

**Historic Preservation Board
City of Fort Lauderdale
Monday, October 1, 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	8	0
Daryl Jolly, Vice Chair	P	6	2
Jay Adams	A	4	3
Andy Cole	P	4	0
Carolyn Dandy	P	6	2
Mary-Jane Graff	A	6	2
Pat Hale	A	5	2
Marie Harrison	P	2	1
Susan Jordan	P	7	1
Clay Wieland	P	7	0

City Staff

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

Art Bengochea	Paul Bogges
Richard Locke	John Schreiber
Alyssa Plummer	Doug Smith
John Francavilla	Dave Parker
Stuart Sonderman	Barbara Keith

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	<u>Case Number</u>	<u>Applicant</u>	<u>Page</u>
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2.	1-H-07	Stranahan House	
3.	9-H-05 (SB)	Nolan Haan	

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 September 2007 Meeting

Motion made by Ms. Jordan, seconded by Ms. Dandy, to approve the minutes of the Board's September 2007 meeting. In a voice vote, the motion was approved unanimously.

I. Cases

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- I. Applicant:** Art Bengochea **Case No. 15-H-07 (SB)**
Owner: John Francavilla
Address: 1009 SW 4th Street
Request: Certificate of Appropriateness for Relocation:
 - 1 historic building (carriage house) on the same lot.Certificate of Appropriateness for Alteration:
 - Rehabilitation of house and carriage house, including
Replacement wood siding
New impact windows and French doors
New metal roofCertificate of Appropriateness for Demolition
 - Lean-to attached to carriage house**Zoned:** RML-25
Legal: Lots 1, 3, and 5, Block 107 "Waverly Place," P.B. 2, P. 19.

Ms. Morillo stated this was a request for 3 Certificates of Appropriateness. The first was for the relocation of 1 historic building on the same lot. The second was a COA for alteration involving rehabilitation of a house and carriage house, including replacement of wood siding, new impact windows, French doors and new metal roofs. The third COA was for demolition of the lean-to addition on the carriage house. She reminded the Board that they had approved relocation of the house on this property at the August 6, 2007 meeting.

Ms. Morillo advised the Board that in addition to considering the SBHD Material and Design Guidelines as indicated in Section 47-17.7. of the ULDR, they should consider the General criteria for a COA in Section 47-24.11.C.3.c.i., as well as the Additional criteria for alterations in Sec. 47-24.11.C.3.c.ii and Section 47-24.11.C.3.c.i.a-f. Ms. Morillo stated that with regard to the request for demolition, they should consider the criteria for demolition as listed in Section. 47-24.11.C.4.c.i.- iii.

Ms. Rathbun explained that the two-story carriage house was shown on the 1924 Sanborn map. She described the house as a one-story wood frame residential building of the Frame Vernacular style of architecture, featuring a hip roof with exposed rafter ends, an end porch with a hip roof, square posts, and knee wall. She stated the house had been altered from its original appearance by the application of aluminum siding and metal awning windows. Ms. Rathbun said the structure was probably built circa 1925.

Ms. Rathbun explained that the applicant was requesting a COA to move the house east to Lot 1. The applicant stated that he would maintain the same historic orientation to the main house which was approved for relocation by the Board. Once moved, the applicant intended to restore the house.

Ms. Rathbun said the applicant requested the following materials:

Sec. 47-17.7 Material and design guidelines

B. Materials and designs

1. Exterior building walls
 - a. Materials and finish.
 - ii. wood – clapboard, three and one-half (3 ½) inches to (7) inches to the weather.
2. Windows and doors
 - a. Materials
 - i. glass (non-reflective, tinted)
 - iv. aluminum
 - b. Configurations
 - i. doors: garage nine (9) feet maximum width.
 - ii. windows rectangular,
 - c. Operations
 - i. windows; single hung;
3. Roofs and gutters
 - a. Roof materials
 - v. 5-V crimp.
 - c. Configurations
 - i. Roof: The pitch of new roofs may be matched to the pitch of the roof of existing structures on the lot. Simple hip, pitch no less than 3:12 and no more than 8:12.

Ms. Rathbun advised the Board to consider the following:

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;
- f) Whether the plans comply with the "United States Secretary of the Interior's Standards Rehabilitation of Historic Buildings.

Ms. Rathbun cautioned that in best preservation practice, it was better to leave an historic building on the original site than to move it.

United States Secretary of the Interior's Standards Rehabilitation of Historic Buildings

Building Site

Identify, retain, and preserve

Recommended

Retaining the historic relationship between buildings and the landscape

Not recommended

Removing or relocating historic buildings on a site or in a complex of related historic structures--such as a mill complex or farm--thus diminishing the historic character of the site or complex.

Ms. Rathbun noted that the City's ULDR did not permit two principle residences on a single lot. The applicant proposed to address this by demolishing a non-historic lean-to attached to the west side of the two-story house and opening up the second story porch by removing the metal jalousies. This would reduce the square footage of the house so that it may be considered an accessory structure.

Section 47-24.11.C

4. Demolition

c. 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

In this case criterion iii is the only possible application. The applicant must show that there was no other way to save this house on the original site. The board must determine if the relocation will meet the criterion.

Ms. Rathbun noted that the application did not include a COA for townhouses.

Mr. Art Bengochea, architect, showed an aerial photo and pointed out the house that the Board had approved for relocation in August [building C] and explained they now intended to move the carriage house to a location behind building C.

Mr. Bengochea said the engineer had examined the house and determined it was in good structural condition and could be relocated, but that it required a new foundation to raise the building up above grade. Mr. Bengochea's research had not indicated a business had never been located in this building.

Mr. Bengochea explained he intended to rotate the building so the garage doors of both buildings would face Southwest 4th Street. He pointed out the louvers that would be removed on the porch. Mr. Bengochea then showed the Board the lean-to that would be demolished.

Mr. Bengochea said he had met with the architectural committee of the Sailboat Bend Civic Association, and he submitted copies of the proposed development for the Board to review. Mr. Bengochea said they intended to build three townhouses with recessed garages. He believed this was in keeping with the Sailboat Bend design guidelines and consistent with the streetscape.

Chair Haan opened the public hearing.

Mr. Richard Locke explained that this had been the location of the first blacksmith shop in the City. For this reason, this had always been considered a very important structure. Mr. Locke said when they created the historic district, they determined that historic buildings located in the business district could be moved to make way for businesses but this building was in the heart of the historic district and Mr. Locke saw no reason to move the building. He wondered why this had not been presented to the Sailboat Bend Civic Association to consider. Mr. Locke said this would not be visually compatible with what existed on the property.

Mr. Paul Bogges said when he had moved into the neighborhood over 30 years ago, the "old-timers" had informed them what the buildings used to be, and this building had been the first blacksmith shop in the City. Mr. Bogges said allowing buildings to be torn down or moved destroyed the integrity of the historical district.

Ms. Alyssa Plummer, Sailboat Bend resident, said Mr. Bengochea's comments indicated the house could be saved in its existing location. She said this house was

part of the fabric and the streetscape of Sailboat Bend, and the only reason to move it was for development.

Dr. John Francavilla, property owner, said the foundation was sinking and the house was listing and this must be repaired. He said what he intended to do would save the house. Dr. Francavilla stated it would cost him a lot of money to save this house and it would be safer to let it fall over, but he was trying to do the right thing by restoring it .

Mr. John Schreiber said his mother-in-law had owned this house prior to Dr. Francavilla. Mr. Schreiber said in 2004 there had been another attempt to do something with this property but this had never happened and there had been no maintenance on any of the buildings since then. Mr. Schreiber said his mother-in-law still held the mortgage on the property, and if Dr. Francavilla were not permitted to go forward with his plan, the property would come back to his mother-in-law and she would be unable to save the property. Mr. Schreiber said according to the mortgage, Dr. Francavilla must restore the properties to obtain a certificate of occupancy in order to be able to sell the lot.

Dave Parker, president of Sailboat Bend Civic Association, said there were other houses in the area that had been raised up with new foundations and left in the same spot. He said the association wished that the building remain in its current location.

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.

Ms. Jordan said the structural report they received indicated the building was sound, but now Dr. Francavilla was stating the building was falling over. She saw no reason the building could not be restored and maintained in its current position.

Chair Haan read the United States Secretary of the Interior's guidelines that recommended buildings not be moved, in order to retain the historic relationship between buildings and the landscape.

Chair Haan said when they considered relocation of an historic building, there must be a very good reason, and he did not believe providing room for new development was sufficient reason. Chair Haan said there was no precedent of relocation of an historic residence to make way for development. He agreed with Ms. Jordan that the building could be saved in its current position. If the building were in a deteriorated condition as Dr. Francavilla had indicated, Chair Haan believed it should be turned over to Code Enforcement. He felt the Board should recommend this to prevent any further deterioration.

Mr. Jolly felt the owner had done a good job opening up the porch to meet the UL DR requirements for a secondary structure. He noted that this house could not easily be seen from the street. Mr. Jolly felt the applicant's current proposal was a good idea, especially compared to his previous idea.

Mr. Wieland agreed, noting that the owner wanted to move the building in order to save it. He acknowledged that if the house were not moved, it would not be maintained and would ultimately be demolished by neglect.

Chair Haan noted that the Board's job was to enforce the criteria, and if they permitted this, they would fail in their duty. He said he could see no criterion that this request satisfied.

Mr. Jolly reminded Chair Haan that two months ago, they had allowed a house to be moved for the same reason. Chair Haan said he now felt this had been a mistake.

Ms. Jordan agreed, and said regarding the criteria, the applicant had not shown that there was no other way to save the house.

Chair Haan said the Board would see more and more cases such as this: developers purchased land at high prices, and expected to be able to make money from it. He felt properties here should be priced commensurate with buildings existing on the property, not with what a developer might be able to do with land.

Ms. Rathbun said relocation was permitted when there was no other way to save the house.

The Assistant City Attorney referred the Board to the specific criteria for relocation in 47-24.11.C.3.c.i a, b, c and f. She advised the Board that they must make their decision based upon the evidence presented by the applicant, and how it related to the criteria in the ordinance. She reminded the Board that there were additional guidelines for relocation under 24.11.C.3.c.iv, and additional guidelines for alteration in 24.11.C.3.c.ii.

Mr. Jolly felt they must be practical, because if they were not, the area would be abandoned; no one would want to come into the area and renovate the houses.

Motion made by Ms. Jordan, seconded by Mr. Jolly, to approve the certificate of appropriateness for demolition of the lean-to attached to the carriage house per section 47-24.11.C.4.c.i, ii and iii. In a roll call vote, the vote was as follows: Mr. Cole, yes; Ms. Dandy, yes; Mr. Wieland, yes; Mr. Jolly, yes; Ms. Harrison, yes; Ms. Jordan, yes; Chair Haan, yes. Motion passed 7 – 0.

Motion made by Ms. Jordan, seconded by Mr. Jolly, to approve the certificate of appropriateness for alteration, rehabilitation of the house and carriage house per section 47-17.7.B.1.a.ii, 47-17.7.B.2.a.i and iv, 47-17.7.B.2.b.i and ii, 47-17.7.B.2.c.i, 47-17.7.B.3.a.v, and 47-17.7.B.3.c.i. In a roll call vote, the vote was as follows: Mr. Cole, yes; Ms. Dandy, yes; Mr. Wieland, yes; Mr. Jolly, yes; Ms. Harrison, yes; Ms. Jordan, yes; Chair Haan, yes. Motion passed 7 – 0.

Motion made by Mr. Jolly, seconded by Ms. Jordan, to approve the certificate of appropriateness for relocation of the carriage house per section 47-24.11.C.3.c.i.a), b), c) and f). In a roll call vote, the vote was as follows: Mr. Cole, yes; Ms. Dandy, yes; Mr. Wieland, yes; Mr. Jolly, yes; Ms. Harrison, yes; Ms. Jordan, no; Chair Haan, no. Motion passed 5 - 2.

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2. **Applicant: Stranahan House, Inc.** **Case No. 1-H-07**
Owner: Stranahan House, Inc.
Location: 335 SE 6th Avenue
Request: Certificate of Appropriateness for Alteration for lighting and signs.
- Three types of lighting including 20 Landscape Lights (A), replacement of 8-porch ceiling Lights (B), and the installation of pedestrian scale pole lights (C).
 - Three Signs, including the new installation of a waterside sign (A) the office identity sign (F), and entrance sign (B).
- 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 2 Certificates of Appropriateness for Alteration to install lighting for 20 landscape lights, 8 porch ceiling lights and pedestrian scale pole lights, and to install a new waterside sign, entrance sign and office identity sign.

Ms. Morillo 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.cii.a-h.

Ms. Rathbun explained that the applicant was requesting a COA to replace damaged or worn-out lighting fixtures on the Historic Stranahan House Museum. She stated the applicant was requesting a total of 20 landscape uplights and column downlights, eight porch ceiling lights and six pedestrian scale pole lights. Ms. Rathbun said the applicant had enclosed a site lighting plan and specification sheets for the requested lights.

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. Rathbun explained that the applicant was also requesting approval for two free-standing signs, one to replace an existing sign facing Las Olas Boulevard and a new sign to be placed on the riverfront. She advised the Board to consider sign regulations pertaining to the H-1 District: 47-16.21 and Section 47-24.11.C.3.c.Criteria for alterations, new construction or relocation, as well as Section 47-22, the sign ordinance for the City of Fort Lauderdale.

Ms. Rathbun described the free-standing signs: Sign A would be placed in front of the house facing the New River; sign B, would be erected just inside the main gate. Ms. Rathbun informed the Board that the signage types were allowed under Section 47-22, but sign B did not meet Section 47-22 requirements because it's square footage was greater than the ordinance allowed.

Ms. Rathbun explained that the purpose of sign A was to identify the house to river traffic and to someone standing on the opposite bank of the river. Ms. Rathbun said this sign met the requirements of the City's sign ordinance, Section 47-22, but was very large, and would partially obscure the lower portion of one of the front-facing bay windows. In addition, the sign's left edge was aligned with the west corner post of the porch so that from some angles the sign would appear to be attached to the house. Ms. Rathbun informed the Board that this was inappropriate, and advised the Board to consider the following:

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;
- 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;
- f) Whether the plans comply with the "United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings."

United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings

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

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

Recommended

Constructing a new addition so that there is the least possible loss of historic materials and so that character-defining features are not obscured, damaged, or destroyed.

Not recommended

Attaching a new addition so that the character-defining features of the historic building are obscured, damaged, or destroyed. Designing a new addition so that its size and scale in relation to the historic building are out of proportion, thus diminishing the historic character.

Ms. Rathbun informed the Board that the applicant had submitted an updated drawing showing the sign placed at a distance and shifted to the west, and noted this was an appropriate placement.

Ms. Rathbun stated sign B did not meet the City code section 47-22; it was larger than allowed. She explained that the sign provided necessary information to the site visitor,

and the font style, sizes and placement were suitable for readability. Ms. Rathbun informed the Board that they had the ability to override the restrictions of the ordinance and approve this sign as presented.

The Assistant City Attorney said there had been an additional meeting between the applicant and Zoning staff, and Zoning staff and ultimately approved the second sign, so the portion of Ms. Rathbun's memo that stated the sign did not meet City code was no longer accurate. She reminded the Board that they would never be presented with any application that had not been approved by Zoning. The Assistant City Attorney advised that the Board's role for a sign application was to determine whether the sign was in a proper place or whether it obscured an historic structure.

Mr. Doug Smith, EDSA Land Planners, explained there had been discussion of moving sign A to the west. He said they were willing to do this, provided room was allowed for planting at the base of the sign. They were also willing to reduce the height by six to 12 inches if the Board wished. Mr. Smith explained that the lighting request was to replace lighting that was not operating.

Mr. Smith used the Elmo to show the Board the proposed sites for the signs and where they could possibly be relocated.

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.

Chair Haan agreed with Ms. Rathbun that sign A should be moved to the west, lowered, and made smaller, and Ms. Jordan agreed. He suggested nine inches shorter, and two or three feet to the west. Mr. Stuart Sonderman, EDSA, felt the sign could only be moved one more foot to the west. Sign B, which was meant to replace an existing sign, would be just inside the main gate. Mr. Sonderman said they were trying to get all of the signs in the same style.

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.a), c) and f), with the condition that sign A be lowered by nine inches, and moved to within 18 to 24 inches of the west sidewalk. In a roll call vote, the vote was as follows: Mr. Cole, yes; Ms. Dandy, yes; Mr. Wieland, yes; Mr. Jolly, yes; Ms. Harrison, yes; Ms. Jordan, yes; Chair Haan, yes. Motion passed 7 - 0.

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- 3. Applicant: Nolan Haan Case No. 9-H-05 (SB)**
Owner: Bill Saunders
Location: 215 Cooley Ave./734 SW 2nd Ct.
Request: Certificate of Appropriateness for Relocation of the house currently

located at 215 Cooley Ave. to 734 SW 2nd Ct.
Zoned: RMM 25
Legal: Lots 2, 4 E. 25' of lot 6. Bryan Sub. of Block 22 PB 1, p. 29.
Lot 35, Block 22, Bryan Sub. PB 1, p. 29

Chair Haan recused himself from this case.

Ms. Morillo stated this was a request for a COA for relocation of the structure currently located at 215 Cooley Avenue (SW 7 Avenue). She stated the applicant proposed relocating the structure to a site within the Sailboat Bend Historic District, one block to the west. She advised the Board to consider the criteria for a COA for Relocation from ULDR Section 47-24.11.C.3. and the additional guidelines for relocation in Section 47-24.11.C.3.c.iv.

Ms. Rathbun explained that in June 2005, the owner of the property, Mr. Saunders, asked for a COA to relocate the property. Ms. Rathbun reported that the COA had been approved but the owner had never completed the application for a permit to relocate. Subsequently, the owner applied for a permit to demolish the house, which was approved and then rescinded, and the owner has applied for another permit to demolish.

Ms. Rathbun stated the applicant, Mr. Haan, who had a contract with the property owner to take the house onto his property, wished to receive a COA to move the house so that he may effect the relocation. Ms. Rathbun warned that ordinarily, moving historic houses within an historic district was discouraged as it destroyed the historic relationships within the neighborhood.

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:

b) The relationship between such work and other structures on the landmark site or other property in the historic district;

f) Whether the plans comply with the "United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings."

United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings

Setting (District/Neighborhood)

Not recommended

Removing or relocating historic buildings, or landscape features, thus destroying their historic relationship within the setting.

Ms. Rathbun stated the following narrative, submitted by the owner in June 2005, presented an argument for relocating this particular building:

Ms. Rathbun described the house as a side gabled, wood frame structure with a shed roof dormer and hipped roof front porch. 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.

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.

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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;

iv. Additional guidelines; relocation. When an applicant seeks a certificate of appropriateness for the relocation of a landmark, a building or structure on a landmark site, or a building or structure in a historic district, or wishes to relocate a building or structure to a landmark site or to a property in a historic district, the board shall also consider the following:

a) The contribution the building or structure makes to its present setting;

b) Whether there are definite plans for the site to be vacated;

c) Whether the building or structure can be moved without significant damage to its physical integrity;

d) The compatibility of the building or structure to its proposed site and adjacent properties.

Ms. Rathbun informed the Board that the applicant proposed to relocate the house one block west of its current site, to a corner lot at SW 2nd Court and SW 8th Avenue. She said that generally, when an historic house was moved it was preferable to keep the same directional orientation, but because of the configuration of the 8th Avenue lot, the house would face north on SW 2nd Court, rather than west as it did at its present site. Ms. Rathbun reminded the Board that usually, moving an historic structure was not recommended, but as the original setting had changed in character and as the new setting was appropriately residential, with compatible historic structures nearby, moving was recommended.

Ms. Rathbun informed the Board that there was evidence that if this building was not relocated, it would very likely be demolished and an important contributing building would be lost. She noted that in previous years, both the National Register for Historic Places and the HPB approved a relocated building in the City, Gilliam House, for designation. Ms. Rathbun said both the national board and the HPB had agreed that this was a necessary relocation to save an important historic resource. In the case of this building, the relocation and reorientation was similarly recommended.

Mr. Nolan Haan, applicant, admitted that if the original application had been presented now, he would probably vote against it; he believed the Board had been too permissive in allowing relocations and this would have a damaging effect over time. Regarding this house, however, Mr. Haan noted that it had been sitting up off of its foundation for over two years awaiting relocation. He explained that he had a contract with the owner to receive the house and relocate it from the RAC business district to a residential district.

Mr. Haan continued that the owner had once been issued a demolition permit, but the City had never notified the HPB Chair prior to issuing it and had subsequently rescinded it. The owner had then re-applied for the demolition permit, but Mr. Haan had contacted the Mayor and several commissioners and code enforcement officials regarding this, and the City agreed to put a fence around the property to mediate the unsafe situation.

Mr. Haan had then notified the owner of his intent to sue him to be allowed to enter the property to move the house. He explained that the property was now in foreclosure, with the bank trying to take possession. Mr. Haan said the court was awaiting the HPB's decision this evening. He said he believed this property satisfied the criteria because only relocating the house would save it from demolition.

Vice Chair Jolly opened the public hearing.

Mr. Richard Locke said there were no longer any other historic structures on 7th Avenue. He said the Sailboat Bend Civic Association had agreed to a compromise that this area was for mixed business use and had anticipated three-story office buildings

and condos along 7th Avenue to provide a buffer to the traffic on 7th Avenue. Mr. Locke said the house could not remain on this property and the only way to save it was to move it. Mr. Locke said he had requested a performance bond when the relocation was first approved, but legal counsel had informed him he could not ask for a performance bond. He felt the need was obvious for a performance bond now, and he requested one for this relocation. Mr. Locke asked the Board to approve the application.

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

Motion made by Ms. Jordan, seconded by Mr. Wieland, to approve the certificate of appropriateness for relocation of the house to 734 SW 2nd Court, per section 47-24.11.C.3.c.i. b) and f), and 47-24.11.C.3.c.iv.a), b), c) and d). In a roll call vote, the vote was as follows: Mr. Cole, yes; Ms. Dandy, yes; Mr. Wieland, yes; Mr. Jolly, yes; Ms. Harrison, yes; Ms. Jordan, yes. Motion passed 6 - 0.

Vice chair Jolly asked if there were any other action the Board could take to further protect this home. The Assistant City Attorney said there was nothing further the Board could do.

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II. For the Good of the City

Regarding the first case, the Assistant City Attorney explained that the City had very strict rules about what property owners could do with their properties. In that case, where there were two lots, with one tiny historic house, she noted that the property owner's investment-backed expectations were diminished if the Board enforced a rigid policy of never again allowing a house to be moved.

The Assistant City Attorney said one of the Board's duties was to provide relief to property owners from the strict regulations regarding what they could do with their properties. In the first case, the Board had voted to allow the owner to move the house in order to use the property and save the house. The Assistant City Attorney stated, "The regulations say: preserve your house, keep it where it is, but they also say, under certain circumstances, it's permitted to move house and the circumstances are: in order to save it." She believed the Board had ruled properly in both cases this evening, and that attempting to adhere to a rigid policy of never permitting a house to be moved again would be a mistake. The Assistant City Attorney advised the Board to consider each case on its own merits, with its own set of circumstances.

The Assistant City Attorney confirmed for Mr. Cole that any development on any Sailboat Bend historically designated property must be presented to the HPB before a building permit was issued.

Chair Haan said there had been a lot of frustration on the part of owners/developers in Sailboat Bend who had put up a lot of money for the properties. Mr. Jolly said owners should be aware of what they were getting into when they came into a district like Sailboat Bend.

Regarding a performance bond, the Assistant City Attorney informed Chair Haan that the Board could not require this, or any additional restrictions that were not already in the ordinance.

Chair Haan said the Board could make recommendations for changes to the ordinance as they came across them.

There being no further business to come before the Board, the meeting was adjourned at 7:03 p.m.

Chairman,

Nolan Haan, Chair

Attest:

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>