

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION OF A ONE-STORY SINGLE-FAMILY RESIDENCE, A METAL SHED, AND TWO WOOD FRAME SHEDS LOCATED AT 301 SW 14TH WAY, CASE NO. UDP-HP23016, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

---

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

WHEREAS, Curt John Fretham ("Applicant"), the owner of the property located at 301 SW 14<sup>th</sup> Way, Fort Lauderdale, Florida, which is located in the Sailboat Bend Historic District, submitted an application for a Certificate of Appropriateness for the demolition of a one-story single-family residence, a metal shed, and two wood frame sheds; and

WHEREAS, on May 1, 2023, the Historic Preservation Board approved the application for a Certificate of Appropriateness for the demolition of a one-story single-family residence, a metal shed, and two wood frame sheds located on the Subject Property, Case No. UDP-HP23016, subject to the 30-day Commission Request for Review; and

WHEREAS, on May 16, 2023, the City Commission voted to adopt a motion to set a de novo hearing in accordance with Section 47-26A.2. of the Unified Land Development Regulations; and

WHEREAS, on June 20, 2023, the City Commission made a motion to defer the item to the September 19, 2023, meeting to allow for additional time at the request of the property owner; and

WHEREAS, on September 19, 2023, the City Commission held a de novo hearing, heard public comment, and reviewed the application for a Certificate of Appropriateness for Demolition and found that the application meets the criteria in Sections 47-24.11.D.3.c.i., 47-24.11.D.4.c., and 47-17.7. of the ULDR.

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

SECTION 1. The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

SECTION 2. The City Commission finds that the application for a Certificate of Appropriateness for Demolition meets the criteria in Sections 47-24.11.D.3.c.i., 47-24.11.D.4.c., and 47-17.7. of the ULDR, as enunciated and memorialized in the minutes of its meeting on September 19, 2023, a portion of those findings are expressly listed as follows:

[SPACE RESERVED FOR FINDINGS OF FACT]

SECTION 3. That the application for a Certificate of Appropriateness for demolition of a one-story single-family residence, a metal shed, and two wood frame sheds located at 301 SW 14<sup>th</sup> Way, Fort Lauderdale, Florida, Case No. UDP-HP23016, is hereby approved, subject to the conditions stated on the record at the City Commission meeting on September 19, 2023.

SECTION 4. That pursuant to the provisions of the ULDR of the City of Fort Lauderdale, Florida, the property City officials are hereby authorized to issue the necessary building and use permits subject to the conditions imposed by the Historic Preservation Board and the City Commission.

SECTION 5. Issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

SECTION 6. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

SECTION 7. Any resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

SECTION 8. 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 9. That all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed.

SECTION 10. That this Resolution shall be in full force and effect immediately upon its passage and adoption.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor  
DEAN J. TRANTALIS

ATTEST:

\_\_\_\_\_  
City Clerk  
DAVID R. SOLOMAN

APPROVED AS TO FORM  
AND CORRECTNESS:

\_\_\_\_\_  
Interim City Attorney  
D'WAYNE M. SPENCE

Dean J. Trantalis \_\_\_\_\_

John C. Herbst \_\_\_\_\_

Steven Glassman \_\_\_\_\_

Pamela Beasley-Pittman \_\_\_\_\_

Warren Sturman \_\_\_\_\_