

Historic Architectural Review Commission

Meeting Minutes

June 8, 2010 – 3:00 p.m.

City Commission Chamber

Old City Hall, 510 Greene Street



The Key West Historic Architectural Review Commission held a public hearing on **Tuesday, June 8, 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 Galvan, Nils Muench, and Chairman Peter Batty.
2. **Pledge of Allegiance**
3. **Approval of Agenda** Enid Torregrosa noted that item 5a2 and 5a3 requested to be tabled. She also stated that the applicant for item CL6 requested to be moved to item CL1. George Galvan made a motion to approve the agenda; it was seconded by Nils Muench. Motion carried
4. **Approval of Minutes**
 - a. HARC Meeting Minutes – May 11, 2010 a motion to approve the minutes was made by Nils Muench; and seconded by George Galvan. Motion carried.
5. **Items for Public Hearing**
 - a. **Old Business- Tabled items**
 1. T1- Request to demolish existing garage – **811 Truman Avenue – Applicant: Gary the Carpenter (H10-05-12-528)**. Remove existing garage structure and replace with new two-bay garage, workshop and laundry at grade and second storey storage units.

Gary Burchfield presented the project. He stated that he proposed to replace a garage that is falling down, and he has a letter from a building official stating that the unsafe condition is not due to the applicant. The proposed new structure would be one story with another half story second floor used as a storage area for tenants. The location of the garage is set far back in the property, and it will not create any more impervious surface area.

No public comment.

Enid Torregrosa reviewed her staff report. She stated that a variance would be needed for the siting on the building. Everything else in the plans is in compliance with HARC regulations; Staff recommends approval as well as coordination with Tree Commission.

Nils Muench made a motion to approve; George Galvan seconded the motion. Motion carried.

APPROVED

2. T2- Request for façade renovation - **530 Truman Avenue – Applicant: Jose Gordillo / RRW Architects (H10-05-14-544)**. Renovate entry façade to include enlarged pediment feature and enhanced color scheme. Paint walls - Benjamin Moore “Steep Cliff Grey”, columns and trim - Benjamin Moore “Minced Onion”, column top and base - Benjamin Moore “Dark Pewter”.

TABLED

3. T3- Request for new signage – **530 Truman Avenue – Applicant: Anchor Sign, Inc. (H10-05-12-529)** Replace existing sign package to accompany proposed façade renovation.

TABLED

b. New Business

1. CL1- Request for removal of back portion of house and improvements – **#607 Ashe Street – Applicant: Guillermo Orozco, Architect (H10-05-25-576)** - Replacement of existing bahama shutters proposed shutters to be made of 5/4” by 4” tong and groove wood. Replace miscellaneous 6/6 wood windows. Proposed windows to be 6/6 Marvin wood. Replace existing asphalt shingle roofing, replacement to be Galvalume v-crimp roofing. Remove existing shed structure at rear of building. Replace structure for open porch (see elevations) and contiguous wood deck addition. Miscellaneous openings at existing kitchen building. Proposed handicapped ramp (see proposed East elevation). Ramp to be wood and concrete pad at starting point of ramp. Repair and replace miscellaneous lap siding as required. Replace T & G flooring at front porch as required to match existing. Replace spindles at front porch railing as required.

Guillermo Orozco represented the project. He stated that he was proposing renovation to the building including windows, siding, flooring, and the replacement of a rear addition for an open porch.

No public comment.

Enid Torregrosa reviewed her staff report. She stated that the proposed demolition on the back addition is in compliance with the code of ordinances. A second reading will be necessary for this project. Staff recommends approval.

George Galvan asks for clarification on whether the demolition is on a non historic portion of the house.

Enid Torregrosa states that the demolition is on an attachment that is non-historic.

Nils Muench made a motion to approve the demolition; George Galvan seconded the motion. Motion carried.

APPROVED

2. CL2- Request to demolish Tiki Bar and construction of new bar - **#1319 Duval Street – Applicant: Peter Pike, Architect (H10-05-26-588)** - Demolish existing Tiki Bar. Construct new pool bar and pool area renovations.

Peter Pike represented the project.

No public comment.

Enid Torregrosa reviewed her staff report. She stated that the structure is non-historic, and staff recommends approval.

Nils Muench made a motion to approve the demolition; George Galvan seconded the motion. Motion carried.

APPROVED

3. CL3- Request to paint roofs white- After the fact – #720 Emma Street- Applicant: Victor L. Cushman (H10-05-27-594) - After the fact- Paint composition roof white (per guidelines). Paint rusted and discolored roof white.

Victor Cushman represented the project. He stated that he apologized for going ahead with the project without the proper approval. He then stated that in a meeting with his attorney and the City Attorney, the city attorney stated that he would get a legal opinion from the attorney general on the implications of state statute 163.04 on this case. He then stated that he had checked back with the City Attorney four times and had not received a response, so he went on with the project believing he was following state statute. He stated that the house is historical, but the original historical portion has been built upon and modernized. He reviewed the angle and positioning of the roofs on the property. He compared the project to one at 1020 and 1024 Thomas Street. He stated that there are three main issues, the first being aesthetics, second being the positive effects on energy bills that the white roofs provide, and the third being the legal determination. He stated that since the City legal department showed no objection or had no response to the construction, he assumed they were following legal guidelines. He stated that he asks for the city's help in obtaining an after the fact permit for the peaked portion of the roof.

No public comment.

Enid Torregrosa reviewed her staff report. She stated that the applicant had come before HARC in four instances, two of which received staff approval. There were two other applications one of which was denied, and the other was tabled per review of the guidelines. She stated that at no point was there HARC approval for the white paint on the roofs.

Ron Ramisingh requested that this item be passed until City Attorney Sean Smith could be present to address the allegations made by Victor Cushman.

Peter Batty allowed the item to be passed at 3:29 pm.

City Attorney Sean Smith arrived at commission chambers at 3:38 pm. He stated that Ron Ramsingh during the course of the proceedings contacted him and informed him that Victor Cushman made representations to this body that he had a meeting with the City Attorney and specifically said that City Attorney Sean Smith would be requesting Attorney General opinion on the matter. He then stated that he had never met with Victor Cushman, he had never discussed the issue of white roofs with Victor Cushman, and he had one passing conversation with Mr. Cushman's attorney and that was the extent of their contact. He stated that he does not have the power to request Attorney General opinions; the City Commission would direct him to issue opinions. He stated that he does not meet with individuals to discuss legal matters; his advice is given to bodies like the HARC commission and to the City Commission. He stated that if Victor Cushman made these statements about meeting with him they are completely false. He also stated that Victor Cushman had made representations in a Letter to the Editor that were completely false.

Victor Cushman requested a rebuttal to City Attorney Sean Smith's statements.

Peter Batty informed Victor Cushman that the item is now brought before the commission members and he would only have an opportunity to speak if he was directly asked a question by a commission member.

Nils Muench stated that the guidelines do not allow the roof material the applicant used. He stated that the applicant proceeded with construction knowing that it was against the guidelines.

Nils Muench made a motion to deny based on the guidelines on page 35; the motion was seconded by George Galvan.

The Chairman requested the Clerk call the roll.

Yeas: Commissioners Galvan, Muench, and Chairman Batty

Nays: None

DENIED

4. CL4- Request to paint roofs white- After the fact- # **726 Emma Street- Serenity House- Applicant: Victor L. Cushman (H10-05-27-595)** - After the fact non conforming buildings- Paint front porch roof (composition) white per guidelines. Paint rear cottage composition roof white per guidelines. Paint 6' by 20' 45° wall to roof transition white to match white wall (permitted). Paint non visible nearly flat v-grove white.

Victor Cushman presented the project. He stated that there is a slanted wall approximately six feet by the width of the house that joins the front of the house to the asphalt roof that was painted white per the permit.

No public comment.

Enid Torregrosa reviewed her staff report. She reviewed the applicant's previous applications to HARC, and guidelines that apply to asphalt and metal.

Ron Ramsingh stated that there was a distinction between asphalt and metal in the historic district with a variation of color on page 35 of the guidelines.

George Galvan questioned if the structure was contributing.

Enid Torregrosa stated that it was not a contributing structure, but it still must comply with HARC guidelines.

Nils Muench questioned staff what there recommendation was.

Enid Torregrosa stated that she does not give recommendations on after the fact items.

Nils Muench made a motion to deny based on page 35 of the guidelines; George Galvan seconded.

The Chairman requested the Clerk call the roll.

Yeas: Commissioners Galvan, Muench, and Chairman Batty

Nays: None

DENIED

5. CL5- Request to demolish existing addition and new construction. New windows and repairs to existing house- # **1030 Fleming Street- Applicant: Michael B. Ingram, Architect (H10-05-28-597)** - Repair of deteriorated existing siding, railings and decking with matching material. New foundation work. Remove existing addition and replace with two story within set backs, subject to variance approval. Stair at rear of new addition within set back. New 6/6 windows at original house, matching aluminum at new addition and slider unit. Paint white, repair shutters dark green.

Michael Ingram represented the project. He stated that the application is asking for a rear addition that is not original to the structure to be removed and replaced with a two story addition. He stated that the current rear addition is in disrepair. He stated that the addition will conform to required setbacks. He stated the application has two pieces, the first is asking for an approval of the addition without a stair, the second with the stair. He stated that he would like it approved both ways, but would leave it up to the commission to determine the proper approval.

No public comment.

Enid Torregrosa reviewed the staff report. She stated that this would be a new addition constructed on the same footprint. She also stated that the existing addition is in disrepair and recommended approval.

George Galvan asked for clarification on what the approval was going to be for.

Enid Torregrosa clarified that the approval would be for demolition.

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

APPROVED

6. CL6- Request to construct new house on vacant lot- **#710 Windsor Lane- Applicant: Danny Sanchez (H10-05-27-598)**- Construction of new home.

Danny Sanchez presented the project. He stated that staff had recommended a change to the proposed windows, and the applicant will comply.

No public comment.

Enid Torregrosa stated that staff recommended approval on the project, with the exception of the change to the proposed windows from two over one to one over one and the windows and doors must be wood.

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

APPROVED

7. CL7-Request to replace rear deck and front door of main house- After the Fact- **#513 Grinnell Street- Applicant: Suzanne C. Alexander (H10-05-28-602)** – Top rotted wood replaced on rear deck. The length is 19' at its longest and 33' wide at its widest with variations. Do new framing work. Front door was warped and replaced by new 79" by 35" door.

Suzanne Alexander presented the project. She stated that she had replaced the rotted wood on the back deck and installed a new door on the front of the house; she then received a stop work order from the city. She stated that the door was glass.

No public comment.

Enid Torregrosa reviewed her staff report. She cited pages 32 and 33 of the HARC guidelines.

Nils Muench stated that the guidelines indicated that the door must be four or six panel wood door.

Peter Batty stated that the door is not in keeping with the guidelines.

George Galvan questioned if the house was contributing.

Enid Torregrosa stated that it was not a contributing structure, however the HARC guidelines still apply.

Suzanne Alexander questioned the commission if the glass could be adjusted or covered up.

Peter Batty stated that the commission must make a motion, and her approach to the existing door could be discussed with staff based on the outcome of the motion.

Nils Muench made a motion to deny based on the guidelines on page 33; George Galvan seconded the motion. Motion carried.

DENIED

8. CL8- Request to build an addition and wall- **#1230 Washington Street- Applicant: Thomas Kelly (H10-05-28-603)** – Proposed one story addition and install 4’-0” high stucco wall.

Thomas Kelly represented the project. He stated that they proposed to bring the structure forward 10’ and present a new façade for the client. He stated there would be a 4’ stucco wall in the front of the building.

No public comment.

Enid Torregrosa reviewed her staff report. She reviewed the guidelines pages 36 to 38 that applied to the application. Staff recommends approval.

Nils Muench made a motion to approve; George Galvan seconded the motion. Motion carried.

APPROVED

9. CL9- Request to demolish and reconstruct rear porch and other modifications- **#516 Emma Street- Applicant: Robert Delaune, Architect (H10-05-28-604)** – Modify previous HARC approval to demo and reconstruct rear porch and modify existing door and window configuration.

Robert Delaune represented the project. He proposed to remove the roof from the rear porch of the house and replace it with a flat roof with a deck on top, as well as adding doors to access that deck. He also proposed adding windows on the side of the building as well as on the widow’s walk tower.

No public comment.

Enid Torregrosa reviewed the staff report. Staff recommends approval for demolition; it will require a second reading.

Nils Muench made a motion to approve the demolition; George Galvan seconded the motion. Motion carried.

APPROVED

6. Historic Preservation Planner’s Report

Enid Torregrosa stated that there would be a workshop on colors in the historic district at the next meeting on June 22, 2010, therefore the regular meeting will start at 2:00pm and the workshop will take place after.

7. Comments from Commissioners

8. Adjournment

George Galvan made a motion to adjourn; it was seconded by Nils Muench. 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.