

**HISTORIC PRESERVATION BOARD  
CITY OF FORT LAUDERDALE  
MONDAY, MARCH 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	9	1
David Kyner, Vice Chair	P	10	0
Brenda Flowers [arr. 5:23]	P	9	1
Marie Harrison	P	7	3
Richard Heidelberg	P	9	1
Phillip Morgan	P	10	0
Richard Schulze [arr. 5:39]	P	7	3
Jackie Scott [arr. 5:26]	P	5	1
Gretchen Thompson	P	9	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  
 Brigitte Chiappetta, Recording Secretary, Prototype Inc.

**Communication to the City Commission**

None.

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**Call to Order**

Chair DeFelice called the meeting of the Historic Preservation Board to order at 5:08 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 February 2013 Meeting**

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

**Cases:**

1.

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<b>Case</b>	5 H 13	<b>FMSF #</b>	BD01724
<b>Applicant</b>	Preferred Signs		
<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 AIA 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>	1. Certificate of Appropriateness for Alteration <ul style="list-style-type: none"> <li>• Install signage on east façade of the building</li> <li>• Install awning over doorway—After the fact; install wrap around awning over windows on southeast corner of the building</li> </ul>		

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 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 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.

Neil Hamuy, business owner, said he wanted to be able to promote his business. He referred to a letter from the Broward Trust for Historic Preservation claiming the awning was installed without a permit and pointed out that this was not true, and provided documentation. Mr. Hamuy also provided photos of a neighboring business with backlit signage. He said he had tried to match nearby business's awnings' color and size, which had been approved.

At 5:23 Ms. Flowers arrived.

Mr. Hamuy did not understand how other businesses in the same building were permitted to have awnings but he was not.

At 5:26 Ms. Scott arrived.

Ms. Sarver stated the Deed of Preservation Easement was between the Las Olas Beach Club and the Broward Trust for Historic Preservation. She had reviewed it and determined that the City was not a party to the easement, and City policy was not to enforce private easements. Ms. Sarver advised Board members to confine their decision making to the criteria.

Chair DeFelice opened the public hearing portion of the meeting.

Patricia Rathburn, President of the Broward Trust for Historic Preservation, said they disagreed with the staff report regarding the design of the signs and awnings. Specifically, she said the awnings were made of vinyl, which was not available when the building was built. Ms. Rathburn agreed the City should not enforce a private easement, but she said the owner of the area where the items would be located should sign off on the application.

Charles Jordan, former president of the Broward Trust for Historic Preservation, said backlit signs were "typically inappropriate" in the design guidelines and therefore did not meet the criterion for a COA. He pointed out that the guidelines also discouraged the use of "fasteners and hangers that destroy the important fabric for the installation of signs or awnings." Signs obstructing views into the store, contemporary awning shapes, signs which obscured architectural features, awnings installed in non-functional

areas and contemporary awning material such as vinyl were also discouraged. Mr. Jordan said the design clearly did not meet the criteria.

Arie Mrejen, attorney for Mr. Hamuy, felt this was "selective enforcement" and agreed with Ms. Sarver's opinion. He said the Broward Trust had not suggested any remedial action, per the easement.

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.

At 5:39 Mr. Schulze arrived.

Ms. Scott said she would base her decision solely on the criteria.

Mr. Heidelberger asked how the Broward Trust funded façade maintenance. He also wanted to know how long the existing awnings had been on the building. Chair DeFelice asked how long the other business's signs had been on the building and Mr. Fajardo believed it had been since 2008.

Ms. Rathburn explained that the Trust paid for the façade maintenance itself; the business owners did not contribute.

Mr. Fajardo described to the Board the portions of the building that were covered by the easement.

Ms. Thompson asked if the Trust would object to awnings made of another material and Ms. Rathburn said the shape and location of the awnings did not meet the design criteria either. There was therefore no acceptable remediation. Mr. Morgan noted that the City's consultant had indicated the designs were consistent with the guidelines.

Mr. Mrejen said the only independent conclusion was from the City's consultant, since Ms. Rathburn was advocating on behalf of the Broward Trust.

Ms. Rathburn said she had looked at the ordinance and had not paid "that much attention to the recommendations of the design guidelines; I was looking primarily to see how it fit in with the awnings and signage that were already on the building." She noted that the design guidelines were recommendations.

Chair DeFelice stated the Board used the recommendations in the design guidelines that the Board and the City Commission had approved and he was concerned that Ms. Rathburn had not referred to those. Chair DeFelice said this was not selective enforcement on the Board's part; the work had been done without first being presented to the Board.

Regarding the criteria in the design guidelines, Chair DeFelice said there was language related to how awnings would be affixed to the structure, and he felt that drilling into the façade to mount an element that did not compliment the building was destructive. He added that the awnings also obscured the voids in the structure and the business could be protected from the sun with a treatment inside the building.

Mr. Kyner felt some of the awnings did “fly in the face of some of the guidelines.” He was unsure what could be done to remediate and suggested the business owner work with the Broward Trust to redesign and/or remove some elements. Ms. Rathburn indicated the Trust was willing to work with the applicant regarding the signage but there was nothing to be done with the awnings that would make them acceptable.

Mr. Hamuy stated he had taken care to ensure that the awnings did not cover the windows. Chair DeFelice explained that his concern was that the awnings obscured some of the architecture.

Mr. Hamuy showed photos and described the awnings included in his application: there were two on the front of the building and six on the south side of the building.

**Motion** made by Ms. Thompson, seconded by Mr. Morgan, to approve the Certificate of Appropriateness for Alteration as requested for both “After the Fact -- Install shade canopies throughout the building” and “Add signage (“Sun Glasses & Swim” by Stylin) on the east and south façade of the building. In a roll call vote, motion **failed** 4-5 with Ms. Flowers, Mr. Kyner, Ms. Harrison, Ms. Scott, and Chair DeFelice opposed.

**Motion** made by Ms. Flowers, seconded by Mr. Schulze, to approve the Certificate of Appropriateness for Alteration to add signage (“Sun Glasses & Swim” by Stylin) on the east and south façade of the building. In a roll call vote, motion passed 6-3 with Mr. Kyner, Ms. Scott and Chair DeFelice opposed.

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<b>Case</b>	6 H 13	<b>FMSF #</b>	
<b>Applicant</b>	Bernard Petreccia		
<b>Owner</b>	11 SW 11, LLC		
<b>Address</b>	11 Palm Avenue (SW 11 <sup>th</sup> Avenue)		
<b>General Location</b>	Corner of SW 11 <sup>th</sup> Avenue and NW corner of SW 1 <sup>st</sup> Street		
<b>Legal Description</b>	Waverly P12-19D LOTS 1thru5, and 5' of LOT 6E & S ½ vacated alley abutting said property, BLK 124		
<b>Existing Use</b>	Residential		
<b>Proposed Use</b>	Residential		
<b>Applicable ULDR Sections</b>			