



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### Historic Architectural Review Commission

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Tuesday, October 23, 2018

5:30 PM

City Hall

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**ADA Assistance:** It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

**ALL VISUAL PRESENTATIONS FOR AGENDA ITEMS MUST BE RECEIVED (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.**

**Call Meeting To Order 5:30 PM**

#### Roll Call

**Absent** 1 - Bender

**Present** 6 - Mr. Cognevich, Mr. Moody, Ms. Powell, Mr. Shepler, Vice Chair McChesney, and Chairman Green

#### Pledge of Allegiance to the Flag

#### Approval of Agenda

*The Agenda was approved as amended unanimously.*

**A motion was made by Commissioner Letisia Powell, seconded by Commissioner Joel Cognevich, that the be Approved on the Consent Agenda. The motion passed by an unanimous vote.**

#### Approval of Minutes

1

September 27, 2018

**Attachments:** Minutes

**A motion was made by Commissioner Joe Moody, seconded by Vice Chair Richard McChesney, that the Minutes be Approved. The motion passed by an unanimous vote.**

#### HARC Planner's Report

## Assistant City Attorney's Report

### Old Business

- 2 Demolition of one outer wall on rearmost one-story, demolition of one upstairs wall and partial demolition of roof on second floor rear structure. Demolition of one-story rear portion of the house and partial demolition of rear wall of main house - **#522 Simonton Street - Glenn Anderson (H18-03-0020) Second Reading**

**Attachments:**     [522 Simonton Street -Second Reading](#)  
                          [522 Simonton Street - August Revisions to Demolition](#)  
                          [522 Simonton Street - June Revisions to Demolition](#)  
                          [522 Simonton Redesign Applicants Presentation](#)  
                          [522 Simonton Street - May Previous Demolition](#)  
                          [Applicant's previous review](#)

**A motion was made by Commissioner Powell, seconded by Commissioner Moody, that the Action Item be Approved. The motion carried by the following vote:**

**Recuse:** 1 - Vice Chair McChesney

**Absent:** 1 - Commissioner Bender

**Yes:** 5 - Commissioner Cognevich, Commissioner Moody, Commissioner Powell, Commissioner Shepler, and Chairman Green

- 3 Demolition of existing additions, decks, sheds and roof deck - **#819 White Street - Albert Hall IV (H2018-0005)**

**Attachments:**     [819 White Street - Second Reading](#)  
                          [819 White Street - Demolition](#)  
                          [Public Comment](#)

**A motion was made by Commissioner Powell, seconded by Commissioner Moody, that the Action Item be Approved. The motion carried by the following vote:**

**Absent:** 1 - Commissioner Bender

**Yes:** 6 - Commissioner Cognevich, Commissioner Moody, Commissioner Powell, Commissioner Shepler, Vice Chair McChesney, and Chairman Green

- 4 Minor Development Plan - New two-story commercial building and new two-story residential duplex - **#1028-1030 Truman Avenue - William Shepler (H18-03-0013)**



**Absent:** 1 - Commissioner Bender

**Yes:** 6 - Commissioner Cognevich, Commissioner Moody, Commissioner Powell, Commissioner Shepler, Vice Chair McChesney, and Chairman Green

8

**Demolition of existing structure - #215 Eneas Lane - T. Seth Neal (H2018-0003)**

**Attachments:** [215 Eneas Lane- Demolition Second Reading](#)  
[215 Eneas Lane- Demolition First Reading](#)

**A motion was made by Commissioner Powell, seconded by Commissioner Cognevich, that the Action Item be Approved. The motion carried by the following vote:**

**Absent:** 1 - Commissioner Bender

**Yes:** 6 - Commissioner Cognevich, Commissioner Moody, Commissioner Powell, Commissioner Shepler, Vice Chair McChesney, and Chairman Green

### **New Business**

9

**New one-story rear addition - # 1116 Packer Street - T. Seth Neal (H2018-006)**

**Attachments:** [1116 Packer Street - Design](#)

**A motion was made by Commissioner Moody, seconded by Commissioner Powell, that the Action Item be Approved. The motion carried by the following vote:**

**Absent:** 1 - Commissioner Bender

**Yes:** 6 - Commissioner Cognevich, Commissioner Moody, Commissioner Powell, Commissioner Shepler, Vice Chair McChesney, and Chairman Green

10

**Renovations to existing house. New one and two-story additions at rear. New side wood fence, new pool and rear deck- #514 Louisa Street - T. Seth Neal (H2018-012)**

**Attachments:** [514 Louisa Street- Design](#)

**A motion was made by Commissioner Powell, seconded by Commissioner Shepler, that the Action Item be Approved. The motion carried by the following vote:**

**Absent:** 1 - Commissioner Bender

**Yes:** 6 - Commissioner Cognevich, Commissioner Moody, Commissioner Powell, Commissioner Shepler, Vice Chair McChesney, and Chairman Green

11

**Demolition of existing concrete porch. Demolition of side stairs. Demolition of rear roof, first floor rear wall and partial**

demolition of second floor rear wall - **#514 Louisa Street -  
T. Seth Neal (H2018-012) SECOND READING**

**Attachments:** [514 Louisa Street - Demolition second reading](#)  
[514 Louisa Street - Demolition first reading](#)

**A motion was made by Commissioner Powell, seconded by Commissioner Shepler, that the Action Item be Approved. The motion carried by the following vote:**

**Absent:** 1 - Commissioner Bender

**Yes:** 6 - Commissioner Cognevich, Commissioner Moody, Commissioner Powell, Commissioner Shepler, Vice Chair McChesney, and Chairman Green

12

Demolition of all buildings with the exception of rear building - **#316  
Simonton Street - Michael Ingram (H2018-007)- #316 Simonton  
Street - Michael Ingram (H2018-007)**

**Attachments:** [316 Simonton Street - Design and Demolition \\*\\*Warning: Large File\\*\\*](#)  
[Public Comment](#)

**A motion was made by Commissioner Cognevich, seconded by Commissioner Powell, that the Action Item be Postponed. The motion carried by the following vote:**

**Absent:** 1 - Commissioner Bender

**Yes:** 6 - Commissioner Cognevich, Commissioner Moody, Commissioner Powell, Commissioner Shepler, Vice Chair McChesney, and Chairman Green

13

New parking lot - **#316 Simonton Street - Michael Ingram  
(H2018-007)**

**Attachments:** [316 Simonton Street - Design and Demolition \\*\\*Warning: Large File\\*\\*](#)  
[Public Comment](#)

**A motion was made by Commissioner Letisia Powell, seconded by Commissioner Joel Cognevich, that the Action Item be Postponed. The motion passed by an unanimous vote.**

14

Replacement of 13 deteriorated wood windows with aluminum windows -  
**#401H Emma Street- Elliot Chwe (H2018-008)**

**Attachments:** [401H Emma Street](#)

**A motion was made by Commissioner William Shepler, seconded by Commissioner Letisia Powell, that the Action Item be Postponed. The motion passed by an unanimous vote.**

15

Removal of existing skylights and new dormers at front and rear elevations and changes to fenestrations - **#1319-A William Street -  
William Shepler (H2018-009)**



**A motion was made by Commissioner Shepler, seconded by Commissioner Cognevich, that the Action Items be Approved. The motion carried by the following vote:**

**Absent:** 1 - Commissioner Bender

**Yes:** 6 - Commissioner Cognevich, Commissioner Moody, Commissioner Powell, Commissioner Shepler, Vice Chair McChesney, and Chairman Green

### **Comments from Commissioners**

**Adjournment 7:00 PM**

Will 4, 15+16

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

|  |                         |   |   |
|--|-------------------------|---|---|
| LAST NAME—FIRST NAME—MIDDLE NAME<br><b>SHEPLER - WILLIAM - BYRON</b> |                         | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE<br><b>HARC</b>                      |   |
| MAILING ADDRESS<br><b>1001 VIRGINIA ST.</b>                          |                         | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:           |   |
| CITY<br><b>KEY WEST</b>  | COUNTY<br><b>MONROE</b> | <input checked="" type="checkbox"/> CITY  | <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY |
| DATE ON WHICH VOTE OCCURRED  |                         | NAME OF POLITICAL SUBDIVISION:  |   |
|  |                         | MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE |   |

## WHO MUST FILE FORM 8B

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

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

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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

### ELECTED OFFICERS:

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

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

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

### APPOINTED OFFICERS:

You must abstain from voting and disclose the conflict in the situations described above and in the manner described for elected officers. In order to participate in these matters, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

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

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.



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

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

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, WILLIAM SHEPLER, hereby disclose that on 10/23, 18.

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

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

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

H18-03-0013  
1028-1030 TRUMAN

H2018-009

10/23/18  
Date Filed

[Signature]  
Signature

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

Richard 2+4

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

|   |                  |  |   |
|---|------------------|--|---|
| LAST NAME—FIRST NAME—MIDDLE NAME<br>McChesney Richard |                  | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE<br>HARC                                |   |
| MAILING ADDRESS<br>618 Petronia St.                   |                  | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:              |   |
| CITY<br>Key West                                      | COUNTY<br>Monroe | <input checked="" type="checkbox"/> CITY   | <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY |
| DATE ON WHICH VOTE OCCURRED<br>October 23, 2018       |                  | NAME OF POLITICAL SUBDIVISION:<br>City of Key West   |   |
|   |                  | MY POSITION IS:<br><input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE |   |

### WHO MUST FILE FORM 8B

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

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

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

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

#### ELECTED OFFICERS:

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

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

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

#### APPOINTED OFFICERS:

You must abstain from voting and disclose the conflict in the situations described above and in the manner described for elected officers. In order to participate in these matters, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

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

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

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, Richard M'Chesney, hereby disclose that on 10/23/18:

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

inured to my special private gain or loss;

inured to the special gain or loss of my business associate, \_\_\_\_\_;

inured to the special gain or loss of my relative, \_\_\_\_\_;

inured to the special gain or loss of Spotswood, Spottswood, Spottswood & Sterling, by whom I am retained; or

inured to the special gain or loss of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

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

Item 2 - H18-03-0020 - Second Reading

Item 4 - H18-03-0013 - New 2 story commercial building  
+ 2 story residential duplex

October 23, 2018  
Date Filed

Richard M'Chesney  
Signature

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