

**HISTORIC PRESERVATION BOARD
CITY OF FORT LAUDERDALE
MONDAY, NOVEMBER 1, 2010 - 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 6/2010 through 5/2011	
		<u>Present</u>	<u>Absent</u>
Susan McClellan, Chair	P	6	0
Matthew DeFelice, Vice Chair	P	6	0
Beauregard Cummings	A	1	5
Joyce Gardner	A	1	5
Mary Jane Graff	P	4	1
Marie Harrison	P	4	2
Daryl Jolly	A	1	5
David Kyner	P	5	1
Phillip Morgan	P	5	0
Robert Prager	P	4	2
Scott Strawbridge	P	4	2

City Staff

Assistant City Attorney Carrie Sarver
Merrilyn Rathbun, Fort Lauderdale Historical Society, Consultant to HPB
Pat Garbe-Morillo, Planning and Zoning Department
Anthony Fajardo, Historic Preservation Board Liaison
J. Opperlee, ProtoType Inc.

Communication to the City Commission

Motion made by Mr. Strawbridge, seconded by Mr. Prager, to request the City Commission waive the application fees for the historic designation of the Coca-Cola building (northeast corner of Andrews Avenue and SE 7 Street). In a voice vote, motion passed unanimously.

Motion made by Mr. DeFelice, seconded by Mr. Prager, to ask the City to support exploring opportunities for preservation of the Rivermont House (Sailboat Bend) and site for public use. In a voice vote, motion passed unanimously.

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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 McClellan 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 and October 2010 Meeting

Motion made by Mr. Prager, seconded by Mr. Kyner, to approve the minutes of the Board's September and October 2010 meetings. In a roll call vote, Board unanimously approved.

1. Applicant: Marc Sever and Kenneth Powell

[Index](#)
8-10-H (SB)

Owner: Kenneth Powell & James C. Paras

Request:

Certificate of Appropriateness for New Construction
New construction of two (2) story single-family residence
Request for Yard Modification, Front Yard from 25' to 23'

Legal

Description: Waverly Place. Block 103, Lots 7 & 8, PB 2, P. 19.

Address: 1216 SW 4 Court

General

Location: Approximately 200 feet west of the intersection of SW 4th Court and SW 12th Avenue

District: 4

Mr. Fajardo said this case had been resubmitted with a new case number.

Ms. Rathbun stated this applicant had come before this Board with a proposal for a single-family home to be built on a vacant waterfront lot in the SBHD. The July meeting ended with a tie vote on this case and the matter was continued to the September meeting. She informed the Board that the applicant had returned with a modified plan.

Description of Proposed Site Plan:

Ms. Rathbun said the applicant had submitted his application twice before asking for a COA for a two-story single-family residence to be built on this vacant waterfront lot in the SBHD. The applicant had come back to the Board with substantial revisions to his previous applications. At this time he was requesting a front yard setback reduction to 23 feet from the required 25 feet. Ms. Rathbun explained that version 1 of the plan had a 20-foot front yard setback and was 32 feet tall; version 2 had a 25-foot front yard setback and was 30 feet tall and this version had a 23-foot front yard setback and was 28'6" tall.

ULDR Section 47-17.5

- A. Yards. The historic preservation board may authorize a reduction in yards and minimum distance separation requirements for residences located in RS-8, RML-25 and other residential zoning districts located within the SBHD when the historic preservation board finds a reduction in yards does not interfere with the light, air, and view of adjacent properties and:
1. Reducing the required yard is compatible with the yards or abutting properties and yards across from the yard proposed for reduction.
 2. The yards proposed to be reduced are consistent with the yards existing in connection with contributing structures in SBHD

CONSULTANT RESPONSE: Ms. Rathbun stated of the properties adjacent to the applicant's lot, the lot to the east had a front yard setback of 19.71 feet and the lot to the west of the property had a front yard setback of 22.97 feet. The applicant's request for a reduction to a 23-foot front yard setback was appropriate. This setback in itself would not interfere with the light, air and view of the adjacent properties.

Criteria for Certificate of Appropriateness:

Pursuant to ULDR Section 47-24.11.C.3.c.i, in approving or denying applications for certificates of appropriateness for alterations, new construction, demolition or relocation, the HPB shall use the following general criteria:

ULDR Section 47-24.11.C.3.c.i

- a) The effect of the proposed work on the landmark or the property upon which such work is to be done;

CONSULTANT RESPONSE: Ms. Rathbun said the Board needed to consider the impact of the new construction on the surrounding (adjacent) properties. The Board could consider the effect of the new construction in relation to other historic (contributing) properties in the SBHD. She said the applicant had submitted photos of

historic single-family residences in the district that he believed to have a similar mass, height and scale to his proposed project. In his modified application narrative the applicant specifically addresses the height of the Oliver House, which was less than twenty-eight feet. Ms. Rathbun remarked that Oliver House was an individually designated historic resource, which was moved to the SBHD from another neighborhood to save it from demolition; it was not part of the original historic fabric of the district.

Ms. Rathbun stated the applicant originally proposed a 32-foot overall height for his project. Currently, he had reduced the overall height to 26' 6". The height of the building from the ground to the eaves was 22 feet. Ms. Rathbun said this reduction in the size of the second story had allowed the applicant to modify the roof plan from a moderate sloped simple hipped roof rising ten feet from the roof bed to a ridgepole, to a low-sloped pyramidal hipped roof rising six feet to a single point. She said these changes had substantially reduced the height and mass of the proposed house.

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

CONSULTANT RESPONSE: Ms. Rathbun stated that with the exception of the house at 1220 SW 4th Court immediately to the west of the applicant's lot, all of the houses on this section of the street were built prior to 1965. The house at the 1220 address was infill that was built sometime in the 1990s. The side elevations of the proposed building had been reduced to 59 feet on the east side ground floor elevation. The width of the proposed house was 39 feet. The east side setback has been increased to 6 feet, allowing more air space between the proposed house and its eastern neighbor.

Ms. Rathbun said the mass of the second story has been reduced by a substantial stepback on the façade. The large mass of the building was now located toward the center of the lot, farther from the front yard setback. The side length of the second floor was now 42 feet. There was a stepback on the ground floor of about 6 feet on the east portion of the rear elevation. The previous plan called for a 62-foot overall side length and the walls rose to a shear height of 22 feet to the eaves. Ms. Rathbun noted that the applicant's present plan was a substantial improvement in scale, height and mass over the previous plan.

ULDR Section 47-24.11.C.3.c.i

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

CONSULTANT RESPONSE: Ms. Rathbun cited the United States Secretary of the interior's Standards for Rehabilitation:

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic

materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Ms. Rathbun stated in the context of the application before them, the Board should consider the impact of the new construction on the spatial relationship to the adjacent properties on the east and west sides of the building lot and those three properties immediately across the street (SW 4th Court). In addition, the Board should consider the size, scale, proportion and massing of the new construction and its impact on the character of the immediate environment, i.e. the size, scale, proportion and massing of the adjacent properties.

Ms. Rathbun noted that the applicant's modified project was still taller than any of the homes on that portion of SW 4th Court but in height it was compatible with the contributing single-family houses of the neighborhood. The actual and perceived reduction in mass and scale of the current proposed house helped integrate it into the existing streetscape.

Ms. Rathbun added that pursuant to ULDR Section 47-17.7.A, the Sailboat Bend Historic District material and design guidelines shall be read in conjunction with the existing guidelines provided in this section and shall be utilized as additional criteria for the consideration of an application for a certificate of appropriateness for new construction, alterations, relocation, and demolition.

ULDR Section 47-17.7.B

1. Exterior building walls.
 - a. Materials and finish.
 - i. Stucco: float finish, smooth or coarse, machine spray, dashed or troweled.
 - ii. Wood: clapboard, three and one-half (3 1/2) inches to seven (7) inches to the weather; shingles, seven (7) inches to the weather; board and batten, eight (8) inches to twelve (12) inches; shiplap siding smooth face, four (4) inches to eight (8) inches to the weather.
 - iii. Masonry: coral, keystone or split face block; truncated or stacked bond block

CONSULTANT RESPONSE: Ms. Rathbun stated the requested troweled stucco met the SBHD guidelines.

2. Windows and doors.
 - a. Materials.
 - i. Glass (clear, stained, leaded, beveled and non-reflective tinted).
 - ii. Translucent glass (rear and side elevations only).
 - iii. Painted and stained wood.
 - iv. Aluminum and vinyl clad wood.

- v. Steel and aluminum.
- vi. Glass block.
- vii. Flat skylights in sloped roofs.
- viii. Domed skylights on flat roofs behind parapets.
- b. Configurations.
 - i. Doors: garage nine (9) feet maximum width.
 - ii. Windows: square; rectangular; circular; semi-circular; semi-ellipse; octagonal; diamond; triangular; limed only to gable ends.
- c. Operations.
 - i. Windows: single and double hung; casement; fixed with frame; awning; sliders (rear and side only); jalousies and louvers.
- d. General.
 - i. Wood shutters sized to match openings (preferably operable).
 - ii. Wood and metal jalousies.
 - iii. Interior security grills.
 - iv. Awnings.
 - v. Bahama shutters.
- vi. Screened windows and doors.

CONSULTANT RESPONSE: Ms. Rathbun stated clear glass and wood-vinyl clad window frame materials and 9-foot wide garage doors met the SBHD guidelines. The requested square, rectangular and circular windows met the guidelines. Single hung, double hung, fixed with frame, sliders at rear and sides only and other French Doors met the guidelines. Non-operable shutters, screened windows and doors met guidelines.

- 3. Roofs and gutters.
 - a. Roof--materials.
 - i. Terra cotta.
 - ii. Cement tiles.
 - iii. Cedar shingles.
 - iv. Steel standing seam.
 - v. 5-V crimp.
 - vi. Galvanized metal or copper shingles (Victorian or diamond pattern).
 - vii. Fiberglass/asphalt shingles.
 - viii. Built up roof behind parapets.
 - b. Gutters.
 - i. Exposed half-round.

- ii. Copper.
- iii. ESP aluminum.
- iv. Galvanized steel.
- v. Wood lined with metal.
- 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 gable and hip, pitch no less than 3:12 and no more than 8:12. Shed roofs attached to a higher wall, pitch no less than 3:12. Tower roofs may be any slope. Rafters in overhangs to be exposed. Flat with railings and parapets, where permitted, solar collectors and turbine fans at rear port.

CONSULTANT RESPONSE: Ms. Rathbun said 5- v crimp roof material met the guidelines. ESP aluminum for gutters met the guidelines.

4. Garden walls and fences.

- a. Materials and style.
 - i. Stucco: float finish, smooth or coarse, machine spray, dashed or troweled.
 - ii. Wood: picket, lattice, vertical wood board.
 - iii. Masonry: coral, keystone or split face block; truncated or stacked bond block.
 - iv. Metal: wrought iron, ESP aluminum, green vinyl coated chain link.
- b. Configurations.
 - i. Front: spacing between pickets maximum six (6) inches clear.

CONSULTANT RESPONSE: Ms. Rathbun stated ESP aluminum met the SBHD guidelines.

5. Arcades and porches.

- a. Materials and finish.
 - i. Stucco (at piers and arches only): float finish, smooth or coarse, machine spray, dashed or troweled.
 - ii. Wood: posts and columns.
 - iii. Masonry (at piers and arches only): coral, keystone or split face block; truncated or stacked bond block.
 - iv. Metal (at railings only): wrought iron, ESP aluminum.

CONSULTANT RESPONSE: Ms. Rathbun stated troweled stucco finish met the SBHD guidelines. ESP aluminum for railings met the SBHD guidelines. She said the applicant's proposal met the criteria of the Material and Design Guidelines ULDR Section 47-17.7.B.

COA for New Construction:

Ms. Rathbun said the applicant was requesting a certificate of appropriateness for new construction of a two story single family home. In addition to the General Criteria for obtaining a COA and the Material and Design Guidelines, as previously outlined, pursuant to ULDR Section 47-24.11.C.3.c.iii, the Board must consider the following additional criteria specific to new construction, taking into account the analysis of the materials and design guidelines above:

“Additional guidelines; new construction. Review of new construction and alterations to designated buildings and structures shall be limited to exterior features of the structure, except for designated interior portions. In approving or denying applications for certificates of appropriateness for new construction, the board shall also use the following additional guidelines. Where new construction is required to be visually related to or compatible with adjacent buildings, adjacent buildings shall mean buildings which exhibit the character and features of designated or identified historic structures on the site or in the designated historic district where the site is located.”

ULDR Section 47-24.11.C.3.c.iii

- a) The height of the proposed building shall be visually compatible with adjacent buildings.

CONSULTANT RESPONSE: Ms. Rathbun stated the height of the current proposed house was compatible with existing contributing single-family historic resources in the SBHD. The sizable setback on the street-facing elevation facilitated the visual compatibility of the project with the other buildings on the street.

- b) The relationship of the width of the building to the height of the front elevation shall be visually compatible to buildings and places to which it is visually related.

CONSULTANT RESPONSE: Ms. Rathbun stated the height of the front setback was similar in height to the one-story porch of the house to the west of the applicant's property and the overall height of the one story property to the east.

- c) The relationship of the width of the windows to height of windows in a building shall be visually compatible with buildings and places to which the building is visually related.

CONSULTANT RESPONSE: Ms Rathbun stated the applicant's current proposal met this criterion.

- d) The relationship of solids to voids in the front facade of a building shall be visually compatible with buildings and places to which it is visually related.

CONSULTANT RESPONSE: Ms. Rathbun stated the applicant's current proposal met this criterion.

- e) The relationship of a building to open space between it and adjoining buildings shall be visually compatible to the buildings and places to which it is visually related.

CONSULTANT RESPONSE: Ms. Rathbun stated the applicant's current proposal met this criterion.

- f) The relationship of the materials, texture and color of the facade of a building shall be visually compatible with the predominant materials used in the buildings to which it is visually related.

CONSULTANT RESPONSE: Ms. Rathbun stated the applicant's project met the SBHD Materials and Design Guidelines.

- g) The roof and shape of a building shall be visually compatible with the buildings to which it is visually related.

CONSULTANT RESPONSE: Ms. Rathbun stated the applicant had made important concessions in the reduction in size of the second floor and main roof. The current proposal called for a pyramidal hipped roof that rose to a single point rather than two points at either end of a ridge pole. This, along with the lower slope of the roof, was a major reduction in the mass of the roof and the overall height of the building. Of the four adjacent buildings, the house to the east of the building site was a one story with a low pitched hipped roof; the house to the west was one and a half stories with a moderate pitch gable and gable on hip roof and the two one story houses immediately across SW 4th Court from the applicant's lot had low pitch gable roofs. Of the two-story historic single-family houses chosen by the applicant, all had low pitch hip, gable or gable on hip roofs. The proposed new construction was now compatible with the adjacent houses on the street and historic residential resources in the SBHD.

- i) The size of a building, the mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with the buildings and places to which it is visually related.

CONSULTANT RESPONSE: Ms. Rathbun stated the present plan was visually compatible as to size, mass in relation to open spaces to immediately adjacent buildings or historic single-family residences, referenced by the applicant in his application.

Ms. Rathbun said the applicant had modified the size of the two garage doors from his first proposal, and it appeared he had further modified the door. However, the garage entry still took up a large part of the ground floor façade of this house, and she noted that single car garages were the norm on this street. This design element was not visually compatible with the visually related buildings. It should be noted that the façade stepback and the wall articulation did mitigate the garage door element to some extent.

- j) A building shall be visually compatible with the buildings and places to which it is visually related in its directional character, whether this be vertical character, horizontal character or nondirectional character.

CONSULTANT RESPONSE: Ms. Rathbun stated the new construction was visually compatible to the adjacent buildings as to directional character, i.e. orientation on the lot. The façade setback, the wall articulation of both the façade and riverfront elevation and the small setback at the rear elevation had reduced the visual mass of the building. She said the vertical character of this plan was compatible with the vertical character of the historic residential resources in the SBHD.

Summary Conclusion:

Ms. Rathbun stated single-family homes in the Sailboat Bend Historic District were a mixture of architectural styles. The iconic style of the district had been thought to be the small one story vernacular or folk cottage, but other styles ranging from Spanish Eclectic to Modern Minimal Traditional were well represented. However, the City of Fort Lauderdale Historic Preservation ordinance did not address styles as such, in determining the compatibility of new construction within the neighborhood; the ordinance addresses the characteristics of size, mass, scale and height of the new construction in relation to those same characteristics as seen in the houses adjacent to and surrounding the proposed project, and the contributing (historic) single family houses of the district.

Ms. Rathbun continued that although the Sailboat Bend neighborhood did not encourage street-facing garage doors, as this was a waterfront lot, there was no other practical position for the garage openings; the small size of the lot and the front yard setback would not allow the doors to be reoriented to the side. She said street facing garage doors would not be acceptable on interior or larger lots in the neighborhood, or on streets that did not have existing street facing garage doors. There were other street facing garage doors on this street and as the applicant felt that a double garage was a necessity for his project, this could be approved for this particular project on this particular street.

Ms. Rathbun remarked that there were eight residences on this section of SW 4th Court; the road section going west from SW 12th Avenue dead ended at the gates of a large waterfront estate. One house on a large corner lot at SW 4th Court and 12th Avenue, which had a 12th Avenue address, had a two-story addition; all of the other seven buildings were one story including one home that was one and a half story in height. Ms. Rathbun said the applicant's redesigned proposed two-story building was compatible infill on this street in the SBHD.

Mr. Ken Powell, applicant, said he was aware the Board was considering changes to the ULDR and he asked them to become "champions of clarity" so others were not "victims of vagueness" as he had been.

Mr. Marc Sever, project architect, described the changes he had made since the last meeting. He had reduced the square footage by 600 square feet and the house was now one foot narrower and the east side setback was now six feet. The rear setback

was 26.5 feet where 25 feet was required. The footprint, including the covered patio and porch was 42% where 50% was allowed. The Floor Area Ratio was 62% where 75% was allowed. The height was 28'6" where 35 feet was allowed. The roof pitch had gone from 6:12 to 5:12 to 4:12. The total square footage was now 3,355 including the garage.

Chair McClellan opened the public hearing.

Ms. Alys Plummer, Sailboat Bend resident and Vice President of the Sailboat Bend Civic Association, said neither she nor the Civic Association had seen these plans. She noted that in this application, there had been a change in vocabulary: words like, "compliance to guidelines" had been replaced with words like "concessions." She said the vocabulary was being re-shaped about what it meant to build in an historic district that had guidelines.

Ms. Plummer was still concerned about the height of the roof and asked what reference had been used in terms of a single-family residence that was a contributing historic structure. She remarked that once this height was built in the neighborhood, it would change the streetscape of the historic district forever.

Mr. Charles Jordan, Sailboat Bend resident and Vice President of the Trust for Historic Sailboat Bend, said this applicant had chosen to portray himself as a victim rather than go through the process all residents had gone through in Sailboat Bend. Mr. Jordan did not want the Board to make a decision on this application until they could hear what the neighborhood had to say.

Ms. Rebecca Monson, who lived in the house across the street from this project, said she had seen the plans and she felt they were not offensive and were appropriate. She said she would prefer this project to a weedy, empty lot.

Mr. Dave Parker, President of the Sailboat Bend Civic Association, said there was a process in the neighborhood that usually involved bringing plans to the civic association. He encouraged the Board to wait until the association had a chance to look at the plans. Mr. Prager stated that process was not part of the ULDR and asked Mr. Parker to look at the plans and discuss them this evening.

Mr. Prager thought one of the best features was the front of the house, with the second floor moved back; this took a lot of weight away.

Ms. Plummer said typically, the plans would be presented to entire the civic association. Mr. Prager said the law stated the Board should listen to people who were present. Ms. Plummer said the changes had been an improvement, but she wondered why it had taken so long to get to this point. She thought the item should be deferred and noted that cases were often deferred to allow the applicant to meet with the neighborhood.

Ms. Sarver said the criteria did not specify that plans must be submitted to a civic association. The Board could make their decision this evening or recommend the applicant meet with the neighborhood.

Mr. Jordan added that the agenda had not been posted on the City's website as of the previous Friday.

Motion made by Mr. Prager to defer the case.

Chair McClellan worried the Board would be shortchanging the applicant if they deferred the case without addressing the criteria they were supposed to use to review the plans.

Mr. Prager felt it was a serious problem that there was no sign requirement, resulting in inadequate notice to the Sailboat Bend Civic Association. Ms. Sarver said the Board should use the code on the books to make their decision. Mr. Fajardo said the agenda had been sent to the Webmaster the previous Wednesday or Thursday. He had seen it online on Thursday night. Ms. Sarver stated the requirement for the agenda posting was three days prior to the public hearing.

Mr. Powell said they had not met with the civic association because the last time the architect had done this, "they ambushed him." He said meeting with the civic association was not a requirement. Mr. Powell said they had met with other groups in the neighborhood and they had received three positive letters from neighbors. He felt the civic association did not represent the community well at all.

Mr. Jordan said he had met with the applicant before the plan was submitted and advised him that it was very important to meet with the neighborhood and to deal with the mass and scale issues.

Mr. Strawbridge reminded Mr. Jordan that he had designed a house for this lot that had been reviewed by the Board and by the neighborhood. The design had been for a house that was taller than this house. Mr. Jordan said this design had been a mistake and had not met the code.

Ms. Sarver referred to 47-27.2.A.7 that indicated failure to provide notice was not grounds to invalidate the hearing. She asked the Board to remain aware of the applicant's due process rights.

Mr. Strawbridge asked Ms. Sarver if deferral would be interfering with due process. Mr. Sarver said, "I think there's an application before you and an applicant has due process rights and you should look at the criteria and make a decision if possible" because the application had been in front of them before.

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

Ms. Graff remarked that the applicants had done a good job and had met the criteria. She wanted to move this forward.

Mr. Prager said he had suggested deferral because he thought proper notice had not been given but Ms. Sarver had informed them that this was not grounds to invalidate the hearing.

Mr. Prager withdrew his motion.

Mr. Strawbridge said Ms. Rathbun's report was supportive of the project.

Motion made by Mr. Strawbridge, seconded by Ms. Graff, to approve the request. In a roll call vote, the vote was 4 – 4 with Mr. Kyner, Mr. DeFelice, Mr. Prager and Chair McClellan opposed.

Ms. Sarver said the case would come back at the Board's next meeting, or the Board could reopen discussion and/or reconsider the previous vote. Mr. DeFelice thought the proper process in the event of a tie was to restate the motion and hold a second vote. Ms. Sarver said this was encouraged, but not doing it would not invalidate the vote. Chair McClellan restated the motion.

Motion made by Mr. Prager, seconded by Mr. DeFelice, to re-open the public hearing. In a roll call vote, motion passed 8 – 0.

Mr. Powell asked Board members to put themselves in his position and suggested a recess to allow the neighbors present to review the plans.

Mr. James Paras, applicant, said he understood that they were not required legally to go to the civic association. Ms. Sarver said the Board could not force them to meet with the civic association but it could request that they do so.

Chair McClellan closed the public hearing and brought the discussion back to the Board.

Mr. Morgan said he was having trouble with the process. He said he could understand the preference for the applicant to meet with the civic association to get everyone in agreement on each project but this was unrealistic. He also did not feel every hearing should be a workshop where the Board redesigned the projects. Ms. Graff agreed and wanted to move forward with the application.

Mr. Prager said he was wrestling with two of the criteria: 47-24.11.C.3.c.i.b) the relationship between such work and other structures on the landmark site or other property in the historic district, and 47-24.11.C.3.c.iii.a), the height of the proposed building shall be visually compatible with adjacent buildings. Mr. Prager thought these plans were closer than they had been, but he was not sure they went far enough; this was the input he had wanted from Sailboat Bend.

Chair McClellan said the applicant had referenced two-story buildings built before 1940 in the Sailboat Bend neighborhood. She noted that Oliver House had been moved to the area and was just below 28 feet in height. She asked about the lineage of the houses at 920 Tequesta Street and 1017 Southwest 4th Court. Ms. Rathbun said this information was probably in the survey, which the Commission had yet to approve.

Chair McClellan said she too felt like a victim of vagueness. She appreciated the changes the applicant had made, but felt the project was still not compliant with the criteria. Per 47-24.11.C.3.c.i in the plan was taller than the Oliver House, which was not native to the area. Mr. Powell said the website indicated this was significant in the district. He felt that new construction in an historic district should be "built for the time period that it's being built" and right now, two-story structures were appropriate new construction in any area.

Chair McClellan said this was a large footprint and large Floor Area Ratio building for this neighborhood. She stated the window solid to void ratio was a lot of solids to very little voids. Chair McClellan said a denial of this plan would not deny the owner the ability to build on this piece of property.

Mr. Powell interrupted to state that Chair McClellan had quoted him a price to be the architect on this project and not been selected and he felt "there's been a hostility to sabotage this project right from the very beginning." Chair McClellan said there were no hard feelings about this project at all.

Mr. Strawbridge noted that Ms. Rathbun had found that the project either complied with 47-24.11.C.3.c.i.a) through d) or they were not applicable. Mr. Strawbridge said it was the Board's job to determine whether there was competent, substantial evidence. Mr. Strawbridge said for years, the neighborhood and he had been supportive of Ms. Rathbun's competence. He stated, "I see that our consultant says this meets the code in every which way, and to have an applicant leave here tonight having seen that and still not knowing where he stands is troubling to me." Ms. Graff agreed with Mr. Strawbridge's comment.

Chair McClellan said she did not felt the plan was compatible with the historic fabric in the neighborhood, and noted that the Board comprised people of different backgrounds and different opinions. Chair McClellan stated the plan did not meet 47-24.11.C.3.c.iii.a), b) and c) because it was taller and massively larger than nearby

buildings, and because the relationship of the width of the windows to height of was not visually compatible with buildings and places to which the building was visually related. The examples referenced in the packet included a building whose windows Chair McClellan thought were “rash rather than actually thought out and placed with meaning.” Mr. DeFelice doubted that comparisons should be made between a single-family structure and a town home like the one Chair McClellan described. Chair McClellan said the plan did not meet the criteria in 47-24.11.C.3.c.iii.h) and i). She appreciated the reduction of the porch, but said it would be better if it were up to the 17-foot mark. Also she would like to see the size of the garage doors reduced further because it was not balanced in terms of solids and voids.

Mr. DeFelice said it seemed apparent that the criteria had been met, but something did not seem right, namely, the buildings at 1226 and 915 West Las Olas that the building was being compared to, which were not single-family homes. Mr. Strawbridge said in Ms. Rathbun’s report, she showed in spatial diagrams that from a massing perspective this was not the biggest house in the neighborhood. Mr. DeFelice referred to the diagrams and said the scale and mass were not appropriate and the building overwhelmed the property to the east.

Mr. Morgan did not feel it overwhelmed the house next door, but acknowledged there was a difference between what was ideal and what was satisfactory to meet the criteria. He felt this design was appropriate.

Chair McClellan said her biggest concern was that they were making a decision that would affect the future of the neighborhood. She said the applicants had done more than their share to present the project, but the Board had consistently said that the mass, size and scale were large for this neighborhood and there were obvious triggers for this: square footage and height. Chair McClellan said this plan was still large. Down the road, a future Board would be in a situation to hear, “You guys accepted a house that was this size and said that it worked with the historic fabric. And I’m sorry, but I cannot change and say that it does, because it doesn’t.”

Mr. Prager thought Chair McClellan was trying to “prevent these two awful examples that they’ve given from ever happening again, 1226 and 915 [West Las Olas] and it’s good that you’re doing that.” Mr. Kyner said these two structures had very peculiar façades, not very modulated or appropriately stepped back. Regarding Ms. Rathbun’s report, Mr. Kyner said she had indicated this project was taller than any home on that portion of Southwest 4th Court, but that it was compatible in height with the contributing single-family houses of the neighborhood. The actual and perceived reduction through stepbacks from the ground floor helped to integrate it into the existing streetscape. Mr. Kyner remarked that this project had taken steps to modulate the fact that it was two-story and reduce the impact, whereas the other two examples did not.

Ms. Sarver had checked the code and declared that the three days required for notice were not specific to business days, so proper notice had been given. There was therefore no reason for the Board to defer action.

Mr. DeFelice thought the plan met the criteria. He said the applicants had been asked to revise the plans and they had done it “to the bare minimum” which was unfortunate because this could be a much more appropriate project.

Chair McClellan stated tree canopy was another issue that was important to the neighborhood.

Mr. Kyner referred to Ms. Rathbun’s report, which noted that the garage doors took up a large part of the ground floor façade and were not visually compatible with other buildings in the neighborhood where single-car garages were the norm even if the façade step-back and wall articulation mitigated the garage doors to some extent. Mr. Kyner said from the first design, he thought the garage doors were the predominant part of the house and he did not know what steps other than reducing the width the applicant could have taken to reduce the doors, such as placing them on opposite ends of the house. Mr. Kyner felt this design need more work.

Mr. Strawbridge understood Mr. Kyner’s opinion, but said “it is the investment-backed expectation of this century” and this would have a serious impact on the marketability of the house. Chair McClellan said this was an historic neighborhood with an historic overlay that brought a different type of value to the neighborhood, therefore Mr. Strawbridge’s argument was not quite valid.

Motion made by Mr. Morgan, seconded by Mr. Prager, to approve.

Mr. Jordan interrupted the roll call vote to state since this was the same motion on which the Board had already voted, there must be a motion to reconsider first.

Motion made by Mr. Strawbridge, seconded by Ms. Harrison to reconsider Mr. Strawbridge’s original motion to approve the project as presented. In a roll call vote, motion passed 6 – 2 with Mr. Prager and Chair McClellan opposed.

Motion made by Mr. Morgan, seconded by Ms. Harrison, to approve. In a roll call vote, motion passed 6 – 2 with Mr. Prager and Chair McClellan opposed.

2. For the Good of the City

CLG Grant

Chair McClellan reported Ms. Morillo was creating a grant application for \$20,000 to write the CLG historic guidelines.

Motion made by Mr. Prager, seconded by Ms. Graff, to approve writing a letter of support for the \$20,000 CLG grant for which Ms. Morillo was applying. In a voice vote, motion passed unanimously.

Ordinance Revisions

Mr. Fajardo informed the Board that the group working on the ordinance revisions had not submitted the final sections yet. They anticipated getting back together soon and would have something to present to the Board in December.

3. Communication to the City Commission

County Parking Garage Project

Chair McClellan stated the County was considering parking garage projects and one of the three proposals was located next to the Coca-Cola building on Andrews Avenue, across from the old firehouse and the Southside School. This would be a six to eight-story garage with retail. On November 4 at 2 P.M. a meeting would be held to approve one of the proposals, and Chair McClellan stated she would attend the meeting. Mr. Fajardo said no formal application had been submitted to the City yet.

Mr. Fajardo stated the Coca-Cola building was not a designated building. He noted staff had requested applicants in the past make presentations to the HPB for their comments, and staff would determine whether or not to do this after the application had been submitted.

Mr. Strawbridge stated there was no doubt that the Coca-Cola building was eligible for the National Register. He did not understand why this building was not already designated. Ms. Graff and Mr. DeFelice agreed.

Ms. Plummer stated the Coca-Cola bottling plant was built in 1938, and was listed in the Master Site File in Tallahassee in 1974 as an historic resource. It was also listed in the City's Comprehensive Plan as an historic resource. The Janus Group had found the building eligible for listing in the National Register of Historic Places in July 2007. Ms. Plummer said she had already begun the paperwork for designation, and usually the owner was consulted regarding designation. She noted the City had recently increased the fee for an historic designation application from \$100 to \$600. Chair McClellan said this fee was common throughout the country.

Mr. Baber said the County Historical Commission had recently voted unanimously to support designation of the Coca-Cola building.

Ms. DeFelice suggested the fee be waived for this property. Mr. Strawbridge felt the fee was something the district commissioner would support for the public good.

Motion made by Mr. Strawbridge, seconded by Mr. Prager, to request the City Commission waive the application fees for the historic designation of the Coca-Cola building (northeast corner of Andrews Avenue and SE 7 Street). In a voice vote, motion passed unanimously.

Rivermont Property

Ms. Plummer informed the Board that the Rivermont property, adjacent to Lauderdale Park, was in foreclosure and she had approached the bank about merging the two properties and opening it as a public park. She explained this property was an Indian Midden and could not be developed unless it was completely excavated and catalogued. Ms. Plummer asked the Board to support the City's investigating helping with the acquisition of the Rivermont property to become an historical park for the community. She said she had been in contact with the Trust for Public Lands and the Archeological Conservancy about acquiring the property.

Mr. Strawbridge suggested that a bank representative address the Board regarding this. Ms. Plummer said the bank had approached Mr. Baber because they had been informed that the property could not be developed as the previous owner wished due to its historical significance.

Chair McClellan supported this, and thought they should allow the City to discuss it with the bank.

Motion made by Mr. DeFelice, seconded by Mr. Prager, to ask the City to support exploring opportunities for preservation of the Rivermont House (Sailboat Bend) and site for public use. In a voice vote, motion passed unanimously.

Mr. DeFelice announced there was a Historical and Archaeological Resources Training (HART) seminar in Key Largo on November 17. This was an introduction to State-level resources from the Division of Historic Resources.

There being no further business to come before the Board, the meeting was adjourned at 7:25 p.m.

Next Meeting

The Board's next meeting was scheduled for December 6, 2010.

Chairman,

Susan McClellan, Vice 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 Inc.