

**HISTORIC PRESERVATION BOARD
CITY OF FORT LAUDERDALE
MONDAY, NOVEMBER 2, 2009 - 5:00 P.M.
CITY HALL FIRST FLOOR COMMISSION CHAMBER
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA**

| <u>Board Members</u> | <u>Attendance</u> | Cumulative Attendance 6/2009 through 5/2010 | |
|-----------------------------|--------------------------|--------------------------------------------------------|----------------------|
| | | <u>Present</u> | <u>Absent</u> |
| Nolan Haan, Chair | P | 5 | 0 |
| Susan McClellan, Vice Chair | P | 5 | 0 |
| Jay Adams | A | 1 | 4 |
| Beauregard Cummings | P | 4 | 1 |
| Joyce Gardner | P | 4 | 1 |
| Marie Harrison | P | 4 | 1 |
| Daryl Jolly | P | 3 | 2 |
| Robert Prager | P | 4 | 1 |
| Robert Rojas | P | 3 | 0 |

City Staff

Assistant City Attorney Carrie Sarver
Pat Garbe-Morillo, Planning and Zoning Department
Merrilyn Rathbun, Fort Lauderdale Historical Society, Consultant to HPB
Yvonne Blackman, secretary
J. Opperlee, ProtoType Recording Secretary

Communication to the City Commission

By unanimous vote, the board urges the City Commission to consider becoming a certified local government; to expedite such consideration. The board also noted an upcoming seminar on this topic.

Index

| | Case Number | Applicant | Page | District |
|----|--------------------|--------------------------|--------------------------|-----------------|
| 1. | 8-H-09 [SB] | Ernest Francis | <u>2</u> | 4 |
| 2. | 9-H-09 | Everett Waterman | <u>4</u> | 2 |
| | | For the Good of the City | <u>6</u> | |

Purpose: Implement the City's historic preservation regulations, which promote the cultural, economic, educational and general welfare of the people of the City and of the

public generally through the preservation and protection of historically or architecturally worthy structures.

Call to Order

Chair Haan called the meeting of the Historic Preservation Board to order at 5:05 p.m.

Chair Haan noted that Mr. Adams now had four absences out of the last five meetings.

Approval of Minutes of September and October 2009 Meeting

Chair Haan noted a correction to the September minutes.

Mr. Cummings said a Board member had remarked during public input from residents of Kennedy Homes that it reminded him of prodding bears in a zoo with a stick, inducing them to roar. Mr. Cummings was reminded of the 1960s when Fort Lauderdale was considering urban renewal and Mayor Cox had remarked that voting for urban renewal was like throwing pearls before swine. Mr. Cummings believed Board members should take care in their choice of words when they addressed the public. Mr. Cummings believed it was Mr. Rojas who had made this remark, but Mr. Rojas stated that he absolutely did not make that remark.

Motion made by Ms. McClellan, seconded by Mr. Jolly, to approve the minutes of the Board's September and October 2009 meetings as amended. In a voice vote, Board approved unanimously.

Ms. Sarver reminded the Board that four absences constituted an automatic resignation for a Board member. The Board member could be reinstated pursuant to a letter of recommendation from the Board Chair to the City Commission. This did not require a vote from the entire Board. Chair Haan clarified that since Mr. Adams did not regularly attend meetings, perhaps he should be replaced.

Board members disclosed communications they had regarding cases.

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

I. Cases

[Index](#)

1. Applicant: Ernest Francis

8 H 09 (SB)

Owner: Free Bethlehem Baptist Church

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

Mr. Ernest Francis, Capital Signs Company, confirmed that this was a sign with lighted text.

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. Francis explained that the column was textured aluminum that had the appearance of concrete.

Motion made by Ms. McClellan, seconded by Mr. Prager, to approve the Certificate of Appropriateness for alteration. In a roll call vote, motion passed 8 - 0.

[Index](#)

**2. Applicant: Everett Waterman Las Olas Beach Club 9 H 09
Owner: Danielle & Thomas Bower Condo,**

Request: Certificate of Appropriateness for Alteration

- **Installation of six canvas “lean-to” awnings**

Legal Description: Lauder Del Mar Subdivision. Block 1, Lots 1, 1, 3, 4, 5, 6 and 7, PB 7, P 30.

Las Olas by the Sea Subdivision. Block 4, Lots 1, 2, 3, 4 and 6, PB 1, P.16

Address: 101 S. Ft. Lauderdale Beach Blvd., Unit 209

General Location: West side of S. Fort Lauderdale Blvd., between Poinsettia and Cortez Streets

District 2

Mr. Jolly disclosed that he was on the board of the Broward Trust for Historic Preservation. Ms. Sarver phoned her office and determined that Mr. Jolly need not

recuse himself. Mr. Jolly added that Mr. Waterman had also installed an awning at his home.

Ms. Morillo stated this was a request for a Certificate of Appropriateness to install 6 (six) canvas "lean-to" awnings. She advised the Board to consider Section 47-24.11.C.1.a.v. and Section 47-24.11.C.3.c.i.a, when deciding whether to grant a COA for Alteration.

Ms. Rathbun stated at the City Commission meeting on April 23, 2002, the City Commission had designated the eastern half of the Lauderdale Beach Hotel, consisting of the east façade, portions of the north and south facades and some part of the hotel lobby, as historic. The developer subsequently revised his plans and restored the remaining portions of the north and south facades to their historic appearance.

Ms. Rathbun said this applicant was requesting a Certificate of Appropriateness for installation of six canvas lean-to awnings to a condo apartment in the Las Olas Beach Club, Ltd, i.e. the historically designated Lauderdale Beach Hotel. She informed the Board that the Broward Trust for Historic Preservation held a façade easement on the building. She explained the applicant had included a copy of a letter signed by Diane Smart, President of the Broward Trust, which indicated that the Trust's Board of Directors had approved the requested awnings as appropriate for the restored façade.

Section 47-24.11

C. Certificate of appropriateness.

1. When permit is required.

a. No person may undertake any of the following actions affecting a designated landmark, a designated landmark site, or a property in a designated historic district without first obtaining a certificate of appropriateness from the historic preservation board

v. Alteration of the exterior part of a building or a structure or designated interior or portion thereof of a building or structure; however, ordinary repairs and maintenance that are otherwise permitted by law may be undertaken without a certificate of appropriateness, provided this work on a designated landmark, a designated landmark site, or a property in a designated historic district does not alter the exterior appearance of the building, structure or archeological site, or alter elements significant to its architectural or historic integrity.

Ms. Rathbun said as is stated in the Broward Trust letter, the awnings would mirror the awnings of the H2O Restaurant on the first floor of the historic building; the only difference would be the color of the awnings. A sample of the beige awning fabric was included with the application

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;

Ms. Rathbun remarked that the awning style, color and fabric were appropriate and the application should be approved.

Mr. Everett Waterman, Awnings by KC of South Florida, explained to Ms. McClellan that the awnings would have sides. He added that the awnings would not be visible from the beach or street.

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. Waterman informed Ms. McClellan that these awnings could be made to mirror the ones on the lower floor, but this design was more historically correct. Ms. McClellan thought the Trust had approved the same design as the other awnings, not this design. Mr. Waterman pointed out that these awnings' side trusses were needed to support the weight of the awnings.

Ms. Morillo confirmed that the Broward Trust held a façade easement on the building and they had approved this design.

Motion made by Mr. Prager, seconded by Mr. Rojas, to approve the Certificate of Appropriateness for alteration. In a roll call vote, motion passed 8 - 0.

II. For the Good of the City

[Index](#)

- **Certified Local Government [CLG] Seminar, Nov. 19, 2009**

Ms. Morillo announced this program would be postponed until January 2010. She remarked it would be advantageous to have political leaders attend the seminar and Chair Haan agreed.

Chair Haan wanted the Board to urge the City Commission to proceed with the CLG, since this was 10 years in the making. Ms. Morillo noted this entailed a change of delay for demolition, which was simple.

Ms. Sarver pointed out it would be an ordinance amendment requiring two hearings as well as a signed cover letter from the Mayor or City Manager.

Ms. Sarver believed the Commission was considering a 60 to 90-days delay for demolition. She explained that legal issues and property owners' rights issues arose when considering a long waiting period, making the City vulnerable to lawsuits. The City Attorney's office would therefore not recommend 120 days. She said the language being proposed with the 90-day delay demolition period had been approved by the State and would suffice to qualify the City for CLG status.

Chair Haan remarked that this had been going on for 10 years and involved a single line of the City's code. Ms. Sarver stated the City Commission had not yet determined that this was something they wanted to do; a conference item must be prepared for their discussion.

Ms. McClellan pointed out that additional funds would be available if the City became a CLG. Ms. Rathbun stated CLGs also had an advantage when applying for grant funds.

- **Demolition by Neglect/New Committee appointed by City Commissioners**

Ms. Morillo announced the City Commission had appointed a committee to consider Demolition by Neglect. Chair Haan remembered the Commission indicating that the Chair of the HPB and the Unsafe Structures Boards should both be on this committee.

III. Communication to the City Commission

Motion made by Chair Haan, seconded by Ms. McClellan, to urge the City Commission to put the CLG item on their agenda and to expedite the item's passage. In a voice vote, Board approved unanimously.

There being no further business to come before the Board, the meeting was adjourned at 5:58 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>

Minutes prepared by: J. Opperlee, ProtoType Services