



CITY OF FORT LAUDERDALE

**HISTORIC PRESERVATION BOARD  
CITY OF FORT LAUDERDALE  
MONDAY, MAY 6, 2019 - 5:00 P.M.  
CITY HALL COMMISSION CHAMBERS  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA**

<b><u>Board Members</u></b>	<b><u>Attendance</u></b>	<b>Cumulative Attendance 6/2018 through 5/2019</b>	
		<b><u>Present</u></b>	<b><u>Absent</u></b>
David Kyner, Chair	P	11	0
George Figler, Vice Chair	P	11	0
Jason Blank	P	9	2
Brenda Flowers	P	10	1
Marilyn Mammano	P	10	1
Donna Mergenhagen	P	10	1
Arthur Marcus	P	10	1
David Parker	P	11	0
Richard Rosa	P	10	1
Tim Schiavone	P	1	0
Jason Wetherington	A	7	3

**City Staff**

Shari Wallen, Assistant City Attorney  
Trisha Logan, Urban Planner III  
Yvonne Redding, Urban Planner III  
Jamie Opperee, Recording Secretary, Prototype Inc.

**Communication to the City Commission**

**Motion** made by Ms. Mergenhagen, seconded by Mr. Figler, to communicate to the City Commission that the Fort Lauderdale Federal Courthouse is architecturally significant, to recommend the City initiate the historic designation process for this building and to ask for information on any plans that are in place. In a voice vote, motion passed unanimously.

<b><u>Index</u></b>	<b><u>Owner/Applicant</u></b>	<b><u>Page</u></b>
1. H19012	Rachel Steele	<u>2</u>
2. H19009	Bayshore Hotel LLC/ Paula Yukna	<u>3</u>
	Communication to the City Commission	<u>8</u>
	Good of the City	<u>9</u>

Ms. Mammano suggested waiting until the ordinance was amended when the Board could begin the designation process.

**Motion** made by Ms. Mergenhagen, seconded by Mr. Figler, to communicate to the City Commission that the Fort Lauderdale Federal Courthouse is architecturally significant, to recommend the City initiate the historic designation process for this building and to ask for information on any plans that are in place. In a voice vote, motion passed unanimously.

**VI. Good of the City**

**Index**

**3. Review of Proposed Updates to the Unified Land Development Regulations (ULDR):**

**Section 47-24.11** - Historic designation of landmarks, landmark site or buildings and certificate of appropriateness;

**Section 47-27.7** - Historic designation;

**Section 47-27.8** - Certificate of appropriateness and economic hardship exception; and

**Section 47-32** – Historic Preservation Board.

Additional sections with re-numbering or removal due to proposed changes in sections listed above:

**Section 47-3.6.**, Change in structure;

**Section 47-16.5.**, Building regulations;

**Section 47-16.6.**, Certificate of appropriateness;

**Section 47-16.23.**, Parking exemption;

**Section 47-17.4.**, Application for alterations or new construction;

**Section 47-17.5.**, Application for yard and minimum distance separation reduction;

**Section 47-17.6.**, Alterations to non-conforming structures; and Removing Article XII., Purpose and Intent including sections 47-36.1., General; and 47-36.2., Purpose and declaration of public policy for historic preservation regulations of section 47-24.11.

Ms. Logan said the changes had been presented to the Planning and Zoning Board, and those members wanted to know the HPB's opinion on the changes and if the HPB members wanted to have the incentives in phase 2 brought forward at the same time.

Ms. Mammano pointed out that the proposed ordinance had a definition of "contributing structure" but there was no list of those structures. Her desire to get this ordinance passed was due to the improvements in it, the most significant of which was giving the HPB the power to make designation proposals. She wanted the Board to state their support for the changes so they could be implemented as soon as possible.

Ms. Logan explained that defining "contributing" structures was needed prior to assigning that status. Ms. Wallen stated the Board would use the definition to evaluate whether a structure was contributing. Chair Kyner was very concerned that owners of contributing structures had no way to challenge it. Mr. Blank pointed out that an owner could appeal the decision to the City Commission. Ms. Wallen stated in addition, a staff level review could be appealed to the HPB. She said anything that came before the Board required proof by competent, substantial evidence. The Board weighed this evidence for approval or denial.

Mr. Schiavone thought the property owner should be the first person notified of any step taken regarding his/her property, to provide the opportunity to be involved in the decision making process.

Ms. Logan stated per the new ordinance, once the HPB made a proposal to initiate a designation application, notice to the owner was required at least 30 days prior to the public hearing. Mr. Blank suggested a longer notification period.

**Motion** made by Ms. Mammano, seconded by Mr. Figler, to state the Historic Preservation Board supports Phase 1 of the proposed changes to the Historic Preservation Ordinance, with the modification that the period for notification to the property owner of the application for historic designation by the Board be extended to 90 days [not 30].

Ms. Logan informed the Board that this would affect other timelines. Ms. Mammano said this was a recommendation and staff could explain if it was not possible. Ms. Logan suggested it might be possible to include a notice to the owner when a motion was made by the HPB or a resolution was adopted by the City Commission. Ms. Wallen agreed to look into how to implement this.

Ms. Mammano withdrew her previous motion.

**Motion** made by Ms. Mammano, seconded by Mr. Figler, to state that the Historic Preservation Board supports the phase 1 changes to the Historic Preservation Ordinance as shown on page 2 of the staff report and recommends that staff investigate ways to provide additional notice to the property owner when the HPB proposes any historic designation. In a roll call vote, motion passed 9-1 with Mr. Schiavone opposed.

Ms. Logan said the Planning and Zoning Board wanted the HPB's opinion on whether the phase 1 amendments should wait until the phase 2 amendments were ready. The Board wanted to move forward with phase 1 immediately.

Chair Kyner pointed out that the Board did not have the budget to perform research for designation but must rely on staff and worried that this would curtail their ability to have properties designated, especially if a City Commission did not look favorably upon historic preservation.

**Motion** made by Ms. Mergenhagen, seconded by Mr. Marcus to state that the HPB does not wish to postpone implementation of phase 1 until phase 2 is ready. In a voice vote, motion passed unanimously.

Ms. Logan thanked Chair Kyner and Ms. Flowers for their service on the Board and welcomed Mr. Schiavone.


**Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 7:41 p.m.

Attest:

  
ProtoType Inc. Recording Secretary

Chairman:

  
David Kyner, Chair

George Fidler on  
BEHALF OF

The City of Fort Lauderdale maintains a website for the Historic Preservation Board Meeting Agendas and Results:

<http://www.fortlauderdale.gov/departments/city-clerk-s-office/board-and-committee-agendas-and-minutes/historic-preservation-board>

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