. and ii., under Section 24-11. C. 4. c Demolition, did not apply in this case.

Ms. Rathbun said the applicant stated that the buildings had been condemned by the City of Fort Lauderdale Code Enforcement and that there were structural failures. There were numerous broken windows and the side gabled house has a blue tarpaulin indicating roof damage. The applicant had not indicated whether this damage was from Hurricane Wilma (2005) or was more recent.

Ms. Rathbun advised the Board that that the first two criteria did not apply in this case, so the board must determine if the applicant had presented enough evidence under criterion iii. to demolish the structures.

Mr. Bernard Petreccia, applicant, distributed copies of the building permits and explained the buildings were erected prior to 1940. In 1940 one of the buildings [number 2] was converted to a duplex. At some later date building number 1 was converted to a duplex as well.

Mr. Petreccia said he had purchased the property in May 2002, and in 2005 during hurricane Wilma, a ficus tree had fallen on top of building number 3. Mr. Petreccia said the property had been cited by Code Enforcement for trash and overgrowth in October 2006, and he had and cleared the property in March 2007. Had said he had only obtained clear title to the property in July 2007.

Mr. Petreccia said two City building inspectors had examined the property: Bob Pignataro and Jorg Hruschka. He said both claimed the property was unsafe.

Mr. Petreccia said in March 2006, the Police had removed squatters from buildings 3 and 2. When Mr. Petreccia applied for a demolition permit, he was informed he must appear before the Historic Preservation Board

Mr. Petreccia reiterated that two City inspectors had declared the buildings structurally deficient and unsafe but said they had not put this in writing because they were not engineers. He said he had hired two structural engineers to examine the property. Mr.

Petreccia provided a report from one of the engineers to Board members and said the report indicated the properties were unsafe and beyond repair.

Chair Haan asked why the Board had not been provided these reports prior to this evening. Mr. Ceisielski said Mr. Petreccia had made them aware of the report Tuesday after Mr. Ceisielski had mailed the Board their packets.

Chair Haan said by presenting the report this evening, Mr. Petreccia had not allowed the public or the Board a chance to present testimony refuting this.

Ms. Jordan felt the Board needed more time to consider the information Mr. Petreccia had provided.

The Assistant City Attorney said the criteria for Certificate of Appropriateness for demolition did not include the condition of the building. She reported that the building official had boarded the building in spring 2007, but the building official had not condemned the buildings or the property, nor had he instructed the inspectors to refer the building to the Unsafe Structures Board for demolition action.

The Assistant City Attorney advised that the Board could decide to continue the case to their October meeting to allow them time to study the report provided by Mr. Petreccia, but she reminded them that their decision must be based upon the criteria, which did not include structural integrity.

Mr. Petreccia referred to the structural engineer's report and said the engineer had found the structures to be unsound, in extreme decay due to dry rot, termites, and extreme moisture. The engineer determined the structures were beyond reasonable repair due to the extent of the damage found, and the structures presented a liability and danger to the public.

Mr. Petreccia asked the Board for permission to demolish the buildings. He submitted a site plan proposal to the Board, including five units on the site. Mr. Ceisielski said these documents had also been submitted after he had mailed the Board packets on Tuesday.

Chair Haan wondered how Mr. Petreccia had arranged to have the properties demolished prior to having clear title, but could not secure the property by installing tarps prior to having clear title. Mr. Petreccia explained to Chair Haan the process he had gone through to secure title to the property, and said he had cleaned up the property pursuant to the Code Enforcement case prior to having clear title to the property.

Mr. Petreccia pointed out that the existing buildings were deteriorated beyond repair, and two thirds of the block had been redeveloped as townhouses. He recommended the Board approve his application to demolish the property and complete the project.

Chair Haan opened the public hearing.

David Parker, president of the Sailboat Bend Civic Association, said his association was definitely not in favor of destruction of the buildings. Mr. Parker said he had been present the morning the bulldozers arrived to demolish the property. He said there were no permits issued to demolish the buildings, and they had called the police and Code Enforcement to stop the demolition. Mr. Parker said Valerie Bohlander had confirmed that there were no permits to demolish the property at the time.

Mr. Parker said there was the problem with historical buildings in his neighborhood suffering demolition by neglect. Mr. Parker said his board offered to meet with developers to discuss development, particularly if this involved and historic structures. That had not been done in this case, and he said he was very disappointed.

Mr. Chris Palamara, Sailboat Bend Civic Association, agreed with Mr. Parker that this was a case of demolition by neglect. He said Mr. Petreccia had knowledge of the age of the buildings and the fact that they were historic and had taken no steps to salvage them. He asked the Board to deny the application.

Mr. Richard Locke explained he was one of the founders of the Sailboat Bend Historic District, and that he had written the addendum to the ordinance regarding the period of significance. Mr. Locke reminded everyone that they required competent, substantial evidence in these hearings to avoid appeals to the City Commission.

Mr. Locke quoted from section 47-24.11.C.9: "Every owner of a property in an historic district shall keep in good repair all of the exterior portions of such buildings or structures, all interior portions thereof which are not so maintained may cause such buildings or structures to deteriorate or to become damaged or otherwise to fall into state of disrepair." The section continued that this requirement was in addition to the conditions of the building code applicable to all buildings.

Mr. Paul Boggess, Sailboat Bend Civic Association member, said for 30 years he had seen no improvements made at the property, and seldom even seen the lawn mowed. Mr. Boggess presented photos into evidence of other properties in the area that had been allowed to deteriorate, but had been saved through restoration.

Ms. Alyssa Plummer, Sailboat Bend resident, presented photos into evidence depicting this property prior to hurricane Wilma, and after the tree canopy had been removed from the property. She presented other photographs taken that day depicting the property strewn with garbage and debris. A blue tarp covered a portion of the roof, and there was a gaping hole in the roof, with no other actions taken to secure the property. She said this was a clear case of demolition by neglect.

Ms. Plummer presented photos of her own property, which was unsafe when she had purchased it, including termite damage to the foundation. She said the home had actually been sold or as a tear-down. Ms. Plummer showed photos of the house throughout the restoration process. She asked the Board not to grant Mr. Petreccia's request.

There being no other members of the public wishing to address this item, Chair Haan closed the public hearing and brought the discussion back to the Board.

Mr. Adams thought Code Enforcement was supposed to be helping them ensure that these properties were not neglected. Chair Haan had noted that in 2002 there were cold liens on the property which had been dismissed in 2004. The Assistant City Attorney said there was at least one Code Enforcement case pending against the property; she would need to research the 2002 lien Chair Haan had mentioned.

Mr. Petreccia said he included a copy of the current violation in his package to the Board. Mr. Parker said Code Enforcement citations dated to 1989, and nothing had ever been done to improve the property.

Mr. Cole wondered why this Board had to clean up other City agencies' messes. He felt this should be brought to the attention of City Commission and other agencies. Chair Haan agreed they should encourage Code Enforcement to be more aggressive with their liens. Ms. Jordan pointed out this was the second or third time a Code Enforcement issue had come before the Board.

Ms. Jordan asked what happened when Mr. Petreccia appeared before the Special Magistrate. Mr. Petreccia explained that he had been cited for the property's being boarded without a permit and for the trash on the property. He could not obtain a permit for the property's boarding until he appeared before the Historic Preservation Board. Mr. Petreccia explained that the trash depicted in Ms. Plummer's photos was from construction of a nearby town home.

Mr. Adams wished the City would do more to encourage owners such as Mr. Petreccia to invest in restoring his property utilizing tax incentives or some other means. Chair Haan said according to the tax records provided by Mr. Petreccia, he had paid \$50,000 for the property. Chair Haan felt Mr. Petreccia could still make a profit if he restored the property.

**Motion** made by Ms. Jordan, seconded by Mr. Cole, to approve the certificate of appropriateness for demolition per section 47-24.11.C.4.c.i through iii. In a roll call vote, the vote was as follows: Mr. Wieland, no; Ms. Jordan, no; Ms. Harrison, no; Mr. Adams, no; Mr. Jolly, no; Ms. Dandy, no; Mr. Cole, no; Chair Haan, no. Motion failed 0 - 8.

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- 2. Applicant: Stranahan House, Inc. Case No. 1-H-07**  
**Owner: Stranahan House, Inc.**  
**Location: 335 SE 6<sup>th</sup> Avenue**  
Request: Certificate of Appropriateness for Alteration  
    • Re-grade and repair brick courtyard.  
  
Zoned: H-1  
Legal: BURNHAM'S SUBDIVISION.  
Tract 1, less the North 47 feet, as measured along the East line thereof and less right-of-way taken from U.S. Highway No 1. P. B. 15, P. 29.

Ms. Morillo stated this was a request for a Certificate of Appropriateness for Alteration to re-grade and repair a brick courtyard. She advised the Board to consider both the General Criteria in Section 47-24.11.C.3.c.i. a-f. and the Additional Guidelines for Alterations in Section 47-24.11.C.3.c.ii.a-h. when considering whether to grant a Certificate of Appropriateness for this request.

Ms. Rathbun stated the applicant was requesting a COA to re-grade the courtyard of the Historic Stranahan House Museum. According to the applicant, the bricks from the existing courtyard would be taken up, re-graded and supplemented by about 100 to 200 in-kind donated bricks to replace damaged originals. The donated bricks would be used bricks compatible with the existing materials and the bricks would be reset in the same running bond pattern as in the existing courtyard. Ms. Rathbun explained that this work was necessary for safety concerns.

*Sec. 47-24.11. Historic designation of landmarks, landmark site or buildings and certificate of appropriateness.*

*C. Certificate of appropriateness.*

*3. Alterations, new construction or relocation.*

*c. Criteria.*

*i. General. In approving or denying applications for certificates of appropriateness for alterations, new construction, demolition or relocation, the historic preservation board shall use the following general criteria and additional guidelines for alterations, new construction, relocations and demolitions as provided in subsections C.3.c.ii, iii, and iv, and C.4:*

- a) The effect of the proposed work on the landmark or the property upon which such work is to be done;*
- b) The relationship between such work and other structures on the landmark site or other property in the historic district;*
- c) 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;*

Ms. Rathbun informed the Board that the requested work was appropriate and should be approved.

Ms. Sandra Castille, Stranahan House representative, said broken and uneven bricks presented a safety hazard.

Chair Haan opened the public hearing. There being no members of the public wishing to address this item, Chair Haan closed the public hearing and brought the discussion back to the Board.

**Motion** made by Mr. Adams, seconded by Mr. Wieland, to approve the certificate of appropriateness for alteration. In a roll call vote, the vote was as follows: Mr. Wieland, yes; Ms. Jordan, yes; Ms. Harrison, yes; Mr. Adams, yes; Mr. Jolly, yes; Ms. Dandy, yes; Mr. Cole, yes; Chair Haan, yes. Motion passed 8 - 0.

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- 3. Applicant: City of Fort Lauderdale** **Case No. 10-H-07**  
**Peele Dixie Water Treatment Plant** **(see 6-H-02)**  
**Owner: City of Fort Lauderdale**  
**Location: 1500 S. State Road 7**  
Request: Certificate of Appropriateness for Alteration  
    • Installation of sixty (60') linear feet of ornamental fence  
  
Zoned: U (Utility)  
Legal: Acreage in Section 18, Township 50 South, Range 42 East

Ms. Morillo stated this was a request for a Certificate of Appropriateness (COA) for Alteration to add 60 feet of ornamental fence along the northwestern perimeter of the site. The fence design and material was previously approved by the HPB in September 2003 (6-H-02) along the western (front) perimeter of the site.

Ms. Morillo advised the Board to consider both the General Criteria for a COA in Section 47-24.11.C.3.c.i.a-f and the Additional Guidelines for Alterations for Alteration in Section 47-24.11.C.3.c.ii.a.-h. when deciding whether to grant a COA for this application.

Ms. Rathbun explained that the Peel Dixie Water Plant was of significance and was likely eligible for the National Register of Historic Places. The applicant was asking to install an extension of the previously approved ornamental fence that fronts the property. The new extension would replace 55 feet of a six-foot high wall on the north side of the property and the extension would attach at the northwest corner of the existing ornamental fence. The new fence would be connected to the remaining six-foot side wall, and would surmount a low knee wall as does the existing front facing fence.

Sec. 47-24.11. Historic designation of landmarks, landmark site or buildings and certificate of appropriateness.



- C. Certificate of appropriateness.
  - 3. Alterations, new construction or relocation.
    - c. Criteria.
      - i. General. In approving or denying applications for certificates of appropriateness for alterations, new construction, demolition or relocation, the historic preservation board shall use the following general criteria and additional guidelines for alterations, new construction, relocations and demolitions as provided in subsections C.3.c.ii, iii, and iv, and C.4:
        - f) Whether the plans comply with the "United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings."

**The Secretary of the Interior's Standards for the Treatment of Historic Properties**  
Guidelines for Rehabilitating Historic Buildings

Alterations/Additions to Historic Buildings

Some exterior and interior alterations to the historic building are generally needed to assure its continued use, but it is most important that such alterations do not radically change, obscure, or destroy character defining spaces, materials, features or finishes...

Ms. Rathbun stated the requested alteration was appropriate.

Mr. Louis Aurigemma, design engineer for the project, invited the Board's questions.

Chair Haan opened the public hearing. There being no members of the public wishing to address this item, Chair Haan closed the public hearing and brought the discussion back to the Board.

Mr. Louis Aurigemma said the fence would not interfere with any views.

**Motion** made by Ms. Jordan, seconded by Mr. Wieland, to approve the certificate of appropriateness for alteration per section 47-24.11.C.3.c.i and f.. In a roll call vote, the vote was as follows: Mr. Wieland, yes; Ms. Jordan, yes; Ms. Harrison, yes; Mr. Adams, yes; Mr. Jolly, yes; Ms. Dandy, yes; Mr. Cole, yes; Chair Haan, yes. Motion passed 8 - 0.

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**II. For the Good of the City**

**Follow-up on HPB discussion at July 2007 meeting/ research on 1010 SW 2<sup>nd</sup> Court (Sailboat Bend Historic District).**

Mr. Ceisielski said Mr. Bogges had brought this property to the Board's attention. In October 2000 the HPB unanimously approved a certificate of appropriateness for a 900 square foot addition to this house. In March 2002 the HPB deferred an after-the-fact

application for the installation of siding and two exterior metal doors. The applicant had never returned to the Board.

Mr. Ceisielski said there had been Code Enforcement activity at this property since 1993, and this had been included in his report. He explained that the applicant had not made the improvements specified in the plans presented to the HPB and had eventually abandoned the effort.

Due to changes in Florida law regarding Code Enforcement liens, the City was required to provide the property owner an opportunity to challenge the City's request for imposition of a fine. On January 30, 2006, the case had been presented to the Code Enforcement Board, which imposed a fine of approximately \$600,000, and ordered its continued accrual at \$150 per day until the violations were corrected.

The property owner had subsequently appealed the order to impose a fine; the circuit court had upheld the Code Enforcement Board order and the property owner had appealed the circuit court decision. This process was not completed until March.

Mr. Ceisielski said this was a case of an out-of-state landowner who was not in contact with his property.

Chair Haan asked the City to foreclose on this property in the hopes that a new owner would restore the property. The Assistant City Attorney said a demand letter had been sent to the property owner the previous week regarding the lien. She explained the process the City had gone through to hold a remedial hearing for every case due to the change in the law.

The Assistant City Attorney reiterated the path the case had taken stated by Mr. Ceisielski, and confirmed that the circuit court's decision had been upheld in March. She said they had been wary of foreclosing because the City would then own the property.

The Assistant City Attorney said the City Commission had instructed the City attorney's office to foreclose on properties for the purpose of obtaining revenue for the City during the budget crisis of 2003/2004.

The Assistant City Attorney said the City Commission and City management had been reluctant to foreclose on historic properties because the City was not in the property management or restoration business, but in this case, because neighbors had expressed an interest, in the case, the City had agreed.

The Assistant City Attorney said the City did intend to convey the property, but if this could not be done it was possible that the building official would determine the property was dangerous and must be demolished.

Mr. Wayne Strawn, City building inspector, explained that when he had first been hired, there was no protection for historic buildings and many buildings were deteriorated before the ordinance. He remarked on the high turnover rate and the heavy workload of

the Code Enforcement officers, which prevented the inspectors from being proactive. He suggested the Board compile a list of buildings being demolished via neglect and submit it to Code Enforcement.

Mr. Cole noted that zoning that permitted building multifamily was contributing to the problem.

Mr. Adams asked that staff report to the Board at their next meeting regarding incentives that were offered to owners of historic homes. Whatever the incentives were, he felt they were not good enough, and perhaps the Board could make additional suggestions.

Ms. Morillo said the ad valorem tax advantages were so difficult to obtain no one had ever applied and received it. The Assistant City Attorney said tax relief was offered by the City and County. She said it was very generous, but no one had ever even begun the application process, and she did not know why. The Assistant City Attorney explained that the City could offer up to a 100 percent reduction of the tax value of the improvements for up to 10 years. There was also County ad valorem tax relief. Pursuant to state statute, it was also possible to enter into a conservation covenant whereby an owner surrendered development rights in order to have taxes set at a different rate based on historic value instead of highest and best use.

Ms. Morillo announced that a Workshop offered by the Florida Historic Trust, "Becoming Better Preservation Commissions", would be held on October 26, 2007, in Palm Beach Florida. The City Planning and Zoning Department would pay the fee for any Board member wishing to attend.

There being no further business to come before the Board, the meeting was adjourned at 6:55 p.m.

Chairman,

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Nolan Haan, Chair

Attest:

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ProtoTYPE Inc, Recording Secretary

The City of Fort Lauderdale maintains a Website for the Historic Preservation Board Meeting Agendas and Results: <http://ci.ftlaud.fl.us/documents/hpb/hpbagenda.htm>