

# Minutes of the Key West Historical Architectural Review Commission October 11, 2011

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## Call Meeting To Order

Chairman Rudy Molinet called the Key West Historical Architectural Review Commission (HARC) Meeting of October 11, 2011 to order at **3:00 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 Carlos Rojas, Barbara Bowers, George Galvan, Vice Chair Bryan Green, and Chair Rudy Molinet.

Commissioner Daniel Metzler was absent with consent.

Also, present from City staff: Commissioner Clayton Lopez, Assistant City Attorney Ron Ramsingh, Historic Perseveration Planner Enid Torregrosa, IT Director Patti McLauchlin, and Recording Secretary Jo Bennett.

## Farewell to Commissioner Muench

Chairman Molinet stated that Commissioner Nils Muench is now in the big HARC meeting in the sky.

Karl Muench discussed his father's commitment to preserving Key West.

## Approval of Agenda

Chairman Rudy Molinet inquired as to any changes to the agenda. Enid Torregrosa requested to postpone item #12 – Nelson English/Willie Ward Park.

Commissioner Carlos Rojas requested that the discussion of item #13 be moved to the top of the agenda before Old Business.

## Actions/Motions:

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

## Approval of Minutes

### 1 September 13, 2011

#### Actions/Motions:

A motion was made by Mr. Carlos Rojas, seconded by Ms. Barbara Bowers, that the Minutes be **Approved**. The motion **Passed** by a unanimous vote.

### 2 September 27, 2011

#### Actions/Motions:

A motion was made by Mr. Bryan Green, seconded by Mr. Carlos Rojas, that the Minutes with corrections to item 8B be **Approved**. The motion **Passed** by a unanimous vote. The motion **Passed** by the following vote:

Absent: 1 - Mr. Metzler

Yes: 4 - Mr. Green, Mr. Rojas, Ms. Bowers, Mr. Galvan

Abstain: 1 – Chairman Molinet (He was not present at meeting.)

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## **New Business**

- 13** William Weech Ms. Torregrosa stated. the American Legion, Inc. - Proposed nomination to the National Register of Historic Places- **#803 Emma Street- Millicent Lunette Weech**

Commander Josephus Chapman introduced Millicent Weech who has been the driving force behind the work to request the building be placed on the National Register. Ms. Weech presented the history of the William Weech American Legion Post 168. Commander Chapman and Ms. Weech responded to the Commissioners questions.

### **Public Comments:**

Charles Majors spoke of the history of the building and in support of the application to be added to the National Register.

### **Staff Report:**

Enid Torregrosa presented her staff report. Ms. Torregrosa stated the building located at #803 Emma Street is a two story reinforce concrete and block structure that was built in 1952. The Executive Committee of the William Weech American Legion Post 168 authorized the nomination. The building was built more than 50 years ago.

Ms. Torregrosa added the building was first recorded in the 1976 Historic Survey and was classified as non-contributing. In the 1983 Survey was also classified as non-contributing. In the 1998 and 2004 Surveys the building was not included as a contributing resource. The building was already 50 years old when the 2004 Survey was in place.

Ms. Torregrosa stated that according to the city database there are no outstanding building permits for this property. However a Certificate of Appropriateness, #11-01-93, for the Restoration of the building was approved by this Commission on July 13, 2010.

Ms. Torregrosa stated the William Weech American Legion Post 168 has received the TIFF grant money over the past couple of years for repairs.

Ms. Torregrosa stated Key West currently has two historic districts listed in the National Register of Historic Places, Key West Historic District (boundaries revised in 1983) and the US Naval Station, which is still under military domain. Twelve structures are individually listed as well as two objects, Japanese Midget Submarine and the Western Union Schooner. The USCG Cutter Ingham is listed as a National Landmark, the highest rank a building, site or object can receive from the Secretary of the Interior.

### **Commission Discussion:**

Chairman Molinet stated that of the approximately 3000 structures only twelve (12) properties in Key West that are currently on the National Register.

The Commissioners had an extensive discussion concerning the applicant's reasons for wanting to be nominated for the National Register. Commander Chapman stated that their main concern is preserving the building for future generations.

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The Commissioners also had a discussion with the applicant concerning the state of decay of the building and the needed repairs. Commander Chapman maintained that the building had been deemed safe by John Woodson of the City Building Department as well as an outside consultant. Ms. Torregrosa stated that there was a meeting with the City Chief Building Official about a year ago and there was a letter written to the Trustees of the Post which gave Post 168 a period of two years to improve the conditions of the building.

### **Actions/Motions:**

A motion was made by Mr. Bryan Green, seconded by Ms. Barbara Bowers, that the item be **Postponed** until a site visit attended by all of the HARC Commissioners could take place, with plans to be on the first HARC Meeting agenda in November. The motion **Passed** by the following vote:

Absent: 1 - Mr. Metzler

Yes: 5 - Mr. Green, Mr. Rojas, Ms. Bowers, Mr. Galvan, Chairman Molinet

### **Old Business**

- 3** Revision of HARC meetings schedule for Wednesdays afternoons, starting at 6:00pm

Mr. Rudy Molinet stated the change in meeting timing is the Commission's attempt to make the HARC meetings more available to the general public by moving them to after normal business hours.

Enid Torregrosa reminded the Commission that the new start time would be at 6:00 pm on the second (2<sup>nd</sup>) and forth (4<sup>th</sup>) Wednesdays each month.

### **Public Comments:**

There were no public comments.

### **Commission Discussion:**

The Commissioners had no additional comments or discussion.

### **Actions/Motions:**

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

Absent: 1 - Mr. Metzler

Yes: 5 - Mr. Green, Mr. Rojas, Ms. Bowers, Mr. Galvan, Chairman Molinet

- 4** Demolition of back shed- **#617 Mickens Lane- Michael Skoglund (H11-01-855) Second Reading**

Michael Skoglund the architect for the project inquired if the Commissioners had received the photos of the shed which had been requested. Mr. Skoglund had no additional input for the Commissioners.

### **Public Comments:**

There were no public comments.

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### **Staff Report:**

Enid Torregrosa presented her staff report. Ms. Torregrosa stated this is the second reading for demolition. The building located on #617 Mickens Lane is listed as a contributing resource in the surveys. The house is a one story frame vernacular structure and was built circa 1920. Ms. Torregrosa stated the proposed plans include the demolition of a non historic shed located on the back of the lot. Ms. Torregrosa stated that on September 27, 2011, the Commission approved the first reading for demolition of the non historic shed. The Commission also requested pictures of the structure which were submitted by the applicant.

Ms. Torregrosa stated Staff understands that the proposed demolition of the non historic shed can be considered by this Commission since such structure is not historic nor can be consider a contributing resource in a near future.

### **Commission Discussion:**

The Commissioners had no additional comments or discussion.

### **Actions/Motions:**

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

Absent: 1 - Mr. Metzler

Yes: 5 - Mr. Green, Mr. Rojas, Ms. Bowers, Mr. Galvan, Chairman Molinet

- 5** Removal of rear staircase on the right side of property. No build back- **After the Fact #805 Baptist Lane-Conquering Lion Construction (H11-01-1028) Second reading**

Adrian Poitier of Conquering Lion Construction was present to answer any questions.

### **Public Comments:**

There were no public comments.

### **Staff Report:**

Enid Torregrosa presented her staff report. Ms. Torregrosa stated this is the second reading for demolition. The building located on #805 Baptist Lane- #805 Patone Street is not listed in the surveys. Ms. Torregrosa stated the two story apartment structure is depicted in the 1948 and 1962 Sanborn maps. Ms. Torregrosa stated the applicant is proposing the removal of one exterior staircase located on the back of the house, which faces Petronia Street. No build back is proposed. Railings will be installed to secure the second floor back porch. Ms. Torregrosa stated that at the moment of this staff report the stair was already removed. On September 13, 2011 the Commission approved the first reading for the requested demolition. Ms. Torregrosa stated the on September 27 the Commission postponed the second reading review due to lack of quorum.

Ms. Torregrosa stated this is an after the fact application.

### **Commission Discussion:**

The Commissioners had no additional comments or discussion.

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## **Actions/Motions:**

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

Absent: 1 - Mr. Metzler

Yes: 5 - Mr. Green, Mr. Rojas, Ms. Bowers, Mr. Galvan, Chairman Molinet

## **6 Remove rear deteriorated portion of building- #1009 Grinnell Street- Seatech of the Florida Keys (H11-01-1074) Second reading**

Patrick Wright from Trepanier and Associates was present to answer any questions from the Commissioners.

## **Public Comments:**

There were no public comments.

## **Staff Report:**

Enid Torregrosa presented her staff report. Ms. Torregrosa stated this is the second reading for demolition. The house located on #1009 Grinnell Street is listed as a contributing resource. The two story frame structure was built circa 1924. Ms. Torregrosa stated the applicant proposes the demolition of part of the attached back portion of the house. A wood deck will be built on part of the area where the proposed structure to be demolish stands. Ms. Torregrosa stated that on September 13 the Commission approved the first reading for the demolition request as well as the new proposed design with the condition that the new exterior staircase was going to be removed from the plans. Ms. Torregrosa stated the applicant submitted revised plans showing the Commission's request. Ms. Torregrosa added on September 27 the Commission postponed the second reading review due to lack of quorum.

Ms. Torregrosa stated the Sanborn maps of 1926, 1948 and 1962 shows a one story sawtooth attached to the back of the house, wider than the main two story house. When comparing the Survey map with the Sanborn maps it is evident that the footprint of the house, particularly on the northwest (side) and northeast (back) has been altered after 1962. Ms. Torregrosa stated staff understands that the proposed demolition will be done for an addition that is not historic.

Ms. Torregrosa stated staff understands that the Commission can consider this request for demolition. The back portion of the house that is proposed to be demolished is not historic nor can it be considered as a contributing addition to the historic house 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. Carlos Rojas, that the item be **Approved**. The motion **Passed** by the following vote:

Absent: 1 - Mr. Metzler

Yes: 5 - Mr. Green, Mr. Rojas, Ms. Bowers, Mr. Galvan, Chairman Molinet

## **7 Demolition of non-historic additions and non-historic dormer- #1126**

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### **Washington Street- Bender and Associates (H11-01-1146) Second reading**

David Salay of Bender and Associates was present to answer any questions from the Commissioners.

#### **Public Comments:**

There were no public comments.

#### **Staff Report:**

Enid Torregrosa presented her staff report. Ms. Torregrosa stated this staff report is for the second reading for a request for demolition of non historic attached additions on the back, the removal of a non historic attached porch on the east side and the removal of a non historic dormer on the north elevation. Ms. Torregrosa stated that on September 13, 2011 the Commission approved the new design and the first reading for the requested demolitions.

Ms. Torregrosa stated the house located on #1126 Washington Street is listed as a contributing resource. Ms. Torregrosa added that although the exterior walls of the house exhibits a non historic precast concrete veneer the frame structure was built circa 1935. Ms. Torregrosa stated that by reviewing the Sanborn maps of 1948 and 1962 it is evident that the house footprint has been altered through time. The Sanborn maps of 1948 and 1962 provide evidence that the actual footprint of the house includes back and side additions that are not depicted in the old maps. Ms. Torregrosa added the existing dormer on the north façade can be observed in the circa 1965 photo from the Property Appraiser's record; nevertheless its proportions as well as the construction materials observed today are evidence that it can not be considered as a historic architectural element. Ms. Torregrosa stated the plans provide for the installation of matching metal shingles where the dormer is located.

Ms. Torregrosa stated it is staff's belief that the proposed request can be considered by the Commission since the proposed structures to be demolish are not historic nor can they be consider as contributing parts to the historic house.

#### **Commission Discussion:**

Ms. Bowers inquired if the building is stone over wood and questioned if the house is historic. Ms. Torregrosa responded that the house had wood siding and that the owner the house owned a concrete veneer company and he used this house as a showcase for the material. Mr. Bender did a "selective" removal to see the condition of the original material under the veneer. Part of this project is to remove all the non-historic veneer and restore the house back to its original state.

The Commissioners had no additional comments or discussion.

#### **Actions/Motions:**

A motion was made by Mr. George Galvan, seconded by Ms. Barbara Bowers, that the item be **Approved**. The motion **Passed** by the following vote:

Absent: 1 - Mr. Metzler

Yes: 5 - Mr. Green, Mr. Rojas, Ms. Bowers, Mr. Galvan, Chairman Molinet

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- 8** After the fact demolition of gable roof, removal of existing second story roof deck, railings, fence and stairs- **Code Compliance Case - #2 Scheppens Lane – William P. Horn (H11-01-1220) Second reading**

Bill Horn was present to answer any questions from the Commissioners.

### **Public Comments:**

There were no public comments.

### **Staff Report:**

Enid Torregrosa presented her staff report for the second reading for demolition. Ms. Torregrosa stated the house located on 2 Scheppens Lane is listed as a contributing resource, built circa 1915. The house is a one story frame vernacular structure. Ms. Torregrosa added this structure is part of the Equator Resort complex located on 818 Fleming Street. Ms. Torregrosa stated the complex includes 1 Scheppens Lane, 818 Fleming Street and 816 Fleming Street. Code Compliance open a case after neighbors complained of noise and construction work. New wood decks with handrails and a wood solid fence has been built on the roof of the main building and a secondary structure without a Certificate of Appropriateness approval or Building permits. Ms. Torregrosa stated that on September 27, 2011 the Commission motioned to approve the demolition of the second story roof deck, railings, fence and stairs. During that meeting the Commission did not approved the after the fact demolition request for the gable roof, but recognized the need of a new gable roof to reconstitute what was demolished.

Ms. Torregrosa stated staff understands that the Commission can consider the demolition of all non historic and new elements that were built over the structures without any approvals. Ms. Torregrosa stated the Commission can also consider the request for demolition of the existing exterior staircases. Ms. Torregrosa stated that as to the after the fact demolition of a historic roof over a contributing structure it is staff recommendation to this Commission to deny the request. Ms. Torregrosa stated it is the responsibility of this Commission, and not the owner of this structure, to make a determination if the historic roof qualified for demolition in accordance with Chapter 102 of the LDR's.

Ms. Torregrosa stated the applicant included in the plans the restitution of the gable roof. The removal of the historic roof is an irreparable lost.

### **Commission Discussion:**

Chairman Molinet stated for the record that the current applicant was not involved in the removal of the historic roof.

The Commissioners had no additional comments or discussion.

### **Actions/Motions:**

A motion was made by Mr. Bryan Green, seconded by Ms. Barbara Bowers, that the item be **Approved** the removal of only those components required in order to carry out the approved design which was approved as item 8a at the September 27<sup>th</sup> meeting. The motion **Passed** by the following vote:

Absent: 1 - Mr. Metzler

Yes: 5 – Mr. Green, Mr. Rojas, Ms. Bowers, Mr. Galvan, Chairman

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Molinet

- 9** Demolish rear addition, including walls and roof, floor frame to remain as deck frame- **#804 Truman Avenue- Fairbank Construction Inc. (H11-01-1157)**  
**Second reading**

Jay Fairbank was present to answer any questions from the Commissioners.

**Public Comments:**

There were no public comments.

**Staff Report:**

Enid Torregrosa presented her staff report. Ms. Torregrosa stated this is the second reading for demolition for a back attached addition at the house located on #804 Truman Avenue. The house is listed as a contributing resource in the survey. Ms. Torregrosa stated the house is a one story frame structure and was built in 1928. Ms. Torregrosa added the existing addition is not depicted in the Sanborn maps. Ms. Torregrosa stated the plans propose the reuse of the existing floor structure to be used for a proposed new deck. Ms. Torregrosa added that on September 27, 2011 the Commission approved the first reading for demolition.

Ms. Torregrosa stated it is staff's belief that the proposed request can be considered by the Commission since the proposed structure to be demolish is not historic nor can it be consider as a contributing element to the historic house.

**Commission Discussion:**

The Commissioners had no additional comments or discussion.

**Actions/Motions:**

A motion was made by Mr. Carlos Rojas, seconded by Mr. George Galvan, that the item be **Approved**. The motion **Passed** by the following vote:

Absent: 1 - Mr. Metzler

Yes: 5 – Mr. Green, Mr. Rojas, Ms. Bowers, Mr. Galvan, Chairman  
Molinet

**New Business**

- 10** After the fact new accessory structure and rebuilt concrete block fence- **#407 Whitehead Street- Code Compliance Case-Chris Dunn, Dunn GC Inc. (H11-01-970)**

Neither the applicant nor a representative was present at the meeting. Ms. Torregrosa stated that the applicant was notified of the meeting. It was decided that the Commission could still address the applicant even though the applicant was not present.

**Public Comments:**

There were no public comments.

**Staff Report:**

Enid Torregrosa presented her staff report. Ms. Torregrosa stated the house located on #407 Whitehead Street was built circa 1874. Ms. Torregrosa stated



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the frame vernacular structure is listed as a contributing resource. The after the fact application is a Code Compliance Case which includes an ancillary structure located on the side yard and the reconstruction of 9'-4" lineal feet of a concrete block fence 7'-6" high. Ms. Torregrosa added that according to the applicant a similar cbs fence was almost collapsing due to an existing tree. Ms. Torregrosa stated that according to the applicant the fence also gives privacy from the La Concha parking lot.

Ms. Torregrosa stated according to the provided plans the one story ancillary structure is rectangular in footprint and has a shed roof. The structure measures approximately 11'-9 1/2" depth by 7'-3" wide by 8'-3 1/2" height from ground to its highest point. Ms. Torregrosa added the structure has wood siding, a wood door with six glass panes and two one over one wood windows.

Ms. Torregrosa stated that staff does not make recommendations for after the fact applications.

### **Commission Discussion:**

Ms. Bowers stated that this is the third after the fact application in this meeting. Ms. Bowers questioned if there was something that the Commission could do to make sure people are adhering to the appropriate guidelines. Mr. Ramsingh stated there are numerous fees and different means for the owners and the contractors to be fined and suspended from pulling permits.

Mr. Green stated that there is nothing correct about this application and nothing is within the Guidelines.

Mr. Molinet stated that Ms. Bowers's concern is very valid that it does appear that we are seeing more after the fact applications but he thinks this is due to the City's efforts such as Code Compliance doing a better job of identifying the law breakers.

Mr. Ramsingh stated that as the attorney supporting HARC, Tree Commission, Code Compliance, Contractors Board that he thinks the process is improving therefore we are seeing more of these type cases being identified.

### **Actions/Motions:**

A motion was made by Mr. Bryan Green, seconded by Ms. Barbara Bowers that the item be **Denied** based on **Guidelines 38-1 for new construction, and 42-4, and 42-8 for the fence**. The motion **Passed** by the following vote:

Absent: 1 - Mr. Metzler

Yes: 5 - Mr. Green, Mr. Rojas, Ms. Bowers, Mr. Galvan, Chairman Molinet

## **11 Remove glass panels and replace with triple hung wood windows- #1100 Duval Street- One Call Construction (H11-01- 1237)**

David Pouliot from One Call Construction presented the project. Mr. Pouliot stated that the owner requested he replace the rotting wood on the decking under the windows and while he was doing that to remove the existing four glass panels and the installation of four sets of triple hung wood frame windows. Mr. Pouliot stated that he is sure the porch is not supposed to be there but it has been there

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for a long time and what they propose re-building will be exactly the same as what is there now.

### **Public Comments:**

There were no public comments.

### **Staff Report:**

Enid Torregrosa presented her staff report. Ms. Torregrosa stated the building located at #1100 Duval Street is listed as a contributing resource. The two story frame vernacular structure was built circa 1890. The existing building has glass storefronts in two out of the three front porch bays. Ms. Torregrosa stated staff was not able to find approvals for the installation of the glass storefronts; the research was done through the Naviline system and included building permits from 1998 until present time.

Ms. Torregrosa stated the applicant is proposing the removal of existing four glass panels and the installation of four sets of triple hung wood frame windows. Ms. Torregrosa added that according to the submitted documents all the sashes will be functional.

Ms. Torregrosa stated that staff understands that the proposed plans are inconsistent with the Guidelines.

### **Commission Discussion:**

Mr. Green asked Mr. Pouliot if he was the owner's agent when they proposed a similar project six (6) or seven (7) months ago that was denied by this Commission. Mr. Pouliot stated he was but the owner hired him to represent him and this is what the owner wants. Mr. Green stated that building something without consent does not allow the applicant to rebuild something that should have not been built in the first place.

Mr. Molinet inquired if Mr. Pouliot could recommend something that might be more agreeable to the Commissioners. Mr. Pouliot stated he will discuss with the owner. The Commission discussed bringing this building back to the historic state prior to the porch being enclosed.

Ms. Bowers stated that this is why HARC was established and to re-enforce the historic rules. Now is the time for the building to come back into compliance.

### **Actions/Motions:**

A motion was made by Mr. Bryan Green, seconded by Ms. Barbara Bowers that the item be **Denied** based on **Guidelines page 32-1 for Entrances, porches, and doors and page 46-6 for commercial storefronts**. The motion **Passed** by the following vote:

Absent: 1 - Mr. Metzler

Yes: 5 - Mr. Green, Mr. Rojas, Ms. Bowers, Mr. Galvan, Chairman Molinet

**12**

Nelson English/Willie Ward Park enhancements and ADA bathroom addition to Martin Luther King Community Center- **#300 Catherine Street- mbi/k2m Michael B. Ingram (H11-01-1315)**

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

Absent: 1 - Mr. Metzler

Yes: 5 - Mr. Green, Mr. Rojas, Ms. Bowers, Mr. Galvan, Chairman Molinet

**HARC Planner's Report**

Ms. Torregrosa reminded everyone of the HARC Survey Workshop which will be held on Wednesday, October 12, 2011 at 6:00 pm in Old City Hall.

**Comments from Commissioners**

Mr. Molinet asked Mr. Ramsingh for an update on United Street. Mr. Ramsingh stated that 1107 Grinnell and United Street are on the agenda for the Code Compliance hearing next week. Ms. Torregrosa stated that the contractor for the United Street project stopped by the office last week to obtain an application for Economic Hardship.

**Adjournment**

**Actions/Motions:**

A motion was made by Mr. Bryan Green, seconded by Ms. Barbara Bowers, that the meeting be **Adjourned**. The motion **Passed** by a unanimous vote.

Meeting adjourned at **4:54 pm**.

Submitted by,

*Jo Bennett*

**Administrative Coordinator  
Planning Department**