

# Minutes of the Key West Historical Architectural Review Commission December 14, 2011

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<b>Call Meeting To Order</b>	
Chairman Rudy Molinet called the Key West Historical Architectural Review Commission (HARC) Meeting of December 14, 2011 to order at <b>6:00 pm</b> at Old City Hall, in the antechamber at 510 Greene Street, Key West.	
<b>Pledge of Allegiance to the Flag</b>	
<b>Roll Call</b>	
	Commissioners present include: Donna Bosold, Theo Glorie, Daniel Metzler, Michael Miller, Vice Chairman Bryan Green, and Chairman Rudy Molinet.  Also, present from City staff: Assistant City Attorney Ron Ramsingh, Historic Perseveration Planner Enid Torregrosa, IT Christinia Bervaldi, and Recording Secretary Jo Bennett.  Mr. Molinet welcomed the new Commissioners Donna Bosold, Theo Glorie, and Michael Miller. Mr Molinet also thanked Barbara Bowers, George Galvan, and Carlos Rojas for their past service.
<b>Approval of Agenda</b>	
	Chairman Rudy Molinet inquired as to any changes to the agenda. Enid Torregrosa stated that item 11 has been withdrawn by the applicant. Ms. Torregrosa added that all the applicants have submitted their affidavits of posting.  <b>Actions/Motions:</b> A motion was made by Mr. Bryan Green, seconded by Mr. Daniel Metzler, that the amended Agenda be <b>Approved</b> . The motion <b>Passed</b> by a unanimous voice vote.
<b>Approval of Minutes</b>	
<b>1</b>	<b>November 23, 2011</b>  <b>Actions/Motions:</b> A motion was made by Mr. Bryan Green, seconded by Mr. Daniel Metzler, that the Minutes be <b>Approved</b> . The motion <b>Passed</b> by a unanimous voice vote.
<b>HARC Planner's Report</b>	
	Ms. Torregrosa stated that due to the large agenda she would forgo her report until the next meeting.  Each of the Commissioners gave a brief background of themselves.
<b>Old Business</b>	
<b>2</b>	<b>Remove non contributing, non historic building - #710 Windsor Lane- Thomas Kelly (H11-01-1506) Second Reading</b>  Thomas Kelly presented the project. Mr. Kelly stated he didn't have much to add since the last meeting.  <b>Public Comments:</b>

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	<p>There were no public comments.</p> <p><b>Staff Report:</b> Enid Torregrosa presented her staff report. Ms. Torregrosa stated that this is the second reading for this demolition project.</p> <p><b>Commission Discussion:</b> The Commissioners had no additional comments or discussion.</p> <p><b>Actions/Motions:</b> A motion was made by Mr. Bryan Green, seconded by Mr. Daniel Metzler, that the item be <b>Approved</b>. The motion <b>Passed</b> by the following vote: Yes: 6 – Ms. Bosold, Mr. Glorie, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet</p>
<p><b>3</b></p>	<p>Remove carport. The structure, built without permits by previous owner is in code violation (Case #11-1116) - <b>#1103 Virginia Street- Richard Kevin Cain (H11-01-1513) Second Reading</b></p> <p>Kevin Cain the owner presented the project. Mr. Cain stated that the only thing he has to add is that the Code Compliance hearing was earlier today and that he is just waiting on this approval so he can obtain his building permit.</p> <p><b>Public Comments:</b> There were no public comments.</p> <p><b>Staff Report:</b> Enid Torregrosa presented her staff report. Ms. Torregrosa stated that this is the second reading for this demolition project.</p> <p><b>Commission Discussion:</b> The Commissioners had no additional comments or discussion.</p> <p><b>Actions/Motions:</b> A motion was made by Mr. Bryan Green, seconded by Mr. Daniel Metzler, that the item be <b>Approved</b>. The motion <b>Passed</b> by the following vote: Yes: 6 – Ms. Bosold, Mr. Glorie, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet</p>
<p><b>4</b></p>	<p>Demolition of a non permitted carport constructed within the City's Right-of-way - <b>#1103 Virginia Street- City of Key West, Doug Bradshaw (H11-01-1526) Second Reading</b></p> <p>Karen Olson represented the City for this project.</p> <p><b>Public Comments:</b> The following members of the public spoke:</p> <ul style="list-style-type: none"> <li>• Gary Ek – 1021 Watson Street</li> <li>• Mary Spears – 2523 Seidenberg Avenue</li> </ul> <p><b>Staff Report:</b> Enid Torregrosa presented her staff report. Ms. Torregrosa stated that this is the second reading for this demolition project.</p>

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	<p><b>Commission Discussion:</b> The Commissioners had no additional comments or discussion.</p> <p><b>Actions/Motions:</b> A motion was made by Mr. Daniel Metzler, seconded by Mr. Bryan Green, that the item be <b>Approved</b>. The motion <b>Passed</b> by the following vote: Yes: 6 – Ms. Bosold, Mr. Glorie, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet</p>
<p><b>5</b></p>	<p><b>Demolish approximately 50’ section of front fence wall - #910 Simonton Street- Pamela Joan MacKenzie (H11-01-1518) Second Reading</b></p> <p>Pam MacKenzie for Courtyard of Key West Condo Association stated she didn’t have anything to add from what was discussed at the last meeting. Ms. MacKenzie stated that she has contacted the Landscaping Department and that due to its size she will need to obtain a permit to remove the Fishtail Palm.</p> <p><b>Public Comments:</b> There were no public comments.</p> <p><b>Staff Report:</b> Enid Torregrosa presented her staff report. Ms. Torregrosa stated that this is the second reading for this demolition project.</p> <p><b>Commission Discussion:</b> The Commissioners had no additional comments or discussion.</p> <p><b>Actions/Motions:</b> A motion was made by Mr. Daniel Metzler, seconded by Mr. Michael Miller, that the item be <b>Approved</b>. The motion <b>Passed</b> by the following vote: Yes: 6 – Ms. Bosold, Mr. Glorie, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet</p>
<p><b>New Business</b></p>	
<p><b>6</b></p>	<p><b>Remove existing 5 skylights and patch with same type of roofing which is v-crimp- #1008 Eaton Street- Daniel Acevedo (H11-01-1325)- After the fact</b></p> <p>The applicant was not present. The item was tabled until later in the agenda.</p>
<p><b>7</b></p>	<p><b>Major Development Plan-Renovate building into a restaurant and brewery. New loading dock, new entries and stairs. Second floor rooftop dining area. Non historic building- #201 William Street- William P. Horn/ City of Key West Marilyn Wilbarger (H11-01-1519)</b></p> <p>Bill Horn presented the project. Mr. Horn and Chris Schultz approached the dias to allow them to point out the highlights of the proposed project. Mr. Horn stated that there would be one change due to a citizen’s request they plan to change the location of the performance area planned for the roof. Mr. Horn added that he will return with the revised plans. When Mr. Horn completed his presentation to the Commission, Shirley Freeman as a member of the public, requested the public be allowed the opportunity to</p>

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	<p>view the same presentation which Mr. Horn accommodated.</p> <p><b>Public Comments:</b> The following members of the public spoke:</p> <ul style="list-style-type: none"><li>• Patricia Rogers – 324 Margaret Street</li><li>• Chuck Sherman – 1101 Fleming Street</li><li>• Greg Wythe – 330 Elizabeth Street</li><li>• Carolee Matsumoto – 813 Sawyers Lane</li><li>• Karrie Carnes – 3930 S. Roosevelt</li><li>• Scott Donahue – 3930 S. Roosevelt</li><li>• Gary Ek – 1021 Watson Street</li><li>• Shirley Freeman – 724 Eaton Street</li><li>• Mary Spears – 2523 Seidenberg Avenue</li><li>• Chris Rehm – 330 Julia Street</li><li>• Barbara Bowers – 320 William Street</li><li>• Liz Lustberg – 335C Duval Street</li></ul> <p>Ms. Bennett read into record an eMail received from Ian Whitney and Justing Seguin – 1209 Virginia Street.</p> <p><b>Staff Report:</b> Enid Torregrosa presented her staff report. Ms. Torregrosa stated that this is for a Major Development Plan/Renovation review. Ms. Torregrosa stated that the plans are consistent with the guidelines.</p> <p><b>Commission Discussion:</b> The Commissioners had a lengthy discussion concerning the project and questions concerning the use of the roof top area and potential noise. The Commissioners discussed the neighbor’s concerns about noise from the rooftop area with the applicant. It was explained that there would not be any large speakers but individual speakers on each of the tables. The Commissioners also discussed the fact that the plans did not include the Wyland mural yet state the mural would remain. The Commissioners requested that the new color scheme of the building be brought before the Commission and not Staff approved.</p> <p><b>Actions/Motions:</b> A motion was made by Mr. Bryan Green, seconded by Mr. Daniel Metzler, that the item be <b>Approved</b> with the understanding that the new color scheme of the building be presented to the Commission at a future meeting. The motion <b>Passed</b> by the following vote: Yes: 6 – Ms. Bosold, Mr. Glorie, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet</p>
<p><b>8</b></p>	<p>Repair existing second floor deck for unit A- <b>#1025 Whitehead Street- Whitehead Street Condominium Association- (H11-01-1537)</b></p> <p>Clarence Parcell and David Hemmel presented the project. Mr. Parcell stated this request to repair the existing second floor deck is due to the tenant broke one of the railings and fell to the ground. Mr. Hemmel stated the plan is to improve the structural integrity of the deck.</p> <p><b>Public Comments:</b> There were no public comments.</p>

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	<p><b>Staff Report:</b> Enid Torregrosa presented her staff report. Ms. Torregrosa stated she could not find any HARC nor Building permits for the construction of this deck. Ms. Torregrosa added that in reviewing survey maps the deck was not present in a 1995 survey map but was present in the 2004 survey map.</p> <p><b>Commission Discussion:</b> The Commissioners had an extensive discussion concerning the non-permitted non-conforming deck and the proposed 6"x6" support post which encroaches on the 5' side yard setback. Staff understands that the is inconsistent with the guidelines and if approved setback side yard variances will be required.</p> <p><b>Actions/Motions:</b> A motion was made by Mr. Bryan Green, seconded by Mr. Daniel Metzler, that the item be <b>Denied</b> based on Guidelines page 37-3, 37-4, 37-5, 37-6, and page 38-1. The motion <b>Passed</b> by the following vote: Yes: 6 – Ms. Bosold, Mr. Glorie, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet</p>
<b>9</b>	<p>Remove part of existing carport that encroaches Condominium Association property-<b>#514 Emma Street- Denis Savoie-TAMPOA (H11-01-1557)</b></p> <p>Steve Porter the property owner presented the project. Mr. Porter stated he wants to remove the portion of his carport that a previous owner built on the Condominium Association's property.</p> <p><b>Public Comments:</b> There were no public comments.</p> <p><b>Staff Report:</b> Enid Torregrosa presented her staff report. Ms. Torregrosa stated that this is the first reading for the demolition of this carport and a second reading will be required if approved.</p> <p><b>Commission Discussion:</b> The Commissioners had no additional comments or discussion.</p> <p><b>Actions/Motions:</b> A motion was made by Mr. Daniel Metzler, seconded by Mr. Theo Glorie, that the item be <b>Approved</b>. The motion <b>Passed</b> by the following vote: Yes: 6 – Ms. Bosold, Mr. Glorie, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet</p>
<b>10</b>	<p>Demolition of unpermitted temporary shed-<b>#804 Eisenhower Drive-Sandra Henning (H11-01-1559)</b></p> <p>Sandra Henning presented the project. Ms. Henning stated that she is requesting the demolition of an un-permitted shed.</p> <p><b>Public Comments:</b> There were no public comments.</p>

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	<p><b>Staff Report:</b> Enid Torregrosa presented her staff report. Ms. Torregrosa stated that this is a Code Compliance Case item. Ms. Torregrosa added that this is the first reading for the demolition of the shed and if approved a second reading will be required.</p> <p><b>Commission Discussion:</b> The Commissioners had no additional comments or discussion.</p> <p><b>Actions/Motions:</b> A motion was made by Mr. Bryan Green, seconded by Mr. Michael Miller, that the item be <b>Approved</b>. The motion <b>Passed</b> by the following vote: Yes: 6 – Ms. Bosold, Mr. Glorie, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet</p>
<p><b>11</b></p>	<p>Add an awning 2'-10" by 6' at rear side -<b>#928 Truman Avenue- David Knoll (H11-01-1567)</b></p> <p>This item was <b>Withdrawn</b> by the applicant prior to the meeting.</p>
<p><b>12a</b></p>	<p>Extend existing sawtooth roof 6' and construct new slope roof 3:12- <b>#1108 Petronia Street- William Rowan (H11-01-1573)</b></p> <p>Bill Rowan presented the project. Mr. Rowan stated that the roof on this structure have become problematic resulting in leaks. Mr. Rowan added that the runoff is potentially causing issues with the foundation.</p> <p><b>Public Comments:</b> There were no public comments.</p> <p><b>Staff Report:</b> Enid Torregrosa presented her staff report. Ms. Torregrosa stated that this is to extend the existing sawtooth roof that is historic and an additional shed roof over one of the sawtooth gables. Ms. Torregrosa stated that the design is not within compliance with the guidelines.</p> <p><b>Commission Discussion:</b> The Commissioners discussed the design with the applicant and gave suggestions as to how to improve the design in order to be more consistent with the guidelines. The Commission asked the applicant if he wanted to postpone the item and bring back revised plans. The applicant requested postponement.</p> <p><b>Actions/Motions:</b> A motion was made by Mr. Daniel Metzler, seconded by Mr. Bryan Green, that the item be <b>Postponed</b>. The motion <b>Passed</b> by the following vote: Yes: 6 – Ms. Bosold, Mr. Glorie, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet</p>
<p><b>12b</b></p>	<p>Demolish rear flat roof- <b>#1108 Petronia Street- William Rowan (H11-01-1573)</b></p> <p>Item 12a was <b>Postponed</b> therefore the Commissioners agreed item 12b should be postponed also.</p>

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	<p><b>Actions/Motions:</b> A motion was made by Mr. Daniel Metzler, seconded by Mr. Bryan Green, that the item be <b>Postponed</b>. The motion <b>Passed</b> by the following vote: Yes: 6 – Ms. Bosold, Mr. Glorie, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet</p>
<p><b>13a</b></p>	<p>Renovation and addition to an existing single family dwelling. New wood fence. New swimming pool and rear porch. Repair or replace existing shutters. Repair or replace existing windows to match existing- <b>#919 Southard Street-Robert M. Gurney (H11-01-1586)</b></p> <p>Robert Gurney presented the project and described the existing property. Mr. Gurney handed the Commissioners some additional rendering for the project. Mr. Gurney stated that this design is a much slimmed down design from the one he submitted in September.</p> <p><b>Public Comments:</b> There were no public comments.</p> <p><b>Staff Report:</b> Enid Torregrosa presented her staff report. Ms. Torregrosa stated that the structure is listed as a contributing resource. Ms. Torregrosa stated she has a concern about the proposed shutters. Ms. Torregrosa added that she has asked the applicant to try to save as many of the historic windows as possible. Ms. Torregrosa stated that the proposed design excluding composite sutters was consistent with the guidelines.</p> <p><b>Commission Discussion:</b> The Commissioners discusses the plans and commented on the design.</p> <p><b>Actions/Motions:</b> A motion was made by Mr. Bryan Green, seconded by Mr. Daniel Metzler, that the item be <b>Approved</b> with a notation wood shutters are to be used and the new addition will have three (3) windows in front. The motion <b>Passed</b> by the following vote: Yes: 6 – Ms. Bosold, Mr. Glorie, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet</p>
<p><b>13b</b></p>	<p>Partial demolition of existing house- <b>#919 Southard Street-Robert M. Gurney (H11-01-1586)</b></p> <p>Robert Gurney presented the project. Mr. Gurney stated that no additional comments that were not covered in item 13a.</p> <p><b>Public Comments:</b> There were no public comments.</p> <p><b>Staff Report:</b> Enid Torregrosa presented her staff report. Ms. Torregrosa stated that this is the first reading for the demolition and what proposed to be demolished are non-historic structures. Ms. Torregrosa added that if approved, a second reading is requested.</p> <p><b>Commission Discussion:</b> The Commissioners had no additional comments or discussion.</p>

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	<p><b>Actions/Motions:</b> A motion was made by Mr. Bryan Green, seconded by Mr. Michael Miller, that the item be <b>Approved</b>. The motion <b>Passed</b> by the following vote: Yes: 6 – Ms. Bosold, Mr. Glorie, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet</p>
<b>14</b>	<p>Removal from city right of way 6’ high by 130 lineal feet of cbs wall- <b>#1021 Watson Street- City Of Key West/ Jim Scholl (H11-01-1600)</b></p> <p>Karen Olson presented the project on behalf of the City. Ms. Olson stated due to the Virginia Street Sidewalk Project this encroachment was discovered.</p> <p><b>Public Comments:</b> There were no public comments.</p> <p><b>Staff Report:</b> Enid Torregrosa presented her staff report. Ms. Torregrosa stated that this is the first reading for the demolition and that the wall is not historic. Ms. Torregrosa added that if approved, a second reading will be required.</p> <p><b>Commission Discussion:</b> The Commissioners had a lengthy discussion concerning the project needing to be before HARC sooner and what other things have been identified as encroaching on City property.</p> <p><b>Actions/Motions:</b> A motion was made by Mr. Theo Glorie, seconded by Ms. Donna Bosold, that the item be <b>Approved</b>. The motion <b>Passed</b> by the following vote: Yes: 6 – Ms. Bosold, Mr. Glorie, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet</p>
<b>15</b>	<p>Removal from city right of way 32” high by 43 lineal feet of cbs wall- <b>#801 Virginia Street- City Of Key West/ Jim Scholl (H11-01-1601)</b></p> <p>Karen Olson presented the project on behalf of the City. Ms. Olson stated due to the Virginia Street Sidewalk Project this encroachment was discovered.</p> <p><b>Public Comments:</b> There were no public comments.</p> <p><b>Staff Report:</b> Enid Torregrosa presented her staff report. Ms. Torregrosa stated that this is the first reading for the demolition and that the wall is not historic. Ms. Torregrosa added that if approved, a second reading will be required.</p> <p><b>Commission Discussion:</b> The Commissioners continued to discuss their concerns that the project did not come before HARC sooner.</p> <p><b>Actions/Motions:</b> A motion was made by Mr. Daniel Metzler, seconded by Mr. Bryan Green, that the item be <b>Approved</b>. The motion <b>Passed</b> by the following vote:</p>



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	<p>Yes: 6 – Ms. Bosold, Mr. Glorie, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet</p>
<p><b>16</b></p>	<p>Removal from city right of way 48" high by 30 lineal feet of cbs wall- <b>#1107 Virginia Street- City Of Key West/ Jim Scholl (H11-01-1602)</b></p> <p>Karen Olson presented the project on behalf of the City. Ms. Olson stated due to the Virginia Street Sidewalk Project this encroachment was discovered.</p> <p><b>Public Comments:</b> There were no public comments.</p> <p><b>Staff Report:</b> Enid Torregrosa presented her staff report. Ms. Torregrosa stated that this is the first reading for the demolition and that the wall is not historic. Ms. Torregrosa added that if approved, a second reading will be required.</p> <p><b>Commission Discussion:</b> The Commissioners inquired if any other have been identified as encroaching on City property. Ms. Olson responded that other areas that have been identified but the encroachments have been addressed with the owners and the plans adjusted to address the issue as appropriate.</p> <p><b>Actions/Motions:</b> A motion was made by MR. Bryan Green, seconded by Mr. Daniel Metzler, that the item be <b>Approved</b>. The motion <b>Passed</b> by the following vote: Yes: 6 – Ms. Bosold, Mr. Glorie, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet</p>
<p><b>17</b></p>	<p>Chamfer existing 5.5" by 5.5" square columns <math>\frac{3}{4}</math>" on each corner, leaving the top and bottom sections square. In the alternative, replace the square columns with 6.25" diameter round columns. The latter option is much more costly because it means completely replacing the existing columns- <b>#936 United Street-Peter Gomez (H11-01-1603)</b></p> <p>Peter Gomez (owner), Hugh Morgan (lawyer) and Jim Reynolds (engineer) presented the project. In an effort to bring the Commission up-to-date, Mr. Morgan and Mr. Gomez supplied a background of the project. Mr. Morgan stated the issues of the project as he understands the original contractor encountered. Mr. Gomez reviewed the issues he encountered concerning the project. Mr. Morgan and Mr. Reynolds presented alternatives to replace the currently HARC denied square columns.</p> <p><b>Public Comments:</b> Gilda Fernandez spoke to Mr. Gomez's integrity.</p> <p><b>Staff Report:</b> Enid Torregrosa presented her staff report. Ms. Torregrosa stated she included a table in the package that covers history of the entire project. Ms. Torregrosa state that neither of the two (2) proposals are consistent with the guidelines or the Secretary of the Interior's Standards and guidelines.</p> <p><b>Commission Discussion:</b> The Commissioners had a lengthy discussion concerning the work done to the house</p>

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	<p>and the fact that the work was not what was permitted. The Commissioners made several suggestions to the applicant as to what could take place to restore the house to the original Historic beauty. The Commission wants to see turned columns similar to original one. Architect Miller suggested the use of Miami Date County pine which is still available.</p> <p><b>Actions/Motions:</b> A motion was made by Mr. Bryan Green, seconded by Mr. Michael Miller, that the item be <b>Postponed</b> to the January meetings. The motion <b>Passed</b> by the following vote: Yes: 6 – Ms. Bosold, Mr. Glorie, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet</p>
<p><b>6</b></p>	<p>Remove existing 5 skylights and patch with same type of roofing which is v-crimp- <b>#1008 Eaton Street- Daniel Acevedo (H11-01-1325)- After the fact</b></p> <p>Daniel Acevedo presented the project. Mr. Acevedo stated that he failed to write Emergency on the applications when they were submitted. Mr. Acevedo stated that he may have called the skylights instead of hatches which may or may not be one in the same.</p> <p><b>Public Comments:</b> There were no public comments.</p> <p><b>Staff Report:</b> Enid Torregrosa presented her staff report. Ms. Torregrosa stated that this will be a Code Case if not approved since the work was already performed. Ms. Torregrosa stated that the project was inconsistent with the guidelines.</p> <p><b>Commission Discussion:</b> The Commissioners had an extensive discussion concerning the status of the “skylight” and if they were hatches or scuttles not just a skylight as well as if they added anything to the appearance of the structure.</p> <p><b>Actions/Motions:</b> A motion was made by Mr. Daniel Metzler, seconded by Mr. Theo Glorie, that the item be <b>Denied</b> based on Guidelines page 26-4 and page 28-3. The motion <b>Passed</b> by the following vote: Yes: 4 – Ms. Bosold, Mr. Glorie, Mr. Metzler, Chairman Molinet Yes: 2 – Mr. Miller, Mr. Green</p>
<p><b>Commissioners Comments</b></p>	
	<p>Mr. Molinet stated that due to the late hour the Commissioners Comments will be postponed until the next meeting.</p>
<p><b>Adjournment</b></p>	
	<p><b>Actions/Motions:</b> A motion was made by Mr. Daniel Metzler, seconded by Mr. Theo Glorie, that the meeting be <b>Adjourned</b>. The motion <b>Passed</b> by a unanimous vote.</p> <p>Meeting adjourned at <b>10:26 pm.</b></p>

Submitted by,

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*Jo Bennett*

**Administrative Coordinator  
Planning Department**