

Minutes of the Key West Historic Architectural Review Commission

April 11, 2012

Approved – April 25, 2012

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Call Meeting To Order	
Chairman Rudy Molinet called the Key West Historic Architectural Review Commission (HARC) Meeting of April 11, 2012 to order at 5:30 pm at Old City Hall, in the antechamber at 510 Greene Street, Key West.	
Pledge of Allegiance to the Flag	
Roll Call	
	Commissioners present include: Donna Bosold, Theo Glorie, Maggie Gutierrez, Daniel Metzler, Michael Miller, Vice Chairman Bryan Green, and Chairman Rudy Molinet. Also, present from City staff: Assistant City Attorney Ron Ramsingh, Historic Perseveration Planner Enid Torregrosa, IT Mike Rivera, and Recording Secretary Jo Bennett.
Approval of Agenda	
	Chairman Rudy Molinet inquired as to any changes to the agenda. Enid Torregrosa stated there were no changes. Actions/Motions: A motion was made by Mr. Bryan Green, seconded by Ms. Maggie Gutierrez, that the Agenda with no changes be Approved . The motion Passed by a unanimous voice vote.
Approval of Minutes	
1	March 28, 2012 Actions/Motions: A motion was made by Ms. Maggie Gutierrez, seconded by Mr. Michael Miller, that the Minutes be Approved . The motion Passed by a unanimous voice vote.
	Prior to the HARC Planner's Report, Chairman Rudy Molinet presented Barbara Bowers a commendation plaque for her past service on the HARC Board.
HARC Planner's Report	
2	Ms. Torregrosa presented the HARC Applications Monthly Reports for March, which were included in the meeting package. Ms. Torregrosa highlighted the application statistics: <ul style="list-style-type: none">➤ 626 HARC applications have been processed to date this year.➤ 187 were received in March.➤ Of the 187 applications processed in March, 163 have been Staff approved.➤ 212 over the same time as last year. Ms. Torregrosa stated that the Solar Devices Ordinance passed the first reading at the last City Commission meeting and the second reading will be on the agenda for the next City Commission meeting in May. Ms. Torregrosa reminded the Commission that May is Historic Preservation month, which is a Nationwide event. Ms. Torregrosa stated that for the first time in a very long time Key West will be celebrating by holding a Historic Forum on May 10-11 and briefly covered the agenda speakers and topics for the two-day event.

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	<p>Ms. Torregrosa stated that Planning Director, Don Craig suggested that HARC include the Planning Board when holding the Sign Workshop since Chapter 114, which is part of the LDRs may be impacted. The Commission agreed that having a joint Sign Workshop with the Planning Board.</p>
Assistant City Attorney's Report	
	<p>Chairman Molinet led a discussion concerning Commission members' ex parte communications. Mr. Molinet explained how he handles communications from applicants and asked the Assistant City Attorney to explain ex parte communications to the Commission members. Mr. Ramsingh gave the definition of an ex parte communication. Mr. Ramsingh covered points the Commissioners need to remember when involved in ex parte communications. Mr. Glorie stated that prior to the meetings he likes to visit the sites to get a better feel of the project and sometimes speaks to the person doing to project. Mr. Glorie added that he feels this helps him to understand the project. Mr. Ramsingh stated that there is nothing illegal about doing what Mr. Glorie described but anyone doing so will need to disclose the entire nature of any communications outside the Public Meeting. Mr. Molinet explained the consequences of meeting one-on-one with applicants.</p> <p>Mr. Ramsingh need to review the Solar Panel package with Ms. Torregrosa prior to the next City Commission meeting to make sure the correct version is being presented.</p> <p>When asked, Mr. Ramsingh stated that the changes to the Demolition Ordinance passed the Planning Board and is being scheduled to move to the City Commission and the DCA. Mr. Ramsingh added that he did not expect any issues since the changes are being well received.</p>
Old Business	
3	<p>New elevated office building and renovation of existing concrete structure- #202 William Street- Bender and Associates (H12-01-258)</p> <p>Haven Burkee presented the project. Mr. Burkee highlighted the presentation made to HARC on March 14, 2012 and reviewed what was changed or added to the presentation package. Mr. Burkee stated the major change is the elimination of the roof deck over the existing structure and the addition of canopies over the doors and windows of the new office space. Mr. Burkee also noted that site elevation drawings were added to the packages. Mr. Burkee remained to respond to questions.</p> <p>Public Comments: Shirley Freeman, 724 Eaton Street, spoke against the two-story block building on the site.</p> <p>Staff Report: Enid Torregrosa presented her staff report. Ms. Torregrosa stated that the proposed new addition would create a new urban façade much needed in that important corner block. The proposed mass and scale of the building is in keeping with the existing building and its surrounding non-historic structures. The surrounding urban context consists of utilitarian CBS structures with minimal architectural details. The new building will conceal a back portion of a building and its site that for decades has been an urban eyesore in such a significant waterfront corridor site. The new structure will not be perceived as historic because of its architectural design. The new building rather than be pretentious is a simple volume that will not oversize any existing surrounding structure</p>

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and will not contend the waterfront context in which will be built. The proposed building will define with its two main facades an empty urban corner. The proposed building will have no adverse effect on any historic building or surrounding waterfront context.

Commission Discussion:

Theo Glorie agreed with Ms. Freeman's comments. Mr. Glorie stated he found the design boring. Mr. Glorie suggested renovating the existing building.

Bryan Green discussed the area. Mr. Green stated he finds the mundane design being proposed. Mr. Green stated he is concerned that this proposed two-story structure will affect the experience of walking down Lazy Way. Mr. Green suggested that the second floor be moved away from the street area and centered across the new first floor structure and the existing structure, which overlooks the water. Mr. Green concluded stating that the building does not work for him in any way.

Daniel Metzler agreed with other speakers. Mr. Metzler stated that his opinion is that a low profile should be maintained along the waterfront. Mr. Metzler added that even though there had been a two-story structure prior to the fire does not mean it needs to return to a two-story structure. Mr. Metzler stated that by having the new two-story structure so close to Lazy Way that it would give the pedestrians a closed in feel.

Michael Miller stated that he shares Mr. Green's comments concerning the design being mundane. Mr. Miller stated that he thinks the proposed structure meets HARC Guidelines for mass and scale. Mr. Miller reminded the Commission that they (HARC) are not to do design but evaluate the projects based on the Guidelines.

Donna Bosold stated that she has to agree with Mr. Miller as far as proposed structure meeting the Guidelines but she thinks this is a missed opportunity to do something unique. Ms. Bosold also stated that she expects that the current views of this area will be disappearing with the landscaping for the new proposed hotel.

Mr. Molinet reminded the Commissioners that Page 12 of the Guidelines contains the "Do's and Don'ts for HARC Members" and that the Commission is not to apply their ideas of what is "pretty" or "in good taste". Mr. Molinet stated that it is his opinion that the proposed structure does meet the Guidelines and he would be in support of the application. Mr. Molinet reminded the Commissioners that due to FEMA there cannot be a single story building at this location.

The Commissioners discussed the height of the surrounding buildings.

Actions/Motions:

A motion was made by Mr. Michael Miller that the item be **Approved**. The motion **Failed** due to the lack of a second.

A motion was made by Mr. Bryan Green, seconded by Mr. Theo Glorie, that the item be **Denied** based on Guidelines page 37-3, 37-4, and 37-7. The motion **Failed** by the following vote:

Yes: 3 – Mr. Glorie, Mr. Metzler, Mr. Green

No: 4 - Ms. Bosold, Ms. Gutierrez, Mr. Miller, Chairman Molinet

A motion was made by Mr. Michael Miller, seconded by Ms. Maggie Gutierrez, that the item be **Approved**. The motion **Passed** by the following vote:

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	Yes: 4 - Ms. Bosold, Ms. Gutierrez, Mr. Miller, Chairman Molinet No: 3 – Mr. Glorie, Mr. Metzler, Mr. Green
4	<p>New wall sign-#1019 White Street-Carrie Johnston- (H12-01-386)</p> <p>Carrie Johnston presented the project. Ms. Johnston stated that the proposed sign is an effort to attract business for the restaurant and explained the property.</p> <p>Public Comments: Edward Johnston the owner of the sign shop spoke in favor of the sign. Stating that the restaurant needs to do something to improve business. Mr. Johnston explained they are trying to install the sign on the side to obtain more visibility for the restaurant.</p> <p>Staff Report: Enid Torregrosa presented her staff report. Ms. Torregrosa stated that it is Staff’s opinion that the proposed design constitutes a menu board. Staff understands that as a menu board it exceeds the square footage allowed for such type of signage. The proposed design is inconsistent with the guidelines as well as with the Land Development Regulations. The business at this point is exceeding the permitted number of signs and has signs in the property that have never been approved.</p> <p>Commission Discussion: Michael Miller stated that what he thinks this restaurant needs more than more signage. Mr. Miller suggested putting large windows.</p> <p>Daniel Metzler stated he is shocked that the applicant is before HARC adding that the number of signs that are already on the property. Ms. Johnston responded that she is working with the owner to try to come into compliance. Mr. Metzler asked Ms. Torregrosa to review the sign guidelines. Ms. Torregrosa reviewed all the guidelines that apply to this site. Ms. Torregrosa stated that the site needs to come into compliance with the guidelines.</p> <p>Rudy Molinet agreed with Mr. Metzler as to being shocked at the application. Mr. Molinet stated that looking the sign being proposed is really six signs by the way he counts. Mr. Molinet suggested that the applicant request a postponement in order to determine ways to get the site into compliance and change the sign to a different format in order to still attract attention yet not be a menu board.</p> <p>Actions/Motions: A motion was made by Mr. Daniel Metzler, seconded by Ms. Donna Bosold, that the item be Postponed. The motion Passed by the following vote: Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet</p>
5	<p>Demolition of concrete side stairway-#1405 Grinnell Street-FMH Builders Inc. (H12-01-426) Second reading</p> <p>Frank Herrada presented the project. Mr. Herrada stated he had nothing to add from the last meeting.</p> <p>Public Comments: There were no public comments.</p>

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	<p>Staff Report: Enid Torregrosa presented her staff report. Ms. Torregrosa stated that it is Staff's opinion that the proposed demolitions can be considered by the Commission since they comply with the criteria for demolitions in the historic district as stated in Section 102-218 of the Land Development Regulations.</p> <p>Commission Discussion: The Commissioners had no additional comments or discussion.</p> <p>Actions/Motions: A motion was made by Mr. Daniel Metzler, seconded by Ms. Maggie Gutierrez, that the item be Approved. The motion Passed by the following vote: Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet</p>
New Business	
6	<p>Light pole banners approved by City Commission- Duval Street and Truman Avenue- City of Key West/ Historic Markers Inc. (H12-01-437)</p> <p>Bruce Neff presented the project. Mr. Neff explained the purpose of the banners to educate both the tourist and the locals.</p> <p>Public Comments: There were no public comments.</p> <p>Staff Report: Enid Torregrosa presented her staff report. Ms. Torregrosa stated the City Commission, under Resolution 12-087, approved the installation of 84 banners; 39 of the proposed banners will be on Duval Street and 45 will be installed across Truman Avenue, between Eisenhower Drive and Duval Street. The installation of banners is prohibited in the historic district as well as on any utility pole, as stated in Sections 114-35 and 114-103 of the Land Development Regulations, except with the permission of the City Commission. It is Staff's opinion that this banners comply with the requirements of the Land Development Regulations.</p> <p>Commission Discussion: The Commissioners had no additional comments or discussion.</p> <p>Actions/Motions: A motion was made by Mr. Bryan Green, seconded by Mr. Theo Glorie, that the item be Approved. The motion Passed by the following vote: Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet</p>
7	<p>Relocate restaurant restrooms facilities within garage. Add ramp and covered entry- #951 Caroline Street- William Horn (H12-01-472)</p> <p>Bill Horn presented the project. Mr. Horn explained the reason for relocating the restrooms. Mr. Horn explained having the restrooms on a lower level would be safer for the patrons of the establishment.</p> <p>Public Comments: There were no public comments.</p>

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	<p>Staff Report: Enid Torregrosa presented her staff report. Ms. Torregrosa stated that it is Staff's opinion that the proposed plans are consistent with many of the guidelines for additions, alterations, and decks. The proposed new entryway and ramp will have no effect in the building or in the surrounding context. If approved this new proposal will require Planning Board review because of setbacks and the proposed use is a conditional one for this particular zoning district.</p> <p>Commission Discussion: Donna Bosold asked if the restrooms would be below flood level. Mr. Horn responded that "yes, it will be below flood level". Mr. Horn added that they are taking the appropriate steps to accommodate the restrooms being below flood level.</p> <p>The Commissioners had no additional comments or discussion.</p> <p>Actions/Motions: A motion was made by Mr. Bryan Green, seconded by Ms. Maggie Gutierrez, that the item be Approved. The motion Passed by the following vote: Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet</p>
8	<p>Relocate and raise existing structure. Construct deck and ADA ramps and toilets- #1430 Vernon Avenue- William Rowan (H12-01-541)</p> <p>Application was Postponed by Staff prior to the meeting.</p>
9	<p>Demolition of new top louvered fence to comply with front and side heights. Front fence will be 4' tall and side and back fences will be 6" tall- Code Compliance Case- #1316 Eliza Street- Victor Olson (H12-01-552)</p> <p>Victor Olson presented the project. Mr. Olson explained he is trying to work through the processes to come into Code Compliance since he had gone up too high on his fence.</p> <p>Public Comments: There were no public comments.</p> <p>Staff Report: Enid Torregrosa presented her staff report. Ms. Torregrosa stated that it is Staff's opinion that the corrections to the height of the front, side and back fences is consistent with the guidelines. Nevertheless, when the project was done without permits the pointed ends of the pickets were cut; the front and front side fences will be pickets but will be flat on the top. Staff also understands that the contrast in colors between the unpainted pine and the new wood is not appropriate. It is Staff's opinion that if the upper louvers are approved the applicant must paint or tint the fence in order to have a uniform finish fence.</p> <p>Commission Discussion: Mr. Miller asked if the flat top fence was within the Guidelines and would be approved.</p> <p>Ms. Gutierrez inquired about the height of the post and asked if they could be lowered to the height of the fence. Ms. Gutierrez also asked which sections of the fence required the pickets be re-cut.</p>

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Actions/Motions:

A motion was made by Mr. Theo Glorie, seconded by Mr. Daniel Metzler, that the **design** portion of the item be **Approved** with the condition that the fence be cut back to original picket shape, and be painted or stained the same uniform color.

The motion **Passed** by the following vote:

Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet

A motion was made by Ms. Maggie Gutierrez, seconded by Ms. Donna Bosold, that the **demolition** portion of the item be **Approved**. The motion **Passed** by the following vote:

Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet

A motion was made by Ms. Maggie Gutierrez, seconded by Ms. Donna Bosold, that the **design** portion of the item be **Reconsidered**. The motion **Passed** by the following vote:

Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet

A motion was made by Mr. Theo Glorie, seconded by Ms. Gutierrez, that the **design** portion of the item be **Approved** with the condition that the front fence be cut back to original picket shape, the post be lowered to the height of the fence, and be fence painted or stained the same uniform color. The motion **Passed** by the following vote:

Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet

A motion was made by Mr. Daniel Metzler, seconded by Mr. Theo Glorie that the **demolition** portion of the item be the item be **Approved**. The motion **Passed** by the following vote:

Yes: 7 – Ms. Bosold, Mr. Glorie, Ms. Gutierrez, Mr. Metzler, Mr. Miller, Mr. Green, Chairman Molinet

Commissioners Comments

Mr. Miller stated that it seems that lately the mentality of the retail community is more and more signs. Mr. Metzler stated that signs do no mean more business. Ms. Bosold stated that the visual clutter appears to be a result of the economy. Ms. Bosold stated she appreciated the work that Mr. Green has done on reviewing the Ordinances. Ms. Bosold added that she sent Ms. Torregrosa a copy of a White Paper concerning zoning and signage, which Ms. Torregrosa can distribute to the other Commissioners and even the Planning Board members. Mr. Glorie asked about the cars, which are wrapped in advertisements. Mr. Ramsingh addressed the cars, which are ad by stating that there is an Ordinance. Mr. Ramsingh explained that the Ordinance allows one (1) vehicle, which can be used daily. Mr. Metzler asked if the vehicle could be just left in front of the business. Mr. Ramsingh stated that they cannot be parked there all the time. Ms. Bosold stated that the sign vendors need to be educated. Mr. Molinet stated that his biggest pet peeve is the number of real estate signs. Mr. Molinet stated he would like to see the real estate signs and the larger signs out on the boulevard be addressed in the workshop. Mr. Molinet asked if maybe they need to do two (2) workshops – 1) On site on Duval and then the 2) To address the observations from the first workshop. Mr. Miller stated that he did not think it is very practical to do the walking workshop. Mr.

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	Miller suggested that each Commissioner walk Duval and determine their most important issues. Mr. Green stated the use of Google Earth. Ms. Torregrosa stated that she has already been taking photos.
Adjournment	
	Actions/Motions: A motion was made by Mr. Daniel Metzler, seconded by Mr. Bryan Green, that the meeting be Adjourned . The motion Passed by a unanimous vote. Meeting adjourned at 7:26 pm .

Submitted by,

Jo Bennett

Administrative Coordinator
Planning Department