

May 14, 2018

Mr. Bryan Green, Chair  
Historic Architectural Review Commission  
P.O. Box 1409  
Key West, FL 33041



**RE: HARC #H18-03-0018**  
**911 Watson/1010-1012 Olivia Street**

Dear Bryan,

This letter is written in support of the above referenced HARC application and is submitted as a part of our application. The intent is that it become a part of the legal record. If necessary, I will read it into the record and ask for that time as may be needed.

This application was first heard at the HARC meeting of April 24, 2018. The staff report was not received by us until Friday evening, April 20, 2018, due to a computer upload problem. On Monday, April 23, 2018, Jennifer Bauser and I had a telephone conference with Enid Torregrosa to discuss her staff report so that we could respond to her concerns, which was issued the morning of April 24, 2018. The written response was not uploaded by staff because it was not received 24 hours in advance of the meeting, therefore the response was distributed at the meeting.

On March 12, 2018, a pre-application meeting was held to discuss the application and design for 911 Watson and 1010/1012 Olivia. In attendance were Enid Torregrosa, Kelly Perkins, Jennifer Bauser, and Bert Bender. Patrick Wright attended to discuss zoning issues and then left the meeting. It was determined that the project was in compliance with all zoning regulations. The city considers contiguous lots to be one development parcel. Legally, all calculations required to meet bulk land development regulations are based on the total land area. Therefore, 6 units are allowed on this site. Watson will be declared the front yard and Olivia will be the street side.

Issues raised at the pre-application meeting for 911 Watson included the height of the addition as it relates to the historic context, and specifically to 1010 and 1012 Olivia. It was pointed out that the addition was lower than the non-historic building that was previously approved by HARC and also the historic building at 1010 and 1012 Olivia. The 911 Watson addition was being considered as it relates to the historic context under the new guidelines, page 27-F, specifically:

**Guideline 12: Additions shall not dominate neighboring properties.**

**Building Form and Massing-**When planning an addition, it is important to understand the building form and massing. Building form is the overall shape of the structure, including exterior walls and roofs as well as elements that protrude like dormers, porches, chimneys and previous additions. Massing refers to the bulkiness of all components that conforms the building form. Any new addition to a building shall complement its form and massing. A new addition can lower its mass by creating different volumes and roof heights that relates to the principal building on the site and its adjacent neighboring structures.

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**Guideline 13: New additions must have a similar building form found in the existing structure. New addition massing shall be similar or smaller than the massing found in the existing building and adjacent structures.**

**Guideline 14: New additions shall incorporate architectural forms found in the main building and surrounding structures. For additions to contributing or historic buildings, the use of building forms that are foreign to the existing building and adjacent historic structures are prohibited.**

At the pre-application meeting, the 911 Watson addition was evaluated as it relates to the adjacent historic structures at 1010/1012 Olivia, and the building at 911 Watson as it currently exists. The 911 Watson addition is smaller and lower in height than the existing surrounding historic buildings, and in particular, 1010/1012 Olivia.

The guideline includes a definition for building form and massing. Whenever a code or regulation includes a definition, we are legally required to use that definition. Additionally, the city planning department requires that contiguous lots under the same ownership be treated as a single development parcel. This creates a legal obligation for the HARC, as well as the applicant, to review this application on that basis, i.e., as a single parcel, which we have done.

**Guideline 12: Additions shall not dominate neighboring properties.**

We are in compliance. The tallest historic structure on this site is 1012 Olivia. Neighboring historic structures are taller than 1012 Olivia. Our addition is almost 2 feet lower than 1012 Olivia, and also 2 feet lower than the tallest element of 911 Watson.

HARC erred at the April 24, 2018 meeting when they determined that the addition at 911 Watson should be lower than a remaining historic component at 911 Watson. That component was rendered insignificant by the massive additions that were approved by a previous HARC board, and that component is now a minor element in the overall composition. Using the legal HARC definition provides guidance:

**Building Form and Massing-**When planning an addition, it is important to understand the building form and massing. Building form is the overall shape of the structure, including exterior walls and roofs as well as elements that protrude like dormers, porches, chimneys and previous additions. Massing refers to the bulkiness of all components that conforms the building form. Any new addition to a building shall complement its form and massing. A new addition can lower its mass by creating different volumes and roof heights that relates to the principal building on the site and its adjacent neighboring structures.

This legal definition requires that “when planning an addition” we must consider “the overall shape of the structure, including... previous additions.” The HARC erred by only considering a small remaining but altered component from the original historic structure, even though the definition makes no mention of this methodology; only that we must consider “previous additions” when we consider building form and massing.

**Guideline 13: New additions must have a similar building form found in the existing structure. New addition massing shall be similar or smaller than the massing found in the existing building and adjacent structures.**

We are in compliance with Guideline 13. We did make a good faith effort to reduce the height of the new addition to be lower than the small remaining portion of the original building at 911 Watson. That exercise brought clarity to the fact that guideline 12 and 13 are compatible and complimentary, and that the ill conceived suggestion of the HARC to create an addition lower than the minor remaining historic element was not in compliance with the guidelines. Our proposal uses "A similar building form found in the existing structures ...(and)... massing found in the existing building...". The 911 Watson proposal complies with Guideline 13.

**Guideline 14: New additions shall incorporate architectural forms found in the main building and surrounding structures. For additions to contributing or historic buildings, the use of building forms that are foreign to the existing building and adjacent historic structures are prohibited.**

The HARC erred in their determination that we were not in compliance with this guideline, when in fact we are in compliance. The above states, and the HARC referenced the words: "for additions to contributing or historic buildings, the use of building forms that are foreign to the existing building...are prohibited."

First, this is not an addition to a contributing or historic building. It is an addition to a previous non-historic, non-contributing addition, constructed 5 years ago, and is sited behind and to the north of the remaining historic component, as well as the non-historic addition. Second, the historic component has been altered to the point that it is no longer contributing to the district. If delisting it as contributing is required, then the HARC should take that action. Third, and most importantly, if the addition is required to be lower than the remaining historic component on the ill conceived notion that it is required in order to comply with guideline 14, then the project would not be in compliance with guidelines 12 and 13. However, based on a thorough reading of these three guidelines in concert with each other, it is clear that the 911 Watson proposal is in full compliance with the applicable guidelines.

Your approval is the appropriate action.

As to 1010/1012 Olivia:

The HARC requested that we investigate the possibility of using an interior stair for each apartment. We evaluated this option and were able to use the historic stair in 1012 Olivia without alteration to access the second floor apartment. At 1010 Olivia, we used the historic stair, but had to alter it. Therefore, we were able to provide the requested interior stair at 1010 Olivia. In both structures, we retained 2 two bedroom/one bath units for a total of 4 two bedroom/one bath units.

As stated earlier, we are legally required to treat this as one development parcel with all zoning regulations based on the total lot area. Therefore, we are entitled to six residential units. We currently have three market rate units: One each at 911 Watson, 1010 Olivia and 1012 Olivia. We are entitled to three more units, but are only proposing two additional units. There is currently no off-street parking at 1010 or 1012 Olivia. We are required to provide two spaces, one for each of our new residential units. We are providing three off-street parking spaces. Therefore, 1010 and 1012 Olivia, as well as 911 Watson, are in full compliance with all HARC and land development regulations.

Your approval for the 1010/1012 Olivia portion of this project is the appropriate action.

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The accessory structure at the rear of 911 Watson was not discussed at the April 24, 2018 meeting. However, it is in compliance with the guidelines, as are the site, pool, and garden walls associated with its design.

Your approval for the accessory structure and associated site features is the appropriate action.

I look forward to a favorable vote by the HARC.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bert L. Bender", with a long horizontal flourish extending to the right.

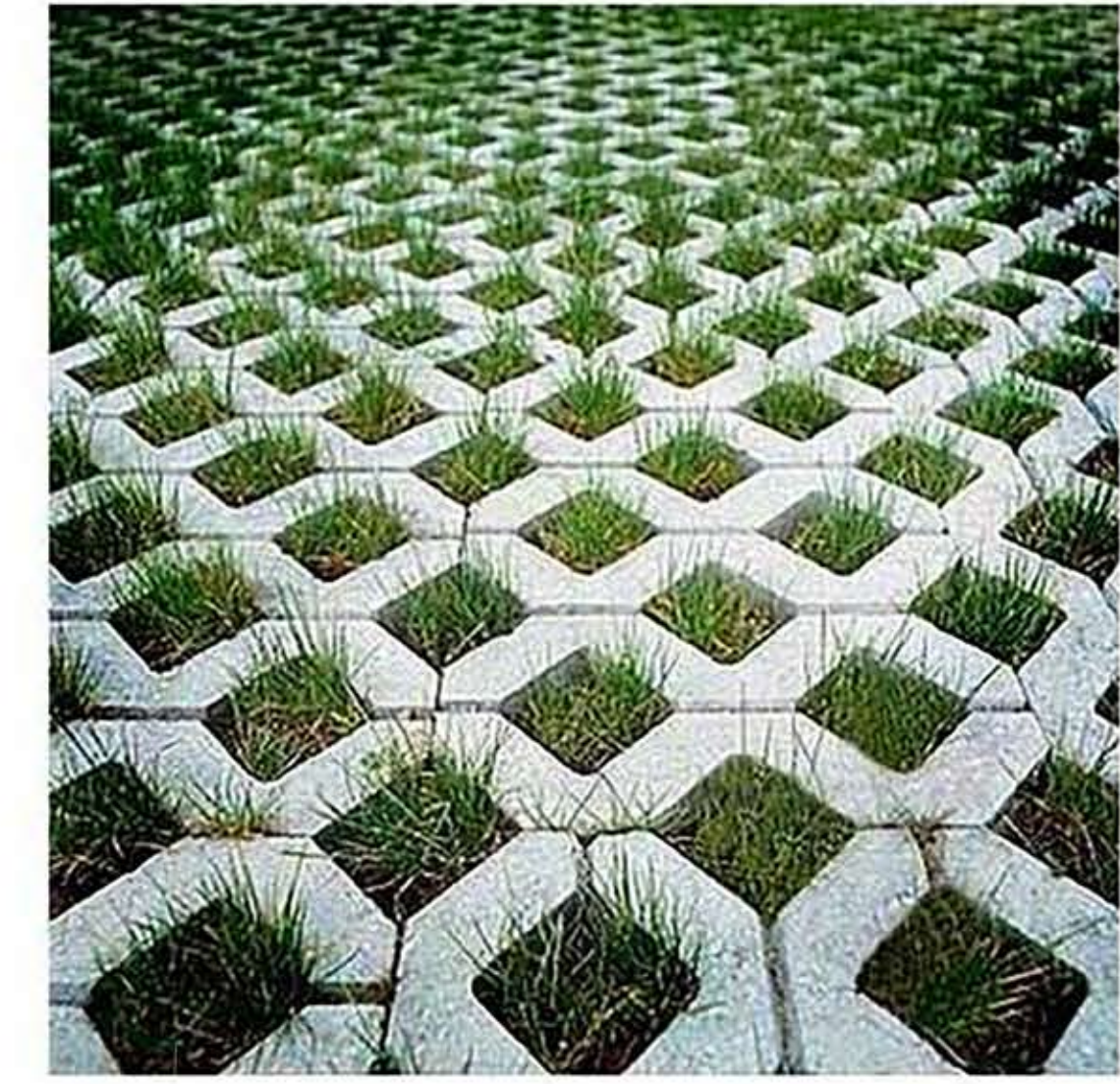
Bert L. Bender, Architect

BLB/arl

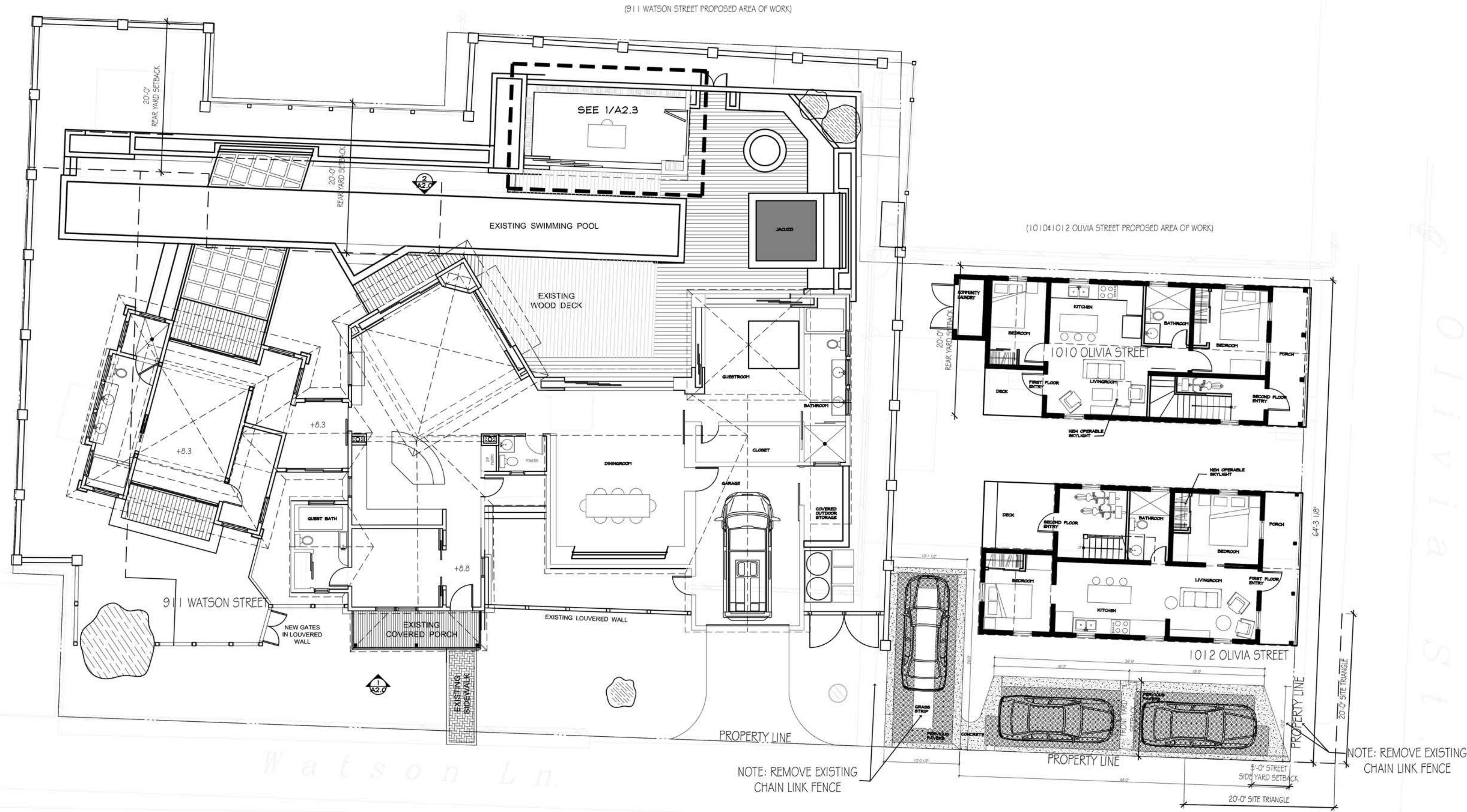
# PROJECT STATISTICS

911 WATSON LANE / 1010 & 1012 OLIVIA STREET, KEY WEST, FLORIDA 33040

FEMA FLOOD ZONE	ZONE X		
ZONING DESIGNATION	RPDR		
LOT SIZE	14116 S.F.		
OCCUPANCY	MULTI FAMILY		
	REQUIRED	EXISTING	PROPOSED
BUILDING COVERAGE 14116 S.F. X 40%	5646 S.F. MAX.	3331 S.F. (23.59%)	4876 S.F. (34.54%)
BUILDING HEIGHT	30'-0" MAX.	22' (MAIN) 21'-10" (1012) 20'-4" (1010)	22' (MAIN) (NO CHANGE) 21'-10" (1012) (NO CHANGE) 20'-4" (1010) (NO CHANGE)
IMPERVIOUS SURFACE 14116 S.F. X 60%	5470 S.F. MAX.	4647 S.F. (32.92%)	5255 S.F. (37.22%)
FRONT SETBACK (STREET)	10'-0" MIN.	10'-0" (MAIN HOUSE PORCH) 15'-6" (1012)	14'-3" (GARAGE) 15'-6" (1012) (NO CHANGE)
STREET SIDE SETBACK	5'-0" MIN.	0'-0" (1010) 0'-3" (1012)	0'-0" (1010) (NO CHANGE) 0'-3" (1012) (NO CHANGE)
SIDE SETBACK	5'-0" MIN.	7' (MAIN HOUSE)	7' (MAIN HOUSE, NO CHANGE)
REAR SETBACK 20'-0" MIN (5'-0" MIN FOR ACCESSORY STRUCTURES)	5'-1" (1'2" CMU WALL/PLANTER) 1'-2" (1010)	5'-1" (1'2" CMU WALL/PLANTER, NO CHANGE) 1'-2" (1010)	1'-2" (1010) (NO CHANGE) 5'-8" (OFFICE/STUDIO)
OPEN SPACE (35%)	4941 S.F. MIN.	8517 S.F. (60.33%)	6108 S.F. (43.27%)
TOTAL SITE AREA	14116 / 43560 = .324 ACRES	ALLOWABLE UNITS (22 PER ACRE)	22 X .324 = 7.12 UNITS



PERVIOUS ECO PAVER EXAMPLES



1010 & 1012 OLIVIA STREET /  
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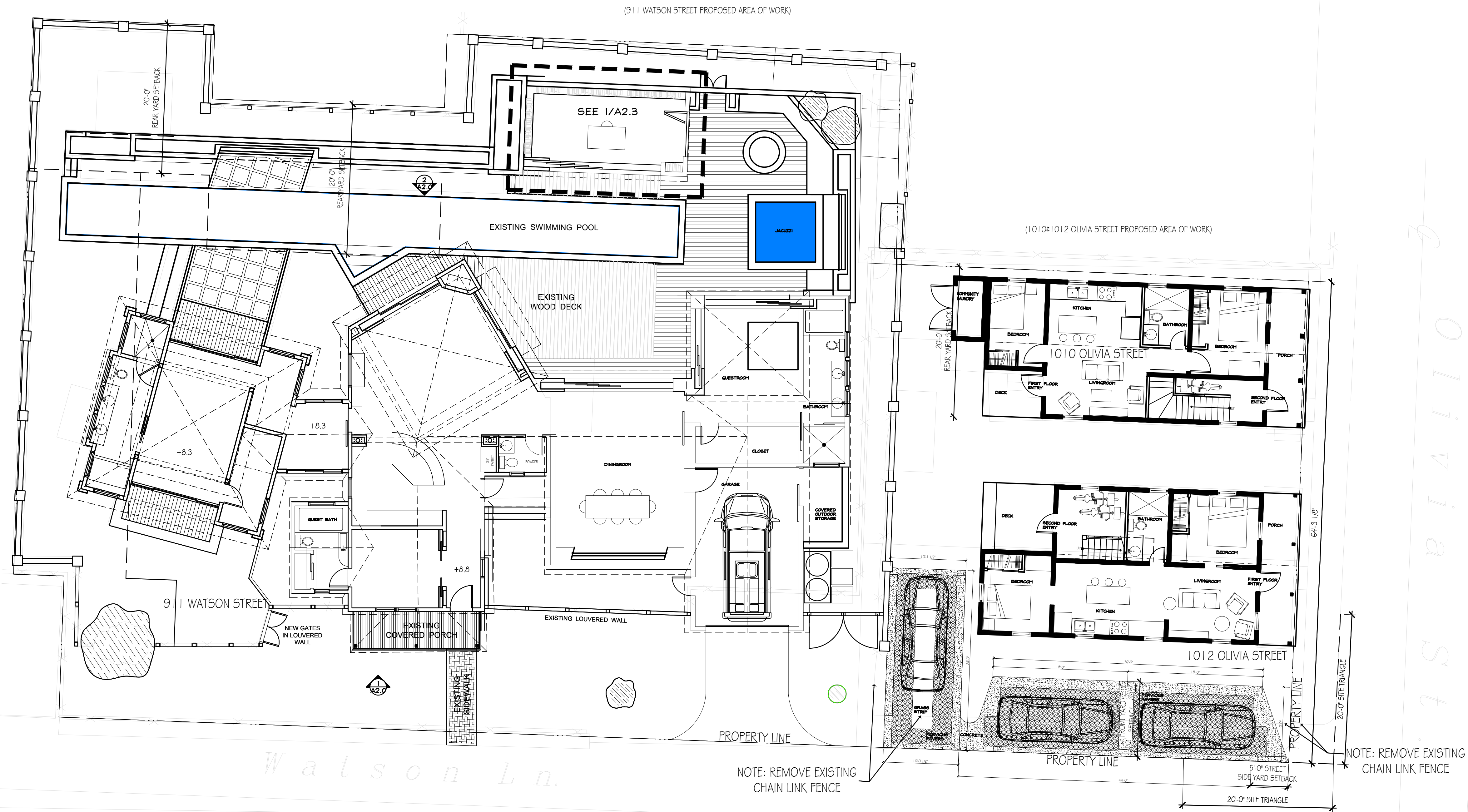
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Project N<sup>o</sup> 1647

Date: 05/14/2018

A1.0





2 PROPOSED SITE PLAN / FLOOR PLAN (1010 & 1012 OLIVIA STREET & 911 WATSON STREET)  
 A1.1 SCALE: 1/8"=1'-0"



1 SITE ELEVATION (1010 & 1012 OLIVIA STREET & 911 WATSON STREET)  
 A1.1 SCALE: 1/8"=1'-0"

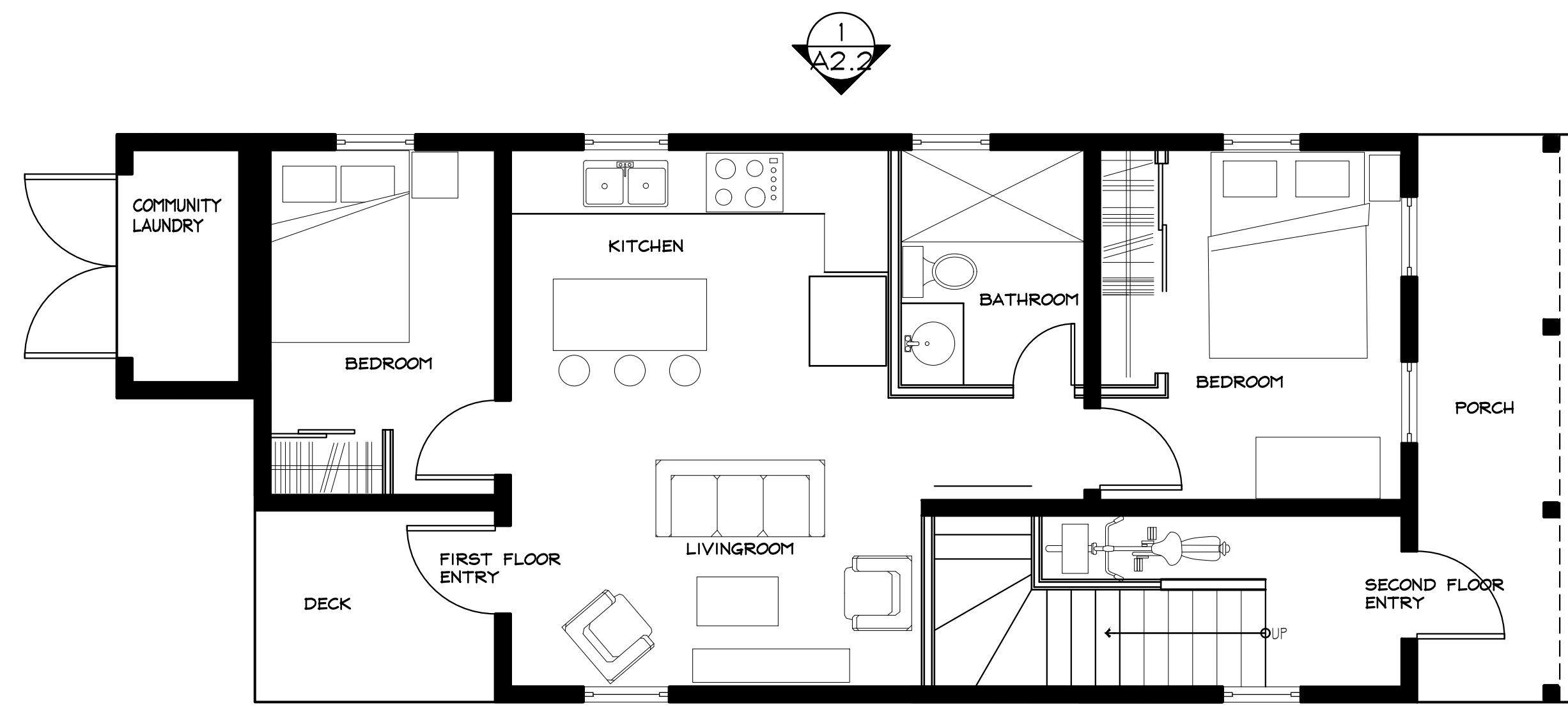
1010 & 1012 OLIVIA STREET /  
 911 WATSON STREET  
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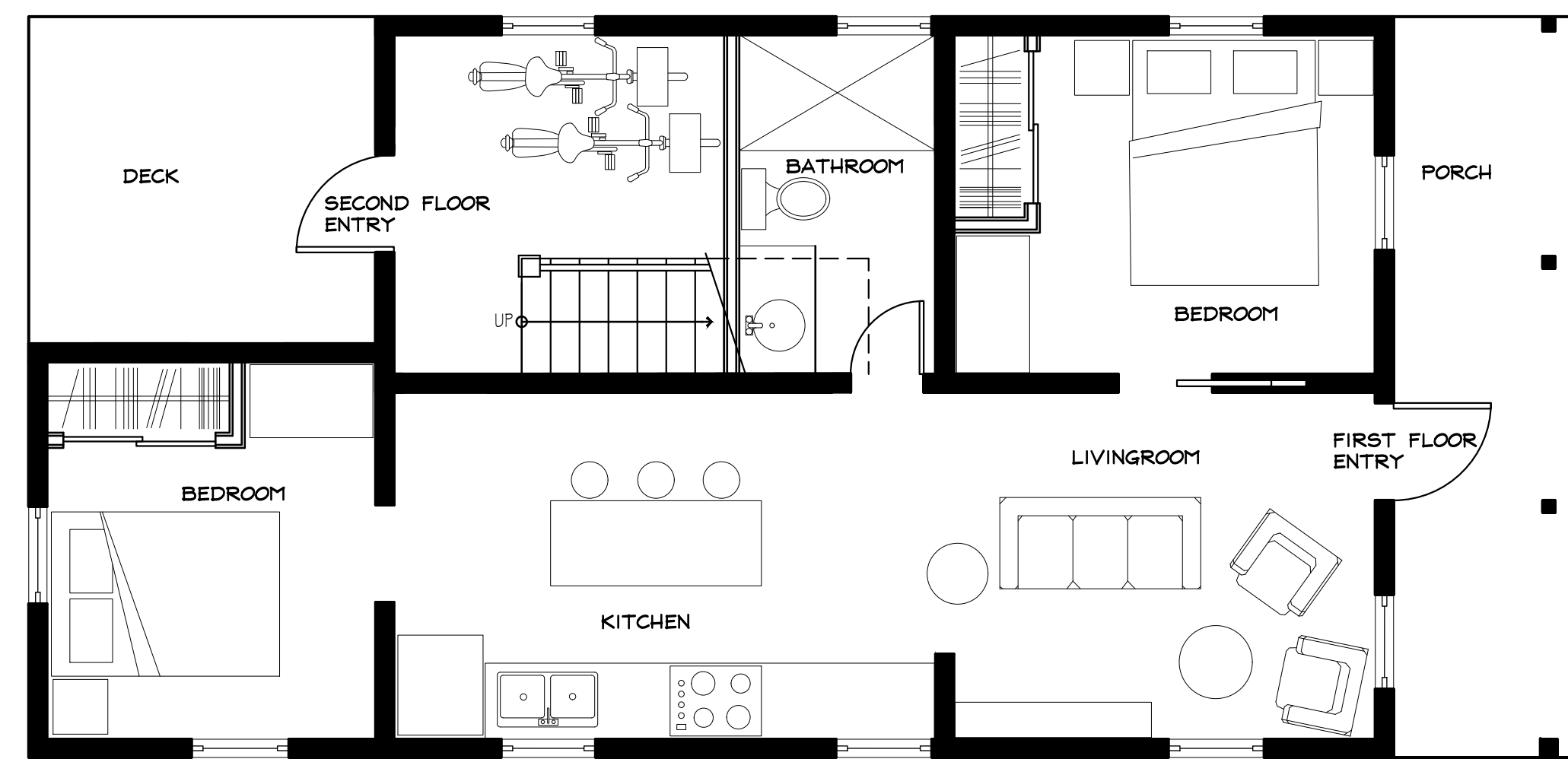
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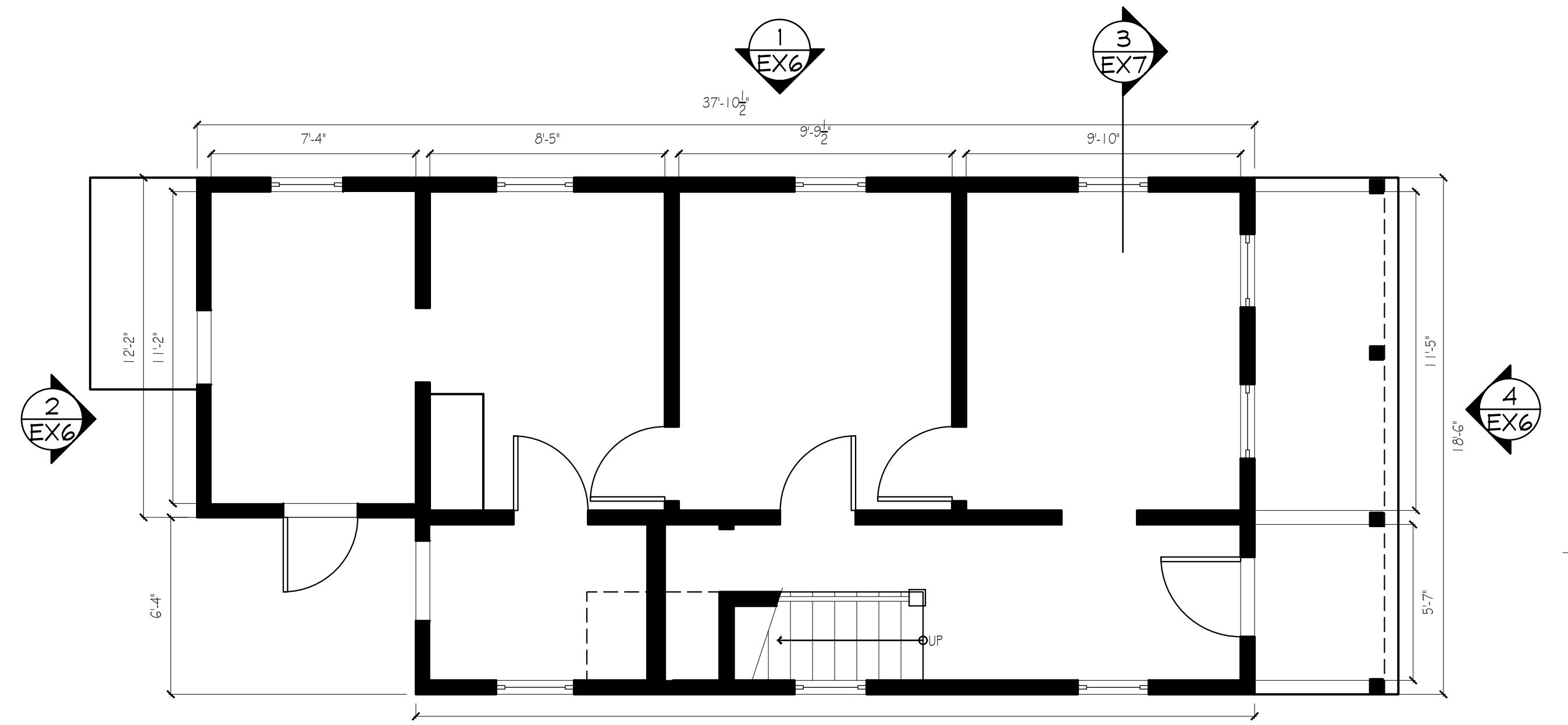
1  
A2.1

2  
A2.1



2  
A2.2

2 PROPOSED FIRST FLOOR PLAN 1010 & 1012 OLIVIA STREET  
A1.2 SCALE: 1/4"=1'-0"



2  
EX6

3  
EX6

1  
EX6

3  
EX7

4  
EX6

2  
EX5

3  
EX5

2  
EX7

1 EXISTING FIRST FLOOR PLAN 1010 & 1012 OLIVIA STREET  
A1.2 SCALE: 1/4"=1'-0"



1010 & 1012 OLIVIA STREET /  
911 WATSON STREET  
KEY WEST, FLORIDA, 33040

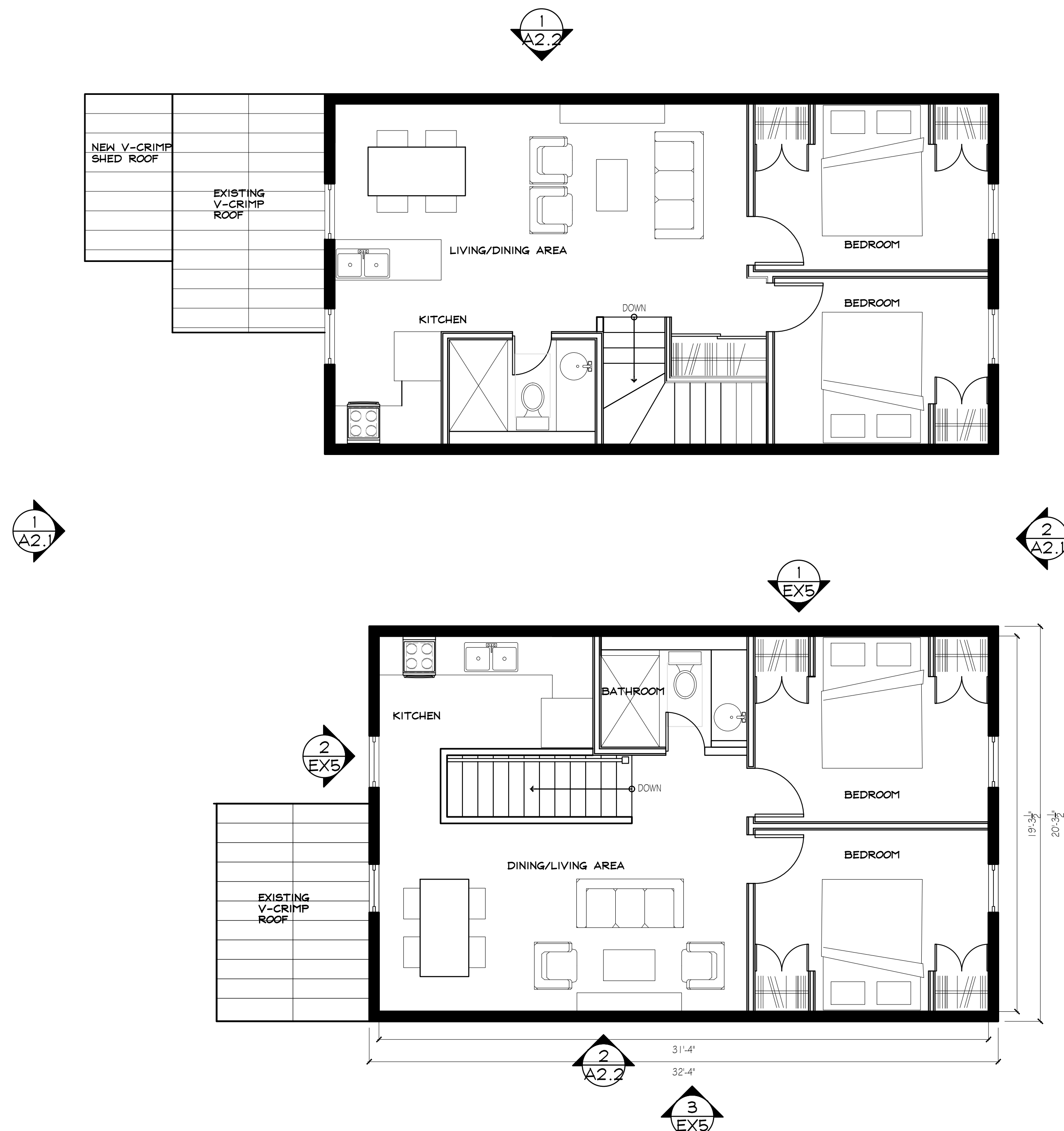
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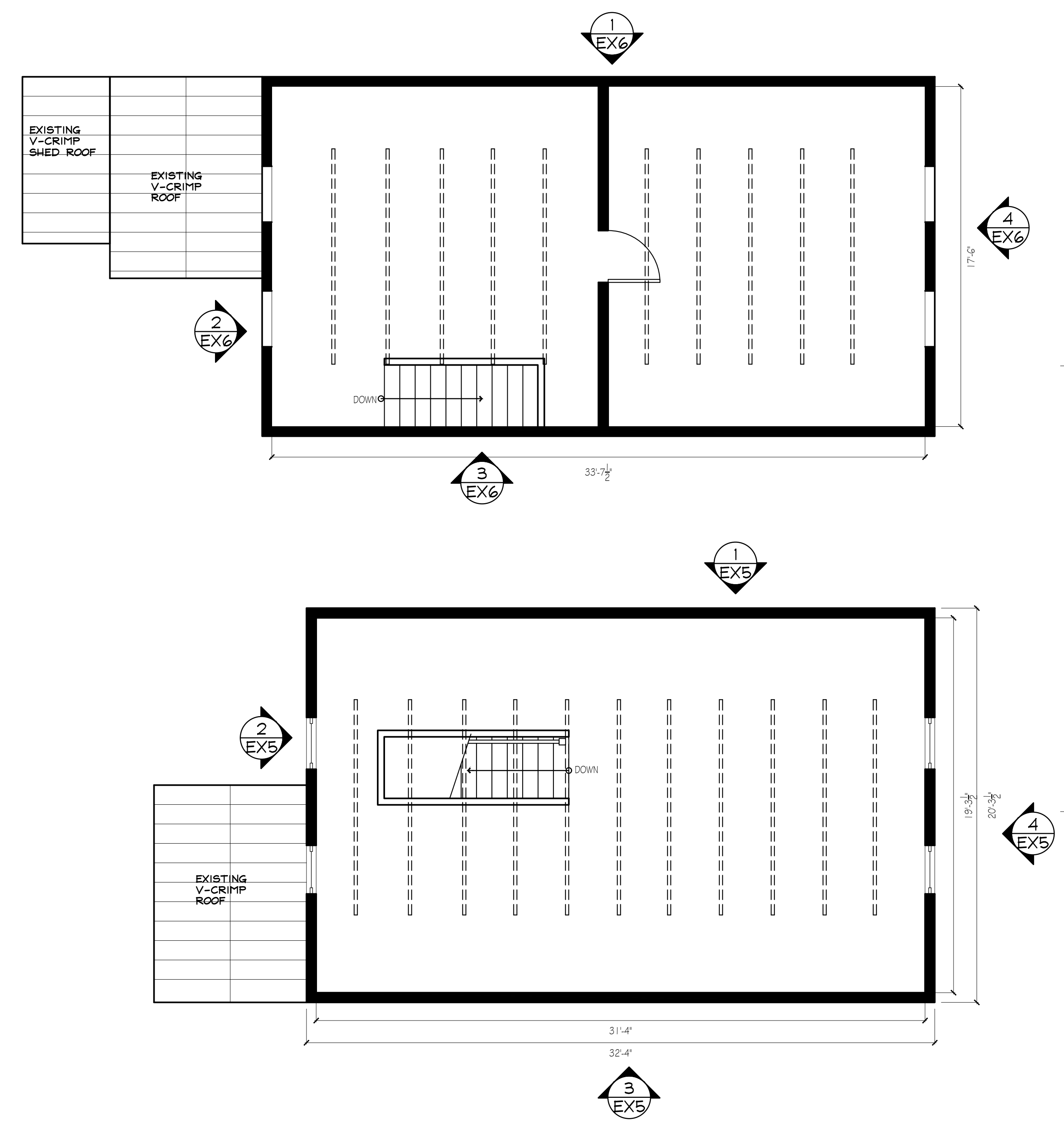
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Date: 05/14/2018

A1.2



2 PROPOSED SECOND FLOOR PLAN 1010 & 1012 OLIVIA STREET  
 A1.3 SCALE: 1/4" = 1'-0"



1 EXISTING SECOND FLOOR PLAN 1010 & 1012 OLIVIA STREET  
 A1.3 SCALE: 1/4" = 1'-0"

1010 & 1012 OLIVIA STREET /  
 911 WATSON STREET  
 KEY WEST, FLORIDA, 33040

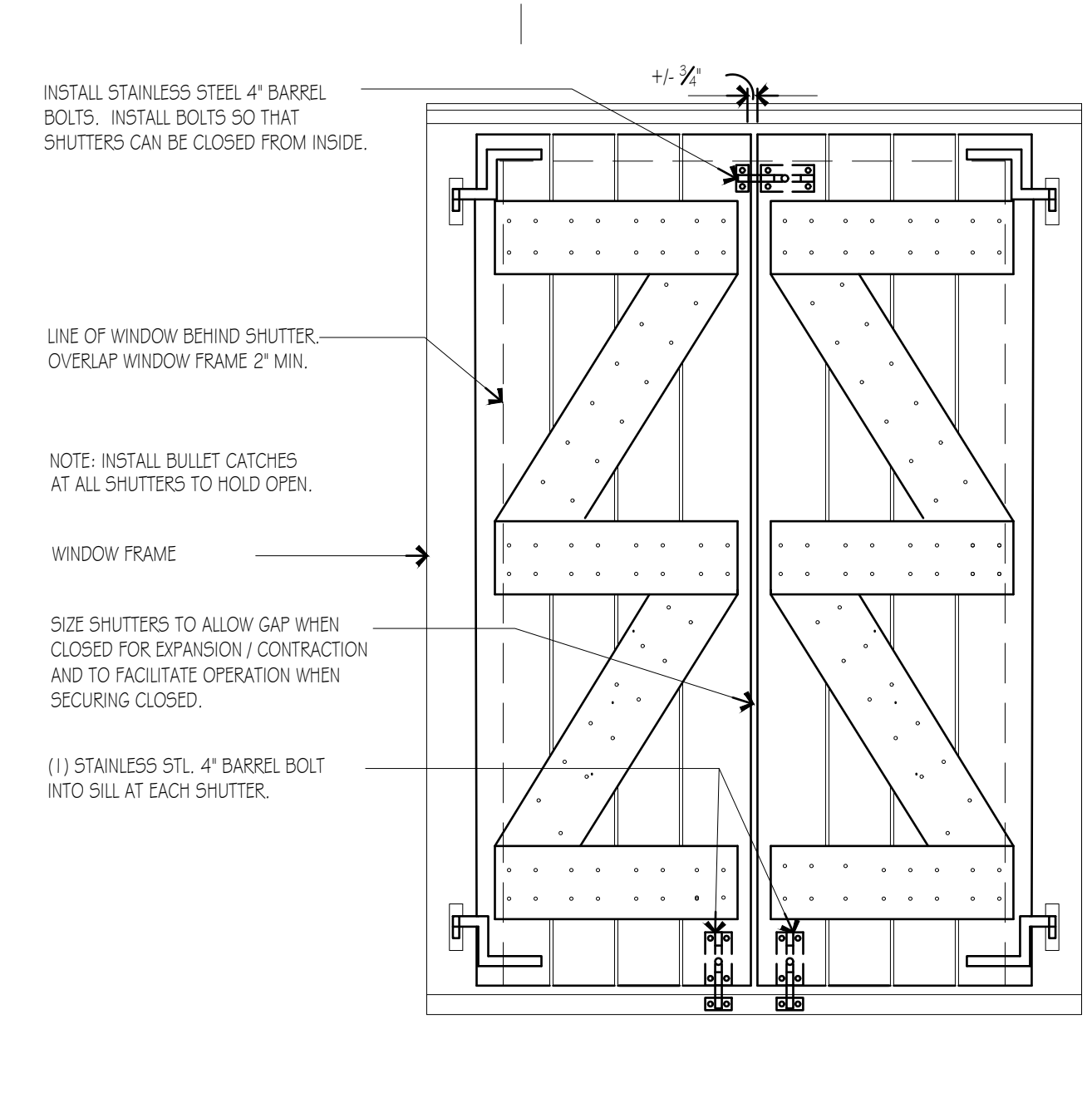
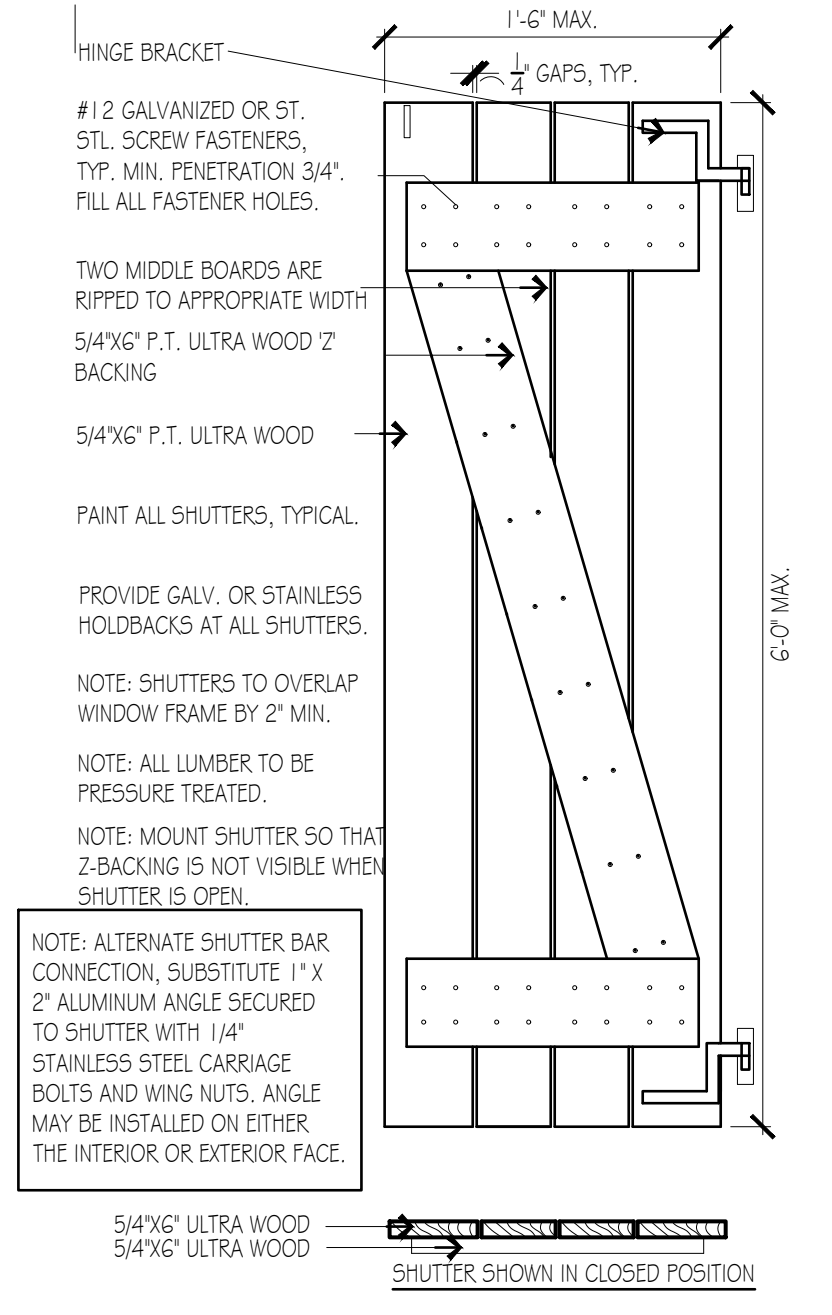
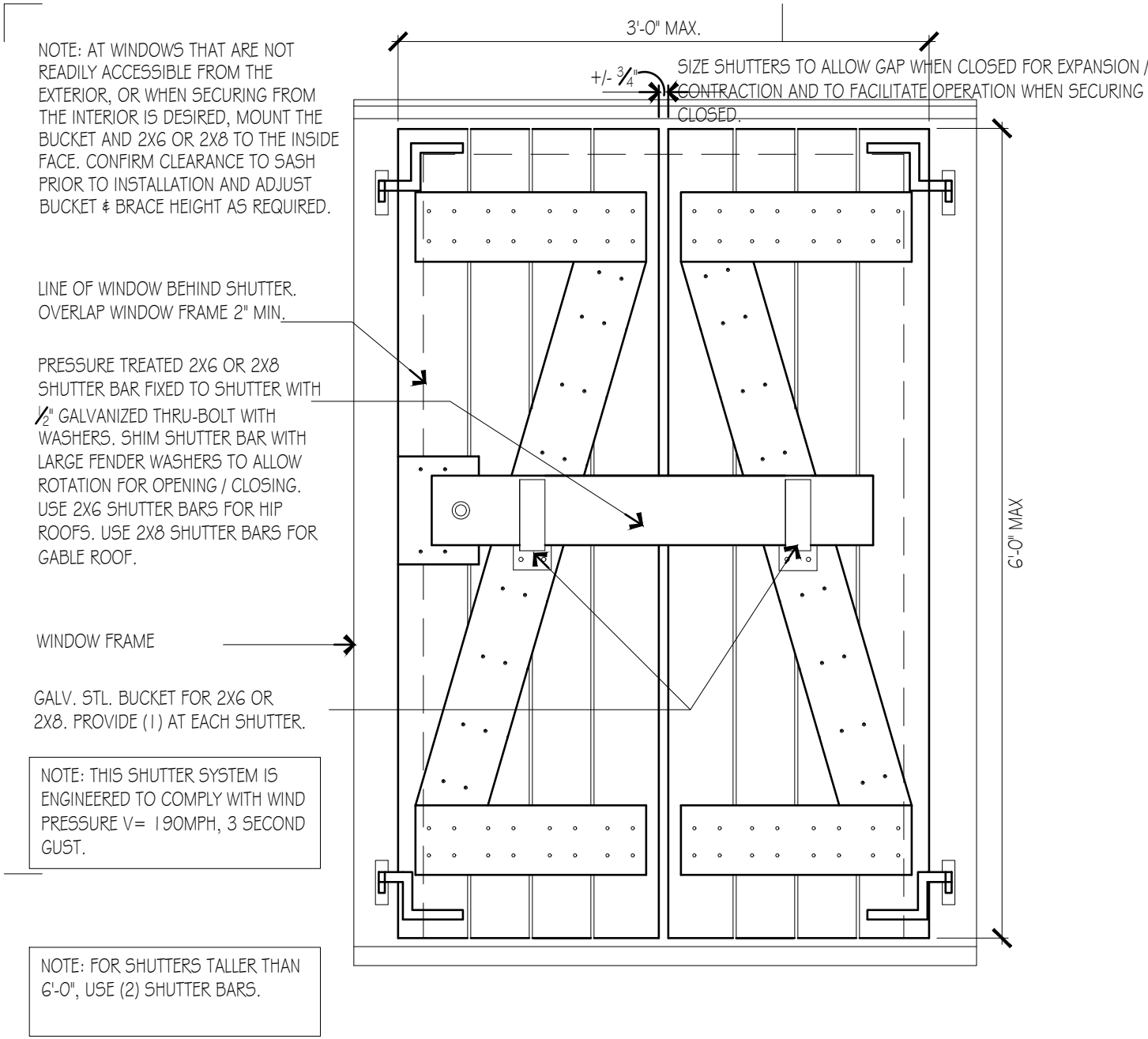
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A1.3





**SHUTTER OPTION NOTE:**

OPERABLE LOUVERED SHUTTERS WITH ALUMINUM STORM PANELS AND TRACKS ARE SHOWN ON THE ELEVATION. HOWEVER, THE ARCHITECT IS EVALUATING THE USE OF SOLID BOARD STORM SHUTTERS.

A FINAL DETERMINATION HAS YET TO BE MADE AS OF THIS HARC SUBMITTAL.

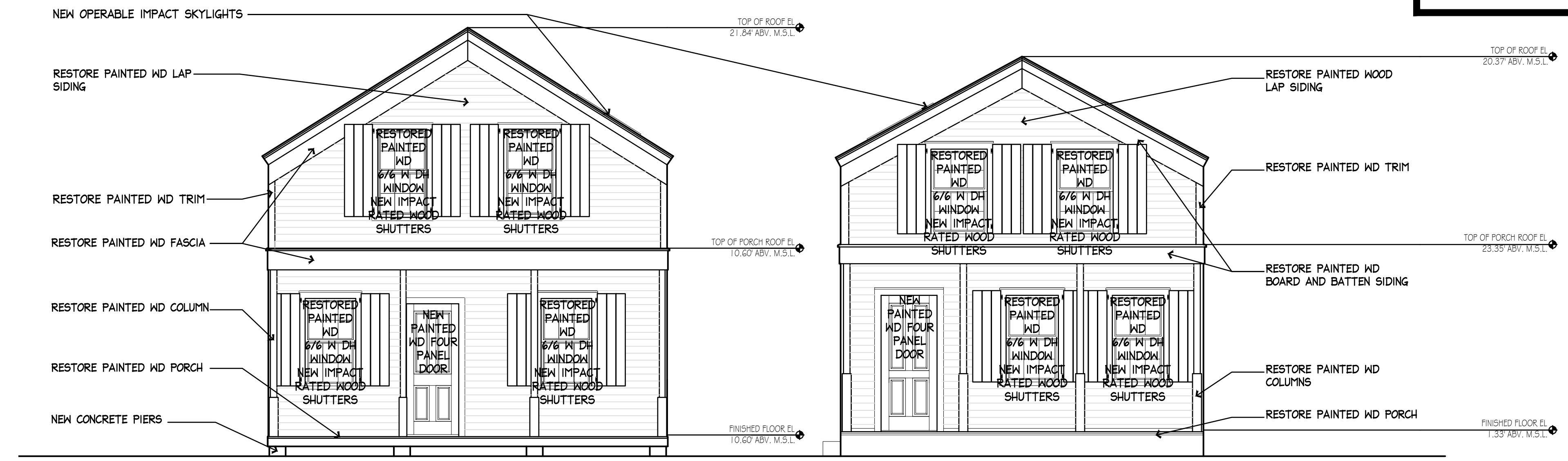
**GENERAL ELEVATION NOTES**

1. ALL ROOFING TO BE GALVALUME V-CRIMP
2. ALL EXTERIOR WD SIDING, SHUTTERS, FASCIA, PORCH COLUMNS, WINDOW TRIM, DOOR TRIM AND CORNER TRIM IS TO BE PAINTED WHITE.
3. ALL WINDOWS ARE TO BE JELDOWN CUSTOM WOOD WINDOWS (IMPACT 4 DESIGN PRESSURE RATED WINDOWS).
4. ALL WINDOWS AND DOORS ARE TO BE PAINTED WHITE.
5. ALL EXTERIOR DOORS ARE TO BE SOLID WOOD, OR WOOD CLAD, PAINTED WHITE.
6. DECK RAILING TO BE PAINTED WHITE.

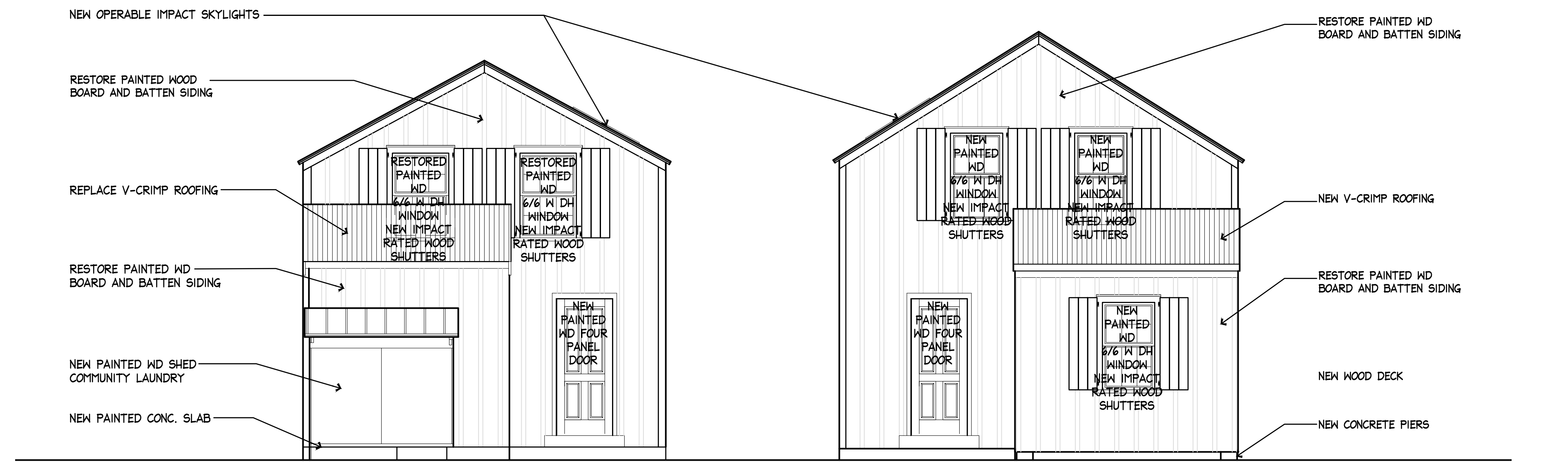
**3** IMPACT RATED WOOD SHUTTER DETAIL  
SCALE: 1"=1'-0"

**4** IMPACT RATED WOOD SHUTTER DETAIL  
SCALE: 1"=1'-0"

**5** IMPACT RATED WOOD SHUTTER DETAIL  
SCALE: 1"=1'-0"



**2** 1010 & 1012 OLIVIA STREET PROPOSED NORTH ELEVATION  
SCALE: 1/4"=1'-0"



**1** 1010 & 1012 OLIVIA STREET PROPOSED SOUTH ELEVATION  
SCALE: 1/4"=1'-0"

1010 & 1012 OLIVIA STREET  
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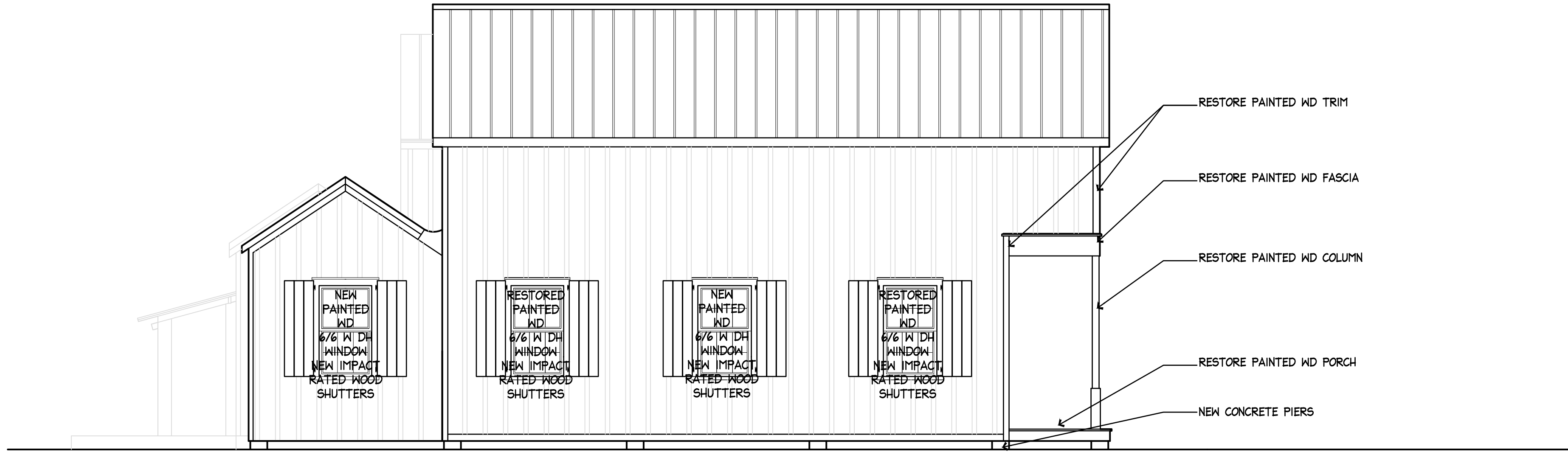
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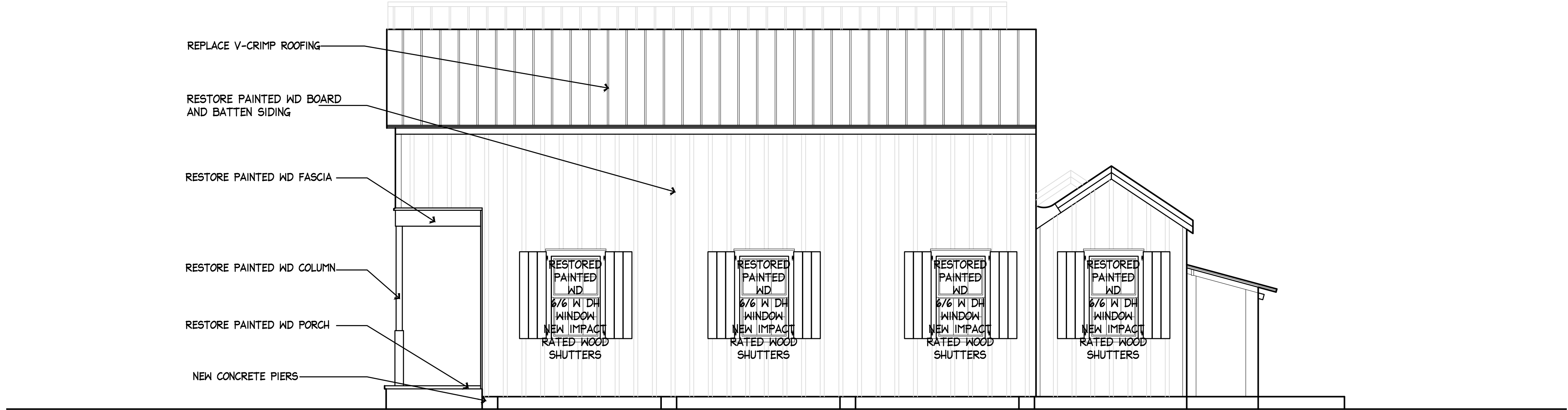
A2.1

SHUTTER OPTION NOTE:  
 OPERABLE LOUVERED SHUTTERS WITH ALUMINUM STORM PANELS AND TRACKS ARE SHOWN ON THE ELEVATION. HOWEVER, THE ARCHITECT IS EVALUATING THE USE OF SOLID BOARD STORM SHUTTERS.  
 A FINAL DETERMINATION HAS YET TO BE MADE AS OF THIS HARC SUBMITTAL.

GENERAL ELEVATION NOTES  
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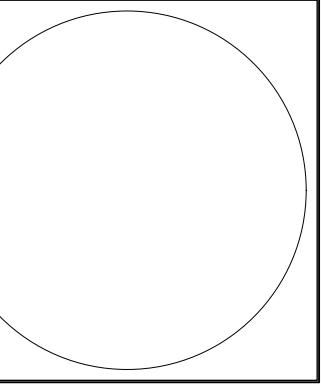


2 1010 & 1012 OLIVIA STREET PROPOSED EAST ELEVATION  
 A2-2 SCALE: 1/4"=1'-0"



1 1010 & 1012 OLIVIA STREET PROPOSED WEST ELEVATION  
 A2-2 SCALE: 1/4"=1'-0"

1010 & 1012 OLIVIA STREET  
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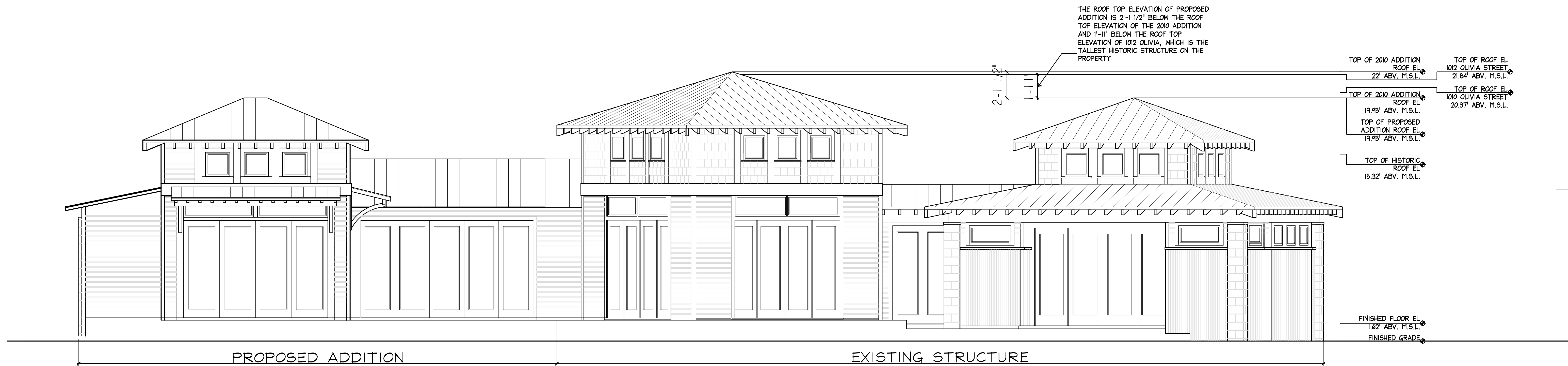
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A2.2



2 911 WATSON STREET EAST ELEVATION  
 A1.1 SCALE: 1/4"=1'-0"



1 911 WATSON STREET WEST ELEVATION  
 A1.1 SCALE: 1/4"=1'-0"

911 WATSON STREET  
 ADDITION  
 KEY WEST, FLORIDA, 33040

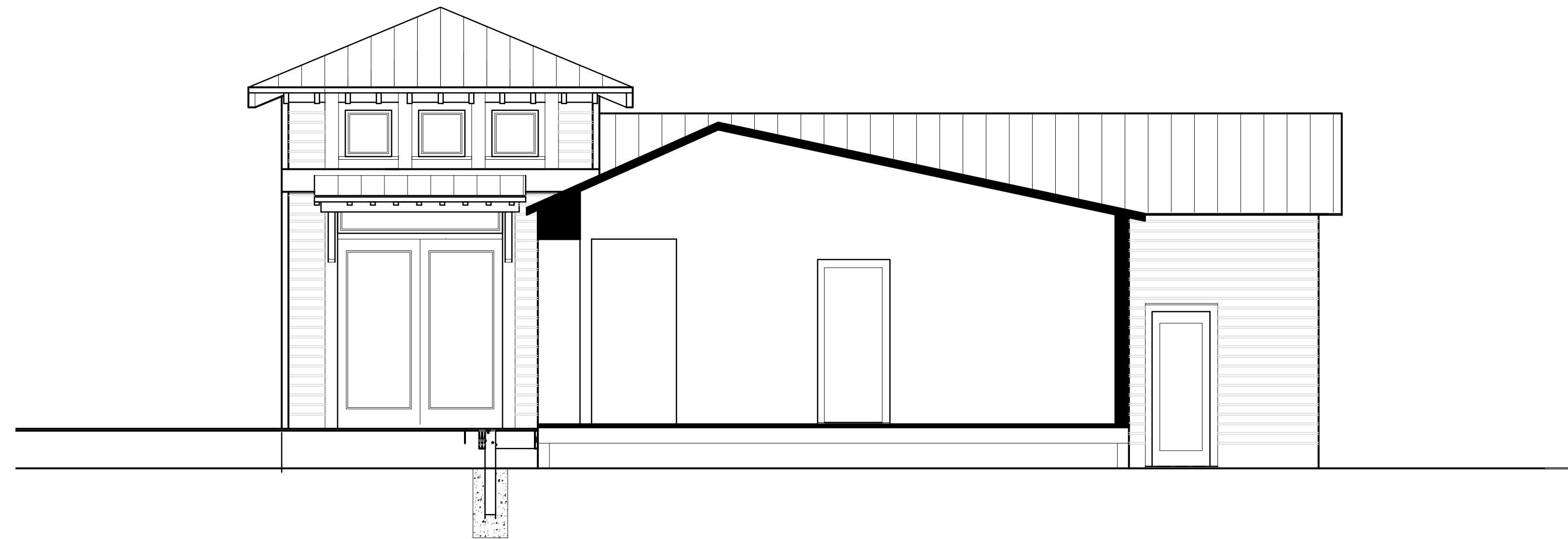
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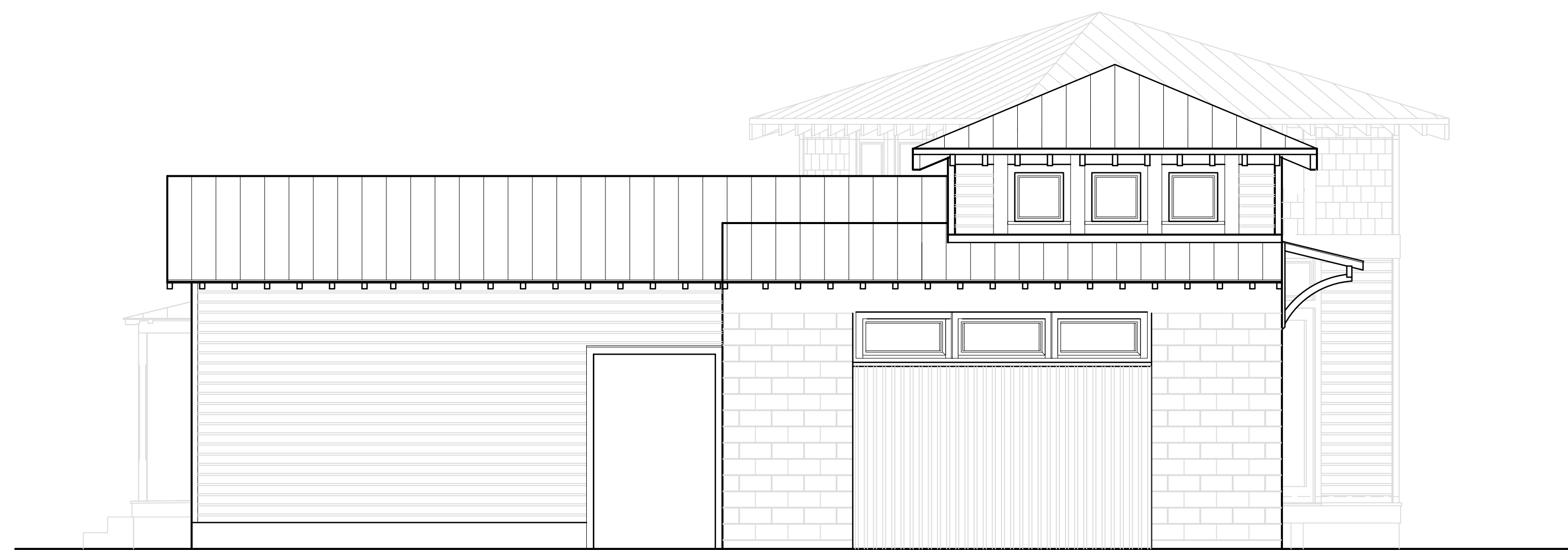
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A2.1



2 911 WATSON STREET SOUTH ELEVATION WITH SECTION  
 A1.2 SCALE: 1/4"=1'-0"



1 911 WATSON STREET NORTH ELEVATION  
 A1.2 SCALE: 1/4"=1'-0"

911 WATSON STREET  
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A2.2



VIEW FROM LIGHTHOUSE about 1900 shows homes and businesses with wood-shingled roofs.

Frequent fires and high insurance rates prompted replacement of wooden shingles with tin as the city's