



CITY OF FORT LAUDERDALE

HISTORIC PRESERVATION BOARD  
CITY OF FORT LAUDERDALE  
Monday, February 1, 2021 - 5:00 P.M.

CITY HALL COMMISSION CHAMBERS  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA

Virtual Meeting

Visit: <https://www.fortlauderdale.gov/government/HPB>

<u>Board Members</u>	<u>Attendance</u>	<u>Cumulative Attendance</u> 6/2020 through 5/2021	
		<u>Present</u>	<u>Absent</u>
Jason Blank, Chair	P	8	0
Arthur Marcus, Vice Chair	P	8	0
Donald Karney	P	5	0
Barbara Lynes	P	7	1
David Parker	P	8	0
Richard Rosa	P	8	0
Veronica Sazera	P	4	3
Tim Schiavone	P	7	1

**City Staff**

Shari Wallen, Assistant City Attorney  
Trisha Logan, Historic Preservation Planner  
Christian Cervantes, Urban Planner II  
Christopher Cooper, Deputy Director Department of Sustainable Development  
Suellen Robertson, Administrative Assistant  
Jamie Opplerlee, Recording Secretary, Prototype Inc.

**Communication to the City Commission**

**Motion** made by Chair Blank, seconded by Ms. Lynes:

To inform the City Commission that we commend Ms. Logan and her fellow staff for their efforts creating, collaborating and keeping the Board informed of the proposed amendments and modifications to the Sailboat Bend Historic District Updates and we would like the City Commission to recognize their efforts.

In a voice vote, motion **passed** 8-0.



CITY OF FORT LAUDERDALE

**DRAFT**

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Donald Karney	P	5	0
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To inform the City Commission that we commend Ms. Logan and her fellow staff for their efforts creating, collaborating and keeping the Board informed of the proposed amendments and modifications to the Sailboat Bend Historic District Updates and we would like the City Commission to recognize their efforts.  
In a voice vote, motion **passed** 8-0.

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**I. Call to Order/Pledge of Allegiance**

The meeting of the Historic Preservation Board was called to order at 5:00 p.m.

**II. Determination of Quorum/Approval of Minutes**

a. Approval of Minutes: December 21, 2020

**Motion** made by Mr. Schiavone, seconded by Mr. Marcus, to approve the minutes of the Board's December 21, 2020 meeting. In a voice vote, motion passed 8-0.

b. Approval of Minutes: January 4, 2021

**Motion** made by Mr. Marcus, seconded by Mr. Schiavone, to approve the minutes of the Board's January 4, 2021 meeting. In a voice vote, motion passed 8-0.

**III. Public Sign-in/Swearing-In**

**IV. Agenda Items:**

1.

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**REQUEST: Certificate of Appropriateness for Major Alteration**  
 • **Modification of Previously Approved Certificate of Appropriateness (HPB Case No. H19007) for the Replacement of Front Entry Doors and Frosted Glass on Two Openings**

<b>Case Number</b>	UDP-HP20005	<b>FMSF#</b>	
<b>Applicant/Owner</b>	URBN Flagler/Itay Avital		
<b>Agent</b>	<b>Courtney Crush, Crush Law P.A.</b>		
<b>Address</b>	441 NE 3 <sup>rd</sup> Avenue		
<b>General Location</b>	Southwest corner of NE 3 Avenue and NE 5 Street		
<b>Legal Description</b>	Designated Portion: LOTS 1 AND 2, LESS EAST 5 FET, BLOCK 29, NORTH LAUDERDALE AMENDED PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 182 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA  Entire Property: NORTH LAUDERDALE AMENDED PLAT 1-182D LOTS 1-7, LESS E5 FOR ST, BLK 29		
<b>Existing Use</b>	Former Church – Now Vacant		
<b>Proposed Use</b>	Mixed-Use		
<b>Zoning</b>	Downtown Regional Activity Center - RAC-CC		
<b>Applicable ULDR Sections</b>	47-24.11.D.3.c.i; 47-24.11.D.3.c.ii		
<b>Landmark/Historic District</b>	First Evangelical Lutheran Church		
<b>Authored By</b>	Trisha Logan, AICP, Historic Preservation Planner		

Ms. Logan reviewed the staff report and concluded with:

In accordance with Sections 47-24.11.D.3.c.i, and 47-24.11.D.3.c.ii of the ULDR, staff finds that the application for a COA for Major Alterations under case number UDP-HP20005 located at 441 NE 3rd Avenue meets the criteria as outlined in Section 47-24.11.D.3.c.i. of the ULDR and meets the criteria as outlined in Sections 47-24.11.D.3.c.ii. of the ULDR.

The following conditions are provided for consideration by the HPB if the application is to be approved:

1. Glass entry doors must have clear glass.
2. Fixed window above entry doors must be retained and have clear glass with raised profile applied muntins.
3. Application is subject to the approval of Zoning, Building, and all ULDR requirements.

Ms. Logan said condition #2 was for the Board's consideration, but staff believed it was significant regarding the original configuration of the doors.

Courtney Crush, agent, said the owner owned the entire block and was constructing a mixed-use community. She provided a presentation, showed photos of the property and described the proposed door and window replacements.

Itay Avital, owner, invited questions.

Chair Blank opened the public input portion of the meeting. There being no members of the public wishing to address the Board on this item, Chair Blank closed the public input portion of the meeting.

Ms. Lynes asked about providing privacy on the two windows from the inside, instead of using frosted glass. Mr. Avital explained that the tenant would use the space for restrooms, which required privacy and any treatment used to provide privacy would probably appear the same from the exterior.

Ms. Lynes asked if the cantilevered roof over one door was original. Ms. Crush stated it was not, but they intended to retain it for protection from the weather.

Mr. Marcus did not feel the proposed door upheld the historic integrity of the building. He suggested the wood doors mimic the original raised panel doors. He was also concerned about the removal of the clerestory windows above the doors because they appeared to be original. If there was a height issue, he felt the clerestory height could be reduced a bit. Mr. Marcus disliked the use of frosted windows in any historic structure. He urged Mr. Avital to consider some other way to provide privacy for the bathroom windows.

Ms. Crush stated the doors would be custom made, and if the Board preferred they have panels, Mr. Avital would have them made that way. Ms. Crush remarked that if they maintained the full height of the transom, the doorway was 6.5 feet, which was a bit short.

Ms. Lynes felt the overhang over the south door was awkward and noted it was not original. Mr. Avital said they were resisting removing it because he did not know what was behind it but they would consider painting it.

Mr. Schiavone respected all the work done to meet the criteria. He thought the façade was beautiful and noted that functionality was a consideration.

Chair Blank felt the taller doors were necessary but agreed that a panel style for the exterior wood door would be more appropriate.

Mr. Avital pointed out that they had needed to bring the building up to code, including life safety requirements, during this renovation. The doors must have panic bars and be impact glass. He was willing to have wood panel exterior doors constructed.

The Board discussed the frosted glass on the bathroom windows. Mr. Marcus worried that allowing the frosted windows for this application would set a precedent but Ms. Wallen pointed out that each application was decided based upon the facts presented.

Ms. Logan said the Design Guidelines encouraged certain elements and discouraged others and it was the Board's responsibility to interpret the guidelines for each application. Chair Blank pointed out that the frosted windows were barely visually different from the other windows. Mr. Avital stated there were three different types of glass being used on the Third Avenue side of the building: faceted glass, which closely resembled the frosted glass, frosted glass and the stained glass. It was not only the frosted bathroom glass that would obscure views of the building interior.

Ms. Wallen read the resolution:

A resolution of the Historic Preservation Board of the City of Fort Lauderdale, Florida, approving a Certificate of Appropriateness modifying a previously approved Certificate of Appropriateness case number H-19007 for Major Alterations for the property located at 441 NE 3<sup>rd</sup> Avenue, Fort Lauderdale, Florida, for the replacement of front entry doors on the 1955 addition and the use of frosted glass in the windows of two openings on the front elevation. Case number UDP-HP20005.

**Motion** made by Mr. Schiavone, seconded by Mr. Rosa:

To approve with conditions the resolution for a Certificate of Appropriateness for Major Alterations under case number UDP-HP20005 located at 441 NE 3rd Avenue based on the facts and findings as outlined in the staff memorandum and subject to the following conditions:

1. Glass entry doors must have clear glass.
2. Application is subject to the approval of Zoning, Building, and all ULDR requirements.
3. The developer will use his best efforts to make the wooden exterior door mimic the original exterior panel door on the 1955 elevation.

In a voice vote, motion **passed 7-1** with Mr. Marcus opposed.

## 2.

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### **REQUESTS: Certificate of Appropriateness for Major Alteration**

- After-the-Fact Modification of Condition for Clear Glass from a Previously Approved Certificate of Appropriateness Under HPB Case H19004 and After-the-Fact Installation of 6'-0" High Privacy Fence in Front Yard

<b>Case Number</b>	UDP-HP20007	<b>FMSF#</b>	
<b>Owner</b>	Michael Orris and Dahlia Ilia		
<b>Applicant</b>	Michael Orris and Dahlia Ilia		
<b>Address</b>	734 W. Las Olas Boulevard		

<b>General Location</b>	Southeast corner of W. Las Olas Boulevard and SW 8th Avenue
<b>Legal Description</b>	BRYAN SUB BLK 33 FT LAUD 1-29 D LOT 15 LESS E 6,17
<b>Existing Use</b>	Single-Family Residence
<b>Proposed Use</b>	Single-Family Residence
<b>Zoning</b>	RML-25
<b>Applicable ULDR Sections</b>	47-24.11.D.3.c.i.; 47-24.11.D.3.c.ii; 47-17
<b>Landmark/Historic District</b>	Sailboat Bend Historic District
<b>Authored By</b>	Trisha Logan, AICP, Historic Preservation Planner

Ms. Logan reviewed the staff report and concluded with:

In accordance with Sections 47-24.11.D.3.c.i. and 47-24.11.D.3.c.ii. of the ULDR, staff finds that the application for a COA for **Major Alterations** under case number UDP-HP20007 located at 734 W. Las Olas Boulevard does not meet the criteria as outlined in Section 47-24.11.D.3.c.i. of the ULDR, does not meet the criteria as outlined in Section 47-24.11.D.3.c.ii. of the ULDR, and partially meet the criteria as outlined in Section 47-17 of the ULDR.

The following conditions for the COA for Major Alterations are provided for consideration by the HPB if the application is to be approved:

1. All glass must be clear with an option of Low-e.
2. This application is subject to the approval by Building, Zoning, and all ULDR requirements.

Ms. Logan said the Design Guidelines specified that fences in the front yard were limited to three feet in height and must have 30% visibility.

Michael Orris, owner, said their plans had specified clear glass, and the purchase order specified clear glass, and he did not realize these windows were not clear glass when they were installed. He stated other structures in the area had the same color windows. He said there was significant foot traffic in the area so there were privacy concerns for his family. Mr. Orris pointed out that he could not afford to replace all of the windows, which would also entail redoing stucco work and repainting the home.

Regarding the fence, Mr. Orris described issues with people illegally accessing the property and stated this was a safety issue for his family. He said Code Enforcement had informed him he needed to repair both the chain link and the wood fence, and approved the work he had done. He thought the Material and Design Guidelines were "suggestive" and he had assumed that the wood fence was okay because Code Enforcement had approved it.

Chair Blank asked Mr. Orris if he had constructed the six-foot wood fence after the Board had denied his request for a four-foot fence at a previous meeting. Mr. Orris clarified that when they came for the first approval, there was a "mention of a fence" but no plans for it. He said he had withdrawn that request, but the Board's motion specifically denied the four-foot fence. He said the new six-foot fence matched the fence on the other side of the property.

Mr. Orris stated he had removed an old fence that was approximately six feet tall and blocked the view of the home. He pointed out that the front of the home was still visible from the street. Mr. Orris said he did not know he needed a permit when he replaced the fence, but he had pulled an after-the-fact permit after Code Enforcement notified him it was needed.

Mr. Rosa was concerned about the Board making a determination balancing aesthetics and safety when the owner had provided police reports to justify his safety concerns and the need for the fence. Mr. Rosa acknowledged the safety issues in this neighborhood. He said the code did not mandate visibility: it was suggested but not required. Mr. Rosa stated this property would benefit from a privacy fence.

Mr. Rosa asked about the grey glass and Ms. Logan said the project was approved with a condition for clear glass, and the Fort Lauderdale Historic Preservation Design Guideline encouraged the use of clear glass. She acknowledged that colors were listed in the design Guidelines and there was some disagreement in the two sections under which she would review a request administratively. If someone requested tinted glass, she would advise them to come before the Board.

Mr. Rosa asked the Board to allow the owner to complete the project, with the tinted windows and with the fence because of the circumstances.

Chair Blank opened the public input portion of the meeting. There being no members of the public wishing to address the Board on this item, Chair Blank closed the public input portion of the meeting.

Mr. Marcus said if the Board made exceptions for every applicant they should examine the process and what they were amending. He felt they must find some consistency.

Mr. Schiavone did not object to the tinted glass and felt they should consider energy efficiency and the environment. He believed there were special security/privacy concerns at this property and suggested Mr. Orris return to the Board with a different plan for the fence. Mr. Orris said his plan was to install a hedge by the chain link fence to provide an extra layer of protection from intruders.

The Board discussed the owner's options regarding fencing and hedges he could plant along the fence for additional privacy.

Chair Blank was not bothered by the glass but was by the fence, especially because this was after-the-fact, after the Board had specifically denied the request for the four-foot fence at a previous meeting. He said he would vote to approve the after-the-fact windows, but to deny the fence.

**Motion** made by Mr. Rosa, seconded by Mr. Karney, to approve the application in its proposed form, without the staff recommendations as to the clear glass and to allow for the after-the-fact six foot high wood fence, finding the application meets the criteria based on the findings of fact discussed at this hearing.

Ms. Lynes pointed out that the fence did not meet the code, and suggested amending the motion to approve the request regarding the glass only and the applicant could return with a modified proposal for the fence. Ms. Wallen said the owner could withdraw the portion of the application related to the fence and the windows portion could go forward. The Board and Mr. Orris discussed his options.

Mr. Orris withdrew the portion of his application regarding the fence. Mr. Rosa amended the motion to remove the portion that related to the fence and Mr. Karney agreed.

Ms. Wallen read the resolution:

A resolution of the Historic Preservation Board of the City of Fort Lauderdale, Florida, approving a Certificate of Appropriateness modifying a previously-approved Certificate of Appropriateness case number H19004 for Major Alterations for the property located at 734 W. Las Olas Boulevard, Fort Lauderdale, Florida, for the installation of grey tinted glass windows after-the-fact Case number UDP-HP20007.

The amended motion:

**Motion** made by Mr. Rosa, seconded by Mr. Karney:

To approve the application in its proposed form, without the staff recommendations as to the clear glass, finding the application meets the criteria based on the findings of fact discussed at this hearing.

In a voice vote, motion **passed 8-0**.

The Board took a brief break.

**3.**

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**REQUESTS: Certificate of Appropriateness for Major Alteration**

- Construction of a New Storage Shed

<b>Case Number</b>	UDP-HP21001	<b>FMSF#</b>	
<b>Owner</b>	Kathryn Martinez		
<b>Applicant</b>	Kathryn Martinez		
<b>Address</b>	1011 W. Las Olas Boulevard		
<b>General Location</b>	Located on the north side of West Las Olas Boulevard approximately 125 feet west of the intersection of West Las Olas Boulevard and southwest 10th Avenue		
<b>Legal Description</b>	WAVERLY PLACE 2-19 D LOTS 5 TO 7 & S1/2 OF VAC ALLEY ABUTTING SAID LOTS BLK 112		
<b>Existing Use</b>	Single-Family Residence		
<b>Proposed Use</b>	Single-Family Residence		
<b>Zoning</b>	RML-25		
<b>Applicable ULDR Sections</b>	47-24.11.D.3.c.i; 47-24.11.D.3.c.ii; 47-17		
<b>Landmark/Historic District</b>	Sailboat Bend Historic District		
<b>Authored By</b>	Trisha Logan, AICP, Historic Preservation Planner		

Ms. Logan reviewed the staff report and concluded with:

In accordance with Sections 47-24.11.D.3.c.i. and 47-24.11.D.3.c.ii. of the ULDR, staff finds that the application for a COA for **Major Alterations** under case number UDP-HP21001 located at 1011 W. Las Olas Boulevard partially meets the criteria as outlined in Section 47-24.11.D.3.c.i. of the ULDR, meets the criteria as outlined in Section 47-24.11.D.3.c.ii. of the ULDR, and does not meet the criteria as outlined in Section 47-17 of the ULDR.



The following conditions for the COA for Major Alterations are provided for consideration by the HPB if the application is to be approved:

1. This application is subject to the approval by Building, Zoning, and all ULDR requirements.

Kathryn Martinez, owner, stated she wanted to put the shed in this location because it was the highest point of the property and this would avoid flooding. She intended to install landscaping in front of the fence to camouflage the shed from the right-of-way. She said the shed would be two feet taller than the fence.

Chair Blank asked about elevating the shed and siting it farther away from the fence. Ms. Martinez agreed she could push it back farther.

Chair Blank opened the public input portion of the meeting. There being no members of the public wishing to address the Board on this item, Chair Blank closed the public input portion of the meeting.

Mr. Marcus said the placement near the fence conflicted with the already compromised historic character of the house. Ms. Martinez stated she could site the shed 10 feet farther back. Mr. Marcus requested she move it back 10 feet and install landscaping to conceal it.

Ms. Wallen read the resolution:

A resolution of the Historic Preservation Board of the City of Fort Lauderdale, Florida, approving a Certificate of Appropriateness for Major Alteration for the property located at 1011 W. Las Olas Boulevard, Fort Lauderdale, Florida, to add a new storage shed. Case number UDP-HP21001.

**Motion** made by Mr. Marcus, seconded by Mr. Parker:

To approve with conditions the resolution for a Certificate of Appropriateness for Major Alterations under case number UDP-HP21001 located at 1011 W. Las Olas Boulevard based on the facts and findings as outlined in the staff memorandum and subject to the following condition:

1. This application is subject to the approval by Building, Zoning, and all ULDR requirements.
- In a voice vote, motion **passed 8-0**.

## **V. Communication to the City Commission**

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Chair Blank passed the gavel to Mr. Marcus in order to make a motion.

**Motion** made by Chair Blank, seconded by Ms. Lynes:

To inform the City Commission that we commend Ms. Logan and her fellow staff for their efforts creating, collaborating and keeping the Board informed of the proposed amendments and modifications to the Sailboat Bend Historic District Updates and we would like the City Commission to recognize their efforts.

In a voice vote, motion **passed 8-0**.

## **VI. Good of the City**

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### **VI.a Proposed Sailboat Bend Historic District Updates**

Chair Blank said prior to the meeting, Ms. Logan had informed the Board that the Sailboat Bend Civic Association had submitted a petition requesting that no action be taken on the updates until in-person public hearings could be held. He noted the Board would be taking no action this

evening; this agenda item was informational.

Ms. Lynes wondered how the residents had assumed that they would be closed off from discussion. Chair Blank felt this was a matter of misinformation.

Ms. Lynes noted that of all the proposed changes, only one, related to garage door material, was more restrictive. Others were either equal to or less restrictive than existing regulations. She said there seemed to be flexibility in the rules regarding fences, and wondered how strict they should be about guidelines.

Mr. Parker reported there would be a Sailboat Bend Civic Association meeting the following evening when the petition would be considered. He said some association members were concerned that the changes would be more restrictive and they wished to stall approval so that a charette could be conducted.

Chair Blank said there was an upswell of persons who wished Sailboat Bend was not a historic district and this was guiding many of the comments, accurate or not, of the proposed amendments. He noted that many of the proposed changes were to address the Board's desire to make the process easier and less expensive for property owners.

Mr. Schiavone noted that City staff had worked very hard to amend the process and he believed they were moving in a positive direction. He was aware that Commissioner Glassman was putting together a charette to invite community input.

Chair Blank asked the total number of properties and how many were contributing. Ms. Logan stated there were approximately 460 properties in Sailboat Bend and of those, 176 were contributing. The remainder were non-contribution or lots without buildings. She noted there was an interactive map on the City's website. Chair Blank said this meant 40% of the properties with buildings were contributing. He asked how much this had diminished in 1 to 15 years. Ms. Logan stated the original designation had not provided a clear list of which properties were contributing.

Chair Blank asked the purpose of the changes and Ms. Logan stated the primary purpose was streamlining, aligning updates with the existing ordinance, updating language and bringing regulations together so there was one reference. They wished to make the regulations clearer for those who lived in the historic district and for people who wanted to purchase property there.

Chair Blank was pleased the Broward County Property Appraiser's website now indicated properties that were designated historic.

Mr. Marcus asked about incentives and Ms. Logan listed the incentives they had added in the past year: a waiver for historic resources regarding setbacks and distance requirements; parking exemptions/reductions; removal of fees for most residential applications and the tax exemption for commercial properties. The City Commission was considering a transfer of development rights program.

Mr. Marcus said some other municipalities offered expedited permitting for historic properties and Ms. Logan said they could discuss this.

Ms. Wallen stated there was now a State Statute requiring the City to review an application within

30 days of receipt. They must also provide the applicant with a deadline for submitting any additional information. There was also a deadline for bringing the applications to the Board.

Ms. Lynes wanted to ensure that residents were aware that there was a lot of information available on the City's website. She also wanted them to be aware of the ramifications of the proposed changes. Ms. Logan reported her document on the changes had been sent to the Sailboat Bend Civic Association and letters had been sent to property owners in August informing them that information was available on the website. There had been a period of public comment until October. They had met the previous week with the new civic association president and planned to meet with the board this week.

Ms. Lynes was concerned that other areas of the City should be designated. Ms. Wallen explained that the Board had the authority to move to initiate a designation application.

**Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 8:15 p.m.

Attest:

Chairman:

\_\_\_\_\_  
ProtoType Inc. Recording Secretary

\_\_\_\_\_  
Jason B. Blank, Chair

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.