

**Miami-Dade County Historic Preservation Board
Minutes of the June 17, 2015 Meeting**

**Bay Harbor Islands Town Hall
Town Council Chambers
9665 Bay Harbor Terrace
Bay Harbor Islands, FL 33154**

I. ROLL CALL

The meeting was called to order by Chair Mitch Novick at 2:05 pm.

Board Members

Gary Appel	Absent (arrived at 2:37 pm)
Ruth Campbell	Present
Adriana Cantillo	Absent
Richard Cohen	Present
Paul George	Absent
Mitch S. Novick, Chair	Present
JoEllen Phillips	Present
Enid C. Pinkney	Present
Ronda Vangates	Absent
Lourdes Solera	Present

Staff Members Present

Kathleen Kauffman
Sarah Cody
Jeff Ransom
Helen Rodriguez

Eddie Kirtley
Assistant County Attorney

II. SWEARING IN OF LOURDES SOLERA, NEW BOARD MEMBER

Chair Novick read the statement to swear in Lourdes Solera as a new Historic Preservation Board Member.

III. APPROVAL OF MINUTES

JoEllen Phillips moved for approval of the May 20, 2015 minutes. **Ruth Campbell** seconded the motion. Motion was approved.

Gary Appel	Absent for vote
Ruth Campbell	Yes
Adriana Cantillo	Absent
Richard Cohen	Yes
Paul George	Absent
Mitch S. Novick	Yes
JoEllen Phillips	Yes
Enid Pinkney	Yes
Ronda Vangates	Absent
Lourdes Solera	Yes

IV. DECORUM STATEMENT

Chair Novick read into the record a Decorum Statement prepared by the County Attorney’s Office.

V. PUBLIC HEARING – public hearing items may not start before 2:15 pm.

A. Swearing in of the Public, Lorena Ramos, Court Reporter: swore in the public.

B. Requests for Deferrals

Chief Kauffman indicated before getting to the public hearing deferrals, there is a request to defer OB2: Church by the Sea. Dr. George initially requested the Board discuss this item, and as he is not present, the item should be heard when he is.

Amy Huber, with the law firm of Shubin & Bass: Speaking on behalf of the Church by the Sea. We have no objection to move this to next month’s meeting to honor his request.

Chair Novick asked if the Church by the Sea was in any imminent danger of being demolished at this time or in the near future. **Amy Huber** responded there have been pending applications for the redevelopment of the church for more than 2 years.

Rick Cohen moved the motion to defer this item to next month’s board meeting, **Ruth Campbell** seconded the motion. Motion was approved.

Gary Appel	Absent for vote
Ruth Campbell	Yes
Adriana Cantillo	Absent
Richard Cohen	Yes
Paul George	Absent
Mitch S. Novick	Yes
JoEllen Phillips	Yes
Enid Pinkney	Yes
Ronda Vangates	Absent
Lourdes Solera	Yes

C. Public Hearing Items

PH1. Historic District Designation
Roughly bounded by Collins & Harding Avenues and 90th & 91st Streets
Surfside, FL 33154

Chief Kauffman stated that multiple sets of owners within that district have asked for a deferral and we are working with them and their counsel on how they can redevelop their

properties and so staff is fine with the deferral. They are requesting a 3 month deferral. **Chair Novick** asked if there was a moratorium in effect. **Chief Kauffman** responded yes.

JoEllen Phillips moved to defer this item for 3 months. **Ruth Campbell** seconded the motion. Motion approved.

Gary Appel	Absent for vote
Ruth Campbell	Yes
Adriana Cantillo	Absent
Richard Cohen	Yes
Paul George	Absent
Mitch S. Novick	Yes
JoEllen Phillips	Yes
Enid Pinkney	Yes
Ronda Vangates	Absent
Lourdes Solera	Yes

Chief Kauffman stated she had one more item of business. As stated staff has been working very well with the owners of that little district in Surfside and as part of that effort we have also been in communication with the Town of Surfside and so the owners of these potential historic properties would like the historic preservation board to pass a Resolution encouraging the Town of Surfside to possibly come up with some additional incentives if there properties become historic, similar to what the City of Miami does when historic properties can get variances for setbacks or parking requirements.

Lourdes Solera moved the Resolution to support the Town of Surfside in amending its Code of Ordinances to include language that would allow them to preclude and provide more variance opportunities for owners of historic properties. **Enid Pinkney** seconded the motion. Resolution was approved.

Gary Appel	Absent for vote
Ruth Campbell	Yes
Adriana Cantillo	Absent
Richard Cohen	Yes
Paul George	Absent
Mitch S. Novick	Yes
JoEllen Phillips	Yes
Enid Pinkney	Yes
Ronda Vangates	Absent
Lourdes Solera	Yes

VI. OLD BUSINESS ITEMS:

- OB1. East Island Survey Results
Bay Harbor Islands, FL 33154

Chief Kauffman gave her PowerPoint presentation on the East Island Survey Results, an update from the 2010 survey efforts.

Our fieldwork included the photography of every property, a review of all of the previous survey efforts that had been done for this area, the compilation of dates of construction and did some preliminary research into the historic context and architects. We also created a resource numbering system and recreated base maps for each of the property categories; evaluating each property for potential historic eligibility. Each property was reviewed using our evaluation criteria, which is similar to the Federal designation criteria; we looked at the spatial planning of the site, architectural character, if there were obvious alterations or modifications, and tried to determine who the architect was. This is how we determined what would be eligible as a historic site individually, or what properties would be eligible if there ever some sort of district. The total number of properties surveyed were 264; the properties that we found eligible for individual designation is 48 and properties eligible if there was some kind of district was 78. Properties we found not eligible because the property was not eligible or a vacant lot was 138.

Staff's Recommendation:

Chief Kauffman stated that we want to try and find a way to help the Town, if they want to balance their history with their progress. There is a lot of construction and development pressure on the island and these are our recommendations. It is our goal to help the Town of Bay Harbor Island preserves its character, but in concert with its future growth. So at this time, we would like to provide more focus groups to the residents within potentially eligible buildings to see if there is interest in individual designations. We would love to come with some voluntary designations so people can see it is not such a tedious or onerous thing. We would like to further review clusters of resources to identify any potential mini districts and explore the possibility of a National Register Thematic Resource Group nomination in coordination with the Town of Bay Harbor Islands. Why would we want to explore the National Register nomination? Because that is more of an honorary thing to have, it does not have any regulations over the property owners. We would also like to work with the Town to find any individual incentives that can be created to offer owners of historic properties, and then to finalize our findings in a written report which includes a more thorough discussion of all of our methodology, including all of the individual property survey forms, and a discussion of significant architects and styles. All of which would then be provided to the Town of Bay Harbor Islands.

Board Member, Lourdes Solera indicated any particular reason why the West Island was not surveyed? Kathleen responded the west island is mostly single-family residential, and the east island is the multi-family apartments, condominiums, and garden style apartments designed by the well-known mid-century architects. The previous survey that was done by the Town of Bay Harbor

Islands already had surveyed the west island and had very few buildings noted that would have been eligible for individual designation.

VII. PUBLIC COMMENT

Chair Novick called the speakers from the sign-in sheet.

Donald McGavern, 9240 Dickens Avenue, Surfside, FL 33154: No comment.

Jean Bryan, 4925 Collins Avenue, Apt 9C, Miami Beach, FL: No comment.

Nancy R. Peters, 1135 103rd Street, Apt. G2, Bay Harbor Islands, FL: Against any designation.

Meryl Cohen, 1080 99th Street: No comment.

Juan Permosa, 3 Ery Biscayne: No comment.

Vince Langone, 1000 West Bay Harbor, Bay Harbor Islands, FL: No comment.

Rick and Esther Superstein, 3830 Hollywood Boulevard, Hollywood, FL: Sarah Cody, Staff, indicated that they both left.

Kathleen Weinstein, 1135 103rd Street: She listened to the presentation that Kathleen did and feels that there are some buildings that warrant designation, but feels it is not right and use of government politics. Against designation.

Chief Kauffman clarified for the Board that this is not a designation hearing and nothing is being proposed for designation at this meeting and this is merely survey results being given to the Board.

Daniel Holder, 24 Bal Bay Drive, Apt. E, Bay Harbor Islands, FL: No comment.

Lourdes Gonzalez, 10301 E. Bay Harbor Drive, Apt. 10 & 11, Bay Harbor Islands, FL: Doesn't feel her building is historical at all. Against designation of the island.

Beth Berkout, 10160 Collins Avenue: No comment.

Frank Harney, 10271 E. Bay Harbor Drive: No comment.

Margie Rossin, 1135 103rd Street, Apt. 5B: Her comments and concerns detail if her due process rights are compromised. Wanted to know if anyone on the Board makes a living or receives income from historic properties on Bay Harbor Islands. Against designation of the island.

Lynne Mullen, 1135 103rd Street: She wants to thank the Board for what they do and it was a great meeting last month. Continue to stand up to the developers who are trying to get rid of these magnificent properties and congratulated Kathleen for a great presentation.

Livia Cohen, 1045-93rd Street: No comment.

Peter Mayotte, 10110 W. Bay Harbor Drive, #4: Was born in Miami in 1958 and has seen this city change a lot. The quality of life is changing, the traffic is slowing, and there is constant construction. One only has to look at Sunny Isles to see what this area can become and thank you for a very nice presentation. For designation of the island.

Martha L. Baggiano, 10301 E. Bay Harbor Drive, #6: She bought her apartment in 2005 and has a lot of memories there. She is in favor of selling her building someday. Against designation of the island.

Moyri Baez, 10301 E. Bay Harbor Drive, #8: I as an owner do not support it to be designated. It should be up to us to have the decision not your board to decide.

Jeffrey Koster, 1135 103rd Street: Said the Board designated our building without listening to us, you rushed the meetings, you cut us off, you had your board members leaving and you rushed the votes. Against designation.

Lance Ehren, 10301 E. Bay Harbor Drive, #5: Says their building does not warrant any preservation and any historical designation will decrease the value of my property. Against designation.

Carter McDonald, 1450 Brickell Avenue, Miami, FL 33131: No comment.

Neil Alter, 9801 Collins Avenue, Bal Harbor, FL: No comment.

Leo Mork, 1135 103rd Street: No comment.

Jordan Leonard, 1230 97th Street: Is the Mayor of Bay Harbor Islands, but speaking for himself as a resident and citizen of the Town. His family has lived in the Town for 61 years and four generations. Congratulates staff for having meeting here in Bay Harbor and whatever is done there needs to be some type of transparency. Feels that for the past year and a half there has been a great deal of concern and lack of transparency dealings with the staff and this Board. Feels that the rights of the individuals should be respected to the extent that you should be hearing what people have to say, taking their personal needs into consideration and you need to be informing people. There needs to be some kind of outreach and the fact that you guys have been working on this for such a significant amount of time, and you still don't have anybody that wants it, not saying that there are some out there, but there needs to be a push out there from the residents and for the residents that want designation that should come out and state that they truly want it.

Our staff has concluded as much as 4% of the east island which has been demolished with no projects in sight meaning that they are not demolishing the building because they have another project of something that they want to build they are demolishing because of fear from the County. From my point of view the Historic Preservation Board will become a failure. Even if you don't designate anything and people are just demolishing out of fear of that, that means that this board has not done its due diligence and you need to work on making that better.

Salomon Nehmad, 1135 103rd Street, Bay Harbor Islands, FL: He came to speak his mind and wants everyone to see his building, the Continental. Feels that everyone that has spoken are all telling lies. Is in favor of historic preservation.

Norma Horavitz, 9300 W. Bay Harbor Drive, Apt. 2A, Bay Harbor Islands, FL: Thanked the Board for visiting our beautiful town especially thanked Enid. I want to speak about our fear and consequences of historic preservation. The difference of the two islands is the desperate attitudes by private owners, buildings and landlords. Drive through the east island area however there are many, many old decrepit apartment buildings. MiMo or not, old does not mean better and property values fall.

Brian Mulheren, 9245 Collins Avenue: Thanked the Board for what they do and I'm standing here listening to people criticize you. Your job is historic preservation. The developers are the ones buying the buildings and demolishing them, not the historic preservation board. It's all about money. People are being forced out of their homes which have lived there for many years and they don't want to move, they have that right to stay there. Commends the staff and board for a job well done.

Carlos De La Torre, 1135 103rd Street: Stated that he supports the Board and historical designation. Feels it is not fair that they are trying to blame the demolition on the Board. The reason people are rushing is because they want to knock it down so that they can build something else and the Town is allowing them to do that without having something else planned in its place. For preservation.

Dolly McIntyre, is the Advocacy Chairman for the Dade Heritage Trust, 119 SW 12th Terrace, Miami, FL: It is hard to think of a building as historic when it is younger than you are. However if we don't start protecting these buildings now, we will never look like Paris and if we keep tearing them down, we will never have historic buildings. Feels that staff gave a very fine presentation and a very fine proposal for going forward as well as doing meetings so that the residents have a better understanding as to the real meaning if it gets designated. There is nothing on record showing a district causing property values to decline. There are not hundreds but thousands of examples where historic designation has markedly improved the value and the quality of neighborhoods. I've heard a lot of misunderstandings, and a lot of emotions and people feel like their homes are being threatened. This really isn't the case and we have to help people to understand that there is a real value to preserving our heritage. For preservation.

Terri D'Amico, 9101 E. Bay Harbor Drive, Bay Harbor Islands, FL: Spoke in favor of preservation with regards to the fact that there are incentives (TDRs), but they are not compensating historic buildings. Suggests that this board give more educational workshops so that people are made aware of what historic preservation really is. Feels that rumors are being spread and that people are being encouraged to demolish the buildings. For preservation.

Michael Horavitz, 9300 W. Bay Harbor Drive, Bay Harbor Islands, FL: He's lived in the island for over 51 years and his father was involved in the early development of the Island and this is our home. I walk every morning and see what is happening on the island and he's disgusted. He does believe that the condo/apartment or co-op owners should have their own rights and decisions if they want to sell. If the majority of the owners of these buildings choose to want to sell then that should make the determination and not on the other side. Against preservation.

Wendy Auerbach, 9880 W. Bay Harbor Drive, Bay Harbor Islands, FL: We all thank you for coming and making it easier for us and thanked staff for the presentation. We all live in Bay Harbor Islands and we are proud and happy to live here and people are tearing down their properties not because they have a buyer in place, but they are afraid because if they don't tear it down now for future development that all of their rights are going to be taken away. Against preservation.

Joan Carney, 1135 103rd Street: Thanked the board and staff for coming out to Bay Harbor and it was a really great presentation. Stated that she would like to see more educational workshops on what designation really means and the value of designation. She feels that there is a great misunderstanding as to what goes on with historic designation. Says there is also the kind of fear from those of us that would like to see the Town remain as is. Stated that the HP Board is doing a great thing and welcomes them into her Town. For preservation.

Chair Novick discloses that the next speaker, Mr. Robbins has represented me on a variety of issues.

Kent Harrison Robbins, 9200 W. Bay Harbor Drive, Bay Harbor Islands, FL: Has lived on the island since 2002. South Beach went through the same kinds of fights and arguments among the residents and owners of the properties with the fear that historic designation would harm. But we know that revitalization is based on its historic designation, and the increased value that has happened over time and those historic properties have gone up and skyrocketed in value over the last 25 to 30 years. Historic designation is a very simple process and being able to improve your property after it is historically designated is not prohibited in fact, historic designation provides you with a basis to go forward to be able to obtain special treatment by the city through the historic preservation board which allows you to enhance the property. The historic preservation board needs to look at whether or not the east island meets eligibility from looking at all of the information provided by Ms. Kauffman about the historic features of the area. Feels it's about time to go forward and designate. If we do not, the demolition will continue. This demolition needs to stop. For preservation.

Steve Wernick, 1 SE 3rd Avenue, Miami, FL: Represents several owners on the east island and would like to point out two things. #1 The Town of Bay Harbor Islands has its own land development regulations, its own zoning codes, and you're talking about tax revenue that probably will take up more than 50% of this entire town. This is very different where in the City of Miami Beach you would be looking at a district where Miami Beach already has historic preservation and jurisdiction over zoning regulations. The other point is, South Beach was in a state of disrepair and declined and historic preservation was a tool that, yes, enabled them to save historic buildings or architecturally significant buildings, but to also jumpstart investment, as it called for hotels, restaurants, and all kind of mix-uses. The east island is residential for probably 90% of the properties and there is no zoning that would call for hotels, bed and breakfast and restaurants and nightclubs and all that. So you cannot compare South Beach to the East Island in the Town of Bay Harbor Islands, the characters are completely different and you really need to consult and spend a lot of time with the Town of Bay Harbor Islands as to what the real needs and goals are. Against preservation.

Ron Wasson, City Manager, Town of Bay Harbor Islands, FL: Thanked the board for coming here today and made it easier for the residents to attend. Stated he really liked the report that Chief Kauffman gave, especially the recommendation on outreach to the community and meeting with people. Give them a feel for how their buildings really merit designation and feels that would go a long way in alleviating the fear that many people do have that the entire island is going to become one entire district and won't be able to do anything with their properties. If the building owners want to do it, go do it. No one here will be against it. Suggests that we should work with the Town because that is a very positive thing to do. It was mentioned before that we have control over stopping a demolition that is not true because if a property owner owns a building and wants to tear it down that would be something that the state legislation would have to recommend.

Someone from the audience asked if designation prevents an owner from selling their property? **Chair Novick** responded absolutely not.

Chair Novick indicated is there a motion to close the public hearing? **Lourdes Solera** moved the motion to close the public hearing. **Ruth Campbell** seconded the motion. Motion was approved.

Gary Appel	Yes
Ruth Campbell	Yes
Adriana Cantillo	Absent
Rick Cohen	Yes
Paul George	Absent
Lourdes Solera	Yes
Mitch Novick	Yes
JoEllen Phillips	Yes
Enid Pinkney	Yes
Ronda Vangates	Absent

Board Member, Gary Appel: Understands why this is an emotional issue. One of the tools that is missing here is more direct communication between the elected officials and the historic preservation board or a truly local one. We approved all kinds of additions, interior makeovers, we fast track things, we are not looking to cause economic hardship. Most studies show that the property values have gone up and the neighborhoods are more cohesive when designated historic. Understands that it is a divided situation.

Board Member, Lourdes Solera: Asked Dolly McIntyre from Dade Heritage Trust if they could sponsor or host a workshop that explains to the residents as to what historic designation means, because historic designation does not mean you can't sell your property, it doesn't mean you can't request to demolish it, it just doesn't mean what half of these people out there are saying and thinking. People are just not aware of what designation means and maybe it will change some of their minds, but at least nobody will be able to say that nobody told them or that they weren't informed.

Someone from the audience requested clarification on what **Lourdes Solera** meant when she said "it doesn't mean we can't demolish if you are designated historic." Can you clarify that for us? **Board Member, Lourdes Solera** stated you still have to get permission from the historic board and explain why the building needs to be demolished, but you can request that. It has happened. **Chair Novick** added that historic designation does not preclude you from seeking to demolish the property. You need to get a Certificate of Appropriateness and that would be determined by the Historic Preservation Board.

Chair Novick stated that he was introduced to Bay Harbor in the mid-1980s and it is the place where my career began in real estate. Back in those years, this place in my eyes was a mid-century wonderland. I would skateboard the streets, bike the streets, in the 90's it was rollerblading... and it was beautiful. I come here now and the development is destroying this community. He believes we need to move forward with protecting what's left, designating as much as we can but we don't want to displace anyone if they want to keep their home.

Board Member, Richard Cohen: Stated that he is very much in agreement with what Gary said and does not want to rehash it. I'm sorry that there is a lot of misunderstanding upon the part of the public, feels there is far too much fear and feels it would be alleviated with the proper type of education and I do think it prevails when you do take the time to do the research you will find that it has been proven widely that historic preservation does enhance values.

Board Member, JoEllen Phillips: She worked on a project for the City of Miami in Overtown with communications and is currently the Executive Director of the Curtiss Mansion in Miami Springs which has recently been restored. Throughout her communications agency experience, she found that education to the people that are going to be directly impacted is the most important thing that any agency can do and believes that with this survey that Ms. Kauffman has been describing to you, I would go along with doing some other more workshops and thinks that Ms. McIntyre here too from the Dade Heritage Trust would be very helpful. I would encourage that this board get together with the Town and get some educational workshops in line. Feels that this is the right

place and time to get the ball moving. The only thing that I find just a tad bit distasteful is insulting this fine staff that has been working so hard, they are doing their job. This is what their job is. Feels they are doing their job extremely well and to keep up the good work throughout the County in whatever you are doing. You cannot find anyone more dedicated and Kathleen worries about this. She doesn't want people to be unhappy, she wants you to understand historic preservation. Then if you decide after the education process is over, I think that this board is open to listening.

There was discussion amongst board members whether to move forward with any designations before there were more demolitions, or whether to do more public workshops.

Board Member, JoEllen Phillips made a motion that we urge the staff to have further workshops for educating the public and then to reconvene in September and get an update on the progress.

Board Member, Enid Pinkney seconded the motion.

Board Member, Enid Pinkney: My family dates back into 1910 in Miami and she has seen so many changes in my lifetime and one of the things that is happening now is that people like Miami, especially the developers. They are really having a ball here in Miami and that's not just in Bay Harbor. That's in Overtown, Liberty City, and the Brownsville community. It is all over Miami and as I listened to people today, there is a need for education as to what historic preservation is all about and that was very evident today with some of the statements that were made so therefore, I am in favor of having more workshops. Indicates that even though we have had workshops in the past, developers are coming on strong with buying and demolishing, but feels that we need to proceed with workshops first before moving forward.

Mayor Jordan Leonard, 1230 97th Street: Stated that he does feel that education is much needed and he wants to welcome staff. Also stated that their own development code is very strict. There are some strict limitations as to what you can and cannot do in this Town. Last time we checked about ¾ of what was built on this island, you cannot build today. For example, our setbacks have enhanced and our height restriction is 75 feet which people may not know that. We have stricter requirements in the county with regards to greenspace. The new requirement is that 20% of the footprint has to be green. That is more stringent than Miami Beach or Coral Gables. So he welcomes any comments and stated that whenever this preservation board or staff want to do a workshop you are perfectly welcomed as far as I'm concerned.

JoEllen Phillips moved a motion that staff provide further workshops for the Town residents of Bay Harbor Islands and the Board would reconvene this issue in September. **Enid Pinkney** seconded the motion. Motion was approved.

Gary Appel	Yes
Ruth Campbell	Yes
Adriana Cantillo	Absent
Rick Cohen	Yes
Paul George	Absent
Lourdes Solera	Yes

Mitch Novick	No
JoEllen Phillips	Yes
Enid Pinkney	Yes
Ronda Vangates	Absent

VIII. CHAIR’S REPORT - Nothing to report.

IX. DIRECTOR’S REPORT – Nothing to report.

X. NEW BUSINESS

Chief Kauffman gave a quick presentation of the Coral Gables Elementary School and stated that the school has reached its 90th year. Recommends that this Board make a Resolution which supports the City of Coral Gables in their effort to get the School Board to repair and restore the historic windows.

Gary Appel moved the motion. **Rick Cohen** seconded the motion. Motion was approved.

Gary Appel	Yes
Ruth Campbell	Yes
Adriana Cantillo	Absent
Rick Cohen	Yes
Paul George	Absent
Lourdes Solera	Yes
Mitch Novick	Yes
JoEllen Phillips	Yes
Enid Pinkney	Yes
Ronda Vangates	Absent

XI. ADJOURNMENT

Lourdes Solera moved the motion to adjourn. **Mitch Novick** seconded the motion. Motion was approved.

Gary Appel	Yes
Ruth Campbell	Yes
Adriana Cantillo	Absent
Rick Cohen	Yes
Paul George	Absent
Mitch S. Novick	Yes
JoEllen Phillips	Yes
Enid Pinkney	Yes
Ronda Vangates	Absent

Chair Novick adjourned the meeting at 4:05 pm.

Kathleen Kauffman, Historic Preservation Chief
Office of Historic Preservation

Date