Staff Report

Demolition of historic chimney- After the Fact- Code Compliance Case-#730 Southard Street - Adele V. Stones (H11-01-1757)

This staff report is for the review of a Certificate of Appropriateness that request and after the fact demolition of a historic brick chimney The existing house is listed as a contributing resource. The house is a magnificent example of a two and a half story frame structure and, according to the survey it was built in 1919. Nevertheless staff found a similar footprint on the same location on the 1892 Sanborn map. The house is on a corner lot and has a widows' walk that was depicted for the first time in the 1912 Sanborn map. The house used to have an exposed brick chimney on the south.

According to the applicant the brick chimney was in poor condition. On a submitted letter the applicant also states that the architect of the project was always contemplating the reconstruction of the chimney but that he was not aware of the requirement of a demolition approval for the external chimney.

The historic chimney was a character defining element of the house. The structure had some vegetation but was structurally stable when the project received approval from the Commission. There are no many historic exterior brick chimneys still standing at present time. The demolition of this character defining element is an irreparable lost; once a historic structure is demolished there is no replacement for it.

For the review of the after the fact demolition of the chimney staff understands that the Code of Ordinances as well as the Historic Architectural Guidelines should be applied for this application. The Code, under Sec. 102-218, establishes the criteria for demolitions to be used by the Historic Architectural Review Commission when reviewing a Certificate of Appropriateness. According to the Code Sec. 102-218 establishes the following;

- (a) The historic architectural review commission shall issue a certificate of appropriateness for an application for demolition:
 - (1) If the subject of the application is a contributing or historic building or structure, then it should not be demolished unless its condition is irrevocably compromised by extreme deterioration or it does not meet any of the criteria of section 102-125(1) through (9).
 - (2) For a contributing historic or noncontributing building or structure, a complete construction plan for the site is approved by the historic architectural review commission.
- (b) The historic architectural review commission shall not issue permits that would result in:

(1) Removing buildings or structures that is important in defining the overall historic character of a district or neighborhood so that the character is diminished;

(2) Removing historic buildings or structures and thus destroying the historic relationship between buildings or structures and open engage and

structures and open space; and

(3) Removing an historic building or structure in a complex; or removing a building facade; or removing a significant later addition that is important in defining the historic character of a site or the surrounding district or neighborhood.

(4) Removing buildings or structures that would otherwise qualify as contributing, as set forth in section 102-62(3).

(c) Nothing in this section is intended to alter the authority of the Building Official to condemn for demolition dangerous buildings, as provided in chapter 14 of the Code of Ordinances.

(Ord. No. 97-10, § 1(3-10.3(E) (2) (c)), 7-3-1997; Ord. No. 06-14, § 12, 8-1-2006)

The Code also establishes, under Sec. 102-1, Definitions, that a historic building or structure is;

any building or structure which, in whole or in any structural part, was built 50 or more years prior to the current date, and which is located in the historic zoning districts of the city or has been designated as a historic building and/or structure.

It is staff understanding that the chimney was a historic structure and an important character defining element to the house. Although the chimney no longer exists it is staff opinion that the condition of the brick chimney when the plans were approved was **not** irrevocably compromised by extreme deterioration. The architect never included on the plans submitted to this Commission the chimney as part of the elements that needed to be demolished. Moreover it was never mentioned the need to demolish the historic chimney in order to raise the flue due to actual fire code. Neither planning staff nor building department staff was contacted by anyone from the job site regarding the chimney or any structural problems.

At this point the Commission can not pass judge on the structural integrity of the historic chimney since is not longer there.

Staff also reviewed Sec. 102-125 (1) through (9) to establish if the proposed structure to be demolish meet any of the criteria established in the section;

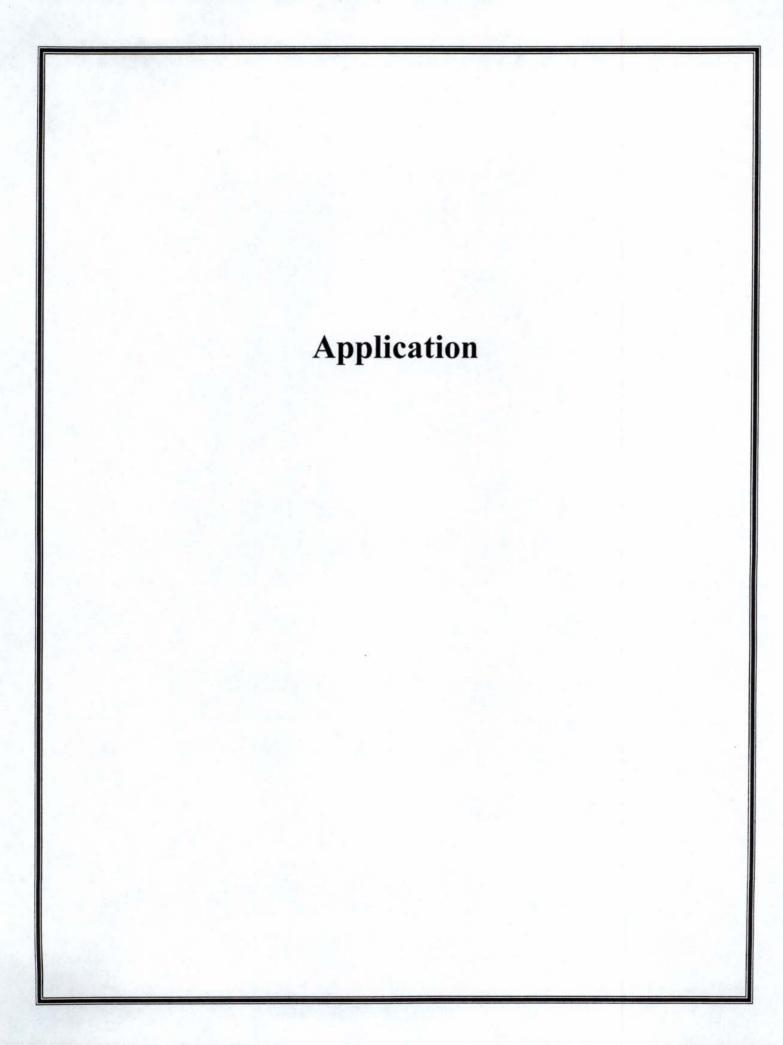
Sec. 102-125. Historic architectural review commission findings precedent to issuance.

Upon conclusion of the hearings and the historic architectural review commission's deliberations, the historic architectural review commission shall issue the certificate of no contributing value only if it finds, by clear and convincing evidence, that the building or structure, by virtue of its design, workmanship, materials, setting, and/or history does not meet any of the nine criteria set forth below. The building or structure:

- (1) Embodies no distinctive characteristics of a type, period, or method of construction of aesthetic or historic significance in the city and is not a significant and distinguishable building entity whose components may lack individual distinction;
- (2) Is not specifically associated with events that have made a significant contribution to local, state, or national historu:
- (3) Has no significant character, interest, or value as part of the development, heritage, or cultural characteristics of the city, state or nation, and is not associated with the life of a person significant in the past;
- (4) Is not the site of a historic event with a significant effect upon societu:
- (5) Does not exemplify the cultural, political, economic, social, or historic heritage of the city;
- (6) Does not portray the environment in an era of history characterized by a distinctive architectural style;
- (7) If a part of or related to a square, park, or other distinctive area, nevertheless should not be developed or preserved according to a plan based on the area's historic, cultural, natural, or architectural motif;
- (8) Does not have a unique location or singular physical characteristic which represents an established and familiar visual feature of its neighborhood or of the city, and does not exemplify the best remaining architectural type in a neighborhood; and
- (9) Has not yielded, and is not likely to yield, information important in history.

(Ord. No. 97-10, § 1(3-10.3(F) (4)), 7-3-1997; Ord. No. 06-14, § 7, 8-1-2006)

It is staff understanding that the existing structure presents characteristics and gives information which is contrary to criteria 1, 3, 5, 6, 8 and 9. It is staff opinion that the after the fact request for demolition is in conflict with the Code of Ordinance Section 102-218- Demolitions in the historic district. It is staff recommendation to this Commission to deny the request. It is the responsibility of this Commission to make a determination if the historic chimney qualified for demolition in accordance with Chapter 102 of the LDR's. The removal of the historic chimney is an irreparable lost.





ADDRESS OF CONSTRUCTION: 730 Southard Street, Key West, FL

WEST FU Vincent Barletta, Trustee 12/22/11 730 Southard Trust OWNER'S NAME: DATE: 40 Shawmut Road OWNER'S ADDRESS: Canton, MA PHONE # Adele V. Stones 305-294-0252 APPLICANT'S NAME Stones & Cardenas PHONE #: 221 Simonton Street Key West, FL 33040 APPLICANT'S ADDRESS:

THERE WILL BE A FINAL INSPECTION REQUIRED UNDER THIS PERMIT

DETAILED DESCRIPTION OF WORK: After the fact demolition of historic chimney structure to allow reconstruction with additional height of 6' to 10' and installation of flue liner in order to restore fireplace and chimney to operational condition, in compliance with fire and building code.

Chapter 837.06 F.S.-False Official Statements – Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of EC 2 7 2011 a misdemeanor of the second degree punishable as provided for in s. 775.082 or 775.083

This application for Certificate of Appropriateness must 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.

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 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 approval.

Date: 12/23/11

Applicant's Signature:

/	falle	V. Slow

1	TWO SETS OF SCALED DRAWINGS
	OF FLOOR PLAN, SITE PLAN AND EXTERIOR ELEVATIONS
x	
	(for new buildings and additions)
	TREE REMOVAL PERMIT (if applicable)
on	PHOTOGRAPHS OF EXISTING
file	BUILDING (repairs, rehabs, or expansions)
TITE	BOILDING (repairs, reliabs, or expansions,
	PHOTOGRAPHS OF ADJACENT
- 1	BUILDINGS
	(new buildings and additions)
_	ILLUSTRATIONS OF MANUFACTURED
	PRODUCTS TO BE USED SUCH AS
	SHUTTERS, DOORS, WINDOWS, PAINT
	COLOR CHIES AND AWAING EARDIC

Required Submittals

OF UNITS

Date:Staff Approval:	
Staff Approval:	
Fee Due:\$	

SAMPLES

HISTORIC ARCHITECTURAL REVIEW COMMISSION USE ONLY

ARC Comments: Confultating resource trame pemphition order additions/ act	
Confibrition resource Frame, Demolition ords additions/alte	
Confibrition resource Frame, Demolition ords additions/alte	
Confibrition resource Frame, Demolition ords additions/alte	
Confibrition resource Frame, Demolition ords additions/alte	
additions/ alte	vernacular will 1917-
additions/ alte	inance.
Evildina en lois	rations (p. 36.38d)
TO HOUSE TO FOLIO	ors Massonry (p. 25)
secretary of Inte	erior's Standards & Gwidelin
imit of Work Approved, Conditions of Apphanges:	proval and/or Suggested
ate: Signature:	
	Historic Architectural Review Commission

STONES & CARDENAS

ATTORNEYS AT LAW

221 SIMONTON STREET, KEY WEST, FL 33040
TELEPHONE (305) 294-0252 FAX (305) 292-5442



ADELE VIRGINIA STONES, P.A.

December 22, 2011

Enid Torregrossa, MSHP Historic Preservation Planner City of Key West 3140 Flagler Avenue Key West, FL 33040

Re: 730 Southard Street, Key West, Florida

Dear Ms. Torregrossa:

Please accept the attached "after-the-fact" application to demolish the former chimney structure to allow reconstruction of the chimney with the addition of six to ten feet (6'-10') height and twelve inches (12") width and flue liner required in order for a functional fireplace and chimney to meet applicable building code. The poor condition of the chimney bricks required that they be removed to allow the proposed height increase and widening for placement of a flue liner. The original chimney bricks were extremely friable (chalky, crumbling) not suitable for reuse on a working fireplace. As the bricks were removed, more than 50% broke apart or crumbled. The contractor has preserved a number of the bricks in order to best match the replacement material which has been identified as Acme Brick "Olde Edmond".

The demolition of the chimney was always contemplated by the architect as necessary to reconstruct this historic element of the residence. The architect was not aware of the requirement to (separately) seek demolition approval of the external chimney. The submitted and approved plans for the building permit clearly identify the project demolition to include the chimney, depicting the reconstructed chimney with the height and width increases included.

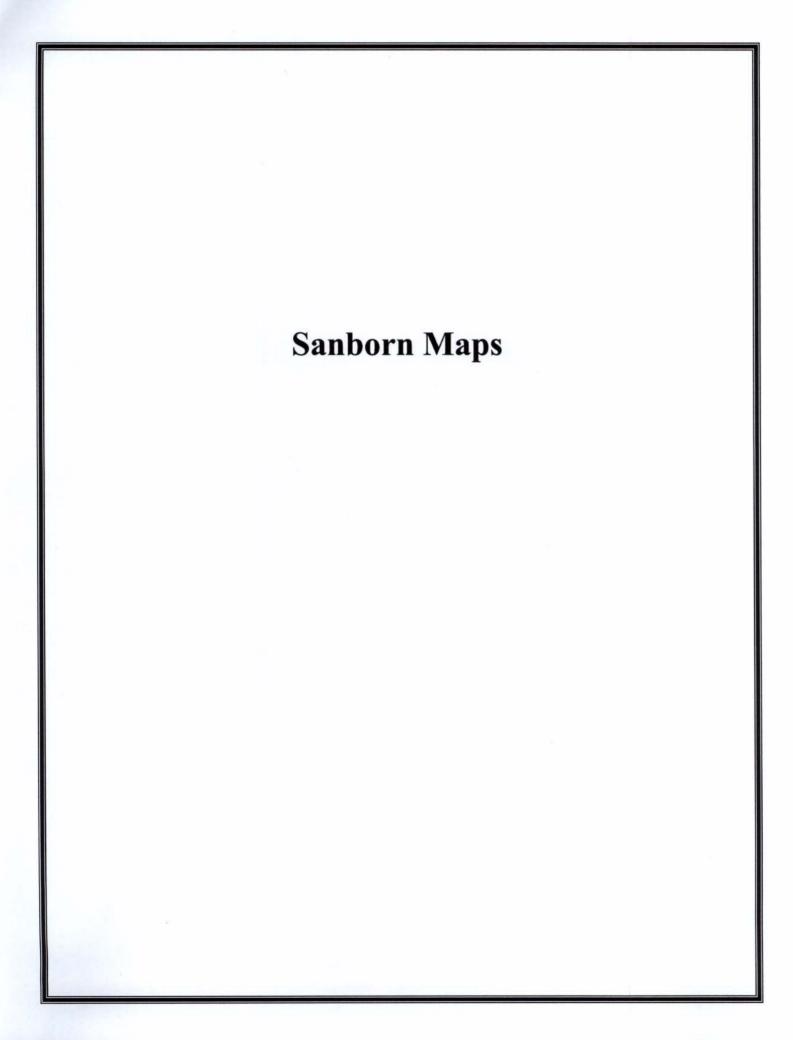
Please place this application on the next available HARC agenda for consideration.

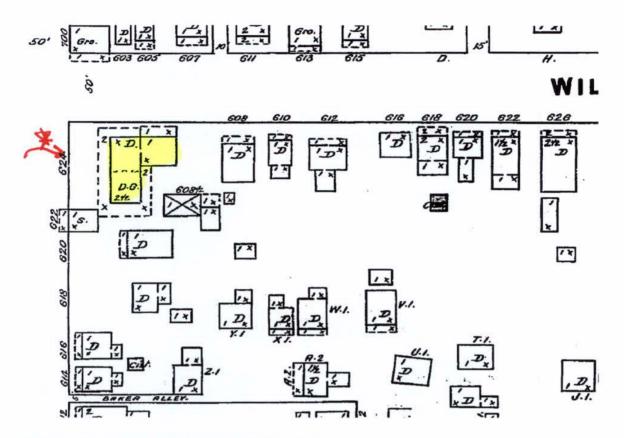
Thank you for your kind assistance. If you have any questions, please do not hesitate to contact this office.

Sincerely,

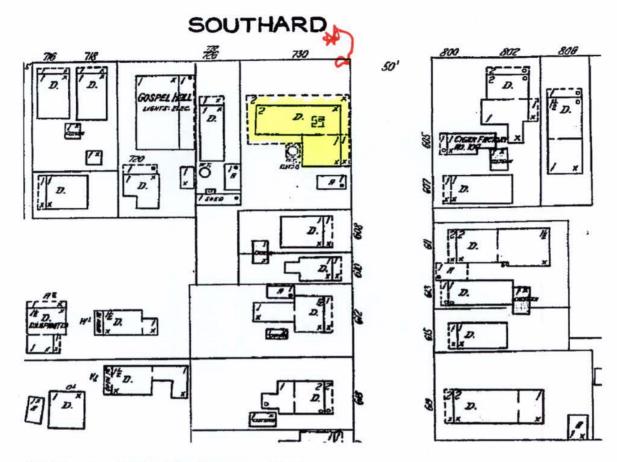
Adele V. Stones

AVS/cms c: client

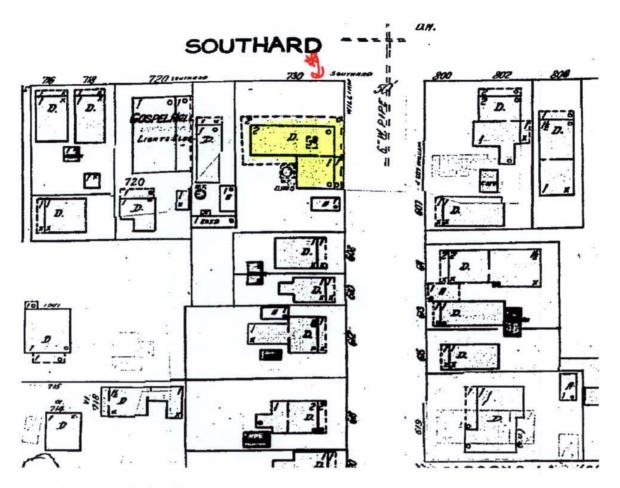




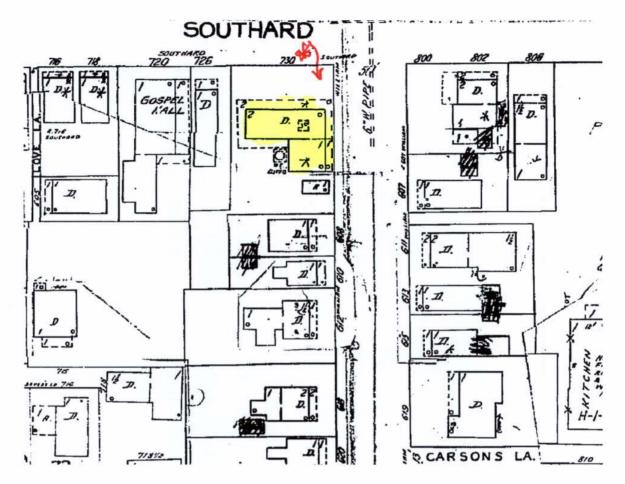
#730 Southard Street Sanborn map 1892 copy



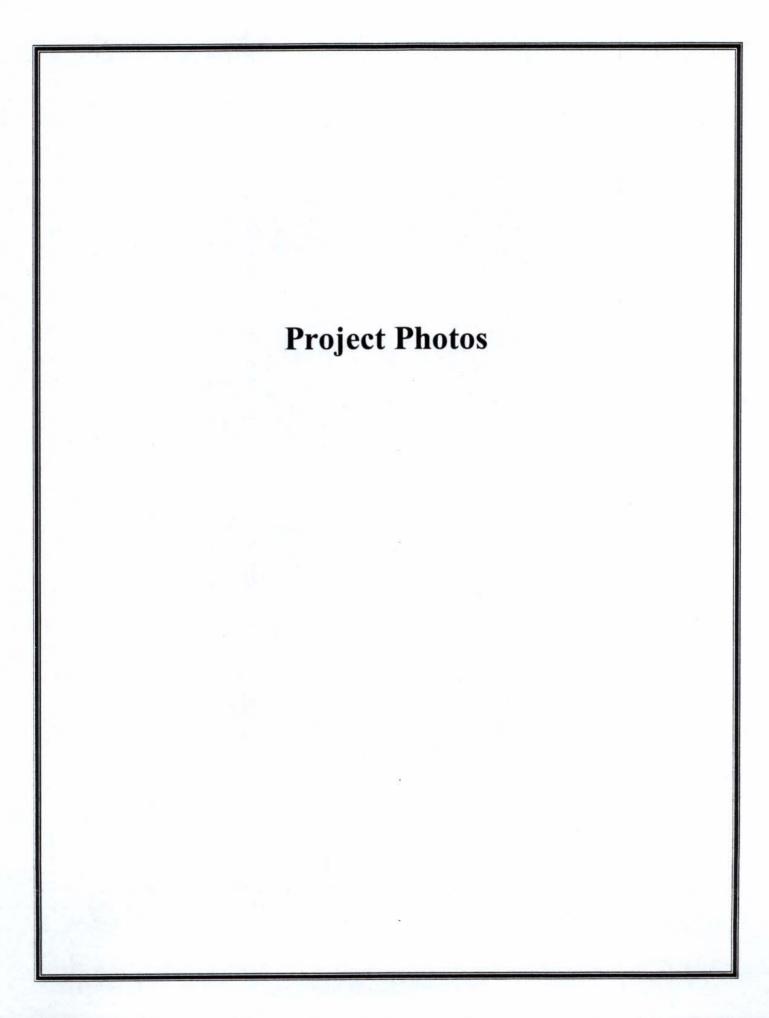
#730 Southard Street Sanborn map 1926



#730 Southard Street Sanborn map 1948 copy



#730 Southard Street Sanborn map 1962 copy





The Heritage House Collection, donated by the Campbell, Poirier and Pound families. The house at 730 Southard Street in the 1930s. From a collection of photographs taken or collected during the 1930s by the WPA workers in Key West.

Monroe County Library



The front of the Albury house at 730 Southard taken 1971. U.S. Navy photo. Monroe County Library



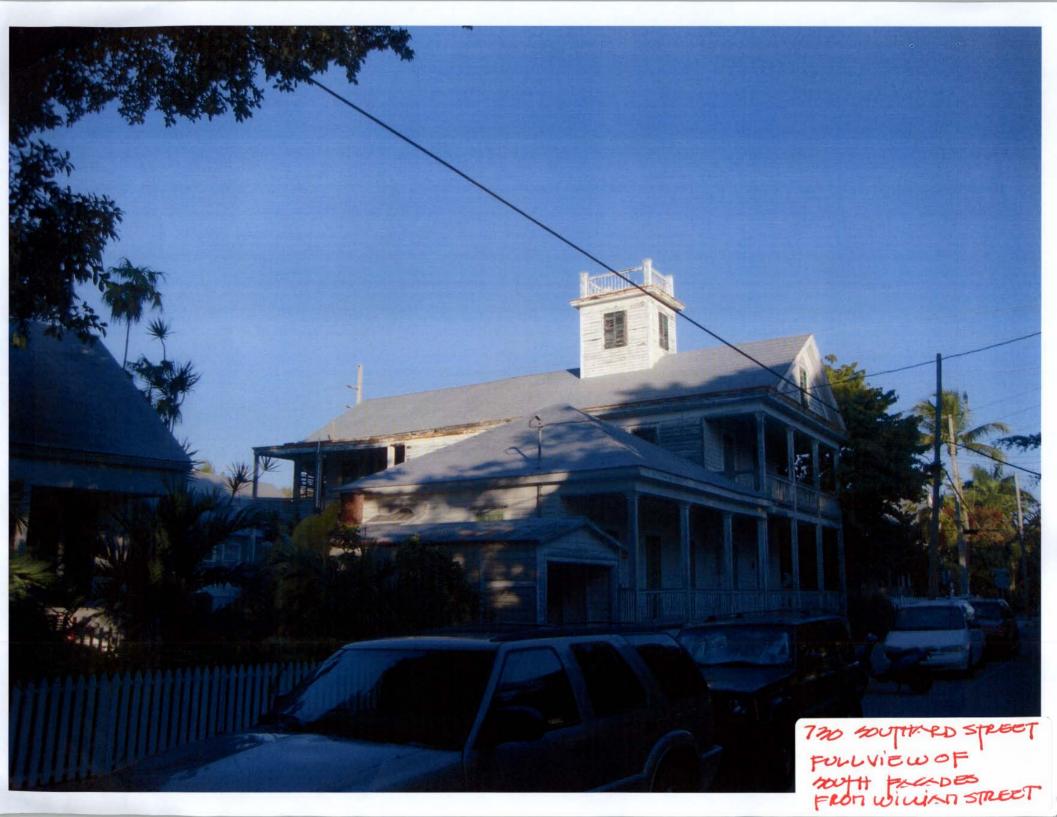
Photo taken by the Property Appraiser's office c1965; 730 Southard St.; built 1919; Monroe County Library











Survey



LOCATION MAP

Port of Tract 5, City of Key West

LEGAL DESCRIPTION:

On the Island of Key West and known on William A. Whitehead's map delineated in February, A.D. 1829, as Part of Lot Two (2) of Square Fifty—nine (59). Commencing at the corner of the intersection of William Street and Southard Street and running thence along the Southwesterly side of William Street in a Southeasterly direction One Hundred (100) feet; thence at right angles in a Southwesterly direction Sixty—eight and fifty—three one—hundredths (68.53) feet; thence at right angles in a Northwesterly direction One hundred (100) feet to the Southeasterly side of Southard Street; thence at right angles along the Southeasterly side of Southard Street, in a Northeasterly direction Sixty—eight and fifty—three one—hundredths (68.53) feet to the Point of Begining.

SURVEYOR'S NOTES:

North arrow & bearings based on assumed median 3.4 denotes exisiting elevation Elevations based on N.G.V.D. 1929 Datum Bench Mark No.: Basic Elevation: 14.324

Monumentation:

• = found 1/2" Iron Pipe

▲= found P.K. Nail

 Δ = set P.K. nail P.L.S. No. 2449

Abbreviations:

p. = Plat P.O.C.= Point of Commence m. = Measured P.O.B.= Point of Beginning

N.T.S.= Not to Scale P.B. = Plat Book

= Centerline pg. = page Clev. = Elevation C.L.F.= Chain Link

Elev. = Elevation C.L.F. = Chain Link Fence B.M. = Bench Mark C.B. = Catch Basin

Field Work performed on: 12/2/10

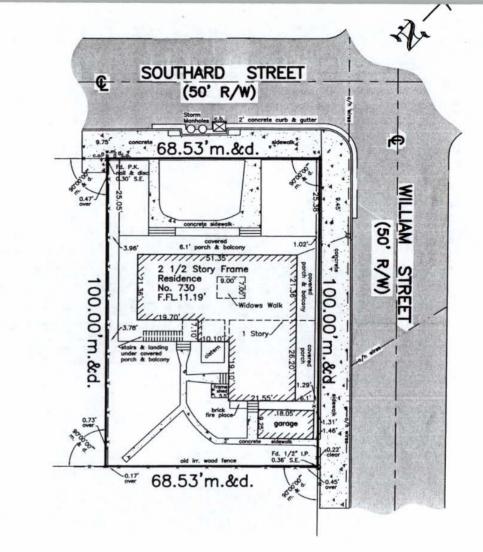
CERTIFICATION:

I HEREBY CERTIFY that the attached Boundary Survey is true and correct to the best of my knowledge and beleif; that it meets the minimum technical standards adopted by the Florida Board of Land Surveyors, Chapter 61G17-6, Florida Statute Section 472.027, and the American Land Title Association, and that there are no visible encroachments unless shown hereon.

FREDERICK H. HILDEBRANDT

Professional Land Surveyor & Mapper No. 2749

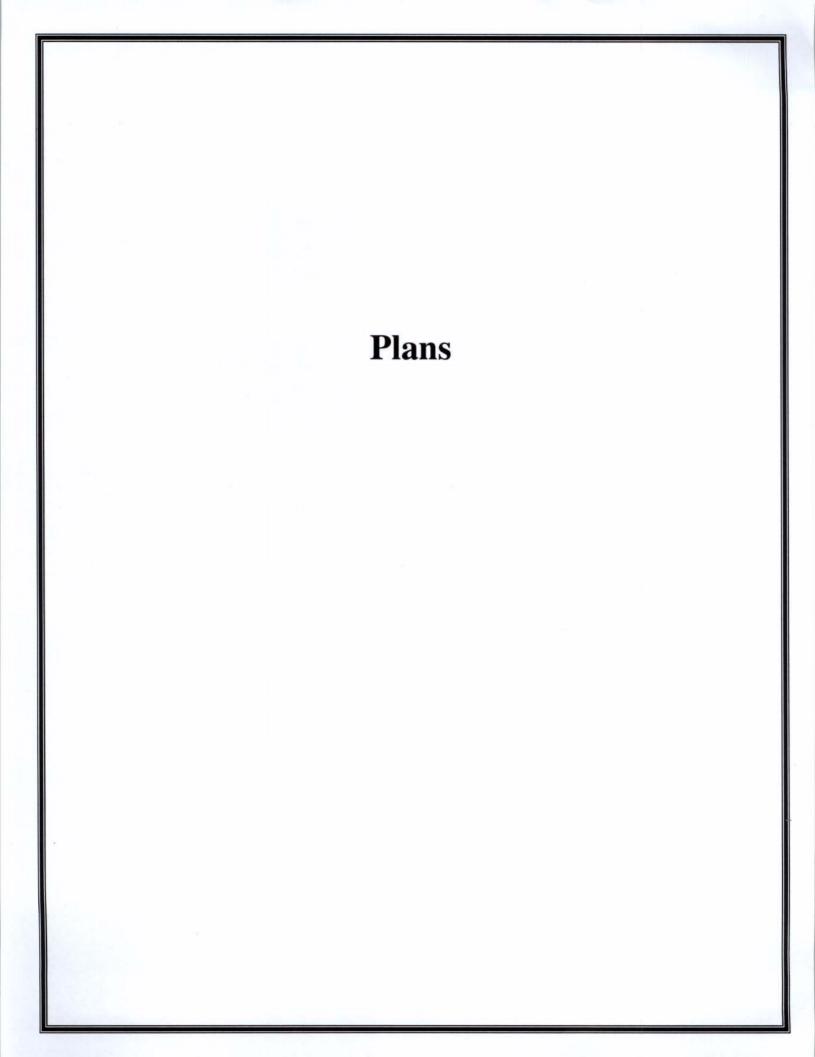
Professional Engineer No. 36810



730 Southard 5	rust and Street, Ke	Vincent F. Bar ey West, Florida	letta 33040
Boundary Surve	у		Dwn No.: 10-349
Scale: 1"= 20'	Ref. 202-27	Flood panel No. 1516 K	Dwn. By: F.H.H.
Date: 12/2/10	102 27	Flood Zone: X	Flood Elev

ISLAND SURVEYING INC. ENGINEERS PLANNERS SURVEYOR

3152 Northside Drive Suite 201 Key West, Fl. 33040 (305) 293-0466



Previous Approved Plans

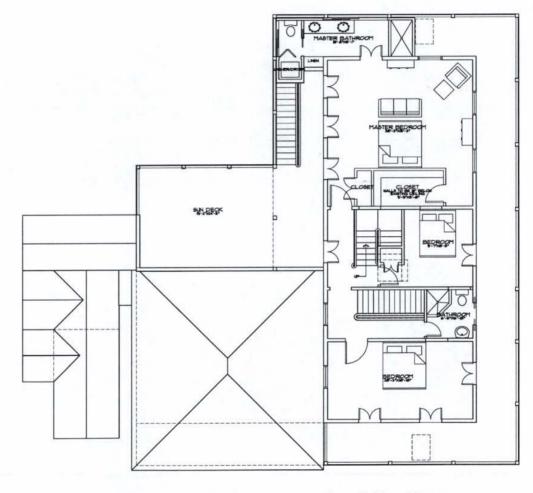
SOUTHARD STREET

THOMAS E. POPE, P.A. ARCHITECT 7009 Shrimp Road #4, Key West FL. (\$05) 296 3511

Barletta Residence

Site/First Floor Plan

Attic Plan



Second Floor Plan

Barletta Residence

THOMAS E. POPE, P.A. ARCHITECT 7008 Shrimp Road #4, Key West FL TEPopePA®ael.cum





Barletta Residence

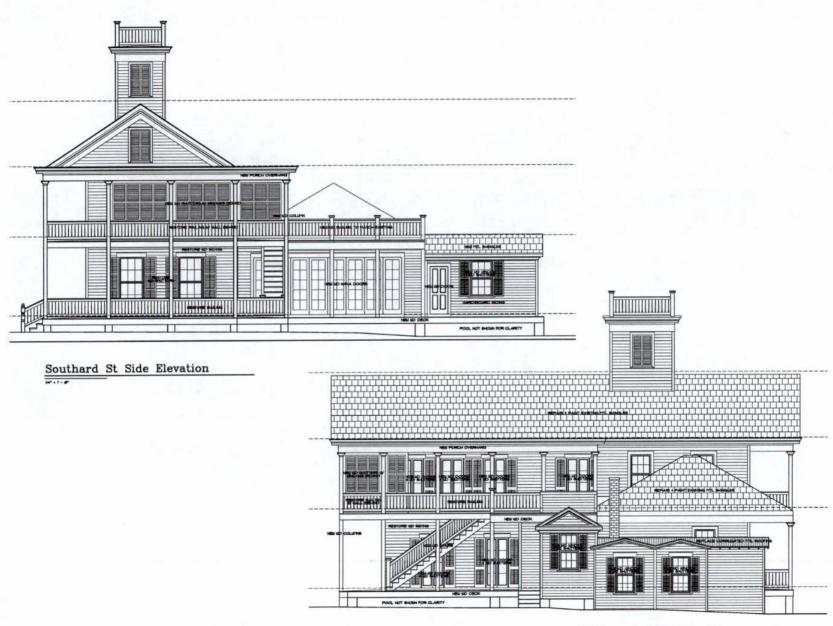
- 200 GEAL

PE, P.A. ARCHITECT

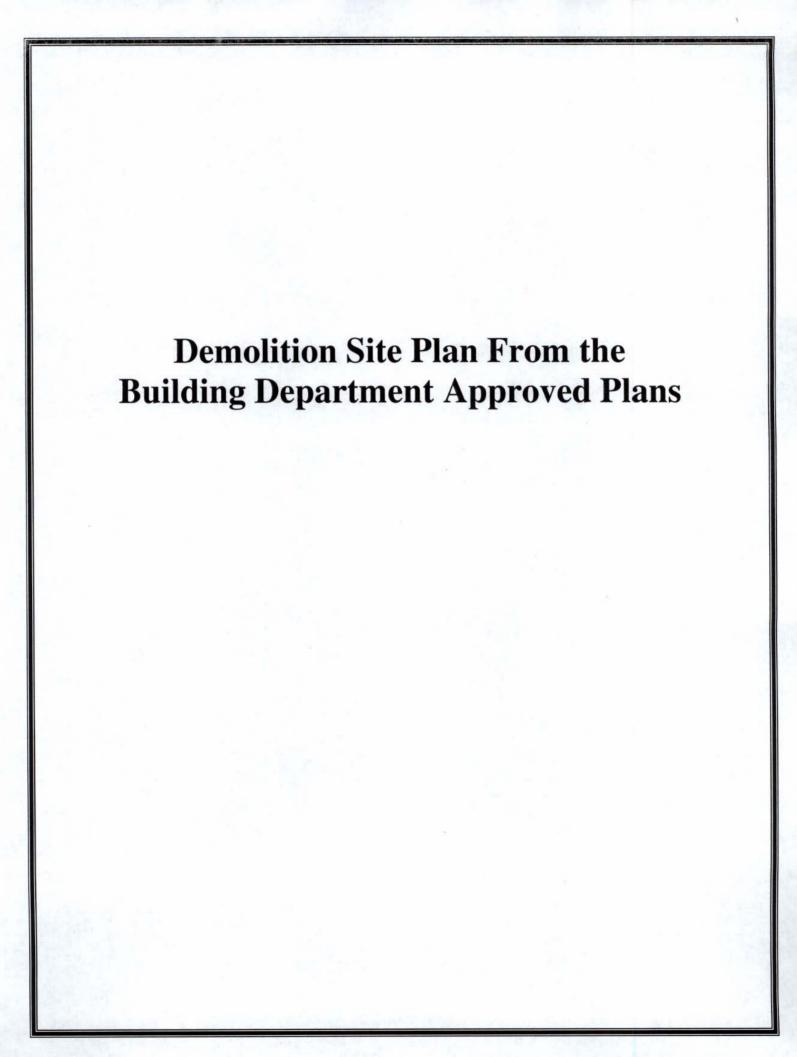
THOMAS E. POPE, P.A. 7008 Shrimp Road #4, Key (305) 296 3611

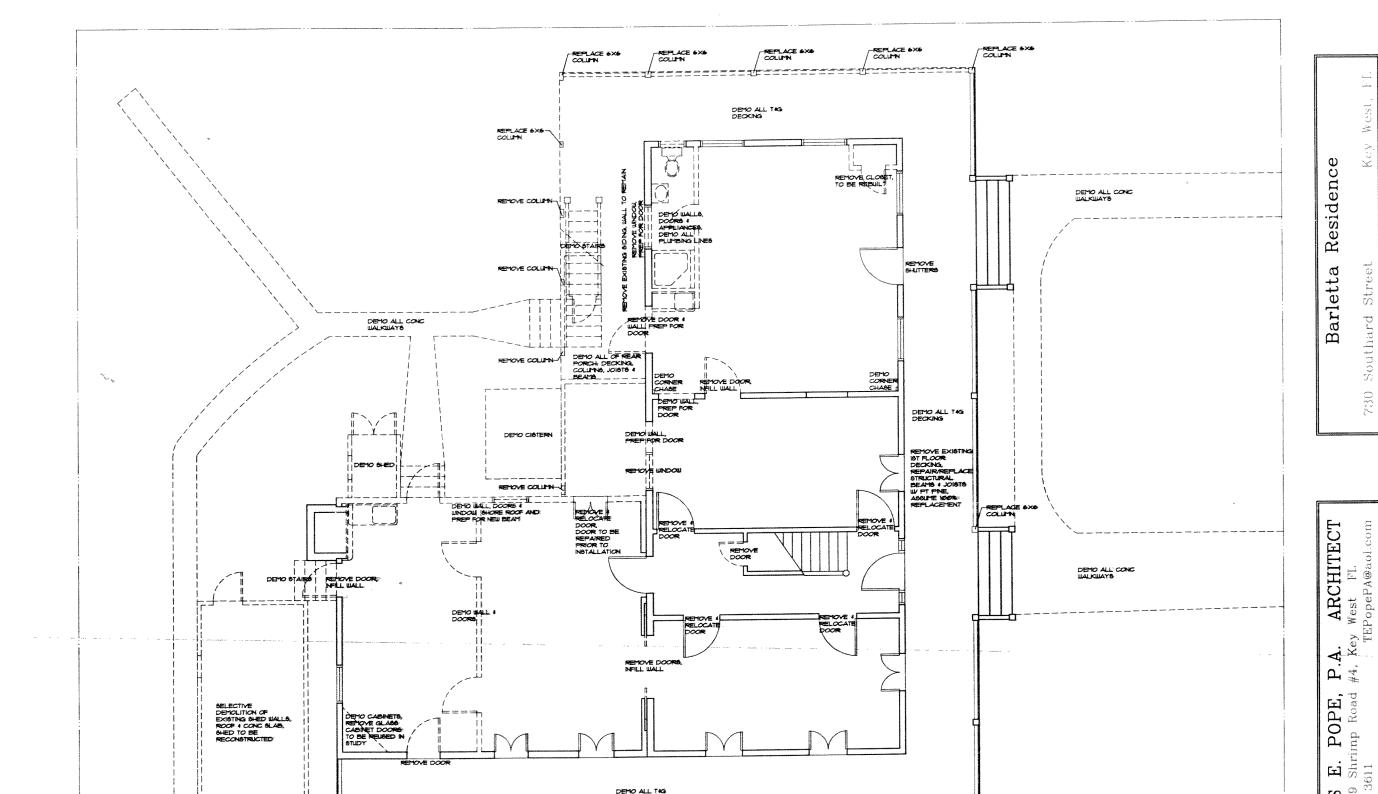
date: 3/26/II revision:

sheet:



William St Side Elevation





DEMO ALL TIG DECKING

REPLACE 6X6

DEMOLITION NOTES

CONTRACTOR TO SHORE ROOF AS REGULAD NOTIFY ARCHITECT

CONTRACTOR TO NOTECT:
FLOORING CEILING & FRANCIS AND NOTEY
ARCHITECT F REPLACEMENT
16 NEEDED

CONTRACTOR TO RETAIN ALL TAG, DOORS, UNDOUG 4 HARDWARE THAT ARE REMOVED. ARCHITECT TO REVIEW ITEMS FOR REUSE.

زاے

CONTRACTOR TO PROTECT INTERIOR

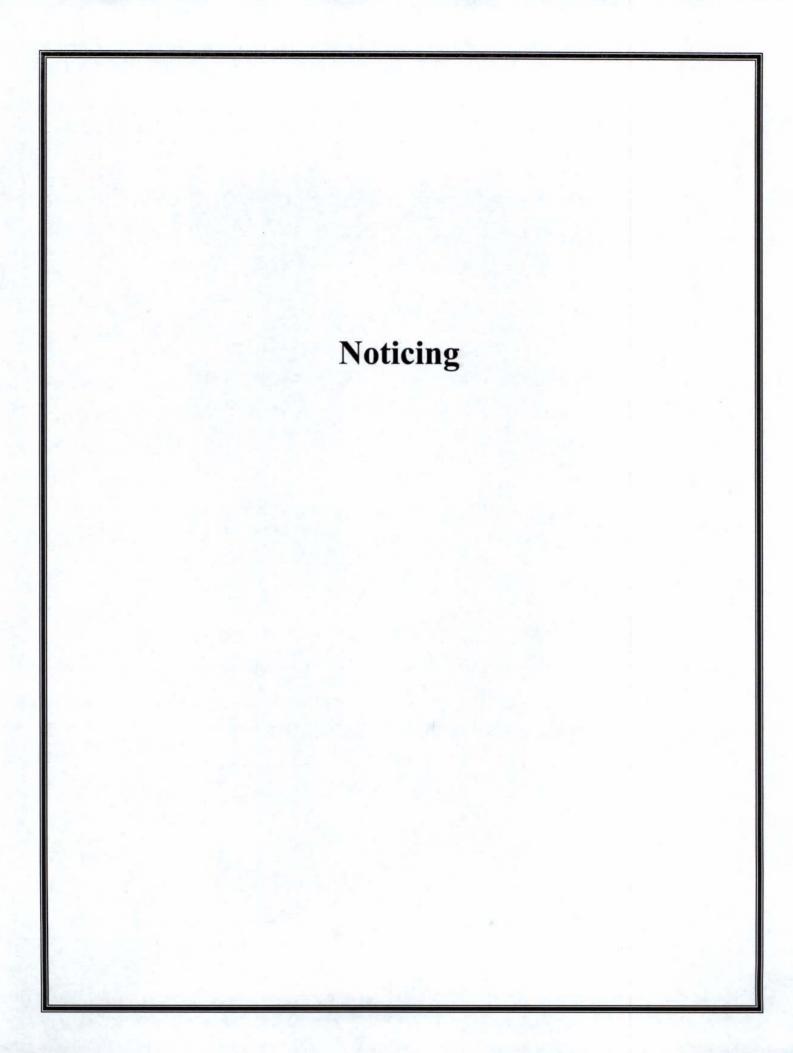
First Floor Demolition Plan V4" + 1" - 0"

date: 8/5/11 revision:

THOMAS

Street

sheet:



The Historic Architectural Review Commission will hold a public hearing at 6:00 p.m., January 11, 2012 at Old City Hall, 510 Greene Street, Key West, Florida. The purpose of the hearing will be to consider a request for:

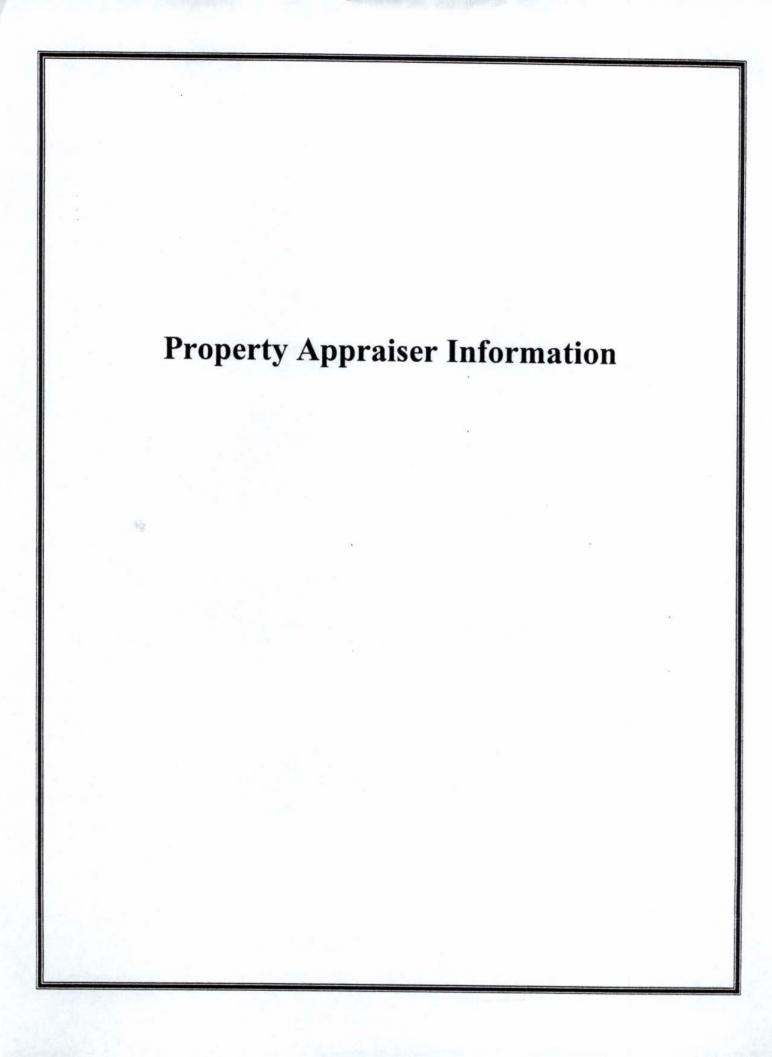
RECONSTRUCTION OF CHIMNEY WITH ADDITIONAL HEIGHT OF 6' TO 10' AND INSTALLATION OF FLUE LINER IN ORDER TO RESTORE FIREPLACE AND CHIMNEY TO OPERATIONAL CONDITION, IN COMPLIANCE WITH FIRE AND BUILDING CODE. AFTER THE FACT DEMOLITION OF HISTORIC CHIMNEY- CODE COMPLIANCE CASE

#730 SOUTHARD STREET

Applicant- Adele V. Stones -Application Number H11-01-1757

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 www.keywestcity.com.

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



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

office (305) 292-3420 fax (305) 292-3501 Website tested on Internet Explorer

----- GIS Mapping requires Adobe Flash 10.3 or higher. -----

Property Record View

Alternate Key: 1012009 Parcel ID: 00011690-000000

Ownership Details

Mailing Address:

730 SOUTHARD TRUST 11/29/2010 C/O BARLETTA VINCENT F TRUSTEE 40 SHAWMUT RD CANTON, MA 02021-1409

Property Details

PC Code: 01 - SINGLE FAMILY

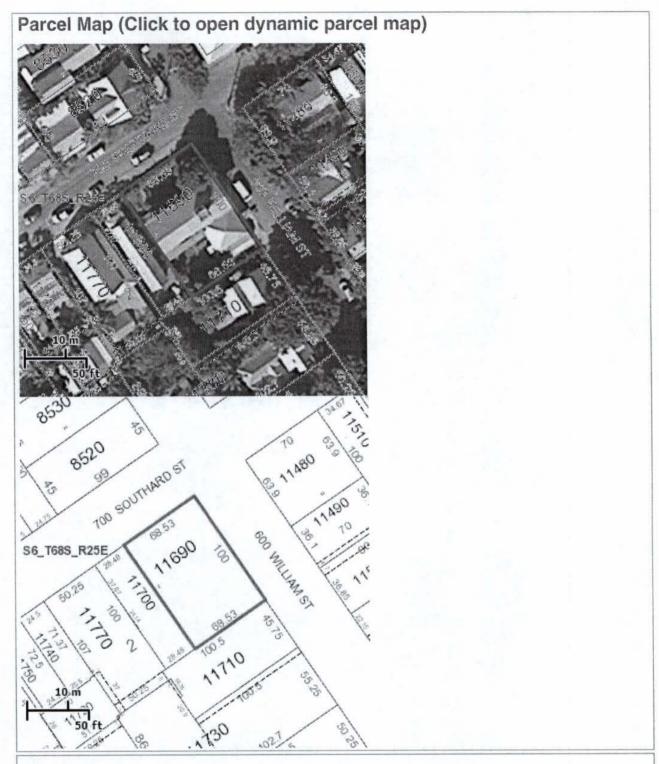
Millage Group: 10KW Affordable Housing: No

Section-Township-Range: 06-68-25

Property Location: 730 SOUTHARD ST KEY WEST

Legal Description: KW PT LOT 2 SQR 59 G61-33/34 OR177-157 (PROB 44-07-CP-216-K) OR2386-1203/04 OR2389-

1412/13 OR2497-1926D/C OR2497-636/37



Land Details

Land Use Code	Frontage	Depth	Land Area
010D - RESIDENTIAL DRY	0	0	6,853.00 SF

Building Summary

Number of Buildings: 1 Number of Commercial Buildings: 0 Total Living Area: 2774 Year Built: 1919

Building 1 Details

Building Type R1 Effective Age 61 Year Built 1919 Functional Obs 0 Condition A Perimeter 352 Special Arch 0

Economic Obs 0

Quality Grade 550 Depreciation % 54 Grnd Floor Area 2,774

Inclusions:

R1 includes 1 3-fixture bath and 1 kitchen.

Roof Type IRR/CUSTOM Heat 1 NONE

Heat Src 1 NONE

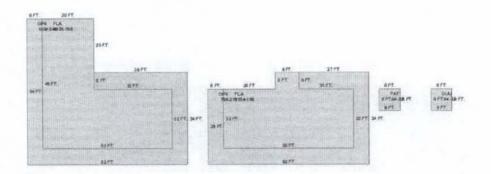
Roof Cover METAL Heat 2 NONE Heat Src 2 NONE Foundation WD CONC PADS

Bedrooms 4

Extra Features:

2 Fix Bath 0
3 Fix Bath 1
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	Туре	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA	12:ABOVE AVERAGE WOOD	1	1993	N	Ν	0.00	0.00	1,620
2	OPX	12:ABOVE AVERAGE WOOD	1	1993	Ν	Ν	0.00	0.00	1,008
3	FLA	12:ABOVE AVERAGE WOOD	1,	1993	N	Ν	0.00	0.00	1,154

4	OPX	12:ABOVE AVERAGE WOOD	1	1993	Ν	N	0.00	0.00	798
5	FAT	12:ABOVE AVERAGE WOOD	1	1993	Ν	N	0.00	0.00	64
6	OUU	12:ABOVE AVERAGE WOOD	1	1993	N	N	0.00	0.00	64

Misc Improvement Details

Nbr	Туре	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	GR2:GARAGE	200 SF	0	0	1939	1940	2	60
2	FN2:FENCES	354 SF	0	0	1959	1960	2	30
3	PT3:PATIO	374 SF	0	0	1939	1940	1	50

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	9701696	05/01/1997	08/01/1997	1,100		UPGRADE TO 150 AMP

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	188,200	3,634	348,383	540,217	540,217	0	540,217
2010	287,055	3,998	437,427	728,480	728,480	0	728,480
2009	315,445	3,998	664,889	984,332	984,332	0	984,332
2008	310,020	3,998	952,567	1,266,585	1,266,585	0	1,266,585
2007	504,032	3,958	1,199,275	1,707,265	324,537	25,000	299,537
2006	638,258	3,958	651,035	1,293,251	316,621	25,000	291,621
2005	565,314	3,958	582,505	1,151,777	307,399	25,000	282,399
2004	410,307	3,958	479,710	893,975	298,446	25,000	273,446
2003	395,110	3,958	239,855	638,923	292,882	25,000	267,882
2002	379,640	3,958	239,855	623,453	286,018	25,000	261,018
2001	300,771	3,958	239,855	544,584	281,514	25,000	256,514
2000	261,337	4,395	130,207	395,940	273,315	25,000	248,315
1999	248,839	4,185	123,697	376,721	266,130	25,000	241,130
1998	210,206	3,535	123,697	337,439	261,939	25,000	236,939
1997	193,163	3,249	110,676	307,087	257,561	25,000	232,561
1996	153,394	2,580	110,676	266,650	250,060	25,000	225,060
1995	147,713	2,227	110,676	260,615	243,961	25,000	218,961
1994	124,987	1,884	110,676	237,548	237,548	25,000	212,548
1993	110,879	161	110,676	221,716	221,716	25,000	196,716

1992	110,879	161	110,676	221,716	221,716	25,000	196,716
1991	110,879	161	110,676	221,716	221,716	25,000	196,716
1990	73,829	161	86,262	160,251	160,251	25,000	135,251
1989	67,117	146	84,635	151,898	151,898	25,000	126,898
1988	56,881	146	71,614	128,641	128,641	25,000	103,641
1987	56,259	146	51,055	107,460	107,460	25,000	82,460
1986	56,559	146	49,342	106,047	106,047	25,000	81,047
1985	54,995	146	28,920	84,061	84,061	25,000	59,061
1984	51,368	146	28,920	80,434	80,434	25,000	55,434
1983	51,368	146	28,920	80,434	80,434	25,000	55,434
1982	52,340	146	28,920	81,406	81,406	25,000	56,406

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
12/15/2010	2497 / 636	800,000	WD	02

This page has been visited 33,820 times.

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