

RESOLUTION NO. 13-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA SETTING A DE NOVO HEARING ON [**MAY 21, JUNE 4, JUNE 18 OR JULY 2**] IN THE APPEAL OF CASE NO. 11-H-08 OF THE HISTORIC PRESERVATION BOARD'S DECISION TO DENY A CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION OF A SINGLE FAMILY HOME LOCATED AT 716 SW 4TH PLACE.

WHEREAS, the Unified Land Development Regulations (hereinafter "ULDR") of the City of Fort Lauderdale, Florida provides that a Certificate of Appropriateness for Demolition must be issued by the Historic Preservation Board before any permit for such may be issued for a property located within the Sailboat Bend Historic District; and

WHEREAS, on December 1, 2008, the Historic Preservation Board heard Case No. 11-H-08 and voted to deny the Certificate of Appropriateness for Demolition; and

WHEREAS, pursuant to Section 47-26.B. of the ULDR, the applicant appealed the decision of the Historic Preservation Board; and

WHEREAS, on May 7, 2013, the City Commission found and determined that there was either a departure from the essential requirements of the law in the proceedings appealed or that competent substantial evidence did not exist to support the decision of the Historic Preservation Board; and

WHEREAS, the City Commission voted to set the de novo hearing for the _____ meeting;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City Commission of the City of Fort Lauderdale, Florida found and

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determined either that there was a departure from the essential requirements of the law in the proceedings appealed or that competent substantial evidence did not exist to support the decision of the Historic Preservation Board and voted to set the de novo hearing for the _____ meeting.

SECTION 2. That if any clause, section or other part of this Resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby, but shall remain in full force and effect.

SECTION 3. That all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed.

SECTION 4. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this the _____ day of May, 2013.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH