

**HISTORIC PRESERVATION BOARD
CITY OF FORT LAUDERDALE
MONDAY, APRIL 4, 2011 - 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	11	0
Matthew DeFelice, Vice Chair	P	10	1
Beauregard Cummings	A	3	8
Mary Jane Graff	A	7	3
Marie Harrison	P	9	2
David Kyner [until 6:30]	P	10	1
Phillip Morgan	P	9	1
Robert Prager	A	6	5
Scott Strawbridge	A	8	3
Gretchen Thompson	P	3	0

City Staff

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

Communication to the City Commission

None

Index			
<u>Case number</u>		<u>Applicant</u>	<u>Page</u>
1.	2-H-11	City of Fort Lauderdale	<u>2</u>
2.	6-T-10	Proposed Amendments to the Historic Ordinance	<u>12</u>
		Good of the City	<u>3</u>
		Communication to the City Commission	<u>4</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 McClellan called the meeting of the Historic Preservation Board to order at 5:01 p.m.

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

Approval of Minutes of March 2011 Meeting

Chair McClellan noted a correction to the minutes.

Motion made by Mr. Morgan, seconded by Mr. Kyner, to approve the minutes of the Board's February minutes as amended. Board unanimously approved.

Index

1. **Applicant:** City of Fort Lauderdale **2H11**
- Owner:** City of Fort Lauderdale (Represented by Frank Snedaker, City Architect)
- Address:** 701 South Andrews Avenue
- General Location:** Southwest corner of SW 6th Street and South Andrews Avenue
- Legal Description** Lots 1, 2 and 3, Block 60, "Town of Fort Lauderdale". According to the plat thereof recorded in Plat Book 6, Page 40 of the public records of Miami-Dade County, Florida, Less the east 15 feet of Lot 1, Block 60 and less the North 15 feet of Lots 1, 2 and 3, Block 60
- Request:** **Certificate of Appropriateness for New Construction**
- **New Construction: Dumpster Enclosure, Restroom Building & Picnic Pavilion**
 - **After the Fact – New Construction: Playground Equipment**
- Certificate of Appropriateness for Alteration**
- **Alteration: Decorative fence and entry, Monument Sign, Parking & Walkways.**
 - **After the fact – Alteration: Concrete slab for future expansion**

When determining whether to issue a Certificate of

Appropriateness for New Construction, the HPB shall consider the General Criteria for a Certificate of Appropriateness (Sec. 47-24.11.C.3.c.i. a. through f.) and the additional criteria for New Construction (Sec. 47-24.11.C. 3.c.iii.) as well as the criteria for Alterations (Sec. 47-24.11.C.3.c.ii.).

Mr. Fajardo remarked that some items had been constructed, such as the playground, and construction of a slab behind the building had been halted, resulting in the after-the-fact requests.

Mr. Frank Snedaker, Chief City Architect, said he thought the playground issues had already been discussed. He stated, "Some how, the outbuildings fell between the cracks and some of the...other items on the site." He reported the playground had been there for two years and was very successful.

Mr. Richard Heisenbottle, building designer and architect of record, apologized for the after-the-fact requests. He stated the structures had been designed long ago and he thought these had been part of the original submission. Mr. Heisenbottle said the band shell and amphitheatre were no longer planned for the site.

Property Background:

Ms. Rathbun stated the South Side School was part of the City of Fort Lauderdale Parks System and was also a locally designated historic resource. The school building, which was designed by architect John M. Peterman, was named to the National Register of Historic Places on July 19, 2006. It was purchased from the Broward County School Board by the City in 2004 and the City had agreed to lease the rehabilitated resource to NOVA Southeastern University/ Museum of Art to operate a studio art school in the building.

Description of Proposed Site Plan:

Ms. Rathbun said the applicant was requesting a COA for Alteration for several park site improvements including a fence, an entry gate, walkways, parking and a monument sign.

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: The requested site improvements are physically removed from the historic building and do not adversely impact the resource.

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

Consultant Response: The scale of the pavilion and the new one-story restroom building are appropriate in scale with the historic resource.

- 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;*

Consultant Response: The chosen materials and design elements reference and compliment the historic building without imitating the resource. The design for the improvements is appropriate.

- 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: The plans for the park site improvements are appropriate.

Request No.1 - COA for Alterations:

Ms. Rathbun reported the applicant was requesting a Certificate of Appropriateness for alterations to park site. She advised that 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.ii, the Board must consider the following additional criteria specific to alterations, taking into account the analysis of the materials and design guidelines above:

"Additional guidelines; alterations. In approving or denying applications for certificates of appropriateness for alterations, the board shall also consider whether and the extent to which the following additional guidelines, which are based on the United States Secretary of the Interior's Standards for Rehabilitation, will be met."

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

- a) Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose;*

Consultant Response: The historic resource will not be adversely impacted by the park site improvements.

- b) The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible;*

Consultant Response: There will be no adverse impact on the character structure or site by the proposed park site improvements.

- e) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site, shall be treated with sensitivity;*

Consultant Response: No adverse impact.

Ms. Rathbun stated the applicant was requesting a COA for the installation of a free-standing monument sign to be located at the northeast corner of the park. She said the proposed sign met the requirements of 47-16.21.

Request No. 2 - COA for New Construction:

Ms. Rathbun said the applicant was requesting a Certificate of Appropriateness for new construction of a park pavilion and a restroom building.

Ms. Rathbun advised that 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: The park site improvements are compatible with the historic resource.

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: The park site improvements are compatible.

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: The park site improvements are compatible.

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: The park site improvements are compatible.

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: The park site relationships to open space are appropriate.

- 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: The park site materials texture and color are visually compatible

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

Consultant Response: The hip roof with tile cladding is appropriate in that it references the Spanish Eclectic style of the resource and DOES NOT imitate the resource. The flat roof of the rest room building does not mimic the flat roof of the resource.

- h) Appurtenances of a building such as walls, wrought iron, fences, evergreen, landscape masses and, building facades, shall, if necessary, form cohesive walls of enclosures along a street, to insure visual compatibility of the building to the buildings and places to which it is visually related.*

Consultant Response: The park site fencing meets this requirement.

- 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: Size and mass in relationship to open spaces of the park site improvements meets this requirement.

- 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: The park site improvements meet this requirement

Request No. 3 - COA for New Construction, After the Fact:

Ms. Rathbun stated the applicant was requesting a COA for New Construction, After the Fact for a concrete slab addition to the rear elevation of the historic school building. She reported that four pits, approximately 4'x5' and 3' 6" deep, had been dug and forms for concrete footings had been inserted in the pits. Concrete had not been poured and the City had ordered the work to stop. Ms. Rathbun said there was no indication of what this slab was to be used for. If it was a foundation for an addition, no drawings had been submitted. She stated there was not enough information for the Board to determine if this was an appropriate addition to the historic resource or if this or any addition should even be made to the historic building.

Ms. Rathbun said the planned use of the historic resource was as a studio art facility. Any proposed additions to the resource might be used as art studios. Activities such as drawing and painting would have small impact on the historic building; however, other art activities such as ceramics, printmaking and sculpture required equipment such as

kilns (which can reach temperatures of several thousand degrees when in operation), use of industrial solvents and acids in printmaking and activities like metal working in sculpture, all of which could have a profound impact on the historic resource. Ms. Rathbun wanted the Board to be aware of the planned use for the addition before they made their decision on its appropriateness. She advised the Board to consider the following regarding design impacts of additions to the historic building:

For the Historic Preservation Board's Information: In evaluating additions to National Register properties, Ms. Rathbun advised that the Board should pay particular attention to the Secretary of the Interior's Standards and Guidelines for additions to NR resources. For the Board members' information, she had included the following from the *Secretary of the Interior's Standards and Guidelines*....:

New Additions to Historic Buildings

Recommended

- Placing functions and services required for the new use in Non-character defining interior spaces rather than constructing a new addition
- Constructing a new addition so that there is the least possible loss of historic materials so that character defining features are not obscured, damaged or destroyed
- Designing a new addition in a manner that makes clear what is historic and what is new
- Considering the design for an attached exterior addition in terms of its relationship to the historic building as well as the historic district or neighborhood. Design for the new work may be contemporary or may reference design motifs from the historic building. In either case, it should always be clearly differentiated from the historic building and be compatible in terms of mass, materials, relationship of solids to voids and color
- Placing a new addition on a non-character-defining elevation and limiting the size and scale in relationship to the historic building
- Designing a rooftop addition, when required for the new use, that is set back from the wall plane and as inconspicuous as possible when viewed from the street

Not Recommended

- Expanding the size of the historic building by constructing a new addition when the new use could be met by altering non-character defining interior spaces
- Attaching a new addition so that the character-defining features of the historic building are obscured, damaged, or destroyed
- Duplicating the exact form, material, style, and detailing of the historic building in a new addition so that the new work appears to be part of the historic building
- Imitating a historic style or period of architecture in a new addition
- Designing and constructing new additions that result in diminution or loss of historic character of the resource, including its design, materials, workmanship, location or setting

- Designing a new addition that obscures, damages, or destroys character-defining features of the historic building
- Constructing a rooftop addition so that the historic appearance of the building is radically changed

Ms. Rathbun said the applicant had not provided information about this application, i.e. plans and elevation drawings, to enable Board members to apply the above standards and the applicable ULDR to this request for COA for New Construction, After the Fact.

Summary Conclusion:

Ms. Rathbun stated the Certificates of Appropriateness for Alteration and New Construction of the park improvements were appropriate and should be approved, but there was not enough information for the Board to approve the Certificate of Appropriateness, After the Fact, of the concrete slab and footings, so this COA for New Construction should be denied.

Mr. Snedaker clarified that the City had an agreement for Nova to operate the facility; there was no lease involved. He said the foundations were part of the original approval and they had stopped because they were considering changes to meet Nova's program requirements.

Chair McClellan referred to pages A-5 and A-12 of the plans that mentioned future construction, and noted the Board did not have the pages referred to. Mr. Heisenbottle stated there was no design for the rear area yet. The foundation had been dug for the stage, which was previously approved. Mr. Heisenbottle explained that Nova had originally wanted a stage to be located off a studio theatre in the building, but the drama and dance activities were no longer going to take place and Nova wanted to use the building for studio arts. Regarding the slab in the rear, Mr. Heisenbottle stated there was no formal design for this and they wished to exclude it from the Board's consideration until they returned in May with a design. Mr. Fajardo agreed staff would research the previous approval.

Mr. DeFelice thought this previous approval should have been included in the Board's backup. He was concerned that excavation might have taken place on a National Register site without a COA. Mr. Heisenbottle informed Mr. DeFelice that no archeological work had been suggested on the site. Mr. DeFelice recalled this had been the location for one of the City's earliest cemeteries that had been removed in the 1910s or 1920s and he was concerned there could be trace elements on the site.

Mr. Fajardo stated since this was not designated as an archeological site, an archeological survey would not have been required. Ms. Rathbun agreed to research the historical records to try to determine the boundaries of the cemetery.

Mr. Heisenbottle displayed the plans on the Elmo and pointed out the restroom pavilion,

stage house and amphitheatre. He noted they proposed to remove the amphitheatre from the plans. Mr. Heisenbottle indicated where parking and fencing would be located and showed details of the fence. Mr. DeFelice noted that the fencing and other elements were different on different sheets. Chair McClellan requested that the consultants pick up on these differences before the plans were brought back to the Board.

Mr. Heisenbottle explained that the fence shown on L-2 was the correct plan. Mr. Snedaker stated Nova had requested the fence be extended to enclose the school property. He acknowledged that the plans the Board was examining had different components [such as the amphitheatre] and requested the Board table the concrete slab item.

Chair McClellan opened the public hearing.

Mr. Dave Baber, Broward County Historical Commission, thought the cemetery issue was very important because State and Federal law made it unlawful to knowingly dig on a known burial site. He stated they must verify the cemetery had been removed.

Mr. Baber said he had been the administrator for and signed off on an \$80,000 County Challenge Grant that had been awarded in 2007 for this project. What was proposed for that grant had supposedly included all of the rehabilitation work, but those plans showed no activity in the rear of the property. He was concerned that separate plans had been submitted for the grant application from what was anticipated now.

Mr. Charles Jordan, President of the Trust for Historic Sailboat Bend, said he was unsure if the school ever had a fence or if it should have a fence; they must examine the history of the property. He asked the architect to return with a plan that did not block the view of the school. Mr. Jordan also wanted to be certain that the fence would be located 44 feet from the Andrews Avenue center line, since the City's Master Plan called for 88 feet of right-of-way. Mr. Jordan did not want the Board to approve a slab for future development without knowing what that future development would be. Mr. Jordan stated once a COA was active, if the proposed plan would not be built, the applicant must show the Board what would not be done and what would be done instead.

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

Mr. Snedaker explained that when the City hired the architect to design this facility, they had anticipated the project would be done at one time. Shortfalls in funding had occurred and County and School Board requirements meant that certain elements must

be completed in a timely fashion, so the decision had been made to restore the property in stages.

Mr. Morgan stated he was concerned about the archeological issues with the cemetery, but acknowledged that safety issues would probably override any problems with the fencing.

Mr. Kyner said he was unclear about the progress of any of the items. Mr. Snedaker stated excavation had begun for the fence and the original amphitheatre; no excavation had begun for the other structures. Mr. Kyner suggested the Board defer all of the requests and consider them in complete form at their next meeting when they were presented with clear plans.

Mr. DeFelice stated any motion should include a requirement for the applicant to provide additional research about the boundaries of the cemetery, and whether or not it had been moved in whole or in part. He would not encourage an archeological survey until they had this information.

Motion made by Mr. DeFelice, seconded by Mr. Morgan, to defer the Certificate of Appropriateness for alteration, installation of the fence, entry, walkways, parking and monument sign to the Board's May 2011 meeting. The Board was also requesting additional information with the application identifying the history and nature of the cemetery on the site and an updated, clear set of plans for what was being requested by the COA. The Board wished to see research regarding an appropriate fence and gate for a school site from that period. In a roll call vote, Motion passed 6-0.

Motion made by Mr. DeFelice, seconded by Mr. Morgan, to defer the Certificate of Appropriateness for new construction of a pavilion and restroom building to the Board's May 2011 meeting. The Board was also requesting additional information with the application identifying the history and nature of the cemetery on the site and an updated, clear set of plans for what was being requested by the COA. In a roll call vote, Motion passed 6-0.

Mr. Snedaker clarified that the City was requesting the Board defer the third request so they could return with additional information on what was intended for the rear addition. Chair McClellan wished specific information regarding what had been previously approved and who had approved it. Mr. Snedaker agreed to provide the drawings showing what had been approved before and what was proposed at this time.

Chair McClellan also wanted additional information regarding the kilns Nova would use in the building and Mr. Snedaker agreed to request this information from Nova.

Mr. Kyner asked about the sewer lines, and Mr. Snedaker stated the site already had new sewer lines installed, but still needed the extension to the new restroom location. He agreed to provide information on how the connection would be made.

Motion made by Mr. DeFelice, seconded by Mr. Morgan, to defer the Certificate of Appropriateness for new construction after-the-fact for the addition of a concrete slab with footings to an historically designated building to the Board's May 2011 meeting. The Board was also requesting proof of the prior COA, additional construction criteria the City wished the Board to review, building use information for the addition, and information regarding how the sewer connections would be made to the new restrooms. In a roll call vote, Motion passed 6-0.

Mr. Snedaker asked about the fourth item, the previously completed playground, and Mr. Fajardo said staff did not have the information that the playground had previously been reviewed and/or approved as stated by Mr. Snedaker. Mr. Fajardo said staff would perform this research as well. Mr. Snedaker stated new shade structures were planned for the playground.

Motion made by Mr. DeFelice, seconded by Mr. Morgan, to defer the Certificate of Appropriateness for new construction after-the-fact for the playground to the Board's May 2011 meeting. The Board was also requesting supplemental information detailing the previous permits on the property for the playground. In a roll call vote, Motion passed 6-0.

Ms. Thompson did not see the need to defer the playground request. Mr. DeFelice felt that it should be deferred because of the cemetery issue. Mr. Snedaker explained that there had been a parking lot where the playground was now located and it had been extensively excavated. He stated no cemetery remains had been recovered at that time.

Mr. DeFelice requested the following information at the next meeting: the boundaries of the original cemetery; information the City had regarding if and when the cemetery had been removed and a history of permitting for the site. He remarked, "This is a City project and if the City can't maintain standards, we can't expect anybody else to." He noted that it was possible for human remains and archeological evidence to survive excavation and construction, and it would be irresponsible not to address those items as effectively as possible. Mr. Kyner was astonished that the City had behaved in such a reckless manner, as if the rules did not apply to them. Mr. Snedaker said he had been unaware until this meeting that there had been a cemetery on the property.

Mr. Fajardo confirmed that there was a stop work order on the property and work would not resume until the proper approvals were obtained.

At 6:30, Mr. Kyner left the meeting and the Board no longer had a quorum.

Index

2. Proposed Amendments to the Historic Preservation Ordinance

6T10

Sections under review: 47-24.11.H-J, *Maintenance of Designated Historic Resources and Demolition by Neglect*

* NOTE: The preceding list is not inclusive of all ULDR sections that are being reviewed for amendments, but rather a list of the sections that are anticipated to be discussed at the April 4, 2011 meeting. (This item is not quasi-judicial)

Mr. Fajardo remarked that most of this language was new.

Mr. Jordan explained that elements of the HPB charge were in several chapters of the ULDR and City Code and asked staff to provide the working group with a complete reference of the ULDR and City Code that pertained to historic preservation. Ms. Sarver agreed to do this research with Mr. Fajardo and sent this to the working group.

Mr. DeFelice asked if the language in Section H.1.a meant that this pertained only to historic buildings in districts. Ms. Sarver clarified that this pertained to a historic resource anywhere in the City or to a contributing or non-contributing resource within a designated district. Mr. Baber explained that a "contributing resource is a historic resource that's within a historic district. If it's in a historic district, it's not called a historic resource; it's called a contributing resource in the historic district." Mr. Jordan said the sentence could be punctuated differently for clarity. Ms. Sarver clarified that the Board's concern was that this would only protect historic resources located in a district and they wanted to be sure that this protected any historic resource whether it was in a district or not. Mr. Fajardo stated staff would clarify this language.

Mr. DeFelice said Section H.1.a very clearly dealt with buildings, but he would like it to be clear that this included archeological and paleontological sites. Ms. Sarver noted that the subsections only addressed specific architectural elements such as roofs. Mr. DeFelice stated neglect on an archeological site would include erosion, or lack of protection from unnecessary traffic on an open space site.

Mr. Jordan agreed that the existing language addressed architectural structures and they should consider another Section to address archeological and paleontological issues. Mr. Baber agreed that the issues were different for subterranean resources. Ms. Sarver suggested examining Miami Beach's ordinance. Mr. Baber stated the working group would create another subsection regarding minimum maintenance requirements for archeological and paleontological resources.

Chris Augustin, Building Official, referred to the language in Section H.1: "standards set forth in the applicable Florida Building Code" and asked what language in the Code this pointed to, because there was nothing there. Ms. Sarver suggested the Section refer to the City's Code of Ordinances. Mr. Jordan said the Florida Building Code had a section that dealt with historic buildings. Mr. Augustin explained that Broward and Dade Counties had their own amendments to the Florida Building Code Chapter 1.

Mr. Augustin stated Chapter 1 required that a structure in an unsafe condition must be presented to the Unsafe Structures Board, but the proposed ordinance required that an historic building that was unsafe must have a COA first. He noted that there were some situations when a structure must be demolished immediately due to life safety issues. Mr. Jordan said they were not arguing about life safety issues, but there had been times when there were no life safety issues, but a building had been presented to Unsafe Structures for demolition.

Mr. Augustin said the Florida Building Code did not include such things as painting and waterproofing that prevented deterioration. Ms. Sarver stated Mr. Augustin was concerned that the parts of the Florida Building Code being cited involved repair, not maintenance. Mr. Augustin confirmed there was no Section of the Florida Building Code that addresses maintenance.

Mr. Jordan said the whole point of this ordinance was to prevent demolition being the final penalty for neglecting an historic resource. He said they wanted specific problems to be cited and fixed. Mr. Jordan remarked, "We need to get away from this mindset that the final enforcing hammer of Code Compliance is demolition; that's what's wrong with our system in Fort Lauderdale." Mr. Baber explained that in the proposed ordinance, the City would secure the structure and lien the property.

Ms. Sarver was concerned about the Board's purview extending to determining whether or not a structure was unsafe, because per the Florida Building Code, this was the responsibility of the Unsafe Structures Board. Mr. Baber stated the working group had asked staff to work with them on this, but that had never happened. He asked Mr. Augustin to work with them to create a solution, and Mr. Augustin agreed.

Mr. Augustin suggested changing the language in Section H.1.a.ii from, "Deteriorated or inadequate foundations" to "Deteriorated foundations." Mr. Fajardo said one thing to consider with this language was how they anticipated it would be enforced. Mr. DeFelice felt the same mechanism that was now used to bring a structure to the Unsafe Structures Board could be used to bring the structure to the HPB. Mr. Baber referred to Section H.1.b, regarding Notice, administrative enforcement and remedial action, and specified that certain persons could enter the property for inspection after providing notice to the owner when it appeared the property was in jeopardy. Ms. Sarver stated only the Building Official could enter a building, so this should be changed.

Mr. Morgan felt this subsection should describe the minimum maintenance standards to which it referred. Ms. Sarver said there was a defect in the ordinance regarding maintenance. She stated, "We just go from a healthy structure to totally unsafe and demo, and I think that the HPB can be a great medium to catch it before it gets to that point." Ms. Sarver felt this had been a problem in the historic district for 10 years.

Mr. Jordan felt the right of entry could include the City's Historic Preservation Officer, accompanying the Building Official, to discuss possible remedies for a situation. Ms. Sarver agreed this could be amended; she had been concerned about Board members entering people's property. She stated there was a mechanism for injunctive relief to provide the City access to properties, which had been used already in one instance. Ms. Sarver said hopefully, with these Code revisions, the City could get to the properties before they got to that point. Mr. Jordan noted how frustrating it was that the City could demolish someone's building, but could not put a tarp on a roof or take another action to save the historic resource. Mr. Augustin agreed that the purpose of the revised ordinance should be to "catch it so that it doesn't get to the degree where it ever has to reach the other boards."

Mr. DeFelice noted that this portion needed significant editing. Mr. Baber agreed the working group would continue to work on it with Mr. Augustin.

Index

3. **For the Good of the City**

None.

4. **Communication to the City Commission**

Index

Mr. DeFelice asked about the Shippey House. Ms. Sarver confirmed that the City Commission could initiate the designation process in an emergency and quoted this section of the code. Mr. DeFelice wanted the Board to ask the Commission to begin this process for the Shippey House. Ms. Sarver pointed out the Board did not have a quorum and advised Board members to contact their individual Commissioners.

There being no further business to come before the Board, the meeting was adjourned at 7:44 p.m.

Next Meeting

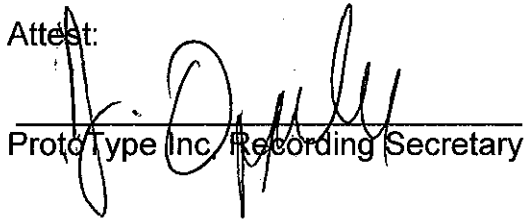
The Board's next meeting was scheduled for May 2, 2011.

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. Oppert, ProtoType Inc.