

RESOLUTION NO. 13 –

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, REGARDING THE APPEAL OF THE HISTORIC PRESERVATION BOARD'S DENIAL OF THE APPLICANT'S REQUEST FOR A CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION OF A SINGLE FAMILY HOME LOCATED AT 716 SW 4<sup>TH</sup> PLACE (HPB CASE NO. 11-H-08), MAKING CERTAIN FINDINGS, AND UPHOLDING THE DECISION OF THE HISTORIC PRESERVATION BOARD.

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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 boundaries of 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 applicant's request for a 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 July 7, 2009, the City Commission voted to defer the appeal hearing until such date when the pending bankruptcy proceedings involving the property were complete; and

WHEREAS, the City Commission conducted a public hearing on May 7, 2013 and determined that there was neither a departure from the essential requirements of law in the proceedings appealed and competent substantial evidence does exist to support the decision of the Historic Preservation Board; and

WHEREAS, the City Commission voted to uphold the decision of the Historic Preservation Board;

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

SECTION 1. That the City Commission conducted a public hearing on May 7, 2013 and determined that there was neither a departure from the essential requirements of law in the

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proceedings appealed and competent substantial evidence does exist to support the decision of the Historic Preservation Board.

SECTION 2. That the City Commission voted and the decision of the Historic Preservation Board is hereby upheld.

SECTION 3. 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 4. That all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed.

SECTION 5. That this resolution shall be in full force and effect upon final passage.

ADOPTED this the \_\_\_\_ day of \_\_\_\_\_, 2013.

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Mayor  
JOHN P. "JACK" SEILER

ATTEST:

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City Clerk  
JONDA K. JOSEPH