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## Historic Architectural Review Commission Staff Report for Item 9

**To:** Chairman Bryan Green and Historic Architectural Review  
Commission Members

**From:** Enid Torregrosa, MSHP  
Historic Preservation Planner

**Meeting Date:** April 23, 2019

**Applicant:** Lagerheads Beach Bar/ Pier House Resort and Spa

**Application Number:** H2019-0007

**Address:** # 0 Simonton Street at Simonton Beach

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### Description of Work:

After the Fact- Mural over wall.

### Site Facts:

The mural in question is painted on a non-historic wall owned by the Pier House Hotel, and located next to the northwest shoreline of the island and only visible from the beach. The mural includes the business name.

### Guidelines Cited on Review:

- Guidelines for Murals (page 51) , specifically ***Definition: Mural: Any graphic, painting, painted wall surface or copy that is visible and projects a graphic display or image that does not direct attention to an organization, a business operated for profit, a product, commodity or service for sale or lease, or any other similar interest or activity.***

### Staff Analysis

This report is for the analysis of an after the fact painted mural over a non-historic concrete wall located on a commercial area on the shoreline of the historic district. The City owns the building and property where Lagerheads bar is located, but the wall that was painted belongs to the Pier House Hotel, which is a co-applicant. Staff included this project for Commission review as it is a code case and it contains the name of the business, which is

contrary to the requirements for murals regulations. If it is required, the applicant will agree to paint over their business name by continuing the painted sky.



Business logo



Mural in question

The mural depicts a turtle over a surfboard in the water and a sunset. It has the words “*Lagerheads, Simonton Street, and Key West*”. The mural, painted by a local artist, is sealed with a water based concrete clear sealer. As a maintenance plan, they will be retouches as needed and application of sealer on an annual base. The mural measures 11’-2” wide by 8’ tall from the sand.

### **Consistency with Guidelines**

It is staff opinion that the proposed mural will be consistent with current regulations if it does not contains the business name on it. Although the business logo is a turtle over a surfboard, the turtle over a surfboard is a universal representation. The mural is not on a street and it depicts the natural environment of the Florida Keys. If approved, this project will require City Commission review and approval.

# APPLICATION



1 Duval Street.

# HARC MAJOR PROJECTS CERTIFICATE OF APPROPRIATENESS

\$400 NON-REFUNDABLE BASE APPLICATION FEE - OTHER FEES MAY BE APPLICABLE



City of Key West

1300 WHITE STREET

KEY WEST, FLORIDA 33040

HARC COA # HARC 2019-0007	REVISION #	INITIAL & DATE MM 3/25/19
FLOOD ZONE	ZONING DISTRICT	BLDG PERMIT #

**A PRE-APPLICATION MEETING WITH HARC STAFF IS REQUIRED PRIOR TO SUBMITTAL**

ADDRESS OF PROPOSED PROJECT:

NAME ON DEED:

OWNER'S MAILING ADDRESS:

APPLICANT NAME:

APPLICANT'S ADDRESS:

APPLICANT'S SIGNATURE:

0 Simonton St. KW FL	PHONE NUMBER
<del>0 Simonton St.</del>	EMAIL lagerheadsbeachbar@gmail.com
Pier House Resort and Spa	PHONE NUMBER 305-509-7444
1 Duval St.	EMAIL lagerheadsbeachbar@gmail.com
	DATE 3/15/19

**ANY PERSON THAT MAKES CHANGES TO AN APPROVED CERTIFICATE OF APPROPRIATENESS MUST SUBMIT A NEW APPLICATION.**

FLORIDA STATUTE 837.06: WHOEVER KNOWINGLY MAKES A FALSE STATEMENT IN WRITING AND WITH THE INTENT TO MISLEAD A PUBLIC SERVANT IN THE PERFORMANCE OF HIS OR HER OFFICIAL DUTY SHALL BE GUILTY OF A MISDEMEANOR OF THE SECOND DEGREE PUNISHABLE PER SECTION 775.082 OR 775.083. THE APPLICANT FURTHER HEREBY ACKNOWLEDGES THAT THE SCOPE OF WORK AS DESCRIBED IN THE APPLICATION SHALL BE THE SCOPE OF WORK THAT IS CONTEMPLATED BY THE APPLICANT AND THE CITY. THE APPLICANT FURTHER STIPULATES THAT SHOULD FURTHER ACTION BE TAKEN BY THE CITY FOR EXCEEDING THE SCOPE OF THE DESCRIPTION OF WORK, AS DESCRIBED HEREIN, AND IF THERE IS CONFLICTING INFORMATION BETWEEN THE DESCRIPTION OF WORK AND THE SUBMITTED PLANS, THE AFOREMENTIONED DESCRIPTION OF WORK SHALL BE CONTROLLING.

PROJECT INCLUDES: REPLACEMENT OF WINDOWS ☐ RELOCATION OF A STRUCTURE ☐ ELEVATION OF A STRUCTURE ☐

PROJECT INVOLVES A CONTRIBUTING STRUCTURE: YES ☐ NO ☐ INVOLVES A HISTORIC STRUCTURE: YES ☐ NO ☐

PROJECT INVOLVES A STRUCTURE THAT IS INDIVIDUALLY LISTED ON THE NATIONAL REGISTER: YES ☐ NO ☒

DETAILED PROJECT DESCRIPTION INCLUDING MATERIALS, HEIGHT, DIMENSIONS, SQUARE FOOTAGE, LOCATION, ETC.

GENERAL: Local artist completed mural on the neighboring side of the wall located on Simonton Beach - paid for by the business of Lagerheads Beach Bar. Lagerheads is aware that "Lagerheads" on the mural must be removed or painted over so "that does not direct attention to an organization, a business operated for profit"

MAIN BUILDING: Maintenance plan - Artist will touch up as needed, as well as re-application of sealant: Clarishield Water Based Concrete Sealer

DEMOLITION (PLEASE FILL OUT AND ATTACH DEMOLITION APPENDIX):

\* See picture for details \*

on an annual basis.

APPLICATIONS MUST BE SUBMITTED IN PERSON WITH HARD COPIES BY 3PM ON THE SCHEDULED DEADLINE  
PLEASE SEND AN ELECTRONIC COPY OF ALL DOCUMENTS TO HARC@CITYOFKEYWEST-FL.GOV

ACCESSORY STRUCTURE(S):

PAVERS:

FENCES:

DECKS:

PAINTING:

SITE (INCLUDING GRADING, FILL, TREES, ETC.):

POOLS (INCLUDING EQUIPMENT):

ACCESSORY EQUIPMENT (GAS, A/C, VENTS, ETC.):

OTHER:

OFFICIAL USE ONLY:

HARC COMMISSION REVIEW

EXPIRES ON:

MEETING DATE:

☐ APPROVED ☐ NOT APPROVED ☐ DEFERRED FOR FUTURE CONSIDERATION

INITIAL:

MEETING DATE:

☐ APPROVED ☐ NOT APPROVED ☐ DEFERRED FOR FUTURE CONSIDERATION

INITIAL:

MEETING DATE:

☐ APPROVED ☐ NOT APPROVED ☐ DEFERRED FOR FUTURE CONSIDERATION

INITIAL:

REASONS OR CONDITIONS:

STAFF REVIEW COMMENTS:

*Non-contributing*

FIRST READING FOR DEMO:

SECOND READING FOR DEMO:

HARC STAFF SIGNATURE AND DATE:

HARC CHAIRPERSON SIGNATURE AND DATE:

THIS APPLICATION MAY BE REVIEWED BY PLANNING DEPARTMENT STAFF.

# PROJECT PHOTOS





**Pier House Hotel 1971**





**Before**

# MURAL



**Current**





 Pier House

WELCOME TO LAGERHEADS  
• Lounge Chairs are \$10 per Day  
• Tables and Chairs are Reserved  
for Restaurant Customers Only  
• No Outside Alcoholic Beverages  
LEAVE ONLY YOUR FOOTPRINTS  
Thank you for making us  
the best place to relax and  
enjoy the view of the ocean.

LAGERHEADS





**Mural**



#LBARTcommissions

#LancepantS

# LAGERHEADS



O Simonton

# Key West

2018  
LB

LB  
SC





# NOTICING



# Public Meeting Notice

The Historic Architectural Review Commission will hold a public meeting at **5:30 p.m., April 23, 2019 at City Hall, 1300 White Street**, Key West, Florida. The purpose of the hearing will be to consider a request for:

## **AFTER-THE-FACT – MURAL OVER WALL.**

## **#1 DUVAL STREET BUT VISIBLE AT #0 SIMONTON STREET**

**Applicant – Lagerheads Beach Bar and Pier House Resort    Application #H2019-0007**

If you wish to see the application or have any questions, you may visit the Planning Department during regular office hours at 1300 White Street, call 305-809-3973 or visit our website at [www.cityofkeywest-fl.gov](http://www.cityofkeywest-fl.gov).

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

ADA ASSISTANCE: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number at 800-955-8771 or 800-955-8770 (Voice) or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

# PROPERTY APPRAISER INFORMATION



### Disclaimer

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

### Summary

**Parcel ID** 00000060-000000  
**Account#** 1000060  
**Property ID** 1000060  
**Millage Group** 10KW  
**Location Address** 0 SIMONTON St, KEY WEST  
**Legal Description** KW LOT-1 SQR 2 C2-84 OR386-794/795(II DEED 24481)  
(Note: Not to be used on legal documents.)  
**Neighborhood** 32010  
**Property Class** STATE PARKS (8000)  
**Subdivision**  
**Sec/Twp/Rng** 31/67/25  
**Affordable Housing** No



### Owner

CITY OF KEY WEST FOR KEY WEST HANDPRINTS  
 PO Box 1409  
 Key West FL 33041

### Valuation

	2018	2017	2016	2015
+ Market Improvement Value	\$0	\$0	\$0	\$0
+ Market Misc Value	\$0	\$0	\$0	\$0
+ Market Land Value	\$5,551,848	\$5,551,848	\$5,551,848	\$5,551,848
= Just Market Value	\$5,551,848	\$5,551,848	\$5,551,848	\$5,551,848
= Total Assessed Value	\$5,551,848	\$5,551,848	\$5,551,848	\$5,487,273
- School Exempt Value	(\$5,551,848)	(\$5,551,848)	(\$5,551,848)	(\$5,551,848)
= School Taxable Value	\$0	\$0	\$0	\$0

### Land

Land Use	Number of Units	Unit Type	Frontage	Depth
COMMERCIAL WATERFRON (100W)	19,916.00	Square Foot	0	0
ENVIRONMENTALLY SENS (000X)	0.64	Acreage	0	0

### Permits

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
10-00000142	1/21/2010	2/19/2010	\$1,000		REPLACE FENCE DESTROYED BY HURRICANE WILMA
03-0223	1/27/2003	10/2/2003	\$1,400		UPGRADE ELECTRIC

### View Tax Info

[View Taxes for this Parcel](#)

### Photos

**Map**

**No data available for the following modules:** Buildings, Commercial Buildings, Mobile Home Buildings, Yard Items, Exemptions, Sales, Sketches (click to enlarge), TRIM Notice.

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