

Tropical Soup Corporation, was awarded the RFP to build a restaurant and repair the blighted Southern end of Mallory Square. This RFP was well advertised and well attended. Since then, Architects, engineers, planners and attorneys worked diligently to design a project that met the relevant codes, was appropriate for the area, was true to the RFP, and could generate sufficient revenues to pay the agreed rents.

The applicant has made diligent efforts to comply with the sometimes changing rules, codes, opinions, and expectations of various board members and staff at the City of Key West. The applicant has secured previous HARC approval for a different design. The applicant was able to petition FEMA to change the flood zone designation for Mallory Square in order to make it possible to build a single story structure. This change in the flood map also made it possible to save the cable tank since it sat in a "V" flood zone, and FEMA requirements prohibit permanent structures in such a zone. At the December 2016 HARC meeting, the applicant proposed a partial demolition of the cable tank structure. Staff, the board and a number of members of the community found the partial demolition unacceptable. The applicant heard these concerns. The applicant has worked diligently since then including meeting with various members of City staff to design the project to retain the Cable tank. It also constructs a small open pavilion on the elevation that previously held the bar for the previous restaurant. We are pleased to be able to rehabilitate and repair the cable tank. The removal of the French doors, the removal of the garage door, removing termites, repairing spalling and preserving the concrete walls, removing hoods, walk-in kitchen equipment, sheet-rock, FRP paneling, insulation, metal siding, ansul fire suppression equipment, repairing columns, and repairing the floor, will be coupled with a flat roofed open air pavilion to retain the historic structures and to revitalize Mallory square.

As this project has had a somewhat tortured history, the applicant would like to point out how its current proposal complies with the relevant guidelines.

The applicant has developed a rehabilitation, restoration and removal of non-historic elements that faithfully adheres to Secretary of the Interior guidelines. From the Department of the Interior:

REHABILITATION

"...the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values."

The applicant's proposal adapts the historic cable tank to a compatible and least intrusive use as a public seating area. The historic concrete walls and columns as well as the utilitarian round shape are all retained. The damaged roof will be replaced and the floor will be repaired.

RESTORATION

- “...the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.”

The applicant's proposal will remove termite damaged materials, repair salt damage, repair water damaged columns, and fix spalling. The removal of non-historic French-doors, the roll-up garage door as well as fiberglass insulation, hood exhaust ducts, and faux metal mansard siding materials.

Concepts in the standards

1. New uses require minimal change to defining characteristics.
2. Preserve historic character; avoid removal of materials or alteration of spaces.
3. Avoid false historicism.
4. Preserve alterations which have acquired significance over time.
5. Retain distinct features and finishes
6. Repair rather than replace deteriorated features.
7. Use gentle cleaning techniques.
8. Preserve significant archeological resources.
9. Related new construction shall not destroy historic materials and should be “compatible.”
10. Reversibility.

The applicant's design proposal meets all ten of the Secretary of the Interior Design Concept Standards

It proposes no changes to the defining characteristics of the Cable Tank. It preserves the historic character and repairs decades of abuse and neglect. It avoids a false sense of historicism and removes faux elements and non-historic additions. The alterations to the tank have not acquired an historic significance. The distinctive features of the utilitarian tank are its round shape, concrete walls, and flat roof. All are retained. To the extent that it is structurally possible, the deteriorated columns and concrete will be repaired, not replaced. Cleaning techniques and archaeological resources as anticipated in the Standards will be followed to the extent that they are relevant. The new proposed frame structure at the side of the cable tank will meet current FEMA flood zone standards. The pavilion style with open walls and a low flat

roof relates to the Cable tank and is compatible with it. This structure, situated on the least important elevation is the minimal possible to achieve the historic preservation objective.

The department of the Interior provides a greater explanation for its standards:

STANDARD 1

A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

Standard 1 applies to the rehabilitation and restoration of the historic property. The applicant's proposal requires minimal changes to the defining characteristics of the building, and none to its historic site and environment. On the rare occasions that the tanks were used, the telephone cable was loaded onto ships. Obviously this activity took place with a ship in the water. As the cable tanks have minimal architectural value, their historic significance is derived from the part they played in holding telephone cables in saltwater until they could be loaded on ships.

STANDARD 2

The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

The historic character of this storage tank will be retained in the applicant's design. The applicant shall not be removing historic materials, nor making alterations of features that characterize the tank.

STANDARD 3

Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

The historic cable tank will be re-purposed in the least intrusive means possible. It will be rehabilitated and restored. Non-historic French doors will be removed, and no conjectural or architectural features will be added.

STANDARD 9

New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

The proposed new pavilion shall be differentiated from the cable tank, but shall use materials and a design style that echoes the utilitarian functionality of the storage tank. The new pavilion will be the lowest height possible to meet FEMA and life safety guidelines. It is compatible and comparable in size and scale to the tank. It is significantly smaller than the Hospitality House and is towered over by the hotels, and convention center. It is the minimal structure possible, and is sized to compare with storage buildings. The buildings on and around Mallory Square that were used for human activity all tower over this new pavilion. The applicant has made a previous submittal that was a two story iteration, required at the time, by the V-13 flood zone that prohibited the first floor from containing equipment or permanent obstructions. Staff described it as "The proposed design will not exceed two stories. The new design will be lower in height than the historic Hospitality House." The Proportion, scale and mass section of the staff report states "...this new proposed design will not outsize the majority of structures within the surrounding area. Non historic structures within the area are three or more story height structures." The applicant would point out that the design so described was double the height, double the width of the current project and incorporated the cable tank within its walls. The massing size and scale of the applicant's project are appropriate for the location. The historic and architectural context that it should relate to are created by the other buildings on and around Mallory Square. These buildings are not only defined by two storage tanks. In fact as previous reports make abundantly clear, these storage tanks are devoid of the architectural meaning described in Standard 9. The property and environment to be considered are Mallory Square and the Key West harbor. This tourist and local visited area with large hotels, a playhouse, the convention Center the Hospitality House and retail stores originally built as warehouses. The Mallory uses fifty plus years ago were as a working waterfront, as such coal bunkers or warehouses along the water were significantly larger than the applicant's proposed design. During those occasions that the cable tank was used for its original function, the ships that would have pulled alongside would have towered over the structure, much as the hotel does now. The applicant has gone to great efforts to design a structure sited on the least important historic elevation that provides visibility to this storage tank from all sides. The applicant at the urging of City staff has designed a project that uses the small flat roofed storage structures as its context. Suggesting that this design is out of scale with Mallory Square is not logical in light of the surrounding buildings, or Mallory's historic and current uses.

STANDARD 10

New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

It will be possible to remove the new pavilion in the future with no loss of form or integrity to the cable tank.

GUIDELINES for REHABILITATION

Alterations/Additions for the New Use

Some exterior and interior alterations to a historic building are generally needed to assure its continued use, but it is most important that such alterations do not radically change, obscure, or destroy character-defining spaces, materials, features, or finishes. Alterations may include providing additional parking space on an existing historic building site; cutting new entrances or windows on secondary elevations; inserting an additional floor; installing an entirely new mechanical system; or creating an atrium or light well. Alteration may also include the selective removal of buildings or other features of the environment or building site that are intrusive and therefore detract from the overall historic character.

Preservation Brief 14: New Exterior Additions to Historic Buildings, Preservation Concerns

Because a new exterior addition to a historic building can damage or destroy significant materials and can change the building's character, an addition should be considered only after it has been determined that the new use cannot be met by altering nonsignificant, or secondary, interior spaces. If the new use cannot be met in this way, then an attached addition may be an acceptable alternative if carefully planned. A new addition should be constructed in a manner that preserves significant materials and features and preserves the historic character. Finally, an addition should be differentiated from the historic building so that the new work is not confused with what is genuinely part of the past.

Preservation Brief 14: New Exterior Additions to Historic Buildings, Preservation Concerns

In summary, then, these are the three important preservation questions to ask when planning a new exterior addition to a historic resource:

1. Does the proposed addition preserve significant historic materials and features?
2. Does the proposed addition preserve the historic character?
3. Does the proposed addition protect the historical significance by making a visual distinction between old and new?

If the answer is YES to all three questions, then the new addition will protect significant historic materials and the historic character and, in doing so, will have satisfactorily addressed those concerns generally held to be fundamental to historic preservation.

The new pavilion provides the mechanism to rehabilitate and restore the cable tank. Its construction preserves the historic structure. There are no additions to the physical historic structure itself. The proposal is to remove non-historic elements and to repair historic features. Yes, the pavilion preserves the historic character.

Yes. The old and new construction will be related but visually distinct and distinguished from one another.

The Western cable Tank was built as a utilitarian structure. The previous (Eastern) tank housed smaller cable. A new storage tank was constructed to house the six strand larger cable. It was a round structure without doors. As such, it had no "front" in an architectural sense. Those few times that it was loaded or unloaded of cable, it was accessed from the Water. This makes the Gulf- Atlantic Cut or Key West harbor the "front" of the cable tank. The front of Mallory Square itself is towards the Harbor. In addition the historic structures orienting towards the water, the now destroyed warehouses and coal bunkers recognizable in photographs were oriented towards the water. Newer pavilions and arches constructed by the City in the last twenty years are also oriented toward Key West harbor. The only structure on the Square that does not use Wall Street or the Water as the "Front" is the unnaturally sited Hospitality House that was turned 90 degrees when it moved from its original position on the Square.

The suggestion by some that there is an alternate mechanism to restore the Western cable Tank ignores history. For the entire time that Tropical Soup has been pursuing the redevelopment of Mallory Square, the more historically significant Eastern tank has housed pumps for the aquarium. There is extreme spalling and deterioration of this structure. It is subject to no leasehold. The City has made no effort to repair it, treat the concrete, treat for termites, Has sought no grants for its refurbishment, and has neglected it. The applicant is aware of no private or corporate effort to undertake these actions. Likewise, the Western Tank, the subject of this project, the City has not attempted to rehabilitate, repair it has sought no money for grants, it did re-categorize it from non-historic non-contributing in the Summer of

2011, but has made no efforts to protect it. Tropical Soup identified this neglect in its initial response to the RFP in April 2010.

The only actions that the City has taken have been to make it harder to save the structure. The removal of the restaurant entrance, bathroom, bar and seating areas damaged the structure.

This action has created the illusion that the tank could be used without an accessory structure. It is the current position of the City's flood plain coordinator that the FEMA 50% rule applies to this structure. That is the requirement that the investment of 50% of the value of the building would require it to meet the current FEMA code.



City Crew demolishing restaurant. October 5, 2013. Westin Resort prominent over the top.

This would require raising and or flood proofing the building, both of which would be far more intrusive in the effort to rehabilitate and restore the structure. Based on the applicant's discussions with staff neither raising nor flood proofing would receive the City's support. On October 5, 2013 the City of Key West operating without any Certificate of Appropriateness or demolition permit that the applicant is able to locate, and without consulting the applicant demolished the frame restaurant that surrounded the Cable Tank. From the staff report; "There are still marks in the structure of the non-historic additions that were demolished two years ago." When the applicant submitted its response to the RFP as identified by staff in their report. "In January 24, 2010, the City published a Public Notice for the availability for lease of the Hospitality House and Cable House properties, both at Mallory Square. The public notice included the following: "At minimum, proposals should address the proposed use of the

property which must comply with all regulatory and statutory requirements governing the use of the properties,”. The applicant fully agrees with this statement, but would hope that the City would remain consistent in which regulatory and statutory requirements apply. Applicant’s response to the RFP was for a parcel that the State Historic Resources Survey had specifically dismissed as not meeting the requirements of being “contributing”. This position changed. The applicant’s response included a two story structure. Previous HARC approvals accept a 33 foot tall two story structure. This position changed. Previous HARC approvals provide for the new structure to cover the tank. This position changed. The applicant has worked diligently to accommodate City and neighbor demands and to reach the moving goal posts. Its current design does all of that. It faithfully meets the relevant City of Key comprehensive plan, LDR and HARC requirements and guidelines. It conscientiously meets the Secretary of the Interior preservation standards. It rehabilitates and renovates a structure owned and neglected by the City of Key West. It provides the City of Key West with the least possible amount of new structure to meet its obligations under the RFP and to revitalize the blighted end of Mallory Square. The applicant has seen, heard and responded to a number of concerned citizen’s and historic preservationists views about the importance of saving this tank. If one looks at the speed of other historic preservation activities, the efficiency of the City of Key West, the assorted engineering reports relating to this property and the position taken by the City’s flood plain coordinator, it is clear that the applicant’s proposal that restores the tank, and allows the public to access it in the least intrusive manner possible is the most likely opportunity to save this historic resource. Its proposal rehabilitates and restores the historic tank, removes the non-historic elements, and offers a new design on the least intrusive elevation that meets code and can be seen through. The applicant’s rehabilitation and restoration efforts address community and historic preservation concerns. Its minimalist and utilitarian design is appropriate for the location. Its columns, flat roof and lack of walls frame the side view of the newly restored tank. It is responsive to the City’s need to repair the blight at Mallory Square.

The report prepared by a Bert Bender in December 2015 discussed rehabilitation and adaptive re-use.

5 REHABILITATION AND ADAPTIVE USE POTENTIAL

In searching for a new use for an historic building, attempts should be made to match the new use to the spatial arrangements and character of the structure. Ideally, any historic building would be used for its original purpose...

While the City of Key West is always interested in showcasing its history, Mallory Square has become a highly desirable tourist area, and the income potential of the space must be considered along with the preservation of the structures.

There has been some discussion among those involved with saving the structures, about their possible use. Those uses include:

1. Cable Museum: The Cable Huts could be converted to a small museum interpreting

Mallory Square's industrial past, maritime heritage, and the role of Key West in communications history. The primary disadvantage of this use would be the need to weatherproof the structures, which would alter their original design.

2. Pump Room / Storage Room: The East Cable Hut is currently utilized by the Key West Aquarium as a pump room. Seawater is drawn from a hole in the tank floor into a series of pumps feeding the Aquarium exhibits. This utilitarian use is consistent with the original utilitarian function of the Cable Tanks. In addition, a waterproof enclosure is not needed, so the tanks could be left with their original louvered openings. The tanks could also be utilized as a Storage area for the City's maintenance of the Mallory Square area.

3. Retail Space / Visitor Center: Options include leasing to a third party not affiliated with the City, for use as a Visitor Center or retail space such as a Gift Shop. While this option has the best potential to generate income, the space would have to be weatherproofed and floors would have to be added to make the space accessible, which would alter the original design of the Cable Huts.

Options Two and Three have the potential to generate significant revenue. If acceptable tenants are not identified, the City could issue a request for proposals in search of an appropriate tenant. The RFP should require restoration of all historic spaces, fabric and components to the greatest extent possible."

The applicant has incorporated the concerns identified in the report.

This report does however, ignore that there is already an RFP that attracted twenty potential bidders and two legitimate proposals. The applicant has proposed rehabilitating and restoring the structure. The specific suggestions posited in the report will be far more intrusive than the applicant's proposal, require flood proofing or raising the structure, or securing DEP water permits, drilling new wells and installing de-gassing equipment.

There is a difference between cable tanks and cable huts. After running new cable under the water, it was brought ashore with "pulling boats". This hut is memorialized as stop 27 on the Key West "Historic Markers tour". Cable tanks typically functioned as storage sheds and well covers, providing an area filled with water to house and contain the cables.

The cable landed in Key West near the bridge at Ft. Zachary Taylor. The cable ran underground to the telegraph office. The location of the first office is not yet known. On the north side of the island, the cable shore connection was at the army barracks, the area

The cable hut next to the Southernmost Point monument on Whitehead Street was part of the 1917 cable. This provided connections to link the undersea cable to the land line. The northern connection and cable hut was on the railroad property, the area now known as Hilton Haven.



1917 cable hut, January 2010
Photo: Bill Burns



Detail of shore-end cables
Photo: Bill Burns

This project has engendered a number of efforts to conflate historic events that are barely related. In the late 1800s and early 1900s a number tanks dotted the Gulf side waterfront of Key West from the development of the telegraph and the use of gutta-percha latex as an insulator. Most of these tanks housed telegraph cables. The concrete tank that is the subject of this application was built on Mallory Square in late 1930. This structure was built to house and keep separate the larger (3 circuit) telephone cable that had been developed. In December 1930, three submarine telephone cables with one circuit each were already in use. On December 13, 1930 the German cable ship Neptun fully laden with undersea cable built at a factory in Nordenham, arrived in Key West. After laying the cable, excess material for use in future splicing repairs is placed in the cable tank. This fourth cable came on line in June 1931. In 1936 the cable ship John W. Atkins repairs 215 feet of the damaged fourth cable. There is a record of another cable splice in 1939 in Havana, but historic records do not indicate which of the four cables was vandalized, nor where the 300 feet of splicing cable came from. After 1936 (or possibly 1939 if one credits the Havana repair), there is no record of the second cable tank at Mallory Square being used for its constructed purpose again. In 1950 cables 5 and 6 are laid by the cable ship CS Lord Kelvin. These new cables employ polyethylene insulation (developed in the 1930s), and are not stored in water, making the Mallory cable tanks completely obsolete.

The applicant loves old boats. The applicant thinks that the Schooner Western Union, launched in 1939, is a great historic resource. However much one may love that boat, there is not evidence that it (leased to the Western Union Telegraph Company) ever pulled *telephone* cable from either of these tanks for AT&T who owned the tanks and cable. Telephone and telegraph cable were different and during this time period Western Union and AT&T were separate and

competing companies. The historic record identifies the boats that installed new cables or that spliced damaged phone cables between Key West and Cuba.

The storage tanks that housed a particular type of communications cable were used for this purpose for a brief period of time. They were loaded onto ships very rarely, the record indicates perhaps 3 times for the West tank. The East tank held thinner telephone cable and was used for cables one, two and three. The Western tank holding six strand gutta percha cable was used for cable 4. Cable outages due principally to ship strikes made the local paper. These were telephone cables. The tanks were constructed by AT&T, and operated in partnership with Cuba. The newspaper record indicates the name of the ships that pulled or repaired cables.

The maritime history of Mallory Square is not defined by submarine telephone cables. The working Waterfront nature of Mallory Square and Key West Harbor is illustrated by all of the buildings that have been and continue to stand there as well as much larger tourist focused structures built nearly thirty years ago.

Commodore Porter based his anti-pirate campaigns at Mallory Square. The Stephen R. Mallory, one of only two Clipper ships built in the US South of Virginia, was built by John Bartlum for William Curry and George L. Bowne. The ship was interestingly built largely of Mahogany harvested in the upper Keys. The Mallory Steamship line with its vital ferry and passenger service to Cuba had its ticketing office located on Mallory Square the building still stands today, although its orientation and location have been changed. Asa Tift's wrecking, shipping and warehouse operations were centered at Mallory Square. Other wreckers landed cargo at Mallory square. The warehouses along the edge of the water at Mallory were later used by the Mallory Steamship Company. Key West used the Square as a parking lot and built a boat ramp for launching personal vessels adjacent to the tanks. By the late 1960's Mallory Square had developed into a gathering spot and became famous as a tourist destination in its own right for its celebration of Sunset and water views through the 1970's. these events and many more provide a more complete history of Mallory Square.

The ticketing office of the Mallory Steamship Company, now referred to as the Hospitality House has been moved, but still sits on the Square. The brick convention center now houses retail shops and a restaurant. The Waterfront Playhouse was originally an ice warehouse built in the 1880s. Tennessee Williams along with other Key West Players converted it into its current use in 1960. The city constructed a wall with open arches and a pavilion on the square. Massive hotels bookend the square. All are oriented either to Wall Street, Front Street or the Key West harbor.

The applicant agrees with staff as they point out:

It is a disgrace that an iconic and significant historic resource, such as the West Cable Hut, as been neglected for decades; the entire site, including the Hospitality house and the East Cable Hut is used as a storage area.

The applicant made similar statements in its initial RFP application. The applicant has modified its design a number of times, and is now proposing rehabilitation of the historic structure and a small pavilion. This proposal will allow it to save this historic resource for the City.

Staff identifies several City of Key West Comprehensive Plan, Land Development Regulation's Ordinances, U.S. Secretary of the Interior's Standards and Guidelines for Rehabilitation and Guidelines that they have reviewed regarding this project:

- Chapter 1: Future Land Use Element- Policy 1-1.1.6: Historic Preservation Areas: Areas delineated on the Future Land Use Map for historic preservation shall be planned and managed using a regulatory framework designed to preserve the form, function, image, and ambiance of the Historic Preservation Districts. Dependent upon the size and scope of development proposals, either the City's Historic Architectural Review Commission (HARC) and/or Historic Preservation Planner, in addition to the Planning Board and/or staff, shall review all development proposals within the City's designated historic districts. Any development plans for these areas shall be subject to site plan review and shall be designed in a manner compatible with historic structures within the vicinity.

Applicant meets this Policy element.

- Chapter 1A: Historic Preservation Element-Policy 1A-1.2.10: Prevent Loss of Historic Structures. There shall be no loss of historic resources on City-owned properties. Sensitive adaptive re-use of historic structures shall be encouraged as an alternative to demolition. Amended Land Development Regulations shall encourage that historic resources on private property will be protected, preserved, or re-used in a manner sensitive to the historic properties of the site and/or structure. Reference Objective 5-1.9 of the Coastal Management Element.

Applicant meets this element. It has taken on the City's responsibility to prevent the loss of City owned historic structures. It has proposed the least intrusive rehabilitation and adaptive re-use and has designed a complementary structure that is sensitive to the site and is the lowest scale possible to meet the goal.

- Chapter 5: Coastal Management Element- OBJECTIVE 5-1.9: PROTECT HISTORIC RESOURCES. The City shall ensure protection of historic resources and shall ensure that there shall be no loss of historic resources on City owned property. The City's Land Development Regulations shall continue to ensure that historic resources on public and private property shall be protected, preserved, or re-used in a manner sensitive to the historic properties of the site and/or structure. The City shall continue to staff the City's Historic Architectural Review

Applicant meets this element. It has assumed the City's responsibility for the protection of its historic resources.

Commission (HARC) which is the entity charged with enforcing the adopted guidelines for managing historic preservation.

Land Development Regulations- Chapter 102 Historic Preservation

- Section 102-6. - Other regulations applicable to all development proposed.

Development activities shall include precautions necessary to prevent the following adverse impacts to historic or archaeological sites of significance:

- (1) Destruction or alteration of all or part of such site;
- (2) Isolation from or significant alteration to its surrounding environment;
- (3) Introduction of visible, audible, or atmospheric elements that are out of character with the property or significantly alter its setting;
- (4) Transfer or sale of a site of significance without adequate conditions or restrictions regarding preservation, maintenance, or use; and
- (5) Other forms of neglect resulting in its deterioration.

The applicant meets these regulations. It is proposing preserving an historic resource, and placing a small complementary pavilion on the least historically important elevation.

- Section 102-7. - Mitigation plan required.

Development impacting a historic or archaeological site or structure shall include a site plan that mitigates any potential adverse impacts. The site plan shall address the following:

- (1) Destruction or alteration of all or part of such site;
- (2) Isolation from or alteration of the surrounding environment;
- (3) Introduction of visual, audible, or atmospheric elements that are out of character with a property or alter its setting;
- (4) Transfer or sale of the site of significance without adequate conditions or restrictions regarding preservation, maintenance, use, or reuse;
- (5) Vegetation removal shall not be permitted on a historic or archaeological site unless the vegetation to be removed is a part of a duly authorized scientific excavation or is a part of an approved development plan; and
- (6) Other forms of neglect resulting in resource deterioration.

The applicant meets these requirements. It has developed a site and preservation plan to mitigate any potential adverse impacts.

U.S. Secretary of the Interior's Standards and Guidelines for Rehabilitation, specifically:

Standard 1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building, and its site and environment.

The applicant meets this requirement. The property's new proposed use requires minimal change to the defining characteristics.

Standard 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

The applicant meets this requirement. It will be removing non-historic elements.

Building Site- The relationship between a historic building or buildings and landscape features within a property's boundaries-or the building site- help to define the historic character and should be considered an integral part of overall planning for rehabilitation project work.

The cable storage use of this property from 1930 to 1939 was oriented towards the water. The building's use as an office from 1960 to 1979, the French doors were oriented towards the water. During its use as a restaurant, it had a bar on the elevation facing the Ocean Key House Hotel, and had decks and seating on the Key West Harbor, and Gulf- Atlantic cut sides. It was this bar, decks, bathroom and restaurant seating area that the City destroyed two years ago. In fact, the structure had a bar on the elevation facing the Ocean Key House for a longer period than it housed telephone cable.

Ramps Guidelines

Guideline 1. Commercial and residential structures may comply with ADA requirements by constructing ramps on less publicly visible elevations using wrap-around ramp designs to achieve the needed grade changes.

The applicant meets this requirement.

New Construction Guidelines

Goals 1- Preserve Historic Character: New construction should not destroy any remaining historic materials, features, or special relationships that characterize a property or setting.

The applicant meets this standard. It has held numerous meetings with staff and interested parties to identify the historic materials features and relationships of the property. The two tanks originally had construction features. Not architectural ones in a traditional design sense. They were placed close to the water on a compact parcel because that was the utilitarian thing to do. They are not the same size and do not "line-up". They were oriented towards the water. There was not a special relationship between them in a design sense. Coal bunkers and warehouses came and went without plan. The property or setting is "Waterfront at Mallory Square". Applicant's proposal adaptively re-uses the historic structure and utilizes it in the setting.

Guideline 1- Acceptable proposals will be compatible with the size, scale, color, texture, material and character of the district, sub-area or block and designed so that when completed the urban context in which it stands will not be jarred by the look of the new building. New buildings shall not overshadow the historic properties around it.

The applicant questions the applicability of the term “overshadow” in this standard, but nonetheless meets it. The new pavilion is the minimal design possible. It is situated on the least important historic elevation, and the elevation that for twenty years had a bar and seating area. The floor is as low as possible while meeting FEMA requirements. The roof is flat and as low as possible while meeting building code requirements. There are no walls so one can see through the structure.

[Guideline 11- Guideline 11: New buildings must be of a similar scale, form and massing to buildings on adjacent sites of the same land use.](#)

The applicant questions the applicability of the specific language of the guideline, but none the less meets it. The proposed design includes complementary materials, form and design elements and is the least “massive” possible. It is dramatically smaller than the Hospitality house, Waterfront Playhouse or Convention Center, is lower than the city constructed pavilion in the center of the square, and is dwarfed by the Margaritaville and Ocean Key House hotels. From the staff report:

[The new covered structure that will have no walls, windows, nor doors, and will be supported by steel columns. The steel columns will be clad with wood as a finish material. The structure will have a flat roof and will be rectangular in footprint, having its wider side facing the north and south. The structure will be approximately 2'- 6" taller and 14' wider than the existing west cable hut. The new structure will need to comply with FEMA regulations, and the proposed height is the minimum in order to achieve the federal requirement. The pavilion, was designed as two modules with a lower roof connector to brake the scale and roof size. Cable railings supported with concrete columns 5' tall will surround the perimeter of the rented property.](#)

The applicant disagrees with staff’s suggestion in their report that the only context for the new pavilion is the cable tank. The applicant reminds the board that historically (see previous HARC approvals) this has not been HARC’s position. The applicant reminds HARC that the parcel in question is Mallory Square with all of its buildings, and that the adjoining parcels are the Ocean Key House and the Margaritaville Resort. The applicant would respectfully point out that a bar has “historically” been the most visible feature of this cable tank when facing the Ocean Key House, and that the cable tanks were placed to orient to the water. The applicant further disagrees with staff’s suggestion about the prominence of the new pavilion. The Margaritaville Hotel will continue to be the most prominent structure when facing South, and if a person is well back from the water, then the Hospitality House will be the most visible.

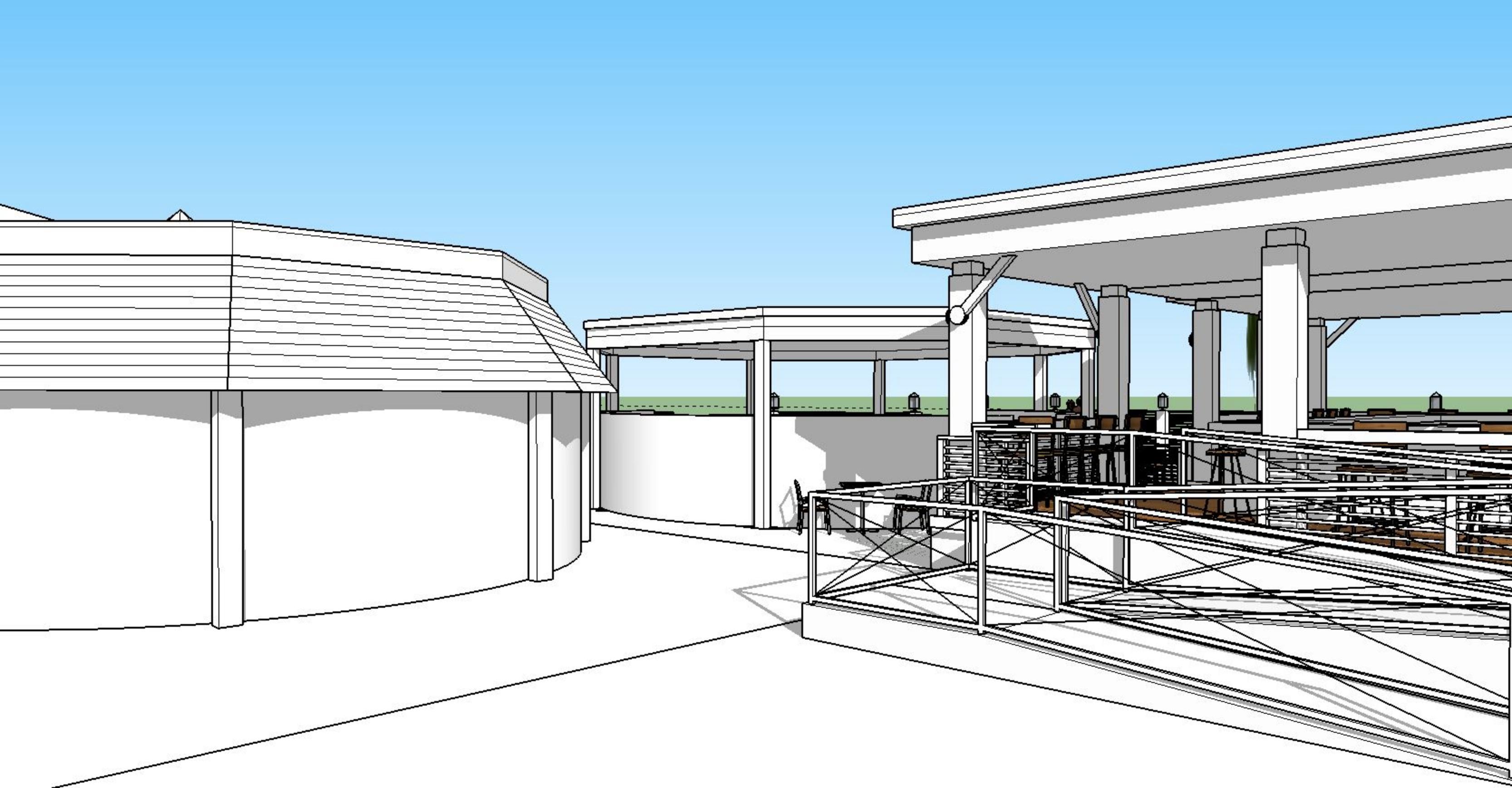
The previously approved HARC submittals are telling. The previously approved restaurant encapsulated the cable tank. The tank was not visible from any exterior elevation. The tank was preserved within the new two story restaurant. The current design preserves it outside with a see-through bar pavilion on the historic “bar” side of the tank. The applicable and relevant development and historic preservation guidelines are still the same.

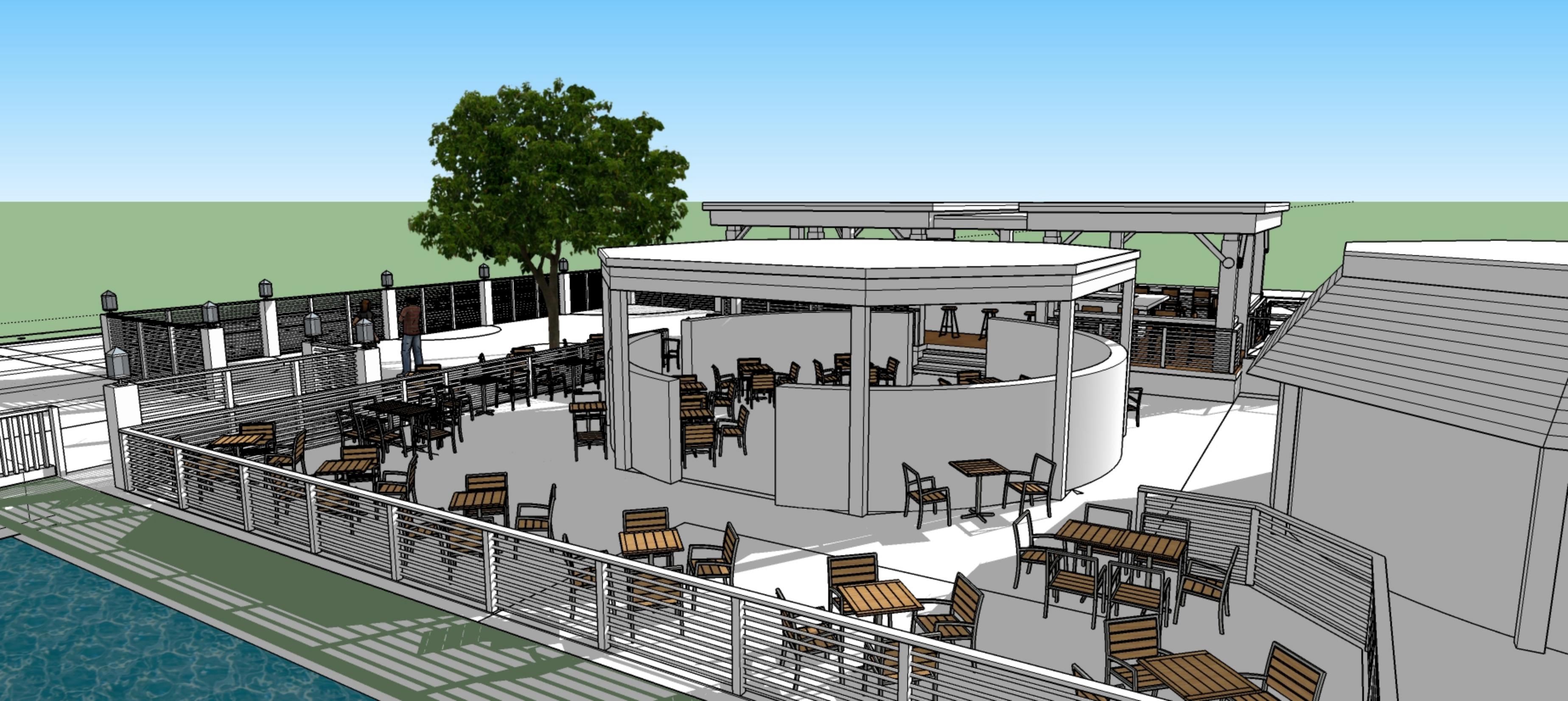
Mallory Square

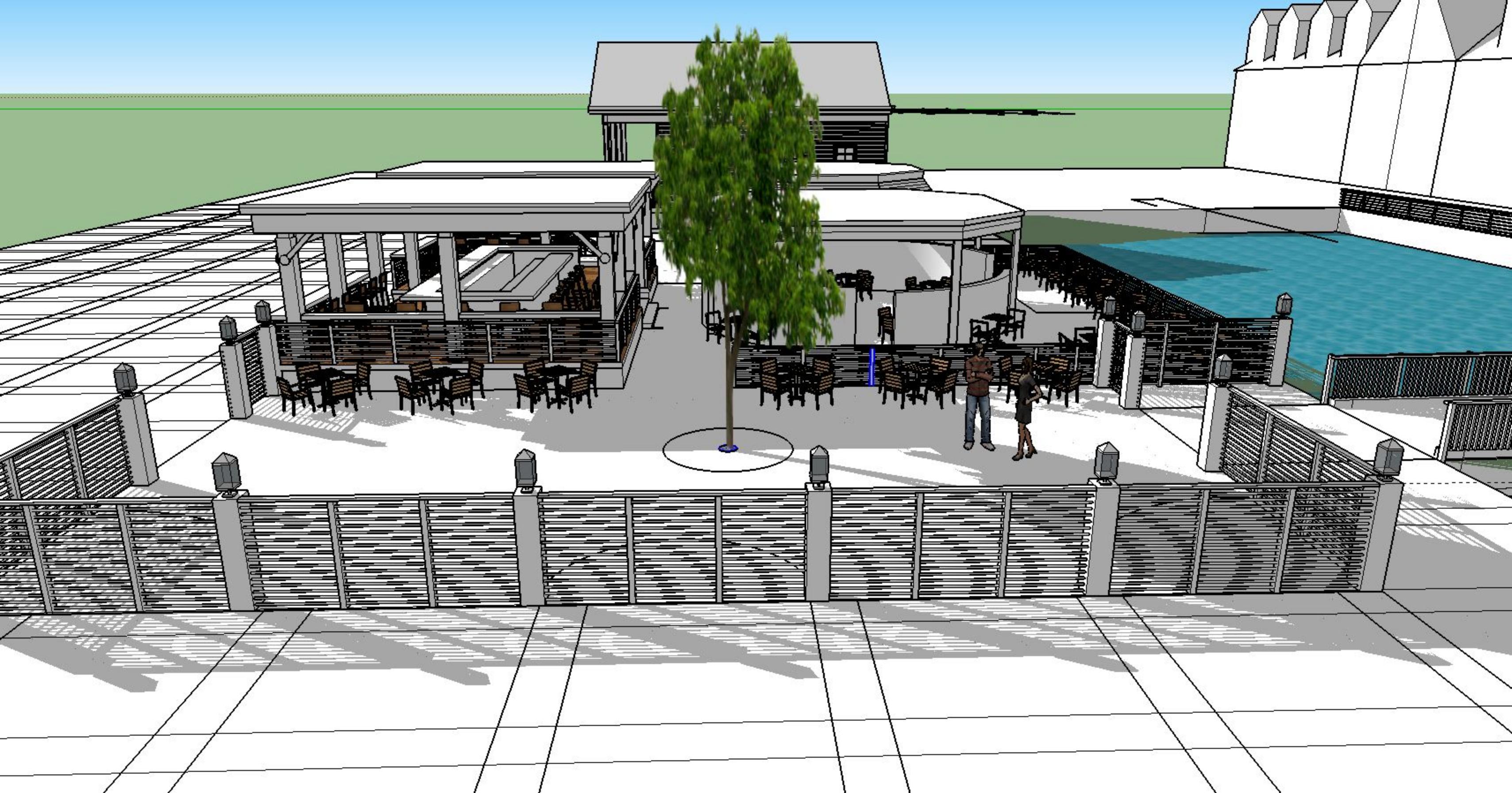
Tropical Soup

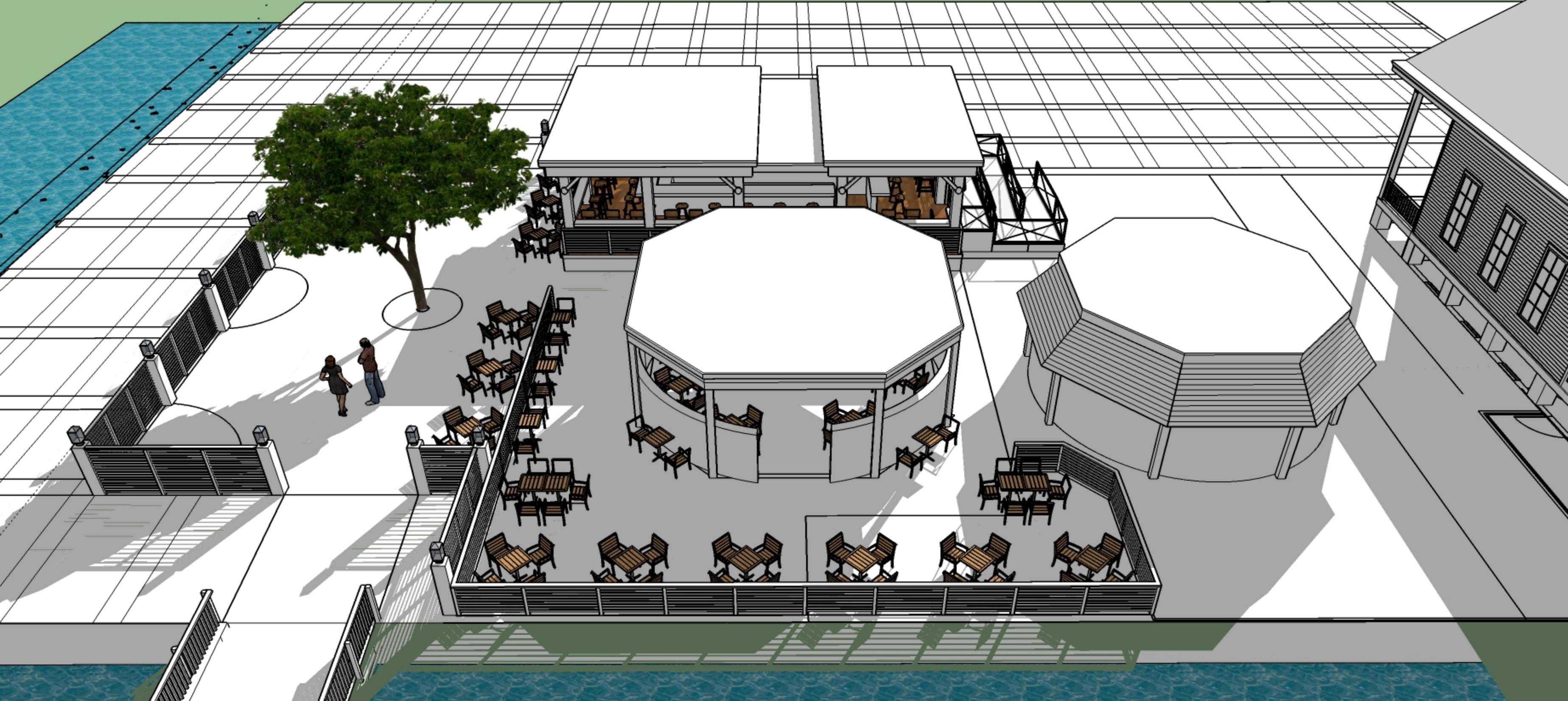
Evaluation by Guidelines, Summary

The new buildings site location is the last resource place for the new building on the least hold within all of the setbacks and given parameters (water front, existing buildings, setbacks, C.C.L. line, walkways, etc.). The new building does not touch the existing cable hut in question and only partially blocks one side of the existing cable hut. Given the cable hut is round in shape, what constitutes the front of a round structure? The new building is differentiated from the existing building by its shape and scale. The new building is not located on a street nor visible from any street. The new building is not an addition to the existing cable hut. If the new pavilion building was removed from the site in the future it would not affect the essence and character or the original cable hut structure. The new pavilion building is in scale, massing, proportions and height of the original cable hut structure. The new refurbishment to the existing cable hut would preserve the cable huts original building form, material, and proportions. The new pavilion buildings material selections are similar to the existing cable hut, and preserve the cable huts original building form. The new pavilion is small as it could possibly be due to site constraints. In our opinion the refurbishment to the existing Cable Hut and the new pavilion building meet the intent of the HARC guidelines.









Historic Architectural Review Commission

Agenda Packet

September 14, 2010 – 3:00 p.m.

City Commission Chamber
Old City Hall, 510 Greene Street



Item 11.

Request for demolition of non historic structures and new construction- **Mallory Square- Applicant William P. Horn Architect (H10-01-355)** Add handicap ramp to hospitality house, re paint exterior, new paving and landscaping. Demolition of all non historic additions and decks to cable hut structure. Add new two story restaurant building.

11. Request for demolition of non historic structures and new construction-
Mallory Square- Applicant William P. Horn Architect (H10-01-355)

Add handicap ramp to hospitality house, re paint exterior, new paving and landscaping. Demolition of all non historic additions and decks to cable hut structure. Add new two story restaurant building.

This is a new application that incorporates in the interior of the new proposed building the existing historic cable hut tank. The application also includes a request for demolition of **non historic** frame structures that are attached and surrounds the historic cable hut. The submitted plans propose a new two story restaurant as well as some site design and improvements to the existing Hospitality House.

Staff understands that the Code of Ordinances as well as the Historic Architectural Guidelines should be reviewed for this application. The Code, under Sec. 102-218, establishes the criteria for demolitions to be used by the Historic Architectural Review Commission when reviewing a Certificate of Appropriateness. According to the Code Sec. 102-218 establishes the following;

(a) The historic architectural review commission shall issue a certificate of appropriateness for an application for demolition:

*(1) If the subject of the application is a contributing or **historic** building or structure, then it should not be demolished unless its condition is irrevocably compromised by extreme deterioration or it does not meet any of the criteria of section 102-125(1) through (9).*

(2) For a contributing historic or noncontributing building or structure, a complete construction plan for the site is approved by the historic architectural review commission.

(b) The historic architectural review commission shall not issue permits that would result in:

(1) Removing buildings or structures that are important in defining the overall historic character of a district or neighborhood so that the character is diminished;

(2) Removing historic buildings or structures and thus destroying the historic relationship between buildings or structures and open space; and

(3) Removing an historic building or structure in a complex; or removing a building facade; or removing a significant later addition that is important in defining the historic character of a site or the surrounding district or neighborhood.

(4) Removing buildings or structures that would otherwise qualify as contributing, as set forth in section 102-62(3).

(c) Nothing in this section is intended to alter the authority of the Building Official to condemn for demolition dangerous buildings, as provided in chapter 14 of the Code of Ordinances.

(Ord. No. 97-10, § 1(3-10.3(E)(2)(c)), 7-3-1997; Ord. No. 06-14, § 12, 8-1-2006)

The Code also establishes, under Sec. 102-1, Definitions, that a historic building or structure is;

any building or structure which, in whole or in any structural part, was built 50 or more years prior to the current date, and which is located in the historic zoning districts of the city or has been designated as a historic building and/or structure.

It is staff understanding that the proposed demolition of the structures that are attached to the tank, as well as the wood deck can be considered by this commission since these structures are not historic and are not significant elements to the historic resource or to the urban context. This request will require a second reading.

Design Review

The applicant has been working very close with staff during the past three months. Preliminary drawings were presented and after review of the guidelines the submitted plans are submitted for review. As mentioned before, the plans integrate the existing historic cable hut as part of the interior experience. The new plan for the site includes a two story structure for restaurant use. The proposed structure is rectangular in shape 48'-10" wide by 65'-3" depth and will have a maximum height of 34'-8 1/2" from ridge to crown of the road.

The plans also include the restoration of the Hospitality House and the addition of a ramp to comply with ADA requirements. Landscape design is also integrated in the plans as well as site improvements.

The Historic Architectural Guidelines can be apply to review the proposed new design, particularly guidelines for Additions, Alterations and New Construction (pages 36-38);

Key West's historic district's tightly spaced blocks contain a wide variety of architectural styles, which relate well to each other. The relationships between the buildings create much of the character of the district. Their height, detailing, mass roof forms, and landscaping all contribute to its visual harmony. It is important that new construction harmonize with the existing historical building stock and streetscapes.

For this particular site it is important to remember that, although still in the historic district, this new design is proposed for Mallory Square which is an open space and a waterfront site. Commercial use is allowed and promoted for this particular area.

1. **Siting** – *New construction must conform to all current city easement, setback and building requirements. No existing building shall be relocated and no new structure shall be placed closer to the sidewalk, street or visible alley, than the distance of pre-existing historic structures. Areas reserved for parks or open space must be retained.*

The proposed new design will require a height variance. The zoning requirements for this particular historic district HPS are;

Front yard- 20 ft
Street side- 10 ft
Side- 5 ft
Rear- 20 ft
Maximum height- 25 ft

2. **Elevation of finished floor above grade** - *Applications for buildings with the first finished floor above the minimum height necessary to comply with federal flood regulations will not be approved unless the applicant demonstrates that such elevation does not interfere with the essential form and integrity of properties in the neighborhood. In situations wherein parking is proposed below the first finished floor, HARC shall consider how visible the parking is from the public right-of-way; whether the parking area is enclosed or otherwise concealed by walls, louvers, lattice, landscaping or other features; and whether fill and/or berms are used to minimize the gap between the first finished floor and the crown of the nearest road.*

This will not be the case. Interesting, due to the location of the site, on a costal zone, FEMA requirements are very specific regarding what is allowed to be installed on a new structure in the first 12 feet over the crown of the road. This is the reason of why the structure needs to be two story.

3. **Height** – *must not exceed two and a half stories. There must be a sympathetic relationship of height between new buildings and existing adjacent structures of the neighborhood. New buildings must be compatible with historic floor elevations. The height of all new construction shall be based upon the height of existing structures within the vicinity.*

The proposed building will be a two story structure. The structure will be approximately six feet taller than the Hospitality House.

4. **Proportion, scale and mass** – *massing, scale and proportion shall be similar to that of existing historical buildings in the historical*

zone. No new construction shall be enlarged so that its proportions are out of scale with its surroundings. No new construction shall be more than two and a half stories. No structure shall outsize the majority of structures in the streetscape or historic zone.

The scale and massing of the proposed building has been lowered by the use of mixed rooflines and by the incorporation of similar proportions from the Hospitality House to the new design. Although the new building reads as a commercial building the front façade, facing Mallory Square, shows architectural forms that resemble the old house, while keeping its commercial appearance. The use of intercepting gables reduces the scale of the two story building.

The main façade incorporates transparent elements close to the existing contributing cable hut. This façade also has a horizontal band under the large window that coincides with the lower part of the eaves of the cable hut. In a way this band visually connects the new building with the historic cable hut while gives a more pedestrian scale.

On the west elevation the design incorporates a full façade porch on the second floor that gives another layer to the façade. The use of different façade layers breaks the mass and volume of the structure.

The design strategies incorporated in the new design creates a structure compatible with the mass and scale of surrounding structures. The design incorporates proportions that will be harmonious with the historic Hospitality house.

5. ***Compatibility*** – *Design must be compatible with Key West architectural characteristics in the historical zones. All new construction must be in keeping with the historic character in terms of size, scale, design, materials, color and texture.*

The proposed design is contemporary while keeping traditional elements found in Old Town. The proposed size and scale are well balanced with the existing Hospitality House and its surroundings. The materials and textures proposed, although contemporary, are harmonious to the historic urban context.

6. ***Building Detail*** – *All new buildings shall incorporate a level of detail that assures compatibility with the surrounding historic context. New construction shall not precisely mimic the details of historic buildings but should have features that are compatible with the lines of historic architecture.*

The new proposed building features traditional forms, textures and materials compatible to surrounding buildings. Although the design is contemporary it integrates many traditional elements found in the historic district like gable roofs, second floor porches, awnings and rhythm between solids and voids.

7. ***Relationship of materials*** – *Materials used on new construction shall be of similar color, dimension, texture, and appearance as historic fabrics. The predominant exterior finish in historic zones is wood weatherboard, clapboard, drop siding, or board and batten. Exceptions for the use of composite materials may be permissible. Roofing is primarily sheet metal or metal shingles. New construction shall establish a relationship with existing historic structures by utilizing similar finishes and metals.*

The proposed new construction integrates new materials that are appropriate to new construction in Old Town. Proposed textures and overall appearance are in keeping with the historic urban context as well as with commercial buildings within the surrounding area.

It is staffs believe that the proposed new restaurant is consistent with the guidelines. The proposed contemporary design will create a harmonious balance with the existing urban fabric. The proposed improvements to the Hospitality house as well as new landscape and site design will enhance this part of Mallory Square that is in need of rehabilitation and re use. The incorporation of the cable hut to the interior space as a backdrop to the bar will bring a new experience to patrons and new life to the secluded historic resource. A second hearing is required for this project.

Application



CITY OF KEY WEST Fax 809-3978
BUILDING DEPARTMENT

CERTIFICATE of APPROPRIATENESS

APPLICATION # 10-010355

OWNER NAME: TROPICAL SOUP CORP.

DATE: 7/31/10

OWNERS ADDRESS: 509 DUVAL ST.

PHONE #: 293-1895

APPLICANT'S NAME: WILLIAM P. HORN ARCHITECT, P.A.

PHONE #: 296-8302

APPLICANT'S ADDRESS: 915 EATON ST.

ADDRESS OF CONSTRUCTION: MALLOM SQUARE

OF UNITS: 2

THERE WILL BE A FINAL INSPECTION REQUIRED UNDER THIS PERMIT

DETAILED DESCRIPTION OF WORK:
ADD HANDICAP RAMP TO HOSPITALITY HOUSE, RE-POINT EXTERIOR,
NEW PAVING + LANDSCAPING, DEMOLITION OF ALL NON-HISTORIC
ADDITIONS, DECKS TO CABLE HUT STRUCTURE, ADD NEW-2
STORY RESTAURANT BUILDING - SEE PLANS

Chapter 837.06 F.S.- False Official Statements- Whoever knowingly makes a false statement
in writing with the intent to mislead a public servant in the performance
of his or her official duty shall be guilty of a misdemeanor of the second degree
punishable as provided for in s. 775.082 or s. 775.083



HISTORIC ARCHITECTURAL REVIEW APPLICATION

This application for Certificate of Appropriateness must precede applications for building permits, variances and development review approvals. Applications must meet or exceed the requirements outlined by the Secretary of the Interior's Standards for Rehabilitation and Key West's Historic Architectural Guidelines.

Once completed, the application shall be reviewed by staff for completeness and either approved or scheduled for presentation to the Historic Architectural Review Commission at the next available meeting. The applicant must be present at this meeting. The filing of this application does not ensure approval as submitted.

Applications that do not possess the required submittals will be considered incomplete and will not be reviewed for approval.

REQUIRED SUBMITTALS	
<input checked="" type="checkbox"/>	TWO SETS OF SCALED DRAWINGS OF FLOOR PLAN, SITE PLAN AND EXTERIOR ELEVATIONS (for new buildings and additions)
<input type="checkbox"/>	TREE REMOVAL PERMIT (if applicable)
<input checked="" type="checkbox"/>	PHOTOGRAPHS OF EXISTING BUILDING (repairs, rehab, or expansions)
<input checked="" type="checkbox"/>	PHOTOGRAPHS OF ADJACENT BUILDINGS (new buildings or additions)
<input type="checkbox"/>	ILLUSTRATIONS OF MANUFACTURED PRODUCTS TO BE USED SUCH AS SHUTTERS, DOORS, WINDOWS, PAINT COLOR CHIPS, AND AWNING FABRIC SAMPLES

Staff Use Only

Date: _____

Staff Approval: _____

Fee Due: \$ _____

Date: 7/31/10
Applicant Signature: _____

HISTORIC ARCHITECTURAL REVIEW COMMISSION USE ONLY

Approved _____

Denied _____

Deferred _____

Reason for Deferral or Denial:

HARC Comments:

Not listed as contributing but cable hut is historic
Ordinance for demolition Sec. 102-218
Guidelines for additions alterations and
new construction (pages 34-38).

Limit of Work Approved, Conditions of Approval and/or Suggested
Changes:

Date: _____

Signature: _____

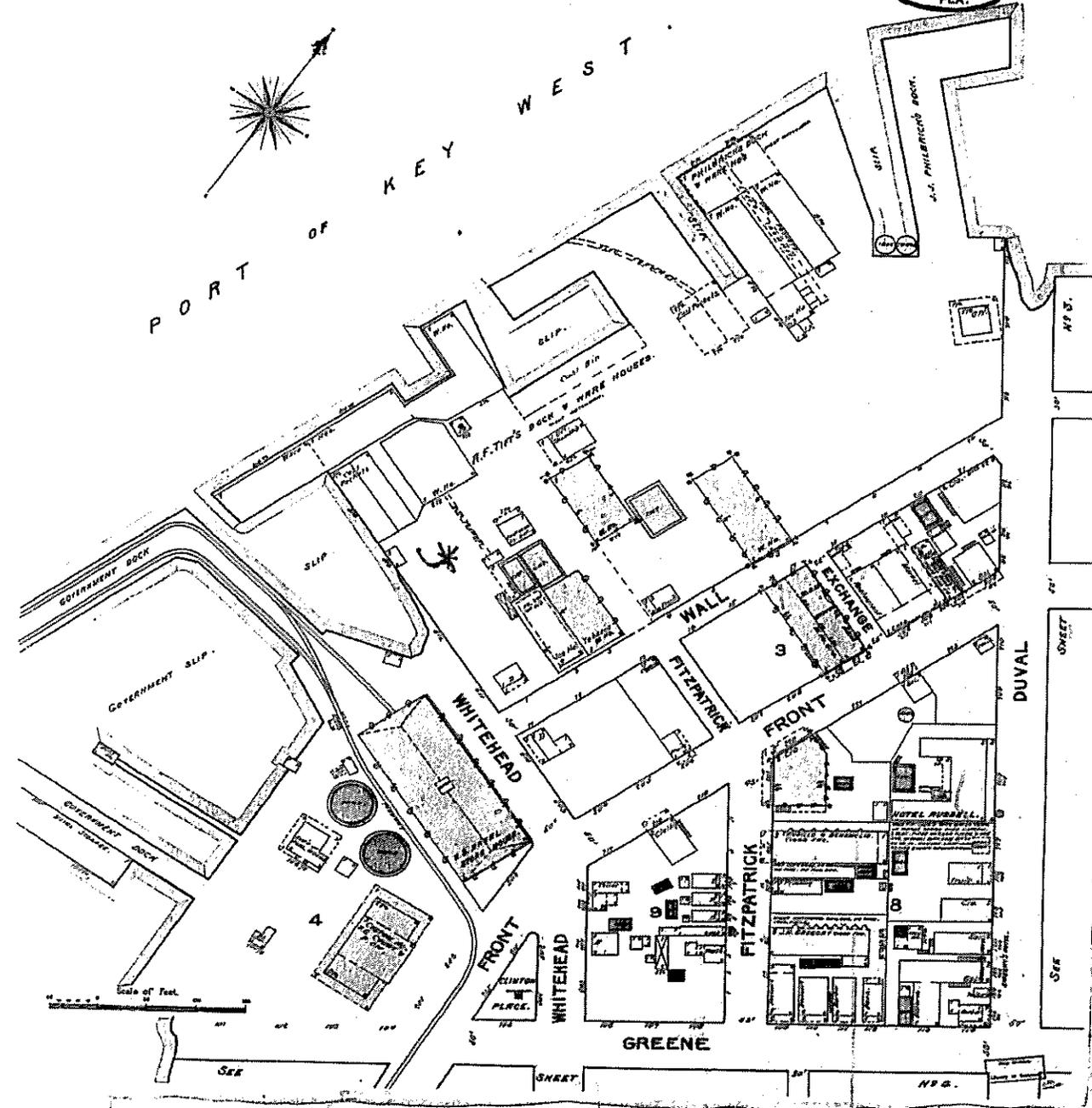
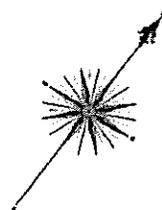
Historic Architectural
Review Commission

Sanborn Maps

APRIL 1892
KEY WEST
FLA.

2

PORT OF KEY WEST

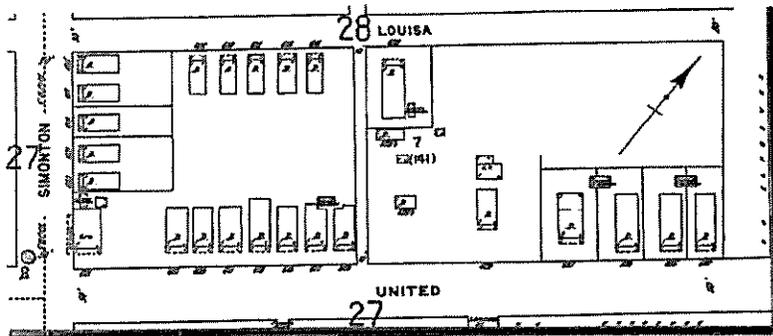


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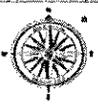
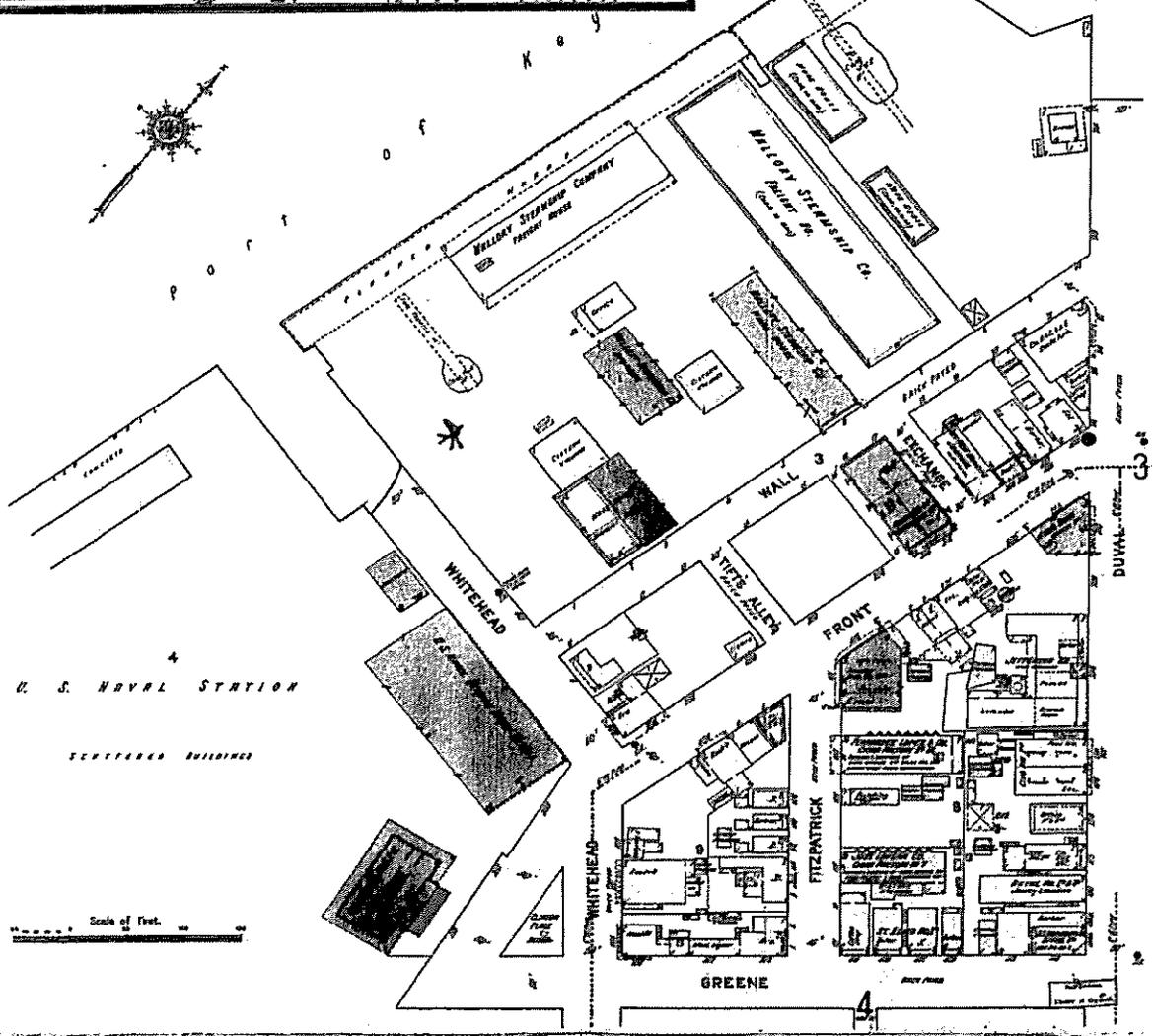
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APR 1892
KEY WEST
FLA.

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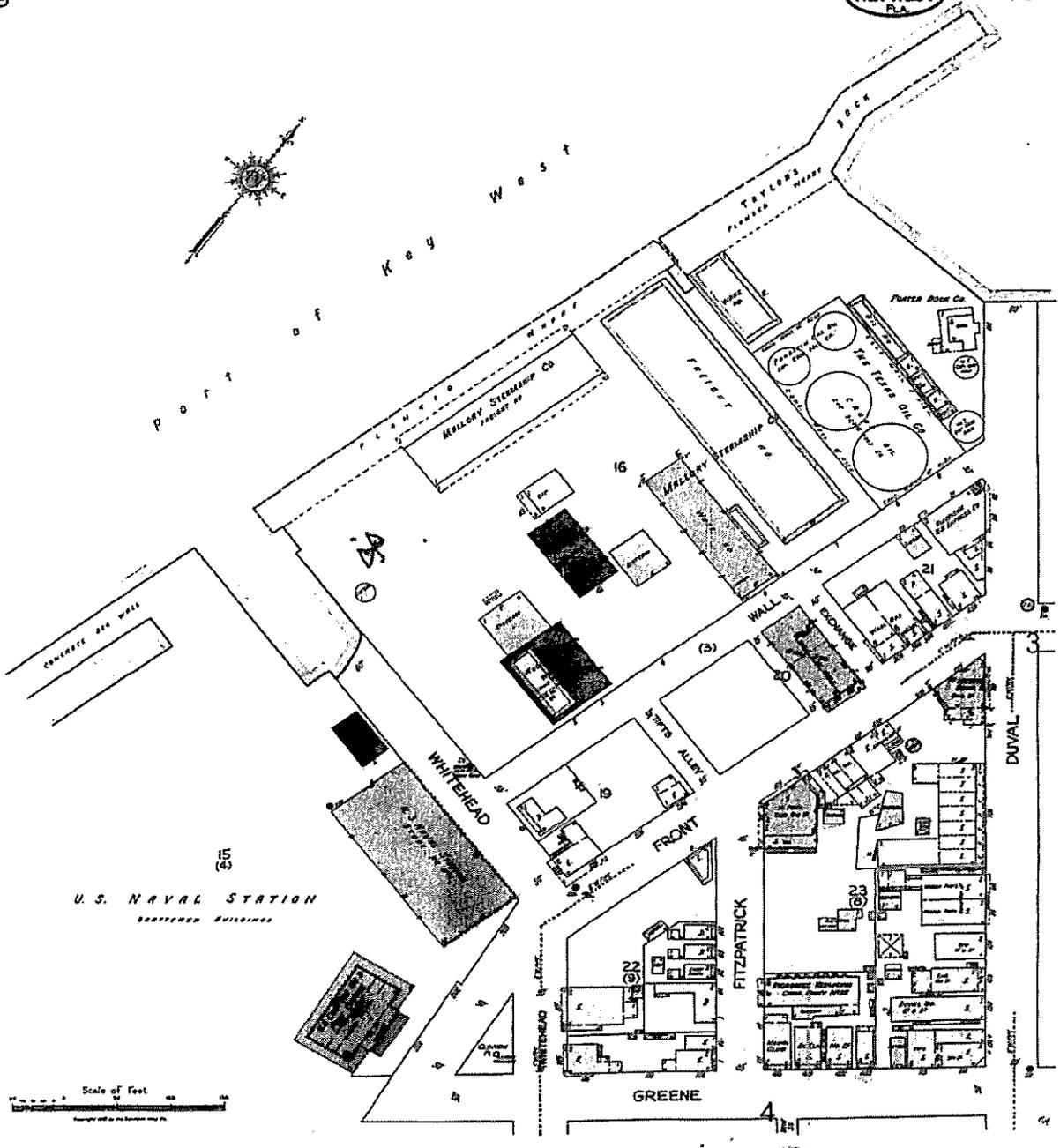
2

FEB 1925
KEY WEST
FLA.

2



PORT OF Key West



U.S. NAVAL STATION
NORTHERN BUILDING

Scale of Feet
0 50 100



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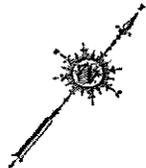
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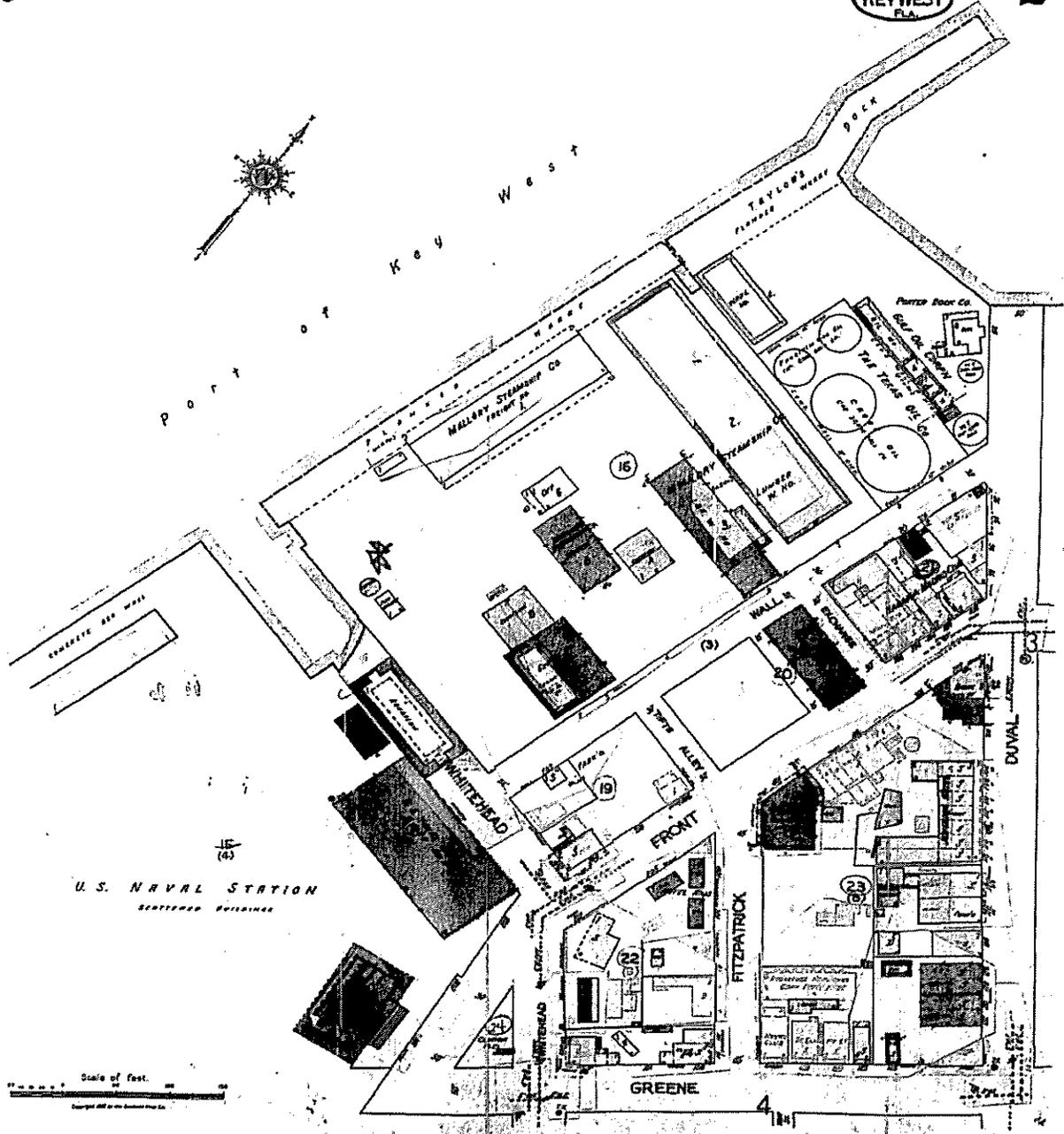
FLA - 506

FERDIE
KEY WEST
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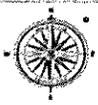
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Port of Key West



U.S. NAVAL STATION
SCATTERED BUILDINGS

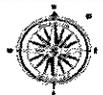
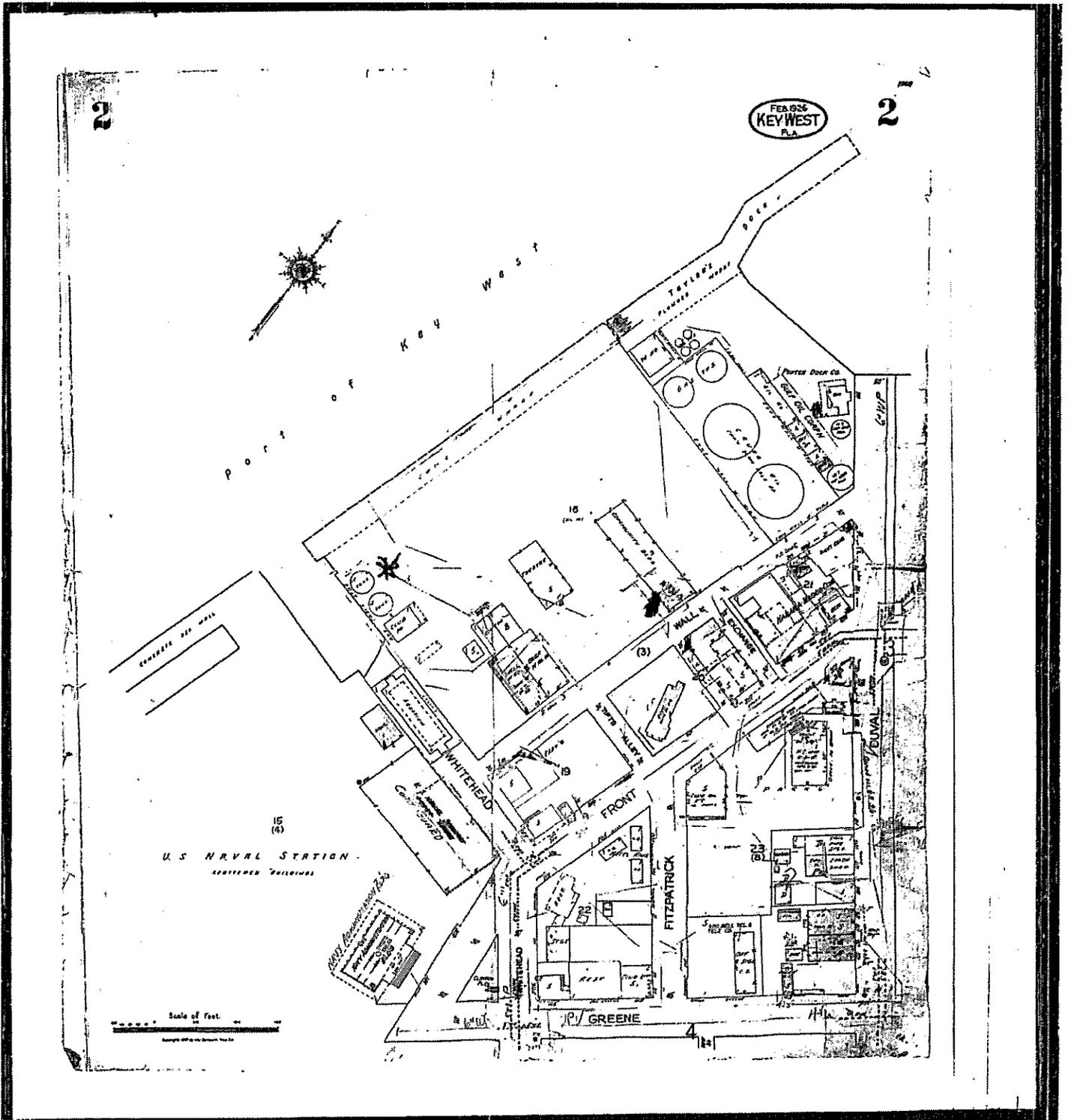


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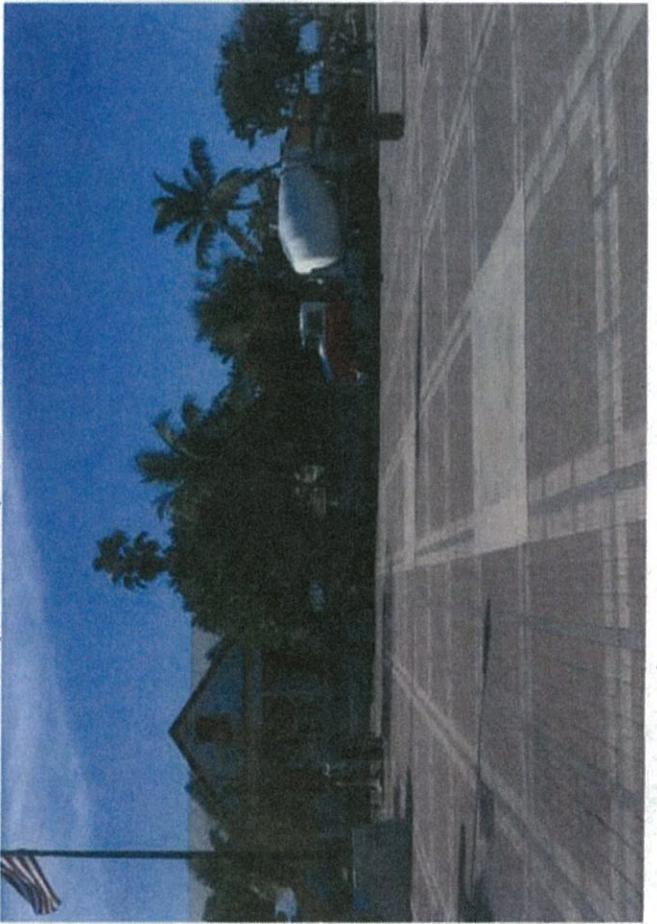
Project Photos



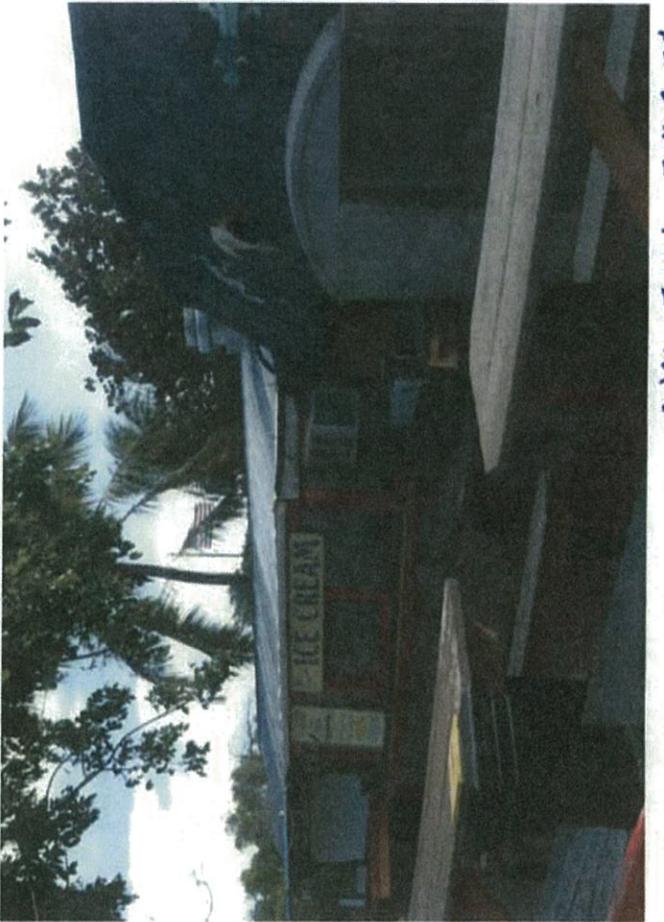
EXISTING ENTRANCE



EXISTING DECK

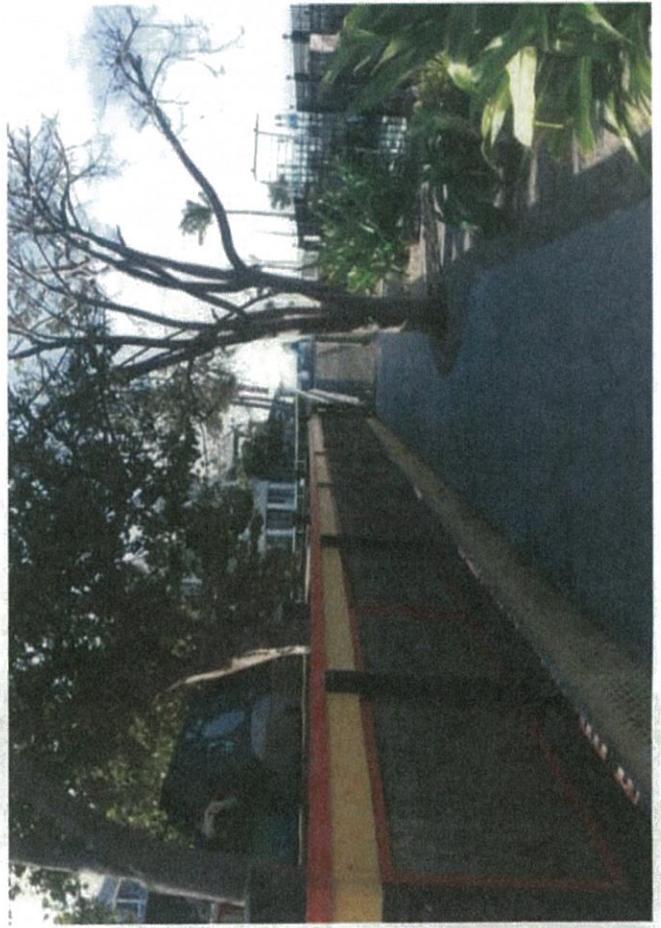


VIEW FROM MALLORY SQUARE



EXISTING RESTAURANT BUILDING

VIEWS OF OPEN DECK
+ WALKWAY TOWARDS
WATER





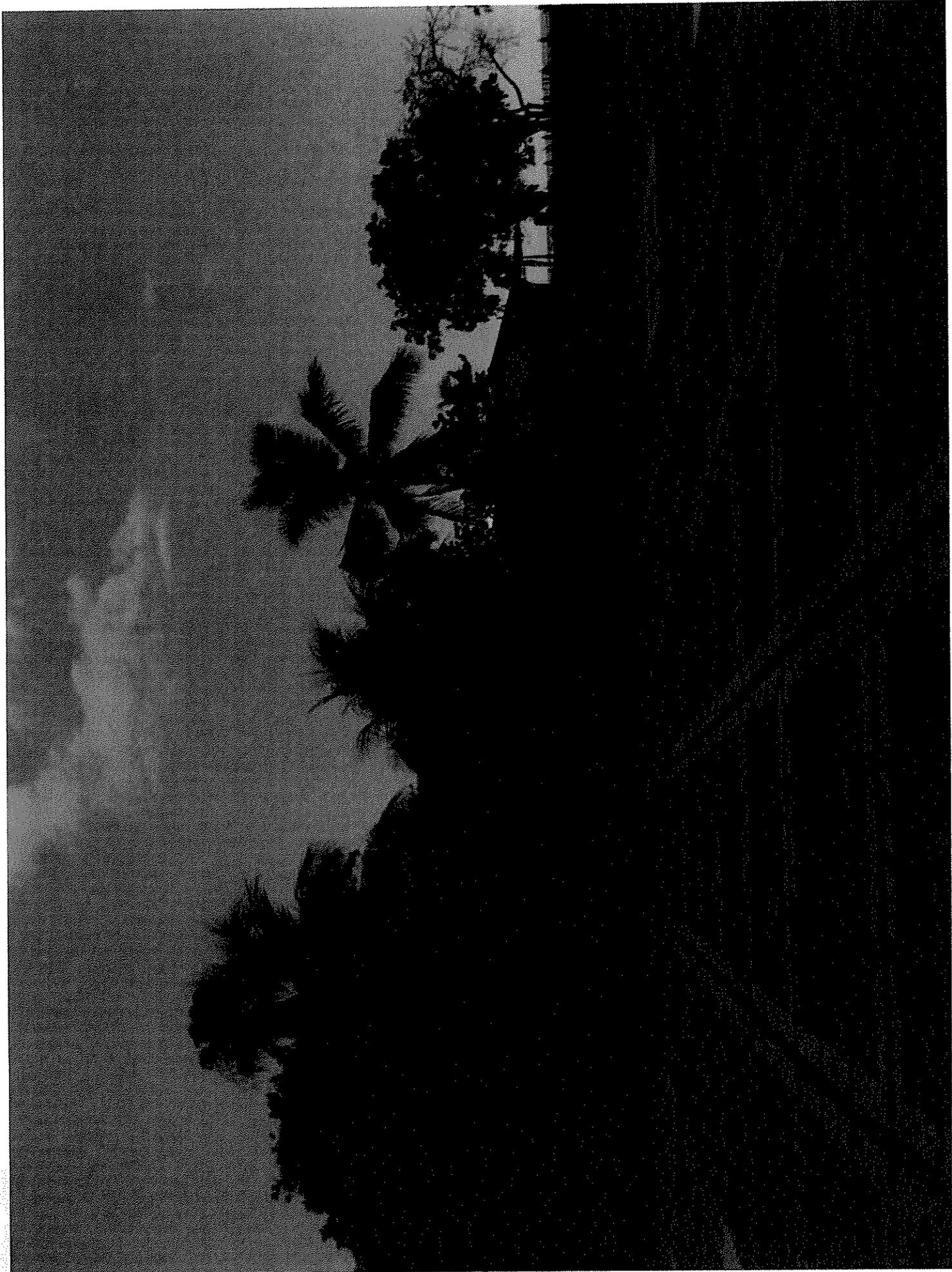
EXISTING CISTERNS

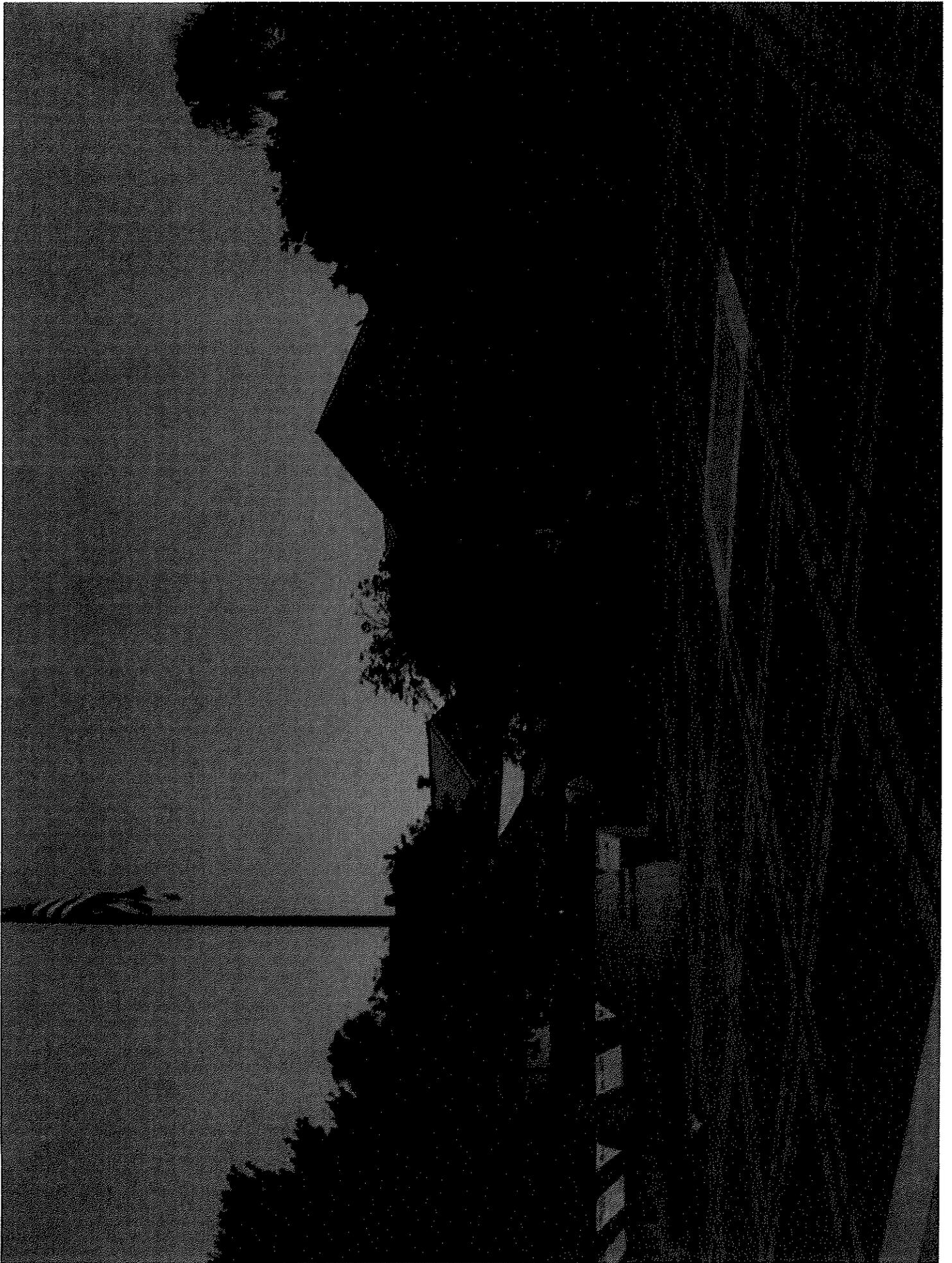


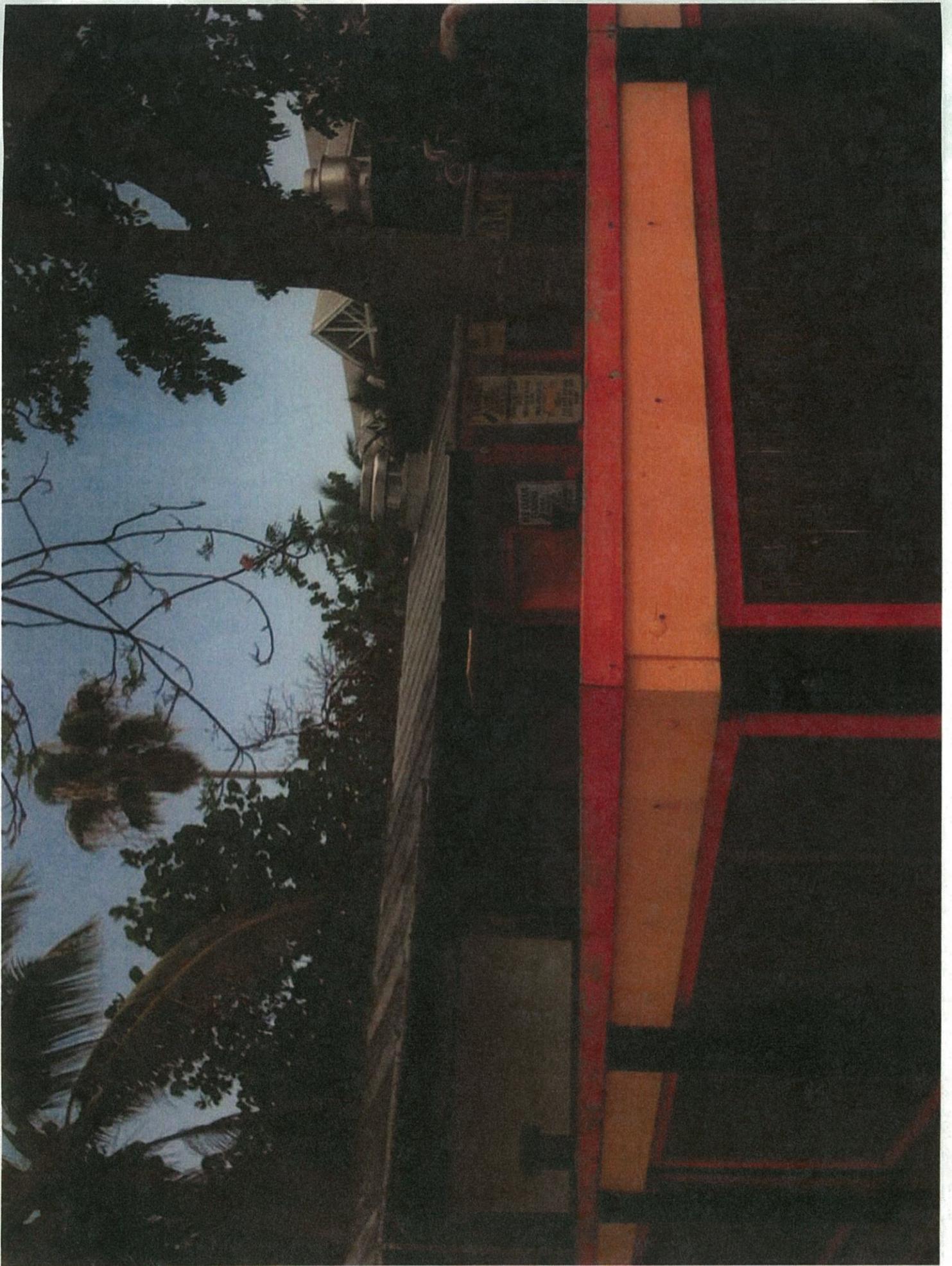


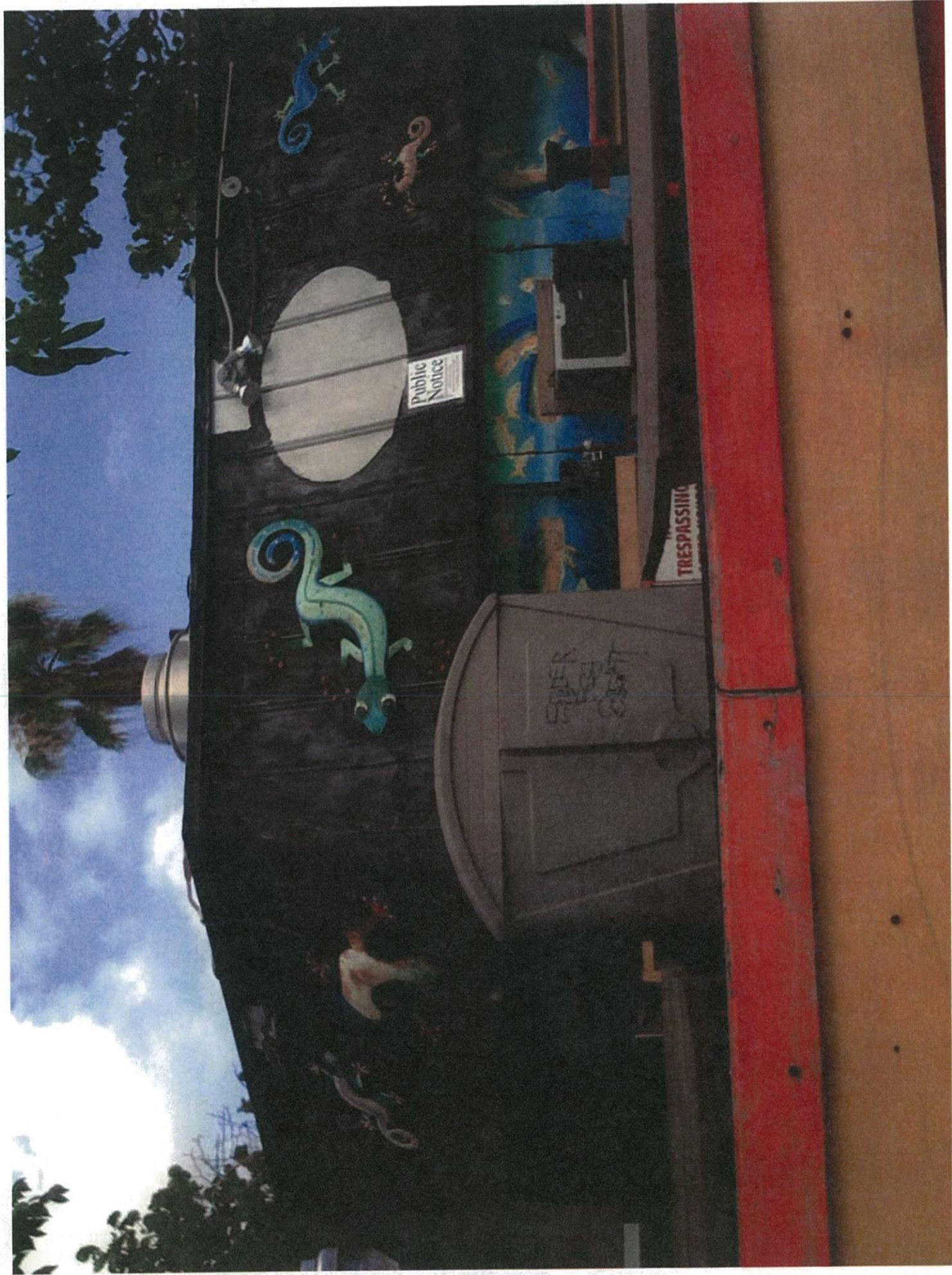
EXISTING BROKEN/ROTTED DECK BEHIND CISTERN







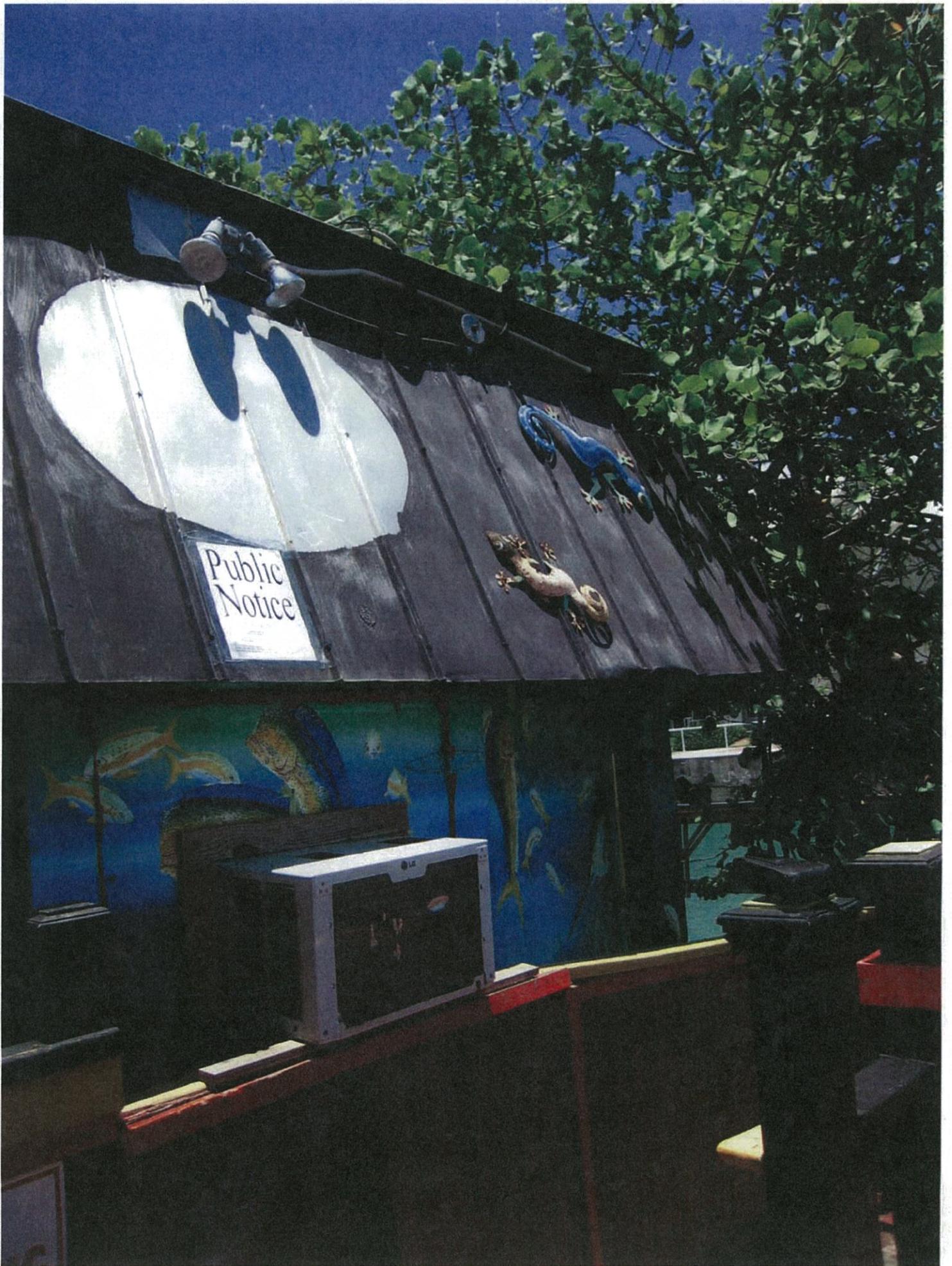




Public Notice

TRESPASSING

Handwritten graffiti on the utility box door, including the letters "UT" and other illegible markings.





FROZEN DRINKS

RESTROOMS
ACCESS FOR THE DISABLED
↓

Public Notice

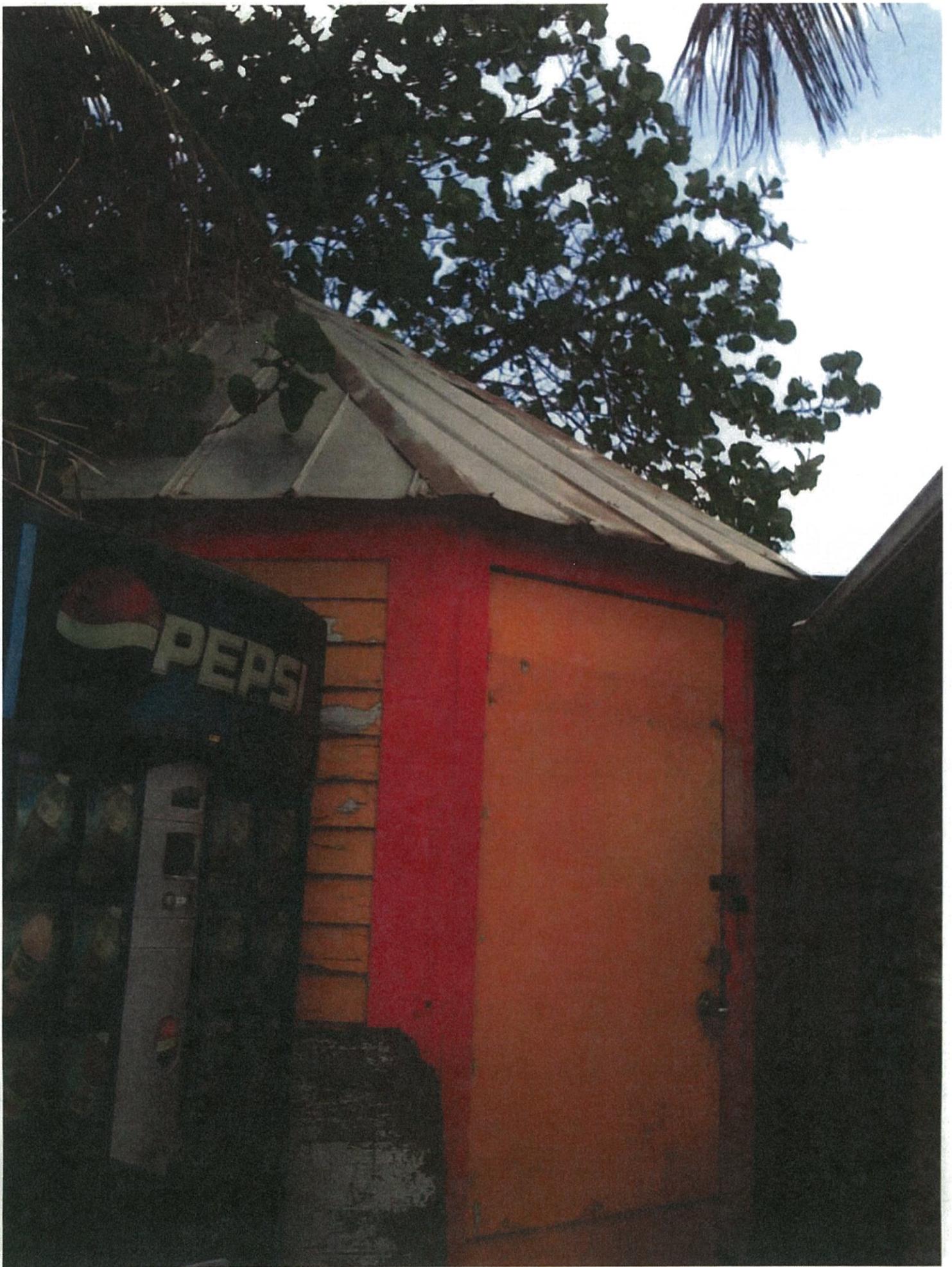
CAUTION WATCH YOUR STEP

FRUIT SMOOTHIES
FRESH SMOOTHIES
FRUIT SMOOTHIES
FRUIT SMOOTHIES



Public Notice





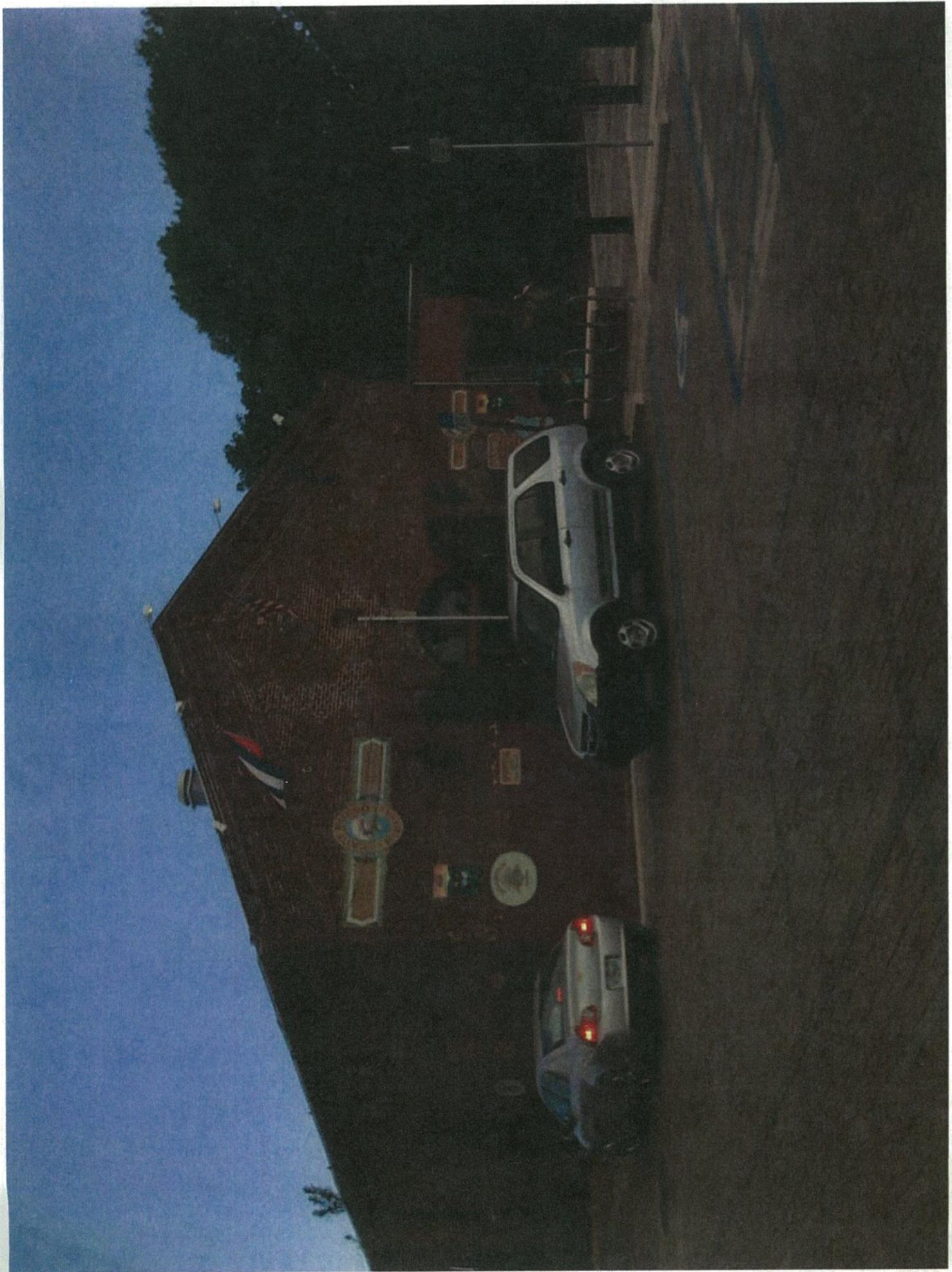


Public Notice

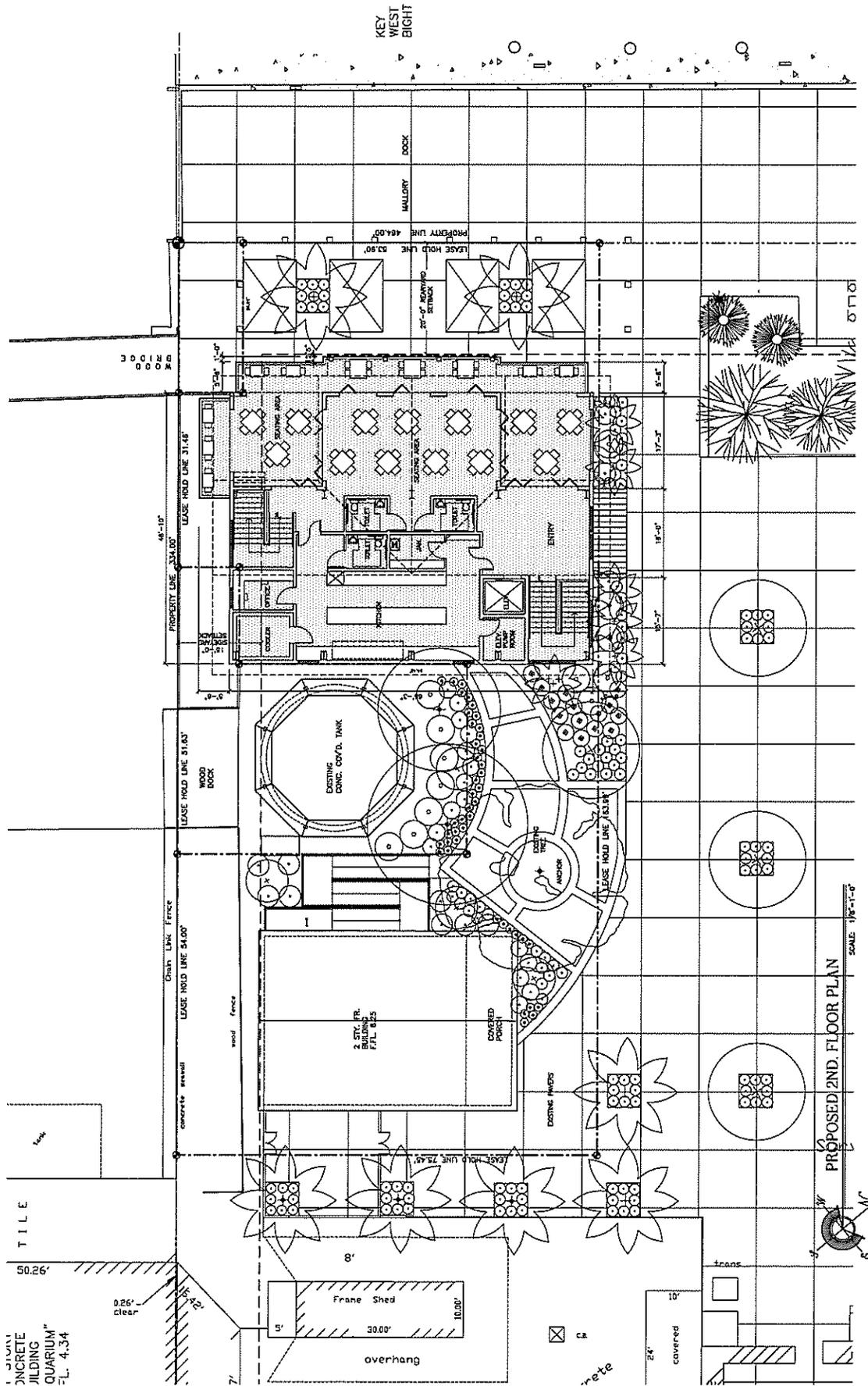








Site Plans



MALLORY SQUARE RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

WILLIAM P. HORN
ARCHITECT, P.A.

345 EAST WYSE
KEY WEST,
FLORIDA
33040

TIL LOD 204-422
PAX LOD 204-423

LAKESHORE 461
A1000000

PAUL R. SOMMER, P.E.
P.A. 30177

300 CANAL BOLLINGWOOD
KEY WEST, FLORIDA
33040

MALLORY
SQUARE
RESTAURANT
KEY WEST, FLORIDA

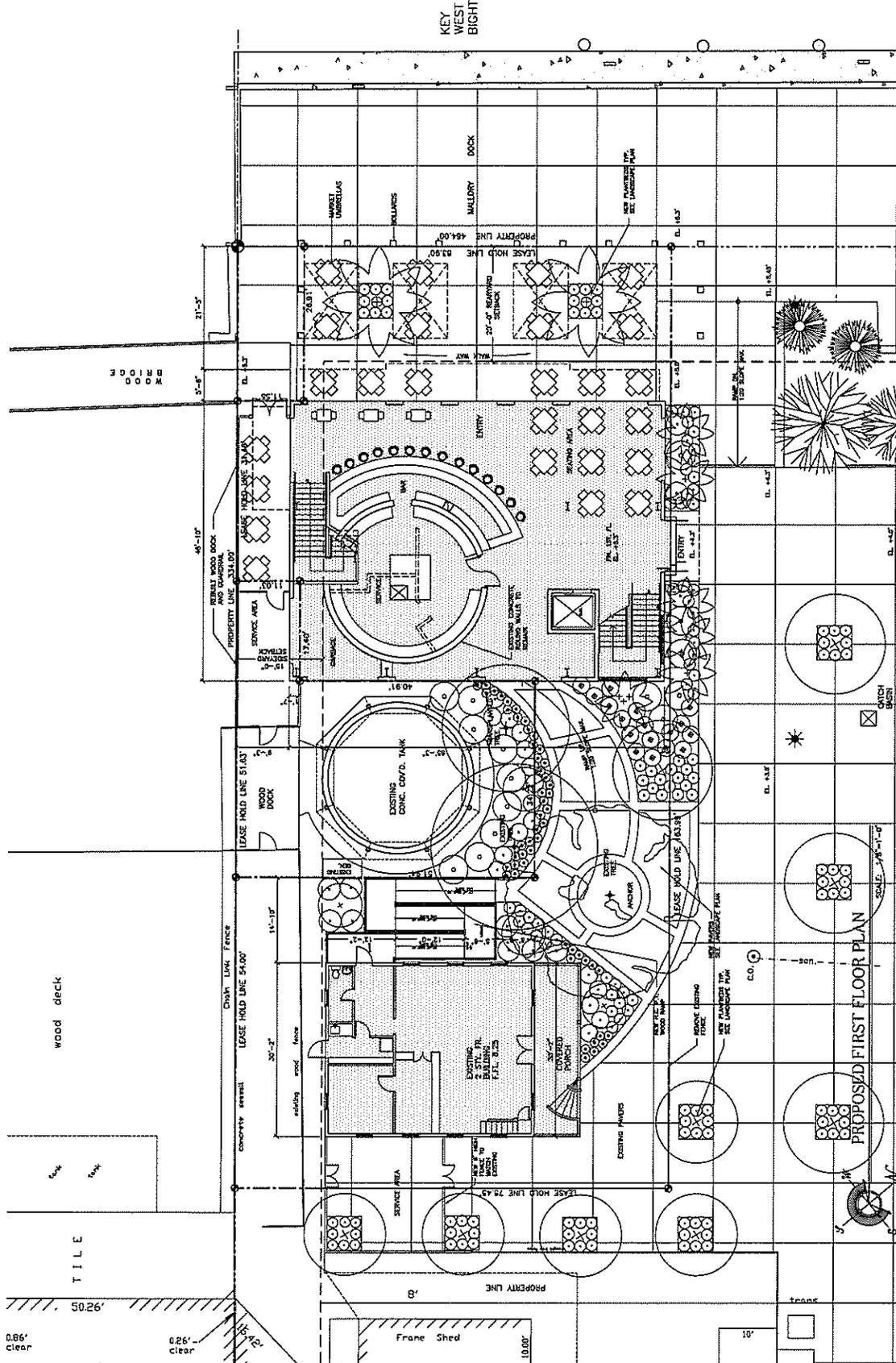
SCALE

DATE
06-03-10
08-06-10 HARC
08-31-10 HARC REV.

REVISIONS

DRAWN BY
EMA

PROJECT
MALLORY
1006



MALLORY SQUARE RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

WILLIAM P. HORN
ARCHITECT, P.A.

315 WATER ST.
KEY WEST,
FLORIDA
33903

TEL: (305) 296-1133
FAX: (305) 296-1133

LICENSE NO.
14100000



WILLIAM P. HORN
ARCHITECT, P.A.
180 SPANNE BALDWIN
BOULEVARD, SUITE 100
KEY WEST, FLORIDA
33903

MALLORY
SQUARE
RESTAURANT
KEY WEST, FLORIDA

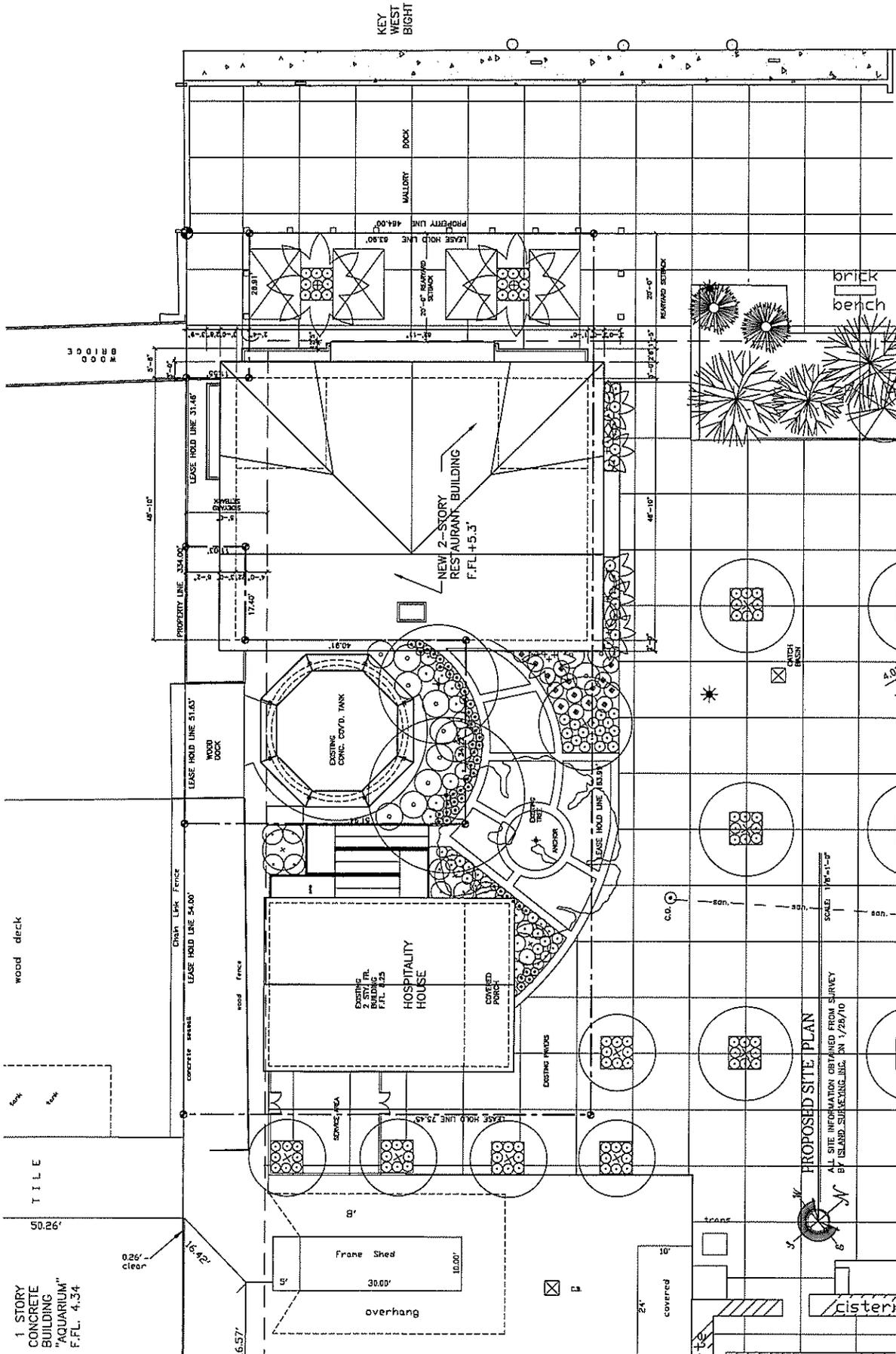
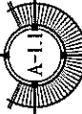
SCALE

DATE
08-09-10
08-09-10 HARC
08-31-10 HARC KEY

REVISIONS

DRAWN BY
EMA

PROJECT
NUMBER
1006



PROPOSED SITE PLAN

ALL SITE INFORMATION OBTAINED FROM SURVEY
BY ISLAND SURVEYING, INC. ON 1/28/10

SCALE: 1/8"=1'-0"

MALLORY SQUARE RESTAURANT
IN MALLORY DOCK
KEY WEST, FLORIDA

WILLIAM P. MOHN
ARCHITECT, P.A.

15 EASTERN ST.
KEY WEST,
FLORIDA
33549

TEL: 305-854-0323
FAX: 305-294-1023

LODGE/ENR
ARCHITECT

Sustainable
ARCHITECTURE, P.L.L.C.

1000 W. UNIVERSITY AVENUE, SUITE 200
MIAMI, FLORIDA 33136
TEL: 305-375-1100
WWW.SUSTAINABLEARCHITECTURE.COM

MALLORY
SQUARE
RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

SEAL _____

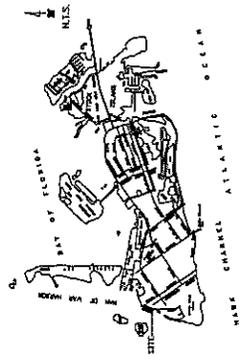
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09-31-10 IANHC/REY

REVISIONS _____

DRAWN BY: EMA

PROJECT NUMBER: 1006

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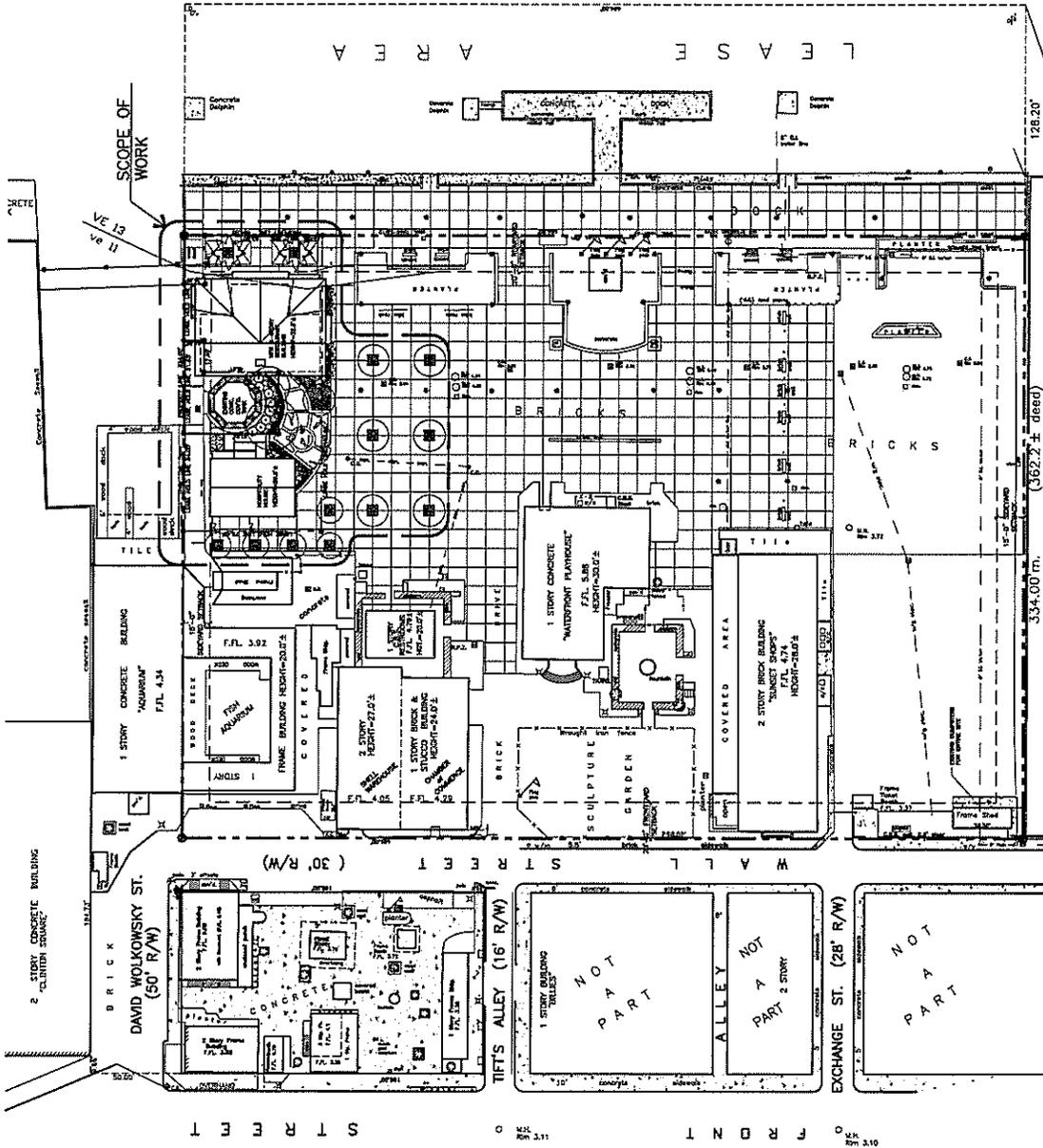


City of Key West &
Stock Island

SITE DATA

SITE AREA: 15,468 S.F. (0.35 ACRES)
LAND USE: HPS (PUBLIC SERVICES INC. RESTAURANT & OPEN SPACE)
PLANNED ZONE: M-11 / M-13
SETBACKS:
FRONT - 20.0'
SIDE - 15.0'
REAR - 20.0'
CORNER SETBACKS - 10.0'

KEY WEST BRIGHT



PROPOSED SITE PLAN

SCALE: 1"=30'-0"
ALL SITE INFORMATION OBTAINED FROM SURVEY
BY ISLAND SURVEYING, INC. ON 1/26/10



MALLORY SQUARE RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final Historic Architectural Review Commission

Tuesday, September 14, 2010

3:00 PM

Old City Hall

ADA Assistance: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, including requesting materials in accessible format, a sign language interpreter or other assistance (5 days advance notice required), or information on access available to individuals with disabilities, please contact the ADA Coordinator at 305-809-3951 between the hours of 8:00 a.m. and 5:00 p.m. If you are hearing or voice impaired, please call 305-809-1000.

Call Meeting To Order

3:00 pm

Pledge of Allegiance

Roll Call

Absent 1 - Mr. Metzler

Present 5 - Mr. Galvan, Mr. Rojas, Mr. Muench, Chairman Molinet, and Dr. Green

Approval of Agenda

Approval of Minutes

1 August 31, 2010 Meeting Minutes

Attachments: [20100831 Minutes](#)

Action Items

Old Business

2 Request to demolish second floor and left side of existing building, build a second floor addition and renovate existing building- **#710 Bakers Lane rear- Applicant: Michael Skoglund Architect (H10-01-230)**. Demolish second floor of existing building. Demolish left side of structure. Renovate existing building as per enclosed

drawings into a single family residence

Attachments: [Applicant Request](#)

A motion was made by Mr. Muench, seconded by Dr. Green, that the Action Items be Denied. The motion carried by the following vote:

No: 1 - Mr. Rojas

Absent: 1 - Mr. Metzler

Yes: 4 - Galvan, Mr. Muench, Chairman Molinet, and Dr. Green

3

Request to remove two non historic additions and built a new two story addition-
#513 Truman Avenue Applicant: Dar Castillo Affiliated Design and Construction Management
(H10-01-243) Remove two non historic additions on rear and construct a two story rear addition

Attachments: [Applicant Request](#)

A motion was made by Mr. Muench, seconded by Dr. Green, that the Action Items be Denied. The motion carried by the following vote:

Absent: 1 - Mr. Metzler

Yes: 5 - Galvan, Mr. Rojas, Mr. Muench, Chairman Molinet, and Dr. Green

4

Request to install two signs- **#830 Truman Avenue- Applicant: Southernmost Signs (H10-01-283)** One wall sign of aluminum fabrication 14 square feet free standing letters reading *Silver Palms Inn* and one double faced pole sign

Attachments: [Applicant request](#)

Passed

5

Request to replace existing back stairs and built new deck on second floor and stairs-
#313 Amelia Street- Applicant Sea Tech of the Florida Keys Inc. (H10-01-299)
Replace existing rear stairs and landing with new stairs and wood deck

Attachments: [Applicant Request](#)

Denied

New Business

6

Request to install a ticket booth- **#129 Duval Street- Applicant Marius Venter (H10-01-328)** - Movable ticketing booth four feet by four feet by thirty six inches high.

Attachments: [Applicant Request](#)

Postponed

- 7 Request for demolition on back, new additions, and restoration- **#711 Bakers Lane- Applicant Bender and Associates Architects, David Salay (H10-01-334)** Remove contemporary addition from one story wood frame residence. Restore historic front portion of house. New bathroom and porch at rear of house. New entry and carport at side of house.

Attachments: [Applicant Request](#)

A motion was made by Mr. Rojas, seconded by Mr. Muench, that the Action Items be Passed. The motion carried by the following vote:

Absent: 1 - Mr. Metzler

Yes: 5 - Galvan, Mr. Rojas, Mr. Muench, Chairman Molinet, and Dr. Green

- 8 Request to build a new carport- **#619 Thomas Street- Applicant Paul Cox (H10-01-338)** Build new carport over existing driveway.

Attachments: [Applicant Request](#)

A motion was made by Mr. Muench, seconded by Chairman Molinet, that the Action Items be Denied. The motion carried by the following vote:

No: 2 - Galvan, and Mr. Rojas

Absent: 1 - Mr. Metzler

Yes: 3 - Mr. Muench, Chairman Molinet, and Dr. Green

- 9 Request to renovate historic house, new stairs and fence-**#1901 Flagler Avenue- Applicant David Knoll Architect (H10-01-343)** Exterior renovation and the addition of new stair, balcony and site fence.

Attachments: [Applicant Request](#)

Postponed

- 10 Request for demolition of shed and new construction- **#316 William Street- Applicant Bender and Associates Architects, Bert Bender, Haven Burkee (H10-01-347)** Demolition, involuntary, of existing shed and reconstruction of shed to conform to property setbacks.

Attachments: [Applicant Request](#)

A motion was made by Mr. Rojas, seconded by Dr. Green, that the Action Items be Passed. The motion carried by the following vote:

Absent: 1 - Mr. Metzler

Yes: 5 - Galvan, Mr. Rojas, Mr. Muench, Chairman Molinet, and Dr. Green

- 11 Request for demolition of non historic structures and new construction- **Mallory Square- Applicant William P. Horn Architect (H10-01-355)** Add handicap ramp

to hospitality house, re paint exterior, new paving and landscaping. Demolition of all non historic additions and decks to cable hut structure. Add new two story restaurant building.

Attachments: Applicant Request

A motion was made by Mr. Rojas, seconded by Mr. Muench, that the Action Items be Passed. The motion carried by the following vote:

Absent: 1 - Mr. Metzler

Yes: 5 - Galvan, Mr. Rojas, Mr. Muench, Chairman Molinet, and Dr. Green

Historic Preservation Planner's Report

Adjournment

Adjourn

Meeting Minutes
September 28, 2010

The Chairman requested the clerk call the roll.

Yeas: Commissioners Green, Muench, Rojas, and Chairman Galvan

Nays: None

APPROVED

3 Request to renovate historic house, new stairs and new fence-#1901 Flagler Avenue- Applicant David Knoll Architect (H10-01-343)

The applicant, David Knoll presented the project. He reviewed the adjustments made in the design concerning the elimination of brackets for the balconies, the cantilevered corner of the building, the design of the stairs, and the shed roof over the landing and railing.

No public comment

Enid Torregrosa presented her staff report. She stated that the revisions are in keeping with the Secretary of Interior Standards.

Carlos Rojas made a Motion to approve the project as submitted; the Motion was seconded by Nils Muench. Motion carried.

4 Request for demolition of non historic shed and construction of new shed- #316 William Street- Applicant Bender and Associates Architects, Bert Bender, Haven Burkee (H10-01-347)

The applicant, Haven Burkee presented the project. He stated that the only changes from the previously approved plans were that the floor elevation has been raised up to meet FEMA flood guidelines, and the new roof is a gabled roof.

No public comment.

Enid Torregrosa presented her staff report. She stated that the plans submitted are consistent with the guidelines.

Carlos Rojas made a Motion to approve the demolition as submitted; the Motion was seconded by Nils Muench. Motion carried.

Carlos Rojas made a Motion to approve the project as submitted; the Motion was seconded by Bryan Green, Motion carried.

APPROVED

5 Request for demolition of non historic structures, construction of new two story building, improvements to the Hospitality House and site improvements- Mallory Square- Applicant William P. Horn Architect (H10-01-355)

The applicant, Bill Horn presented the project. He reviewed the revisions to the plans.

No public comment.

Enid Torregrosa presented her staff report. She stated that mass and scale are appropriate and consistent with the guidelines and the rest of the waterfront area.

Carlos Rojas discussed the mass and scale of the building and stated that he would be in favor of a lower pitched roof.

Bryan Green discussed possible rainwater mitigation. Bill Horn stated that they were working on this issue.

Bryan Green made a Motion to approve based on a 6/12 roof pitch; the Motion was seconded by Carlos Rojas.

The Chairman requested the clerk call the roll.

Yeas: Commissioners Green, Muench, Rojas, and Chairman Galvan

Nays: None

Carlos Rojas made a Motion to approve the demolition; the Motion was seconded by Bryan Green. Motion carried.

APPROVED

New Business

- 6 Request to add new antennas and equipment cabinet at existing monopole- #525-527 Southard Street- Applicant Velocitel Inc. (H10-01-353)

POSTPONED

- 7 Request to built addition, new pool with deck and new guest house- #922 Thomas Street- Applicant Seatech Inc. (H10-01-425)

The applicant, John Paul Castro presented the project. He stated that proposal includes a two story addition, and on the existing structure they are proposing new windows, deck, and pool between the two structures.

No public comment.

Enid Torregrosa reviewed her staff report. She stated that the addition is a two story structure as well as the new guest house, but the surrounding houses are one story. She added that the addition and the guest house are not in keeping with the guidelines.

Carlos Rojas asked the applicant if he would be willing to take staff recommendations into consideration and table the item. The applicant stated that he did not mind tabling.

Carlos Rojas made a Motion to table.

George Galvan passed the gavel to Nils Muench.

George Galvan seconded Mr. Rojas's Motion to table. Motion failed.

Bryan Green made a Motion to deny based on guidelines page 38 concerning new construction and compatibility; the Motion was seconded by Nils Muench for discussion.

The commissioners discussed the ramifications of tabling and denying applications.

Bryan Green rescinded his Motion to deny the application.



City Of Key West
Planning Department
Historic Preservation Division
3140 Flagler Avenue
Key West, Florida 33040

October 4, 2010

Arch. William P. Horn
915 Eaton Street
Key West, Florida 33040

RE: ADD HANDICAP RAMP TO HOSPITALITY HOUSE, REPAINT EXTERIOR, NEW PAVING AND LANDSCAPING, DEMOLITION OF ALL NON-HISTORIC ADDITIONS, DECKS TO CABLE HUT STRUCTURE, ADD NEW TWO STORY RESTAURANT BUILDING
FOR: MALLORY SQUARE - HARC APPLICATION # H10-01-355
HISTORIC DISTRICT OF KEY WEST

Dear Architect Horn:

This letter is to notify you that the Key West Historic Architecture Review Commission **approved** the application for the above mentioned project on the public hearing held on Tuesday, September 28, 2010. On this meeting you submitted different elevation plans showing four types of roofline slopes, as well as the original plans. The Commission decided that the 6:12 ratio was the more appropriate roof design.

You may now apply for the necessary permits. Should you have any questions, please do not hesitate to contact me at your convenience.

On behalf of the Historic Architectural Review Commission of our City, thank you for your interest in the preservation of Key West historic heritage.

Sincerely:


Enid Torregrosa, MSHP
Historic Preservation Planner
City Of Key West
3140 Flagler Avenue
Key West, Florida 33040

305.809.3973

etorregr@keywestcity.com

Public Notice

The Key West Historic Architectural Review Commission will hold a public hearing at 3:00 p.m., June 14, 2011, at City Commission Chamber, Old City Hall, and 510 Greene Street.

The purpose of the hearing will be to consider a request for
REVISIONS TO AN APPROVED MAJOR DEVELOPMENT PLAN

REVISION TO PREVIOUS APPROVAL H10-01-355. SHRINK NEW BUILDING TO GET IT OUT OF SIDE YARD SETBACK (LESS 8' IN LENGTH) -ALL ELSE REMAINS SAME

APPLICATION NO. H11-01-625- MALLORY SQUARE

Applicant: William P. Horn, Architect

If you wish to see the application or have any questions, you may visit the Planning Department, Historic Preservation Division, during regular office hours at 3140 Flagler Avenue, call 305-809-3973 or visit our website at www.keywestcity.com.



CITY OF KEY WEST Fax 809-3978
 BUILDING DEPARTMENT

CERTIFICATE of APPROPRIATENESS

APPLICATION # 11-01-625

OWNER NAME: TROPICAL SOUP CORP.

DATE: 5/12/11

OWNERS ADDRESS: 509 DUVAL ST.

PHONE #: 293-1895

APPLICANT'S NAME: WILLIAM P. HORN ARCHITECT, P.A.

PHONE #: 296-8302

APPLICANT'S ADDRESS: 915 EATON ST.

ADDRESS OF CONSTRUCTION: MALLORY SQUARE

OF UNITS: 2

THERE WILL BE A FINAL INSPECTION REQUIRED UNDER THIS PERMIT

DETAILED DESCRIPTION OF WORK:

REVISION TO PREVIOUS APPROVAL
 SHRINK BUILDING TO GET IT OUT OF SIDING AND
 SETBACK (LESS 8' IN LENGTH) ALL ELSE
 REMAINS SAME.

Chapter 837.06 F.S.- False Official Statements- Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree punishable as provided for in s. 775.082 or s. 775.083

This application for Certificate of Appropriateness must precede applications for building permits, variances and development review approvals. Applications must meet or exceed the requirements outlined by the Secretary of the Interior's Standards for Rehabilitation and Key West's Historic Architectural Guidelines.

Once completed, the application shall be reviewed by staff for completeness and either approved or scheduled for presentation to the Historic Architectural Review Commission at the next available meeting. The applicant must be present at this meeting. The filing of this application does not ensure approval as submitted.

Applications that do not possess the required submittals will be considered incomplete and will not be reviewed for approval.

REQUIRED SUBMITTALS

<input checked="" type="checkbox"/>	TWO SETS OF SCALED DRAWINGS OF FLOOR PLAN, SITE PLAN AND EXTERIOR ELEVATIONS (for new buildings and additions)
<input type="checkbox"/>	TREE REMOVAL PERMIT (if applicable)
<input type="checkbox"/>	PHOTOGRAPHS OF EXISTING BUILDING (repairs, reliefs, or expansions)
<input type="checkbox"/>	PHOTOGRAPHS OF ADJACENT BUILDINGS (new buildings or additions)
<input type="checkbox"/>	ILLUSTRATIONS OF MANUFACTURED PRODUCTS TO BE USED SUCH AS SHUTTERS, DOORS, WINDOWS, PAINT COLOR CHIPS, AND AWNING FABRIC SAMPLES

Staff Use Only

Date: _____

Staff Approval: _____

Fee Due: \$ _____

Date: 5/12/11
 Applicant Signature: _____

HISTORIC ARCHITECTURAL REVIEW APPLICATION

HISTORIC ARCHITECTURAL REVIEW COMMISSION USE ONLY

Approved _____

Denied _____

Deferred _____

Reason for Deferral or Denial:

HARC Comments:

hospitality house is listed as contributing. frame vernacular structure. Cable hut is not listed but is more than 50 years old.

Guidelines for additions, alterations & new construction pages 26-33.

Limit of Work Approved, Conditions of Approval and/or Suggested Changes:

Date: _____

Signature: _____

Historic Architectural
Review Commission

Staff Report

- 5 Revision to previous approval H10-01-355. Shrink new building to get it out of side yard setback (less 8 feet in length) All else remains same- **Mallory Square- Applicant William P. Horn Architect (H11-01-625)**

The proposed revisions are for a new two story building that will be located on Mallory Square. The Commission approved the original plans on September 28, 2010. For this new application the square footage of the new proposed building is reduced by recessing the west façade approximately eight feet from its previous location. By doing this approximately 3 feet of the cable hut's wall will be exposed. Another change is with the east façade which have been moved approximately one foot forward and will be flush with the lease hold line. The proposed changes will not alter the proportions, mass or scale of the new building.

Guidelines that should be reviewed for this application- New Construction (pages 37-38):

1. **Siting** - *New construction must conform to all current city easement, setback and building requirements. No existing building shall be relocated and no new structure shall be placed closer to the sidewalk, street or visible alley, than the distance of pre-existing historic structures. Areas reserved for parks or open space must be retained.*

The zoning requirements for this particular historic district HPS are;

Front yard- 20 ft
Street side- 10 ft
Side- 5 ft
Rear- 20 ft
Maximum height- 25 ft

2. **Elevation of finished floor above grade** - *Applications for buildings with the first finished floor above the minimum height necessary to comply with federal flood regulations will not be approved unless the applicant demonstrates that such elevation does not interfere with the essential form and integrity of properties in the neighborhood. In situations wherein parking is proposed below the first finished floor, HARC shall consider how visible the parking is from the public right-of-way; whether the parking area is enclosed or otherwise concealed by walls, louvers, lattice, landscaping or other features; and whether fill and/or berms are used to minimize the gap between the first finished floor and the crown of the nearest road.*
3. **Height** - *must not exceed two and a half stories. There must be a sympathetic relationship of height between new buildings and existing adjacent structures of the neighborhood. New buildings*

must be compatible with historic floor elevations. The height of all new construction shall be based upon the height of existing structures within the vicinity.

4. **Proportion, scale and mass** – *massing, scale and proportion shall be similar to that of existing historical buildings in the historical zone. No new construction shall be enlarged so that its proportions are out of scale with its surroundings. No new construction shall be more than two and a half stories. No structure shall outsize the majority of structures in the streetscape or historic zone.*

5. **Compatibility** – *Design must be compatible with Key West architectural characteristics in the historical zones. All new construction must be in keeping with the historic character in terms of size, scale, design, materials, color and texture.*

6. **Building Detail** – *All new buildings shall incorporate a level of detail that assures compatibility with the surrounding historic context. New construction shall not precisely mimic the details of historic buildings but should have features that are compatible with the lines of historic architecture.*

7. **Relationship of materials** – *Materials used on new construction shall be of similar color, dimension, texture, and appearance as historic fabrics. The predominant exterior finish in historic zones is wood weatherboard, clapboard, drop siding, or board and batten. Exceptions for the use of composite materials may be permissible. Roofing is primarily sheet metal or metal shingles. New construction shall establish a relationship with existing historic structures by utilizing similar finishes and metals.*

It is staff's belief that the proposed plans will not constitute major changes to the approved design in relation to mass, scale and proportions. The proposed design is architecturally harmonious to its urban context. Staff understands that these changes are minimal to the proposed design and are consistent with the guidelines. If the plans are approved the project will still need variances.

WILLIAM P. HORN
ARCHITECT, P.A.

915 KAYTON ST.
KEY WEST,
FLORIDA
33940

TEL: (305) 296-9832
FAX: (305) 296-1033
LICENSE NO.
AA 000896

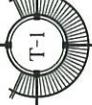
Seatech
P.E. #1413
SEAMEN, P.E.
#1413
810 CRANE ROAD
SUWANEE, GA 30086
SUWANEE, GA 30086

MALLORY
SQUARE
RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

SEAL _____

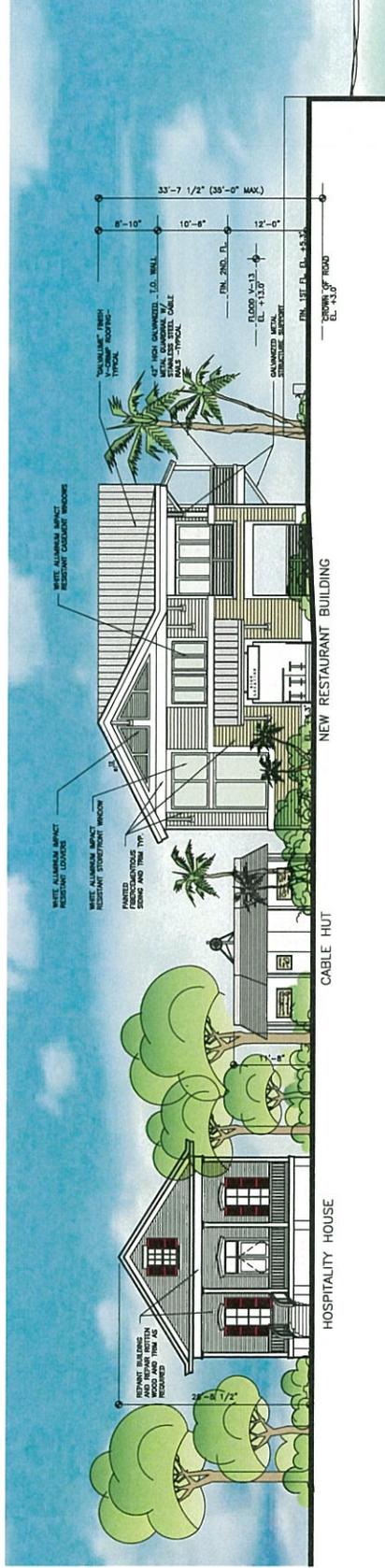
DATE: 06-03-10
08-09-10 HARC
09-01-10 HARC REV.
10-01-10 BMC
11-09-10 PL BD.
REVISIONS:
03-11-11 HARC REV.
05-09-11 HARC REV.

DRAWN BY: EMA
PROJECT
NUMBER:
1006



MALLORY SQUARE RESTAURANT

KEY WEST, FLORIDA



KEY PERSONNEL	
ARCHITECT: WILLIAM P. HORN ARCHITECT, P.A. 915 KAYTON ST. KEY WEST, FL. 33940 TEL: (305) 296-9832	ENGINEERING: PAUL R. SEAMEN, P.E. SEATECH, INC. 810 CRANE ROAD SUWANEE, GA, FLORIDA (305) 249-9993
LAND USE PLANNERS & ASSOCIATES, INC. ORLEN TREPANIER & ASSOCIATES, INC. 425 WEST PALM BLVD. KEY WEST, FL. 33940 (305) 292-9993	CIVIL ENGINEERING AND DEVELOPMENT INC. PEREZ ENGINEERING AND DEVELOPMENT INC. 3102 WASHINGTON DRIVE SUITE 400 KEY WEST, FL. 33940 TEL: (305) 292-3440
OWNER: TROPICAL SOUP 1000 BAYVIEW BLVD. SUITE 100 500 BONA STREET KEY WEST, FL. 33940 TEL: (305) 292-9993	LANDSCAPE CONSULTANT: ELIZABETH NEWLAND LANDSCAPE ARCHITECTURE, LLC 1000 BAYVIEW BLVD. SUITE 100 500 BONA STREET KEY WEST, FL. 33940 (305) 292-9993
SURVEYOR: ISLAND SURVEYING INC. 1000 BAYVIEW BLVD. SUITE 100 500 BONA STREET KEY WEST, FL. 33940 TEL: (305) 292-9993	

DRAWING LIST	
SHT. No.	DESCRIPTION
T-1	COVER SHEET
A-1	PROPOSED SITE PLAN 1"=50'-0"
A-1.1	PROPOSED SITE PLAN 1/8"=1'-0"
A-2	SECOND FLOOR PLAN 1/8"=1'-0"
A-3	ELEVATIONS
A-4	ELEVATIONS
A-5	ELEVATIONS

MALLORY SQUARE RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

WILLIAM P. HORN
ARCHITECT, P.A.

45 SOUTH ST
KEY WEST,
FLORIDA
33903

TEL: (305) 294-4333
FAX: (305) 294-1332

LICENSE NO.
LA 000046



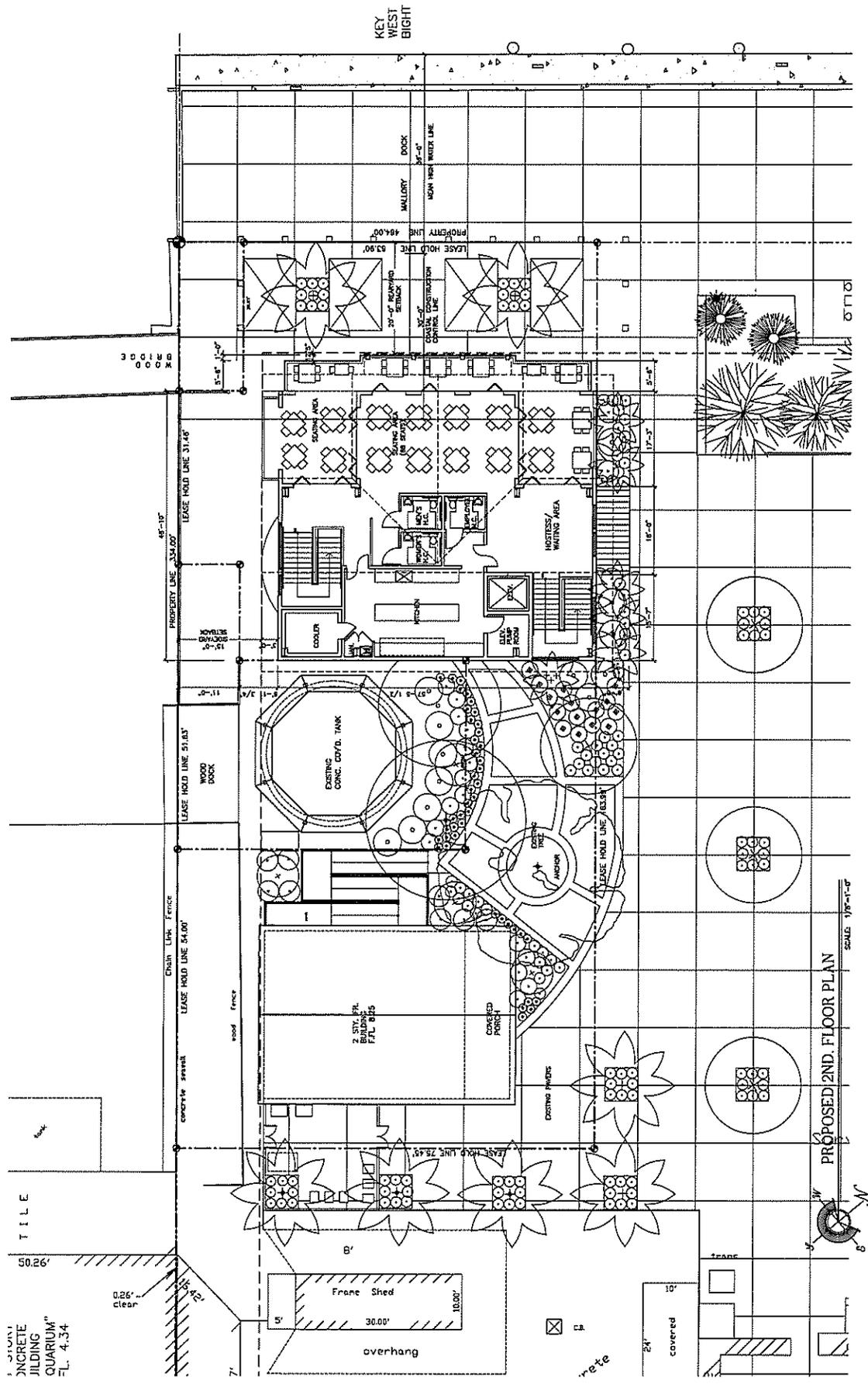
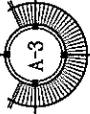
WILLIAM P. HORN, P.E.
P.E. #1017
140 STATE COLLEGE
BOCA RATON, FLORIDA
33433

MALLORY
SQUARE
RESTAURANT
KEY WEST, FLORIDA

SCALE

DATE
05-28-10
08-09-10 HARC
08-31-10 HARC/REV
10-01-10 HARC
11-09-10 P.L.B.
REVISIONS
03-11-11 HARC/REV
04-18-11 P.L.B./REV
05-09-11 HARC/REV

DRAWN BY
EMA
PROJECT
NUMBER
1006



PROPOSED 2ND FLOOR PLAN

SCALE 1/8"=1'-0"

MALLORY SQUARE RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

WILLIAM P. HORN
ARCHITECT, P.A.

95 EASTERN ST.
KEY WEST,
FLORIDA
33901

TEL: 305-296-6332
FAX: 305-296-1032

LICENSE NO.
AA 602849



805 CHAMBERLAIN ROAD
SUITE 100, KEY WEST, FLORIDA
33901

MALLORY
SQUARE
RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

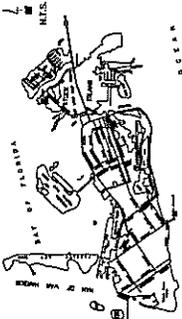
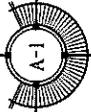
SCALE

DATE:
06-03-10 HARC
08-31-10 HARC/REY
10-01-10 BNC
11-09-10 PL/BD

REVISIONS:
03-11-11 HARC/REY
& PL/BD/REY
05-08-11 HARC/REY

DRAWN BY:
DMA

PROJECT:
MALLORY
1006



LOCATION MAP
City of Key West &
Stock Island

SITE DATA

SITE AREA: 154,086 SF (3.56 ACRES)
LAND USE: LPS (PUBLIC SERVICES INC. RECREATION & OPEN SPACE)
FLOOD ZONE: V-1(1)/V-1A-15, A1 100'

FRONT SETBACK: REQUIRED = 25.0'
EXISTING = 4.75' (NOT IN LEASE AREA)
PROPOSED = 4.75' (NOT IN LEASE AREA)

SIDE SETBACK: REQUIRED = 15.0' (IN LEASE AREA)
EXISTING = 15.0' (IN LEASE AREA)

REAR SETBACK: REQUIRED = 25.0'
EXISTING = 25.0' (IN LEASE AREA)
PROPOSED = 25.0' (IN LEASE AREA)

COASTAL CONST. CONTROL LINE: REQUIRED = 25.0'
EXISTING = 25.0'

FAR: ULTIMATE: 1.0 MAX. (14,488 SF)
PROPOSED: 0.37 (4,236 SF)

FLOOR: REQUIRED: 25.0' (HOSPITALITY HOUSES)
EXISTING: 25.0' (OFF RESTAURANT BLDG)

LOT COVERAGE AREA: 0.71 (89,748 SF) (MAX. 25.0')

IMPROVEMENTS: REQUIRED: 81,993 SF (426 MAX.)
EXISTING: 31,122 SF (21,200 MAX.)
PROPOSED: 50,871 SF (2,674 MAX.)

LANDSCAPE AREA: REQUIRED: 77,081 SF (408 MAX.)
EXISTING: 16,879 SF (10,520 MAX.)
PROPOSED: 16,279 SF (10,520 MAX.)

LANDSCAPE AREA: REQUIRED: 200 SF (10 SEATS @ 15 SF/SEAT)
PROPOSED: 14,200 SF (6,180 SEATS @ 15 SF/SEAT)

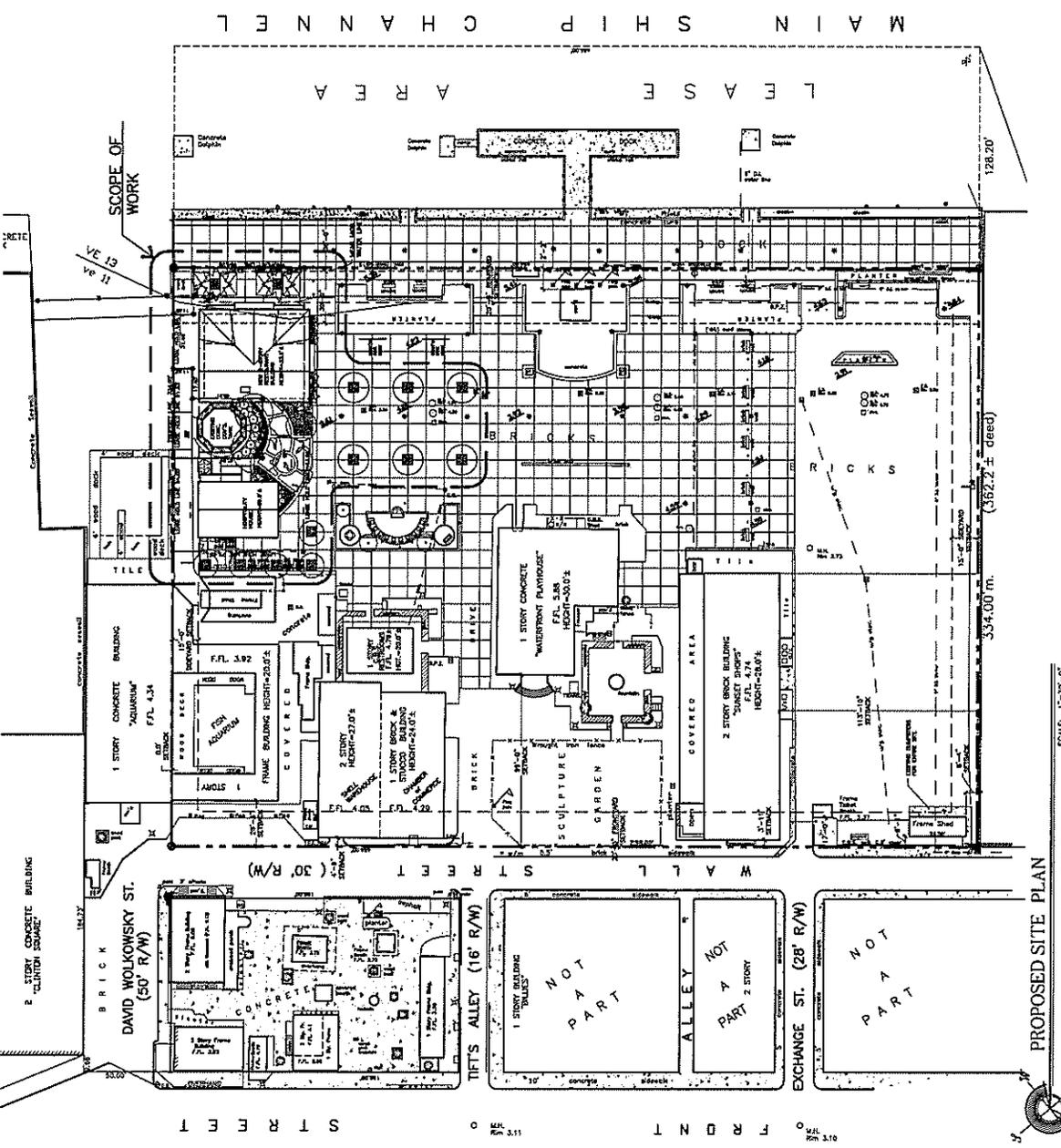
PARKING IN PARKING WAYWAY ZONE: REQUIRED: 3,144 SF
EXISTING: 3,144 SF (108 SEATS @ 15 SF/SEAT)

CONCRETE/PAVEMENT: REQUIRED: 2,344 SF (108 SEATS @ 15 SF/SEAT)
EXISTING: 9 SF (6 SEATS @ 15 SF/SEAT)

BUILDING DATA

EXISTING BUILDING DATA	
1ST FLOOR ENCLOSED	1,133 SF.
1ST FLOOR UNENCLOSED	300 SF.
2ND FLOOR WOOD DECK AREA	995 SF.
TOTAL EXISTING ENCLOSED	1,133 SF.
TOTAL EXISTING COVERED	1,363 SF.

PROPOSED BUILDING DATA	
1ST FLOOR UNENCLOSED	462 SF.
2ND FLOOR UNENCLOSED	708 SF.
TOTAL PROPOSED ENCLOSED	1,170 SF.



PROPOSED SITE PLAN
ALL SITE INFORMATION OBTAINED FROM SURVEY
BY ISLAND SURVEYING, INC. ON 1/28/10
SCALE: 1"=20'-0"

MALLORY SQUARE RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

Old Business

- 2 Replacement of four front porch columns. Demolition and replacement of front porch deck and part of front porch roof- Code Compliance case- #522 Grinnell Street- Keys Contracting Services Inc. (H11-01-387)

A motion was made by Mr. Rojas, seconded by Mr. Metzler, that the Action Items be Passed. The motion carried by the following vote:

Absent: 1 - Chairman Molinet

Yes: 4 - Mr. Muench, Mr. Metzler, Dr. Green, and Mr. Rojas

- 3 Remove existing roof and built a second floor addition. New doors and windows- #312 Olivia Street- Michael B. Ingram (H11-01-468)

A motion was made by Mr. Metzler, seconded by Mr. Muench, that the Action Items be Passed. The motion carried by the following vote:

Absent: 1 - Chairman Molinet

Yes: 4 - Mr. Muench, Mr. Metzler, Dr. Green, and Mr. Rojas

New Business

- 4 After the fact application for drop canvas banner and light fixtures. Banner sign copy Jungle Photos of Key West- #101 Duval Street-Gregory M. Scorza (H11-01-614)

A motion was made by Mr. Metzler, seconded by Mr. Muench, that the Action Items be Denied. The motion carried by the following vote:

Absent: 1 - Chairman Molinet

Yes: 4 - Mr. Muench, Mr. Metzler, Dr. Green, and Mr. Rojas

- 5 Revision to previous approval H10-01-355. Shrink new building to get it out of side yard setback (less 8 feet. All else remains same- Mallory Square- William P. Horn (H11-01-625)- Major Development Plan

A motion was made by Mr. Muench, seconded by Mr. Metzler, that the Action Items be Passed. The motion carried by the following vote:

Absent: 1 - Chairman Molinet

Yes: 4 - Mr. Muench, Mr. Metzler, Dr. Green, and Mr. Rojas

- 6 Remove existing bricks on front of property and replace with 4" concrete stained and sealed slab -#221 Duval Street- Bella Construction of Key West Inc. (H11-01-628)

A motion was made by Mr. Muench, seconded by Mr. Metzler, that the Action Items be Denied. The motion carried by the following vote:

Absent: 1 - Chairman Molinet

Yes: 4 - Mr. Muench, Mr. Metzler, Dr. Green, and Mr. Rojas

- 7 Demolition of non historic side porch and new addition on same location-#1227 South Street- Michael Miller (H11-01-650)

A motion was made by Mr. Muench, seconded by Mr. Metzler, that the Action Items be Passed. The motion carried by the following vote:

Absent: 1 - Chairman Molinet

Yes: 4 - Mr. Muench, Mr. Metzler, Dr. Green, and Mr. Rojas

- 8 Menu board sign, six square feet- #1127 Truman Avenue-Armando Parra (H11-01-679)

A motion was made by Mr. Metzler, seconded by Mr. Muench, that the Action Items be Denied. The motion carried by the following vote:

No: 1 - Mr. Rojas

Absent: 1 - Chairman Molinet

Yes: 3 - Mr. Muench, Mr. Metzler, and Dr. Green

- 9 Installation of tent and wood deck- #1127 Truman Avenue- Armando Parra (H11-01-680)

A motion was made by Mr. Rojas, seconded by Mr. Muench, that the Action Items be Passed. The motion carried by the following vote:

Absent: 1 - Chairman Molinet

Yes: 4 - Mr. Muench, Mr. Metzler, Dr. Green, and Mr. Rojas

- 10 Alteration to existing 6" by 6" columns, from turned columns to square with added trim- #936 United Street- Wayne Garcia (H11-01-685)

A motion was made by Mr. Metzler, seconded by Mr. Muench, that the Action Items be Denied. The motion carried by the following vote:

Absent: 1 - Chairman Molinet

Yes: 4 - Mr. Muench, Mr. Metzler, Dr. Green, and Mr. Rojas

11

Demolition of non historic attendant parking booth. No new built back- #402 Wall Street- City of Key West (H11-01-693)

A motion was made by Mr. Rojas, seconded by Mr. Metzler, that the Action Items be Passed. The motion carried by the following vote:

Absent: 1 - Chairman Molinet

Yes: 4 - Mr. Muench, Mr. Metzler, Dr. Green, and Mr. Rojas

12

Demolition of non historic attendant parking booth. No new built back- #800 Block Caroline Street- City of Key West (H11-01-694)

A motion was made by Mr. Muench, seconded by Mr. Rojas, that the Action Items be Passed. The motion carried by the following vote:

Absent: 1 - Chairman Molinet

Yes: 4 - Mr. Muench, Mr. Metzler, Dr. Green, and Mr. Rojas

HARC Planner's Report

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Draft Membership and Noticing Ordinances

Commissioner's Comments

Adjournment

Adjourn