TO: Honorable Mayor & Members of the
                 Fort Lauderdale City Commission

FROM: Lee Feldman, ICMA-CM, City Manager

DATE: September 19, 2017

TITLE: Quasi-Judicial - Appeal – Historic Preservation Board Denial of Certificate of Appropriateness for Demolition of Single-Family Home – 927 SW 2 Court – Case H17002

Recommendation

It is recommended that the City Commission conduct a public hearing to determine whether to adopt a resolution setting a de novo hearing to review an appeal of the Historic Preservation Board's (HPB) denial of a Certificate of Appropriateness (COA) for demolition of a single-family home for the property located at 927 SW 2 Court in the Sailboat Bend Historic District.

Background

The decision of the HPB's denial of a COA for demolition of a single-family home is being appealed by the property owner, NJ Thomson, Inc. On April 3, 2017, the HPB denied, by a vote of 7-0, the request for the COA for demolition of the single-family home. The HPB did not consider the second request for a COA for the New Construction of a Duplex finding that the request is moot due to the denial of the COA for demolition. The HPB's vote was based on the findings that the demolition request did not meet any of the criteria for demolition found in Section 47-24.11.C.4.c. of the Unified Land Development Regulations (ULDR), which includes the following:

   i.   The designated property no longer contributes to a Historic District;
   ii. The property or building no longer has significance as a historic architectural or archeological landmark;
   iii. The demolition or redevelopment

On May 3, 2017, the representative, Heidi Davis Knapik of Gunster, on behalf of the applicant, NJ Thomson, Inc. filed an appeal of the HPB decision to the City Commission (see Exhibit 7), pursuant to Sec. 47-26.B.1. of the ULDR. In addition, letters that have been submitted concerning this appeal are attached (see Exhibit 8).

The City Commission shall now conduct a public hearing to determine if there was a departure from the essential requirements of law in the proceedings appealed or competent substantial evidence does not exist to support the decision. If the City Commission determines that neither of these conditions has been met, then a resolution upholding the decision of the HPB should be approved (see Exhibit 8). If the City Commission determines that one or both of the conditions has been met, then the City Commission shall conduct a de novo hearing, which may be immediately held or shall be set by resolution no later than 60 days from the date of adoption of the resolution (see Exhibit 9). The available dates to conduct the de novo hearing are September 6th, September 19th, October 3rd, and October 17th.

Resource Impact
There is no fiscal impact associated with this action.

Strategic Connections
This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Neighborhood Enhancement Cylinder of Excellence, specifically advancing:
- Goal 6: Be an inclusive community made up of distinct, complementary, and diverse neighborhoods.
- Objective 2: Ensure a range of housing options for current and future neighbors.

This item advances the *Fast Forward Fort Lauderdale Vision Plan 2035*: We Are Prosperous.

Attachments
Exhibit 1 – Certificate of Appropriateness Application and Supporting Documents
Exhibit 2 – Drawing Set Submitted by Applicant as Part of Certificate of Appropriateness
Exhibit 3 – Materials Submitted by Applicant at the HPB Meeting on April 3, 2017
Exhibit 4 – Noticing for HPB Case Number H17002 for the April 3, 2017 Meeting
Exhibit 5 – Memorandum for HPB Case Number H17002
Exhibit 6 – Minutes from April 3, 2017 HPB Meeting
Exhibit 7 – NJ Thomson Appeal Filed by Heidi Davis Knapik of Gunster
Exhibit 8 – Letters from Neighbors
Exhibit 9 – Resolution Upholding Decision of HPB
Exhibit 10 – Resolution Setting De Novo Hearing

Prepared by: Trisha Logan, Planner III, Historic Preservation Board Liaison, Sustainable Development

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