

DRAFT
HISTORIC PRESERVATION BOARD
CITY OF FORT LAUDERDALE
MONDAY, JUNE 1, 2015 - 5:00 P.M.
FIRST FLOOR COMMISSON CHAMBER
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA

<u>Board Members</u>	<u>Attendance</u>	<u>Cumulative Attendance</u>	
		<u>6/2015 through 5/2016</u>	
		<u>Present</u>	<u>Absent</u>
David Kyner, Chair	P	1	0
George Figler, Vice Chair	P	1	0
Ginger Coffey	P	1	0
Brenda Flowers	A	0	1
Marie Harrison [arrived 6:30]	P	1	0
Timothy Lyons	P	1	0
Marilyn Mammano	P	1	0
Donna Mergenhagen	P	1	0
Phillip Morgan	P	1	0
Carol Lee Ortman	P	1	0
Alexandria Scherer	P	1	0

City Staff

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

Communication to the City Commission

Motion made by Ms. Mammano, seconded by Ms. Ortman to request the City Commission consider returning Ms. Klee’s application fee for Case H15011. In a voice vote, motion passed unanimously.

Motion made by Ms. Mergenhagen, seconded by Mr. Lyons, to ask the City Commission to request the City Manager review, enhance and strengthen the process by which significant properties were referred to the Board. In a voice vote, motion passed unanimously.

Motion made by Ms. Mergenhagen, seconded by Ms. Mammano, to request the City revisit employing a Historic Officer. In a voice vote, motion passed unanimously.

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I. Call to Order/Pledge of Allegiance

Chair Kyner called the meeting of the Historic Preservation Board to order at 5:01 p.m.

Roll was called and it was determined a quorum was present.

~~II. Determination of Quorum/Approval of Minutes of May 2015 Meeting~~

~~Mr. Spence explained that after the meeting Mr. Fajardo had determined the Board had discretion regarding the design guidelines and asked that this be included in the minutes. (At the meeting, Mr. Spence stated the Board had no discretion.)~~

~~Mr. Fajardo referred to the Code and said it was not intended to require particular features or styles. If the Board felt something was compatible, they could override the guidelines.~~

~~**Motion** made by Mr. Figler, seconded by Ms. Mammano, to approve the minutes of the Board's May 2015 meeting as amended. In a voice vote, motion passed unanimously.~~

~~Mr. Spence asked the Board to add an agenda item to elect a Chair and Vice Chair.~~

III. Public Sign-in/Swearing-In

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

Board members disclosed communications and site visits they had regarding each case.

Note: Items were discussed out of order.

Motion made by Mr. Figler, seconded by Ms. Mammano to move items 2 and 3 up on the agenda. In a voice vote, motion passed unanimously. (Item 3 was discussed first.)

IV. Agenda Items:

1.

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Case	H15010	FMSF #	BD01718
Applicant	Charlie Esposito		
Owner	James P. Ostryniec Rev. Trust, James P. Ostryniec		
Address	3017 Alhambra Street		
General Location	Approximately midblock of Alhambra Street on the north side		
Legal Description	LAUDER DEL MAR 7-30 B LOT 20 BLK 6.		
Existing Use	Multi-family Residential		
Proposed Use	Same		
Applicable ULDR Sections	ULDR Section 47-24.11.B.6		
Request(s)	1. .Historic Landmark Designation		

Mr. Spence announced that the applicant was not the property owner and the property owner's counsel and a developer sought standing in the case. Mr. Spence stated the property owner had standing but the Board should take action to recognize the developer's standing.

Mr. Morgan recused himself from this case.

Stephanie Toothaker, representing OTO Development, said they had a contract to purchase the property and had submitted a site plan application to the City for a Marriott Hotel, per authorization of the property owner. She stated they had submitted the site plan application on 2/13/15 and Mr. Esposito had submitted the historic designation application on 4/3/15. Ms. Toothaker cited case law regarding standing of a contract developer or purchaser. She differentiated between "parties" who had direct interests in official actions and "participants" and said Florida law had "generally held that a contract purchasers and developers are parties that are entitled to due process." Ms. Toothaker asked to be granted standing to present testimony.

Steve Tilbrook, attorney for the owner, agreed the developer had interest and asked the developer to be recognized as a party.

Motion made by Ms. Mammano, seconded by Ms. Scherer to recognize OTO Development as having standing. In a voice vote, motion passed unanimously.

Ms. Rathbun read from her memo:

Property Background:

The applicant has provided a detailed narrative, prepared by a professional historic preservationist that discusses the setting, building site history and describes the architecture of the building. The Willis Apartments/ Villa Torino is located in the Lauder-Del-Mar subdivision. Although the nearby Jova House/Casablanca Café was built in the 1920s, the subdivision remained undeveloped until the 1930s. This apartment building and the neighboring Casa Alhambra were built in 1936.

Building Description:

The Willis Apartments at 3017 Alhambra Street were designed by prominent Miami architect Charles Paul Nieder. Mr. Nieder was a voting member of the Florida Association of Architects. In 1930 Nieder was the chairman of the committee writing the building code for the City of Miami.

The apartment building, now called Villa Torino, is two stories with a rectangular footprint, stucco wall cladding and has a flat roof with a parapet. Stylistically the building is Art Moderne, however, it has elements of Art Deco such as the jagged design of the support brackets of an exterior staircase, and the dentil ornamentation just below the parapet coping. The Moderne style elements of the building are the corner wrapping windows and the use of horizontal striping.

Two significant architectural elements dominate the south facing façade of the apartment building. The first is a centered, outside chimney. The widest portion (wide enough to accommodate the interior fireplace) rises to the second floor. According to the floor plans submitted with the applicant's packet, the only fireplace is in the second floor apartment. The chimney narrows, about halfway up the second floor, and rises above the building roof parapet. The wider portion of the chimney exterior has a shallow arched niche at the first floor level, which holds a sculptural element.

The second important exterior element is a half turn staircase with a cantilevered balcony at the second floor level. The balcony, the entrance to the second floor apartment, is supported by the aforementioned support brackets.

Criteria for Historic Designation:

ULDR Section 47-24.11.B.6

e. Its value as a building recognized for the quality of its architecture, and sufficient elements showing its architectural significance.

Consultant's Response: The Villa Torino Apartments is significant under ULDR Sec. 47-24.11.B.6 criterion e.

Summary Conclusion:

Because of the depressed economy of the 1930s, Fort Lauderdale has relatively few examples of the fashionable Art Moderne/Deco architectural styles of the period. Villa Torino is a very good example of the style and is worthy of historic designation under ULDR Sec. 47-24.11.B.6 criterion e. Its value as a building recognized for the quality of its architecture, and sufficient elements showing its architectural significance. The Board should approve the application.

Charles Esposito, applicant, said he would like Steve Glassman and Erika Klee to speak during his presentation. He stated Mr. Glassman and Ms. Klee could supplement information he provided. Mr. Spence advised Mr. Esposito to proceed and noted that witnesses would be subject to cross examination.

Motion made by Ms. Mammano, seconded by Ms. Ortman, to limit presentations to 15 minutes. In a voice vote, motion passed unanimously.

Mr. Esposito read a statement regarding the history of the area and said the Vila Torino Apartments should be maintained in its historically pristine condition.

Erika Klee said OTO Development intended to demolish and redevelop three buildings that were all on the Broward County Historical Central Beach Master Plan, the City's Architectural Research Survey and the Florida Master Site File. She provided a history of the property ownership.

Steve Glassman, President of the Broward Trust for Historic Preservation, thanked Mr. Esposito for this application. He noted that reports from the owner's and developer's attorneys indicated this was about building a hotel in the middle of Alhambra Street and "these historical resources are simply in the way." There was no evidence that this property did not meet the qualifications for historic designation; instead the reports were "belittling Charlie (Esposito) and citing meaningless case law claiming that he's not qualified to prepare the application." This was a moot point, since Dave Baber, Administrator and Historic Preservation Officer from the Broward County Historic Preservation Board had prepared the application. Mr. Glassman stated, "Money, power and possible development at this location should not be driving the train here: the only thing you need to consider is criterion e: 'Its value as a building recognized for the quality of its architecture, and sufficient elements showing its architectural significance.'" Mr. Glassman said this had been demonstrated and supported by Ms. Rathbun's recommendation.

Mr. Glassman reminded the Board that a Vintro Hotel was proposed to the City Commission without first coming before the HPB. Citizens had approached the HPB regarding this and the HPB had voted unanimously to ask the City Commission to direct City staff to apply for local designation of the Casa Alhambra (recently demolished) and the Café Casa Blanca properties. The HPB had also voted to request the Vintro Hotel

project be presented to the HPB for review and comment. There had been no follow-up on either of these motions. Mr. Glassman asked the HPB to support designation of this building.

Mr. Spence said information provided by Mr. Baber via email could be taken as an unsworn statement, which had less weight than a sworn statement on the record.

Mr. Tilbrook provided copies of his evidence to Board members. He read a statement from the property owner, James Ostryniec, indicating he thought redevelopment would be good for the neighborhood and that he needed the money for surgery for Parkinson's disease. Mr. Ostryniec said he was a preservationist, having been on the board of the Broward Trust for Historic Preservation and a member of the Washington D.C. DuPont Circle Association. He stated Diane Smart, former president of the Broward Trust for Historic Preservation, had informed him that his property would not be appropriate for designation because of a second-floor veranda that had been enclosed; a second-floor porch that was now a bedroom and the replacement windows that did not align with the horizontal stripes of the building.

Mr. Tilbrook said Mr. Ostryniec had not received a copy of the application or a copy of the recent email Board members had received from Mr. Baber and Mr. Tilbrook objected to the insufficient notice. Mr. Tilbrook stated they would present evidence that the building did not meet the standards for historic designation under Fort Lauderdale code.

Arthur Marcus, architect, provided his educational and professional background and added that he had been in the board of the Miami Design Preservation League and was presently the architectural consultant to Lauderdale-By-The-Sea, where he advised them on retaining their Mid-century Modern architectural style. Mr. Marcus had reviewed the application and stated it did not meet the standards for professional qualifications. He said Charles Paul Nieder was not a recognized as a prominent Miami architect. Mr. Marcus noted the same structural changes cited in Mr. Ostryniec's letter. He stated the building was a "masonry vernacular building" and although it shared certain details and characteristics with Art Moderne or Art Deco, he did not feel the building rose to the level "of a building that should be designated as an example to follow." He was not aware that the structure had been previously recognized for its architectural significance. Mr. Marcus stated the application did not meet the criteria for historical designation.

Ms. Mammano said Mr. Marcus had indicated that neither the applicant nor Ms. Rathbun was qualified to make statements about the architectural quality of the property. Mr. Marcus said as an architect, he was held to the Secretary of the Interior's standards for professional qualifications in order to testify, "yet the same standard is not being held for the other people talking about the project."

Brian Siedenberg, land use litigation attorney, provided his educational and professional background and said he had researched the professional qualifications outlined in the Secretary of the Interior's Standards for Historic Preservation. He stated "competent, substantial" evidence, was fact based and from expert witnesses. Mr. Siedenberg said Ms. Rathbun's education and experience were not consistent with the Secretary of the Interior's qualifications for education because she lacked a degree in architecture and her testimony should not be considered competent, substantial evidence.

Ms. Toothaker and Jordana Jarjurra gave a Power Point presentation, a copy of which is attached to these minutes for the public record, and presented exhibits into evidence.

Jordana Jarjurra objected to the narrative provided in support of the application, stating it was not substantial, competent evidence. She stated even if the Board accepted the narrative, City Code required that the Board "shall explain how the structure qualifies for designation, identify the significant features of the proposed historic building and include a discussion of a relationship between the proposed designation and existing and future plans for the development of the City" in order to recommend the property for designation. Ms. Jarjurra provided the professional qualifications for Amy Van de Riet. Ms. Van de Riet said the style must be identified to perform an analysis. She refuted that this building qualified under criterion e because this property did not exemplify a style. She also cited the structural changes to the building that made it inappropriate for designation.

Chair Kyner opened the public input portion of the meeting.

Marla Sherman Dumas said she was present to represent Mr. Baber. She noted Mr. Baber's historic preservation experience and said the testimony refuting his expertise was unfortunate to put on the record. She said Ms. Rathbun's credentials as an expert had been accepted by the City. Ms. Dumas stated this was an historic building and was an excellent example of Art Moderne, as outlined in Mr. Baber's description. She pointed out the building was in the Florida Master Site File.

Abby Laughlin said they were here tonight because of bad zoning; these lots should never have been zoned ABA, making them more valuable for redevelopment. She thought designation would reduce the value of Mr. Ostryniec's property by \$1 million to \$2 million.

Karen Turner felt a property should not be designated against an owner's wishes.

Mark Harmanz read a letter from one of the residents of the Seasons Condominium, adjacent to the demolished building at 3029 Alhambra Street expressing the resident's displeasure with the demolition.

There being no others present wishing to address the Board on this matter, Chair Kyner closed the public hearing and brought the discussion back to the Board.

Mr. Tilbrook asked Mr. Esposito where in the application he discussed elements of architectural value and Mr. Esposito said he did not see this in the application.

Mr. Tilbrook thought "some of the email" Board members had received constituted ex-parte communication and therefore did not have the same probative value as evidence provided by witnesses who could be cross examined. He stated he was a conservationist but said "property rights are more important" and reiterated that the application did not meet the criteria for designation.

Mr. Esposito confirmed that Mr. Baber had written the application, including the narrative portion, and said Ms. Dumas, as Mr. Baber's representative, could answer any questions the Board had.

Ms. Mergenhagen asked about Mr. Ostryniec's statements regarding Diane Smart's remarks about his property and Mr. Ostryniec said those statements were made over a period of five years while he was on the board of the Broward Trust for Historic Preservation when he asked her about having the building designated.

Ms. Mergenhagen asked Ms. Toothaker about research performed prior to submitting the DRC application in February 2015 and Ms. Toothaker replied the issue of the property being historic was never mentioned in DRC comments. They had reviewed "anything that was relevant, in terms of a requirement that we had to meet." Ms. Toothaker said she was aware of the Central Beach Resource Survey and the State Division of Historical Resources, but these were not binding documents.

Chair Kyner questioned Mr. Marcus about his statement that this property did not have significant characteristics of Art Moderne architecture and did not rise to being a pure example of it. Mr. Marcus named buildings in Miami that were pure examples; he could not name any in Fort Lauderdale. Chair Kyner and Mr. Marcus talked about the changes to the interior and exterior of the building and Ms. Van de Riet said if interior alterations affected the exterior, it was important to note this as a substantial alteration.

Ms. Mammano pointed out that even though the area was zoned for hotels, this did not negate the importance of preserving historic buildings or necessarily mean that historic designation was inconsistent with the applicable land use and zoning regulations, as was evidenced by Miami Beach's revitalization. Ms. Toothaker agreed, but stated Mr. Ostryniec's property was "a very small structure that is not appropriate for historic designation...this is not where you have ABA zoning where you can put -- or should be able to put, from a property right's perspective -- a significant project..."

Chair Kyner referred to the photos of the property and the architectural features that he felt were easily identifiable, and that Mr. Baber and others had identified as elements of importance in the Art Moderne style. He wanted the Board to concentrate on the merits of the building, without considering what someone wanted to do with the building or the building next door, but what the building contributed to the community.

Ms. Mergenhagen remarked on the multi-documented history of the building being a contributing structure and the opinion of a previous Board stating the property needed designation. There had been no rebuttal of the owner during that time. Mr. Tilbrook said the owner had not been notified of those documents and the fact that a property was included in a survey did not mean it met the criteria for designation.

Ms. Jarjurra noted there were five properties listed as Art Moderne in the Central Beach inventory but this property was not included. This property was on the list under Art Deco, but the application was requesting Art Moderne designation.

Mr. Glassman stated there were mistakes made when preparing the inventory but this did not take away from the Board's charge to consider the criteria. Ms. Dumas pointed out that properties must be deemed contributing to be included in the Florida Master Site File, regardless of the architectural style.

Ms. Scherer did not feel the building rose to a sufficient level of architectural significance to supersede Mr. Ostryniec's property rights.

Motion made by Mr. Figler, seconded by Ms. Mammano, to approve the application as presented per the Board's discussion regarding criterion e and the totality of the record. In a roll call vote, motion passed 8-1 with Ms. Scherer opposed.

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Case	H15011	FMSF #	
Applicant	Erika E. Klee		
Owner	VINTRO Fort Lauderdale LLC		
Address	3029 Alhambra Street		
General Location	Approximately 90 feet west of the N. Seabreeze Boulevard and Alhambra Street intersection on the north side of Alhambra Street.		
Legal Description	.LAUDER DEL MAR 7 30 B LOT 16, 17 BLK 6		
Existing Use	Single family residence, vacant		
Proposed Use	Single family residence		
Applicable ULDR Sections	ULDR Section 47-24.11.B.6		
Request(s)	1. Historic Landmark Designation.		

Ms. Rathbun read from her memo:

Property Background:

Sometime between May 15, 2015 and May 16, 2015, this property 3029 Alhambra Street, Casa Alhambra, was demolished by the owner. An application for designation of the house as an historic landmark had been submitted for the June 1 HPB meeting. The application had been reviewed by City staff and the HPB consultant's memorandum was in preparation

Building Description:

The applicant has included a narrative, prepared by a historic preservation consultant, who discusses the house setting (neighborhood) and other issues in detail.

Casa Alhambra, the house at 3029 Alhambra Street, has a compound plan (footprint) that is irregular, i.e. it has 20 corners. It has an attached (integral) two car garage. The plan submitted in the applicant's packet shows the entire house, but it may have been built in sections. The one story .street facing section, which houses the living room and a guest room, has a gable roof with minimal eaves and tile roof cladding. This first section suggests a Spanish Eclectic style influence and, as such, is significantly different from the style of other parts of the house. There is an outside chimney on the façade, which may have been a later addition. There is a triple window and canales on the east gable end of this section.

A one story section is attached to the north elevation of the first section. This part of the house has a hipped roof with tile cladding and has the main entrance to the house. The entrance, on the east elevation, opens to a living porch area and a gallery, leading to the one story two car garage, also hipped roofed, which is positioned to the west. The garage is part of a third section that is attached to the north wall of the entry section and houses the dining room. There is a staircase centered between the dining room and the integral garage, leading to the second story, which covers the dining room and the fourth section. This section houses the kitchen, pantry, service area and servant's quarters. The second story has a hipped roof with wide overhanging eaves.

According to the included house plans, a part of the second section of the house, south of the dining room part of the gallery leading to the garage was originally one story with a flat roof and a parapet. It was intended as an open sun deck. At some point this deck was enclosed, covered with an extension of the second story hipped roof.

The architect for this house is unknown. There is some anecdotal testimony that the house was designed by Francis Luis Abreu. The floor plans submitted with this application do strongly resemble, in drawing and lettering style, plans in the Abreu collection at the Fort Lauderdale Historical Society, but there is no hard evidence of his involvement in the project.

Criteria for Historic Designation:

ULDR Section 47-24.11.B.6

~~f. Its distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.~~

~~Consultant's Response: Casa Alhambra is significant under criterion f. its distinguishing characteristics of an architectural style valuable for the study of a period, method of construction or use of indigenous materials.~~

Summary Conclusion:

~~Casa Alhambra is worthy of designation under ULDR criterion f. its distinguishing characteristics of an architectural style valuable for the study of a period, method of construction or use of indigenous materials. The Board should approve the application.~~

~~Mr. Morgan and Ms. Scherer abstained from voting on this item.~~

~~Walter Morgan, attorney for the owner, confirmed that the structure had been torn down. Mr. Spence stated this rendered the application moot.~~

~~Erika Klee, applicant (not the property owner), stated she had submitted the application for designation in April. VINTRO Fort Lauderdale LLC had been notified and demolished the house 10 days later, on a Saturday morning. Ms. Klee wondered how the demolition permit that was originally issued in November 2013 and must have expired had been reissued. Ms. Klee described the historic nature of this street and its buildings. Ms. Klee asked the City to refund the money she had spent on the application.~~

~~Mr. Spence stated Ms. Klee could withdraw her application or the Board could dismiss the item as moot. Mr. Spence said the City Manager's office would have to decide if Ms. Klee's money could be refunded if she withdrew her application. Her money would definitely not be refunded if the Board declared the item moot. Ms. Klee refused to withdraw her application. She submitted letters written in support of the designation. Ms. Franco said staff would examine the extenuating circumstances of the case regarding Ms. Klee's application fees.~~

~~**Motion** made by Mr. Figler, seconded by Ms. Mammano, to dismiss the application as moot. In a voice vote, motion passed 7-0.~~

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Case	H15013	FMSF #	
Applicant	S&R Impact Windows and Doors		
Owner	Frederica and Alberto Colella		
Address	700 NE 17 th Avenue		
General Location	Northeast corner of NE 7 th Street and NE 17 th Avenue.		
Legal Description	VICTORIA COURTS 9 49 B LOT 12 CT 2 TOG WITH W1/2 OF 6 FOOT WIDE VACATED WALK RESERVED AND PARK ABUTTING ON THE EAST ACCORDING TO ORDINANCE NO C 89 130 DESC IN OR 17411/626		
Existing Use	Single family residence		
Proposed Use	same		
Applicable ULDR Sections	Section 47-24.11.C.3.c.i; Section 47-24.11.C.3.c.ii		
Request(s)	<p>Certificate of Appropriateness for Minor Alteration</p> <ul style="list-style-type: none"> • Replace existing jalousie windows with horizontal roller windows in opening #6 located at rear side of building (previously approved H15013 as new single hung windows at that location). 		

~~Ms. Rathbun read from her memo:~~

Property Background:

~~From the applicant's previous application, May 2015:~~

~~The Victoria Courts Multiple Property Designation is a collection of 1920s frame vernacular cottages probably originally intended as tourist rentals. The cottages were built ca. 1926-28 by Victoria Park developer Alfred Kuhn. Originally the Courts covered two city blocks; today only structures on one half of one block, between NE 17th Avenue and 17th Road, remain. The original entrances opened to common ground at what is now the rear of the cottages. At some point, the common ground was vacated and the main entrances now open to the street. The courts were designated historic by the City in 1996.~~

Description of Proposed Site Plan:

~~The applicant came before the board with an application to replace existing windows with impact resistant windows in May 2015. The Board approved the application for single hung windows and two casement style windows. Today the applicant is before~~

~~the Board with a request to modify the previously approved COA to replace four approved single hung windows (#6 on the applicant's plan) at the rear of the house with two horizontal rolling windows (sliders)~~

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's Response: The rolling windows, while not historic, are proposed for the rear for the property and will not affect the historic appearance of the house from the public way.~~

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

~~Consultant's Response: There is no adverse impact~~

~~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's Response: The requested window style will not affect the historic appearance of the house from the public way.~~

~~f) Whether the plans comply with the "United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings."~~

~~Consultant's Response: 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~~

Request No. 2 - COA for Alterations:

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

~~"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 17-24.11.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's Response: There is no change in the use~~

~~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's Response: The rolling windows will not affect the historic appearance of the house from the public way.~~

~~c) All buildings, structures, and sites shall be recognized as products of their own time. Alterations which have no historical basis and which seek to create an earlier appearance shall be discouraged;~~

~~Consultant's Response: This criterion is met.~~

Summary Conclusion:

~~The horizontal rolling windows will be installed at the rear of the property and will not affect the historic appearance of the cottage from the public way. The application can be approved.~~

~~Mr. Figler disclosed he knew the homeowners.~~

~~Shawn Cangelosi, contractor, said the owner was now asking for horizontal windows for the rear of the home.~~

~~Chair Kyner opened the public input portion of the meeting. There being no one present wishing to address the Board on this matter, Chair Kyner closed the public hearing and brought the discussion back to the Board.~~

~~**Motion** made by Ms. Mammano, seconded by Mr. Figler to approve the application as presented. In a voice vote, motion passed unanimously~~

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Case	H15015	FMSE #	
Applicant	Doug Snyder c/o Friends of Shippey House, Inc.		
Owner	City of Fort Lauderdale		
Address	200 SW 3rd Avenue		
General Location	Northeast corner of NE 7th Street and NE 17th Avenue		
Legal Description	LOY 7 AND SOUTH ONE HALF OF LOT 6, BLK C, TOWN OF FORT LAUDERDALE, PLAT BOOK B PAGE 40 PUBLIC		

	RECORDS OF DADE COUNTY
Existing Use	Non-conforming parking lot
Proposed Use	Commercial business
Applicable ULDR Sections	Section 47-24.11.C.3.c.i, Section 47-24.11.C.3.c.ii
Request(s)	1. Certificate of Appropriateness for Major Alteration <ul style="list-style-type: none"> • Exterior rehabilitation, porch reconstruction, install ADA ramp • Replace existing windows with new impact aluminum windows • Replace existing doors with new matching impact doors • Install new wood fence and gate and • Reconfigure site to accommodate new parking using concrete unit pavers 2. Certificate of Appropriateness for New Construction 2000 SF GFA <ul style="list-style-type: none"> • Install storage container painted to match house

~~Ms. Rathbun read from her memo:~~

~~The Shippey House was moved to this property in the H-1 District, 200 SW 3rd Avenue, sometimes called Nugent Avenue, in December 2011. The Shippey House is non-contributing in the H-1 Historic District; the house is considered infill, new construction in the district. In May 2012 the applicant, The Friends of Shippey, Inc., came before the Board asking for a Certificate of Appropriateness for Alteration for a complete exterior rehabilitation of two story wood frame house, the Reconstruction of front porch, new landscaping and new site elements (fencing). The applicant is before the Board today with a request to modify the previous COA, which, as it was time sensitive, has expired.~~

~~Description of Proposed Site Plan:~~

~~The applicant requests a COA to replace existing windows and doors with single hung windows, fixed windows in dormer and a sliding window at the rear elevation. All windows are to be impact resistant. Doors will be replaced with impact steel doors. A wood framed ADA compliant ramp with added steps will be built. The missing historic front porch will be replicated using photos of the original as a guide. A new wood fence and gate will be built.~~

~~The applicant has included a parking plan for the property. However this plan has not been reviewed by the City's Transportation and Mobility Department. It should be noted that any approval by the HPB in regards to the proposed parking cannot take place until such time as the City has made a determination of the proposed parking. However, the~~

~~requested ADA ramp has to conform to the parking plan. The Board will need to reference the plan when reviewing the ramp.~~

~~A storage container will be added at the rear of the property for storage of equipment necessary for the operation of the tenant's business. The type of container chosen by the applicant is incompatible in the historic district~~

~~City of Fort Lauderdale Historic Preservation Design Guidelines, New Construction and Additions. Secondary Buildings and Structures p. 11~~

~~**Discouraged:** Pre-manufactured metal sheds and outbuildings.~~

~~The applicant needs to choose another type of container structure; the applicant has stated that he will provide a mitigation plan that will minimize the visual damage to the H-1 Historic district.~~

~~The Shippey House is to be used for a commercial purpose rather than as a residence. For this reason the City has agreed to allow a shallower front yard setback. Commercial properties require a five foot setback, although this ordinarily applies to commercial storefront buildings rather than residential houses. The Shippey House, with the rebuilt porch, will have a fifteen foot setback. The City has agreed to this compromise~~

~~**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's Response: The proposed work on the Shippey House is appropriate.~~

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

~~Consultant's Response: the requested container, while necessary for the operation of the tenant's business, is not compatible with the H-1 District. The applicant has suggested that he will provide landscaping to hide the container from the public way and lessen the visual impact on nearby properties in the district. The applicant's plan shows that a fence between his property and the neighboring Historical Society property will be removed. The applicant should clarify his plan for replacing that fence.~~

~~f) Whether the plans comply with the "United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings."~~

~~Consultant's Response: See below~~

~~From the "United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings."~~

~~1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.~~

~~The addition of the large container structure, which is incompatible in the district, to the H 1 District could have an adverse visual effect on the district and would affect the defining characteristics of the site and environment.~~

~~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.~~

~~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.~~

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~~

~~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's Response: The house will have an appropriate adaptive re-use as a commercial business~~

~~c) All buildings, structures, and sites shall be recognized as products of their own time. Alterations which have no historical basis and which seek to create an earlier appearance shall be discouraged;~~

~~Consultant's Response: The Shippey House is not a reconstruction or replication of a lost Nugent Avenue structure. To restore the early 20th century streetscape of Nugent Avenue, as has been suggested by the applicant in his narrative, would require visual evidence of the lost buildings such as photos or plans. To move a house from another street and call it part of a reconstruction of an historic streetscape would be a falsification of history. There is no plan to restore the Nugent Avenue streetscape and the Shippey House is not part of such a plan~~

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's Response: The proposed reconstruction of the historic front porch is being guided by photographs of the original porch.~~

Summary Conclusion:

~~Keeping in mind the aforementioned caveats, i.e. this is not a restoration of the historic Nugent Avenue streetscape and that the applicant's parking plan has not been approved by the City, the Board can approve the reconstructed porch and the requested window and door styles and the proposed ADA ramp, which are appropriate.~~

~~Before it can be approved by the Board, the applicant should choose a more compatible design for the container structure, i.e. a purpose built structure that will meet the ULDR and the *City of Fort Lauderdale Historic Preservation Design Guidelines* for new construction in the historic district.~~

~~Doug Snyder, Vice Chair of the Board of Directors of the Friends of Shippey House, stated he was also the architect of record in the original COA application from May 2012. After being stagnant for some time, there had been significant efforts to revive the house in the past few months. The Board had started meeting again and was working with the City and Riverwalk Inc. and a tenant had been identified. The Friends of Shippey House was responsible to find funding for renovating the exterior of the house. New windows and doors were needed to ensure the building complied with the Florida Building Code and the storage container was needed for the tenant to store equipment needed for the business. Mr. Snyder stated they were working with staff on a layout for the parking spaces.~~

~~Mr. Snyder stated the COA Ms. Rathbun mentioned had not expired; they had pulled a building permit for securing the house to the foundation where it was currently located.~~

~~Ms. Franco confirmed for Ms. Mammano that everything listed on the application would be included in the approval. The parking needed to be approved by the City. Mr. Snyder said the exterior rehabilitation would include the porch, repairs to the siding and "a lot of little things." He explained that if they wished to retain the existing windows, they would need to add exterior impact protection.~~

~~Genia Ellis, Riverwalk Trust, explained that Riverwalk would be the tenant and Riverwalk Recreation would be the subtenant. Riverwalk Recreation conducted various~~

~~classes along the Riverwalk and they would store sporting equipment for rent in the storage container.~~

~~Chair Kyner opened the public input portion of the meeting.~~

~~Patricia Zeiler, Executive Director of the Fort Lauderdale Historical Society, said they were already working with Riverwalk Recreation. She said they wanted Shippey House to be integrated into the historic campus and she had spoken to Phil Thornburg, Parks and Recreation Director, about removing the chain link fence and re-landscaping the property so it could be included in tours. She was concerned about the storage container being used for storage instead of a fenced off area because this would affect access to the property. Ms. Mammano noted that the site plan specified that the existing fence would be removed.~~

~~Mr. Fajardo said the Code specified that there could be no outdoor storage in the H 1 zoning district. The container was considered a structure and would have to meet the Florida Building Code and the requirements of the zoning district. It was up to the Board to determine if the container was appropriate. Mr. Fajardo said the Board did not usually approve COAs for landscaping but suggested the Board could condition the COA on the applicant working with staff to develop appropriate landscaping to mitigate the appearance of the storage.~~

~~There being no others present wishing to address the Board on this matter, Chair Kyner closed the public hearing and brought the discussion back to the Board.~~

~~**Motion** made by Ms. Mammano, seconded by Ms. Scherer to approve the COA for major alteration, with the condition that the applicant work with the Parks and Recreation Department and the Historical Society on an appropriate parking and landscape plan. In a voice vote, motion passed unanimously.~~

~~**Motion** made by Ms. Mammano, seconded by Ms. Scherer to approve the COA for new construction, with the condition that the applicant work with the Parks and Recreation Department and the Historical Society on an appropriate parking and landscape plan. In a roll call vote, motion passed 7-3 with Mr. Morgan, Mr. Figler and Chair Kyner opposed.~~

~~V. Communication to the City Commission~~

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~~**Motion** made by Ms. Mammano, seconded by Ms. Ortman to request the City Commission consider returning Ms. Klee's application fee for Case H15011. In a voice vote, motion passed unanimously.~~

~~Ms. Mergenhagen said there were several buildings that had been demolished without being presented to the HPB and suggested the internal process should be reviewed,~~

~~and that the referral process be enhanced and strengthened. Mr. Fajardo remarked that the Comprehensive Plan discussed impacts to historically designated properties, and neither property this evening was designated. The property owner at 3029 Alhambra Street had also applied for demolition permits well in advance of the designation applications. The City Commission had discussed this at their recent conference meeting and agreed something should be done with the preservation ordinance, but were unsure what needed to happen just yet.~~

~~Chair Kyner wanted to know if there was any requirement for notifying neighbors of property demolitions. Mr. Fajardo said this came under the Florida Building Code and the Alhambra property had met all the requirements of that Code.~~

~~The Board discussed the fact that owners of properties listed on the City's surveys were not necessarily aware of it until they tried to redevelop the property and Mr. Fajardo reminded the Board that the surveys were still in draft form.~~

~~Chair Kyner noted how difficult it was for the Board because the City had no proactive advocate for these properties. He was disturbed that owners' or developers' representatives tried to "throw mud on" people he considered to be reliable for opinions about the appropriateness of designation for a particular property, such as Ms. Rathbun and Mr. Baber.~~

~~**Motion** made by Ms. Mergenhagen, seconded by Mr. Lyons, to ask the City Commission to request the City Manager review, enhance and strengthen the process by which significant properties were referred to the Board. In a voice vote, motion passed unanimously.~~

~~Mr. Fajardo informed the Board that the department was going through the budget process and had included a request for a Historic Officer position, but he was unsure the person would be full or part time, and whether or not the City Commission would approve.~~

~~**Motion** made by Ms. Mergenhagen, seconded by Ms. Mammano, to request the City revisit employing a Historic Officer. In a voice vote, motion passed unanimously.~~

~~VI. Good of the City~~

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~~5. Discussion of HPB proposed Historic Ordinance~~

~~Mr. Fajardo said he could not provide the Board with an updated document. Chair Kyner said he wanted to discuss the staff recommendation that staff be able to approve certain items such as fences without presenting an application to the Board. Mr. Fajardo suggested the Board create a communication to the City Commission regarding directing staff to move forward on that.~~

~~_____~~
~~_____~~
~~_____~~

~~Motion made by Mr. Figler, seconded by Ms. Scherer to postpone discussion of the proposed Historic Ordinance. In a voice vote, motion passed unanimously.~~

~~**Election of Chair and Vice Chair**~~

~~Motion made by Ms. Mammano, seconded by Ms. Scherer to retain Mr. Kyner as Chair and Mr. Figler as Vice Chair. In a voice vote, motion passed unanimously.~~

~~**Adjournment**~~

~~There being no further business to come before the Board, the meeting was adjourned at 9:11.~~

~~**Next Meeting**~~

~~The Board's next regular meeting was scheduled for July 6, 2015.~~

~~Chairman,~~

~~_____~~
~~David Kyner, 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>~~

~~Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.~~