

## EXECUTIVE SUMMARY



**To:** Jim Scholl, City Manager

**Through:** Thaddeus Cohen, Planning Director

**From:** Enid Torregrosa-Silva, Historic Preservation Planner

**Meeting Date:** October 18, 2016

**RE:** Approval of the submitted Ordinance for staff to approve certain demolitions of accessory structures in the historic district.

### ACTION STATEMENT:

Request: **CONSIDERATION OF AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 102 ENTITLED "HISTORIC PRESERVATION" BY AMENDING SECTION 102-217 "REQUIRED PUBLIC MEETINGS", RELAXING THE REQUIREMENTS TO OBTAIN STAFF APPROVAL TO DEMOLISH CERTAIN NON-HISTORIC, NON-CONTRIBUTING BUILDINGS OR STRUCTURES IN THE HISTORIC DISTRICT; PROVIDING FOR SEVERABILITY, PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS, PROVIDING FOR AN EFFECTIVE DATE.**

Location: Key West Historic District.

### BACKGROUND:

In the past years, there has been an increase in number of certificate of appropriateness submitted for review through public meetings by the Historic Architectural Review Commission (HARC). Many of those applications are for the demolition of non-historic and non-contributing accessory structures, sometimes with no build-back, others for the need of more space for a new swimming pool. Other applications are for the reconstruction of exterior staircases, which the chief building officer cannot condemn, but present decay and code problems that require a certificate of appropriateness. The actual ordinance grants authority to staff only to approve demolitions of *bona fide* code compliance cases, if a structure is non-historic and non-contributing and after the city attorney and city planner have given written consent. The process of obtaining an approval for a certificate of appropriateness reviewed by the Commission can add a minimum of thirty days to the building permit process.

With this new ordinance, the Commission wants to expedite the demolition process of the following accessory structures with no build-back, or for the construction of a swimming pool- if the swimming pool complies with current guidelines:

- (a) Awnings
- (b) Carports
- (c) Detached covered porches located on the rear of a property
- (d) Gazebos
- (e) Gatehouses
- (f) Pavilions
- (g) Pergolas
- (h) Sheds
- (i) Swimming pools and hot tubs
- (j) Trellis and arbors
- (k) Walls

The ordinance also includes demolition and, if necessary, reconstruction of non-historic, non-contributing staircases, decks 30 inches or taller, and fences that do not qualify as unsafe structures, as determined by the chief building officer, and that are in need to be demolished due to deterioration or building code requirements.

#### **Previous City Actions:**

Planning Board Approval August 18, 2016

HARC Recommendation of Approval May 24, 2016

#### **Planning Staff Analysis:**

#### **Options/Advantages/Disadvantages:**

**Option 1:** Approve the proposed changes to the Demolition Ordinance.

- 1. Consistency with the City's Strategic Plan, Vision, and Mission:** This action would provide enhanced services consistent with the mission and vision of the City. The new ordinance will expedite the permitting process for citizens that are requesting the demolition of non-historic and non-contributing accessory structures with no build-back, with exceptions of a construction of swimming pool. This ordinance will also expedite building permits for the reconstruction of exterior staircases that are not certified as unsafe by the chief building officer, but are deteriorated and in need of repairs.

2. **Financial Impact:** There will be no direct finance impact. Nevertheless, the approval of the proposed Ordinance will improve the efficiency of staff and will hasten the permit process, and will allow owners to make improvements to their buildings on a timelier manner.

**Option 2:** Do not approve the proposed change to the HARC guidelines.

1. **Consistency with the City's Strategic Plan, Vision, and Mission:** This action would not be consistent with the City's strategic plan, as the current ordinance requires the HARC Commission to review all demolitions within the historic district with the exception of bona fide code compliances cases. The current process adds a minimum of 30 days to the building permit process and adds to staff workload as these projects will require full Commission review.
2. **Financial Impact:** There will be no direct finance impact. Nevertheless, by not approving the proposed Ordinance the city will not improve the current permitting process for demolitions of non-historic and non-contributing accessory structures with no build-back, with exceptions of a construction of swimming pool and for the reconstruction of exterior staircases that are not certified as unsafe by the chief building officer, but are deteriorated and in need of repairs..

## **Recommendation**

The Planning Department recommends, Option 1, **approval** of the proposed Ordinance.