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## **Historic Architectural Review Commission Staff Report for Item 8**

**To:** Chairman Bryan Green and Historic Architectural Review  
Commission Members

**From:** Kelly Perkins, MHP  
HARC Assistant Planner

**Meeting Date:** May 23, 2018

**Applicant:** Mark D. Smith

**Application Number:** H18-03-0019

**Address:** #1023 Washington Street

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### **Description of Work:**

After-the-Fact application for front fence, repairs to existing masonry fence, and new paved driveway and walkway on city's right-of-way. After-the-fact enclosure of the historic driveway opening with coral rock.

### **Site Facts:**

Located at the corner of Whalton and Washington Streets, the property was a vacant lot for a very long time, until a house was constructed in 2017. The house was approved by HARC in 2016. While the house was under construction, the contractor exceeded the scope of the approved work and constructed two light posts on the front walkway, as well as installed pavers in the driveway and walkway in the city's right-of-way.

### **Guidelines Cited in Review:**

Guidelines for Fences and Walls (pages 41-42), specifically the introduction and guidelines 3 and 8.

### **Staff Analysis**

This Certificate of Appropriateness proposes an after the fact installation for two fence posts with lights on top. They were built with brick and are proposing to stucco over them. In between the fence posts, a black wrought iron gate is being proposed. The height of the

posts are 4 feet, 10 inches with a total height of 6 feet, 8 inches once the light fixtures are included.

The applicant also repaired part of the historic coral wall that was damaged after Irma by the cleanup crew. The applicant also enclosed the historic driveway opening on Whalton Street.

Bricks were installed in the right-of-way for the driveway and entryway walkway.

### **Consistency with Guidelines**

The guidelines are clear that fences, posts, and gates “must be compatible with the house and the neighboring structures,” (page 41). The guidelines for fencing also state that front fencing is allowed up to 4 feet in height (Guideline 3). The fence posts are 4 feet, 10 inches, and when the light fixtures are included, the total height is 6 feet, 8 inches. Traditionally, wood fences in Key West had wooden gates and fence posts. These fence posts with light fixtures on top are not traditional to Key West, especially the Casa Marina area. The applicant has supplied many photos of different fences that include taller posts for entryways and driveways, but most of those are either

- 1) Not taken in the Casa Marina area
- 2) Are fences that are masonry and/or historic, or
- 3) Were not appropriate to begin with and probably were not approved by HARC.

The Casa Marina area contains less than a handful of these fence post types. The proposed wrought iron gate is even more unusual, as it is a mixture of materials that is atypical to the Casa Marina area and the Key West Historic District in general.

The application also covers the repair to the historic coral wall, as well as the enclosure of the old driveway with new coral rock. While the wall was damaged by crews after Irma, the repairs were necessary. The enclosure on the other hand lacks the craftsmanship of the original wall. It is glaring that it is not original, especially as the opening is wider than the rest of the wall. The historic opening should have been retained, so that it was obvious that it was the original driveway.

The pavers in the right-of-way are brick and do not detract from the historic district. Many nearby houses have brick pavers that extend into the right-of-way.

Staff finds that the proposed fence posts and gate and the enclosure of the historic driveway opening on Whalton Street inconsistent with the guidelines, as they are not compatible with the neighboring structures. The type of fence with light fixtures is not traditional to Key West, and the historic driveway opening should be retained with a wooden gate.

# APPLICATION

# HARC MAJOR PROJECTS CERTIFICATE OF APPROPRIATENESS

\$400 NON-REFUNDABLE BASE APPLICATION FEE - OTHER FEES MAY BE APPLICABLE



City of Key West

1300 WHITE STREET

KEY WEST, FLORIDA 33040

HARC COA #	REVISION #	INITIAL & DATE
FLOOD ZONE	ZONING DISTRICT	BLDG PERMIT #

**A PRE-APPLICATION MEETING WITH HARC STAFF IS REQUIRED PRIOR TO SUBMITTAL**

ADDRESS OF PROPOSED PROJECT:

1023 WASHINGTON ST

NAME ON DEED:

RANDY & DONNA LINDHOLM

PHONE NUMBER

925-413-8575

OWNER'S MAILING ADDRESS:

1112 VARECA STREET

EMAIL

DONNALINDHOLM@GMAIL.COM

KEY WEST, FL 33040

APPLICANT NAME:

MARK D. SMITH BLDG CONT, INC

PHONE NUMBER

305 923-5838

APPLICANT'S ADDRESS:

3641 NORTHSIDE CT.

EMAIL

MDSBCI@BELLSOUTH.NET

KEY WEST, FL 33040

APPLICANT'S SIGNATURE:

*[Signature]*

DATE

4-25-18

**ANY PERSON THAT MAKES CHANGES TO AN APPROVED CERTIFICATE OF APPROPRIATENESS MUST SUBMIT A NEW APPLICATION.**

FLORIDA STATUTE 837.06: WHOEVER KNOWINGLY MAKES A FALSE STATEMENT IN WRITING AND 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 PER SECTION 775.082 OR 775.083. THE APPLICANT FURTHER HEREBY ACKNOWLEDGES THAT THE SCOPE OF WORK AS DESCRIBED IN THE APPLICATION SHALL BE THE SCOPE OF WORK THAT IS CONTEMPLATED BY THE APPLICANT AND THE CITY. THE APPLICANT FURTHER STIPULATES THAT SHOULD FURTHER ACTION BE TAKEN BY THE CITY FOR EXCEEDING THE SCOPE OF THE DESCRIPTION OF WORK, AS DESCRIBED HEREIN, AND IF THERE IS CONFLICTING INFORMATION BETWEEN THE DESCRIPTION OF WORK AND THE SUBMITTED PLANS, THE AFOREMENTIONED DESCRIPTION OF WORK SHALL BE CONTROLLING.

PROJECT INCLUDES: REPLACEMENT OF WINDOWS ☐ RELOCATION OF A STRUCTURE ☐ ELEVATION OF A STRUCTURE ☐

PROJECT INVOLVES A CONTRIBUTING STRUCTURE: YES ☐ NO ☒ INVOLVES A HISTORIC STRUCTURE: YES ☐ NO ☒

PROJECT INVOLVES A STRUCTURE THAT IS INDIVIDUALLY LISTED ON THE NATIONAL REGISTER: YES ☐ NO ☒

DETAILED PROJECT DESCRIPTION INCLUDING MATERIALS, HEIGHT, DIMENSIONS, SQUARE FOOTAGE, LOCATION, ETC.

GENERAL: "AFTER THE FACT" PERMIT FOR (2) MASONRY FENCE POSTS. REPAIR WORK ON EXISTING SANDSTONE WALLS.

FENCES: (2) MASONRY FENCE POSTS w/ METAL GATE. STUCCO WHITE FINISH w/ BLUESTONE CAPS AND CAMPS.

REPAIR CORNER COLUMN OF OLD SANDSTONE WALL, DAMAGE CAUSED BY CITY OF KEY WEST



APPLICATIONS MUST BE SUBMITTED IN PERSON WITH HARD COPIES BY 3PM ON THE SCHEDULED DEADLINE  
PLEASE SEND AN ELECTRONIC COPY OF ALL DOCUMENTS TO [HARC@CITYOFKEYWEST-FL.GOV](mailto:HARC@CITYOFKEYWEST-FL.GOV)

CLEAN UP CREWS POST IRMA (SEE POLICE REPORT)	
USING ORIGINAL STONES.	
INFILL EXISTING GATE OPENING USING ORIGINAL	
STONE AND METAL RAIL SECTIONS FROM WALL CUTS	
AT ADJACENT LOTS. MATCH ORIGINAL WALL.	
ALL MASONRY APPROVED BY ENGINEER.	
SITE (INCLUDING GRADING, FILL, TREES, ETC.):	POOLS (INCLUDING EQUIPMENT):
ACCESSORY EQUIPMENT (GAS, A/C, VENTS, ETC.):	OTHER:

OFFICIAL USE ONLY:		HARC COMMISSION REVIEW		EXPIRES ON:	
MEETING DATE:	<input type="checkbox"/> APPROVED <input type="checkbox"/> NOT APPROVED <input type="checkbox"/> DEFERRED FOR FUTURE CONSIDERATION			INITIAL:	
MEETING DATE:	<input type="checkbox"/> APPROVED <input type="checkbox"/> NOT APPROVED <input type="checkbox"/> DEFERRED FOR FUTURE CONSIDERATION			INITIAL:	
MEETING DATE:	<input type="checkbox"/> APPROVED <input type="checkbox"/> NOT APPROVED <input type="checkbox"/> DEFERRED FOR FUTURE CONSIDERATION			INITIAL:	
REASONS OR CONDITIONS:					
STAFF REVIEW COMMENTS:					
FIRST READING FOR DEMO:			SECOND READING FOR DEMO:		
HARC STAFF SIGNATURE AND DATE:			HARC CHAIRPERSON SIGNATURE AND DATE:		

**THIS APPLICATION MAY BE REVIEWED BY PLANNING DEPARTMENT STAFF.**



**HARC FEE SCHEDULE (EFFECTIVE OCTOBER 3, 2017)**  
**CITY OF KEY WEST, FLORIDA • PLANNING DEPARTMENT**  
1300 White Street • Key West, Florida 33040-4602 • [www.cityofkeywest-fl.gov](http://www.cityofkeywest-fl.gov)

**CERTIFICATE OF APPROPRIATENESS PRE-APPLICATION FORM  
FOR PROJECTS TO BE REVIEWED BY COMMISSION**

This form must be submitted with your application

<b>Application Type</b>	<b>Current Fees</b>	<b>Code</b>
<b>Major Projects Base Fee- Commission review projects</b>		
<b>Plus the Following Schedule if The Project Proposes:</b>	<u>\$400.00</u>	H2
Demolition of non-historic or non-contributing structures	\$100.00	H4
Demolition of historic or contributing structures	\$200.00	HA
Relocation of a structure on its current site	\$200.00	HB
Relocation of a structure on another site	\$300.00	HC
Request of non-contributing value	\$300.00	HD
Nomination for contributing resource or review a nomination for the National Register of Historic Places	\$150.00	HE
<b>Mural Projects</b>	\$100.00	HG
<b>Verification Letter for Historic Status</b>	\$400.00	H9
<b>Economic Hardship Application Fee</b>		
Residential Owner with Homestead	\$15.00	HJ
Residential Owner without Homestead	\$50.00	HK
All Commercial properties	\$100.00	HL
<b>All Fees Will Be Double For All After The Fact Projects</b>	<u>\$400</u> x 2	HF

**TOTAL OF APPLICATION FEE: \$** 800

Project Address: 1023 Washington St

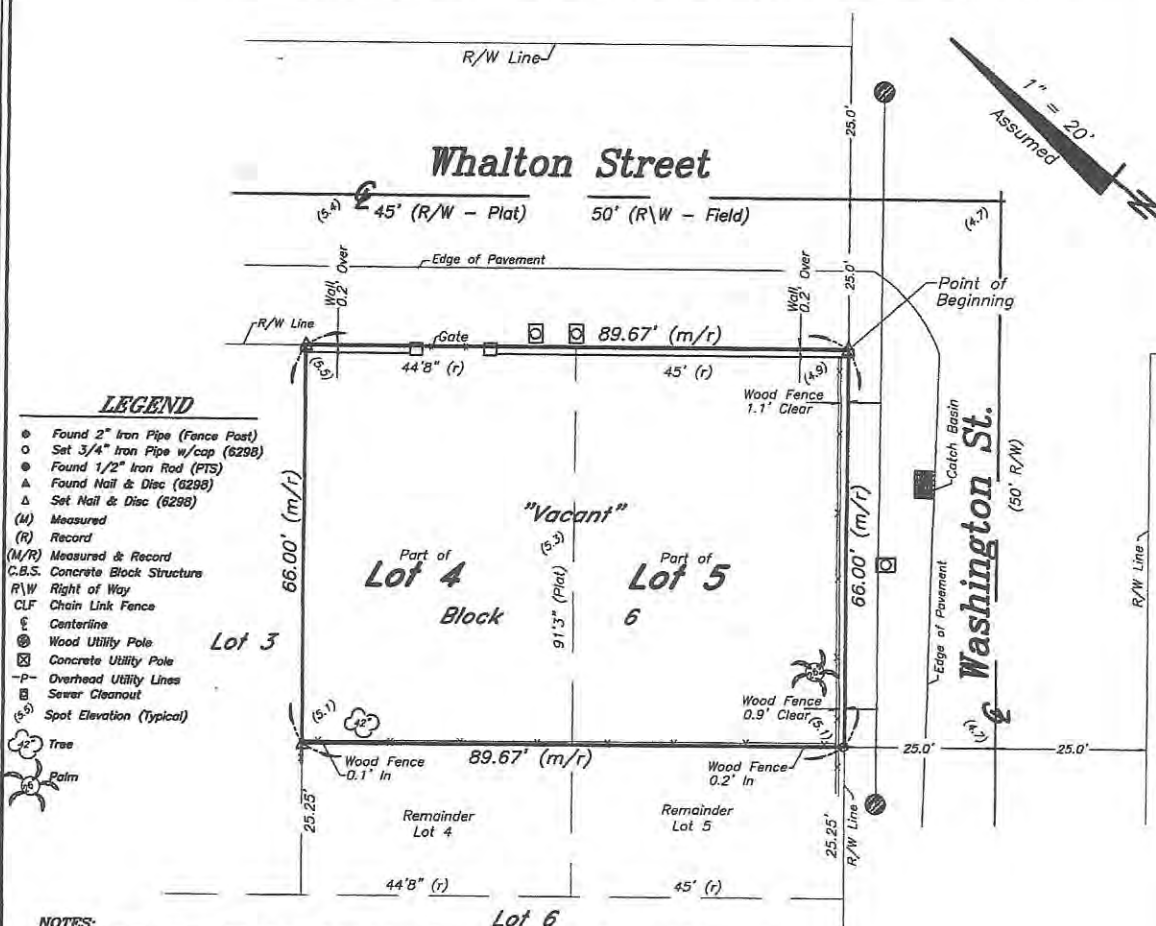
Comments: Need photos + site plan

Date of Pre-Application Meeting: 4/20/18

By Staff: Kelly [Signature]

# SURVEY

# Boundary Survey Map of part of Lots 4 & 5, Block 6, KEY WEST WEBB REALTY COMPANY'S SUBDIVISION



**BOUNDARY SURVEY OF:** A parcel of land on the Island of Key West and known on William A. Whitehead's map of said Island delineated in February A.D. 1829, as part of Tract Eighteen (18), and is now more particularly known and described as part of Lots Four (4) and Five (5) of Block Six (6) of said Tract Eighteen (18), made by the Webb Realty Company and recorded in Plat Book 1, Page 42, of the Public Records of Monroe County, Florida, said parcel being more particularly described by metes and bounds as follows: BEGIN at the intersection of the Northwestern right of way line of Washington Street with the Southwesterly right of way line of Whalton Street and run thence Northwesterly along the Southwesterly right of way line of Whalton Street for a distance of 89.67 feet to the Northerly corner of said Lot 4; thence Southwesterly and at right angles along the Northwesterly boundary line of the said Lot 4 for a distance of 66.00 feet; thence Southeasterly and at right angles for a distance of 89.67 feet to the Northwesterly right of way line of the said Washington Street; thence Northeasterly and at right angles along the said Washington Street for a distance of 66.00 feet, back to the Point of Beginning.

**BOUNDARY SURVEY FOR:** Randy D. Lindholm & Donna L. Lindholm;  
Sanchez & Ashby, P.A.;  
Chicago Title Insurance Company;

I HEREBY CERTIFY that this survey was made under my responsible charge and meets the Standard of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

J. LYNN O'FLYNN, INC.

J. Lynn O'Flynn, PSM  
Florida Reg. #6298

August 23, 2016  
Revised 9/1/16 Changed address  
Revised 9/20/18 add elevations and trees

THIS SURVEY  
IS NOT  
ASSIGNABLE

J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper  
PSM #8288

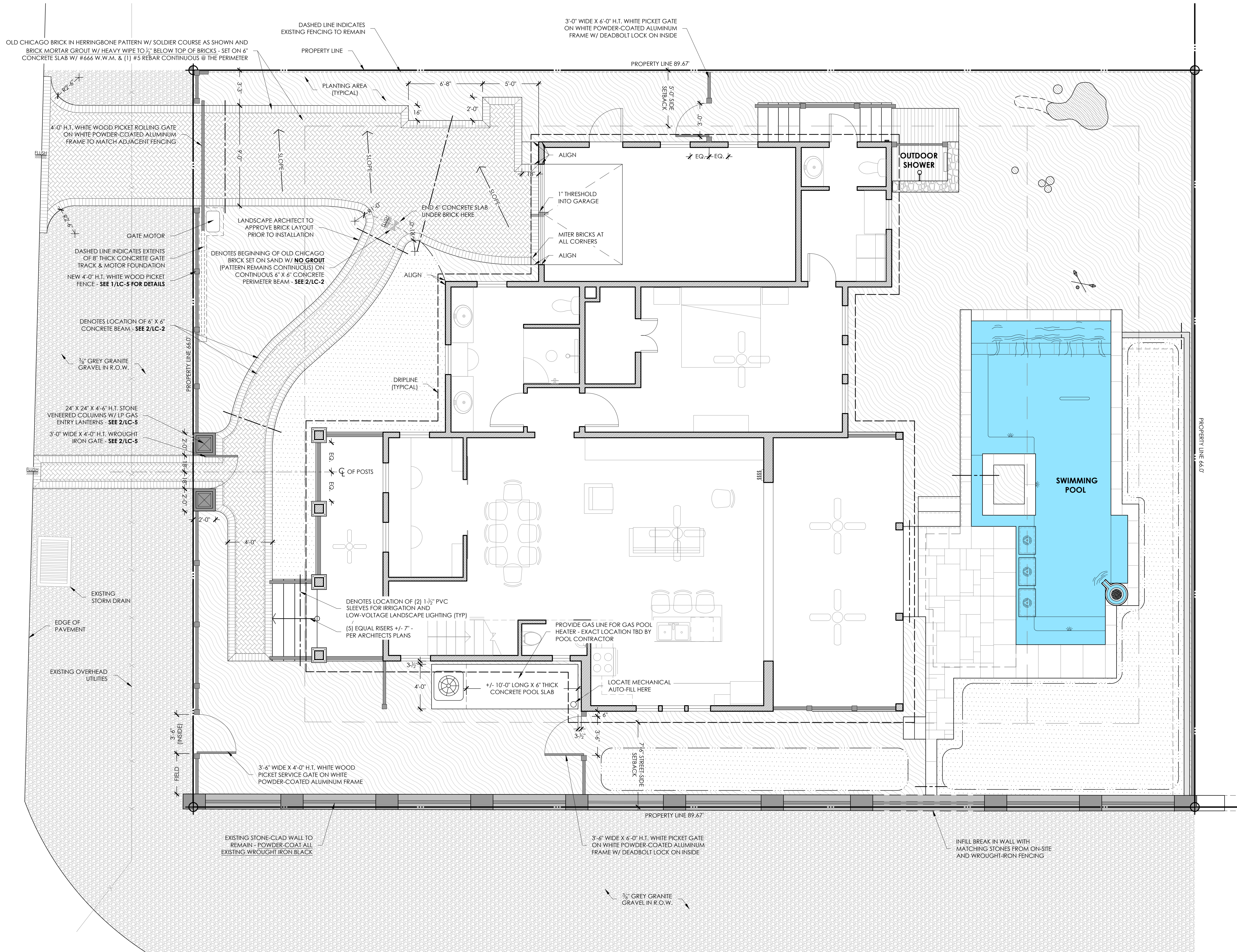
3430 Duck Ave., Key West, FL 33040  
(305) 296-7422 FAX (305) 296-2244



# PROPOSED DESIGN



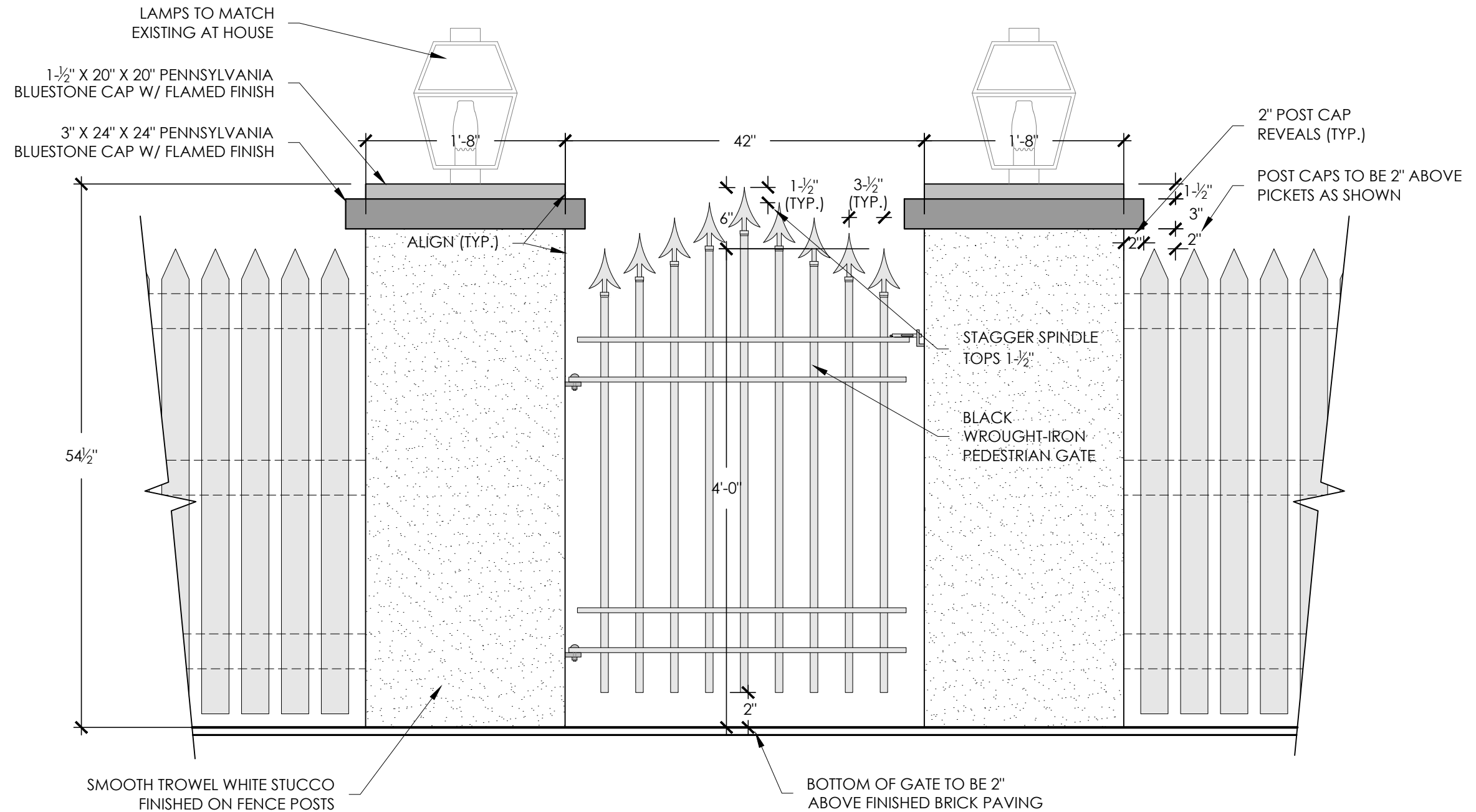
WASHINGTON STREET







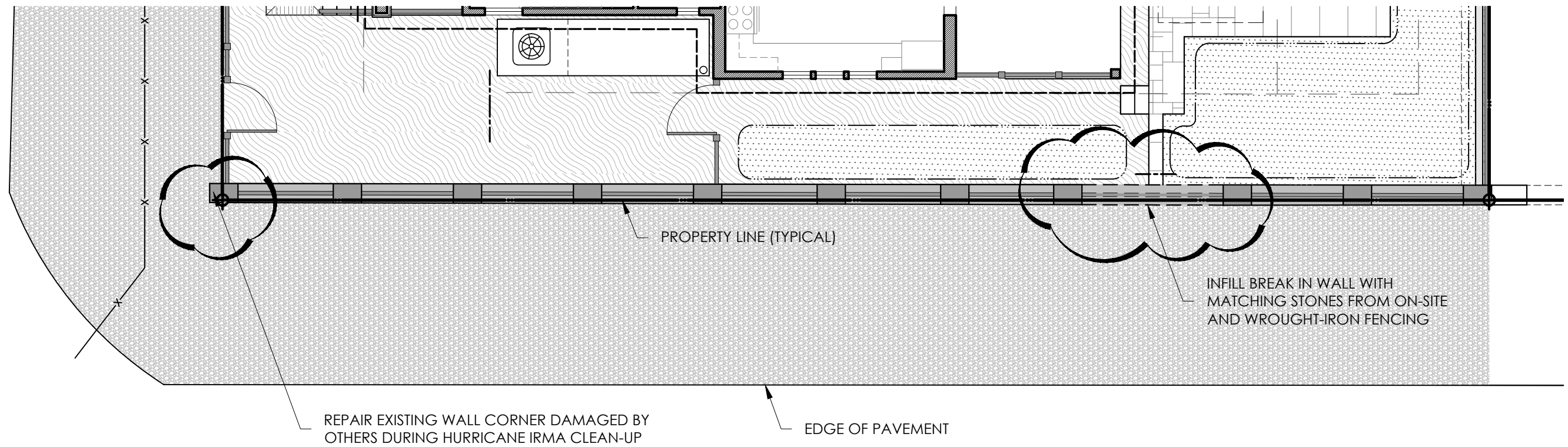












*Whalton Street*



# ARTIBUS DESIGN

ENGINEERING AND PLANNING

March 13<sup>th</sup>, 2018

Attn: Ron Wampler,  
Chief Building Official  
1300 White St,  
Key West, FL 33040

Subject: RE: Historic stone fence repairs.

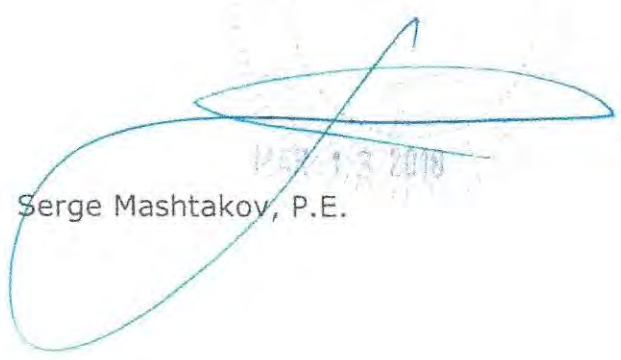
**Project Location:**

1023 Washington St,  
Key West, FL 33040

Dear Mr. Wampler,

As requested by your office,  
to the best of my professional opinion I can certify that the repairs of damaged  
limerock masonry performed by the contractor Mark D. Smith Bldg. Cont., Inc using  
salvaged stones and conventional Type M masonry mortar mix will not have any  
adverse effects to the remainder of the historic masonry wall.

Sincerely,



Serge Mashtakov, P.E.

I N C I D E N T  D A T A	Agency Name <b>Key West Police Department</b>		<b>INCIDENT/INVESTIGATION REPORT</b>				Case# <b>17-004674</b>					
	ORI <b>FL0440100</b>						Date / Time Reported <b>09/21/2017 11:30 Thu</b>					
	Location of Incident <b>1022 Washington St/whalton St, Key West FL 33040-</b>		Premise Type <b>Other Residence - Single</b>		Zone/Tract <b>B4, GPB4</b>		Last Known Secure <b>09/21/2017 11:30 Thu</b>					
							At Found <b>09/21/2017 11:30 Thu</b>					
D E T A I L S	#1	Crime Incident(s) (Com) <b>Incident Report ZOD</b>		Weapon / Tools <b>NOT APPLICABLE/NONE</b>				Activity				
				Entry		Exit		Security				
	#2	Crime Incident ( )		Weapon / Tools				Activity				
				Entry		Exit		Security				
	#3	Crime Incident ( )		Weapon / Tools				Activity				
				Entry		Exit		Security				
MO												
V I C T I M	# of Victims <b>0</b>		Type:		Injury:		Domestic: <b>N</b>					
	V1	Victim/Business Name (Last, First, Middle)			Victim of Crime #	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status	
	Home Address								Home Phone			
	Employer Name/Address						Business Phone		Mobile Phone			
	VYR	Make	Model	Style	Color	Lic/Lis	VIN					
O T H E R  I N V O L V E D	CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)											
	Type: <b>INDIVIDUAL</b>					Injury:						
	Code <b>RP</b>	Name (Last, First, Middle) <b>LINDHOLM, RANDY DALE</b>			Victim of Crime #	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status	
	Home Address <b>1112 Varela St Key West, FL 33040</b>								Home Phone			
	Employer Name/Address						Business Phone		Mobile Phone			
	Type: <b>INDIVIDUAL</b>					Injury:						
P R O P E R T Y	Code <b>IO</b>	Name (Last, First, Middle) <b>BUSCH, DONALD MICHAEL</b>			Victim of Crime #	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status	
	Home Address <b>Key West, FL 33045</b>								Home Phone			
	Employer Name/Address						Business Phone		Mobile Phone			
	L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found ("OJ" = Recovered for Other Jurisdiction)											
	VI #	Code	Status Frm/To	Value	OJ	QTY	Property Description			Make/Model		Serial Number
		77	D	\$1.00		1	OTHER STRUCTURE					
Officer/ID# <b>DEL CID, JANETH J (2730)</b>												
Invest ID# <b>(0)</b>						Supervisor <b>REAM-FISHER, KATHLEEN (1950)</b>						
Status	Complainant Signature				Case Status <i>Cleared As Other</i> <b>09/23/2017</b>			Case Disposition:			Page 1	



# Incident Report Additional Name List

Key West Police Department

OCA: 17-004674

## Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1 ) IO 2	TOPPINO AND SONS					
Address	Mm 8.5 Us1 , Key West, FL 33040-		H: 305-797-1002			
Empl/Addr			B: 305-296-5606			
			Mobile #:	-	-	

# INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 17-004674

Status Codes L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found						
D R U G S	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity

Assisting Officers

Suspect Hate / Bias Motivated:

## INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 17-004674

Key West Police Department

NARRATIVE

## REPORTING OFFICER NARRATIVE

Key West Police Department

Victim	Offense <i>INCIDENT REPORT</i>	OCA 17-004674 Date / Time Reported Thu 09/21/2017 11:30
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On Thursday, September 21, 2017, at about 1130 hours, I (Officer Janeth Del Cid), responded to 1023 Washington Street, to meet with Randy Dale Lindholm, in reference to a corner of his coral fence being damage. Lindholm stated he believes his fence was damaged by one of the Toppino trucks that has been driving around his neighborhood, cleaning the streets.

I noticed the Toppino employees and trucks were in fact cleaning the cluttered intersection of Whalton and Washington Street. I then met with Donald Michael Busch, who is one of the truck drivers. Busch stated he does not believe his truck damaged the fence and has pictures and another driver (Toppino employee) that can attest he did not damage the fence. Busch did not have the pictures or witness available at the time.

During the course of my investigation, I took pictures of the damage and a video (BWC) and downloaded the footage into the COBAN service. I issued both Lindholm and Busch a case number and told them an information report would be filed.

# Incident Report Related Property List

Key West Police Department

OCA: 17-004674

<b>1</b>	Property Description <b>OTHER STRUCTURE</b>				Make		Model		Caliber	
	Color		Serial No.		Value <b>\$1.00</b>		Qty <b>1.000</b>		Unit	
									Jurisdiction <b>Locally</b>	
	Status <b>Damaged/destroye</b>		Date <b>09/21/2017</b>		NIC #		State #		Local #	
									OAN	
Name (Last, First, Middle) <b>* No name *</b>					DOB		Age		Race	
									Sex	

## Notes

**Coral fence**



# NOTICING

# Public Meeting Notice

The Historic Architectural Review Commission will hold a public hearing at 5:30 p.m., May 23, 2018 at Key West City Hall, 1300 White Street, Key West, Florida. The purpose of the hearing will be to consider a request for:

## **AFTER-THE-FACT APPLICATION FOR FRONT FENCE, REPAIRS TO EXISTING MASONRY FENCE, AND NEW PAVED DRIVEWAY AND WALKWAY ON CITY'S RIGHT-OF-WAY FOR #1023 WASHINGTON STREET**

**Applicant – Mark D. Smith**

**Application #18-03-0019**

If you wish to see the application or have any questions, you may visit the Planning Department during regular office hours at 1300 White Street, call 305-809-3975 or visit our website at [www.cityofkeywest-fl.gov](http://www.cityofkeywest-fl.gov).

**THIS NOTICE CAN NOT BE REMOVED FROM THE SITE UNTIL HARC FINAL DETERMINATION**

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

# PROPERTY APPRAISER INFORMATION



qPublic.net™

Monroe County, FL

### Disclaimer

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

### Summary

**Parcel ID** 00039160-000400  
**Account #** 9103596  
**Property ID** 9103596  
**Millage Group** 10KW  
**Location Address** 1023 WASHINGTON St , KEY WEST  
**Legal Description** KW WEBB REALTY CO SUB PB1-42 PT LOTS 4 AND 5 SQR 6 TR 18 OR145-472/74 OR2290-1990/1992E OR2743-1523/25 OR2812-2373/75  
 (Note: Not to be used on legal documents)  
**Neighborhood** 6131  
**Property Class** VACANT RES (0000)  
**Subdivision** The Webb Realty Co  
**Sec/Twp/Rng** 05/68/25  
**Affordable Housing** No

### Owner

LINDHOLM RANDY D AND DONNA L  
 1112 VARELA ST  
 KEY WEST FL 33040

### Valuation

	2017	2016
+ Market Improvement Value	\$0	\$0
+ Market Misc Value	\$0	\$0
+ Market Land Value	\$564,133	\$990,152
= Just Market Value	\$564,133	\$990,152
= Total Assessed Value	\$564,133	\$990,152
- School Exempt Value	\$0	\$0
= School Taxable Value	\$564,133	\$990,152

### Land

Land Use	Number of Units	Unit Type	Frontage	Depth
PERMITTED SFR DRY (01DP)	5,918.00	Square Foot	89.67	66

### Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
8/26/2016	\$1,100,000	Warranty Deed		2812	2373	02 - Qualified	Vacant

### Permits

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
17-298	3/3/2017		\$500,000	Residential	NEW SFR RESIDENCE APPROX 2200SF
16-1275	5/9/2016		\$2,800	Residential	CONSTRUCT WOOD FENCE FOR SEPARATION OF LOTS . 6'HX110' SIDES AND REAR

## Map



No data available for the following modules: Buildings, Commercial Buildings, Mobile Home Buildings, Yard Items, Exemptions, Sketches (click to enlarge), Photos.

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the

Last Data Upload: 5/18/2018, 5:04:11 AM



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