

Historic Architectural Review Commission

Meeting Minutes

May 11, 2010 – 3:00 p.m.

City Commission Chamber

Old City Hall, 510 Greene Street



The Key West Historic Architectural Review Commission will hold a public hearing on **Tuesday, May 11, 2010 at 3:00 p.m.**, in the City Commission Chambers of Old City Hall located at 510 Greene Street.

1. **Roll Call** Board members present included George Glavan, Rudy Molinet, Nils Muench, Carlos Rojas, and Chairman Peter Batty.
2. **Pledge of Allegiance**
3. **Approval of Agenda** Brendan Cunningham noted that Items 5.b.1. CL1 and 5.b.7. CL2 have been staff approved. George Galvan made a motion to approve the Agenda with changes; it was seconded by Carlos Rojas. Motion carried.
4. **Approval of Minutes**
 - a. **HARC Meeting Minutes- April 27, 2010**

A motion to approve the minutes was made by George Galvan; it was seconded by Carlos Rojas. Motion carried.
5. **Items for Public Hearing**
 - a. **Old Business- Tabled items**
 1. **T1- Review meeting dates for potential workshop regarding approved paint colors (June 8th and 22nd).**

Peter Batty presented the possible workshop dates.

Rudy Molinet notified members that he would be out of town for the June 8th date.

Carlos Rojas notified members that he would be out of town for the June 22nd date.

Carlos Rojas made a motion to hold the workshop on June 22, 2010 immediately following the 2:00pm HARC meeting; it was seconded by Rudy Molinet. Motion carried.
 - b. **New Business**
 1. **CL1- After the fact permit application – #1025 Varela Street – Applicant Michael & Julie Dalsin (H10-044-12-399) Replace gate, lattice work, garage door, side door to garage and side window on garage.**

STAFF APPROVED
 2. **CL2- Request to remodel storefront - #121 Duval Street – Architect Carlos Rojas, AIA (H10-04-23-455) Remodel store front to include new doors, windows, awning and signage.**

Carlos Rojas recused himself from the Dias.

Carlos Rojas represented the project. He proposed to demolish the entire storefront and remodel the interior. The store front will be five doors, two open outwards and three slide away for special events. There is also a beam framing the doors, and above it is a clear story glass with a gingerbread fret board. There is also a signage package that includes one Harley Davidson sign lit by two gooseneck fixtures, and it will not be over 10% of the frontage of the unit. There is also a hanging pedestrian sign not to exceed five square feet painted wood in classic Harley Davidson orange and black. They also want to replace the part of the awning in front of the store from green to black with motorcycle pin striping as well as lettering on the valance reading Peterson's Harley Davidson.

No public comment

Brendan Cunningham stated that the building was not contributing and the alterations would be an improvement to the property. In regards to the awning, when tied to the sign package it would exceed what is allowed. He commended the idea of moving the lighting from the inside to the outside.

Nils Muench questioned if the application has changed from what was given to the commission.

Ron Ramsingh stated that there was a difference in distinction of the back-lit sign from the application to what Mr. Rojas has presented at the meeting. The sign went from being back-lit to non back-lit.

Carlos Rojas stated that there was one other change from the original application. After speaking with Preservation Planner Enid Torregrosa the applicant changed the design on the awning from the Harley Davidson shield to the stenciling that was proposed by the applicant.

Nils Muench stated that there were still three signs which exceeded the two allowed by the guidelines.

Carlos Rojas stated that in conversations with Historic Preservation Planner Enid Torregrosa, she had stated that she was not against the lettering on the valance. He also stated that he knew the lettering on the valance would be counted as a sign, but he would leave the decision to make an exception to the commission.

Nils Muench asked Mr. Rojas if he still intended to have three signs.

Carlos Rojas stated that he would like to keep the wall sign on the parapet, the hanging sign that is perpendicular to the façade, and the lettering on the valance. He then stated if he could not have all three then he would like to remove the lettering on the valance.

Rudy Molinet clarified the guidelines and agreed the applicant should get rid of one of the three signs.

Carlos Rojas agreed to drop the lettering on the valance as part of the signage.

Rudy Molinet made a motion to approve the application with the exception of the writing on the valance; George Galvan seconded the motion. Motion carried.

APPROVED

- 3. CL3- Request for exterior repairs - #809 Elizabeth Street- Applicant Mona Clark (H10-04-30-484) Repair and replace windows, gingerbread, siding and trim. Walls- Behr Decorator White, trims Behr Cathedral Grey.**

Mona Clark presented the project. She stated the original gingerbread ornamentation would have to be sanded and painted and replaced in spots. She then stated she is requesting to replace her window with vinyl windows rather than wood because of cost.

No public comment

Brendan Cunningham stated that staff is in approval of this restoration project minus the aluminum or vinyl windows particularly on the façade. He stated that the guidelines are strict on this issue and the house is a contributing structure. The only possible exception that could be made would be to have wood windows on the front of the building and vinyl elsewhere. He recommended denial.

Mona Clark stated that other houses in her district do not follow this code and it is not affordable.

George Galvan questioned if the guidelines included all windows, or just those visible from the street.

Ron Ramsingh stated that on page 29 and 30 of the guidelines it is stated that windows may be patched or repaired, but in a contributing structure the guidelines state that aluminum windows are generally inappropriate.

Mona Clark stated that the windows are vinyl not aluminum.

Rudy Molinet stated that there is no room for exception in the guidelines on a contributing structure for vinyl or aluminum windows on any part of the house.

Mona Clark stated that there is no part of the guidelines that specifically say vinyl windows are not allowed.

Carlos Rojas recommended to the applicant that wood windows are easily repairable and able to be refurbished

Nils Muench pointed out that the guidelines are meant to make clear that only wood windows should be allowed.

Carlos Rojas made a motion to approve with the exception of the windows they should be repaired or replaced with wood.

The Chairman requested the Clerk call the roll.

Yeas: Commissioners Galvan, Molinet, Muench, Rojas and Chairman Batty

Nays: None

APPROVED

4. CL4- Request to install solar panels - #703 Fleming Street- Applicant Chris Fogarty (H10-04-30-485) Install 25 solar panels on the roof, facing southwesterly.

Chris Fogarty represented the project. He proposed 25 solar panels on a section of roofing between the two houses. It is a 5kw system that is very energy efficient. The area is not visible from the sidewalk or street. The panels can not be attached directly to the roof but would be on feet about two inches above the roof. The panels are at the same pitch as the roof so that it would not take away from the roof line.

Jedde Regante reviewed the application and approval guidelines. He stated that if the commission determines that the panels were visible from the street then it raises the question of application of

Florida State Statute 163.04. The statute provides for legislative intent and attorneys fees for the prevailing party should it be taken to circuit court for writ of mandamus if necessary.

No public comment

Ron Ramsingh reviewed the ramifications of Statute 163.04 on this project. He questioned if there were implications in the guidelines to prohibit solar collectors. He stated the guidelines dictate location rather than prohibition. He also stated that it was clear in the staff report that it can be seen from the public right-of-way. He then requested commissioners for a motion to table.

Carlos Rojas made a motion to table; it was seconded by George Galvan. Motion carried.

Peter Batty opposed the motion to table.

TABLED

- 5. CL5- Request to construct a shed - #610 Southard Street - Applicant Thomas Kelly (H10-04-30-487) Construct a 16 foot by 16 foot shed in the side yard with siding, roofing and windows to match existing building on the property.**

Tom Kelly represented the project. He stated that the owners had requested permission to build a shed in the rear of the side yard behind a large wood fence. This shed would not be visible from Southard Street. The windows on the proposed shed would be left over from a neighboring building with a similar look. The shed would be used for storage purposes.

No public comment

Brendan Cunningham stated that the building scale, color, and materials were appropriate and compatible with existing house. He recommended approval.

Nils Muench made a motion to approve; it was seconded by George Galvan. Motion carried

APPROVED

- 6. CL6- Request to extend roofline - # 917 Angela Street- Applicant Thomas Kelly (H10-04-30-489) Extend roof over an existing deck to convert into a porch.**

Tom Kelly represented the project. He stated that there is an existing deck that the dinging room and kitchen lead in to. He proposed that they extend the roof over the existing deck structure at the same pitch with the same materials. This would eliminate some of the canvas awnings and provide for a more permanent covering.

No public comment

Brendan Cunningham stated that after review considering location and design he recommends approval.

Nils Muench made a motion to approve; it was seconded by Rudy Molinet. Motion carried.

APPROVED

- 7. CL7- Request to build a staircase- #611 Southard Street- Applicant Thomas Kelly (H10-04-30-490) Replace existing staircase and 2 columns at the front elevation with details to match existing.**

STAFF APPROVED

6. Historic Preservation Planner's Report

7. Comments from Commissioners

Rudy Molinet questioned staff if there were any new developments on bringing the fence at the Harbor House condominiums within HARC guidelines.

Ron Ramsingh informed commissioners that the issue had been brought up to the bank representative, but no further information was available.

Rudy Molinet stated that neighbors were concerned with this issue.

Nils Muench stated that he believed that the fence was only allowed if the site was in the building process.

Ron Ramsingh confirmed this.

Recording Secretary and Clerk Patrick Wright informed commissioners that staff present at this meeting included Assistant City Attorney Ron Ramsingh, and HARC representative and Senior Planner Brendan Cunningham. This was omitted during Roll call.

8. Adjournment

A motion to adjourn was made by Carlos Rojas; it was seconded by Rudy Molinet. Motion carried

Interested parties may appear at the public hearing(s) 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 604 Simonton Street, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm.

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.

ADA Assistance: Anyone needing special assistance at the HARC Commission hearing due to disability should contact the City of Key West at (305) 809-3720 at least two days prior thereto.

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