

Minutes of the Key West Historic Architectural Review Commission

July 10, 2012

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Call Meeting To Order

Chairman Rudy Molinet called the Key West Historic Architectural Review Commission (HARC) Meeting of July 10, 2012 to order at **5:31 pm** at Old City Hall, in the antechamber at 510 Greene Street, Key West.

Pledge of Allegiance to the Flag

Roll Call

Commissioners present include: Donna Bosold, Theo Glorie, Maggie Gutierrez, 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 Mike Rivera, and Recording Secretary Jo Bennett.

Approval of Agenda

Chairman Rudy Molinet inquired as to any changes to the agenda. Enid Torregrosa stated that item 12 has been withdrawn by the applicant. Ms. Torregrosa also requested that item 1 – June 26, 2012 meeting minutes be postponed

Actions/Motions:

A motion was made by Mr. Bryan Green, seconded by Mr. Michael Miller, that the Agenda with changes be **Approved**. The motion **Passed** by a unanimous voice vote.

Approval of Minutes

1 June 26, 2012

Actions/Motions:

A motion was made by Mr. Bryan Green, seconded by Mr. Michael Miller, that the item be **Postponed**. The motion **Passed** by the following vote:

Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet

HARC Planner's Report

2 HARC Applications Monthly Report

Ms. Torregrosa presented the HARC Applications Monthly Reports for June, which were included in the meeting package. Ms. Torregrosa highlighted the application statistics:

- 1100 HARC applications have been processed to date this year.
- 174 were received in June.
- Of the 174 applications processed in June, 129 were Staff approved.
- 81.40% of the Staff approve applications were accomplished in 2 or less days.
- This is approximately 400 over the last fiscal year.

Ms. Torregrosa also reminded the Commissioners that she had eMailed them the Historic Preservation element of the Comprehensive Plans revisions and asked them to review the section and be prepared to make suggestions at the Comprehensive Plan Workshop scheduled for July 26, 2012.

Assistant City Attorney's Report

Mr. Ramsingh stated he had nothing to report. Mr. Molinet asked Mr. Ramsingh to clarify the rumors about boats parking in Old Town. Mr. Ramsingh stated that the proposal is only for the SF district.

Old Business

3 Approval of HARC Minimum Requirements for Submittals as a replacement to Supporting Documents for HARC Review under page 56 of the guidelines

Ms. Torregrosa stated she included two (2) documents in the package and reviewed the documents

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with the Commissioners. Ms. Torregrosa explained that the minimal requirements document was reviewed at the last meeting and the suggested changes from that meeting are included in the document as well as a draft copy of the proposed Ordinance change.

Public Comments:

There were no public comments.

Commission Discussion:

Theo Glorie asked why the quality of the work was not being addressed in the document. Ms. Torregrosa stated that this document is to only address the minimal requirements to submit an application which would help expedite the review process.

Actions/Motions:

A motion was made by Mr. Bryan Green, seconded by Mr. Michael Miller, that the item be **Approved**. The motion **Passed** by the following vote:

Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet

4a New two story house and new fence-#914 James Street - Seatech of the Florida Keys (H12-01-345)

Owen Trepannier presented the project. Mr. Trepannier stated he appreciated the Commission's time and had nothing additional to report following all the previous presentations. Mr. Trepannier remained to respond to any questions.

Public Comments:

There were no public comments.

Staff Report:

Design:

Enid Torregrosa presented her Staff report. Ms. Torregrosa stated that this is a request for the construction of a new two-story house. Ms. Torregrosa stated that the plans propose the demolition of a one story non-contributing house. Ms. Torregrosa reminded the Commission that on February 8, 2012 the Commission approved the design of the "restoration" of the historic portion of the house and a new two-story addition. Ms. Torregrosa added that on March 28 a new application was postponed by the Commission for the demolition of the entire house and the new construction of a two-story structure. Ms. Torregrosa stated that on May 9, revised plans were submitted and the project was, again, postponed. Ms. Torregrosa stated that it is Staff's opinion that proposal B is inconsistent with many of the guidelines for new construction. Ms. Torregrosa stated that Staff understands that although the building will be setback from the sidewalk approximately 13', due to the proposed side main gable roof it will be perceived taller than the non historic house on the east side. The main façade of the East side house is also setback from the sidewalk, but approximately 15'. Ms. Torregrosa added that the scale of the proposed house would not be in keeping to the scale and massing of the existing historic houses on that urban block. Ms. Torregrosa stated that Staff understands that most of the historic urban context on this part in town has been lost but what is still left as historic should be protected. Ms. Torregrosa stated that it is Staff's opinion that, although the applicant had tried to lower the main façade's scale by incorporating hip roofs, the massing and scale of the entire house is not appropriate when reviewing what still standing as historic fabric.

Demolition:

Ms. Torregrosa stated that it is Staff's opinion that what will be left of the historic part of the house once demolition takes place will be the West side of the house and the roof. Ms. Torregrosa stated although the historic part of the house is not irrevocably compromise by extreme deterioration it has been altered through time and there is not much left of the historic fabric.

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Commission Discussion:

Michael Miller asked what was the color rendering he is currently looking at. Ms. Torregrosa stated that what he is looking at is that is the approved plans. Mr. Miller asked Mr. Trepannier what was wrong with that plan. Mr. Trepannier stated that the owner decided that he would prefer a completely new structure.

Bryan Green asked Mr. Trepannier why the applicant did not submit the requested street perspective drawings that the Commissioners requested at the last two meetings. Mr. Trepannier stated that the owner did not think the additional drawings would help get the project approved.

Maggie Gutierrez will not be able to support anything two-story at the site.

Rudy Molinet stated that he thinks the Commissioners have been very clear about what would be acceptable for the area.

Actions/Motions:

A motion was made by Ms. Maggie Gutierrez, seconded by Mr. Bryan Green, that the item be **Denied**. The motion **Passed** based on Guideline VI page 38a-4 and page 38a-5 by the following vote:

Yes: 5 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Green, Chairman Molinet

No: 2 – Mr. Metzler, Mr. Miller

4b Demolition of entire house- -#914 James Street - Seatech of the Florida Keys (H12-01-345)

In an effort to expedite the meetings all discussion took place during the discussion of item 4a.

Actions/Motions:

A motion was made by Ms. Maggie Gutierrez, seconded by Ms. Donna Bosold, that the item be **Denied** based on the fact that the design was not approved. The motion **Passed** by the following vote:

Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet

5 Demolition of existing roof over one story structure on back of main house-#513 Margaret Street – Michael Miller (H12-01-1014)- Second reading

Michael Miller recused himself.

Michael Miller presented the project. Mr. Miller stated he had nothing to add.

Public Comments:

There were no public comments.

Staff Report:

Enid Torregrosa presented her Staff report. Ms. Torregrosa stated that it is Staff's opinion that the Commission can consider the second reading of a request for demolition, as it is consistent with the criteria for demolitions in the historic district, Sec. 102-218 of the Land Development Regulations. The proposed demolition will be for a structure that is not historic and will not be considered contributing in a near future.

Commission Discussion:

The Commissioners had no additional comments or discussion.

Actions/Motions:

A motion was made by Mr. Bryan Green, seconded by Mr. Theo Glorie, that the item be

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Approved. The motion **Passed** by the following vote:

Yes: 6 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Green, Chairman Molinet

Recuse: 1 - Mr. Miller

6 Removal of front porch- **#1114 Margaret Street- Richard Logan (H12-01-973) Second reading**

Richard Logan presented the project. Mr. Logan stated that he had nothing to add.

Public Comments:

There were no public comments.

Staff Report:

Enid Torregrosa presented her Staff report. Ms. Torregrosa stated that it is Staff's opinion that the Commission can consider the second reading of a request for demolition, as it is consistent with the criteria for demolitions in the historic district, Sec. 102-218 of the Land Development Regulations. The proposed demolition will be for a structure that is not historic and will not be considered contributing in a near future.

Commission Discussion:

The Commissioners had no additional comments or discussion.

Actions/Motions:

A motion was made by Ms. Donna Bosold, seconded by Ms. Maggie Gutierrez, that the item be **Approved**. The motion **Passed** by the following vote:

Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet

7 Demolition of rear additions, carport, garage, side deck and portion of side one story addition-**#517 Elizabeth Street- Thomas E. Pope (H12-01-997) Second Reading**

Rudy Molinet recused himself.

Tom Pope presented the project. Mr. Pope stated he had nothing to add.

Public Comments:

There were no public comments.

Staff Report:

Enid Torregrosa presented her Staff report. Ms. Torregrosa stated that it is Staff's opinion that the Commission can consider the second reading of a request for demolition, as it is consistent with the criteria for demolitions in the historic district, Sec. 102-218 of the Land Development Regulations. The proposed demolition will be for a structure that is not historic and will not be considered contributing in a near future.

Commission Discussion:

The Commissioners had no additional comments or discussion.

Actions/Motions:

A motion was made by Mr. Daniel Metzler, seconded by Mr. Michael Miller, that the item be **Approved**. The motion **Passed** by the following vote:

Yes: 6 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green
Recuse: 1 - Chairman Molinet

8 Demolition of rear gazebo, shed and rear deck- **#411 Grinnell Street- Thomas E. Pope (H12-**

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01-998) Second Reading

Tom Pope presented the project. Mr. Pope stated he had nothing to add.

Public Comments:

There were no public comments.

Staff Report:

Enid Torregrosa presented her Staff report. Ms. Torregrosa stated that it is Staff's opinion that the Commission can consider the second reading of a request for demolition, as it is consistent with the criteria for demolitions in the historic district, Sec. 102-218 of the Land Development Regulations. The proposed demolition will be for a structure that is not historic and will not be considered contributing in a near future.

Commission Discussion:

The Commissioners had no additional comments or discussion.

Actions/Motions:

A motion was made by Mr. Theo Glorie, seconded by Mr. Michael Miller, that the item be

Approved. The motion **Passed** by the following vote:

Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet

- 9** After the fact approval to allow installation of three additional joists on second floor porch to meet current Florida Building Code floor loading requirement. Maintain historic porch joists with new joists milled to replace historic members- **#730 Southard Street- Adele V. Stones (H12-01-1005)**

Tom Pope presented the project. The property owner Vincent Barletta was present to respond to questions as needed. Mr. Pope explained the reasoning behind the after-the-fact request for the additional porch joist. Mr. Pope mentioned that the description of the item stated that "new joist milled to replace historic members" but in fact it should have stated "new joist milled to replicate historic members". Ms. Torregrosa stated that was a typographical error on the agenda and that it was correct on the application. Mr. Pope stated that they have added fabric but have not removed any historic fabric. Mr. Pope explained that the engineer – Butch Wilson determined there are alternatives but the use of those alternatives will cause more destruction of the historic fabric of the porch. Mr. Pope remained to respond to questions.

Public Comments:

There were no public comments.

Staff Report:

Enid Torregrosa presented her Staff report. Ms. Torregrosa stated that this request is for an after the fact approval of the installation of three additional joists under the second floor front and side porches. Ms. Torregrosa stated that before the restoration project started the house used to have just three joists under the second porches. Ms. Torregrosa stated that on the HARC approved plans, although there were no sections submitted, the architect included the phrase "restore wood porch" on the Southard and William Streets Elevations. Ms. Torregrosa stated that the architect also included in the elevation drawings a note stating "Contractor to remove and replace in kind rotted and/or deteriorated wood members as approved by architect and reviewed by HARC coordinator". Ms. Torregrosa stated that on June 26, 2012 the Commission reviewed the application and motioned to postpone the review and requested advice from the Chief Building Official since the application specified that the new three joists were for meeting current Florida Building Code floor loading requirement. Ms. Torregrosa stated that Mr. John Woodson met with attorney Ronald Ramsingh on June 27, 2012 and memorialized their conversation on a two-page letter, copy of which Staff included in the packet. Ms. Torregrosa stated that in the document Mr.

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Woodson agreed with engineer's Garland Wilson statement, engineer of the project, that 3 replacement wood parallam joists would have likewise satisfied the Florida Building Code (FBC). Ms. Torregrosa stated that during the last meeting engineer Wilson mentioned that there were different alternatives to deal with the structural capacity of the historic porch; new joists made of different materials or increasing depths of joists were mentioned as alternatives. Ms. Torregrosa stated that it is Staff's opinion that the after the fact request to install 3 joists between existing ones is inconsistent with the Florida Building Code for Existing Buildings, the Secretary of the Interior's Standards and Guidelines for Rehabilitating Historic Buildings, the Guidelines, and Chapter 11 of the Florida Building code for existing buildings.

Commission Discussion:

Daniel Metzler stated that Structural Engineers by nature are very conservative and suggested that there be a test to prove the load. Mr. Metzler stated that the original joist have lasted a very long time. Mr. Metzler stated that he sees this porch as a "character defining" feature and unless test prove them necessary he could not support. Mr. Pope responded that the reason they think they need the additional support is the fact that there are wider spans (11'11").

Michael Miller asked if the revision is being brought up to the current building codes and asked Mr. Pope if he had considered compromising and not bringing the porch up to the current code. Mr. Miller also asked if it was important to meet the current code then why wasn't the current code applied to the foundation. Mr. Pope stated that they were required to strap the house to the foundation. Mr. Miller stated that it still appears they are applying code selectively since coral stones do not meet actual code. Mr. Pope stated the reason they went in the direct they did with the additional joist was that their desire was not to disturb the historic fabric. Mr. Pope stated that that their main concern is load of a large family activities on the porch.

Bryan Green stated that it is what it is and there isn't anything in the Guidelines that defines handling one contributing house from another. Mr. Miller stated that due to this house being what it is we are holding it to a higher standard than we might hold other houses. Mr. Green stated that he thinks we are holding this building to a higher standard just because it is such a spectacular house. Mr. Green stated that the question to him is "Is this a defining feature" and stated that he did not find it to be a defining feature.

Maggie Gutierrez stated that she agrees with Staff and cannot support the design.

Michael Miller stated that this is a character defining feature. Mr. Miller stated that this is the way the old houses were build and asked Mr. Pope if he had seen this kind of application of joist anywhere else in Key West. Mr. Pope stated that the defining feature of the house is the fascia more so than the joist and if the joist are increased in size that will cause the fascia to be changed.

Rudy Molinet stated that this is an amazing house. Mr. Molinet stated that we do treat all houses the same. Mr. Molinet stated that this house is a very special house and "character defining" house in the district. Mr. Molinet stated that not being an architect but just walking by the house the addition of the joist sticks out like a sore thumb. Mr. Molinet stated that he has a concern that they did not build as submitted and did not contact anyone to obtain suggestions and/or approval for the changes. Mr. Molinet stated that to him this modification definitely changes the appearance of the house. Mr. Molinet stated that what the Commission is to do is to vote to approve or disapprove not to make suggestions as to how to correct the problem. Mr. Molinet stated that he cannot support the design.

Mr. Ramsingh drew the Commissioners attention to the letter which was written as a result of his meeting with the City Chief Building Official which contains the dimensions of the suggested alternative solution.

Actions/Motions:

A motion was made by Mr. Bryan Green that the item be **Approved**. The motion **Failed**

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due to a lack of a second.

A motion was made by Ms. Maggie Gutierrez, seconded by Mr. Theo Glorie, that the item be **Denied** based on Standard 6 of the Secretary of the Interior's Standards for Rehabilitation and Guidelines page 21 as well as page B2 of the 2010 Existing Building-Florida Building Code. The motion **Passed** by the following vote:

Yes: 6 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Chairman Molinet

No: 1 – Mr. Green

New Business

10 Demolition of carport with no built back- **#1415 United Street- John Castro (H12-01-994)**

The item was **tabled** until later in the meeting due to the applicant not being present.

11a New gable roof on back portion of house and bay window addition on the side- **#1211 Watson Street- Michael Skoglund(H12-01-1034)**

Michael Skoglund presented the project. Mr. Skoglund briefly explained the project and remained to respond to questions from the Commissioners.

Public Comments:

There were no public comments.

Staff Report:

Design:

Enid Torregrosa presented her Staff report. Ms. Torregrosa stated that this is for changing a shed roof to a gable roof on an attached addition on the back of the main house. Ms. Torregrosa stated that the plans also include the addition of a bay window on the side. Ms. Torregrosa stated that the house is not listed in the actual survey. Ms. Torregrosa stated that according to the Sanborn maps a structure with a similar footprint of the front portion of the house is depicted in the 1962 one. Ms. Torregrosa stated that there was no structure in the site in the 1948 Sanborn map. Ms. Torregrosa stated that it is evident that the roof of the back portion of the house is a non-historic addition. Ms. Torregrosa stated that the new roof will be 1'-4" taller than the main house roof and will be covered with metal v-crimp panels. Ms. Torregrosa stated that new novelty siding will be covering the exterior walls. Ms. Torregrosa stated that the new proposed bay window will be made of wood. Ms. Torregrosa stated that it is Staff's opinion that the proposed design is consistent with the Guidelines.

Demolition:

Enid Torregrosa presented her Staff report. Ms. Torregrosa stated that it is Staff's opinion that the Commission can consider the first reading of a request for demolition, as it is consistent with the criteria for demolitions in the historic district, Sec. 102-218 of the Land Development Regulations. The proposed demolition will be for a structure that is not historic and will not be considered contributing in a near future.

Commission Discussion:

The Commissioners had no additional comments or discussion.

Actions/Motions:

A motion was made by Mr. Michael Miller, seconded by Mr. Theo Glorie, that the item be **Approved**. The motion **Passed** by the following vote:

Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet

11b Demolition of shed roof on back portion of house- **#1211 Watson Street- Michael**

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Skoglund(H12-01-1034)

In an effort to expedite the meetings all discussion took place during the discussion of item 11a.

Actions/Motions:

A motion was made by Ms. Maggie Gutierrez, seconded by Ms. Donna Bosold, that the item be **Approved**. The motion **Passed** by the following vote:

Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet

- 12** Replace metal shingle roof with metal v-crimp panels. Economic Hardship Request- **#1225 Olivia Street- Judith Gaddis (H12-01-1055)**

The application was **Withdrawn** by the applicant prior to the meeting.

- 13** Request to allow reconstruction of nonfunctioning chimney to replicate original chimney- **#730 Southard Street- Adele V. Stones (H21-01-1084)**

Tom Pope presented the project. Mr. Pope explained why the applicant has decided to request the approval stating that the applicant has decided they do not need an operational fireplace in Key West. Mr. Pope stated that they are requesting to be allowed to build a non-functioning fireplace designed to look like the original chimney and feel that it would have less detrimental to the design of the building.

Public Comments:

There were no public comments.

Staff Report:

Enid Torregrosa presented her Staff report. Ms. Torregrosa stated that this request is for reconstructing a non-functional chimney that was demolished. Ms. Torregrosa stated that the proposed chimney has the same form, height and configuration as the original chimney that was demolished and it complies with the guidelines and Standards.

Commission Discussion:

Maggie Gutierrez asked if there were going to use some of the brick from the old chimney that was destroyed. Mr. Pope stated that they have some of the old brick but that they are not usable since the brick are in such bad shape.

Bryan Green inquired if they could find some old brick that have been re-claimed from another site. Mr. Pope stated that that reclaimed brick will not last as long as a modern brick that is close to the same look but new.

Michael Miller asked Mr. Pope why they are not going to build the approved new chimney. Mr. Pope stated that the owners have spent time in Key West and now have decided they do not need an operational chimney and they think the new chimney would be a detriment to the design of the house.

Daniel Metzler asked if the "new" brick was the same size as the old bricks. Mr. Pope explained that they will be using brick that are new but look old and that they are of a size to allow them to build the fireplace the same size as the old one.

Rudy Molinet stated that he has a problem with not having a specific material or a plan other than the draft drawings of the non-functional fireplace. Mr. Pope stated that they will be using the photos of the old fireplace and that they would be duplicating the coursing of the old chimney.

Actions/Motions:

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A motion was made by Ms. Donna Bosold, seconded by Mr. Daniel Metzler, that the item be **Approved** with the condition that scaled drawings with measurements be submitted as well as old bricks samples for Staff review and approval. The motion **Passed** by the following vote:

Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet

14a Construction of outdoor dining patio- #610 Greene Street- Anna Marie Wevers (H12-01-1091)

Anna Marie Wevers and John Jackson (Contractor) presented the project. Ms. Wevers and Mr. Jackson explained the remodel of the location to create an outdoor dining area.

Public Comments:

eMail from Nancy Frank – 606 Green Street was read into the record. Ms. Frank's eMail asked that the platform not pass inside the window edge and the height of the platform and rail not to exceed 32 inches above the street/sidewalk.

Staff Report:

Design:

Enid Torregrosa presented her Staff report. Ms. Torregrosa stated that this is for an alteration to a front façade of a non-historic commercial building. Ms. Torregrosa stated that the building is not listed in the surveys and according to the Property Appraiser's records it was built in 1973 (represented as building 2 in the PA records). Ms. Torregrosa stated that the existing building is not historic and has a symmetrical façade reinforced with a stepped parapet with its highest point on the center. Ms. Torregrosa stated that three wood awnings, similar to the one located on 612 Greene Street (contributing building built ca. 1928) reinforces the building's symmetrical façade. Ms. Torregrosa stated that the building's exterior walls are covered with wood siding. Ms. Torregrosa stated that the new design proposes the partial removal of the central portion of the façade in order to create a patio. Ms. Torregrosa stated that according to the survey a patio railing/ wall will be built outside of the property line. Ms. Torregrosa stated that the low wall will be covered with hardiboard. Ms. Torregrosa stated that the existing awnings will remain and the façade siding treatment will match existing. Ms. Torregrosa stated that it is Staff's opinion that the proposed new design complies with the Guidelines. Ms. Torregrosa stated that by retaining character defining elements of the building, although not historic, the revised design is more appropriate to its urban historic context. Ms. Torregrosa stated that the changes to the façade will be minimal. Ms. Torregrosa stated that Staff's only concern is the location of the lower front wall; if the plans are approved the project will require an easement. Ms. Torregrosa stated that Staff's recommendation will be to revise the design and locate the lower wall inside of the property boundaries.

Demolition:

Enid Torregrosa presented her Staff report. Ms. Torregrosa stated that it is Staff's opinion that the Commission can consider the first reading of a request for demolition, as it is consistent with the criteria for demolitions in the historic district, Sec. 102-218 of the Land Development Regulations. The proposed demolition will be for a structure that is not historic and will not be considered contributing in a near future.

Commission Discussion:

The Commissioners had no additional comments or discussion.

Actions/Motions:

A motion was made by Mr. Bryan Green, seconded by Mr. Theo Glorie, that the item be **Approved** with the condition that the new proposed façade will be designed with the changes according with the conditions on a revised plan that the platform (knee wall) will not pass inside window edge and that its height and railing height will not exceed 32

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inches above street/sidewalk. The motion **Passed** by the following vote:

Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet

14b Demolition of portion of building exterior wall-#610 Greene Street- Anna Marie Wevers (H12-01-1091)

In an effort to expedite the meetings all discussion took place during the discussion of item 14a.

Actions/Motions:

A motion was made by Mr. Theo Glorie, seconded by Ms. Donna Bosold, that the item be **Approved**. The motion **Passed** by the following vote:

Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet

15 Bronze statue of Ponce de Leon 5'-11" tall and concrete square base 5' wide and 10' tall- 1 Mallory Square- Historic Markers Inc. (H12-01-1100)

Bruce Neff presented the project. Mr. Neff stated that the reason for the statue is to celebrate the anniversary of Ponce de Leon discovering Florida and the Florida Keys. The statue will be used to inform visitors of the Ponce de Leon history and importance to Florida and the Florida Keys. Mr. Neff stated that the reason for the size of the base is to allow the plaque to be at eye level.

Public Comments:

Joanne Hasman – 2681 N. Roosevelt –

Stated that the Cultural Preservation Society purchased the trees and inquired as to what was going to happen to the trees. Ms. Hasman also questioned the maintenance of the statue.

Don Sullivan – 2 Nassau Lane – (President of the Cultural Preservation Society)

Mr. Sullivan explained the Ponce de Leon history and that Ponce de Leon was not relevant to Key West and there is no evidence that he was ever in Key West. Mr. Sullivan stated that the proposed statue is way to large for the proposed area and asked the Commission to deny the project.

Staff Report:

Enid Torregrosa presented her Staff report. Ms. Torregrosa stated that the proposal is for the installation of a life size bronze statue over a 10' tall solid pedestal with a square base of 5' and taper to 4' on its upper part. Ms. Torregrosa stated that the proposed pedestal will be covered with black granite and Ponce de Leon will be pointing to the Dry Tortugas. Ms. Torregrosa stated that the statue will be located 55' set back from the dock at Mallory Square. Ms. Torregrosa stated that Art in Public Places Board approved the proposed project. Ms. Torregrosa stated that the Guidelines do not provide particular regulations for reviewing sculptures in the historic zoning districts. Staff understands that the size and proportions of the sculpture will not obscure any historic building within the area. Ms. Torregrosa stated that although the sculpture will be located on an open space and facing the water it is Staff's opinion that the base will be too tall and the sculpture will be difficult to observe. Ms. Torregrosa stated that Staff understands the applicant's worries regarding vandalism.

Commission Discussion:

Donna Bosold asked who would own the statue. Mr. Neff explained it would be given to the City and that they will be receiving donations to cover the cost to purchase the statue. Ms. Bosold reviewed the City's responsibilities once the statue is gifted to the City.

Michael Miller stated that he agrees with Mr. Sullivan that there isn't any evidence that Ponce de Leon was ever in Key West and therefore could not support it. Mr. Miller also inquired about the base and why the design was so large. Mr. Neff stated that the height of the base is to

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accommodate the informational plaque and allow it to be at eye level for easier reading.

Bryan Green cannot support it due to the size and the location.

Maggie Gutierrez stated that she cannot support it.

Daniel Metzler stated that he thinks it is creating false history.

Theo Glorie stated that he did a Google search and he could not find any connection Ponce de Leon to Key West.

Rudy Molinet stated that he cannot support the project due to the size - huge. Mr. Molinet stated that it just does not belong there.

Actions/Motions:

A motion was made by Mr. Bryan Green, seconded by Mr. Theo Glorie, that the item be **Denied** based on Guidelines page 37-4 and page 38a-5. The motion **Passed** by the following vote:

Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet

10 Demolition of carport with no built back- #1415 United Street- John Castro (H12-01-994)

The applicant was not present but the Commissioners decided they could move forward with the discussion of the item.

Public Comments:

There were no public comments.

Staff Report:

Enid Torregrosa presented her Staff report. Ms. Torregrosa stated that it is Staff's opinion that the Commission can consider the first reading of a request for demolition, as it is consistent with the criteria for demolitions in the historic district, Sec. 102-218 of the Land Development Regulations. The proposed demolition will be for a structure that is not historic and will not be considered contributing in a near future.

Commission Discussion:

The Commissioners had no additional comments or discussion.

Actions/Motions:

A motion was made by Mr. Michael Miller, seconded by Mr. Theo Glorie, that the item be **Approved**. The motion **Passed** by the following vote:

Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet

Comments from Commissioners

Bryan Green stated that the turned columns at 936 United Street look great. Mr. Green stated that he was surprised how well they look. Ms. Torregrosa stated that the capitals are to be removed because if they do not the gingerbread will not fit properly.

Bryan Green drew to the Commission's attention that HARC needs more Staff. Mr. Green and Ms. Bosold stated that they cannot see how the current Staff can continue to be expected to handle the workload. Mr. Green also stated that the Historic section in the Comprehensive Plan is a "work of fiction" and that it is a complete waste of time. Mr. Molinet suggested that each of the Commissioners discuss the Staffing issue with their appointing City Commissions.

Mr. Miller stated that he had a discussion with Mark Finigan concerning the 730 Southard issues and

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that Mr. Finigan had suggested that Ms. Torregrosa check the working drawings to prevent the differences between what HARC approves and what is submitted for Building Department approval.

Mr. Glorie suggested that the Staffing matter be discussed with the new City Manager.

Mr. Ramsingh suggested that the Commission use a resolution to convey their wishes to increase Staff.

Mr. Green stated that he has a problem with the Commission forcing someone to publicly post that they have had to use a economic hardship for a variation of materials. Mr. Molinet suggested that Ms. Torregrosa should be able to approve any hardship application and/or the design if necessary. Mr. Ramsingh stated that he will need to draft another resolution to accommodate that need.

Mr. Metzler inquired how many additional Staff members Ms. Torregrosa would need to handle the application load. Ms. Torregrosa stated that she was thinking three total. Ms. Torregrosa stated that the Ordinance states: 1 – Planner, 1 – Clerk, and 1 – Full Time Inspector.

The Commissioners had a lengthy discussion concerning collecting application fees and fee structure changes that could take place to help fund the additional Staffing.

Adjournment

Actions/Motions:

A motion was made by Mr. Michael Miller, seconded by Ms. Donna Bosold, that the meeting be **Adjourned**. The motion **Passed** by a unanimous vote.

Meeting adjourned at **7:56 pm**.

Interested parties may appear at the public meeting and be heard with respect to the proposed items. Copies of the applications are available from the City of Key West Planning Department located at 3140 Flagler Avenue, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm. Applications can also be viewed online at www.keywestcity.com.

Anyone who may wish to appeal any decision made by the HARC Commission at this meeting will need to ensure that a verbatim record of the proceeding is made which includes the testimony and evidence which the appeal will be based. Florida Statute 286.0105.

Please note that one or more City Commission members and/or Planning Board members may be present at this meeting.