

**HISTORIC PRESERVATION BOARD
CITY OF FORT LAUDERDALE
MONDAY, JULY 1, 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>6/2013 through 5/2014</u>	
		<u>Present</u>	<u>Absent</u>
Matthew DeFelice, Chair	P	2	0
David Kyner, Vice Chair	P	2	0
Brenda Flowers	P	2	0
Marie Harrison	A	0	2
Richard Heidelberg [5:06]	P	1	1
Phillip Morgan	P	2	0
Alexandria Scherer	P	1	0
Richard Schulze	P	2	0
Jackie Scott	P	1	1
Gretchen Thompson	A	1	1

City Staff

Merrilyn Rathbun, Fort Lauderdale Historical Society, Consultant to HPB
 Anthony G. Fajardo, Zoning Administrator
 Linda Mia Franco, AICP, Historic Preservation Board Liaison
 Carrie Sarver, Assistant City Attorney
 Lisa Edmondson, Recording Secretary, Prototype Inc.

Communication to the City Commission

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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 June 2013 Meeting

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

Cases:

1. Index

Case	15H13	FMSF #	
Applicant	<i>Christina Fleming</i>		
Owner	Jordan Fleming		
Address	1217 SW 4 th Court		
General Location	SW Corner of SW 12 th Avenue and 4 th Court		
Legal Description	WAVERLY PLACE 2-19 D LOT 23 E 20,24,25 BLK 104		
Existing Use	Residential		
Proposed Use	Residential		
Applicable ULDR Sections	<i>Sec. 47-24.11.C.3.c.i, Sec. 47-17.7.B, Sec. 47-24.11.C.3.c.ii</i>		
Request(s)	Certificate of Appropriateness for Alteration 1. Replace existing windows with new impact resistant windows. 2. Install small awning over front window to the west.		

Ms. Rathbun read from her report:

Property Background:

The one-story house at 1217 SW 4th Court in the SBHD is listed in the street index of the 1955 City directory for Fort Lauderdale as under construction. It is primarily of concrete construction and is side gabled. The house has a rectangular footprint with an

irregularity, a small wood frame projection at the southwest corner of the façade, which may have been a later addition. The façade features coursed perma-stone element on the upper half of the wall; perma-stone was often used as a decorative element on homes of the period. The architect is unknown.

The applicant identifies the style of the house as Mid-century modern; however it does not exhibit the characteristics of that style as identified in the City of Fort Lauderdale Historic Preservation Design Guidelines, i.e. flat, shed or butterfly roofs, asymmetrical façade or open floor plan. The house is Masonry Vernacular in design having a gable roof, concrete construction, grouped and single windows, and tile roofing.

Description of Proposed Site Plan:

The applicant requests a COA for the installation of impact resistant windows to replace the existing. At this time the existing windows are metal framed awning type. In his narrative the applicant states the original windows for the house were Jalousie type, which were replaced by the awning type windows, but he does not say how he knows this. Both Jalousie and awning type windows were in general use in the 1950s.

The applicant wants to replace the existing windows with sliders. The ordinance, i.e. the SBHD Materials and Design Guidelines, section 47-17.7.B, will allow sliders only on the side and rear elevations of the house. The windows of the façade must be of a different approved design.

The applicant also wishes to install a canvas awning over one of the windows on the façade.

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:

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: See below. The applicant argues that sliders are an appropriate replacement for Jalousie windows, which he claims were original to the house. He should present documentary, physical or pictorial evidence of the original windows as recommended by Criterion 6 of the Secretary of the Interior's Standards.

From The Secretary of the Interior's Standards for Rehabilitation:

6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

In addition, 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.

In addition to the General Criteria for obtaining a COA, as outlined above, pursuant to ULDR Section 47-17.7.A, the Board must consider the following material and design guidelines to identify existing features of a structure which conform to the guidelines and determine the feasibility of alternatives to the demolition of a structure:

ULDR Section 47-17.7.B

1. 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; lited 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: The applicant requests:

- a. **Materials**—clear glass and aluminum frame material; these are approved materials.
- b. **Configurations**—the window configurations are unchanged.

c. Operations—sliders, which are allowed only on side and rear elevations

d. General—canvas awnings, an approved material

According to the ordinance only windows with an approved operation, rather than sliders, can be installed on the façade.

The applicant has not specified the awning design.

Request No. 2 - COA for Alterations:

The applicant is requesting a certificate of appropriateness for alterations to one structure.

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

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 must show that the existing awning windows were not the original windows before he can specify something different

f) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence, rather than on conjectural designs or the availability or different architectural elements from other buildings or structures;

Consultant response: The applicant wants to use sliders, which are different from the existing windows and the supposed originals

Summary Conclusion:

The applicant needs to prove that sliders are a substitute for the original windows and he needs show evidence of what the original windows were. The applicant needs to show what type of awning he intends to install, including framing and wall attachment.

Jeff Fleming, owner, stated they were updating the home, including replacing the windows, and noted that they had already purchased the windows. He distributed a handout showing other nearby homes that currently had sliders installed.

Mr. Fleming said he had no knowledge of the historic guidelines when he purchased the windows and had, in fact, not known the house was in an historic district when he purchased the home. He had found out that the windows were not permitted when he brought his application to the City.

Christina Fleming, owner, confirmed that the windows had already been ordered when they submitted the application. Mr. Kyner felt the contractor should have been aware of the situation. Ms. Flowers remarked that many realtors and contractors were not aware of the rules in historic areas. Ms. Scott was unsure if it should be the real estate broker's responsibility to make the owner aware of this. Mr. Schulze felt this should be part of a seller's disclosure.

Chair DeFelice opened the public hearing portion of the meeting. There being no 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.

Mr. Fleming informed Mr. Schulze that the manufacturer had indicated the windows could not be returned.

Mr. Fleming explained that the awning would be installed on the front of the house over a window and would be approximately 3' by 4'. He said the awning was for aesthetics, rain and sun protection.

Mr. Heidelberger said the importance of the window design was the proportions and a double slider, which the Flemings intended to install, would maintain the proportions of the existing windows.

Mr. Fleming said it appeared that someone had enclosed the carport, but he did not know for certain.

Ms. Scott wanted the Board to follow the guidelines and did not want to set a precedent by allowing these windows. Ms. Flowers felt that the guidelines were "just that: they're guidelines and we don't have to follow them right to the exact wording of the guidelines" but recalled that the Board had denied a similar request the previous month from another applicant.

Mr. Fajardo confirmed that only the materials were currently in the code, not designs. He agreed that the guidelines were guidelines as Ms. Flowers had indicated. The Board had the latitude to make determinations about appropriateness. Mr. Fajardo acknowledged to Chair DeFelice that there was language in the Certificate of

Appropriateness criteria about the Secretary of the Interior's Standards and the City Commission had recently looked at design standards based on the Secretary of the Interior's Standards.

Chair DeFelice understood that there were approved materials and process. The process indicated the City should follow the Secretary of the Interior's Standards. Based on that, the City had established guidelines and appropriate materials. He felt there was a danger in moving away from unidentified materials, or materials that were not used appropriately.

Ms. Flowers pointed out that the materials the Flemings intended to use were acceptable. Chair DeFelice felt it was the responsibility of the Board to determine how applicants used materials.

Mr. Morgan reminded the Board that at the previous meeting, they had denied an application because they felt the project did not meet the guidelines. In this case, he said he was not swayed by the economic consequences, but by the fact that many of the neighborhood homes had slider windows already. He concluded that the Board was wrong to determine that sliders were not appropriate for this community and said he was "never going to vote against sliders again for Sailboat Bend." Chair DeFelice said the Board did not know when the other sliders had been installed; they might pre-date the ordinance. He wished to stick with the guidelines.

Mr. Fajardo could not say why sliders were not preferred for front facades in the material and design guidelines. Ms. Rathbun thought that the group drafting the guidelines felt sliders were not appropriate along the streetscape and wanted a more traditional looking window.

Mr. Fleming confirmed for Mr. Kyner that each of the three windows in the front would have a pair of sliders, not three. Mr. Kyner said Board members should keep their personal feelings out of it and go by the guidelines.

Regarding the Board's ability to interpret the guidelines, Ms. Sarver read from the code and stated the guidelines should be used to identify existing features of the original structure and "encourage restoration in line with these features and to encourage inclusion of historical features when compatible with the character of the original structure." If the guidelines were mandated and without interpretation, Ms. Sarver noted that the Board would not be needed and approvals could be accomplished administratively.

Ms. Scott did not want the Board to make exceptions. Over time, exceptions would interfere with continuity and "destroy the historic district." Ms. Flowers stated the Board did not usually make exceptions and if an application would not hurt the look of the district and of the association agreed, the Board should look at it.

Chair DeFelice stated the Board existed to set standards, not to make exceptions.

Mr. Heidelberger remarked on the satellite antennas and wall-mounted air conditioners in the area, and said the issue was the impact of the building on the district and whether it would add value to the district.

The Board wanted to wait for additional information before making a determination regarding the awning request.

Motion made by Ms. Flowers, seconded by Mr. Kyner, to refer the applicant to the guidelines regarding the awning and to defer a decision on the awning application until the Board's next meeting. In a roll call vote, motion passed 8-0.

Motion made by Ms. Morgan, seconded by Ms. Flowers, to approve the Certificate of Appropriateness for the window replacement. In a roll call vote, motion passed 5-3 with Ms. Scott, Mr. Kyner and Chair DeFelice opposed.

4. Old Business

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Shippey House Painting

Ms. Flowers said the painting event had gone well. Ms. Scott said they were making great progress

Demolition Permit for Widling House

Mr. Heidelberger was shocked that the Board had approved a plan for the house that was not economically feasible and believed this is what had led to the house's demise. Chair DeFelice believed economic feasibility was within the Board's purview and they should consider it when reviewing requests. Mr. Fajardo said staff was discussing requiring a bond to accompany the requests. Chair DeFelice recalled that the Board had discussed setting up a fund for preservation.

Historic Preservation Ordinance

Mr. Fajardo said October 7 was the tentative date for a City Commission workshop, but this conflicted with the HPB's October meeting so he was exploring other options.

5. New Business

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No discussion.

6. Good of the City

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No discussion.

7. Communication to the City Commission

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None.

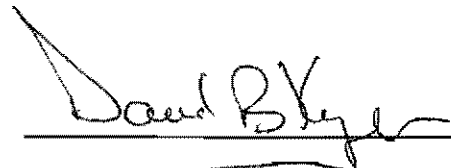
Adjournment

There being no further business to come before the Board, the meeting was adjourned at 6:24.

Next Meeting

The Board's next regular meeting was scheduled for August 5, 2013.

Chairman,



~~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.flaud.fl.us/documents/hpb/hpbagenda.htm>