

HPC

Monroe County Historic Preservation Commission MINUTES

Monday, May 7, 2012 2:00 p.m.

Tavernier Fire House, 151 Marine Ave., Tavernier

Call to Order.

Roll Call.

Alice Allen called the meeting to order.

Roll Call.

Alice Allen, Chair

Bert Bender

Jim Clupper

Stephanie Scuderi

Donna Bosold

Staff: Pedro Mercado, Assistant County Attorney

Rey Ortiz, Planner

Diane Silvia, Preservationist

Adoption of Minutes from the April 2, 2012 meeting.

Bert Bender motioned to approve the minutes of the April 2nd 2012 meeting with the spelling corrected on the bottom of page 3 from "Heline" to "Healey." Jim Clupper seconded the motion.

Applications for Special Certificate of Appropriateness:

1. ANDREW TOBIN is proposing to construct a new single family residence at 243 Tavernier Drive. The subject property is legally described as Block 8 Lot 7 Largo Beach, Key Largo, Monroe County, Florida having Real Estate Number: 00477860-000000 (previously tabled at the March 5th 2012 meeting).

The staff report had already been reviewed at the March 5th meeting. No new material was presented for the application prior to this meeting.

Applicant presentation:

Project Designer, Larry Nix said last time we met you said the house was too big.

Bert Bender said it is out of scale with the historic nature of the neighborhood.

Monroe County Historic Preservation Commission

MINUTES

Monday, May 7, 2012 2:00 p.m.

Tavernier Fire House

Page 2 of 7

Mr. Nix said we are following the LDR's. We have the 5 and 10 foot side setbacks. You are asking us to reduce the size and increase the setbacks. He presented GIS maps of the waterfront areas of the Tavernier Historic District (exhibit A), photos of other 35 foot waterfront homes, all with maximum setbacks(exhibit B), and property records and photos of other homes as examples (exhibits C-G). This lot is only 50 feet' wide. The only thing you had a problem with is size. Everything else is okay. An affidavit from David deHaas (exhibit H) was provided that states the proposed house is appropriate. They are not looking to do anything new. Mr. Nix noted at the last meeting Alice said the damage on the waterfront is already done.

Owner and Land Use Attorney, Andy Tobin said staff basically recommended approval and Bert had a problem with it. He has built three houses in Tavernier. You build to the maximum width to ensure the largest water view. By the time you consider wall width, closet and stair space rooms become too small. What standard are we using to say it is too large? If I get a denial it will lead to litigation. The only thing old here was Mr. Fitzpatrick's house which was torn down. It is true there are special houses in the interior of Tavernier. I have tried to follow the guidelines and not make it too contemporary. The property has a small envelope and a required elevation of 11 feet. David deHaas's affidavit should carry some weight.

Mr. Toblin asked Mr. Nix to give his qualifications.

Mr. Nix said he has worked on properties from Tavernier to Key West.

Mr. Toblin asked what they do in Key West.

Mr. Nix replied they max things out.

Mr. Toblin asked if there is a large house next to a historic house does this disqualify the significance of the historic house. The nearby houses are the same size and scale as they are proposing. If they make the setbacks more restrictive the footprint will not work.

Public testimony: There was no public testimony.

Board discussion:

Stephanie Scuderi asked if the HPC had approved the red tagged house on Ocean Avenue.

Rey Ortiz said they did not build what was approved. For example, they added bay windows.

Mr. Bender said he is going by the guidelines for height – new construction should be respectful of the historic scale. Old buildings are set back further and are more sensitive to the scale of the neighborhood.

Monroe County Historic Preservation Commission

MINUTES

Monday, May 7, 2012 2:00 p.m.

Tavernier Fire House

Page 3 of 7

With the Boudreau building this is an example of redesign. We were hoping Mr. Nix would talk to Mr. Tobin about making some changes.

Mr. Toblin asked what should I compare this to. It is a stilt house.

Mr. Bender said as a land use attorney you know it is not appropriate for me to redesign your project.

Pedro Mercado said he must review this according to the guidelines.

Mr. Nix said with the Boudreau's project the lot is four times the size of this lot so the structure could be repositioned. One page 20, under height- the height proposed here is appropriate.

Mr. Mercado said the last part of the sentence reads "with the scale of the historic district."

Mr. Nix noted we are not going to impact that area. We would be the only ones here with a cottage.

Mr. Tobin asked if the Commission approved the house under construction (red-tagged). He said this sets a precedent.

Mr. Bender said we cannot undue mistakes of the past. It is out-of-scale buildings like that which lead to the formation of historic districts. In Chicago, the Mayor bought up lake front properties to protect the water view.

Mr. Tobin asked you want my property to be the view point. What we are proposing to build is appropriate.

Donna Bosold asked if the property has been through ROGO.

Mr. Tobin said he purchased the property and submitted plans prior to the formation of the HPC.

Mr. Ortiz said this is an anomaly. Now the HPC would review the plans before ROGO allocation.

Ms. Bosold then asked about the required FEMA elevation.

Mr. Nix said it is 12', if the ground surface is at 3' we must go up 9'.

Jim Clupper feels Mr. Bender is correct. We must look at this as a district not as individual neighborhoods.

Ms. Scuderi asked if the plans were submitted prior to the formation of the HPC and if they were

Monroe County Historic Preservation Commission

MINUTES

Monday, May 7, 2012 2:00 p.m.

Tavernier Fire House

Page 4 of 7

notified. Mr. Tobin said they are on the fringe of the district and this is a stilt house in a V zone.

Ms. Allen explained the district runs all the way to Tavernier Creek, and all the way from the highway to the ocean.

Motion:

Bert Bender motioned to table this item so the applicant can consider an alternative design. Stephanie Scuderi seconded the motion. All voted in favor of the motion.

2. CAROLINE ALFONSO is seeking approval for a new front deck as a replacement for a previous, smaller, front deck. The subject property located at 120 Sunrise Drive and is legally described as Lot 45 Tavernier Cove, NO 1 PB1-103 Key Largo, Monroe County, Florida having Real Estate Number: 00506380-000000.

Staff Presentation:

Diane Silvia read the staff report noting the applicable guidelines and standards.

Applicant presentation:

Rudy Perez said they had to re-construct the deck because it was a safety issue. They did not know they needed a permit since the work was less than \$1,000. They did not know what the procedure was. They do not want to add a roof, but do wish to add railings.

Public testimony: there was no public testimony

Board discussion:

Mr. Bender said this would be more appropriate if this was a porch with a roof and railings.

Donna Bosold said it is commendable you are fixing up the property.

Jim Clupper noted the railing will make this deck more appropriate.

Alice Allen said this property was never abandoned. It was in her family and her Mother lived there several years. She noted in the booklet "Discovering Tavernier" they describe the structure as having a modest stoop. They are abandoning the cottage look. Everything about the house is small and this deck is out of scale.

Caroline Alfonso said the deck was a safety issue and the house could not be rented like that.

Mr. Perez said when they replace the shrubs that were removed it will not look as large.

Mr. Bender said the railings should be broken up into threes to create a pattern.

Monroe County Historic Preservation Commission

MINUTES

Monday, May 7, 2012 2:00 p.m.

Tavernier Fire House

Page 5 of 7

Ms. Allen said they are changing the historic façade.

Mr. Bender feels if done correctly it will reinforce the historic façade.

Motion:

Bert Bender motioned to table so they can develop more drawing to address the railing. Donna Bosold seconded the motion. Jim Clupper and Stephanie Scuderi voted in favor of the motion. Alice Allen objected.

3. HAROLD MC MAHAN is proposing the continuation of the existing 5' PVC picket fence across a portion of the front yard and the continuation of the existing 5' black vinyl coated chain link fence across portions of the rear and side yards of the property located at 198 Lowe Street. The subject property is legally described as BK 3 Amd Plat of Tavernier Beach, Key Largo, PB1-201 & Island of Key Largo Lot 6 Less, Monroe County, Florida having Real Estate Number: 00566320-000000.

Staff Presentation:

Diane Silvia read the staff report noting the applicable guidelines and standards.

Applicant presentation:

Harold McMahan has applied for a new building permit to extend the previously permitted and installed fence. The fence is 5' high as the previous owner had dogs.

Public testimony: there was no public testimony

Board discussion:

Bert Bender said he went by and looked at the property and found it refreshing to see this open property with the circular drive.

Alice Allen agreed it is a beautiful yard.

Motion:

Bert Bender motioned to approve the proposed fencing. Jim Clupper seconded the motion. All voted in favor of the motion.

4. NORBERTO PRIU is proposing to install a cargo lift at his property located at 165 Atlantic Circle Drive. The subject property is legally described as BK C Lot 5 Tavernier #2 PB2-8 Key Largo G5-74, Monroe County, Florida having Real Estate Number: 00556160-000000.

Staff Presentation:

Diane Silvia read the staff report noting the applicable guidelines and standards.

Applicant presentation:

Pete Diaz presented the project. He explained the lift will be mainly for cargo. It is a utilitarian use. Mr. Dave Wiles is the long term tenant on the property and needs the lift for medical reasons to get items to the living space. The railings on the cargo cage will blend in with the railings.

Public testimony: there was no public testimony.

Board discussion:

Bert Bender said he looked for alternative locations for the lift, but did not see one.

Donna Bosold said she did not see the location as an issue.

Motion:

Donna Bosold motioned to approve the proposed lift. Stephanie Scuderi seconded the motion. All voted in favor of the motion.

Other Business:

Rey Ortiz introduced himself to the Commission and explained he has been given the authority to do staff approvals for the Key Largo office. He explained that in cases like Mr. Tobin's application (prior to the formation of the HPC) when they go to pull a permit and make any changes to the original plans they must come to the HPC. The property is on the FEMA Injunction list.

Pedro Mercado said if the plans have not been changed they do not have to come back.

Mr. Bender said we need to find out if he has made changes. If not, he does not need to come back.

Mr. Ortiz said it would be nice to have a written history of the red-tagged house as this issue will always come up. This should include what was approved and how much they deviated from the approval. He noted that we are pleased that all of the historic properties in Monroe County have been flagged in the system. In the Tavernier District we will review the entire property. In the remainder of unincorporated Monroe County, it will be the building only. Files will go to the planner who will decide if the proposal will change the character of the property. In Marathon, this will be Townsley. In Key Largo, it will be Mr. Ortiz. Staff will take before and after photos of the work.

Mr. Mercado said the red tagged house does not necessarily set a precedence. We do not know all the factors involved in that decision.

Monroe County Historic Preservation Commission

MINUTES

Monday, May 7, 2012 2:00 p.m.

Tavernier Fire House

Page 7 of 7

Ms. Bosold said the owner at 120 Sunrise Drive used the \$1,000 threshold as a justification for not getting a permit. Is there any way to educate property owners about this?

Sue Heim, from the audience, asked Mr. Ortiz if he was the only one authorized in the Key Largo office.

Mr. Ortiz said yes, he does this on Townsley's behalf.

Discussion on the Preservation Guidelines.

Mr. Bender said our guidelines are vague. They are weak and difficult for people to understand. He did guidelines for new construction in Flagstaff in the 1980's. Development standards are the maximum allowed - they are the limits. They used the concept of development zones for evaluating scale. They used 12 common elements for review. We may want to include this section on definitions. We also may not want to dictate things like roof types, for example there are flat roofs. Another example is fences. Picket fences are not always the most appropriate fence type for a particular property.

Ms. Allen asked how do we go about making guideline changes.

Mr. Mercado noted to make guideline changes there should be a public workshop.

The group agreed to hold a meeting to discuss revisions to the design guidelines either June 11th or the 25th.

Adjournment.