



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Action Minutes - Final

### Historic Architectural Review Commission

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Tuesday, March 22, 2016

5:30 PM

Old City Hall

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**ADA Assistance:** It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3731 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

#### Call Meeting To Order

5:31 P.M.

#### Pledge of Allegiance to the Flag

#### Roll Call

**Absent** 2 - Ms. Thompson, and Vice Chair McChesney

**Present** 5 - Mr. Bender, Ms. Hinkle, Mr. Logan, Ms. Powell, and Chairman Green

#### Approval of Agenda

*It was moved by Ms. Hinkle and seconded by Ms. Powell to approve the Agenda as changed; postponing items 11 & 12.*

#### Approval of Minutes

**1** February 23, 2016

**Attachments:** Minutes

A motion was made by Mr. Bert Bender, seconded by Ms. Letisia Powell, that the Minutes be Approved. The motion passed by a unanimous vote.

#### HARC Planner's Report

**2** February monthly listing of approved applications

Received and Filed

## Assistant City Attorney's Report

### New Business

- 3 Renovations to house, including new replacement wood windows, new front façade configuration, relocation of a/c over roof with guardrail, and site improvements - **#702 Pearl Street - David Knoll (H15-01-1665)**  
**Attachments:**     [702 Pearl Street- Design](#)  
  
A motion was made by Mr. Bender, seconded by Ms. Powell, that the Item be Postponed to April 26, 2016. The motion carried by the following vote:  
  
**Absent:** 2 - Ms. Thompson, and Vice Chair McChesney  
  
**Yes:** 5 - Mr. Bender, Ms. Hinkle, Mr. Logan, Ms. Powell, and Chairman Green
- 4 Partial demolition of side and rear additions with no build back - **#702 Pearl Street - David Knoll (H15-01-1665)**  
**Attachments:**     [702 Pearl Street - Demolition](#)  
  
A motion was made by Mr. Bender, seconded by Ms. Powell, that the Item be Postponed to the April 26, 2016 meeting. The motion carried by the following vote:  
  
**Absent:** 2 - Ms. Thompson, and Vice Chair McChesney  
  
**Yes:** 5 - Mr. Bender, Ms. Hinkle, Mr. Logan, Ms. Powell, and Chairman Green
- 5 Install new pool and deck. Relocate existing propane tank. No perimeter wall will be removed - **#313 Truman Avenue - McIntyre Construction (H15-01-1900)**  
**Attachments:**     [313 Truman Avenue- Design](#)  
  
A motion was made by Mr. Bender, seconded by Ms. Powell, that the Item be Postponed to the April 26, 2016 meeting. The motion carried by the following vote:  
  
**Absent:** 2 - Ms. Thompson, and Vice Chair McChesney  
  
**Yes:** 5 - Mr. Bender, Ms. Hinkle, Mr. Logan, Ms. Powell, and Chairman Green
- 6 Demolition of existing shed and removed side deck - **#313 Truman Avenue - McIntyre Construction (H15-01-1900)**  
**Attachments:**     [313 Truman Avenue- Demolition](#)  
  
A motion was made by Mr. Bender, seconded by Ms. Powell, that the Item be Postponed to the April 26, 2016 meeting. The motion carried by the following vote:

**Absent:** 2 - Ms. Thompson, and Vice Chair McChesney

**Yes:** 5 - Mr. Bender, Ms. Hinkle, Mr. Logan, Ms. Powell, and Chairman Green

- 8** Demolition of existing cbs house. Demolition of two accessory structures in back of property - **#813 Waddell Avenue Units A & B - William Shepler (H16-01-0008)**

**Attachments:** ["Large File" 813 Waddell Avenue- Demolition](#)

A motion was made by Mr. Bender, seconded by Ms. Powell, that the Item be Denied. The motion carried by the following vote:

**No:** 2 - Ms. Hinkle, and Mr. Logan

**Absent:** 2 - Ms. Thompson, and Vice Chair McChesney

**Yes:** 3 - Mr. Bender, Ms. Powell, and Chairman Green

- 7** Two new two-story frame single family homes. New pools and open side cabanas. Fences, decks, and site improvements - **#813 Waddell Avenue Units A & B - William Shepler (H16-01-0008)**

**Attachments:** ["Large File" 813 Waddell Avenue- Design](#)

A motion was made by Mr. Bender, seconded by Ms. Powell, that the Item be Denied. The motion carried by the following vote:

**Absent:** 2 - Ms. Thompson, and Vice Chair McChesney

**Yes:** 5 - Mr. Bender, Ms. Hinkle, Mr. Logan, Ms. Powell, and Chairman Green

- 9** Renovations including front porch, exterior wood staircase, replacement of windows, doors, siding, and roofing material. New fence and site improvements - **#221 Petronia Street - William Shepler (H16-01-0093)**

**Attachments:** [221 Petronia Street- Design](#)

A motion was made by Mr. Bender, seconded by Ms. Hinkle, that the Item be Approved. The motion carried by the following vote:

**Absent:** 2 - Ms. Thompson, and Vice Chair McChesney

**Yes:** 5 - Mr. Bender, Ms. Hinkle, Mr. Logan, Ms. Powell, and Chairman Green

- 10** Demolition of front porch, retaining existing roof. Demolition of wood shed - **#221 Petronia Street - William Shepler (H16-01-0093)**

**Attachments:** [221 Petronia Street - Demolition](#)

A motion was made by Mr. Bender, seconded by Ms. Powell, that the Item be Approved. The motion carried by the following vote:

**Absent:** 2 - Ms. Thompson, and Vice Chair McChesney

**Yes:** 5 - Mr. Bender, Ms. Hinkle, Mr. Logan, Ms. Powell, and Chairman Green

**11 New pool house and relocate pool equipment - #1109 Virginia Street - Wayne Garcia (H16-01-0002)**

**Attachments:** [1109 Virginia Street- Design](#)

A motion was made by Ms. Janet Hinkle, seconded by Ms. Letisia Powell, that the Item be Postponed to the April 26, 2016 meeting. The motion passed by an unanimous vote.

**12 Demolition of rear accessory structure - #1109 Virginia Street - Wayne Garcia (H16-01-0002)**

**Attachments:** [1109 Virginia Street- Demolition](#)

A motion was made by Ms. Janet Hinkle, seconded by Ms. Letisia Powell, that the Item be Postponed April 26, 2016 The motion passed by an unanimous vote.

**13 New replacement accessory structure - #323 Whitehead Street - Perez Engineering (H16-03-0005)**

**Attachments:** [323 Whitehead Street- Design](#)

A motion was made by Ms. Hinkle, seconded by Ms. Powell, that the Item be Approved. The motion carried by the following vote:

**Absent:** 2 - Ms. Thompson, and Vice Chair McChesney

**Yes:** 5 - Mr. Bender, Ms. Hinkle, Mr. Logan, Ms. Powell, and Chairman Green

**14 Demolition of two accessory structures - #323 Whitehead Street - Perez Engineering (H16-03-0005)**

**Attachments:** [323 Whitehead Street- Demolition](#)

A motion was made by Ms. Hinkle, seconded by Mr. Bender, that the Item be Approved. The motion carried by the following vote:

**Absent:** 2 - Ms. Thompson, and Vice Chair McChesney

**Yes:** 5 - Mr. Bender, Ms. Hinkle, Mr. Logan, Ms. Powell, and Chairman Green

**15 One story frame addition on rear existing deck - #1411 White Street - Toolbox GC (H16-01-0124)**

**Attachments:** [1411 White Street- Design](#)

A motion was made by Mr. Bender, seconded by Ms. Powell, that the Item be Approved. The motion carried by the following vote:

**Absent:** 2 - Ms. Thompson, and Vice Chair McChesney

**Yes:** 5 - Mr. Bender, Ms. Hinkle, Mr. Logan, Ms. Powell, and Chairman Green

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- 16 Remove shed with no build back - #10 Lowes Lane - Kevin McChesney Contracting (H16-01-0187)
- Attachments:** [10 Lowes Lane- Demolition](#)
- A motion was made by Ms. Powell, seconded by Mr. Bender, that the Item be Approved. The motion carried by the following vote:
- Absent:** 2 - Ms. Thompson, and Vice Chair McChesney
- Yes:** 5 - Mr. Bender, Ms. Hinkle, Mr. Logan, Ms. Powell, and Chairman Green
- 17 Restoration of exterior concrete including the removal and replacement of deteriorated concrete. Replace in kind - #120 Margaret Street - Bender & Associates (H16-01-0282)
- Attachments:** [120 Margaret Street- Design](#)  
[Thompson Fish House National Register Nomination](#)
- A motion was made by Ms. Powell, seconded by Mr. Logan, that the Item be Approved. The motion carried by the following vote:
- Recuse:** 1 - Mr. Bender
- Absent:** 2 - Ms. Thompson, and Vice Chair McChesney
- Yes:** 4 - Ms. Hinkle, Mr. Logan, Ms. Powell, and Chairman Green
- 18 Replacement of second floor addition. Enclosure of exterior staircase. Renovations to historic building. Paint to match. Elevate house 1 foot - #820 Carsten Lane - William Rowan Architects (H16-03-0015)
- Attachments:** [820 Carsten Lane- Design](#)
- A motion was made by Mr. Bender, seconded by Ms. Hinkle, that the Item be Postponed to May 24, 2016. The motion carried by the following vote:
- Absent:** 2 - Ms. Thompson, and Vice Chair McChesney
- Yes:** 5 - Mr. Bender, Ms. Hinkle, Mr. Logan, Ms. Powell, and Chairman Green
- 19 Demolition of non-historic second floor rear addition. Partial demolition of southwest wall and demolition of exterior staircase - #820 Carsten Lane - William Rowan Architects (H16-03-0015)
- Attachments:** [820 Carsten Lane- Demolition](#)
- A motion was made by Mr. Bender, seconded by Ms. Hinkle, that the Item be Postponed May 24, 2016. The motion carried by the following vote:
- Absent:** 2 - Ms. Thompson, and Vice Chair McChesney
- Yes:** 5 - Mr. Bender, Ms. Hinkle, Mr. Logan, Ms. Powell, and Chairman Green

- 20 Renovations to contributing house. New second floor addition with front roof deck. New swimming pools and site improvements, including two off street parking spaces - **#1216 Margaret Street - Anthony Architecture (H16-03-0020)**

Attachments: [1216 Margaret Street- Design](#)

A motion was made by Ms. Powell, seconded by Mr. Bender, that the Item be Postponed to the April 26, 2016 meeting. The motion carried by the following vote:

Absent: 2 - Ms. Thompson, and Vice Chair McChesney

Yes: 5 - Mr. Bender, Ms. Hinkle, Mr. Logan, Ms. Powell, and Chairman Green

- 21 Partial demolition of roof. Demolition of rear sheds, rear addition, and side addition - **#1216 Margaret Street - Anthony Architecture (H16-03-0020)**

Attachments: [1216 Margaret Street- Demolition](#)

A motion was made by Ms. Powell, seconded by Mr. Bender, that the Item be Postponed to the April 26, 2016. The motion carried by the following vote:

Absent: 2 - Ms. Thompson, and Vice Chair McChesney

Yes: 5 - Mr. Bender, Ms. Hinkle, Mr. Logan, Ms. Powell, and Chairman Green

- 22 New roof deck over existing gazebo and extension to second floor rear porch. New back deck - **#708 Eaton Street - Rob Delaune (H16-03-0021)**

Attachments: [708 Eaton Street- Design](#)

A motion was made by Mr. Logan, seconded by Mr. Bender, that the Item be Approved. The motion carried by the following vote:

Absent: 2 - Ms. Thompson, and Vice Chair McChesney

Yes: 5 - Mr. Bender, Ms. Hinkle, Mr. Logan, Ms. Powell, and Chairman Green

- 23 Demolition of gazebo hip roof - **#708 Eaton Street - Rob Delaune (H16-03-0021)**

Attachments: [708 Eaton Street- Demolition](#)

A motion was made by Mr. Logan, seconded by Ms. Powell, that the Item be Approved. The motion carried by the following vote:

Absent: 2 - Ms. Thompson, and Vice Chair McChesney

Yes: 5 - Mr. Bender, Ms. Hinkle, Mr. Logan, Ms. Powell, and Chairman Green

**Comments from Commissioners**

**Adjournment**

8:55 P.M.

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>BENDER, BERT L.</b>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>HARC</b>	
MAILING ADDRESS <b>410 ANGELA ST.</b>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <b>KEY WEST</b>	COUNTY <b>MONROE</b>	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY NAME OF POLITICAL SUBDIVISION: <b>CITY OF KEY WEST</b>	
DATE ON WHICH VOTE OCCURRED <b>MARCH 22, 2016</b>		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE	

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

**PRIOR TO THE VOTE BEING TAKEN** by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

**WITHIN 15 DAYS AFTER THE VOTE OCCURS** by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)



### APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

### DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, BERT BENDER, hereby disclose that on MARCH 22,, 20 16:

(a) A measure came or will come before my agency which (check one)

- ☒ inured to my special private gain or loss;
- \_\_\_ inured to the special gain or loss of my business associate, \_\_\_\_\_;
- \_\_\_ inured to the special gain or loss of my relative, \_\_\_\_\_;
- \_\_\_ inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- \_\_\_ inured to the special gain or loss of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

ITEM #17 - H16-01-0282  
TITOMPSON FISH HOUSE

3.22. 2016

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.