

**From:** Enid Torregrosa  
**Sent:** Monday, April 24, 2017 2:45 PM  
**To:** 'Bert Bender'  
**Cc:** Kelly Perkins; Vicky Walker; Ronald Ramsingh  
**Subject:** RE: HARC / 306 Peacon Lane  
**Attachments:** 1965 712 Caroline Street.pdf; Todays photo.jpg

Dear Bert:

Good side will be facing the neighbor. As explained in my previous emails, and on my staff report, there is no 6 foot fence at this point as it was removed in the last year without any permits. There is an actual 5'- 6" cmu wall that still stands on the property line, which was part of a 5'-6" cmu wall that 712 Caroline Street- a corner lot with a mix use building- used to have. Please see attached photo. 712 Caroline Street also has a 6' tall picket fence that faces Peacon Lane and abuts the north side of 306 Peacon Lane. By Guidelines corner lots must maintain a 4' tall fence until the building ends, and then the fence can be raised up to 6' tall. My argument is that as the 712 Caroline is a corner lot and they are allowed to build up to a 6' tall fence in their rear yard, which in this case abuts the north side yard of 306 Peacon Lane, requiring the owners of 306 Peacon lane to install a 4' tall fence next and parallel to a possible 6' tall fence is not appropriate in my opinion, mostly when there is already a six foot tall fence at 712 Caroline Street, perpendicular to the site in question and facing Peacon Lane.

And to correct a point on a previous email I received, I visit every single project that goes to a HARC meeting and any project that I have questions or concerns.

Hope this clarifies my rationale.

**Enid Torregrosa-Silva**  
Historic Preservation Planner

City of Key West at  
Josephine Parker City Hall  
1300 White Street  
Key West, Florida 33040  
305.809.3973

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**From:** Bert Bender [mailto:bbender@benderarchitects.com]  
**Sent:** Monday, April 24, 2017 1:17 PM  
**To:** Enid Torregrosa <etorregrosa@cityofkeywest-fl.gov>  
**Cc:** Kelly Perkins <kperkins@cityofkeywest-fl.gov>; Vicky Walker <vwalker@cityofkeywest-fl.gov>; Bert Bender <bbender@benderarchitects.com>; Ronald Ramsingh <r Ramsingh@cityofkeywest-fl.gov>  
**Subject:** HARC / 306 Peacon Lane

**Enid,**

**Please add these photos to the 306 Peacon Lane file. As discussed, there is no fence between these properties.**

**The survey, dated 11/30/2013, shows an existing 6 foot tall concrete block wall. i.e., fence, with the face of the block on the line. The 8" thickness is on the Caroline Street property side so this fence was the Caroline Street property fence. I don't know when it was removed. 306 Peacon Lane is proposing to install a 6 foot tall wooden fence on their side property**

line, with the face, i.e., good side, on the property line and facing the Caroline Street property. If the Caroline Street property was installing the fence, the good side would be facing 306 Peacon Lane and the traffic going north toward Caroline Street.

I see two, or three, possible resolutions:

1. The Caroline Street property can apply for and install a 6 foot fence with the good side facing 306 Peacon Lane, or,
2. 306 Peacon Lane can install a 6 foot fence from the front of their house where the 6 foot gate is, to the rear line and either continue to the front with a 4 foot fence or not install a fence in that location, or,
3. Ron Ramsingh allows (or rules that) an exception to the good side must face the neighbor rule doesn't apply, (which I believe is an LDR issue,) and the 4 foot maximum fence height in the front yard (which is a HARC guideline) so that HARC can approve this application.

Personally, I don't have a problem with a 6 foot fence in that location, but the good side needs to be facing out. Based on past history, Ron Ramsingh will not allow an exception to the good side must face the neighbor issue. Additionally, the LDR's require that fences are 4 feet solid with the upper 2 feet as 50% open, unless both neighbors agree, which I suspect will be the case.

I have copied Ron to advise him that I plan to raise these issues.

Approving this application as presented will open a can of worms.

Thanks,  
Bert

**Bert L. Bender, Architect**

**Address:** 410 Angela Street, Key West FL 33040

**Phone:** 305-296-1347 Fax: 305-296-2727

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1965- 712 Caroline Street



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**ZONE**  
UNAUTHORIZED VEHICLES &  
VESSELS WILL BE TOWED  
AT OWNER'S EXPENSE  
ARNOLD'S TOWING  
305 296 8832  
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**NO P**  
**YOUR CA**

**NO** TRESPASSING  
LOITERING  
VIOLATORS  
WILL BE PROSECUTED

**From:** Enid Torregrosa  
**Sent:** Monday, April 24, 2017 2:36 PM  
**To:** 'robdelaune'  
**Subject:** RE: 306 Peacon Lane

Dear Rob:

Thank you. I know that on our meeting with your client we spoke on the finish side of the fence to be facing the neighboring property and, since it was not stated in the drawings I wanted to have your position as the architect of the work.

Again, thank you for the clarification.

Take care,

**Enid**

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**From:** robdelaune [mailto:robdelaune@bellsouth.net]  
**Sent:** Monday, April 24, 2017 2:31 PM  
**To:** Enid Torregrosa <etorregrosa@cityofkeywest-fl.gov>  
**Cc:** photoofthearts@aol.com  
**Subject:** 306 Peacon Lane

Hi Enid:

In response to your inquiry of this morning, I am attaching a photo of the northeast corner of the subject property . This photo also shows much of the east side of the adjacent commercial property.

As you can see, the commercial property currently has a 6' wild picket fence along its east side (that is, along the Peacon Lane right-of-way. This fence extends from the rear corner of the commercial building back to rear corner of the property (some of this fence is difficult to see in the photo because of the concrete utility pole.

Also in response to your inquiry, I hereby stipulate that the fence on the property line between the subject property and adjacent commercial property will be a 6'-high wood picket fence, painted white with 1x4 pickets spaced 1 1/2" apart (or greater if required by the Design Guidelines; please advise) with the finish side facing the neighbor's property.

I hope this helps to clarify these aspects of this application. Please let me know if you have any additional questions of if any additional is required for this application.

Please feel free to add this correspondence to the application package to be provided the Commissioners.

Best Regards,

Rob Delaune



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