

**HISTORIC PRESERVATION BOARD  
CITY OF FORT LAUDERDALE  
MONDAY, FEBRUARY 4, 2013 - 5:00 P.M.  
CITY HALL FIRST FLOOR COMMISSION CHAMBER  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA**

<u>Board Members</u>	<u>Attendance</u>	<u>Cumulative Attendance</u>	
		<u>6:2012 through 5/2013</u>	
		<u>Present</u>	<u>Absent</u>
Matthew DeFelice, Chair	P	8	1
David Kyner, Vice Chair	P	9	0
Brenda Flowers	A	8	1
Marie Harrison	P	6	3
Richard Heidelbergger	P	8	1
Phillip Morgan	P	9	0
Richard Schulze	P	6	3
Jackie Scott	P	4	1
Gretchen Thompson	P	8	1

**City Staff**

Merrilyn Rathbun, Fort Lauderdale Historical Society, Consultant to HPB  
 Anthony Fajardo, Historic Preservation Board Liaison  
 Lynda Crase, Board Liaison  
 Linda Mia Franco, Board Liaison  
 Carrie Sarver, Assistant City Attorney  
 Jamie Opperee, Recording Secretary, Prototype Inc.

**Communication to the City Commission**

**Motion** made by Ms. Scott, seconded by Mr. Schulze to request the City Commission direct staff to amend the resolution to include the HPB as one of the Boards whose meetings would be televised. In a voice vote, motion passed 7-1 with Ms. Thompson opposed.

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**Call to Order**

Chair DeFelice called the meeting of the Historic Preservation Board to order at 5:00 p.m. Roll was called and it was determined a quorum was present.

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

**Board members disclosed communications they had concerning cases on their agenda.**

**Approval of Minutes of January 2013 Meeting**

Regarding the City's Comprehensive Plan and City policy about bringing Master Site File properties to the HPB for review, Chair DeFelice wished to amend the minutes to indicate that "staff was not following this policy because they thought it was out of compliance with Broward County." Mr. Fajardo recalled stating that he would speak with Barbara Blakeboy about compliance with Broward County's Comprehensive Plan. Chair DeFelice agreed that if there was confusion regarding what was said, the minutes would not be amended.

**Motion** made by Mr. Schulze, seconded by Ms. Thompson, to approve the minutes of the Board's January 2013 meeting. In a voice vote, motion passed unanimously.

**Cases:**

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<b>Case</b>	5 H 13	<b>FMSF #</b>	BD01724
<b>Applicant</b>	<b>Preferred Signs</b>		
<b>Owner</b>	Las Olas Beach Club Condo Association (Lauderdale Beach Hotel)		
<b>Address</b>	101 So. Fort Lauderdale Beach Blvd.		
<b>General Location</b>	Corner of A1A and Poinsettia		
<b>Legal Description</b>	LAS OLAS BEACH CLUB CONDO, BLK 0001, LOT 1-7		
<b>Existing Use</b>	Condominium with retail space.		
<b>Proposed Use</b>	same		
<b>Applicable ULDR Sections</b>			
<b>Request(s)</b>	<p>1. Certificate of Appropriateness for Alteration</p> <ul style="list-style-type: none"> <li>• Install signage on east façade of the building</li> <li>• Install awning over doorway; install wrap around awning over windows on southeast corner of the building</li> </ul>		

Chair DeFelice stated his concern that part of this was an after-the-fact CoA and Mr. Fajardo explained that these could be combined into one application.

Chair DeFelice asked if all information that was needed was included from the property owner and easement holder, the Broward Trust for Historic Preservation. Mr. Fajardo stated they had information from the management company, but the phone number provided on the Trust's website was for the previous contact person. The Board could make their approval contingent upon a release from the Trust. Mr. Fajardo informed Ms. Scott that the condominium owners were not required to sign off on anything concerning the commercial part of the building.

Chair DeFelice said Las Olas Beach Club, the building owner, was already talking to the Trust about painting the building, so they must have a working contact phone number. Chair DeFelice was not confident that the Board should hear this request without input from the facade easement holder (the Trust). Ms. Sarver indicated the Board could choose whether to hear the item or to defer it.

Charles Jordan insisted that Trust was an interested party and the Board should not hear this request until their input was received.

Ms. Rathbun read from her report:

**Property Background:**

The Lauderdale Beach Hotel was the first large resort hotel built on Fort Lauderdale beach. Earlier plans for a resort hotel on the beach were stopped by the collapse of the "boom", the disastrous 1926 hurricane and the subsequent nationwide Depression. James Knight's decision to build the hotel in 1936 helped kick-start the beach economy in the late 1930s.

Knight commissioned Miami Beach architect Roy M. France to design the first phase of the Lauderdale Beach Hotel in 1936. At the end of the hotel's successful first season, Mr. Knight brought Mr. France back to design the second phase of the hotel in 1937. Formerly from Chicago, Mr. France was one of the busiest hotel architects on Miami Beach from the 1930s through the post war period. Many of his projects still stand and contribute to the Art Deco Historic District of South Beach and the Collins/Waterfront Historic District both of Miami Beach. The Lauderdale Beach Hotel is the only building in Fort Lauderdale to be designed by Roy France; it is one of the few large Deco/Moderne style buildings built in this City. Mr. France was one of the most active hotel architects working in Miami Beach and South Florida. Many of his projects remain in the National Register South Beach Art Deco District and the Collins/Waterfront Historic District of Miami Beach.

An application to designate the hotel was brought to the Board in 2002. The property owner/developer eventually agreed to preserve the façade, the original lobby, the north and south facing elevations and the 1937 clock tower. The developer gave a façade easement to the Broward Trust for Historic Preservation

**Description of Proposed Site Plan:**

The applicant is before the Board to ask for a COA to install a business sign on the historic façade of the Las Olas Beach Club, formerly called the Lauderdale Beach Hotel. The hotel façade was designated in 2002.

The applicant requests approval of a six foot wide sign consisting of 10 inch and 8 inch high illuminated channel letters; the letters will be blue in color. The sign will be located on the fascia wall at the southeast corner of the historic building (the historic portion of Las Olas Beach Club) facing South Fort Lauderdale Beach Blvd. The Broward Trust for Historic Preservation holds a façade easement on this building. The applicant has not indicated that he has received approval of the trust for his project.

The applicant also requests approval of a COA to install a dome shaped canvas awning over the entrance to the shop and an awning over a corner window. Both awnings are canvas and blue in color. The awnings match other awnings already installed on the building.

**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: There is no adverse effect on the historic resource

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

Consultant Response: The proposed signage and awnings are consistent with other work done on the building

- 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 proposed design and materials are 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 applicant's proposal is compliant with the Standards and Guidelines (See below)

From the "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.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

**Request No. 2 - COA for Alterations:**

The applicant is requesting a certificate of appropriateness for alterations to XX structures.

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 applicant's proposal meets this criterion.

- 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: The applicant's proposal meets this criterion

**Summary Conclusion:**

The proposed work is consistent with previously approved awnings and signage. The proposed signage and awnings are compatible with the design of the historic resource and should be approved.

Mark Webber, Preferred signs, requested approval of the COA. He explained that he had spoken to the former president of the Trust and she did not have contact information for the current president. He had asked the City for contact information for the current president and staff explained they were working on it.

Chair DeFelice opened the public hearing portion of the meeting.

Charles Jordan stated he had been president of the Trust when the easement was created. He indicated the building manager knew how to contact the Trust. Mr. Jordan said he and Dave Baber served as consultants regarding building work and they had recently made recommendations for painting and remedial work.

Mr. Jordan pointed out that as easement holder, the Trust's approval was required for the COA application. He said this application should not have been presented to the Board without this approval and requested the application be deferred. He agreed to personally apprise the Trust of the situation.

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

Shai Cohen, operator of the shop, confirmed for Mr. Heidelberger that the shop had been operating in the building for approximately one year without signage and it was hurting his business. Mr. Webber stated other tenants already had similar signs on the building. Mr. Cohen informed the Board that he had been notified he must contact the Trust only a few days ago, not when he filed the application.

Mr. Fajardo informed Ms. Scott that as far as he knew, the other signage on the building had been approved by the Trust. Ms. Scott thought that allowing an application to come to the Board without prior approval from the Trust "makes a mockery of the process." Chair DeFelice was concerned that City staff had not informed the applicant about the required approval before submitting the application. He did not feel it was appropriate to go forward with the application without input from the Trust.

**Motion** made by Mr. Schulze, seconded by Ms. Thompson, to defer the application until next month to give the Broward Trust for Historic Preservation time to review the application and make a recommendation. In a roll call vote, motion passed 7-1 with Mr. Heidelberger opposed.

Chair DeFelice felt it was inappropriate for staff to put the Board in the position of having to make allowances for an incomplete application.

## **2. Old Business**

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### a) Televised Historic Preservation Meetings – Jackie Scott

Ms. Scott felt that televising the meetings would help educate the public about the Historic Preservation process.

Ms. Sarver explained that if the Board wished the meetings televised, they should communicate a request to the City Commission to amend the resolution to include the HPB as one of the Boards whose meetings would be televised.

Mr. Heidelberger asked about additional costs for televising the meetings. Ms. Sarver said this information would be provided to the Commission if the Board made the request.

Ms. Thompson was unsure of the actual educational impact of televised meetings, and noted that most people did not live in historic areas of the City.

**Motion** made by Ms. Scott, seconded by Mr. Schulze to request the City Commission direct staff to amend the resolution to include the HPB as one of the Boards whose meetings would be televised. In a voice vote, motion passed 7-1 with Ms. Thompson opposed.

- b) Historic Preservation Meeting, possible change of 5:00 p.m. start time – Jackie Scott

Ms. Scott felt that starting the meetings later would make it easier for the public to attend. By consensus, the Board agreed not to change the meeting time.

### **3. New Business**

- a) 2013 Historic Preservation Awards – Mathew DeFelice

Chair DeFelice said it was time to begin the process for this year. Mr. Fajardo informed the Board that staff was setting up meetings with Ms. Rathbun to discuss this year's awards. Ms. Rathbun asked Board members for input on properties to nominate. Mr. Fajardo indicated staff would pursue using inserts in water bills and engage the Public Information Office to publicize the awards. Ms. Rathbun agreed to mail Board members a copy of the brochure and the categories.

- b) Time limitation for public comments – Mathew DeFelice

Mr. Jordan suggested a three minute limit for the general public and five minutes for organizations. Ms. Sarver stated an individual or organization could request additional time from the Board.

**Motion** made by Ms. Thompson, seconded by Mr. Morgan to limit public comments to three minutes per speaker. In a voice vote, motion passed unanimously.

### **4. Good of the City**

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Mr. Jordan stated the property at 1001 Tequesta Street was being demolished by neglect. The City had taken no action or levied any fines against the owner. A property on West Las Olas had accrued liens but the City Attorney had not foreclosed. Mr. Jordan suggested the Board urge staff to take action.

Mr. Jordan said the Planning Department had signed off on an asphalt driveway in the front yard of a building on Palm Avenue without a COA, but noted that a COA used to be required. Mr. Fajardo had spoken with the head of the Planning Department, who confirmed that the policy had always been that COAs were not required for driveway paving. Mr. Jordan requested a commitment from staff that this type of alteration would require a COA.

Chair DeFelice believed the Board had reviewed a request for a paver driveway in the past and Mr. Fajardo said based on his information, bringing this to the Board had been an error. Mr. Jordan pointed out that in this case, the Planning Department had determined that a brand-new asphalt paved area in the front yard was not an alteration. Mr. Morgan felt this was inconsistent with the Board's past concerns about parking locations and the types of materials used in the historic district.

Chair DeFelice said he had never received an email regarding this driveway permit as he thought they should have. Mr. Fajardo recalled that the Board had recommended the Commission direct staff to notify HPB Board members about administrative review items, but the Commission had not acted on this recommendation. He explained that currently, staff did send a communication to HPB members for 15-day call-up items.

Mr. Fajardo confirmed for Chair DeFelice that only applications that met the materials listed in the code could be approved administratively with a 15-day call-up. Mr. Fajardo said in cases of like-for-like repairs and maintenance, staff did not send that information to the Board.

Mr. Fajardo agreed to provide the Board with additional information for discussion at their next meeting and to provide information about the property Mr. Jordan discussed.

Regarding the properties at 1001 SW 4 Street and 11 Palm Avenue, Chair DeFelice asked about the City's actions when work approved with a COA was never completed and the property became damaged. Mr. Fajardo stated these properties could be presented to the Unsafe Structures Board for action. The owner of the property at 11 Palm Avenue had received a fine reduction from the City Commission and had met with staff regarding an application for tax abatement to present to the HPB. The owner of the property at 1001 SW 4 Street had expressed concern about the cost of materials and Mr. Fajardo had informed him that any change in materials must be reviewed again by the Board. Mr. Fajardo had noted activity at the house, so he assumed the owner was moving forward with the renovation.

Mr. Fajardo explained to Chair DeFelice that once a building permit was issued, the COA was done and the project was covered by the building permit, which expired after seven years.

Mr. Jordan asked the Board to request staff coordinate with Code Enforcement to prevent the public safety hazard that was occurring at 1001 Tequesta Street. Board members took no action on this request.

Chair DeFelice reminded the Board that the Florida Trust for Historic Preservation had an annual awards program and last year, the City had approved the design guidelines for the City. He asked for a volunteer to draft a letter in support of the application to the Florida Trust for Historic Preservation recognizing the City's design guidelines as a success.



**Motion** made by Ms. Thompson, seconded by Ms. Scott to authorize Chair DeFelice to write a letter to the Florida Trust for Historic Preservation 2013 awards supporting the application of the Fort Lauderdale design guidelines. In a voice vote, motion passed 8-0.

Chair DeFelice asked about the neon lights on Himmarshee and Mr. Fajardo said a decision regarding these was in the works.

Chair DeFelice announced that the Florida Department of Transportation was hosting an information meeting this evening regarding the possible impacts of I-95 roadway expansion at Oakland Park Boulevard. Chair DeFelice said he was particularly concerned about North Woodlawn Cemetery, a designated property. Mr. Fajardo said if this was a Section 106 review, FDOT should send the City materials. Staff could also request they make a presentation to the HPB.

Chair DeFelice had sent a letter to the Mayor and City Commission expressing some concerns, including: HPB review of items on the Florida Master Site File; City policy regarding City designation of City-owned properties and alternative funding sources for City-designated properties and for rehabilitating properties.

Chair DeFelice stated policy 111.3 referred to HPB review of Master Site File properties and policy 111.2 stated the City would ensure that archeological and historic preservations surveys would be done in coordination with development. Chair DeFelice felt these policies were not being followed.

In response to the HPB reviewing Master Site File properties, staff had indicated that there were no criteria for placing properties on the Master Site File and they did not want to create a quasi-judicial approval process for properties that would not otherwise be heard by the Board. The City Attorney had indicated that anyone could put a property on the Master Site File. The Mayor did not want to put properties on the list when the owners opposed it.

Chair DeFelice explained that there were criteria for the Master Site File: buildings must be at least 50 years old and large areas being inventoried must be at least 45 years old. He added there was a review process for addition to the Master Site File. Chair DeFelice noted that items for review and comment were not subjected to quasi-judicial procedure. Ms. Sarver was unsure whether review and comment by the Board, since their opinions and recommendations were considered by other boards, was considered quasi-judicial. She felt the intent of the opinion was to protect property owners from having other parties enter their properties onto the Master Site File list. She added that the Comprehensive Plan provided guidelines, but the ULDR implemented the guidelines and that was what controlled the process. Ms. Sarver stated the City Attorney was one of the top land use attorneys in the State and his opinion was valued by the City Commission.

Mr. Fajardo informed Chair DeFelice that "The policy states to bring historic resources to this Board for review and comment" and "The historic resource definition in the front of the Comp Plan does" include Florida Master Site File properties. The policy staff had been given was not to bring Master Site File properties to the HPB.

Ms. Sarver stated the City Commission had not agreed with the Board's communication to bring Master Site File properties to the Board for review. Chair DeFelice had called the County Planning Office to ask if the City's Comprehensive Plan was in compliance with the County and he had found that the historic preservation element of the Comprehensive Plan was an optional element and was not required to comply with the County or the State. Chair DeFelice thought this was an issue the City had created and they needed to resolve it. In the meantime, there was a "policy on the books that we're not following" and he felt this hampered the effectiveness of the Board.

Ms. Sarver reiterated that the Comprehensive Plan contained guidelines and the ULDR implemented regulations. It was up to the City Commission to implement policy and they had decided not to implement this policy.

Chair DeFelice asked if the Board wished to consider a communication to the City Commission asking them to "fact check" the input provided by City staff and the City Attorney's office regarding the Master Site File properties. Chair DeFelice stated he could speak with the City Commission on his own without a formal communication from the Board.

Ms. Sarver believed that the information staff and the City Attorney had provided the City Commission was accurate. She doubted that the term "quasi-judicial" had been a determining factor in the Commission's ultimate decision. The Board was free to send another communication if they desired.

## **5. Communication to the City Commission**

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[Discussed earlier]

**Motion** made by Ms. Scott, seconded by Mr. Schulze to request the City Commission direct staff to amend the resolution to include the HPB as one of the Boards whose meetings would be televised. In a voice vote, motion passed 7-1 with Ms. Thompson opposed.

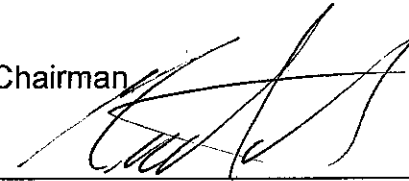
### **Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 6:42.

### **Next Meeting**

The Board's next regular meeting was scheduled for March 4, 2013.

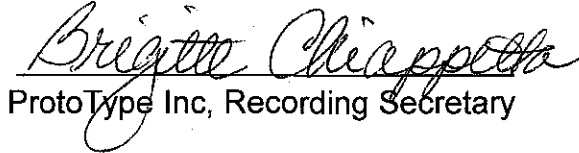
Chairman



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Matthew DeFelice, 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.