

HARC

Historic Architectural Review Commission

The Historic Architectural Review Commission of the City of Key West, Florida, will hold a regular meeting on Tuesday, October 27, 2009 at 3:00 p.m., second floor, Old City Hall, 510 Greene Street, Key West, Florida.

Notice to Applicants: Once HARC approval is obtained a building permit application must be submitted. The Building Department will call the applicant when a building permit is ready to be issued.

***Discussion on any one item shall take a maximum of 20 minutes to include the presentation by the applicant (5-10 minutes), public comment, and discussion by the Commission. Further discussion beyond that time is at the Chair's discretion.**

***If your item is tabled, any additional documentation must be submitted by Tuesday (4:00 pm) prior to the next meeting.**

Please Note: Chapter 286- Public Business: Miscellaneous Provisions

286.0105 Notices of meetings and hearings must advise that a record is required to appeal. –Each board, commission, or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission, or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The requirements of this section do not apply to the notice provided in s. 200.065(3).

City of Key West Planning Department, Notice to HARC Applicants

If you are in the process of improving your property or making structural changes, there may be more required of you than the design and beautification requirements from HARC.

1. Please be advised that if you are contemplating an addition to your building (whether an additional story, or on the same level), you may need to go through the variance process.
2. If an additional structure is planned, whether separate or linked in any manner to the main or existing building, some configurations may trigger the variance application process.
3. Many alterations will need to meet the basic setbacks, building coverage and other requirements that are zone-specific.

Sometimes, simple changes in building plans now may help you avoid going through another process at a later date, delaying your project.

If you or your contractor, architect or other professional representative need further information, please visit us at 604 Simonton, or call for an appointment at (305) 809-3972.

Call to Order:

Roll Call: Board members present included George Galvan, Nils Muench, Vice Chair Peter Batty, Carlos Rojas. Absent was Chairperson Barbara Bowers. Staff present included Assistant City Attorney Ronald Ramsingh, Preservation Planner Enid Torregrosa, Planning Director Amy Kimball-Murley, Senior Planner Brendon Cunningham, recording secretary Diane Wilson Nicklaus, and IT support Veronica Speller.

Invocation:

Agenda Changes/Approval: There being no changes or additions to the agenda, it was moved by Carlos Rojas, seconded by Nils Muench, to accept the agenda as presented. Motion carried.

Minutes approval: September 22, 2009 – It was moved by Nils Muench, seconded by Carlos Rojas, to approve. Motion carried.

October 13, 2009 – It was moved by Nils Muench, seconded by Carlos Rojas, to approve. Motion carried.

STAFF APPROVALS:

H09-09-16-1066 414 Louisa Street, Islander A/C

Replace and install central air conditioning system.

H09-09-24-1107 1007 Watson Street, Key King Enterprises Inc.

Repair & finish approximately 800 sq/ft of deck & railing. Remove existing windows in living room & install 15' light 60 X 80" impact (rotted alum). double doors. Remove and replace front door with 15 light aluminum French door. Remove kitchen windows and replace with impact awning window & block glass. Remove shower bathroom window & replace with block glass. Install 150 sq/ft of paver bricks in back yard. 80 sq/ft concrete slab for Jacuzzi. Remove 400 sq/ft of siding & replace with 6" Hardi lap siding. Install tracks for corrugated metal shutters on all non-impact openings, 50 sq/ft. Will move non conforming post to the North side per Preservation Planner 10/5/09.

H09-10-02-1138 1029 Truman Avenue, Classical Keys Painting

Paint only beam sw-6607 Rowe Red and walkway in front of store porch & floor Platinum Grey. Just the beams & blasters that are painted in grey per Preservation Planner 10/05/09

H09-10-02-1139 1022 James Street, Keys Pools, Inc.

New 12' X 16' swimming pool.

- H09-10-05-1143 **822 Thomas Street, Suburban Propane**
Set 2 100 gallon tanks. Will be on the side of house not visible from right -of-way per Preservation Planner 10/07/09.
- H09-10-05-1144 **700 Front Street, Suburban Propane**
Set 4 100 gallon portable tanks temporarily installed. On a parking lot temporary per Preservation Planner 10/06/09.
- H09-10-05-1145 **600 Whitehead Street, Michael A. Lang, Milang Services LLC.**
Remove existing glass blocks and replace with store front picture window of the same size, repair stucco and paint to original color. New window, white aluminum frame. Non-historic building will bring back storefronts that used to be on that particular foundation per Preservation Planner. 10/06/09.
- H09-10-05-1146 **1308 Newton Street, Keys Roofing Inc.**
Re-roofing: tear off existing roof; install Grace Ice & water shield; Install 3 X 3 26 g Galvalume eave drip; Install 5-v crimp Galvalume metal roof. Existing roof is v-crimp per Preservation Planner 10/14/09
- H09-10-06-1147 **1216 White Street, Premiere Painting**
Paint exterior B.M 815 siding, B.M 912 trim.
- H09-10-06-1148 **4 & 6 Charles Street, Brian McKendry**
Build new dumpster area replacing existing with new 7' X 16' area with A 1x3' picket fence to match existing 4'. Inside of their property per Preservation Planner.10/07/09.
- H09-10-06-1149 **4 & 6 Charles Street, Cross Key Marine Canvas /Steve Ness**
Fabricate & install new awning on existing frame. See photos & drawing. Previously approved HARC #03-06-09-849 see attached copy.
- H09-10-07-1150 **600 Frances Street, Jan & George LLC**
2-Hanging signs 12" X 41", hand carved wooden double sided signs, "JANGEOGE INTERIOR DESIGN". Hanging signs less than 5 sq/ft lower part of the sign will be 8' or more high from the right of way per Preservation Planner 10/07/09.
- H09-10-07-1151 **1116 Stump Lane, Kevin Mc Chesney**
Pour 3' X 3 concrete pad for base propane tank.
- H09-10-07-1152 **625 William Street, A Plus Roofing**
Install 800 sq/ft (8 sqs) of white 60 mil TPO single ply roofing on rear flat roof. Flat roof per Preservation Planner 10/07/09.
- H09-10-07-1153 **804 Elizabeth Street, Rainsaver Gutters Systems**

6' Seamless gutter.

H09-10-07-1155 **1317 Newton Street, Tony's Roofing Co.**

Metal shingles off metal shingles back on. Same material per Preservation Planner 10/08/09.

H09-10-07-1156 **4 & 6 Charles Street, McKendry Builders**

Change of exterior lighting fixtures. 10 light fixtures as per photo submitted per Preservation Planner 10/08/09.

H09-10-07-1157 **512 Greene Street, McKendry Builders**

New opening with wood shutters door & window, board & batten on Wall, just one fenestration to match. Actually the façade has T-11 siding will match existing board and batten siding on the building per Preservation Planner 10/08/09.

H09-10-08-1158 **1500 Alberta Street, Florida Keys Electric Inc.**

Remove and replace installation of (106) exterior light fixtures. Renovation and installation of (140) existing emergency combo light fixtures. Replace with same fixture and siding per Preservation Planner 10/14/09.

H09-10-08-1159 **4 & 6 Charles Street, A-Plus Roofing**

Install 300 sq/ft, 3 squares of 26 g Galvalume v-crimp metal roofing. Replace with same per Preservation Planner 10/08/09.

H09-10-08-1160 **1319 Duval Street, A-Plus Roofing**

Install 1900 sq/ft (19 sqrs) of white 60 mil TPO single ply roofing and 600 sq/ft (6 sqrs) squares of dimensional Asphalt shingles. Existing low slope roof cannot be seen from the right of way per Preservation Planner 10/15/09

H09-10-09-1161 **712 Duval Street, One Call Construction Inc.**

1-Hanging sign 45.5 X 14", PVC 6" letters on entry sign, "BILMAR STATION KEY WEST". Just for 1 hanging sign over stairs, entrance sign is less than 5 sq/ft per Preservation Planner 10/14/09.

H09-10-09-1162 **822 Conch Roofing Inc.**

Replace 5 sqs of metal shingle with metal shingle. Roof Leaks.

H09-10-09-1166 **900 Duval Street, Kevin McChesney**

Grout new tile on steps, blaze grout. Build one step from patio to decking using lumber 5/4 x 6".

H09-10-09-1167 **Southard Street/Between Thomas Street/Boston Brick Co.**

Replace pavers in Street with new pavers, same type and color

(Manufactured 4 X 8 brick, red charcoal blend approx. 6,000 sq/ft.

H09-10-09-1168 **1111-B Watson Street, A Plus Roofing**

Install 1500 sq/ft, 15 sqs, of 26g Galvalume v-crimp metal roofing. V-crimp with v-crimp per Preservation Planner 10/14/09

H09-10-09-1169 **918 Duval Street, All Keys Construction**

Construction concrete pool 3 X 6' for LP gas tank.

H09-10-13-1171 **914 Windsor Lane, Wayne Garcia Bldg Cont.**

Build roof over open deck area as per plans. On back of property. Will be lower in height than the additions roof per Preservation Planner 10/14/09.

H09-10-13-1172 **1218 South Street, Boston Brick Co.**

Installation of brick paver parking area driveway and walkway, approx. 243 sq/ft with antique old Savannah brick. Installation will be within the property line per Preservation Planner 10/14/09.

H09-10-13-1173 **714 Windsor Lane, Boston Brick Co.**

Installation of brick paver driveway and walkway approx. 400 sq/ft with antique old Chicago brick. Installation will be within property line per Preservation Planner 10/14/09.

H09-10-14-1174 **130 Duval Street, DL Porter/SB Painting and Ground Maint.**

Repair and paint upper porch, color white, decorative balls, Aqua.

H09-10-14-1175 **525 Caroline Street, Southernmost Signs**

1-Hanging sign 2/5 square ft, Change in brackets for better support in sign H09-06-12-680, BAR EL ALAMO".

H09-10-14-1176 **1006 Packer Street, James Hamilton**

Replace 312 sf of decking removed for installation of pool. Elevation 18" above grade. Back of property per Preservation Planner 10/14/09.

H09-10-14-1177 **823 Whitehead Street, Suburban Propane**

Set 2, 100 gal tanks on pad, run line to existing gas manifold.

H09-10-14-1178 **416 Appelrouth lane, Albert L Borer**

Replace old rotten exterior French doors to entrance of outside Courtyard of 416 Appelrouth Lane with new doors. Replace, seal, caulk casing around doors. Install hardware, prime & paint same color. Red Tag by BM Code. Replace with same existing gate per Preservation Planner 10/16/09.

- H09-10-14-1179 **918 Duval Street, Suburban Propane**
Set 2, 100 gal. tanks at back of property. Concrete pad, run gasoline.
On property per Preservation Planner 10/14/09.
- H09-10-14-1180 **522 Fleming Street, Jimmy Weekley**
1-Wall 20" X 5' sign, to repaint signs exact colors, "FAUSTOS
FOOD PALACE ESTABLISHED 1926".
- H09-10-14-1181 **600 Frances Street, Jan Oostdih**
Re painting outdoor, was white, will be white.
- H09-10-15-1184 **428 Petronia Street, A. Arnold Masonry**
6' high fence. 4' high solid masonry and 2' lover and cap. First 10' from
Petronia Street will be 4' solid. 50 long total. Neighbors signed Building
application per Preservation Planner 10/16/09.
- H09-10-15-1185 **1213 Royal Street, Tony's Roofing Co.**
Re-roof 5-v-crimp with 5 v-crimp, metal shingle with metal shingles.
Repair & replace with same materials v-crimp with v-crimp and
shingles with shingles per Preservation Planner 10/15/09.
- H09-10-15-1186 **704 Caroline Street, David Knoll, Architect**
Resubmission of paint color for shutters to replace previously approved
color. New color Sherwin Williams sw6951.
- H09-10-16-1190 **#4 & #6 Charles Street, McKendry Builders**
ADA repair pavers to level surface (existing pavers) & repair handrails
on Charles Street side as existing.
- H09-10-16-1193 **606 Truman Avenue Unit #9, Papa's Painting**
Prep and paint exterior, same colors, white.
- H09-10-16-1194 **Ann Street/Parking lot, Papa's Painting**
Striping parking lot.
- H09-10-16-1195 **519 Duval Street, Peter Lik Gallery Key West**
Replace clear Hurricane impact glass on two front windows and two
front doors. This will be installed too replace existing tinted glass
allowing for better store front presence and easy visibility into Art
gallery. No frame work will be altered or changed in any way, shape, or
form. No painting either.

ACTION ITEMS

Selection of the Historic Architectural Commission's new officers
Chairperson – It was moved by Carlos Rojas, seconded by Nils Muench, to elect Peter

Batty as Chairperson. Motion carried.
Vice Chairperson – It was moved by Carlos Rojas, seconded by Nils Muench, to elect George Galvan as Vice Chairperson. Motion carried.

OLD BUSINESS:

TABLED ITEMS:

- T1. H09-09-18-1083: 720-722-726 Emma Street (Serenity House), Victor Cushman**
Paint roofs with 90% reflecting ceramic/elastomeric white coat for energy conservation (we're going green!).

Victor Cushman represented the project. He spoke about the desire to go green by painting the roofs white. He stated that the Board had already established a precedent by allowing the painting of a nearby roof white on a non-contributing structure. He was requesting that the Board allow the painting of the non-contributing structures roofs until such time as the determination had been made as to whether or not the Board would amend the Guidelines to provide for painting of roofs in the historic district white.

Public Input:
Michael Miller, Architect
Carl Gillie, 1207 Grinnell Street
Ross Williams
Rudy Molinet, 510 Frances Street

Preservation Planner Enid Torregrosa reviewed the Staff comments for this property. She felt that this needed to be discussed with the State Preservation Officer.

Assistant City Attorney Ronald Ramsingh spoke about State Statute 163.04 which prohibits any local municipality from enacting any ordinance that prohibits solar collectors, clothes lines or any other energy devices based on renewable resources.

Nils Muench felt that HARC should approve no further requests for the painting of roofs until such time as six issues had been completed (copy of statement attached). At this time Mr. Muench would move to approve by exception.

Carlos Rojas spoke about his concerns on this project. He stated that there were many options other than the painting of roofs that could do a lot more for energy than the painting of roofs white, i.e., insulation, better windows, caulking of windows planting of shade trees. He was also concerned about the possible pollution from the

run-off on the painted roofs. He also referred to the maintenance of the painted roofs. As the Architect on the Board his primary concern was for the preservation of the historic district. He also felt that a workshop was in order.

Vice Chair George Galvan also had concerns with the painting of roofs white. He questioned the effect of a neighbor with a one story home vs. an owner with a two story home.

Chairperson Peter Batty stated that the Board's only responsibility was to base their decision on the present Guidelines. He questioned of Assistant City Attorney about the possible precedent that would be established if the Board approved the painting of roofs white, including the use of impact windows within the historic district. Would this open the flood gates. Assistant City Attorney Ronald Ramsingh stated that as in the last meeting, he felt that they should change the Guidelines prior to approval in order to prevent a precedent being established.

Nils Muench spoke about the effect to him when his neighbor to the southeast recently painted the back side of his roof white.

Chairperson Peter Batty read a letter from Barbara Bowers into the record (copy attached). A letter was also read from citizen Ross Williams (copy attached).

It was moved by Nils Muench, seconded by Vice Chairperson George Galvan, to deny based on Page 26.1. Roofing. Carlos Rojas added Page 35. Exterior Colors. Yes: Nils Muench, Chairman Peter Batty, Vice Chair George Galvan, Carlos Rojas. Motion carried.

APPROVED _____ DISAPPROVED ___X___ TABLED _____

T2. H09-09-25-1115 1008 Packer Street, William Rowan, Architect

Revised elevation on prior approved application.

Bill Rowan represented the project. This structure is not listed on the survey. Mr. Rowan stated that the property owners were requesting to extend the porch to the second floor.

There was no public comment.

Preservation Planner Enid Torregrosa reviewed her Staff Report comments. She stated that they were including two bays on the main façade of the building. Staff recommended approval based on Page 36-38, Additions and Alterations.

It was moved by Carlos Rojas, seconded by Nils Muench, to approve. Motion carried.

APPROVED DISAPPROVED TABLED

NEW BUSINESS:

APPLICATIONS REQUIRING CLARIFICATION:

CL1.H09-09-23-1098 620 William Street, A. Plus Roofing

Install 1000 sq. ft. of Galvalume V-crimp metal roof system.

Maryanne Oldiman represented the owners. This is a contributing structure, circa 1889.

There was no public comment.

Preservation Planner Enid Torregrosa reviewed the Staff Report. She felt that this was a defining element of the structure. She sighted the Guidelines, page 26.4. She stated that Staff recommended denial.

Vice Chair George Galvan questioned that the material was “stamped.” Preservation Planner Enid Torregrosa responded in the affirmative. She stated that although this was not common, it was available for replacement.

It was moved by Nils Muench, seconded by Vice Chair George Galvan, to deny based on Page 26.4.

Carlos Rojas stated that he felt that this was probably not an original roof treatment.

For: Nils Muench, Vice Chair George Galvan. Against: Chairman Peter Batty, Carlos Rojas. Motion fails.

Chairperson Peter Batty questioned if the Board would agree to approval if they used similar material.

It was moved by Carlos Rojas, seconded by George Galvan, to approve utilizing similar materials approved by Staff. Motion carried.

APPROVED X DISAPPROVED TABLED

CL2. H09-09-25-1119 **819 Elizabeth Street, Michael Miller, Architect**

Demolish non historic shed addition. Remodel kitchen and bathrooms. Add exterior French doors (two). Restore front porch columns. Replace roof. Remove asbestos siding and restore board and battens. Build side and rear decks.

Michael Miller represented the project. This is a contributing frame vernacular structure, circa 1890. He stated that this was a structure within an inch of its life, through dereliction and rental use. He stated the additions at the rear were not contributing. This was an attempt to save the house. He wished to amend the description to allow for the replacement of the roof on the sawtooth.

Chairperson Peter Batty questioned if they would retain the mosaic tile on the front porch. The response was in the affirmative. She stated that Staff recommended approval.

Preservation Planner Enid Torregrosa reviewed her Staff Comments for the Board.

It was moved by Carlos Rojas, seconded by Nils Muench, to approve. Motion carried.

APPROVED X DISAPPROVED TABLED

CL3. H09-10-05-1141 **711 Elizabeth Street, Toolbox GC/Kevin Meloncamp**

Renovation of 1 story shotgun house with 2 new additions, 2 new stone terraces, new pool and new wood deck as shown.

Kevin Meloncamp represented the project. The plan was to raise the house, new foundation piers, remove two small frame additions

along the left side of the building, build two new additions, one on the left side and one on the rear. In addition there would be two stone terraces and three wooden decks. He stated that the wood windows were in the worst condition that he had seen in many years. They were proposing to install Marvin tilt-pac windows, keeping existing window frames and using 6 over 6. There would be new wood shutters for window protection. They were requesting a retractable awning. They didn't have the option to give protection for the south facing deck. It is simply a roll-up awning that attached to the side of the building.

There was no public input.

Preservation Planner Enid Torregrosa reviewed her Staff Report comments for the Board. She stated that this was a contributing structure, circa 1933.

Nils Muench felt that the Preservation Planner had made significant comments concerning the windows and the adverse impact of the awning. He suggested that they make their motion to take in the Preservation Planner's comments.

Vice Chair George Galvan questioned the location of the sky lights. Mr. Melloncamp responded that they would be flat sky lights on the two small additions to the rear, aluminum frame, impact glass.

Chairperson Peter Batty questioned if the front sky light would be visible from the street. The response was that it would be set back almost 42 feet.

Carlos Rojas noted the Guidelines, Awnings. Page 31. He felt the windows should be replaced in kind. Mr. Meloncamp stated that they could probably save the sashes for two windows in the front. New windows just had to be used. There wasn't enough of the windows left to be able to restore more than two windows.

Chairperson Peter Batty questioned the awning. Mr. Meloncamp stated that they would remove the awning if necessary.

It was moved by Nils Muench, seconded by Vice Chair George Galvan, to approve the application with true wood divided light windows, restoring the two front windows, and the elimination of the side awning. Motion carried.

APPROVED DISAPPROVED _____ TABLED _____

CL4.H09-10-05-1142 **137 Duval Street, Gary the Carpenter**

Remove existing store front and install new single door and store front glass. Replace transoms, glass and siding. Paint to match existing. Store front to be shuttered during storm.

Gary Burchfield represented the project. This is a contributing frame vernacular structure, circa 1889.

Preservation Planner Enid Torregrosa reviewed her Staff Comments for the Board sighting Page 46.1. Store fronts. Staff recommended denial.

Nils Muench stated that he felt they needed to support the Preservation Planner and her research.

Carlos Rojas felt that this structure had been altered considerably and additional change would have no further affect.

Nils Muench moved to disapprove based on Page 46. and 46.1 Store fronts. There being no second, motion failed.

Nils Muench questioned if the Preservation Planner could suggest some compromise that would be agreeable. Preservation Planner Enid Torregrosa stated that her recommendations were based on the Guidelines and she did not feel that changing the entrances was in keeping with the Guidelines.

Nils Muench again moved to deny based on Page 46. Motion failed.

Carlos Rojas questioned about the sidelight. Mr. Burchfield responded that it would be the single door with a window and a transom adjacent.

It was moved by Carlos Rojas, seconded by George Galvan to approve. Motion carried. Nils Muench voted no.

APPROVED DISAPPROVED _____ TABLED _____

CL5. H09-10-09-1163 **423 Front Street (Old Harbor House), Gary the Carpenter**
Install ATM machine on side of bldg (Wolfson Street side).

Gary Burchfield represented the project. This is a contributing masonry vernacular structure, circa 1886. He apologized but was asked to try anyway.

Preservation Planner Enid Torregrosa reviewed the Staff Report for the Board. Page 47. ATM's, Vending Machines. She recommended denial.

It was moved by Nils Muench, seconded by Vice Chair George Galvan, to deny based on Page 47. ATM's.

APPROVED _____ DISAPPROVED ___X___ TABLED _____

CL6. H09-10-09-1165 **215 Duval Street, Gary the Carpenter**

Remove wood accordion doors and install new roll up door system at front entrance. Door in upright position during business hours.

Gary Burchfield represented the project. He stated that this was not the original storefront. He stated that the door was open from 7:00 a.m. to 4:30a.m. The doors were only closed approximately two hours during the night and during storms.

Preservation Planner Enid Torregrosa reviewed her Staff Report comments for the Board. She stated that her comments were originally based on the doors being exterior; however, she had since received the drawings showing the moving of the door to the inside of the building so it would not be visible from the façade.

Nils Muench commended the Preservation Planner on her dedication to the research on the projects before the Board. He felt that they should give considerable support to her recommendations. It was moved by Nils Muench to deny.

Vice Chair George Galvan referred to the fact that there had already been several renovations to the structure. He questioned the age of the building. The response was circa 1930.

Chairperson Peter Batty passed the gavel and seconded the motion.

For: Nils Muench, Chairman Peter Batty
Against: Vice Chair George Galvan, Carlos Rojas. Motion failed.

It was moved by Vice Chair George Galvan, seconded by Carlos Rojas, to approve. Nils Muench voted no. Motion carried.

APPROVED X DISAPPROVED _____ TABLED _____

CL7.H09-10-15-1187 **918-920 Center Street, Naomi Van Steelandt**

Make changes to original HARC application. Changes to include exterior wood 4' x 8' rough sawn wood panel with battens- (see pics), thru wall A/C (not split), Bahama shutters (wood) on 3 windows on side of house (rather than louvers). Make roof venting triangular (not rectangular). These are after-the-fact changes.

Naomi Van Steelandt represented the project. This is not listed on the survey. She reviewed the project and her acquisition of the properties. This was an after-the-fact project.

Public Input:

Yens Nils, 921 Center Street, neighbor

Preservation Planner Enid Torregrosa spoke about her Staff Report for the Board. When she visited the property for a HARC Final Inspection, she noticed the differences in what was done vs. what was applied for. The revisions were minor but her concerns were of the board and batten.

Chairman Peter Batty questioned if there were any elements that negatively impacted the historic district. The response was to the board and batten.

Nils Muench stated that they spent considerable time reviewing and considering the applications and was concerned with the amending of the original application.

Chairperson Peter Batty agreed that when something was applied for and approved they see that it's carried out.

George Galvan agreed.

Carlos Rojas stated that this was a new building and the changes that

were made would probably have been allowed to begin with.

It was moved by Nils Muench, seconded by George Galvan, to deny based on the Guidelines stated in the Staff Report.

Carlos Rojas questioned what kind of financial hardship this would impose on the applicant. The response was that was not up to the Board. He questioned if they were going to make her do the adjustments just to spite her.

Chairman Peter Batty stated that these changes should have been applied for as a revision to the original application and were not.

Call to Question. Motion passed. Carlos Rojas voted no.

APPROVED _____ DISAPROVED X TABLED _____

CL8.H09-10-16-1189 712 Duval Street, One Call Construction Inc.

1-wall sign 89' wide by 41" high, PVC, 10" letters on, copy "BILMAR STATION KEY WEST". Sign will be installed between two columns.

Chairman Peter Batty recused himself.

David Polliet represented the project. The business had been open for approximately two weeks and they were attempting to obtain signage. All of the wall areas are not visible from the street due to the porches.

Public input:
Michael Ingram, Architect

Preservation Planner Enid Torregrosa reviewed her comments from the Staff Report for the Board. Page 49-50. 'Banners...should not be more than 2.5' high'. She stated that she was recommending denial.

Nils Muench questioned Sec 114-1. He questioned the Guideline being sighted. Preservation Planner Enid Torregrosa sighted the Ordinance Section 114-1. and responded that the Guidelines were more toward the size of the sign.

Carlos Rojas questioned if there was a question about the material in the sign. Preservation Planner responded that it was mainly the size and the fact that it was parallel to the facade.

Nils Muench didn't find the sign offensive. He stated that they were in the process of revising the Guidelines for signs and this seemed to be a case that was not encompassed in the Guidelines. He felt that they should approve pending amending of the Guidelines.

It was moved by Carlos Rojas to deny based on the size and height, of the sign. Motion failed.

It was moved by Nils Muench to approve and allow the sign until such time as they revise the signage Guidelines.

Assistant City Attorney cautioned that they might be allowing a sign that was against the Ordinances and therefore a Code violation based on the Ordinances.

Nils Muench withdrew his motion.

Carlos Rojas moved to deny based on height, seconded by Nils Muench. Motion carried.

The applicant questioned if he could get approval for the banner that was placed on the railing during Fantasy Fest.

The Assistant City Attorney cautioned the Board about the noticing of this request. Vice Chair George Galvan suggested he speak with the Preservation Planner for further negotiation.

APPROVED _____ DISAPROVED ___X___ TABLED _____

Nils Muench wanted the Attorney to review his comment for the applicant.

It was moved by Nils Muench to add an item for consideration for a temporary banner at this location. There being no second, motion failed.

CL9.H09-10-16-1191 **1016 Duval Street, Dar Castillo, Affiliated Design & Construction Mgrs.**

Front 4' high wood picket fence with guard rail.

Teri Johnston represented the project for Dar Castillo, Affiliated Design & Construction Mgrs. She reviewed the project and history of the discussion of the height of the fence for the Board. The fence was measured from the grade. The deck required a 36" railing.

Public Input:
Tom Pope, Architect

Preservation Planner Enid Torregrosa pointed out Page 42.9. of the Guidelines, Fences and Walls.

Ms. Torregrosa reviewed her comments from the Staff Report for the Board.

Nils moved to approve the application with the amendment that they reduce the height of the gate to 4' from sidewalk, seconded by Vice Chair George Galvan. Motion carried.

APPROVED DISAPPROVED _____ TABLED _____

CL10.H09-10-16-1192 **513 William Street, Tom Pope, P.A. Architect**

Add bedroom addition to rear of house by extending existing saw tooth gables & 2 1/2 to setback.

Tom Pope represented the project. He stated that they had recently done a large renovation of the property and this was a small addition to the rear of the house. They would be using existing wood windows and adding wooden French doors.

There was no public input.

Preservation Planner Enid Torregrosa reviewed her comments from the Staff Report for the Board. She recommended approval of the plans as presented to the Board.

It was moved by Nils Muench, seconded by Vice Chair George Galvan, to approve. Motion carried.

APPROVED DISAPPROVED _____ TABLED _____

Revision of Guidelines:

1. Painting metal roofs with white for energy conservation.
Chairperson Peter Batty requested that they hear from Planning and then Preservation Planner and public before the Board discussed.

Planning Director Amy Kimball-Murley spoke about the existing Guidelines and Ordinances vs. conservation which had arisen. She stated that she understood the Preservation Planner was intending an overall revision of the Guidelines; however, there were some issues that maybe couldn't wait until a total revision was made. They wanted direction and discussion.

Preservation Planner Enid Torregrosa stated that the Guidelines presently stated that metal roofs must be silver. The revision suggested is, "Roofs may be painted white or white roofs may be installed..." She had attempted to discuss this with the State Historic Preservation Officer.

Public Input:

Michael Ingram, Architect, 1001 Whitehead Street

Mike Mongo, 1018 Varela Street

Annalise Mannix, Environmental Programs Manager, City of Key West

Teri Johnston, City Commissioner, Builder, HARC Liaison

Victor Cushman, 720 Emma Street

Assistant City Attorney Ronald Ramsingh stated that there had been a few cases of challenge, one with tubular skylights, one with solar panels. He stated that the cases that had arisen had all involved solar collection devices and skylights. He stated that at this point there had been no cases involving cool roof technology. He referred to it as the Solar Rights Act.

Chairman Peter Batty stated that he thought that no one on the Board was against white roofs. He felt that this was a matter of priorities. He also brought up the mobile vendor Guideline amendment. He felt that they should work toward a workshop but to remember the other items that remain to be amended.

Nils Muench agreed.

Carlos Rojas questioned if they would be having a workshop and would withhold his comments.

Vice Chair George Galvan agreed.

Chairperson Peter Batty requested that the Preservation Planner and the Assistant City Attorney to coordinate this matter. He requested that they include Liaison Teri Johnston as well.

Planning Director Amy Kimball-Murley requested some direction from the Board for scheduling. The response was that hopefully a workshop should be scheduled following a short HARC meeting beginning at 3:00 p.m. Preferably with a short break in between.

Nils Muench suggested time limits for speakers.

George Galvan thanked the Preservation Planner for the revision of the packets. He felt that it made it considerably easier to review.

Nils Muench questioned the ability to bring his computer and use it.

Carlos Rojas thanked the Planning Director for the Draft copy and felt that it made it easier to discuss the topic.

Assistant City Attorney Ronald Ramsingh commended Chairperson Peter Batty for his first meeting.

Planning Director Amy Kimball-Murley announced that they would be getting a request as to whether the Commissioners would like an electronic presentation or full paper copy. She stated that there would be laptops on the dais within the next year so that all agendas would be automated.

Adjournment

There being no further business, it was moved by Vice Chair George Galvan, seconded by Carlos Rojas, to adjourn. Motion carried.

Respectfully submitted,
Diane Wilson Nicklaus
Recording Secretary

Motion by Nils Muench before the HARC Commission Meeting October 27, 2009

I move Approval of the request of Victor Cushman, 720 Emma Street (H09-09-18-1083) as an exception to the HARC Guidelines, with the exception based on the recognized intensity of the current "Go Green" public phenomenon and the importance of energy conservation generally.

Further, I request that we HARC announce that no similar requests will be approved until the completion of the following actions:

Action #1. The City shall commission a "First Study" of the subject building's attic temperatures, and any other technical aspects believed to be relevant, both before and after the installation of the proposed roof coating:

- determine the extent of the energy-saving effects of the non-conforming roof coating
- the study to be done in parallel by two qualified and independent technical groups funded by the City
- the study will be conducted for two complete annual cycles, viz., for 24 months.
- the study shall include the solar gain effects on neighboring structures

Action #2. The City shall commission a second study of the long-term effects of solar radiation, weathering, staining by vegetation and pollution, etc., of white roofs generally to establish some basis for predication of long-term performance and maintenance requirements of the subject roof.

Action #3. At the conclusion of these two Studies, two other qualified and unbiased technical groups shall be commissioned by the City to study and evaluate the temperature measurements and maintenance requirements and draw conclusions of energy savings and cost benefit.

Action #4. As there is evidence that one of the important economic drawing cards of Key West is the attraction of the Historic District, a study shall be commissioned by the City to explore the "Economic Impact on Key West of Losing the Historic Character of the Historic District As It Now Exists".

Action #5. In parallel with these actions, the Historic Coordinator shall explore fully with State and Federal Authorities the effect that permitting white roofs in the Key West Historic District may have on the continued Accreditation of the KW Historic District.

Action #6. The City shall post on its website the full reports generated by the above studies for Citizen Review, including a detailed analysis of the modes of data collection, the raw data, and the statistical methodology of analysis.

At the conclusion of these Actions, in accordance with normal procedures, the Key West Historic Architectural Review Commission shall commence Public Hearings to determine whether the results of these Actions justify a change in the HARC Guidelines to permit replacement of historic roofs with white roofs. As usual, any proposed change in Guidelines would be reviewed by the KW Planning Board and submitted for approval to the KW City Commission.

Enid Torregrosa

From: Barbara Bowers [barbara@bbowers.com]

Sent: Sunday, October 25, 2009 10:20 AM

To: Enid Torregrosa

Subject: White Roof Discussion

Enid, please make copies of my following remarks for the other HARC commissioners, and ask Vice Prez Batty to read my thoughts into the minutes, when the board members discuss white roofing at the Oct 27 meeting. Thank you, and I'll call you when I get back from Hawaii. B2

Date: October 26, 2009

To: The Historic Architectural Review Commissioners

Fr: Barbara Bowers, HARC Chairman

Re: White Roofs and other Energy Conservation Issues

Regretfully, I am not able to attend the October 27 HARC meeting, where my colleagues intend to discuss white roofs—the most recent onslaught of energy conservation issues that continue to chip away at the architectural character of Key West's historic district. These concerns are particularly ironic because most of the island's elegant, antique structures were originally built to “breathe,” which was, and arguably still is the most environmentally-correct way to maximize airflow for comfortable living in the tropical climate. Just open the double-hung windows; turn on the ceiling fans and let air circulate naturally through scuttles and beneath covered porches. Architectural features such as these designed for venting are just part of the history the HARC commission is charged with protecting.

And protecting the district is HARC's job. As noted in the preface to its guidelines, HARC is supposed to preserve “the character and appearance of the historic zoning districts of the city, as well as buildings, structures and properties listed in the local and national registers of historic places; and buildings, structures, archeological sites, or districts classified as ‘contributing’ or ‘contributing but altered’ on the City Historic Preservation Survey is a public purpose benefitting the educational, cultural and economic welfare of the citizens of Key West...”

While I believe HARC commissioners need to be in touch with the mayor and city commissioners to help them understand the challenge of upgrading historic buildings with contemporary and convenient amenities, it is not HARC's place to set conservation policy. If and when our elected politicians determine which energy regulations they must support, only then should HARC address how and where new products and amenities, such as white metal roofs and/or painted-white roofs, high-impact windows, solar panels and whatever innovation comes next may fit into the United States' largest historic district of wood frame buildings.

All new products and amenities definitely change the character and appearance of the historic zoning districts. For instance, the most recent environmentally-correct product, white roofs, seems to be benign because paint is not permanent. But poorly maintained metal roofs that have been painted white and allowed to fleck and flake will certainly make a statement. Should we only consider premade, white metal roofing, which is not an inexpensive alternative to paint?

Saving money while saving the planet seems to be the primary reason this issue has come before HARC. But what about saving the historic district—very probably the biggest attraction to Key West that fuels our tourist economy? Would it not be better to have policy makers insist that insulation beneath the roof or in the attic be mandatory instead of resurfacing historic rooflines? My guess is that insulation is cheaper than a new metal roof, plus it's a solution that saves money, the planet and the historic buildings. Furthermore, attic insulation is actually invisible, which is the mantra HARC often hears from property owners, who want to install contemporary, high-impact windows and other energy-saving devices not seen from the street.

A number of Key West residents have contacted me about the good, the bad and the ugliness of white roofs. Kurt Lewin at First State Bank and a Key West native son notes that white roofs will dynamically change the appearance of Old Town, but more importantly, if roofs go white then aluminum, high-impact windows also must be standard fare and then one day visitors to Key West will leave the island wondering what was historic about it.

Even today, few visitors make notes about putty-glazed windows, a block-long culture of 2.5-story houses or silver, tin shingles on roofs. When these currently protected features are gone, though, people will take notice; they will understand that something is amiss, although they may not know exactly what it is.

The loss will be history, of course, something much grander than the individual architectural parts that disappeared over time, one window at a time.

Shifting the exterior look of historic buildings to accommodate energy conservation is a big deal; if HARC decides to favor white roofs, this becomes a precedent-setting change with historical as well as economic ramifications for the people who visit and live here. It's never been cheap to live in Key West, and very few issues that create exceptions to the HARC guidelines have been easy to resolve. This is why I urge the HARC commissioners to think beyond mainstream trends, avoid knee-jerk reactions and tread lightly until elected officials determine conservation policies that reduce our carbon footprint by:

- 1.) Focusing on commercial buildings that use 70% of the electrical energy in Key West and
- 2.) Fine Duval Street businesses that leave doors open while AC is turned on and
- 3.) Find residential solutions that save the planet as well as the historic district.

Enid Torregrosa

From: keysguy [keysguy@juno.com]
Sent: Wednesday, October 14, 2009 3:01 PM
To: Covan@covanlaw.com; Enid Torregrosa; info@keysglee.com; mbolen@keysnews.com; editor@keysnews.com; dennis@kwtn.com; drrossw@yahoo.com; ronda@kwtn.com
Cc: gregory-doug@monroecounty-fl.gov; JOHN PADGET@AOL.COM
Subject: Fw: white roofs

----- Forwarded Message -----

From: Ross Williams <drrossw@yahoo.com>
To: keysguy <keysguy@juno.com>
Date: Tue, 13 Oct 2009 07:47:41 -0700 (PDT)
Subject: white roofs
Message-ID: <515707.76938.qm@web35407.mail.mud.yahoo.com>

Dear HARC board,

As a private citizen concerned about energy conservation, as a way to help fight climate change and ocean acidification, I offer this letter in support of your efforts to allow white cool roof technology to be used in old town Key West.

In South Florida painting a roof with a white cool coating, or using factory white metal v-crimp roof panels during construction, is the single least expensive "low hanging fruit" retrofit that can be done to a building to save energy.

Solid research by Florida Solar Institute, EnergyStar.gov, FP&L, The Cool Roof Council, Oak Ridge Labs, California Energy Commission and many others have established the facts regarding cool roof technology.

A gray metal roof painted white saves roughly 20% of the electrical costs of air conditioning, compared to the same roof painted with traditional silver paint, or bare galvanized metal. A black tar roof coated with a cool coating can save as much as 50% of the cool bill.

There are many additional benefits to cool roofs, besides being an inexpensive way to save significant money on energy and to help us meet our carbon reduction goals.

Cool Roofs;

- Improve occupant comfort as they are 50 to 70 degrees cooler.
- They reduce building maintenance costs by increasing the roofs life cycle by keeping the roof materials cooler.
- They reduce urban heat island effect.
- They reduce Utility peak loads because they save the most energy during the hottest part of the day when peak loads are greatest.

From a tourist economy perspective white roofs could become a distinctive point of interest for Key West, appealing to visitors both aesthetically and environmentally. An entire island of white roofs brings to mind the beautiful white buildings of the Greek

ises.

From an Old Town architecture perspective the energy and carbon reductions should trump the change in appearance, as is the case with photoelectric panels and solar hot water panels.

Sincerely,

Ross Williams
1211 Watson St, Key West, FL

Ross Williams, DC
Doctor of Chiropractic
(305) 292-7222

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FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME, FIRST NAME, MIDDLE NAME <i>BOB PETRA</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>HALL</i>
MAILING ADDRESS <i>3007 RIVERDA DR</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY <i>KY WA</i> <i>ALABAMA</i>	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED <i>10.27.07</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, P. B. H., hereby disclose that on Oct. 27, 2007.

(a) A measure came or will come before my agency which (check one)

inured to my special private gain or loss;

inured to the special gain or loss of my business associate, _____;

inured to the special gain or loss of my relative, family owned _____;

inured to the special gain or loss of _____, by whom I am retained; or

inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

10-27-07
Date Filed

P. B. H.
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

New Business Item HARC Meeting November 10, 2009

Problem:

HARC has no lower threshold as to what actions by homeowners require Prior HARC Approval. Replacing a single fence picket, repainting a small area of damaged fence, etc. appear to require Prior HARC Approval.

Requiring Prior HARC Approval for extremely minor home maintenance items impacts negatively on the Citizen acceptance of HARC, wastes the time of HARC Staff, and accomplishes nothing. In reality, this Prior Approval is often just skirted, at the risk of Code Enforcement action. Not good! The situation needs to be fixed.

Solution:

Some words along the lines of the paragraph below should be considered as a change in GUIDELINES.

+++++

Insert in HARC Guidelines on page 56 between 3rd and 4th paragraphs

"While most Projects require prior review by HARC, it is in the public interest to allow very minor maintenance projects which are performed by the owner and which leave the property unchanged to proceed without prior HARC approval. Examples include: a. replacing not more than 15 deteriorated pickets in a picket fence and painting same as before; replacing not more than one fence post of duplicate size in exact same location and painting same as before; removing one pair of shutters, repairing without changing, repainting same color as before, and reinstalling; replacing not more than two broken panes in a historic window; repainting the deck of a porch same color as before; and so forth. "

"In case of doubt as to whether a planned project is sufficiently minor not to require prior HARC approval, it shall be assumed that HARC approval is required."

Submitted by Nils Muench
November 10, 2009