

Increase the height of protective Atlantic Ocean boundary wall approximately 2.5 feet intrusion onto the property during storms. The increased height of wall will be made entirely of hurricane resisting glass -#400 South Street- Wayne Larue Smith (H12-01-993)

This staff report is for the review of a Certificate of Appropriateness for increasing the height of an existing solid concrete fence with hurricane resisting glass. On April 13, 2010 the Commission denied Certificate of Appropriateness H10-03-25-328 for a wall height increase of 2.9 feet to prevent salt water intrusion; from 6 feet to 8.9 feet. The proposal included a solid concrete addition at the top of the existing wall. The applicant appealed that decision to the Special Magistrate. On October 27, 2010 the Special Magistrate upheld HARC decision but requested the applicant to submit a height variance request to the Planning Board. If the Planning Board approved the height variance request, the Magistrate will revisit his decision. Although denied applications cannot be resubmitted to this Commission this new application includes a revision of the proposed construction materials. On January 19, 2012 the Planning Board approved the height increase with the condition that the addition should be constructed with hurricane resisting glass. The main building is a non-contributing resource, however the Western Union cable hut located on the south corner next to the fence is a historic resource.

On the Planning Board packet a surveyed south west elevation showing the relationship of the grade and the top of the wall was provided and it is included for review. This survey was done in October 3, 2011, almost a year and six months after the original application was submitted to this Commission. The relevance of this document is that it shows that the existing grade is much higher than the sidewalk, which is the base to measure fences and walls heights according to the Guidelines. The Planning Board utilizes crown of the road to measure the height of a fence. The Survey of the South elevation utilizes Mean Sea Level elevations, which are in parenthesis. The existing wall on its highest grade point has a height of approximately 4 feet tall.

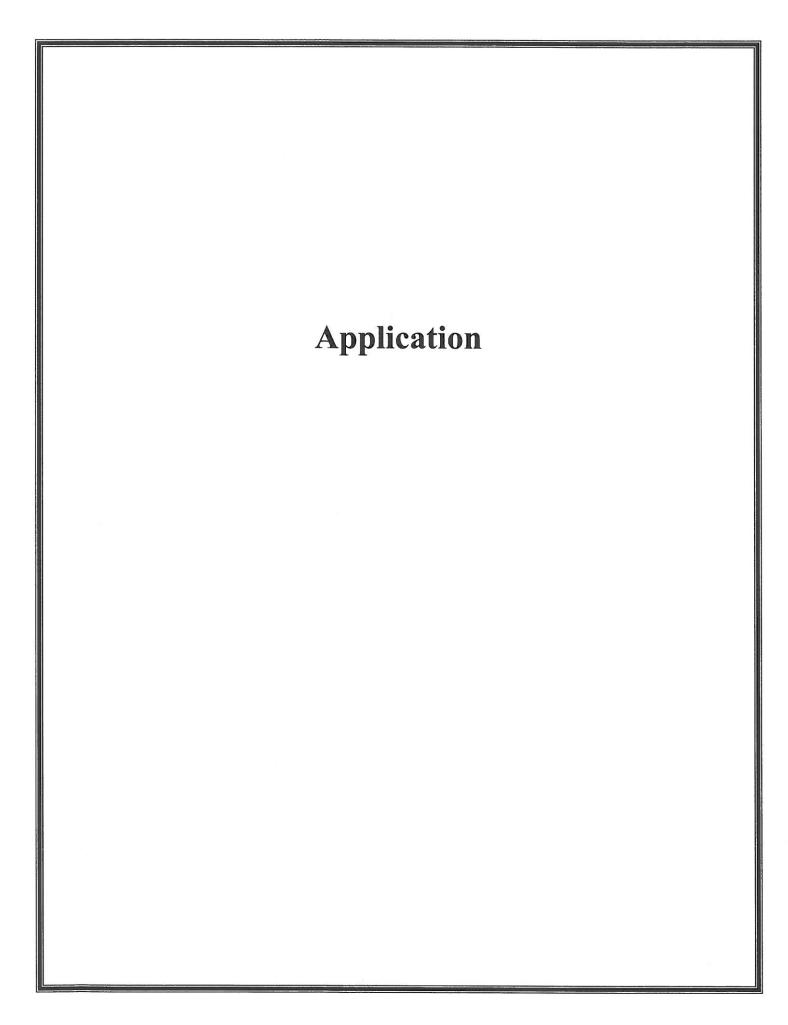
Staff reviewed the application based in the following guidelines for fences and walls; pages 41-42;

### Fences and walls;

- (6) Six-foot fences may begin from the rear of where the façade of the house joints the front porch, or at least ten (10) feet from the front property line.
- (8) Traditional historic fencing included wood pickets, wrought iron, concrete and combination of these materials. Fencing should be designed with respect for the site land environment.

(9) Fence heights will be measured from the sidewalk or from the level of the natural grade, whichever is highest.

It is staff's opinion that although the proposed design does not comply with some of the guidelines, the proposed materials will make it transparent. Because of the proposed material staff understands that there will be no effect on the Western Union cable hut or the surrounding urban context. It is staff's opinion that if this application is approved it cannot be used as a precedent since there is a specific hardship as to the coastal zone location of this property.



# STORIC ARCHITECTURAL REVIEW APPLICATION



### **CITY OF KEY WEST BUILDING DEPARTMENT**

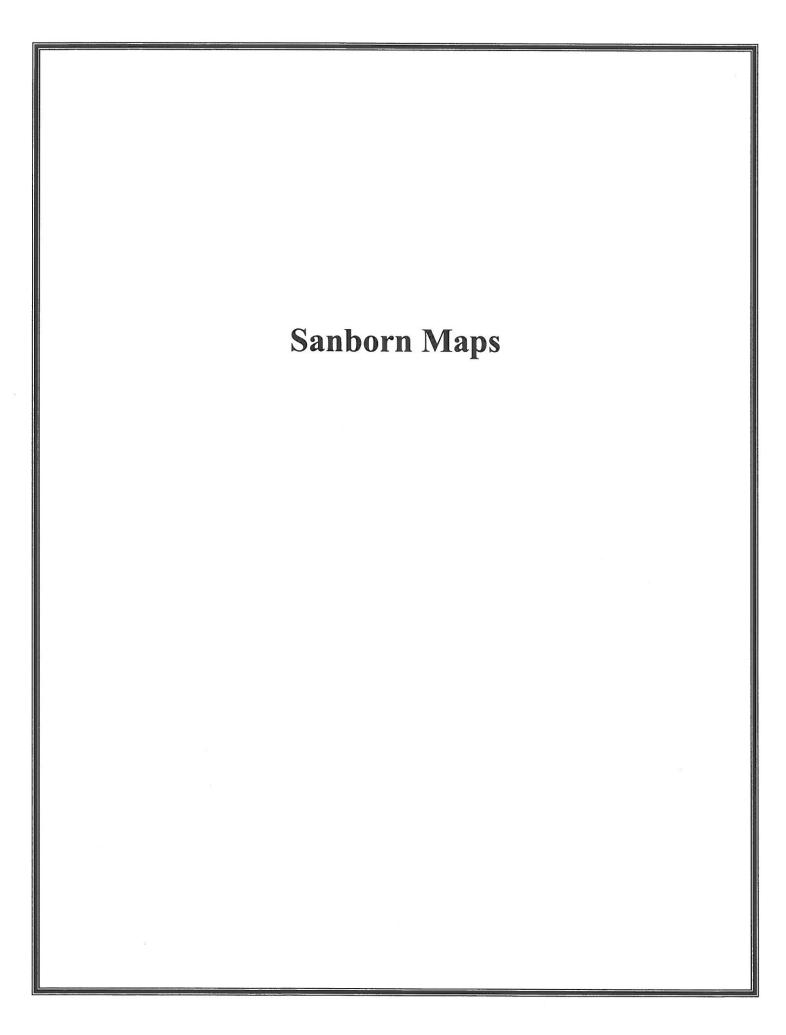
CERTIFICATE OF APPROPRIATENENSS.

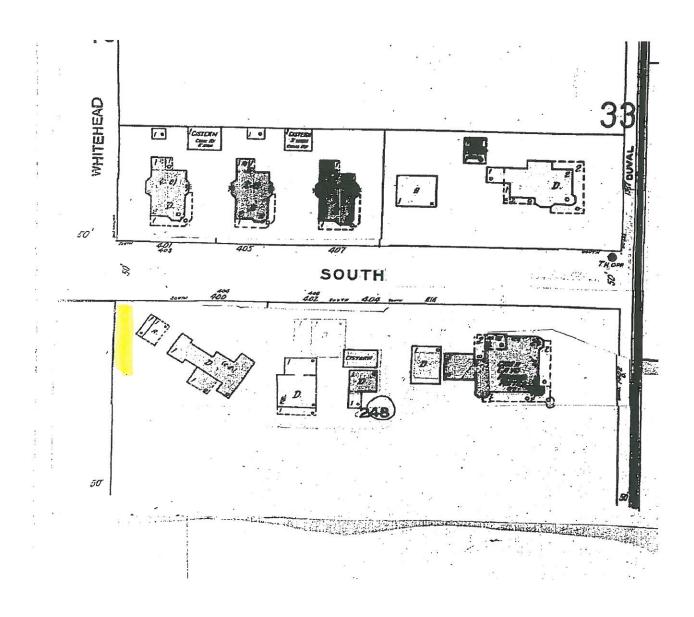
APPI	LICAT	ION#	2-01-09
WEST, FLOOR		8-2	
OWNER'S NAME:  J. Seward Johnson c/o The Smith Law	Firm	DATE:	06-11-12
owner's Address: 400 South Street, Key West, Florida 33	3040	PHONE #:	305-294-1490
APPLICANT'S NAME: Wayne Larue Smith		PHONE #:	305-296-0029
APPLICANT'S ADDRESS: 333 Fleming Street, Key West	t, Flor	ida 330	040
ADDRESS OF CONSTRUCTION: 400 South Street, Key West	t, Flor	ida 330	40 # OF UNITS 1
THERE WILL BE A FINAL INSPECTION REQUIRE	D UNDE	ER THIS PI	ERMIT
DETAILED DESCRIPTION OF WORK: Increase the height of the protective Atlantic Ocean boundary wall by apsalt water intrusion into applicants property during storms or other such height of the wall will be made entirely of hurricane resistant glass in order.	meteoro	ological eve	ents. The increase in
Chapter 837.06 F.SFalse Official Statements — Whoever knowingly me with the intent to mislead a public servant in the performance of his or ha misdemeanor of the second degree punishable as provided for in s. 773.  This application for Certificate of Appropriateness must	her official	l duty shall be	in writing e guilty of d Submittals
precede applications for building permits, right of way 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.	✓	TWO SE OF FLOO EX (for new TREE REM	TS OF SCALED DRAWINGS OR PLAN, SITE PLAN AND TERIOR ELEVATIONS w buildings and additions)  MOVAL PERMIT (if applicable)  OGRAPHS OF EXISTING repairs, rehabs, or expansions)
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		(new ILLUSTRATIO PRODUCTS SHUTTERS, D	DGRAPHS OF ADJACENT BUILDINGS buildings and additions)  DNS OF MANUFACTURED TO BE USED SUCH AS DOORS, WINDOWS, PAINT PS, AND AWNING FABRIC SAMPLES
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 appro	DEPTONIA	1511	Staff Use Only e: f Approval:
Date:Applicant's Signature: Manual La Rue Sim		Fee	Due:\$

# HISTORIC ARCHITECTURAL REVIEW COMMISSION USE ONLY

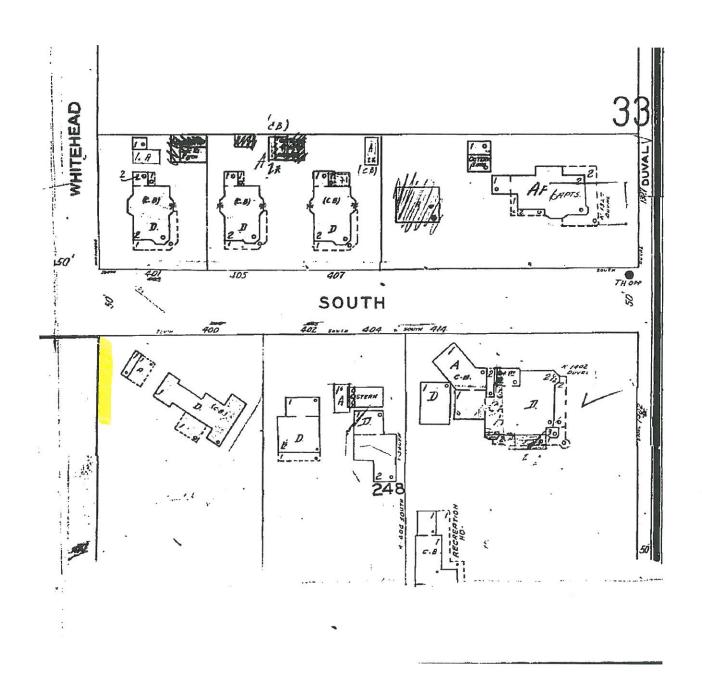
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Approved	Denied	Deferred
Reason for Deferr	al or Denial:	
HARC Comments:	e is water	ses NON. Confiniscopines fences/walls.
• • • • • • • • • • • • • • • • • • • •	sidums for	fences/walls.
Limit of Work App Changes:	proved, Conditions of A <sub>l</sub>	pproval and/or Suggested
Date:	Signature:	
		Historic Architectural Review Commission

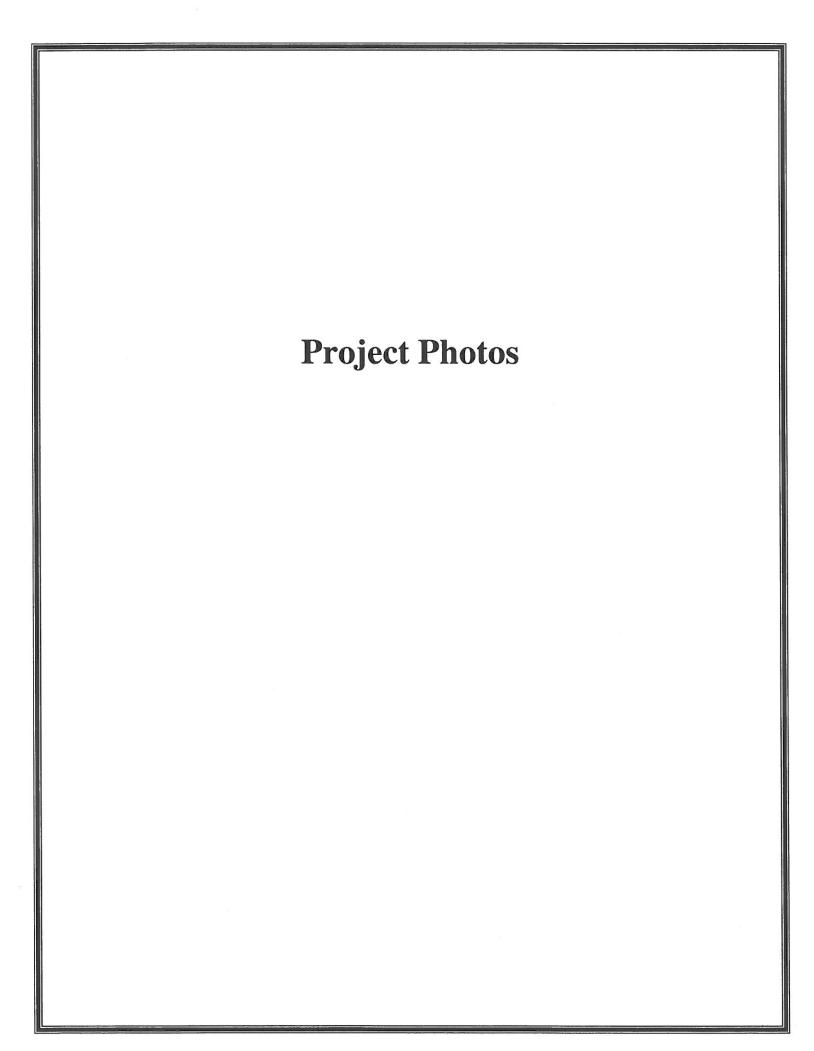




#400 South Street Sanborn map 1948



#400 South Street Sanborn map 1962





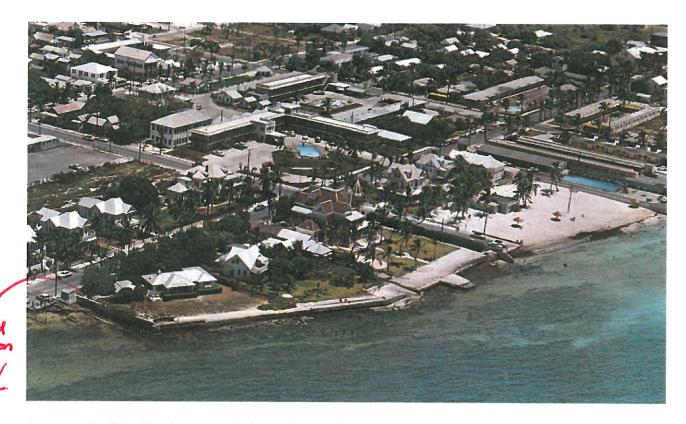
Postcard of a Key West house at 400 South Street. From the collection of Christopher C. Belland, Monroe County Library



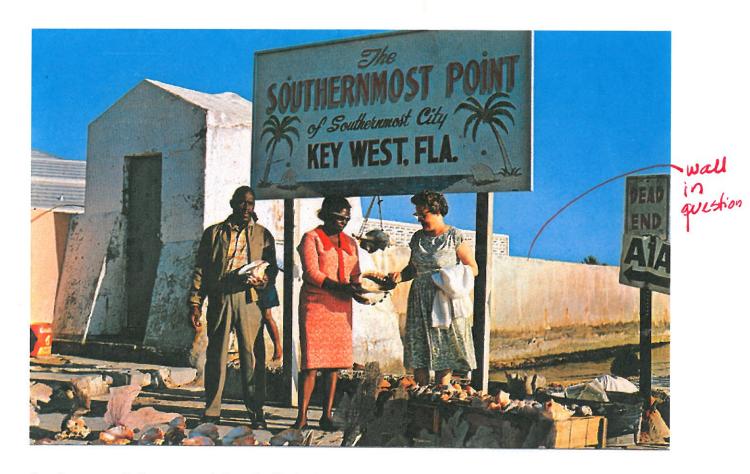
Photo taken by the Property Appraiser's office c1965; 400 South St.; Monroe County Library



Photo taken by the Property Appraiser's office c1965; 400 South St., side of house; Monroe County Library



A postcard of the Southernmost Point and end of Duval Street. .Monroe County Library Collection



Southernmost Point postcard. Locals displaying giant conch shells for sale. From the DeWolfe and Wood Collection. Monroe County Library



**Photo 1 -** View looking North towards the subject property, from Atlantic Ocean, denoting the portion of the wall which applicant requests to increase.



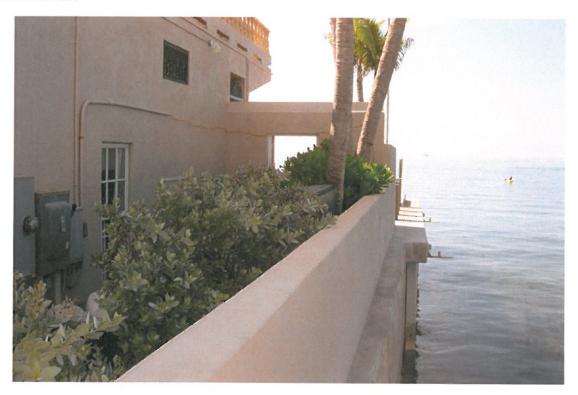
**Photo 2 -** View looking East from the Southernmost Point Buoy showing the existing vinyl sheet pile wall and nearby house at the area of concern.



**Photo 3** - View looking North from the subject property where the proposed project area is located.



**Photo 4** - View looking North from the subject property illustrating the intensified waves at the project area during a storm (Hurricane Ike, September 2008).



**Photo 5 -** View looking South from Southernmost Point showing the existing concrete cap and top wall of the vinyl sheet pile wall at the project area.



**Photo 6 -** View looking West from the subject property showing the project area from the interior of the subject property.

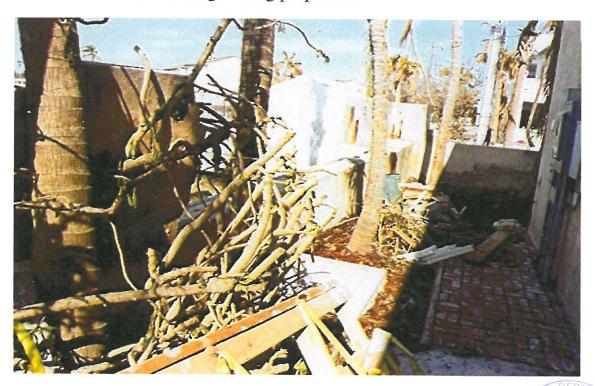


**Photo 7 -** View looking North from the subject property where the seawall is located towards South Street showing the electrical and pool equipment that are at risk from extreme salt intrusion.

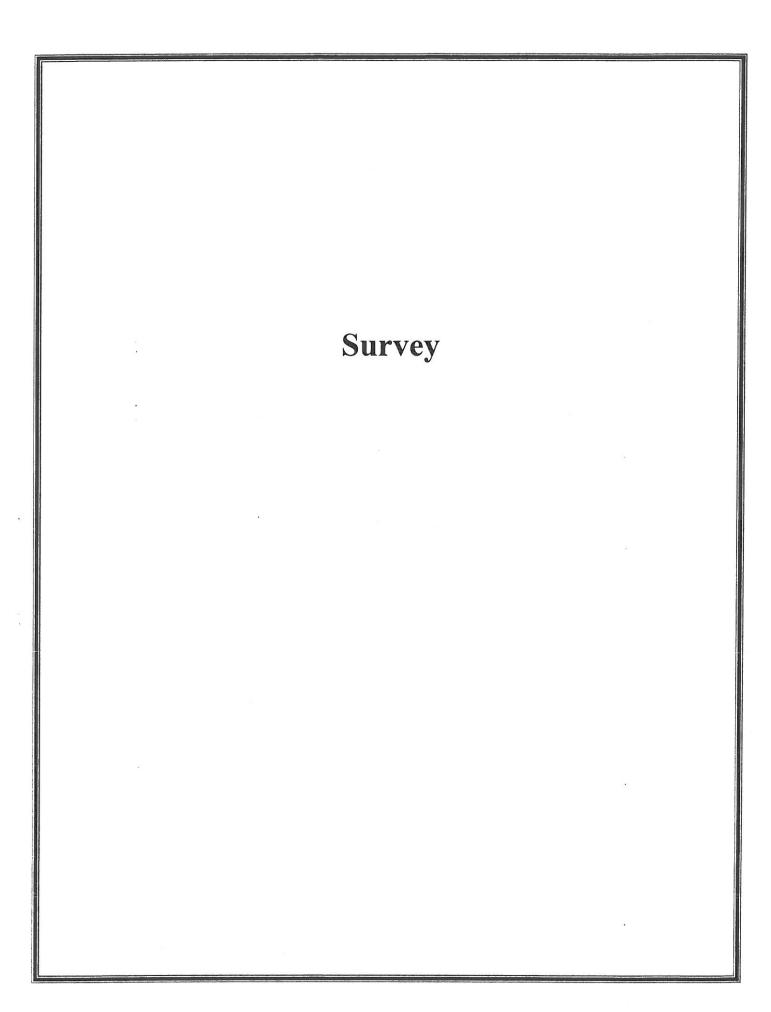




**Photo 8 -** View looking North from the subject property where the seawall is located towards the nearest neighboring properties.



**Photo 9 -** View looking east at the area behind the seawall on the subject property after a storm showing the damaged walkway and landscape.



## Specific Purpose Sketch to illustrate elevations at 400 South Street, Key West, FL

(14.5) Top of Wall (12.1) (11.8)-Top of Woll-South St. Crode 1 Sidewalk-

### SOUTHWEST ELEVATION

NOTES:

- NOTES:
  1. Grade elevations shown hereon are located along the Northeasterly face of existing wall.
  2. Underground foundations and utilities were not located.
  3. All angles are 90° (Measured & Record) unless otherwise noted.
  4. Street address: 400 South Street, Key West, FL.
  5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
  6. Lands shown hereon were not abstracted for rights—of—way, easements, ownership, or other instruments of record.
  7. This Sketch does not represent a field boundary survey
- 7. This Sketch does not represent a field boundary survey.
- 8. Adjoiners are not furnished.
- 9. Elevations are shown in parenthesis, and refer to Mean Sea Level, N.G.Y.D. 1929 Datum.
- 10. Date of Field Work: September 28, 2011.

SPECIFIC PURPOSE SKETCH TO SHOW ELEVATIONS AT THE FOLLOWING DESCRIBED PROPERTY

400 South Street Key West, FL 33040

SPECIFIC PURPOSE SKETCH FOR: J. Seward Johnson;

O'FLYNN, INC.

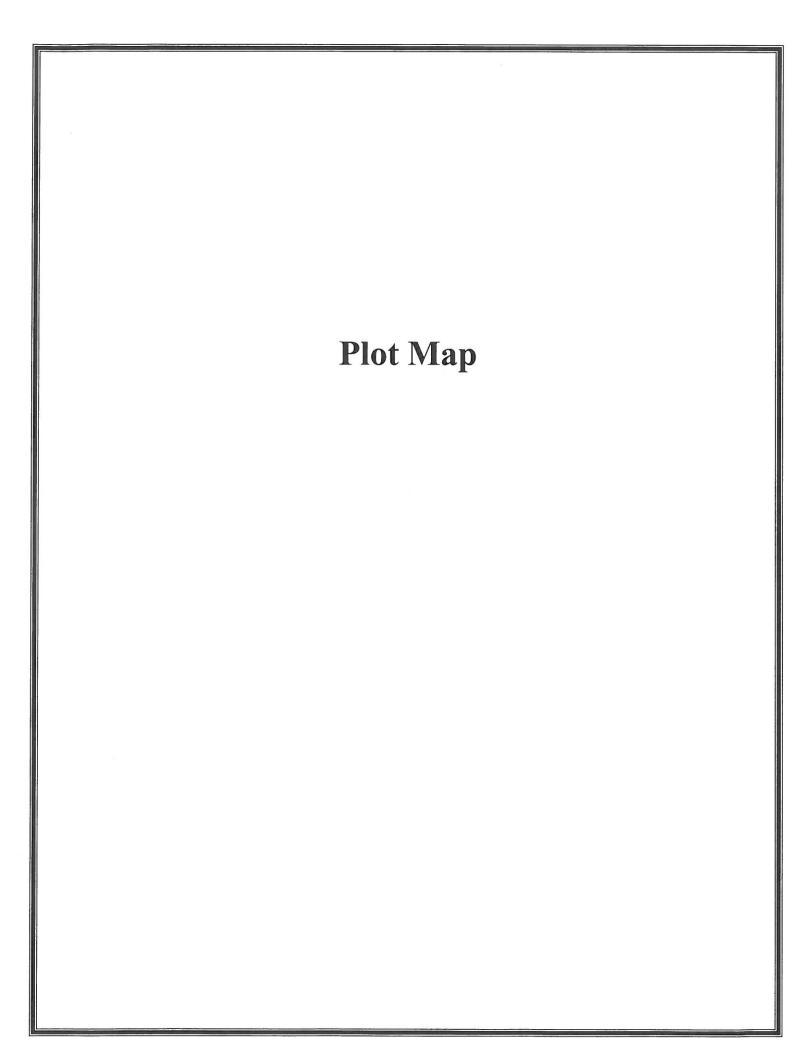
nn OFlynn, PSM Florida Reg. #6298

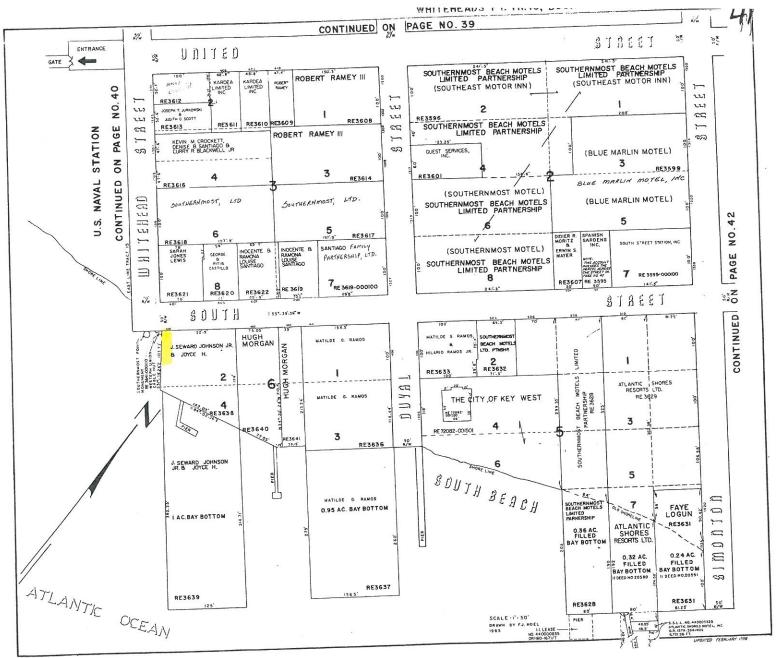
THIS SKETCH IS NOT **ASSIGNABLE** 

October 3, 2011

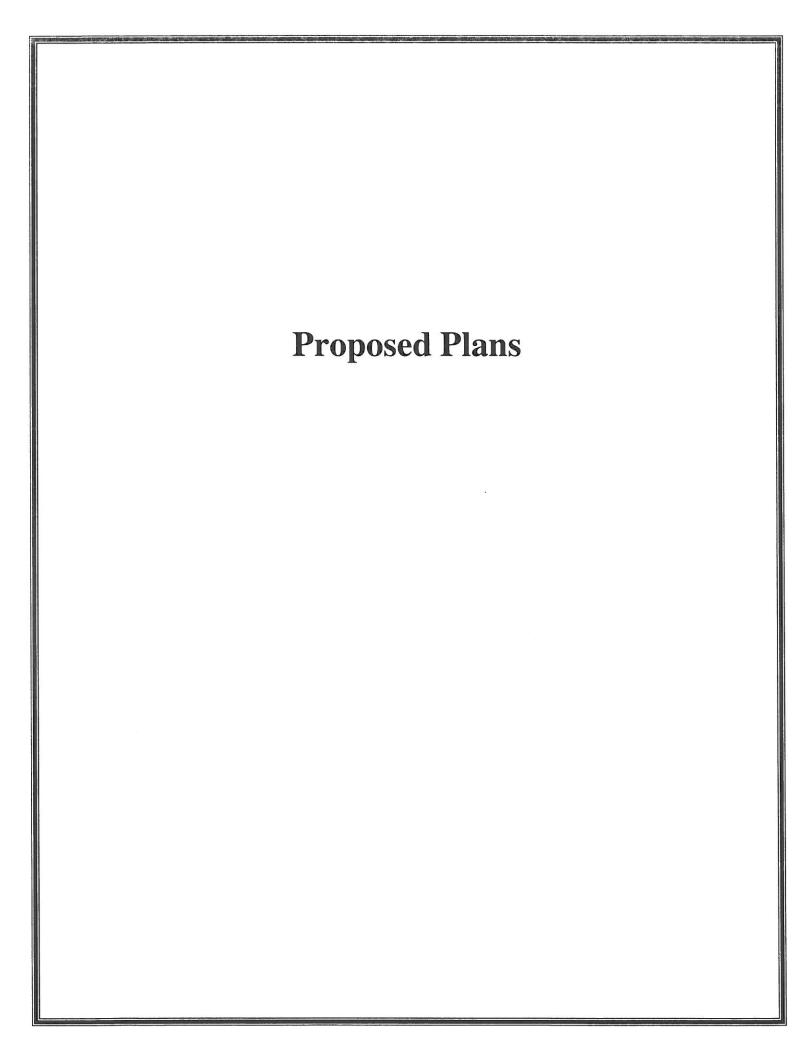


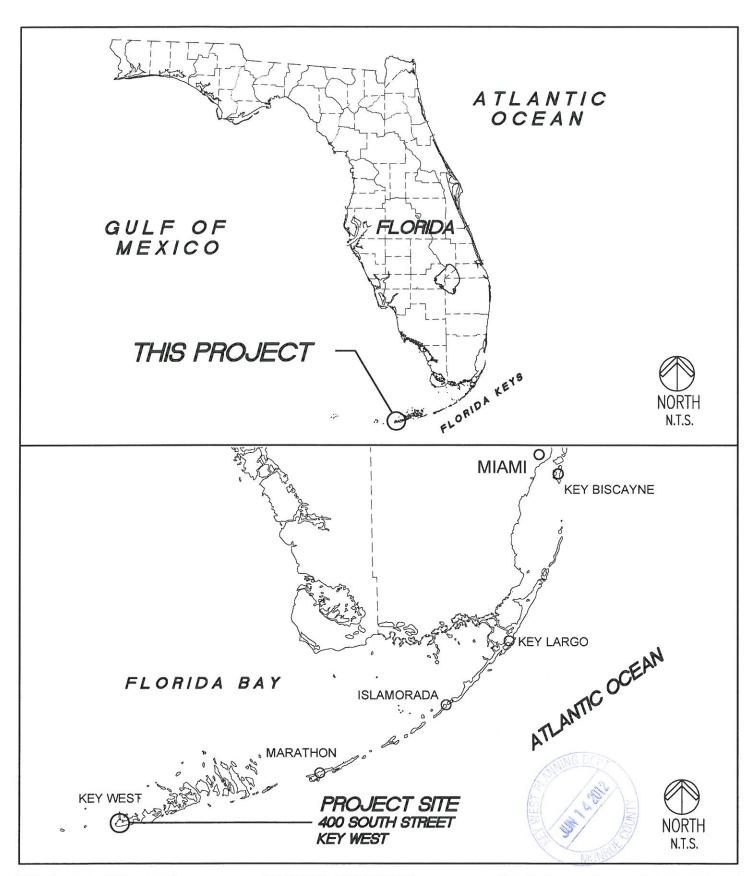
J. LYNN O'FLYNN, Inc. Professional Surveyor & Mapper





Plot nap.







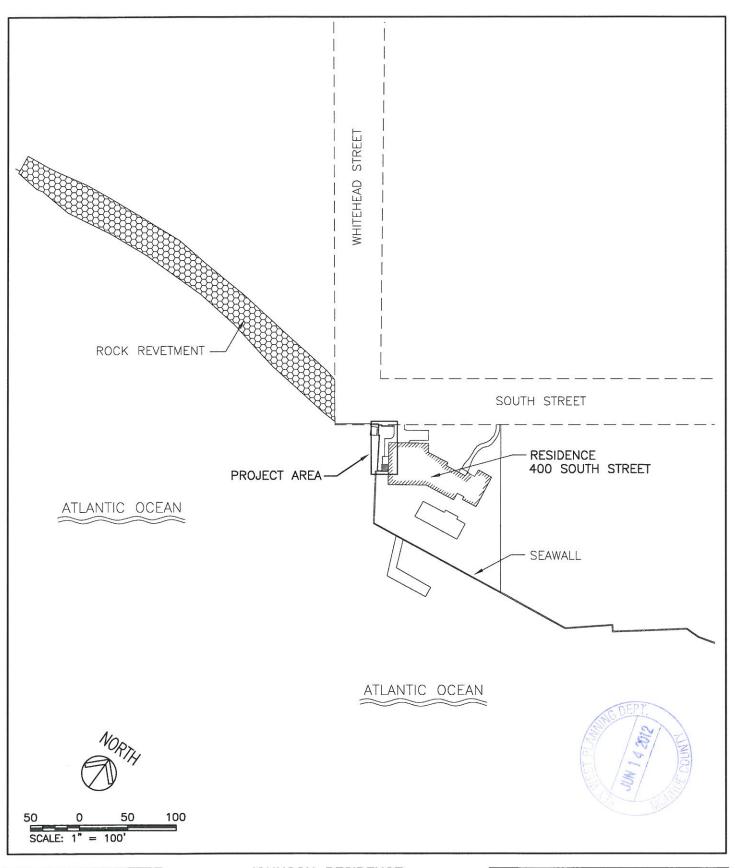
PAUL LIN & ASSOCIATES, INC.

12386 S.W. 82 AVE., PINECREST, FL 33156
TEL: (305)969-2177/FAX: (305)969-2759

PROPOSED			
WALL	HEIGHT	INCREASE	
L	OCATION	MAP	

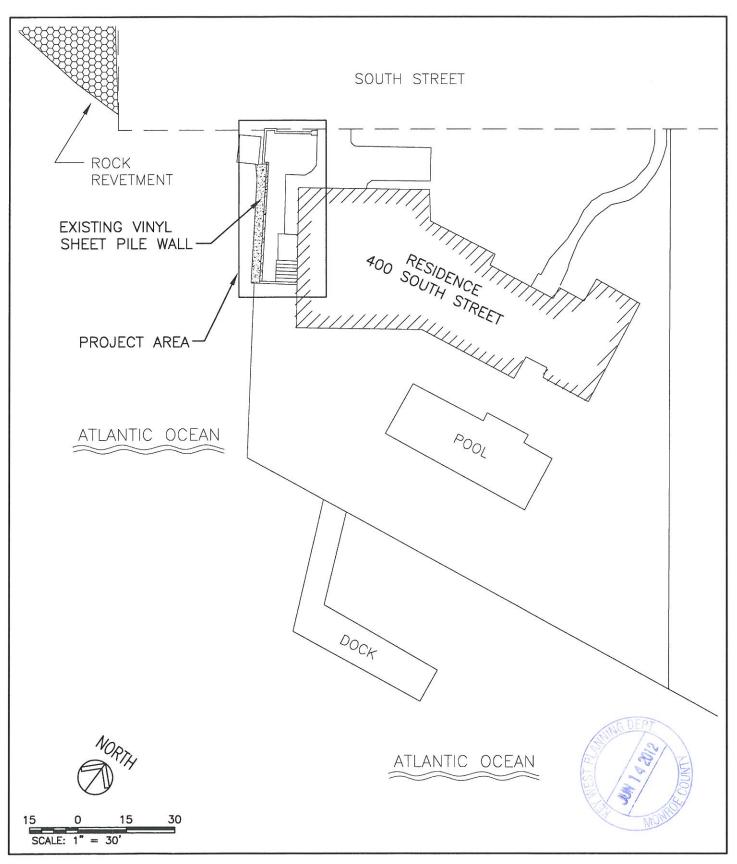
DATE: 06/06/12

SHEET 1



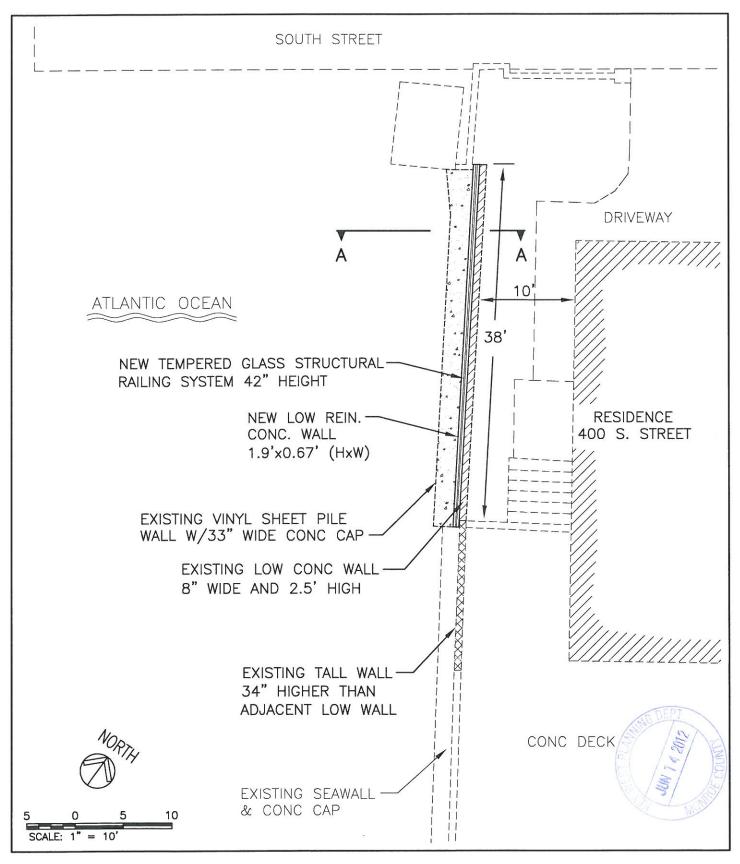


PROPOSED WALL HEIGHT INCREASE		
PROJECT VICINITY		
DATE: 06/06/12	SHEET 2	





PROPOSED WALL HEIGHT INCREASE			
SITE PLAN			
DATE: 06/06/12 SHEET 3			



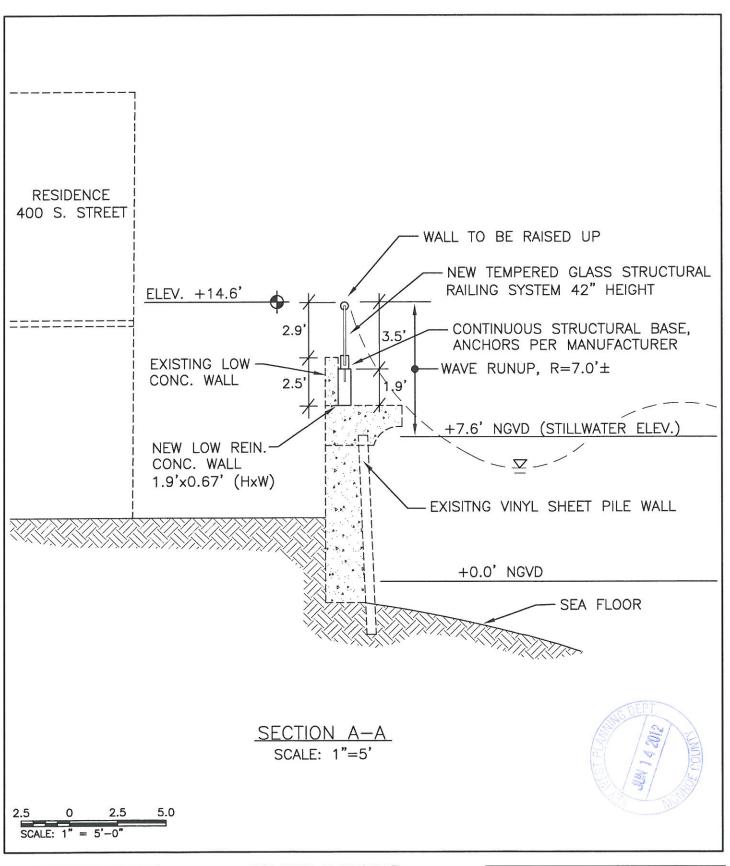
6/6/12

JOHNSON RESIDENCE 400 SOUTH STREET KEY WEST FL, MONROE COUNTY

PAUL LIN & ASSOCIATES, INC. 12386 S.W. 82 AVE., PINECREST, FL 33156 TEL: (305)969-2177/FAX: (305)969-2759 PROPOSED WALL HEIGHT INCREASE

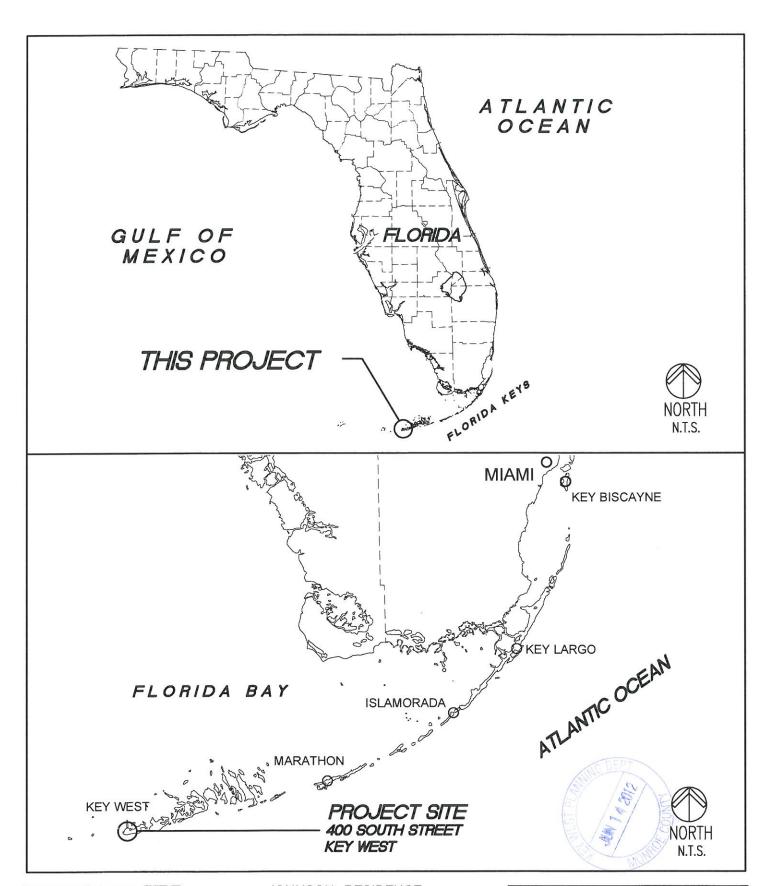
GLASS WALL PLAN VIEW

DATE: 06/06/12 | SHEET 4



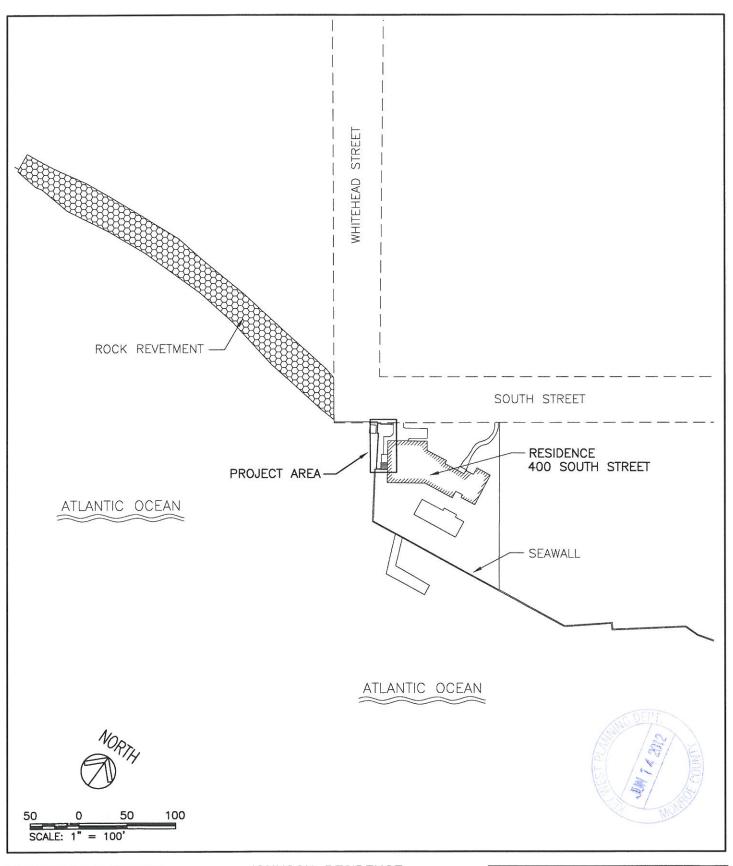


PROPOSED WALL HEIGHT INCREASE		
GLASS WALL SECTION		
DATE: 06/06/12	SHEET 5	





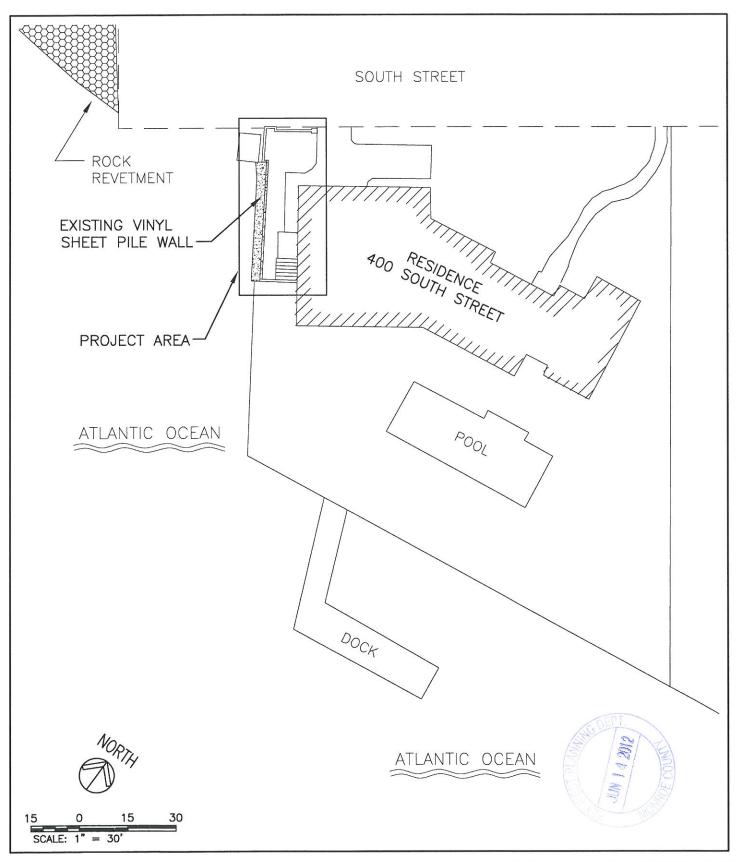
PROPOSED WALL HEIGHT INCREASE		
LOCATION MAP		
DATE: 06/06/12	SHEET 1	



6/6/112

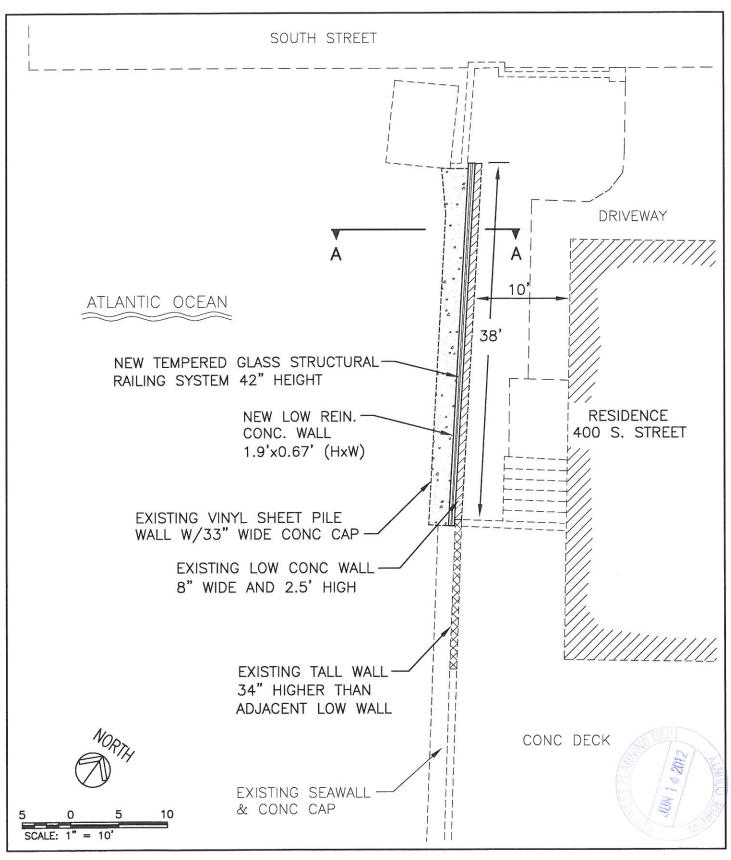
JOHNSON RESIDENCE 400 SOUTH STREET KEY WEST FL, MONROE COUNTY

PROPOSED WALL HEIGHT INCREASE		
PROJECT VICINITY		
DATE: 06/06/12	SHEET 2	



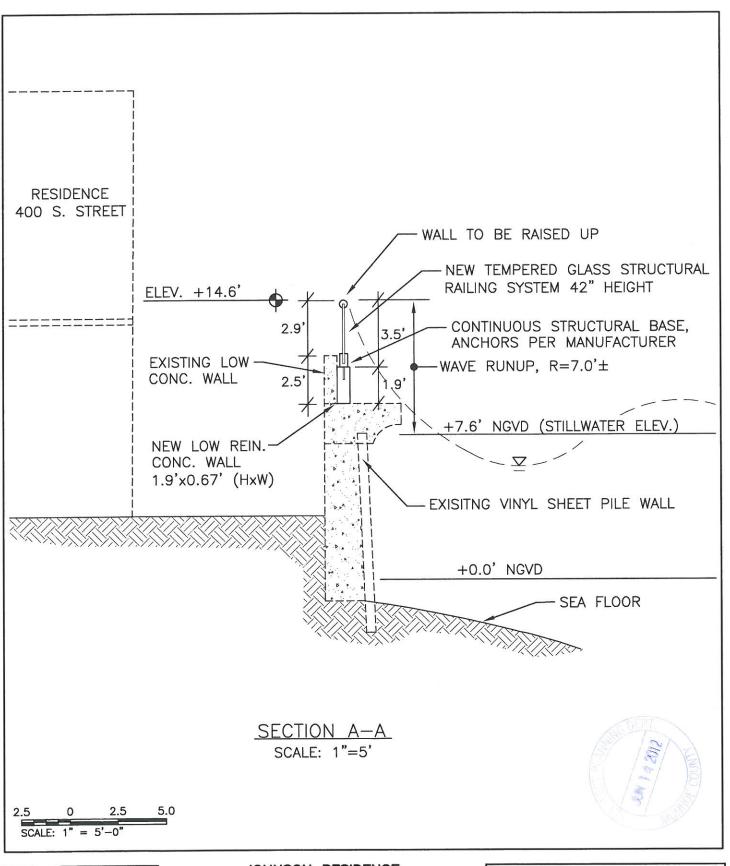


PROPOSED WALL HEIGHT INCREASE	
SITE	PLAN
DATE: 06/06/12	SHEET 3





PROPOSED WALL HEIGHT INCREASE		
GLASS WALL PLAN VIEW		
DATE: 06/06/12	SHEET 4	



6/6/12

JOHNSON RESIDENCE 400 SOUTH STREET KEY WEST FL, MONROE COUNTY

PROP WALL HEIGH	OSED T INCREASE
GLASS WAL	L SECTION
DATE: 06/06/12	SHEET 5

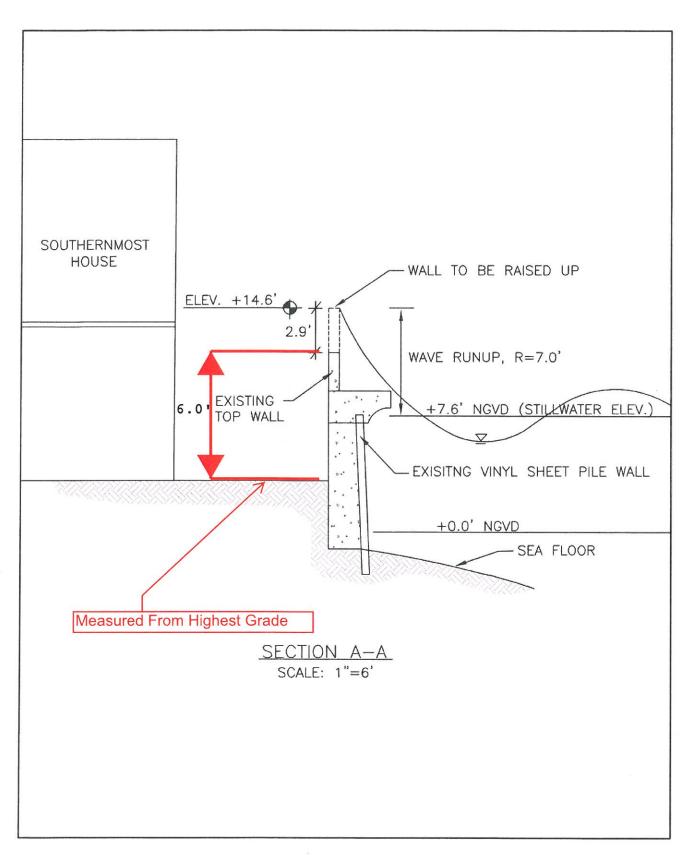


FIGURE 7
SEAWALL AND BUILDING SECTION

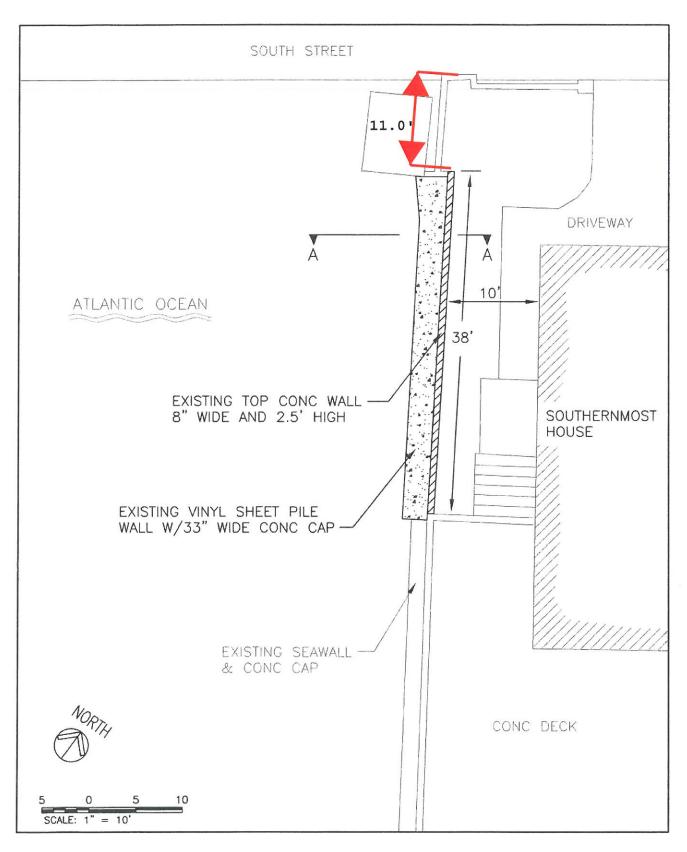
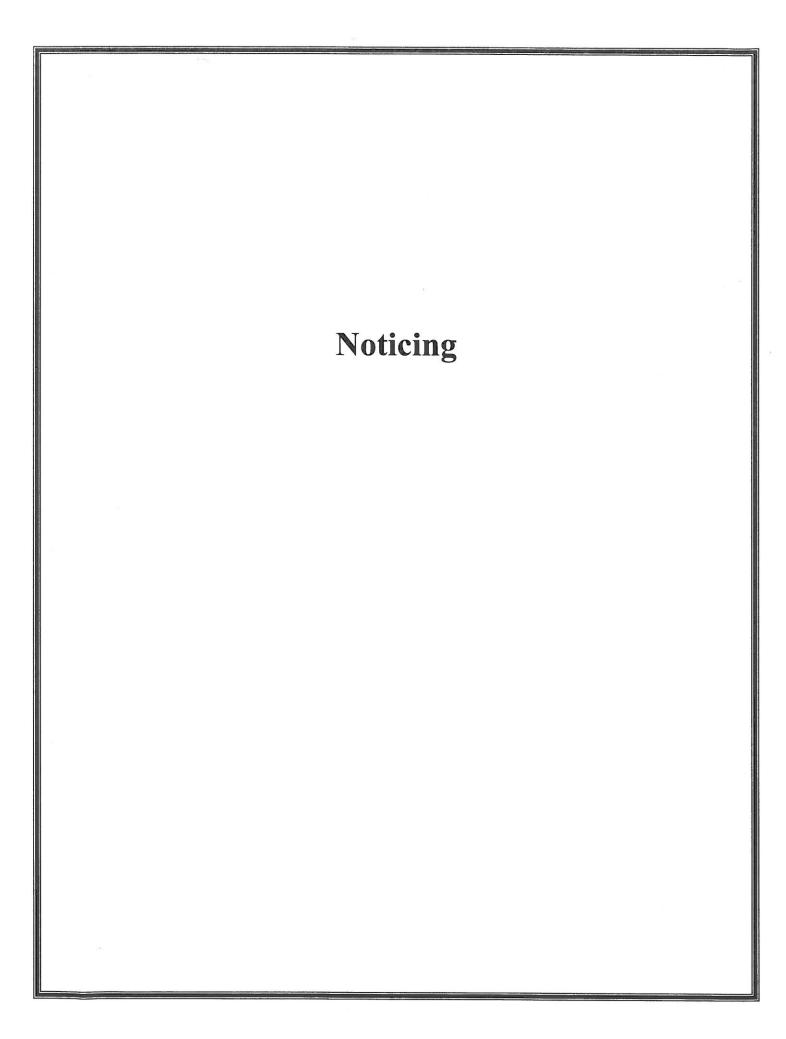


FIGURE 5
VINYL SHEET PILE WALL PLAN



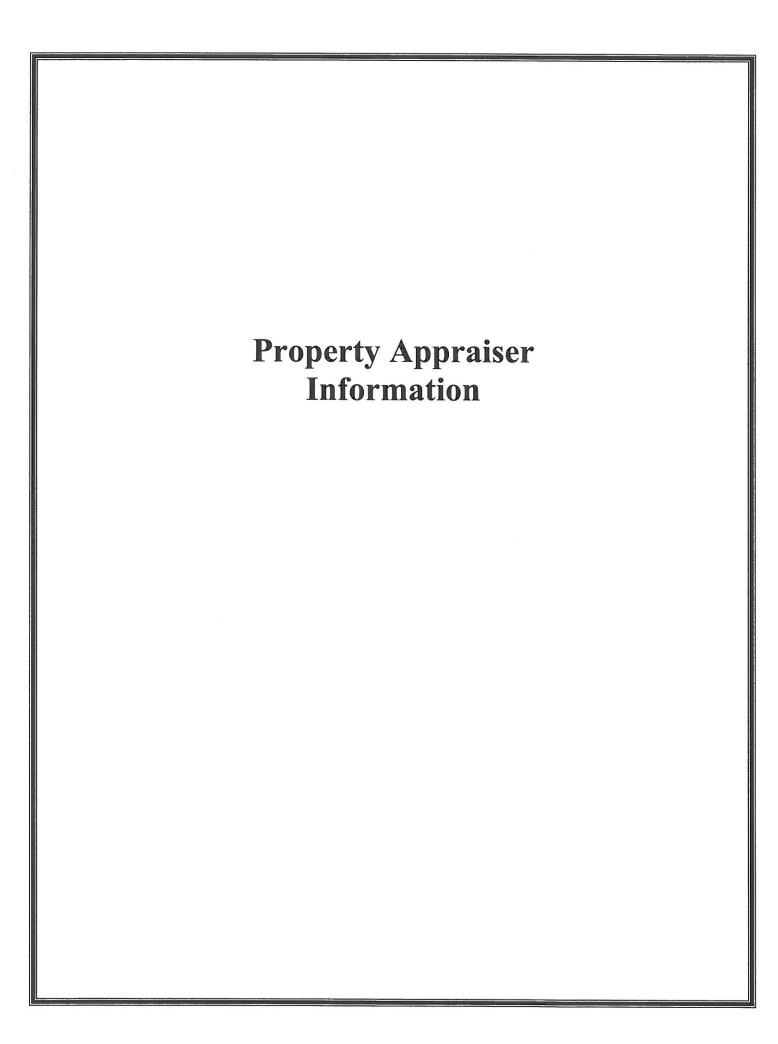
The Historic Architectural Review Commission will hold a public hearing <u>at 5:30 p.m., July 24, 2012 at Old City</u> <u>Hall, 510 Greene Street</u>, Key West, Florida. The purpose of the hearing will be to consider a request for:

INCREASE THE HEIGHT OF PROTECTIVE ATLANTIC OCEAN BOUNDARY WALL APPROXIMATELY 2.5' IN ORDER TO PREVENT SALT-WATER INTRUSION ONTO THE PROPERTY DURING STORMS. THE INCREASED HEIGHT OF WALL WILL BE MADE ENTIRELY OF HURRICANE RESISTANT GLASS

### **#400 SOUTH STREET**

Applicant- Wayne Larue Smith - Application Number H12-01-993
If you wish to see the application or have any questions, you may visit the Planning Department during regular office hours at 3140 Flagler Avenue call 809-3973 or visit our website at <a href="https://www.keywestcity.com">www.keywestcity.com</a>.

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



### Karl D. Borglum Property Appraiser Monroe County, Florida

Key West (305) 292-3420 Marathon (305) 289-2550 Plantation Key (305) 852-7130

**Property Record Card** -Map portion under construction.

Website tested on Internet Explorer. Requires Adobe Flash 10.3 or higher

Alternate Key: 1037222 Parcel ID: 00036380-000000

### **Ownership Details**

Mailing Address:

JOHNSON J SEWARD JR AND JOYCE H C/O MATTHEWS AND CO 270 MADISON AVE NEW YORK, NY 10016

### **Property Details**

PC Code: 01 - SINGLE FAMILY

Millage Group: 10KW Affordable No Housing:

> Section-Township- 06-68-25

> > Range:

Property 400 SOUTH ST KEY WEST Location:

Legal KW FILER BOYLE SUB N-476 PT LOTS 2-4 SQR 6 TR 16 OR295-204/5 OR452-518/520 OR914-1274/1275 Description: OR1134-1380/1381 OR1179-1306L/P/MARSHALL OR1223-1621/22L/P/MARSHALL OR1253-598/600 OR1253 -601/03Q/C OR1253-621/24/AFF OR1291-1029/32Q/C



Show Parcel Map that can launch map - Must have Adobe Flash Player 10.3 or higher

### **Land Details**

Land Use Code	Frontage	Depth	Land Area
010W - RES WATERFRONT	123	150	17,243.00 SF

### **Building Summary**

Number of Buildings: 1

Number of Commercial Buildings: 0 Total Living Area: 4008

Year Built: 1958

### **Building 1 Details**

Building Type R2 Effective Age 12 Year Built 1958 Functional Obs 0 Condition G Perimeter 464 Special Arch 0

Economic Obs 0

Quality Grade 760 Depreciation % 12 Grnd Floor Area 4,008

Inclusions:

R2 includes 2 3-fixture baths and 2 kitchens.

Roof Type IRR/CUSTOM Heat 1 NONE

Roof Cover METAL Heat 2 NONE Foundation CONCR FTR Bedrooms 5

Heat Src 1 NONE

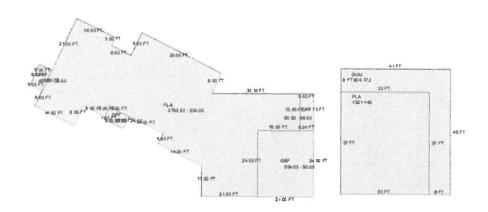
Heat Src 2 NONE

Extra Features:

2 Fix Bath 1
3 Fix Bath 4
4 Fix Bath 0
5 Fix Bath 0
6 Fix Bath 0
7 Fix Bath 0
Extra Fix 0

Vacuum 0
Garbage Disposal 0
Compactor 0
Security 0
Intercom 0
Fireplaces 1

Dishwasher 0



### Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA	5:C.B.S.	1	1958	N	Υ	0.00	0.00	2,787
2	OPU		1	1958			0.00	0.00	40
3	OPF		1	1958			0.00	0.00	40
4	GBF	5:C.B.S.	1	1958	N	N	0.00	0.00	504
5	OPF		1	1958			0.00	0.00	65

	6	FLA	5:C.B.S.	1	1958	N	Υ	0.00	0.00	1,221
l	7	<u>ouu</u>		1	1958			0.00	0.00	624

### Misc Improvement Details

Nbr	Туре	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	PO4:RES POOL	1,016 SF	50	20	2000	2001	1	50
2	TK2:TIKI	120 SF	12	10	1988	1989	4	40
3	EL2:RES ELEVATOR	1 UT	0	0	1983	1984	3	60
4	WD2:WOOD DECK	140 SF	7	20	1995	1996	2	40
5	PT2:BRICK PATIO	210 SF	21	10	1995	1996	2	50
6	FN3:WROUGHT IRON	91 SF	13	7	1979	1980	4	60
7	SW2:SEAWALL	1,930 SF	0	0	2006	2007	3	60
8	DK4:WOOD DOCKS	551 SF	0	0	2007	2008	5	40
9	PT3:PATIO	4,790 SF	0	0	2006	2007	5	50
10	FN2:FENCES	1,080 SF	270	4	2006	2007	3	30
11	FN2:FENCES	294 SF	49	6	2006	2007	3	30

### **Appraiser Notes**

SKETCH CORRECTED - ADDED ANGLES ON HOUSE 11/22/05 - NAT
2007-02-02- TWO TRANSIENT LICESES TRANSFERED FROM 807-811 WASHINGTON ST. TO 400 SOUTH ST

### **Building Permits**

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
1	E950549	02/01/1995	09/01/1995	2,300	Residential	ALARM SYSTEM
14	05-5239	11/29/2005	08/14/2006	28,000	Residential	HURRICANE WILMA DAMAGE*REPAIR EXISTING BLOCK WALL 270'FT.
	07-1923	04/19/2007	02/25/2008	7,500		SEAWALL REPAIR WILMA DAMAGE
13	02-3399	12/18/2002	10/22/2004	35,000	Residential	REPAIR SEAWALL AS PER HARC
12	02-3038	11/25/2002	12/05/2002	1,875	Residential	8 POOL LIGHTS
11	01-3291	10/04/2001	11/06/2001	5,300	Residential	INSTALL SHUTTERS
10	99-3628	10/29/1999	08/07/2000	6,150	Residential	RESURFACE POOL
9	99-3581	10/22/1999	08/07/2000	53,056	Residential	ROOF
8	99-3409	10/04/1999	11/19/1999	7,500	Residential	REPLACE DECK
7	99-0143	01/13/1999	08/04/1999	1,200	Residential	POOL LIGHTS
6	98-4038	01/08/1998	08/04/1999	8,000	Residential	REPAIR DOCK
5	98-0480	03/04/1998	12/31/1998	3,400	Residential	REPLACE DECKING ON PIER
4	97-1331	04/01/1997	12/01/1997	600	Residential	ELECTRICAL
3	96-3508	08/01/1996	12/01/1996	1	Residential	WOOD DECKING, REPLACE
2	95-0004	12/01/1995	12/01/1996	1	Residential	REPAIR DOCKS
15	06-5713	10/16/2006	12/18/2006	2,000	Residential	

						REMOVE HURRICANE DAMAGED WHITE GUTERS AND REPLACE
16	06-5865	11/08/2006	12/18/2006	48,150	Residential	REPAIR AND REPLACE EXISTING DOCK 850SF
	05-5868	12/27/2005	08/14/2006	12,000	Residential	HURRICANE REPAIRS - REPLACE SLIDING DOORS & FLOORS
	05-5870	12/21/2005	08/14/2006	32,000	Residential	REPLACE 49' X 6' CONCRETE WALL.
	05-5855	12/16/2005	08/14/2006	2,100	Residential	HURRICANE REPAIRS - REPLACE DOCK LIGHTING
	06-2758	05/05/2006	08/14/2006	21,500	Residential	REPLACE CONCRETE DECK
	06-0149	12/27/2005	08/14/2006	6,500	Residential	HURRICANE DAMAGE - REPLACE 3 CONDENSING UNITS
	06-5560	10/10/2006	12/18/2006	26,500	Residential	REPAIR SPALLING & REPLACE DOORS
17	06-6380	11/29/2006	12/18/2006	1,800	Residential	INSTALL DEDUCT METE FOR IRRIGATION & POOL SERVICE

### **Parcel Value History**

Certified Roll Values.

View Taxes for this Parcel.

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2011	718,124	254,278	1,488,433	2,460,835	2,144,895	0	2,460,835
2010	726,285	260,285	963,335	1,949,905	1,949,905	0	1,949,905
2009	816,050	266,281	1,482,053	2,564,384	2,564,384	0	2,564,384
2008	758,169	271,704	2,396,777	3,426,650	3,426,650	0	3,426,650
2007	919,585	213,679	1,896,730	3,029,994	3,029,994	0	3,029,994
2006	815,847	86,751	2,069,160	2,645,419	2,645,419	0	2,645,419
2005	875,230	111,615	1,474,277	2,461,122	2,461,122	0	2,461,122
2004	729,360	114,548	1,638,085	2,481,993	2,481,993	0	2,481,993
2003	920,127	117,676	1,017,337	2,055,140	2,055,140	0	2,055,140
2002	883,578	120,892	1,017,337	2,021,807	2,021,807	0	2,021,807
2001	811,582	123,961	1,017,337	1,952,880	1,952,880	0	1,952,880
2000	811,582	133,870	637,991	1,583,444	1,583,444	0	1,583,444
1999	620,265	110,153	637,991	1,368,409	1,368,409	0	1,368,409
1998	660,226	99,853	637,991	1,398,070	1,398,070	0	1,398,070
1997	555,500	105,988	603,505	1,264,994	1,264,994	0	1,264,994
1996	476,143	93,466	603,505	1,173,114	1,173,114	0	1,173,114
1995	488,047	98,368	754,381	1,340,796	1,340,796	0	1,340,796
1994	436,465	90,252	754,381	1,281,097	1,281,097	0	1,281,097
1993	436,465	92,738	754,381	1,283,583	1,283,583	25,000	1,258,583
1992	436,465	94,943	754,381	1,285,789	1,285,789	25,000	1,260,789
1991	436,465	97,309	754,381	1,288,155	1,288,155	0	1,288,155
1990	410,967	29,489	521,601	962,056	962,056	25,000	937,056
1989	373,606	27,521	517,290	918,417	918,417	25,000	893,417
1988	352,276	22,346	431,075	805,697	805,697	25,000	780,697
1987	348,242	23,011	284,510	655,763	655,763	25,000	630,763

1986	349,839	23,594	284,510	657,943	657,943	0	657,943
1985	109,523	24,229	279,337	413,089	413,089	0	413,089
1984	102,773	21,034	279,337	403,144	403,144	0	403,144
1983	72,446	21,460	124,743	218,649	218,649	0	218,649
1982	44,613	16,873	124,743	186,229	186,229	0	186,229

### **Parcel Sales History**

NOTE: Sales do not generally show up in our computer system until about two to three months after the date of sale. If a recent sale does not show up in this list, please allow more time for the sale record to be processed. Thank you for your patience and understanding.

Sale Date	Official Records Book/Page	Price	Instrument	Qualification	
<b>4/1/1994</b> 1253 / 598		1,550,000	WD	M	
6/1/1990 1134 / 1380		1,750,000	WD	M	
6/1/1984	914 / 1274	600,000	WD	M	

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Monroe County Property Appraiser Karl D. Borglum P.O. Box 1176 Key West, FL 33041-1176